

City of East Bethel

Planning Commission Agenda

7:00 PM

March 23, 2010



Item

7:00 PM

1.0 Call to Order

7:03 PM

2.0 Adopt Agenda

7:05 PM

3.0 Public Hearing/Conditional Use Permit Amendment – Blue Ribbon Pines Disc Golf Course

A request by owners/applicants, Ray Jordan, Ray Jordan and Sons, Inc., for a Conditional Use Permit Amendment to allow the addition of a restaurant facility at Blue Ribbon Pines Disc Golf Course. The location being 1901 Klondike Dr. NE, East Bethel, MN 55011, PIN 21 33 23 23 0001. The Zoning Classification is R-1-Single Family Residential.

7:20 PM

4.0 Approve February 23, 2010 Planning Commission Meeting Minutes

7:25 PM

5.0 Adjourn



City of East Bethel Planning Commission Agenda Information

Date:

March 23, 2010

Agenda Item Number:

Item 3.0

Agenda Item:

Public Hearing – Conditional Use Permit (CUP) Amendment – Blue Ribbon Pines Disc Golf Course

Requested Action:

Consider Approval of a CUP Amendment to Allow the Addition of a Restaurant Facility at Blue Ribbon Pines Disc Golf Course

Background Information:

Property Owner:

Ray Jordan
Ray Jordan and Sons, Inc.
1901 Klondike Drive NE
East Bethel, MN 55011
PIN 21-33-23-23-0001

Mr. Jordan is requesting a CUP Amendment to allow the addition of a restaurant at Blue Ribbons Pines Disc Golf Course.

In June 2006, City Council approved a CUP to allow a recreational golf course. It is in the opinion of City Staff and the City Attorney that the operation of a restaurant in conjunction with a golf course constitutes a permissible accessory use, that is, a use that either is clearly incidental to, customarily found in connection with, and located on the same parcel as the principal use to which it is related. Also, City Staff and the City Attorney are in the opinion that a CUP Amendment would be a way to ensure such things such as hours of operation and future expansions are regulated. The City Attorney’s letter has been attached for your review as Attachment 5.

In the three years since opening, the business has been recognized as one of the best courses in the state and has been rated in the top ten in the country. Summer months are the busy time of year; however, the course is open year-round with many individuals taking advantage of winter disc golf. Currently, Blue Ribbon Pines has a 3.2 On Sale Liquor License from the City of East Bethel and would like to also incorporate a restaurant to serve sandwiches and appetizers as part of the business.

Currently, most players leave city limits to eat and then come back to the course to continue playing disc golf. Mr. Jordan sees adding a restaurant to the golf course as a positive asset as it

will expand the business and will keep customers in the city. It is proposed that the restaurant will be open year-round. Hours of operation include Sunday – Thursday 11:00 A.M. – 11:00 P.M., and Friday – Saturday 11:00A.M. – 12:00 A.M. (midnight). It is anticipated that the restaurant will close earlier on slower weekdays and weekends depending on clientele.

The site has an existing 5,850 square foot building on-site that is used for offices, a golf pro shop, and equipment storage for the existing agricultural business known as Ray Jordan and Sons, Inc. Mr. Jordan is proposing to use a portion of the existing space, 40 feet by 50 feet or 2,000 square feet as the restaurant facility. The existing offices will continue to occupy 600 square feet and 3,250 square feet will remain as storage. Attachment 4 indicates the proposed and existing uses of the building.

As part of the approval process for the restaurant expansion, Mr. Jordan will be required to submit a site plan to be reviewed and approved by City Council. Site plan review submittal must meet East Bethel Code requirements set forth in Appendix A, Zoning, Section 4.12, Applications and Procedures and Section 22, Off-Street Parking and Loading. Submittal includes but is not limited to the following requirements; site plan, lighting plan, parking plan, grading and drainage plan for the expanded parking lot, and landscape plan. Building permits will not be issued until the approval of a site plan.

