

PLANNING COMMISSION

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Wednesday, September 21, 2022 @ 6:00pm

The public is invited to attend this meeting in person
Attend by phone: 1-844-992-4726 Meeting Access Code: 2482 779 9813
Meeting is also televised on CTC Cable channel 8 and streamed live on
YouTube: www.youtube.com/CityOfBrainerdMN

Commissioner Marohn will be attending this meeting remotely from the following location:

4847 Georgia Street Delta, British Columbia Canada

1. Call To Order

2. Roll Call

___ D. Gorham ___ M. Kallroos ___ K. Yeager ___ T. Erickson

___ C. Marohn ___ T. Woodward ___ M. Duval

3. Pledge Of Allegiance

4. Approval/Amendment Of Agenda

5. Approval Of Minutes

1. Regular Meeting Held on August 17, 2022

2. Workshop Held on September 7, 2022

Documents:

[2022-08-17 DRAFT.PDF](#)

[2022-09-07 WORKSHOP.PDF](#)

6. New Business

6.a. Interim Use Permit Request For Outdoor Storage - 1918 Thiesse Drive

Documents:

[1918 THIESSE INTERIM USE.PDF](#)

6.b. Interim Use Permit Request For Outdoor Storage - 1911 Thiesse Drive

Documents:

[1911 THIESSE INTERIM USE.PDF](#)

6.c. Variance From Setback Standards - 1911 Thiesse Drive

Documents:

[1911 THIESSE DR VARIANCE.PDF](#)

6.d. Variance From Setback Standards - 804 Oak Street

Documents:

[804 OAK ST VARIANCE.PDF](#)

6.e. Variance For Boundary Line Adjustment - 3231 Oak Street

Documents:

[3231 OAK ST VARIANCE.PDF](#)

6.f. Variance From Setback Standards - 515 S. 9th Street

Documents:

[515 S 9TH ST SETBACK VARIANCE.PDF](#)

6.g. Variance From Garage Placement Standards And Height Standards - 324 Woodland Hills Lane

Documents:

[324 WOODLAND VARIANCE.PDF](#)

7. Public Forum

Time allocated for citizens to bring matters not on the agenda to the attention of the Planning Commission - time limits may be imposed

8. Community Development Director's Report

9. Commissioner Questions/Comments

10. Adjourn

PLANNING COMMISSION
Wednesday, August 17, 2022
6:00 pm

#1 Call to Order

Planning Commission Chair Duval called the meeting of the Brainerd Planning Commission to order at 6:00 pm in the City Hall Council Chambers.

#2 Roll Call

Noted present were Commissioners Gorham, Yeager, Marohn, Woodward, and Duval. Commissioner Erickson and Kallroos were noted as absent. Also noted as present was Community Development Director Kramvik.

#3 Pledge of Allegiance

Commission Chair Duval opened the meeting with the Pledge of Allegiance to the flag.

#4 Approval/Change of Agenda

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND GORHAM, DULY CARRIED, TO AMEND THE AGENDA BY ADDING THE OATH OF OFFICE FOR COMMISSIONER MAROHN AND ITEM 7C. REVIEW TOPICS SET ASIDE FROM THE ZONING CODE REWRITE.

#5 Oath of Office – Chuck Marohn *(added item)*

Community Development Director Kramvik had Commissioner Marohn read the oath of office and welcomed him to the Commission.

#6 Approval of Minutes

MOVED AND SECONDED BY COMMISSIONERS WOODWARD AND YEAGER TO APPROVE THE MINUTES FROM THE JULY 20, 2022 REGULAR MEETING.

Members Gorham, Yeager, Woodward, and Duval voted “aye”. Member Marohn abstained from voting as he was not on the Commission at that time. The Chair declared the motion carried.

#7 Old Business

None

#8 New Business

7a. Conditional Use Permit – Residential Recovery Facility with Outpatient Services – 2501 Greenwood St.

Community Development Director Kramvik gave a review of the details from the application. The request is to transition vacant buildings previously used by Woodland Good Samaritan memory care patients into a residential recovery facility for Teen Challenge.

The Chair opened the public hearing at 6:12 pm.

The Chair recognized Sam Anderson, the Center Director for MN Teen Challenge at 2424 Business 371, who is the applicant for the permit. He described the plan to provide housing for women seeking help from addiction that will eventually allow their small children to be with them during their treatment. He stated there is a high need for recovery programs dedicated to women in the area.

The Chair recognized Camille Lartigue, 5832 Barbeau Rd., who works at the outpatient program location at 603 Oak Street. She stated she and her husband are graduates of addiction recovery programs and stressed the need for a women's program in the area.

The Chair recognized Bonnie Shipman-Banks, 13763 Hardy Lake Rd., Pillager and is the clinical supervisor at the 603 Oak Street facility. She has worked for 32 years in chemical dependency in Brainerd and there has never been an offering of treatment programs for women.

The Chair recognized Dawn Squires-Hart, 3408 Aztec Rd., Motley, who works at Teen Challenge and volunteers at the CWC Jail. She said many of the incarcerated women seeking treatment don't want to leave their kids behind. The option for them to attend a residential treatment and have their children with them would be very successful.

The Chair recognized Tallie Broadhead, 11435 Jasperwood Dr., Baxter, who is employed with Teen Challenge and volunteers at the Aitkin County Jail. She indicated she is also a graduate of addiction recovery. She said when she was in treatment, her children were displaced to family or friends because there were no other options. She feels that having this type of facility would be beneficial for mothers and their families.

The Chair closed the public hearing at 6:30 pm.

Commission discussion took place.

MOVED AND SECONDED BY COMMISSIONERS MAROHN AND WOODWARD, DULY CARRIED, TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT FOR 2501 GREENWOOD STREET TO OPERATE A RESIDENTIAL RECOVERY FACILITY WITH THE CONDITION THAT ANY FUTURE DEVELOPMENT OF PARKING LOTS CONFORM TO THE RESIDENTIAL LIGHTING AND SCREENING STANDARDS.

7b. Conditional Use Permit – Ice Vending Machine – 1202 6th St S.

Community Development Director Kramvik explained the details of the request to install an ice and water vending machine at 1202 6th Street S.

The Chair opened the public hearing at 6:46 pm.

The Chair recognized Todd Sutton, 8415 Bent Creek Island Rd., Bismarck, ND, who is the owner of the property and the applicant for the request. He stated these units have been installed in North Dakota in different areas of tourism and have been very successful. He indicated this

property is in an ideal location, as it allows for drive in and drive out access with little highway disruption. He explained the mechanics on the operation of the unit, maintaining the unit, and power concerns.

The Chair recognized Earl Athman, 20323 Hickory Rd., Little Falls, who owns the property at 1210 6th St. S. and is concerned about the proposed fencing requirement along his property, as it was a shared space for snow removal. He also has concerns about lighting, and potential noise.

The Chair closed the public hearing at 6:54 pm.

Commission discussion took place.

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND GORHAM TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT FOR 1202 6TH STREET SOUTH TO INSTALL A SELF-SERVICE ICE AND WATER VENDING MACHINE UNDER THE CONDITIONS THAT THE APPLICANT SUBMIT TO STAFF THE LIGHTING (2700k LIGHTING COLOR OR WARMER) AND FENCING/SCREENING PLANS THAT MEET CURRENT RESIDENTIAL STANDARDS.

Members Gorham, Yeager, Woodward, and Duval voted “aye”. Member Marohn voted “nay”. The Chair declared the motion carried.

7c. Review Ord. 1534 Moratorium and Topics Set Aside from Zoning Code Rewrite *(added item)*

Community Development Director Kramvik stated there needs to be discussion on the moratorium that was adopted under Ordinance No. 1534 on July 6, 2022. This interim moratorium prohibits the conversion of dwellings to green space or parking lots in the single-family residential district. He indicated there are other topics that were earmarked during the zoning code rewrite that needed further discussion. Those items are:

- Outdoor Lighting
- Manufactured Home Overlay District
- Off-Street Parking
- Subdivision Regulations – Section 500 of the City Code
- Shoreland Regulations – Section 530 of the City Code

Commission discussion took place, and a workshop has been scheduled for 7:00 pm on Wednesday, September 7, 2022 in the Fire Department training room.

#8 Public Forum

The Chair opened the public forum at 7:26 pm.

No one came forward.

The Chair closed the public forum at 7:26 pm.

#9 Community Development Director's Report

No further updates.

#10 Commissioner's Questions/Comments

Commissioner Yeager encouraged everyone to check out the progress of the Mississippi Landing Trailhead Park.

#11 Adjourned at 7:30 p.m.

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND WOODWARD, DULY CARRIED, TO ADJORN TO THE PLANNING COMMISSION WORKSHOP BEING HELD ON SEPTEMBER 7, 2022 AT 7:00 PM IN THE FIRE DEPARTMENT TRAINING ROOM.

Michael Duval, Planning Commission Chair

PLANNING COMMISSION WORKSHOP

Wednesday, September 7, 2022

7:00 p.m.

#1 Call to Order

Planning Commission Chair Duval called the Planning Commission Workshop to order at 7:00 p.m. in the Fire Department training room.

#2 Roll Call

Noted present were Commissioners Gorham, Yeager, Marohn, Woodward, Erickson, Kallroos and Duval. Also noted as present was Community Development Director Kramvik.

#3 Conversion of Dwellings to Green Space or Surface Parking Discussion

Community Development Director Kramvik gave a brief recap of Ordinance No. 1534 that went into effect on July 17th, 2022. This ordinance imposed a six-month moratorium on the conversion of dwelling units to green space or surface parking in the R-1 zoning district. The Planning Commission is tasked with discussing proposed changes to strengthen the new zoning code in the relation of conversion of dwelling units to green space or surface parking. He indicated Commissioner Marohn has provided an ordinance that was implemented for the City of Crosby for the same concern.

The Commission discussed the current code and reviewed the ordinance example as provided. Some ideas that were discussed:

- Update residential districts only
- Require an application to consider a demolition or go through the variance process or conditional use permit process
- If the ordinance used in Crosby is acceptable, several updates to the language is recommended

Staff will draft an ordinance based on the discussion tonight and consult with the City Attorney on appropriate language.

#4 Outdoor Lighting Discussion

Community Development Director Kramvik explained the Commission has made several changes to the lighting ordinance over the last few years. However, upon implementation of the new zoning code this year, the Commission has expressed interest in adding two items to the Zoning Code.

Lighting Color Temperature Requirements

- Residential fixture standards are typically 2,700 – 5,000k
- Commercial fixture standards are typically 3,000 – 10,000k

Commissioners directed staff to research ordinances and requirements of other communities regarding the lighting color temperatures.

Review the Increase in Light Source Height

- Potentially require a setback from property lines

Commission discussion took place and the language in the code is adequate to determine height, but maybe include visual diagrams/drawings to show light trespass.

Community Development Director Kramvik discussed whether to consider adding the PSP District to the General Commercial and Commercial Corridor District Lighting Standards. It was determined that the PSP should follow residential lighting standards.

#5 Manufactured Home Overlay District Discussion

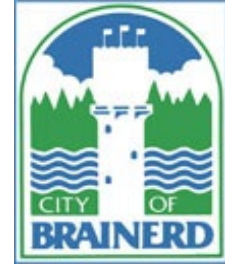
Due to time constraints, this topic will be discussed at a future meeting.

#6 Adjourn

The Chair adjourned the meeting at 9:00 pm.

Michael Duval, Planning Commission Chair

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: September 21, 2022

RE: Interim Use Permit – 1918 Thiesse Dr.

Jerry Tang has submitted a request on behalf of VCV Digital Infrastructure Minnesota, LLC for an Interim Use Permit for outdoor storage as a principal use to operate a crypto mining facility at 1918 Thiesse Dr.

Property Area: 1.21 Acres

Adjacent Uses: North: Proposed Crypto Mining Facility
East: Undeveloped Wetland & Agricultural
South: Industrial Park Retention Area
West: Industrial/ Vacant Undeveloped

Adjacent Zoning: North: GI (General Industrial) District
East: Crow Wing County – Commercial/ Heavy Industrial District
South: GI (General Industrial) District
West: GI (General Industrial) District

Findings of Fact

1. 1918 Thiesse Drive is located in a GI (General Industrial) District. Zoning Ordinance [Section 515-3 \(Allowed Uses\) Appendix A: Table of Uses](#) permits the operation of outdoor storage as a primary use as an interim use in the GI District as long as it meets the criteria outlined in [Section 515-3-28.C](#) regulating outdoor storage. The applicant proposes operating a crypto mining facility with 12 containers to house the data mining machines along with 12 cooling towers. The primary use of this site is outdoor storage as any subsequent buildings are accessory to the crypto mining operation. The site would also have an office and guard shack.
2. (Outdoor Storage) Non-Residential Zoning Districts.
 - a. All exterior storage shall be fully screened so as not to be visible from abutting properties and rights-of-way. All outdoor storage shall follow the standards as established [Section 515-4-10. G.](#) for screening of Parking Lots.
 - i. *The applicant is proposing an 8-foot-tall chain link fence with privacy slats and barb wire around the property. The privacy slats will be installed on the north side of the fence to screen the outdoor storage from the road. The remainder of the property is screened from outdoor storage with natural vegetation and will not be seen from*

adjacent properties. [Section 515-4-11.F.4](#) states that Non-residential fences up to eight and one half (8 ½) feet in height are permitted. Such fences in a front yard must be ninety (90) percent open. The proposed fence must be fully screened and therefore must be setback 40 feet from the front property line as regulated by [Section 515-2-16.C](#) General Industrial Zoning District Dimensional Standards.

- ii. Section 515-4-10.G Parking Lot Screening requires that one (1) shrub shall be planted for every five (5) lineal feet of parking lot perimeter that is adjacent to a public street. The applicant has proposed to install a row of shrubs on the north side of the fence to meet this ordinance.*
 - b. Screening shall be required except for the following:
 - i. Merchandise being displayed for sale in accordance with zoning district requirements.*
 - ii. Materials and equipment currently being used for landscaping or construction on the premises (within a period of one (1) year).*
 - 1. This property is not exempted from screening requirements.*
 - c. The storage area does not take up parking space or loading space as required for conformity to this Ordinance.
 - i. The applicant has proposed 5 parking spaces for this facility and a large driveway circling the outdoor storage facility property.*
 - d. The storage area is fenced and secured.
 - i. This site will be fully fenced by and 8-foot-tall chain link fence with barbwire.*
 - e. The storage area is paved or surfaced to control dust and erosion.
 - i. The driveway and parking area will be paved with asphalt.*
 - f. All parking, loading and truck staging activities shall occur on site. On-street parking and loading associated with the use is prohibited.
 - i. This facility has a large driveway where all unloading will occur.*
 - g. Noises emanating from the use are in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulations MPC 7030.
 - i. This will be part of the building review process. The cooling towers will help reduce noise levels produced by the crypto mining machines.*
3. [Section 515-5-3.C.a](#) states that an Interim Use shall comply with the following standards:
 - a. Meets the standards of a Conditional Use Permit set forth in [Section \[515-5-2\]](#) of this Ordinance.
4. [Criteria for Granting Conditional Use Permits](#). In granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety, morals and general welfare of occupants or surrounding lands. Among other things, the City Council shall make the following findings where applicable.
 - a. The proposed use conforms to the Zoning District and is a permitted Conditional Use identified on the Appendix A: Table of Uses.
 - i. The purpose of the G1 Zoning District is to provide for the establishment of heavy industry and manufacturing development and use which because of the nature of the product or character of activity,*

requires isolation from residential and commercial uses. The proposed property is surrounded by industrial/ undeveloped land. Crypto mining with data storage containers and cooling towers is considered outdoor storage as a principal use with is allowed as an interim use in the GI District.

- b. The proposed use meets the regulations and standards established in this Ordinance.
 - i. Special standards for outdoor storage have been reviewed in section 2 of this document.*
- c. The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.
 - i. The proposed use will not be dangerous, injurious, or noxious to adjacent properties or persons.*
- d. The proposed use shall be sited, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
 - i. The proposed crypto mining facility will be fully screened from the road with a chain link fence with privacy slats. The fence will have a row of shrubs planted along the roadside of the fence.*
- e. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - i. Chain link fences with barb wire are consistent with other GI District zoned properties including FedEx which is in the same industrial park.*
- f. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 - 1. The proposed crypto mining facility is the last property in the industrial park and will have no effect on any residential neighborhoods. All surrounding property is zoned for Industrial Uses.*
- g. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.
 - 1. Goal 1 of Chapter 5 of the Comprehensive plan which states, "Support infill and redevelopment throughout Brainerd as a strategic component of growth."*
 - a. Policy 1 under Goal 1 states, "Drive infill development and redevelopment towards areas where current infrastructure is present, or places where high levels of blight or disinvestment exists"*

5. Conditions. In reviewing applications for conditional use permits, the City may attach whatever reasonable conditions are deemed necessary to mitigate anticipated adverse impacts associated with the proposed use, to protect the value of property within the Zoning District, and to achieve the goals of the City's Comprehensive Plan. In determining such conditions, special consideration shall be given to protecting nearby properties from objectionable views, noise, traffic, and other characteristics associated with such uses.

As of this writing, one party has contacted the Community Development Department about the Interim Use Permit application and did not have any concerns.

Staff Recommendations

Staff recommends approval of the Interim Use Permit for outdoor storage as a principal use for a crypto mining facility with the following conditions:

1. The interim use permit is contingent upon final sale of the industrial park property to VCV and is voided upon operations discontinuing as a crypto mining facility.

Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218/828-2309/Fax 218-828-2316 www.ci.brainerd.mn.us**INTERIM USE PERMIT***Application Form (residential - \$250.00 / commercial - \$500.00 +\$500.00 escrow deposit)*

(This form must be filled out completely before your application will be accepted)

Property Address for this *Interim Use Permit*: 1918 Thiesse Dr, Brainerd, MN 56401

I (We) the undersigned, do hereby respectfully request the Brainerd City Council to grant an Interim Use Permit to allow cryptocurrency mining

_____ *at the property address listed above until the date of* indefinitely

Legal Description (attach, if lengthy): Lot 1 Block 3 Addition Brainerd Industrial ParkFirst Addition, Crow Wing County, Minnesota**Property Owner:** VCV Digital Infrastructure Minnesota, LLCAddress: 1540 Broadway, Suite 1010, New York

(Street)

(City)

NY

(State)

10036

(Zip)

Contact Information #: _____

(Home)

917-558-3563

(Business)

jerry.tang@vcvdigital.com

(E-mail)

Applicant: (if different than Property Owner) _____

Address: _____

(Street)

(City)

(State)

(Zip)

Contact Information #: _____

(Home)

(Business)

(Fax)

(E-mail)

Contact Person: (if different than Property Owner) _____

Address: _____

(Street)

(City)

(State)

(Zip)

Contact Information #: _____

(Home)

(Business)

(Fax)

(E-mail)

Obtaining this *Interim Use Permit* does not absolve the applicant from obtaining all other applicable permits, such as Building Permits, MnDOT access permits, etc.

I (We) certify that I (we) have submitted all the required information to apply for an Interim Use Permit and that the information is factual.

DocuSigned by:

AB034191F32A419...
Signed by: _____ Date: 9/7/2022
(Property Owner)

Jerry Tang
(Property Owner-Please print Name)

(Applicant-If different than owner)

Date: _____

(Applicant - Please print name)

Interim Use Permit

Supporting Information

The City Council may approve an Interim Use Permit if all of the “Criteria for Review of Interim Use Permits” are met. In order to facilitate review of this application for an *Interim Use Permit*, the applicant must address each of the “*Criteria*”, referred to in Section 515-5-3 of the Zoning Ordinance.

1. **Public Health/Safety/Welfare.** The *Planning Commission* and the *City Council* shall review each application for the purpose of determining that each proposed use meets the following criteria referenced to in Section 515-5-2 and in addition, shall find adequate evidence that each use in its proposed location will address the following:
 - (a) The proposed use conforms to the district and conditional use provisions and all general regulations of this Ordinance.
 - (b) The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this section.
 - (c) The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.
 - (d) The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
 - (e) The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - (f) The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.
 - (g) The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.

(con't)

Interim Use Permit

Site Plan Checklist

Interim Use Permit Site Plan Attachments. Provide a narrative addressed to the City of Brainerd describing the following:

- ☒ Responses to criteria for review of Interim Use Permits on Page 2.
- ☒ Approximate number of employees.
- ☒ Type of clientele.
- ☒ Hours of operation.
- ☐ Number of customer seats, if food service related.
- ☒ Handling of deliveries.

The applicant shall provide a Site Plan, which includes the information described below, as set forth in the Zoning Ordinance.

- ☐ Site Plan drawn to scale on a sheet not less than 11"x17".

NOTE: With approval by City Staff at a Pre-Application Meeting prior to submitting the Site Plan, it may be possible to exclude some of the following items from the Site Plan. Please place a check mark in the box in front of each item that is included as part of the application materials submitted for approval.

- ☒ Name(s) and address (es) of the applicant(s).
- ☒ Name(s) and address (es) of the owner(s) of record of the property.
- ☒ Name and address of the person or firm preparing the site plan.
- ☒ Property address (es).
- ☒ Date of Preparation.
- ☒ North Arrow.
- ☒ Scale: The scale shall not be less than 1"=10', and no greater than 1"=60'.
- ☐ Legal Description.
- ☒ Boundary Survey.
- ☒ Size and location of all existing and proposed buildings, additions, structures and uses, including:
 - ☒ Setback distance to property lines;
 - ☒ Exact exterior dimensions of each building;
 - ☒ Location of entrances;
 - ☐ Number of dwelling units; and,
 - ☐ Square footage of each type of use.
- ☒ Zoning designation of the property.
- ☒ Proposed use of the property in sufficient detail to determine code compliance.
- ☐ Existing and proposed location and size of sanitary sewer mains and service lines.
- ☐ Existing and proposed location and size of water mains, service lines and hydrants, and/or water well.
- ☐ Existing and proposed location and size of electrical service (electrical riser diagram) and the location of high-pressure gas lines, high tension transmission lines, cable TV, and telephone lines.
- ☐ Existing and proposed location and size of storm drainage facilities on the property and adjacent to the property.
- ☒ Location and dimensions of all existing paved surfaces and of all abutting streets.

(con't)

- ☒ Existing and proposed location and dimensions of parking areas, individual parking spaces and drive aisles, driveways, curb cuts, easements, and rights-of-way, loading areas, dividers, curbs, islands, and other parking and drive improvements. Also include the number of proposed parking spaces and parking lot construction materials (City Code Section 515-22-1).
- ☐ Location of existing and proposed outdoor trash and dumpster areas and methods for screening such areas (City Code Section 515-20-1).
- ☐ Location and type of all existing and proposed signs (City Code Section 515-37-1).
- ☐ Evidence that the proposed work or activity will comply with the Outdoor Lighting requirements, set forth in Section 515-18-1 of the Zoning Ordinance. Specifically, the application shall include:
 - ☐ Plans indicating the location on the premises, and the type of illuminating devices, fixtures, lamps, supports, reflectors and other devices;
 - ☐ A detailed description of the illuminating devices, fixtures, lamps, supports, reflectors, and other devices. The description shall include manufacturer's catalog cuts and drawings, including sections when requested;
 - ☐ Photometric data, such as that furnished by manufacturers, showing the angle of cut off or light emissions.
- ☐ Location of water bodies, watercourses, and flood-prone areas with delineated channel encroachment lines, wetland boundary lines, 100-year flood plain boundary line, and floodway boundary line (City Code Sections 515-76-1; 515-77-1; 515-78-1).
- ☐ Location of natural features such as: existing trees or hills, wetlands.
- ☒ A landscape plan (City Code Section 515-20-1) showing:
 - ☒ The location of plants.
 - ☐ Identification of any trees to be removed.
 - ☐ Protection methods for existing trees during construction.
 - ☐ Identification of any trees to be removed.
 - ☐ Protection methods for existing trees during construction.
 - ☒ Areas to be seeded or sodded.
 - ☐ Location, dimensions, topography or any berming.
- ☐ Location and type of underground sprinkler system.
- ☐ A plant that includes:
 - ☐ The plant species;
 - ☐ The quantity of each type of plant; and,
 - ☐ The size of each plant at the time of planting.
- ☒ The location of fences and walls (City Code Section 515-19-0).
- ☒ Two (2) copies of architectural drawings of all new buildings or structures, or alterations, at a scale not to exceed 1"=8'.
- ☒ Building floor plans indicating existing and proposed usage, interior floor area and/or patron floor area.
- ☐ A note to be placed on all *Site Plans* to read as follows: "All construction materials, dumpsters, detached trailers, or similar items are prohibited on public streets or within the public right-of-way."

VCV Digital Infrastructure Minnesota, LLC
Brainerd Industrial Park – Crypto Site #2
Interim Use Permit – 1918 Thiesse Drive

September 6, 2022

Community Development Department
City Hall
501 Laurel Street
Brainerd, MN 56401
218-828-2309

City of Brainerd, MN:

VCV Digital Infrastructure Minnesota, LLC requests that the City of Brainerd, MN grant an interim Use Permit to allow for cryptocurrency mining at 1918 Thiesse Drive, Brainerd, MN 56401 for an indefinite period of time. This site (VCV Site #2) has been designed to accommodate 12 crypto mining containers and associated cooling towers. The site layout includes chain link fencing around the entire site with privacy slats installed on the north side. A parking lot is located adjacent to the guard shack and will be lined with shrubbery to meet landscaping requirements. An office for the two sites will be located just inside the north fence and will house all communication and networking equipment.

A guard shack, located next to the entrance/exit gate, will be installed outside the fence to prevent unauthorized access to the site. VCV expects to employ approximately 16 people between the two sites. The sites will be operated 24 hours a day, seven days a week. All deliveries to the site will be scheduled in advance and will be required to check in at the guard shack before proceeding into the site. The expected clientele will be advanced technological individuals and investors.

The crypto mining containers will be served by an overhead 34.5 kV sub-transmission line entering the site from the north as shown on the Site Layout. VCV Digital is working with Brainerd Power Utility (BPU) to design this overhead service which will likely be installed and maintained by BPU on behalf of VCV. Each set of two mining containers/cooling towers will be served from a 3,000 kVA pad mounted power transformer. A total of six (6) 3,000 kVA pad mounted transformers will be located on the site as shown on the drawings. The total expected load for the site is approximately 15.5 MW.

Each mining container will house approximately 210 mining computers. These computers generate a lot of heat when in operation. To control the temperature of the computers, a wet/dry cooling tower is installed for each container as shown on the site drawing. A connection to the BPU water system provides the make-up water to the cooling towers to replace the water lost in evaporation. At low ambient temperatures the cooling towers are drained to prevent freezing. A connection to the BPU sewer is planned for this manual draining process. BPU has existing water and sewer mains available along Thiesse Drive. Connection to the BPU system and a specific layout of water and sewer inside the site to be determined with the final design.

The engineers and their contact information are as listed below. The office and guard shack design are by others.

Electrical Design
Utility Technology, Engineers-Consultants
775 Spartan Blvd, Suite 207
Spartanburg, SC 29301
Heather Sudduth
864-579-1577
hsudduth@utilitytec.com

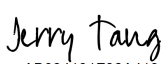
Civil Structural Design
Summey Engineering Associates
150 S Fayetteville St
Asheboro, NC 27203
Mack Summey
336-328-0902
mack@summeyengineering.com

VCV Digital Infrastructure Minnesota, LLC
Brainerd Industrial Park – Crypto Site #2
Interim Use Permit – 1918 Thiesse Drive

September 6, 2022

Please let us know if you have any questions or need additional information.

Sincerely,

DocuSigned by:

AB034191F32A419...

Jerry Tang
VCV Digital Infrastructure Minnesota, LLC
917-558-3563

Attached Documentation:

- C2H BIP Crypto Site 2 Layout Rev D.pdf
- 2022-08-18 E-7921 VCV DIGITAL_C4H.pdf
- 2022.08.23_PRELIM Foundation – S2H (E-7921).pdf
- Certificate of Survey 08-17-2022.pdf
- AntSpace HK3.pdf
- Office Elevations_1.pdf
- Office Elevations_2.pdf
- Office Floor Plan
- Guard Shack.pdf

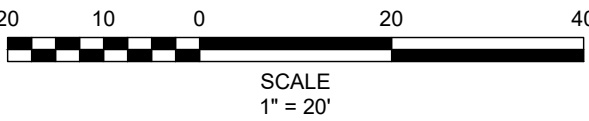


NOTE:

1. THIS LAYOUT IS FOR CONCEPTUAL REVIEW ONLY. NOT INTENDED AS FINAL DESIGN.

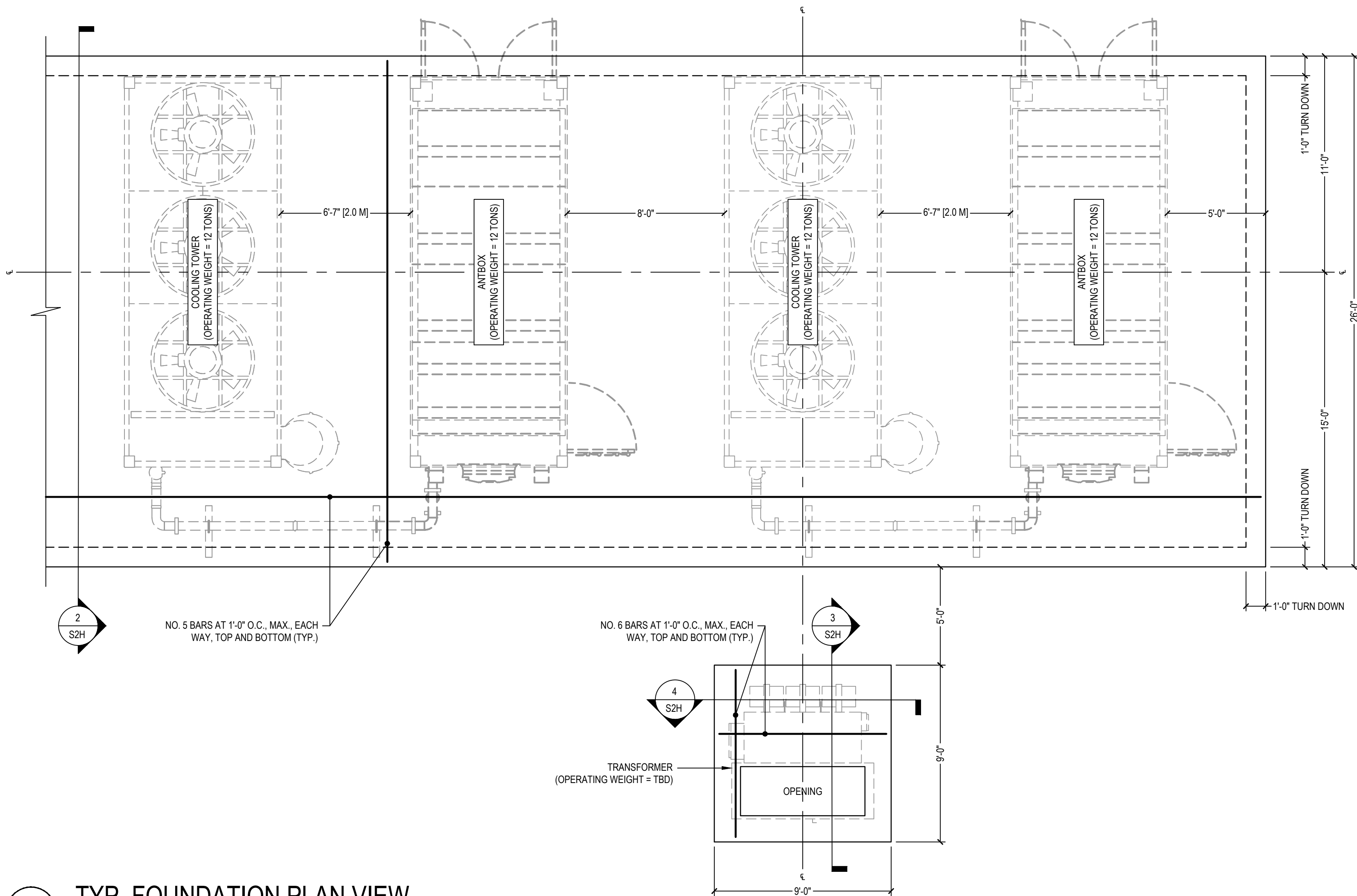
LEGEND:

- 34.5 KV OH LINES
- 2.5 MVA TRANSFORMER
- PROPERTY LINES
- x 8' PRIVACY FENCE
- xx 8' CHAIN LINK FENCE W/ BARBED WIRE
- UG ELECTRICAL LINES
- ACCESS ROADS
- DOWN GUY
- SHRUBS

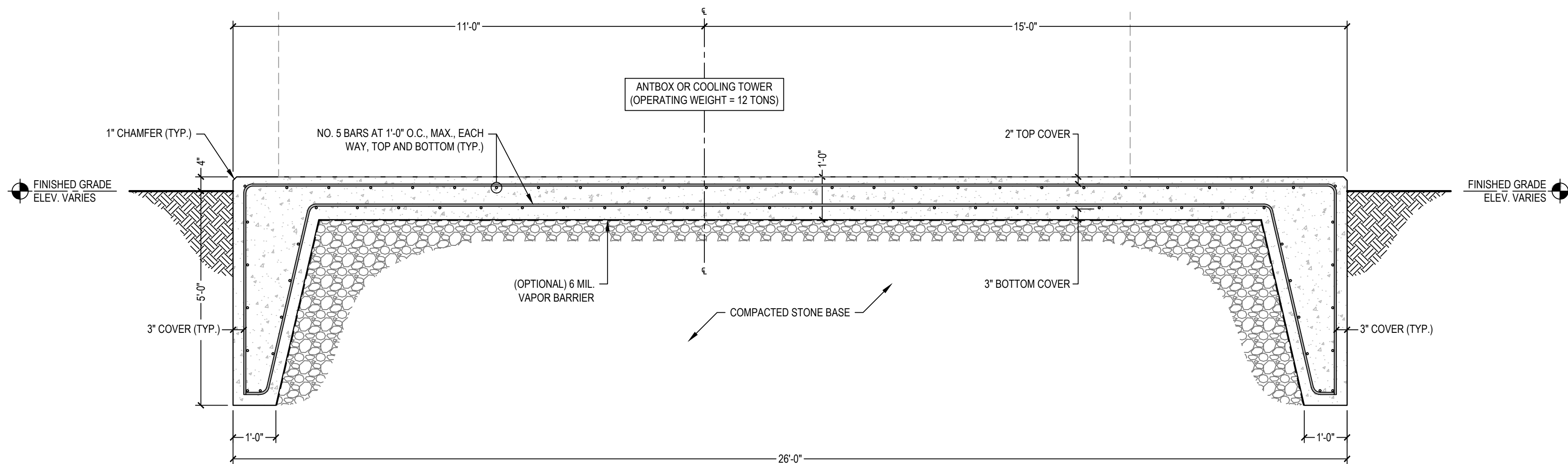


Aug 23, 2022, 4:57pm X:\BPV - VCV Digital\MN\CH\2H\BPV Crypto Site Layouts - Rev D.dwg Layout: C2H

