BIG LAKE PLANNING COMMISSION
REGULAR MEETING MINUTES

October 19, 2005

1. CALL TO ORDER

Commissioner Langsdorf called the meeting to order at 7:00 p.m.

2. ROLL CALL

Commissioners present: Tony Benecke, Doug Hayes, Duane Langsdorf, Kirby Becker (arrived at 7:20 p.m.), Scott Marotz, and David Schreiber. Commissioners absent: Melinda Parsons. Also present: City Administrator Patrick Wussow, Assistant City Administrator Scott Johnson, Economic Development Director Jim Thares, City Planner Ned Noel, City Planner Annie Deckert, Consultant Planner Nate Sparks of Northwest Associated Consultants, Inc. (NAC), City Attorney Matt Brokl, and City Engineer Brad DeWolf

3. OPEN FORUM

Commissioner Langsdorf opened the Open Forum at 7:00 p.m.

Commissioner Langsdorf closed the Open Forum at 7:01 p.m.

4. ADOPT AGENDA

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

5. APPROVE PLANNING COMMISSION MEETING MINUTES OF SEPTEMBER 21 ,2005

Commissioner Benecke motioned to approve the September 21, 2005 Meeting Minutes. Seconded by Commissioner Marotz, unanimous ayes, Minutes approved.

6. BUSINESS

6A. CONTINUTED PUBLIC HEARING: Amendment to the Comprehensive Land Use Plan (Draft Extra-Territorial Land Use Plan)

Consultant Planner Nate Sparks (NAC) stated this public hearing is a continuation from the September 21, 2005 Planning Commission Meeting.

Commissioner Langsdorf opened the public hearing at 7:02 p.m.

Jim Brown, Dynamics Design & Land Company, 207 Jefferson Blvd, Big Lake, MN commented on parcel 65-123-1201, asking for no land use change. Mr. Brown suggested transitional zoning for this parcel. He stated his company's desires to develop a senior campus area and residential. Mr. Brown stated Dynamics would but submitting a concept soon.

Bob Gramsey, 20440 US Hwy. 10 emphasized the importance of keeping options open. He is against low density homes next to proposed highway.

Mr. Sparks reviewed submitted written comments;

Larry Urwin, 17930 193rd Avenue, Big Lake, MN wrote "*Some of my property, which is in the NE ¼ of Section 29, Township 33, Range 28, has been designated as the proposed site for the Northstar Commuter Rail Terminus. I note from the review of your concept plan as set forth in the September 20th West Sherburne Tribune Newspaper page 5 that you have designated all of my land to be light industrial. It does not make sense to me where my lands are open, slightly rolling with wetlands and adjacent to the Northstar Corridor why you would put an industrial use in an area which should be designated for mixed or residential use due to proximity to commuter light rail transit. All along the Northstar Corridor in the Twin Cities to date there is much new high density residential development along the corridor within walking proximity to depot sites to accommodate pedestrian commuting. If you wish to designate extra territorial industrial use it should be on the perimeters of Big Lake and not in an area that over time shall develop due to its topography, location and proximity to mass transit into a mixed residential use. Please make this letter a part of the record as my opposition for the proposed designated industrial use of my lands and in favor of a mixed residential use*."

Robert McGowen, 1601 West Lakes Parkway, Suite 300, West Des Moines, IA, 50266 wrote "*We have received your letter dated October 7, 2005 regarding the change in zoning on the property we own in Big Lake to a commercial status. This letter is my indication to you that we are in favor of this zoning change, and we support the property being changed to a commercial zoning. I will not be able to make the meeting on*

October 19, 2005, however, I would like for you to represent my support of this zoning change. If there is anything else I can do to assist you in this process, please let me know."

Commissioner Langsdorf closed the public hearing at 7:09 p.m.

Commissioner Hayes, suggested mixed use and residential for this area around Co. Rd. 43 and BNSF railroad.

Commissioner Benecke inquired about the flexibility of this plan in the future. He feels comfortable with the proposed plan as long as there is flexibility.

Commissioner Schreiber commented on the commercial ring around the City with no residential gaps. He feels that the higher density should be spread out and some gaps should be created in the commercial. He does not see much high-density, and would like the high-density to be spread out as opposed to just being located near downtown. He suggested increased green space and less asphalt and concrete.

Commissioner Marotz stated the difficulty breaking up commercial at this level. Agrees that he does not wish to see a large strip of commercial, but at this level, it is highly difficult to break up individual parcels; it's easier to mix in high-density residential than commercial later on.

Commissioner Becker feels the commercial along the bypass should be broken up. He would like to see more mixed use of high and medium density to create a buffer in between the interchanges.

Mr. Sparks explained that City Officials have the power to change uses with Council approval. He stated the commercial ring around the bypass is intended to be a transition/buffer for the residential.

