



CARVER COUNTY PLANNING COMMISSION

Regular Meeting – **August 19, 2025, 7:00 PM**

Commissioners' Meeting Room
2nd Floor Human Services Bldg
Government Center – Chaska, Mn

AGENDA

1. **Convene**

- 1.1. Call to Order
- 1.2. Pledge of Allegiance
- 1.3. Attendance
- 1.4. Agenda review and adoption
- 1.5. Approve Minutes from July 15, 2025.....2-4

2. **Agenda**

- 2.1. File #PZ20250035 - Public hearing on application by Abigail Jirak and Richard & Theresa Pawelk for a Conditional Use Permit. (Large-Scale Activity - Agri-Tourism) Watertown Township..... 5-31

3. **Other Business**

4. **Adjourn**

COUNTY OF CARVER
PUBLIC SERVICES DIVISION
Department of Land Management

August 11, 2025

TO: Carver County Planning Commission & Watertown Town Board

FROM: The Land Management Department

SUBJECT: Application for a Conditional Use Permit (Large Scale Activity - Agri-tourism)

FILE #: PZ20250035

APPLICANTS: Abigail Jirak, Theresa & Richard Pawelk

OWNERS: Richard Pawelk Revocable Trust, Richard Pawelk, Akins Farm Property LLC

SITE ADDRESS: 2755 Rose Ave, Watertown MN 55388

PERMIT TYPE: Large Scale Activity – Agri-tourism

PURSUANT TO: County Code, Chapter 152, Section 152.080 (C)(6)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #s: 10-007-0100, 10-007-0900, 10-060-0020 & 10-060-0050

BACKGROUND:

1. Richard and Theresa Pawelk own an approximately 155.01-acre property located in the South Half (S½) of Section 7, Watertown Township. The application also involves one other property owned by Richard Pawelk and two properties owned by Akins Farm Property LLC. Together, the properties are improved with a home, an existing barn (utilized as a retail building), a “jumping pillow,” several small agricultural-type structures, a corn maze, and a hayride trail. The site is located along the Minnesota Department of Natural Resources (MNDNR) Luce Line Trail System and is located within the Agriculture Zoning District, the Shoreland Overlay District of a DNR-protected tributary creek, and the Carver County Water Management Organization (CCWMO) – Crow River Watershed.
2. The property has an existing Conditional Use Permit (CUP – PZ20140040) to operate a farm-based business as a Large-Scale Activity. The purpose of the CUP amendment is to add additional parcels to the operational area and include activities not part of the original 2014 approval. The process to amend a CUP follows the same procedure as obtaining a new Conditional Use Permit.
3. The applicants are requesting a Conditional Use Permit (CUP) to operate a Large-Scale Activity- Agri-tourism business (LuceLine Orchards) pursuant to Section 152.080 (C)(6) of the Carver County Code, which reads as follows:

§ 152.080 CONDITIONAL USES – LARGE SCALE ACTIVITIES WITH UNIQUE LAND OR LOCATION NEEDS.

(A) Minimum criteria for issuance.

- (1) The activity conforms to all other county ordinances, state, and federal regulations.
- (2) Minimum five-acre lot size; unless another size is specified under a particular provision.
- (3) Sewage can be managed in accordance with [Chapter 52](#) of this code of ordinances. The county may require design by a registered engineer.
- (4) The activity shall be located on a hard surfaced (blacktop or concrete) road unless specific approval for location on a township road is given by the affected township or townships. The town board may condition its approval of access to a gravel road on agreements with the applicant regarding dust control, maintenance, or similar issues. The terms of the agreement shall be such that the agreement is in force so long as the permit is in effect.

- (5) The activity is of a scale that the demand for support services such as sewer, water, police, fire protection, emergency equipment access, roads or streets, can be accommodated within the context of the service levels available in the commercial agricultural area.
- (6) Land is not subject to the land use restrictions of an AG preserve covenant.
- (7) The operational characteristics of the proposed activity shall be such that it can be operated on the proposed site and within the current levels of support services and infrastructure. Activities that will have service needs—traffic capacity or roads, waste disposal or management, fire or police protection, sewage disposal—that will exceed those available in the area should locate in municipalities where the services are available.

(B) Minimum conditions.

- (1) Permit shall be subject to administrative review or compliance review as set by the permit.
- (2) The operational plan and site plan shall become part of the permit.
- (3) The activity must operate in conformance with the approved site plan and operational plan and other provisions of this chapter. The site plan and operational plan shall become part of the permit.
- (4) The applicant must submit a copy of workers' compensation insurance or sign an affidavit stating that he or she will not have any employees.
- (5) All buildings used in the operation must meet the State Building Code.

(C) Activities.

- (6) Recreational, educational, institutional facilities, agri-tourism or activities that require a location in a rural area because of a need for seclusion or a natural setting or a large area of land or activities conducted on a permanent, seasonal or scheduled basis subject to the following criteria:
 - (a) No more than 20% of the land utilized for the activity, with the exception of agri-tourism, shall be designated as prime agricultural land under till, as illustrated by the Carver County geographic information systems (GIS) mapping;
 - (b) The road authority will grant an access permit;
 - (c) A certificate of insurance and/or a performance surety may be required;
 - (d) A stipulation is made in the permit as to the number of persons to be using the facility at any one time;
 - (e) Any type of special event that will attract or involve more than the number of people stipulated in division (6)(d) above shall require approval of the County Board.

(Ord. 47, passed 7-23-02; Am. Ord. 58-2007, passed 3-27-07; Am. Ord. 70-2010, passed 1-25-11; Am. Ord. 80-2015, passed 6-16-15; Am. Ord. 97-2021, passed 7-20-21)

STAFF ANALYSIS:

1. The property's existing Conditional Use Permit allows operation of a farm-based business involving the sale of apples grown on the property, other Minnesota-produced products, school group tours, and educational and private events. Due to the need for an expanded operational area and the addition of activities such as a jumping pillow, corn maze, and hayrides, the owners are seeking a new CUP to incorporate these activities and the expanded area. This CUP review will be conducted under the Large-Scale Activities – Agri-tourism category, which is more specific to the business type and did not exist in 2014.
2. Theresa and Richard Pawelk, as principal owners of LuceLine Orchard, LLC, along with Abigail Jirak, have submitted a narrative (dated July 8, 2025) describing the main business activities. These activities include retail sales of apples and other farm products, special events, outdoor food service, educational and community events (including fundraisers for non-profit organizations, private parties and weddings, school tours, and educational programs on sustainable farming), and "other events that align with the mission of agri-tourism and public engagement." Specifically, the agri-tourism oriented events include sheep-shearing demonstrations, non-profit educational outreach, raptor center presentations, university and educational visits, and school tours.