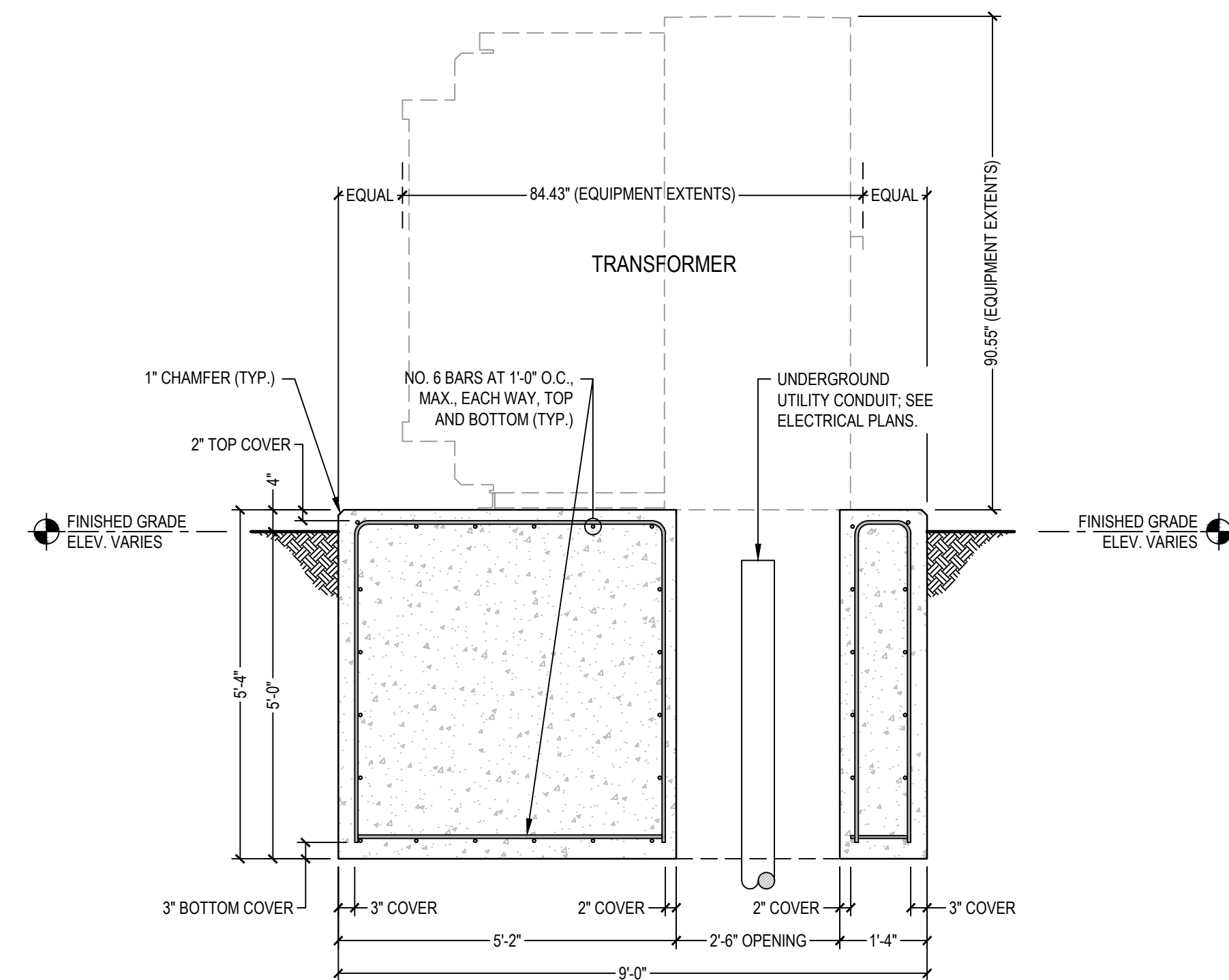
			PRELIMINARY			VCV DIGITAL GROUP		
			NOT TO BE USED FOR CONSTRUCTION			BRAINERD, MN		
			REVISION 08/23/22			BRAINERD INDUSTRIAL PARK		
						CRYPTO SITE #2 LAYOUT		
						ANTSPACE CONTAINERS		
						UTILITY TECHNOLOGY		
						ENGINEERS - CONSULTANTS, PLLC		
						P.O. Box 2629 • Asheboro, North Carolina • 27204		
						DWN LMB DATE: 07/15/22 DWG. NO. C2H		
						SCALE: 1" = 20' JOB NO. 220302 SHEET NO. 1 OF 1		



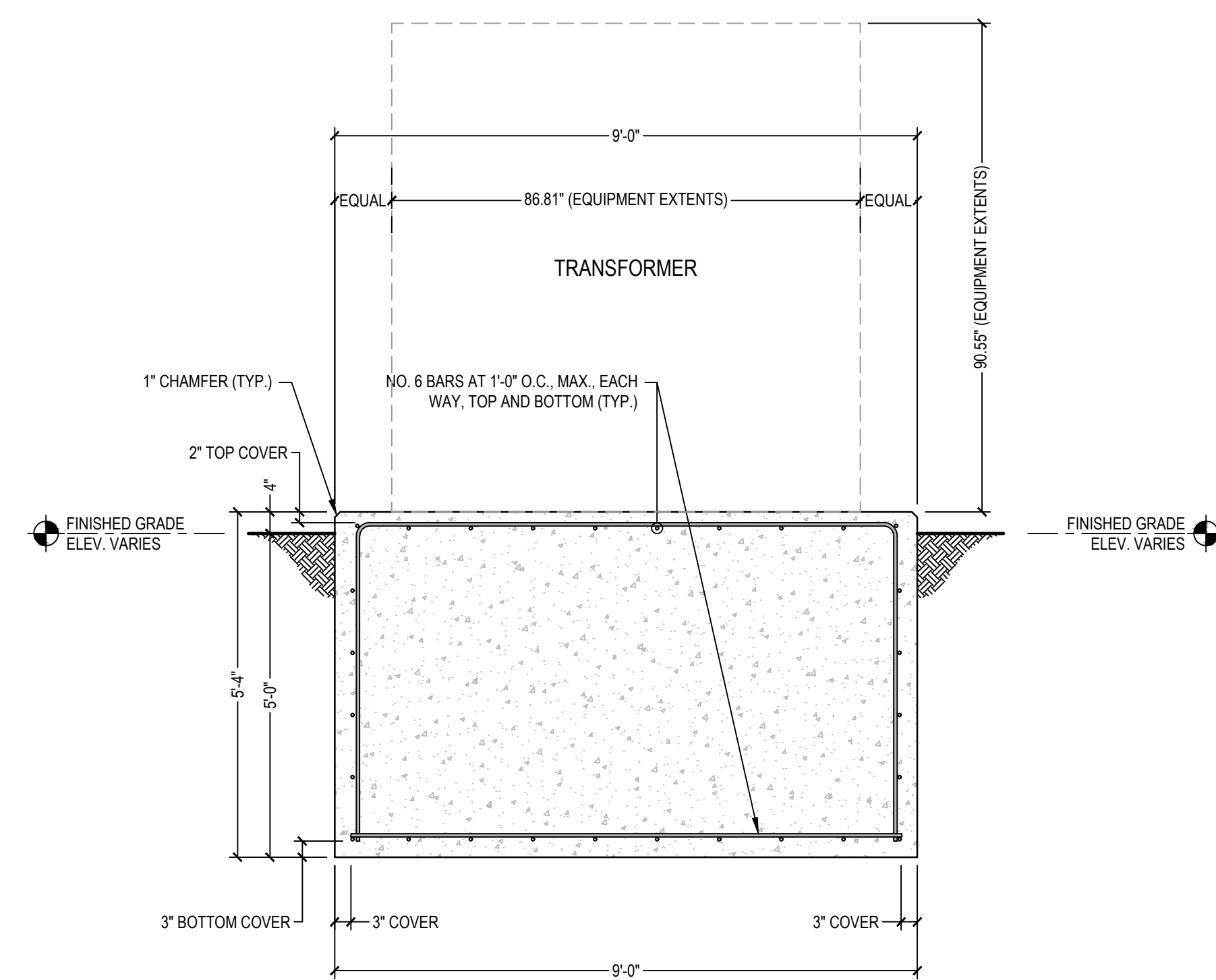
1 TYP. FOUNDATION PLAN VIEW
SCALE: 1/4" = 1'-0"



2 TYPICAL PAD SECTION VIEW
SCALE: 1/2" = 1'-0"



3 TRANSFORMER PAD CROSS-SECTIONAL (SIDE) VIEW
SCALE: 1/2" = 1'-0"



4 TYP. TRANSFORMER PAD SECTION VIEW
SCALE: 1/2" = 1'-0"

THIS PLAN IS FOR CONCEPTUAL REVIEW ONLY. NOT INTENDED AS FINAL DESIGN.

Summey Engineering Associates, PLLC
Engineering - Consulting - Surveying
PO Box 968, Asheboro, NC 27204
Ph: 336-328-0902 Fax: 336-328-0922
www.summeyengineering.com

SEA

PRELIMINARY
NOT TO BE USED FOR CONSTRUCTION
REVISION 08/23/2022

VCV DIGITAL GROUP
BRAINERD, MN
BRAINERD INDUSTRIAL PARK
CRYPTO SITE
FOUNDATION PLAN

UTILITY TECHNOLOGY ENGINEERS - CONSULTANTS
P.O. Box 2629 • Asheboro, North Carolina • 27204

UTEC

A		DATE		DWG. NO.	
EDA SUBMITTAL		08/23/2022		S2H	
NO. REVISIONS		DATE		SHEET NO.	
				1 OF 1	

SEA JOB NO. E-7921

DWN. WBA

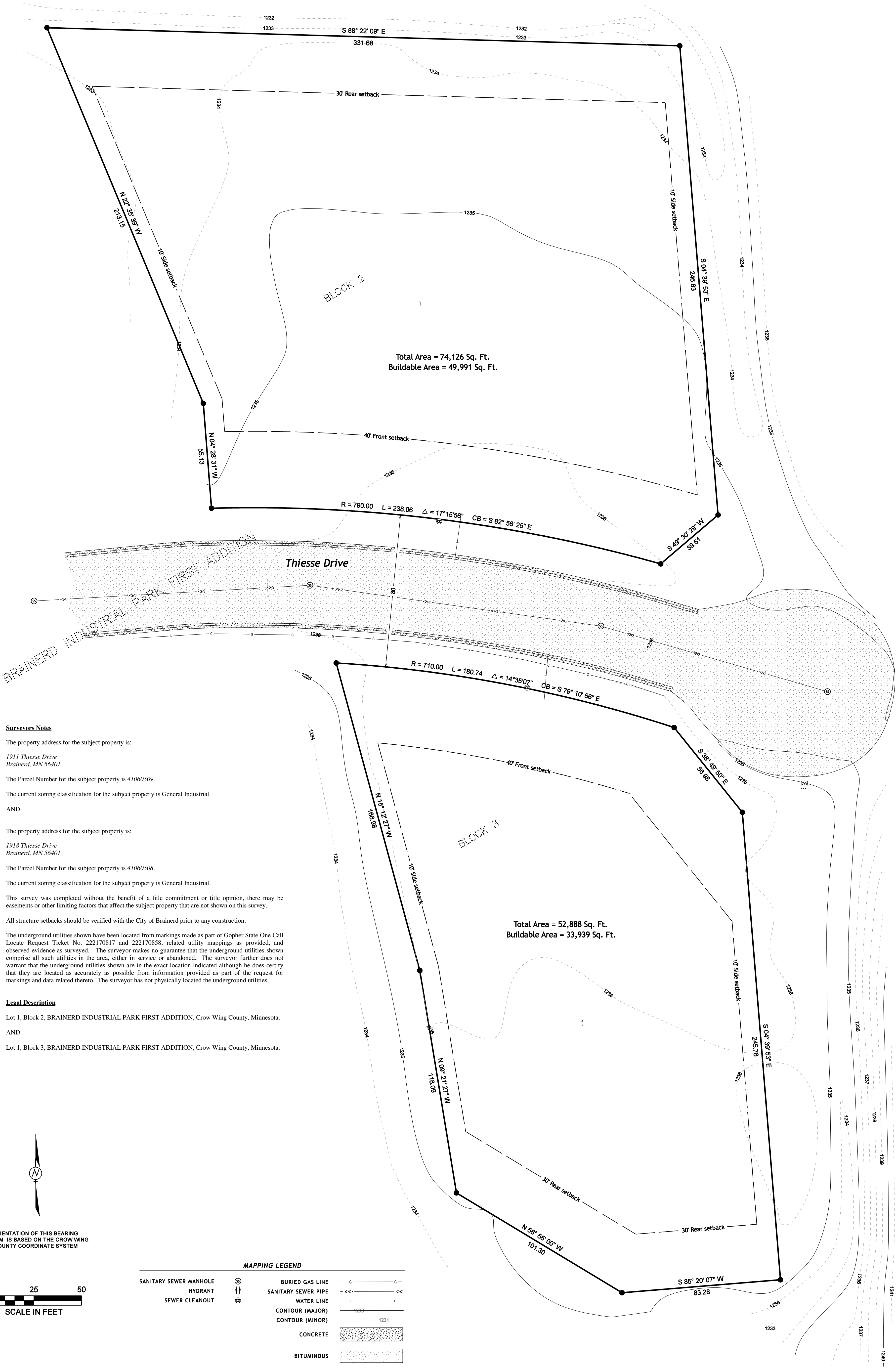
SCALE: AS NOTED

DATE: 08/23/2022

JOB NO. 220302

DWG. NO. S2H

SHEET NO. 1 OF 1



Surveyors Notes

The property address for the subject property is:

1911 Thiesse Drive
Brainerd, MN 56401

The Parcel Number for the subject property is 41060509.

The current zoning classification for the subject property is General Industrial.
AND

The property address for the subject property is:

1918 Thiesse Drive
Brainerd, MN 56401

The Parcel Number for the subject property is 41060508.

The current zoning classification for the subject property is General Industrial.

This survey was completed without the benefit of a title commitment or title opinion, there may be easements or other limiting factors that affect the subject property that are not shown on this survey.

All structure setbacks should be verified with the City of Brainerd prior to any construction.

The underground utilities shown have been located from markings made as part of Gopher State One Call Locate Request Ticket No. 222170817 and 222170858, related utility mappings as provided, and observed evidence as surveyed. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information provided as part of the request for markings and data related thereto. The surveyor has not physically located the underground utilities.

Legal Description

Lot 1, Block 2, BRAINERD INDUSTRIAL PARK FIRST ADDITION, Crow Wing County, Minnesota.

AND

Lot 1, Block 3, BRAINERD INDUSTRIAL PARK FIRST ADDITION, Crow Wing County, Minnesota.



ORIENTATION OF THIS BEARING
SYSTEM IS BASED ON THE CROW WING
COUNTY COORDINATE SYSTEM



SCALE IN FEET

MAPPING LEGEND

SANITARY SEWER MANHOLE	⊙	BURIED GAS LINE	— G —
HYDRANT	⊕	SANITARY SEWER PIPE	— S —
SEWER CLEANOUT	⊙	WATER LINE	— W —
		CONTOUR (MAJOR)	— 1230 —
		CONTOUR (MINOR)	— 1231 —
		CONCRETE	[Pattern]
		BITUMINOUS	[Pattern]

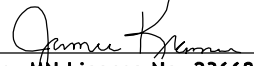


1120 Industrial Park Road
Brainerd, MN 56401
218-626-5333

13 North 11th Avenue
St. Cloud, MN 56303
320-259-1286

KRAMER LEAS DELEO
SURVEYING • ENGINEERING • PLANNING
BRainerd ST. CLOUD

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT
WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION
AND THAT I AM A DULY REGISTERED LAND SURVEYOR
UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature: 
James Kramer, MN License No. 23668

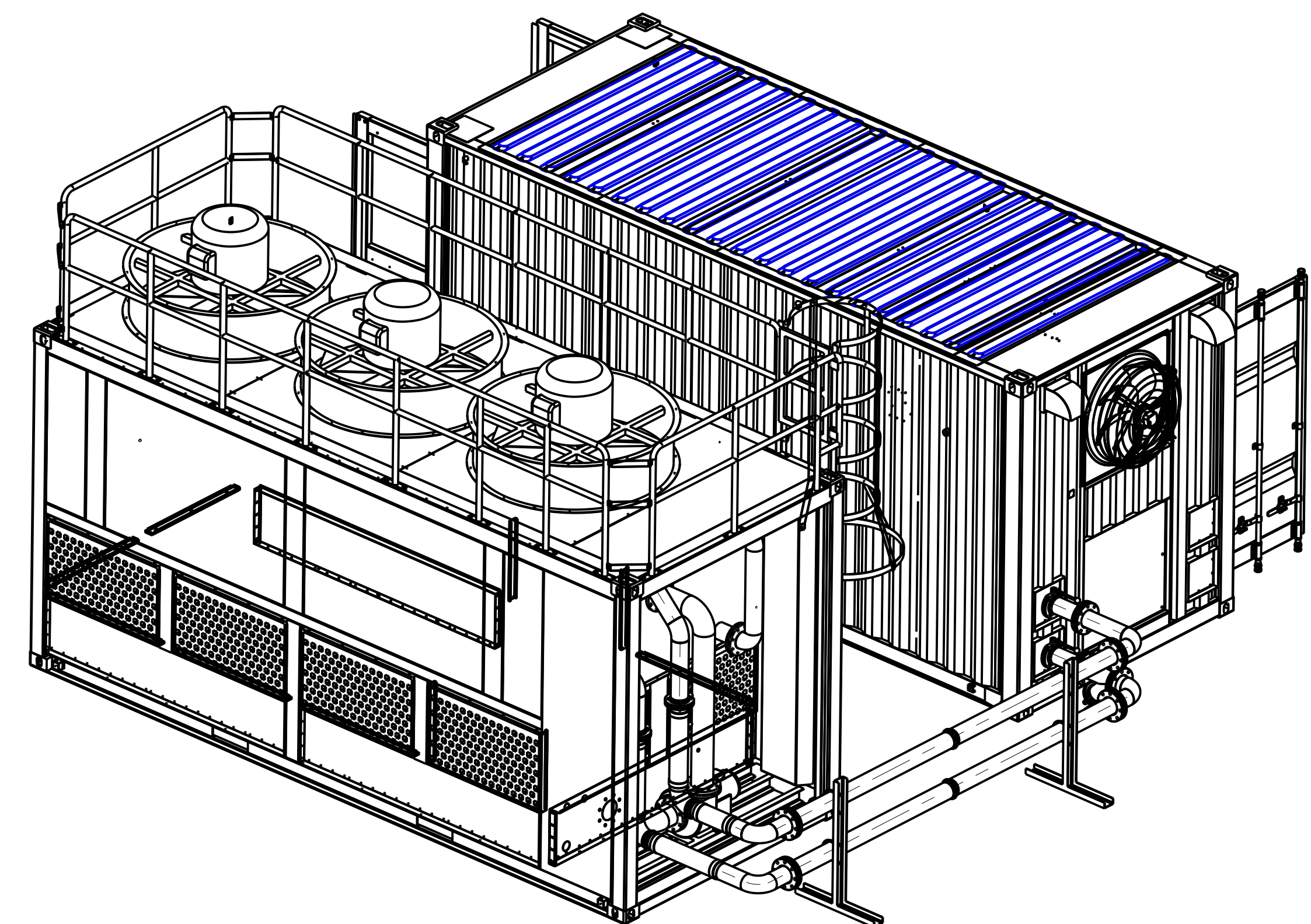
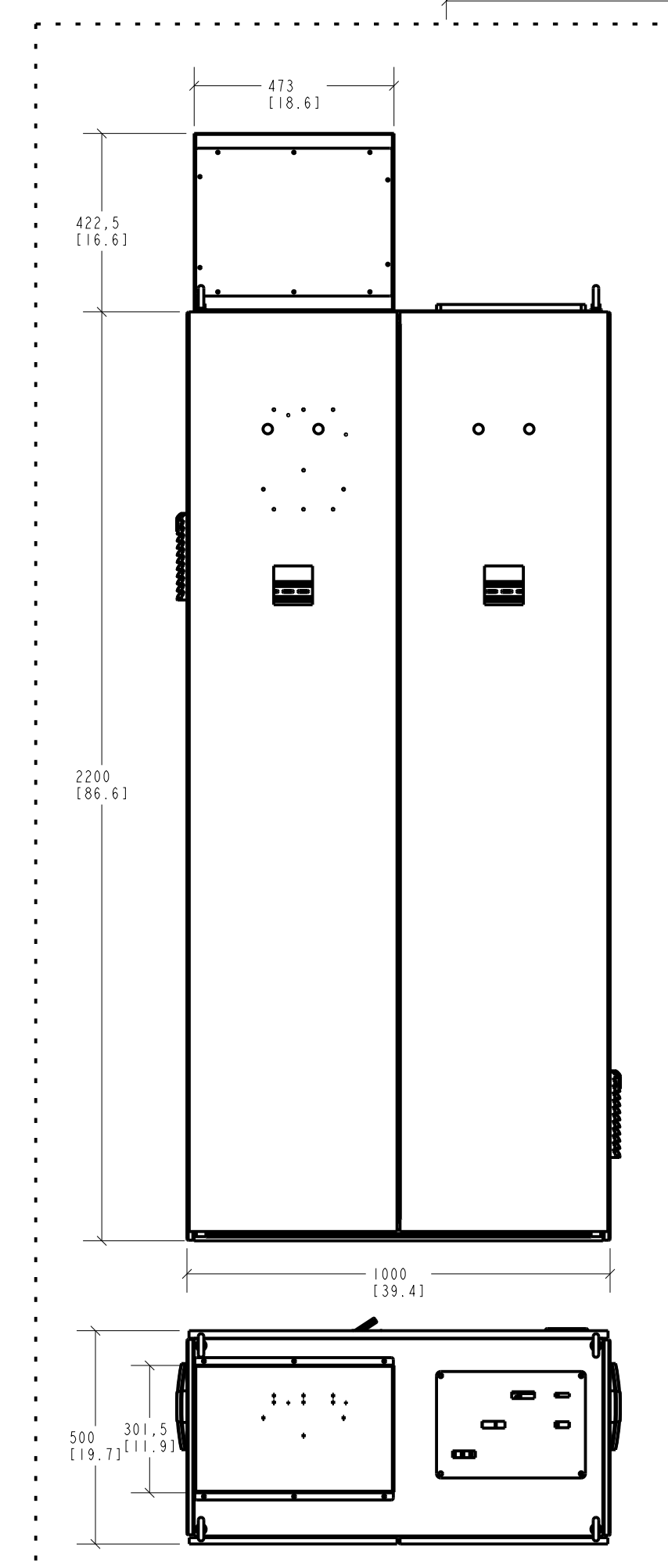
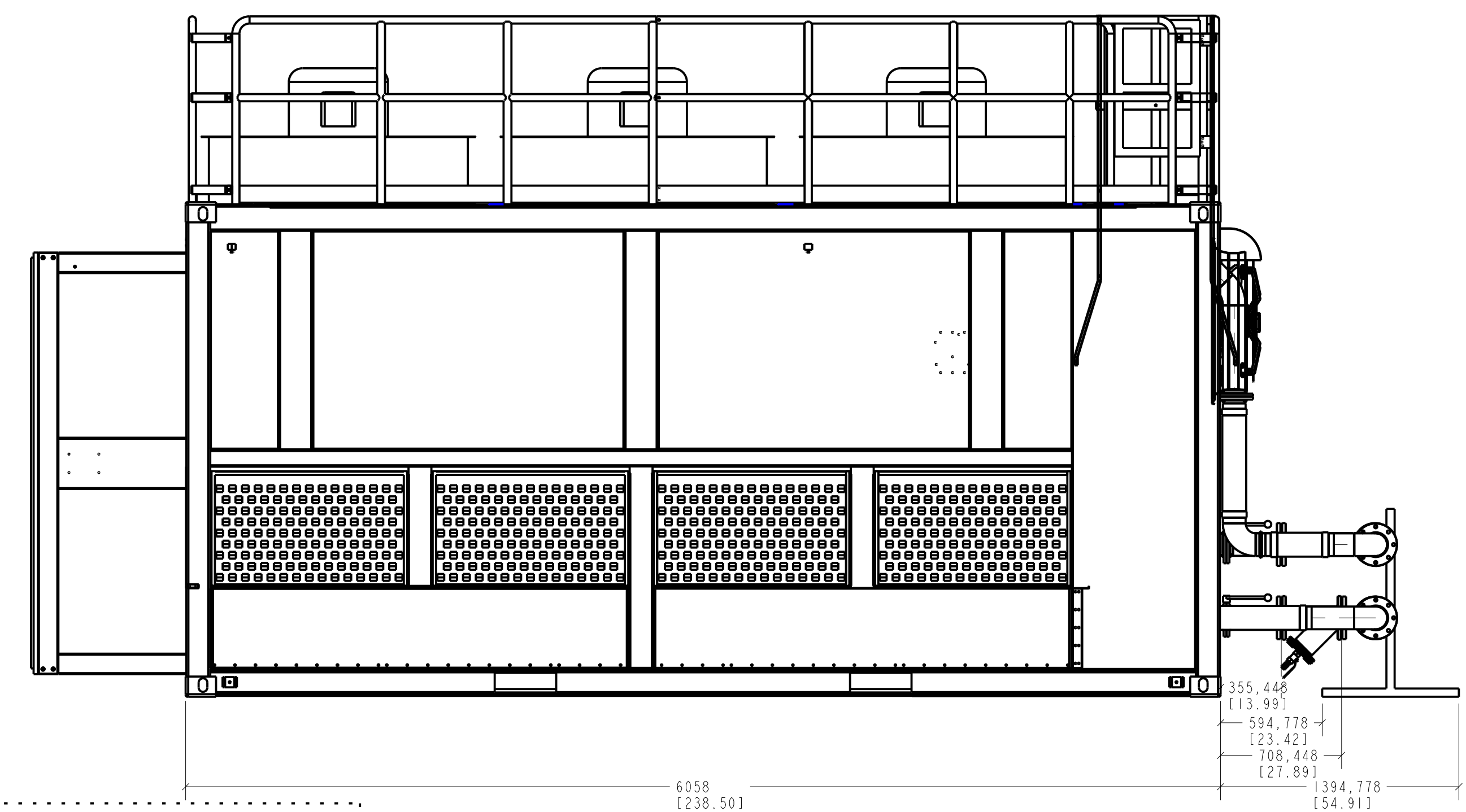
08/17/2022
Date

PROJECT NO. SUMME2201

CERTIFICATE OF SURVEY

Topographic and Property Boundary Survey

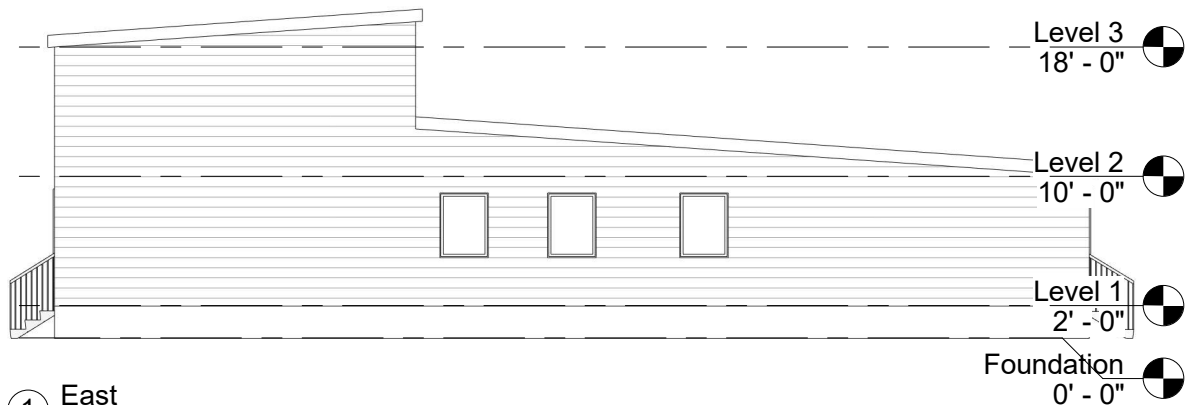
Summey Engineering Associates, PLLC
Section 06, Township 44 North, Range 30 West
Crow Wing County, Minnesota



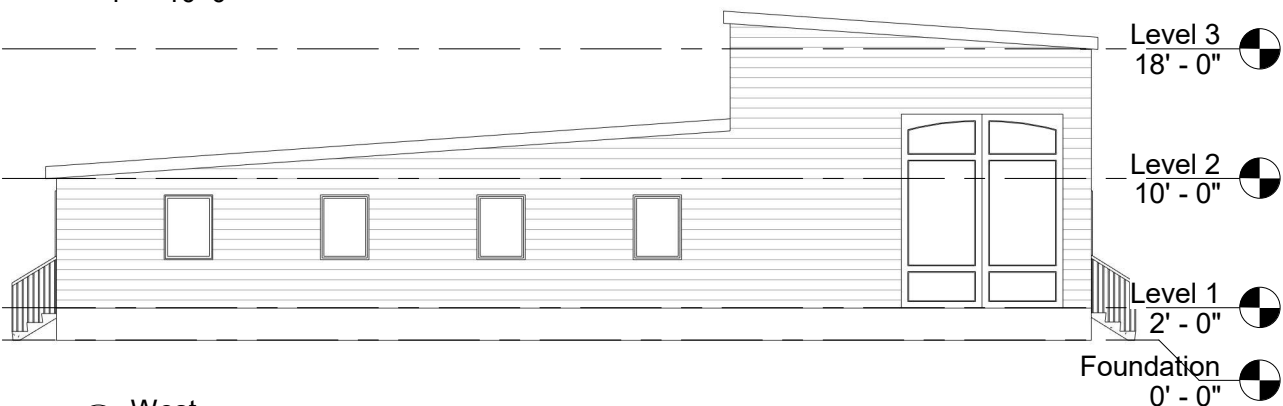
4.The top of the power distribution cabinet contains a junction box with a dimension of 473*301.5*422.5mm(L*W*H).

