



LE SUEUR COUNTY PLANNING AND ZONING COMMISSION  
88 SOUTH PARK AVE.  
LE CENTER, MINNESOTA 56057  
507-357-8538

**NOTICE OF PUBLIC HEARING**

**TO WHOM IT MAY CONCERN:**

**NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD.**

**DATE:** FEBRUARY 11, 2016

**TIME:** 7:00 PM

**PLACE:** ,

**PURPOSE:** To hear testimony from interested parties and consider Rezoning and Conditional Use Permit Applications and other questions pertaining to and as provided by the Zoning Ordinance of Le Sueur County as described below. ***Information regarding the applications is available for review at the Environmental Services Building during normal business hours.***

- ITEM #1** Planning and Zoning Commission Notice of Public Hearing
- ITEM #2** Planning and Zoning Commission Agenda
- ITEM #3** Traxler's Construction
- ITEM #4** Hanlon
- ITEM #5** Kamp Dels
- ITEM #6** Planning and Zoning Commission Approved Minutes 12/10/2015

**APPLICANT OR REPRESENTATIVE MUST BE PRESENT IN ORDER FOR THE APPLICATION TO BE HEARD.**

KATHY BROCKWAY, LE SUEUR COUNTY PLANNING & ZONING ADMINISTRATOR  
MICHELLE R. METTLER, ASSISTANT PLANNING & ZONING ADMINISTRATOR



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# **Le Sueur County, MN**

**Thursday, February 11, 2016**

**Regular session**

## **Item 1**

### **Planning and Zoning Commission Notice of Public Hearing**

Staff Contact: Kathy Brockway or Michelle Mettler

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION  
88 SOUTH PARK AVE.  
LE CENTER, MINNESOTA 56057  
507-357-8538

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD.

DATE: FEBRUARY 11, 2016

TIME: 7:00 P.M.

PLACE: Le Sueur County Environmental Services, 515 South Maple Ave, Le Center, MN.

PURPOSE: To hear testimony from interested parties and consider Rezoning, Amendments and Conditional Use Permit Applications, as provided by the Zoning Ordinance of Le Sueur County, as described below.

Applications are available for review at the Environmental Services Building during normal business hours and on the website on or after **FEBRUARY 2, 2016**.

**ITEM #1: TRAXLER CONSTRUCTION, PAT TRAXLER, (APPLICANT) LE CENTER, MN; BETTY ANN MOLLENHAUER C/O RALPH & EVA FIX, (OWNER) EDINA, MN:** Request that the County grant a Conditional Use Permit to allow mineral extraction of 50 acres of a 76.63 acre parcel in an Agriculture "A" District, in the Mineral Resources "MR" Overlay District and the Airport Zoning "AZ" Overlay District. Property is located in the S half of the SE1/4 and the E half of the SE1/4, Section 11, Ottawa Township. The application was tabled at the June 11, 2015 meeting for a Mandatory Environmental Review. The 30-day public comment period for the Mandatory Environmental Assessment Worksheet ended on January 6, 2016. A recommendation to approve the adequacy of this document and recommend a negative declaration on this project. Concluding that any potential environmental effects, which may result from this project, have been addressed. ***No public comment will be taken at this meeting***

**ITEM #2: DANIEL HANLON, ST PAUL, MN, (APPLICANT); JMH PARTNERSHIP LLC, ST PAUL, MN, (OWNER):** Request that the County grant a Conditional Use Permit to allow the applicant to establish and operate a self-serve storage facility in an Agriculture "A" District. Property is located in the NE 1/4 NE 1/4, Section 6, Derrynane Township.

**ITEM #3: KAMP DELS, WATERVILLE, MN, (APPLICANT); POPE PROPERTIES, WATERVILLE, MN, (OWNER):** Request that the County grant a Conditional Use Permit to allow the applicant an expansion to an of an existing campground to relocate 7 existing sites and create an additional 4 sites in an Agriculture "A" District. Property is located in the NW 1/4 SE 1/4, Section 23, Waterville Township.

APPLICANT OR REPRESENTATIVE MUST BE PRESENT IN ORDER FOR THE APPLICATION TO BE HEARD.

KATHY BROCKWAY, LE SUEUR COUNTY PLANNING & ZONING ADMINISTRATOR  
MICHELLE R. METTLER, ASSISTANT PLANNING & ZONING ADMINISTRATOR





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# **Le Sueur County, MN**

**Thursday, February 11, 2016**

**Regular session**

## **Item 1**

### **Planning and Zoning Commission Agenda**

Staff Contact: Kathy Brockway or Michelle Mettler

# LE SUEUR COUNTY PLANNING AND ZONING COMMISSION MEETING AGENDA

**ORGANIZATION:** LE SUEUR COUNTY PLANNING/ZONING COMMISSION

**MEETING DATE:** February 11, 2016

**MEETING PLACE:** Le Sueur County Environmental Service

**Beginning Time:** 7:00 P.M.      **Ending Time:** Approx. 9:00 P.M.

**If you CANNOT be at the meeting, contact DENISE at 357-8538**

## AGENDA:

Meeting Called  
to Order.

**ITEM #1:** TRAXLER CONSTRUCTION, PAT TRAXLER, (APPLICANT) LE CENTER, MN; BETTY ANN MOLLENHAUER C/O RALPH & EVA FIX, (OWNER) EDINA, MN: Request that the County grant a Conditional Use Permit to allow mineral extraction of 50 acres of a 76.63 acre parcel in an Agriculture "A" District, in the Mineral Resources "MR" Overlay District and the Airport Zoning "AZ" Overlay District. Property is located in the S half of the SE1/4 and the E half of the SE1/4, Section 11, Ottawa Township. The application was tabled at the June 11, 2015 meeting for a Mandatory Environmental Review. The 30-day public comment period for the Mandatory Environmental Assessment Worksheet ended on January 6, 2016. A recommendation to approve the adequacy of this document and recommend a negative declaration on this project. Concluding that any potential environmental effects, which may result from this project, have been addressed. *No public comment will be taken at this meeting*

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**DISCUSSION; Upcoming Land Use Workshop**

**MINUTES-WARRANTS**

**ADJOURN      9:00 P.M.**

**Planning & Zoning Commission Public Hearing Procedure:** The Chairman calls the meeting to order, then calls the item to be heard and asks the Applicant or representative present to come to the podium to answer any questions or present any comments. The Chairman opens the meeting to the public. Each speaker comes to the podium and states their name for the record prior to making a statement or posing a question. **All questions or comments are to be directed to the board, NOT THE APPLICANT.** After the public comments the Planning Commission publicly discusses the information and reviews the findings before making a motion. All meetings are recorded.



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# **Le Sueur County, MN**

**Thursday, February 11, 2016**

**Regular session**

## **Item 1**

**Traxler's Construction**

Staff Contact: Kathy Brockway or Michelle Mettler

## **LE SUEUR COUNTY**

### **IN THE MATTER OF THE DECISION ON THE NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED TRAXLER CONSTRUCTION, INC. GRAVEL MINE EXPANSION LE SUEUR COUNTY, MINNESOTA**

### **FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER**

Traxler Construction, Inc., (Proposer) proposes to expand an existing aggregate mining and processing facility in Le Sueur County, Minnesota. Consistent with Minnesota Rules Chapter 4410, Le Sueur County, the responsible governmental unit (RGU), has prepared the Traxler Construction, Inc. Environmental Assessment Worksheet (EAW).

### **FINDINGS OF FACT**

#### **Project Description**

1. The project is an expansion of an existing sand and gravel mine in Le Sueur County.
2. The expansion parcel is located across Minnesota Trunk Highway (MTH) 112 from the existing mine and processing plant. The total acreage of parcels with existing and proposed mining and processing activities is 152.92 acres. The expansion site will encompass 78 acres, of which no more than 49.3 acres will be mined.
3. Mining involves the removal of overburden to expose the sand and gravel, excavation, crushing, screening and conveying the material under the highway for additional processing, stockpiling and sales at the existing mine.
4. Reclamation will be concurrent with mining.

#### **Project History**

1. The proposed project (Project) is the expansion of existing sand and gravel mining and processing facility that has been operated by the Proposer since 1989 and others before that.
2. The existing mine is "grandfathered in" and does not operate under a Conditional Use Permit.
3. The Project involves expanding the existing sand and gravel mine located on the east side of Minnesota Trunk Highway (MTH) 112 to the west side of the highway.
4. The existing mining/processing property encompasses approximately 75 acres and mining operations are proposed to expand onto property encompassing 78 acres.

### **Procedural History**

1. On November 24, 2015, Le Sueur County released the Draft EAW for the Traxler Construction Inc. Gravel Mine Expansion; and
2. On December 2, 2015, public notice on the availability of the Draft EAW appeared in the Le Center Leader newspaper.
3. On December 7, 2015, public notice on the availability of the Draft EAW appeared in the State of Minnesota Environmental Quality Board's publication: the EQB Monitor.
4. The Draft EAW was sent to the following agencies for review and comment:
  - a. U.S. Army Corps of Engineers
  - b. U.S. Fish & Wildlife Services
  - c. Board of Water and Soil Resources
  - d. Minnesota Department of Agriculture
  - e. Minnesota Department of Health
  - f. Minnesota Department of Natural Resources
  - g. Minnesota Department of Transportation
  - h. Minnesota Environmental Quality Board
  - i. Minnesota Historical Society
  - j. Minnesota Pollution Control Agency
  - k. Minnesota Department of Commerce
  - l. Minnesota State Archaeologist
  - m. Region Nine Development Commission
  - n. Indian Affairs Council
  - o. Le Sueur County Planning and Zoning
  - p. Le Sueur County Soil and Water Conservation District
  - q. Le Sueur County Transportation Department and,
5. Copies of the document were placed in the Le Sueur County Environmental Services office, Technology and Science Library, the Region Nine Development Library (Blue Earth County Library), Le Sueur Public Library, and Le Center Library, and,
6. The deadline for comment on the EAW was January 6, 2016.
7. The County received comments from two governmental agencies: Minnesota Pollution Control Agency and Minnesota State Historic Preservation Office.
8. The County received no comments from the public.

### **Comments and Response to Comments**

Copies of the comment letters are included as Attachment A. Individual comments and responses are provided:

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Commenter: Karen Kromar, Planner Principal, Environmental Review Unit,

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Resource Management and Assistance Division, MPCA

Comment Date: January 5, 2016

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Thank you for your response regarding the Traxler Construction, Inc. Gravel Mine Expansion Environmental Assessment Worksheet.

1. Question/Comment: Permits and Approvals (Item 8). This facility is currently regulated under general industrial stormwater No Exposure permit coverage. This is typically unachievable for the type of activities conducted at a sand and gravel mining operation. Please clarify if all of the proper permits have been obtained, or applied for, for the existing and future industrial activities at this location. For questions regarding industrial stormwater, please contact Melissa Wenzel at 651-757-2816.

Response: The project proposer has a General Permit for Nonmetallic Mineral Mining and Associated Activities MNG490268 as well a General Permit for Industrial Stormwater Multi-Sector Permit MNRNE38BJ from the MPCA. The Industrial Stormwater Multi-Sector Permit has a no Exposure Exclusion. The proposer will terminate the Industrial Stormwater Multi-Sector permit (and no exposure exclusion) and operate exclusively under the Nonmetallic Mineral Mining Permit. As required under the Nonmetallic Mineral Mining and Associated Activities permit, a site-specific stormwater pollution prevention plan will be developed and implemented for the existing mining operation as well as the expansion area.. The General Permit for Nonmetallic Mineral Mining and Associated Activities includes stormwater discharges associated with construction activity and small construction activity and will therefore be the only NPDES permit required for site operation,

2. Question/Comment: Water Resources (Item 11). As noted in the EAW, the Minnesota River is within one mile and is impaired. Please note that the impairment will dictate additional increased stormwater treatment during construction and require additional increased treatment post construction. These requirements will be included in the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Construction Stormwater Permit. The Project proposer should determine that compliance with these increased stormwater water quality treatments can be achieved on the Project site or elsewhere. Information regarding the MPCA's Construction Stormwater Program can be found on the MPCA's website at <http://www.pca.state.mn.us/water/stormwater/stormwater-c.html>. Questions regarding Construction Stormwater Permit requirements should be directed to Roberta Getman at 507-206-2629.

Response: The General Permit for Nonmetallic Mineral Mining and Associated Activities includes stormwater discharges associated with construction activity and small construction activity. The

additional best management practices that are required for construction activities located within 1 mile of impaired waters will be incorporated into the stormwater pollution prevention plan prepared for the project. Applicable additional stormwater quality treatments include stabilizing exposed soils area no later than 7 days after activity has ceased in that area, and providing temporary sedimentation basins for common drainage locations that serve an area with 5 or more acres disturbed at one time.

3. Question/Comment: Noise (Item 17) As noted in the EAW, the facility will have to comply with NAC-I on the residential property in the area of normal residential use. The EAW does not specify the hours of operation. Please note that the Minnesota noise standards are more stringent during nighttime hours of 10:00 pm – 7:00 am and any operations during those hours will need to comply with the more stringent standard. For questions regarding the noise standard, please contact Amanda Smith at 651-757-2486.

Response: Le Sueur County ordinance states that general mining and processing activities may take place from 6:00 am to 7:00 pm, Monday through Saturday, unless otherwise specified in the Conditional Use Permit. Therefore the project may be subject to both the daytime noise standards and the more restrictive nighttime standards. The project proposer will comply with all applicable state noise standards. The Conditional Use Permit will address hours of operation as well as noise mitigation measures.

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Commenter:	Sarah J. Beimers, Manager, Government Programs, and Compliance State Historic Preservation Office
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Comment Date:	December 23, 2015
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Thank you for your response regarding the Traxler Construction, Inc. Gravel Mine Expansion Environmental Assessment Worksheet.

4. Question/Comment: Due to the nature and location of the proposed project, we recommend that a Phase I archaeological survey be completed. The survey must meet the requirements of the Secretary of the Interior's Standards for Identification and Evaluation, and should include an evaluation of National Register eligibility for any properties that are identified.

Response: A Phase I Archaeological Survey will take place this spring, once the snow has melted. The Phase I Archaeological Survey will meet the requirements of the Secretary of the Interior's Standards for Identification and Evaluation including a walkover of the agricultural land at regular intervals and digging several holes (usually spaced every 50 feet) anywhere that the ground surface visibility is less than 25%. Since corn stubble is left from last year's crop, the survey will take place

after the field has been tilled. A report will be prepared which will, include additional documents and research if any sites are identified. Upon completion, the Phase I report will be sent to SHPO for review and comment. If any site is identified that is possibly significant, then a Phase II could be needed

If any significant site is identified, the limits of mining may need to be amended, based on the results of the archaeological survey. This will be addressed by the Conditional Use Permit.

### **Criteria for Determining the Potential for Significant Environmental Effects**

The purpose of the EAW is to identify potential environmental effects and determine whether or not an Environmental Impact Statement (EIS) is required. An EIS is undertaken when the project has the potential for significant environmental effects. The RGU determines if a project has the potential for significant environmental effects based on four criteria as outlined in Minnesota Rule 4410.1700:

1. The type, extent, and reversibility of environmental effects;
2. Cumulative potential effects;
3. Extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority; and
4. Extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer.

Determining whether a project needs or does not need an EIS is an evaluation of the potential for significant environmental effects based on the above criteria. An analysis of the four criteria is provided in this Record of Decision.

1. Type, extent, and reversibility of environmental effects:

#### **Historic Resources**

- 1.1 The State Historic Preservation Office (SHPO) has no record of any historical properties on the site, but recommends that a Phase I Archaeological Survey be conducted to determine if there are any sites of cultural resources significance.
- 1.2 The Phase 1 Archaeological Survey will be completed prior to grading or striping activities stripping operations and mining limits may be adjusted based on the findings of the survey to minimize or eliminate the potential for significant irreversible impacts.

