

MINUTES
PEQUOT LAKES PLANNING COMMISSION
REGULAR MONTHLY MEETING
JANUARY 15, 2015

PRESENT: Deb Brown, Todd Engels, Bill Habein, Mark Hallan, James Oraskovich, Cheri Seils, and Wesley Wilson. ABSENT: None.

CITY PLANNER: Charles L. Marohn, Jr., PE, AICP

ZONING ADMINISTRATOR: Dawn Bittner

COUNCIL LIAISONS: Jerry Akerson

The meeting was called to order by Chair Seils at 6:00 p.m.

ELECTION OF CHAIR AND VICE-CHAIR:

A motion was made by Planning Commission Member Oraskovich, seconded by Planning Commission Member Habein, to nominate Cheri Seils as Chair and Deb Brown as Vice-Chair. All members voted “aye”. Motion carried.

PRE-MEETING DISCUSSION:

Rural Road Standards

Zoning Administrator Bittner stated the City had been asked to look into Rural Road Standards and that Mayor Sjoblad, as Public Works Department Liaison, and Mike Loven, Public Works Supervisor, were in attendance.

Mayor Sjoblad introduced Mike Czech in the audience and stated Mr. Czech provided draft Rural Road Standards; Wildlife Trail is a perfect example of a rural road, although it is not paved. Mayor Sjoblad stated the current City standards are for large roads and the City needs a plan for rural standards. There needs to be room for snow storage. The City has a Rustic Road designation with very few standards, but there needs to be water management, etc. The Planning Commissions task is to design something smaller that is sufficient for snow plowing, etc., but to maintain existing forests.

Public Works Supervisor Loven stated as a minimum standard he would like to require pavement so the City doesn't need to bring a road up to that standard at a later date.

Mayor Sjoblad stated he is not looking at adopting road now, but a standard needs to be developed. Current standard requires the road to meet width and be blacktopped.

Public Works Supervisor Loven further stated that the City had one standard, but the Trailside Estates plat was approved by the Planning Commission with much smaller requirements.

Planning Commission Member Habein asked if the minimum standard now is 24 feet wide with blacktop. Mayor Sjoblad stated it is the standard but in a rural residential area, it doesn't need to be that wide. Chair Seils asked if he was suggesting 20 feet in width. Mayor Sjoblad stated he may be. He further stated that the Planning Commission's task is to fill in the blank spot and to create a good definition of Rustic Roads.

Public Works Supervisor Loven stated the proposed definition for Rustic Roads included in the packets is from State Statute.

Planning Commission Member Oraskovich suggested the definition included on page 3 for Rustic Roads including 150 vehicles a day would be heavy use. He had been on County Road 107 that afternoon for approximately an hour and saw only 4 vehicles. He wondered if 150 vehicles per day was too high. Public Works Supervisor Loven stated it is not too high.

Council Member Akerson stated that street width doesn't have anything to do with right-of-way. Mayor Sjoblad stated the standard right-of-way is 66 feet, but is that necessary in a rural residential area? Council Member Akerson stated 66 feet would be the standard to include sidewalks, bike trails, etc.

Mr. Czech stated he agrees that most new developments are platted with right-of-way 66 feet wide; a lot of that is ditch. His concern with a narrower street was whether a school bus and another vehicle could pass by safely. In addition, wider streets make sure trees aren't low enough to hit vehicles. Mr. Czech also asked where the \$40 per foot figure came from resulting in the replacement cost of \$127,000.00. Zoning Administrator Bittner explained the \$40 fee was provided by the City Engineer. Mr. Czech stated he provided an invoice from Schrupp Excavating for \$17,000.00 to bring it up to City specs, without pavement.

When asked by Council Member Oraskovich, Mayor Sjoblad stated rural roads should be blacktopped.

Several factors need to be looked at when contemplating taking over an existing road: public safety, ingress and egress, bus accessibility and development concerns. In addition, the following must be considered:

1. Land Use;
2. Finance;
3. Traffic counts; and
4. Maintenance.

It was the consensus that having the City take over and maintain rural roads is a benefit or a perk to the property owners along the roadway. An association of the property owners is a better answer for the City.

Lowering our long-term costs was questioned. Zoning Administrator Bittner was directed to obtain a copy of the new road standards that the City of Nisswa adopted.

City Planner Marohn stated the City has several options such as reducing the width to possibly 16 feet or creating road maintenance districts. Replacement and maintenance does not include snow plowing and mowing ditches. Maintenance is paving, filling pot holes and crack filling.

The City needs to develop and meet a standard that serves the public and has tax base.

Staff will provide a draft at the February Planning Commission meeting.

PUBLIC HEARINGS – None.

ADDITIONS OR DELETIONS TO AGENDA: None.

OPEN FORUM: None.

