# BIG LAKE PLANNING COMMISSION
# REGULAR MEETING MINUTES

**May 4, 2005**

## 1. CALL TO ORDER

Chair Parsons called the meeting to order at 7:02 p.m.

## 2. ROLL CALL

Commissioners present: Kirby Becker, Tony Benecke, Doug Hayes, Duane Langsdorf, Melinda Parsons, Scott Marotz and David Schreiber. Commissioners absent: Kerry Degen. Also present: City Administrator Patrick Wussow, City Engineer Brad DeWolf, Assistant City Engineer Jared Voge, City Attorney Matt Brokl, City Planner Ned Noel, City Consultant Planner Nate Sparks, and Economic Development Specialist Alex Wickstrom.

## 3. OPEN FORUM

Chair Parsons opened the Open Forum at 7:06 p.m. No one came forward. Chair Parsons closed the Open Forum at 7:07 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 MARCH 30, 2005

Commissioner Becker motioned to approve the March 30, 2005 Meeting Minutes. Seconded by Commissioner Benecke, unanimous ayes, Minutes approved.

## 6. BUSINESS

### 6A. Recommend Re-Appointment of Commissioner Parsons & Elect New Planning Commission Chair

Mr. Noel addressed the commission and explained that Chair Parson's four year term has expired and she needs to be reappointed for another term. The commission was in favor recommending her to be re-appointed to the City Council.

The commission also reached a consensus to re-elect Chair Parsons to another one-year term as Planning Commission Chair.

**6B. PUBLIC HEARING: Variances for "991 Lakeshore Drive"**

Mr. Noel presented the staff report for 991 Lakeshore Drive. He stated that the applicant, Mr. Richard Olson is requesting four variances from subdivision standards in the R-5 residential district and six variances from building improvements standards (i.e. setbacks). The applicant originally intended to build three new homes on three lots. However, because of the Department of Natural Resources rules for properties owned in common within the Shoreland Overlay District, the three lots must be combined into one. Thus, Mr. Olson is applying for an administrative subdivision and multiple variances to built two homes instead one three. Mr. Noel stated City staff feels his proposal should first meet ordinances and the applicant could do so by just building one single family home. Therefore, it is believed the variance request is more for economic return than due to a real hardship.

Applicant, Richard Olson 23658 183rd Street, Big Lake, MN stated he was first under the impression that he could build three homes. Later he found out that the three lots had to be combined to meet minimum DNR and City lot standards. He felt his proposal for two homes was a good compromise between the two extremes. He also shared a revised copy reducing the proposed footprints, which eliminated all but the subdivision variances.

Chair Parson opened the public hearing at 7:30 p.m.

Bill Spriggs, 931 Lakeshore Drive, Big Lake, MN stated approving two houses next to his house would create more noise. He preferred one single family home.

Carol Spriggs, 931 Lakeshore Drive, Big Lake, MN asked if the applicant could place the proposed driveway between the two proposed lots instead. She was also against the City approving the variances.

Dave Ekeroth, 1061 Hennepin Avenue, Big Lake, MN stated he did not like the density increase in the neighborhood and thought the applicant could pursue other options.

Raeanne Danielowski, 981 Nicollet Avenue, Big Lake, MN stated the hardship is self-

created by economic reasons.

Mr. Noel read a letter from Donna Panayotoff, 1001 Lakeshore Drive, who was in favor of the applicant's proposal. She thought getting rid of the existing home and building two new homes would be good for the neighborhood.

Chair Parsons closed the public hearing at 7:45 p.m.

Commissioner Becker motioned to recommend denial of the variance. Seconded by Commissioner Benecke, unanimous ayes, motion carried.

**6C. PUBLIC HEARING: Comprehensive Plan Amendment, Rezoning, Conditional Use Permit/Planned Unit Development & Preliminary Plat for "Preusse Lake Meadows"**

Mr. Sparks presented the planning report concerning Preusse Lake Meadows. The project is proposed as 100 townhome units on an approximate 18 acre site. The 100-unit count is 25-unit more than what the planned unit development ordinance allows. Thus the developer will need to revise their site plan. He stated that the Big Lake Economic Development Authority had a chance to review the proposed land use change from industrial to high density housing and the recommendation from them was that the land use not be changed. City staff opinion is consistent with the BLEDA's.

Michael Gair of McCombs Frank Roos Associates (MFRA), Inc. 15050 23rd Avenue North, Plymouth, MN and representing the developer stated, the higher density residential land use make sense because of the eventual traffic volumes driving through the site from Prairie Meadows additions to the north. He advocated the collector road to the south provides the best transition between residential and industrial/commercial uses.

Chair Parson opened the public hearing at 8:15 p.m. No one came forward.
Chair Parsons closed the public hearing at 8:16 p.m.

Commissioners Marotz, Parsons and Becker were all in favor of the higher residential densities.

Kathy O'Connell also with MFRA stated after receiving feedback from the City Council on the concept plan, the developer changed the site and townhome layout in such a way to feature variety and different view angles.

Mr. Wussow stated the BLEDA was unanimous in their decision that the land use should not be amended to high density residential because the intent is to preserve more land around the 172nd/U.S. Hwy 10 intersection for commercial/industrial uses.

Mr. Gair stated the density has been lower already from previous designs.

Mr. DeWolf stated only one roadway would connect through the site if it is residential. If the site stays industrial, there would be two roadways.

Commissioner Becker motioned to recommend approval of the Amendment to the Comprehensive Land Use Plan. Seconded by Commissioner Parsons. The motion passed on a vote of 5 to 2, with Commissioners Parsons, Schreiber, Becker, Marotz, and Hayes voting for and Commissioners Benecke and Langsdorf voting against.

