

MINUTES
PEQUOT LAKES PLANNING COMMISSION
REGULAR MEETING
JUNE 18, 2015

PRESENT: Deb Brown, Todd Engels, Bill Habein, Mark Hallan, James Oraskovich and Wesley Wilson. ABSENT: Cheri Seils.

CITY PLANNER: Justin Burslie, NJPA

ZONING ADMINISTRATOR: Dawn Bittner

COUNCIL LIAISONS: Jerry Akerson and Randy Loukota

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

PRE-MEETING DISCUSSION:

a. Comprehensive Plan – Review Transportation Section

Mr. Burslie explained the construction of the alternate alignment of State Highway 371 will become a reality in the very near future. The Transportation Section of the Comprehensive Plan should be reviewed.

Mr. Burslie stated the City may be asked to look at the land use in the area of the alternate alignment, specifically the four corners of the interchange. The Comprehensive Plan made a point of stating that development should happen in our core rather than sending water and wastewater lines out to the interchange.

Planning Commission Member Habein stated the City cannot afford to run infrastructure to that area.

The Donjek Report from the Highway 371 Alternate Route Study Group will be included in the July packets.

The assumption is that all four corners could be developed commercially, but not all four could be developed. The northeast corner is the Fire Tower and zoned Recreational and the southeast corner is right-of-way and the new frontage road to Benvelle and the sewer ponds.

Council Member Akerson stated that the casing for the pipe could be included at the time of construction; it would be less cost than doing it later.

Mr. Burslie stated the purpose of this discussion is to be aware that this will be an ongoing discussion as the new highway is built. The Zoning Map, Future Land Use Map and the Comprehensive Plan are set up to not allow development on the east side of the new alignment.

b. Trailside Park Expansion

Mr. Burslie explained Mayor Sjoblad and Council Member Peterson are proposing to remove the pavement of the existing State Highway 371 between Main Street and Sibley Street to expand Trailside Park. Mr. Burslie collected the following Pros and Cons:

PROS

- Less street maintenance;
- Larger town square;
- “Showcase” area for the community;
- Municipal parking;
- Connectivity;
- Create a Memorial Park.

CONS

- Change in traffic pattern – less efficient;
- More park maintenance;
- TDS/Wells Fargo tight corner;
- Improvement costs for park improvements.

Excess right-of-way along the remainder of the corridor could be given back to the adjacent property owners.

The south half of the park could be vacated and platted for future businesses. There may be a restriction from the DNR for this type of use.

Mr. Burslie pointed out with Dru’s Garden and the Veterans Memorial, this could become a Memorial Park. The City should do something unique with this area. The University of Minnesota could be contacted for suggestions on design. There may be grants available.

c. Planning Commission Meeting Time

Mr. Burslie explained that the Planning Commission has been meeting at 6:00 PM to cover discussion items that could be included within the meeting agenda and asked the Planning Commission whether or not to change the meeting time to 6:00 PM.

It was the consensus of the Planning Commission to change the meeting time to 6:00 PM, but to allow the flexibility for applicants to schedule their public hearings at 7:00 PM, if necessary.

Planning Commission meetings will begin at 6:00 PM with public hearings. If we find this new time is not working, it will be readdressed at that time.

Vice Chair Brown opened the Public Hearings.

PUBLIC HEARINGS

APPLICANT: City of Pequot Lakes

Applicant proposes an Ordinance Amendment Regarding Rural Residential Zoning Classification

Mr. Burslie explained the Staff Report.

Public Comment: None.

Planning Commission Member Hallan pointed out that the 15% impervious coverage is all that will be controlling the impervious surfaces. The maximum square footage could be doubled instead.

Mr. Burslie stated we could change the maximum impervious coverage if the Planning Commission is not comfortable with removing the maximum accessory structure size. Planning Commission Member Habein stated he would rather see the amendment as proposed.

Planning Commission Member Hallan stated he had wanted to point out that very large accessory structures could be built. This is very liberal, although the maximum building height will help determine how large structures can be built.

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

1. The “purpose and intent” of the Rural Residential Zone is, “To provide a zoning classification that allows for low-density residential development. Development in this zone is without municipal utility service and with only limited demand for

accessibility. Rural Residential zoning should be used to preserve rural character.”

2. The ordinance amendment is consistent with the “purpose and intent” of the Rural Residential Zone.
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.

APPLICANT: Preserve Golf Course Environmental Advisory Committee Applicant Proposes to Review the Conditions of the Existing Conditional Use Permit

Mr. Burslie explained the Staff Report. Tom Beaver, Chairman of the Environmental Advisory Committee was also present.

Mr. Burslie read the two new conditions and noted that the original approval from Crow Wing County did not include any Findings of Fact; Zoning Administrator Bittner created new Findings of Fact to include.

Planning Commission Member Oraskovich stated this golf course was very controversial when it was built; it has been very well managed. That is why some of the conditions have been deleted; these are good changes.

Public Comment:

Tom Beaver, 26834 Pine Acres Road, Nisswa – The Cullen’s had a lot at stake in 1993. Many of the holes are bordered by wetlands. Flowage from the fens went into the Cullen’s. Instead of an Environmental Assessment Worksheet, the Advisory Committee was formed. Grand View has assumed management of this course. There has been a steady decrease of phosphorus. The Committee picked areas that were potentially dangerous to monitor. There will always be an Advisory Committee.

Mr. Beaver submitted a letter from the Cullen Lakes Association, which is made a part of these Minutes, which stated in part that “the Cullen Lakes Association Board of Directors has no objections to the proposed changes to these conditions”.

