



AGENDA ITEM: CUP Amendment for Axdahl’s Garden Farm & Greenhouse

TO: Planning Commission Members **Date:** September 9, 2011
 Kim Points, City Clerk
 Nick Vivian, City Attorney

From: Jennifer Haskamp

RE: CUP Amendment to extend business hours to accommodate a haunted trail and corn maze.

Background

The existing Conditional Use Permit for the Axdahl Garden Farm and Greenhouse allows for the agricultural use and business that is currently established on the property. A condition of the existing CUP is that the business may operate between the hours of 9:00 AM and 8 PM Monday through Sunday, seasonally defined as April 1st to December 31st of each year. The most recent CUP amendment from 2005 allowed for a temporary greenhouse and garden farm, but did not specifically address any additional activities.

Project Summary

Applicant: Brian and Leslie Axdahl	Site Size: 9.64 Acres
Zoning & Land Use: A-1	Request: Amended Conditional Use Permit
Location (PIDs): 7452 Manning Avenue, Grant, MN 2503021410012	

The Applicants Brian and Leslie Axdahl, of Axdahl’s Garden Farm and Greenhouse, are requesting an amendment to their existing Conditional Use Permit (CUP) to extend their hours of operation to accommodate a haunted trail and corn maze during the months of September and October of each year (see attached request, Exhibit A). The Applicants have had a corn maze on the property for the past several years and rotate the location of the maze depending on the crop. The corn maze, although not specifically addressed in the existing CUP, would be considered consistent with agricultural activities. The Applicants have explained that there is a trail that leads to the corn maze from the barn, which is part of the experience of the customer.

The request of the Axdahls is to allow for the extension of business hours Wednesday through Sunday between September and October until 11:00 PM allowing for a ‘haunted’ version of the trail and corn maze. Some of the elements that would provide for a ‘haunted’ experience are the use of actors and volunteers along the trail and maze, fog on the trail between the barn and maze, and the potential use of sound machines at the trail and maze entrances.

It is the intent of the Applicants to continue to use their property for agricultural uses and continue the existing lines of business as permitted through the existing Conditional Use Permit. Therefore, their request is focused primarily on the hours of operation and the ‘haunted’ aspect of the trail and corn maze.

Review Criteria

The City’s zoning ordinance permits commercial recreation and agricultural business activities with a Conditional Use Permit. The existing conditions of the CUP shall remain in place with this amendment, and additional conditions added related specifically to the additional antennas. The following sections of the Code are provided for your reference when considering the application.

Secs. 32-141 through 32-156
32-330; 32-332; 32-321

Existing Site Conditions

The existing site is approximately 10 acres and currently has a greenhouse, primary residence and other agricultural uses. A trail leads from the barn on site to the corn maze which is developed each year as an attraction and addition to the current agricultural business activities on site. (see Exhibit B) The pattern and route of the corn maze change each year, but the general parameters and use are consistent each year. Currently the site is accessed from Manning Avenue with a secondary access onto 75th St. N. Currently, all customers park onsite with exterior lighting in the parking lot facing Manning Avenue. The traffic and circulation plan, as well as lighting plan, were approved as part of the 2005 CUP Amendment.

The Applicants are working through a plat process with adjacent landowners and one of the conditions of the Final Plat is that all access to the site is from a main entrance on



Manning, which serves the subject property and adjacent sites (*Settlers Court*). Once the final plat is filed, all access to the proposed site must meet the conditions of the final plat.

Comprehensive Plan Review

The existing agricultural uses and, including corn maze, are consistent with the City’s Comprehensive Plan for the A-1 land use designation. The proposed extension of the business hours and the addition of a haunted trail meet the intent and character of the comprehensive plan and land use designation.

