



GOODHUE COUNTY MINNESOTA

TO EFFECTIVELY PROMOTE THE SAFETY, HEALTH, AND WELL-BEING OF OUR RESIDENTS

Goodhue County Planning Commission
Government Center - Board Room
509 West 5th St, Red Wing MN 55066

June 18, 2018 Planning Advisory Commission Meeting PACKET

Documents:

[PLANNING ADVISORY COMMISSION MEETING PACKET.PDF](#)

Anyone interested is invited to attend. Agenda items may be subject to change.

Goodhue County Land Use Management

♦ Goodhue County Government Center ♦ 509 West Fifth Street ♦ Red Wing ♦ Minnesota ♦ 55066 ♦
♦ Building ♦ Planning ♦ Zoning ♦ Telephone: 651/385-3104 ♦ Fax: 651/385-3106 ♦



GOODHUE COUNTY MINNESOTA

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Planning Advisory Commission

Call Meeting To Order

Approval Of Current Agenda

Approval Of Previous Month's Meeting Minutes

1. May 14, 2018 Planning Commission Meeting Minutes

Documents:

[MINUTES_MAY2018_PAC_DRAFT.PDF](#)

Conflict/Disclosure Of Interests

Public Hearings:

1. PUBLIC HEARING: Request For Map Amendment (Rezone)

Request for map amendment submitted by David Lorentz to rezone 11.35 acres from A2 (Agriculture District) to R1 (Suburban Residence District). Parcel 41.014.1500. 4900 Scout Ridge RD Cannon Falls, MN 55009. Part of the SE ¼ of the NE¼ in Sect 14 Twp 112 Range 18 in Stanton Township.

Documents:

[PACPACKET_LORENTZ.PDF](#)

2. PUBLIC HEARING: IUP Request For Home Business

Request for an Interim Use Permit (IUP) submitted by Steve Jacobsen (Cannon Custom Cabinets) to reestablish a home-based cabinetry business destroyed by fire. Located at 30700 Oxford Mill RD Cannon Falls, MN 55009. Parcel 41.013.5501. Part of the SW ¼ of the SE¼ and SE¼ of the SW¼ in Sect 13 Twp 112 Range 18 in Stanton Township. A3 Zoned District.

Documents:

[PACPACKET_JACOBSEN_JUNE2018.PDF](#)

3. PUBLIC HEARING: Request For CUP For A Contractors Yard (Alfred Bear)

Request for CUP submitted by Alfred Bear (Bear's Overhead Door) to establish a Contractors Yard for a commercial door service and installation business. 37509 County 4 BLVD Goodhue, MN 55027. Parcel 33.023.0600. Part of the NW ¼ of SW ¼, Sect 23 Twp 111 Range 15 in Goodhue Township. A1 Zoned District.

Documents:

[PACPACKET_BEAR.PDF](#)

4. PUBLIC HEARING: Request For CUP For A Contractors Yard (Thomas Demartini)

Request for CUP submitted by Thomas Demartini (Demartini Trucking) to establish a Contractors Yard for a commercial trucking business. TBD County 9 BLVD Goodhue, MN 55027. Parcels 25.029.0309 and

25.0290303. Part of the NW ¼, Sect 29 Twp 111 Range 16 in Belle Creek Township. A1 Zoned District.

Documents:

[PACPACKET_DEMARTINI.PDF](#)

5. PUBLIC HEARING: Request For CUP For A Contractors Yard (Simanski Metals LLC)

Request for CUP submitted by Simanski Metals LLC (Kevin Simanski) to establish a Contractors Yard for a commercial hauling and transport business. 29409 HWY 58 BLVD, Red Wing, MN 55066. Parcels 34.008.1400 and 34.008.1500. Part of the SE ¼ of NW ¼, Sect 08 Twp 112 Range 14 in Hay Creek Township. A2 and B2 Zoned District.

Documents:

[PACPACKET_SIMANSKI_CUP_CONTRACTOR_YARD.PDF](#)

Other-Discussion

Adjourn

Anyone interested is invited to attend. Agenda items may be subject to change.

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The meeting of the Goodhue County Planning Advisory Commission was called to order at 7:00 PM by Chair Darwin Fox at the Goodhue County Government Center 3rd Floor Board Room in Red Wing, Minnesota.

Roll Call

Commissioners Present: Ron Allen, Tom Drazkowski, Len Feuling, Tom Gale, Darwin Fox, Marc Huneke, Richard (Dick) Nystuen, Sarah Pettit

Commissioners Absent: None

Staff Present: Land Use Management Director Lisa Hanni, Zoning Administrator Mike Wozniak, Zoning Assistant Ryan Bechel

1. Approval of Agenda

¹Motion by Commissioner Nystuen; seconded by Commissioner Huneke to approve the meeting agenda. Motion carried 7:0 (Commissioner Feuling absent)

2. Approval of Minutes

²Motion by Commissioner Drazkowski; seconded by Commissioner Huneke to approve the previous month's meeting minutes. Motion carried 7:0 (Commissioner Feuling absent)

3. Conflict/Disclosure of Interest

There were no reported conflicts of interest.

4. PUBLIC HEARINGS: Request for CUP for a Utility Scale Solar Energy System (SES)

Request for a CUP submitted by Nokomis Hiawatha LLC (applicant) and Douglas Stegemann (owner) for a Utility Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 5 acres. Parcel 28.016.0300. TBD HWY 19 BLVD, Cannon Falls, MN 55009. Part of the SW ¼ of NE ¼ in Sect 16 Twp 112 Range 17 in Cannon Falls Township. A2 Zoned District.

Dan Nokomis (Applicant) was present to represent the application.

Ryan Bechel (Bechel) presented the staff report and attachments.

Chair Fox opened the Public Hearing.

Tad Ulrich 30730 CTY 8 BLVD Cannon Falls, MN stated he is not necessarily opposed to the project but he is concerned about the potential impacts to the value of his property. His residence is due east of the proposed project site. He added the applicant has made some concessions to the location and did move the project area north to reduce visual impacts to his property, however, he still feels the site will be highly visible from his vantage point.

Commissioner Nystuen asked for clarification of the location of the proposed Black Hill's Spruce specified in the application.

Staff clarified that it was to be put along the east boundary of the project site.

Commissioner Allen asked if it would be a single row of Black Hill's spruce and how tall they would be.

The Applicant clarified that they are currently proposing one row of the 2 to 5 year old trees but was unsure of the exact height they would be at the time of planting.

Commissioner Allen suggested that if two rows of trees were planted, that in time the solar site

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would likely be hidden from view from the residence to the east.

³After Chair Fox asked three times for comments, it was moved by Commissioner Nystuen and seconded by Commissioner Huneke to close the public hearing. Motion carried 7:0

Commissioner Allen commented that he has observed many of the previously permitted solar sites and that the vegetative cover seems to be effective once established. He stated that 2 rows of trees would provide adequate screening of the site as viewed from the east as the vegetation matured over time.

Commissioner Fox agreed with Commissioner Allen's suggestion of 2 rows of trees.

⁴Motion by Commissioner Allen seconded by Commissioner Huneke, for the Planning Advisory Commission to:

- adopt the staff report into the record;
- adopt the findings of fact;
- add condition #12 to staff's suggested conditions;
- accept the application, testimony, exhibits, and other evidence presented into the record; and;

Recommend the County Board of Commissioners **APPROVE** the request for a CUP submitted by Nokomis Hiawatha LLC (applicant) and Douglas Stegemann (owner) for a Utility Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 5 acres. Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
2. The project shall be decommissioned according to Article 19 Section 6 of the Goodhue County Zoning Ordinance and submitted plans;
3. A decommissioning agreement between the landowner and the solar energy system company shall be maintained to ensure reclamation of the area;
4. LUM staff shall be notified by the landowner or solar company 30 days prior to ownership transfer or operator changes;
5. A stormwater management and erosion control plan shall be submitted for administrative review and approval prior to construction of the facility;
6. Vegetative screening shall be established according to submitted plans within 1 year of completion of the facility;
7. Applicants' shall work with the Goodhue County Soil and Water Conservation District to determine an appropriate seed mix of native vegetation to establish on disturbed areas of the site;
8. Applicants' shall obtain Building Permit approvals from the Goodhue County Building Permits Department prior to establishing the use;
9. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 19 Solar Energy Systems (SES) and Article 22 (Agricultural District);
10. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
11. This CUP shall expire 25 years from the date of approval unless terminated prior to that date.

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12. Applicants shall provide a revised landscaping plan specifying 2 staggered rows of Black Hills Spruce or similar species be installed along the easterly boundary of the solar garden.

Motion Carried 7:0

PUBLIC HEARING: Request for Map Amendments (Rezones)

Request for map amendments submitted by Stanton Township to rezone 39 parcels from A3 (Urban Fringe District), A2 (Agriculture District) and A1 (Agriculture Protection District) to R1 (Suburban Residence District). Parts of the SE ¼ of Section 30, NE ¼ of Section 36, NE ¼ of Section 24, NW ¼ and SE ¼ of Section 13 all located in Township 112 Range 18 in Stanton Township.

7:19 PM Commissioner Feuling arrives.

Lisa Hanni (Hanni) presented the staff report and attachments.

Commissioner Gale questioned if the rezoned parcels could be subdivided in the future as a result of the rezone to R1.

Hanni replied that the majority of the lots would not be able to be subdivided and comply with septic system requirements for 2 sites on each lot and building setback requirements due to the size of the parcels. She further noted that R1 zoned parcels can only be subdivided for additional building sites through the Platting process.

Chair Fox opened the Public Hearing.

Kao Yang 6035 327th ST Way, Cannon Falls, MN stated she is the neighbor directly to the east of the parcels to be rezoned on "map 2" (Oxford Hills Plat). She raised concerns regarding adverse impacts to wildlife in the area and animals on her property if the parcels adjacent to her property were rezoned to R1 and allowed to be further subdivided. She also was concerned with impacts to privacy on her property.

Robert Kick (PID# 28.030.4102) added concerns regarding drainage and erosion issues if the parcels on "map 2" were allowed to be subdivided and developed in the future.

Chuck Schwarzhoff 33130 58th Ave Path commented that the only access available for the parcels on the east side of "map 2" is off of 331st ST which is a gravel road. He stated that there is considerable runoff in the area during weather events. He is concerned that parcels 410360500 and 410361800 could be divided in the future and increase dust an access issues in the area. He asked for clarification of the minimum lot size for the R1 Zone.

Hanni responded that the minimum lot size is 20,000 sq ft but that has to include sites for 2 septic systems so that is not really feasible. She noted that parcel 410360500 has severe topographical challenges that would make it unlikely that any additional dwelling sites could be established on the parcel. She reminded the PAC that Stanton Township also has a more restrictive minimum parcel size of 5 acres that would also restrict any future proposed subdivision of the properties.

Mr. Schwarzhoff suggested that it would be impractical to rezone the lots if additional lots couldn't be created in the future.

Hanni responded that the rezoned lots would have reduced setbacks and uses that are appropriate for the residential areas in which they are located. Furthermore, the zoning would mirror the residential zoning of Stanton Township for the parcels which was the impetus for the rezone request.

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David Fick 5817 315th ST Way questioned what the benefit to the landowners would be.

Hanni responded the setbacks would be reduced and the zoning would match the zoning currently in place by Stanton Township. This would provide relief for property owners with small lots that need to request variances to property line setbacks to do any building due to the size of their lots and the large setback requirements of agricultural districts.

Mr. Fick questioned if this would allow for additional dwelling sites in the involved sections.

Staff clarified zoning dwelling density standards for A1, A2, and A3 zoning districts.

Mr. Fick asked if the rezones would result in changes to property taxes.

Hanni responded that staff verified with Goodhue County Finance and Taxpayer services that taxes are based on the actual use of the property and not the prescribed zoning district. Therefore, the taxes would not be changed as a result of a rezone. All the subject properties are currently being taxed as residential.

Commissioner Nystuen questioned how many potential dwelling sites could be created in the ag districts as a result of the rezones.

Hanni responded that Map 1 would be the only area that would result in additional dwelling density for the section; however, over three-quarters of that section is owned and operated by Syngenta (commercial seed corporation).

Commissioner Pettit asked for clarification if the properties requested to be rezoned were already zoned residential by Stanton Township.

Hanni replied yes that is her understanding from conversations with township officials.

Commissioner Pettit asked if the 2 parcels that are proposed to be "split-zoned" on map 1 were also split-zoned by Stanton Township.

Hanni replied she has not received clarification from Stanton Township on that matter as of yet. The reason for the split zone of those two parcels is to allow the land that is farmed to be continued to be used for agriculture which is not permissible in R1 zones.

Commissioner Pettit asked why the two larger parcels on map 2 in question earlier (410360500 and 410361800) were not also split zoned.

Hanni replied that those 2 parcels are only used for residential uses at this point and the landowners did not express any interest in split-zoning. She noted that the larger 11.65 acre parcel would necessitate 3 different zoning districts for that parcel to be split-zoned given the existing residence is located in the center of that parcel.

⁵After Chair Fox asked three times for comments, it was moved by Commissioner Feuling and seconded by Commissioner Allen to close the public hearing.

Motion carried 8:0

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6Motion by Commissioner Feuling seconded by Commissioner Huneke, for the Planning Advisory Commission to:

- adopt the staff report into the record;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

Recommend the County Board of Commissioners **APPROVE** the map amendments in Stanton Township as listed:

PIN	ACRES	OWNER	Current Zone	New Zone
410300600	0.25	WALLACE J HAMP	A1	R1
410300800	0.26	GREGORY L ANDREWS	A1	R1
410301100 (southerly 304 feet)	10.37	GLEN EMERY	A1	R1
410301300	0.39	NICHOLAS C LARSON	A1	R1
410301600 (southerly 300 feet)	2	TROY D ARMSTRONG ET AL	A1	R1
410302100	0.75	STANTON TOWNSHIP	A1	R1
410302101	0.28	GREGORY L ANDREWS	A1	R1
410302200	1.4	BRIAN K VALEK	A1	R1
410302300	0.26	STANTON TOWNSHIP	A1	R1

PIN	ACRES	OWNER	Current Zone	New Zone
410361700	3.55	JOSEPH S CROSBY	A2	R1
410361800	6.49	BRUCE D SHOWEL	A2	R1
410361900	4.24	MITCH A OTTO	A2	R1
410252600	0.53	DANIEL C LUCE	A2	R1
410360200	1.49	JON C WERSAL	A2	R1
410360300	1.46	MITCH A OTTO	A2	R1
410360301	1.75	LOUISE M BOWMAN	A2	R1
410360500	11.57	TROY A ISENBERG	A2	R1
410360600	0.63	LOUISE M BOWMAN	A2	R1
410360601	0.71	LOUISE M BOWMAN	A2	R1
410360700	1.67	DEAN R CLARE	A2	R1
410360800	2.09	STEVEN M RICHTER	A2	R1
410360900	1.72	QUENTIN L GARLETS JR	A2	R1

PIN	ACRES	OWNER	Current Zone	New Zone
410133600	0.5	JOHN W HOGAN	A3	R1
410133700	2.46	DAVID A SCHULTZ	A3	R1
410133800	0.62	ARLENE B ERICKSON	A3	R1
410133900	1.15	BRETT K KLAVON	A3	R1
410134200	1.07	WALTER W PIERCE	A3	R1
410134300	1.38	JOSHUA T HUNEKE	A3	R1
410134600	0.53	CARRIE VOVK	A3	R1

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410134700	0.91	CASEY T CARLSON	A3	R1
410134800	0.83	STEPHANIE HALBERT	A3	R1
410134900	3.37	BRYANT BECHTHOLDT	A3	R1
410135100	1.44	TIMOTHY M LANGDON	A3	R1
410135200	0.94	CHRISTOPHER STRICKLAND	A3	R1
410135400	1.14	LARRY L STRAIN	A3	R1
410240200	1.33	SCOTT OLSON	A3	R1
410240300	3.86	CHAD MILLER	A3	R1
410240400	5.18	DANIEL BANKS	A3	R1
410240500	5.18	KERRY R BANKS	A3	R1

Motion carried 8:0

PUBLIC HEARING: Request for CUP for Non-Metallic Mineral Extraction Facility

Request by Doug Mahoney (applicant/owner) for CUP for a Non-Metallic Mineral Extraction Facility. Proposed mining includes a limestone quarry and sand/gravel pit and associated processing/transport equipment and facilities. The total site area is 61.5 acres. The area to be mined is approximately 13.4 acres. This CUP proposes to reopen an inactive/lapsed non-metallic mining operation located at 32245 296th Street, Red Wing, MN 55066. Parcel 32.009.1201. Part of the S1/2 of NW1/4 and the N 1/2 of the SW 1/4, Sect 09 Twp 112 Range 13 in Florence Township. A2 Zoned District.

Doug Mahoney (Applicant) was present to represent his application.

Hanni noted that this is the first mining proposal submitted since the non-metallic mineral extraction article (Article 14) received a comprehensive revision in 2004. Hanni stated that due to the substantial size of the application, only a subset of the key components was provided in hard copy to members of the PAC to reduce printing and mailing costs. A complete copy of the applicant's submittal is available online. Hanni reminded the PAC that townships have statutory authority to be more restrictive than the county and it is the township's responsibility to administer and enforce their adopted zoning standards. The applicant is required to follow the most restrictive requirement placed upon them. She further added that additional state and federal regulations (e.g. MNSHA) will apply to the operation and PAC should maintain focus on whether or not the proposal meets the counties adopted standards. Hanni stressed that the application for consideration is not proposing any extraction of Frac sands (Jordan Sandstone silica sands) and if the applicant wishes to mine those materials in the future he would be required to return to the PAC and request an amendment to do so.

Wozniak presented the staff report and appendixes.

The Applicant added that he purchased the mine 25 years ago for the purpose of mining it. He stated that when the county switched the reregistration process to an electronic format that he failed to keep up with his registrations and fell out of compliance. He wishes to re-establish the mine to its historical use. He added that the majority of the materials extracted would be utilized for local road and bridge projects.

Wozniak noted that due to the new submittal standards adopted by the county, the application before the PAC is by far the most robust and detailed mineral extraction application the county has been provided to review.

Chair Fox opened the Public Hearing.

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Beth Knutson (Florence Township Planning Commission/Land Use Committee Member), Kristen Eide-Tollefson (Florence Township Land Use Committee Member), and Jan Bruce (Florence Township Supervisor/Lake City Chamber of Commerce/Land Use Committee Member) provided a PowerPoint presentation (Attachment 1) highlighting Florence Township's comprehensive planning initiatives and reviewed a number of topics of concern regarding the applicant's proposal including potential impacts to sensitive features, aesthetics, cultural resources, economic development, and potential impacts to the character of the area.

Commissioner Drazkowski mentioned that the mine has existed since the 1970's and questioned if any data existed to back up their assertion that mining would negatively affect the ecological and natural resources in the area or if any environmental violation of any kind exists on public record.

Jan Bruce replied that she did not know the answer to the question.

The Applicant responded that areas surrounding the mine have had issues (e.g. Mount Frontenac Golf Course) but there have been no environmental violations at the subject site.

Beth Knutson mentioned that a TEP (WCA Technical Evaluation Panel) review has not yet been completed for the proposed use which may answer some of the questions regarding impacts to the wetland features south of the site.

Commissioner Gale asked for clarification regarding Florence Township standards compared to the county's standard.

Beth Knutson replied that the Township ordinances build off of the County's regulations and the main difference is that the Township would issue an IUP instead of a CUP. She also noted that the Township has more restrictive bluff setback standards and protection requirements.

Commissioner Allen asked whether the township had an official position regarding the proposal.

Beth Knutson replied that the township has not received a complete application to act upon and therefore has not taken an official position.

Hanni noted that the county and township exercise dual authority and the Applicant has worked since late last year to submit a complete application meeting all the new application requirements to the county.

Commissioner Allen asked if the Applicant would be able to operate the mine if he didn't receive township approval.

Hanni replied that the Applicant will need to obtain all his approvals prior to legally commencing operations and that Florence Township will be responsible for ensuring the applicant has met their ordinance requirements.

Kristen Eide-Tollefson noted that staff's recommended conditions do not specify that the Applicant follows local regulations in addition to county, state, and federal requirements.

Hanni replied the standard condition of approval for county CUP's is to require applicant's to follow the county requirements and those above the county authority level.

Kristen Eide-Tollefson stated she was concerned that township requirements should be noted to make sure the Applicant is aware that he needs township approvals.

Hanni reminded the PAC that the applicant and county and township officials have met on site

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at the subject property twice to discuss his proposal and he is well aware that he will need township approvals in addition to those of the county.

Wozniak added that the township has also endorsed the application stating they have been made aware of the Applicant's request.

Jim McIlrath (Supervisor Florence Township) commented that the Applicant previously provided an in-depth geological study and other informational materials regarding his proposal to the Township at a meeting but the Township does not have trained staff available to evaluate the material. He added that Mr. Wozniak has helped the township digest some of that information but there are still many questions remaining.

Ted Tollefson 28477 Lake Ave Way, Frontenac, MN stated that the bluffs in the subject locale define the area and provide both intrinsic and economic value. He mentioned that many of the economic activities in the area are dependent upon the aesthetic value of the natural features in the area that would be impacted by the industrial activities and processes involved in mineral extraction operations.

Kathy-Jo Roadster 35189 Staley Park Road is the Director of Lake City Tourism Bureau and agreed with the comments provided by Ted Tollefson.

After Chair Fox asked three times for comments, it was moved by Commissioner Feuling and seconded by Commissioner Allen to close the public hearing.

Motion carried 8:0

Hanni commented that this is a unique situation given it is a re-establishment of an existing mine but the Applicant has met the county's stringent application requirements.

Wozniak mentioned he had discussed the wetland area with Beau Kennedy (Goodhue County SWCD) and the key items needed from his aspect were the volume of water to be drawn and the depth at which it would be accessed. He added that the MN DNR and TEP would be evaluating those impacts along with Goodhue County SWCD staff as part of their review.

Commissioner Drazkowski mentioned that the Applicant has provided a thoughtful and robust application which addresses all the requirements of the Goodhue County Ordinance and project would provide necessary building materials that would be needed to build projects associated with projected development in the Frontenac area. He added that the existing mine is in a location that is not surrounded by residences. He stated he would be in favor of approval of the request.

Commissioner Feuling questioned what happens to the wash water after it is used for processing.

Wozniak replied that some of the water is evaporates but the majority is typically recycled. He stated there are 3 settlement pond proposed to allow sediment to settle out of the water prior to reuse. He noted that the quantity of water to be drawn is handled by the DNR through issuance of water appropriation permits.

The Applicant clarified that he has reached out to the DNR to submit his water appropriation permit application. He stated he has made Bill Huber (DNR Area Hydrologist) aware of his request.

Wozniak pointed out that map "B1" of the applicant's submittal provides detail regarding water extraction and storage pond facilities.

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Wozniak mentioned that the Applicant will be required to get a variance to allow mineral extraction to take place in the portions of the mine that fall within the bluff impact zone.

Commissioner Gale asked how long it would take to mine the aggregates from the site.

The Applicant responded it is not possible to give an accurate timeline given the dependency upon material demand but he estimated approximately 40 years.

Commissioner Allen asked the Applicant if he was aware that he is going to need township approvals as well.

The Applicant responded he is.

Hanni stressed that the request for information is very intense compared to the previous version of the mineral extraction ordinance and mentioned that the Applicant has met those requirements.

Commissioner Fox questioned what would happen if the Applicant were unable to get some of the approvals (DNR, MPCA, TEP etc.) required for him to operate.

Hanni responded that the Applicant cannot begin mining until he has received those approvals as they are required in the suggested conditions. If he is unable to get those approvals and then needs to alter his plan in a way that is not approved in his initial CUP, he would be required to request an amendment to his CUP which would be reviewed again through the CUP process.

The Applicant added that some aspects of the operation (such as washing) may not take place for 10 years if there is no need, but he wants to get approvals ahead of time to be prepared to meet future demand.

Commissioner Pettit asked how long the mine had been in operation prior to the registration lapsing.

The Applicant replied the mine had been active since 1978 and operating until 2007. He stated he has worked on the mine since then and has owned it for 20 years.

Commissioner Pettit asked what the volume of traffic historically was at compared to his proposal today.

The Applicant responded that it is difficult to compare historical volume due to the size of transportation equipment used today versus 30 years ago. He stated that traffic volume is heavily dependent upon material demand.

Commissioner Fox stated he would be in favor of tabling the decision to gather more information from SWCD regarding water appropriation, to get a better understanding of the plan going forward with Florence Township, and to allow the PAC additional time to review the extensive materials before them.

Commissioner Nystuen commented that the Applicant has done a lot of work to meet the application requirements of the county and he appears to have met all the requirements set forth in the county ordinance. He added that it is the Township's responsibility to independently review applications and administer their adopted ordinances when they have elected to do so.

Commissioner Allen asked when the request would go before the County Board of Commissioners for review and if the township would weigh in prior to that decision.

Hanni replied the first meeting in June (June 5th 2018).

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Beth Knutson replied the township has not yet received a complete application from Mr. Mahoney.

Hanni noted that the County is required to make a decision within the confines of the "60-day rule (Statute 15.99).

8Motion by Commissioner Nystuen seconded by Commissioner Huneke, for the Planning Advisory Commission to:

- adopt the staff report into the record;
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

Recommend the County Board of Commissioners **APPROVE** the request of Doug Mahoney for a Conditional Use Permit to operate a Non-Metallic Mineral Extraction Facility. Subject to the following conditions:

1. This CUP replaces and removes any prior authorization conduct mining of Non-Metallic Minerals Resources on the subject property;
2. Activities shall be conducted according to submitted plans, specifications, and narrative included with the Conditional Use Permit application submitted to Goodhue County Land Use Management Office, minor adjustments may be made to approved mining plans with approval from the Zoning Administrator;
3. Hours of Operation shall be limited to 6:00 a.m. to 10:00 p.m., Monday through Saturday. Any exceptions must comply with Article 14, Section 6, Subd. 4.
4. No blasting may occur prior to submittal to the Land Use Management Department of a plan that specifies the location and timing of blasting; measures to be taken to mitigate noise, vibration and dust; method of notifying nearby property owners within ½ mile, Florence Township and the Zoning Administrator.
5. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations. Evidence shall be provided to the County of all required permits, including but limited to MPCA NPDES Permit, and MNDNR Water Appropriate Permit (if required) prior to start of Mining Operations.
6. No Mining Operations shall commence unless the Applicant/Owner has provided evidence that a Water Appropriation Permit has been obtained from the Minnesota Department of Natural Resources, or written confirmation that a Water Appropriation Permit is not required.
7. The Applicant shall obtain a written confirmation from Wetland's Coordinator, Beau Kennedy, indicating Wetland's review requirements have been prior to start of Mining Operations.
8. The owners will cooperate with inspections of the facility in coordination with Land Use staff.
9. All final grades and restoration must be consistent with the approved and amended reclamation plans.
10. Within twelve (12) months after completion of mineral extraction or after termination of the permit, all equipment, vehicles, machinery, materials, and debris shall be removed from the subject property.
11. Site reclamation must be completed within twelve (12) months after completion of mineral extraction, after termination of the permit, or according to an approved plan schedule. Failure to annually register the mineral extraction facility will be considered termination of the mineral extraction facility and the twelve (12) month period begins.
12. Security. The applicant/owner (Doug Mahoney) of the property on which the mineral extraction is occurring, shall post a letter of credit, bond, or cash escrow in \$70,875.00.

**PLANNING COMMISSION
GOODHUE COUNTY, MN
May 14, 2018 MEETING MINUTES
DRAFT**

If the required Security is provided in the form of a "Letter of Credit" or a "Performance Bond", it shall be subject to review and approval by the County Attorney prior to start of Mining Operations. Goodhue County shall be listed as the eligible party to access the Security to reimburse the following costs upon failure of the Applicant/Owner to comply with requirements of this Conditional Use Permit:

- A. Costs of bringing the operation into compliance with the mineral extraction permit requirements including site monitoring and enforcement costs.
 - B. Extraordinary costs of repairing roads due to the special burden resulting from the hauling of materials and traffic associated with the operation.
 - C. Site restoration.
 - D. Costs the county may incur in enforcing the terms of the conditional use permit, and land use permit, including attorney's fees.
 - E. A Bond or Letter of Credit shall be valid for a minimum of one (1) year; and shall include a provision for notification to the County at least thirty (30) days prior to cancellation or non-renewal.
13. Mineral Extraction and related activities are limited to Parcel A and Parcel B as legally described on the Certificate of Description for: Doug Mahoney (Drawing Number S-7492, certified by Marcus S. Johnson, Minnesota License NO. 47460, Date: April 26, 2018.

Located at 32245 296th Street, Red Wing, MN 55066, Parcels 320091201, Part of the W 1450.00 feet of the S ½ of the NW ¼ and that part of the W 1450.00 feet of the N ½ of the SW ¼ of Section 9, Twp 112 N, Range 13 W, Florence Township.

Motion Carried (6 yes; 2 no)

5. Other discussion

- Staff Update:

Hanni discussed efforts to fill the vacant Zoning Assistant position.

⁹Adjourn: Moved by Commissioner Feuling, second by Commissioner Drazkowski, to adjourn the Planning Commission meeting at 9:37 PM.

Motion carried 8:0

Respectfully Submitted,

Ryan Bechel; Recording Secretary

**PLANNING COMMISSION
GOODHUE COUNTY, MN
May 14, 2018 MEETING MINUTES
DRAFT**

¹ APPROVE the PAC meeting agenda.

Motion carried 8:0.

² APPROVE the previous month's meeting minutes.

Motion carried 8:0.

³ Motion to close the Public Hearing.

Motion carried 8:0

⁴ Recommend the County Board of Commissioners Approve the request for a Utility Scale Solar Energy System CUP submitted by Nokomis Hiawatha LLC.

Motion carried 8:0

⁵ Motion to close the Public Hearing.

