

**MINUTES  
PEQUOT LAKES PLANNING COMMISSION/  
BOARD OF ADJUSTMENT  
REGULAR MEETING  
FEBRUARY 21, 2019**

**PRESENT:** Andrew Birch, Mark Hallan, Laura Larson, Tom Paulbeck, Christopher Savino, and Wesley Wilson. **ABSENT:** Nathan Norton

**CITY PLANNER:** Justin Burslie, Sourcewell

**ZONING SPECIALIST:** Dawn Bittner

**COUNCIL LIAISON:** Mimi Swanson

The meeting was called to order by Chairman Hallan at 6:00 PM.

**A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Birch, to open the Public Hearings.**

**PUBLIC HEARINGS**

**APPLICANT: Daniel and Lauri Helbling**

**Applicant requests an Ordinance Amendment creating a Residential-Golf Course Community Overlay District**

Mr. Burslie explained the Staff Report. Applicants were present.

Planning Commission Member Birch asked if our current zoning districts not allow this type of development. Mr. Burslie stated the applicant wants more density for dwelling units. Our Code doesn't allow this type of development along a golf course.

Chair Hallan asked if the density is 2 units per acre or 2 units per buildable areas. Will this overlay district take the wetlands into consideration? Mr. Burslie stated that will be addressed in the PUD section but to avoid confusion this should be addressed in the overlay district.

Mr. Helbling stated the parcel is all high except the very west end. The Conservation Subdivision will define the wetlands through the PUD application.

Chair Hallan questioned if the 20% impervious coverage is of the entire parcel. Mr. Burslie stated it will be based on the PUD.

**PUBLIC COMMENT OPENED:**

Mark Jurchen, 31378 Lakeside Avenue – Stated he submitted a letter of support and reiterated his support for this application. The City needs housing stock and increased tax base.

**PUBLIC COMMENT CLOSED:**

Discussion ensued and it was agreed to modify the Density language to: Density. Within the overlay district, for the development of a Residential-Golf Course Community, the maximum density shall be two units per buildable acre.

**A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Paulbeck, to recommend the Council approve creating a Residential-Golf Course Community Overlay District as presented, with the modification to Density. All member voted “aye”. Motion carried.**

**APPLICANT: City of Pequot Lakes**

**Applicant requests an Ordinance Amendment regarding Article 5 Zoning Districts and District Provisions and an Ordinance Amendment regarding Article 6 Overlay Districts and District Provisions**

Mr. Burslie explained the Staff Report.

**PUBLIC COMMENT OPENED:**

No public comment.

**PUBLIC COMMENT CLOSED:**

**A motion was made by Planning Commission Member Birch, seconded by Planning Commission Member Wilson, to recommend the Council amend Article 5 and Article 6 as presented. All members voted “aye”. Motion carried.**

**APPLICANT: City of Pequot Lakes**

**Applicant requests an Ordinance Amendment regarding Definitions and Exterior Storage**

Mr. Burslie explained the Staff Report. (use Justin’s explanation in Council Report)

All properties are different for zoning and uses. Properties in the DMU do not match properties in the rural areas. There are different characteristics and uses and should have different standards for exterior storage.

Planning Commission Member Birch asked if most complaints in the Shoreline Residential zone are the rear yard or between the house and the lake and is the rear yard the appropriate area to store items. Staff stated the rear yard is the appropriate area for exterior storage.

Planning Commission Member Birch questioned whether existing uses in the Industrial Park with materials stored outside would now become a violation. Mr. Burslie stated if the light industrial use was established under the current ordinance, creation of this ordinance does not apply to that project unless the use is expanded.

Chair Hallan inquired about an individual that has boats stored outside for possibly 20 years with no current registration and wondered if they would be grandfathered in. Mr. Burslie stated that is a violation and enforcement action. They are in violation of the current Code.

**PUBLIC COMMENT OPENED:**

Donald McFee, 3890 Coleman Drive – Inquired which is the rear yard – along the street or the lake side. Staff stated the rear yard is along the street.

Mr. McFee asked if he would be in violation with a boat put away in the fall with current registration is now in violation without current registration. He was informed the ordinance is enforceable on a complaint driven basis. Mr. Burslie stated there is reasonable enforcement of the ordinance.

