

**MINUTES  
PEQUOT LAKES PLANNING COMMISSION  
REGULAR MEETING  
APRIL 20, 2006**

PRESENT: Bill Habein, Dean Williams, Tom Adams, Tom Woog, Roger Varilek and Scott Pederson. ABSENT: Mark Hallan and John Derksen.

CITY COUNCIL LIAISON: Cathy Malecha, Mayor.

CITY PLANNER: Charles Marohn, PE.

ZONING ADMINISTRATOR: Dawn Bittner.

The meeting was called to order by Tom Woog, Commission Chair, at 6: 32 p.m.

Ken Mlaskoch – Timeframe for removal of unpermitted structure.  
This was moved to the Zoning Administrator's Report as Mr. Mlaskoch could not be in attendance.

APPLICANT: City of Pequot Lakes. Brian and Taffie Goerges, property owners. Parcel ID is: 290141100A00009.

The property owners were in attendance. Mr. Marohn explained the Staff Report. Brian Goerges, 5363 County Road 11, explained that they own 39 acres and would like to subdivide some day, into 3-10 acre lots and 1-9 acre lot. A local church is interested in purchasing the 9 acre parcel. Mr. Marohn explained the different subdivision processes for less than 10 acres and 10 acres or more. Access is necessary for each lot. The parcel could easily be subdivided into 3 lots. The platting process is lengthy and costly. Mr. Goerges explained that the property is 1 mile from the stop light and that Pequot Lakes will continue to grow and an agriculture or forest management zone with larger lot sizes may not be the best zone. Mr. Marohn explained that he could subdivide a 10 acre parcel tomorrow and another one in 3 years.

The Planning Commission pointed out that there are Rural Residential zones across the road and northeast of the parcel. Mr. Goerges stated they currently cut hay in one field, approximately 10 acres. They have 6 horses. The ground is fairly level. There is no agricultural income.

JOHN DERKSEN ARRIVED AT 6:53.

When asked if he could pick up an acre from a neighbor, Mr. Goerges stated he could not. A Conditional Use Permit would be required for a church. Mr. Marohn explained that the number of allowable animal units decreases with subdivision.

To clarify, Mr. Marohn stated that under the Forest Management classification, one 10 acre parcel could be subdivided tomorrow.

A motion was made by Dean Williams, seconded by Tom Adams, to recommend rezoning the parcel to Forest Management, based on the following findings of fact:

1. The rezoning to Forest Management is consistent with the City's Comprehensive Plan. The property is designated as Forest Management because it is a large, undeveloped tract of land, it is not served by municipal utilities and approximately 50% of the property is wooded.
2. The subject property is adjacent to properties that have been rezoned to Rural Residential to the north, Agriculture to the west, Recreation to the northwest, and Forest Management to the south.
3. The property to the east has not yet been rezoned, but the City has proposed to rezone this property to Agriculture. The property to the southeast has not yet been rezoned, but is proposed to be rezoned to Forest Management. The larger properties to the north are proposed to be rezoned to Transition Residential, but have not yet been rezoned.
4. The Forest Management Zone is compatible with the Agriculture, Rural Residential, Transition Residential, Commercial and Light Industrial zones.
5. The property was zoned Forestry under the previous Ordinance, which required a minimum lot size of 10 acres. The Forest Management zone has a minimum lot size of 10 acres, while the Rural Residential zone has a minimum lot size of 5 acres.
6. The property meets the minimum lot size for both the Rural Residential and Forest Management zones, being roughly 40 acres in size.
7. The property meets the minimum lot width for both the Rural Residential and Forest Management zones, being over 1,300 feet wide.

All members voted "aye". Motion carried.

APPLICANT: City of Pequot Lakes. Josef and Agnes Goerges, property owners. Parcel ID's are: 290132200000009, 290131300000009, 290132300000009, and 290132400000009.

