

# Un-Official

## ***ATHENS TOWNSHIP PLANNING COMMISSION***

**Minutes of August 25, 2016**

**Athens Township Government Center**

1. *Pledge of Allegiance:* The Pledge of Allegiance was recited.
2. *Roll Call:* The meeting was called to order at 7:00 p.m. by Chairman Lyle Reynolds. Members present were Lyle Reynolds, Marlys Balfany, Cindy Anderson, Dan Woodfill, Ian Ebeling, Dave Henderson and Jake Carpenter. Also present were Jim & Carolyn Braun, Staff Members. Guest included (*See Attendance Sheet Enclosed*).
3. *Approve Agenda:* A motion was made by Marlys Balfany to approve the agenda as submitted, seconded by Cindy Anderson. Motion carried unanimously.
4. *Minutes of July 21, 2016:* A motion to approve the minutes as presented was made by Dave Henderson, seconded by Dan Woodfill. Motion Carried Unanimously.
5. *Open Forum:* No one was on hand for the open forum portion of the meeting.
6. *Public Hearings: Brennan Cox – Rural Tourism Business:*

Brennan Cox, 27498 Polk Street Northeast, has applied for a Conditional Use Permit to allow a Rural Tourism Business. The property is the northern most property on the west side of Polk Street before you enter Isanti Township. The parcel is about 56 acres in size.

Before the presentation on the application began, Dave Henderson asked the protocol for this request. Chairman Reynolds responded that the applicant would give a presentation on the application, then some discussion by the commission, then the public hearing would be opened to the audience for comment, after the closure of the comment section the commission would discuss the application to see how and if it fits the ordinance

standards. After due discussion the commission will either make a decision to recommend approval or denial to the Board of Supervisors or take some other action.

Rebecca Cox gave the presentation. Rebecca introduced herself and told the Commission that she and Brennan have been married for the past five years and have a four year old child. Rebecca owns a Floral Shop in Isanti and Brennan owns a Surveying Company.

Rebecca went on to say that they want to restore and rebuild the existing structures on the property and protect the natural features of the property. Rebecca told the Commission that they want to restore the original features and add some that will enhance the parcel. Rebecca said that they would like to host a number of events in the barn year round. They would include special craft events and shows, business functions, retreats, church group gatherings, school and daycare field trips, historical society events and charity fund raisers, horse and animal shows and events, weddings and receptions, anniversary and birthday parties, etc. (*See Exhibit "A" Enclosed*).

Paula Callies, Attorney was on hand and asked to speak on behalf of Brennan and Rebecca Cox. Ms. Callies went on to say that the Township has just passed this ordinance that allows for this type of request. She says that this application follows the ordinance and the Comprehensive Plan by allowing small businesses to exist in the agricultural areas. This application will enhance the history and the agricultural past of this area. In the short term getting the barn finished and in operation, setting up the flower business, using the property as a retreat center with camping and overnight accommodations.

Paula feels that they are on a road that is adequate for this venture with more than adequate parking. Brennan already has permits for some site work and she feels that the 56 acres is a natural buffer from the adjoining neighbors.

Brennan is asking to be allowed up to 300 guests at any one time either inside of the buildings or in the natural area. Paula feels the events will be a relatively quiet activity.

A picture of the proposed event center was distributed (*See Exhibit "B" Enclosed*).

Jim Cox (Brennan's father) said that they would like to have workshops with the history of the railroad since it passes near the parcel. They will possibly have a community garden and walkways throughout the facility lined with different varieties of flowers.

With no more comments from the applicants, Chairman Reynolds asked for comments from Jim Braun, Zoning Administrator. Jim said that he had been working on the plan with Brennan for a long time but because there was no ordinance that allowed this time of activity he had to wait.

At times it looked as though Brennan was doing things without permits. During investigation it was found that he was permitted by other agencies especially in the wetland area.

Because Isanti County by statute has authority over wetlands a meeting was set for a hearing before the TEP Panel for four requests that Brennan had made. Holly Nelson invited Jim to attend the meeting. The requests were for a pond, a walkway around the wetland area, a rain garden and decorative stream. The requests for the pond was approved and the walkway with a culvert set at an elevation of 926.5 so not to hold back the normal water level at any time. The rain garden and the decorative stream were withdrawn from the application.

