

**MINUTES OF A SPECIAL PLANNING COMMISSION MEETING HELD,  
TUESDAY, JULY 28, 2009 – 6:30 P.M. – ROCKVILLE CITY HALL**

Planning Commission met at City Hall -6:00 p.m. as a committee of the whole to view 1 site:  
Shannon & Bretta Wicker @ 21265 County Road 8, Cold Spring, MN 56320.

The meeting was called to order by Chair Toni Honer. Roll call was taken and the following members were found to be present: Chair Toni Honer, Jerry Bechtold, Dale Borgmann, Jerry Tippelt & Liaison Duane Willenbring. Absent Dan Hansen & Steve Dietman.

Staff members present were: Zoning Administrator Rena Weber, Billing Clerk/Administrative Assistant Judy Neu & City Engineer Scott Hedlund.

Others present: Shannon & Bretta Wicker, Greg Mueller, Susan Vieregge, Craig Theisen, Don Simon, Jerry Schmitt & Joe Minnerath.

**APPROVAL OF AGENDA/AMENDMENTS – Motion by Member Bechtold, second by Member Tippelt, to approve the agenda as presented. Motion carried unanimously.**

**APPROVAL OF MINUTES 07/14/09 – Motion by Member Bechtold, second by Member Borgmann, to approve the minutes of 07/14/09 as presented. Motion carried unanimously.**

**NEW BUSINESS**

**MUELLER/CENTRAL SPECIALTIES-CONDITIONAL/INTERIM USE PERMIT:** Zoning Administrator Rena Weber read the notice of public hearing on **Tuesday, July 28, 2009 at approximately 6:30 p.m. at Rockville City Hall – 229 Broadway Street East**, to consider the request of Gregory Mueller/ Central Specialties for a Conditional/Interim Use Permit. The address of the property is: 25770 133<sup>rd</sup> Avenue, Cold Spring, MN with a legal description of: 150.34 A W2 NW 4 & W2SW 4 of Section 6, T123N, R29W in the City of Rockville, Stearns County, Minnesota.

AN CONDITIONAL/INTERIM USE PERMIT IS BEING REQUESTED AND IS GOVERNED BY THE FOLLOWING ZONING ORDINANCE REQUIREMENTS:  
SECTION 9: GENERAL REQUIREMENTS: SUBDIVISION 13. MINING/EXTRACTIVE USES  
SECTION 27: CONDITIONAL USE PERMITS  
SECTION 28: INTERIM USE PERMITS

Zoning Administrator Rena Weber reported that the pit is currently active with Stearns County and that Central Specialties out of Alexandria is requesting to operate a temporary mining/extraction/crushing use in order to re-construct County Road 51.

Zoning Administrator Rena Weber reported the following written/oral report:

**ENGINEER REPORT:**

1. Since this pit/plant accesses CR 2 the IUP application should be sent to the Stearns County Engineer's office for their comments.
2. No hauling should be allowed on City Roads (including 133<sup>rd</sup> Ave) unless the material being hauled is to be used for a City Project.
3. A City Stormwater Management Plan needs to be submitted.
4. An NPDES permit is required if more than 1 acre of land is disturbed. The ultimate land disturbed appears to be over 20 acres. A copy of the NPDES permit and SWPPP should be provided to and kept on file by the City.
5. A security (i.e. letter of credit or bond) should be required for the life of the permit equal to the cost of leveling, stabilizing, and restoring vegetation to the site.

Other than the monetary security comment, all of my comments from my 7/7/09 email have been addressed. The pit is project specific- County Road 51 project; it will be used for and closed at the conclusion of that single project; the County supports the pit (in writing); only County Roads will be used by the pit users. The applicant has submitted a copy of their SWPPP; they have a general NPDES/SDS permit number from the State to operate gravel pits. They have submitted

existing and final contour plans as a written record of the extent of their mining operations, as requested. They have said they wish to address the monetary security concern at the public hearing as a condition of the approval.