							AntSpace HK3						Bitmain Technologies, Inc.						
标记	处数	分区	更改文件号	签名	年、月、日														
设计				标准化								阶段标记		重量		比例			
校对				质量会签															
审核																YLY-1000E-006			
工艺				批准								共 张		第 张					
										YLY-1000E-006									

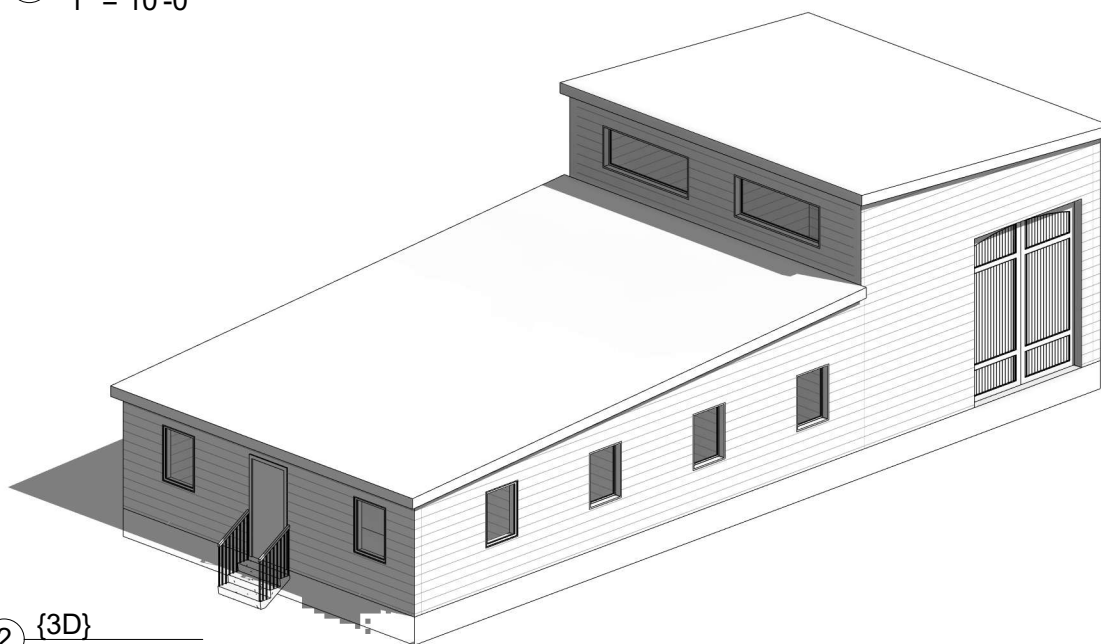
① East
1" = 10'-0"



③ West
1" = 10'-0"



② {3D}



www.autodesk.com/revit

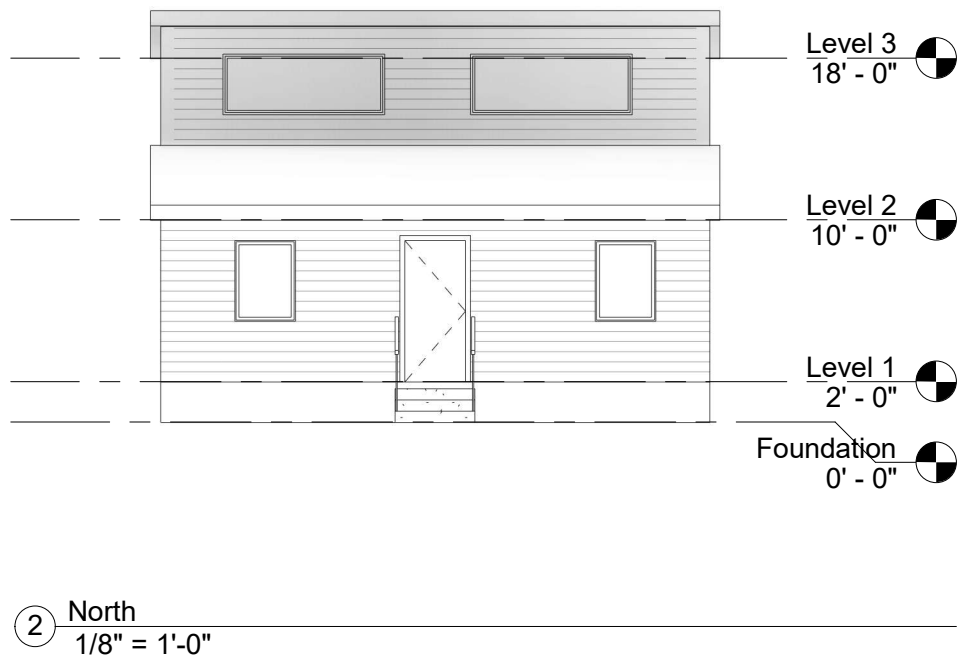
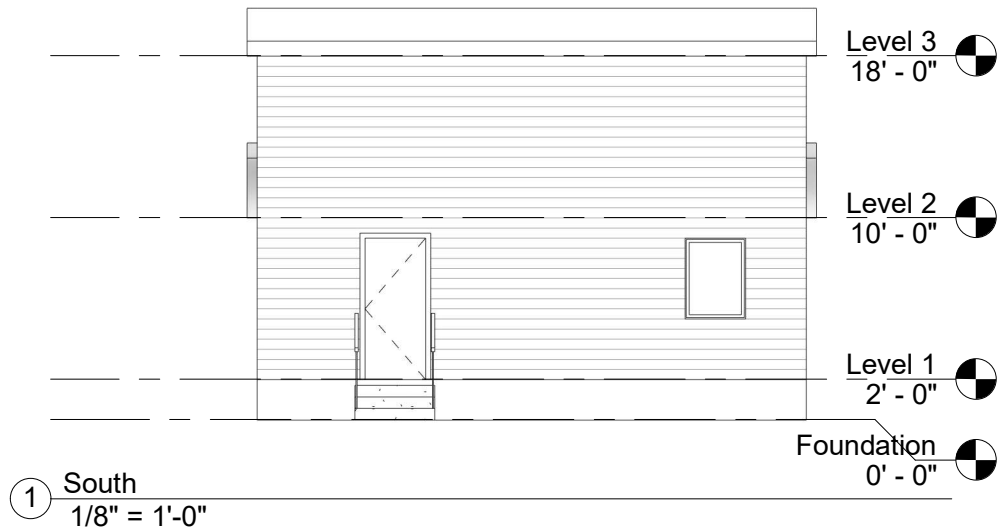
Owner

Design FLOOR PLAN

ELEVATIONS & 3D VIEW

Project number	1	A102
Date	23/8/2022	
Drawn by	Author	Scale 1" = 10'-0"
Checked by	Checker	

23/08/2022 08:34:55



www.autodesk.com/revit

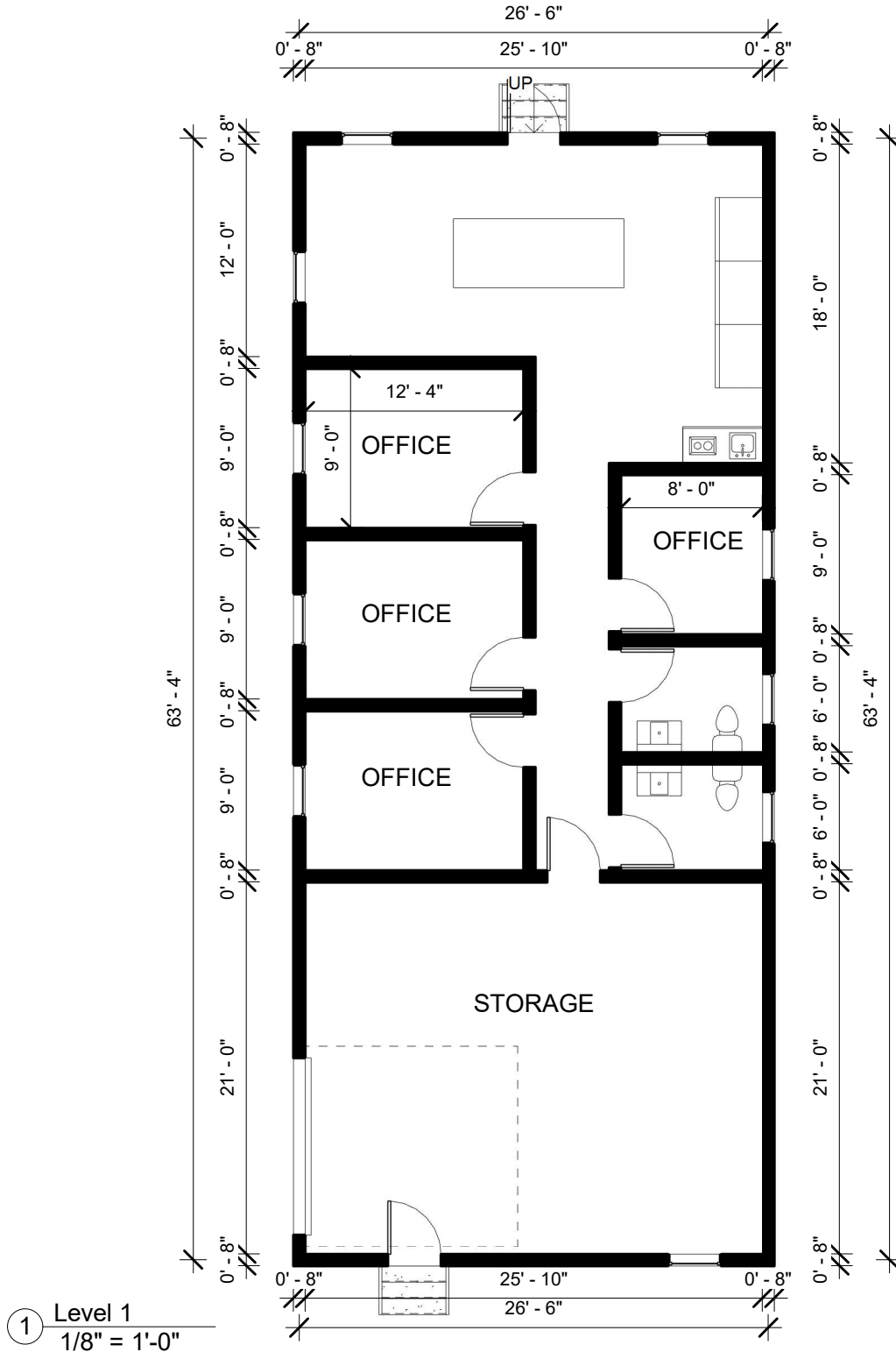
Owner

Design FLOOR PLAN

ELEVATIONS

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Date	23/8/2022	
Drawn by	Author	Scale 1/8" = 1'-0"
Checked by	Checker	

23/08/2022 08:34:57



www.autodesk.com/revit

Owner

Design FLOOR PLAN

FLOOR PLAN

Project number 1

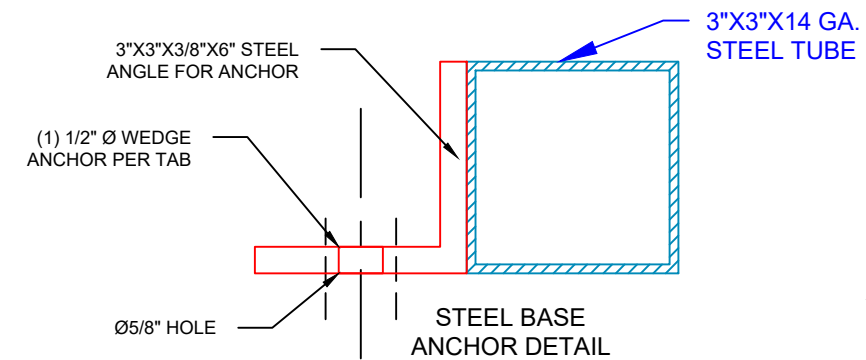
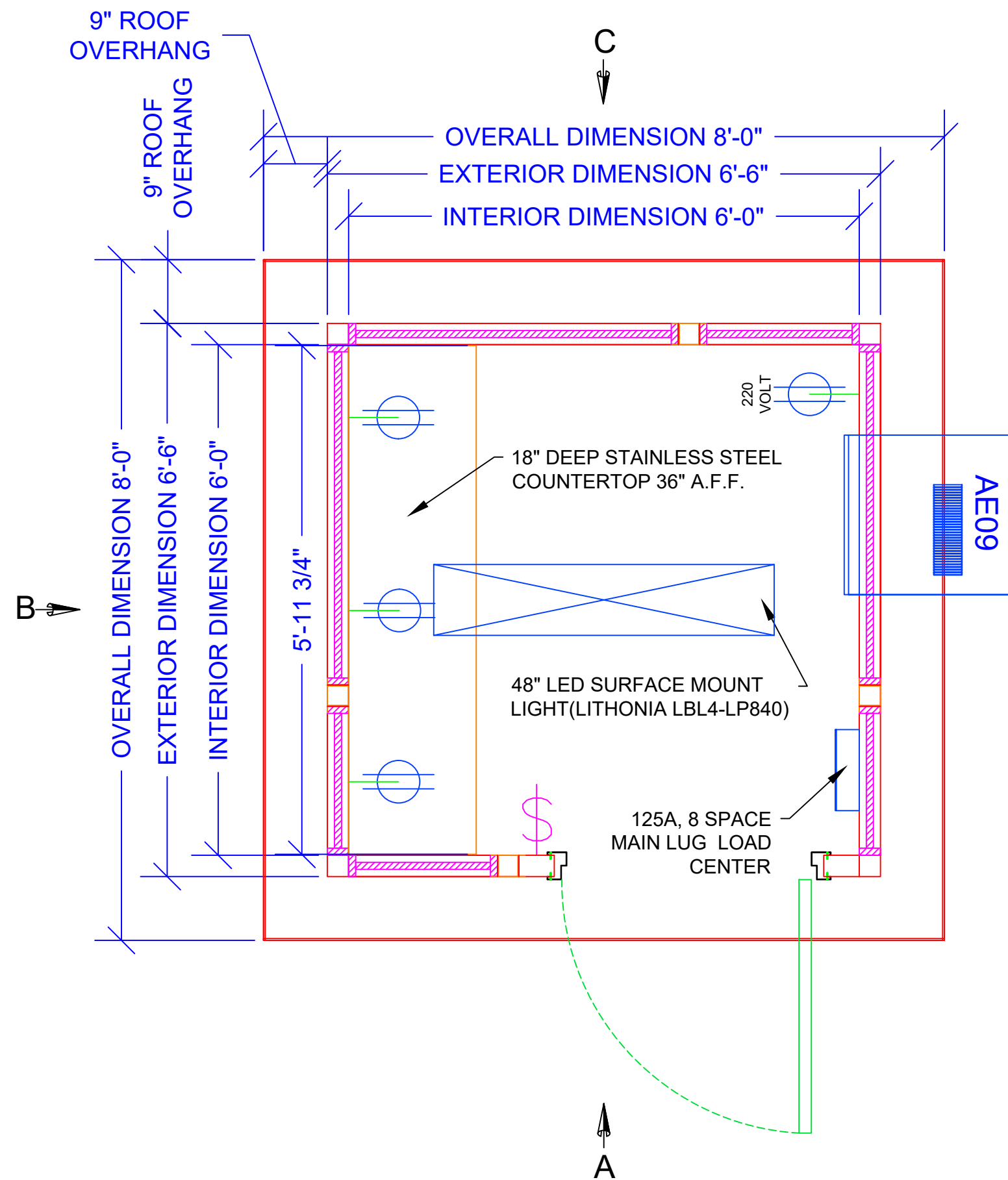
Date 23/8/2022

Drawn by MOHAMED

Checked by Checker

A101

Scale 1/8" = 1'-0"



EXTERIOR STEEL BASE
SLAB INSTALLATION

CUSTOMER ACKNOWLEDGEMENT OF
ABOVE DETAIL:

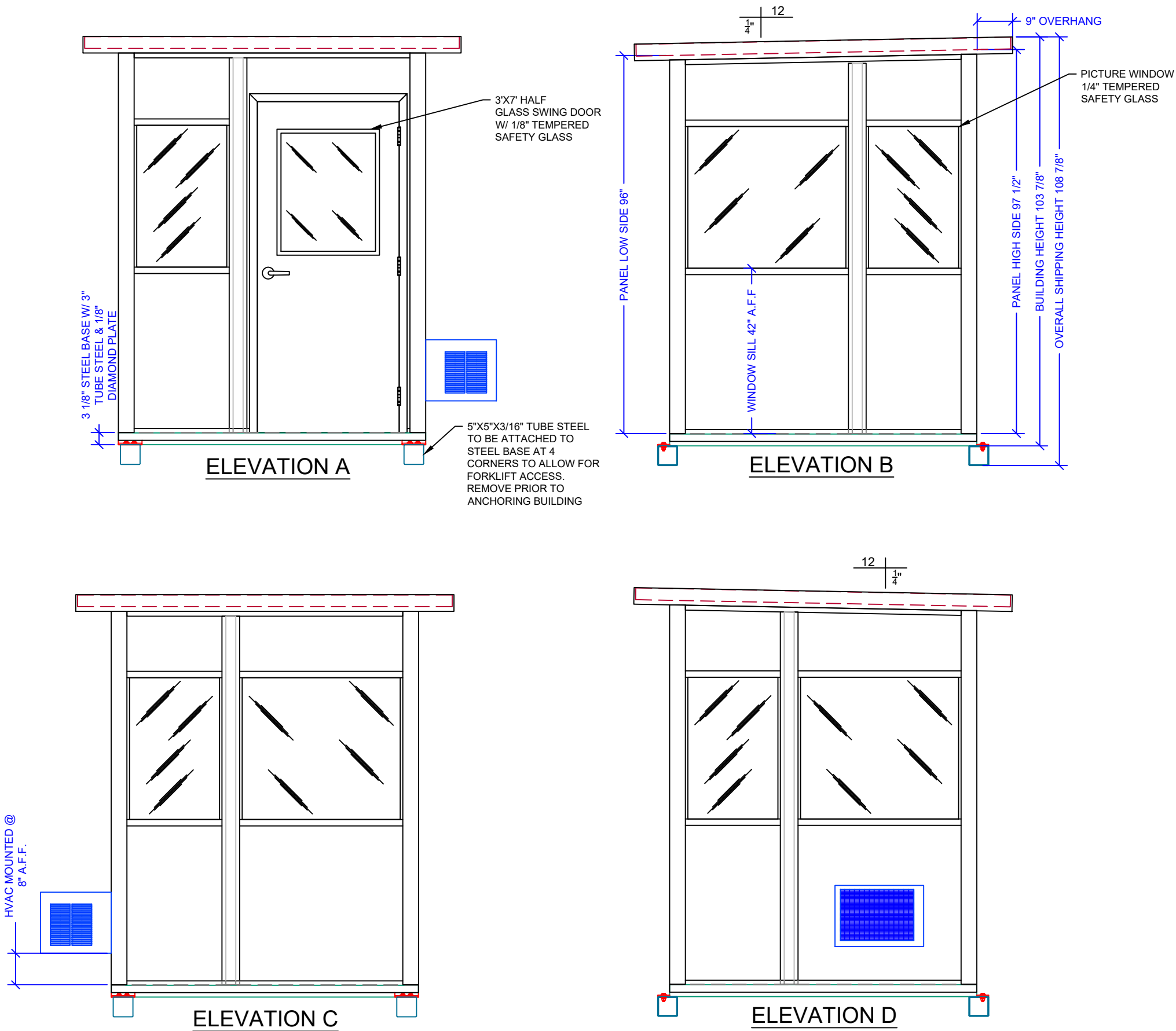
CUSTOMER PLEASE INITIAL HERE

FLOORPLAN
SURFACE MOUNTED ELECTRICAL

DRAWINGS NOT FOR CONSTRUCTION

DRAWING APPROVAL			
QUOTED LEAD-TIME DOES NOT BEGIN UNTIL SIGNED APPROVALS HAVE BEEN RECEIVED			
APPROVED (NO CHANGES) WITH COLORS CHOSEN		☐	
REVISE & RESUBMIT		☐	
SIGN: _____			
DATE: _____			
REV #	DR. BY#	DESCRIPTION OF REV	DATE
*	*	*	*

LEGEND						
	TELE/DATA PREP					
	SWITCH					
	DUPLEX RECEPTACLE					
	WINDOW					
	DOOR					
	EXTENDED COLUMN					
	COLUMN					
	I BEAM (STRUCTURAL)					
	COLD ROLLED MEMBER					
	1-1/2"X1-1/2"X11 GA RAILING					
	K-SERIES BAR JOIST					
JOB NUMBER: 16798	DRAWN BY: S. VAZQUEZ	CHECKED BY: M.B.	DATE: 7.25.2022			
DEALER: BV POWER ALPHA LLC	CUSTOMER: BV POWER ALPHA LLC					
THIS DRAWING IS THE PROPERTY OF PANEL-BUILT, INC. AND MAY NOT BE USED WITHOUT EXPRESS WRITTEN PERMISSION OF PANEL-BUILT, INC. ALL INFORMATION SHOWN ON THIS DRAWING IS THE PROPERTY OF PANEL-BUILT, INC. AND MAY NOT BE USED IN WHOLE OR PART WITHOUT SPECIFIC WRITTEN PERMISSION OF PANEL-BUILT, INC.						
PANEL BUILT INCORPORATED						
TOLERANCES: LENGTH ± 1/8", > 10'-0" ± 1/4" HOLES ± 1/16"						
PAGE: S-1						



LEGEND	
	TELE/DATA PREP
	SWITCH
	DUPLEX RECEPTACLE
	WINDOW
	DOOR
	EXTENDED COLUMN
	COLUMN
	I BEAM (STRUCTURAL)
	COLD ROLLED MEMBER
	1-1/2"x1-1/2"x11 GA RAILING
	K-SERIES BAR JOIST

JOB NUMBER: 16798	DRAWN BY: S. VAZQUEZ	CHECKED BY: M.B.	DATE: 7.25.2022
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DEALER: BV POWER ALPHA LLC	CUSTOMER: BV POWER ALPHA LLC
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THIS DRAWING IS THE PROPERTY OF PANEL-BUILT, INC. AND MAY NOT BE USED WITHOUT EXPRESS WRITTEN PERMISSION OF PANEL-BUILT, INC. ALL INFORMATION SHOWN ON THIS DRAWING IS THE PROPERTY OF PANEL-BUILT, INC. AND MAY NOT BE USED IN WHOLE OR PART WITHOUT SPECIFIC WRITTEN PERMISSION OF PANEL-BUILT, INC.

PANEL BUILT
INCORPORATED

TOLERANCES: LENGTH ± 1/8", > 10'-0" ± 1/4" HOLES ± 1/16"	
PAGE: S-2	

DRAWINGS NOT FOR CONSTRUCTION			
DRAWING APPROVAL QUOTED LEAD-TIME DOES NOT BEGIN UNTIL SIGNED APPROVALS HAVE BEEN RECEIVED			
APPROVED (NO CHANGES) WITH COLORS CHOSEN ☐			
REVISE & RESUBMIT ☐			
SIGN: _____		*	*
DATE: _____		*	*
REV #	DR. BY#	DESCRIPTION OF REV	DATE



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Date: 9/16/2022 Time: 9:17:37 AM



NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Jerry Tang has submitted a request on behalf of VCV Digital Infrastructure Minnesota, LLC for an Interim Use Permit for outdoor storage as a principal use at 1918 Thiesse Dr. The property included in this application is described as:

*LOT 1 BLOCK 3
BRainerd INDUSTRIAL PARK FIRST ADDITION
P.I.N. 41060508
Section 6, Township 44, Range 30*

The property is zoned GI (General Industrial) District, and Zoning Ordinance *Section 515-3 (Allowed Uses) Appendix A: Table of Uses* permits outdoor storage as a principal use as an Interim Use as regulated by Section 515-3-28 of the Brainerd Zoning Ordinance. A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, September 21st, 2022 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the Interim Use Permit.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2309.

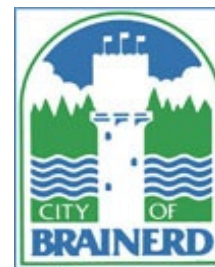
Dated this 8th day of September 2022



James Kramvik
Community Development Director

Publication Date: September 11th 2022

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: September 21, 2022

RE: Interim Use Permit – 1911 Thiesse Dr.

Jerry Tang has submitted a request on behalf of VCV Digital Infrastructure Minnesota, LLC for an Interim Use Permit for outdoor storage as a principal use to operate a crypto mining facility at 1911 Thiesse Dr.

Property Area: 1.7 Acres

Adjacent Uses: North: Undeveloped Wetland
East: Undeveloped Wetland & Agricultural
South: Proposed Crypto Mining Facility
West: Industrial/ Vacant Undeveloped

Adjacent Zoning: North: Crow Wing County – Commercial/ Heavy Industrial District
East: Crow Wing County – Commercial/ Heavy Industrial District
South: GI (General Industrial) District
West: GI (General Industrial) District

Findings of Fact

1. 1911 Thiesse Drive is located in a GI (General Industrial) District. Zoning Ordinance [Section 515-3 \(Allowed Uses\) Appendix A: Table of Uses](#) permits the operation of outdoor storage as a primary use as an interim use in the GI District as long as it meets the criteria outlined in [Section 515-3-28.C](#) regulating outdoor storage. The applicant proposes operating a crypto mining facility with 24 containers to house the data mining machines along with 24 cooling towers. The primary use of this site is outdoor storage as any subsequent buildings are accessory to the crypto mining operation. The site would also have a guard shack and a construction trailer.
2. (Outdoor Storage) Non-Residential Zoning Districts.
 - a. All exterior storage shall be fully screened so as not to be visible from abutting properties and rights-of-way. All outdoor storage shall follow the standards as established [Section 515-4-10. G.](#) for screening of Parking Lots.
 - i. *The applicant is proposing an 8-foot-tall chain link fence with privacy slats and barb wire around the property. The privacy slats will be installed on the south and west side of the fence to screen the outdoor storage from the road. The remainder of the property is screened from outdoor storage with natural vegetation and will not be seen from*

adjacent properties. Section 515-4-11.F.4 states that Non-residential fences up to eight and one half (8 ½) feet in height are permitted. Such fences in a front yard must be ninety (90) percent open. The proposed fence must be fully screened and therefore must be setback 40 feet from the front property line as regulated by Section 515-2-16.C General Industrial Zoning District Dimensional Standards.

- ii. Section 515-4-10.G Parking Lot Screening requires that one (1) shrub shall be planted for every five (5) lineal feet of parking lot perimeter that is adjacent to a public street. The applicant has proposed to install a row of shrubs on the south side of the fence to meet this ordinance.*
 - b. Screening shall be required except for the following:
 - i. Merchandise being displayed for sale in accordance with zoning district requirements.*
 - ii. Materials and equipment currently being used for landscaping or construction on the premises (within a period of one (1) year).*
 - 1. This property is not exempted from screening requirements.*
 - c. The storage area does not take up parking space or loading space as required for conformity to this Ordinance.
 - i. The applicant has proposed 7 parking spaces for this facility and a large driveway circling the outdoor storage facility property.*
 - d. The storage area is fenced and secured.
 - i. This site will be fully fenced by and 8-foot-tall chain link fence with barbwire.*
 - e. The storage area is paved or surfaced to control dust and erosion.
 - i. The driveway and parking area will be paved with asphalt.*
 - f. All parking, loading and truck staging activities shall occur on site. On-street parking and loading associated with the use is prohibited.
 - i. This facility has a large driveway where all unloading will occur.*
 - g. Noises emanating from the use are in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulations MPC 7030.
 - i. This will be part of the building review process. The cooling towers will help reduce noise levels produced by the crypto mining machines.*
3. [Section 515-5-3.C.a](#) states that an Interim Use shall comply with the following standards:
 - a. Meets the standards of a Conditional Use Permit set forth in [Section \[515-5-2\]](#) of this Ordinance.
4. [Criteria for Granting Conditional Use Permits](#). In granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety, morals and general welfare of occupants or surrounding lands. Among other things, the City Council shall make the following findings where applicable.
 - a. The proposed use conforms to the Zoning District and is a permitted Conditional Use identified on the Appendix A: Table of Uses.
 - i. The purpose of the G1 Zoning District is to provide for the establishment of heavy industry and manufacturing development and use which because of the nature of the product or character of activity,*

requires isolation from residential and commercial uses. The proposed property is surrounded by industrial/ undeveloped land. Crypto mining with data storage containers and cooling towers is considered outdoor storage as a principal use with is allowed as an interim use in the GI District.

- b. The proposed use meets the regulations and standards established in this Ordinance.
 - i. Special standards for outdoor storage have been reviewed in section 2 of this document.*
- c. The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.
 - i. The proposed use will not be dangerous, injurious, or noxious to adjacent properties or persons.*
- d. The proposed use shall be sited, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
 - i. The proposed crypto mining facility will be fully screened from the road with a chain link fence with privacy slats. The fence will have a row of shrubs planted along the roadside of the fence.*
- e. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - i. Chain link fences with barb wire are consistent with other GI District zoned properties including FedEx which is in the same industrial park.*
- f. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 - 1. The proposed crypto mining facility is the last property in the industrial park and will have no effect on any residential neighborhoods. All surrounding property is zoned for Industrial Uses.*
- g. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.
 - 1. Goal 1 of Chapter 5 of the Comprehensive plan which states, "Support infill and redevelopment throughout Brainerd as a strategic component of growth."*
 - a. Policy 1 under Goal 1 states, "Drive infill development and redevelopment towards areas where current infrastructure is present, or places where high levels of blight or disinvestment exists"*

5. Conditions. In reviewing applications for conditional use permits, the City may attach whatever reasonable conditions are deemed necessary to mitigate anticipated adverse impacts associated with the proposed use, to protect the value of property within the Zoning District, and to achieve the goals of the City's Comprehensive Plan. In determining such conditions, special consideration shall be given to protecting nearby properties from objectionable views, noise, traffic, and other characteristics associated with such uses.

As of this writing, one party has contacted the Community Development Department about the Interim Use Permit application and did not have any concerns.

Staff Recommendations

Staff recommends approval of the Interim Use Permit for outdoor storage as a principal use for a crypto mining facility with the following conditions:

1. The interim use permit is contingent upon final sale of the industrial park property to VCV and is voided upon operations discontinuing as a crypto mining facility.

Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218/828-2309/Fax 218-828-2316 www.ci.brainerd.mn.us**INTERIM USE PERMIT***Application Form (residential - \$250.00 / commercial - \$500.00 +\$500.00 escrow deposit)*

(This form must be filled out completely before your application will be accepted)

Property Address for this *Interim Use Permit*: 1911 Thiesse Dr, Brainerd, MN 56401

I (We) the undersigned, do hereby respectfully request the Brainerd City Council to grant an Interim Use Permit to allow cryptocurrency mining

_____ at the property address listed above until the date of indefinitely

Legal Description (attach, if lengthy): Lot 1 Block 2 Addition Brainerd Industrial ParkFirst Addition, Crow Wing County, Minnesota**Property Owner:** VCV Digital Infrastructure Minnesota, LLCAddress: 1540 Broadway, Suite 1010, New YorkNY10036

(Street)

(City)

(State)

(Zip)

Contact Information #: _____

(Home)

917-558-3563

(Business)

jerry.tang@vcvdigital.com

(E-mail)

Applicant: (if different than Property Owner) _____

Address: _____

(Street)

(City)

(State)

(Zip)

Contact Information #: _____

(Home)

(Business)

(Fax)

(E-mail)

Contact Person: (if different than Property Owner) _____

Address: _____

(Street)

(City)

(State)

(Zip)

Contact Information #: _____

(Home)

(Business)

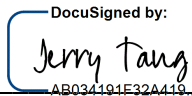
(Fax)

(E-mail)

This Interim Use Permit may be approved if sufficient facts are presented at the Planning Commission and City Council meetings to support a finding that all of the attached criteria for granting an Interim Use Permit have been met.

Obtaining this *Interim Use Permit* does not absolve the applicant from obtaining all other applicable permits, such as Building Permits, MnDOT access permits, etc.

I (We) certify that I (we) have submitted all the required information to apply for an Interim Use Permit and that the information is factual.

Signed by:  AB034191E32A419
(Property Owner) Date: 9/7/2022

Jerry Tang
(Property Owner-Please print Name)

(Applicant-If different than owner) Date:

(Applicant - Please print name)

Interim Use Permit Supporting Information

The City Council may approve an Interim Use Permit if all of the "Criteria for Review of Interim Use Permits" are met. In order to facilitate review of this application for an *Interim Use Permit*, the applicant must address each of the "*Criteria*", referred to in Section 515-5-3 of the Zoning Ordinance.

1. **Public Health/Safety/Welfare.** The *Planning Commission* and the *City Council* shall review each application for the purpose of determining that each proposed use meets the following criteria referenced to in Section 515-5-2 and in addition, shall find adequate evidence that each use in its proposed location will address the following:
 - (a) The proposed use conforms to the district and conditional use provisions and all general regulations of this Ordinance.
 - (b) The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this section.
 - (c) The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.
 - (d) The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
 - (e) The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - (f) The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.
 - (g) The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.

(con't)

Interim Use Permit

Site Plan Checklist

Interim Use Permit Site Plan Attachments. Provide a narrative addressed to the City of Brainerd describing the following:

- ☒ Responses to criteria for review of Interim Use Permits on Page 2.
- ☒ Approximate number of employees.
- ☒ Type of clientele.
- ☒ Hours of operation.
- ☐ Number of customer seats, if food service related.
- ☒ Handling of deliveries.

The applicant shall provide a Site Plan, which includes the information described below, as set forth in the Zoning Ordinance.

- ☐ Site Plan drawn to scale on a sheet not less than 11"x17".

NOTE: With approval by City Staff at a Pre-Application Meeting prior to submitting the Site Plan, it may be possible to exclude some of the following items from the Site Plan. Please place a check mark in the box in front of each item that is included as part of the application materials submitted for approval.

- ☒ Name(s) and address (es) of the applicant(s).
- ☒ Name(s) and address (es) of the owner(s) of record of the property.
- ☒ Name and address of the person or firm preparing the site plan.
- ☒ Property address (es).
- ☒ Date of Preparation.
- ☒ North Arrow.
- ☒ Scale: The scale shall not be less than 1"=10', and no greater than 1"=60'.
- ☐ Legal Description.
- ☒ Boundary Survey.
- ☒ Size and location of all existing and proposed buildings, additions, structures and uses, including:
 - ☒ Setback distance to property lines;
 - ☒ Exact exterior dimensions of each building;
 - ☒ Location of entrances;
 - ☐ Number of dwelling units; and,
 - ☐ Square footage of each type of use.
- ☒ Zoning designation of the property.
- ☒ Proposed use of the property in sufficient detail to determine code compliance.
- ☐ Existing and proposed location and size of sanitary sewer mains and service lines.
- ☐ Existing and proposed location and size of water mains, service lines and hydrants, and/or water well.
- ☐ Existing and proposed location and size of electrical service (electrical riser diagram) and the location of high-pressure gas lines, high tension transmission lines, cable TV, and telephone lines.
- ☐ Existing and proposed location and size of storm drainage facilities on the property and adjacent to the property.
- ☒ Location and dimensions of all existing paved surfaces and of all abutting streets.

(con't)

- ☒ Existing and proposed location and dimensions of parking areas, individual parking spaces and drive aisles, driveways, curb cuts, easements, and rights-of-way, loading areas, dividers, curbs, islands, and other parking and drive improvements. Also include the number of proposed parking spaces and parking lot construction materials (City Code Section 515-22-1).
- ☐ Location of existing and proposed outdoor trash and dumpster areas and methods for screening such areas (City Code Section 515-20-1).
- ☐ Location and type of all existing and proposed signs (City Code Section 515-37-1).
- ☐ Evidence that the proposed work or activity will comply with the Outdoor Lighting requirements, set forth in Section 515-18-1 of the Zoning Ordinance. Specifically, the application shall include:
 - ☐ Plans indicating the location on the premises, and the type of illuminating devices, fixtures, lamps, supports, reflectors and other devices;
 - ☐ A detailed description of the illuminating devices, fixtures, lamps, supports, reflectors, and other devices. The description shall include manufacturer's catalog cuts and drawings, including sections when requested;
 - ☐ Photometric data, such as that furnished by manufacturers, showing the angle of cut off or light emissions.
- ☐ Location of water bodies, watercourses, and flood-prone areas with delineated channel encroachment lines, wetland boundary lines, 100-year flood plain boundary line, and floodway boundary line (City Code Sections 515-76-1; 515-77-1; 515-78-1).
- ☐ Location of natural features such as: existing trees or hills, wetlands.
- ☒ A landscape plan (City Code Section 515-20-1) showing:
 - ☒ The location of plants.
 - ☐ Identification of any trees to be removed.
 - ☐ Protection methods for existing trees during construction.
 - ☐ Identification of any trees to be removed.
 - ☐ Protection methods for existing trees during construction.
 - ☒ Areas to be seeded or sodded.
 - ☐ Location, dimensions, topography or any berming.
- ☐ Location and type of underground sprinkler system.
- ☐ A plant that includes:
 - ☐ The plant species;
 - ☐ The quantity of each type of plant; and,
 - ☐ The size of each plant at the time of planting.
- ☒ The location of fences and walls (City Code Section 515-19-0).
- ☒ Two (2) copies of architectural drawings of all new buildings or structures, or alterations, at a scale not to exceed 1"=8'.
- ☒ Building floor plans indicating existing and proposed usage, interior floor area and/or patron floor area.
- ☐ A note to be placed on all *Site Plans* to read as follows: "All construction materials, dumpsters, detached trailers, or similar items are prohibited on public streets or within the public right-of-way."

