

**BIG LAKE PLANNING COMMISSION
REGULAR MEETING MINUTES
November 16, 2005**

1. CALL TO ORDER

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

2. ROLL CALL

Commissioners present: Kirby Becker, Tony Benecke, Doug Hayes, Duane Langsdorf, Scott Marotz, Melinda Parsons and David Schreiber. Also present: City Administrator Patrick Wussow (arrived at 9:22 p.m.), 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) and City Engineer Brad DeWolf.

3. OPEN FORUM

Chair Parsons opened the Open Forum at 7:01 p.m.

Chair Parsons closed the Open Forum at 7:01 p.m.

4. ADOPT AGENDA

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

5. APPROVE PLANNING COMMISSION MEETING MINUTES OF OCTOBER 19, 2005

Commissioner Benecke motioned to approve the October 19, 2005 Meeting Minutes. Seconded by Commissioner Hayes, unanimous ayes, Minutes approved.

6. BUSINESS

6A. PUBLIC HEARING: Conditional Use Permit/ Development Stage Planned Unit Development (PUD) and Preliminary Plat for “Prairie Meadows Third Addition”

Consultant Planner Nate Sparks (NAC) reviewed the Conditional Use Permit/Planned Unit Development and preliminary plat applications filed for Prairie Meadows Third Addition to allow for an attached town home project. This site is guided for high density residential. The PUD proposal has 111 units on the 14.67 acres; 7.6 units/acre. The proposed plan exceeds the allowable height standard, with the proposed units being 41 feet in height from grade.

The proposal does not fully meet Big Lake zoning regulations. Garages are required to be 22 feet by 24 feet and the proposed garages do meet this standard. Additionally, the proposed town home foundations will need to modulate four feet from each other because there are exterior walls in the proposal which are longer than 48 feet. The applicant will also have to show that at least 25% of the buildings exterior materials are that of brick, artificial stone, or stucco. Currently, the proposal only shows a minimal amount of stone along the bottom of the homes. Mr. Sparks suggested an increased percentage.

Commissioner Schreiber questioned the number of exterior colors of each unit.

Lynn Giovannelli, 18004 Jacquard Path, Lakeville MN of Miles Development felt the proposed landscape plan is a benefit to the City. A strong emphasis was placed on screening between the City and the Township. She stated this plan is unique for the City of Big Lake.

Mark Gergen, 18004 Jacquard Path, Lakeville MN of Miles Development commented on the unit height of the proposal. He stated the intent was a bigger town home, while allowing for more storage in the garage space. Because the garage is attached to the side of the town home, the proposed unit is taller. He stated there are 7 proposed exterior colors to use for the development.

Chair Parson opened the public hearing at 7:18 p.m.

Mel Landwehr 20114 170th Street, Big Lake MN, expressed concern about the high-density of the proposed plan. He questioned the impact of the plan on his land value and expressed concern about safety for children in the area. Mr. Landwehr suggested compromising the density.

Nora Lewandowski 20095 170th Street, Big Lake, MN, expressed concern for child safety, vandalism and litter. Ms. Lewandowski also inquired about the effect from this plan on her land value. She suggested decreasing the density.

Ruth Sundstrom, 20100 170th Street, Big Lake, MN expressed concern about children moving into this proposed development. She suggested single family homes be built instead of the proposed town homes.

Chair Parsons questioned the City's position in regard to notifying Township residents.

City Planner Ned Noel clarified that by law; the City is required to notify all property owners within 350 feet.

Chair Parsons closed the public hearing at 7:27 p.m.

Commissioner Hayes inquired about the building height. He suggested contacting the City Fire Chief about the plan's height to confirm it will have emergency vehicle service.

Greg Chaffin, 29555 Silver Lake Parkway in Rogers MN, stated the desire to tie the exterior design into the exterior of surrounding homes. He stated the proposed town home height could be lowered to less than 40 feet. He reviewed the building's exterior material and pointed out its uniqueness. The applicant focused on achieving a variety of exterior textures, but was unsure as to the current percentage of exterior of stone. He stated complying with the City's garage standard would not be a problem.

Commissioner Becker stated that the density increase is quite substantial and suggested an increase in floor area, a decrease in height to 35 feet and a decrease of units to approximately 80-90. He also confirmed the importance of complying with the City's standard for quality exterior materials (25%). Mr. Becker also suggested an increase of rip-rap around storm water ponds.

Commissioner Hayes commented on the height of the proposed town homes. Mr. Hayes expressed concern over the absence of storm shelters.

Mr. Gergen reviewed past proposals which proposed lower densities. The area is zoned R-3 and the applicant decided to work with the current zoning. He stated the style of the town homes would be different if the height of the town homes were lowered. He noted that complying with the City's 25% exterior building material standard may cause some of the other proposed details to be omitted.

Commissioner Benecke stressed the importance of the City's exterior building material

and would like to see some other lay-outs for the exterior to achieve the 25% exterior material standard. He also suggested staggering the buildings so they are not continuous.

Commissioner Marotz inquired about the plan for the open space areas. He would like to see increased definition on what this open space would entail and stressed the importance of its proper maintenance. He also stated that the previous plan (60 units) did not have a strong enough association to maintain the area; the current plan may have a stronger association.

Ms. Giovannelli stated that the green space would remain an open area and that vegetation is shown in the submittal.

Mr. Chaffin stated that if the units are staggered, the units become 2 bedroom instead of 3, and problems arise.

Commissioner Langsdorf inquired about the home value for the previous 60 unit plan.

Mr. Gergen stated that staggering the buildings complicates the town home and increases the price. He stated the value of the unit in the previous plan were \$200,000 and up.

