

**MINUTES OF A PUBLIC HEARING CONDUCTED BY THE ST. LOUIS COUNTY PLANNING COMMISSION HELD VIRTUALLY VIA WEBEX AND IN-PERSON AT THE ST. LOUIS COUNTY GOVERNMENT SERVICES CENTER, LIZ PREBICH ROOM, VIRGINIA, MN ON THURSDAY, JANUARY 11, 2024.**

9:00 AM – 11:17 AM

Planning Commission members in attendance: Tom Coombe  
Steve Filipovich  
Dan Manick  
Pat McKenzie, Chair  
Commissioner Keith Nelson  
Dave Pollock  
Diana Werschay

Planning Commission members absent: Ross Petersen  
Andrea Zupancich

**Decision/Minutes for the following public hearing matters are attached:**

**NEW BUSINESS:**

- A. Brad Hadrava, a conditional use permit for a general purpose borrow pit as an Extractive Use – Class II
- B. Chad Nelson, a conditional use permit for a hydraulic business as an Industrial Use - Class II
- C. RNB Investments LLC, a conditional use permit for an electrical and construction business as an Industrial Use – Class II

**OTHER BUSINESS:**

**Motion by McKenzie/Manick** to approve the minutes of the November 9, 2023 meeting.

**In Favor:** Coombe, Filipovich, Manick, McKenzie, Pollock, Werschay - 6

**Opposed:** None - 0

**Abstained:** Nelson - 1

**Motion carried 6-0-1**

**Motion by Manick/Filipovich** to elect Pat McKenzie as Chair.

**In Favor:** Coombe, Filipovich, Manick, McKenzie, Nelson, Pollock, Werschay – 7

**Opposed:** None - 0

**Motion carries 7-0**

**Motion by McKenzie/Filipovich** to elect Dan Manick as Vice Chair.

**In Favor:** Coombe, Filipovich, Manick, McKenzie, Nelson, Pollock, Werschay – 7

**Opposed:** None - 0

**Motion carries 7-0**

*Donald Rigney*, Acting Secretary, stated staff have recently received multiple requests for new businesses within existing structures that had previously been granted a conditional use permit for a different business by a different owner. For example, a conditional use permit was granted on a property for a storage business as a Commercial, Retail and Service Establishment – Class II within an existing structure. The property is now for sale and a potential buyer would like to have professional offices there. Professional offices also fall under the Commercial, Retail and Service Establishment – Class II classification. For this example, does the Planning Commission want to see a new conditional use permit application due to the nature of the business not being for storage; or would a conditional use permit not be required due to the type of business being classified under the same use class as what had been previously approved?

Commission member *Manick* asked if the Planning Commission should be concerned if there is additional traffic or more noise than what had originally been anticipated during the conditional use hearing. There is a concern that neighbors who received their initial adjoining landowner notices for a ministorage are now seeing a completely different business when they were told it was a ministorage. *Donald Rigney* stated that is a concern if the business type would change even though it is still allowed under the same use classification.

Commission member *Coombe* stated his concern is that the Planning Commission voted to make this a ministorage, in this example. The Planning Commission should be aware of what is going on, especially if the type of business is changing. Commission member *McKenzie* asked if there is a way for the Planning Commission to not have to rehear this change but to know what sort of change is going on. *Donald Rigney* stated the formal process would be for the landowner to submit an application and have the Planning Commission determine if they want a public hearing for the business proposal.

Commission member *Manick* asked if a use could be changed from professional offices to having sled dogs, for example. The neighbors should be notified of the change. *Donald Rigney* stated there are pros and cons to both options available.

Commission member *Manick* asked if the new landowner could come before the Planning Commission without paying a fee. Commissioner *Nelson* noted everyone should be treated the same way. This could be more streamlined than what it currently is. *Donald Rigney* stated that these applications could be brought forward to the Planning Commission as a business meeting item to determine if they require a full public hearing.

