



WASECA COUNTY PLANNING COMMISSION MEETING

Thursday, March 6, 2025 - 7:00 p.m.

East Annex Public Meeting Room

300 N State Street – East Annex, Waseca, MN 56093

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Meeting ID: 238 862 654 428

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AGENDA

6:45 BOA and PC Review of Responsibilities

1. CALL TO ORDER/ESTABLISH A QUORUM
2. WELCOME NEW BOARD MEMBER
3. APPROVAL OF AGENDA
4. REVIEW/APPROVAL OF MINUTES – January 2, 2025
5. PUBLIC HEARINGS:
 - A. **Request for Amendments to Section 6.06 of the Unified Development Code (UDC), pertaining to feedlots.** Waseca County requests amendments to Table 6.4 of Section 6.06. This amendment will change the side and rear yard setback requirements from 80feet to 50feet and delete a footnote under the table.
 - B. **Request for Amendment to Sections 6.07, 6.08 and Article 8 of the Unified Development Code (UDC).** Waseca County requests amendments to the UDC to include specific standards and requirements for Organized Farm Colonies under Section 6.07. The amendment will include the aforementioned use as a Conditional Use in Section 6.08 and the definition of Organized Farm Colonies under Section 8.03 of the UDC
 - C. **Request for a Conditional Use Permit Amendment to operate an automobile service station.** Crystal Valley Cooperative is requesting a Conditional Use Permit to allow retail sales of Gasoline, Diesel and Deisel Exhaust Fluid (DEF) on its property in Section 5 Township 107N Range 23W of St. Mary Township. The applicant’s property with the address 7800 Old US Hwy 14, Janesville, MN 56048 and PID 09.005.0500 is zoned I-General Industrial District and HO Highway Overlay Districts. The request is pursuant to the requirements of Sections 6.19 and 6.16 of the Waseca County Unified Development Code.

- D. Request for a Conditional Use Permit Amendment to add a Compressor Building to an existing Essential Service use.** CenterPoint Energy Resource and Minnegasco Inc. are requesting a Conditional Use Permit Amendment to add a new compressor building on the east side of their property located in Section 6 Township 108N Range 22W of Blooming Grove Township. The request is pursuant to the requirements of Section 6.08 and 6.16(J) of the Waseca County Unified Development Code. The applicants' property, with the address 12510 440th Ave., Waterville, MN 56096 and PID 02.925.0100 is in the A-1 Agricultural Protection Zoning District.
- E. Request for a Conditional Use Permit to Transfer Development Right between two owners and into another Township.** Roy & Sally Keyes and Mitchell J. & Emily Jewison are requesting a Conditional Use Permit (CUP) to Transfer a Development Right (TDR) pursuant to Section 6.09 of the Waseca Unified Development Code (UDC). The UDC requires development rights transferred between two owners and into different Townships within Waseca County be completed by CUP. The residential Density in A-1 Agriculture Protection District in Waseca County is one (1) unit per Quarter-Quarter. Increases are allowed by TDR. The proposal is to transfer development right from a sending site in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 14, T.108N R.24W (PID 06.014.0300) to a 3.84 acre receiving site in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T108N R23W (PID 05.030.1150). Both the sending site, located in Janesville Township, and the receiving site, located in Iosco Township are in the A-1 Agriculture Protection District.

6. MISCELLANEOUS - New Richland Rezone

7. ADJOURNMENT



WASECA COUNTY PLANNING COMMISSION

DRAFT MINUTES

Date: January 2, 2025 **Time:** 7:00 pm **Venue:** East Annex, Waseca, MN

CALL TO ORDER/ESTABLISH A QUORUM

A quorum to conduct business was established and the Chair Russ Frederick called the Waseca County Planning Commission meeting to order at 7:02 p.m. at the meeting room in the East Annex Building and via Microsoft Teams Meeting.

| | | | | | | |
|-----------------------|---|---|-------------------------------------|-----------------------------------|-------------------------------------|------------------------------------|
| Members | <input checked="" type="checkbox"/> | Russ Frederick Chair | <input type="checkbox"/> | Stephanie Roemhildt Vice Chair | <input checked="" type="checkbox"/> | Brad Krause County Commissioner |
| | | | | | <input type="checkbox"/> | Vacant |
| | <input checked="" type="checkbox"/> | Marv Pearson | <input checked="" type="checkbox"/> | Mark Sommers | <input checked="" type="checkbox"/> | Leon Schoenrock |
| Staff | <input checked="" type="checkbox"/> | Maame Quarcoo, AICP – Senior Land Use Planner | | | | |
| | <input type="checkbox"/> | Shelley Hyatt, Land Use Planning Assistant | | | | |
| | <input checked="" type="checkbox"/> | Tina Wilson, PCED – Community Development Coordinator | | | | |
| Others Present | Names include as seen on sign-in sheet. Spellings of names shown as best as possible from handwritten signatures. | | | | | |

APPROVAL OF AGENDA

| | | | | | | |
|-------------------------------|---|-------------------------|-------------------------------------|---|--------------------------------|------------------------------------|
| Motion | Motion to approve the agenda as presented | | | | | |
| Decision | APPROVE <input checked="" type="checkbox"/> | | | APPROVE WITH REVISIONS <input type="checkbox"/> | | |
| Motion | <input type="checkbox"/> | Russ Frederick Chair | <input type="checkbox"/> | Stephanie Roemhildt Vice Chair | <input type="checkbox"/> | Brad Krause County Commissioner |
| | | | | | <input type="checkbox"/> | Vacant |
| | <input type="checkbox"/> | Marv Pearson | <input checked="" type="checkbox"/> | Mark Sommers | <input type="checkbox"/> | Leon Schoenrock |
| Second | <input type="checkbox"/> | Russ Frederick Chair | <input type="checkbox"/> | Stephanie Roemhildt Vice Chair | <input type="checkbox"/> | Brad Krause County Commissioner |
| | | | | | <input type="checkbox"/> | Vacant |
| | <input checked="" type="checkbox"/> | Marv Pearson | <input type="checkbox"/> | Mark Sommers | <input type="checkbox"/> | Leon Schoenrock |
| Vote to approve Agenda | <input checked="" type="checkbox"/> | Pass | <input type="checkbox"/> | Fail | Vote: <u>5</u> Yes <u>0</u> No | |

ELECTION OF CHAIR FOR 2025

| | | | | | | |
|-------------------------------|---|-------------------------|-------------------------------------|---|-------------------------------------|------------------------------------|
| Motion | Motion to approve Russ Frederick as Chair | | | | | |
| Decision | APPROVE <input checked="" type="checkbox"/> | | | APPROVE WITH REVISIONS <input type="checkbox"/> | | |
| Motion | <input type="checkbox"/> | Russ Frederick Chair | <input type="checkbox"/> | Stephanie Roemhildt Vice Chair | <input type="checkbox"/> | Brad Krause County Commissioner |
| | | | | | <input type="checkbox"/> | Vacant |
| | <input type="checkbox"/> | Marv Pearson | <input checked="" type="checkbox"/> | Mark Sommers | <input type="checkbox"/> | Leon Schoenrock |
| Second | <input type="checkbox"/> | Russ Frederick Chair | <input type="checkbox"/> | Stephanie Roemhildt Vice Chair | <input type="checkbox"/> | Brad Krause County Commissioner |
| | | | | | <input type="checkbox"/> | Vacant |
| | <input type="checkbox"/> | Marv Pearson | <input type="checkbox"/> | Mark Sommers | <input checked="" type="checkbox"/> | Leon Schoenrock |
| Vote to approve Agenda | <input checked="" type="checkbox"/> | Pass | <input type="checkbox"/> | Fail | Vote: <u>5</u> Yes <u>0</u> No | |

ELECTION OF VICE CHAIR FOR 2025

| | | | | | | |
|-----------------|---|--|--|---|--|--|
| Motion | Motion to elect Stephanie Roemhildt as Vice Chair | | | | | |
| Decision | APPROVE <input checked="" type="checkbox"/> | | | APPROVE WITH REVISIONS <input type="checkbox"/> | | |

| | | | | | | |
|-----------------------------------|-------------------------------------|-------------------------|-------------------------------------|-----------------------------------|--------------------------------|------------------------------------|
| Motion | <input type="checkbox"/> | Russ Frederick Chair | <input type="checkbox"/> | Stephanie Roemhildt Vice Chair | <input type="checkbox"/> | Brad Krause County Commissioner |
| | <input type="checkbox"/> | | <input type="checkbox"/> | | <input type="checkbox"/> | Vacant |
| Second | <input type="checkbox"/> | Marv Pearson | <input checked="" type="checkbox"/> | Mark Sommers | <input type="checkbox"/> | Leon Schoenrock |
| | <input type="checkbox"/> | Russ Frederick Chair | <input type="checkbox"/> | Stephanie Roemhildt Vice Chair | <input type="checkbox"/> | Brad Krause County Commissioner |
| Vote to approve Agenda | <input checked="" type="checkbox"/> | Marv Pearson | <input type="checkbox"/> | Mark Sommers | <input type="checkbox"/> | Leon Schoenrock |
| | <input checked="" type="checkbox"/> | Pass | <input type="checkbox"/> | Fail | Vote: <u>5</u> Yes <u>0</u> No | |

APPROVAL OF 2025 MEETING CALENDAR

| | | | | | | |
|-----------------------------------|--|-------------------------|-------------------------------------|---|--------------------------------|------------------------------------|
| Motion | Motion to approve the 2025 meeting calendar as presented | | | | | |
| Decision | APPROVE <input checked="" type="checkbox"/> | | | APPROVE WITH REVISIONS <input type="checkbox"/> | | |
| Motion | <input type="checkbox"/> | Russ Frederick Chair | <input type="checkbox"/> | Stephanie Roemhildt Vice Chair | <input type="checkbox"/> | Brad Krause County Commissioner |
| | <input type="checkbox"/> | | <input type="checkbox"/> | | <input type="checkbox"/> | Vacant |
| Second | <input checked="" type="checkbox"/> | Marv Pearson | <input type="checkbox"/> | Mark Sommers | <input type="checkbox"/> | Leon Schoenrock |
| | <input type="checkbox"/> | Russ Frederick Chair | <input type="checkbox"/> | Stephanie Roemhildt Vice Chair | <input type="checkbox"/> | Brad Krause County Commissioner |
| Vote to approve Agenda | <input type="checkbox"/> | Marv Pearson | <input checked="" type="checkbox"/> | Mark Sommers | <input type="checkbox"/> | Leon Schoenrock |
| | <input checked="" type="checkbox"/> | Pass | <input type="checkbox"/> | Fail | Vote: <u>5</u> Yes <u>0</u> No | |

REVIEW/APPROVAL OF MINUTES: December 5, 2024

| | | | | | | |
|------------------------------------|--|-------------------------|-------------------------------------|---|-------------------------------------|------------------------------------|
| Motion | Motion to approve the minutes of December 5, 2024, as presented. | | | | | |
| Decision | APPROVE <input checked="" type="checkbox"/> | | | APPROVE WITH REVISIONS <input type="checkbox"/> | | |
| Motion | <input type="checkbox"/> | Russ Frederick Chair | <input type="checkbox"/> | Stephanie Roemhildt Vice Chair | <input type="checkbox"/> | Brad Krause County Commissioner |
| | <input type="checkbox"/> | | <input type="checkbox"/> | | <input type="checkbox"/> | Vacant |
| Second | <input type="checkbox"/> | Marv Pearson | <input type="checkbox"/> | Mark Sommers | <input checked="" type="checkbox"/> | Leon Schoenrock |
| | <input type="checkbox"/> | Russ Frederick Chair | <input type="checkbox"/> | Stephanie Roemhildt Vice Chair | <input type="checkbox"/> | Brad Krause County Commissioner |
| Vote to approve Minutes | <input type="checkbox"/> | Marv Pearson | <input checked="" type="checkbox"/> | Mark Sommers | <input type="checkbox"/> | Leon Schoenrock |
| | <input checked="" type="checkbox"/> | Pass | <input type="checkbox"/> | Fail | Vote: <u>5</u> Yes <u>0</u> No | |

PUBLIC HEARINGS: presented by Maame Quarcoo

Request for Amendments to Articles 6 and 8 of the Unified Development Code (UDC)

| | |
|---|--|
| Applicant Name(s) | Waseca County Planning and Zoning |
| UDC Section to be amended | Articles 6 and 8; §6.17 through §8.03 |
| Request | Waseca County requests these amendments following a series of work sessions by the Waseca County Board of Commissioners. |
| Proposed Code Amendment Language | The proposed code language can be found by following the link: https://www.wasecacounty.gov/DocumentCenter/View/10061/Proposed-Changes-to-Articles-6and8?bidId . |

| | | | | | | |
|--|--|-------------------------------------|---|-----------------------------------|---------------------------------------|------------------------------------|
| Public Comments | The Public Hearing was opened and closed by Frederick at 7:36pm. No member of the public, either online or in-person, commented on the zoning code amendment. | | | | | |
| Planning Commission Discussion/ Questions | None | | | | | |
| DECISION: | | | | | | |
| Motion to approve UDC amendment | Motion to recommend approval of the Zoning Code Amendment as presented by staff. | | | | | |
| Motion By: | <input type="checkbox"/> | Russ Frederick Chair | <input type="checkbox"/> | Stephanie Roemhildt Vice Chair | <input type="checkbox"/> | Brad Krause County Commissioner |
| | <input type="checkbox"/> | Marv Pearson | <input type="checkbox"/> | Mark Sommers | <input type="checkbox"/> | Vacant |
| Seconded By: | <input type="checkbox"/> | Russ Frederick Chair | <input type="checkbox"/> | Stephanie Roemhildt Vice Chair | <input checked="" type="checkbox"/> | Leon Schoenrock |
| | <input type="checkbox"/> | Marv Pearson | <input checked="" type="checkbox"/> | Mark Sommers | <input type="checkbox"/> | Brad Krause County Commissioner |
| Vote | <input checked="" type="checkbox"/> | Pass | <input type="checkbox"/> | Fail | Vote: <u>5</u> Yes <u>0</u> No | |
| Amendment | APPROVE <input checked="" type="checkbox"/> | | APPROVE AS AMENDED <input type="checkbox"/> | | DENY <input type="checkbox"/> | |
| Decision on Request | Recommend Approval with Conditions | | Table Request Reason <input type="checkbox"/> | | Deny Reason: <input type="checkbox"/> | |
| | As presented With revisions | <input checked="" type="checkbox"/> | | | | |
| Vote to Approve the Request | <input checked="" type="checkbox"/> | Pass | <input type="checkbox"/> | Fail | Vote: <u>5</u> Yes <u>0</u> No | |

MISCELLANEOUS: None.

ADJOURNMENT

| | | | | | | |
|------------------------|-------------------------------------|-------------------------|--------------------------|-----------------------------------|-------------------------------------|------------------------------------|
| Motion: | Motion to adjourn the meeting | | | | | |
| Motion By: | <input type="checkbox"/> | Russ Frederick Chair | <input type="checkbox"/> | Stephanie Roemhildt Vice Chair | <input type="checkbox"/> | Brad Krause County Commissioner |
| | <input type="checkbox"/> | Marv Pearson | <input type="checkbox"/> | Mark Sommers | <input type="checkbox"/> | Vacant |
| Second By: | <input checked="" type="checkbox"/> | Marv Pearson | <input type="checkbox"/> | Mark Sommers | <input type="checkbox"/> | Leon Schoenrock |
| | <input type="checkbox"/> | Russ Frederick Chair | <input type="checkbox"/> | Stephanie Roemhildt Vice Chair | <input type="checkbox"/> | Brad Krause County Commissioner |
| Vote to Adjourn | <input type="checkbox"/> | Marv Pearson | <input type="checkbox"/> | Mark Sommers | <input checked="" type="checkbox"/> | Leon Schoenrock |
| | <input checked="" type="checkbox"/> | Pass | <input type="checkbox"/> | Fail | Vote: <u>5</u> Yes <u>0</u> No | |
| Time | 7:42pm | | | | | |

Note:

1. Full Planning Staff Report on this matter can be found at:
<https://www.wasecacounty.gov/AgendaCenter/ViewFile/Agenda/01022025-603>
2. Contact the Planning and Zoning Department to listen to the full meeting recording.
Waseca County Planning and Zoning Department
300 N State Street
Waseca, MN 56093
Phone: 507-835-0650; Fax: 507-837-5310

Russ Frederick
Waseca County Planning Commission Chair



PLANNING STAFF REPORT

UDC Amendment: Article 6 Section 6.06

To: Planning Commission
From: Maame Quarcoo, AICP, Senior Land Use Planner
Meeting Date: March 6, 2025
Applicant: Waseca County
Location: All Townships and Unincorporated Areas in Waseca County
Main Contact: Planning and Zoning Department

Background

Request: Request for Amendments to Section 6.06 of the Unified Development Code (UDC).

Waseca County requests amendments to Table 6.4 of Section 6.06. This amendment will change the side and rear yard setback requirements from 80 feet to 50 feet and delete a footnote under the table.

- Notifications:**
- Legal Notice was published in the Waseca County Pioneer Newspaper on February 20, 2025.
 - First class notices were mailed to all townships and municipalities in the County by February 21, 2025.
 - Planning Commission Public Hearing scheduled for March 6, 2025.
 - County Board of Commissioners Action anticipated March 18, 2025.

Legal Consideration: The proposed changes are minor in nature, so no legal opinion was sought.

Recommendation

Staff recommends the Planning Commission consider making a recommendation to the Waseca County Board of Commissioners to adopt the proposed changes to the UDC as shown on Attachment A of this Report.

Attachment

- A:** Proposed Changes to § 6.06 of the Waseca County Unified Development Code.

ATTACHMENT A

**PROPOSED CHANGES TO § 6.06 OF THE WASECA COUNTY UNIFIED DEVELOPMENT CODE (UDC)
ARTICLE 6**

(Note: Proposed Changes with additions in red and subtractions in red and struck)

§ 6.06 SPECIFIC STANDARDS FOR ANIMAL AGRICULTURE (“FEEDLOT ORDINANCE”).

(10) *Municipalities.* New animal feedlots are prohibited from locating 2,640 feet or less from an incorporated municipality. New animal feedlots located greater than 2,640 feet and less than or equal to 5,280 feet shall obtain the County Feedlot Site Inspection Team inspection recommendation and a conditional use permit from the County Board.

| Table 6.4 Manure Storage Structures and Associated Feedlot Setbacks | |
|--|------------------------------------|
| Land Use or Feature | Distance (feet) |
| Airport (FAA approved) | 2,640 |
| An existing feedlot under separate ownership | 500 |
| A residence (other than feedlot owner/applicant) | 1,000 |
| Cemeteries ³ | 500 |
| Churches ² | 1,000 |
| Golf courses, private or public ⁴ | 1,000 |
| Incorporated municipality ⁵ | 2,640 |
| Parks ¹ | 1,000 |
| Property line* (side yards, rear yard) | 800 50 |
| Public roads (measured from centerline of road) | 300 |
| Shoreland: lakes (measured from OHWL) | 1,000 |
| Shoreland: river, stream, drainage ditch (public or private- measured from ordinary high water level) | 300 |
| Well, private | As regulated by MN Dept. of Health |
| Well, public | As regulated by MN Dept. of Health |
| Wetlands: Type I-VIII | 300 |
| *If a proposed feedlot structure or feedlot building does not encroach upon yard setbacks, and retains more than a 125-foot front yard setback, such additions will be permitted provided it is a permitted use within the zoning district in which the property is located. A front yard setback of less than 125 feet requires a variance prior to construction. | |
| New feedlots and new manure storage structures are prohibited within 1,000 feet of the OHWL of a lake or within 300 feet of the OHWL of a stream or river. New feedlots and new manure storage structures are also prohibited in floodplain, floodway, bluff impact zones and abandoned rock quarries. | |

¹Parks subject to the above listed setback: from any park maintained or owned by an incorporated municipality and from the following four county parks: Courthouse Park, Gooselake Park, Ray Eustice Park and Blowers Park.

