

CITY OF ROCKVILLE

P.O. BOX 93

ROCKVILLE, MN 56369

Planning/Zoning Commission Meeting Tuesday, September 1, 2020 - 6:00 p.m. City Hall - 229 Broadway Street East

AGENDA

- 1. Roll Call**
- 2. Additions/Approval of Agenda**
- 3. Approval of July 7, 2020 Planning Commission Minutes**
- 4. Qualified Minor Subdivision – Jesse Johnson**
- 5. Building Permits – July and August 2020**
- 6. Other Business**
 - a) Next Planning Commission Meeting Tuesday, October 6, 2020
- 7. Adjourn**

* 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.

MINUTES OF THE CITY OF ROCKVILLE PLANNING AND ZONING COMMISSION
Tuesday, July 7, 2020, 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, Chad Schmitt, and Cory Schreifels. Absent: Luke Greiner. Staff present: City Administrator, Martin Bode. Others present: various members of the public.

Item 2) Approval of Agenda

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

Item 3) Approval of June 2, 2020 Meeting Minutes

Motion by Schmitt, second by Herberg, to approve the June 2, 2020 meeting minutes as presented. Motion carried unanimously.

Item 4) Public Hearing – Preliminary Plat of Rockville Crossing

Chairman Becker introduced and reviewed the following Preliminary Plat application of Rockville Crossing with Planning Commission and the public.

Staff Report

Re: Property Subdivision/Preliminary Plat, Rezone, and CUP
PIN: 76.41720.0452 - Section 35, Township 123, Range 029
Owner: Creative Capital Holdings LP
Property address: Intersection of State Highway 23 and Interstate 94
Plat known as: Rockville Crossing

Request:

1. Preliminary Plat application to sub-divide 130.3 +/- acres
2. Rezone Parcel A of Block 1 Lot 1 from Ag-40 to B-2 and amend City Comprehensive Plan
3. Conditional Use Permit to operate a travel plaza/gasoline service station in a B-2 Business District

Relevant Information:

1. Property is zoned Ag-40.
2. Total plat area is 130.3 +/- acres.
3. Purpose is commercial development.
4. City utility (water/sewer) extension to service development to be completed late 2020.
5. Property was annexed into the City of Rockville on June 15, 2018.
6. 12 Public Hearing notices were mailed out.
7. Developers Agreement will be drafted prior to Final Plat.

Recommendation:

Consider approval of:

1. Preliminary Plat
2. Rezone lot from A-40 to B-2
3. Conditional Use Permit to operate a travel plaza

--

Chairman Becker opened the public hearing at 6:03 p.m. for public comment.

There being no comments offered from the public, motion was made by Herberg, second by Schmitt, to close the Public Hearing at 6:04 p.m. Motion carried.

Motion by Herberg, second by Becker, to approve the application for the Preliminary Plat of Rockville Crossing (Creative Capital Holdings LP dba Eichi Inc.) as presented. Motion passed unanimously.

Item 5) Public Hearing – Ordinance 2020-109 Rezone A-40 to B-2

Chairman Becker introduced and reviewed the Ordinance2020-109 Rezone A-40 to B-2 application of Rockville Crossing (Creative Capital Holdings LP dba Eichi Inc.) with Planning Commission and the public.

There being no comments offered from the public, motion was made by Herberg, second by Schreifels, to close the Public Hearing at 6:15 p.m. Motion carried.

Motion by Becker, second by Herberg, to approve Ordinance 2020-109 Rezone A-40 to B-2 of Rockville Crossing (Creative Capital Holdings LP dba Eichi Inc.) as presented. Motion passed unanimously.

Item 6) Public Hearing – CUP Creative Capital Holdings LP dba Eichi Inc.

Chairman Becker introduced and reviewed the Conditional Use Permit for Rockville Crossing (Creative Capital Holdings LP dba Eichi Inc.) with Planning Commission and the public.

There being no comments offered from the public, motion was made by Becker, second by Herberg, to close the Public Hearing at 6:19 p.m. Motion carried.

