

Planning Commission Meeting Minutes

Tuesday, June 6, 2017

Heritage Hall, 4200 Otter Lake Road

Gem Lake, MN

1. Call to Order & Roll Call

Chair Ben Johnson called the City of Gem Lake Planning Commission to order at approximately 7:00 p.m.

Members Present: Chair Ben Johnson; and Commissioners Art Pratt, Derek Wippich and Dan Marier

Staff Present: Patrick Kelly, City Attorney, Tom Kelly, City Finance Director, and Jim Lindner, City Council Member

Public Present: Kyle Anderson, Lenore and Tom Bolfig, Rick Bosak, Kathy Hoffman Brown, Len Cacioppo, Chrissie and Huck Cammack, Pete and Val Cremin, Paul Emeott, Doug Erickson, Bret Gapp, Cheryl Granlund, Beth and Steve Herzog, George Jungmann, Ken Kirchoff, Connie Kunin, Debra Larsen, Jodi Lorenz, Fritz Magnuson, Taylor McGuire, Isaac Nelson, Carolyn and Rich Nordstrom, Richard and Roberta Pientka, Craig and Kathy Rafferty, Tom Rasmussen, Steve Rowan, Brian Sauer, Carol and Dan Schacht, Tony Scornavacco, Bruce Shirley, Gary Tangwall and Jeff Tschetter. .

2. Approval of Agenda/Minutes

A. Agenda: Commissioner Pratt made a motion to approve the June 2017 agenda, Commissioner Wippich seconded, agenda approved 4-0.

B. Minutes: Commissioner Wippich made a motion to approve the meeting minutes for April, 2017, Commissioner Marier seconded, minutes approved 4-0

3. Announcements

Chair Johnson reminded the audience that the purpose of this public hearing was as an opportunity to share opinions and voice concerns. The Planning Commission is an advisory board and votes taken are recommendations. The Commission reviews what is presented and shares those findings with the City Council. These items for the June 6 meeting will be presented to the City Council as a Planning Commission report and will be discussed at the June 20, 2017, City Council meeting. He encouraged citizens to attend and share their opinions at that meeting.

4. Public Hearing

A. Ordinance No. 131 – Predatory Offenders Excluded from Various Locations

Attorney Kelly gave an overview of the history of the predatory offender's ordinance in surrounding cities. Councilmember Wippich asked about the legality as far as a church/daycare and written permission. Attorney Kelly stated that a second look should be given to the written permissions. Councilmember Marier asked if an offender wanted to live in Gem Lake, could they? Attorney Kelly, if they meet all the criteria.

A motion was made by Chair Johnson to open the public hearing, seconded by Councilmember Pratt. The hearing was opened at 7:19 p.m. D. Erickson 25 Hillary Farm Road, asked if it was common to notify a community if an offender was going to move in. Attorney Kelly: There are different levels of notification that are addressed by the county and state statutes. State statutes does allow cities to be more restrictive.

Cheryl Granlund, 3907 Tessier Road: This is not a perfect situation, a rental property was on ? road and an offender lived there. The home has now been torn down. Taylor McGuire, 1365 Goose Lake Road: Inquired about tying background checks into the rental application. The public hearing was closed at 7:31 p.m. Commissioner Johnson made a motion to recommend approval of the ordinance with a review of the language regarding to “church,” Councilmember Wippich seconded. Motion passed 4-0.

B. Consolidated Land Use Ordinance

City Councilmember Lindner and Commissioner Johnson gave an overview of the consolidated land use ordinance. The new ordinance is a combination of all the land use ordinances within the city. This ordinance will make it easier for landowners or potential developer to review all the ordinances that have to do with land within the City of Gem Lake. The new ordinance will have hyperlinks embedded in it to allow for an easier search process, eliminates some old language and updates definitions. Each “district” has a definition and explains what the city envisions that district to look like referencing the comprehensive plan. The goal in updating the ordinance is to have it agree with the comprehensive plan.

Commissioner Johnson made a motion to open the public hearing, seconded by Councilmember Pratt, the public hearing opened at 7:45 p.m.

Fritz Magnuson, 21 Daniels Farm Road: The comp plan, has it been written to agree with the new comp plan? Councilmember Lindner: Yes, however, it will be conflict with the current plan for some time. Fritz Magnuson: The City will have the liability? Attorney Kelly: This is a draft document. Fritz Magnuson: What is the time line for the comp plan? Councilmember Lindner: We are partnering with S.E.H. Commissioner Johnson: This takes into account the current comp plan. Tom Bolfig, 3930 Haven Lane: Do you have a section that has to do with density, town house, multi-family, villas? Councilmember Lindner: In the Gateway, we have some non-conforming lots, we need to make sure they are covered. Rich Pientka, 3970 Tessier Road: I was always under the impression you have to have 1/3 acre to build? Is this going to impact those with less than 1/3 of acre. P. Emeott: 60%, size of parcel, water is not a requirement. Mike Bruggeman, 3999 Scheuneman Road: When is this supposed to be voted on? Commissioner Johnson: The committee has been working on this for 18 months, a recommendation comes from the Planning Commission. Councilmember Wippich: Is there anything in this, this is general, still controlled by the Gateway. Councilmember Lindner: Just makes it more clearly defined.

The public hearing was closed at 8:15 p.m. A motion was made by Commissioner Johnson, seconded by Commissioner Wippich to table the Land Use Ordinance till the next Planning Commissioning meeting, Tuesday, July 5. Motion passed (4-0) and the item was tabled until July 5, 2017.