Commission member *Pollock* asked how much information they could really get. If a ministorage has 25 different blocks, there could be 25 separate offices. Commission member *Coombe* stated his concern is water and septic. Most ministorage businesses do not have water and septic. Would an office building have either of those? Commission member *McKenzie* stated there needs to be a mechanism for them to determine if a full hearing is needed.

Commissioner *Nelson* stated that the Planning and Zoning Department will get a new Director soon and can work with the Planning Commission on how to approach this. There should be a list of things that the Planning Commission is tasked with for these instances. Commission member *Werschay* stated she wants to know what changes are being made. Commission member *Coombe*

stated he wants to make sure the new landowner is doing things properly, such as septic and water. Commission member *Manick* stated this should be a full hearing process then if additional things are needed.

*Donald Rigney* stated that *Mark Lindhorst*, St. Louis County Senior Planner, is currently working with the landowner on this issue. Once a Director is in place, they can work on a plan on how to approach this subject.

Secondly, the Planning Commission discussed lunch options. Four options were provided. It was determined they would be fine with a snack and other pre-made meal option.

Lastly, *Donald Rigney* stated there will be ordinance revisions in 2024, including the Zoning Ordinance, and adopting the new Floodplain Ordinance.

### **NEW BUSINESS:**

#### **Brad Hadrava**

The first hearing item is for Brad Hadrava, a conditional use permit for a general purpose borrow pit as an Extractive Use – Class II. The subject property is located in S24, T60N, R16W (Pike). Commission members *Coombe* and *Nelson* disclosed that they have known the applicant for many years. The Planning Commission did not ask that either member recuse themselves. *Skyler Webb*, St. Louis County Planner, reviewed the staff report as follows:

- A. The applicant is requesting approval for a general purpose borrow pit to include crushing, washing, screening, recycling of asphalt, and a portable hot mix plant.
- B. It is estimated that 5,000 cubic yards of material will be removed each year.
- C. The applicant is requesting the standard hours of operation, which are from 7:00 a.m. until 8:00 p.m., Monday through Saturday.
- D. It is estimated that five to ten trucks will be leaving the pit per day.
- E. The property has not been cleared and currently has sufficient vegetative screening from the road and neighboring properties.

*Skyler Webb* reviewed staff facts and findings as follows:

- A. Plans and Official Controls:
  1. Zoning Ordinance 62, Article V, Section 5.6 B., indicates general purpose borrow pits are an allowed use with an approved Conditional Use Permit in a Multiple Use (MU) zone district.
  2. The applicant's parcel is designated as Forest and Agriculture (FA) within Planning Area 2 on the Future Land Use Map.
  3. The St. Louis County Comprehensive Land Use Plan under Objective LU-4.5 states that the development of new general purpose borrow pits should be directed to areas designated as Forest and Agriculture (FA) on the Future Land Use Map.
  4. The FA category typically consists of large tracts of land that are not intended for future urban or rural development.
- B. Neighborhood Compatibility:

1. The area consists primarily of large tracts of undeveloped forest land. These large tracts of land are under both private and public ownership.
2. The development density in this area is very low. There is one residence within 300 feet and is located on the adjacent parcel to the west.

C. Orderly Development:

1. This is a rural area consisting of primarily large undeveloped parcels.
2. The request for a borrow pit should have little to no effect on the future development of the surrounding area.

D. Desired Pattern of Development:

1. There is not a high level of future growth anticipated in the area.
2. The FA designation of the parcel specifically identifies these areas for extractive use.
3. The area is not intended for future urban or rural development.

E. Other Factors:

1. The applicant has indicated a survey will be completed to ensure setbacks are being met.
2. The total pit area to be excavated is 35 acres.

*Skylar Webb* noted no items of correspondence.

## **RECOMMENDED CONDITIONS**

If the Planning Commission determines that the proposal meets the criteria for granting a conditional use permit to allow a general purpose borrow pit as an Extractive Use-Class II, the following conditions shall apply:

Condition Precedent:

1. The applicant shall obtain access approval from the appropriate road authority.

Conditions Concurrent:

1. All minimum extractive use standards shall be followed.
2. Vegetative screening along Taylor Road shall be maintained.
3. The extractive use activity shall be limited to less than 40 acres.
4. The applicant shall adhere to all local, county, state, and federal regulations.