Lyle Reynolds asked Jim to name the people on the TEP Panel:

- Local Unit of Government (Isanti County) – Holly Nelson
- Soil and Water Conservation District – Tiffany Determann
- BWSR – Lynda Peterson
- Department of Natural Resources – Craig Wills
- Corps of Engineers Project Manager

Jim told the Commission that the only time the Township would get involved with the wetlands is when the spoils leave the site; Brennan would then need a permit.

Jim has received a number of telephone calls about the application and most think it is too ambitious, others think the idea is good but in the wrong place, and others just do not approve of the concept.

The plan is broken up in three phases. The first phase shows the barn being finished in five years. Rebecca will not be moving her flower shop to that location, but a workshop for flowers will be on site for weddings and etc. There will be no retail sales of flowers. A parking area will be completed in the first phase for 100 vehicles. An over flow parking area will be designated in the grass if needed. There will be signage for the parking areas installed and attendants on hand for traffic control.

Until the barn is completed Brennan would like to hold some events in the yard. A concern of the Commission was if there is any music the ordinance requires that the sound not leave the parcel and bother the neighbors. It was noted that all amplified music has to be indoors.

Another area of concern is that plans are to have camping on the site from time to time. The plan shows two cabins in the pasture that could be used for sleeping. Brennan definitely wants some type of camping to be allowed. Paula Callies said that retreat centers allow for overnight guests and the retreat center is part of the application.

It was noted by Marlys Balfany that Brennan would only be allowed 300 people on site at any one time, this includes staff and workers. The Township does not allow special events.

Jim noted that he checked the new access driveway and feels there is a problem with site lines on Polk Street especially to the north. There is a curve in the road and traffic pulling out onto the road may have problems seeing oncoming traffic. Also, Jim feels the parking lot being so close to Polk Street does not leave enough area for car to stage before getting into the lot, making traffic to jam out onto Polk Street.

Jake Carpenter suggested that Brennan get the barn up as soon as possible and a few upgrades and a lot of the problems may be solved.

Dave Henderson wanted clarification on Conditional Uses and feels that the project being in three phases over many years is too hard to comprehend. Dave also questioned if the culvert that exists on Polk Street was to be moved, and it is not to be moved at all. Dave questioned Brennan if he has a business plan and an exit plan if this venture does not work out. Brennan answered that he does have a business plan but has not developed an exit plan. Again the phasing over the years is questionable.

Chairman Reynolds opened the public hearing at 8:17 p.m.

Jim Braun had received a letter from Alan & Robin Schultz with a number of concerns. They wanted the letter read into the minutes. (*See Exhibit "C" Enclosed*)

Jack Kreckelberg 1165-273<sup>rd</sup> Avenue Northeast, Isanti, his main concern is the traffic that this venue will add to an already busy street. Jack is concerned because of the added traffic since the roads have been surfaced coming out of the City of Isanti and the close proximity of the houses to the roads. He feels this is a residential area.

Jack is worried about the use of alcohol at the venue and the people driving home impaired. Brennan said that any alcohol will be dispensed by an organization that has a license and insurance such as the Lions Club and etc.

Dave Bartholomew (no address given – consultant for Brennan Cox) Dave is an Audio Consultant that was contacted by Brennan Cox. Dave went on to say that there are ways of controlling the sounds outside of the buildings and with the distance between the Cox property and any neighbors, there should not be a problem.

Gary Billet 27381 Polk Street Northeast, Isanti, noted that he lives across Polk Street from Brennan and is concerned with all the construction and work with in the wetlands that it may affect his shallow well. Gary also feels that the event center is in a residential area which is not appropriate.

Richard Huewppner 27211 Polk Street Northeast, Isanti, feels that the event center is a large development in a residential area, which may grow in the future. Richard said it may help to have hours of operation.

Craig Bjorklund 27072 Polk Street Northeast, Isanti, said since the roads have been paved there is a number of people biking, walking, skate boarders using the road. He

noted that the roads have a 24' wide road surface with no shoulders, no turn lanes and no sidewalks. He is afraid that people drinking to the excess may start driving thru the fields of the farms surrounding the area of the event center.

Craig also agrees that the houses on 273<sup>rd</sup> Avenue are too close to the road.

