

CITY OF PEQUOT LAKES  
PLANNING COMMISSION  
NOTICE OF PUBLIC HEARING - REZONE REQUEST  
MONDAY, MARCH 25th, 2024  
6:00 P.M.  
AT  
CITY HALL  
4638 MAIN STREET

TO WHOM IT MAY CONCERN:

The following will be the subject of a public hearing on Monday, March 25th, 2024, beginning at 6:00 p.m.

**Hearing:** Rezone Application #RZ 24-01 to rezone approximately 11.09 acres from “Forest Management” to “Commercial.”

**Property Owner/Applicant:** Plaid LLC

**Property Description:** The subject property is located North of 4762 Main Street (see reverse side of this notice) and described as: NE1/4 OF SW1/4 SEC. 11, EX. PART TO TOTEMPRODUCTS. EXC THAT PART OF E1/2SW1/4, SHOWN AS PARCEL 12 ON MN DEPARTMENT OF TRANS ROW PLAST NUMBERED 18-113, AND 18-114 AS THE SAME ARE ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER IN AND FOR CWC, MN EXC THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 136, RANGE 29, CROW WING COUNTY, MINNESOTA LYING EASTERLY OF PARCEL 12, MINESOTA DEPARTMENT OF TRANSPORTATION PLATS NO. 18-113 AND NO. 18-114. SEC 11 TWP 136 RGE 29 PIN: 29110540.

**Purpose:** The request is to rezone 11.09 acres from “Forest Management” to “Commercial.” All interested persons are invited to attend this hearing and be heard or send written comments to City Hall. Copies of the application, maps, drawings and staff report are available at City Hall and on-line at [www.pequotlakes-mn.gov](http://www.pequotlakes-mn.gov) one week prior to the hearing date.

**Property Owners Please Note:** Notice relative to the above listed request is sent to all property owners within 350’ of the applicant’s property. Please share this information with your neighbors in the event that any property owner has been overlooked or is not contained in our records.

Traci Pederson  
Zoning Administrator  
City of Pequot Lakes

*“This institution is an equal opportunity provider and employer.”*

The subject property is located North of 4762 Main Street, Pequot Lakes MN:



CROW WING COUNTY  
LAND SERVICES  
322 LAUREL ST STE 15  
BRAINERD MN 56401

GREER, CHARLOTTE A REV TRUST  
4611 PATRIOT PL  
PEQUOT LAKES, MN 56472

GREER, CHRISTOPHER T & BRENDA L  
31336 RASMUSSEN RD  
PEQUOT LAKES MN 56472

GREGORY, JOEL D & TERESA K  
31274 RASMUSSEN RD  
PEQUOT LAKES, MN 56472

HEMMERICH, EARL & JEANNINE  
PO BOX 385  
NISSWA, MN 56468

KENNEDY, DAVID T & CHRISTINE M  
29064 VOYAGERS PASS  
PEQUOT LAKES MN 56472

KLINE, ROGER J & PATRICIA L  
2288 28TH AVE SW  
PINE RIVER MN 56474

PLAID LLC  
18315 MINNETONKA BLVD # 140  
WAYZATA MN 55391

URSETH, LISA M  
4631 PATRIOT PL  
PEQUOT LAKES, MN 56472

## STAFF REPORT

**Application:** Rezoning from Forest Management to Commercial

**Applicant:** Plaid, LLC

**Agenda Item:** 3.1

**Background Information:** The applicant is proposing to rezone 11.09 acres from Forest Management to Commercial. The subject property is located directly North of the private residence located at 4762 Main Street. The property is currently undeveloped with no private or municipal utilities.



