

PROCEEDINGS OF THE STEARNS COUNTY PLANNING COMMISSION

A regular meeting of the Stearns County Planning Commission was held on Thursday, January 19, 2017 in Room 121 of the Stearns County Service Center, 3301 County Road 138, Waite Park, MN. at 7:00 p.m.

All Members Present: LeRoy Gondringer, John Krehbiel, Ken Massmann, Mike Proell, Jeff Bertram, Bob Spicer and new member Shawn Blackburn (District 2) and Commissioner Joe Perske (ex-officio member- late).

Staff Present: Heidi Winskowski, Angie Berg, and Jeanne Ahmann from Environmental Services.

Chair 2016 LeRoy Gondringer opened the meeting.

The Pledge of Allegiance was recited.

Oath of Office for New/Reappointed members

The oath of office was given to new member Shawn Blackburn (District 2) and re-appointed member Ken Massmann, by Jeanne Ahmann, Notary Public with Environmental Services.

The Planning Commission members then introduced themselves to the new member and the public.

Election of Chairperson, Vice Chairperson and Secretary for 2017

Nominations were opened for Chairperson.

Jeff Bertram nominated LeRoy Gondringer for Chair.

Seconded by Ken Massmann.

Being no further nominations, motion unanimously carried in favor of LeRoy Gondringer for Chair.

Chair LeRoy Gondringer then asked for nominations for Vice Chair.

Jeff Bertram nominated John Krehbiel for Vice Chair.

Seconded by Ken Massmann.

Being no further nominations, motion unanimously carried in favor of John Krehbiel for Vice Chairperson.

Chair LeRoy Gondringer asked for nominations for Secretary.

Jeff Bertram nominated Ken Massmann for Secretary.

Seconded by Bob Spicer.

Being no further nominations, motion unanimously carried in favor of Ken Massmann for Secretary.

Ken Massmann then delegated his duties as Secretary to Jeanne Ahmann, Environmental Services.

Chair LeRoy Gondringer explained the procedure that will be used for the public hearings/requests on the agenda.

Public Hearings

1. To consider a conditional use permit application submitted by Verizon Wireless, Minneapolis MN on behalf of Lawrence and Theresa Kunkel, Kimball MN according to Sections 4.8, 7.27.4 and 9.2.5D of Stearns County Land Use and Zoning Ordinance #439, to construct a wireless communications tower and equipment shelter in the A-40 zoning district. The property is located in the SE1/4 SE1/4 and part of the SW1/4 SW1/4 Section 2, Maine Prairie Township (122/29), lying northerly of 190th St and westerly of County Road 146.

Ciana Carpenter from Chicago Il was present for Verizon Wireless.

Heidi Winskowski reviewed the following from the staff report: The applicant is requesting a conditional use permit to construct a wireless communications tower and equipment shelter. This request is in accordance with Sections 4.8, 7.27.4, and 9.2.5 D of Stearns County Land Use and Zoning Ordinance #439. A conditional use permit was issued in August 2015 for a wireless communications tower however it was never constructed and the CUP expired. The property is located in the SE1/4 SE1/4 and part of the SW1/4 SW1/4 Section 2, Maine Prairie Township, lying north of 190th St and southwest of County Road 146. The property is zoned A-80. The property is not located in any areas of concern. There are no wetlands within the vicinity of the proposed tower and driveway. No signs are proposed. The required property line setback for the tower is equal to the height of the tower and the required setback to the centerline of County Road 146 is 100'. All setbacks are met for the tower, generator and equipment platform. The applicants have proposed an 8' chain link and barbed wire fence to surround the tower and equipment. The proposed tower has been designed to allow three additional antenna on the tower. Access will be from 190th Street, a township road. The adjacent zoning and land uses are, to the North - A-40 and A-80; agricultural uses; to the East - A-80; agricultural uses; to the South - A- 40 and A-80; agricultural uses and to the West - A-40; agricultural uses. Pearl Lake is approximately one half mile from the proposed tower. The property is designated Agriculture district on the Future Land Use Map and Agricultural and Limited Growth on the Policy Area map of the Comprehensive Plan. The following goals and objectives of the Comprehensive Plan may apply to this request: Agriculture - Goal 2. Minimize land use conflict between agriculture and other land uses. Objective 1. Maintain suitable boundaries for urban, rural residential and agricultural areas. Objective 2. Provide standards to protect new and existing land uses from incompatible land uses. Growth and Development - Goal 3. Manage the impacts of growth and development on the County's rural character. Objective 1. Discourage incompatible land uses through effective land use controls. Objective 2. Identify appropriate areas for commercial, industrial, and non-farm rural residential developments. If the Planning Commission recommends approval of this conditional use permit to the County Board of Commissioners according to Sections 4.8, 7.27.4, and 9.2.5 of Stearns County Land Use and Zoning Ordinance #439, staff recommends the following conditions: 1. The applicants shall comply with the erosion control standards within Section 7.10 of Stearns County Zoning Ordinance #439 including the requirement for an NPDES permit from the MPCA if one acre or more of land is disturbed as a result of road building and tower/compound construction. 2. Upon completion of the tower, a certification that the tower and antenna conform to the latest standards of the Uniform Building Code from a licensed engineer shall be submitted.

