

**MINUTES  
PEQUOT LAKES PLANNING COMMISSION/  
BOARD OF ADJUSTMENT  
REGULAR MEETING  
MAY 19, 2022**

**PRESENT:** Planning Commission Members Boulka, Caouette, Ellering, Gonczy, E. Larson, L. Larson, and Norton

**ABSENT:** Planning Commission Member Ellering

**CITY PLANNER:** Justin Burslie, Sourcewell

**ZONING SPECIALIST:** Dawn Bittner

**DEPUTY CLERK:** Jennifer Peterson

**COUNCIL LIAISON:** Dan Ronning

**1. Call Meeting to Order**

1.2 Roll Call

**2. Consider Agenda**

**A motion was made by Planning Commission Member E. Larson, seconded by Planning Commission Member Gonczy, to approve the agenda. Motion carried.**

**3. Public Hearings**

3.1 John and Cheryl Seaberg, applicants

Applicants request a Conditional Use Permit to allow a Plumbing Business and Residential Use in the Commercial Zoning Classification  
Application No. 22-16

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

Discussion ensued regarding the reason for the conditional use permit, the comprehensive plan, and how many dwellings are in the commercial zoning classification.

Mr. Seaberg stated they are planning on erecting the garage / loft in 2022 and start establishing the plumbing business. He stated the plan is building the residential portion of the building within the next two to four years.

PUBLIC COMMENT OPENED:

PUBLIC COMMENT CLOSED.

**A motion was made by Planning Commission Member E. Larson, seconded by Planning Commission Member Norton, to approve the conditional use permit to operate a Plumbing Business and allow Residential Use in the Commercial District and approve the attached Resolution, based on the following Findings of Fact:**

1. The subject property is located along Lilac Drive and is zoned "Commercial".
2. The subject property is a conforming parcel. The property is vacant.
3. The property will be served by a private water well and a conforming private sewer system.
4. The conditional use permit request is to operate a plumbing business and allow residential use on the subject property. The use is an appropriate conditional use in the land use zone.
5. Signage will be applied for under separate Land Use Permit Meeting Section 17-7.1 of the City Code.
6. The proposed "use" as a plumbing business is considered "Commercial Use (Other, Not Classified)" and establishing a single-family dwelling in the Commercial zone requires a conditional use permit.
7. The proposed use, with conditions, conforms to the comprehensive plan.
8. The adjacent property is zoned "Commercial" and "Urban Residential". The proposed use is compatible with the existing neighborhood.
9. The proposed use, with conditions, will not be injurious to the public health, safety, welfare, decency, order, comfort, convenience, appearance or prosperity of the City.
10. Most of the work associated with the proposed business will be performed off-site. The conditional use, with conditions, will not be injurious to the use and enjoyment of other property in the immediate vicinity of the subject property.
11. The proposed use will not impede the normal and orderly development and improvement of surrounding vacant properties.
12. The subject property is accessed via Lilac Drive, a city street, and is not served by the city sewer and water systems. There will be no additional costs to the city with the proposed use, nor traffic congestion or an indifference with traffic on surrounding thoroughfares.
13. There is adequate off-street parking and loading space on the subject property for the proposed use.

14. Adequate measures have or will be taken to prevent nuisances.
15. There are no known natural, scenic, or historical features of major significance on the subject property.

And subject to the following Conditions:

1. The property shall maintain a neat and orderly appearance and free of inoperable equipment.
2. Signage shall be permitted by separate application.

**All members voted “aye”. Motion carried.**

- 3.2 Kent and Pamela Johnson, applicants  
Applicants request a Rezone from Rural Residential to Commercial  
Application No. 22-18

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

Discussion ensued regarding justifications for the rezone are the property is adjacent to a county road and along Patriot Avenue (which is zoned Commercial) and having to follow the Comprehensive Plan.

Planning Commission Member Caouette inquired about the use of the current house on the property. Ms. Johnson stated the house will be rented out to a private Montessori school.

Planning Commission Member Gonczy inquired where schools are currently allowed. Mr. Burslie stated that currently schools are not on the land use matrix, however, there is a public hearing tonight to add schools to the Commercial zone.

PUBLIC COMMENT OPENED: Mr. Thomas Peterson, County Road 168 is concerned about his property that is across the street that are multi-zoned also.

