



Application for Conditional Use Permit

www.co.redwood.mn.us

Permit #: 14-18 Date: 11-9-18

Location of Proposed Use:

Address: 33991 Noble Avenue City: Redwood Falls State: MN Zip: 56283
House # Street Name

Parcel #: 62-003-2010 Township: Paxton Section: 3 Twp #: 112 Range: 35

Legal Description:

Government Lot Two (2) in Section Three (3) Township 112 North Range 35 West -> The Northerly 378.3 feet of the West Half of the Northwest Fractional Quarter (W1/2 NW 1/4) EXCEPT the east 921.9 feet thereof

Information about the Site:

Zoning District: AGRICULTURE

General description of the building(s) and proposed use: (see attached business plan)

26' Concession Trailer - Even though it is a kitchen on wheels (concession trailer) it can use the existing septic system for gray water - LP Gas and Hot and cold water from the house. I can email photos.

Building Size: (Please enter dimensions in feet)

Width: 8' Length: 26' Diameter: N/A Total Height: 8'

Setbacks: (Please enter in feet)

Side Yard Setback: 130 Direction: NORTH (measured to the edge of the US HWY 19/21 Right-of way.)
Side Yard Setback: 215 Direction: SOUTH
Rear Yard Setback: 260 Direction: EAST

Road Type: TOWNSHIP (Noble Ave) Setback from the Right-of-Way: 90
Right-of-Way Width from Centerline ft

Type of Sewer System:

SEPTIC

Drainage Plan:

Gray Water Drain RU Hose

Other Information:

[Empty box for other information]

Applicant Information:

First Name: Alan Last Name: Eller
Business Name: Birch Coulee BBQ LLC
Address: 33091 Wyle Avenue City: Redwood Falls State: MN Zip: 56283
Home Phone: _____ Cell Phone: 612-499-7608 Email: shunk-tonka@gmail.com

Operator Information: (Complete only if different from Applicant)

First Name: _____ Last Name: _____
Business Name: Birch Coulee BBQ LLC
Address: Same City: _____ State: MN Zip: _____
Home Phone: _____ Cell Phone: _____ Email: _____

Land Owner Information: (Complete only if different from applicant)

First Name: _____ Last Name: _____
Address: _____ City: _____ State: MN Zip: _____
HomePhone: _____ CellPhone: _____ Email: _____

I affirm that the forgoing information is true and accurate. I understand that if any portion of this information is false or materially misleading, any conditional use permit issued in reliance upon this information is voidable at the election of Redwood County.

Land Owner Signature [Signature] Date: 11-1-18

Office Use Only: * The section below is to be filled out by the Environmental Office Staff

Permit Fee: \$700 Receipt #: 184891 Date Approved: _____

Application Received: Nov. 7, 2018

Commission Action: _____ County Board Action: _____
Approved: _____ Date: _____ Approved: _____ Date: _____
Disapproved: _____ Date: _____ Disapproved: _____ Date: _____

Permit # _____

Please add the following items to the map:

1. New Structure(s)
2. Septic System
3. Well



I affirm that the forgoing information is true and accurate. I understand that if any portion of this information is false or misleading, any zoning or land use permit issued in reliance upon this information is voidable at the election of the Redwood County Zoning Administrator.

Landowner Signature: _____

Date: 11-2-18

Administrator Signature: _____

Date: _____

Redwood County Zoning Administrator

Business Plan attached to CUP application # 14-18

**BIRCH COULEE BBQ
BC BBQ LLC**

33991 Noble Avenue
Redwood Falls, MN 56283

Owner – Alan Eller

612-499-7608

shunktonka@gmail.com

CONFIDENTIAL

STATEMENT OF PURPOSE

Birch Coulee BBQ is seeking a loan in the amount of \$50,000 to carry on with our current investment of \$170,000. To finish the concession trailer and leave \$25,000 as working capital. \$150,000 is the value of the property and prime location. \$20,000 invested in the concession trailer. \$25,000 to finish the mobile kitchen, purchase start up inventory, and retain \$25,000 as working capital.

