

To: Planning Advisory Commission
From: Land Use Management
Meeting Date: September 16th, 2024
Report date: September 6, 2024

PUBLIC HEARING: IUP Request for a Commercial/Industrial Use Primarily Intended to Serve the Ag. Community

Request for an Interim Use Permit, submitted by Joseph Prink (Owner) to operate a skid loader and tractor attachment business on property zoned A-2 (Agriculture District).

Application Information:

Applicant: Joseph Prink (Owner)

Address of Zoning Request: 9881 310th Street Way Cannon Falls, MN 55009

Parcel(s): 28.015.1500 and 28.015.1501

Abbreviated Legal Description: The SE ¼ of the SE ¼ of Section 15 TWP 112 Range 17 in Cannon Falls Township.

Township Information: Cannon Falls Township will be meeting on September 13th, 2024. Staff will update the PAC with any comments from the Township at the September 16th meeting.

Zoning District: A-2 Agriculture District

Attachments and links:

Application and submitted project summary

Site Map(s)

Goodhue County Zoning Ordinance (GCZO):

[zoning_ordinance.pdf \(goodhuecountymn.gov\)](#)

Background:

Joseph Prink is requesting an Interim Use Permit to operate a skid loader and tractor attachment business on property zoned A-2 (Agriculture District).

All Commercial/Industrial uses primarily intended to serve the agriculture communities in Goodhue County are required to obtain an Interim Use Permit.

Goodhue County Zoning Ordinance: Article 4 Conditional/Interim Uses

No CUP/IUP shall be recommended by the County Planning Commission unless said Commission specifies facts in their findings for each case which establish the proposed CUP/IUP will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, will not substantially diminish and impair property values within the immediate vicinity, will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area, that adequate measures have been, or will be, taken to provide utilities, access roads, drainage, and other necessary facilities, to provide sufficient off-street parking and loading space, to 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.

Project Summary:**Property Information:**

- Parcels 28.015.1500 and 28.015.1501 are approximately 11.15 acres and 28.71 acres respectively.
- The property is bordered by A-2 zoned properties on all sides. Adjacent land uses include low-density residential and agricultural uses including row crop agriculture.
- Parcel 28.015.1500 contains the Applicant's dwelling and two accessory buildings totaling approximately 4,000 square feet. A wooded area across 310th Street is also part of this parcel. Parcel 28.015.1501 consists of tilled cropland and the outdoor storage area for the Applicant's business.
- The business is already operating on-site. Staff was made aware of the business via letter in July 2024.
- Section 15 of Cannon Falls Township is limited to 12 dwellings, one per original ¼ ¼ section as an A-2 zoned section. There are currently 13 dwellings in section 15 therefore no additional dwelling density is available.
- The business use of the property does not qualify as a Home Business because it is being conducted on a parcel without a dwelling.
- The property is located approximately 0.2 miles from County 8 BLVD (asphalt surface) on 310th Street Way (aggregate surface). 310th Street Way is not a through street and dead-ends approximately 0.8 miles from the Applicant's property.

Business Information:

- The business (JP Attachments) currently utilizes an area on parcel 28.015.1501 to store skid loader and tractor accessories for sale. The Applicant proposes to continue selling skid loader and tractor accessories on the property. Currently, office operations are conducted out of the dwelling on parcel 28.015.1500. The Applicant has indicated a desire to possibly construct a structure for the business in the future. Any new structure must meet property line setbacks.
- Deliveries are loaded and unloaded on site. The Applicant noted that deliveries to the business happen once a week.
- The applicant has 1 part-time employee who picks up and delivers attachments to the business.
- There are no set hours of operation. The business has customers come to the site to purchase attachments by appointment only.
- No equipment creating noise, odor, or dust uncommon to the agricultural area is used at the business. The only source of noise is from a skid loader loading and unloading attachments.
- No traffic beyond that which is reasonable for the local transportation network occurs due to the business. Adequate emergency vehicle access is available to service the facility.
- The Zoning Administrator has calculated that a minimum of 1 off-street parking space is required. Ample room exists on the properties to accommodate parking needs.
- There is no exterior signage associated with the business on-site and the Applicant has indicated no signage will be added.
- No additional exterior lighting will be added to the property as all work is conducted during daytime hours.
- The Applicant has indicated a desire to install a fence to secure the products on parcel 28.015.1501. Fences are permitted uses and may be installed up to the property line. Fences over 7 feet in height must obtain a building permit prior to installation.
- The Applicant has also indicated a desire to plant additional trees to screen the equipment storage area.