PUBLIC COMMENT CLOSED.

**A motion was made by Planning Commission Member E. Larson, seconded by Planning Commission Member Caouette, to recommend the City Council rezone the subject property to Commercial, based on the following Findings of Fact:**

1. The applicants are proposing to rezone 5 acres from “Rural Residential” to “Commercial.”

2. Rezoning to Commercial is keeping with the purpose and intent of the Ordinance as it will allow a non-shoreland property to be zoned consistent with adjacent properties. The future Land Use Map identifies this property as Rural Residential.
3. The subject property is within the Shoreland Area and no Shoreland soil types have been identified.
4. The vegetative cover of the subject property consists of trees and grasses.
5. The subject property is not adjacent to a public water body. "In-water physical characteristics" and recreational use of surface water do not apply.
6. The subject property is accessed via County Road 168 which is a public street.
7. The proposed rezoning does not increase the socio-economic development needs of the public.
8. The public sewer and water utilities are not available in the vicinity of the subject property. There are no plans to extend the public utilities to the area of the subject property.
9. The subject property does not contain any known significant historical or ecological value.
10. The subject property is adjacent to property zoned "Shoreline Residential" and "Commercial". The proposed reclassification is not considered "spot zoning."
11. The proposed rezoning is in conformance with the following policy contained in the Comprehensive Plan:
  - Further attract and diversify businesses by new strategic commercial development. (pg. 17)
12. The future land use map identifies the subject property as "Rural Residential" however the property is adjacent to a highly traveled county highway and other property zoned (Commercial). It is also in the vicinity of other commercial property along the Patriot Avenue corridor.

**All members voted "aye". Motion carried.**

### 3.3 City of Pequot Lakes, applicant

Applicant requests an Ordinance Amendment to Section 17-7.1 regarding Signs in the Patriot Development Zone, Section 17-5.17 MATRIX regarding Fences, Warehousing, and Schools, and Section 17-7.13 Grading Application 22-17

Mr. Burslie explained the Staff Report.

Mr. Burslie gave the overview and history of the current matrix for warehousing/commercial (storage units, for example) being only allowed in agriculture zoning classification.

Discussion ensued regarding striking the definition of warehousing and removing it from the matrix; Shoreline Residential, Transition Residential, and Shoreline Commercial fencing changing from allowed to permitted use; schools allowed in Commercial zoning classification with a Conditional Use Permit; permit onsite signs in

the Patriot Development classification; and revising the definition of Grading in the shore impact zone.

**PUBLIC COMMENT OPENED:** Ms. Johnson inquired as to why the school requires a Conditional Use Permit (CUP) and how a CUP is transferred. Mr. Burslie stated that a CUP is required due to getting public comment for the use and the CUP will transfer to new property owners as long as they follow the conditions.

**PUBLIC COMMENT CLOSED.**

**A motion was made by Planning Commission Member Gonczy, seconded by Planning Commission Member E. Larson, to recommend the City Council amend the City Code regarding Signs in the Patriot Development Zone; 17-5.17 update the Land Use Matrix regarding Fences and Schools, striking Warehousing; and 17-3.2 definitions for the Shore Impact Zones, as well as 17-7.13 Grading.**

**All members voted “aye”. Motion carried.**

- 3.4 City of Pequot Lakes, applicant  
Consideration of Downtown Plan  
Application No. 19-15

**A motion was made by Planning Commission Member Norton, seconded by Planning Commission Member E. Larson, to table this Public Hearing to the June 16, 2022, Planning Commission meeting and move it to Old Business for discussion. All members voted “aye”. Motion carried.**

#### **4. Open Forum**

#### **5. New Business**

- 5.1 Thomas Peterson, Metes and Bounds Subdivision Request  
Mr. Burslie explained the Staff Report. Applicant was present.

Mr. Peterson gave a history of the property.

**A motion was made by Planning Commission Member E. Larson, seconded by Planning Commission Member Caouette, to approve the Metes and Bounds Subdivision, based on the following Findings of Fact:**

1. The subject property is zoned Commercial, and each proposed tract meets the minimum standards of the Commercial Zone.
2. “Tract A” contains a garage and meets all setback requirements; the shed encroaching the lot line belongs to the property owner to the north. “Tract B”

contains a pole building and meets all setback requirements. The “Remnant Tract” is vacant.

