



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

6:00 PM Call Meeting To Order

Approval Of Current Agenda

Approval Of Previous Month's Meeting Minutes

1. July 18, 2022 PAC Meeting Minutes DRAFT

Documents:

[MINUTES_DRAFT_JULY_MEETING_2022.PDF](#)

Conflict/Disclosure Of Interests

Public Hearings:

1. PUBLIC HEARING: Request For CUP For A Non-Agricultural Use Associated With Agri-Tourism (Wedding And Event Center)
Request, submitted by Michael Barck (Owner) to establish a wedding and event center with a proposed maximum occupancy of 250 guests. Parcel 38.016.1000. 42593 Highway 52 BLVD Zumbrota, MN 55992. Part of the E ½ of the SE ¼ of Section 16 TWP 110 Range 16 in Minneola Township. A-1 Zoned District.

Documents:

[PACPACKET_BARCK.PDF](#)

Other-Discussion

Adjourn

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 ◆

**PLANNING ADVISORY COMMISSION
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The meeting of the Goodhue County Planning Advisory Commission was called to order at 6:00 PM by Chair Carli Stark at the Goodhue County Government Center in Red Wing.

Roll Call

Commissioners Present: Carli Stark, Marc Huneke (arrived at 6:07PM), Richard Nystuen, Tom Gale, Richard Miller, Chris Buck, Darwin Fox, Howard Stenerson (arrived at 6:01PM) and Todd Greseth.

Commissioners Absent: None.

Staff Present: Land Use Director Lisa Hanni, Zoning Administrator Samantha Pierret, Zoning Assistant Alexandra Koberoski, and Zoning Administrative Assistant Patty Field.

1. Approval of Agenda

¹Motion by Commissioner Miller; seconded by Commissioner Fox to approve the meeting agenda.

Motion carried 7:0

2. Approval of Minutes

²Motion by Commissioner Greseth; seconded by Commissioner Gale to approve the previous month's meeting minutes.

Motion carried 8:0

3. Conflict/Disclosure of Interest

Commissioner Buck stated that he will not be partaking in the third hearing (Ann Buck) as this is his family's farm. Commissioner Stenerson stated he received a letter on one of the rezonings but sees no conflict.

4. Public Hearings

PUBLIC HEARING: Request for CUP for a Retreat Center

Request, submitted by Trisha Studer (Applicant) on behalf of Catching Fireflies Inc. (Owner), to establish a retreat center in an existing structure. Parcel 39.034.1001. 51506 210th AVE Pine Island, MN 55963. Part of the NW ¼ of the SW ¼ of Section 34 TWP 109 Range 15 in Pine Island Township. A-2 Zoned District.

Pierret presented the staff report and attachments.

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Chair Stark Opened the Public Hearing

Commissioner Miller (Pine Island Township Supervisor) stated the Township is in support of the proposal and they look forward to its completion.

After Chair Stark called three times for comments it was moved by Commissioner Stenerson and seconded by Commissioner Fox to close the Public Hearing.

Motion carried 9:0

Commissioner Stenerson stated he has a concern with any business or public facility establishing operations in agricultural districts. He noted there may be conflicting uses here if, for example, a farmer is spreading manure on the same day as a retreat. That's why these are not permitted in A-1 zones because there are a lot of farms, a lot of manure spraying, and dust. He is not opposed to this proposal, but he wondered whether there would be a practical way to state in the CUP or add a condition noting that the facility is within an agricultural area and the sites, smells, and sounds of agricultural operations may be present on the property during events.

Chair Stark stated they could make a motion to add that as a condition but she would not be in favor of that because it could cause future conflicts for landowners regarding who was there first and who has the right to operate their business or farm.

Commissioner Miller stated that in this instance, the section is going to eventually be annexed by the city of Pine Island, including the proposed housing development to be built once the sand pit is closed. He does not see that there is any conflict or even a possibility of a conflict with the activity in this area.

Commissioner Stenerson asked Commissioner Miller if there are any farmers or agricultural activities that could lead to complaints from guests or the owner.

Commissioner Miller stated he did not know how you could prevent a farmer from spreading manure in an agricultural district.

Commissioner Stenerson stated that is why he would rather address potential issues now so the owner knows agricultural activities can occur nearby. He added that these types of discussions about incompatible uses rarely happen before a permit comes to the Planning Commission.

Commissioner Greseth asked where they would start and stop with the list of agricultural activities and incompatible uses. They are going to an A-2 Agricultural District so they know

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that they are not in the city. He stated that he has no problem with the way staff has drafted this report.

Hanni stated she understands what they are saying, but it is up to the owner/operator to let her guests know the characteristics of the area. She doesn't feel the County should be imposing rules dictating what they must share with their customers.

Trisha Studer (Applicant) stated she has owned the property adjacent to this one for six years and ran it as a business six days a week. Her customers know they are coming to an agricultural area and this is not an issue. They are coming to be inside. She has hosted 70 plus retreats in 10 years. Including Good Earth Village in southern Minnesota, which is also agricultural. The customers are coming to look at trees and farms. She is not concerned about agricultural operations being nearby. She wouldn't have put this much money into the project if she thought any of those things would be a factor. She understands what their point is but she is not worried about it at all.

Commissioner Stenerson asked if she was keeping the current business in its current location.

Ms. Studer stated that the retail operation will remain in its current location. The goal is for the guests at the retreat center to be shopping at the store.

4It was moved by Commissioner Stenerson and seconded by Commissioner Miller 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 that the County Board of Commissioners **APPROVE** the request from Trisha Studer (Applicant) on behalf of Catching Fireflies Inc. (Owner) to establish a Retreat Center within an existing structure. 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. Retreat Center occupancy shall not exceed 50 guests;
3. On-street parking/loading shall be prohibited;
4. All exterior signage located on the property must follow Goodhue County Zoning Ordinance Article 11 section 17 (Sign Regulations). The applicant shall consult the appropriate road authority prior to placing signs within road Right-of-Way;
5. Applicant shall obtain Building Permit approvals for a change of use to the existing structure from the Goodhue County Building Permits Department prior to establishing the use;

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6. Applicant shall work with Goodhue County Environmental Health to provide documentation on septic system compliance and obtain appropriate permits for future septic construction or capacity increases;
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 25 Retreat Centers and Article 22 A2, General Agriculture District.

Motion carried 9:0

PUBLIC HEARING: Request for IUP for a Utility-Scale Solar Energy System (SES)

Request, submitted by Brian Keenan (IPS Solar, Applicant) and Mark Dykes (owner) for a Utility-Scale Photovoltaic Ground 1-Megawatt Solar Energy System occupying approximately 11-acres. Parcel 39.012.0600. TBD 240th Avenue Mazeppa, MN 55956. Part of the SE ¼ of the NE ¼ of Section 12 TWP 109 Range 15 in Pine Island Township. A-2 Zoned District.

Koberoski presented the staff report and attachments.

Brian Keenan (Applicant) with Impact Power Solutions gave a brief history of the company. He noted that solar is generally noise-free, dust free, and there is very little traffic. You have to be within ten feet of the arrays moving to hear them. This particular site has steep terrain, especially in the northeast corner. It is a very hard parcel to farm. There is a lot of soil erosion with water runoff. They worked with the land owners to place the solar array here to stay out of the prime farmland. The eastern group of panels in the array are fixed and face to the south. The western rows run north and south and rotate east to west during the day. The fixed panels are set in place and there are fewer issues with glare.

Commissioner Stenerson asked why they are using a mix of fixed and rotating panels. His understanding is that rotating panel installation tends to do more damage to the farm fields.

Mr. Keenan stated that there is not a big difference in soil impacts between fixed and rotating systems. He noted the posts are the same C channel steel posts hydraulically driven with no concrete footings. There is one motor that drives that whole row. And that whole row needs to be within a certain plane so they can't have big undulations in the terrain. They can meet these requirements on the western part of this parcel but they cannot do that on the eastern side because of the hill.

Commissioner Stenerson questioned the use of Black Hills Spruce for screening and at what point the trees will grow so large they block the panels from getting sunlight.

Mr. Keenan stated the trees here are on the north side so they will never block the panels. He noted the spruce trees generally grow as wide as they do tall and are dense trees so they do a good job at screening. They are very hearty in different types of soils.

Chair Stark Opened the Public Hearing

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Henry Schultz (47471 240th Avenue Mazeppa, MN) stated his house is 106 feet from the north property line of the project. He questioned the requirement for a visual impact analysis in the Ordinance. He would ask the Commission to consider the distance of his dwelling from the proposed solar garden. He noted his daughter is a forester and says the Black Hills Spruce are a very hearty but slow-growing tree. It is going to take a while for them to cover up anything that is 10 feet tall that they can see from their home. Especially views between the trees if they are 16 feet on center. He would request they install two staggered rows of trees with some low bushes in front of them. He would also like the first two rows on the north side of the project area, closest to their home, to be eliminated. That would mediate the visual impact.

Ann and Vince Steffen (47418 240th Avenue Mazeppa, MN) stated they live across the street and their west windows and deck face the proposed utility solar project. Their home is at a higher elevation and they will be looking down at the solar array. They are requesting a 600-foot, well-maintained setback on the east boundary of this project. This will help maintain the neighborhood's rural atmosphere, property values, and hopefully blend this project into their rural neighborhood. They would also request a well-maintained, 4-foot tall berm be established along the roadway to screen the project area. Their third request would be evergreens, at least 8 feet tall, planted twelve feet on center along the eastern property boundary. This will also help lessen glare to improve safety, help reduce noise, and maintain a comfortable rural feel for their neighborhood and neighbors. They added that the spacing of the Black Hills Spruce, because of their growth rate, will take 15 to 18 years to fill that space.

Commissioner Huneke asked if the 600-foot buffer they are asking for is starting from their residence or the property line.

Ann Steffen stated from their property line.

5After Chair Stark called three times for additional comments it was moved by Commissioner Stenerson and seconded by Commissioner Huneke to close the Public Hearing.

Motion carried 9:0

Brian Keenan stated that part of their business model is to always try to be good neighbors and work with the project's adjacent landowners. The screening and the trees that they proposed in their application are above what is required in the Ordinance. They are trying to break up the view without putting a big solid fence up. The particular species of tree was chosen because they are full and dense and do a good job of blocking the view. A 4-foot berm and trees every twelve feet could become cost prohibitive. When you look at the terrain of the site, they don't believe adding screening on the east side would provide much coverage because of the terrain difference between the project site and the house across the street. A 600-foot setback would push the panels into prime farmland, which they are trying to avoid.

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Commissioner Stenerson asked if there were any of these proposals or concerns from the public that the Applicant feels he could achieve within budget. For example, removing two rows of panels may reduce revenue without reducing costs. Would adding additional trees and bushes for screening be feasible?

Mr. Keenan stated they would be willing to add a second row of trees and a row of bushes on the north side of the project. They would plant offset rows that are staggered so the view is obscured from different angles. They could extend plantings halfway down the eastern border. The eastern terrain is so variable that the addition of trees may not make a difference in the view from the property across the street.

Commissioner Stenerson clarified the trees would have 16 feet of clearance on all sides.

Mr. Keenan stated they do plant their pollinated friendly seed mix between the trees and will need to maintain that spacing for equipment clearance. The trees are generally 16 feet apart and in staggered rows.

