

**City of East Bethel
Planning Commission Agenda
7:00 PM
Tuesday, May 26, 2015**



Agenda

	<u>Item</u>	
7:00 PM	1.0 Call to Order	
7:02 PM	pg. 1	2.0 Adopt Agenda
7:03 PM	pg. 2-5	3.0 Jeffrey Medelberg Estate - Administrative Subdivision A request by applicant Karl Komec (Estate Executor) on behalf of the Jeffrey Medelberg Estate for a two lot subdivision at 20381 East Bethel Blvd, Cedar, MN 55011; PIN 22-33-23-11-0006
7:10 PM	pg. 6-9	4.0 Lonesome Dove Angus, Inc. - Administrative Subdivision A request by applicant Tom Carlisle/ Lonesome Dove Angus, Inc. for a two lot subdivision of 650 217 th Ave NE, East Bethel MN 55011; PIN 07-33-23-42-0001
7:20 PM	pg. 10-12	5.0 Public Hearing – Consider changes to the City of East Bethel Code of Ordinances, Appendix A, Zoning Code Add language to allow Taprooms, Breweries, Micro distilleries, and Food Trucks to be located in Commercial areas in the City
7:45 PM	pg. 13-26	6.0 Public Hearing – Brown and Wilbert, Conditional Use Permit The hearing will be to consider a request by applicant, Brown and Wilbert, Inc. and owner, Genevieve Sylvester Family L P for a Conditional Use Permit to consider locating the corporate headquarters, storage and manufacturing facility for Brown-Wilbert, Inc. The location being the intersection of MN State Highway 65 and Anoka County Road 74 (221 st Ave NE), PIN 083323120006. The Zoning Classification is Central Business District (B-2).
8:15 PM	pg. 27-34	7.0 Approval of Meeting Minutes - April 28 th , 2015 – Regular Meeting
8:17 PM		8.0 City Council Report
8:30 PM		9.0 Other Business
8:45 PM		10.0 Adjournment



City of East Bethel Planning Commission Agenda Information

Date:

May 26, 2015

Agenda Item Number:

Item 3.0

Agenda Item:

Public Hearing – Applicant: Karl Komec, Estate Executor

Owner: Jeffrey Medelberg Estate
20381 East Bethel Blvd.

Administrative Subdivision Request – to subdivide a metes and bounds parcel into two lots.

PID # - 223323110006
Zoning – Rural Residential (RR)

Mr. Komec on behalf of the Medelberg Estate is interested in subdividing property into two separate parcels for the purpose of selling off 5.0 acres for a residential parcel where the existing home is located. The remaining acreage would remain as is and is 24.53 acres. The existing property is defined as Metes and Bounds and he is allowed to divide off one parcel from the original through the Administrative Subdivision process.

Requested Action:

Recommend Approval of the Administrative Subdivision request by Karl Komec on behalf of the Medelberg estate as described on Attachment 2.

Attachments:

1. Administrative Application
2. Subdivision Plat
3. Location map

Planning Commission Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____



Materials due
April 20, 2015

2241 221st Ave. NE • East Bethel, MN 55011
Phone: (763) 367-7844 • Fax: (763) 434-9578

OFFICE USE ONLY
Date Rec'd: 4/16/15
By: AN
Fee \$: 1,300.00

ADMINISTRATIVE SUBDIVISION PERMIT PROCESS & CHECKLIST

Application Fee: \$300* Escrow: \$1,000* Filing Fee: ~~\$55*~~
Applicant is responsible for accrued consulting fees from the City Engineer, City Attorney, etc.
*Fee is subject to change per Resolution.

The application for an **Administrative Subdivision** is processed in three separate review steps:

- 1) CITY STAFF
(Applicant is required to meet with City Staff prior to submittal of the application.)
- 2) PLANNING COMMISSION
(Public hearing and recommendation to the City Council)
- 3) CITY COUNCIL
(No public hearing required)

METES & Bounds

LOCATION: PID 223323110006 LEGAL: LOT: _____ BLOCK: _____ SUBDIVISION: _____

PROPERTY ADDRESS: 20381 East Bethel Blvd PRESENT ZONING: _____

PROPERTY OWNER: Jeffrey Medelberg PHONE: 763-434-4595
 CONTACT NAME: _____ PHONE: _____
 ADDRESS: 20381 E Bethel Blvd PHONE: _____
 CITY/STATE/ZIP: Cedar MN 55011 EMAIL: _____

APPLICANT: Estate Executor
 CONTACT NAME: Karl Komee PHONE: 763-434-3467
 ADDRESS: 352 Swan Lake Ln PHONE: 763-221-4143
 CITY/STATE/ZIP: Cedar MN 55011 EMAIL: _____

I fully understand that I must meet with City Staff to review all submission requirements and conditions prior to official submission, and that all of the required information must be submitted at least thirty (30) days prior to the Planning/Zoning Commission and City Council scheduled meeting dates to ensure review by City Staff.

Karl Komee
Property Owner Signature
Estate Executor

Karl Komee
Printed Name

4-15-2015
Date

MINOR SUBDIVISION

~for~ THE ESTATE OF JEFFERY MEDELBERG
 ~of~ 20381 EAST BETHEL BLVD
 EAST BETHEL, MN 55011

PROPERTY DESCRIPTION:

That part of Government Lot 3, Section 22, Township 33, Range 23, Anoka County, Minnesota, lying south of the north 412.00 feet thereof, and lying north of the south 412.00 feet thereof, and lying east of the centerline of County State Aid Highway No. 15, said centerline being described as follows:

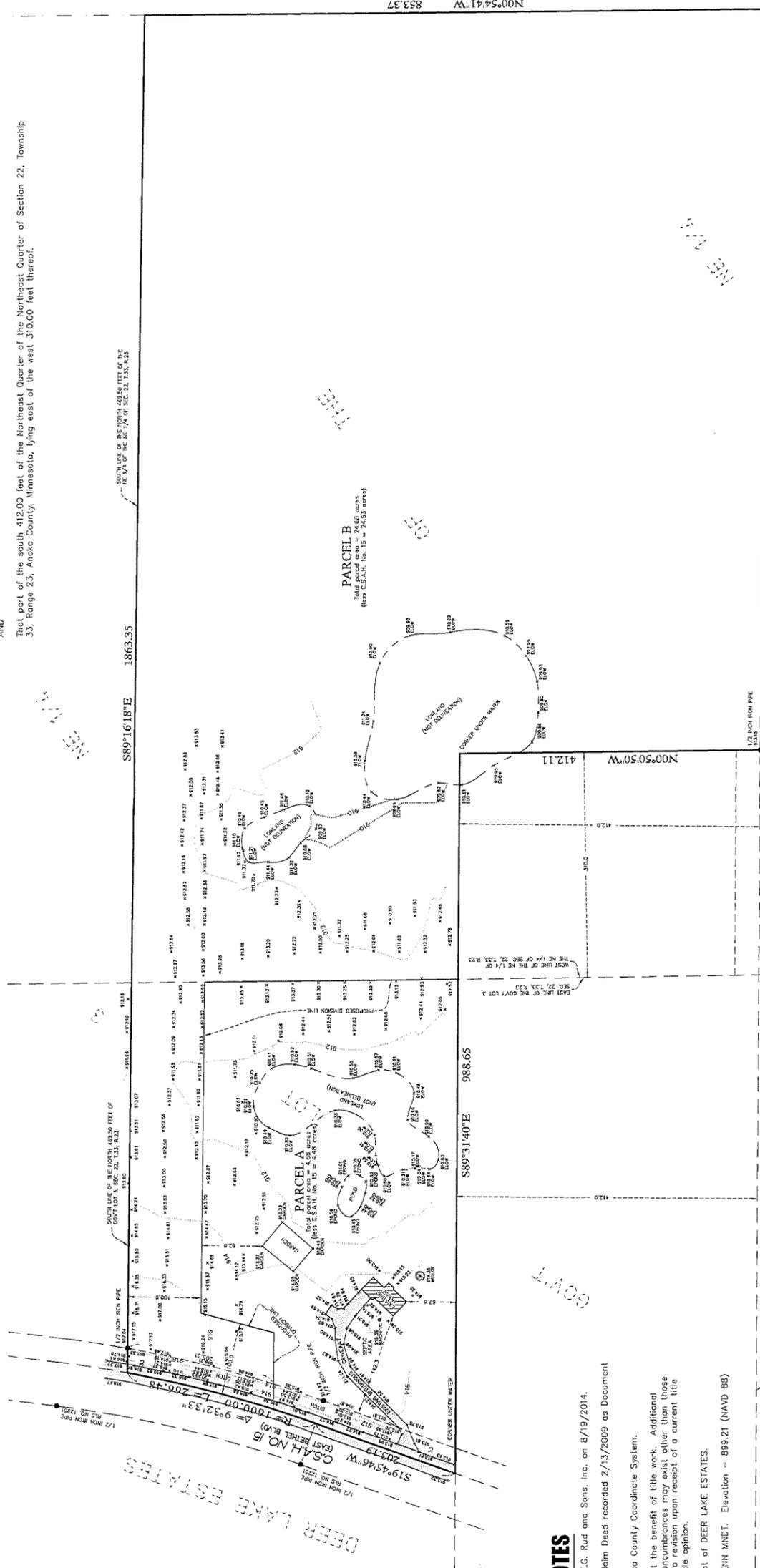
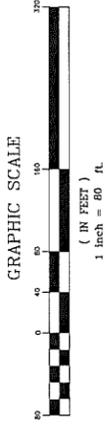
Commencing at the intersection of the north line of said Government Lot 3 and the centerline of County State Aid Highway No. 15 (not shown); thence South 18 degrees 59 minutes 35 seconds West a distance of 567.38 feet; thence South 18 degrees 59 minutes 35 seconds West along said centerline to the south line of said Government Lot 3.

