MINUTES
PEQUOT LAKES PLANNING COMMISSION/
BOARD OF ADJUSTMENT
REGULAR MEETING
MARCH 17, 2016

PRESENT: Deb Brown, Todd Engels, Bill Habein, Mark Hallan, Mark Mortenson, Nathan Norton, and Wesley Wilson. ABSENT: None

CITY PLANNER: Justin Burslie, NJPA

ZONING SPECIALIST: Dawn Bittner

COUNCIL LIAISON: David Sjoblad, Mayor

The meeting was called to order by Chair Engels at 6:01 p.m. Chair Engels opened the Public Hearings.

PUBLIC HEARINGS:

Applicant Requests a Variance to Exceed the Building Height Limit in the Commercial Zone
Applicant: Steve Fester, on behalf of Verizon Wireless
Mr. Burslie explained the Staff Report. In some cities the small cells do not fall under the definition of structure, but it does in Pequot Lakes.

Steve Fester explained the need for small cells which is a new technology, to add capacity to the network without adding a new tower site which can target areas where uses are high such as in towns, at schools, etc. They reduce the need for traditional towers and serve about a 1,000 foot radius. These cells are served by fiber optic cable.

Mayor Sjoblad asked if the plan is to replace the light tower. Mr. Fester stated they plan to replace a light pole. Mayor Sjoblad asked why they don't just add a pole for the small cell. Mr. Fester stated most property owners usually don't want to add more poles for aesthetics.

Chair Engels asked if the pole color is going to match the other poles in the parking lot. Mr. Fester stated the pole will be the same silver color and the antenna and equipment will be painted to match the pole.

Planning Commission Member Norton inquired if additional cells would be needed since this one will only have a 1,000 foot radius. Mr. Fester stated he does not anticipate that a lot more could be added, but it is hard to say with data growth.

Planning Commission Member Hallan stated this location was chosen because there are 450 students with cell phones. This cell takes care of a hot spot and will cover other areas as well, such as Bean Hole Days. Mr. Fester stated they may be back in the future, but not for 5 to 10 years. This will allow the tower to serve others.

Public Comment Opened: There was no public comment.

Public Comment Closed.

A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Hallan, to approve the Variance request to exceed the building height limit, based on the following Findings of Fact:

1. The subject property is located at 30805 Olson Street and is in the "Commercial" zone.
2. The property contains the Middle and High School campus of Independent School District #186.
3. Applicant proposes to replace an existing 25 foot high light pole with a new pole housing the light structure at approximately 25 feet in height and a 10 foot separation for the small cell antenna for a total height of 36 feet.
4. The applicant has established that there are practical difficulties in complying with the Code as there needs to be 10 feet of separation between the light structure and the small cell and having either the light structure or small cell at 15 feet in height is not sufficient for either lighting or adequate cell coverage.
5. The deviation from the Code will still be in harmony with the general purposes and intent of the City Code and Comprehensive Plan.
6. The Variance will not create a land use not permitted in the Commercial zone.
7. The subject property is surrounded by Commercial, Light Industrial, Downtown Mixed Use and Urban Residential development. The Variance will not alter the essential character of the locality of the subject property.
8. The Variance does not appear to be for economic reasons alone and reasonable use of the property seems to exist under the Code.

All members voted "aye". Motion carried.

Planning Commission Member Hallan stated this cell would be placed on private property and assumed Verizon had permission. Mr. Fester stated they have a signed lease agreement with the School.

Applicant Requests an Ordinance Amendment Regarding Extractive Use
Applicant: City of Pequot Lakes
Mr. Burslie explained the Staff Report. The language in red is what is proposed to be added and was suggested by a local contractor. They thought it would serve the City well. This amendment basically adds the requirement for a survey and 2 additional maps.

Planning Commission Member Hallan pointed out the Certificate of Survey is to include existing vegetation within and adjacent to the project area. This doesn't really describe the types of trees, etc. We should identify major tree removal to correlate what we ask for in restoration. Mr. Burslie stated the proposed language is requiring more information than the existing ordinance. Staff could determine what is required with each application. The way rehabilitation is written covers this.

Mayor Sjoblad asked after removal of tons of material, how do they restore back to what was there originally. Mr. Burslie explained they need to restore with a 3:1 slope.

Planning Commission Member Hallan further stated the requirement for existing drainage does not include wetlands. He suggested "Existing drainage patterns, wetlands and permanent water areas".

In addition, Planning Commission Member Hallan stated 10-foot intervals for contours is pretty large and suggested 5-foot intervals may be better. A 10-foot interval could miss a hill or a gully. He further suggested Map C include "proposed final grade with maximum 5-foot contour intervals after deposit is removed and area restored".

Planning Commission Members Habein and Wilson agreed that the survey should specify what type of trees are being removed so they can be replaced. The Planning Commission agreed to add "Description and location of existing vegetation within and adjacent to the project area".

A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Hallan, to recommend the City Council amend the ordinance with the recommended changes. All members voted "aye". Motion carried.

ADDITIONS OR DELETIONS TO AGENDA: None.

OPEN FORUM: None.

NEW BUSINESS:

a. Interpretation of Structure

Mr. Burslie explained the Staff Report. The Planning Commission discussed the definition of structure and it may need to be looked at in the future. As discussed earlier, a pole may not be a structure.

Mayor Sjoblad suggested removing the light pole and moving Location #1 north to be out of the bluff setback.

It was the consensus of the Planning Commission that the ground treatment or border can be inside the bluff setback, but not the playground equipment. The Planning Commission also determined a Variance would be required for the setback from street right-of-way.

OLD BUSINESS: None.

APPROVAL OF MINUTES:

A motion was made by Planning Commission Member Hallan, seconded by Planning Commission Member Habein, to approve the February 18, 2016 Minutes, as read. All members voted "aye". Motion carried.

P & Z ADMINISTRATOR'S REPORT:

Dawn Bittner pointed out the 5 letters written since the last meeting. There were no permits issued in February.

ADJOURNMENT:

A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Brown, to adjourn the meeting. All members voted "aye". Motion carried. The meeting was adjourned at 6:53 p.m.

Respectfully submitted,

Dawn Bittner
Zoning Specialist