The Planning Commission's recommendation on this request will be considered by the County Board at their January 24, 2017 meeting.

Ciana Carpenter commented that this is the same project that was approved in August of 2015.

Shawn Blackburn asked why it wasn't built before if they already had the permit. Why did they let the permit expire.

Ciana Carpenter answered that it is based on Verizon's budgeting, so at that time they were ahead of the game and the permit expired before there was construction. Verizon is ready for construction of this tower this year (2017).

Jeff Bertram commented that they (Verizon) have room for 4 antennas on their towers, how many do they have 4 antennas on tower.

Ciana Carpenter answered she thought they (Verizon) were installing 6 antennas, there is room for 3 other carriers to install. The number of antennas or how many co-locations they can have varies from tower to tower.

Mr. Bertram encouraged the applicant to continue having 4 antennas or more on the towers so more towers do not have to be sited.

Ciana Carpenter commented that the nearest tower (Verizon) to this location would be 2 miles away and this tower will remedy a low/dead coverage spot.

LeRoy Gondringer asked staff if there are any setbacks from the power line for this tower.

Heidi Winskowski answered that the County does not have any setbacks to the power line, just the property line and road setbacks would apply for the towers.

Moved by Jeff Bertram to close the public hearing.

Seconded by Bob Spicer and motion unanimously carried.

The Planning Commission established the following findings of fact for this request: 1. The proposal is consistent with Sections 4.8, 7.27.4, and 9.2.5 of Stearns County Land Use and Zoning Ordinance #439. 2. There are two conditions that the proposal must meet. 3. The proposed use cannot be screened from view however telecommunication towers are allowed in the agricultural zoning districts. 4. Environmental impacts have been addressed through the conditions. 5. The proposal will have no impact on property values in the area. 6. The proposal will cause no change to potential health, safety or traffic generation impacts. 7. There will be no change in the impact to the general health, safety and welfare of the residents. 8. The proposal conforms to the County's Comprehensive Plan, specifically the Land Use Plan, Goal 2, Objectives 1 & 2 and Goal 3, Objectives 1 & 2. 9. There will be no impact to existing public services and facilities.

Moved by John Krehbiel to recommend approval of this conditional use permit, to construct a wireless communications tower and equipment shelter in the A-40 zoning district, to the Board of Commissioners with the following conditions: 1. The applicants shall comply with the erosion control standards within Section 7.10 of Stearns County Zoning Ordinance #439 including the requirement for an NPDES permit from the MPCA if one acre or more of land is disturbed as a result of road building and tower/compound construction. 2. Upon completion of the tower, a certification that the tower and antenna conform to the latest standards of the Uniform Building Code from a licensed engineer shall be submitted.

Seconded by Mike Proell and motion unanimously carried.

Jeff Bertram questioned if the County requires a decommissioning plan for these towers.

Heidi Winskowski answered that the County does not for the cell towers, just for the meteorological towers.

2. To consider a request for a **conditional use permit** submitted by **Milk and Honey Ciders**, Cold Spring MN on behalf of **IMS Properties LLC**, St. Joseph MN according to Sections 4.8, 6.5 and 9.3.5B of Stearns County Land Use and Zoning Ordinance #439 to operate a farm winery in the Agricultural 40 (A-40) zoning district. The property under consideration is located in part of the SW1/4SE1/4 of Section 8, St. Joseph Township (124/29), lying northerly of County Road 51.