AND

That part of the Northeast Quarter of the Northeast Quarter of Section 22, Township 33, Range 23, Anoka County, Minnesota, lying south of the north 469.50 feet thereof and lying north of the south 412.00 feet thereof.

AND

That part of the south 412.00 feet of the Northeast Quarter of the Northeast Quarter of Section 22, Township 33, Range 23, Anoka County, Minnesota, lying east of the west 310.00 feet thereof.



NOTES

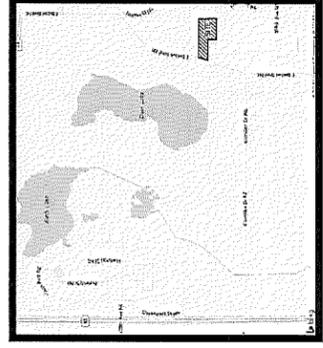
- Field survey was completed by E.G. Rud and Sons, Inc. on 8/19/2014.
- Property description per Quit Claim Deed recorded 2/13/2009 as Document No. 2005507.001
- Bearings shown are on the Anoka County Coordinate System.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown herein. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- C.S.A.H. No. 15 is shown per plat of DEER LAKE ESTATES.
- BENCHMARK: MNDOT Station: DENH MNDT. Elevation = 899.21 (NAVD 88)

LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- x 0.0234 DENOTES EXISTING SPOT ELEVATION
- ⊙ DENOTES WELL
- DENOTES EXISTING CONTOURS
- ▭ DENOTES BITUMINOUS SURFACE

VICINITY MAP

PART OF SEC. 22, TWP. 33, RNG. 23



ANOKA COUNTY, MINNESOTA
(NO SCALE)

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

PRELIMINARY

JASON E. RUD
 Date: 8/26/2014 License No. 41578

DRAIN BY:	EAB	JOB NO.:	14482PP	DATE:	8/20/14
CHECK BY:	ER	SCANNED	<input type="checkbox"/>	CLIENT COMMENTS	EAB
	1	8/22/14			3
	2				BT
	3				

E.G. RUD & SONS, INC.
 Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel. (651) 361-8200 Fax (651) 361-8701

20381 East Bethel Blvd



1 in = 752 ft

Address Labels





City of East Bethel Planning Commission Agenda Information

Date:

May 26, 2015

Agenda Item Number:

Item 4.0

Agenda Item:

Public Hearing – Applicant: Tom Carlisle

Owner: Lonesome Dove Angus Inc. 79 N Lake Street, Forest Lake MN 55025

Administrative Subdivision Request – to subdivide a metes and bounds parcel into two lots.

PID # - 073323420001

Zoning – Rural Residential (RR)

Mr. Carlisle is interested in subdividing property into two separate parcels for the purpose of selling off 13.63 acres for a residential parcel where an existing home is located. The remaining acreage would remain as is and is 20.54 acres. The existing property is defined as Metes and Bounds and he is allowed to divide off one parcel from the original through the Administrative Subdivision process.

Requested Action:

Recommend Approval of the Administrative Subdivision request by Tom Carlisle/Lonesome Dove Angus, Inc. as described on Attachment 2.

Attachments:

1. Administrative Application
2. Subdivision Plat
3. Location map

Planning Commission Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____



RECEIVED
MAY 01 2015

2241 221st Ave. NE • East Bethel, MN 55011
Phone: (763) 367-7844 • Fax: (763) 434-9578

OFFICE USE ONLY
Date Rec'd: 5-1-15
By: AN
Fee \$: 1300

ADMINISTRATIVE SUBDIVISION PERMIT PROCESS & CHECKLIST

Application Fee: \$300* Escrow: \$1,000* Filing Fee: ~~\$55*~~ AN
Applicant is responsible for accrued consulting fees from the City Engineer, City Attorney, etc.
*Fee is subject to change per Resolution.

The application for an **Administrative Subdivision** is processed in three separate review steps:

- 1) CITY STAFF
(Applicant is required to meet with City Staff **prior** to submittal of the application.)
- 2) PLANNING COMMISSION
(Public hearing and recommendation to the City Council)
- 3) CITY COUNCIL
(No public hearing required)

see survey attached

LOCATION: PID 0733 23420001 LEGAL: LOT attached BLOCK: _____ SUBDIVISION: N/A
PROPERTY ADDRESS: 650 217th PRESENT ZONING: Residential

PROPERTY OWNER:
CONTACT NAME: Lonesome Dove Angus Inc. PHONE: 612-366-3472
ADDRESS: 79 N. Lake Street, PHONE: 651-462-1817
CITY/STATE/ZIP: Forest Lake Mn. 55025 EMAIL: info@Sherohomebuilders.com

APPLICANT:
CONTACT NAME: Tom Carlisle PHONE: same as above
ADDRESS: 79 N. Lake Street PHONE: _____
CITY/STATE/ZIP: Forest Lake, Mn. 55025 EMAIL: _____
→ see Additional Sheet Attached

I fully understand that I must meet with City Staff to review all submission requirements and conditions prior to official submission, and that all of the required information must be submitted at least thirty (30) days prior to the Planning/Zoning Commission and City Council scheduled meeting dates to ensure review by City Staff.

Property Owner Signature

Lonesome Dove Angus,
Printed Name
Thomas A. Carlisle

4/30/15
Date

ADMINISTRATIVE SUBDIVISION

for SHERCO CONSTRUCTION

EXISTING PROPERTY DESCRIPTION:

The Northwest Quarter of the Southeast Quarter of Section 7, Township 33, Range 23, Anoka County, Minnesota EXCEPT the east 300 feet of the west 750 feet of the north 750 feet thereof as measured along the north and west lines thereof.

PROPOSED PROPERTY DESCRIPTIONS:

PARCEL A:
The west 450 feet of the Northwest Quarter of the Southeast Quarter of Section 7, Township 33, Range 23, Anoka County, Minnesota, as measured along the north line thereof.

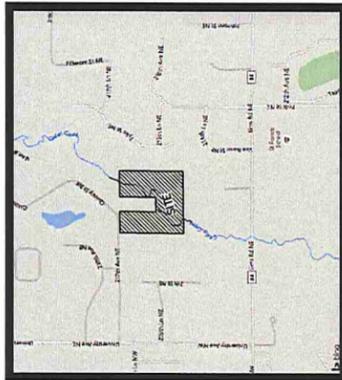
PARCEL B:
That part of the Northwest Quarter of the Southeast Quarter of Section 7, Township 33, Range 23, Anoka County, Minnesota which lies east of the west 450 feet thereof, as measured along the north line thereof, EXCEPT the east 300 feet of the west 750 feet of the north 750 feet of said Northwest Quarter of the Southeast Quarter as measured along the north and west lines thereof.

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 1/14/15.
- Bearings shown are on Anoka County datum.
- BENCHMARK: Anoka County Benchmark No. 3037. Elevation = 891.16 (NAVD 88 Datum)
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Due to field work being completed during the winter season there may be encumbrances in addition to those shown that were not visible due to snow and ice conditions characteristic of Minnesota winters.
- Parcel ID No: 07-33-23-42-0001. Total boundary area = 34.17 acres.