NEW BUSINESS:

a. Metes and Bounds Subdivision – Nancy Adams, Margaret Hendrickson and Bank of America, applicants

City Planner Marohn explained the Staff Report. Applicants Adams and Hendrickson were in attendance. Mr. Marohn explained that in a metes and bounds subdivision or a lot line adjustment the applicant cannot create or expand any non-conformities. These applications solve a couple of problems. The Staff Reports includes 14 Findings of Fact and Staff recommends approval. There are no conditions recommended.

When asked, Mr. Marohn explained the accessory structures do not need to be moved as they exist today; they remain nonconforming. You can lessen a nonconformity, which this does.

A motion was made by Planning Commission Member Habein, seconded by Planning Commission Member Wilson, to approve the metes and bounds subdivision, based on the following Findings of Fact:

1. The subject properties are properly zoned “Rural Residential”.
2. The lot widths of the proposed parcels meet the minimum standard of 200 feet.
3. The proposed parcels meet the minimum area requirements of the Rural Residential zone.
4. The “Adams Tract” currently contains a non-conforming dwelling and a non-conforming accessory structure. The subdivision does not increase the level of non-conformity.
5. The “Hendrickson Tract” currently contains a non-conforming dwelling and a non-conforming accessory structure. The subdivision does not increase the level of non-conformity.
6. The subject properties are not adjacent to the municipal water and wastewater utilities. All three parcels contain a private sewer system and a private water well.
7. The properties are suitable in their natural state for the intended purpose and these lot splits would not be harmful to the health, safety, or welfare of future residents or of the community.
8. The applicants are not proposing any provisions for water-based recreation.
9. The proposed lot layout meets the requirements of the ordinance.
10. The proposed side lot lines are at right angles to the existing road line and the property line of the adjacent property.
11. Each of the proposed parcels has at least 33-feet of frontage on public right-of-way.
12. The subject property meets the requirements of the code for stormwater management.
13. There are no public streets proposed within the development.
14. The proposed subdivision would bring the existing dwellings on the “Adams Tract” and the “Hendrickson Track” into conformity so they are not encroaching on the side yard setback.

All members voted “aye”. Motion carried.

b. Preserve Golf Course Wetland Fill

Zoning Administrator Bittner explained the SWCD is the Local Government Unit for the City; the City is invited as a courtesy. Initially, the Preserve requested 15,000 to 20,000 square feet of fill on Hole #5. They have now proposed to fill 10,000 square feet to allow for easier play for women and junior golfers.

A motion was made by Planning Commission Member Oraskovich, seconded by Planning Commission Member Brown, to notify the SWCD that the City has no objection to the application as presented and the Planning Commission supports the efforts of the Preserve Golf Course to improve their course. All members voted “aye”. Motion carried.

c. Planning and Zoning Department Year End Report

Zoning Administrator Bittner noted the Year End Report has been presented and accepted by the City Council; it is included in these packets for the Planning Commission.

d. League of Minnesota Cities – Land Use Incentive

Zoning Administrator Bittner explained the Land Use Incentive and asked for a volunteer from the Planning Commission to participate in the online training.

Council Member Akerson volunteered to be one of the participants for the City Council. Planning Commission Member Hallan volunteered to be the participant for the Planning Commission.

OLD BUSINESS:

Planning Commission Member Hallan stated he had met with James Byrne earlier and spoke with him on the telephone today. Mr. Byrne stated he will also correct a drainage problem with his driveway. Planning Commission Member Hallan stated Mr. Byrne is moving forward and is positive Mr. Byrne will meet the intent with the grading.

APPROVAL OF MINUTES:

A motion was made by Planning Commission Member Brown, seconded by Planning Commission Member Wilson, to approve the November 20, 2014 Minutes, as read. All members voted “aye”. Motion carried.

ZONING ADMINISTRATOR’S REPORT:

Zoning Administrator Bittner informed the Planning Commission that this is the final meeting with Chuck Marohn and Community Growth Institute as the City’s Planner. Chuck was first appointed as Planning and Zoning Administrator in April, 2002. She thanked Chuck for all of his help over the past 12 years and wished him luck in the future.

The new City Planner will be Justin Burslie through the National Joint Powers Alliance (NJPA) in Staples. We plan to have Justin on board for our February meeting.

Bittner pointed out the 4 permits issued in November and December and the 10 letters or emails sent or received since the last meeting.

- Bittner noted the Memo for attendance at City Council meetings included in the correspondence and requested the members to make an effort to attend or to switch with another member.

ADJOURNMENT:

A motion was made by Planning Commission Member Brown, seconded by Planning Commission Member Habein, to adjourn the meeting. All members voted “aye”. Motion carried. The meeting was adjourned at 7:32 p.m.

Respectfully submitted,

Dawn Bittner
Zoning Administrator