



**CITY OF LONG LAKE
PLANNING COMMISSION MEETING MINUTES
APRIL 9, 2013**

OATH OF OFFICE

City Administrator Post administered the oath of office to new Commissioner Roger Adams.

CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Chair Erickson.

Present: Commission Members Adams, Erickson, and Jerde; City Administrator, Terry Post; Planning Consultant, Ann Perry, and City Councilmember Skjaret.

Absent: Commission Members Hughes (excused) and Stephenson (excused).

APPROVE AGENDA

Commissioner Jerde moved to approve the agenda as presented. Commissioner Adams seconded. Ayes: all.

CONSENT AGENDA

A. Minutes of the February 12, 2013 Planning Commission Meeting

Commissioner Jerde moved to approve the Consent Agenda as presented. Commissioner Adams seconded. Ayes: all.

OPEN CORRESPONDENCE

None.

NEW BUSINESS

A. Discussion of Planning Commission 2013 Work Plan

City Administrator Post referenced a situation that occurred in a neighboring community regarding religious institutions and the related ordinances.

City Planning Consultant Perry provided background information on the Federal laws regarding religious institutions and the changes that were made in regard to land use regulations, Religious Institution Land Use Protection Act (RILUPA). She advised that many communities have reviewed their ordinances since that time and noted that several cities have been sued by religious institutions in recent years, providing examples in Medina, Bloomington and Wayzata. She advised that there are a number of land use issues, which

can result in law suits under RILUPA. She stated that she did review the regulations of the City and found a number of areas that should be amended including the definition. She advised that the City would also need to review similar land uses to ensure that the regulations are equal, providing the example of a club or lodge. She believed a good review of the zoning districts and the permitting uses should be done.

City Administrator Post referenced the Planning 101 session that was held prior to the regular meeting tonight and noted that the point had been made to remove the religious portion completely and simply think of the term assembly.

City Planning Consultant Perry noted that the topic could also be broken down by size of assembly.

Chair Erickson stated that he tends to lean towards being more restrictive and would rather be proactive than reactive. He believed the City should begin the review rather than waiting for an application. He noted that if the regulations are found to be too restrictive, change could always be made or a variance could be issued. He explained that if the rules are too weak the City could be placed in a situation they do not want to be in.

Commissioner Adams noted that the City should try to avoid becoming too restrictive in the manner that requests for variances would become common. He stated that he did like the idea of scaling and density in terms of regulations.

Chair Erickson believed a thorough review of the regulations would be in order.

City Administrator Post noted that this item was included in the discussion of the Work Plan items for the Commission during the February meeting. He briefly reviewed other items that had been mentioned for the Work Plan including the future of certain parcels, developing stronger communication ties with Metro Transit, and work with the business community in regard to nonconforming uses. He noted that the full list of items was included in the Commission packet and questioned if there was any input on the priority of those items.

Chair Erickson provided input on the parcel that is zoned differently, VCD1, than any other parcel in the City.

City Planning Consultant Perry noted that it would probably be best to simply rezone the parcel as B1 or B2.

Chair Erickson questioned if there would be problems with signage in rezoning the parcel because of the unique roof.

Councilmember Skjaret noted that the owner of the building submit a request for signage in the past year and had received approval for his request; he advised that the owner of the building was not interested in additional signage.

City Planning Consultant Perry noted that she would like to take more time to determine whether it would be appropriate to rezone the parcel as B1 or B2.

Chair Erickson referenced the now lack of gas stations in the downtown area and believed it would be appropriate to review the regulations in that regard as well.

Councilmember Skjaret cautioned that may open the door for auto repair businesses as well. He also discussed outside storage limits and used the example of a golf cart business that recently opened in town.

City Administrator Post noted that the City does not have business licenses and therefore relies on the property owners and/or landlords to advise the business owner of the City regulations. He advised that in the case of the golf cart owner, the business owner came to City Hall with a sign application and he took the opportunity to discuss the violation in outdoor storage of the golf carts.

Commissioner Adams stated that there are many vacant properties throughout the City and wants to encourage business within the City, but also does not want to see a used car business where the BP gas station used to be.

Councilmember Skjaret provided additional information on the interim use permit, which can be used as a tool for the City to work with business owners for a limited period of time.

Commissioner Jerde noted that the definition of vehicle could be amended.

Commissioner Adams referenced a club that recently came to town, the Rowing Club, and their lease at the Billy's site. He mentioned that it does not appear that the club is following all the conditions in their permit. He also made the connection between the club and RILUPA.

Councilmember Skjaret advised that the interim use permit expires in December 2013 and cannot be renewed. He also confirmed the priority of reviewing RILUPA and the zoning districts (VCD1, B1, and B2).

B. Discuss Appointing Sub-Committee for Work Plan Priority

City Administrator Post questioned whether RILUPA should be discussed as a Sub-Committee or whether the item should be discussed on the next agenda under a regular meeting with the assistance of City Planning Consultant Perry.

Chair Erickson believed there could be benefit to forming a Sub-Committee, as meetings could be held between regular meetings.

City Administrator Post referenced a previous issue that was discussed through Sub-Committee and noted that the issue did move faster through the process as the Sub-Committee was able to meet outside of the open meeting laws because there were only two members.

Commissioner Adams moved to approve the formation of a Sub-Committee to discuss RILUPA composed of Chair Erickson and Commissioner Adams, with Commissioner Jerde as an alternate. Commissioner Jerde seconded. Ayes: all.

OTHER BUSINESS

Council Liaison Report

Councilmember Skjaret provided an update on the City Council activity during March, which included a presentation of the Annual Report by the Fire Chief, the appointment of two members to the Park Commission, and a Public Hearing for the proposed assessments of a roadway improvement project. He commended staff for their great work in meeting with residents prior to the Hearing to explain the assessment and noted that the project is running on schedule. He also advised that newly elected State Senator Osmek introduced himself to the Council and the 2012 Financial Report was presented by Adbo, Eick and Meyer and received by the Council.

Commissioner Jerde noted that the Fire Department will hold its Pancake Breakfast this Saturday the 14th.

Councilmember Skjaret advised that the City representative to the Lake Minnetonka Communications Commission (LMCC) attended the previous Council work session meeting to update the Council on the negotiations with the LMCC and Mediacom. He advised that some communities currently in the LMCC are going to withdraw and the decision will need to be made as to what type of services could be provided to those communities after they withdraw.

Commission Member Business

Chair Erickson stated that traditionally the City Council opens its meetings with the Pledge of Allegiance and the Planning Commission does not. He questioned if the Commission would like to open their meetings with the Pledge as well.

Commissioner Adams moved to approve opening the Planning Commission meetings with the Pledge of Allegiance. Commissioner Jerde seconded. Ayes: all.

Staff Business

City Administrator Post also provided an update on the street improvement project and the assessment hearing, noting that the City has not received any formal objections to the assessment. He noted that the next step would be to award the project to the lower bidder. He advised that the Council will also review the decision to accept bid bond sale proposals at their next meeting and reviewed the road improvement project timeline. He stated that he has also been working with some members of the City Council as well as staff and Councilmembers from Wayzata in regard to shared services, specifically public works.

ADJOURN

Chair Erickson moved to adjourn the meeting at 7:45 p.m. Commissioner Jerde seconded. Ayes: all.

Respectfully submitted,

Terry Post
City Administrator