

**CITY OF GEM LAKE, MN**  
**4200 Otter Lake Road**  
**Gem Lake, MN 55110-3227**

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**Gem Lake Planning Commission Meeting Minutes**  
**January 21, 2015**

A special meeting of the Planning Commission of Gem Lake was called to order by Chairperson Benjamin Johnson on Wednesday, January 21, 2015 at 7:17 p.m. at the Gem Lake City Hall conference room.

The following members were present: Chairperson Ben Johnson and Planning Commissioners Arthur Pratt and Dan Marier. Commissioners Beth Herzog and Derek Wippich were not in attendance.

**Planning Commission October Agenda:** Chairperson Johnson asked for any changes, deletions, or added agenda items. None was given and upon motion by Commissioner Pratt and seconded by Commissioner Marier; the January 21, 2015 agenda was approved. Ayes – 3, Nays – 0.

**Planning Commission November 2014 Minutes:** The November Planning Commission minutes were reviewed. Upon motion by Commissioner Pratt and seconded by Chairperson Johnson, the November Planning Commission minutes were approved. Ayes – 3, Nays – 0.

**OLD BUSINESS**

None

**PUBLIC HEARING**

Opened – 7:22 p.m., Closed – 7:34 p.m.

1. Barnett Properties & Jack Mayeron for Newtrax, PAI & Merrick, Inc. – Application for Non-Conforming Use Permit  
3700 Highway 61  
Gem Lake, MN 55110

Representatives of Barnett Kia were present during the Public Hearing portion of the PC Meeting. Following the close of the Public Hearing, Commissioners then discussed the Non-Conforming Use Permit request for Barnett Kia and Newtrax, PAI & Merrick, Inc. Under §17.5 of the City of Gem Lake Zoning Ordinance (#43k) and with direction from a Staff Report provided by White Bear Township Town Planner Tom Riedesel, the Commissioners reviewed the recommended conditions and discussed additions.

Section 9.6.5 of Ordinance #107B no longer includes “automotive repair & service” and Appendix A relating to Non-Conforming uses has been adopted. Non-Conforming Use Permits must be approved by the City for uses no longer considered allowed within the Gateway District.

The following Conditions were discussed and approved for recommendation to the Gem Lake City Council:

1. Permit is valid for 60 months from Effective Date.
2. Re-application, subject to review, is required in order to renew the permit.
3. Permit is effective Month Day, 2015.
4. Permit shall expire on Month Day, 2020.
5. Permit is **non-transferable**.
6. In the event that redevelopment plans, including a city issued building permit, are approved for the land the business is located on, this permit shall remain valid through the expiration date and shall be non-renewable thereafter.
7. Any complaints within the 60 months render permit subject to review and/or revocation.
8. Minor vehicle repairs are limited to Newtrax vehicles and are permitted including, but not limited to, the following:
  - a. New Tires and Wheels
  - b. Alternators
  - c. Batteries
  - d. Brakes
  - e. Minor tune-ups
  - f. Oil changes
  - g. Wiper Blades
  - h. Bulb light replacement
  - i. Tire repair
  - j. Handicapped accessibility lifts, accessories and related equipment
9. All hazardous materials shall be stored in accordance with Federal, State and local laws and Ordinances and waste materials shall be disposed of by an approved environmental services company.
  - a. Identification and contact information for the environmental services company shall be posted in accordance with Federal, State and local laws and Ordinances
10. Business will not be conducted between the hours of 10:00 p.m. and 6:00 a.m.
11. Plastic recyclables, both pre and post-processing (baling) shall be stored inside the building, container, a screened enclosure or otherwise concealed in an aesthetically unobtrusive manner.
12. The repainted exterior color of the building shall blend in with the décor of the area.
13. All Federal, State and local laws and Ordinances shall be complied with.

#### **NEW BUSINESS**

None

#### **OPEN ITEMS**

None

**FUTURE MEETINGS:**

Planning Commission Meeting: February 3, 2015 at 7:00 p.m.

**ADJOURN:**

Upon motion by Commissioner Pratt, and seconded by Commissioner Marier the January 21, 2015 special meeting of the Planning Commission was adjourned at 7:55 p.m. Ayes – 3, Nays – 0.

**APPROVED:**

ATTEST:

Benjamin Johnson  
Chairperson

ATTEST:

Art Pratt  
Commissioner

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**Sign In Sheet:**

*Dick Gunderson – Gunderson Construction*

*Jack Mayeron – Barnett Kia*