



AGENDA ITEM # 6.1

REPORT TO CITY COUNCIL

Report Prepared by: Dawn Bittner

Date: September 1, 2020

Subject: Planning Commission Report

Report: The Planning Commission Report is attached.

Council Action Requested: No Action Required.



4638 MAIN STREET • PEQUOT LAKES, MN 56472 • (218) 568-5222 • FAX: (218) 568-5860 • www.pequotlakes-mn.gov

August 25, 2020

Mayor and City Council
4638 Main Street
Pequot Lakes, MN 56472

Re: Planning Commission Report

Dear Mayor and City Council:

The Planning Commission held their regular meeting in August. They held 3 public hears and are sending you three recommendations this month.

Please feel free to contact me with any questions or concerns at 218-568-6699 or dbittner@pequotlakes-mn.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "D. Bittner".

Dawn Bittner
Zoning Specialist

**MINUTES
PEQUOT LAKES PLANNING COMMISSION/
BOARD OF ADJUSTMENT
REGULAR MEETING
AUGUST 20, 2020**

PRESENT: Chair Andrew Birch and Commissioner Tom Paulbeck via zoom;
Commissioners Mark Hallan and Wesley Wilson attended in person. ABSENT:
Commissioners Larson and Norton

CITY PLANNER: Justin Burslie, Sourcewell

ZONING SPECIALIST: Dawn Bittner

ADMINISTRATIVE ASSISTANT: Jennifer Peterson

COUNCIL LIAISON: Mayor Tayloe

1. Call Meeting to Order

The meeting was called to order by Chair Birch at 6:00 PM.

2. Consider Agenda

A motion was made by Planning Commission Member Hallan, seconded by Planning Commission Member Wilson, to approve the Agenda as presented.

**Roll Call Vote: Birch – AYE; Hallan - AYE; Paulbeck - AYE; Wilson - AYE.
Motion carried.**

3. Public Hearings

3.1 City of Pequot Lakes, applicant

Applicant requests an Ordinance Amendment regarding Bee Keeping

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

Discussion ensued regarding annual permitting, liability of having hives in residential zones, and updating the Ordinance to allow use in all residential zones with no minimum lot size.

Public Comment Opened:

No public comment.

Public Comment Closed.

A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Hallan, to recommend the City Council adopt the Bee Keeping Ordinance as outlined in the staff report with updates to the Shoreline Residential and Urban Residential Zones from excluded to permitted.

Roll Call Vote: Hallan – AYE; Birch - AYE; Paulbeck - AYE; Wilson - AYE. Motion carried.

3.2 Premier Homes, Inc., applicant
Applicant requests an Amendment to Final Plat of “The Range”
Mr. Burslie explained the Staff Report. Applicant was present via zoom.

Wade Vogel, owner of Premier Homes, Inc. stated the letter that was presented, stated Premier Homes, Inc. will be bringing cash funds not a bond to deposit into the City account.

PUBLIC COMMENT OPENED:

No public comment.

PUBLIC COMMENT CLOSED.

A motion was made by Planning Commission Member Hallan, seconded by Planning Commission Member Wilson, to recommend the City Council approve the amended Final Plat of “The Range”, based on the following Findings of Fact:

1. The development of the subdivision and planned unit development are in substantial conformance with the approved Preliminary Plat, site plan and elevations that govern the general location of lots, roadways, buffers, infiltration basins and improvements dated April 8, 2019.
2. The Final Plat agrees with the Preliminary Plat. The design has not changed since Preliminary Plat approval.
3. The City Engineer has reviewed and approved the excavation, grading or other terrain disturbance, and final plans for all infrastructure.
4. The applicant has complied with Conditions 4, 7 and 8 as they are included in the Declaration.
5. Lot 16 (greenspace) shall not contain any structures. The Water Utility Plan indicates 3 flushing hydrants with 2” connection for fire hose.

6. The cluster sewer system design conforms to Minnesota Pollution Control Agency Standards (Chapter 7080 – 7083 of the Minnesota Administrative Rules) and the design has been reviewed and approved by Tom Espersen, a licensed Advanced Inspector per Minnesota Rules.
7. The City Engineer has reviewed and approved the cluster water system conforms to the Minnesota Department of Health Rules and Regulations MHD 210 – 230 “Water Well Construction Code”.
8. The review by the City Attorney is pending.
9. The developer has paid a park dedication fee in the amount of \$14,040.00.
10. The developer has provided financial security in the amount of \$281,250.00, which represents 125% of the estimated cost of the uncompleted improvements.
11. An independent Plat Check has not been received.