Mr. and Mrs. Goerges were in attendance. Mr. Marohn explained the Staff Report, recommending all 4 parcels be rezoned to Forest Management. Mr. Goerges stated he would like the zoning to remain Forestry. There is no farmland as it is all rocky.

A motion was made by Tom Adams, seconded by Scott Pederson, to recommend rezoning all four parcels to Forest Management, based on the following findings of fact:

1. The proposed rezonings to Forest Management are consistent with the Comprehensive Plan and Future Land Use Map, which designates these areas as such.
2. The subject property is surrounded by properties that have been rezoned to mostly Forest Management, with Recreation properties to the east. Properties to the north of County Highway 11 have been rezoned to Rural Residential.
3. The adjoining property to the west of "22" is proposed to be rezoned to Agriculture and the property to the northwest is proposed to be rezoned to Transition Residential.
4. The Forest Management Zone is compatible with the Agriculture, Rural Residential, Transition Residential, Commercial, and Light Industrial zones.
5. All four of the properties were zoned Forestry under the previous Ordinance, which required a minimum lot size of 10 The proposed rezonings to Agriculture and Forest Management are consistent with the City's acres. The Forest Management zone has a minimum lot size of 10 acres.
6. All four properties meet the minimum lot size for the Forest Management zone, being roughly 40 acres in size.

All members voted "aye". Motion carried.

APPLICANT: Carl and Colleen Smith.

Applicant requests Preliminary Plat of Trailside Estates.

Applicants were present. Mr. Marohn explained the Staff Report. Pat Trottier, Landecker and Associates, explained the changes from previous drawings. Mr. Marohn asked that on page 3-4, we strike 2.a.iii. There is no dock. It is an error. Finding of fact No. 8 should say "one" structure.

The following should be added to finding of fact #8: Applicant states owner has promised to remove the shed and garage.

Mr. Trottier stated the road will have a 22 foot travel surface. This design has 40.6% open space for the total project. The Transition zone has 46% open space.

A motion was made by Scott Pederson, seconded by Tom Adams, to recommend approval of the Preliminary Plat of Trailside Estates, based on the following findings of fact:

1. The Rural Conservation Parcel proposed extends over three outlots. Together they provide for 40.6% open space. The open space in the Transition Zone is 46.4%.
2. The common space is to be owned by an association of property owners within this subdivision.

3. Outlot A is proposed to be used as open space and stormwater management. Outlot B is proposed to be used as a neighborhood park. Outlot C is to provide open space, stormwater management and access to the Paul Bunyan Trail.
4. There are no significant resources identified within this subdivision.
5. Setbacks to the exterior boundary for the underlying district are adhered to.
6. Individual buildings have been sited to provide for a minimum of 10-feet of separation between structures.
7. The land is zoned Urban Residential and Transition Residential, which is a proper zoning classification for a residential development. The land is suitable in its natural state for the intended purpose with minimal alteration required as the land does not contain steep slopes, wetlands, or other natural features that would severely constrain the development of the property.
8. There is currently one structure on the property and one structure encroaching on the property. These structures belong to a neighboring property owner, who has indicated that they will be removing the structures as part of the sale of their property
9. The applicant proposes to extend City sewer services to the property, so a lawn area large enough to support an individual sewage treatment system on each property is unnecessary.
10. The proposed plat does not include provisions for water-based recreation as the property is not adjacent to, or in the vicinity of, a water body.
11. An RCS contains no minimum lot size requires, although the applicant has demonstrated that each proposed lot has ample buildable area for a single-family or duplex dwelling.
12. All residential lots front either 33 feet of proposed public right-of-way or commonly owned space which abuts public right-of-way. All lots are accessible.
13. The proposed layout of the properties is compatible with the layout of adjacent properties and will not constrain the future development of adjoining properties. The propose facilitates development to the north and south. The Paul Bunyan Trail exists to the west, which constrains development to the west. The property is bordered on the east by County Road 112.
14. A roadway plan has not been submitted.
15. Access to the Paul Bunyan Trail is provided through Outlot C.
16. The applicant does not propose any cul-de-sacs or any roads that terminate without a through-connection. Placement of the northern-most cul-de-sac is done in anticipation of further development to the north that would connect to this development.

