



**CITY OF LONG LAKE**  
**PLANNING COMMISSION MEETING MINUTES**  
**April 13, 2010**

**CALL TO ORDER**

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

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

Absent: None.

**APPROVE AGENDA**

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

**CONSENT AGENDA**

**A. Minutes of the March 9, 2010 Planning Commission Meeting**

*Commissioner Hultmann moved to approve the Consent Agenda as presented. Commissioner Skjaret seconded. Ayes: all.*

**OPEN CORRESPONDENCE**

None.

**OLD BUSINESS**

**A. Continued Discussion of Elite Auto Zoning Compliance Issues**

City Administrator Post reviewed the staff report for the Planning Commission. He reported that following the meeting of the Planning Commission, a Chamber of Commerce Board representative approached the City Council and gave their position regarding the Elite Auto parcel; he highlighted portions of the presentation. He advised that the dealer license for Elite Auto has been renewed since the previous meeting, as the issues standing in the way were in regard to bonding documentation and not in regard to City zoning. He displayed a sketch proposed by the owners of Elite Auto for existing and proposed fencing of the property.

Kris Rudd, Elite Auto, read aloud a letter she wrote to City staff, explaining the proposed changes and uses for different locations on the property.

Chair Crump asked for further guidance from the Rudds' in regard to the property and the ultimate desired use for the property, as City code does not currently allow for auto recycling. He advised that if auto recycling were allowed as a conditional use, the Commission would need to develop a list of conditions in regard to aesthetics and environmental responsibilities. He advised that Elite Auto could also state that the activities taking place on the property would remain strictly with auto sales and repairs, which the City would then present the owners with a list of out of compliance issues.

Shane Rudd, Elite Auto, stated that in regard to the idea of auto recycling he would need more land that he currently possess. He believed that the property is an auto repair and sales shop and confirmed that auto parts are sold on the property.

City Planning Consultant Perry stated that it appears that the property is being used as an auto salvage yard, as many vehicles on the property fall under the term junk cars in City ordinance. She questioned how the owners would be addressing the issue and correcting the violation.

Shane Rudd advised that he would be proposing to move those vehicles into the storage portion of the property. He believes that the shop is an auto repair shop, but advised that the vehicles on property could be fixed to run. He confirmed that he does sell auto parts and does not see it being proper to throw those parts away that could be used. He advised that most junk yards operators hold a junk license and do not possess a dealer license.

Commissioner Hultmann commented that the property does have a better appearance in the last few weeks and commended the owners for their hard work. He stated that he may have a different view of the property and the business than other members of the Commission or Council, and he disagreed with the Chamber of Commerce publicly speaking against the business. He advised that citations could be written for several properties in the City at any given time and felt that this business was being treated unfairly by certain organizations. He thought that this would be a good opportunity for the Planning Commission, City Council and Chamber of Commerce to work together and keep a business in the City of Long Lake, rather than chasing them out of the City. He advised that this business has been in Long Lake since 1973 and wanted the City to work together with the business to determine a use and guidelines that would allow the business to continue.

Chair Crump asked City Planning Consultant Perry for further clarification on the City ordinance and zoning regulations specifically in regard to this parcel.

City Planning Consultant Perry reviewed the items that would need to be addressed per the current zoning regulations and City ordinance. She clarified that two issues exist on this property, one being the use and reviewed the items out of compliance, including the junk yard and auto salvage activities. She advised the second issue for the property

would be the site plan violations, including screening. She suggested an off-site staging area that would be used to review vehicles and only use portion B for the sale of used auto parts.

Kris Rudd stated that until recently they had no idea that the property was out of compliance as the activities done on the property are covered under the regulations of the dealer license, and they had not heard any complaint from City staff for 12 years prior to recent communication. She advised that any time staff recommendations were brought to the business the item was corrected to match the recommendation.

Commissioner Loosen agreed that the current site plan differs from the current site plan and explained that as the property has changed so have the processes of the City.