#### **Erosion and Sedimentation**

- 2.1 The mine operates under a Minnesota Pollution Control Agency (MPCA) General Permit for non-metallic mineral mining, which will be amended to include the expansion area.



- 2.2 Erosion and sedimentation will be controlled using MPCA Best Management Practices (BMP) and treating and stormwater that contacts disturbed soil or other significant material prior to discharge off-site in accordance with a site specific stormwater pollution prevention plan to be prepared for the existing mine and the expansion property. BMPs to be implemented may include silt fences, berms, rock construction entrances, and seeding disturbed areas.

2. Cumulative potential effects of related or anticipated future projects:

The EAW addressed potential cumulative effects of this mine operating alongside several other mines operating in the area. Specifically cumulative impacts to wildlife habitat and natural plant communities, ground water quantity and quality, stormwater and wastewater. Because mining is conducted in phases and reclamation is conducted as phases of mining are completed, cumulative effects are minimized. In addition, this is the continuation of an on-going mining operation and increases in production which may be associated with an increase in the potential for cumulative environmental effects are not anticipated.

3. The extent to which environmental effects are subject to mitigation by ongoing public regulatory authority:

- 3.1 All appropriate permits are in place (as a result of the existing operation) and will be modified or obtained before work starts in the expansion area.
- 3.2 The following environmental effects are subject to MPCA regulatory authority:  
Stormwater; Water Quality; Noise; Fuel Storage and Air Emissions.
- 3.3 The following environmental effects are subject to DNR regulatory authority:  
Water Quantity; Surface Waters; Wetlands/public waters; and Wildlife and Habitat.
- 3.4 A Phase I Archaeological Survey will be conducted this spring to determine if there are any sites of cultural resource significance involved with the project before work starts on the project. If any significant sites are found, mitigation will be addressed in the Conditional Use Permit.

4. The extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer:

- 4.1 No other EISs or studies undertaken by public agencies or the proposer were reviewed.

## **CONCLUSIONS**

- A. The EAW, comments received on the EAW, and the responses prepared, have generated sufficient information to determine whether the Proposed Project has the potential for significant environmental effects.

- B. Areas where the potential for significant environmental effects from the Project may have existed have either been identified and incorporated into the EAW or will be mitigated through State and local mandatory permitting and regulatory procedures.
- C. The Project will be required to meet all regulatory standards through permitting, monitoring, and mitigative measures.
- D. Based upon the criteria established in Minnesota Rule 4410.1700, subpart 7, the Project does not have the potential for significant environmental effects. An Environmental Impact Statement is not required.
- E. Any findings that might properly be termed conclusions and any conclusions that might properly be termed findings are hereby adopted as such.

### **ORDER**

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF LE SEUER COUNTY, STATE OF MINNESOTA, as follows:**

That the Le Sueur County Board, after review of the findings of facts and conclusions determines that there are no potential significant environmental effects reasonably expected to occur from the Traxler Construction Inc. Gravel Mine Expansion and three there is no need for an Environmental Impact Statement,

The motion for the adoption of the foregoing resolution was duly seconded by Board member \_\_\_\_\_ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Le Sueur County Board this the 16th day of February 2016.

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Chairperson, Board of County Commissioners

**ATTEST:**

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County Administrator



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# **Le Sueur County, MN**

**Thursday, February 11, 2016**

**Regular session**

## **Item 2**

**Hanlon**

Staff Contact: Kathy Brockway or Michelle Mettler

# STAFF REPORT

## GENERAL INFORMATION

**APPLICANT:** DANIEL HANLON  
**OWNER:** JMH PARTNERS LLP

**911 ADDRESS:** 28108 243<sup>RD</sup> AVE. BELLE PLAINE MN 56011

**PROJECT DESCRIPTION:** Establish and operate a self-service storage facility.

**AG DISTRICT PURPOSE:** The Agriculture (A) District is established for areas where agriculture uses are seen as the best and highest long term use of the land. The land itself needs to be preserved for primarily agricultural activities. These areas should avoid existing cities, residential zones and subdivisions. They should be large contiguous land areas with mostly prime soils. Rezoning should only be considered on the zone's borders in order to maintain the Zoning integrity of the District. Dwellings that are allowed should be on the edges of the open farmland where possible or utilize existing abandoned farm sites. The total number of Dwellings shall not exceed sixteen (16) per section of land with the exception of Transfer of Development Right and lots of record. Transfer of development rights may be utilized to exceed the permitted housing density of one dwelling per quarter-quarter section (40 acres), provided that the density does not exceed four dwellings per quarter-quarter section in the receiving quarter-quarter section. Lots of Record, shall be exempt from density standards.

**ZONING ORDINANCE SECTIONS:** Section 8, Subdivision3.X, Section 19

**Definition: SELF-SERVICE STORAGE FACILITY** - A commercial structure or group of structures that contain varying sizes of individual compartmentalized and controlled access stalls or lockers for the storage of customers' items.

## SITE INFORMATION

**LOCATION:** 31.92 acre parcel, Section 6, Derrynane Township

**ZONING:** Agriculture "A" District

**GENERAL SITE DESCRIPTION:** Ag land

**ACCESS:** Township Road

**EXISTING LAND USE WITHIN ¼ MILE:**

North: Ag/Scott County	South: Ag/ Type 1 Wetlands
East: Ag/Type 1 Wetlands	West: Ag

## TOWNSHIP BOARD NOTIFICATION

The applicant contacted Jim Kroyer & Cindy Jirak, Derrynane Township Board members on December 28, 2015.

## NATURAL RESOURCES INFORMATION

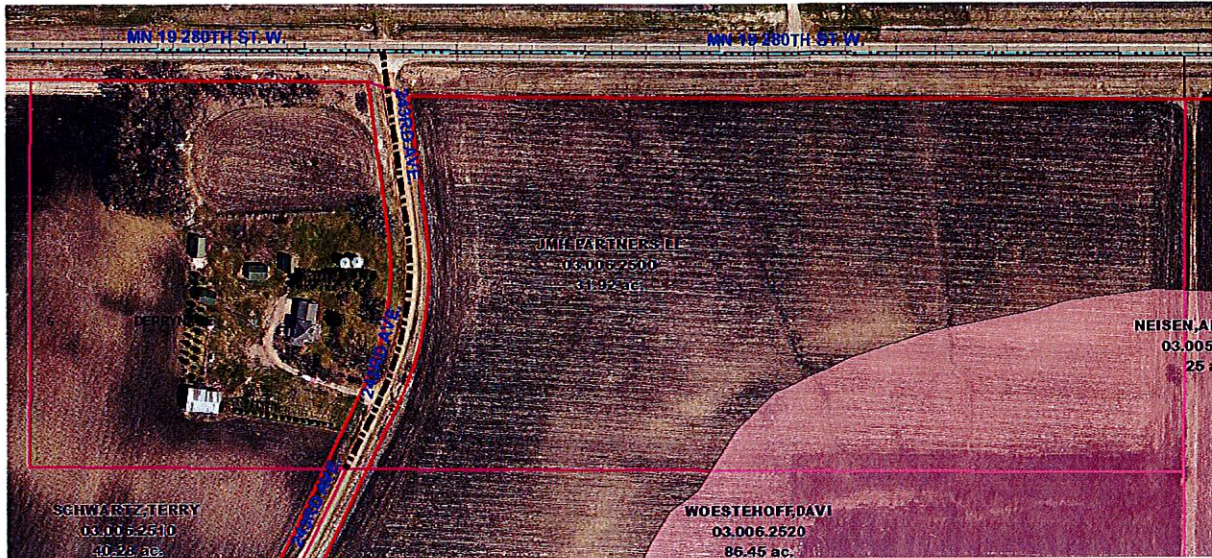
**SHORELAND:** The proposal is not located within the Shoreland District.

**WETLANDS:** According to the National Wetlands Inventory, Type 1 wetlands located in the quarter-quarter section where the project is proposed.

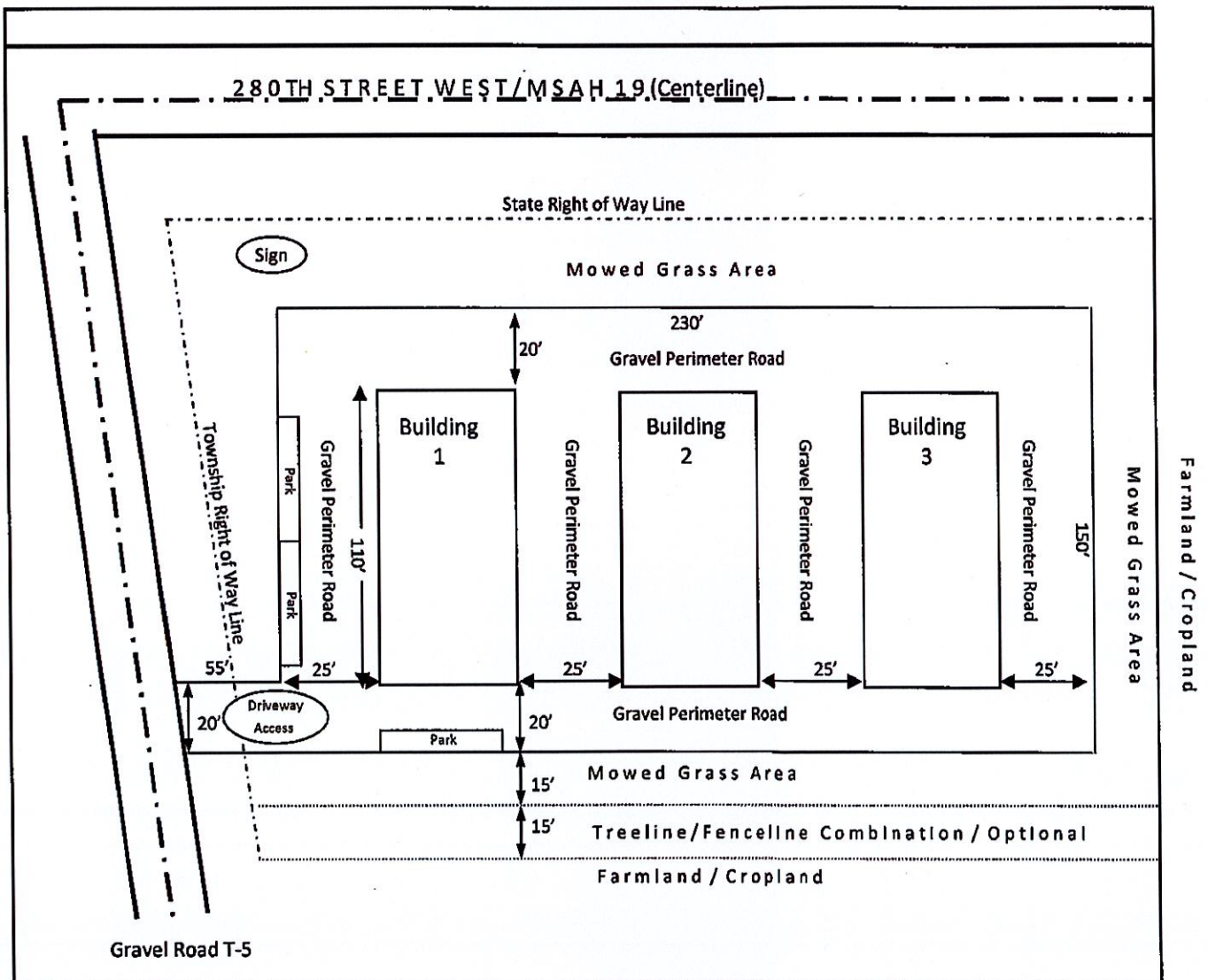
## ATTACHMENTS

Site Plan, Narrative, access approval, photos

# AERIAL PHOTO/SITE PLAN



## SITE PLAN



## PLANNING AND ZONING COMMISSION CONSIDERATIONS

The Planning Commission and staff shall consider possible adverse effects of the proposed conditional use and what additional requirements may be necessary to reduce such adverse effects. Its judgment shall be based upon the following factors to include, but not limited to:

1. Relationship to County plans.
2. The geographical area involved.
3. Whether such use will negatively affect surrounding properties in the area in which it is proposed.
4. The character of the surrounding area.
5. The demonstrated need for such use.
6. Whether the proposed use would cause odors, dust, flies, vermin, smoke, gas, noise, or vibration or would impose hazards to life or property in the neighborhood.
7. Whether such use would inherently lead to or encourage disturbing influences in the neighborhood.
8. Whether stored equipment or materials would be screened and whether there would be continuous operation within the visible range of surrounding residences.
9. Abatement of Environmental Hazards as regulated in this Ordinance
10. Other factors impacting the public health, safety and welfare.

## PLANNING AND ZONING COMMISSION FINDINGS

Based on the information submitted by the applicant, contained in this report, and as required by the Le Sueur County Zoning Ordinance, the following findings have been developed for this request:

(Please circle one for each item: *Agree*, *Disagree*, *Not Applicable*.)

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. A D NA
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. A D NA
3. The adequate utilities, access roads, drainage and other facilities have been or are being provided. A D NA
4. The adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. A D NA
5. The 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. A D NA

**Recommend** (circle one) *approval* / *denial* / *table* / *of Conditional Use Permit*.

**LE SUEUR COUNTY  
CONDITIONAL USE PERMIT CRITERIA**

PERMIT # 16002

**Applicant:** DANIEL HANLON, ST PAUL, MN, (APPLICANT); JMH PARTNERSHIP LLC, ST PAUL, MN, (OWNER)      **Date:** 02-11-2016

**Conditional Use Permit Request:** to allow the applicant to establish and operate a self-serve storage facility in an Agriculture "A" District. Property is located in the NE 1/4 NE 1/4, Section 6, Derrynane Township.

**ROLL CALL VOTE**

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.*

	CR	AG	PT	DR	BB	JD	SO	SK	DK	DRY	TOTAL
1.											
2.											
3.											
4.											
5.											

If all answers are "YES" by a majority of the Planning Commission, the criteria for granting of the Conditional Use Permit request have been met. The Conditional Use Permit will main the goals of safety, health and the general welfare of the public.

