

**MINUTES
PEQUOT LAKES PLANNING COMMISSION/
BOARD OF ADJUSTMENT
REGULAR MEETING
MAY 22, 2023**

PRESENT: Chair L. Larson; Planning Commission Members Goczy, Johnson, E. Larson, Mesa and Norton ABSENT:

CITY PLANNER: Justin Burslie, Sourcewell

DEPUTY CLERK: Jenny Peterson

COUNCIL LIAISONS: 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 Johnson, to approve the agenda, as presented. Motion carried 6-0.

3. Public Hearings

A motion was made by Planning Commission Member E. Larson, seconded by Planning Commission Member Goczy to open public hearings. Motion carried 6-0.

3.1 Preliminary Plat – Gardner/Makowsky were present.

Mr. Burslie explained the staff report. The applicants have requested vacation of the cul-du-sac at the end of Lilac Drive with the City.

Discussion ensued regarding the driveway entrances, park dedication fees, steep slope definition on lot 7 and 8, and the vacation of Lilac Drive cul-du-sac.

Tyler Gardner, applicant, would like to propose lowering the park dedication fee from \$416 to \$200 per person, due to the applicants not developing the lots themselves.

Nicholas Makowsky, applicant, inquired if the driveways need culverts and what the minimum width and length would be required. Mr. Burslie stated we do not have a driveway width requirement in the city ordinance, he will verify with the City Engineer and public works department for the culvert necessity.

Staff Findings: Staff provides the following Findings of Fact for consideration by the Planning Commission:

1. The applicants are proposing to subdivide an 18.7 acre parcel located at the south end of Lilac Dr. (no physical address) into eight residential lots.
2. The property is zoned "Urban Residential."
3. The land is properly zoned in its natural state for the intended residential purposes.
4. The subject property does not contain any structures.
5. Proposed Lot 1 & Lot 2 are approximately one acre and will share a driveway entrance on Patriot Avenue.
6. Proposed Lot 3 & Lot 4 are approximately one acre and will share a driveway entrance on Patriot Avenue.
7. Proposed Lot 5 is approximately one acre and will be accessed via Royce Street.
8. Proposed Lot 6 is approximately half an acre (22,000 sf) and will be accessed via Royce Street.
9. Proposed Lot 7 is 6.6 acres and contains several areas considered "steep slopes" per city definition. The proposed lot also contains wetland area located along the west property line. It will be accessed by a driveway entrance on Royce Street.
10. Proposed Lot 8 is 7.2 acres and contains "steep slopes" and wetland area located along the west property line. The proposed lot will be accessed by a driveway entrance on Royce Street.
11. The proposed development will be served by private subsurface sewage treatment systems located on each individual lot.
12. The proposed development will be served by private water wells located on each individual lots.
13. Lot layouts are compatible with the existing layout of adjoining properties. The proposed layouts will not constrain the future development of adjacent properties.
14. The proposed side lot lines for each of the lots are at right angles to straight road lines or radial to lake shores.
15. There are no proposed private or public streets within the development. Each of the proposed lots will be accessed via existing public roads.
16. There are no storm drainage improvements proposed.
17. Each of the lots will not require a variance to allow their intended purposes.
18. Portions of Lot 7 and Lot 8 are located within the Shoreland Area. The DNR has been notified of the proposed plat and submitted comments dated May 4, 2023 (Jake Frie, Area Hydrologist.)
19. The proposed development is consistent with the following goals contained in the comprehensive plan:

- a. Off-lake residential development should occur in areas that do not excessively add to the service burden of the City.
- b. Ensure that new development adds to the character of the community and enhances the sense-of-place.

Planning Commission Direction: The Planning Commission can recommend the City Council approve, deny, or table the Preliminary Plat application.