Commissioner Greseth stated this is proposed on 11 acres but it seems like a lot of these 1.0 Megawatt sites are put on 8 or 9 acres. Does the design or layout require more acres here?

Mr. Keenan stated they have some dead space between the tracker systems and fixed systems. Discussion continued regarding the number of panels needed to create 1 Megawatt of electricity using new technologies.

Commissioner Greseth questioned whether Pine Island Township would still be okay with the proposal after hearing the public comments from tonight's meeting.

Commissioner Miller stated that the comments tonight might have affected whether or not the Town Board would have approved the project.

Chair Stark asked staff whether the item could be tabled.

Hanni stated that the PAC would have to give a reason to table it. Options have been offered for screening. It sounds like moving the array 600 feet west would kill the project. The PAC can require they add more trees where they were suggested or if there are other conditions the Commission would like to add wording can be crafted for those conditions. If it is tabled staff would need direction on what to review before the next meeting.

Commissioner Stenerson stated that he agrees that adding more screening seems feasible. He is not sure that tabling it is going to change anything because the Applicant has already offered to add screening and he has already told us that if he has to set it back 600 feet he won't be able to go forward with the project. He believes a decision should be made tonight on the issue.

Commissioner Greseth questioned whether tabling would allow the Applicant to look at an increased setback and time for the Township to reconsider.

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Discussion continued on whether Pine Island Township could rescind its approval of the project and whether the item should be tabled.

Chair Stark stated she would like to hear from the applicant what delaying this decision would do to his plans.

Brian Keenan stated there are a couple of different entities that need to be satisfied with a solar project. The primary one is Xcel Energy. There is a set calendar for how these projects move through and they have a set window to build once they get approval. Getting the CUP approved is important for them to have Xcel Energy approve the project and begin construction as soon as possible. They are amenable to adding more screening if a condition is added to that effect. Doing two rows of trees and bushes on the north side is doable, moving rows of panels would be more challenging.

Commissioner Stenerson said he feels like the board is in the opposite situation they typically find themselves in for solar projects. Many projects have been located in areas with prime farmland and the board is concerned with taking away prime farmland. This proposal has been specifically sited to stay off of prime farmland in an area with steeper slopes and he would not want the board to say the project should go back into prime farmland. There has never been evidence to show that utility-scale solar facilities decrease property values. The Applicant already said they would install the extra trees and shrubs on the north side.

It was moved by Commissioner Stenerson and seconded by Commissioner Fox for the Planning Advisory Commission to:

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

recommend that the County Board of Commissioners **APPROVE** the request for an IUP, submitted by Brian Keenan (IPS Solar, Applicant) and Mark Dykes (Owner) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 11 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 IUP;
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 IPS Solar 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. Applicants shall work with the Goodhue Soil and Water Conservation District to determine an appropriate seed mix for disturbed areas of the site and should submit "seed tags" to the Land Use Management department prior to final inspection;
6. A stormwater management and erosion control plan shall be submitted for administrative review as part of the Building Permit Application for the project;

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7. Applicants shall obtain Building Permit approvals from Goodhue County Land Use Management Department prior to establishing the use;
8. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 19 Solar Energy System (SES) and Article 22 (General Agriculture District) and Article 12 (Bluffland Protection). The Applicant shall request a final inspection of the project for compliance with applicable zoning requirements upon completion of the project;
9. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
10. This IUP shall expire 35 years from the date of approval unless terminated prior to that date; and
11. A second row of evergreen trees shall be added on the north side of the solar array and a row of bushes shall be installed north of the proposed trees along the north property line.

Chair Stark stated that she doesn't see a difference between this request and when they approve feedlots with all of the public comments received. It follows the ordinance and she supports the motion.

Motion carried 8:1 (Commissioner Miller against)

PUBLIC HEARING: Request for CUP to Establish a Liquid Manure Storage Basin Exceeding 500,000 Gallons

Request, submitted by Ann Buck (Owner) to construct a concrete liquid manure storage basin capable of holding up to 963,262 gallons at a 280 animal unit dairy heifer facility with confinement barns and open lots that are without runoff controls. Parcel 25.024.0401. 37609 180th AVE Goodhue, MN 55027. Part of the SE 1/4 of Section 24 TWP 111 Range 16 in Belle Creek Township. A-1 Zoned District.

Commissioner Buck and Commissioner Huneke will recuse themselves from this request.

Pierret presented the staff report and attachments.

Chair Stark Opened the Public Hearing

No one spoke for or against the request.

After Chair Stark called three times for comments it was moved by Commissioner Stenerson and seconded by Commissioner Miller to close the Public Hearing.

Motion carried 7:0

It was moved by Commissioner Gale and seconded by Commissioner Nystuen 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

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recommend the County Board of Commissioners **APPROVE** the request for CUP, submitted by Ann Buck (Owner), to construct a concrete liquid manure storage basin capable of holding up to 963,262 gallons at a 280 animal unit dairy heifer facility with confinement barns and open lots that are without runoff controls. Subject to the following conditions:

1. The manure storage basin shall be constructed according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
2. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 21 (Agriculture Protection District) and Article 13 (Confined Feedlot Regulations);
3. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.

Motion carried 7:0

Commissioner Huneke and Commissioner Buck are back at the table.

PUBLIC HEARING: Request for Map Amendment (Rezone)

Administrative request to rezone 1.78 acres from B-1 (General Business District) to B-2 (Highway Business District). Parcel 43.134.0020. 27837 271st Street Red Wing, MN 55066. Part of the NE ¼ of the NE ¼ of Section 34 TWP 113 Range 14 in Wacouta Township.

Koberoski presented the staff report and attachments.

Commissioner Stenerson questioned whether the PAC should consider the ordinance changes first. He questioned whether the B-1 zoned parcels would automatically be rezoned to the new Business District if the Ordinance amendments are approved. He questioned whether this request could be tabled and reconsidered later in the meeting.

Pierret stated they could bring this item back at the end of the meeting. Staff's idea with the order tonight was that the B-1 District will be eliminated after the Ordinance amendments are approved and all B-2 zoned properties will become just B General Business District.

Discussion continued on whether to continue discussing the rezoning requests or move on to the Ordinance amendments and return to the rezonings later.

Commissioner Stenerson asked if this is a staff request and not a request by the landowner.

Pierret stated yes.

Discussion continued on the order of items for consideration at this meeting.

Chair Stark Opened the Public Hearing

Heather Ogden (29607 Hillside Drive, Red Wing) stated she agrees with Commissioner Stenerson in regards to going through the Ordinance changes first. Since this was initiated by staff, and not the landowners, the biggest thing to note is there are substantial differences in the zoning between the B-1 and the B-2 Districts. B-2 is much more restrictive over the businesses that are allowed versus B-1. She is asking that they go through and reviewed the

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proposed uses before the rezonings. How is that fair to have more restrictive covenants on the B-1 property that has been zoned that way for decades and then say it is now B-2?

Chair Stark asked if the change would affect any of her business operations.

Ms. Ogden stated as far as her property, no. But she is a resident within that Township and she is concerned if the property were to sell, people are going to have to go back through the Planning Commission for Conditional Use Permits because it is different between the B-1 and B-2 zoning.

Commissioner Stenerson asked Ms. Ogden if she is saying that it may not affect a current business's operations, but she is concerned that if they change the zoning district and the property is sold, someone may not be able to operate a business that is currently allowed there.

Ms. Ogden agreed.

Discussion continued regarding whether the Ordinance amendments should be considered before deciding on the rezonings and whether the properties would be automatically rezoned to B General Business upon adoption of the new ordinance by the County Board.

Jim Plehal (owner of 29665 Hillside Drive) gave a history of his property which is proposed to be rezoned to R-1. He believes the B-1 District was the right district for the historical use of the property. He noted he would discuss his property during the appropriate public hearing time.

9After Chair Stark called three times for additional comments it was moved by Commissioner Miller and seconded by Commissioner Nystuen to close the Public Hearing.

Motion carried 9:0

Discussion continued on the order of the agenda and the procedure for amending the agenda order.

10It was moved by Commissioner Stenerson and seconded by Commissioner Greseth to table the map amendment request until later in the meeting.

Motion carried 9:0

11It was moved by Commissioner Stenerson and seconded by Commissioner Huneke to bring the Ordinance Amendments above consideration of the next rezoning item on the agenda.

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Motion carried 9:0

PUBLIC HEARING: Consider Goodhue County Ordinance Updates

Proposed amendments to Articles 27 (B-2, Highway Business District), 28 (I, Industrial District), and 20 (Table of Uses) to create a Table of Uses for Business and Industrial District uses and remove Article 25 the B-1 (General Business District) to consolidate commercial uses into a single B (Business District). Proposal to amend Article 11 (Performance Standards) to include Self-Service Storage Facilities.

Pierret presented the staff report and attachments. She noted that the Table of Uses was created by consolidating the two Business Districts' uses and only one use changed from permitted to conditional and that was motor fuel stations. All of the uses remained the same they are just now in a table.

Chair Stark Opened the Public Hearing

No one spoke for or against the request.

¹²After Chair Stark called three times for comments it was moved by Commissioner Buck and seconded by Commissioner Miller to close the Public Hearing.

Motion carried 9:0

Commissioner Stenerson said these aren't drastic Ordinance changes. We are just getting rid of one Business zone and consolidating them into a single General Business District, we are not taking away anyone's ability to operate a business in the County. The one thing that is changing is adding storage. There's been a lot of discussion about that topic over the years and now if someone wants to rezone to B or I district, it's a possible use. Mostly we are simplifying language. A property is either zoned for business or they are not. They don't have to worry about what type of business uses and all of that.

Chair Stark stated she also supports this.

Hanni noted an error on the second page of the Table of Uses the title should be Business and Industrial Districts, not Building and Industrial Districts.

Pierret noted that would be corrected for the County Board report.

¹³It was moved by Commissioner Miller and seconded by Commissioner Fox for the Planning Advisory Commission to:

- adopt the staff report into the record; and

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recommend the County Board of Commissioners **APPROVE** the amendments to Articles 27 (B-2, Highway Business District), 28 (I, Industrial District), 20 (Table of Uses), 11 (Performance Standards) and 10 (Definitions) and remove all of Article 25 (B-1, General Business District).

Chair Stark asked if that motion includes the change of the title from building to business.

Commissioner Miller stated yes.

Motion carried 9:0

Chair Stark asked staff whether the PAC should still discuss the rezonings at this meeting because the Ordinance has not been officially changed.

Hanni stated when they go to the board meeting, staff will present the Ordinance Amendments first and follow up with the rezonings. It is helpful for the PAC to make a decision tonight so the items can be at the next board meetings.

Pierret stated that only the request to go from B-1 to B-2 is questionable as to whether it is necessary or whether it automatically changes from B-1 to General Business (B) upon Ordinance adoption. The other request is going to a residential district so she would recommend that they take action on that one tonight.

Discussion continued on the order of items for the County Board and whether staff will request the Board rezone the property from B-1 to B General Business.

¹⁴It was moved by Commissioner Huneke and seconded by Commissioner Miller to take the request for the Map Amendment off the table.