LuceLine Orchards operates from May through the end of January. The applicant lists the hours of operation as: "7 days/week, from 10:00 AM to 12:00 AM. We typically close our season the last weekend in October or first weekend in November but may host one holiday event where people can come and purchase end-of-season gifts in our retail barn."

The operation employs three full-time workers (two of whom are family members) and one part-time employee year-round. This workforce is supplemented during the peak season—generally from the last weekend in August to the last weekend in October—by approximately 60 part-time staff, consisting of about 50 weekend workers and 10 weekday staff. The operation’s work vehicle inventory includes nine agricultural-related vehicles.

3. As described in the narrative and shown on the site plan (dated July 22, 2025), the operational area—outlined in bold yellow on the plan—represents an expansion of the previous CUP’s operational area, incorporating three adjacent parcels to the south of the original parcel (PID 10-007-0100).

The LuceLine Orchard property currently consists of approximately 155.01 acres, of which 80 acres are wooded and wetlands, and 75 acres are tillable production land. Within the original operational area there are approximately 10,000 apple trees on about 13 acres, 3,000 grapevines on about 4 acres, a petting zoo, a ½-mile nature trail, a 4,656-square-foot retail barn (with storage), and about 20 acres of tillable land in two distinct areas on the west side of Rose Avenue.

On the original property there are six non-permanent structures, ranging in size from 80 to 200 square feet, used for animals and general storage. One of these temporary structures, located south of the retail barn, straddles the property line and will need to be relocated to a compliant location.

Also on the original parcel is a new pole barn under construction in 2025, intended for business and equipment storage as well as occasional shelter for visitors during rainstorms. This structure measures approximately 1,520 square feet and is located east of the dwelling and north of the jumping pillow.

The expansion area, which is the subject of this CUP amendment, includes a 1-acre sunflower field, a 30-acre seasonal corn maze, a jumping pillow, a hayride route, and an area for “kids’ activities.”

4. Any event taking place outside of the normal business hours may be allowed only with the Carver County Board of Commissioners’ special event approval, pursuant to Section 152.074 of the Carver County Zoning Code. Such requests are subject to review by the Watertown Town Board (Road Authority) and the Carver County Land Management Department.
5. Vehicle access is provided via Rose Avenue, a Watertown Township Road, with seasonal dust control applied. Weekend traffic counts average approximately 500 to 750 vehicles per day, while weekday traffic counts range from 50 to 150 vehicles. Both counts include employee vehicles.

The site can accommodate an estimated 2,000 to 2,750 persons. However, the owners note that the observed maximum number of visitors is “around 1,800, but it’s hard to track because we don’t charge admission. Some people come in just to buy apples; others stay for a couple of hours. Out of the 10 weekends that our busy apple season runs, half of those are busy days, while the other half are significantly quieter.”

6. The applicants currently have a 2-foot by 2-foot (4 sq. ft.) sign at the entrance to the orchard. Pursuant to Carver County sign regulations, the Pawelk’s are allowed a two-sided sign with a maximum surface area of 32 square feet, provided the sign surfaces are completely flush. The narrative also references additional seasonal signage “permitted by MNDOT.” All signage must be placed in accordance with Chapter 154 – Sign Regulations and/or the requirements of the local road authority.
7. Jacob McLain, Senior Environmentalist with the Environmental Services, reviewed the application materials. In an email dated August 5, 2025, he stated: “The holding tank that is servicing the barn is located inside the shoreland area, while the septic system servicing the house is located outside Shoreland. Thus, a compliance inspection of the holding tank would be required.”

8. Tim Sundby, Water Resources Supervisor with the Planning and Water Department, reviewed the application materials. In an email dated August 5, 2025, he stated: “Since 2002, the site has added 0.82 acres of impervious surface (CCWMO has a trigger for a stormwater permit is based upon cumulative impervious surfaces since 2002), with the new pole barn the site will have 0.85 acres of impervious surfaces. Since the location of the pole barn is not within 50 feet of the wetland, they will not need an Erosion and Sediment Control Basin. The additional impervious surface of the pole barn will not require a stormwater permit for the project.”
9. Mike Wanous, District Manager with the Carver Soil & Water Conservation District, reviewed the submitted materials and, in an email dated August 6, 2025, noted that in an April 2025 aerial photograph it appeared some grading activity had occurred in an area on the fringe of the wetlands and floodplain. Wetland Conservation Act and DNR rules “strictly prohibit adding fill to wetland or floodplain areas without proper approval.”
10. Since there are floodplain and shoreland areas on the property, David DePaz, Hydrologist with the MN Department of Natural Resources, was sent the application materials. At the time of writing this staff report, no review comments had been received.
11. The property is adjacent to the Luce Line Regional Trail, staff sent an email requesting review comments from the DNR Trails Division. At the time of writing this staff report, no review comments had been received.
12. The Watertown Town Board reviewed and recommended approval of the CUP request during their July 7, 2025, Town Board meeting, without additional comments or concerns.

PLANNING COMMISSION CONSIDERATION:

If the Planning Commission recommends approval of the Conditional Use Permit application for a Large-Scale Activity (Agri-Tourism) on the parcels described in Exhibit A, the previous CUP (#PZ20140040) for a Farm-Related Business/Large-Scale Activity would be terminated upon final approval and recording of the new CUP (#PZ20250035) for a Large-Scale Activity – Agri-Tourism. The following conditions should be considered part of the permit:

1. The permit is subject to administrative review. A change in ownership, operations, or operator shall trigger a review by Land Management to determine whether an application for an amendment or similar consideration is necessary. Proposed owners/operators are encouraged to contact Land Management as early as possible in the timeline of the proposed change.
2. The Permittee shall operate in accordance with the operational letter (dated July 8, 2025) and site plan (dated July 22, 2025). These documents shall be attached to and become part of this permit. Prior to issuance of any building permits for additional structures, the Permittee must consult with Land Management to determine if an amendment or similar consideration is warranted.
3. LuceLine Orchard shall be permitted to be open to the public from May 1 through July 31, seven days a week, from 10:00 AM. to midnight, with one winter holiday event allowed.
4. Any special event occurring outside of normal business hours or involving more than 2,750 persons on the property at one time shall be subject to review by the Watertown Town Board (Road Authority), Carver County Land Management Department, and final approval by the County Board of Commissioners pursuant to Section 152.074 of the Carver County Zoning Code. Special event requests require submission of an Administrative Permit application pursuant to Sections 152.074 and 152.080 of the Carver County Zoning Code at least 30 days prior to the event.
5. Events with music are permitted only within approved business hours. Unless reviewed and approved as a special event, amplified music shall cease by 8:00 PM.