²CHURCH defined as a building used as a church, synagogue or place of worship with regular scheduled services.

³CEMETERY defined as follows: a cemetery governed by a cemetery association, local government or congregation of worshipers.

⁴Public and private golf course setback shall be measured from the nearest point of the feedlot to the nearest point of any maintained and established golf fairway or green at the time of feedlot permit application.

⁵Incorporated municipalities are the cities of Elysian, Janesville, New Richland, Waldorf and Waseca.

New feedlots shall not be located within 1,000 feet of any dwelling, school, church, platted subdivision and/or public park, except for dwelling of the property owner or feedlot operator, or family member based upon the definition of "family" provided the owner of the dwelling and family member, signs a statement that will be recorded stating that they have no objection to the feedlot being closer than the required 1,000 feet. This exception to the 1,000-foot setback is limited to family members to current owner and all other setback requirements shall be adhered to. All family-related feedlots shall be considered separate feedlots in terms of permitting but shall be considered as one feedlot in terms of animal unit limits in accordance with the feedlot ordinance.



PLANNING STAFF REPORT

UDC Amendment: Article 6 Section 6.07, 6.08 and Article 8

To: Planning Commission
From: Maame Quarcoo, AICP, Senior Land Use Planner
Meeting Date: March 6, 2025
Applicant: Waseca County
Location: All Townships and Unincorporated Areas in Waseca County
Main Contact: Planning and Zoning Department

Background

Request: Request for Amendments to Section 6.07, 6.08 and Article 8 of the Unified Development Code (UDC).

Waseca County requests an amendment to Sections 6.07, 6.08 and Article 8 of the Unified Development Code (UDC). Waseca County requests amendments to the UDC to include specific standards and requirements for Organized Farm Colonies under Section 6.07. The amendment will include the aforementioned use as a Conditional Use in Section 6.08 and the definition of Organized Farm Colonies under Section 8.03 of the UDC.

- Notifications:**
- Legal Notice was published in the Waseca County Pioneer Newspaper on February 20, 2025.
 - First class notices were mailed to all townships and municipalities in the County by February 21, 2025.
 - Planning Commission Public Hearing scheduled for March 6, 2025.
 - County Board of Commissioners Action anticipated March 18, 2025.

Legal Consideration: The proposed changes will allow for orderly growth providing opportunity for community and economic development

Recommendation

Staff recommends the Planning Commission consider making a recommendation to the Waseca County Board of Commissioners to adopt the proposed changes to the UDC as shown on Attachment A of this Report.

Attachment

- A:** Proposed Changes to § 6.07, § 6.08 and § 8.03 of the Waseca County Unified Development Code.

ATTACHMENT A

PROPOSED CHANGES TO THE WASECA COUNTY UNIFIED DEVELOPMENT CODE (UDC)

Note: Proposed changes with additions in **RED**

ARTICLE 6: ZONING DISTRICT REGULATIONS

Under *General Provisions*

§ 6.07 SPECIFIC STANDARDS FOR AGRICULTURAL, NATURAL RESOURCES AND RELATED USES

ADDING TO THE UDC, THE FOLLOWING:

(J) Organized Farm Colonies

(1) Upon approval of a Conditional Use Permit, as Organized Farm Colony will be exempt from the density requirements of the County Zoning Ordinance in the Agricultural District. Conditional Use application shall include, but not be limited to the following:

- (a) Name and signature of the Property Owner
- (b) Legal Description of the property
- (c) Emergency Services plan
- (d) Site Plan detailing the following:
 - 1) Dwelling units: number, type, size, occupancy, and site location
 - 2) Other structures: size, type, function, and site location
 - 3) Proposed roads and access from the site to the Township, County or State roads.
 - 4) Water supply source and location if applicable
 - 5) Waste water treatment plans and specifications

(2) Any modification or change of original site plan shall require a new Conditional Use Permit

Under *Agricultural Zoning Districts and Related Uses*

§ 6.08 A-1 AGRICULTURAL PROTECTION DISTRICT STANDARDS

Under *Conditional uses (see Article 4 for accessory uses)*.

(45) Organized Farm Colony

§ 8.03 DEFINITIONS AND ACRONYMS.

ADDING IN THE DEFINITION:

ORGANIZED FARM COLONY OR COLONIES is a group of Five (5) or more families organized together, living according to their beliefs and spending a majority of their time actively farming and raising livestock owned by the group as a community and not individually. The group or colony lives within the boundaries of the land owned by the group or colony and qualifies as a Non-Profit Corporation communally under Section 501 (d) of the United States Internal Revenue Code.



PLANNING STAFF REPORT

Automobile Service Station Conditional Use Permit Amendment Crystal Valley Cooperative

To: Planning Commission
Maame Quarcoo, AICP, Senior Land Use Planner

From: Hannah Rybak, Senior Professional Community Planner with WSB
Engineering

Meeting Date: March 6, 2025

Applicant: Crystal Valley Cooperative

Location: 7800 Old US Hwy 14, Janesville, MN 56048

Main Contact: Doug Lund

Background

Request: *Request for a Conditional Use Permit to operate an Automobile Service Station.*

Crystal Valley Cooperative is requesting a Conditional Use Permit to allow retail sales of Gasoline, Diesel and Deisel Exhaust Fluid (DEF) on its property in Section 5 Township 107N Range 23W of St. Mary Township. The applicant's property with the address 7800 Old US Hwy 14, Janesville, MN 56048 and PID 09.005.0500 is zoned I-General Industrial District and HO Highway Overlay Districts. The request is pursuant to the requirements of Sections 6.19 and 6.16 of the Waseca County Unified Development Code. "Automobile service station" and "convenience gas sales" are both listed as conditional uses in the I – General Industrial District and are both applicable to the proposal.

- Notifications:**
- Complete application received on January 29, 2025.
 - First class notices were mailed to all townships and municipalities in the County by February 21, 2025.
 - Legal Notice was published in the Waseca County Pioneer Newspaper on February 20, 2025.
 - 60 days from the date of application falls on March 30, 2025 (extension requested).
 - 120 days from the date of application falls on May 29, 2025.
 - Planning Commission Public Hearing scheduled for March 6, 2025.
 - County Board of Commissioners Action anticipated on March 18, 2025.

Site Information

- Site Data:**
- Applicant / Property Owner – Crystal Valley Cooperative
 - Property Address – 7800 Old US Hwy 14, Janesville, MN 56048
 - Township Name – St. Mary
 - Parcel Identification Number – 09.005.0500
 - Legal Description – See Attachment F

- Prior CUPs – 1998 CUP: sales of fertilizer and chemicals, 2018 CUP: billboard relocation
- Prior Variance – 2003 Variance: structure setback, 2015 Variance: increased impervious surface coverage, 2018 Variance: billboard setback.

Attachments

- A:** Recommended Conditions If Considered for Approval
- B:** Criteria For Approval
- C:** Notice Map
- D:** Comprehensive Map
- E:** Zoning Map and Extract of UDC
- F:** Application Information including Legal Description

General Findings

- Land Use/Comp. Plan Reference:**
- The Land Use Plan, which is part of the Waseca Comprehensive Plan, guides this parcel for “Industrial” use.
 - Waseca County has determined that the proposed use is consistent with the Industrial guidance for the parcel within the Comprehensive Plan.
 - The proposed fuel sales use also relates to the goal statements in the following ways:
 - ✚ Provides opportunity for economic development in ways compatible with Waseca County's natural and built environment.
- See Attachment D for the Comprehensive Land Use Map.*

- Notable Code Definitions:**
- **AUTOMOBILE SERVICE STATION.** A retail place of business engaged primarily in the sale of motor fuels but also may be engaged in supplying goods and services generally associated with the operation and maintenance of motor vehicles. These may include sale of petroleum products, sale and servicing of tires, batteries, automobile accessories and replacement items, washing and lubrication services and the performance of automotive maintenance and repair.
 - **CONVENIENCE GAS AND GOODS SALES.** A place where gasoline, motor oil, lubricants or other minor accessories are retailed directly to the public on the premises in combination with the retailing of items typically found in a convenience market or supermarket.

- Applicable Codes:**
- The Zoning Map approved with the Waseca County Unified Development Code places the property within the I - General Industrial Zoning District.
- **§3.07 Conditional Use Permits.**
Identifies the processes by which conditional use permits are to be reviewed.

- **§6.19 I General Industrial District.**
Outlines the standards for development in the Industrial Zoning District.
- **§6.16 Specific Standards for Commercial and Industrial Uses.**
Outlines specific standards for commercial and industrial uses. §6.16(E) specifies standards applicable to automobile service stations and §6.16(J) specifies standards applicable to convenience gas sales.

See Attachment E for Zoning Map and UDC Extract

Description of Uses

- Existing Uses:**
- The proposed project area is located between Old Highway 14 and US Highway 14. The applicant currently operates the sale of fertilizer and chemicals with the Conditional Use Permit approved in 1998.
 - Adjacent Uses:
 - ▣ North – Old Highway 14 ROW and Agricultural Parcel (PID: 09.005.0550).
 - ▣ South – US Highway 14 ROW and Agricultural Parcel (PID: 09.005.0400).
 - ▣ East – State ROW (PID: 09.004.1010).
 - ▣ West – Agricultural Parcel (PID: 09.005.1110) & State ROW (PID: 09.005.0710).
 - As mentioned above, the parcel under review is zoned I – General Industrial District.

- Proposed Uses (from applicant materials):**
- Convenience gas, diesel and diesel exhaust fluid (DEF) at the existing Crystal Valley Co-Op facility. The Applicant has stated that this is a fairly low intensity use; the fuel sales are intended to serve existing customers that would already be visiting their facility, as well as for use by company vehicles and equipment. There will be no storefront or convenience merchandise sales associated with the fuel sales.
 - Property improvements associated with the request would include a new 40x50 concrete pad poured over the existing gravel to create the pump island and a 10x15 building addition to house the computer system and DEF tank.
 - The fuel products would be stored in existing tanks, with new dispensers plumbed into them.

Natural Resources Information

- Topography:**
- LiDAR information of the development area shows the lowest elevation at 1,134 feet and the highest elevation of approximately 1,146 feet above sea level.

- Wetland/
Floodplain/
Shoreland**
- Wetland signature appears on the parcel under review but outside the proposed development/construction area.
 - The site is located outside any floodplain and shoreland areas.

Agency/Township Review and Public Comments

| | |
|------------------------------------|--|
| County Staff/Agency Review: | <ul style="list-style-type: none">▪ A copy of this report was provided to the Minnesota Department of Transportation (District 7), Waseca County Sheriff, Land and Water Resources Director, Attorney, and the Public Works Departments for their review.▪ Any correspondence or recommendations received prior to the public hearing will be provided to the Planning Commission for consideration at the meeting. |
| Township Review: | <ul style="list-style-type: none">▪ A copy of the notice of public hearing was provided to St. Mary's Township for their review and comment. |
| Public Comment(s): | <ul style="list-style-type: none">▪ Public hearing notices were sent to adjacent property owners within one quarter mile of the development area.▪ No written correspondence has been received at the time of this report. Any correspondence received shall be provided to the Planning Commission on the night of the hearing. |

Analysis

| | |
|---------------------------------|---|
| Issues with the Request: | <ul style="list-style-type: none">▪ Staff finds this request to be reasonable and compliant with all relevant requirements of the UDC.▪ The existing use on site is very similar to the proposed fuel sales use.▪ It is not anticipated that a significant amount of vehicle trips will be added due to the fuel sales. Staff did not require a traffic study to be performed as part of this application.▪ The proposed use will utilize existing storage tanks, with new dispensers being connected. |
|---------------------------------|---|

ATTACHMENT A

RECOMMENDED CONDITIONS IF CONSIDERED FOR APPROVAL

Request for a Conditional Use Permit to operate an Automobile Service Station. Crystal Valley Cooperative is requesting a Conditional Use Permit to allow retail sales of Gasoline, Diesel and Deisel Exhaust Fluid (DEF) on its property in Section 5 Township 107N Range 23W of St. Mary Township. The applicant's property with the address 7800 Old US Hwy 14, Janesville, MN 56048 and PID 09.005.0500 is zoned I-General Industrial District and HO Highway Overlay Districts. The request is pursuant to the requirements of Sections 6.19 and 6.16 of the Waseca County Unified Development Code.

The request as proposed is hereby recommended for approval subject to the following conditions:

Standards/Regulations:

1. All County, State, and Federal laws, regulations, and ordinances shall be complied with and all necessary permits and approvals, including County Zoning Permit.
2. Any future upgrade of the equipment approved by this conditional use permit shall not require an amendment to this conditional use permit.
3. All chemicals, hazardous materials, solid waste and nutrients and/or the like shall be properly used or disposed of by legal, environmentally sound methods. Any spills resulting from the use of such chemicals, hazardous materials or the like shall be properly reported, contained and mitigated as the State Pollution Control Agency may deem necessary.

Site Development, Access, Parking, Building and Environment:

4. All lighting shall be directed downward and inward to minimize glare to adjacent properties and public roadways. A plan for any new lighting shall be provided to the Planning and Zoning Department prior to installation.
5. All business-related parking shall be on the applicant's property and outside of any public right of ways.
6. **Duration, Failure to Comply and Review.** A Conditional Use Permit shall become void one (1) year after being granted by the County Board unless used or if discontinued for a period of ninety (90) days. The County Board may prescribe a different time limit within which the action for which the Conditional Use is required shall commence, or be completed, or both. Failure to commence, or complete, or both, such action within the time limit set shall void the Conditional Use Permit. A conditional Use Permit shall be issued for a particular use on a specific parcel and not for a particular person or firm. Owner/operator shall allow periodic inspection of the facility by Waseca County personnel, including, but not limited to, Waseca County Zoning Administrator and/or staff or assignee, Public Health Department, Environmental Health Department, Waseca County Sheriff's Department or Minnesota Pollution Control Agency staff, to determine if the terms and conditions of this Conditional Use Permit are being complied with. Failure to comply with any of the above-listed conditions shall be grounds for suspension or revocation of the Conditional Use Permit. This Conditional Use Permit may be reviewed on an annual basis and shall be subject to any additions or modifications deemed necessary to meet governmental requirements.

ATTACHMENT B

CRITERIA FOR APPROVAL

1) Will the proposed use have an impact (adverse) on the health, safety, and general welfare of the occupants in the surrounding neighborhood?

Applicant: No.

Staff: The proposed request is not anticipated to adversely impact the health, safety, and general welfare of occupants in the surrounding neighborhood if all applicable requirements and measures of the Waseca County UDC together with applicable State and Federal regulations are adhered to.

2) Will the proposed use have an impact (adverse) on traffic conditions including parking?

Applicant: No.

Staff: The proposed fuel sales are not anticipated to create a noticeable increase in vehicle trips to the property. The proposed use will not require any additional parking; purchasers of the fuel products will obtain them at the fuel pumps. There is no retail store associated with the fuel sales.

3) Are there adequate public utilities, public services, roads, and schools to support the proposed use of the property?

Applicant: Yes.

Staff: There are adequate public utilities, services, and roads to continue supporting the existing facility and the requested fuel sales.

4) Will the proposed use have an effect (adverse) on property values or future development of land in the surrounding neighborhood?

Applicant: No.

Staff: The proposed use is not anticipated to have an adverse effect on property values or future development. The facility currently exists on the property, and the proposed new fuel pumps will be located well within the existing campus. The added use will be no more impactful than existing conditions on site.

5) Is the proposed use of the property consistent with the goals and policies adopted in the Comprehensive Plan?

Applicant: Yes.

Staff: The proposed use furthers the economic development goals of the approved Comprehensive Land Use Plan.

6) Does the proposed use meet the standards of the Zoning Ordinance including that the use is allowed with a Conditional Use Permit in the designated zoning district in which it is proposed?

Applicant: Yes.

Staff: The subject parcel is in the I – General Industrial Zoning District and convenience gas sales are permitted in this zone with a conditional use permit. The proposed use is also consistent with the specific standards for convenience gas sales, as stipulated in §6.16 (I) Specific Standards for Commercial and Industrial Uses, as listed below:

- (1) Site plan. Site plan review shall be required.
- (2) Street access. The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
- (3) Access. Vehicular access points shall create a minimum of conflict with through traffic movement.
- (4) Parking. Parking and loading shall meet the standards found in § 6.15.
- (5) Buffers. Buffers shall be installed meeting the standards found in § 6.15.
- (6) Spills. All chemicals, hazardous materials, solid waste and nutrients and/or the like shall be properly used or disposed of by legal, environmentally sound methods. Any spills resulting from the use of such chemicals, hazardous materials or the like shall be properly reported, contained and mitigated as the State Pollution Control Agency may deem necessary.

7) Will the proposed use have an effect (adverse) on the environment, including pollution and including impacts on groundwater, surface water and surface water runoff, and air quality?

Applicant: No.

Staff: As mentioned above, the applicant currently operate their co-op use on the parcel. The continuous use of the parcel for a similar use is thus not anticipated to adversely affect the environment.

8) Will the proposed use have an effect (adverse) on existing natural, historic, or scenic views or features in the surrounding neighborhood?

Applicant: No.

Staff: The proposal is not anticipated to adversely impact any existing natural or historic features on the property and in the surrounding neighborhood.

9) Are there other provisions within the Waseca County Unified Development Code, Minnesota State Law or Federal Law that will impact the approval of the Conditional Use Permit?

Applicant: No.

Staff: The requested proposal will be subject to federal, state and county provisions.

ATTACHMENT C NOTICE MAP



PLANNING & ZONING

NOTICE AREA

CONDITIONAL USE PERMIT FOR PROPOSED AUTOMOBILE SERVICE STATION

CRYSTAL VALLEY COOPERATIVE

PID: 09.005.0500

LEGEND

-  Crystal Valley Coop
-  Notice Area (0.25mi)

This map depicts the "Neighborhood Notice Area" in which notices were sent via first class to all properties located within a quarter mile of the property, owned by Crystal Valley Cooperative, with the requested Conditional Use Permit for the proposed automobile service station. There are 12 property owners located within the "Neighborhood Notice Area."



DISCLAIMER: Wasceca Co., WA, makes no representation or warranty as to the accuracy of the information provided herein, regardless of the means of its transmission. The data is provided "as is" with no guarantee or representation about the accuracy, currency, timeliness, or completeness of the information. All users of this information shall be held responsible for any direct, indirect, special, incidental, or consequential damages or third party claims that may arise from the use of this information. Wasceca Co., WA.

