



CITY OF CHANHASSEN

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MEMORANDUM

TO: Planning Commission

FROM: MacKenzie Young-Walters, Associate Planner

DATE: April 20, 2021

SUBJ: Golf Driving Range Standards

ISSUE

The owners of Golf Zone, a golf driving range, are requesting that the City Code be amended to permit golf driving ranges meeting state licensing requirements to receive a wine license due to the difficulty in acquiring 3.2 percent malt liquor. While reviewing the relevant section of the City Code, staff discovered that this section of the City Code does not reflect the fact that Highway 212 was relocated in 2008 and the hours of operation do not reflect what the driving range was previously approved for.

SUMMARY

The owners of Golf Zone have discovered that due to Minnesota being the only state to still have 3.2 beer, many distributors no longer carry it and it is very difficult to acquire 3.2 beer in diverse styles. They are requesting that the city amend the Interim Use Permit (IUP) standards for golf driving ranges to allow from them to apply for and receive a wine license. State law and the City Code allow an organization with both a wine and 3.2 malt liquor license to sell beer with over 3.2 percent alcohol by weight, in addition to wine. The City Code currently allows golf courses to hold both 3.2 malt liquor and wine licenses. Due to the legitimate difficulties in sourcing 3.2 beer and the similarities between golf courses and driving ranges, staff supports the requested amendment.

In reviewing this section of the City Code, staff also noticed that the IUP standards require golf driving ranges to be located adjacent to Highway 5 or Highway 212. At the time this standard was enacted, Highway 212 was located where Flying Cloud Drive currently is. The revised location of Highway 212 means the standard no longer aligns with the city's intended and approved locations for golf driving ranges. Staff is proposing amending the standard to reflect the city's intention to limit these uses to the Highway 5 and County Road 61 corridors.

Finally, the IUP standards limit golf driving ranges to operating from sunrise to sunset; however, in 1999, City Council granted an extension to allow Golf Zone to stay open until 9:00 p.m. year round. This extension was not recorded as a variance and would have expired when IUP 1998-2 lapsed. Given the driving range's business model, the surrounding land uses, and the fact that the

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sunsets around 4:30 p.m. in the winter, staff proposes codifying this extension by replacing the sunrise to sunset provision with 7:00 a.m. to 9:00 p.m. hours of operation.

RELEVANT CITY CODE

Chapter 20 - Zoning, Article IV. - Conditional Uses: This article details general criteria, conditions, and procedures for granting and revoking CUPs and IUPs. Other divisions address specific criteria for various conditional uses by district.

Chapter 20 - Zoning, Article IV, Division 3, Sec. 20-258 - Golf Course: This section lists the standards that must be met for the city to issue a permit for a golf course.

Chapter 20 - Zoning, Article IV, Division 3, Sec. 20-259 - Golf Driving Ranges: This section lists the standards that must be met for the city to issue a permit for a golf driving range.

Chapter 20 - Zoning, Article X. - "A-2" Agricultural Estate District, Sec. 20-571 to 576: States the intent of the A-2 district and its permitted, accessory, conditional, and interim uses, as well as lot requirements and setbacks.

ORDINANCE HISTORY

Ordinance 80-E, adopted in February of 1987, added Golf Driving Ranges to the list of conditional uses for the A-2 District, and created the standards for issuing a CUP for a golf driving range. (Passed in response to a proposed driving range along Trunk Highway 5.)

Ordinance 120, adopted in February of 1990, defined Interim Uses, created standards for issuing IUPs, and reclassified Golf Driving Ranges, amongst other uses, from Conditional to Interim Uses within the A-2 District.

Ordinance 240, adopted in July of 1995, added Golf Courses to the list of Conditional Uses for the A-2 District. (Staff report notes that Golf Courses not listed in any district prior to this amendment.)

Ordinance 285, adopted in July of 1998, allowed Golf Driving Ranges to have a retail pro shop, with a stipulation that no alcoholic beverages are sold. (Passed in response to a proposed driving range at the current Golf Zone location.)

Ordinance 294, adopted in August of 1999, allowed Golf Driving Ranges to serve 3.2 percent malt liquor. (Passed in response to a request from the Golf Zone owner).

Ordinance 295, adopted in September of 1999, allowed the city to issue on-sale nonintoxicating malt liquor licenses (renamed On-sale 3.2 percent malt liquor license by Ordinance 447 in 2007) to Golf Driving Ranges and Golf Courses.