**BIRCH COULEE BBQ
BC BBQ LLC**

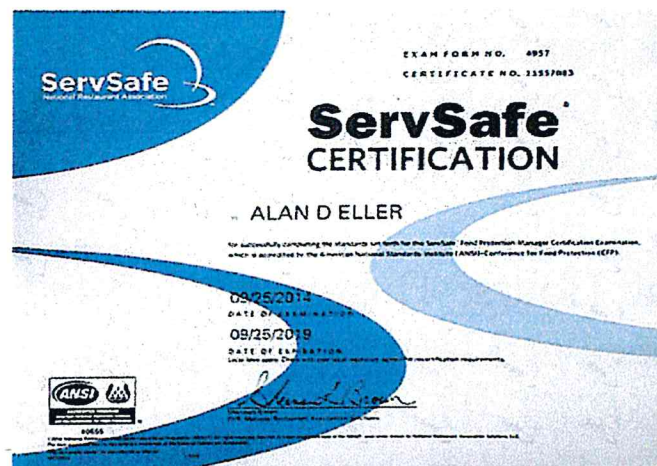
1a. Description of the Business.

BC BBQ LLC will be a restaurant serving lunch, and dinner. The menu will begin with Ribs and Pulled Pork sandwiches and a desert of Deep Fried Oreos and a Deep Fried Oreo Sundae. Owner. Alan Eller owns 100% of the business.

1b. Location and Hours. Business is located at Alan's 4 acre residence at 33991 Noble Avenue, Redwood Falls, MN 56283. Hours will be 11:00 am to 8 pm Tuesday thru Sunday. Location is in the City of Redwood Falls, on Highway 19 and Highway 71, with easy access from the highways and ample parking.

1c. Products and Services. Alan plans to start simple with BBQ Ribs, Full rack, half rack or by the bone. Smoked Pulled Pork Sandwiches, also with slaw or cheese. Sides, French Fries, Jojo's, BBQ Baked Beans, Slaw and Toast. I also plan to add deep fried oreos and deep fried oreo sundaes.

1d. Market Analysis and Competition. Alan Eller has operated a food concession trailer for many years cooking at outdoor events. He also managed the 371 Café in Cass Lake, Minnesota for one year, where he added barbecue to the menu and tested his product line. He is serve-safe certified through September 2019, which is required to manage a restaurant.



Even though there are several other restaurants in the area, the only real barbecue competition is located more than one-half hour away in a much smaller town. There are two specialty restaurants in Redwood Falls, one is Chinese food and the other Mexican food and we plan on specializing in barbecue to corner that market offering take out and deliveries. When Alan Eller ran food concessions, the business was called Taste of the State Fair and his desert menu will reflect the same thing.

1e. Marketing Plan. Birch Coulee BBQ is a new take out business but because it operates from a beautiful kitchen on wheels on his own property, the low overhead allows Alan the opportunity to offer real down south smoked BBQ at a lower price than his competition.

Advertising. Alan will use a clip out coupon in the Redwood Gazette, which may offer a free deep fried oreo sundae with the purchase of a full rib rack dinner with sides. This will introduce his two specialty items to new customers.

Other methods of advertising may include radio play on KLGR, the local radio station.

A Cell phone App add.

A billboard on Alan's property.

These advertising methods will reach the majority of the population in Redwood Falls and surrounding towns.

1f. Management and Personnel. Alan Eller, owner.

Alyse _____, assistant manager. She has a business certificate and cooking and waitressing experience.