Staff Recommendation: We recommend that the application be approved with the following conditions:

1. Prior to submittal of the final plat application the vacation of Lilac Drive shall be recorded at Crow Wing County, if approved by the city. If the vacation request is not approved, the preliminary plat shall be amended to reflect the exiting right-of-way of Lilac Dr.
2. Lot 5 shall be accessed via Royce Street with a driveway located on the 262 ft property line segment located west of the "sight triangle." There shall not be driveway entrance constructed on Patriot Avenue to serve Lot 5.
3. Lot 1 & Lot 2 shall utilize shared driveway entrance located in the right-of-way as proposed on preliminary plat.
4. Lot 3 & Lot 4 shall utilize shared driveway entrance located in the right-of-way as proposed on preliminary plat.
5. Prior to submittal of the final plat application the shared driveway entrances serving Lots 1-4 and culverts (if necessary) shall be constructed and inspected/approved by the city.
6. There shall be no vegetation removed within any of the areas designated as "steep slopes" except for the placement of stairways, landings and access paths per Section 17-7.9 1A of the Pequot Lakes Zoning and Subdivision Ordinance.
7. Wetland area shall not be modified unless authorized by Crow Wing County.
8. Natural or manmade stormwater storage areas shall be utilized where needed and shall be designated by drainage and utility easement, if necessary. All storage areas shall be vegetated and designed to lower naturally after a storm.
9. Onsite subsurface sewage treatment systems shall conform with Minnesota Pollution Control Agency Standards and the City of Pequot Lakes SSTS standards.
10. Onsite wells shall conform to the Minnesota Department of Health Rules and Regulations.
11. Prior to submittal of the final plat application, the developer shall pay a park dedication fee in the amount of **\$7,521.28** in accordance with Section 17-9.10 "Dedication to the Public—Standards."
 - a. 8 proposed lots x 2.26 people per household (according to State Demographer) x \$416 per expected resident = \$7,521.28

Planning Commission Member E. Larson moved to approve the Preliminary Plat for the Patriot Pines with 19 findings of fact and 11 conditions of approval, seconded by Planning Commission Member Norton. All members voted “aye”. Motion Carried 6-0.

3.2 Preliminary Plat – HOTGL City of Pequot Lakes

Mr. Burslie explained the staff report.

Mr. Burslie stated the City has decided to Plat as you go with intent to develop in the Heart of the Good Life (HOTGL) Development.

Tyler Gardner inquired about potential park dedication fees with new development. Discussion ensued regarding park dedication fees not being charged in a commercial district.

1. The applicant is proposing to create two lots, and extension to Larsen Parkway and an Outlot within the Heart of the Good Life Development.
2. The property is zoned “Patriot Development.”
3. The land is properly zoned in its natural state for the intended commercial and high density residential purposes.
4. The proposed lots are vacant.
5. Proposed Lot 1 is 3.3 acres and is located in the northwest corner of the development. The lot contains 112,830 sq ft of buildable area and is adjacent to Derksen Road and Larsen Parkway—both public streets.
6. Proposed Lot 2 is 4.1 acres and is located adjacent to the south of Lot 1. The proposed lot contains 151,717 sq ft of buildable area and is adjacent to the proposed platted 66’ wide extension of Larsen Parkway.
7. Proposed “Outlot A” is 69 acres and is vacant.
8. The proposed development will be served by the municipal sewer and water as those public utilities are planned to be constructed within the proposed 66’ wide platted public road extension of Larsen Parkway located adjacent to the east of the proposed lots.
9. Lot layouts are compatible with the existing layout of adjoining properties. The proposed layouts will not constrain the future development of adjacent properties.
10. The proposed side lot lines for each of the lots are at right angles to straight road lines or radial to lake shores.
11. The proposed development contains one public street which meets the dimensional requirements of the zoning ordinance.
12. Each of the lots will not require a variance to allow their intended purposes.
13. The proposed development of the subject property is consistent with the following goal contained in the Comprehensive Plan:
 - a. Ensure that new development adds to the character of the community and enhances the sense-of-place. All new developments – including

commercial, industrial, residential, mixed use, recreational, or civic – should incorporate Pequot Lakes’ small town feel and cultural heritage in their layout and design.

14. The subject property is owned by the City of Pequot Lakes and so the park dedication fee requirement does not apply.

Planning Commission Direction: The Planning Commission can recommend the City Council approve, deny, or table the Preliminary Plat application.