DATE: \_\_\_\_\_ APPROVED: \_\_\_\_\_

DENIED \_\_\_\_\_

PZ CHAIRPERSON \_\_\_\_\_

COUNTY BOARD MEETING DATE: \_\_\_\_\_



# Le Sueur County

## Conditional Use Application

### I. Applicant:

Name Daniel Hanlon, General Partner, JMH Partners LLP  
Mailing Address 14870 Granada Ave S #116  
City Saint Paul State MN Zip 55124  
Phone # 612-760-1550 Phone # Email: JMHLLP@usa5h.com

### II. Landowner:

Name JMH Partners LLP  
Mailing Address 14870 Granada Ave S #116  
City Saint Paul State MN Zip 55124  
  
Property Address 28108 243rd Avenue  
City Belle Plaine State MN Zip 56011  
Phone # 612-760-1550 Phone # Email: JMHLLP@usa5h.com

### III. Parcel Information:

Parcel Number 03.006.2500 Parcel Acreage 31.92  
Attach Full Legal Description (**NOT** abbreviated description from tax statement)  
Township Derrynane Twp-112 Range-24 Section - 06  
Subdivision \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

### IV. Township Notification: Township must be notified of proposed use prior to application.

Derrynane Township notified on December 28, 2015  
(Township Name) (Date)

Board Member Jim Kroyer / Cindy Jirak regarding the proposed use.  
(Name)

### V. Quantities and Submittal Formats:

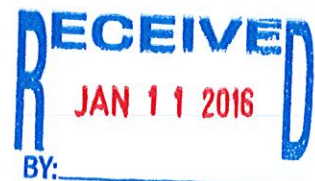
- One (1) reproducible 8.5" x 11" copy of the request and all other supporting documents.
- Twenty three (23) copies must be submitted, if any documents are in color, an aerial, or larger than 8.5" x 11" in size.
- Electronic version of any supporting documents *if available*.
- Additional copies may be requested as deemed necessary by the Department.
- Application must be made **in person** by the applicant and/or landowner no later than 12 P.M. on the date of application deadline.
- Appointment is necessary.
- Applications will not be accepted by mail.**

### VI. Fees: Must be paid at the time of application.

Conditional Use Permit \$ 750 After-The-Fact fee is **doubled.**  
Filing Fee \$ 46

#### Additional Fees:

Special Meeting \$ 2,000  
After-The-Fact Penalty \$ 1,500 OR 10% of improvement, whichever is greater



## VII. Type of Request:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Self Service Storage | <input type="checkbox"/> Value Added Agriculture            |
| <input type="checkbox"/> School/Church/Cemetery          | <input type="checkbox"/> Antique Sales/Service/Repair       |
| <input type="checkbox"/> Retail Nursery/Greenhouse       | <input type="checkbox"/> Substation/Transmission Lines etc. |
| <input type="checkbox"/> School/Church/Cemetery          | <input type="checkbox"/> Other _____                        |

## VIII. Description of Request:

- a. A full description of request with detailed information must be attached.
- b. Complete the following in relationship to the proposed Conditional Use Permit.
1. **PROPOSED DAYS AND HOURS OF OPERATION:** 24/7 365 days per year..generally daylight hours only.
  2. **ESTIMATED NUMBER OF PERSONS TO ATTEND PLACE OF BUSINESS/LOCATION ON A DAILY OR WEEKLY BASIS:**  
Average of 1.5 vehicles per day at full occupancy
  3. **LIST OF PUBLIC HEALTH PLANS:**
    - i. **Water Supply:** n/a
    - ii. **Toilet facilities:** n/a
    - iii. **Solid Waste Collection:** n/a
  4. **FIRE PREVENTION:** Two fire extinguishers per building
  5. **SECURITY PLANS:** All buildings have locking roll-up doors. Exterior lighting. Optional security cameras.
  6. **RETAIL SALES:** n/a
  7. **FOOD OR ALCOHOL SERVED OR FOR SALE:** n/a
  8. **DESCRIBE IF THE APPLICANT REQUESTS THE COUNTY TO PROVIDE ANY SERVICES OR COUNTY PERSONNEL:** *(For example, pedestrian and/or vehicular traffic control.)*  
none
  9. **SOUND AMPLIFICATION, PUBLIC ADDRESS SYSTEM, PLAYING OF MUSIC:**  
none
  10. **EXTERIOR LIGHTING:** Conform to Section 8 and state code. Mini storage lighting see attached narrative.
  11. **PARKING AND LOADING:** See attached narrative and site plan. Short term parking or stopping for tenants.
  12. **SIGNAGE:** Per county zoning ordinances, 32 sq ft maximum
  13. **ROAD ACCESS:** *(Approved by the road authority)* Derrynane Township Board approved access to T-5
  14. **CERTIFICATE OF INSURANCE:** Attached.
  15. **MEET ALL APPLICABLE COUNTY STATE & FEDERAL REGULATIONS:**  
*(For example additional licensing and/or permitting)* Meet as needed.

## IX. Site Plan: Shall include but not limited to the following:

- |                     |           |                       |                            |
|---------------------|-----------|-----------------------|----------------------------|
| • North point       | • Lake    | • Existing Structures | • Septic system            |
| • Setbacks          | • River   | • Proposed Structures | • Well                     |
| • Property Lines    | • Wetland | • Lot Dimensions      | • Access (size & location) |
| • Road Right-Of-Way | • Stream  | • Ponds               | • Easements                |
- 
- Parking *(Size & location-if applicable to application)*
  - Landscape, screening and buffering *(if applicable to application)*
  - Location of significant trees to be removed *(if applicable to application)*





X. Attachments: shall include but not limited to:

- ☒ a. Description of Request-See Part VIII for full details and requirements.
- ☒ b. Site Plan-See Part IX for full details and requirements.
- ☒ c. Full legal description-Not abbreviated description from tax statement.
- ☒ d. Access approval-Attach approval in writing from proper road authority.
- ☒ e. Township Notification-See Part IV for details and requirements.
- ☐ f. Septic System Compliance Inspection
- ☒ g. Erosion control plan-Attach completed and signed plan including map.
- ☒ h. Floor plans and/or blue prints



XI. Procedure:

The Planning & Zoning Commission shall hold a public hearing on the proposed Conditional Use Permit at a scheduled Planning and Zoning Commission meeting.

The Planning and Zoning Commission is an advisory board to the County Board of Commissioners and will make a recommendation to the County Board.

The Department shall report the findings and the recommendations of the Planning Commission to the County Board for final decision.

Action by the County Board shall be a majority vote of its members.

The Department shall notify the applicant and/or landowner in writing of the County Board decision.

A certified copy of the Conditional Use Permit shall be filed with the Le Sueur County Recorder by the Department.


XII. Signatures:

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

  
Applicant signature

JAN 12, 2016  
Date

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.

  
Property Owner signature

JMH PARTNERS LLP  
GENL MGR

JAN 12, 2016  
Date

OFFICE USE ONLY

Request: Self Storage Facility

Pre-App Date 1-11-16  
Meeting Date 2-11-16  
60 Day 3-11-16  
Zoning District A

Lake Classification —  
Lake —  
FEMA Panel # 27079C0 045  
Flood Zone X-outside

Feedlot 500' 1000' N  
Wetland Type 1-2 3-8 N  
Water courses Y N  
Bluff Y N

- ☒ Request Description
- ☒ Site Plan
- ☒ Full Legal
- ☒ Ordinance

- ☒ Access Approval
- ☒ Erosion Control Plan
- ☒ Blue Prints
- ☐ Other

- ☒ Septic
- ☒ Meeting
- ☒ Fee \$ 796
- ☐ Penalty \$
- Comp Insp / Design
- Reg / ATF / Spec

☒ Application Complete

  
Planning & Zoning Department Signature

1-11-16  
Date

16002  
Permit #

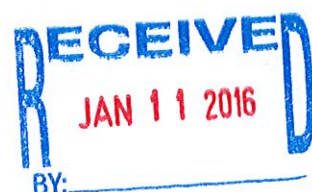
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# **DERRYNANE MINI STORAGE**

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**28108 243<sup>rd</sup> Avenue  
Belle Plaine MN**

**January 12, 2016**



## **Derrynane Mini Storage Description of Request**

**January 12, 2016**

### **Project Summary:**

Derrynane Mini Storage (DMS) is a drive-up self-storage facility proposed to be built in Derrynane Township, Le Sueur County, Minnesota, on an existing agricultural and homestead parcel of 32 acres. Township approval is required for driveway and road access, which has been granted. Zoning on the parcel is agricultural and County approval is required as a permitted conditional use for a self storage facility.

The property is adjacent to MN Highway 19, which is a major state highway with an average of 1,950 vehicles traveled per day. Highway 19 is a dividing line between Scott County, which is part of the seven county metro area, and Le Sueur County. The property is centrally located from the cities of New Prague, Montgomery, Le Center, Le Sueur, Henderson, Belle Plaine, and Jordan. All communities are experiencing growth in residents and homes as jobs are available in the seven county metro areas and within commuting distances.

DMS proposes three storage buildings and are projected to be built in either one or two Phases, Phase One will be two buildings of 45' x 110', and Phase Two is one building of 40' x 110'. Total projected square footage is 14,300 square feet. Phase One is being scheduled to begin in the spring of 2016.

Derrynane Mini Storage will construct all steel mini storage buildings that are similar in design and look to the buildings pictured on Attachment A.

### **Industry:**

The self storage or mini storage industry is a well defined business model. Unit sizes and construction methods have become standardized whereby the costs to construct and manage a facility are well known within the industry. There is a United States national mini storage association of owners (Self Storage Association representing over 48,500 facilities), and also a chapter for the state of Minnesota. Below are statistics generated from their organization:

The self storage industry in the United States generated \$27.2 Billion in annual U.S. revenues (2014). The industry has been the fastest growing segment of the commercial real estate industry over the last 40 years and has been considered by Wall Street analysts to be "recession resistant" based on its performance since the economic recession of September, 2008. The industry pays more than \$3.25 billion each year in local and state property taxes.

There are six public corporations operating in the industry: Public Storage, Extra Space Storage, CubeSmart, National Storage Affiliates Trust, Sovran Self Storage (Uncle Bob's) and U-Haul International. In addition, the industry has some 4,500 large and mid-sized firms that own and





operate more than one facility; yet there are still more than 26,000 one facility owner-operators.

**2015-16 SELF STORAGE INDUSTRY FACT SHEET (as of 07/01/2015)**

- The self storage industry has been one of the fastest-growing sectors of the United States commercial real estate industry over the period of the last 40 years
- There are now over 48,500 "primary" self storage facilities in the United States as of year-end 2014; another 4,000 are "secondary" facilities ("primary" means that self storage is the "primary" source of business revenue – US Census Bureau)
- There are approximately 60,000 self storage facilities worldwide as of Q2 – 2015; there are more than 3,000 in Canada and more than 1,000 in Australia.
- Total self storage rentable space in the US is roughly 2.5 billion square feet.
- U.S. self storage facilities pay a total of more than \$3.25 billion in property taxes to local government jurisdictions.
- The distribution of U.S. self storage facilities (Q2-2015) is as follows: 32% urban, 52% suburban and 16% rural.
- Occupancy rates for self storage facilities as of Q2 2015 were 90% (percentage of units rented per facility) up from 86.8% at year-end 2013.
- In fact, about 9.5% of all American households currently rent a self storage unit (10.85 million of the 113.3 million US HHs in 2013; that has increased from 1 in 17 US HHs (6%) in 1995 (20 years ago).
- The average (mean) size of a "primary" self storage facility in the US is approximately 56,900 square feet.
- The top-6 self storage companies, including 5 real estate investment trusts (Public Storage, Extra Space, National Storage Affiliates Trust, Sovran and CubeSmart) plus U-Haul (a public company / non-REIT), own, operate and/or manage some 5,800 self storage facilities, or about 12% of all US facilities.
- In addition to the public companies in the industry (above), there are more than 150 privately held firms that own and operate 10 or more self storage facilities. In addition, there are some 4,000 firms that own and operate from 2-9 self storage facilities. Lastly, there are more than 26,000 firms that own and operate just one facility.
- 83.9% of all US counties (or 2,634 out of 3,141) have at least one "primary" self storage facility.

Depending upon the size of the projects, market demand, and motivation of the owners, some mini storage facilities are operated with full time operators who make a sole living from the business, whereas it is also common for smaller facilities to be operated as supplemental income.

**Project Construction:**

Derrynane Mini Storage will be constructed to current industry standards and in accordance with any applicable building codes for the State of Minnesota and any zoning requirements of Le Sueur County. The buildings will be galvanized steel framing construction, with painted steel siding and roofing, generally considered an all-steel building constructed on a concrete floating base. Doors are also steel of the mini storage roll up design style. Building sides will be in white or off white, with green doors and trim. See Attachment A for photos of a similar design. Access



road and driveways may be gravel or asphalt paved, to be determined at building permit timeframe, with comparable facilities in the market area equally mixed between paved and gravel. There are pros and cons to both.

There are several turn-key manufacturers and manufacturer approved construction crews that will construct the buildings onsite and turnkey. Separately bid and contracted are grading and site preparation, concrete installation, electrical installation, optional asphalt paving, and landscaping. DMS has solicited bids from experienced contractors on every aspect of the project. Construction time frame is expected to be eight to twelve weeks, depending upon contractor schedules and weather.

Phase One consists of Building 1 and Building 2, each 45' x 110'. Each building will have standard 10' x 20' units and 10' x 25' units along the length of the buildings. Phase Two consists of one building, Building 3, 40' x 110' with standard 10' x 20' units along the length of the building. See the separate Building Interior Floor Plan for layout design and number of units per building. The actual number of units may vary slightly at building permit application depending upon whether end wall storage units are added. Also, some steel building contractors offer designs that allow for some non-structural interior walls to be moved to allow for different unit sizes depending upon tenant demand. This allows for more flexibility in the interior building layout. Derrynane Mini Storage may use some movable (non structural) interior walls, to be determined at the time of building permit application.

Exterior lighting is generally standardized within the mini storage industry, primarily consisting of downward facing exterior wall mounted enclosures utilizing LED light bulbs for low energy use and are automatically activated at dawn. DMS will install these lights every 35-55 feet, so essentially two lights per building length. DMS will also install motion activated flood lights around corners of Building One since it is the closest building to road access. There is no business or tenant need for overhead pole lighting, as evening use after dark is not encouraged.

JMH Partners will act as the general contractor in soliciting all bids and general management of the project. The General Manager of JMH Partners LLP has experience in developing and financing commercial, residential and industrial properties.

**Target Market Renter Profile:**

Statistically, 68% of self storage renters are from single family homes, and 65% have a garage but still rent storage. 27% live in apartments or condominiums. 43% drive ten minutes or less, and 30% drive up to twenty minutes, indicating that approximately 75% of renters drive twenty minutes or less. Derrynane Mini Storage is located in the center of seven surrounding communities (New Prague, Montgomery, Le Center, Le Sueur, Henderson, Belle Plaine, and Jordan) all within an average of a fifteen minute drive. These communities have a combined population of approximately 30,000 residents.

The remaining 25% of renters will drive 20 to 60 minutes, which would include a market area of the complete seven county metro areas, along with the Mankato and St. Peter communities.





About 32% of renters visit their unit each month and another 39% fewer than six times per year. There is limited traffic and use of a self storage facility. Upon completion of both Phase One and Two, at full capacity the average traffic volume is approximately 1 - 2 vehicles per day.

Upon learning about a self storage facility, usually from driving by, prospective renters' first methods of contact with a facility are 90% by phone or by stopping in to visit, supplemented by a facility website. 53% of prospective renters rent from the first facility they contact.

As anticipated, 88% of renters range in ages from 25 – 70 years old. 50% of renters are age 50 and above. 81% of renters rent one unit, and 19% rent more than one unit. 52% of renters stay longer than one year, and the national average is 60% of renters are female.

75% of renters state the ability to drive up to the unit is a most important feature. DMS is constructed with all drive up units, with anytime access which is a most important feature to 83% of renters.

Businesses in the area are also renters of self storage units. 10% of all businesses rent self storage. 67% of business storage is from small businesses of twenty or less employees. DMS anticipates limited business storage however there may be demand.

Derrynane Mini Storage units are generally sized to the 10' x 20' and 10' x 25' size, which is comparable to a one-car garage size, and a universal standard size in mini storage. Units of this size are not intended for general boat storage, motor home, pontoon boats, etc...as this would require larger units and larger turning radii. Instead units of this size are for general personal and business storage needs. The perimeter drive roads around most mini storage facilities range from a width of 15' – 30' width. DMS anticipates having a 25' drive road between buildings and a 20' width road on the end walls. Although parking spaces are provided, renters generally stop only in front of their units for loading and unloading purposes, and are only on the property for a short period of time.

### **Marketing:**

Site location is the number one reason people know you are there, which is one of the primary drivers in determining a self storage business. The proposed site has highway frontage on a well traveled road of approximately 1,950 vehicles per day, an increase of 8.3% during the last two years. Over 40% of renters first learn of a self storage facility while driving, and over 20% from word of mouth, and about 20% from the internet.

DMS will have professional signage on the property adjacent to the highway to provide maximum impact and visibility to passing drivers. Additionally, DMS will have a website which will be searchable from the internet. By utilizing these methods of location, word of mouth, and website, we will capture over 80% of prospective renters.

The remaining 20% of prospective renters are from phone book ads, newspaper ads, billboards, mailings, and radio ads. DMS anticipates utilizing these other methods in a limited supplemental manner as they are no longer the main market drivers to attracting renters and are the most costly and currently least effective.





