



# GOODHUE COUNTY MINNESOTA

TO EFFECTIVELY PROMOTE THE SAFETY, HEALTH, AND WELL-BEING OF OUR RESIDENTS

Goodhue County Planning Commission  
Government Center - Board Room  
509 West 5th St, Red Wing MN 55066

Planning Advisory Commission

Call Meeting To Order

Approval Of Current Agenda

Approval Of Previous Month's Meeting Minutes

1. August 20, 2018 MEETING MINUTES

Documents:

[MINUTES\\_AUG2018\\_PAC\\_DRAFT.PDF](#)

Conflict/Disclosure Of Interests

Public Hearings:

1. PUBLIC HEARING: Request For CUP For A Utility-Scale Solar Energy System (SES)  
Request for a CUP submitted by USS Greenhouse Solar LLC (applicant) and Joel and Nancy Flemke (owners) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 10 acres. Parcel 39.019.0500. TBD 180th Ave, Pine Island, MN 55963. Part of the W½ of the NW ¼ of Sect 19 Twp 109 Range 15 in Pine Island Township. A1 Zoned District.

Documents:

[PACPACKET\\_USSOLAR.PDF](#)

2. PUBLIC HEARINGS: Villa Maria Ventures LLC (John Rupp, Chief Manager)
  1. Map Amendment (Rezone)  
Request for map amendment to rezone Parcels 32.160.0040 and 32.012.0400 from A2 (General Agriculture District) to CR (Commercial Recreational District).
  2. CUP for a Resort Facility and Accessory Event Center  
Request for a Conditional Use Permit (CUP) to establish a Resort Facility with restaurant and event spaces. The proposal includes remodeling existing buildings and constructing additions to provide operational spaces for lodging, guest-houses, cabins, on-site restaurants, outdoor entertainment, and events.

Documents:

[PACPACKET\\_VILLAMARIA.PDF](#)

Other-Discussion

Adjourn

**Anyone interested is invited to attend. Agenda items may be subject to change.**

# Goodhue County Land Use Management

◆ Goodhue County Government Center ◆ 509 West Fifth Street ◆ Red Wing ◆ Minnesota ◆ 55066 ◆  
◆ Building ◆ Planning ◆ Zoning ◆ Telephone: 651/385-3104 ◆ Fax: 651/385-3106 ◆

**PLANNING COMMISSION  
GOODHUE COUNTY, MN  
August 20, 2018 MEETING MINUTES  
DRAFT**

The meeting of the Goodhue County Planning Advisory Commission was called to order at 7:00 PM by Chair Darwin Fox at the Goodhue County Government Center 3<sup>rd</sup> Floor Board Room in Red Wing, Minnesota.

### **Roll Call**

Commissioners Present: Len Feuling, Tom Drazkowski, Darwin Fox, Richard (Dick) Nystuen, Sarah Pettit, Barney Nesseseth

Commissioners Absent: Tom Gale, Marc Huneke

Staff Present: Land Use Management Director Lisa Hanni, Zoning Assistant Ryan Bechel

### **1. Approval of Agenda**

<sup>1</sup>Motion by Commissioner Feuling; seconded by Commissioner Pettit to approve the meeting agenda. Motion carried 6:0

### **2. Approval of Minutes**

<sup>2</sup>Motion by Commissioner Feuling; seconded by Commissioner Nystuen to approve the previous month's meeting minutes. Motion carried 6:0

### **3. Conflict/Disclosure of Interest**

There were no reported conflicts of interest.

#### **PUBLIC HEARING: Request for Amendment to Existing CUP for a Retreat Center and Scrapbooking Retail Store (Firefly Farm LLC)**

Request, submitted by Firefly Farm LLC (Trisha Studer), to amend CUP Z16-0060 (approved 10/04/16) to modify plans for a proposed Retreat Center and existing scrapbooking retail store. Parcel 39.033.0800. 51525 210th Ave, Pine Island, MN 55963. Part of the E $\frac{1}{2}$  of SE $\frac{1}{4}$  Sec 33, Twp 109, Range 15, in Pine Island Township. A3 Zoned District.

*The Applicant (Trisha Studer) was present to represent the application.*

*Lisa Hanni (Hanni) presented the staff report and attachments.*

*Commissioner Feuling asked for clarification of the retail store hours of operation versus the retreat center.*

*Hanni responded the retreat center would be open 24 hours per day; 7 days per week. The retail store would be open year-round Monday and Wednesday through Saturday from 10:00 AM to 9:00 PM and Sundays from 10:00 AM to 5:00 PM. Closed Tuesdays.*

*Commissioner Nystuen inquired about traffic flow and circulation.*

*The Applicant responded that traffic is steady, but light for the most part (3-5 vehicles per day avg.). She schedules her events to make sense with parking and noted that there is ample room on the property to ensure guests park off-street.*

*Commissioner Nystuen asked about winter parking.*

*The Applicant responded that events aren't held as often in the winter due to the unpredictability of the weather, however, they do have a snow removal service to ensure parking spots are cleared and available for guests.*

**PLANNING COMMISSION  
GOODHUE COUNTY, MN  
August 20, 2018 MEETING MINUTES  
DRAFT**

*Commissioner Nystuen asked for details about the plan for the septic systems.*

*The Applicant clarified the existing system will continue to be used for the retail store facilities. A new, separate septic system has been designed exclusively for the proposed retreat center.*

**Chair Fox opened the Public Hearing.**

*Richard Miller (Supervisor Pine Island Township, 50389 180<sup>th</sup> Ave) mentioned that the township has approved the amendment at the Township level and is in support of the Applicant's request. He added that the Township encourages entrepreneurial endeavors such as the applicants within the township.*

**<sup>3</sup>After Chair Fox asked three times for comments, it was moved by Commissioner Feuling and seconded by Commissioner Pettit to close the public hearing. Motion carried 6:0**

*Hanni reminded the PAC that if the amendment is approved by the County Board, the new CUP will replace and terminate the Applicant's current CUP.*

*Commissioner Nesseth noted that the proposal appears to be well thought-out and he is pleased that Pine Island Township is in support of the request.*

*Commissioner Pettit asked the Applicant if they had any desire to expand their retail center hours to allow 7 days per week given there are no objections to their request.*

*The Applicant responded that they had no desire to expand their hours to be open on Tuesdays. Their current hours meet their needs.*

**<sup>4</sup>Motion by Commissioner Feuling seconded by Commissioner Pettit, for the Planning Advisory Commission to:**

- 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 Firefly Farms (Trisha Studer) to amend CUP Z16-0060 (approved 10/04/16) to modify plans for a proposed Retreat Center and existing scrapbooking retail store. Upon approval, this CUP will replace and cause CUP Z16-0060 to be revoked.

Subject to the following conditions:

1. Retreat Center and Accessory Retail Store activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
2. Hours of operation for the accessory retail store shall be year-round Monday and Wednesday through Saturday from 10:00 AM to 9:00 PM and Sundays from 10:00 AM to 5:00 PM;
3. Hours of operation for the Retreat Center shall be year-round, 7-days per week;
4. Retreat Center occupancy shall not exceed 50 guests or the design capacity of the connected SSTs, whichever is less;
5. On-street parking shall be prohibited;
6. Applicant shall obtain Building Permit approvals for the proposed structure from the Goodhue County Building Permits Department prior to establishing the use;

**PLANNING COMMISSION  
GOODHUE COUNTY, MN  
August 20, 2018 MEETING MINUTES**

**DRAFT**

7. Applicant shall work with Goodhue County Environmental Health to achieve compliance with the Goodhue County SSTS Ordinance;
8. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 11, Section 25, Retreat Centers and Article 23 A3, Urban Fringe District;
9. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.

***Motion Carried 6:0***

**4. Other discussion**

• Staff Update:

Hanni updated the PAC on the status of the filled Zoning Assistant position.

There was an open discussion regarding a proposal to consider a draft Conservation Subdivision District ordinance.

**<sup>5</sup>Adjourn: Moved by Commissioner Feuling, second by Commissioner Gale, to adjourn the Planning Advisory Commission meeting at 7:51 PM.**

**Motion carried 6:0**

Respectfully Submitted,

Ryan Bechel; Recording Secretary

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<sup>1</sup> APPROVE the PAC meeting agenda.

*Motion carried 6:0.*

<sup>2</sup> APPROVE the previous month's meeting minutes.

*Motion carried 6:0.*

<sup>3</sup> Motion to close the Public Hearing.

*Motion carried 6:0*

<sup>4</sup> Recommend the County Board of Commissioners Approve the request for CUP amendment submitted by Trisha Studer

*Motion carried 6:0*

<sup>5</sup> ADJOURN the Planning Commission meeting.

*Motion carried 6:0*

UNOFFICIAL UNTIL APPROVED BY THE PAC

# Goodhue County Land Use Management

Goodhue County Government Center | 509 West Fifth Street | Red Wing, Minnesota 55066

*Lisa M. Hanni, L.S. Director*

Building | Planning | Zoning  
Telephone: 651.385.3104  
Fax: 651.385.3106



*County Surveyor / Recorder*

Environmental Health | Land Surveying | GIS  
Telephone: 651.385.3223  
Fax: 651.385.3098

**To:** Planning Commission  
**From:** Land Use Management  
**Meeting Date:** September 6, 2018  
**Report date:** September 17, 2018

## **PUBLIC HEARING: Request for CUP for a Utility-Scale Solar Energy System (SES)**

Request for a CUP submitted by USS Greenhouse Solar LLC (applicant) to construct and operate a Utility-Scale Photovoltaic Ground 1 Megawatt (MW) Solar Energy System (SES) on up to 10 acres of the 67.36 acres of Parcel ID #390190500. 49060 180<sup>th</sup> Ave, Pine Island, MN 55963. Part of the W ½ of the NW ¼ in Sect 19 Twp 109 Range 15 in Pine Island Township. A1 Zoned District.

### **Application Information:**

Applicant: USS Greenhouse Solar LLC (applicant)  
Address of zoning request: 49060 180<sup>th</sup> Ave, Pine Island, MN 55963  
Parcel(s): Part of the W ½ of the NW ¼ in Sect 19 Twp 109 Range 15 in Pine Island Township  
Township Information: Pine Island Township acknowledged the CUP request on 8/15/18. The Township has indicated that they would like the County to require financial surety to ensure money would be available for decommissioning.  
Zoning District: A1 (Agriculture District)

### **Attachments and links:**

Application and submitted project summary  
Site Map(s)  
Goodhue County Zoning Ordinance (GCZO):  
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

### **Background:**

The applicant has submitted a CUP request to construct and operate a one (1) Megawatt (MW) photovoltaic (PV) utility-scale solar garden on up to 10 acres of leased land located in Pine Island Township that is currently owned by Joel L. Flemke and Nancy J. Flemke. The project would be developed in conjunction with the State of Minnesota Solar Garden program and Xcel Energy's Solar Rewards Community Program. The program allows developers to design, permit, own, and operate solar energy systems and sell the generated power directly to consumers. Upon completion, the "USS Solar Greenhouse LLC" Solar Garden would connect to Xcel Energy's distribution grid and generate up to 1 MW of energy annually over the next 25 years.

Per Goodhue County regulations, Solar Energy Systems (SES) that are the primary use of the land and are designed to primarily provide energy to off-site users or export to the wholesale market may be conditionally permitted as a "Utility-Scale SES" within the County's A1 zoned districts.

### **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:**

- The approximately 10-acre site to be leased by the applicant is currently used for row-crop agriculture (corn and soybeans) by the owner.

The 67-acre Flemke property includes a dwelling and a business Joel's Greenhouse Garden Center, in addition, tilled cropland and a vegetated drainage swale.

Adjacent land uses include agriculture and low-density residential.

The nearest residence is located approximately 500 feet northwest of the proposed facility.

- Section 19 and the adjoining Sections are all located within the County's A1 (Agriculture Protection) Zone.
- The major equipment components of the project are solar panels, inverters, and racking.
- The solar array is proposed to include 2448 solar modules (panels) including 34 tracker racks (rows) with 72 modules per tracker rack.

Inter-row spacing will be 11.9 feet. The project area to be fenced for security purposes will encompass 5.6 acres

Single axis tracker racks will hold up solar panels, reaching a maximum height of approximately 10 feet.

The racking will be installed with piles that are anchored into the ground to an appropriate depth based on detailed structural and geotechnical analysis.

The solar array will interconnect to the power grid via a pad-mounted transformer at the north edge of the project area, facilitating connection to an existing Xcel Energy circuit.

- A new driveway/access road will be constructed from 180<sup>th</sup> Ave to access the leased project area.

A recorded ingress/egress easement is not required for the property given the site is to be leased and all land to be crossed to access the site will remain under common ownership.

A separate fire number will be required for the site.

- Adequate emergency vehicle access is available to service the location.

The access route would be composed of crushed aggregate to facilitate emergency vehicle access in inclement weather conditions.

- Once constructed, traffic to the site would be limited to four visits per year (quarterly) by two maintenance personnel to perform routine maintenance, in addition to any unplanned maintenance. During the first few years of operation two vegetation maintenance personnel will visit the site a handful of times per year and then an anticipated four times per year for the duration of the project.
- The solar garden is sited to comply with all GCZO setback requirements for solar energy systems.
- A Preliminary Drainage Plan has been included in Appendix I. A full drainage report is forthcoming and will be completed as part of the Stormwater and Pollution Prevention Plan (SWPPP).
- The site slopes from south to north with stormwater runoff draining to an existing swale that flows into Pine Island Creek to the northeast.

Aside from the gravel access road and meter pad, the entire area within the fenced project boundary will be restored to a low-maintenance seed mix, including the area below the solar panels.

- The Applicant has noted that "better site design techniques" as described in MPCA's Minnesota Storm Water Manual will be utilized to ensure the site maintains good drainage. These measures are set forth in the Preliminary Drainage Plan and will be further detailed in the SWPPP.

Any comments from the Goodhue SWCD will be provided at the Planning Advisory Commission

Meeting on September 17.

An erosion control/storm water management plan is customarily submitted for review at the time of building permit application.

- An intermittent stream/wetland feature has been identified north of the leased project area. The application indicates the site will not be located within any protected wetland features or water resources and has low flooding potential.

An existing forested area along the drainage swale/intermittent stream north of the project area will serve to screen the solar garden from residential and farm uses located north of the site.

- A security fence will be constructed around the entire perimeter of the project area. The fence will not exceed 8 feet in height, and it will be a farm-field style fence without barbed wire.
- Ample room exists on the property to fulfill GCZO off-street parking requirements.
- Construction is expected to last 3-4 months with most deliveries in the first month and electrical testing in the later stages of construction.
- The project is subject to issuance of a Building Permit and must be constructed according to applicable building code requirements. The project will be inspected by County Building Inspections Staff and the State Electrical Inspector. In addition, Planning and Zoning Staff will inspect the project upon completion to ensure conformance with applicable zoning requirements.
- USS Solar Greenhouse LLC has a long-term maintenance plan to ensure safety, reliable operation, and production of the system. Monitoring and metering equipment installed on site will alert the maintenance team in real time of a system performance issue.
- The Applicant has set forth a Decommissioning Plan consistent with County requirements and has offered to provide a financial surety to cover the anticipated cost (\$20,000) of decommissioning the site.

Per GCZO Article 19, the applicant may be required to provide a financial surety at up to 125% of the estimated decommissioning cost. The county has not typically exercised the right to financial assurance requirements for similar solar installations. The Planning Advisory Commission and County Board will need to decide if the County will require financial assurance to cover anticipated decommissioning costs.

- The applicant has included a review of water resources that has identified National Wetlands Inventory (NWI) – Wetland Areas north of the project area along the drainage swale/intermittent stream. The Applicant will need to communicate with Beau Kennedy, Goodhue SWCD, Wetlands Coordinator to ensure compliance with the Wetlands Conservation Act and applicable rules.

**Draft Findings of Fact:**

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

1. The proposed Solar Garden 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. The use appears harmonious with the established uses in the vicinity.
2. The establishment of the proposed Solar Garden is not anticipated to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. The use is proposed to meet all development standards of the Goodhue County Zoning Ordinance and is does not appear incompatible with adjacent land uses.
3. A review of the applicants submitted project summary indicates adequate utilities, access roads, drainage and other necessary facilities are available to accommodate the proposed use.
4. The submitted plans identify means 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 submitted plans detail adequate measures to prevent or control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance. Furthermore, the applicants' lighting plans appear capable of controlling lights in such a manner that no disturbance to neighboring properties will result.

*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 for a CUP submitted by USS Solar Greenhouse LLC (applicant) for a Utility Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 5.6 acres with a 10 acre leased site.

Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
2. The project shall be decommissioned according to Article 19 Section 6 of the Goodhue County Zoning Ordinance and submitted plans (*PAC should consider whether there is any need for the County to require financial surety as proposed by the Applicant*);
3. A decommissioning agreement between the landowner and the solar energy system company shall be maintained to ensure reclamation of the area;
4. LUM staff shall be notified by the landowner or solar company 30 days prior to ownership transfer or operator changes;
5. The Applicant shall communicate with Beau Kennedy, Wetlands Coordinator with the Goodhue SWCD to ensure compliance with applicable Wetlands Rules prior to completion of any site grading/construction and/or submittal of the Building Permit Application;
6. A stormwater management and erosion control plan shall be submitted for administrative review as part of the Building Permit Application for the project;
7. The Applicant shall work with the Goodhue County Soil and Water Conservation District to determine an appropriate seed mix to establish on disturbed areas of the site;
8. Applicants' shall obtain Building Permit approvals from the Goodhue County Land Use Management Department prior to establishing the use;
9. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 19 Solar Energy Systems (SES) and Article 22 (Agricultural District). The applicant shall request a final inspection of the project for compliance with applicable zoning requirements upon completion of the project;
10. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
11. This CUP shall expire 25 years from the date of approval unless terminated prior to that date.

Permit NUMBER:  
For Staff Use only

APPLICATION FOR

# Solar Energy System Application

## 1. Owner/Applicant Information

PROPERTY OWNER'S NAME:

PROPERTY OWNER'S ADDRESS:

TELEPHONE:

( )

EMAIL:

APPLICANT OR AUTHORIZED AGENT'S NAME:

USS Greenhouse Solar LLC

Same as Above 

APPLICANT'S ADDRESS:

TELEPHONE:

( )

EMAIL:

CONTACT FOR PROJECT INFORMATION:

Same as Above 

ADDRESS:

TELEPHONE:

( )

EMAIL:

## 2. Location and Classification

STREET ADDRESS OF PROJECT:

ZIP CODE:

LEGAL DESCRIPTION:

Attached 

## 3. Supporting information

NUMBER OF SOLAR COLLECTORS TO BE INSTALLED

TOTAL SIZE OF PROJECT

DESCRIBE METHOD OF CONNECTING THE ARRAY TO A BUILDING OR SUBSTATION

Attach signed interconnection agreement 

## 4. Applicant's Affidavit

Under penalty of perjury the following declarations are made:

1. The undersigned is the owner or authorized agent of the owner of this property.
2. The information presented is true and correct to the best of my knowledge.
3. Other information or applications may be required.

Signature:



Date:

Print name: \_\_\_\_\_ owner or authorized agent (circle one)

Permit NUMBER:  
Fee Staff Use only

**Additional information if Utility Scale roof or ground mounted, and all reflective solar energy systems**

CHECKLIST

Criteria to determine potential impacts on agricultural production

- Number of acres of Prime Agricultural Soils to be impacted
- Number of acres in A-1 District to be impacted
- Proposed duration of SES

Criteria to evaluate potential environmental impacts

- EAW determination if required
- Review of Goodhue County Environmental Constraints Land Use Model
- Proximity to existing Electric Utility Lines and Substations for grid-intertie and existing SES projects

**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 variance request.

Signature



Title *Pine Island Township* Date

*Supervisor*

*8-15-18*

Comments:

*We acknowledge this solar project.*

**County Section**

| SES Application Fee      | SES Residential: \$50    | SES Zoning Permit: \$200 | SES CUP/IUP: \$1000                 | Receipt Number | Date       |
|--------------------------|--------------------------|--------------------------|-------------------------------------|----------------|------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                | 08/15/2018 |

What is the formal wording of the request?

