

**City of East Gull Lake
Planning and Zoning
Regular Meeting**

Tuesday, March 30, 2021 – 6:30 PM

I. Call to order

Chairman Bruce Buxton called to order the regular meeting of the City of East Gull Lake Planning and Zoning Commission at 6:30 PM on Tuesday, March 30, 2021 at City Hall.

II. Pledge of Allegiance

III. Roll Call

Present: Bruce Buxton (Chair), Commission: Marty Halvorson, Paul Tollefson, Nate Tuomi, Eunice Wiebolt, Rocky Waldin

Staff Present: City Administrator Mason, Administrative Assistant Schack

Council Liaison: Carol Demgen

Audience: Kody Teslaa, Randy Jenniges, Craig Campbell, Eric Peterson, Michael Flanagan, Matt McKinnon, Tom Lehman, Chris Brands, Scott Hoffmann, Dutch Cragun

IV. Adoption of Agenda/Additions or Deletions to the Agenda

4a Russell CUP Postponed

Motion by Commissioner Halvorson and seconded by Commissioner Wiebolt to approve the agenda as amended. All present voted in favor thereof. Motion carried.

V. Approval of Minutes

Motion by Commissioner Tuomi, second by Commissioner Halvorson to approve the minutes of the Tuesday, February 23, 2021 meeting. All present voted in favor thereof. Motion carried.

VI. Open Forum

Craig Campbell addressed the Commissioners regarding a home that he would like to construct on his property. He is requesting splitting his property to build a garage with living quarters on the 1.5-acre parcel. It was noted the impervious coverage would be approximately 23%. It was also noted the size would be over 8,000 sq. ft. and the garage portion would be larger than 1280 making a CUP a requirement. It would also need a stormwater plan.

VII. Public Hearings

~~A. 2021-13 Todd Russell CUP~~ Postponed

B. 2021-12 Cragun's Rezone, CUP and Re-Plat

Chair Buxton asked Administrator Mason to read the staff report for the project. He then showed the area included in the project. It was noted the development is going through Crow Wing County for 58 units and the MPCA requirements. Eric Peterson noted the project was approved by the Planning Commission in Crow Wing County. It was also noted that East Gull Lake will be accepting the decision of Crow Wing County for those 58 units involved and for the MPCA information provided.

Motion by Commissioner Halvorson and seconded by Commissioner Tuomi to recommend approval of the rezoning of nine (8) existing parcels of OAK HILL ESTATES owned by Cragun's, Parcel 87-033-1102 and a portion of Gov't Lot 1 (87-028-4400) from Recreation to Residential – Medium Density (R2) as presented to be included in the LEGACY VILLAGE FIRST ADDITION. All present voted in favor thereof. Motion carried.

The findings and conditions for the re-plat were reviewed. Discussion ensued regarding potentially connecting the housing development to the East Gull Lake wastewater system. It was noted that the City should continue looking into the possibility of Federal stimulus money that may be available from Crow Wing and Cass County. Administrator Mason has already spoken with both County Administrators about the possibility. Chair Buxton closed the public hearing. Discussion ensued regarding the added golf cart traffic from the development and keeping them off CR 77 for the safety of the residents. It was noted that there is some golf cart path already part of the course that could potentially be used, but is highly advised to not use CR 77 for commuting purpose due to the narrow winding high-speed road. Chair Buxton asked that signs to be erected to tell people to not use golf carts on the edge of the highway.

Findings of Fact:

1. Oak Hill Estates was previously a housing development created by Cabin Pak Inc. out of Sartell MN. for building small cabins. This was established in 1983 and was planned for up to eight (8) lots. It was zoned R2 and in 2002 Cragun’s purchased multiple properties that were unsold within the development to create the Legacy Golf Courses. At the time of the CUP for golf course development, a zoning change was made to make it a recreation zone specifically for golf course use.
2. The 10 lots proposed in East Gull Lake are a part of the larger development for Cragun’s Legacy Village South in Crow Wing County that consist of 68 homes sites total with around one (1) acre in each parcel.
3. A subdivision and rezoning application has been submitted to change various parcels included in the development from a recreation zone back to a R2 residential zone
4. A previous CUP for an additional four (4) golf holes to be added in 2017 in the same area of land that was recorded at Cass County on October 16,2017 with a document # A000635410 will be replaced by this CUP and adopting the new plan in 2021 to be recorded with Cass County. This should be a condition of the CUP as discussed with the Cass County Recorder on Thursday March 11,2021.
5. Crow Wing County is conducting the required EAW hearings and determination as part of this application.
6. Roads that are being created for this development will meet the City and County standards of 66 foot right of ways and will be built to both our standards. The developer prefers to leave the roads private and will be maintained by the HOA that will be created.
7. A stormwater report has been submitted with this application and it contains a 10-year, 24-hour storm event, drainage structures for 5-year, 24-hour storm event and plans for natural drainageways for a 100-year storm event. All feaqtures meet the MPCA standards.
8. Draft Covenants and Easements have been provided by the developer for owner protection and City access to adjoining property for utilities.
9. A park dedication fee will be required for replating of these 10 home sites. The fee is equal to 10% of the current taxable market value for the land involved in the plat. Current lot numbers are as follows:

<u>Parcels being used</u>	<u>Taxable Market Value</u>	<u>Land Value included in EGL Development</u>
87-028-4400	\$62,000	(1/3 of land being used) \$20,666
87-428-0220	\$20,000	\$20,000
87-428-0130	\$3,000	\$3,000
87-428-0120	\$20,000	\$20,000
87-428-0110	\$20,000	\$20,000
87-033-1102	\$3,600	\$3,600
87-428-0210	8,000	\$8,000
Total Market Value		\$95,266
10% of market value for Park and Trail Dedication Fee – Due from Cragun’ s		\$9,526

