

**To:** Lin Vee  
**From:** Mike Gaffron  
**Date:** April 16, 2008  
**Subject:** Park Gun Club CUP

**1976.** The original CUP for Park Gun Club at 2660 Sixth Avenue North was approved by the City Council on October 25, 1976 per the recommendation of the Planning Commission. See the attached documents of that approval. No resolution was created for CUPs in 1976.

**1983.** In conjunction with the approval for an addition to the existing clubhouse, the Council November 14, 1983 adopted Resolution No. 1579 which contains as a condition the following:

“4. The City hereby reserves the right to review and amend or revoke this permit if at any time in the future the council finds the conditions of this permit to be violated or upon finding that the applicants and their use of the property are in violation of the municipal code endangering the health, safety and public welfare.”

See attached documents re: the 1983 approval. The resolution attached is the one that Council adopted, subject to an amendment of Condition 1 that the required quit-claim deed of 33' of right-of-way could be in the form of a road and utility easement instead (see minutes).

No copy or original of Resolution No. 1579 appears in the blue binders. It is my conclusion based on documents in the microfilm for Zoning File #779 that this was waiting for the gun Club to sign so it could be filed. I have indication it was ever signed or filed.

**Current.** My recollection is that the gun club's annual permits are processed and retained by the Police Department. I would suggest you have them follow up the recent complaint. From a zoning perspective, the Gun club operates as a conditional use under zoning code section 78-442(7), which requires that the area be fenced and that no part of the principal use is less than 150 feet from any lot line.

Prior to 1986, gun clubs were not a permitted or conditional use in the RR-1B zone. The 1976 and 1983 CUP's were functionally a "nonconforming use CUP" as allowed by the 1975 zoning code per section 32.480. That code said that such permits will not be subject to periodic review.

In 1986, gun clubs became an allowed conditional use in the RR-1B district per section 10.20 Subd. 3(F). The standards for fencing and 150' use setback came after the club was in existence, hence it is questionable whether they are enforceable.