**PUBLIC COMMENT CLOSED:**

**A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Savino, to recommend the Council amend Definitions and Article 7.5 Exterior Storage as presented. All members voted “aye”. Motion carried.**

**A motion was made by Planning Commission Member Birch, seconded by Planning Commission Member Wilson, to close the Public Hearings. All members voted “aye”. Motion carried.**

**ADDITIONS OR DELETIONS TO AGENDA: None.**

**OPEN FORUM:**

Planning Commission Member Wilson stated there is another website to monitor for Short-term Rentals called Evolve. Staff will look into this website.

**NEW BUSINESS:**

**a. Donald McFee, Land Use Permit Extension**

Mr. Burslie explained the Staff Report. Applicant was present.

Mr. McFee explained he was laid off from his job in February, 2017. He is now employed and is getting bids and lining up sub-contractors to begin construction this spring.

Chair Hallan stated the City does not issue Certificates of Occupancy. The exterior must be completed by April 15, 2020.

**A motion was made by Planning Commission Member Savino, seconded by Planning Commission Member Paulbeck, to extend Land Use Permit 18-56 to April 15, 2020. All members voted “aye”. Motion carried.**

**b. Open Meeting Law – Review**

Mr. Burslie explained the Staff Report. Planning Commission Member Birch suggested using bbc when sending emails so there is no chance to click Reply All.

**c. Wetland Conservation Act – Discussion**

Mr. Burslie explained the SWCD is not part of the County, but they enforce the Wetland Conservation Act. Municipalities were recently notified that they are ending their services on March 31. A committee is being formed to put together an RFP to contract these services. This was included as a FYI.

**d. CUP and Variance Conditions – Discussion**

Mr. Burslie explained the Staff Report. Discussion ensued regarding the unverified conditions of approval. It was the consensus of the Planning Commission that Staff should review all of the unverified conditions and report back to the Planning Commission.

**OLD BUSINESS:**

**a. Heart of the Good Life Development – Ordinance Discussion**

Mr. Burslie explained the Staff Report. He suggested all uses in this development should be a Conditional Use Permit. The Planning Commission can do the architectural design review.

Planning Commission Member Birch stated he likes the idea of architectural standards, but was concerned more restrictions could be a deterrent for this development.

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Jurchen stated this had been discussed at the Economic Development Commission level. Their vision was to provide a quality business park. He personally encouraged high standards, but standards should be flexible. He cautioned against having two tiers, or rear lots, with lesser standards.

Mr. Burslie read through the Exterior Building Finishes. Planning Commission Member Larson asked why metal is not allowed. Buildings with rustic metal is very attractive. Chair Hallan pointed out roofs can also be metal.

Planning Commission Member Savino asked Mr. Jurchen if there is a concept the EDC has in mind. Mr. Jurchen asked him to watch the video and build standards for that.

Discussion ensued as follows:

- Accessory Structures – keep consistent with principle structure;
- Tiers – keep as one classification, no tiers;
- Pole Buildings – no pole buildings;
- Color Definition – use Baxter’s definition;
- Façade size – leave in as is for further discussion;
- Articulation – leave as is;
- Roof Standards – no roof standards.

Staff was directed to make the modifications discussed tonight and send to the EDC for comments.

#### **b. Temporary Commercial Structure – Ordinance Discussion**

Mr. Burslie explained the Staff Report. It was the consensus of the Planning Commission to not pursue an ordinance amendment at this time.

#### **APPROVAL OF MINUTES:**

**A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Larson, to approve the January 17, 2019 Minutes with City Attorney Robert Scott’s email appended to the Minutes. All members voted “aye”. Motion carried.**

#### **P & Z ADMINISTRATOR’S REPORT:**

Bittner pointed out the 1 permit issued and the 8 letters in the packet. The March, 2018 letter to David Herrera indicates he did not have 2 years to install his drains.

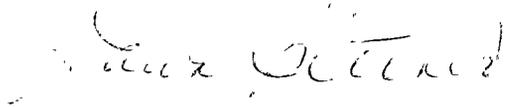
The following Potential Violations/Enforcement Actions were discussed:

1. John Derksen – Staff stated the draft Council Minutes from the February Council meeting are included in the Zoning Administrator’s Report where this potential violation was discussed.

**ADJOURNMENT:**

**A motion was made by Planning Commission Member Savino, seconded by Planning Commission Member Wilson, to adjourn the meeting. All members voted “aye”. Motion carried. The meeting was adjourned at 8:05 PM.**

Respectfully submitted,



**Dawn Bittner  
Zoning Specialist**