

TO: Redwood County Planning Commission

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



DATE: December 5, 2018

RE: Planning Commission Hearing on December 17th, 2018

A meeting of the Redwood County Planning Commission has been scheduled for Monday, the 17th day of December, 2018, beginning at 1:00 o'clock p.m. at the Board Room of the Redwood County Government Center located at 403 South Mill Street, Redwood Falls, MN 56283.

The meeting will involve two (2) public hearings. A brief summary of the subject matter of the hearings is set forth below.

1. Public hearing on Application for Extraction Conditional Use Permit submitted by Stan Brey.

Stan Brey is requesting an extension of the term of his gravel pit permit. The site will not be expanded. Brey is in the process of cleaning up and closing down the site, but needs additional time. He may do some additional excavation of material, but only within the existing boundaries of the pit.

Brey's pit is located in the Southeast Quarter (SE1/4) of Section 21, Township 113 North, Range 36 West, Delhi Township. The site remaining to be excavated and reclaimed is three acres in size. The site is on agricultural property owned by Brey, on the north side of CSAH 25/360th Street, about 1 and ½ miles southeast of the City of Delhi. The pit is situated behind (north of) an unoccupied building site owned by Norma Schmidt.

The site was originally permitted by Richard Eis, Paulanette Rohlik, and Ila Rohlik, in 1998 (CUP #6-98). Brey purchased the property from the permit holders in 1999. In 2002, Brey was found to have excavated outside of the boundaries described in CUP #6-98, and he was required to apply for and obtain an after-the-fact permit for the additional area (CUP #15-02). Both permits have reached the end of their term.

Environmental Office staff became aware of new-looking stockpiles on the Brey site in 2017. A letter was sent to Brey in August of 2017 informing him that he needed to close and reclaim the pit, or apply for and obtain a new permit to keep it open. At first, Brey stated that he would close it up. However, over the course of the year since then, Brey decided to keep the pit open. His plan is to remove the remaining stockpiled material, including the gravel equipment parking area, and possibly the gravel access road. He may also excavate some more material to create a deeper pond area for the reclamation.

After the gravel material is removed, Brey plans to reclaim the pit as a wildlife area, including a pond and waterway. The excavation area will be smoothed and graded to no steeper than a 3:1 slope. Stockpiled topsoil will be spread and applied to the pit surface. Some of the older mounds and stockpiles are covered with trees and may be kept in place to serve as wildlife habitat.



Brey previously installed a drainage/dewatering structure, including a pump, which may also be left in place.

The three nearest dwellings to the proposed restaurant are as follows: (1) a dwelling owned by David & Jodi Bunting, located about 1000 feet northeast of the site; (2) a dwelling owned by Kerry Kramer, located about 3500 feet east of the site; and (3) Betty Galstad, located about 3400 feet northwest of the site.

A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.

2. Public hearing on Application for Conditional Use Permit submitted by Alan Eller.

Alan Eller is requesting to develop and operate a BBQ restaurant on his property located on the southeast corner of the intersection of US Hwy 19/71 and Noble Avenue, about 1 mile east of the city of Redwood Falls. The property is located in the northwest corner of Section 3, Paxton Township, in the agricultural district. Mr. Eller's dwelling and various outbuildings are located on the property. The property address is 33991 Noble Avenue, Redwood Falls.

The restaurant will consist of a 26 foot long by 8 foot wide concession trailer, or "food truck." It will be mobile, but Mr. Eller plans to leave it in place. The site will be accessed via the existing driveway serving Mr. Eller's home. Customer parking (gravel) will be available on the east side of the driveway. Eller hopes to connect the restaurant to the existing electrical service serving the house, as well as the hot and cold water, LP gas, and the existing septic system. The water comes from Mr. Eller's private well located on the site.

All food served will be prepared on site in the trailer, which will have a service window for customer orders. All orders will be for take-out or delivery. There will be no dining room or customer seating. Hours of operation will be 11 am through 8 pm, Tuesday through Sunday (see attached business plan for details). Mr. Eller projects that the restaurant will produce gross income of \$1,000 per day.

Mr. Eller has years of experience operating a food concession trailer at outdoor events. He also has restaurant management experience, and is ServSafe certified. "ServSafe" is a food and beverage safety training and certificate program administered by the National Restaurant Association and accredited by the American National Standards Institute (ANSI) and the Conference for Food Protection.

Redwood County Government Center - Environmental Department

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Advertising for the restaurant will include enlarging and re-facing an existing sign on the property to create an 8' x 8' double-faced advertising sign. This is the largest sign area that is permitted in the agricultural district.



The restaurant will be managed and operated by Mr. Eller with one employee.

Long term plans for the restaurant are to remodel the existing barn on the property for use as a permanent "brick and mortar" restaurant. Among various state regulations, remodeling that barn as a restaurant would require that Mr. Eller apply for and obtain an additional conditional use permit.

The three nearest dwellings to the proposed restaurant are as follows: (1) Tim Hanna, located 300 feet south of the site; (2) Brent & Hope Lang, located 1040 feet east of the site; and (3) Donald Okins, located 1040 feet north of the site. The proposed restaurant site is located adjacent to (just north of) the Oakleigh Farms North Subdivision, which includes 6 single family homes (including the Hanna and Lang residences) and 4 undeveloped residential lots.

The site is across Noble Avenue from the proposed location of the new Veterans Cemetery.

A copy of the Conditional Use Permit application, maps, plans, and proposed permit conditions are enclosed.