Motion carried 9:0

CONSIDER: Request for Map Amendment (Rezone)

Administrative request to rezone 1.78 acres from B-1 (General Business District) to B-2 (Highway Business District). Parcel 43.134.0020. 27837 271st Street Red Wing, MN 55066. Part of the NE ¼ of the NE ¼ of Section 34 TWP 113 Range 14 in Wacouta Township.

¹⁵It was moved by Commissioner Stenerson and seconded by Chair Stark to:

- 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 administrative request to rezone parcel 43.134.0020 from B-1 (General Business District) to B (Business District).

Motion carried 9:0

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PUBLIC HEARING: Request for Map Amendment (Rezone)

Administrative request to rezone 1.68 acres from B-1 (General Business District) to R-1 (Suburban Residence District). Parcel 43.136.0200. 29665 Hillside Drive Red Wing, MN 55066. Part of the SW ¼ of the SE ¼ of Section 36 TWP 113 Range 14 in Wacouta Township.

Pierret presented the staff report and attachments.

Chair Stark Opened the Public Hearing

Jim Plehal (owner) stated he owns the parcel and 3 surrounding parcels with his brothers. The other 3 parcels they own are zoned A-2 General Agriculture District. They are not against the proposal but B-1 seemed to fit how this property had been used for many years including museums, shops, and hotels. He noted a conversation with staff about the potential uses in the R-1 District and it seems they can do what they may want to do residentially. He added that a future buyer may want the building to become a store again and he hoped the rezoning wouldn't negatively impact that possibility. They may prefer for the property to be zoned Business until they know whether someone would want to open a business there.

Commissioner Stenerson asked if it is currently being used as a rental property.

Mr. Plehal stated it has been used as a rental on and off for about 15 years.

Commissioner Stenerson asked if Mr. Plehal's major concern is that the residential district will restrict their options.

Mr. Plehal agreed. If they were to sell it or develop the property, they don't know what someone may want to do here.

Commissioner Greseth asked if it is currently a residential rental.

Mr. Plehal stated yes, it is a residential rental.

Commissioner Greseth asked if it has been a residential rental for 14 years.

Mr. Plehal confirmed.

Commissioner Greseth asked staff if the owners had a small corner where they had a business could it stay zoned business then, or are we looking at the current use of the property?

Pierret stated she discussed with Mr. Plehal that if the property is rezoned to residential they could have a home occupation where someone who lives on the property has a small store or business operation on site. She explained the tiered Home Business language in the Ordinance.

Commissioner Gale stated they are using it as residential now, but they could come back at some point and rezone it to a business district.

Chair Stark asked if you can have residences on the business-zoned property.

Pierret stated only if it is contained within the business building and is occupied by the owner or the owner's employee.

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Chair Stark stated it sounds like it is easier to rezone to residential and apply for a Conditional Use Permit for a home business.

Pierret agreed, stating if this were to remain zoned as business, based on how it is assessed (residential) and the current use, a residence would be a non-conforming use. If they wanted to expand the building or if the building is destroyed they can no longer use it as a residence in the business district.

Commissioner Stenerson asked if they want to remodel the building as a residence, at what point under a non-conforming use would we say they cannot remodel or do renovations.

Hanni stated he wouldn't be able to make any structural alterations.

Commissioner Stenerson noted the record reflects that this has been a business for many years. As they move forward with their plans they would just have to come back and obtain a zoning change or conditional use permit. They will not have an issue obtaining permits for the current use if it is zoned R-1.

Heather Ogden stated if you look at the current zoning map, you will see that Plehal's property is multi-zoned. It is a B-1 as well as an A-2. She noted the history of the property is business related and changing it to a residential district is going to eliminate that potential unless someone goes through the hoops to go through to rezone it back to a Business District. She knows that the adjacent property is zoned R-1. Her property is zoned A-2 and the adjoining property currently zoned R-1 used to be part of Mr. Plehal's parcel and was split off in 1997. Only within the last 6 years was the neighboring property zoned R-1.

¹⁶After Chair Stark called three times for additional comments it was moved by Commissioner Miller and seconded by Commissioner Huneke to close the Public Hearing.

Motion carried 9:0

Chair Stark stated it does seem like it is much easier to do residential now and then go back to a business district if desired. Otherwise, if there are significant improvements to that building that will be difficult to do if it is zoned Business.

Pierret stated as long as it is being used as a residence, yes.

Chair Stark stated unless that is being changed into something that fits within the business district, you basically can't remodel it or anything.

Hanni stated staff looked at the current use and right now it is being used as residential. Residential uses are next to the property. If they want to do a business in part of that building, they can do that if they want to have a home business. There are some opportunities to still have a small business there.

**PLANNING ADVISORY COMMISSION
GOODHUE COUNTY, MN
July 18, 2022 MEETING MINUTES
DRAFT**

Commissioner Stenerson questioned what would happen if the parcel were not rezoned but the Ordinance was changed.

Hanni stated the decision can be to change it to R-1 or change it to Business. If you change it to Business it is a non-conforming use.

Commissioner Stenerson clarified a future owner or the current owners could come back to the PAC and request to be rezoned back to a Business District.

Commissioner Greseth stated for the last 14 years the use has not complied with the Ordinance. Rezoning to R-1 is going to correct that and they can rent it out to whoever they choose. And if they sell the property or if they want to add a store, they can come back and can ask for that change.

Commissioner Fox agreed. It has been non-conforming for the last 14 years. We are trying to help them because if it is destroyed tomorrow they may not be able to replace it and use it how it is currently being used. When we looked at this in our sub-committee, we agreed this is the best district for the current use. He agrees that anybody could come back in and apply for a change of zone and go back to B if they want to sell it and put a convenience store there.

¹⁷It was moved by Commissioner Stenerson and 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 administrative request to rezone parcel 43.136.0200 consisting of 1.68 acres from B-1 (General Business District) to R-1 (Suburban Residential District).

Motion carried 9:0

¹⁸ADJOURN: Motion by Commissioner Stenerson and seconded by Commissioner Gerseth to adjourn the Planning Commission Meeting at 7:50 p.m.

Motion carried 9:0

Respectfully Submitted,

Patty Field, Zoning Administrative Assistant

MOTIONS

¹APPROVE the PAC meeting agenda.

Motion carried 7:0

**PLANNING ADVISORY COMMISSION
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- ²APPROVE the previous month's meeting minutes.
Motion carried 8:0
- ³Motion to close the Public Hearing.
Motion carried 9:0
- ⁴Recommend the County Board of Commissioners APPROVE the Retreat Center request from Trisha Studer.
Motion carried 9:0
- ⁵Motion to close the Public Hearing.
Motion carried 9:0
- ⁶Recommend the County Board of Commissioners APPROVE the IUP for Utility-Scale Solar Energy System request from Brian Keenan.
Motion carried 8:1
- ⁷Motion to close the Public Hearing.
Motion carried 7:0
- ⁸Recommend the County Board of Commissioners APPROVE the liquid manure storage basin request from Ann Buck.
Motion carried 7:0
- ⁹Motion to close the Public Hearing.
Motion carried 9:0
- ¹⁰Motion to table the map amendment until after consideration of the Ordinance Amendments.
Motion carried 9:0
- ¹¹Motion to amend the agenda and bring the Ordinance Amendments above the rezoning item.
Motion carried 9:0
- ¹²Motion to close the Public Hearing.
Motion carried 9:0
- ¹³Recommend the County Board of Commissioners APPROVE the amendments to articles 27, 28, 20, 11, and 25 request.
Motion carried 9:0
- ¹⁴Motion to take the request for the Map Amendment off the table.
Motion carried 9:0
- ¹⁵Recommend the County Board of Commissioners APPROVE rezoning parcel 43.134.0020 from B-1 to B Business District
Motion carried 9:0
- ¹⁶Motion to close the Public Hearing.
Motion carried 9:0
- ¹⁷Recommend the County Board of Commissioners APPROVE the administrative request to rezone parcel 43.136.0200 from B-1 to R-1.
Motion carried 9:0
- ¹⁸ADJOURN. Motion to adjourn the meeting.
Motion carried 9:0

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 Advisory Commission
From: Land Use Management
Meeting Date: August 15, 2022
Report date: August 5, 2022

PUBLIC HEARING: CUP request for a Non-Agricultural Use Associated with Agri-tourism (Wedding/Event Facility)

Request, submitted by Michael Barck (Owner) to establish a wedding and event facility with a proposed maximum occupancy of 250 guests. Parcel 38.016.1000. 42593 Highway 52 BLVD Zumbrota, MN 55992. Part of the E ½ of the SE ¼ of Section 16 TWP 110 Range 16 in Minneola Township. A-1 Zoned District.

Application Information:

Applicant: Michael Barck (owner)

Address of zoning request: 42593 Highway 52 BLVD Zumbrota, MN 55992

Parcel(s): 38.016.1000

Abbreviated Legal Description: Part of the E½ of the SE ¼ of Section 16 TWP 110 Range 16 in Minneola Township

Township Information: Minneola Township provided email acknowledgment of the Applicant's request. The Applicant will need to obtain formal approval from the Township prior to commencing operations and prior to beginning construction or remodeling of any buildings.

Zoning District: A-1 (Agricultural Protection District)

Attachments and links:

Application and submitted project summary

Site Map(s)

Article 11, Section 30 Non-Agricultural Uses Associated with Agricultural Tourism and Definitions Goodhue County Zoning Ordinance (GCZO):

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

Summary:

The Applicant (Michael Barck) is requesting a CUP to establish a wedding and event facility on his property in Minneola Township for up to 250 guests. The request includes renovating space within the existing detached garage for a groom's suite, construction of a structure to serve as a restroom facility and bridal suite, and the use of a large seasonal tent to serve as the main gathering area.

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 Information:

- The subject property consists of one non-contiguous parcel comprising approximately 26.56 acres. The portion of the parcel to be used for the wedding/event center is 5 acres and contains the Applicant's primary residence and a detached garage. The non-contiguous portions of the property to the west and north are not proposed to be used for the wedding/event facility operations.
- The 5 acres to be used for the wedding/event facility are bordered by A1 zoning districts on all sides. Adjacent land uses include row-crop agriculture and undeveloped woodlands. Highway 52 comprises the property's northern border.
- As an A1 zoned section, a maximum of 4 dwellings are permitted within Section 16. Currently, there are 11 dwellings in section 16 therefore there is no additional dwelling density available. Section 15 directly west of the property is also considered "full" for dwelling development with 4 dwellings.
- Access to the site is located off of Highway 52 (asphalt surface) on the north side of the property.
- Acreage to the west of the driveway is in a Conservation Reserve Program (CRP) and cannot be used for event activities including parking, structures, or the establishment of wells/septic systems.

Weddings/Events:

- A portion of an existing 1,288 square foot detached garage will be used as a groom's suite. A new 24-foot x 36-foot structure is proposed to be constructed south of the existing shed to house the bridal suite and restroom facilities. A 40-foot x 80-foot seasonal tent with side walls is proposed to be erected at the southern portion of the property to house event activities. Land in the southwest portion of the 5-acre parcel would be the ceremony site. The Applicant has proposed a maximum of 250 guests per event.

The Applicant's dwelling is not proposed to be used in conjunction with weddings or events.

