

Environmental Services

County Board Agenda Staff Report for T 04/02/2019

Old Business:

New Business:

- **Conditional Use Application 3-CU-19 by Travis Guida and Sarah Coumbe-Guida:** Part of Government Lot 7, Section 22, Township 141, Range 35, Arago Township between Eagle Lake and Potato Lake, recreational development lakes. Parcel 02.22.01620. Applicant is requesting a conditional use permit per Section 401, Table 1 of the Shoreland Management Ordinance for a commercial planned unit development conditional use permit.

Enclosed Document(s):

- 3-CU-19 application
- 2017 aerial photos of property w/two view scales and 2' elevation contours shown
- 1-CU-10 June 23, 2010 decision letter
- Rental unit density tier boundaries and areas map
- Tier 3 imp. surface area calculation

Shown below is the March 2019 Planning Commission staff report on the application, followed by the Planning Commission's recommended motion, conditions, and findings of fact:

The proposed use was originally permitted in 2010 as an expansion of the adjacent Eagle Beach Resort. Last year, the Department was informed by the applicants that the ropes course use was operating independently of the resort – which the 2010 CUP did not allow. The Department consulted legal counsel as to the best way to move forward. Having the applicants submit an ordinance amendment application proposing a separate use category in Section 401, Table 1 of the SMO was determined to be the best route forward. So the applicants submitted such an application and that process is underway. Counsel and staff recently revisited the proposed use relative to existing uses in Section 401, Table 1 and decided the proposed use fits in the commercial planned unit development (PUD) use category which is allowed with a CUP.

The use proposed in this application is similar to the 2010 CUP in regard to the primary business purpose being the operation of a low and high ropes course for customers about which the Department has not received any complaints to-date. The proposed use differs from the 2010 CUP in that it includes a request to have rental units for overnight accommodations of customers and staff. The application contains information on a ~40' x 70' structure that would be built in Tier 3 and house two 1,530 sq. ft. rental units that share 2nd floor bedroom and open meeting area space. The SMO allows 1 such unit to be located in Tier 2 and 4 such units to be located in Tier 3 (see enclosed aerial photo with Tier boundaries shown.) The Tier 4 area is too small to support the placement of the proposed unit size.

The property is 3.47 ac. and is roughly 215' north-south and 715' east-west. County Highway 40 abuts its east border. Eagle Beach Resort (19.5 ac.) abuts the north property lines. A year-round 8.8 ac. residential property abuts the property's south boundary and lies to the east of it across County Highway 40. The property lies almost equidistant between Eagle Lake located to the northwest and Potato Lake located to the east. The lot is ~430' from Eagle Lake and ~500' from Potato Lake. Hay Creek, which flows between the two lakes, is located ~630' north of the property. The property is covered by mature pine trees. The underlying soil is sandy loam and loamy sand on the west half (1127B – Bootlake-Graycalm complex, 2-8% slopes) and loamy sand on the east half (202 – Meehan loamy sand, 0-3% slopes) and the property elevation varies from ~4' to 20' above the two nearby lakes.

Section 1013.5.B of the SMO requires commercial PUDs to comply with a 25% impervious surface area threshold within each rental unit tier. This is in addition to the 25% impervious surface area threshold that applies to the entire property per Section 904.6 of the SMO. A staff calculation sheet is included in the packet showing the density calculation for the

Tier 3 area on the property in which most of the existing and proposed impervious surface area is located. This tier's impervious surface area is a bit over 17% based on existing and proposed items. While the ordinance's rental unit density calculation formula allows more than the two proposed rental units to be placed on the lot, because so much of the property is committed to the ropes course, the available land where additional units could be placed without exceeding the 25% threshold is limited. This is a key piece of information to keep in mind when developing conditions for the application.

Given the current snow cover and frozen soil conditions, an SSTS design was not able to be submitted for the proposed rental units. Instead, a licensed designer provided a letter stating that a mound SSTS could be installed that would be large enough to accommodate the proposed maximum number of overnight guests. The mound drainfield would be 10' x 83' plus the additional side slopes so it will also significantly limit the available area where any future rental units could be placed. There is an existing holding tank that services restrooms in the existing structure labeled "Office" on the site plan sketch.

Staff finds the proposed use is able to operate in harmony with the surrounding neighborhood/environment and be protective of the public health, safety, and welfare...assuming appropriate conditions are developed based on information gathered during the public hearing process.

Items to consider whether they ought to be addressed via conditions:

- Months, days, hours of operation
- A possible residence may be constructed in the future – sufficient room for such?
- Sufficient parking
- Maximum occupancy of property at any given time
- Exterior lighting
- Outside amplified music and PA system, and general noise levels
- Number and allowed size of rental units
- Expansion in the form of additional structures or additions to existing structures

(No public comment was provided as part of the Planning Commission [PC] public hearing process.)

Planning Commission Recommendation:

Motion by Andres, second by Petersen to recommend approval of the application; adopting the staff report proposed conditions 1-5 and condition 6 created by the Planning Commission; and adopting the staff report proposed findings of fact.

Planning Commission Recommended Conditions:

1. This conditional use permit (CUP) is for the operation of the entire premises as one commercial planned unit development (PUD) use venture. As such, any land, that through subdivision or addition to the property to which the CUP is granted, is added or subtracted, is/are not granted or allowed the right to operate in accordance with the CUP without first applying for and obtaining the necessary CUP from the County.
2. The existing driveway approach on County Highway 40 shall be the sole vehicle access by which vehicles related to this use (i.e. customers, vendors, etc.) may enter/exit the property.
3. The septic system to service the proposed rental units must be installed, connected to said units, and receive a certificate of compliance before the rental units can be occupied.
4. No outdoor activity related to the commercial PUD use may occur after 10:30 p.m.
5. Two rental units totaling 3,060 sq. ft. of habitable space that will be located in the proposed 40' x 70' + 6' x 30' (2,980 sq. ft.) structure shown on the application site plan sketch are allowed.
6. This conditional use permit (CUP) is for the operation of a planned unit development. In the proposed structure of the application, any expansions to this structure or the facility will require applying for the appropriate CUP amendment.

Note: Regarding proposed Condition 6, staff recommends deleting the first sentence as it is duplicative of Condition 1 and restating the second sentence for clarity that, “No expansion of the proposed rental unit/garage structure is allowed.” as Condition 1 also prohibits the use’s expansion to property other than that which is listed in the application. Stating the condition in this manner also results in the need for an amendment application to be submitted/approved to modify/remove the condition in order to enlarge the structure. Staff agrees with the PC recommendation subject to this recommended Condition 6 modification.

Planning Commission Recommended Findings of Fact:

1. Is the requested use consistent with public health, safety, and welfare?

YES (X) NO ()

Why or why not? The ropes course component of the use was operated as part of the adjacent resort without any complaints having been received. A commercial planned unit development is allowed as a conditional use on recreational development classified lakes like Eagle and Potato between which this property is located. The proposed rental units comply with the allowed rental unit density. The use complies with the 25% impervious surface area provisions in the ordinance. The existing access onto County Highway 40 has been in use since 2010 without any issues.

2. Is the requested use consistent with the goal of preventing and controlling water pollution, including sedimentation and nutrient loading?

YES (X) NO ()

Why or why not? The use will be located on a non-riparian lot that is separated from Potato Lake by County 40 which acts as a bermed physical barrier that would keep any runoff from this property from reaching Potato Lake. The property is ~500’ from Potato Lake and ~430’ from Eagle Lake. The Eagle Beach Resort property lies between the subject property and Eagle Lake and is heavily forested for ~300’ of its depth – which will also keep any subject property runoff from reaching Eagle Lake. The property will be kept largely undisturbed as its business use depends on maintaining the large mature pine tree cover. No topographic or vegetative alterations to the property are proposed aside from the construction of the proposed 2,980 sq. ft. structure and its septic system and driveway.

3. Will the requested use not adversely affect the site’s existing topography, drainage features, and vegetative cover?

YES (X) NO ()

Why or why not?. As mentioned in the response to question 2 above, the sole modifications to the property’s topography and drainage are the proposed construction of the 2,980 sq. ft. structure and its septic system and driveway. Most of the property will remain in its natural mature pine tree cover that is critical to the continued operation of the business. The use’s operation the past eight years as part of the adjacent resort use testifies to its not adversely affecting the site’s topography, drainage, and vegetative cover.

4. Is the requested use’s site location reasonable in relation to any floodplain and/or floodway of rivers or tributaries?

YES (X) NO ()

Why or why not? Hubbard County does not have any FEMA designated floodplains.

5. Has the erosion potential of the site based upon the degree and direction of slope, soil type, and existing vegetative cover been adequately addressed for the requested use?

YES (X) NO ()

Why or why not? All but the proposed ~40’ x 70’ rental unit structure and its accompanying driveway and septic system are already in place and have been operating for the last eight years without any noticeable erosion problems. The proposed structure and related improvements will be located in the NE corner of the property that is level and has no significant erosion potential. This area is separated from Potato Lake by the County Highway 40 right-of-way which is higher in elevation than the proposed structure site and will thus keep any eroded material from reaching the lake. The property’s use is predicated on the property remaining “natural” in its vegetative cover so the applicants have a vested interest in continuing to safeguard the property from erosion.

