

Denmark Township Planning Commission Meeting
Modern Automotive Performance Conditional Use Permit
Public Hearing October 17, 2011

Planning Commission Members Present: Don Schneider, Charlie Grote, Bob Barr

Absent: Steve Radke and Pat Lilligren

Board Supervisors Present: None

Others Present: Planner Nolan Wall-TKDA

7:04 PM Vice-Chair Grote called Planning Commission Meeting to order.

7:05 PM Public Hearing for Modern Automotive Performance Conditional Use Permit Opened.
Applicant Chris Carey and Bank representative Chris Thoreson in attendance.

Applicant is requesting a conditional use permit to locate an automotive business at 12271 Margo Ave S. Property is a 3.4 acre parcel with an existing 39,000 sq ft building, located in the Commercial/Industrial District.

Applicant's proposed use includes motor vehicle repair, light manufacturing and warehousing and distribution. Pioneer Press currently leases about a 7,000 sq ft portion of the building for newspaper distribution and applicant is requesting to continue this lease and use.

Business is currently operating in Plymouth, MN and has 31 employees.

Interior of building is not totally finished. Applicant intends on using the finished 3,000 sq ft office area for sales and administrative staff. The remaining unfinished portion of the building would accommodate motor vehicles, vehicle repair/ engine performance work (basically engine internal) and light manufacturing of some parts. Business does not provide vehicle body work. There would be no outdoor storage. There will be no structural or exterior building changes. Applicant is aware that under previous ownership, portions of the building were noncompliant with the building code and was not issued a certificate of occupancy. Applicant will work with the Building Inspector to resolve.

Components of the business include sales of parts (mostly through internet and phone), office, shipping/receiving, auto service (4 lifts), fabrication/machining, indoor storage of vehicles and vehicle testing/dynamometer. Business does not sell automobiles.

Dynamometer. Dynamometer testing is done on a stationary vehicle, 4 straps on the front and 4 on the rear. A roller goes across the front and rear wheels, and the engine goes through the RPM range at open throttle. The test is performed for 7-8 seconds. Regarding the safety of the test, there have been instances when an exhaust got hot and burnt off a strap, the vehicle would move side to side a bit and the operator would immediately hit the brake and slow it down. No vehicles have ever come off. Applicant would be open to any recommendations to make it safer. Applicant submitted a sound level study conducted in 2009 for the Plymouth site. The study concluded that the operation conforms to MPCA standards, due to the fact that the noise is not sustained over a length of time, and notes that MPCA standards address noise sustained for 10 minutes or longer out of a given hour. The study suggested that limits on the time of day when the dynamometer is used may be appropriate in addressing noise concerns. Applicant intends on building an enclosure where the dynamometer would be located to buffer the noise from employees in the building. Proposed location would be in 1 of the 8 drive-in doors.

Landscaping. Planner recommends additional landscaping in the rear yard to help buffer the use from adjoining property. Planner requested applicant to submit a landscaping plan for Planner's approval.

Public Comment-None

Planner submitted 10/12/11 memo recommending conditional approval of the permit request. Applicant and Planning Commission reviewed staff conditions.

7:25 PM Public Hearing closed. Written comment period will remain open for 10 days. Written comments must be submitted to the Town Clerk.

7:26 PM Planning Commission meeting resumed.

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Planning Commission consensus that the use of the dynamometer be only between the hours of 9AM and 9PM, Monday through Sunday, and to remove the condition restricting regular hours of operation.

Motion Barr/2nd Schneider to forward to Board with a recommendation of approval of a Conditional Use Permit for Modern Automotive Performance at 12271 Margo Ave S., subject to the following conditions:

1. The uses allowed are Motor Vehicle Repair, Light Manufacturing, and Warehousing and Distribution to allow for operation of Modern Automotive Performance. Internet and phone order retail sales of autos and auto parts/equipment with limited on-site sales, and office use associated with the business are permitted as part of the Light Manufacturing and Warehousing and Distribution uses..
2. The Applicant shall obtain a Conditional Use Permit from Washington County for the proposed use.
3. No vehicles shall be parked on the premises, other than those utilized by employees and customers. Outdoor storage of vehicles and related materials shall be prohibited. No debris shall be kept outside and existing debris shall be removed by February 1, 2012.
4. 7,000 square feet of the building may be leased to a tenant for the sole purpose of newspaper storage and distribution.
5. The Applicant shall obtain the required Washington County wastewater treatment system permit before Modern Automotive business use commences. A drainage system for collection of any hazardous material run-off must be installed and any required improvements found through the Compliance Inspection must be made. A copy of the system Compliance Inspection report and a copy of the County permit shall be submitted to the Township.
6. The dynamometer and any other sound generating activity must conform to MPCA standards. The dynamometer will be used only between the hours of 9AM and 9PM.
7. Any Federal, State, County and local permits shall be obtained, including a building permit. The building must comply with the building code and pass inspection before Modern Automotive business use commences.
8. Existing landscaping must be maintained and any plantings that do not survive must be replaced. Additional landscaping in the rear yard is required to help buffer the use from adjoining property. The Applicant shall submit a landscaping plan for the rear yard for the Planner's approval. Plantings shall be completed by June 1, 2012.
9. Before putting up any signage, the Applicant must obtain a permit and the sign must conform to Ordinance requirements.
10. The Applicant shall pay all fees and escrow for this application.

All In Favor. Motion Carried 3-0.

APPROVAL OF MINUTES:

Motion Barr/2nd Schneider approval of 09/19/11 Planning Commission/ Development Code and 2030 Comprehensive Plan Amendments. All In Favor. Motion Carried 3-0.

7:43 PM Motion Barr/2nd Schneider to adjourn. All In Favor. Motion Carried 3-0

Becky Herman
Denmark Township Clerk/Treasurer