

WABASHA PLANNING COMMISSION

January 14, 2020 6:00 PM

MEETING AGENDA

- 1) Call to Order
- 2) Election of Officers
- 3) Approval of Minutes-
 - a) Approval of Minutes from 12/10/19
- 4) Changes or Additions to Agenda
- 5) Public Comment
- 6) Public Hearings
 - a) Hot Asphalt IUP - 1005 Shields Ave
- 7) Old Business
- 8) New Business
- 9) Board of Adjustment Business
 - a) Election of Officers (*Non Council Members)
- 10) Other Business
- 11) Next Regular Meeting Date - February 11, 2020.
- 12) Adjourn

Planning Commission

2)

Meeting Date: 01/14/2020

SUBJECT: Election of Officers

DEPARTMENT: Planning & Zoning

TITLE:

Election of Officers

PURPOSE:

Planning Commission

3) a)

Meeting Date: 01/14/2020

SUBJECT: Approval of Minutes from 12/10/19

DEPARTMENT: Planning & Zoning

TITLE:

Approval of Minutes from 12/10/19

PURPOSE:

Attachments

PC 12-10-19

DRAFT

WABASHA PLANNING COMMISSION

December 10, 2019 6:00 PM

MEETING MINUTES

Commission Members:	Tim Wallerich, Chair	Sara Carrels
	Scott Durand, Vice Chair	Sharon Burke
	Craig Falkum	Jeff Sulla
	Kris Kruse	

Present: Craig Falkum; Scott Durand; Chair Tim Wallerich; Sharon Burke; Kris Kruse; Jeff Sulla

Absent: Sara Carrels

Also Present: Wendy Busch, City Clerk

- 1) Call to Order
The meeting was called to order to 6:00 p.m. by Chair Wallerich.

- 2) Approval of Minutes- Oct 8, 2019

Motion made by Scott Durand, seconded by Kris Kruse to approve the meeting minutes.

Vote: 6 - 0 Adopted - Unanimously

Other: Sara Carrels (ABSENT)

- 3) Changes or Additions to Agenda
Two additions to the agenda were requested relating to the Planning Commission coordinating with other groups, such as the Port Authority and Wabasha Main Street, along with discussion of posting the Comprehensive Plan on the City's website.

A question was asked about Commissioner training and other resources provided by the League of Minnesota Cities. City Clerk Busch provided additional information in this regard.

- 4) Public Comment - None

- 5) Public Hearings - None

- 6) Old Business - None
- 7) New Business
- a) Appointments
Planning Commissioner terms and vacancies were reviewed. Commissioner Durand offered to continue to serve on the Planning Commission, and Commissioner Falkum offered to stay on until a replacement is found.
- b) Coordination with Other Groups
It was discussed that it would be beneficial for the Planning Commission to keep in contact with the Port Authority, Wabasha Main Street, and other groups with regard to upcoming projects. Potential zoning impacts were discussed. The barge terminal project was discussed. The mining ordinance was discussed. It was noted that a first draft of the Dredged Material Management Program (DMMP) is expected from the US Army Corps of Engineers within the next few months. It was suggested to coordinate these efforts through City Planner Kristi Trisko and consider scheduling joint workshop meetings. The riverfront revitalization project was discussed. The approval process relating to the barge terminal was reviewed, including opportunities for public input.
- c) Comprehensive Plan on Website
It was suggested to post the Comprehensive Plan on the City's website. City Clerk Busch noted that the Comprehensive Plan is already available and described the process for accessing this document. City Clerk Busch described her new responsibilities in terms of administration of the City Code. She discussed plans for ordinances to be reviewed and updated two times per year.
- 8) Board of Adjustment Business - None
- 9) Other Business - None
- 10) Next Regular Meeting Date - January 14, 2020
City Clerk Busch distributed and reviewed the 2020 Planning Commission meeting schedule and submission deadlines. It was suggested to post this information on the City's website.
- 11) Adjourn

Motion made by Craig Falkum, seconded by Scott Durand to adjourn the meeting. The meeting adjourned at 6:22 p.m.
Vote: 5 - 0 Adopted - Unanimously
Other: Sara Carrels (ABSENT)

Respectfully submitted by: _____
Wendy Busch, City Clerk

Adopted Date

Planning Commission

6) a)

Meeting Date: 01/14/2020

SUBJECT: Hot Asphalt IUP

DEPARTMENT: Planning & Zoning

TITLE:

Hot Asphalt IUP - 1005 Shields Ave

PURPOSE:

Attachments

Staff Report



Memorandum

Office of the City Planner

To: Wabasha Planning Commission
From: Kristi Trisko, Consultant Planner
Date: January 6, 2020
Subject: IUP application – Rochester Sand & Gravel

MEETING DATE: January 14, 2020

I. REQUEST:

- 1) **Applicant:** Rochester Sand & Gravel
- 2) **Owner:** Robert Kohner (Wabasha Sand & Gravel)
- 3) **Location:** 1005 Shields Avenue

II. Staff Report

Zoning Summary

An Interim Use Permit has been requested for a second year by Rochester Sand & Gravel to use Wabasha's Sand & Gravel site at 1005 Shields Avenue as a heavy industrial, portable hot mix asphalt plant between the months of May and November of 2020. *The last IUP established time period ended in November of 2019.*

Zone: Industrial (I) and within the ERA (Emergency Response Area)

Land Use: Industrial
Min. Lot Size: 21,780 SF (8.5 Acres)
Min. Lot Width: 90 feet (+500 feet)
Min. Lot Frontage: 60 feet (500+ feet)
Setbacks: 10 feet (Front)
10 feet (Side & Rear)
Accessory: None proposed
Parking: 1 stall per employee plus 1 space per vehicle stored on site
8-10 employees and/or compliance reviewers could be on-site

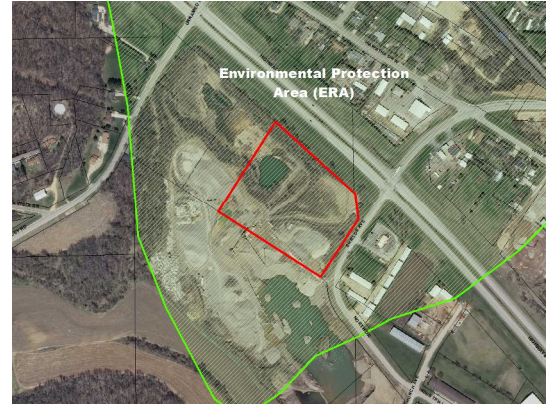
Details of the request:

- The plant will be operational from mid-May to November depending on weather delays.
- Parking details
 - 8-10 employees = 10 parking stalls, which can be located within the 8.5 acres.



January 8, 2020

- All company vehicles can also be parked within the 8.5 acres site.
- Truck Route/Accesses– two accesses are shown on the Site Plan. The trucks are proposed to come in on Bruegger Valley Road, travel through the Wabasha Sand & Gravel site on a truck haul route and exit onto Shield's Avenue and then travel along Highway 61 as needed to deliver the asphalt on Highway 61. A driveway permit from Wabasha County has been approved.
- Truck traffic - A Major Traffic Generator Waiver – was reviewed by the City Engineer and the Street & Utility Commission on Tuesday, January 7, 2020. Brian Malm had no listed concerns and the Street Commission unanimously recommended approval with the following condition: "The City of Wabasha can temporarily suspend trucks due to safety concerns". This waiver will be reviewed and determined by the City Council at their February 4, 2020 meeting. The project is targeted to be completed between mid-May to November). Within that time, less than 90 days will utilize heavy truck traffic that will exceed 60 heavy trucks per day. *The previous major traffic waiver began in May of 2019 and the current waiver will begin no sooner than 12 months later as the ordinance specifies.*
- ERA Overlay Zone – The project is within the Emergency Response Area Zone. A SPCC Plan (Spill Prevention, Control, & Countermeasure Plan) will be in-place for this project. The spill prevention includes a 2-wall holding tank and a confined containment area where oil is transferred to the rock mix. All MPCA permits, regulations and inspections will be followed.
- Lighting – security lighting will be installed near the plant and will comply with the Wabasha lighting standards as found in Section 310, Subd 8.
- Signage – No signage is proposed



Hours of Operation – 5:00 a.m. to 9:00 p.m. Monday through Saturday.

Surrounding Property Uses: Kohner's active mining operation is located north and west of the proposed portable hot mix asphalt plant. Highway 61 is located east of the site, and Dairy Queen and Jim Roemer's storage and offices are located south of the site along Shields Avenue. **See attached aerial*

Neighborhood Notification: All property owners within 350' feet of this property were notified within ten days of the public hearing and published in the paper on Wednesday, March 6, 2019 that a public hearing would be held on March 19, 2019 for this interim use permit request.

