

**MEETING OF THE PEQUOT LAKES PLANNING COMMISSION
MONDAY, MAY 20, 2024 (DRAFT)
PEQUOT LAKES CITY HALL**

Members Present: Commission Chair, Andrew Ellering; Commission Members Kent Johnson, Eric Larson, Paula Lang, Nathan Norton, and Paul Luger

Members Absent: All present

Staff Present: Thomas Roloff, City Planner; Traci Pederson, Zoning Administrator; Angie Duus, City Administrator (at 6:02pm); Laura Larson, City Council Liaison, Nick Roy, Public Works Supervisor (at 6:02pm)

Others Present: Chan Johnson, Mike Jackson, Cindi Jackson, David Kennedy, Christine Kennedy, Lisa Urseth, and Travis Grimler

1. Call Meeting to Order

Commission Chair Ellering, called the meeting of the Pequot Lakes City Planning Commission to order at 6:00 p.m.

2. Resignation Letter

Chair Ellering acknowledged and thanked Commission Member Jenni Gonczy for her time on the Planning Commission. We'll be looking to fill the remainder of her term which goes through 12/31/2024.

3. Consider Agenda

COMMISSION MEMBER E.LARSON MOVED TO APPROVE THE AGENDA AS IS, COMMISSION MEMBER NORTON SECONDED THE MOTION. MOTION CARRIED 6-0.

4. Public Hearing(s)

COMMISSION MEMBER JOHNSON MOVED TO OPEN THE PUBLIC HEARING. COMMISSION MEMBER E.LARSON SECONDED THE MOTION. MOTION CARRIED 6-0.

Public Hearing opened at 6:01 p.m.

Chair Ellering made a statement to all in the room that the hearing is to discuss the rezone only and asked for all to refrain from discussing the other parcels nearby.

4.1 PLAID LLC

Rezone 11.09 acres from Forest Management to Commercial, PID 29110540. This was first brought into discussion at the March 25, 2024 Planning Commission meeting, it was tabled that night. Tabled again at the April 22, 2024

meeting to allow additional time for the developer to bring additional information to the Planning Commission. Tonight, a recommendation to approve or deny the rezone of this parcel will be made from the Planning Commission to the City Council, for the Council's June 3rd meeting.

City Planner, Thomas Roloff, presented the application and staff findings for the rezone. Thomas stated the findings from the original packet #1-11 remain the same, over the last two months he's added some additional material on findings. Thomas read over the updated suggested findings for reasons to approve or deny the rezone request. At the end of the staff report, the staff recommendation was noted that the subject property meets the minimum size in dimensional requirements of the commercial zone and it is adjacent to other property zone commercial, however the suggested finding for denial demonstrate merit for the continuity of the Forest Management zone on the parcel as intended by the Future Land Use Map. If the Planning Commission recommends approval, staff does not have any recommended conditions.

At this time, there were no questions from the Planning Commission.

Chan Johnson, the co-developer and applicant for the rezone approached the table. He provided the Planning Commission with a draft of his plan for the development, which was asked of the Planning Commission during the April 22nd Planning Commission meeting. This draft/visual included at minimum a 50ft buffer of trees at the shortest distance near the current residential areas.

Chair Ellering opened it up for public comment.

David Kennedy approached the table and talked about the current Comp Plan and how the parcel shouldn't be rezoned. He stated Pequot isn't suffering from stagnation, he's not sure that growth is necessary for the sake of growth. If this is rezoned, he'd think about rezoning his own neighboring property to commercial, it will all be a domino effect.

Lisa Urseth stated she's against the rezone. She brought in copies of the Comp Plan and the Future Use Plan for all to have and reference. She says losing the buffer of trees would be detrimental to the value of her home. If we can't count on the Comprehensive Plan, Downtown Plan and Future Land Use Map, what can we count on – what is the purpose of having them if they aren't followed or true.

There was an email sent by Dayne Gottsch in opposition of the rezone earlier in the day. Traci Pederson provided the email to the Planning Commission for their review.

Planning Commission member E.Larson reiterated at a previous meeting it was stated the developer could apply for a clear cut on the property which could create an eye sore for the community and the tree buffer could be gone completely, for years. He sees the rezone as an opportunity to help with business and the town as a whole.

Commission Norton asked if rezoned, could we add verbiage in the Developers Agreement regarding buffers etc. City Planner Roloff stated that in the commercial zone there are screening and performance standards in place within our ordinance. With that said if a use is allowed in a zone, there'd be no 'conditions' the Commission would be able to require. If a Conditional Use Permit needs to be applied for, then the Planning Commission could add in specific additional performance standards and conditions. Administratively if the use is permitted, the amount of detail would be based on the current performance standards.

Commission Norton stated while a gas station may or may not bring business to the downtown area, some of the other proposed commercial businesses would/could bring a lot of business to the downtown area, therefore he tends to be in favor of the rezone.

Thomas reiterated there are no conditions on this zoning change. We are not looking at the uses, just the purpose of, or to rezone the land. The task tonight by the Commission is to make a recommendation to the Council on the rezone itself.