subject to the following conditions:

1. Prior to submission of a final plat application, the current property owner shall make an application for a metes and bounds subdivision to create the property included in this plat request. Acceptance of a final plat application shall be contingent on approval of the metes and bounds request.
2. Prior to the submission of a final plat application, the following shall occur:
  - a. The applicant shall submit association documents to the City Attorney for review and approval. The documents shall address the following, at a

- minimum:
- i. Mechanisms for the maintenance of common areas.
    - ii. Mechanism for the maintenance of open space areas.
  - b. Revisions shall be made to the documents to the satisfaction of the City Attorney.
  - c. Once acceptable to the City Attorney, the documents shall be reviewed by the Planning Commission. Revisions shall be made to address any Planning Commission concerns.
  - d. Once Planning Commission concerns have been addressed, the Planning Commission shall approve the documents and they shall become the controlling documents for the development.
3. Prior to submission of a final plat application, the applicant shall provide a calculation of the projected impervious coverage. This amount shall comply with the underlying zoning requirements. Based on the percentage provided, the City Engineer shall determine the frequency and intensity of storm to be retained on site. This design shall be provided as part of the stormwater pollution and prevention plan.
  4. Prior to the submission of a final plat application, the applicant shall submit a stormwater pollution and prevention plan for the property. This plan shall be reviewed and approved by the City Engineer.
    - a. The provisions of this plan shall be fully implemented, and the following shall be abided by:
      - i. Erosion control devices shall be in places prior to the commencement of any construction.
      - ii. Following the placement of the erosion control devices, but a minimum of 48 hours prior to any construction or grading on the site, the City shall be contacted to perform an inspection of the devices.
      - iii. Upon inspection by the City, any deficiencies shall be corrected prior to grading or construction.
      - iv. Following each rainfall event during construction, erosion control devices shall be inspected by the developer or a developer's representative on site. The inspection shall be documented in an inspection log, with any deficiencies and corrective actions noted. A copy of this log shall be provided to the City on a monthly basis throughout the construction process.
  5. Additional screening shall be provided along County Road 112 within Outlot A to provide a buffer between the traveled roadway and the development. The buffer it to assist in retaining the rural character of the roadway and shall ultimately provide for 75% screening of the structures, during leaf-on conditions, as viewed from the roadway.
  6. Prior to submission of a final plat application, the following shall occur:
    - a. The applicant shall submit information showing designs for construction of the roadways and extension of the municipal sewer and water systems.
    - b. The designs shall be reviewed by the City Engineer. Revisions to the plans shall be made to the satisfaction of the City Engineer.

- c. Once acceptable to the City Engineer, the designs shall be reviewed by the Planning Commission. Revisions shall be made to address Planning Commission concerns.
  - d. Once Planning Commission member's concerns have been addressed, the Planning Commission shall approve the design and it shall become a controlling document for the development.
7. The applicant shall prepare a developer's agreement for review by the City Attorney. The agreement shall outline mechanisms and securities for ensuring that requirement improvements are completed.
  8. The applicant shall be responsible for all expenses that the City incurs in administering these provisions. The applicant will be billed for the charges of the City Attorney, City Engineer, City Planner, and any other staff member or special consultant whose expertise is needed to administer these provisions.

All members voted "aye". Motion carried.

*Staff was directed to keep track of submittal dates.*

APPLICANT: Al Berens.

Applicant requests Final Plat of the Keen Addition.

Mr. Berens was in attendance. Mr. Marohn explained the Staff Report and recommended approval of the Final Plat. Cost estimates for the road improvements were discussed, as well as the Developers Agreement. Park Dedication Fees are addressed in the Developers Agreement. Mayor Malecha asked whether the road was automatically accepted by the City with Final Plat approval. She was advised that it was not.