- The Applicant is aware of State of Minnesota Building Code requirements for the proposed groom's suite area in the existing garage. A change-of-use permit will need to be approved by the Building Official before public use of the garage. The new bridal suite/restroom structure will require building permit approval from the Building Permits Department prior to construction.
- Hours of operation are proposed to be Wednesday through Sunday from 9:00 AM to midnight, May through October. Music is proposed to end at approximately 11:00 PM. Goodhue County Zoning Ordinance (GCZO) Article 11, Section 30 stipulates outdoor activities must be concluded during daylight hours and indoor activities must be completed by 10:00 PM unless approved through the CUP process to conclude no later than midnight. The Applicant has requested that activities be permitted to conclude no later than midnight as part of the CUP application. Use of a seasonal tent is considered an "outdoor activity". For activities to continue on the property after sundown, a variance must be approved by the Goodhue County Board of Adjustment. The BOA will consider this variance request at their August 22, 2022 meeting.
- All food and/or liquor offered during events will be prepared and catered by appropriately licensed professionals.
- Staff will be present on-site at all times to ensure guest safety and security.

Employees:

- The Applicant anticipates the need for up to 2 non-resident employees to assist with business operations.

Noise:

- Noise generated during events is planned to be directed away from neighboring properties to minimize impacts. The nearest residences are located over ¼ mile northeast of the site across Highway 52 (Derek Ludington) and over ¼ mile to the west (Sarah Bang).

Lighting:

- Exterior yard lighting and security lighting will be installed for guest safety. Walkways will also

be illuminated.

Traffic and Parking:

- The property is accessed via Highway 52 on the north side of the property. The existing transportation network is capable of handling anticipated traffic for the proposed facility.
- MnDOT District 6 has reviewed a preliminary proposal for the facility. MnDOT has indicated that the Applicant will need to work with a professional engineer to mitigate any runoff impacts created by parking areas or new structures to avoid negatively impacting stormwater runoff into the MnDOT right-of-way. MnDOT also noted that the median between the north and southbound lanes in front of the property is not proposed to be removed at this time.
- The Applicant has identified parking areas for approximately 115 vehicles along the existing driveway and to the south, past the garage. The parking area would be comprised of gravel with handicap-accessible spaces on a paved surface. The Applicant indicated that the parking area along the driveway will maintain adequate space for emergency vehicle access between vehicles.

Pursuant to GCZO Article 11, Section 16, the Zoning Administrator has determined minimum off-street parking provisions shall be one parking space for every 4 guests. A minimum of 63 off-street parking spaces are required for this facility at a maximum occupancy of 250 guests.

- GCZO Article 11 section 30 stipulates parking areas shall be setback 40 feet from property lines. The Applicant's proposed parking area is approximately 1 foot from the east property line due to land in CRP, location of existing and proposed structures, and location of proposed septic facilities. The Applicant has applied for a variance to the 40-foot parking setback requirement and the Goodhue County Board of Adjustment will consider this request at their August 22, 2022 meeting.

Utilities:

- The existing dwelling is served by an individual Subsurface Sewage Treatment System (SSTS) and well. The Applicant is proposing to install a new SSTS to serve the new restroom facilities and bridal suite. Sanitation plans will require review and approval by Goodhue County Environmental Health staff before commencing operation of the wedding/event facility. The existing well is proposed to be used to provide water to the new restroom structure.
- Solid waste disposal services will be provided locally. Any hazardous materials or fluids generated shall be properly disposed of.
- The Applicant has installed a small ground mount solar array and roof mount solar array on the detached garage. This solar installation has the capacity to provide electricity to all proposed structures and facilities associated with the wedding/event center.

Signage:

- The Applicant has discussed sign ordinance regulations with staff and has proposed to install signage near the property entrance. Signage must follow the requirements of GCZO Article 11 Section 17.

Landscaping/Drainage:

- Landscaping work will be needed to grade and level the tent area and land for the new structure. Patios and additional landscaping including gardens and boulder retaining walls will be installed on the property.
- The Applicant will need to work with an engineer to comply with MnDOT's requirements to show there will not be excessive runoff into Highway 52 right-of-way.

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 wedding/event facility 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 property is surrounded by agricultural (row crop) land and wooded areas with Highway 52 directly to the north and the

nearest dwellings over ¼ mile away.

2. The wedding/event facility 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 development standards of the Goodhue County Zoning Ordinance and variances have been applied for standards that cannot be met. The property is located within an A1 zoned section that is considered “full” for dwelling development. The use, as proposed, appears compatible with existing adjacent land uses.
3. A review of the Applicant’s submitted project summary indicates adequate utilities, access roads, drainage, and other necessary facilities are available or will be installed 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 wedding/event facility will be conducted 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.

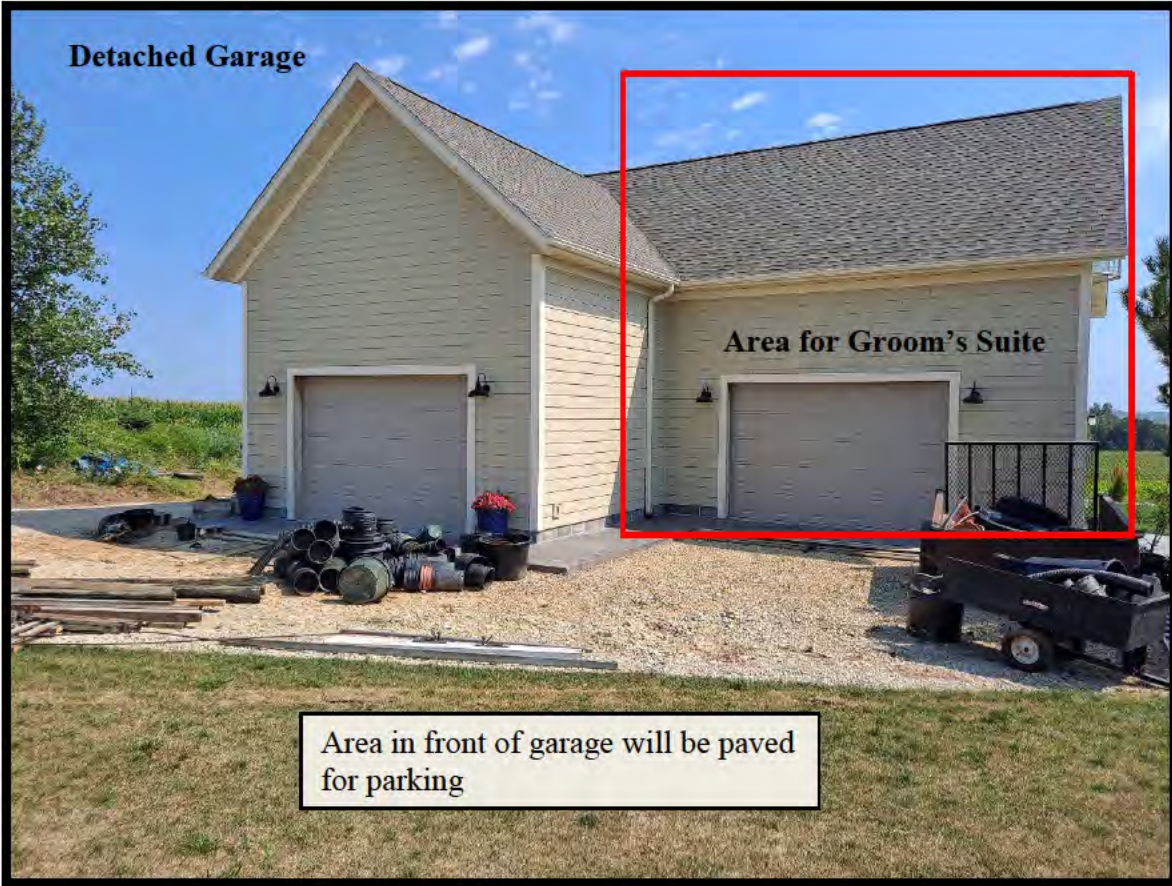
Staff Recommendation:

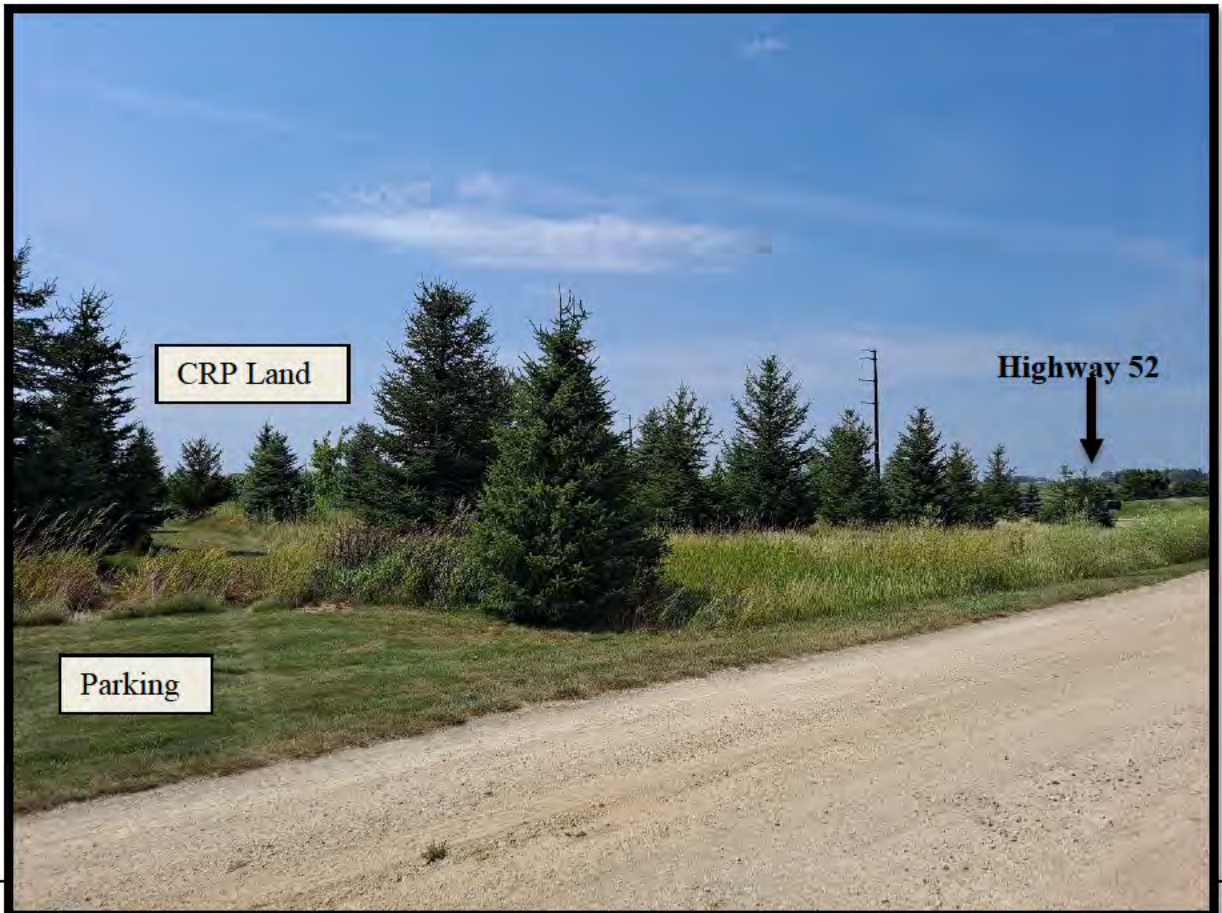
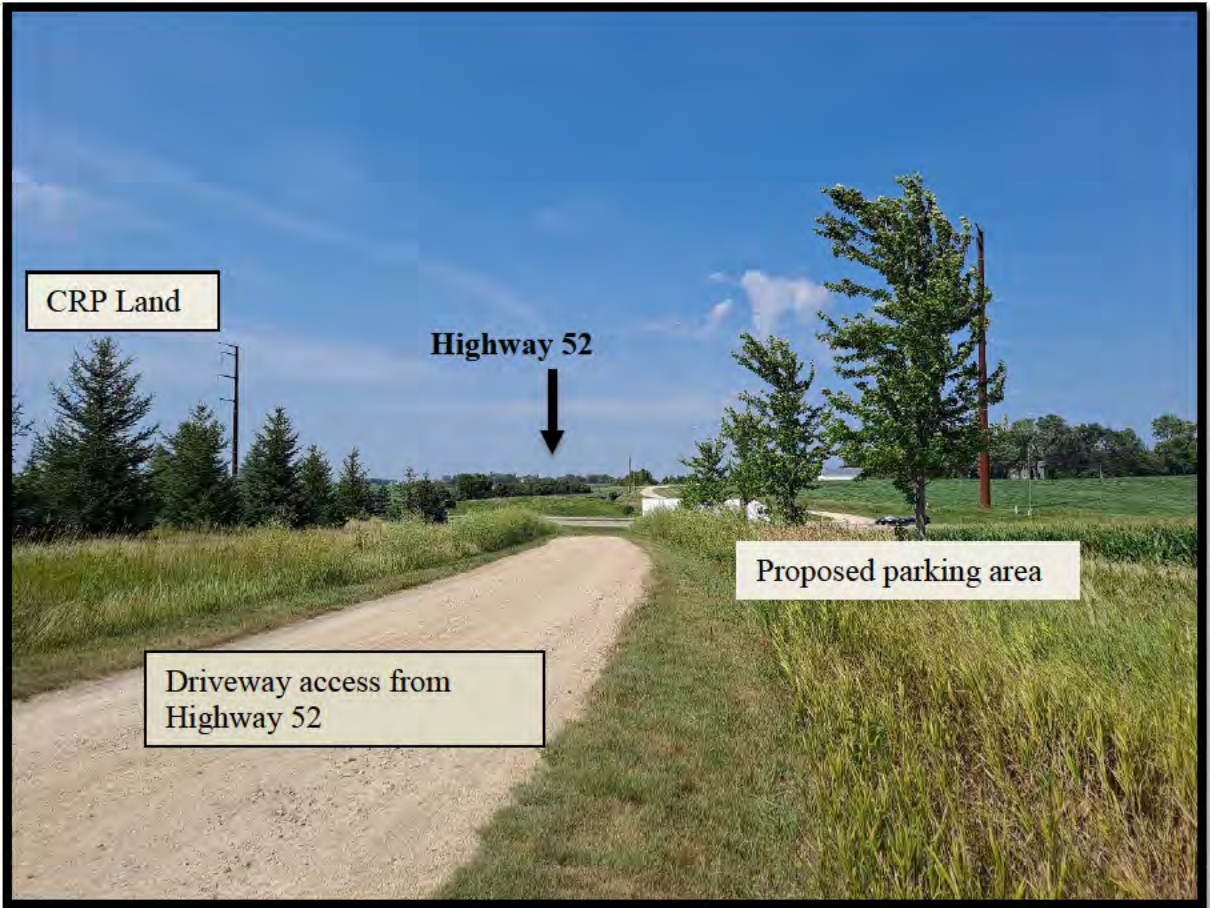
LUM Staff recommends the Planning Advisory Commission

- 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 Michael Barck to establish a wedding/event facility with a maximum occupancy of 250 guests.

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 Wednesday through Sunday, May through October from 9:00 AM to midnight;
3. Maximum occupancy shall be limited to 250 guests per event;
4. On-street loading and parking shall be prohibited;
5. All exterior signage located on the property must follow Goodhue County Zoning Ordinance Article 11 Section 17 (Sign Regulations). The Applicant shall consult the appropriate road authority prior to placing signs within road right-of-way;
6. Applicant shall obtain Building Permit approvals for change-of-use of existing structures and construction of new structures from the Goodhue County Building Permits Department prior to establishing the use;
7. Applicants shall obtain appropriate permits from Goodhue County Environmental Health for well and septic systems;
8. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations. Applicant shall provide proof of MnDOT access approval to staff prior to commencing operations; and
9. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 11 Section 30 Non-Agricultural Uses Associated with Agricultural Tourism and Article 21 Agricultural Protection District.





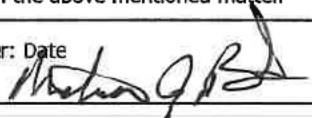






GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # 38.016-1000 Permit# E22-0047

PROPERTY OWNER INFORMATION			
Barck		Michael	
42593 Hwy 52 Blvd			
Zumbrota	MN	55992	Attach Legal Description as Exhibit "A"
Authorized Agent: N/A			Phone
Mailing Address of Landowner: 42593 Hwy 52 Blvd, Zumbrota MN 55992			
Mailing Address of Agent:			
PROJECT INFORMATION			
Site Address (if different than above): Same			
5 acres	Structure Dimensions (if applicable) Bridal Suite- 24'x36', Event Tent- 40'x80"		
What is the conditional/interim use permit request for? Ag Tourism- Event Venue			
Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized			
Adjoining properties are agricultural crop land with no structures, and not inhabited or occupied by humans. There will be no apparent adverse conflicts			
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: 		Date: July 27th, 2022	
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 Michael Barck		Owner	July 27th, 2022
Comments: I attended the June 2022 Minneola Township meeting and received approval to proceed forward with the project. Verification can be made through township clerk			
COUNTY SECTION COUNTY FEE \$350 _____ RECEIPT # <u>17677</u> DATE PAID <u>7-27-22</u>			
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).

Rural event venue to host events

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

Space in the existing detached garage will become the grooms room, construction of new building to house guest restrooms and bridal suite

3. Proposed number of non-resident employees.

2

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

WEDNESDAY,
9am-midnite, 3-4 days per week, typically Thursday, Friday, Saturday, Sunday

MID - MAY THROUGH OCTOBER
SEASONAL TENT TO BE ERRECTED IN
SPRING, REMOVED IN FALL

5. Planned maximum capacity/occupancy.

250 guests

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

Hwy 52 access (MNDOT approval in process, full approval to be granted once conditions are met), parking areas indicated on attached site plan, loading and unloading areas will be provided next to proposed bridal suite building

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

110-115 spaces mainly on gravel with handicap accessible space on hard impervious surface adjacent to bridal suite

8. Proposed solid waste disposal provisions.

Weekly trash collection service

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

New ISTS system to be installed (working with Ben Hoyt with Goodhue Cty Environmental) as well as potable water supplied by existing resident structure well)

10. Existing and proposed exterior lighting. All building have/will have ample exterior lighting, grounds will have ample lighting consistent with an outdoor wedding event center. Pathway/walkway illumination predominantly by solar lighting

11. Existing and proposed exterior signage. None existing, new signage to be determined and will abide by established county regulations

12. Existing and proposed exterior storage. No exterior storage necessary

13. Proposed safety and security measures. Manager on duty during all events, nearest medical facility route maps posted, fire extinguishers strategically placed throughout buildings, severe weather plan/notification implemented_

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

Emergency accessibility will be provided/maintained. Drive access to all structures will be kept clear with ample turnaround space. See site plan

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

The closest residential neighbor is approximately ¼ mile away and shouldn't be negatively impacted by noise such as DJ or band music. Sound broadcast via speakers in the tent will be directed in the opposite direction from such neighbors. Speaker sound will be kept at reasonable levels consistent with typical wedding events and will end no later than 11pm. Odors generated will not be at discernible levels, and dust will not be generated beyond that which is typical of driving/parking on gravel. If gravel dust becomes an issue, wetting of surface prior to guest arrival will occur

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

Building and tent grade leveling required as for new construction. Landscaping will consist of addition of trees, gardens, patios, lawn spaces

17. Existing and proposed surface-water drainage provisions.

Currently there are two natural surface water drainage locations within the boundaries of the proposed site. Slight modifications will occur to accommodate new construction, but additional flow rates will not be increased from what is existing

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

No onsite food preparation to occur as food will be catered in. Event customers will be responsible for food prep, serving, and handling. Liquor preparation, serving, and handling to be performed by others and will be regulated/licensed as required by law

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

Our goal is to provide an enjoyable, safe, and memorable experience at a rural location that showcases the natural beauty of Minneola Township. This venue would provide a needed local service, and benefit the local and county economies

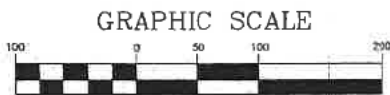
PHONE: (507) 263-3274 FAX: (507) 263-5114 EMAIL: rsurvey@frontlinenet.net

SAMUELSON SURVEYING INC.