Recommended Conditions:

- 1) When the portable hot mix asphalt plant is removed from the site, the Interim Use Permit (IUP) will be withdrawn from the site. The proposed deadline for the completion of the MnDOT project is November 2020.
- 2) The City of Wabasha can temporarily suspend trucks due to safety concerns.

III. PLANNING COMMISSION ACTION:

Following are sample resolutions for both approval and denial which may be used by the Planning Commission in their decision.

Sample resolution for approval

Resolution _____
IUP for a Heavy Industrial Facility

WHEREAS, the property addressed 1005 Shields Avenue is zoned Industrial; and

WHEREAS, the site has a land use of Industrial as does all of the property on the west side of Highway 61 along Shields Avenue, North Drive, and Industrial Court.

WHEREAS, The Planning Commission provides the following findings:

- a) Rochester Sand & Gravel has owned and operated their business for 10+ years and has been contracted by the MnDOT to complete the Highway 61 resurfacing project in 2020.
- b) The close proximity of the proposed asphalt plant to MnDOT's Highway 61 project will significantly reduce the necessary truck traffic to complete the project to residents of Wabasha.
- c) Conditions placed in this IUP will protect the health, safety & general welfare of the community and neighbors use and enjoyment of property and their property values.
- d) The purpose of the Industrial zone is to allow for industrial development of land for uses with direct access to Highway 61 that are not adjacent to incompatible uses.
- e) The operation will be tested for air quality compliance and meet all the requirements from the MPCA.
- f) The proposed use is consistent with the City comprehensive land use plan.
- g) Ingress and egress is provided off Highway 61 from Brugger Valley Road and Shields Avenue.
- h) The site does not need city sewer and water service.
- i) A very similar project with the same contractors on the same property was successfully operated between May and November of 2019 without a single complaint or issue from neighbors or roadway jurisdictions.

NOW THEREFORE, IT IS HEREBY RESOLVED, the Planning Commission approves the Interim Use Permit for a heavy industrial use at 1005 Shields Avenue allowing for the construction of a portable hot mix asphalt plant as indicated in the letter dated December 10, 2019, with conditions:

Sample resolution for denial:

Resolution _____
IUP for a Heavy Industrial Use

WHEREAS, the property addressed 1005 Shields Avenue is zoned Industrial (I); and

WHEREAS, an Interim Use Permit is required for a Heavy Industrial use; and

WHEREAS, The Planning Commission provides the following findings: **[insert findings as deemed appropriate]**

- _____

NOW THEREFORE, IT IS HEREBY RESOLVED, the *Planning* Commission denies the Interim Use Permit for a heavy industrial use as requested in the application dated December 10, 2019.

IUP – Rochester Sand & Gravel
1005 Shields Avenue
Staff Review

Section 305.04 5b General Standards. No conditional or interim use shall be granted by the Planning Commission unless the Board shall find:

<i>Standard</i>	<i>Staff Comments</i>	<i>Standard Met?</i>
1. That the establishment, maintenance, or operation of the use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the City;	The maintenance, operation and temporary use of a portable hot mix asphalt plant will not be detrimental or endanger the public health or general welfare of the City. The plant is located on an existing mine adjacent to Highway 61 and other similar industrial uses. There are no neighboring residents adjacent to the site or within the truck route.	Yes No Discussion Recommended
2. That the use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;	The property is within the Industrial zone as is surrounding properties. The applicants propose to place a portable hot mix asphalt plant and several portable restrooms on the corner of Shields Avenue and Highway 61. (see the attached site plan) These temporary structures and truck traffic near Highway 61 will not be injurious to property owners in the immediate area.	Yes No Discussion Recommended
3. That the establishment of the use will not impede the normal and orderly development of the surrounding property for uses permitted in the district;	The use is consistent with the City Comprehensive Plan that shows the property and all surrounding properties as Industrial. The use will only temporarily increase the traffic along Bruegger Valley Road and Shields Avenue within the limited distance to the site.	Yes No Discussion Recommended
4. That adequate utilities, access road, drainage, and/or necessary facilities have been or are being provided;	The use will be accessed in two places, along Bruegger Valley Road and Shields Avenue. An internal truck route will also be constructed within the Kohner site to accommodate the trucks. No city utilities will be needed at the site.	Yes No Discussion Recommended
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;	The proposed entrance and exit to the site will provide adequate access to the temporary use and are located as close to Highway 61, their primary project for the summer, as possible.	Yes No Discussion Recommended
6. That the use shall, in all other respects, conform to the applicable regulations of the district in which it is located.	Heavy Industrial is a conditional/interim use in the Industrial Zone. This interim use with no permanent facilities meets all of the standards within the Industrial zone.	Yes No Discussion Recommended

