

**BIG LAKE PLANNING COMMISSION
REGULAR MEETING MINUTES**

JULY 16, 2008

1. CALL TO ORDER

Chair Becker called the meeting to order at 7:00 p.m.

2. ROLL CALL

Commissioners present: Kirby Becker, Ketti Green, Doug Hayes, Duane Langsdorf, Scott Marotz, Patricia May, and David Schreiber. Also present: Community Economic Development Director Jim Thares, Senior City Planner Katie Larsen, and Economic Development Assistant Sandy Petrowski.

3. ADOPT AGENDA

Commissioner Hayes moved to adopt the agenda. Seconded by Commissioner Green, unanimous ayes, agenda adopted.

4. OPEN FORUM

Chair Becker opened the Open Forum at 7:01 p.m. No one came forward for comment. Chair Becker closed the Open Forum at 7:02 p.m.

5. APPROVE PLANNING COMMISSION MEETING MINUTES OF JUNE 18, 2008

Commissioner May motioned to approve the June 18, 2008 Meeting Minutes. Seconded by Commissioner Green, unanimous ayes, Minutes approved.

6. BUSINESS

**6A. PUBLIC HEARING: REZONING AND SITE & BUILDING PLAN REVIEW
REQUEST FOR 790 MINNESOTA AVENUE – BIG LAKE DEVELOPMENT**

Senior City Planner Katie Larsen reviewed the July 7th Planning Report regarding an application received from John Weicht, of John Weicht & Associates, for a proposed remodel of the building located at 790 Minnesota Avenue into an office building. The applicant is requesting: 1) rezoning of the property from I-1 Industrial Park to B-3 General Business for the purpose of an office building; and 2) review and approval of the proposed site and building plan for the property. Planner Larsen indicated that the applicant, Mr. John Weicht, was present to answer questions of the Commission.

Commissioner Schreiber stated his concern that the proposed façade appeared to be sufficient for an office building but may not be desired for the purpose of a library, a possible occupant of the building. Planner Larsen stated that there is not a code that requires a building to have a specific façade for a library.

Chair Becker opened the public hearing at 7:18 p.m. No one came forward for comment. Chair Becker closed the public hearing at 7:19 p.m.

John Weicht, 13330 Islandview Drive, Elk River, Minnesota, 55330, was present to discuss the proposed project and answered questions of the Commission.

Commissioner Hayes asked Mr. Weicht if he had any concerns with the conditions listed in the Planning Report. Mr. Weicht stated that he would suggest that the City look at the ordinance regarding the requirements for lighting for security reasons, noting that he has included in his proposal more than the required amount of lighting and felt it would be appropriate for security reasons.

Chair Becker asked if there was enough space to design the sidewalk around the sign which currently encroaches into the required ten-foot setback. Mr. Weicht indicated it would be easier to move the sign as it would end up being located on his property due to the very small right-of-way in that location.

Commissioner Green stated for the record that she is no longer employed by Weicht & Associates so she would be discussing and voting on this issue.

Commissioner Green motioned to rezone the property located at 790 Minnesota Avenue from I-1, Industrial Park, to B-3, General Business. Seconded by Commissioner Hayes, unanimous ayes, motion carried.

The Commission discussed the following issues: 1) the off-street parking/number of parking stalls proposed in the current plan, which currently exceeds the required number by thirty-one (31) stalls; 2) the lack of green space being proposed; 3) the inclusion of additional plantings of trees and/or shrubs; 4) the proposed sidewalk which is to be extended along the property from the west property line to the east property line; and 5) the 10-foot setback proposed on the west side of the project.

Chair Becker motioned to approve the site and building plans with the following conditions: 1) allow the 10-foot setback to remain as proposed on the west side of the project; 2) revise the plans so that all parking stalls meet the minimum 9' x 20' dimensions allowed by City Code; 3) extend the sidewalk per City policy from the west property line to the east property line and reposition the sign upon the extension of the sidewalk; 4) work with staff to provide additional green space and islands as discussed. Seconded by Commissioner Hayes, the motion passed on a vote of 6 to 1, with Commissioners Becker, Green, Hayes, Langsdorf, Marotz, and May voting aye and Commissioner Schreiber voting nay.

6B. PUBLIC HEARING: VARIANCE REQUEST FOR 530 JEFFERSON BLVD – BAKKEN BUILDING & REMODELING

Planner Larsen reviewed the July 3, 2008 Planning Report pertaining to a development application submitted by Bakken Building and Remodeling for a variance request to allow for flexibility from the minimum front yard setback requirement of 30 feet due to the proposed remodeling of the existing building and garage encroaching approximately 24 feet into the required 30-foot front yard setback. Planner Larsen noted that Mr. DJ Bakken, of Bakken Building and Remodeling, was present to discuss the application and/or answer questions of the Board.

Chair Becker noted that Commissioner Hayes would be refraining from discussing/voting on the issue due to a conflict of interest as Mr. Hayes is an employee of Bakken Building and Remodeling.

Chair Becker opened the public hearing at 7:58 p.m. No one came forward for comment. Chair Becker closed the public hearing at 7:59 p.m.

DJ Bakken, of Bakken Building & Remodeling, 530 Jefferson Boulevard, Big Lake, Minnesota, was present to discuss the proposed project and answered questions of the Commission.