VCV Digital Infrastructure Minnesota, LLC
Brainerd Industrial Park – Crypto Site #1
Interim Use Permit – 1911 Thiesse Drive

September 6, 2022

Community Development Department
City Hall
501 Laurel Street
Brainerd, MN 56401
218-828-2309

City of Brainerd, MN:

VCV Digital Infrastructure Minnesota, LLC, requests that the City of Brainerd, MN grant an Interim Use Permit to allow for cryptocurrency mining at 1911 Thiesse Drive, Brainerd, MN 56401 for an indefinite period of time. This site (VCV Site #1) has been designed to accommodate 24 crypto mining containers and associated cooling towers. The site layout includes chain link fencing around the entire site with privacy slats installed on the south and west sides. A parking lot is located adjacent to the guard shack and will be lined with shrubbery to meet landscaping requirements. An office for the site will be located across Thiesse Drive on VCV Site #2 where all communication and networking equipment will be housed.

A guard shack, located next to the entrance/exit gate, will be installed inside the front yard setback to prevent unauthorized access to the site. A variance application has been submitted to locate the guard shack in the front yard setback. VCV expects to employ approximately 16 people between the two sites. The sites will be operated 24 hours a day, seven days a week. All deliveries to the site will be scheduled in advance and will be required to check in at the guard shack before proceeding into the site. The expected clientele will be advanced technological individuals and investors.

The crypto mining containers will be served by an overhead 34.5 kV sub-transmission line entering the site from the north with taps to the west as shown on the Site Layout. VCV Digital is working with Brainerd Power Utility (BPU) to design this overhead service which will likely be installed and maintained by BPU on behalf of VCV. Each set of two mining containers/cooling towers will be served from a 3,000 kVA pad mounted power transformer. A total of twelve (12) 3,000 kVA pad mounted transformers will be located on the site as shown on the drawings. The total expected load for the site is approximately 32 MW.

Each mining container will house approximately 210 mining computers. These computers generate a lot of heat when in operation. To control the temperature of the computers, a wet/dry cooling tower is installed for each container as shown on the site drawing. A connection to the BPU water system provides the make-up water to the cooling towers to replace the water lost in evaporation. At low ambient temperatures the cooling towers are drained to prevent freezing. A connection the BPU sewer is planned for this manual draining process. BPU has existing water and sewer mains available along Thiesse Drive. Connection to the BPU system and a specific layout of water and sewer inside the site to be determined with the final design.

The engineers and their contact information are as listed below. The office and guard shack design are by others.

Electrical Design
Utility Technology, Engineers-Consultants
775 Spartan Blvd, Suite 207
Spartanburg, SC 29301
Heather Sudduth
864-579-1577

Civil Structural Design
Summey Engineering Associates
150 S Fayetteville St
Asheboro, NC 27203
Mack Summey
336-328-0902

VCV Digital Infrastructure Minnesota, LLC
Brainerd Industrial Park – Crypto Site #1
Interim Use Permit – 1911 Thiesse Drive

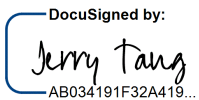
September 6, 2022

hsudduth@utilitytec.com

mack@summeyengineering.com

Please let us know if you have any questions or need additional information.

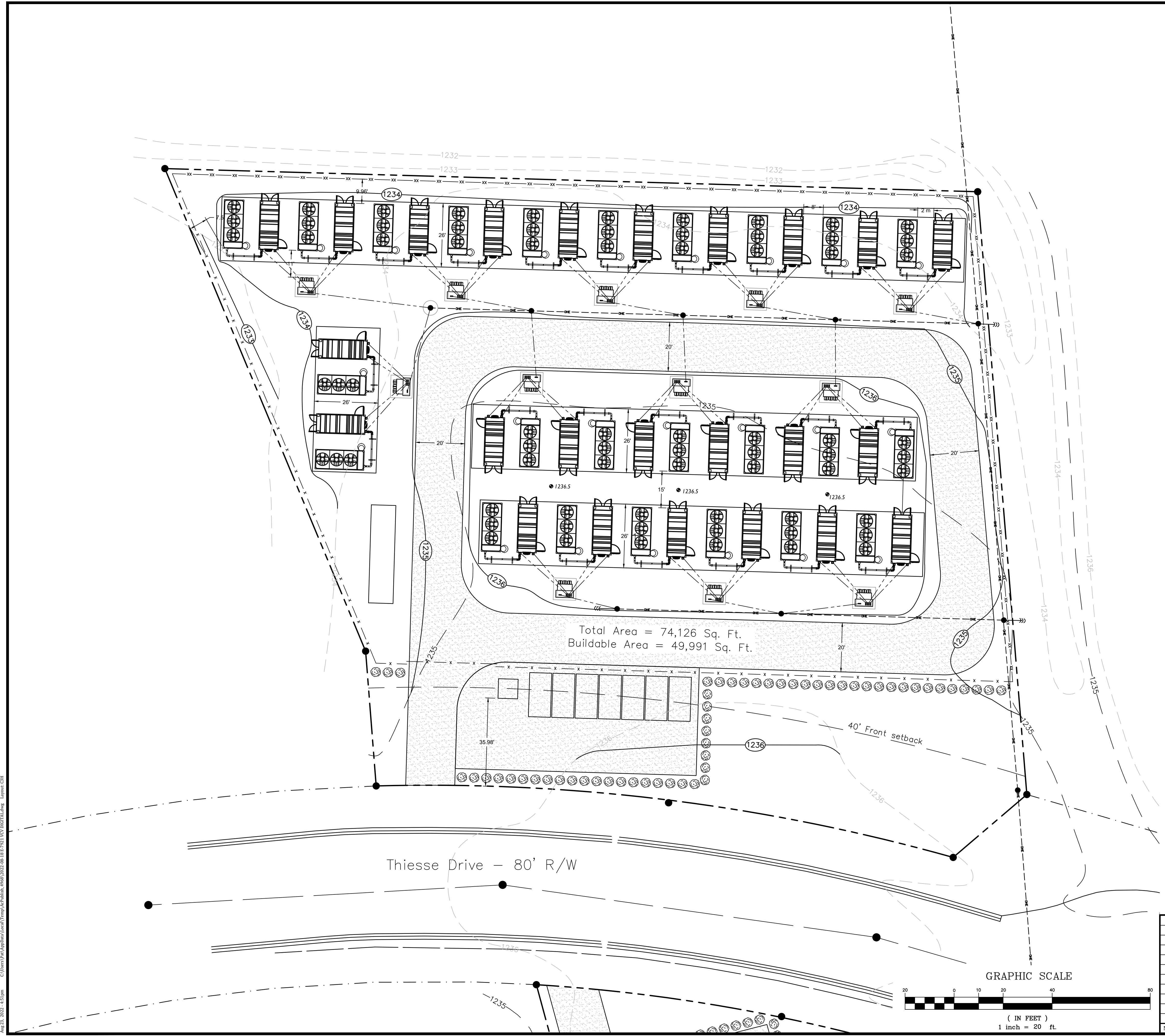
Sincerely,

DocuSigned by:

AB034191F32A419...

Jerry Tang
VCV Digital Infrastructure Minnesota, LLC
917-558-3563

Attached Documentation:

- C1H BIP Crypto Site 1 Layout Rev D.pdf
- 2022-08-18 E-7921 VCV DIGITAL_C3H.pdf
- 2022.08.23_PRELIM Foundation – S2H (E-7921).pdf
- Certificate of Survey 08-17-2022.pdf
- AntSpace HK3.pdf
- Guard Shack.pdf



LEGEND:

- 34.5 KV OH LINES
- 2.5 MVA TRANSFORMER
- PROPERTY LINES
- 8' PRIVACY FENCE
- 8' CHAIN LINK FENCE W/ BARBED WIRE
- UG ELECTRICAL LINES
- ACCESS ROADS
- DOWN GUY
- SHRUBS
- SPOT ELEVATIONS

MAPPING LEGEND

- SANITARY SEWER MANHOLE
- HYDRANT
- SEWER CLEANOUT
- BURIED GAS LINE
- SANITARY SEWER PIPE
- WATER LINE
- CONTOUR (MAJOR)
- CONTOUR (MINOR)
- CONCRETE
- BITUMINOUS

TOTAL AREA = 74126.53 Sq. Ft. = 1.702 ACRES
EXISTING IMPERVIOUS AREA = 0 Sq. Ft.
PROPOSED IMPERVIOUS AREA = 38339.61 Sq. Ft. = 0.880 ACRES =
51.70% IMPERVIOUS AREA

NOTE:
THIS LAYOUT IS FOR CONCEPTUAL REVIEW ONLY.
NOT INTENDED AS FINAL DESIGN.



Summey Engineering Associates, PLLC
Engineering - Consulting - Surveying
P.O. Box 968
Asheboro, NC 27204
ph: (336) 328-0902 fx: (336) 328-0922
www.summeyengineering.com

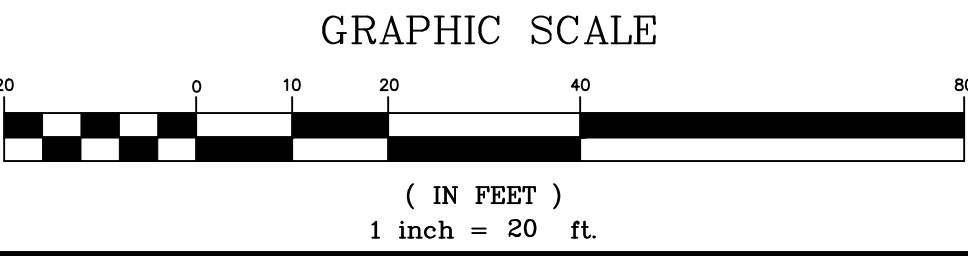
PRELIMINARY
NOT TO BE USED
FOR CONSTRUCTION
REVISION 08/23/22

VCV DIGITAL GROUP
BRainerd, MN
BRainerd INDUSTRIAL PARK
CRYPTO SITE #1 LAYOUT
ANTSPACE CONTAINERS

UTEC UTILITY TECHNOLOGY
ENGINEERS - CONSULTANTS, PLLC
P.O. Box 2629 • Asheboro, North Carolina • 27204

NO.	EDS SUBMITTAL	08/23/22
NO.	REVISIONS	DATE

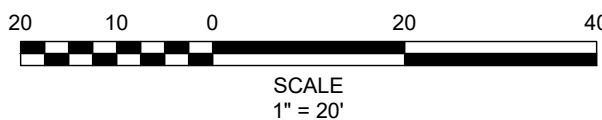
DWN.	PBC	DATE	08/23/22	DWG. NO.	C3H
SCALE:	1" = 20'	JOB NO.	220302	SHEET NO.	1 OF 1





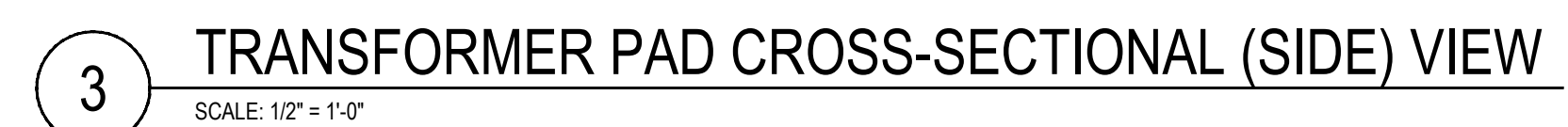
1. THIS LAYOUT IS FOR CONCEPTUAL REVIEW ONLY. NOT INTENDED AS FINAL DESIGN.

- OH — 34.5 KV OH LINES
- 2.5 MVA TRANSFORMER
- — — — — PROPERTY LINES
- X — 8' PRIVACY FENCE
- XX — 8' CHAIN LINK FENCE W/ BARBED WIRE
- - - - - UG ELECTRICAL LINES
- ACCESS ROADS
- >>> DOWN GUY
- SHRUBS

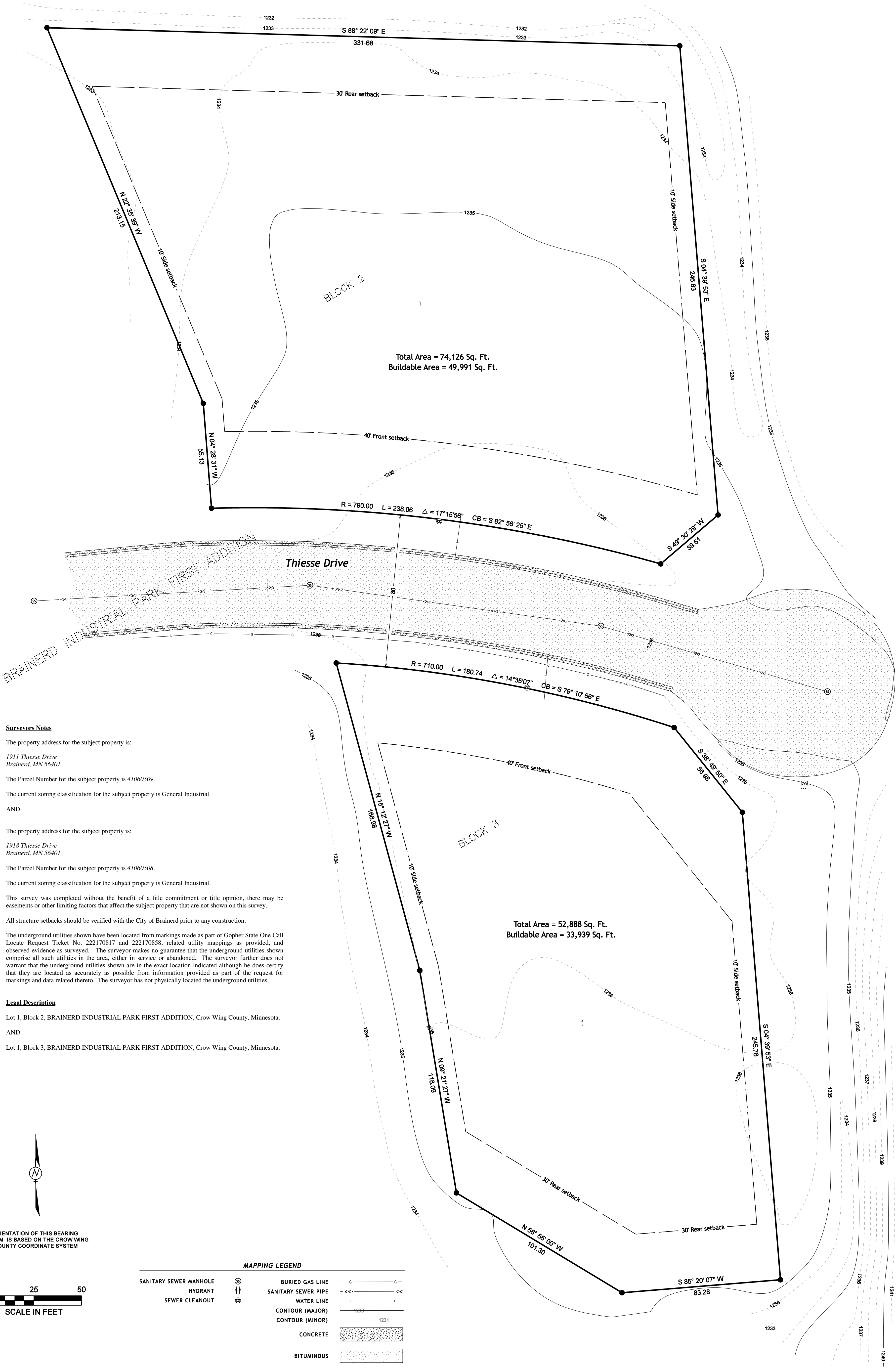


PRELIMINARY
NOT TO BE USED
FOR CONSTRUCTION
REVISION _____ 08/23/22 _____

	UTILITY TECHNOLOGY ENGINEERS - CONSULTANTS, PLLC P.O. Box 2629 • Asheboro, North Carolina • 27204						
DWN. LMB	<table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">DATE: 07/15/22</td> <td style="width: 33%;">DWG. NO.</td> <td style="width: 34%; text-align: right;">C1H</td> </tr> <tr> <td>JOB NO. 220302</td> <td>SHEET NO.</td> <td style="text-align: right;">1 OF 1</td> </tr> </table>	DATE: 07/15/22	DWG. NO.	C1H	JOB NO. 220302	SHEET NO.	1 OF 1
DATE: 07/15/22	DWG. NO.	C1H					
JOB NO. 220302	SHEET NO.	1 OF 1					



THIS PLAN IS FOR CONCEPTUAL REVIEW
ONLY. NOT INTENDED AS FINAL DESIGN.



Surveyors Notes

The property address for the subject property is:

1911 Thiesse Drive
Brainerd, MN 56401

The Parcel Number for the subject property is 41060509.

The current zoning classification for the subject property is General Industrial.
AND

The property address for the subject property is:

1918 Thiesse Drive
Brainerd, MN 56401

The Parcel Number for the subject property is 41060508.

The current zoning classification for the subject property is General Industrial.

This survey was completed without the benefit of a title commitment or title opinion, there may be easements or other limiting factors that affect the subject property that are not shown on this survey.

All structure setbacks should be verified with the City of Brainerd prior to any construction.

The underground utilities shown have been located from markings made as part of Gopher State One Call Locate Request Ticket No. 222170817 and 222170858, related utility mappings as provided, and observed evidence as surveyed. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information provided as part of the request for markings and data related thereto. The surveyor has not physically located the underground utilities.

Legal Description

Lot 1, Block 2, BRAINERD INDUSTRIAL PARK FIRST ADDITION, Crow Wing County, Minnesota.

AND

Lot 1, Block 3, BRAINERD INDUSTRIAL PARK FIRST ADDITION, Crow Wing County, Minnesota.



ORIENTATION OF THIS BEARING
SYSTEM IS BASED ON THE CROW WING
COUNTY COORDINATE SYSTEM



SCALE IN FEET

MAPPING LEGEND

SANITARY SEWER MANHOLE	⊙	BURIED GAS LINE	— G —
HYDRANT	⊕	SANITARY SEWER PIPE	— S —
SEWER CLEANOUT	⊙	WATER LINE	— W —
		CONTOUR (MAJOR)	— 1230 —
		CONTOUR (MINOR)	— 1231 —
		CONCRETE	[Pattern]
		BITUMINOUS	[Pattern]

KLD
KRAMER LEAS DELEO
SURVEYING • ENGINEERING • PLANNING
BRainerd ST. CLOUD

1120 Industrial Park Road
Brainerd, MN 56401
218-828-5333
13 North 11th Avenue
St. Cloud, MN 56303
320-259-1289

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT
WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION
AND THAT I AM A DULY REGISTERED LAND SURVEYOR
UNDER THE LAWS OF THE STATE OF MINNESOTA.

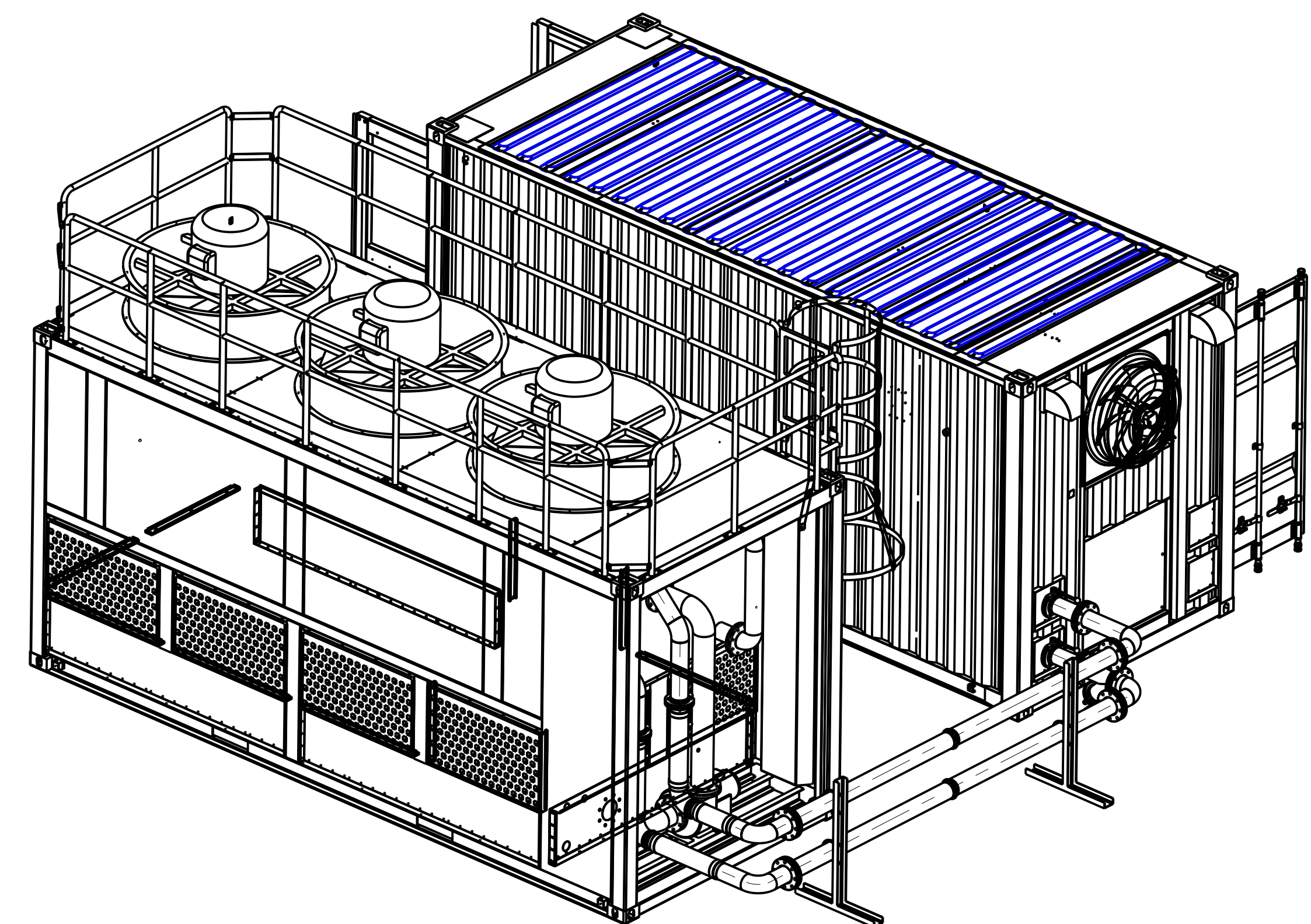
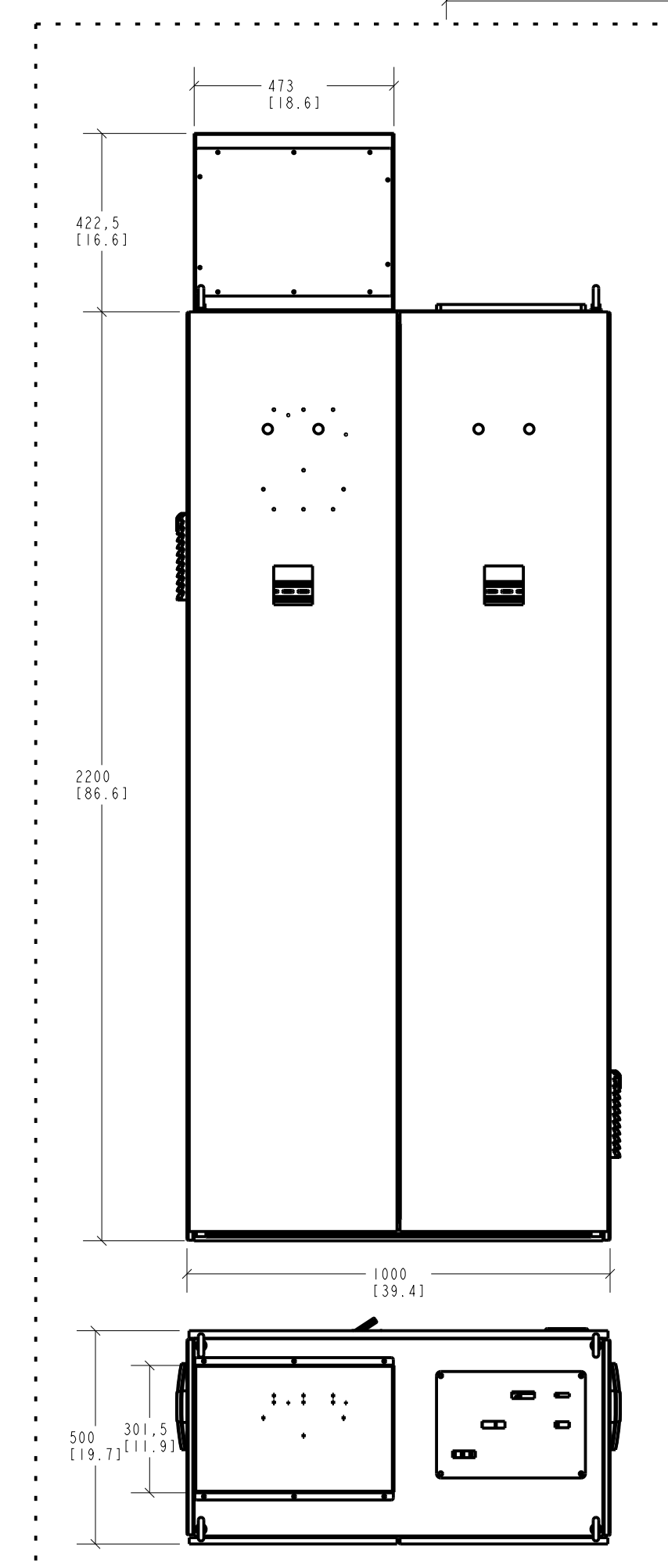
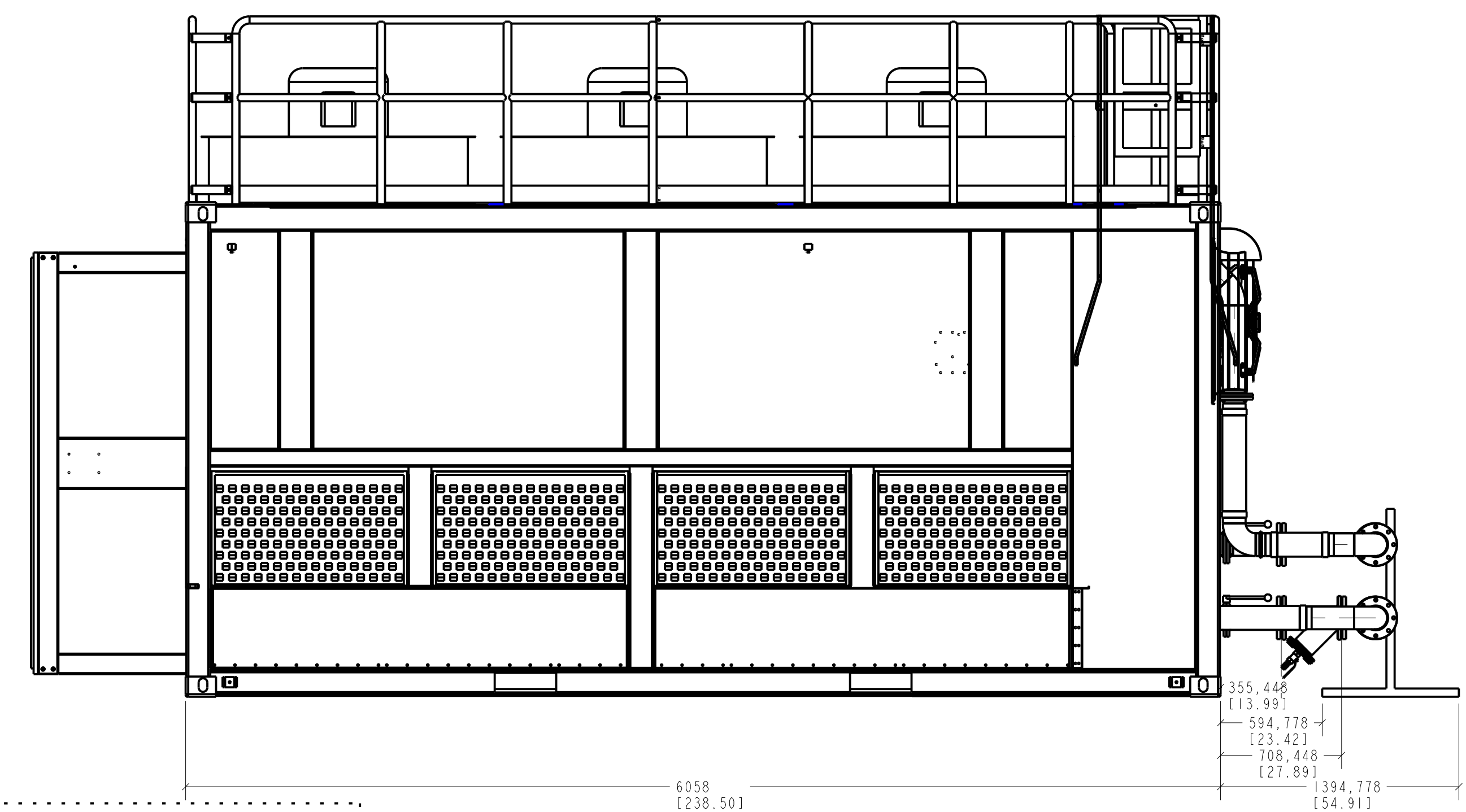
Signature: *James Kramer*
James Kramer, MN License No. 23668

08/17/2022
Date

PROJECT NO. SUMME2201

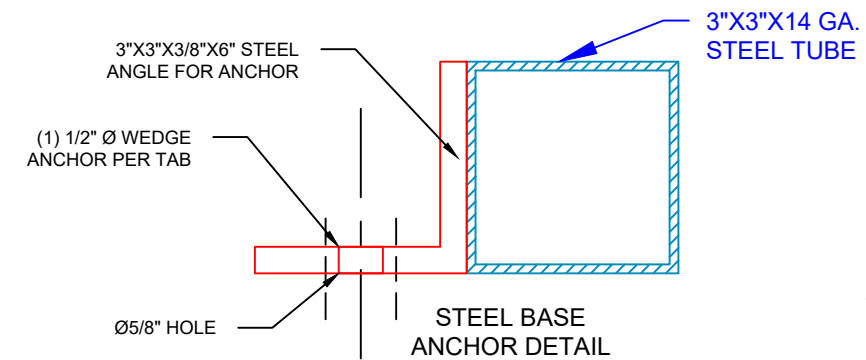
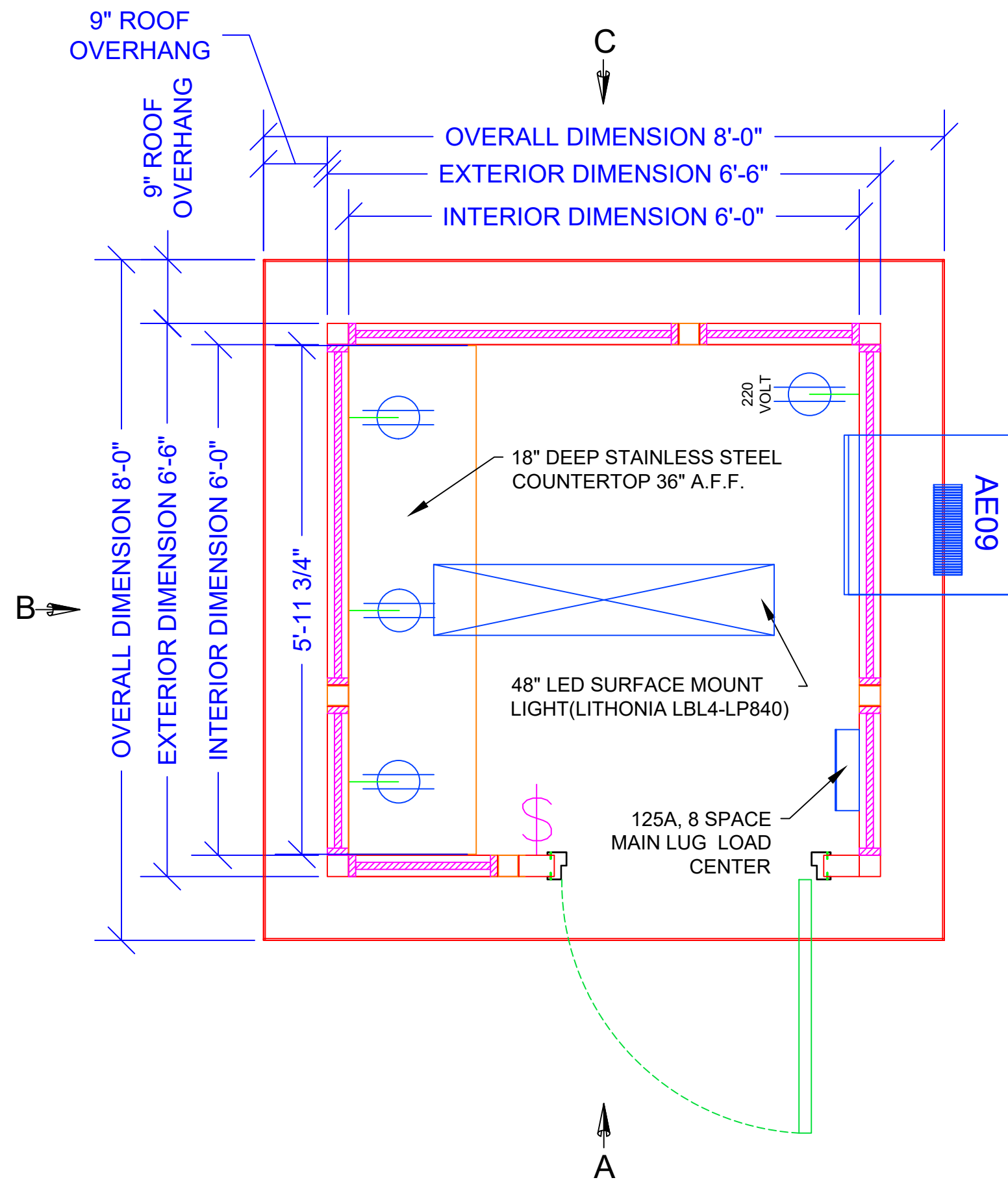
CERTIFICATE OF SURVEY
Topographic and Property Boundary Survey

Summey Engineering Associates, PLLC
Section 06, Township 44 North, Range 30 West
Crow Wing County, Minnesota



4.The top of the power distribution cabinet contains a junction box with a dimension of 473*301.5*422.5mm(L*W*H).