**Competition:**

Each surrounding community has various facilities of mini or self storage, ranging from older wood framing construction to the newly constructed more modern steel construction due to the growth of population and consumer demand. Derrynane Mini Storage is constructed using the newest current industry standards of steel construction, and will be fully comparable to existing storage facilities in the surrounding market area. DMS will also be priced competitively to the local market. DMS will be one of the newest yet by total square footage will be a smaller facility, and more of a niche player in the market due to its location and size.

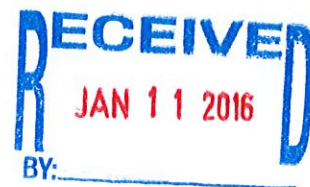
The storage facilities in the surrounding communities generally have an occupancy range of 90-100% based on research over the last five years. Some communities are at 100% which has encouraged construction of additional buildings. Market prices have remained stable and are mid-priced. Further outside the metro area the prices decline, and just a few miles north to the southern metro areas of Shakopee, Chaska and Burnsville markets, the prices increase by over 50%. Some facilities are benefiting from this, as renters have found they can rent a few miles south for a significant savings.

**Market Pricing Comparison:**

Derrynane Mini Storage anticipates pricing to the local market in order to remain competitive, and has the ability to price slightly under if desired or needed to reach capacity.

**Current Property Status:**

The entire property consists of 32 acres which includes a renovated and updated residence with outbuildings (original farmstead) situated on 10 acres across the road on the west side, with the mini storage proposed for the east side of the township road which is situated on 22 acres. Approximately 25 acres in total are tillable.



## LEGAL DESCRIPTION

PROPERTY OWNER:

JMH Partners LLP  
28108 243<sup>rd</sup> Avenue  
Belle Plaine MN 56011

PROPERTY ID: 03.006.2500

32 ACRES LEGAL DESCRIPTION:

Part of the Northeast Quarter of Section 6, Township, 112 North, Range 24 West, Le Sueur County, Minnesota described as: Commencing at the North Quarter corner of said Section 6; thence South 89 degrees 37 minutes 01 seconds East (Le Sueur County Coordinates NAD83, 1996 Adjustment) on the north line of said Northeast Quarter of Section 6, a distance of 201.10 feet to the South Quarter corner of Section 31, Township 113 North, Range 24 West; thence South 89 degrees 37 minutes 14 seconds East on said north line of the Northeast Quarter of Section 6, a distance of 471.15 feet to the point of beginning; thence South 00 degrees 17 minutes 34 seconds West, a distance of 701.24 feet; thence South 89 degrees 37 minutes 13 seconds East, a distance of 1985.79 to the east line of said Northeast Quarter; thence North 00 degrees 37 minutes 16 seconds East on said east line, a distance of 701.24 feet to the Northeast corner of said Section 6; thence North 89 degrees 37 minutes 13 seconds West on the north line of said Northeast Quarter, a distance of 1989.81 feet to the point of beginning.  
Contains 32.00 acres of land.



## Dan Hanlon

---

**From:** Jirak, Cindy [cjirak@co.le-sueur.mn.us]  
**Sent:** Tuesday, January 05, 2016 10:21 AM  
**To:** Dan Hanlon JMH Partners LLP  
**Subject:** RE: Township Approval-December 28, 2015  
**Follow Up Flag:** Follow up  
**Flag Status:** Red

This e-mail is to confirm that on 12-28-15 Dan Hanlon attended the Derrynane Township meeting. He received permission from the supervisors to change the location of the proposed mini-storage unit site from the west side of township road T-5 to the east side of the same roadway. The supervisors have requested that the driveway for the proposed storage unit site be near the southern end of the building site.

Cindy Jirak  
Clerk, Derrynane Township

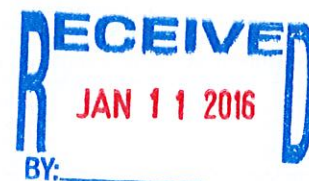
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**From:** Jirak, Cindy [mailto:cjirak@co.le-sueur.mn.us]  
**Sent:** Friday, October 30, 2015 3:09 PM  
**To:** 'DLH'  
**Subject:** RE: Township Approval

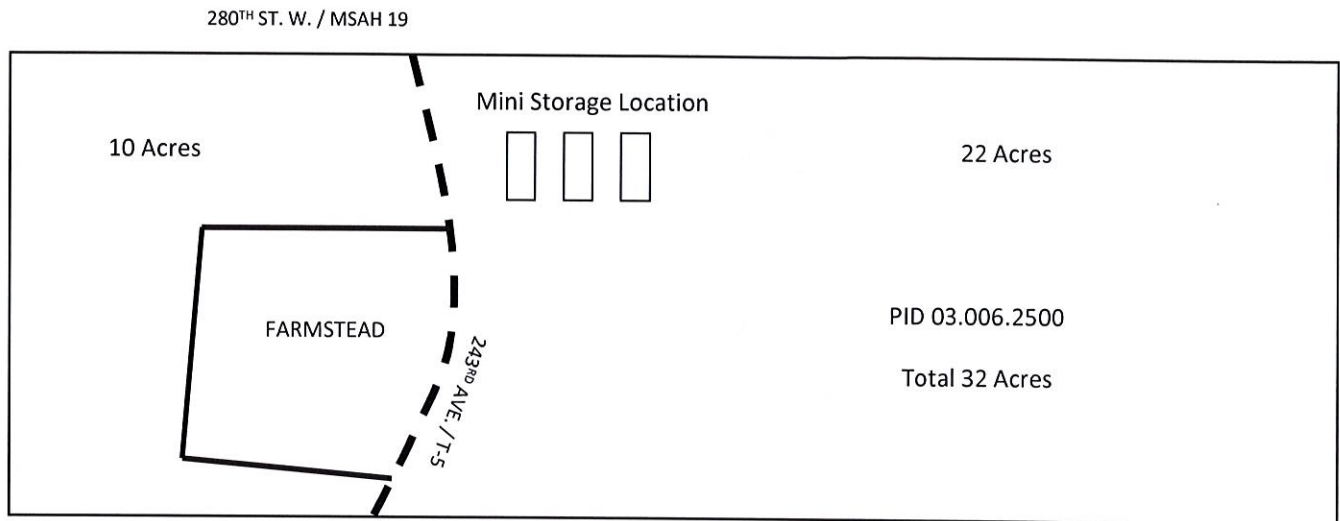
To: Dan Hanlon  
JMH Partners LLP

Mr. Hanlon – this e-mail is to confirm that on 10-26-15 you presented to the Town Board of Derrynane Township the proposed building of mini-storage units within the township and that the town board has given it's approval to the project and the proposed driveway location off Township Road T-5.

Cindy Jirak, Derrynane Township Clerk

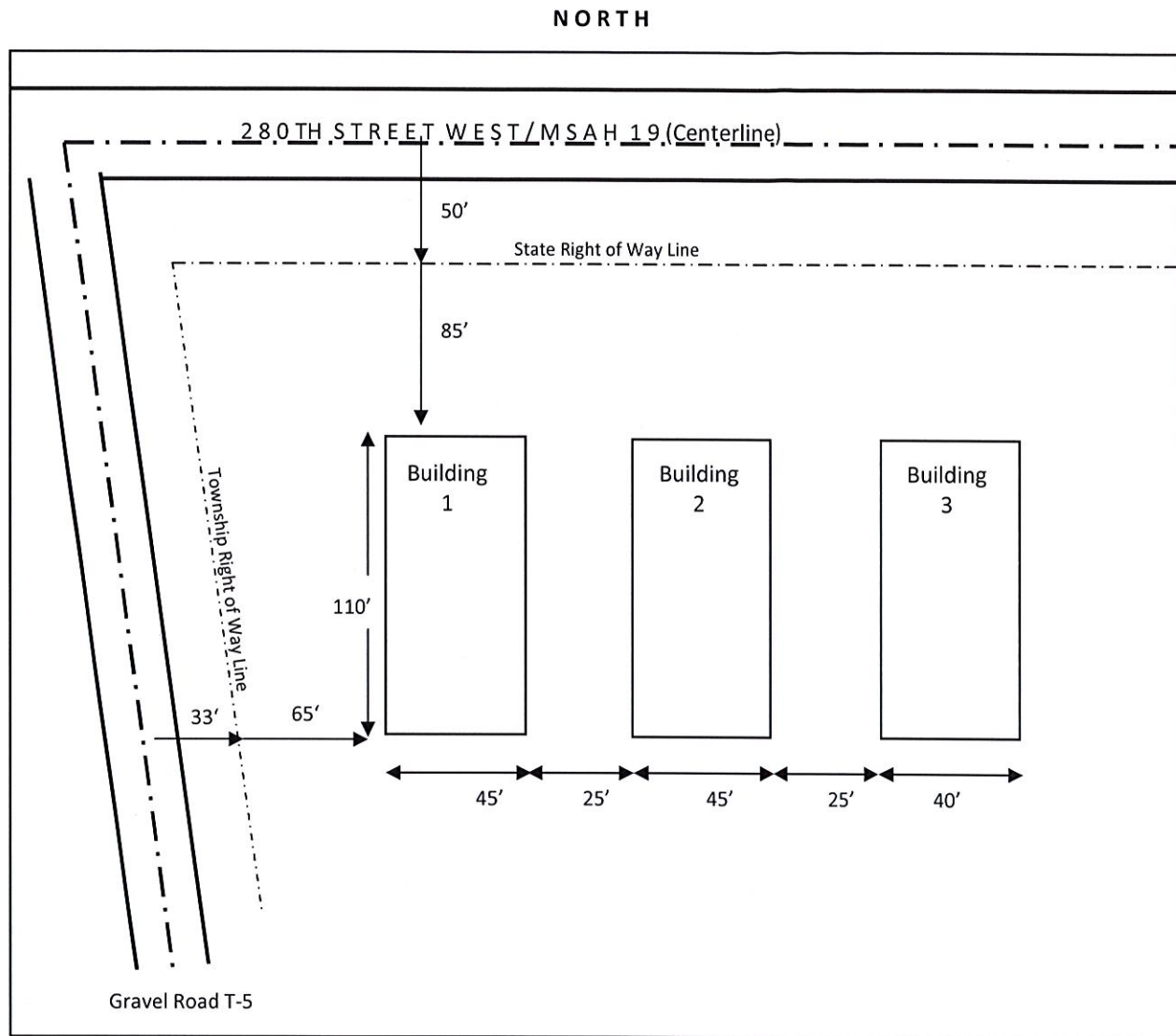


Derrynane Mini Storage  
General Site Layout



RECEIVED  
JAN 11 2016  
BY: \_\_\_\_\_

**Derrynane Mini Storage  
Detailed Site Plan – Right of Way Setbacks**



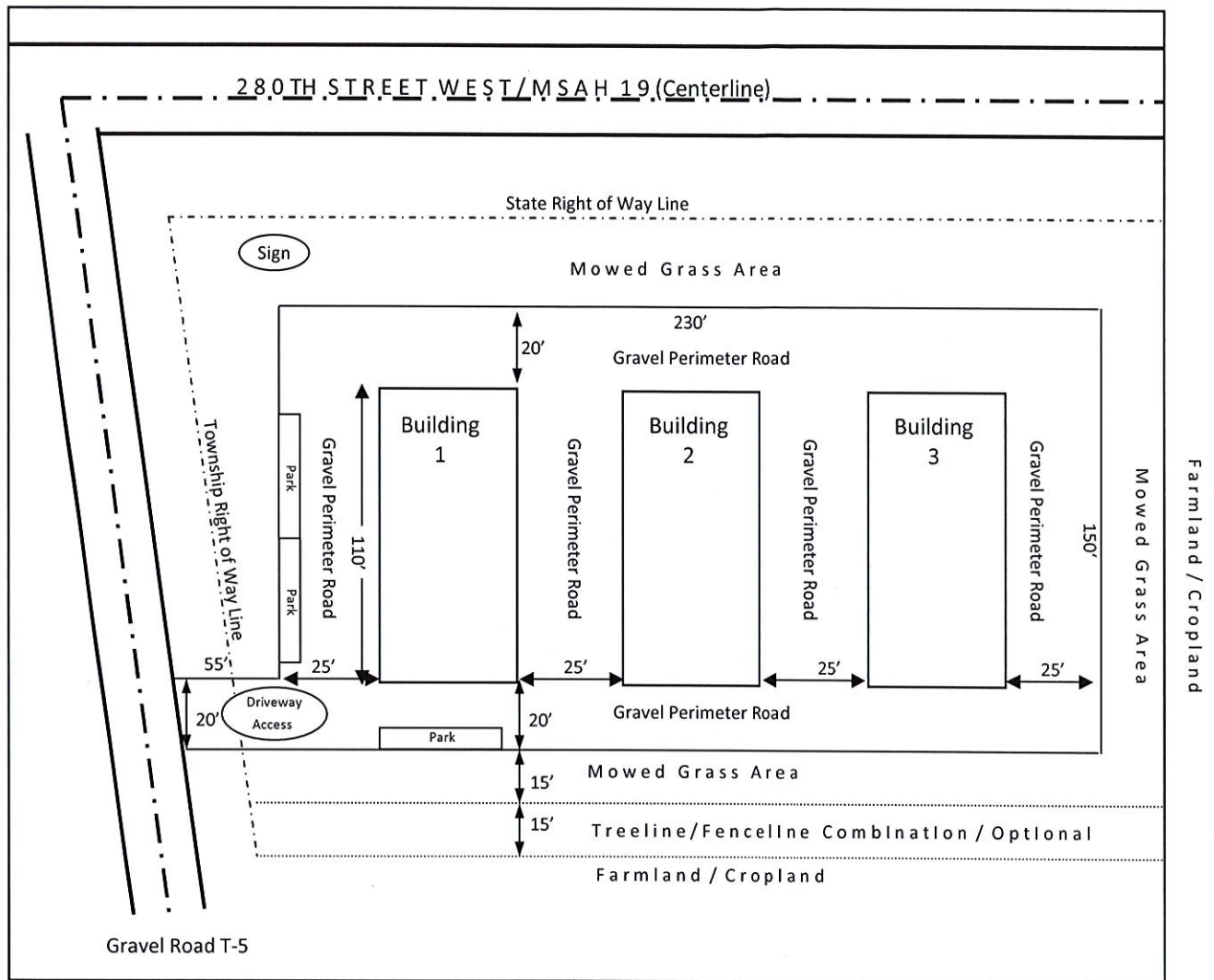
**Detailed Site Plan Information:**

1. Projected three building site, may be built in two phases. Phase 1 = Bldg 1-2. Phase 2 = Bldg 3.
2. Building 1 is 45' x 110'. Building 2 is 45' x 110'. Building 3 is 40' x 110'.
3. All steel construction on concrete pads, to conform to code, building setbacks, county requirements, conditional use permit, etc.

