

**MINUTES
PEQUOT LAKES PLANNING COMMISSION
REGULAR MEETING
FEBRUARY 21, 2013**

PRESENT: Deb Brown, Mark Hallan, J. J. Levenske, James Oraskovich, Cheri Seils, Scott Snyder and Wesley Wilson. ABSENT: None.

CITY PLANNER: Justin Burslie, Community Growth Institute

ZONING ADMINISTRATOR: Dawn Bittner

CITY COUNCIL LIAISON: Tyler Gardner. Also Present: Mayor Adams.

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

NORTH WASHINGTON AVENUE VISIONING:

Chair Seils introduced Mike Loven, Public Utilities Supervisor and Tim Houle, City Engineer. Mr. Burslie gave a brief overview, explaining the Planning Commission had walked the street last fall and agreed it needed reconstruction. He then explained the Staff Report.

Mr. Loven explained there is an elevation change from the west side to the east side; a new street would need to be constructed to an elevation that works for both sides. The sidewalk on the west side is on Dean Brandt's property. A turf area would need to be irrigated or it would look terrible. Parking for customers is essential. There are also the ADA requirements to consider. Delivery trucks are also a consideration, as well as garbage trucks.

Mr. Loven further explained stormwater collects in the northeast corner by Dean Brandt's property, on our right-of-way (ROW). Because of the condition of the street, the water problem, and the condition of the sidewalk and step on the east side of the road is the reason this subject was brought to the Council. The City is responsible for accidents in ROW. The ROW for North Washington Avenue is 10 feet inside the sidewalk on the east side.

Mr. Houle explained that as a general rule, cities do everything to comply with ADA requirements; there are no ADA police but there is always the potential for someone to file an issue. There are times when steps can't be addressed, but on the east side of North Washington we have space where we can address ADA issues.

Mr. Snyder stated the Planning Commission had discussed taxes and dollars related to maintenance. The only two options are the first two presented in the Staff Report.

Mr. Levenske asked Mr. Loven what the Planning Commission can do to help the Maintenance Department mitigate problems. Mr. Loven stated maintenance is the same on a hard-scape or a soft-scape. Mr. Loven further stated that the stormsewer goes into the County stormsewer line.

Mr. Oraskovich asked if there would need to be more than one entrance to the Jack Pine Center meeting ADA rules. Mr. Houle stated that one should be all that is needed.

Mr. Loven also stated that handicapped parking spots take up 2 to 2 ½ parking spots.

Mayor Adams stated the sidewalk on the west side should go all the way to Oriole Street but only half the block on the east side.

Mr. Levenske stated one concept could be done on one side and another on the other side. He further stated that this is a stormwater project as well. He asked Mr. Loven what the solution for stormwater would be.

Mr. Loven stated we would need to shoot the depth of storm sewer and move to the lowest spot 50 feet over and work off of that.

Mr. Houle stated that a lot of phasing can be done; you need to design and not paint yourself into a corner.

Ms. Brown asked if rain gardens could be used. She has seen rain gardens in boulevards where homeowners maintained them.

Mr. Houle stated that rain gardens in residential areas seem to be working out pretty good, but there is maintenance to it. We need to be careful in the commercial areas.

Chair Seils stated that maintenance is a problem with the little flower beds in the park.

Ms. Brown stated the rain gardens could use plants that look wild and that don't need a lot of maintenance. This street is not inviting. There is too much space between the buildings. The atmosphere needs to be more inviting.

Mr. Snyder agreed that the flower beds in the park are atrocious. That needs to be a budgeted item and not dependent on volunteers.

Mayor Adams informed the Planning Commission that the Women's Club wants to give up the barrels in the park. The Park Committee is asking business owners to maintain a pot outside their front door, after the Park Committee plants it.

Mr. Burslie stated a concept can be provided with different versions on each side of the street, balancing with streetscape.

Mr. Houle advised the Planning Commission to look at vertical concepts, such as hanging plants, urns, benches, street lights, banners, etc. The streetscape will be covered up six months per year. Mayor Adams stated she is working with the Chamber on banners with the bobber stating "Welcome to Pequot Lakes".

Mr. Oraskovich stated he would like to see a concept drawing with a rain garden; they make sense. Mr. Loven cautioned that the City will need to get water to them; they need to be put where the water gets to. Elevation is important with rain gardens.

