

**MINUTES
PEQUOT LAKES PLANNING COMMISSION/
BOARD OF ADJUSTMENT
REGULAR MEETING
JULY 24, 2023**

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

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 Johnson, seconded by Planning Commission Member Gonczy to open public hearings. Motion carried 6-0.

3.1 Rezone Request – Kyle Narveson

Mr. Burslie explained the staff report.

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

1. The applicant is proposing to rezone a ten-acre tract from “Forest Management” to “Transition Residential”.
2. The subject property is located in Section 14 and is adjacent (south) to County Road 11. PIN 29140605.
3. The subject property meets the minimum size and dimensional requirements of the “Transitional Residential” Zone.

4. The subject property is not located within the Shoreland Area and no Shoreland soil types have been identified.
5. The vegetative cover of the subject property consists of trees and grasses.
6. The subject property is not adjacent to a public water body. "In-water physical characteristics" and recreational use of surface water do not apply.
7. The subject property is adjacent to and accessed via County Road 11.
8. The proposed rezoning does not increase the socio-economic development needs of the public.
9. 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.
10. The subject property does not contain any known significant historical or ecological value.
11. The subject property is adjacent to property zoned Rural Residential to the north, Agricultural to the west and Forest Management to the east and south. The proposed reclassification is not considered "spot zoning."
12. The proposed rezoning is in conformance with the City of Pequot Lakes Comprehensive Plan which identifies the subject property as "Urban/Rural Transition."
 - Urban/Rural Transition: These areas are not currently served by municipal utilities, but are within the potential expansion area. Development density in these areas must facilitate future utility extension and must be designed to tie to the urban areas.

Planning Commission Direction: The Planning Commission can recommend the City Council approve, deny, or table this rezoning request. Findings of fact should be cited if the recommendation is for approval or denial.

Staff Recommendation: The subject property meets the minimum requirements of the Transition Residential Zone and is adjacent to other properties with lot sizes consistent with that zone. The request is consistent with the comprehensive plan.

Staff recommends the application be approved without conditions.

Planning Commission Member E. Larson moved to approve the rezone request from Forest Management to Transition Residential based on the 12 findings of fact, seconded by Planning Commission Member Johnson. All members voted "aye". Motion Carried 6-0.

3.2 Preliminary Plat – The Homes on Firewatch Way

Mr. Burslie explained the staff report.

Discussion ensued regarding the cul-du-sac easement, size of the cul-du-sac and developers agreement.

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

1. The applicant is proposing to subdivide a ten acre parcel located south of County Road 11/East of Highway 371 (no physical address) into eight residential lots
2. The property is zoned “Forest Management” however the applicant has request to rezone the property to “Transition Residential.”
3. The land is properly zoned (*if property is rezoned*) in its natural state for the intended residential purposes.
4. The subject property does not contain any structures.
5. Block 1- Lots 1-5: The proposed lots are one acre and are located along the east and south side of the development. The proposed lots range in width from 72’-329’.
6. Block 2- Lots 1-3: The proposed lots are located in the northwest corner of the development. The proposed lots range in width from 123’-242’.
7. The proposed development will be served by private subsurface sewage treatment systems located on each individual lot.
 - a. A SSTS Site Suitability from for each of the proposed parcels dated 7/14/23 has been prepared by Martin Joyce- L2129.
8. The proposed development will be served by private water wells located on each individual 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 appropriate to accommodate the design/layout of the proposed public right-of-way.
11. All of the proposed lots within the development will be accessed by a new public road, “Firewatch Way.”
 - a. The proposed road right-of-way is 66’ wide and is designed to accommodate an extension to the parcel located to the west for future development.
 - b. If/when the roadway is extended the “temporary cul-de-sac” identified within Lot 3, Block 2 will be removed and the land area will be returned to the owner of that lot. Z
 - c. The proposed roadway consists of 24’ of bituminous surface with ditches terminating in the southwest corner with a 68’ radius cul-de-sac.
12. There are no storm drainage improvements proposed for the individual lots. Stormwater runoff generated by the proposed roadway will be management within the right-of-way in accordance with the city’s street design standards.
13. Each of the lots will not require a variance to allow their intended purposes.
14. The subject property is not located within the Shoreland Area and no Shoreland soil types have been identified.
15. The vegetative cover of the subject property consists of trees and grasses.
16. A park dedication fee in accordance with Section 9.10 is required for the proposed development.

17. The subject property does not contain wetland area per letter dated June 5, 2023 from Ben Meister, MN Certified Wetland Delineator #1031.
18. 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: The proposed development is under review by Crow Wing County Highway Department and the City Engineer. Additional conditions of approval may be required upon completion of their review. Staff is not able to provide a recommendation without input from Crow Wing County and the City Engineer.

If the planning commission is inclined to make a recommendation to council, we recommend the following conditions for your consideration:

1. Prior to submittal of the final plat application the applicant shall construct all proposed public improvements in accordance with plans approved by city engineer OR enter into a development agreement (including financial security) with the city for construction of the public improvements.
2. Lot 1, Block 1 and Lot 1 Block 2 shall be accessed via Firewatch Way, as proposed. There shall not be driveway entrances constructed on County Road 11 to access either of the lots.
3. 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.
4. Onsite subsurface sewage treatment systems shall conform with Minnesota Pollution Control Agency Standards and the City of Pequot Lakes SSTS standards.
5. Onsite wells shall conform to the Minnesota Department of Health Rules and Regulations.
6. 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
7. The City Engineer shall review and approve all plans for public improvements prior to final plat approval.
8. Crow Wing County Highway Department shall review and approve proposed access to County Road 11.

Planning Commission Member Norton moved to approve the Preliminary Plat of The Homes on Firewatch way with 18 findings of fact and 8 conditions of approval contingent on the rezone request, seconded by Planning Commission Member Johnson. All members voted “aye”. Motion Carried 6-0.

Planning Commission Member Gonzcy moved to close public hearing, seconded by Planning Commission Member Mesa. All members voted “aye”. Motion carried 6-0.

4. Open Forum
None

5. New Business
None

6. Old Business
None

7. Approval of Minutes

7.1 Approval of June 26, 2023, Meeting Minutes

A motion was made by Planning Commission Member E. Larson seconded by Planning Commission Member Johnson, to approve the June 26, 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

9. Adjournment

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

The meeting was adjourned at 6:18 PM.

Respectfully submitted,



Jenny Peterson
Deputy Clerk