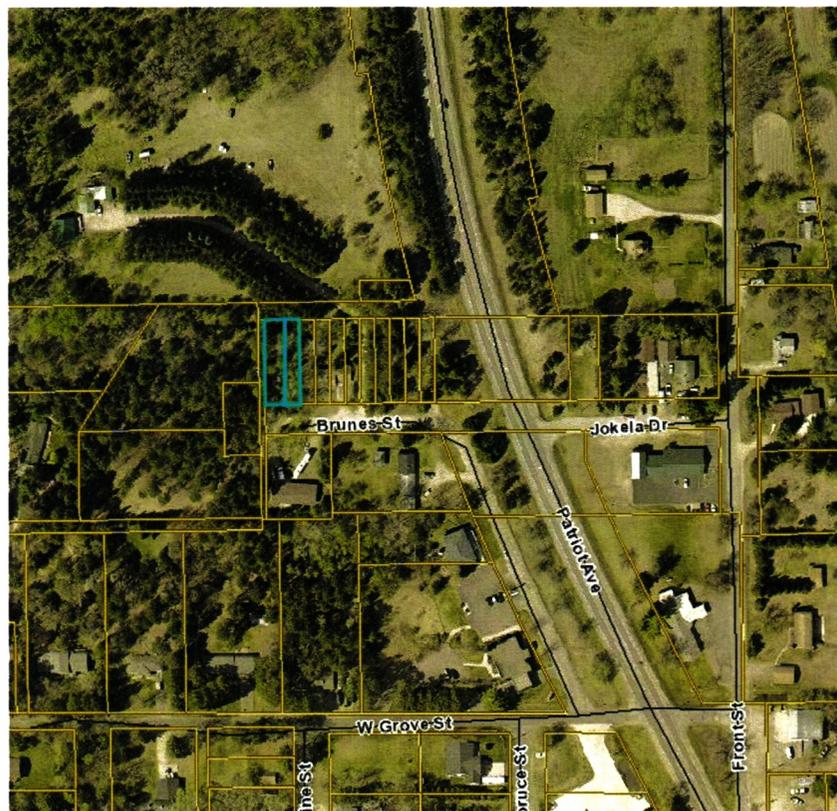


**Agenda Item: 6 (e)**

**Background Information:** Crow Wing County would like to reclassify the subject tax-forfeited property as “Non-Conservation” so that it may be sold in the future at auction. They are requesting the City’s input on reclassifying and selling the subject property.

The subject property is .18 acres or 8,400 square feet and is vacant. The subject property is non-conforming in size as it does not meet the minimum lot size of 20,000 square feet in the Commercial Zone for unsewered parcels.



**Applicable Regulations:**

**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	25%
Building height – feet, maximum	25
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 25%, not to exceed 50% of the property, through a conditional use permit 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.

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**Planning Commission Direction:** The Planning Commission should discuss the subject property and make a recommendation as to whether or not Crow Wing County may proceed with its plans to offer the tracts for sale. The Planning Commission can either recommend that the City Council approve the classification and intended sale or recommend the City Council not support the proposal.

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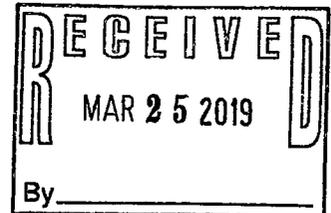
**Staff Recommendation:** The subject property is non-conforming and would be difficult to develop meeting the necessary setback requirements. We recommend the property be reclassified to “Non-Conservation” and be offered for sale to the adjacent property owner to the east.

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Land Services Department  
218-824-1010

322 Laurel Street  
Brainerd Minnesota 56401



March 21, 2019

Nancy Malecha  
City of Pequot Lakes  
4638 County Rd 11  
Pequot Lakes, MN 56472

Re: Classification to "Non-Conservation" and Future Sale of Tax Forfeited Lands

Dear Ms. Malecha:

In the near future, the Crow Wing County Board of Commissioners will classify the tax forfeited parcels, attached, as "Non-Conservation" which is required prior to sale pursuant to MS 282.01

Before, however, Crow Wing County can proceed with its plans to offer these parcels for sale, the city or township wherein these parcels lie **"must first approve the classification and intended sale"** by the County Board. The city or township **"is considered to have approved the classification and sale if the county board is not notified of the disapproval...within 60 days of the date"** of this letter.

If you respond within 60 days and do not support the County Board's action, **"the County Board must follow the procedures in paragraphs (c) and (d) per MS Statute 282.01, with regard to the parcel, and must additionally cause to be published in a newspaper a notice of the date, time, location, and purpose of the required meeting."**

Please review the list of tax forfeited parcels, attached, and inform this office of your approval or disapproval of the County Board's future action to classify said parcels to a "non-conservation" status with intentions to sell at a future public auction.

**Please include the zoning information for each tax forfeited parcel along with any special assessments that are or will be attached to each parcel.**

Maps have been enclosed to aid in your review.

If you have any questions concerning this process, please advise.

Sincerely,

Heather Becker  
Assessment Specialist

Enclosures

**Our Vision:** Being Minnesota's favorite place.  
**Our Mission:** Serve well. Deliver value. Drive results.  
**Our Values:** Be responsible. Treat people right. Build a better future.

**CITY OF PEQUOT LAKES**

Tract	Description	Approx. Lot Size (acres)	RE Code(s)	Remarks	Specials	Judgement Year	Forfeited	Zoning
	LOTS 14 & 15 BLOCK 1, BIGGS' ADDITION TO PEQUOT	0.28	291000010140009 & 291000010150009		50009	2012, 2013	9/13/2018, 9/19/2017	
	LOT 29 BLOCK 1, BRUNES' ADDITION TO PEQUOT	0.08	291010010290009			2014	9/13/2018	
	LOT 30 BLOCK 1, BRUNES' ADDITION TO PEQUOT	0.11	291010010300009			2014	9/13/2018	
	OUTLOT B EX A 60 FT SQ TO NW BELL TELEPHONE EX PART TO ARVIG TELEPHONE CO., POWWOW POINT	0.38	2912500090BC009			2014	9/13/2018	