*Brad Hadrava*, 929 Grant Avenue, Eveleth, the applicant, stated staff has been tremendous in helping get the application to this point. He wants to start a gravel pit and there is a lot of gravel on this property. About ten feet below the ground level, there is sugar sand. There is no well on the property right now, but he is considering adding a well and septic in the future. There is an outhouse on the property that is currently pumped by A-1. Selling gravel will help him make money in retirement. There is a lot of work to be done on the property yet.

No audience members spoke.

The *Planning Commission* discussed the following:

- A. Commission member *Werschay* asked if there are other borrow pits in this area. *Skylar Webb* stated there are not any within one-quarter mile.
- B. Commission member *McKenzie* asked if this property has ever been logged or used as a borrow pit before. *Brad Hadrava* stated not to his knowledge. His father purchased this property from someone that used to own the Silverado and the property was used as a deer shack.
- C. Commission member *Werschay* asked if the sand was tested to be used for septic systems. *Brad Hadrava* stated that he could use sand for septic systems and is open to trying that. He has never started or worked at a borrow pit before. Commission member *Coombe* noted that septic sand could be more valuable than gravel. *Brad Hadrava* stated a lot of gravel needs to be moved to get to the sand.

## DECISION

**Motion by Coombe/Werschay** to approve a conditional use permit to allow a general purpose borrow pit as an Extractive Use-Class II, based on the following facts and findings:

- A. Plans and Official Controls:
  - 1. Zoning Ordinance 62, Article V, Section 5.6 B., indicates general purpose borrow pits are an allowed use with an approved Conditional Use Permit in a Multiple Use (MU) zone district.
  - 2. The applicant's parcel is designated as Forest and Agriculture (FA) within Planning Area 2 on the Future Land Use Map.
  - 3. The St. Louis County Comprehensive Land Use Plan under Objective LU-4.5 states that the development of new general purpose borrow pits should be directed to areas designated as Forest and Agriculture (FA) on the Future Land Use Map.
  - 4. The FA category typically consists of large tracts of land that are not intended for future urban or rural development.
  - 5. The use conforms to the land use plan.
- B. Neighborhood Compatibility:
  - 1. The area consists primarily of large tracts of undeveloped forest land. These large tracts of land are under both private and public ownership.
  - 2. The development density in this area is very low. There is one residence within 300 feet and is located on the adjacent parcel to the west.
  - 3. The use is compatible with the existing neighborhood.
- C. Orderly Development:
  - 1. This is a rural area consisting of primarily large undeveloped parcels.
  - 2. The request for a borrow pit should have little to no effect on the future development of the surrounding area.
  - 3. The use will not impede the normal and orderly development and improvement of the surrounding area.
- D. Desired Pattern of Development:
  - 1. There is not a high level of future growth anticipated in the area.
  - 2. The FA designation of the parcel specifically identifies these areas for extractive use.
  - 3. The area is not intended for future urban or rural development.

4. The location and character of the proposed use is considered consistent with a desirable pattern of development.

The following conditions shall apply:

Condition Precedent:

1. The applicant shall obtain access approval from the appropriate road authority.

Conditions Concurrent:

1. All minimum extractive use standards shall be followed.
2. Vegetative screening along Taylor Road shall be maintained.
3. The extractive use activity shall be limited to less than 40 acres.
4. The applicant shall adhere to all local, county, state, and federal regulations.
5. The applicant shall receive a copy of the Extractive Use Borrow Pit Standards.