							AntSpace HK3			Bitmain Technologies, Inc.
标记	处数	分区	更改文件号	签名	年、月、日					
设计			标准化			阶段标记		重量	比例	
校对			质量会签							YLY-1000E-006
审核										
工艺			批准			共 张		第 张		



EXTERIOR STEEL BASE
SLAB INSTALLATION

CUSTOMER ACKNOWLEDGEMENT OF
ABOVE DETAIL:

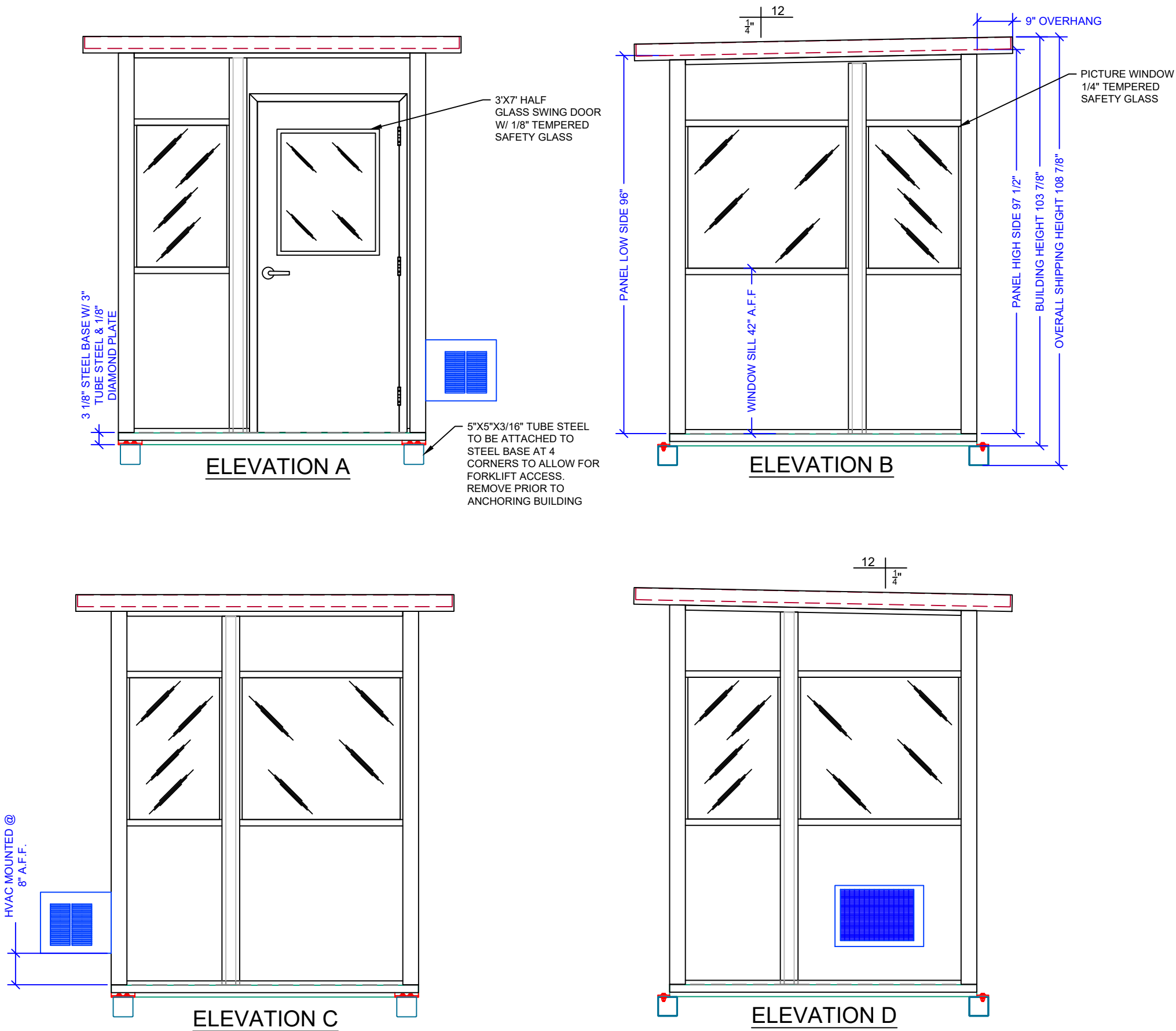
CUSTOMER PLEASE INITIAL HERE

FLOORPLAN
SURFACE MOUNTED ELECTRICAL

DRAWINGS NOT FOR CONSTRUCTION

DRAWING APPROVAL QUOTED LEAD-TIME DOES NOT BEGIN UNTIL SIGNED APPROVALS HAVE BEEN RECEIVED			
APPROVED (NO CHANGES) WITH COLORS CHOSEN			
REVISE & RESUBMIT			
SIGN: _____			
DATE: _____			
REV #	DR. BY#	DESCRIPTION OF REV	DATE

LEGEND					
	TELE/DATA PREP				
	SWITCH				
	DUPLEX RECEPTACLE				
	WINDOW				
	DOOR				
	EXTENDED COLUMN				
	COLUMN				
	I BEAM (STRUCTURAL)				
	COLD ROLLED MEMBER				
	1-1/2"X1-1/2"X11 GA RAILING				
	K-SERIES BAR JOIST				
JOB NUMBER: 16798		DRAWN BY: S. VAZQUEZ			
DEALER: BV POWER ALPHA LLC		CHECKED BY: M.B.			
CUSTOMER: BV POWER ALPHA LLC		DATE: 7.25.2022			
THIS DRAWING IS THE PROPERTY OF PANEL-BUILT, INC. AND MAY NOT BE USED WITHOUT EXPRESS WRITTEN PERMISSION OF PANEL-BUILT, INC. ALL INFORMATION SHOWN ON THIS DRAWING IS THE PROPERTY OF PANEL-BUILT, INC. AND MAY NOT BE USED IN WHOLE OR PART WITHOUT SPECIFIC WRITTEN PERMISSION OF PANEL-BUILT, INC.					
PANEL BUILT INCORPORATED					
TOLERANCES: LENGTH ± 1/8", > 10'-0" ± 1/4" HOLES ± 1/16"					
PAGE: S-1					



LEGEND	
	TELE/DATA PREP
	SWITCH
	DUPLEX RECEPTACLE
	WINDOW
	DOOR
	EXTENDED COLUMN
	COLUMN
	I BEAM (STRUCTURAL)
	COLD ROLLED MEMBER
	1-1/2"x1-1/2"x11 GA RAILING
	K-SERIES BAR JOIST

JOB NUMBER: 16798	DRAWN BY: S.VAZQUEZ	CHECKED BY: M.B.	DATE: 7.25.2022
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DEALER: BV POWER ALPHA LLC	CUSTOMER: BV POWER ALPHA LLC
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THIS DRAWING IS THE PROPERTY OF PANEL-BUILT, INC. AND MAY NOT BE USED WITHOUT EXPRESS WRITTEN PERMISSION OF PANEL-BUILT, INC. ALL INFORMATION SHOWN ON THIS DRAWING IS THE PROPERTY OF PANEL-BUILT, INC. AND MAY NOT BE USED IN WHOLE OR PART WITHOUT SPECIFIC WRITTEN PERMISSION OF PANEL-BUILT, INC.

PANEL BUILT
INCORPORATED

TOLERANCES:
LENGTH ± 1/8", > 10'-0" ± 1/4"
HOLES ± 1/16"

DRAWINGS NOT FOR CONSTRUCTION

DRAWING APPROVAL QUOTED LEAD-TIME DOES NOT BEGIN UNTIL SIGNED APPROVALS HAVE BEEN RECEIVED				
APPROVED (NO CHANGES) WITH COLORS CHOSEN ☐				
REVISE & RESUBMIT ☐				
SIGN: _____		*	*	*
DATE: _____		REV #	DR. BY#	DATE
		DESCRIPTION OF REV		



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Date: 9/16/2022 Time: 9:13:39 AM



NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Jerry Tang has submitted a request on behalf of VCV Digital Infrastructure Minnesota, LLC for an Interim Use Permit for outdoor storage as a principal use at 1911 Thiesse Dr. The property included in this application is described as:

*LOT 1 BLOCK 2
BRAINERD INDUSTRIAL PARK FIRST ADDITION
P.I.N. 41060509
Section 6, Township 44, Range 30*

The property is zoned GI (General Industrial) District, and Zoning Ordinance *Section 515-3 (Allowed Uses) Appendix A: Table of Uses* permits outdoor storage as a principal use as an Interim Use as regulated by Section 515-3-28 of the Brainerd Zoning Ordinance. A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, September 21st, 2022 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the Interim Use Permit.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2309.

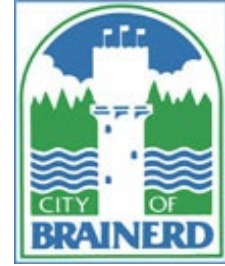
Dated this 8th day of September 2022



James Kramvik
Community Development Director

Publication Date: September 11th 2022

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: September 21, 2022

RE: Variance from Setback Requirements – 1911 Thiesse Dr.

Jerry Tang has submitted a request on behalf of VCV Digital Infrastructure Minnesota, LLC for a variance at 1911 Thiesse Dr., Brainerd, MN 56401.

The requested variance is from [Section 515-2-16.C General Industrial Zoning District Dimensional Standards](#). The applicant is proposing a reduced front yard setback from 40 feet to 36 feet for the installation of a guard shack for a crypto mining facility.

Property Area: 1.7 Acres

Adjacent Uses: North: Undeveloped Wetland
East: Undeveloped Wetland & Agricultural
South: Proposed Crypto Mining Facility
West: Industrial/ Vacant Undeveloped

Adjacent Zoning: North: Crow Wing County – Commercial/ Heavy Industrial District
East: Crow Wing County – Commercial/ Heavy Industrial District
South: GI (General Industrial) District
West: GI (General Industrial) District

Findings of Fact

1. 1911 Thiesse Dr is in the GI (General Industrial) District.
2. Section 515-2-16.C General Industrial Zoning District Dimensional Standards lists a minimum front yard setback in GI Districts to be 40 feet from the front property line. Accessory building standards must meet all principal building setbacks.
 - a. The applicant is requesting that the setback requirement be reduced by 4 feet to a setback of 36 feet from the front property line. The proposed use of the site is outdoor storage as a principal use which is an Interim Use Permit in the GI District. Outdoor storage as a principal use does not require a principal structure.
3. [Section 515-5-4.B.3](#), General Provisions and Evaluation Criteria. – Variances shall only be permitted:
 - a. When they are in harmony with the general purposes and intent of the ordinance

- a. The purpose of the GI Zoning District is to provide for the establishment of heavy industry and manufacturing development and use which because of the nature of the product or character of activity, requires isolation from residential and commercial uses.
 1. *The proposed use of the site is a crypto mining facility which according to the proposed site plan would constitute outdoor storage as a principal use which is an Interim Use Permit in the GI District. Outdoor storage as a principal use does not require a principal structure. The proposed use is in harmony with the purposes and intent of the district.*
 - b. When the variances are consistent with the Comprehensive Plan
 - a. *Staff believes this variance request is supported by Goal 1 of Chapter 5 of the Comprehensive plan which states, "Support infill and redevelopment throughout Brainerd as a strategic component of growth."*
 1. *Policy 1 under Goal 1 states, "Drive infill development and redevelopment towards areas where current infrastructure is present, or places where high levels of blight or disinvestment exists"*
 - c. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.
 - a. *Outdoor storage as a principal use requires screening adjacent to road right-of-way and the developer proposes an 8-foot-high fence to screen the crypto mining facility. The 8-foot fence with limited opacity cannot be placed within the required front yard. The proposed guard shack would need to be placed in front of the gate and fence to provide security for the site.*
4. Section 515-5-4.B.4, Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.
 - a. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
 - a. *The applicant revised the original site plan for the proposed crypto mining facility to occur behind the required front yard. The layout was designed by the applicant to maximize the space of the lot and the guard shack would need to be place outside the fence.*
 - b. The variance, if granted, will not alter the essential character of the locality.
 - a. *This property in surrounded by the General Industrial District with a second proposed crypto mining facility to the south. The guard shack placement would not alter the character of the locality.*
 - c. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
5. Section 515-5-4.B.5, The Board may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

At the time of this writing one party contacted the Community Development Department and had questions regarding the proposed project and did not have any concerns.

Staff Opinion

Staff recommends approval of this variance request as staff believes the requested variance meets the requirements as outlined in Section 515-5-4.B of the Code of Ordinances.


Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218-828-2309/Fax 218-828-2316

www.ci.brainerd.mn.us

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

RESIDENTIAL
COMMERCIAL
CONDITIONAL USE PERMIT
☐

(\$250.00)

☐

(\$400.00 + \$500.00 escrow deposit)

REZONING
☐

(\$300.00)

☐

(\$500.00)

VARIANCE
☐

(\$250.00)

☒

(\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: 1911 Thiesse Dr, Brainerd, MN 56401
LEGAL DESCRIPTION: Lot(s): 1 Block: 2 Addition: Brainerd Industrial Park First Addition, Crow Wing County, MN
 (attach description if lengthy)

Property Owner Name: VCV Digital Infrastructure Minnesota, LLC
Street Address: 1540 Broadway, Suite 1010 **City:** New York **State:** NY **Zip Code** 10036
Phone Number: 917-558-3563 **Fax:** _____ **E-mail:** jerry.tang@vcvdigital.com
Applicant Name: (If different than Property Owner) _____

Street Address: _____ **City:** _____ **State:** _____ **Zip Code:** _____

Phone Number: _____ **Fax:** _____ **E-mail:** _____

Description of Request: Locating a guard shack inside the 40' front yard setback.
The closest edge of the guard shack will be located 36' from the front property line.
Drawings of proposed guard shack are included.

DocuSigned by:

AB034191F32A419...

Property Owner Signature

Jerry Tang

(Please print name)

9/7/2022
Date
Applicant Signature
Date

(Please print name)

(OVER)

VCV Digital Infrastructure Minnesota, LLC
Brainerd Industrial Park – Crypto Site #1
Interim Use Permit – 1911 Thiesse Drive

September 6, 2022

Community Development Department
City Hall
501 Laurel Street
Brainerd, MN 56401
218-828-2309

City of Brainerd, MN:

VCV Digital Infrastructure Minnesota, LLC, requests that the City of Brainerd, MN grant an Interim Use Permit to allow for cryptocurrency mining at 1911 Thiesse Drive, Brainerd, MN 56401 for an indefinite period of time. This site (VCV Site #1) has been designed to accommodate 24 crypto mining containers and associated cooling towers. The site layout includes chain link fencing around the entire site with privacy slats installed on the south and west sides. A parking lot is located adjacent to the guard shack and will be lined with shrubbery to meet landscaping requirements. An office for the site will be located across Thiesse Drive on VCV Site #2 where all communication and networking equipment will be housed.

A guard shack, located next to the entrance/exit gate, will be installed inside the front yard setback to prevent unauthorized access to the site. A variance application has been submitted to locate the guard shack in the front yard setback. VCV expects to employ approximately 16 people between the two sites. The sites will be operated 24 hours a day, seven days a week. All deliveries to the site will be scheduled in advance and will be required to check in at the guard shack before proceeding into the site. The expected clientele will be advanced technological individuals and investors.

The crypto mining containers will be served by an overhead 34.5 kV sub-transmission line entering the site from the north with taps to the west as shown on the Site Layout. VCV Digital is working with Brainerd Power Utility (BPU) to design this overhead service which will likely be installed and maintained by BPU on behalf of VCV. Each set of two mining containers/cooling towers will be served from a 3,000 kVA pad mounted power transformer. A total of twelve (12) 3,000 kVA pad mounted transformers will be located on the site as shown on the drawings. The total expected load for the site is approximately 32 MW.

Each mining container will house approximately 210 mining computers. These computers generate a lot of heat when in operation. To control the temperature of the computers, a wet/dry cooling tower is installed for each container as shown on the site drawing. A connection to the BPU water system provides the make-up water to the cooling towers to replace the water lost in evaporation. At low ambient temperatures the cooling towers are drained to prevent freezing. A connection the BPU sewer is planned for this manual draining process. BPU has existing water and sewer mains available along Thiesse Drive. Connection to the BPU system and a specific layout of water and sewer inside the site to be determined with the final design.

The engineers and their contact information are as listed below. The office and guard shack design are by others.

Electrical Design
Utility Technology, Engineers-Consultants
775 Spartan Blvd, Suite 207
Spartanburg, SC 29301
Heather Sudduth
864-579-1577

Civil Structural Design
Summey Engineering Associates
150 S Fayetteville St
Asheboro, NC 27203
Mack Summey
336-328-0902

VCV Digital Infrastructure Minnesota, LLC
Brainerd Industrial Park – Crypto Site #1
Interim Use Permit – 1911 Thiesse Drive

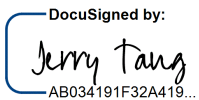
September 6, 2022

hsudduth@utilitytec.com

mack@summeyengineering.com

Please let us know if you have any questions or need additional information.

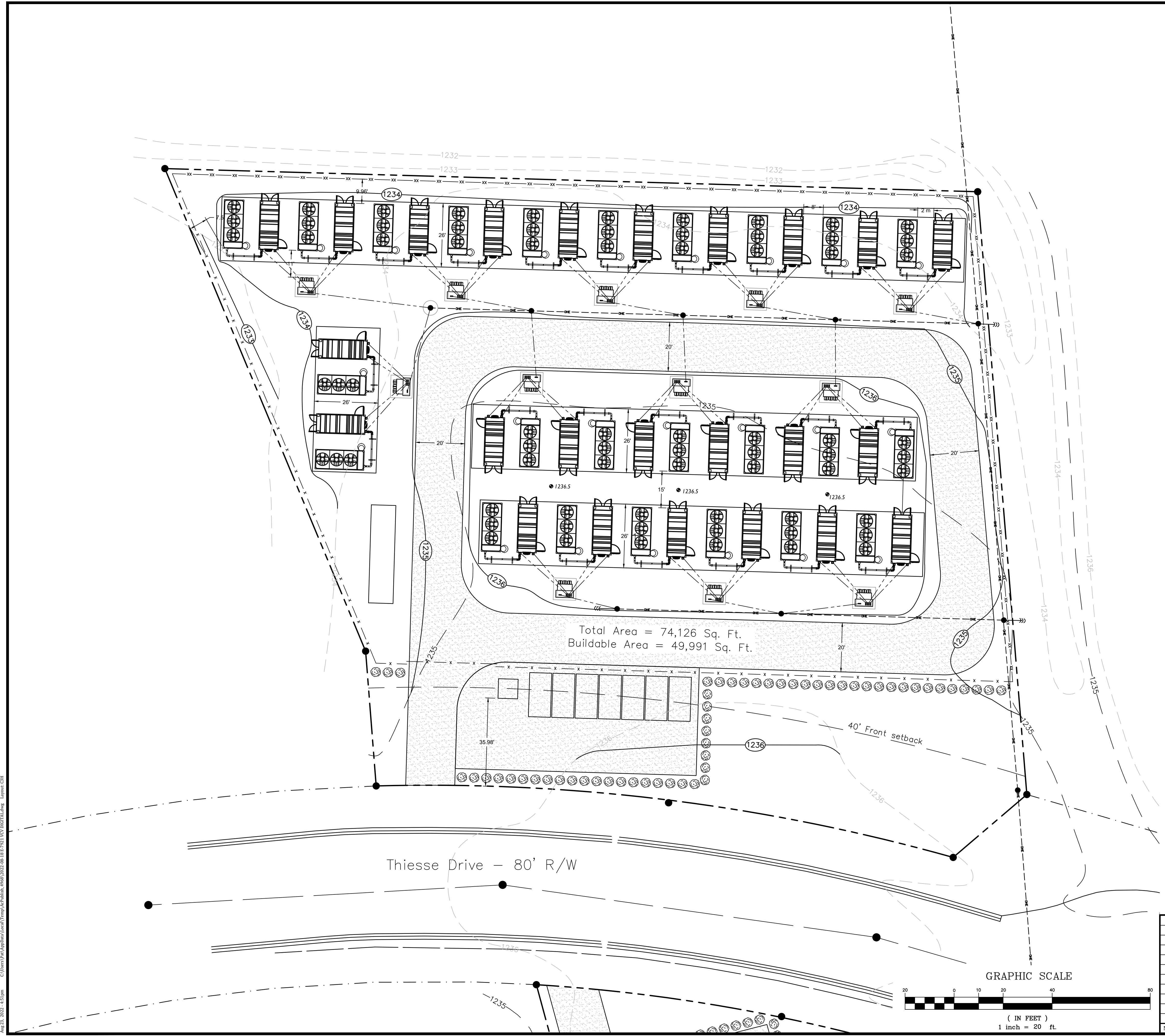
Sincerely,

DocuSigned by:

AB034191F32A419...

Jerry Tang
VCV Digital Infrastructure Minnesota, LLC
917-558-3563

Attached Documentation:

- C1H BIP Crypto Site 1 Layout Rev D.pdf
- 2022-08-18 E-7921 VCV DIGITAL_C3H.pdf
- 2022.08.23_PRELIM Foundation – S2H (E-7921).pdf
- Certificate of Survey 08-17-2022.pdf
- AntSpace HK3.pdf
- Guard Shack.pdf



LEGEND:

- 34.5 KV OH LINES
- 2.5 MVA TRANSFORMER
- PROPERTY LINES
- 8" PRIVACY FENCE
- 8" CHAIN LINK FENCE W/ BARBED WIRE
- UG ELECTRICAL LINES
- ACCESS ROADS
- DOWN GUY
- SHRUBS
- SPOT ELEVATIONS

MAPPING LEGEND

- SANITARY SEWER MANHOLE
- HYDRANT
- SEWER CLEANOUT
- BURIED GAS LINE
- SANITARY SEWER PIPE
- WATER LINE
- CONTOUR (MAJOR)
- CONTOUR (MINOR)
- CONCRETE
- BITUMINOUS

TOTAL AREA = 74126.53 Sq. Ft. = 1.702 ACRES
EXISTING IMPERVIOUS AREA = 0 Sq. Ft.
PROPOSED IMPERVIOUS AREA = 38339.61 Sq. Ft. = 0.880 ACRES =
51.70% IMPERVIOUS AREA

NOTE:
THIS LAYOUT IS FOR CONCEPTUAL REVIEW ONLY.
NOT INTENDED AS FINAL DESIGN.



Summey Engineering Associates, PLLC
Engineering - Consulting - Surveying
P.O. Box 968
Asheboro, NC 27204
ph: (336) 328-0902 fx: (336) 328-0922
www.summeyengineering.com

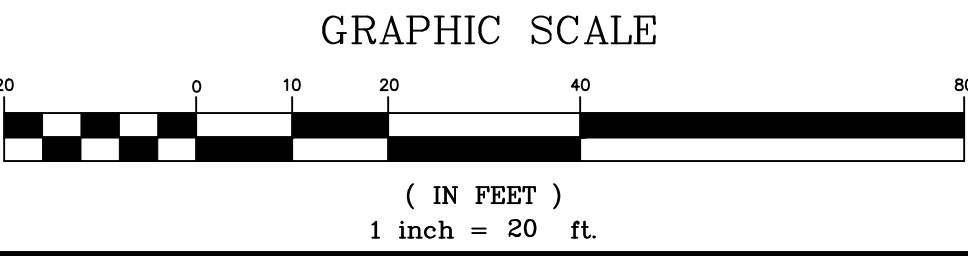
PRELIMINARY
NOT TO BE USED
FOR CONSTRUCTION
REVISION 08/23/22

VCV DIGITAL GROUP
BRainerd, MN
BRainerd INDUSTRIAL PARK
CRYPTO SITE #1 LAYOUT
ANTSPACE CONTAINERS

UTILITY TECHNOLOGY
ENGINEERS - CONSULTANTS, PLLC
P.O. Box 2629 • Asheboro, North Carolina • 27204

NO.	EDS SUBMITTAL	08/23/22
NO.	REVISIONS	DATE

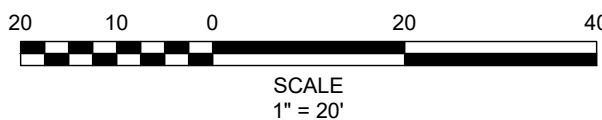
DWN.	PBC	DATE	08/23/22	DWG. NO.	C3H
SCALE:	1" = 20'	JOB NO.	220302	SHEET NO.	1 OF 1





1. THIS LAYOUT IS FOR CONCEPTUAL REVIEW ONLY. NOT INTENDED AS FINAL DESIGN.

- OH — 34.5 KV OH LINES
- 2.5 MVA TRANSFORMER
- — — — — PROPERTY LINES
- X — 8' PRIVACY FENCE
- XX — 8' CHAIN LINK FENCE W/ BARBED WIRE
- - - - - UG ELECTRICAL LINES
- ACCESS ROADS
- >>> DOWN GUY
- SHRUBS



PRELIMINARY
NOT TO BE USED
FOR CONSTRUCTION
REVISION _____ 08/23/22 _____

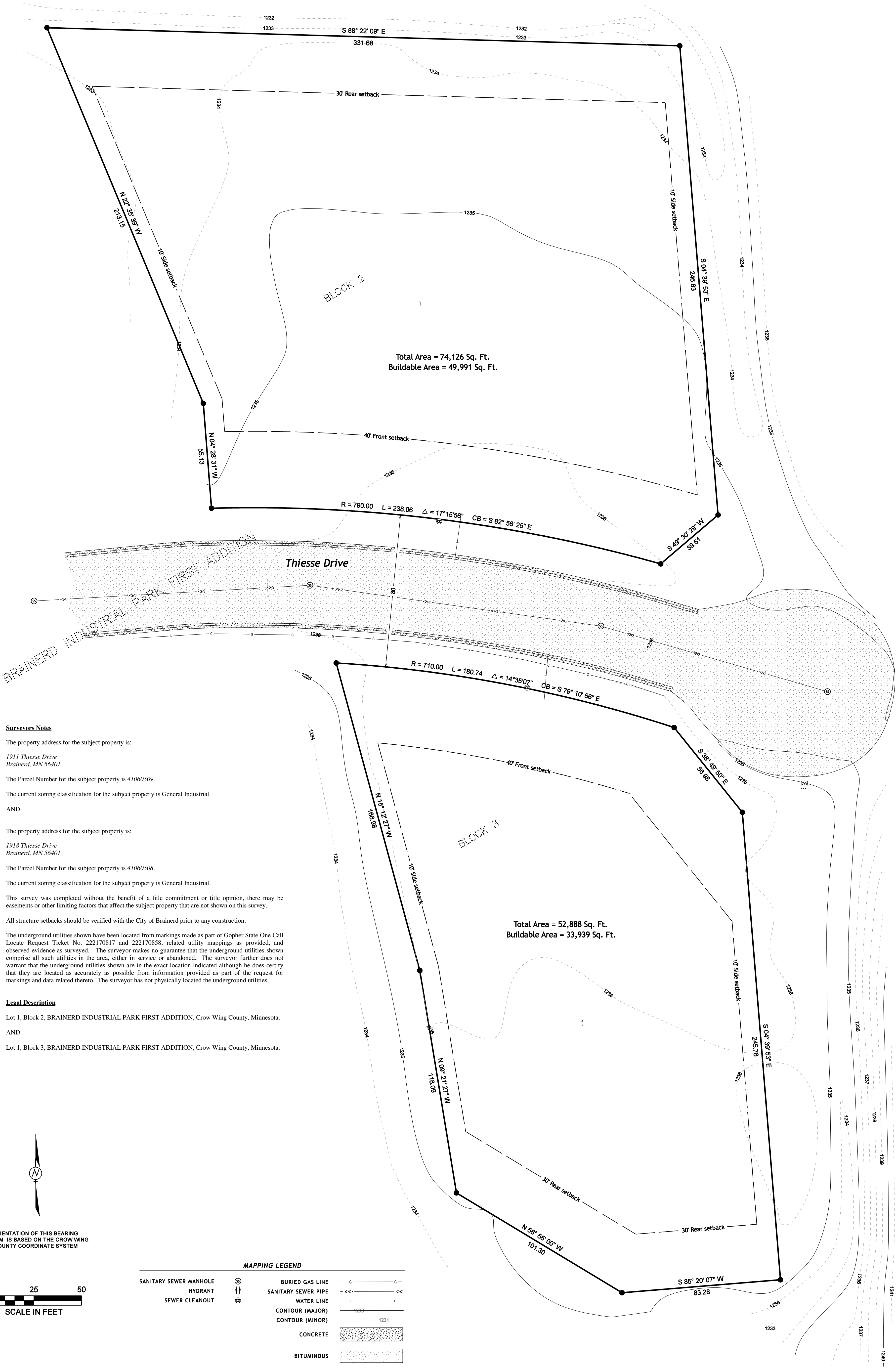
UTEC

UTILITY TECHNOLOGY

ENGINEERS - CONSULTANTS, PLLC

P.O. Box 2629 • Asheville, North Carolina • 27204

DWN.	LMB	DATE: 07/15/22	DWG. NO.	C1H
SCALE: 1" = 20'		JOB NO. 220302	SHEET NO.	1 OF 1



Surveyors Notes

The property address for the subject property is:

1911 Thiesse Drive
Brainerd, MN 56401

The Parcel Number for the subject property is 41060509.

The current zoning classification for the subject property is General Industrial.
AND

The property address for the subject property is:

1918 Thiesse Drive
Brainerd, MN 56401

The Parcel Number for the subject property is 41060508.

The current zoning classification for the subject property is General Industrial.

This survey was completed without the benefit of a title commitment or title opinion, there may be easements or other limiting factors that affect the subject property that are not shown on this survey.

All structure setbacks should be verified with the City of Brainerd prior to any construction.

The underground utilities shown have been located from markings made as part of Gopher State One Call Locate Request Ticket No. 222170817 and 222170858, related utility mappings as provided, and observed evidence as surveyed. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information provided as part of the request for markings and data related thereto. The surveyor has not physically located the underground utilities.

Legal Description

Lot 1, Block 2, BRAINERD INDUSTRIAL PARK FIRST ADDITION, Crow Wing County, Minnesota.

AND

Lot 1, Block 3, BRAINERD INDUSTRIAL PARK FIRST ADDITION, Crow Wing County, Minnesota.



ORIENTATION OF THIS BEARING
SYSTEM IS BASED ON THE CROW WING
COUNTY COORDINATE SYSTEM



SCALE IN FEET

MAPPING LEGEND

SANITARY SEWER MANHOLE	⊙	BURIED GAS LINE	— G —
HYDRANT	⊕	SANITARY SEWER PIPE	— S —
SEWER CLEANOUT	⊙	WATER LINE	— W —
		CONTOUR (MAJOR)	— 1230 —
		CONTOUR (MINOR)	— 1231 —
		CONCRETE	[Pattern]
		BITUMINOUS	[Pattern]

KLD
KRAMER LEAS DELEO
SURVEYING • ENGINEERING • PLANNING
BRainerd ST. CLOUD

1120 Industrial Park Road
Brainerd, MN 56401
218-626-5333

13 North 11th Avenue
St. Cloud, MN 56303
320-259-1289

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT
WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION
AND THAT I AM A DULY REGISTERED LAND SURVEYOR
UNDER THE LAWS OF THE STATE OF MINNESOTA.

