

**CALL TO ORDER:** Chairman Carlson called the meeting to order at 7:05 p.m.

**PRESENT:** Chairman Kent Carlson, Commissioners Barbarajean Brandt, Carlson, Scott Hemink, John McGary and Pete Onstad

**ABSENT:** Commissioners Walter Linder and Bob Werneiwski

**OTHERS PRESENT:** Council Liaison Josh Hackney and Zoning Coordinator Gus Karpas

**MINUTES OF June 21, 2011**

Motion by Commissioner McGary, seconded by Commissioner Onstad, to approve the minutes of June 21, 2011 as presented. Motion carried 4-0-1. Commissioner Hemink abstained.

**PUBLIC HEARINGS**

**Special Events Permit** - Request of Jon Monson of Landschute Group to include the property located at 20260 Lakeview Avenue in the Homes by Architects Tour which would be held on the weekend of September 17-18, 12 to 6 p.m.

Section 1355 of the Zoning Ordinance permits limited participation in Showcase Events with the issuance of a Showcase Events Permit.

Zoning Coordinator Karpas presented his staff report. He said the request was to include 20260 Lakeview Avenue in the upcoming Homes by Architects Tour. He said the applicant has worked with the Police Department to minimize the impact of parking. He recommended approval of the request, since the applicant has satisfied the requirements of the ordinance.

Chairman Carlson opened the public hearing. Hearing no public comment, the hearing was closed.

Commissioner McGary said he hasn't heard about any issues when this property was included in the Spring Remodeler's Showcase. Zoning Coordinator Karpas said there were none.

Commissioner Hemink asked if there were any issues with the police department with the past participation of this property in showcase events. Zoning Coordinator Karpas said he spoke with the Chief who said they didn't have any issues.

The Commission discussed the potential of limiting the number of events a property could participate in.

Chairman Carlson commented that the applicant does a good job at managing traffic at their events. He agrees a limitation on participation could be included in the ordinance if such events become an issue.

**ACTION:** Motion by Commissioner Hemink to recommend the City Council approve the Special Events Permit to include 20260 Lakeview Avenue in the Homes by Architects Tour to be held the weekend of September 17-18, based on the findings presented by staff that the applicant

complies with the requirements outlined in the ordinance to participate in a Showcase Event. Commissioner McGary seconded the motion. Motion carried 5-0.

## **NEW BUSINESS**

**Variance Standards** – Discuss changes to Minnesota State Statutes as they relate to variance requests.

Zoning Coordinator Karpas discussed the memo sent to cities from the League of Minnesota Cities outlining the change in the State Statutes from the hardship criteria to the practical difficulty criteria in review variance requests.

He said he would have draft language for the Commission's review at the August meeting. A question was asked regarding variance requests that may come in before the ordinance was amended. Karpas said that cities would have to default to the State Statute since they could not be more restrictive than the statute.

## **LIAISON REPORT**

Council Liaison Hackney said the Council acted on two issues brought forward by the Planning Commission. He said the Council unanimously approved the sign request by Deephaven Academy and voted 4-1 to deny the ordinance amendment request to permit the sale of firearms as a special home occupation.

Councilmember Hackney said there was a long discussion on the proposed ordinance amendment but in the end the majority of the Council felt that if the use was currently inappropriate for the commercial district, it should not be allowed in the residential districts.

Commissioner Brandt said she was under the impression that the applicant was going to gather further information on the licensing process to the Commission when they were to consider the ordinance amendment.

Councilmember Hackney said the ATF has jurisdiction in the sale of firearms and that some of the Council was not comfortable with ATF oversight and the potential to create attractive nuisance for crime, saying the Council felt it would be easier to police the use if it were limited to the commercially zoned properties, rather than spread out throughout the city. He said another issue was that the ATF requires the sale of firearms to take place at the address which licensed through them, meaning there would be customers coming to the property.

## **ADJOURNMENT**

Motion by Commissioner Carlson to adjourn the meeting. Commissioner Onstad seconded. The motion carried 5-0. The meeting adjourned at 7:31 p.m.

Respectfully submitted,  
Gus Karpas  
Zoning Coordinator