



**CITY OF LONG LAKE  
PLANNING COMMISSION MEETING MINUTES  
MARCH 13, 2012**

**CALL TO ORDER**

The meeting was called to order at 6:35 p.m. by Chair Crump.

Present: Commissioners Crump, Hughes, Kelley, Erickson, and Stephenson; City Administrator, Terry Post; Planning Consultant, Ann Perry, and City Councilmember Skjaret.

Absent: None.

**APPROVE AGENDA**

Chair Crump noted that there had been a request to change the order of the agenda items to discuss item 5B (Discussion of Interim Uses) prior to item 5A (Planning Case #2012-01: Zoning Ordinance Amendment, 2305 Daniels Street, Tonka Marine and Auto).

*Commissioner Hughes moved to approve the agenda as amended. Commissioner Kelley seconded. Ayes: all.*

**CONSENT AGENDA**

**A. Minutes of the February 14, 2012 Planning Commission Meeting**

Commissioner Erickson noted that the roll call refers to Committee Members and the minutes reference Commissioners. He also noted that when he discussed short sales he also mentioned foreclosures.

*Commissioner Stephenson moved to approve the Consent Agenda as amended. Commissioner Hughes seconded. Ayes: all.*

**OPEN CORRESPONDENCE**

None.

**NEW BUSINESS**

**A. Discussion of Interim Uses Topic**

City Planning Consultant Perry explained that the discussion of interim uses has been brought forward to determine if the City will allow a temporary use and noted that the regulation would need to apply equally across the entire zoning district. She explained the main reasoning that cities choose to allow interim uses and encouraged the Commission to discuss the idea to determine their thoughts on the topic.

Commissioner Stephenson questioned how long the interim use would be allowed and whether the same time period would be required for each temporary use.

City Planning Consultant Perry explained that the City and applicant can work together to set an end date for the interim use. She noted that an interim use could be similar to a conditional use permit, with the exception that the interim use would have an end date. She confirmed that the end date could be extended, if desired, and noted that interim uses are very flexible.

Chair Crump questioned what the application standard would be for this process.

City Planning Consultant Perry explained the application process and how an interim use would apply to a specific situation. She noted that a public hearing would be required and explained that the process would be similar to that of a conditional use permit. She explained that the City could review the allowed conditional use list to determine if some of those items would be better suited in the interim use category. She stated that there is control over which uses the City would allow as interim uses.

Commissioner Stephenson questioned if there would be a problem setting different end dates for different interim use applications.

Chair Crump stated that he believed this would give the City an additional tool to assist the business community.

City Administrator Post advised that if this Ordinance amendment is approved, each application for an interim use would still need to be reviewed by both the Planning Commission and City Council for approval. He advised that this item was discussed by the Council at their previous work session meeting and noted that he was to report the opinion of the Commission on this topic back to the Council.

Commissioner Erickson agreed that this would be a good tool to assist businesses and would also provide the ability for the City to list conditions and provide follow-up through the end date.

City Planning Consultant Perry confirmed that the interim use could be applied specifically to a zoning district and would not need to be applied to every zoning district.

Chair Crump confirmed support of the Planning Commission in further investigating interim uses.

Commissioner Kelley questioned how the 25 percent limit on outdoor storage was developed.

Commissioner Erickson noted that he has property in other communities which have similar limitations.

City Planning Consultant Perry confirmed that most Metro communities have similar limitations of 25 to 30 percent on outdoor storage. She stated that this requirement also encourages businesses to invest in their property.

**B. Planning Case #2012-01 Zoning Ordinance Amendment 2305 Daniels Street (Tonka Auto and Marine)**

City Planning Consultant Perry reported that the applicant is requesting a zoning remedy which would allow for more than 25 percent outdoor storage. She advised that this property has been out of compliance for the past seven to eight months, and the City did revise the Ordinance previously to allow marine sales and storage within this zoning district. She stated that the only way that the City could allow more than 25 percent outdoor storage would be to issue a variance and noted that it would be very difficult to find a practical difficulty reason to support a variance. She advised that the other options would be to amend the zoning Ordinance, such as through the interim use policy that was previously discussed. She advised that amending the conditional use permit would also be allowed, but explained that if that is done the new standard would apply across the entire zoning district. She stated that the Commission could also choose to amend the zoning Ordinance to allow additional outdoor storage specifically for marine storage and sales. She stated that the Commission could also choose to deny the request and enforce the Ordinance standards.

Chair Crump opened the public hearing at 7:00 p.m.

