

**BIG LAKE PLANNING COMMISSION
REGULAR MEETING MINUTES**

May 16, 2007

1. CALL TO ORDER

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

2. ROLL CALL

Commissioners present: Dick Backlund, Kirby Becker, Duane Langsdorf, and David Schreiber. Commissioners absent: Doug Hayes, Tony Benecke, Scott Marotz . Also present: Assistant City Administrator Scott Johnson, Community Economic Development Director Jim Thares, City Planner Ned Noel, and Community Economic Development Intern Sam Woods.

3. OPEN FORUM

Chair Becker opened the Open Forum at 7:01 p.m.
No one came forward to speak.
Chair Becker closed the Open Forum at 7:01 p.m.

4. ADOPT AGENDA

Commissioner Langsdorf moved to adopt the agenda. Seconded by Commissioner Schreiber, unanimous ayes, agenda adopted.

5. APPROVE PLANNING COMMISSION MEETING MINUTES OF April 18, 2007 and May 2, 2007

Commissioner Becker noted three amendments to the April 18, 2007 Meeting Minutes.

Commissioner Schreiber motioned to approve the April 18, 2007 Meeting Minutes with said amendments and approve the May 2, 2007 Meeting Minutes. Seconded by Commissioner Backlund, unanimous ayes, Minutes approved.

6. BUSINESS

6A. PUBLIC HEARING: NORTHSTAR COMMUTER RAIL PROJECT REZONING

AND PLANNED UNIT DEVELOPMENT (PUD)

City Planner Ned Noel presented the NorthStar Commuter Rail Project and the Planned Unit Development requested by the NorthStar Corridor Development Authority (NCDA). Mr. Noel said the State will own the land and be platted through the Right-of-Way process. He indicated that currently the land would be acquired by the commendation process.

The station site will be zoned I-1 and the maintenance facility will be zoned I-2 and both will have a PUD zoning. Mr. Noel showed the station and maintenance facility plans to the Planning Commission. He stated the City is working with Jim Sandford the current land owner and NCDA to allow the City to own the land where the proposed parking lot will be located in order to build a parking ramp which the goal is to achieve Transit Oriented Development (TOD). Mr. Noel stated that there were many conditions of approval.

Paul Danielson, representing the NCDA discussed the conditions in which he had concern.

Commissioner Schreiber asked Mr. Danielson why the locations of the facilities were chosen as shown in the plans. Mr. Danielson stated it was the most feasible location for the two facilities based on the overall criteria needed.

Commissioner Schreiber was also concerned about the noise potential and asked if the noise ordinance would be in effect. Mr. Danielson stated most of the maintenance would be indoors between 7:00 p.m. and 5:00 a.m.

The commissioners were concerned about the landscape screening and the storm water pond adjacent to the wetland nearby. Mr. Danielson stated that he believes the current plan for storm water mitigation would be suffice. He said that he would be willing to address however, some of the commissioner's comments in regards to the landscape screening and storm water retention.

Commissioner Schreiber asked who would be responsible for snow removal and other maintenance adjacent to the facilities and rail lines. Mr. Danielson stated that the Metro Transit would be responsible.

Chair Becker opened the public hearing at 7:38 p.m.

Carrie Kogut of 380 Donna Court asked if there will be a traffic signal placed along County Road 43 and Forest Road. Staff stated it will happen once the number of

automobiles that travel the road warrants a stop light. It was stated that traffic and safety concerns will be taken into consideration by the City, County and MnDOT.

Chair Becker closed the public hearing at 7:43 p.m.

Commissioner Backlund asked where fueling the trains would be located and if there is a fuel tank on site. Mr. Danielson told the Commission that fuel would be brought in periodically and that everything possible will be done to mitigate any run-off of oil and other chemicals used at the maintenance facility.

Commissioner Schreiber asked Mr. Danielson where overhead lighting will be aimed. Mr. Danielson stated the lights will be aimed downwards at the ground.

Commissioner Schreiber motioned to approve the NorthStar Commuter Rail Project and the Planned Unit Development re-zoning with the condition of NCDA looking at potentially moving the location of the screening trees on the South side of the maintenance facility. Seconded by Commissioner Langsdorf, unanimous ayes, motion carried.

6B. CONDITIONAL USE PERMITS (CUP) FOR ON THE RUN (REVISED PLAN)

City Planner, Ned Noel stated the developer had to revise the proposed plans due to MN DOT not allowing access on 168th Street between Highway 10 and Marketplace Drive. It was reiterated that the developer will be applying for all the same CUP's as previously. Mr. Noel stated the developer will be revising the landscape plan and staff is requesting final plans for the menu board sign before the application is heard before the City Council.

The commissioners had concerns about landscaping and gas run-off mitigation. The developer stated he will work with the city to mitigate gas run-off and to complete a landscaping plan.

No action taken because Commission approved the project at the April 18, 2007 meeting.

6C. PUBLIC HEARING: AMENDMENTS TO CHAPTER 13, SIGN ORDINANCE

Community Economic Development Intern, Sam Woods, presented Chapter 13, Sign Ordinance amendment to the Planning Commission. He discussed the three main objectives of the sign ordinance, changing the sign ordinance to add language to close loop holes pertaining to freedom of speech on signs, give the City more reasonable control over the regulation of signs, and recommending prohibiting most electronic

changeable copy and electronic graphic type signs. Staff also recommended that Conditional Use Permits should be changed to Interim Use Permits to allow sign permits to lapse with the change of ownership of a business or land.

The commissioners had concerns about the effects these electronic sign changes would have on businesses to compete in the City. The commissioners asked staff if there were any studies done about the effects these signs had on distracting drivers. Mr. Woods stated that the League of Minnesota Cities is conducting a traffic safety study on the effects that Electronic Billboard/ Electronic T. V. style signs have on drivers.

Commissioner Becker asked staff if it was possible to have an overlay district for signs. Mr. Noel gave background to the Commission on the potential to have an overlay district.

Commissioner Schreiber asked staff if seasonal holiday ornaments/signs on houses are considered electronic signs. Staff stated normally they are not considered signs, but staff would be willing to look into it to clarify.

Chair Becker opened the public hearing at 8:35 p.m.
No one came forward.
Chair Becker closed the public hearing at 8:35 p.m.

Commissioner Schreiber motioned to table the item to be discussed at a future meeting and to discuss the possibility of a moratorium until the League of Minnesota Cities study is concluded. Seconded by Commissioner Becker, unanimous ayes, motion carried.

7. PLANNER'S REPORT

Mr. Noel discussed businesses needing to get a temporary use permit for special events. Staff recommended that any special event still be required to have a Temporary Use Permit, but if the business or group hosting the event is a non-profit they can ask the City Council to waive the permit fee. The concern staff felt was that the City needs to know what activities are going to be taking place at an event so safety and zoning is reviewed. Staff reiterated the main purpose of permit fees is due to the required staff time to review and process applications. Staff also recommended that permit fees should be reduced for special events. The Planning Commission recommended a \$25 - \$50 dollar fee, staff was asked to look into other cities and what they charge for special events, no motion was made on this subject.

Community Economic Development Director, Jim Thares stated to the Commission that City Planner, Annie Deckert has resigned from her City Planner position effective May 25, 2007.

8. COMMISSIONERS' REPORTS

Commissioner Backlund asked staff to look into a fence dispute on a property near Big Lake.

9. ADJOURN

Commissioner Langsdorf motioned to adjourn at 9:18 p.m. Seconded by Commissioner Schreiber, unanimous ayes, motion carried.