A motion was made by Dean Williams, seconded by John Derksen, to recommend approval based on the following findings of fact, as modified:

1. The applicant has complied with the one condition placed on approval of the preliminary plat, that Lots 2 and 3, Block One do not have direct access off of CSAH 17.
2. The Final Plat agrees with the Preliminary Plat. The design has not changed since preliminary plat approval.
3. The City Attorney has reviewed the plat and approved the title work.
4. A development contract has been prepared and finalized by the City Attorney.
5. The applicant has submitted a plat check by an independent Professional Land Surveyor.
6. The cost estimate for the improvements has been submitted and approved by the City Engineer. A financial security in the amount of \$8,727.50 is to be provided at the time the final plat is signed by the City.

All members voted "aye". Motion carried.

APPLICANT: Dan Helbling.

Applicant requests Conditional Use Permit for the RV Resort Village at the Preserve.

Applicant was present. Mr. Marohn explained that Staff has met with the applicant and his consultants. There was no information submitted to include in the Staff Report. The Planning Commission will make a recommendation to the City Council on approving the EAW. Mr. Helbling introduced his attorney, Lonny Thomas, who is a Real Estate Attorney from Crosslake. Mr. Thomas stated that Mr. Helbling has contacted him regarding the Declaration and other documents needed and is moving forward in preparing them.

A motion was made by John Derksen, seconded by Roger Varilek, to table this matter. All members voted "aye". Motion carried.

APPLICANT: Dan Helbling.

Applicant requests Preliminary Plat for the RV Resort Village at the Preserve.

A motion was made by John Derksen, seconded by Roger Varilek, to table this matter. All members voted "aye". Motion carried.

*Mr. Marohn requested to switch to the Potential Violations/Enforcement Actions due to Mr. Thomas being in attendance –*

Bonnie Watt – Lonny Thomas is the attorney representing Ms. Watt. Mr. Marohn met with Mr. Thomas last week. Ms. Watt is not in good health and not able to respond with any type of progress. Mr. Thomas sent her a letter stating the City has been patient, but we need to see some action. The Planning Commission directed Staff to notify Ms. Watt to respond with a restoration plan within 2 weeks. If no response within that 2 week timeframe, Staff was directed to contact the City Attorney to determine what remedies the City may have.

APPLICANT: Scott Pederson

Applicant requests Conditional Use Permit for Tal Timbers.

Applicant was present and excused himself from the Planning Commission. Mr. Marohn explained the Staff Report. Pat Trottier, Landecker and Associates, was also in attendance. Mr. Pederson stated there would be no canopies on the boat lifts. The road will need to be 12 feet wide to accommodate fire trucks and ambulances. Mr. Marohn

was directed to contact the County Highway Department regarding their comments for a turn lane and bypass lane.

A motion was made by Dean Williams, seconded by Tom Adams, to recommend approval of the Conditional Use Permit, based on the following findings of fact:

**→ On the Underlying Zoning**

1. Because this is a PUD, it is not subject to the normal lot size and density requirements of the SC zone. The proposal, however, must meet all setback requirements for the zone.
2. Dwellings of this size are allowed in the SC zoning district.
3. The structures in the proposed development meet all side yard, road, and lake setbacks.
4. A commercial planned unit development is a conditional use in the SC zone.
5. The proposed development would have an overall impervious coverage of 13.7%, which is within the Ordinance limit of 25% for the SC zone.