Note was made that if anyone was interested in having the document mailed to them leave their name and address, hard copies are available at City Hall, the document will be available on the city’s web site.

C. Consider the purchase of real property by the City of Gem Lake for open space and future development

Commissioner Johnson gave an overview of Consideration of the purchase of real property situated in Ramsey County, Minnesota by the City of Gem Lake from Hansen Investments, LLC. The portion being considered is west of Daniels Farm Road, north of County Road. E.

The Planning Commission makes recommendations on zoning and takes into consideration the long term outlook for the city. Finance Director Tom Kelly is here to answer questions on the financing. A question

has come up, about the gateway district, in the land use ordinance, which states that this can be park space. We are not voting on this, or if this a good deal, this is a land use item. Attorney Kelly: The city has not entered into a purchase agreement, it has not been executed. Cities have statutory authority to just buy land. The City has ordered an appraisal. Tonight the planning commission is reviewing this, is this the proper use and consistent with the comp plan. The Planning Commission is charged to see if the 10 acres is consistent with the comprehensive plan for the City of Gem Lake. Tom Kelly: If the purchase would go thru, which is voted on by the City Council, the entire parcel would be purchased, the park portion purchased by a CD, then the remaining property would be sold to a developer, proceeds of the sale of the remaining property would be pay off the CD. The bond issuance would be 15 years, tax abatement bonds. If we didn't sell the property and your home has a market value of \$150,000, currently your property tax is \$519.07, your taxes would go up to \$574. If we sold the property and you have a \$150,000 home, your taxes are currently \$519.07, your taxes would be \$533.81 if 20 homes were constructed at a value of \$400,000 per home. If you have a \$400,000 home and your taxes are \$1,639.34 and no homes were constructed, your property taxes would be \$1,813.65. If the city sold the property and 20 homes were built at a value of \$400,000, your property taxes would be \$1,685.89, a \$50.00 increase. Noted that this portion is still up in the air.

Commissioner Wippich asked if we are abandoning the Gateway? No. Commissioner Marier: How can my kids get into the park? Commissioner Wippich: We don't have a park plan or master plan? Commissioner Marier: Where did this come from? Attorney Kelly: We are trying in good faith to resolve this property, no purchase agreement has been signed, trying to resolve this issue of density, also issues with wetland. Cities have to move in one direction or another. Commissioner Marier: We are not landowners.

A motion was made by Commissioner Johnson, seconded by Commissioner Marier to open the public hearing. The hearing opened at 8:55 p.m. Jeff Tschetter, rental property 3930 Scheuneman Road: This is consideration? Carol Schact, 1201 Little Fox Lane: Not opposed to Tom Hansen, opposed to city purchase and park. Connie Kunin, 1270 Goose Lake Road: I have not seen a map of the park, do we have a rendering of the park, who are the nearest homeowner(s)? The city has never purchased land before. Brian Sauer, 28 Hillary Farm Lane: Why are we separating the cost from the consideration? Are there costs associated with a park? Commissioner Johnson: Does this make sense for use of the land, the goal here is to talk about the land use, what does the city want? Deb Larsen, 3945 Tessier Road: This is prime commercial development, why not consider this piece of property commercial? Commissioner Johnson: This is mixed use. Cheryl Granlund, 3907 Tessier Road: IC Systems wanted to build on the Hansen property, it was turned down. Pete Cremin, 3920 Haven Lane: Opposed. John Snidarich, 1601 Goose Lake Road: What is the next step? Commissioner Johnson: We are an advisory committee. Craig Rafferty, 3750 Big Fox: I've resigned that the council pays no regard to the Planning Commission, is there any logic to the city buying it then using the Putnam plan? Jodi Lorenz, 1299 Goose Lake Road: What about Hoffman's Corner's. Commissioner Johnson: Hoffman's Corners is owned by multiple owners. Jeff Tschetter, 3930 Scheuneman Road: Opposed. Brad Nayler, 1630 Goose Lake Road: works at the Golf Course, was on the Planning Commission for another city, I've been to two city council meetings, it's not the whole council, it's the Mayor, whose property is being protected, it's the Mayor. Mike Bruggeman, 3999 Scheuneman Road: Opposed. Cheryl Granlund: Question about property owners abated. Tom Kelly: Whenever there is a new development the city can require a land owner to dedicate park land. Commissioner Johnson closed the public hearing at 10:00 p.m. We've received a lot of good feedback.

Commissioner Johnson made a motion to recommend that the city proceed with the purchase, seconded by Commissioner Pratt. Voice Vote: Commissioner Wippich: Plan is not consistent with the gateway, no park zone with intent, not consist with land intent, “No” vote. Commissioner Pratt: Not consistent with comp park plan, doesn’t appeal to all, “No” vote. Commissioner Marier: Lack of clarity, way more questions to be answered, “No” vote. Commissioner Johnson: Proposed use of the property meets the land use goals and Met Council requirements for open space and long-term planning. “Yes” vote. Motion does not carry (1-3) and the Planning Commission does not recommend the city purchase the described real property.

Discussion Items (Old Business & New Business)

None on the agenda

5. Adjourn

Upon motion by Commissioner Wippich, seconded by Commissioner Pratt, the June 2017 Planning Commission meeting was adjourned at approximately 10:04 p.m. (4-0)