

**CITY OF GEM LAKE, MN**  
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**Gem Lake Planning Commission Meeting Minutes**  
**2 August, 2016**

The regular meeting of the Planning Commission of Gem Lake was called to order by Chairperson Benjamin Johnson on Tuesday, August 2, 2016 at 7:02 p.m. at the Gem Lake City Hall conference room.

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

**Planning Commission August Agenda:** Chairperson Johnson asked for any changes, deletions, or added agenda items. None was given and upon motion by Commissioner Wippich and seconded by Commissioner Pratt; the August 2, 2016 agenda was approved. Ayes – 3, Nays – 0.

**OLD BUSINESS**

None

**PUBLIC HEARING**

Opened – 7:06 p.m., Closed – 7:55 p.m.

1. Conditional Use Permit (CUP) Application – 1430 Goose Lake Rd.

Applicant Gretchen Artig-Swomley requested the approval of a CUP which would allow the construction of a 1296 ft<sup>2</sup> garage (36'x36'), replacing an existing garage. The CUP is needed as the replacement structure will exceed the permitted maximum height and size per the zoning ordinance.

The garage, as proposed, will not exceed the height of the home and, as constructed, is a distance of ~180' from the nearest lot line. As such, it will not be seen by abutting neighbors and or the closest public right-of-way. The applicant was present at the meeting and was able to answer questions about the project to the commissioner's satisfaction.

The Planning Commission feels that this proposal meets the requirements for considering and granting a CUP, as defined under Section 17.5 of Ord. No. 43K, and recommends, on a vote of 3-aye, 0-nay, that the city council approve the CUP application.

2. New Ordinance (Ordinance No. 129) Relating to Rules & Fees for Connecting to City Utilities: City Water & City Sewer

The Planning Commission reviewed the proposed ordinance (Ord. No. 129) relating to the rules and fees administration of city water and sewer. The commissioners discussed the motivation to craft this particular ordinance and the history of municipal oversight of utilities in

the City of Gem Lake. Once satisfied that there is a need for an ordinance relating to these items, the commissioners discussed the language in the proposed ordinance and then voted to recommend the city council approve Ordinance no. 129: 3-aye, 0-nay.

3. New Ordinance (Ordinance No. 130) Opting out of the Requirements of Minn. Stat. Section 462.3593 – Temporary Family Health Care Dwellings

The Planning Commission reviewed a Summary/Memorandum pertaining to the State of MN's Temporary Dwelling Legislation from the League of Minnesota Cities, describing the legislation and its potential effects on local governments. According to their review, it appears the new law is to provide transitional housing for seniors, but that it has a broader effect as well. This has caused some concern about the law allowing for temporary housing/structures that are beyond the scope of current zoning, perhaps resulting in unintended expansions of the types of land use promoted by that zoning.

Cities have until Sept. 1, 2016 choose not participate in this type of expedited land use permitting by passing an ordinance specifically opting out. Ord. No. 130 reflects the City of Gem Lake's decision to opt out of the new law. The Planning Commission recommends that the city council approves the ordinance on vote of 3-aye, 0-nay.

#### **NEW BUSINESS**

Jim Lindner & Paul Emeott were present and the Planning Commissioners were provided an update on the progress made on the City's ongoing Comprehensive Plan and Zoning Ordinance Review project.

#### **OPEN ITEMS**

None

#### **FUTURE MEETINGS:**

Planning Commission Meeting: September 6, 2016 at 7:00 p.m.

#### **ADJOURN:**

Upon motion by Commissioner Pratt, and seconded by Commissioner Wippich the August 2, 2016 regular meeting of the Planning Commission was adjourned at 8:45 p.m. Ayes – 3, Nays – 0.

**Sign In Sheet:**

*Gretchen Artig-Swomley*

*Brad (Last name unknown – illegible)*

*Jim Lindner*

*Paul Emeott*