Shoreland \_\_\_\_\_ Lake/Stream Name \_\_\_\_\_ Zoning District, Select one

Date Received \_\_\_\_\_ Date of Public Hearing \_\_\_\_\_ DNR Notice \_\_\_\_\_ City Notice \_\_\_\_\_

Action Taken:  Approve  Deny Conditions:

Zoning Administrator Signature



USS GREENHOUSE SOLAR LLC  
CONDITIONAL USE PERMIT APPLICATION  
AUGUST 24, 2018



## COVER LETTER

August 24, 2018  
Goodhue County Planning Advisory Commission  
509 W. 5<sup>th</sup> St. Redwing, MN  
Redwing, MN 55066

### **RE: Application by USS Greenhouse Solar LLC for a Conditional Use Permit to Construct and Operate a Community Solar Garden**

Dear Goodhue County Planning Advisory Commission,

Attached, please find an application for a Conditional Use Permit (“CUP”) to construct and operate a community solar garden within Pine Island Township. Pursuant to 12-9-2 Ground Mounted Community Solar Energy Systems (the “Ordinance”), the request is being made by USS Greenhouse Solar LLC, a subsidiary of United States Solar Corporation (“US Solar”). US Solar, a small business based in Minnesota, is a turnkey community solar developer, coordinating all Project details—development, permits, finance, construction, and operations and maintenance.

USS Greenhouse Solar LLC plans to develop and construct up to 1-megawatt (MW) community solar garden (the “Project”) in Goodhue County on up to 10 acres of a 67.36-acre parcel in Pine Island Township at 49060 180<sup>th</sup> Ave, Pine Island, MN 55963, Parcel ID 049-390190500 (the “Property”) through Goodhue County’s CUP process. Our subscribers, typically schools, cities, and nearby residential customers will be eligible for significant savings through community solar gardens like this one. Our application includes information about the applicant and site and provides detailed analysis of the applicable land use permitting considerations.

The US Solar team appreciates the coordination and insights already provided by Goodhue County staff and looks forward to working with both Pine Island Township and Goodhue County. Together, we will ensure that this Project will operate safely and efficiently over its lifespan, while providing environmental, financial, and social benefits to the surrounding area.

Please contact us with any questions, comments, or points for clarification. We look forward to working with the Commission on this Project.

Sincerely,



**David Watts – Project Developer**

USS Greenhouse Solar LLC  
100 N 6th St., Suite 218C  
Minneapolis, MN 55403  
W: (612) 294.6978 C: (612) 859.7575  
E: david.watts@us-solar.com

# CONTENTS

|   |    |
|---|----|
| COVER LETTER.....   | 2  |
| CONTENTS .....  | 3  |
| PROJECT SUMMARY.....  | 5  |
| SELECTING THIS PROPERTY .....                               | 5  |
| SETBACKS AND OTHER ORDINANCE CONSIDERATIONS.....            | 6  |
| LOGISTICS.....  | 7  |
| SITE VISITS DURING OPERATION.....                           | 7  |
| VEHICLES .....  | 7  |
| PARKING.....  | 7  |
| STRUCTURES.....   | 7  |
| STORAGE DURING OPERATION .....                              | 8  |
| SIGNAGE.....  | 8  |
| WATER, SEWAGE, AND WASTE .....                              | 8  |
| CONSTRUCTION TRIPS .....                                    | 8  |
| SITE PLAN.....  | 9  |
| SITE ACCESS.....  | 9  |
| EXISTING VEGETATION.....                                    | 10 |
| VEGETATIVE SEEDING PLAN .....                               | 10 |
| PRELIMINARY DRAINAGE PLAN.....                              | 11 |
| GRADING AND FILLING .....                                   | 11 |
| AGRICULTURAL LAND AND ENVIRONMENTALLY SENSITIVE AREAS ..... | 11 |
| EFFECTS ON THE ENVIRONMENT .....                            | 12 |
| AGRICULTURAL PRESERVE STATUS .....                          | 12 |
| NO POLLUTION OF AIR, GROUNDWATER, AND SURFACE WATER.....    | 12 |
| EROSION AND SEDIMENT CONTROL PLAN .....                     | 13 |
| MANUFACTURER'S SPECIFICATIONS .....                         | 13 |
| INTERCONNECTION WITH XCEL ENERGY .....                      | 14 |
| DECOMMISSIONING PLAN.....                                   | 14 |
| DECOMMISSIONING CONSIDERATIONS.....                         | 15 |
| TOWNSHIP RECOMMENDATION .....                               | 16 |
| MAINTENANCE & OPERATIONS PLAN .....                         | 17 |

PROJECT OWNERSHIP ..... 17

APPENDIX I – SITE PLANS AND PROJECT MAPS

APPENDIX II – INTERCONNECTION AGREEMENT DETAILS

APPENDIX III – COPY OF MEMORANDUM OF LEASE OPTION

APPENDIX IV – SITE PHOTOS

## PROJECT SUMMARY

USS Greenhouse Solar LLC respectfully submits this CUP application to construct, own, and operate up to 1MW (ac) community solar garden (the “Project”) on up to 10 acres of the 67.36 acres of Parcel ID 049-390190500, in Section 19 of Pine Island Township. The parcel is owned by Joel L. Flemke and Nancy J. Flemke. US Solar has a land lease allowing for the use of the Property with Joel and Nancy Flemke, a memorandum of which has been recorded in the county records. A copy of the Memorandum of Lease Agreement can be found in Appendix III.

|                                     |  |
|-------------------------------------|--|
| <b>Parcel Identification Number</b> | 049-390190500                                      |
| <b>Property Address</b>             | 49060 180 <sup>th</sup> Ave, Pine Island, MN 55963 |
| <b>Landowner</b>                    | Joel and Nancy Flemke                              |
| <b>Township</b>                     | Pine Island  |
| <b>Proposed Township Date</b>       | 9/25/2018  |
| <b>Current Use of Property</b>      | Agriculture  |
| <b>Application Fee</b>              | \$1,000  |
| <b>Escrow Payments</b>              | TBD  |

## SELECTING THIS PROPERTY

The Property was selected because of its solar resource, physical characteristics, proximity and access to high-value 3-phase distribution facilities, applicable zoning and permit requirements, and landowner support.

- Solar Resource
  - Relatively large, flat, and open to provide unobstructed access to natural sunlight
- Physical Characteristics
  - Limited grading, if any, maintaining natural topsoil and existing drainage patterns
  - Not in Agricultural Preserve
  - No impact to wetlands or neighboring properties
  - Adequate space for setbacks or landscape screening
  - Soils capable of supporting facility and equipment
  - No water or other infrastructure improvements needed
- Proximity to Distribution Facilities
  - Existing distribution line on the Project-side of 180<sup>th</sup> Ave.
  - Adequate capacity for the Project on existing distribution line and other infrastructure
  - Supplies electricity throughout the local community
- Capacity Screens with Xcel Energy
  - Existing substation in relatively close proximity with adequate capacity for the Project



## SETBACKS AND OTHER ORDINANCE CONSIDERATIONS

| Requirement Description | Requirement | Project     | Confirmation |
|-------------------------|-------------|-------------|--------------|
| Side Yard               | 30'         | >30'        | ✓            |
| Front Yard              | 150'        | >150'       | ✓            |
| Rear Yard               | 60'         | >60'        | ✓            |
| Solar Panel Height      | 15' maximum | 10' maximum | ✓            |

The Project will generate enough electricity to power up to 225 homes annually and interconnect directly to the existing distribution system of Xcel Energy. Residents, businesses, and public entities in and around Goodhue County who are Xcel Energy customers may subscribe to a portion of the electricity generated and receive bill credits on their Xcel Energy bills. In this way, local residents and businesses receive a direct economic benefit from the Project. USS Greenhouse Solar LLC is contracted to deliver electricity for a period of 25 years, commencing on the date of commercial operation, which is expected to occur in 2019.

Surrounding land use is primarily agricultural, with other farmsteads within a half mile of the Project. We plan to reach out to neighbors in the immediate vicinity of the Project to share our plans and ensure any concerns have been discussed.

## LOCAL ECONOMIC IMPACT

In addition to discounted electric bills, this Project will have a positive economic impact, detailed below.

### Already Spent

- o ~\$40,000 on local engineering, legal, and environmental consulting services
- o ~\$5,000 on legal fees, county recordings, travel, and meals,

### During Construction

- o ~\$2,200,000 on capital infrastructure investment
- o ~\$900,000 on local spending
- o 15+ temporary construction and related service jobs, equivalent to ~4 full-time job years

### During Operation

- o ~\$12,000 - \$15,000 on increased property tax payments during operation
- o ~1 permanent, part-time employee (\$22,500/yr, totaling \$562,000 over 25 years)

# LOGISTICS

## DESCRIPTION OF OPERATIONS

The major equipment components of the Project are solar panels, inverters, and racking. Single-axis tracker racks provided by a vetted manufacturer hold up the solar panels, reaching a maximum height of approximately 10 feet. Racking is installed with piles that are anchored into the ground to the appropriate depth to ensure long-term stability and structural soundness, based on detailed structural and geotechnical analysis. Piles also facilitate decommissioning at the end of the life of the Project, as they do not require cement foundations and are easily removed. We also use Tier 1 solar panels to achieve high efficiency and conform to high quality control and safety standards. Most importantly, we will provide non-invasive, ongoing maintenance of all our community solar gardens, both equipment and site conditions. On a regular schedule, we will analyze Project performance, detecting and diagnosing any production anomalies, identifying and addressing underperformance issues, managing service teams and technicians, and contacting landowners and the utility if necessary.

## SITE VISITS DURING OPERATION

Approximately once per quarter, one vehicle with approximately two (authorized and insured) technicians will be sent out to perform routine maintenance on the site, in addition to any unplanned maintenance. During the first few years, one vehicle with approximately two vegetation maintenance personnel will visit the site a handful of times per year, to ensure the health of vegetation and landscaping. After the first three years, we expect roughly four visits to the site per year for regular, preventative maintenance. The Project will be fenced, locked, and remotely monitored. The proposed Project, once operational, requires no daily traffic.

In addition, Xcel Energy personnel will have an easement to facilitate maintenance activities of their interconnection facilities.

## VEHICLES

Trucks for maintenance activities will be standard, with minimal tooling and parts for activities as described above.

## PARKING

During the operational phase of the Project, there will be approximately two parking spots within the boundaries of the perimeter fence. Our vehicles will park there to avoid disrupting traffic or land use. During our 3-4 month construction phase, a temporary parking area, adjacent to the Project, will be used for installation crews, delivery trucks (as needed), and construction and supervision personnel.

## STRUCTURES

All Project monitoring is done remotely. No permanent structures will be built onsite.

## **STORAGE DURING OPERATION**

There will be no equipment or materials storage onsite after the construction phase.

## **SIGNAGE**

We will post signage required by law during construction at the Project. To provide safety and support good practices, labeling of electrical equipment requires internal signage. All signage will follow sign regulations in the Ordinance and National Electric Code.

## **WATER, SEWAGE, AND WASTE**

No water, sewage, or waste management services are required onsite. Portable waste facilities will be provided during the construction period.

## **CONSTRUCTION TRIPS**

Construction is expected to last 3-4 months, with most deliveries in the first month and most electrical testing in the later stages of construction. Delivery expectations are listed below.

- Modules will come on 40-foot flatbed trucks or in 40-foot containers
  - We expect no more than 8 deliveries for all solar modules
- We expect no more than 5 container trucks to deliver racking material
- We expect no more than 2 deliveries for inverters, switchgears, and transformer
- We expect additional trips for Balance of Plant equipment on smaller delivery vehicles
- We expect no more than 4 deliveries per day

Delivery routes will be designed to minimize any traffic impact in the local community. We will coordinate with local authorities as to preferred times and routes prior to construction mobilization.

Construction personnel will park within the Project premises. USS Greenhouse Solar LLC has responsibility for maintenance, replacement, or new installation of any drain tile servicing this site, if USS Greenhouse Solar LLC and the landowner determine it is necessary. The Project will comply with Minnesota Rules 7030 governing noise.

## SITE PLAN

The proposed site plan is enclosed as Appendix I to describe our design of the Project. It shows the land parcel, Project dimensions and specifications, zoning setbacks, and more. The site plan, along with narrative and other associated figures in the Exhibits, address all requirements listed in the Ordinance.



EXAMPLE OF A SOLAR PROJECT IN CONSTRUCTION



EXAMPLE OF A SOLAR PROJECT IN OPERATION

## SITE ACCESS

An unpaved access road will be built from the public road to the Project. This provides necessary access for construction, regular mowing and maintenance activities, and decommissioning of the Project, while minimizing impact to ongoing farming operations. The road also provides access in the unlikely event that emergency crews are needed onsite. We utilize the following simple process for construction of the access road:

- (1) Remove topsoil from a 15-foot wide area and spread it thinly in adjacent areas,
- (2) Lay down geotextile fabric over compacted subgrades, if necessary, to prevent vegetative growth, and
- (3) Install and compact approximately eight to ten inches of aggregate material and gravel to level with surrounding grade.

This Project will be accessed from a 15-foot-wide access road directly off 180<sup>th</sup> Ave. via the existing field access. The access road will turn slightly right after entering the tilled field directly to the Project location. USS Greenhouse Solar LLC will work with the road authority, MnDOT, for approval. See Appendix I for a depiction of the access road.

## EXISTING VEGETATION

The relevant area of the parcel is 100% row crop agriculture. The soil type under the Project is primarily Silt loam (5% hydric). Please see the Soil Classification Map in [Appendix I](#).

## VEGETATIVE SEEDING PLAN

The area underneath the modules and between rows will be transformed into a diverse mix of pollinator-friendly, low-lying, deep-rooted plants. USS Greenhouse Solar LLC will control for noxious weeds throughout the life of the Project. The seed mix will provide excellent habitat and food sources for native wildlife, preserve and improve the soils, and reduce erosion and water runoff.

Our design goals for this community solar garden seed mix are as follows:

- Withstand harsh climate conditions
- Minimize erosion
- Improve water quality
- Reduce storm water runoff
- Minimize maintenance costs
- Increase crop yield on surrounding farms

## Fencing

In addition, our Project will include a security fence around the entire perimeter. The security fencing will be located entirely on the Property on the inside of the landscape screening. The fence will not exceed 8 feet in height, and it will be a farm-field style fence without barbwire. The fence will meet National Electric Code. See the image below for a representative photo.



## PRELIMINARY DRAINAGE PLAN

Preliminary drainage plan has been included in Appendix I. A full drainage report is forthcoming and will be completed as part of the Stormwater and Pollution Prevention Plan (SWPPP) permit. Volume control (infiltration) will be provided through the disconnection of impervious surfaces as well as on-site infiltration basins. Aside from the gravel access road and meter pad, the entire area within the fence boundary will be restored to a low-maintenance seed mix, including the area below the solar panels. Runoff from the panels and gravel access roads will be allowed to “sheet flow” across the newly established perennial vegetation. The proposed Project discharges in a manner like the existing flow pattern in all modeled storm events and does not alter drainage patterns.

The SWPPP will include the following:

- Summary of general construction activity
- Storm water mitigation and management resources
- Wetland impacts
- Project plans and specifications
- Temporary erosion prevention measures
- Temporary sediment control measures
- Permanent erosion and sediment control measures, if needed
- Best management practices (BMPs) regarding erosion control
- Inspection and maintenance
- Pollution prevention measures
- Final stabilization plan for long-term soil stability

As described in the Minnesota Stormwater Manual, better site design techniques have been incorporated to ensure a site maintains good drainage. All impervious surfaces are fully disconnected and routed over low maintenance grass prior to leaving the site. The MPCA’s spreadsheet tool has been used to calculate the volume of stormwater that must be treated on site from solar installations to meet the requirement of 1.0 inch of runoff from new impervious surfaces. A small basin may be provided to make up the remainder of the volume required. The basin design will allow for a 48-hour draw down time. Pretreatment is provided throughout the site by fully vegetative land cover that will be utilized as buffer. Runoff from access roads will not be channelized prior to discharge to the infiltration areas but allowed to freely sheet flow across the vegetated site. Goodhue County requirements are met through the restoration of upland vegetation.

Temporary construction sedimentation basins will be necessary where greater than 5 acres of disturbed area discharges to a common point within 1 mile of impaired or special waters. Based on NPDES permit requirements, the sediment basin is designed for the 2-year storm event.

## GRADING AND FILLING

We propose no substantial grading, filling, removal of soils, or addition of soils. Our solar racking can accommodate the current terrain, a primary reason we selected this location. This will maintain the original grading on the site and sustain the existing drainage and runoff patterns, minimizing impact to surrounding land.

## AGRICULTURAL LAND AND ENVIRONMENTALLY SENSITIVE AREAS

The development of a community solar garden on agricultural land is temporary in nature and the impervious areas would be minimal, approximately 0.3 – 0.5 acres in total. The remainder, approximately 8 acres, will be converted from row-crops to native grasses and pollinator-friendly habitat. In total, the amount of land utilized for this Project is very small in relation to the total farmed acreage in Goodhue County.

Community solar gardens contribute to the preservation and improvement of agricultural land. This is true for three primary reasons.

First, we use DNR-recommended, pollinator-friendly, native grasses to blanket the ground beneath our community solar gardens. A recent study has shown that these seed mixes reduce stormwater runoff by 23 percent for the 2-year storm event (2.9 inches of rain) and 8 percent for the 100-year storm (7.8 inches of rain)<sup>1</sup>. These native plantings also expand habitat for pollinators and other species that enhance surrounding agricultural activity.

Second, decommissioning of community solar gardens is simple and does not disrupt the land. We remove the solar panels, racking, concrete inverter pads, and any other equipment and restore the land. Because we use piles as foundation, system removal involves almost no disruption to the land. After the Project's life, what is left is an undisturbed field of native grasses atop immaculate soils. This is one of the only ways for a landowner to increase and diversify income while preserving and protecting farmland for future generations, when crop prices and agricultural practices may be more viable than they are today.

Third, community solar gardens effectively lock up the land use for 25 years or more, thwarting the potential for any industrial, or commercial development. Many neighbors recognize this reality: development will occur as residential and commercial uses expand and encroach on agricultural lands. It could be a residential subdivision, a commercial/industrial operation, or a community solar garden that is silent, invisible, and beneficial to the local environment. Of these options, the community solar garden will be the best steward of the prime agricultural land.

## EFFECTS ON THE ENVIRONMENT

The National Renewable Energy Laboratory recently studied the environmental effect of solar panel manufacturing and concluded that the manufacturing energy cost is recuperated by energy payback in less than 4 years. The Project would provide decades of pollution-free and greenhouse-gas-free electrical generation.

In addition to the positive effects of solar energy, the sections above detail how and why the Project would have positive effects on the environment.

## AGRICULTURAL PRESERVE STATUS

This site is not in the Agricultural Preserve program.

## NO POLLUTION OF AIR, GROUNDWATER, AND SURFACE WATER

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<sup>1</sup> (Jeffrey Broberg, "Utility & Community Solar Should Use Native Landscaping," <http://cleantechnica.com/2016/03/15/utility-and-community-solar-should-use-native-landscaping/>)

The materials that comprise the solar panels, racking, and other components of the Project are stable and contained, and do not pollute the air, groundwater, or surface area of the site on which they sit. As discussed above, the groundcover of pollinator-friendly, native plants drastically reduces runoff and erosion, while providing excellent habitat and food source for beneficial wildlife.

## **EROSION AND SEDIMENT CONTROL PLAN**

USS Greenhouse Solar LLC will comply with the Minnesota Pollution Control Agency (MPCA) Construction Stormwater Permit Requirements, including obtaining a National Pollutant Discharge Elimination System (NPDES) stormwater permit prior to construction. The Project proposes no substantial grading or filling, as our racking equipment can accommodate the current terrain. Please refer to [Appendix I](#) for the erosion and sediment control site plan.

There will be a temporary sediment basin in the Northeast corner of the project. The existing topography creates enough storage, so no grading is needed for this design. In addition to the silt fence, we propose a stormwater basin within the Project and permanent erosion control at the outlet. As can be seen on [Appendix I](#), our basins can hold a volume of 3,496 cubic feet, exceeding the minimum requirement.

Please note in the site plan that there are no proposed permanent structures or buildings, as the Project is composed of tables of single-axis trackers. These are simple, durable, and non-intrusive. Between each row of solar panels, there is approximately 18 feet of green, open space, planted with pollinator-friendly vegetation.

## **MANUFACTURER'S SPECIFICATIONS**

USS Greenhouse Solar LLC uses only Tier 1 solar modules. Tier 1 solar modules are manufactured to the highest quality, performance, and lifespan, produced by companies that have at least a five-year history in manufacturing them. Countless banks and financiers have vetted these modules. They are designed to absorb light and reflect less than 2% of the incoming sunlight, which is less than many natural features, including water, snow, crops, and grass. There will be no material impact from glare.

We are also using Tier 1 string inverters for this Project installed throughout the site. The inverters and electrical cabinets are enclosed and will meet all applicable codes and requirements.

The foundation of the racking system will utilize galvanized steel. The foundations should utilize galvanized steel, I-Beam piers. Depending on final soil analysis and foundation design prior to construction, they may be helical piles. The Project will utilize single-axis trackers, which rotate from east to west with the rising and setting of the sun. Single-axis trackers typically have a shorter solar panel height (approximately 9 feet at the highest point) and produce less glare than a fixed tilt system. The trackers will have a maximum rotational axis of 60 degrees each direction.