Peter Gillitzer, Aaron Klocker (Milk and Honey Ciders) and Jeff Reiter (Custom Properties) were present at the meeting.

Heidi Winskowski reviewed the following from the staff report: The applicant is requesting to operate a farm winery in the Agricultural 40 zoning district. This request is in accordance with Sections 4.8, 6.5 and 9.3.5B of Stearns County Land Use and Zoning Ordinance #439. The proposed farm winery includes an apple orchard, processing, and apple and cider sales. Normal business hours are 8am-10pm. Special events may go beyond these hours. The business will have 3 part-time employees and be operated out of a 122'x44' building. A temporary tent may also be used for special events. The property under consideration is located in part of the SW1/4SE1/4 of Section 8, St. Joseph Township, lying northerly of County Road 51. The property is zoned A-40 District. The property is located within the City of St. Joseph Drinking Water Supply Management Area. Notice was sent to the City. There will be approximately 30,360 square feet of new impervious surface on the property. Lot coverage will be 6.9%. If more than one acre on land is disturbed as a result of grading and construction on the property, a National Pollutant Discharge Elimination System (NPDES) Construction Stormwater Permit is required from the Minnesota Pollution Control Agency. There are wetlands on the property. Based on a review of historical aerial photos, wetland staff has determined that there may be wetland in the area of the proposed building and parking lot. A wetland delineation will need to be completed. Enclosed is an email from the applicants indicating that they are will to work with the Department to determine the best location when weather conditions allow. Access to the property is from County Road 51. The location of the approach will need to be approved by the County Highway Department. The following agriculturally oriented business standards of Section 6.42 of Ordinance #439 apply to this request: A. **Access:** Access will be from County Road 51. An approach permit from the County Highway Department is required. B. **Shall comply with all applicable local, state and federal laws, rules, regulations and ordinances.** The state accessibility code is required to be met. C. **Shall be an agriculturally oriented business:** Farm wineries are listed in the definition of an agriculturally oriented business. The proposed business will be growing and processing apples and then selling the products. D. **Setbacks:** All setbacks will be met with the building and temporary tent. E. **Outdoor Storage and Display:** There will be minimal outdoor storage onsite. F. **Parking:** 28 parking spaces are shown on the site plan. G. **The grounds and all structures shall be maintained in a clean and safe manner.** H. **Signs:** One 4'x8' sign illuminated by ground lights is proposed.

The Planning Commission should consider the following: A. Hours & Days of Operation: Applicants are proposing the hours of 8am-10pm. Initially they would be open for visitors on Saturdays and Sundays. For special events, they would be open for visitors Thursday-Sunday. They will not be open Christmas, Thanksgiving or Easter. They may increase to 7 days per week based on business need. B. Number of Special Events: Applicants are anticipating up to 12 special events per year which could include autumn harvest / spring bloom events, holiday parties, music-on-the-farm type events, etc. One event may be over multiple days. C. Capacity of Special Events: Applicants are anticipating 200-300 people could be onsite at any one time during special events. A large gathering license from Environmental Services is required for any event with 1000 people or more in attendance over the duration of the event. D. Sanitary Provisions: A minimum of two portable toilets per 150 people (1 for each sex, 1 handicap accessible) shall be available during special events. E. Lighting: The applicants are proposing string-bulb lights over the patio area, lights shining down off the building onto the entrances and ground-mount lights for the sign. F. Overflow Parking: All parking will be onsite and not on County Road 51. Overflow parking would be along orchard alleys, tractor turnarounds and other grassed areas beyond the gravel parking lot. 30' clearance will be given along the driveway to facilitate emergency vehicles.

