



**CITY OF LONG LAKE  
PLANNING COMMISSION MEETING MINUTES  
April 11, 2017**

**CALL TO ORDER**

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

Present: Commission Members Adams, Erickson, Hughes, See, and Keating; City Administrator Weske; and City Clerk Moeller.

Absent: None.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**APPROVE AGENDA**

*Commissioner Keating moved to approve the Agenda as presented. Commissioner Adams seconded. Ayes: all.*

**CONSENT AGENDA**

**A. Minutes of the March 14, 2017 Planning Commission Meeting**

Chair Erickson requested two changes to the March 14, 2017 Planning Commission Meeting Minutes. First, under Business Items A, requested to last paragraph be amended from where it states "he offered his services..." to read, "he offered his advice regarding this project, as he has observed that the City of Golden Valley has a good sanitary sewer inspection program." Secondly, he requested to reflect Commission Member Hughes' absence as "excused with prior notice."

*Commissioner Adams moved to approve the Consent Agenda as amended above. Commissioner Keating seconded. Ayes: all.*

**OPEN CORRESPONDENCE**

None.

## **BUSINESS ITEMS**

### A. Public Hearing: Ordinance Amending the Long Lake Zoning Ordinance No. 2017-03 to Add Section 32A: Sexual Predator Residency Restrictions

City Clerk Moeller presented informing this item was triggered during the March 2, 2017 City Council Special Work Session meeting and goal setting session. The City Council directed staff to prepare an ordinance establishing residency parameters for released Level III sex offenders, for the purpose of avoiding a politically perilous issue that may pose constitutional questions and political blowback. She further explained the need to develop radius parameters that are reasonable to the community, as currently, there are no provisions that would prohibit registered offenders from living in the vicinity of a daycare, school, park, or playground.

City Clerk Moeller explained that restricting a registrant's residency can be a condition while they are on probation or parole, but the restrictions are no longer effective once registrants have met these requirements. She explained that cities can pass local ordinances with restrictions, in order to protect the local health, safety, and welfare of residents. She noted the Long Lake neighboring cities of Orono and Maple Plain have recently adopted ordinances to implement residency restrictions for Level III predatory offenders. She reported that Orono set a 2,000-foot radius restrictions from the edges of such locations. City Clerk Moeller reported that Long Lake's draft ordinance is similar, stating the definitions of the locations, as well as establishing a prohibition that it is unlawful for a Level III offender to come within 1,000 feet from the outer property line of any such location, as well as establishing exceptions and penalties. She explained that 1,500 feet or more left very little area of Long Lake to provide an opportunity for reasonable opportunity for housing. Via overhead, City Clerk Moeller presented area maps showing footage and radius dimensions to demonstrate the differences of how this would affect the amount of remaining area left available for reasonable housing options. City Clerk Moeller explained the maps presented were created from the center point of a location, not from the properties edge. She also explained the reason why this item was presented to the Planning Commission, stating this was due to being classified as a land-use issue. Staff published a public hearing notice in the March 25, 2017 edition of "The Pioneer" newspaper in readiness for the Planning Commission to hold a public hearing during tonight's meeting.

The City Council directed staff to model an ordinance after that which was adopted by Orono in January 2017, of which has been reviewed by the City Attorney. City Clerk Moeller provided the following supporting information: Ordinance No. 2017-03; Predatory Offender Ordinance Map – 1000 FT Radius; public hearing notice as published; and the Community Notification Act Fact Sheet – MN DOC. City Clerk Moeller opened the floor to questions.

Chair Erickson opened the public hearing at 6:43 p.m.

Chair Erickson agreed it was appropriate to treat this item a land-use issue. He thanked City Clerk Moeller for bringing this item forward. Commissioner Keating wondered if this item would surface again, due to no one in attendance to address concerns at this public hearing. City Clerk Moeller answered that it indeed may surface, but the City Council would then address any further public concerns.

Commissioner Hughes asked if it was lawfully necessary to allow reasonable housing, and if so, at what percent is required of the City? City Clerk Moeller answered, per the City Attorney, the need to focus on what is reasonable and defensible, in case a challenge would arise. She explained that surrounding cities have been following a very similar standard at this point, with no challenges as of yet. Commissioner Hughes then requested the residency parameter be established at 1,250 feet.