Motion carried 8:0

⁶ Recommend the County Board of Commissioners APPROVE the rezone requests submitted by Stanton Township.

Motion carried 8:0

⁷ Motion to close the Public Hearing.

Motion carried 8:0

⁸ Recommend the County Board of Commissioners APPROVE the request for a Non-metallic Mineral Extraction Facility submitted by Doug Mahoney

Motion carried 6:2

⁹ ADJOURN the Planning Commission meeting.

Motion carried 8:0

UNOFFICIAL UNTIL APPROVED BY THE PAC



Florence Township 'From Vision to Implementation'

Florence Township: A History of Land Use Planning and Zoning

Vision and Planning – 1996 to present

- 1996 - Wells Creek Plan
- 1999 - Florence Long Range Planning Committee
- 2003 - Florence Comp Plan
- 2011 - Plan Update Process
- 2013 - Comp Plan Update

Land Use Tools

- 2001- Goodhue County Natural Resource Inventory
- 2005 – Land Use Committee
- 2006 – Growing by Design; Grant 1000 FOM
- 2007 – Sensitive Features Mapping
- 2008 – Land Use Regulatory Tools; Grant 1000 FOM


Ordinances

- 2008 - Sensitive Features Ordinance Development
- 2011 - Excavation and Mining Ordinance Development
- 2015 - Ordinance Adoption

**IMPLEMENT
THE VISION**

**COMPREHENSIVE
LAND USE PLAN
2003**


**FLORENCE TOWNSHIP
GOODHUE COUNTY
MINNESOTA**



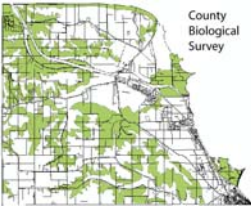
Building a Sustainable Community

Vision:
**Proactively develop,
preserve and maintain
a safe, thriving and
respectful community
that sustains its
historic integrity, rural
character and natural
and recreational
resources.**

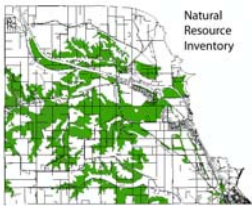
Florence Township: Growing By Design



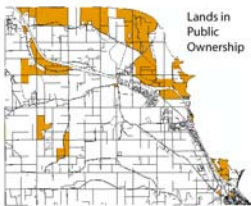
Natural Resource Sensitivity **Water Resource Sensitivity**




County Biological Survey




Natural Resource Inventory




Lands in Public Ownership




Lands with Easment



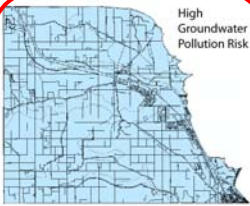
Wetlands



100 Year Flood Plain



Steep Slopes



High Groundwater Pollution Risk

“If you want to protect your water, then protect your bluffs”.

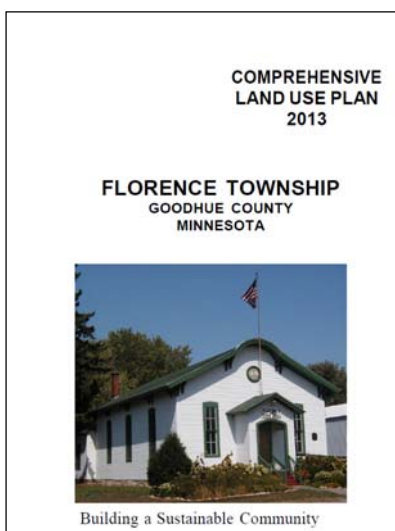
Sensitive Features Ordinance

Florence Township has composed the natural features overlay district to protect and conserve natural features for the following reasons as portrayed in the township comprehensive plan:

- (1) The intrinsic value of natural areas and wildlife;
- (2) Flood control and the treatment of stormwater runoff;
- (3) Acknowledgment of historic resources and their educational and artistic significance;
- (4) Recreational amenities; and
- (5) Aesthetic and quality of life contributions.

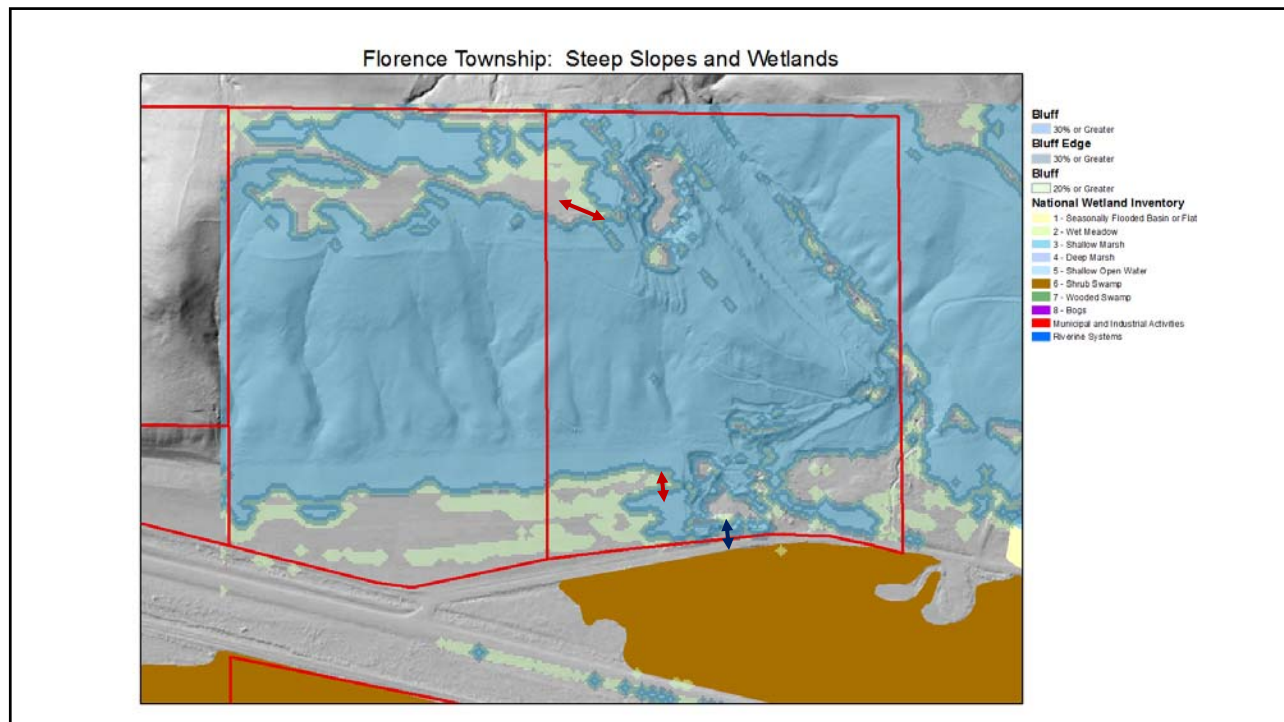


Florence Township Comprehensive Plan Update 2013



‘...residents and property owners declared their desire to **strengthen these guiding goals and priorities in an effort to prevent this township from becoming an industrialized and heavily trafficked zone.**’





Florence Township

SECTION 10: Excavation and Mining

10.2 The purpose of this section on excavation and mining is to:

- (i) protect natural landscapes from excessive excavation and mining activity,
- (ii) protect water resources, aquifers, streams, and rivers from excessive contamination and appropriation,
- (iii) minimize soil erosion,
- (iv) protect agricultural land and farming activity,
- (v) prohibit large-scale extraction and mining of industrial minerals,
- (vi) protect existing recreational and tourist businesses,
- (vii) protect residents from unhealthy air emissions from mining activity,
- (viii) prevent the industrialization of agricultural, open space and residential communities,
- (ix) minimize road and bridge damage from high-volume and heavy truck traffic hauling industrial minerals, and
- (x) minimize land use conflicts.

Goodhue County Mineral Extraction ARTICLE 14: Mineral Extraction, Section 1

PURPOSE:

Subd. 1 Identify areas in County where mineral extraction is most appropriate and minimize conflict with other land uses

Subd. 3 Establish standards that prevent or minimize environmental and aesthetic impacts on extracted properties, adjacent properties and the County as a whole.



Recreation, Aesthetic and Community Amenities



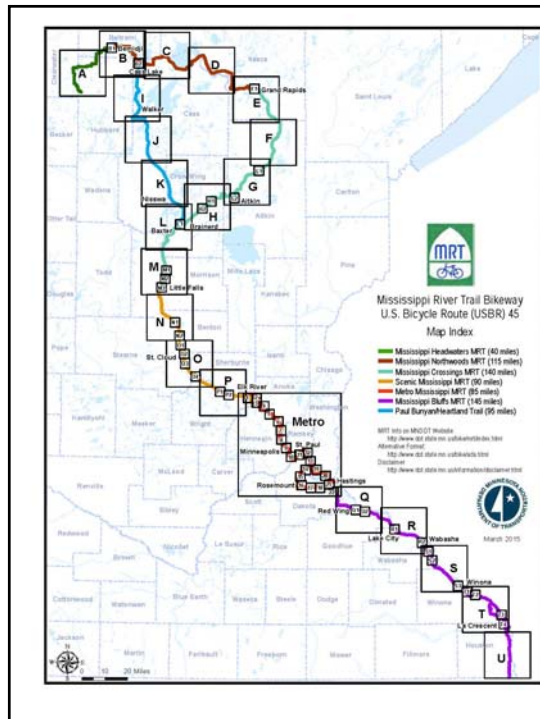
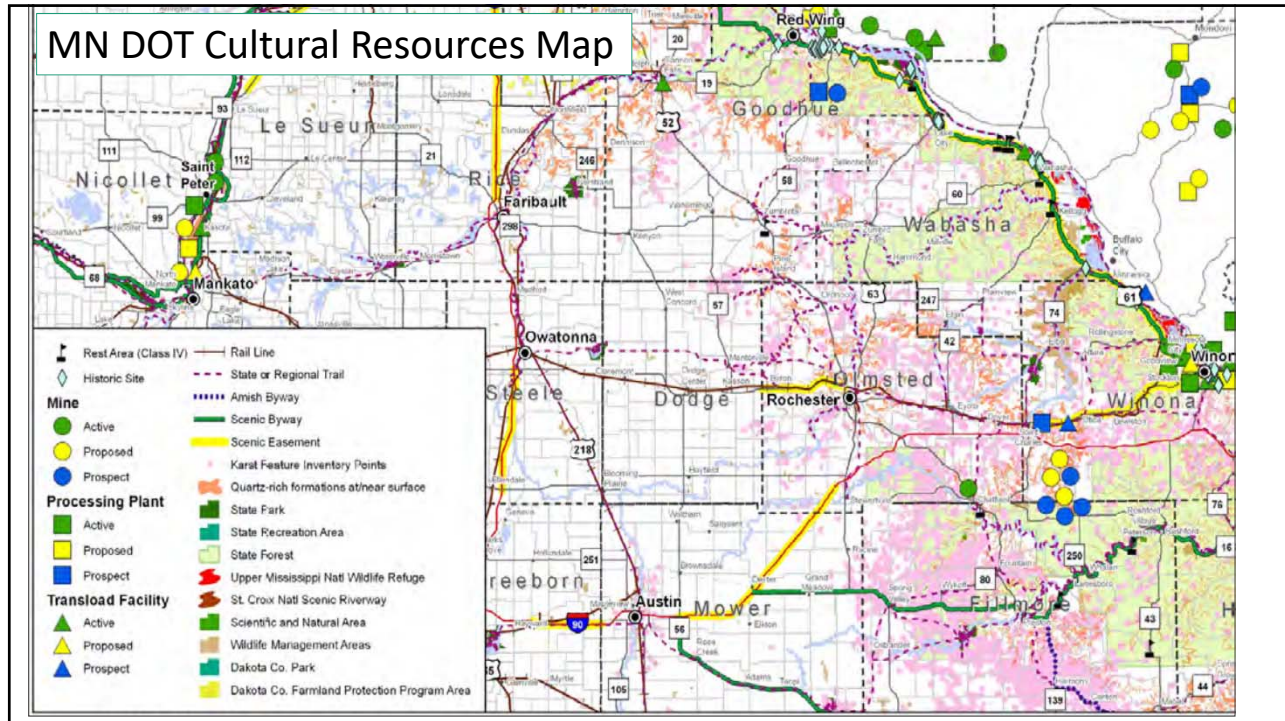
Florence Township Comprehensive Plan HIGHWAY 61 CORRIDOR AND TRANSPORTATION

Goals and Priorities

- A. To assure Florence Township influence in Highway 61 corridor site plans, rail and highway development decisions.

Strategies for Achieving Goals and Priorities

5. Assure that site development along Highway 61 corridor is compatible with Florence Township comprehensive land use plan.
6. Discourage, deter, and prohibit site development along Highway 61 corridor that is incompatible with Florence Township comprehensive land use plan.
- 7. Discourage, deter, and prohibit development of any industrial facilities and activity along Highway 61 corridor, including manufacturing, processing, transportation and mining.**
10. Develop strategies for preventing excessive high volume, heavy truck traffic...

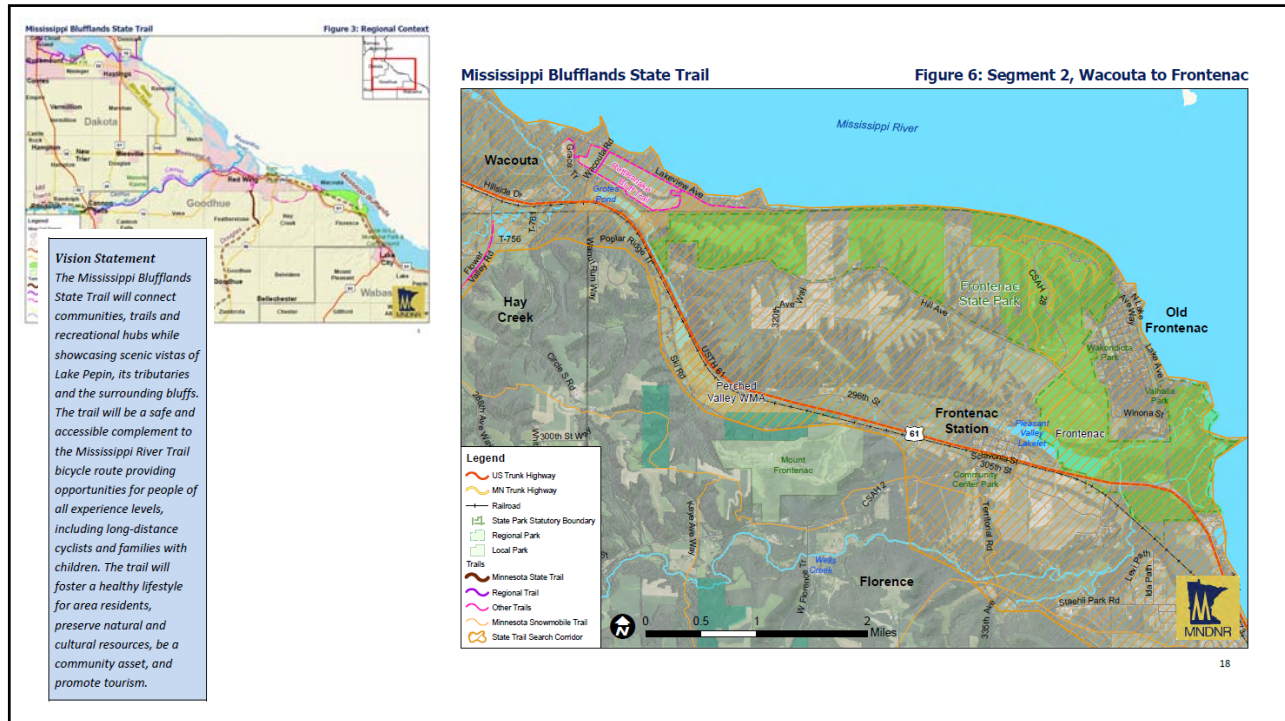


The Mississippi River Trail:
 Bringing bicyclists to America's river one partnership at a time

2012 Pro Walk Pro Bike Conference
 Liz Walton, Darrah Griley, and Susan Overson

The MRT runs on the shoulder of Highway 61 down the Hiawatha River Valley, with planned additional byways.



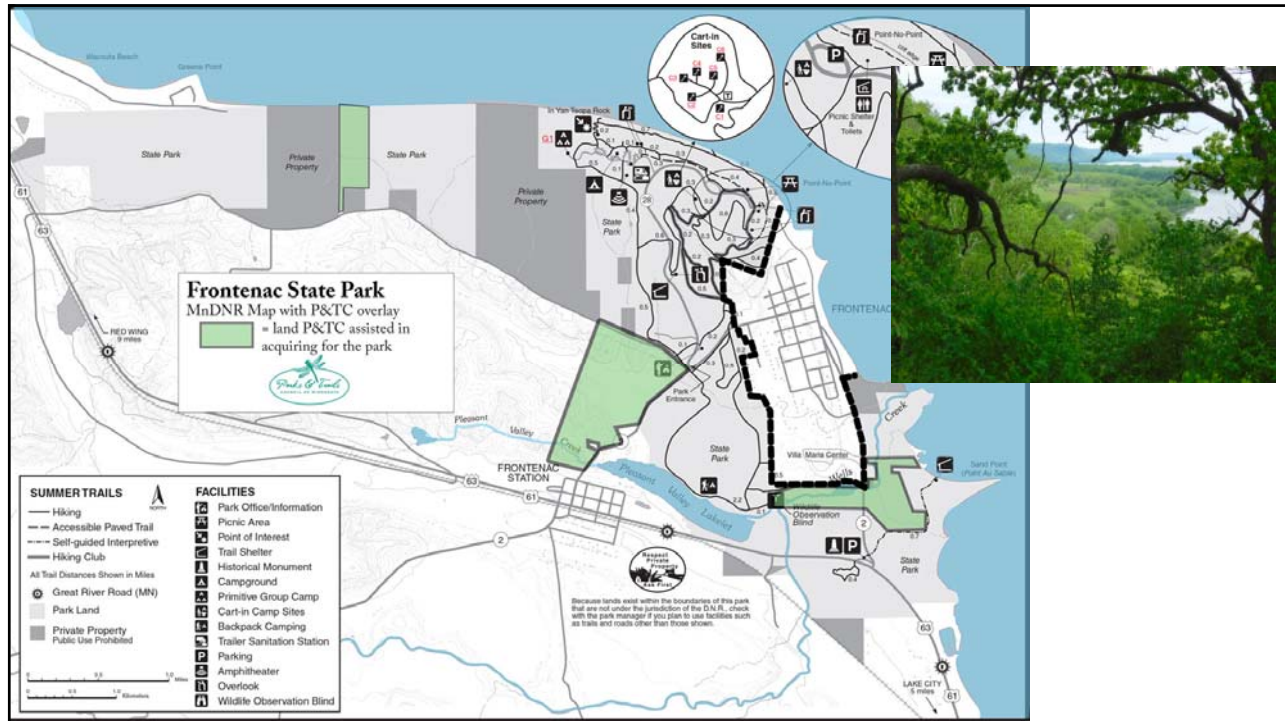


CORRIDOR
MANAGEMENT PLAN

MetroQuest Round 1 Survey Summary

In order to broaden the geographic extent of outreach for the Great River Road Corridor Management Plan, an interactive online survey was available from July 15, 2014 to October 15, 2014...It included ...opportunities to provide feedback on Great River Road themes, places, and stories. A total of 307 people took the survey.

Top Places: Cuyuna ▪ Fort Snelling ▪ French Rapids ▪ Frontenac ▪ Headwaters ▪ Lake Pepin ▪ Minnehaha Falls ▪ National Eagle Center ▪ Stone Arch Bridge ▪ Upper Mississippi River National Wildlife and Fish Refuge



Goodhue County Bluff Land Protection

SECTION 1. INTENT AND PURPOSE

Goodhue County recognizes the historic and economic values of the bluffs that line the many rivers and valleys of the County. These standards set out to protect and preserve the sensitive physical features of the bluffs by regulating development, preventing erosion and controlling the cutting timber on the slopes and tops of the bluffs.

Goodhue County Land Use Management

Goodhue County Government Center | 509 West Fifth Street | Red Wing, Minnesota 55066

Lisa M. Hanni, L.S. Director

Building | Planning | Zoning
Telephone: 651.385.3104
Fax: 651.385.3106



County Surveyor / Recorder

Environmental Health | Land Surveying | GIS
Telephone: 651.385.3223
Fax: 651.385.3098

To: Planning Commission
From: Land Use Management
Meeting Date: June 18, 2018
Report date: June 8, 2018

PUBLIC HEARINGS: Request for Map Amendment (Rezone)

Request for map amendment submitted by David Lorentz to rezone 11.35 acres from A2 (Agriculture District) to R1 (Suburban Residence District). Parcel 41.014.1500. 4900 Scout Ridge RD Cannon Falls, MN 55009. Part of the SE ¼ of the NE¼ in Sect 14 Twp 112 Range 18 in Stanton Township.

Application Information:

Applicant(s): David Lorenz
Address of zoning request: 4900 Scout Ridge Rd, Cannon Falls
Parcel: 41-014-1500
Abbreviated Legal Description: Part of the NE ¼ of the SE ¼ of Section 14, T112N, R18W
Township Information: Stanton Township endorsed acknowledgement of the Applicant's request.
Zoning District: A2 (Agricultural District)

Attachments and links:

Application and Project Summary
Site Map(s)

Goodhue County Zoning Ordinance: <http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

Background:

1. Access to the Parcel(s):

MnDot Access: Mr. Lorenz is in the process of acquiring a new access from MnDot directly from Hwy 19 to the property. A MnDot driveway permit must be issued prior to any building permit request for a new dwelling. If the property is split, all subsequent parcels need to use the same access driveway.

2. Existing uses:

Health and Wellness Center (Center): The property currently has an IUP for a Health and Wellness Center on the site from 2014. One of the conditions of the IUP is that the "Permit shall terminate upon sale of the property." An email from Mr. Lorenz dated June 28, 2017 states "We plan to terminate the conditional use permit for the business on the property and close the business 30 days from the approval or sooner if needed."

Nursery: It is our understanding that the Nursery business has been discontinued.

Dwelling site: In 2013 Mr. Lorenz received a variance from the County for another dwelling site in the already full Quarter/Quarter of the Section. He indicated a location for the dwelling in the northwest corner of his property.

3. Additional Building sites: Goodhue County's R1 zone allows for a minimum lot size of 20,000 square feet, however, you will need enough area for the two septic

systems (SSTS) so realistically the minimum is determined by the size of potential buildings and the location of two SSTS sites, along with meeting setbacks such as sidelines, well, and road setbacks. It is also our understanding that Stanton Township has a minimum lot size of 5 acres, in which case there would only be two building sites if the property is split.

4. **Plat:** If Mr. Lorenz is successful in changing the zone to R1 and later decides to split the property, a plat will be required which will need Township approval.

Staff recommendation is based on the review of the submitted application and project area prior to the public hearing.

Staff Recommendation:

LUM Staff recommends the Planning Advisory Commission

- adopt the staff report into the record;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

Recommend that the County Board of Commissioners **APPROVE** the map amendment request from David Lorentz to rezone 11.35 acres from A2 (Agriculture District) to R1 (Suburban Residence District). Parcel 41.014.1500. 4900 Scout Ridge RD Cannon Falls, MN 55009. Part of the SE ¼ of the NE¼ in Sect 14 Twp 112 Range 18 in Stanton Township.

Goodhue County Land Use Management

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Lisa M. Hanni, L.S. Director

Building | Planning | Zoning
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 Fax: 651.385.3106



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Project Review per Article 3, Section 2, Subd. 5-10:

- Subd. 5
- A. The names and addresses of the petitioner or petitioners and their signatures to the petition. **See application**
 - B. Survey information: **See application**
 - C. The current and proposed district: **A2 to R1**
 - D. The current use and the proposed use of the land. **The current use of the land is a nursery and health fitness center. The proposed use is to eliminate the nursery and fitness center, and create 2 dwelling sites.**
 - E. The reason for the requested change of zoning district. **The applicant has one approved dwelling site in the northwest corner of the property which will be split into another parcel; they would like to use the existing buildings as an additional dwelling site location.**
 - F. A copy of the soil map showing the soils types within the proposed boundary and the surrounding area. **The applicant has submitted this information.**
 - G. Prime Farmland Rating of the soil types in F.
 - The Prime Farmland Rating for Agriculture is as follows:

<i>Soil Name</i>	<i>Slope</i>	<i>Amount (acres)</i>	<i>% of Total</i>	<i>Prime Farmland Rating</i>
Sparta Loamy Sand	6-12%	3.9	39.6%	Not Prime Farmland
Estherville-Ridgeport	0-6%	0.19	1.9%	Farmland of Statewide Importance
Waukegan Silt Loam	0-2%	1.72	17.1%	Prime Farmland
Rasset Sandy Loam	6-12%	0.44	4.5%	Farmland of Statewide Importance
Ridgeton-Eden Prairie	12-20%	0.01	0.1%	Not Prime Farmland
Hawick Sandy Loam	18-45%	2.37	24.0%	Not Prime Farmland
Dakota Silt Loam	0-3%	1.27	12.8%	Prime Farmland

- H. A statement of how the requested change is compatible with the Goodhue County Comprehensive Plan including but not limited to the following:
 - 1. The environmental impacts of the proposed use of land on the:
 - a. Groundwater
 - b. natural plant and animal communities
 - c. existing trees and vegetation
 - d. bluffland stability
 - e. shoreland stability

This area already has been granted 2 additional variances to add to the 1/4/1/4 for additional dwelling sites (including one on this site). The parcel is within 1 mile of the west side of Cannon Falls. An additional dwelling would need to be in compliance with SSTS regulations, Setbacks, and Shoreland regulations. The northerly portion of the property is in shoreland, and the north property line is approximately 600 feet south of the shoreline of Lake Byllesby.

2. The compatibility with surrounding land uses

There are 11 dwellings within 1000 feet of the property. The surrounding zoning is A2; A3 zoning is approximately 600 feet to the east.

There is an existing CUP and IUP on the property that would not be allowed in an R1 zoning district and the applicants have agreed to eliminate those uses if they are successful in rezoning to R1. The County has recently rezoned a number of parcels in Section 13 to R1 due to their residential uses and lot sizes.

3. The physical and visual impacts on any scenic or historic amenities within or surrounding the proposed parcel.

We do not indicate any historic amenities in the immediate vicinity except the historic Byllesby dam which is not visible from the parcel.

Subd. 6 The housing density of the affected Section

There are 7 dwellings in the SE1/4, with another 4 within 1000 feet north and east of the property.

Subd. 7 The impact on any surrounding agricultural uses

This property is not being farmed; there are crop farming activities to the south and across Hwy 19, but the change of zone is not expected to impact those operations.

Subd. 8 The impact on the existing transportation infrastructure

The access to the property needs to be worked out with MnDot prior to any building permits being issued.

Subd. 9 The impact on surrounding zoning districts

The property is currently zoned A2. The area near the parcel has a number of dwellings, partially wooded and farmed. We do not see a negative impact to changing the zone as long as the dwelling density does not exceed a total of 2 dwellings on the parcel or subsequent splits.

Subd. 10 A statement concerning the cumulative effect and compatibility of the requested zoning change on the affected Township and any cities located within 2 miles of the proposed parcel.

Adding an additional dwelling site in this location does not appear to have negative effects on the surrounding area or Cannon Falls.

Subd. 11. Additional information as may be requested by the Planning Commission or zoning staff.

