

AGENDA
BIG LAKE PLANNING COMMISSION MEETING
COUNCIL CHAMBERS

APRIL 1, 2020

6:30 p.m.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL** (Members: A. Heidemann, S. Marotz, L. Odens, L. Sundberg, D. Vickerman, S. Zettervall, K. Green)
- 4. ADOPT PROPOSED AGENDA**
- 5. OPEN FORUM**
- 6. APPROVE MEETING MINUTES**
 - 6A. Approve Regular Planning Commission Meeting Minutes of March 2, 2020
- 7. BUSINESS**
 - 7A. PUBLIC HEARING: PUD Concept Plan for “Marketplace Crossing I & II”
 - 7B. PUBLIC HEARING: PUD Concept Plan Review for “Big Lake Station”
 - 7C. PUBLIC HEARING: CUP and Variance for 301 Crescent Street
 - 7D. PUBLIC HEARING: Car Condo Development Application
 - 7E. PUBLIC HEARING: Sandhill Villas Development Application
 - 7F. PUBLIC HEARING: Wastewater Treatment Plant Development Application
 - 7G. Community Development Department Update
- 8. PLANNER’S REPORT**
- 9. COMMISSIONERS’ REPORTS**
- 10. OTHER**
- 11. ADJOURN**

Attendance At Meeting: All attendees are expected to follow CDC recommendations ensuring social distancing of at least 6 feet away from other persons. Some members of the Planning Commission may participate in this Meeting via telephone or other electronic means on an as needed basis.

Public Comment: To make a public comment from home, you can do so by leaving a voicemail at 763-251-1538, emailing comment@biglakemn.org, or interacting through Zoom by following <https://zoom.us/j/7075319607> or using the Meeting ID: 707 531 9607.

Disclaimer: This agenda has been prepared to provide information regarding an upcoming meeting of the Big Lake Planning Commission. This document does not claim to be complete and is subject to change.

Notice of City Council Quorum: A quorum of the City Council members may be present at this Big Lake Planning Commission meeting beginning at 6:30 p.m. in the City Council Chambers. No action will be taken by the City Council.



AGENDA ITEM

Big Lake Planning Commission

Prepared By: <i>Corrie Scott, Recreation and Communication Coordinator</i>	Meeting Date: 4/1/2020	Item No. 6A
Item Description: <i>March 2, 2020 Planning Commission Regular Meeting Minutes</i>	Reviewed By: <i>Hanna Klimmek, Community Development Director</i>	
	Reviewed By: <i>Sara S.W. Roman, Consultant Planner w/ Landform</i>	

ACTION REQUESTED

Approve the March 2, 2020 Big Lake Planning Commission Regular Meeting Minutes as presented.

BACKGROUND/DISCUSSION

The March 2, 2020 Planning Commission Regular Meeting Minutes are attached for review.

FINANCIAL IMPACT

N/A

STAFF RECOMMENDATION

N/A

ATTACHMENTS

03-02-20 Planning Commission Regular Meeting Minutes

**BIG LAKE PLANNING COMMISSION
REGULAR MEETING MINUTES**

MARCH 4, 2020

1. CALL TO ORDER

Chair Alan Heidemann called the meeting to order at 6:30 p.m.

2. PLEDGE OF ALLEGIENCE

The Pledge of Allegiance was recited.

3. ROLL CALL

Commissioners present: Chair Alan Heidemann, Ketti Green, Scott Marotz, Lisa Odens, Dustin Vickerman, and Scott Zettervall. Commissioner absent: Larry Sundberg. Also present: City Administrator Clay Wilfahrt, Finance Director Deb Wegeleben, City Engineer Layne Otteson, City Clerk Gina Wolbeck, Consultant City Planner Sara Roman, and Consultant City Engineer Jared Voge from Bolton and Menk.

4. ADOPT AGENDA

Commissioner Green motioned to adopt the Agenda. Seconded by Commissioner Zettervall, unanimous ayes, Agenda adopted.

5. OPEN FORUM

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

6. APPROVE MEETING MINUTES

6A. APPROVE REGULAR PLANNING COMMISSION MEETING MINUTES OF FEBRUARY 5, 2020

Commissioner Green motioned to approve the February 5, 2020 Regular Meeting Minutes. Seconded by Commissioner Odens, unanimous ayes, Minutes approved.

7. BUSINESS

7A. PUBLIC HEARING: PUD CONCEPT PLAN FOR AVALON ESTATES

Sara Roman presented the planners report for the Avalon Homes development application for a PUD Concept Plan. The request is for a residential development on 57 acres west of Highland Avenue. The existing property is currently vacant agricultural land, and there are no existing structures on the site. The parcel lies directly south of

Black's Lake and west of Big Lake. The property is currently part of Big Lake Township, and is guided as future neighborhood on the land use map. The subject application is for a residential development that will provide patio homes, quad townhomes and two apartment buildings. The development is proposed to include 14 patio home lots, 40 quad townhome units and 80 apartment units for a total of 134 units. The proposed development includes exterior amenities such as a shared walking path, amenity space, and a park area. Roman reviewed the existing zoning and land use of the parcel as well as surrounding parcels. The parcel is currently zoned Urban Expansion by the County with a Shoreland Overlay from multiple lakes. The applicant has petitioned the City for annexation by Ordinance, and following annexation into the City, the property would be assigned the A-Agricultural zoning. A rezoning would take place to assign the PUD zoning. The Applicant is requesting a planned unit development in order to receive additional density and some potential flexibility on the shoreland regulations. Roman reviewed the Shoreland Overlay designation. The proposed development is near four lakes that are classified as shoreland lakes by the MNDNR and impose restrictions on the development of the property. Big Lake and Lake Mitchell are classified as general development lakes, Black's Lake is classified as a recreational development lake and Beulah Pond, located on the southern portion of the property, is classified as a natural environment lake. Each of these lakes has a 1,000-foot Shoreland Overlay boundary where the development standards are applied. Roman noted that the current concept greatly exceeds the number of residential units allowed in the shoreland tiers for Beulah Pond, even with the maximum density bonus. In Tier 1, only 24 units are allowed at maximum. The concept is proposing 45 units. In Tier 2, only 33 units are allowed at maximum. The current concept is proposing 58 units. Roman also indicated that the Applicant has not provided enough information to determine compliance with most of the shoreland standards that apply to each lot and noted that the proposed extension of Highland Avenue may fall within the lakeshore setback. The developer will need to provide calculations to the City to ensure that 70% of the lakeshore setback is preserved in a natural or existing state if the roadway falls within the lakeshore setback. Alternatively, the developer may revise plans to locate the roadway outside of the lakeshore setback. An alternative roadway layout should also consider the future roadway alignment identified by the City Engineer. Roman reviewed the Applicant's request for a Planned Unit Development. The Applicant is seeking a shoreland PUD approval, an approval that goes outside of the zoning code and subdivision ordinance. The City's PUD ordinance is very clear that the City should only grant PUD approval in situations where there is a "public benefit" that comes from granting the approval. The Zoning Code's PUD ordinance states that shoreland PUD's must be processed as a CUP. Staff would process the project by rezoning it to PUD and processing a CUP to address the shoreland PUD standards. The state requires certain projects to go through an environmental review process before proceeding. The standards for determining when a project requires an environmental review is identified in Minnesota Rules, Section 4410.4300 Subpart 19a. Roman explained that Beulah Pond is considered sensitive shoreland and Black's Lake is considered nonsensitive shoreland. An environmental assessment worksheet (EAW) is mandatory if there are more than 25 units in the sensitive shoreland area or there are more than 50 units in the nonsensitive shoreland area. An environmental impact statement (EIS) is mandatory if there are

more than 100 units in the sensitive shoreland area or more than 200 units in the nonsensitive shoreland area. Roman noted that since the current concept is not compliant with the number of units allowed in each shoreland tier and must reduce the number of units to proceed, an evaluation on the required environmental process has not been completed. When a concept has been submitted that meets the shoreland requirements, a determination would be made regarding any required environmental reviews. Roman reviewed development fees that will be required as the application moves forward. The City's subdivision ordinance and fee schedule state residential subdivisions must dedicate 10% of the land being subdivided as parkland or pay a fee equal to 10% of the value of the land with a minimum of \$2,500 per unit. It is at the City's discretion whether to require a land donation or allow the fee in lieu to be paid. The park dedication will be calculated with a preliminary plat application that meets the density standards. A portion of the area proposed for development is shown as "future park" in the 2018 Comprehensive Plan. When land is developed, trunk sewer and trunk water fees are charged based on the amount of land that is being developed. These fees are per acre and help the City cover the costs of providing sewer and water infrastructure as the City grows. The 2020 fee schedule sets trunk fees at \$1,650 per acre for trunk water and \$5,330 per acre for trunk sewer. Trunk storm sewer fees are "case by case" and are waived entirely if all storm water is contained within the plat boundary. A final acreage calculation will be determined based on the preliminary plat. Sewer Access Charges (SAC) and Water Access Charges (WAC), which are used to fund investments in expanding the capacity of the City's sewer and water plants and infrastructure as the City grows, are collected at the time of building permit issuance. The 2020 fee schedule sets the fees based on anticipated daily use of water. Roman reviewed staff comments including a comment letter submitted by Bolton and Menk, and Public Works Director/City Engineer Layne Otteson, and noted that the Fire Department and Police Department didn't have any additional comments. Additional comments received were from James Bedell of the MNDNR providing comment on a prior version of the concept plan. Roman also read aloud additional comments submitted by Bedell after the Planning Commission packet was finalized.

Roman also read aloud two written comments that were received in opposition of the project. A written comment from James & Susan Ellavsky, 484 Highland Avenue, expressed concern that the proposed project only has one access point, noting that the project needs to have a natural traffic flow to County Road 81. A written comment from Christy Campbell, 321 Lakeshore Drive expressed her opposition to the project as presented due to safety and neighborhood environment concerns.

Prior to the Public Hearing, Planning Commissioners provided comments on the proposed development.

Commissioner Marotz asked how Highland Avenue is proposed to be designed in the 2020 Street and Utility Improvement Project. Layne Otteson reviewed that Highland Avenue is proposed to be constructed at 26 feet wide with no sidewalk and minimal impact to the boulevard areas. Otteson noted that it doesn't appear that many trees will be impacted other than scrub trees/shrubs. Otteson also identified that the street was

designed based on the Comprehensive Plan identifying this street as a collector road, and stressed that the street will be built the same whether the adjacent parcel develops now or in the future.

Commissioner Zettervall asked if the City has traffic data for this area, and if we need to have an updated traffic study completed. Otteson stated that the City has traffic data from MNDOT on Lakeshore Drive from 20 years ago, which shows a projected vehicle count to be 3,000 vehicles per day. Highland Avenue will be a future State Aid route so a traffic study would be appropriate at the right time. Zettervall also discussed the possibility of additional access options without going to CR 81. Otteson noted that all properties to the north are privately owned, and land at the southern border of the project is bound by wetlands. Zettervall asked if engineering has any concerns about a single access. Otteson reviewed his history with single access developments, and suggested that we should always look for alternatives and consider long-term effects. Otteson stressed that the taking of property or forcing of right-of-way most likely wouldn't be supported by this community. Zettervall questioned Staff if we should be installing a sidewalk on Highland Avenue. Otteson stated that Policy makers would make that decision.

Chair Heidemann opened the public hearing at 7:07 p.m.

Mark Finstad, 460 Highland Avenue – stated his concerns with increased traffic volumes, loss of space, decrease in valuation, noise issues, overall privacy, and the need to protect the history of the neighborhood. Finstad presented Commissioners with a written statement of his concerns.

Bev Anderson, 521 Westwood – stated that while she feels this is a great concept, she feels it is being proposed in the wrong location. Anderson noted that she would like to see the area preserved as a park, stating that it would make a great addition to the Big Lake park system.

Duane Langsdorf, 421 Highland Avenue – stated that he does not disagree with the concept, but feels the developer needs to work out a plan for an access out to CR 81. Langsdorf also discussed his concerns with density and traffic flow with the project as presented.

Marie Ebert, 430 Highland Avenue - discussed the 2020 Street Improvement Project noting that she feels the improvements go beyond the needs of the street project. Ebert stated that she feels the City will be taking land to widen the street, noted that property values will decrease due to the increase in traffic, and feels that property owners will pay extra money for the street project due to the proposed development. Ebert stated that residents shouldn't have to bear additional costs for the benefit of a developer. Ebert also discussed concerns with heavy use and possible destruction of the new street by heavy equipment from the proposed Avalon development, citing her belief that the developer should pay extra costs for the upgrades to Highland Avenue.

Bill Christian, Rogers, MN – Christian stated that he is the Realtor that represents the property owners to the west and he is speaking on behalf of his clients. Christian stated that his clients are in favor of the project. Christian also discussed the cost of expanding the street, noting that the alignment of Highland Avenue needs to be considered.

Dan Cleland, 1119 Manitou Street – informed the Commission that there is a Northern Flying Squirrel species living in the woods behind Black's Lake, stressing that it is classified as an endangered species, and that he has contacted the MNDNR about his concerns with protecting the species.

Raeanne Danielowski, 981 Nicollet Avenue – stressed that Highland Avenue cannot handle all the traffic that will be generated with this development, stating that the developer needs to find a way to secure an access connection to CR 81. Danielowski also stated that she understands the need for this type of housing development, but stressed that it needs to be done in a way that does not negatively impact surrounding residents. Danielowski encouraged the City and the developer to proactively work together to find a solution, and to continue to work with the citizens who live in this area.

Scott Creighton, 601 Lakeshore Drive – stated that he is not against the proposal, but that the developer needs to determine an alternative access plan other than coming down Highland Avenue. Creighton also discussed the need to protect the wildlife in the proposed project area.

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

Commissioner Zettervall asked for clarification if the City is taking property from residents for the upcoming street project. Otteson discussed right-of-way and boulevard classifications, noting that the 2020 Street and Utility Improvement project specifications does not identify the purchase or taking of any private property. Zettervall also encouraged the developer to talk with the property owner to the west. Jeremy Schommer from Avalon Homes discussed potential development to the west, noting that he understands that concerns relate to the proposed development only having one access, and stated that he will take comments into consideration. Schommer also stated that he wants the community to be safe and will continue discussions with the City Engineer. Zettervall discussed that a recent Housing Study done shows there is a need for this type of housing in Big Lake, noting that he does like the concept, but acknowledged that traffic and safety issues expressed by residents are legitimate concerns.

Commissioner Odens asked how we can fast forward to finding additional accesses. Clay Wilfahrt discussed that the City's role will be to facilitate discussions between property owners and the developer, and to help identify what options are available in regards to right-of-way, land use, and other access alternatives. Odens stated that she is in favor of this type of development, but has concerns about only one access point. She understands that the surrounding land is privately owned, and would like to see the developer open up negotiations with land owners.

Commissioner Marotz stated that he agrees with the sentiment that this is a product that Big Lake needs. Marotz discussed that he understands the unique character of the site, and stated his appreciation to citizens for expressing concerns that the Commission, Staff, and the developer need to be aware of. Marotz suggested that it would be wise for the developer to meet with adjacent property owners/realtors to discuss other possible layouts for the development. Marotz stated that he feels the property is a developable parcel, noting that as a City we cannot stop development of this parcel. Marotz also stressed that he loves the idea of a park in this area, but stated that it takes money to develop a park, clarifying that the parcel is privately owned.

Commissioner Green stated that she likes the concept, recognized that Big Lake is facing a silver tsunami, so this type of development would be an added bonus to our City. Green stated that the developer does need to work through all the issues and that they must meet MNDNR requirements.

Commissioner Vickerman stated that he likes the development concept, but noted that the developer needs to figure out a solution to the access issue.

Chair Heidemann stated that the access issue is only one of many hurdles that the developer will need to address. There are significant MNDNR issues, and noted that an updated traffic study will address a lot of resident concerns. Heidemann encouraged the developer to explore possibilities for a second entrance to the development. Heidemann also discussed that there is a definite need for sunset housing in Big Lake.

Commissioners also discussed Park Dedication options. It was discussed that given the character and uniqueness of the land around Black's Lake, a public park should be designated somewhere within this project versus a cash payment for Park Dedication. Commissioners also discussed the benefits of a natural environment park in this area.

7B. PUBLIC HEARING: CONDITIONAL USE PERMIT TO PERMIT CATERING AND LIQUOR ON-SALE AT 321 COUNTY ROAD 43 N

Sara Roman presented the planners report for the Gerrath Properties, LLC/Style Catering development application for a Conditional Use Permit for a catering business and on-sale liquor for the property located at 321 County Road 43 North. Roman noted that catering and liquor on-sale are allowed in the B-3 General Business zoning district but a Conditional Use Permit is required. If granted the CUP, the catering business intends to obtain a liquor license from the State of Minnesota. There will be no sales or serving of liquor at the business location, and the Applicant is not proposing any modifications to the site or exterior of the existing building where the catering service will be located. Liquor on-sale is only allowed conditionally as an accessory to a restaurant. Roman noted that Staff is recommending approval of the Conditional Use Permit with conditions including: 1) the Conditional Use Permit's liquor on-sale approval is contingent on the Big Lake City Council approving the Conditional Use Permit to allow a restaurant (convenience [fast food], drive-in, special event and catering), 2) Liquor on-

sale shall only be permitted when accessory to a restaurant or tavern. Should the restaurant use cease, the conditional use permit shall be invalidated for liquor on-sale, 3) sidewalk easements, as reviewed and approved by the City Engineer, shall be dedicated to the city in easement documents that shall be recorded, 4) the Applicant is responsible for obtaining a sign permit for any new signage. All signage must comply with the City's sign ordinance, and 5) any additions/modifications as required by the Planning Commission, City Council, City Staff, or any other individuals responsible for review of this application.

Chair Heidemann opened the public hearing at 7:52 p.m. No one came forward for comment. Chair Heidemann closed the public hearing at 7:52 p.m.

Commissioner Zettervall motioned to recommend approval of a Conditional Use Permit for Catering and liquor on-sale for the property located at 321 County Road 43 North with staff recommendations. Seconded by Commissioner Vickerman, unanimous ayes, motion carried.

7C. PUBLIC HEARING: HOUSEKEEPING ORDINANCE AMENDMENT

Sara Roman reported that at the request of City Staff, the Planning Commission held a discussion regarding a proposed housekeeping ordinance at their February 5, 2020 meeting. At this meeting, the Planning Commission called for a public hearing to review potential revisions to the Zoning Ordinance. Roman noted that the Planning Commission was asked to review the draft ordinance language, and the Planning Commission did not recommend revisions at that time. An error was discovered by staff following the discussion and the housekeeping ordinance has been modified to correct this error under Section 1041.06. The Planning Commission was asked to review this change to ensure they are comfortable with the modification. The language proposed on February 5, 2020 was an attempt to fix the section of the Code that discusses additional setbacks for arterial and collector roads. The language as originally proposed essentially kept the existing error from being fixed. Many of the roads that are called collectors in the 2018 Comprehensive Plan should not have extra setback requirements.

Commissioner Odens asked for clarification on the street name in Section 1041. Roman noted that the street name was incorrectly listed and should read as 172nd Avenue.

Commissioner Green discussed landscaping setbacks. Roman clarified that plantings are allowed in utility easements, noting that the City Engineer has stated that plantings are done at the property owner's risk. Discussion was also held that easements don't extend when a street project is done, and that if a resident isn't applying for approval on anything, they wouldn't need to contact the City to do a planting.

Chair Heidemann opened the public hearing at 8:10 p.m. No one came forward for comment. Chair Heidemann closed the public hearing at 8:10 p.m.

Commissioner Odens motioned to recommend to the City Council to approve

housekeeping ordinance amendments as presented with a correction to 172nd Avenue in Section 1041.06, subd. 4 (2f). Seconded by Commissioner Marotz, unanimous ayes, motion carried.

7D. MEETING TIME DISCUSSION

Sara Roman presented the option of changing the start time of Planning Commission meetings from 6:30 p.m. to 6:00 p.m. The consensus of the Planning Commission was to recommend to Council to move the start of Planning Commission meetings from 6:30 p.m. to 6:00 p.m.