6. Is the site in harmony with existing and proposed access roads?

YES (X) NO ()

Why or why not? The property's existing access road is on County Highway 40 which is a main paved two-lane County highway. The property is roughly one mile from State Highway 71 which is a main thoroughfare between Park Rapids and Bemidji. The property is thus well situated in regard to proximity to well-traveled and maintained highways capable of supporting the number and types of vehicles used by customers that frequent this property. No issues related to the business' road access have been mentioned by the public or observed by the County in the eight years it operated under the adjacent resort's conditional use permit.

7. Is the requested use compatible with adjacent land uses?

YES (X) NO ()

Why or why not? As stated in responses to prior questions, this use has operated under a CUP for the adjacent resort on parcel 02.22.00500 since 2010 without any complaints having been generated regarding its compatibility with neighboring uses. The west and north sides of the property abut a commercial resort use that has been in operation for decades and is owned by one of the applicants and her family. The south and east boundaries of the property abut a residential property of ~8.8 ac. on which no residence or other improvements are located. The extended radius area is low-density residential development due to a large wetland complex on the east side of County Highway 40 across from the property that precludes building on that side of Potato Lake. The properties to the south and southwest of the subject property are ~6, 14, and 42 ac. in size and heavily wooded.

8. Does the requested use have a reasonable need to be in a shoreland location?

YES (X) NO ()

Why or why not? Much of the County falls in shoreland area due to its many lakes. These shoreland areas are where residents congregate to enjoy the lakes/rivers. Thus, these are also the areas where main transportation corridors arose and have been maintained to provide access to these residents. Resorts and other lodging providers are also located in shoreland areas and proximity to such lodging sources makes sense for this use as the use draws clientele from a broad geographic area who are in need of a place to stay when they come to the ropes course. Part of the ropes course's unique North Woods experience is that it draws from the natural scenery in which it is located. Having Eagle and Potato Lakes nearby along with Hay Creek and some other smaller lakes to the NE and SW along with the turns and elevation changes along County Highway 40 enroute to the property all contribute to the experience and efficacy of the course.

9. Is the amount of liquid waste to be generated reasonable and the proposed sewage disposal system adequate to accommodate such?

YES (X) NO ()

Why or why not? There is a permitted holding tank on the property that services the customer restrooms. Information has been provided by a licensed SSTS designer that there is room and suitable soil in the proposed location on the property for the SSTS to service the proposed rental units in the ~40' x 70' structure to be constructed.

10. Will the visibility of structures and other facilities as viewed from public waters comply with Section 901 of the Ordinance?

YES (X) NO ()

Why or why not? The property is ~430' from Eagle Lake and ~530' from Potato Lake so none of the property lies within the shore impact zone of either lake and thus Section 901 of the Shoreland Management Ordinance does not come into play on this property. The structures on this lot are not visible from either lake due to the aforementioned distances, the existing mature evergreen tree cover on this property and surrounding properties, and County Highway 40's bermed design.

11. Is the site adequate for water supply and on-site sewage treatment systems?

YES (X) NO ()

Why or why not? The property is nearly 3.5 ac. in size and has an existing well and holding tank that service the customer restrooms. As stated in the response to question 9, a letter from a licensed SSTS designer was submitted in the application that states there is room and suitable soil in the proposed location for the septic system that is to service the ~40' x 70' structure that is to house the proposed rental units.

12. Are the affected public waters suited to and able to safely accommodate the types, uses, and numbers of watercraft that the use will generate?

YES (X) NO ()

Why or why not? The proposed use will not affect public waters as the property does not front a public water body and the use does not involve any watercraft-related activities. The use is solely that of providing a ropes course experience to customers – some of whom may then stay in the provided rental units due to the distance they travel to reach and experience the ropes course.

Other:



Conditional Use Application

Hubbard County Environmental Services
301 Court Ave., Park Rapids, MN 56470
Phone: 218.732.3890 Fax: 218.732.7993
www.co.hubbard.mn.us/environmental.htm

This form must be legibly completed in INK.

Applicant name(s): Travis Guida & Sarah Coumbe-Guida Date: 02/20/19

Owner name(s) (if different from applicant): _____

Mailing address: 24250 Shady Ridge Dr., Laporte MN 56461

E911 Property Address: 13218 County 40, Park Rapids MN 56470

Phone: 218-760-8442 Alt. phone: _____ Email: travis@characterchallengecourse.com

Tax Parcel Number(s): 02.22.01620

Explain your requested conditional use: Give details of the type, size, purpose and any other relevant information regarding your proposed use. Be thorough. Attach additional sheets labeled "Conditional Use Request", if necessary.

Please see attached narrative.

I have read and fully understand the above instructions. I am the fee title owner of the above described property or the authorized agent thereof, and I agree to this application and warrant and assert that I am authorized by ownership and/or law to apply for the permit in question. The applicant hereby certifies that the information contained in this application is a true, accurate and complete representation of facts and conditions concerning the proposed variance application. The applicant hereby makes application for a conditional use agreeing to do all such work in accordance with all Hubbard County Ordinances. Applicant agrees that application, sketch or survey, and other attachments submitted herewith are true and accurate. Applicant agrees that, in making application for a conditional use, applicant grants permission to Hubbard County, at reasonable times to enter landowner's premises, to determine compliance of that application with any applicable county, state, or federal ordinances or statutes. If any of the information provided by the applicant in his/her application is later found or determined by the County to be inaccurate, the County may revoke the conditional use and/or accompanying permit based upon the supplying of inaccurate information.

Signature of applicant(s): [Signature] Date: 2/20/19

For Office Use

Date of application: Feb. 27, 2019 Filing acknowledgement by: SEH Receipt #: 31048 App. #: 3-CU-19



Conditional Use Application

Hubbard County Environmental Services

301 Court Ave., Park Rapids, MN 56470

Phone: 218.732.3890 Fax: 218.732.7993

www.co.hubbard.mn.us/environmental.htm

Conditional Use Application Procedure

1. In order for Hubbard County to comply with Minnesota Statute 15.99 (processing time deadlines for agency action), a pre-application meeting must be held between the applicant and Environmental Services staff to determine which of the following additional information items must be provided:

- A topographic survey showing (2 foot / 10 foot) contour intervals.
- Location and size of all wetlands.
- Subsurface sewage treatment system (site evaluation / design.)
- An approved MPCA Stormwater Permit if project disturbs over 1 acre.
- A grading and erosion control plan with itemized 3-D dimensions (in ft.) and volumes (in cu. yds.) for all proposed topographic alterations.
- Other: _____

The pre-application meeting was held on 02-21, 2019. It was agreed by the applicant(s) and Environmental Services staff that the items checked above are required for this conditional use application to be complete.

Signature of applicant(s): [Signature] Date: 2/25/19

Signature of Env. Services staff: [Signature] Date: 2/21/19

2. Submit your complete application to the Environmental Services Department along with the application fee.
3. If the Environmental Services Department determines that the application is complete, it will be placed on the next available Planning Commission meeting agenda.
4. The Planning Commission (PC) and Environmental Services Director will visit the property on which the proposed use is to be located. It is highly recommended that you be present at the site visit to explain your proposed use to the PC. You will be notified of the site visit date and time.
5. The PC will consider your application during a regularly scheduled meeting. It is highly recommended that you be present at the meeting to explain your application and answer any questions the PC has concerning your application. You will receive notice of the meeting date, time, and location. The PC may recommend approval, approval with conditions, or denial of your application. The PC may also table your application.
6. Once the PC acts on your application, it is then placed on the next available County Board meeting agenda. You will receive notice of the meeting date, time, and location. The County Board has final authority to approve, approve with conditions, table, or deny your application.
7. If the County Board approves your application, you must then obtain a \$75.00 conditional use operating permit before you can legally start your approved conditional use. The County Board may place conditions on your application's approval that must be satisfied before your operating permit can be issued. Also, be aware the Shoreland Management Ordinance contains a two year sunset clause that states the allowed conditional use must commence within two years of the County Board approval date or the conditional use permit is automatically deemed null and void.
8. Once your operating permit is issued, you may start and operate your conditional use as approved.
9. Your conditional use permit can only be modified by applying for and receiving approval of an amendment.



Conditional Use Application

FEB 25 2019

Hubbard County Environmental Services

301 Court Ave., Park Rapids, MN 56470

Phone: 218.732.3890

www.co.hubbard.mn.us/departments/environmental_services/index.php

Application Fees:

Conditional use permit application....	\$290.00
Conditional use operating permit.....	\$ 75.00

Fees on denied applications are non-refundable.
Make checks payable to "Hubbard County".