John Bartz 27430 Polk Street Northeast, Isanti, is worried about the vagueness of multiple phases. He feels that giving a CUP for phases over a number of years is not a good idea. Also, John's wife has been walking the dog along Polk Street for years, if the CUP is approved she won't be able to do that anymore.

*Note: there were two parties that spoke that were inaudible and the recorder failed to pick them up.*

Paula Callies gave a list of six people from the Township that supported the application.

With no more public comment, the audience portion of the public hearing was closed at 8:35 p.m.

Dave Henderson noted that of all the people on the notification list only one of the parties was in support of the project. Marlys Balfany said she could be wrong but she thought there were two on the list in support.

Marlys Balfany asked who Brennan talked to about the traffic situation. Brennan told the Commission that he had a discussion with Guy Lillemo, Supervisor from Isanti Township. Guy looked over the situation and feels Brennan will do everything to make the roads safe with proper signage.

Carolyn Braun commented that the Township has to plan for 300 people at any one time seven days a week. There may only be twenty people on site some days or three hundred over a period of hours of operation at one time. If some leave during the day and are replaced by others the numbers of vehicles could exceed three hundred per day or more. Carolyn told the Commission that the traffic is a big consideration for the Township.

Jake Carpenter noted that the wedding barn is in an awkward location. He feels that the other buildings could be looked after as well now; it seems that the barn is Brennan's primary concern. Jake also questions the location as traffic has to traverse a number of Township roads to get to a larger road such as Highway 65. He feels that shouldering, sidewalks and turn lanes may help in this case.

Marlys Balfany commented that she has never been on Polk Street. She thinks that maybe moving the driveway so that it is not on the curve is a good idea. Marlys feels that she would like a Traffic Engineer and the Township Road Engineer to look at the problem and make a recommendation on Polk Street.

Lyle Reynolds noted that the ordinance allows this type of activity. Lyle feels that the traffic is the biggest problem. Lyle feels that the noise problems won't be an issue with proper management. His biggest concern is how to mitigate the road issues.

Cindy Anderson likes the idea but wants to be careful to make this venue acceptable to all.

Dan Woodfill questions the placement of the overflow parking; he sees no actual direct driving surface to it. He also questions the position of the septic system being in close to a house structure. Dan is concerned that this venue is not only for the Cox's but in ten years could be owned by another party and would they be a responsible? He feels that if the Township approves the CUP and finds out that the road cannot handle the traffic and starts to deteriorate it will be up to the Township to repair or replace the road.

Ian Ebeling personally does not view the road as unsafe. Ian agrees with the three phase plan and feels phases 1&2 are spectacular. As far as the road is concerned maybe a turn lane may be helpful.

Dave Henderson is most concerned about traffic and safety. Dave is confused on what Brennan is asking for is it part of his phases or all of the phases? Dave wants to clearly understand what is being approved.

Carolyn Braun noted that she would have a list of proposed "conditions of approval" for the next Planning Commission meeting.

Jim Braun noted that we will need the traffic information and the engineer to look at the road before the next meeting. The cost for this will be borne by Brennan Cox.

Jim also wants an updated site plan with measurements without the proposed stream and rain garden before the next meeting. This will be up to Brennan to provide.

Lyle Reynolds asked if the applicants would give a 60 day extension in order to get better information for the Commission. Paula Callies answered "yes".

Jim Braun questioned the placement of the cabins may be in the flood plain. This item will have to be checked.

Brennan feels that the venue will create jobs in the community and will also add value to the area.

Lyle Reynolds asked to postpone the meeting until the September 15, 2016 Planning Commission Meeting. The public hearing may be opened if new evidence is brought forward. Motion made by Marlys Balfany, seconded by Cindy Anderson. Motion carried unanimously.

7. *Old Business:* None

8. *New Business:* None
9. *Miscellaneous:* Jim Braun included the following document for the Commission's information:
  - a. Current 2016 Building Permit List
  - b. Resolution 2016-06 Rural tourism Business – Beckstrom
  - c. Resolution 2016-06 Farm Winery – Beckstrom
  - d. Ordinance No: 2016-07 – Opt out Ordinance
10. *Adjournment:* Being that there was no further business a motion was made by Dave Henderson to adjourn the meeting, seconded by Ian Ebeling. Motion carried unanimously at 9:20 p.m.

Respectfully Submitted,

Jim Braun  
Recorder Pro-Tem