

BECKER TOWN PLANNING COMMISSION

7:00 P.M.

JANUARY 13, 2020

PLANNING COMMISSION

MEETING MINUTES

Board Members Present: Brad Wilkening, Brian Kolbinger, Ryan Peckskamp, Cole Petroske, Frank Kasowski

Absent: none

Staff Present: Damien Toven – Township Attorney, Ben Wikstrom – Township Planner, Lucinda Messman - Clerk, Fran Seeley – Deputy Clerk, , Mary Roe – City of Becker Planner

Others present: Shawn Paul, Phil Paul, Chris Ruehl, Val & Tony Wruck

Chair Wilkening called meeting to order at 7:00 p.m. Quorum verified present.

Motion to approve November 2019 minutes as distributed by Peckskamp, second by Petroske. Motion carried, all voting in favor.

Motion to approve Agenda as distributed by Kolbinger, second by Kasowski. Motion carried, all voting in favor.

Public Hearing Shawn Paul – Sunflower Ranch – Conditional Use Permit Application

Wikstrom reviewed Staff Report with Planning Commissioners. Full text on file.

- Long narrow lot. Parcel 05-022-3106
 - 1 neighbor “close” – across the county road in front of the property. Campground behind.
 - Ag District
 - Conditional Use Permit application is for Occasional Special Events.
 - Code allows 16 events per year
 - They have had sunflower viewing/photos in past years. Sunflowers are in bloom for approximately 2 weeks. They now wish to expand and host some festivals/events.
 - Definition of Occasional Special Events (Section 5: Definitions) reviewed with board.
 - Occasional Special Events (Section 16: General Performance Standards) reviewed with board.
 - Proposed signage reviewed.
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- CUP proposed conditions reviewed
 1. Events are limited to sixteen (16) occurrences per year in the Agricultural district; the two-week long sunflower event each year on the property shall be counted as one (1) event. *The sunflower blooming/photo taking would count as one event over 2 weeks discussion: Board said intent is not each week as invents but as ordinance says 3 days are a single event = revise to read each weekend of blooming = 1 event.*
 2. Event parking or proof-of-parking shall be shown on a site plan or depicted on an aerial photograph and submitted with the application for the CUP and must be approved by the Township. *Their narrative states 200 guest per event is their planned maximum. They have plenty of space for parking.*
 3. Location of the event shall have a minimum 100-foot setback from any side or rear property line and be separated by 500 feet or by a platted right-of-way from any existing

BECKER TOWN PLANNING COMMISSION

7:00 P.M.

JANUARY 13, 2020

PLANNING COMMISSION

MEETING MINUTES

residential dwelling other than the applicants'. *Nearest neighbor is across the platted right of way.*

4. Town staff, the Planning Commission, or the Joint Planning Board may request a noise study, sight-line study, traffic study, or other information germane to the CUP application and the proposed use's impact on the neighboring area be conducted at the owner's expense. If any of the requested studies identify or confirm a negative impact on the roadways or neighboring properties, the CUP would be revoked until additional conditions could be implemented to mitigate the negative impacts. *First half of this one is in ordinance. Second half of this condition is if needed in the future.*
5. One sign to alert event-goers to the location and temporary, portable signage on site are allowed from one day before to one day after the event, and shall be removed between events. On-site signage for the purposes of advertising the site is prohibited; permanent signage is allowed as permitted in the zoning district. Signage directing event traffic, as mandated by the Sherburne County Sheriff's Office or recommended by the Township Engineer, does not count as advertising signage and may be permitted within the right-of-way if approved by the Sheriff's Office.
Numbers 4 and 5 we want county input. Before responding.
6. Portable toilets for events shall be used to accommodate the expected guest counts; if the toilets are to remain on site throughout the event season, they shall be screened from view from the County Road 11 right-of-way and from neighboring properties by fencing, landscaping, placement, or other means.
7. Plans for trash removal after events shall be in place prior to the event season.
8. Outdoor music shall be limited to the hours of the events and must conclude by midnight of the night of the event.
9. Food and alcohol service must be properly permitted by the State of Minnesota and by any other permitting jurisdictions. *This language is in here if this would ever change to an event supplying food rather than using food trucks*
10. Restaurants are not allowed in the Agricultural zoning district.
11. Food trucks require approval and seasonal permitting from the Township office.
Items 6-11 seem fairly straightforward as written.