Commission Johnson asked what happened to the idea back in March of splitting the parcel into two zones, commercial and something else so we could keep all the trees, current buffer, etc. The developer had stated awhile back this was no longer of interest based on the potential businesses that have expressed interest in the land. He will keep a buffer and is very willing to work with keeping as many trees as possible in the area.

COMMISSION MEMBER E.LARSON MOVED TO MAKE A RECOMMENDATION TO APPROVE THE REZONE BASED ON THE STAFF FINDINGS. COMMISSION MEMBER NORTON SECONDED THE MOTION. Roll call vote was taken on this rezone vote:

**Kent Johnson: No
Eric Larson: Yes
Paula Lang: Yes
Nathan Norton: Yes
Paul Luger: Yes
Andy Ellering: Yes**

MOTION CARRIED 5-1

COMMISSION MEMBER E.LARSON MOVED TO CLOSE THE PUBLIC HEARING. COMMISSION MEMBER LANG SECONDED THE MOTION. MOTION CARRIED 6-0.

Public Hearing closed at 6:30 p.m.

5. Open Forum

Nothing tonight.

6. New Business

6.1 Mike and Cindi Jackson: Metes and Bounds <10 acres subdivision, PID 29270774.

Thomas went over the staff report. Staff recommendation noted that the proposed parcels meet the minimum requirements of the Shoreline Residential Zone. Staff recommends the application be approved with the following condition: "Sale Tract" must be consolidated with the property located at 3602 W Mayo Lane (PID 29270774) as described in the Proposed Boundary Descriptions provided in the Certificate of Survey at the time of recording at Crow Wing County offices. Need approval for final recording at Crow Wing County.

The applicant was present and stated he had needed the additional land for a septic system for new construction of a dwelling.

COMMISSION MEMBER E.LARSON MOVED TO APPROVE THE APPLICATION WITH THE CONDITION NOTED IN THE STAFF REPORT. COMMISSION MEMBER JOHNSON SECONDED THE MOTION. MOTION CARRIED 6-0.

6.2 Ordinance Amendment discussions

A) Guest Cottage/Accessory Dwelling maximum sizes

Thomas went over the report prepared focusing on Urban Residential zone as this zone is more restrictive with performance standards. Aiming to strike a few things out of the UR zone at this point regarding Accessory Dwelling Units (ADUs).

Commission Johnson stated having the maximum impervious coverage of 40% will still assist with keeping additional buildings on the parcels a decent size.

Commission ELarson stated he likes the consistency of 900 sq ft as Crow Wing County has.

If the Commission would like to motion to make an ordinance amendment, we'll begin the process of a public hearing.

COMMISSION MEMBER LANG MOVED TO GO FORWARD WITH AN ORDINANCE AMENDMENT AND PUBLIC HEARING REGARDING THE UR ZONE'S CURRENT MAXIMUM SIZES FOR ADUs AND GUEST QUARTERS. COMMISSION MEMBER JOHNSON SECONDED THE MOTION. MOTION CARRIED 6-0.

B) Chickens on property

Animal units are not listed in the UR Zone, which is where the request came in to have chickens on the property. Thomas went over the staff report, including documents from the University of MN and MN Department of Health. He went on to state different findings from Nisswa and Dassel MN. Both towns prohibit

roosters. He also noted that having a maximum number of chickens allowed vs. going by animal units would help with ease in the process.

Commission Johnson questioned if there should be a minimum amount of acreage to have chickens on the property allowed – neighboring cities have .5 acres or at least 1 acre as minimum.

The Commission would like to have performance standards noted within the code, like Dassel's, the requirement of having a license or permit will be left up to the City Council.

COMMISSION MEMBER ELARSON MOVED TO GO FORWARD WITH AN ORDINANCE AMENDMENT AND PUBLIC HEARING REGARDING CHICKENS IN THE RESIDENTIAL ZONES. COMMISSION MEMBER JOHNSON SECONDED THE MOTION. MOTION CARRIED 5-0.

COMMISSION NORTON RECUSED HIMSELF FROM VOTING FOR PERSONAL REASONS.

7. Old Business

Nothing tonight.

8. Approval of Minutes

COMMISSION MEMBER ELARSON MOVED TO ACCEPT AND APPROVE THE APRIL 22, 2024 MINUTES AS IS. COMMISSION MEMBER LANG SECONDED THE MOTION. MOTION CARRIED 6-0.

9. Planning & Zoning Administrator's Updates

Zoning Administrator, Traci Pederson, went over the monthly report, which included permits issued and applied for along with ordinance violations and notification letters sent within the community.

10. Adjournment

THERE BEING NO FURTHER BUSINESS, COMMISSION MEMBER E.LARSON MOVED TO ADJOURN. COMMISSION MEMBER NORTON SECONDED THE MOTION. MOTION CARRIED 6-0.

The meeting of the Planning Commission adjourned at 6:50 p.m.

Respectfully submitted,

Traci Pederson
Zoning Administrator