

## PLANNING COMMISSION MEETING

June 28, 2010

7:00 p.m.

### 1) Call to Order

**Commission Members Present:** Chair Heck, Lora Sandholm, Guy Warner, Mike Stulberg, John Watson, and Bob Pollmann

**Commission Members Absent:** John Strandell

**Staff Present:** Council Liaison Mayor Fischer and Senior City Planner Breanne Rothstein.

#### a) Approval of Agenda

Chair Heck stated, "Hearing no objections, agenda is adopted."

#### b) Approval of Minutes - May 24, 2010

Motion by Stulberg and second by Pollmann to approve the minutes of the May 24, 2010 Regular meeting as presented/amended. Motion carried 6-0-0.

### 2) Public Hearings

#### a) CODE TEXT AMENDMENT - Consider Ordinance 360 amending Section 510.07 Tree Preservation of City Code

Rothstein reviewed the proposed changes to Ordinance 360 which would amend Section 510.07 Tree Preservation. She discussed the intent to focus on trees native to Minnesota and this area in order to create a list of significant trees. She also discussed the purpose of awarding double credits for saving the more significant trees.

Rothstein reviewed another change which would require updates if a significant amount of time goes by since the tree inventory was created.

Warner asked if a time limit can be included. Rothstein stated the easiest way to enforce a tree preservation plan is on the building permit itself. Trees can die due to construction grading, and these must be replaced. It is difficult to enforce who is responsible.

Stulberg asked what would happen if the development company providing a letter of credit, cash, etc. would go into foreclosure. Rothstein stated a bank would have to go out of business for a letter of credit not to be honored. She noted we have letters of credit on all our developments.

Stulberg asked why the direction was to go from 1-1/2 times to 1. Rothstein stated there was general consensus for the reduction if significant trees were targeted. Fischer stated the 1-1/2 times replacement was often a huge

penalty for developers.

Heck asked if there is a minimum sized tree. Rothstein stated it is 2 inches in diameter. There has to be a good diversity in species.

Chair Heck opened the public hearing at 7:25 p.m.

There were no public comments.

Chair Heck closed the public hearing at 7:25 p.m.

Warner suggested minor typographical changes to the ordinance language.

Motion by Warner and second by Stulberg to recommend approval of Ordinance 360 amending Section 510.07 Tree Preservation of City Code as amended. Motion carried 6-0-0.

b) **CODE TEXT AMENDMENT - Consider Ordinance 367 amending Section 505.26 Public/Semi-Public Zoning District of City Code**

Rothstein reviewed the proposed ordinance language for Ordinance 367 which would rezone a number of lots to conform to what is proposed in the new Comprehensive Plan. The district is new and encompasses government buildings, parks and city-owned land. She reviewed permitted and conditional uses for the zoning district and discussed the rezoning process. She stated the main question is what should be rezoned to this district and whether the city and regional parks should be rezoned public/semi-public.

Chair Heck opened the public hearing at 7:50 p.m.

There were no public comments

Chair Heck closed the public hearing at 7:50 p.m.

Rothstein stated another public hearing is proposed for this ordinance.

Stulberg suggested staff provide a list of pros and cons for rezoning a particular piece of property.

Commissioners discussed uses in this zoning district. Particular emphasis was placed on the language in the vibration and light sections.

**3) Business Items**  
None

**4) Informational Items**  
a) Staff Reports

Rothstein included Council actions in the Commissioners' packets this evening.

Warner stated he would not be at the August meeting. Rothstein noted the July meeting may be cancelled.

b) Council Reports

Fischer stated the Game Farm Road project will begin this week which will impact traffic. She indicated they do not intend to work on weekends unless there is bad weather during the week.

Pollmann attended a GTS meeting recently.

**5) Adjournment**

Motion by Sandholm and second by Watson to adjourn. Motion carried 6-0-0.  
The meeting adjourned at 8:16 p.m.

Respectfully submitted,

Terri Haarstad  
City Clerk