In considering/granting a Conditional Use Permit, the Planning Commission has considered the effect of the proposed use upon the health, safety, morals, and general welfare of occupants of surrounding land including land values. Among other things, the Planning Commission makes the following findings of fact:

1. **Not a Burden on Public Facilities.** The use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
2. **Compatible with Existing and Planned Adjacent Uses.** That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for existing and planned uses in the area.
3. **No Adverse Effect on Adjacent Properties.** The structure and site will not have an appearance, traffic, noise, odors, fumes, dust, vibration, light or emission levels or other features that will have an adverse effect upon adjacent properties for purposes already in use or permitted.
4. **Related to the Needs of the City.** The use is reasonably related to the overall needs of the City and to existing land uses.
5. **Consistent with the Comprehensive Plan.** The proposed use is in compliance with the Land Use Plan and other portion of the Comprehensive Plan adopted by the City.
6. **Not a Traffic Hazard.** The Applicant has been and continues to work with Minnesota Department of Transportation as well as the City of Rockville to ensure that the use will not cause an undue traffic hazard or congestion.
7. **Adequate Parking and Loading.** The applicant is aware of the City of Rockville's zoning ordinance Section 11 Parking and Loading as it relates to the required parking.
8. **Not Detrimental to Health, Safety and Welfare.** The applicant will closely follow the related Federal and State guidelines for the operation of a Travel Plaza/Gas Service Station and will not be detrimental to the public health, safety, comfort and general welfare of the City.

Motion by Herberg, second by Becker, to approve the Conditional Use Permit for Rockville Crossing (Creative Capital Holdings LP dba Eichi Inc.) as presented. Motion passed unanimously.

Item 7) Building Permits - June 2020

The June 2020 building permits report was reviewed by the Planning Commission members.

Item 8) Other Business

- a. Next meeting scheduled for Tuesday, August 4, 2020 at 6:00 p.m.

Item 9) Adjournment

Motion by Herberg, second by Becker, to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:24 p.m.

Respectfully submitted,

Martin M. Bode
Zoning Administrator

**Jesse L. Johnson
STAFF REPORT**

September 1, 2020 and September 9, 2020

Rockville Planning Commission; City Council

RE: Qualified Minor Subdivision

Parcel I.D. No. 76.41650.0100 - Section 29, Township 123, Range 029

Owner: Jesse L. Johnson

Property Address: 21956 123rd Avenue

Request is for a Qualified Minor Subdivision to subdivide 2.00 +/- acre from 103.39-acre parcel.

Relevant Information:

1. This property is located in an A-40 zoning district
2. Total acreage is 103.39 +/- acres
3. Purpose of the application is to subdivide and then sell 2.00 +/- acres for building purposes
4. A Declaration of Restriction is required to restrict a minimum of 38 acres as non-buildable to maintain an A-40 Zoning District
5. QMS does not require a public hearing but does require Planning Commission and Council Approval

Recommendations:

Consider Approval with Declaration of Restriction

Submitted by:

Martin M. Bode

Zoning Administrator

CITY OF ROCKVILLE, MINNESOTA
QUALIFIED MINOR SUBDIVISION

QM Subdivision Fee: \$100.00 + Recording Fee \$46.00 (per document)
Need separate checks: 1 for QM Subdivision Fee & 1 for Recording Fee(s)

PLEASE NOTE: any costs (i.e. legal, engineering, administrative, etc.) incurred over and above the application fee are the responsibility of the petitioner.