**→ On the CUP Evaluation**

1. The proposed development is an appropriate use in the SC zone as residential and commercial PUDs are listed as conditional uses in this zoning district.
2. The proposed development does not conflict with the City of Pequot Lakes Land Use Plan, one of the goals of which is to maintain private resorts and facilities for public recreational use (pg. 65).
3. The proposed use of residential structures, with appropriate conditions, is compatible with the existing neighborhood as many of the surrounding properties are already platted and many have been developed with year-round and seasonal residential housing. The PUD will continue to be used as a resort, which is consistent with the existing land use.
4. The residential structures of the proposed use will not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance, or prosperity of the City.
5. It is unlikely that the proposed use would be injurious to the use and enjoyment of other property in the immediate vicinity.
6. The proposed use will not impede the normal and orderly development and improvement of surrounding properties as the surrounding properties have already been platted and many properties have been developed already.
7. No public facility improvements are proposed for this site, therefore the proposed development is unlikely to be injurious to the economic welfare of the community.
8. The property currently accesses CSAH 17 and the proposed development would likely decrease traffic as the number of units would be reduced from what exists on site.
9. The proposed use will provide sufficient off-street parking for each dwelling as each unit will have an attached garage large enough for two cars.
10. The proposed development is unlikely to create any additional odors, fumes, dust, vibrations, or other similar nuisance, although there will be brief periods of such nuisances during the construction process.

11. The applicant has not indicated whether there will be any exterior lighting in the development, and if so, where that lighting will be placed and what that lighting will look like.
12. There are no significant historic features located on the site. There is a bluff and steep slopes leading down to the waterfront, but the proposed structures would be located outside of this area. The property is otherwise wooded and contains no other significant natural features.
13. The applicant has not yet submitted any plans for stormwater management for the proposed development.
14. The applicant has indicated an erosion control plan that includes stabilization plans for disturbed ground, silt fencing areas, and vegetation maintenance.

**→ On the Suitability for a Planned Unit Development**

1. The proposed development is located on Sibley Lake, a General Development lake with high levels of recreational use in the summer months and a highly developed shoreline. The applicant has indicated plans for seven continuous mooring slips to be included with the development. Due to the previous use of the property being recreational campground the proposed use is unlikely to generate an increase in boat traffic or surface water usage.
2. The proposed development will place all structures outside of the bluff-impact zone of 20 feet from top of bluff. The applicant also proposes to preserve 10.94 acres of open space which should reduce the physical and aesthetic impacts of the increased density on the property.
3. The land is suitable for development without significant alterations to accommodate the construction associated with the proposed development. No delineated wetlands exist on the proposed development site.
4. Much of the shoreline properties along the Pequot Lakes portion of the Sibley Lake shoreline have been platted and many of those properties have been developed. In the immediate vicinity of the subject property, the proposed development would unlikely conflict with the character of adjacent properties.
5. Most undeveloped land exists to the north of the proposed development. This land is platted, however remains undeveloped with the exception of a few homes. Properties to the east and west of the proposed development are developed with single-family homes each located on roughly 2-acre lots.
6. This property measures 15.34 acres and has approximately 475 feet of shoreline.

**→ On the Density Calculations for a Planned Unit Development**

1. The development proposes three tiers of development from Sibley Lake.

<b>Tier</b>	<b>Total Area</b>	<b>Suitable Area</b>	<b>Allowable Units (w/ multiplier)</b>	<b>Proposed Units</b>
One	93,657	58,168	7	2
Two	223,835	218,828	17.5	6
Three	281,879	253,169	21	6
<b>TOTAL</b>	<b>599,371</b>	<b>530,165</b>	<b>45.5</b>	<b>14</b>