Chair asked applicant for comments:

- Shawn Paul:
 - Sunflower Fest has gone on for 2 years so far. When we started, we had no idea what would happen.
 - Sunflowers bloom between end of August and mid-September. We have always allowed people to come and take photos – free of charge.
 - We did this year and use the #3 drive as entrance and #2 as exist. Only allow right turns from there. Image on file
 - Cake on image represents where the events would be located.
 - Signage – parking is biggest issue – need to clear it up and make safer. Google maps gives wrong spot so that increased traffic issues as well.
 - Neighbors have been supportive of our sunflowers.

BECKER TOWN PLANNING COMMISSION

7:00 P.M.
PLANNING COMMISSION

JANUARY 13, 2020
MEETING MINUTES

Board discussion

- Request County Highway Department comment
- Verified 2007 County Road Classification of >10,000 ADT per day
- Need information as this is in the CRMP Corridor
- Other concerns regarding signage – this is a county road and Sherburne County has signage jurisdiction.
- Further discussion of traffic impacts/experiences with this event
- Question: There have been some close calls (related to traffic), if approvals occur and the County Highway department has no comments, and an accident occurs, what is the liability on the township?

Attorney Toven:

- Liability question: yes, you have protected the township to the best extent possible
- Draft resolution is prepared correctly to allow signage as approved by Sherburne County.
- Based on what board is requesting, recommendation is to recess this public hearing until next month.

Motion to recess public hearing until February by Kolbinger. Second by Kasowski. Motion carried, all voting in favor.

Board consensus - clerk to contact Sherburne County to determine correct individual/department to provide comment on this application.

PUBLIC HEARING – Wruck Excavating – Preliminary & Final Plat

Wikstrom reviewed application and documents with Planning Commissioners.

- Tony and Valery Wruck received site and building plan and rezoning approval at recent meetings. Because the site is to be commercially developed, the ordinance requires platting. The Wrucks are now the fee owners of the site.
- The preliminary and final plats – to be known as Paradise Cove - for the site are attached, and resolutions recommending approval of each have been prepared as Resolutions 2020-01 and 2020-02.
- Parcel has been rezoned.
- Site review is going on now.

Motion to close public hearing by Petroske. Second by Peckskamp. Motion carried, all voting in favor.

Motion to approve Resolution 2020-01: A Resolution Recommending Approval of a Preliminary Plat of the Property Identified as Parcel 05-009-3105 by Peckskamp. Second by Petroske. Motion carried, all voting in favor.

BECKER TOWN PLANNING COMMISSION

7:00 P.M.

JANUARY 13, 2020

PLANNING COMMISSION

MEETING MINUTES

Motion to approve Resolution 2020-02: A Resolution Recommending Approval of a Preliminary Plat of the Property Identified as Parcel 05-009-3105 by Kolbinger. Second by Kasowski. Motion carried, all voting in favor.

Other Business:

Accessory Structure – discussion regarding possible ordinance amendment.

- County recently revised their ordinance and it now allows more accessory structures than previously.
- In General, our ordinance is similar to the County, difference right now, we allow lean too's to be exempt from the square footage of accessory structure.
- Pro's/Con's of increasing square footage allowed were discussed.
 - Businesses popping up on sites without permits in platted locations
 - If less than 2.5 acres, requirements would decrease what we currently allow
- Would this impact Personal Storage Structures? No – those require conditional use permits as no house is on the parcel.
- Directive to staff to modify with language similar to county, but
 - Now lean-to's will count towards total accessory structure square footage
 - Do not decrease total accessory square footage for the small township lots that may already have 1,200 square foot buildings.
 - Ordinance part with the word line highlighted in yellow [see staff memo full text on file] will no longer be needed.
 - Try for public hearing next month.

Shipping Containers

- Leave open?
- Discussion regarding sides/no flat roof, prohibiting, not prohibiting, architectural standards, selective design standards, etc? Board will take time and do some looking around and research. Chair will also make some calls to see what he can find out about these in other jurisdictions.

Width/Depth ratio

- 200' width is enough frontage
- 40 acres would allow 6 lots – ¼ mile deep. Is this ok?
- Board directive to staff to prepare ordinance

Adjourn 8:07 p.m.



Brad Wilkening, Chair



Lucinda Messman, Clerk