

**BIG LAKE PLANNING COMMISSION
REGULAR MEETING MINUTES**

May 7, 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, Finance Director Corey Boyer, Senior City Planner Katie Larsen, and Economic Development Assistant Sandy Petrowski.

3. ADOPT AGENDA

Commissioner Hayes moved to adopt the agenda with the minor revision to Item #9A as discussed. 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 APRIL 2, 2008

Commissioner Green motioned to approve the April 2, 2008 Meeting Minutes. Seconded by Commissioner Langsdorf, unanimous ayes, Minutes approved.

6. BUSINESS

6A. PUBLIC HEARING: SHADYWOOD PARK FOURTH ADDITION (WESTWOOD DRIVE)

Senior Planner Katie Larsen reviewed the April 28th Planning Report regarding the application for a preliminary and final plat request received from Mr. Oscar Castellanos of Architectural Homes of Minnesota, for properties located along Westwood Drive. She reported that the proposal is to combine three lots and then split them into two (2) residential lots. The issues that the Planning Commission is being asked to consider for approval or denial are: 1) an 8 foot variance from the minimum lot width; 2) a 1,404 sq. ft. variance from the minimum lot size; and 3) preliminary/final plat.

The applicant, Oscar Castellanos, 3208 Walden Way, St. Cloud, Minnesota, was present to answer questions of the Commission. When asked about the necessity for a 3-stall garage when the plans were so close to the limits for impervious surface, Mr. Castellanos stated that he would not request to go over the allowed 25% impervious surface and, if he does not meet the 25% requirement, he would revise his plans to include only a 2-stall garage.

Chair Becker opened the public hearing at 7:15 p.m.

Scott Berthiaume, 565 Westwood Drive, stated his concerns with the proposed plans: 1) the property is located at the end of a dead end street which he felt would bring excess traffic to the area; 2) has no issue with combining the three lots into one but would prefer that one home be constructed rather than two, as proposed. Mr. Castellanos stated that it would not be economically feasible to build only one house as it would outprice itself.

Shannon (no last name given), Red Oak Drive, asked if property owners are notified when lots are being sold in adjacent neighborhoods. Ms. Larson stated that realtors are not required to report when they are marketing a property but that neighboring property owners are notified by the City when a public hearing is being held pertaining to a property within specified distance. Shannon stated her concern with: 1) the number of homes in the immediate area which are currently on the market and not selling; 2) the possible increase of taxes for her property because of the proposed development; and 3) the proposed house style, which does not match the neighboring properties. She further stated that she would prefer that the properties remain as three lots, with houses being built on each in order to keep with the size/type of homes in the neighborhood.

Bev Anderson, 521 Westwood Drive, stated that she has a smaller lot in the neighborhood which has proven to be problematic when trying to meet setbacks, etc. and that she is concerned that building two homes on the proposed property would cause similar issues for the purchasers. She further stated that she felt working class people were being priced out of their homes and that older homes are not being preserved. Mr. Castellanos responded that he believed that the proposed homes would not increase taxes and help increase the value of surrounding properties.

Mike Frovarp, 561 Westwood Drive, asked for clarification of how close the proposed house would be from his home, which is located on the adjacent property to the subject property. Mr. Castellanos reported that the garage of the home would be approximately 25-30 feet from Mr. Frovarp's home.

Shelley Berthiaume, 565 Westwood Drive, stated that she would like to present a letter from the owners of the property located at 570 Westwood Drive, as they were not able to attend the public hearing; noting that they are against having two houses built at the proposed site. Ms. Berthiaume also stated that she is not in favor of the two houses as the current housing market is bad and because she does not want excess traffic on the dead end street.

Chair Becker read aloud the letter submitted for Larry and Diane Shore, 570 Westwood Drive, which stated their opposition to the building of two houses on the property and citing concerns with additional traffic.

Chair Becker closed the public hearing at 8:42 p.m.

Commissioner Schreiber stated his concerns with the proposes, noting a similar lot split situation near the proposed area within the last few years in which the lot could not support two houses. The Commission briefly discussed the R5 designation of the area with Planner Larsen noting that the R-5 was established precisely for this type of situation, i.e., to allow for a little larger house on a smaller lot. Commissioner Marotz explained that as long as the developer meets the ordinance requirements for the property as it is zoned, then he has the right to develop it as he wishes.