VICINITY MAP

PART OF SEC. 7, TWP. 33, RNG. 23

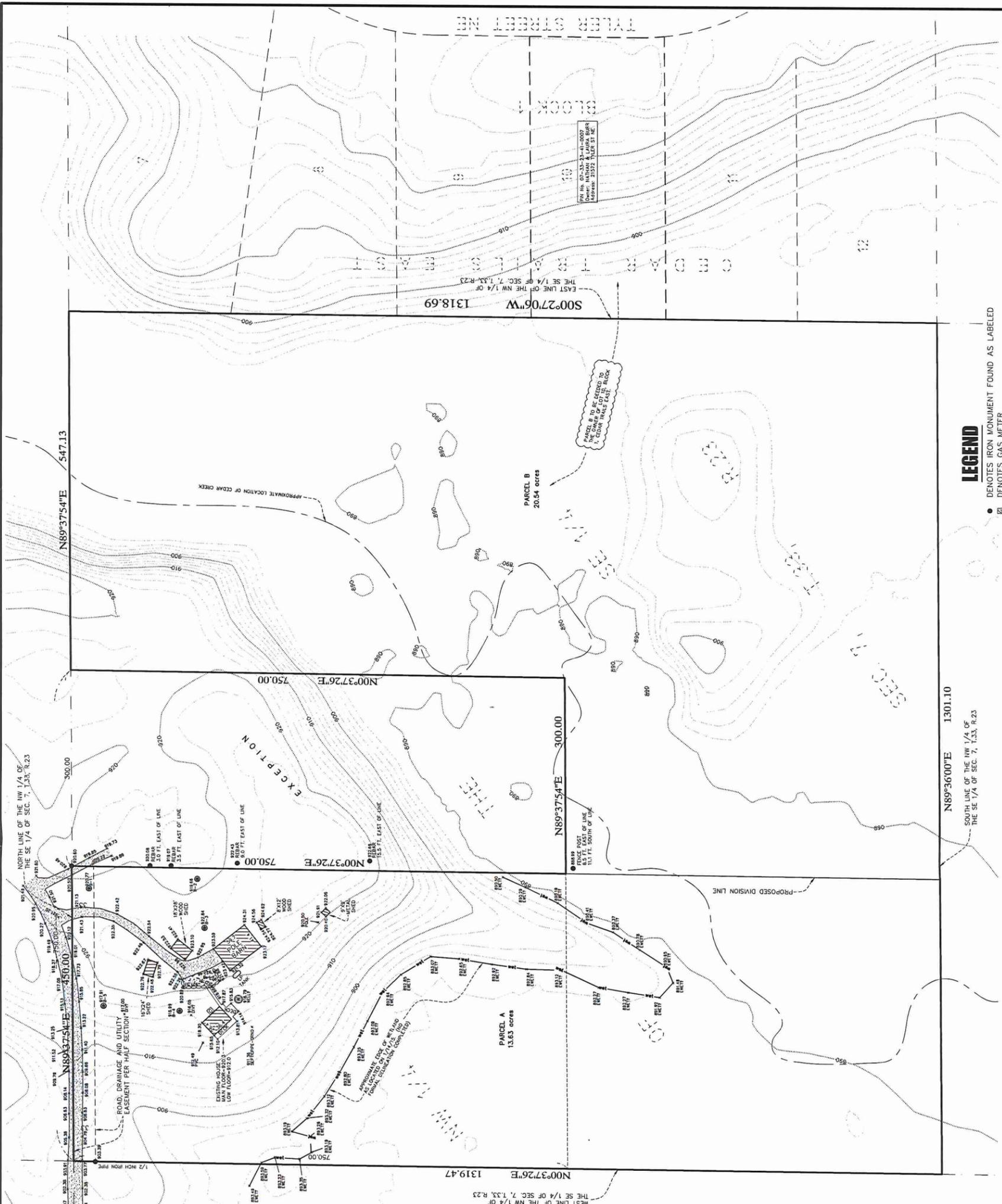


ANKA COUNTY, MINNESOTA
(NO SCALE)

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JASON E. RUD
Date: 4/24/2015 License No. 41578

E.G. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701
www.egrud.com



LEGEND

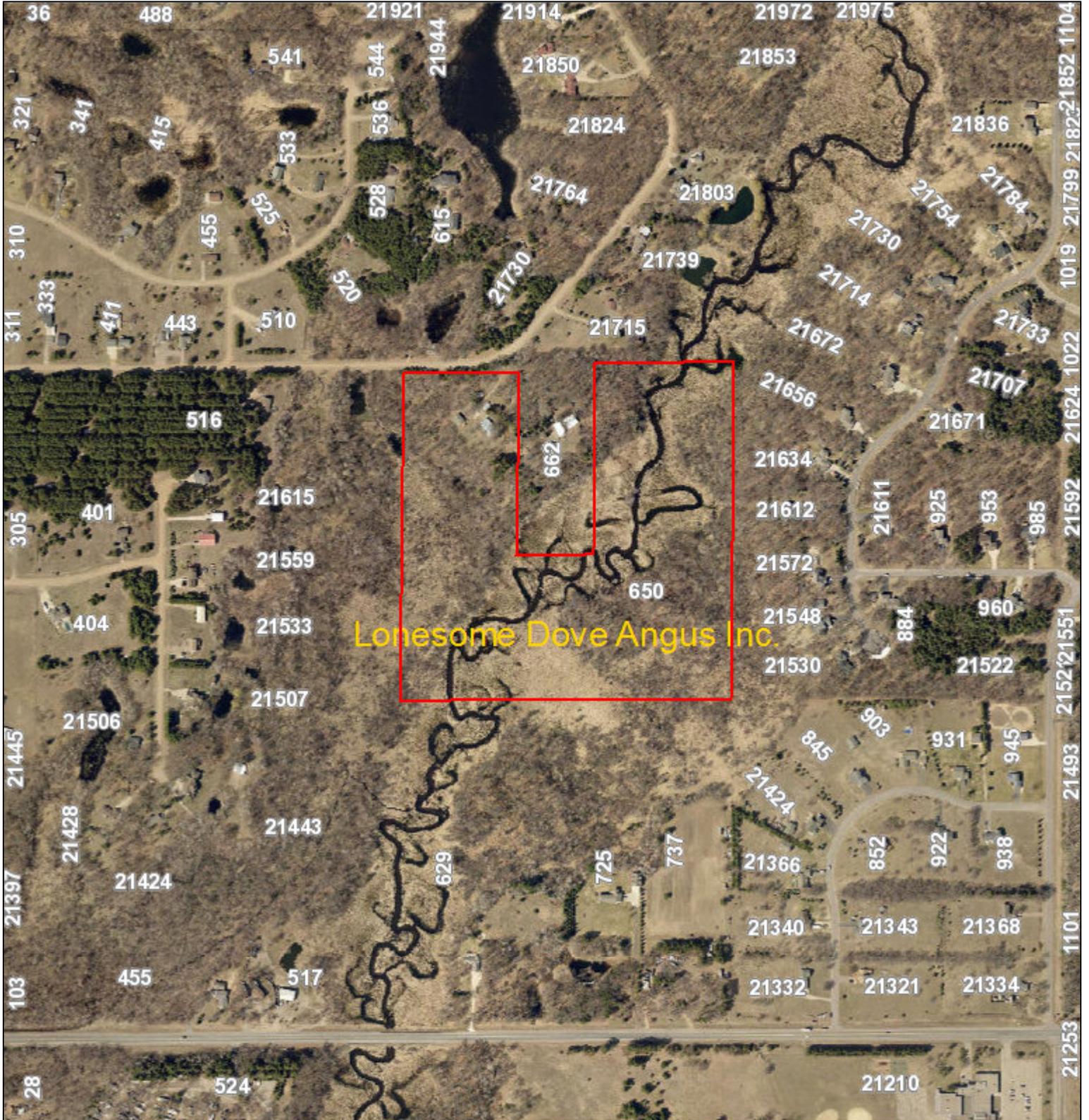
- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES GAS METER
- DENOTES EXISTING SPOT ELEVATION
- DENOTES EXISTING CONTOURS
- DENOTES EXISTING WALL
- DENOTES SOIL BORINGS BY MARK TRADEWELL
- DENOTES WELL
- DENOTES CONCRETE SURFACE
- DENOTES GRAVEL SURFACE

GRAPHIC SCALE



DRAWN BY: BAB	JOB NO: 15004HS	DATE: 07/15/15
CHECK BY: JER	SCANNED	
1		
2		
3		
NO.	DATE	DESCRIPTION
BY		

650 217th Ave NE



1 in = 752 ft

Address Labels





City of East Bethel Planning Commission Agenda Information

Date:

May 26, 2015

Agenda Item Number:

Item 5.0

Agenda Item:

Public Hearing - Microbreweries/distilleries/food trucks

Background Information:

The Craft Beer and distillery movement has become very popular and with the passage of the Surly Bill into law in 2011 many communities are putting in place ordinances that will allow them to work with craft brewers. The Surly Law allows local craft brewers to sell pints of their own beer where the beer or liquor is made. The City is currently working with a Small brewer who is looking at locations in the City. In order to accommodate this business and other similar businesses, the City of East Bethel needs to change our existing codes.

Specifically in the Zoning Code (Appendix A), General Provisions of Administration, #9, Definitions:

Add the following:

Brew Pub – "Brew pub" is a brewer who also holds one or more retail on-sale licenses and who manufactures fewer than 3,500 barrels of malt liquor in a year, at any one licensed premises, the entire production of which is solely for consumption on tap on any licensed premises owned by the brewer, or for off-sale from those licensed premises as permitted in Minnesota State Statute, section 340A.24, subdivision 2.

Craft Brewery – Is a brewer that holds a taproom license and is limited to brew no more than 250,000 barrels annually as permitted in Minnesota State Statute, section 340A

Small Brewery – Is a brewer that holds a taproom license and is limited to production of less than 20,000 barrels/year as permitted in Minnesota State Statute, section 340A

Micro Distillery - A micro distillery may provide on its premises samples of distilled spirits manufactured on its premises, in an amount not to exceed 15 milliliters per variety per person. No more than 45 milliliters may be sampled under this paragraph by any person on any day. May be issued a Cocktail room license as permitted in Minnesota State Statute, section 340A

Food Truck - A mobile food unit (MFU) is a food and beverage service establishment that is a vehicle mounted unit, either motorized or trailered, and readily movable, without disassembling, for transport to another location. The unit can operate no more than 21 days annually at any one place unless it is operated at the site of and in conjunction with a permanent business licensed

under Minnesota Statutes, chapter 157 or chapter 28A. All MFU must operate in compliance with the Minnesota food code.

Allow Brewers, Distilleries and Food Trucks to be located as permitted uses in the following districts:

CC – City Center District

B2 – Central Business District

B3 – Highway Commercial District

I1 – Light Industrial District

Attachments:

Attachment #1 – Location of Zoning districts where Brewers, Distilleries, and Food Trucks could be located.

Recommendation(s):

Recommend changes as noted above and further recommend that the City Council make changes in Chapter 6 – Alcoholic Beverages of City Code.