7E. COMMUNITY DEVELOPMENT DEPARTMENT UPDATE

Sara Roman noted that Community Development Director Hanna Klimmek provided a written update in the packet.

8. PLANNER'S REPORT

Sara Roman informed the Commission that new City Planner Amy Barthel will be starting employment with the City on March 16th.

9. COMMISSIONERS' REPORTS

Commissioner Zettervall asked for the Planning Commission's feedback on recent discussions of the City Council regarding appointments to the City's Commissions.

Chair Heidemann discussed that the Planning Commission is an advisory Board to the City Council, and stated his concern with only the City Council interviewing applicants, that future appointments could potentially be politically motivated.

Commissioner Marotz stressed that a Planning Commissioner's role is to bring a citizen viewpoint to discussions on the zoning code and development applications. Marotz also discussed the idea to implement term limits, noting that consistent contribution from Commissioners is vital to the process.

Commissioner Vickerman stated that setting term limits could be a concern as he feels there is value in history.

Commissioner Green stated that she is not opposed to term limits. Green also noted that she feels an interview for potential commissioners is needed, but not necessarily in front of a governing body. The best candidate should be chosen regardless of the possibility of unseating an incumbent.

Commissioner Zettervall discussed the option of the Planning Commission setting goals annually. Commissioners discussed holding a goal setting session possibly prior to the first meeting of the year, or prior to the annual committee workshop held in December

each year. Discussion was also held that the Commission's goals tend to be automatically set by planning activities from the previous year. Commissioners agreed to revisit this topic in the future.

10. **OTHER** – No other.

11. **ADJOURN**

Commissioner Green motioned to adjourn at 8:38 p.m. Seconded by Commissioner Zettervall, unanimous ayes, motion carried.



AGENDA ITEM

Big Lake Planning Commission

Prepared By: <i>Kevin Shay, Consultant Planner</i>	Meeting Date: 4/1/2020	Item No. 7A
Item Description: Public Hearing for PUD Concept Plan for “Marketplace Crossing I & II” aka CommonBond Apartments (PID 65-555-0010)	Reviewed By: <i>Sara S.W. Roman, AICP, Consultant Planner</i>	
	Reviewed By: <i>Hanna Klimmek, EDFP, Community Development Director</i>	

60-DAY REVIEW DEADLINE: May 8, 2020

ACTION REQUESTED

The Planning Commission is asked to provide informal review and comment regarding the project’s acceptability in relation to the Comprehensive Plan and development regulations and to advise the City Council as they review the concept plan.

Any comments given by the Planning Commission are advisory in nature. While the comments are non-binding, the applicant will consider the comments from the Planning Commission when they prepare their formal submittal.

BACKGROUND/DISCUSSION

APPLICATION:

CommonBond has submitted a development application for a PUD Concept Plan. The request is for two 60-unit apartment structures on 7.33 acres south of Marketplace Drive.

BACKGROUND:

This application involves a parcel that is a part of Big Lake Marketplace North, an area to the north of US Highway 10, east of Prairie Meadows and west of Hudson Woods. Big Lake Marketplace as a whole is a sprawling commercial/industrial development originally envisioned as a second town center that was suburban in nature. The developer for the Big Lake Marketplace chose to plat a large amount of land and install utilities and infrastructure upfront but the concept was never realized due to the Great Recession and many of the parcels were forfeited back to original owners or became bank owned.

The original concept for Big Lake Marketplace had more commercial zoning than is likely to develop in that location, and so the comprehensive plan adopted in 2018 steered some areas toward high-density residential in the Big Lake Marketplace North. However, this parcel continues to be steered toward a commercial use.

PROPOSED DEVELOPMENT:

The subject application is for a residential development that will provide two apartment buildings. The development is proposed to include 120 mixed income apartment units split between the two structures. The development includes exterior amenities such as a shared walking path, stormwater features, and playgrounds.

PROPERTY CHARACTERISTICS:

The existing 7.33-acre property is currently vacant commercial land. There are no existing structures on the site.

EXISTING ZONING AND LAND USE:

Zoning	B-3 General Business
Future Land Use	Business
Existing Land Use	Vacant Land - Commercial
Topography	Flat

SURROUNDING ZONING AND LAND USE:

Direction	Zoning	Future Land Use Plan	Existing Land Use
North	B-3 General Business / R-1 Single Family Residential	Medium and High Density Housing / Low Density Housing	Undeveloped / Single Family Housing
South	B-3 General Business	Business	Business
East	B-3 General Business	Business	Business
West	B-3 General Business	Business	Business

ANALYSIS OF REQUEST

COMPREHENSIVE PLAN AMENDMENT REQUESTED:

The parcel is currently guided Business on the future land use map. A comprehensive plan amendment would take place with a formal development application to assign the medium and high-density housing land use for the site. The medium and high-density housing allows density up to 25 units per gross acre. The density of the concept plan is 16.4 units per gross acre.

REZONING REQUESTED:

The parcel is currently zoned B-3 General Business. A rezoning would take place to assign the PUD zoning for the site. The applicant is requesting a planned unit development in order to receive flexibility on the parking regulations. The flexibilities are discussed below.

PROPOSED SITE PLAN

DIMENSIONAL STANDARDS:

Setbacks:

The concept plan does not dimension the proposed setbacks; however, the table below depicts the building setbacks that will be applied to the project based on the R-3 zoning district:

Setback	Type	Setback Required
Northern property line abutting Marketplace Drive	Front Yard	50 foot minimum
Southern Property line abutting U.S. Highway 10	Rear Yard	50 foot minimum
Eastern property line	Side Yard	20 feet minimum
Western property line	Side Yard	20 feet minimum
Between Buildings	Internal	15 feet minimum
Buildings from parking	Internal	25 feet minimum

The concept plan orients the “front” of the complex onto Marketplace Drive.

Building Height:

The applicant is proposing a building height of three stories with no defined building height. The code does not have a minimum or maximum building height in the R-3 district.

PROPOSED PARKING:

The Concept Plan proposes the following:

Lot	Parking Spaces Required	Surface Stalls Proposed	Garage Stalls proposed	Compliance with Code
Lot 1	300	240	0	Parking does not Comply

A multi-family apartment building is required to have 2.5 stalls per unit, with one of the stalls enclosed. The applicant has indicated they will be seeking flexibility from this standard and are proposing to provide two stalls per unit in surface parking.

Each apartment building will be required to have one exclusive loading and unloading area that is 40 feet by 10 feet. The concept does not provide an area dedicated for the loading space for each apartment.

PROPOSED LANDSCAPING:

The Concept Plan shows perimeter trees surrounding the proposed development as well as trees in the green space between the apartment structures and the surface parking lot.

The City's zoning ordinance requires a landscaping plan with every commercial, industrial or multiple-family residential development application. The applicant will be required to provide a detailed landscaping plan, including if any phasing is proposed for landscaping.

TRANSITION BUFFER:

The City's zoning ordinance requires multi-family apartment buildings to provide a single row of single-family homes, two-family homes or detached townhome lots to provide a transition area when adjacent to an R-1, R-1E or R-5 district. There are three alternative options provided in the code, one of which is to provide a wetland, water body, flood plain, public open space, park or other such similar publicly reserved and development restricted area with a minimum width of one hundred (100) feet across its entire length. The applicant has provided a stormwater feature area on the northeast corner of the site where the property is adjacent to an R-1 district. This provides the necessary transition to the single-family homes.

UTILITIES:

The applicant is proposing to connect to municipal water and sewer. The code requires that all new utilities shall be placed underground. This will be reviewed at preliminary plat when the applicant provides utility plans.

BUILDING DESIGN STANDARDS:

Section 1040.05 Subd. 3 of the City's zoning ordinance provides the building requirements for multi-family dwellings. The applicant provided a rendering of the proposed apartment building but did not provide elevations. At formal development review, the applicant will be required to provide the building elevations for both apartment structures to ensure compliance with code, or to request flexibility from the requirements.

RECREATION AREAS:

The applicant is proposing two 900 square foot playground areas as part of the overall development. Section 1040.05 of the City Zoning Ordinance requires that each multiple family apartment building or complex of 20 or more dwelling units shall include visually defined or fenced active recreation areas of 2,000 square feet plus an additional 50 square feet per unit for over 20 dwelling units.

With 120 proposed units, the overall development will require an additional 5,000 square feet of recreation area, for a total area of 7,000 square feet. The current concept plan does not adhere to the lot coverage levels for recreation areas. At formal development review, the applicant will be required to provide the square footage of proposed recreation areas to ensure compliance with code, or to request flexibility from the requirement.

The applicant is proposing to construct pathways from the parking area to the adjacent commercial parcels on the east and west. Staff would recommend the pathways connect to a sidewalk on Marketplace Drive and provide a potential crosswalk connection to the residential development. The Planning Commission should discuss whether the pathway connections are appropriate.

PLANNED UNIT DEVELOPMENT:

PUD Flexibility

The following PUD flexibility is present in the concept plan and additional details will be added when the development stage PUD is applied for:

- Recreation Areas provided are less than the 7,000 square feet required.
- Parking stalls provided are below the minimum requirements.
- The single loading space for each apartment building is not provided.

DEVELOPMENT FEES:

Park Dedication

The City's subdivision ordinance and fee schedule state residential subdivisions must dedicate 10% of the land being subdivided as parkland OR pay a fee equal to 10% of the value of the land with a minimum of \$2500 per unit. It is at the City's discretion whether to require a land donation or allow the fee in lieu to be paid. The park dedication will be calculated with a preliminary plat application that meets the density standards.

Trunk Sewer Fee, Trunk Water Fee and Trunk Storm Sewer Fee

When land is developed, trunk sewer and trunk water fees are charged based on the amount of land that is being developed. These fees are "per acre" and help the City cover the costs of providing sewer and water infrastructure as the City grows. The fees are set every year by a City Council.

The 2020 fee schedule sets trunk fees at \$1,650 per acre for trunk water and \$5,330 per acre for trunk sewer. Trunk storm sewer fees are "case by case" and are waived entirely if all storm water is contained within the plat boundary. A final acreage calculation will be determined based on the preliminary plat.

Sewer Access Charges (SAC) and Water Access Charges (WAC) Fees

These fees, which are used to fund investments in expanding the capacity of the City's sewer and water plants and infrastructure as the City grows, are collected at the time of building permit issuance. The 2020 fee schedule sets the fees based on anticipated daily use of water.

STAFF COMMENTS:

Engineering and Public Works:

Bolton and Menk prepared a comment letter for the review of this concept plan (Attachment C).

Fire Department

No comment provided.

Police Department

Chief Scharf commented that the Police Department has no issues with the proposed concept plan.

ADDITIONAL COMMENTS:

Xcel Energy:

Pete Cluever, Senior Gas Territory Representative at Xcel Energy provided comment that this would be CenterPoint gas and Connexus Electric.

FINANCIAL IMPACT

NA

STAFF RECOMMENDATION

The Planning Commission should provide feedback on the applicant’s proposal and whether there are additional items that should be addressed by the applicant prior to the submittal of the preliminary plat and PUD. The applicant would take these comments under advisement as they prepare a formal submittal.

Staff is generally supportive of the concept plan but is seeking Planning Commission feedback regarding some of the specifics of the proposal. The Planning Commission is asked to provide informal review and comment regarding the project’s acceptability in relation to the Comprehensive Plan and development regulations and to advise the City Council as they review the concept plan.

ATTACHMENTS

- Attachment A: Site Location Map
- Attachment B: Public Hearing Notice
- Attachment C: Engineer’s Memo
- Attachment D: Concept Plan
- Attachment E: Apartment Rendering
- Attachment F: Applicant Narrative
- Attachment G: Future Land Use Map from the 2018 Comprehensive Plan

Attachment A
Site Location Map



Overview



Legend

- Parcels
- Streams

Parcel ID	65-555-0010	Alternate ID	n/a	Owner Address	PO BOX 2947
Sec/Twp/Rng	22-33-27	Class	233-Commercial Preferred		BAXTER MN 56425
Property Address		Acreage	7.33		
District	BIG LAKE CITY				
Brief Tax Description	n/a				
	(Note: Not to be used on legal documents)				

Disclaimer: Every attempt has been made to ensure that the information contained on this web site is valid at the time of publication. Sherburne County reserves the right to make additions, changes, or corrections at any time and without notice. Additionally, Sherburne County disclaims any and all liability for damages incurred directly or indirectly as a result of errors, omissions or discrepancies and is not responsible for misuse or misinterpretation. Data is updated periodically. For the most current information contact the appropriate county department.

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Date created: 3/23/2020
Last Data Uploaded: 3/22/2020 10:22:35 PM

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GEOSPATIAL

Attachment B
Public Hearing Notice

**CITY OF BIG LAKE
NOTICE OF PUBLIC HEARING
CONCEPT PLAN FOR A PROJECT KNOWN AS
“MARKETPLACE CROSSING I AND II”**

You are hereby notified that the Big Lake Planning Commission will hold a public hearing in order to consider a concept plan for a project known as “Marketplace Crossing I and II”. The public hearing will be held in the Big Lake City Council Chambers located at 160 Lake Street North, Big Lake, MN on: **Wednesday, April 1, 2020 at or about 6:30 p.m.**

Applicant: CB Big Lake Housing Limited Partnership
1080 Montreal Avenue
Saint Paul, MN 55116

Parcel Identification Number: 65-555-0010

Location Description: Parcel located between Marketplace Drive and US Highway 10.

The Applicant is proposing to construct approximately 120 units of mixed-income housing in two apartment buildings. The project is proposed as two phases and will include amenities such as onsite management and a playground. The Planning Commission and members of the community are asked to provide the Applicant with feedback to take into consideration as they plan out the more specific details of their development.

Both oral and written comments will be considered by the Planning Commission. If you desire to be heard in reference to this matter, you should attend this hearing or submit written comments to City Hall. If you have any questions, please feel free to contact Kevin Shay, Planning Consultant at 612-638-0228 or KShay@landform.net.

(Elk River Star News)

(March 21, 2019 Edition)

(Small Legal)

Attachment C
Memorandum, Bolton and Menk



Real People. Real Solutions.

7533 Sunwood Drive NW
Suite 206
Ramsey, MN 55303-5119

Ph: [763] 433-2851
Fax: [763] 427-0833
Bolton-Menk.com

March 20, 2020

Sara S.W. Roman, Consultant City Planner
via e-mail: swoolf@biglakemn.org

RE: CommonBond at Big Lake Marketplace North 2nd Addition Concept
City of Big Lake, Minnesota
Project No.: W18.120307

Dear Sara,

We have reviewed the concept plan submitted for the above referenced project and have the following comments:

1. Pedestrian access shall be provided to Marketplace Drive at the west side of the 166th Street intersection. All associated pedestrian ramps shall be constructed.
2. Alternative pedestrian connections to adjacent properties shall be investigated.
3. The applicant shall submit a Storm Water Pollution Prevention Plan for the review of the city.
4. The applicant shall submit a Storm Water Management Plan including storm water calculations complete with drainage area maps for the review of the city.
5. The applicant shall enter into a Stormwater Maintenance Agreement for all stormwater basins on the property.
6. All stormwater Best Management Practices (BMPs) shall be contained within easements.
7. All wetlands within the development shall be delineated.
8. The applicant shall submit a site plan for the review of the city.
9. The applicant shall submit a grading plan for the review of the city.
10. The applicant shall submit utility plans for the review of the city.
11. The applicant shall submit signage and striping plans for the review of the city.
12. The applicant shall submit construction details for the review of the city.
13. The applicant shall submit a lighting plan for the review of the city.
14. All construction shall be in accordance with the City of Big Lake Standards.

We recommend the above requested information be submitted with a preliminary plat application for the review and approval of the City of Big Lake.

If you have any questions on the above, please call.

Sincerely,

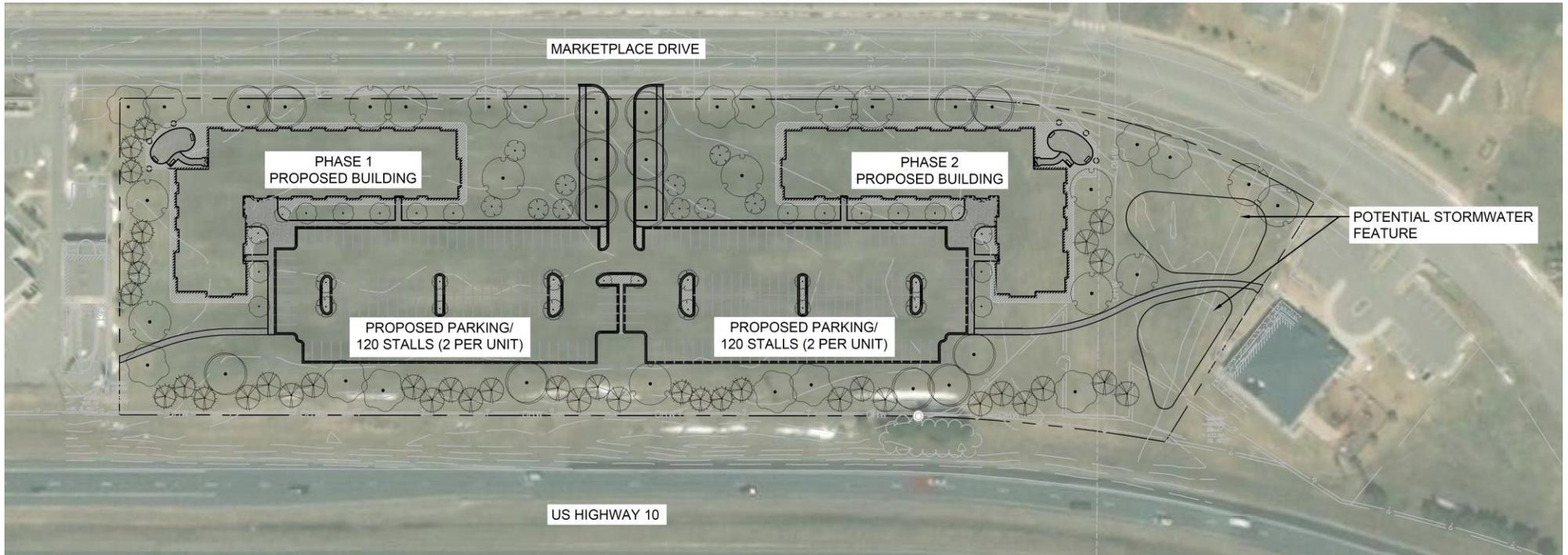
Bolton & Menk, Inc.

Jared Voge, P.E.
Principal Engineer

H:\BGLK\W18120307\1_Corres\C_To_Others\2020-03-20 120907 Roman CommonBond Concept Review.docx

Bolton & Menk is an equal opportunity employer.

