

**BIG LAKE PLANNING COMMISSION
REGULAR MEETING MINUTES**

JULY 1, 2015

1. CALL TO ORDER

Vice-Chair Green called the meeting to order at 6:30 p.m.

2. ROLL CALL

Commissioners present: Ketti Green, Seth Hansen, Patricia May, and David Schreiber. Commissioners absent: Jennifer Joseph, Scott Marotz. Also present: Planning Consultant Ben Wikstrom and Administrative Assistant Sandy Petrowski.

3. ADOPT AGENDA

Commissioner May moved to adopt the agenda. Seconded by Commissioner Hansen, unanimous ayes, agenda adopted.

4. OPEN FORUM

Vice-Chair Green opened the Open Forum at 6:31 p.m. No one came forward for comment. Vice-Chair Green closed the Open Forum at 6:31 p.m.

5. APPROVE PLANNING COMMISSION MEETING MINUTES OF JUNE 3, 2015

Commissioner Hansen motioned to approve the June 3, 2015 Meeting Minutes. Seconded by Commissioner Schreiber, unanimous ayes, Minutes approved.

6. BUSINESS

6A. PUBLIC HEARING: VARIANCE AND CONDITIONAL USE PERMIT (CUP) FOR 341 SHORE ACRES DRIVE

Planning Consultant Ben Wikstrom reviewed the June 24, 2015 staff report on the application submitted by The Chuba Company for a variance and conditional use permit (CUP) in order to construct a new single family home on the property located at 341 Shore Acres Drive, which is owned by Jeffery and Roxanne Schall. The construction of the new home would utilize the existing footprint as the proposed project is a teardown and rebuild. Wikstrom reported that application for a variance and CUP are required as the proposed new home, attached garage, patio and pad would not meet the impervious surface limits of 25% required for lots in the R-5 zoning district and would also not meet the setback from the Ordinary High Water (OHW) mark. The revised survey showed the proposed impervious surface coverage to be 32.6%, as Wikstrom noted in the presentation.

Wikstrom distributed and reviewed the e-mail received from Mr. Roger Stradal of the Minnesota Department of Natural Resources (MnDNR) which included the following comments: 1) see if the landowners can reduce the impervious surface from the proposed 30.6%; and 2) landowners should work with Sherburne County Soil & Water Conservation District (SWCD) office to find ways to handle and infiltrate run-off water so it does not go into the lake untreated.

Wikstrom also distributed and discussed the letter received from City Engineer Brad DeWolf, of Bolton and Menk, which included the following comments:

- Drainage from proposed structure/improvements shall not be directed onto adjacent properties.
- All appropriate erosion control measures including but not limited to silt-fence shall be installed prior to construction.
- Comments received from the Minnesota Department of Natural Resources shall be addressed to their satisfaction.
- The existing footings and foundation shall be evaluated by the Building Official prior to the construction of a new structure on them. Based on the existing lot size, if a new foundation is required to be constructed, it should be located to comply with existing Zoning Ordinance setback requirements.
- The proposed impervious surface percentages shall be reduced to meet existing zoning ordinance requirements through the reduction in impervious surface areas or the use of pervious surface materials.
- If the Planning Commission recommends approval of the variance, we recommend that the above mentioned items be satisfied, eliminating the need for a CUP.

Wikstrom stated that staff's recommendation in the report is for approval of both the variance and conditional use permit (CUP) with any conditions recommended by Commission.

Wikstrom introduced Mr. Duane Kozitka, of The Chuba Co, who is representing homeowner, and was present to answer questions of the Commission.

Commissioner Schreiber asked if gutters are included in the plan for the new home. Mr. Kozitka confirmed that gutters are planned to be installed around the entire roof edge and further elaborated that he believes that the water management plan is achievable and he sees no reason that they cannot comply with the City Engineer's requirement for water drainage. He also stated that the homeowners are open to modification to the driveway or other surfaces to help achieve any requirements for impervious surface percentages and drainage. Commissioner Hansen asked if they would be open to the partial use of pavers to help in the reduction of impervious surface percentage. Mr. Kozitka the homeowners would be open to the use of pavers if required as they do not want to disturb the existing property any more than is necessary.