Attachments:

1. Location Map
2. Application
3. Certificate of Survey
4. Proposed Plan for Restaurant Expansion
5. March 15, 2010 City Attorney Letter

Fiscal Impact:

Undetermined

Recommendation:

Staff requests Planning Commission recommend approval to City Council for a CUP Amendment to allow the addition of a restaurant facility at the business known as Blue Ribbon Pines Disc Golf Course, located at 1901 Klondike Drive, East Bethel, MN, PIN 21-33-23-23-0001 with the following conditions:

1. Property owner must meet all approved conditions no later than June 7, 2010 or approval will be voided.
2. Property owner must sign and execute a CUP Amendment Agreement no later than June 7, 2010.
3. CUP shall be reviewed by City Staff on a biannual basis, at which time; City Staff could require a CUP Amendment with additional conditions, as deemed fit.
4. CUP Amendment Agreement must be executed prior to the submittal of a site plan review.
5. Current site plan and code requirements set forth in East Bethel Code Appendix A, Zoning are required to be met at the time of submittal of the site plan.
6. No building permits for building modifications will be issued until site plan approval by City Council.
7. Operations of the restaurant includes: Year round, Sunday – Thursday 11:00 A.M. – 11:00 P.M., and Friday – Saturday 11:00A.M. – 12:00 A.M. (midnight). Intensification to the approved hours and expansion of the restaurant facility must be approved by City Council by a CUP Amendment.

8. Property/business owner must obtain all required state and county food service license.

City Council Action

Motion by: _____

Second by: _____

Vote Yes: _____

Vote No: _____

No Action Required: _____



CITY OF EAST BETHEL CivicSight Map

PARCEL INFORMATION:

PIN - 21332320001
Owner Info: UNKNOWN
Site Address - 1901 KLONDIKE DR
Legal Description: UNPLATTED VILLAGE OF EAST
BETHEL SW1/4 OF NW1/4 SEC 21 33 23



Map Scale: 1 inch = 1263 feet
Map Date: 3/01/2010
Data Date: February 9, 2010
Sources: EAST BETHEL GIS AND ANOKA COUNTY

Disclaimer:
Enter Map Disclaimer Here





RECEIVED

FEB 26 2010
LAND USE APPLICATION

BY: SH

OFFICE USE ONLY	
Date Rec'd	<u>2/26/10</u>
By	<u>[Signature]</u>
Fee \$	<u>300 App. fee</u>
	<u>\$1000 escrow</u>
	<u>ck # 5406</u>

Check appropriate box:

- VARIANCE
 CUP AMENDMENT
 IUP
 FINAL PLAT
 BUSINESS CONCEPT PLAN
 PRELIMINARY PLAN
 ~~SITE PLAN REVIEW~~
 OTHER _____

Application shall include the following items and be submitted thirty (30) days prior to scheduled meeting date.

Application is hereby made for CUP Amendment (provide narrative below describing proposed use).

see letter

LOCATION: PID 21-33-23-23-0001 Legal: Lot _____ Block _____ Subdivision _____

PROPERTY ADDRESS: 1901 Klondike Dr. NE PRESENT ZONING: R1-Single Family Residential

PROPERTY OWNER

CONTACT NAME Ray Jordan & Sons Inc PHONE 763-434-1644

ADDRESS 1901 KLONDIKE DR NE FAX 763-434-1637

CITY/STATE/ZIP E. BETHEL MN 55011 E-MAIL rayjgrass@gmail.com

APPLICANT

CONTACT NAME RAY JORDAN PHONE 763-464-6090

ADDRESS 13135 MARIGOLD ST NW FAX 763-434-1637

CITY/STATE/ZIP COON RAPIDS MN 55448 E-MAIL rayjgrass@gmail.com

I fully understand that I must meet with City Staff to review all submission requirements and conditions prior to official submission, and that all of the required information must be submitted at least thirty (30) days prior to the Planning/Zoning Commission and City Council scheduled meeting dates to ensure review by City Staff.

[Signature]
 Property Owner's Signature

RAYMOND JORDAN
 Printed Name

2-26-10
 Date

OFFICE USE ONLY - DO NOT COMPLETE			
	Received	Approved/Denied	Notes
Community Dvlp.	<u>2/26/10</u>	<u>Approved</u>	
Planning Commission	<u>3/23/10</u>	_____	
City Council	<u>4/7/10</u>	_____	
<u>4/27/10</u> 60 Day <u>4/26/10</u> 120 Day			

Attachment #2

To whom it may concern:

This letter is regarding the future plans at Blue Ribbon Pines Disc Golf Course. To understand the direction we are going, it is important to see where we have been.