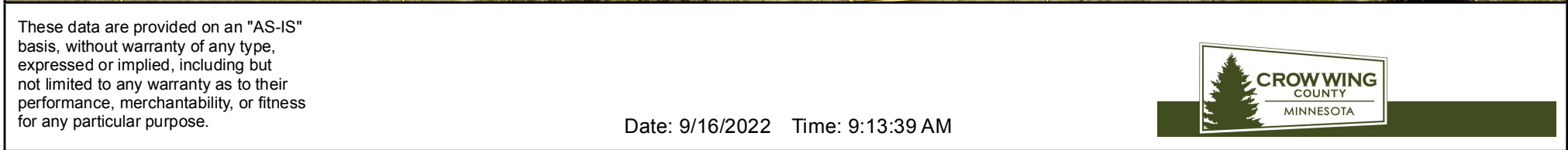
Signature: *James Kramer*
James Kramer, MN License No. 23668

08/17/2022
Date

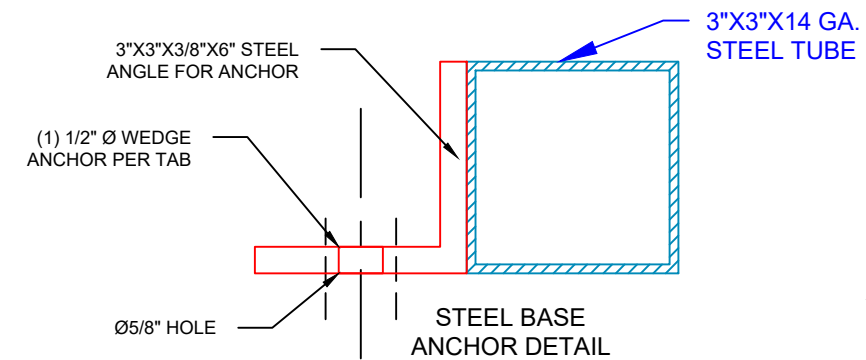
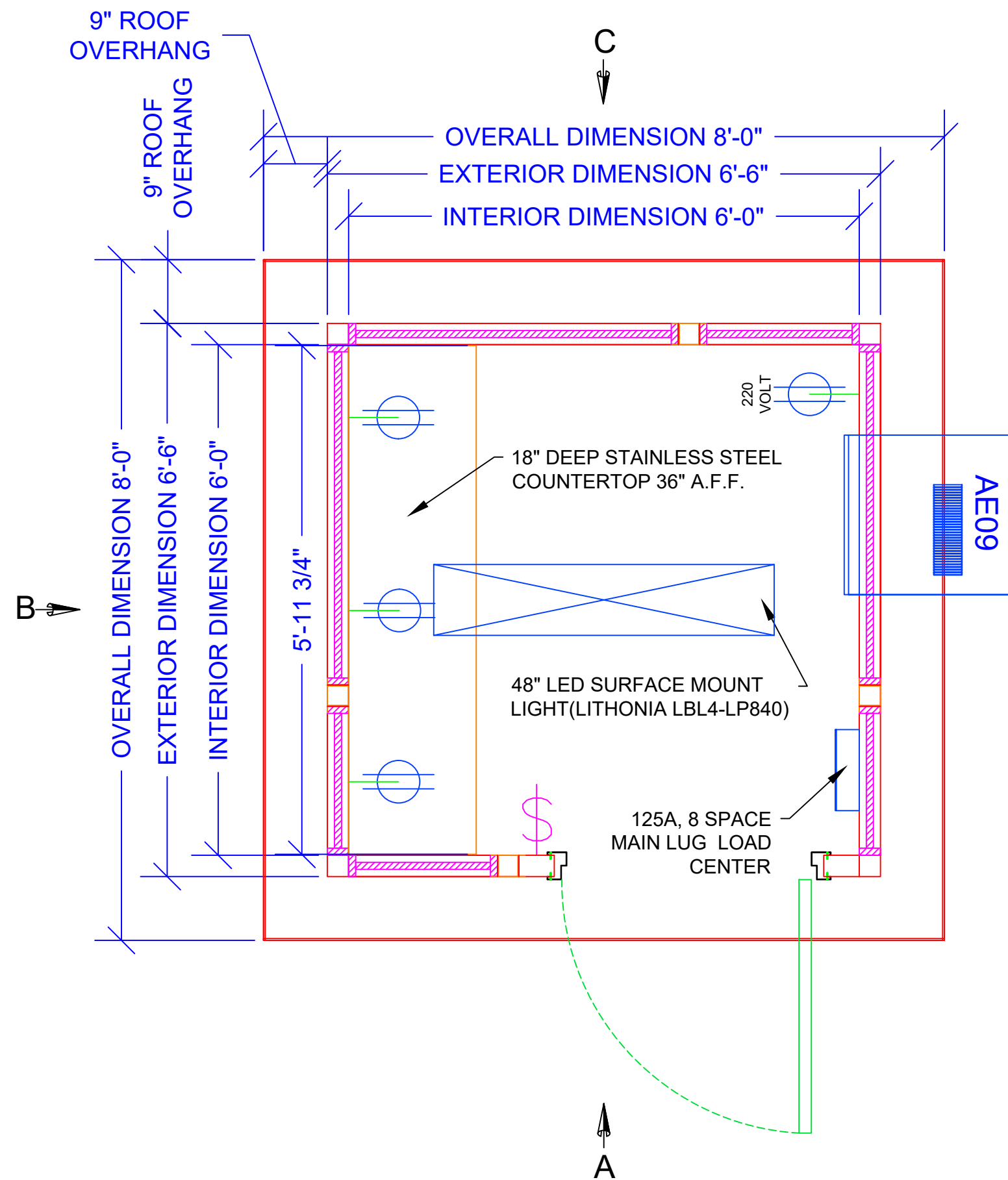
PROJECT NO. SUMME2201

CERTIFICATE OF SURVEY
Topographic and Property Boundary Survey

Summey Engineering Associates, PLLC
Section 06, Township 44 North, Range 30 West
Crow Wing County, Minnesota



CROW WING
COUNTY
MINNESOTA



EXTERIOR STEEL BASE
SLAB INSTALLATION

CUSTOMER ACKNOWLEDGEMENT OF
ABOVE DETAIL:

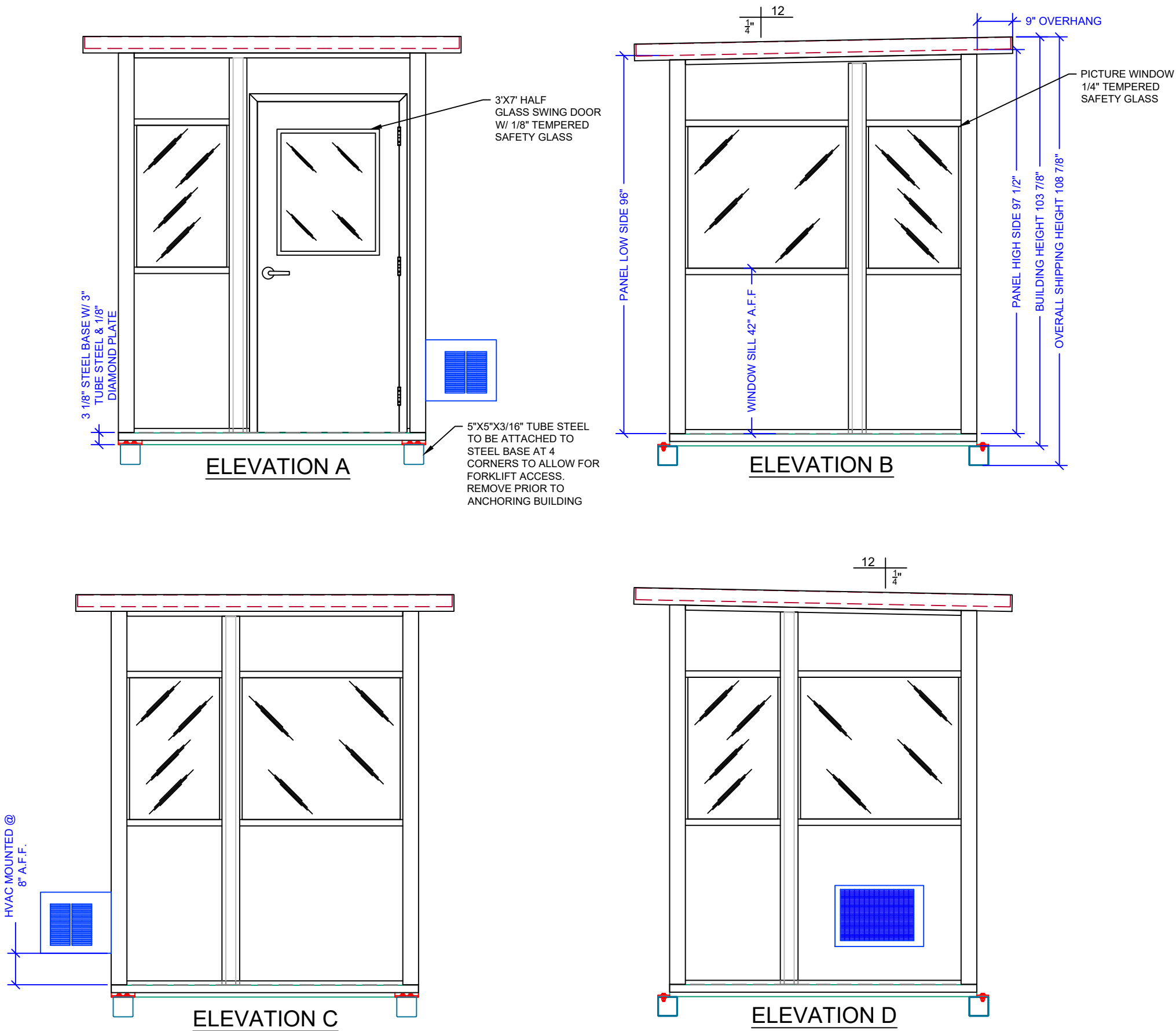
CUSTOMER PLEASE INITIAL HERE

FLOORPLAN
SURFACE MOUNTED ELECTRICAL

DRAWINGS NOT FOR CONSTRUCTION

DRAWING APPROVAL			
QUOTED LEAD-TIME DOES NOT BEGIN UNTIL SIGNED APPROVALS HAVE BEEN RECEIVED			
APPROVED (NO CHANGES) WITH COLORS CHOSEN			
REVISE & RESUBMIT			
SIGN: _____			
DATE: _____			
REV #	DR. BY#	DESCRIPTION OF REV	DATE
*	*	*	*

LEGEND					
	TELE/DATA PREP				
	SWITCH				
	DUPLEX RECEPTACLE				
	WINDOW				
	DOOR				
	EXTENDED COLUMN				
	COLUMN				
	I BEAM (STRUCTURAL)				
	COLD ROLLED MEMBER				
	1-1/2"X1-1/2"X11 GA RAILING				
	K-SERIES BAR JOIST				
JOB NUMBER: 16798		DRAWN BY: S. VAZQUEZ			
DEALER: BV POWER ALPHA LLC		CHECKED BY: M.B.			
CUSTOMER: BV POWER ALPHA LLC		DATE: 7.25.2022			
THIS DRAWING IS THE PROPERTY OF PANEL-BUILT, INC. AND MAY NOT BE USED WITHOUT EXPRESS WRITTEN PERMISSION OF PANEL-BUILT, INC. ALL INFORMATION SHOWN ON THIS DRAWING IS THE PROPERTY OF PANEL-BUILT, INC. AND MAY NOT BE USED IN WHOLE OR PART WITHOUT SPECIFIC WRITTEN PERMISSION OF PANEL-BUILT, INC.					
PANEL BUILT INCORPORATED					
TOLERANCES: LENGTH ± 1/8", > 10'-0" ± 1/4" HOLES ± 1/16"					
PAGE: S-1					



LEGEND	
	TELE/DATA PREP
	SWITCH
	DUPLEX RECEPTACLE
	WINDOW
	DOOR
	EXTENDED COLUMN
	COLUMN
	I BEAM (STRUCTURAL)
	COLD ROLLED MEMBER
	1-1/2"x1-1/2"x11 GA RAILING
	K-SERIES BAR JOIST

JOB NUMBER: 16798	DRAWN BY: S. VAZQUEZ	CHECKED BY: M.B.	DATE: 7.25.2022
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DEALER: BV POWER ALPHA LLC	CUSTOMER: BV POWER ALPHA LLC
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THIS DRAWING IS THE PROPERTY OF PANEL-BUILT, INC. AND MAY NOT BE USED WITHOUT EXPRESS WRITTEN PERMISSION OF PANEL-BUILT, INC. ALL INFORMATION SHOWN ON THIS DRAWING IS THE PROPERTY OF PANEL-BUILT, INC. AND MAY NOT BE USED IN WHOLE OR PART WITHOUT SPECIFIC WRITTEN PERMISSION OF PANEL-BUILT, INC.

PANEL BUILT
INCORPORATED

TOLERANCES:
LENGTH ± 1/8", > 10'-0" ± 1/4"
HOLES ± 1/16"

DRAWINGS NOT FOR CONSTRUCTION			
DRAWING APPROVAL			
QUOTED LEAD-TIME DOES NOT BEGIN UNTIL SIGNED APPROVALS HAVE BEEN RECEIVED			
APPROVED (NO CHANGES) WITH COLORS CHOSEN ☐			
REVISE & RESUBMIT ☐			
SIGN: _____			
DATE: _____			
REV #	DR. BY#	DESCRIPTION OF REV	DATE
*	*	*	*

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Jerry Tang has submitted a request on behalf of VCV Digital Infrastructure Minnesota, LLC for a variance at 1911 Thiesse Dr. The requested variance is from *Section 515-2-16.C General Industrial Zoning District Dimensional Standards*. The applicant is proposing a reduced front yard setback from 40 feet to 36 feet for the installation of a guard shack. The property included in this application is described as:

*LOT 1 BLOCK 2
BRainerd INDUSTRIAL PARK FIRST ADDITION
P.I.N. 41060509
Section 6, Township 44, Range 30*

The property is zoned GI (General Industrial) District. A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, September 21st, 2022 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the variance request.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2309.

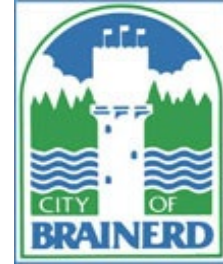
Dated this 8th day of September 2022



James Kramvik
Community Development Director

Publication Date: September 11th 2022

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: September 21, 2022

RE: Variance from Setback Requirements – 804 Oak St.

Mark Needham has submitted a variance request on behalf of Brainerd Public Schools at 804 Oak Street, Brainerd, MN 56401.

The requested variance is from [Section 515-2-17.C PSP Zoning District Dimensional Standards](#). The applicant is requesting a reduced rear yard setback from 10 feet to zero feet for the addition of an ADA enclosed wheelchair lift along Pine Street.

Property Area: 2.08 Acres – Washington Educational Services Building

Adjacent Uses: North: Multi-family and Single Family Residential
East: Multi-family and Single Family Residential
South: Multi-family and Single Family Residential
West: Multi-family and Single Family Residential

Adjacent Zoning: North: TN-2 (Traditional Neighborhood 2) District
East: TN-2 (Traditional Neighborhood 2) District
South: TN-1 (Traditional Neighborhood 1) District
West: TN-2 (Traditional Neighborhood 2) District

Findings of Fact

1. 804 Oak Street is in the (PSP) Public Semi-Public District.
2. Section 515-2-17.C PSP Zoning District Dimensional Standards lists a minimum rear yard setback in PSP Districts to be 10 feet from the rear property line.
 - a. The applicant is requesting that the setback requirement be reduced by 10 feet to a setback of zero feet from the rear property line.
3. [Section 515-5-4.B.3](#), General Provisions and Evaluation Criteria. – Variances shall only be permitted:
 - a. When they are in harmony with the general purposes and intent of the ordinance
 - a. The PSP Zoning District is intended to identify lands used for community gathering spaces for purposes of education, recreation, congregation, worship, health, or similar. Lands zoned PSP contain 1.0 acres of land or provide a mix of community uses from a single facility or campus.

1. *The Washington Educational Services Building at 804 Oak Street offers educational services, serves as the offices for the school district, and provides a community gathering space. This property exceeds one acre and is in harmony with the general purposes of the ordinance.*
- b. When the variances are consistent with the Comprehensive Plan
 - a. *Staff believes this variance request is supported by Goal 1 of Chapter 2 of the Comprehensive plan which states, "Preserve and repurpose historic assets."*
 1. *Policy 6 under Goal 1 states, "Strike a balance between preserving historic structures and building new within all land uses."*
 - c. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.
 - a. *The rear side of the building does not currently have ADA accessibility to the first floor. The proposed structure will not extend further than the concrete steps. There are no other options on the rear side of the building for placement of the proposed structure to reduce the requested setback.*
4. Section 515-5-4.B.4, Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.
 - a. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
 - a. *This building was built several years ago before ADA accessible building codes.*
 - b. The variance, if granted, will not alter the essential character of the locality.
 - a. *This property has been used for educational purposes since it was originally built. Public and private schools and community centers are permitted uses in the PSP District. The extension for the proposed ADA accessible lift will not extend further than the existing steps.*
 - c. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
5. Section 515-5-4.B.5, The Board may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

At the time of this writing one party contacted the Community Development Department and had questions regarding the proposed project and did not have any concerns.

Staff Opinion

Staff recommends approval of this variance request as staff believes the requested variance meets the requirements as outlined in Section 515-5-4.B of the Code of Ordinances, is supported by the Comprehensive Plan, will allow for ADA accessibility on the rear side of the building, and the investment made will improve the property.



Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218-828-2309/Fax 218-828-2316

www.ci.brainerd.mn.us

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

RESIDENTIAL

CONDITIONAL USE PERMIT

☐ (\$250.00)

REZONING

☐ (\$300.00)

VARIANCE

☐ (\$250.00)

COMMERCIAL

☐ (\$400.00 + \$500.00 escrow deposit)

☐ (\$500.00)

☒ (\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: 804 Oak Street Brainerd MN 56401

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: _____
(attach description if lengthy)

Property Owner Name: Brainerd Public Schools

Street Address: 804 Oak Street City: Brainerd State: MN Zip Code 56501

Phone Number: 218-454-6906 Fax: _____ E-mail: reid.thiesse@isd181.org

Applicant Name: (If different than Property Owner) Mark Needham

Street Address: 1331 Tyler Street NE Suite 101 City: Minneapolis State: MN Zip Code: 55413

Phone Number: 763-354-2670 Fax: _____ E-mail: mark.needham@ics-builds.com

Description of Request: Variance to allow the addition of an enclosure for a wheel chair lift on Pine Street in order to improve the ADA access of the building. The enclosure is 8 1/2' x 14 1/2' and 1 1/2 stories tall using matching materials that already in use by the existing building (brick).

Property Owner Signature

Reid Thiesse

8/23/22

Date

(Please print name)

Applicant Signature

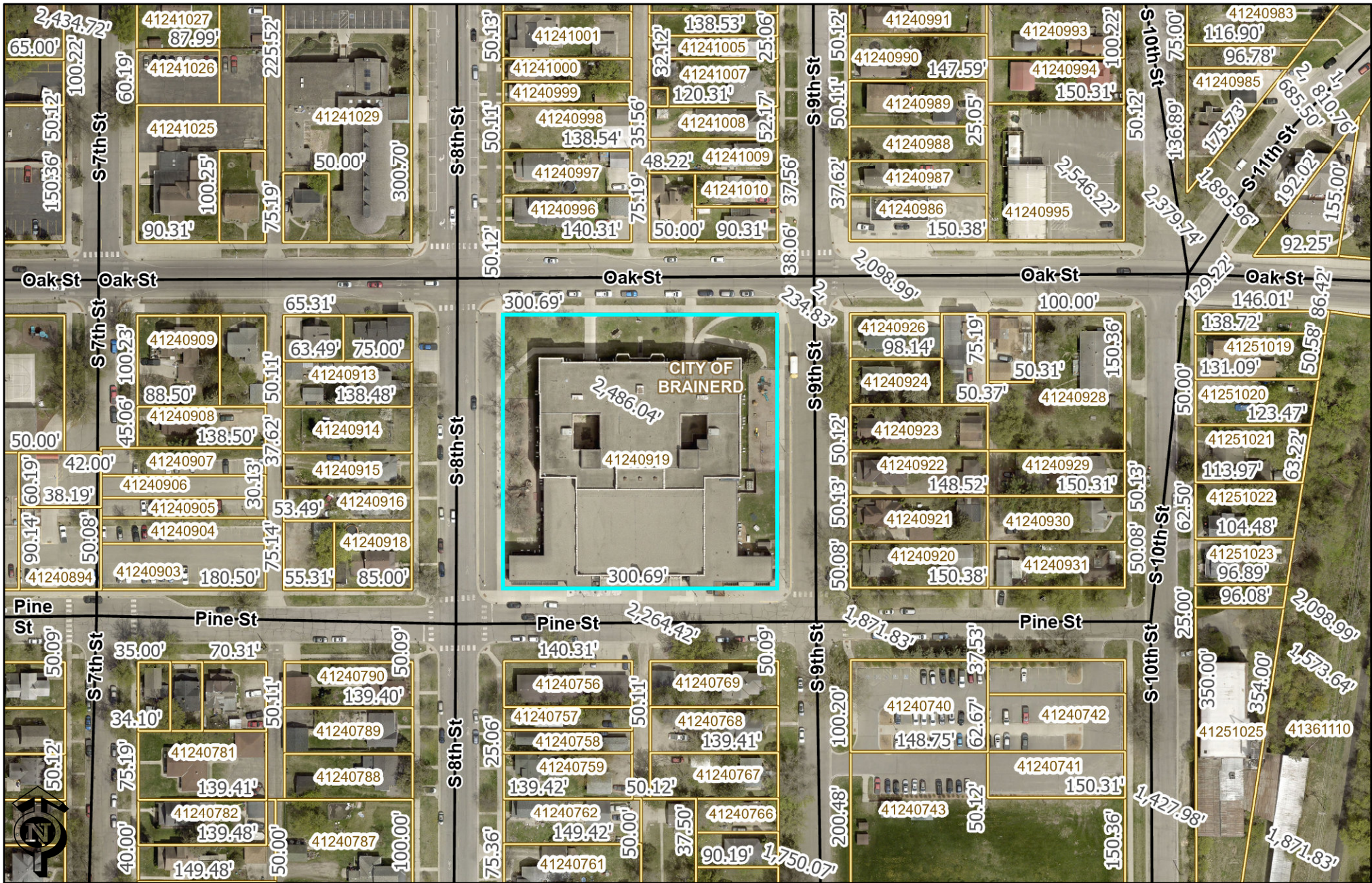
Mark Needham

(Please print name)

8/4/22

Date

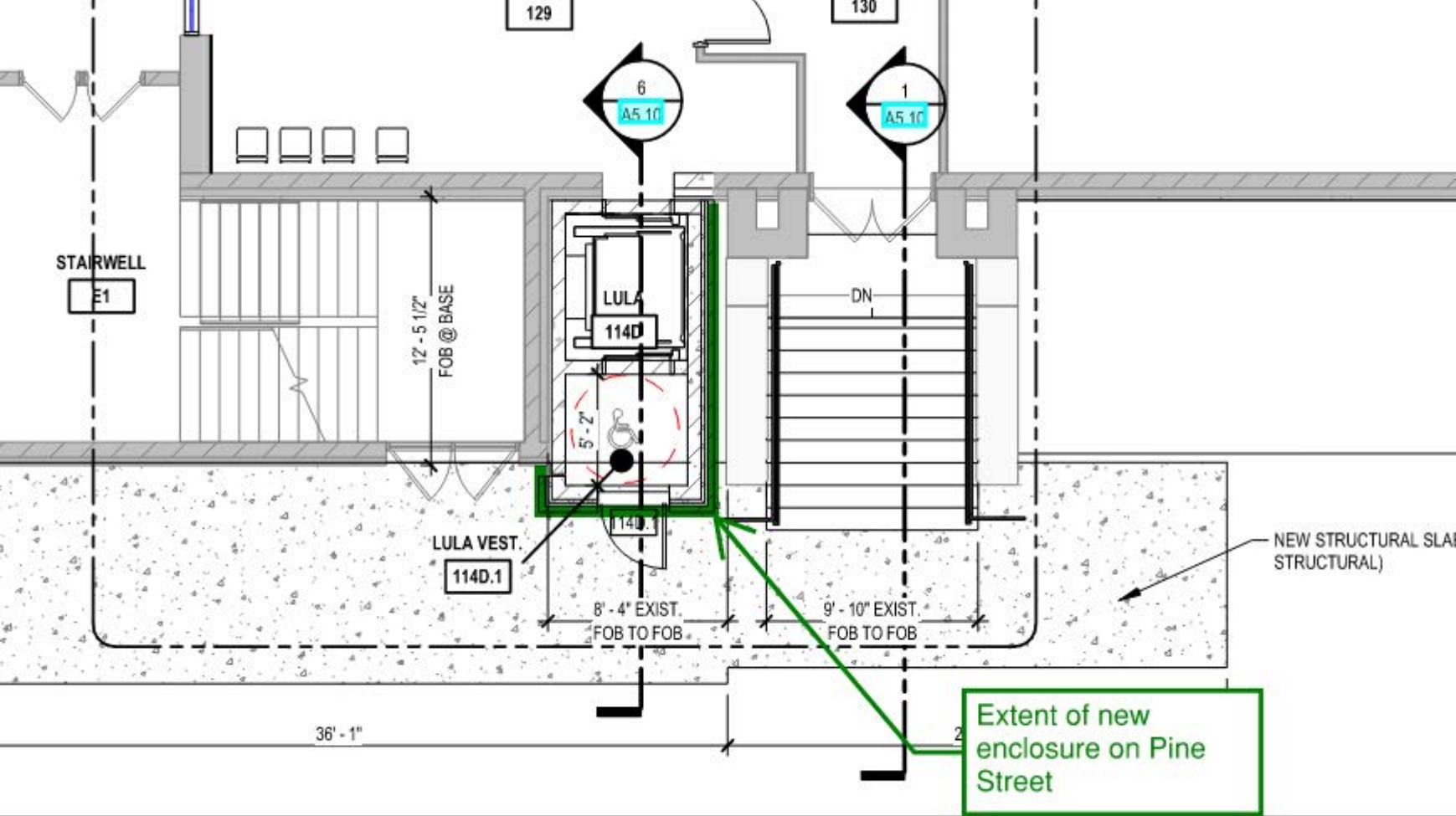
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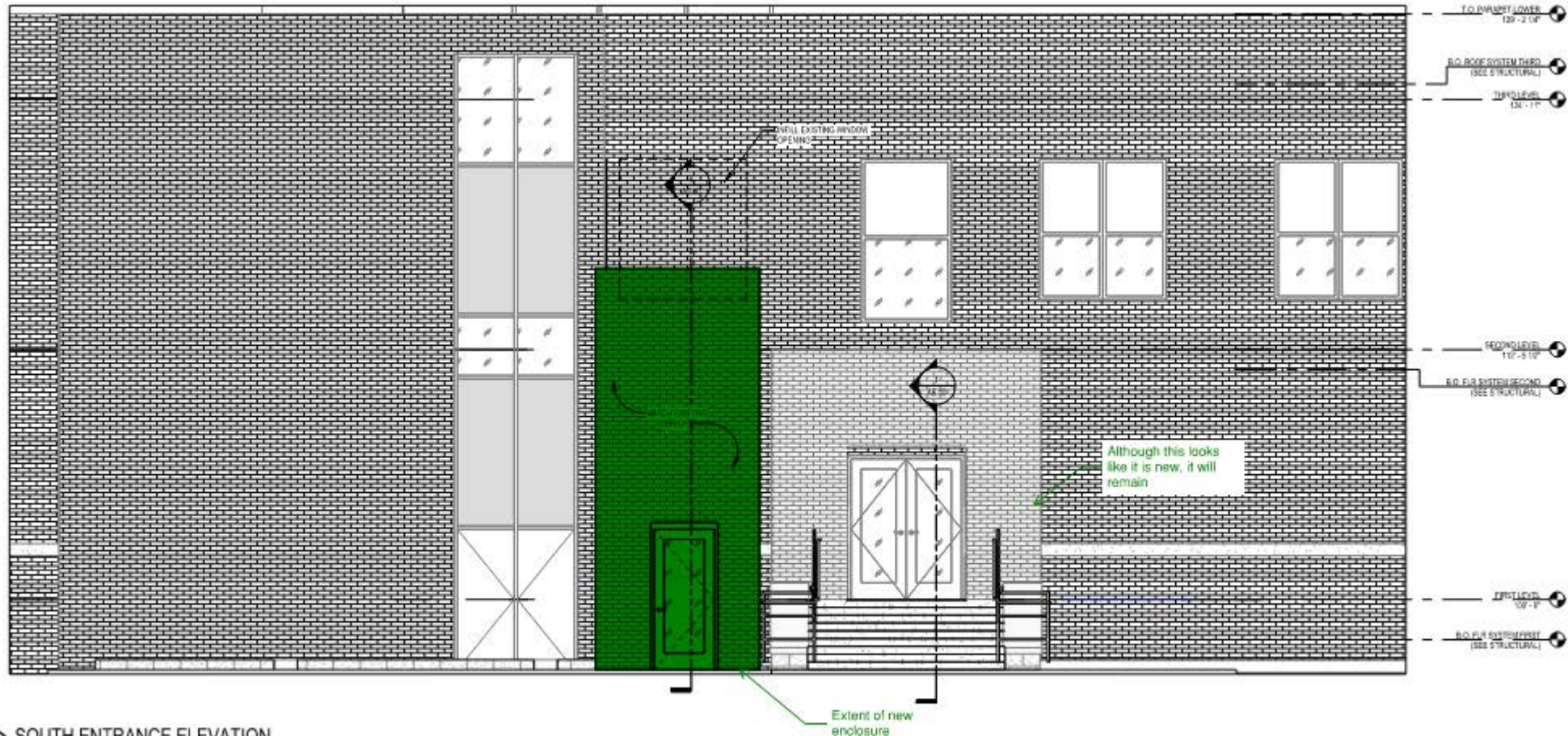


These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Date: 9/16/2022 Time: 9:12:01 AM







7 SOUTH ENTRANCE ELEVATION

1/4" = 1'-0"

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Mark Needham has submitted a variance request on behalf of Brainerd Public Schools at 804 Oak Street. The requested variance is from *Section 515-2-17.C PSP Zoning District Dimensional Standards*. The applicant is requesting a reduced rear yard setback along Pine Street for the addition of an ADA enclosed wheelchair lift that will align with the rear concrete existing steps. The required rear yard setback in the PSP District is 10 feet. The property included in this application is described as:

*ALL OF BLOCK 155 EXEMPT, & ALSO INCLUDING THE ALL OF BLOCK 155
EXEMPT, & ALSO INCLUDING THE STREET ROW LYING W OF THE S 9TH
STREET ROW. SUBJECT TO AN EASEMENT OF RECORD.
TOWN OF BRAINERD & FIRST ADDITION TO BRAINERD
P.I.N. 41240919
Section 24, Township 45, Range 31*

The property is zoned PSP (Public Semi-Public) District. A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, September 21st, 2022 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the variance request.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2309.

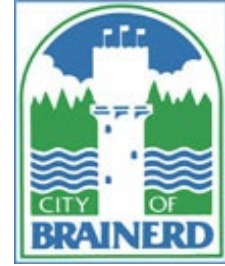
Dated this 8th day of September 2022



James Kramvik
Community Development Director

Publication Date: September 11th 2022

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: September 21, 2022

RE: Variance for Boundary Line Adjustment – 3231 Oak St.

Jordan Chouanard has submitted a variance request on behalf of Liberty Group of Brainerd at 3231 Oak Street, Brainerd, MN 56401.

The requested variance is from Subdivision Ordinance [Section 500-7-4.F Lot Frontage](#). The applicant is requesting a boundary line adjustment that will remove the required lot frontage on a public street. The applicant is proposing access to the property through a 33-foot-wide easement.

Property Area: 5.43 Acres

Adjacent Uses: North: Vacant Parcel & Bowling Alley
East: Light Manufacturing and Offices
South: Outdoor Sales
West: Undeveloped Land

Adjacent Zoning: North: GC (General Commercial) District
East: GC (General Commercial) District
South: GC (General Commercial) District
West: CN-2 (Contemporary Neighborhood 2) District

Findings of Fact

1. 3231 Oak Street is in the (GC) General Commercial District.
2. Section 500-7-4.F of the Subdivision Ordinance states that all lots shall have frontage on a public street that provides the required lot width at the minimum front yard setback. Flag lots are prohibited.
 - a. The applicant is requesting that the property would have no lot frontage along Oak Street. Access to the property would be through a 33-foot-wide easement.
3. [500-2-4, Variances](#)
 - a. The City may grant a variance from the minimum standards of this Ordinance (not procedural provisions) when, in its opinion, undue hardship may result from strict compliance.
 - a. *Liberty Group is proposing the sale of 3231 Oak St. The new property owners will continue to use the lot for boat storage and boat service.*

Both 3231 Oak Street and 3323 Oak Street use a combined driveway to access their respective properties. The sale of the flag lot would cut off access to 3231 Oak Street and remove the trucking turnaround for 3323 Oak Street. According to Subdivision Section 500-7-4.J access to lots fronting on an arterial or major collector street should have a frontage driveway or connected parking lot, with cross easements serving multiple properties or shared driveways.

- b. In granting any variance, the City shall prescribe any conditions that it deems necessary to or desirable for the public interest.
 - a. *Staff does not recommend applying any conditions to the proposed variance request.*
- c. In granting a variance, the City shall take into account the nature of the proposed use of land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity.
 - a. *The proposed use will continue as a boat storage and service facility. The continued use has been compatible with other uses in the vicinity and the requested variance will not affect traffic conditions in the vicinity.*
- d. A variance shall only be granted when the City finds that there are special circumstances or conditions affecting the property such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his land.
 - a. *3323 Oak Street uses the west side of their property for receiving shipments and would like to potentially expand operations on that side of the building. The current lot configuration would make it difficult to receive trucking shipments to 3323 Oak Street.*
- e. Also, that the granting of the variance will not be detrimental to the public health, safety, and welfare or injurious to other property in the territory in which property is situated. Also, that the variance is to correct inequities resulting from an extreme physical hardship such as topography, etc.
 - a. *The variance would not be detrimental to the health, safety, and welfare or injurious to other property in the territory in which property is situated. The proposed variance request will not expand the use of 3231 Oak Street.*

At the time of this writing one party contacted the Community Development Department and had questions regarding the proposed project and did not have any concerns.

Staff Opinion

Staff recommends approval of this variance request as staff believes the requested variance meets the requirements as outlined in Section 500-2-4 of the Subdivision Ordinance.



Community Development Department

City Hall -- 501 Laurel Street Brainerd, MN 56401

218-828-2309/Fax 218-828-2316

www.ci.brainerd.mn.us

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

	RESIDENTIAL	COMMERCIAL
CONDITIONAL USE PERMIT	☐ (\$250.00)	☐ (\$400.00 + \$500.00 escrow deposit)
REZONING	☐ (\$300.00)	☐ (\$500.00)
VARIANCE	☐ (\$250.00)	☒ (\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: PID 41290678 (3231 OAK)

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: _____
(attach description if lengthy)

Property Owner Name: LIBERTY GROUP OF BRAINERD, LLC

Street Address: _____ City: _____ State: _____ Zip Code _____

Phone Number: _____ Fax: _____ E-mail: _____

Applicant Name: (If different than Property Owner) KRAMER, LEAS, DELEO, PC

Street Address: 1120 INDUSTRIAL PARK RD. City: BRAINERD State: MN Zip Code: 56401

Phone Number: 218-829-5333 Fax: _____ E-mail: KRAMER@KLPLAND.COM

Description of Request: SECTION 500-7-4: LOTS F. LOT FRONTAGE. ALREADY
NON-CONFORMING FLAG LOT, WANT TO CREATE A LOT WITH NO
FRONTAGE, BUT HAVING A 33.00-FOOT-WIDE EASEMENT TO PUBLIC ROAD.