6. All structures on the parcels shall comply with the Carver County Zoning Code and State Building Code. Required building and septic permits must be obtained prior to construction. Any future remodeling or construction shall be reviewed by the Zoning Administrator to determine if a CUP amendment is necessary. Food production activities are permitted only if appropriate building permits have been obtained and a Certificate of Occupancy issued for those activities. The temporary structure south of the retail barn must be relocated to a location compliant with required setbacks.
7. Existing structures not utilized for the business shall be used only by the occupants of the residence for agriculture, personal storage, hobbies, recreation, entertainment, family uses, private maintenance and repair activities, keeping of animals and related equipment and supplies, and as otherwise regulated by the Zoning Code.
8. The Permittee is responsible for maintaining all required permits and licenses from the Minnesota Department of Agriculture and any other applicable County, State, or Federal agencies for retail, liquor, food production, and growing operations. Copies of all required permits and licenses shall be submitted annually to Carver County Land Management.
9. The Permittee shall maintain a conforming Subsurface Sewage Treatment System (SSTS) pursuant to Chapter 52 of the Carver County Code to accommodate any restrooms and wastewater generated on-site.
10. The Permittee shall comply with all CCWMO rules and regulations. An erosion and sediment control plan and a stormwater management plan for site restoration and maintenance shall be prepared and implemented in accordance with CCWMO Water Management guidelines and the Wetland Conservation Act (WCA), if applicable, for any future site improvements or additional structures. No filling, draining, or excavation shall occur in wetland and floodplain areas without required permits and approvals.
11. The Permittee shall comply at all times with County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations. The Permittee shall not exceed the allowed signage square footage per property. Any proposed signage within public road right-of-way shall be approved by the local road authority.
12. The Permittee shall comply with any road access requirements or improvements as determined by Watertown Township, the road authority (e.g., dust control, maintenance, or similar issues).
13. The Permittee shall submit proof of Workers Compensation insurance annually to the Land Management Department.
14. The Permittee is responsible for compliance with all applicable Federal, State, and Local laws, regulations, and permitting requirements.

OR

If the Planning Commission recommends denial of the permit application, the deficiencies found in Section 152.251 (Required Findings) of the Carver County Zoning Code, should be referenced, as follows:

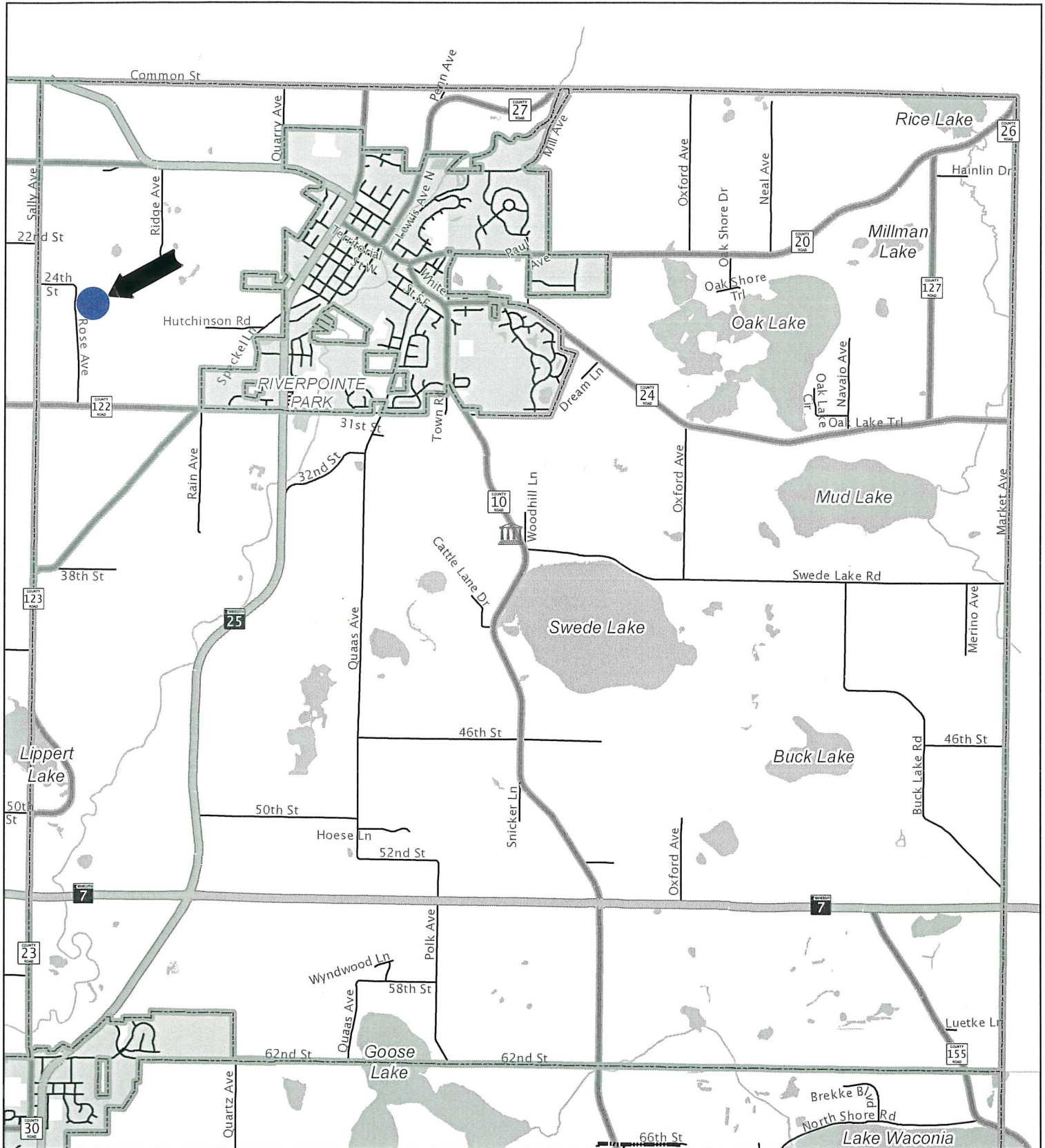
§ 152.251 REQUIRED FINDINGS.