Commissioner Keating asked if daycare centers needed to be licensed in order to be taken into consideration for this ordinance. City Clerk Moeller answered in the affirmative. Commissioner Hughes inquired as to how in-home licensed daycare centers would be identified for consideration. City Clerk Moeller answered that more research needs to be done, but a list could be obtained from the State documenting licensed daycare centers. City Administrator Weske requested focusing on the neighborhood as opposed to the resident, so as to stay within a smaller radius. He stated 1,250 feet would allow hundreds of feet from each side of all parks. Commissioner Adams felt 1,000 feet to be reasonable, but would also support 1,250 feet. Chair Erickson suggested setting the higher standard, as done for variances.

Chair Erickson closed the public hearing at 7:02 p.m.

*Commissioner Hughes moved to recommend the City Council adopt Ordinance No. 2017-03 Amending the City of Long Lake Zoning Ordinance to Add Section 32A: Sexual Predator Residency Restrictions be established at 1,250 feet. Commissioner Adams seconded. Ayes: all.*

B. Review Proposal from WSB & Associates for Long Lake Zoning Ordinance Updates

City Administrator Weske stated this item originated in 2014 and explained the need to review this plan's goals for amendment and present for the next meeting. Commissioner Adams agreed these items need attention and the review would be a good starting point. City Clerk Moeller will forward the updates and City Administrator Weske will highlight the areas of concern and also welcomed any new input.

C. Resignation of Planning Commission Member Bob Erickson – Update Regarding Appointment Process to Fill Planning Commission Unexpired Term

City Clerk Moeller included a copy of the press release announcing the appointment opening, stating this is unique as it can be held by a business owner or lake resident. She then thanked Chair Erickson for all his years' experience, the time he spent on details, and noted she will sincerely miss his contributions. She stated applications are being accepted through April 24<sup>th</sup>, allowing the new appointee to be sworn in at the May 4th Work Session. She noted once the new commissioner is on board, they will revisit the chair and vice chair positions. She further stated Chair Erickson's opening would not be an easy chair to fill. All members extended their appreciation to Chair Erickson.

Chair Erickson addressed the Commission stating he is humbled and honored to have been appointed multiple times and stated his surprise. He noted he has learned some, and was grateful for the commission and staff's continuing support during his term. He explained his motivation for resignation explaining his business now demands more time, and he is no longer able to afford the time that serving as chairman requires. He reported he has

accepted a chair with the Long-Range Planning Committee with Orono, and expressed his excitement to be dealing in this part of the planning process. He explained he was also looking forward to participating in a way that allows him more time to tend to his business.

## **OTHER BUSINESS**

**Council Liaison Report** – Councilmember Kurt Kaminski, on behalf of the City Council, extended their appreciation for Chair Erickson’s time, efforts, and commitment with the City of Long Lake. He then reported at the next City Council meeting, discussion will be held for the Virginia Avenue property to quickly move on this item. He further reported the City Council discussed the goal setting meetings with the Park Board, which provided the Planning Commission with good focus on what to accomplish in the next few years. He noted the signage vote was overwhelming and that WSB & Associates is focusing on the County Road 112 project as well as dealing with Hennepin County on a consulting basis. He announced the Fire Station meeting being held tomorrow will have a number of Hennepin County members answering questions. He will attend and invited Commission members to attend as well. Finally, he commented on the Sex Offender parameter issue and noted it was very informative for him and he will present this item at the next City Council meeting.

**Commission Member Business** – Commissioner Hughes extended his thanks to the Orono and Long Lake Fire Departments for escorting the Class 3A High School Girls Basketball State Tournament Championship.

Commissioner Adams reported discussing his view of the comprehensive plan with Mayor Hultmann and how very little of that vision actually came about. Commissioner Hughes urged the Commission to focus efforts and provide guidance to the City Council as soon as possible, stating with no grand vision to reconstruct, there are not many big projects to consider as Long Lake is mostly developed. Chair Erickson stated the few items there may be will become significant for those driving through and within Long Lake.

**Staff Business** – City Attorney Weske stated the Asteria Inn and Suites has sold and purchased by an individual that may take on a different franchise.

City Clerk Moeller reported a lot of time has been spent focusing on communication and getting as much information out there with regard to the new County Road 112 project. She noted they have been pleased with the level of interaction with Hennepin County dedicated project communications staff, and she is looking forward to working with general project liaison Nick Kim over the next few years.

## **ADJOURN**

*Commissioner Keating moved to adjourn the meeting at 7:22 p.m. Commissioner See seconded. Ayes: all.*

Respectfully submitted,

Scott Weske  
City Administrator