In the 3 years since opening, Blue Ribbon is recognized as one of the best courses in the state. There are more than 120 disc golf courses in Minnesota. Some Internet rating sites have the course as top ten in country.

The main course designer is Timmy Gill. He is well known as a professional disc golf player and is one of the best players in Minnesota. He has been the state champion 11 times. He is also known for designing the best disc golf courses with holes that are challenging, fair and fun. A major factor in all holes he designs is safety. There are examples of that on all 27 holes at Blue Ribbon. Gill has also designed holes at Blue Ribbon to offer privacy. On hole #19 there is a soil berm that is 175 feet long and 15 feet high. It is designed to give the only neighbor near the course privacy. This spring there are plans to plant fifty, 3 or 4 feet tall Black Hill Spruce Trees on the soil berm to block out all sound. We have not had a complaint about the course as of yet from any neighbors. By being proactive about privacy it shows respect to our neighbors. Our signature hole on the course is hole #4. It is one of the most talked about and photographed holes in the U.S. It has been in 3 different disc golf magazine's that circulate throughout the country. There are also more holes being redesigned. In the summer of 2010 an island hole is planned to be built in the middle of our sod field. The water will be maintained at 2 feet. It is anticipated that it will be more photographed than hole #4.

On 2 occasions the course has hosted the Minnesota Majestic. The Majestic is the 5th largest disc golf tournament in the U.S. Players have come from more than 40 states and 3 European countries to play disc golf in East Bethel because of the tournament. In June of "09" at Blue Ribbon, the two best players in the world played against Minnesota's best disc golfer, Cale Leiviska and an up and coming tour pro. The players set course records. The two young pros played against the two best players in the world and beat them. The whole round was professionally recorded from all angles. A DVD was professionally produced and has been selling throughout the U.S. since Jan 1st 2010.

The course is also thinking green. A recycling program has been started to keep our trash out of the landfills. We have installed green containers with recycling instructions at all 27 holes and around the building for aluminum, glass, cardboard and plastic bottles. There is a blue container at every hole for items that cannot be recycled.

The course is also setting standards never seen before in disc golf. There is plastic mesh that wraps the tree trunks in places where the discs would hit the tree. By covering the tree trunks with the plastic mesh, we are trying to insure the health of the trees on the course. Since the mesh has been installed at Blue Ribbon no less than 20 courses have started using it.

The course is unique to disc golf because it has a pro shop. Most courses are in city parks without a pro shop available. We are striving to offer a large selection of merchandise. We sell discs, disc golf accessories and many kinds of candy and beverages. We also have started a clothing line of Blue Ribbon Pines golf shirts, T shirts, sweatshirts, lady's apparel and 4 different hats. We are open sun up to sun down all 12 months.

A cedar deck has been built overlooking the course. It is 50 feet long by 16 feet wide. It is designed to give the players a place to sit down after the round. Players enjoy sitting down and watching other disc golfers. With acres of green space to look at, most people enjoy sitting on the deck and just enjoying the view. It has a handicap accessible ramp and also works out well for tournaments.

A website has been built called blueribbonpines.net. It is interactive with lots of pictures to look at. It has a pictures of all the holes. It has many short videos of people playing at the course and short excerpts from the DVD mentioned previously in this letter. It offers the players the weather report for the day, directions and other helpful information. We are presently working on a handicapping system to keep track of every person that plays disc golf at Blue Ribbon. Plans are to update it often and always keep it fresh. Twitter, Facebook and Myspace are places where Blue Ribbon will also be. In an effort to service the customer with information we intend to communicate through those sites. If you are this far into this letter, we ask you at least give the website 5 minutes. As in all aspects at Blue Ribbon, we welcome all feedback.

The information in this letter has been a brief overview of the direction Blue Ribbon Pines has been going in our attempt to be the best disc golf course in the country. The next step for us at this time is to build a restaurant. A great place to eat would be another unique quality that our customers are really excited about. The convenience for the player would really enhance there experience in East Bethel.

Being located in East Bethel means a typical disc golf player has a 45 to 60 minute commute. Our research shows most players are commuting from the southern metro. A large number of disc golf players who play at Blue Ribbon, play 2 rounds because of the commute. A typical player will eat something between rounds. As of now our patrons have to get in there vehicles and drive to another establishment if they want to eat.

