



STEELE COUNTY
PLANNING COMMISSION AGENDA
Steele County Administration Center – 630 Florence - Owatonna, MN 55060

Monday, April 1, 2024 at 7:00 p.m. – Steele County Boardroom

1. Call to Order:
2. Pledge of Allegiance
3. Approve Agenda:
4. Approve Minutes: (March 4th, 2024)
5. Public Hearing: Review of CUP 250 (Monterey Ballroom)
6. Public Hearing: CUP 436 (Prime 45 LLC – Storage Buildings)
7. Public Hearing: Renewal of IUP #2021-05 (JJD – Bauer Pit)
8. Public Hearing: Renewal of IUP #2018-04 (JJD – Motl Pit)
9. Adjourn



**STEELE COUNTY
PLANNING COMMISSION MINUTES**

Steele County Administration Center – 630 Florence - Owatonna, MN 55060

Steele County's Mission:

Driven to deliver quality services in a respectful and fiscally responsible way.

Monday, March 4th, 2024, at 7:00 p.m. – Steele County Boardroom

Call to Order:

The meeting was called to order by chair Esplan at 7 pm. Present were Esplan, Lammers, Dinse, Spatenka, Ingvaldson, Queen, Pool, Commissioner Brady, and staff member Oolman.

Agenda:

Motion by Lammers, second by Queen to approve the agenda as submitted. Motion passed unanimously.

Minutes:

Motion by Dinse second by Lammers to approve the Jan 8th, 2024, minutes as submitted. Motion passed unanimously.

Building Permits:

The building permits for Jan and Feb were reviewed.

County Board Action

Oolman reported the County Board approved CUP #435 (Dobberstein Craft Retreat) and the renewal of IUP 2009-06 (Wencl Pit) as recommended by the planning commission.

CUP #214 (Medford Sand & Gravel – Medford Pit)

This request is from Medford Sand and Gravel LLC to renew conditional use permit #214 allowing the mining of sand and gravel on properties located in the W ½ of the NW ¼, Section 4, and the E ½ of the NE ¼, Section 5, Medford Township.

Questions and comments of the commission.

Oolman – Medford Sand and Gravel has asked to table a decision on this request so they can complete reclamation of areas in Section 9 that are to be removed from the permit.

The public hearing was opened.

Chris Hanke- I am neighbors with the operation and have no issue with them continuing their work.

As there were no additional questions or comments, the public hearing was closed.

Motion by Ingvaldson, second by Lammers to table discussion on CUP #214 to allow time for the operator to complete reclamation.

Motion passed unanimously.

IUP 2024-01 (EESolar 33, LLC- Busho 4 MW Solar)

This request is from EESolar33 LLC to construct and operate a 4 MW Community Solar Project on property located in the N 1/2 of the NE 1/4, Section 31 Clinton Falls township on property owned by the Buscho Trust.

Questions and comments of the commission.

Oolman – The airport has asked to table any decision on this item as they have questions on the glare study and would like to more time to have their consultant look at it.

Dinse- Will we as the county see that there is financial assurance to reclaim the property?

Oolman- One of the recommended conditions is that they provide evidence they have notified the property owner of their responsibilities to reclaim the site.

Dinse- Do we talk about bonding these types of projects?

Esplan- According to the decommissioning plans it looks like the project needs to be bonded at \$94,877.81.

Pool- Those numbers may not be accurate.

Oolman- Figuring the cost of decommissioning several decades from now is problematic in these types of projects. The counties position in the past has been to make sure the property owner is protecting themselves.

Pool- Our concern should be that the County does not get stuck with this, and it becomes the taxpayers responsibility.

Ingvaldson- The land value should cover the cost of decommissioning in that case.

The public hearing was opened.

Evan Carlson, developer - This is the same type of project that Steele County recently permitted.

This one is just going to be a little bigger. They put it in the lease that they will be responsible for decommissioning and provide financial assurance to the landowner to see that it gets done.

Dinse- Do you build these sites and then sell them?

Carlson- Yes

Dinse- Have you had panels go bad?

Carlson- No I have not had a panel go bad, there are recycling centers that will take the panel if it does go bad. There is not a lot that needs to be decommissioned.

As there were no further questions or comments, the public hearing was closed.

Motion by Dinse, second by Pool to recommend to Table IUP request 2024-01

Motion passed unanimously.

2023 Year Report

Oolman went through the 2023 Year End Planning and Zoning Report

Adjournment:

Motion by Lammers, second by Pool to adjourn at 7:36pm.

Staff Report
for
Renewal of Conditional Use Permit Application #250
Monterey Ballroom – Outdoor Venue

Applicant:

Mike Remick

Property Owner(s):

Mike Remick

Property Address:

4712 South County Road 45
Owatonna, MN 55060

Project Legal Description:

Commencing at the Southeast corner of Section 33, T-107-N, R-20-W; running thence North along the East line of said Section, a distance of 790 feet, thence West a distance of 255 feet, thence South and parallel with the East line of said Section a distance of 790 feet, thence East on the South line of said section 255 feet to the place of beginning. The property address is 4712 South County Road 45.

Zoning District:

Agricultural

Permitted Uses:

Hosting of outdoor events such as wedding, luau's, grooms dinners, staff parties, private receptions, corporate events, auctions, reunions, galas, and other types of events.

Permit History:

- 1999 - CUP issued for outdoor ball diamonds and volleyball courts to "The Jungle"
- 2010 – Amended to allow outdoor events such as weddings to "The Monterey"
- 2011 – Permit Reviewed
- 2017 – Permit Reviewed

Conditions:

1. This permit allows the hosting of outdoor private receptions and events including weddings, luaus, groom's suppers, staff parties, family parties, corporate events, reunions, or other similar events.
2. No amplified sound outside before 10:00 am or after 11:00 pm on Sunday thru Thursday and before 10:00 am or after 1:00 am on weekends.
3. The maximum capacity of all indoor and outdoor activities combined shall not exceed the maximum capacity of the building.
4. Outdoor lighting shall not be directed at or illuminate adjacent properties.
5. If alcohol is to be served outdoors its sales must adhere to the Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division requirements.
6. This permit expires on December 31, 2022.

Reason and Background for Conditional Use Permit Application:

The Monterey Ballroom has been an entertainment venue for decades, In May of 1999, they applied for and received Conditional Use Permit #250 to construct outdoor ball diamonds and volleyball courts. The facility

was called the Jungle at that time and was promoted as an entertainment facility hosting weekly bands and other types of entertainment. The CUP issued in 1999 prohibited alcoholic beverages on the fields or outside amplified music. By 2010 the facilities name was changed back to the Monterey Ballroom and catered to wedding receptions and private receptions rather than a Dance Hall / Night Club. The CUP was amended in 2010 to allowing outdoor events such as weddings, luau's, grooms dinners, staff parties, private receptions, corporate events, auctions, reunions, galas, and other types of events. Given the recent history of the venue at that time, the board was concern with the potential of nuisances to neighbors, so a condition of the permit was the requirement to renew in 2011. In 2011 the permit was again renewed with the same conditions including Condition #6 requiring the permit be again renewed. With this renewal, they are also requesting that condition #6 be removed as they feel they have shown they are not a nuisance and other similar facilities in the county do not have a similar renewal condition.

General Criteria for Issuing Conditional Use Permit:

1) The use will not create a burden on parks, schools, streets, public facilities or utilities:

Public utilities to be used by this facility would predominately be electricity which is already provided to the site.

2) The use is compatible, separated, or screening from adjacent agricultural or residential land so as not to depreciate their values or der development:

The property is surrounded by agricultural land and several rural residents. The nearest residences are located approximately 550 feet to the west of the outdoor space and 250 feet east of the building. Most outdoor activity takes place west of the building in a screened in area.

3) The appearance will not have an adverse effect on adjacent properties:

The appearance of the property will remain the same as it is today. There is an outdoor gathering area for events. A deck has been constructed, and a grassed area has been established for people to congregate. Temporary structures such as tents or canopies, may also be erected for these events. The area is surrounded by a row of arborvitae and a privacy fence to provide a windbreak and screen views either in or out of the area.

4) The use is related to the existing land use and the county needs of the county:

The existing land use is a ballroom / dance hall and parking lot situated on 4.6 acres. Their main cliental since 2010 has been events such as weddings and business events.

5) The use is consistence with the zoning ordinance and zoning district:

The dance hall has been in existence for many decades. The outdoor activities have been permitted through Conditional Use Permit #250.

6) The use will not creation a traffic hazards or congestion:

Traffic to the site is dependent upon the event. The capacity of the ball room is several hundred people. The outdoor events are not allowed to exceed the maximum capacity of the ballroom.

7) Existing businesses will not be adversely affected because of curtailment of customers trade brought about by intrusion of noise, glare, vibration or other nuisances:

There are no permitted business located near the facility.

8) Adequate utilities, access roads, drainage and other facilities will be provided:

- Utilities: Will not change from present.
- Access: Will not change from present.

- Drainage: Will not change from present.
- Septic: The septic system for the site was installed in 1999 and was sized for the capacity of the buildings.

Staff Comments:

The applicant has requested to remove conditions #6 as he feels he has shown that the outdoor venue can operate without being a nuisance to neighboring properties. In addition other similar facilities do not have a condition requiring them to renew periodically. The closest type of facility we have permitted in Steele County is the Oak View Event Center which does not have to renew. It also has the same limits on hours.

If the Planning Commission recommends renewal of this application, here are the conditions that are currently on the permit including #6. If # 6 is not removed, a new date should be stated.

1. This permit allows the hosting of outdoor private receptions and events including weddings, luaus, groom's suppers, staff parties, family parties, corporate events, reunions, or other similar events.
2. No amplified sound outside before 10:00 am or after 11:00 pm on Sunday thru Thursday and before 10:00 am or after 1:00 am on weekends.
3. The maximum capacity of all indoor and outdoor activities combined shall not exceed the maximum capacity of the building.
4. Outdoor lighting shall not be directed at or illuminate adjacent properties.
5. If alcohol is to be served outdoors its sales must adhere to the Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division requirements.
6. This permit expires on December 31, 2021.





March 23, 2024

Monterey

0 0.01 0.02 0.04 mi

Disclaimer: Steele County, MN makes no representations or warranties, express or implied, with respect to the use or reuse of the data provided hereunder. THE DATA IS PROVIDED "AS IS" WITH NO GUARANTEE OR REPRESENTATION ABOUT THE ACCURACY, COMPLETENESS, TIMELINESS, OR FITNESS OF THE DATA FOR ANY PARTICULAR PURPOSE. Steele County, MN, shall not be liable for any direct, indirect, or consequential damages, including lost profits, arising out of or from the use of the data, even if such damages were foreseeable. Steele County, MN, has been advised of this disclaimer and has agreed to accept the disclaimer and in states that do not allow the exclusion or limitation of incidental or consequential damages.

Staff Report
for
Conditional Use Permit Application #436
Prime 45 LLC – Storage Structures

Applicant:

Prime 45, LLC

Property Owner(s):

Prime 45, LLC

Property Address:

4500 County Road 45 North
Owatonna, MN 55060

Project Legal Description:

All that part of the NE1/4 of the NE1/4 of Section 29, Township 108 North, Range 20 West, Steele County, Minnesota, described by:

Commencing at the northeast corner of said NE1/4; thence South 00°05'51" West assumed bearing, 422.50 feet along the east line of said NE 1/4 to the True Point of Beginning; thence North 89°51'26" West 322.61 feet along a line parallel with the north line of said NE1/4 to the easterly right of way line of Interstate Highway No. 35; thence South 00°53'25" West 5.06 feet along said right of way line; thence South 06°38'43" East 724.57 feet along said right of way line; thence southerly along said right of way line and along a tangential curve concave to the west, central angle 2°38'45", radius 3968.41 feet, arc length 183.26 feet to the south line of said NE1/4 of the NE1/4; thence South 89°52'09" East 219.03 feet to the southeast corner of said NE1/4 of the NE1/4; thence North 00°05'51" East 906.78 feet to said True Point of Beginning.

Zoning District:

General Business

Project Description:

Three additional self-storage buildings

Reason for Conditional Use Permit Application:

Section 1203.6 of the Steele County Zoning Ordinance allows similar commercial establishments or professional services not specifically stated or implied elsewhere in the Section.

General Criteria for Issuing Conditional Use Permit:

- 1) **The use will not create a burden on parks, schools, streets, public facilities or utilities:**
Public facilities used by this development will be electricity and County State Aid Highway 45. Electricity is already provided to the site. The Steele County Highway department has indicated the road is adequate to handle the expected traffic.
- 2) **The use is compatible, separated, or screening from adjacent agricultural or residential land so as not to depreciate their values or deter development:**
There is very little agricultural land in the area so the use should not have any effect on agriculture. The nearest residential land is across the road to the east. The property is already used for storage so the use itself should have minimal effect on the neighboring properties.

3) The appearance will not have an adverse effect on adjacent properties:

The appearance of the buildings should not have an adverse effect on the adjacent properties as there is already similar buildings on the site. The proposer does intend to install security lighting on the storage units. If the lighting is directed at the neighboring residential properties, it could have a negative effect on these properties. The zoning ordinance only addresses lighting in one section. Section 1505.3 states "Glare, whether direct or reflected, such as from floodlights or high temperature processes, and as differentiated from general illumination, shall not be directed at or illuminate adjacent properties." In situations where this has been a concern, this has generally meant the use of shielded or full cut-off fixtures that don't emit direct light above the bottom of the fixture. There may be other types of lighting that reduces intensity or limits the color spectrum emitted that may provide similar or possibly even better results but Steele County has no way of measuring light to see if it would meet those types of standards. For this reason, the planning commission may want consider a condition that addressed the type of light fixture as opposed the light color or intensity.

4) The use is related to the existing land use and the county needs of the county:

The site is a 5 acre building site that previously was the location of Gallea Transfer. It currently contains three buildings. The main building built in the 1950's and 1960's and has been used as warehousing, shop space and offices. A second 4900 square foot building built in 1977 has been used as warehousing and a third 30-unit ministorage building was built in 1990. Given the current use of these buildings, additional storage buildings would be consistent with these uses.

5) The use is consistence with the zoning ordinance and zoning district:

The property is zoned as general business. The applicant has applied under the category of any similar commercial establishment or professional service not specifically stated or implied elsewhere in the Section. Steele County has allowed commercial storage and warehousing in the General Business zone previously with the issuance of a conditional use permit.

6) The use will not creation a traffic hazards or congestion:

The proposer estimates additional traffic to the site to be 22 trips per day. The Steele County Highway Department has indicated this amount of traffic is not expected to cause any traffic hazards or congestion.

7) Existing businesses will not be adversely affected because of curtailment of customers trade brought about by intrusion of noise, glare, vibration or other nuisances:

The nearest existing businesses are the Country Goods store located across the road to the east and businesses located in the Cabela's area west of Interstate 35 in Owatonna. This development is not expected to affect these nearby businesses.

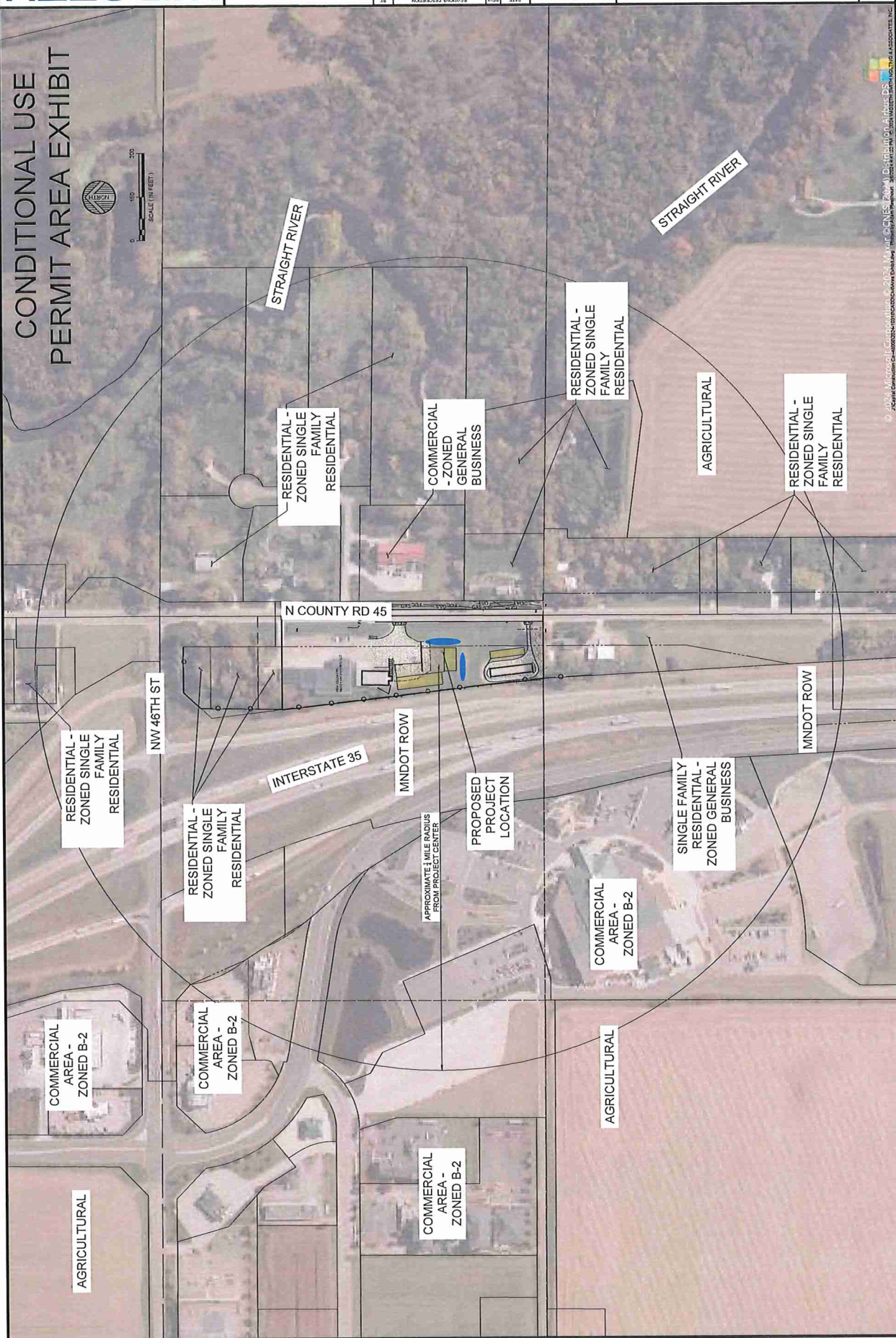
8) Adequate utilities, access roads, drainage and other facilities will be provided:

- Utilities: Will not change from present.
- Access: The existing access roads onto CSAH 45 will be used. No new accesses are proposed.
- Drainage: The development may initiate the requirement of storm water ponds. Stormwater ponds are regulated by the Minnesota Pollution Control Agency. There is a drainage swale that runs through the middle of the property that services I-35. This swale is drainage is proposed to be maintained.
- Septic: They are not proposing bathrooms in the buildings.

Staff Comments:

If the Planning Commission recommends approval of this application, they may wish to consider the following conditions:

1. The buildings are to be used for storage only. Any change in use of the buildings such as retail, general business, manufacturing, etc. shall not be allowed unless first approved by the Steele County Zoning and Building Departments.
2. Lighting shall not be directed at or directly illuminate neighboring residential properties or the road. Lighting fixtures shall be fully shielded so that light is not emitted above the bottom of the fixture.
3. Dust from all graveled surfaces shall be controlled.
4. Vehicle and truck traffic shall not track material onto the road.



- NEIGHBORING LAND AND WATER USES:
• SEE SEPARATE ATTACHED EXHIBIT
• SOILS:
• SEE THE ATTACHED WEB SOIL SURVEY. THE AREAS OF CONSTRUCTION LOOK TO BE LE SUEUR
• LOAM AND WEBSTER CLAY LOAM.
• TRAFFIC GENERATION:
• SEE THE ATTACHED TRIP GENERATION. THE GENERATION IS GENERALLY CONSERVATIVE, AND THE
• ESTIMATION IS STILL ONLY Y 22 TRIPS ADDED DAILY WITH BOTH BUILDINGS. THIS IS
• INCONSEQUENTIAL TO THE TRAFFIC LEVELS ON THE COUNTY ROAD.
• STORM WATER TREATMENT:
• THE PROPOSED IMPROVEMENTS ADD LESS THAN AN ACRE OF IMPERVIOUS COVER. THEREFORE,
• ONLY RATE CONTROL IS REQUIRED. THIS WILL BE ACCOMPLISHED WITH DEPRESSIONS
• THROUGHOUT THE SITE.
• DRIVEWAYS / ACCESS:
• NO ADDITIONAL ACCESS WILL BE REQUIRED AS PART OF THE IMPROVEMENTS
• WATER / SEWER
• THERE WILL NOT BE ANY WATER OR SANITARY HOOKUPS IN THE PROPOSED BUILDINGS.



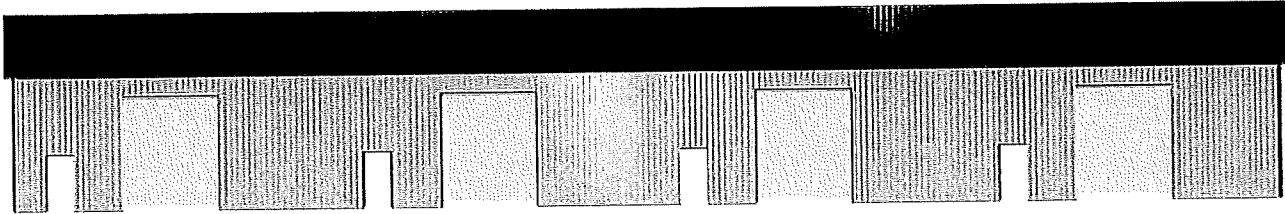
Building A



P.O Box 930220
Verona, WI 53593-0220
Phone: (608) 845-9700
Fax: (608) 845-7070

3/11/2024
KASLOW, BRENT
Doc ID: 3426120240311104653

Elevations & Floor Plan



North Side Wall 2 on Building 1

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.

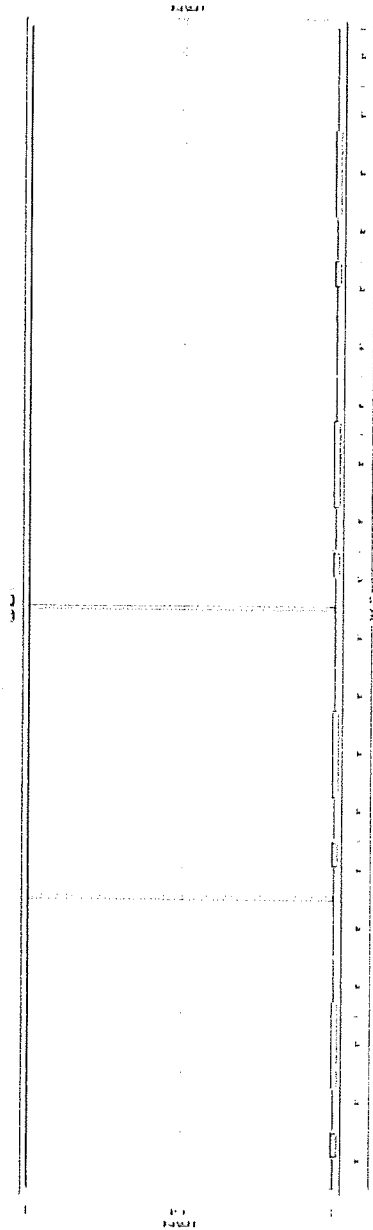
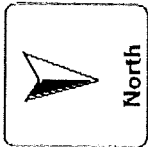


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3/11/2024
KASLOW, BRENT
Doc ID: 3426120240311104653

Elevations & Floor Plan

Floor Plan



Building B



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3/11/2024
KASLOW, BRENT
Doc ID: 3426120240311104653

Elevations & Floor Plan

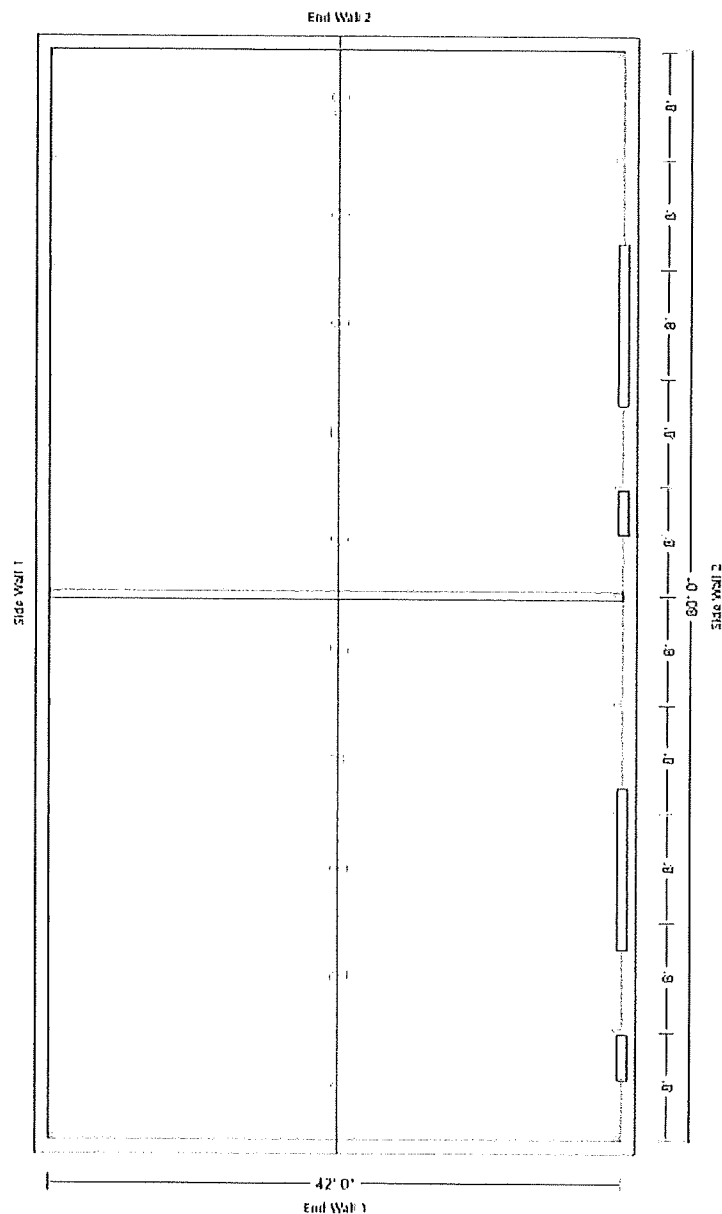


North Side Wall 2 on Building 2

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.

Elevations & Floor Plan

Floor Plan



Building C



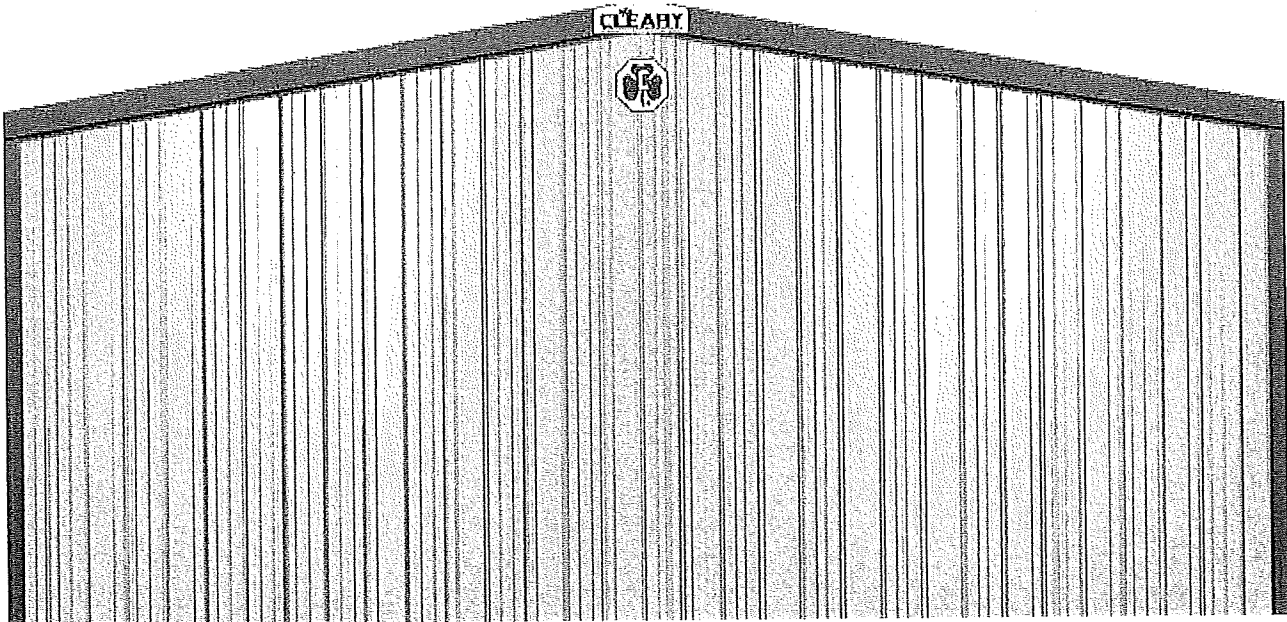
P.O Box 930220
Verona, WI 53593-0220
Phone: (608) 845-9700
Fax: (608) 845-7070

3/5/2024

KASLOW, BRENT

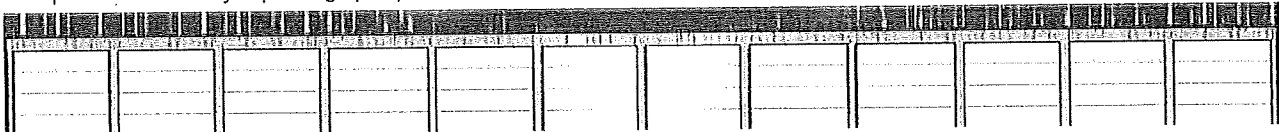
Doc ID: 3426120240305142249

Elevations & Floor Plan



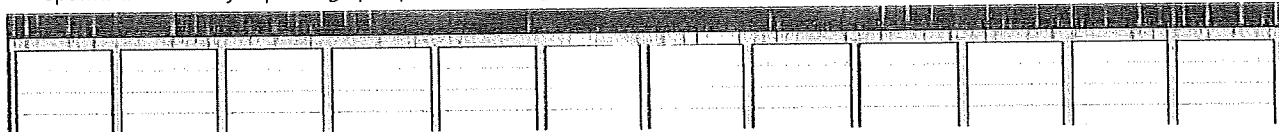
East End Wall 2 on Building 1

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.



North Side Wall 1 on Building 1

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.



South Side Wall 2 on Building 1

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.

Staff Report
for
2024 Renewal of Interim Use Permit 2021-05
JJD Companies LLC (Bauer Pit)

Applicant:

JJD Companies LLC.

Property Owner(s):

Jeremy Bauer

Project Location:

All that part of the SE 1/4 of Section 29-106-20, Steele County, Minnesota, described by:
Commencing at the NE corner of said SE 1/4; thence N 90 degrees 00' W, assumed bearing, 1284.00 feet along the north line of said SE 1/4 to a point on the centerline of Judicial Ditch No. 2, last said point being the True Point of Beginning;
thence N 90 degrees 00' W 709.22 feet along the north line of said SE 1/4;
thence S 0 degrees 00' E 470.31 feet;
thence N 90 degrees 00' E 773 feet, more or less, to the centerline of said ditch;
thence northerly 404 feet, more or less, along the centerline of said ditch to said True Point of Beginning;
Containing 8.00 acres, more or less.

Property Address:

2483 SW 93rd Street
Owatonna, MN 55060

Zoning District:

Agricultural

Permitted Uses:

The mining of sand and gravel and the stockpiling of aggregate material.

Permit History:

- Issued in 2021 to JJD Companies LLC

Permit Conditions:

1. Mining and processing is limited to the areas identified in the application.
2. Mining is limited to a bottom elevation of 1156 feet. (approximately 20 feet deep)
3. Before excavation can begin, the permittee or operator shall furnish bond or other financial surety as approved by the county, for potential haul road repair and for site restoration. The bond or other financial surety shall be in an amount of \$5,000 per permitted acre for a total amount of \$15,000 and remain in place for 3 years from the from date of issuance of the permit.
4. Before excavation can begin the permittee shall obtain an access permit from the Steele County Highway Department and comply with all conditions of that permit. This access shall be removed when mining is complete or at the expiration of this permit.
5. The excavation of material shall be setback a minimum of 30 feet from all property lines and road right of way. Any erosion within this setback shall be immediately corrected by the permittee. Overburden may be stored within the setback area but cannot be done in a manner that causes water runoff or siltation onto neighboring property, impedes the

- natural overland flow of water, or backs water up onto neighboring properties.
6. Equipment shall only be operated between the hours of 6:00 AM and 7:00 PM. Monday thru Saturday.
 7. The access shall be gated to deter unauthorized access.
 8. Signage warning of truck traffic shall be located along County Road #4 if required by the County Highway Department. The size and placement of these signs shall be at the direction of Steele County Highway Department.
 9. Trucks shall not track material from the pit onto the public road.
 10. Trucks hauling material to and from this site shall not use “jake brakes”
 11. Operator is responsible to maintain dust control in the pit and on the access road so it does not negatively affect neighboring properties or highway traffic.
 12. No hazardous material may be stored on the site.
 13. Stockpiles of aggregate material shall not be placed in a manner that will impede water flow during a flood event.
 14. Any pumping of water shall comply with DNR requirements. Water cannot be discharged directly or indirectly into Judicial Ditch #2 (Straight River)
 15. The applicant shall follow their submitted reclamation plan. Final reclamation shall include grading slopes to a 4:1 slope or flatter and replacing topsoil on areas not developed into a pond.
 16. This permit remains valid during times when the owner/operator is current on all tax obligations including but not limited to aggregate taxes. In addition, if notified by the Auditor of a delinquency, the owner/operator is required to either pay the tax or file an appropriate challenge within 30 days or else the permit is null and void.
 17. Applicant is responsible to obtain and follow all other federal, state, and local permits and regulations including but not limited to NPDES permits, DNR Water Appropriation Permits, and Minnesota Wetland Conservation Act regulations.
 18. This permit expires on June 1st, 2023. All reclamation shall be completed unless the permittee has initiated the renewal of this permit before this date.

Total Area: 8 ac.
Minable Area: 3 ac.
Active Areas: 1 ac.
Reclaimed Areas: 2 ac.

Natural Elev: 1176 feet
Permitted Elev: 1156 feet
Mining Elev: Estimated at 1156 feet

Material Removed: 103,116 tons reported
2023 – 0 ton.
2022 – 21,798 tons.
2021 – 81,318 tons.

Recyclable Amts: Not permitted to process recycled materials.

Other Permits: NPDES – General Permit
DNR Permit – No permit

Road Access: North onto CSAH #4 (93rd Street) is a 9 ton / axel paved County Road.

Reason for the Interim Use Permit Application:

Condition #18 requires the permit to be reviewed.

General Criteria for Issuing an Interim Use Permit:**a) Burden on Existing Public Facilities and Utilities:**

The only public facilities being used is County Road 4. Condition #4, #8, #9 and #11 all deal with mitigation efforts concerning the road.

b) Compatible, Separated, or Screened from Adjacent Agricultural or Residential Properties:

The nearest neighboring residence other than the property owner is 900 feet away. Condition #6 and #10 are added to mitigate issues to neighboring residences. Condition #10 requires a 30 feet setback to protect neighboring agricultural land. An inspection of the property revealed that mining has encroached as close as 20 feet to the south and west property lines. This setback should be restored before any additional mining occurs.

c) Appearance of Structures and Site shall not have an Adverse Effect on Adjacent Properties:

The appearance is similar to other gravel pits in the area.

d) Relationship of Proposed Project to Existing Land Use:

The existing land use is a residential building site and an existing gravel pit. When completed the site will be restored to a pond with a beach area.

e) Consistency with Zoning Ordinance and Zoning District:

Gravel mining is consistent with the Zoning Ordinance if approved as an Interim Use.

f) Creation of Traffic Hazards or Congestion:

There have been no reported issues with truck traffic from this pit. Condition #8 requires signs if requested by the County Engineer.

g) Nuisance Effects on Nearby Business:

The nearest business is the Hope Knoll campground located 1700 feet to the southeast. There have been no reported issues from this business.

h) Adequacy of Utilities, Access Roads, Drainage and Other Facilities:

- **Access Road:** Has been established onto CSAH #4
- **Water appropriations:** No pumping of water has occurred onsite.
- **Drainage:** Drainage flows toward the pit.
- **Floodplain:** The entire area is in floodplain. Conditions #12 and #13 address issues within the floodplain.
- **Wetlands:** No known jurisdictional wetlands on the property.

Staff Comments:

Other than the encroachment to neighboring property lines there have been no reported issues with this pit. The bond amount was originally \$15,000 for 3 acres. Mining and reclamation has been completed on the 2 acres of pond and the eastern "beach" area. However, the southern and western buffer should be restored to the required 30 feet. Typically, we would reduce the bond amount when reclamation is completed on a portion of the site, However because additional work still needs to be done on two sides of the pond, we may want to consider keeping a bond on the entire 3 acres.

If the Planning Commission finds that this site meets the conditions of the permit, they should consider renewing the permit for another 5 years with the following changes. ~~Strikethrough~~ is deleted, underlined is added.

3. Before excavation can begin, the permittee or operator shall furnish bond or other financial surety as approved by the county, for potential haul road repair and for site restoration. The bond or other financial surety shall be in an amount of \$5,000 per permitted acre for a total amount of \$15,000 and remain in place for ~~3 years from the from date of issuance of the permit.~~ for the length of the permit or until reclamation has been approved by Steele County.
18. This permit expires on June 1st, ~~2023.~~ 2028. All reclamation shall be completed unless the permittee has initiated the renewal of this permit before this date.
19. The 30 feet of setback shall be restored along the south and west property line before any additional material is mined or removed.



Bauer Pit

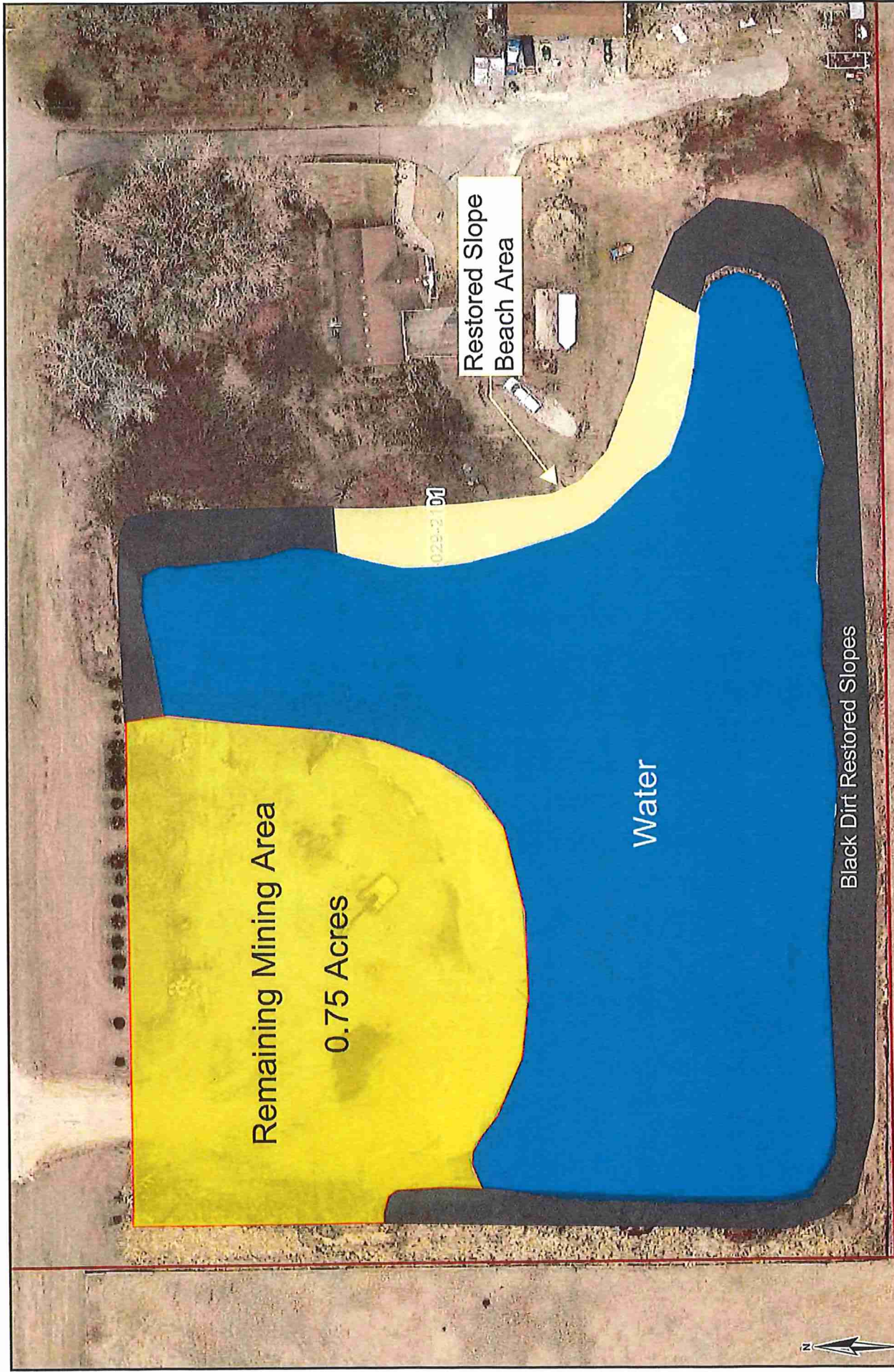
March 21, 2024



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Bauer Pit

March 01, 2024

Staff Report
for
2024 Renewal of Interim Use Permit 2018-04
JJD Companies LLC (Motl Pit)

Applicant:

JJD Companies LLC.

Property Owner(s):

NJG LLC

Project Location:

The SW 1/4 of the SW 1/4, Section 5, T 105 N, R 19 W, Steele County Minnesota.

Property Address:

4640 SE 118th St.
Blooming Prairie, MN 55917

Zoning District:

Agricultural

Permitted Uses:

The mining of sand, gravel and fill material. The stockpiling of aggregate material. The processing and stockpiling of recyclable aggregate material.

Permit History:

- Issued in 2018 to JJD Companies LLC

Permit Conditions:

1. Mining is limited to the areas identified in the application. Mining and reclamation shall be substantially completed on the initial phase before a new phase can begin.
2. Mining is limited to a bottom elevation of 1290 feet.
3. The location and construction of the access shall be approved by the Steele County Highway Department.
4. Signage warning of truck traffic shall be located along the County Road 26. The size and placement of these signs shall be at the direction of the Steele County Highway Department.
5. Equipment shall only be operated between the hours of 6:00 AM and 7:00 PM. Monday thru Saturday.
6. Trucks shall not track material from the pit onto the public road.
7. Trucks hauling material to and from this site shall not use "jake brakes"
8. Operator is responsible to maintain dust control in the pit and on the access road so it does not negatively affect neighboring properties or highway traffic.
9. A 30 foot unexcavated buffer shall remain adjacent to all property lines and road right of ways. Any erosion to neighboring properties as a result of this mine shall be corrected immediately by the applicant.
10. Operator shall maintain the viability of any existing private drainage system at all times during the operation of the pit.
11. Storage piles of recyclable aggregate materials shall not exceed 30,000 cubic yards. These piles shall not remain onsite more than 5 years unless crushed. The State of Minnesota has additional requirements concerning recyclable aggregate stockpiles.

12. Before any excavation can begin, the applicant shall comply with all requirements of the Minnesota Wetland Conservation Act. This may include completing a wetland delineation and submitting a Joint Application form for Activities Affecting Water Resources in Minnesota.
13. The applicant shall follow their submitted reclamation plan. Final reclamation shall include grading slopes to a 4:1 slope or flatter and replacing topsoil.
14. This permit remains valid during times when the owner/operator is current on all tax obligations including but not limited to aggregate taxes. In addition, if notified by the Auditor of a delinquency, the owner/operator is required to either pay the tax or file an appropriate challenge within 30 days or else the permit is null and void.
15. Applicant is responsible to obtain and follow all other federal, state, and local permits and regulations including but not limited to NPDES permits, DNR Water Appropriation Permits, and Minnesota Wetland Conservation Act regulations.
16. Applicant is responsible to initiate renewal proceeding on or before December 31st, 2023 or this permit becomes invalid.
17. The operator must get approval from Blooming Prairie Township before using SE 44th Ave.

Total Area: 40 ac.

Minable Area: 30 ac.

Active Areas: 19.5 ac.

Reclaimed Areas: 3 ac.

Natural Elev: 1290-1322 feet

Permitted Elev: 1290 feet

Mining Elev: Estimated at 1290 feet

Material Removed: 103,116 tons reported
2023 – 47,705 tons.
2022 – 66,199 tons.
2021 – 170,963 tons.
2020 – 148,861 tons.
2019 – 93,315 tons.

Recyclable Amts: Approximately 3000 cu. Yds.

Other Permits: NPDES – General Permit
DNR Permit – No permit

Road Access: County Road 26 (SE 118th St.) Paved County Road with 9 ton per axel weight limit.

Reason for the Interim Use Permit Application:

Condition #16 requires the permit to renewed.

General Criteria for Issuing an Interim Use Permit:

a) Burden on Existing Public Facilities and Utilities:

Public facilities being used by the site is County Road 26. Condition #3 and 4, deal with mitigation efforts concerning the road. There have been no issues reported regarding the road.

b) Compatible, Separated, or Screened from Adjacent Agricultural or Residential Properties:

Surrounding land uses are mostly agricultural land. Condition #9 and 10 are put into place to protect neighboring agricultural land. The nearest neighboring residence is located 950 feet west of the current excavation. Condition #5, #7 and #8 were added to mitigate potential issues to neighboring residences. There have been no reported issues from neighboring properties.

c) Appearance of Structures and Site shall not have an Adverse Effect on Adjacent Properties:

The appearance is similar to other gravel pits in the area. Condition #11 was added to minimize visual effects. There have been no reported issues with the appearance of the pit.

d) Relationship of Proposed Project to Existing Land Use:

The existing land use is a gravel pit and cropland. When completed the site will be restored to open water and cropland.

e) Consistency with Zoning Ordinance and Zoning District:

Gravel mining is consistent with the Zoning Ordinance if approved as an Interim Use.

f) Creation of Traffic Hazards or Congestion:

There have been no reported issues with truck traffic from this pit. Condition #4, #6, #8, and #17 were added to minimize any potential hazards from traffic.

g) Nuisance Effects on Nearby Business:

There are not permitted businesses nearby except other gravel pits.

h) Adequacy of Utilities, Access Roads, Drainage and Other Facilities:

- **Access Road:** The access road location and construction has been approved by the Steele County Highway Department.
- **Water appropriations:** No pumping of water has occurred onsite.
- **Drainage:** Drainage flows toward the pit.
- **Wetlands:** No known jurisdictional wetlands on the property.

Staff Comments:

Mining originally was originally planned to occur in phases with Phase 1 to be substantially completed and reclaimed before commencing to Phase 2, on so on. In reality, it appears mining began in Phase 1 as planned but proceeded to Phase 2 and 3 before reclamation occurred. Reclamation has now begun on the western side of the of the excavation in Phases 1 and 3 and is proceeding east. No additional mining is expected on the western half of Phase 3 or in Phase 4. No reclamation bond was required when the permit was originally issued in 2018, however today we would require the bond to cover all permitted phases. The planning commission should discuss what, if anything should be done to address this.

One additional complaint was referred to Steele County by the MPCA in 2023. The complaint was that demo debris from a barn was being buried at the site. Staff investigated the allegation but could find no evidence that it had occurred.

If the Planning Commission finds that this site meets the conditions of the permit, they should consider renewing the permit for another 5 years with the following changes. ~~Strikethrough~~ is deleted, underlined is added.

1. Mining is limited to the remaining areas identified in the resubmitted site map. application. ~~Mining and reclamation shall be substantially completed on the initial phase before a new phase can begin.~~
16. Applicant is responsible to initiate renewal proceeding on or before December 31st, 2028 ~~2023~~ or this permit becomes invalid.
18. The permittee or operator shall furnish bond or other financial surety as approved by the county for site restoration. The bond or other financial surety shall be in an amount of \$5,000 per permitted acre for 20 acres for a total amount of \$100,000 and remain in place for 6 years from the from date of issuance of the permit or until the site is reclaimed and the reclamation is approved by Steele County.

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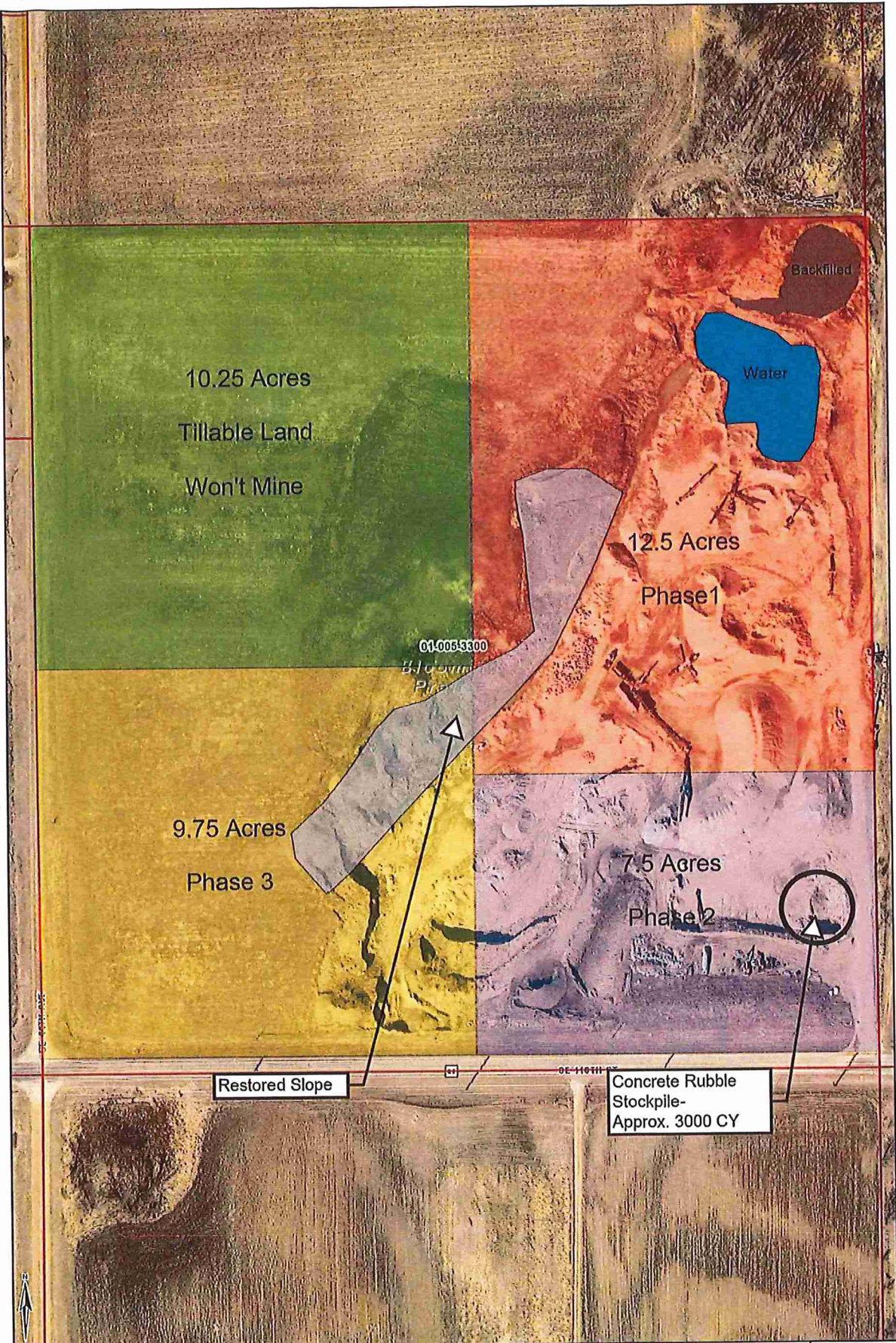
Steele Court

Tillable Land
10.25 Acres

12.5 Acres
Phase 1

9.75 Acres
Phase 3

7.5 Acres
Phase 2



Disclaimer: This map is for informational purposes only and does not constitute a warranty or representation of any kind. The map is based on the best available information and is subject to change without notice. The map is not to be used for any purpose other than the one for which it was prepared. The map is not to be used for any purpose other than the one for which it was prepared.

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Tax Parcel Viewer

February 26, 2024

