

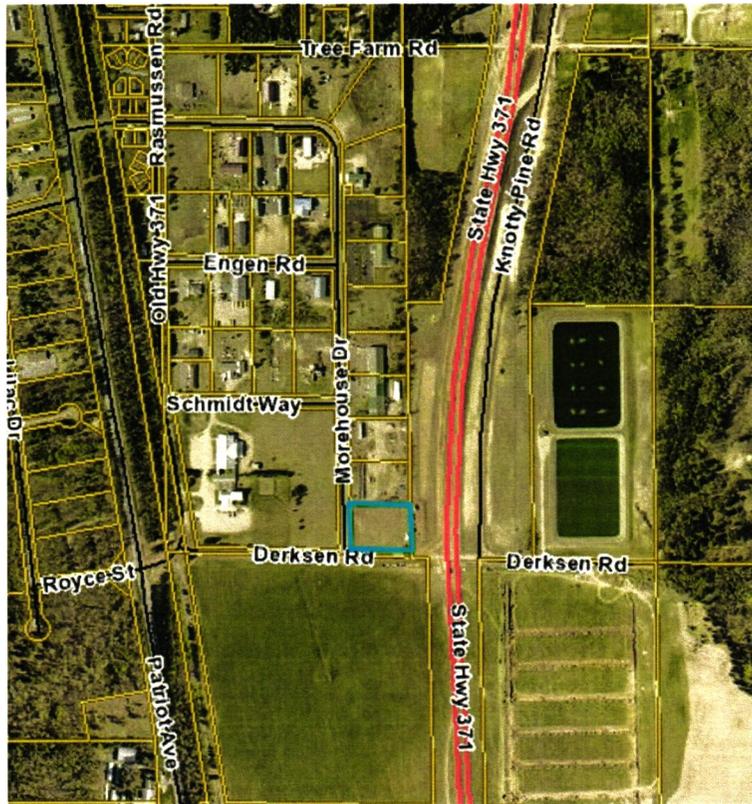
## STAFF REPORT

**Application:** Rezoning from Public to Light Industrial

**Applicants:** City of Pequot Lakes

**Agenda Item:** 3 (c)

**Background Information:** The applicant is proposing to rezone a 1.9 acre tract of land from Public to Light Industrial. The subject property is vacant and is accessed via Morehouse Drive and Derksen Road.



The subject property is adjacent to property zoned Light Industrial to the north, Commercial to the west, Public to the south and State Highway 371 to the east.

The subject property is owned by the City of Pequot Lakes and was part of a citywide rezone in 2017 where all City-owned property was rezoned to the Public zoning classification. The subject property is being sold to a private individual and is part of the Pequot Lakes Industrial Park.

**Applicable Regulations:** Section 17-5.1, Subdivision 7 outlines the criteria that should be considered when amending the official zoning map or establishing a zoning classification:

- A. Preservation of natural sensitive areas.
- B. Present ownership and development.
- C. Shoreland soil types and their engineering capabilities.
- D. Topographic characteristics.
- E. Vegetative cover.
- F. In-water physical characteristics.
- G. Recreational use of surface water.
- H. Road and service center accessibility.
- I. Socio-economic development needs of the public.
- J. Availability of public sewer and water utilities.
- K. The necessity to reserve and restore certain areas having significant historical or ecological value.
- L. Conflicts between land uses and impacts of commercial uses or higher densities on adjacent properties.
- M. Alternatives available for desired land use.
- N. Prevention of spot zoning.
- O. Conformance to the City of Pequot Lakes Comprehensive Plan.
- P. Conformance to the City of Pequot Lakes Future Land Use Map and any other official maps of the City.

Section 17-5.13 of the Ordinance contains the requirements for the Light Industrial (LI) Zone:

1. Purpose and Intent: To provide a zoning classification for light industrial and commercial uses. Development in this zone requires high automobile accessibility, municipal water, sanitary sewer service, and municipal stormwater treatment facilities. Light Industrial zones should be clustered to control negative impacts of light industrial activities and to efficiently facilitate maximum interaction between light industrial and commercial enterprises.
  
2. Compatibility: The Light-Industrial zone is most compatible with and should be established adjacent to the Commercial zone, but in some circumstances may be compatible with the Downtown Mixed-Use, Urban Residential and Transition Residential zones. The zone may not be established in an area where it is completely surrounded by residential zones.
  
3. Lot, Use and Density Requirements.

Lot width– feet, minimum	50
Buildable lot area – square feet, minimum	10,000
Setback, right of way, City road- feet, minimum	30
Setback, right of way, County or State road, feet, minimum	30
Setback, between buildings – feet, minimum	10
Setback, side next to residential district – feet, minimum	30
Setback, side yard – feet, minimum	10
Setback, rear – feet, minimum	10
Setback, parking and driveways from lot line – feet, minimum	0

Setback, sign – feet, minimum	1
Setback, wetland – feet, minimum	30
Setback, unplatted cemetery or archeological site	50
Impervious surface – percent, maximum	90%
Building height, principal structure – feet, maximum	30
Building height, non-occupied accessory structure – feet, maximum	45
Flag Pole height – feet, maximum	60
Building above highest groundwater level – feet, minimum	3