**RECEIVED**  
JAN 11 2016  
BY: \_\_\_\_\_

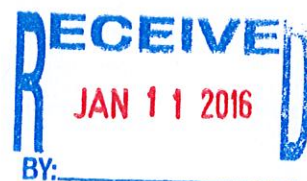


**NORTH**

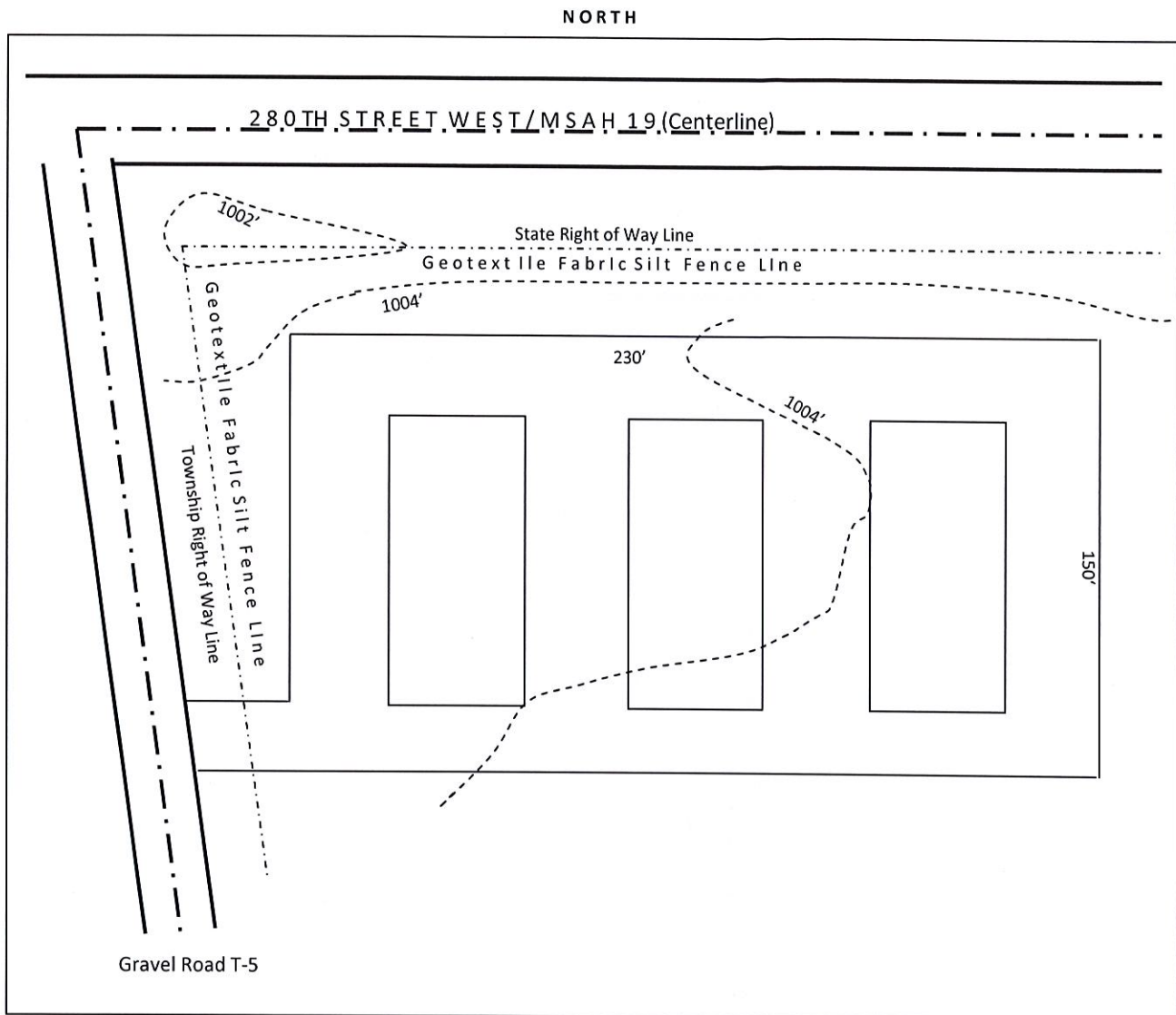


### Detailed Site Plan Information:

1. Driveway access Township approved, 20' width class 5 gravel. Option asphalt paved.
2. Combination of 20' – 25' width perimeter roads. Class 5 gravel. Option asphalt paved.
3. Parking stalls, 3. Each 8.5' width x 36' long.
4. Landscaping beyond perimeter roads are mowed grass area. Beyond the grass are farmed tillable acres
5. Optional tree line may be added in future between the mowed grass and farmland.
6. Landscaping consists of mowed grass, tree and fence lines as needed, and farmland/cropland.
7. Signage to meet requirements of no more than 32' square.

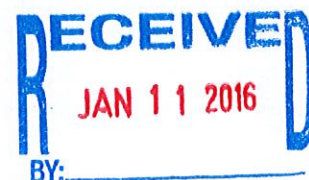


**Derrynane Mini Storage  
Detailed Site Plan  
Elevation, Excavating, Grading, Filling, Erosion Control**



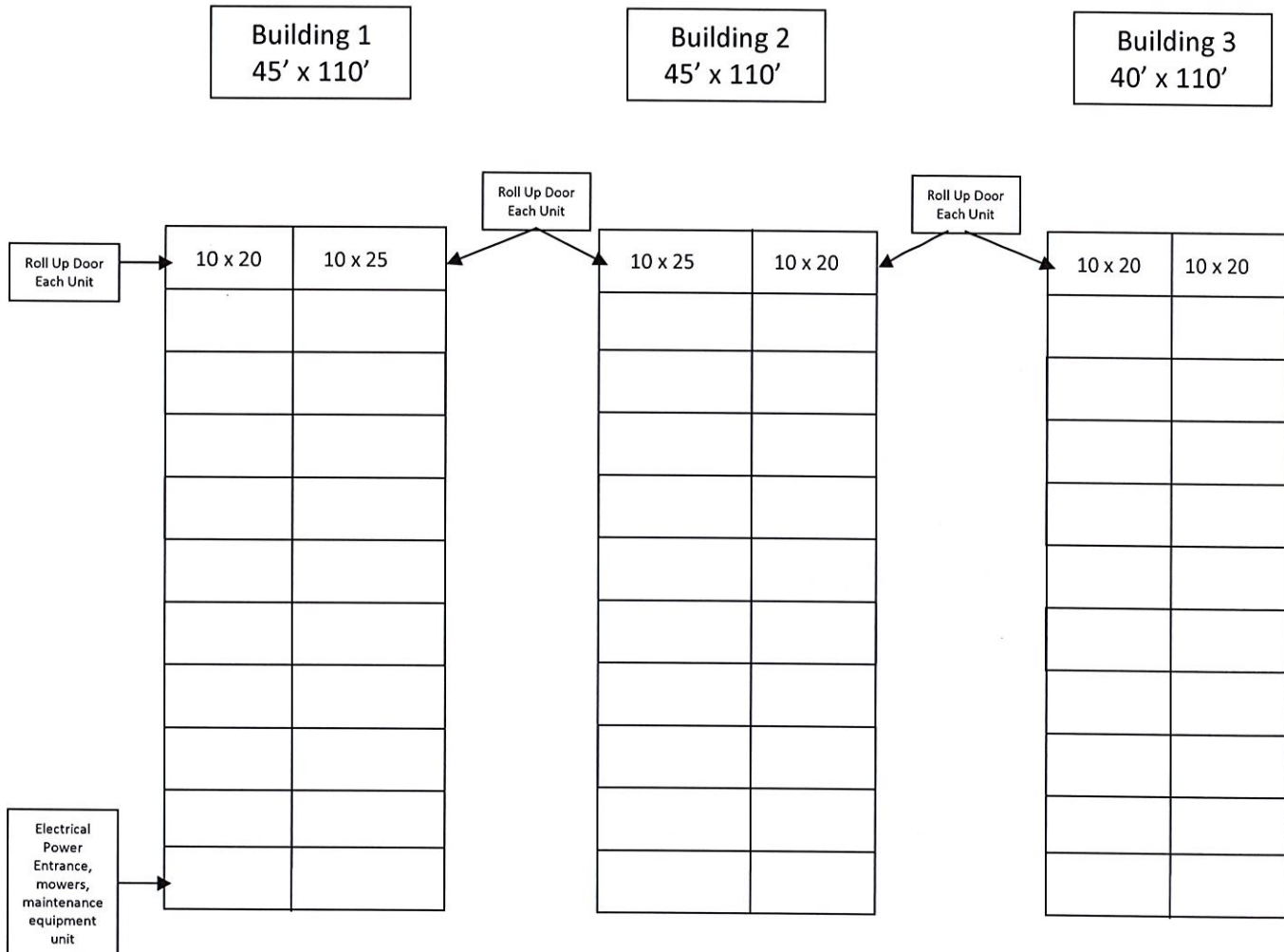
**Detailed Site Plan Information:**

1. Total exposed soil area;  $(230' \times 150') + (55' \times 20') = 35,600$  ft.
2. Excavating topsoil – topsoil stripping of eight inches;  $2 \times (20' \times 230') + 4 \times (25' \times 110') = 498$  cu. yd. Driveway  $55' \times 20' = 13$  cu. yd. Topsoil excavated will be hauled offsite.
3. Grade clay, cut and fill to balance;  $2 \times (20' \times 230') + 4 \times (25' \times 110') \times .5' = 374$  cu. yd. Driveway  $55' \times 20' \times .75' = 30$  cu yd. No clay hauled offsite.
4. Anticipate minimal environmental impact as presently farmland and the use of grass buffer zones.
5. No impacts to surrounding agricultural land.
6. Stormwater runoff will follow current natural contours of site directed toward the existing ditch areas.
7. No part of the project extends beyond the ordinary high water level nor in a shoreline district.
8. There are no wetland areas.
9. All exposed soils will be seeded at earliest possible time to stabilize the soils.



**Derrynane Mini Storage  
Building Interior Floor Plan  
No End Wall Units**

North



**General Building Information:**

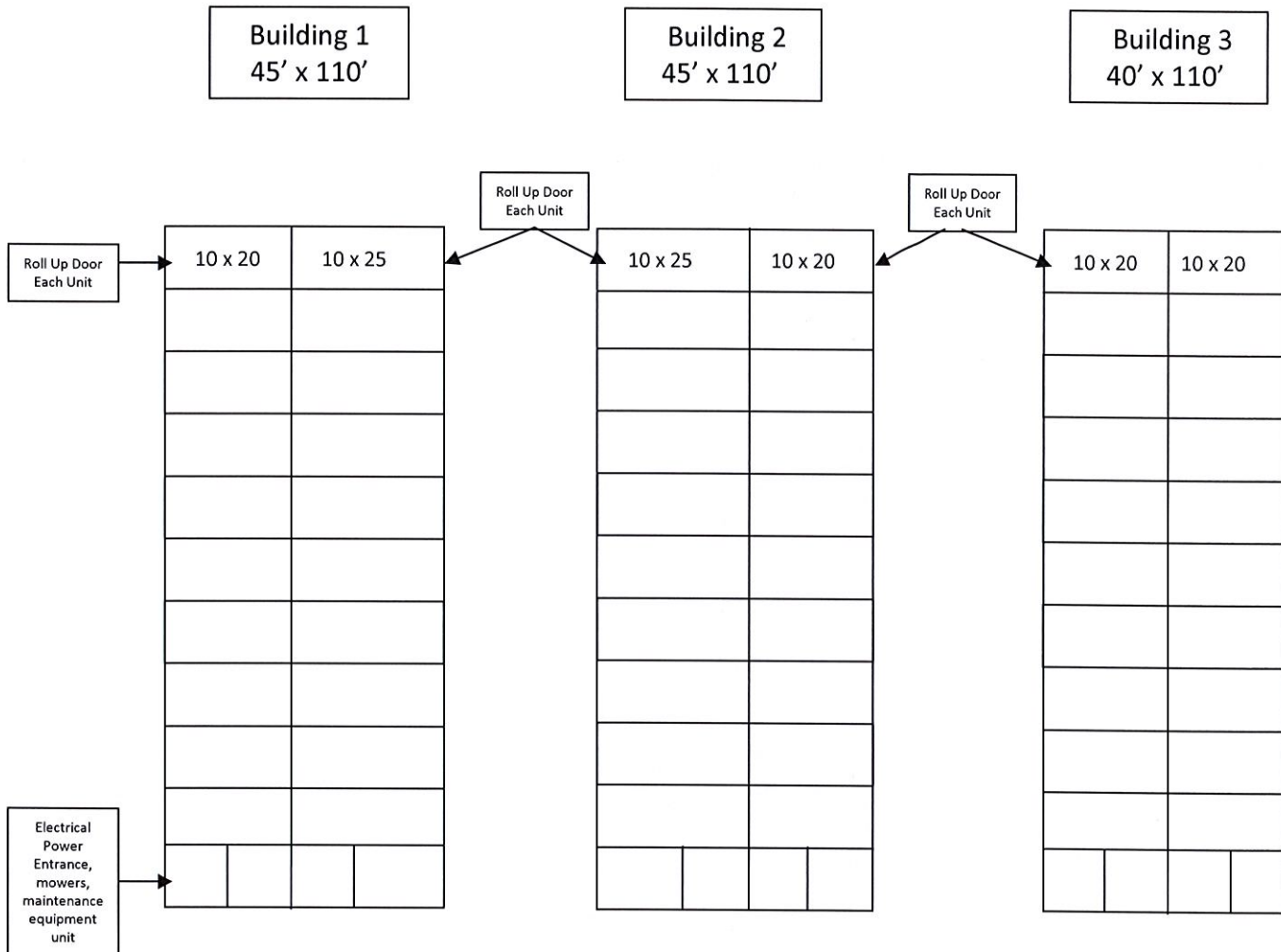
1. Building 1 is 45' x 110' consisting of (11) 10 x 20 units, and (11) 10 x 25 units.
2. Building 2 is 45' x 110' consisting of (11) 10 x 20 units, and (11) 10 x 25 units.
3. Building 3 is 40' x 110' consisting of (22) 10 x 20 units.
4. Some nonstructural Interior walls may be non-stationary to allow for unit size changes.
5. Interior heights average 8.5' to 10.5'
6. Each unit has one roll up door that are secure locking, approx. 9' width x 8' height.
7. All steel construction to mini storage industry specifications.

**RECEIVED**  
JAN 11 2016  
BY: \_\_\_\_\_



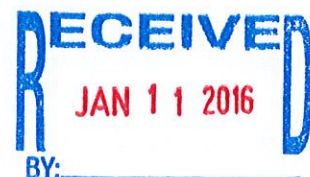
**Derrynane Mini Storage  
Building Interior Floor Plan  
OPTIONAL - - With End Wall Units**

North



**General Building Information—Optional End Wall Units:**

1. Building 1 is 45' x 110' consisting of (10) 10 x 20 units, (10) 10 x 25 units, (3) 10 x 10 units, (1) 10 x 15 unit.
2. Building 2 is 45' x 110' consisting of (10) 10 x 20 units, (10) 10 x 25 units, (3) 10 x 10 units, (1) 10 x 15 unit.
3. Building 3 is 40' x 110' consisting of (20) 10 x 20 units and (4) 10 x 10 units.
4. Some nonstructural Interior walls may be non-stationary to allow for unit size changes.
5. Interior heights average 8.5' to 10.5'
6. Each unit has one roll up door that are secure locking, approx. 9' width x 8' height.
7. All steel construction to mini storage industry specifications.



**LE SUEUR COUNTY ENVIRONMENTAL SERVICES**  
**88 SOUTH PARK AVE.**  
**LE CENTER, MINNESOTA 56057-1620**  
**(507) 357-2251**  
**FAX (507) 357-8541**

**Erosion and Sediment Control Plan**

Goal: To control erosion and prevent sediment and other pollutants from entering the lakes, streams, wetlands, and storm drain systems during construction.

Property Owner: JMH PARTNERS LLP PID: 03-006-2500  
Mailing Address: 14870 GRANADA AVES #116 ST. PAUL MN 55124  
Property Address: 28108 243RD AVE BELLE PLAIN MN 56011  
Phone: ( ) N/A Mobile/Cell: (612) 760-1550

Responsible party for Implementation/Inspection: JMH PARTNERS LLP/DAN HANLON  
Address: SAME  
Phone: ( ) \_\_\_\_\_ Mobile/Cell: (612) 760-1550

**Erosion & Sediment Control Measures**

1. Maintain existing vegetation whenever possible and minimize the area of disturbance. Retain and protect trees to enhance future landscaping efforts and to reduce raindrop impact. (Vegetation is the best and most cost-effective erosion control practice).
2. Install all erosion and sediment control practices prior to any soil disturbing activities, when applicable.
3. Phase construction activities to minimize the areas disturbed at one time. This will also allow completed areas to be stabilized and re-vegetated before disturbing adjacent sites.
4. Maintain and protect all natural waterways. Retain at least a 20-foot wide strip of natural vegetation along all waterways to filter out sediment and other pollutants.
5. Minimize the use of impermeable surfaces such as roofs, driveways, parking lots and roads. The Environmental Resources staff must approve all storm water runoff plans.
6. Use rock rip-rap at both the outlet and inlet ends of culverts to prevent scour erosion.
7. Limit construction equipment to designated areas to control soil compaction.
8. Install silt fence on the down-slope perimeter of all disturbed areas according to the attached installation instructions. Sensitive areas such as wetlands, drainage swales and shoreland areas should also be protected with silt fence.
9. Install straw bale checks or rock check dams in areas of concentrated flow.
10. Cover any stockpiled topsoil with plastic or other impervious covering. Use stockpiled topsoil as earthen berms to serve as temporary sediment basins.