Kelli Gillispie, applicant, stated that she has researched the outdoor storage limit and has not found such a low limit in the Metro area. She also believed that her property is in compliance with the Ordinance and under the 25 percent outdoor storage limit. She stated that while she would love to build a building for additional storage, she needs to build her business prior to investing additional funds. She stated that in her discussions with the Mayor she was under the impression that she could possibly obtain an interim use that would allow for up to 50 percent storage.

Steve Coen, additional Tonka Auto & Marine representative, stated that the outdoor storage is currently different than normal because of the weather change and the exchange of boats coming for repair and being picked up from the winter storage.

Ms. Gillispie explained that during the spring and fall there is a lot of boat traffic with winterizing and summerizing the boats. She stated that there are additional requirements from the DNR in regard to invasive species control, which will also cause additional boat traffic. She encouraged people to visit the site and walk the lot with her so that she could explain how the business and site work.

Commissioner Stephenson confirmed that the applicant had come forward to the City by herself prior to bringing her business to Long Lake and questioned what occurred at the previous site in Spring Park.

Ms. Gillispie explained that there were problems with the building owner that could not be resolved. She stated that there was not a 25 percent outdoor storage limit at the previous location. She stated that her desire is not to fill up the outdoor lot, as that would not allow her to be able to move the boats around the site. She stated that she was not aware of the 25 percent outdoor storage limit prior to coming to Long Lake.

Mr. Coen stated that their business model was based on a certain amount of boats and would find it hard to make the business successful, or even break even, with fewer boats.

He confirmed that at the previous location they were also leasing a piece of land in another western suburb to store additional boats.

Ms. Gillispie explained that the off-site location had an extra cost and brought its own problems, such as boats getting stuck in the mud. She stated that she is planning to paint the current location building this year but was unsure when they would be able to construct a future storage building. She advised that additional indoor space would allow for additional indoor repairs to be completed.

Mr. Coen stated that they are trying to complete as many aesthetic repairs and improvements as possible, in the amount of time available and with the funding available.

Ms. Gillispie stated that there is an option for her to purchase the building from Mr. Dailey and noted that, although she would love to stay in this location, she would first like to ensure that her business will be welcome for the long term. She explained that she is a very community-oriented person and likes to contribute to the community, but wants to ensure that she is being helped as well.

Chair Crump stated that he does not see that there are practical difficulties for this use that would require an increase to the outdoor storage limits. He believed that City staff may need to investigate staging versus storage to determine the outdoor storage level for the site. He stated that other marine facilities have a set time for people to drop off and pick up their boats.

Mr. Coen stated that he would welcome the business that is turned away from those facilities. He stated that some people are also requesting additional work and not simply the summerizing.

Ms. Gillispie stated that she is trying to build her business and does not have an established client base to be able to turn away business.

Chair Crump stated that a limit could be set requiring boats to be picked up by a certain date, such as one week.

Mr. Coen stated that he can ask that a customer pick up a boat by a certain date but explained that some customers do not meet that date.

Chair Crump stated that if a boat is not picking up within a week the business should be charging a daily storage fee to ensure that the business does not exceed the outdoor storage limit.

Ms. Gillispie stated that most of their boats are in the water before Memorial Day.

Chair Crump explained that the City will allow leeway in repair work, noting that an RV is only allowed in the side yard but if a person is working on their RV it could be in the driveway for one week without being ticketed. He explained that once the RV is parked in the driveway for more than that amount of time, it would appear to be storage. He stated that is the difference between staging and storage.

Ms. Gillispie stated that they try to turn boats around as fast as possible but there are some delays at times.

Chair Crump referenced a similar business in a neighboring community which did not have any problems with the outdoor storage limitations.

Mr. Coen advised that business owner has gone out of business and noted that is not his desire with Tonka Auto and Marine. He explained that it is difficult to determine the amount of staging versus storage, as some boats are repaired while being stored. He stated that he does not want to pack the lot full, as he needs room to maneuver the boats around. He advised that some people drop their boats off without warning and stated that he has a difficult time turning business away that is already there.

Chair Crump noted that the outdoor storage needs to be screened and stated that it seems to be a practical difficulty to screen sixteen feet high boats with a six foot high fence.

Mr. Coen stated that he believed that the screening was only required in the front and also believed that the boats were behind the fence. He noted that a neighboring property has a crane and was unsure how that would be screened.

Councilmember Skjaret stated that the screening and outdoor storage limitation was made clear prior to the approval of the marine use within the City.

Councilmember Stephenson stated that he also remembered that the 25 percent outdoor storage limitation was made clear at the Planning Commission meeting.

Ms. Gillispie stated that she was caught off-guard by the storage limitation when she came to the meetings last year.

City Planning Consultant Perry again explained the options of approval, or denial, to the Commission. She noted that under the existing Ordinance the only method of approval would be a variance. She advised that there could be an option to amend the Ordinance as discussed earlier.