Mr. Sparks asked Commissioners what benefits they would like to see for the PUD flexibility. Currently the applicant is proposing the garages being set-back as a benefit to the City.

The Commission feels the proposal is above the average proposed plan. Other benefits include the landscaping and the 9' high ceilings. They questioned the 4 foot height of the retaining wall.

Kerry Culver, RLK Kuusisto Engineers of Ham Lake, MN discussed the differences in grades and the construction costs played a role in the height of the retaining wall. There is also concern of children using the wall inappropriately. He stated the price of the proposed units begin at \$200,000-\$210,000. This price includes appliances, garage, garage door openers, carpet, wood, vaulted ceilings, snowmobile storage and microwaves.

Commissioner Schreiber inquired about the reasoning behind the zoning of this area.

Mr. Noel gave a brief history behind the zoning of this area.

Commissioner Langsdorf motioned to table the item with the conditions that the

applicant submit the proposal with the following revisions: different features on the back of the town homes, additional landscaping details on the green space between blocks 2 & 3 and plans showing at least 25% of the exterior being material of either stucco, stone or brick. Seconded by Commissioner Hayes, unanimous ayes with Commissioner Schreiber abstaining, motion carried.

6B. PUBLIC HEARING: Variance for 150 Edgewater Place

Mr. Noel reviewed an application for a variance at 150 Edgewater Place. The applicant is asking for two variances from the Shoreland side yard setbacks. They are proposing to replace their current seasonal home with a 4,583 square foot year-round home. Also, because of the 3 foot requirement above the highest known water elevation, the applicant will be unable to build a storm cellar below this mark.

The proposed plan shows the new home being built over the footprint of the existing cabin which encroaches into both side yard setbacks.

Mr. Noel reviewed a neighborhood meeting held November 1, 2005 between the applicant and surrounding neighbors, with staff facilitating. Neighbors were in favor of the project. They felt the proposed home is aesthetically pleasing, and would increase the value of their property. However, there was a question about snow storage on the dead-end street during the winter. Mr. Noel stated the applicant has already agreed to grant the City a snow storage easement in perpetuity. Neighbors stated they are opposed to the applicant building in the zoning regulated "buildable envelope" because it would increase on street parking as well as decrease the number of existing trees.

Mr. Noel reviewed the criteria for determining that the variance is not a mere convenience to the applicant, but is necessary to alleviate an undue hardship. Previously the home had been used seasonally and was not used during the winter. The shape of the lot is irregular but staff research found the applicant is able to build a home comparable to the proposed plan in the buildable envelope. Conversely, the proposal will result in better conditions in that the building will be compliant with current building codes, preserve existing trees, eliminate the need for on-street parking and will allow the City space for snow storage.

Commissioner Becker inquired about the possibility of moving the proposal forwards and modifying it to fit into the buildable envelope.

Jerilyn Huseby, 9937 Pondview Circle, Champlin, MN, daughter of applicant John Steuck, stated that if home was pulled forward, trees would be lost and neighborhood views would be impaired. She also commented moving the proposed home forward would also increase on street parking.

Chair Parson opened the public hearing at 8:50 p.m.

Betinna Potter, 120 Edgewater commented on the importance of considering the shoreline and ensuring something is done to preserve the shoreline. She expressed interest in preserving as many existing trees as possible. She feels the proposed home would increase her property value.

Diane Warner, 170 Edgewater Place stated that the proposed plan is aesthetically pleasing. She feels that building the home in the buildable envelope would create safety and parking issues.

Jim Olvason, 160 Edgewater Place commented on the storage of snow.

Carol Olvason, 160 Edgewater Place feels the proposed home would be an asset to the community.

Chair Parsons closed the public hearing at 8:59 p.m.

Commissioner Becker recommends using bio-rope silt-fencing during construction to protect the lake.

Staff responded that this is already a City requirement.

Commissioner Schreiber stated the builder needs to work with staff on the engineering issues. He expressed concern over seeing a ripple effect of more variances if the variance is granted.

Commissioner Becker noted that with newer construction, comes better materials and possibly less run-off.

Commissioner Langsdorf motioned to approve the variance for 150 Edgewater Place. Seconded by Commissioner Becker, unanimous ayes, motion carried.

6C. PUBLIC HEARING: Rezoning for 321 County Road 43 N.W.

Mr. Sparks discussed a rezone request for Gerrath Properties at Minnesota Avenue and Country Road 43 from I-1 (Industrial Park) to B-3 (General Business) at 321 County Road 43 N.W. The Comprehensive Plan has the area guided commercial, therefore this rezoning would be in compliance with it's objectives. Mr. Sparks stated there needs to be improvement in the exterior building materials of the proposed building as well as a parking lot constructed to meet the City's requirements. The existing building is a

metal building which does not meet City Zoning Code.
Mr. Sparks also stated the applicant needs to provide the City with an updated and accurate legal description of the property.

Commissioner Schreiber questioned the proposed use.

Mr. Sparks stated they are proposing an office use, but regardless of the use, the parking lot and building design meets the standards.

Commissioner Benecke inquired about their grading and lighting plan.

Mr. Sparks stated this would need to be provided for the City engineer as well as the curb design.

Chair Parson opened the public hearing at 9:14 p.m.

Chair Parsons closed the public hearing at 9:14 p.m.

Commissioner Becker motioned to approve the rezoning request for 321 County Road 43 N.W. Seconded by Commissioner Hayes, unanimous ayes, motion carried.

7. PLANNER'S REPORT

City Planner Ned Noel reviewed the current Planning Commissioner Status of Terms.

8. COMMISSIONERS' REPORTS

9. ADJOURN

Commissioner Langsdorf motioned to adjourn at 9:25 p.m. Seconded by Commissioner Hayes, unanimous ayes, motion carried.