Planning Advisory Commission

Public Hearing
June 18, 2018

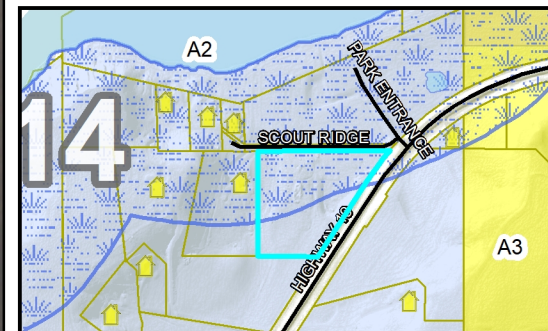
David Lorentz
4900 Scout Ridge RD
Cannon Falls, MN 55009
A2 Zoned District

Parcel # 41.014.1500
SE ¼ NE¼ Sect 14
Twp 112 R18 in
Stanton Township

Map amendemtn request
to rezone 11.35 acres
from A2 to R1

Legend

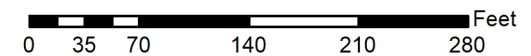
Intermittent Streams	Bluff Impact Zones (% slope) 20
Protected Streams	Bluff Impact Zones (% slope) 30
Lakes & Other Water Bodies	FEMA Flood Zones
Shoreland	2% Annual Chance
Historic Districts	A
Parcels	AE
Registered Feedlots	AO
Dwellings	X
Municipalities	



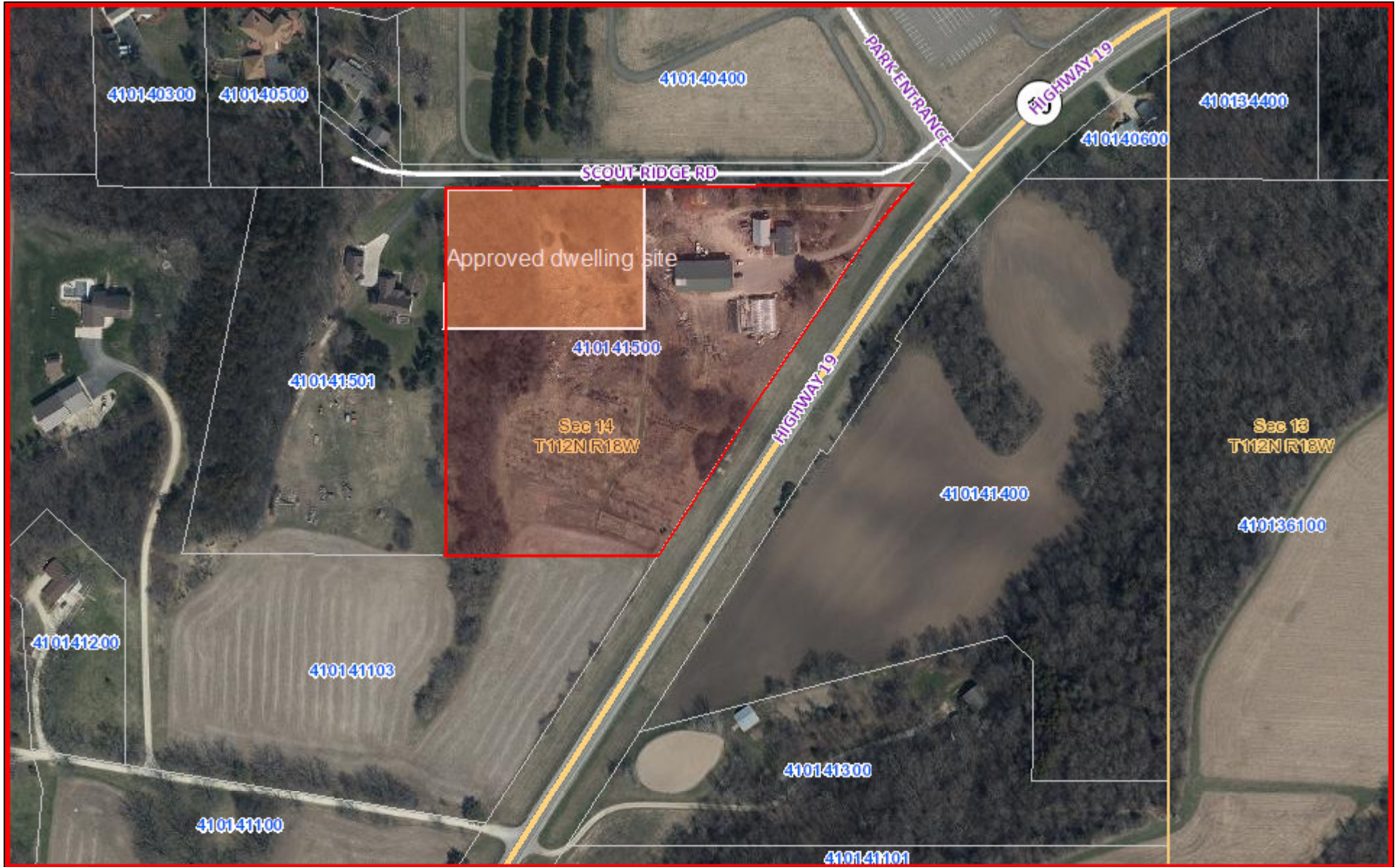
DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2018.

2016 Aerial Imagery

Map Created June, 2018, Ryan Bechel



Lorentz 41-014-1500



April 4, 2018

Search Results: Search by PIN

Override 1

PIN

GoodhueCo_PLSS

Roads 9,600

Township or Other Roads

Major Roads 4,800

US Highway

State Highway

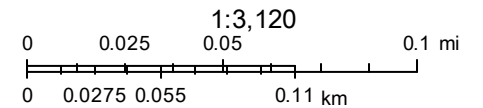
County Roads 4,800

County Roads - Gravel

County Roads - Paved

Roads 4,800

Township or Other Roads



Goodhue County

218-0028

MAP Amendment

SS03 RECEIPT 15876 DATE 5.10.18

RECEIVED

MAY 10 2018

APPLICATION FOR

Map Amendment

Land Use Management

Applicant Information

APPLICANT OR AUTHORIZED AGENT'S NAME

David Lorentz

APPLICANT'S ADDRESS

18119 310th St Way
Red Wing, MN
55066

TELEPHONE

EMAIL

CONTACT FOR PROJECT INFORMATION:

same

ADDRESS:

TELEPHONE:

Same as Above

()

EMAIL

- Map Amendment - Parcel: 41-014-1500 Current District: AZ Requested District: R1
- Parcel: _____ Current District: _____ Requested District: _____
- Parcel: _____ Current District: _____ Requested District: _____
- Parcel: _____ Current District: _____ Requested District: _____
- Parcel: _____ Current District: _____ Requested District: _____

1. Stated reason for map amendment(s) requested:

discontinuing business use/commercial use and making it residential

2. Proposed future use(s) of the property to be rezoned:

residential

3. Compatibility of the proposed zoning district with existing land uses in the area:

area has similar residential lot sizes

4. Provide any additional information that will assist the Planning Advisory Commission and the County Board in reviewing your request:

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

1. The information presented is true and correct to the best of my knowledge.
2. If I am unable to be present at the meeting where my request is decided, I agree to accept the Notice of Decision by certified USPS.
3. Other information or applications may be required.

Signature: David Lorentz

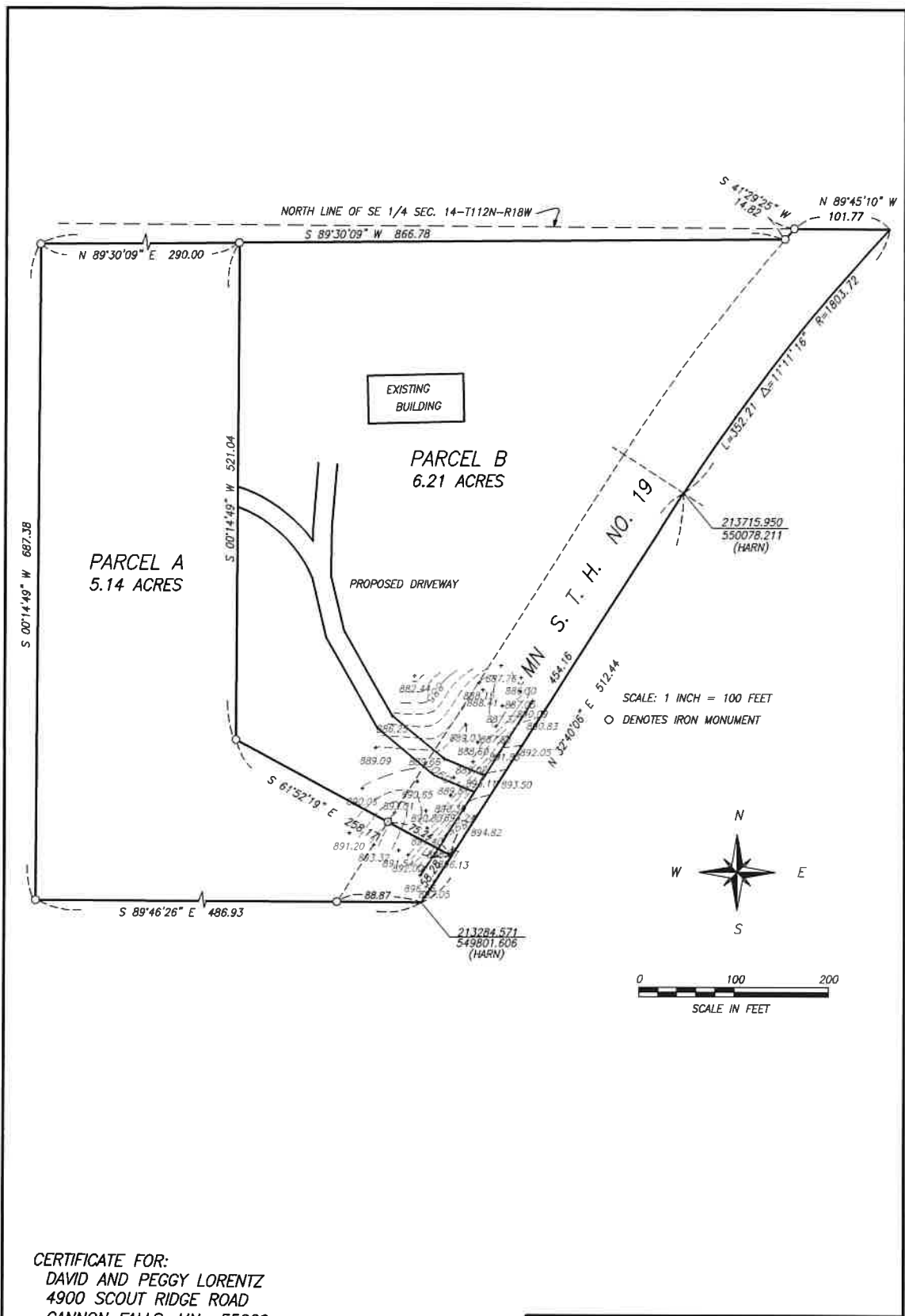
Date: 5-9-18

Print name: David Lorentz

owner or authorized agent

Cheryl A. Peters

5-10-18 - Stanton Township clerk.



CERTIFICATE FOR:
 DAVID AND PEGGY LORENTZ
 4900 SCOUT RIDGE ROAD
 CANNON FALLS, MN 55009

I hereby certify that this survey, plan 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.

MAY 24, 2018
 Dated: David D. Rapp
 David G. Rapp
 Minnesota Registration No. 22044

RAPP LAND SURVEYING, INC.
 45967 HIGHWAY 56 BLVD
 KENYON, MN 55946
 612-532-1263

DRAWN BY: DGR	DATE: 5-24-18	PROJECT NO. D17113DW
SCALE: 1"=100'	SHEET 1 of 1 sheet	BOOK/PAGE 39/11

Goodhue County Land Use Management

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Fax: 651.385.3106



County Surveyor / Recorder

Environmental Health | Land Surveying | GIS
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Fax: 651.385.3098

To: Tracy Schnell, MnDot
David Lorentz
From: Land Use Management
Date: May 9, 2018

RE: David Lorentz property
4900 Scout Ridge Road
Cannon Falls, MN 55009

Tracy,

I met with Mr. Lorentz and he is in the process of applying for a change of zone from the A2 District to the R1 District. Our Planning Commission (PAC) meeting date is June 18, 2018.

Attached is a preliminary copy of the project review that will be part of our packet for the PAC. It is our understanding that Mr. Lorentz has discontinued the nursery and will agree to discontinue the Health Fitness center on the property if he is approved for the zoning change to R1. He will plat the property at a later date into two residential parcels. As you recall, he has received a variance for one dwelling on the current parcel.

Mr. Lorentz has agreed that if MnDot allows him an access directly from Highway 19 (he will provide a survey and information about the proposed location), he will discontinue use of the existing access from the County Park and the neighbors properties. He has also agreed that when he divides the parcel into two lots through the platting process, both parcels will share the one driveway access from Highway 19.

It is our understanding that by keeping the parcel(s) residential in nature, Mr. Lorentz will not be required to build a turn lane nor a by-pass lane.

I understand your review process may take some time, however, we would like to have some indication of your decision to issue him a permit before our PAC meeting.

Let me know if you have any questions.

Sincerely,



Lisa M. Hanni, L.S.

Land Use Management Director/County Surveyor/County Recorder

Soil Map—Goodhue County, Minnesota
(Lorentz Soils)



Map Scale: 1:2,040 if printed on A landscape (11" x 8.5") sheet.

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
M520C2	Rasset sandy loam, 6 to 12 percent slopes, moderately eroded	1.4	11.1%
M534B	Estherville-Ridgeport complex, 0 to 6 percent slopes	0.6	5.2%
M538A	Waukegan silt loam, 0 to 2 percent slopes	2.0	15.9%
N579A	Dakota silt loam, 0 to 3 percent slopes	1.4	11.6%
N586D2	Ridgeton, sandy substratum-Eden Prairie complex, 12 to 20 percent slopes, moderately eroded	0.1	0.8%
N593C	Sparta loamy sand, 6 to 12 percent slopes	4.3	34.5%
N609E	Hawick sandy loam, 18 to 45 percent slopes	2.6	20.9%
Totals for Area of Interest		12.4	100.0%

Goodhue County Land Use Management

Goodhue County Government Center | 509 West Fifth Street | Red Wing, Minnesota 55066

Lisa M. Hanni, L.S. Director

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Fax: 651.385.3106



County Surveyor / Recorder

Environmental Health | Land Surveying | GIS
Telephone: 651.385.3223
Fax: 651.385.3098

To: Planning Advisory Commission
From: Land Use Management
Meeting Date: June 18, 2018
Report date: June 8, 2018

PUBLIC HEARING: IUP for a Tier-3 Home Business

Request for an Interim Use Permit (IUP) submitted by Steve Jacobsen (Cannon Custom Cabinets) to reestablish a home-based cabinetry business destroyed by fire. Located at 30700 Oxford Mill RD Cannon Falls, MN 55009. Parcel 41.013.5501. Part of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ in Sect 13 Twp 112 Range 18 in Stanton Township. A3 Zoned District.

Application Information:

Applicant: Steve Jacobsen

Address of zoning request: 30700 Oxford Mill RD Cannon Falls, MN 55009

Parcel(s): 41.013.5501

Abbreviated Legal Description: Part of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ in Sect 13 Twp 112 Range 18 in Stanton Township.

Township Information: Stanton Township endorsed acknowledgement of the Applicant's request.

Zoning District: A3 (Urban Fringe District)

Attachments and links:

Application and submitted project summary

Site Map(s)

Submitted Comments

Goodhue County Zoning Ordinance (GCZO):

<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

Summary:

The applicant (Steve Jacobsen) has operated Cannon Custom Cabinets at his residence since 2001. The business designs, builds, and installs cabinets for new construction and remodel projects. The applicant is requesting an IUP for a "Tier-3" Home Business to reestablish his commercial cabinetry business that was destroyed by fire earlier this year.

Tier-3 Home Businesses are required to receive IUP's in A3 Zoned Districts when employing 3 or more non-resident employees or when activities are conducted in a detached accessory structure greater than 3400 square feet in gross floor area.

Project Summary:

Property / Building Information:

- The subject property is the applicant's primary residence and consists of a single parcel comprising approximately 5.63 acres. *Per GCZO Article 11, Section 12 the minimum lot size for a Tier-3 Home Businesses is 5 acres.*
- The property is bordered by R-1 zoning districts to the north and south; A3 to the east and west. Adjacent land uses include undeveloped woodlands to the north and east, medium-density residential to the south (Woodland Heights Addition), and low-density residential/agricultural land to the west.
- The applicant intends to construct a 3426 square foot stick-built detached accessory building for the business. The main part of the "L-shaped" structure will measure 30ft x 72ft with an

approximately 30ft x 36ft extension.

The applicant has proposed a 186 square foot “tuck under” lower level beneath the 30ft x 36ft extension to accommodate cold storage for personal items (lawn care equipment etc.)

A building permit will need to be approved by the Goodhue County Building Permits Department prior to construction of the facility.

Per GCZO Article 11, Section 12 a Tier-3 Home Business may occupy no more than 7,200 square feet of gross floor area.

- A restroom will be available for employees within the proposed facility. An existing septic system used exclusively for the business provides wastewater treatment for the facility. The system was not damaged by the fire.

Sanitary system compliance will be reviewed by the Goodhue County Environmental Health Department in conjunction with a request for building permit approval.

- Solid waste disposal services are provided by a local professional business.
- There is no exterior signage associated with the business on the property. No exterior signage is proposed with this application.
- An exterior flood-light provides exterior lighting for the structure’s main front entrance. The light will be directed toward the applicant’s existing dwelling and will be shielded from neighboring properties by the proposed structure.
- No exterior storage of business related materials is proposed.
- Noise, dust, odors, or fumes are generated as a result of the cabinet making process will be confined within the proposed structure.
- Parcel access is located off of Oxford Mill Road on the west side of the property. Oxford Mill Road is an asphalt-surfaced roadway. Adequate emergency vehicle access is available to service the facility.

Business Information:

- The main activity on-site is cabinet fabrication, which also includes the loading and off-loading of materials and finished products onto trucks and trailers.
- Deliveries will be loaded and off-loaded on site near the applicant’s proposed building. An average of 2-3 deliveries are anticipated per week. Weekly shipment quantities may fluctuate with demand.
- Primary hours of operation are proposed to be year-round, Monday through Friday from 7:00 AM to 5:30 PM. The business occasionally operates on Saturdays and Sundays to meet demand.
- The applicant employs 3 full-time and 2 part-time Non-resident Employees. *A maximum of 10 non-resident employees is allowed for Tier-3 Home Businesses.*
- Typical equipment utilized for the business includes woodworking equipment (saws, planers, power tools, hand tools, etc.), truck, and trailer.
- No traffic beyond that which is reasonable for the local transportation network is anticipated to be generated.
- No on-site retail or wholesale activities are proposed.
- The applicant has an asphalt paved “u-shaped” driveway as well as additional concrete-surfaced areas to accommodate parking needs. *Pursuant to GCZO Article 11, Section 16 minimum off-street parking provisions shall be one parking space for every 500 square feet of floor area. A minimum of 7 off-street parking spaces is required for this facility.*

Ample room exists on the property to fulfill parking requirements.

- Goodhue County has not received any official complaints regarding the applicant’s business operations since it began operating in 2001.

- The Stanton Township Planning Commission will review the applicant's request on 6/12/18. The Stanton Township Board will make a final decision regarding the proposal on 6/19/18.

Draft Findings of Fact:

The following staff findings shall be amended to reflect concerns conveyed during the PAC meeting and public hearing.

1. The proposed Home Business does not appear injurious to the use and enjoyment of properties in the immediate vicinity for uses already permitted, nor would it substantially diminish and impair property values in the immediate vicinity. The use has been established and operating since 2001 without any record of conflicts with existing residential uses in the area.
2. The establishment of the proposed Home Business is not anticipated to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. The use is proposed to meet all development standards of the Goodhue County Zoning Ordinance and the majority of the business operations will be confined within the proposed structure. The use as proposed appears compatible with existing adjacent land uses.
3. A review of the applicants submitted project summary indicates adequate utilities, access roads, drainage and other necessary facilities are available to accommodate the proposed use.
4. The submitted plans identify means to provide sufficient off-street parking and loading space to serve the proposed use and meet the Goodhue County Zoning Ordinance's parking requirements.
5. The Home Business will be conducted primarily within the proposed structure to prevent and control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance. Furthermore, the applicant's lighting plans appear capable of controlling lights in such a manner that no disturbance to neighboring properties will result.

Staff recommendation is based on the review of the submitted application and project area prior to the public hearing.

Staff Recommendation:

LUM Staff recommends the Planning Advisory Commission

- adopt the staff report into the record;
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

Recommend that the County Board of Commissioners **APPROVE** the request from Steve Jacobsen for an IUP to reestablish a Tier-3 Home Business.

Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this IUP;
2. Primary hours of operation shall be Monday through Friday, 7:00 AM to 5:30 PM; Saturday and Sundays from 7:00 AM to 5:30 PM on occasion;
3. On-street parking shall be prohibited;
4. On-street loading or off-loading shall be prohibited;
5. Applicant shall obtain Building Permit approvals for the proposed structure from the Goodhue County Building Permits Department prior to establishing the use;
6. Applicant shall work with Goodhue County Environmental Health to achieve compliance with the Goodhue County SSTS Ordinance;
7. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
8. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 11, Section 12, Home Businesses and Article 23 A3, Urban Fringe District.

Planning Advisory Commission

Public Hearing
June 18, 2018

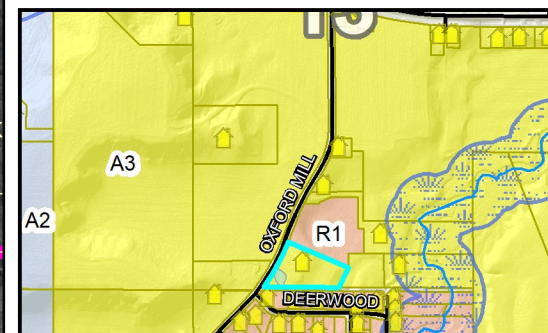
Steve Jacobsen
A3 Zoned District

Parcel # 41.013.5501
SW ¼ of SE ¼ & SE ¼ of
SW ¼ in Sect 13
Twp 112 Range 18 in
Stanton Township

IUP request for Tier-3
Home Business
(Custom Cabinetry)

Legend

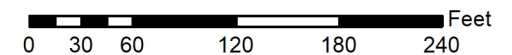
Intermittent Streams	Bluff Impact Zones (% slope)
Protected Streams	20
Lakes & Other Water Bodies	30
Shoreland	FEMA Flood Zones
Historic Districts	2% Annual Chance
Parcels	A
Registered Feedlots	AE
Dwellings	AO
Municipalities	X



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Map Created June, 2018, Ryan Bechel



GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

RECEIVED

Parcel # 41-013-5501

MAY 21 2018

Permit# Z18-0030

PROPERTY OWNER INFORMATION

Last Name <u>Jacobsen</u>		Land Use Management First <u>Steve</u>		Email: _____
Street Address <u>30700 Oxford Mill Rd</u>				Phone _____
City <u>Cannon Falls</u>	State <u>MN</u>	Zip <u>55009</u>	Attach Legal Description as Exhibit "A" <input checked="" type="checkbox"/>	
Authorized Agent _____		Phone _____		
Mailing Address of Landowner: <u>30700 Oxford Mill Rd Cannon Falls, MN 55009</u>				
Mailing Address of Agent: _____				

PROJECT INFORMATION

Site Address (if different than above): _____

Lot Size 5.67 AC Structure Dimensions (if applicable) 3426 SQFT

What is the conditional/interim use permit request for?
Cabinet Shop WITH 5 employees

Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized
SEE ATTACHED EXHIBIT "B"
THIS INCLUDES BACKGROUND INFORMATION

DISCLAIMER AND PROPERTY OWNER SIGNATURE

I hereby swear and affirm that the information supplied to Goodhue County Land Use Management Department is accurate and true. I acknowledge that this application is rendered invalid and void should the County determine that information supplied by me, the applicant in applying for this variance is inaccurate or untrue. I hereby give authorization for the above mentioned agent to represent me and my property in the above mentioned matter.

Signature of Landowner: Steve Jacobsen Date 5/7/18

Signature of Agent Authorized by Agent: _____

TOWNSHIP INFORMATION

Township Zoning Permit Attached? If no please have township complete below:

By signing this form, the Township acknowledges being made aware of the request stated above. In no way does signing this application indicate the Township's official approval or denial of the request.

Signature Cheryl A. Peters Title clerk Date 5-8-18

Comments: _____

COUNTY SECTION

COUNTY FEE \$350 RECEIPT # 16285 DATE PAID 5-21-18

Applicant requests a CUP/IUP pursuant to Article ____ Section ____ Subdivision ____ of the Goodhue County Zoning Ordinance

What is the formal wording of the request? _____

Shoreland _____ Lake/Stream Name _____ Zoning District _____

Date Received _____ Date of Public Hearing _____ DNR Notice _____ City Notice _____

Action Taken: ____ Approve ____ Deny Conditions: _____

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

PROJECT SUMMARY

Please provide answers to the following questions in the spaces below. If additional space is needed, you may provide an attached document.

1. Description of purpose and planned scope of operations (including retail/wholesale activities).

Custom Cabinet Shop. Designing, Building, delivering & Installing Cabinets for new & remodel projects. No Retail or Wholesale Activities

2. Planned use of existing buildings and proposed new structures associated with the proposal.

Building use to Build Cabinets, Park Truck & Trailer inside

3. Proposed number of non-resident employees.

3 Full Time & 2 Part Time Employees, We have been in business since 2001

4. Proposed hours of operation (time of day, days of the week, time of year) including special events not within the normal operating schedule.

Year Round Operations, M-F 7-5:30pm
Occasional Weekends

5. Planned maximum capacity/occupancy.

Maximum of 3 Full Time Employees & 2 Part Time Employees
Excluding myself

6. Traffic generation and congestion, loading and unloading areas, and site access.

All Employee parking is off street & All deliveries
2-3 deliveries /wk are done on the property site also

7. Off-street parking provisions (number of spaces, location, and surface materials).

Plenty of off street parking for the employees
Asphalt & Concrete driveway areas

8. Proposed solid waste disposal provisions.

Shop has an existing septic tank & drain field exclusively
for the shop. Its pumped on a regular schedule for the last 17 years

9. Proposed sanitary sewage disposal systems, potable water systems, and utility services.

Septic Tank, drain field, shared well with main house
Septic system maintained by LaRoche's in Fairbault who installed
the system in 2001

10. Existing and proposed exterior lighting.

EXTERIOR FLOOD LIGHT ON FRONT OF THE BUILDING ONLY
FRONT FACES MAIN HALL AND AWAY FROM NEIGHBORS

11. Existing and proposed exterior signage.

NO EXTERIOR SIGNAGE IS USED

12. Existing and proposed exterior storage.

NO EXTERIOR STORAGE IS ON PROPERTY

13. Proposed safety and security measures.

ALL EMPLOYEES ARE TRAINED ON THE VARIOUS EQUIPMENT
NO INJURIES OVER THE PAST 17 YEARS

14. Adequacy of accessibility for emergency services to the site.

WE HAVE EASY ACCESS OFF OXFORD MILL ROAD.
WE HAVE A CIRCLE DRIVEWAY (PAVED) FOR EASY ACCESS

15. Potential for generation of noise, odor, or dust and proposed mitigation measures.

ALL WORK IS PERFORMED DURING NORMAL BUSINESS HOURS M-F
WE HAVE NEVER HAD A COMPLAINT IN THE 17 YEARS OF OPERATIONS

16. Anticipated landscaping, grading, excavation, filling, and vegetation removal activities.

LANDSCAPE MULCH & SHRUBS WILL BE ON THE EXTERIOR
SIDES & BACK OF BLDG.