**→ On the Design Criteria for a Planned Unit Development**

1. A vegetative buffer of at least 50 feet is proposed along the entire PUD site area. There are no units or impervious surfaces proposed within this buffer. The applicant has not indicated the type of vegetation within the buffer area other than what currently exists on the property.
2. The applicant proposes to preserve 71% of the property as open space, exceeding the minimum Ordinance requirement of 25%.
3. The common space requirements and limitations have been met except for requirement 6 which states that the developer must preserve common space with restrictive deed covenants, permanent easements, public dedication and acceptance, or other equally effective and permanent means. The applicant has not submitted draft covenants for the common space.
4. The applicant has not yet submitted a stormwater management plan and has only submitted a general erosion control plan at this time. These documents will be reviewed by the City to ensure that, when implemented, these plans will be adequate to prevent soil erosion, control stormwater runoff, and prevent other pollution of public waters during and after construction.
5. Lots 1 and 15 will continue to use an existing drainfield sites and sewage treatment systems serving those dwellings. All remaining units will use a common community drainfield. The applicant has indicated a primary and an alternate drainfield upon an area within Lot 16 that is likely to be suitable for such a purpose. All lots will be served by common community wells and the applicant has indicated the potential location of these wells on the survey submitted.
6. The applicant has not indicated an exterior lighting plan indicating type of lighting to be used and lighting patterns. The Ordinance specifies that all exterior lighting shall be directed downward and not illuminate parcels adjacent to the PUD, either directly or indirectly.
7. The applicant has proposed seven continuous mooring spaces for the development, equal to the number of units allowed in the first tier. These spaces would be split between two docking systems on the western portion of the property. The docks will be accessed via the existing in-ground steps leading from the upper part of the property down the bluff to the lakeshore. The applicant has also indicated a future lift to be installed for lake access.
8. The applicant has submitted a proposed color scheme for the dwelling units indicating that the units will be dark red in color.

subject to the following conditions:

1. Prior to the submission of a final plat application, the following shall occur:
  - a. The applicant shall submit association documents to the City Attorney for review and approval. The documents shall address the following, at a minimum:
    - i. Mechanisms for the maintenance of common areas.
    - ii. Mechanism for the maintenance of open space areas.
    - iii. Mechanism for the maintenance of the docking system and access to the lake.
  - b. Revisions shall be made to the documents to the satisfaction of the City

- Attorney.
- c. Once acceptable to the City Attorney, the documents shall be reviewed by the Planning Commission. Revisions shall be made to address any Planning Commission concerns.
  - d. Once Planning Commission concerns have been addressed, the Planning Commission shall approve the documents and they shall become the controlling documents for the development.
2. The applicant shall provide a lighting plan along with the final plat submission if any lighting is to be placed within the shore impact zone. The lighting shall be allowed in the shore impact zone at the discretion of the Planning Commission.
  3. All exterior lights, including any lights not on a building, shall be downward directional and shall be hooded to reduce glare.
  4. There shall be a maximum of one watercraft per mooring slip for a maximum of seven (7) watercraft moored at one time.
  5. There shall be no launching of boats from the property or storage of boats on the shore of the property.
  6. The applicant shall be responsible for all expenses that the City incurs in administering these provisions. The applicant will be billed for the charges of the City Attorney, City Engineer, City Planner, and any other staff member or special consultant whose expertise is needed to administer these provisions.
  7. Prior to the submission of a final plat application, the applicant shall submit a stormwater pollution and prevention plan for the property. This plan shall be reviewed and approved by the City Engineer.
    - a. The provisions of this plan shall be fully implemented, and the following shall be abided by:
      - i. Erosion control devices shall be in place prior to the commencement of any construction.
      - ii. Following the placement of the erosion control devices, but a minimum of 48 hours prior to any construction or grading on the site, the City shall be contacted to perform an inspection of the devices.
      - iii. Upon inspection by the City, any deficiencies shall be corrected prior to grading or construction.
      - iv. Following each rainfall event during construction, erosion control devices shall be inspected by the developer or a developer's representative on site. The inspection shall be documented in an inspection log, with any deficiencies and corrective actions noted. A copy of this log shall be provided to the City on a monthly basis throughout the construction process.
  8. Prior to submission of a final plat application, the following shall occur:
    - a. The applicant shall submit information showing sewage treatment design, including capacity, treatment capability and conveyance mechanism.
    - b. The sewage treatment design shall be reviewed by the City Engineer. Revisions to the plans shall be made to the satisfaction of the City Engineer.