The proposed restaurant would occupy a 40 by 50 foot room that we already have built. It is heated with a concrete floor and presently being used as a maintenance garage for our construction company. Attached to the garage is a storage garage that a kitchen and other restaurant needs could be built into. The cedar deck is also attached to the garage on the opposite side. The deck would be easily accessible from the proposed restaurant. The room we would like to have the restaurant in will be completely renovated to have a sports bar feel to it.

Having a restaurant at Blue Ribbon Pines could satisfy a great many needs. It would be a meeting place, a place to get out of the sun and in air conditioning, out of the rain to wait out a passing rain shower, a place to go to add up scores and talk about the round and most important a place to sit down and eat after a long round of disc golf.

The proposed hours of operation would be 11am until 11pm, Sunday thru Thursday. On Friday and Saturday the hours would be 11am until 12am. We anticipate being closed earlier on slower weekdays and weekends due to different weather conditions. The weather plays an important roll in attendance. Our thoughts are to have things settled down most nights by around 10pm. We do not think this proposed restaurant will significantly increase traffic at Blue Ribbon. Our intent is to service the customers that are already there, by offering more amenities.

Our menu plan for the proposed restaurant will be very simple. Sandwiches and appetizers, soups and salads. A one stop destination for disc golfers. Players are able to shop in our pro shop to buy the latest disc model, play 27 holes and then be able to sit down and have a bite to eat. The feedback that we get from players is full of excitement.

Our disc golf course was designed by Timmy Gill, one of the most insightful course designers around and the restaurant would be no different. If this restaurant would be approved there is a design team made up of 4 restaurant owners working as consultants. The 4 restaurants are Eli's on Hennepin Ave, downtown Mpls, The News Room, on Nicolette Ave downtown Mpls, The Victoria Inn, in downtown Victoria and JR's Outpost Bar on Co. Rd 10 in Ramsey.

The 5 owners of Blue Ribbon Pines are very proud of the disc golf course and plan on making it the absolute best course in the U.S. The same five people also own Ray Jordan and Sons Landscaping. Our company specializes in commercial roadside construction. Ray Jordan and Sons is the oldest sodding company in Minnesota. The company has been in business for more than 75 years. We understand the hard work and responsibility it takes to own and operate a business. Our landscaping company works very closely with Mn Dot, all neighboring counties and cities. We are ready to use our hard work ethic and our resources to try and open a restaurant that the City of East Bethel, the disc golfing community and our family will be very proud of. We take our responsibility very serious.

Sincerely,

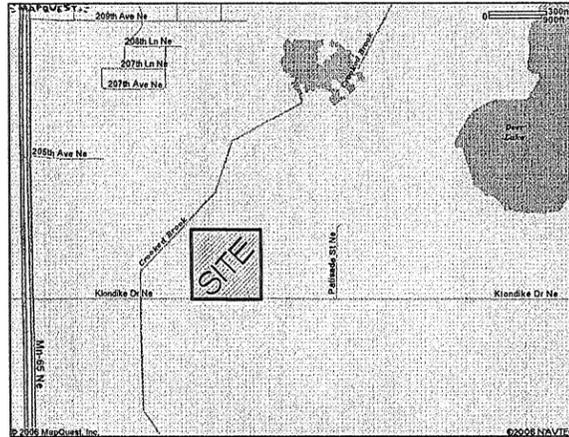
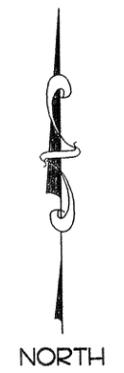
Ray Jordan

Ray Jordan and Sons Landscaping

Blue Ribbon Pines Disc Golf Club

CERTIFICATE OF SURVEY

~for~
RAY JORDON AND SONS



VICINITY MAP
 NOT TO SCALE

SURVEY NOTES

Field survey completed by E.G. Rud and Sons on April 20, 2006.
 This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to review upon receipt of a current title commitment or an attorney's title opinion.
 Bearings shown are on the Anoka County coordinate system

PROPERTY DESCRIPTION

The Southwest Quarter of the Northwest Quarter of Section 21, Township 33, Range 23, Anoka County, Minnesota