Planning Commission Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____



City of East Bethel Planning Commission Agenda Information

Date:

May 26, 2015

Agenda Item Number:

Item 6.0

Agenda Item:

Discussion regarding allowing an office/manufacturer/warehouse business to be located in the Central Business District/Overlay Business District zone

PID #083323120006

Background Information:

The City of East Bethel has been working with Brown-Wilbert, a company that has been in business for 92 years, has 19 locations in the Midwest, and is the largest septic tank manufacturer and supplier in the State of Minnesota. They are interested in relocating their headquarters from St Paul to a location in the northern metro area and have identified the corner of 221st Ave. NE and Hwy. 65 as one of the areas that they are very interested in locating their operations.

The area is zoned B-2, Central Business District and has a business overlay district on top of it. According to the City of East Bethel's Comprehensive Plan the purpose of this overlay district is to establish standards for exterior architecture, design, landscaping, and signage of buildings that contribute to a community image of quality, visual aesthetics, permanence, and stability which are in the best interest of the citizens of the city.

At the regular Planning Commission meeting that was held on April 28, 2015, a discussion took place regarding Brown-Wilbert locating at 221st and Hwy. 65. It was determined, based on the company's immediate needs that a Conditional Use Permit would be appropriate and fall under Section 46 – 4 – G of the City of East Bethel Zoning Code. As part of the CUP process consideration will be given to future changes in the Comprehensive Plan which will result in zoning changes to accommodate Brown-Wilbert and other companies. As discussed in the past, it is the intent that areas along the Highway 65 corridor will be part of a flexible zoning district that has established standards for design, signage, etc., much like the Business Overlay district. It was further determined that the approval of a CUP for Brown-Wilbert is predicated on their intent to locate a manufacturing facility and their corporate headquarters to the City of East Bethel.

Enclosed in your packet you will find a Narrative that Brown-Wilbert completed. Areas that warrant further discussion are the following:

Road Access – In the packet is a letter from Jane Rose, Anoka County Highway Department (ACHD). Ms. Rose indicates that a temporary access will be granted to Brown-Wilbert, but that the City and property owner will need to be working closely with Anoka County for any future development and service roads options. It should be noted that the City has a plan for a future Service Road that will be located on the property that Brown-Wilbert is interested in purchasing. A secondary access shall be provided in the event ACHD only permits a right in- right out access at the existing entrance to the property.

Exterior Display - An important component of the Brown-Wilbert business model is to have an area that is visible from Hwy. 65 for display of their products. Attached in your packet, you will find a very preliminary concept plan that indicates how Brown-Wilbert wishes to utilize the above referenced property. Any exterior display area should be clearly marked at the site and size and height should be limited.

Future Site Plan – Require that Brown-Wilbert fill out a Site Plan application. The City requires that Brown-Wilbert enter into a pre-development agreement with the City to address future service roads needs and other requirements necessary to accommodate the City’s future growth.

Attachments:

- Attachment 1 - Site Plan
- Attachment 2 - Zoning Map
- Attachment 3 - CUP application and attachments
- Attachment 4 - Letter from Anoka County Highway Dept.
- Attachment 5 - City’s Future Service Road Plan
- Attachment 6 - Examples of other Brown-Wilbert locations

Applicable Comp. Plan and Zoning Sections (not all inclusive):

- Section 46 – Central Business District (attached)
- Section 55 – Planned Business Overlay District (attached)

Recommendations:

Recommend approval of a Conditional Use Permit for:

Owner – Genevieve Family Limited Partnership Eileen Frisch General
Applicant – Brown-Wilbert, Inc.
Property Address – 221st Ave NE (to be assigned)
PID # - 083323120006
Zoning – Central Business District (B2)

Subject to the following conditions:

1. Comply with the City of East Bethel applicable codes and regulations.
Applicant is allowed to store septic tanks outside, in a neat and well organized manner, inside of the existing fenced in area. Provide screening for storage yards outside the existing fenced area or locate storage yards that are shielded in view by topographical features from Hwy. 65
2. Fence shall be repaired to an appearance that replicates new installation.
3. Commercial building permit applications will need to be applied for and issued on the existing buildings for purposes of remodeling and repair.
4. Need to obtain a Special Well permit from the Minnesota Department of Health
5. Need to obtain a septic system permit that will need to be sized for existing and future development.
6. Site Plan must be submitted and approved for proposed and future development.
7. Obtain all appropriate permits from Anoka County Highway Department
8. Enter into a pre-development agreement with the City of East Bethel that outlines future

service road plans and commits the developer to the dedication of the required right of way for the service road and outlines other future growth plans.

- 9. Exterior Display area to be limited to (size to be determined)
- 10. Require connection to City Utilities when they become available
- 11. Brown-Wilbert to locate a manufacturing and corporate headquarter campus to this location within _____ years.
- 12. Conditional Use Permit is for three years, commencing on the day it is approved by the City Council.

Planning Commission Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____

Potential Site



1 in = 376 ft



Zoning



1 in = 752 ft



- | | |
|---|--|
|  AG - Agriculture |  R-2 - Single Family & Townhome Residential |
|  B-1 - Limited Business |  CC - City Center District |
|  B-2 - General Business |  Public/Institutional |
|  B-3 - Highway Business |  Park/Open Space |
|  I - Light Industrial |  Natural Area |
|  RR - Rural Residential |  Split |
|  R-1 - Single Family Residential |  ROW |





1.

2241 221st Ave. NE • East Bethel, MN 55011
Phone: (763) 367-7844 • Fax: (763) 434-9578

OFFICE USE ONLY	
Date Rec'd:	_____
By:	_____
Fee \$:	_____

CONDITIONAL USE PERMIT (CUP) PROCESS & CHECKLIST

Application Fee: <u>\$500*</u>	Escrow: <u>\$1,000*</u>	Filing Fee: <u>\$55*</u>
Applicant is responsible for accrued consulting fees from the City Engineer, City Attorney, etc.		
*Fee is subject to change per Resolution.		

The application for a **CONDITIONAL USE PERMIT (CUP)** is processed in three separate review steps:

- 1) CITY STAFF
(Applicant is required to meet with City Staff **prior** to submittal of the application.)
- 2) PLANNING COMMISSION
(Public hearing and recommendation to the City Council)
- 3) CITY COUNCIL
(No public hearing required)

DESCRIPTION OF APPLICATION: _____

LOCATION: PID: 083323120006 LEGAL: LOT: _____ BLOCK: _____ SUBDIVISION: _____

PROPERTY ADDRESS: 1542 221st Ave NE East Bethel, MN 55011

PRESENT ZONING: _____

PROPERTY OWNER:

CONTACT NAME: Genevieve Family Limited Partnership Eileen Frisch General Partner PHONE: 612-616-9739

ADDRESS: 933 135th Ct NE

CITY/STATE/ZIP: Ham Lake, MN 55034

EMAIL: _____

APPLICANT: Brown-Wilbert, Inc.
CONTACT NAME: Bruce Bratton, President PHONE: 651.631.1234

ADDRESS: 2280 North Hamline Avenue PHONE: _____

CITY/STATE/ZIP: Roseville, MN 55113 EMAIL: brucebratton@brown-wilbert.com

Conditional Use Permit Application

Applicant for Conditional Use Permit (CUP)

The applicant is Brown-Wilbert, Inc., a Minnesota corporation ("Brown-Wilbert"). Brown-Wilbert has been manufacturing and selling precast (made of concrete) products since 1922. Brown-Wilbert operates 17 precast plant locations in four states—Minnesota, North Dakota, South Dakota and Wisconsin.

Owner of Subject Property

The owner of the subject property is: Genevieve Sylvester Family Limited Partnership ("Sylvester LP").

CUP Purpose

The purpose of the CUP is to allow Brown-Wilbert to conduct business operations upon the subject property subject to the CUP. Brown-Wilbert desires to acquire the subject property from Sylvester LP and one of the conditions of the purchase is that Brown-Wilbert will be granted this CUP prior to or at closing.

Certificate of Survey of Subject Property

A land survey is not completed at this time, but will be completed as a condition of the CUP being issued and the closing on the purchase of the subject property by Brown-Wilbert. In the interim time period an aerial map (see attached) demonstrating land boundaries and pre-existing buildings and roadways will be provided for this application. On the attached photo, the land boundaries are marked in blue.

Legal Description

The legal description will be generated and finalized and provided for the CUP as an outcome of the land survey.

Brown-Wilbert's Proposed Use of the Property, Proposed Improvement and Description of Business Activity

This subject property is currently vacant and in a significant state of disrepair. Brown-Wilbert desires to purchase the property so it can be immediately used for some of its business operations and provide an economic benefit for both Brown-Wilbert and the City of East Bethel.

Brown-Wilbert initially intends to use the property for the manufacture, storage and delivery of precast products to include, but not be limited to, precast products used for residential, commercial, municipality and farming purposes. These initial products include septic tanks, septic pipe, catch basins, manholes, retaining wall blocks, and feed bunks.

The majority of the precast products require outside storage due to their weight and size. The outside storage is neat and well organized by product type and size. Under the CUP, the products stored outside will all initially be placed east of the fence line currently running north and south on the property (running parallel to Highway 65). The fence is approximately 300 feet from Highway 65. The fence serves as a visual barrier of, as well as security for, the precast products. The initial area where precast products will be stored is shown on the attached aerial map marked in pink.

Current buildings on the subject property will have their exteriors and interiors repaired, and will be upgraded with electricity and lighting. One of the buildings will be upgraded with a small office space, restroom and appropriately sized heating and cooling system. A well and septic system will be added to the property for that purpose. The current buildings will be primarily used for indoor storage of the

trucks used to deliver the precast products to customer sites. Employee's vehicles and extra trucks may be parked outside from time-to-time dependent upon other business operation factors.