**In Favor:** Coombe, Filipovich, Manick, McKenzie, Nelson, Pollock, Werschay - 7

**Opposed:** None - 0

**Motion carried 7-0**

**Chad Nelson**

The second hearing item is for Chad Nelson, a conditional use permit for a hydraulic business as an Industrial Use - Class II. The subject property is located in S2, T50N, R16W (Solway). *Paul Butler*, St. Louis County Planner, reviewed the staff report as follows:

- A. The applicant is proposing to relocate an existing hydraulic business.
- B. The hours of operation are proposed for 8:00 a.m. until 5:00 p.m., Monday through Friday with no hours of operation on Saturday and Sunday.
- C. The proposal will increase traffic by ten or less vehicles daily.
- D. Parking will consist of six parking spaces.
- E. The proposed business will have good vegetative screening along the road.
- F. The property is fairly level at the proposed location.
- G. There are wetlands located on the property. The proposed project may impact wetlands. A wetland delineation shall be provided before submittal of a land use permit application.

*Paul Butler* reviewed staff facts and findings as follows:

- A. Plans and Official Controls:
  1. Zoning Ordinance 62, Article V, Section 5.6 A., indicates that a heavy equipment business as an Industrial Use - Class II is an allowed use within the Forest and Agricultural Management (FAM) zone district with a conditional use permit.
  2. The property falls within the Forest and Agriculture land use category of the St. Louis County Comprehensive Land Use Plan.
    - a. The Forest and Agriculture land use category takes up the majority of the county's unincorporated land area.
  3. The St. Louis County Comprehensive Land Use Plan specifically addresses the criteria used to determine the location of industrial development as it relates to the future land use map. Industrial sites should have direct access to an arterial or collector road or railroad, avoid wetlands and residential areas, and be located where

there has been extensive ground disturbance from previous industrial development or gravel operations.

- a. The proposed site is located on both an arterial and local road but is not located on a previous industrial site.
  - b. There are wetlands present within the parcel boundaries and a wetland delineation will be necessary to ensure wetlands are avoided.
4. Goal LU-4.2 of the St. Louis County Comprehensive Land Use Plan states when development opportunities arise in isolated areas, ensure such development is self-supporting and consistent with the comprehensive land use plan.
  5. Goal LU-8 of the St. Louis County Comprehensive Land Use Plan is to provide sufficient opportunities for industrial development within the county in areas suitable for such development.

B. Neighborhood Compatibility:

1. The zoning of the subject parcel and the surrounding area is Forest and Agricultural Management (FAM)-3. The FAM zone district allows for a variety of uses including both commercial and industrial.
2. Outside of the immediate area, most parcels consist of large developed private lands with rural residential. These parcels are either FAM or Multiple Use (MU) zone districts.
3. A neighboring parcel consists of an electrical substation that is owned by Lake Country Power.

C. Orderly Development:

1. Future growth may include additional uses that are allowed within the FAM zone district. This may include other industrial or commercial activities, among others.
2. Per the proposal, development on the subject parcel will be limited to a principal structure and parking area.

D. Desired Pattern of Development:

1. It is anticipated that this area will continue to have low development density due to the zoning and existing parcel sizes.

E. Other Factor:

1. The applicant does not own the property; however, they will be purchasing it and was granted permission by the existing owner to proceed with this request.

*Paul Butler* noted three items of correspondence received by the deadline from the Town of Solway with no comment, from the landowner Dennis Koepp giving permission for the applicant to apply, and from Earl and Barbara Beaudin and Richard and Jan Goerts not in support. These items were provided to the Planning Commission prior to the hearing. An additional item of correspondence was received from Richard and Janette Goerts after the deadline and was submitted into the record.

## RECOMMENDED CONDITIONS

If the Planning Commission determines that the proposal meets the criteria for granting a conditional use permit to allow a hydraulic business as an Industrial Use – Class II, the following conditions shall apply:

### Conditions Precedent:

1. The applicant shall obtain access approval from the appropriate road authority.
2. A wetland delineation shall be completed and submitted for review.

### Conditions Concurrent:

1. Vegetative screening along Caribou Lake Road shall be maintained.
2. Lighting shall be directed downward in accordance with dark sky standards.
3. The Minnesota Wetland Conservation Act shall be followed.
4. The local fire department shall be notified.
5. All other local, state, and federal standards shall be met.