1103 West Main Street
Cannon Falls, MN. 55009

V. Richard Samuelson
Registered Land Surveyor

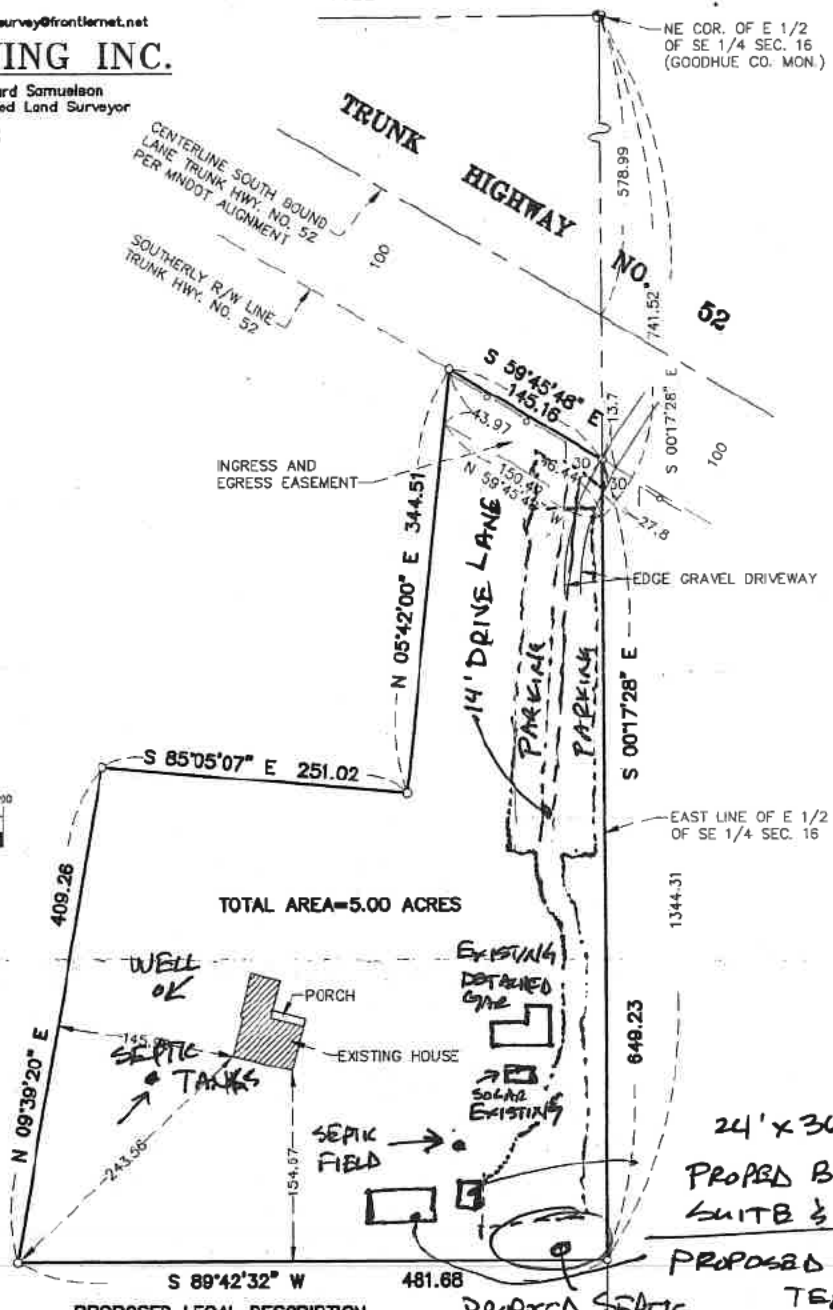
SURVEYORS CERTIFICATE



GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

- DENOTES SET IRON PIPE WITH PLASTIC CAP MARKED RLS 16998
- DENOTES FOUND IRON
- DENOTES RESTRICTED ACCESS



PROPOSED LEGAL DESCRIPTION

That part of the East Half of the Southeast Quarter of Section 16, Township 110, Range 16, Goodhue County, Minnesota, described as follows:

Commencing at the northeast corner of said East Half of the Southeast Quarter; thence South 0 degrees 17 minutes 28 seconds East (HARN adjustment of the 1983 Goodhue County Coordinate System) along the east line of said East Half of the Southeast Quarter 1344.31 feet to the point of beginning of the land to be described; thence South 89 degrees 42 minutes 32 seconds West 481.68 feet; thence North 9 degrees 39 minutes 20 seconds East 409.26 feet; thence South 85 degrees 05 minutes 07 seconds East 251.02 feet; thence North 5 degrees 42 minutes 00 seconds East 344.51 feet to the southerly right of way line of Trunk Highway No. 52; thence South 59 degrees 45 minutes 48 seconds East along said southerly right of way line 145.16 feet to said east line of the East Half of the Southeast Quarter; thence South 0 degrees 17 minutes 28 seconds East along said east line 649.23 feet to the point of beginning.

Subject to a ingress and egress easement for farm machinery across that part of the East Half of the Southeast Quarter of Section 16, Township 110, Range 16, Goodhue County, Minnesota, described as follows:

Commencing at the northeast corner of said East Half of the Southeast Quarter; thence South 0 degrees 17 minutes 28 seconds East (HARN adjustment of the 1983 Goodhue County Coordinate System) along the east line of said East Half of the Southeast Quarter 741.52 feet to the point of beginning of the easement to be described; thence North 59 degrees 45 minutes 48 seconds West 150.49 feet; thence North 5 degrees 42 minutes 00 seconds East 43.97 feet to the southerly right of way line of Trunk Highway No. 52; thence South 59 degrees 45 minutes 48 seconds East along said southerly right of way line 145.16 feet to the east line of said East Half of the Southeast Quarter; thence South 0 degrees 17 minutes 28 seconds East along said east line 46.44 feet to the point of beginning.

Subject to any other easements of record.

Revised: April 13, 2011

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.

DATE March 29, 2011

V. Richard Samuelson
V. RICHARD SAMUELSON
16998
MINNESOTA
LAND SURVEYOR
No. 16998

Pierret, Samantha

From: Minneola Township
Sent: Friday, August 5, 2022 7:30 AM
To: Pierret, Samantha
Subject: Fwd: Barck Wedding/Event Facility

External Email - Use caution opening links or attachments!

Hi Samantha,
The response from our board chair
thanks

----- Forwarded message -----

From: **Riley Budensiek**
Date: Wed, Aug 3, 2022 at 6:22 PM
Subject: Re: Barck Wedding/Event Facility
To: Minneola Township

I agree it wasn't a formal application but we did all agree that a wedding/ event venue was ok. I don't believe we voted on anything which wouldn't make it an official application either way... right?

What wasn't in his presentation was ANY mention of ag tourism... which I see in both applications. Being as there was zero mention of that a use for the venue... I don't believe that the term should be seen anywhere in the CUP or the variance application.

Sent from my Verizon, Samsung Galaxy smartphone
[Get Outlook for Android](#)

From: Minneola Township
Sent: Wednesday, August 3, 2022, 12:09 PM
To: Hadler Dave · Riley Budensiek
Subject: Fwd: Barck Wedding/Event Facility

I have down in my minutes that what he presented wasn't a formal application.
Thoughts? I think everything is covered in the County application.
Thanks

----- Forwarded message -----

From: **Pierret, Samantha** <samantha.pierret@co.goodhue.mn.us>
Date: Wed, Aug 3, 2022 at 10:10 AM
Subject: Barck Wedding/Event Facility
To: Township - Minneola

Hi Sarah,

SECTION 30. NON-AGRICULTURAL USES ASSOCIATED WITH AGRICULTURAL TOURISM

Subd. 1. Non-agriculturally related uses that are associated with Agricultural Tourism as defined in Article 10 (Definitions) may be permitted in the A-1, A-2, or A-3 Zone Districts subject to approval subject to approval of a zoning permit by the Zoning Administrator for up to two (2) events/activities per calendar year. The right to utilize property for more than two events/activities per calendar year is subject to approval of a conditional use permit or an interim use permit by the Board of County Commissioners. The following information must be provided with a zoning permit, interim use or conditional use permit: In addition to submittal requirements set forth Article 4 (Conditional and Interim Uses), the following information must be provided with a conditional use permit or interim use permit application.

- A. Plan drawn to an appropriate scale for effective interpretation.
- B. Property boundaries, onsite parking areas and access roads.
- C. Existing uses on adjacent properties and distance of dwellings within 500 feet of the property boundary.
- D. Existing and proposed structures with maximum capacity of each building where guests have access as required to comply with building code and applicable fire safety requirements.
- E. Location of temporary toilet facilities, which may be required.
- F. Location of any existing or proposed wells or Subsurface Wastewater Treatments Systems (SSTS).
- G. A written description of the planned activities providing including maximum number of guests/visitors.
- H. Frequency and number of activities proposed in a calendar year.
- I. Hours of Operation/Activity including set-up/clean-up for activities and events.
- J. Maximum number of guests for any activity.
- K. Proposed site lighting or landscaping.
- L. Anticipated maximum number of vehicle trips per day.

Subd. 2 Performance Standards.

In addition to all other applicable zoning ordinance requirements including but not limited to the review criteria (findings) included in Article 4, Section 5, the following items shall be considered by the Planning Advisory Commission and County Board when reviewing a Conditional Use Permit or Interim Use Permit Application for various Non-Agricultural Uses associated with Agricultural Tourism.

- A. The size of the function and the number of expected guests on the property at one time shall be determined at the sole discretion of the County based on parcel size, proximity to adjacent neighbors and the ability of the applicant to demonstrate

that there will be no unreasonable adverse impact on the neighbors from the noise, traffic, trespass, light or other impacts deemed relevant by the County.

- B. There is adequate provision for parking of vehicles so that there is no parking on public roads and adequate setbacks from adjacent properties are maintained. Temporary parking areas may be approved at the sole discretion of the County. Parking areas must be a minimum of forty (40) feet from all property lines, and appropriately screened from neighboring property. Light sources shall be directed downwards and shielded to prevent light being directed off the premises.
- C. The County may require a planted buffer between adjacent properties and parking or building if it is determined that such a buffer is necessary to avoid adverse impacts on adjacent properties.
- D. All State of Minnesota and Goodhue County requirements related to Water and Subsurface Wastewater Treatment Systems must be met.
- E. Outside activities shall be completed during daylight hours. Inside activities shall be completed by 10:00 PM unless approved through the CUP process to conclude no later than 12:00 AM (midnight).
- F. Any on-site preparation and handling of food or beverages must comply with all applicable Federal, State or Local Standards.
- G. The owner/operator will maintain a log of the activities occurring at the included activity/event dates, group identity, times and number of guests.
- H. The site plan with the above written descriptions along with any condition added during Planning Advisory Commission and/or County Board review will become a part of any approved conditional use permit or interim use permit.

Section 31. ACCESSORY DWELLING UNITS (ADUS)

Subd. 1. Accessory Dwelling Units (ADUs) are dwelling units that are accessory to a primary dwelling unit and are on the same tax parcel of land as the primary dwelling unit.

- A. An ADU can be either:
 - 1. Attached to, or within the primary dwelling unit; or
 - 2. Located within 100 feet of the primary dwelling unit on the same tax parcel as the primary dwelling unit.
- B. ADU's must have separate kitchen and bathroom facilities
- C. Only one (1) ADU is permitted per primary dwelling site tax parcel
- D. The ADU cannot be separated from the primary dwelling tax parcel
- E. Dwelling units that were permitted as temporary dwelling units that request to be converted to ADU status must have a public hearing at the PAC and approved by the County Board.

Subd. 2. Performance Standards

- A. Setbacks: The ADU must meet all district setbacks for structures

products (fish, fish products, water plants and shellfish); horticultural specialties (nursery stock, ornamental shrubs, flowers and Christmas trees); maple sap, etc.

AGRICULTURAL PRODUCT, VALUE-ADDED. This means the enhancement or improvement of the overall value of an agricultural commodity or of an animal or plant product to a higher value. The enhancement or improvement includes, but is not limited to marketing, agricultural processing, transforming, or packaging, education presentation, activities, and tours.

AGRICULTURAL RELATED PRODUCTS. Means items sold at a farm market to attract customers and promote the sale of agricultural products. Such items include, but are not limited to all agricultural and horticultural products, animal feed, baked goods, ice cream and ice cream based desserts and beverages, jams, honey, gift items, foodstuffs, clothing and other items promoting the farms and agriculture in Goodhue County and value-added agricultural products and production on site.

NON-AGRICULTURAL RELATED PRODUCTS. Means those items not connected to farming or the farm operation, such as novelty t-shirts or other clothing, crafts, and knick-knacks imported from other states or countries, etc.

AGRICULTURAL TOURISM. “Ag-tourism” and/or “Agri-tourism” means the practice of visiting an agribusiness, horticultural, or agricultural operation, including, but not limited to, a farm, orchard, vineyard, winery, greenhouse, hunting preserve, a companion animal or livestock show, for the purpose of recreation, education, or active involvement in the operation, other than as a contractor or employee of the operation.

AGRICULTURAL USE. The use of land for agricultural purposes, including farming, dairying, pasturage agricultural, forestry horticulture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating and storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.