Draft Findings of Fact:

The following staff findings shall be amended to reflect concerns conveyed during the PAC meeting and public hearing.

1. The business does not appear injurious to the use and enjoyment of properties in the immediate vicinity for uses already permitted, nor would it substantially diminish and impair property values in the immediate vicinity.
2. The business is not anticipated to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. The use as proposed appears compatible with existing adjacent land uses.
3. A review of the Applicant's submitted project summary indicates adequate utilities, access roads, drainage, and other necessary facilities are available to accommodate the use.
4. The property has ample room to provide sufficient off-street parking and loading space to serve the proposed use and meet the Goodhue County Zoning Ordinance's parking requirements.
5. The business is not anticipated to create offensive odor, fumes, dust, noise, and vibration that would constitute a nuisance. The addition of fencing and vegetative screening would reduce the visibility of equipment storage from the public road.

Staff recommendation is based on the review of the submitted application and project area prior to the public hearing.

Staff Recommendation:

LUM Staff recommends the Planning Advisory Commission

- adopt the staff report into the record;
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

Recommend that the County Board of Commissioners **APPROVE** the request from Joseph Prink (Owner) for an IUP to establish a business primarily intended to serve the agricultural community (skid loader and tractor attachment sales).

Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this IUP;
2. Hours of operation shall be limited to appointments only between 7:00 AM and 8:00 PM daily;
3. On-street parking, loading, and off-loading shall be prohibited;
4. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
5. Compliance with Goodhue County Zoning Ordinance including, but not limited to Article 22 A-2, Agricultural District; and
6. A new structure for the business may be constructed on either parcel 28.015.1500 or 28.015.1501 with proper permits from Goodhue County; and
7. This IUP shall expire upon the sale of either property.

RECEIVED

AUG 21 2024

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # 20.015.1500

Land Use Management

Permit# E24-0040

PROPERTY OWNER INFORMATION

Last Name Prink

First Joe

Email:

Street Address 9881 310th St. Way

Phone:

City Cannon Falls

State MN

Zip 55009

Attach Legal Description as Exhibit "A"

Authorized Agent

Phone

Mailing Address of Landowner: 9881 310th St. Way Cannon Falls, MN 55009

Mailing Address of Agent:

PROJECT INFORMATION

Site Address (if different than above):

Lot Size

Structure Dimensions (if applicable)

What is the conditional/interim use permit request for?

Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized

Land Use Management

AUG 21 2024

RECEIVED

DISCLAIMER AND PROPERTY OWNER SIGNATURE

I hereby swear and affirm that the information supplied to Goodhue County Land Use Management Department is accurate and true. I acknowledge that this application is rendered invalid and void should the County determine that information supplied by me, the applicant in applying for this variance is inaccurate or untrue. I hereby give authorization for the above mentioned agent to represent me and my property in the above mentioned matter.

Signature of Landowner: Joe Prink

Date 8/20/24

Signature of Agent Authorized by Agent:

TOWNSHIP INFORMATION

Township Zoning Permit Attached? If no please have township complete below:

By signing this form, the Township acknowledges being made aware of the request stated above. In no way does signing this application indicate the Township's official approval or denial of the request.

Signature

Title

Date

Comments:

Township meeting Sept. 13th She will reply

COUNTY SECTION

COUNTY FEE \$400

RECEIPT # 18513

DATE PAID 8-21-24

Applicant requests a CUP/IUP pursuant to Article ___ Section ___ Subdivision ___ of the Goodhue County Zoning Ordinance

What is the formal wording of the request?