Attachment D
Concept Plan



Attachment E
Apartment Rendering

PERSPECTIVE

February 28, 2020



Big Lake Housing

COMMONBOND COMMUNITIES



Attachment F Applicant Narrative



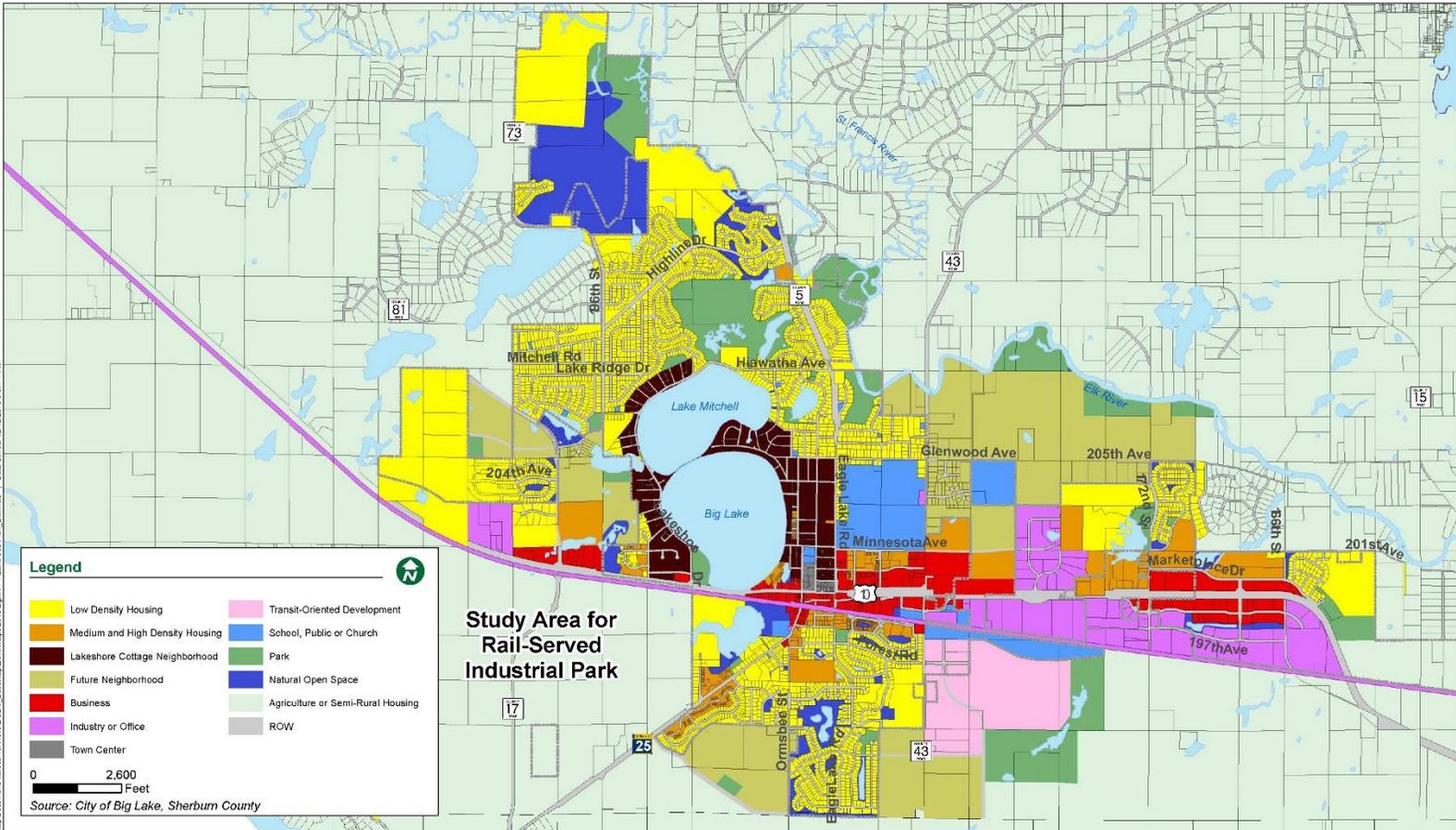
Nature of Proposed Use (narrative):

Marketplace Crossing I and II will include approximately 120 units of new construction, multifamily mixed-income housing. The proposal will feature high-quality exterior materials, including masonry and fiber cement siding. Project amenities are expected to include on-site management, high-quality interior finishes, oversized units, and on-site playgrounds. Because the project is currently zoned for business use, the project location will need to be re-guided under the City's Comprehensive Plan to allow for multifamily use. The proposed project will have a total of 240 (2/unit) new surface parking stalls (120 in each phase) and there are no existing parking stalls. This deviates from the total required parking of 300 spaces (2.5/unit) and none of the stalls are proposed to be enclosed. CommonBond has developed similar sites and found that this quantity and type of parking works well for our residents.

Reason(s) to Approve Request:

Marketplace Crossing I and II will add much-needed, high quality, mixed-income housing to the Big Lake, helping to meet demand and propel continued economic vitality for the City. The proposed project will also provide for a transition from the active Highway 10 corridor to less intensive land uses adjacent to the site. Finally, the proposed land use change is appropriate because the current seller has actively marketed the project for a number of years without being able to obtain a viable commercial proposal. The proposed project will add land use intensity to spur further development on remaining, adjacent developable parcels.

Attachment G
 Future Land Use Map from the 2018 Comprehensive Plan



Map Document: \\server\121905_0_Bolton\GIS\Map\2018\Map\11-1-Land Use Plan - BLM.mxd | Date Saved: 12/13/2018 9:07:47 AM



AGENDA ITEM

Big Lake Planning Commission

Prepared By: <i>T.J. Hofer through Sara S.W. Roman, AICP Consultant Planner</i>	Meeting Date: 4/1/20	Item No. <h1 style="text-align: center; margin: 0;">7B</h1>
Item Description: Public Hearing for a PUD Concept Plan Review for “Big Lake Station” (PID 65-580-0010)	Reviewed By: <i>Sara S.W. Roman, AICP, Consultant Planner</i>	
	Reviewed By: <i>Hanna Klimmek, EDFP, Community Development Director</i>	

60-DAY REVIEW DEADLINE: May 11, 2020

ACTION REQUESTED

The Planning Commission is asked to give informal review and comment regarding the project’s acceptability in relation to the Comprehensive Plan and development regulations and to advise the City Council as they review the concept plan.

Any comments given by the Planning Commission are advisory in nature. While the comments are non-binding, the applicant will consider the comments from the Planning Commission when they prepare their formal submittal.

BACKGROUND/DISCUSSION

APPLICATION:

The applicant, AEON, has submitted a development application requesting a concept plan review. The application will require Concept Plan Review by the Planning Commission and City Council, rezoning to PUD, and a PUD approval (concept plan, preliminary plan, final plan) with public hearings, platting and a development contract.

BACKGROUND:

The Applicant is seeking concept plan review for a proposal to construct 74 senior housing units and 110 multi-family housing units on property owned by the applicant (PID #65-580-0010) on 6.14 acres at the corner of Station Street NW and Forest Road. The subject property is a 6.14-acre that was created as part of the “Station Street Acres” plat in 2017.

The lot is currently zoned Transit Oriented Development (TOD) and is in the Midway Zone of the TOD District. The TOD district allows for “Multiple family residential developments containing eight (8) or more dwelling units per acre.” The lot is guided by the Comprehensive Plan for Transit-Orientated Development.

CONTEXT:

The proposed development, known as “Big Lake Station” would include 74 senior housing units and 110 multi-family housing units on 6.14 acres of vacant land. The senior units will be contained within one building and will require at least one occupant in a residence to be 55 years old and with an income below 50% of area median income (AMI). The multi-family units will be split between two buildings evenly and will mirror each other on the site. The multi-family units will be targeted for families with incomes ranging from 30% AMI to 60% AMI or \$30,000 to \$60,000 for a family of four. The proposed multi-family housing is unique in containing a large number of three and four bedroom apartment units – a unit type that is highly sought after but uncommon in multi-family rental development.

EXISTING ZONING AND LAND USE:

Zoning	Transit Oriented Development (TOD)
Future Land Use	Transit-Oriented Development (TOD)
Existing Land Use	Vacant Land – Agricultural
Topography	Flat

The City’s 2018 comprehensive plan guides this land as “Transit-Oriented Development.” Per the comprehensive plan:

Mid- or high-density housing and supportive public space design, all consistent with the principles of the Transit-Oriented Development Design Manual, 2008.

SURROUNDING ZONING AND LAND USE:

Direction	Zoning	Future Land Use Plan	Existing Land Use
North (Across Station Street)	I-1 Industrial Park	School, Public or Church	State Public Property
South	TOD Transit Oriented Development	Transit-Oriented Development	Vacant – Agricultural
East (Across 172 nd Street)	Big Lake Township Agricultural	Transit-Oriented Development	Vacant – Agricultural
West	PUD Planned Unit Development	Transit-Oriented Development	Vacant – Agricultural, approved for multi-family housing project (Station Street Apartments)

ANALYSIS OF REQUEST

REZONING REQUESTED:

The parcel is currently zoned TOD. The parcel is located within the T.O.D. district that surrounds the Northstar Train Station. The T.O.D. district “Midway Zone” includes lands generally within one quarter (¼) mile and half (½) of a mile of the rail station and serves as a transition area for the TOD area. Within this zone, a mix of commercial and high density residential housing is expected.

Section 1068.03 of the City Code states that multiple family residential developments containing eight or more dwelling units per acre is an allowed use within the “Midway Zone.” The applicant is showing the senior housing and the multi-family buildings on separate parcels. The multi-family buildings show 110 units on 3.51 acres, which is 31.3 units/acre (gross) . The senior housing building is 55 units on 2.63 acres, which is 20.9 units/acre (gross). The project meets the density requirements in the Code.

The applicant will be requesting a rezoning to planned unit development overlay in order to receive flexibility on a number of items required by the Zoning and Subdivision ordinances. The proposed flexibilities are discussed below.

LOT STANDARDS:

For multi-family units in a non-shoreland area, the following lot standards apply:

Standard	Allowed	Proposed	Compliance with Code
Lot Coverage	60-85%	TBD; Not defined	TBD
Height Principal Structure	18 – 40 ft., or three stories, whichever is less	TBD; 4 stories	Does not appear to comply
* Two buildings are shown on a single lot and are roughly 55 ft. apart.			

For senior housing units in a non-shoreland area, the following lot standards apply:

Standard	Allowed	Proposed	Compliance with Code
Lot Coverage	60-85%	TBD; Not defined	TBD
Height Principal Structure	18 – 40 ft., or three stories, whichever is less	TBD; 3 stories	Appears to comply

The concept plan, as proposed, does not provide sufficient information to evaluate the lot standards. The submitted plans provide floor area ratio (FAR) instead of lot coverage. The multi-family buildings are shown as four stories and the senior housing building is shown as three stories where three stories are permitted. The applicant will also be required to provide architectural elevations for formal development review that include a structure height.

SETBACKS:

For multi-family units in a non-shoreland area, the following lot standards apply:

Standard	Allowed	Proposed	Compliance with Code
Building Setbacks: Front Yard (from the east unnamed public street)	5 – 15 ft.	50 ft.	Does not comply; requires flexibility
Building Setbacks: Front Yard (from the south unnamed public street)	5 – 15 ft.	2.5 - 25 ft.	Does not comply; requires flexibility
Building Setback: Rear Yard	15 ft	45 ft.	Does not comply; requires flexibility
* Two buildings are shown on a single lot and are roughly 55 ft. apart.			

The concept plan, as proposed, will require flexibility for front yard setbacks and rear yard setbacks. This is common for an apartment, as much of the space is used for common space and amenities.

For senior housing units in a non-shoreland area, the following lot standards apply:

Standard	Allowed	Proposed	Compliance with Code
Building Setbacks: Front Yard (from the south unnamed public street)	5 – 15 ft.	75 ft.	Does not comply; requires flexibility
Building Setbacks: Front Yard (from Station Street)	5 – 15 ft.	25 - 35 ft.	Does not comply; requires flexibility
Building Setback: Side Yard	0 – 25 ft.	15 ft.	Complies

The concept plan, as proposed, will require flexibility for front yard setbacks. This is common for a senior housing, as much of the space is used for common space and amenities.

SETBACKS, PERIPHERY:

For PUD developments, the front and side yard restrictions at the periphery of the PUD site must be the same as imposed in the respective zoning districts. For formal development review, the applicant must include on plans the right-of-way lines for Station Street NW as well as the unnamed street included on the plans to ensure that development is setback a minimum of 15 feet. The concept plan appears to request flexibility.

PROPOSED PARKING:

The Concept Plan proposes parking as a mix of off-street parking and underground parking. The plans show 132 parking spaces for the multi-family building and 98 total spaces for the senior housing building.

The TOD district requires a minimum of two parking stalls per unit. One stall shall be in a garage or parking structure. A maximum of 2.5 stalls is allowed as a permitted use. Up to three (3) parking stalls may be allowed per unit by Conditional Use Permit.

The plans show a larger amount of structured parking, but do not meet the parking requirements showing 1.66 parking spaces for the multi-family building and 1.3 parking spaces for the senior housing apartments.

In addition to this, surface lots shall be screened along all sidewalks by a landscaped buffer of not less than five-feet or three-foot walls or fencing compatible with the adjacent architecture. The concept does not appear to comply with this requirement.

PROPOSED LANDSCAPING:

The City's zoning ordinance requires a landscaping plan with every commercial, industrial or multiple-family residential development application. The applicant will be required to provide a detailed landscaping plan, including if any phasing is proposed for landscaping. The concept plan provided by the applicant does not provide sufficient detail to determine if the landscaping or screening meets the applicable provisions of Section 1027 (Landscape, Screening and Tree Preservation).

The requirements for multifamily development requires residential structures containing two or more units to contain at a minimum one tree per dwelling unit. The Code states that at least 50% of the required trees must be overstory coniferous or deciduous trees. The remaining 50% can be replaced with ornamental trees or shrubs at a rate of 3:1. At least 25% of the trees must be deciduous and at least 25% must be coniferous.

The PUD is anticipated to request flexibility for landscaping requirements.

UTILITIES:

The applicant is proposing to connect to municipal water and sewer. The code requires that all new utilities shall be placed underground. This will be reviewed at preliminary plat when the applicant provides utility plans.

BUILDING DESIGN STANDARDS:

Section 1040.05 Subd. 3 of the City’s zoning ordinance provides the building requirements for multi-family dwellings. At formal development review, the applicant will be required to provide the building elevations for all apartment structures to ensure compliance with code, or to request flexibility from the requirements.

RECREATION AREAS:

The applicant is proposing 14 garden areas each with four plots, an outdoor patio, and other unidentified amenities as part of the overall development. Section 1040.05 of the City Zoning Ordinance requires that each multiple family apartment building or complex of 20 or more dwelling units shall include visually defined or fenced active recreation areas of 2,000 square feet plus an additional 50 square feet per unit for over 20 dwelling units.

With 184 proposed units split between three buildings, the overall development will require 12,200 square feet of recreation area. The concept plan shows garden areas as well as a patio area. Along with this staff believe their may be further outdoor space such as a plaza and a playground, however, several elements on the concept plan are unlabeled. The current concept plan does not adhere to the lot coverage levels for recreation areas. At formal development review, the applicant will be required to provide the square footage of proposed recreation areas to ensure compliance with code, or to request flexibility from the requirement.

STORM WATER MANAGEMENT:

A pond is shown on the proposed parcel with senior housing. A stormwater management plan is required for all PUDs. When a storm water management plan is created, storm water management techniques will be required to be consistent with the City’s Subdivision Ordinance and ponds will be landscaped as designated by the City’s Zoning Ordinance with the following additional requirements:

1. All retention basins shall resemble natural ponds to the maximum extent possible.
2. Retention basin landscaping shall include indigenous plants and landscaping materials.

SIGNAGE:

Signage is not reviewed as part of this concept plan. No signage is shown on the concept plan.

SUMMARY:

The following PUD flexibility is present in the concept plan and additional details will be added when the development stage PUD is applied for:

- Lot information and building height are not provided, but it appears that the applicant is requesting flexibility to allow a four-story building where the City Code limits it to three stories.
- Front setbacks are greater than the TOD district allows
- Minimum periphery setbacks from collector roads may not be met
- Parking spaces are proposed at a rate lower than required within the Midway Section of the TOD district
- Screening is required for surface parking lots and the plans do not comply
- Sidewalks placement is not in compliance with the requirements of the TOD district
- Landscaping planting is under what is required for a multi-family building
- No neighborhood recreational amenities are included

PARK DEDICATION:

The City's subdivision ordinance and fee schedule state residential subdivisions must dedicate 10% of the land being subdivided as parkland OR pay a fee equal to 10% of the value of the land with a minimum of \$2500 per unit. It is at the City's discretion whether to require a land donation or allow the fee in lieu to be paid. The park dedication will be calculated with a preliminary plat application that meets the density standards.

STAFF COMMENTS:

Planning and Zoning

Planning staff is supportive of this project. The applicant notes in their narrative the vacancy rate in Big Lake has been nearly 0% in the past years. The City established a regional presence with the NorthStar Train Station in the City, and creating affordable and accessible housing near this public transit is critical to supporting residents in the City by providing a variety of housing options with access to transit. This area is guided for development including multi-family in the Comprehensive Plan and this project could serve as a catalyst to encourage more development in the area.

Engineering and Public Works:

Bolton and Menk prepared a comment letter for the initial review of this concept plan, dated March 20, 2020 (Attachment F).

Fire Department

No comment.

Police Department

No comment.

ADDITIONAL COMMENTS:

Xcel Energy

Pete Cluever of Xcel Energy stated, “Xcel gas has main to the property to serve the apartment to the south. This would be Connexus Electric.”

FINANCIAL IMPACT

NA

STAFF RECOMMENDATION

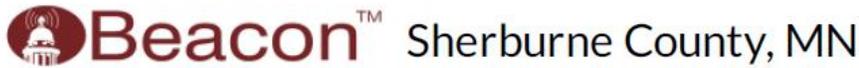
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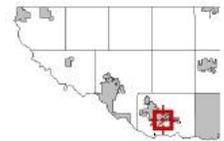
ATTACHMENTS

- Attachment A: Site Location Map
- Attachment B: Applicant’s Narrative
- Attachment C: Concept Plan – Building Layout
- Attachment D: Concept Plan – Parking Layout
- Attachment E: Concept Plan – Development Summary
- Attachment F: Elevations
- Attachment G: Engineer’s Memo dated March 20, 2020
- Attachment H: Public Hearing Notice

Attachment A
Site Location Map



Overview



Legend

- Parcels
- Streams

Parcel ID	65-580-0010	Alternate ID	n/a	Owner Address	901 3RD STN STE 150
Sec/Twp/Rng	29-33-27	Class	101-Agricultural		MINNEAPOLIS MN 55401
Property Address		Acreage	6.14		
District	BIG LAKE CITY				
Brief Tax Description	n/a				
	(Note: Not to be used on legal documents)				

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GEOSPATIAL

Attachment B
Applicant's Narrative



Memorandum

To: City of Big Lake
From: Leslie Roering, Aeon
Date: February 28, 2020
Re: Aeon Big Lake Station – Concept Plan Narrative

Aeon is a mission-driven, nonprofit provider of quality apartment homes for low- and moderate-income individuals and families. Aeon was founded in 1986 to replace 350 apartment homes that were demolished to build the Minneapolis Convention Center. Our first development, Buri Manor, provided 38 homes for low-wage workers. Driven by our belief that everyone deserves a home, Aeon's portfolio has grown to 58 properties that nearly 12,000 residents call home each year.

Aeon's mission is to create and sustain quality affordable homes that strengthen lives and communities. Aeon prides itself on acting boldly to create and preserve affordable homes. We encourage residents to take ownership of their home and connect with their community.

Project Summary:

Aeon is proposing a three phase development on 6.14 acres adjacent to the NorthStar Commuter Rail Station. Two of the phases will be targeted for large families with incomes ranging from 30% area median income (AMI) to 60% AMI or \$30,000 to \$60,000 for a family of four. The third phase, located along Station Street, will target seniors age 55+ with one individual in the household at 50% AMI.

Big Lake Station – Family (A + B):

Big Lake Station – Family (A) is a new transit-oriented construction project that will include a four-story elevator building with underground parking incorporating a variety of different housing options, from 1- to 4-bedroom units. The City of Big Lake is currently experiencing a nearly 0% vacancy rate on all of the rental housing units, indicating a pent-up demand for more housing options, including affordable housing for large families. Recognizing the lack of four-bedroom apartments within Big Lake and the



Memorandum

surrounding communities, this project is unique and in high demand. The building will be situated on a 6-acre vacant site next to the North Star Commuter Rail - Big Lake Station, the final stop on the commuter rail, providing connections from Big Lake, down to Minneapolis, on to the Mall of America or over to Saint Paul.

The 55-unit building will contain units available to households at or below 50% and 60% area median income. A portion of the of the units have been designated for long-term homeless families and will be affordable at 30% area median income with supportive services provided onsite by Tri-CAP. Of the 55 units, 6 will be 1-bedroom apartment homes, 21 will be 2-bedroom apartment homes, 22 will be 3-bedroom apartment homes and 6 will be 4-bedroom apartment homes.

