

## **Mower County Planning Commission**

### Minutes Mower County Planning Commission

Members Present: Diane Benson, Harold Boverhuis, Meri Jo Lonergan, Sheldon Lukes, Brian McAlister, Gary Nemitz, Don Olson, Keith Voorhees.

Members Absent: none.

Others Present: Lee Bonorden (Austin Daily Herald), Citizens, Daryl W. Franklin.

Chair Gary Nemitz called the regular meeting to order at 7:00 p.m. on Tuesday, December 30, 1997, at the Mower County Courthouse, 201 1st Street NE, Austin, Minnesota. Minutes of the November 25, 1997; meeting were approved as mailed on a motion by Keith Voorhees, seconded by Don Olson. The motion passed unanimously. It was reported that the Mower County Board of Commissioners will hear the petition at their January 6, 1998, meeting at 2:00 p.m. at the Mower County Courthouse, 201 1st Street NE, Austin, Minnesota.

First item of business:

**Conditional Use Permit #534 - LaVerne & Virginia Kehret:** CUP applicable to Section 14-51(t) of the Mower County Zoning Ordinance for commercial mini-storage in Section 5, Austin Township. *Staff Presentation:* Reference was made to the site investigation performed by Don Olson and Brian McAlister on December 23, 1997. Staff report was presented. *Applicant's Presentation:* Mr. Kehret reported on his proposal and site plan for the mini-storage units. Mr. Kehret stated that he would be cleaning up a windbreak near where the units would be located but that he would leave the oak trees. Mr. Kehret also stated that his son would operate the units and he lived at the site. *Statement's from the Public:* Dick Anderson, a neighboring property owner representing the property owners directly north of the location, stated that they pay over \$30,000 in property taxes and that this was not an appropriate place for this type of facility. He felt that other locations not near residential areas would be better. A letter from Jim & Jan Cole (dated December 30, 1997) was read and presented to the Planning Commission stating their opposition to the mini-storage units due to the devaluation of properties. Jeffrey Lessard and Terry Wradislavsky stated their opposition to the mini-storage units due to compatibility with the neighborhood. Joe Swedberg questioned the impact the units would have on the wildlife area old Schrafel farm. Terry Wradislavsky then stated that the 40-foot setback was not sufficient. Planning Commission member Harold Boverhuis stated that the job of the Planning Commission is to look at land use and should not mix commercial and residential usage.

*Conclude the Public Hearing:* Chair Nemitz closed the hearing to the public. After some discussion, a motion was made by Don Olson, seconded by Brian McAlister, to approve Conditional Use Permit #534 for commercial mini-storage because it was in accordance with Section 14-31 of the Mower County Code and recommend approval to the Board of Commissioners with the following conditions:

1. Be a permanent permit.
2. Permit void if commercial mini-storage units are not constructed within 36 months of date of approval.
3. Erect a seven (7) foot high chain link security fence around the perimeter of the mini-storage units.
4. Units must be setback 80-feet from the ROW.
5. Failure to comply with any and all the listed conditions shall result in revocation of this conditional use permit.

Roll Call:

Aye: McAlister, Olson

Nay: Benson, Boverhuis, Lonergan, Lukes, Voorhees.

Chair Nemitz announced that the vote was split and the motion defeated by 5-2.

Harold Boverhuis made a motion, seconded by Meri Jo Lonergan, because it was not in accordance with Section 14-31a.

Roll Call:

Aye: Benson, Boverhuis, Lonergan, Lukes, Voorhees.

Nay: McAlister, Olson

Chair Nemitz stated that the motion to deny passed 5-2.

**Conditional Use Permit #535 - Ulland Brothers, Inc./Janice Shade:** CUP applicable to Section 14-51(i) of the Mower County Zoning Ordinance for gravel and sand excavation, Section 4, Lyle Township. *Staff Presentation:* Reference was made to the site investigation performed by Don Olson and Brian McAlister on December 23, 1997. Staff report was presented. Blueprints were presented. A letter from Jeff Green and Bob Bezek, DNR Waters, (dated December 30, 1997) was presented to the Planning Commission and copies made available. A letter from Stephen R. Alderson, MN Department of Transportation, (dated December 30, 1997) was presented to the Planning Commission and copies made available. A copy of Chapter 4410 (subp 12) was presented showing that an EAW is not required unless the excavation will be for 40 or more acres. *Applicant's Presentation:* Mr. Dave Beckel, representing Ulland Brothers, Inc., stated that there is a need for sand and gravel. He stated that they would restore the property when they were completed. *Statements from the Public:* Dave Baldner and Jeanne Parmenter, representing Lyle Township, stated that the 10-year permit was too long and what if damage is done to the township road on the north. Harold Boverhuis questioned the volume of traffic that would be generated by this pit. Mr. Beckel stated that it would depend on the number of contracts at any given time. Mr. Beckel also stated that Hwy 105 was a designated "haul route". Mr. Bill Fuller

expressed concern about traffic. Mr. Tom Munk stated he was concerned about children playing in the area and the large equipment that would be needed. Mr. Munk, a property owner directly to the south, stated that he felt that the use was not compatible with the neighborhood and concerned about quality of life, safety of children, water pollution, and the environmental impact. Chuck Biggar, a certified soil scientist, stated that he felt there would be the possibility of groundwater contamination and disagreed with the DNR letter. Mr. Biggar stated that when they remove the top soil it would never be the same. Bob Lau stated that he was concerned about the springs in the area and the visual impact of the operation. Mr. Beckel stated that there is a stop sign on the road for the trucks to stop at and that in other areas their pits have actually enhanced the wildlife. Craig Johnson, attorney for Tom Munk, questioned the fact that the petitioners did not present the 500-foot land use on the maps and that the reclamation map. *Conclude the Public Hearing:* Chair Nemitz closed the hearing to the public. After some discussion, a motion was made by Brian McAlister, seconded by Sheldon Lukes, to table Conditional Use Permit #535 until the additional information is received from Ulland Brothers, Inc.

The motion passed unanimously.

#### **OTHER BUSINESS:**

There being no further business, the meeting adjourned at 8:35 p.m. on a motion by Don Olson, seconded by Keith Voorhees. The motion passed unanimously.

Respectfully Submitted,



Daryl W. Franklin  
Planning Director