

AGENDA

JOINT POWERS BOARD MEETING WEDNESDAY, OCTOBER 14, 2020

4:30 p.m.

BIG LAKE CITY COUNCIL AND BIG LAKE TOWNSHIP BOARD

BIG LAKE CITY COUNCIL CHAMBERS
160 Lake Street North

- 1) Call to Order
- 2) Roll Call
- 3) Adopt Proposed Agenda
- 4) Business
 - 4A) **PUBLIC HEARING** – Cargill Development Application (Conditional Use Permit)
- 5) Adjourn

Disclaimer: This agenda has been prepared to provide information regarding an upcoming meeting of the Big Lake Joint Powers Board comprised of members of the Big Lake City Council and Big Lake Township Board. This document does not claim to be complete and is subject to change.



AGENDA ITEM

Joint Powers Board

Prepared By: <i>Lucinda Meyers, City Planner</i>	Meeting Date: 10/14/2020	Item No. 4A
Item Description: PUBLIC HEARING for a request for a Conditional Use Permit to allow an increase in impervious surface at 20021 176 th St. NW	Reviewed By: <i>Hanna Klimmek, Community Development Director</i>	
	Reviewed By: <i>Clay Wilfahrt, City Administrator</i>	

ACTION REQUESTED

The Joint Powers Board is asked to make a motion recommending approval or denial of the Conditional Use Permit request.

BACKGROUND/DISCUSSION

APPLICATION:

The applicant, Stephen Iaria, of KOMA Inc, has submitted the following application on behalf of Cargill Protein:

- Conditional Use Permit to allow an increase in the amount of impervious surface at the property located at 20021 176th St NW.

PROJECT SCOPE:

The project, Cargill Leggo 4 X6, involves the addition of storage tanks and silos, and a 900 square foot building addition. Project details are featured by location, below:

- **West**
 - 900 square foot building addition/enclosure.
 - Addition of three (3) 20,000-gallon silos for liquid egg storage
 - Silos will be painted white to match the building, and protected by a six foot (6') white PVC privacy fence.
 - Addition of one (1) 10,000-gallon tank for vegetable oil storage
 - Tank will be painted white to match the building and the existing tank, and will be protected by a six foot (6') white PVC privacy fence.
 - Sheet A01, attached, illustrates the proposed location.
 - Sheet A02, attached, illustrates the proposed exterior elevation.

- **North**
 - Addition of a 14,000-gallon tank for brine storage
 - Tank will be painted white to match the building, and protected by a six foot (6') white PVC privacy fence.
 - Sheet A01, attached, illustrates the proposed location.
 - Sheet A02, attached, illustrates the proposed exterior elevation.

- **South**
 - Addition of two (2) 15,000 gallon-tanks for nitrogen storage

- Tanks will be painted white to match the building, and protected by a six foot (6') white PVS privacy fence.
- Sheet A01, attached, illustrates the proposed location.
- Sheet A02, attached, illustrates the proposed exterior elevation.

IMPERVIOUS SURFACE:

City Engineer Layne Otteson, P.E., has reviewed the proposed project and determined it will result in an additional 239 SF of impervious surface, which increases the total amount of impervious from 64.97% to 65.04%. Otteson's comments are provided in the engineering memo attached to this report.

CONDITIONAL USE PERMIT

The parcel is located within the Shoreland Overlay district and the Industrial Park (I-1) district. City Code Section 1059.09 establishes minimum lot area, height and setback requirements for the I-1. Subdivision 6 of this ordinance regulates impervious surface coverage on shoreland lots, and provision 3 permits impervious surface coverage to exceed fifty percent (50%) of the total lot provided the following stipulations are met:

- a. Improvements that will result in an increased rate of runoff directly entering a public water shall have all structures and practices in compliance with the City storm water management plan in place for the collection and treatment of storm water runoff or will be constructed in conjunction with a conditional use permit application.
- b. A conditional use permit is submitted and approved as provided for in Section 1007 (Conditional Use Permits) of this Ordinance.
- c. All the lot area, width and building height standards of the district are met.
- d. Measures for the treatment of storm water runoff and/or prevention of storm water from directly entering a public water include such appurtenances as sediment basins (debris basins, desilting basins, or silt traps), installation of debris guards and microsilt basins on storm sewer inlets, oil skimming devices, etc.

