

Mower County Planning Commission

Minutes of the Mower County Planning Commission

Members Present: David Hillier, Vance Larson, Meri Jo Lonergan, Sheldon Lukes, Brian McAlister, Don Olson, Diane Benson and Harold Boverhuis

Members Absent: None

Others Present: Citizens, Lee Bonorden (Austin Daily Herald), Glen Jacobsen (Mower Co. Asst. Attorney), Daryl W. Franklin.

Chair David Hillier called the special meeting to order at 7:00 p.m. on Tuesday, December 15, 1998, at the Mower County Courthouse, 201 1st Street NE, Austin, Minnesota. Minutes of the October 27, 1998, meeting were approved as mailed on a motion by Brian McAlister, seconded by Mari Jo Lonergan. The motion passed unanimously.

Re-Zoning for Lavern & Virginia Kerhert. Proposal to re-zone 50 acres from Agricultural A to Limited Industrial District. I-1, for cement manufacturing facility, pursuant to Mower County Zoning regulations located in the SW quarter, Section 6, Austin Township. **Staff Presentation:** Reference was made to the site investigation performed by the members of the Planning Commission on December 10, 1998 to Dover, MN to view the Ready Mix facility. Staff report was presented. Drawings were shown of the area being petitioned and the appropriate distances from other property. **Applicant's Presentation:** Commissioner Hillier called on Mr. Kerhert. He called upon Jim Borseth. Jim explained that their proposal called for the re-zoning is 50 acres and to use approx. 9-10 acres for the current facility. The area would be landscaped and the remaining would be left in farmland. The ready mix plant would have under ground storage of sand and gravel. They will be drilling their own well on the facility. They want to move from their existing location north of the city of Austin. He explained that on an average day there would be 20 truck loads per day of concrete going out and 15 truck loads coming in with the sand and gravel. During a high day when paving is taking place in Austin, it could be a maximum of 50 trucks per day with 35 trucks for sand and gravel. Commissioner Hillier then requested that any citizens having questions ask them. 1. Why not use the City of Austin industrial. Mr. Borseth explained they tried to work with the City of Austin but this location is best for them because it provided the best return of their investment. 2. What would be the hours. The general hours would be 6:30 a.m. to 6:30 p.m. 3. How much water will be used-approx. 40 thousand gallons per day at a maximum. He also asked for any questions from the Planning Commission. They had none.

Statements from the Public: Commissioner Hillier asked individuals to sign a form if they wanted to speak. Keith Eilertson stated that as a resident was opposed to it because it is not in accordance with the comprehensive plan pages 55-56. The land has a very high CER in the range of 70 to 95. He presented information on the Mower County Soil Survey. He was also concerned that the homes on the north side of the road would be affected by the increased traffic and that there would be safety concerns. Darrell Bublitz stated that he feels that the City of Austin is going to be expanding to the west and this facility would limit future expansion. Ray Remington spoke about his concern about traffic and safety issues on Co. Rd 46. Tom Helland spoke about the conflict with people on Co. Rd 46 who are using the road. Dick Anderson is concerned about taking prime Ag land out of production. He thought we should encourage this type of industry to locate in Austin Industrial Park. Her also stated a mediator should be brought in between the city of Austin and the developer to resolve current problems. Joe Swedberg was concerned about the impact of the facility on the built-up residential area. Laura Brown raised the safety concern. Geri Osboe was concerned about traffic and conflict with the school buses. She stated that the financial concerns of the developers shouldn't override the general public's concerns. Brent Breahmer was concerned about the traffic. Darrell Bublitz was concerned what impact the well the would have on the existing well. Paul Haines spoke that the facility really belongs in an industrial park where similar uses are. Gil Filps stated that there is a wild life area near them and the traffic may have an impact on it. Dave Berhow resident on the north side on Co 46 has a safety concern and he also felt that the community should follow the comp plan and be Ag and not industrial. Jim Borseth commented that it is not 50 trucks loads everyday but maybe 5-10 days per year when they are heavy paving demands. **Conclude the Public Hearing:** Dave Hillier closed the hearing to the public. Vance Larson commented on the tour. He felt that it was a well run and acceptable facility. Dick Epley representing Austin Township was also impressed with the Dover facility. Dave Hillier stated that he had been contacted by a person that could not attend the meeting and was concern on the impact that the facility would have on the sub surface drainage system. Mr. Borseth explained that they would secure a permit from the State of MN for the water runoff. Harold Boverhuis was concerned about taking the Ag land out of production and that industrial land is available in other areas. Brain McAlister spoke that the industrial land or residential land is usage because the net result would be both taking Ag land out of production. However, he also stated that from his prospective County Rd #46 has a lot of traffic at the present time. He is against re-zoning 50 acres of land and going against the comp plan. Don Olson commented that the homeowners need to keep in mind that their homes have also taken prime Ag land out of production. He stated that the Ready Mix Facility in Rochester is located within 4-5 blocks of Methodist Hospital and is not in a conflict situation. Dave Hillier called for an recommendation. Harold Boverhuis recommended a denial of the re-zoning as it is taking 50 acres out of production and not compatible with existing land use and not in accordance

with the MC Comp Plan. Specifically, the section excludes commercial and industrial development on related Ag except as home occupation. Also the re-zoning is contrary to the objectives of the long term commercial agriculture zone and contrary to preservation to the maximum amount of Ag land. By removing high CER land from production, the motion was made seconded by Meri Jo, the vote was taken on the motion. Herold Boverhuis, yes- Don Olson, yes- Diane Benson, yes- Meri Jo Lonergan, yes- Sheldon Lukes, yes- Brian McAlister, yes- Vance Larson, no
The motion passed 6-1.

Also a discussion took place on the CUP after some discussion of motion. Motion was made by Harold Boverhuis that based upon the recommendation of the denial of the re-zoning the CUP should also be denied since there is not an appropriate zone for it. Seconded by Meri Jo Lonergan. Vote was taken on this Harold Boverhuis, yes- Don Olson, yes- Diane Benson, yes- Meri Jo Lonergan, yes- Sheldon Lukes, no- Brian McAlister, yes- Vance Larson, no. There were 5 'yes' and 2 'no' on the recommendation for denial of the CUP.

There being no further business, the meeting adjourned at 8:40 p.m. on a motion by Diane Benson, seconded by Vance Larson. The motion passed unanimously.

Respectfully Submitted,



Daryl W. Franklin
Mower Co. Planning Director