



PLANNING COMMISSION AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Monday, October 21, 2024 @ 5:30 PM

The public is invited to attend these meetings in person
Attend by Phone: 1-844-992-4726 Meeting Access Code: 2499 123 8401

Meetings are broadcast on CTC ch 8, Charter ch 181, YouTube, AppleTV, Roku, and Amazon FireTV

1. **Call To Order**

2. **Roll Call**

___ M. Duval ___ J. Norwood ___ D. Peterson ___ T. Stenglein ___ D. Gorham ___ vacant
___ vacant

3. **New Business**

- A. **Consider Conditional Use Permit for Propane Fuel Storage Tank Facility at 2602 S. 11th St.
for Superior Fuel Company**

4. **Adjourn**

Visit the City's Website at www.ci.brainerd.mn.us

MISSION

"Provide high quality, cost effective public services and leadership in creating a sustainable city"

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: October 21, 2024

RE: Consider Conditional Use Permit for Propane Fuel Storage Tank Facility at 2602 S. 11th St. for Superior Fuel Company

Introduction:

Superior Fuel has applied for a Conditional Use Permit (CUP) at 2602 S. 11th St. to utilize the site for propane storage. The bulk storage tank would be used for the loading of smaller delivery trucks.

Parcel Number: 41010555

Zoning District: General Industrial (GI) District

Property Area: 2.33 Acres

Adjacent Uses: North: Industrial Business
East: Industrial Business
South: Industrial Business
West: Private Owned Commercial Building

Adjacent Zoning: North: General Industrial (GI) District
East: General Industrial (GI) District
South: General Industrial (GI) District
West: General Industrial (GI) District

AERIAL MAP



Findings of Fact:

1. The property at 2602 11th St SE Brainerd, MN 56401 is in a General Industrial (GI) zoning district. Zoning Ordinance [515-3 Allowed Uses. Appendix A: Table of Uses](#) allows for the use of Bulk Liquid Storage as a Conditional Use in the GI District.
 - A. *The property is currently operating as a contracting business.*
 - B. *The site plan proposed by Superior Fuel utilizes the property for bulk fuel storage and for the storage of small residential propane tanks.*
2. According to [Section 515-3-11 Bulk Liquid Storage](#). Any Bulk Liquid Storage use must comply with the following minimum standards:
 - A. All applicable Minnesota Pollution Control Agency requirements are satisfactorily met.
 - i. *The engineering department has no issue with the proposed plan. The bulk storage tank will be located above ground.*
 - B. A drainage system subject to the approval of the City Engineer shall be installed.
 - i. *The applicant is not proposing any changes to the existing storage, parking, and turnaround areas.*
 - C. Storage areas are landscaped, fenced, and screened from view of neighboring uses, abutting Residential Zoning Districts and public rights-of-way.
 - i. *The proposed storage area for residential propane tanks will be screened by a chain link fence with slats.*
 - D. Vehicular access points shall create a minimum of conflict with through traffic movement and shall be subject to approval of the City Engineer.
 - i. *There will be no impacts to the entrance to the property as a result of the change of use.*