7.	Conditions such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, screening (including fencing and/or plantings), security provisions, refuse management, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or parking requirements, may be required by the Board upon its finding that these are necessary to fulfill the purpose and intent of this Section or other sections of City Code.	There are no required landscaping or architectural design standards for this use in the Industrial Zone. Lighting, fencing, and security provisions must meet all applicable City Code. Traffic circulation and access have been outlined in Q4.	Yes No Discussion Recommended
8.	No application for a conditional or interim use that has been denied wholly or in part shall be resubmitted for a period of one (1) year from the date of said order or denial, except on the grounds of new evidence or proof of change of conditions found to be valid by the Planning Department	N.A.	Yes No Discussion Recommended
9.	In any case where a conditional or interim use has not been established within one (1) year after the date of granting thereof, then, without further action by the Planning Commission, the conditional use or authorization shall be null and void.	N.A.	Yes No Discussion Recommended
10.	Preservation of natural resources including but not limited to filling and grading limitations	Limited filling and grading is intended for this project to construct the truck hauling road. No existing natural resources exists on this site as it is a functioning mining operation.	Yes No Discussion Recommended
11.	Preservation of natural resources including but not limited to filling and grading limitations	Limited filling and grading is intended for this project to construct the truck hauling road. No existing natural resources exists on this site as it is a functioning mining operation.	Yes No Discussion Recommended
12.	Use does not obstruct scenic views from public right of ways or existing residential uses.	The proposed plant is within an active mine along Highway 61. No residential uses are within the surrounding area.	Yes No Discussion Recommended

<i>Standard</i>	<i>Staff Comments</i>	Standard Met?
13. Adequate parking and loading areas	Parking spaces adequate parking and loading areas are provided with in the 8.5 acres site. 8-10 employees + any space for company vehicles.	Yes No Discussion Recommended
14. Signage and lighting, with reference to glare, traffic safety and compatibility with other properties in the district	Lighting – will be installed per City Code and will constructed to reduce glare for traffic safety and compatibility with surrounding properties. No signage will be used.	Yes No Discussion Recommended
15. The limitation of hours of operation of noise allowed (e.g. music), & fencing or screening, and any other provisions to harmonize outdoor operations with neighboring residential uses	Operating hours are between 5:00 a.m. to 9:00 p.m. Monday through Saturday with an average truck traffic of less than 60 round-trip trucks per day coming and leaving this site.	Yes No Discussion Recommended
16. Adequate size and configuration of property for the proposed use or activity	The 8.5-acre rectangular lot does allow for the proposed use and all listed activities while maintaining the required setbacks.	Yes No Discussion Recommended

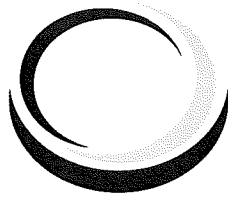
Additional standards for **Industrial development**

<i>Standard</i>	<i>Staff Comments</i>	Standard Met?
17. Ability to adequately serve the site with public infrastructure.	The project does not require public utilities and will be adequately served by roadways.	Yes No Discussion Recommended
18. Ingress & Egress to the project include provisions for heavy truck delivery and loading traffic. Not negative impacts to pedestrian traffic.	The project is surrounded by County or state highways or industrially used local roadways capable of handling both the weight loads and traffic from this operation. In addition, this project has been reviewed and approved by all the impacted roadway agencies. No impacts to pedestrian traffic will be incurred by this project.	Yes No Discussion Recommended
19. Screening of outdoor storage, refuse areas, loading areas, lighting, and signage with fencing or vegetation to insure compatibility with adjacent properties.	Given the limited time frame for the project and the compatibility of the heavy industrial properties surrounding this 8.5 acre site, no permanent screening should be necessary.	Yes No Discussion Recommended
<i>Standard</i>	<i>Staff Comments</i>	Standard Met?
20. Increased setbacks, screening, or barriers which may be injurious to the health or welfare of	No permanent equipment or structures are planned. All temporary equipment will be well within the setback requirements and not injurious	Yes No Discussion

	individuals	conditions are expected.	Recommended
21.	Limitations on the height or structures, storage of bulk or containerized materials.	No permeant structures are proposed. All bulk materials will be properly stored and contained per MPCA rules and regulations and will function within compliance.	Yes No Discussion Recommended
22.	Requirements for additional stormwater planning or other types of engineering models.	No stormwater or other engineering models are required for this temporary use.	Yes No Discussion Recommended