The surrounding land uses are rural residential lots, agricultural land, woods and wetland. The surrounding area is zoned Agricultural 40. The property is designated Agricultural on the Future Land Use Map and I-94 Corridor on the Policy Area Map of the Comprehensive Plan. The following goals and objectives of the County's Comprehensive Plan may apply to this request for permit: Chapter 3. Land Use Plan - Growth and Development. Goal 3. Manage the impacts of growth and development on the County's rural character. Objective 1. Discourage incompatible land uses through effective land use controls. Objective 2. Identify appropriate areas for commercial, industrial, and non-farm rural residential developments. Chapter 7. Economic Development Plan. Goal 1. Maintain and strengthen economic diversity. Objective 1. Promote and retain agriculture in areas with highly valued agricultural land or economically viable animal agriculture operations. Objective 2. Encourage industrial development within existing communities, including redevelopment of existing sites and filling of industrial and business parks. Objective 3. Acknowledge tourism's economic value and the prospective contribution of this industry to both the diversity of the County economic base and the potential for growth. Objective 4. Protect tourism and related resources from detrimental development activity and conflicting land uses.

If the Planning Commission recommends approval of this conditional use permit to the County Board of Commissioners according to Sections 4.8, 6.5 and 9.3.5B of Stearns County Land Use and Zoning Ordinance #439, the Planning Commission should consider the following conditions: 1. An approach permit shall be obtained from the County Highway Department. 2. The State Accessibility Code is required to be met. A Certificate of Occupancy shall be submitted once it's issued by a licensed building official. 3. A wetland delineation is required to be completed and approved prior to issuance of a construction site permit. 4. The sewage treatment sites shown on the site plan shall be marked so they aren't disturbed (i.e. fence, etc.) 5. The Planning Commission should discuss setting a maximum number of days for special events based on the applicant's proposal. 6. The Planning Commission should discuss setting hours and days of operation based on the applicant's proposal. 7. The Planning Commission should discuss

setting a maximum capacity for special events based on the applicant's proposal. 8. A minimum of two portable toilets per 150 people (1 for each sex, 1 handicap accessible) shall be available during special events. The portable toilets shall be maintained in a sanitary condition. 9. Shall obtain appropriate licenses from Stearns County Environmental Services and/or the Minnesota Department of Agriculture. 10. A liquor license may be required from the County Auditor's office.

The Planning Commission's recommendation on this request will be considered by the County Board at their January 24, 2017 meeting.

One email letter was received in support of this CUP for a farm winery from Rick Schultz, Mayor of St. Joseph. Said letter was read as part of the proceedings of this hearing and is hereby incorporated by reference as though a part hereof and is on record with the application.

Mr. Gillitzer commented that they were here (at the Planning Commission) back in September introducing the concept of a farm winery as an agriculturally oriented business. They are currently operating their apple processing facility/orchards at farms in Cold Spring. They are going to be doing that and adding a retail component to their operation so that the public can come out. The plan is to have the opportunity in the fall and the spring to have people come out to walk the orchards, drink some cider and see the pressing operation. They feel this property is well suited in terms of location and accessibility. County Road #51 was just widened and this property is in close proximity to I-94. This is a working farm, so other than the parking area, driveway and areas for apple production, this will be an orchard with apples and grass. They have contacted a few of the neighbors regarding their proposal and want to be good neighbors.

Peter Gillitzer submitted a few letters of support that they had received from various organizations for the proposed farm winery. The letters were from the MN Farm Winery Association, Minnesota Cider Guild, State Representative Tama Theis and Representative Jeff Howe.

Bob Spicer questioned where the overflow parking would go if there are over 28 cars for the larger events.

Mr. Gillitzer answered that there are 28 spaces and then there are basically 15 foot grass rows that have to be accessible by a tractor. So for those times when they have over 28 cars, they can park in those tractor turn-around areas and orchard alleys. The whole eastern side is quite flat and could facilitate that. The western side is all hills and they would not be able to park cars there.

Jeff Reiter commented that this is 10.84 acres, so they do have a pretty large area to be flexible with that concern.

Thomas Gangle was present as a notified property owner and questioned what this is all about. He was not opposed to the proposal for an apple orchard.

Mr. Gillitzer explained that it is going to be an working orchard farm where they press and make apple juice/cider.

Brian Anderson, with IMS Properties, was present at the meeting. He explained that they met the applicants about 6 months ago when they wanted to look at the property. He has toured their current facility and tasted their product, which is very good. They are very community oriented and wanted to be located in/near the Avon Hills area. He is in favor of the request.