Date: 2/18/2025



ATTACHMENT D
COMPREHENSIVE PLAN MAP

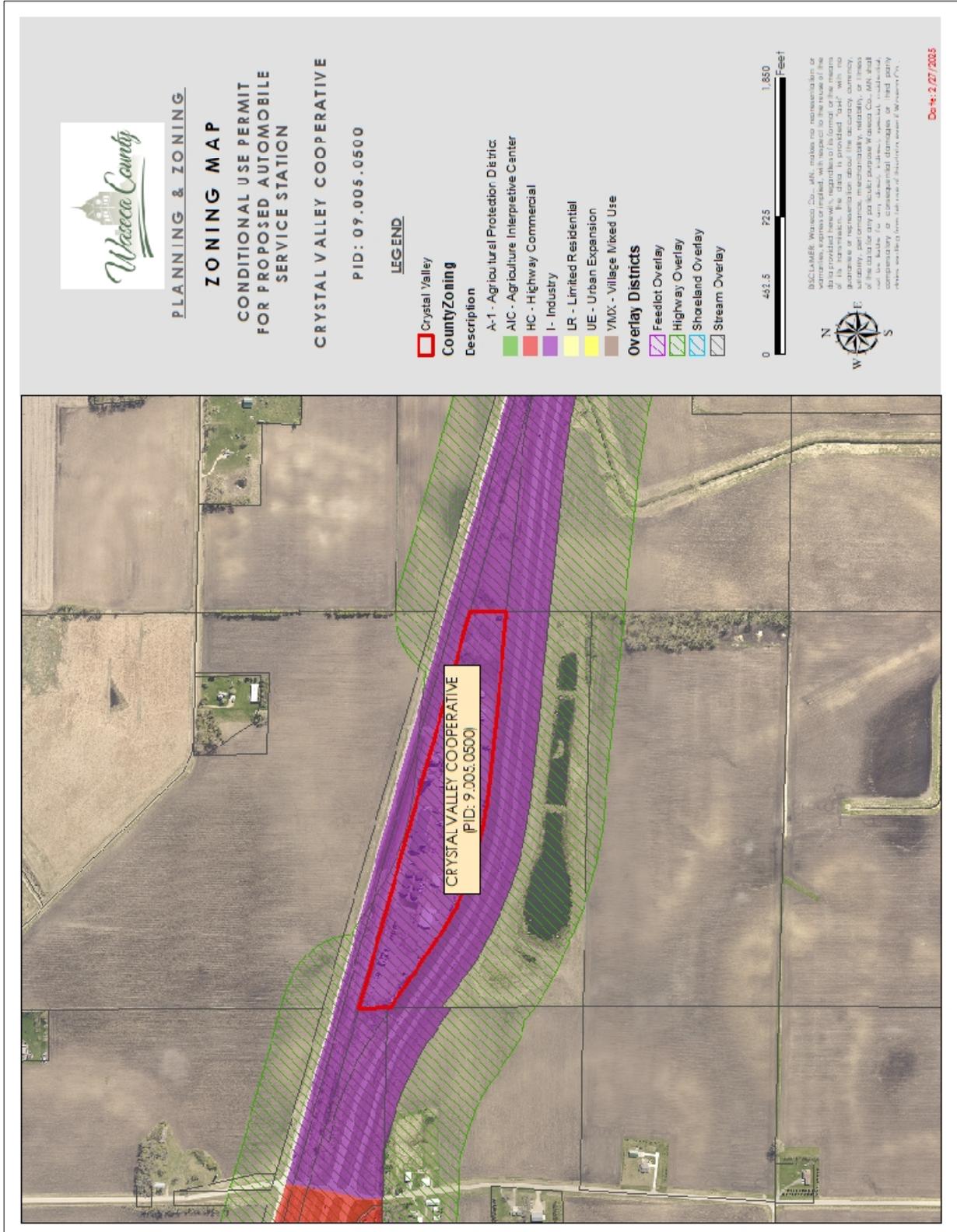
Waseca County Future Land Use Map



SITE

| | | | | |
|---|--|---|---|--|
| Land Use | 0 | 5 Miles | N | Region Nine Development Commission Community and Economic Development |
| <ul style="list-style-type: none"> Shoreland Residential Large-Lot Residential Commercial Industrial Agriculture/Open Space City | <ul style="list-style-type: none"> New Highway 14 Alignment Growth Area With Public Services Janesville's Urban Reserve Area |  | | |

ATTACHMENT E
ZONING MAP AND EXTRACT FROM UDC



**WASECA COUNTY UNIFIED DEVELOPMENT CODE
ARTICLE 6: ZONING DISTRICT REGULATIONS**

§ 6.19 I GENERAL INDUSTRIAL DISTRICT.

- (C) Conditional uses (see Article 4 for accessory uses).
- (4) Automobile service station, car wash.
- (5) Convenience gas and goods sales.
- (8) Advertising sign (off-site).

§ 6.16 SPECIFIC STANDARDS FOR COMMERCIAL AND INDUSTRIAL USES.

- (D) Automobile service station, car wash.
 - (1) Site plan. Site plan review shall be required.
 - (2) Access. If the Planning Commission determines it necessary, the site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate
 - (3) Car wash. A car wash facility, either attached or detached from the principal structure, shall only be permitted as an accessory use.
 - (4) Water. Water from the car wash shall not drain across any sidewalk or into a public right-of-way.
 - (5) Noise. Vacuum and drying facilities shall be located in an enclosed structure or at a sufficient distance from any residential use to minimize the impact of noise. Additional controls may be established to control noise during the operation of the facility, including controls of hours of operation.
 - (6) Spills. All chemicals, hazardous materials, solid waste and nutrients and/or the like shall be properly used or disposed of by legal, environmentally sound methods. Any spills resulting from the use of such chemicals, hazardous materials or the like shall be properly reported, contained and mitigated as the State Pollution Control Agency may deem necessary.
- (I) Convenience gas and goods sales.
 - (1) Site plan. Site plan review shall be required.
 - (2) Street access. The site shall have access to a hard surfaced road of sufficient capacity to accommodate the traffic that the use will generate.
 - (3) Access. Vehicular access points shall create a minimum of conflict with through traffic movement.
 - (4) Parking. Parking and loading shall meet the standards found in § 6.15.

(5) Buffers. Buffers shall be installed meeting the standards found in § 6.15.

(6) Spills. All chemicals, hazardous materials, solid waste and nutrients and/or the like shall be properly used or disposed of by legal, environmentally sound methods. Any spills resulting from the use of such chemicals, hazardous materials or the like shall be properly reported, contained and mitigated as the State Pollution Control Agency may deem necessary.

ATTACHMENT F
APPLICANT INFORMATION INCLUDING LEGAL DESCRIPTION

APPLICATION FOR CONDITIONAL USE PERMIT



Waseca County Planning and Zoning Office
 300 North State Street
 Waseca, Minnesota, 56093
 Phone: 507-835-0650 Fax: 507-837-5310
 Website: www.wasecacounty.gov
 Form no. PZ081009

Fees: 1. CUP Fee (check payable to Waseca County): **\$500.00**
 2. County Recorder (check payable to Waseca County Recorder): **\$46.00**

1. Name of Applicant: _____ Email Address: _____

2. Address of Applicant: _____ Phone Number: _____
 (Address) (State) (ZIP)

3. Name of Property Owner: _____ Email Address: _____
 CRYSTAL VALLEY COOPERATIVE douglas.lund@crystalvalley.coop
 (First) (Middle) (Last)

4. Address of Owner: _____ Phone Number: _____
 7800 OLD US HWY 14 5075080955

5. Street address of Property Involved: _____ Parcel ID#: _____
 7800 OLD US HWY 14 090050500

6. Legal Description (Full) of Property involved (*attach if necessary*):

7. Present Zoning District: _____ 9. Zoning ordinance Section authorizing
 I - Industry Special Permit: _____

8. Present Use of Property: _____ 10. Proposed Use of Property:
 I-General Industrial - Bulk Fuels, Bulk Propane, Fertilizer and Chemicals Cardrol - Retail sales of Gasoline, Diesel and DEF

11. Description of Request:
 We would like to add a company use and Retail location for customers to purchase Gasoline, Diesel and DEF. The concrete pad for the fueling island would be approximately 40x50' with a Gasoline dispenser and a Diesel and DEF dispenser. Storage tanks exist today and the dispensers would be plumbed into those. We would need to add a 10x15' addition to our existing truck shed to house the computer system and DEF tank. The Cardrol Island would be open to the public for purchase of Gas or Diesel with a Credit Card or a Crystal Valley charge card.

12. Applicants are responsible to contact:
 I) Affected Township (see pg. 7 for Township Recommendation Form);
 II) MNDOT (Angie Piitaver at angela.piitaver@state.mn.us), if adjacent to a State Highway;
 III) DNR (Erynn Jenzen at erynn.jenzen@state.mn.us), if impacting shoreland (i.e. 300 feet to river or stream or 1000 feet to a lake)

APPLICATION FOR CONDITIONAL USE PERMIT

13. Criteria for granting conditional use permits. The Planning Commission shall not recommend a conditional use permit unless it shall determine the following:

(Note: Please attach responses to the criteria on a separate sheet if necessary)

(a) Will the proposed use have an impact (adverse) on the health, safety and general welfare of the occupants in the surrounding neighborhood? Yes No

Center of our property

(b) Will the proposed use have an impact (adverse) on traffic conditions including parking? Yes No

Existing traffic on old Highway 14 and our vehicles.

(c) Are there adequate public utilities, public services, roads and schools to support the proposed use of the property? Yes No

(d) Will the proposed use have an effect (adverse) on property values or future development of land in the surrounding neighborhood? Yes No

(e) Is the proposed use of the property consistent with the goals and policies adopted in the Comprehensive Plan? Yes No

(f) Does the proposed use meet the standards of the zoning ordinance, including that the use is allowed with a conditional use permit in the designated zoning district in which it is proposed? Yes No

(g) Will the proposed use have an effect (adverse) on the environment, including pollution and including impacts on groundwater, surface water and surface water runoff, and air quality? Yes No

We have to manage that today with our bulk operations.

(h) Will the proposed use have an effect (adverse) on existing natural, historic, or scenic views or features in the surrounding neighborhood? Yes No

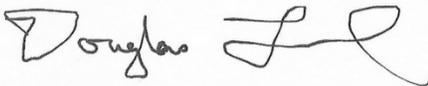
(i) Are there other provisions within the Unified Development Code, state law or federal law that will impact the approval of the conditional use permit? Yes No

14. **Exhibits** to be submitted as specified in §3.07 of Waseca County Unified Development Code (UDC).

Applications for conditional use permits shall be filed with the Zoning Administrator with required fees. The application shall be accompanied by a site plan showing such information as is necessary to show compliance with this ordinance, which may include:

- I. Site plan drawn at scale showing parcel and building dimensions;
- II. Location of all buildings and their square footage;
- III. Location of curb cuts, driveways, access roads, parking spaces, off-street loading areas and sidewalks;
- IV. Landscaping and screening plans;
- V. Drainage plan;
- VI. Sanitary sewer and water plan with estimated use per day;
- VII. Soil type;
- VIII. In shoreland areas a thorough evaluation of the waterbody and the topographic, vegetation and soils condition on the site must be made to ensure:
 - a. The prevention of soil erosion and other possible pollution of public waters, both during and after construction;
 - b. The visibility of structures and other facilities as viewed from public waters is limited;
 - c. The site is adequate for water supply and on-site sewage treatment; and
 - d. The types, uses and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercraft.
- IX. A calculation of the amount of impervious surface prior to development and following the proposed development; and
- X. Any additional data reasonably required by the Zoning Administrator, Planning Commission or County Board.
- XI. Township Recommendation Form
- XII. MNDOT, if adjacent to a State Highway, contact Angie Piltaver @ angela.piltaver@state.mn.us
- XIII. DNR, if impacting shoreland (i.e. 300 feet to river or stream or 1000 feet to a lake), contact Erynn Jenzen @ erynn.jenzen@state.mn.us

15. **Acknowledgement and Signature:** The undersigned hereby represents upon all of the penalties of law, for the purpose of inducing the Waseca County to take action herein requested, that all statements herein are true and that all work herein mentioned will be done in accordance with the Ordinances of the Waseca County and the laws of the State of Minnesota. The undersigned hereby consents that Waseca County officials, employees, appointed commissioners and consultants hired by the County may enter the property to inspect layout of structures, proposed placement of planned structures or additions, and other property's site features and dimensions.



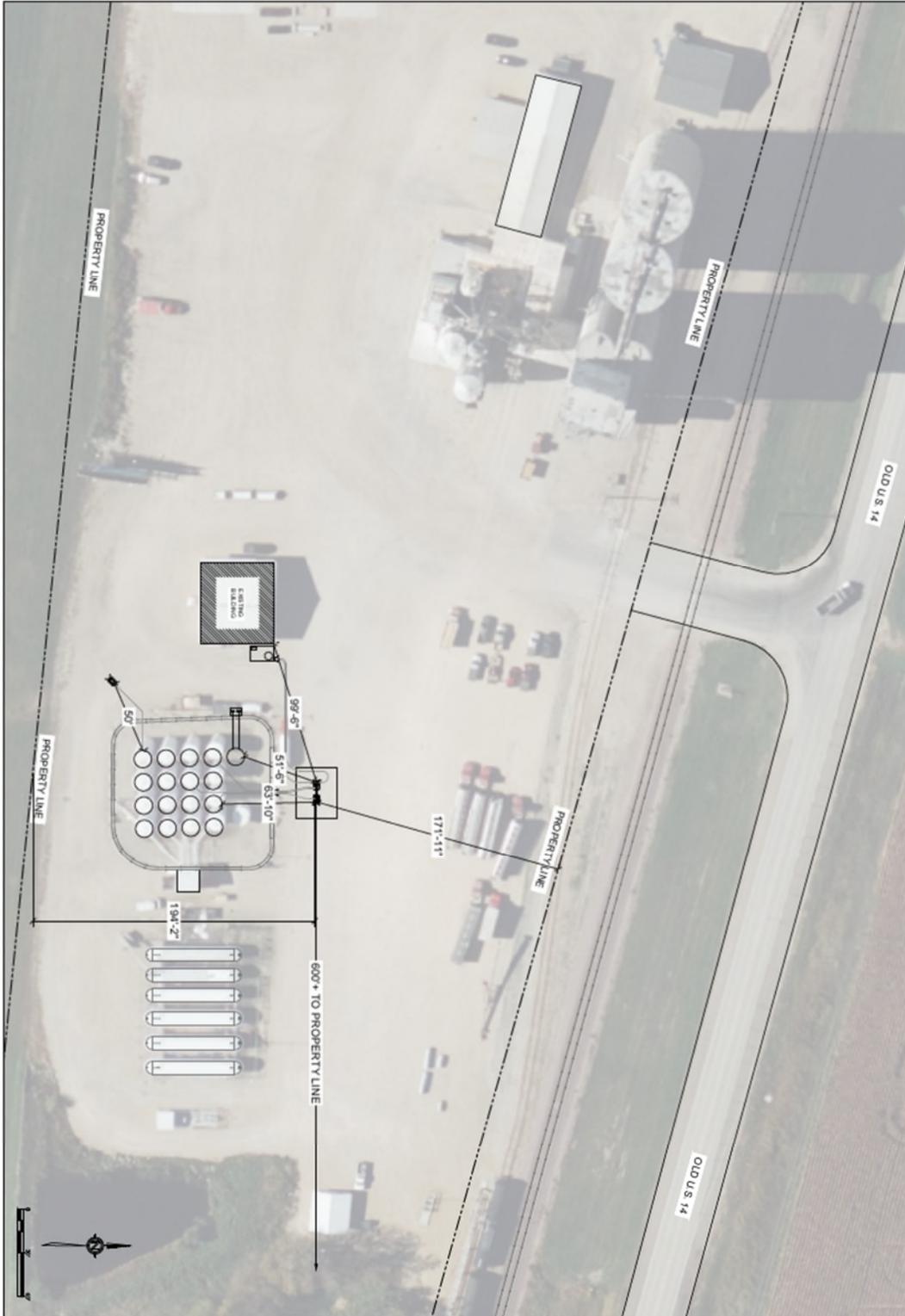
Signature

11/22/2024

Date:

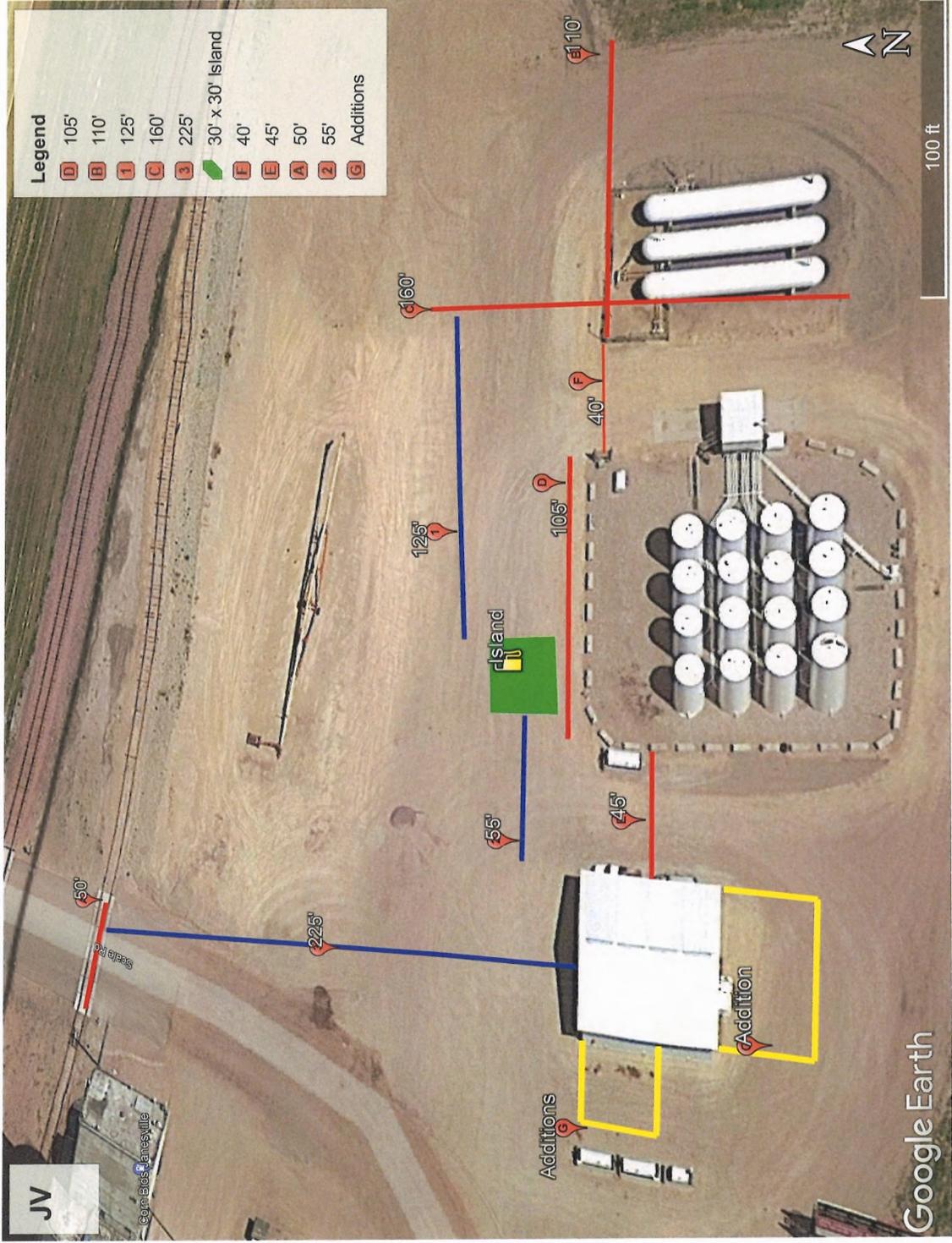
Douglas Lund

Name



| | | | |
|---|------------|---|------------|
|  | | P.O. BOX 683 MORRIS MN 56257 320-580-2100 | |
| NEW RETAIL CARDTROL Crystal Valley Coop 7800 Old US Hwy 14 Janesville, MN 56048 | | <small>THIS PLAN IS THE PROPERTY OF THE ENGINEER AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER. THE ENGINEER ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS PLAN.</small> | |
| DATE | 01/03/2024 | SCALE | AS NOTED |
| DESIGNED BY | AS NOTED | CHECKED BY | AS NOTED |
| DRAWN BY | AS NOTED | APPROVED BY | AS NOTED |
| PROJECT NO. | 01/03/2024 | DATE | 01/03/2024 |
| S.M. Plan (REF) | | | |





LEGAL DESCRIPTION

That part of the North Half of the Southeast Quarter of Section 5, and that part of the Southwest Quarter of the Northeast Quarter of Section 5, all in Township 107 North Range 23 West, Waseca County, Minnesota, described as:

Commencing at a cast iron monument designating the East Quarter corner of Section 5; thence South 00 degrees 00 minutes 26 seconds East, (Minnesota, County Coordinate System of 1983 (1996 adjustment), Waseca County Zone), along the east line of the Southeast Quarter of Section 5, a distance of 500.01 feet to Monument 83417 of Minnesota Department of Transportation Right of Way Plat No. 81-33, on file and of record with the Waseca County Recorder; said point being the point of beginning; thence continuing South 00 degrees 00 minutes 26 seconds East, along said east line, 241.90 feet to Monument 83320 designating the northeasterly corner of Parcel 37 of said plat; thence North 84 degrees 11 minutes 29 seconds West, along the northerly line of said Parcel 37, a distance of 1281.39 feet to Monument B18 of said plat; thence northwesterly, along said northerly line of Parcel 37, along a 2067.48 foot radius curve, chord bearing = North 70 degrees 15 minutes 15 seconds, chord distance = 955.48 feet, central angle = 26 degrees 43 minutes 15 seconds, an arc distance 964.20 feet to Monument B16 of said plat; thence North 56 degrees 19 minutes 00 seconds West, along said northerly line of Parcel 37, a distance of 578.40 feet, to Monument B15 designating the northwesterly corner of said Parcel 37, said point being on the North -South, center line of Section 5; thence North 00 degrees 20 minutes 14 seconds West, along said North - South' center line, the same being the easterly line of Parcel 35 of said plat, a distance of 216.69 feet to Monument B13 designating the northeasterly corner of said Parcel 35, said point being on the southerly right of way line of the Dakota, Minnesota, and Eastern Railroad; thence South 74 degrees 16 minutes 08 seconds East, -along said-railroad right of way line, 2760.03 feet to the point of beginning. Said parcel contains 23.67 acres, subject to any and all easements of record.