Chair Crump stated that if the applicant would like to further work with City staff, the Commission could table the decision until the next meeting.

Ms. Gillispie stated that she is open to working with the City and has extended an invitation to everyone but has only spoken with three people, none of whom are Councilmembers or Commissioners.

Mr. Coen questioned if it would be better to table the request at this time and better prepare for the discussion.

Commissioner Stephenson stated that the interim use planning tool that was discussed earlier may be able to help this business.

Chair Crump stated that it would be helpful for the business to determine the amount of storage versus staging, and believed that additional time would help the business determine that information.

Ms. Gillispie stated that although she appreciates the interim use tool, she would be hesitant to invest in the location if the future were unknown. She disputed that the business is exceeding the 25 percent outdoor storage and welcomed anyone to visit the site and walk the property.

Commissioner Hughes questioned who determined that the site exceeds the outdoor storage limit.

City Planning Consultant Perry stated that she and City Administrator Post found the outdoor storage limit to be exceeding by a visual analysis.

Chair Crump questioned if the applicant would like to table or remove the request for a variance. He believed the best method for moving forward might be for the applicant to request an increase in the amount of allowed outdoor storage for the entire zoning district.

Coen requested to table the request until the next month. He encouraged members of the Planning Commission and City Council to visit the business and walk the site. He hoped to gather the necessary information prior to the next meeting.

Ms. Gillispie requested that a copy of the documents be sent specifically to her for future meetings, as she believed that mail may have been sent to the landowner directly.

Chair Crump closed the public hearing at 7:49 p.m.

*Commissioner Erickson moved to table the request from Tonka Auto and Marine until the next meeting. Commissioner Stephenson seconded. Ayes: all.*

### **C. Further Discussion of 2012 Work Plan**

City Administrator Post stated that the Council had discussed this item at their previous Worksession but advised that ultimate priorities had not been decided.

Councilmember Skjaret stated that the Council would like to hold off on the earlier Planning Commission discussion on private line I&I for further Council discussion and provided alternate options that the Commission could work on, such as reviewing downtown parking.

## **OTHER BUSINESS**

### **Council Liaison Report**

Councilmember Skjaret stated that the Founder and President of the Long Lake Rowing Club presented a request to use the Billy's Lighthouse property, which has been discussed at a Council Worksession. He stated that there are a number of obstacles that would need to be cleared prior to the Rowing Club being able to use the facility. He explained that the City does not have any control over the lake itself, only the land, noting that the DNR regulates the water. He stated that Hennepin County Engineer Grube met with the Council in regard to the Project Advisory Committee (PAC) for the Highway 12 turn back project. He explained that the PAC would meet for two years and advised that the City is currently advertising for interested residents that would like to join the Committee. He stated that the

construction of a rumble strip and resulting Hwy 12 Bypass closure is tentatively scheduled to take place the same weekend as the summer festival in Long Lake, which could bring in additional people to the community.

### **Commission Member Business**

Commissioner Hughes stated that it would be nice to see if there could be an amendment for marine storage within the I1 district which would allow up to 40 percent outdoor storage.

Commissioner Stephenson stated that he would meet with the Tonka Auto & Marine business owners and walk the property to obtain a better scope of what is needed and what is occurring.

Chair Crump believed that there is a path with interim use which would be more business friendly in the industrial zoning district. He explained that he views this issue as seasonal storage and discussed the aspects which could affect the decision.

Councilmember Skjaret agreed that the interim use could assist with the seasonal business activities within that zoning district.

Commissioner Erickson stated that he is more concerned with the invasive species contamination issue far more than the issue of outdoor storage limits. He specifically was concerned with what happens to the water during the decontamination procedure and could it enter the storm water runoff flow and end up in Long Lake.

City Planning Consultant Perry stated that she would follow up with the Watershed District to determine if there are any requirements governing that type of activity.

Commissioner Erickson stated that there is barbed wire at the Tonka Auto and Marine location and would like to see that removed, as he did not believe that was an allowable material for fencing. He stated that if the outdoor storage limits were relaxed, through an interim use policy; he would like to see the business give something back as well, such as additional screening. Erickson also inquired if the MnDOT parcel immediately south of the business could be used to plant trees to further screen the business.

### **Staff Business**

City Administrator Post stated that the City has submitted a grant application to the DNR for tree diversification due to the Emerald Ash Borer (EAB) threat, and the DNR will announce grant awards on March 16<sup>th</sup>.

### **ADJOURN**

*Commissioner Kelley moved to adjourn the meeting at 8:20 p.m. Commissioner Stephenson seconded. Ayes: all.*

Respectfully submitted,

Terry Post  
City Administrator