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Instructions

- ✓ 1. All items on all pages must be completed in ink and submitted in an application before it will be processed. Incomplete applications will be denied and returned.
- ✓ 2. If applicant is someone other than the landowner, an Authorized Agent form must be included that shows the owner has given the applicant permission to submit the application.
- ✓ 3. A site plan sketch or survey of your property must be submitted and show all of the information listed in the site plan sketch instructions. A side profile sketch must be submitted for a proposed new structure or an addition/alteration to an existing structure. Grading/filling projects require a cross-section sketch.
- ✓ 4. Include at least two ground-level color photographs (4" x 6" minimum size) of every structure/area involved in the application. Any proposed project or new construction area must be clearly staked, flagged, or marked in the photos. Label the front of each photo with a description of what is shown.
- ✓ 5. Include the \$290.00 non-refundable application fee. Make checks payable to "Hubbard County." Payment may be in the form of a check, cash, or credit card (cc). To pay by cc, please contact our office for details on how to do so.
- ✓ 6. Accurate tax parcel ID #s must be given for the property on which the conditional use is sought. (Parcel IDs are shown on your tax statement. They are also accessible on the online County tax parcel map found on the County website: www.co.hubbard.mn.us.)
- ✓ 7. Provide a copy of your deed(s) for the property on which the conditional use is requested.
- ✓ 8. Provide written directions from Park Rapids to the property (include the E911 address) on a **separate** piece of letter-size (8 1/2"x11") paper. If the property does not have an E911 address, provide an adjacent property's E911 address and the direction your property is from the adjacent property.
9. Locate and mark your property lines (if applicable to your conditional use request) and stake out or flag the proposed project area(s) so they are clearly visible on the Planning Commission lot viewal date. **The project area(s) must be accessible (e.g. snow must be plowed, road access to project area.)**
- ✓ 10. A current certificate of compliance (COC) for the property's septic system(s) **and/or** a SSTS design is required. The exact septic information required for your application will be determined during the pre-application meeting. A COC is needed for any application where there are one or more existing septic systems on the property (including privies). If your application proposes a new sewer structure or an addition to a sewer structure, then either: 1. a COC must be submitted that shows the SSTS is correctly sized for the new structure or addition; or 2. a new SSTS design must be submitted showing room on your lot to enlarge an existing compliant SSTS or install a new septic system that will meet sizing requirements for the proposed construction (whichever of the two situations is applicable to your proposal.) A new SSTS design is also required to be submitted in your conditional use application if the COC shows a septic system is noncompliant.
- ✓ 11. Schedule and conduct pre-application meeting.
12. Submit application to: **Hubbard Co. Env. Services, 301 Court Ave., Park Rapids, MN 56470.**
13. The applicant is responsible for securing any other local, state, or federal permits that may be required.

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Conditional Use Permit Application

Submitted by: Travis Guida & Sarah Coumbe-Guida

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Conditional Use Request Description:

Travis Guida & Sarah Coumbe-Guida

The Character Challenge Course has been operating a conditional use permit since 2010. In an effort to avoid a competitive disadvantage, we seek a new permit under the Planned Unit Development, Commercial (PUD) classification.

Background:

In 2010, the Hubbard County Board issued us a Conditional Use Permit (CUP). We operate a zip line & high ropes course as well as low team building challenges. These challenges and adventures are born out of experiencing something in nature (such as climbing a tree, crossing a cable bridge, or taking a giant swing) to step outside of a person's comfort zone. Our facility has hosted nearly 50,000 guests since opening. This was done under an expansion of the adjacent resort. We are now requesting to update the use as our business has grown and we wish to provide guests with the opportunity for overnight accommodations.

Hours of Operation:

Varying time slots are available during the day but we have NEVER started before 8:30am. The only groups we have had into the later evening hours have been the Park Rapids senior class and one group from Bemidji State. Being open during daylight is preferred. We do not intend to change these policies. While unique circumstances could arise (based on a group's travel schedule, etc.), we have no plans of making the course a night time attraction at this time.

Year Round/Seasonal:

The business is seasonal. We host guests from late April-November. The proposed use change would allow us to stretch our season, but only slightly. The new construction could be used during winter months. We would need to analyze demand to determine if keeping the building operating throughout the winter is financially sound. Even if the building is rented and used throughout the winter, use of any ropes course activity outside would be limited. Groups who could potentially use the building during winter months may be a school class or county camp partnership who would come to receive an indoor team building/character retreat.

Dwelling:

A home dwelling may be built in compliance with any new construction. This does not impact the density as calculated in the Shoreland Ordinance.

Environment:

Our philosophy of "leave no trace" is a mantra we share with our guests. The business lives this standard out by maintaining a natural feel throughout the property. In addition to our annual certified inspections, we hire a certified arborist to ensure the trees are structurally safe, safe from compaction and disease free.

Physical Entrance/Exit of property:

There is currently one entrance/exit into the business. Unless required by an ordinance, we are not planning to add another approach.

Parking:

The current parking lot holds approximately 18 vehicles. If approved for new construction and use, we will be adding another 3-4 spots and turnaround for the new building.

Signage:

We currently have a sign on the frontage of County 40. The content on the sign is approximately 32 square feet in size. We may need to replace the content of the sign at some point but what it hangs from is a permanent log arch over the driveway. We do not propose any additional signage.

Employees:

Each year, our business employs between 20-35 part time, seasonal staff. On a "typical" day at the challenge course, there will be 3-6 employees (depending on the time of year, type of group and number of participants) For larger school events, we may have as many as 12-15 staff members on site.

Guests/Visitors On Site:

Since opening, we have averaged approximately 5,000 guests each year. Using simple math, this breaks down to 715 per month but April, October, and November are much quieter (only averaging approximately 400 each month). The busiest month in terms of sheer quantity is the month of May. Some of our larger school groups each bring upwards of 90-120 students and staff in a day.

We are generally open 6 days per week in the summer, reserving Sundays for our staff's day off (unless a large group requests this day) Determining any type of regional or statewide average is difficult as there are only 3-4 other types of businesses like ours in the state that are open to the public. Many "ropes courses" statewide are owned and operated by a particular group or agency such as the Boy Scouts, church camps, etc.

Exterior Lighting:

We currently have 3 outdoor lights. These are used during evening events as necessary. We have rarely turned them on but at times may need some additional light for clean up or as guests go to their vehicles. Lights are upward facing to illuminate a given area but are mostly contained from any affect over neighboring property by heavy tree cover.

With the new construction, we would propose a typical exterior lighting for a residential unit (exterior lights by any doors).

Noise:

We rarely have used amplification for voices. This may be used during a “talent show” for a camp program if someone is singing but we have only amplified someone a handful of times since 2010. We do amplify music when a group begins their program. Often, this music will stay on for 10-15 minutes. Since the construction of our office building (and subsequent moving of the speaker box), the music is much more guarded and protected to our area.

Planned unit development, commercial:

The service-oriented business we operate provides local, regional and national guests tourist and team building experiences. The type of business we operate fits into the definition of a PUD (per Hubbard County Shoreland Ordinance, page 10): *“A Planned unit development, commercial: Are typically uses that provide transient, short-term lodging spaces....and their operations are essentially service-oriented”*.

Use Change Request:

The main change in the type of use would involve the phrase “short term lodging spaces”. We are proposing to construct a building that would allow us the opportunity to host small groups who otherwise may not be able to attend without the ability to stay for lodging. During crucial summer months, we will often receive inquiries from corporate groups, county camp partnerships, athletic teams, etc. from other regional hubs such as Fargo, Grand Forks, Duluth, and the Twin Cities. These groups wish to experience our facility but finding affordable overnight accommodations in Park Rapids can be difficult to obtain during the community’s busiest times.

The space each of these units provides could be used for paying guests (IE schools, corporate, athletic teams) or utilized by our staff.

Our proposed building is described on the follow page. We are proposing to build a multi purpose building that would include up to 3 rental units. These units are proposed at 1,480 sq feet each. Based on the density of the property, we would be eligible to build up to 4 units of that size. In the event we do not construct all 3 units during our initial phase of construction, we request the right to build additional units in the future as long as we do not exceed the number of maximum units per the Hubbard County Shoreland Ordinance density requirements and the restrictions based on impervious ground.

While density could allow for certain types of units (IE tenting, RV, etc.) our intent is to use completed structures equipped with running water and septic system.

Existing Structures:

There are 3 structures located on the property. (**please reference color map Exhibit A**)

#1. Office/Restrooms (24’ x 38’): Originally constructed to be an office with 2/3 picnic shelter, the building was closed in during 2017 and restrooms were installed.

There is a small kitchen area inside for food prep. No bedrooms.

#2. Gear Shed (12’ x 12’): Purchased and moved on site when first opened.

#3. Picnic Shelter (24’ x 38’): Open air, tiered seating.

Existing Boardwalk:

To prevent over compaction of trees and vegetation (which could have a very detrimental affect on not only the aesthetics but on the structural integrity of the tree) and to minimize erosion of hillside and slopes, we have a series of rough sawn, tamarac boardwalk placed on grade (no foundation, movable) We also have 1 treated 5/4 deck. (6' x 20') for the same purpose.

The total area of this boardwalk is: **1,792 sq feet. (Please reference Exhibit B)**

All red lines are boardwalks that total 448 lineal feet x 4' wide. These boardwalks are labeled on Exhibit B with red lines. Any boardwalk not labeled on Exhibit B is either small pearock (pervious) or wood chips (pervious) Due to heavy foot traffic, there are 3 locations where boardwalks exceed 4'. On exhibit B, they are labeled "Z", "Y", & "W".