Commissioner Joe Perske questioned if they have had any issues in Cold Spring at all with the production. The primary focus is going to be on processing of the cider. Mr. Perske questioned if there will be tasting on site?

Mr. Gillitzer answered no they have not had any issues. They are basically operating as a home extended business in an A-40 district there. There will be tasting at this site and they will have a 5000 sq. ft. building designed, with appr. 800-900 sq. ft. of that to be for a retail area and sampling area.

Mr. Perske had some questions about any permitting/licensing required for the tasting/sampling of the hard cider, hours of operation and if the liability is the same as a bar.

Heidi Winskowski commented that the applicants may need a liquor license and staff is checking into that with the Auditors office.

Mr. Gillitzer commented that the County will confirm what licenses they need but he did not think a liquor license is required when operating a farm winery. They pay a fee and are inspected by the State of Minnesota.

Mr. Perske asked that with the colleges in the area, do they plan on any marketing or special relationship with the colleges.

Mr. Gillitzer commented that they do like being located in between St. John's and St. Ben's. Every year they hire 12 students to come out and help them with the pressing, planting trees and things like that. Yes, the colleges would be a benefit for them.

Joe Perske commented that with the proposed special events he felt this is a great opportunity to have something that is going to add to the area. He is a little concerned about putting perimeters on this that aren't necessarily worthwhile. If there is an opportunity for them to expand this in the future he did not want to handcuff them, but by the same token he did not want this to be something that would get out of hand for the neighbors.

Mr. Gillitzer commented that they would be starting with the weekends/times estimating how many people may come to their site. If things change in the future they would be back here asking for whatever they may need.

Said letters received from the MN Farm Winery Association, Minnesota Cider Guild, State Representative Tama Theis and Representative Jeff Howe in support of this request were summarized by staff. Said letters are hereby incorporated by reference as though a part hereof and are on file with the application.

Moved by Jeff Bertram to close the public hearing.

Seconded by Bob Spicer and motion unanimously carried.

The Planning Commission discussed possible number of events for this permit and hours of operation. If there are no issues with whatever conditions are set by the Planning Commission, and the applicants decide in the future to expand, they would have the opportunity to come back before the Commission. The Planning Commission felt this type of operation is new to the County and that putting some perimeters on the permit is necessary.

Several members felt that parking may be an issue if they get 200-300 people at one of their main events. There is not enough parking there (on-site) for 300 people and may become an issue for traffic etc on the County Road. It was noted that there is ample parking in several different places nearby where they could run shuttles to and from with approval from the appropriate people.

Bob Spicer asked if the product to be used will come from the orchard there or from the Cold Spring site.

Mr. Gillitzer answered that everything will be moved to this site as far as processing, but they will still have their orchards in Cold Spring and apples will be brought from there. If there is a bad season for apples, they will bring in apples from other growers in Minnesota and beyond. Also per Minnesota Statute 51% of the apples have to be Minnesota grown. Mr. Gillitzer noted that they would like the option to operate 7 days a week with the restricted hours for the retail part, although they will start with the weekends. The three partners and a few employees will be working there every day on the processing end of the business.

LeRoy Gondringer commented that he did not want loud music outside after 10 for the neighbors.

The applicants were agreeable to that condition of not having outside music after 10 pm.

Jeff Bertram commented that he would like staff to clarify what licenses would be needed for this type of operation in the conditions rather than stating "appropriate" licenses and if a liquor license is needed in/for the proposed particular events.

Chair LeRoy Gondringer asked how are the number of events going to be tracked for this permit.

Angie Berg commented that in the past, we have had the applicants document, for their records, when their events are and then if the County gets a complaint, the County would contact them and ask for their event record and go from there.

The Planning Commission was agreeable to that method of tracking the number of events.

LeRoy Gondringer asked staff if there is an issue with the approach to the County Road.

Heidi Winskowski answered that they are working with the Highway Department as there is a private cartway that is part of the property and then there is the approach for this area. The Highway Department is trying to determine if they can both use the same approach or if it can be moved due to a hill and wetlands. The platting process for splitting this 10 acres off will consider the approach and the Highway Department will have to approve and make recommendations on the access to this property as far as what they can and cannot do.