AGRICULTURAL RELATED USE. Means activities that are accessory to the principal use of the property for permissible agriculture use that predominantly use agricultural products, buildings or equipment including activities, events or uses that represent “agricultural tourism” in Goodhue County as defined in this section, including but not limited to:

- A. Bakeries selling baked goods containing produce grown primarily on site
- B. Barn dances
- C. Corn mazes or straw bale mazes
- D. Educational events including but not limited to: activities associated with the promotion of wine usage, viticulture or viniculture classes, historical agricultural exhibits, and farming and food preserving classes.
- E. Gift shops for the sale of agricultural products and agriculturally related products.
- F. Petting farms, animal display, and pony rides
- G. Playgrounds or equipment typical of a school playground
- H. Pumpkin rolling
- I. Sleigh/hay rides
- J. Vineyard harvest festivals

LOWEST FLOOR. See Article 32 (Floodplain District)

MANUFACTURED HOME. See Article 32 (Floodplain District)

MANUFACTURED HOUSING. A manufactured building or portion of a building designed for long-term residential use.

MAXIMUM DENSITY. A density standard establishing the maximum number of dwellings allowed in a Section, ¼ ¼ Section, District, or Subdivision. In order to maintain a balance of compatible uses, when the maximum density has been reached, the only opportunity to increase the density is through a change of zone process that would allow additional housing. Reestablished abandoned homestead sites are not included in the density count until they have been approved and permitted.

MIGRATORY LABOR CAMP. Temporary facilities provided by the employer on his own land for the housing of workers who for seasonal purposes are employed in the planting, harvesting, or processing of crops.

MINERAL EXTRACTION, ACCESSORY USE. See Article 14 (Mineral Extraction)

MINERAL EXTRACTION, PRINCIPAL USE. See Article 14 (Mineral Extraction)

MINERAL EXTRACTION. See Article 14 (Mineral Extraction)

MINERAL EXTRACTION FACILITY. See Article 14 (Mineral Extraction)

MINERAL EXTRACTION PERMIT. See Article 14 (Mineral Extraction)

MINERAL RESOURCE. See Article 14 (Mineral Extraction)

MINING TECHNICAL EVALUATION PANEL. See Article 14 (Mineral Extraction)

MINING/EXCAVATION OPERATION. The removal of stone, sand, and gravel, coal, salt, iron, copper, nickel, petroleum or other material from the land for commercial, industrial, or governmental purposes.

MOBILE HOME. Manufactured housing built on a chassis.

MOBILE/MANUFACTURED HOME PARK. This term applies to any lot or tract of land upon which two (2) or more occupied trailer coaches or mobile homes are harbored either with or without charge and including any building or enclosure intended for use as a part of the equipment of such park.

NACELLE. See Article 18 (WECS)

NON-AGRICULTURAL USES/ACTIVITIES ASSOCIATED WITH AN AGRITOURISM USE. This means activities that are part of an agri-tourism operation's total offerings but not tied to farming or the farm's buildings, equipment, fields, etc. Such non-agriculturally related uses include but are not limited to:

- A. Temporary Amusement rides associated with an event
- B. Art or cultural related festivals
- C. Gift shops for the sale of non-agricultural products
- D. Benefit events
- E. Kitchen facilities, processing/cooking items for sale (subject to State of Minnesota, Department of Public Health standards) including eating establishments such as restaurants or cafés.

- F. Temporary camping (subject to State of Minnesota Department of Public Health Standards for Recreation Camping)
- G. Wedding ceremonies or receptions
- H. Wine and catered food events
- I. Reunions
- J. Concerts
- K. Social gatherings or similar types of events.

NON-CONFORMING LOT OF RECORD. Any legal lot of record that at the time it was recorded fully complied with all applicable laws and ordinances but which does not fully comply with the lot requirements of this Zoning Ordinance concerning minimum area or minimum lot width.

NON-CONFORMING STRUCTURE. A structure the size, dimensions or location of which was lawful prior to the adoption of this Zoning Ordinance, but which fails by reason of such adoption, or subsequent revisions or amendment, to conform to the present requirements of the zoning district.

NON-PREVAILING WIND. See Article 18 (WECS)

NORMAL WATER LEVEL. The level evidenced by the long-term presence of surface water as indicated directly by hydrophytic plants or hydric soils or indirectly determined via hydrological models or analysis.

OBSTRUCTION. Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel, modification, culvert, building, wire, fence, stockpile, refuse, fill, structure, matter in, along, across, or projecting into any channel, watercourse, or regulatory floodplain which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water.

ODOR. The odor of growing vegetation, domestic fertilizers, animal manures, insecticides, and other agricultural odors shall not be considered objectionable.

OPEN SPACE. Land that is permanently protected from future dwelling development. Land that is designated as Open Space may be used for such purposes as agricultural, forest, recreational uses, or demonstrate the use is protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of the real property.

OPERATOR. See Article 14 (Mineral Extraction)

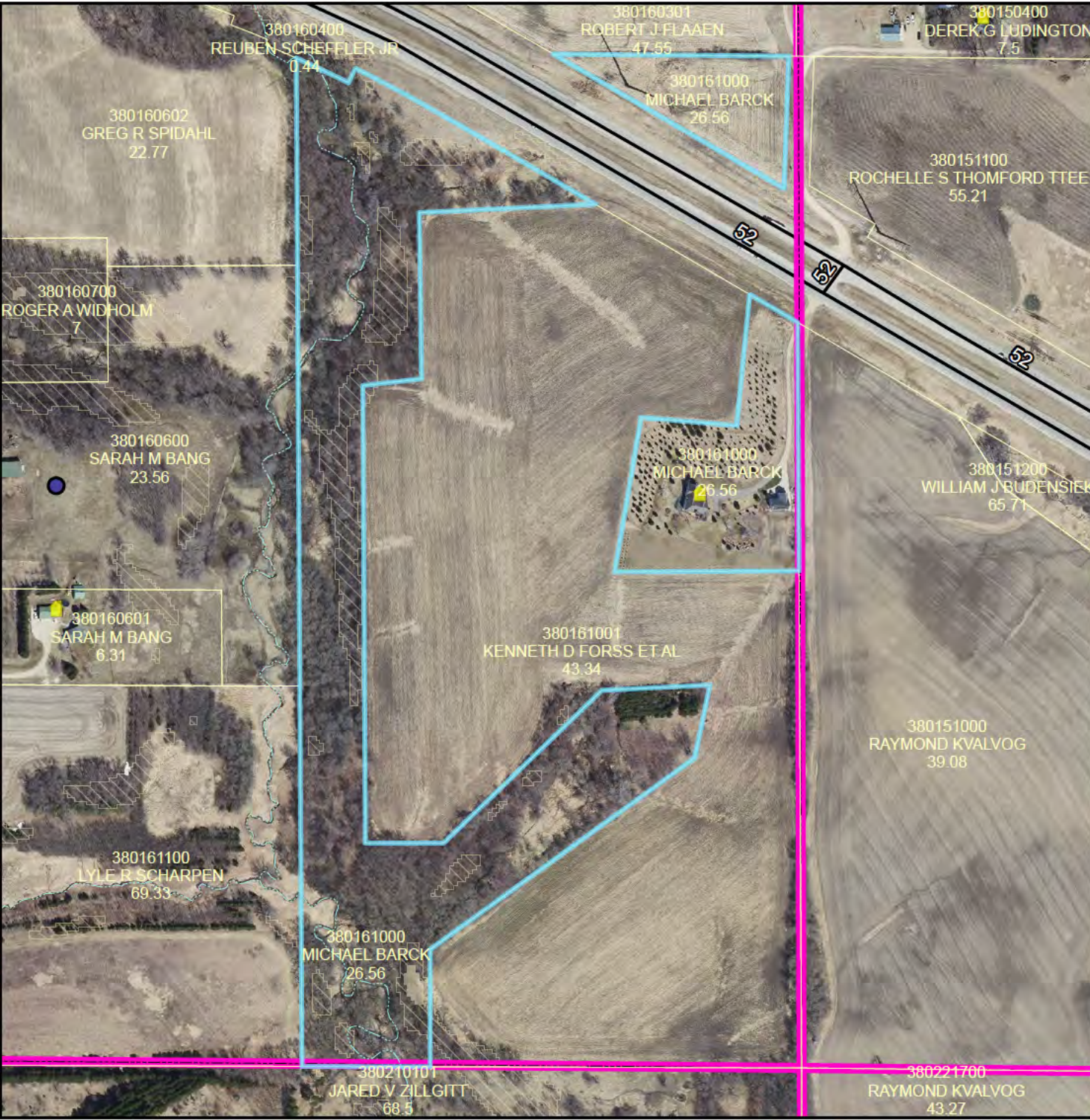
ORDINARY HIGH WATER LEVEL. The boundary of public waters and wetlands and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and flowages, the ordinary high water level is the operating elevation of the normal summer pool.

OWNER. Any individual, firm, association, syndicate, partnership, corporation, trust or any other legal entity having a proprietary interest in the land.

PARCEL. A unit of real property that has been given a tax identification number maintained by the County.

PARKING SPACE. An area of not less than two hundred (200) square feet, exclusive of drives or aisles giving access thereto, accessible from streets or alleys or

MAP 01: PROPERTY OVERVIEW



PLANNING COMMISSION

Public Hearing
August 15, 2022

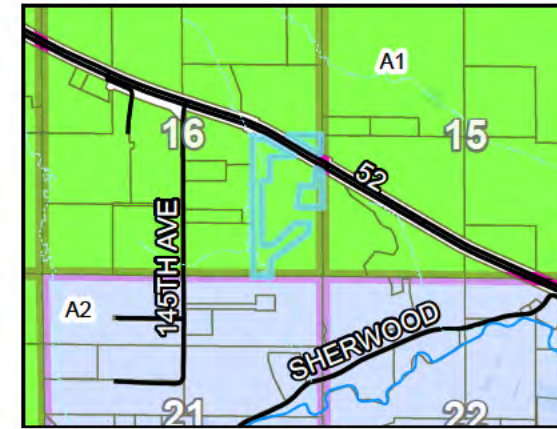
Michael Barck (Owner)
A1 Zoned District

Part of the E 1/2 of the SE 1/4 of Section 16
TWP 110 Range 16 in Minneola Township

Request for CUP to establish a wedding
and event center with a proposed maximum
occupancy of 250 guests.