17. Existing and proposed surface-water drainage provisions.

LAND HAS A NATURAL GRADE, WE HAVE LIVED HERE FOR
22 YEARS WITH NO WATER ISSUES

18. Description of food and liquor preparation, serving, and handling provisions.

N/A

19. Provide any other such information you feel is essential to the review of your proposal.

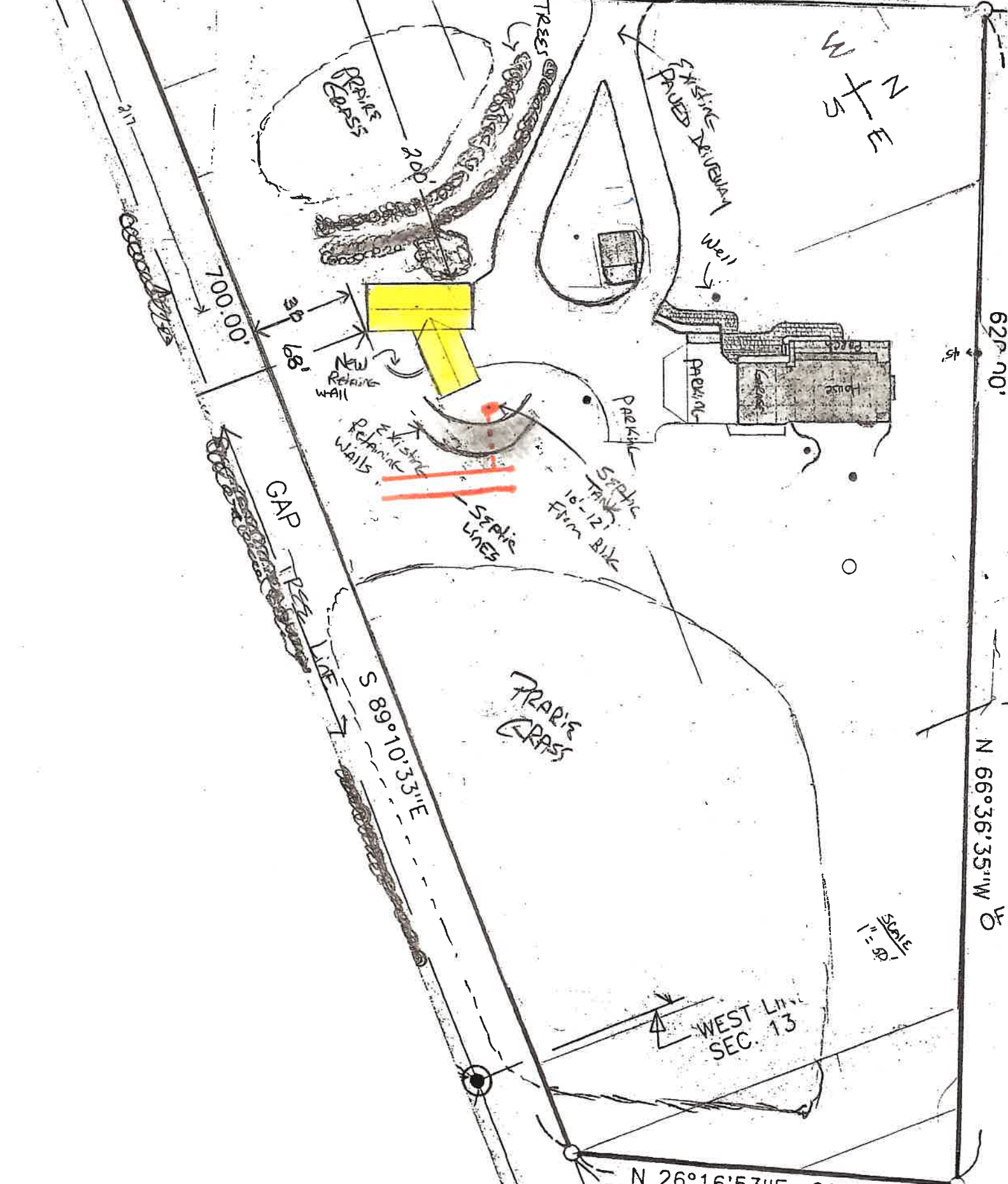
SEE EXHIBIT B

CENTERLINE AS TRAVELED
OXFORD Mill Road
S 29°40'28"W
AVENUE
S 22°59'00"W

24"E 33
43.06
130.1

33
33

N
E
S
W



622.00'

N 66°36'35"W 60

SCALE
1" = 50'

WEST LINE
SEC. 13

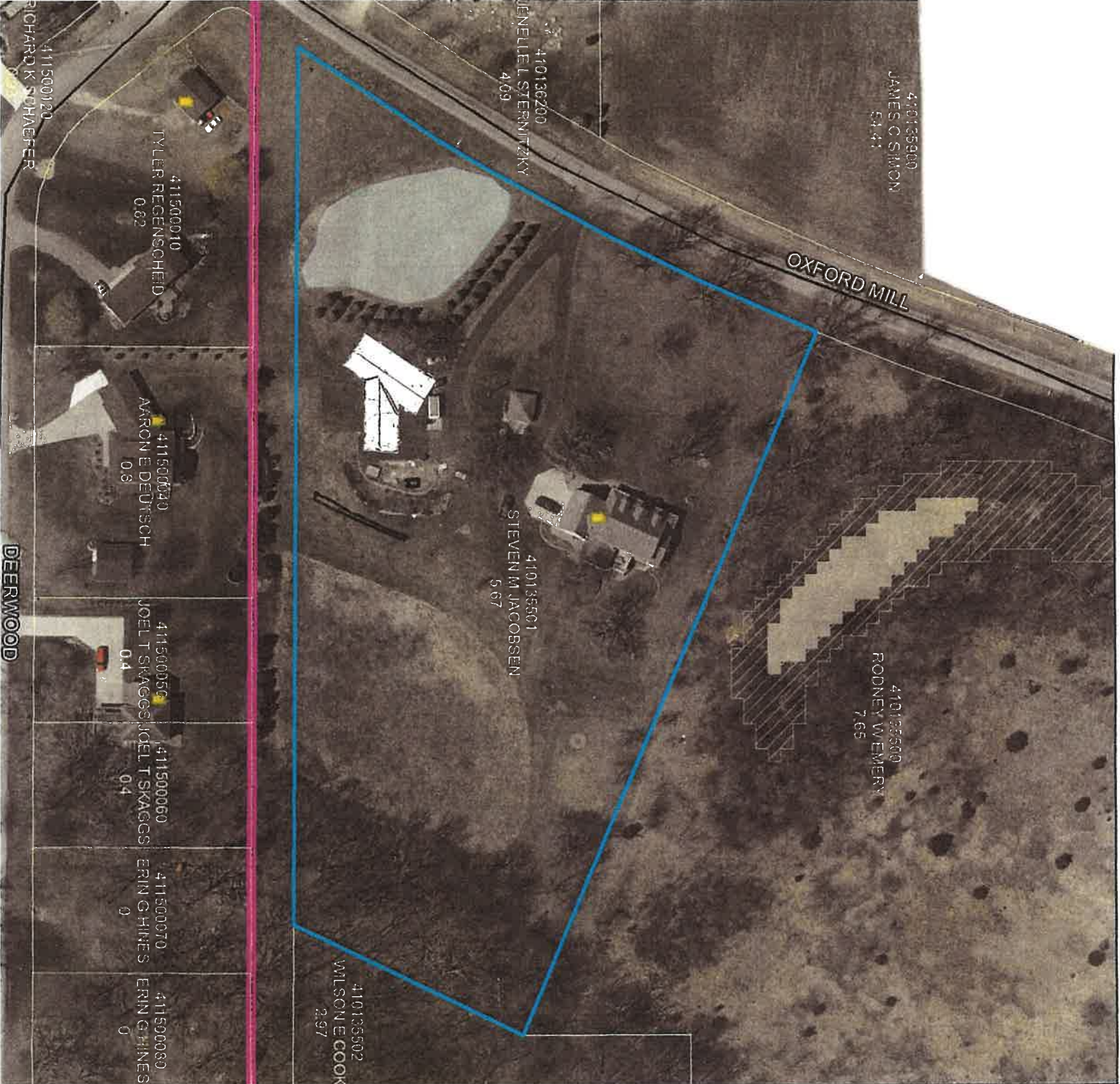
N 26°16'53"E 204.33'

SITE PLAN

INSTRUCTIONS

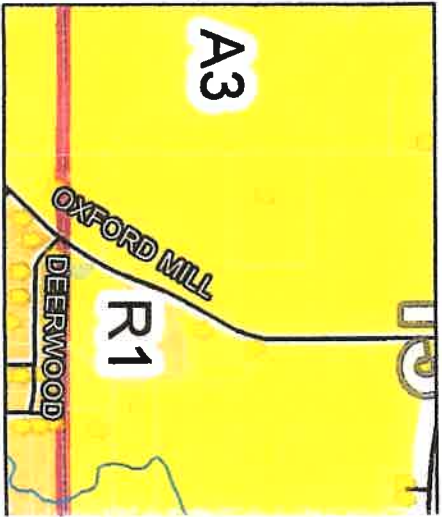
State the use of the property. Show the size, shape and location of structures with distance to property lines and location of ALL wells and septic systems.

292' = 12'



Legend

- | | |
|----------------------------|--------------------------|
| Intermittent Streams | Bluff Impact Zones (% s) |
| Protected Streams | 20 |
| Lakes & Other Water Bodies | 30 |
| Shoreland | FEMA Flood Zones |
| Historic Districts | 2% Annual Chanr |
| Parcels | A |
| Registered Feedlots | AE |
| Dwellings | AO |
| Municipalities | X |



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2016 Aerial Imagery



Date April 2018

Page 1 of 2

Building permit request
To replace the building that burned
March 29th, 2018

Steve and Kris Jacobsen
30700 Oxford Mill Rd
Cannon Falls, MN 55009

651.263.2782 mobile
507.263.0685 Fax

Property Id R41-013-5501
Acres 5.67

Legal description
Block 14 section 13 township 112 range 18
SW ¼ of SE 1/4

Zoned
Goodhue County A-3 Urban Fringe
Property Classification Residential Hmstd/Comm

Stanton Township R-1

Business Name
Cannon Custom Cabinets
Incorporated 2001

Original Accessory building constructed in 2001
Under permit 01-0041 issued 4-02-01
Burned down March, 29th 2018

Primary Business
Custom Cabinet shop.
Design, build, deliver, and install cabinetry for new and remodel projects.
Serving the southern metro and local communities for the past 17 years.

Considerations:
We do not use signage, either on the property or vehicles, and do not advertise.
100% of our business is word of mouth.
We do not have a showroom and no retail space.
We keep our property tidy and well maintained.

Most people are unaware that a cabinet shop even exists on our property.
We appreciate the overwhelming support of the vast majority of the neighborhood and community as a whole.

We have plenty of off street parking for our 3 full and 2 part time employees.

Hours general M-F 7AM-5:30PM

In 17 years of being in business on this site, we have never had a complaint regarding traffic, noise, odors, dust, lights ect.

Other Considerations

Located on Oxford Mill Rd, an extremely well traveled, non-posted speed road.

With estimated daily traffic of over 200 vehicles passing by.

The building is shielded by tree lines on 2 sides and sitting on 5.67 acres fits nicely into the setting.

The shop has its own septic tank and septic drain field separate from the house.

The well is shared by both the house and shop.

We exceed all required set backs also

With the exterior of the building matching the existing homes exterior.

We are requesting for a variance increasing the Square footage maximum of 2100 under the current R-1 township zoning to 3426 Sq Ft.

April 17, 2018

Dear Members of Stanton Township Board,

Our family has known Steve and Kris Jacobsen for the past 12 years as neighbors. When we first moved into the neighborhood, their family was among the very first to greet us and invite us to their home. From the first day we met them, they've remained great neighbors.

Steve and Kris are outstanding neighbors in that they are trustworthy, responsible, dependable, and courteous. They are also giving. They do not hesitate when a neighbor needs a helping hand.

Both, Steve and Kris are valuable members of our community. Kris, the Asst. Vice President at First Farmers and Merchants Bank has served several years in that setting. Steve is a skilled cabinet maker with extensive credentials and clientele. He has employed several young men who have grown in his leadership and have become professionals in nursing, the police force and other noteworthy careers. He has homes in our community in which he has restored to beauty and also rents properties.

The Jacobsen's are a couple with integrity and display this through their daily actions. The support they give to others is remarkable and honorable. It is only appropriate that we as a community surround them with our support as they suffer an insurmountable loss due to a recent fire destroying their livelihood as well as that of their employees.

It is only fitting that someone with as much integrity would suffer a loss, push forth in just a few short days, finding a way to make ends meet by use of a makeshift shop. All to rebuild and get clients their orders in a timely manner. Steve appears to put others before himself.

It is bothersome to us that someone would step in the way and take the opportunity to rebuild away. We understand that there are neighbors of Mr. Lerum who may have issue with the Jacobsen's use of the shop. It is our hope that the neighbors would come to know the circumstances, understand this is temporary and that it is assisting several families gain back a portion of their livelihood until full restoration can be accomplished in another location.

Please consider the character of the Jacobsen's and their dedication to our community as neighbors, and professionals who give back in many ways. It is our hope that they

will get continued use of the shop until they are able to move forward in their own setting whether it be days, weeks, or months.

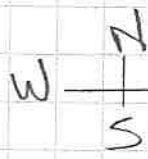
If you have further questions or comments and wish to speak to one of us, please call Stacie at 507-250-1129 or Scott at 507-279-1344.

Thank you in advance for your consideration of the temporary use of Mr. Lerum's shop on Stanton Trail for Steve and Kris Jacobsen's future.

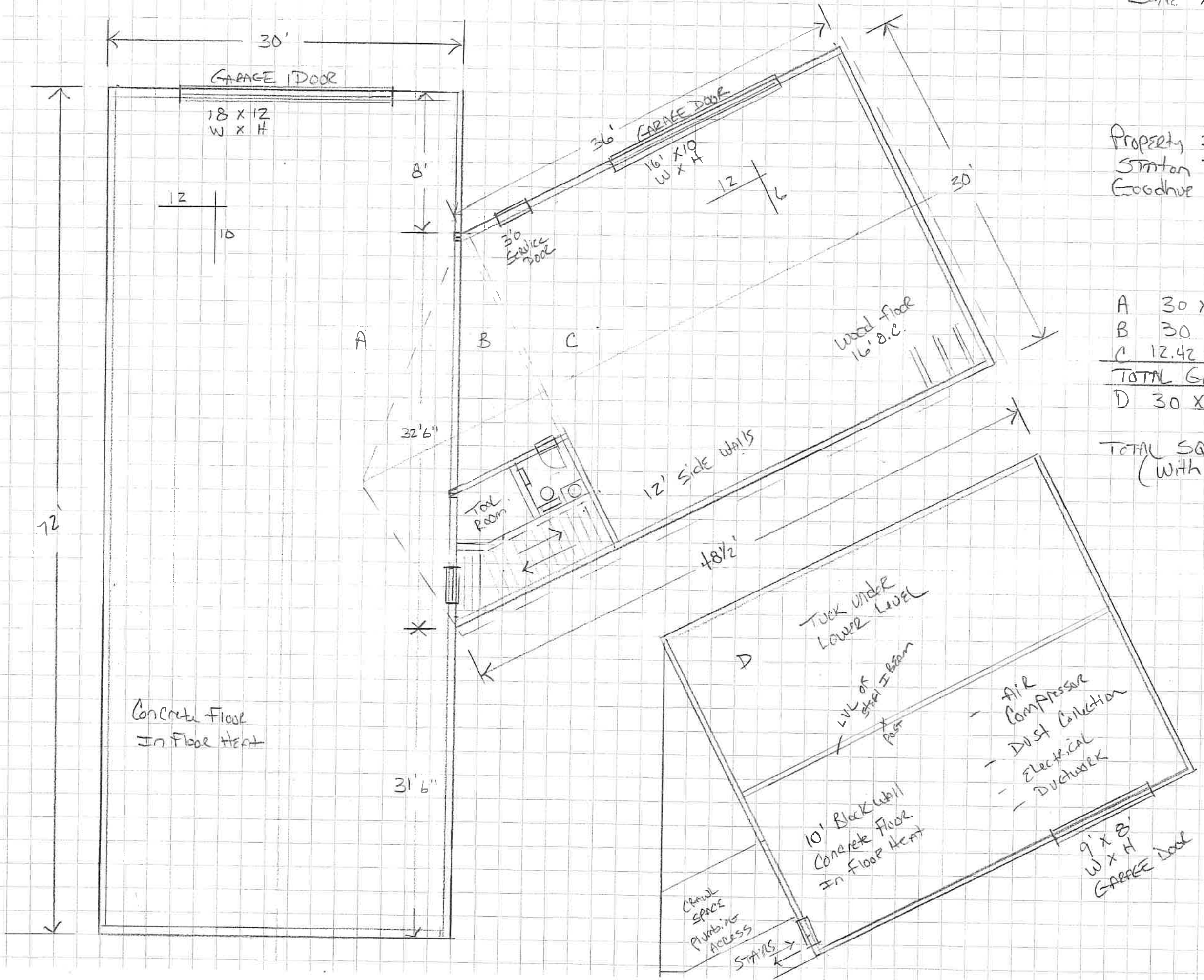
Respectfully,

A handwritten signature in cursive script, appearing to read "Stacie and Scott Banks", is written over a horizontal line. The signature is written in dark ink and is somewhat stylized.

Stacie and Scott Banks
5477 311th Street
Cannon Falls, MN 55009



Property ID 41-013
Stanton Township
Goodhue Cty



A $30 \times 72 = 2160$
 B $30 \times 36 = 1080$
 C $12.42 \times 30 = 372.6$
 TOTAL Ground Level 3612.6

D $30 \times 36 = 1080$
 TOTAL 50 FT (With Tuck Under) 45

Concrete Floor
In Floor Heat

31'6"

Tool Room

12' side walls

Tuck under
lower level

10' Black Wall
Concrete Floor
In Floor Heat

- Air Compressor
- Dust Collection
- Electrical Ductwork

9' x 8'
W x H
GARAGE DOOR

CRAWL SPACE
Plumber
Access

STAIRS

LVL of steel I beam
POST

wood floor
16' s.c.

30
service
door

36' GARAGE DOOR
16' x 10'
W x H

GARAGE DOOR

18 x 12
W x H

12
10

72

30'

8'

36'

30'

32'6"

18 1/2'

A

B

C

D

SCALE

12
10

30

FACES EAST

12
6

16"
O.H

12' TRAIL
2X6 WALLS

3/4" TRIP FLOORING

LOWER LEVEL
TUCK UNDER

4" CONC FLOOR

20X8"
FTG

FOAM

2X6 WALLS
17' TRAIL

12' X 18'
Garage door

10
6" BRICK

4" CONC FLOOR
HEATED FLOOR

40 - 12" BRK

FOAM

70 X 8
FTG

30'

Front
NORTH FACING

Goodhue County Land Use Management

Goodhue County Government Center | 509 West Fifth Street | Red Wing, Minnesota 55066

Lisa M. Hanni, L.S. Director



County Surveyor / Recorder

Building | Planning | Zoning
Telephone: 651.385.3104
Fax: 651.385.3106

Environmental Health | Land Surveying | GIS
Telephone: 651.385.3223
Fax: 651.385.3098

To: Planning Commission
From: Land Use Management
Meeting Date: June 18, 2018
Report date: June 8, 2018

PUBLIC HEARING: Request for CUP for a Contractors Yard (Alfred Bear)

Request for CUP submitted by Alfred Bear (Bears Overhead Doors LLC) to establish a Contractors Yard for an in order to expand and existing Overhead Door business. 37509 County 4 Blvd, Goodhue, MN 55027. Parcel 33.023.0600. Part of the NW ¼ of the SW 1/4, Sect 33 Twp 111 Range 15W in Goodhue Township. A1 Zoned District.

Application Information:

Applicant: Alfred Bear
Address of zoning request: 37509 County 4 BLVD Goodhue, MN 55027
Parcel: 33.023.0600
Abbreviated Legal Description: Part of the NW ¼ of the SW 1/4, Sect 33 Twp 111 Range 15W in Goodhue Township. A1 Zoned District.
Township Information: Goodhue Township acknowledged the applicants' request and offered no comments to the County.
Zoning District: A1 (Agriculture Protection District)

Attachments and links:

Application and submitted project summary
Site Map(s)
Contractors Yard Performance Standards
Goodhue County Zoning Ordinance (GCZO):
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

Background:

The applicant (Alfred Bear) owns a 20-acre parcel located at 37509 County 4 Blvd in Section 23, Goodhue Township. Mr. Bear resides on the premises and has been operating an Overhead Garage Door business since the County approved a Conditional Use Permit to allow the business to operate in a building of up to 5520 square feet in March 2012.

Several months ago, Mr. Bear inquired about adding a 48 foot x 128 foot (6,144 sq. ft.) addition for cold storage related to his business. Under County provisions for Home Businesses Mr. Bear would have been limited to a maximum of 7,200 square feet. Combined with his existing building, the addition would exceed the allowable 7,200 square feet of space devoted to business use.

Provisions for Contractors Yards were added to the GCZO in April of 2018 in an effort to classify non-agriculturally dependent commercial and industrial uses, which may be compatible with the Agricultural Districts but are not appropriately categorized as a "Commercial and Industrial Uses Primarily Intended to Serve the Agricultural Community".

The GCZO defines a Contractors Yards as "a site used for storage, maintenance, and staging of vehicles, equipment, and materials related to contracting work in any of the building trades, landscaping, road building, sewer installation, transport and hauling, or similar professions in which work is principally conducted off-site." The Contractors Yard performance standards are attached to this report for reference.

Mr. Bear waited until the Contractors Yard provisions were in place and has now made application to seek approval for his business to operate as a Contractors Yard. Subject to approval of his Conditional Use Permit Application, this would allow him to construct the proposed 6,144 square foot addition to his existing building for cold storage space.

Goodhue County Zoning Ordinance: Article 4 Conditional/Interim Uses

No CUP/IUP shall be recommended by the County Planning Commission unless said Commission specifies facts in their findings for each case which establish the proposed CUP/IUP will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, will not substantially diminish and impair property values within the immediate vicinity, will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area, that adequate measures have been, or will be, taken to provide utilities, access roads, drainage and other necessary facilities, to provide sufficient off-street parking and loading space, to control offensive odor, fumes, dust, noise and vibration so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Project Summary:

Property / Building Information:

- The applicant (Alfred Bear) owns a 20-acre parcel located at 37509 County 4 Blvd in Section 23, Goodhue Township. *Per GCZO Article 11, Section 33 the minimum parcel size for a Contractors Yard is 3 acres.*
- Mr. Bear currently resides in an existing dwelling on the property.
- Adjacent zoning districts include properties located within the A1 (Agriculture Protection District) to the north, east, south, and west.

Adjacent land uses include agriculture, and low-density residential.

- The nearest residences are located approximately 1100 feet north of the proposed business use (Gary Voth) and 1100 feet south (Bradley Voth) . *Per GCZO Article 11, Section 33 “materials, structures, and operations associated with the Contractors Yard shall be located a minimum of 100 feet from adjacent neighboring dwellings existing at the time of permit application.”*

Mr. Bear has planted evergreen trees along of the north and south sides of the portion of his property where his dwelling and business structure are located.

- The applicant is proposing to construct a 48 foot x 128 foot (6,144 sq. ft.) addition for cold storage related to his business. This would add to his existing 5,600 square foot structure.

A building permit will need to be approved by the Goodhue County Land Use Management Department prior to construction of proposed addition.

- The property is located near the intersection of County 4 BLVD approximately 2,200 feet north of County 9 BLVD (both asphalt-surfaced roadways). The site has an existing gravel surfaced driveway meeting GCZO performance standards for access drives. Adequate emergency vehicle access is available to service the proposed facility.
- There are currently no restrooms in the business structure and none are proposed. Employees utilize restroom facilities within Mr. Bear’s dwelling when on-site. Since employees are primarily working off-site, and Mr. Bear has noted having only 3 non-resident employees, County Environmental Health Staff have indicated they are comfortable with the current arrangement.
- No exterior signage is being proposed.
- “Dusk to dawn” lights on the north side and by the dock are in place for security reasons.
- No changes in stormwater management are being proposed. The business structure and proposed addition are located 250 feet from the south property line, 360 feet from the north property line and 200 feet from the County 4 Blvd Right-of-Way. There are many acres of lawn or pasture to absorb stormwater runoff from impervious surfaces.

Business Information:

- The Applicant has noted 2-3 deliveries per week with very limited impact on the existing County roads that provide access to the site.
- Hours of operation are proposed from 6:30 AM to 6:30 PM. The Applicant has not specified whether business operations are conducted on weekends.
- The applicant currently has three non-resident employees.
- Minimum off-street parking provisions are not specified for Contractors Yards. Pursuant to GCZO Article 11, Section 16, minimum off-street parking provisions shall be shall be determined by using the requirements for a closely related use which is listed.

Ample room exists on existing gravel-surfaced areas on the property to fulfill off-street parking requirements.

- Current solid waste disposal services will be continued.
- No exterior storage of materials.
- There will be no sale of retail items on the premises.
- There is a negligible potential for dust generation on the property due to the gravel-surfaced driveway and parking areas. There are not nearby neighbors that would be impacted given the small amount of gravel surfaces and the 1100 foot separation distance to the nearest dwellings.
- The Applicant previously planted evergreen trees north and south of the portion of the site occupied by the dwelling and business structures. The existing trees will continue to mature.

Draft Findings of Fact:

The following staff findings shall be amended to reflect concerns conveyed during the PAC meeting and public hearing.

1. The proposed Contractors Yard does not appear injurious to the use and enjoyment of properties in the immediate vicinity for uses already permitted, nor would it substantially diminish and impair property values in the immediate vicinity. The majority of the adjacent property is utilized for row-crop agriculture or feedlots that would not be inhibited by the proposed use. No complaints have been received since the business began operations in 2012.
2. The establishment of the proposed Contractors Yard is not anticipated to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. The dwelling development density is currently exceeded for the section and no new dwellings may be administratively permitted in the area. New feedlots would be subject to meeting the setback from Mr. Bear's existing dwelling but are not required to adhere to reciprocal setback requirements for Commercial/Industrial uses. The use is proposed to meet all development standards of the Goodhue County Zoning Ordinance and appears compatible with adjacent land uses.
3. A review of the applicants submitted project summary indicates adequate utilities, access roads, drainage and other necessary facilities are available to accommodate the proposed use. The local transportation network appears capable of supporting the proposed use without appreciably diminishing traffic safety along primary access routes.
4. The submitted plans identify means to provide sufficient off-street parking and loading space to serve the proposed use and meet the Goodhue County Zoning Ordinance's parking requirements.
5. The submitted plans detail adequate measures to prevent or control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance. Furthermore, the applicant's lighting plans appear capable of controlling lights in such a manner that no disturbance to neighboring properties will result.

Staff recommendation is based on the review of the submitted application and project area prior to the public hearing.

Staff Recommendation:

LUM Staff recommends the Planning Advisory Commission

- adopt the staff report into the record;
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

Recommend the County Board of Commissioners **APPROVE** the request from Alfred Bear (Bear Overhead Doors LLC) for a CUP to establish a Contractors Yard. Upon approval, this Conditional Use Permit will replace and cause the 2012 Conditional Use Permit for a Home Occupation Permit to be revoked.

Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this CUP
2. Hours of operation shall be year-round, Monday through Friday from 6:30 AM to 6:30 PM;
3. Applicant shall obtain a driveway access permit from Goodhue County Public Works prior to establishing the use;
4. On-street parking shall be prohibited;
5. On-street loading or off-loading shall be prohibited;
6. Applicant shall obtain Building Permit approvals for the proposed structure from the Goodhue County Land Use Management Department prior to establishing the use;
7. Compliance with Goodhue County Zoning Ordinance including, but not limited to Article 21 A-1 (Agriculture Protection District) and Article 11 Section 33 (Contractors Yard);
8. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.

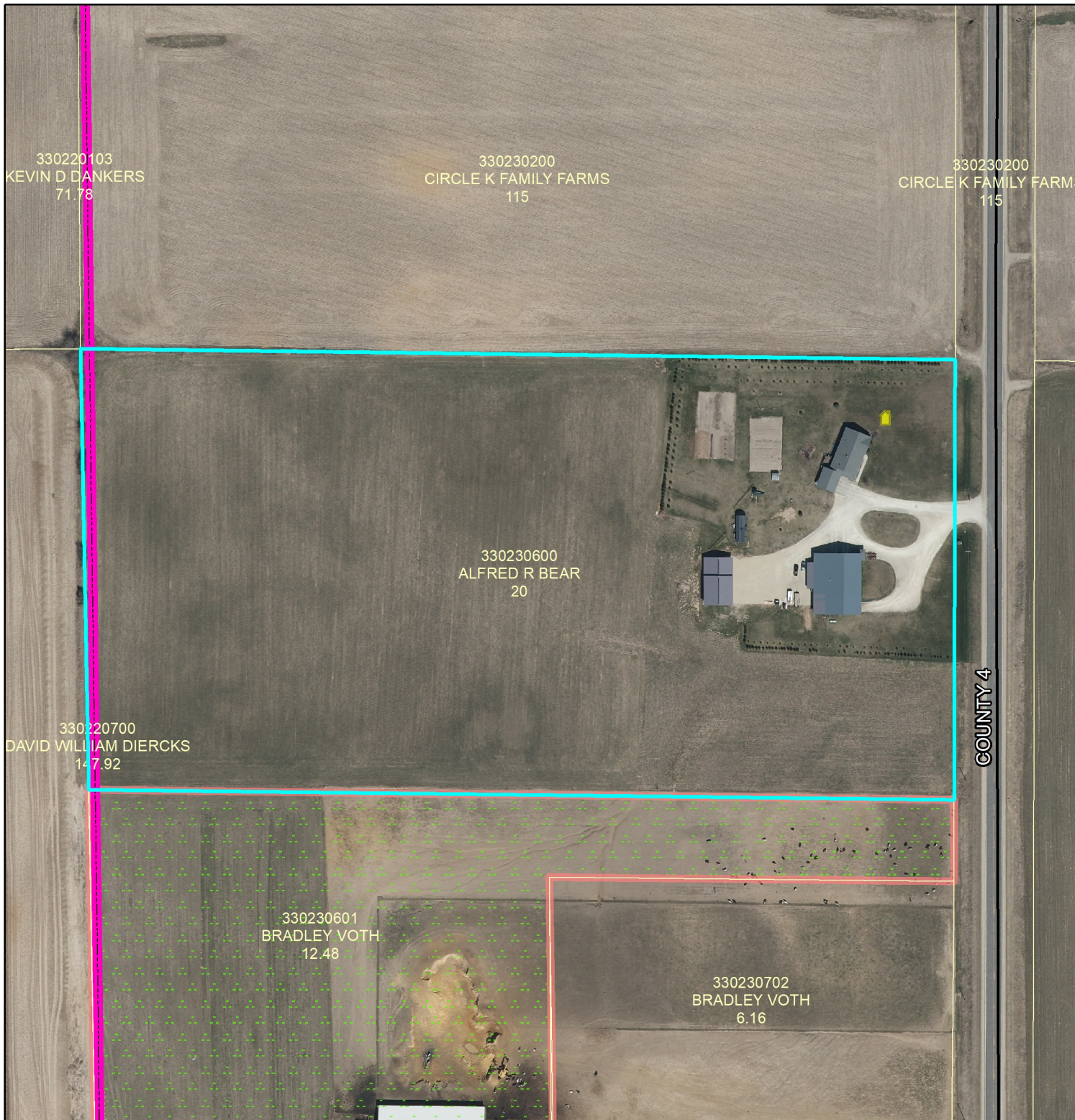
Planning Advisory Commission

Public Hearing
June 18, 2018

Alfred Bear
A1 Zoned District

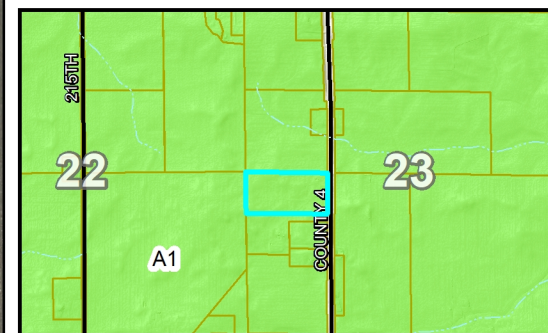
Parcel # 33.023.0600
NW 1/4 of SW 1/4, Sect 23
Twp 111 Range 15 in
Goodhue Township

CUP request to establish
Contractors Yard
(Overhead Door Business)



Legend

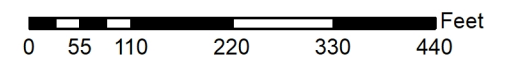
- | | |
|----------------------------|---------------------------------|
| Intermittent Streams | Bluff Impact Zones (% slope) 20 |
| Protected Streams | Bluff Impact Zones (% slope) 30 |
| Lakes & Other Water Bodies | FEMA Flood Zones |
| Shoreland | 2% Annual Chance |
| Historic Districts | A |
| Parcels | AE |
| Registered Feedlots | AO |
| Dwellings | X |
| Municipalities | |



DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2018.