- E. All storage tanks shall be located in the rear yard not less than 25 feet from any property boundary lines and setback 150 feet from any adjoining residential zoning districts. No tanks shall be permitted in the front yard or side yard abutting public rights-of-way.
 - i. *As proposed, the bulk storage tanks will meet all setbacks and are located in the rear yard. The tank will be located approximately ninety (90) feet from the northern boundary, ninety-four (94) feet from the southern boundary, and one-hundred ninety-one (191) feet from the eastern boundary. The property is not adjacent to residential zoning.*
- F. Storage tanks shall be surrounded by 25 feet of open area. Storage of any kind is prohibited in said open area, except equipment incidental to the storage tank. Approved parking must be set back ten (10) feet from any storage tank.
 - i. *As proposed, the bulk storage tank is surrounded by 25 feet of open area. The applicant has not proposed parking near the storage tank.*
- G. Storage tanks shall be set back from existing structures, as outlined in the Fire Code, based on tank size.
 - i. *The proposed location was reviewed by the Fire Department and meets structure setbacks.*
- H. All bulk storage plans and processes shall be subject to review and approval from the Fire Department.
 - i. *The Fire Department has fully reviewed the site plan and has no issues.*
- I. Storage tanks shall not interfere with site circulation, including but not limited to, parking, driveway, curb cuts, and loading areas.
 - i. *The bulk storage tank does not interfere with site circulation. The site maintains proper circulation for vehicles, distribution trucks, and emergency vehicles.*
- J. A wire weave / chain link security fence shall be required around all storage tanks. The location of said fence shall be as per the Uniform Fire Code.
 - i. *The applicant proposed a chain link security fence around the bulk storage tank.*
- K. Storage sites shall be accessible by service and emergency vehicles.
 - i. *The Fire Department has reviewed the site plan and has no issues with accessibility to the property.*
- L. All filling valves of the storage tanks shall be enclosed and have locking devices.
 - i. *The filling valves of the storage tanks will be enclosed with locking devices.*
- M. A warning sign shall be required for every tank and shall be placed in a conspicuous location, directly on the tank indicating a supplier's name, address, phone number, that highly flammable and dangerous material is stored therein, and that no smoking requirements must be observed or a sufficient warning to that effect. Said signage may not exceed four (4) square feet.
 - i. *Prior to the final inspection, staff will ensure that the proper warning signs have been placed.*
- N. Provisions are made to control and minimize noise, air, and water pollution.

- i. The property is next to a larger bulk propane distribution facility and is surrounded by other industrial uses. Staff have no concern regarding noise, air, and water pollution for the proposed use.*

3. 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 Appendix A: Table of Uses.
 - i. Bulk fuel storage is allowed in the General Industrial (GI) Zoning District with an approved conditional use permit.*
- B. The proposed use meets the regulations and standards established in this Ordinance.
 - i. The proposed site plan meets all the requirements of [Section 515-3-11 Bulk Liquid Storage](#) which regulates bulk liquid fuel storage facilities. The applicant does not propose any changes to the parking lot or buildings.*
- 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 Building Official and Fire Marshal have reviewed the site plan and have no issues. The facility as proposed meets all requirements of the Fire Code.*
- 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 bulk fuel storage facility is harmonious with the adjacent industrial properties. The bulk fuel storage tank will be located in the rear yard and residential storage tanks will be screened with a privacy fence.*
- E. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - i. The applicant proposes no changes to the parcel besides the additional fencing, which is required for outdoor storage.*
- F. The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 - i. This property is not located in a residential neighborhood.*
- G. The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the [Comprehensive Plan](#).
 - i. Economic Development Goal 1: Support infill and redevelopment throughout Brainerd as a strategic component of growth.
 - 1. Policy 1: Drive infill development and redevelopment towards areas where current infrastructure is present, or places where high levels of blight or disinvestment exist.*

4. Section 515-2.B.7 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. Such conditions may include, but are not limited to, the following:

- A. Increasing the required lot size or yard setback dimension.
- B. Limiting the height, size, or location of buildings.
- C. Regulating ingress and egress to the property and the proposed structures thereon with particular references to vehicle and pedestrian safety and convenience, traffic flow and control, and access in case of fire or another catastrophe.
- D. Regulating the street width.
- E. Increasing the number of required off-street parking spaces.
- F. Limiting the number, size, location, or lighting of signs.
- G. Requiring a berm, fencing, screening, landscaping, or other facilities to protect adjacent or nearby property.
- H. Requiring dedication of some open or green space.
- I. Regulating the appearance of the facilities or site so that they are harmonious with the neighborhood and City.

As of this writing, no parties have contacted the Community Development Department for more information on the Conditional Use Permit application for the proposed propane storage at 2602 11th St SE, Brainerd.