Z.	8' x 38' = 304 sq ft. + 15' x 15' = 225 sq ft	= 529 sq ft.
Y.	6' x 20'	= 120 sq ft.
W.	8' x 117'	<u>= 936 sq ft.</u>
		1,585 sq ft

Total Boardwalk in square feet: 1,729 + 1,585 = **3,314 sq ft**

Current Parking:

At the current size, the parking lot is approximately **7,055 sq. ft. (Please reference lot labeled "V" in Exhibit B)**

Proposed Parking:

There will be no new parking proposed. We do intend to install an 8' wide by 125' drive with approximately 20' x 30' turn around. This will add **1,592 sq ft. (Reference exhibit A)**

New Structure:

The structure we are proposing has not been finalized but the concept will include:

- Multiple units located in the same building. We plan to be able to accommodate approximately 15 guests on a given night.
- Proposed building overall size: Approximately 40' x 68'. There is also a 6' x 30' bump out located in the garage portion (**please reference floor plan**)
- "Garage" where guests at the ropes course could be engaged in activities in the event of inclement weather. This space would double as storage for a skidsteer, equipment & boats in the off-season.
- Two small kitchens & 3 restroom spaces.
- At the time of this writing, we do not intend on an additional approach off County 40. This will allow for a central access/exit points in the business. ****If there are particular statutes that require an additional approach, we are willing to include.**
- The submitted site plan is being used for planning purposes. The precise size may need to be changed slightly to address ground topography and spacing.
- As mentioned on page 5, we request the right to build additional units in the future as long as we do not exceed the number of maximum units per the Hubbard County Shoreland Ordinance density requirements.

- **Size/Height:** This proposal is to construct an approximately 40'x70' building (with 6 x 30' bump out). The side profile will include 10' side walls and a 8/12 or 10/12 pitch making the top of the roof line approximately 24'-26' high)
- **Location:** It is our intent to construct a building in the northeast corner of the property. The exact location is may be adjusted slightly, but any new construction will meet any required set backs from road right of way, adjacent property and septic requirements.
- **Style:** The building will be a log construction, with open beam over a portion. In an effort to maintain the natural feel of the facility, the type of logs used will match the existing office building, shed and open air picnic shelter. All stain is a natural, earth tone.

Compliance (Density, Septic, Oversight):

- We will follow all required building permits & restrictions. This would include construction of a building(s) that does not exceed the limit of units per square footage allowed.
- Septic work will be completed to all necessary codes and will be completed in compliance with the prescribed timelines. Lenny Thelen with Thelen's Excavating has taken boring samples and has indicated that the lot meets the spacing requirements needed. Furthermore, he will construct the septic system BEFORE any other construction takes place. As this application is occurring during the winter months, Mr. Thelen is not able to complete a full site evaluation but has agreed to submit a letter indicating his review of the boring samples, and approval of the future system. (see enclosed letter submitted).
- The business will continue to meet industry specific guidelines for safe operation. ANSI (American National Standards Institute) safety standards are addressed through an annual inspection & certification through the Association of Challenge Course Technology. This accreditation requires the highest level of safety, training, equipment maintenance and is performed each year by a certified company.

Community Impact:

- The economic impact of the business has been steadily increasing.
- Direct partnerships with Rocky's Pizza, Foxy's Bar & Grill, and other local establishments such as the Park Rapids Downtown Business Association have provided mutually beneficial outcomes.
- By providing guests with the possibility of overnight accommodations, a residual affect will be investment in other tourist venues before departing the area.
- Of the approximately 50,000 guests, our records indicate that nearly 90% are coming from a distance greater than 30 miles from Park Rapids which indicates a dollars brought into and invested in the community.
- We project an increase of approximately 7%-12% of our guests in a given year. These are prospective travelers who would choose to do an activity similar to our business but currently travel to other communities.

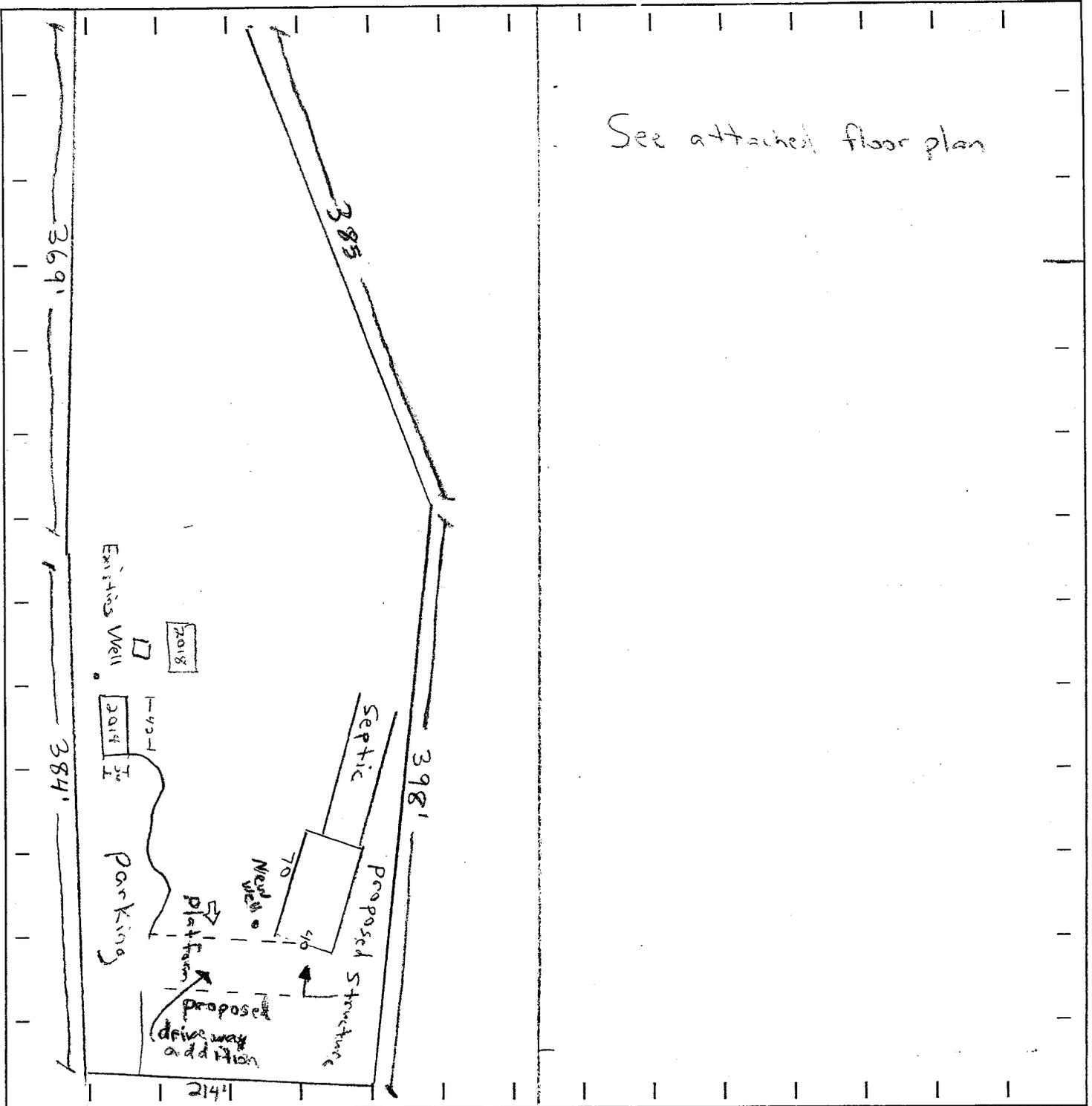
- The prospective change in use will have no meaningful/noticeable impact on neighboring properties. Many of these new guests would be coming in 1-2 vehicles so there would be limited affect on local traffic/congestion.

Summary:

We operate a high ropes challenge course. We are applying for a CUP to operate as a Planned Unit Development: Commercial. With this application, we request the ability to be able to construct rental units that could be used to accommodate short term, overnight guests that are utilizing the ropes course.

Site Plan

Required for ALL permit applications



See attached floor plan

You **must** include all structures and additions, well(s), and septic system(s) existing and proposed, on your property and label them. You **must** also include all dimensions (including height) of the structures as well as all setbacks to property lines, lakes or rivers, roads, and any other pertinent setbacks. See reverse side of "Site Plan" for example sketch.

I hereby swear that the information provided in this sketch is true, accurate, and complete.