Additionally, Aeon intends to build a second phase of family development as funding allows. The second phase (Building B) will mirror the first phase of family development. In total, the project will have 110 units of affordable housing for large families.

Big Lake Station – Senior:

Big Lake Station - Senior is a new construction project that will include a three-story elevator building with underground parking with one- and two-bedroom units for seniors 55+. The City of Big Lake recently saw the conversion of their only independent living facility for seniors to assisted living. This leaves the City of Big Lake with nearly zero units for aging seniors that do not need additional assistance.

This new construction project will include approximately 74 units providing housing options, from 1- to 2-bedroom units, in a single three-story elevator building with underground parking. The units will be available for households at or below 60% AMI, with an individual household member meeting the senior requirements of 50% AMI. A portion of the units will also be designated for seniors at 30% AMI.

The first floor will provide an active connection to the commuter rail station, a community room, library room craft room and a fitness room. The exterior materials will be durable and meet local design requirements. New sidewalks, lighting, patio, benches, and bike racks reposition this site from a vacant lot to a warm, inviting transit-oriented experience.



Memorandum

Aeon will take an inclusive approach towards the design and development of the site, relying on input from community members, City staff, local stakeholders, and a design team of highly qualified professionals. We will model our design with a focus on sustainability and energy efficiency applying proven techniques and lessons learned from The Rose. Aeon also has a network of residents that will help guide us in programming the buildings amenities.

Project Need:

As noted above, the City of Big Lake has been seeing nearly 0% vacancy for the past several year, indicating a significant need for more housing within the community. Big Lake Station - Family is important in that it is providing quality, affordable homes for large families in a growing and prosperous community. Aeon's Greenway Terrace project in Ramsey, 18 miles South, is home to approximately 150 school aged children and we expect Big Lake Station - Family to be similar. Stable housing is a catalyst for educational achievement. The State of Minnesota is currently looking to expand the Homework starts with Home initiative, aiming to end student homelessness. Homelessness and housing instability impose huge challenges on students:

- Homeless and highly mobile students are more likely to be chronically absent, missing more than 10 percent of school days. Chronic absenteeism jeopardizes educational success. In fact, a student's attendance through sixth grade predicts future educational attainment and the likelihood of graduation. *
- Only one in four homeless third graders demonstrate reading proficiency, a rate that is 37 percent lower than their low-income but housed peers. Low reading proficiency in third grade correlates with significantly lower academic success in the future.

Additionally, by 2030, 1 in 5 resident in each of Minnesota's 87 counties will be over the age of 65. The rapid increase of aging persons in the state puts strain on the already tight rental market. Older renters are also at higher risk for housing cost burden because of limited income sources, therefore the need to create affordable senior housing is imperative.

The National Aging Programs Information System shows that 72% of the aging population in Minnesota live in rural communities. According to the Governor's Task



Memorandum

Force on Housing, without affordable options for older adults to live, many are staying in their homes that are too big and too hard to handle. It is imperative that we bring affordable independent living for seniors to rural communities, like Big Lake, so that residents have a housing solution that allows them to stay in their community.

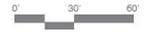
Attachment C
 Concept Plan – Building Layout



LEVEL 2



Big Lake Senior Living
BIG LAKE, MN / 02.26.2020 / 19-0014

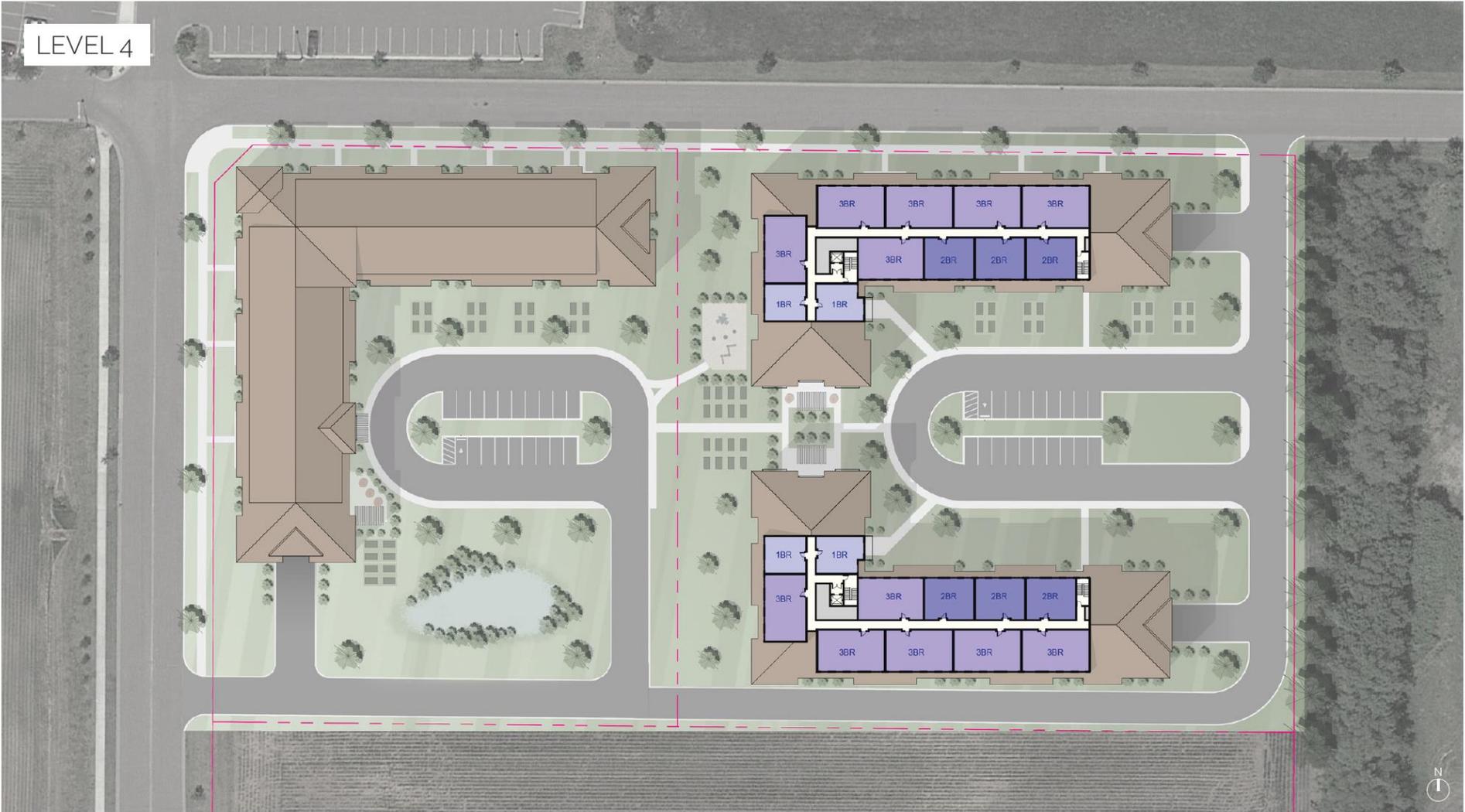


CONCEPT PLAN

LEVEL 3



LEVEL 4



URBANWORKS

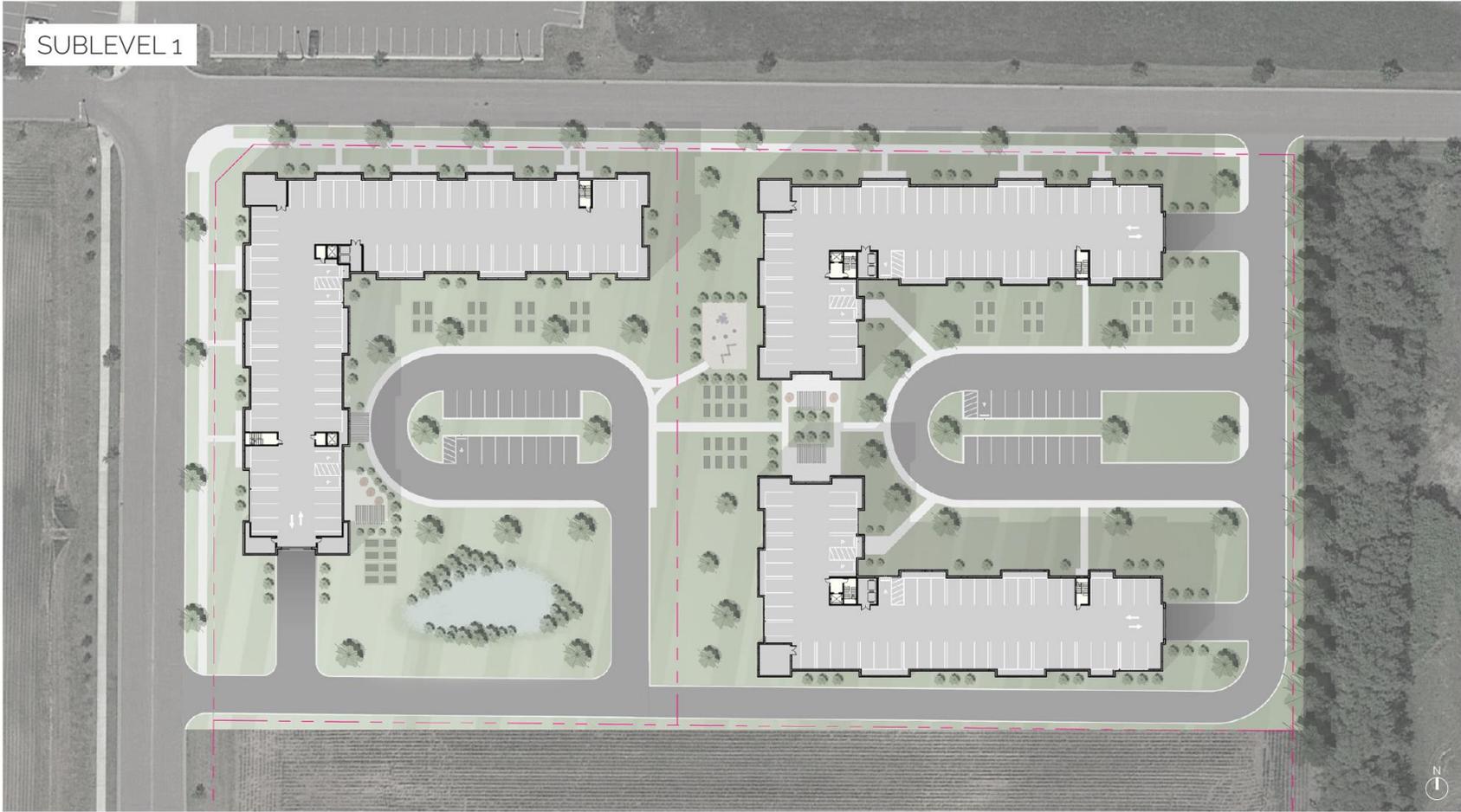


Big Lake Senior Living
BIG LAKE, MN / 02.26.2020 / 19-0014



CONCEPT PLAN

Attachment D
Concept Plan – Parking Layout



URBANWORKS



Big Lake Senior Living
BIG LAKE, MN / 02.26.2020 / 19-0014



CONCEPT PLAN

1

Attachment E
Concept Plan – Development Summary

DEVELOPMENT SUMMARY: Aeon - Big Lake Senior Living

Updated 2020-02-26

DESCRIPTION	TOTAL	PARKING				RESIDENTIAL					
	Gross SF	Parking GSF	Structured Parking	Surface Parking	Total Parking	Residential GSF	Amenity	NLSF	Efficiency	Residential Parking	Residential Units
S1 Sublevel Parking	29,520	29,520	79		79					79	
1 Lobby / Amenity / Units	29,588			19	19	29,588	6,125	18,727	63%	19	22
2 Units	29,588					29,588	-	23,824	81%		27
3 Units	25,182					25,182		19,784	79%		25
						-					
	113,878	29,520	79	19	98	84,358	6,125	62,335	74%	98	74
	Gross SF	Parking GSF	Structured Parking	Surface Parking	Total Parking	Residential GSF	Amenity	NLSF	Efficiency	Residential Parking	Residential Units

METRICS

Site SF	114,636	SF
Site Acreage	2.63	Acres
Dwelling Units	74	DU
Dwelling Unit per Acre	28	DU/Acre
Residential Parking Ratio Per Unit	1.32	Stalls/Unit
Residential Parking Ratio Per Bedroom	0.87	Stalls/Bed
FAR	0.74	

RESIDENTIAL MIX

Unit Type	Mix	Qty	Total Beds	Avg Unit NLSF	Total NLSF
1 BR	47%	35	35	696	24,347
2 BR	41%	30	60	920	27,614
2 BR Corner	12%	9	18	1,153	10,374
	100%	74	113	842.36	62,335

DEVELOPMENT SUMMARY: Aeon - Big Lake Family Apartments

Updated 2020-02-26

DESCRIPTION	TOTAL	PARKING				RESIDENTIAL					
	Gross SF	Parking GSF	Structured Parking	Surface Parking	Total Parking	Residential GSF	Amenity	NLSF	Efficiency	Residential Parking	Residential Units
S1 Sublevel Parking	21,457	21,457	56		56					56	
1 Lobby / Amenity / Units	21,510			10	10	21,510	4,076	14,348	67%	10	12
2 Units	21,510					21,510	-	17,712	82%		16
3 Units	21,510					21,510		17,712	82%		16
4 Units	14,334					14,334		11,015	77%		11
	100,321 Gross SF	21,457 Parking GSF	56 Structured Parking	10 Surface Parking	66 Total Parking	78,864 Residential GSF	4,076 Amenity	60,787 NLSF	77% Efficiency	66 Residential Parking	55 Residential Units

METRICS

Site SF	153,053	SF
Site Acreage	3.51	Acres
Dwelling Units	55	DU
Dwelling Unit per Acre	16	DU/Acre
Residential Parking Ratio Per Unit	1.20	Stalls/Unit
Residential Parking Ratio Per Bedroom	0.58	Stalls/Bed
FAR	0.52	

RESIDENTIAL MIX

Unit Type	Mix	Qty	Total Beds	Avg Unit NLSF	Total NLSF
1 BR	11%	6	6	693	4,155
2 BR	25%	14	28	920	12,883
2 BR - Corner	13%	7	14	1,139	7,975
3 BR	40%	22	66	1,220	26,835
4 BR	11%	6	24	1,490	8,939
	100%	55	114	1,105	60,787

URBANWORKS



Big Lake Senior Living
BIG LAKE, MN / 02.26.2020 / 19-0014

DEVELOPMENT SUMMARY

7

Attachment F
Elevations

SENIOR LIVING



URBANWORKS



Big Lake Senior Living
BIG LAKE, MN / 02.26.2020 / 19-0014

PERSPECTIVE VIEW

8

FAMILY APARTMENTS



URBANWORKS



Big Lake Senior Living
BIG LAKE, MN / 02.26.2020 / 19-0014

PERSPECTIVE VIEW

Attachment G
Engineer's Memo



Real People. Real Solutions.

7533 Sunwood Drive NW
Suite 206
Ramsey, MN 55303-5119

Ph: (763) 433-2851
Fax: (763) 427-0833
Bolton-Menk.com

March 20, 2020

Sara S.W. Roman, Consultant City Planner
via e-mail: swolf@biglakemn.org

RE: AEON – Big Lake Station Concept
City of Big Lake, Minnesota
Project No.: W18.120307

Dear Sara,

We have reviewed the concept plan submitted for the above referenced project and have the following comments:

1. Concrete sidewalk shall be extended to the east property line along the north side of the property.
2. Concrete sidewalk shall be extended to the south property line along the west side of the property.
3. The applicant shall submit a Storm Water Pollution Prevention Plan for the review of the city.
4. The applicant shall submit a Storm Water Management Plan including storm water calculations complete with drainage area maps for the review of the city.
5. The applicant shall enter into a Stormwater Maintenance Agreement for all stormwater basins on the property.
6. All stormwater Best Management Practices (BMPs) shall be contained within easements.
7. All wetlands within the development shall be delineated.
8. The applicant shall submit a site plan for the review of the city.
9. The applicant shall submit a grading plan for the review of the city.
10. The applicant shall submit utility plans for the review of the city.
11. The applicant shall submit signage plans for the review of the city.
12. The applicant shall submit construction details for the review of the city.
13. The applicant shall submit a lighting plan for the review of the city.
14. All construction shall be in accordance with the City of Big Lake Standards.

We recommend the above requested information be submitted with a preliminary plat application for the review and approval of the City of Big Lake.

If you have any questions on the above, please call.

Sincerely,

Bolton & Menk, Inc.

A handwritten signature in blue ink, appearing to read 'J. Voge'.

Jared Voge, P.E.
Principal Engineer

H:\BGLK\W18120307\1_Corres\C_To Others\2020-03-20 120307 Roman AEON Concept Review.docx

Bolton & Menk is an equal opportunity employer.

Attachment H
Public Hearing Notice



-Public Notice Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below. Please proof read carefully if changes are needed, please contact us prior to deadline at Cambridge (763) 691-6000 or email at publicnotice@ecm-inc.com

Ad Proof

Enlarged

**CITY OF BIG LAKE
NOTICE OF PUBLIC
HEARING
CONCEPT PLAN FOR
A PROJECT KNOWN
AS "AEON -
BIG LAKE STATION"**

You are hereby notified that the Big Lake Planning Commission will hold a public hearing in order to consider a concept plan for a project known as "AEON - Big Lake Station". The public hearing will be held in the Big Lake City Council Chambers located at 160 Lake Street North, Big Lake, MN on: **Wednesday, April 1, 2020 at or about 6:30 p.m.**

Applicant:

AEON Big Lake Station LLC
901 N 3rd Street, Suite 105
Minneapolis, MN 55401

Parcel Identification Number:
65-580-0010

Location Description:

Parcel directly south of the NorthStar Train Station, east of Station Street.

The Applicant is proposing to build a three-phase affordable residential development, comprising of two apartment buildings for families and one apartment building for seniors on 6.14 acres. The concept plan calls for a total of 165 residential units for families with incomes ranging from 30% area median income (AMI) to 60% AMI and 74 units for seniors age 55+ with one individual in the household at 50% AMI. The development will also include open space amenities. This public hearing is for a concept plan. The Planning Commission and members of the community are asked to provide the Applicant with feedback to take into consideration as they plan out the more specific details of their development.

Both oral and written comments will be considered by the Planning Commission. If you desire to be heard in reference to this matter, you should attend this hearing or submit written comments to City Hall. If you have any questions, please feel free to contact Kevin Shay, Planning Consultant at 612-638-0228 or KShay@landform.net.

Published in the
Star News
March 21, 2020
1032196

Date: 03/18/20

Account #: 388115
Customer: CITY BIG LAKE ~

Address: 160 LAKE STREET N
BIG LAKE

Telephone: (763) 263-2107
Fax: (763) 263-0133

Ad ID: 1032196
Copy Line: AEON Station-PH

PO Number:
Start: 03/21/20
Stop: 03/21/2020

Total Cost: \$63.00
of Lines: 63
Total Depth: 7.0
of Inserts: 1

Ad Class: 150
Phone #: (763) 691-6000
Email: publicnotice@ecm-inc.com
Rep No: CA700

Contract-Gross

Publications:
Star News



AGENDA ITEM

Big Lake Planning Commission

Prepared By: Kevin Shay, Consultant Planner	Meeting Date: 4/1/2020	Item No. 7C
Item Description: Public Hearing for CUP and Variance for 301 Crescent Street (PID 65-426-0220)	Reviewed By: Sara S.W. Roman, AICP, Consultant Planner	
	Reviewed By: Hanna Klimmek, EDFP, Community Development Director	

60-DAY REVIEW DEADLINE: April 26, 2020

ACTION REQUESTED

The Planning Commission is asked to make a motion recommending approval or denial of the development application.

BACKGROUND/DISCUSSION

APPLICATION:

Kathleen and Richard Anderson, the applicants, have submitted a development application requesting the following:

- A Conditional Use Permit
- A Variance

The Applicants submitted a complete application on March 2, 2020. State Statute dictates that the City must act upon a development application within 60 days of the receipt of a complete application. The City can extend the review for an additional 60 days, if needed, by providing written notice to the Applicant. Any additional extensions must be requested, in writing, by the Applicant.