- c. Once acceptable to the City Engineer, the design shall be reviewed by the Planning Commission. Revisions shall be made to address Planning Commission concerns.
- d. Once Planning Commission member's concerns have been addressed, the Planning Commission shall approve the design and it shall become a controlling document for the development.

All members voted "aye". Motion carried.

APPLICANT: Scott Pederson.

Applicant requests Preliminary Plat of Tall Timbers.

Applicant was present and excused himself from the Planning Commission. Mr. Marohn explained the Staff Report. Mr. Pederson was advised he could obtain a building permit with the conditional use permit approval. He stated he plans to start constructing the units furthest from the lake.

A motion was made by Dean Williams, seconded by John Derksen, to recommend approval of the Preliminary Plat of Tall Timbers, based on the following findings of fact:

1. The land is properly zoned and has had commercial waterfront uses on the property for a number of years.
2. There is a bluff located on the south side of the property leading down to the lake. The property, however, is large enough to place development outside of the bluff and bluff impact zones. There are no other significant natural or historic features on the property that would impede redevelopment of the property.
3. The property currently contains several structures, but does not contain any nonconforming structures. The majority of the structures will be removed, with the units on Lots 1 and 15 and some commonly owned structures on Lot 16 remaining.
4. The applicant has proposed to maintain the in-ground steps to access the lake and to place two docks on the western part of the shoreline. There are not any near-shore aquatic conditions that would hinder or limit access to the lake along the property line.
5. The proposed development, as it is a PUD, is not subject to the normal lot size and dimension standards for the underlying zoning district. The proposed development does, however, meet the minimum design standards for a planned unit development.
6. The proposed design layout for lots will not impede the normal and orderly development of surrounding property as the majority of the properties in the immediate area have already been platted or otherwise subdivided.
7. The common area in the proposed development meets the minimum requirement for frontage on a public right-of-way, having more than the required 33 feet of frontage.
8. The applicant does not propose to construct any new public streets. All streets within the development are private and are to be maintained by the homeowner's association.

9. There are not any required easements for the property, as municipal services will not be extended to the property.
10. The applicant has indicated that the development will be served by an on-site cluster sewer system and has indicated two locations for locating the system. There is ample space on the property for the location of these alternate sites.

All members voted "aye". Motion carried.

APPLICANT: Rob Van Valkenburg.

Applicant requests a Conditional Use Permit for the Crafter Outlet Mall.

Applicant was present. Mr. Marohn explained the Staff Report. The landscape plan was discussed. Mr. Trottier, Landecker and Associates, stated that the overflow parking is impervious and was not counted. The letter from MnDOT regarding tree removal was discussed, as well as the backage road. Off season storage of boats was discussed. Mr. Van Valkenburg stated that the 75/25 stated in the application is percentage of income, not timeframe.

Bill Nemitz, Timberjack, was in attendance and questioned the intended use. Mr. Van Valkenburg stated that the crafters will only be selling products made in America. They will rent a stall for the season, 10' X 10', Wednesday through Sunday. He also stated that there would be no engine repair or maintenance of boats. He plans to winterize the boats, change the oil and detailing. The changing of oil is an issue. He also stated that the exterior of the building will be a metal pole barn. The Commission stated that there is an "up north" feeling from Nisswa. The building needs to be aesthetically appealing. He plans to include gazebos and arbors. These are not shown on the site plan. The Commission requested to see drawings of the building, gazebos and arbors on the drawing and the color scheme. Applicant was advised to meet with Staff to include boat winterization on application.

Applicant was advised to contact the DNR regarding trail access. Screening between the building and the road was discussed. Applicant was also advised to show the lighting plan on drawings and to submit a sign concept plan.

The primary use in the summer will be the crafters market. The primary use in the winter will be boat winterizing and detailing. Boat storage would be an accessory use. Staff was directed to use the Watt Auto and Schoeb conditions as examples for the CUP for boat winterizing. Staff was directed to send notices for the hearing next month. The applicant was directed to have the additional information to Staff by May 5.