Shoreland ___ Lake/Stream Name ___ Zoning District ___

Date Received ___ Date of Public Hearing ___ DNR Notice ___ City Notice ___

Action Taken: ___ Approve ___ Deny Conditions:



GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

PROJECT SUMMARY

Please provide answers to the following questions in the spaces below. If additional space is needed, you may provide an attached document.

1. Description of purpose and planned scope of operations (including retail/wholesale activities).

I plan to sell skid loader & tractor attachments to serve the
agriculture community.

2. Planned use of existing buildings and proposed new structures associated with the proposal.

Currently I use my house to print invoices for customer. In the future I would
possibly like to put a shed up.

3. Proposed number of non-resident employees.

1 part time driver to pickup attachments and deliver to me approximately
once a week

4. Proposed hours of operation (time of day, days of the week, time of year) including special events not within the normal operating schedule.

I don't have set hours. I go by appointment only.

5. Planned maximum capacity/occupancy.

Just myself and a couple other people -- usually just me and the customer
unless they bring someone with them.

6. Traffic generation and congestion, loading and unloading areas, and site access.

I'm the first place on a dead end road that has 2 other places.
I plan to have 1-2 vehicles a day. (hopefully) Load & unload on site.

7. Off-street parking provisions (number of spaces, location, and surface materials).

Doesn't apply to me. There is more than enough room to park.
Gravel, dirt, grass

8. Proposed solid waste disposal provisions.

Doesn't apply

9. Proposed sanitary sewage disposal systems, potable water systems, and utility services.

Doesn't apply.

10. Existing and proposed exterior lighting.

I don't have any exterior lighting because I don't operate in the dark.

11. Existing and proposed exterior signage.

I don't have and don't plan on signage.

12. Existing and proposed exterior storage.

As of now everything is stored outside.

13. Proposed safety and security measures.

I would like to put up a fence to keep product inside of.

14. Adequacy of accessibility for emergency services to the site.

Easily accessible for emergency services to site.