Council Member Akerson was unable to be at the meeting and Bittner explained that he was not in favor of using a concept with turf or with parallel parking. He preferred diagonal parking.

Chair Seils read the email received from Council Member Pederson which stated we need to look at more than just sidewalks and a paved street. This may be a good location for a public restroom, a piece of public art or a fountain, an information center kiosk and bike parking or bike rental in this area. He would like to see a study done with drawings from an expert in the field. He would like to receive an estimate for design and concept costs. His estimate is approximately \$25,000. WSN would know.

Mr. Houle stated the cost would depend on public involvement. Who is the visioning group? If public input is required with extra meetings that would be an extra cost. If the Planning Commission is the visioning group, it could be done for less. Mayor Adams asked if the public comments would be any different than those for Government Drive? It was the consensus that they would not. Mr. Loven stated that reconstruction of North Washington Avenue is on the docket for this year.

Mayor Adams stated that Council Member Pederson's comment on public bathrooms is important. The Library gets a lot of visitors. The Jack Pine Center is private. She further stated that she believed Council Member Pederson's comment was to put a public bathroom in the ROW. Chair Seils stated public bathrooms are difficult to maintain.

Mr. Loven stated that realistically, after bidding, plans, etc., this project probably wouldn't happen this year, or at least not until this fall.

Mr. Houle asked if the Planning Commission would like a concept prepared with a rain garden. Mr. Levenske stated the Planning Commission wants either green space or improvements that are sustainable, economical to maintain.

Mr. Wilson asked how old the water and wastewater lines are. Mr. Loven stated the same age as Government Drive, except wastewater needs to be replaced from Oriole Street to Washington Avenue. There is no wastewater under Government Drive. It should be replaced with PVC pipe.

Mr. Loven stated the cost for Government Drive was \$320,000, plus engineering fees.

Mr. Houle reiterated that the concept should include both parallel and diagonal parking, as well as a rain garden. Mr. Loven stated that a Council Member has asked for a public restroom. Mayor Adams stated that the Planning Commission recommends no public restroom. Mr. Houle will draft a proposal for the Planning Commission.

Chair Seils opened the Public Hearing.

PUBLIC HEARING:

APPLICANT: Steven and Ruth Quisberg

Applicants Request a Variance to Exceed 50% Impervious Surface Coverage Limit

Mr. Burslie explained the Staff Report. Applicants were represented by Chad Connor, WSN. Mr. Burslie explained that this is an after-the-fact Variance for the SuperValu property, which is fully built out. They were allowed to go up to 50% impervious coverage with a Conditional Use Permit and a stormwater management plan. They were required to plat the property and that is when it was discovered that they were at 52% impervious. They have supplied the letter from their engineer that their ponds can hold the additional stormwater. Staff has drafted 7 Findings of Fact and recommends the application be approved.

Chair Seils opened public comment:

Mr. Connor had nothing to add and stated he would be happy to answer questions.

Chair Seils closed public comment.

Mr. Burslie stated that if this Variance is approved, it is final here at the Planning Commission level. The Preliminary Plat and Final Plat at the City Council needs to be finalized at their March 5, 2013 meeting. Mr. Snyder and Mr. Oraskovich stated this seems cut and dried; they have accommodated for the runoff.

A motion was made by J. J. Levenske, seconded by Scott Snyder, to approve the Variance, based on the following Findings of Fact:

1. The applicant has requested an after-the-fact variance to exceed the maximum impervious surface coverage allowed in the Commercial Zone.
2. The proposed impervious surface coverage is approximately 52%, while 50% impervious surface coverage is allowed.
3. The applicants have submitted a letter from a licensed engineer indicating the existing stormwater management facilities onsite can manage the stormwater runoff generated by the 52% impervious surface coverage.
4. The applicant has established there are practical difficulties in complying with the official control, as the property is fully “built out” according the previously approved plans.

5. The plight of the landowner is due to circumstances unique to the property. The addition of the private roadway during the conditional use permitting process increased the impervious surface coverage of the property.
6. The deviation from the ordinance will still be in harmony with the general purposes and intent of the ordinance and the Comprehensive Plan.
7. The property will continue to be used as a commercial property. The variance will not create a land use not permitted in the Commercial Zone.
8. The variance will not alter the essential character of the locality.
9. The variance is not for economic reasons alone.

All members voted "aye". Motion carried.