Property Owner Signature

Date

(Please print name)

Applicant Signature

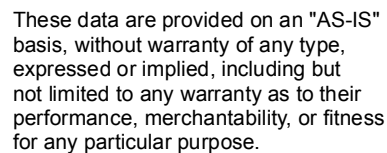
Date

JORDAN

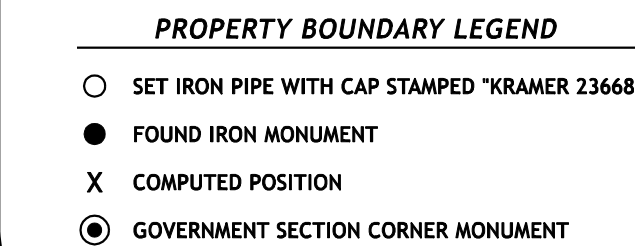
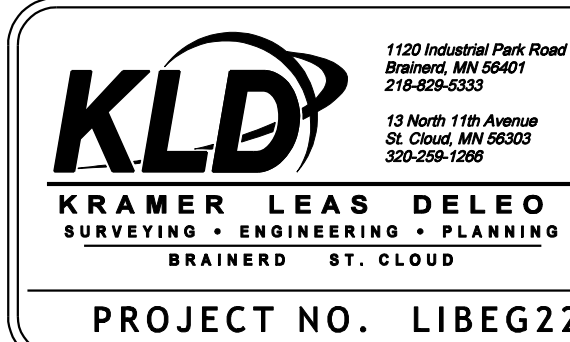
CHOUANARD

(Please print name)

(OVER)



CROW WING
COUNTY
MINNESOTA

[illegible]

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT
WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION
AND THAT I AM A DULY REGISTERED LAND SURVEYOR
UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature: James Kramer 08/18/2022
James Kramer, MN License No. 23668 Date

Liberty Group
Section 29, Township 45 North, Range 30 West
Crow Wing County, Minnesota

Sheet No. 1 of 1

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Jordan Chouanard has submitted a variance request on behalf of Liberty Group of Brainerd at 3231 Oak St. The requested variance is from Subdivision Ordinance *Section 500-7-4.F Lot Frontage*. The applicant is requesting a boundary line adjustment that will remove the required lot frontage on a public street. The applicant is proposing access to the property through a 33-foot-wide easement. The property included in this application is described as:

PT OF S1/2 OF NW1/4 DESC: COMM AT SD POINT ON S LINE OF NW1/4 WHICH IS 1308.21 FT E ASSM BEAR FROM W1/4 COR FOR SD SEC 29 THEN N 2D 59'W 50.07 FT TO N'LY ROW LINE FOR STATE HWY #18 THEN N 2D 59'W 270.37 FT TO POB THEN N 2D 59'W 458.36 FT THEN N 86D 59'E 453.75 FT THEN S 3D 1'E 752.66 FT TO N'LY ROW FOR STATE HWY #18 THEN W 54.8 FT ALG SD ROW LINE THEN N 200 FT THEN W 100 FT THEN N 70 FT THEN W 314.07 FT TO POB. TOG/W & SUBJ TO ESMNT.

P.I.N. 41290678

Section 29, Township 45, Range 30

The property is zoned GC (General Commercial) District. A copy of the proposed boundary line adjustment survey is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, September 21st, 2022 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the variance request.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2309.

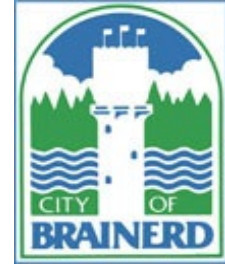
Dated this 8th day of September 2022



James Kramvik
Community Development Director

Publication Date: September 11th 2022

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: September 21, 2022

RE: Variance from Setback Requirements – 515 S 9th St.

Eric Stangler has submitted a request on behalf of Stangler Properties, LLC (7384 Lone Oak Road, Brainerd, MN 56401) for a variance at 515 S. 9th Street, Brainerd, MN 56401.

The requested variance is from [Section 515-2-9.C TN-2 Zoning District Dimensional Standards](#). The applicant is requesting a reduced side setback from 5 feet to 2.5 feet along the north boundary line for the development of a duplex.

Property Area: 5,648 SQFT
Property Width: 37.6 FT
Property Depth: 147.6 FT

Adjacent Uses: North: Multi-family and Single Family Residential
East: Multi-family and Single Family Residential
South: Multi-family and Single Family Residential
West: Multi-family and Single Family Residential

Adjacent Zoning: North: TN-2 (Traditional Neighborhood 2) District
East: TN-2 (Traditional Neighborhood 2) District
South: TN-2 (Traditional Neighborhood 2) District
West: TN-2 (Traditional Neighborhood 2) District

Findings of Fact

1. 515 S 9th Street is in the (TN-2) Traditional Neighborhood 2 District.
2. Section 515-2-9.C TN-2 Zoning District Dimensional Standards lists a minimum side yard setback in TN-2 Districts to be 5 feet from the side property line.
 - a. *The applicant is requesting that the setback requirement be reduced by 2.5 feet to a setback of 2.5 feet from the side property line.*
3. [Section 515-5-4.B.3](#), General Provisions and Evaluation Criteria. – Variances shall only be permitted:
 - a. When they are in harmony with the general purposes and intent of the ordinance
 - a. The TN-2 Zoning District is intended to provide for compact, pedestrian-oriented mix of residential and neighborhood-serving commercial uses. This District reinforces the existing pattern of small,

connected lots, blocks and street and supports development and redevelopment consistent with this pattern.

1. *The proposed duplex would redevelop a vacant lot and add compact residential use to the neighborhood.*
- b. When the variances are consistent with the Comprehensive Plan
 - a. *Staff believes this variance request is supported by Goal 1 of Chapter 3 of the Comprehensive plan which states, "Provide a diverse mix of housing choices for all stages of life, income ranges, and ownership/rental preferences."*
 1. *Policy 5 under Goal 1 states, "Ensure an adequate supply of quality and affordable housing units for current and future residents."*
 - c. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.
 - a. *The proposed property is less than the required width in the TN-2 District. The TN-2 District requires a 45' wide property when creating new lots. 515 S 9th Street is 37.6 FT wide.*
4. Section 515-5-4.B.4, Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.
 - a. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
 - a. *This lot was platted before the lot was purchased by the current landowner.*
 - b. The variance, if granted, will not alter the essential character of the locality.
 - a. *The TN-2 District supports high density housing and multifamily housing. The lot will meet impervious surface and off-street parking requirements.*
 - c. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
5. Section 515-5-4.B.5, The Board may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

At the time of this writing two parties contacted the Community Development Department and had questions regarding the proposed project. One party was opposed to the variance request as they believed the lot was too small for a duplex.

Staff Opinion

Staff recommends approval of this variance request as staff believes the requested variance meets the requirements as outlined in Section 515-5-4.B of the Code of Ordinances, is supported by the Comprehensive Plan.



Community Development Department

City Hall – 501 Laurel Street Brainerd, MN 56401

218-828-2309/Fax 218-828-2316

www.ci.brainerd.mn.us

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

	RESIDENTIAL	COMMERCIAL
CONDITIONAL USE PERMIT	☐ (\$250.00)	☐ (\$400.00 + \$500.00 escrow deposit)
REZONING	☐ (\$300.00)	☐ (\$500.00)
VARIANCE	☒ (\$250.00)	☐ (\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: 515 South 9th Street

LEGAL DESCRIPTION: Lot(s): 20 Block: 135 Addition: AND N. 1/2 LOT 21 BLOCK 135
(attach description if lengthy)

Property Owner Name: Stangler Properties LLC (Eric Stangler)

Street Address: 7384 Lone Oak Road City: Brainerd State: MN Zip Code 56401

Phone Number: 218-820-3309 Fax: _____ E-mail: eric.stangler@gmail.com

Applicant Name: (If different than Property Owner) _____

Street Address: _____ City: _____ State: _____ Zip Code: _____

Phone Number: _____ Fax: _____ E-mail: _____

Description of Request: Requesting a lot line setback variance from 5 feet to 2.5 feet on north boundry of above
described lot.

E. Stangler
Property Owner Signature

Eric Stangler
(Please print name)

E. Stangler
Applicant Signature

Eric Stangler
(Please print name)

9-7-2022
Date

9-7-2022
Date

(OVER)



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Date: 9/16/2022 Time: 10:57:48 AM

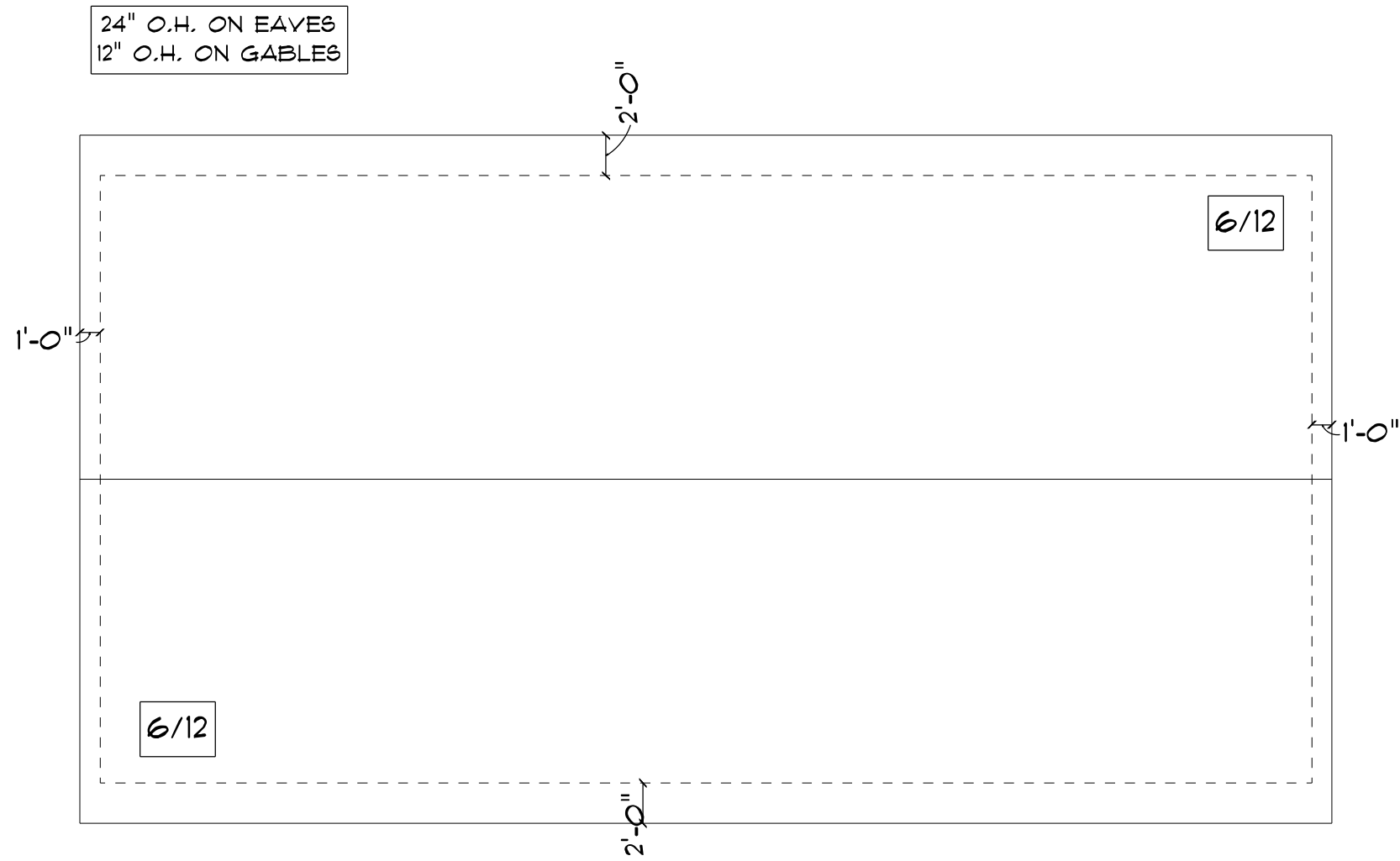


FLOOR PLAN

SCALE: 1/4" = 1'-0"

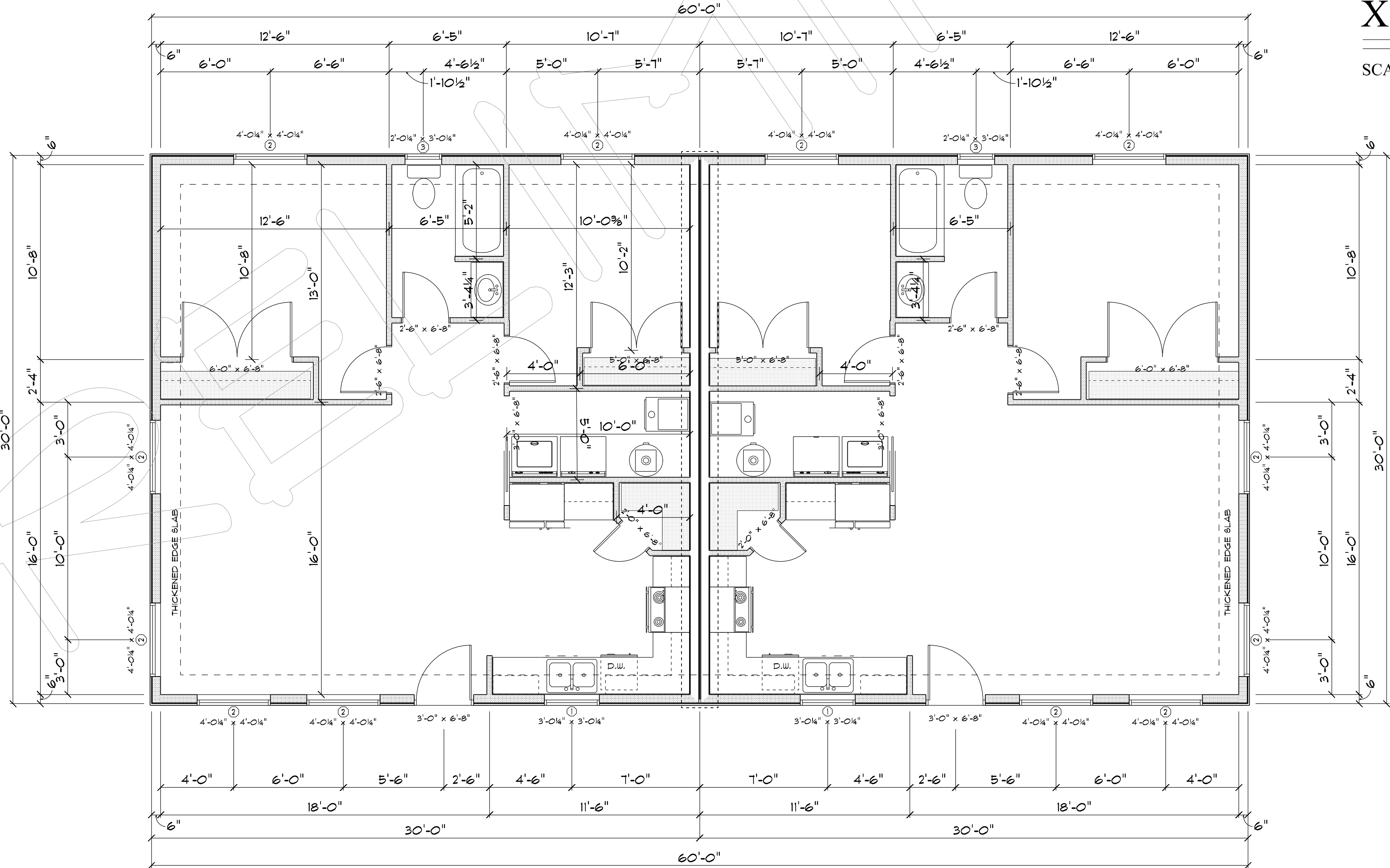
BIRDSEYE

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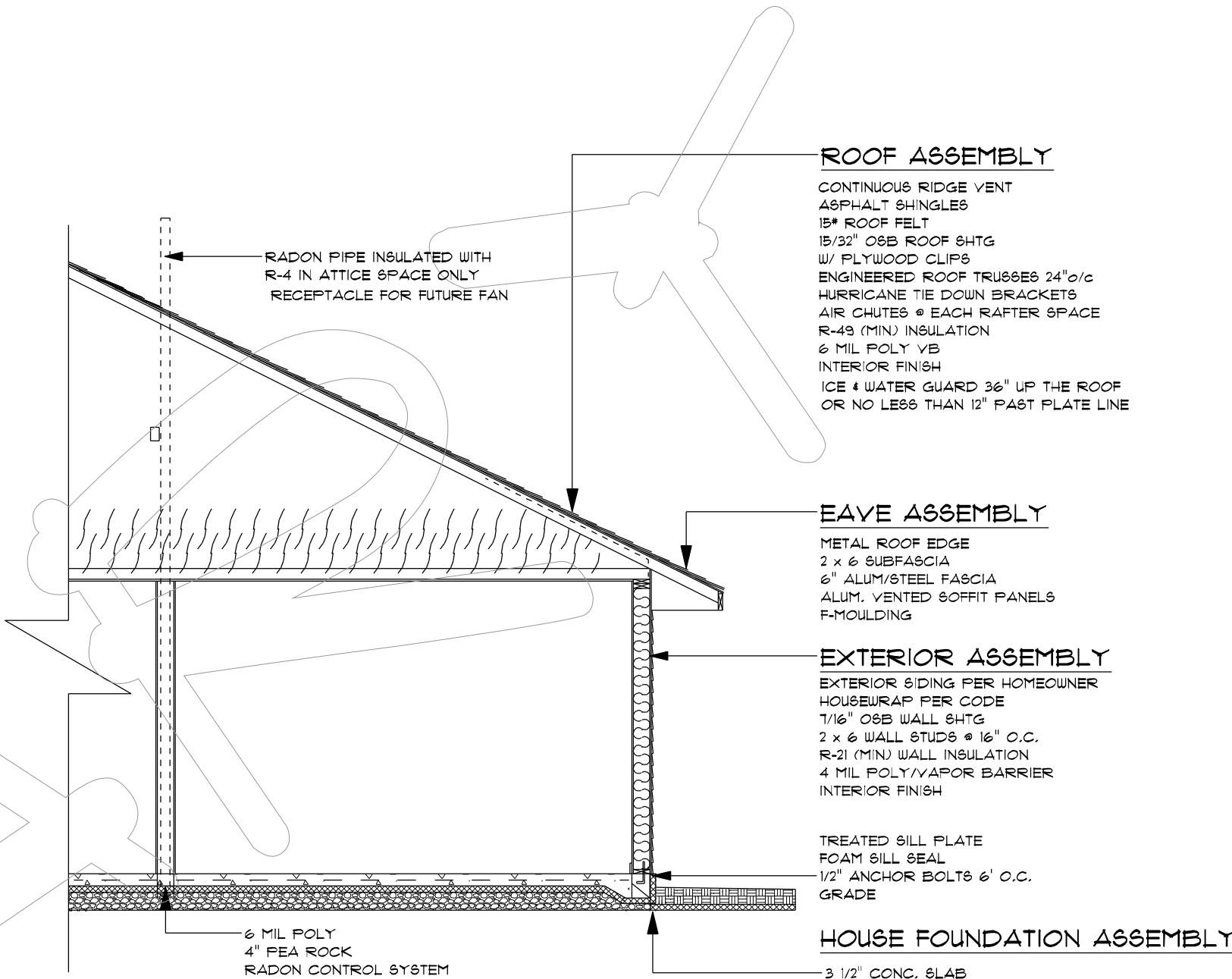
ALL EXTERIOR FRAMING DIMENSIONS
ARE FROM OUTSIDE OF SHEETING

WINDOW SCHEDULE						
OPENING ID	PRODUCT CODE	COUNT	TYPE	R.O. SIZE	GRILLE	TEMPERED GLASS
1	TC3536	2	WINDOW	R.O. 3'-0 1/4" x 3'-0 1/4"	No	No
2	TS4848	12	SLIDING WINDOW	R.O. 4'-0 1/4" x 4'-0 1/4"	No	No
3	TC2436	2	WINDOW	R.O. 2'-0 1/4" x 3'-0 1/4"	No	No



X SECTION

SCALE: 1/8" = 1'-0"



NO.	REVISION	DATE

BOB'S LUMBER & SUPPLY IS NOT AN ARCHITECTURAL OR ENGINEERING FIRM. IN PREPARATION OF THESE PLANS, EVERY ATTEMPT HAS BEEN MADE TO MAKE THEM ACCURATE. HOWEVER, THE USER OF THESE PLANS PROVIDES COMPLY WITH ARCHITECTURAL STANDARDS. BOB'S LUMBER & SUPPLY IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THESE PLANS. CONTRACTORS ARE RESPONSIBLE FOR CODE COMPLIANCE AND STRUCTURAL INTEGRITY AND STABILITY OF BUILDING AND TO VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE CONSTRUCTION TO VERIFY THAT EVERYTHING IS CORRECT.



515 S. 9th Street

lot length 147.59'

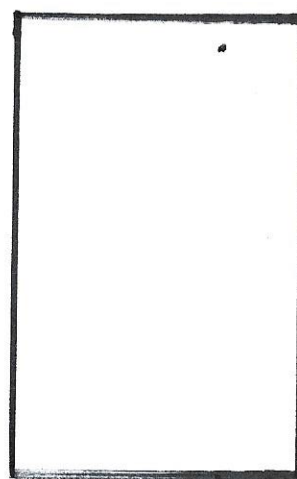
Street

2.5'

Not To Scale

10'

5'



off street

25'

parking

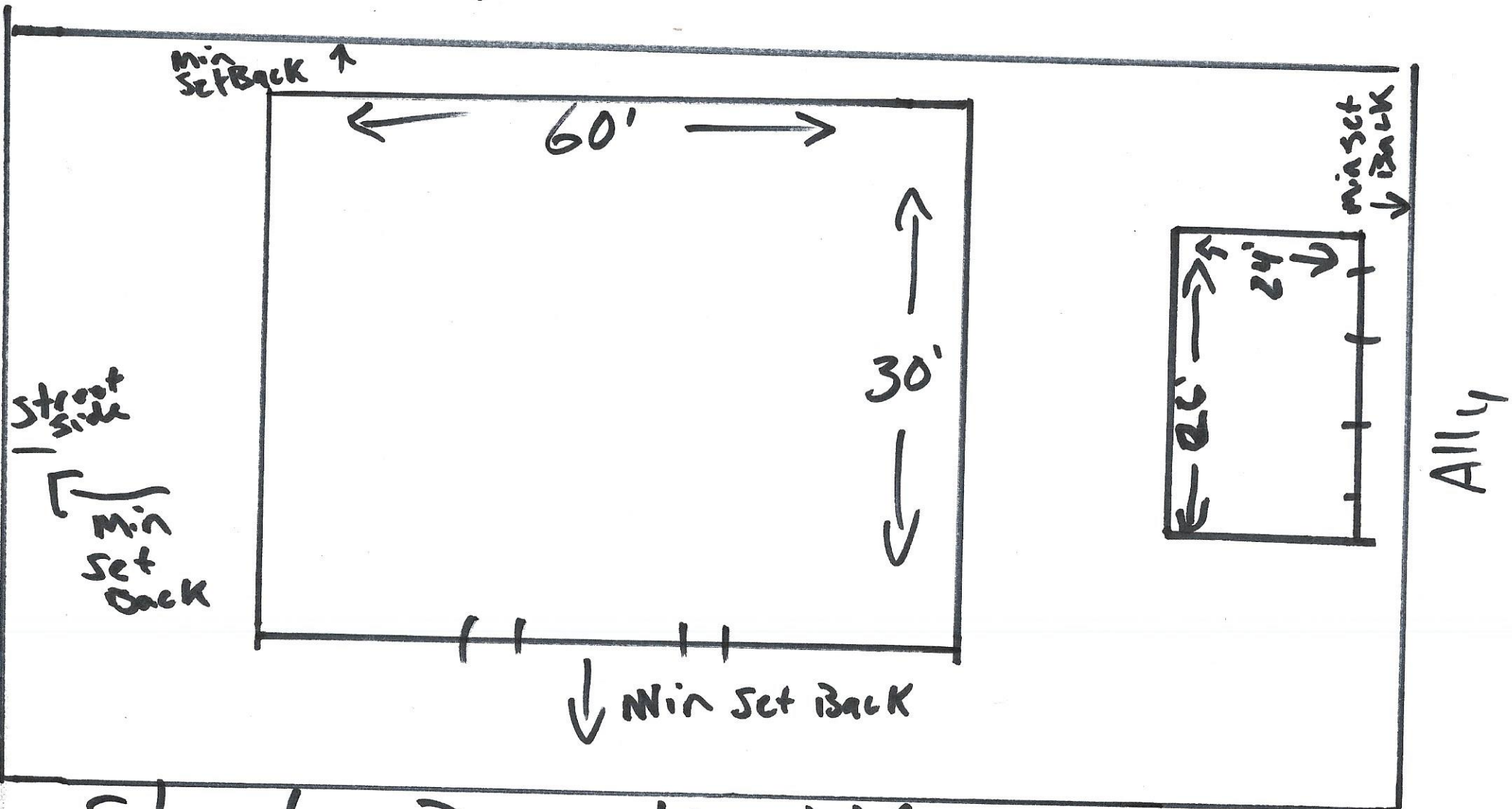
Lot width 37.56'

Ally

Stangler Properties LLC.

PID# 41240988

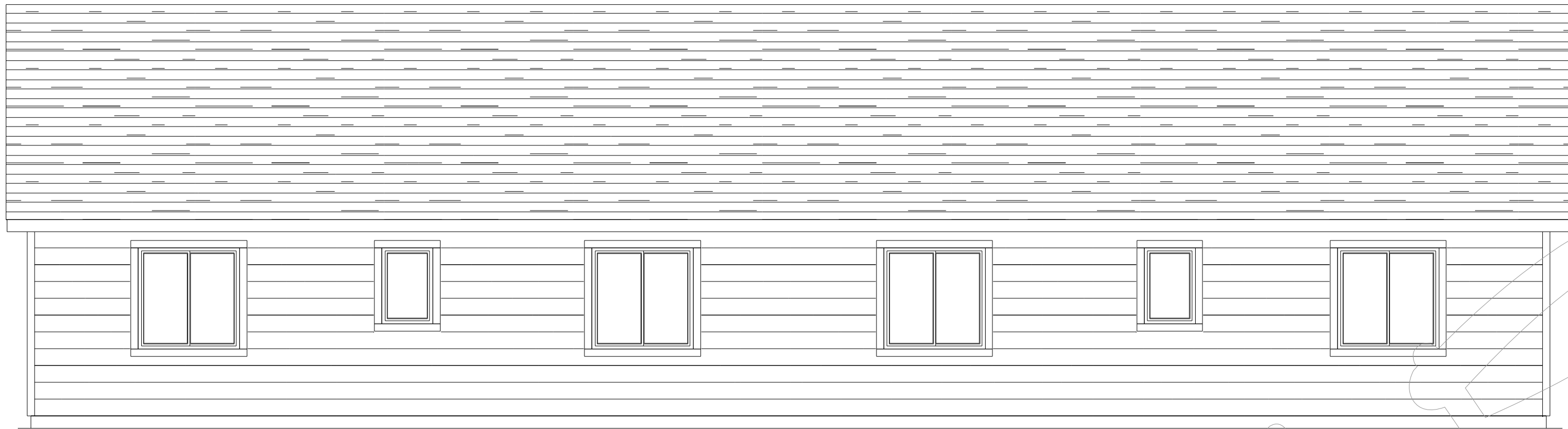
515 S 9th Street.



Stangler Properties LLC

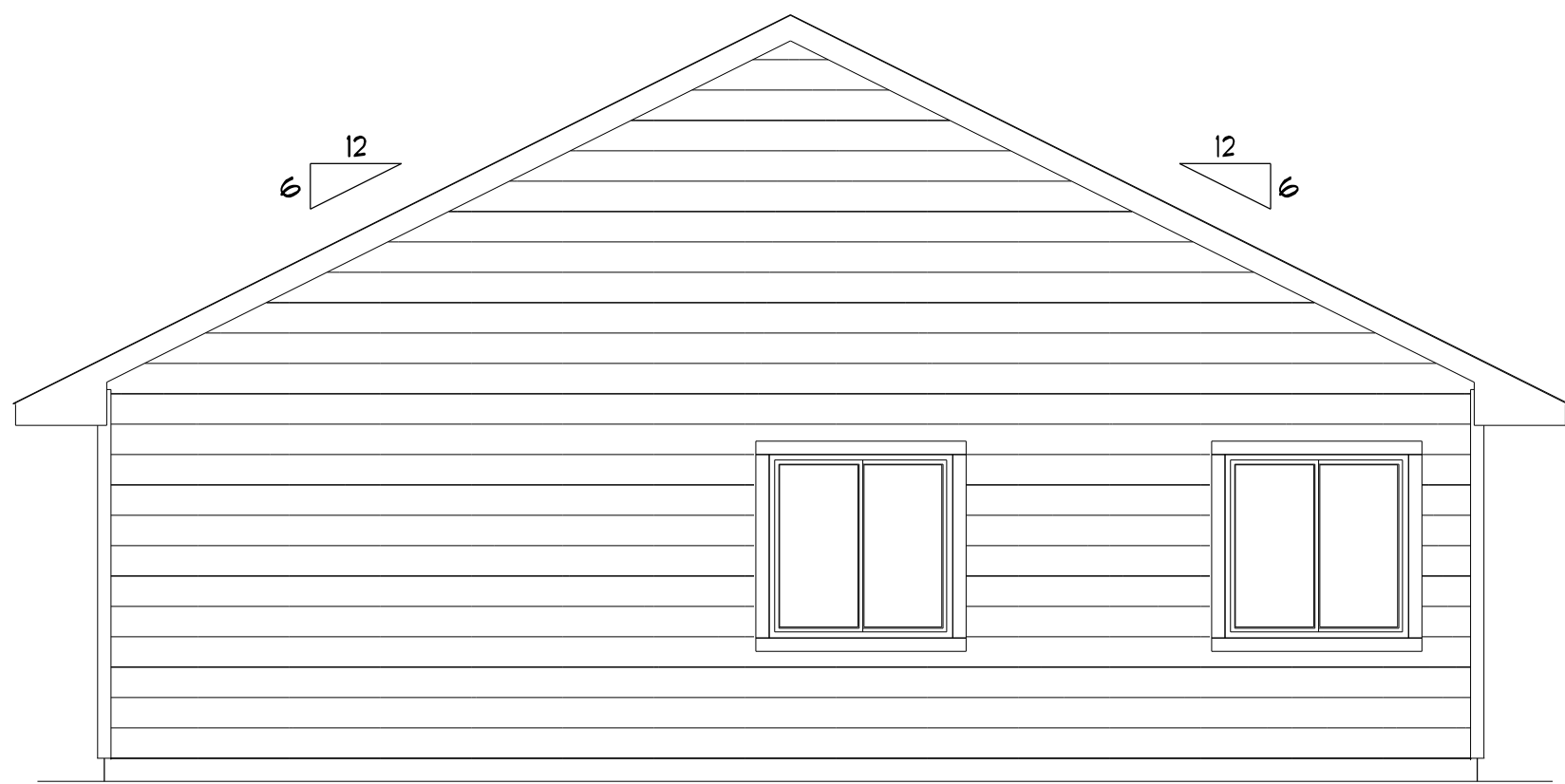
PID # 41240988

16" VERTICALS ON
ALL GABLE ENDS



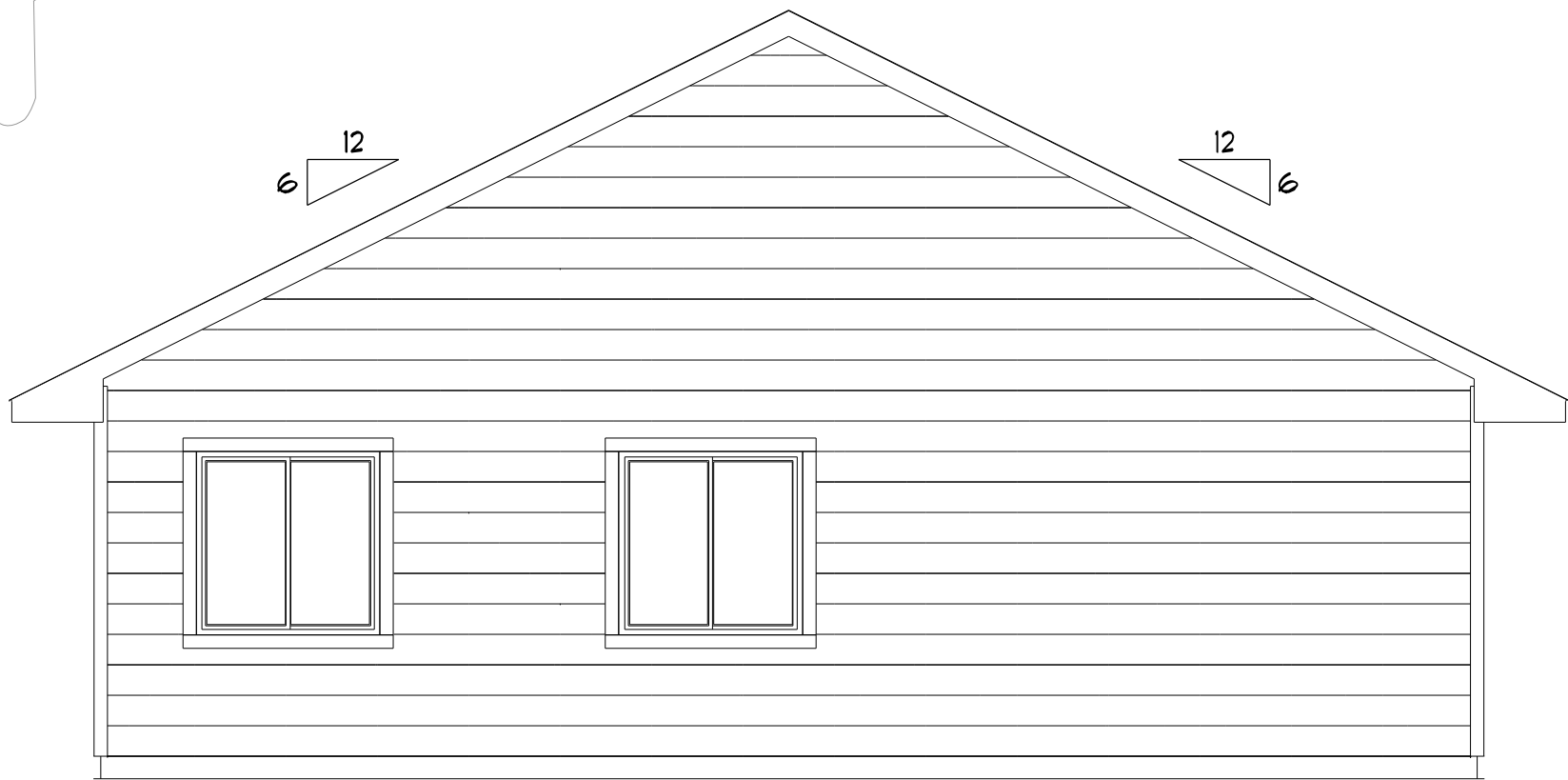
REAR ELEVATION

SCALE: 1/4" = 1'-0"



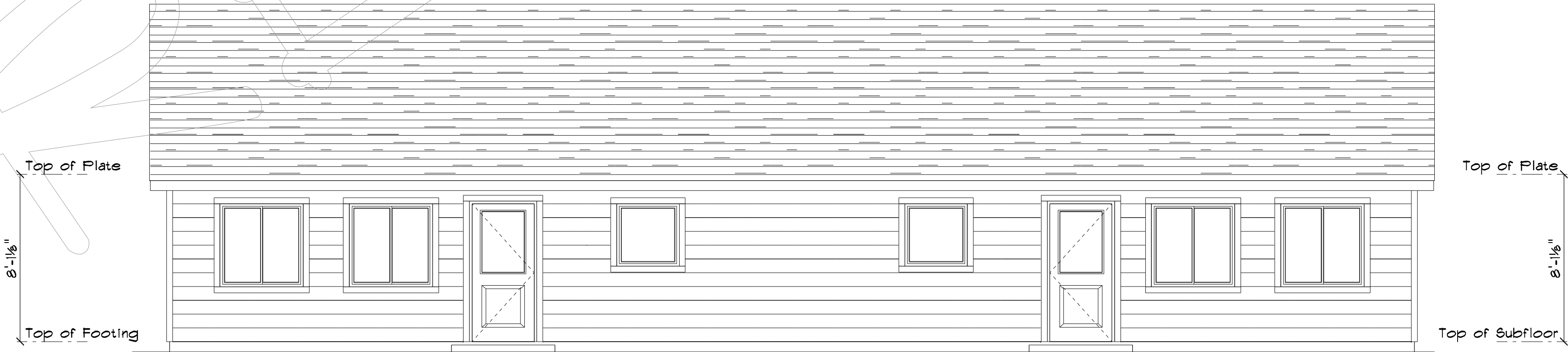
LEFT ELEVATION

SCALE: 1/4" = 1'-0"



RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



16" VERTICALS ON
ALL GABLE ENDS

FRONT ELEVATION

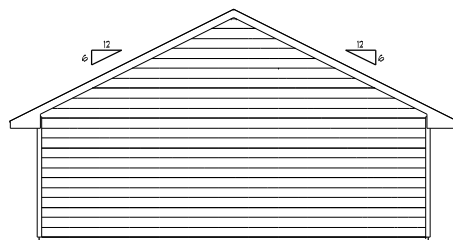
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ORIGINAL
9-10-20

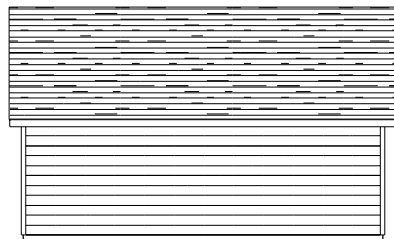
REVISION

NO.	REVISION	DATE

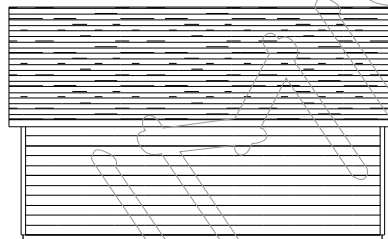
BOB'S LUMBER & SUPPLY IS NOT AN ARCHITECTURAL OR ENGINEERING FIRM. THESE PLANS ARE PREPARED BY A LUMBER SPECIALIST. BOB'S LUMBER & SUPPLY DOES NOT WARRANT THAT PLANS PROVIDE COMPLY WITH ARCHITECTURAL STANDARDS. BOB'S LUMBER & SUPPLY DISCLAIMS RESPONSIBILITY FOR ANY ERRORS IN PLANS. CONTRACTORS ARE RESPONSIBLE FOR CODE COMPLIANCE AND OBTAINING ALL NECESSARY PERMITS. THE PLANS SHOULD BE REVIEWED BY THE OWNER BEFORE CONSTRUCTION TO VERIFY THAT EVERYTHING IS CORRECT.