An order for the issuance of a CUP or IUP can be adopted only if all the following are found as fact. Any conditions imposed by the permit or actions required as part of the order shall be considered in making findings:

- The conditional or interim use is permitted as a permitted conditional or interim use within the zoning district and meets all requirements of this chapter and any other county, regional, state, or federal laws, ordinances, rules, or regulations.
- The conditional or interim use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
- The establishment of a conditional or interim use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
- The effects of the proposed use will not be detrimental to the health, safety, and welfare of Carver County or to the occupants of the immediate neighborhood.
- That adequate utilities, access roads, drainage and other facilities have been or are being provided.

- That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use if these measures are applicable.
- That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance if these measures are applicable.
- The use or development conforms to the County Comprehensive Plan.
- The use or development is compatible with the land uses in the neighborhood.
- A public hearing was held pursuant to § 152.285 and M.S. § 394.26, as it may be amended from time to time.

WATERTOWN TOWNSHIP



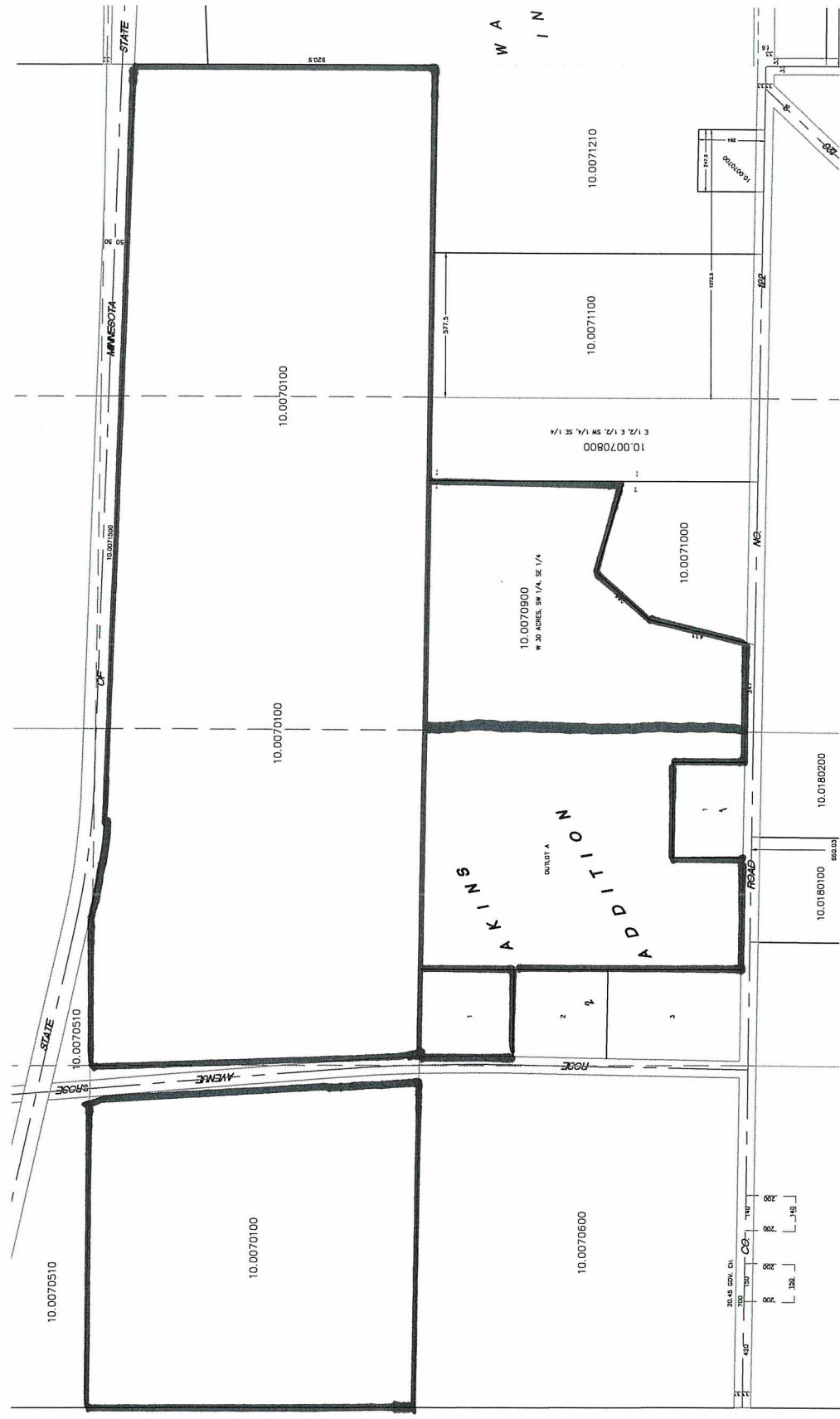
This map was created using Carver County's Geographic Information Systems (GIS); it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

0 1 2
Miles



THIS IS NOT A LEGALLY RECORDED PLAT.
 IT IS A PRELIMINARY SURVEY AND SHOULD NOT BE USED FOR ANY PURPOSES.
 IT IS THE PROPERTY OF THE SURVEYOR AND IS NOT TO BE REPRODUCED OR
 TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL,
 INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE
 AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE
 SURVEYOR.

S 1/2 SEC. 7, T.117, R.25



Surveying & Mapping Office
 Carver County Gov. Center
 500 East Fourth Street
 Chaska, MN 55318
 Mar 04, 2008

Amendment to Existing Conditional Use Permit

LuceLine Orchard, LLC
2755 Rose Avenue
Watertown, MN 55388

Submitted to:
Carver County Planning Commission
600 E 4th Street
Chaska, MN 55318

Submitted by:
Richard Pawelk & Abigail Jirak
Owner & General Manager, LuceLine Orchard, LLC
612-817-6229
lucelineorchard@gmail.com

Date: 7/08/2025

Table of Contents

Section	Title	Page
1	Letter to the Planning Commission	3
2	Parcel Description & Acreage Summary	4
3	Exhibit C: Site Plan & Use Areas	5 - 8

Section 1: Letter to the Planning Commission

Dear Planning Commission Members,

We, Richard and Theresa Pawelk, principal owners of LuceLine Orchard, LLC, respectfully request an amendment to our existing Conditional Use Permit for the continued operation and thoughtful expansion of our Minnesota agricultural business located at 2755 Rose Avenue, Watertown, MN 55388.

