



**PLANNING COMMISSION MEETING MINUTES**  
**June 23, 2014 at 7:00pm**

**1) Call to Order**

Heck called the meeting to order at 7:00pm.

In attendance: Planning Commission: Chair Mark Heck, Patricia Thoele, John Strandell, Michael Molitor, Lora Sandholm, Mike Stulberg and Bob Pollmann; Staff: Community Development Director David Abel, Associate Planner Nick Olson and City Clerk Terri Haarstad

Absent: Council Liaison Mark Vanderlinde

**a) Approval of Agenda**

By unanimous consent, the Planning Commission approved the agenda as presented.

**b) Oath of Office and swear in Planning Commission Member:**

**a) Robert Pollmann**

Heck issued the oath of office.

**c) Approval of Minutes – April 28, 2014**

Motion by Stulberg and second by Sandholm to approve the Minutes dated April 28, 2014. Motion carried 7-0.

**2) Public Hearing:**

**a) VARIANCE: Application for a front yard setback variance to construct a home on the property located at 1155 Cove Circle, R-1 zoning, PID# 12-117-24-24-0016.**

Abel introduced Associate Planner Nick Olson who presented the staff report as found in the Planning Packet dated June 23, 2014.

Discussion included:

- Reasons for a variance denial for this property in 1999
- Legislative changes to state statutes regulating land use
- How setbacks are determined and where the measurement begins

Todd Haugen (attorney), Harry Nasset (Relator) and Andrew Pete Kociscak (3505 Co Rd 44) showed planning commissioners a set of house plans and offered to answer questions.

Heck opened the public hearing at 7:17pm.

Jerry Dubord (1135 Cove Circle) spoke in favor of the variance.

Heck closed the public hearing at 7:18pm.

---

***The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.***

Motion by Stulberg and second by Molitor to recommend the City Council approve the variance application for a front yard setback variance to construct a home on the property located at 1155 Cove Circle, R-1 zoning, PID# 12-117-24-24-0016 with the five conditions outlined in the staff report. Motion carried 7-0.

**b) CODE/TEXT AMENDMENT: Consider Ordinance 419 amending Section 515.09 of City Code regarding prohibited signs.**

Olson presented the staff report as found in the Planning Packet dated June 23, 2014.

Discussion included:

- The history of current sign regulations
- Whether or not the ordinance should be changed to address issues raised in a single dispute
- Whether it makes more sense to review the entire sign ordinance

Heck opened the public hearing at 7:28pm.

Hearing nothing, Heck closed the public hearing at 7:28pm.

Motion by Stulberg and second by Heck to recommend the City Council approve Ordinance 419 amending Section 515.09 of City Code regarding prohibited signs. Motion carried 7-0.

**c) CODE/TEXT AMENDMENT: Consider Ordinance 420 amending Section 710.13 of City Code regarding Stormwater Discharge Enforcement.**

Olson presented the staff report as found in the Planning Packet dated June 23, 2014.

Discussion included:

- How this ordinance will affect homeowners with existing sump pumps
- Whether or not keeping sump pump discharge out of the public right away is sufficient to keep water out of the street
- Whether or not the ordinance should permit direct connections to the storm sewer system as a solution for issues related to sump pump discharge
- How to be proactive in preventing people from simply discharging sump pumps into the sanitary sewer system and violating Met Council maximum discharge regulations
- Whether road reconstruction specs should be changed to require the installation of drain tile behind the curbing in conjunction with the road project
- Whether people could be encouraged to use sump pump discharge for irrigation purposes

Abel explained City Council directed the City Engineer to change engineering specs for new developments to require all new developers to install drain tile behind the curbing to drain sump pump runoff directly into the storm sewer. Additionally, they directed staff to bring this ordinance change to the Planning Commission to address issues with existing developments. Abel explained that

---

***The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.***

enforcement will likely be complaint based.

Heck opened the public hearing at 7:53pm.

Hearing nothing, Heck closed the public hearing at 7:53pm.

Motion by Stulberg and second by Molitor to recommend the City Council table Ordinance 420 amending Section 710.13 of City Code regarding Stormwater Discharge Enforcement and direct the Planning Commission for additional consideration of more options for homeowners.

Abel recommended that the Planning Commission continue the public hearing to the next Planning Commission meeting to allow staff time to research additional discharge options.

Motion by Stulberg and second by Molitor to withdraw their motion and instead, continue the public hearing for Ordinance 420 amending Section 710.13 of City Code regarding Stormwater Discharge Enforcement to the next Planning Commission meeting to permit consideration of additional sump pump discharge options. Motion carried 7-0.

**d) CODE/TEXT AMENDMENT: Consider Ordinance 421 amending Section 400.03 of City Code regarding building permits and completion of exterior work.**

Olson presented the staff report as found in the Planning Packet dated June 23, 2014 and Abel provided history of the item.

Discussion included:

- Why this is necessary considering extensions for 180 day building permits
- How this would be applicable to property foreclosures
- Whether or not there could be allowances for exceptions such as years where there is bad weather (Not the way it is written)
- Whether or not the ordinance could be written in such a way that a staff member could have the ability to make an exception (another portion of City Code gives the building inspector the ability to grant extensions in extenuating circumstances)
- Repercussions if the ordinance is not followed

Heck opened the public hearing at 8:14pm.

Hearing nothing, Heck closed the public hearing at 8:14pm.

Motion by Stulberg and second by Sandholm to recommend the City Council approve Ordinance 421 amending Section 400.03 of City Code regarding building permits and completion of exterior work. Motion carried 7-0.

**3) Business Items:**

**a) Solar Panels (Discussion)**

Abel presented the staff report as found in the Planning Commission packet dated June 23, 2014.

Discussion included:

- Whether or not there are alternatives regarding free standing solar panels

---

***The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.***

(an application for a conditional use permit and/or a request for a code-text amendment would be required or, the individual would need to address the City Council during the persons to be heard portion of their City Council meetings and then the City Council would need to provide direction to staff)

- Whether or not changing the City Code too early would leave the city vulnerable to gaps between legislation and evolving technology than to allow the code change process to take place when an application comes forth
- A comparison of this proposal and the existing wind turbine ordinance

By unanimous consent the Planning Commission declined to make a recommendation at this time.

**4) Informational Items:**

**a) Staff Reports**

Abel provided updates on city staffing, the Orchard Cove development, building official services, the Red Oak development,

**b) Council Reports - none**

**5) Adjournment**

Motion by Stulberg and second by Strandell to adjourn the meeting at 8:48pm.  
Motion carried 7-0.

Respectfully Submitted,

Terri Haarstad  
City Clerk

---

***The City of Minnetrista will deliver quality services in a cost effective and innovative manner and provide opportunities for a high quality of life while protecting natural resources and maintaining a rural character.***