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MINUTES
PEQUOT LAKES PLANNING COMMISSION
REGULAR MONTHLY MEETING
September 18, 2014

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

CITY PLANNER: Justin Burslie, Community Growth Institute

ZONING ADMINISTRATOR: Absent.

CITY COUNCIL LIAISONS: Jerry Akerson and Nancy Adams

DOWNTOWN PLAN UPDATE:

Implementation – Mr. Burslie explained how many of the goals in the Comprehensive Plan apply directly to the downtown area and the Downtown Plan.

The “Implementation” section of the Downtown Plan was discussed. Minor edits were made. Discussion was had regarding assigning tasks to individual departments, committees, or the City Council to ensure they are completed.

The short-term, mid-term and long-term actions from the comprehensive plan were reviewed from the “Community Character” and “Housing” sections of the Comprehensive Plan.

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

Chair Seils Opened the Public Hearing.

PUBLIC HEARING:

APPLICANT: Wilderness Resort Villas, LLC

Applicant requests Final Plat of CIC 1079 (Third Amended)

Applicant was present, Thomas Steffens. Mr. Burslie explained the Staff Report.

Mr. Burslie explained the City Attorney has suggested that before the city physically signs the plat (if approved), all copies of quit claim deeds should be reviewed. He also suggested that all current property owners within the development should sign the application form.

43
44 Mayor Adams made note that condition number one listed in the staff report stating,
45 “Before commencement of construction activities, a condominium plat for the lodge
46 shall be approved by the City” conflicts with other text in the staff report stating the
47 lodge will be subdivided by condominium plat once constructed.
48 Mr. Steffens stated the building itself cannot be subdivided via condominium plat until
49 after it is constructed. Mr. Burslie concurred.
50
51 Public Comment Opened: Mr. Steffens explained the boat ramp drawing has been
52 submitted to the DNR. He stated that one dock section will be extended to go past the
53 bull rushes and another dock section will be relocated.
54
55 Mrs. Ann Beaver asked where to send comments regarding the lighting and vegetation
56 plans from the lake association.
57
58 Chair Seils stated they should be sent to Ms. Bittner.
59
60 Mr. Burslie stated that if the final plat is approved it does not mean the vegetation and
61 lighting plans are approved. The plans are included with the packets but the Planning
62 Commission is not acting on them. They are not required to be approved until
63 construction activities commence. The WRV Review Committee will need to make at
64 least one more site visit before the plans are reviewed by the Planning Commission.
65
66 Commissioner Oraskovich stated that it would be nice to conduct an onsite visit while
67 the leaves are still on the trees.
68
69 Mr. Steffens stated that he will be gone for the next couple of weeks.
70
71 Mayor Adams suggested scheduling a meeting for when all committee members and the
72 property owner are able to attend.
73
74 Mrs. Beaver stated that she would like to schedule the meeting for before October 24.
75
76 Commission Hallan asked about the status of the SSTS.
77
78 Mr. Steffens stated the density of the resort has decreased so the current SSTS is
79 sufficient.
80
81 Mr. Burslie stated the MPCA is aware of the plat request and is satisfied in terms of the
82 SSTS.
83

84 Mr. Steffens stated that grading for the beach will exceed 50 cubic yards. Said the
85 ordinance will need to be amended to additional grading on commercial properties or
86 they will need to file for a variance to exceed 50 cubic yards of grading.

87

88 Public Comment Closed.

89

90 **MOTION BY COMMISSIONER HABEIN SECONDED BY COMMISSIONER**
91 **ORASKOVICH TO RECOMMEND APPROVAL OF FINAL PLAT OF WILDERNESS**
92 **RESORT VILLAS, THIRD AMENDED BASED ON THE FOLLOWING FINDINGS OF**
93 **FACT AND NO CONDITIONS. ALL MEMBERS VOTED “AYE.” MOTION CARRIED.**

94 **1. There were no conditions of approval for the preliminary plat other than**
95 **those included with the March 20, 2014 CUP approval. The applicant has**
96 **complied with the applicable conditions of the conditional use permit that**
97 **were required to be completed before final plat approval. Specifically, in**
98 **reference to the Conditional Use Permit approval of March 20, 2014, we find**
99 **the following:**

100 **a. Conditions numbered one through four apply to the lodge building and**
101 **are not applicable to the final plat process.**

102 **b. Condition number five applies to the docking systems and does not**
103 **apply to the final plat process.**

104 **c. Conditions six through 15 pertain to the beach and “picnic” areas. The**
105 **design of the beach and “picnic” area conforms with the approved**
106 **conditions. Stormwater management plans have been updated to**
107 **include a berm and drainage area north of the beach area.**

108 **d. Conditions 16 and 17 pertain to the relocation of the boat ramp and are**
109 **not applicable to the final plat process.**

110 **e. Conditions 18-21 pertain to the road in the shore impact zone and do**
111 **not specifically apply to the final plat process.**

112 **f. Condition 22: A vegetation/screening plan has been submitted. It must**
113 **be approved by the Planning Commission before construction**
114 **activities commence.**

115 **g. Condition 23: A lighting plan has been submitted. It must be approved**
116 **by the Planning Commission before construction activities commence.**