PROPOSED DEVELOPMENT:

The applicants are proposing to construct a new 3,186 square foot home with an attached garage at 301 Crescent Street.

PROPERTY CHARACTERISTICS:

The property is an existing 0.17-acre parcel with an existing single-family home and detached garage. The lot is within the shoreland overlay district for Big Lake (general development).

EXISTING ZONING AND LAND USE:

Zoning	R-5 Residential Redevelopment
Future Land Use	Lakeshore Cottage Neighborhood
Existing Land Use	Single Family Home
Topography	Lakeshore

SURROUNDING ZONING AND LAND USE:

Direction	Zoning	Future Land Use Plan	Existing Land Use
North	R-5 Residential Redevelopment	Lakeshore Cottage Neighborhood	Single Family Housing
South	R-5 Residential Redevelopment	Lakeshore Cottage Neighborhood	Single Family Housing
East	R-5 Residential Redevelopment	Lakeshore Cottage Neighborhood	Single Family Housing
West	R-5 Residential Redevelopment	Lakeshore Cottage Neighborhood	Single Family Housing

ANALYSIS OF REQUEST

CONDITIONAL USE PERMIT REQUESTED:

The applicant is requesting a conditional use permit to allow an increase in impervious surface coverage within the shoreland overlay district. Up to 25% impervious is allowed, with an increase of up to 50% impervious coverage allowed by CUP. The new home would have an impervious coverage of 34.8% or 2,270 square feet. Per guidance from the DNR, the City recommends to applicants who apply for a conditional use permit to stay below 35% impervious surface if at all possible.

VARIANCE REQUESTED:

The applicant has submitted an application for a variance to allow a 5-foot reduced front yard setback from 20 feet to 15 feet. The variance is discussed in more detail below.

DIMENSIONAL STANDARDS:

Setbacks:

The setback standards for an existing lot of record in the R-5 district are shown below:

Setback	Type	Setback Required	Compliance
Northern property line abutting Crescent Street	Front Yard	20 foot minimum	Does not comply
Southern Property line abutting Big Lake	Rear Yard	50 foot minimum	Complies
Eastern property line	Side Yard	5 feet minimum	Complies
Western property line	Side Yard	5 feet minimum	Complies
Between Buildings	Internal	10 feet minimum	Does not comply

The required 10-foot setback between buildings can be reduced with approval from the building official and may require submittal of plan showing a proposed firewall or other mitigation measures. The building official commented that the proposed building setback on the eastern lot line is acceptable if the adjacent wall is fire rated for 1 hour.

Building Height:

The applicant is proposing a building height of 24 feet 9 11/16 inches where the maximum height allowed in the R-5 district is 25 feet. The building height complies with code.

CONDITIONAL USE PERMIT:

The R-5 section of the zoning ordinance allows 25% impervious cover, which for this lot would be 1,631 square feet. However, the same section allows an increase in impervious of up to 50% of the lot area, if certain conditions are met. That subsection reads as follows:

2. *The impervious surface coverage may be increased up to fifty (50) percent of the total lot area by a Conditional Use Permit as set forth in and regulated by Section 1007 (Conditional Use Permits) and the following criteria:*
 - a. *All structures, additions, or expansions shall meet setback and other requirements of this Ordinance.*
 - b. *The lot shall be served by municipal sewer and water.*
 - c. *The lot shall provide for the collection and treatment of storm water in compliance with the City Storm Water Management Plan if determined that the site improvements will result in increased runoff directly entering a public water. All development plans shall require review and approval by the City Engineer.*
 - d. *Measures to be taken for the treatment of storm water runoff and/or prevention of storm water from directly entering a public water. The measures may include, but not be limited to the following:*
 - (1) *Appurtenances as sedimentation basins, debris basins, desilting basins or silt traps.*
 - (2) *Installation of debris guards and microsilt basins on storm sewer inlets.*
 - (3) *Use where practical, oil skimming devices or sump catch basins.*
 - (4) *Direct drainage away from the lake and into pervious, grassed, yards through site grading, use of gutters and downspouts.*
 - (5) *Sidewalks are constructed with partially pervious raised materials such as decking which has natural or other pervious material beneath or between the planking.*

- (6) Grading and construction techniques are used which encourage rapid infiltration, e.g. sand and gravel under impervious materials with adjacent infiltration swales graded to lead into them.*
- (7) Berms, water bars, or terraces are installed which temporarily detain water before dispersing it into pervious area.*
- (8) Installation of a minimum fifteen (15) foot wide buffer from the OHWL. This buffer would be treated similar to a wetland buffer where native grasses etc. would be required and mowing and dumping would not be permitted.*
- e. All structures and impervious surfaces shall be located on slopes less than twelve (12) percent. The physical alteration of slopes shall not be permitted for the purpose of overcoming this limitation.*
- f. Site developments shall be designed, implemented and maintained using the most applicable combination of comprehensive practices that prevent flooding, pollutant, erosion and sedimentation problems consistent with Protecting Water Quality in Urban Areas, Best Management Practices for Minnesota, Minnesota Pollution Control Agency, October 1989, or as amended, which is incorporated by reference, available at the State Law Library and not subject to frequent change.*
- g. The City may impose additional conditions if determined necessary to protect the public health, safety and welfare.*

When considering a CUP application, the Planning Commission should ensure the intent of the ordinance is met. The CUP language in the ordinance reads as follows:

The Planning Commission shall hold the public hearing to consider the application and the possible adverse effects of the proposed conditional use permit. The judgment of the Planning Commission with regard to the application shall be based upon (but not limited to) the following factors:

- a. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the objectives of the Comprehensive Plan, including public facilities and capital improvement plans.*

The Comprehensive Plan calls for redevelopment of rundown areas, general beautification, and the creation of “move-up” type housing within city limits. The proposed single-family residential home will be very attractive and would fit into this “move-up” category

- b. The proposed action meets the purpose and intent of this Ordinance and the intent of the underlying zoning district.*

The R-5 Residential Redevelopment district was created specifically to allow small lots that previously hosted seasonal cabins to be adaptively reused to create neighborhood of permanent homes. The Applicants have torn down the seasonal cabin that was previously located at 49 Crescent Street and are proposing to build a year-round home there. This is consistent with the goals of the zoning district.

- c. The proposed use can be accommodated with existing public services and will not overburden the City’s service capacity.*

The proposed single-family home will not overburden the City’s service capacity.

- d. *There is an adequate buffer yard or transition provided between potentially incompatible uses or districts.*

The proposed single-family home will fit in well within the low-medium density residential neighborhood.

- e. *The proposed use is or will be compatible with present and future land uses of the area.*

This area is intended to be low-medium density and consist of single-family homes, townhomes, and twinhomes. The proposed single-family home is appropriate for the area.

- f. *The proposed use conforms with all performance standards contained within this Ordinance.*

The use conforms to the performance standards contained in the Zoning Ordinance.

- g. *Traffic generation by the proposed use is within capabilities of streets serving the property.*

The traffic generation from the new single-family home will not increase from the existing single-family home and is within capabilities of the street serving the property.

- h. *In addition to the above general criteria, the proposed conditional use permit meets the criteria specified for the various zoning districts outlined as follows.*

The zoning district standards are met except where variances have been identified.

VARIANCE:

The proposed plan requires a variance to reduce the front yard setback from 20 to 15 feet. The Planning Commission must determine whether the criteria below are met:

In addition, as may be applicable, all of the following criteria must be met:

- a. *That because of the particular physical surroundings, lot shape, narrowness, shallowness, slope or topographical conditions of the specific parcel of land involved, practical difficulties to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.*

The subject property is surrounded by structures which are closer to the front lot line and the request would allow the building to be consistent with the adjacent properties.

- b. *That the conditions upon which a petition for a variance is based are unique to the parcel of land for which the variance is sought and are not applicable, generally, to other property within the same zoning classification.*

The conditions of this property are unique and not applicable to other properties within the same zoning

- c. *That the purpose of the variance is not based exclusively upon a desire to increase the value or income potential of the parcel of land.*

The request is not based on the economic considerations.

- d. That the alleged practical difficulties are caused by this Ordinance and have not been created by any persons having an interest in the parcel of land and are not self-created difficulties.*

The practical difficulty was not created by the owner of the property.

- e. That the granting of the variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood.*

The variance will not have a negative impact on the air, light, traffic, danger of fire or public safety to neighboring properties.

- f. That the granting of the variance will not be detrimental to the public welfare or injurious to other land or improvements in the neighborhood in which the parcel of land is located.*

The variance will not hinder other nearby properties from making improvements.

- g. The variance is the minimum action required to eliminate the practical difficulties.*

The variance is the minimum possible request to eliminate the difficulty.

- h. The variance does not involve a use which is not allowed within the respective Zoning District.*

The single-family home is an allowed use in the R-5 zoning district.

- i. The variance is in harmony with the general purposes and intent of the Ordinance.*

The variance is in harmony with purpose of the R-5 district to allow redevelopment while preserving the lakeshore.

- j. The variance is consistent with the comprehensive plan.*

The variance is consistent with the Comprehensive Plan.

- k. The property owner proposes to use the property in a reasonable manner not permitted by the Ordinance.*

The property owner is using the property for a reasonable manner.

- l. The variance will not alter the essential character of the locality.*

The variance will not alter the essential character of the area.

- m. Shoreland Management District Variances.*

- (1) *Variances may only be granted in accordance with Minnesota Statute Chapter 462, as applicable. A variance may not circumvent the general purposes and intent of Section 1065 (Shoreland Management District) of this Ordinance. No variance may be granted that would allow any use that is not allowed in the underlying zoning district in which the subject property is located. Conditions may be imposed in the granting of a variance. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance. In considering a variance request, the Board of Adjustment must also consider whether the property owner has reasonable use of the land without the variance, whether the property is used seasonally or year-round, whether the variance is being requested solely on the basis of economic considerations, and the characteristics of development on adjacent properties.*

The variance does not allow a use that would be otherwise unallowed in the zoning district and has been considered under the shoreland ordinance for the City.

Staff is supportive of the variance request because of the existing adjacent structures which are setback closer or equal to the variance request from the applicant. In addition, the request allows the building to meet the required shoreland setback from Big Lake.

STAFF COMMENTS:

Engineering and Public Works:

Bolton and Menk prepared a comment letter for the review of this application (Attachment C).

Fire Department

No comment provided.

Police Department

No issues.

ADDITIONAL COMMENTS:

DNR:

The DNR has yet to provide comment on the application. The DNR requested that the OHWL for Big Lake and existing impervious surface be marked on the existing conditions survey provided by the applicant prior to providing a comment letter. Staff has requested this information from the applicant but has not received the information as of 3/25/20.

FINANCIAL IMPACT

NA

STAFF RECOMMENDATION

Staff is recommending approval of the conditional use permit and reduced front yard setback variance request. Staff's recommendation of approval comes with the following conditions:

PLANNING AND ZONING CONDITIONS

1. The applicant shall provide the DNR requested information including existing impervious surface and the Ordinary High-Water Level (OHWL) for Big Lake.
2. The applicant shall meet any conditions required by the building official for a reduced setback between buildings.
3. Any conditions of the Planning Commission, City Council, Staff, consultants, or other agencies responsible for the review of this development application

ATTACHMENTS

- Attachment A: Site Location Map
- Attachment B: Public Hearing Notice
- Attachment C: Engineer’s Memo
- Attachment D: Draft Resolution
- Attachment E: Existing Survey
- Attachment F: Proposed Survey
- Attachment G: Building Plans

Attachment A Site Location Map



Parcel ID	65-426-0220	Alternate ID	n/a	Owner Address	3522 ERNAL DR
Sec/Twp/Rng	18-33-27	Class	151-Non-Comm Seasonal Residential Recreational		SHOREVIEW MN 55126
Property Address	301 CRESCENT ST	Acres	0.17		
	BIG LAKE				
District	BIG LAKE CITY				
Brief Tax Description	n/a				
	(Note: Not to be used on legal documents)				

Disclaimer: Every attempt has been made to ensure that the information contained on this web site is valid at the time of publication. Sherburne County reserves the right to make additions, changes, or corrections at any time and without notice. Additionally, Sherburne County disclaims any and all liability for damages incurred directly or indirectly as a result of errors, omissions or discrepancies and is not responsible for misuse or misinterpretation. Data is updated periodically. For the most current information contact the appropriate county department.

Disclaimer for St Cloud Parcels: Sherburne County information about St Cloud properties are limited to classification and value. Any questions regarding additional information please contact the City of St Cloud's assessor office.

Date created: 3/25/2020
Last Data Uploaded: 3/25/2020 4:14:04 PM

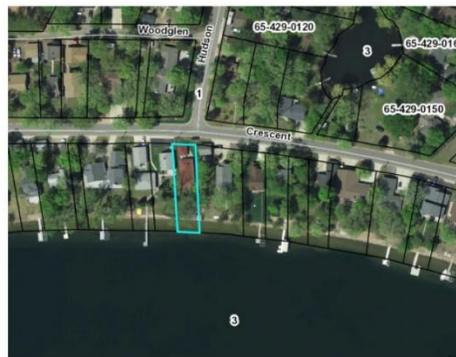
Developed by Schneider
GEO SPATIAL

Attachment B
Public Hearing Notice

**CITY OF BIG LAKE
NOTICE OF PUBLIC HEARING FOR A VARIANCE AND CONDITIONAL USE
PERMIT (CUP) AT 301 CRESCENT STREET**

You are hereby notified that the Big Lake Planning Commission will hold a public hearing in order to consider a variance to allow the construction of a single-family residence using an existing footprint that does not meet the required lot setbacks, and impervious surface coverage exceeding the 25% allowed by ordinance. The public hearing will be held in the Big Lake City Council Chambers located at 160 Lake Street North, Big Lake, MN on: **Wednesday, April 1, 2020 at or about 6:30 p.m.**

Applicant: Kathleen and Richard Anderson
15111 Sodium St NW
Ramsey, MN 55303



The applicant is requesting approval to allow construction of a single-family residence that would not conform to side yard or front yard setback requirements, and impervious surface coverage exceeding the 25% allowed by ordinance.

Both oral and written comments will be considered by the Planning Commission. If you desire to be heard in reference to this matter, you should attend this hearing or submit written comments to City Hall. If you have any questions, please feel free to contact Sara Roman, Planning Consultant at 612-638-0227 or SWoolf@biglakemn.org.

Sara Roman, AICP
Consultant Planner
City of Big Lake

(Elk River Star News)

(March XX, 2020 Edition)

(Small Legal)

Attachment C
Memorandum, Bolton and Menk



Real People. Real Solutions.

7533 Sunwood Drive NW
Suite 206
Ramsey, MN 55303-5119

Ph: [763] 433-2851
Fax: [763] 427-0833
Bolton-Menk.com

March 18, 2020

Sara S.W. Roman, Consultant City Planner
via e-mail: swoolf@biglakemn.org

RE: 301 Crescent Variance & CUP
City of Big Lake, Minnesota
Project No.: W18.120331

Dear Sara,

We have reviewed the survey documents submitted for the above referenced project and have the following comments:

1. The applicant shall provide manufacturer materials specifications and installation recommendations associated with the proposed driveway pavers for the review of the City Engineer.
2. The applicant shall obtain all required permits associated with any work in the city right-of-way.
3. The applicant shall be responsible for all costs associated with any repairs to the Crescent Street infrastructure as a result of construction.
4. The applicant shall provide an erosion control plan for the review of the City Engineer.

We recommend that should the application be approved, the information requested above be provided prior to a building permit being issued.

If you have any questions on the above, please call.

Sincerely,

Bolton & Menk, Inc.



Jared Vogt, P.E.
Principal Engineer

Attachment D
Draft Resolution

**CITY OF BIG LAKE
MINNESOTA**

A general meeting of the City Council of the City of Big Lake, Minnesota was called to order by Mayor Mike Wallen at 6:00 p.m. in the Council Chambers of City Hall, Big Lake, Minnesota, on Wednesday, April 22, 2020. The following Council Members were present: Seth Hansen, Rose Johnson, Paul Knier, Mike Wallen, and Scott Zettervall. A motion to adopt the following resolution was made by Council Member _____ and seconded by Council Member _____.

**CITY OF BIG LAKE
RESOLUTION NO. 2020-XX**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT AND VARIANCE FOR
KATHLEEN AND RICHARD ANDERSON AT 301 CRESCENT STREET**

WHEREAS, the City of Big Lake Planning Commission conducted a public hearing on April 1, 2020 to consider the following:

- A Conditional Use Permit to permit impervious surface coverage of 35%.
- A Variance to allow a reduced front yard setback of 15 feet where 20 feet would be required.

WHEREAS, the Planning Commission conducted a public hearing on April 1, 2020 and recommended, with a X-X vote, that the City Council approve the conditional use permit and variance subject to the conditions identified herein; and

WHEREAS, notice of public hearing on said motion has been duly published and posted in accordance with the applicable Minnesota Statutes and persons interested in said applications were afforded the opportunity to present their views and objections related to the project; and

WHEREAS, the City Council makes the following findings of fact and decision:

- A. The Legal Description of the subject property is: Lot 5, Block 2, Glenwood Park, Sherburne County, Minnesota.
- B. The Site Location Map showing the project location within the City is attached as Exhibit A.
- C. The applicant's site plan is attached as Exhibit B.
- D. Conditional Use Permit.

1. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the objectives of the Comprehensive Plan, including public facilities and capital improvement plans.

The Comprehensive Plan calls for redevelopment of rundown areas, general beautification, and the creation of "move-up" type housing within city limits. The proposed single-family residential home will be very attractive and would fit into this "move-up" category

2. The proposed action meets the purpose and intent of this Ordinance and the intent of the underlying zoning district.

The R-5 Residential Redevelopment district was created specifically to allow small lots that previously hosted seasonal cabins to be adaptively reused to create a neighborhood of permanent homes. The Applicants will tear down the seasonal cabin that was previously located at 301 Crescent Street and are proposing to build a year-round home there. This is consistent with the goals of the zoning district.

3. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.

The proposed single-family home will not overburden the City's service capacity.

4. There is an adequate buffer yard or transition provided between potentially incompatible uses or districts.

The proposed single-family home will fit in well within the low-medium density residential neighborhood.

5. The proposed use is or will be compatible with present and future land uses of the area.

This area is intended to be low-medium density and consist of single-family homes, townhomes, and twinhomes. The proposed single-family home is appropriate for the area.

6. *The proposed use conforms with all performance standards contained within this Ordinance.*

The use conforms to the performance standards contained in the Zoning Ordinance.

7. *Traffic generation by the proposed use is within capabilities of streets serving the property.*

The traffic generation from the new single-family home will not increase from the existing single-family home and is within capabilities of the street serving the property.

8. *In addition to the above general criteria, the proposed conditional use permit meets the criteria specified for the various zoning districts outlined as follows.*

The zoning district standards are met except where variances have been identified.

E. Variance

1. *That because of the particular physical surroundings, lot shape, narrowness, shallowness, slope or topographical conditions of the specific parcel of land involved, practical difficulties to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.*

The subject property is surrounded by structures which are closer to the front lot line and the request would allow the building to be consistent with the adjacent properties.

2. *That the conditions upon which a petition for a variance is based are unique to the parcel of land for which the variance is sought and are not applicable, generally, to other property within the same zoning classification.*

The conditions of this property are unique and not applicable to other properties within the same zoning

3. *That the purpose of the variance is not based exclusively upon a desire to increase the value or income potential of the parcel of land.*

The request is not based on the economic considerations.

4. *That the alleged practical difficulties are caused by this Ordinance and have not been created by any persons having an interest in the parcel of land and are not self-created difficulties.*

The practical difficulty was not created by the owner of the property.

5. *That the granting of the variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood.*

The variance will not have a negative impact on the air, light, traffic, danger of fire or public safety to neighboring properties.

6. *That the granting of the variance will not be detrimental to the public welfare or injurious to other land or improvements in the neighborhood in which the parcel of land is located.*

The variance will not hinder other nearby properties from making improvements.