The Planning Commission established the following findings of fact for this request: 1. The proposal is consistent with Sections 4.8, 6.5 and 9.3.8B of Stearns County Land Use and Zoning Ordinance #439. Farm wineries are allowed as an agriculturally oriented business in the A-40 zoning district. 2. The proposal must meet 10 conditions. 3. The proposed use will be screened by the apple orchard that will be planted surrounding the building and parking area. 4. Environmental impacts are being addressed through the permitting process and building process. 5. There will be no change to property values in the area as a result of the proposal. 6. Traffic in the area will increase. The applicants are working with the County Highway Department to site the approach to the property in the safest location. 7. The proposal will improve the general health, safety and welfare of the residents. 8. The proposal conforms to the County's Comprehensive Plan, specifically the Land Use Plan Goal 3, Objectives 1 & 2 and Economic Development Plan Goal 1, Objectives 1-4. 9. The minimal impact to existing public services and facilities are being addressed in the conditions.

Moved by Jeff Bertram to recommend approval of this conditional use permit, to operate a farm winery in the Agricultural 40 zoning district, to the Board of Commissioners, with the following conditions: 1. An approach permit shall be obtained from the County Highway Department. 2. The State Accessibility Code is required to be met. A Certificate of Occupancy shall be submitted once it's issued by a licensed building official. 3. A wetland delineation is required to be completed and approved prior to issuance of a construction site permit. 4. The sewage treatment sites shown on the site plan shall be marked so they aren't disturbed (i.e. fence, etc.) 5. The maximum number of special events per year shall be 12. One of the special events may be up to 3 days in duration. All other special events shall not exceed one day. 6. Regular hours where the business is open to the public shall be from 8am – 10pm Monday thru Sunday. For special events, business hours shall be 8am – 12am. Any outdoor music shall be allowed from 8am – 10pm. 7. The maximum capacity for special events shall be 300 people on the property at any one time. 8. A minimum of two portable toilets per 150 people (at least one of the two shall be handicap accessible) shall be available during special events. The portable toilets shall be maintained in a sanitary condition. 9. Shall obtain appropriate licenses from Stearns County Environmental Services and/or the Minnesota Department of Agriculture. License requirements will be determined based on whether or not food is being served and what portion of the business sales come from cider sales, food sales and other sales. 10. Obtain a Farm Winery License from the State of Minnesota.

Seconded by John Krehbiel and motion unanimously carried.

3. To consider a **rezoning** request submitted by **Dennis Hiltner**, Richmond MN on behalf of **James and Norma Hiltner**, Eden Valley MN to rezone approximately 14.37 acres from the Residential 10 zoning district to the Residential 5 zoning district in accordance with Section 4.10 of Stearns County Land Use and Zoning Ordinance #439. The property under consideration is part of Government Lot 5 in Section 17, Eden Lake Township (122/31), lying easterly of Deerbrook Circle. Property address is 23848 Deerbrook Circle, Eden Valley.

Jim Hiltner, was present representing his son, Dennis Hiltner.

Heidi Winskowski reviewed the following from the staff report: The request is to consider rezoning approximately 14.37 acres from the Residential 10 zoning district to the Residential 5 zoning district in accordance with Section 4.10 of Stearns County Land Use and Zoning Ordinance #439. If the rezoning is approved, the property would be subdivided into one additional residential lot which the applicant would build on. Per Section 4.10.1 of Zoning Ordinance 439, any change to any zoning map shall be in compliance with the County Comprehensive Plan. The property under consideration is part of Government Lot 5 in Section 17, Eden Lake Township, lying easterly of Deerbrook Circle. The property has access from Deerbrook Circle, a township road. The property is partially wetland/woods/grassland and contains an existing building site. There are approximately 66 homes and no registered feedlots within a ½ mile of the property. The adjacent uses are, to the North – rural residential lots, shoreland residential lots; to the East – rural residential lots, agricultural land; to the South – rural residential lots, agricultural land and to the West – small rural residential lots, shoreland residential lots. The adjacent zoning is, to the North – Residential 10, Residential 1; to the East – Residential 10, Agricultural 40; to the South – Residential 10, Agricultural 40 and to the