A motion was made by Tom Adams, seconded by Bill Habein, to table this matter. All members voted "aye". Motion carried.

ADDITIONS OR DELETIONS TO THE AGENDA:

Add 7. b. Definition of building façade.

**NEW BUSINESS:**

Lakes Gas Co.

Roger Varilek excused himself from the Commission. He stated that Lakes Gas Company may be moving from their current location. They are looking at the property at the corner of TH 371 and County Road 107. He passed out a preliminary site plan to obtain feedback from the Commission. He stated that they would need to obtain approval from the State Fire Marshall, Homeland Security and the Federal and State Governments. The area would need to be fenced with barbed wire on top and would need to be lit. The fence would need to be chain link. An alternative fence was discussed. He stated it could not burn. The gravel under the tanks would be impervious. They would need a variance for impervious coverage. Crushed rock rather than class 5 was discussed. The rock is hard to walk on and plow. The building would be 19 feet tall. There would be trees on 3 sides, with less screening on County Road 107. Congestion on County Road 107 was discussed. The site plan was discussed, with the Commission recommending it be flipped.

Lance Bragstad was in the audience and stated that the current location is one block from the school and the country location would be safer.

Mr. Varilek was advised he would need a variance for impervious coverage and he would need a stormwater prevention plan. He is willing to move forward with a special hearing. He was advised to include more buffer between Highway 371 and the building and tanks to make it aesthetically appealing.

**DEFINITION OF BUILDING FAÇADE:**

Staff explained that Lance Bragstad had applied for a sign permit and wished to use entire face of building in the calculations. The Planning Commission advised Staff to use the entire face of the building, leaving a total sign area of 70 square feet. The awning must also be counted in the calculations. They would need a Conditional Use Permit for additional signage. Seventy square feet of signage would be an over the counter permit. Staff was advised to place this CUP on the Preliminary Agenda.

**OLD BUSINESS:**

Extractive Use Overlay District.

Staff explained they are collecting information and would report at next month's meeting.

**APPROVAL OF MINUTES:**

A motion was made by Tom Adams, seconded by Bill Habein, to approve the March Minutes. All members voted "aye". Motion carried.

#### ZONING ADMINISTRATOR'S REPORT:

Staff pointed out the five permits issued and the 25 letters sent. The following Potential Violations/Enforcement Actions were discussed:

1. Kevin Nelson – Staff explained that Mr. Nelson was in the audience earlier but could not wait to speak to the Commission regarding his pallet fence. Staff was directed to place him on the agenda for next month's meeting before the public hearings and to notify Mr. Nelson.
2. Virgil Dahl – Mr. Pederson had visited with Mr. Dahl who would like to replace the old mobile home with the newer Park Model. The Planning Commission directed Staff to notify Mr. Dahl that he can replace the old mobile home with the Park Model, the Park Model must have current tabs at all times and the old mobile home must be removed within 30 days.
3. Thomas Morris – Staff is monitoring and there has been no new accumulation of garbage.
4. Johnathan Acosta – Siding is still not complete.
5. Darrell Lake – Staff was directed to verify completion of restoration order.

Future Road Plan – Mr. Woog encouraged everyone to attend the upcoming meeting. The meeting date is still to be scheduled. Mr. Marohn explained that the Transportation Map in the Comprehensive Plan could be amended, if necessary.

City Planner – Mr. Woog explained that he was on the committee that looked at the City possibly hiring a fulltime Planner. Continuing to contract with Community Growth Institute is a better alternative for the City, at this time.

A motion was made by Bill Habein, seconded by Dean Williams, to adjourn the meeting. All members voted "aye". Motion carried. The meeting was adjourned at 10:59 p.m.

Respectfully submitted,

Dawn Bittner  
Zoning Administrator