We initially met with the Watertown Township Board on November 3, 2014, where we presented our vision for LuceLine Orchard, including its future use as a wedding and event venue. We received unanimous approval at that time. On July 7, 2025, we met again with the Township Board to present proposed updates, and we once again received their full support and signed recommendation for this amendment request.

This amendment seeks to incorporate three additional parcels into our existing operation for agritourism purposes, specifically:

PID 10060050 (27.12 acres)

PID 10070900 (20.55 acres)

A 3-acre section of PID 10060020

These contiguous parcels will be used to support our corn maze, jumping pillow, and additional agri-tourism activities, allowing us to better manage foot traffic and concentrate guest activities on one side of the property, thereby enhancing guest safety by minimizing pedestrian crossings along Rose Avenue.

Section 2: Parcel Descriptions & Acreage Summary

The following table outlines the parcel IDs, acreages, and intended use:

Parcel ID	Acreage	Planned Use
10060050	27.12	Corn maze, agri-tourism activities
10070900	20.55	Jumping pillow, family-friendly events
10060020	3.00	Buffer/utility space for safety purposes
100070100	155	Apple trees, Vineyard, retail barn, parking, nature trail, petting zoo, bathrooms, garbage, agri-tourism related kids activities, grill.

LuceLine Orchard, LLC encompasses approximately 155 acres, of which:

80 acres are woods and wetlands

75 acres are tillable

The site features - 10,000 apple trees on 13 acres, 3,000 grapevines on 4 acres, a 1-acre sunflower field, a 30-acre corn maze, a 0.5-mile nature trail, and 7 acres occupied by our retail barn and homestead

We are located directly on the Minnesota State Luce Line Trail, which further supports our role in advancing rural agri-tourism.

Section 3: Site Plan & Use Areas

Primary Uses

The property supports both agricultural production and agri-tourism. In the off-season, buildings are used for storage.

Retail Barn

Our barn is equipped and approved by the MN Department of Agriculture and local building officials. It includes:

Retail space for apple and farm product sales

Three-compartment sink and accessible restroom

Outdoor food prep area for grilled foods

Seasonal tented events

Private party and wedding accommodations

Educational and Community Events including fundraisers for non-profit organizations

We host school tours, educational programs on sustainable farming, and other events that align with the mission of agri-tourism and public engagement.

Hours of Operation

We operate May 1 – January 31st, 7 days/week, from 10:00 AM to 12:00 AM. We typically close our season the last weekend in October/First weekend in November, but may host one holiday event where people can come and purchase end of season gifts in our retail barn.

Employment

Year-round: 2 full-time family operators + 1 full-time employee and 1 part-time person

Peak season (approx. last weekend of August to last weekend of October): Up to 60 part-time staff, averaging 50 employees on weekends, and 10 during the weekdays.

All employees are covered by workers' compensation insurance.

Traffic & Parking & total site capacity

We provide ample parking on 20+ acres of our property with a capacity of up to 1,000 vehicles.

Weekend traffic: 500–750 cars/day (including employees)

Weekday traffic: 50–150 cars/day (including employees)

Handicap-accessible parking is available near the main driveway – we have approximately 15 spots available.

Total site Capacity: 2,000 to 2,750. We have never been close to this number, the most that we have ever likely had is around 1,800, but it's hard to track because we don't charge admission. Some people come in just to buy apples, others stay for a couple of hours. Out of the 10 weekends that our busy apple season runs, half of those are busy days, the other half is significantly quieter.

Access is via Co. Rd. 122 to Rose Avenue (¼ mile gravel road)

Watertown Township provides seasonal dust control to the gravel road on Rose Ave.

Vehicles in Use

Personal/Farm: 2 trucks

Employee Vehicles: 45–50 during peak season

Business Use: 5 tractors, 3 Gators, 1 sprayer

Buildings and Structures

Homestead: Owner-occupied residence

Retail Barn: 2,708 sq. ft. main level, 1,948 sq. ft. upper level

Animal/Storage Outbuildings: 6 non-permanent structures (80–200 sq. ft.)

Event Tent: Seasonal use only, with appropriate permitting

Proposed Building: 38' x 40' pole barn (cement floor, electricity only) – primarily for storage of farm equipment and supplies, with occasional use to shelter visitors during rainstorms.

Utilities and Waste Management

Water: Private well, inspected annually by an outside well company

Septic: Holding tank for restroom in the retail barn

Trash Removal: Weekly pickup via Republic Services

Sanitation: 2 handicap-accessible and 8–10 portable restrooms serviced weekly by Biffs, Inc. These are serviced weekly by Biffs.

Signage

Permanent 2' x 2' orchard sign at entrance

Seasonal signage permitted by MnDOT

Onsite parking and handicap signage during season

Open/Closed signage posted as appropriate

Access and Use

The orchard is open to the public during regular business hours. Access is granted to:

Employees (seasonal and full-time)

Guests, tour groups, school field trips

Attendees of private events, weddings, and educational programs

Volunteers assisting with orchard operations or seasonal pruning

We remain committed to maintaining a safe, clean, and community-focused agricultural destination. Our intention with this amendment is to support growth in a sustainable way while continuing to align with Carver County's comprehensive plan for agricultural and rural development.

We appreciate your consideration and welcome the opportunity to answer any questions or provide additional documentation.

Agri-Tourism related Activities & Events

LuceLine Apple Orchard offers engaging, educational, and family-friendly agri-tourism events that complement our farming operations. Proposed activities include:

- Sheep Shearing Demonstrations
- Non-Profit Educational Outreach
- Raptor Center Presentations
- Live Music Performances
- Weddings and Private Rentals
- Corporate Outings and fundraisers
- University & Educational Visits
- School Tours