2016 Aerial Imagery

Map Created June, 2018, Ryan Bechel



ARTICLE 11 PERFORMANCE STANDARDS

Section 33. CONTRACTORS YARD

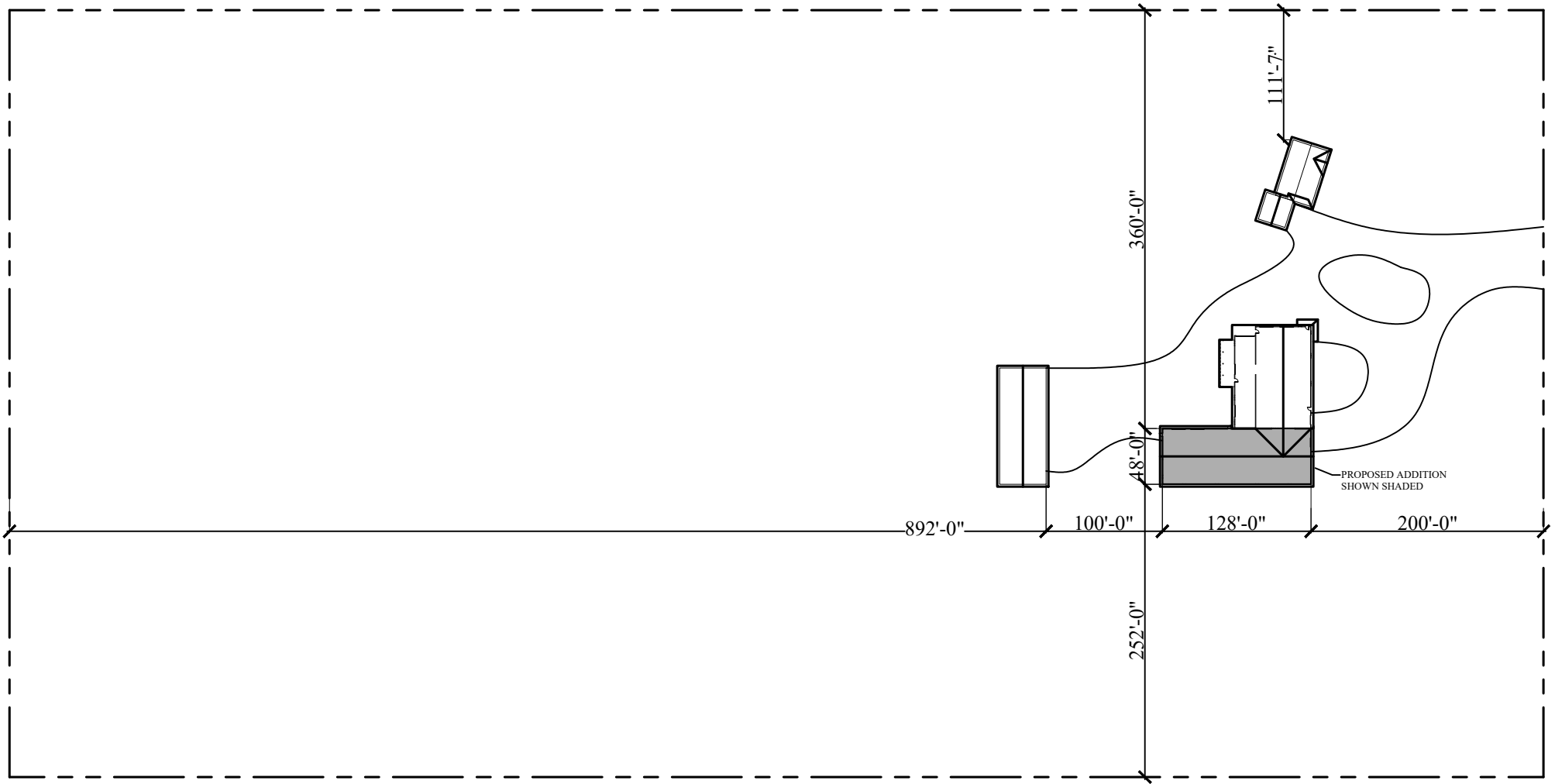
Subd. 1. Contractors Yards shall comply with the following standards:

- A. The minimum parcel size shall be 3 acres and shall meet road access standards.
- B. The site shall not be located within Shoreland, Floodplain, or Blufflands.
- C. Materials, structures, and operations associated with the Contractors Yard shall be located a minimum of 100 feet from adjacent neighboring dwellings existing at the time of permit application.
- D. Non-Resident Employees, except designated office or shop personnel, may occupy the site only for the purpose of gathering equipment and supplies, necessary fabrication, or general maintenance.
- E. There shall be no on-site retail sales. The sale of incidental stock-in-trade shall not be considered retail sales.
- F. Exterior storage of materials, vehicles, and equipment may require screening from public view.
- G. The routes and conditions of local transportation networks will be part of the review process to determine if they are capable of supporting the proposed use without appreciably diminishing traffic safety along primary access routes. When appropriate, the applicant shall bear the costs of required dust mitigation measures.

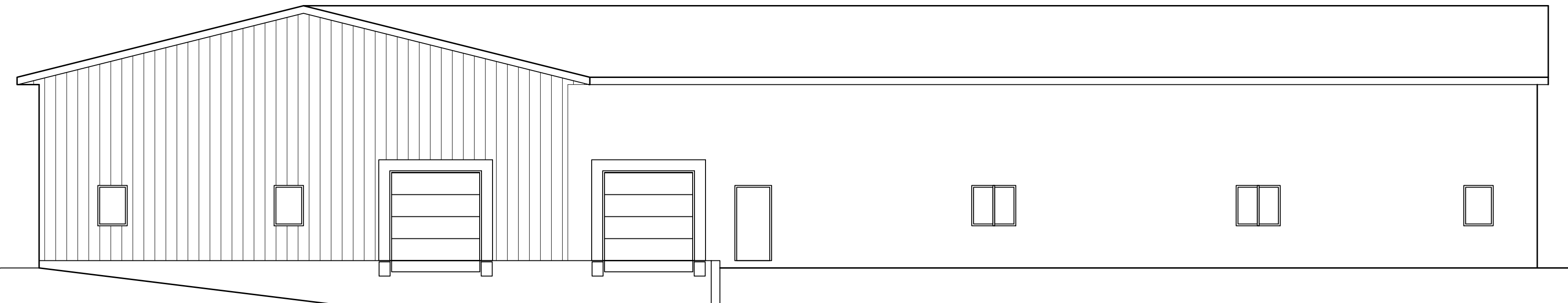
Subd. 2. **PERMITTED USES:** Contractors Yards shall be allowed as shown in the table below.

	A-1	A-2	A-3	R-1	B-1	B-2	I	CR	MXH
Contractors Yard	C/I	C/I	C/I	NP	C/I	C/I	P	NP	NP

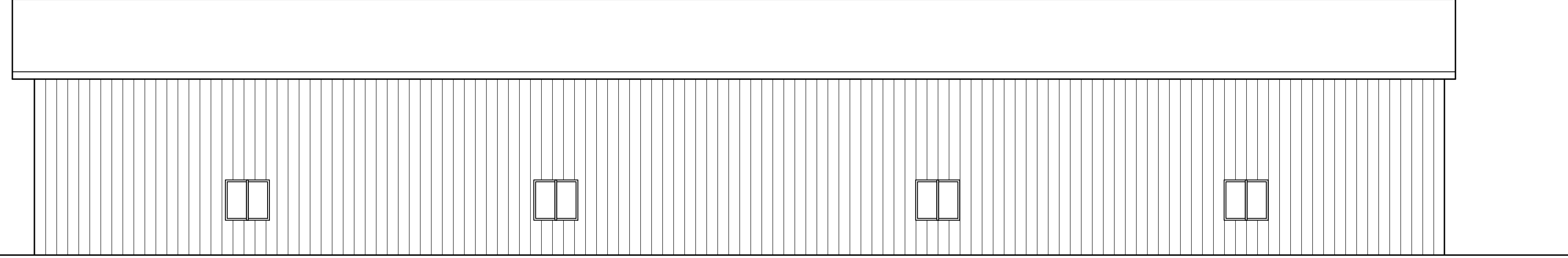
KEY: P = Permitted Use C = Conditional Use Permit I = Interim Use Permit NP = Use not permitted in the district



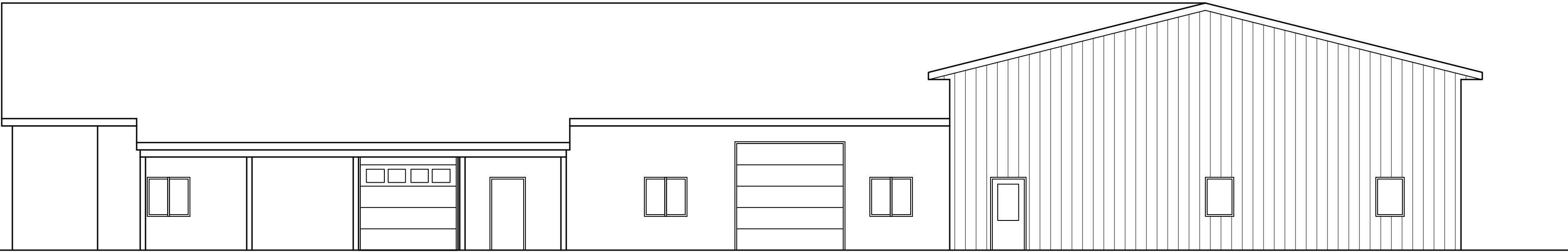
1 SITE PLAN
A.1 SCALE: 1/32" = 1'-0"



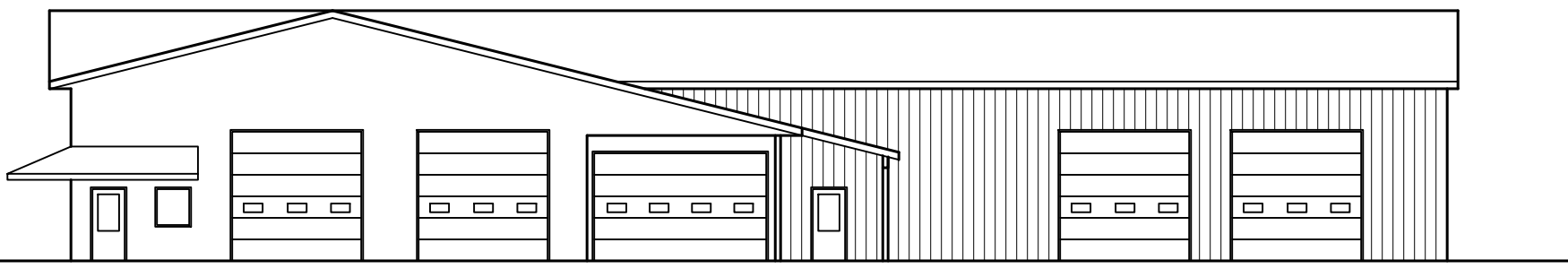
3 EAST ELEVATION
A.1 SCALE: 1/8" = 1'-0"



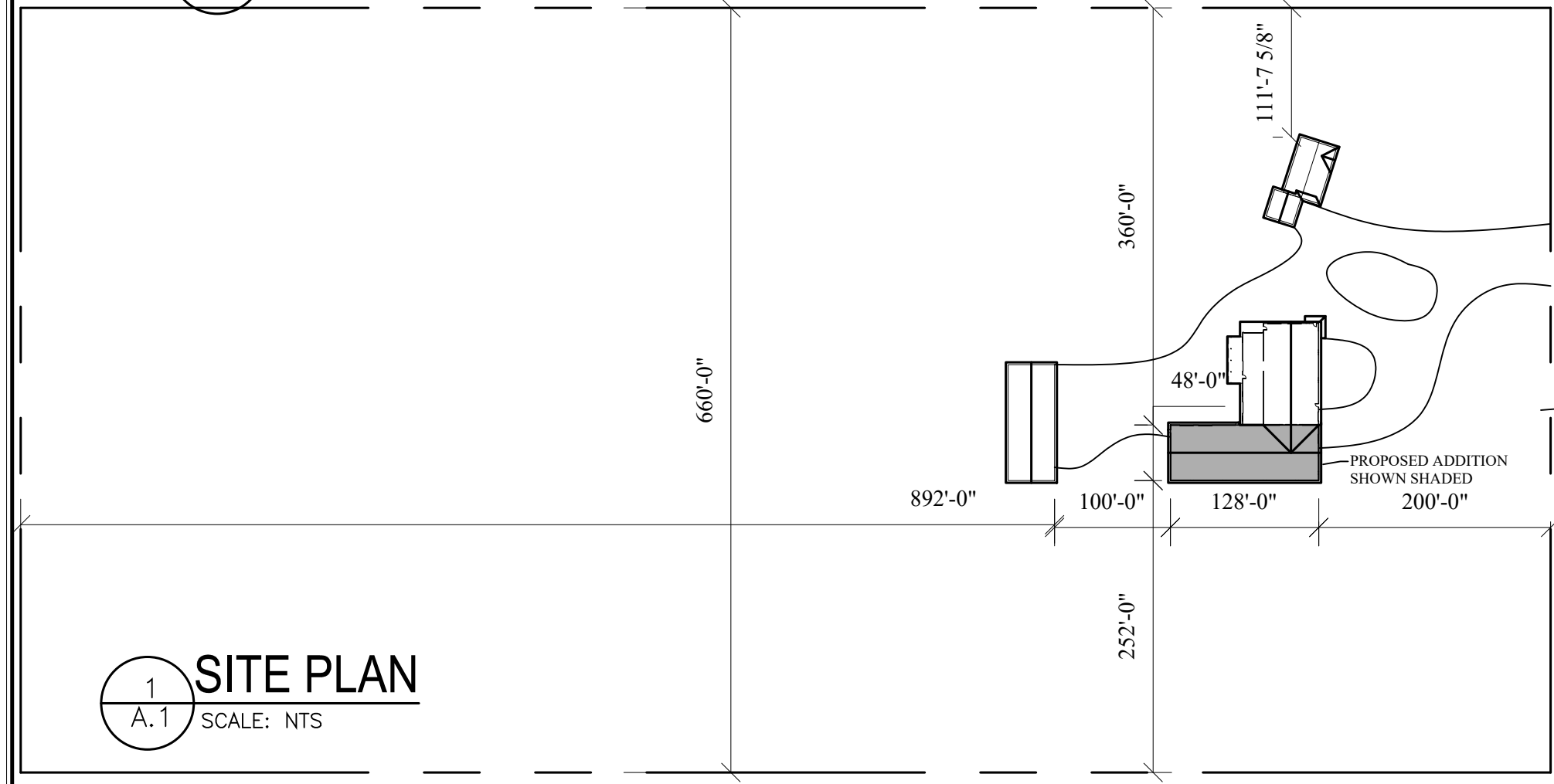
4 SOUTH ELEVATION
A.1 SCALE: 1/8" = 1'-0"



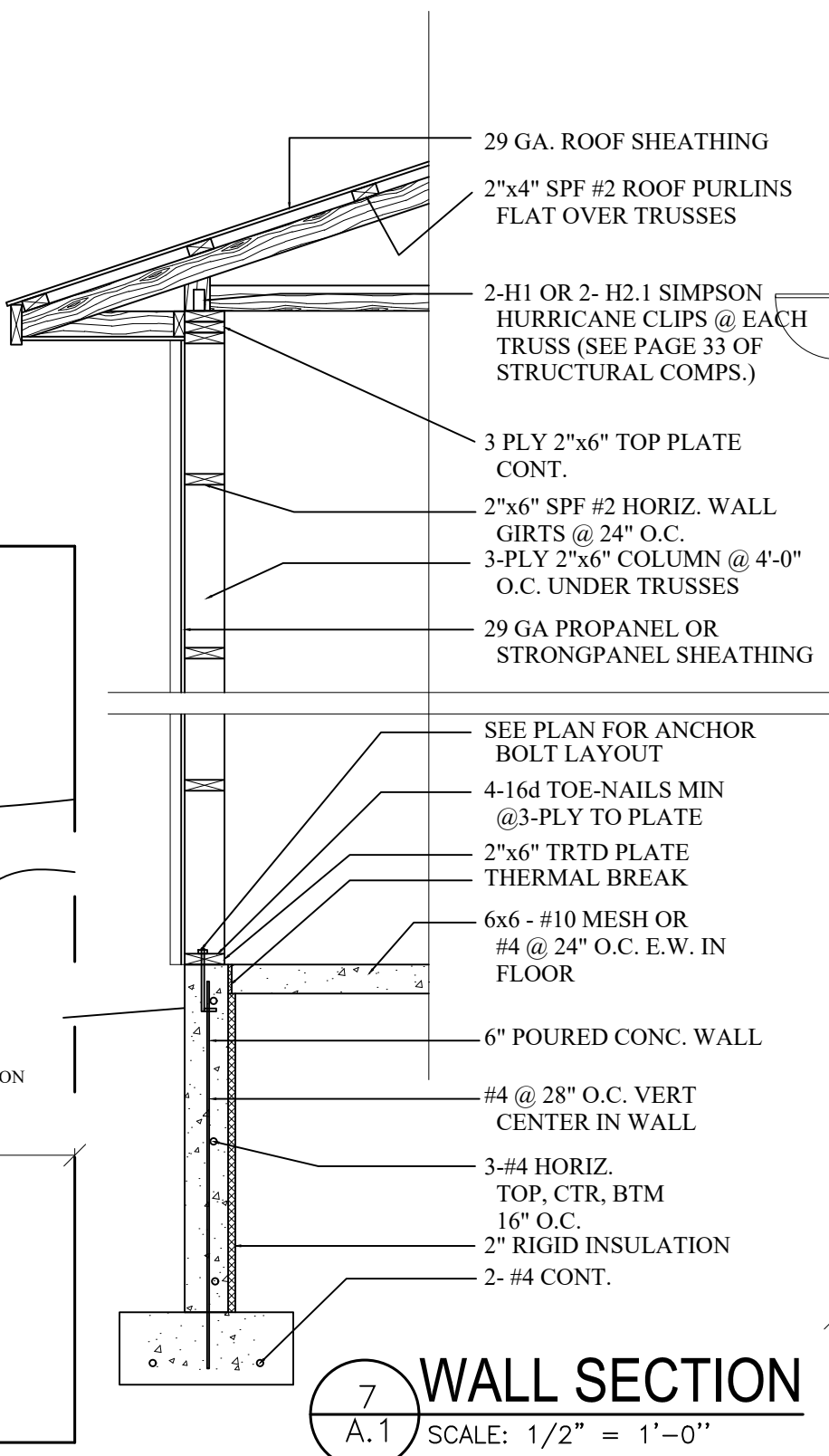
5 WEST ELEVATION
A.1 SCALE: 1/8" = 1'-0"



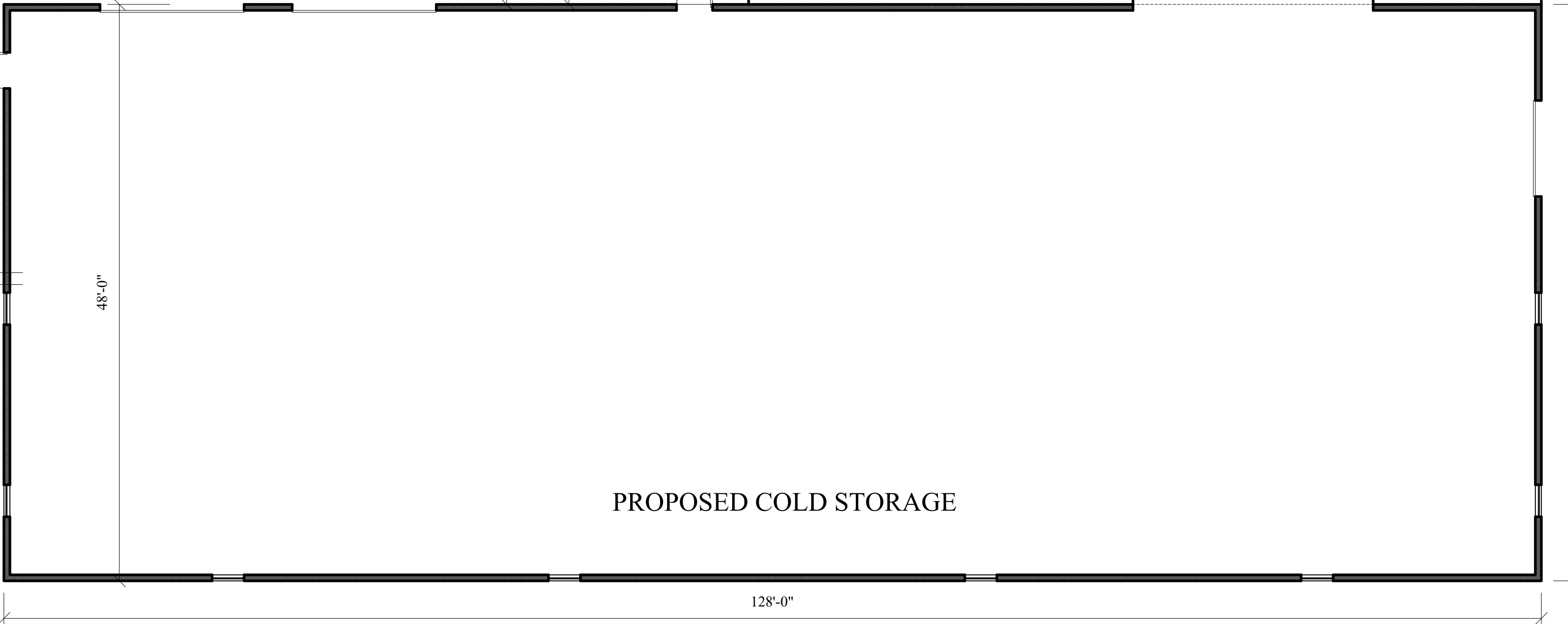
6 NORTH ELEVATION
A.1 SCALE: 1/16" = 1'-0"



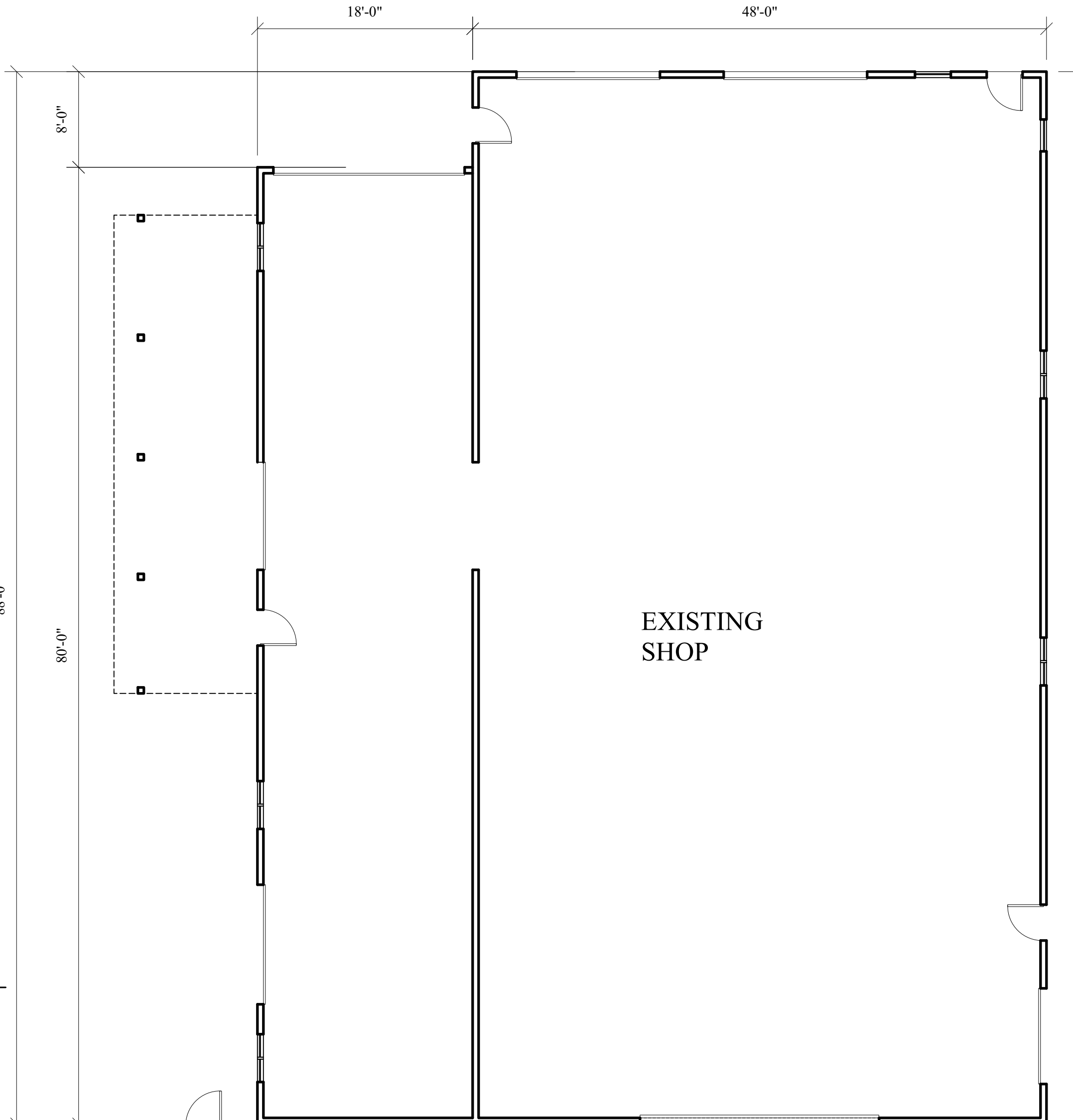
1 SITE PLAN
A.1 SCALE: NTS



7 WALL SECTION
A.1 SCALE: 1/2" = 1'-0"



2 FLOOR PLAN
A.1 SCALE: 1/8" = 1'-0"



TRimension Design
CHRISTOPHER PETERSON
106 EAST LYON AVENUE
LAKE CITY, MN 55041
PHONE: (651) 450-0114

These drawings, specifications, design and calculations are the property of TRimension Design and shall not be copied, disseminated or used in any way without the written consent of TRimension Design. Visual evidence of these restrictions.

DRAWN BY: CHRIS PETERSON
DATE: 2.21.18
COMMENTS:
JOB NUMBER:
REVISIONS:

ARCHITECTURAL DRAWINGS FOR:
BEAR OVERHEAD - PRELIM - NOT FOR CONSTRUCTION
MINNESOTA
GOODHUE

I hereby verify that this plan was prepared by me or under my direct supervision and under the laws of the state of Minnesota.
date: _____ Reg #46897

DRAWING

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # 33-023-0600

Permit# _____

PROPERTY OWNER INFORMATION

Last Name	<u>Bear</u>	First	<u>Alfred</u>	Email:	<u>bearsold@emp.people.net</u>
Street Address	<u>37509 Cty 4 Blvd</u>			Phone	<u>651-923-5923</u>
City	<u>Goodhue</u>	State	<u>MN</u>	Zip	<u>55027</u>
Authorized Agent				Attach Legal Description as Exhibit "A" <input type="checkbox"/>	
Mailing Address of Landowner:				Phone	
Mailing Address of Agent:					

PROJECT INFORMATION

Site Address (if different than above):	
Lot Size	Structure Dimensions (if applicable)
<u>5 acres</u>	<u>48x88 addition 48x128</u>
What is the conditional/interim use permit request for?	
<u>48x128 Addition to existing structure</u>	
Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized	
<u>no change to current use</u>	

DISCLAIMER AND PROPERTY OWNER SIGNATURE

I hereby swear and affirm that the information supplied to Goodhue County Land Use Management Department is accurate and true. I acknowledge that this application is rendered invalid and void should the County determine that information supplied by me, the applicant in applying for this variance is inaccurate or untrue. I hereby give authorization for the above mentioned agent to represent me and my property in the above mentioned matter.

Signature of Landowner: Alfred Bear Date 5-2-18

Signature of Agent Authorized by Agent:

TOWNSHIP INFORMATION

Township Zoning Permit Attached? If no please have township complete below:

By signing this form, the Township acknowledges being made aware of the request stated above. In no way does signing this application indicate the Township's official approval or denial of the request.

Signature Dale Dike Title Supervisor Date May 2, 18

Comments:

COUNTY SECTION

COUNTY FEE \$350 RECEIPT # _____ DATE PAID _____

Applicant requests a CUP/IUP pursuant to Article _____ Section _____ Subdivision _____ of the Goodhue County Zoning Ordinance

What is the formal wording of the request?

Shoreland _____ Lake/Stream Name _____ Zoning District _____

Date Received _____ Date of Public Hearing _____ DNR Notice _____ City Notice _____

Action Taken: ___ Approve ___ Deny Conditions:

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

PROJECT SUMMARY

Please provide answers to the following questions in the spaces below. If additional space is needed, you may provide an attached document.

1. Description of purpose and planned scope of operations (including retail/wholesale activities).

Primarily storage for Door Products /
Place to load equipments / wash equipments

2. Planned use of existing buildings and proposed new structures associated with the proposal.

Storage for Overhead Door Products
New addition also for that Purpose

3. Proposed number of non-resident employees.

three

4. Proposed hours of operation (time of day, days of the week, time of year) including special events not within the normal operating schedule.

6:30 A.M. to 6:30 P.M.

5. Planned maximum capacity/occupancy.

6

6. Traffic generation and congestion, loading and unloading areas, and site access.

No change with addition
2-3 Deliveries per week

7. Off-street parking provisions (number of spaces, location, and surface materials).

Large lot

8. Proposed solid waste disposal provisions.

No Restrooms in Building

9. Proposed sanitary sewage disposal systems, potable water systems, and utility services.

Current use of System will not be affected

10. Existing and proposed exterior lighting.

Dusk to Dawn on North Side /
lights by Dock

11. Existing and proposed exterior signage.

Company name on Building / no change

12. Existing and proposed exterior storage.

No exterior storage

13. Proposed safety and security measures.

locks on all Doors - no alarms

14. Adequacy of accessibility for emergency services to the site.

Very good

15. Potential for generation of noise, odor, or dust and proposed mitigation measures.

Very Minimal

16. Anticipated landscaping, grading, excavation, filling, and vegetation removal activities.

Back Fill to Building once complete

17. Existing and proposed surface-water drainage provisions.

No change - See attached

18. Description of food and liquor preparation, serving, and handling provisions.

None

19. Provide any other such information you feel is essential to the review of your proposal.



**GOODHUE COUNTY
FINANCE & TAXPAYER SERVICES**

509 W. 5th Street
Red Wing, MN 55066
651-385-3040
www.co.goodhue.mn.us

Bill#: 3871

Property ID#: R 33.023.0600

Taxpayer ID#: 32227
ALFRED R BEAR
NORMA J BEAR
37509 COUNTY 4 BLVD
GOODHUE MN 55027-8354



04001477



Desc: Sect-23 Twp-111 Range-015 20.00 AC DOC #540425 NW1/4 OF SW1/4
SEC 23-111-15 EX S670.73FT 0.45AC RD PURPOSE ID# 33-0000-18700 (PT)

Property 37509 COUNTY 4 BLVD
Address: GOODHUE MN 55027

2017 Property Tax Statement

VALUES AND CLASSIFICATION

	Taxes Payable Year:	2016	2017
Step 1	Estimated Market Value:	479,000	521,300
	Improvements Excluded:		
	Homestead Exclusion:	10,200	9,300
	Taxable Market Value:	468,800	512,000
	New Improvements/ Expired Exclusions:		35,400
	Property Classification:	AG HMSTD COMM	AG HMSTD COMM
		<i>Sent in March 2016</i>	
Step 2	PROPOSED TAX	4,368.00	
	<i>Sent in November 2016</i>		
Step 3	PROPERTY TAX STATEMENT		
	First half taxes due:		2,174.00
	Second half taxes due:		2,174.00
	Total Taxes Due in 2017:		4,348.00

**\$\$\$
REFUNDS?**

You may be eligible for one or even two refunds to reduce your property tax.
Read the back of this statement to find out how to apply.