117 **h. Condition 24: An acceptable professional stormwater management**
118 **plan has been submitted.**

119 **i. Condition 25: The previous beach area on the east side of the point has**
120 **been re-vegetation. The area will be used as a “picnic area” as approved**
121 **by the City.**

122 **2. Minor alterations have been made to the plat since the preliminary plat has**
123 **been approved. The Planning Commission has determined said changes are**
124 **not significant and they do not warrant a separate preliminary plat**
125 **amendment application. There are no significant changes to the overall**
126 **layout and design of the plat and the density and general configuration is the**
127 **same.**

128 **3. The City Attorney has reviewed the title commitment and determined that**
129 **quit claim deeds between Wilderness Resort Villas LLC and the owners of all**
130 **property impacted by the amendment shall be presented to the City prior to**
131 **the city approving the final plat.**

- 132 4. There are no public improvements or improvements that will ultimately
133 become public. Therefore, the City Engineer has not reviewed or commented
134 directly on the final plat.
135 5. In a letter dated September 5, 2014 an independent professional land
136 surveyor (Maureen Hayes, MN Land Surveyor #43805) confirmed the final
137 document meets statutory requirements.
138 6. A financial security is not required as part of this subdivision.
139

140
141 **ADDITIONS OR DELETIONS TO AGENDA:** None.
142

143
144 **OPEN FORUM:** None.
145

146
147 **NEW BUSINESS:**

148 **a. Metes and Bounds Subdivision**

149 **Applicants: Adam Manger, June Fairley Estate & MN Christian**
150 **Broadcasters, Inc.**

151 Mr. Burslie explained the application.
152

153 Commission Hallan asked if the MCBI building is encroaching the south property line.
154

155 Mr. Burslie stated that it might be. That line hasn't been surveyed to his knowledge.
156 Stated that it has no impact on this particular request.
157

158 **MOTION MADE BY COMMISSIONER HALLAN SECONDED BY**
159 **COMMISSIONER HABELIN TO APPROVE METES AND BOUNDS**
160 **APPLICATION 14-4296 BASED ON THE FOLLOWING FINDINGS OF FACT**
161 **AND WITH NO CONDITIONS OF APPROVAL. ALL MEMBERS VOTED**
162 **"AYE." MOTION CARRIED.**
163

- 164 1. The subject properties are zoned "Commercial."
165 2. The metes and bounds subdivision of the 25 ft tract of land will correct an
166 "overlap" of the subject properties.
167 3. The subject properties all meet the minimum requirements of the
168 "Commercial" Zone.
169 4. The correction of the property line will not create any nonconforming
170 structures.
171 5. The north property contains a water well and an existing private sewer
172 system and the south properties are both connected to the city sewer and
173 water systems.
174 6. The properties are suitable in its natural state for the intended purpose and
175 this property line correction will not be harmful to the health, safety, or
176 welfare of future residents or of the community.

- 177 7. **The applicant is not proposing any provisions for water-based recreation.**
178 8. **The proposed lot layout meets the requirements of the ordinance.**
179 9. **The proposed side lot lines are at right angles to the existing road line and the**
180 **property line of the adjacent property.**
181 10. **Each of the properties has at least 33-feet of frontage on public right-of-way.**
182 11. **The subject properties meet the requirements of the code for stormwater**
183 **management.**
184 12. **There are no public streets proposed within the development.**
185

186 **b. “River Street” Discussion**

187 Mr. Burslie explained the Staff Report.
188

189 Property owner Terry Freese (846 Pine Mountain Lake Rd., Backus, MN) stated that he
190 owns the property east of the right-of-way in question. Stated that someone brought in
191 large equipment and cleared out an area within the ROW. Stated that it should be filled
192 back in.
193

194 Chair Seils stated the dock and boardwalk need to be removed.
195

196 Mr. Freese asked about the process for vacating the ROW. Asked if he can petition the
197 city to vacate it.
198

199 Commissioner Hallan stated that he could but it’s not likely to be granted.
200

201 Commissioner Oraskovich stated that the city could put up a gate.
202

203 Commissioner Wilson, Commissioner Engels and Mike Loven were assigned to conduct
204 a site visit and report back.
205

206

207 **OLD BUSINESS:**

208 **Byrne Accessory Structure Update –**
209

210 Mr. Burslie explained that the City Attorney sent a letter to Mr. Byrne regarding the
211 situation. Mr. Byrne has since submitted an after-the-fact variance application.
212

213 **APPROVAL OF MINUTES:**

214 **A MOTION WAS MADE BY PLANNING COMMISSION MEMBER**

215 **ORASKOVICH, SECONDED BY PLANNING COMMISSION MEMBER**

216 **HALLAN TO APPROVE THE AUGUST 21, 2014 MINUTES, AS READ. ALL**

217 **MEMBERS VOTED “AYE”. MOTION CARRIED.**
218
219

220 **ZONING ADMINISTRATOR’S REPORT:**

Minutes

Pequot Lakes Planning Commission

September 18, 2014

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The following Potential Violations/Enforcement Actions were discussed:

1. An update on the Dahl property was given.

**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 7:54 P.M.**

Respectfully submitted,

Justin Burslie
City Planner