Pre-existing fencing will be repaired. Fencing will be added along a portion of the northern property line that abuts a neighboring business.

The entire grounds will be cleared of garbage, debris and other materials left behind by prior use or inappropriately discarded on the property by unknown third parties. The grounds will be given an improved appearance by removing trees, undergrowth, brush and weeds.

Discussions between Anoka County representatives and Brown-Wilbert indicate that the pre-existing curb cut accessing the property from 221st Avenue will remain intact and appropriate and that widening the curb cut by a few feet to allow for the turning radius of larger trucks is possible if paid for by Brown-Wilbert. In addition, Anoka County preliminarily indicated that trees on the subject property which are adjacent to the intersection of Highway 65 and 221st Avenue may need to be removed to accommodate for the safety of the flow of traffic as that traffic turns east on 221st Avenue and that traffic needing to remain visible because that traffic will be immediately slowing down to turn south onto the subject property.

Discussions between the building inspector of the City of East Bethel and Brown-Wilbert indicate that Brown-Wilbert may upgrade the property by drilling a well, adding a septic system and constructing a restroom facility as part of one of the buildings, all of which will require the appropriate permits first be issued by the City.

Some land grading will be done on the subject property to remove undulations in land surface/topography, and to create level surface areas for the storage of products (due to the size of the base of septic tanks they must be stored on level ground).

A product display area (shown by the yellow squares in the attached aerial photo) will be created by forming short, flat-topped mounds to place septic tanks on so they can be viewed by passers-by. These mounds will be surrounded by decorative block so they have an appropriate professional appearance.

Any other significant improvements to the subject property will be subject to obtaining a change of zoning to "industrial". Upon being granted industrial zoning, Brown-Wilbert would like to build a headquarters building on the site sometime during the next 3-6 years provided, however, this plan is subject to being able to sell Brown-Wilbert's Roseville, Minnesota location at an appropriate price. It is difficult to determine at this point in time, but Brown-Wilbert speculates any new building construction would occur between the two pre-existing buildings and incorporate those two buildings to make one large building.

Operating under this CUP, Brown-Wilbert anticipates up to 3 employees would be utilizing the subject property. Subsequent to receiving industrial zoning, Brown-Wilbert anticipates up to 25 employees would be utilizing the subject property.

End



Anoka County

TRANSPORTATION DIVISION

Highway

May 21, 2015

Douglas W. Fischer, PE
County Engineer

Colleen Winter
City of East Bethel
2241 221st Avenue NE
East Bethel, MN 55011

Re: Conditional Use Permit – Brown-Wilbert, Inc.

Dear Colleen,

We have reviewed the information provided for the Conditional Use Permit application for Brown-Wilbert, Inc., to be located in the southeast quadrant of the intersection of TH 65 and CR 74 (221st Avenue NE) within the City of East Bethel and I offer the following comments:

For future reconstruction purposes, an additional 27 feet of right of way along CR 74 will be required (60ft total right of way width south of the centerline of CR 74).

We understand that initially the site is to be used for storage of materials and delivery of those materials to customer sites. We would permit the existing access point for the site to be used for this purpose. However, it should be noted that this existing section of CR 74 has no EB right turn lane at the access point, so we anticipate that turning maneuver conflicts could occur. Given the proximity of the site access point to TH 65, delay and safety issues with traffic flow for EB CR 74 traffic could also occur. Consequently, we would be in support of the applicant constructing an EB CR 74 right turn lane should that be deemed necessary or should issues arise.

It should also be noted that there have been discussions with the applicant regarding the feasibility of widening the existing CR 74 access point to provide more width for truck turning maneuvers, and if that is proposed for the initial site use, we would permit that through an ACHD Temporary Access Permit. In addition, it should be noted that there is an existing raised center median on CR 74 from TH 65 to approximately 240 feet east. We would not permit the removal of any portion of this raised center median, and in the future, it is possible that this median could be extended further east and access in this area would then consist of right turn in/right turn out movements only.

In discussions with the City, we understand that there may be plans for a future frontage road system closer to the Sandy Drive NE alignment, and we look forward to working with the City on that project when plans move further ahead. We also understand that the ultimate use of this property is that it would become the future corporate headquarters for this business, and should that occur at some future date, we would look forward to working with the City and

Our passion is your safe way home!

1440 Bunker Lake Blvd. NW ▲ Andover, MN 55304-4005
Office: 763-862-4200 ▲ Fax: 763-862-4201 ▲ www.anokacounty.us/highway

Page 21 of 34

Affirmative Action / Equal Opportunity Employer

the Developer on a more suitable access scheme for this property and the access points along this section of CR 74 through the City Site Plan or other review process.

If grading or paving is to occur on the site and/or if the EB CR 74 right turn lane will be built, the ACHD Engineering Plan Review Process would apply to this plan. Calculations must be provided along with a grading and erosion control plan that delineates the drainage areas for this site. The post-development rate/volume of runoff must not exceed the pre-developed rate/volume of runoff for the 10-year, critical design storm. Depending on the nature of the work that will occur, the ACHD Engineering Plan Review fee for this development is estimated at \$0 - \$500.00. Contact Gina Pizzo, Engineer III at 763.862.4248, Gina.Pizzo@co.anoka.mn.us with any questions and to coordinate the ACHD Engineering Plan Review process.

Once the ACHD Engineering Plan Review process is complete, the ACHD Permit process can begin. An ACHD Permit to Work within the right of way (fee = \$150.00) would be required and must be obtained by the contractor completing the work prior to any construction activity within the county right of way. License Permit Bonding, methods of construction, work zone traffic control, restoration requirements and follow-up inspections are typical elements of the permitting process. The contractor who will be completing the work can contact Jorge Bernal, Traffic Engineering Technician I at 763.862.4224 or Jorge.BernalDelgado@co.anoka.mn.us for further information regarding the ACHD Permit process.

Thank you for the opportunity to comment. Feel free to contact me if you have any questions regarding this review.

Sincerely,

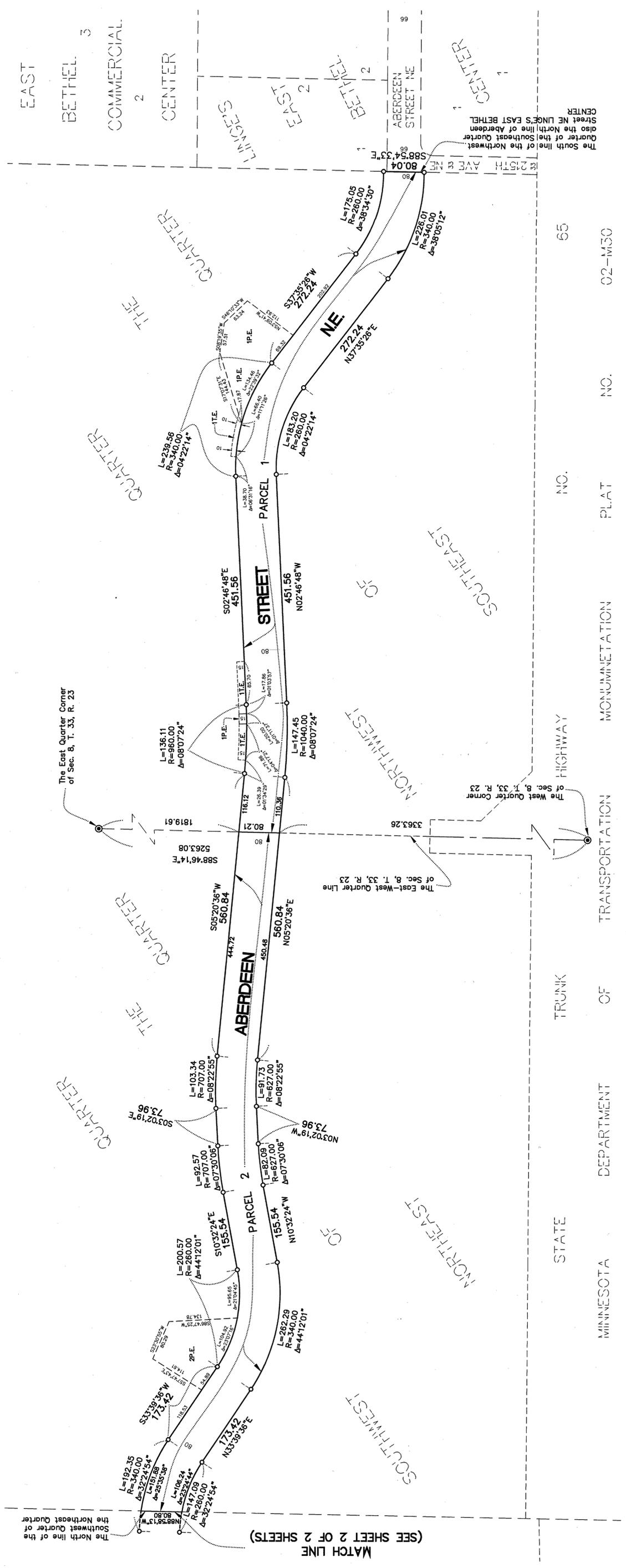


Jane K. Rose
Traffic Engineering Manager

xc: File – CR 74/Plats + Developments/2015
Larry Hoium, County Surveyor
Randy Bettinger, Traffic Engineering Coordinator
Josie Scott, Traffic Engineering Technician
Jorge Bernal, Traffic Engineering Technician I
Gina Pizzo, Engineer III

CITY OF EAST BETHEL
 COUNTY OF ANOKA
 SECTION 8, T. 33, R. 23

CITY OF EAST BETHEL ROAD RIGHT-OF-WAY PLAT NO. 2



I hereby certify that this is a true and correct representation of a survey of the boundaries as shown and that said survey was made under my direct supervision; that all distances are correctly shown in feet and decimals of a foot; that the monuments for the guidance of future surveys have been correctly placed in the ground as shown; the Right-Of-Way boundary lines are designated on the plat and it was prepared pursuant to Chapter 505.1793, Minnesota Statutes.