Date Submitted: 8/10/20
(Must submit at least ten (10) days prior to the next Planning Commission)

Parcel (1) # 76.41650.0100

Parcel (2) # NA

Location: Section 29 Township 123 Range 29

Legal Description parcel (1): Sec Survey

Legal Description parcel (2): Sec Survey

Owner's Name Jesse L. Johnson Phone _____
First Name Middle Initial Last Name

Address 21956 123rd Ave

Email: _____

The following must be submitted:

___ Certificate of Survey – one (1) copy 11"x 17" or PDF copy.

[Signature] _____ Date _____
Signature Date

Office Use Only:

R# 101.41000.34103 Check # _____ Date _____ Qualified Minor \$100.00 Permit # _____
R# 101.41000.34102 Check # _____ Date _____ Recording Fee \$46.00 Permit # _____

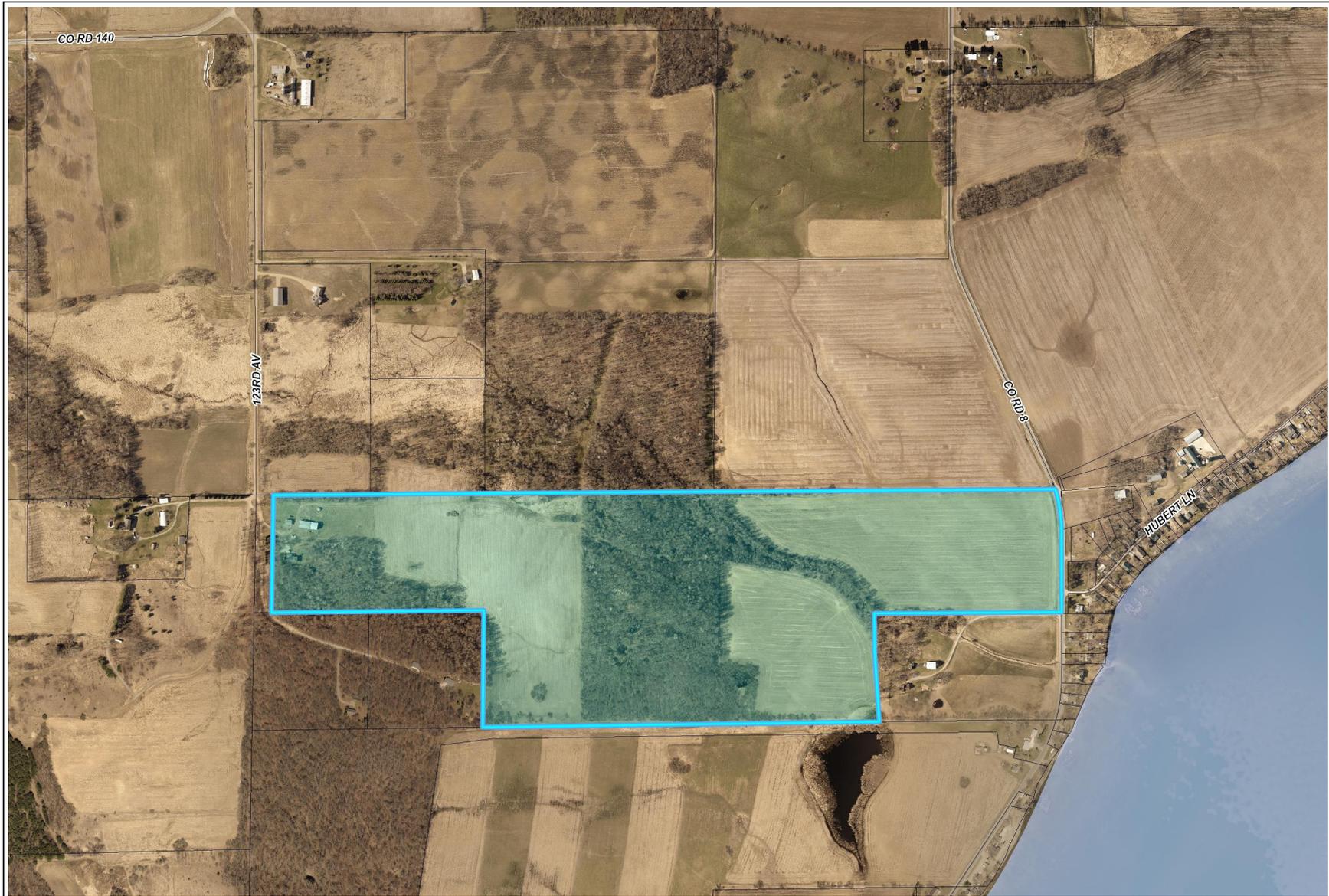
CITY OF ROCKVILLE
229 BROADWAY STREET EAST
PO BOX 93
ROCKVILLE MN 56369

SECTION 11: MINOR SUBDIVISIONS CHECKLIST

Subdivision 1: QUALIFIED MINOR SUBDIVISIONS

1. **Criteria.** Any subdivision containing not more than two (2) lots and which does not involve any new street or road, and that is not likely to precipitate the extension of municipal facilities or public improvements shall be considered a Minor Subdivision.
2. **Exemption from Platting Requirement.** Minor Subdivisions shall be exempt from the requirements of this Ordinance requiring platting.
3. **Planning Commission Approval Required.** Minor Subdivisions must be recommended for approval by the Planning Commission before being submitted to the City Council.

Yes **No** **Certificate of Survey.** An Applicant for Minor Subdivision approval must submit to the City at least ten (10) days prior to the next Planning Commission meeting one (1) - 11" x 17" copy (or PDF copy) of a Certificate of Survey. The survey shall include the following information: legal description of each parcel, parcel area, site improvements including buildings, free standing signs, utilities, paved areas, and distances from buildings to ownership and property lines. In addition to the above information, the City may require a wetland delineation prior to approving an administrative plat.



City of Rockville,
Minnesota
Granite - Heart of the City

Legend

-  City Limits
-  Parcels - 1/7/2020
-  PWI Watercourse
-  PWI Basin

Map Name



Disclaimer:
This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Rockville is not responsible for any inaccuracies herein contained.

0 527 Feet

© Bolton & Menk, Inc - Web GIS 8/24/2020 3:29 PM



EXISTING LEGAL DESCRIPTION

(Per Doc. No. 1403354)

The Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) and the North One-half of the Northwest Quarter (N1/2 NW1/4) and the West Twenty (20) acres of Government Lot One (1), all in Section Twenty-nine (29), Township One Hundred Twenty-three (123), North of Range Twenty-nine (29) West LESS AND EXCEPT all that part of Government Lot One (1), and the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section Twenty-nine (29), Township One Hundred Twenty-three (123) North, of Range Twenty-nine (29) West described as follows: Starting at the point of intersection of the north line of Section 29 and the centerline of C.A.R. Number Eight (8); thence South Seven Hundred Nine and Fourteen Hundredths (709.14) feet to the point of beginning; thence West and parallel to the North line One Thousand Seventy-eight and Seventy-five Hundredths (1078.75) feet; thence South Two Hundred Eighty-seven and Fifteen Hundredths (221.15) feet; thence South 3°30; East Three Hundred Eighty-seven and Sixty-five Hundredths (387.65) feet; thence East One Thousand Twenty-seven and Eighty-eight Hundredths (1027.88) feet to the centerline of C.A.R. Number Eight (8); thence North and along the centerline of C.A.R. Number 8, Six Hundred Six and Twenty Hundredths (606.20) feet to the point of beginning.

ALSO LESS AND EXCEPT the Southeast Quarter of the Northwest Quarter of the Northwest Quarter (SE1/4 NW1/4 NW1/4) and the Southwest Quarter of the Northwest Quarter of the Northwest Quarter (SW1/4 NW1/4 NW1/4) and the West One Hundred (100) feet of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4 NW1/4) of said Section Twenty-nine (29).

SUGGESTED REVISED LEGAL DESCRIPTION

The Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 29, Township 123, Range 29, Stearns County, Minnesota, excepting the West 100.00 feet thereof.

AND

The Northeast Quarter of the Northwest Quarter of the Northwest Quarter of Section 29, Township 123, Range 29, Stearns County, Minnesota.

AND

The Northeast Quarter of the Northwest Quarter of Section 29, Township 123, Range 29, Stearns County, Minnesota.