Chair Parson opened the public hearing for the rezoning at 8:46 p.m. No one came forward. Chair Parsons closed the public hearing for the rezoning at 8:47 p.m.

Commissioner Becker motioned to approve the rezoning from RFD to R3. Seconded by Commissioner Hayes. The motion passed on a vote of 4 to 3, with Commissioners Parsons, Hayes, Becker, and Marotz voting for and Commissioners Benecke, Schreiber, and Langsdorf voting against.

Chair Parson opened the public hearing for the preliminary plat/conditional use permit/planned unit development at 8:51 p.m. No one came forward. Chair Parsons closed the public hearing for the preliminary plat at 8:52 p.m.

Chair Parsons motioned to deny the preliminary plat/conditional use permit/planned unit development. Seconded by Commissioner Langsdorf, unanimous ayes, motion carried.

**6D. PUBLIC HEARING: Rezoning, Conditional Use Permit/Planned Unit Development & Preliminary Plat for "Hidden Rivers"**

Mr. Sparks addressed the commission regarding the staff report. The proposed R1-E large lot residential zoning matches the Comprehensive Plan. However, the developer is requesting flexibility from Shoreland standards. The plat shows three lengthy cul-de-sacs, with one of them, Atlantic Street eventually connecting east with Vernon Street. He stated the developer is proposing an ample park with an outlook over the Elk River. A boardwalk and trails will also be provided. Chickadee drive is indicated on the preliminary plat as a utility/service corridor and not a road. This was to address the concerns abutting property owners had but allow emergency vehicles to access the development if need be.

Developer, Brad Paumen, 7750 Co. Rd. 37, Maple Lake, MN addressed the commission and stated he has tried to work with the City and neighborhood residents to achieve a plat that everybody can be happy about. He presented some pictures of the parkland to be dedicated. He stated if residents along the utility/service corridor have concerns with the trail, he could provide sufficient screening.

Mr. DeWolf stated the proposed building pads for the homes should be alright with being at 928 feet elevations. Elk River's elevation is 923.9 feet.

Commissioners discussed the lengths of the three cul-de-sac lengths.

Chair Parson opened the public hearing at 9:32 p.m.

Ron Rupe, 581 Park Avenue East, Big Lake, MN stated he is a property owner next to the proposed utility/service trail and does not want it to be located there. He also felt the drainage concerns in the area need to be addressed before approval should be given.

Cathy Cook, 550 Park Avenue East, Big Lake, MN stated the utility/service trial should not be located in its proposed location and the southern lots which abut to Peterson's Addition should be in lager to meet with existing lots lines. She also had concerns over the proposed boardwalk located in the Elk River floodplain.

The developer's Surveyor, Chris Otterness Bogart & Peterson Associates, Becker, MN explained the stormwater basin should work for the drainage concerns and pointed out the temporary Atlantic street cul-de-sac should be considered shorter because of emergencies access.

Mr. Paumen responded to the public's concerns stating, the boardwalk trail is warranteed and has a 9,000 lb. load bearing. It is an approve design by DNR and they build them across lakes in other places. He also stated the City Council approved in Peterson 4$^{th}$ Addition the R-O-W of Chickadee Drive for future development. The southern lots on his plat were created deep to provide for a buffer as opposed to shallower lots for less of a tree line buffer. He confirmed that tree preservation will be conducted on each lot at the time of home construction.

Lori Kampa, 591 Park Avenue East, Big Lake, MN stated the southern lots should match the lots of the existing Peterson Addition Plat. Also, the utility/service trail should be relocated and drainage is another concern for her.

Jolene Barberry, 561 Park Avenue East, Big Lake, MN stated the lot sizes are generally

good with spacing. Only two or so lots should be adjusted.

Tammy Bodine, 601 Park Avenue East, Big Lake, MN was concerned about the lot sizes on the southern side of the plat and was against the continuation of Chickadee Drive. She also had issues with who is supposed to maintain the boardwalk and with children using it what safety problems could exist.

Chair Parsons closed the public hearing at 9:54 p.m.

Mr. DeWolf stated the boardwalk will have to have railings on it and be accessible to the handicap.

Commissioner Schreiber advocated lining up the lots to appease the residents.

Commissioner Langsdorf motioned to approve the rezoning. Seconded by Commissioner Benecke, unanimous ayes, motion carried.

Commissioner Langsdorf motioned to continue the preliminary plat and conditional use permit/planned unit development so that the developer can revise the plat, cul-de-sacs and consider phasing the development. Seconded by Commissioner Becker, unanimous ayes, motion carried.

## 7. PLANNER'S REPORT

### 7A. Berndt Concept Plan Discussion (FKA – Hillside Height's)

James Neilson, attorney at James M. Neilson Babcock, Locher, Neilson & Mannella 118 E. Main Street Anoka, MN addressed the commission representing his client, Mr. Gary Berndt. They passed out four concept plans for informal review to get feedback. The commissioners looked over the plans and told Mr. Neilson they would give Mr. Noel their comments by Friday so that the developer could move forward.

### 7B. Residential Redevelopment District (R-5) RFP

Mr. Noel explained the City has sought proposals to reevaluate the City's R-5 or residential redevelopment district standards. The commissioners all thought the R-5 rules do a satisfactory job.

## 8. COMMISSIONERS' REPORTS

None.

## 9. OTHER

None.

## 10. ADJOURN

Commissioner Becker motioned to adjourn at 10:59 p.m. Seconded by Commissioner Hayes, unanimous ayes, motion carried.