

**MINUTES
PEQUOT LAKES PLANNING COMMISSION
REGULAR MEETING
MAY 19, 2011**

PRESENT: Tom Adams, Deb Brown, John Derksen, Bill Habein, Mark Hallan, Scott Pederson, and Cheri Seils. ABSENT: None.

CITY PLANNER: Ben Oleson, AICP, Community Growth Institute

ZONING ADMINISTRATOR: Absent

CITY COUNCIL LIAISONS: Jerry Akerson and Tom Ryan.

Downtown Master Plan and Park Plan Discussion:

Chairman Pederson explained that while attending meetings regarding the proposed Government Drive and County Road 11 improvement projects, parking in the downtown are big concerns. Parking was also a major component of the Downtown Plan, although it was never officially adopted. In addition, there are updates that should be made to the Downtown Plan. Updates should include positive tones.

The Planning Commission and those in the audience offered comments and suggestions. An updated draft will be available at the June Planning Commission meeting.

PUBLIC HEARINGS:

APPLICANT: Wilderness Resort Villas LLC

Applicant requests Final Plat of Wilderness Resort Villas, Second Amended CIC Plat

Mr. Oleson explained the Staff Report. The purpose of this public hearing is to determine all of the Conditions of the Preliminary Plat approval have been met. The only item not received was the Plat Check, which was subsequently provided by email.

Jeff Miller and Tom Steffens were present.

PUBLIC COMMENT:

Ann Beaver, Cullen Lakes Association: With the commercial density, will they be required to rent the units or not. Mr. Steffens stated that the same language is included in the Declaration as previous approval; the units shall be rented when not being utilized by the owners.

Paul Reichenbach, 27188 Sarah Lane: He asked about restoration within the Shore Impact Zone of some trees that were removed in front of the existing units. Mr. Miller stated there are no plans to plant new trees in that area. The existing vegetation will not

be disturbed. For any new units to be built, site lines and setbacks will be monitored by Staff and Planning Commission. Mr. Reichenbach stated that trees had been cut down in the Shore Impact Zone previously and he thought this would be a good time to have them replaced.

PUBLIC COMMENT CLOSED.

Mr. Hallan pointed out the City Attorney stated Section 12.8 of the Declaration referring to dockage should be reviewed. This has been discussed at length and Mr. Miller stated there have been no changes.

Mr. Adams asked what the timeline was for implementation of the Vegetation Plan. Mr. Miller stated they would prefer to not disturb any areas prior to construction. The implementation will be consistent as units are constructed in the affected areas. Screening would apply to the whole property, the whole plan.

A motion was made by Tom Adams, seconded by Mark Hallan, to approve the Final Plat, based on the following Findings of Fact:

1. The applicant has complied with all of the conditions upon which preliminary approval is expressly conditioned. Specifically, in reference to the Conditional Use Permit approval of August 18, 2010, we find the following:
 - a. Condition 1 not applicable to the final plat process.
 - b. The applicant has submitted a stormwater management plan that is acceptable to the Planning Commission.
 - c. Condition 3 not applicable to the final plat process.
 - d. The City Attorney has indicated, in a May 9, 2011 letter addressed to Dawn Bittner, that he has reviewed the amended declarations and rental agreement and found them adequate. The Planning Commission has concurred with his finding.
 - e. At the April 28, 2011 regular meeting, the Planning Commission indicated that the sewer plans need not be reviewed by the City Engineer as they have been prepared by a licensed engineer and are subject to MPCA oversight.
 - f. The applicant has submitted a vegetation enhancement plan that is acceptable to the Planning Commission.
 - g. Condition 7 not applicable to the final plat process.
 - h. There are no changes to the Association documents previously approved by the City.
 - i. The City has received a copy of the applicants NPDES permit application.
 - j. Conditions 10 through 19 are not applicable to the final plat process.
2. The final plat agrees with the approved preliminary plat. There are no changes to the layout, design, density or general configuration from the preliminary plat.
3. The City Attorney has indicated, in a May 9, 2011 letter addressed to Dawn Bittner, that all parties with an interest in the property are properly represented in the final plat documents.

4. There are no public improvements or improvements that will ultimately become public. Therefore, the City Engineer has not reviewed or commented directly on the final plat. The plans and specifications have been prepared by a licensed civil engineer and, for sanitary sewer, stormwater and erosion control, are subject to review and oversight by the Minnesota Pollution Control Agency.
5. The applicant has not provided a statement of concurrence from an independent land surveyor.
6. A financial security is not required as part of this subdivision.

Mr. Adams and Mr. Hallan added the following statement: The applicant will implement the vegetation plan as units or areas are constructed and there shall be no direct runoff into the lake. Staff shall look at the entire site when site visits are made.

All members voted "aye". Motion carried.

APPLICANT: Raymond Johnson

Applicant requests an Ordinance Amendment to Allow Non-Commercial Use in the Light Industrial Zone

*** This matter was withdrawn by applicant.**

The Planning Commission agreed to move to Old Business before resuming the Comprehensive Plan Public Hearing.

CONSIDERATION OF COMPREHENSIVE PLAN (Continuation)

Chairman Pederson stated that the intent is to move this to the Council level for approval. Planning is fun and important, essential for the future success of our community. Input has been obtained from the EDC, chamber and interested citizens. He would like to look at each section to see if there are any further questions or comments.