PLANNING STAFF REPORT

Essential Service Conditional Use Permit Amendment CenterPoint Energy/Minnegasco Inc.

To: Planning Commission
From: Maame Quarcoo, AICP, Senior Land Use Planner
Meeting Date: March 6, 2025
Applicant: CenterPoint Energy/Minnegasco Inc.
Location: 12510 – 440th Ave., Waterville, MN 56096
Main Contact: Allen Boerboom

Background

Request: *Request for a Conditional Use Permit Amendment to add a Compressor Building to an existing Essential Service use.*

CenterPoint Energy Resource and Minnegasco Inc. are requesting a Conditional Use Permit Amendment to add a new compressor building on the east side of their property located in Section 6 Township 108N Range 22W of Blooming Grove Township. The request is pursuant to the requirements of Section 6.08 and 6.16(J) of the Waseca County Unified Development Code. The applicants' property, with the address 12510 – 440th Ave., Waterville, MN 56096 and PID 02.925.0100 is in the A-1 Agricultural Protection Zoning District.

- Notifications:**
- Complete application received on January 29, 2025.
 - First class notices were mailed to all townships and municipalities in the County by February 21, 2025.
 - Legal Notice was published in the Waseca County Pioneer Newspaper on February 20, 2025.
 - 60 days from the date of application falls on March 30, 2025 (extension requested).
 - 120 days from the date of application falls on May 29, 2025.
 - Planning Commission Public Hearing scheduled for March 6, 2025.
 - County Board of Commissioners Action anticipated March 18, 2025.

Site Information

- Site Data:**
- Applicants – CenterPoint Energy/Minnegasco Inc.
 - Property Address – 12510 – 440th Ave., Waterville, MN 56096
 - Township Name – Blooming Grove
 - Parcel Identification Number – 02.925.0100
 - Legal Description – See Attachment F
 - Prior CUPs – 1968 CUP and subsequent amendment.
 - Prior Variance – None.

Attachments

- A:** Recommended Conditions If Considered for Approval
- B:** Criteria For Approval
- C:** Notice Map
- D:** Comprehensive Land Use Map
- E:** Zoning Map and Extract of Unified Development Code
- F:** Application Information including Legal Description

General Findings

- Land Use/Comp. Plan Reference:**
- The Land Use Plan (Chapter 11), of the Waseca County Comprehensive Plan, calls for the area to be developed into agriculture/open space uses.
 - Waseca County has determined that maintaining a gas storage facility is essential to the County and is in the interest of the public and consistent with the infrastructure vision statement of the Comprehensive Plan.
 - ✚ **Infrastructure Vision Statement:** The Waseca County will plan for, construct, and maintain quality infrastructure that is safe, affordable, environmentally sound, aesthetically pleasing and allows for managed growth.
 - The requested proposal also relates to the goal statements in the following ways:
 - ✚ Provides opportunity for economic development in ways compatible with Waseca County's natural and built environment.
- See Attachment D for the Comprehensive Land Use Map.*

- Notable Code Definitions:**
- **ESSENTIAL SERVICES.** The erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipe, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith reasonably necessary for the furnishing of adequate service by such public utilities or governmental agencies or for the public health, safety, morals and general welfare, but not including buildings. (§8.03).

- Applicable Codes:**
- The Zoning Map approved with the Waseca County Unified Development Code places the property within the A-1 Agricultural Protection Zoning District.
- **§3.07 Conditional Use Permits.**
Identifies the processes by which conditional use permits are to be reviewed.
 - **§6.08 A-1 Agricultural Protection District Standards.**
Outlines the standards for development in the A-1 Agricultural Protection Zoning District. §6.08(C) lists essential services as a conditional use.

- **§6.16 Specific Standards for Commercial and Industrial Uses.**
Outlines specific standards for commercial and industrial uses. §6.16(J) specifies standards, permitting processes and placement of essential services.

See Attachment E for Zoning Map and Unified Development Code Extract

Description of Uses

Existing Uses:

- The proposed project area is located along 440th Avenue and right on the County northern border line. The applicant currently operates an approved essential service with the original Conditional Use Permit predating 1968.
- Adjacent Uses:
 - ▣ North – Agricultural Parcel in Rice County.
 - ▣ South – Agricultural Parcel (PID: 02.006.0500).
 - ▣ East – Agricultural Parcel (PID: 02.006.0400).
 - ▣ West – Registered Feedlot (PID: 02.006.0300).
- As mentioned above, the parcel under review is zoned A-1 Agricultural Protection.

**Proposed Uses
(from applicant
materials):**

- CenterPoint Energy Natural Gas Operations (CenterPoint Energy) is proposing to modify their existing natural gas storage facilities at 12510 440th Avenue, Waterville, MN 56096 in order to upgrade their natural gas compression systems to operate at a higher power level, needed to accommodate changes being made by Northern Natural Gas's Pipeline. Northern Natural gas receives the gas withdrawn from the CenterPoint Energy storage system and transports it to the market areas. The proposed upgrade to their existing facilities is referred to as the Waterville Facility Modifications Project (Project). Construction activities for the Project are anticipated to commence in the 2nd quarter of 2025 and be completed before November of 2027. The original CUP was issued in 1970 for building and facility construction (permit no longer on file) and later amended in 1998 to install collection tanks and install a water treatment facility (Permit No. 8507).
- The Project is located on privately held land by CenterPoint Energy within a 37.22 acre parcel (refer to Boundary Survey note #4) in the Northwest of the Northeast 1/4 of Section 6, Township 108 North, and Range 22 West within unincorporated Waseca County, Minnesota. The parcel currently houses CenterPoint Energy's existing Waterville Facility where the proposed Project will occur (approximately 6.3 acres). The Waterville Facility is a Peak Shaving Facility which provides additional natural gas storage for peak consumption times of the year. The existing buildings on site include the Water Plant, the Main Office/Compressor Building, the T-Zone Compressor Building, the Warehouse, the North Garage, and the Well House.

- CenterPoint Energy plans to upgrade their existing compressor units to allow a higher pressure into the existing transmission line. The Project proposes to construct a new 6,000 square foot (sf) building (60' x 100') to house the compressors on the east side of the project area, referred to as the Compressor Building. Additionally, the existing eastern driveway will be widened.
- The existing gravel drive that extends to the east from the eastern driveway is anticipated to be utilized for construction and/or staging workspace during the Project. As noted in the calculations of the CUP application materials, within the Facility Boundary there is 1.83 acre of existing impervious surfaces and 0.48 acre of proposed new impervious surfaces (this includes fully reconstructed impervious areas). In addition, 0.05 acre of new impervious surfaces is proposed within the right-of-way as part of the driveway expansion.
- Approximately 1.04 acre will be disturbed as a result of the Project. Best management practices (BMPs) will be used to prevent the release of sediment from the construction site. Refer to the attached Site Erosion Control Plan for the planned locations of BMPs on Page 27 of this report. Where necessary, final grading will be conducted to restore the site to pre-construction contours. CenterPoint Energy will reseed the driveway right-of-way with an approved Minnesota Department of Transportation (DOT) seed mix, the facility area will be reseeded with residential turfgrass, and the existing prairie will be reseeded with a Prairie Mix.

Natural Resources Information

- | | |
|---|---|
| Topography: | <ul style="list-style-type: none"> ▪ LiDAR information of the development area shows the lowest elevation at 1,100 feet and the highest elevation of approximately 1,126 feet above sea level. |
| Wetland/ Floodplain/ Shoreland | <ul style="list-style-type: none"> ▪ Wetland signature appears on the parcel under review but outside the proposed development/construction area. ▪ The site is located outside any floodplain and shoreland areas. |

Agency/Township Review and Public Comments

- | | |
|--|--|
| County Staff/Agency Review: | <ul style="list-style-type: none"> ▪ A copy of this report was provided to the Minnesota Department of Transportation (District 7), Waseca County Sheriff, Land and Water Resources Director, County Attorney, and the Public Works Departments for their review. ▪ Any correspondence or recommendations received prior to the public hearing will be provided to the Planning Commission for consideration at the meeting. |
| Township Review: | <ul style="list-style-type: none"> ▪ A copy of the notice of public hearing was provided to Blooming Grove Township for their review and comment. |

**Public
Comment(s):**

- Public hearing notices were sent to adjacent property owners within one half mile of the development area. The UDC requires a notice area of a quarter mile. One half mile was used to derive at least ten (10) property owners.
- No written correspondence has been received at the time of this report. Any correspondence received shall be provided to the Planning Commission on the night of the hearing.

Analysis

**Issues with the
Request:**

- None.

ATTACHMENT A

RECOMMENDED CONDITIONS IF CONSIDERED FOR APPROVAL

Request for a Conditional Use Permit Amendment to add a Compressor Building to an existing Essential Service use. CenterPoint Energy Resource and Minnegasco Inc. are requesting a Conditional Use Permit Amendment to add a new compressor building on the east side of their property located in Section 6 Township 108N Range 22W of Blooming Grove Township. The request is pursuant to the requirements of Section 6.08 and 6.16(J) of the Waseca County Unified Development Code. The applicants' property, with the address 12510 440th Ave., Waterville, MN 56096 and PID 02.925.0100 is in the A-1 Agricultural Protection Zoning District.

The request as proposed is hereby recommended for approval subject to the following conditions:

Standards/Regulations:

1. All County, State, and Federal laws, regulations, and ordinances shall be complied with and all necessary permits and approvals, including County Zoning Permit.
2. Any future upgrade of the equipment completed within the fenced portion of the site shall not require an amendment to this conditional use permit.

Site Development, Access, Parking, Building and Environment:

3. All lighting shall be directed downward and inward to minimize glare to adjacent properties and public roadways. A plan for any new lighting shall be provided to the Planning and Zoning Department prior to installation.
4. Duration, Failure to Comply and Review. A Conditional Use Permit shall become void one (1) year after being granted by the County Board unless used or if discontinued for a period of ninety (90) days. The County Board may prescribe a different time limit within which the action for which the Conditional Use is required shall commence, or be completed, or both. Failure to commence, or complete, or both, such action within the time limit set shall void the Conditional Use Permit. A Conditional Use Permit shall be issued for a particular use on a specific parcel and not for a particular person or firm. Owner/operator shall allow periodic inspection of the facility by Waseca County personnel, including, but not limited to, Waseca County Zoning Administrator and/or staff or assignee, Public Health Department, Environmental Health Department, Waseca County Sheriff's Department or Minnesota Pollution Control Agency staff, to determine if the terms and conditions of this Conditional Use Permit are being complied with. Failure to comply with any of the above-listed conditions shall be grounds for suspension or revocation of the Conditional Use Permit. This Conditional Use Permit may be reviewed on an annual basis and shall be subject to any additions or modifications deemed necessary to meet governmental requirements.

ATTACHMENT B
CRITERIA FOR APPROVAL

1) Will the proposed use have an impact (adverse) on the health, safety, and general welfare of the occupants in the surrounding neighborhood?

Applicant: No.

Staff: The proposed request is not anticipated to adversely impact the health, safety, and general welfare of occupants in the surrounding neighborhood if all applicable requirements and measures of the Waseca County UDC together with applicable State and Federal regulations are adhered to.

2) Will the proposed use have an impact (adverse) on traffic conditions including parking?

Applicant: No.

Staff: The requested proposal is not anticipated to affect traffic conditions including parking post construction phase.

3) Are there adequate public utilities, public services, roads, and schools to support the proposed use of the property?

Applicant: Yes.

Staff: There are adequate public utilities, services, and roads to continue supporting the existing facility and the requested proposal.

4) Will the proposed use have an effect (adverse) on property values or future development of land in the surrounding neighborhood?

Applicant: No.

Staff: The proposed use is not anticipated to have an adverse effect on property values or future development. The facility currently exists on the property. The Planning Commission finds that the public's health, safety, comfort, morals, and general welfare can be adequately protected by this proposed use.

5) Is the proposed use of the property consistent with the goals and policies adopted in the Comprehensive Plan?

Applicant: Yes.

Staff: The proposed use is related to infrastructure vision statement and economic development goal of the approved Comprehensive Land Use Plan.

6) Does the proposed use meet the standards of the Zoning Ordinance including that the use is allowed with a Conditional Use Permit in the designated zoning district in which it is proposed?

Applicant: Yes.

Staff: The applicants' parcel is in the A-1 Agricultural Protection Zoning District and essential services; facilities and structures are permitted in this zone with a Conditional Use Permit. The requested proposal is a conditional use as stipulated in §6.16 Specific Standards for Commercial and Industrial Uses.

7) Will the proposed use have an effect (adverse) on the environment, including pollution and including impacts on groundwater, surface water and surface water runoff, and air quality?

Applicant: No.

Staff: As mentioned above, the applicant currently operates their essential services use on the parcel. There have been no complaints about any negative environmental impacts of the proposal on the property. The continuous use of the parcel is thus not anticipated to adversely affect the environment.

8) Will the proposed use have an effect (adverse) on existing natural, historic, or scenic views or features in the surrounding neighborhood?

Applicant: No.

Staff: The proposal is not anticipated to adversely impact any existing natural or historic features on the property and in the surrounding neighborhood.

9) Are there other provisions within the Waseca County Unified Development Code, Minnesota State Law or Federal Law that will impact the approval of the Conditional Use Permit?

Applicant: No.

Staff: The requested proposal will be subject to federal, state and county provisions.

ATTACHMENT C NOTICE MAP



PLANNING & ZONING

NOTICE AREA

CONDITIONAL USE PERMIT
ESSENTIAL SERVICES

CENTERPOINT ENERGY /
MINNEGASCO INC

PID: 02.925.0100

LEGEND

-  CenterPoint / Minnegasco
-  Notice Area (0.50mi)

This map depicts the "Neighborhood Notice Area" in which notices were sent via first class to all properties located within a half mile of the property, owned by CenterPoint Energy/Minnegasco, Inc., with the requested Conditional Use Permit for Essential Service. There are 12 property owners located within the "Neighborhood Notice Area."



DISCLAIMER: Waseca Co., MN, makes no representation or warranty, express or implied, with respect to the use of the data provided here with, regardless of its format or the means of its transmission. The data is provided "as is" with no guarantee or representation about the accuracy, currency, or completeness of the data for any particular purpose. Waseca Co., MN, shall not be liable for any direct, indirect, special, incidental, compensatory or consequential damages or third party claims resulting from use of this data, except Waseca Co., MN.

Date: 2/18/2025



ATTACHMENT D
COMPREHENSIVE PLAN MAP

Waseca County Future Land Use Map

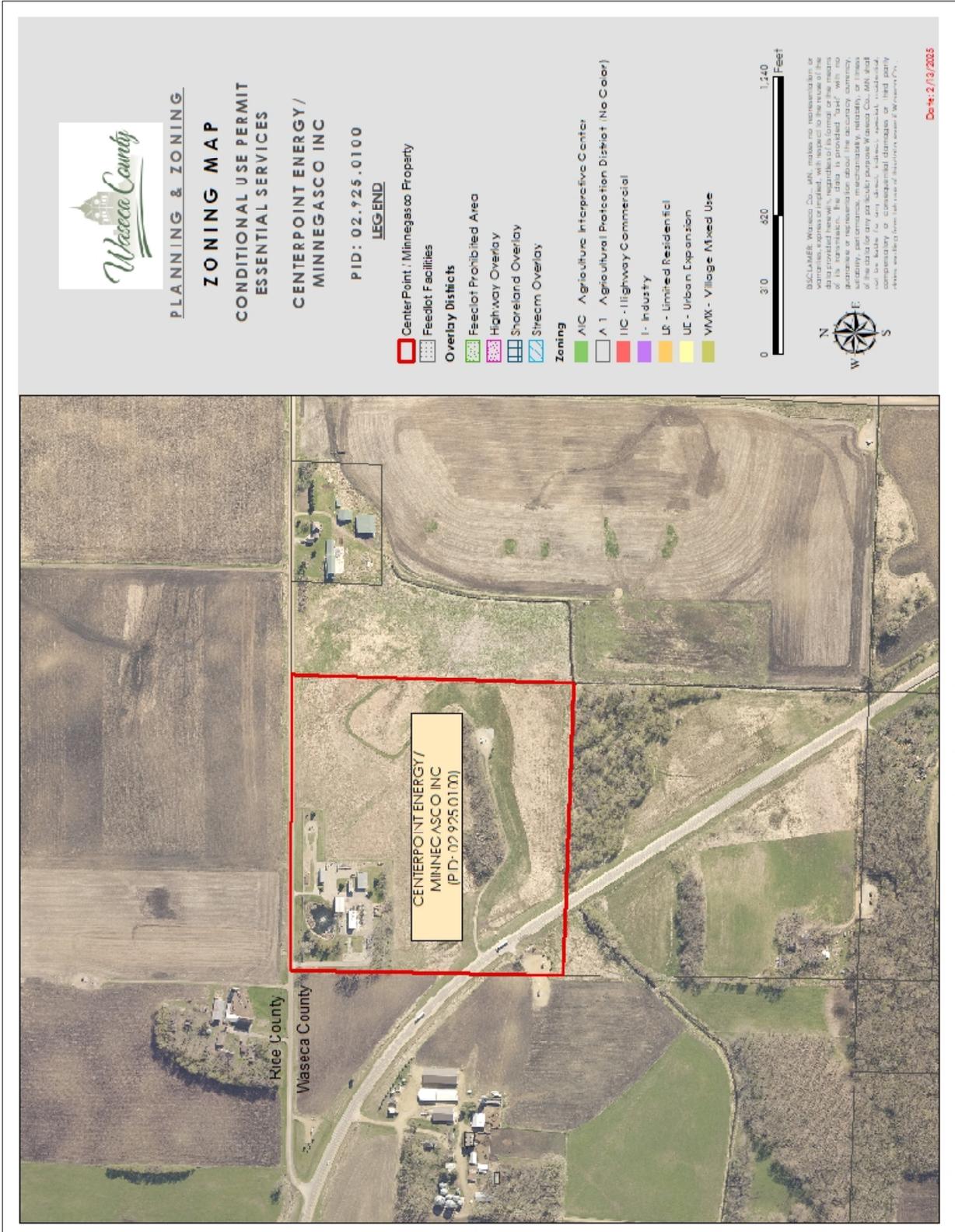


SITE

| | | |
|---|--|---|
| Land Use | 0 5 Miles | N |
| Shoreland Residential | New Highway 14 Alignment | Region Nine Development Commission Community and Economic Development Prepared March 2006 |
| Large-Lot Residential | Growth Area With Public Services | |
| Commercial | Janesville's Urban Reserve Area | |
| Industrial | | |
| Agriculture/Open Space | | |
| City | | |

ATTACHMENT E

ZONING MAP AND EXTRACT FROM UDC



**WASECA COUNTY UNIFIED DEVELOPMENT CODE
ARTICLE 6: ZONING DISTRICT REGULATIONS**

§ 6.08 A-1 AGRICULTURAL PROTECTION DISTRICT STANDARDS.