Taxes Payable Year:	2016	2017
1. Use this amount on Form M1PR to see if you are eligible for a property tax refund. File by August 15. If this box is checked, you owe delinquent taxes and are not eligible. <input type="checkbox"/>		2,800.00
2. Use these amounts on Form M1PR to see if you are eligible for a special refund.	2,816.00	
Property Tax and Credits		
3. Property taxes before credits	4,708.70	4,719.30
4. Credits that reduce property taxes:		
A. Agricultural Market Value Credits	326.70	371.30
B. Other Credits		
5. Property taxes after credits	4,382.00	4,348.00
Property Tax by Jurisdiction		
6. County GOODHUE COUNTY	1,746.10	1,849.45
7. City or Town GOODHUE TWP	640.23	659.64
8. State General Tax	511.70	476.80
9. School District 0253		
A. Voter Approval Levies	459.82	447.31
B. Other Local Levies	996.62	886.78
10. Special Taxing Districts SEMMCHRA	27.53	28.02
11. Non-school voter approved referenda levies		
12. Total property tax before special assessments	4,382.00	4,348.00
Special Assessments on Your Property		
13. Special assessments Int: Principal:		
14. YOUR TOTAL PROPERTY TAX AND SPECIAL ASSESSMENTS	4,382.00	4,348.00

pd 5-5-17 #4024

PAYABLE 2017 2nd HALF PAYMENT STUB

TO AVOID PENALTY PAY ON OR BEFORE: NOVEMBER 15

Property ID#: R 33.023.0600

Bill #: 3871

ALFRED R BEAR
NORMA J BEAR
37509 COUNTY 4 BLVD
GOODHUE MN 55027-8354

SECOND 1/2 TAX AMOUNT DUE: 2,174.00

PENALTY:

TOTAL:

**Goodhue County Finance & Taxpayer Services
509 W. 5th Street
Red Wing, Minnesota 55066**



Call us at 651-385-3040 to set up automatic withdrawal. Initial payment must be arranged three weeks prior to due date.

Email address: _____

Indicate address change



04001477



INDIVIDUAL SEWAGE TREATMENT SYSTEM

Goodhue County Environmental Health Department

512 W. 6th Street - Red Wing, MN 55066
(651) 385-6130

MAR 13 2007

LOCATION:

Owner's Name: ALFRED BEAR Phone 507-843-3845

Mailing Address: 41123 6707th St City: MARSHAN, MN Zip: 55956

Sitelocation: Garth's Ln #4 Blv

PARCEL#: 33-023-0600 Is this property a split: Yes No

Construction Proposed:

- New Construction Replacement System Repair
- House Other _____ *Number of Bedrooms 6
- *7080.0020 Subp. 7. Bedroom - if unfinished basement, must add 1 bedroom

- Indicate Type (MPCA Rule 7080.0170) Type I Type II Type III
- Washing Machine Garbage Disposal* Whirlpool Tub
 - Water Softener Dishwasher Self Cleaning Humidifier

*If garbage disposal is installed a two compartment septic tank or two septic tanks must be used

Tank And Treatment System:

The capacity of each septic tank is 1650 LBS and _____ Lift Tank: 1000

Type of Treatment System Used (check the system & the type):

- Trench Mound Holding Tank only Other Establishment
- Gravelless Pipe Bed Other New Technology
- Chambered At-Grade Warrantied Performance

Total square footage to be installed: 1440 Attach worksheets.

Rock under pipe: 12" inches. Lineal feet of 3' wide trenches 480

SITE INFORMATION:

Date of Site Evaluation: 12/8/06

Slope % 6 Vegetation Type: FIELD Landscape Position: S/E

Depth of Restricting Layer: 7' Maximum Depth of Soil Penetration: 3'

Disturbed or Compacted? Yes No Access for Tank Maintenance Provided: Yes No

Flood Plain? Yes No Shoreland? Yes No

Soil Type:

- Coarse Sand Fine Sand 1.67 Loam 1.67 Clay Loam 2.20
- Sand 0.83 Sandy Loam 1.27 Silt Loam 2.00 Clay

Well Information:

New Well: Existing Well: _____ Distance to Tank & Drainfield: 50'

*Attach all worksheets, drawings and soil boring logs

Notice and Signature:

This information will be used to determine conformity to adopted construction requirements and to facilitate storage and retrieval of records. Failure to provide all requested information may result in the denial of a permit. All information submitted as part of this application is deemed public information and is available to anyone upon request.

Installer's Name: BRUCE'S BACKHE MPCA# 1993 Phone #: 923-4190
 Address: 36130 Co 2 Blv City: Goodhue, MN Zip: 55027
 Designer's Name: BRUCE'S BACKHE MPCA# 1993 Date: 3/14/07

FOR OFFICE USE ONLY

ISTS Permit # 06-129

Approved by: _____

**Date: _____

Receipt # 33265 Amount \$ 350

Comments: 33531 111
paid by Homeowner

Updated
Nelson 06-12-07

Variance? Yes No
 ** permit is valid for 1 year from date of issue.
 **this permit is non-transferable.

Water Usage Per Day		
Number of Bedrooms	I	II
2	300	225
3	450	300
4	600	375
5	750	450
<u>6</u>	900	525

White - Office Copy Yellow - Homeowner Copy Pink - Contractor Copy White - Zoning 



FIELD INSPECTION REPORT

GOODHUE COUNTY ENVIRONMENTAL HEALTH DEPT.

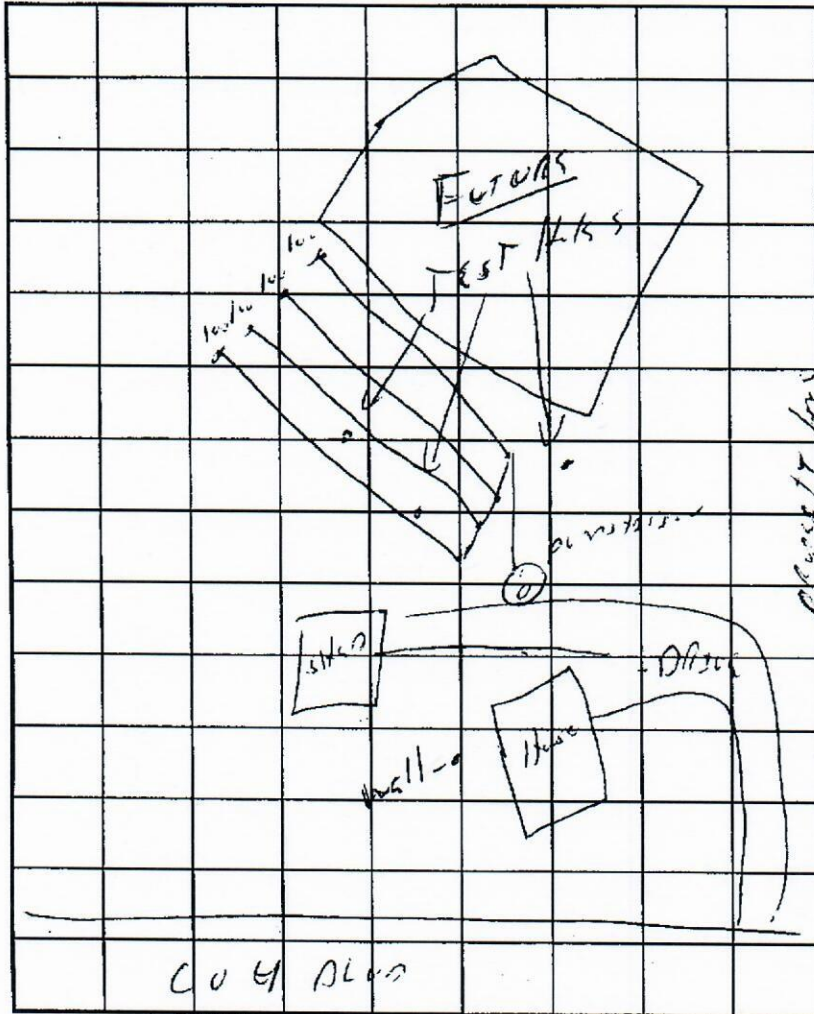
512 W. 6th Street - Red Wing, MN 55066
(651) 385-6130

DEC 28 2006

OWNER: ALFRED BEAR

MAIL ADDRESS: _____ SITE: Goodhue City 4 Block

PLAT / PARCEL # 33-023-0600 CONTRACTOR: Bruce Backlund



SOIL INFORMATION

Depth to bedrock: NA

Depth to water / mottling: 2'

Maximum depth of penetration: 3'

Soil type at proposed depth: silt/clay

Soil sizing factor: 20

Soil Profile:

	Munsell Color		Munsell Color

COMMENTS: _____

INSPECTED BY: _____

Date: _____

Goodhue County Land Use Management

Goodhue County Government Center | 509 West Fifth Street | Red Wing, Minnesota 55066

Lisa M. Hanni, L.S. Director

Building | Planning | Zoning
Telephone: 651.385.3104
Fax: 651.385.3106



County Surveyor / Recorder

Environmental Health | Land Surveying | GIS
Telephone: 651.385.3223
Fax: 651.385.3098

To: Planning Commission
From: Land Use Management
Meeting Date: June 18, 2018
Report date: June 8, 2018

PUBLIC HEARING: Request for CUP for a Contractors Yard (Thomas Demartini)

Request for CUP submitted by Thomas Demartini (Demartini Trucking) to establish a Contractors Yard for a commercial trucking business. TBD County 9 BLVD Goodhue, MN 55027. Parcels 25.029.0309 and 25.029.0303. Part of the NW ¼, Sect 29 Twp 111 Range 16 in Belle Creek Township. A1 Zoned District.

Application Information:

Applicant: Thomas Demartini
Address of zoning request: TBD County 9 BLVD Goodhue, MN 55027
Parcel(s): 25.029.0309 and 25.029.0303
Abbreviated Legal Description: Part of the NW ¼, Sect 29 Twp 111 Range 16 in Belle Creek Township
Township Information: Belle Creek Township endorsed acknowledgment of the applicants' request.
Zoning District: A1 (Agriculture Protection District)

Attachments and links:

Application and submitted project summary
Site Map(s)
Contractors Yard Performance Standards
Goodhue County Zoning Ordinance (GCZO):
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

Background:

The applicant (Thomas Demartini) is proposing to purchase 5.43 acres from the current owner (Les Lundell) to establish a Contractors Yard to serve as a base for his commercial trucking operation (Demartini Trucking). The applicant intends to construct a 54 ft x 112 ft (6048 ft²) shop to provide a workspace for storing and maintaining trucks and equipment related to his business.

Contractors Yards were amended into the GCZO in April of 2018 in an effort to classify non-agriculturally dependent commercial and industrial uses which may not be incompatible with the Agricultural Districts but are not appropriately categorized as a "Commercial and Industrial Uses Primarily Intended to Serve the Agricultural Community".

The GCZO defines a Contractors Yards as "a site used for storage, maintenance, and staging of vehicles, equipment, and materials related to contracting work in any of the building trades, landscaping, road building, sewer installation, transport and hauling, or similar professions in which work is principally conducted off-site." The Contractors Yard performance standards are attached to this report for reference.

Goodhue County Zoning Ordinance: Article 4 Conditional/Interim Uses

No CUP/IUP shall be recommended by the County Planning Commission unless said Commission specifies facts in their findings for each case which establish the proposed CUP/IUP will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, will not substantially diminish and impair property values within the immediate vicinity, will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area, that adequate measures have been,

"To effectively promote the safety, health, and well-being of our residents"

www.co.goodhue.mn.us

or will be, taken to provide utilities, access roads, drainage and other necessary facilities, to provide sufficient off-street parking and loading space, to control offensive odor, fumes, dust, noise and vibration so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Project Summary:

Property / Building Information:

- The applicant (Thomas Demartini) has a purchase agreement with the current owner (Les Lundell) to purchase approximately 5.43 acres of land located in the northeast corner of the subject parcels (PID #'s 25.029.0309 & 25.029.0303) *Per GCZO Article 11, Section 33 the minimum parcel size for a Contractors Yard is 3 acres.*

- No dwelling exists on the site and the applicant has not proposed any such use.

Section 29 is an A1 zoned section allowing a maximum of 4 dwellings per section. The section currently has 10 dwellings. No density is available to administratively establish any additional dwellings in the section.

- Adjacent zoning districts include A2 (Agriculture District) to the north; A1 (Agriculture Protection District) to the east, south, and west.

Adjacent land uses include agriculture, low-density residential and undeveloped forest-land.

- The nearest residence is located approximately 600 feet north of the proposed site (Joshua Wyatt). *Per GCZO Article 11, Section 33 “materials, structures, and operations associated with the Contractors Yard shall be located a minimum of 100 feet from adjacent neighboring dwellings existing at the time of permit application.”*

A stand of existing mature trees provides some buffering of the site from this adjacent residence.

- The applicant is proposing to construct a 54ft x 112ft (6,048 total sq ft) pole-style shop to store trucks, repair equipment, and provide office space.

A building permit will need to be approved by the Goodhue County Building Permits Department prior to construction of the facility.

- The property is located near the intersection of CTY 8 BLVD and CTY 9 BLVD (both asphalt-surfaced roadways). The site will have a gravel surfaced driveway meeting GCZO performance standards for access drives. A driveway access permit will need to be obtained from Goodhue County Public Works.

- The applicant is proposing to install a “u-shaped” gravel drive with a single access to CTY 9 BLVD on the north side of the property.

Adequate emergency vehicle access is available to service the proposed facility.

- The applicant is proposing to install a holding tank septic system to service the facility. A sanitary permit will be required from the Goodhue County Environmental Health Department prior to issuance of any building permits for the proposed structure.

- No exterior signage is existing or proposed.

- 2 “dusk to dawn” yard lights and 4 security lights (1 on each side of the proposed shop) will provide exterior lighting for the facility.

- Stormwater will be collected via roof guttering and directed to a proposed 4 ft wide drainage channel along the east and south perimeter of the proposed parcel. The drainage channel would consist of a 1 to 2 foot deep channel lined with “weather rock.” The channel would drain into an existing forested low area in the northwest corner of the property.

The Applicant is also proposing a small storage basin north of the proposed structure to collect and treat storm water.

Business Information:

- The applicant currently has a fleet of 4-5 trucks that would be stored on site. He anticipates that up to 10 trucks may be stored on site in the future if his business were to expand.
Trucks will typically be parked inside of the proposed shop area when not in use.
- Approximately 10-15 vehicle trips per day are anticipated from the site. Generally, trucks will leave in the morning and return in the evening at the end of the work day.
- Hours of operation are proposed to be year-round, 7-days per week from 4:00 AM to 8:00 PM.
- The applicant currently has 5 employees. Employees are typically off-site transporting loads. 1 office/shop employee may be onsite during operating hours.
- Minimum off-street parking provisions are not specified for Contractors Yards. Pursuant to GCZO Article 11, Section 16, minimum off-street parking provisions shall be determined by using the requirements for a closely related use which is listed.

The Zoning Administrator has determined Contractors Yards to be most similar to “Industrial Establishments” which require a minimum of one parking space for every three employees. The minimum number of parking stalls required for this request is 3.

Ample room exists on the property to fulfill off-street parking requirements.

- Solid waste disposal services will be provided by Waste Management Inc. Any hazardous materials or fluids generated shall be properly disposed of.
- Exterior storage of business equipment and materials is proposed to be located on the south side of the proposed building and an existing forested area along the western half of the property to provide screening from public view.
- There will be no sale of retail items on the premises.
- There is the potential for some dust generation on the property due to traffic on the gravel-surfaced driveway and parking areas. The applicant intends to apply water to control dust as necessary.
- Truck start-up and operation as well as repair work will generate noise on site.

The applicant has proposed to plant trees along the north side of the driveway and trucks will be started within the shop to limit noise impacts to surrounding properties.

A vegetative screening plan was not provided with the application.

Draft Findings of Fact:

The following staff findings shall be amended to reflect concerns conveyed during the PAC meeting and public hearing.

1. The proposed Contractors Yard does not appear injurious to the use and enjoyment of properties in the immediate vicinity for uses already permitted, nor would it substantially diminish and impair property values in the immediate vicinity. The majority of the adjacent property is utilized for row-crop agriculture that would not be inhibited by the proposed use. Existing and proposed vegetative screening, planned operations, and the proposed location of the site will help to buffer adjacent existing residential uses from potential impacts.
2. The establishment of the proposed Contractors Yard is not anticipated to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. The dwelling development density is currently exceeded for the section and no new dwellings may be administratively permitted in the area. New feedlots are not required to adhere to reciprocal setback requirements for Commercial/Industrial uses. The use is proposed to meet all development standards of the Goodhue County Zoning Ordinance and appears compatible with adjacent land uses.
3. A review of the applicants submitted project summary indicates adequate utilities, access roads,

drainage and other necessary facilities are available to accommodate the proposed use. The local transportation network appears capable of supporting the proposed use without appreciably diminishing traffic safety along primary access routes.

4. The submitted plans identify means to provide sufficient off-street parking and loading space to serve the proposed use and meet the Goodhue County Zoning Ordinance's parking requirements.
5. The submitted plans detail adequate measures to prevent or control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance. Furthermore, the applicant's lighting plans appear capable of controlling lights in such a manner that no disturbance to neighboring properties will result.

Staff recommendation is based on the review of the submitted application and project area prior to the public hearing.

Staff Recommendation:

LUM Staff recommends the Planning Advisory Commission

- adopt the staff report into the record;
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

Recommend the County Board of Commissioners **APPROVE** the request from Thomas Demartini for a CUP to establish a Contractors Yard.

Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
2. The CUP shall be subject to subdivision review and approval by Goodhue County Land Use Management;
3. Structures associated with business operations shall not be used for habitation;
4. The number of semi-tractors on site shall not exceed 10;
5. Hours of operation shall be year-round, 7-days per week from 4:00 AM to 8:00 PM;
6. Applicant shall obtain a driveway access permit from Goodhue County Public Works prior to establishing the use;
7. On-street parking shall be prohibited;
8. On-street loading or off-loading shall be prohibited;
9. Grading and drainage plans shall be approved by Land Use Management staff prior to implementation;
10. Applicant shall obtain Building Permit approvals for the proposed structure from the Goodhue County Building Permits Department prior to establishing the use;
11. Applicant shall work with Goodhue County Environmental Health to achieve compliance with the Goodhue County SSTS Ordinance;
12. Compliance with Goodhue County Zoning Ordinance including, but not limited to Article 21 A-1 (Agriculture Protection District) and Article 11 Section 33 (Contractors Yard);
13. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.

Planning Advisory Commission

Public Hearing
June 18, 2018

Thomas Demartini
A1 Zoned District

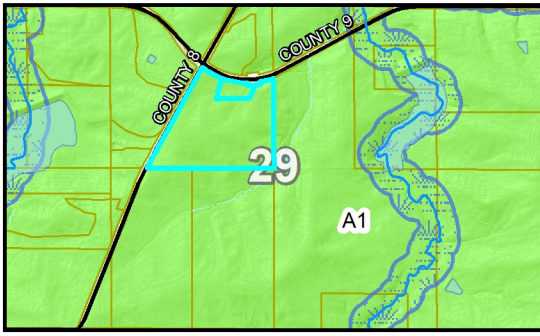
Parcels 25.029.0309, 25.0290303
NW ¼, Sect 29 Twp 111 Range 16
in Belle Creek Township

CUP request to establish
Contractors Yard
(Commercial Trucking Business)



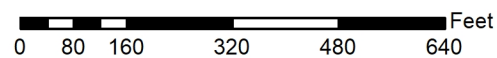
Legend

Intermittent Streams	Bluff Impact Zones (% slope) 20
Protected Streams	Bluff Impact Zones (% slope) 30
Lakes & Other Water Bodies	FEMA Flood Zones
Shoreland	2% Annual Chance
Historic Districts	A
Parcels	AE
Registered Feedlots	AO
Dwellings	X
Municipalities	



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2016 Aerial Imagery
Map Created June, 2018, Ryan Bechel



ARTICLE 11 PERFORMANCE STANDARDS

Section 33. CONTRACTORS YARD

Subd. 1. Contractors Yards shall comply with the following standards:

- A. The minimum parcel size shall be 3 acres and shall meet road access standards.
- B. The site shall not be located within Shoreland, Floodplain, or Blufflands.
- C. Materials, structures, and operations associated with the Contractors Yard shall be located a minimum of 100 feet from adjacent neighboring dwellings existing at the time of permit application.
- D. Non-Resident Employees, except designated office or shop personnel, may occupy the site only for the purpose of gathering equipment and supplies, necessary fabrication, or general maintenance.
- E. There shall be no on-site retail sales. The sale of incidental stock-in-trade shall not be considered retail sales.
- F. Exterior storage of materials, vehicles, and equipment may require screening from public view.
- G. The routes and conditions of local transportation networks will be part of the review process to determine if they are capable of supporting the proposed use without appreciably diminishing traffic safety along primary access routes. When appropriate, the applicant shall bear the costs of required dust mitigation measures.

Subd. 2. **PERMITTED USES:** Contractors Yards shall be allowed as shown in the table below.

	A-1	A-2	A-3	R-1	B-1	B-2	I	CR	MXH
Contractors Yard	C/I	C/I	C/I	NP	C/I	C/I	P	NP	NP

KEY: P = Permitted Use C = Conditional Use Permit I = Interim Use Permit NP = Use not permitted in the district

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # 250290309

Permit# Z18.003

RECEIVED
MAY 24 2018
Land Use Management

PROPERTY OWNER INFORMATION

Last Name <u>Demartini</u>		First <u>Thomas</u>		Email: <u>DemartiniTrucking@gmail.com</u>	
Street Address <u>16919 Hwy 60 Blvd</u>				Phone	
City <u>Zumbrota</u>	State <u>MN</u>	Zip <u>55991</u>	Attach Legal Description as Exhibit "A" <input type="checkbox"/>		
Authorized Agent			Phone		
Mailing Address of Landowner:					
Mailing Address of Agent:					

PROJECT INFORMATION

Site Address (if different than above):

Lot Size 5.4 Structure Dimensions (if applicable) 54 x 112 x 17.5

What is the conditional/interim use permit request for? Agricultural/Business Structure

Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized

DISCLAIMER AND PROPERTY OWNER SIGNATURE

I hereby swear and affirm that the information supplied to Goodhue County Land Use Management Department is accurate and true. I acknowledge that this application is rendered invalid and void should the County determine that information supplied by me, the applicant in applying for this variance is inaccurate or untrue. I hereby give authorization for the above mentioned agent to represent me and my property in the above mentioned matter.

Signature of Landowner: [Signature] as to purchase Date 5/24/18
Agreement

Signature of Agent Authorized by Agent:

TOWNSHIP INFORMATION

Township Zoning Permit Attached? If no please have township complete below:

By signing this form, the Township acknowledges being made aware of the request stated above. In no way does signing this application indicate the Township's official approval or denial of the request.

Signature: [Signature] Title: Chairman Date: 5-23-18

Comments:

COUNTY SECTION COUNTY FEE \$350 RECEIPT # 16290 DATE PAID 5/24/18

Applicant requests a CUP/IUP pursuant to Article ___ Section ___ Subdivision ___ of the Goodhue County Zoning Ordinance

What is the formal wording of the request?

Shoreland ___ Lake/Stream Name ___ Zoning District ___

Date Received ___ Date of Public Hearing ___ DNR Notice ___ City Notice ___

Action Taken: ___ Approve ___ Deny Conditions:

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

PROJECT SUMMARY

Please provide answers to the following questions in the spaces below. If additional space is needed, you may provide an attached document.

1. Description of purpose and planned scope of operations (including retail/wholesale activities).

Home base for Trucking Company

2. Planned use of existing buildings and proposed new structures associated with the proposal.

Storage and work area for Trucks and related equipment

3. Proposed number of non-resident employees.

4-5 non-resident employees

4. Proposed hours of operation (time of day, days of the week, time of year) including special events not within the normal operating schedule.

Sunday Thru Saturday 4am - 8pm

5. Planned maximum capacity/occupancy.

20 max occupancy

6. Traffic generation and congestion, loading and unloading areas, and site access.

Minimum Traffic generation, one entrance / exit

7. Off-street parking provisions (number of spaces, location, and surface materials).

Will have large parking area of highway around building, surfaced with gravel

8. Proposed solid waste disposal provisions.

~~Public service provider~~ local waste management dumpster

9. Proposed sanitary sewage disposal systems, potable water systems, and utility services.

Holding Tank, well, underground power from public service provider

10. Existing and proposed exterior lighting.

4 lights on each side of building, 2 yard lights

11. Existing and proposed exterior signage.

None

12. Existing and proposed exterior storage.

Business related equipment behind building

13. Proposed safety and security measures.

Security Cameras, fire extinguisher, smoke detectors, ventilation system, first aid kits.

14. Adequacy of accessibility for emergency services to the site.

30ft wide driveway, large parking area,

15. Potential for generation of noise, odor, or dust and proposed mitigation measures.

Dusty driveway/lot will be watered, noise-trees for noise barrier

16. Anticipated landscaping, grading, excavation, filling, and vegetation removal activities.

Grading building site, lot & driveway, landscaping in front (pond for drainage + trees for noise barrier)

17. Existing and proposed surface-water drainage provisions.

Drainage pond in front of building

18. Description of food and liquor preparation, serving, and handling provisions.

N/A

19. Provide any other such information you feel is essential to the review of your proposal.

All regulations will be followed



SITE PLAN

INSTRUCTIONS

State the use of the property. Show the size, shape and location of structures with distance to property lines and location of ALL wells and septic systems.

— Driveway

Legend

Intermittent Streams	Butt Impact Zones (4' slope)
Protective Greenways	20
Lanes & Other Water Bodies	30
Graveland	
Natural Barriers	FE.M. Flood Zone
Pavement	Z-A Aesthetics
Registered Features	A
Drainage	AE
Manmade	AO
	X



0 45 90 180 270 360 Feet

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2019 Aerial Imagery

Map Created May 2018 by Ryan Beckel



SITE PLAN

INSTRUCTIONS

State the use of the property. Show the size, shape and location of structures with distance to property lines and location of ALL wells and septic systems.

Legend

Perennial Streams	Bar Impact Zones (% slope)
Intermittent Streams	20
Lakes & Other Water Bodies	30
Shrubland	
Historic Districts	FE 100 Flood Zones
Parcels	24 Annual Chance
Registered Fee/taxes	A
Drawings	AE
Municipalities	AO
	X



0 45 90 180 270 360 Feet

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2018 Aerial Imagery

Map Created: May 2018 by Ryan Becker

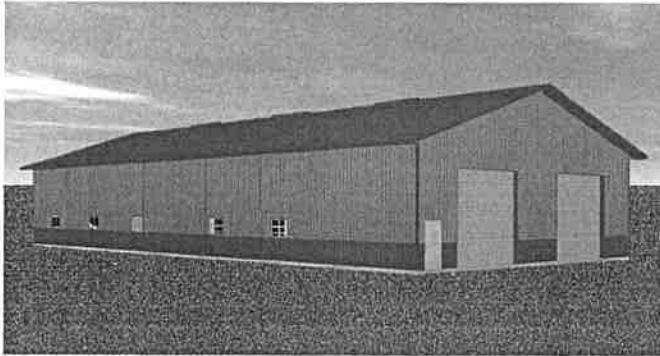


through Midwest Not Menards



Keith Stoos
3687 E 255th St
Faribault, MN 55021
Ph: 5073235211

Store: Dundas
100 Schilling Drive South
Dundas, MN 55019
Ph: 507-664-3811
Fx: 507-664-9603
Team Member: JOHN N.