AND

The Northwest Quarter of the Northeast Quarter and that part of Government Lot 1 of Section 29, Township 123, Range 29, Stearns County, Minnesota, lying westerly of the east line of the West 20 acres of said Government Lot 1, said east line more particularly described as follows: Commencing at the North Quarter corner of said Section 29; thence North 89 degrees 02 minutes 41 seconds East, assumed bearing, along the north line of the Northeast Quarter of said Section 29, a distance of 2001.32 feet, to the point of beginning of the line to be described; thence South 00 degrees 18 minutes 53 seconds East, 1321.43 feet, to the south line of said Government Lot 1 and said line there terminating.

LESS AND EXCEPT

That part of the Northwest Quarter of the Northeast Quarter and Government Lot 1 of Section 29, Township 123, Range 29, Stearns County, Minnesota, lying southerly and easterly of the following described line: Commencing at the northwest corner of said Northwest Quarter of the Northeast Quarter; thence South 00 degrees 28 minutes 45 seconds East, assumed bearing, along the west line of said Northwest Quarter of the Northeast Quarter, 1334.15 feet, to the southwest corner of said Northwest Quarter of the Northeast Quarter; thence North 88 degrees 40 minutes 44 seconds East, along the south line of said Northwest Quarter of the Northeast Quarter, 960.50 feet, to the point of beginning of the line to be described; thence North 04 degrees 27 minutes 19 seconds West, 402.58 feet;

thence North 00 degrees 57 minutes 19 seconds West, 221.15 feet; thence North 89 degrees 02 minutes 41 seconds East, parallel with the north line of said Northeast Quarter, 1078.75 feet, to the centerline of County State Aid Highway No. 8 and said line there terminating.

TRACT A

That part of Government Lot 1 of Section 29, Township 123, Range 29, Stearns County, Minnesota, described as follows: Commencing at the northwest corner of said Northwest Quarter of the Northeast Quarter; thence South 00 degrees 28 minutes 45 seconds East, assumed bearing, along the west line of said Northwest Quarter of the Northeast Quarter, 1334.15 feet, to the southwest corner of said Northwest Quarter of the Northeast Quarter; thence North 88 degrees 40 minutes 44 seconds East, along the south line of said Northwest Quarter of the Northeast Quarter, 960.50 feet; thence North 04 degrees 27 minutes 19 seconds West, 402.58 feet; thence North 00 degrees 57 minutes 19 seconds West, 221.15 feet; thence North 89 degrees 02 minutes 41 seconds East, parallel with the north line of said Northeast Quarter, 818.94 feet, to the point of beginning of the tract to be described; thence continue North 89 degrees 02 minutes 41 seconds East, parallel with said north line, 249.68 feet, to Line "A" described below, thence North 00 degrees 18 minutes 53 seconds West, along said Line "A", 347.20 feet; thence South 89 degrees 02 minutes 41 seconds West, 252.20 feet; thence South 00 degrees 43 minutes 52 seconds East, 347.18 feet, to the point of beginning.

Said Line "A" being the east line of the West 20 acres of said Government Lot 1 and more particularly described as follows: Commencing at the North Quarter corner of said Section 29; thence North 89 degrees 02 minutes 41 seconds East, assumed bearing, along the north line of the Northeast Quarter of said Section 29, a distance of 2001.32 feet, to the point of beginning of the line to be described; thence South 00 degrees 18 minutes 53 seconds East, 1321.43 feet, to the south line of said Government Lot 1 and said line there terminating.

TRACT B

The Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 29, Township 123, Range 29, Stearns County, Minnesota, excepting the West 100.00 feet thereof.

AND

The Northeast Quarter of the Northwest Quarter of the Northwest Quarter of Section 29, Township 123, Range 29, Stearns County, Minnesota.

AND

The Northeast Quarter of the Northwest Quarter of Section 29, Township 123, Range 29, Stearns County, Minnesota.

