

**MINUTES
PEQUOT LAKES PLANNING COMMISSION
REGULAR MEETING
APRIL 16, 2015**

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

CITY PLANNER: Justin Burslie, NJPA

ZONING ADMINISTRATOR: Dawn Bittner

COUNCIL LIAISONS: Jerry Akerson and David Sjoblad.

The meeting was called to order by Chair Seils at 7:00 p.m.

ROAD STANDARDS POLICY –

The Planning Commission met at North Washington Avenue and CSAH 11. They discussed the pros and cons of each street. It was the consensus of the group to create a list of criteria to consider when street improvements in the Downtown Mixed Use Zone are made.

Public Hearings:

**Ordinance Amendment Regarding Public Use in the Business Park
City of Pequot Lakes, applicant.**

Mr. Burslie explained the Staff Report.

There was no Public Comment.

Planning Commission Member Hallan stated the City isn't really changing the ordinance, just going back to the way it was.

**A motion was made by Planning Commission Member Wilson, seconded by
Planning Commission Member Habein, to recommend the City Council
amend the ordinance, based on the following Findings of Fact:**

1. The amendment reserves all space within the Industrial/Business Park for uses that will pay property tax and will employ people;
2. The amendment is in conformance with the Comprehensive Plan.

All members voted “aye”. Motion carried.

Ordinance Amendment Regarding Transition Residential Zoning Classification

City of Pequot Lakes, applicant.

Mr. Burslie explained the Staff Report.

There was no Public Comment.

When asked, Mr. Burslie explained accessory structure size will be based on maximum impervious coverage.

Planning Commission Member Hallan pointed out that accessory structure size is limited in the Rural Residential zone. Mr. Burslie stated the accessory structure size should be amended in the Rural Residential zone also. Staff was directed to bring that amendment to a future meeting.

A motion was made by Planning Commission Member Oraskovich, seconded by Planning Commission Member Hallan, to recommend the City Council amend the ordinance, based on the following Findings of Fact:

1. The purpose and intent of the Transition Residential zone is to provide a residential zoning classification that serves as a medium-density buffer between areas of higher density and areas of lower density.
2. There is a disparity in the minimum lot area for the Transition Residential zone requiring 10 acres when it should serve as a medium-density buffer between Rural Residential requiring 5 acres and higher density areas such as Urban Residential.
3. The amendment creates a more flexible ordinance that allows property owners the ability to construct larger accessory structures. Structure size will remain limited by the maximum impervious surface coverage requirement.

All members voted “aye”. Motion carried.

ADDITIONS OR DELETIONS TO AGENDA: None.

OPEN FORUM: None.

NEW BUSINESS:

a. Blaine Jones Lot Consolidation

Mr. Burslie explained the Staff Report. The ordinance requires lots to be consolidated to become conforming. Mr. Jones was present.

Mr. Jones stated he is concerned with the tax increase. The County is not requiring the consolidation. He is not in compliance with his Variance approval until the consolidation takes place. He further stated he is not in favor of paying an additional \$104 in taxes. They are 50 foot lots and one lot can't be built on because of the topography. When asked, he stated that the new dwelling was built on the same footprint; one corner of the building is over the lot line (*of Lots 1 and 2*).

Planning Commission Member Hallan stated the lots are nonconforming lots. The Planning Commission's actions were typical; a Variance was requested and as a condition, consolidating the 2 lots made the lot conforming. The 3 lots are being used as a single property.

Mr. Jones stated Lot 1 is not buildable and he will lose the \$76,000 benefit. Planning Commission Member Hallan stated the dwelling sits on Lots 1 and 2 and should be made one lot.

Chair Seils asked if any of the Planning Commission Members felt they made a wrong decision at the time of the Variance. It was the consensus of the Planning Commission that they were not in favor of changing the decision made during the Variance hearing. It was the correct decision since the dwelling sits on both lots.

The tax increase is \$24.

Mr. Jones asked why the consolidation is necessary if it doesn't make any difference to the County. Mr. Burslie explained the City has the zoning authority and the Shoreland Rules require consolidation to make the lots conforming.

Mr. Jones stated he will consolidate Lots 1 and 2. This should be the last condition of the Variance approval.

b. Extractive Use Ordinance – Discussion

Mr. Burslie explained the Staff Report. Anderson Brothers stated our ordinance was a little vague and provided information for improvements. The language in red was added to our ordinance requiring a better survey and additional maps. If the Planning Commission agrees with the changes, we can provide an ordinance amendment.

Planning Commission Member Wilson stated the haul road conditions were discussed at the public hearing; we should add language regarding the haul road conditions.

Mayor Sjoblad stated Ideal and Jenkins Townships and Breezy Point should add this language also.

Mr. Burslie stated that for State and County jobs, the contractors include repair in their bids.

Planning Commission Member Hallan stated a fee could be collected from the existing pits to be used for repair, such as 10 cents a ton. There may be a cost share with the municipalities. It would be a fee associated with the extractive use.

Staff was directed to bring this as a discussion item again next month.

OLD BUSINESS:

a. SSTS Compliance Inspection Program – Update

Zoning Administrator Bittner explained the previous examples reviewed by the Planning Commission have been edited by the City Attorney. Planning Commission Member Hallan stated there is no insurance amount listed on the RFP Submission Form and wondered if one should be included.

APPROVAL OF MINUTES:

A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Oraskovich, to approve the March 19, 2015 Minutes, as corrected. All members voted “aye”. Motion carried.

There was discussion whether or not to remove the word “black” from “black top soil” on page 7, #14. The ordinance states “black top soil”.

ZONING ADMINISTRATOR’S REPORT:

Zoning Administrator Bittner pointed out the 3 permits issued in March and the 4 pieces of correspondence. The following Potential Violations/Enforcement Actions were discussed:

1. Zoning Administrator Bittner informed the Planning Commission she had contacted Derksen and Gorton reminding them of their violations;
2. Virgil Dahl – Has made application for an addition to his existing mobile home to meet City Code.
3. Cathi McBryde – Exterior storage is increasing;
4. Carter McAnnich – Visible exterior storage.

The following properties were discussed:

1. Wilderness Resort – The Review Committee will be meeting in the near future;
2. The Atwater property needs to be looked at.

ADJOURNMENT:

A motion was made by Planning Commission Member Hallan, seconded by Planning Commission Member Brown, to adjourn the meeting. All members voted “aye”. Motion carried. The meeting was adjourned at 8:13 p.m.

Respectfully submitted,

Dawn Bittner
Zoning Administrator