7. *The variance is the minimum action required to eliminate the practical difficulties.*

The variance is the minimum possible request to eliminate the difficulty.

8. *The variance does not involve a use which is not allowed within the respective Zoning District.*

The single-family home is an allowed use in the R-5 zoning district.

9. *The variance is in harmony with the general purposes and intent of the Ordinance.*

The variance is in harmony with purpose of the R-5 district to allow redevelopment while preserving the lakeshore.

10. *The variance is consistent with the comprehensive plan.*

The variance is consistent with the Comprehensive Plan.

11. *The property owner proposes to use the property in a reasonable manner not permitted by the Ordinance.*

The property owner is using the property for a reasonable manner.

12. *The variance will not alter the essential character of the locality.*

The variance will not alter the essential character of the area.

13. *Shoreland Management District Variances.*

(1) *Variances may only be granted in accordance with Minnesota Statute Chapter 462, as applicable. A variance may not circumvent the general purposes and intent of Section 1065 (Shoreland Management District) of this Ordinance. No variance may be granted that would allow any use that is not allowed in the underlying zoning district in which the subject property is located. Conditions may be imposed in the granting of a variance. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance. In considering a variance request, the Board of Adjustment must also consider whether the property owner has reasonable use of the land without the variance, whether the property is used seasonally or year-round, whether the variance is being requested solely on the basis of economic considerations, and the characteristics of development on adjacent properties.*

The variance does not allow a use that would be otherwise unallowed in the zoning district and has been considered under the shoreland ordinance for the City.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Big Lake that it hereby approves the conditional use permit and variance subject to the following conditions:

1. The applicant shall provide the DNR requested information including existing impervious surface and the Ordinary High-Water Level (OHWL) for Big Lake.
2. The applicant shall meet any conditions required by the Building Official for a reduced setback between buildings.
3. Any conditions of the Planning Commission, City Council, Staff, consultants, or other agencies responsible for the review of this development application

Adopted by the Big Lake City Council on the 22nd of April 2020.

301 Crescent Street
Page 5

Mayor Mike Wallen

Attest:

Gina Wolbeck, City Clerk

The following Council Members voted in favor:
The following Council Members voted against or abstained:

Whereupon the motion was duly passed and executed.

Attachments:
Exhibit A – Site Location Map
Exhibit B – Applicant's Site Plan

Drafted By:
City of Big Lake
160 North Lake Street
Big Lake, MN 55309

STATE OF MINNESOTA }
COUNTY OF WRIGHT } ss.

The foregoing instrument was acknowledged before me this _____ day of April, 2020,
by the Mayor and City Clerk of the City of Big Lake, a Minnesota municipal corporation,
on behalf of the corporation.

Notary Public

301 Crescent Street
Page 6

Attachment E Existing Survey

CERTIFICATE OF SURVEY

FOR: David Griffin

PROPERTY DESCRIPTION

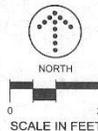
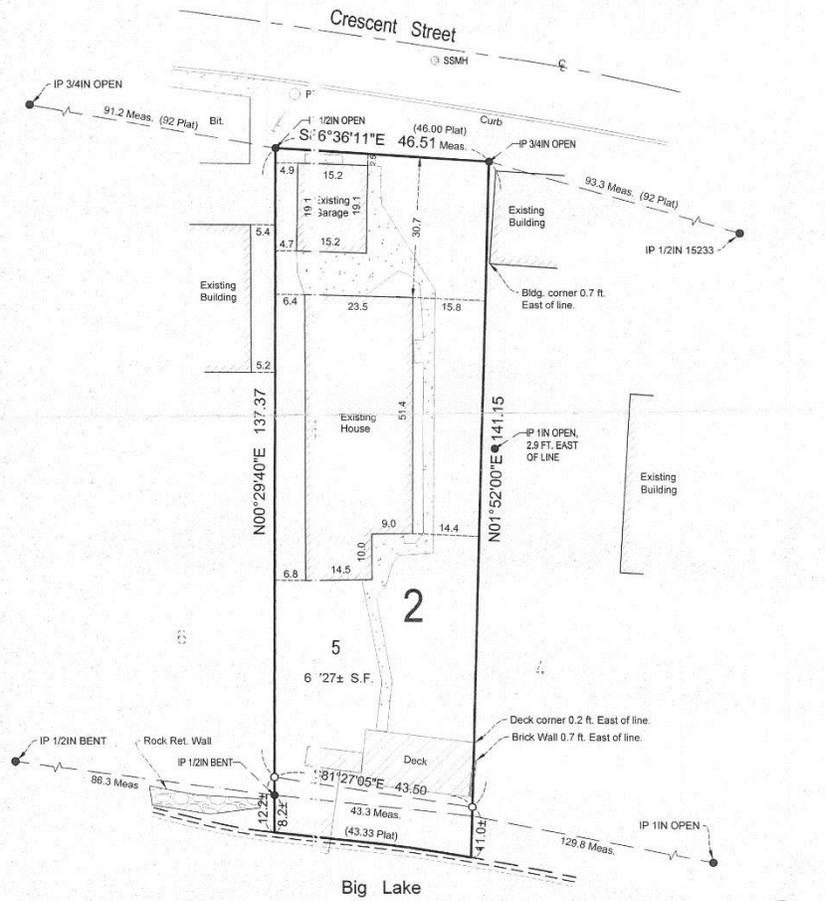
LOT 5, BLOCK 2, GLENWOOD PARK, Sherburne County, Minnesota

SURVEY NOTES

1. BACKGROUND INFORMATION SHOWN PER BOUNDARY SURVEY PERFORMED BY LANDFORM ON 9/03/2019 EXPRESSLY FOR THIS PROJECT.
2. FOR THE PURPOSES OF THIS SURVEY THE BEARING SYSTEM IS ASSUMED.
3. THE SURVEYOR DOES NOT GUARANTEE, IN WRITING OR ASSUMED, THAT THE UTILITIES AS SHOWN ARE IN THE EXACT LOCATION. NO EXCAVATION WAS PERFORMED TO LOCATE THE UNDERGROUND UTILITIES.

SITE SYMBOLS

- 1/2" x 14" IRON PIPE SET, RLS 13057
- IRON PIPE FOUND



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I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Minnesota.

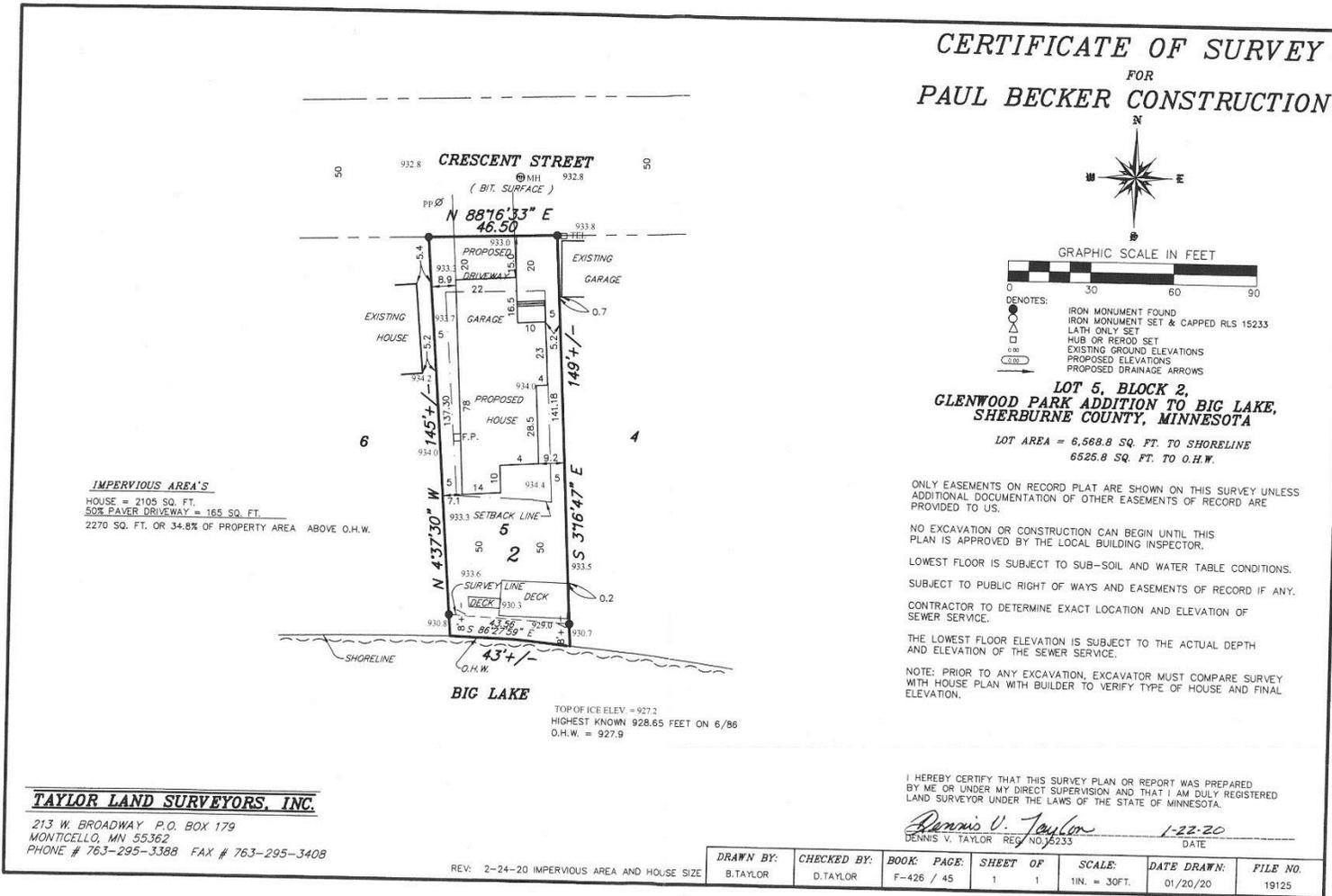
Lynn P. Caswell
Lynn P. Caswell Date: 9/03/2019
License No. 13057 Revised: xxx

LANDFORM
From Site to Finish

105 South Fifth Avenue
Suite 513
Minneapolis, MN 55401
Web: landform.net

Job No. ZZZ19478 Drawing: ZZZ19478 BDRY.dwg By: DM

Attachment F
Proposed Survey



Attachment G Building Plans

LEFT ELEVATION 32'-0"

REAR FRONT ELEVATION 16'-0"

RIGHT ELEVATION 32'-0"

FRONT ELEVATION 37'-8 1/2"

DISCLAIMER
 CONSTRUCTION OF THIS PLAN SHALL BE SUBJECT TO PERMITS, ZONING, AND ALL APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY INADEQUACIES OR OMISSIONS IN THESE PLANS OR FOR ANY CONSTRUCTION NOT SHOWN OR SPECIFIED HEREON. THE OWNER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE ACCURACY OF ALL INFORMATION PROVIDED TO THE ARCHITECT. THE ARCHITECT'S OBLIGATION IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE WORK SHOWN AND SPECIFIED HEREON AND SHALL BE LIMITED TO THE DESIGN AND CONSTRUCTION OF THE WORK SHOWN AND SPECIFIED HEREON. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY CONSTRUCTION NOT SHOWN OR SPECIFIED HEREON.

DESIGNER: ALDO COOK RESIDENCE
DESIGN CENTER
 10000 W. 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 (303) 751-1000
COUNTRY CLUB



AGENDA ITEM

Big Lake Planning Commission

Prepared By: Kevin Shay, Consultant Planner	Meeting Date: 4/1/2020	Item No. 7D
Item Description: Public Hearing for Car Condo Development Application (PUD Amendment, CUP Amendment and Preliminary Plat)	Reviewed By: Sara S.W. Roman, Consultant Planner	
	Reviewed By: Hanna Klimmek, Community Development Director	

60-DAY REVIEW DEADLINE: May 12, 2020

ACTION REQUESTED

The Planning Commission is asked to make a motion recommending approval or denial of the development application.

**BACKGROUND/DISCUSSION
APPLICATION**

Richard Hinrichs, the Applicant, has submitted a development application requesting the following:

- A Conditional Use Permit amendment
- Preliminary Plat approval
- A development stage PUD approval (amendment to previous PUD)

The Applicant submitted a complete application on March 13, 2020. State Statute dictates that the City must act upon a development application within 60 days of the receipt of a complete application. The City can extend the review for an additional 60 days, if needed, by providing written notice to the Applicant. Any additional extensions must be requested, in writing, by the Applicant.

BACKGROUND

The Planning Commission and City Council approved the first phase for the Applicant’s garage condo project in November of 2019, which included a single eight-unit building. The Applicant is seeking to construct the five remaining car condo buildings and the public clubhouse building. Each storage unit would be large enough to be converted into a recreational storage/hangout area, what is known colloquially as a “man cave.” Each storage unit is owned individually as a condo unit and the entire community is governed by a homeowner’s association. HOA documents were reviewed and approved by the City.

DEVELOPMENT APPLICATION ANALYSIS

PROPERTY CHARACTERISTICS

The first phase platted eight townhome lots in the single constructed building. The five remaining car condo buildings and public clubhouse building remained as outlots. The outlots are unbuildable until they have been platted as lots.

EXISTING ZONING AND LAND USE:

OUTLOT F and OUTLOT G, Big Lake Marketplace Third Addition	
Zoning	I-1 Industrial Park
Future Land Use	Industrial
Existing Land Use	Vacant Land
Topography	Relatively flat vacant land

SURROUNDING ZONING AND LAND USE:

Direction	Zoning	Future Land Use Plan	Existing Land Use
North	B-3	Commercial	Hotel and restaurant
South	I-2	Industrial	Bus Garage
West	I-1	Commercial	Vacant
East	I-1	Industrial	Vacant

CONDITIONAL USE PERMIT AMENDMENT

The Applicant was approved for a Conditional Use Permit to allow a single luxury garage building with the first phase approvals. An amendment to the approved CUP is required to include the five additional luxury garage buildings and the shared clubhouse. The CUP process allows the City to attach conditions to the approval to ensure that the development is smooth-functioning and address any concerns that the Planning Commission and City Council may have.

PROPOSED PRELIMINARY PLAT

The Applicant is proposing to subdivide Outlot B, C, D, F and G to create buildable lots for the townhome-style car condo community. In addition, he is proposing to plat Outlot E as a buildable lot for the clubhouse. The following are the details for the plat:

- The proposed plat would be called "BIG LAKE CAR CONDOS SECOND ADDITION."
- The proposed plat keeps the existing 3.89 acre "OUTLOT A" which covers all the long-term open space. This includes all the areas that will be eventually be covered by the parking lot as well as all the areas that will be landscaped. This land will be owned directly by the Association that manages the car condo community.

- Outlots B, C, F and G consist of 8 separate townhome lots and Outlot D consists of 7 separate townhome lots. They will range in size between 1,600 square feet and 3,180 square feet. The lots range from 25-53 feet wide.
- Outlot E will be the shared clubhouse.

PHASING

The Applicant is proposing to construct the remaining portions of the development in 3 phases. Phase 2 will include Outlot D and E, which are the southwest car condo building and the shared clubhouse. Phase 3 will include Outlot B and Outlot F, which are the central car condo buildings. Phase 4 will include Outlot C and Outlot G, which are the eastern car condo buildings.

PUD FLEXIBILITY REQUESTED

Overview of Requested Flexibility

The following flexibilities were granted with the first phase approvals and would be applied to these phases as well:

1. Permission to construct buildings with load-bearing structural components that are not steel or structural concrete. *The Applicant is proposing to construct wood-framed buildings.*
2. Permission to place mechanical equipment that emits noise in a front yard. *The Applicant is proposing to put air conditioning units on the street side of the proposed buildings.*
3. Permission to have parking lot surfaces that are closer than ten (10) feet to internal property lines.

DESIGN STANDARDS

Building Materials

The buildings elevations are proposed to have the same exterior materials as the first phase.

Parking

The applicant is proposing a total of 14 parking spaces on the site when all phases are complete. The use does not have a minimum required parking standard and staff believes 14 spaces will be sufficient.

Utilities

The Applicant's utility plan is consistent with the plan submitted in the first phase. The final utility plan and profiles will be reviewed by the city engineer.

Security Fence

Phases 2, 3 and 4 will include extensions of the fence that will connect the various buildings and ultimately result in the entire site being fenced off. An additional gate is proposed at the second entrance that will be constructed in the 4th phase.

Landscaping

The original landscape plan provided by the applicant conflicted with stormwater ponding areas. The applicant has prepared a revised master landscape plan that keeps most of the landscaping out of stormwater ponding areas. A revision in the phase 2 area is needed to avoid a stormwater ponding area. The landscape detail sheet needs to be updated to accurately reflect the proposed number of trees and shrubs. The landscape plan will eventually plant 45 trees and 240 shrubs (the equivalent of another 80 trees). The trees and shrubs will be planted according to the phasing of the buildings. The master plan shows the site greatly exceeding the minimum landscaping requirements.

Signage

The Applicant has not submitted any sign plans at this time. A sign plan will need to be submitted before any signage can be installed.

HOMEOWNER'S ASSOCIATION

Format of HOA Covenants

The City Attorney will need to review and approve the final version of the Homeowner's Association documents to ensure that the document includes the common areas for phases 2, 3 and 4.

DEVELOPMENT FEES

Park Dedication

The total park dedication requirement for the project is based on the assessed value of the land being subdivided. Per the Sherburne County tax assessor, the Applicant's 6-acre parcel was valued at \$288,500. The total park dedication requirement is \$11,540.

With the first phase of the project the applicant was permitted to pay the park dedication fee in phases along with the phasing of the development. The applicant is required to pay 1/6 of the park dedication fee (\$1,923) when platting each of the remaining garage condo buildings. The clubhouse building would be a "gimnee" that does not trigger a park dedication requirement whenever it is platted.

The applicant is responsible for paying the remaining 5/6 of the park dedication fee (\$9,615) with this application.

Trunk Sewer, Trunk Water Fee, and Trunk Storm Sewer Fee

When land is developed, trunk sewer and trunk water fees are charged based on the amount of land that is being developed. These fees are "per acre" and help the City cover the costs of providing sewer and water infrastructure as the City grows. The fees are set every year by a City Council resolution and generally increase each year to account for inflation and actual costs of providing infrastructure. Trunk fees are generally not paid on outlots but only on buildable lots. This is one of the reasons that outlots are not considered buildable. They have not paid the correct fees to be considered "shovel-ready."

The 2020 fee schedule sets trunk fees at \$1,650 per acre for trunk water and \$5,530 per acre for trunk sewer. Trunk storm sewer fees are “case by case” and are waived entirely if all storm water is contained within the plat boundary.

The applicant’s first phase approvals require him to pay 1-acre worth of trunk fees every time one of the building outlots is platted to create another garage condo. He is required to pay trunk water and trunk sewer charges for five acres at this time. As with park dedication, Staff would propose that the future clubhouse building be considered a “gimmee” which does not trigger the payment of trunk fees.

The trunk water fee is \$8,250 and the trunk sewer fee is \$27,650.

Sewer Access Charges (SAC) and Water Access Charges (WAC) Fees

These fees, which are used to fund investments in expanding the capacity of the City’s sewer and water plants and infrastructure as the City grows, are collected at the time of building permit issuance. They are calculated by the City’s Building Official and are based on the anticipated sewer and water impact of the proposed use on the City’s utility system. SAC and WAC fees will be collected for each building based on the size of the building, the use of the building, and the sewer and water hookups that are going to be used.

OTHER STAFF COMMENTS

Police Department

1.) No issues.

Fire Department

1.) No issues.

Engineering/Public Works

See Attached Engineer’s Memo, ATTACHMENT E.

FINANCIAL IMPACT

NA

STAFF RECOMMENDATION

Staff is recommending approval of the development application as it is substantially consistent with the plans submitted with the first phase.