Chair Becker motioned to recommend approval for a variance of eight (8) feet from the minimum lot width, a variance of 1,404 sq. ft. from the minimum lot size, and the preliminary/final plat as presented and discussed. Seconded by Commissioner Langsdorf, 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. OUTDOOR WOOD BURNERS (OWB) DRAFT ORDINANCE DISCUSSION

Senior Planner Katie Larsen reviewed a draft outdoor wood burners ordinance, which staff has drafted per the City Council's direction after a workshop discussion. It was noted that the proposed ordinance was created as a pro-active measure as to how the City wants to address the use of a 24-hour, wood burning, smoke emitting unit.

Commissioner Schreiber stated that more specific use restrictions need to be stipulated, whether or not the ordinance would include units such as fish smokers, corn burners, fire pits, indoor fireplaces, etc. Planner Larsen stated that those specifics would need to be reviewed (noting that indoor fireplaces would not be included) and all designated uses would need to be included as the proposed OWB ordinance defines what will be allowed.

Planner Larsen stated that another version of the OWB ordinance, reflecting the Commissions comments, would be brought back before the Commission for further consideration at a future date.

6C. DOWNTOWN DESIGN STANDARDS BOUNDARY DISCUSSION

Senior Planner Katie Larsen reported that, upon the direction of the Planning Commission at their April 2nd meeting, staff had revised the Downtown Design Standards to include a transitional phase in between the CBD and the TOD sites. She reported that in an attempt to maintain the overall intent of the Downtown Design Standards in creating a downtown area with high quality development with enough flexibility to enforce these standards beyond the true CDB area, staff is proposing the creation of a transition area which would only be guided, versus strictly regulated, by the Guidelines section of the Design Standards.

After discussing the Commissioners' visions and concerns for the "downtown" area, it was the consensus of the Commission that they approved of the overall concept of the transition area. Planner Larsen informed the Commission that this item was just for discussion purposes and that it would be brought back for the Planning Commission's further review at a future meeting.

7. PLANNER'S REPORT

7A. TOD MARKETING PRESENTATION (DISCUSSION ONLY)

Planner Larsen presented the marketing information provided by Buxton and reported that representatives from Buxton would be at the next TOD meeting to provide marketing ideas to the group. For information only; no action required or taken by the Commission.

7B. ORDERLY ANNEXATION AREA (DISCUSSION ONLY)

Planner Katie Larsen reported that, at their last meeting, the City Council had an informal OAA discussion with Township representatives which included future corridors that could be considered for OAA areas. The Commissioners briefly discussed potential OAA areas (i.e. Hwy 25 corridor, County Road 81 area, etc.). For discussion only; no action required or taken by the Commission.

8. COMMISSIONERS' REPORTS

Commissioner Green reported that she has attended several Planning Commission training sessions.

9. OTHER

9A. CALL FOR A SPECIAL GATHERING – CARING RIVERS UNITED WAY COMMUNITY FORUM (HANDOUT)

Planner Larsen reported on an upcoming Caring Rivers United Way Community Forum scheduled for June 3, 2008 from 11:00 a.m. to 1:00 p.m. at the Big Lake American Legion, at which Minnesota State Demographer Tom Gillaspay will be speaking on what the “next big thing” is for the area. The Commission was asked to call a special gathering for this event as there may be a quorum of Commissioners in attendance.

Commissioner Hayes motioned to call a Special Gathering of the Planning Commission on June 3, 2008, from 11:00 a.m. to 1:00 p.m. at the Big Lake American Legion. Seconded by Chair Becker, unanimous ayes, motion carried.

Future Discussion Item

Chair Becker asked that the issue of ledger boards for decks be discussed at a future Planning Commission meeting (i.e., are they required if deck is not installed at the time of house construction; are the boards required to be painted if deck is not installed; can it be required that the deck be built within a specific time from house construction if a ledger board is installed, etc.). Chair Becker noted that this issue had been discussed in the past but it might be beneficial to receive an update. Planner Larsen stated that staff would speak with the Building Department to obtain the background on this issue and include the topic on a future meeting’s agenda for further discussion.

10. ADJOURN

Commissioner Green motioned to adjourn at 8:55 p.m. Seconded by Chair Becker, unanimous ayes, motion carried.