Written report (email) from Jodi Tech Stearns County Public Works: Central Specialties has proposed to locate their hot mix plant off of CSAH 2 within the City of Rockville. They are using this plant for a federal reconstruction project along CSAH 51 for Stearns County. It is my understanding that the access for the plant is off of CSAH 2. We are fully aware of, and fully support, their intent to use CSAH 2 as a haul route for our project.

Joe Minnerath explained that the project is to start this year with the grading and the first layer of asphalt, then in 2010 to finish the project. (A copy of the map that explains the lay out of the pit is hereby attached and marked Exhibit A)

Zoning Administrator Rena Weber stated that the hours of operation and dust control have been addressed.

City Engineer Scott Hedlund explained the 64 acres should be restored back to vegetation.

Joe Minnerath explained that out of 64 acres only 18 acres will be used for mining, extraction & crushing. We will be reclaiming this gravel pit back into a crop field.

Don Simon 600 Othmar Lane Rockville- stated that the pit has been there for years and if you had concerns about the reclaiming just look at his current field. Another thing it would benefit and help the contractor save some money because the pit is close to County Road 51. He would support it.

***Motion by Member Bechtold, second by Member Borgmann, to close the public hearing at 6:44 p.m. Motion carried unanimously.***

***Motion by Member Bechtold, second by Member Borgmann, to recommend approval of the Conditional/Interim Use Permit with the conditions listed by the City Engineer. Motion carried unanimously.***

**CONTINUE PUBLIC HEARING WICKER VARIANCE REQUEST:** Chair Honer reported that the public hearing is still opened for the request to construct a 24' x 30' unattached garage in the R-1 – Shoreland District.

Council Member Schmitt stated the only concern he had was to make sure that the Wicker's are well aware of the 30 feet driveway to access his property and that there should be no chemicals stored on site. Otherwise has no problem with them building the detached garage.

Zoning Administrator Rena Weber explained that the Wicker's hired Bonestroo to come up with a drainage plan that would meet the City Ordinance. Staff would recommend approval. (A copy of the map that explains the proposed drainage plan is hereby attached and marked Exhibit B)

***Motion by Member Borgmann, second by Member Tippelt, to close the public hearing at 6:47p.m. Motion carried unanimously.***

Zoning Administrator Rena Weber read the following variance request:

- Setback from center line of County Road 8 should be 100' (actual 89')
- Setback requirements from principal structure (less than 10')
- Impervious surface (exceeds 12%)
- Height of structure (exceeds 8' sidewall)
- Total square footage of structure (exceeds 600 sf allowance)
- Detached building to be located in rear yard (structure to be in line with house)

FINDING OF FACT- A review of the findings was done. (A copy of the finding of facts is hereby attached and marked Exhibit C)

1. 4 yes why: other homes with garages on their lots
2. 4 yes why: safety concerns, fixes the area on conditions
3. 4 yes why: small lot
4. 4 yes
5. 4 yes

***Motion by Member Bechtold, second by Member Borgmann, to recommend approval of the variance request with the amendment that was present by City Staff. Motion carried unanimously.***

**PLANNING COMMISSION MEMBER/STAFF REPORT:**

**BUSINESS FOR NEXT MEETING:**

3 Public Hearings:

- ◆ Charles & Polly Grell Conditional Use Permit/Variance Request-Wind Turbine in the Shoreland District
- ◆ Karla Spanier-Variance Request from lot coverage requirements
- ◆ David & Tammy Biery-Variance request from Accessory Building Height requirements, roof and siding requirements.

Discussing Hunting in City Limits.

**ADJOURNMENT – Motion by Member Borgmann, second by Member Bechtold, to adjourn the meeting at 7:15 p.m. Motion carried unanimously.**

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**JUDY NEU  
BILLING CLERK/ADMINISTRATIVE ASST**

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**TONI HONER  
CHAIR**