Section 305.06 Subd. 14 G provides for additional standards for **CUP's in the wellhead protection zone**. The property is within the Wellhead Protection Zone or Emergency Response Area.

	<i>Standard</i>	<i>Staff Comments</i>	Standard Met?
23.	Structures and/or mechanisms for containment of potential contaminant spills.	All oil or other contaminants will be stored in a 2-wall tank and a containment area will be set up for the mix and movement of all oil used for the project.	Yes No Discussion Recommended
24.	Spill response plan	A SPCC Plan has been submitted and will be in-place and enforced for the length of this temporary use.	Yes No Discussion Recommended
25.	Stormwater infrastructure which protects the water supply from potential contaminant infiltration	No excessive impervious areas will be added to the site that would require infrastructure improvements to protect the water supply other than the use of a containment area as defined in the SPCC Plan for all oil-based produces used on the site.	Yes No Discussion Recommended
26.	Site plans and turf management programs (including fertilizer application management) for open and/or vegetative areas to protect the water supply from potential contaminant infiltration	No areas will require a turf management plan.	Yes No Discussion Recommended
27.	Evidence of required state and/or federal permits and required monitoring programs. Minnesota State Statute 115E.01-05.	All federal permits and monitoring programs required for this use will be obtained and followed. If any truck traffic hazards or oil contamination hazards are observed, the use will be suspended until these issues are resolved.	Yes No Discussion Recommended



ROCHESTER SAND & GRAVEL

A DIVISION OF MATHY CONSTRUCTION CO. • ROCHESTER, MN

December 10, 2019

Kristi Trisko, Planning Coordinator
City of Wabasha Planning & Zoning
900 Hiawatha Drive East
P.O. Box 268
Wabasha, MN 55981

Dear Kristi:

Rochester Sand & Gravel is requesting a CUP/IUP for the placement of a portable hot mix asphalt plant at the following legal description: Part of Northeast Quarter and part of the Southeast Quarter of Section 31 and part of the Northwest Quarter and Part of Southwest Quarter of Section 32, T111N, R10W, City of Wabasha, Wabasha County, Minnesota.

A portable drum-mix asphalt plant will be used to provide hot mix asphalt for TH 42 MNDOT project as well as any other local, county and private projects. The normal plant operating hours are 5 AM to 9 PM, Monday through Saturday. All company plants are tested for air quality compliance and meet all requirements for the MPCA. Rochester Sand and Gravel provides portable sanitary facilities and dumpsters for solid waste disposal at each location. Both are serviced as needed for the duration of the project.

We anticipate this plant to be operational from May to mid-November and any weather delays may affect this duration. Truck traffic will use County Road 30 (Bruegger Valley Rd) and Shields Avenue to enter and exit the plant site. We would like to request a major traffic generator waiver for the TH 42 project and other various projects to allow more than 60 heavy trips per day for up to 90 days.

I am available to answer any questions that you may have. I can be reached at 507-288-7447.

Respectfully,

Chad Kelley, Vice President

Enclosure:

CC: Brian Schumacher Vice President
Casey Bauer, Project Manager
Andrew Peters, Environmental Specialist

ASPHALT PLANT SITE
WABASHA SAND & GRAVEL
WABASHA, MINNESOTA

Description of Site:

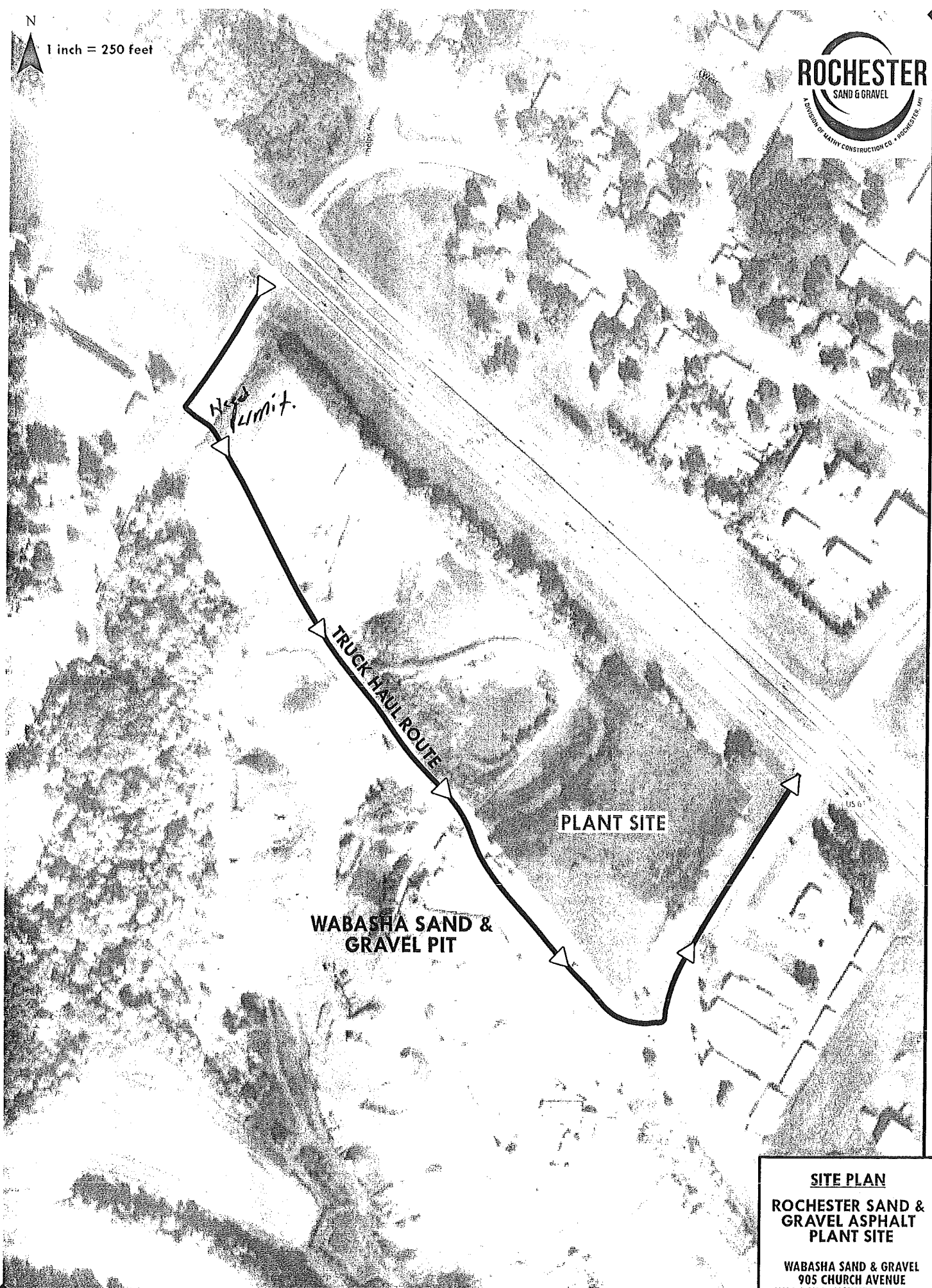
Legal Description of land for proposed project:

Part of the Northeast Quarter and part of the Southeast Quarter of Section 31 AND part of the Northwest Quarter and part of the Southwest Quarter of Section 32, T111N, R10W, City of Wabasha, Wabasha County, Minnesota.

PART(S) OF WABASHA COUNTY PARCEL ID#:

27.00040.03, 27.00040.00, 27.00593.00, 27.00592.00, 27.00591.06

N
1 inch = 250 feet



SITE PLAN
ROCHESTER SAND & GRAVEL ASPHALT PLANT SITE
WABASHA SAND & GRAVEL
905 CHURCH AVENUE
WABASHA, MINNESOTA 55981

Planning Commission

9) a)

Meeting Date: 01/14/2020

SUBJECT: Election of Officers

DEPARTMENT: Planning & Zoning

TITLE:

Election of Officers (*Non Council Members)

PURPOSE:
