

LE SUEUR COUNTY PLANNING COMMISSION
January 14, 2021

TO: LE SUEUR COUNTY BOARD OF COMMISSIONERS
FROM: LE SUEUR COUNTY PLANNING COMMISSION
SUBJECT: "REQUEST FOR ACTION"

The Planning Commission recommends your action on the following items:

ITEM #1: USS WATER CITY SOLAR LLC, MINNEAPOLIS, MN (APPLICANT) ROBERT CULHANE JR, WATERVILLE, MN (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant grading, excavating, and filling of 4,040 cubic yards of material for a 1 MW solar garden in an Agriculture "A" District. Property is located in the NW 1/4 SW 1/4, Section 27, Waterville Township.

Based on the information submitted by the applicant, as required by the Le Sueur County Zoning Ordinance, the Planning Commission developed the attached findings for this request:

Therefore, the Planning Commission recommends approval of the application as written.

ITEM #2: USS WATER TOWN SOLAR LLC, MINNEAPOLIS, MN (APPLICANT) ROBERT CULHANE JR, WATERVILLE, MN (OWNER): Request that the County grant a Conditional Use Permit to allow the applicant grading, excavating, and filling of 6,420 cubic yards of material for a 1 MW solar garden in an Agriculture "A" District. Property is located in NW 1/4 SW 1/4, Section 34, Waterville Township.

Based on the information submitted by the applicant, as required by the Le Sueur County Zoning Ordinance, the Planning Commission developed the attached findings for this request:

Therefore, the Planning Commission recommends approval of the application as written. **with the following condition:**

- I. Prior to issuance of the first permit necessary for the grading, excavating, and filling project, the applicant shall meet with the owner of 15862 State HWY 60 (PN 14.034.7500) ("Owner" and "Property" interchangeably) and make all good faith effort to demonstrate to the Property Owner that the grading, excavating, and filling will not increase runoff onto the Property.**

ITEM #3: MIKE & KRISTIN MALTERER, MANKATO, MN, (APPLICANT/OWNER): Request that the County grant a Conditional Use Permit to allow the applicant grading, excavating, and filling of 63 cubic yards on the lot of which 61 cubic yards are in the bluff for the construction of rip rap, dry creek bed, and stairs in the bluff in a Recreational Residential "RR" District, Lake Jefferson a Recreational Development "RD" lake. Property is located at Lot 13, Block 3, Section 3, Cleveland Township.

Based on the information submitted by the applicant, as required by the Le Sueur County Zoning Ordinance, the Planning Commission developed the attached findings for this request:

Therefore, the Planning Commission recommends approval of the application as written.

ACTION: ITEM #1: _____
ITEM #2: _____
ITEM #3: _____

DATE: _____

COUNTY ADMINISTRATOR'S SIGNATURE: _____

ITEM # 1 FINDINGS OF FACT

WHEREAS, USS WATER CITY SOLAR LLC, MINNEAPOLIS, MN (APPLICANT) ROBERT CULHANE JR, WATERVILLE, MN (OWNER): have applied for a Conditional Use Permit to allow grading, excavating, and filling of 4,040 cubic yards of material for a 1 MW solar garden in an Agriculture “A” District. Property is located in the NW 1/4 SW 1/4, Section 27, Waterville Township.

WHEREAS, the Le Sueur County Planning Commission held on public hearing on January 14, 2021 in order to hear public testimony from the applicants as well as interested parties pertaining to and as provided by the Zoning Ordinance of Le Sueur County.

WHEREAS, the Le Sueur County Planning Commission, acting as an advisory board to the Le Sueur County Board of Commissioners recommends approval of the application due to the following findings:

- 1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
- 3. Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
- 4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
- 5. Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
- 6. The Conditional Use Permit is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
- 7. The Conditional Use Permit is consistent with the Comprehensive Land Use Plan.*

WHEREAS, On January 26, 2021, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners **APPROVED/DENIED** the Conditional Use Permit application as requested by **WHEREAS, USS WATER CITY SOLAR LLC, MINNEAPOLIS, MN (APPLICANT) ROBERT CULHANE JR, WATERVILLE, MN (OWNER).**

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the January 26, 2021 Le Sueur County Board of Commissioners meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

- 1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
- 3. Adequate utilities, access roads, drainage and other facilities have been or are being provided.*

4. *Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
5. *Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
6. *The Conditional Use Permit is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
7. *The Conditional Use Permit is consistent with the Comprehensive Land Use Plan.*

BE IT FURTHER RESOLVED, by the Le Sueur County Board of Commissioners that based on the above Findings of Fact, a Conditional Use Permit to allow grading, excavating, and filling of 4,040 cubic yards of material for a 1 MW solar garden in an Agriculture “A” District, is **APPROVED/DENIED**.