15. Potential for generation of noise, odor, or dust and proposed mitigation measures.

Only noise will come from me running my skid loader to load/unload product

16. Anticipated landscaping, grading, excavation, filling, and vegetation removal activities.

I plan on putting in more trees. No vegetation ~~removal~~ removal

17. Existing and proposed surface-water drainage provisions.

water drains down hill

18. Description of food and liquor preparation, serving, and handling provisions.

No food or liquor

19. Provide any other such information you feel is essential to the review of your proposal.

N/A

PUBLIC NOTICE: NEIGHBORHOOD MAILING MAP

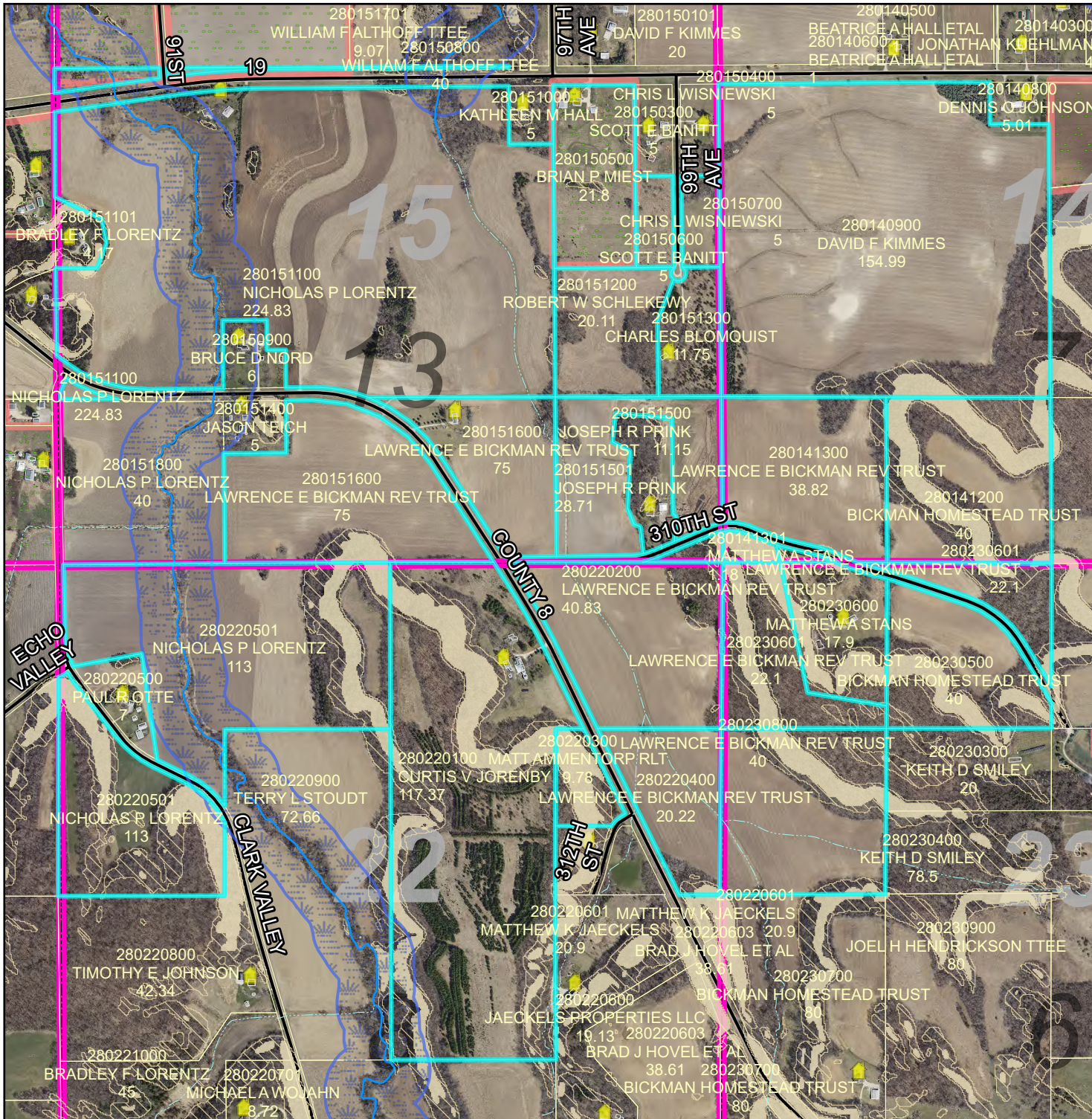
PLANNING COMMISSION

Public Hearing
September 16, 2024

Joseph Prink (Owner)
A-3 Zoned District.

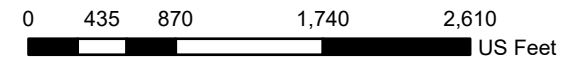
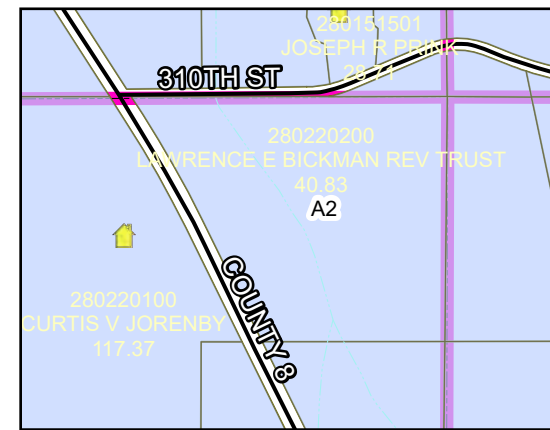
The SE 1/4 of the SE 1/4 of Section
15 TWP 112 Range 17 in Cannon
Falls Township.

Request for IUP for a Commercial/
Industrial Use Primarily Intended to Serve
the Ag Community.