*Chad Nelson*, Hermantown Hydraulics, 6140 Seville Road, Saginaw, the applicant, stated he lives behind the property in question, and he used to work for Denny's Drilling which is near this property. His wife, *Linda*, has owned the business for 41 years. Their current property is now zoned by the airport zoning authority, and they were given two years to move the business. They need to be off their current property by April 30. They have a septic permit for this property. They have also completed the wetland delineation. He has both items with him. They are trying to make a home business on this property. There will be no floor drain, the oil will be picked up by an oil recovery unit once a month and there will be no outdoor storage. This proposal would include an office and his home for a total of 60 foot by 60 foot including a small dwelling. There will be three employees. There should be no more than ten vehicles per day, and they do not service larger trucks.

*Linda Nelson*, 6140 Seville Road, Saginaw, the applicant, stated she and her late husband and his family have owned the business since 1983. Her husband passed away two years ago. They have been grappling to find a building or land to continue this business. She hopes to leave this business for her children. This location seems to fit their needs.

One member of the audience spoke in opposition.

*Brian Bird*, 4567 Caribou Lake Road, stated his property is across Highway 194 from the proposed site. He was unsure of the information received in the mail as far as zoning. This use is allowed in this area. One of the slides said that this property is not in a residential area. This area is residential. There are two dwellings across Caribou Lake Road from the proposed site. His dwelling and his father's dwelling are across Highway 194 from this proposed site. There are two or three homes going west down Highway 194. There was some discussion about building a home and running the business from a home. This is the first time he has heard of that. He thought this would be a standalone business on the property. He built his home from scraps 25 years ago and his father built his home. He had to break off the western 10 acres of his 40 acre parcel for his father to be able to build a home because the minimum lot size is nine acres.



What happens to the property if the Nelsons sell the business and home years down the road? What other business could move into this area? Is this opening a pandora's box by starting this permit and a new company will come in to do this? These are his concerns especially for this residential corner.

No other audience members spoke.

The *Planning Commission* discussed the following:

- A. Commission member *Filipovich* asked about the electrical substation on the adjacent property and if setbacks are a concern. *Paul Butler* stated that setbacks are for structures like a primary structure or road setbacks from Caribou Lake Road. *Donald Rigney*, Acting Secretary, added that the Zoning Ordinance does not have required setbacks from a substation. Commission member *Filipovich* stated this substation has been there for a long time.
- B. Commission member *Manick* stated the application addressed if a septic would be added to the property and was marked "Yes," and asked if the reason why no septic permit was applied for is because the applicant does not own the property. *Paul Butler* stated yes and a condition could be added to address the septic. *Donald Rigney* stated that may not be necessary as the applicant still needs to construct a building and the septic review would be completed at that time.
- C. Commission member *McKenzie* asked if the site sketch showed setbacks from both Highway 194 and Caribou Lake Road. *Paul Butler* stated these setbacks do exist on the site sketch provided by the applicant and are accurate. Commission member *McKenzie* stated there should be no concern about setbacks.
- D. Commission member *McKenzie* asked what permit Lake Country Power's substation would have needed when built. *Donald Rigney* stated he does not know when this substation was built. *Paul Butler* added this would be a similar use to what is being requested.
- E. Commission member *McKenzie* asked if this business would require a special type of permit for disposal of oils and other fluids. *Donald Rigney* stated that type of license would be covered by the condition that the applicant should follow state and federal regulations.
- F. Commission member *Pollock* asked about the types of hydraulics worked on and stated no hazardous materials were noted on the application. *Linda Nelson* stated they work with in-house repairs, pumps, motor, PTO, hoses, O-rings, fields, adapters, etc. They do not do business with paper mills or taconite plants.
- G. Commission member *Manick* asked if they manufacture cylinders. *Linda Nelson* stated no.
- H. Commission member *Manick* stated some correspondents may have a misconception of what this project is. This is also not a rezoning.
- I. Commission member *Werschay* stated this property is zoned for this business. The applicants have obtained a septic permit and they have done their wetland delineation. The applicants are responsible people.
- J. Commission member *Manick* stated there is a fabrication business near Cook. This business is not overly loud, but they are working in this building. This proposal seems less involved than that one.
- K. Commission member *McKenzie* stated one reason he asked about the setbacks is because the proposed structure will be 250 feet from Caribou Lake Road. There is vegetative

screening that will be maintained. This will be small-scale and there will be no large equipment, or any work done outside. This is not a manufacturing facility. This is a use and not a rezoning. If something changes in the future, that can be dealt with.

## **DECISION**

**Motion by Manick/Pollock** to approve a conditional use permit to allow a hydraulic business as an Industrial Use – Class II, based on the following facts and findings:

**A. Plans and Official Controls:**

1. Zoning Ordinance 62, Article V, Section 5.6 A., indicates that a heavy equipment business as an Industrial Use - Class II is an allowed use within the Forest and Agricultural Management (FAM) zone district with a conditional use permit.
2. The property falls within the Forest and Agriculture land use category of the St. Louis County Comprehensive Land Use Plan.
  - a. The Forest and Agriculture land use category takes up the majority of the county's unincorporated land area.
3. The St. Louis County Comprehensive Land Use Plan specifically addresses the criteria used to determine the location of industrial development as it relates to the future land use map. Industrial sites should have direct access to an arterial or collector road or railroad, avoid wetlands and residential areas, and be located where there has been extensive ground disturbance from previous industrial development or gravel operations.
  - a. The proposed site is located on both an arterial and local road but is not located on a previous industrial site.
  - b. There are wetlands present within the parcel boundaries and a wetland delineation will be necessary to ensure wetlands are avoided.
4. Goal LU-4.2 of the St. Louis County Comprehensive Land Use Plan states when development opportunities arise in isolated areas, ensure such development is self-supporting and consistent with the comprehensive land use plan.
5. Goal LU-8 of the St. Louis County Comprehensive Land Use Plan is to provide sufficient opportunities for industrial development within the county in areas suitable for such development.
6. The use conforms to the land use plan.

**B. Neighborhood Compatibility:**

1. The zoning of the subject parcel and the surrounding area is Forest and Agricultural Management (FAM)-3. The FAM zone district allows for a variety of uses including both commercial and industrial.
2. Outside of the immediate area, most parcels consist of large developed private lands with rural residential. These parcels are either FAM or Multiple Use (MU) zone districts.
3. A neighboring parcel consists of an electrical substation that is owned by Lake Country Power.
4. The use is compatible with the existing neighborhood.

C. Orderly Development:

1. Future growth may include additional uses that are allowed within the FAM zone district. This may include other industrial or commercial activities, among others.
2. Per the proposal, development on the subject parcel will be limited to a principal structure and parking area.
3. The use will not impede the normal and orderly development and improvement of the surrounding area.

D. Desired Pattern of Development:

1. It is anticipated that this area will continue to have low development density due to the zoning and existing parcel sizes.
2. The location and character of the proposed use is considered consistent with a desirable pattern of development.

E. Other Factors:

1. The applicant does not own the property; however, they will be purchasing it and was granted permission by the existing owner to proceed with this request.
2. The applicant has been proactive with a purchase agreement and moving forward with the septic permitting process.

The following conditions shall apply:

Conditions Precedent:

1. The applicant shall obtain access approval from the appropriate road authority.
2. A wetland delineation shall be completed and submitted for review.

Conditions Concurrent:

1. Vegetative screening along Caribou Lake Road shall be maintained.
2. Lighting shall be directed downward in accordance with dark sky standards.
3. The Minnesota Wetland Conservation Act shall be followed.
4. The local fire department shall be notified.
5. All other local, state, and federal standards shall be met.