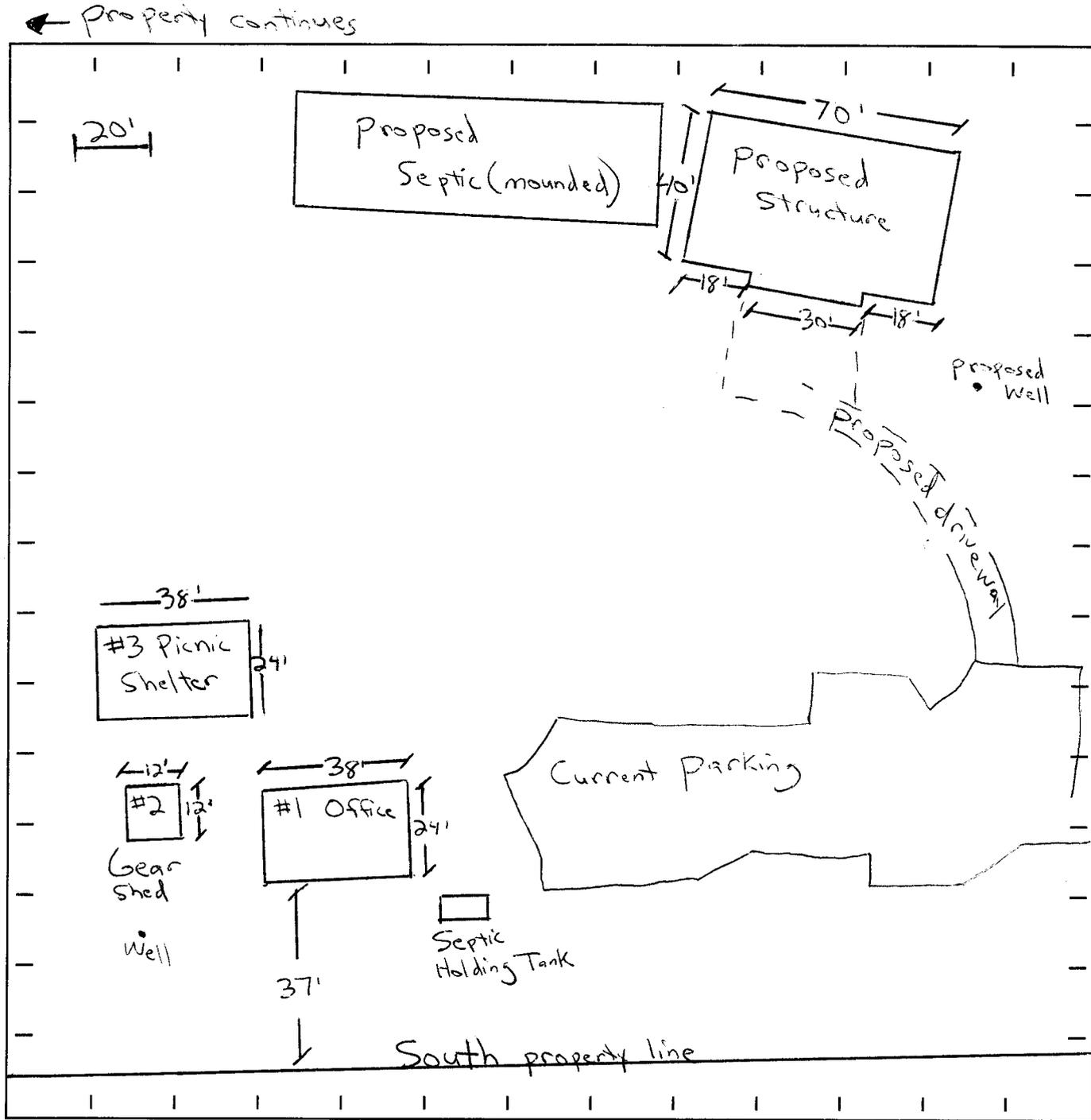
[Signature]
Applicant Signature

2/20/19
Date



High ropes
areas

Site Plan
Required for ALL permit applications



You **must** include all structures and additions, well(s), and septic system(s) existing and proposed, on your property and label them. You **must** also include all dimensions (including height) of the structures as well as all setbacks to property lines, lakes or rivers, roads, and any other pertinent setbacks. See reverse side of "Site Plan" for example sketch.

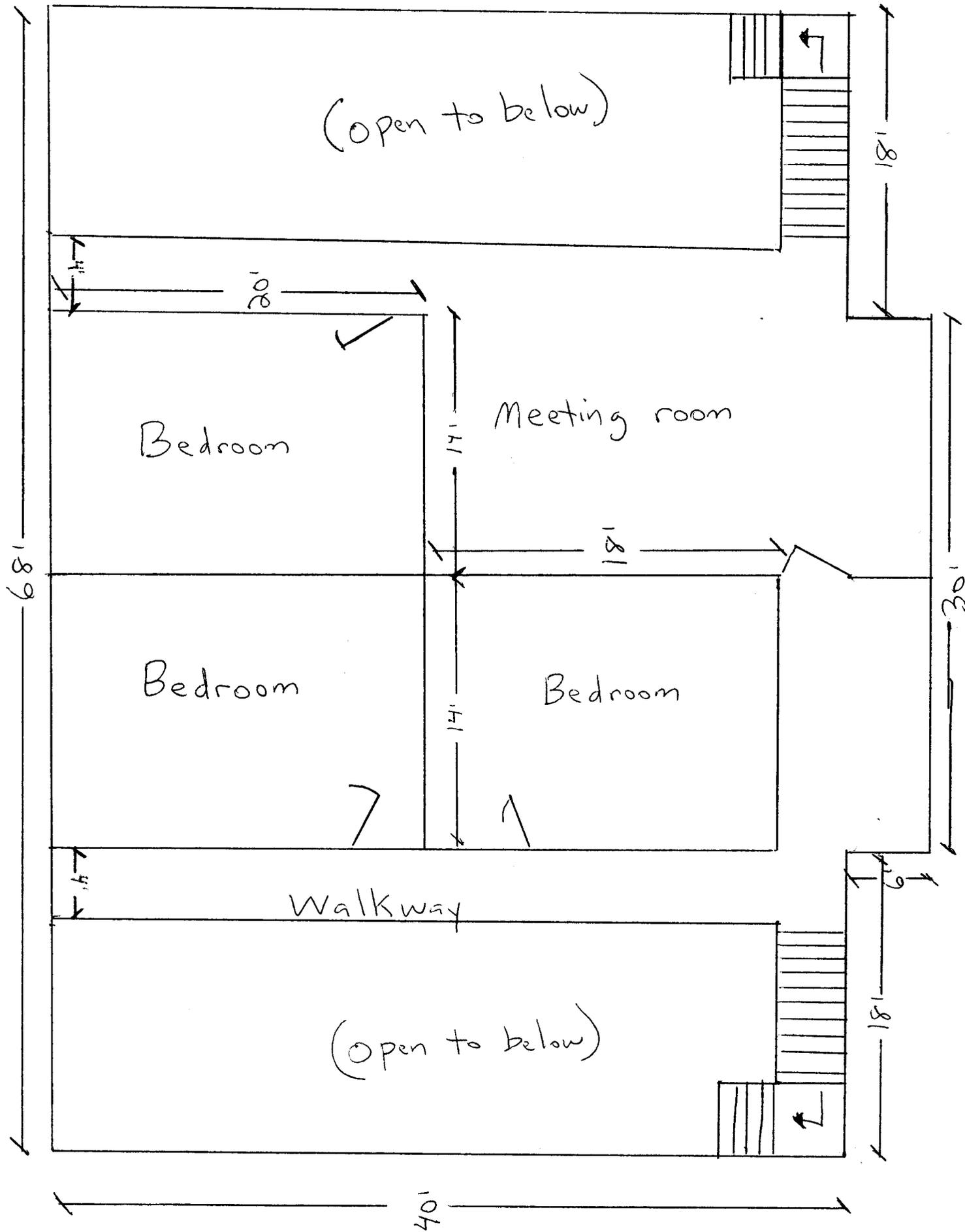
Click the "Submit Form" button to the left to submit the application and a new e-mail message will open with the completed application attached. Please attach the site drawing, the ground-level color photographs, and any other necessary paperwork to this e-mail before submitting.



Click the "Reset Form" button to the left to clear all information from the form.