Zoning/Site Review

Dimensional Standards

The following site and zoning requirements in the A-1 district regulate structures and uses on individual lots:

Dimension	Standard
Lot Size	5 acres
Front Yard Setback	65’
Side Yard Setback (Corner)	65’
Side Yard Setback (Interior)	20’
Rear Yard Setback	50’
Surface Coverage	50%

Although a corn maze and haunted trail are not necessarily regulated by the setback requirements, it is reasonable to require that the maze and trails are outside of any setback area to ensure neighbors and adjacent users are protected from the activities. Based on the attached aerial it appears that all activities would be well outside of any setback area. All proposed activities related to the haunted trail shall be set outside of any setback area, including, but not limited to, any sound/electronic machines, lighting or fog.

Sound

The Applicant has stated that they will have actors participating on the haunted trail and also are likely to have some sound machines to add to the experience. It is the responsibility of the Applicant to ensure that all ordinance requirements as stated in section 32-330 *Environmental Nuisances* and *Section 32-332 Noise Control* of the city's ordinance are met with respect to sound. Staff would recommend that all sound machines be directed interior to the site and setback from all adjacent property lines to mitigate any potential issues with neighbors. All sound related to the trail may not exceed those standards as determined by the city's ordinance. Actors, sound machines, and all activities related to the haunted trail and corn maze shall be subject to these requirements.

Lighting

There is no proposed additional lighting as a part of this proposal. After speaking with the Applicant they believe that the current parking lot lighting will be sufficient for the activities, however, may need to make modifications to lighting once operations begin. The current lighting at the site meets the city's ordinance and the lighting plan was approved through the existing conditional use permit. The city's ordinance states, "Any lighting used to illuminate an off-street parking area shall be so arranged so it is not directly visible from the adjoining property and in a downward vertical direction." Any additional lighting shall be subject to this requirement, and to section 32-321. All lighting along the haunted trail or corn maze shall be required to meet the standards of the lighting ordinance and shall be directed interior to the site and shall not extend onto public roadways or adjacent properties.

The Applicants will be required to submit an updated lighting plan if additional lighting is proposed, or determined to be needed once operations start.

Parking/Traffic

Currently customers of Axdahl's Farm and Greenhouse park on site in front of the barn adjacent to Manning Avenue. They access the site primarily from Manning with a secondary access from 75th Street N. Recently the Applicants have been working through a plat process with the adjacent properties and owners, with final plat expected in 2011. Once final plat is completed, all conditions of the plat shall be met with respect to access to Axdahl's Garden Farm and Greenhouse.

The Applicant's expectation for users and traffic can be accommodated with the existing parking areas on site. As stated in the existing conditional use permit, all parking should be accommodated entirely on-site and should be located within the existing parking areas. During the 2005 CUP Amendment process a traffic and circulation plan was approved for safe traffic flow and parking on site. That plan for parking shall be utilized to accommodate the haunted trail and corn maze traffic. However, if parking and access should become an issue this conditional use permit may be required to be reviewed and additional conditions established to ensure the site can be accessed safely, and that parking and access can be completed in a safe and efficient manner.

Signage

Additional signage is not proposed as a part of this application. The applicant has stated that they may advertise the 'haunted trail and corn maze' using existing signs on the property but no additional signs are proposed at this time.

Action Needed

The draft conditional use permit is attached to this staff report for your review and consideration. The conditions of the existing CUP are included in the draft.

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BRIAN AND LESLIE AXDAHL AMENDED CONDITIONAL USE PERMIT CITY OF GRANT

PROPERTY OWNER/APPLICANT: Axdahl's Garden Farm and Greenhouse
Brian and Leslie Axdahl

GENERAL LEGAL DESCRIPTON: See Exhibit A

ADDRESS: 7452 Manning Avenue North
Grant, Minnesota 55082

PRESENT ZONING DISTRICT: A-1

This is a Conditional Use Permit amendment to allow for extended hours of operation seasonally on certain days, and to allow for operations of a haunted trail and corn maze. Any additional product lines or expansions of the business shall require another amendment to the Conditional Use Permit.