Commissioner Hayes motioned to approve the Amendment to the Comprehensive Plan (Draft Extra-Territorial Land Use Plan) as stated with comments, Seconded by Commissioner Marotz, unanimous ayes, motion carried.

6B. CONTINUTED PUBLIC HEARING: Comprehensive Plan Amendment, Rezoning, Conditional Use Permit/Development State Planned Unit Development (PUD) and Preliminary Plat for "Berndt Pond Estates Third Addition"

This public hearing is a continuation from the September 21, 2005 Planning

Commission meeting. The item was tabled from the July 20' 2005 meeting due to plat design concerns and engineering issues. The applicant has revised the application for further consideration.

Mr. Sparks reviewed the applicant's revised plans and discussed the requested PUD flexibility. The applicant is asking for the following flexibility from R-1 standards: reduced lot width standards for 27 parcels, reduced lot area standards for 25 parcels, street side yard setback reduction for 3 parcels (25 or 15 feet rather than the required 30 feet), wetland setback reduction for 5 parcels (25 or 15 feet rather than the required 30 feet), collector road setback of 30 feet rather than 45 feet, cul-de-sac width under City standard size and no buffer yard between collector road and R-1 zoned lots.
The following flexibility is requested from R-3 standards: street side yard setbacks of 20 rather than 30 feet, collector road setbacks of 30 rather than 45 feet, allowing driveways within 60 feet of an intersection, allowing the driveway configuration for lots 27-32 of Block 3, waiving buffering requirements from the R-3 to the R-1 District and allowing the driveway configuration for Block 5

Mr. Sparks discussed several street issues and compared the proposal to Norland Park, which requested similar flexibility. He reviewed the recommended revisions to make plat acceptable for City standards. The following are the recommended revisions: Ridge Court intersection on 206th Ave must be 300' from Co Rd 81, maintain standard setbacks for collector roads, street side yards, front yards, wetlands, keep driveways at least 30' from intersections, cul-de-sacs must meet City standards, buffer yards from R-3 to R-1 and from collector roads, more room for drive for Lots 27-32, Block 3, wetlands/ponds in outlots, full Roy Street intersection, ghost plat to the west and new street names for Ridge & Hillside Court.

Commissioner Langsdorf opened the public hearing at 7:41 p.m.

Lon McRae, 791 Harrison Drive, voiced concern over the applicant's desire for high density.

Bob Gramsey, 20440 US Hwy 10, expressed concern of the cost of the collector road.

Commissioner Langsdorf closed the public hearing at 7:44 p.m.

Commissioner Benecke expressed concern over the large number of issues involving this plat.

City Attorney Matt Brokl stated that this application has been active for almost two years, has been reviewed several times and that this plan meets the City's density requirements.

Staff recommends a conditional approval; a recommendation of an approval with a full set of conditions that the applicant is willing to meet before its brought back for further review. Mr. Brokl also stressed making a decision before the review deadline ends.

Commissioner Becker was concerned about the isolated town homes in block 5 and the density along the collector road.

Commissioner Langsdorf stated the developer has not addressed cul-de-sac issues and even if the conditions are implemented, the developer may still not be able to meet them.

Commissioner Schreiber expressed concern over the high density of the plan and was not in favor of the plan.

Commissioner Hayes expressed concern with access issues to the town homes safety recommending revised driveways on Block 5.

Commissioner Marotz questioned what the City was getting in return in regard to the requested flexibility. Mr. Marotz feels this plan does not offer anything different. He stated developer will lose lots revising this configuration. He did not like the lay-out of the plan and would like to see a revised plat, meeting the recommendations.

Attorney Jim Nielson, Babcock, Nielson, Mannella, LaFleur and King, 118 East Main Street, Anoka, MN 55303 representing Gary Berndt addressed the difficult position of his client. Governments are requiring major transportation improvements, but his client only would like flexibility in return. Mr. Berndt has incurred large engineering costs because of appeasing the governments and now is asking commission to approve the plan conditionally. The applicant does not necessarily like the recommendations but is willing to move forward. Mr. Neilson stated Mr. Berndt will give the City an extension letter to review the revised plat only if they obtain a conditional approval from the Planning Commission this evening.

Commission expressed concerns regarding emergency vehicle access.

Commissioner Becker motioned to conditionally approve the plat with staff planning and engineering recommendations. Seconded by Commissioner Benecke, unanimous ayes, motion carried.

6C. PUBLIC HEARING: Variance for Family One Builder

City Planner Ned Noel stated the City has received a variance application to allow for multiple concrete patio slabs to encroach into Outlot B of Harrison's Cove 1st Addition.

There are six town homes in violation. Mr. Noel stated the applicant has obtained all required approval signatures from property owners. The property owner has been cooperative with the City to correct this error. Staff is recommending approval of the variance.