Conditions:

1. A previous CUP for an additional 4 golf holes to be added in 2017 in the same area of land that was recorded at Cass County on October 16, 2017 with document # A000635410 will be replaced by this CUP and adopt the new plan in 2021 to be recorded with Cass County. This should be a condition of the CUP as discussed with the Cass County Recorder on Thursday March 11, 2021.
2. A Payment of \$9,526 made to the City of East Gull Lake for Park and Trail dedication fees
3. Developers shall install and maintain erosion control by MPCA rules throughout construction activities. All ground shall be restored or stabilized as soon as possible after being disturbed.
4. Any future changes to the Property Owners Association Covenants shall be submitted to the City for approval as a modification to the Conditional Use Permit. All changes will be submitted to the City Planning and Zoning Administrator. The declaration shall include a provision to this effect.
5. All structures shall conform to the City's minimum building standards for a PUD and to the state building code.
6. All mail delivery shall be done as approved by the US Postal Service.
7. All planned exterior lighting shall be directed downward and shall not illuminate adjacent parcels that are directly or indirectly affected.
8. Developer is allowed to proceed with construction provided final plat is recorded prior to Certificate of Occupancy.
9. A new road entrances on Crow Wing County 77 will be added with access to East Gull Lake lots as approved by Crow Wing County.
10. Easements for public utilities and drainage for East Gull Lake will be provided.
11. With the popularity of multiuse trails in the East Gull Lake area, and 68 new homeowners that will want to access them, Cragun's will work with the City to create a type of multi-use trail system for walkers, bikers, golf carts, etc. rather than using the edge of County Road 77. Cragun's will contribute financially as well as provide easements and labor to help build the trail. Once completed, the trail system will be turned over to the City for future maintenance. Cragun's has recently contributed over \$30,000 to the park and trail fund via park dedication fees for two developments.
12. Signs will be required to be placed at the entrance to County Road 77 to deter golf carts from using the highway to access area around the development.

Motion by Commissioner Halvorson and seconded by Commissioner Wiebolt to recommend approval of the re-plat of the property included in the LEGACY VILLAGE FIRST ADDITION subject to the nine findings and the 12 conditions as amended. All present voted in favor thereof. Motion carried.

C. 2021-14 Cragun's Legacy Golf Course CUP

Administrator Mason read the staff report regarding the CUP for the remodeling of the Legacy Golf Course. The CUP is required because grading greater than 50 cubic yards in a Rec Zone outside of a shore or bluff impact zone.

Findings of Fact:

1. A previous Conditional Use permit was granted in 1997 to build the original Legacy golf courses and clubhouse.
2. A great deal of study was done at that time regarding environmental conditions before and during when the golf course was originally built. All is well documented as is available for public viewing
3. The Legacy courses have been operated and maintained very successfully for over 20 years now by much of the same team. They have proven to be environmentally responsible over that period of time and they will continue to do so as that is what makes their golf courses popular and successful.
4. A new golf course design and routing plan has been presented to the city by the Tom Lehman design group. This new plan involves shifting holes and renumbering holes in order to have three nine hole layouts and one eighteen hole layout.
5. This plan will be implemented over the next three years by closing 9 existing holes at a time for the remodeling.
6. This new layout plan will bring starting and finishing holes closer to the clubhouse for better flow as well.
7. The new layout will offer multiple methods of t-times and flexibility for tournament play by groups and individuals.
8. Specific Wetland information will be determined later in the spring as plants emerge. Refer to condition #1

- Documentation will be provided by the Lehman Design group with general information of soil movement

Conditions:

- It is being proposed that the project will include wetland impacts with the revisions to the existing golf course as noted in the published EAW (exhibit attached). Currently, the wetlands in this area have not been delineated in the field and will require delineation in the spring when conditions are suitable. The applicant will need to complete a pre-application meeting and permit process with Cass County as the Local Government Unit administrating the Minnesota Wetland Conservation Act. The applicant will not be allowed to impact wetlands without required permits.
- Any Substantial changes that occur over the proposed three-year construction period will be presented and reviewed by the Planning and Zoning administrator to determine if further changes in the permitting process should occur.
- Any future land that is purchased for additional changes to the golf course will require review for rezoning and additional permitting as required.

Motion by Commissioner Tuomi and seconded by Commissioner Wiebolt to recommend approval of the amendment to the existing CUP for the updating of Cragun’s Legacy Golf Course subject to the findings and conditions as presented. All present voted in favor thereof. Motion carried.

VIII. Planning and Zoning Administrator’s Report

A. Statistics

New Permits:	11
New Variances:	0
New Conditional Use:	2
Potential Permits:	2
Inspections	39
Completion Letters:	6
New Violations	0
Total 2021 Permits to date:	22

B. Prior Years’ Existing Permits Update

- One remaining open 2016 permit: Wavereck garage and rec area
- 3 open out of 84 total 2018 permits
- 7 open out of 74 total 2019 permits

Administrator Mason reviewed the inspections that took place during the last month.

IX. Old Business

X. New Business

IX. Adjournment

Motion by Commissioner Tuomi and seconded by Commissioner Halvorson to adjourn. All present voted in favor thereof. Motion carried.

Transcribed by East Gull Lake Administrative Assistant
Kathy Schack

These minutes are paraphrased and are not written word for word.