All uses shall be subject to the following conditions and/or restrictions imposed by the City Council, City of Grant, Washington County, Minnesota. The existing conditions regarding the agricultural business on site shall remain in effect in addition to all applicable ordinances, statutes or other laws in force within the City:

1. Hours of operation for the agricultural business shall remain 9:00 am to 8:00 pm from April 1st to December 31st.
2. The haunted trail and night corn maze activities shall be allowed to operate until 11:00 pm Wednesday through Sunday from September through October.
3. Ticket sales for the haunted trail and corn maze shall end at 10:00 pm to ensure the hours of operation are met.
4. All activities related to the haunted trail and corn maze shall be subject to the City's noise ordinance. Sound machines shall be setback from roadways and adjacent residential structures and shall be directed interior to the subject site.
5. All fog machines shall meet all setbacks on the property and shall be directed interior to the site.
6. No additional lighting is approved as a part of this permit, any additional lighting shall be subject to review and approval by the city planner.

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- 7. No new access points or driveways are approved as a part of this permit. Traffic will use existing accesses to enter and exit the site. Once **Settlers Court** is completed, all traffic shall be routed to this access.
- 8. The applicant shall continue to follow the traffic and circulation plan prepared for the amended CUP dated 7/15/2005. The plan makes sure that all customer vehicles are parked out of the traffic lane and do not constitute a traffic hazard. On-street parking shall be prohibited.
- 9. No additional signage is proposed as a part of this application. Any additional signage shall be reviewed and approved by the city planner.
- 10. Product sales shall be limited to the agricultural hours of operation and shall not be extended.
- 11. Any violation of the conditions of this permit shall result in revocation of said permit.
- 12. This permit shall be subject to annual review.
- 13. All escrow amounts shall be brought up to date.
- 14. The applicant shall sign an amended CUP within forty-five (45) days of the resolution being passed and record the same with the Office of the Washington County Recorder.
- 15. All ongoing conditions and requirements listed in the original Conditional Use Permit, in the Office of the Washington County Recorder shall also apply to this applicant.

IN WITNESS WHEREOF, the parties have executed this agreement and acknowledge their acceptance of the above conditions.

CITY OF GRANT:

Date: _____

Tom Carr, Mayor

Date: _____

Kim Points, City Clerk

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State of Minnesota)
)ss.
County of Washington)

On this _____day of _____, 2011, before me, a Notary Public, personally appeared Tom Carr and Kim Points, of the City of Grant, a Minnesota municipal corporation within the State of Minnesota, and that said instrument was signed on behalf of the City of Grant by the authority of the city council and Tom Carr and Kim Points acknowledge said instrument to the be the free act and deed of said City of Grant.

Notary Public

Jennifer Haskamp

From: BRIAN LESLIE AXDAHL <bnlaxdahl@msn.com>
Sent: Thursday, September 08, 2011 1:57 PM
To: clerk@cityofgrant.com; Jennifer Haskamp
Subject: CUP amendment