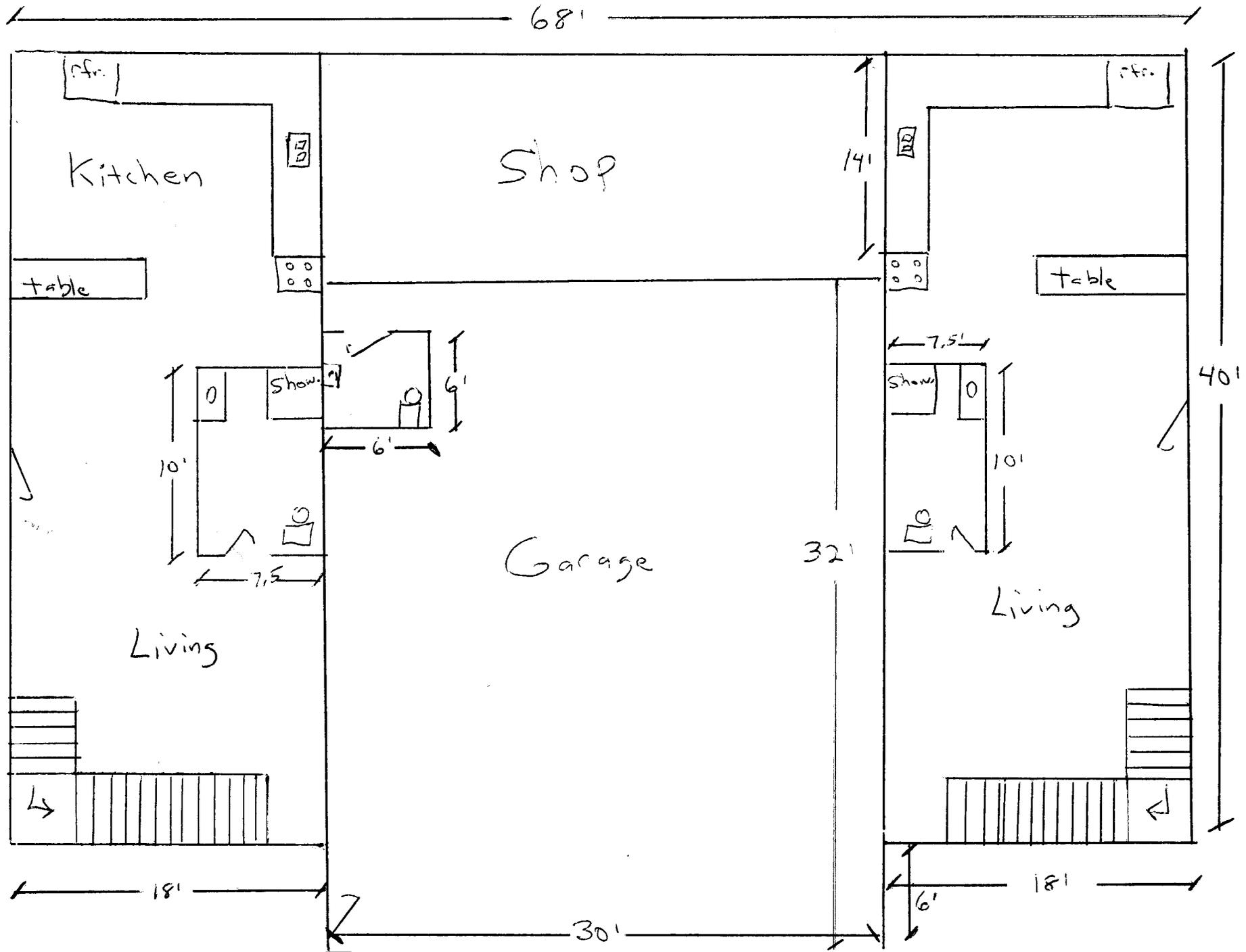
To County 40
↓

2nd Story



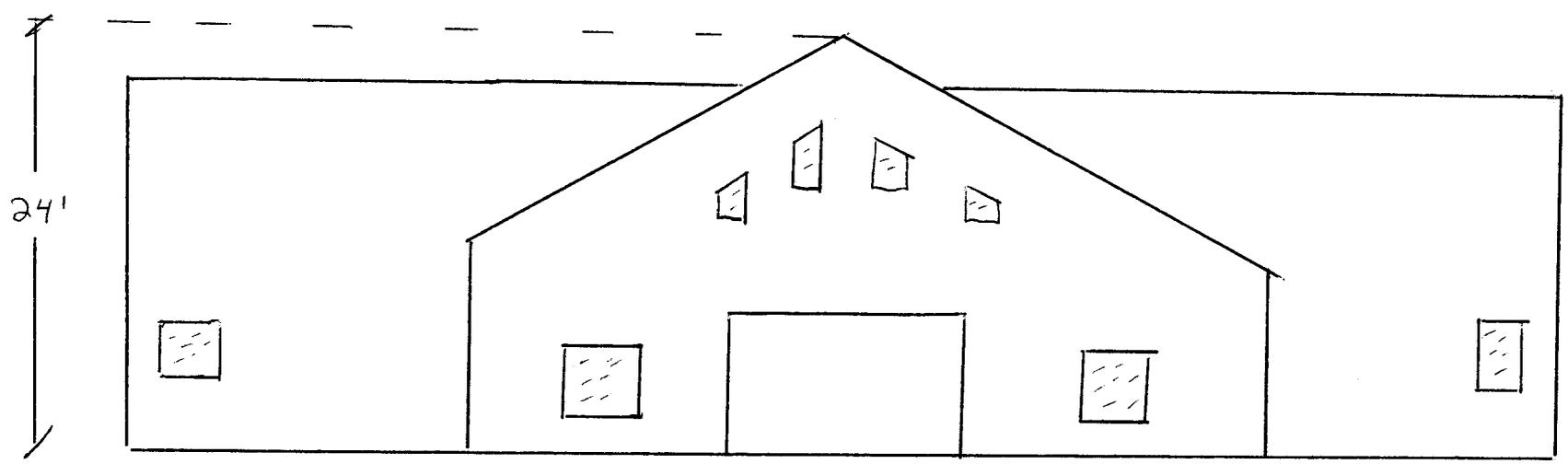
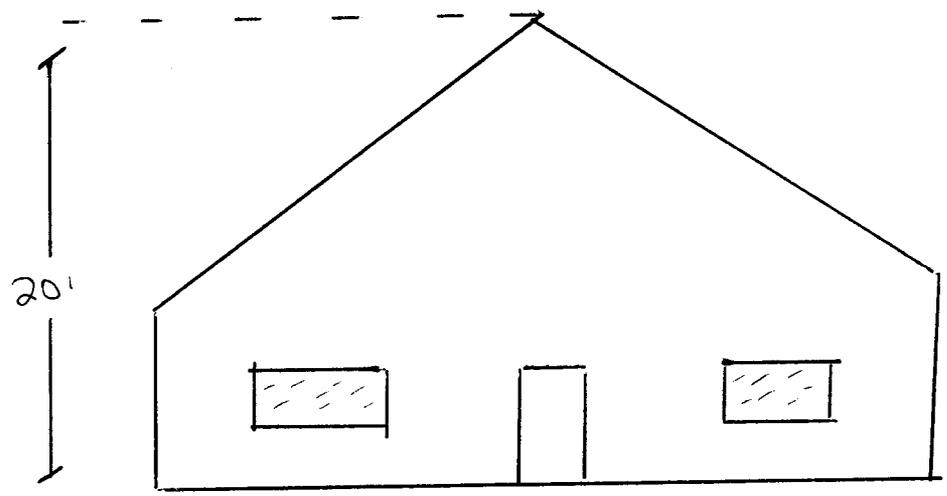
Main Level

RECEIVED FEB 27 2019



RECEIVED FEB 27 2019

End view



Front
(south expos.)



Proposed site

Proposed driveway



Proposed site



Current structures

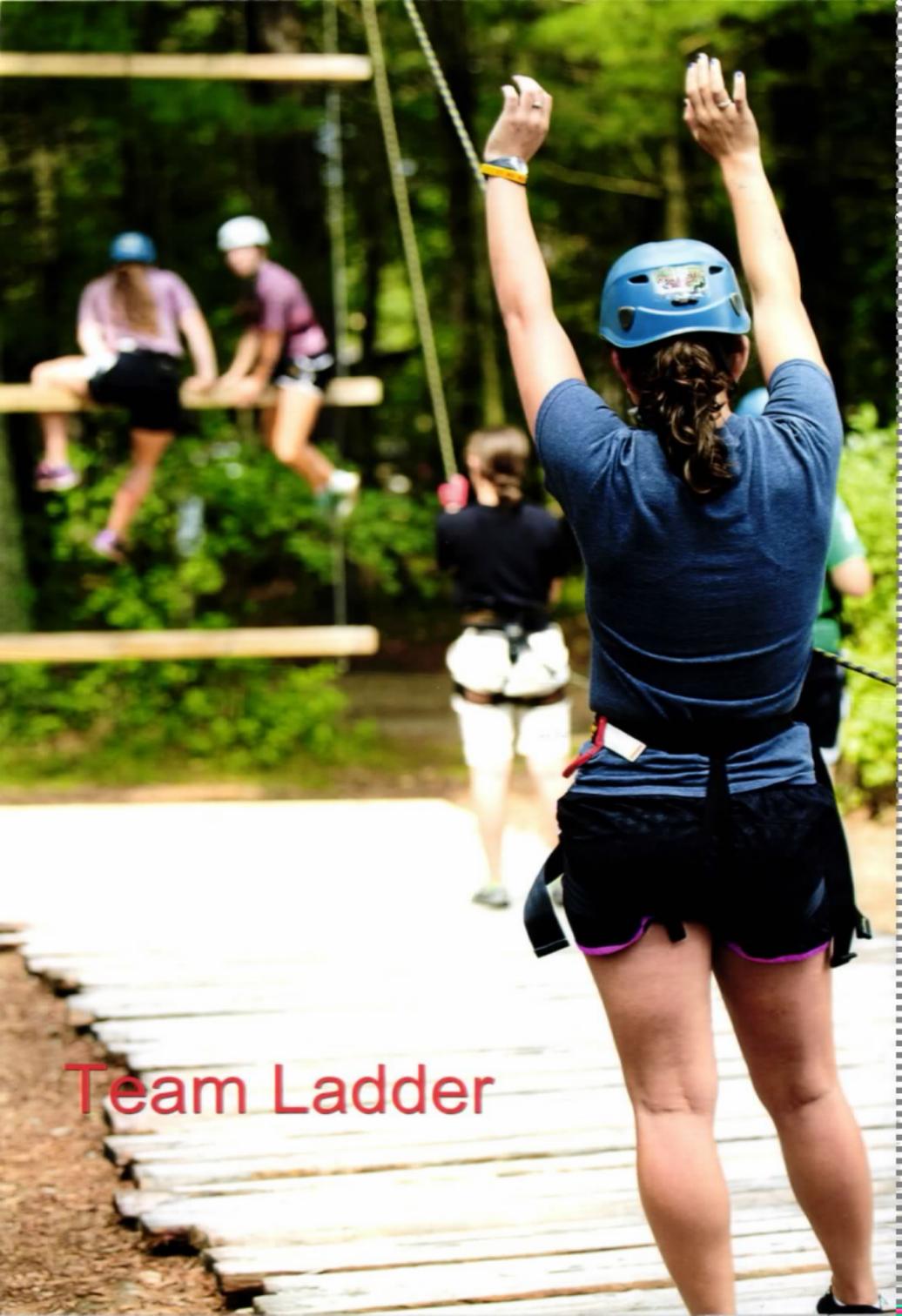




Low challenge "Nitro"



