



**AGENDA ITEM # 6.2**

**REPORT TO CITY COUNCIL**

**Report Prepared by: Dawn Bittner**

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**Date:** September 1, 2020

**Subject:** Amendment to Final Plat of The Range

**Report:** Please see attached Council Report

**Council Action Requested:** Council motion adopting the attached Resolution approving the Amendment to the Final Plat of The Range, based on the 11 Findings of Fact and 1 condition.

COUNCIL REPORT

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**Application:** Amended Final Plat of The Range

**Applicant:** Premier Homes, Inc.

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**The subject property has recently been transferred to a new owner. The proposed amended final plat is identical to the previous final plat approval other than the updated ownership information.**

**Background Information:** The Applicant is proposing to subdivide property along Little Walnut Lane into 15 single-family residential building sites and one commonly owned lot (greenspace). The property is zoned "Rural Residential" and is located within the "Residential-Golf Course Community Overlay District". The City Council approved the Preliminary Plat of The Range on May 7, 2019. This Final Plat application is the final step in the subdivision process.



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**Planning Commission Recommendation:** The Planning Commission unanimously recommends 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 condition:

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.
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**CITY OF PEQUOT LAKES  
RESOLUTION NO. 20-**

**RESOLUTION APPROVING THE AMENDED FINAL PLAT OF THE RANGE**

**WHEREAS**, the City of Pequot Lakes is a municipal corporation organized and existing under the laws of the State of Minnesota; and

**WHEREAS**, Premier Homes, Inc., 2041 – 40<sup>th</sup> Avenue SE, Suite 112, Mandan, ND (Applicant) has submitted an application to the City of Pequot Lakes (City) for an amendment to the Final Plat of The Range, a copy of which is on file in the City of Pequot Lakes Planning & Zoning Department; and

**WHEREAS**, the City of Pequot Lakes Planning Commission held a public hearing on April 18, 2019 to consider The Range Preliminary Plat; and

**WHEREAS**, the Pequot Lakes Planning Commission has submitted its report and recommendation concerning the Preliminary Plat as part of a memorandum to the City Council for the May 7, 2019 City Council Meeting; and

**WHEREAS**, the Pequot Lakes Planning Commission adopted a motion recommending approval of the Preliminary Plat; and

**WHEREAS**, the City Council reviewed the Preliminary Plat request at its May 7, 2019 meeting and adopted a motion approving the Preliminary Plat; and

**WHEREAS**, the Pequot Lakes Planning Commission held a public hearing on August 20, 2020 to consider the Amended Final Plat for The Range consisting of fifteen single-family residential lots and one outlot; and

**WHEREAS**, on August 20, 2020 the Pequot Lakes Planning Commission adopted a motion to recommend that the City Council approve the Amended Final Plat of The Range contingent on review and approval by the city attorney; and

**WHEREAS**, the City Council reviewed the recommendation of the Planning Commission and the Amended Final Plat for The Range at a meeting held on September 1, 2020; and

**NOW, THEREFORE**, based upon the testimony elicited and information received, the City Council makes the following:

**FINDINGS**

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.

**NOW, THEREFORE, BE IT RESOLVED**, the City Council does hereby approve the Amendment to the Final Plat of The Range with 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.

Adopted by the City Council of the City of Pequot Lakes this 1<sup>st</sup> day of September, 2020.

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James Tayloe  
Mayor

ATTEST:

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Angie Duus  
City Clerk/Treasurer