Section 2

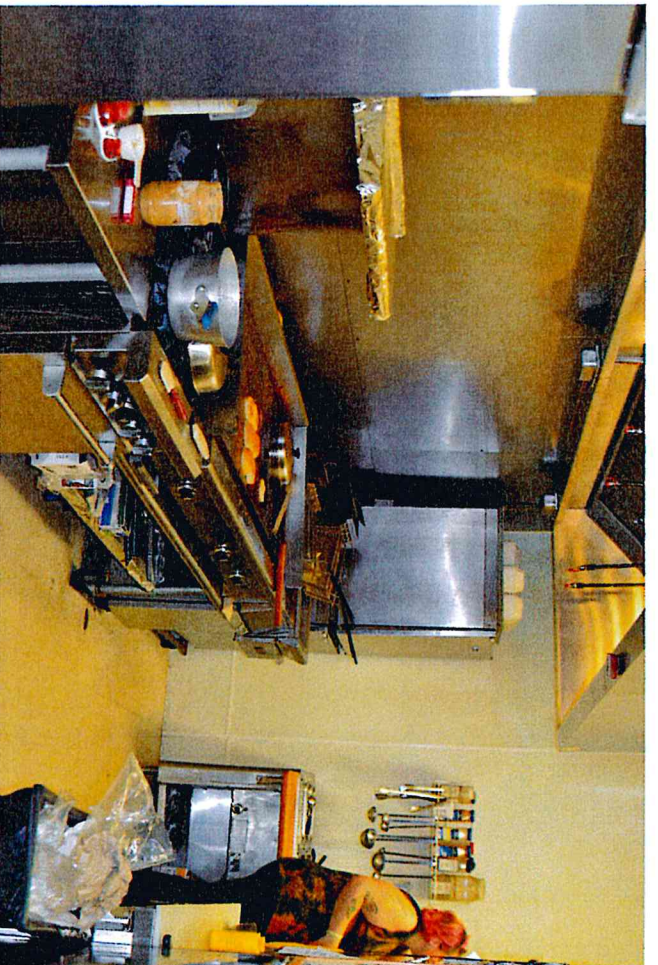
The Financial Data

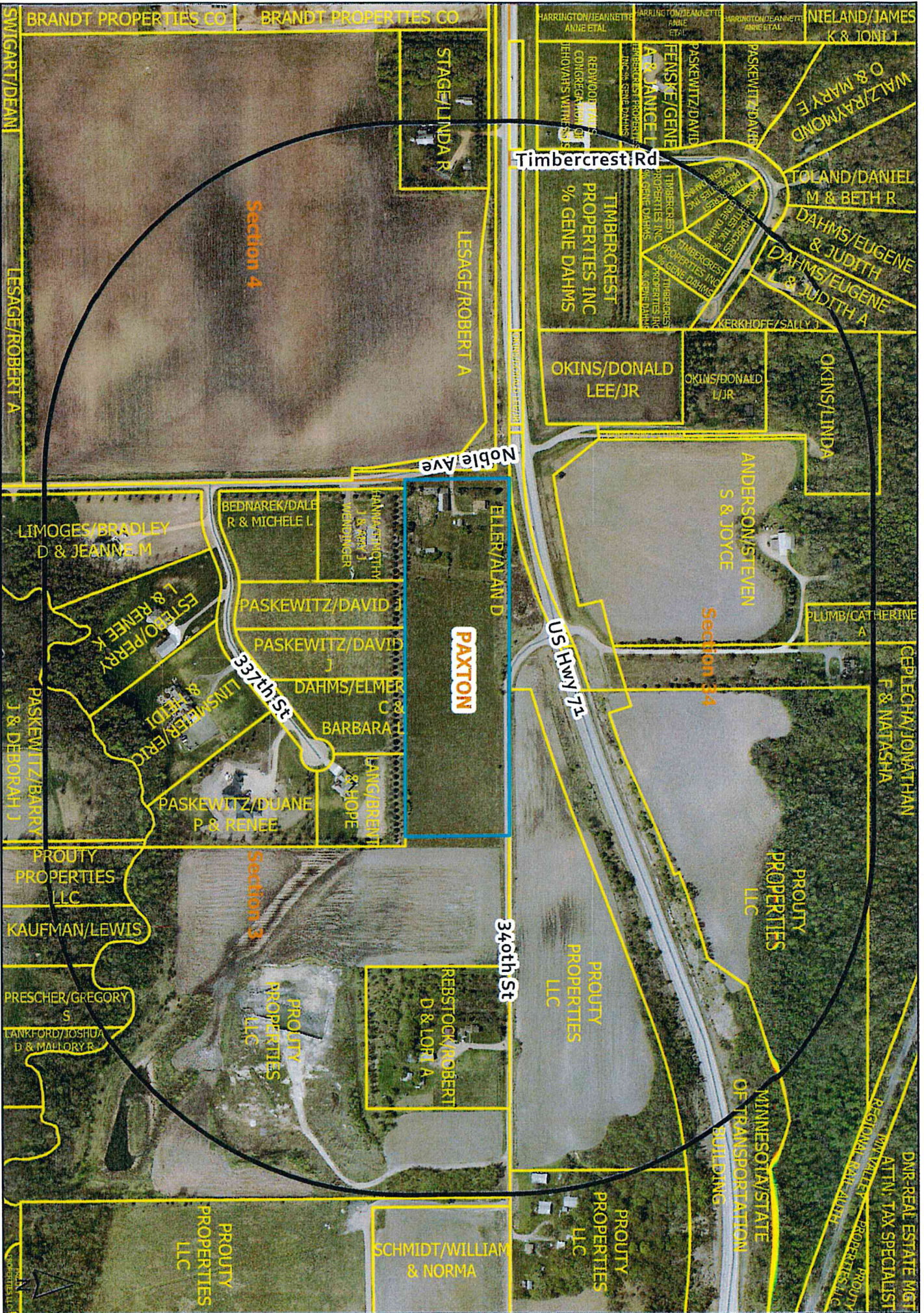
Alan already owns the property at 33991 Noble Avenue valued at \$150,000. It is a prime location on highways 19 and 71 seeing thousands of cars pass daily. A double lane and exit lane make easy access. Next summer Noble avenue will be paved because of new developments in the area increasing traffic past the property.