Staff’s recommendation of approval comes with the following conditions:

PLANNING AND ZONING CONDITIONS

1. The following Planned Unit Development (PUD) flexibility shall be granted:

- a. The requirement that all buildable lots in the I-1 zoning district be at least 150 feet wide and 40,000 square feet in size shall be waived. A townhome plat shall be allowed which creates buildable lots, with sizes between 1,600 and 3,180 square feet, for the construction of a luxury garage buildings.
 - b. Outlot A will be permitted to be improved with site improvements other than buildings such as paved surfaces, landscaping, fences, and mechanical equipment which are consistent with approved site plans that are part of the PUD approval.
 - c. Load bearing structural components shall not be required to be steel or structural concrete so long as they comply with the State Building Code.
 - d. Noise-producing mechanical equipment shall be allowed in the “front yard” along 198th Avenue NW provided that it is set back at least forty (40) feet from the front property line. The equipment must either be color-clad to match the principal structure or must be screened in compliance with Section 1027 Landscape, Screening, & Tree Preservation.
 - e. Off-street parking facilities shall not be required to have a 10-foot setback from internal property lines within the luxury garage development. All parking areas must comply with standard I-1 Industrial Park setbacks in regards to the property lines at the perimeter of the development.
2. The PUD approval and CUP approval is for six luxury garage buildings.
 3. The review and approval of the site improvement pursuant to the requirements of City adopted building and fires codes shall be in addition to the site plan review process. The site plan approval process does not imply compliance with the requirements of these codes.
 4. The parking lot shall be constructed with concrete curbs unless the requirement is fully or partially waived by the City Engineer.
 5. No parking may occur on any surface that has not been improved with asphalt, concrete, or paver bricks.
 6. No parking may occur in any area that has been formally designated by the Fire Chief as a fire lane.
 7. All construction plans officially submitted to the City shall be treated as a formal agreement between the Applicant and the City. Once approved, no changes, modifications, or alterations shall be made to any plan detail, standard, or specification without prior submittal of a plan modifications request to the City Planner for review and approval.
 8. A sign permit is required before any signage may be installed.
 9. The luxury garage development must comply with all applicable requirements of Section 1032 – Performance Standards in regard to noise, odors, glare, refuse, etc.
 10. The applicant shall submit a landscape plan which does not conflict with stormwater ponding areas.
 11. The applicant shall submit a landscape detail sheet which shows the correct number of trees and shrubs as identified on the landscape plan.

12. The Applicant shall be permitted to phase the required landscaping. The Applicant shall follow the approved phased landscape plan.
13. Prior to the issuance of any permit for land alteration, the applicant shall provide a financial guarantee (letter of credit or escrow payment) in the amount 125% of the estimated cost to furnish and plant materials including irrigation, mulch, and other landscape materials. The estimate should be based on the costs of each landscaping phase.
14. The security shall be maintained for at least one (1) year after the date that the last landscape materials have been planted. Upon a showing by the applicant and such inspection as may be made by the City, that portion of the security may be released by the City equal to one hundred twenty-five (125) percent of the estimated cost of the landscape materials which are alive and healthy at the end of such year. Any portion of the security not entitled to be released at the end of the year shall be maintained and shall secure the applicant's responsibility to remove and replant landscape materials which are not alive or are unhealthy at the end of such year and to replant missing trees. Upon completion of replanting said landscape materials, the entire security may be released. Any ornamental grass planted shall be guaranteed for a full two (2) years from the time planting is completed.
15. An irrigation system shall be required to ensure the viability of landscape materials.
16. Residential occupancy of the luxury garage units shall be prohibited.
17. A park dedication cash-in-lieu payment shall be made at a level consistent with the City Code and approved Fee Schedule. Commercial and Industrial developments are required to dedicate 4% of the value of the land. The Applicant shall be responsible for paying a park dedication fee based on the 6.02-acre parcel's existing assessed value which is \$288,500. The City will require that the Applicant pay 5/6 of the total park dedication cash requirement at this time. No park dedication will be charged for the final platting of the clubhouse building.
18. The Applicant shall be responsible for paying for five (5) acres worth of trunk charges. No trunk charges will be charged for the final platting of the clubhouse building.
19. Sewer Access Charges (SAC) and Water Access Charges (WAC) will be collected at the time of building permit issuance.
20. The owner of OUTLOT A shall be obligated to provide access to OUTLOT B, OUTLOT C, OUTLOT D, OUTLOT E, OUTLOT F, and OUTLOT G.
21. The Applicant will need to enter into a development agreement and PUD agreement with the City prior to development. A Development Contract/PUD Agreement shall be drafted by the City Attorney prior to approval of the Final Plat.
22. The homeowner's association must be established to maintain the common areas. The final HOA documents will be subject to review and approval by the City Attorney.
23. Any conditions of the Planning Commission, City Council, Staff, consultants, or other agencies responsible for the review of this development application.

24. Open Outdoor Storage, as defined in the Big Lake Zoning Code, shall not be permitted in the luxury garage development.

ENGINEERING CONDITIONS

25. The proposed sidewalk around Lot 1 Block 5 shall be increased to a minimum width of 4.5 feet.

26. The applicant shall submit a SWPPP for review by the city

27. The applicant shall enter into a Stormwater Maintenance Agreement for the infiltration basins proposed within the plat.

28. The applicant shall be responsible for obtaining a NPDES Phase II Construction Stormwater Permit. A copy of the permit shall be submitted to the city for its records.

29. The applicant shall submit final utility plans complete with profile drawings for review by the city.

30. The applicant shall submit final grading plans for review by the city.

31. The applicant shall confirm that 2-inch diameter water services are required for each of the proposed lots.

32. The applicant and its contractors shall coordinate all work in the Right of Way with the City Engineer including advance notice of work and inspection during installations. Work not inspected by the city during installation is subject to removal and re-installation by the applicant at their expense.

33. The applicant shall submit a striping and signage plan for the review of the city.

34. The applicant shall submit a landscaping plan for the review of the City Planner.

35. The applicant shall submit an irrigation plan for the review by the city.

36. All construction shall be in accordance with the City of Big Lake Standards.

ATTACHMENTS

A- Site Location Map

B- Aerial Photographs of Properties

C- Preliminary Plat and Engineering Plans

D- PUD Narrative

E- Engineer's Memo

F- Draft Resolution approving the Conditional Use Permit Amendment, Preliminary Plat and Development Stage PUD

G- Public Hearing Notice

H- Graphic

Renderings

ATTACHMENT A
SITE LOCATION MAP



0 2,107 Feet



**BOLTON
& MENK**

Real People. Real Solutions.

Disclaimer:

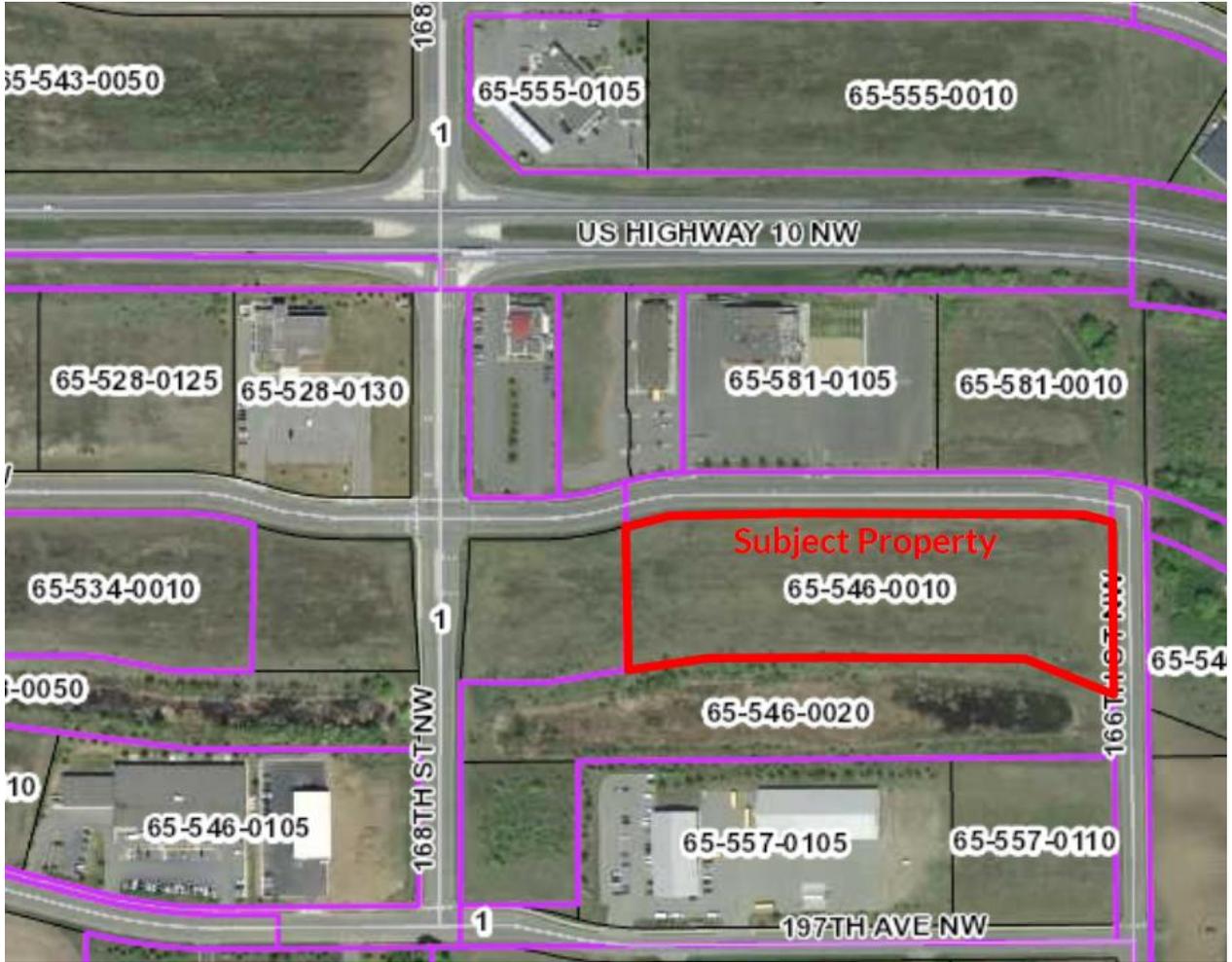
This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Big Lake is not responsible for any inaccuracies herein contained.

© Bolton & Menk, Inc - Web GIS 4/18/2019 11:49 AM

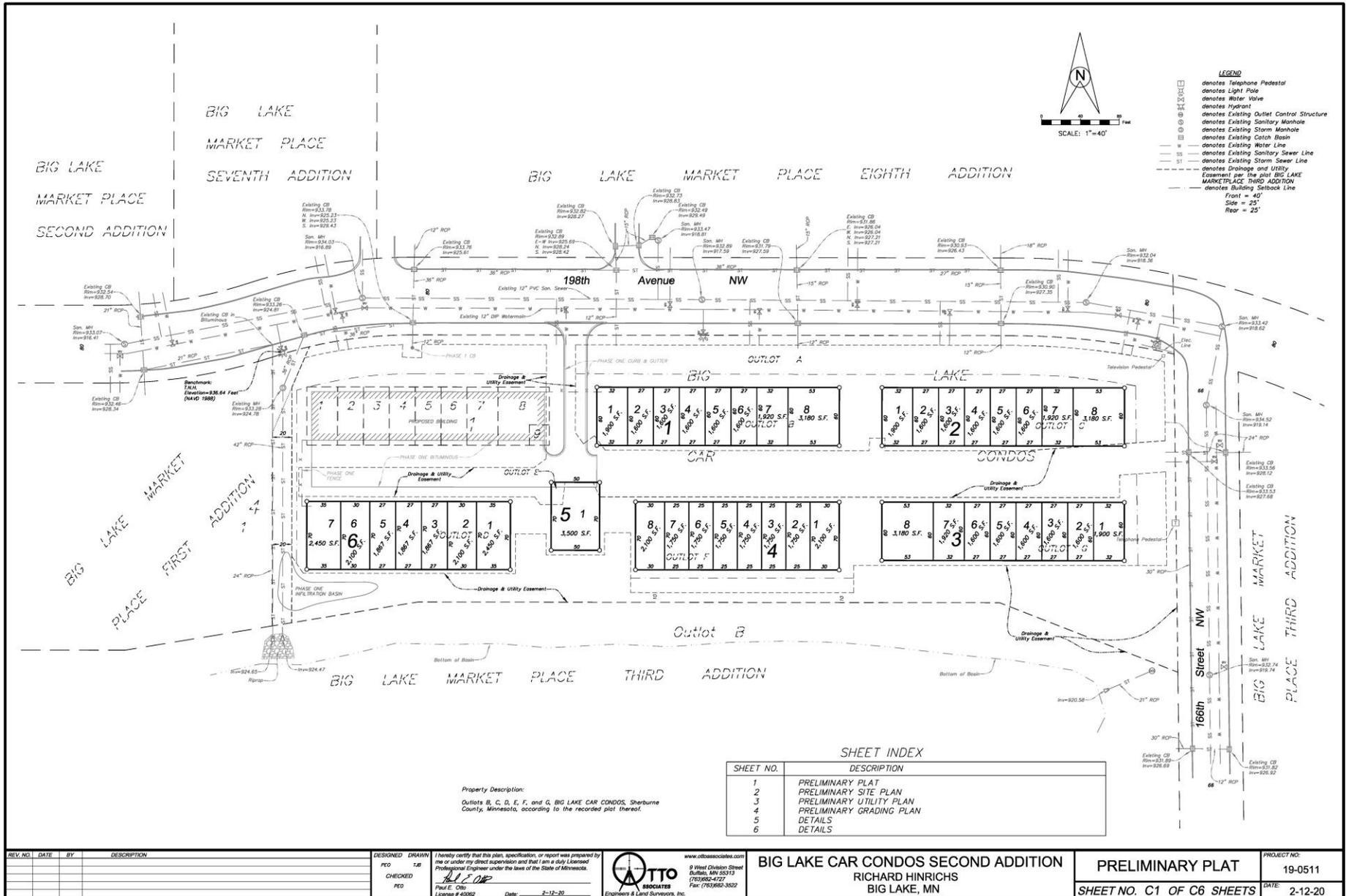


"Big Lake Car Condos" Site
Location Map

ATTACHMENT B
AERIAL PHOTOGRAPHS OF PROPERTY



ATTACHMENT C PRELIMINARY PLAT AND ENGINEERING PLANS



REV. NO.	DATE	BY	DESCRIPTION

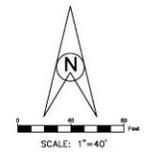
DESIGNED: *[Signature]*
 DRAWN: *[Signature]*
 CHECKED: *[Signature]*
 P.E. *[Signature]*
 License # 40002 Date: 2-12-20

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

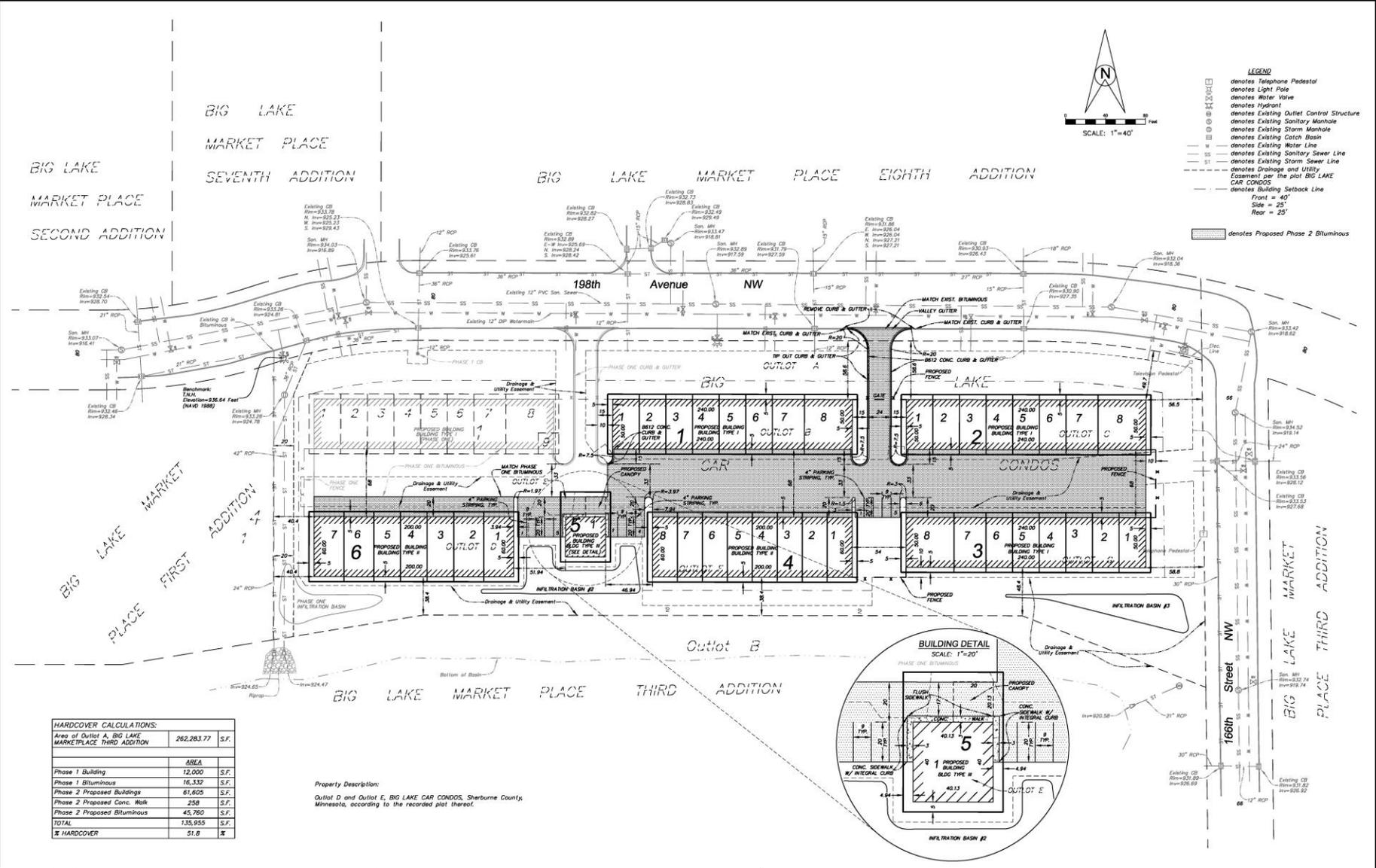
OTTO
 SURVEYORS
 Paul E. Otto
 License # 40002
 Date: 2-12-20
 Engineers & Land Surveyors, Inc.

