

MINUTES OF PLANNING COMMISSION MEETING

August 15, 2011

Pursuant to due call and notice thereof, a regular Planning Commission meeting was held at City Hall on the 15th day of August, 2011 at 6:30 PM

THE FOLLOWING MEMBERS WERE PRESENT: Nelson, Borgstrom, Dean, Sannes, Ferris and Egger.

THE FOLLOWING WERE ABSENT: None

THE FOLLOWING WERE ALSO PRESENT: Community Development Director Mike Martin, Deputy Clerk Linda Rappe, Tim and Marie O'Morro

CALL TO ORDER: Chairman Nelson called the meeting to order at 6:30 PM.

MINUTES OF PREVIOUS PLANNING COMMISSION MEETINGS: Dean made a motion to approve the minutes from July 11, 2011, Sannes seconded. All Ayes.

PUBLIC HEARING OPENED FOR CONDITIONAL USE PERMIT: Economic Development Director, Mike Martin, stated that Tim O'Morro dba T & K Towing, has requested a conditional use permit to operate a towing service at 19 N Mantorville. Mr. O'Morro spoke on behalf of his business. He stated that he is not planning on changing the look of the outside of the building and will not be hanging banners or signs. Mr. O'Morro would like to loosen the restriction of leaving two vehicles outside to being able to leave four vehicles outside. O'Morro stated that they will keep the lot free of junk and wrecked cars will not be on display. Chairman Nelson asked whether they will be doing engine repair and O'Morro stated that it will only be light automotive repair, no body work or major repairs. O'Morro also stated that cars should not be there longer than 24 hours. Chairman Nelson asked if there were any comments from the mailed notices and Martin stated there were none.

PUBLIC HEARING CLOSED

DISCUSSION: Sannes asked what cars would be left outside and O'Morro stated that it should only be cars waiting for parts or someone local with a wrecked car that is waiting on insurance or they have their trucks. Borgstrom stated that we should take off the restriction of how many cars can be on the lot. Egger stated that instead of putting a restriction on the amount of cars let's put a restriction on how long a car sits on the lot. Dean was concerned about the storage or street parking. Martin stated that there are restrictions in place for operating a commercial business on a city street. The commissioners were all in agreement with the comments made.

MOTION TO RECOMMEND APPROVAL: Motion by Egger, second by Borgstrom to recommend approval of the Conditional Use Permit submitted in the packets with the restriction on the number of cars that can be outside removed.
All Ayes.

PUBLIC HEARING OPENED FOR VARIANCE ORDINANCE AMENDMENT: Martin stated that about a year ago a MN Supreme Court ruling that essentially eliminated the ability for Cities to grant a variance by saying that the language in the legislation, undue hardship the courts interpreted to mean that you couldn't use the property for anything. The MN Legislature amended the language in the variance statute to eliminate undue hardship and replace that with

practical difficulties. What this amendment does is amend our current ordinance to conform to the new State Statute. There were no comments or correspondence from the public.

PUBLIC HEARING CLOSED.

MOTION TO RECOMMEND APPROVAL: Motion to recommend approval of the variance amendment to conform to the MN State Statute made by Dean, second by Sannes. All Ayes

OLD BUSINESS: Martin stated that he is having problems finding a city that actually enforces an elevation ordinance (if they have one to begin with). Martin stated that if a city has an elevation ordinance the only time it is enforced is at the original house building permit application. Martin stated he will keep looking.

OTHER BUSINESS: Borgstrom would like Martin to take a look at a sign on the Bigelow property across from Kwik Trip to the south. Martin will take a look.

ADJOURN: Since the agenda had been met the meeting was adjourned at 6:50 PM

Respectfully submitted,

Linda Rappe, Deputy Clerk