**In Favor:** Coombe, Filipovich, Manick, McKenzie, Nelson, Pollock, Werschay - 7

**Opposed:** None - 0

**Motion carried 7-0**

**RNB Investments LLC**

The third hearing item is for RNB Investments LLC, a conditional use permit for an electrical and construction business as an Industrial Use – Class II. The subject property is located in S30, T52N, R13W (Normanna). *Ada Tse*, St. Louis County Planner, reviewed the staff report as follows:

- A. The applicant is proposing to establish an electrical and general construction contractor business on the property.
- B. The property would be used for storage and office space for small residential contractors.
- C. The property currently has a newly installed holding tank and pole building in the process of being constructed.

- D. The hours of operation are proposed to be 7:00 a.m. until 5:00 p.m. Monday through Friday.
- E. The business will not be open to the public.
- F. The property has good vegetative cover throughout.
- G. The property gradually slopes towards the wetlands to the north and has an elevation change of 30 feet.
- H. There is floodplain in the low area on the north end of the property.
- I. There are wetlands on the property that will not be impacted by the proposed development.
- J. The parcel was recently created. An unnamed stream with no DNR classification runs just north of the property.

*Ada Tse* reviewed staff facts and findings as follows:

A. Plans and Official Controls:

- 1. Zoning Ordinance 62, Article V, Section 5.6 B., allows an electrical and general construction business as an Industrial Use – Class II within a Multiple Use (MU) zone district with a conditional use permit.
- 2. The subject parcel falls within the Forest and Agriculture (FA) category of the St. Louis County Future Land Use Maps. This area is intended primarily for forest and/or agriculture uses. These areas are not intended for future rural or urban development.
- 3. The St. Louis County Comprehensive Land Use Plan specifically addresses the criteria used to determine the location of industrial development as it relates to the future land use map. Industrial sites should have direct access to an arterial or collector road or railroad, avoid wetlands and residential areas, and be located where there has been extensive ground disturbance from previous industrial development or gravel operations.
  - a. The proposed site does have direct access to a collector road but is not located on a previous industrial site.
  - b. There are no wetland impacts anticipated; however, wetlands are present within the parcel boundaries.
- 4. Goal LU-8 of the St. Louis County Comprehensive Land Use Plan is to provide sufficient opportunities for industrial development within the county.

B. Neighborhood Compatibility:

- 1. The property is in a Multiple Use (MU) zone district which allows for a variety of uses, including industrial and commercial uses with a conditional use permit.
- 2. Parcels outside of the road corridor are zoned Forest Agricultural Management, which is intended to recognize and promote the development of the county's forestry and agricultural industry.
- 3. The area immediately west of the subject parcel is in Gnesen Township and zoned Suburban Residential, which is intended to promote and protect areas of moderate development density for single-family dwellings.
- 4. The area consists of primarily rural residential, vacant, and agricultural properties.

C. Orderly Development:

1. The property, as well as other properties along the road, is zoned Multiple Use. This zone district allows for a wide range of uses including commercial, industrial, and residential uses.
2. There is potential for future development along the road corridor in this area.

D. Desired Pattern of Development:

1. The area is primarily rural residential with a potential for a wide range of uses along the road corridor.
2. The proposed use is an allowed use with a conditional use permit.

E. Other Factors:

1. The applicant has been issued a driveway access permit from St. Louis County Public Works to access the property from Jean Duluth Road.
2. St. Louis County Onsite Wastewater passed the record review for the project.

*Ada Tse* noted no items of correspondence.

**RECOMMENDED CONDITIONS**

If the Planning Commission determines that the proposal meets the criteria for granting a conditional use permit to allow an electrical and general construction business as an Industrial Use – Class II, the following conditions shall apply:

1. The applicant shall obtain access approval from the appropriate road authority.
2. Lighting shall be directed downward in accordance with dark sky standards.
3. The property shall be kept in a neat and orderly manner.
4. The applicant shall comply with all local, state, and federal regulations.

*Jeremy Stolp*, 3568 Emerson Road, the applicant, stated he owns RNB Investments with his son. Their plan is to lease the property back to the businesses which his son will run. One business is an electrical contractor, and the other is a general construction business. There are about five employees total right now. He spoke with a supervisor from Normanna Township. If there is ever an issue, he and his sons live close to the business. There are few neighbors that are close to the property.