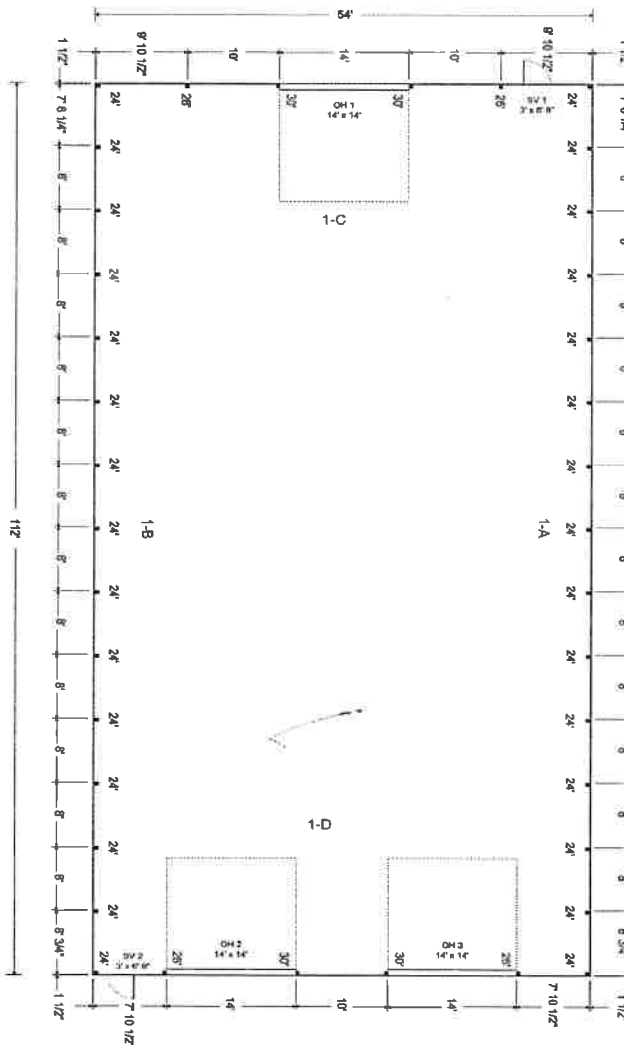
Quote # 272466 Version # 1

Take this packet into a Menards store and have a building materials team member recall this quote in the Post Frame Request form on the Midwest Manufacturing website.

Estimated price: [REDACTED]

* Today's estimated price, future pricing may go up or down. Refer to building specification section for more details.

*Price with NO DELIVERY
\$43,151.17*

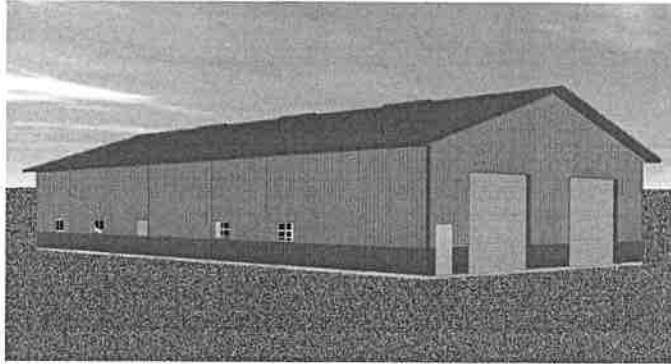


Estimate #: 272466
Design #: 1
Store: Dundas
Guest: Keith Stoos

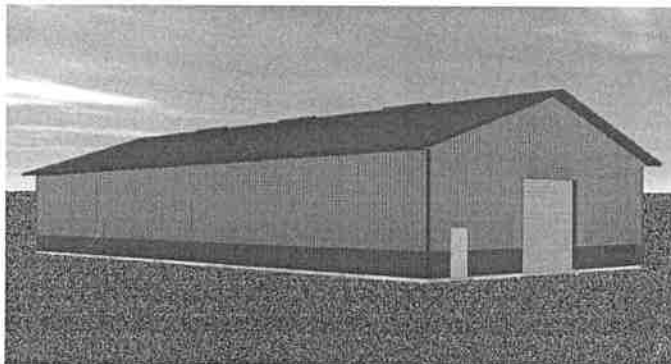


Post Frame Building Estimate
Project Name: shed
Section: 3D Perspectives
Date: 05-22-2018 10:33 AM

Front View



Back View



Color shows approximate tone. Color of actual product may vary from what is pictured due to differences in printing and resolution. Please visit your Menards store to view a steel color sample or request a color sample from Midwest Manufacturing at steel@midwestmanufacturing.com

RECEIVED

MAY 29 2018



Land Use Management

PURCHASE AGREEMENT: LAND (NON-RESIDENTIAL)

85. Page 3 Date 05/11/2018

85. Property located at XXXX county 9 Blvd attached Exhibit A serial Goodhue MN 55992

87. DEED/MARKETABLE TITLE: Upon performance by Buyer, Seller shall deliver a: (Check one.)
88. [] Warranty Deed, [] Personal Representative's Deed, [X] Contract for Deed, [] Trustee's Deed, or

89. [] Other: Deed joined in by spouse, if any, conveying marketable title, subject to
90. (a) building and zoning laws, ordinances, state and federal regulations;
91. (b) restrictions relating to use or improvement of the Property without effective forfeiture provisions;
92. (c) reservation of any mineral rights by the State of Minnesota;
93. (d) utility and drainage easements which do not interfere with existing improvements; and
94. (e) others (must be specified in writing):

96. TENANTS/LEASES: Property [X] IS [] IS NOT subject to rights of tenants. (If answer is IS, see attached Addendum
97. to Commercial Purchase Agreement: Due Diligence.)

98. Seller shall not execute leases from the date of this Purchase Agreement to the date of closing, the term of which lease
99. extends beyond the date of closing, without the prior written consent of Buyer. Buyer's consent or denial shall be
100. provided to Seller within days of Seller's written request. Said consent
101. shall not be unreasonably withheld.

102. REAL ESTATE TAXES: Real estate taxes due and payable in the year of closing shall be prorated between Seller and
103. Buyer on a calendar year basis to the actual date of closing unless otherwise provided in this Purchase Agreement.
104. Real estate taxes, including penalties, interest, and any associated fees, payable in the years prior to closing shall be
105. paid by Seller. Real estate taxes payable in the years subsequent to closing shall be paid by Buyer.

106. DEFERRED TAXES/SPECIAL ASSESSMENTS:
107. [] BUYER SHALL PAY [X] SELLER SHALL PAY on date of closing any deferred real estate taxes
108. (e.g. Green Acres) or special assessments, payment of which is required as a result of the closing of this sale.

109. [] BUYER AND SELLER SHALL PRORATE AS OF THE DATE OF CLOSING [X] SELLER SHALL PAY ON
110. DATE OF CLOSING all installments of special assessments certified for payment, with the real estate taxes due and
111. payable in the year or closing.

112. [] BUYER SHALL ASSUME [X] SELLER SHALL PAY on date of closing all other special assessments levied as
113. of the date of this Purchase Agreement.

114. [] BUYER SHALL ASSUME [X] SELLER SHALL PROVIDE FOR PAYMENT OF special assessments pending as
115. of the date of this Purchase Agreement for improvements that have been ordered by any assessing authorities.
116. (Seller's provision for payment shall be by payment into escrow of two (2) times the estimated amount of the
117. assessments or less, as required by Buyer's lender.)

118. Buyer shall pay any unpaid special assessments payable in the year following closing and thereafter, the payment of
119. which is not otherwise here provided.

120. As of the date of this Purchase Agreement, Seller represents that Seller [] HAS [X] HAS NOT received a notice
121. regarding any new improvement project from any assessing authorities, the costs of which project may be assessed
122. against the Property. Any such notice received by Seller after the date of this Purchase Agreement and before
123. closing shall be provided to Buyer immediately. If such notice is issued after the date of this Purchase Agreement and
124. on or before the date of closing, then the parties may agree in writing, on or before the date of closing, to pay, provide
125. for the payment of, or assume the special assessments. In the absence of such agreement, either party may declare
126. this Purchase Agreement canceled by written notice to the other party, or licensee representing or assisting the other
127. party, in which case this Purchase Agreement is canceled. If either party declares this Purchase Agreement canceled,
128. Buyer and Seller shall immediately sign a written cancellation of Purchase Agreement confirming said cancellation and
129. directing all earnest money paid here to be refunded to Buyer.



Goodhue County Land Use Management

Goodhue County Government Center | 509 West Fifth Street | Red Wing, Minnesota 55066

Lisa M. Hanni, L.S. Director

Building | Planning | Zoning
Telephone: 651.385.3104
Fax: 651.385.3106



County Surveyor / Recorder

Environmental Health | Land Surveying | GIS
Telephone: 651.385.3223
Fax: 651.385.3098

To: Planning Commission
From: Land Use Management
Meeting Date: June 18, 2018
Report date: June 8, 2018

PUBLIC HEARING: Request for Conditional Use Permit (CUP) for a Contractors Yard
Request for a CUP by Simanski Metals LLC (Authorized Agent: Kevin Simanski) to construct and operate a Contractors Yard. Parcel 340081400 and Parcel 340081500. Part of the SE ¼ of NW ¼ of Sect 8 Twp 112 Range 14 in Hay Creek Township.

Application Information:

Applicant(s): Simanski Metals LLC (Authorized Agent: Kevin Simanski)
Address of zoning request: 29409 Hwy 58 Blvd, Red Wing, MN 55066
Parcels: 34-008-1400 and 34-008-1500
Abbreviated Legal Description: Part of the SE ¼ of NW ¼ of Sect 8 Twp 112 Range 14 in Hay Creek Township.
Township Information: The Conditional/Interim Use Permit Application was signed by the Hay Creek Township Clerk on March 25, 2018, indicating that the Township acknowledges having been made aware of the application made to the County.
Current Zoning Districts: Parcel 340081400 A2 (Agricultural District), Parcel 340081500 B2 (Highway Business)

Attachments and links:

Application and Project Summary
Site Map(s)
Goodhue County Zoning Ordinance: <http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

Background:

Simanski Metals LLC currently owns two parcels of property located at the intersection of Hay Creek Hills Trail and State Hwy 58, in Hay Creek Township. Tax Parcel #340081400 is 1.78 acres (with frontage on State Hwy 58) and is currently in the A-2 (Agriculture) Zone District. The 1.78-acre parcel is currently vacant. Buildings that previously existed on the site have been demolished and removed. Tax Parcel #340081500 is 2.28 acres and is in the B-2 (Highway Business) Zone District. Parcel #340081500 is currently vacant.

The Simanski's are proposing to reconfigure the existing parcels to create a 3.20-acre parcel and a 0.84-acre parcel.

As part of their Contractors Yard proposal Simanski Metals LLC., are proposing to construct a 100 x 120' (12,000 sq. ft.) heated and insulated commercial building to house their roll-off trucks, semi-tractors and related equipment. They also plan to store empty roll-off containers in the SW corner of the gravel lot with an occasional full container on a short-term basis. Zoning district boundaries would remain the same as current conditions.

The proposed 0.84-acre parcel is intended to include a portion of a shared access driveway and some additional space that would be available to an unspecified business use. The proposed

reconfiguration of property would require subdivision approval as a separate action.

Simanski Metals LLC., recently applied for a Conditional Use Permit for a Junk Salvage Reclamation Yard and for a “Change of Zone” for part of the property included in the current request. A public hearing was held and these prior items were considered at the April 16, 2018, Planning Advisory Commission Meeting. The Planning Advisory Commission took action to recommend denial of these previously proposed requests. The Applicant subsequently withdrew their applications prior to County Board consideration.

Following a recent text amendment (April 2018) that added provisions for Contractors Yard to the County’s Zoning Ordinance; the Simanski’s have chosen to apply for a Conditional Use Permit to construct and operate a “Contractors Yard” on the subject property.

Article 10 of the Zoning Ordinance includes the following definition:

CONTRACTORS YARD. A site used for storage, maintenance, and staging of vehicles, equipment, and materials related to contracting work in any of the building trades, landscaping, road building, sewer installation, transport and hauling, or similar professions in which work is principally conducted off-site.

Article 11 (Performance Standards) includes various standards for Contractors Yards as follows: *Staff has noted in italics and bold text how the Applicant’s proposal matches up with the below referenced standards.*

Section 33. CONTRACTORS YARD

Subd. 1. Contractors Yards shall comply with the following standards:

- A. The minimum parcel size shall be 3 acres and shall meet road access standards.

The Applicant will need to complete subdivision of the property to establish the proposed 3.2-acre parcel or in the alternative combine the 1.78-acre parcel with the 2.28-acre parcel to meet the minimum 3-acre parcel size.

- B. The site shall not be located within Shoreland, Floodplain, or Blufflands.

The proposed site is not located within Shoreland, Floodplain, or Blufflands.

- C. Materials, structures, and operations associated with the Contractors Yard shall be located a minimum of 100 feet from adjacent neighboring dwellings existing at the time of permit application.

The site plan as proposed will keep materials, structures, and operations associated with the Contractor’s Yard located in excess of 100 feet from adjacent neighboring dwellings existing at the time of permit application.

- D. Non-Resident Employees, except designated office or shop personnel, may occupy the site only for the purpose of gathering equipment and supplies, necessary fabrication, or general maintenance.

The applicant has stated that they operate six commercial trucks. They leave weekday mornings by 6:30 a.m. and return in the late afternoon.

- E. There shall be no on-site retail sales. The sale of incidental stock-in-trade shall not be considered retail sales.

The Applicant has not referred to any plans for retail sales as part of the proposed “Contractors Yard”. The Simanski’s have indicated an intent to establish an outdoor sales lot on a portion of the 0.84-acre parcel for the sale of Agricultural Equipment. The proposed 0.84-acre parcel is located within

the B-2 Zone District. Outdoor sales lots are recognized as a permitted within the B-2 Zone.

- F. Exterior storage of materials, vehicles, and equipment may require screening from public view.

The Applicant has noted on their proposed site plan and descriptive materials a combination of earthen berms, tree plantings, and the use of an eight-foot high “screen fence” to screen proposed exterior storage of roll-off containers and vehicles.

- G. The routes and conditions of local transportation networks will be part of the review process to determine if they are capable of supporting the proposed use without appreciably diminishing traffic safety along primary access routes. When appropriate, the applicant shall bear the costs of required dust mitigation measures.

Access to the site is proposed to be provided from a driveway off Hay Creek Trail that falls within MNDOT’s State Highway 58 Right-of-Way. The Applicant has obtained a driveway permit from MNDOT.

Included below is a summary of key information used to evaluate the Contractors Yard Conditional Use Permit request:

- 1. Existing uses:** Following acquisition of the subject property, the Simanski’s demolished and removed several existing structures, which were in poor condition and cleared some of the vegetation, which had become established on the site. The property had been used for business purposes in the past. Historical uses included the old Skyline Ballroom and Supper Club, camper and snowmobile sales, and a dwelling site and agricultural use.
- 2. Proposed Uses:** Simanski Metals, LLC is proposing the following uses: On the proposed 3.2 acre parcel the applicant has proposed a Contractor’s Yard for Simanski Metals LLC. They plan to construct a 100 foot x 120 foot (12,000 sq. ft.) heated and insulated commercial building to house their roll-off trucks, semi-tractors and related equipment. They also plan to store empty roll-off containers in the SW corner of the gravel lot with an occasional full container on a short-term basis.

The proposed 0.84-acre parcel is intended to include a portion of a shared access driveway and some additional space that would be available to an unspecified business use. The proposed reconfiguration of property would require subdivision approval as a separate action. The Simanski’s have discussed proposed construction of outdoor sales lot on a portion of the this proposed lot to be located within that portion of the property within the B-2 Zone District. This proposed use may be allowed as a permitted land use within the B-2 Zone District.

- 3. Reconfiguration of Parcel Boundaries:** If Simanski Metals LLC is successful in gaining approval from the County Board of the proposed Zoning Map Amendment reconfiguring of the existing parcel boundaries will require platting of the property. The Conditional Use Permit if approved may include a condition requiring platting of the subject property according to applicable provisions of the County’s Subdivision Controls Ordinance.
- 4. Existing Zoning:** Tax Parcel #340081400 is 1.78 acres (with frontage on State Hwy 58) and is in the A-2 (Agriculture) Zone District. The 1.78-acre parcel is currently vacant, buildings that previously existed on the site have been demolished and removed. Tax Parcel #340081500 is 2.28 acres and is in the B-2 (Highway Business) Zone District.

Parcel #340081500 is located at the intersection of State Hwy 58 and Hay Creek Hills Trail. Contractors Yards may be permitted by the County Board as a “conditional” or “interim” use in both the A-2 and B-2 Zones.

5. Access to Site: The subject property proposed for the Zoning Map Amendment request and CUP is located at the intersection of State Highway 58 and Hay Creek Hills Drive. A Driveway Access Permit has been approved by MNDOT that restricts use of a shared drive access (with the Thomas Gadiant Property) currently at the northeast corner the property and allow a driveway access point from Hay Creek Hills Drive at the southeast corner of the subject property. The proposed driveway access to the site negotiates a sloped portion of the site and meets Hay Creek Hills Drive just beyond the limit of bituminous asphalt. The proposed access driveway is designed to serve both proposed lots. If the project is approved and the property is subdivided as proposed a driveway access easements must be recorded to ensure access from Hay Creek Hills Trail to the proposed 3.20 acre parcel through the proposed 0.84 acre parcel.

6. Roll-Off Box Storage: The Applicant is proposing to store roll-off boxes on the gravel surfaced area shown on the site plan. They have indicated in there proposal that “MPCA, does not have any problem with storing empty or full roll-off containers.” They state: “we are permitted to do so, and the monitoring will give them sufficient data to decide if there is an issue.” The Applicant has further noted that “MPCA does not anticipate an adverse data and that any boxes that would need to be tarped on public roads would need to be tarped on site”.

The definition of Contractors Yard reads: “A site used for storage, maintenance, and staging of vehicles, equipment, and materials related to contracting work in any of the building trades, landscaping, road building, sewer installation, transport and hauling, or similar professions in which work is principally conducted off-site.” No reference is made to storage of waste or recyclable materials on either a temporary or permanent basis.

7. Screening/Buffers: The Applicant has noted on their proposed site plan and descriptive materials a combination of earthen berms, tree plantings, and the use of an eight-foot high “screen fence” to screen proposed exterior storage of roll-off containers and vehicles. They have also stated that the “truck doors on the building will face to the South, to minimize truck noise affecting neighboring houses to the East and North. Having an insulated building will also diminish noise form maintenance work being done on equipment inside the building.”

8. Current Violations: Simanski Metals LLC has made some improvements to the current 1.78-acre parcel (A2 Zone) including construction of a driveway access at the northeast corner of the property and a gravel parking lot area. In addition, a variety of different types of containers have been placed on the property. Evidence has been provided to the County illustrating truck traffic during early morning and evening hours hauling items to and from the site. Planning and Zoning Administrator, Michael A. Wozniak, AICP, contacted Simanski Metals, LLC by letter (dated February 16, 2018; Appendix 2) to inform the Simanski’s that a Scrap Metals Transfer Facility would require approval of Conditional Use Permit or Interim Use Permit by the County. The letter expressly stated, “Any operation of a Scrap Metals storage, recycling or transfer facility must cease immediately”. Nearby property, owners have complained that use of the property has continued. Photographs have been provided to County Staff to confirm this activity.

9. Stormwater Management: The Applicant obtained a storm water permit form MPCA in April 2018 (see attached Permit ID Number MNRo53DL8). In addition, the Simanski’s met with Coty Hyllendgren and Beau Kennedy form the Goodhue SWCD during April 2018 at the site. They discussed storm water drainage and extending the earthen berm

which was referenced in a follow-up e-mail from Coty attached as Exhibit C. The Applicant has indicated that they intend to implement the SWCD Recommendations.

10. **Parking/Loading:** The submitted site plan includes a large gravel surfaced area and paved driveways plus a concrete apron at the vehicular access to the proposed building (shop to store and service trucks). Parking spaces have not been specifically identified. The applicant has not specified how many drivers or other employees are expected to be present on-site and/or parking personal vehicles. There appears to be room on the property to provide sufficient site area for the use. If the CUP is approved, a condition should require that parking spots be specified on a revised site prior to initiation of any site work or building construction. No on-street parking will be allowed.
11. **Lighting:** The applicant has indicated that they are planning to place security lighting on the building. They are not planning on any lights on poles anywhere on the property. The County requires that site lighting be directed downward towards the ground and not off-site.
12. **Hours of Operation:** The Applicant stated “their drivers leave weekdays at 6:30 AM and return in the late afternoon”. In addition, they have noted that they service work is occasionally performed in the Shop on Saturdays. Also, the Applicant has stated that there are a few Saturdays during the year that require truck use for special projects in the County. They have proposed hours of operation 6:00 AM to 6:00 PM, Monday – Friday along with the limited Saturday activities within unspecified hours.

If a determination is made to approve the CUP, a condition should be included to specifically identify and limit hours of operation.

13. **Water/Wastewater Treatment:** The applicant has indicated that plans call for use of an existing well and development of a new Sub-surface Wastewater Treatment System to serve water/wastewater needs for the proposed shop building. The well and wastewater treatment system are intended to also serve future development that may occur on the 0.84 acre parcel.

Conclusions:

The subject property included in the Simanski Metals LLC, Contractors Yard Conditional Use Permit request proposes a use of the property that has been organized to conform with the performance standards established for Contractors Yard’s in Article 11 (Section 33) of the Zoning Ordinance. However, the question of whether the proposed Contractors Yard will be compatible with nearby residential properties including a residential district (Moore’s Addition) remains. Neighboring residents have raised numerous concerns regarding aesthetic and nuisance related impacts that may be generated by the proposed Contractors Yard. Issues of concern include traffic safety, noise, and potential environmental contamination (if loaded roll-off boxes are stored on site). Concerns also exist about the aesthetic incompatibility of the Contractors Yard if established in a residential area that is also a gateway to the City of Red Wing.

Land Use Management Staff are presenting alternative approaches for action for consideration by the Planning Advisory Commission. The PAC should consider any remarks received from the Applicant and any public comments to help guide discussion and the decision of whether to approve or deny the CUP request. Draft findings of fact and working alternatives for both “denial” or “approval” of the proposed Contractors Yard CUP have been prepared for Planning Advisory Commission consideration.

Actions for Consideration:

Goodhue County Zoning Ordinance: Article 4 Conditional/Interim Uses

No CUP/IUP shall be recommended by the County Planning Commission unless said Commission specifies facts in their findings for each case which establish the proposed CUP/IUP will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, will not substantially diminish and impair property values within the immediate vicinity, will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area, that adequate measures have been, or will be, taken to provide utilities, access roads, drainage and other necessary facilities, to provide sufficient off-street parking and loading space, to control offensive odor, fumes, dust, noise and vibration so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Draft Findings of Fact to support “DENIAL” of Simanski Metals LLC, Conditional Use Permit request to allow construction and operation of a Contractors Yard:

Draft Findings of Fact:

Goodhue County Comprehensive Plan Element 4 (Business and Industry)

Diverse Business Objectives:

Ensure that new and expanding commercial, industrial, and institutional uses are consistent and compatible with the County’s natural environment, quality of rural living, and the needs of County residents. ***The land use being proposed as a reason for the Zoning Map Amendment may negatively affect the “quality of rural living”.***

Diverse Business Implementation Strategies:

Direct business and industry growth to the approximately zoned districts keeping in mind access to public services and surround land uses. ***The proposed Metals Recycling/Transfer Station use may be more appropriately located on a site not in close proximity to a residential district and relatively high concentration of dwelling sites.***

1. The proposed Contractors Yard use of the property is incompatible with surrounding residential land uses.
2. The proposed use of the subject property will create aesthetic and nuisance related conflicts that may significantly impact the ability of nearby property owners to use and enjoy their properties.
3. The fourteen dwellings within Section 8, in close proximity (within 1800 feet) may be negatively impacted by the proposed Contractors Yard.
4. Neighborhood concerns include potential noise, traffic safety and potential unsightliness of the proposed Contractors Yard use.
5. The proposed Contractors Yard use may make surrounding vacant property less desirable for future residential development.
6. The Applicant has constructed site improvements and conducted business activity prior to obtaining required permits.

Staff Recommendation:

LUM Staff recommends the Planning Advisory Commission

- adopt the staff report into the record;
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

Recommend the County Board of Commissioners **DENY** the Conditional Use Permit request from Simanski Metals LLC to construct and operate a Contractors Yard.

29409 Hwy 58 Blvd, Red Wing, MN 55066

Parcels: 34-008-1400 and 34-008-1500

Abbreviated Legal Description: Part of the SE ¼ of NW ¼ of Sect 8 Twp 112 Range 14 in Hay Creek Township.

Draft Findings of Fact to support “APPROVAL” of Simanski Metals LLC, Conditional Use Permit request to allow construction and operation of a Contractors Yard:

Draft Findings of Fact:

Goodhue County Comprehensive Plan Element 4 (Business and Industry)

Diverse Business Objectives:

Allow the establishment or expansion of home occupations and cottage enterprises with appropriate performance standards while considering the scope and scale of proposals for the alteration, modification, or expansion of existing businesses.

Encourage new commercial and industrial ventures that create permanent job opportunities.

1. The proposed Simanski Metals LLC., Contractors Yard conforms the County’s definition for “Contractors Yard”, excluding the proposed temporary storage of waste and/or recyclable materials.
2. The proposed Contractors Yard conforms with the performance standards for Contractors Yards set forth in Article 11, Section 33.
3. The proposed Contractors Yard conformance with other applicable Zoning Ordinance provisions including but not limited to required yard setbacks, parking, lighting, stormwater management and screening.
4. The Applicant has proposed trees plantings, but, plans do not include specifics regarding species, and size at the time of planting. A more specific landscape plan is needed.
5. The Applicant has stated that their hours of operation are 6:00 AM to 6:00 PM Monday – Friday and that some maintenance will be performed in the Shop on random Saturdays. Also, trucking will occur on a few Saturdays each year related to certain special projects in the County.
6. The Applicant has provided a copy of the require driveway access permit from MNDOT. In addition, a copy of a follow-up letter from MNDOT has been provided. The letter from MNDOT addresses public concerns regarding traffic safety and drainage related to the approved driveway access.
7. The Applicant has provided a copy of an Industrial Stormwater Permit approved by the MPCA in April 2018. Further, the Applicant has prepared plans and committed to conform with Goodhue SWCD recommendations related to stormwater management, site grading and erosion and sediment control.

Staff Recommendation:

LUM Staff recommends the Planning Advisory Commission

- adopt the staff report into the record;
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

Recommend the County Board of Commissioners **Approve** the Conditional Use Permit request from Simanski Metals LLC to construct and operate a Contractors Yard. Subject to the following conditions:

1. The Contractors Yard shall be constructed and operated according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
2. Hours of operation shall be Monday through Friday, 6:00 AM to 6:00 PM, and Saturdays from

- 9:00 AM to 1:00 PM (excluding holidays);
3. Approval of required subdivision as proposed to reconfigure the existing 1.78-acre and 2.28 acre parcels in order to establish a 3.20-acre parcel (Contractors Yard Site) and a 0.84-acre parcel. No site improvements or building construction associated with the Contractor's Yard may proceed until the subdivision is approved and recorded; with the only exception being site grading previously approved (Land Use Land Alteration Permit Z180026).
 4. On-street parking shall be prohibited;
 5. On-street loading or off-loading shall be prohibited;
 6. Upon subdivision of the property the Applicant/Owner shall record a driveway access easement to ensure right of access for the proposed 3.20 acre parcel through the proposed 0.84 acre parcel to Hay Creek Hills Trail.
 7. Applicant shall obtain Building Permit approval for the proposed Shop/Vehicle Storage structure from the Goodhue County Land Use Management Department prior to start of construction;
 8. Applicant shall obtain the required permit for the proposed sub-surface wastewater treatment system from Goodhue County Environmental Health;
 9. Prior to installation of proposed tree plantings, a detailed plan must be submitted for approval by the Goodhue County Land Use Management Department that specifies plant species, spacing and size at time of planting. Trees plantings must be maintained for the duration of the Contractors Yard use and must be replaced if lost or damaged for any reasons.
 10. No municipal solid waste, demolition debris or recyclable materials may be stored on or transported to the property either on a temporary or permanent basis. Only waste or recyclable materials generated on-site may be temporarily stored on site between scheduled trash/recycling pick-up.
 11. Compliance with Goodhue County Zoning Ordinance including, but not limited to Article 22 A-2 (Agriculture District), Article 27 B-2 (Highway Business District), and Article 11 (Performance Standards, Section 33 – Contractor Yard).
 12. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.

29409 Hwy 58 Blvd, Red Wing, MN 55066

Parcels: 34-008-1400 and 34-008-1500

Abbreviated Legal Description: Part of the SE ¼ of NW ¼ of Sect 8 Twp 112 Range 14 in Hay Creek Township.