Alan already purchased the concession trailer and all the equipment for the concession trailer including one SmokinTex Restaurant smoker which can produce 24 racks of ribs per day in addition to pulled pork for sandwiches. In a short period of time we should be able to sell 24 racks of ribs per day in addition to as many pulled pork sandwich dinners and sundaes to go or delivered. Alan has invested \$170,000 himself to date.

We project to gross in excess of \$1000/day. \$6000/week. \$312,000 gross revenue per year within two years. Long term plans are to finish the barn, which is already partially remodeled, into the Birch Coulee BBQ.







- Selected Parcel
- Municipal Boundaries
- Notification Area
- Sections
- Parcels
- Roads

CUP Notification Area:
1 / 4 miles from Selected Parcel

Parcel ID: 62-003-2040



TO: Whom It May Concern

FROM: Nick Brozek *AB*
Land Use and Zoning Supervisor
Redwood County Environmental Office

DATE: November 9th, 2018

RE: *Written Notice of Public Hearing on Application for Conditional Use Permit*



Please find enclosed a *Notice of Public Hearing* regarding an *Application for Conditional Use Permit* filed by Alan Eller o/b/o Birch Coulee BBQ/BC BBQ LLC, pursuant to Section 7, Subd. 3, and Section 25 of Redwood County Zoning Ordinance for the operation of a "food truck" restaurant on the following described property, situated in the County of Redwood, State of Minnesota, to wit:

Northerly 378.3 feet of the West Half of the Northwest Fractional Quarter (W1/2 NWFR1/4) of Section 3, Township 112 North, Range 35 West, Paxton Township.

Pursuant to Section 25, Subdivision 3, Subpart 3 of Redwood County Zoning Ordinance, all property owners of record within five hundred (500) feet of the incorporated areas and/or one-quarter (1/4) mile of the affected property or to the ten (10) properties nearest to the affected property, whichever would provide notice to the greatest number of owners of unincorporated areas where the conditional use is proposed shall be notified by depositing a written notice in the U.S. mails, postage prepaid, as to the time and place of the public hearing. The township in which the affected property is located as well as all municipalities within two (2) miles of the proposed conditional use shall be given proper notice.