Staff Recommendations:

The Community Development Department recommends approval of the Conditional Use Permit for 2602 11th St SE Brainerd, MN 56401. Staff recommend applying the following conditions to the permit:

- 1) A final inspection by the Fire Marshal and Building Official are to be conducted prior to operation of the facility.

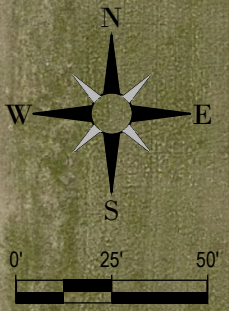
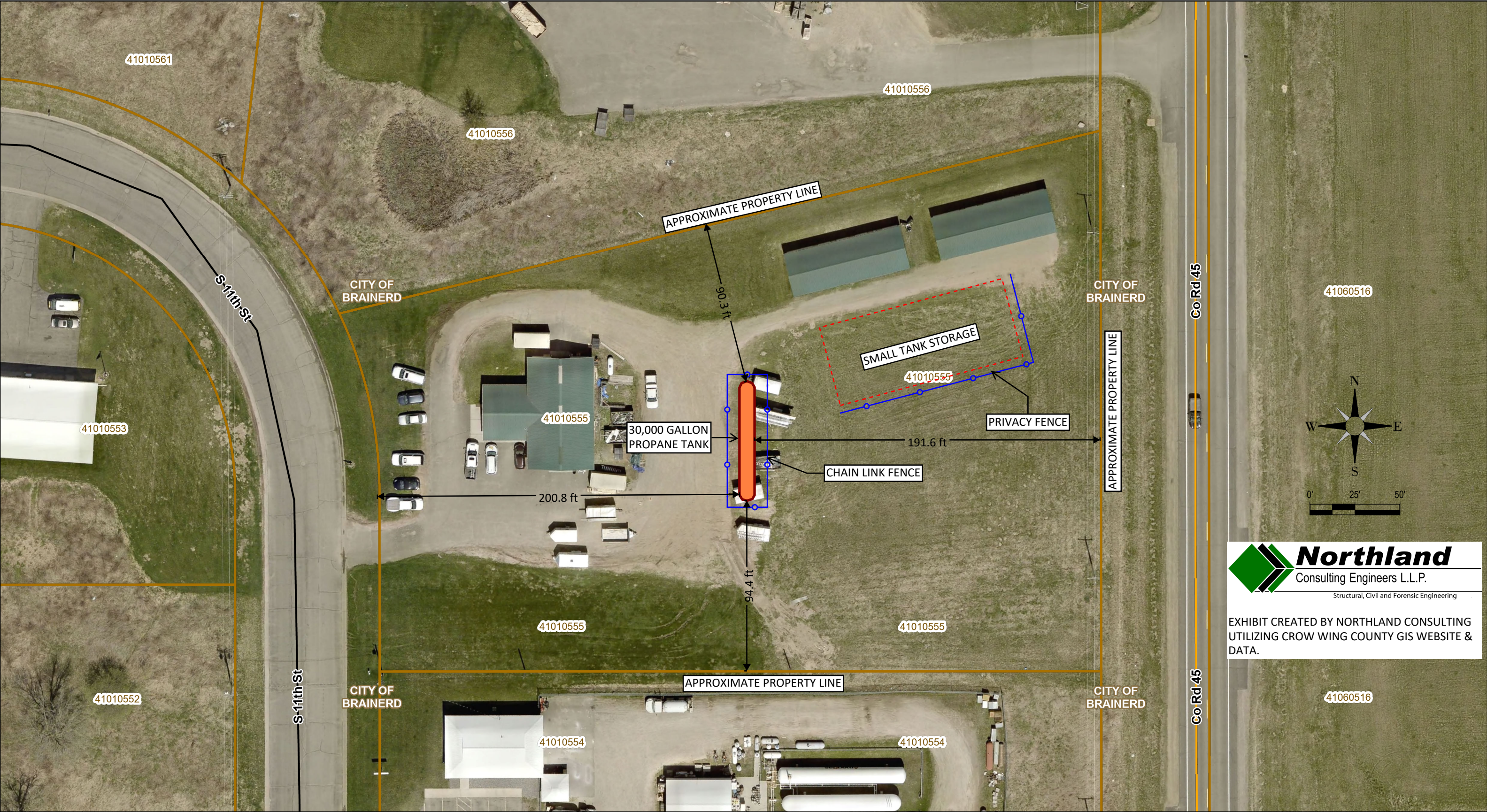