(City Code Section 1059.09, Subd.6, 3)

Furthermore, the ordinance requires satisfaction of the following additional provisions:

- a. All structures, additions or expansions shall be setback double the required setback for the public water.
- b. The lot shall be served by municipal sewer and water.
- c. The lot shall provide for the collection and treatment of storm water in compliance with the City Stormwater Management Plan if determined that the site improvements will result in increased runoff directly entering a public water. All development plans shall require review and approval by the City Engineer.
- d. Structures, parking areas, and other facilities shall be treated to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, color, assuming summer, leaf-on conditions. Vegetative and topographic screening shall be preserved, if existing, or may be required to be provided.
- e. Accessory structure and facilities shall meet the required principal structure setback and shall be centralized.
- f. A conservation easement, deed restriction or other protective measure shall be provided for and recorded with Sherburne County over the area of the lot located within the Shore Impact Zone.

(City Code Section 1059.09, Subd.6, 2)

Staff has determined that all of the above provisions have been met. City Code Section 1007, as referenced in 1059.09, Subd.6, 3, b, above, are listed below. *Staff comments are provided in italics.*

1. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the objectives of the Comprehensive Plan, including public facilities and capital improvement plans.

The Comprehensive Plan calls for strict enforcement of the zoning regulations for the shoreland areas. This criteria is being met.

2. The proposed action meets the purpose and intent of this Ordinance and the intent of the underlying zoning district.

This intent of the underlying zoning district, the Industrial Park (I-1) district is "to provide for the establishment of warehousing and light industrial development. The overall character of the I-1 District is intended to have an office/warehouse character, thus industrial uses allowed in this District are limited to those which can compatibly exist adjacent to both lower intensity businesses uses and high intensity manufacturing uses. Buildings located in this district shall be built in a good and workman-like manner with high quality, first class building materials. The design and location of buildings shall be attractive and shall compliment existing structures and surrounding natural features and topography with respect to height, design, finish, color, size and location." This criteria has been met.

3. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.

The proposed expansion will not overburden the City's service capacity.

4. There is an adequate buffer yard or transition provided between potentially incompatible uses or districts.

This criteria has been met.

5. The proposed use is or will be compatible with present and future land uses of the area.

The area is currently zoned for industrial land use and surrounding area is anticipated to be used for industrial, office and medium to high density land uses. The use is and will be compatible with these uses.

6. The proposed use conforms with all performance standards contained within this Ordinance.

The use conforms to the performance standards contained in the Zoning Ordinance.

7. Traffic generation by the proposed use is within capabilities of streets serving the property.

Traffic generation is not anticipated to increase.

8. In addition to the above general criteria, the proposed conditional use permit meets the criteria specified for the various zoning districts outlined as follows.

In Industrial Districts:

- a. Nuisance. Nuisance characteristics generated by the use will not have an adverse effect upon existing and future development in adjacent areas.

Nuisance conditions are not anticipated to be generated by the use.

- b. Nearby Residences. Adjacent residentially zoned land will not be adversely affected because of traffic generation, noise, glare, or other nuisance characteristics.

Nearby residences are not anticipated to be affect by the increased impervious surfacing.

FINANCIAL IMPACT

N/A

STAFF RECOMMENDATION

Staff recommends approval of the Conditional Use Permit, subject to the following conditions:

1. The applicant shall provide certification to the City that there are no delinquent property taxes, special assessments, interest or City utility fees due upon the parcel of land to which the conditional use permit application relates.
2. Any conditions of the Joint Powers Board, City Council, Staff, consultants, or other agencies responsible for the review of this development application, including engineering comments in the memo dated October 5, 2020.

ATTACHMENTS

- A. Site Location Map
- B. Plan A01 – Site Plan
- C. Plan A02 – Exterior Elevations
- D. Engineering Comment Letter dated October 5, 2020
- E. Draft Resolution
- F. Public Hearing Notice

ATTACHMENT A
Site Location Map

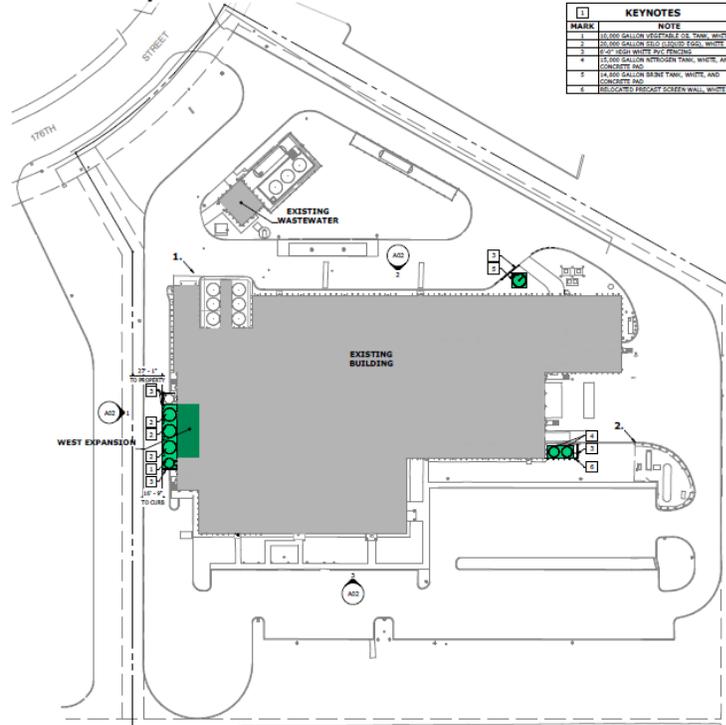


ATTACHMENT B
Plan A01 – Site Plan

CARGILL LEGGO 4 X6

20021 176TH ST NW, BIG LAKE, MN 55309

KEYNOTES	
MARK	NOTE
1	10,000 GALLON VESICOLES OF TANK, WHITE
2	10,000 GALLON BENTONITE TANK, WHITE
3	10,000 GALLON BENTONITE TANK, WHITE
4	10,000 GALLON NITROGEN TANK, WHITE, AND CONCRETE INC.
5	10,000 GALLON BENTONITE TANK, WHITE, AND CONCRETE INC.
6	RELOCATED PRODUCT SCREEN WALL, WHITE



1. WHITE VINYL FENCE EXAMPLE



2. WHITE VINYL FENCE, WHITE TANK EXAMPLE

1 SITE PLAN REVIEW
17-4976



SITE PLAN REVIEW

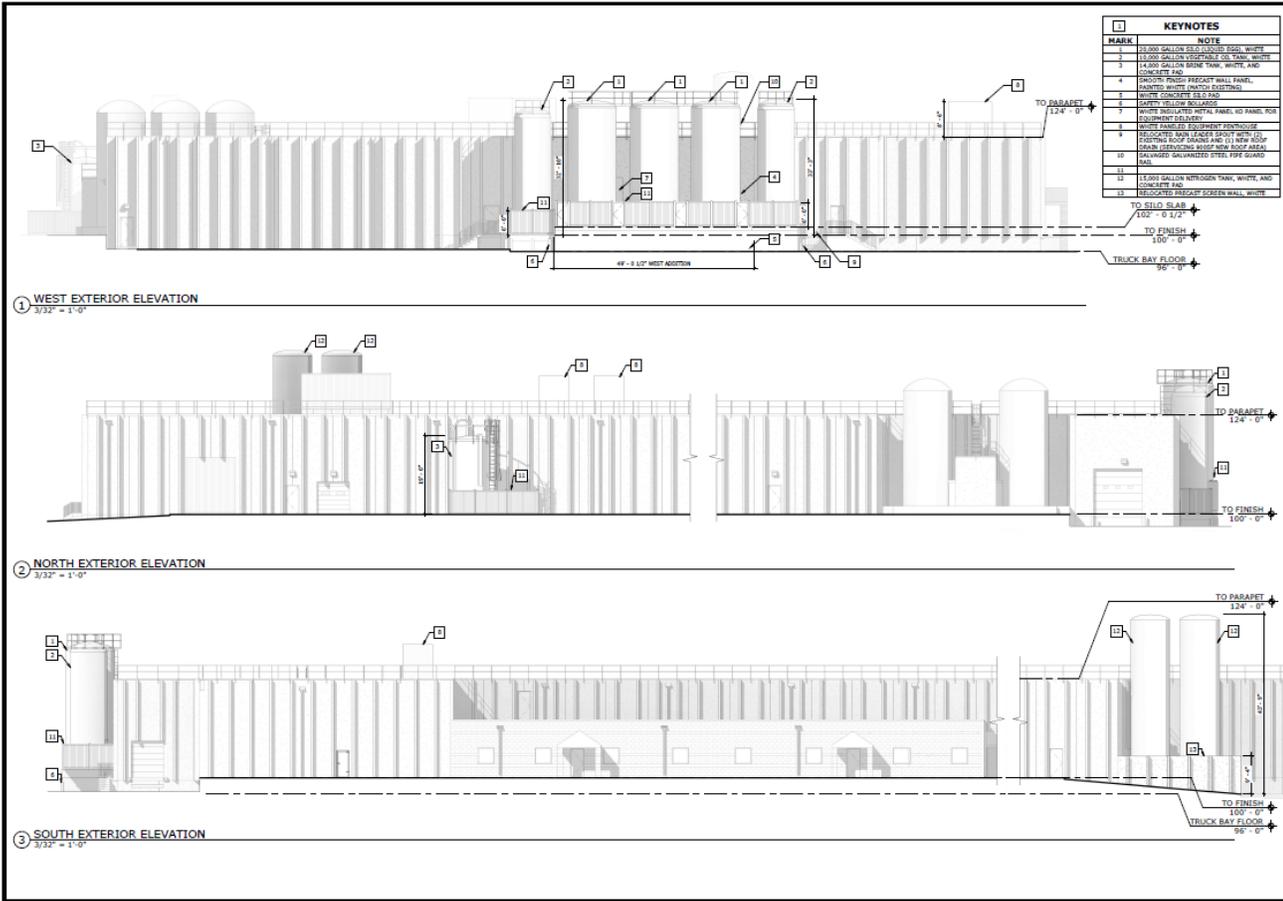
CARGILL LEGGO 4 X6
DIVISION: CARGILL PROTEIN
20021 176TH ST NW, BIG LAKE, MN 55309

PROJECT: 20107
DRAWN BY: SPH
CHECKED BY: STI
DATE: 2020-10-08
REVISIONS:

CONDITIONAL
USE PERMIT

A01

ATTACHMENT C
Plan A02 – Exterior Elevations



MARK	KEYNOTE	NOTE
1	15,000 GALLON PEGASUS TANK, WHITE	
2	15,000 GALLON PEGASUS TANK, WHITE	
3	14,800 GALLON SIBIE TANK, WHITE, AND CONCRETE PAD	
4	SMOOTH PRECAST WALL PANEL, CONCRETE AND FINISH	
5	WHITE CONCRETE CURB	
6	WHITE INSULATED METAL PANEL, ROOF PANEL BOX EQUIPMENT DELIVERY	
7	WHITE INSULATED METAL PANEL, ROOF PANEL BOX EQUIPMENT DELIVERY	
8	ROOF PANELS, CONCRETE ROOFING	
9	ROOF PANEL LEADER SPOT WITH 1/2\"/>	

Cargill
KOMA

ARCHITECTS | ENGINEERS | INTERIORS

20021 1/20TH ST NW, BIG LAKE, MN 55309

SITE PLAN REVIEW

CONDITIONAL USE PERMIT

A02

PROJECT: 20167
DRAWN BY: SPH
CHECKED BY: STJ
DATE: 2020-10-08
REVISIONS:

CARGILL LEGGO 4 X6
DIVISION: CARGILL PROTEIN

20021 1/20TH ST NW, BIG LAKE, MN 55309

ATTACHMENT D
Engineering Comment Letter

Memorandum

To: Lucinda Meyers, City Planner
Kevin Shay, Consultant City Planner **PW20-067**

From: Layne R. Otteson, City Engineer

Date: October 5, 2020

Re: Engineering Comments for Cargill Leggo 4x6 Addition CUP

I have reviewed the submitted survey for the requested CUP. The request for additional impervious is 239 sf which is an increase from 64.97% to 65.04%. Although nearly negligible this should be offset using infiltration basin, swale or similar practice. My engineering comments are as follows:

1. Add engineer's printed name under signature.
2. Revise grading with infiltration or equivalent to address the increase in impervious area for a 1" rain event (264sf x 1" = 22 cf).
3. No pipe shall be abandoned unless infeasible or has structural impacts.
4. Submit revised plans to the City Engineer for final review of civil site improvements.
5. All construction shall be in accordance with the City of Big Lake Standards and City Code.

LO/lo
Cc: File

ATTACHMENT E
Draft Resolution

**CITY OF BIG LAKE
MINNESOTA**

A general meeting of the City Council of the City of Big Lake, Minnesota was called to order by Mayor Mike Wallen at 6:00 p.m. in the Council Chambers of City Hall, Big Lake, Minnesota, on Wednesday, October 28, 2020. The following Council Members were present: Seth Hansen, Paul Knier, Mike Wallen, and Scott Zettervall. A motion to adopt the following resolution was made by Council Member _____ and seconded by Council Member _____.

**CITY OF BIG LAKE
RESOLUTION NO. 2020-XX**

**RESOLUTION APPROVING AN CONDITIONAL USE PERMIT FOR
CARGILL INC AT 20021 176TH ST NW**

WHEREAS, the City of Big Lake and Big Lake Township Joint Powers Board conducted a public hearing on October 14, 2020 to consider the following:

- A Conditional Use Permit to permit an increased amount of impervious surface.

WHEREAS, the Joint Powers Board conducted a public hearing on October 14, 2020 and recommended, with a X-X vote, that the City Council approve the conditional use permit subject to the conditions identified herein; and

WHEREAS, notice of public hearing on said motion has been duly published and posted in accordance with the applicable Minnesota Statutes and persons interested in said applications were afforded the opportunity to present their views and objections related to the project; and

WHEREAS, the City Council makes the following findings of fact and decision:

- A. The Legal Description of the subject property is: Lot 2, Block 1, Big Lake Industrial Park East Plat Four
- B. The Site Location Map showing the project location within the City is attached as Exhibit A.
- C. The applicant's site plan is attached as Exhibit B.
- D. Conditional Use Permit.

- 1. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the objectives of the Comprehensive Plan, including public facilities and capital improvement plans.

The Comprehensive Plan calls for strict enforcement of the zoning regulations for the shoreland areas. This criteria is being met.

- 2. The proposed action meets the purpose and intent of this Ordinance and the intent of the underlying zoning district.

This intent of the underlying zoning district, the Industrial Park (I-1) district is "to provide for the establishment of warehousing and light industrial development. The overall character of the I-1 District is intended to have an office/warehouse character, thus industrial uses allowed in this District are limited to those which can compatibly exist adjacent to both lower intensity businesses uses and high intensity manufacturing uses. Buildings located in this district shall be built in a good and workman-like manner with high quality, first class building materials. The design and location of buildings shall be attractive and shall compliment existing structures and surrounding natural features and topography with respect to height, design, finish, color, size and location." This criteria has been met.

- 3. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.

The proposed expansion will not overburden the City's service capacity.

- 4. There is an adequate buffer yard or transition provided between potentially incompatible uses or districts.

This criteria has been met.

- 5. The proposed use is or will be compatible with present and future land uses of the area.

The area is currently zoned for industrial land use and surrounding area is anticipated to be used for industrial, office and medium to high density land uses. The use is and will be compatible with these uses.

6. The proposed use conforms with all performance standards contained within this Ordinance.

The use conforms to the performance standards contained in the Zoning Ordinance.

7. Traffic generation by the proposed use is within capabilities of streets serving the property.

Traffic generation is not anticipated to increase.

8. In addition to the above general criteria, the proposed conditional use permit meets the criteria specified for the various zoning districts outlined as follows.

In Industrial Districts:

- a. Nuisance. Nuisance characteristics generated by the use will not have an adverse effect upon existing and future development in adjacent areas.

Nuisance conditions are not anticipated to be generated by the use.

- b. Nearby Residences. Adjacent residentially zoned land will not be adversely affected because of traffic generation, noise, glare, or other nuisance characteristics.

Nearby residences are not anticipated to be affect by the increased impervious surfacing.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Big Lake that it hereby approves the conditional use permit subject to the following conditions:

1. The applicant shall provide certification to the City that there are no delinquent property taxes, special assessments, interest or City utility fees due upon the parcel of land to which the interim use permit application relates.
2. Any conditions of the Joint Powers Board, City Council, Staff, consultants, or other agencies responsible for the review of this development application, including engineering comments in the memo dated October 5, 2020.

Adopted by the Big Lake City Council on the 28th of October 2020.

Mayor Mike Wallen

Attest:

Gina Wolbeck, City Clerk

The following Council Members voted in favor:

The following Council Members voted against or abstained:

Whereupon the motion was duly passed and executed.

Attachments:

Exhibit A – Site Location Map

Exhibit B – Applicant’s Site Plan

Drafted By:
City of Big Lake
160 North Lake Street
Big Lake, MN 55309

STATE OF MINNESOTA)
) SS.
COUNTY OF SHERBURNE)

The foregoing instrument was acknowledged before me this _____ day of October, 2020, by Mike Wallen and Gina Wolbeck, the Mayor and City Clerk respectively of the City of Big Lake, a Minnesota municipal corporation, on behalf of the corporation.

Notary Public

EXHIBIT A SITE LOCATION MAP



**CITY OF BIG LAKE AND BIG LAKE TOWNSHIP
JOINT POWERS BOARD MEETING**

NOTICE OF PUBLIC HEARING

**REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW AN INCREASE IN THE
AMOUNT OF IMPERVIOUS SURFACE ON A PROPERTY LOCATED IN THE
SHORELAND OVERLAY DISTRICT**

You are hereby notified that the Joint Powers Board will hold a public hearing in order to consider a request for a Conditional Use Permit to allow an increase in the amount of impervious surface on a property located in the Shoreland Overlay District. The hearing will be held in the Big Lake City Council Chambers located at 160 Lake Street North, Big Lake, MN on: **Wednesday, October 14, 2020 at or about 4:30 p.m.**

Applicant: Cargill, Inc.
Property Address: 20021 176th St NW, Big Lake, MN 55309
Parcel Identification Number: 65-516-0110
Legal Description: Lot 2, Block 1, Big Lake Industrial Park East Plat Four

Both oral and written comments will be considered by the Joint Powers Board. If you desire to be heard in reference to this matter, you should attend this hearing or submit written comments to City Hall. If you have any questions, please feel free to contact Lucinda Meyers, City Planner at 763-251-2977 or lmeyers@biglakemn.org.

(Elk River Star News, Monticello Times)

(October 3, 2020)

(Small Legal)