Dear Planning Commission,

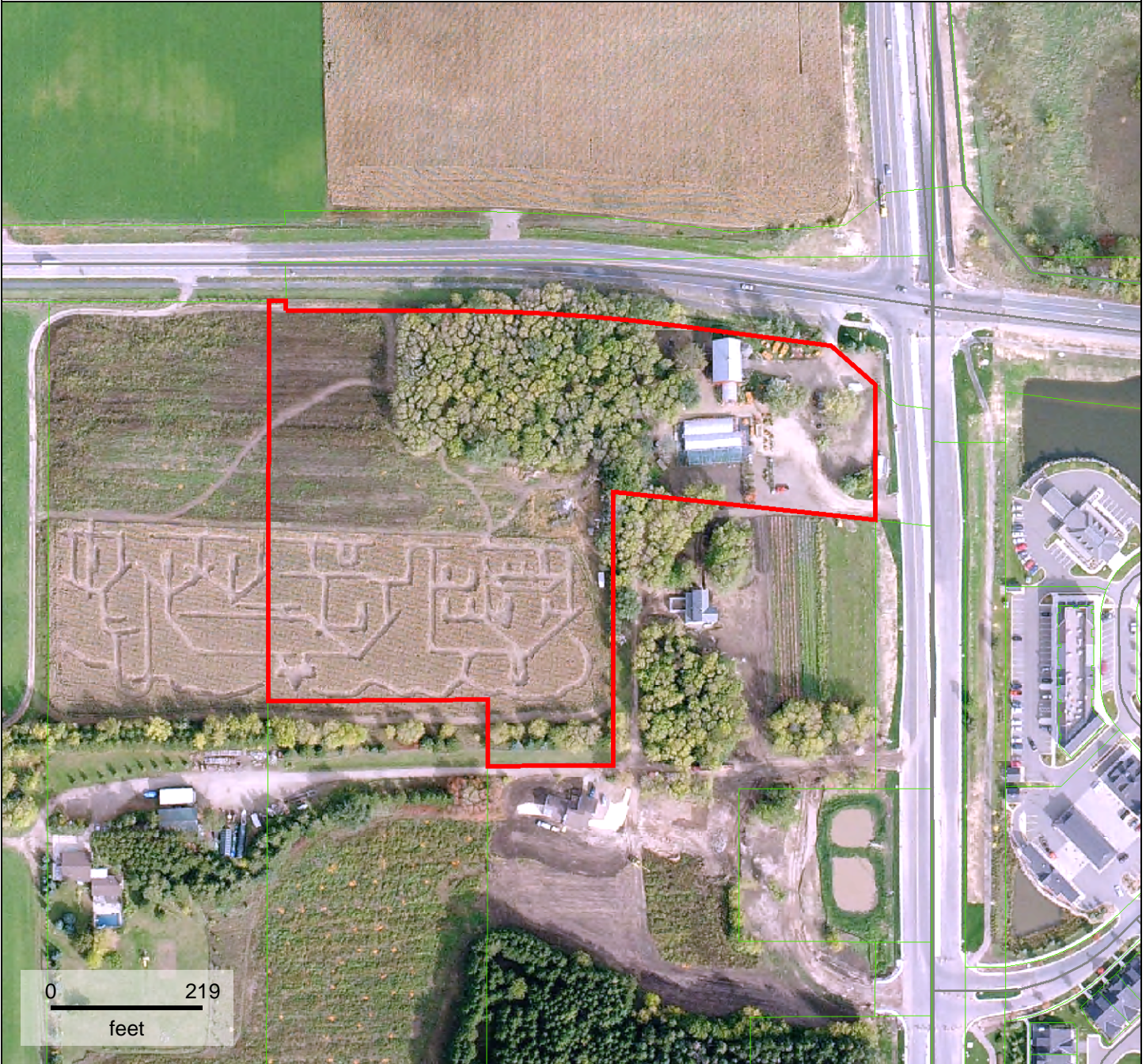
We are requesting a modification to our Conditional Use Permit to extend our hours to 11pm. We are asking this so that we can do a haunted version of what we are currently doing during the day. We have for several years now had a trail out to our corn maze and pumpkin patch. This has been very kid friendly. Again this year we have the trail out to our corn maze, which is already cut, and our pumpkin patch. We would like to make these existing features "haunted" after dusk. A portion of the proceeds will be going to the Washington County 4-H Club who will be participating as actors for the haunt. We will comply with all noise, safety and lighting ordinances that Grant has in place. Evening ticket sales will end at 10pm to ensure that customers are off of the property by 11pm. We will utilize our existing parking/ property to accommodate traffic on site. The trail, maze and pumpkin patch will be kid friendly again during the day.

Thank you for your consideration and assistance!

Leslie Axdahl
Axdahl's Garden Farm & Greenhouse
We're Growing For You!!
(651)439-3134
<http://www.axdahlfarms.com>
<http://info@axdahlfarms.com>

Washington County, MN

Exhibit B: Site



Property Information

Property ID 2503021410012
Location 7452 MANNING AVE



MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

This drawing is a result of the compilation and reproduction of land records as they appear in various Washington County offices. The drawing should be used for reference purposes only. Washington County is not responsible for any inaccuracies.