EXHIBIT CREATED BY NORTHLAND CONSULTING
UTILIZING CROW WING COUNTY GIS WEBSITE &
DATA.

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.

Superior Fuel Propane Tank

Land Use Classification		Commercial District 1	Commercial/Heavy Industrial District	Rural Residential - 20	Rural Residential - 5	Rural Residential - 1	Shoreland District
Agricultural/Forestry District	Commercial District 2	Commercial/Light Industrial District	Rural Residential - 10	Rural Residential - 2.5	Sensitive Shoreland District	Urban Growth District	
Airport District						Waterfront Commercial	

Date: 9/12/2024 Time: 2:36 PM



Community Development Department

City Hall - 501 Laurel Street Brainerd, MN 56401

218-828-2307

www.ci.brainerd.mn.us

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

	RESIDENTIAL	COMMERCIAL
CONDITIONAL USE PERMIT	☐ (\$350.00)	☒ (\$500.00 + \$500.00 escrow deposit)
REZONING	☐ (\$350.00)	☐ (\$500.00)
VARIANCE	☐ (\$350.00)	☐ (\$500.00 + \$500.00 escrow deposit)
ZONING TEXT AMENDMENT	☐ (\$250.00)	☐ (\$400.00)

PROPERTY ADDRESS: 2602 S 11th Street Brainerd MN 56401

LEGAL DESCRIPTION: Lot(s): 005 Block: 001 Addition: LOT 5 Block 1
(attach description if lengthy)

Property Owner Name: TAZ Properties of Brainerd LLC

Street Address: 2602 S 11th St City: Brainerd State: MN Zip Code: 56401

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

Applicant Name: (If different than Property Owner) Superior Fuel Company

Street Address: 1330 Tower Ave City: Superior State: WI Zip Code: 54880

Phone Number: 218 428-3683 Fax: _____ E-mail: Ryan@superiorfuelcompany.com

Description of Request: Superior Fuel is looking to purchase site and add a 30,000 gallon Propane Storage tank to the site. The tank would be used to store and for loading of smaller delivery trucks.

Nikki L. Turrotte
Property Owner Signature

9/10/24
Date

Nikki L. Turrotte
(Please print name)

Ryan Gunderson
Applicant Signature

9/10/24
Date

Ryan Gunderson
(Please print name)

(OVER)

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Superior Fuel Company, 1330 Tower Ave., Superior, WI 54880 has submitted a request for a Conditional Use Permit for propane storage and delivery truck loading of propane at 2602 11th St SE, Brainerd, MN 56401. The property included in this application is described as:

*LOT 5 BLOCK 1
BRAINERD INDUSTRIAL PARK
Parcel #: 41010555
Section 01, Township 44, Range 31*

The property is zoned GI (General Industrial) District, and Zoning Ordinance Section 513-3 Appendix A Table of Uses allows bulk liquid storage as a conditional use in the GI District. A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted as a Special Planning Commission Meeting at 5:30 p.m. Monday, October 21st, 2024 in the Council Chambers at Brainerd City Hall, 501 Laurel Street, to consider the Conditional Use Permit request.

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

Dated this 4th day of October, 2024



James L. Kramvik
Community Development Director

Publication Date: October 9th, 2024