Staff Recommendation: We recommend that the application be approved with no conditions of approval.

Planning Commission Member E. Larson moved to approve the Preliminary Plat with 14 findings of fact and no conditions of approval. Planning Commission Member Johnson seconded the motion. All members voted “aye”. Motion carried 6-0.

3.3 Final Plat – HOTGL City of Pequot Lakes

Mr. Burslie explained the staff report.

1. The applicant is proposing to create two lots, and extension to Larsen Parkway and an Outlot within the Heart of the Good Life Development.
2. The property is zoned “Patriot Development.”
3. The land is properly zoned in its natural state for the intended commercial and high density residential purposes.
4. The final plat of Heart of the Good Life First Addition is in conformance with the approved preliminary plat of the same name.
5. The design standards of the plat are in conformance with the City of Pequot Lakes Zoning and Subdivision Ordinance.
6. The final plat document has been prepared by licensed land surveyor- Chad Conner, License No, 41643.
7. Dedication to the public and appropriate drainage and utility and drainage easements are included on the final plat.
8. There are no private streets proposed within the plat.
9. There are no private covenants proposed.
10. A title opinion for the development has been previously accepted by the city attorney.
11. There is no financial security required for the plat.
12. A development contract is not require for the plat.
13. A final plat check has been approved by a third party assessor.

Planning Commission Direction: The Planning Commission can recommend the City Council approve, deny, or table the Preliminary Plat application.

Staff Recommendation: We recommend that the application be approved with no conditions of approval.

Planning Commission Member Johnson moved to approve the Final plat of the Heart of the Good Life with 13 findings of fact with no conditions of approval, seconded by Planning Commission Member Norton. All members voted “aye”. Motion carried 6-0.

3.4 Ordinance Amendment – 17-5.10 Commercial Zone

Mr. Burslie explained the staff report.

Cindy Hidde, Stonemark Land Surveying, stated that the County allows a 1” rainfall allowance for a stormwater plan by a surveyor, however, an engineer would be the designer for a 10-year plan which is more complex. Discussion ensued regarding the determination of a simple vs. complex plan.

Planning Commission Member E. Larson moved to approve the Ordinance Amendment for impervious coverage increase from 25% to 50% with an option of up to a 10% increase to 60% with a storm water retention plan in the Commercial zone and approved administratively, seconded by Planning Commission Member Gonczy. All members voted “aye”. Motion carried 6-0.

4. **Open Forum** None

5. **New Business**

5.1 Sketch Plan for Potential Plat – Cindy Hidde, Stonemark Land Surveying was present.

Mr. Burslie explained the staff report. Cindy Hidde presented a new plan with a 66 ft road with cul-du-sac on the southwest side of plat.

Discussion ensued regarding the following:

- the width of the roadway, cul-du-sac radius
- one-acre lot size was based off prior discussion
- access to future connectivity
- possibly eliminating the north arc to the cul-du-sac
- dedicated road easement
- potentially having the city assist with road build cost
- vacation of cul-du-sac
- re-allocating area to enable lot size requirements.

6. Old Business

None

7. Approval of Minutes

7.1 Approval of April 23, 2023, Meeting Minutes

A motion was made by Planning Commission Member Johnson seconded by Planning Commission Member E. Larson, to approve the April 23, 2023, Minutes. All members voted “aye”. Motion carried, 6-0.

8. P & Z Administrator’s Report

8.1 Permits and Correspondence

8.2 Potential Violations/Enforcement Actions

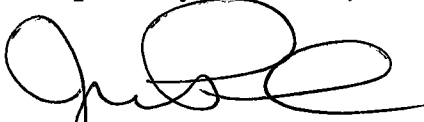
The following Potential Violations/Enforcement Actions were discussed:
Mr. Helbling applied and paid for his After-the-Fact permit.

9. Adjournment

A motion was made by Planning Commission Chair L. Larson, seconded by Planning Commission Member E. Larson, to adjourn the meeting. All members voted “aye”. Motion carried, 6-0.

The meeting was adjourned at 7:18 PM.

Respectfully submitted,



Jenny Peterson
Deputy Clerk