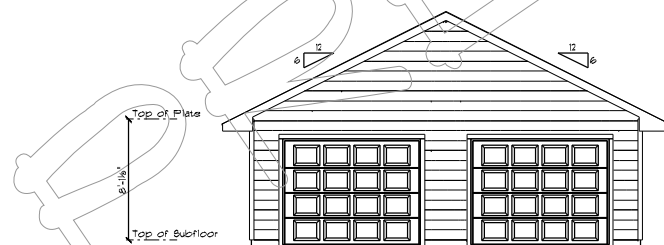
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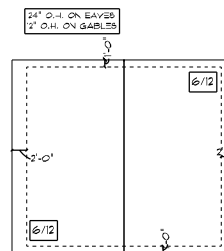
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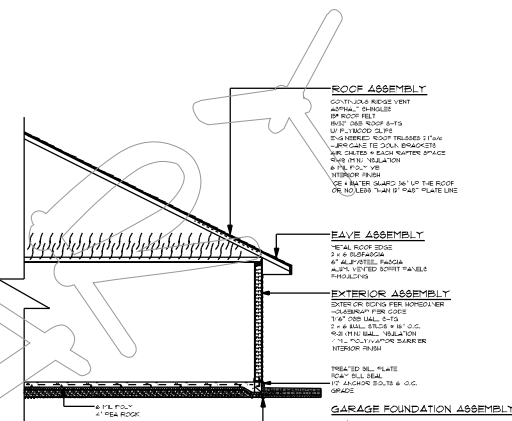
SCALE: $1/4" = 1'-0"$



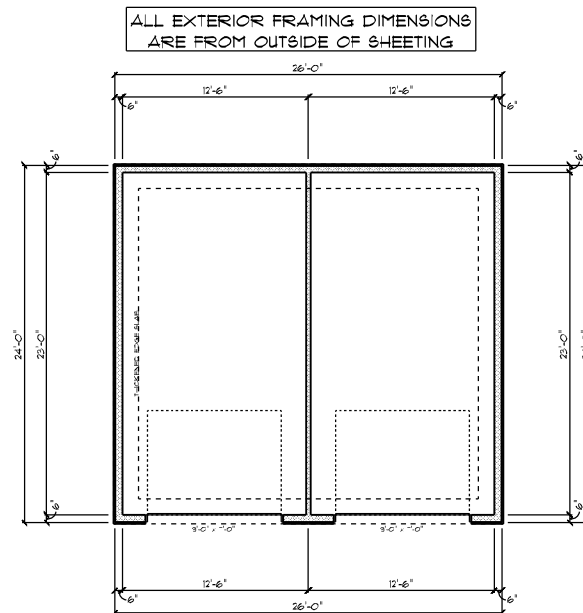
SCALE: 1/4" = 1'-0"



SCALE: 1/8" = 1'-0"



SCALE: 1/4" = 1'-0"



SCALE: 1/8" = 1'-0"

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Eric Stangler has submitted a request on behalf of Stangler Properties, LLC (7384 Lone Oak Road, Brainerd, MN 56401) for a variance at 515 S. 9th St., Brainerd, MN 56401. The requested variance is from *Section 515-2-9.C TN-2 Zoning District Dimensional Standards*. The applicant is requesting a reduced side setback from 5 feet to 2.5 feet along the north boundary line for the development of a duplex.

*LOT 20 BLOCK 135 AND N. 1/2 LOT 21 BLOCK 135
TOWN OF BRAINERD & FIRST ADDITION TO BRAINERD
P.I.N. 41240988
Section 24, Township 45, Range 31*

The property is zoned TN-2 (Traditional Neighborhood 2) District. A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, September 21st, 2022 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the variance request.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2309.

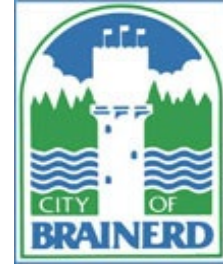
Dated this 8th day of September 2022



James Kramvik
Community Development Director

Publication Date: September 11th 2022

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: September 21, 2022

RE: Variance for Garage Placement and Height Requirements– 324 Woodland Hills Ln.

Jeff Howard has submitted a request for two variances at 324 Woodland Hills Ln., Brainerd, MN 56401.

The requested variances are from [Section 515-2-5.C GL Zoning District Dimensional Standards](#). The applicant is requesting a detached garage placement in front of the principal structure and for the proposed detached garage to exceed the height of the principal structure by 3' 4.5". The proposed detached garage size is 40 feet x 40 feet with a height of 15' 7.5" at the midpoint of the roof.

Property Area: 45,562 SQFT
Property Width: 159 FT
Property Depth: 198 FT (North Property Line)
288 FT (South Property Line)

Adjacent Uses: North: Single Family Residential
East: Single Family Residential
South: Undeveloped Woodland
West: Agricultural

Adjacent Zoning: North: GL (Garden Living) District
East: CN-2 (Contemporary Neighborhood 2) District
South: RL-1 (Rural Living 1) District
West: GL (Garden Living) District

Findings of Fact

1. 324 Woodland Hills Ln. is in the (GL) Garden Living District. P.I.N. (41020663 & 41020715)
 - a. *The applicant has been approved for a lot consolidation by the City of Brainerd and Crow Wing County. The two parcels will be combined after property taxes have been paid for this year. Consolidation of the lots was necessary for the proposed detached garage.*
2. Section 515-2-5.C GL Zoning District Dimensional Standards requires detached garage placement behind the principal building.

- a. *The applicant is requesting that the garage is placed 52' from the front property line which is approximately 50' in front of the primary structure.*
 3. Section 515-2-5.C GL Zoning District Dimensional Standards requires the accessory structure height not exceed the height of the principal structure.
 - a. *The applicant is requesting a 15' 7.5" height at the roof midpoint for the proposed detached garage. The proposed detached garage would exceed the height of the principal structure by 3' 4.5".*
 4. [Section 515-5-4.B.3](#), General Provisions and Evaluation Criteria. – Variances shall only be permitted:
 - a. When they are in harmony with the general purposes and intent of the ordinance
 - a. The GL Zoning District is intended for areas where Urban Services are available, and lots and parcels are served by public water, sewer, stormwater, streets, and other public infrastructure. Lands zoned Garden Living are predominantly developed with single-family detached buildings and supporting accessory uses.
 1. *The parcel currently has a single-family home with an attached garage. The size of this lot is consistent with other Garden Living District parcels and is heavily wooded. This lot is allowed up to 2,279 SQFT of accessory structure square footage. The proposed combined accessory structure square footage number of 2,176 would not exceed the maximum number.*
 - b. When the variances are consistent with the Comprehensive Plan
 - a. *Staff believes this variance request is supported by Goal 1 of Chapter 3 of the Comprehensive plan which states, "Provide a diverse mix of housing choices for all stages of life, income ranges, and ownership/rental preferences."*
 1. *Policy 1 under Goal 1 states, "Complement Brainerd's entry-level and affordable housing options by encouraging other move-up and mid to upper-end, market-rate housing options."*
 - c. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.
 - a. *The proposed property has significant topographical challenges if the garage were to be placed behind the primary structure. The elevation change is approximately 6' to 8' and leads to a drainage/ wetland area. The applicant states that the requested variance for an increase to the garage height would allow entry for a pickup and camper.*
 5. Section 515-5-4.B.4, Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.
 - a. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
 - a. *This property is unique due to the rear topography of the property that slopes down approximately 6' to 8' at the location of the primary structure. A detached garage foundation would be difficult to construct on this slope. The variance request to increase garage height would be created by the landowner and is not unique to the*

site. There are many other homes in Brainerd that have a similar primary structure height.

- b. The variance, if granted, will not alter the essential character of the locality.
 - a. *The GL District allows for detached accessory structures. The proposed accessory structure would meet the front yard setback standard of 50 feet in the GL District and would be screened by woodland vegetation.*
 - c. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
6. Section 515-5-4.B.5, The Board may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

At the time of this writing no party has contacted the Community Development Department regarding the proposed project.

Staff Opinion

Staff recommends approval of the variance request to place the proposed detached garage in front of the primary structure 52 feet from the front property line as staff believes the requested variance meets the requirements as outlined in Section 515-5-4.B of the Code of Ordinances, is supported by the Comprehensive Plan.

Staff has concerns that the variance request to increase the garage height is not unique to the property. The applicant is proposing the use the structure in a reasonable manner to allow entry for a camper and truck. The increase in height would not have a major impact to surrounding properties because of the vegetation on the property.



City Planning Department

City Hall – 501 Laurel Street
Brainerd, MN 56401
218-828-2309/Fax 218-828-2316
www.ci.brainerd.mn.us

Receipt # _____
Check # _____
Date Paid: _____

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

RESIDENTIAL

COMMERCIAL

CONDITIONAL USE PERMIT

☐ (\$250.00)

☐ (\$400.00 + \$500.00 escrow deposit)

REZONING

☐ (\$300.00)

☐ (\$500.00)

VARIANCE

☐ (\$250.00)

☐ (\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: 324 Woodland Hills Lane SW, Brainerd, MN 56401

LEGAL DESCRIPTION: Lot(s): 1 Block: 2 Addition: Woodland Hills
(attach description if lengthy) 1 Tanager

Property Owner Name: Jeffrey and Lynne Howard

Street Address: 324 Woodland Hills Ln SW City: Brainerd State: MN Zip Code 56401

Phone Number: 218-839-9290 Fax: — E-mail: leeroy673@gmail.com

Applicant Name: (If different than Property Owner) Same as Owner

Street Address: _____ City: _____ State: _____ Zip Code: _____

Phone Number: _____ Fax: _____ E-mail: _____

Description of Request: To be granted variances to build a storage building on property. Specifically:

- 40' x 40' construction (1,600 ft²)
- the building located forward of the house
- 12-foot walls to accommodate Camper/pickup

Jeff Howard

Property Owner Signature

8/10/2022

Date

Jeff Howard

(Please print name)

Jeff Howard

Applicant Signature

8/10/2022

Date

Jeff Howard

(Please print name)

(OVER)

Variances Proposed

I wish to construct a 40'x40' storage structure on my property. Every effort will be made to assure the building will conform to the City Regulations required. The structure is defined as an Accessory Building. The 2008 survey identifies the property as zoned R-1A. The 03.16.2022 code allows an accessory building ~~sq.~~ ft. to be 10 percent of total lot, which is 4,635 ft.². Proposed building is 1,600 ft.².

Variances Requested

- 1) The Accessory Building to be located forward (west) of the house.

Rationalization: property behind the house (east) is lowland and receives seasonal flooding making it useless for a structure. (See Photos 1 and 2; elevation map 3)

Positioning the building to the northwest of the house is practical and falls well within code setbacks:

- Front yard - 40'
- Side yard - 15'
- Side yard corner - 42'
- Rear yard - 55'

Trees screen the building to the front (west) and side (North.) (see photos 4 and 5)

- 2) Construct a 1,600 sq. ft. building
- 3) Propose that walls of construction be 12-feet high to accommodate doors to allow entry for pick up camper.

From: [Jeff Howard](#)
To: [James Kramvik](#)
Subject: Re: Variance Application
Date: Wednesday, September 7, 2022 7:10:01 PM

The measurement from the proposed auxiliary building to the front (west, Ridge Drive) of the lot is 52 feet.

The midpoint measurement of the roofline of the house/attached garage is 12 feet three inches.

I will deliver a check to your office tomorrow morning. And I will provide a site plan with setback measurements ASAP.

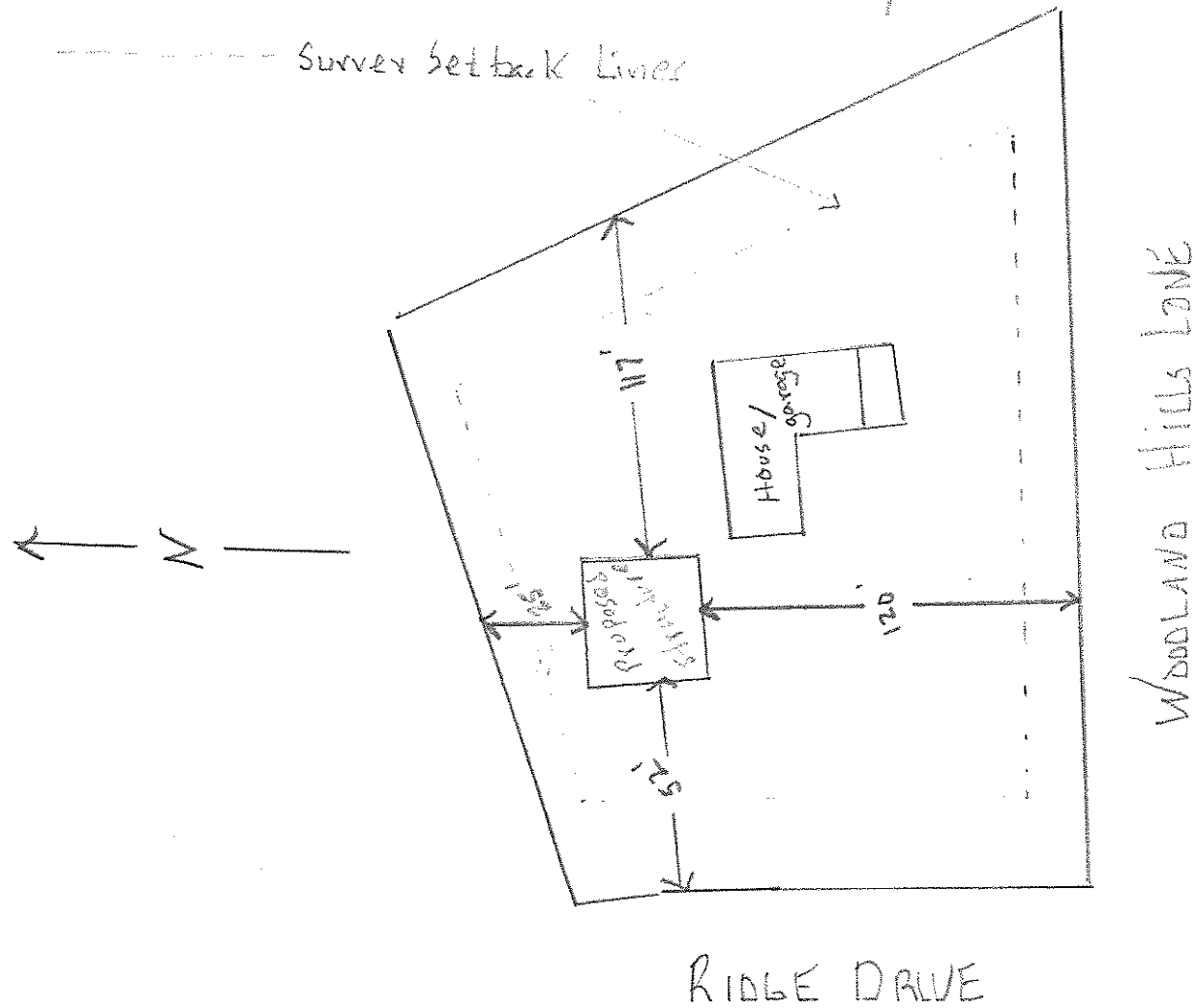
On Wed, Sep 7, 2022 at 1:19 PM James Kramvik <jkramvik@ci.brainerd.mn.us> wrote:



1 Items

	PARCEL NUMBER	APPRCL	TDTDNM	OWNIDN	OWNAME	OWADR1
X	41020715	09263001	CITY OF BRAINERD	49531	HOWARD, JEFFREY L & LYNNE	324 WOODLAND HILLS LN

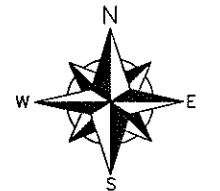
JEFF HOWARD - SITE MAP / SETBACKS



CERTIFICATE

LEGEND

- DENOTES 1/2 INCH IRON PIPE SET AND MARKED WITH RLS 46165 CAP.
- DENOTES FOUND SURVEY MONUMENT
- DENOTES TELEPHONE PEDESTAL
- DENOTES ELECTRIC BOX
- DENOTES ELECTRIC METER
- ⊙ DENOTES WELL
- ⊙ DENOTES SEPTIC CLEANOUT
- ⊙ DENOTES GAS METER
- X — DENOTES FENCE
- ▨ DENOTES GRAVEL SURFACE
- ▩ DENOTES BITUMINOUS SURFACE
- ▩ DENOTES CONCRETE SURFACE
- (P) DENOTES MEASUREMENT PER PLAT OF RECORD
- (M) DENOTES MEASUREMENT PER ARRO LAND SURVEYING OF BRAINERD, INC.

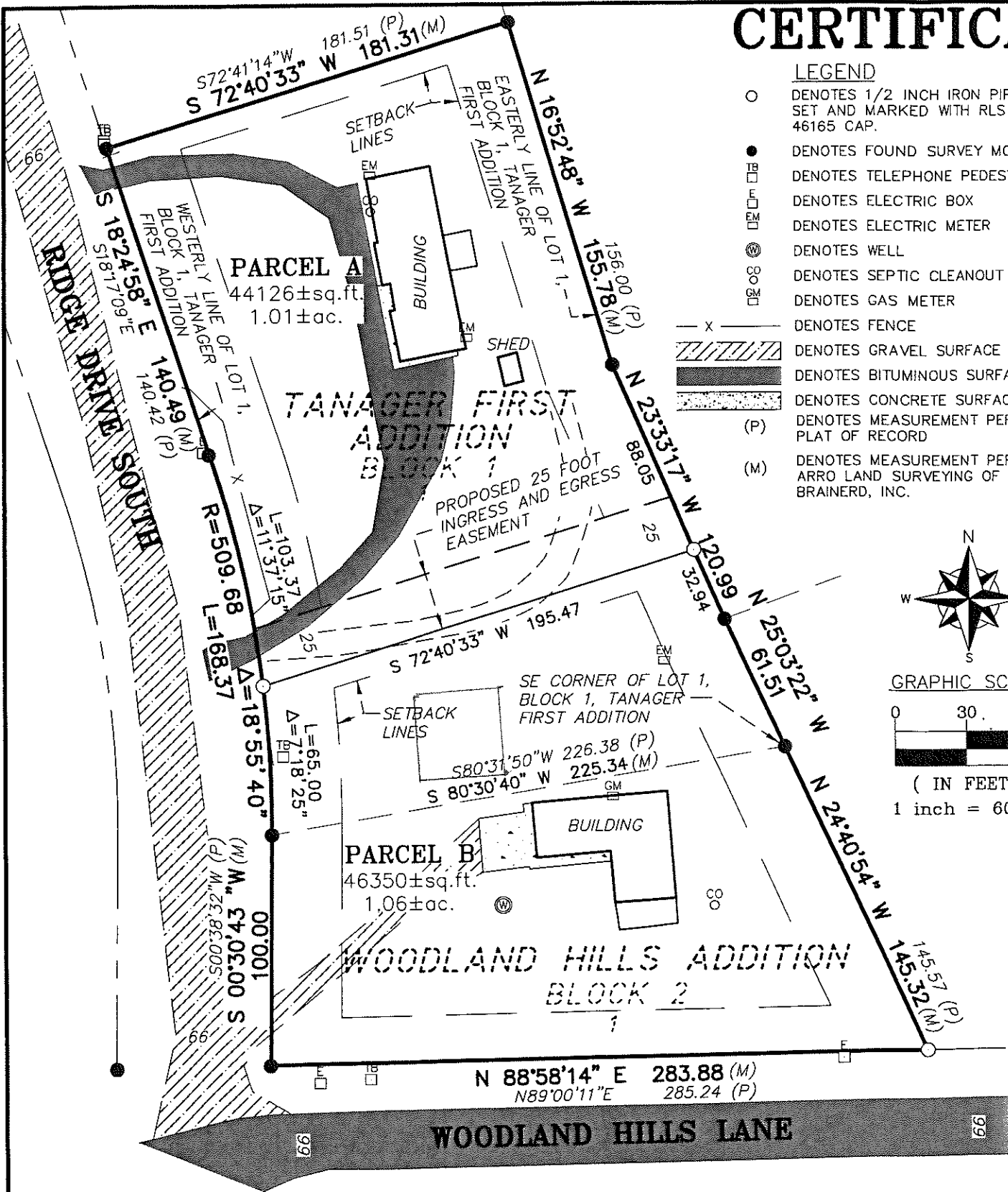


GRAPHIC SCALE



(IN FEET)

1 inch = 60 ft.



DRAWN BY: MTD CHECKED BY: EEL

APPROVED BY: MTD JOB NUMBER: 17-2378

NO.	DATE	BY	REVISION DESCRIPTION

CLIENT:

Jeffrey Howard
1261 Woodland Hills Ln.
Brainerd, MN 56401

BOUNDARY ADJUSTMENT

Lot 1, Block 2, WOODLAN
Lot 1, Block 1, TANGER
Crow Wing Cou

HOWARD TRACT
THE NE 1/4-NE 1/4 AND
4 SEC. 2, T. 44 N., R. 31 W.

1/4-NE1/4

NE 1/4-NE 1/4

PROPOSED

OPWEAT

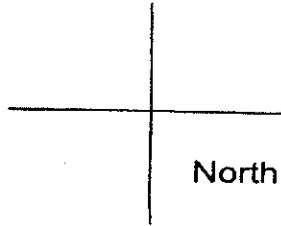


165	240	175	150
30,000 SQ. FT.	30,000 SQ. FT.	26,000 SQ. FT.	21,700 SQ. FT.
165	240	175	150
30,000 SQ. FT.	30,000 SQ. FT.	26,000 SQ. FT.	21,700 SQ. FT.

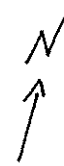
WOODLAND HILLS LANE

1366 ±

ACCESSORY BUILDING PLAN VIEW



North Arrow (Approximate)



Building Width and Length 40' x 40'

Indicate Direction of Roof Ridge with an Arrow

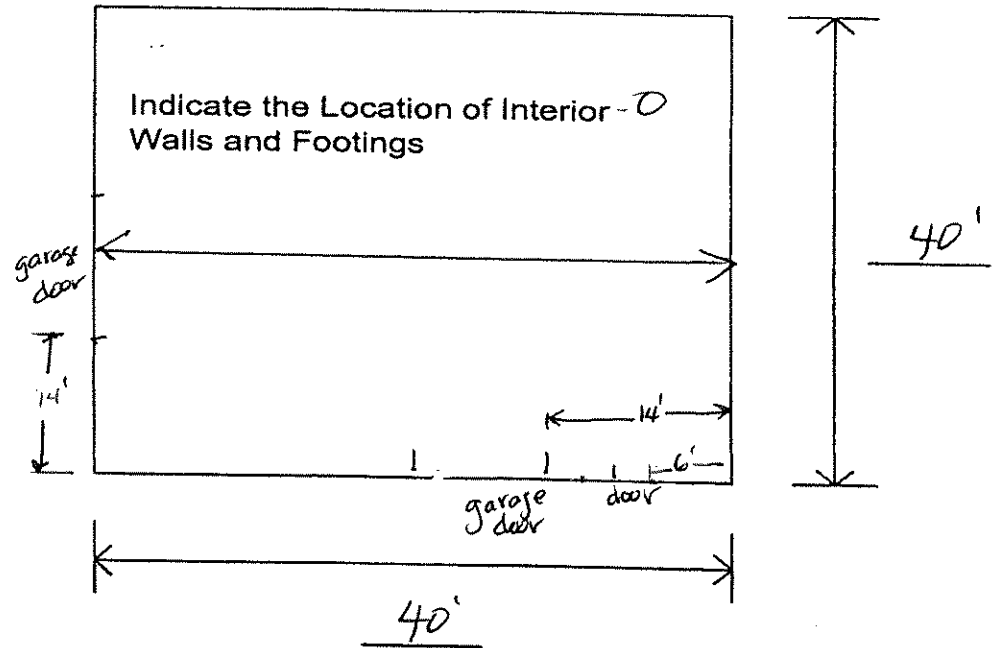
Provide Door Locations – Include Distances from Corner of Structure

Indicate Door and Window Sizes

4' x 3' window

12' x 10' garage door

Indicate Header Sizes 2 ply 1 1/8" LVL



ACCESSORY BUILDING CROSS SECTION

Circle Selections

Roofing Material: Asphalt Specify Other _____

APA Roof Sheeting: OSB or Plywood / 7/16" or 1/2"

Roofing Framing: Trusses Hand Frame

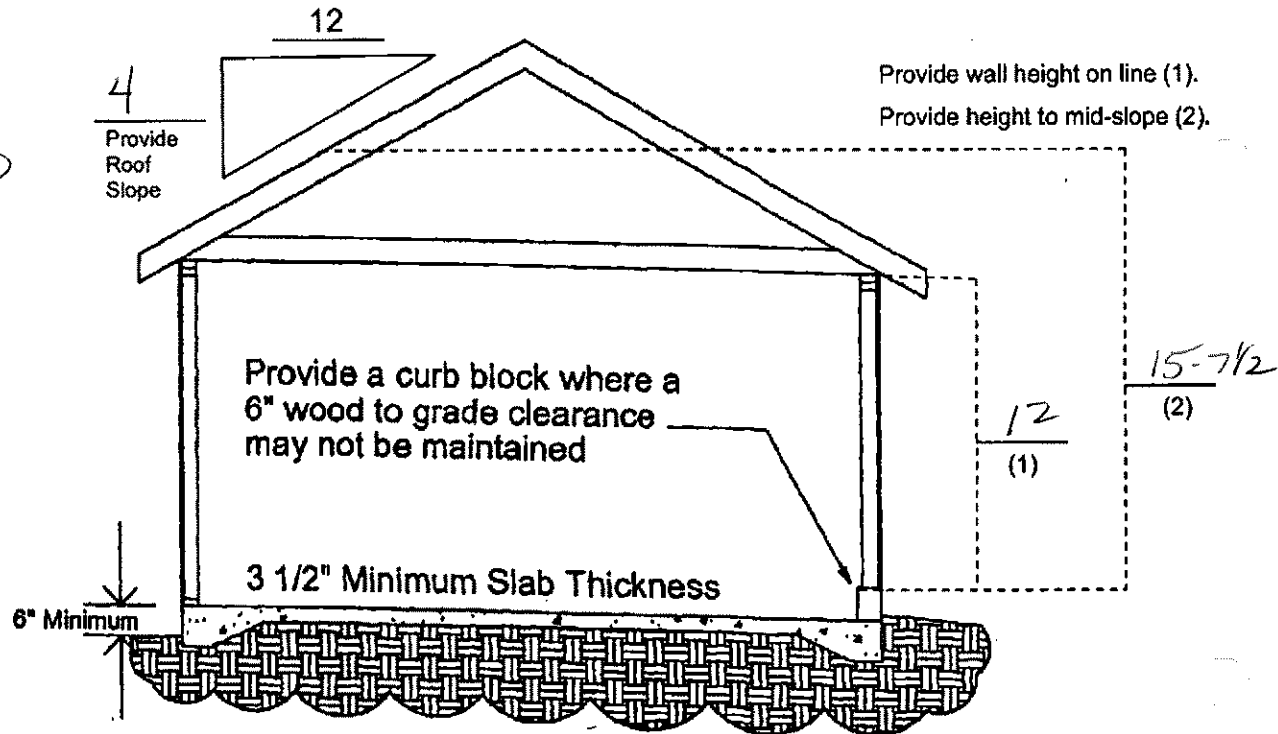
Roof Frame Spacing: 16" O.C. 24" O.C. (comment line below)

Siding Type: LP

Wall Sheathing: OSB or Plywood / 7/16" or 1/2"

Wall Framing Members and Spacing: 2 x 4 or 2 x 6
16" O.C. or 24" O.C.

Anchor Bolts – 1/2 Dia. / 6' O.C. / 7" into Concrete



Submit overhead door wind limitations meeting Minnesota wind loading of 90 mph for three seconds.

Interior Finish: Yes No Sheetrock Specify Other _____





2



4 (front)



5(side)



NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Jeff Howard has submitted a request for two variances at 324 Woodland Hills Ln., Brainerd, MN 56401. The requested variances are from *Section 515-2-5.C GL Zoning District Dimensional Standards*. The applicant is requesting a detached garage placement in front of the principal structure and for the proposed detached garage to exceed the height of the principal structure by 3' 4.5".

*LOT 1 BLOCK 2 WOODLAND HILLS ADDITION
PT OF LOT 1 BLOCK 1 LYING S'LY OF FOL DESC LINE COMM AT AN IPM AT SE
COR OF SD LOT 1 THEN N 25D 3'22"W ASSM BEAR ALG E'LY LINE OF SD LOT 1 A
DIST OF 61.51 FT TO AN IPM THEN N 23D 33'17"W ALG SD E'LY LINE 32.94 FT TO
POB OF SD LINE THEN S 72D 40'33"W 195.47 FT MOL TO W'LY LINE OF SD LOT 1
& THERE TERM SD LINE TOG/W ESMNT.
TANAGER FIRST ADDITION
P.I.N. 41020663
P.I.N. 41020715
Section 2, Township 44, Range 31*

The property is zoned GL (Garden Living) District. A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, September 21st, 2022 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the variance request.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2309.

Dated this 8th day of September 2022



James Kramvik
Community Development Director

Publication Date: September 11th 2022