And subject to the following Conditions:

1. All documents must be acceptable to the City Attorney prior to Council approval of this Final Plat.

In addition, before the final plat is signed by the city the applicant shall provide the following:

- a) “Pumphouse details” referenced on Sheet 3 and Sheet 4 of the plans for the water distribution system.
- b) A copy of submittals (and response) to the Minnesota Department of Health regarding the water well, pumphouse and water distribution system.
- c) A copy of the Construction Stormwater General Permit from the Minnesota Pollution Control Agency (MPCA).
- d) Updated erosion control plan to include a double row a silt fence or a combination bio-rolls (bio-logs) and silt fence located on the west/south side of Unit 1 to the east side of Unit 2.
- e) Updated stormwater management plan to include a 6-inch to 12-inch tall vegetated (mowable) berm outside of the toe of sloped areas to prevent direct stormwater runoff to wetlands and adjacent properties.
- f) Updated specifications on the private road/driveway which includes pavement thickness.

Before permits are issued for the development the applicant shall provide the following:

- i) Copies of all required plumbing permits for the dwelling units from the MN Department of Labor and Industry.

**Roll Call Vote: Hallan – AYE; Birch - AYE; Paulbeck - AYE; Wilson - AYE.
Motion carried.**

**3.3 City of Pequot Lakes, applicant
Applicant requests Final Plat of “Heart of the Good Life Development”**

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

PUBLIC COMMENT OPENED:

No public comment.

PUBLIC COMMENT CLOSED.

A motion was made by Planning Commission Member Hallan, seconded by Planning Commission Member Paulbeck, to recommend the City Council approve the Final Plat of “Heart of the Good Life Development”, based on the following Findings of Fact:

1. The Final Plat agrees with the Preliminary Plat. The design has not changed since Preliminary Plat approval.
2. The City Engineer has reviewed and approved the excavation, grading or other terrain disturbance, and final plans for all infrastructure.
3. *The City Attorney agrees that all parties with an interest in the property are shown as signers of the document.*
4. The subject property is owned by the City of Pequot Lakes and a portion of it will remain in public ownership for public use in the future. A park dedication fee is not required for the proposed development.
5. Financial security is not required for the proposed development.
6. *An independent Plat Check has been received from _____, dated August ____ 2020.*

**Roll Call Vote: Hallan – AYE; Birch - AYE; Paulbeck - AYE; Wilson - AYE.
Motion carried.**

A motion was made by Planning Commission Member Hallan, seconded by Planning Commission Member Wilson, to close public hearings.

4. Open Forum

David Kennedy, 29064 Voyagers Pass, Pequot Lakes, spoke regarding enforcement action for the property at 4396 E Sibley St. He asked the Commission consider this matter at the September meeting and remove all criminal charges at this time.

5. New Business

5.1 Eric Johnson – Discussion

Mr. Burslie explained the Staff Report. Applicant was present virtually via Zoom.

Eric Johnson gave an overview of his application and his plans for the location.

Discussion ensued regarding the differences between the Commercial Use and Industrial Use definitions and the actual business Mr. Johnson would like to conduct on this property, what is required with water, sewer and waste/oil separator, and the clearing of the lot.

Consensus of the Commission is to allow Mr. Johnson to move forward with his application.

6. Old Business

7. Approval of Minutes

7.1 Approval of July 16, 2020 Minutes

A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Hallan, to approve the July 16, 2020 Minutes.

Roll Call Vote: Hallan – AYE; Birch - AYE; Paulbeck - AYE; Wilson - AYE. Motion carried.

8. P & Z Administrator’s Report

8.1 Permits and Correspondence

Bittner pointed out the 15 permits issued in July and the 3 letters sent since the last meeting. She also explained there were 66 permits issued in 2020, through July.

8.2 Potential Violations/Enforcement Actions

The following potential violations/enforcement actions were discussed: None.

9. Adjournment

A motion was made by Planning Commission Member Wilson, seconded by Planning Commission Member Hallan, to adjourn the meeting. All members voted “aye”. Motion carried. The meeting was adjourned at 6:52 PM.

Respectfully submitted,

Jennifer Peterson
Administrative Assistant