Legend

- | | | | |
|--|----------------------------|--|------------------------------|
| | Intermittent Streams | | Bluff Impact Zones (% slope) |
| | Protected Streams | | 30 |
| | Lakes & Other Water Bodies | | FEMA Flood Zones |
| | Shoreland | | 2% Annual Chance |
| | Historic Districts | | A |
| | Parcels | | AE |
| | Registered Feedlots | | AO |
| | Dwellings | | X |
| | Municipalities | | |

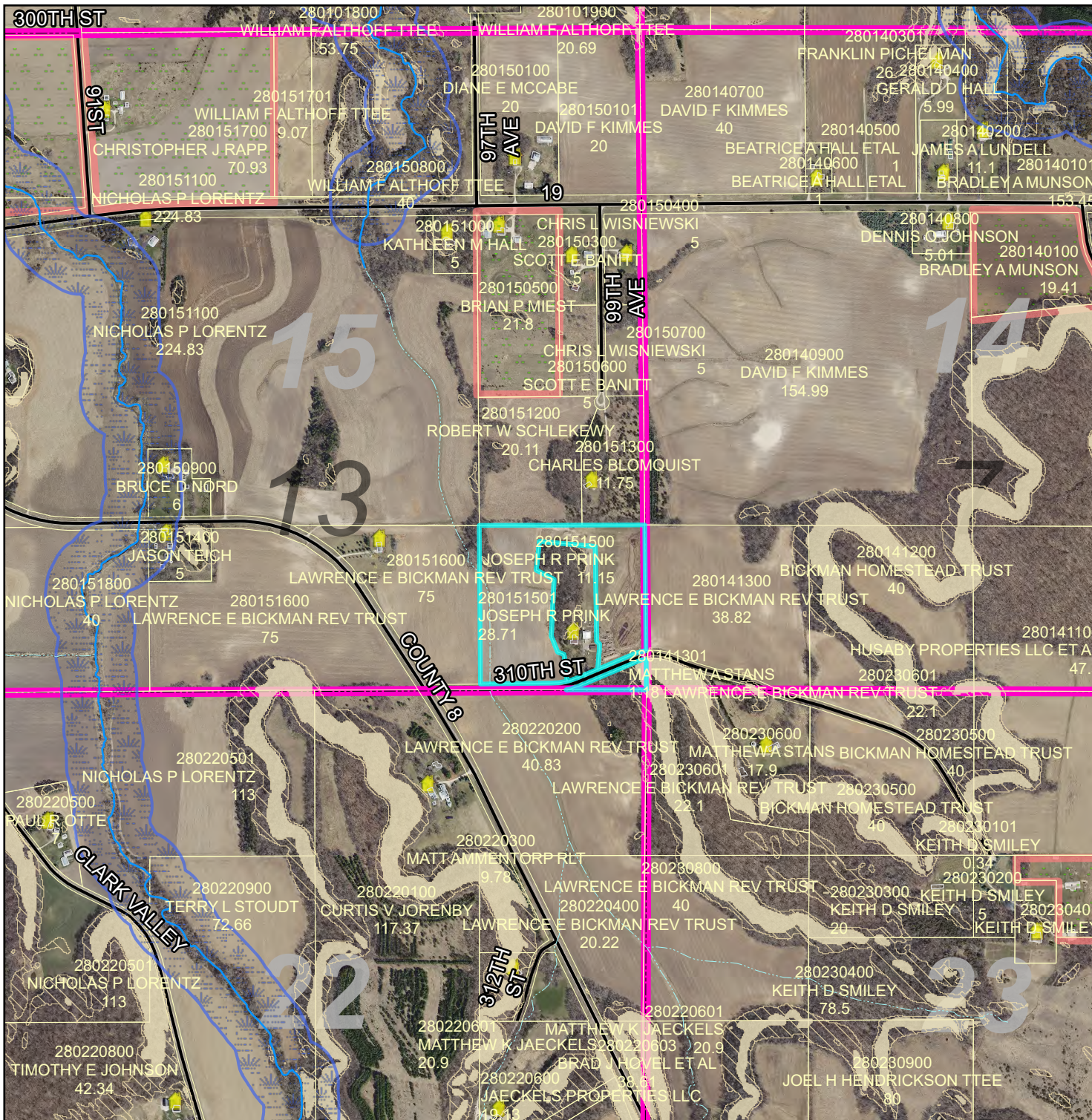


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MAP 02: VICINITY MAP



PLANNING COMMISSION

Public Hearing
September 16, 2024

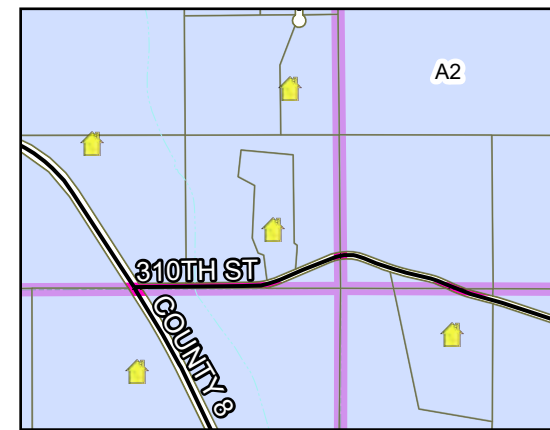
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A-3 Zoned District.

The SE 1/4 of the SE 1/4 of Section
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Request for IUP for a Commercial/
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Legend

	Intermittent Streams		Bluff Impact Zones (% slope)
	Protected Streams		30
	Lakes & Other Water Bodies		
	Shoreland		
	Historic Districts		
	Parcels		
	Registered Feedlots		
	Dwellings		
	Municipalities		
			FEMA Flood Zones
			2% Annual Chance
			A
			AE
			AO
			X



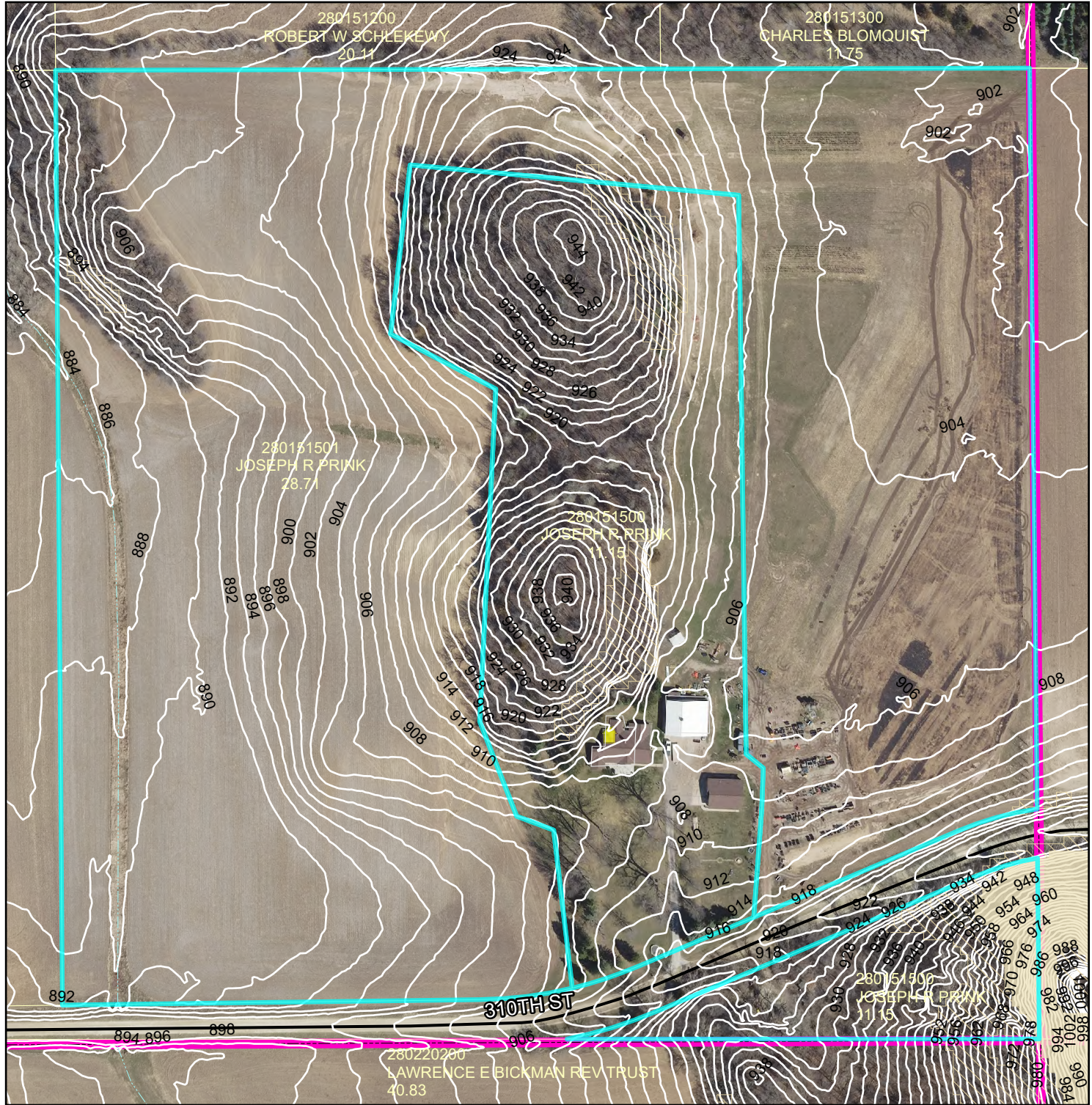
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US Feet