One audience member spoke.

*Gary Juten*, 6277 Jean Duluth Road, stated their residence is about one-quarter mile north on the west side of Jean Duluth Road in Gnesen Township. They have done work for the applicant, both on this project and on other projects. *Jeremy Stolp* is a wonderful customer. Their shops are kept neat, and everything is done indoors. They wanted to send their support in for this proposal.

No other audience members spoke.

The *Planning Commission* discussed the following:

- A. Commission member *Werschay* asked if the applicant will be renting office space to other contractors. *Jeremy Stolp* stated that they are not renting the space out to other businesses but are using it for their own business.
- B. Commission member *Filipovich* asked if there are horses on the property. *Jeremy Stolp* stated there are horses on the south side of the property. Commission member *Filipovich* asked if there should be fencing if there are horses on the next property. *Jeremy Stolp* stated there is fencing on the ranch property. There is also an existing easement between the subject property and the ranch property.

## DECISION

**Motion by Coombe/Manick** to approve a conditional use permit to allow an electrical and general construction business as an Industrial Use – Class II, based on the following facts and findings:

- A. Plans and Official Controls:
  - 1. Zoning Ordinance 62, Article V, Section 5.6 B., allows an electrical and general construction business as an Industrial Use – Class II within a Multiple Use (MU) zone district with a conditional use permit.
  - 2. The subject parcel falls within the Forest and Agriculture (FA) category of the St. Louis County Future Land Use Maps. This area is intended primarily for forest and/or agriculture uses. These areas are not intended for future rural or urban development.
  - 3. The St. Louis County Comprehensive Land Use Plan specifically addresses the criteria used to determine the location of industrial development as it relates to the future land use map. Industrial sites should have direct access to an arterial or collector road or railroad, avoid wetlands and residential areas, and be located where there has been extensive ground disturbance from previous industrial development or gravel operations.
    - a. The proposed site does have direct access to a collector road but is not located on a previous industrial site.
    - b. There are no wetland impacts anticipated; however, wetlands are present within the parcel boundaries.
  - 4. Goal LU-8 of the St. Louis County Comprehensive Land Use Plan is to provide sufficient opportunities for industrial development within the county.
  - 5. The use conforms to the land use plan.
- B. Neighborhood Compatibility:
  - 1. The property is in a Multiple Use (MU) zone district which allows for a variety of uses, including industrial and commercial uses with a conditional use permit.
  - 2. Parcels outside of the road corridor are zoned Forest Agricultural Management, which is intended to recognize and promote the development of the county's forestry and agricultural industry.
  - 3. The area immediately west of the subject parcel is in Gnesen Township and zoned Suburban Residential, which is intended to promote and protect areas of moderate development density for single-family dwellings.
  - 4. The area consists of primarily rural residential, vacant, and agricultural properties.
  - 5. The use is compatible with the existing neighborhood.

C. Orderly Development:

1. The property, as well as other properties along the road, is zoned Multiple Use. This zone district allows for a wide range of uses including commercial, industrial, and residential uses.
2. There is potential for future development along the road corridor in this area.
3. The use will not impede the normal and orderly development and improvement of the surrounding area.

D. Desired Pattern of Development:

1. The area is primarily rural residential with a potential for a wide range of uses along the road corridor.
2. The proposed use is an allowed use with a conditional use permit.
3. The location and character of the proposed use is considered consistent with a desirable pattern of development.

The following conditions shall apply:

1. The applicant shall obtain access approval from the appropriate road authority.
2. Lighting shall be directed downward in accordance with dark sky standards.
3. The property shall be kept in a neat and orderly manner.
4. The applicant shall comply with all local, state, and federal regulations.

**In Favor:** Coombe, Filipovich, Manick, McKenzie, Nelson, Pollock, Werschay - 7

**Opposed:** None - 0

**Motion carried 7-0**

**Motion to adjourn by Pollock. The meeting was adjourned at 11:17 AM.**