The property is adjacent to property zoned “Agriculture” to the North, “Forest Management” to the East, “Commercial” to the South, & a mix of “Commercial”, “Public”, & “Transition Residential” to the West:



- Patriot Development
- Open Space
- Water Resource
- Forest Management
- Agriculture
- Rural Residential
- Shoreline Residential
- Transition Residential
- Urban Residential
- Shoreline Commercial
- Shoreline Com and Open Space
- Commercial
- Downtown Mixed Use
- Light Industrial
- Recreation
- Public
- Paul Bunyan Trail

**Section 17-5.10 COMMERCIAL (C)**

1. Purpose and Intent: To provide a zoning classification for commercial uses oriented around the automobile. Parcels are larger than in the Downtown Mixed-Use zone in order to provide on-site parking, on-site stormwater facilities as well as on-site water supply and sewage treatment where municipal utilities are not immediately available.
2. Compatibility: The Commercial zone should be established as a transition zone between the Downtown Mixed-Use zone or the Light Industrial Zone and the surrounding 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 (sewered) – square feet, minimum	10,000
Buildable lot area (unsewered) – square feet, minimum	20,000
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 from lot line – feet, minimum	10
Setback, sign – feet, minimum	1
Setback, wetland – feet, minimum	30
Setback, unplatted cemetery or archeological site	50
Impervious surface – percent, maximum	50%
Building height – feet, maximum	25
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. Impervious Coverage. Impervious coverage may be increased by up to 10%, not to exceed 60% of the property if the following is provided and approved by the City:
    - (1) A storm water retention plan showing containment of the 10-year, 24-hour storm event on the parcel.
    - (2) Direct runoff of stormwater to adjacent properties and wetlands shall be eliminated through the use of berms, infiltration ponds, swales, filtration strips or other permanent means.

- B. Compatibility of Use. Use shall be compatible with the surrounding neighborhood. Uses shall not present noise, odor, light nuisances or any other nuisances.
- C. Parking. Off-street parking shall be provided as per Section 7.10. On-street parking is not allowed under any circumstances. To reduce the visual impacts and amount of surface parking, shared parking and surface parking shall be located behind or to the side of a building. Additionally, suitable trees and shrubs shall be planted between parking lots and all adjacent sidewalks, roads, lots and buildings.
- D. Screening. All sites shall be heavily landscaped to provide 100% screening to adjacent residential parcels and over 50% screening from the road or any non-residential parcel. Percentages shall be determined by amount of structure that can be seen during leaf-on conditions. A landscaping and screening plan must be submitted and approved by the Planning Commission with each conditional use permit.
- E. Lighting. Lighting shall be minimal. Lighting shall be downward directional and shall be compatible with the surrounding development. Lights approved with signs must be turned off at the close of business each day.
- F. Fire Lanes. Fire lanes shall remain unobstructed at all times.
- G. 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

#### **Section 17-5.4 FOREST MANAGEMENT (FM)**

1. Purpose and Intent: To provide a zoning classification for sustainable management of forested areas, to establish and maintain timber resources, to protect the natural environment, to preserve undeveloped areas and to provide recreation opportunities. Development patterns are characterized as very low-density residential without municipal utility service and with only limited demand for accessibility. Forest Management zoning should be used to preserve rural character.
2. Compatibility: Forest Management zones would generally be compatible with and can be established adjacent to Agriculture, Rural Residential, Transition Residential, Commercial and Light Industrial zones. The zone may also be compatible with other zones in areas where forest stands exist.

3. Lot, Use and Density Requirements.

Lot Width - feet, minimum .....	300
Total Lot Area - acres, minimum .....	10
Buildable Lot Area - acres, minimum .....	5
Setback, right-of-way, local streets - feet, minimum .....	50
Setback, right-of-way, collector and arterial streets - feet, minimum.....	50
Setback, side - feet, minimum.....	25
Setback, corner side - feet, minimum .....	40
Setback, sign - feet, minimum.....	1
Setback, wetland - feet, minimum .....	30
Maximum impervious coverage.....	10%
Maximum Building Height - feet .....	25
Maximum Flag Pole Height – feet. ....	30
Maximum animal unit per acre.....	0.5

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

- A. Screening. Screening consisting of native trees and shrubs covering a minimum of 75 percent of the setback area (leaf on conditions) is required in the road setback and within 50 foot lake, river, stream, wetland, and bluff buffers in order to retain the scenic beauty and rural character as viewed from roads and lakes.
- B. Best Management Practices. The “Best Management Practices in Minnesota” for “Water Quality in Forest Management”, Minnesota Department of Natural Resources, shall hereby be adopted as the standard for timber management in forested areas.
- C. Management Plan. Cutting, including clearcutting, may be allowed only after the preparation and approval of a specific management plan for the



lands being managed for forestry purposes and subject to the following standards and criteria:

- (1) A specific written management plan shall be prepared by a professional forester and submitted for review and approval to the designated city official.
- (2) The management plan shall contain a description of the proposed cutting operation and a summary of how the operation will comply with the standards set forth in this section:
  - (a) How the proposed vegetation management plan will protect or enhance the scenic and aesthetic character of the shoreland.
  - (b) Description of the property, including both a legal description and a general description.
  - (c) The general description shall include a description of the location, size, topography, soils, and access to the vegetation management area.
  - (d) The name, address and phone number of the person or persons who will be in charge of the proposed vegetation management project.
  - (e) Additional information that may be required for proper review of the management plan.
- (3) The management plan shall be made available by the Zoning Administrator for review and, upon, request, to the Minnesota Department of Natural Resources.

- D. Establishment of Primary Use. Garages and storage sheds may be permitted in the Forest Management zone without principle dwelling units. Properties with garages and storage sheds without a principal use shall have adequate buildable area for a principle dwelling unit, a sewer treatment system and a well.

**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.

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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 11.09 acres from Forest Management to Commercial.
2. The subject property does not have an established address (PID 29110540).
3. The property does not have private utilities (well, septic).
4. The subject property is not located in the Shoreland Area.
5. The vegetative cover of the subject property consists mainly of trees.
6. The subject property is not adjacent to a public water body so “in-water physical characteristics” and recreational use of surface water will not be impacted by rezoning the property.
7. The subject property is accessed via parcels to the South with a private residence (common ownership).
8. The proposed zoning classification does not increase the socio-economic development needs of the public.
9. The subject property does not contain any known significant historical or ecological value.
10. The property is adjacent to property zoned “Agriculture” to the North, “Forest Management” to the East, “Commercial” to the South, & a mix of “Commercial”, “Public”, & “Transition Residential” to the West. The request is not considered “spot zoning”.



Findings for approval:

1. Rezoning the property to "Commercial" classification is consistent with the policy on page 8 of the Comprehensive Plan for the City of Pequot Lakes by "ensuring that the new development adds to the character of the community and enhances the sense-of-place."
2. The future land use map identifies the subject property as "Forest Preservation," however, the subject property is within the vicinity of property classified as "commercial."

Findings for denial:

3. Rezoning the property to "Commercial" classification is not consistent with the Future Land Use Map, contained in the Comprehensive Plan.
  - a. The future land use map identifies the subject property as "Forest Preservation."

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**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.

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**Staff Recommendation:** The subject property meets the minimum size and dimensional requirements of the "Commercial" Zone and it is adjacent to other property zoned "Commercial."

Should the planning commission recommend approval, staff does not have any recommended conditions for approval.



\* V2002 \$400 + \$46 recording fee to CWC V2003  
pd 2-20-24 Redesign

APP #	RZ 24-01
SF #	
Date	2-20-2024
DWSMA	

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

Name of Applicant PLAZO L.L.C. Phone 218-330-3093

Mailing Address 18315 MINNETONKA BLVD Email CHAN JOHNSON 1973@YAHOO.COM  
SPE140

City, State, Zip WAYZATA MN 55391

Applicant is:

Legal Owner  ( X )

Contract Buyer  ( )

Option Holder  ( )

Agent  ( )

Other \_\_\_\_\_

Title Holder of Property:

PLAZO L.L.C.

(Name)

18315 MINNETONKA BLVD

(Address) WAYZATA MN 55391

Signature of Owner, authorizing application: \_\_\_\_\_  
(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: Rezone From Forest Management  
TO Commercial

Parcel ID No. 29110540 Zoning District Commercial

Nature of request (select only one):

- Preliminary Plat  ( )
- Final Plat  ( )
- Metes and Bounds  ( )
- Rezoning  ( X )

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