Commissioner Benecke expressed concern regarding not noticing this violation initially during the inspection process. He suggested double checking plans in the future to avoid potential violations.

Mr. Noel stated the architect had slightly altered the original plans approved by Council and thus City inspectors did not realize the switch until later.

Commissioner Langsdorf opened the public hearing at 8:30 p.m.

Lon McRae, 791 Harrison Drive inquired about how his property was affected.

Mr. Noel stated that Mr. McCrae's home was not affected, but state law requires notification of property owners within 350 feet of the said property.

Commissioner Langsdorf closed the public hearing at 8:34 p.m.

Commissioner Becker motioned to approve the Variances for Family One Builder's at Harrison's Cove 1st Addition. Seconded by Commissioner Marotz, unanimous ayes, motion carried.

6D. PUBLIC HEARING: Site Plan, Conditional Use Permit & Variance for Smile Center Dentistry

Mr. Sparks reviewed the Smile Center Site Plan Review, Variance and CUP to extend a new parking lot across multiple property lines. The applicant currently meets parking standards; the proposal would exceed current standards. He stated should staff recommend approval, several conditions must be met; all issues identified by the City Engineer, the sewer line in the vacated alley is placed under an easement, the City be granted an access easement allowing for the current police station parking, the curb under the access easement must be constructed of the drive over type, all exterior lighting must meet City standards and the parking lot is improved (asphalt/concrete and all parking stalls are striped).

Commissioner Becker inquired about what type of buffer would be used and emergency vehicle access.

Commissioner Langsdorf inquired about snow removal.

Commissioners inquired about drainage and pond expansion which will be paid by the applicant.

Commissioner Schreiber questioned if applicant would be addressing lighting issues.

Commissioner Langsdorf opened the public hearing at 8:47 p.m.

Gary D'Heily, D'Heily Engineering, Annandale, MN discussed his client, Dr. Edward Silker's application. He stated the new lot is intended to be primarily staff parking for the dentistry. Snow removal would be removed privately because is not adequate space for it to remain. Mr. D'Heily stated if they did decide to install lighting, it should not affect the surrounding area because they are mostly surrounded by commercial.

Jim Fjeld, 290 Shoreview Estates expressed concern about the pond near his property. The new parking lot would increase storm-water run-off, therefore increasing the level of water in the pond. He stated the current level is very high.

Dennis Wold, 281 Shoreview Estates discussed engineering problems. He discussed the problem with run-off and his concerns with the outlet culvert into Big Lake. He suggested completing a new engineering study to avoid further problems.

Laurie Sanchez, 140 Shoreview Estates expressed concern over the number of Smile Center employees which cross her lawn everyday. These people park their vehicles on the other side of her property, and walk over her lawn to get to work. She estimated 40 crossings a day. Lastly, she also expressed concern regarding the run-off.

Roger Bromaghim, 111 Lake Street North stated his concerns regarding safety issues in the area. He stated although the "short-cut" has been partly eliminated with the alley being vacated to Shore Acres Drive, people still use the alleyway to take shortcuts to their destinations. He feels this poses a safety issue in regard to pedestrians who also use the alley when returning from using the paved path around the lake.

Commissioner Langsdorf closed the public hearing at 9:20 p.m.

Mr. D'Heily stated they would be enlarging the retention pond when the parking lot is built.

Commissioner Becker questioned the engineering calculations. He also suggested using pavers for the parking surface.

Commissioner Schreiber suggested using speed bumps to slow down the traffic. He also commented on the drainage issues.

Commissioner Schreiber motioned to approve the Site Plan, CUP & Variance for the Smile Center Dentistry with the City Engineer looking at the following: signage placement (no thru traffic/employee parking only), safety and engineering issues and staff's recommended revisions; buffering to the house, expanding the drive lane, no snow storage on site and consider the use of pavers to reduce hardcover. Seconded by

Commissioner Benecke, unanimous ayes, motion carried.

7. PLANNER'S REPORT

- **Metal Building Survey Update**

Mr. Noel summarized the Metal Building Survey conducted in mid 2004. This survey was conducted because Option's Inc. was looking into a possible remodeling project. Since Option's is now planning on building a new facility in Big Lake Marketplace, and felt meeting the exterior material ordinance might not be cost prohibitive. Staff believes this issue can be laid to rest.

8. COMMISSIONERS' REPORTS

None.

9. OTHER

- **Call 4th Annual City of Big Lake Committees Workshop**

The annual workshop to be held Wednesday, December 7, 2005 at 5:00 p.m. at Russell's on the Lake was called by committee members.

10. ADJOURN

Commissioner Becker motioned to adjourn at 9:27 p.m. Seconded by Commissioner Hayes, unanimous ayes, motion carried.