(C) Conditional uses (see Article 4 for accessory uses). Accessory uses are subject to the standards found in Articles 3, 4 and 6 of this ordinance:

(30) Essential services, facilities and structures;

§6.16 SPECIFIC STANDARDS FOR COMMERCIAL AND INDUSTRIAL USES.

(J) Essential services.

(1) Purpose. Since essential services, as defined by this ordinance, may have an effect upon urbanizing areas of the county, county land uses, county highway locations, and county parks and recreation areas, the location of all such essential services in any zoning district shall be filed with the County Engineer and the Zoning Administrator prior to commencement of any condemnation action or construction by the owner.

(2) Applicability. Standards in this subsection shall only apply to those essential service facilities subject to local control as determined by M.S. Chapter 216, as it may be amended from time to time.

(3) Permit processing. Transmission services, i.e., utility service such as electrical power lines of a voltage of 35 KV or greater, or bulk gas or fuel being transferred from station to station, and not intended for in route consumption, shall follow the following procedures.

(a) The owner shall file with the Zoning Administrator such maps indicating the location, alignment and type of service proposed as shall be requested.

(b) The maps and accompanying data shall be submitted to the Planning Commission for review and recommendations regarding the relationship to urban growth, land uses, highways and recreation and park areas.

(c) Following such review, the Planning Commission shall make a report of its findings and recommendations on the proposed essential services and shall file such report with the County Board.

(d) Upon receipt of the report of the Planning Commission on the planned essential services, the County Board shall consider the maps and accompanying data and shall indicate to the owner its approval or modifications considered desirable under this ordinance.

(4) Permitted use. Electric substations and similar essential service structures, as well as public utility buildings, shall be a conditional permitted use in all districts.

(5) Placement within county right-of-way. An application for a permit for essential services located within any county highway or county state aid highway rights-of-way shall follow the following procedures.

(a) The applicant shall file with the County Engineer on forms supplied by the county, an application for such permit accompanied by maps indicating the locations, alignment and type of service proposed.

(b) The application and accompanying data shall be reviewed by the County Engineer, and the County Engineer may issue the permit after determining that the application is acceptable and in the best interests of the county.

(c) The County Engineer may require, in conjunction with the issuance of such permit, that:

1. The applicant submit, as built, drawings of the essential services after construction; and

2. The applicant construct the essential service to take into consideration contemplated widening, re-grading or relocation of a county highway or county state aid highway, providing the county owns such additional right-of-way.

(6) Maintenance. No utility permits shall be required to maintain, or reconstruct, existing lines where the general alignment of the existing line is maintained.

(7) Review timeliness. Recognizing the need for adequate and timely service by owners of essential services, the County Engineer shall act upon all information filings or permit applications within 45 days of receipt by the County Engineer. Failure to act within 45 days shall constitute approval.

(8) Fees.

(a) A utility permit application fee shall be established by the County Board payable when the application is filed.

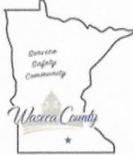
(b) Any outside costs for consulting services to aid the Planning Commission and/or County Board in making a decision on the utility permit application shall be paid by the applicant. Such fee shall be as determined by the County Board.

§8.03 DEFINITIONS AND ACRONYMS.

ESSENTIAL SERVICES. The erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipe, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith reasonably necessary for the furnishing of adequate service by such public utilities or governmental agencies or for the public health, safety, morals and general welfare, but not including buildings.

ATTACHMENT F
APPLICANT INFORMATION INCLUDING LEGAL DESCRIPTION

APPLICATION FOR CONDITIONAL USE PERMIT



Waseca County Planning and Zoning Office
 300 North State Street
 Waseca, Minnesota, 56093
 Phone: 507-835-0650 Fax: 507-837-5310
 Website: www.wasecacounty.gov

Form no. PZ081009

- Fees:** 1. CUP Fee (check payable to Waseca County): **\$500.00**
 2. County Recorder (check payable to Waseca County Recorder): **\$46.00**

| | |
|---|--|
| 1. Name of Applicant: | Email Address: |
| <hr/> | |
| 2. Address of Applicant: | Phone Number: |
| <hr/> | |
| (Address) (State) (ZIP) | |
| 3. Name of Property Owner: | Email Address: |
| CENTERPOINT ENERGY RESOURCE MINNEGASCO INC (Attn: Allen <small>Boerboom, Waterville Ops. Storage Supervisor</small>) | allen.boerboom@centerpointenergy.com |
| <small>(First) (Middle) (Last)</small> | |
| 4. Address of Owner: | Phone Number: |
| <hr/> | |
| 12510 440TH AVE | 507-362-8700 |
| 5. Street address of Property Involved: | Parcel ID#: |
| <hr/> | |
| 12510 440TH AVE | 029250100 |
| 6. Legal Description (Full) of Property involved (<i>attach if necessary</i>): | |
| <hr/> | |
| 7. Present Zoning District: | 9. Zoning ordinance Section authorizing Special Permit: |
| <hr/> | |
| A-1 - Agricultural Protection District | Sections 6.08(C)(30) and 6.16(J) |
| 8. Present Use of Property: | 10. Proposed Use of Property: |
| <hr/> | |
| CenterPoint Energy Peak Shaving Facility | CenterPoint Energy Peak Shaving Facility |
| 11. Description of Request: | |
| <hr/> | |
| CenterPoint Energy plans to upgrade their existing compressor units to allow a higher pressure into the existing transmission line. The Project proposes to construct a new 6,000 square foot building (60' x 100') to house the compressors on the east side of the project area, referred to as the Compressor Building. Additionally, the existing eastern driveway will be widened. Refer to the attached figures for additional information. | |
| <hr/> | |
| 12. Applicants are responsible to contact: | |
| I) Affected Township (see pg. 7 for Township Recommendation Form); | |
| II) MNDOT (Angie Piltaver at angela.piltaver@state.mn.us), if adjacent to a State Highway; | |
| III) DNR (Erynn Jenzen @ erynn.jenzen@state.mn.us), if impacting shoreland (i.e. 300 feet to river or stream or 1000 feet to a lake) | |

APPLICATION FOR CONDITIONAL USE PERMIT

13. Criteria for granting conditional use permits. The Planning Commission shall not recommend a conditional use permit unless it shall determine the following:

(Note: Please attach responses to the criteria on a separate sheet if necessary)

(a) Will the proposed use have an impact (adverse) on the health, safety and general welfare of the occupants in the surrounding neighborhood? Yes No

(b) Will the proposed use have an impact (adverse) on traffic conditions including parking? Yes No

(c) Are there adequate public utilities, public services, roads and schools to support the proposed use of the property? Yes No

(d) Will the proposed use have an effect (adverse) on property values or future development of land in the surrounding neighborhood? Yes No

(e) Is the proposed use of the property consistent with the goals and policies adopted in the Comprehensive Plan? Yes No

(f) Does the proposed use meet the standards of the zoning ordinance, including that the use is allowed with a conditional use permit in the designated zoning district in which it is proposed? Yes No

(g) Will the proposed use have an effect (adverse) on the environment, including pollution and including impacts on groundwater, surface water and surface water runoff, and air quality? Yes No

(h) Will the proposed use have an effect (adverse) on existing natural, historic, or scenic views or features in the surrounding neighborhood? Yes No

(i) Are there other provisions within the Unified Development Code, state law or federal law that will impact the approval of the conditional use permit? Yes No

14. **Exhibits** to be submitted as specified in §3.07 of Waseca County Unified Development Code (UDC).

Applications for conditional use permits shall be filed with the Zoning Administrator with required fees. The application shall be accompanied by a site plan showing such information as is necessary to show compliance with this ordinance, which may include:

- I. Site plan drawn at scale showing parcel and building dimensions;
- II. Location of all buildings and their square footage;
- III. Location of curb cuts, driveways, access roads, parking spaces, off-street loading areas and sidewalks;
- IV. Landscaping and screening plans;
- V. Drainage plan;
- VI. Sanitary sewer and water plan with estimated use per day;
- VII. Soil type;
- VIII. In shoreland areas a thorough evaluation of the waterbody and the topographic, vegetation and soils condition on the site must be made to ensure:
 - a. The prevention of soil erosion and other possible pollution of public waters, both during and after construction;
 - b. The visibility of structures and other facilities as viewed from public waters is limited;
 - c. The site is adequate for water supply and on-site sewage treatment; and
 - d. The types, uses and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercraft.
- IX. A calculation of the amount of impervious surface prior to development and following the proposed development; and
- X. Any additional data reasonably required by the Zoning Administrator, Planning Commission or County Board.
- XI. Township Recommendation Form
- XII. MNDOT, if adjacent to a State Highway, contact Angie Piltaver @ angela.piltaver@state.mn.us
- XIII. DNR, if impacting shoreland (i.e. 300 feet to river or stream or 1000 feet to a lake), contact Erynn Jenzen @ erynn.jenzen@state.mn.us

15. **Acknowledgement and Signature:** The undersigned hereby represents upon all of the penalties of law, for the purpose of inducing the Waseca County to take action herein requested, that all statements herein are true and that all work herein mentioned will be done in accordance with the Ordinances of the Waseca County and the laws of the State of Minnesota. The undersigned hereby consents that Waseca County officials, employees, appointed commissioners and consultants hired by the County may enter the property to inspect layout of structures, proposed placement of planned structures or additions, and other property's site features and dimensions.

Allen Boerboom

Signature

01/22/2025

Date:

Allen Boerboom

Name



January 27, 2025

Maame Quarcoo
Waseca County
300 North State Street
Waseca, Minnesota 56093

Subject: Development Application to Obtain a Conditional Use Permit Amendment
CenterPoint Energy Natural Gas Operations – Waterville Facility Modifications

Dear Ms. Quarcoo:

CenterPoint Energy Natural Gas Operations (CenterPoint Energy) is proposing to modify their existing natural gas storage facilities at 12510 440th Avenue, Waterville, MN 56096 in order to upgrade their natural gas compression systems to operate at a higher power levels needed to accommodate changes being made by Northern Natural Gas's Pipeline. Northern Natural gas receives the gas withdrawn from the CenterPoint Energy storage system and transports it to the market areas. The proposed upgrade to their existing facilities is referred to as the Waterville Facility Modifications Project (Project). Construction activities for the Project are anticipated to commence in the 2nd quarter of 2025 and be completed before November of 2027. Submitted for your review via the Waseca County permitting portal is a Waseca County Conditional Use Permit (CUP) Amendment Application for Essential Services. The original CUP was issued in 1970 for building and facility construction (permit no longer on file) and later amended in 1998 to install collection tanks and install a water treatment facility (Permit No. 8507).

The Project is located on privately held land by CenterPoint Energy within a 37.22 acre parcel (refer to Boundary Survey note #4) in the Northwest ¼ of the Northeast ¼ of Section 6, Township 108 North, and Range 22 West within unincorporated Waseca County, Minnesota. The parcel currently houses CenterPoint Energy's existing Waterville Facility where the proposed Project will occur (approximately 6.3 acres). The Waterville Facility is a Peak Shaving Facility which provides additional natural gas storage for peak consumption times of the year. The existing buildings on site include the Water Plant, the Main Office/Compressor Building, the T-Zone Compressor Building, the Warehouse, the North Garage, and the Well House.

CenterPoint Energy plans to upgrade their existing compressor units to allow a higher pressure into the existing transmission line. The Project proposes to construct a new 6,000 square foot (sf) building (60' x 100') to house the compressors on the east side of the project area, referred to as the Compressor Building. Additionally, the existing eastern driveway will be widened. Refer to the attached documents for additional information.

The existing gravel drive that extends to the east from the eastern driveway is anticipated to be utilized for construction and/or staging workspace during the Project. As noted in the calculations of the CUP application materials, within the Facility Boundary there is 1.83 acre of existing impervious surfaces and 0.48 acre of proposed new impervious surfaces (this includes fully reconstructed impervious areas). In addition, 0.05 acre of new impervious surfaces is proposed within the right-of-way as part of the driveway expansion.

Approximately 1.04 acre will be disturbed as a result of the Project. Best management practices (BMPs) will be used to prevent the release of sediment from the construction site. Refer to the attached Site Erosion Control Plan for the planned locations of BMPs. Where necessary, final grading will be conducted to restore the site to pre-construction contours. CenterPoint Energy will reseed the driveway right-of-way with an approved Minnesota Department of Transportation (DOT) seed mix, the facility area will be reseeded with residential turfgrass, and the existing prairie will be reseeded with a Prairie Mix.

Development Application to Obtain a Conditional Use Permit Amendment
CenterPoint Energy Natural Gas Operations – Waterville Facility Modifications Project
Page 2 of 2

If additional information is required, please contact me at (507) 362-8700 or by email at allen.boerboom@centerpointenergy.com, or Wayne Sicora with ERM, CenterPoint Energy's Consultant for this Project, at (612) 347-7128 or by email at wayne.sicora@erm.com.

Sincerely,



Allen Boerboom, Waterville Gas Storage Supervisor
CenterPoint Energy Natural Gas Operations

Enclosures: Waseca County Conditional Use Permit Application (completed online)
Planning and Zoning CUP Application Checklist
Attachments in order presented in Checklist
Conditional Use Permit Application and Recording Fees (\$546.00 paid online)

Cc: Josh Sherretz, CenterPoint Energy
Casey Tollefson, CenterPoint Energy
John Heer, CenterPoint Energy
Colton Peshek, CenterPoint Energy
Wayne Sicora, ERM



**Township Presentation
&
Recommendation Form**

Waseca County Planning & Zoning
East Annex
300 North State Street
Waseca, MN 56001

| | |
|--|---|
| Parcel No. (PID): <u>029250100</u> | Permit No. : _____ |
| Property Owner's Name: <u>CenterPoint Energy Resource / Minnegasco Inc</u> <u>Attn: Allen Boerboom</u> | Owner's Mailing Address: <u>505 Nicolett Mall, PO Box 59038, Minneapolis</u> |
| Township: <u>Blooming Grove</u> | Owner State: <u>MN</u> Owner Zip : <u>55459-0038</u> |
| Applicant (if other than owner): <u>N/A</u> | Site Address (if other than owner's mailing address): <u>12510 440th Ave, Waterville, MN 56096</u> |

Type of Request (please check all that apply):

CUP Major/Minor Subdivision Variance Code Amendment Rezoning

Description of Request:
CenterPoint Energy Natural Gas Operations (CenterPoint Energy) is proposing to modify their existing natural gas storage facilities at the site to upgrade their natural gas compression systems to operate at a higher power levels needed to accommodate changes being made by Northern Natural Gas's Pipeline. The proposed upgrades to their existing facilities are referred to as the Waterville Facility Modifications Project (Project). The Project proposes to construct a new 6,000 square foot (60' x 100') Compressor Building to house new compressors on the east side of the project area. Additionally, the existing eastern driveway will be to widened.

Date of County Public Hearing: _____ Date of Township Meeting: _____

Township Action Taken:

Recommends approval and use of the Township Road (if applicable) with the following comments:

Recommends denial for the following reasons:

No recommendation, but will comment on request at the Planning Commission or Board of Adjustment hearing:

***IMPORTANT:** Please review the supporting documents on the proposal, discuss the application at your next Town meeting and return this completed form with your Township's comments to the Waseca County Planning & Zoning Office as soon as possible. Comments will be incorporated into the review process of this application and presented to the Waseca County Planning Commission and County Board of Commissioners to be integrated as part of their determination to grant or deny the project. THIS FORM IS REQUIRED AS PART OF YOUR APPLICATION.

Signature of Township Official/Position: _____ Date: _____

**CenterPoint Energy
Waterville Facility Modifications Project
Conditional Use Permit Amendment (CUP)
January 2025 – Existing Conditions**

Photo 1 - East entrance looking south from 270th St. West.



Photo 2 - East entrance looking southeast from 270th St. West.



**CenterPoint Energy
Waterville Facility Modifications Project
Conditional Use Permit Amendment (CUP)
January 2025 – Existing Conditions**

Photo 3 - East entrance looking north from inside facility.



Photo 4 – Proposed construction staging area.



**CenterPoint Energy
Waterville Facility Modifications Project
Conditional Use Permit Amendment (CUP)
January 2025 – Existing Conditions**

Photo 5- Approximate location of proposed Compressor Station Building, looking east.



**CenterPoint Energy
Waterville Facility Modifications Project
Conditional Use Permit Amendment (CUP)
January 2025**

Proposed Compressor Building

- The proposed building to be constructed at Waterville Facility site will be similar in appearance to the example photo to the right.
- Exterior metal siding and roof
- 60-foot x 100-foot (6,000-square foot) area
- 32-foot side wall height
- 2:12 roof pitch
- Roof down spouts routed to storm sewer



CenterPoint Energy
Waterville Facility Modifications Project
Conditional Use Permit Amendment (CUP)
January 2025

Typical Chain Link Security Fence

- 6-foot-high galvanized chain link fence with,
- 1.5-foot, 3-strand barbed wire top.



LEGAL DESCRIPTION

The Northwest Quarter of the Northeast Quarter of Section 6, Township 108 North, Range 22 West, Waseca County, Minnesota.



PLANNING STAFF REPORT

Conditional Use Permit - Jewison, Keyes & Borneke TDR

To: Planning Commission
From: Maame Quarcoo, AICP, Senior Land Use Planner
Meeting Date: March 6, 2025
Mitchell J. & Emily Jewison (Sending Site Landowner)
Applicants: Roy & Sally Keyes (Sending Site Development Rights Certificate Owners)
Samuel P. Borneke (Receiving Site Owner)
Location: TBD – 390th Ave., Janesville, MN 56048
Main Contact: Samuel Borneke

Background

Request: *Request for a Conditional Use Permit to Transfer Development Right between two owners and into another Township.*

Roy & Sally Keyes and Mitchell J. & Emily Jewison are requesting a Conditional Use Permit (CUP) to Transfer a Development Right (TDR) pursuant to Section 6.09 of the Waseca County Unified Development Code (UDC). The UDC requires development rights transferred between two owners and into different Townships within Waseca County to be completed by CUP. The residential Density in A-1 Agriculture Protection District in Waseca County is one (1) residential unit per Quarter-Quarter. Increases are allowed by TDR. The proposal is to transfer one (1) development right from a sending site in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 14, T.108N R.24W (PID 06.014.0300) to a 3.84 acre receiving site in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T108N R23W (PID 05.030.1150). Both the sending site, located in Janesville Township, and the receiving site, located in Iosco Township are in the A-1 Agriculture Protection District.