Chair Crump advised of another example of a similar business where only customer vehicles or vehicles ready for pick-up would be in front of the building and cars awaiting repair are stored in a screened area that is not visible to the public. He questioned if there was a way to work on the current site and keep the use of auto repair and either grandfathering or issuing auto sales as a conditional use.

City Planning Consultant Perry stated that she did not see a problem with those items but did see a problem with the definition of junk yard, as it describes the current property. She suggested separating the definition into junk yard and auto salvage yard.

Commissioner Skjaret referred back to the letter written by the property owner, reviewing each issue and confirming the position of the Commission.

Chair Crump commented that he did not believe a six foot fence would be sufficient for screening and advised of a few options that could be explored for screening.

City Administrator Post suggested the possible use of landscaping in front for additional screening.

Kris Rudd stated that she did not believe that there was a lot of vegetation that would survive the winter and use of salt.

Commissioner Loosen asked for further information regarding oil on the property.

Shane Rudd advised that draining of liquid and those types of activities are done inside where the oil and liquid is collected through traps and containment areas. He stated that someone is going to visit the property in May to complete a runoff assessment and runoff is an issue he will then form a plan to correct that item.

Chair Crump stated that the issues of aesthetics and environmental concerns are being addressed and have plans for the future but brought the discussion back to the issue of the property falling under the definition of a junk yard. He agreed that the view of the

property today is a junk yard but explained that portions of the definition could be addressed so that the property no longer falls under that category.

Commissioner Skjaret questioned if a portion of the zoning law could be amended in regard to the sale of auto parts and how the property owner could move the auto parts inside in order for that portion to comply.

City Administrator Post stated that he considered this issue to be a continuation at the Planning level and believed that this process was on the verge of a planning case submitted by the business owners as the applicant to request a number of changes discussed and recommended that would be reviewed by the Planning Commission and City Council.

Chair Crump questioned if the aesthetics were addressed, the environmental factors were addressed, screening was installed around the property, and paving were to occur, would that be sufficient for the City, or would a planning case still need to be brought forward.

City Administrator Post believed that an amended site plan and use permit would need to be submitted and approved, even with all those changes installed.

City Planning Consultant Perry advised that a zoning amendment would need to be completed to amend the definition of auto junk yard and an amended professional site plan would need to be submitted and approved. She believed that staff could meet with the property owners to discuss the property and proposed changes in further detail.

Commissioner Skjaret confirmed that this would be two separate steps for the Commission, one being the review of the ordinance definition and two being the submittal of an amendment site and use plan.

Chair Crump confirmed if it would be possible for the property owners to complete an amended site plan, have the environmental assessment completed, and have a review of the property completed by the Fire Marshall in time for the meeting of the Planning Commission next month. He explained that by the end of the process the property will be cleaned up, the site plan will meet the activities taking occurring, and the property should no longer be out of compliance.

Mr. Erickson stated that the ten member board of the local Chamber of Commerce has voted, eight to two, to eliminate the junk from the Elite Auto property. He did not believe that all the land use issues had been discussed tonight and asked for further clarification in regard to outside storage in general, and specific to this property. He felt that this property was being treated differently than any new businesses in regard to outside storage.

City Administrator Post advised that outside storage was also discussed the previous summer in regard to scooter sales at the adjacent property to the west.

## **OTHER BUSINESS**

### **Council Liaison Report**

Councilmember Carpenter was not present at the meeting.

### **Commission Member Business**

Nothing to report.

### **Staff Business**

City Administrator Post summarized the items that may be on the agenda for the May Planning Commission meeting. He advised that the owner of the Red Rooster is considering replacing business signage, and reported that the City of Orono has a public hearing scheduled for April 15<sup>th</sup> in regard to guiding the rezoning of properties to accommodate higher density multifamily housing adjacent to Holbrook Park in conjunction with their 2030 Comprehensive Plan Update.

## **ADJOURN**

*Commissioner Hultmann moved to adjourn the meeting at 7:40 p.m. Commissioner Skjaret seconded. Ayes: all.*

Respectfully submitted,

Terry Post  
City Administrator