LEGEND

- DENOTES SET IRON MONUMENT
- DENOTES FOUND MONUMENT
- ▨ DENOTES GRAVEL SURFACE
- ⊕ DENOTES FOUND CAST IRON MONUMENT
- ~~~~~ DENOTES APPROXIMATE LOCATION OF TREELINE AS DIGITIZED FROM AERIAL PHOTO
- - - - DENOTES SEPTIC AREA

GRAPHIC SCALE



(IN FEET)
 1 inch = 100 ft.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.



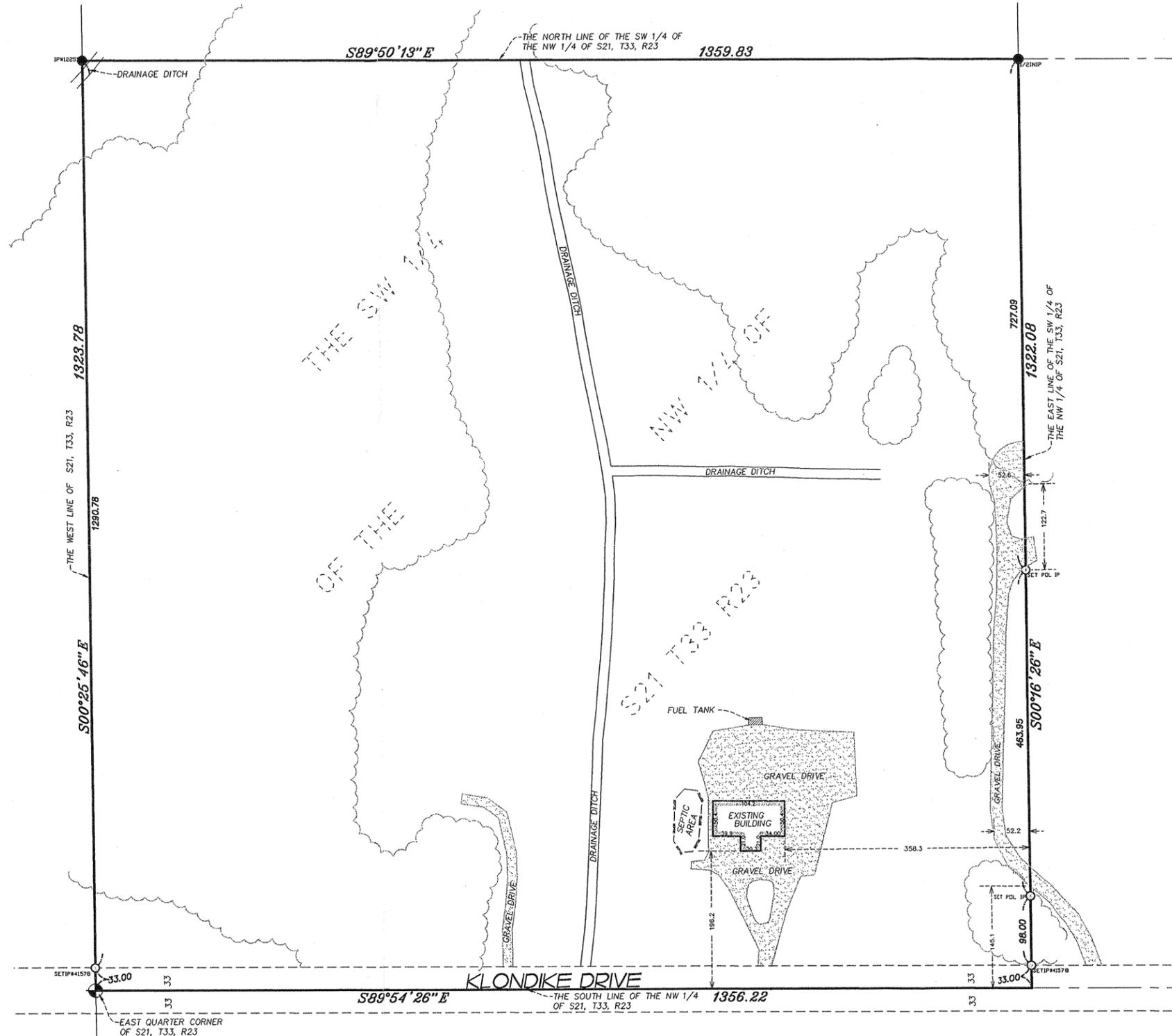
Jason E. Rud
 Date: 4/24/06 License No. 41578

E. G. RUD & SONS, INC.
 Land Surveyors
 6776 LAKE DRIVE NE, SUITE 110
 LINO LAKES, MN. 55014

Tel. 763-786-5556 Fax 763-786-6007

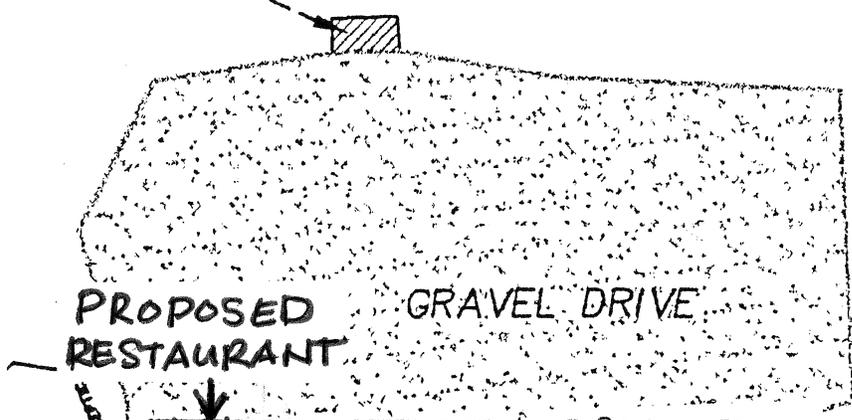


www.egrud.com



Attachment #3

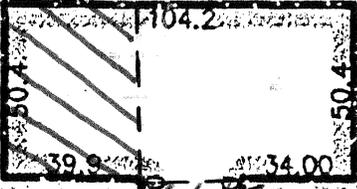
L TANK



PROPOSED RESTAURANT

GRAVEL DRIVE

AREA



SPACE TO REMAIN AS STORAGE

EXISTING OFFICES

358.3

GRAVEL DRIVE

PROPOSED PARKING LOT

196.2

SE

Attachment

1/4 1356.22

33

33

RANDALL and GOODRICH, P.L.C.

ATTORNEYS AT LAW

2140 FOURTH AVENUE NORTH
ANOKA, MINNESOTA 55303-2268

GERALD M. RANDALL
WILLIAM K. GOODRICH

CLAIRE D. HELMER
CHRISTIAN R. PETERSON

TELEPHONE (763) 421-5424
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geraldr@anokalaw.com

Tara K. Jacob, Paralegal
taraj@anokalaw.com

March 15, 2010

VIA E-MAIL ONLY stephanie.hanson@ci.east-bethel.mn.us

Stephanie Hanson
East Bethel City Planner
2241 -2221st Avenue N.E.
East Bethel, MN 55011

Re: Blue Ribbon Pines Golf Course Request for Amendment of CUP

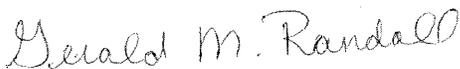
Dear Stephanie:

Blue Ribbon Pines Golf Course has been operating a disc golf course on property in the Southwest Quarter of the Northwest Quarter of Section 21, Township 33, Range 23 pursuant to a conditional use permit (CUP). The property owner now requests an amendment of the CUP to include the operation of a restaurant in conjunction with operation of the disc golf course.

Operation of the disc golf course is a valid nonconforming use as permitted by the CUP. It is my opinion that operating a restaurant in conjunction with a golf course constitutes a permissible accessory use, that is, a use that either is clearly incidental to, customarily found in connection with, and located on the same parcel as the principal use to which it is related. On the other hand, Sec. 04, 9. H. of the zoning regulations of the City Code provides for amendments to CUPs and that significant changes in the circumstances or the scope of the permitted uses shall not be undertaken without approval of those amendments by the City Council. The City shall determine what constitutes significant change, and the regulations provide that significant changes include, but are not limited to, hours of operation, number of employees, expansion of structures and/or premises, and operational modifications resulting in increased external activities, traffic, and the like.

It is my opinion that the City Code supports the amendment of the Blue Ribbon Pines Golf Course CUP to include the operation of a restaurant in conjunction with operation of the disc golf course, subject to approval of the City Council.

Yours truly,



Gerald M. Randall

GMR/tkj

Attachment #5