AND

The Northwest Quarter of the Northeast Quarter and that part of Government Lot 1 of Section 29, Township 123, Range 29, Stearns County, Minnesota, lying westerly of the east line of the West 20 acres of said Government Lot 1, said east line more particularly described as follows: Commencing at the North Quarter corner of said Section 29; thence North 89 degrees 02 minutes 41 seconds East, assumed bearing, along the north line of the Northeast Quarter of said Section 29, a distance of 2001.32 feet, to the point of beginning of the line to be described; thence South 00 degrees 18 minutes 53 seconds East, 1321.43 feet, to the south line of said Government Lot 1 and said line there terminating.

LESS AND EXCEPT

That part of the Northwest Quarter of the Northeast Quarter and Government Lot 1 of Section 29, Township 123, Range 29, Stearns County, Minnesota, lying southerly and easterly of the following described line: Commencing at the northwest corner of said Northwest Quarter of the Northeast Quarter; thence South 00 degrees 28 minutes 45 seconds East, assumed bearing, along the west line of said Northwest Quarter of the Northeast Quarter, 1334.15 feet, to the southwest corner of said

Northwest Quarter of the Northeast Quarter; thence North 88 degrees 40 minutes 44 seconds East, along the south line of said Northwest Quarter of the Northeast Quarter, 960.50 feet, to the point of beginning of the line to be described; thence North 04 degrees 27 minutes 19 seconds West, 402.58 feet; thence North 00 degrees 57 minutes 19 seconds West, 221.15 feet; thence North 89 degrees 02 minutes 41 seconds East, parallel with the north line of said Northeast Quarter, 1078.75 feet, to the centerline of County State Aid Highway No. 8 and said line there terminating.

ALSO LESS AND EXCEPT

That part of Government Lot 1 of Section 29, Township 123, Range 29, Stearns County, Minnesota, described as follows: Commencing at the northwest corner of said Northwest Quarter of the Northeast Quarter; thence South 00 degrees 28 minutes 45 seconds East, assumed bearing, along the west line of said Northwest Quarter of the Northeast Quarter, 1334.15 feet, to the southwest corner of said Northwest Quarter of the Northeast Quarter; thence North 88 degrees 40 minutes 44 seconds East, along the south line of said Northwest Quarter of the Northeast Quarter, 960.50 feet; thence North 04 degrees 27 minutes 19 seconds West, 402.58 feet; thence North 00 degrees 57 minutes 19 seconds West, 221.15 feet; thence North 89 degrees 02 minutes 41 seconds East, parallel with the north line of said Northeast Quarter, 818.94 feet, to the point of beginning of the tract to be described; thence continue North 89 degrees 02 minutes 41 seconds East, parallel with said north line, 249.68 feet, to Line "A" described below, thence North 00 degrees 18 minutes 53 seconds West, along said Line "A", 347.20 feet; thence South 89 degrees 02 minutes 41 seconds West, 252.20 feet; thence South 00 degrees 43 minutes 52 seconds East, 347.18 feet, to the point of beginning.

Said Line "A" being the east line of the West 20 acres of said Government Lot 1 and more particularly described as follows: Commencing at the North Quarter corner of said Section 29; thence North 89 degrees 02 minutes 41 seconds East, assumed bearing, along the north line of the Northeast Quarter of said Section 29, a distance of 2001.32 feet, to the point of beginning of the line to be described; thence South 00 degrees 18 minutes 53 seconds East, 1321.43 feet, to the south line of said Government Lot 1 and said line there terminating.

