

# CITY OF ROCKVILLE

City Hall

229 Broadway Street East

PO Box 93

Rockville, MN 56369

## **Planning/Zoning Commission Meeting Tuesday, February 5, 2019 6:00 p.m. at City Hall**

### **AGENDA**

1. **Roll Call**
2. **Oath of Office: Chad Schmitt**
3. **Additions/Approval of Agenda**
4. **Approval of November 13, 2018 Meeting Minutes**
5. **Concept Plan – John Lutgen**
6. **November 2018, January 2019 Building Permits**
7. **Other Business**
  - a) Next meeting Tuesday, March 5, 2019, 6:00 p.m.
8. **Adjournment**

\*This agenda has been prepared to provide information regarding an upcoming meeting of the Rockville City Planning Commission. This document does not claim to be complete and is subject to change.



## OATH OF OFFICE

### OATH

*State of Minnesota*

SS:

*County of Stearns*

*I, Chad Schmitt, do solemnly swear or affirm that I will support the Constitution of the United States and Constitution of the State of Minnesota and that I will discharge faithfully the duties of the office of Planning Commission Member of The City of Rockville in the County of Stearns, the State of Minnesota, to the best of my judgment and ability.*

\_\_\_\_\_  
Signature

*Subscribed and sworn to before me this 5<sup>th</sup> day of February, 2019.*

Signature of Notary Public

Date commission expires

Printed name of Notary Public

County of residence

Stearns

**MINUTES OF THE CITY OF ROCKVILLE PLANNING AND ZONING COMMISSION MEETING**  
**Tuesday, November 13, 2018, 6:00 p.m. – Rockville City Hall**

**Item 1) Roll Call** - The meeting was called to order by Chair Bill Becker at 6:00 p.m. Roll call was taken and the following members were present: Bill Becker, Brian Herberg, Dave Meyer, Corey Schreifels, and Jerry Tippelt. Staff present: City Administrator, Martin Bode, Admin Assistant, Debbie Weber. Others present: various members of the public.

**Item 2) Approval of Agenda/Amendments**

***Motion by Herberg, second by Schreifels, to approve the agenda as presented. Motion carried unanimously.***

**Item 3) Approval of October 2, 2018 Meeting Minutes**

***Motion by Meyer, second by Tippelt, to approve the October 2, 2018 meeting minutes as presented. Motion carried unanimously.***

**Item 4) Public Hearing: Rezoning Permit Application**

Chairman Becker introduced the following Rezoning Permit application for applicant: Devin R. Cesnik. The address of the property is 9157 Athman Road, parcel no. 76.41619.0200.

Planning Commission reviewed the following staff report:

**Re:** Rezoning Application Ag-40 to R-1 in the Pleasant Lake Shoreland Overlay District

**Owner:** Devin R. Cesnik  
Property Address: 9157 Athman Road, Rockville MN  
Parcel I.D. No. 76.41619.0200

**Request:**

To change the current zoning district of Ag-40 to R-1 Single Family Residential District.

**Relevant Information:**

1. Property is currently zoned Ag-40.
2. Lot size is 10.93 +/- acres.
3. 10 notices of public hearing were sent out.
4. Purpose of request is to further subdivide Parcel into lots smaller than 5 acres.
5. Not prime farmland.
6. Future Land Use Map shows Agricultural Transitional.

**Recommendation:**

Chairman Becker opened the public hearing at 6:02 p.m. for public comment.

Roger Klein, 24729 Lake Road, expressed concerns of agricultural land versus residential.  
Devin Cesnik, 9157 Athman Road, explained the reasons for rezoning his property.  
Randy Gohman, 24459 88th Avenue, expressed concerns about future rezoning and the potential of ¼ lots.  
Melissa Cesnik, 9157 Athman Road, spoke briefly about the rezoning and neighboring properties.

***No additional members of the public came forward, therefore motion by Tippelt, second by Meyer, to close the Public Hearing at 6:12 p.m. Motion carried unanimously.***

The Planning Commission reviewed application and discussed the differences between R-1 and Rural Residential. Rural Residential consists of 5 acre lots with 2.5 acres being buildable. Member Tippelt explained Right-to-Farm.