EAST BETHEL PLANNING COMMISSION MEETING

February 23, 2010

The East Bethel Planning Commission met on February 23, 2010 at 7:00 P.M for their regular meeting at City Hall.

MEMBERS PRESENT: Eldon Holmes Heidi Moegerle Lori Pierson Glenn Terry
Julie Moline Lorraine Bonin

MEMBERS ABSENT: Tim Landborg

ALSO PRESENT: Stephanie Hanson, City Planner

Adopt Agenda The February 23, 2010 meeting was called to order by Chairperson Holmes at 7:00 PM.

Holmes made a motion to adopt the February 23, 2010 agenda. Pierson seconded; all in favor, motion carries.

Public Hearing/Interim Use Permit Home Occupation
Property Owner(s)/Applicant(s):
Terry and Mary Hartin
2110 Deerwood Lane NE
East Bethel, MN 55092
Pine Grove Estates, Lot 9, Block 2
PIN 33-33-23-34-0034

The property owners/applicants are requesting an IUP for a home occupation that would allow handgun safety, National Rifle Association (NRA), and Permit to Carry classes to be conducted from the existing 24 foot by 40-foot workshop located on the property. Mr. Hartin currently instructs classes at the property, as he was unaware that an IUP was required. As part of the home occupation, Mr. Hartin has applied for a Federal Firearms License in which he plans to purchase firearms and associated supplies at wholesale, and retailing to students primarily.

Mr. Hartin schedules two (2) classes per month; typically on the 2nd and 4th Saturdays. Ideal class size is 12 students; however, typical class size is 1 to 8 students. The class schedule varies because of holidays, conflicts in the range use at Beaverbrook Tri-County Sportsmens Club, and vacations. Proposed classroom hours at 8:00 AM – 4:30 PM. Mr. Hartin has the 2010 schedule available on his website. As part of the Federal Firearms License, Mr. Hartin is required to have business hours. He is proposing the following hours of operation:

Monday, Wednesday, & Friday: 3:00 P.M. – 7:00 P.M.
Saturday: 4:30 P.M – 7:00 P.M.
Tuesday, Thursday, & Sunday: BY APPOINTMENT ONLY

City staff did conduct a site inspection on the property. There are no issues with parking accommodations since there is a concrete driveway and parking between the house and the shop that can accommodate student and customer parking.

Mr. Martin, the Building Official, conducted a site visit to ensure the building is suitable for classes. Mr. Martin provided staff with a list of what is required for Mr. Hartin to instruct classes in the building. The items will need to be satisfied prior to the issuance of the IUP. The applicant stated they have all been taken care of today, and we will just have the Building Official reinstatement.

Home occupations are a permitted use in the R1-Single family Residential District as long as the Applicant can meet the requirements of the City Code and complies with the conditions of the IUP. The proposed home occupation will meet requirements of the ordinance so long as the IUP conditions are met. In the event the conditions are not being met, the IUP would be revoked.