That portion of Aberdeen Street N.E. located in Section 8, Township 33, Range 23, Anoka County, Minnesota, as shown on this plat effected by the City of East Bethel is certified to be the official plat of that portion of said street within said section pursuant to Minnesota Statutes Chapter 505.1793. The foregoing plat was accepted and approved by the City Council of East Bethel, Minnesota, at a regular meeting thereof held this ___ day of ___, 2011.

Dated the ___ day of ___, 2011.

Charles R. Christopherson, Professional Land Surveyor
 Minnesota License No. 18420

CITY OF EAST BETHEL, MINNESOTA

Mayor _____
 City Clerk _____

MINNESOTA DEPARTMENT OF TRANSPORTATION

TRUNK OF HIGHWAY 65

MONUMENTATION PLAT NO. 02-M30

ANOKA COUNTY SURVEYOR
 This plat of CITY OF EAST BETHEL ROAD RIGHT-OF-WAY PLAT NO. 2 was checked and approved by me this ___ day of ___, 2011.

NOTE

All parcels shown on this plat may not have been acquired by the City of East Bethel. Check pertinent documents for each parcel.

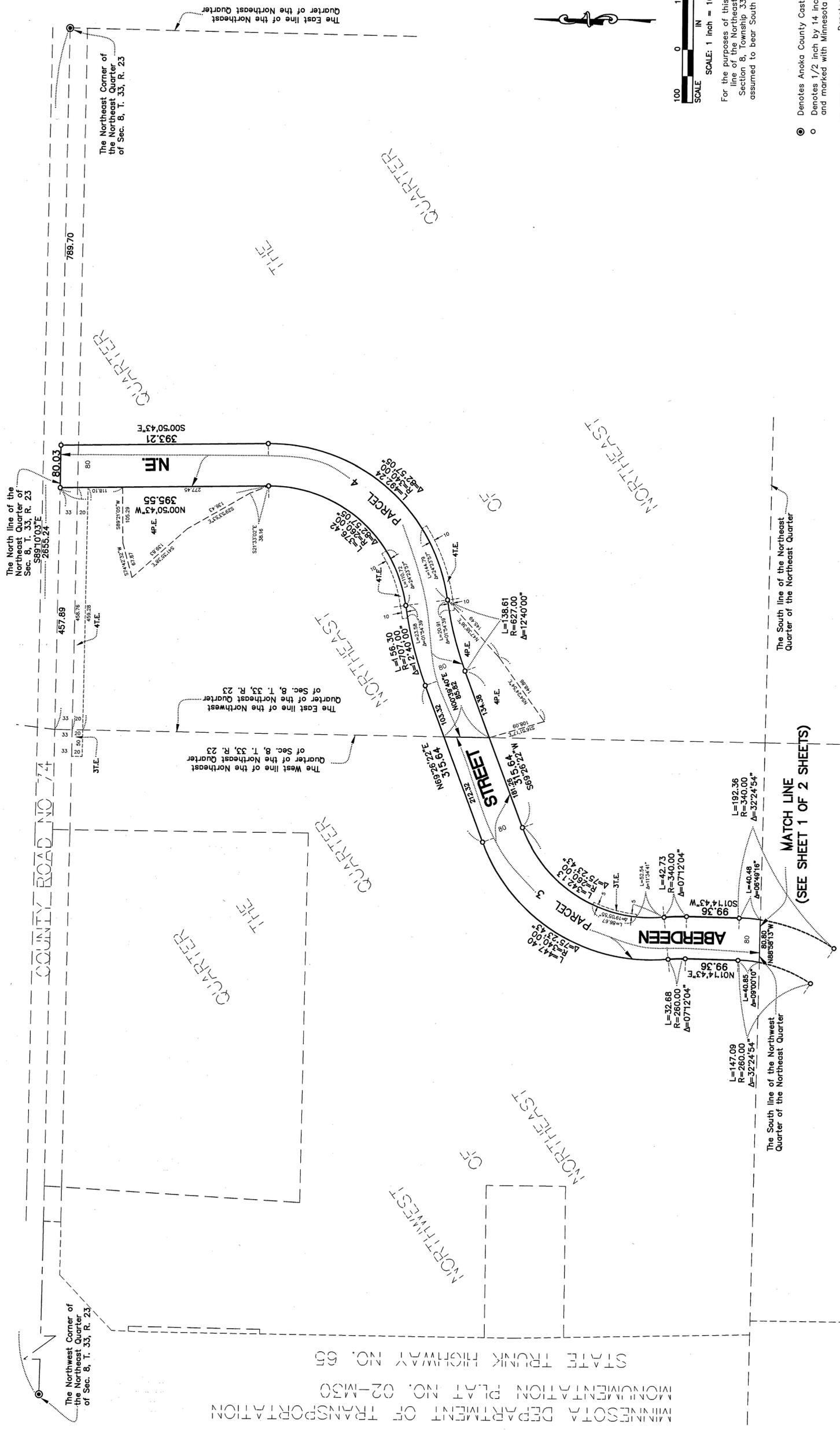
DATA CONTAINED WITHIN THIS BOX FOR INSTRUCTIVE AND INFORMAL PURPOSES ONLY									
PARCEL	OWNER	PROPERTY IDENTIFICATION NUMBER	RECORDED DOCUMENT NUMBER	ENTIRE TRACT (ACRES)	NEW HIGHWAY RIGHT OF WAY (ACRES)	DRAINAGE & UTILITY EASEMENT (ACRES)	TEMPORARY EASEMENT (ACRES)	TEMP. EASE EXPIRES ON DATE	BALANCE OF TRACT REMAINING (ACRES)
1, I.P.E. & T.T.E.	Thomas & Pattian Kurak	08-33-23-42-0001	1758563	32.435	2.554	0.396	0.086	12/31/2011	29.881
2, 2P.E.	Thomas & Pattian Kurak	08-33-23-13-0001	1607730	33.498	2.560	0.340			30.938



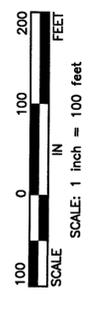
Larry D. Holm, Anoka County Surveyor

CITY OF EAST BETHEL COUNTY OF ANOKA SECTION 8, T. 33, R. 23

RIGHT-OF-WAY PLAT NO. 2



MINNESOTA DEPARTMENT OF TRANSPORTATION
MONUMENTATION PLAT NO. 02-M30
STATE TRUNK HIGHWAY NO. 65



For the purposes of this plat the North line of the Northeast Quarter of Section 8, Township 33, Range 23 is assumed to bear South 89°10'03" East

- Denotes Anoka County Cast Iron Monument
- Denotes 1/2 inch by 1/4 inch iron monument set and marked with Minnesota License No. 18420.
- Denotes Underlying Property Lines
- Denotes Section Line
- Denotes Right-of-Way Boundary
- Denotes Parcel Boundary
- J.P.E. --- Denotes Permanent Easement
- T.E. --- Denotes Temporary Easement

NOTE
All parcels shown on this plat may not have been acquired by the City of East Bethel. Check pertinent documents for each parcel.

DATA CONTAINED WITHIN THIS BOX FOR INSTRUCTIVE AND INFORMAL PURPOSES ONLY									
PARCEL	OWNER	PROPERTY IDENTIFICATION NUMBER	RECORDED DOCUMENT NUMBER	ENTIRE TRACT (ACRES)	NEW HIGHWAY RIGHT OF WAY (ACRES)	DRAINAGE & UTILITY EASEMENT (ACRES)	TEMPORARY EASEMENT (ACRES)	TEMP. EASE EXPIRES ON DATE	BALANCE OF TRACT REMAINING (ACRES)
3 & 31.E.	Genevieve Sylvester Family Limited Partnership	08-33-23-12-0006	2015060.003	26.006	1.413		0.033	12/31/2012	24.593
4, 41.E. & 41.E.	Genevieve Sylvester Family Limited Partnership	08-33-23-11-0003	2016410.001	40.704	2.011	0.890	0.280	12/31/2012	38.693





Brown-Wilbert Concrete Products (952) 469-3996
 Street View
 Ad Residential Concrete - www.jimwebergc.com/Concrete

Google

Imagery ©2015 Google, Map data ©2015 Google 100 ft



Image capture: Aug 2012 © 2015 Google

←

3914 Roosevelt Rd
St Cloud, Minnesota

↻ Street View - Aug 2012

EAST BETHEL PLANNING COMMISSION MEETING

April 28, 2015

The East Bethel Planning Commission met on April 28th, 2015 at 7:00 P.M. for their regular meeting at City Hall.