4. Performance Standards. The following performance standards apply to all development in this zone:

- A. Compatibility of Use. Use shall be compatible with the surrounding neighborhood. Uses shall not present noise, odor, light nuisances or any other nuisances.
- B. Parking. Adequate off-street parking shall be provided. On-street parking is not allowed under any circumstances. Additionally, suitable trees and shrubs shall be planted between parking lots and all adjacent sidewalks, roads, lots and buildings.
- C. Lighting. Lighting shall be minimal. Lighting shall be downward directional and shall be compatible with the surrounding development. Fire Lanes. Fire lanes shall remain unobstructed at all times.
- D. Fences. Fences not exceeding 84 inches in height may be constructed. Under no circumstances shall a fence be constructed closer than 10 feet from the surface of a public road and in all cases not within the public right-of-way. Materials shall consist of usual fencing materials with posts and fence of metal, wood, concrete, brick or smooth wire. Barbed or electrified wire is prohibited, except where specific approval has been given by the Planning Commission.
- E. Landscaping. For new construction or additions/alterations, at least ten percent (10%) of the land area shall be landscaped with a combination of grass or other approved ground cover, shrubs, trees and ornamental landscaping. All landscaped areas shall be maintained and kept free of weeds and debris.
- F. Vegetation Removal, Intensive. The submittal requirements and procedures contained in Section 5.4 “Forest Management (FM)”,

Subparts 4b and 4c shall be met and followed.

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

1. The applicant is proposing to rezone 1.9 acres from “Public” to “Light Industrial.”
2. The subject property is owned by the City of Pequot Lakes. The subject property is being sold to a private individual who plans to construct a building to house his construction business.
3. The subject property is not within the Shoreland Area and no Shoreland soil types have been identified.
4. The vegetative cover of the subject property consists of 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 from Morehouse Drive and Derksen Road.
7. The proposed rezoning does not increase the socio-economic development needs of the public.
8. The public sewer and water utilities are adjacent to 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 “Light Industrial”, “Commercial” and “Public”. The proposed reclassification is not considered “spot zoning.”
11. The proposed rezoning is in conformance with the City of Pequot Lakes Comprehensive Plan.
12. The future land use map identifies the subject property as “Light Industrial.” Rezoning the subject property to “Light Industrial” is compatible with that classification.

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

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**Staff Recommendation:** Rezoning of the property to “Light Industrial” is in conformance with the minimum ordinance requirements, comprehensive plan and surrounding neighborhood. We recommend the application be approved without any conditions.

CITY OF PEQUOT LAKES  
PLANNING COMMISSION/BOARD OF ADJUSTMENT  
NOTICE OF PUBLIC HEARING  
OCTOBER 17, 2019  
6:00 P.M.  
AT  
CITY HALL

TO WHOM IT MAY CONCERN:

The following will be the subject of a public hearing on Thursday, October 17, 2019 beginning at 6:00 P.M.

**Hearing:** Variance request to construct a single-family dwelling within the OHW setback.

**Property Owner/Applicant:** Jason Forrest

**Property Location:** The subject property is located at 5577 Wilderness Road.  
Parcel ID: 29360687

A map identifying the subject property is on the reverse side of this notice.

**Purpose:** The applicant is requesting a variance to remove a pre-existing dwelling and construct a single-family dwelling 54' from the OHW of Lower Cullen Lake (75' required).

**Property Owners Please Note:** Please share this information with your neighbors in the event that any property owner has been overlooked or is not contained in our records.

All interested persons are invited to attend this hearing and be heard or send written comments to City Hall. Copies of the permit, maps, drawings and staff report are available at City Hall at least one week prior to the hearing date. Copies of the Staff Report regarding this application are available at City Hall or online at [www.pequotlakes-mn.gov](http://www.pequotlakes-mn.gov).

The staff report regarding the request will be available approximately one week before the meeting.

Justin Burslie, City Planner  
City of Pequot Lakes

The subject property is located at 5577 Wilderness Road:



APP # 19-88  
 SF # \_\_\_\_\_  
 Date 9-18-19  
 DWSMA NO

**CITY OF PEQUOT LAKES  
 SUBDIVISION/REZONING APPLICATION**

Name of Applicant City of Pequot Lakes Phone 568-5222  
 Mailing Address 4638 Main St. Email \_\_\_\_\_  
 City, State, Zip PL

Applicant is:		Title Holder of Property:
Legal Owner	<input checked="" type="checkbox"/>	_____
Contract Buyer	<input type="checkbox"/>	(Name)
Option Holder	<input type="checkbox"/>	_____
Agent	<input type="checkbox"/>	(Address)
Other	_____	

Signature of Owner, authorizing application: Nancy Matecha  
 (By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (if different than owner): \_\_\_\_\_  
 (By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

Location of property involved in this request:  
PEQUOT LAKES BUSINESS PARK

Parcel ID No. 29113 002 001 0009 Zoning District P

Nature of request (select only one):

- Preliminary Plat
- Final Plat
- Metes and Bounds
- Rezoning  PUBLIC TO LIGHT IND.

\*\*\* Please see the attached Checklist on Page 4.