West – Residential 10, Residential 1, Agricultural 40. The property is located within the Shoreland Overlay District of Rice Lake, a recreational development lake. The residential development option for an Residential 10 district, allowed without rezoning, is a base density of 1 residential dwelling unit (existing). The residential development option for a Residential 5 District, the proposed rezoning district, is a base density of 2 residential dwelling units. The property is designated as Shoreland/Concentrated Residential on the Future Land Use Map and Lakes Natural/Recreational Area on the Policy Area map of the Comprehensive Plan. The following goals and objectives from the Comprehensive Plan may apply to this request: Land Use Plan - Growth and Development. Goal 3. Manage the impacts of growth and development on the County's rural character. Objective 1. Discourage incompatible land uses through effective land use controls. Objective 2. Identify appropriate areas for commercial, industrial, and non-farm rural residential developments. Objective 3. Deter premature development in rural areas and in urban expansion areas around cities. Goal 4. Sustain the current livability and diversity of Stearns County. Objective 1. Recognize and respond to the differences in community needs and character, development patterns, and natural resources in different regions of the County. Goal 6. Provide a variety of residential opportunities. Objective 1. Provide a diversity of housing prices and styles, meeting the needs of residents of different ages, incomes and lifestyles. Natural Resources Protection. Goal 7. Identify and preserve important natural systems and sensitive natural resources. Objective 1. Evaluate land use changes based on how they respond to existing natural systems and their potential impacts on natural resources.

On November 29, 2016, Eden Lake Township recommended approval of the rezoning request.

Mr. Hiltner commented that he is splitting part of the land for his son and keeping the balance for himself and his wife.

Staff noted that if the rezoning is approved they will be platting one lot of 9.5 acres and the other lot will be 4.87 acres.

LeRoy Gondringer commented that the area is more conducive to R5 zoning district than R 10. He recommended that the Township may want to look at the whole property for rezoning, as this will be spot zoning if this request gets approved.

Randy Salzl, 170th Street, Eden Valley, was present at the meeting commented that there is a cartway currently running through there and the houses further back have an easement to get to that cartway. He questioned if this additional house will have access to the cartway too. He was not concerned with the Hiltner's using the road but for in the future if they would sell.

Heidi Winskowski responded that that is something that will get looked at during the platting process.

Mr. Hiltner commented that the cartway abuts the south boundary line.

Heidi Winskowski commented that the proposed new lot that Dennis will be building on, would not touch where that public road is. So unless that property is granted an easement through Jim's property, they probably wouldn't have legal access to that public road/cartway. Again this will be looked at closer during the platting process.

One letter was received from Kathy Dwinnel & Kevin Axt concerned with the access from Deerbrook Road, which is a township road that crosses through their property, in regards to safety for their campers and children/grandchildren. Said letter was read as

part of the proceedings of this hearing and is hereby incorporated by reference as though a part hereof and is on file with the application for rezoning.

Moved by Jeff Bertram to close the public hearing.

Seconded by Ken Massmann and motion unanimously carried.

The Planning Commission established the following findings of fact for this request: 1. The proposal conforms to the County's Comprehensive Plan, specifically the Land Use Plan Goal 3 Objectives 1-3, Goal 4 Objective 1, Goal 6 Objective 1 and Goal 7 Objective 1. 2. The proposed rezoning is compatible with present and future land uses in the area. There are approximately 66 residential dwellings within a half mile of the property. 3. Environmental impacts will be addressed through the platting process. 4. There will be no impact on existing public services and facilities as a result of the proposal. 5. There was concern about increased traffic through a resort on the same road as the proposal. There will be a minimal increase in traffic as a result of the proposal.

Moved by Bob Spicer to recommend approval of this request, to rezone approximately 14.37 acres from the Residential 10 zoning district to the Residential 5 zoning district, to the Board of Commissioners.

Seconded by Shawn Blackburn and motion unanimously carried.

4. Minutes of December 15, 2016

Moved by Bob Spicer to approve the minutes of December 15, 2016 as written.

Seconded by John Krehbiel and motion unanimously carried.

Commissioner Joe Perske introduced himself to the Planning Commission members.

Adjournment

Moved by Bob Spicer to adjourn the meeting at 8:38 p.m.

Seconded by Ken Massmann and motion unanimously carried.