If you have any comments or questions regarding this matter, please contact the Redwood County Environmental Office by telephone at (507) 637-4023 or in writing at *Redwood County Environmental Office, P.O. Box 130, Redwood Falls, MN 56283* and/or attend the Public Hearing at the time and date set forth in the *Notice of Public Hearing* enclosed herein.

Enclosure

Cc: Alan Eller (w/encl)

Redwood County Government Center - Environmental Department
P.O. Box 130 Redwood Falls, MN 56283
(507) 637-4023 redwoodcounty-mn.us Environmental@co.redwood.mn.us



NOTICE OF PUBLIC HEARING

An *Application for Conditional Use Permit* has been filed by Alan Eller o/b/o Birch Coulee BBQ/BC BBQ LLC, pursuant to Section 7, Subd. 3, and Section 25 of Redwood County Zoning Ordinance for the operation of a “food truck” restaurant on the following described property, situated in the County of Redwood, State of Minnesota, to wit:

Northerly 378.3 feet of the West Half of the Northwest Fractional Quarter (W1/2 NWFR1/4) of Section 3, Township 112 North, Range 35 West, Paxton Township.

A public hearing thereon will be held before the Redwood County Planning Commission at the Redwood County Planning Commission meeting scheduled at 1:00 o'clock p.m. on Monday, the 26th day of November, 2018, at the Board Room of the Redwood County Government Center located at 403 South Mill Street, Redwood Falls, MN 56283.

If you have any comments or questions regarding this matter, please contact the Redwood County Environmental Office by telephone at (507) 637-4023 or in writing at *Redwood County Environmental Office, P.O. Box 130, Redwood Falls, MN 56283.*

DATED: November 8th, 2018

Nicholas W. Brozek
Land Use and Zoning Supervisor
County of Redwood Environmental Office



REDWOOD COUNTY ENVIRONMENTAL OFFICE

PO BOX 130
REDWOOD FALLS
MINNESOTA 56283
PH: 507-637-4023

*Planning & Zoning ● Parks & Trails ● GIS
Aquatic Invasive Species ● Septic Inspector
Drainage Inspector ● Agricultural Inspector*

REDWOOD COUNTY PLANNING COMMISSION

Alan Eller

Conditional Use Permit Application #14-18

November 26, 2018

FINDINGS OF FACT

ORDINANCE CRITERIA – The Planning Commission may recommend the granting of a Conditional Use Permit in any district provided the proposed use is listed as a conditional use for the district and upon a showing that the standards and criteria stated in this Ordinance will be satisfied and that the use is in harmony with the general purposes and intent of this Ordinance and the Comprehensive Plan.

In determining whether the proposed use is in harmony with the general purposes and intent of the Ordinance and the Comprehensive Plan, the Planning Commission shall consider and make findings on the following questions:

1) Will the proposed use have an adverse impact on the health, safety, and general welfare of the residents in the surrounding neighborhood?

Yes _____ No _____

Why?: _____

2) Has evidence been presented that shows the proposed use will cause material injury to the use and enjoyment of other property in the surrounding neighborhood for land uses that are already permitted?

Yes _____ No _____

Why?: _____

3) Will the proposed use have a substantial adverse effect on property values or future development of land in the surrounding neighborhood for uses common to the area?

Yes _____ No _____

Why?: _____

4) Are there, or will there be provided, adequate utilities, access roads, drainage, off-street parking and loading areas, and other necessary facilities to support the proposed use of the property?

Yes _____ No _____

Why?: _____

5) Have adequate measures been taken, or will adequate measures be taken, to prevent or control offensive odor, fumes, dust, noise, lights, and vibration, so that no disturbance to neighboring properties will result?

Yes _____ No _____

Why?: _____

6) Is the proposed use of the property consistent with the general purpose and intent of the Zoning Ordinance and the goals and policies adopted in the Comprehensive Plan?