Low challenge "wall"



Team Ladder

Girl on course



Father/Daughter on course





Commitment Bridge

Team Ladder



Giant Swing



Leap of Faith



Participant on challenge course



team belay on swing



Exhibit A

Ropes Course Challenges

Proposed septic

Proposed Building

TRACT A

Proposed driveway

02:22:01620

3

2

1

S88°04'00"E

398.39'

397.82'

369.28'

S89°06'00"E

384.83'

S84°01'11"E



RECEIVED FEB 27 2019

2019

Exhibit B



S88°04'00"E
398.39'

397.82'

Proposed
Building

TRACT A

02-22-01620

Y

W

Z

V

369.28'

S89°06'00"E

324.83'

S84°01'11"E

285.77'

RECEIVED FEB 27 2019

RECI

2019

LEGAL DESCRIPTION

TRACT 'A'

That part of Government Lot 7, Section 22, Township 141 North, Range 35 West of the Fifth Principal Meridian, Hubbard County, Minnesota described as follows:

Commencing at a found iron monument which designates the southwest corner of said Government Lot 7; thence on an assumed bearing of South 89 degrees 49 minutes 15 seconds East, along the south line of said Government Lot 7, a distance of 152.43 feet to a found iron monument; thence North 03 degrees 42 minutes 33 seconds East 454.29 feet; thence North 30 degrees 05 minutes 33 seconds East 557.85 feet to a found iron monument and the POINT OF BEGINNING of the parcel of land to be described; thence continuing North 30 degrees 05 minutes 33 seconds East 124.00 feet to a found iron monument; thence North 68 degrees 05 minutes 17 seconds East 385.81 feet to a found iron monument; thence South 87 degrees 59 minutes 48 seconds East 397.82 feet to the centerline of Hubbard County Road No. 40; thence southwesterly 214.56 feet, along said centerline along a non-tangential curve concave to the southeast, having a radius of 1432.12 feet, a central angle of 08 degrees 35 minutes 02 seconds and the chord of said curve bears South 17 degrees 49 minutes 28 seconds West; thence South 84 degrees 10 minutes 11 seconds West, not tangent to said curve, a distance of 384.83 feet; thence North 89 degrees 06 minutes 00 seconds West 369.28 feet to the POINT OF BEGINNING.

Reserving unto grantor a 16.50 foot wide easement for ingress and egress to Tract B over and across Government Lot 7, Section 22, Township 141 North, Range 35 West of the Fifth Principal Meridian, Hubbard County, Minnesota. The centerline of said easement is described as follows:

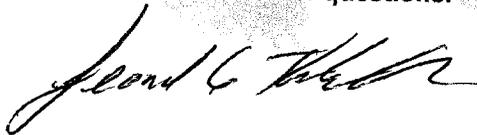
Commencing at a found iron monument which designates the southwest corner of said Government Lot 7; thence on an assumed bearing of South 89 degrees 49 minutes 15 seconds East, along the south line of said Government Lot 7, a distance of 152.43 feet to a found iron monument; thence North 03 degrees 42 minutes 33 seconds East 454.29 feet; thence North 30 degrees 05 minutes 33 seconds East 557.85 feet to a found iron monument; thence South 89 degrees 06 minutes 00 seconds East 369.28 feet; thence North 84 degrees 10 minutes 11 seconds East 184.50 feet to the POINT OF BEGINNING of the easement centerline to be described; thence North 29 degrees 42 minutes 05 seconds East 41.78 feet; thence South 87 degrees 03 minutes 33 seconds East 129.58 feet, more or less, to the westerly right-of-way line of Hubbard County Road No. 40 and said easement centerline there terminating. The sidelines of said easement are to be prolonged or shortened to begin on a line that bears North 84 degrees 10 minutes 11 seconds East and South 84 degrees 10 minutes 11 seconds West from the point of beginning of said easement centerline and to terminate on the westerly right-of-way line of Hubbard County Road No. 40

02.22.2019

To:
Hubbard County

Dear Eric,
In regard to Travis Guida's project site at 13218 County 40, Park Rapids, MN, 56470, I believe there is suitable space for a new septic system to accommodate a 1 bedroom structure with kitchen and a 2 bedroom structure with kitchen with the intention of accommodating up to 20 guests. Resort cabin sizing at 1000 GPD will be used in the planning of this project and a 2250 x 3-compartment septic tank and a 1500 gallon lift station with dual alternating pumps/panels, lifted up to 10'x83'x2' mound drainfield (830 sq.ft.) or holding tanks could be options. With the current snow cover it is somewhat difficult to determine the type of system but most likely a mound system would be appropriate for this site.

Please call with further questions.



Leonard G. Thelen Jr
Owner/Operator/Designer
Thelen's Excavating and Septic, Inc.

Thelen's Excavating Inc.

Tel 218-732-0015
Fax 218-732-4089

32996 Co. Rd. 135
Park Rapids, MN 56470

thelensexavating@gmail.com

Property Directions

Travis Guida & Sarah Coumbe-Guida

From Park Rapids:

- From intersection of US HWY 71, and MN State 34, travel north on US Hwy 71 approximately 6.5 miles.
- Turn right (east) on County Road 40 (also called "Many Lakes Road")
- Travel 1 mile. Property is on left (west) side of the road.