Staff requests Planning Commission recommend approval to City Council for an IUP for a home occupation known as Hartin Services, Inc., located at 2110 Deerwood Lane NE, Pine Grove Estates, Lot 9, Block 2, PIN 33-33-23-34-0034 with the recommended conditions.

Hanson stated Mr. Hartin is here to answer any questions.

The public hearing was opened at 7:05 p.m.

Mr. Hartin stated he has been teaching this class for two and one-half years. He has been teaching other classes for over eight years. Bonin questioned if gun handling was done at his location but the shooting is done at other locations. Mr. Hartin said he uses Beaverbrook and also a location in Circle Pines. Moline asked when he would know when he would have his Federal Firearms License. Mr. Hartin stated he would know in six to eight weeks.

Mr. Drummond stated he was a dealer for many years. When he relocated to Minnesota, he also applied for a Federal Firearms License and is a co-instructor with Mr. Hartin.

Moline asked if there is handling of any weapons in the class. Mr. Hartin stated there is no live ammunition in the class, but they do handle the weapons. All weapons that are brought to qualify are left in the car unloaded.

Holmes stated this applications looks like you are going to sell firearms. Mr. Hartin stated he is looking to sell items to his students for a reasonable price. They aren't going to maintain a large amount of firearms.

Moegerle stated along the same lines, her question is, are you going to sell things up to and including assault weapons. Mr. Hartin stated he wouldn't be selling anything that is an assault weapon. There are things that look like assault weapons. We won't be dealing with things such as military types of weapons or police weapons. Mr. Hartin stated their license would not be for selling anything automatic and they would be a Class 1 dealer. Mr. Hartin stated they have a lot of requests for the sale of weapons and accessories, including lock boxes.

Mr. Hartin said he has had 260 students and of those 75 didn't have a gun, they will qualify with his guns and then he goes with them to purchase a gun. He will go to the

range with his students until they are comfortable with the guns. Moegerle said she is not anti-guns. Holmes asked if the classes you have already had, are they full. Mr. Hartin said his largest class was 18. He doesn't require persons to prepay, so sometimes people don't show up. He has done classes that are just one student. He always provides a full lunch for the students. He is fine with his class size being limited to 12 and has only had three classes over 12.

Public hearing closed at 7:20.

Terry made a motion to recommend approval to City Council for an IUP for a home occupation known as Hartin Services, Inc., located at 2110 Deerwood Lane NE, Pine Grove Estates, Lot 9, Block 2, PIN 33-33-23-34-0034 with the following conditions:

1. **Home Occupation shall meet the specific home occupation standards set forth in the City Code Appendix A Section 10-18:**
 - a. **No more than three (3) persons, at least one (1) of whom shall reside within the principal dwelling, shall be employed by the Home Occupation.**