Yes _____ No _____

Why?: _____

NAME: _____

DATE: _____

Conditions for Conditional Use Permit No. 14-18 (Alan Eller)

1. The permit holder shall comply with all applicable laws, rules, and regulations, including but not limited to Redwood County Zoning Ordinance, as hereafter amended from time to time.
2. The permit holder shall allow the Redwood County Environmental Office to inspect the site for all purposes permitted by law whenever deemed necessary by the Redwood County Environmental Office.
3. All waste, refuse, and the like generated by or from the conditional use shall be disposed of in the manner provided by the applicable local, state, and federal statutes, rules, and regulations. A copy of all disposal records and receipts must be kept on file for no less than five (5) years and shall be provided to the Redwood County Environmental Office upon request.
4. The permit holder shall maintain a garbage dumpster and other appropriate waste storage receptacles from an approved waste hauler for the temporary storage of general waste and refuse. The dumpster and other appropriate waste storage receptacles must be located on site and no burning of any material shall be allowed in the dumpster or other waste storage receptacles. The approved waste hauler shall remove the waste and refuse from the garbage dumpster and other appropriate waste storage receptacles, and thereafter, dispose of the waste and refuse in a proper manner and in accord with all applicable laws, rules, and regulations. A copy of all disposal records and receipts must be kept on file for no less than five (5) years and shall be provided to the Redwood County Environmental Office upon request.
5. The permit holder shall contact all relevant local, state, and federal authorities/entities and inquire as to whether a permit and/or license is required. If a permit and/or license is required, the permit holder shall apply for and obtain any and all required permits and/or licenses. A copy of all such permits and/or licenses shall be provided to the Redwood County Environmental Office upon request.
6. The conditional use (food truck restaurant) shall be limited to carry-out and delivery only. If in the future the permit holder plans to add a dine-in option, a new conditional use permit must first be applied for and obtained.
7. In the event that the conditional use is expanded into a separate building on the property, the permit holder shall abide by the following requirements:
 - a. The permit holder shall ensure compliance with all local, state, and federal Handicapped Accessibility Code requirements, as determined by a licensed building inspector, paid for by the permit holder according to the Redwood County fee schedule approved by the Board of Commissioners.
 - b. The permit holder shall install a new septic system to serve the expanded conditional use.

8. The conditional use shall maintain residential levels of wastewater per the state septic code. The permit holder shall test the wastewater in the septic tank six months after beginning the conditional use, and every 12 months thereafter. Testing shall analyze the wastewater for such elements as shall be determined by the Zoning Administrator. The tests shall be delivered to the Zoning Administrator for review and approval. In the event that testing shows that the wastewater exceeds residential levels, the Zoning Administrator may require the permit holder to take corrective measures, including installation of a new septic system to serve the conditional use.
9. The permit holder shall not allow the conditional use to be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
10. The permit holder shall not allow the conditional use to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area.
11. The permit holder shall acquire approval from the appropriate road authority when designing and implementing measures to accommodate the traffic needs of the conditional use now and in the future.
12. Adequate utilities, access roads, drainage, and other necessary facilities will be provided and continue to be provided by the permit holder now and in the future.
13. Adequate measures shall be taken to provide sufficient off-street parking and loading space to serve the proposed conditional use. Parking shall comply with and is subject to all relevant local, state, and federal laws, rules, and regulations. All outdoor storage of business materials and vehicles shall be screened from surrounding properties.
14. Adequate measures shall be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of the foregoing will constitute a nuisance now or in the future and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result now or in the future.
15. The Redwood County Planning Commission shall review the conditional use permit and shall be authorized to take any and all necessary action(s), including but not limited to revoking the conditional use permit and/or requiring the permit holder to reapply for a conditional use permit, if: 1) The Redwood County Environmental Office acquires information previously unavailable that indicates the terms and conditions of the permit do not accurately represent the actual circumstances of the permitted facility or the conditional use; 2) It is discovered subsequent to the issuance of the permit the permit holder failed to disclose all facts relevant to the issuance of the permit or submitted false or misleading information to the Redwood County Environmental Office, the Redwood County Planning Commission, or the Redwood County Board of Commissioners; 3) The Redwood County Environmental Office determines the permitted facility or conditional use endangers human health or the environment; and/or (4) The permit holder violates any of the herein described conditions.