The Commission discussed whether or not a failure to grant the variance would result in undue hardship on the applicant. Commissioner Marotz asked Mr. Bakken what the alternative would be for his company if the variance request is not approved and he is not allowed to expand his facility as requested. Mr. DJ Bakken, of Bakken Building & Remodeling, 530 Jefferson Boulevard, indicated that his goal to create enough space so that the company can function at its current location, knowing that the permanent structure will not be there for more than five (5) years due to an anticipated redevelopment of that area (i.e., the funds are not available at this time to purchase the surrounding properties for an expansion of the business) and if he cannot make this proposal work, they will be forced to go elsewhere.

Commissioner May motioned to approve the variance request of twenty-four feet (24') from the minimum front/rear yard setback for principle structure as presented and outlined in the July 3, 2008 Planning Report. Seconded by Commissioner Langsdorf, the motion passed on a vote of 6 to 0 with 1 abstention, with Commissioners Becker, Green, Langsdorf, Marotz, May, and Schreiber voting aye and Commissioner Hayes abstaining.

6C. PUBLIC HEARING: CONDITIONAL USE PERMIT FOR 240 JEFFERSON BOULEVARD – FIRST FEDERAL SAVINGS BANK

Planner Larsen reviewed the July 3rd Planning Report regarding an application submitted by First Federal Savings Bank (who is changing their name to River Wood Bank), located at 240 Jefferson Boulevard, for a Conditional Use Permit for a sixteen (16) sq. ft. electronic changeable copy sign, which is to be located in the same location as the existing freestanding sign on the north side of the building.

Chair Becker opened the public hearing at 8:13 p.m. No one came forward for comment. Chair Becker closed the public hearing at 8:13 p.m.

Chair Becker questioned the current process that requires an applicant to go through the Planning Commission for review of a Conditional Use Permit request when the plans meet the City Ordinance requirements; asking why it could not be reviewed initially by the City Council when there are no deviations from the Ordinance which might have to be reviewed by the Planning Commission. Planner Larsen stated that it is the current process to have these types of applications reviewed by the Planning Commission.

Commissioner Schreiber discussed his concern with having an electronic changeable copy sign located near an intersection with a traffic signal due to the potential for drivers to be distracted by the sign and he asked staff to contact the Minnesota Department of Transportation (MnDOT) to determine how close to an electronic changeable copy sign can be to a signalized intersection. Planner Larsen stated that she would contact MnDOT and provide the findings to the Planning Commission at the next meeting.

Commissioner Green motioned to approve the Conditional Use Permit, for an electronic changeable copy sign for First Federal Savings Bank based on the findings of fact as listed in the July 3, 2008 Planning Report and with the condition that staff contact MnDOT to determine that the location of the electronic changeable sign is in compliance with allowable distance from the traffic signal at the intersection of Highway 10 and Highway 25/Lake Street. Seconded by Chair Becker, unanimous ayes, motion carried.

6D. CONCEPT PLAN REVIEW FOR COMMERCE PARK:

Planner Larson reviewed the July 10th Planning Report regarding an application submitted by Dynmon, LLC, for the review of a concept plan for the Commerce Park development to be located in Big Lake Marketplace North, noting that the proposed project would be a PUD mixed use commercial, retail, and open space development with the Commerce Ball Field being the focal point of the project.

Planner Larsen stated that this issue before the Planning Commission is strictly to review the concept plan and provide comments that will be submitted to the City Council for their review along with comments provided by the Parks Advisory Committee at their July 14th meeting. She indicated that Mr. Marley Glines and Mr. Mitch Glines, of Dynmon, LLC, were in attendance to answer questions of the Commission.

Mr. Marley Glines, 690 Humboldt Drive, Big Lake, Minnesota, provided a brief explanation of the plans for the restaurant, sports bar/nightclub, the courtyard, and the ball field, which he proposed could possibly be turned over to the City.

Commissioner Schreiber stated his concerns of possible complaints about the lights at the ball field disrupting neighboring residents in the evening and how would they control the use of alcohol on or near the field. Mr. Glines explained that he does not anticipate that the baseball ballgames would be played late into the evening, with a starting time of maybe 6:30-7:00 p.m. and only one game played. Commissioner Schreiber asked about having trails around the project. Mr. Glines explained that there are plans for trails within the project and indicated the location on the overhead.

Commissioner Marotz asked about the ponds within the project and where water is proposed to drain. Mr. Glines answered questions of ponds, noting that with the amount of impervious surface, the water would, for the most part, flow to the larger pond on the site.

Planner Larsen stated that it appears that it is the consensus of the Commissioners that they are in favor of this type of concept plan with the comments/input provided. She noted that this issue will be brought before the City Council at their next regular meeting along with the Planning Commission's comments for the Council's review/comment.

7. **PLANNER'S REPORT** – No report.
8. **COMMISSIONERS' REPORTS** – No reports.
9. **OTHER**

Chair Becker reported that he had learned that the work/plans for the Highway 10 Bypass have been put on hold indefinitely; noting that it was scheduled for 2024 but now could possibly be delayed until 2030-2050.

9. **ADJOURN**

Commissioner Green motioned to adjourn at 9:49 p.m. Seconded by Commissioner Chair Becker, unanimous ayes, motion carried.