



**CITY OF LONG LAKE
PLANNING COMMISSION MEETING MINUTES
March 9, 2010**

CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Chair Crump.

Present: Committee Members Hultmann, Crump, Hughes and Loosen; Planning Consultant Ann Perry.

Absent: Committee Member Skjaret; City Council Member Carpenter; and City Administrator Post.

APPROVE AGENDA

Commissioner Hultmann moved to approve the agenda as presented. Commissioner Hughes seconded. Ayes: all.

CONSENT AGENDA

A. Minutes of the February 9, 2010 Planning Commission Meeting

It was noted on page two, the fifth paragraph, the second sentence should indicate: "...and ~~Tim Hultmann~~ Tom Skjaret as representatives to the EDA."

Commissioner Loosen moved to approve the Consent Agenda as amended. Commissioner Hultmann seconded. Ayes: all.

OPEN CORRESPONDENCE

None.

OLD BUSINESS

A. Discussion of Elite Auto Zoning Compliance Issues

Planning Consultant Perry reviewed the staff report for the Planning Commission. She explained that a history of zoning violations exist for the property in discussion, which was distributed to the property owner and Commission. She advised that the required zoning form, which allows for auto sale, has not been signed as the property is not in compliance with the City codes. She reviewed the approved permit from 1985 and noted specific conditions as well as an aerial photograph of the property, taken in 2006. She

reported that staff has attempted to work with the property owner since 1992 in regard to noncompliance from the approved 1985 permit and summarized the out of compliance items. She stated that the use of the property has evolved into auto salvage or junk yard rather than an auto sales lot. She reviewed the definition of junk yard and pointed out examples of how the site fits into that definition. She advised that a junk yard or auto salvage yard is not an allowed use in this or any zoning district. She suggested that the Commission let the property owner speak and then discuss the options for the property including conformity of the original site plan; to conform to the original site plan with allowed screening; or to amend the zoning district to allow a junk or auto salvage yard as a conditional use.

Commissioner Loosen stated that City staff asked him to convey his relationship with the property owners. He advised that he is an employee of E Waste Recyclers, which lists items for sale from different companies, one of which is Elite Auto Salvage, and his office is actually located on site at Elite. He did not think that he had a conflict of interest but wanted to point out that he has lived next door to the property owners and has known Mr. Rudd his entire life.

Mrs. Rudd provided a copy of a letter to the Commission for their review, showing both the items discussed by staff and the response from her husband and herself. She advised that she and her husband had retained an attorney who would be advising them along this process further, but noted that she would like to continue to work with staff.

Chair Crump stated that he did not want the City to be the go between for Elite Auto and the State and did not want City staff to be put in the position where they would need to be untrue in their reporting of the zoning status of the property. He advised that he would encourage any business within the City of Long Lake and stated that if Elite would like to request that the City allow auto salvage he would be open to that discussion. He explained that fencing and screening does not have to be a large expense for the property owner, but advised that the view of the property from Highway 12 is not aesthetically pleasing. He advised that the process would not be complete today but stated that he would be open to amending the zoning regulations to allow auto salvage and/or sales. He explained that if the property were to look like an auto sales and repair shop the property would be in compliance as the property was grandfathered in under previous zoning regulations.

Commissioner Hultmann stated that although auto sales are not technically allowed in the City of Long Lake, the Commission is aware of other businesses that list vehicles for sale as well. He advised of another business that has vehicles for sale in the front and the other vehicles screened from public view. He stated that the Chamber of Commerce has been concerned with the lack of business in the City due to the new bypass and noted that the property has been mentioned because of the poor view from Highway 12.

Chair Crump stated that he preferred that the City and property owner spend time and energy together to bring the property into compliance and allow the business to go forward. He pointed out a location on the existing property which could house a large

screened fence to provide a more aesthetically pleasing view of the property and still allow for up to 15 cars to be shown for sale. He advised of other examples of how the property could be cleaned up and still function in the current capacity. He suggested that the property owners develop a specific plan of how the property could come into compliance in a fair amount of time and with consequences should the deadlines not be met.

Mrs. Rudd stated that she would like to see the actual ordinance from 1974 and would also be interested in coming back to the Planning Commission prior to the City Council, as she and her husband would need to bring the information discussed tonight to their attorney for feedback.

Commissioner Hultmann stated that he remembered the business from 1978 when he first came to Long Lake and noted that the business has grown quite a bit larger than the original owner had possibly planned. He advised that the business currently employs 15 people and is a viable employer within the City.

Commissioner Hughes questioned if the property owner was aware that the property is not in compliance, as it was originally approved for auto sales and repair and not auto salvage.

Chair Crump stated that he would be open to discussing auto dismantling or salvage as an allowed use for the property.

Commissioner Loosen stated that the term junk yard has been thrown around but explained that the actual use of the property could be considered green recycling.

Mr. Rudd stated that it had been nice to talk with the Commission and agreed that a fence would help to screen the property and make it more aesthetically pleasing. He stated that he was happy the lines of communication had been opened with the City, as he had not had much luck with the staff he had spoken to recently in this matter. He advised that he did want to work with the City to determine a solution that would work for both parties.

Mrs. Rudd stated that she has not received return calls from City staff, nor has her attorney, and advised that it has been hard to work with the City to bring the property into conformance.

Commissioner Hultmann noted that there has been an image that the City is hard to work with and stated that he was also happy that the lines of communication had been opened and hoped that the two parties could work together and find a solution.

Planning Consultant Perry noted that she or the City Administrator could possibly write a report on the discussion that took place tonight and request that the discussion remain with the Planning Commission to develop a plan for the site.

Chair Crump suggested that the property owners go before the City Council to request a change in zoning for the property to allow auto recycling. He reviewed options for recommendation that the Commission could make to the City Council and briefly described the different options and what would be entailed for each. He advised that the property owners should not go before the Council without a firm plan in place for the site including a timeline, and consequences, should the timeline not be followed.

Commissioner Hultmann suggested that the property owners return before the Planning Commission next month with their plan, prior to going before the City Council.

OTHER BUSINESS

Council Liaison Report

Councilmember Carpenter was not present.

Commission Member Business

Nothing to report.

Staff Business

Nothing to report.

ADJOURN

Commissioner Hultmann moved to adjourn the meeting at 7:25 p.m. Commissioner Hughes seconded. Ayes: all.

Respectfully submitted,

Time Saver Off Site Secretarial
Recording Secretary