Planning Commission was reluctant to approve of rezoning to R-1 and asked the applicant Devin Cesnik if he would be ok with rezoning to RR instead. Mr. Cesnik replied he would be ok to rezoning to RR as opposed to R-1.

***Following the discussion, motion by Herberg, second by Tippelt, to approve rezoning the Cesnik parcel from Ag-40 to Rural Residential. Motion carried unanimously.***

#### **Item 5) Public Hearing: Conditional Use/Shoreland Alteration Permit**

Chairman Becker introduced the following Conditional Use/Shoreland Alteration Permit application for applicant: Scenic Specialties/Hubert A. Mitchell LLC aka Eddies on Grand. The address of the property is 21614 County Road 8, Parcel No. 76.41650.0600.

**Re:** Conditional Use Application in a B-2 General Business District on Grand Lake a General Development District and Shoreland Overlay District.

**Owner:** Hubert A. Mitchell LLC aka Eddies on Grand  
Property Address: 21614 County Road 8, Rockville MN  
Parcel I.D. No. 76.41650.0600

#### **Request:**

Shoreland Alteration Permit to install two retaining walls that exceed four feet in height and cut and fill request that exceeds 100 cubic yards.

#### **Relevant Information:**

1. Property is zoned B-2 General Business District on Grand Lake a General Development District and Shoreland Overlay District.
2. 11 Notices of public hearing were sent out.
3. Property has impervious service concerns.
4. Application was reviewed by David Nett, Stearns County Environmental Services.

#### **Recommendation:**

Consider approval contingent on the conditions set forth by David Nett Stearns County Environmental Services:

1. All authorized cut, fill and retaining wall construction work completed within 21 days of project commencement.
2. All disturbed areas created by the project must be seeded and covered with erosion control blanket, hydro-seeded or sodded within 21 days of project commencement.
3. Submittal of an engineered stormwater plan to address runoff on the property.
4. Submittal of a construction plan for any retaining wall greater than 4 feet in height, from a Minnesota licensed professional engineer prior to work beginning. In addition, an as-built inspection shall be submitted from the engineer after the work is completed, ensuring the work was completed as designed.
5. Permit only authorizes work above the ordinary high water level.
6. Silt fence or bio-logs shall be constructed downslope and between the proposed work areas and the lake, prior to any dirt moving work commencing.
7. No work is authorized within the road right of way of County Road #8, without prior County Highway Department approval.
8. Implementation of a minimum 10 foot native vegetative buffer between the lake and any impervious surfaces or parking areas.

The following items 9, 10 and 11 Added by Planning Commission:

- 9. All current zoning violations must be brought into compliance prior to the issuance of this new Shoreland alteration permit. i.e. Fence violation.**

**10. The old boat landing must be eliminated.**

**11. Parking spaces per Section 11, Subd 4 must be adhered to.**

Chairman Becker opened the public hearing at 6:33 p.m. for public comment.

***No members of the public came forward, therefore motion by Meyer, second by Tippelt, to close the Public Hearing at 6:34 p.m. Motion carried unanimously.***

The Planning Commission reviewed staff report.

It was noted that item 9, 10 and 11 would be added to the list of conditions.

***Following discussion, motion by Becker, second by Tippelt, to approve the Conditional Use/Shoreland Alteration Permit with the addition of items 9 and 10. Motion carried unanimously.***

#### **Item 6) October Building Permits**

The October 2018 Building Permits report was reviewed by the Planning Commission members.

#### **Item 7) Other Business**

- a. Next two meetings scheduled for Tuesday, December 4, 2018, 6:00 p.m. and Tuesday, January 8, 2019, 6:00 p.m.

