

**VERMILLION TOWNSHIP
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 24-06

**APPROVING A CONDITIONAL USE PERMIT
FOR AN OUTDOOR EDUCATION AREA WITH A GRAVEL PARKING AREA**

The Town Board of Vermillion Township hereby resolves as follows:

WHEREAS, Independent School District No. 200 (the “Applicant”) owns property located at unaddressed property at PID: 390150001012 (the “Property”) in Vermillion Township (the “Town”), Dakota County, Minnesota legally described as:

The North Half of the Northeast Quarter of Section 15, Township 114, Range 18, except the following:

That part of the North Half of the Northeast Quarter of Section 15, Township 114, Range 18, described as follows: Beginning at the northeast corner thereof; thence south along the east line thereof 1315.20 feet to the southeast corner thereof; thence west along the south line thereof 810.53 feet; thence northerly 1316.44 feet to a point on the north line of said North Half of the Northeast Quarter distant 775.36 feet west of said northeast corner; thence east along said north line 775.36 to the point of beginning, according to the Government Survey thereof, Dakota County, Minnesota.

AND

That part of the Northeast Quarter of the Northwest Quarter of Section 15, Township 114, Range 18, Dakota County, Minnesota described as follows: Beginning at the northeast corner of said Northeast Quarter of the Northwest Quarter; thence South 00 degrees 00 minutes 42 seconds West (assumed bearing) along the east line of said Northeast Quarter of the Northwest Quarter 1317.34 feet to the southeast corner of said Northeast Quarter of the Northwest Quarter; thence South 89 degrees 59 minutes 02 seconds West along the south line of said Northeast Quarter of the Northwest Quarter 6.96 feet; thence North 00 degrees 18 minutes 33 seconds West 1317.41 feet to the north line of said Northeast Quarter of the Northwest Quarter, thence South 89 degrees 49 minutes 20 seconds East along said north line 14.34 feet to the point of the beginning.

WHEREAS, the Property abuts and contains wetlands that are protected under the Wetland Conservation Act and a conservation easement held by Dakota County;

WHEREAS, the Property is accessible via a road that has a weight limit;

WHEREAS, the Applicant has, and will continue to, use the Property for in-person student coursework related to conservation, environmental sciences, biology courses, and the like;

WHEREAS, the Applicant is seeking to place gravel on the Property to create an area to facilitate student drop-off for school buses and to allow for students to drive themselves to the Property as depicted on the Site Plan attached hereto as Exhibit A (the “Project”);

WHEREAS, the Applicant has delineated the wetlands, received permission from Dakota County, and has submitted site plans showing the gravel parking area;

WHEREAS, the Property is zoned Agricultural and within this zoning district institutional uses require a conditional use permit; and

WHEREAS, after duly published and mailed notice in accordance with Minnesota Statutes, a public hearing on this application was held by the Vermillion Town Board on June 20, 2024.

NOW, THEREFORE, BE IT RESOLVED based upon the record before it and application of the Township’s Zoning Code and Comprehensive Plan, the Town Board of the Township of Vermillion hereby approves the requested conditional use permit, as described above, based on one or more of the below findings of fact subject to the following conditions:

FINDINGS

1. The above recitals are incorporated herein by reference as if restated in full.
2. Pursuant to Township Code § 201 (D), the following is a conditional use in the AG district: “Institutional Uses” which is defined as “the use of land under public or semi-public ownership which provides a benefit or service to the public. These uses shall include, but not be limited to schools, hospitals, churches, cemeteries, and fraternal organization meeting places.”
3. Township Code § 611 and state law provide the criteria which must be met in order to grant a conditional use permit. The Town Board finds the criteria are met as follows:
 - A. *The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.*

The Project will not be detrimental to the Property. The Applicant is proposing to use the property in a reasonable manner that is consistent with the zoning in this district and prior use on this Property.

B. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.*

The Project will not be detrimental to or impact the use and enjoyment on any neighboring properties. The proposed plan for grading are expected to have no detrimental effects on adjoining or nearby properties. The Township has no evidence that the Project will substantially diminish and impair property values within the neighborhood.

The Project is preferable to the current practice of having vehicles parked on the side of the road and having students board and get out of vehicles onto a roadway.

C. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.*

The proposed construction shall conform to the applicable regulations of the district in which it is located.

D. *Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.*

If the Applicant abides by all road weight restrictions, there is adequate infrastructure in place to serve the Project.

E. *Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.*

This condition is met. This Project creates the means of ingress and egress in order to decrease roadway obstructions.

F. *The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

The Project is consistent with the purposes of the zoning code, which allows for institutional uses in the AG district.

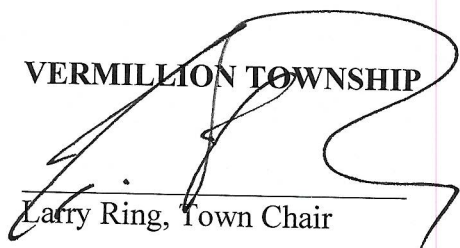
CONDITIONS

1. The Project shall be completed in accordance with the plans and narrative submitted by the Applicant. Any significant changes to the plans, as determined by the Town Planner, shall require review and approval by the Town Board.
2. All comments from the Town Engineer and Attorney shall be met.