11. Mulch all disturbed areas at the rate of one 50-pound bale of straw per 500 square feet. On slopes 4:1 or steeper use the following erosion control blankets that have been pinned to the slope according to the manufacturer's instructions:

2:1 slopes or steeper	Straw/Coconut Blanket or High Velocity Wood Blanket
3:1 slopes or steeper	Wood or Straw Blanket with net on both sides
4:1 slopes or steeper	Wood or Straw Mulch blanket with net on one side
Flat areas	Straw Mulch w/disc anchoring

12. Seed all disturbed areas within seven days of final grading and temporary seed/mulch all areas that will be left inactive for more than seven days. Do not seed later than September 1<sup>st</sup>. Areas that need to be seeded after this date should be dormant seeded in late October or early November. See the attached instruction sheet for recommended mixtures and rates. The use of native plant materials, including trees and shrubs, is encouraged. Native species will provide good vegetative cover that is adapted to our soils and climate.
13. Apply fertilizer according to soil test recommendations.
14. Install water bars on access roads to prevent concentrated water from flowing down the road and eroding gravel.
15. Attach a site map showing the location of all erosion control practices, property lines, roads, lakes, watercourses, wetlands, on-site systems and building locations.

Note: To reduce mud transported onto paved roads, a rock construction entrance may be required. This will require a six-inch layer of 1-2 inch diameter washed rock a minimum of 50 feet in length.

#### Inspection and Maintenance

16. Inspect the construction site every 7 days and within 24 hours after every rain event to ensure the practices are working properly (i.e. silt fences, water bars).
17. Clean out the silt fences when they are 1/3 full of sediment or replace with functional silt fences within 24 hours.
18. Clean out sediment basins on a regular basis to maintain capacity.

I agree to install, inspect and maintain the above practices to accomplish the goal of preventing erosion.

JMH PARTNERS LLP  
(Property Owner)  
[Signature] GENERAL MANAGER  
(Person Responsible for Implementation)

1-7-16  
(Date)  
1-7-16  
(Date)

If you have any questions, please contact Environmental Services, at 507-357-8538.





## Derrynane Mini Storage

### Attachment A

The mini storage buildings pictured below are all steel mini storage buildings, with green roll up doors with security locks. Derrynane Mini Storage will construct buildings that are similar in design and look to the buildings below.



RECEIVED  
JAN 11 2016  
BY: \_\_\_\_\_



---

# **Le Sueur County, MN**

**Thursday, February 11, 2016**

**Regular session**

## **Item 3**

**Kamp Dels**

Staff Contact: Kathy Brockway or Michelle Mettler



# STAFF REPORT

## GENERAL INFORMATION

**APPLICANT:** KAMP DELS, TOBIN POPE      **OWNER:** POPE PROPERTIES

**PROJECT DESCRIPTION:** Expand existing campground by 11 sites. (4 new sites & 7 sites relocated)

**ZONING ORDINANCE SECTIONS:** Section 8

**DEFINITION:** **CAMPGROUND** - An area of property used on a daily, nightly or weekly basis upon which a tent, pickup camper, motor home, pop-up camper, or trailer, made for camping where proper sanitation facilities and spacing of camp units are provided and maintained.

## SITE INFORMATION

**LOCATION:** 129.74 acres, Section 23, Waterville Township

**ZONING:** Agricultural

**GENERAL SITE DESCRIPTION:** Existing campground

**ACCESS:** Existing access off Sakatah Lake Rd (County Road 131)

**EXISTING LAND USE WITHIN ¼ MILE:**

<b>North:</b> Ag land	<b>South:</b> Campground/Scattered residences/Lake Sakatah
<b>East:</b> Scattered Residential	<b>West:</b> Campgrounds/City of Waterville

## BACKGROUND INFORMATION

Kamp Dels is a family-owned and operated campground in Le Sueur County. The Pope families have expanded the campground several times over the years since opening the camping facilities in the 1960's. The last expansion was in 2013 for 31 sites. They are requesting the additional sites due to a demand for seasonal sites.

Due to the size of the campground and water usage, Kamp Dels is under a state permit for their sewage treatment. MPCA approved the sites for the additional sewage.

The campground is a seasonal facility, starting the camping season in April of each year and ending in mid-October.

See enclosed letter from Andrew Nicolin, Environmental Health Specialist with the County Health Department in regards to their proposed expansion.

If approved, the applicant's would start work immediately in preparation for the 2016 camping season.

## TOWNSHIP BOARD NOTIFICATION

The applicant notified Darwyn Slechta, Waterville Township Board on January 12, 2016.

## NATURAL RESOURCES INFORMATION

**SHORELAND:** The campground expansion is located Agricultural District.

**WETLANDS:** According to the National Wetlands Inventory, Type 4 wetlands located in the quarter-quarter section where the project is proposed.

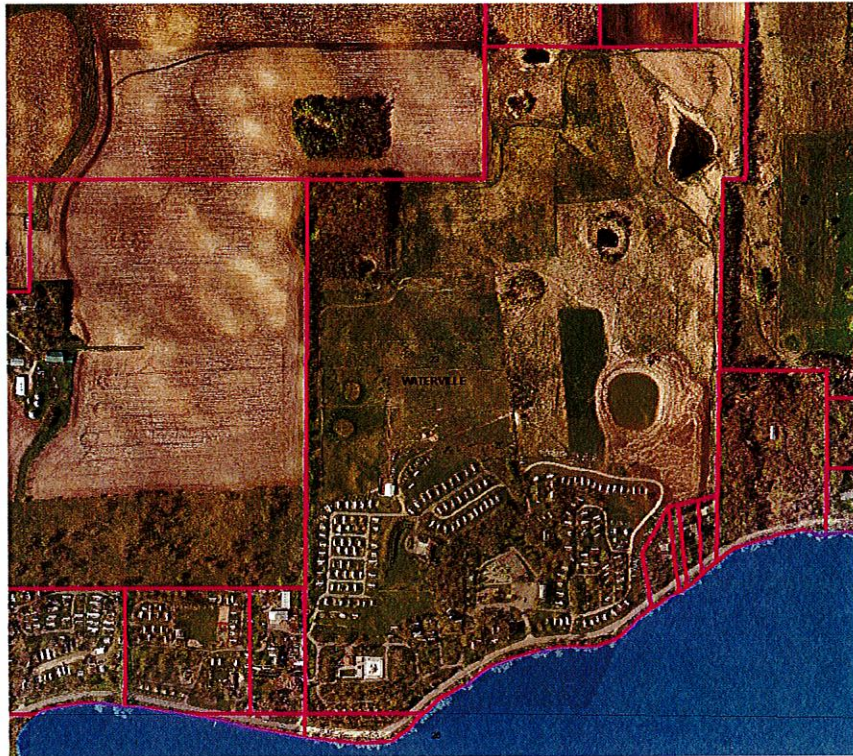
## ATTACHMENTS

Narrative, site plan, drainage plan, maps.



## SITE PLAN

Aerial Photo of the Existing Campground



Proposed Expansion Area





## Overview of Campground- Emergency Shelter Locations



## LAND USE APPLICATION PERFORMANCE STANDARDS

- PROPOSED DAYS AND HOURS OF OPERATION:** The campground is a seasonal business; mid-April until mid-October, depending on weather. Quiet hours are enforced from 11:00 PM until 7AM during the camping season.
- ESTIMATED NUMBER OF PERSONS TO ATTEND PLACE OF BUSINESS/LOCATION ON A DAILY OR WEEKLY BASIS:**
- LIST OF PUBLIC HEALTH PLANS:**
  - Water Supply:** Existing wells on site
  - Toilet Facilities:** Each campsite will have its own sewer hookup. Working with the MPCA & City of Waterville
  - Solid Waste Collection:** Local solid waste collection.
- FIRE PREVENTION:** Waterville Fire Department
- SECURITY PLANS:** Kamp Dels has security guards on-site during the busy season. Owners & management are also on-site 24-7.
- RETAIL SALES:** No new retail sales
- FOOD OR ALCOHOL SERVED OR FOR SALE:** No alcohol served by Kamp Dels. No additional food sales are planned
- DESCRIBE IF THE APPLICANT REQUESTS THE COUNTY TO PROVIDE ANY SERVICES OR COUNTY PERSONNEL:** (For example, pedestrian and/or vehicular traffic control.) none
- SOUND AMPLIFICATION, PUBLIC ADDRESS SYSTEM, PLAYING OF MUSIC:** PA system for weather emergencies. Additional speaker will be installed in the expansion area for emergency notification purposes.
- EXTERIOR LIGHTING:** Additional lighting for security/safety will comply with County Ordinance.
- PARKING AND LOADING:** Adequate parking at each campsite.
- SIGNAGE:** No additional signage.
- ROAD ACCESS:** (Approved by the road authority) Access off Sakatah Lake Road.
- CERTIFICATE OF INSURANCE:** Enclosed.



15. **MEET ALL APPLICABLE COUNTY STATE & FEDERAL REGULATIONS:**  
(For example additional licensing and/or permitting) Comply with the County Manufactured Home and Campground Ordinance.  
Continue working with the MPCA in regards to sewage system approval.

## PERFORMANCE STANDARDS- SECTION 19, LE SUEUR COUNTY ZONING ORDINANCE

### CAMPGROUNDS AND RESORTS (PAGES 19-31/32)

1. Campgrounds and Resorts shall be regulated by the Le Sueur County Manufactured Home Park and Recreational Camping Area Ordinance, as administered by Le Sueur County Community Health Department and as amended from time to time.
2. Any non-conformities with existing Campgrounds and Resorts will be allowed to continue in accordance with provisions of Sections 4, 13, and 24 of this Ordinance. **The expansion of the campgrounds and resorts will require a Conditional Use Permit and will require the implementation of the following standards in the expansion area.**
  - a. If located within a flood plain, the applicant shall submit an emergency plan for the safe evacuation of all vehicles and people in the event of a one hundred (100) year flood event. Said plan shall be prepared by a licensed professional engineer or surveyor and shall demonstrate that adequate time and personnel exist to carry out the evacuation.
  - b. **The applicant shall provide a written plan for the safe evacuation in times of severe weather conditions and shall be submitted to the Emergency Management Director and Community Health Department to have on file with the County.**
  - c. **A responsible attendant or caretaker shall be in charge of the recreational camping area and the duties of said attendant or caretaker shall be to maintain records of the park, and keep the facilities and the equipment in a clean, orderly and sanitary condition. The caretaker or attendant shall be the owner or operator of the camping area, or his/her appointed representative.**
  - d. One single-family dwelling shall be allowed for the owner in the Campground and/or Resort.
  - e. One (1) temporary dwelling shall be allowed for the attendant/caretaker.
  - f. For Resorts, manufactured homes less than twenty (20) feet in width shall be allowed as a single-family dwelling or for seasonal occupancy in the Recreational Commercial (RC) District.
  - g. **The campground and/or resort shall meet the Planned Unit Development standards as described in this Ordinance.**
  - h. **A drainage plan shall be approved by the County Engineer.**
  - i. Decks abutting campers located within the shore impact zone may be allowed with the following restrictions:
    1. Decks shall not be placed on permanent footings.
    2. Decks shall not exceed the door sill height of the camper, exclusive of safety rails, and cannot occupy an area greater than three hundred (300) square feet.
    3. Decks abutting campers located in a licensed campground shall be set back a minimum of twenty five (25) feet from the OHWL.
  - j. Decks abutting campers located outside the shore impact zone may be allowed with the following restrictions:
    1. Decks shall not be placed on permanent footings.
    2. Decks shall not exceed the door sill height of the camper, exclusive of safety rails, and cannot occupy an area greater than three hundred (300) square feet.
  - k. Campers located in a licensed campground shall be set back a minimum of twenty five (25) feet from the OHWL.

## STAFF FINDINGS

**BURDEN OF PUBLIC FACILITIES:** None

**COMPATIBLE WITH SURROUNDING USES:** Existing campgrounds, scattered residential development

**APPEARANCE:** Existing campground, open space

**ZONING DISTRICT PURPOSES:** The Agriculture (A) District is established for areas where agriculture uses are seen as the best and highest long term use of the land. The land itself needs to be preserved for primarily agricultural activities. These areas should avoid existing cities, residential zones, and subdivisions. They should be large contiguous land areas with mostly prime soils. Rezoning should only be considered on the zone's borders in order to maintain the Zoning integrity of the District. Dwellings that are allowed should be on the edges of the open farmland where possible or utilize existing abandoned farm sites. The total number of Dwellings shall not exceed sixteen (16) per section of land with the exception of Transfer of Development Right and lots of record. Transfer of development rights may be utilized to exceed the permitted housing density of one dwelling per quarter-quarter section (40 acres), provided that the density does not exceed four dwellings per quarter-quarter section in the receiving quarter-quarter section. Lots of Record, shall be exempt from density standards.

**COMPREHENSIVE PLAN:** Meets the County Comprehensive Plan.

**TRAFFIC, ACCESS, PARKING:** Utilize the existing access off Sakatah Lake Rd, parking available at each campsite. No additional parking or loading areas required.

**SEWER & WATER:** The applicants are working with the MPCA in regards to the sewage treatment on the property as the campground is under state permits for sewage. The applicants are also working with the City of Waterville They will utilize existing wells on the property for water.

**SIGNAGE:** Comply with County Ordinance

**LIGHTING:** Comply with County Ordinance

**POTENTIAL CONDITIONS:** Refer to Section 21, Subdivision 2, K (page 21-3)

### PLANNING AND ZONING COMMISSION CONSIDERATIONS

The Planning Commission and staff shall consider possible adverse effects of the proposed conditional use and what additional requirements may be necessary to reduce such adverse effects. Its judgment shall be based upon the following factors to include, but not limited to:

1. Relationship to County plans.
2. The geographical area involved.
3. Whether such use will negatively affect surrounding properties in the area in which it is proposed.
4. The character of the surrounding area.
5. The demonstrated need for such use.
6. Whether the proposed use would cause odors, dust, flies, vermin, smoke, gas, noise, or vibration or would impose hazards to life or property in the neighborhood.
7. Whether such use would inherently lead to or encourage disturbing influences in the neighborhood.
8. Whether stored equipment or materials would be screened and whether there would be continuous operation within the visible range of surrounding residences.
9. Abatement of Environmental Hazards as regulated in this Ordinance
10. Other factors impacting the public health, safety and welfare.