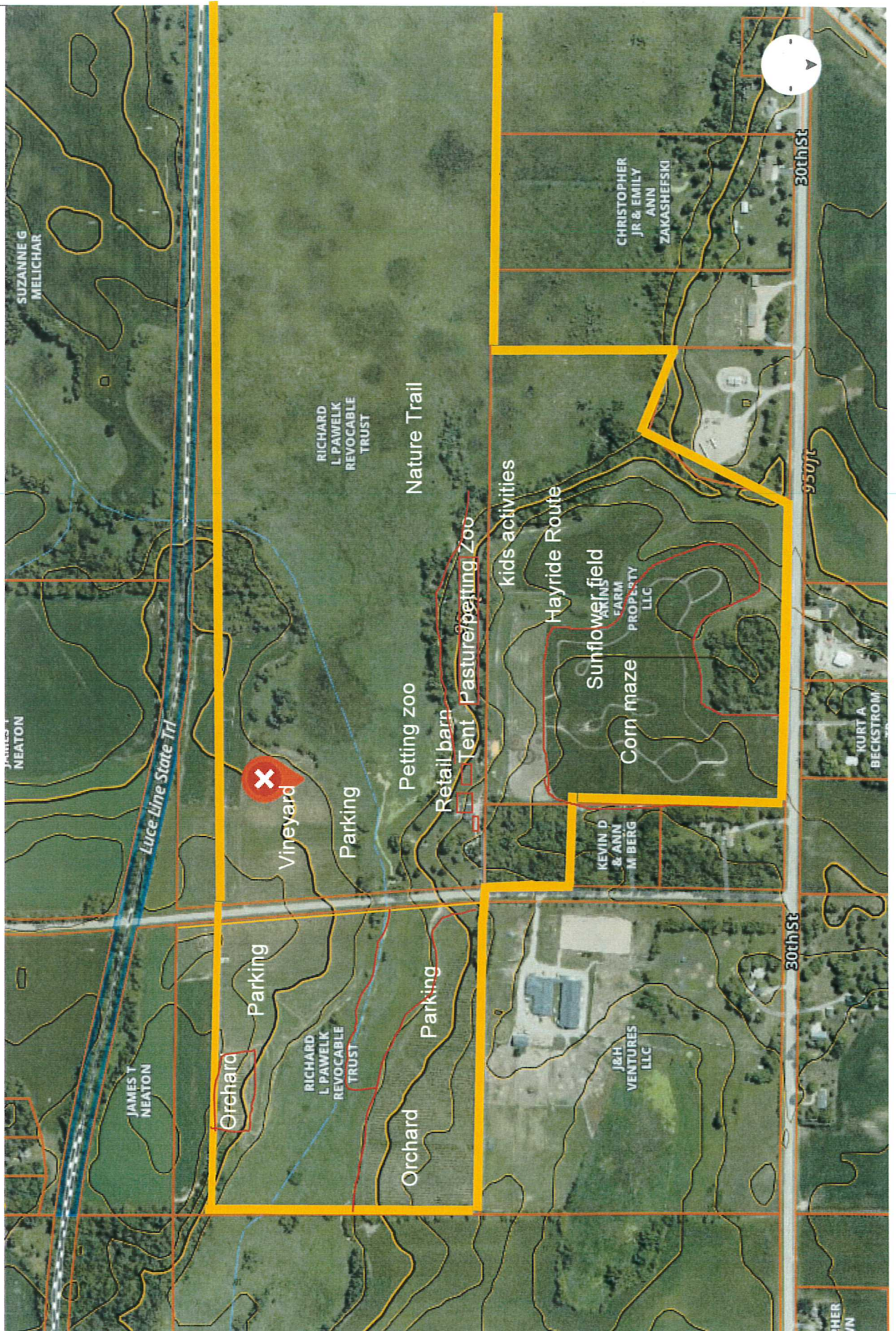
Events usually include a farm tour with a narrated history of the property and a description of local apple growing practices and apple varieties grown on the property, with acknowledgement of the University of Minnesota's long-term support for creating apple varieties that thrive in Minnesota's climate.

All events will be managed with consideration for safety, neighbors, and compliance with local ordinances.

Sincerely,

Richard Pawelk & Abigail Jirak
Owner and General Manager, LuceLine Orchard, LLC
2755 Rose Avenue
Watertown, MN 55388
612-817-6229 – Rich Pawelk's Cell 763-670-3793 – Abby Jirak's Cell
lucelineorchard@gmail.com

Luce Line Orchard CUP Site Plan





Township Presentation & Recommendation Form

100600020
PARCEL # 100070100 **Permit #** PZ20250035
 10600050 100070900
Owner's Name: Akins Farm Property LLC **Owner's Mailing Address:** 22248 Dairy Ave
City: Winsted **Owner State:** MN **Owner Zip:** 55395
Applicant (if other than owner): Richard L Pawsek Revocable Trust **Site Address:** 2755 Rose Ave, Watahown, MN 55388

Type of Request: ☒ CUP ☐ IUP ☐ Preliminary Plat ☐ Final Plat ☐ Variance ☐ Appeal

Description of Request:

Date of County Public Hearing: 8-19-25 **Date of Township Meeting:** 7-7-25

Actions:

Township Action Taken:

- ☒ Recommends approval and use of the Township Road (if applicable) with the following comments:
- ☐ Recommends denial for the following reasons:
- ☐ No recommendation, but will comment on the request at the Planning Commission or Board of Adjustment hearing:

****Important:** I understand that I must appear at the Town Board meeting to present my request and obtain their recommendation prior to appearing before the County Planning Commission or Board of Adjustment.

Richard Pawsek
 Signature of Applicant

Date 7-7-25

Scott Hoch
 Signature of Township Official

Date 7-7-25



COUNTY OF CARVER
State of Minnesota

Document No.
A 606167

OFFICE OF THE
COUNTY RECORDER
CARVER COUNTY, MINNESOTA

Receipt # RA 201500001592

Certified Recorded on **February 26, 2015 3:40 PM**

Fee: \$0.00



Mark Lundgren
County Recorder

FILE #: PZ20140040

APPLICANT/OWNER: Richard & Theresa Pawelk / Richard Pawelk Revocable Trust

SITE ADDRESS: 2755 Rose Avenue, Watertown, MN 55388

PERMIT TYPE: Farm Related Business / Large Scale Activity

PURSUANT TO: County Code, Chapter 152, Section(s) 152.079 C(2) & 152.080 C(6)

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 10-007-0100

Drafted by } Land Management
Return to } Land Management

CONDITIONAL USE PERMIT #PZ20140040

PLANNING COMMISSION RESOLUTION #: 15-11

ORDER #: PZ20140040

DATE ISSUED: February 3, 2015

This permit is issued for property legally described on the attached Exhibit "A", pursuant to Chapter 152 of the Carver County Code.

