

**SPECIAL JOINT PLANNING BOARD
CITY HALL COUNCIL CHAMBERS
JUNE 24, 2020
5:30 P.M.**

Some or all members of the Joint Planning Board may participate in this meeting by telephone or Zoom rather than being personally present at the Joint Planning Board's meeting place at 221 Washburne Avenue, Paynesville, Minnesota. Members of the public can monitor the Board meeting by contacting Ron Mergen at 320-243-3714 Ext. 230 or ron@paynesvillemn.com by noon on the day of the meeting to make arrangements via telephone or zoom.

AGENDA

- I. CALL TO ORDER
- II. CONSENT AGENDA
 - A. Minutes (page 1)
- III. NEW BUSINESS
- IV. OLD BUSINESS
 - A. Re-Zone – MKI Enterprise Inc. (Matt Imdieke) (page 3)
 - B. Discuss Expenses
- V. INFORMATIONAL
- VI. ADJOURN

Reminder: 5:35 p.m. Re-Zone Public Hearing

Members: Township – Steve Lehmkuhl & Butch Mueller, City – Shawn Reinke & Ron Mergen, At Large Member – Gerry Mehr

This agenda has been prepared to provide information regarding an upcoming meeting of the Joint Planning Board. This document does not claim to be complete and is subject to change.

BARRIER FREE: All Joint Planning Board meetings are accessible to the handicapped. Attempts will be made to accommodate any other individual need for special services. Please contact City Hall (320) 243-3714 early, so necessary arrangements can be made.

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Joint Planning Board

Committee/Council Meeting Date: June 24, 2020

Agenda Section: Consent

Originating Department:

Item Number: II - A

ITEM DESCRIPTION: Minutes

Prepared by: Staff

COMMENTS:

Please review the minutes from the May 19, 2020 Joint Planning Board meeting.

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

Motion to approve the minutes from the May 19, 2020 Joint Planning Board meeting.

**MINUTES
SPECIAL JOINT PLANNING BOARD**

MAY 19, 2020

The Joint Planning Board meeting was called to order by Chairperson, Shawn Reinke at 5:39 p.m. Members present were Ron Mergen, Acting City Administrator; Steve Lehmkuhl, Gerry Mehr, Shawn Reinke and Butch Mueller. Also present was Jennifer Welling, Administrative Assistant/Zoning Administrator.

Motion was made by Mehr to approve the minutes from the April 29, 2020 Joint Planning Board meeting. Seconded by Lehmkuhl and unanimously carried.

CONSTRUCTION SITE PERMIT- HESS

The property at 17216 Heatherwood Dr. lies within the joint orderly annexation area. The Hess' are planning a 24 x 32 addition onto their existing detached structure. City staff has met with Mike Jensen, Zoning Administrator and the proposed structure meets all the requirements including setbacks, height, and lot coverage. Welling noted that this application went very smoothly and the communication was good.

Motion was made by Mehr to approve the Construction Site Permit Application for Dale & Linda Hess. Seconded by Mueller and unanimously carried.

MKI ENTERPRISE STORAGE FACILITY

This item was discussed noting that applicants need to go through the Joint Planning Board and not Stearns County. Staff was directed to:

- When the re-zoning application and fee is accepted, proceed with setting the public hearing.

There being no further business, the meeting was adjourned at 5:50 p.m.

REQUEST FOR COMMITTEE/COUNCIL ACTION

COMMITTEE/COUNCIL NAME: Joint Planning Board

Committee/Council Meeting Date: June 24, 2020

Agenda Section: Old Business

Originating Department:

Item Number: IV - A

ITEM DESCRIPTION: Re-Zone – MKI Enterprise Inc. (Matt Imdieke)

Prepared by: Staff

COMMENTS:

The Joint Planning Board of the City of Paynesville and Paynesville Township have received an application for re-zoning from a property owner, MKI Enterprises, Inc. dated June 1, 2020, and the required fee has been paid. The property in question is a 10.28 acre parcel, which is legally described on Exhibit A with Tax Parcel I.D. 26.15466.00. The parcel in question is presently zoned as T-20 Transition District, and is part of the Urban Expansion District. The owner of the property seeks to re-zone the property as Commercial for the development of storage units.