Chair Seils closed the public hearing.

NEW BUSINESS:

Future Sale of Tax Forfeited Land

Mr. Burslie explained the Staff Report.

A motion was made by J. J. Levenske, seconded by Deb Brown, to recommend the City Council approve the property be classified as non-conservation and to first be offered to the other ½ interest property owner by direct sale to that party, prior to auctioning the subject ½ interest ownership to the general public.

All members voted "aye". Motion carried.

OLD BUSINESS:

Gateway Discussion

Mr. Burslie explained the Staff Report. Mike Loven and Tim Houle also attended this portion of the meeting.

Mr. Oraskovich stated that he uses the bike trails a lot, but snowmobiles also need access to our downtown. We want them to come into town. Mr. Levenske asked Mr. Loven what kind of maintenance issues are involved with snowmobile traffic. Mr. Loven stated there is minor maintenance; they fence the small trees in the fall. He places signs on the sidewalks by the Legion each year; there have been no complaints this year.

Mr. Snyder asked what the cost would be to place the power lines underground. Mr. Loven stated that the City does not pay for that, the utilities do. The utilities are in the ROW by our grace. Some of the heavier transmission lines may not be able to be put underground. Mr. Houle added that private services would also need to be removed, along with transformers.

Mr. Snyder asked what determines the size of the roundabout. Mr. Hallan stated that will be determined by the average daily traffic count for the future. That was part of the

earlier SEH study. He further stated that if we don't handle the traffic, the traffic will go around town. We don't want to make it congested. We need to consider volume. Mr. Levenske stated supply trucks can have trouble maneuvering roundabouts.

The County turn backs were explained, which included CSAH 11 (including Front St.), County Road 112, and the existing State Highway 371 from the intersections with the new alignment (north/south turn back). Mr. Loven also explained new roadways being constructed that will become City responsibility, such as Olson Road/Pow Wow Point frontage road.

Mr. Houle advised the City to be prepared for Crow Wing County to come forward with the turn back and to be able to specifically list what the City wants from the County.

With the existing State Highway 371 turn back, Mr. Loven stated the City could take cash instead of changes to the roadway, but the City would end up with a wider roadway to maintain.

It was the consensus to stage the turn back discussions. CSAH 11/Gateway would be first with the north/south turn back next.

The following were items of importance, though not in any order: medians, bike path, underground utilities, roundabouts with aesthetics, and roundabout with a bike path. We need to know what the average daily traffic count was anticipated to be.

Mr. Loven stated that landscaped, center medians will be difficult to maintain.

The Planning Commission would like to know the costs of colored, stamped pavement.

Triage list for Gateway discussion:
Roundabouts; the medians don't go with roundabouts;
Bike/snowmobile trail;
Parallel parking.

Mr. Loven advised the Planning Commission that there currently is nowhere for vehicles with trailers to park. This can be an issue year round. He suggested keeping this in mind for future discussions.

Virgil Dahl Request

Bittner explained that Mr. Dahl would like to remove the two single-wide mobile homes and replace with a new single-wide to include an addition to meet the 20-foot minimum width requirement.

Mr. Dahl has agreed to the items in the agreement referring to the mobile homes and exterior storage; he would like to be allowed to keep the truck with camper and the

ducks, chickens, pot belly pig and horses. Staff is looking for a recommendation from the Planning Commission.

Due to the documented history with Mr. Dahl in the past, the Planning Commission would like to see him comply with Items 1 through 19. If he can do that, he may keep the camper on the truck.

His request in Items 20 through 22 is for too many animals. He needs to be willing to work with us; if he can show responsibility, the Planning Commission will reconsider some of those items.

APPROVAL OF MINUTES:

A motion was made by Scott Snyder, seconded by Jim Oraskovich, to approve the January 17, 2013 Minutes, as read. All members voted “aye”. Motion carried.

ZONING ADMINISTRATOR’S REPORT:

Bittner pointed out the one permit that was issued in January, as well as the 5 letters that had been sent.

The following Potential Violations/Enforcement Actions were discussed:

1. Nathan Walberg;
2. Mike Pestello;
3. Dave Anderson.

ADJOURNMENT:

A motion was made by Scott Snyder, seconded by J. J. Levenske, to adjourn the meeting. All members voted “aye”. Motion carried. The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Dawn Bittner
Zoning Administrator