THE EQUESTRIAN FACILITY IS AUTHORIZED BY COUNTY BOARD ORDER #PZ20140040, AS FOLLOWS:

IT IS HEREBY ORDERED THAT THE CARVER COUNTY ZONING ADMINISTRATOR SHALL ISSUE CONDITIONAL USE PERMIT #PZ20140040. THIS PERMIT IS ISSUED PURSUANT TO CHAPTER 152 OF THE CARVER COUNTY CODE, SECTION 152.079 C2 & 152.080 C6 FOR A FARM RELATED BUSINESS / LARGE SCALE ACTIVITY ON PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A". THE FOLLOWING CONDITIONS SHALL BE ATTACHED TO THE PERMIT:

1. The permit is subject to administrative review. Pursuant to Section 152.079 of the Carver County Code, the residence shall be occupied as a homestead by a principal of the activity. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners/operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. The LuceLine Orchard, LLC. (Farm Related/large Scale Activity Business) shall operate in accordance with the operational letter (dated: 1/13/15) and site plan (dated 12/9/14). These plans shall be attached to and become part of this permit. Prior to the issuance of any building permits for additional buildings, discussion with Land Management is necessary for a determination as to whether an application for amendment or similar consideration is warranted.

3. The LuceLine Orchard operation shall be permitted to be open to the public May 1st through November 15th, seven (7) days a week (10:00 a.m. to midnight).
4. Any Special Event taking place outside of the normal business hours of operation shall be subject to review by the Watertown Town Board (Road Authority), the Carver County Land Management Department and final approval by the County Board of Commissioners pursuant to Section 152.074 of the Carver County Zoning Code. Special event requests require an Administrative Permit application to be submitted, pursuant to Sections 152.074 and 152.080 of the Carver County Zoning Code, for review at least 30-days prior to the special event taking place.
5. Events with music shall be allowed within the approved business hours of operation. Unless it is a reviewed and approved special event, amplified music shall cease at 8:00 p.m.
6. All buildings/structures utilized by the operation must meet the State Building Code. A Certificate of Occupancy must be issued before retail sales commence in 2015.
7. The existing structure(s), not utilized for the business, shall be used only by the occupant(s) of the residence for agriculture, personal storage, hobbies, recreation, entertainment, family uses, private maintenance and repair activities, and for the keeping of animals and appurtenant equipment and supplies, and as otherwise regulated by this Ordinance.
8. The Permittee is responsible to the Minnesota Department of Agriculture, and to any other County, State or Federal agencies, for maintaining the required permits and licensure for any retail, liquor, food production and growing operations. The Permittee shall submit copies of all required permits and licenses to Carver County Land Management annually.
9. The Permittee shall maintain a conforming Subsurface Sewage Treatment System pursuant to Chapter 52 of the Carver County Code to accommodate any restroom(s) and/or wastewater produced within the structure.
10. The Permittee shall comply at all times with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations. The Permittee shall not exceed the allowed square footage of signage per property. Any proposed signage within public road right-of-way shall be approved by the local road authority. Off premise signage (on private property) is prohibited, unless a variance is granted for the placement of the signage.
11. Permittee shall comply with any road access requirements/improvements as determined by the Road Authority (i.e. dust control, maintenance, or similar issues).
12. The Permittee shall submit proof of Workers Compensation or an affidavit stating that they do not have any employees.



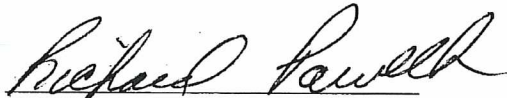
Steve Just
Land Management Department Manager

THIS PERMIT IS NOT EFFECTIVE UNTIL SIGNED BY THE APPLICANT. FAILURE OF THE APPLICANT TO SIGN AND RETURN PERMIT WITHIN 90 DAYS OF THE BOARD'S ISSUANCE OF THE ORDER SHALL BE CAUSE FOR CANCELLATION OF THE PERMIT.

Applicant signature block

I HAVE READ THE ABOVE CONDITIONS AND AGREE TO FOLLOW THEM. I REALIZE THAT FAILURE TO ABIDE BY THE CONDITIONS IS A VIOLATION OF THE ZONING ORDINANCE. I AGREE THAT THE ZONING ADMINISTRATOR OR A DESIGNATED REPRESENTATIVE MAY ENTER UPON THE SUBJECT PROPERTY TO CHECK FOR COMPLIANCE OR FOR REVIEW PURPOSES. I ALSO UNDERSTAND THAT UNLESS SIGNIFICANT ACTION IS TAKEN PURSUANT TO THIS PERMIT WITHIN SIX (6) MONTHS OF THE ISSUANCE OF THE BOARD ORDER THE PERMIT SHALL AUTOMATICALLY BE NULL AND VOID. THE TIME PERIOD CAN BE EXTENDED ONLY BY ACTION OF THE COUNTY BOARD OF COMMISSIONERS. A PETITION FOR EXTENSION MUST BE SUBMITTED AT LEAST THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE.

FAILURE OF THE APPLICANT TO SIGN AND RETURN THE PERMIT WITHIN 90 DAYS OF THE BOARD'S ISSUANCE OF THE ORDER SHALL BECAUSE FOR CANCELLATION OF THE PERMIT. I ALSO UNDERSTAND THAT THIS IS NOT A BUILDING PERMIT AND THAT OTHER PERMITS MAY BE REQUIRED.


Signature of Applicant

2-17-15
Date

1/13/15
1:21pm

Dear Planning Commission,

Richard and Theresa Pawelk, principal owners of LuceLine Orchard LLC, request the Carver County Planning commission to grant us a conditional use permit for the operation of a MN Farm Agricultural Apple Orchard business for the property located at 2755 Rose Ave. Watertown, MN 55388. Attached is a brief, describing state guidelines and support for the farm related apple business.

We met with the Watertown Township board and presented them with our vision for our apple orchard including the use of a wedding site on Monday November 3rd 2014. We received unanimous approval and signed the recommendation form.

As owners of LuceLine Orchard LLC, we intend to operate a sustainable agricultural business that will contribute to the economic growth of Carver County and the rural community. In addition, our orchard will foster agro-tourism as an industry that outreaches Minnesota.

Currently, we have 155 acres in total on our property. 80 acres of which are woods and wetland and 75 tillable acres. We are located right on the MN State Luce Line Trail. We currently have just short of 10,000 apple trees located on approximately 13 acres, 6,400 grape vines located on 7 acres, 6 acres of pumpkins, a 5 acre corn maze, and the main barn and house are located on 7 acres.

Conditional Use Permit

We recently remodeled the existing barn that was located on the property. This will be used as a retail front as well as storage.

Apple Orchard & other related activities

Our retail barn will be used to sell our apples as well as other MN made products that help support agro-tourism. Outside of the building we have a food area to sell grilled food items per the MN department of Health regulations.