 - b. **No traffic shall be generated by any home occupation in a significantly greater volume than would normally be expected from a single-family residence.**
 - c. **Any sign associated with the home occupation shall be in compliance with the East Bethel City Code Chapter 54. Signs. Home occupation signage must be no larger than two (2) square feet (City Code Chapter 54-4.3).**
 - d. **The home occupation shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved.**
 - e. **A home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved.**
 - f. **The home occupation shall not constitute, create, or increase a nuisance to the criteria and standards established in this ordinance.**
 - g. **There shall be no outdoor display or storage of goods, equipment, or materials for the home occupation.**
 - h. **Parking needs generated by the home occupation shall be provided on-site.**
 - i. **A home occupation shall occupy no more than fifty (50) percent of the floor area of the structure. This shall include offices of professionals, home beauty shops, and other such occupations that by custom are an accessory use.**
 - j. **No structural alterations or enlargements shall be made for the sole purpose of conducting the home occupation.**
 - k. **There shall be no detriments to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, glare, vibration, electrical interference, traffic congestion, or any other nuisance resulting from the home occupation.**
2. **Mr. Hartin must supply staff with a yearly schedule of classes, no later than March 1st of each year.**
3. **Class size is limited to twelve (12) persons.**
4. **Class schedule is limited to two (2) weekend days per month, from 8:00 AM – 4:30 PM.**
5. **Changes to hours of operation or class schedules must be approved by staff.**
6. **Hours of operation is limited to the following:**

Monday, Wednesday, & Friday: 3:00 P.M. – 7:00 P.M.
Saturday: 4:30 P.M – 7:00 P.M.
Tuesday, Thursday, & Sunday: BY APPOINTMENT ONLY

- 7. **Violation of conditions and City Codes shall result in the revocation of the IUP.**
- 8. **All conditions must be met no later than April 17, 2010. An IUP Agreement shall be signed and executed no later than April 17, 2010. Failure to execute the IUP Agreement will result in the null and void of the IUP. All conditions must be met no later than April 17, 2010. An IUP Agreement shall be signed and executed no later than April 17, 2010. Failure to execute the IUP Agreement will result in the null and void of the IUP.**

Pierson seconded; all in favor, motion carries.

Approve
 January 26,
 2010
 Planning
 Commission
 Meeting
 Minutes

Holmes stated there was one change on page one in the Adopt Agenda section. Chairperson Holmes should be Chairperson Terry. Moegerle stated on page 6 of 8, last paragraph, Number 10, should be Section 30.

Holmes motioned to approve the January 26, 2010 minutes with said changes. Terry seconded; all in favor, motion carries.

Adjourn

Pierson made a motion to adjourn the meeting at 7:35 PM. Moegerle seconded; all in favor, motion carries.

Submitted by:
 Jill Teetzel
 Recording Secretary