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MAP 03: ELEVATIONS



PLANNING COMMISSION

Public Hearing
September 16, 2024

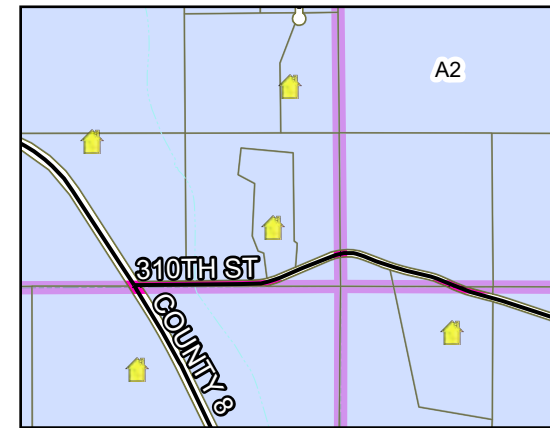
Joseph Prink (Owner)
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The SE 1/4 of the SE 1/4 of Section
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Request for IUP for a Commercial/
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Legend

	Intermittent Streams		Bluff Impact Zones (% slope)
	Protected Streams		20
	Lakes & Other Water Bodies		30
	Shoreland		FEMA Flood Zones
	Historic Districts		2% Annual Chance
	Parcels		A
	Registered Feedlots		AE
	Dwellings		AO
	Municipalities		X