Dan Helbling, 20422 North Pinewood Drive, Pequot Lakes – Mr. Helbling stated he doesn’t have a lot of problems with the changes to the conditions; he was the original developer. He asked why Condition #2 is being struck. (*2. The applicant shall provide a copy of the executed lease/easement agreement providing permanent access to the site from County Road 107.*) Mr. Helbling was told the roadway has been constructed; he stated he doesn’t see any reason to strike it.

Mr. Helbling asked to add a condition that management must execute an easement to access the property he owns on the west side of the golf course. Mr. Burslie stated without documentation the Planning Commission cannot add a condition. Mr. Helbling stated he is looking for access across the parking lot and presented documents with various easements.

Planning Commission Member Hallan stated the Conditional Use Permit is before the Planning Commission tonight. When Sibley Township was annexed by Pequot Lakes this Conditional Use Permit was in effect with Crow Wing County. Mr. Burslie state the City absorbed all properties in the Township.

Mr. Helbling stated easements were granted to property owners on Upper Cullen Lake and he felt he should be granted the same permission. (*Original Condition Number 24*).

Council Member Loukota asked if there were any meeting Minutes that would have included discussion of this. Mr. Helbling stated he was not sure.

Planning Commission Member Oraskovich stated if Mr. Helbling can provide the Planning Commission with some type of agreement with Grand View, we can include it. Mr. Helbling stated he wants it to be a condition.

Planning Commission Member Hallan stated this is Mr. Helbling's leverage point to have Management grant an easement.

Mr. Burslie stated the City needs to notify the property owner of this request. We can table the application and bring back next month.

Planning Commission Member Hallan stated this is a land locked piece of property.

A motion was made by Planning Commission Member Hallan, seconded by Planning Commission Member Oraskovich, to table this Conditional Use Permit application until the July meeting so proper notification can be given to property owner for Easement C.

Mr. Beaver stated that since the Environmental Committee requested the changes to the Conditions, he is not sure this condition should be attached to the environmental conditions. The Committee could make a recommendation.

Mr. Helbling stated he has no problem with the changes on the environmental part or any other changes, except Number 2.

Planning Commission Member Hallan stated the Planning Commission does not need approval from the Environmental Committee for a condition that is non-environmental.

Vice Chair Brown closed public comment.

All members voted “aye”. Motion carried.

Vice Chair Brown closed the Public Hearings.

ADDITIONS OR DELETIONS TO AGENDA: None.

OPEN FORUM: None.

NEW BUSINESS:

a. Sign Ordinance – Gas Price Discussion

Mr. Burslie explained the Staff Report.

Planning Commission Member Hallan asked if Rose City sat down with Staff and went over the application. Zoning Administrator Bittner stated it was handled through email.

Mr. Burslie asked the Planning Commission if this changes the character of the corridor. In his opinion it does not. He suggested amending the ordinance since Digital Displays are allowed.

Planning Commission Member Wilson asked if this meets the requirements for the Digital Displays. Zoning Administrator Bittner stated the dynamic lettering shall be not less than 8 inches in height. Mr. Burslie stated this sign would fit that requirement.

Planning Commission Member Hallan stated the City should amend the ordinance so it is consistent and current.

When asked Zoning Administrator Bittner stated no dimensions were included for the sign. She was directed to contact Rose City and obtain the dimensions.

The City has done a major revision to the sign ordinance recently; Section 17-1 5A (8) is obsolete.

Staff was directed to notify the old Super America that we are looking at amending this portion of the ordinance.

b. Ordinance Amendment Regarding the Appeal Timeframe – Discussion

Mr. Burslie explained the Staff Report. Council Member Loukota suggested adding “express your intent to appeal within the 15-day window”. Council Member Akerson stated he would go along with that. Planning Commission Member Hallan stated appeals need to come back the following month.

OLD BUSINESS:

a. Wilderness Resort Review Committee

Zoning Administrator Bittner informed the Planning Commission that she had contacted Mr. Steffens June 10 to schedule an onsite visit; there was no response from him. The last contact with Mr. Steffens was by telephone on May 5.

b. Extractive Use Ordinance – Discussion

Mr. Burslie explained collecting funds for road repair is not a Land Use issue. No local ordinances include a fee for amount of material hauled. We could look at it as a license fee. Planning Commission Member Hallan stated he would check with some of his co-workers regarding sample ordinances.

APPROVAL OF MINUTES:

A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Habein, to approve the May 21, 2015 Minutes, as read. All members voted “aye”. Motion carried.

ZONING ADMINISTRATOR’S REPORT:

Bittner pointed out the 10 permits issued in May and the correspondence sent since the last meeting.

The following Potential Violations/Enforcement Actions were discussed:

1. Virgil Dahl – Bittner explained the second Land Use Permit has not been picked up and that a letter has been sent informing him the City will remove the mobile home. Planning Commission Member Wilson had been contacted by Mr. Dahl and was scheduled to help him remove the deck the following day.
2. Dave and Andrea Clausen – Planning Commission Member Hallan had measured the site this evening and reported the rip rap covers 75 feet of shoreline and is 6.5 feet wide. According to his calculations the Clausen’s placed between 20.5 and 21 cubic yards of material. The Clausen’s stated part of the rock is below the OHW, but Mr. Hallan stated the OHW would need to be marked by either the DNR or a

surveyor. When asked Mr. Burslie stated that 10 cubic yards are allowed, with up to 50 cubic yards with a CUP.

3. Land Use Incentive – Bittner reported the League only has records for 3 individuals completing the course. Planning Commission Member Hallan had trouble at the end staying connected. Bittner will remind the 2 Council Members to complete it.

ADJOURNMENT:

A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Hallan, to adjourn the meeting. All members voted “aye”. Motion carried. The meeting was adjourned at 8:39 p.m.

Respectfully submitted,

Dawn Bittner
Zoning Administrator