3. The subject property is not adjacent to the municipal water and wastewater utilities.
4. The property is suitable in its natural state for the intended purpose and this lot split would not be harmful to the health, safety, or welfare of future residents or of the community.
5. The applicant is not proposing any provisions for water-based recreation.
6. The proposed lot layout meets the requirements of the ordinance.
7. The proposed side lot lines are at right angles to the adjacent property lines.
8. Each of the proposed parcels has at least 33-feet of frontage on Peterson Path.
9. The subject property meets the requirements of the code for stormwater management.
10. There are no public streets proposed within the development.

**All members voted “aye”. Motion carried.**

5.2 Kent and Pamela Johnson, Metes and Bounds Subdivision Request.  
Mr. Burslie explained the Staff Report. Applicants were present.

**A motion was made by Planning Commission Member Caouette, seconded by Planning Commission Member Norton, to approve the Metes and Bounds Subdivision, based on the following Findings of Fact:**

1. Proposed “Tract C” is zoned Shoreline Residential. The applicants have requested proposed “Tract B” to be rezoned to Commercial.
2. Proposed “Tract B” contains a single-family dwelling and four accessory structures. Proposed “Tract C” is vacant.
3. The subject property is not adjacent to the municipal water and wastewater utilities.
4. The impervious surface cover has not been calculated but does not pose a concern at this time.
5. The property is suitable in its natural state for the intended purpose and this lot split would not be harmful to the health, safety, or welfare of future residents or of the community.
6. The applicant is not proposing any provisions for water-based recreation.
7. The proposed lot layout meets the requirements of the ordinance.
8. The proposed side lot lines are at right angles to the adjacent property lines.
9. Each of the proposed parcels has at least 33-feet of frontage on County Road 168.
10. The subject property meets the requirements of the code for stormwater management.
11. There are no public streets proposed within the development.

**All members voted “aye”. Motion carried.**

Ms. Bittner explained the role of the Review Committee at Wilderness Resort. Planning Commission Member L. Larson volunteered to be a member of this committee.

#### 5.4 Meeting Date Change – Discussion

Bittner pointed out the message from the City Administrator and the Planning Commission had the following comments:

- Planning Commission Member Norton has a conflict with Mondays for a couple months
- Planning Commission Member Caouette is not in town on Mondays
- Planning Commission Member E. Larson has issues with Fridays
- Chair L. Larson and Planning Commission Members Boulka and Gonczy would like to keep the 6:00 pm time
- Boulka no conflict with change of days.

### 6. Old Business

#### 6.1 Future Sale of Tax Forfeit Land – Update

Bittner explained that after the April Planning Commission meeting the City Administrator and City Engineer considered some of the lots along Pequot Blvd. could potentially be used to divert stormwater and the lot along Patriot Avenue could be used as a future access point between the Heart of the Good Life Development and Patriot Avenue.

#### 6.2 Downtown Plan Discussion

Mr. Burslie explained each section of the Downtown Plan.

Staff and Planning Commission reviewed the draft Downtown Plan as follows:

Background and Keys to Success: No changes from Commission

Downtown Placemaking: update graphics for #'s 5 & 6 and change verbiage that was in packet

Neighborhood Evaluation: discussed all sections and will bring final changes to the June 16, 2022, meeting

Executive Summary: will be discussed at the June 16, 2022, meeting.

### 7. Approval of Minutes

#### 7.1 Approval of April 21, 2022, Minutes

**A motion was made by Planning Commission Member E. Larson, seconded by Planning Commission Member Caouette, to approve the April 21, 2022, Minutes. All members voted “aye”. Motion carried.**

**8. P & Z Administrator’s Report**

**8.1 Permits and Correspondence**

Bittner pointed out the 7 permits issued in April and the 2 letters written.

**8.2 Potential Violations/Enforcement Actions**

The following potential violations/enforcement actions were discussed:

**9. Adjournment**

**A motion was made by Planning Commission Member E. Larson, seconded by Planning Commission Member Caouette, to adjourn the meeting. All members voted “aye”. Motion carried. The meeting was adjourned at 8:10 PM.**

Respectfully submitted,



Jennifer Peterson  
Deputy Clerk