Vice-Chair Green opened the public hearing at 6:55 p.m.

Gloria Vande Brake, of 271 Shoreview Estates, stated that she is the President of the Townhome Association Board. She further stated that the Board discussed the proposed project at the Association's meeting that was held last evening and the Association does not have any issues with what is being proposed. Ms. Vande Brake stated that she appreciates that consideration is being given to using the same footprint for the new home and that she supports the proposed project.

Vice-Chair Green closed the public hearing at 6:57 p.m.

Commissioner Hansen motioned to recommend approval of the Variance and Conditional Use Permit (CUP) for 341 Shoreacres Drive with the following conditions: 1) adhere to the recommendations listed in the July 1, 2015 letter received from Bolton & Menk, the City's Engineer, with the exception of comment #5, whereas the property owner is to, within reasonable measure, reduce impervious surface as much as possible or not go over current impervious surfaces of 30.6%; 2) the gutters are to be engineered to remove water laterally from the home; 3) maintain as much tree coverage as possible; and 4) work with the Minnesota Department of Natural Resources (MnDNR) and the Sherburne County SWCD (Soil and Water Conservation District) with regard to water infiltration purposes. Seconded by Commissioner Schreiber, unanimous ayes, motion carried.

6B. PUBLIC HEARING: ORDINANCE AMENDMENT – IMPERVIOUS SURFACE LIMITS

Planning Consultant Ben Wikstrom reviewed the June 24th staff report for a proposed amendment to the zoning ordinance with regard to an increase to the allowable impervious surface limits in residential districts from 25% to 35%. He noted that the proposed amendment would not affect any properties in Shoreland Management Area (within 1,000 feet of any designated water body).

Vice-Chair Green opened the public hearing at 7:16 p.m. No one came forward for comment. Vice-Chair Green closed the public hearing at 7:17 p.m.

Commissioner Hansen motioned to recommend that the City Council amend the Zoning Ordinance to reflect an increase of the allowable impervious surface limits from 25% to 35% where applicable and would not apply to the Shoreland Management Area. Seconded by Commissioner May, the motion passed on a vote of 3 to 1, with Commissioners Green, Hansen, and May voting aye and Commissioner Schreiber voting nay.

6C. PLANNING COMMISSION VACANCY

Planning Consultant Ben Wikstrom reviewed the June 25th staff report regarding the open seat on the Planning Commission. In May, 2015, the Commission accepted the resignation of Commissioner Clay Wilfahrt and authorized the posting/publication of a notice to fill the vacant Planning Commission seat for the remainder of the term which runs through December 31, 2018.

Two (2) letters of interest for the open seat were received by the June 24, 2015 submittal deadline. These letters were submitted by Mr. Alan Heidemann and Mr. Lawrence Sundberg. It was noted that the last time there were applicants considered for a vacant seat, the Planning Commission chose to conduct interviews.

The Commissioners were asked to review/discuss the letters of interest and to either: 1) interview applicants at next meeting; 2) forward recommendation to the City Council to appoint Mr. Heidemann or Mr. Sundberg to the vacant seat; or 2) postpone filling the vacancy in order to allow additional time for other letters of interest to be submitted.

It was the consensus of the Commission to invite the two (2) applicants to a future meeting for interviews.

7. PLANNER'S REPORT

Wikstrom reported:

- Kwik Trip: The project is continuing to move forward with an anticipated closing date on the property of July 13, 2015.
- Norland Park 2nd Addition: There have been two (2) developers inquiring about the property.

8. COMMISSIONERS' REPORTS - None.

9. OTHER – None.

10. ADJOURN

Commissioner May motioned to adjourn at 7:36 p.m. Seconded by Commissioner Hansen, unanimous ayes, motion carried.