MEMBERS PRESENT: Randy Plaisance* Lou Cornicelli Lorraine Bonin
Sherry Allenspach Tanner Balfany Eldon Holmes
* Commission Chairperson

MEMBERS ABSENT: Glenn Terry

ALSO PRESENT: Colleen Winter, Community Development Director
Ron Koller, City Council Member

1.0 Call to Order Mr. Plaisance called the meeting of the East Bethel Planning Commission to order at 7:00 P.M.

2.0 Adopt Agenda **Mr. Holmes motioned to adopt the agenda moving item 3.0 Approval of Meeting Minutes to the end of the meeting just before City Council Reports. Ms. Allenspach seconded the motion. All members were in favor; motion carried.**

**3.0 Public Hearing/
Interim Use Permit** A request by applicant, Diane Bayard for an Interim Use Permit (IUP) to operate a private kennel. The location being 23001 Highway 65 NE, Bethel, MN 55005, PIN 32-34-23-43-0013.

Owner/Property Location:
Diane Bayard
23001 Highway 65 NE
Bethel, MN 55005
PIN 32-34-23-43-0013

Mrs. Diane Bayard is requesting an IUP for a private kennel license for the keeping of three (3) dogs on the 7.32 acre parcel she owns. Currently, she has two (2) German Shorthairs and one (1) Border collie mix. The dogs are not kenneled outdoors; rather they are housed in the basement of the home. The parcel is not fenced, but the dogs are only allowed outside if they are leashed/tied up. All dogs have proof of rabies vaccination and two are currently licensed with the city. She plans on getting the third license if the Private Kennel IUP is approved.

East Bethel City Code Chapter 10, Article II. Dogs, allows up to six (6) dogs on parcels five (5) acres or more but less than ten (10) acres with an approved private kennel license. Code requires dogs be confined to the property, outdoor housing facilities must not encroach on any setbacks, housing and shelter must be provided, feces shall be removed in a timely manner, and accumulation of feces must not be located within 200 feet for any well. The property meets the requirements set forth in City Code for the keeping of dogs.

The Public Hearing was opened at 7:04 pm. No comments were made by public present. The Public Hearing was closed at 7:05 pm.

Mr. Plaisance opened the discussion to comments from Commission members. Mr. Balfany clarified with Ms. Winter that the property had been inspected and has met all requirements.

Ms. Winter stated that if the IUP is approved additional conditions will have to be met.

Zoning Code Sections:

Chapter 10. Article 2. Division 2. Section 10-55: Conditions for issuance of a private kennel license.

The following conditions are mandatory for the issuance of a private kennel license:

1. Housing enclosures shall be located as not to create a nuisance and shall not encroach upon any setback area.
2. Dogs shall be confined to their own property by a provable means.
3. Housing and shelter must be provided which will keep animals comfortable and protected from the elements.
4. Accumulations of feces shall be located at least 200 feet from any well.
5. All accumulations of feces shall be removed at such periods as will ensure that no leaching or objectionable odors exist, and the premises shall not be allowed to become unsightly.
6. All dogs shall have access to indoor housing from the hours of 10:00 p.m. to 6:00 a.m.
7. The city council reserves the right to issue additional conditions on a case-by-case basis in order to maintain the public repose.
8. Kennels shall be considered an accessory structure for setback purposes.

Ms. Allenspach asked if the applicant had any concerns about meeting any of the conditions. Ms. Bayard stated she had none.

Mr. Holmes made a motion to recommend approval to the City Council of an IUP/Private Kennel License for no more than three (3) dogs for Mrs. Bayard, located at 23001 Highway 65 NE, Bethel, MN 55005, PIN 32-34-23-43-0013 with the following conditions:

1. **An Interim Use Permit Agreement/Private Kennel License must be signed and executed by the applicants and the City.**
2. **Applicants must comply with City Code Chapter 10, Division II, Dogs.**
3. **Permit shall expire when:**
 - a. **The property is sold,**
 - b. **The IUP expires, or**
 - c. **Non-compliance of IUP conditions**
4. **Property owner shall have thirty (30) days to remove dogs upon expiration or termination of the IUP/Private Kennel License.**
5. **The IUP shall be for a term of three (3) years at which time the applicant will be required to re-apply for an IUP.**
6. **Property will be inspected and evaluated annually by city staff.**

Ms. Bonin seconded the motion. All members were in favor; motion carried.

Mr. Darwin Magnuson asked to speak later in the meeting. He stated he received a letter about the proposed kennel and was concerned about barking and the number of dogs. He owns 3 apartments next door. Commissioners explained to Mr. Magnuson that the IUP was only for the 3 dogs currently owned by the Bayards. Mr. Holmes also let him know that there is a barking ordinance in East Bethel if there are problems than his tenants can follow the reporting process if they have problems. Mr. Magnuson stated this was acceptable.

Mr. Greg Bayard asked to speak as well. He explained how he takes care of his dogs and about previous issues with the neighbors and his dogs barking. He related that he did not understand why they had to pay so much money for something he did not see a need for. Mr. Plaisance explained that his neighbors do have the right to report if they feel his dogs are barking too much. He also explained that the reason for the cost is because they have three dogs. The City Ordinance requires the additional fees but Ms. Winter stated that some of the money is refunded as long as the conditions are met.

4.0 Request to consider allowing a business to be located in the Central Business District/Business Overlay District at the intersection of Hwy. 65/221st Ave NE

Ms. Winter related that the City has been working with Mr. Harlan Meyer on this property for some time. He has had several different people approach him about different possibilities for the property which is the Sylvester property. There are three different properties. One of the properties (about 7 acres) was sold to PBS Auto about four years ago. One is on the corner of Hwy 65 and 221st Ave and the last one is further east on 221st. The property in question at this time is the southeast corner of Hwy 65 and 221st Ave. The company that Mr. Meyer has recently been working with is Brown-Wilbert.

Background Information:

The City of East Bethel has been working with Brown-Wilbert, a company that has been in business for 92 years, has 19 locations in the Midwest, and is the largest septic tank manufacturer and supplier in the State of Minnesota. They are interested in relocating their headquarters from St Paul to a location in the northern metro area and have identified the corner of 221st Ave. NE and Hwy. 65 as one of the areas that they are very interested in locating their operations.

The area is zoned B-2, Central Business District and has a business overlay district on top of it. According to the City of East Bethel's Comprehensive Plan the purpose of this overlay district is to establish standards for exterior architecture, design, landscaping, and signage of buildings that contribute to a community image of quality, visual aesthetics, permanence, and stability which are in the best interest of the citizens of the city.

It is the intent of the Business Overlay District:

- To promote a planned environment for integrated residential, industrial, office, and commercial which features design continuity;
- To encourage orderly development of property;
- To encourage patterns of development in harmony with the objectives of the city's comprehensive plan;
- To encourage more attractive and enduring commercial and industrial districts; and
- To provide a uniform set of standards to be applied equally to all owners and developers in this district.

An important component of the Brown-Wilbert business model is to have an area that is visible from Hwy. 65 for display of their products. A potential site location with suggested display and storage areas is at attachment 4.1. Representatives from the company were in attendance at the meeting and available to answer questions.

Ms. Winter stated that the Planning Commission will need to consider if it is acceptable for Brown-Wilbert to locate their business at this location through the Conditional Use Permit (CUP) process. In future planning for the area, it is expected that the company will be looking for a change in the zoning to include office/corporate/industrial campus businesses in order to relocate their headquarters there. Another consideration is whether the current B-2, Central Business district zoning is appropriate for this business at this time.

When the Comprehensive Plan was adopted in 2007 the economy was quite different and the outlook was for the intersection of Hwy 65 and 221st to be the “downtown” for the community. That never came to fruition and current development is in the area of the sewer and water district further south on Hwy 65 and Viking Blvd. It is expected that any retail and commercial would be focused in that area not just short term but for the long term outlook.

Mr. Harlan Meyer with Bently Realty stated he feels it is in the best interest of the City of East Bethel to rezone the property located on the southeast corner of Hwy 65 and 221st Ave. He stated that any retail or hospitality businesses are not likely to build in that area for several years. He has a company that is well established and very successful and is interested in purchasing the land now with the possibility of moving their corporate headquarters there in the future. He asked that the commission give serious consideration to rezoning the property for Brown-Wilbert.

Mr. Jack Ascheman and Mr. Bruce Bratton of the Brown-Wilbert company addressed the members and answered questions. Mr. Bratton shared that they make a few different “pre-cast” products with concrete. The primary function of this proposed site will be for the septic tank business initially which is growing quite rapidly. He stated that they have already grown into this area geographically and now need a more permanent location to work from. Their future plans propose that this property would become a manufacturing facility. They feel that would be a few years off but are trying to create the option by finding land up in this area, purchase it and ensure the zoning is in place for the future plans.

If they are able to purchase the property, they would immediately use it for septic tank storage and a few trucks to allow for transport of the tanks in and out of the location. They would then come back to the City when they are ready to consider building a facility for manufacturing and offices on this site.

Mr. Plaisance asked for more information about the possible manufacturing of concrete at the site in the future. Mr. Bratton explained that they do use concrete to make their products but it is mixed and poured into a form inside a building so there is no noise or dust problem outside. Any waste concrete is placed in a dumpster and taken away from the property. The only thing that is seen outside the building is the septic tank storage.

Mr. Bratton specifically addressed the aesthetics of their company if they take possession of the property along the Hwy. He shared pictures of other locations with tank storage (attachment 4.2) showing very orderly storage and a clean, organized look from the street view. Mr. Ascheman noted that at one location there is a church on one side, the Parks department on the other side and a golf course behind the property. Ms. Allenspach asked about truck entrance/exit from the property and was told it will be on 221st Avenue about 100 ft. from the intersection. Mr. Ascheman stated that there is already a curb cut at that location.

