

**City of Gem Lake
Planning Commission Meeting – January 14, 2025
Meeting Minutes**

Planning Commission Chair Don Cummings called the meeting to order at 7:00 p.m. Commission Members Art Pratt, Derek Wippich and Stephanie Farrell were present with one vacancy. Also present: City Planner Evan Monson, City Attorney Kevin Beck, Acting City Clerk Melissa Lawrence, Councilmember Joshua Patrick, and residents Isaac Nelson, Rich and Roberta Pientka, Dustin Marks and Sarah Ernhart.

January 14, 2025

A motion was introduced by Commissioner Pratt to accept the agenda, seconded by Commissioner Wippich. Motion carried 4-0.

Minutes

A motion was introduced by Commissioner Pratt, seconded by Commissioner Wippich to approve the November 12, 2024, Planning Commission Meeting minutes. Motion carried 4-0.

Public Hearings

Special Home Occupation Request – 3907 Tessier Road

City Planner Evan Monson summarized the request for the special home occupation. The applicant is proposing to use their detached garage as part of a home occupation. The plans submitted by the applicant call for utilizing their existing detached garage as a home photo studio for a pet photography business; the applicant currently runs the business out of a commercial space in Minneapolis. The applicant states in their narrative that the driveway serving the detached garage can accommodate at least four cars, while the ‘main’ driveway on the property can accommodate five to six cars. Customers per day on-site vary; the applicant anticipates at most four customers on-site in a day and having an average of two on-site customers per week. Most sessions are scheduled for Saturdays between noon and 5pm, with occasional appointments after 5pm. Home Occupations in the city are regulated by Ordinance 134. The ordinance breaks home occupations into three tiers: occupations that require no license or permit, occupations that require a license, and occupations that require a conditional use permit (CUP). Due to the applicant’s home occupation having occasional on-site customers, the request requires a home occupation license.

Commissioner Pratt introduced a motion to open the public hearing at 7:07 p.m., seconded by Commissioner Wippich. Motion carried 4-0.

Residents Rich and Roberta Pientka voiced their many concerns regarding this home occupation being granted. Some of the concerns included the amount of traffic driving along the newer paved street down a dead-end street. Applicant Sarah Ernhart shared that her property is located at the entrance of the street and cars should not be having to drive down the whole length of the street. Another concern was regarding the possibility of expanding into more than just photography of pets and adding grooming and the sale of pet products. Ms. Ernhart shared that she has no interest in expanding into any other avenues and the Commission stated if that was ever the case additional licenses would need to be obtained.

Ms. Ernhart shared that she has been doing pet photography for 20 years. Of the 60 to 80 sessions, she has annually, roughly only 20 to 40 of them would take place on site at her property in Gem Lake. Most photography sessions last between 30-60 minutes, and typically involve one or two dogs per client. There is rarely any barking, and most dogs don’t make any noise at all. Most sessions are scheduled for Saturdays between 12pm-5pm, although on occasion some clients need to come in the evenings, as late as 7pm. The driveway leading to the detached garage can accommodate up to 4 vehicles, so there would be no on-street parking.

City Planner Evan Monson assured the public that this request does fall within the ordinance regulations and will limit the applicant on what it can do. No signs are allowed to be placed on the property based on the current sign ordinance.

The public had no other comments.

Commissioner Pratt introduced a motion to close the public hearing at 7:21 p.m., seconded by Commissioner Wippich. Motion carried 4-0.

City Planner Evan Monson explained to the Commission that they have three (3) options they can take regarding the application, 1) recommend approval of the request by the City Council, with or without conditions, 2) recommend denial of the request by the City Council, with findings for denial, and 3) table the request for further review/study. City Planner Evan Monson recommends the commissioners recommend approval of the requested Special Home Occupation for 3907 Tessier Road, with the following conditions: 1) the applicant's Home Occupation shall adhere to the requirements of Ordinance No. 134, 2) the applicant's Home Occupation shall adhere to other applicable local, State, and Federal requirements, and 3) the applicant shall pay all fees and escrows associated with this request.

Commissioner Pratt introduced a motion to recommend approval with the conditions set by City Planner Evan Monson, seconded by Commissioner Wippich. Motion carried 4-0.

Old Business

None

New Business

Ordinance No. 131 – Consolidated Land Use Discussion

Acting City Clerk Melissa Lawrence shared with the Commission that over the next couple months or year that review of the bulky Ordinance No. 131 needs to be reviewed to ensure its accuracy. Some of the pictures and information within the ordinance may be dated. Instead of waiting until sections become very outdated it is best to look over sections every couple of years. City Planner Evan Monson reiterated this and asked the Commission to let staff know what sections they believe may need to be looked over first. Review of this ordinance will take many months, and city staff would like to make sure that the ordinance is in line with the what the city would like to see in the comprehensive plan.

Open Items for Commission Members to Bring Up

None

Future Meetings

City Council Meeting, Tuesday, January 21, 2025, at Heritage Hall, and Planning Commission Meeting, Tuesday, February 11, 2025, at Heritage Hall.

Attendance Inquiry

Commissioner Cummings surveyed the Commission to see if any of the members would have any issues attending the February 11 meeting. At that time Commissioner Farrell will not be in attendance. Commissioner Wippich will not be able to attend the March 11 meeting.

Adjournment

There being no further business, following a motion from Commissioner Pratt, seconded by Commission Wippich, the meeting adjourned at 7:35 p.m.

Respectfully submitted, Melissa Lawrence