Planning Advisory Commission

Public Hearings
June 18, 2018

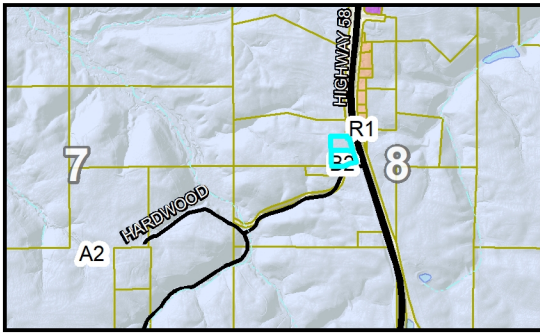
Simanski Metals LLC
29409 HWY 58 BLVD
Red Wing, MN 55066
A2 & B2 Zoned District

Parcels 34.008.1400 &
34.008.1500; SE ¼ NW ¼,
Sect 08 Twp 112 Range 14
in Hay Creek Township

CUP request to establish
a Contractors Yard
(Commercial Hauling/Transport)

Legend

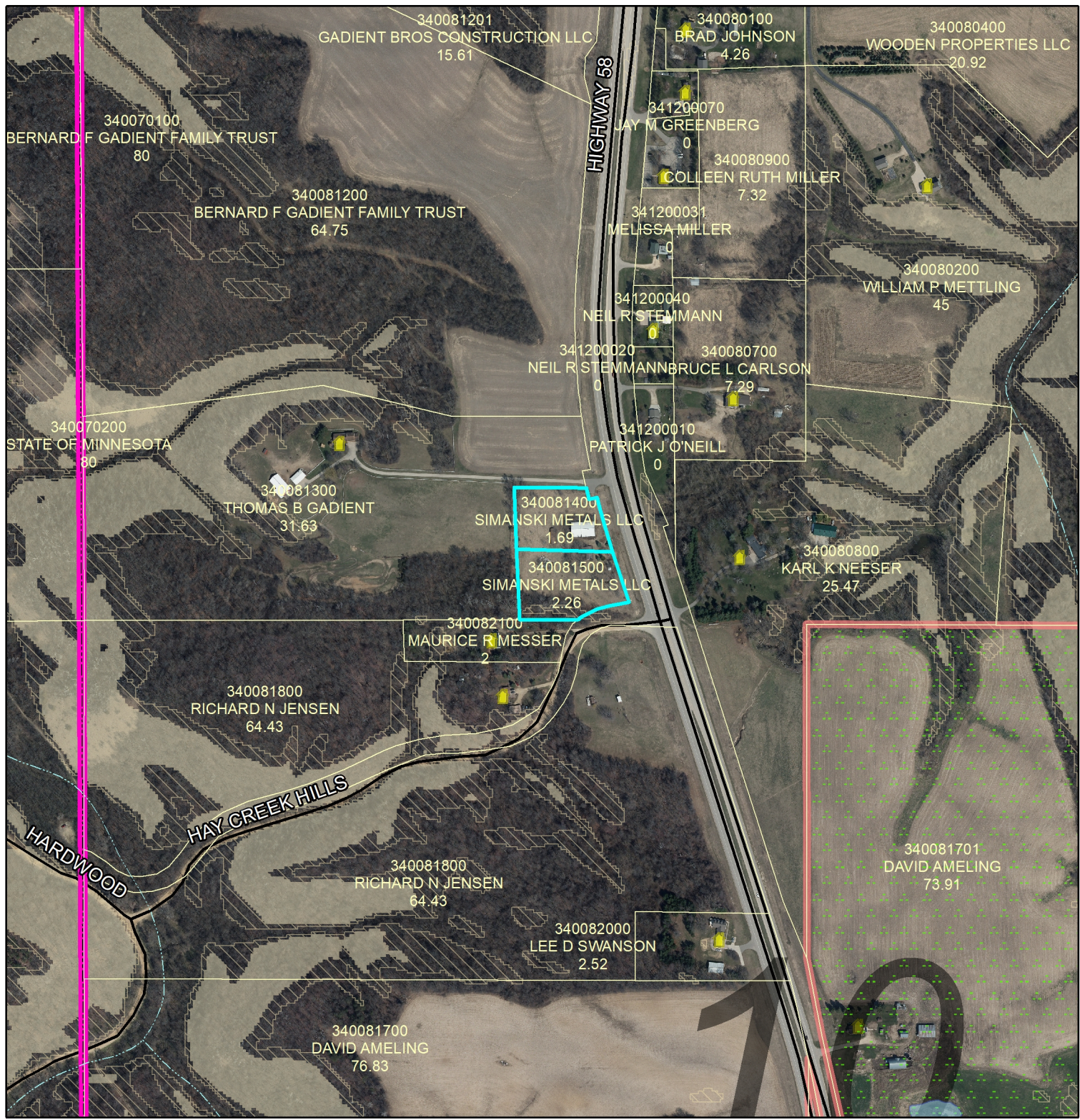
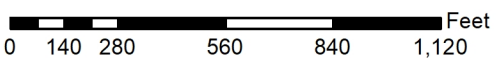
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|--|----------------------------|--|------------------------------|
| | Intermittent Streams | | Bluff Impact Zones (% slope) |
| | Protected Streams | | 30 |
| | Lakes & Other Water Bodies | | |
| | Shoreland | | |
| | Historic Districts | | FEMA Flood Zones |
| | Parcels | | 2% Annual Chance |
| | Registered Feedlots | | A |
| | Dwellings | | AE |
| | Municipalities | | AO |
| | | | X |



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2016 Aerial Imagery

Map Created June, 2018, Ryan Bechel





Planning Advisory Commission

Public Hearing
June 18, 2018

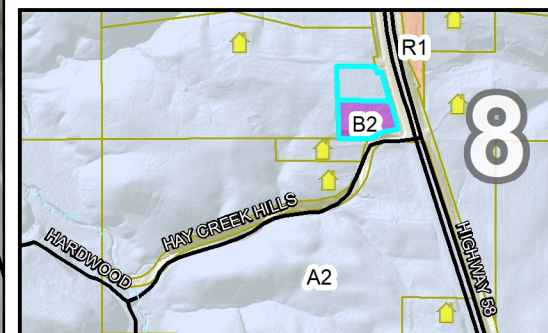
Simanski Metals LLC
29409 HWY 58 BLVD
Red Wing, MN 55066
A2 & B2 Zoned District

Parcels 34.008.1400 &
34.008.1500; SE ¼ NW ¼,
Sect 08 Twp 112 Range 14
in Hay Creek Township

CUP request to establish
a Contractors Yard
(Commercial Hauling/Transport)

Legend

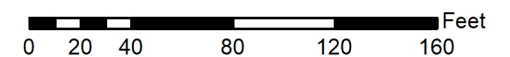
Intermittent Streams	Bluff Impact Zones (% slope)
Protected Streams	20
Lakes & Other Water Bodies	30
Shoreland	FEMA Flood Zones
Historic Districts	2% Annual Chance
Parcels	A
Registered Feedlots	AE
Dwellings	AO
Municipalities	X



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2016 Aerial Imagery

Map Created June, 2018, Ryan Bechel



RECEIVED

MAY 25 2018

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # 34.008.1400 and 34.008.1500

Permit# 218-0032

PROPERTY OWNER INFORMATION

Form with fields: Last Name (Simanski Metals), First (LLC), Em, Street Address (28983-320 Avenue Way), Phone, City (Red Wing), State (MN), Zip (55066), Attach Legal Description as Exhibit "A" (checkbox), Authorized Agent (Kevin Simanski), Phone (651-491-3763), Mailing Address of Landowner (same as above), Mailing Address of Agent (same as above).

PROJECT INFORMATION

Form with fields: Site Address (if different than above) (29409 Hwy 58 Blvd, Red Wing, MN 55066), Lot Size (3.5 acres), Structure Dimensions (if applicable) (100x120), What is the conditional/interim use permit request for? (Contractors Yard), Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized (See attached sheet).

DISCLAIMER AND PROPERTY OWNER SIGNATURE

I hereby swear and affirm that the information supplied to Goodhue County Land Use Management Department is accurate and true. I acknowledge that this application is rendered invalid and void should the County determine that information supplied by me, the applicant in applying for this variance is inaccurate or untrue. I hereby give authorization for the above mentioned agent to represent me and my property in the above mentioned matter.

Signature of Landowner: Simanski Metals LLC by Margaret Anderson Date 5-23-18
Signature of Agent Authorized by Agent: Kevin Simanski

TOWNSHIP INFORMATION

Township Zoning Permit Attached? [] If no please have township complete below:
By signing this form, the Township acknowledges being made aware of the request stated above. In no way does signing this application indicate the Township's official approval or denial of the request.

Signature: Maif Schelg Title: Clerk Date: 5-25-2018
Comments:

COUNTY SECTION COUNTY FEE \$350 RECEIPT # 16292 DATE PAID 5/25/18

Applicant requests a CUP/IUP pursuant to Article ___ Section ___ Subdivision ___ of the Goodhue County Zoning Ordinance
What is the formal wording of the request?
Shoreland ___ Lake/Stream Name ___ Zoning District ___
Date Received ___ Date of Public Hearing ___ DNR Notice ___ City Notice ___

Action Taken: ___ Approve ___ Deny Conditions:

Goodhue County Conditional/Interim Use Permit Application
Simanski Metals LLC - CUP request for Contractors Yard

Written justification for request:

We propose constructing a 100' x 120' heated and insulated commercial building to house our roll-off trucks, semi tractors and related equipment. We also plan to store empty roll-off containers in the SW corner of the gravel lot with an occasional full container on a short term basis. The truck doors on the building will face to the South, to minimize truck noise affecting neighboring houses to the East and North. Having an insulated building will also diminish noise from maintenance work being done on equipment inside the building. We plan on extending the earthen berm, that currently runs along the West edge of the property, around the SW corner and up the South side to the driveway. This will be seeded and planted with trees to create a natural screen to enhance the wooded area next to it along the township road. The site plan depicts a screen fence along the entire West and North boundaries and extending 50' from the NE corner along Hwy 58.

Project Summary:

1. We currently operate six commercial trucks. Four are roll-off trucks and two are semi tractors. They leave weekday mornings by 6:30am and return in the late afternoon. It is uncommon for more than one truck to be exiting or entering the site at the same time. There may be times when a roll-off box is loaded/unloaded from a truck and there may be times when a trailer is connected to a semi tractor for transport. This is not a daily occurrence, but is a part of our operations.
2. There are no existing buildings on the site. The proposed new structure will be to house all of the trucks, skid loader and other equipment needed to operate the business.
3. All of the current employees reside in Goodhue County.
4. Hours of operation are from 6am to 6pm Monday thru Friday. One semi tractor leaves earlier on some days due to a contracted time agreement. There are occasions when the building would have activity outside these hours due to mechanical issues with trucks (flat tire, part replacement). There are a few Saturdays during the year that require truck use for special projects in the county. Some service work is performed in the shop on random Saturdays, usually during busy weeks when the maintenance cannot be performed during regular hours.
5. Our plan is to operate with the number of trucks we currently have. We may find the need to add additional trucks, but it is not a goal, and we do not want to be capped at our current number.
6. As previously mentioned, it is uncommon for the trucks to exit or enter the site at the same time. A previous concern was with the permitted commercial driveway, and Mike Dougherty from MnDOT addressed all the issues with his letter from April 23, 2018. It is attached to this paperwork as Exhibit B. The site provides ample room to operate our trucking business without encroaching on neighboring property.
7. Parking for employees is shown on the site map.
8. We currently have a 6 yd dumpster from Waste Management at our residence, and all trash from the shop (paper towels, parts packaging, plastic soda bottles, etc) will be bagged and brought to our residence for disposal/recycling. It should be a small volume that is generated.
9. There is a well on site that will be tested and brought into compliance with the Goodhue County Public Health Dept.. There will also be a new septic system installed. Both of these systems are contingent with obtaining a CUP.
10. We propose lighting on the building only, pointing downward, as not to disrupt neighboring properties.

11. There is no existing signage. We would want to put our business name on the building.
12. We have a few enclosed semi trailers that we plan to utilize for tire and parts storage to maintain the room in the building for trucks so they will not have to sit outside.
13. A gate across the driveway and surveillance cameras are planned for security and safety.
14. The site plan shows access to the property off of Hay Creek Hills Drive.
15. As previously mentioned, most activity will be inside the building. The gravel surface in the yard area will be treated with chloride if dust becomes an issue. There should be no offensive odors generated by our type of business.
16. Most vegetation has been removed already. We met with Coty Hyllengren and Beau Kennedy from the Goodhue County SWCD in April 2018 at the site. We discussed storm water drainage and extending the earthen berm. We are going to follow their recommendations. A copy of the email from Coty is attached as Exhibit C.
Margaret also met with neighbor Maurice Messer in April and shared the plan for storm water drainage.
17. We obtained a storm water permit from the MPCA in April 2018. A copy of it is attached as Exhibit D. We will be under their monitoring going forward.
18. N/A
19. To provide clarification about storing roll-off boxes on the site. According to the MPCA, they do not have any problem with storing empty or full roll-off containers. We are permitted to do so, and the monitoring will give them sufficient data to decide if there is an issue. They said they did not anticipate any adverse data and concerned parties should call them with questions. Any boxes that would need to be tarped to travel on the public roads would be tarped on the site.

Absolutely no debris from the cleanup was buried on the site in April 2017. A burning permit from the MN DNR was obtained to get rid of the vegetation.

Documentation was submitted to Goodhue County for the following that was removed from the site:

Tons of trash/garbage

Tire recycling

Yards of demolition materials (wood, sheetrock, shingles, pvc)

Shingles were tested for asbestos - they was none detected

Scrap metal

ABSTRACT OF TITLE

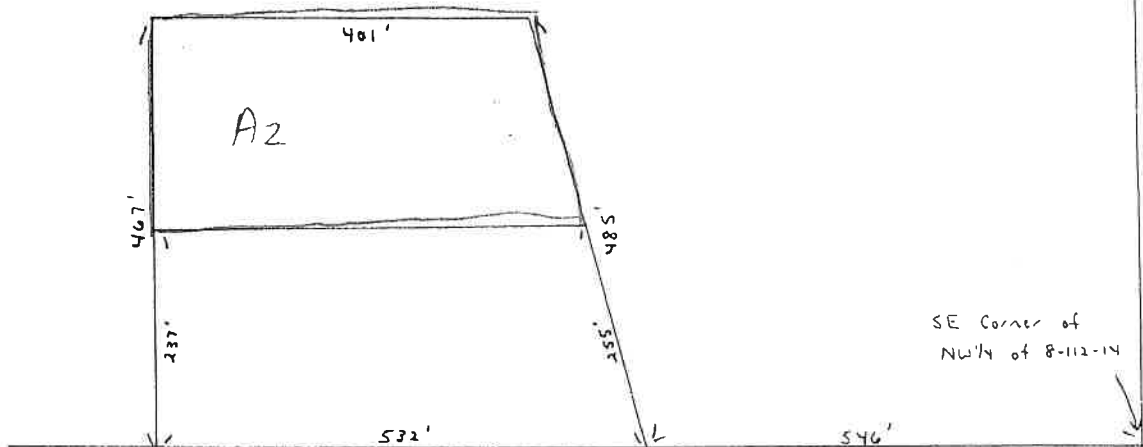
COMPILED BY
GOODHUE COUNTY
ABSTRACT CO.

Exhibit A

STATEMENT of instruments recorded or filed in the office of the County Recorder of Goodhue County, Minnesota, affecting the title to the lands described below, and situate in said County, as such instruments appear upon the books of ABSTRACTS OF TITLE to lands in said County, kept by Goodhue County Abstract Co., of Red Wing, in said County and which books have been carefully compiled from, and compared with, such records.

THIS ABSTRACT OF TITLE IS A HISTORY OF THE RECORD TITLE OF THE PROPERTY DESCRIBED THEREIN AND DOES NOT REPRESENT THAT THE TITLE IS GOOD AND MARKETABLE.

LANDS



No. 1

Part of the Southeast Quarter ($SE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section 8, Township 112 North, Range 14 West of the Fifth Principal Meridian, in the County of Goodhue, State of Minnesota, described as follows:

From the southeast corner of the $NW\frac{1}{4}$ of said section 8, run west 546 feet along the south line of said $NW\frac{1}{4}$, to the westerly right of way line of State Trunk Highway No. 58, at an iron, for the place of beginning of tract to be described; thence run west 532 feet to an iron; thence run north 467 feet to an iron; thence run east 401 feet to the westerly right of way line of said Highway; thence run southerly along the westerly right of way line of said Highway for 485 feet to the place of beginning. EXCEPTING THEREFROM, the following parcel of land: From the southeast corner of the $NW\frac{1}{4}$ of said section 8, run west 546 feet along the south line of said $NW\frac{1}{4}$ to the westerly right of way line of State Trunk Highway No. 58, at an iron, for the place of beginning of the tract here to be described; thence run west along said quarter line 532 feet to an iron; thence run north 237 feet to an iron; thence easterly in a straight line to a point on the westerly line of said highway 255 feet northerly from the place of beginning and measured along the westerly line of said highway; thence southerly along the westerly line of said highway 255 feet to the place of beginning.

=====



2900 48th St. NW
Rochester, MN 55901

April 23, 2018

To Whom it May Concern,

The Minnesota Department of Transportation has received inquiries from residents in the Hay Creek area regarding MnDOT's permit for a driveway for Simanski Metals. We'd like to provide you with information about the process, and MnDOT's role and responsibilities.

I am Mike Dougherty, District 6's director of public engagement and communications. I have spoken with our various MnDOT departments that have oversight or some responsibility in making these determinations and have summarized their information in this letter to help address the types of questions we've received from individuals near the site adjacent to Highway 58.

The permit was reviewed and, as is part of the process, we sought additional and clarifying information to be sure that we had the necessary information to make a determination if the driveway application met the established criteria. Simanski Metals met the requirements we have for an access driveway permit and we are obligated to grant a permit.

There were questions from individuals about turn movements. There was no indication of overlapping truck turning movements.

A semi returning to Highway 58 from the property should not block normal ingress and egress from Highway 58. A truck vehicle turning right from Highway 58 should not be restricted from turning if a non-semi approach vehicle is waiting to enter Highway 58.

There are various turning scenarios that individuals have brought up that are basic driving rules that should be followed such as not blocking lanes or looking ahead prior to turning to be sure there is sufficient space to enter. Many of the scenarios mentioned in past correspondence relate to all drivers being observant and following the rules of the road. We rely on those actions and responsibilities of drivers daily along all of our roads and bridges in southeast Minnesota.

There were also questions about drainage, the decision on plans for that rest with the township in conjunction with Goodhue County when they review the site development plans. Drainage from the site does not appear to impact MnDOT Right of Way and Highway 58. The driveway includes a culvert to maintain existing drainage along Hay Creek Hills Drive.

I hope this helps clarify MnDOT's piece of the project and our role in permitting a driveway.

Sincerely,

Mike Dougherty
Director of Public Engagement and Communications, District 6
michael.dougherty@state.mn.us
507-286-7684

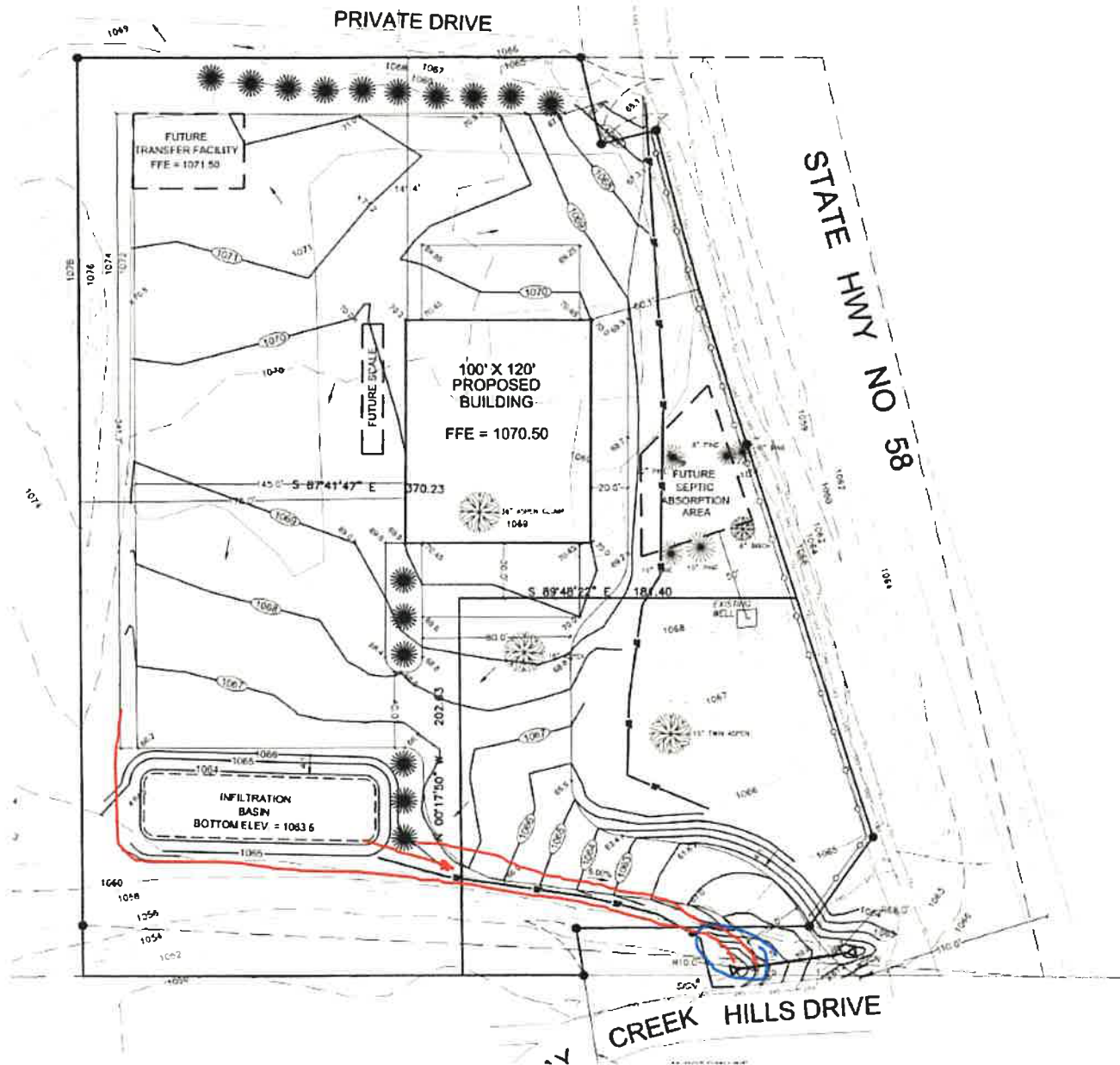


Margaret Simanski <1possumphunter@gmail.com>

Site Visit Follow up

Hyllengren, Coty <chyllengren@goodhueswcd.org>
To: Margaret Simanski
Cc: "Kennedy, Beau" <bkennedy@goodhueswcd.org>

Mon, Apr 30, 2018 at 2:50 PM



Hi Margaret,

As a follow up to our visit last Thursday here is a summary of the recommendations Beau Kennedy and I discussed with you to prevent any future runoff issues on your site. These recommendations are based off of the above proposed site plan. Since most of the water from the gravel lot and the new proposed building will flow to the SW corner of the property we believe it is a good idea to have a small settling pond, as proposed on the site plan to catch the runoff. As an addition to the plan we also believe there should be an earthen berm extended from the SW corner of your

property along the southern edge and ending at your new proposed driveway. This will protect the steep slope on the southern edge of your property from any erosion and runoff. That berm is depicted in the plan above with red lines. The overflow water from the sediment pond will flow along the upstream side of the berm to the east and empty into the road ditch of Hay Creek Hills Drive next to your proposed driveway. The upstream side of the berm should also have a flat grassed channel that the water can flow on. With looking at the site plan further we also think that as a precaution there should probably be some larger rock or rip rap placed in the area where the water from the berm will outlet down into the road ditch. This is just to prevent any future erosion on that steeper slope. That area is marked in blue on the above plan. If the proposed recommendations are completed we feel there should be no concern for any runoff or erosion problems with the storm water from your site in the future.

If you have any questions or concerns about these recommendations please give one of us a call.

Thanks,

Coty Hyllengren
Goodhue County SWCD
Conservation Technician
651-923-5286

NOTICE: This e-mail and any files transmitted with it are intended only for the use and viewing of the individual or entity to which they are addressed. If you are not the intended recipient, please immediately notify the sender of the transmission error and then promptly delete this message from your computer system. Please be advised that e-mail correspondence to and from Goodhue County may be public data subject to the Minnesota Data Practices Act and may be disclosed to third parties.



Minnesota Pollution Control Agency

520 Lafayette Road North
St. Paul, MN 55155-4194

COVERAGE CARD

Industrial Stormwater Multi-Sector General Permit MNR050000

The facility listed below is authorized by the Minnesota Industrial Stormwater Permit.

This Permittee shall follow all of the requirements under the MPCA Industrial Stormwater Permit.

The facility listed below has completed and shall follow their Stormwater Pollution Prevention Plan (SWPPP).

Industrial Activities authorized under this permit

Industrial Activity	Industrial Subsector	Industrial Sector
4214 Local Trucking With Storage	P3 Motor Vehicle Facilities	P Land Transportation and Warehousing

If you have questions regarding the industrial stormwater program, please email iswprogram.pca@state.mn.us, visit:

www.pca.state.mn.us/industrialstormwater or call the Stormwater Hotline at 651-757-2119 or 800-657-3804.

Permit ID Number: **MNR053DL8**

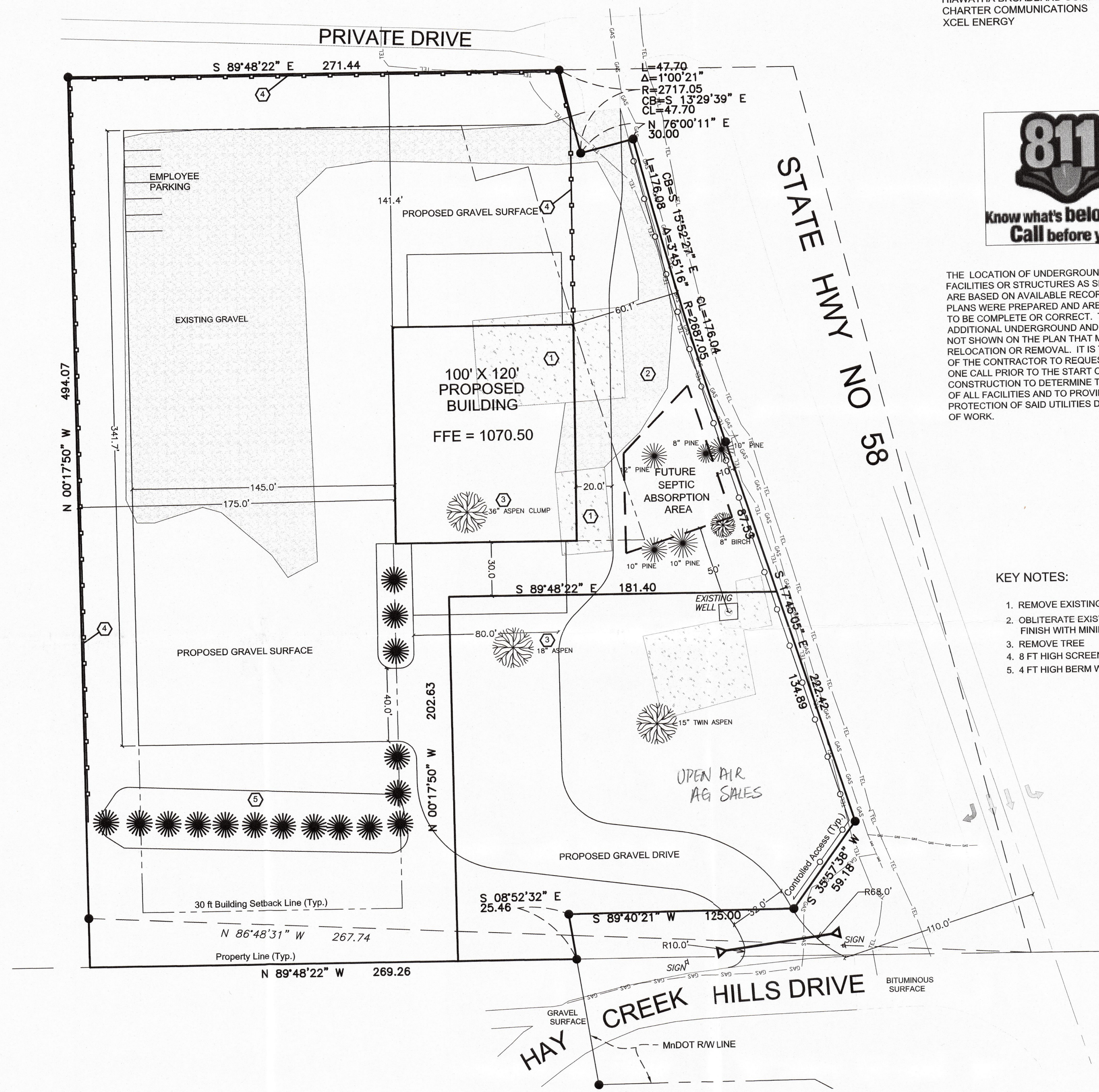
Facility Name: Simanski Metals LLC

Facility Address: 29409 Highway 58 Blvd Red Wing, MN 55066

Beginning Date: 04/27/2018

Expiration Date: 4/5/2020

Post this Coverage Card in a visible location



EXISTING UTILITIES NOTIFIED
GOPHER STATE ONE CALL TICKET # 172711307

UTILITY NAME	PHONE
CENTURYLINK	(855)742-6062
GOODHUE COUNTY COOP	(507)732-5117
HIAWATHA BROADBAND COMMS	(507)474-4000
CHARTER COMMUNICATIONS	(800)778-9140
XCEL ENERGY	(800)848-7558



THE LOCATION OF UNDERGROUND AND OVERHEAD FACILITIES OR STRUCTURES AS SHOWN ON THE PLANS ARE BASED ON AVAILABLE RECORDS AT THE TIME THE PLANS WERE PREPARED AND ARE NOT GUARANTEED TO BE COMPLETE OR CORRECT. THERE MAY BE ADDITIONAL UNDERGROUND AND OVERHEAD UTILITIES NOT SHOWN ON THE PLAN THAT MAY BE REQUIRE RELOCATION OR REMOVAL. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REQUEST A GOPHER STATE ONE CALL PRIOR TO THE START OF ANY CONSTRUCTION TO DETERMINE THE EXACT LOCATION OF ALL FACILITIES AND TO PROVIDE ADEQUATE PROTECTION OF SAID UTILITIES DURING THE COURSE OF WORK.

- KEY NOTES:**
1. REMOVE EXISTING CONCRETE
 2. OBLITERATE EXISTING GRAVEL DRIVEWAY. FINISH WITH MINIMUM OF 6 INCHES OF TOPSOIL
 3. REMOVE TREE
 4. 8 FT HIGH SCREEN FENCE
 5. 4 FT HIGH BERM WITH VEGETATED SCREENING



320 West Broadway
Suite 3
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(507) 272-6447
plans@wse.engineering
www.WSE.website

DRAWN BY: GFN
REVISIONS:

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PROJECT TITLE:

SIMANSKI METALS
29409 HIGHWAY 58 BLVD
RED WING, MN

SHEET TITLE:
SITE PLAN

SHEET NUMBER:
C-1.0

PROJECT NUMBER:
1.CO-18001A

BASIS OF DRAWING FILE:

DATE OF SURVEY: 10-01-2017
COORDINATE SYSTEM: GOODHUE COUNTY
HORIZONTAL DATUM: NAD83(2011) REF: VRS
VERTICAL DATUM: NAVD88 REF: VRS
ADDITIONAL FILE INFORMATION:

