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ARCHITECTS • ENGINEERS • PLANNERS • LAND SURVEYORS • SCIENTISTS

November 9, 2010

Trent McCorkell
Rice County Planning & Zoning
320 NW 3rd Street
Faribault, MN 55021

**RE: Conditional Use Permit Application, Motokazieland Recreational Park
Cannon City Township, Rice County, Minnesota**

Dear Trent:

Attached is a Conditional Use Permit (CUP) Application for the proposed Motokazieland Recreational Park, to be located on 159.9 acres located along CSAH 9 in an Agricultural Zoning District in Section 6, Cannon City Township (T110N, R 20W), Rice County, Minnesota. This application is also accompanied by additional submittal materials including a site plan and the application fee payment.

This application triggers the initiation of Environmental Review for the proposed project per Minnesota Rules 4410.4300, Subpart 36A (land conversion), and Subpart 37D (recreational trails). The preparation of an Environmental Assessment Worksheet (EAW) is required for "...other projects resulting in the permanent conversion of 80 or more acres of agricultural, native prairie, forest, or naturally vegetated land..." and "...constructing an off-highway vehicle recreational area of 80 or more acres...on agricultural land or forested or other naturally vegetated land."

The applicant acknowledges the CUP application will be tabled at this time, and prior to the commencement of the CUP process, the project will require the preparation of an EAW in order to provide the information needed to evaluate the proposed project for the potential of significant environmental effects. The EAW is currently underway and will be submitted in December. Information obtained through the EAW process will also be used to submit a more detailed CUP Application at a later date.

If you have any questions regarding this CUP Application, please contact Lynn Bruns at 507.331-1500 or lynn.bruns@is-grp.com.

Sincerely,

Jamie Swenson
Environmental Manager

Lynn A. Bruns, PE, LEED AP
Principal

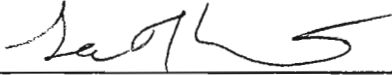
Enclosures

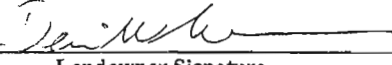
CC: Lee Theis – Motokazie, Inc.

RICE COUNTY LAND USE PERMIT APPLICATION

320 N.W. 3rd Street, Faribault, MN 55021 • Ph (507) 332-6113 Fax (507) 332-6277
 Email RCPlanningZoning@co.rice.mn.us

Applicant: Motokazie, Inc. Authorized Agent (if applicable) Lee Theis
 Landowner: Dennis Shaw Mailing Address: PO Box 56, Jordan, MN 55352
 Project Address 1267 150th Street East, Faribault PID # 1106250001 Zone: Agricultural
 Work Phone (952)-492-2090 Home Phone - - - - - Cell Phone (612)-282-5463
 Fax Number (952)-492-2091 Email Lee@Motokazie.com
 Detailed Narrative: Please see attached cover letter.

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge:  11/09/10
 Applicant Signature Date

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge:  11/09/10
 Landowner Signature Date

TYPE OF REQUEST	ZONING DISTRICT	OFFICE USE ONLY
<input checked="" type="checkbox"/> CUP	<input checked="" type="checkbox"/> AGRICULTURAL	DATE RECEIVED <u>11-9-10</u> FP
<input type="checkbox"/> VARIANCE	<input type="checkbox"/> URBAN RESERVE	BOA MEETING <input type="checkbox"/>
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> RURAL RESIDENTIAL	PC MEETING <input type="checkbox"/>
<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> VILLAGE MIXED-USE	BOC MEETING <input type="checkbox"/>
<input type="checkbox"/> WAIVER OF PLAT	<input type="checkbox"/> HIGHWAY COMMERCIAL	NOTICE TO PAPER <input type="checkbox"/>
<input type="checkbox"/> PLANNED UNIT DEVELOPMENT	<input type="checkbox"/> LIMITED INDUSTRIAL	NOTICE MAILED <input type="checkbox"/>
<input type="checkbox"/> TDR'S	<input type="checkbox"/> SHORELAND	AGENDA PACKETS <input type="checkbox"/>
<input type="checkbox"/> REZONING & ZONING AMEND.	<input type="checkbox"/> FLOOD PLAIN	LABELS <input type="checkbox"/>
<input type="checkbox"/> TEPOP	<input type="checkbox"/> WILD & SCENIC	
<input type="checkbox"/> CONSTRUCTION PERMIT		
<input type="checkbox"/> OTHER		

***** OFFICE USE ONLY *****

Building: Name _____ Date _____ Comments: _____

Ag Planner: Name _____ Date _____ Comments _____

Env. Health: Name _____ Date _____ Comments _____

Water Planner: Name _____ Date _____ Comments _____

Code Enf. Name: _____ Date: _____ Comments: _____

Zoning: Name: _____ Date: _____ Comments: _____

Conditional Use Permits - Answer questions as they pertain to your request

503.05 E.2. Review criteria for all conditional use permits. In granting or renewing a conditional use permit, the Rice County Board of Commissioners shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety and general welfare of occupants of surrounding lands. Among other things, the following findings shall be made:

- a. **Burden on public facilities.** The use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities that serve or are proposed to serve the area. Please see attached Addendum B.
- b. **Sewer and water.** The site is adequate for water supply and on-site sewage treatment. Please see attached Addendum B.
- c. **Compatible with surrounding uses.** The use will be sufficiently compatible or separated by distance or screening from adjacent agricultural or residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land. Please see attached Addendum B.
- d. **Appearance.** The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties. Please see attached Addendum B.
- e. **County needs.** The use is reasonably related to the overall needs of the County and to the existing land use. Please see attached Addendum B.
- f. **Zoning district purposes.** The use is consistent with the purposes of this Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use. Please see attached Addendum B.
- g. **Comprehensive Plan.** The use is in conformance with the Rice County Comprehensive Land Use Plan of the County. Please see attached Addendum B.
- h. **Traffic.** The use will not cause traffic hazard or congestion. Please see attached Addendum B.
- i. **Effect on businesses.** Existing businesses nearby will not be adversely affected because of curtailment of customer trade brought about by intrusion of noise, glare or general unsightliness. Please see attached Addendum B.

503.05 H.1 Additional criteria and conditions in Shoreland Districts. Conditional uses allowed in Shoreland Districts shall be subject to the following additional information, evaluation criteria and conditions: **Additional evaluation criteria.** A thorough evaluation of the water body and the topographic, vegetation, and soils conditions on the site must be made to ensure all of the following:

- a. **Soil erosion.** The prevention of soil erosion or other possible pollution of public waters, both during and after construction. Please see attached Addendum B.
- b. **Visual impact.** The visibility of structures and other facilities as viewed from public waters is limited Please see attached Addendum B.
- c. **Watercraft.** The types, uses, and number of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercraft Please see attached Addendum B.

ADDENDUM A
to
Rice County Conditional Use Application dated November 9, 2010

Motokazieland Recreational Park

III. Parcel Information

Parcel No(s):	Parcel Address:	Parcel Acreage
1106250001	1267 150 th St E Faribault, MN 55021	159.90 acres
Legal Description:		
<p><i>This is the abbreviated legal description. The full legal description will be submitted with the amended CUP Application.</i></p> <p>NW4 & ALL OF THAT PART NW4 NE4 LYING W OF CHICAGO ROCK ISLAND PACIFIC RR EX THAT PART TAKEN FOR RR R/W ALSO EX CAP 1025FT E & 675FT S OF NW COR OF NW4 TH S ALG A LI P/W W LI NW4 541.7FT TH E ALG A LI P/W N LI NW4 472.8FT TH N ALG A LI P/W W LI NW4 541.7FT TH W ALG A LI P/W N LI NW4 ABOUT 472.8FT TO POB</p>		

ADDENDUM B
to
Rice Conditional Use Application dated November 9, 2010

Motokazieland Recreational Park

Conditional Use Permit Standards

An explanation of how the proposed operations will comply with each of the standards is either listed below or will be addressed as in association with the environmental review process and amended to the CUP as indicated:

- a. **Burden on public facilities.** The use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities that serve or are proposed to serve the area.

Surrounding public facilities will be further defined in association with the environmental review process and amended to the CUP.
- b. **Sewer and Water.** The site is adequate for water supply and on-site sewage treatment.

Sewer and Water use and supply will be further defined in association with the environmental review process and amended to the CUP.
- c. **Compatible with surrounding uses.** The use will be sufficiently compatible or separated by distance or screening from adjacent agricultural or residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.

Compatibility with surrounding uses will be further defined in association with the environmental review process and amended to the CUP.
- d. **Appearance.** The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties.

Appearance will be further defined in association with the environmental review process and amended to the CUP.
- e. **County needs.** The use is reasonably related to the overall needs of the County and to the existing land use.

The project will not negatively impact the health, safety, and general welfare of occupants of surrounding land.
- f. **Zoning district purposes.** The use is consistent with the purposes of the Rice County Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.

The property is currently zoned "A" Agricultural according to the Rice County Zoning map. This commercial recreational use is listed as a conditional use for the Agricultural district. According to the purpose of the "A" Agricultural district, this project meets the Goal 52 (509.01, C), to maintaining a diverse economic mix for Rice County by promoting agriculture and associated businesses.
- g. **Comprehensive Plan.** The use is in conformance with the Rice County Comprehensive Land Use Plan of the County.

According to Rice County's Comprehensive Plan, this project meets the Goal 52 to maintaining a diverse economic mix for Rice County by promoting agriculture and associated businesses.
- h. **Traffic.** The use will not cause traffic hazard or congestion.

Surrounding public roads and traffic impacts will be further defined in association with the environmental review process and amended to the CUP.
- i. **Effect on business.** Existing businesses nearby will not be adversely affected because of curtailment of customer trade brought about by intrusion of noise, glare, or general unsightliness.

A sound study will be completed for the project and noise, glare, and sight will be further defined in association with the environmental review process and amended to the CUP.

The site is not within a Shoreland District.