Building Permits: July 2020

Parcel #	REASON	ADDRESS	DATE	PERMIT #	Valuation	Permit \$	Review	SSC	Fees
76.41631.0900	Roofing	431 Broadway St W	7/8/2020	2020-00056	\$ 10,000.00	\$ 35.00	\$ -	\$ 1.00	\$ 36.00
76.41741.0028	Furnace Replacement	505 Aspen Ct W	7/9/2020	2020-00065	\$ 13,529.00	\$ 50.00	\$ -	\$ 1.00	\$ 51.00
76.42189.0026	Siding Permit	11307 Hubert Lane	7/10/2020	2020-00066	\$ 7,800.00	\$ 35.00	\$ -	\$ 1.00	\$ 36.00
76.42189.0026	Roofing	11307 Hubert Lane	7/10/2020	2020-00067	\$ 5,915.00	\$ 35.00	\$ -	\$ 1.00	\$ 36.00
76.42189.0061	Residing	11323 Hubert Lane	7/17/2020	2020-00068	\$ 14,000.00	\$ 35.00	\$ -	\$ 1.00	\$ 36.00
76.42240.0040	Roofing	216 Broadway St E	7/30/2020	2020-00069	\$ 2,500.00	\$ 35.00	\$ -	\$ 1.00	\$ 36.00
76.41647.0700	Accessory Building	21108 Fowler Rd	7/10/2020	2020-00078	\$ 158,000.00	\$ 869.00	\$ 564.85	\$ 79.00	\$ 1,512.85
76.42142.0029	Deck/Porch	25602 Lena Ln	7/10/2020	2020-00080	\$ 6,000.00	\$ 44.50	\$ 28.93	\$ 3.00	\$ 76.43
76.41605.0600	Solar	25325 State Hwy 23	7/10/2020	2020-00082	\$ 80,000.00	\$ 440.00	\$ 40.00	\$ 286.00	\$ 766.00
76.41900.0000	Plumbing Commercial	301 Birch St	7/16/2020	2020-00083	\$ 9,600.00	\$ 96.00	\$ 62.40	\$ 4.80	\$ 163.20
76.41641.0715	Accessory Building	22313 88th Ave	7/30/2020	2020-00084	\$ 50,000.00	\$ 275.00	\$ 178.75	\$ 25.00	\$ 478.75
76.41621.0300	Accessory Building	24411 Co Rd 137	7/30/2020	2020-00085	\$ 40,000.00	\$ 220.00	\$ 143.00	\$ 20.00	\$ 383.00
76.41611.0000	Fence	24992 Halfman Rd	7/31/2020	2020-00086	\$ 7,500.00	\$ 50.50	\$ 32.83	\$ 3.75	\$ 87.08

Building Permits: August 2020

Parcel #	REASON	ADDRESS	DATE	PERMIT #	Valuation	Permit \$	Review	SSC	Fees
76.42189.0020	Roofing	11361 Hubert Ln	8/3/2020	2020-00070	\$ -	\$ 35.00	\$ -	\$ 1.00	\$ 36.00
76.41633.0600	Roofing	610 Caroline Ln	8/20/2020	2020-00071	\$ 10,000.00	\$ 35.00	\$ -	\$ 1.00	\$ 36.00
76.41741.0022	Furnace Replacement	512 Aspen Ct W	8/25/2020	2020-00072	\$ 7,914.93	\$ 50.00	\$ -	\$ 1.00	\$ 51.00
76.41624.0500	Deck/Porch	23020 88th Ave	8/7/2020	2020-00087	\$ 25,592.00	\$ 140.76	\$ 91.49	\$ 12.80	\$ 245.05
76.42159.0951	Mechanical	22252 123rd Ave	8/13/2020	2020-00088	\$ 10,500.00	\$ 75.00	\$ -	\$ 1.00	\$ 76.00
76.41741.0074	Fence	112 Walnut Circle	8/13/2020	2020-00089	\$ 11,000.00	\$ 59.50	\$ 38.67	\$ 5.50	\$ 103.67
76.42240.0015	Roofing Commercial	149 Broadway St E	8/18/2020	2020-00090	\$ 48,700.00	\$ 267.85	\$ 174.10	\$ 24.35	\$ 466.30
76.42144.0005	Accessory Building	8520 White Oak Rd	8/25/2020	2020-00091	\$ 50,680.00	\$ 275.00	\$ 178.75	\$ 25.00	\$ 478.75
76.41741.0010	Roofing	507 Tamarack Ct	8/27/2020	2020-00073	\$ 12,000.00	\$ 35.00	\$ -	\$ 1.00	\$ 36.00