3. The Applicant must obtain and satisfy all required permits, regulations, and comments from the Vermillion River Watershed Joint Powers Organization.
4. The Applicant must abide by all posted law regarding road use, including any relevant weight limits. If the Applicant will not abide by weight limits the Applicant must enter into a maintenance plan agreement with the Township to protect the road from the excessive weight.
5. The Applicant must comply with the conservation easement on the Property.
6. The Applicant must comply with all relevant state and federal laws, including environmental laws, particularly the Wetland Conservation Act.
7. The Applicant must install two posts and a chain on either side of the Project's entrance. When the Property is not being used by the Applicant the Applicant must suspend the chain between the two posts to hinder use of the Project by others or the public.
8. The uses on the Property shall adhere to the narrative provided by the Applicant on June 13, 2024 and the approved site plan. Substantial modifications of these plans would require an amendment to this permit.

PASSED and ADOPTED by the Town Board of Vermillion Township this 11th day of July, 2024.

VERMILLION TOWNSHIP



Larry Ring, Town Chair

ATTEST:


Cynthia Ladzun, Town Clerk

CERTIFICATION

Cynthia Ladzun, Town Clerk of Vermillion Township, Dakota County, Minnesota, certifies that on July 11, 2024, at a regularly held meeting of the Town Board, the foregoing resolution was duly adopted and this copy is a true and correct copy of the resolution adopted at that meeting.

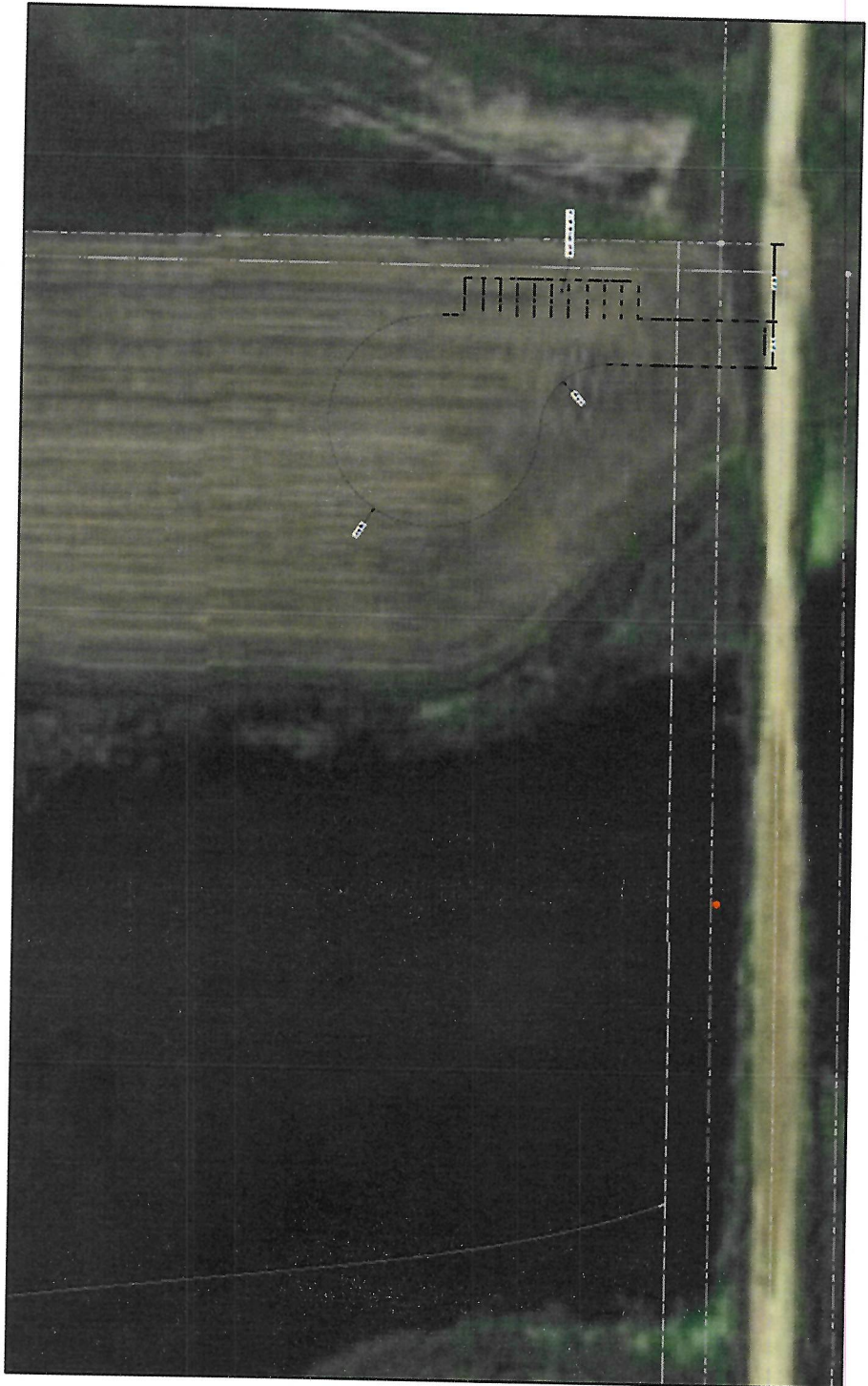


Cynthia Ladzun, Vermillion Town Clerk

(SEAL)



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NATURE
PRESERVE
SITE PLAN

EX 2