An underground, medium-voltage cable will connect directly to the proposed utility poles. All onsite power and communication lines running between solar modules will be underground.

Below are technical specifications and details of the current plans, which are subject to change:



| Project Component                    | Specifications   |
|--------------------------------------|--|
| <b>Project Size</b>                  | 1 MW   |
| <b>Acres Required</b>                | Up to 10 acres   |
| <b>Type of PV Panels</b>             | Silicone Polycrystalline   |
| <b>Panel Manufacturer</b>            | REC Solar, Trina, or equivalent Tier 1                                       |
| <b>Panel Model</b>                   | 350W   |
| <b>Panel Warranty</b>                | 25 years, linear warranty  |
| <b>Mounting Manufacturer</b>         | Array Technologies   |
| <b>Mounting Model</b>                | DuraTrack® HZ v3   |
| <b>Mounting Warranty</b>             | 10 years on structural components; 5 years on drive and control systems      |
| <b>Tilt Angle</b>                    | 0 degrees  |
| <b>Inverter Manufacturer</b>         | Huawei Technologies  |
| <b>Inverter Model</b>                | SUN2000  |
| <b>Inverter Peak Efficiency</b>      | 99.0%  |
| <b>Inverter Size</b>                 | 25 - 40 kW <sub>AC</sub>   |
| <b>Inverter Warranty</b>             | Up to 25 years. 10 years standard with additional options of up to 15 years. |
| <b>Performance Monitoring System</b> | AlsoEnergy   |

## INTERCONNECTION WITH XCEL ENERGY

This Project has an executed Interconnection Agreement with Xcel Energy, as evidenced in Appendix II.

## DECOMMISSIONING PLAN

The Project consists of many recyclable materials, including glass, semiconductor material, steel, aluminum, copper, and plastics. When the Project reaches the end of its operational life, the component parts will be dismantled and recycled as described below. We have a lease contract with the property owner, which requires us to decommission and restore the site at our expense. The decommissioning plan would commence at the end of the lease term or in the event of twelve (12) months of non-operation. At the time of decommissioning, the Project components will be dismantled and removed using minimal impact construction equipment, and materials will be safely recycled or disposed. USS Greenhouse Solar LLC will be responsible for all the decommissioning costs.

### REMOVAL PROCESS

The decommissioning of the Project proceeds in the following reverse order of the installation:

1. The solar system will be disconnected from the utility power grid
2. PV modules will be disconnected and removed
3. Electrical cables will be removed and recycled off-site
4. PV module racking will be removed and recycled off-site
5. PV module support posts will be removed and recycled off-site
6. Electrical devices, including transformers and inverters, will be removed and recycled off-site
7. Concrete pads will be removed and recycled off-site
8. Fencing will be removed and recycled off-site

9. Reclaim soils in the access driveway and equipment pad areas by removing imported aggregate material and concrete foundations; replace with soils as needed

The Project site may be converted to other uses in accordance with applicable land use regulations at the time of decommissioning. There are no permanent changes to the site, and it will be returned in terrific condition. This is one of the many great things about community solar gardens. If desired, the site can return to productive farmland after the system is removed.

## **DECOMMISSIONING CONSIDERATIONS**

We ask that the County take note of 3 important considerations: 1) a community solar garden is not a public nuisance, 2) the resale and recycle value are expected to exceed the cost of decommissioning, and 3) the County and taxpayers are not at risk.

1) Our modules do not contain hazardous materials and the Project is not connected to government utilities (water, sewer, etc.). the Project is required to be fenced and buffered from view. Additionally, almost all the land is permanent vegetation which improves erosion control, soil quality, and water quality. For these reasons, the Project, whether operational or non-operational, is not a public nuisance threat that would require government involvement in decommissioning or removal of the Project. Compare this to an abandoned home, barn, etc. that may regularly include hazardous materials and/or become a public nuisance.

2) Upon the end of the Project's life, the component parts may be resold and recycled. The aggregate value of the equipment is expected to exceed the cost of decommissioning and removal. Solar modules, for example, have power output warranties guaranteeing a minimum power output in Year 25 of at least 80% of Year 1. Since the value of solar panels is measured by their production of watts, it is easy to calculate expected resale value. Even using extremely conservative assumptions, the value of the solar modules alone exceeds the cost of decommissioning. This does not factor in the recycle value of other raw materials like steel, copper, etc.

3) In the extremely unlikely, "worst-case" scenario where (1) the project owner fails to decommission and neither our lender nor any power generation entities want the assets, and then (2) the landowner fails to decommission the Project (which the landowner would have the right to do under the Property lease), and then (3) if the project owner and the landowner refuse to decommission the project and the decommissioning financial surety was insufficient to decommission the project, the County would have its standard police powers to enforce decommissioning. If that process ultimately resulted in the County gaining ownership of the property, the County could sell the parcel.

## **DECOMMISSIONING FINANCIAL SURETY**

Despite the considerations of 1) the Project is not a public nuisance, 2) the resale and recycle value is expected to exceed the cost of decommissioning, and 3) the County and taxpayers are not at risk, we propose posting with the County a decommissioning financial surety which is funded \$2,000 per year between years 16 and 25 of operation, totaling \$20,000. The surety would be in the form of a cash deposit,

a letter of credit, or some other form approved by the County.

This financial surety provides an extra layer of security that the Project site will be returned to the appropriate condition at the end of the Project's useful life or earlier, should the Project cease operations for a twelve-month period. Goodhue County will be the designated beneficiary of the fund and the landowner will be provided a copy of the document, thereby establishing the obligation before construction commences.

| Decommissioning Budget                 |                  |      |                    |                    |                       |
|--|------------------|------|--------------------|--------------------|-----------------------|
| Item No.                               | Item             | Unit | Estimated Quantity | Unit Price         | Total                 |
| 1                                      | Fence Removal    | lf   | 1,260              | \$ 2.00            | \$ 2,520.00           |
| 2                                      | Racking Frames   | ea   | 700                | \$ 3.75            | \$ 2,625.00           |
| 3                                      | Racking Posts    | ea   | 476                | \$ 4.50            | \$ 2,142.00           |
| 4                                      | Solar Modules    | ea   | 4,480              | \$ 1.75            | \$ 7,840.00           |
| 5                                      | Inverters        | ea   | 40                 | \$ 20.00           | \$ 800.00             |
| 6                                      | Transformers     | ea   | 1                  | \$ 1,000.00        | \$ 1,000.00           |
| 7                                      | Wire (copper)    | lb   | 2,100              | \$ 0.25            | \$ 525.00             |
| 8                                      | Wire (aluminum)  | lb   | 3,500              | \$ 0.25            | \$ 875.00             |
| 9                                      | Concrete Removal | sf   | 115                | \$ 4.50            | \$ 517.50             |
| 10                                     | Site Restoration | acre | 7                  | \$125              | \$ 875.00             |
|  |                  |      |                    | <b>Total Cost</b>  | <b>\$ (19,719.50)</b> |
| Salvage Value (Re-Sale and/or Recycle) |                  |      |                    |                    |                       |
| Item No.                               | Item             | Unit | Estimated Quantity | Unit Price         | Total                 |
| 1                                      | Fence Material   | lf   | 1,260              | \$ 0.26            | \$ 327.60             |
| 2                                      | Racking Frames   | ea   | 700                | \$ 0.72            | \$ 504.00             |
| 3                                      | Racking Posts    | ea   | 476                | \$ 0.24            | \$ 114.24             |
| 4                                      | Solar Modules    | ea   | 4,480              | \$ 3.85            | \$ 17,248.00          |
| 5                                      | Inverters        | ea   | 40                 | \$ 49.25           | \$ 1,970.00           |
| 6                                      | Transformers     | ea   | 1                  | \$ 1,850.00        | \$ 1,850.00           |
| 7                                      | Wire (copper)    | lb   | 2,100              | \$ 2.00            | \$ 4,200.00           |
| 8                                      | Wire (aluminum)  | lb   | 3,500              | \$ 0.60            | \$ 2,100.00           |
|  |                  |      |                    | <b>Total Value</b> | <b>\$ 28,313.84</b>   |
|  |                  |      |                    | <b>NET GAIN</b>    | <b>\$ 8,594.34</b>    |

## TOWNSHIP RECOMMENDATION

USS Greenhouse Solar LLC hopes to meet with Pine Island Township on their next, regularly scheduled meeting of September 25, 2018. We also intend to reach out to surrounding neighbors to receive direct feedback and help answer any questions and alleviate any concerns they might have.

## MAINTENANCE & OPERATIONS PLAN

Maintenance and Operations questions can be directed to the USS Greenhouse Solar LLC Operations Team at 612-260-2230. The Operations Team will be able to address any issues related to drainage, weed control, screening, general maintenance, and operation. Emergency contact details to be provided prior to construction.

## INSURANCE INFORMATION

USS Greenhouse Solar LLC will be required to meet insurance requirements under long-term contracts with several parties, including the site landowner, Xcel Energy and its project lenders and investors. USS Greenhouse Solar LLC will be listed on a policy that includes:

- Liability coverage that will include \$1,000,000 in coverage against damage to rented property
- Excess liability coverage of an additional \$1,000,000 per occurrence
- Property coverage in an amount necessary to cover the value of the solar project and up to one year of lost revenue in the event the project is destroyed and needs to be rebuilt

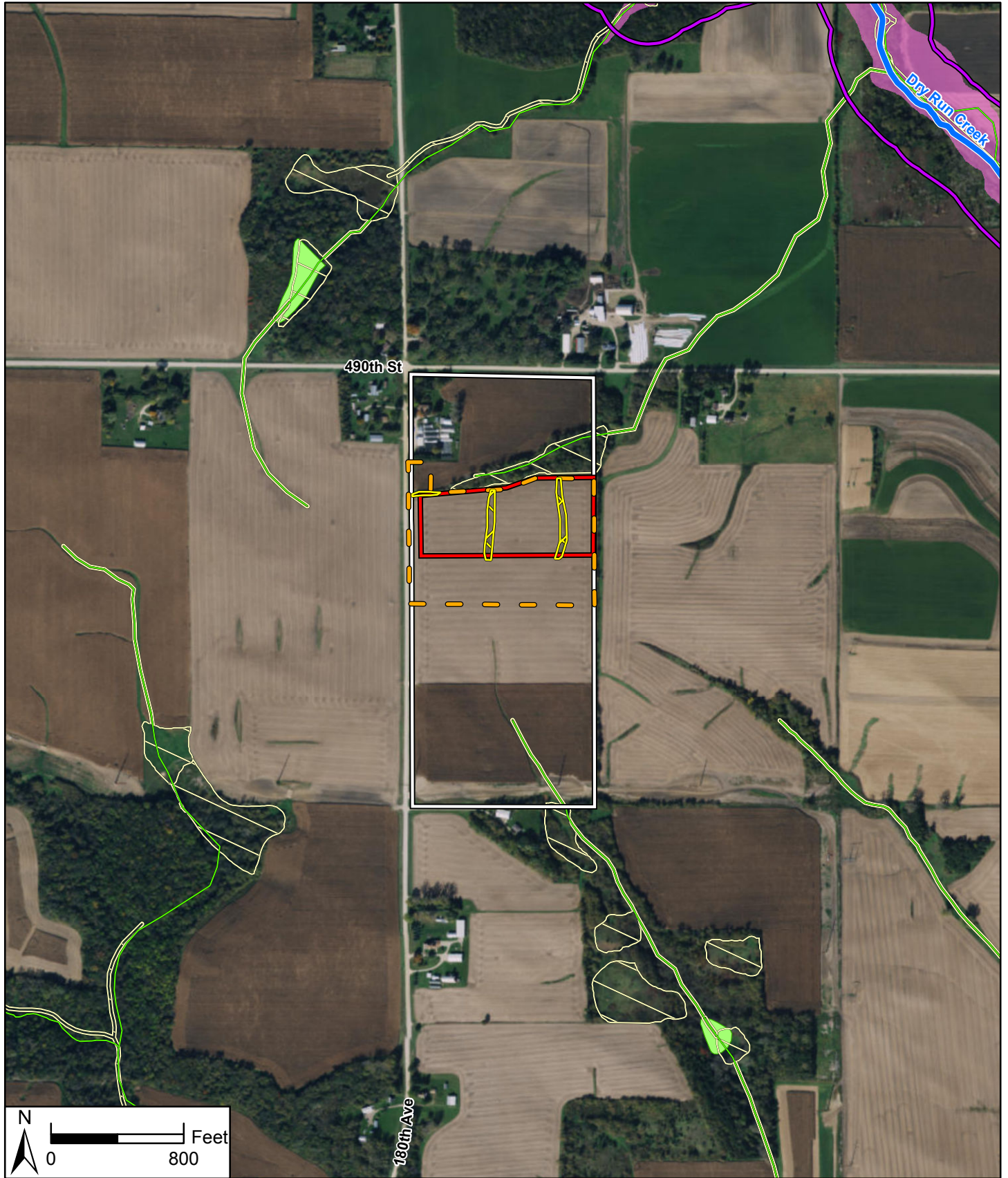
## PROJECT OWNERSHIP

The applicant of the CUP, USS Greenhouse Solar LLC, is a subsidiary of US Solar. US Solar is the owner of the Project. Please find more information about US Solar at [www.us-solar.com](http://www.us-solar.com).

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## CONCLUSION

USS Greenhouse Solar LLC has complied with all requirements of the Ground Mounted Community Solar Energy Systems Ordinance, and we respectfully request that the Goodhue County Planning Advisory Commission approves the application.



Data Source(s): Westwood (2018); ESRI WMS World Imagery (Accessed 2018); Minnesota DNR - Minerals Division/Section of Wildlife (2015); Census Bureau (2017).

**Legend**

- |                             |                            |                     |
|-----------------------------|----------------------------|---------------------|
| Project Premises Boundary   | Impaired Stream            | Drainage Ditch      |
| Subject Parcel Boundary     | Impaired Lake              | NHD Flowline        |
| Desktop Wetland Delineation | Desktop Delineated Wetland | NHD Waterbody       |
| Area Boundary               | NWI Wetland                | 100-Year Floodplain |
| PWI Watercourse             | Shoreland District         | 500-Year Floodplain |
| PWI Basin                   |                            |                     |

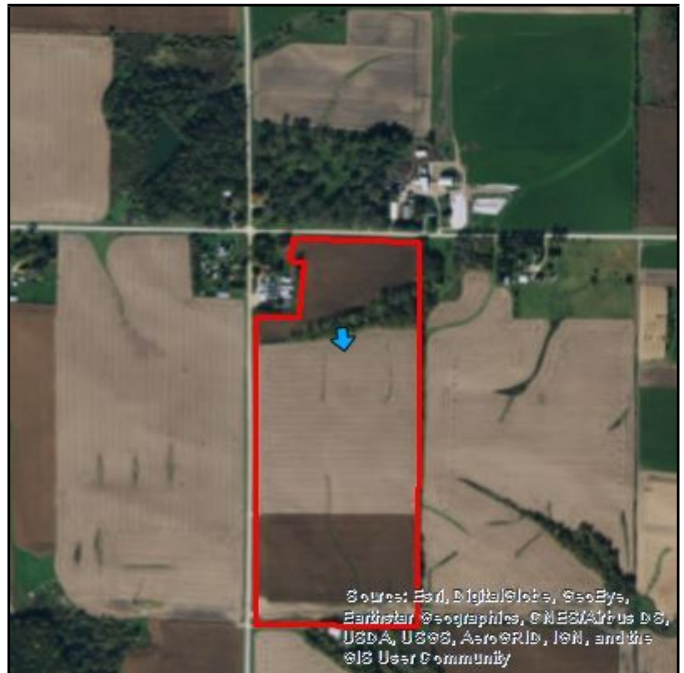
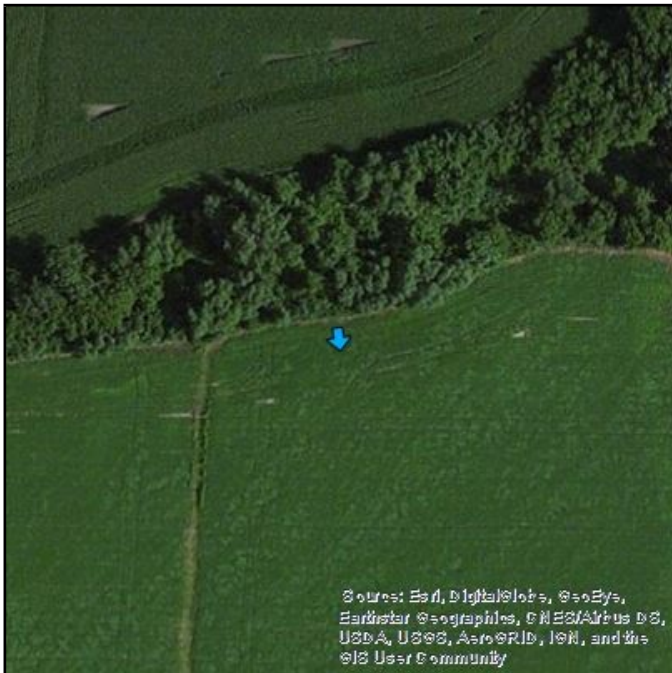
**Greenhouse Community Solar Garden**

Pine Island Township  
Goodhue County, Minnesota

**Water Resources**

**Westwood**

Toll Free (888) 937-5150 westwoodps.com  
Westwood Professional Services, Inc.

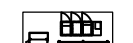
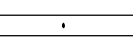

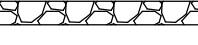
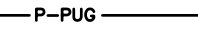
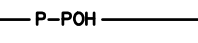
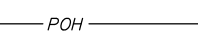
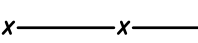




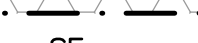
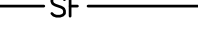


**Attributes**

|            |                  |
|------------|------------------|
| Site Name  | Greenhouse       |
| Note       | Subject Property |
| REC Status | None             |



**LEGEND**

-  SWITCHBOARD AND TRANSFORMER PAD
-  SINGLE AXIS TRACKER
-  PROPOSED POWER POLE
-  PROPOSED GRAVEL ACCESS ROAD (DRIVEWAY)
-  PROPOSED UNDERGROUND COLLECTOR
-  PROPOSED OVERHEAD POWERLINE
-  EXISTING OVERHEAD POWERLINE
-  PROPOSED FENCE LINE
-  EXISTING PROPERTY LINE
-  YARD SETBACK LINE
-  PROPOSED STORMWATER BASIN
-  EXISTING WETLAND
-  SILT FENCE
-  DRAINAGE AREA BOUNDARY

**GENERAL NOTES**

1. INSTALLATION TO COMPLY WITH NEC 2014 ARTICLE 690 AND ALL APPLICABLE LOCAL, STATE AND NATIONAL CODES OR REGULATIONS
2. EQUIPMENT SHALL BE LABELED PER NEC 690 AND XCEL ENERGY REGULATIONS
3. 15' ACCESS ROADS SHALL BE DESIGNED TO ACCOMMODATE ALL CONSTRUCTION, OPERATIONS, MAINTENANCE, AND UTILITY TRAFFIC THROUGHOUT THE SITE.
4. DIMENSIONS TO PROPERTY LINES AND EXISTING FEATURES ARE APPROXIMATE PENDING SURVEY.

Designed: **EFE**  
Checked: **KMP**  
Drawn: **EFE**

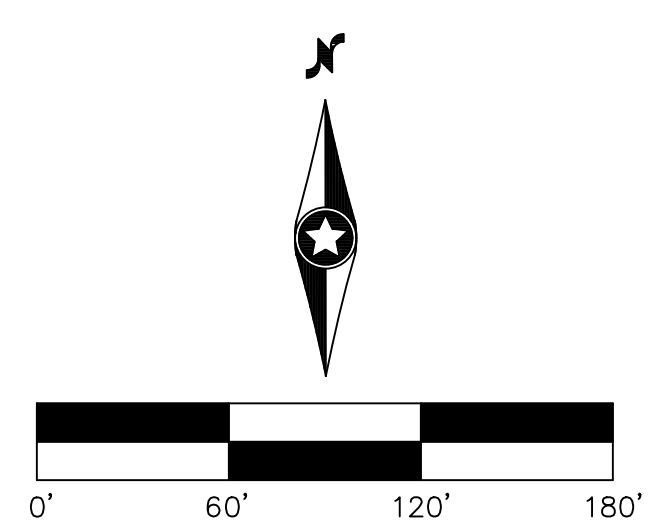
Record Drawing by/date:

| Revisions: | DATE     | DESCRIPTION                       |
|------------|----------|-----------------------------------|
| A          | 08/03/18 | CONDITIONAL USE PERMIT SITE PLANS |

Prepared for:



100 N 6th St #218c  
Minneapolis, MN 55403



**USS Greenhouse Solar LLC**  
Goodhue County, Minnesota  
49060 180th Ave.  
Pine Island, MN 55963

Site Hydrology

Not for Construction

Date: 08/03/18

Sheet: C.101

# Goodhue County Land Use Management

Goodhue County Government Center | 509 West Fifth Street | Red Wing, Minnesota 55066

*Lisa M. Hanni, L.S. Director*

Building | Planning | Zoning  
Telephone: 651.385.3104  
Fax: 651.385.3106



*County Surveyor / Recorder*

Environmental Health | Land Surveying | GIS  
Telephone: 651.385.3223  
Fax: 651.385.3098

**To:** Planning Advisory Commission  
**From:** Land Use Management  
**Meeting Date:** September 17, 2018  
**Report date:** September 7, 2018

## **PUBLIC HEARINGS: Villa Maria Ventures LLC (John Rupp, Chief Manager)**

29847 CTY 2 BLVD, Frontenac, MN 55066. Parcels 32.160.0040 and 32.012.0400. Blocks C, D, and E of Garrards South Extension plat and part of the SE ¼ of the SW ¼ of Sect 12, all located in Twp 112 Range 13 in Florence Township. A2 Zoned Districts.

### **1. Map Amendment (Rezone)**

Request for map amendment to rezone Parcels 32.160.0040 and 32.012.0400 from A2 (General Agriculture District) to CR (Commercial Recreational District).

### **2. CUP for a Resort Facility and Accessory Event Center**

Request for a Conditional Use Permit (CUP) to establish a Resort Facility with restaurant and event spaces. The proposal includes remodeling existing buildings and constructing additions to provide operational spaces for lodging, guest-houses, cabins, on-site restaurants, outdoor entertainment, and events.

### **Application Information:**

Applicant: Villa Maria Ventures LLC (John Rupp, Chief Manager)

Address of zoning request: 29847 CTY 2 BLVD, Frontenac, MN 55066

Parcel(s): 32.160.0040 and 32.012.0400

Abbreviated Legal Description: Blocks C, D, and E of Garrards South Extension plat and part of the SE ¼ of the SW ¼ of Sect 12, all located in Twp 112 Range 13 in Florence Township

Township Information: Florence Township has been made aware of the applicant's requests and is preparing to review the proposal at the Township Planning Commission meeting on 9/10/18 and again at the Town Board meeting on 9/17/18.

Zoning District: A2 (General Agriculture District)

### **Attachments and links:**

Application and submitted project summary

Site Map(s)

Project Review (Rezone)

Article 30 *Commercial Recreational District*

Goodhue County Zoning Ordinance (GCZO):

<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

Goodhue County Assembly Controls Ordinance:

<https://www.co.goodhue.mn.us/DocumentCenter/View/7639/Assembly-Control-Ordinances-1977?bidId=>

### **Summary:**

The Applicant (John Rupp) is the Chief Manager of Villa Maria Ventures LLC which recently purchased the subject parcels. The "Villa Maria," as it is commonly known, was initially established in 1891 by the Ursuline Sisters as the Academy of Our Lady of the Lake as a school for girls. In 1969, the Academy building was destroyed by fire and the site has since functioned primarily as a retreat and conference center for gatherings of the Ursuline Sisters as well as various educational workshops



and seminars.

The Applicant is requesting to rezone the 2 subject parcels to a Commercial Recreational District and subsequently requesting a Conditional Use Permit to establish a Resort Facility and Accessory Event Center on the premises. The project is planned to be completed in 2 phases. “Phase 1” includes renovating 6 existing structures to provide hotel suite, cabin, and short-term rental accommodations for guests as well as creating multiple special event venues for weddings, conferences, and social gatherings. “Phase 2” includes constructing 2 to 3 new structures as well as approximately 10 additional cabins to accommodate future space for resort expansion, an integrative health-spa complex, musical events, and additional resort amenities. The Applicant is an experienced developer that has undertaken various restoration and conversion projects involving historical sites.

### **1. Map Amendment (Rezone)**

Request for map amendment to rezone Parcels 32.160.0040 and 32.012.0400 from A2 (General Agriculture District) to CR (Commercial Recreational District).

#### **Project Summary:**

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

#### **Project Summary:**

#### **Property Information:**

- The subject property consists of 2 parcels comprising approximately 63 acres situated immediately north of the confluence of Wells Creek and the Mississippi River and a quarter-mile south of historic Old Frontenac. Both parcels are currently zoned A2 (General Agriculture District). The property is in a “recreational corridor” along US HWY 61 between Lake City and Frontenac that includes nearby state parks, campgrounds, marinas, golfing, wineries, hiking, fishing, and boating.
- The property is currently zoned A2. Adjacent zoning districts are R1 to the north and A2 to the east, south, and west. Frontenac State Park borders the property to the east, south, and west.
- Surrounding land uses include undeveloped prairie, forest, and water resources (Frontenac State Park) to the east, south, and west; medium density residential to the north (Old Frontenac).
- Access to the site is located off of CTY 2 BLVD (asphalt surface) on the east side of the property. The access is within a half-mile of US HWY 61.
- The properties are not located within the Frontenac area Historic Preservation District. The Applicant has expressed a desire to have the site listed on the National Register of Historic Places. Though not officially registered, the site is historically significant to the heritage of the greater Frontenac area.
- Portions of both parcels are designated as shoreland and floodplains of Wells Creek. The parcels are also within a quarter-mile of the Mississippi River (Lake Pepin). Less than 10% of the properties are currently covered in impervious surfaces. There are some steep slopes and areas that qualify as Blufflands in the southern portion of the western parcel. Blufflands, Shorelands, Floodplains, and vegetative, tree, and woodland alterations are regulated by the Goodhue County Zoning Ordinance. Any future disturbance to these natural features would be required to conform to the requirements in place designed to protect these sensitive areas.

#### **Existing/Proposed Uses:**

- Prior to the applicant’s purchase of the property, the site had been operated by the Ursuline Sisters as a retreat and conference center. Historically the property has been the site of an educational academy providing classrooms and dormitory for students.
- The applicant intends to remodel and reconfigure the existing buildings to open a Resort Facility and Accessory Event Center to host weddings and various other social gatherings. The applicant is also interested in operating an integrative health-spa as well as hosting musical events on the site in the future.

**Planning Information:**

- The intent of the CR District is to provide suitable locations for, and to encourage the development of, commercial recreation facilities in those areas of the county which benefit the recreational needs of both residents and tourists and restrict incompatible commercial and industrial uses. The Commercial Recreational District shall not be an overlay district, but shall be an exclusive district when used.
- The property is not currently farmed and has not been used for agricultural purposes since the late 1800’s. The Prime Farmland Rating for Agriculture is as follows:

| <b>Soil Name</b>       | <b>Slope</b> | <b>Amount (acres)</b> | <b>% of Total</b> | <b>Prime Farmland Rating</b>     |
|------------------------|--------------|-----------------------|-------------------|----------------------------------|
| Rasset Fine Sandy Loam | 0-6%         | 22.7                  | 35.4%             | Prime Farmland                   |
| Dakota Silt Loam       | 0-3%         | 4.3                   | 6.7%              | Prime Farmland                   |
| Sparta Loamy Sand      | 0-6%         | 2.2                   | 3.5%              | Prime Farmland                   |
| Malardi Loam           | 0-3%         | 16.3                  | 25.5%             | Farmland of Statewide Importance |
| Hawick Sandy Loam      | 18-45%       | 11.4                  | 17.9%             | Not Prime Farmland               |
| Kalmarville-Radford    | 0-3%         | 2.5                   | 3.9%              | Not Prime Farmland               |
| Plainfield Loamy Sand  | 12-18%       | 4.5                   | 7.1%              | Not Prime Farmland               |

- The proposed rezone appears compatible with the goals and objectives of the Goodhue County Comprehensive Plan:

*“Encourage new opportunities for outdoor tourism and recreation throughout the county”*

*“Provide for recreational opportunities to meet the needs and interests of county residents while ensuring that recreational uses are compatible with the natural limitations of each specific site and surrounding uses”*

*“Support existing and new businesses dependent upon Lake Pepin tourism”*

- Dwelling development density is a maximum of 12 dwellings per section, and one dwelling per quarter-quarter for A2 zoned sections. Sections 11 and 12 are A2 zoned sections with R1 zones situated within them. Dwellings in R1 zones do not count against the density for the section. There are currently zero dwellings in the A2 count for section 12 and 1 dwelling in the A2 count for section 11. None of the structures on the applicant’s property are counted as dwellings in the density county for either section. Single-family dwellings are not a permitted, or conditionally permitted, use in the CR zone so the dwelling density would be unaffected by the change of zone.

**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 the County Board of Commissioners **APPROVE** the map amendment request from Villa Maria Ventures LLC (John Rupp, Chief Manager) to rezone parcels 32.160.0040 and 32.012.0400 from A2 (General Agriculture District) to CR (Commercial Recreational District).

**Goodhue County Zoning Ordinance: Article 4 Conditional/Interim Uses**

*No CUP/TUP shall be recommended by the County Planning Commission unless said Commission specifies facts in their findings for each case which establish the proposed CUP/TUP 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.*

**2. CUP for a Resort Facility and Accessory Event Center**

Request for a Conditional Use Permit (CUP) to establish a Resort Facility with restaurant and event spaces. The proposal includes remodeling existing buildings and constructing additions to provide operational spaces for lodging, guest-houses, cabins, on-site restaurants, outdoor entertainment, and events.

**PROJECT SUMMARY:**

**Property Information:**

- The subject property consists of 2 parcels comprising approximately 63 acres. Both parcels are currently zoned A2 (General Agriculture District). Adjacent zoning districts include R1 to the north and A2 to the east, south, and west.
- Surrounding land uses include undeveloped prairie, forest, and water resources (Frontenac State Park) to the east, south, and west as well as medium density residential to the north (Frontenac).
- Access to the site is located off of CTY 2 BLVD (asphalt surface) on the east side of the property. The access is within a half-mile of US HWY 61.
- The applicant intends to replat the property into smaller parcels in the future to facilitate project financing and organization. There are 2 unimproved roads that exist on the current plat that the Applicant has expressed a desire to work with Florence Township to have vacated. A replat of the parcels would require review and approval by the Planning Advisory Commission and County Board of Commissioners.

**VENUES: PHASE ONE**

**“Marian Hall” (Area-A)**

- The 4-story former dormitory will be remodeled into a resort hotel with a total of approximately 40 units. Each unit will replace 3 to 4 existing smaller dorm rooms on floors one, two, and three. The fourth floor, currently an unfinished attic space, is proposed to be renovated to provide additional hotel suite accommodations.
- The sanctuary area on the west end of the building will be converted into a bar and restaurant dining room connected to, the great room (former chapel). An approximately 3,000 Square foot addition is proposed to complete the restaurant and bar area which will house a commercial kitchen. The bar and restaurant would be open to both hotel guests and the general public.
- A number of existing facilities will be renovated into guest amenities including a great room (chapel), lounge (library), Board Room, Game Room/Bar, and indoor/outdoor pool. The Board Room, Game Room, Lounge, and former gymnasium will be utilized to host various smaller-scale events and meetings.

**“Glendgarda Cottage” (Area-B)**

- The Glengarda cottage is a residential style structure located on the east side of CTY 2 BLVD. The applicant is proposing to remodel and upgrade the existing structure for use as a short-term rental unit. The unit would also be available for use as a “bride’s cottage” during wedding events.

**“Starwood and Glenhaven Cottages” (Area-C)**

- Starwood and Glenhaven Cottages are proposed to be remodeled and upgraded for use as guest accommodations. Starwood is planned to provide space for 2 guest suites; Glenhaven will be converted to a single guest suite.

### **“Ursuline Hall” (Area-D)**

- The Ursuline Hall is proposed to be the primary location for large-scale weddings and social gatherings. The existing structure will be expanded by approximately 10,000 square feet to create a 375 seat dining room/performance hall and two pre-function lounge areas. It will be surrounded by an outdoor terrace, garden areas, nature trails, and a tent/pavilion for outdoor weddings and other events below on the main lawn. Events will typically be held in the spring, summer, and fall. The space may be used for occasional wintertime events.

### **“Woodhaven, the Barn, and Playing Fields” (Area-E)**

- The existing Woodhaven Hall and nearby barn are proposed to be used as a secondary location for “country-style” weddings and social gatherings. The existing barn will be converted into a pre-function bar area and the former dining hall will be expanded by approximately 2,000 square feet to become a banquet room for events. The playing fields located west of the structures will be used for guest entertainment such as outdoor softball games, volleyball, etc.

## **VENUES: PHASE TWO**

### **“Front Lawn” (Area-F)**

- The applicant desires to someday stage a summer music festival on the “front lawn” in front of Marian Hall in coordination with a festival being planned for Summit Avenue in Saint Paul, MN or other local/regional cultural events.
- It is anticipated that these events/festivals would exceed 500 guests. Events or festivals exceeding 500 guests would need to be licensed by the Board of Commissioners as required by the Goodhue County Assembly Controls Ordinance. Included in the ordinance is an evaluation of public safety measures (security, fire, and medical facilities), sanitary facilities, food and alcohol provisions, parking, noise, and traffic.

### **Future Integrative Spa Hotel Complex (Area-F)**

- The applicant is currently exploring the possibility of partnering with Mayo Clinic to open an “integrative health-spa hotel complex” to provide a peaceful place for patients needing or receiving medical treatment to recover. Specific details on the nature of this building are not available, though it is anticipated the architectural style and features would be complementary to those of Marian Hall.

### **Future Hotel and Cabin Suites Expansion (Area-G and Area-H)**

- The applicant desires to provide a hotel expansion area and approximately 10 individual cabins in the far western portion of the 2 parcels. Senior living and resort amenities are also being considered in this area.

No specific details are available regarding Areas “F”, “G”, and “H” at this time. It is anticipated that approximately 150 additional rooms would be constructed to allow efficient operations and support associated amenities.

### **Employees:**

- The applicant anticipates the need for approximately 80 full-time and part-time Non-resident Employees to run the Resort Facility and associated events. The facility will be staffed at all times when guests are present.

### **Hours of Operation:**

- The applicant is proposing hours of operation to be year-round, 24 hours per day, 7-days per week. Accessory events are proposed be year-round, 7 days per week and to end no later than 12:00 AM (midnight); however it is anticipated most will end earlier.

### **Lighting:**

- New accent lighting will be added to illuminate the exterior of the Marian Hall Building as well as “dark sky” landscape lighting, and down-lit path and road lighting throughout the complex.

### **Traffic and Parking:**

- The site has historically experienced higher traffic flows associated with previously held retreat events and conferences. The volume of traffics is anticipated to increase given the Applicant’s proposed scale of events and the potential for multiple venues to be active in addition to the hotel area. Traffic will primarily approach the property from the south on CTY 2 BLVD which directly

connects to US HWY 61. Guests may also access the property from the north on CTY 2 BLVD which passes through Old Frontenac and Frontenac Station before reconnecting with US HWY 61 approximately 3 miles from the site. Existing transportation infrastructure appears capable of supporting the proposed use. Guests should be encouraged to access the site from the south to limit traffic through residential areas in Old Frontenac and Frontenac Station.

- The driveway has numerous locations for delivery traffic and guests to turn around to aid with traffic circulation on site. The driveway (asphalt) is approximately 20 feet wide allowing vehicles to bypass each other to keep traffic flowing off of CTY 2 BLVD. Adequate emergency vehicle access is available to service the facility.
- A number of available parking areas exist on site. There are 70 parking stalls (paved) immediately east of Marian Hall near the entrance. There are 46 stalls available west of Marian Hall in the location of the old tennis courts. The Applicant intends to expand this parking area to provide additional parking for event guests. There is ample room on the property to provide additional parking area in the future as needed.
- *Pursuant to GCZO Article 11, Section 16 minimum off-street parking provisions for “Hotels” shall be 1 parking space for each 2 guest rooms (40 rooms), plus 1 additional space for every 3 employees (80 employees). A minimum of 47 spaces are required for the hotel and employees. The Zoning Administrator has determined minimum off-street parking provisions shall be one parking space for every 4 guests. A minimum of 94 additional parking spaces is required for events at a planned maximum capacity of 375 guests.*
- Traffic and parking issues associated with events exceeding 500 guests would be reviewed on an individual basis through the Goodhue County Assembly Controls Ordinance licensing process. It is anticipated that off-site parking would be utilized for some larger events and a shuttle service would be provided for guests.

#### **Utilities:**

- Existing wastewater treatment facilities are being evaluated for compliance and adequacy by the Applicant’s consultants. It is anticipated that repairs and upgrades will be needed. SSTS plans and designs will require review and approval by Goodhue County Environmental Health staff prior to establishing the use.
- Solid waste disposal services will be provided locally. Any hazardous materials or fluids generated shall be properly disposed of.

#### **Signage:**

- The applicant is proposing to install one sign near the property’s main entrance. Details regarding sign dimension are not currently available. The applicant has stated he is working with MNDOT to improve signage along US HWY 61 to direct traffic towards CTY 2 BLVD south of the site.

#### **Safety and Security Measures:**

- A new security system will be installed with comprehensive grounds and building video surveillance allowing the site to be monitored 24 / 7 remotely.
- Security personnel and staff will be on site for events in which alcohol is served.

#### **Landscaping/Drainage:**

- Some grading will be necessary to enlarge the parking lot in the location of the current tennis courts and to re-establish walking trails throughout the property. No significant erosion or drainage issues were currently identified on site. Any future grading near sensitive features such as drainage areas, shoreland, floodplain, bluffs, and steep slopes will be subject to required permit reviews and approvals.
- The applicant has proposed to prepare a comprehensive master plan in consultation with the MN DNR, Frontenac State Park, USDA, Forestry, and others to address existing invasive vegetation, manage the forest, and develop a nature trail system and various nature gardens. A Forest Stewardship Plan will be also completed.

#### **Dust/Noise/Odor/Fumes:**

- No nuisance dust, odor, or fumes are anticipated to be generated with the proposal. Noise generated during events is planned to be confined generally within the event venues to minimize impacts to neighboring properties. The property is heavily wooded and surrounded on 3 sides by the Frontenac State Park which naturally buffers potential noise impacts to adjacent property owners. The nearest adjacent residence (Andrea Fenske) is located approximately 0.3 miles north of the complex.

**Food & Liquor Provisions:**

- There are currently two commercial kitchens (Ursuline Hall, Marian Hall) which will be upgraded as needed and required. Substantially all of the food served on the property will be prepared in these commercial kitchens. New full-service bars will be established in Marian Hall, Ursuline Hall, and the “barn.” Management of food and liquor provisions will be overseen by Commonwealth Properties, Inc.
- All required federal, state, and local health licensing, and other regulatory requirements must be followed for the bars, kitchens, and service areas.

**Draft Findings of Fact:**

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

1. The proposed Resort Facility and Accessory Event Center do 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. The property has been historically been used for higher intensity uses such as retreats and conferences which are comparable to the Applicant’s proposal without producing conflicts with existing residential uses in the area.
2. The Resort Facility and Accessory Event Center are not anticipated to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. The use is proposed to meet all development standards of the Goodhue County Zoning Ordinance and most operations will be confined within the existing structures. The majority of the property shares a border with the Frontenac State Park which should not be negatively impacted by the proposed uses. The uses appear compatible with existing adjacent land uses.
3. A review of the applicants submitted project summary indicates adequate utilities, access roads, drainage, and other necessary facilities are available or will be installed to accommodate the proposed use.
4. The submitted plans identify means and space 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 Resort Facility and Accessory Event Center are not anticipated to produce offensive odor, fumes, dust, or vibration. The distance of the site from existing nearby residences and established vegetative buffers appear sufficient to control noise so that it will not constitute a nuisance. Furthermore, the applicant’s lighting plans appear capable of controlling lights in such a manner that no disturbance to neighboring properties will result.

*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 Villa Maria

Ventures LLC (John Rupp, Chief Manager) for a Conditional Use Permit (CUP) to establish a Resort Facility with restaurant and event spaces. The proposal includes remodeling existing buildings and constructing additions to provide operational spaces for lodging, guest-houses, cabins, on-site restaurants, outdoor entertainment, and events.

Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
2. Hours of operation for the Resort Facility shall be year-round, 7-days per week;
3. Hours of operation for Accessory Events shall be year-round, 7-days per week, ending no later than 12:00 AM (midnight);
4. On-street parking shall be prohibited;
5. On-street loading and off-loading shall be prohibited;
6. Security personnel shall be provided at events and venues in which alcohol is served;
7. Events exceeding 500 guests shall obtain required approvals in accordance with the Goodhue County Assembly Controls Ordinance;
8. Applicant shall obtain Building Permit approvals for proposed additions and improvements from the Goodhue County Building Permits Department prior to establishing the use;
9. Applicant shall work with Goodhue County Environmental Health to achieve compliance with the Goodhue County SSTS Ordinance prior to establishing the use;
10. Compliance with Goodhue County Zoning Ordinance including Article 30 CR, Commercial Recreational District;
11. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.

# Planning Advisory Commission

Public Hearing  
September 17, 2018

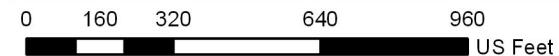
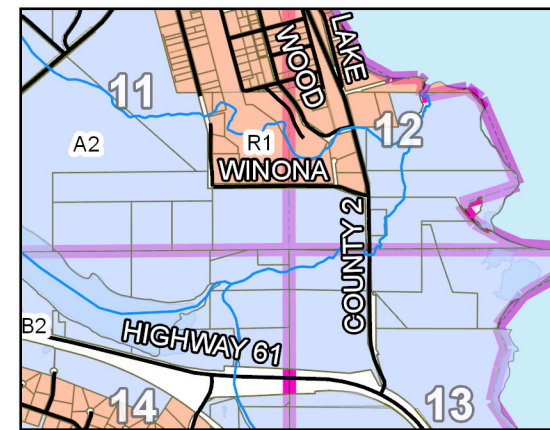
Villa Maria Ventures LLC  
A2 Zoned District

Parcels 32.160.0040 and 32.012.0400  
Blocks C, D, and E of Garrards South Ext.  
& SE ¼ of SW ¼ S12 T112 R13  
in Florence Township

Request to rezone 2 parcels from A2 to CR  
and CUP request to establish Resort  
Facility and Accessory Event Center

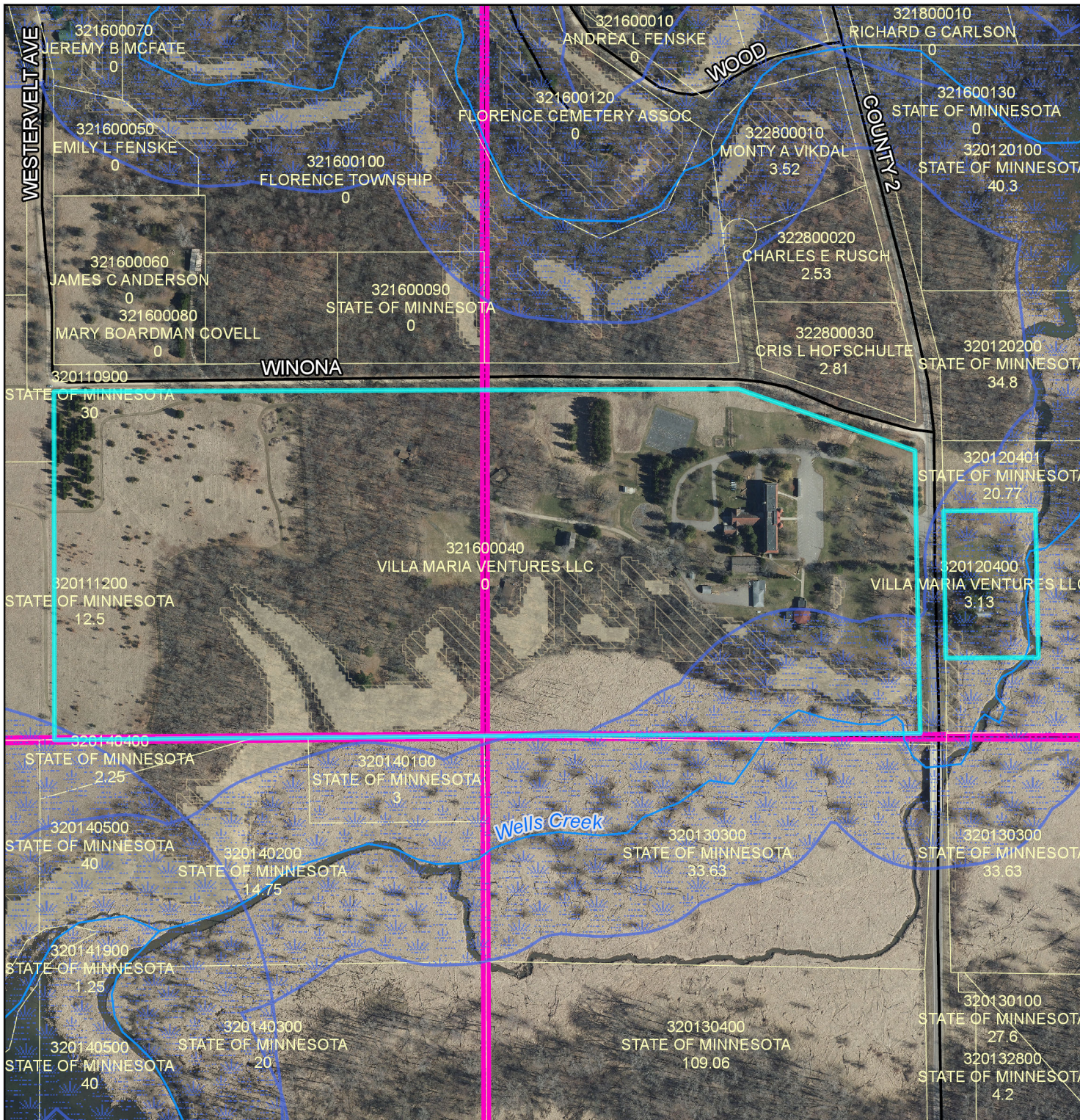
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|  | Protected Streams          |  | 30                           |
|  | Lakes & Other Water Bodies |  |                              |
|  | Shoreland                  |  |                              |
|  | Historic Districts         |  | FEMA Flood Zones             |
|  | Parcels                    |  | 2% Annual Chance             |
|  | Registered Feedlots        |  | A                            |
|  | Dwellings                  |  | AE                           |
|  | Municipalities             |  | AO                           |
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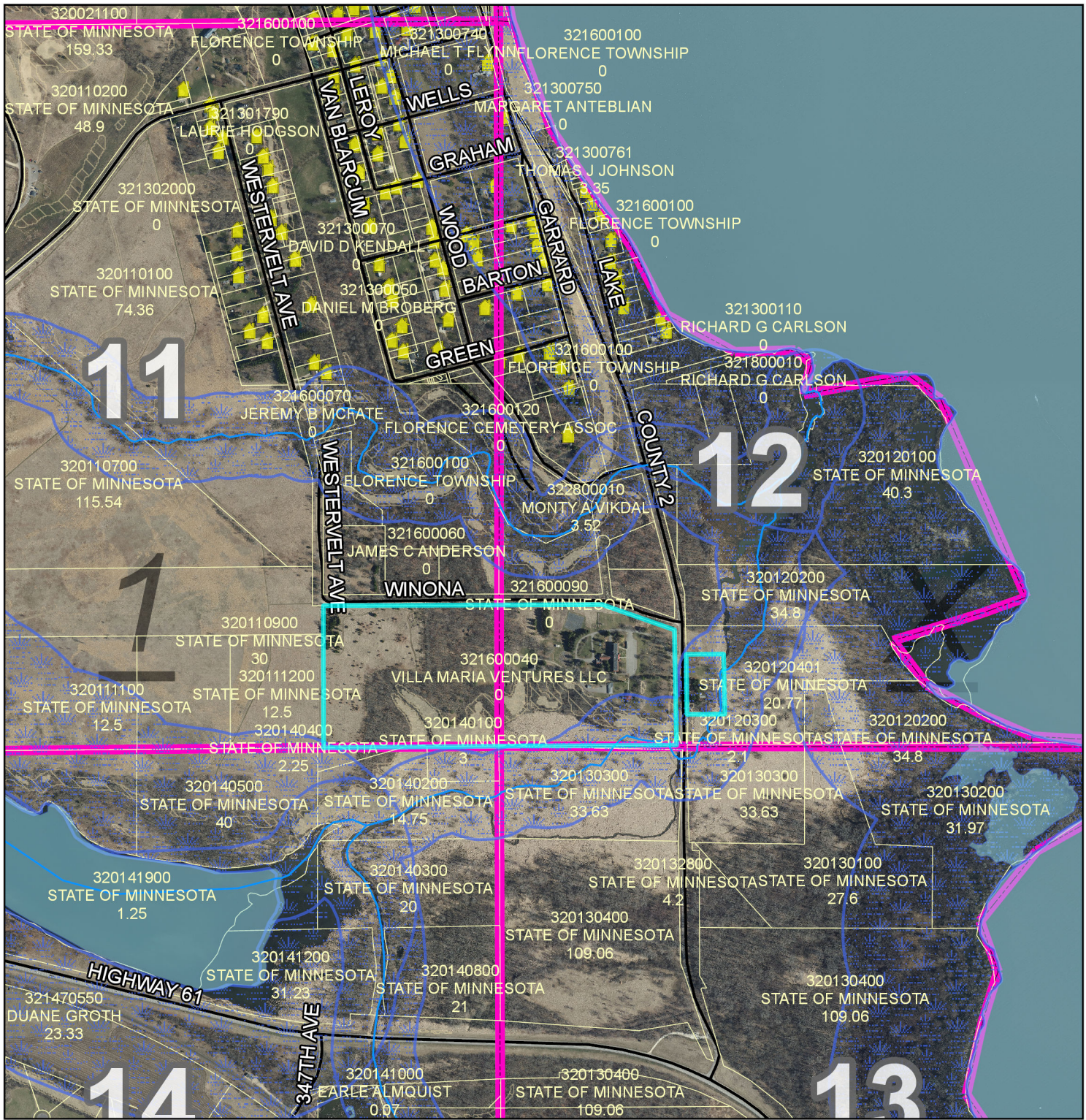


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Map Created September, 2018 by Ryan Bechel







**Planning Advisory Commission**

Public Hearing  
September 17, 2018

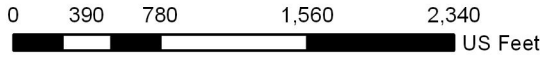
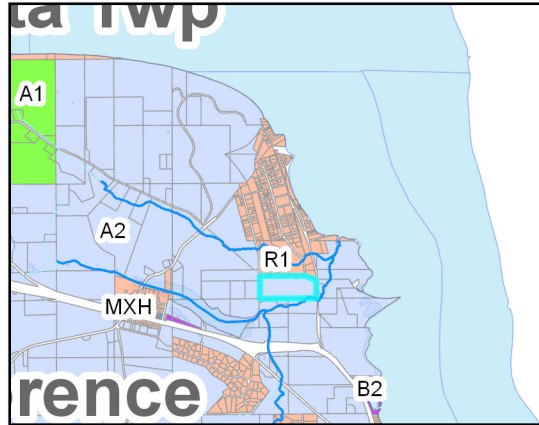
Villa Maria Ventures LLC  
A2 Zoned District

Parcels 32.160.0040 and 32.012.0400  
Blocks C, D, and E of Garrards South Ext.  
& SE ¼ of SW ¼ S12 T112 R13  
in Florence Township

Request to rezone 2 parcels from A2 to CR  
and CUP request to establish Resort  
Facility and Accessory Event Center

**Legend**

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



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Map Created September, 2018 by Ryan Bechel



# Goodhue County Land Use Management

Goodhue County Government Center | 509 West Fifth Street | Red Wing, Minnesota 55066

*Lisa M. Hanni, L.S. Director*

Building | Planning | Zoning  
Telephone: 651.385.3104  
Fax: 651.385.3106



*County Surveyor / Recorder*

Environmental Health | Land Surveying | GIS  
Telephone: 651.385.3223  
Fax: 651.385.3098

Project Review per Article 3, Section 2, Subd. 5-10:

- Subd. 5
- A. The names and addresses of the petitioner or petitioners and their signatures to the petition. **See application**
  - B. Survey information: **See application**
  - C. The current and proposed district: **A2 to CR**
  - D. The current use and the proposed use of the land. **The property has been historically used as a retreat and conference center by the Ursuline Sisters. The proposed use is to operate a resort facility and host events at the various venues on the property.**
  - E. The reason for the requested change of zoning district. **The applicant is requesting the zone change to enable a resort facility and accessory event center to be established on the property. Resort facilities are not permissible in the A2 District. Furthermore, a CR zone would be more compatible with the planned commercial uses of the property.**
  - F. A copy of the soil map showing the soils types within the proposed boundary and the surrounding area. **A soils map for the site has been prepared.**
  - G. Prime Farmland Rating of the soil types in F.
    - The Prime Farmland Rating for Agriculture is as follows:

| Soil Name              | Slope  | Amount (acres) | % of Total | Prime Farmland Rating            |
|------------------------|--------|----------------|------------|----------------------------------|
| Rasset Fine Sandy Loam | 0-6%   | 22.7           | 35.4%      | Prime Farmland                   |
| Dakota Silt Loam       | 0-3%   | 4.3            | 6.7%       | Prime Farmland                   |
| Sparta Loamy Sand      | 0-6%   | 2.2            | 3.5%       | Prime Farmland                   |
| Malardi Loam           | 0-3%   | 16.3           | 25.5%      | Farmland of Statewide Importance |
| Hawick Sandy Loam      | 18-45% | 11.4           | 17.9%      | Not Prime Farmland               |
| Kalmarville-Radford    | 0-3%   | 2.5            | 3.9%       | Not Prime Farmland               |
| Plainfield Loamy Sand  | 12-18% | 4.5            | 7.1%       | Not Prime Farmland               |

- H. A statement of how the requested change is compatible with the Goodhue County Comprehensive Plan including but not limited to the following:
  - 1. The environmental impacts of the proposed use of land on the:
    - a. Groundwater
    - b. natural plant and animal communities
    - c. existing trees and vegetation
    - d. Bluffland stability
    - e. shoreland stability

**Portions of both parcels are designated as shoreland and floodplains of Wells Creek. The parcels are also within a quarter-mile of the Mississippi River. Less than 10% of the properties are covered in impervious surfaces. There are some steep slopes and areas that qualify as Blufflands in the southern portion of the**

western parcel. Blufflands, Shorelands, Floodplains, and tree and vegetative alterations are regulated by Goodhue County's Zoning Ordinance. Any future disturbance to these natural features would be required to conform to the requirements in place designed to protect these sensitive areas from the potential negative impacts of development.

2. The compatibility with surrounding land uses

**Surrounding land uses include undeveloped prairie, forest, and water resources (Frontenac State Park) to the east, south, and west as well as medium density residential to the north (Frontenac). Given the site has functioned as a dormitory, retreat, and event center for many years; we do not anticipate any negative impacts to rezoning the properties to a CR zone as the classification is more aligned with the activities the site has been used for.**

3. The physical and visual impacts on any scenic or historic amenities within or surrounding the proposed parcel.

**The properties are not currently located within the Frontenac area Historic Preservation District. The Applicant has expressed a desire to have the site listed on the National Register of Historic Places and intends to preserve and enhance the existing historic structures as much as possible. It is not anticipated that any scenic or historic amenities will be negatively impacted as a result of the proposed rezone.**

Subd. 6 The housing density of the affected Section

**Section 11 and 12 are both A2 zoned sections with R1 zones situated within them. Dwellings in R1 zones do not count against the density for section based zones. There are currently zero dwellings in the A2 count for section 12 and 1 dwelling in the A2 count for section 11. None of the structures on the applicant's property are counted as dwellings in the density county for either section. Single-family dwellings are not a permitted, or conditionally permitted, use in the CR zone so the dwelling density would be unaffected by the change of zone.**

Subd. 7 The impact on any surrounding agricultural uses

**This property is not being farmed; there are crop farming activities to the south and west across US Hwy 61, but the change of zone is not expected to impact those operations.**

Subd. 8 The impact on the existing transportation infrastructure

**The properties are accessed off CTY 2 BLVD approximately one half-mile north of US HWY 61. Guests would primarily access the site from the south. County 2 BLVD passes through Frontenac and Frontenac Station north of the subject parcels and could be used as a secondary access route. The property has historically supported heavier traffic flows in conjunction with retreat events and conferences held by the Ursuline Sisters.**

Subd. 9 The impact on surrounding zoning districts

**The property is currently zoned A2. Adjacent zoning districts are R1 to the north and A2 to the east, south, and west. Rezoning the parcels to CR would not appear to have any substantial negative impacts to the existing and potential future uses of the surrounding zoning districts.**

Subd. 10 A statement concerning the cumulative effect and compatibility of the requested zoning change on the affected Township and any cities located within 2 miles of the

proposed parcel.

**Rezoning the subject parcels to CR does not appear to have negative cumulative effects on the immediate surrounding area or Lake City. The property has been used for similar uses in the past as part of the A2 District.**

Subd. 11. Additional information as may be requested by the Planning Commission or zoning staff.

# **ARTICLE 30 CR, COMMERCIAL RECREATIONAL DISTRICT**

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## **SECTION 1. PURPOSE**

The intent of the CR Commercial Recreational District is to provide suitable locations for, and to encourage the development of, commercial recreation facilities in those areas of the county which benefit the recreational needs of both residents and tourists and restrict incompatible commercial and industrial uses. The Commercial Recreational District shall not be an overlay district, but shall be an exclusive district when used.

## **SECTION 2. PERMITTED USES**

Subd. 1. None.

## **SECTION 3. CONDITIONAL USES AND INTERIM USES**

- Subd. 1. Resort facilities to include lodges, guesthouses, cabins and retreat facilities.
- Subd. 2. On-site taverns where the main function is servicing a resort or recreational development.
- Subd. 3. On-site restaurants where the main function is servicing a resort or recreational development.
- Subd. 4. Golf courses and clubhouses.
- Subd. 5. Dinner theaters.
- Subd. 6. Ski areas, ski jumps, related lifts, lodges, and maintenance facilities.
- Subd. 7. Yacht slips, service and storage marinas, harbor and docking facilities subject also to all approved regulations and ordinances of governmental agencies for the same.
- Subd. 8. Campgrounds and Recreational Vehicle sites.
- Subd. 9. Nature trails, snowmobile trails, ski trails, and similar facilities.
- Subd. 10. Museums and commercialized historical attractions.
- Subd. 11. Accessory uses to be determined through the CUP process.
- Subd. 12. Outdoor recreational uses including, but not limited to: zip lines, rope or disc golf courses and mountain bike trails.
- Subd. 13. Outdoor concert facilities.

## **SECTION 4. GENERAL DISTRICT REGULATIONS**

- Subd. 1. Maximum height limitations for structures and related facilities shall be determined through the CUP process.
- Subd. 2. Each lot or parcel shall have an area of not less than two (2) acres.
- Subd. 3. Structures shall meet the following setbacks:
- A. Front yard
    - 1. A front yard of not less than forty five (45) feet shall be provided as measured from the right-of-way line of any public road or highway.
    - 2. In the event any building is located on a lot at the intersection of two (2) or more roads or highways, such a lot shall have a front yard abutting each such road or highway.
  - B. Side and Rear Yard
    - 1. Side and Rear yards shall be a minimum of thirty (30) feet. However, livestock buildings shall be subject to a side and rear yard setback of one hundred (100) feet.
- Subd. 4. Lot Width. Each lot shall have a minimum width of one hundred (100) feet.

1 GOODHUE COUNTY ZONING DISTRICT ~~REZONING~~ APPLICATION

Parcel # 32-160-0040

AUG 23 2018

Permit # Z18-0041

Land Use Management

**PROPERTY OWNER INFORMATION**  
Villa Maria Ventures, LLC

Chief Manager --- Last Name Rupp First John M.I. R. Date of Birth 5/20/48

Street Address Suite 900 St. Paul Bldg. 6 West Fifth Street Phone

City Saint Paul State Mn Zip 55102 Attach Legal Description See Survey

Authorized Agent John Rupp Phone 651-492-2646

Mailing Address of Landowner: Same

Mailing Address of Agent: Same

**PROJECT INFORMATION**

Site Address (if different than above): 29847 County 2, Frontenac, Minnesota 55026

Lot Size about 63 1/2 acres

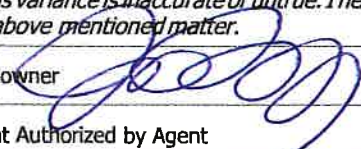
Existing Zone A-2 Proposed Zone Commercial Recreational

Existing Use When closed - retreat center

Proposed Use: Boutique hotel resort complex with restaurant and event spaces

**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  CHIEF MEMBER  Date 8/21/18

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 variance request.

Signature Title Date

Comments:

COUNTY SECTION COUNTY FEE \$500 RECEIPT # 16453 DATE PAID 8.23.18

Applicant requests a variance from Article \_\_\_\_\_ Section \_\_\_\_\_ Subdivision \_\_\_\_\_ of the Goodhue County Zoning Ordinance

What is the formal wording of the request? I request a zoning change from A-2 to Commercial recreational zoning

Shoreland \_\_\_\_\_ Lake/Stream Name \_\_\_\_\_ Zoning District \_\_\_\_\_

Date Received \_\_\_\_\_ Date of Public Hearing \_\_\_\_\_ DNR Notice \_\_\_\_\_ City Notice \_\_\_\_\_

Action Taken: \_\_\_\_\_ Approve \_\_\_\_\_ Deny \_\_\_\_\_ Conditions: \_\_\_\_\_



# GOODHUE COUNTY ZONING DISTRICT CHANGE APPLICATION

## **APPLICANT FINDINGS OF FACT AND SUPPORTING INFORMATION REGARDING ZONING DISTRICT CHANGE APPLICATION**

1. How does the requested change compatible with the Goodhue County Comprehensive Plan?

The proposed development meets the objectives of the Goodhue County Commercial Recreational Zoning District Article 30 -- Section 1.

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2. What is the cumulative effect of the requested zoning change on the affected Township and any cities located within 2 miles of the proposed parcel?

The proposed development will further support local tourism initiatives without directly competing with any existing enterprises or initiatives within 2 miles, and will provide a different type of employment than is available in the immediate area.

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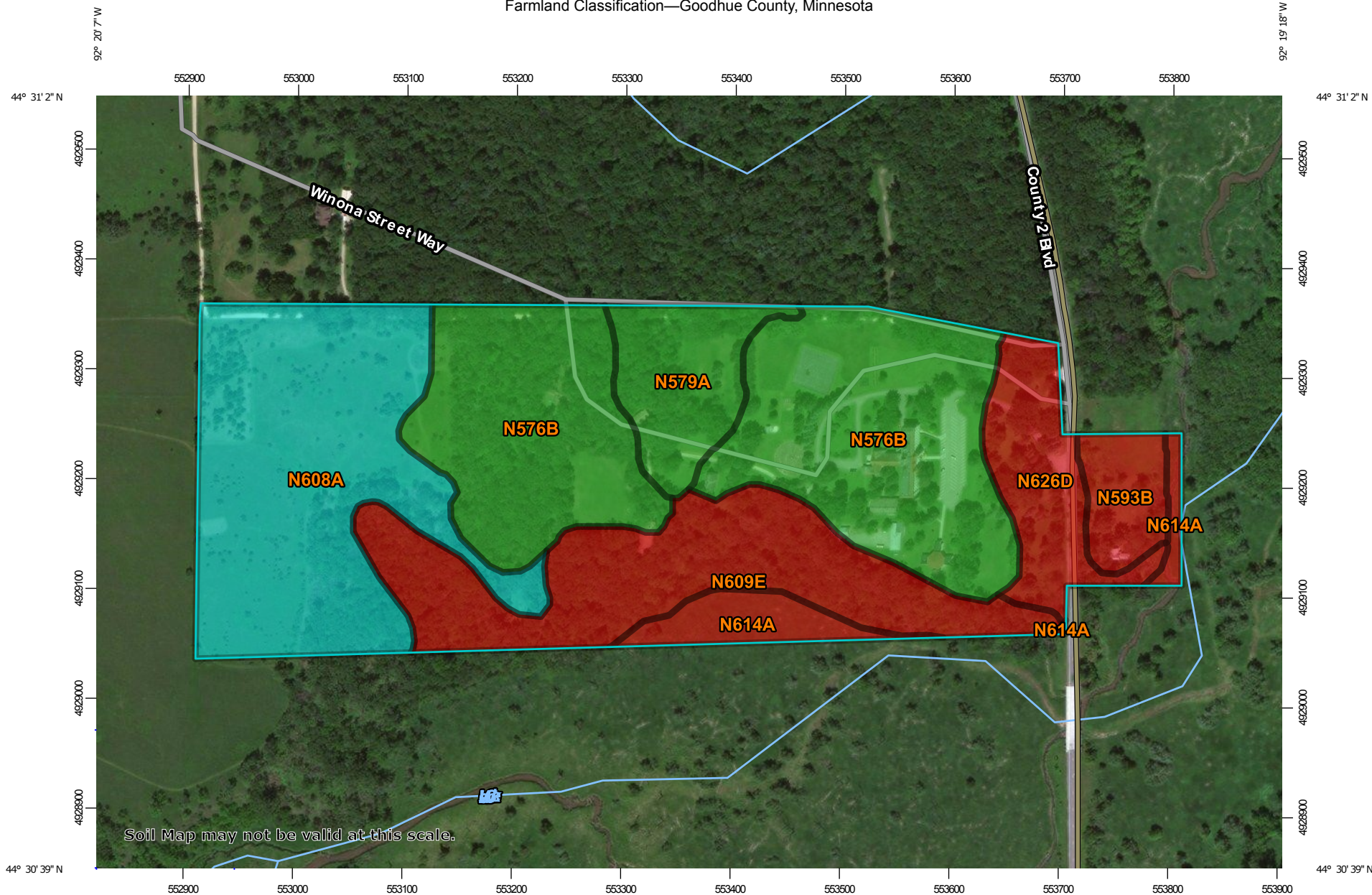
3. Is the zoning change compatible with the affected Township and any cities located within 2 miles of the proposed parcel?

The zoning will allow compatible and complimentary development with the Old Frontenac Historic District.

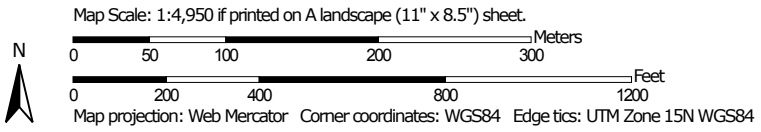
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Farmland Classification—Goodhue County, Minnesota



Soil Map may not be valid at this scale.



## Farmland Classification

| Map unit symbol                    | Map unit name  | Rating                           | Acres in AOI | Percent of AOI |
|------------------------------------|--|----------------------------------|--------------|----------------|
| N576B                              | Rasset fine sandy loam, 0 to 6 percent slopes                          | All areas are prime farmland     | 22.7         | 35.4%          |
| N579A                              | Dakota silt loam, 0 to 3 percent slopes                                | All areas are prime farmland     | 4.3          | 6.7%           |
| N593B                              | Sparta loamy sand, 0 to 6 percent slopes                               | Not prime farmland               | 2.2          | 3.5%           |
| N608A                              | Malardi loam, 0 to 3 percent slopes                                    | Farmland of statewide importance | 16.3         | 25.5%          |
| N609E                              | Hawick sandy loam, 18 to 45 percent slopes                             | Not prime farmland               | 11.4         | 17.9%          |
| N614A                              | Kalmarville-Radford complex, 0 to 3 percent slopes, frequently flooded | Not prime farmland               | 2.5          | 3.9%           |
| N626D                              | Plainfield loamy sand, 12 to 18 percent slopes                         | Not prime farmland               | 4.5          | 7.1%           |
| <b>Totals for Area of Interest</b> |  |                                  | <b>63.9</b>  | <b>100.0%</b>  |

### Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

### Rating Options

*Aggregation Method:* No Aggregation Necessary

*Tie-break Rule:* Lower

**RECEIVED**  
**GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION**

Parcel # 32-160-0040

AUG 23 2018

Permit# Z18-0040

**Land Use Management**

**PROPERTY OWNER INFORMATION**

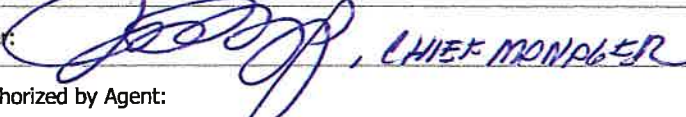
|   |            |  |  |
|---|------------|--|--|
| Villa Maria Ventures, LLC                                   |            |  |  |
| Chief Manager   |            | <input type="checkbox"/>                 |  |
| Last Name Rupp  | First John | Email: jrrupp@commonwealthproperties.com |  |
| Street Address Suite 900 St. Paul Bldg. 6 West Fifth Street |            |  | Phone 651-492-2646                           |
| City St. Paul   | State Mn   | Zip 55102                                | Attach Legal Description See Attached Survey |
| Authorized Agent John Rupp                                  |            |  | Phone 651-492-2646                           |
| Mailing Address of Landowner: Same as above                 |            |  |  |
| Mailing Address of Agent: Same as above                     |            |  |  |

**PROJECT INFORMATION**

|  |   |
|--|---|
| Site Address (if different than above): 29847 County 2, Frontenac, Minnesota 55026   |   |
| Lot Size See Survey  | Structure Dimensions (if applicable) See Survey |
| What is the conditional/interim use permit request for? Commercial Recreational Zoning   |   |
| Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized |   |
| Current A-2 Zoning does not allow development that is needed to preserve the buildings and create area jobs                            |   |

**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:  CHIEF MANAGER | Date 8/21/18 |
| 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:

|                       |                  |                        |                          |
|-----------------------|------------------|------------------------|--------------------------|
| <b>COUNTY SECTION</b> | COUNTY FEE \$350 | RECEIPT # <u>10452</u> | DATE PAID <u>8-23-18</u> |
|-----------------------|------------------|------------------------|--------------------------|

Applicant requests a CUP/IUP pursuant to Article 30 Section \_\_\_\_\_ Subdivision \_\_\_\_\_ of the Goodhue County Zoning Ordinance

# GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

What is the formal wording of the request? I request a zoning change from A-2 to Commercial Recreational zoning.

Shoreland \_\_\_\_\_ Lake/Stream Name \_\_\_\_\_ Zoning District \_\_\_\_\_  
Date Received \_\_\_\_\_ Date of Public Hearing \_\_\_\_\_ DNR Notice \_\_\_\_\_ City Notice \_\_\_\_\_

Action Taken: \_\_\_\_\_ Approve \_\_\_\_\_ Deny \_\_\_\_\_ Conditions:

**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).  
See Attached

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

All existing buildings will be used at least in the foreseeable future. No new structures will be built until demand warrants them. Likely new structures would contain primarily additional boutique hotel rooms, and – long shot - an integrative health spa complex. There will be dining room/lounge additions added to the two dining/meeting buildings and the main villa building.

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- 3. Proposed number of non-resident employees.

Within 2 years about 80 full and part time

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

- Hotel – normal hotel hours
- Special events - over at midnight at the very latest, most earlier

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- 5. Planned maximum capacity/occupancy.

First phase (subject to possible additional construction in future years based on demand) will change from previous uses as follows:

- The number of rooms will decrease to about 40 from over 100
- Ursuline hall will be expanded to seat about 375 from current roughly 75
- Woodhaven hall will expand to seat an additional approximately 50

Future – TBD

- Possible integrative health spa complex
- Additional hotel structures to reach at least 150 rooms to allow efficient operations and support for needed associated amenities

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## GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

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

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Traffic. The number of rooms will decrease to about 30% of the current number, because the new hotel operation will have larger rooms with private baths

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Future expansion approvals are understood to contingent on traffic and service considerations taken into account

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

The current parking lot in front of the villa will remain. At least for now. The smaller parking lot on top of former tennis courts will be expanded in the location.

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8. Proposed solid waste disposal provisions.

Septic System is part of the answer – upgraded as needed. A recycling strategy will deal with the rest.

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

Current systems are being carefully evaluated and appear to be in need of little improvement. Required upgrades will be made as needed

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10. Existing and proposed exterior lighting.

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There will be subtle lighting of the exterior of the historic Marian Hall Building, some landscape lighting in certain area, and down lit path and road lighting to preserve the “dark sky”.

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11. Existing and proposed exterior signage.

An entrance sign will be added – design TBD

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12. Existing and proposed exterior storage.

There are currently several shed and garage structures. There is no need for any more buildings now, but in the future a new solution will be developed to more effectively hide this storage.

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13. Proposed safety and security measures.

A new security system will be installed with comprehensive grounds and building video surveillance – monitored 24/7 remotely and interior building systems as well.

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

Currently access is good for emergency services. Upgrades will be made as needed in consultation with the providers.

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

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There will be no problematic odor or dust issues. Any weddings or events that include music will comply with local noise restrictions – exact restrictions TBD

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

A big subject. A comprehensive master plan will be developed, in consultation with the DNR, surrounding Frontenac State park, USDA, Forestry, and others. The ambition is to eliminate invasive species; manage the forest; develop a nature trail system & healing gardens associated with a possible future integrative health complex, small vineyard & kitchen gardens; and grounds with an arboretum orientation. A Forest Stewardship Plan will be also completed

Currently the only significant grading – which will be minimal will be to create a parking lot in the location of the current tennis courts and establish walkable trails.

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17. Existing and proposed surface-water drainage provisions.

Currently there do not appear to any major issues. A topographical survey, recently completed, will act as a guide to insure that there are no conditions that negatively affect the hillsides, wet lands, and Wells Creek.

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

There are currently two commercial kitchens which will be used – upgraded an needed and required. Substantially all of the food served on the property will come from those kitchens.

New full service bars will be initially created in the Villa, the two event buildings, and the barn.

All required health and other regulatory requirements will be met for the bars, kitchens, and service areas.

Management will be overseen by Commonwealth Properties, Inc.; which currently oversees the following food & beverage operations - all owned by affiliated entities. Commonwealth does not manage food and beverage enterprises for third parties

- W.A. Frost
- The Commodore Bar and Restaurant
- The Saint Paul Athletic Club
- The University Club of Saint Paul
- Stouts Island Lodge
- The Summit Center for Arts and Innovation

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

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See attached purpose and scope

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**August 30, 2018**

**Villa Maria – Description of purpose and planned scope of operations**

**Existing Use (before the property closed)**

The entire Villa Maria property was used in recent years, before it closed, as a retreat and special events complex, with a few private, but mostly dormitory accommodations. Meals were served to attendees – prepared in two commercial kitchens on the property. From the late 19<sup>th</sup> Century until 1969 there was a very large school building on the property also.

**Proposed Use**

The proposed uses have many similarities to the previous one. The property will be developed in conformance with the approved uses allowed in a Commercial/Recreational zoned property -- Article 30, Section 3. It will be positioned as a very high end romantic destination boutique hotel (with restaurant), retreat, and special event venue initially – one of the finest of its kind in the state. Over time other uses will hopefully be added including, but not limited to: a non-profit or public benefit integrated health spa complex; extensive gardens & wooded areas (some non-profit projects); additional rooms in new buildings; and other possible related uses not as yet imagined.

The project will be developed in collaboration with various local initiatives and enterprises such as: consistent with an approved forest stewardship plan, preservation efforts in the National Historic District of Old Frontenac; The Lake Pepin Alliance; the adjacent Frontenac State Park; Wells Creek planning; the DNR, DNR Fisheries & Water, the USDA, Forestry, and others; as well as participating in joint promotions and initiatives with area businesses, chambers of commerce, non-profits, festivals and other community & area activities.

The property will be converted into a condominium plat (2 acres minimum per parcel) – subject of course to future approvals – to facilitate the financing, environmental planning, zoning, and in some cases fund raising for each of its component parts, including possible non-profit and/or other Minnesota Corporate Public Benefit projects. Over time additional hotel accommodations and other associated amenities will be added based on demand/approvals.

*The property owner - Villa Maria Ventures, LLC - will be reorganized by the end of the year into a Minnesota Public Benefit Corporation, a for profit legal structure which prioritizes the benefit to the public as opposed to just maximizing the return to its shareholders.*

**The following are the highlights of the initial stages of the development**

***Accommodations – Rooms, Suites, Apartments, and/or Cottages.***

Marian Hall - the stone dormitory structure will be remodeled into a romantic country house hotel, reminiscent of historic French and English converted estate properties. Current plans for the building will include the following: A total of approximately 40 spacious upper end units, with luxurious private baths, each replacing 3 to 4 smaller dorm rooms with shared bathrooms on floors one, two and three; and on floor four – now an attic but planned to be more units in the original construction – these units will be finally built out with dormer windows/balcony's sensitively added to the sloped roofs as originally planned in 1946.

- The chapel will be converted into a space reminiscent of a great hall in a grand historic manor house – the living room of the hotel
- Board/conference room on the second floor
- Library/lounge on the third floor
- Game room/bar similar to the one in the Chicago Athletic Association Hotel in the former student cafeteria on the lower level
- Grooms Suite
- Event space in the former gymnasium
- Winter garden indoor pool complex and outdoor pool.
- Possible rooftop deck

- Immediately adjacent (being studied now) : labyrinth, croquet lawn, lawn bowling, lawn games, outdoor chess, putting green, bad mitten & tennis courts, petanque & bocce courts, and TBD.
- New bar will be created in the sanctuary and a restaurant dining room added to the rear of, and connected to, the great room (former chapel), surrounded by elaborate outdoor garden rooms for its customers and hotel guests. The addition will be approximately 3,000 Square feet.
- Full commercial kitchen will be reused
- Some staff accommodation

Glengarda – cottage across the road, will initially be upgraded for short term rental and also used as a brides cottage

Starwood – formally a dorm, will be converted into two spacious suites

Glenhaven – will be updated as a standalone cottage and also used as a brides cottage.

### ***Event Venues***

The Villa (formally Marian Hall). Described above. Events and meetings of various sizes can be accommodated in the various rooms/or and in the restaurant. .

Ursuline Hall. This building will be expanded to the south with the addition of a spectacular romantic approximately 375 seat dining room/performance hall, and to the north with two pre-function lounge areas. The total added area will be approximately 10,000 square feet. It will be surrounded by an outdoor terrace, garden areas, connected to the complex's nature trails, and a tent or pavilion for outdoor weddings and other events below on the main lawn. The site offers spectacular views of the wetlands to the south, the beautiful grounds, the façade of the Villa, and across Lake Pepin to the Wisconsin bluffs.

Woodhaven, the Barn, and the "Playing Field". For a more informal "country" event, these building will be perfect. The barn will become the pre-function bar area, the former dining hall will become the banquet room; and the lawn will accommodate outdoor softball games, volleyball etc etc.. The building will be expanded by approximately 2,000 Square feet.

The Front Lawn. There is a dream that a summer music festival could be staged on the front lawn in front of the Villa someday, coordinated with a festival being planned for Summit Avenue in Saint Paul centered in the Summit Center for Arts and Innovation – an affiliated project to Villa Maria and/or other local and regional cultural events. If this festival ever happens it will of course comply with the Goodhue County Assembly Licensing Ordinance and all local standards of operation.

### **Other**

Traffic. Traffic will be directed to exit off of Highway 61 at Co. Rd. 2; rather than driving through Old Frontenac to reach the property.

Parking. The existing parking are north of the Villa will be expanded with a landscaped buffer between it and the adjacent road when parking demand requires it.

Event Parking for Summer Music Festival (If it ever happens). Parking will be located somewhere near highway 61 and Co. Rd. 2. Shuttles will be used from the lot to the Villa.

Historic Landmark Designation. Thomas R. Zahn & Associates has been hired to evaluate whether Marian Hall is eligible for inclusion on the National Register.

Invasive Species. A plan is being developed to try to address a variety of issues.

Environmental Study - Marian Hall. A Phase 1 study will start shortly.

Retail. There may be a gift/wine shop – being studied

NOTE:  
UNDEVELOPED AREAS TO BE  
MANAGED BY REGISTERED  
WOODLAND STEWARDSHIP PLAN

**AREA - H**

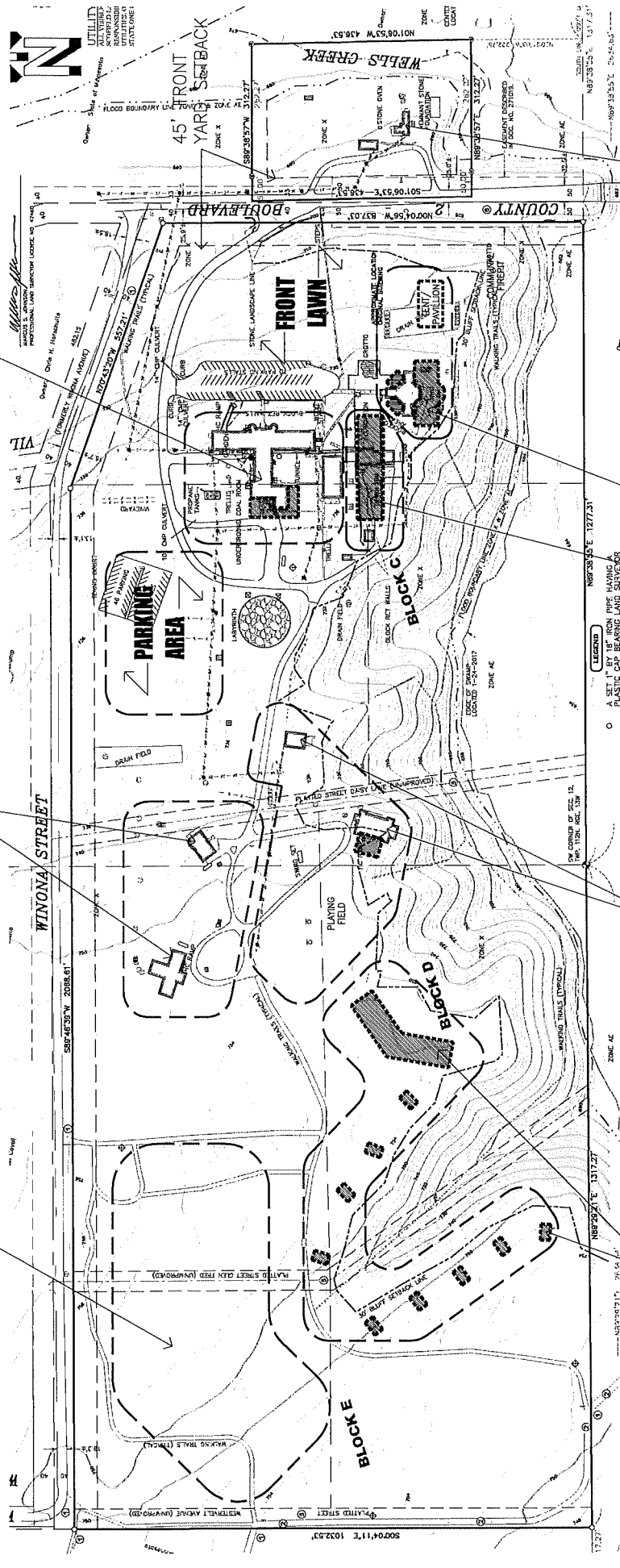
AREA FOR FUTURE  
HOTEL EXPANSION/  
SUITES W/ POSSIBLE PORTION FOR  
SENIORS/RESORT AMENITIES

**AREA - C**

EXISTING STARWOOD &  
GLENHAVEN COTTAGES

**AREA - A**

EXISTING MARIAN HALL  
W/ NEW WINTER GARDEN  
DINING ADDITION (SHADED)  
& EXISTING POOL



**AREA - G**

FUTURE HOTEL EXPANSION/  
SUITES & FUTURE CABINS  
(SHADED)

**AREA - E**

EXISTING WOODHAVEN LODGE  
W/ BANQUET ROOM EXPANSION  
(SHADED), EXISTING BARN &  
EXISTING PLAYING FIELD

**AREA - F**

NEW SPA/HOTEL EXPANSION  
(SHADED)

**AREA - D**

EXISTING URSULINE HALL  
W/ NEW LOUNGE ADDITION &  
DINING ROOM/PERFORMANCE HALL  
ADDITION (SHADED)

**AREA - B**

EXISTING GLENGARDA  
COTTAGE

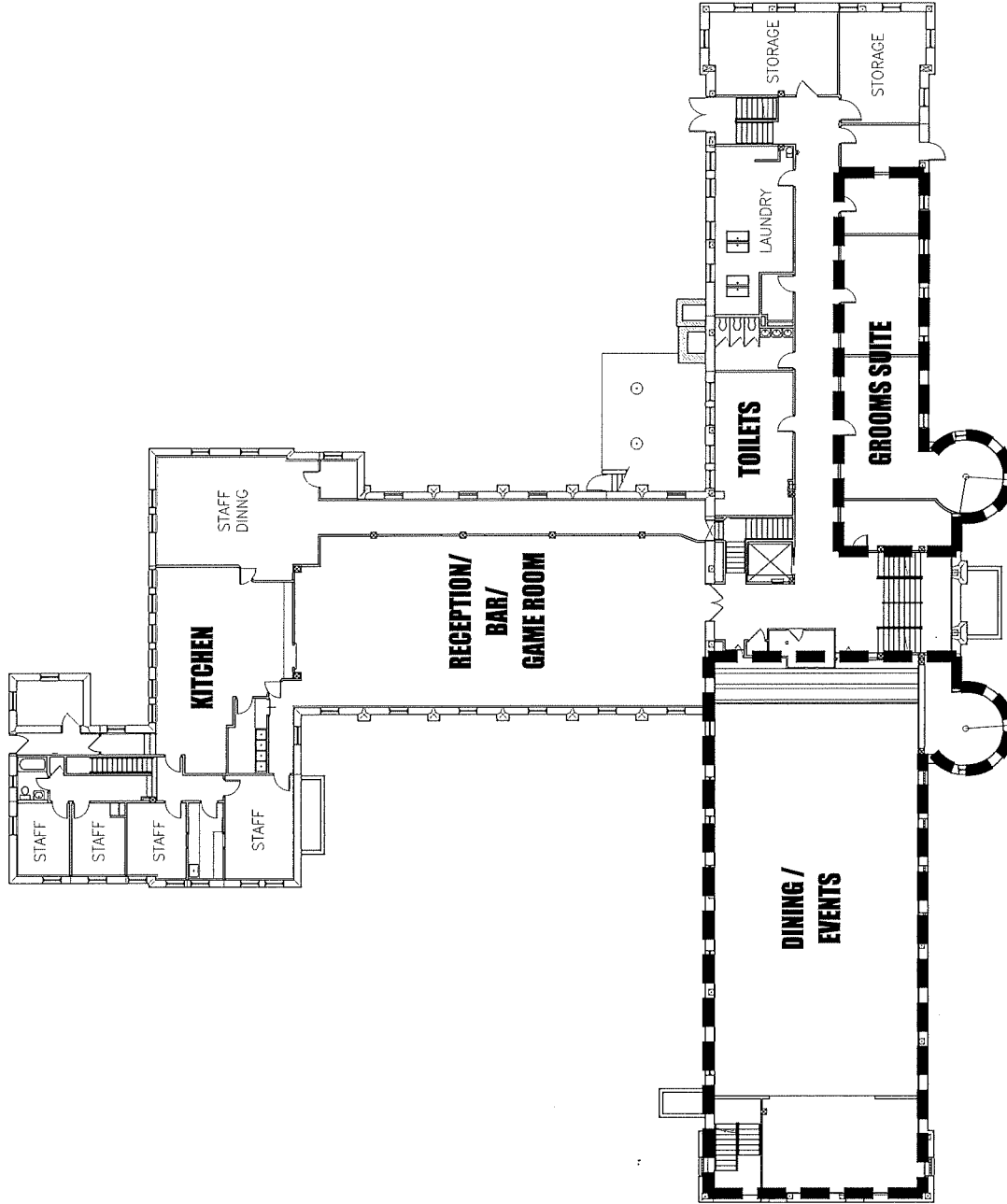
**Villa Maria Development Areas**  
FRONTENAC, MINNESOTA

08/17/18

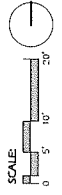
**SITE PLAN**



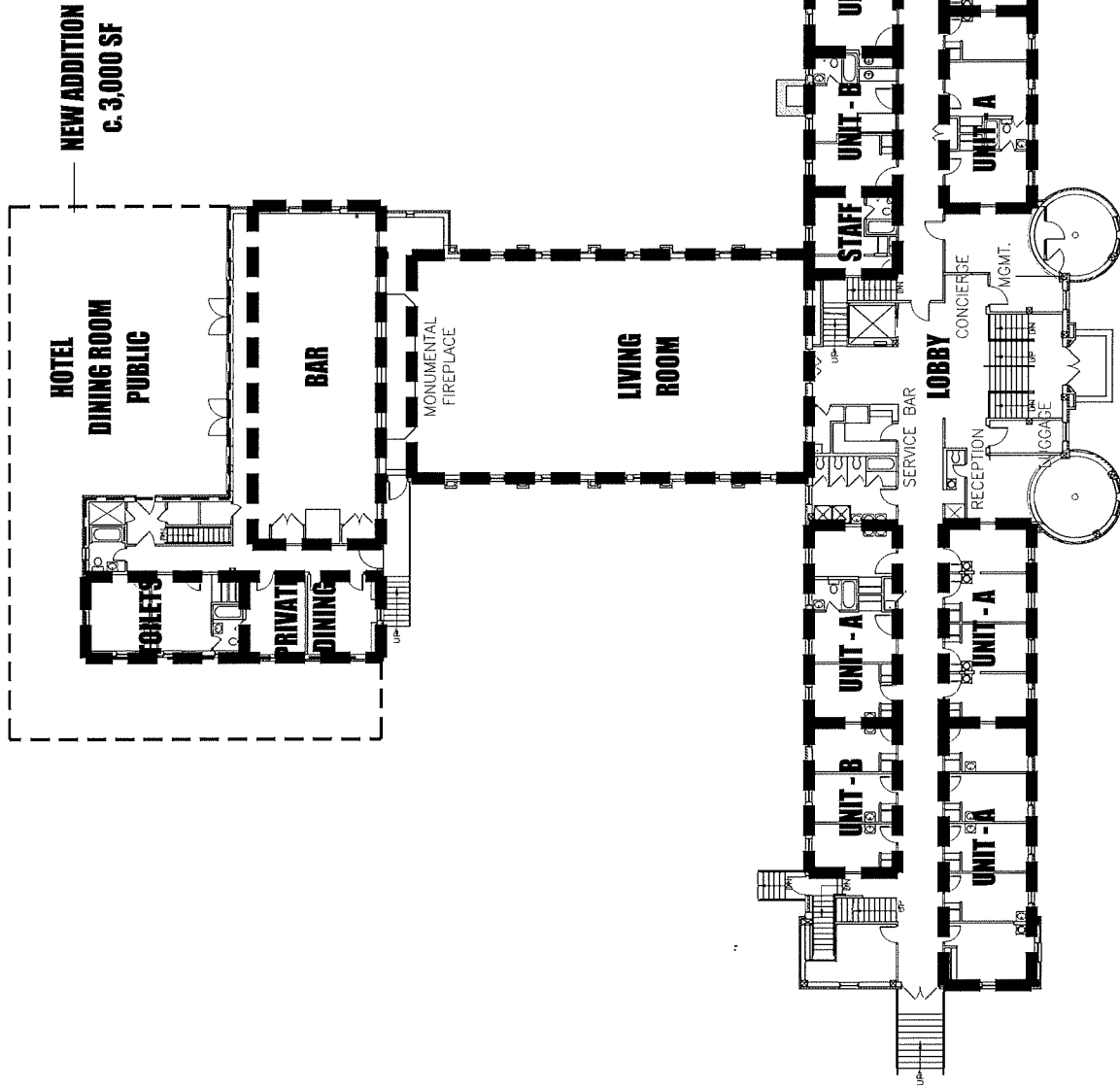
- SUBJECT TO FINAL  
PLAT APPROVAL



**LOWER LEVEL**



Villa Maria  
 FRONTENAC, MINNESOTA  
 08/15/18



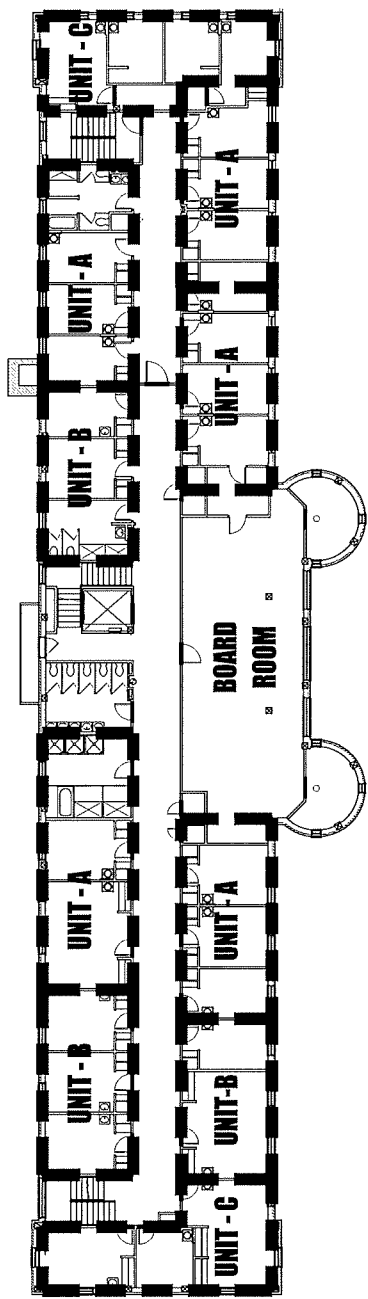
| UNIT TYPE:    | AREA:      | QTY.     |
|---------------|------------|----------|
| A             | 480-520 SF | 5        |
| B             | 370-390 SF | 3        |
| C             | 500 SF     | 1        |
| <b>TOTAL:</b> |            | <b>9</b> |

**FLOOR 1**

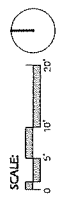
SCALE 1" = 4'-0"

**Villa Maria**  
FRONTENAC, MINNESOTA  
08/15/18

| UNIT TYPE: | AREA:      | QTY. |
|------------|------------|------|
| A          | 480-520 SF | 5    |
| B          | 370-390 SF | 3    |
| C          | 500 SF     | 2    |
| TOTAL:     |            | 10   |



# FLOOR 2

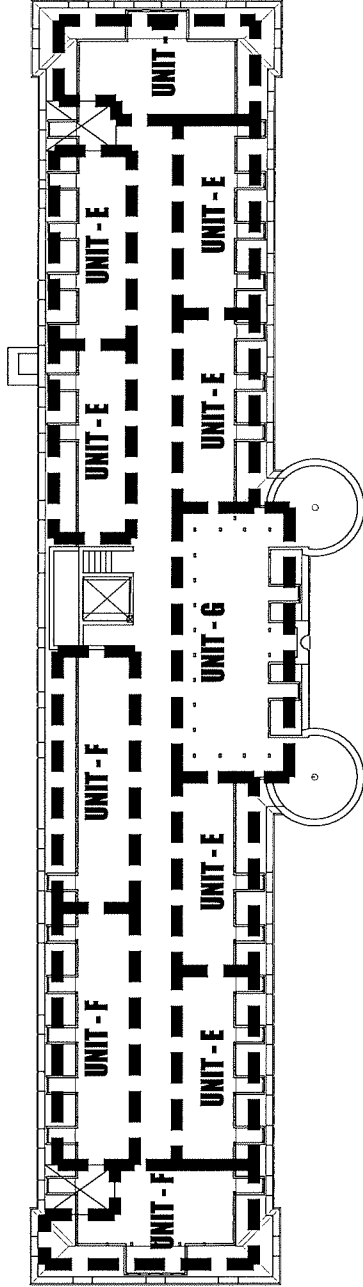


Villa Maria Development  
 FRONTENAC, MINNESOTA

08/15/18

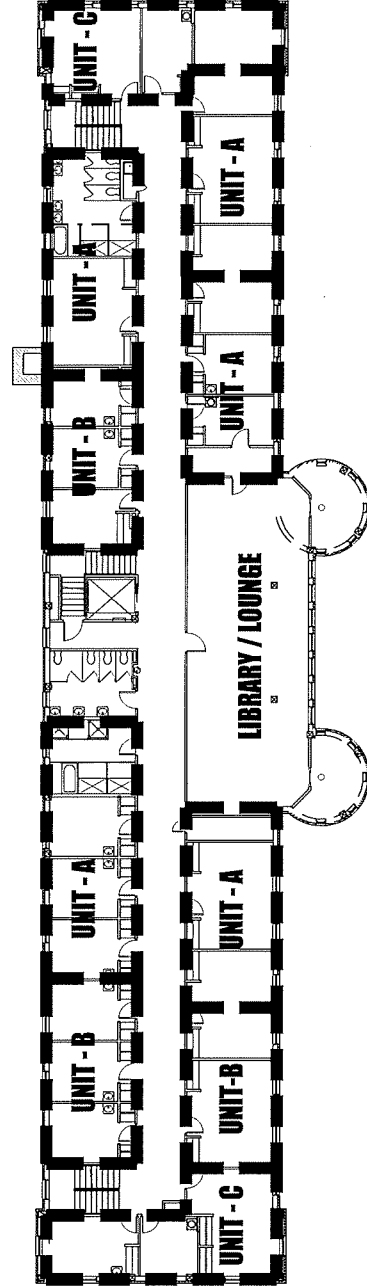


| UNIT TYPE: | AREA:      | QTY. |
|------------|------------|------|
| E          | 390 SF     | 6    |
| F          | 480-500 SF | 4    |
| G          | 780 SF     | 1    |
| TOTAL:     |            | 11   |



FLOOR 4

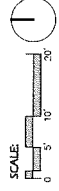
| UNIT TYPE: | AREA:      | QTY. |
|------------|------------|------|
| A          | 480-520 SF | 5    |
| B          | 370-390 SF | 3    |
| C          | 500 SF     | 2    |
| TOTAL:     |            | 10   |