### PLANNING AND ZONING COMMISSION FINDINGS

Based on the information submitted by the applicant, contained in this report, and as required by the Le Sueur County Zoning Ordinance, the following findings have been developed for this request:

*(Please circle one for each item: Agree, Disagree, Not Applicable.)*

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. **A D NA**
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. **A D NA**
3. The adequate utilities, access roads, drainage and other facilities have been or are being provided. **A D NA**
4. The adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use. **A D NA**
5. The 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. **A D NA**

**Recommend (circle one) approval / denial / table / of Conditional Use Permit.**



# Le Sueur County

## Conditional Use Application

### I. Applicant:

Name Tobin Pope  
Mailing Address 14842 Sakatah Lk Rd  
City Waterville State MN Zip 56096  
Phone # 507-581-1273 Phone # 507-362-8347

### II. Landowner:

Name SAME Pope Properties  
Mailing Address SAME AS ABOVE  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Property Address 14842 Sakatah Lk Rd  
City Waterville State MN Zip 56096  
Phone # 507-362-8616 Phone # \_\_\_\_\_

### III. Parcel Information:

Parcel Number 14.023.7900 Parcel Acreage 129.74  
Attach Full Legal Description (**NOT** abbreviated description from tax statement)  
Township Waterville Section 23  
Subdivision \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

### IV. Township Notification: Township must be notified of proposed use prior to application.

Waterville Township notified on 1-12-16  
(Township Name) (Date)

Board Member Darwin Slechta regarding the proposed use.  
(Name)

### V. Quantities and Submittal Formats:

- One (1) reproducible 8.5" x 11" copy of the request and all other supporting documents.
- Twenty three (23) copies must be submitted, if any documents are in color, an aerial, or larger than 8.5" x 11" in size.
- Electronic version of any supporting documents *if available*.
- Additional copies may be requested as deemed necessary by the Department.
- Application must be made **in person** by the applicant and/or landowner no later than 12 P.M. on the date of application deadline.
- Appointment is necessary.
- Applications will not be accepted by mail.**

### VI. Fees: Must be paid at the time of application.

Conditional Use Permit \$ 750 After-The-Fact fee is **doubled**.  
Filing Fee \$ 46

#### Additional Fees:

Special Meeting \$ 2,000  
After-The-Fact Penalty \$ 1,500 OR 10% of improvement, whichever is greater

## VII. Type of Request:

- ☐ Self Service Storage
- ☐ School/Church/Cemetery
- ☐ Retail Nursery/Greenhouse
- ☐ School/Church/Cemetery

- ☐ Value Added Agriculture
- ☐ Antique Sales/Service/Repair
- ☐ Substation/Transmission Lines etc.
- ☒ Other Campground moving campsites + 4 additional sites

## VIII. Description of Request:

a. A full description of request with detailed information must be attached.

b. Complete the following in relationship to the proposed Conditional Use Permit.

1. PROPOSED DAYS AND HOURS OF OPERATION: April 20 - October 10
2. ESTIMATED NUMBER OF PERSONS TO ATTEND PLACE OF BUSINESS/LOCATION ON A DAILY OR WEEKLY BASIS: 800 per week peak season
3. LIST OF PUBLIC HEALTH PLANS:
  - i. Water Supply: Existing Well (Plans Approved and inspected by MN Dept. of Labor)
  - ii. Toilet facilities: Existing (Seasonal sites planned with toilets in campers)
  - iii. Solid Waste Collection: Existing (Approved by MN PCA for 11 additional sites on system)
4. FIRE PREVENTION: No change
5. SECURITY PLANS: In Place Security Guards on site with rules strictly enforced
6. RETAIL SALES: Yes No change
7. FOOD OR ALCOHOL SERVED OR FOR SALE: Yes No change - NO Alcohol
8. DESCRIBE IF THE APPLICANT REQUESTS THE COUNTY TO PROVIDE ANY SERVICES OR COUNTY PERSONNEL: (For example, pedestrian and/or vehicular traffic control.)  
None
9. SOUND AMPLIFICATION, PUBLIC ADDRESS SYSTEM, PLAYING OF MUSIC:  
No change
10. EXTERIOR LIGHTING: No Change
11. PARKING AND LOADING: No Change
12. SIGNAGE: No change
13. ROAD ACCESS: (Approved by the road authority) No Change
14. CERTIFICATE OF INSURANCE: See Attached
15. MEET ALL APPLICABLE COUNTY STATE & FEDERAL REGULATIONS: (For example additional licensing and/or permitting) none see Attached

## IX. Site Plan: Shall include but not limited to the following:

- North point ✓
- Setbacks ✓
- Property Lines ✓
- Road Right-Of-Way ✓
- Lake ✓
- River ✓
- Wetland ✓
- Stream ✓
- Existing Structures ✓
- Proposed Structures ✓
- Lot Dimensions ✓
- Ponds ✓
- Septic system ✓
- Well ✓
- Access (size & location)
- Easements
- Parking (Size & location-if applicable to application)
- Landscape, screening and buffering (if applicable to application)
- Location of significant trees to be removed (if applicable to application)



**X. Attachments: shall include but not limited to:**

- ☒ a. **Description of Request**-See Part VIII for full details and requirements.
- ☒ b. **Site Plan**-See Part IX for full details and requirements.
- ☒ c. **Full legal description**-Not abbreviated description from tax statement.
- ☒ d. **Access approval**-Attach approval in writing from proper road authority.
- ☐ e. **Township Notification**-See Part IV for details and requirements.
- ☒ f. **Septic System Compliance Inspection**
- ☒ g. **Erosion control plan**-Attach completed and signed plan including map.
- ☒ h. **Floor plans and/or blue prints**

**XI. Procedure:**

The Planning & Zoning Commission shall hold a public hearing on the proposed Conditional Use Permit at a scheduled Planning and Zoning Commission meeting.

The Planning and Zoning Commission is an advisory board to the County Board of Commissioners and will make a recommendation to the County Board.

The Department shall report the findings and the recommendations of the Planning Commission to the County Board for final decision.

Action by the County Board shall be a majority vote of its members.

The Department shall notify the applicant and/or landowner in writing of the County Board decision.

A certified copy of the Conditional Use Permit shall be filed with the Le Sueur County Recorder by the Department.

**XII. Signatures:**

*I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.*



Applicant signature

1-12-16

Date

*I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.*



Property Owner signature

1-12-16

Date

**OFFICE USE ONLY**

**Request:**

Pre-App Date _____	Lake Classification _____	Feedlot	500'	1000'	N
Meeting Date _____	Lake _____	Wetland Type	1-2	3-8	N
60 Day _____	FEMA Panel # 27079C0 _____	Water courses		Y	N
Zoning District _____	Flood Zone _____	Bluff		Y	N

- ☐ Request Description
- ☐ Site Plan
- ☐ Full Legal
- ☐ Ordinance

- ☐ Access Approval
- ☐ Erosion Control Plan
- ☐ Blue Prints
- ☐ Other \_\_\_\_\_

- ☐ Septic
  - ☐ Meeting
  - ☐ Fee
  - ☐ Penalty
- Comp Insp / Design**  
**Reg / ATF / Spec**  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

☐ Application Complete

\_\_\_\_\_  
Planning & Zoning Department Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Permit #

## Narrative

Kamp Dels is a family run campground located in North of Waterville, MN. Kamp Dels has been in business since 1955. Through the years Kamp Dels has made several upgrades to the grounds in order to keep up with changes in the industry.

Kamp Dels currently is upgrading its pool area and in the process has realized the need to relocate 7 existing campsites. The existing campsites are in a busy part of the campground, close to Lake Sakatah. If approved, the campsites would be moved farther away from the lake to a far less dense area. This move would also allow for these sites to be in compliance with current county ordinances which have also changed over time. I am also requesting to add 4 new campsites to be located in the same area as the proposed sites to be relocated. Seasonal campsites at Kamp Dels were full in 2015 and this expansion would allow for a very modest increase to the campground.

The area where the sites are proposed to be moved to has been prepared and already has campsites within close proximity. Earth work in this area had been completed with a prior conditional use permit obtained in 2014 with phased expansion of the campground discussed. All needed utilities are already in place and have been approved by the Dept. of Labor and the MN PCA.

I am requesting permission to move 7 existing campsites near lake Sakatah to an area already developed for campsites farther away from the lake. I am also requesting to add 4 new campsites which would be located in the same development. This move would benefit the business of Kamp Dels and I hope that you see it as a positive move from the county's perspective.

Thank you

Tobin Pope  
Kamp Dels Co Owner



# Le Sueur County Community Health

88 South Park Avenue, Le Center, Minnesota 56057

Phone: 507-357-8246

Fax: 507-357-4223

To whom it may concern,

I spoke with Tobin Pope on Monday, January 11<sup>th</sup>, 2016 on the Kamp Dels expansion. During the visit Tobin explained to me what they planned to do for the expansion.

Tobin will complete the application and return to me:

- 1.) A copy of the land use permit, zoning permit or statement from the local unit of government granting zoning approval for the use or expansion of the land as a MHP or RCA.
- 2.) A plan showing the boundaries of the entire tract of land upon which the MHP or RCA is to be located. Show land area; locations of existing facilities including permanent buildings and dimensions; location of landforms on the property (waterfront, bluffs, wetlands, etc...); the location of all wells and on-site sewage treatment systems with distances between each system; water and sewer lines and electrical hook-ups with distances between each; locations of all roads and driveways, public and private; location of parking areas; location and type of night lights; and any other pertinent information.

As long as all of the requirements are met, I have no reason to why the 4 additional sites shouldn't be approved.

If you have any questions let me know.

Sincerely,

A handwritten signature in dark ink, appearing to read "Andrew Nicolin".

Andrew Nicolin  
Environmental Health Specialist  
Le Sueur County Community Health  
88 South Park Avenue  
Le Center, Mn 56057  
P: (507) 357-8231  
F: (507) 357-4223



Google Maps



Tier #5

5 current sites

+ 7 proposed sites to move

+ 4 new sites

180,300 sq FT

37 Allowable campsites under current Rules



Google Maps



sites to be moved

Tier 2 Existing 37 sites

141,264 sq Ft in box

14.83 Allowable sites in tier

Proposal to move 7 sites out of tier #2  
and relocate to tier #5.





Division of Construction Codes and Licensing  
REPORT ON PLANS

Plans and specifications on water/sewer service connections: Kamp Dels Expansion, 14842 Sakatah Lake Road, Waterville Township, Le Sueur County, Minnesota, Plan No. PLB1408-00162

OWNERSHIP: Kamp Dels Inc., c/o Tobin Pope, 14842 Sakatah Lake Road, Waterville, MN 56096

SUBMITTER: Kamp Dels Inc., c/o Tobin Pope, 14842 Sakatah Lake Road, Waterville, MN 56096

Date Received: August 25, 2014

Date Approved: September 2, 2014

SCOPE: This review is limited to the provisions of the Minnesota Plumbing Code, as amended. The review is based upon the supposition that the data on which the design is based are correct. Approval is contingent upon requirements included in this report. **A copy of the approved plans, specifications, and this Report on Plans must be retained at the project location for future reference.**

INSPECTIONS: All plumbing installations must be tested and inspected in accordance with the requirements of the Minnesota Plumbing Code. No plumbing work may be covered prior to completing the required tests and inspections. The contractor/installer must obtain an inspection permit from the Minnesota Department of Labor and Industry when an installation is for a state owned facility, Minnesota Department of Health licensed healthcare facility, or a project in an area where there is no local administrative authority. To schedule inspections, contact the state plumbing standards representative for your region. For your regional inspector's contact information, visit our website at <http://www.dli.mn.gov/CCLD/CCLDContactus.asp>

**REQUIREMENT(S):**

1. Adequate provisions shall be made to prevent freezing of service lines, valves, and riser pipes.
2. All tees, bends, and hydrants for large diameter watermains and water services should be provided with reaction blocking, tie rods or joints designed to prevent movement.
3. The peak water demand of the campsites shown is approximately 80 gallons per minute (see Minnesota Rules, part 4715.3700). Specifications for the new well system were not provided. Verify that the well system can supply the peak demand of 80 gallons per minute.
4. An inline double-check valve with intermediate atmospheric vent should be installed for each hose bibb at recreational vehicle campsites (see Minnesota Rules, part 4715.2100). At minimum, each hose bibb must have a hose connection vacuum breaker meeting ASSE 1011, however, an ASSE 1052 field testable vacuum breaker is recommended (see Minnesota Statutes, Section 144.3855).
5. The bottom of the water service pipe located within ten feet of the sewer crossing must be at least 12 inches above the top of the sewer. When this is not feasible, the sewer pipe must be constructed of materials listed in Minnesota Rules, part 4715.1710, subpart 2, E. The water service should not contain any joints or connections within 10 feet of the crossing.
6. PVC solvent weld joints must include a primer of contrasting color to the pipe and cement (see Minnesota Rules, part 4715.0810, subpart 2).

This information can be provided to you in alternative formats (Braille, large print or audio).  
An Equal Opportunity Employer

Department of Labor and Industry  
Construction Codes and Licensing Division  
Plumbing Plan Review and Inspection  
443 Lafayette Road N. St. Paul, Minnesota 55155-4343  
Phone (651) 284-5067 Fax (651) 284-5748

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### Plumbing Inspection Report

Name:	Kamp Dels Inc c/o Tobin Pope	Record:	PLB1408-00162
Structure location:	14842 Sakatah Lake Rd		
	Waterville		

Plumber Contractor:	Kamp Dels Inc c/o Tobin Pope	Phone:	5075811273
Mailing Address :	14842 Sakatah Lake Rd WATERVILLE, MN 56096		

---

### Inspector Report

Inspection Type:	**PLB COMPLETE	Result:	PASS
------------------	----------------	---------	------

Knowingly providing inaccurate or fraudulent information to the department or failure to comply with a reasonable request for information, may constitute a violation of the Health Enforcement Consolidation Act of 1993 and may be subject to a fine of up to \$10,000 (Minnesota Statutes, 144.989 to 144.993).

Specify work inspected and tested:

(5/4/2015 12:19 PM MFR)

Sanitary Sewer tested 5# for 15 minutes.

Water services to individual campsites did not have backflow devices installed at this time.

---

Inspected by:	MFR
Date:	5/4/2015

---

Acknowledged by:

Legal description

Parcel ID# R 14.023.7900

The East One-Third of the Southwest Quarter (E1/3 of SW¼) and the West 59 and 4/5 acres of Government Lot Two (2) and the South Twenty (20) Acres of the West One-Half of the Northeast Quarter (W½ of NE¼) all in Section Twenty-three (23), Township One Hundred Nine (109) North, Range Twenty-three (23) West, in Le Sueur County, Minnesota, **EXCEPTING THEREFROM** Pope's Subdivision, being part of Government Lot Two (2), in Section Twenty-three (23), Township One Hundred Nine (109) North, Range Twenty-three (23) West of record in the office of the Register of Deeds in and for Le Sueur County, Minnesota



## Land Performance Standards

### List of public health plans

Water Supply- The existing well which is inspected by the County Health department as well as all connections are in place and approved.

Solid Waste-holding tanks approved by the PCA are in place and approved for added capacity. (See attachment)

Toilet Facilities- No new Facilities needed. The proposed new sites are for seasonal camping with toilets in campers.

Fire Prevention-Overseen by the Fire Marshal. No changes

Severe Weather Plan-On file with the County.

Traffic concerns and parking. Anticipated traffic should decrease due to the switching of 7 overnight campsites to seasonal campsites. Parking is available at each campsite and no changes are needed.

Signage- No changes to signage needed.

Decks-Any new decks on campers will be approved by the County. Building permits will be obtained by the owner of the deck through LeSueur County.

Roads and Access-No new access points will be needed for the planned move/expansion.





STATE OF MINNESOTA

**Minnesota Pollution Control Agency**

**Municipal Division**

**State Disposal System (SDS) Permit MN0070157**

**PERMITTEE:** Pope Properties

**FACILITY NAME:** Kamp Dels Wastewater Treatment Facility

**TOWNSHIP:** Waterville

**COUNTY:** Le Sueur

**ISSUANCE DATE:** February 10, 2015

**EXPIRATION DATE:** January 31, 2020

The state of Minnesota, on behalf of its citizens through the Minnesota Pollution Control Agency (MPCA), authorizes the Permittee to construct, install and operate a disposal system at the facility named above, in accordance with the requirements of this permit.

The goal of this permit is to reduce pollutant levels in point source discharges and protect water quality in accordance with Minnesota and U.S. statutes and rules, including Minn. Stat. chs. 115 and 116, Minn. R. chs. 7001, 7050, 7053, 7060, and the U.S. Clean Water Act.