#### **Item 8) Adjournment**

***Motion by Herberg, second by Tippelt, to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:47 p.m.***

Respectfully submitted,

*Martin M. Bode*  
*Zoning Administrator*

**From:** Sam DeLeo <deleo@kldland.com>  
**Sent:** Tuesday, January 22, 2019 4:19 PM  
**To:** Martin Bode  
**Subject:** Fw: Concept for John Lutgen  
**Attachments:** Layout 1.pdf

Marty, can you give me a call to discuss this development. John wants to move forward with it.

**Sam DeLeo, PLS**

[deleo@KLDland.com](mailto:deleo@KLDland.com)

Office 320-259-1266 Mobile 320-492-1824 Fax 320-259-8811

**Kramer Leas DeLeo, P.C.** 13 North 11<sup>th</sup> Ave. St. Cloud, MN 56303

**From:** [Sam DeLeo](#)  
**Sent:** Monday, October 01, 2018 9:20 AM  
**To:** [Martin Bode](#)  
**Subject:** Concept for John Lutgen

Marty, attached is a sketch of a concept sketch that I've prepared for John Lutgen 's property up on CR 119. This site is unique in that CR 119 is quite hilly in this area and the existing entrance is located at a crest in a hill along CR119 for the best sight distance coming out of the entrance. Since sight distance is critical to a safe entrance we will need to keep the entrance a little north of the midway point on the east line. That gives us less to work with north of the future street. Since the RR District requires a 5 acre minimum lot size I'm wondering if a RR-PUD district would better fit the site. What are your thoughts?

**Sam DeLeo, PLS**

[deleo@KLDland.com](mailto:deleo@KLDland.com)

Office 320-259-1266 Mobile 320-492-1824 Fax 320-259-8811

**Kramer Leas DeLeo, P.C.** 13 North 11<sup>th</sup> Ave. St. Cloud, MN 56303



**Building Permits: November 2018**

Parcel #	REASON	ADDRESS	DATE	PERMIT #	Valuation	Permit \$	Review	SSC	Fees
76.41604.0200	Roofing	25802 Lake Rd	11/18/2018	2018-00110		\$ 25.00	\$ -	\$ 1.00	\$ 26.00
76.41954.0000	Windows Same Size	9845 Co Rd 47	11/7/2018	2018-00112		\$ 25.00	\$ -	\$ 1.00	\$ 26.00
76.41835.0004	Foundation Only	12383 234th Ave	11/6/2018	2018-00125	\$ 10,000.00	\$ 56.50	\$ 36.73	\$ 5.00	\$ 98.23
76.41835.0004	New Construction/Commercial	1690 Broadway St W	11/15/18	2018-00126	\$ 215,000.00	\$ 1,182.50	\$ 768.63	\$ 107.50	\$ 2,058.63
76.41619.0200	Remodel	9157 Athman Rd	11/26/18	2018-00127	\$ 80,000.00	\$ 679.47	\$ 441.66	\$ 61.77	\$ 1,182.90
76.41835.0004	Commercial/Mechanical	1690 Broadway St W	11/27/18	2018-00128	\$ 10,000.00	\$ 100.00	\$ 65.00	\$ 5.00	\$ 170.00

**Building Permits: January 2019**

<b>Parcel #</b>	<b>REASON</b>	<b>ADDRESS</b>	<b>DATE</b>	<b>PERMIT #</b>	<b>Valuation</b>	<b>Permit \$</b>	<b>Review</b>	<b>SSC</b>	<b>Fees</b>
76.42189.0041	Addition	11155 Hubert Lane	1/9/2019	2019-00001	\$ 23,000.00	\$ 95.50	\$ 62.08	\$ 11.50	\$ 169.08
76.41633.0900	Replace Water Heater	23721 Co Rd 8	1/14/2019	2019-00002	\$ 2,700.00	\$ 40.00	\$ -	\$ 1.00	\$ 41.00
76.41619.0200	Plumbing	9157 Athman Rd	1/17/2019	2019-00003	\$ 16,594.00	\$ 40.00	\$ -	\$ 1.00	\$ 41.00
76.41619.0200	Mechanical	9157 Athman Rd	1/17/19	2019-00004	\$ 4,000.00	\$ 40.00	\$ -	\$ 1.00	\$ 41.00