- Notifications:**
- The completed application was received on February 6, 2025.
 - First class notices were mailed to all townships and municipalities in the County by February 21, 2025.
 - Legal Notice was published in the Waseca County Pioneer Newspaper on February 20, 2025.
 - 60 days from the date of application falls on April 7, 2025 (extension requested).
 - 120 days from the date of application falls on June 6, 2025.
 - Planning Commission Public Hearing scheduled for March 6, 2025.
 - County Board of Commissioners Action anticipated March 18, 2025.

Site Information

| Site Data: | Site Information | Sending Site | Receiving Site |
|--------------------|---|---|--|
| Applicant(s): | | Mitchell J. & Emily Jewison (Sending Site Landowner) Roy & Sally Keyes (Sending Site Development Rights Certificate Owners) | Samuel P. Borneke |
| Property Address: | - | | TBD – 390th Ave., Janesville, MN 56048 |
| Township Name: | Janesville | | Iosco |
| PID: | 06.014.0300 | | 05.030.1150 |
| Legal Description: | NE 1/4 of the NW 1/4 of Section 14, T.108N R.24W | | A part of the SW ¼ of SW ¼ of Section 30, T.108N R.23W; see legal description included herewith |

Attachments

- A:** Recommended Conditions If Considered for Approval
- B:** Criteria For Approval
- C:** Notice Map
- D:** Comprehensive Land Use Map
- E:** Zoning Map and Extract of Unified Development Code
- F:** Application Information including Legal Description
- G:** Recorded Variance approved December 4, 2024
- H:** Written Comments

General Findings

- Land Use/Comp. Plan Reference:**
- The Land Use Plan, which is part of the Waseca County Comprehensive Plan, calls for both the sending and receiving sites to be used for agricultural-open space uses. The Conditional Use is consistent with the goals and policies established in the Waseca County Land Use Plan.
 - The proposal is related to the land use recommendations in the Comprehensive Plan.
 - 🚧 Rural open spaces – promote low density residential parcels with incentives for higher density cluster or open space zoning provisions
- See Attachment D for the Comprehensive Land Use Map.*
- Notable Code Definitions:**
- **SENDING SITE.** A sending site means a parcel or parcels of land of at least a quarter-quarter section located within the A-1, Agricultural Protection District or, under certain restrictions, into the UE, Urban Expansion District. (\$6.09).

Applicable Codes: The Zoning Map approved with the Waseca County Unified Development Code places the property within the A-1 Agricultural Protection Zoning District.

- **§3.07 Conditional Use Permits.**
Identifies the processes by which conditional use permits are to be reviewed.
- **§6.08 A-1 Agricultural Protection District Standards.**
Provides for the density as being one unit per quarter-quarter and states the density within a quarter-quarter may be increased pursuant to the provisions of § 6.09.
- **§6.09 Transfer of Development Rights (TDR).**
Sets forth regulations for the Transfer of Development Rights program.
- **§6.22 SO Shoreland Overlay District Standards.**
Provides for the regulations and guidelines to protect and enhance the quality of surface waters.

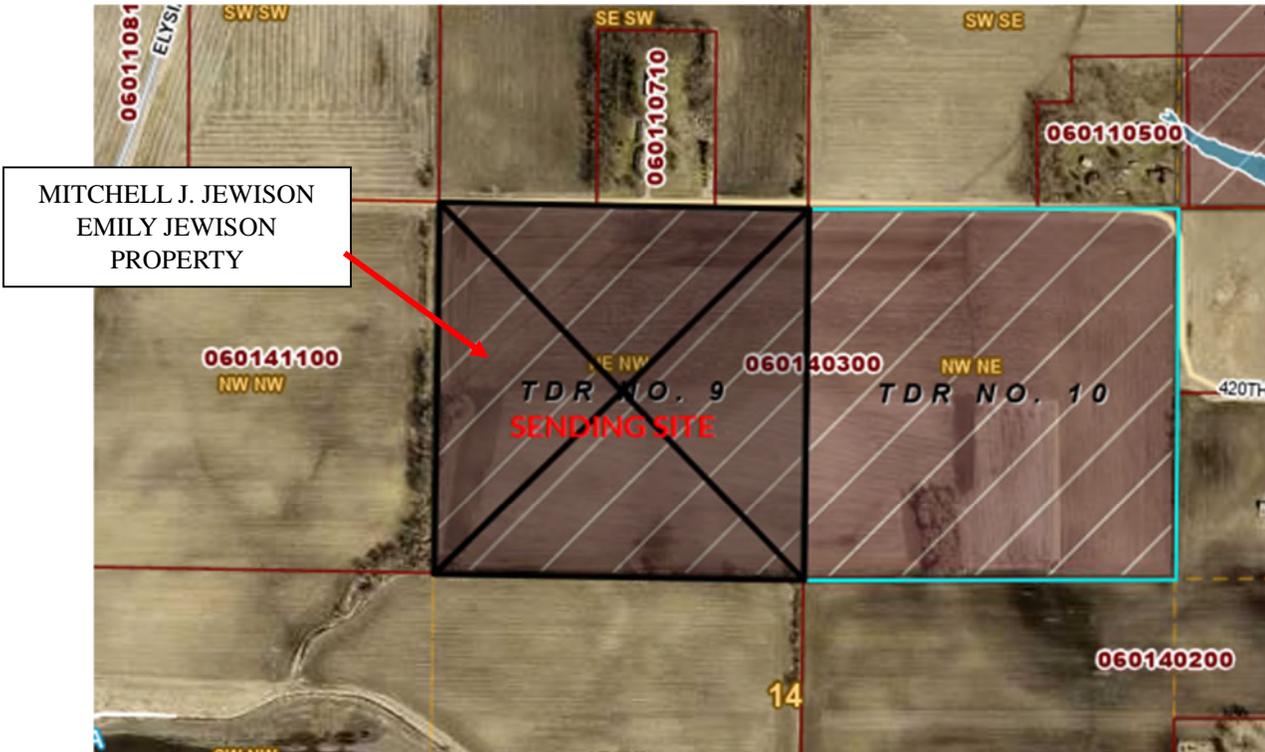
See Attachment E for Zoning Map and Unified Development Code Extract

Description of Uses

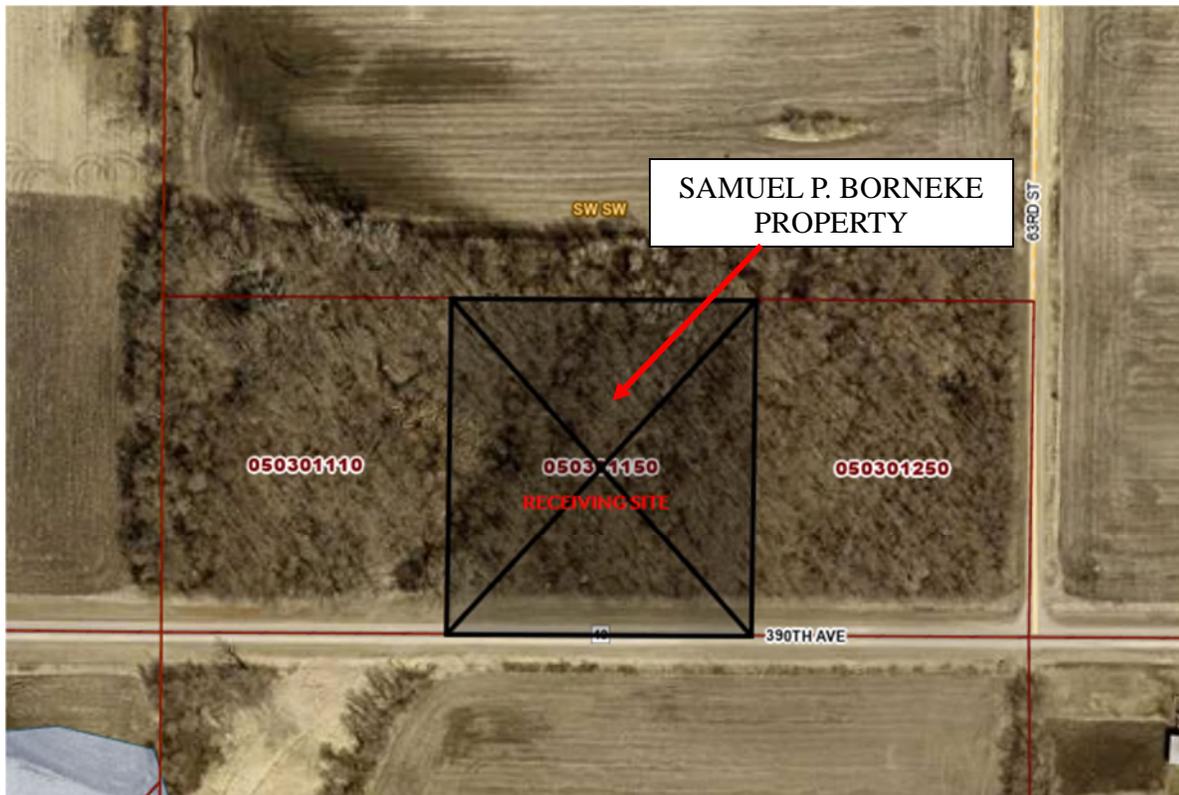
- Existing Uses:**
- The receiving site is approximately 3.84 acres of wooded land with the presence of a wetland. There are no improvements thereof on the subject property. The parcel is currently bound by a variance which was approved on December 5, 2024. *(See attachment G)*
 - The sending site on the other hand is an 80-acre agricultural parcel without any developments.
 - Adjacent Uses within the vicinity of the receiving site:
 - 📍 North and East – Agricultural Parcel (PID: 05.030.0500)
 - 📍 South – Agricultural Parcel (PID: 05.031.1100)
 - 📍 West – Agricultural Parcel with residence (PID: 06.025.0200)
 - Adjacent Uses within the vicinity of the sending site:
 - 📍 North – Agricultural Parcels (PIDs: 06.011.0700 & 06.011.0510), Residential Parcels (PIDs: 06.011.0710 & 06.011.0500).
 - 📍 South – Agricultural Parcel (PIDs: 06.014.0600 & 06.014.0200).
 - 📍 East – Agricultural Parcel (PID: 06.014.0100) and agricultural parcel with residence (PID: 06.014.0200).
 - 📍 West – Agricultural Parcel (PID: 06.014.1100).

- Proposed Uses:**
- The request by the applicant property owner is to construct a dwelling and its associated accessory structure on the receiving site in Section 30 of Iosco Township.

SITE LOCATION MAP



Sending Site in Janesville Township in the NE 1/4 of the NW 1/4 of Section 14, T.108N R.24W (PID 06.014.0300)



Receiving Site in Iosco Township located on a 3.84-acre site in a part of the SW 1/4 of SW 1/4 of Section 30, T.108N R.23W (PID 05.030.1150)

Natural Resources Information

- | | |
|---|--|
| Topography: | <ul style="list-style-type: none">▪ LiDAR information of the receiving site shows the lowest elevation at 1,090 feet and the highest elevation of approximately 1,108 feet above sea level.▪ The lowest and highest elevations for the sending site are 1044feet and 1070 feet above sea level respectively |
| Wetland/ Floodplain/ Shoreland | <ul style="list-style-type: none">▪ A Wetland signature appear only on the receiving site (05.030.1150).▪ The receiving site (05.030.1150) is within the shoreland overlay district. |

Agency/Township Review and Public Comments

- | | |
|--|--|
| County Staff/Agency Review: | <ul style="list-style-type: none">▪ A copy of this report was provided to the Waseca County Land and Water Resources Director, Watershed Coordinator, County Sheriff, County Attorney, and the Public Works Departments for their review.▪ Any correspondence or recommendations received prior to the public hearing will be provided to the Planning Commission for consideration at the meeting. |
| Township Review: | <ul style="list-style-type: none">▪ A copy of the notice of public hearing was provided to Janesville and Iosco Township Officers for their review and comment. |
| Public Comment(s): | <ul style="list-style-type: none">▪ Public hearing notices were sent to adjacent property owners within one quarter mile of both the sending and receiving sites.▪ See <i>attachment H for Written Comments</i>. Any additional correspondence received shall be provided to the Planning Commission on the night of the hearing. |

Analysis

- | | |
|-------------------------------------|---|
| Issues with the Request: | <ul style="list-style-type: none">▪ None. |
|-------------------------------------|---|

ATTACHMENT A
RECOMMENDED CONDITIONS IF CONSIDERED FOR APPROVAL

Request for a Conditional Use Permit to Transfer Development Right between two owners and into another Township. Roy & Sally Keyes and Mitchell J. and Emily Jewison are requesting a Conditional Use Permit (CUP) to Transfer a Development Right (TDR) pursuant to Section 6.09 of the Waseca Unified Development Code (UDC). The UDC requires development rights transferred between two owners and into different Townships within Waseca County be completed by CUP. The residential Density in A-1 Agriculture Protection District in Waseca County is one (1) unit per Quarter-Quarter. Increases are allowed by TDR. The proposal is to transfer development right from a sending site in the NE¼ of the NW¼ of Section 14, T.108N R.24W (PID 06.014.0300) to a 3.84 acre receiving site in the SW¼ of the SW¼ of Section 30, T108N R23W (PID 05.030.1150). Both the sending site, located in Janesville Township, and the receiving site, located in Iosco Township are in the A-1 Agriculture Protection District.

The request as proposed is hereby recommended for approval subject to the following conditions:

Standards/Regulations:

1. All County, State, and Federal laws, regulations, and ordinances shall be complied with and all necessary permits, including, but not limited to, any permit that may be required by the Waseca County Zoning Department, the Waseca County Public Health Services Department and the Waseca County Highway Department. Specifically, this CUP must follow the requirements of the Waseca County Unified Development Code (UDC) including, but not limited to, the provisions contained in §5.02 relating to Subsurface Sewage Treatment Systems (SSTS), §6.09 relating to the Transfer of Development Rights and §6.22 relating to standards in Shoreland Overlay District development.

Site Development and Access:

2. The receiving site shall be developed according to the plans approved by the Waseca County Planning and Zoning Office.
3. Access to the receiving site shall in accordance with the specifications as approved by the Waseca County Public Works Department.
4. Wetlands: There shall be no filling or draining of the wetland on the parcel. The owner shall contact the Waseca County Planning and Zoning Office prior to completing any work on the site to assure compliance with the provisions of the Wetland Conservation Act (WCA). No wetland delineation was required to be submitted with this request. In order to make an official determination regarding the presence of wetlands, the Waseca County Soil and Water Conservation District (SWCD) and Land and Water Resources Department may need to conduct a site visit within the growing season
5. Shoreland Overlay District: The development of any shoreland of public waters, regardless of the size and shape of lots, or the use, size, type and location of structures on lots; the installation and maintenance of water supply and waste treatment systems; the grading and filling of any shoreland area; the cutting of shoreland vegetation; and the subdivision of land shall be in compliance with the terms of ordinance §6.22 and other applicable regulations.

6. Duration, Failure to Comply and Review. A Conditional Use Permit shall become void one (1) year after being granted by the County Board unless used or if discontinued for a period of ninety (90) days. The County Board may prescribe a different time limit within which the action for which the Conditional Use is required shall commence, or be completed, or both. Failure to commence, or complete, or both, such action within the time limit set shall void the Conditional Use Permit. Conditional Use Permit shall be issued for a particular use on a specific parcel and not for a particular person or firm. Failure to comply with any of the above-listed conditions shall be grounds for suspension or revocation of the Conditional Use Permit. This Conditional Use Permit may be reviewed upon an annual basis and shall be subject to any additions or modifications deemed necessary to meet governmental requirements.

ATTACHMENT B
CRITERIA FOR APPROVAL

1) Will the proposed use have an impact (adverse) on the health, safety, and general welfare of the occupants in the surrounding neighborhood?

Applicant: No.

Staff: The proposed request is not anticipated to adversely impact the health, safety, and general welfare of occupants in the surrounding neighborhood if all applicable requirements and measures of the Waseca County UDC are adhered to.

2) Will the proposed use have an impact (adverse) on traffic conditions including parking?

Applicant: No.

Staff: The additional residence is not anticipated to adversely impact traffic conditions and or parking in the area.

3) Are there adequate public utilities, public services, roads, and schools to support the proposed use of the property?

Applicant: Yes.

Staff: There are adequate public utilities, services, and roads to support a proposed dwelling on the receiving site.

4) Will the proposed use have an effect (adverse) on property values or future development of land in the surrounding neighborhood?

Applicant: No.

Staff: The applicants are proposing to use the parcel in line with current uses in the zoning district. The requested proposal is not anticipated to impact property values or future development of land in the surround neighborhood.

5) Is the proposed use of the property consistent with the goals and policies adopted in the Comprehensive Plan?

Applicant: Yes.

Staff: The Transfer of Development Right, Conditional Use Permit request is consistent with the goals and policies adopted in the Comprehensive Land Use Plan. The approved plan calls for the receiving site to be developed into agriculture/open space uses. This request is also consistent with the land use recommendations in the Comprehensive Land Use Plan relating to the development of rural open spaces.

6) Does the proposed use meet the standards of the Zoning Ordinance including that the use is allowed with a Conditional Use Permit in the designated zoning district in which it is proposed?

Applicant: Yes.

Staff: The CUP request is in compliance with the requirements of the Waseca County Unified Development Code (UDC) contained in section 6.09 relating to the Transfer of Development Rights.

7) Will the proposed use have an effect (adverse) on the environment, including pollution and including impacts on groundwater, surface water and surface water runoff, and air quality?

Applicant: No.

Staff: The proposed Transfer of Development Right and subsequently the construction of a dwelling on the parcel is not anticipated to adversely impact the environment should applicable regulations be adhered to. Development of the property will be held to the Shoreland Overlay District Standards.

8) Will the proposed use have an effect (adverse) on existing natural, historic, or scenic views or features in the surrounding neighborhood?

Applicant: No.

Staff: The proposal is not anticipated to adversely impact any existing natural or historic features on the property and in the surrounding neighborhood.

9) Are there other provisions within the Waseca County Unified Development Code, Minnesota State Law or Federal Law that will impact the approval of the Conditional Use Permit?

Applicant: No.

Staff: The requested proposal will be subject To Federal, State and County provisions.

ATTACHMENT C
NOTICE MAP



PLANNING & ZONING

NOTICE AREA

CONDITIONAL USE PERMIT
TRANSFER OF DEVELOPMENT RIGHTS

SAMUEL BORNEKE
05.030.1150 - RECEIVING SITE
IOSCO TOWNSHIP

LEGEND

- Samuel Borneke
- Notice Area (.25 mile)

This map depicts the "Neighborhood Notice Area" in which notices were sent via first class to all properties located within a quarter mile of the property, owned by Samuel Borneke, with the requested Conditional Use Permit to Transfer Development Rights between two property owners and into another township. There are 10 property owners located within the "Neighborhood Notice Area."