ATTEST:

Steven Rohlfig, Chairman, Le Sueur County Board of Commissioners

Darrell Pettis, Le Sueur County Administrator

DATE: _____

ITEM # 2 FINDINGS OF FACT

WHEREAS, USS WATER TOWN SOLAR LLC, MINNEAPOLIS, MN (APPLICANT) ROBERT CULHANE JR, WATERVILLE, MN (OWNER): have applied for a Conditional Use Permit to allow grading, excavating, and filling of 6,420 cubic yards of material for a 1 MW solar garden in an Agriculture “A” District. Property is located in NW 1/4 SW 1/4, Section 34, Waterville Township.

WHEREAS, the Le Sueur County Planning Commission held on public hearing on January 14, 2021 in order to hear public testimony from the applicants as well as interested parties pertaining to and as provided by the Zoning Ordinance of Le Sueur County.

WHEREAS, the Le Sueur County Planning Commission, acting as an advisory board to the Le Sueur County Board of Commissioners recommends approval of the application due to the following findings:

- 1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
- 3. Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
- 4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
- 5. Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
- 6. The Conditional Use Permit is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
- 7. The Conditional Use Permit is consistent with the Comprehensive Land Use Plan.*

WHEREAS, On January 26, 2021, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners **APPROVED/DENIED** the Conditional Use Permit application as requested by **WHEREAS, USS WATER TOWN SOLAR LLC, MINNEAPOLIS, MN (APPLICANT) ROBERT CULHANE JR, WATERVILLE, MN (OWNER).**

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the January 26, 2021 Le Sueur County Board of Commissioners meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

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- 3. Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
- 4. Adequate measures have been or will be taken to provide sufficient off-street parking and*

loading space to serve the proposed use.

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6. *The Conditional Use Permit is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
7. *The Conditional Use Permit is consistent with the Comprehensive Land Use Plan.*

BE IT FURTHER RESOLVED, by the Le Sueur County Board of Commissioners that based on the above Findings of Fact, a Conditional Use Permit to allow grading, excavating, and filling of 6,420 cubic yards of material for a 1 MW solar garden in an Agriculture “A” District, is **APPROVED/DENIED**.

ATTEST:

Steven Rohlfig, Chairman, Le Sueur County Board of Commissioners

Darrell Pettis, Le Sueur County Administrator

DATE: _____

ITEM # 3 FINDINGS OF FACT

WHEREAS, MIKE & KRISTIN MALTERER, MANKATO, MN, (APPLICANT/OWNER) has applied for a Conditional Use Permit to allow grading, excavating, and filling of 63 cubic yards on the lot of which 61 cubic yards are in the bluff for the construction of rip rap, dry creek bed, and stairs in the bluff in a Recreational Residential “RR” District, Lake Jefferson a Recreational Development “RD” lake. Property is located at Lot 13, Block 3, Section 3, Cleveland Township.

WHEREAS, the Le Sueur County Planning Commission held on public hearing on January 14, 2021 in order to hear public testimony from the applicants as well as interested parties pertaining to and as provided by the Zoning Ordinance of Le Sueur County.

WHEREAS, the Le Sueur County Planning Commission, acting as an advisory board to the Le Sueur County Board of Commissioners recommends approval of the application due to the following findings:

- 1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
- 3. Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
- 4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
- 5. Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
- 6. The Conditional Use Permit is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
- 7. The Conditional Use Permit is consistent with the Comprehensive Land Use Plan.*

WHEREAS, On January 26, 2021, at their regularly scheduled meeting, the Le Sueur County Board of Commissioners **APPROVED/DENIED** the Conditional Use Permit application as requested by. **MIKE & KRISTIN MALTERER, MANKATO, MN, (APPLICANT/OWNER).**

NOW, THEREFORE, IT IS HEREBY RESOLVED, the following Findings of Fact were adopted at the January 26, 2021 Le Sueur County Board of Commissioners meeting in order to protect the public health, safety and general welfare of the citizens of Le Sueur County.

- 1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
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- 3. Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
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loading space to serve the proposed use.

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6. *The Conditional Use Permit is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.*
7. *The Conditional Use Permit is consistent with the Comprehensive Land Use Plan.*

BE IT FURTHER RESOLVED, by the Le Sueur County Board of Commissioners that based on the above Findings of Fact, a Conditional Use Permit to allow grading, excavating, and filling of 63 cubic yards on the lot of which 61 cubic yards are in the bluff for the construction of rip rap, dry creek bed, and stairs in the bluff in a Recreational Residential “RR” District, Lake Jefferson a Recreational Development “RD” lake, is **APPROVED/DENIED**.

ATTEST:

Steven Rohlfig, Chairman, Le Sueur County Board of Commissioners

Darrell Pettis, Le Sueur County Administrator

DATE: _____