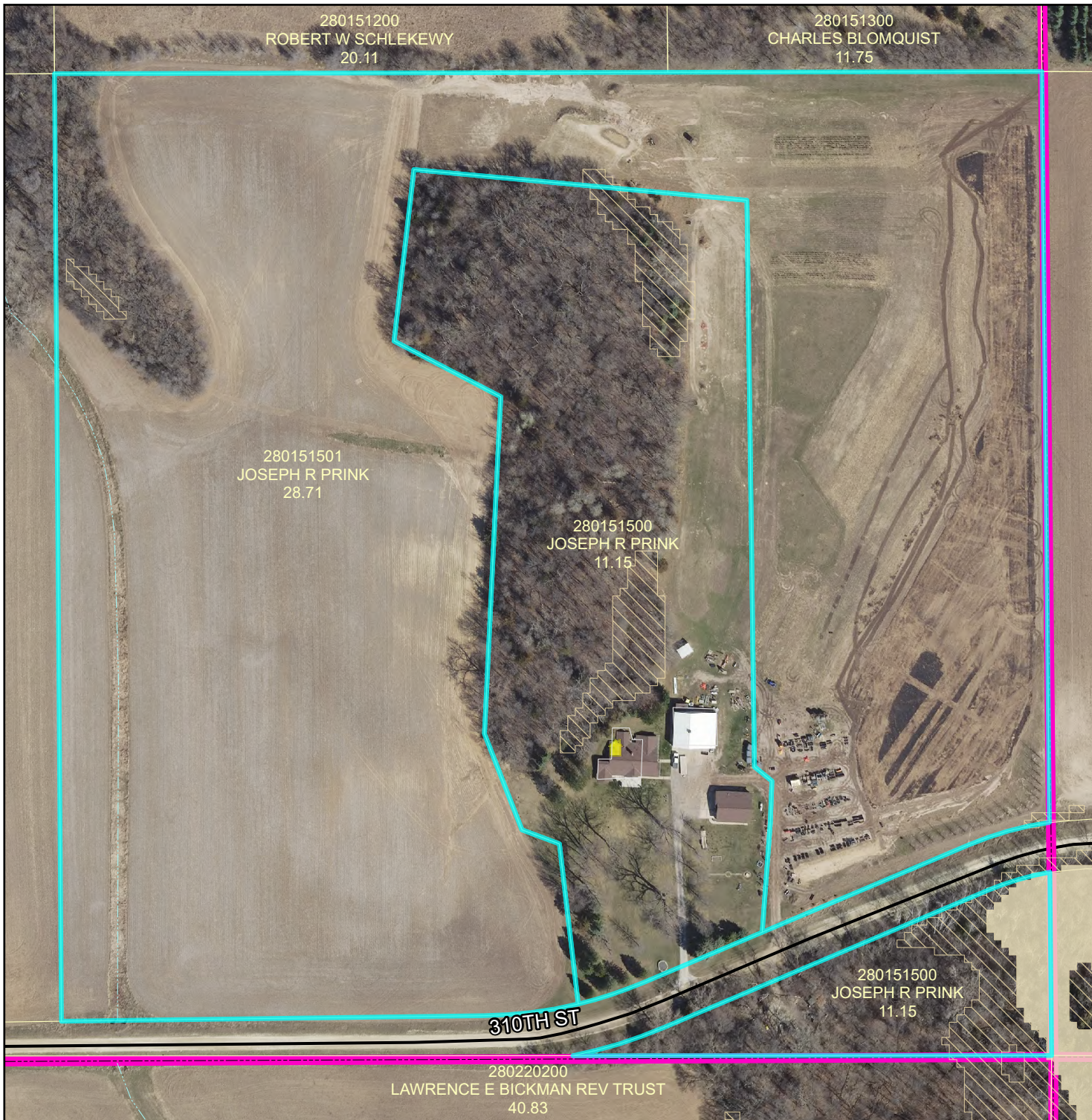
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MAP 01: PROPERTY OVERVIEW



PLANNING COMMISSION

Public Hearing
September 16, 2024

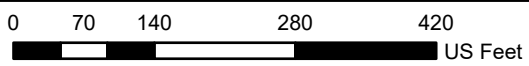
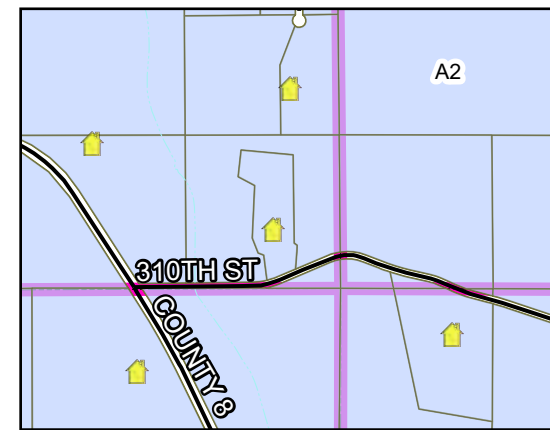
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Intermittent Streams	Bluff Impact Zones (% slope)
Protected Streams	20
Lakes & Other Water Bodies	30
Shoreland	FEMA Flood Zones
Historic Districts	2% Annual Chance
Parcels	A
Registered Feedlots	AE
Dwellings	AO
Municipalities	X



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