A motion was made by Bill Habein, seconded by Mark Hallan, to recommend approval and send it to the City Council.

Introduction Section – No comments.

Community Character Section – No comments.

Housing Section – No comments.

Economic Development – Mr. Derksen stated that this section should contain the need for big businesses, not just the Mom and Pops. The City needs factories and well paying jobs. It was suggested adding an action item stating that the City set up programs to recruit new, larger businesses.

Council Member Ryan had the following comments:

- Our community does not support entrepreneurship.
- We have barrier after barrier for them to move forward.
- We are the third highest tax city in Crow Wing County;
- This community wants a bedroom, quiet, retirement based community.
- The bypass vote sent a strong signal that this community does not want the traffic in town that would be its life blood.
- We are not extending services out there. You are going around town but you are not extending any water and sewer out there.
- The more commerce we've got going the better we'll be.
- This (Plan) is a destination, a retail destination, tourist plan generally, with a couple of other lip service for other stuff around. That's what your gut is telling you. And I have the same sense for it but from my perspective it's well, if that's what the community wants, to be a bedroom community, we're gonna get it. And everything's in place from very restrictive land use ordinances to lack of desire to extend city services out to any place that we can actually do it.
- We're schizophrenic half the time in Pequot. We aren't consistent in our message.
- When the road was coming through town we had visibility and this retail community was viable. There was excitement. Now, that's not the case.
- We could implement a plan that contemplates the next 20 years growth. I always have believed commerce follows traffic. There is gonna be traffic out there. I could have been for a bypass that said this is where the growth needs to be.
- Everything is just so painful sometimes to do things that seem like common sense to me.
- I'd say go to Jenkins where it's easy. Go to Cass County. It is not an easy place here.

A motion was made by Bill Habein, seconded by Mark Hallan, to end the discussion. All members voted "aye". Motion carried.

VOTE ON MOTION TO RECOMMEND APPROVAL OF THE COMP PLAN AND SEND IT TO THE CITY COUNCIL: 6 Aye; 1 Nay (Derksen) Motion carried.

ADDITIONS OR DELETIONS TO THE AGENDA: None.

OPEN FORUM: None.

NEW BUSINESS:

A. John Derksen suggested with the Government Drive Improvement Project perhaps now was a good time to change the name since there are no government buildings along the street. Chairman Pederson suggested this could be included in the Improvement discussions.

B. John Derksen asked if the City can protest to MN/DOT about their stopping their resurfacing in Nisswa this year, continuing to Pequot Lakes next summer. It was pointed out that MN/DOT has their plans and budget to meet. The City could send a letter to MN/DOT, District 3, asking them to accelerate their improvements to Pequot Lakes.

C. Mark Hallan asked if Mr. Babinski is moving forward with his plans. Mr. Adams stated Mr. Babinski is going through the permitting process with the State.

OLD BUSINESS:

a. Directional sign Presentation, Jesse Jane Signs

Jessie Nornberg was in attendance and provided a full-scale rendition of the proposed signs, as well as a map of the proposed locations. She explained that the signs will be L-shaped as indicated on earlier drawings. They would like to start with two signs, one on the west side and one on the east side of town, although they would like approval for all of the locations so they don't need to come back each time they wish to add a sign. There would not be one at Clear Water Creek and Pfeiffer Drug, only the one location that will give permission.

Each individual sign will be 12 inches by 12 inches. The signs can include the business logo, a directional arrow and a brief description of their business. It will be informational, not sale copy.

In locations where the signs can be bolted to the sidewalk, they prefer to do that for maintenance of the frames. In other locations they will add a 4-foot footing.

Snow removal may be an issue or damage frames.

There was discussion of making the signs smaller, 9 inches by 12 inches, being more visually appealing.

After discussion it was agreed that the Planning Commission approves the concept and permitting for the signs would be over-the-counter. When David Kennedy asked if he could place signs on the corners of his properties, he was advised that our Sign Ordinance is in effect for those types of signs. These are Directional Signs, not offsite signs. The City Attorney will need to approve an agreement allowing the placement of the signs in right-of-way.

Mr. Oleson stated the February Minutes state "*We will need to consult with the City Attorney regarding who should own them, how do we permit them, and who will be responsible for maintenance and repair.*" The City Attorney may not have been involved yet. We will need to have the City Attorney write something up that states this is acceptable. The Planning Commission is comfortable with the 8 locations. The signs

will need to be permitted and there will need to be an agreement approved by the City Attorney for right-of-way sites.

Fun Sisters corner and the Wells Fargo/Post Office site are the first two locations. Mrs. Nornberg will contact Staff for the permit and have the agreement drafted.

APPROVAL OF MINUTES:

A motion was made by Deb Brown, seconded by Mark Hallan, to approve the April Minutes as read. All members voted “aye”. Motion carried.

ZONING ADMINISTRATOR’S REPORT:

There were no questions.

ADJOURNMENT:

A motion was made by Mark Hallan, seconded by Tom Adams, to adjourn the meeting. All members voted “aye”. Motion carried.

Respectfully Submitted,

Dawn Bittner
Zoning Administrator