13218 County Road 40
Park Rapids, MN 56470

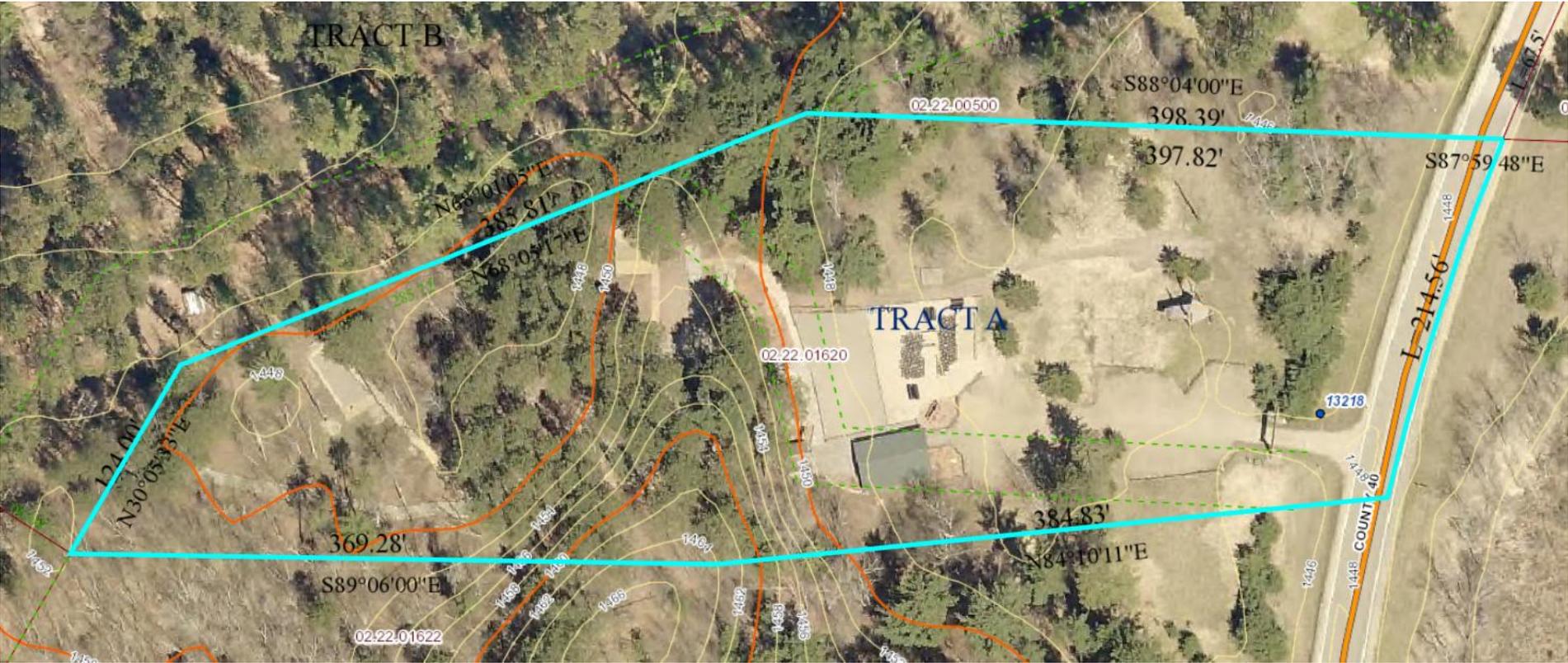


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3-CU-19 Guida

PARCEL ID	TAXPAYER NAME 1	TAXPAYER NAME 2	TAXPAYER ADDRESS 1	TAXPAYER CITY	TAX ZIP
02.22.01630	KEVIN L ANDERSON	JENNIFER A ANDERSON	13141 COUNTY 40	PARK RAPIDS	MN 56470
02.22.01611	JERRY L & MARY C BENHAM		24424 HAMPTON DR	PARK RAPIDS	MN 56470
02.22.00910	DAVID B & JENNIFER CARTER BERG		24566 HAMPTON DR	PARK RAPIDS	MN 56470
02.22.01700	SCOTT E & KELLY U BLACKLEDGE		13139 COUNTY 40	PARK RAPIDS	MN 56470
02.22.01600	DONALD D BUSKER TRUST		1949 MIDDLE CREEK RD	DETROIT LAKES	MN 56501
02.22.00600	JERRY H & BARBARA A CHARLEY TR	JERRY H & BARBARA A CHARLEY TTE	13423 HUMMINGBIRD DR	PARK RAPIDS	MN 56470
02.22.00310	JON SCOTT CLAYPOOL		311 22ND ST	HUNTINGTON BEACH	CA 92648
02.22.00500	COUMBE PROPERTIES INC		13240 COUNTY 40	PARK RAPIDS	MN 56470
02.22.00340	SCOTT DONAHUE		PO BOX 484	PARK RAPIDS	MN 56470
02.22.01631	ALVIN A ECKLOFF		3084 WILDS RIDGE CT NW	PRIOR LAKE	MN 55372
02.22.01620	TRAVIS GUIDA	SARAH COUMBE-GUIDA	24250 SHADY RIDGE DR	LAPORTE	MN 56461
02.22.00300	SHANNON & SHELLI HENRICKSON		13455 COUNTY 40	PARK RAPIDS	MN 56470
02.22.01500	THEODORE O HENSEL		13038 COUNTY 40	PARK RAPIDS	MN 56470
02.22.01510	HARRY F KITZMAN TRUST		11570 FERNBROOK LN	OSSEO	MN 55369
02.22.01621	ROGER A & SUSAN K MEAD		13140 COUNTY 40	PARK RAPIDS	MN 56470
02.22.01640	TROY MINSKE	PAULA MINSKE	2571 160TH AVE	PRINCETON	MN 55371
02.49.00200	PETER M & KAREN A NAASTAD		1785 149TH AVE NE	HATTON	ND 58240
02.22.00840	MICHAEL L NEPSUND	JANET K NEPSUND	24696 HAMPTON DR	PARK RAPIDS	MN 56470
02.22.00700	WAYNE E & JOAN E SMEDSRUD TR		21213 464TH AVE	VOLGA	SD 57071
02.49.00100	GRAEME P WILSON	MARCIA WILSON	206 6TH ST	HATTON	ND 58240

Conditional Use Application 3-CU-19 by Travis Guida and Sarah Coumbe-Guida: parcel 02.22.01620





Hubbard County Environmental Services

301 Court Avenue, Park Rapids, MN 56470
Phone: 218.732.3890 Fax: 218.732.7993
www.co.hubbard.mn.us/environmental.htm

June 23, 2010

COPY

Travis Guida & Sarah Coumbe-Guida
24250 Shady Ridge Dr
Laporte, MN 56461

Staff:

Barb Barth,
Office Assistant
Eric Buitenwerf,
Env. Services Officer
Scott Navratil,
Env. Specialist
Janet Thompson,
Admin. Assistant

Re: Hubbard County Board of Commissioners decision for Conditional Use Permit Application # 1-CU-10

Dear Mr. and Ms. Guida,

The Hubbard County Board of Commissioners met on Wednesday, June 16, 2010 to review and consider the following conditional use permit application.

Conditional Use Permit Application # 1-CU-10 by Travis Guida and Sarah Coumbe-Guida:
Applicants are requesting a conditional use permit (CUP) per Sections 401 and 1011 of the Hubbard County Shoreland Management Ordinance to expand Eagle Beach Resort (located on parcel 02.22.00500) to include a low and high ropes challenge course (located on a portion of parcel 02.22.01620.) These parcels are located in Arago Township on Eagle Lake and between Eagle and Potato Lakes. Eagle and Potato are recreational development lakes.

The official decision of the Hubbard County Board of Commissioners is as follows:

IT IS ORDERED that a conditional use be granted upon the following conditions or reasons: On motion of Mr. Devine, seconded by Mr. Larson and carried unanimously, the application for Conditional Use # 1-CU-10 by Travis Guida and Sarah Coumbe-Guida located in Arago Township, Parcel ID # 02.22.01620 was approved, as recommended by the Environmental Services Office and the Planning Commission, with no conditions placed on the permit and the Planning Commission Findings of Fact were adopted.

This is in accordance with Section 1106 of the Hubbard County Shoreland Management Ordinance and the findings of fact on file with the Environmental Services Office.

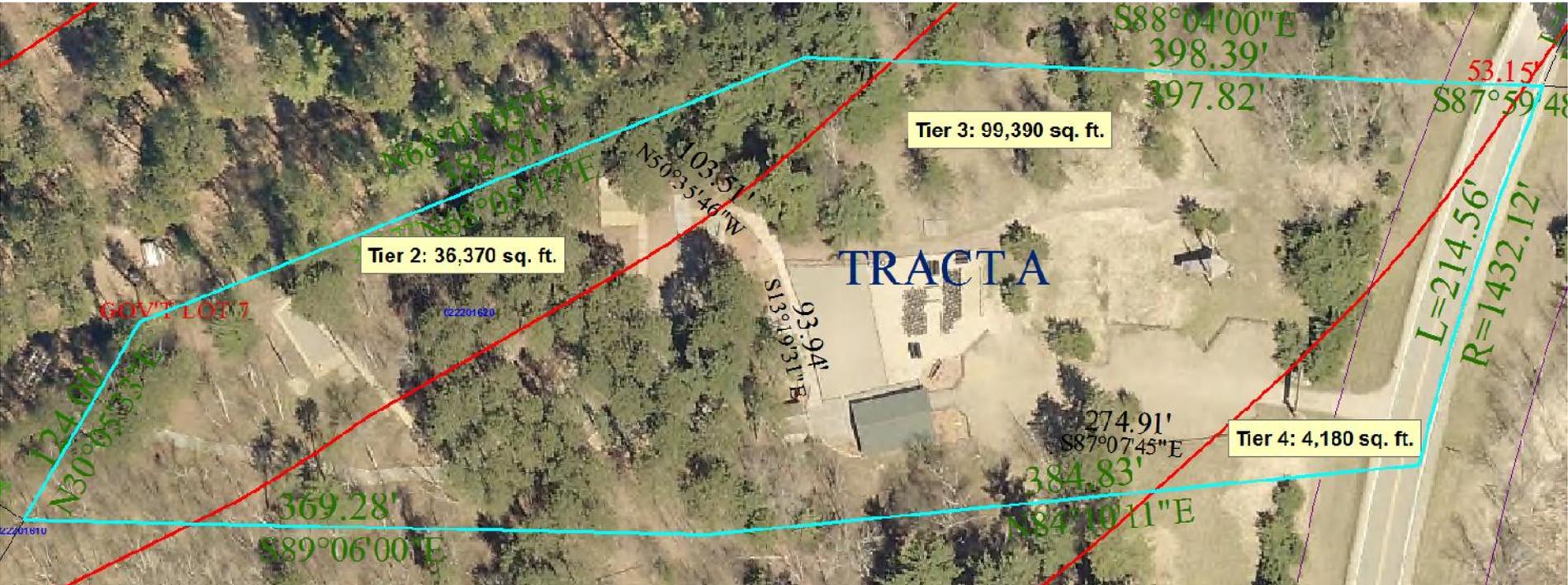
If your conditional use application is approved, you will still need to obtain the operating permit for your project. Your conditional use approval itself does not constitute a permit.

Please contact the Environmental Services Office at (218) 732-3890 with questions.

Sincerely,

Eric Buitenwerf
Environmental Services Officer

Conditional Use Application 3-CU-19 by Travis Guida and Sarah Coumbe-Guida: parcel 02.22.01620
Rental Unit Density Tier Boundaries and Areas



02.22.01620
Imp Surf Area
density calc
by Tier - per
Sect 1013.5.B of
SMD
EB, ESD 3/4/19

Tier 3 99,390 ft²
x.25 = 24,848 ft² = 25% imp surf
Tier 3 threshold

office	24' x 38'	= 912 ft ²
shelter	24 x 38	912
shed	12 x 12	144

boardwalks 3,377
proposed bldg 40 x 70 + 30 x 6 = 2980
proposed driveway 1600
tanna platform 120
parking lot 7055

Total 17,100 ft² = 17.2% Tier 3 imp. surface area