ADMINISTRATOR COMMENTS:

COMMITTEE/COUNCIL ACTION:

Motion to approve Resolution 2020-1 On Request For Re-Zoning For MKI Enterprises, Inc.



APPLICATION FOR REZONING

Environmental Services Department

<http://co.stearns.mn.us/Environment/LandUseandSubdivision>

Administration Center Rm. 343 - 705 Courthouse Square - St. Cloud, MN 56303

320-656-3613 or 1-800-450-0852 - Fax 320-656-6484

Application Fee: \$ 550⁰⁰ File No. _____ Receipt No. _____

Property Owner	<u>MKI Enterprise Inc (Matt Imdieke President)</u>	Phone	<u>(320) 420-1295</u>
Property Owner Email	<u>matt@centralmnrealty.com</u>		
Address of Property	<u>No address Parcel ID: 26.15466.0005</u>		
Mailing Address	<u>80 37th Ave South St. Cloud MN 56301</u>		
Applicant (if different from above)	_____	Phone	_____
Applicant Email	_____		
Applicant Mailing Address	_____		
Parcel I.D. Number(s)	<u>26.15466.0005</u>	Township	_____ Section _____
Legal Description	<u>8-122-32 10.28A P/O N2SE4 LYING NLY OF PARCEL# 41 MNDOT R</u>		

Staff to Complete	
Overlay Districts	
<input type="checkbox"/> Floodplain	<input type="checkbox"/> Airport
<input type="checkbox"/> Shoreland: Water Body Name/Number _____	<input type="checkbox"/> Conservation Overlay
	Classification _____

County's Present Zoning District: 2A & 3A Proposed Zoning District: Commercial

Proposed acreage to be rezoned: 10.28 Acres

County's Future Land Use Map District: _____

1. Proposed use of the land to be rezoned: Building Storage Units

4

2. Describe how the proposed rezoning will be compatible with the Comprehensive Plan (see attached Goals and Objectives). Township and City is requiring a zoning change.

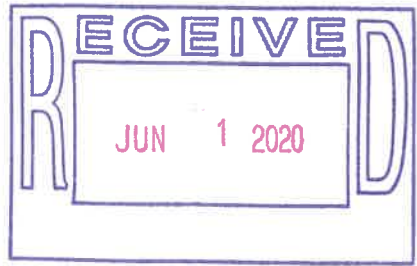
3. Township Review : (Twp Name) _____ Date _____

(A completed Township recommendation form from the Township stating their comments is required prior to the submittal of this rezoning request.)

Property Owner's Signature *Mr Lindike* Date 5/10/2020
Applicant's Signature *Mr Lindike* Date 5/10/2020

Signature of this application authorizes Environmental Services Staff, Board of Adjustment and/or Planning Commission members, and County Board of Commissioners to enter upon the property to perform needed inspections and review. All have county-issued badges. Entry may be without prior notice.

WHAT HAPPENS NEXT? Staff will review your application and determine if the application is complete. If the application is complete, the application will be scheduled for a Public Hearing with the County Planning Commission who will recommend action to the County Board of Commissioners. It typically takes 2 months from the time a complete application is submitted until the County Board issues final approval or denial of the Rezoning.



FRANK DONALD
D & VICKY J

AURORA LAND HOLDINGS LLC
2,332 Feet 29572 185TH ST

AURORA
29112

110.58 Acres

1597.4 Feet
472.4 Feet
539.6 Feet
458.9 Feet
194.5 Feet
348 Feet
264.6 Feet
805.5 Feet

26.15466.0000
SHANBERLY
ACRES LLC

113.86 Acres

26.15485.0000
SHANBERLY
ACRES LLC

70
FEET
LIMIT

525.4 Feet

26.15485.0000
REAL PROPERTY MANAGEMENT LLC
1880 COUNTY ROAD 137

26.15541.0002
SHANBERLY ACRES LLC
296TH AVE

26.15547.0000
LIEN YOLANDA F
17869 296TH AVE

144.3 Feet

26.15541.0004
ALBRIGHT JASON
17816 296TH AVE

137.3 Feet

70.38846.0915

Joint Planning Board Notice
Rezoning Hearing

The Paynesville Joint Planning Board will hold a public hearing on Wednesday June 24, 2020 at 5:35 p.m. in the Paynesville City Hall Council Chambers, at 221 Washburne Ave., Paynesville, MN 56362

Purpose of the hearing is to here from citizens of the township and the city of Paynesville that are in favor of or opposed to rezoning application from MKI Enterprises, Inc. to rezone 10 acres from Urban Expansion T-20 to commercial property for the construction of storage units.

The Joint Planning Board Ordinance requires the rezoning of any T-20 Districts in urban expansion to commercial zoning for this type of use.

The address of this property 29585 185th Street, Paynesville, MN 56362 The parcel number is 26.15466.005 in Section 8 of Paynesville Township.

Anyone wishing to be heard may attend the said hearing or submit written comments to the township prior to the hearing.

Donald d. Wiese, Clerk
Paynesville Township

7

REZONING RECOMMENDATION FROM

PAYNESVILLE TOWNSHIP

The PAYNESVILLE (Township Name) Town Board and/or Planning Commission

met on MAY 26, 2020 (Date) to discuss the rezoning application submitted

by MKT ENTERPRISE INC. (Applicant) of 8037th Ave So S. Cloud MN (City, State) 56301

Applicants are requesting to rezone 10 acres from the T-20 zoning district to the Commercial zoning district.

Comprehensive Plan Future Land Use Plan designation (Fig. 3.4): _____

Comprehensive Plan Policy Area designation (Fig. 3.3): _____

The Town Board and/or Planning Commission recommends

Approval Denial (choose one)

of the proposed rezoning based on the following reasons:

MEETS ZONING ORDINANCES

Does the Town Board see any alternatives to the rezoning request?

NONE

Additional Comments: _____

Township Signature or Seal: Mah Dymun Chairman

Note: Please attach minutes from the meeting.

Paynesville Township Minutes

May 26, 2020

Chairman Mark Dingmann called the meeting to order at 6:00 p.m. Board members present were supervisors, Mark Dingmann, Steve Lehmkuhl and Butch Mueller, and deputy clerk, Lorrie Gottwald. Also in attendance was Mike Jensen.

A motion was made by Lehmkuhl to approve the agenda for the meeting, including additions, seconded by Mueller and carried.

Minutes of the meeting that was held on May 11, 2020, were presented by the clerk. A motion was made by Mueller to approve the meeting minutes, seconded by Lehmkuhl, and carried.

Mike Jensen reported he had site permits from Roger Torborg (deck) and Don Frank (ramp). A motion was made by Lehmkuhl, seconded by Mueller to approve the permits and carried.

The next regular meeting will be held on Tuesday, June 9, 2020, at 6:00 p.m.

A motion was made by Lehmkuhl to approve the claims and ordered them paid following the approval of all supervisors in attendance, seconded by Mueller and carried.

After some discussion, a motion was made by Lehmkuhl, seconded by Mueller, and carried to approve the following projects: Sealcoating – Allied Blacktop Co. - \$70,850.05 and Crack filling – Lawrence Shreffler – bid cost of \$0.83 / pound. The overlay project is in the bidding process.

A motion was made by Mueller, seconded by Lehmkuhl, and carried to have Ozzie's Excavating perform the Cyrilla Beach Road repair work.

A motion was made by Mueller, seconded by Lehmkuhl, and carried to award the ice arena repair work to Stang Concrete & Masonry for \$3,400.

The board discussed the sink hole issue on 160th Street. Believed to be a hole in the culvert it was decided Jensen should contact B&S Excavating and Ozzie's Excavating to take a look at the project.

The board discussed damage done to some of the township signs. Steve submitted the list of signs and their replacement cost to Zachary Braegelmann of the Stearns County Sheriff's office.

The board discussed the possibility of adding guard rails along a section of 276th Avenue and 180th Street. It was decided that cautionary signs would be the most cost-effective solution.

Because additional time was needed by the board to determine the next correct step in Matt Imdieke's rezoning application, at 7:22 p.m. a motion was made by Lehmkuhl to recess the meeting until Wednesday, May 27, 2020, seconded by Mueller and carried.

May 27, 2020

The regular meeting that was recessed on Tuesday, May 26, 2020, was reconvened on Wednesday, May 27, 2020, at 5:58 p.m. Board members present were supervisors, Mark Dingmann, Steve Lehmkuhl and Butch Mueller. The supervisors discussed the next correct step in approving the rezoning applications for Matt Imdieke and Jerry Humbert. The board unanimously agreed to approve the zoning changes.

May 27, 2020, continued

A motion was made by Mueller, seconded by Lehmkuhl, and carried to adjourn the meeting at 6:05 p.m.

Respectfully submitted,

Lorrie Gottwald, Deputy Clerk

Township Supervisor

**JOINT PLANNING BOARD FOR THE
CITY OF PAYNESVILLE & PAYNESVILLE TOWNSHIP**

**RESOLUTION 2020-1
ON REQUEST FOR RE-ZONING**

WHEREAS, the Joint Planning Board of the City of Paynesville and Paynesville Township have received an application for re-zoning from a property owner, MKI Enterprises, Inc.; and

WHEREAS, the application for re-zoning was completed on June 1, 2020, and the required fee has been paid; and

WHEREAS, the property in question is a 10.28 acre parcel, which is legally described on Exhibit A, attached hereto and incorporated herein by reference; and

WHEREAS, the parcel in question is Tax Parcel I.D. 26.15466.0005; and

WHEREAS, the parcel in question is presently zoned as T-20 Transition District, and is part of the Urban Expansion District; and

WHEREAS, the owner of the property seeks to re-zone the property as Commercial for the development of storage units; and

WHEREAS, the Joint Planning Board of the City of Paynesville and Paynesville Township has adopted Land Use & Zoning Ordinance No. 1, and Section 4 of that Ordinance entitled "Administration", provides at Section 4.10, a procedure for making zoning amendments; and

WHEREAS, a hearing on the request for re-zoning was scheduled for June 24, 2020, at 5:35 p.m., at Paynesville City Hall, Council Chambers, before the Joint Planning Board of the City of Paynesville and Paynesville Township, to consider the request for re-zoning; and

WHEREAS, notice of the hearing was published and mailed by first class mail to applicable persons in accordance with the requirements of Minnesota Statutes Chapter 462; and

WHEREAS, at the public hearing, all persons wishing to be heard on the request for re-zoning, were given an opportunity to express any thoughts or concerns that they have regarding the application; and

WHEREAS, the Joint Planning Board is satisfied that the parcel in question is appropriate for the development of commercial storage units;

NOW, THEREFORE, BE IT RESOLVED BY THE JOINT PLANNING BOARD OF THE CITY OF PAYNESVILLE AND PAYNESVILLE TOWNSHIP, AS FOLLOWS:

1) The parcel of property described on Exhibit A attached hereto, and incorporated herein by reference, is re-zoned as Commercial.

2) In accordance with the Commercial zoning of this parcel, it may be developed to include storage facilities in compliance with the requirements of Section 6 of Zoning Ordinance No. 1, which adopts, by reference, Section 6 of Stearns County Ordinance No. 439, and specifically Section 6.55.2 entitled "Performance Standards for Storage Facilities in a Commercial or Industrial District".

3) The Zoning Administrator is directed to notify each property owner of the decision and send a copy of this Resolution to the property owner at the property owner's address, 80 37th Ave. S., St. Cloud, MN 56301.

Adopted by the Joint Planning Board of the City of Paynesville and Paynesville Township
this 24th day of June, 2020.

JOINT PLANNING BOARD

By: _____
Shawn Reinke, Chairperson

ATTEST:

By: _____
Mike Jensen, Zoning Administrator

THIS INSTRUMENT DRAFTED BY:

William Spooner
SPOONER & GLENZ LAW OFFICES, PLLC
113 Washburne Avenue
Paynesville, MN 56362
(320) 243-3748
Atty. Regn. No. 0131088

Exhibit A

TRACT A (per Survey):

That part of the North Half of the Southeast Quarter of Section 8, Township 122, Range 32, Stearns County, Minnesota, lying northerly of Parcel 41 of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 73-118, according to the recorded plat thereof, Stearns County, Minnesota.

10.28 Acres