Mr. Balfany asked about possible timeframe for bringing in the manufacturing function. The response was three – six years. Mr. Balfany asked if moving the headquarters to this location would happen at the same time and the answer was affirmative.

Mr. Balfany asked about where they might locate a building for manufacturing. Mr. Ascheman thought the best site would be at the south end of the property. The building would probably be at least 35,000 sq. ft. There are 20 plus staff members currently at the manufacturing facility. Mr. Ascheman noted that there are some staff who live north of

East Bethel and this location would be very good for a more central point of service. He also felt it might be helpful to have a job pool of people who are more likely to have experience driving larger vehicles and doing mechanical work with skills that would help them on the job when the company has openings.

Mr. Plaisance asked about the company's customers. Mr. Bratton explained that for the septic tanks, independent contractors work with the company to purchase a tank for home or business owners. Brown-Wilbert is a supplier to the contractors.

Mr. Bratton explained that they would like to have some of their products on display along Hwy 65 and would have signage to show their location. The products would be on raised platforms.

Mr. Holmes stated that he felt it would be an honor for the City to welcome Brown-Wilbert to the community. Mr. Balfany seconded that feeling and shared his hope that it would be a process that would go as smoothly as possible.

Ms. Bonin asked about the service road plans and if they would interfere with the plans for Brown-Wilbert. Ms. Winter responded that the service road as far north as 221st Ave is probably at least 10 years out. She stated that as the time for planning comes closer it will be important to have representatives from the company involved in order to ensure everyone's needs are met as much as possible.

Mr. Holmes asked if anyone would be present onsite most of the time. Mr. Bratton explained that Mr. Kurt Hedke is the primary staff member for this area. There are also septic tank plants in Lakeville and St Cloud that feed into and out of this area. During septic tank season which runs from about May 15th to November 30th, there would be 2-3 trucks coming in and out of the property 2-3 times a day. The trucks would be stored in the buildings currently located on the property.

Mr. Plaisance stated that it seemed it will be necessary to change the zoning in order to allow the CUP to proceed. Ms. Winter stated that since they initially plan to use the area for storage, it would qualify for a CUP under the Central Business District and the business overlay requirements could be waived. However, she emphasized that it would be important to include language that would ensure the zoning would be changed in the future and anticipating that the CUP would expire when the manufacturing stage planning begins.

Ms. Winter shared with the members that the Comprehensive Plan will need to be updated in 2016 and this will be a good time to review what the City would like to see in businesses along Hwy 65. She stated that she felt cohesiveness was important and to take into account the service roads and the wetlands. Ms. Winter felt that based on the current plans for the location by Brown-Wilbert it would be appropriate to use the CUP to begin the process and get things started.

Ms. Bonin asked how Mr. Bratton and Mr. Ascheman felt about Ms. Winter's suggestion. Mr. Bratton stated he would prefer to have the zoning set so that he knows before he purchases the land that he can follow through with his plans. Ms. Winter explained that changing the zoning would take several months and she hoped that a CUP would help the company get started more quickly with their plans. She noted that the Planning Commission seemed to have demonstrated strong support for having the company in the identified location and stated that she expected the same response from the City Council.

Members concluded that the best idea was to start with the CUP as the initial step with language assuring a zoning change in the future. When the Comp. Plan is updated, the zoning will be changed as needed before Brown-Wilbert begins its anticipated move to bring manufacturing to the location. Ms. Winter agreed that this was a good plan and that it had been used before with good results with other companies now established in East Bethel.

Mr. Holmes asked about PVS Auto if the CUP is approved. Ms. Winter stated that they would be considered a legal non-conforming use and as long as they meet their conditions they are allowed to stay. She noted that there is a property that shares a property line with the one being discussed that is currently zoned light industrial.

Mr. Holmes made a motion to recommend that staff move forward and continue to work with the business, and that public hearing for a conditional use permit would be brought back to the Planning Commission for their consideration at their May meeting. Ms. Allenspach seconded the motion. All were in favor; motion carried.

5.0 Amendment to the City of East Bethel Zoning Ordinance to allow microbreweries/distilleries/food trucks

Background Information:

The Craft Beer and distillery movement has become very popular and with the passage of the Surly Bill into law in 2011 many communities are putting in place ordinances that will allow them to work with craft brewers. The Surly Law allows local craft brewers to sell pints of their own beer where the beer is made. There are three different definitions at Attachment 5.1.

The City is currently working with a Small brewer who is looking at locations in the City for their business operation. We currently do not have anything in our Code of Ordinances that addresses this type of business. Consideration should be given to the following:

- Where should these types of businesses be located? Business Districts, Industrial Districts, Residential Districts
- Requirements for the following: Landscaping, parking, loading docks

Food Trucks sometimes go hand in hand with breweries and Staff recommend that zoning for Food trucks follow where breweries will be allowed.

Members discussed where they have seen breweries located and noted that they have been seen in all locations. After discussion they agreed that it seemed the only area they did not feel would be appropriate for a brewery is a residential area.

Mr. Holmes noted that there are already food trucks in the City and he didn't feel a need for further regulation. Ms. Allenspach suggested using current guidance for business landscaping, parking and loading docks should be acceptable as well. Mr. Holmes noted the City also has guidance for building design and loading docks in place.

Mr. Brandon Lamson shared his hopes to establish a small microbrewery. He currently home brews less than 200 barrels/year. The location would be best on the Hwy 65 corridor hopefully with city sewer and water. The first year he hopes to put out 300 barrels the first year with only 3-4,000 sq. ft. of workspace being required.

Ms. Winter stated she will bring back a proposal for the members to review.

**6.0 City Ordinance,
Chapter 10, Article V,
Farm Animals**

Background:

The City has received a number of requests from residents to keep chickens on residential properties under 3 acres. Currently our ordinance only allows chickens on lots larger than 3 acres. City Staff has researched the practices of other Cities regarding this matter and that information is at Attachment 7.1. Standards vary from total prohibition to allowance of chickens on lots less than 3 acres with restrictions on the number that can be kept.

City Council has been considering amending City Code as it relates to the keeping of chickens. The following is a timeline of meetings that have discussed this subject:

- June 4, 2014, City Council Meeting - Council directed Staff to survey the policies of other Cities in regards to the keeping of chickens;
- June 18, 2014, City Council Meeting - Staff presented a report to City Council as to the policies of other Cities in regards to the keeping of chickens. As a result of this meeting and discussion, Council scheduled a work meeting for June 25, 2014 for further consideration of this matter;
- June 25, 2014, City Council Work Meeting - This matter was discussed and Council was requested to forward recommendations to the City Administrator for inclusion in a revised draft ordinance to be presented to Council at a later date.
- August 6, 2014, City Council Meeting- Council scheduled a work meeting for August 13, 2014 to continue discussion of this matter.

The current City Ordinance does not allow chickens on lots smaller than 3 acres but contains less detail in regards to coop and pen standards. Should there be a decision to change the Ordinance, the main issue appears to be determination of the minimum lot size for keeping of chickens.

Mr. Joe Vogl shared his thoughts with the members. He currently owns just over 2 acres with plenty of room to have chickens. He stated that the surrounding communities do allow residents with less than 3 acres to have chickens. He requested that the ordinance be changed to allow 6 chickens or ducks, no roosters on less than 3 acres.

Mr. Cornicelli stated that he agreed the ordinance should be reviewed as he did not feel keeping chickens required much space at all. He stated they are a lot easier to own and manage than people think. Mr. Plaisance agreed that it seemed like it should not be as much of a problem as it has been but that there should be limits on the numbers.

Mr. Plaisance questioned how much space is required for six chickens. Mr. Cornicelli responded that a small 4x6 coop and a small pen. Ms. Bonin stated she felt the City Ordinance should not be any more restrictive than any of the surrounding communities. Members were informed that there is no requirement for a permit to build a chicken coop.

It was noted that this ordinance would only apply to chickens. Mr. Vogl stated he would like to have ducks as well. Ms. Winter reported that the current farm animal ordinance requires .2 of an acre per duck. Members agreed to leave this requirement as is.

Members reviewed and discussed the information from other cities and after discussion agreed that changing the ordinance to allow no more than 6 chickens on less than 3 acres and no roosters at all. For 3 acres and above, roosters are allowed “provided crowing is not a nuisance”

7.0 Approval of Meeting Minutes

Mr. Holmes asked that on page 9, 4th paragraph down, the statement “Mr. Holmes related that in Aitkin, the rule is that...” be amended to read: “Mr. Holmes related that in Aitkin, Pope and Douglas counties the rule is that...”. Mr. Plaisance moved to approve the March 24th, 2015 meeting minutes as written with the noted correction. Mr. Holmes seconded the motion. All members were in favor; motion carried unanimously.

8.0 City Council Report

Mr. Koller reported that the Council has been working on the contract for management of the Ice Arena. They are also creating a rental ordinance for safety issues and working on a waste water services agreement with the Met Council.

9.0 Other Business

Mr. Holmes asked if Ms. Winter had found a 50 year flood plan. She stated she was unable to find a plan with that specification.

10.0 Adjournment

Mr. Balfany moved to adjourn the meeting. Mr. Cornicelli seconded; all in favor, motion carried and the meeting was adjourned at 8:50 PM.

Submitted by:
Susan Lori Irons
Recording Secretary

Attachments:

- 4.1 Location Map
- 4.2 Pictures of current locations (St Cloud Arial shot)
- 5.1 Microbrewery Definitions
- 6.1 Chicken Ordinance Requirements for Surrounding Cities
- Resident Attendance Sheet