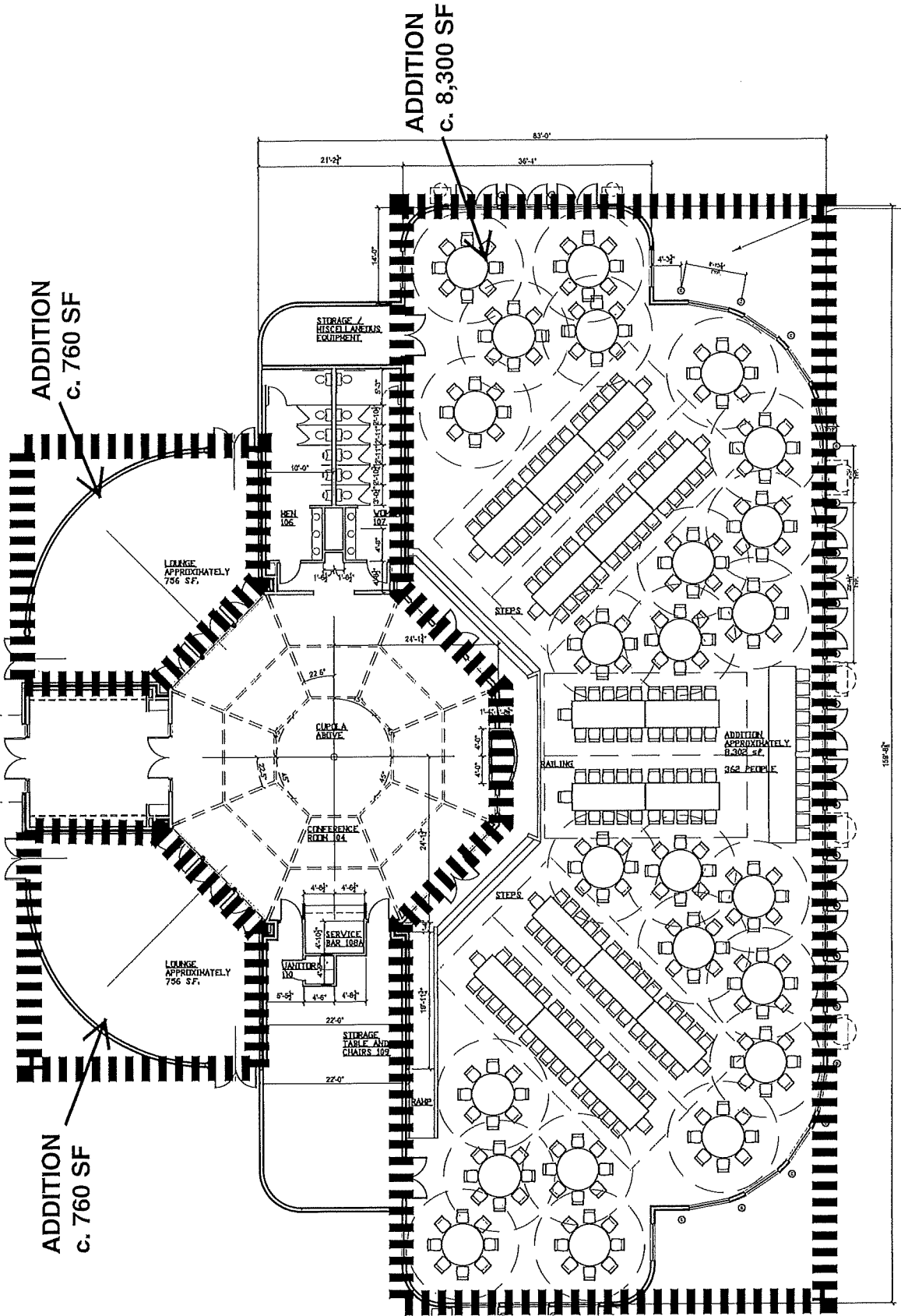
FLOOR 3

Villa Maria Development  
FRONTENAC, MINNESOTA

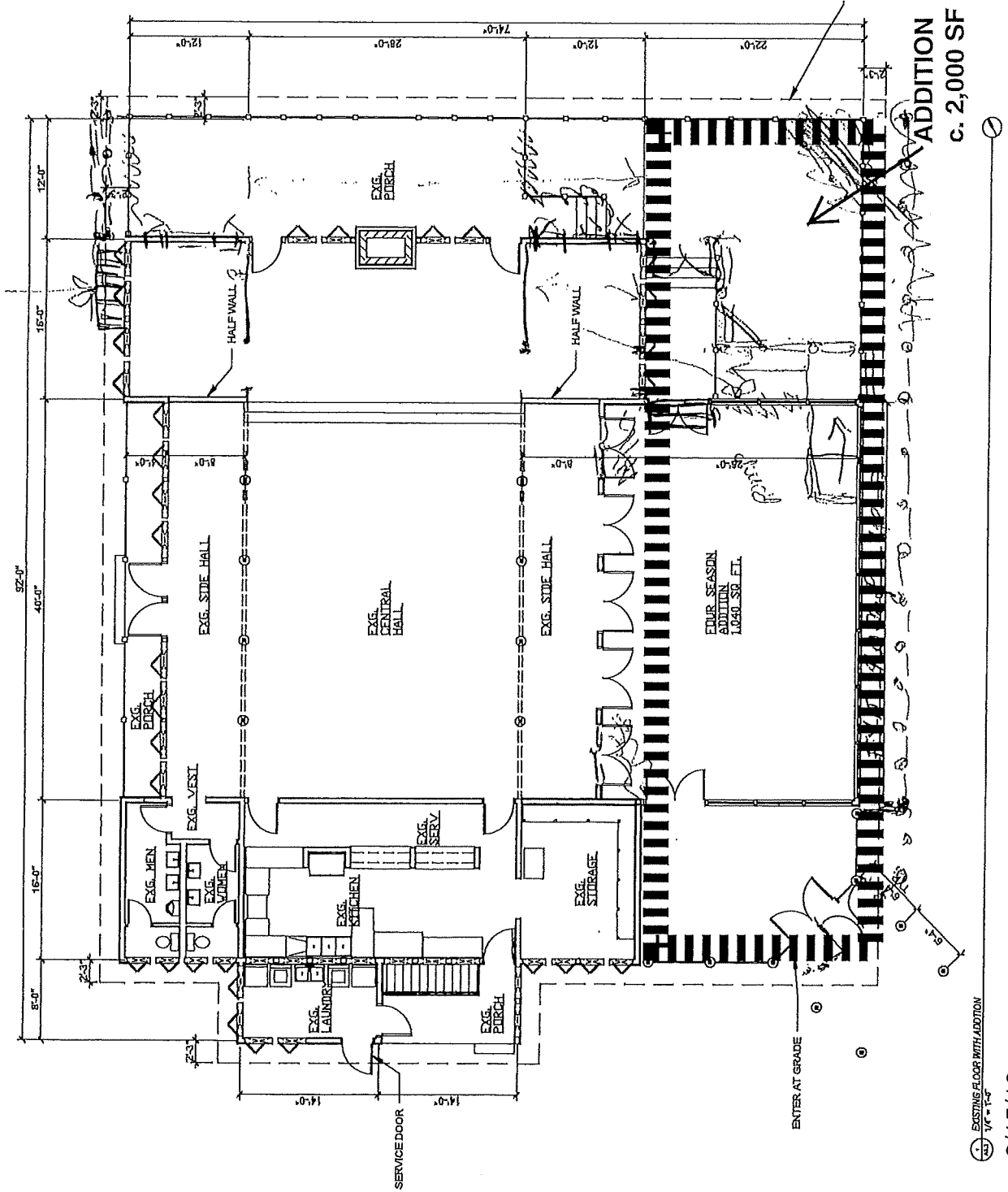
08/15/18



AREA - D  
URSULINE HALL



AREA - E  
WOODHAVEN LODGE



ADDITION  
 c. 2,000 SF

EXISTING FLOOR WITH ADDITION  
 1/4" = 1'-0"

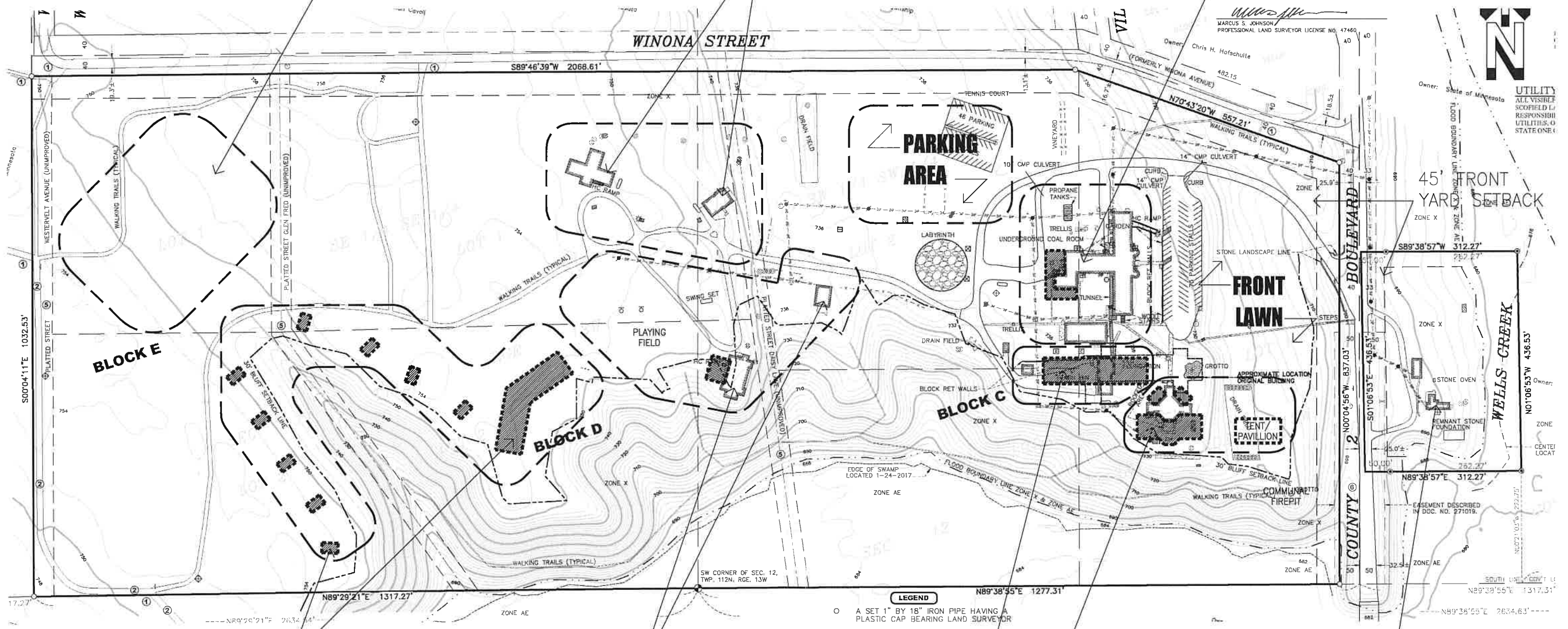
8/15/18

NOTE:  
UNDEVELOPED AREAS TO BE  
MANAGED BY REGISTERED  
WOODLAND STEWARDSHIP PLAN

**AREA - H**  
AREA FOR FUTURE  
HOTEL EXPANSION/  
SUITES W/ POSSIBLE PORTION FOR  
SENIORS/RESORT AMENITIES

**AREA - C**  
EXISTING STARWOOD &  
GLENHAVEN COTTAGES

**AREA - A**  
EXISTING MARIAN HALL  
W/ NEW WINTER GARDEN  
DINING ADDITION (SHADED)  
& EXISTING POOL



**AREA - G**  
FUTURE HOTEL EXPANSION/  
SUITES & FUTURE CABINS  
(SHADED)

**AREA - E**  
EXISTING WOODHAVEN HALL  
W/ BANQUET ROOM EXPANSION  
(SHADED), EXISTING BARN &  
EXISTING PLAYING FIELD

**AREA - F**  
NEW SPA/HOTEL EXPANSION  
(SHADED)

**AREA - D**  
EXISTING URSULINE HALL  
W/ NEW LOUNGE ADDITION &  
DINING ROOM/PERFORMANCE HALL  
ADDITION (SHADED)

**AREA - B**  
EXISTING GLENGARDA  
COTTAGE

**Villa Maria Development Areas**  
FRONTENAC, MINNESOTA

- SUBJECT TO FINAL  
PLAT APPROVAL

**SITE PLAN**

08/17/18



# ALTA/NSPS LAND TITLE SURVEY

To Commonwealth Properties:

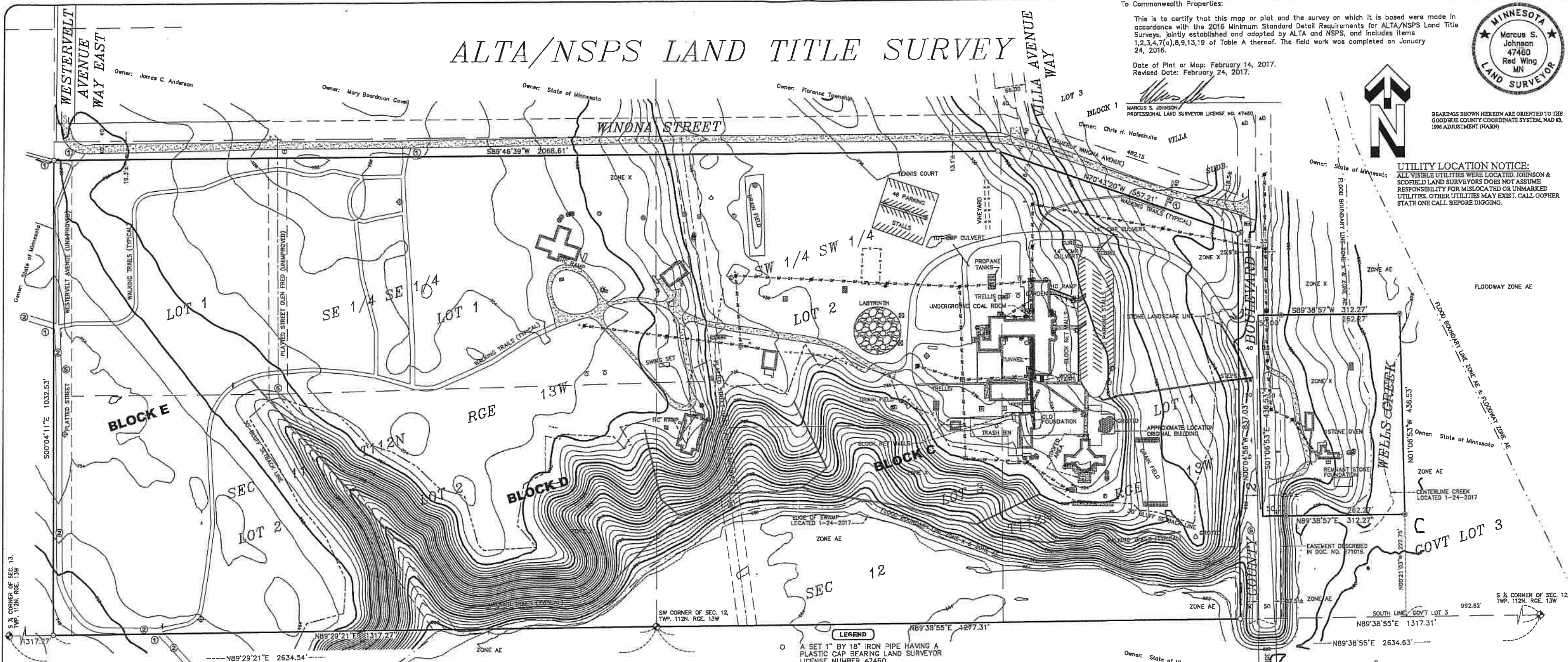
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2015 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1,2,3,4,7(c),8,9,13,19 of Table A thereof. The field work was completed on January 24, 2016.

Date of Plat or Map: February 14, 2017.  
Revised Date: February 24, 2017.



BEARINGS SHOWN HEREON ARE ORIENTED TO THE GOODHUE COUNTY COORDINATE SYSTEM, NAD 83, 1996 ADJUSTMENT (PLAIN)

**UTILITY LOCATION NOTICE:**  
ALL VISIBLE UTILITIES WERE LOCATED. JOHNSON & SCOFIELD LAND SURVEYORS DOES NOT ASSUME RESPONSIBILITY FOR MISLOCATED OR UNMARKED UTILITIES. OTHER UTILITIES MAY EXIST. CALL Gopher STATE ONE CALL BEFORE DIGGING.



FLOODWAY ZONE AE

ZONE AE

S X CORNER OF SEC. 12, TWP. 112N, RGE. 13W

**NOTES CORRESPONDING TO TABLE A, ALTA/NSPS OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS**

- 1) Illustrated on survey.
- 2) Property address: 29847 & 29904 County 2 Blvd Frontenac, MN 55026.
- 3) Subject property is classified as OTHER AREAS, Zone X, Areas Determined to Be Outside The 0.2% Annual Chance Floodplain, and SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, Zone AE2. Base Flood Elevations determined. The 1% annual chance flood (100 year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood, according to FIRM Map No. 27049C0240E. Illustrated on survey.
- 4) Large west parcel contains 60.04 Acres, 2615257.5 Square Feet. Small east parcel contains 3.13 Acres, 136302.7 Square Feet.
- 7a) Illustrated on survey (sheet 2).
- 8) Illustrated on survey.
- 9) There are 116 regular parking spaces. Illustrated on survey.
- 13) Illustrated on survey.
- 19) No off-site easements or servitudes were found in provided documents.

**NOTES CORRESPONDING TO SCHEDULE B, SECTION 2, EXCEPTIONS COMMITMENT FOR TITLE INSURANCE, FILE # ORTE743656**

Rights of the abutting property owners to the uninterrupted use of the river, which overflows a portion of the premises. (Unable to illustrate on survey.)

**LEGEND**

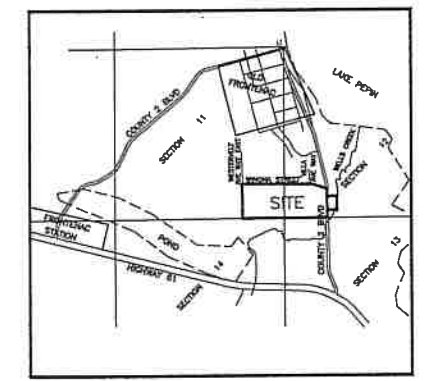
- A SET 1" BY 18" IRON PIPE HAVING A PLASTIC CAP BEARING LAND SURVEYOR LICENSE NUMBER 47460.
- ⊕ FOUND IRON MONUMENT.
- ⊕ FOUND COUNTY MONUMENT.
- ⊕ EXISTING SIGN.
- ⊕ EXISTING MAILBOX.
- ⊕ EXISTING STORM GRATE.
- ⊕ EXISTING UTILITY MANHOLE.
- ⊕ EXISTING SANITARY MANHOLE.
- ⊕ EXISTING YARD HYDRANT.
- ⊕ EXISTING CISTERN.
- ⊕ EXISTING SEPTIC VENT.
- ⊕ EXISTING WATER VALVE.
- ⊕ EXISTING ELECTRICAL BOX.
- ⊕ EXISTING POWER POLE.
- ⊕ EXISTING GUY WIRE.
- ⊕ EXISTING LIGHT POLE.
- ⊕ EXISTING AC UNIT.
- ⊕ EXISTING TELEPHONE PEDESTAL.
- ⊕ EXISTING GAS VALVE.
- ⊕ EXISTING FIRE PIT.
- ⊕ EXISTING WATER VALVE.
- ⊕ EXISTING POWER POLE WITH LIGHT.
- ⊕ EXISTING EXHAUST FAN.
- ⊕ EXISTING POLE OR POST.
- ⊕ EXISTING FUEL TANK.
- ⊕ EXISTING PROPANE REGULATOR AND PIPING.
- ⊕ EXISTING PROPANE TANK.
- ⊕ EXISTING STONE BENCH.
- ⊕ EXISTING WOOD BENCH.
- ⊕ EXISTING FLAGPOLE.
- ⊕ EXISTING BIRD HOUSE.
- ⊕ EXISTING BITUMINOUS SURFACE.
- ⊕ EXISTING CONCRETE SURFACE.
- ⊕ EXISTING GRAVEL SURFACE.
- ⊕ EXISTING LANDSCAPING.
- ⊕ EXISTING STONE PAVERS.
- ⊕ EXISTING TUNNEL.
- ⊕ EXISTING OVERHEAD POWER.
- ⊕ EXISTING FENCE.
- ⊕ EXISTING BUILDING.
- ⊕ EXISTING CONTOUR OF ELEVATION.

**SURVEYORS NOTES**

- 1) Walking trails that cross the subject property.
- 2) Trail maintained by the State of MN.
- 3) Platted streets (unimproved) have not been vacated.
- 4) Right of Way summary: The subject property is burdened by the right of way for County Road 2 and Winona Street.
- 5) Notes corresponding to Schedule B, Section 2, Exceptions, Commitment for Title Insurance, File # ORTE743656, #8 is ambiguous and does not define which piece of land or which river.
- 6) We believe the highway easement described in Document No. 271019 omitted a 40 corner call. As described the easement is east of the road 1320 feet. It should read "beginning at the SE corner of the SW quarter of the SW quarter of said Section 12, thence North along the East line of said SW quarter of the SW quarter of Section 12 500 feet and there terminating." (bold underlined added)

APPROXIMATE BLUFF SETBACK LINE. (THIS LINE IS 30 FEET FROM THE ACTUAL BLUFF LINE THAT WAS PROVIDED BY GOODHUE COUNTY.) GOODHUE COUNTY HAS A DATA DISCLAIMER ON THE IMAGE THEY PROVIDED STATING THAT THEY ASSUME NO LIABILITY OR RESPONSIBILITY FOR THE ACCURACY OF THEIR MAP.

**VICINITY MAP (NO SCALE)**



**LEGAL DESCRIPTION PER COMMITMENT NUMBER ORTE743656**

Blocks C, D and E of Garrard's South Extension to Frontenac, Goodhue County, Minnesota.

**PROPERTY DESCRIPTION FOR LANDS INCLUDED IN THIS PROPOSED TRANSACTION (Not recited in Commitment ORTE743656)**

That part of Government Lot 3 of Section 12, Township 112 North, Range 13 West, Goodhue County, Minnesota, described as follows:

Commencing at the south quarter corner of said Section 12; thence South 89 degrees 38 minutes 57 seconds West, assumed bearing, along the south line of said Government Lot 3, a distance of 992.82 feet; thence North 00 degrees 21 minutes 03 seconds West, a distance of 222.75 feet to the point of beginning of the land to be described; thence North 01 degrees 06 minutes 53 seconds West, a distance of 436.53 feet; thence South 89 degrees 38 minutes 57 seconds West, a distance of 312.27 feet to the centerline of Goodhue County Road Number 2, as now located and established; thence South 01 degrees 06 minutes 53 seconds East, along said centerline, a distance of 436.53 feet; thence North 89 degrees 38 minutes 57 seconds East, a distance of 312.27 feet to the point of beginning.

Containing 3.13 acres, more or less.  
Subject to a Roadway Easement over, under and across that part taken by Goodhue County Road Number 2 and subject to all other easements and restrictions of record.

**EXISTING HIGHWAY EASEMENT DOC. NO. 271019 (Not recited in Commitment ORTE743656)**

That part of the North half of the Northwest quarter of Section 13, Township 112 North, Range 13 West which lies 50.00 feet either side of and parallel with the following described line:

Beginning at the SE corner of the NE quarter of the NE quarter of the NW quarter of said Section 13, thence North along the East line of said NW quarter of Section 13 660 feet to the NE corner of said NW quarter of Section 13 and there terminating.

Also that part of the South half of the Southwest quarter of Section 12, Township 112 North, Range 13 West which lies 50.00 feet either side of and parallel with the following described line:

Beginning at the SE corner of the SW quarter of said Section 12, thence North along the East line of said SW quarter of Section 12 500 feet and there terminating.

**JOHNSON & SCOFIELD INC.**  
Surveying, Engineering & Planning  
1203 Main Street, Red Wing, MN 55066  
ph. 651.388.1558 Fax 651.388.1599 web www.johnsonscotland.com

Property Address: 29847 COUNTY 2 BLVD, 29904 COUNTY 2 BLVD, FRONTENAC, MN 55026

Project Number: JOHNSON & SCOFIELD INC W-2017-136

Project Path: ESTABLISHED 11-17-11 BY VILLA MARIA ALTA 1977 BY VILLA MARIA ALTA NSPS FINAL DWG

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY  
Commitment No. ORTE743656  
Effective Date: November 21, 2016