We also plan on hosting educational events and partnering with school group tours featuring educational pieces on sustainable farming.

Special events related to the Apple orchard and private parties would likely take place outside in a tent or in a private section of our retail barn.

We will also be hosting weddings typically on weekends with amplified music confined to a tent.

Hours of Operation

LuceLine Orchard will open May 1st through November 15th, 7 days a week from 10am to midnight.

Employees

There will be 2 primary family members that work out at the farm year round. An additional 6 family members will be out there every Saturday and Sunday during season and weekends throughout the year for pruning. We have not hired any employees as of yet. Thus far we have operated with extended family members working as volunteers. We do however anticipate hiring 20 or so people next year and will purchase workers compensation insurance at that time to cover our employees who will work strictly on a part time basis.

Traffic & Parking

We have an approximate 15 to 20 acre parking lot that can hold up to 400 vehicles at any one time. We typically will have anywhere from 200 to 500 trips a day in and out of the orchard at any one time. Our peak hours are between 11am and 3pm, after that traffic dies off considerably. Access will be from country road 122 to Rose Avenue. We are about a ¼ mile off of Rose Ave on a gravel road and the parking lot will be on the left in our existing field. Our Handicap parking will be on the right side next to our house in the grass. Approximately 15 cars can fit in the handicap space.

We will also spray the gravel road that runs the length of our property for dust control during season per township recommendations.

Vehicles

Personal Vehicles on the property: 8 (including resident family members)

Employee Vehicles: 20

Business related vehicles: 4 tractors & 2 gators

Screen Proposed

N/A

Storage and Other Buildings on Site

Homestead – Richard and Theresa Pawelk's Residence

Apple retail barn/building – 2,708 on the main floor and 1,948 upstairs

6 small non-permanent outbuildings for animals/storage – 3 of which are approximately 80 square feet and the other two are approximately 200 square feet and are not permanent structures. The two 200 square foot buildings are used for shelter to from the wind for the animals and they are 3 sided. The other two are used to house miscellaneous farm equipment.

Potential for a tent as part of a wedding venue. We would obtain proper permits as needed and necessary.

Water Waste Sewage

We have our trash removal service through Randy's Sanitation, they pick-up on a weekly basis. We also have Biff's Bathrooms during season and they come out weekly to service the 4 portable bathrooms that we have on sight which include 2 handicapped units as well. We put in a new septic system per Carver Counties recommendation two years ago but the public is not allowed to use our restroom facilities. We also have well water. We will be putting in a single stall, co-ed, handicapped restroom with a separate holding tank prior to opening next season per building code regulations.

Signage

LuceLine Orchard has a small 2X2 sign at the entrance of our orchard. We will have some highway signage seasonally as permitted by the MN department of transportation.

Access

LuceLine Orchard LLC will have public access to customers, employees, and delivery vehicles during normal business hours of operation.

Employees – Any employees of the orchard and retail barn as well family members or volunteers who come to help prune during the off-season and the on-season for picking and serving guests of our orchard.

Customers – any persons interested in visiting our orchard, participating in an orchard tour, or visiting our retail barn.

Public – Any persons who may be invited to attend an event that is being hosted at the orchard (company meeting, wedding, trade show, educational events, etc)

LuceLine Orchard



This map was created using Carver County's Geographic Information Systems (GIS). It is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

Parcel w/ Zoning Info



2014 Aerial

12/9/14

EXHIBIT "A" – LEGAL DESCRIPTION

PID NUMBER: 10-007-0100

File# PZ-20140040

APPLICANTS: Abigail Jirak, Richard Pawelk, Theresa Pawelk

OWNER: Richard L Pawelk Revocable Trust

PID NUMBER: 10-007-0900

APPLICANTS: Abigail Jirak, Richard Pawelk, Theresa Pawelk

OWNER: Akins Farm Property, LLC

PID NUMBER: 10-060-0020

APPLICANTS: Abigail Jirak, Richard Pawelk, Theresa Pawelk

OWNER: Richard Pawelk & Theresa Pawelk

PID NUMBER: 10-060-0050

APPLICANTS: Abigail Jirak, Richard Pawelk, Theresa Pawelk

OWNER: Akins Farm Property, LLC

* * * * *

10-007-0100

The North Half of the Southeast Quarter (N $\frac{1}{2}$ of SE $\frac{1}{4}$) and the North Half of the Southwest Quarter (N $\frac{1}{2}$ of SW $\frac{1}{4}$) of Section 7, Township 117 North, Range 25 West, EXCEPT railroad right-of-way and

EXCEPTING THEREFROM THE FOLLOWING:

Commencing at the Northeast corner of the North Half of the Southeast Quarter (N $\frac{1}{2}$ of SE $\frac{1}{4}$) of Section 7, Township 117, Range 25; thence Westerly on the North line of said Half to the Northwest corner of said Half, thence South 50 feet, thence Southeasterly to a point on the East line of said Half, distant 110 feet South of said Northeast corner, thence Northerly to the point of beginning.

AND EXCEPTING THEREFROM THE FOLLOWING:

Commencing at the Northeast corner of the North Half of the Southwest Quarter (N $\frac{1}{2}$ of SW $\frac{1}{4}$) of Section 7, Township 117, Range 25, thence West on the North line of said Half, a distance of 690 feet; thence Southeasterly on a 2 degree left course curve, distance 484 feet; thence East, distance 210 feet, to a point on the East line of said Half distance 50 feet South of said Northeast corner; thence North to the point of beginning, Carver County, Minnesota.

10-007-0900

The west 30 acres of the Southwest quarter of the Southeast Quarter in Section 7, Township 117 North, Range 25 West, EXCEPTING THEREFROM that part of the West 30 acres of the Southwest Quarter of the Southeast Quarter of Section 7, Township 117 North, Range 25 West of the 5th Principal Meridian, described as follows: Commencing at the Southwest corner of said Southwest Quarter of the Southeast Quarter; thence East along the South line of said Southwest Quarter of the Southeast Quarter, a distance of 347 feet to the point of beginning of the property being described; thence deflecting left 78 degrees, a distance of 433 feet; thence deflecting right 28 degrees 30 minutes, a distance of 286 feet; thence deflecting right 65 degrees 13 minutes to the East line of said West 30 acres; thence South along said East line to

the South line of said Southwest Quarter of the Southeast Quarter; thence West to the point of beginning.

10-060-0020

Lot 1, Block 2, Akins Addition

1

10-060-0050

Outlot A, Akins Addition