Legend

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



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MAP 01: PROPERTY OVERVIEW



PLANNING COMMISSION

Public Hearing
August 15, 2022

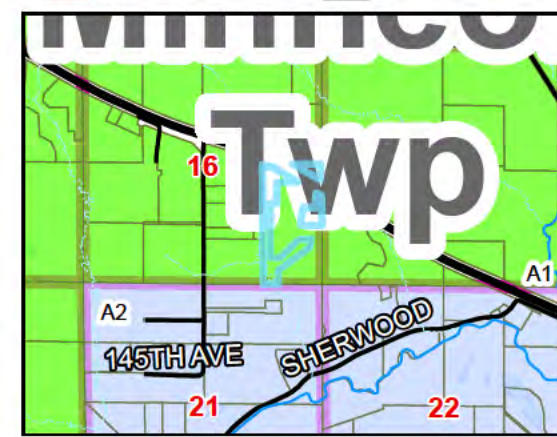
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- | | |
|----------------------------|---------------------------------|
| Intermittent Streams | Bluff Impact Zones (% slope) 20 |
| Protected Streams | Bluff Impact Zones (% slope) 30 |
| Lakes & Other Water Bodies | FEMA Flood Zones |
| Shoreland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



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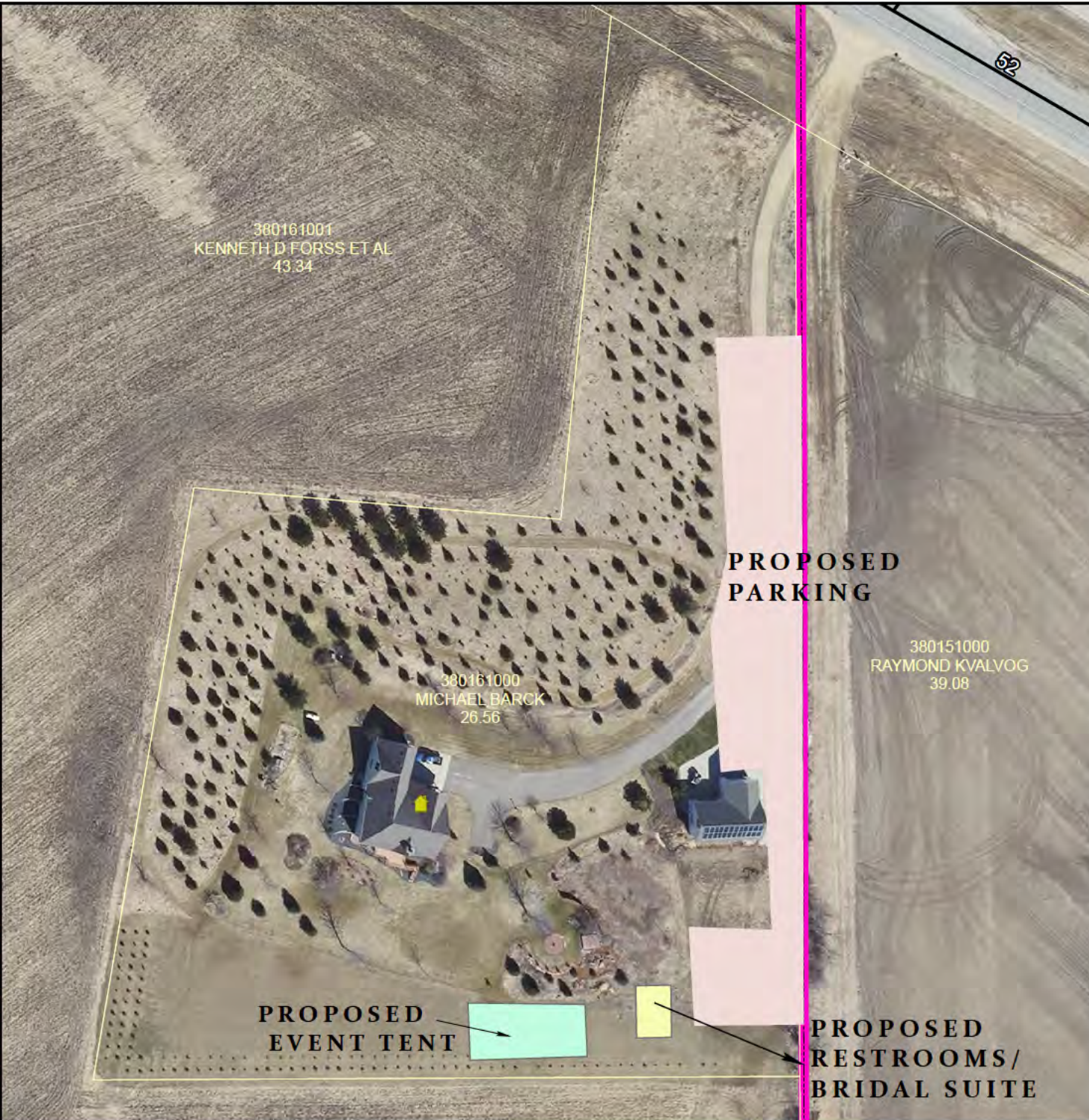


Public Hearing
August 15, 2022

Michael Barck (Owner)
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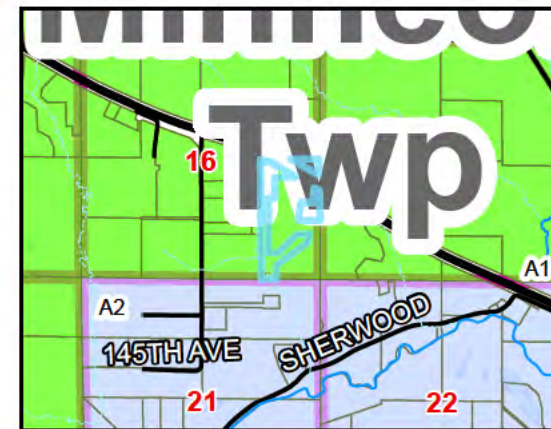
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Legend

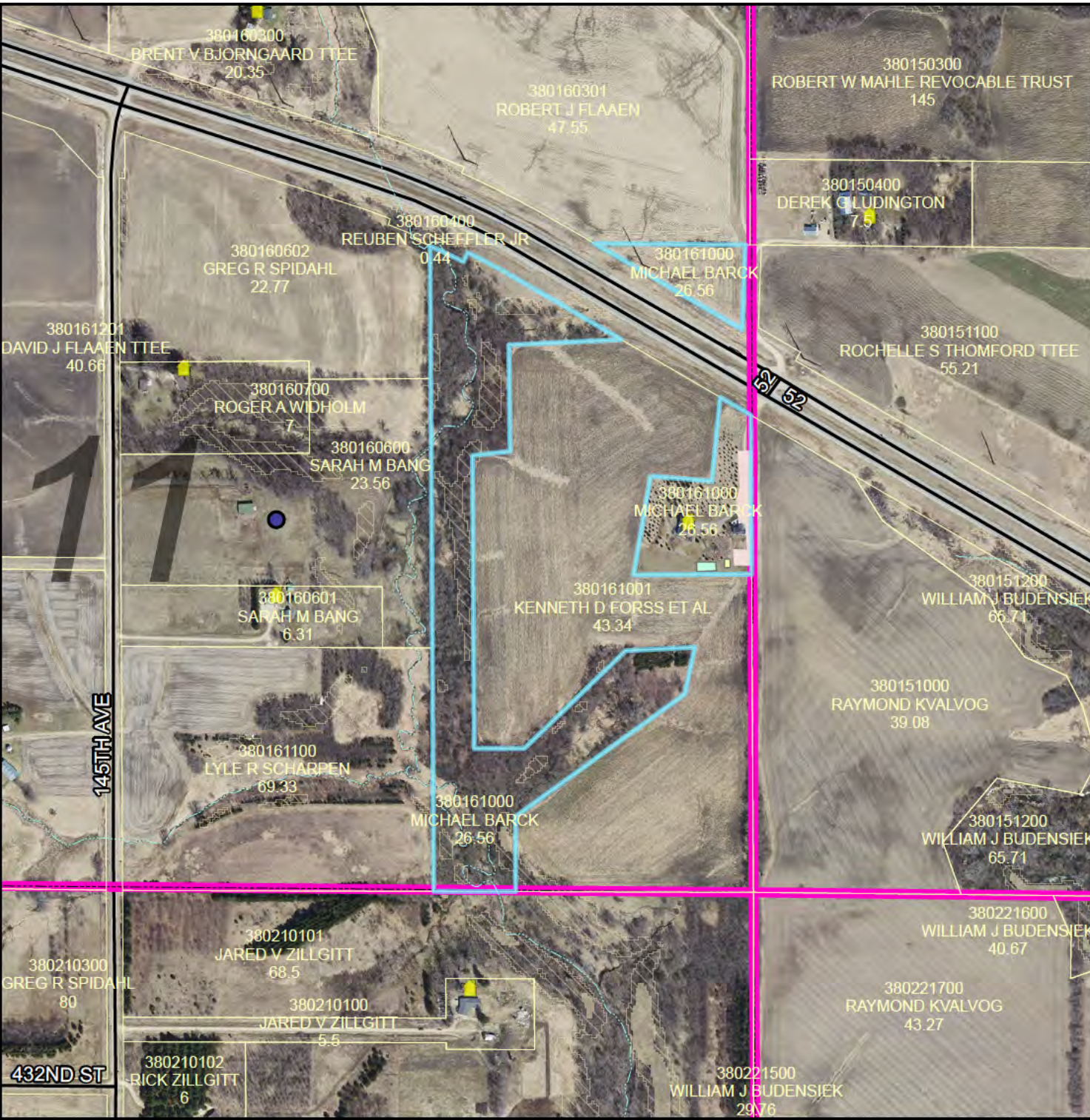
- | | |
|----------------------------|-----------------------------------|
| Intermittent Streams | Bluff Impact Zones (% slope) 20 |
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| Municipal | |



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MAP 02: VICINITY MAP



PLANNING COMMISSION

Public Hearing
August 15, 2022

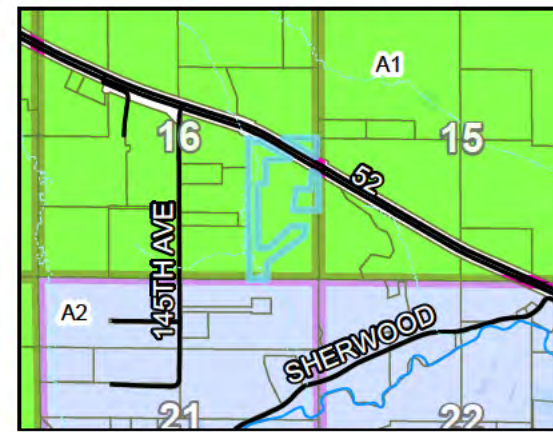
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Request for CUP to establish a wedding
and event center with a proposed maximum
occupancy of 250 guests.

Legend

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



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PLANNING COMMISSION

Public Hearing
August 15, 2022

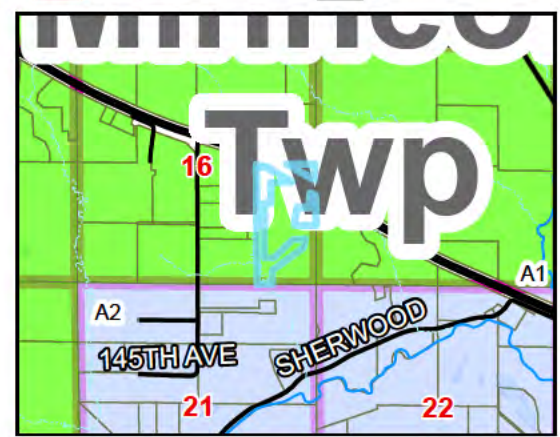
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Request for CUP to establish a wedding
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Legend

- Intermittent Streams
 - Protected Streams
 - Lakes & Other Water Bodies
 - Shoreland
 - Historic Districts
 - Parcels
 - Registered Feedlots
 - D igs
 - M n pal s
- Bluff Impact Zones (% slope)**
 - 20
 - 30
- FEMA Flood Zones**
 - 2% Annual Chance
 - A
 - AE
 - AO
 - X



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