This permit is effective on the issuance date identified above. This permit expires at midnight on the expiration date identified above.

Signature: \_\_\_\_\_

Aaron N. Luckstein, Supervisor  
Supervisor, Southeast Regional Unit  
Rochester Office  
Municipal Division

for The Minnesota Pollution Control Agency

***Submit eDMRs***

Submit via the MPCA Online Services Portal at  
<https://netweb.pca.state.mn.us/private/>.

***Submit Other WQ Reports to:***

Attention: WQ Submittals Center  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St Paul, Minneapolis 55155-4194

***Questions on this permit?***

- For eDMR and other permit reporting issues, contact:  
Belinda Nicholas, 651-757-2613.
- For specific permit requirements or permit compliance  
status, contact:  
Teresa L. Roth, 507-344-5252.
- General permit or NPDES program questions, contact:  
MPCA, 651-282-6143 or 800-657-3938.

520 Lafayette Road North; St. Paul, Minnesota 55155-4194; 651-296-6300 (voice); 651-282-5332 (TTY)

Regional Offices: Duluth • Brainerd • Detroit Lakes • Marshall • Rochester

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List of Individual Systems

System Number	Location/ Campsites Served	Number Of Sites	System Description	Design Flow (gpd)
1	324-330, 470-477, 448-458, 460-463	30	1000/500 gallon septic pump tank, 3500 gallon tank with 750' graveless trench drainfield (SB2)	2,161
2	40'x40' West Shower House	SH	3000 gallon 2 compartment tank with 1020' SB2	3,614
3	301-310, 320-323, Dump Station	15	2-1500 gallon tanks with 260' drainfield	614
4	311-319B, 401-405, 407-418, 464-469	36	2500 gallon 2 compartment tank, 1000 gallon pump tank, 460' drainfield	1,734
5	House	-	-	-
6	Cabin 1-4 (two bedroom)	8 bedrooms	1500 gallon 2 compartment septic with 360' SB2	857
7	532-589	58	3000 gallon 2 compartment tank, 1500 gallon 2 compartment tank, 680' SB2	1,619
8	Pool Shower House	SH	5000 gallon 2 compartment tank, 3000 gallon 1 compartment septic tank, 1180' SB2	4,265
9	203-216, 218-222	19	1000/1000 gallon septic with 350' SB2	827
10*	135, 135A, 136, Mountains, Terraces, 141-148	20	1500 gallon tank	520
11*	1/2 East Shower House, 101, 103-106, 108-110	SH+8	1500 gallon Tank	1,440
12*	223-224E, 227-231, 233-235, 590-593	19	1500 gallon 2 compartment septic tank with 160' SB2	390
13*	1/2 of East Shower House	-	1500 gallon tank	1,200
14	112-125	14	2000 gallon 2 comp septic, 500 gal. pump tank, 180' SB2	425
15	501-515	15	2500 gallon 2 comp. tank, 550' SB2	1,299
16	516-531	16	2500 gallon 2 compartment 670' drainfield	1,203
17	Sites GA 1-51, Pont A-F	62	8000 gallon 2 compartment 1000' SB2	2,380
18	Sites GA 52-66	17	2500 gallon 2 compartment septic tank 120' SB2	300
19	House	-	-	-
20	18 existing 600's, plus 13 additional	31	10,000 gallon 2 compartment, and 2000 gallon 1 compartment holding tank	3,100
21, 22, 23	Houses	-	-	-
24	Proposed 18 additional sites plus 11 by pool	18+11	Proposed 15,000 gallon holding tank	2,900
25	Proposed New Mound System	77-11	Proposed mound system as designed to be constructed	7,224

\*Will be eliminated and added to the new system number 25 upon completion of construction.

System 24 is in place and approved by PCA for 11 Additional sites



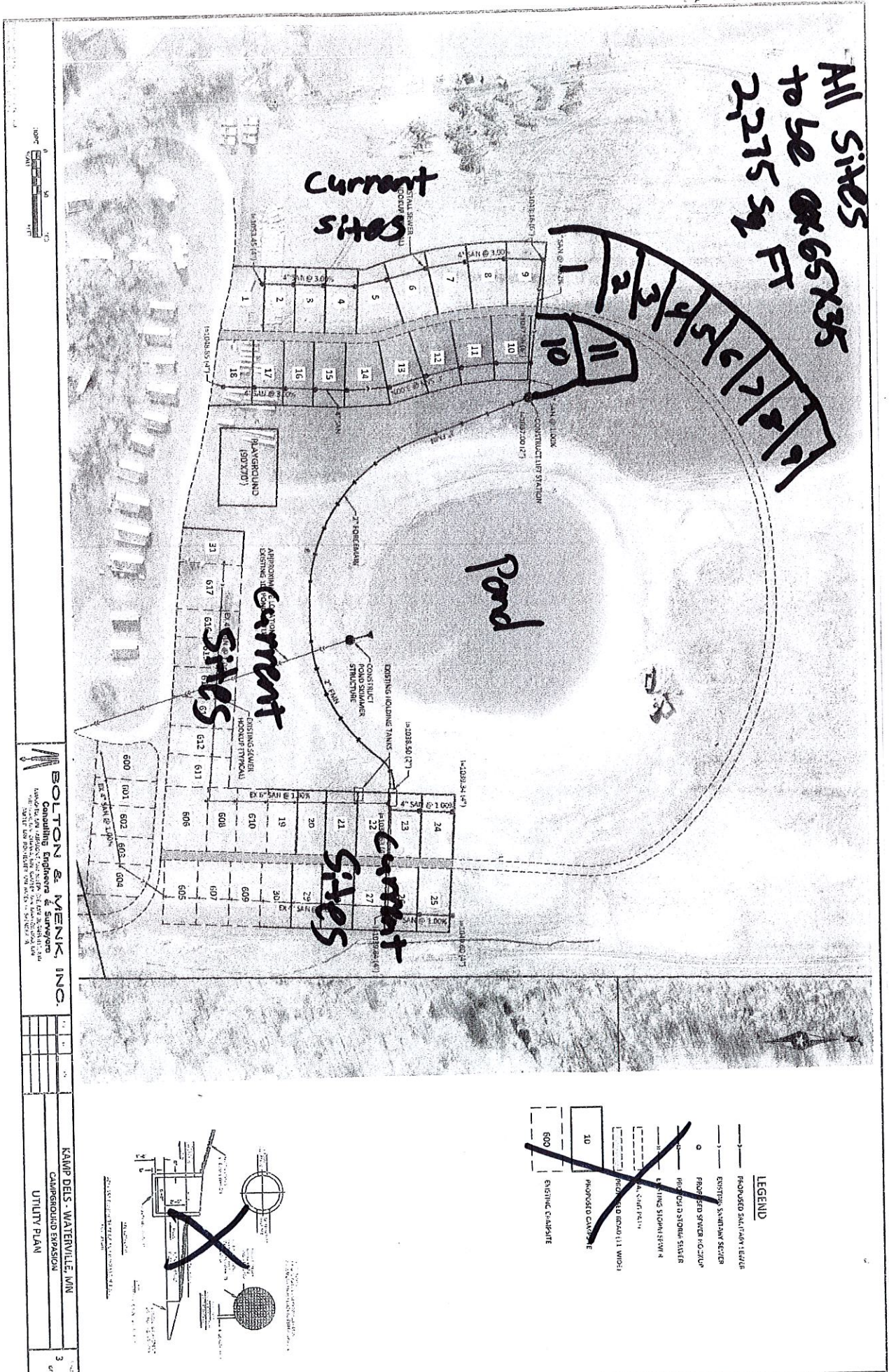


New site location is 680 FT from closest  
~~neighbor~~ neighbor to the East.



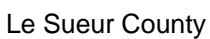
Proposed sites

All sites  
to be 66' x 35'  
2275 sq. FT





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# **Le Sueur County, MN**

**Thursday, February 11, 2016**

**Regular session**

## **Item 1**

**Planning and Zoning Commission Approved Minutes 12/10/2015**

Staff Contact: Kathy Brockway or Michelle Mettler

**LE SUEUR COUNTY PLANNING AND ZONING COMMISSION**  
**88 SOUTH PARK AVE.**  
**LE CENTER, MINNESOTA 56057**  
**December 15, 2015**

**MEMBERS PRESENT:** Don, Reak, Jeanne Doheny, Don Rynda, Chuck Retka, Shirley Katzenmeyer, Steve Olson, Doug Krenik, Al Gehrke, Betty Bruzek,

**MEMBERS ABSENT:** Pam Tietz

**OTHERS PRESENT:** Michelle Mettler, Kathy Brockway, Commissioner Connolly.

The meeting was called to order at 7:00 PM by Chairperson, Jeanne Doheny.

**ITEM #1: LE SUN LLC, MINNEAPOLIS, MN (APPLICANT); PATRICK GREGOR, WASECA, MN (OWNER):** Request that the County grant a Conditional Use Permit to allow the applicant to establish up to 5MW Solar Farm on approximately 50 acres in an Agriculture "A" District. Property is located in the Southeast 1/4 and Government Lot 6, Section 26, Waterville Township. ***APPLICATION WAS TABLED AT THE NOVEMBER 12, 2015 MEETING.***

Michelle Mettler presented the power point presentation. Chuck Biesner, Sun Share was present for application.

TOWNSHIP: Notified through the application process. No comments. DNR: N/A LETTERS: none

PUBLIC COMMENT: none

Discussion was held regarding: road location change, grading on-site will get approval prior to zoning permit, conditional use permit if required for grading, excavating and filling, height of panels, drainage, work with landowner for tile locations, tile map provided, weed control, chemical used, native plantings, 2-3' in height, mow once a year, mow more than spray noxious weeds, butterfly garden, 8'3" highest set, 15' above grade at any highest point, grading to the west side of the property more than to the east, decommissioning plan, time frame, approximately 60 days for construction process, bonding, letter of credit, interconnection agreement with Excel, signage, lighting, lockable gate, fencing 6' maintenance free.

Findings by majority roll call vote:

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

Motion was made by Doug Krenik to approve the application with the following conditions:

- 8' chain link fence;
- Apply for Conditional Use Permit for grading, excavating and filling if necessary;
- Copy of proof of interconnection agreement provided to the County;
- Stormwater Plan approved by the State prior to issuance of zoning permit;
- Bond provided to the County for decommissioning of the site.

Seconded by Al Gehrke. Motion approved. Motion carried.

**ITEM #2: WINGE CONSTRUCTION, COON RAPIDS, MN, (APPLICANT); TAMARA KAPLAN, SAVAGE, MN, (OWNER):** Request that the County grant a Conditional Use Permit to allow the applicant to elevate the lowest floor of an existing dwelling to meet the Regulatory Flood Protection Elevation and meet FEMA general design standards in a Recreational Residential "RR" District and a Flood Plain Overlay Flood Fringe "FF" District on a Recreational Development Lake, Lake Frances. Property is located at Lot 6, Dick's Southside, Section 34, Elysian Township.

Michelle Mettler presented power point presentation. Jerry Winge, Winge Construction was present for application.

TOWNSHIP: Notified through application process. DNR: notified through the application process and several emails sent. No response LETTERS: none

PUBLIC COMMENT: none

Discussion was held regarding: raising house 32", explained the construction process, pilasters, 16x16 concrete blocks, hollow, not filled, able to hold water, install 2 sump pumps, install double drain tile, water has been an issue for years, house built in the late 60's early 70's, grade won't change, adding steps and pervious pavers for patio and sidewalk, grading, excavating and filling to meet the zoning ordinance requirements, stone added up to bottom of siding, similar to parking ramp construction, traps to keep rodents out, venting if required, timeframe as soon as possible.

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Motion was made by Don Reak to approve the application as written. Seconded by Betty Bruzek Motion approved. Motion carried.

**ITEM #3: CHRIS SHORT, PRIOR LAKE, MN, (APPLICANT/OWNER):** Requests that the County grant an After-The-Fact Conditional Use Permit to allow grading, excavating, and filling of approximately 2441 cubic yards of material to establish a site for a walkout basement in a Recreational Residential "RR" District on a Recreational Development "RD" lake, Lake Frances. Property is located at Lot 3, Block 1, Han's Hideaway, Section 27, Elysian Township.

Michelle Mettler presented the power point presentation. Chris Short was present for application.



TOWNSHIP: Notified through the application process. DNR/LETTERS: Letter in file, No DNR violation on this property; Mike Schultz, No wetland Issues, Joshua Mankowski, LSC Resource Specialist, Elysian State Bank, and Deanna Refsteck (email) see file.

PUBLIC COMMENT: Roland Wagner, adjacent landowner, felt what was presented on the survey is not the same as what was being done, berm to the lake, Mr. Short was upfront with them from the beginning, he wants to do what is right, miscommunications, good neighbor, supports the application. Brian Barnett, Lake Francis Lake Association, Board of Directors, they are not in favor or against the application; Le Sueur County has ordinances that need to be followed, protect the lake. Lake Francis Association works hard to get information out to lakeshore owners, provides contacts for state, county, and city officials. Chris Short read an email he received from Randy Appel, not part of the record.

Discussion was held regarding: removal of material in order to get a solid foundation pad for construction of a new home, house is approximately 4000 sq. ft., area graded out is 7400 sq. ft.- normal building practices to do 10% over & the entire front is driveway, hauled in sandy material, did you do a compaction test-not sure, contractor should of known to stop-did the same on the adjacent lot 12 months ago, excessive amount of grading, length of driveway changed, turn around required, letter from the attorney states an engineered site plan was submitted for permit but the site plan was hand drawn, why didn't you build in the sloped area that would be conducive for a walkout, why not go through the appeal process with the Board of Adjustment-still an option & felt the conditional use permit process was faster, met on site with staff regarding tree removal, septic location, Michelle Mettler read Joshua Mankowski letter into the record, fees, penalties, difference in cubic yards from what the surveyor provided vs. the applicant and contractor, lengthy discussion in regards to the placement of the house on the lot, slab on grade vs. walkout, applicant would like to move forward with the project as presented, contractor should have stopped when doing the site prep due to inadequate slope for a walkout. Responsibility of Planning Commission is to abide by and enforce the zoning ordinance, dream retirement home, natural buffers, house on slab, modified 2-story, conditional use permit requirements vs. zoning permit requirements, states on zoning permit-additional grading, excavating and filling may require a conditional use permit.

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Motion was made by Al Gehrke to approve the application with a 15' buffer strip along lakeshore. Seconded by Steve Olson. Roll Call Vote; Don Reak-Nay, Chuck Retka-Nay, Betty Bruzek-Aye, Shirley Katzenmeyer-Nay, Jeanne Doheny-Nay, Steve Olson-Aye, Al Gehrke-Aye, Don Rynda-Aye, Doug Krenik-Nay. 5-4 motion failed.

Motion was made by Doug Krenik to approve the application with Joshua Mankowski's recommendation: 541 cubic yds of material excavated for site preparation, the 170 cu yds

of material movement already done to construct the building pad and the 155 cu yds of material movement needed to complete the building pad. This approval would allow for the construction of a slab-on-grade structure.

A natural buffer is created along the shoreline and 15 feet inland from the lake to add protection and; Any future grading on site be kept to a minimum and conform to zoning ordinance requirements.

Seconded by Shirley Katzenmeyer Motion approved. Motion carried.

Motion was made by Don Rynda to approve the minutes from the November 12, 2015 meeting by Seconded by Don Reak. Motion approved. Motion carried.

Motion to adjourn meeting by Chuck Retka. Seconded by Shirley Katzenmeyer. Motion approved. Motion carried.

Meeting Adjourned.

Respectfully submitted,

Michelle Mettler,  
Kathy Brockway

*Tape of meeting is on file in the  
Le Sueur County Environmental Services Office*

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Respectfully submitted,

Michelle Mettler,  
Kathy Brockway

*Approved February 11, 2016*

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Le Sueur County Environmental Services Office***