



## **REQUEST FOR ACTION**

**Conditional Use Permit No. CD2026-008CUP by MGK LLC**

**MEETING DATE:**

**July 20, 2026**

**ORIGINATING DEPT:**

**Community Development**

**AGENDA SECTION:**

**Public Hearings**

**PRESENTER:**

**Desmond McGeough**

### **Action Requested:**

Adopting a Resolution recommending denial on Conditional Use Permit No. CD2026-008CUP by MGK, LLC, for a limestone aggregate quarry.

### **Report Narrative:**

The applicant proposes a limestone aggregate quarry on an 80-acre property at the north end of 22nd Ave SW, west of the Oak Summit Golf Course. MGK LLC owns the property; Olmsted Aggregate would operate the quarry. Phase 1 involves 21.47 acres of extraction on the southern portion of the site, with future phases potentially moving north. The application is limited to land within City limits and includes excavation, crushing, a weigh station, and vehicle staging. Site access may require an easement clarification at the end of 22nd Ave SW. Approximately half of the property lies in Airport Safety Zone A and half in Zone C of the Rochester International Airport Zoning area. Zone A is the most restrictive, limiting land uses that could concentrate people or create hazards to aircraft. Quarrying is not an identified permitted use in Zone A. Staff reviewed the proposal under Section 60.500.050A and found the applicant has not demonstrated that the use will avoid negative impacts to airport operations, particularly with respect to assembled persons on site and the use of explosives.

Subsequent to the Planning and Zoning Commission Consideration of the subject application, the applicant has provided a Blasting Assessment by a qualified geotechnical and blasting effort outlining the manner in which to facilitate the quarry use with a higher degree of public safety. However, Community Development and Rochester International Airport Administration also note the high degree of coordination and very significant possibility that flight operations of RST may need to be suspended before and after blasting activity, which would have a detrimental impact on facilitating operations of the Rochester International Airport. As such, the request does not satisfy the required criteria for Conditional Use Permit identified in Section 60.500.050A(4)a.3. of the Unified Development Code and therefore should be denied.

At their June 10, 2026, meeting, the Planning and Zoning Commission unanimously recommended, by a vote of 8-0, that the Council DENY the subject conditional use permit application CD.

The Development Review Committee and the Planning and Zoning Commission are both recommending DENIAL of the application. In the circumstance the Council opts to approve the subject application, the Development Review Team and the Planning Commission suggest the following conditions be included:

1. Prior to issuance of a grading permit, the applicant shall receive approval for Civil Plans, Grading Plan, and a Stormwater Management Plan. Approval of said plans and payment of any applicable Storm Water Management Plan Area Charge (SWMPAC) will be required through the permitting process, and prior to grading permit approval.

2. The applicant shall provide an update to the submitted application documentation that includes specific information regarding the activity occurring on the site and how many employees and construction contractors could be assembled on the property at any given time. Additional documentation shall include an assessment by an Explosives Engineer having credentials in the area of drilling and blasting.

3. Due to the anticipated negative impacts of the quarry use, the Applicant shall enter into an operations agreement, executed by the applicant and the City that includes:

- Planned controlled explosions only occur outside scheduled and nonscheduled flights
- Requirement to notify the Airport within 48 hours of planned controlled explosions
- Hours of Operation

4. Prior to commencement of operations, the applicant shall obtain approval from the Community Development Director for a Quarry Closure and Reclamation Plan. The Quarry Closure and Reclamation Plan shall be prepared by a qualified professional and submitted to the City for review and approval. The approved Closure and Reclamation Plan shall be implemented in accordance with the approved milestones, and the site shall not be permitted to remain in a condition that allows for the creation of a permanent lake or other water impoundment. The Plan shall include:

- Closure Milestones: Defined phases and timelines for cessation of extraction, site stabilization, grading, and final reclamation.
- Final Condition of Site: Specific measures to ensure that the quarry floor and surrounding lands are restored to a stable, non-hazardous condition, including but not limited to filling, grading, or drainage improvements necessary to prevent the formation of permanent surface water bodies.
- Monitoring and Reporting: Milestones shall include monitoring intervals and reporting requirements to verify progress toward reclamation.
- Financial assurance to reach final reclamation.

5. Mitigate dust creation from 22nd Ave SW by ensuring the paved section is maintained as pavement into the future to hold dust down, as well as the placement of chloride on the remaining gravel to the north.

6. Include an interim and long-term plan to maintain dry operations, ensuring drainage of standing water within a 48-hour period.

### **Priorities & Foundational Principles:**

Public Safety

Responsible Environmental Stewardship

### **Policy Considerations & DEI Impact:**

Emphasizing Fiscal Sustainability

### **Prior Legislative Actions & Community Engagement:**

August 12, 2025: Neighborhood Informational Meeting - Conditional Use Permit

May 29, 2026: Notice forwarded to surrounding property owners and sent to the newspaper for publishing

### **Fiscal & Resource Impact:**

All development costs will be the responsibility of the developer.

**Alternative Action(s):**

No alternative actions are suggested at this time.

**Prepared By:**

Desmond McGeough

**Attachments:**

Presentation - CD2026-008CUP Airport Quarry

Community Development Memo - CD2026-008CUP - Airport Quarry

Development Timeline Exhibit - CD2026-008CUP - Airport Quarry CUP

Notification Map - CD2026-008CUP - Airport Quarry CUP

Site Location Map - CD2026-008CUP - Airport Quarry

Grading Plan - CD2026-008CUP - Airport Quarry CUP

Narrative & Supporting Documentation - CD2026-008CUP - Airport Quarry CUP

Geotechnical Engineer Correspondence - CD2026-008CUP - Airport Quarry CUP

NIM Minutes - CD2026-008CUP - Airport Quarry CUP

Agency Review Comments - CD2026-008CUP - Airport Quarry CUP

Planning Commission Minutes - 6-10-26 CD2026-008CUP - Airport Quarry CUP

Blasting Assessment Supplemental Report 7-6-26 - CD2026-008CUP - Airport Quarry CUP.pdf

Exhibit - MnDOT Aeronautics Response

Resolution-CD2026-008CUP Airport Quarry CUP