DISCLAIMER: Wasceca Co., MN, makes no representation or warranty as to the accuracy of the information provided herein, regardless of the means of its transmission. The data is provided "as is" with no guarantee or representation about the accuracy, currency, utility, or commercial suitability, reliability, or fitness for any purpose. The user assumes all liability for any direct, indirect, special, incidental, compensatory or consequential damages or third party claims that may arise from the use of this data, even if Wasceca Co.,

Date: 2/2/2023

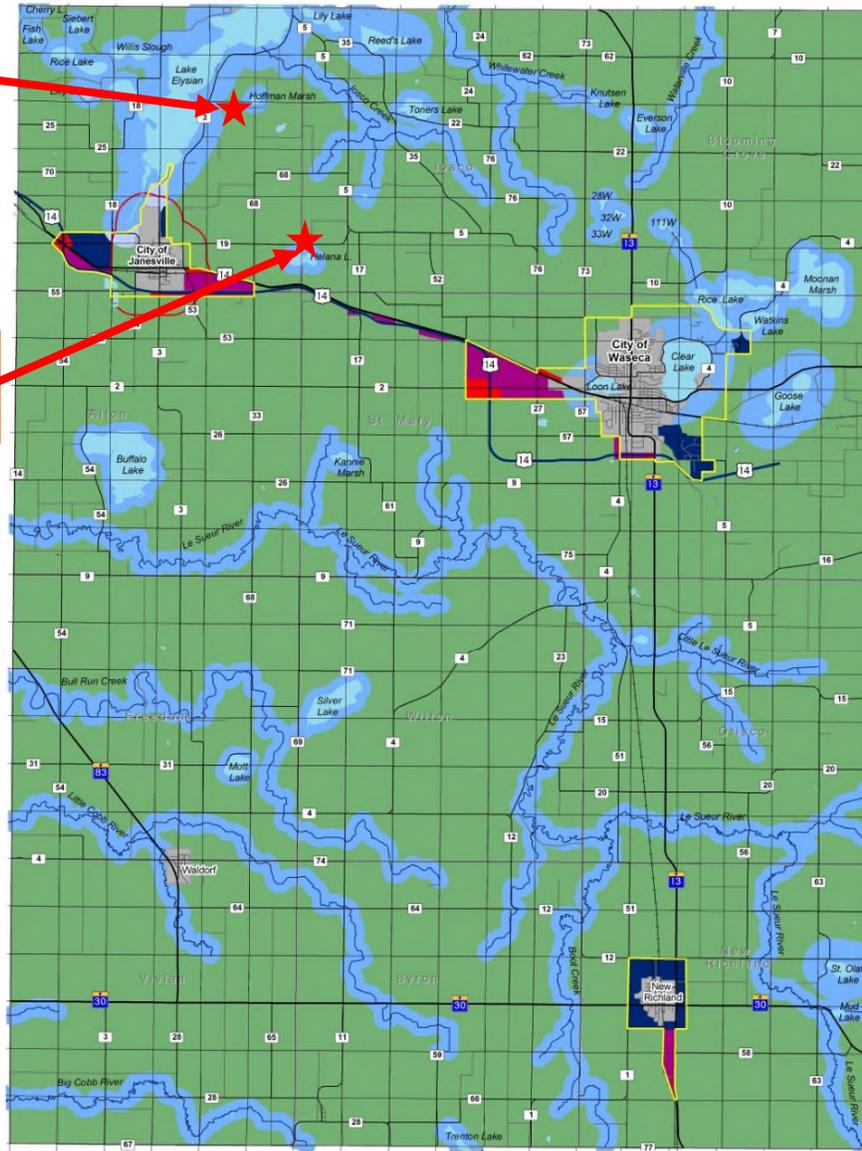


ATTACHMENT D
COMPREHENSIVE PLAN MAP

Waseca County Future Land Use Map

SENDING SITE

RECEIVING SITE



- Land Use**
- Shoreland Residential
 - Large-Lot Residential
 - Commercial
 - Industrial
 - Agriculture/Open Space
 - City

0 5 Miles

- New Highway 14 Alignment
- Growth Area With Public Services
- Janesville's Urban Reserve Area



Region Nine Development Commission
Community and Economic Development

Prepared March 2006

WASECA COUNTY UNIFIED DEVELOPMENT CODE
ARTICLE 6: ZONING DISTRICT REGULATIONS

§ 6.08 A-1 AGRICULTURAL PROTECTION DISTRICT STANDARDS.

(D) Density standards. The base density permitted in the A-1 District is one dwelling unit per quarter-quarter section or parcel of record. Dwellings existing at the time of the adoption of this ordinance will be included when determining whether or not a quarter-quarter section is at its maximum density. The density within a quarter-quarter may be increased pursuant to the provisions of § 6.09 (Transfer of development rights (TDR)).

§ 6.09 TRANSFER OF DEVELOPMENT RIGHTS (TDR).

(A) Transfer of development rights (TDR) program; purpose. The purpose of the transfer of development rights program is to transfer residential density from eligible sending sites to eligible receiving sites through a voluntary process for permanently preserving rural resources and lands that provide a public benefit; the TDR provisions are intended to supplement land use regulations, resource protection efforts and open space acquisition programs and to encourage increased residential development density where it can best be accommodated with the least impact on the natural environment and public services by:

(1) Providing an effective and predictable incentive process for property owners with rural resources to preserve lands with a public benefit; and

(2) Providing an efficient and streamlined administrative review system to ensure that transfers of development rights to receiving sites are evaluated in a timely way and balanced with other county goals and policies, and policies and are adjusted to the specific conditions of each receiving site.

(B) Transfer of development rights (TDR) program; sending sites. For the purpose of this chapter, a sending site means a parcel or parcels of land of at least a quarter-quarter section located within the A-1, Agricultural Protection District or, under certain restrictions, into the UE, Urban Expansion District. The parcel or parcels shall be under ownership by one person, a married couple or one corporation, a partnership or limited liability company or there must be a written agreement between all owners of a quarter-quarter section agreeing to the sale of a TDR. In addition, the sending quarter-quarter sections must not already be improved with a residence or residences.

(C) Transfer of development rights (TDR) program; receiving sites.

(1) Receiving sites located within the A-1 Agricultural Protection District must not:

(a) Adversely impact any significant environmental resource or environmentally sensitive areas; or

(b) Require public services and facilities to be extended to allow the development of the receiving site.

(2) When presented for approval, TDRs proposed within receiving sites located within the UE, Urban Expansion District, must include a covenant agreeing to allow an adjacent and abutting municipality to annex a subdivision when utilities can be made available. The covenant must be approved by the County Planning and Zoning Administrator and recorded with the County Recorder or the Registrar of Titles for the county. A notice provision by the annexing municipality to impacted property owners and public hearing by the municipality shall be required as part of the covenant.

(32) Except as provided herein, development of a receiving site shall comply with dimensional standards and minimum lot standards of the underlying A-1, Agricultural Protection District or the UE, Urban Expansion District.

(43) If an owner intends to occupy a residence, a TDR may be transferred to a location adjacent to a feedlot by the owner and operator of the feedlot.

(54) TDR may be transferred within a township or between a common owner anywhere within the county. A transfer between two owners and into another township shall be completed only by completing a conditional use permit and by following the requirements of this section.

(D) Transfer of development rights (TDR) program; calculations.

(1) The number of residential development rights that a sending site is eligible to send to a receiving site shall be determined by applying the TDR ratio of one TDR (unit) to a receiving site per quarter-quarter section from a sending site.

(2) The maximum number of development rights transferred to any receiving area shall not exceed eight TDRs per 40 acres if a traditional subdivision is used or 16 TDRs per 40 acres if an approved conservation subdivision is utilized.

(3) The TDR must come from a complete quarter-quarter section and sending quarter-quarter sections must not be improved with a residence, feedlot or commercial or industrial building(s). Any fractions of development rights that result from the calculation of a TDR shall not be included in the final determination of total development rights available for transfer.

(E) Transfer of development rights (TDR) program; documentation of restrictions.

(1) Following the approval of the transfer of development rights from a sending site, a permanent easement documenting the development rights transfer shall be recorded in the office of the County Recorder or the Registrar of Titles against the title of the sending site parcel.

(2) The form of the restriction shall be approved by the County Attorney and the County Planning and Zoning Administrator.

(3) The planning and zoning office shall establish and maintain an internal tracking system that identifies all certified transfer of developments rights including the sending and receiving sites.

(4) When a transfer of development rights has occurred, the TDR restriction shall be documented on a map of the county. The approved TDR restriction shall take the form of an easement and identify limitations on future residential development consistent with this code.

(F) Transfer of development rights (TDR) program; transfer process.

(1) Following review and approval of the sending site application by the County Planning and Zoning Administrator, a TDR certificate letter of intent, agreeing to issue a TDR certificate shall be prepared authorizing an exchange for the proposed sending site transfer of development rights easement. The sending site owner may then market the TDR sending site development rights to potential purchasers. If the TDR sending site that has been reviewed and approved by the County Planning and Zoning Administrator changes ownership, the TDR certificate letter of intent may be transferred to the new owner if requested in writing to the Planning and Zoning Administrator by the person or persons that owned the property when the TDR certificate letter of intent was issued. Documentation evidencing the transfer of ownership must also be provided to the County Planning and Zoning Department with the letter request.

(2) In applying for receiving site approval, the applicant shall provide the County Planning and Zoning Department with the following:

(a) A TDR certificate letter of intent issued in the name of the applicant, and a copy of a signed option to purchase the TDR sending site development rights; and

(b) An application for a preliminary plat to subdivide the property through the process described in this code. The public hearing for the preliminary plat shall also function as the hearing authorizing the use the TDR sending certificates.

(3) All receiving sites must be located within a platted subdivision or be approved by minor subdivision to include a survey prepared by a licensed Minnesota land surveyor. Prior to any subdivision or the issuance of any Zoning Permit to construct a new residence, the receiving site applicant shall deliver the TDR certificate issued in the applicant's name for the number of TDR development rights being used and the TDR extinguishment document in the form of a permanent easement to the County Planning and Zoning Administrator. Both the TDR certificate issued and the extinguishment document in the form of a permanent easement shall be recorded with the office of the County Recorder or the Registrar of Titles with or prior to the recording of a deed to transfer title.

(4) When the receiving site development proposal requires a public hearing under this title or its successor, that public hearing shall also serve as the hearing on the TDR proposal. The reviewing authority shall make a consolidated decision on the proposed development and use of TDR development rights and consider any appeals of the TDR proposal under the same appeal procedures set forth for the development proposal.

(5) When the development proposal does not require a public hearing under this title, the TDR proposal shall be considered along with the development proposal, and any appeals of the

TDR proposal shall be considered under the same appeal procedures set forth for the development proposal.

(6) Development rights from a sending site shall be considered transferred to a receiving site when a final decision is made on the TDR receiving area development proposal, the sending site is permanently protected by a completed and recorded land dedication easement and notification has been provided to the County Planning and Zoning Administrator of the recording of the documents.

(G) Sunset provision. The Planning and Zoning Administrator shall annually prepare a report regarding the use of TDRs within the county by January 31 of each year to assist the Planning Commission and the County Board in assessing the TDR program. To be valid, a TDR must be duly recorded by the office of the County Recorder or the Registrar of Titles by that date. Any unrecorded TDR will not be valid.

(Ord. 97, passed 7-21-2009; Ord. 128, passed 3-20-2018; Ord. 160, passed 2-4-2025)

§ 6.22 SO SHORELAND OVERLAY DISTRICT STANDARDS.

(A) *Purpose.* The purpose of the Shoreland Overlay District is to protect and enhance the quality of surface waters by promoting the wise utilization of public waters and related land resources. The use of any shoreland of public waters, the size and shape of lots, the use, size, type and location of structures on lots; the installation and maintenance of water supply and waste treatment systems; the grading and filling of any shoreland area; the cutting of shoreland vegetation; and the subdivision of land shall be in compliance with the terms of this ordinance and other applicable regulations.

ATTACHMENT F
APPLICANT INFORMATION INCLUDING LEGAL DESCRIPTION

APPLICATION FOR CONDITIONAL USE PERMIT



| |
|---|
| Waseca County Planning and Zoning Office 300 North State Street Waseca, Minnesota, 56093 Phone: 507-835-0650 Fax: 507-837-5310 Website: www.wasecacounty.gov |
| Form no. PZ081009 |

Fees: 1. CUP Fee (check payable to Waseca County): **\$500.00**
 2. County Recorder (check payable to Waseca County Recorder): **\$46.00**

| | |
|---|--|
| 1. Name of Applicant: | Email Address: |
| _____ | _____ |
| 2. Address of Applicant: | Phone Number: |
| _____ | _____ |
| (Address) (State) (ZIP) | |
| 3. Name of Property Owner: | Email Address: |
| SAMUEL P BORNEKE | samborneke@gmail.com |
| (First) (Middle) (Last) | |
| 4. Address of Owner: | Phone Number: |
| 390th Ave | 507-340-2200 |
| 5. Street address of Property Involved: | Parcel ID#: |
| 390th Ave | 050301150 |
| 6. Legal Description (Full) of Property involved (<i>attach if necessary</i>): | |
| _____ | |
| 7. Present Zoning District: | 9. Zoning ordinance Section authorizing Special Permit: |
| A-1 - Agricultural Protection District | _____ |
| 8. Present Use of Property: | 10. Proposed Use of Property: |
| wooded land | Transfer 1 TDR to build a SFD |
| 11. Description of Request: | |
| Transferring a TDR between 2 owners and 2 townships | |
| _____ | |
| 12. Applicants are responsible to contact: | |
| I) Affected Township (see pg. 7 for Township Recommendation Form); | |
| II) MNDOT (Angie Piltaver at angela.piltaver@state.mn.us), if adjacent to a State Highway; | |
| III) DNR (Erynn Jenzen @ erynn.jenzen@state.mn.us), if impacting shoreland (i.e. 300 feet to river or stream or 1000 feet to a lake) | |

APPLICATION FOR CONDITIONAL USE PERMIT

13. Criteria for granting conditional use permits. The Planning Commission shall not recommend a conditional use permit unless it shall determine the following:

(Note: Please attach responses to the criteria on a separate sheet if necessary)

(a) Will the proposed use have an impact (adverse) on the health, safety and general welfare of the occupants in the surrounding neighborhood? Yes No

(b) Will the proposed use have an impact (adverse) on traffic conditions including parking? Yes No

(c) Are there adequate public utilities, public services, roads and schools to support the proposed use of the property? Yes No

(d) Will the proposed use have an effect (adverse) on property values or future development of land in the surrounding neighborhood? Yes No

(e) Is the proposed use of the property consistent with the goals and policies adopted in the Comprehensive Plan? Yes No

(f) Does the proposed use meet the standards of the zoning ordinance, including that the use is allowed with a conditional use permit in the designated zoning district in which it is proposed? Yes No

(g) Will the proposed use have an effect (adverse) on the environment, including pollution and including impacts on groundwater, surface water and surface water runoff, and air quality? Yes No

(h) Will the proposed use have an effect (adverse) on existing natural, historic, or scenic views or features in the surrounding neighborhood? Yes No

(i) Are there other provisions within the Unified Development Code, state law or federal law that will impact the approval of the conditional use permit? Yes No

14. **Exhibits** to be submitted as specified in §3.07 of Waseca County Unified Development Code (UDC).

Applications for conditional use permits shall be filed with the Zoning Administrator with required fees. The application shall be accompanied by a site plan showing such information as is necessary to show compliance with this ordinance, which may include:

- I. Site plan drawn at scale showing parcel and building dimensions;
- II. Location of all buildings and their square footage;
- III. Location of curb cuts, driveways, access roads, parking spaces, off-street loading areas and sidewalks;
- IV. Landscaping and screening plans;
- V. Drainage plan;
- VI. Sanitary sewer and water plan with estimated use per day;
- VII. Soil type;
- VIII. In shoreland areas a thorough evaluation of the waterbody and the topographic, vegetation and soils condition on the site must be made to ensure:
 - a. The prevention of soil erosion and other possible pollution of public waters, both during and after construction;
 - b. The visibility of structures and other facilities as viewed from public waters is limited;
 - c. The site is adequate for water supply and on-site sewage treatment; and
 - d. The types, uses and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercraft.
- IX. A calculation of the amount of impervious surface prior to development and following the proposed development; and
- X. Any additional data reasonably required by the Zoning Administrator, Planning Commission or County Board.
- XI. Township Recommendation Form
- XII. MNDOT, if adjacent to a State Highway, contact Angie Piltaver @ angela.piltaver@state.mn.us
- XIII. DNR, if impacting shoreland (i.e. 300 feet to river or stream or 1000 feet to a lake), contact Erynn Jenzen @ erynn.jenzen@state.mn.us

15. **Acknowledgement and Signature:** The undersigned hereby represents upon all of the penalties of law, for the purpose of inducing the Waseca County to take action herein requested, that all statements herein are true and that all work herein mentioned will be done in accordance with the Ordinances of the Waseca County and the laws of the State of Minnesota. The undersigned hereby consents that Waseca County officials, employees, appointed commissioners and consultants hired by the County may enter the property to inspect layout of structures, proposed placement of planned structures or additions, and other property's site features and dimensions.

Sam Borneke

Signature

02/05/2025

Date:

Sam Borneke

Name

APPLICATION FOR TRANSFER OF DEVELOPMENT RIGHTS



| | |
|---|-------------------|
| Waseca County Planning and Zoning Office | |
| 300 North State Street Waseca, Minnesota, 56093 | |
| Phone: 507-835-0650 | Fax: 507-837-5310 |
| Website: www.co.waseca.mn.us | |
| Form no. PZ081009 | |

Application fee: **\$100.00** (Check made out to Waseca County) pd Crd #3873
 Recording Fee: **\$46.00** (Check made out to Waseca County Recorder) 12/30/24
+146.00

RETURN TO:
 Planning and Zoning Administrator
 Waseca County
 300 North State Street
 Waseca, MN 56093

FOR COUNTY USE ONLY:
 Date Application was received:
12/30/24

I. SENDING SITE INFORMATION

Name Ray Keyes Phone 507-380-8791
 Name (other owner) Sally Keyes Name (other owner) _____
 Mailing Address 40515 E. Elysian LK RD Cell (Alternate) Phone Same
 City and State Janesville, MN Zip Code 56048
 Email rbk@Frontier.com
 Applicant's Interest in Property: Fee owner(s) _____
 (For corporations, partnerships and Limited Liability Company, provide formation documentation)
 Tax Parcel Number(s) 060141000
 Quarter- Quarter NE 1/4 of NW 1/4 Section 14 Township 108 Range 24
 Property Address or Nearest Street or Road: _____

II. SENDING SITE PROPERTY OWNER CERTIFICATION

I/we hereby certify the information furnished on this application and the attachments are true, that I (we) am (are) the legal owner (s) of the property described above, that I (we) have marketable title to the property, and that I (we) have the legal right to restrict the use of the property. I/we understand an Easement Agreement Transferring Development Right and Extinguishing the Right to Develop a Residential Home will be required and must be recorded on the title of the above property to transfer a residential building site.

Ray Keyes
 Signature of Owner (Sending Site Applicant)
Sally M Keyes
 Signature of Co-Owner (Co-Applicant)

1-1-25
 Date
1-1-25
 Date

III. RECEIVING SITE HOLDER INFORMATION

Name Sam Borneke Phone 571-340-2200
Name (other owner) _____ Name (other owner) _____
Mailing Address 22643 Oriole Circle Cell (Alternate) Phone _____
City and State Madison Lake, MI Zip Code 56063
Email samborneke@aolmail.com

IV. WILL THE RECEIVING SITE HOLDER BE RECEIVING BY CERTIFICATE ONLY

Yes No

If no Please provide the Following:

V. RECEIVING SITE INFORMATION

Applicant's Interest in Property: Fee owner Other Owner(s) _____
(For and Limited Liability Company, provide formation documentation)

Tax Parcel Number(s) 05 030 1110

Quarter- Quarter SNSW Section 30 Township 108 Range 23

Property Address or Nearest Street or Road: 390th Ave

VI. PROPERTY OWNER CERTIFICATION

I/we hereby certify the information furnished on this application and the attachments are true, that I (we) am (are) the legal owner (s) of the property described above, and I (we) have marketable title to the property. I/we understand an Easement Agreement Transferring Development Right and Extinguishing the Right to Develop a Residential Home will be required and must be recorded on the title of the above sending site property to transfer a residential building site.

Signature of Owner (Receiving Site Applicant)

Date

Signature of Co-Owner (Co-Applicant)

Date

302174
OFFICE OF THE COUNTY RECORDER
WASECA COUNTY, MINNESOTA
CERTIFIED, FILED, AND/OR RECORDED:
October 28, 2014 1:01 PM
FEE: \$46.00
LINDA WARST
WASECA COUNTY RECORDER
WELL CERTIFICATE: RECEIVED []
PAGES: 4

Reserved for Recording

P12

EASEMENT AGREEMENT TRANSFERRING DEVELOPMENT RIGHTS

THIS EASEMENT AGREEMENT is made this 16th day of ~~September~~, 2014, by and between Bryan M. Jewison, a single person, hereinafter, "Grantor," and Waseca County, a political subdivision of the State of Minnesota, as Grantee, hereinafter referred to as "Waseca County."

WHEREAS:

The Grantor is the present owner of the lands described in Exhibit A which is attached hereto and incorporated herein by reference (the "Land"). The Grantor has made application and received approval from the Waseca County Planning and Zoning Office to transfer the Residential Development Rights as such rights are defined in Waseca County Unified Development Code to Roy B. Keyes and Sally M. Keyes, husband and wife (Buyers), subject to the obligation of the Grantors to encumber the Land according to the terms of this easement. The Development Rights being transferred are the interest in and the right to use and subdivide Land for any residential purposes (including agricultural homestead use) and activities which are not incident to agricultural use and open space use, on the terms and conditions and for the purposes hereinafter set forth.

Waseca County has determined that the easement restricting residential uses by Waseca County of farmland and open space land will benefit the public through the preservation of property devoted to agricultural and open space uses.

NOW, THEREFORE, in and for the consideration of allowing the development right to be transferred to Buyers as specified, the Grantor(s) do by these presents forever encumber the Land with this easement to confirm that all Residential Development Rights now existing with respect to the Land have been transferred and the Land is hereby perpetually subject to the restrictions limiting permitted activities to agricultural and open space uses. However, this easement and encumbrance shall not prohibit the Grantors from acquiring Residential Development Rights for the Land from some other parcel in accordance with the provisions of the Waseca County Unified Development Code at some future date to extinguish this easement. The acquisition of Residential Development Rights from another parcel unencumbered by a similar restriction is the only method to obtain a residential development right on this property.

RESTRICTIONS ON USE OF THE LAND

Uses Restricted to Agricultural and Open Space Uses; Agricultural and Open Space Uses Defined. Use of the Land is permanently restricted to solely agricultural and open space uses.

- A. "Agricultural uses," as used herein, means:
- (1) The growing, raising, and production of horticultural and agricultural crops, including, but not limited to, grains, vegetables, berries, other fruits, cereal grains, herbs, hay, and silage, and the processing and the marketing for off-premises consumption of such crops grown, raised, or produced on the Land;
 - (2) All forms of animal husbandry, including the processing and marketing for off-premises consumption of the animals raised on the Land or the products of the same;
 - (3) The lying fallow or disuse of the Land.
 - (4) Non-residential uses permitted by the Uniform Development Code of Waseca County and listed as "conditional uses." Agricultural uses do not include the construction, habitation, or other use of a dwelling unit, except to the extent such use is specially reserved in this instrument.
- B. "Open space uses," as used herein, means:
- (1) Agricultural uses as defined above;
 - (2) Non-agricultural uses that conserve and enhance natural, scenic, or historic resources or otherwise impair the use of the soil on the Land for the raising of horticultural or agricultural crops.

The granting of this easement does not provide for any use by the public of the Land herein described.

The Grantor and Waseca County agree that this easement and the conditions and restrictions contained herein shall be binding upon the Grantor, their agents, personal representatives, heirs, assigns, and all other successors in interest to the Land, and this shall be a permanent easement running with and perpetually binding the Land.

IN WITNESS WHEREOF, the parties have hereunto set their hand and seals the day and year first above written.

GRANTORS

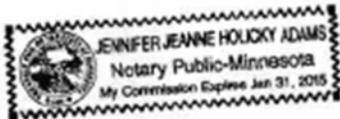
By: Bryan Jewison
Bryan M. Jewison,
a single person

GRANTEE

Waseca County, Minnesota
By: Blair Nelson
Blair Nelson
County Board Chairman

STATE OF MINNESOTA)
)ss
COUNTY OF WASECA)

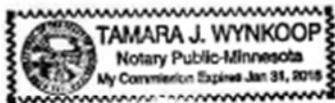
On this 22nd day of August, 2014, before me, personally Bryan M. Jewison, who executed the within and foregoing easement, and acknowledged that she signed the same as the free act and deed of said estate for the uses and purposes therein mentioned.



Jennifer Jeanne Houlcky Adams
Notary Public

STATE OF MINNESOTA)
)ss
COUNTY OF WASECA)

On this 16th day of September, 2014, before me, personally appeared, Blair J. Nelson, ~~James Peterson~~, Chairman of the County Board for Waseca County, Minnesota, who executed this easement and acknowledged that they signed the same as the free act and deed of said Waseca County, Minnesota, for the uses and purposes therein mentioned.



Tamara J. Wynkoop
Notary Public

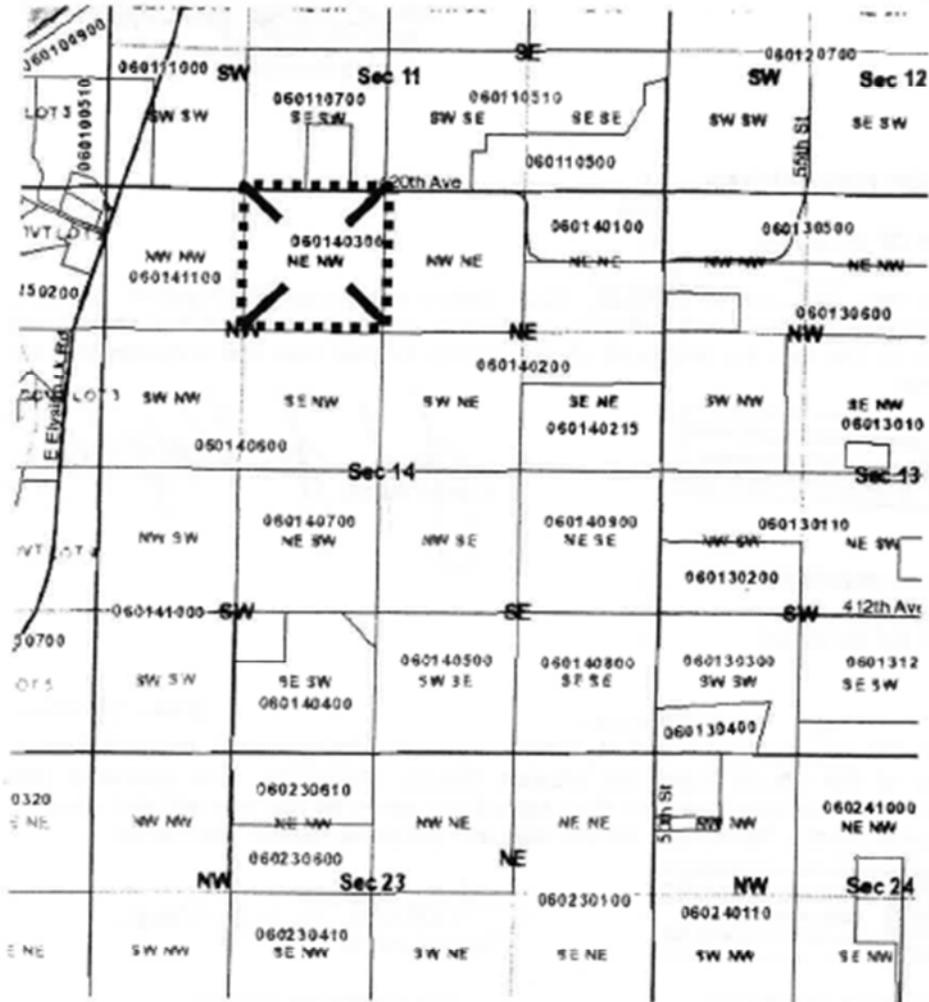
This instrument drafted by:
Waseca County Zoning Office
300 North State Street
Waseca, MN 56093

Tax Statement sent to:
BRYAN M JEWISON
3951 412TH AVE
JANESVILLE MN 56048

EXHIBIT "A"

PARCEL MAP AND DESCRIPTION TO
EASEMENT AGREEMENT
TRANSFERING DEVELOPMENT RIGHTS

The Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of Section 14,
Township 108 North, Range 24 West





**TRANSFER OF DEVELOPMENT RIGHT (TDR)
SENDING SITE CERTIFICATE
WASECA COUNTY PLANNING AND ZONING**

Township: Janesville Certificate No. 9

This Certificate Transfers the Residential Development Right on the tract described below from: Bryan M. Jewison to: _____ (buyer)

The undersigned, being the Planning and Zoning Administrator for Waseca County, has recommended approval of the Transfer of Development Rights based upon the above application materials and documents attached. The application materials are attached. The EASEMENT AGREEMENT TRANSFERRING DEVELOPMENT RIGHTS encumbering the "Sending Site" is attached.

The Transfer site is the NE 1/4 of the NW 1/4, Section 14 Township 108 Range 24

Waseca County

County Board Consent

By: [Signature]
Planning and Zoning Administrator
Date Reviewed: 9/17/2014

[Signature]
Acting County Board Chairman
Meeting Date: 9/16/2014 (Consent Agenda)

Vote:

Approved as Requested: X
Denied: _____
Tabled: _____

RECEIVING SITE CERTIFICATION

The Development Rights for the above-referenced sending site are hereby transferred to the parcel of land referenced below.

Lot _____ Block _____ Subdivision _____

Is the tract more than 35 acres in size? Yes _____ No _____

If yes, attach the legal description.

Date: _____

Waseca County
Planning and Zoning Administrator

LEGAL DESCRIPTION OF RECEIVING SITE

All that part of the SW1/4 SW1/4 Section 30-T108N-R23W, Waseca County, Minnesota, described as follows:

Commencing at the southwest corner of the SW1/4 of said Section 30; thence South 89°47'35" East a distance of 372.00 feet on an assumed bearing on the south line of said SW1/4, to the point of beginning;

thence North 00°50'35" East a distance of 429.35 feet, parallel with the west line of said SW1/4;

thence South 89°47'35" East a distance of 389.14 feet, parallel with said south line;

thence South 00°50'35" West a distance of 429.35 feet, parallel with said west line, to said south line;

thence North 89°47'35" West a distance of 389.14 feet; on said south line, to the point of beginning;

subject to highway easement on the south side thereof. 3.84 acres

ATTACHMENT G
RECORDED VARIANCE APPROVED DECEMBER 4, 2024

DOCUMENT#: A338917
Recorded 12-30-2024 at 9:27 AM
TAMARA J SPOONER, COUNTY RECORDER
WASECA, MN
Pages: 5 Fee Amount: \$46.00
RETURN TO: WASECA COUNTY ZONING

Do not write above this line - Recorder use only

VARIANCE
WASECA COUNTY

Date: December 5, 2024

Owners/Applicant: Samuel Borneke

Property Address: TBD-390th Ave., Janesville, MN 56048

Township Name: Iosco

Parcel Identification No: 05.030.1110

Legal Description: See Attachment "B"

Existing Zoning: A-1 Agricultural Protection Zoning District
SO Shoreland Overlay District

Variance: Variance of 400feet to have a proposed building (PID: 05.030.1110 in Section 30 T108N R23W of Iosco Township) approximately 600feet from an existing feedlot (PID 05.031.1000). The County UDC (section 6.06) requires dwellings to be setback 1,000feet from a registered feedlot. The property is in the A-1 Agricultural Protection Zoning District and in the SO Shoreland Overlay District.

Note: The feedlot on PID 05.031.1000 gets a reciprocal Variance.

Attachments:

Attachment "A" – Approved Conditions of the Variance Requests
Attachment "B" – Legal Description
Attachment "C" – Site Plan

**COUNTY BOARD OF ADJUSTMENT MOTION TO ADOPT FINDINGS OF FACT
AND APPROVE THE VARIANCE WITH CONDITIONS**

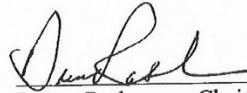
The Waseca County Board of Adjustment reviewed and found that the application met the criteria of the Unified Development Code and the Findings of Fact (which are maintained in the property file at the Waseca County Planning & Zoning Office). The Waseca County Board of Adjustment approved the variance request at the meeting of December 5, 2024, with two (2) conditions as shown in Attachment A.

Motion by Stephanie Roemhildt Second by Duane Rathmann Vote 2 Yes 1 No

Note: Rodney Born and Robert Vogelsang were not present at the meeting.

WASECA COUNTY

Dated: 12/20/2024

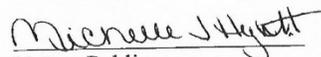


Duane Rathmann, Chair
Waseca County Board of Adjustment

STATE OF MINNESOTA)
) ss.
COUNTY OF WASECA)

This Variance was acknowledged before me this 20th day of December 2024 by Duane Rathman, Chair of the Waseca County Board of Adjustment.





Notary Public

DRAFTED BY:
Waseca County Planning and Zoning Staff
300 N State St
Waseca MN 56093

ATTACHMENT "A"
APPROVED CONDITIONS OF THE VARIANCE REQUESTS

1. Standards/Regulations: All County, State, and Federal laws, regulations, and ordinances shall be complied with. All permits shall be obtained within 12 months of approval and construction completed within one (1) year of approval of receipt of the Waseca County Zoning Permit.
2. Failure to comply with any of the above-listed condition shall be grounds for revocation of the variance granted as described herein. The above condition may be reviewed upon an annual basis and shall be subject to cancellation, revocation or modification for any violation of the above listed condition, or any additions or modifications deemed necessary. The Planning and Zoning Staff will be allowed access to the site at verify the requirements of this variance are being met.

ATTACHMENT "B"

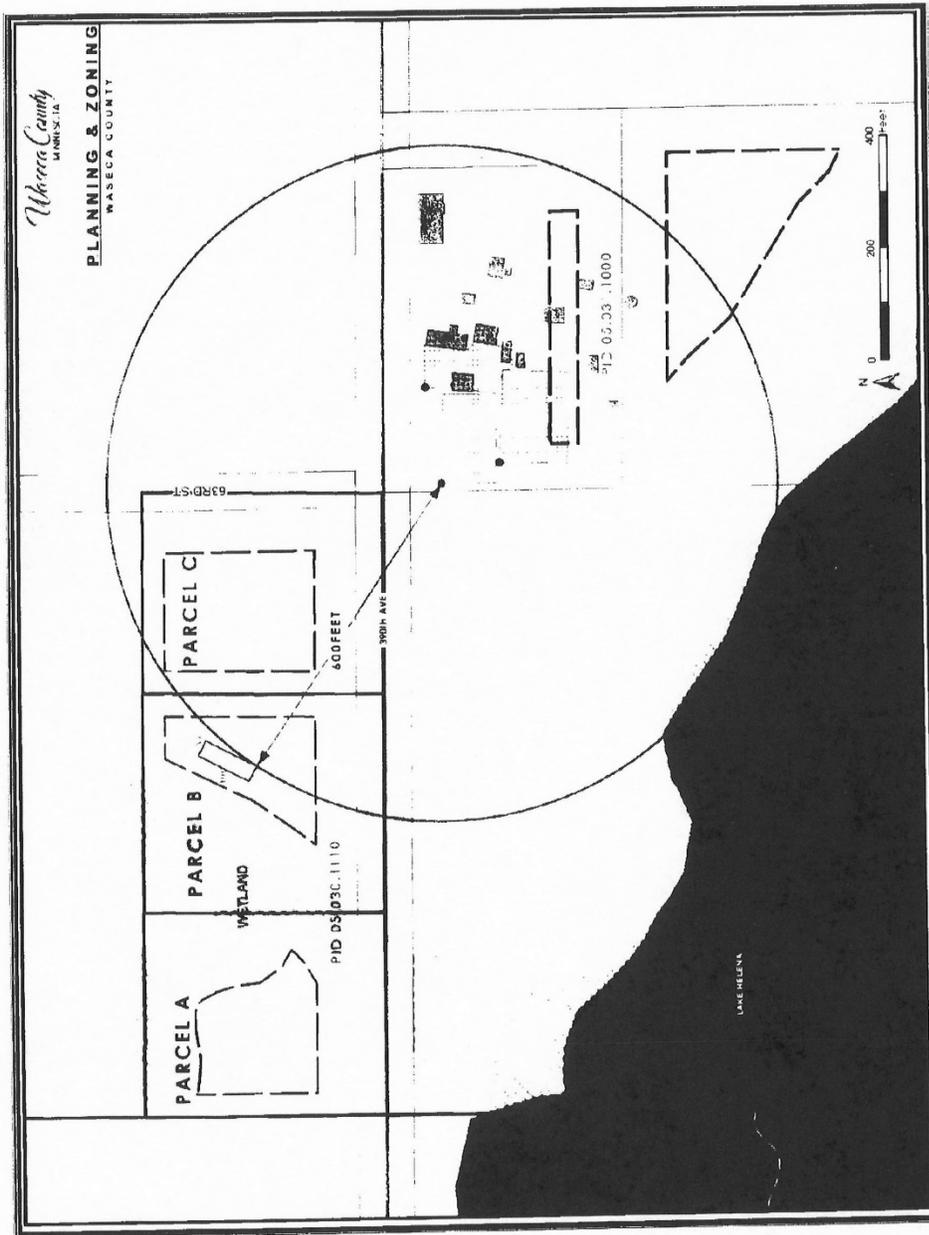
Legal Description

That part of the Southwest quarter of the Southwest quarter (SW1/4 of SW1/4), Section 30, Township 108 North, Range 23 West, Waseca County, Minnesota described as:

Beginning at the Southwest corner of Section 30, thence North 89 degrees 10 minutes 42 seconds East (assumed bearing) along the South line of Section 30, a distance of 1116.00 feet; thence North 00 degrees 20 minutes 49 seconds West parallel with the West line of Section 30, a distance of 429.35 feet; thence South 89 degrees 10 minutes 42 seconds West, parallel with the South line of Section 30, a distance of 1116.00 feet to the West line of Section 30; thence South 00 degrees 20 minutes 49 seconds East along the West line of Section 30, a distance of 429.35 feet to the point of beginning.

Contains 11.00 acres and is subject to right-of-way easements along the South and East boundaries together with all hereditaments and appurtenances belonging thereto.

ATTACHMENT "C"
Site Plan



ATTACHMENT H
WRITTEN COMMENTS

RECEIVED

FEB 25 2025

WASECA COUNTY
PLANNING & ZONING

Mitchell Jewison 507-521-1495
Mitch.jewison@gmail.com

I object to Transferring Development
rights from parcel 06.014.0300 to
Sam borneke.

Mitch Jewison