BIG LAKE CAR CONDOS SECOND ADDITION
 RICHARD HINRICHS
 BIG LAKE, MN

PRELIMINARY PLAT
 PROJECT NO: 19-0511
SHEET NO. C1 OF C6 SHEETS
 DATE: 2-12-20



- LEGEND**
- ⊕ denotes Telephone Pedestal
 - ⊕ denotes Light Pole
 - ⊕ denotes Water Valve
 - ⊕ denotes Hydrant
 - ⊕ denotes Existing Outlet Control Structure
 - ⊕ denotes Existing Sanitary Manhole
 - ⊕ denotes Existing Storm Manhole
 - ⊕ denotes Existing Catch Basin
 - denotes Existing Water Line
 - denotes Existing Sanitary Sewer Line
 - denotes Existing Storm Sewer Line
 - denotes Existing and Utility Easement per the plot BIG LAKE CAR CONDOS
 - denotes Building Setback Line
 - Front = 40'
 - Side = 25'
 - Rear = 25'
 - ▨ denotes Proposed Phase 2 Bituminous

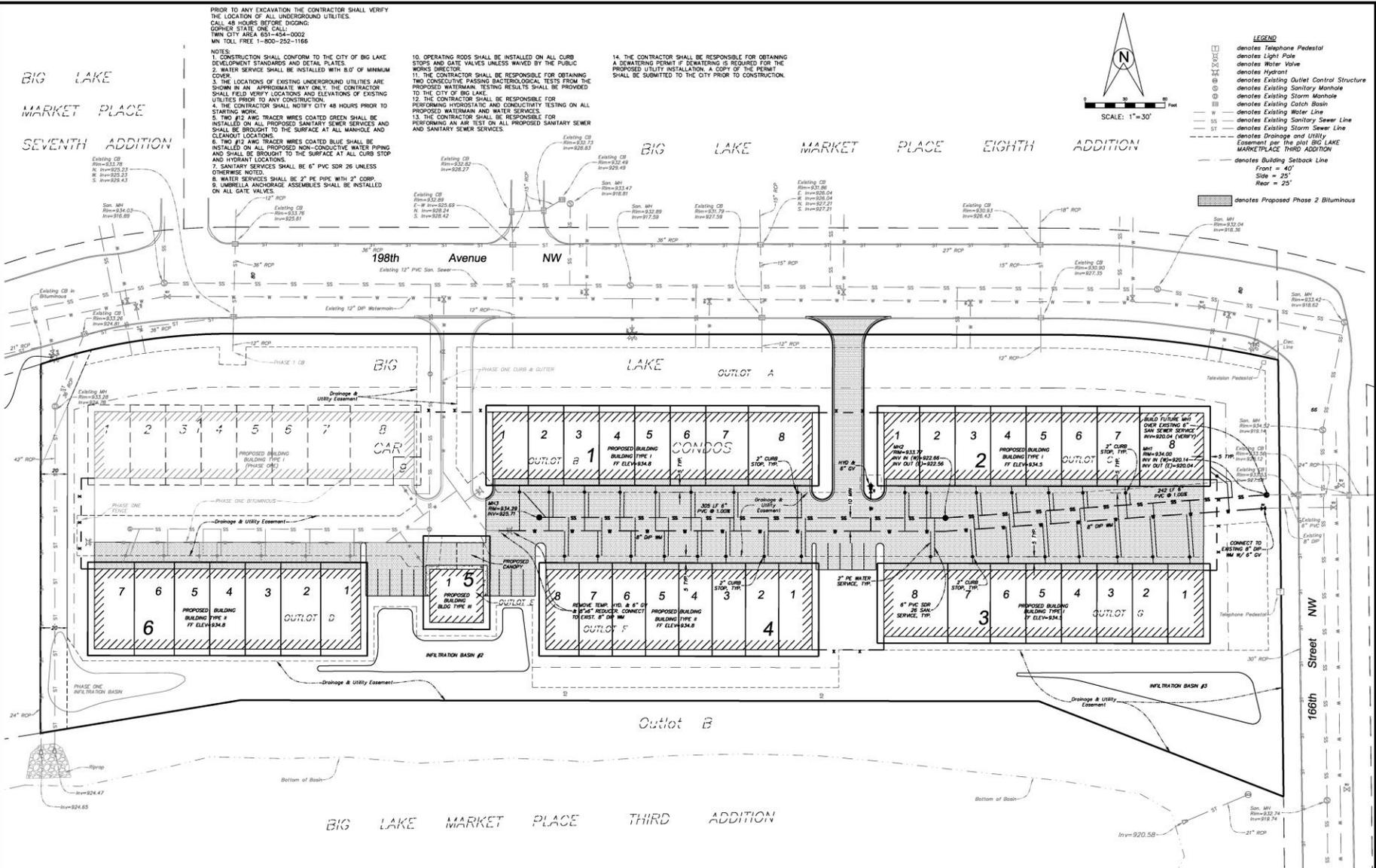


HARDCOVER CALCULATIONS:

Area of Outlet A, BIG LAKE MARKETPLACE THIRD ADDITION	262,283.77	S.F.
AREA		
Phase 1 Building	12,000	S.F.
Phase 1 Bituminous	16,332	S.F.
Phase 2 Proposed Buildings	61,605	S.F.
Phase 2 Proposed Conc. Work	258	S.F.
Phase 2 Proposed Bituminous	45,780	S.F.
TOTAL	135,955	S.F.
% HARDCOVER	51.8	%

Property Description:
 Outlet D and Outlet E, BIG LAKE CAR CONDOS, Sherburne County, Minnesota, according to the recorded plot thereof.

<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>REV. NO.</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	REV. NO.	DATE	BY	DESCRIPTION									<p>DESIGNED DRAWN PEO T.B. CHECKED PEO <i>Paul E. O'Neil</i> License # 40002 Date: 2-12-20</p>	<p>OTTO ASSOCIATES, Inc. Engineers & Land Surveyors, Inc. 9 West Division Street Duluth, MN 55813 (763) 942-4522 Fax: (763) 942-3802</p>	<p>BIG LAKE CAR CONDOS SECOND ADDITION RICHARD HINRICHS BIG LAKE, MN</p>	<p>PRELIMINARY SITE PLAN SHEET NO. C2 OF C6 SHEETS</p>	<p>PROJECT NO: 19-0511 DATE: 2-12-20</p>
REV. NO.	DATE	BY	DESCRIPTION														



PRIOR TO ANY EXCAVATION THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES. CALL 48 HOURS BEFORE DIGGING. CORNER STATE LINE CALL TWIN CITY AREA 651-454-0002 MN TOLL FREE 1-800-252-1166

NOTES:

1. CONSTRUCTION SHALL CONFORM TO THE CITY OF BIG LAKE DEVELOPMENT STANDARDS AND DETAIL PLATES.
2. WATER SERVICE SHALL BE INSTALLED WITH 8'0" OF MINIMUM COVER.
3. THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE BAY ONLY. THE CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION.
4. THE CONTRACTOR SHALL NOTIFY CITY 48 HOURS PRIOR TO STARTING WORK.
5. TWO #12 AWG TRACER WIRES COATED GREEN SHALL BE INSTALLED ON ALL PROPOSED SANITARY SEWER SERVICES AND SHALL BE BROUGHT TO THE SURFACE AT ALL MANHOLE AND CLEANOUT LOCATIONS.
6. TWO #12 AWG TRACER WIRES COATED BLUE SHALL BE INSTALLED ON ALL PROPOSED NON-CONDUCTIVE WATER PIPING AND SHALL BE BROUGHT TO THE SURFACE AT ALL CURB STOP AND HYDRANT LOCATIONS.
7. SANITARY SERVICES SHALL BE 6" PVC SDR 26 UNLESS OTHERWISE NOTED.
8. WATER SERVICES SHALL BE 2" PE PIPE WITH 2" CORP.
9. UMBRELLA ANCHORAGE ASSEMBLIES SHALL BE INSTALLED ON ALL GATE VALVES.
10. OPERATING RODS SHALL BE INSTALLED ON ALL CURB STOPS AND GATE VALVES UNLESS WAIVED BY THE PUBLIC WORKS DIRECTOR.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING TWO CONSECUTIVE PASSING BACTERIOLOGICAL TESTS FROM THE PROPOSED WATERMAIN. TESTING RESULTS SHALL BE PROVIDED TO THE CITY OF BIG LAKE.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PERFORMING HYDROSTATIC AND CONDUCTIVITY TESTING ON ALL PROPOSED WATERMAIN AND WATER SERVICES.
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PERFORMING AN AIR TEST ON ALL PROPOSED SANITARY SEWER AND SANITARY SERVICES.
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A SEWERING PERMIT IF DOWNGRADING IS REQUIRED FOR THE PROPOSED UTILITY INSTALLATION. A COPY OF THE PERMIT SHALL BE SUBMITTED TO THE CITY PRIOR TO CONSTRUCTION.

- LEGEND**
- ⊕ denotes Telephone Pedestal
 - ⊙ denotes Light Pole
 - ⊖ denotes Meter Valve
 - ⊗ denotes Hydrant
 - ⊕ denotes Existing Outlet Control Structure
 - ⊙ denotes Existing Sanitary Manhole
 - ⊕ denotes Existing Storm Manhole
 - ⊙ denotes Existing Catch Basin
 - ⊖ denotes Existing Water Line
 - ⊕ denotes Existing Sanitary Sewer Line
 - ⊙ denotes Existing Storm Sewer Line
 - ⊖ denotes Drainage and Utility Easement per the plot BIG LAKE MARKETPLACE THIRD ADDITION
 - denotes Building Setback Line
Front = 40'
Side = 25'
Rear = 25'
 - ▨ denotes Proposed Phase 2 Bituminous

REV. NO.	DATE	BY	DESCRIPTION

DESIGNED: D14191
 PEO: JLB
 CHECKED: JLB
 PEO: JLB
 Paul E. Chio
 License # 40062
 Date: 2-12-20

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

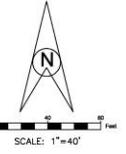
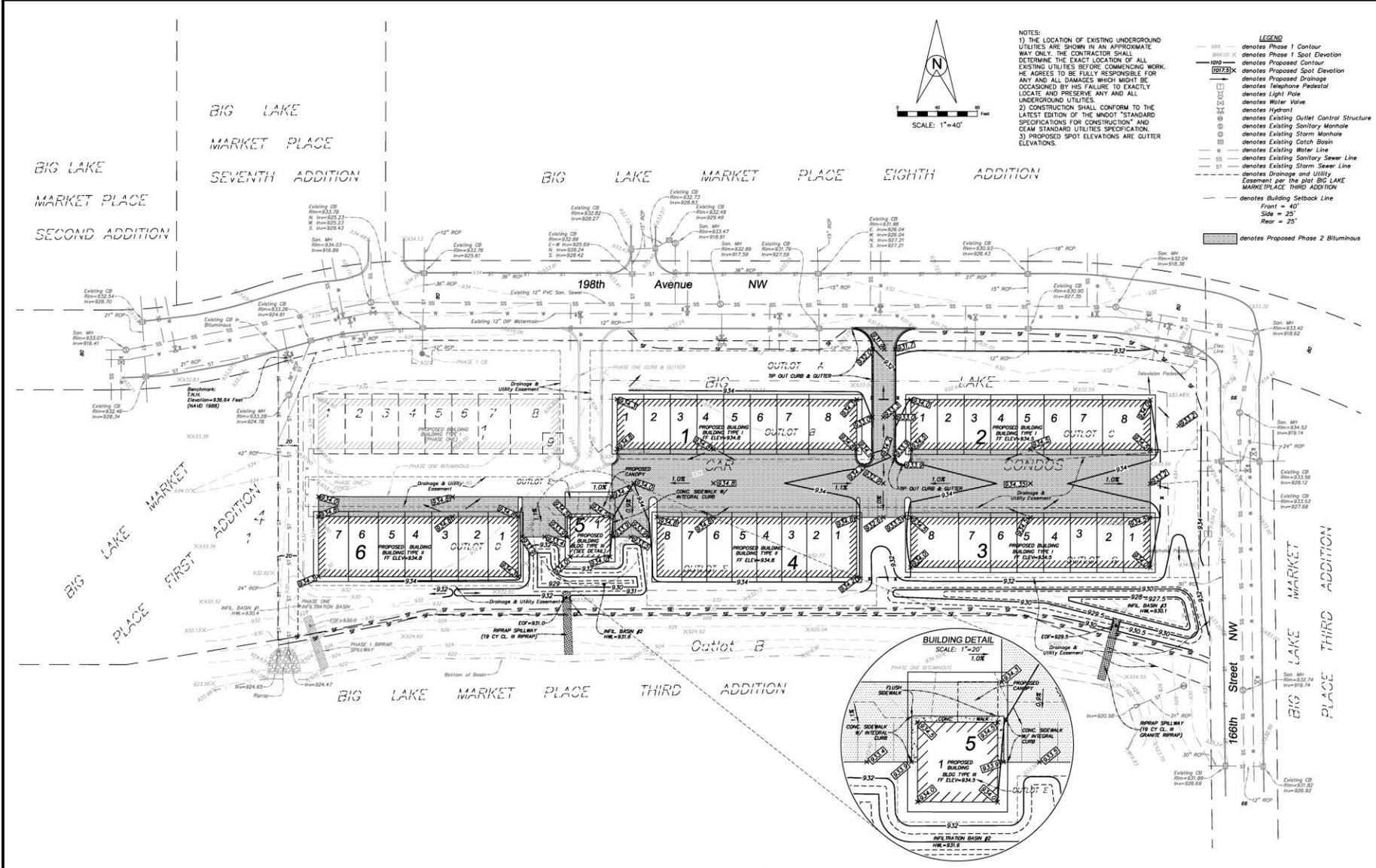
OTTO ASSOCIATES
 Engineers & Land Surveyors, Inc.

www.ottoassociates.com
 4 Wood Children Street
 Duluth, MN 55813
 (763) 962-4727
 Fax: (763) 962-3522

BIG LAKE CAR CONDOS SECOND ADDITION
 RICHARD HINRICHS
 BIG LAKE, MN

PRELIMINARY UTILITY PLAN
SHEET NO. C3 OF C6 SHEETS

PROJECT NO: 19-0511
 DATE: 2-12-20



NOTES:
 1) THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE MANNER. THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
 2) CONSTRUCTION SHALL CONFORM TO THE LATEST EDITION OF THE MNDOT "STANDARD SPECIFICATIONS FOR CONSTRUCTION" AND C&M STANDARD UTILITIES SPECIFICATION.
 3) PROPOSED SPOT ELEVATIONS ARE GUTTER ELEVATIONS.

- LEGEND**
- denotes Phase 1 Contour
 - denotes Phase 1 Spot Elevation
 - denotes Proposed Contour
 - denotes Proposed Spot Elevation
 - denotes Proposed Drainage
 - denotes Existing Telephone Pedestal
 - denotes Light Pole
 - denotes Meter Valve
 - denotes Hydrant
 - denotes Existing Outlet Control Structure
 - denotes Existing Sanitary Manhole
 - denotes Existing Storm Manhole
 - denotes Existing Catch Basin
 - denotes Existing Water Line
 - denotes Existing Sanitary Sewer Line
 - denotes Existing Storm Sewer Line
 - denotes Drainage and Utility Easement per the plat BIG LAKE MARKET PLACE THIRD ADDITION
 - denotes Building Setback Line
 - denotes Proposed Phase 2 Bituminous

REV. NO.	DATE	BY	DESCRIPTION

DESIGNED DRAWN
 PEO TJB
 CHECKED
 PEO
 I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
 Paul E. Oles
 License # 40062 Date: 2-12-20



BIG LAKE CAR CONDOS SECOND ADDITION
 RICHARD HINRICHS
 BIG LAKE, MN

PRELIMINARY GRADING PLAN
 SHEET NO. C4 OF C6 SHEETS

PROJECT NO:
 19-0511
 DATE:
 2-12-20

ATTACHMENT D PUD NARRATIVE

Project Narrative

Big Lake Car Condos – Second Addition Big Lake, MN



**Request for:
Conditional Use Permit, Planned Unit Development and Preliminary Plat
February 28th, 2020**

Introduction

Big Lake Car Condos, LLC is requesting approval for a Conditional Use Permit, Planned Unit Development and Preliminary Plat approval for the above referenced project.

Phase One for this project has previously been approved by the City of Big Lake. The plans submitted for this application represent the entire remaining scope of the project and are the same plans the City of Big Lake has already reviewed with the original application for Phase One.

The Developer on this project is a long-time member of the community and financing for the project will be privately funded by the Developer with a local bank. Additionally, many of the workers and subcontractors on the proposed project are from Big Lake and the surrounding community including the proposed project superintendent.

Assuming approval of the proposed project is achieved, the intent is to construct the project in phases. Phase One is the initial construction to begin the project. Phase Two is anticipated to commence, if approval is granted, in the summer or early fall of 2020. Phase Three is anticipated to commence in the spring of 2021 and Phase Four is anticipated either in 2021 or the spring of 2022. The actual schedule of each phase will be determined by the actual sales of each unit that take place. With that said, the project team anticipates this schedule not only being met but perhaps achieving project completion sooner than anticipated.

Site

The overall layout of the site is consistent with the plans for Phase One. An additional plan is provided labeled “Phasing Plan” which shows the overall intent of phasing the proposed project.

Landscaping

The landscape plan submitted with the package is the same plan submitted with Phase One and approved with one exception. The plan now identifies the proposed work to be completed with each phase. The Developer respectfully requests that financial guarantees required to be provided, pertaining to this work, be submitted prior to commencing any work on each associated phase rather than one large guarantee for all phases of work.

Lighting

The lighting plan provided is the same lighting plan used for Phase One. All proposed lighting is proposed with fixtures that are surface mounted on the buildings themselves. No additional site lighting or pole light fixtures is proposed.

Architecture

The proposed architecture is the same architecture approved in Phase One. No modifications to the design are proposed.

The various buildings are identified as Building Type One, Two and Three. Each building is identified on the plans as to which type is located where. Building Type Three is the “Clubhouse” or “Public Building”

The preliminary plat directly reflects the layout of these building types.

Signage

Signage is anticipated to be kept to a minimum. Potential development signage may be proposed on the “Public Building”. Unit numbers may be utilized if each unit is to get its own address, public restroom and ADA signage as required by code, etc. It is the developers understanding that signage permits are to be applied for separately and the intent is to meet all required standards of the City of Big Lake.

Closure

The applicant respectfully requests the City of Big Lake support the request for a Planned Unit Development, Conditional Use Permit and Preliminary Plat. We look forward to developing this project and creating a social enhancing development for the community.

**ATTACHMENT E
ENGINEER'S MEMO**



Real People. Real Solutions.

7533 Sunwood Drive NW
Suite 206
Ramsey, MN 55303-5119

Ph: (763) 433-2851
Fax: (763) 427-0833
Bolton-Menk.com

March 23, 2020

Sara Roman, Consultant City Planner
via e-mail: swoolf@biglakemn.org

RE: Big Lake Car Condos
City of Big Lake, Minnesota
Project No.: W18.119340

Dear Sara,

We have reviewed the preliminary plat and construction plans consisting of six sheets labeled C1 through C6 dated February 12, 2020 which were submitted for the above referenced project and have the following comments:

1. The proposed sidewalk around Lot 1 Block 5 shall be increased to a minimum width of 4.5 feet.
2. The applicant shall submit a SWPPP for review by the city.
3. The applicant shall enter into a Stormwater Maintenance Agreement for the infiltration basins proposed within the plat.
4. The applicant shall be responsible for obtaining a NPDES Phase II Construction Stormwater Permit. A copy of the permit shall be submitted to the city for its records.
5. The applicant shall submit final utility plans complete with profile drawings for review by the city.
6. The applicant shall submit final grading plans for review by the city.
7. The applicant shall confirm that 2-inch diameter water services are required for each of the proposed lots.
8. The applicant and its contractors shall coordinate all work in the Right of Way with the City Engineer including advance notice of work and inspection during installations. Work not inspected by the city during installation is subject to removal and re-installation by the applicant at their expense.
9. The applicant shall submit a striping and signage plan for the review of the city.
10. The applicant shall submit a landscaping plan for the review of the City Planner.
11. The applicant shall submit an irrigation plan for the review by the city.
12. All construction shall be in accordance with the City of Big Lake Standards.

We recommend approval of the preliminary plat contingent on the above referenced comments.

If you have any questions on the above, please call.

Sincerely,

Bolton & Menk, Inc.

Jared Voge, P.E.
Principal Engineer

**ATTACHMENT F
DRAFT RESOLUTION**

**CITY OF BIG LAKE
MINNESOTA**

A general meeting of the City Council of the City of Big Lake, Minnesota was called to order by Mayor Mike Wallen at 6:00 p.m. in the Council Chambers of City Hall, Big Lake, on Wednesday, April 22, 2020. The following Council Members were present: Seth Hansen, Rose Johnson, Paul Knier, Mike Wallen, and Scott Zettervall. A motion to adopt the following resolution was made by Council Member _____ and seconded by Council Member _____.

**CITY OF BIG LAKE
RESOLUTION NO. 2020-XX**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT AMENDMENT,
PRELIMINARY PLAT, AND DEVELOPMENT STAGE PLANNED UNIT
DEVELOPMENT PLAN FOR BIG LAKE CAR CONDOS**

WHEREAS, the Big Lake Planning Commission conducted a public hearing on April 1, 2020 to consider development applications for the following:

- A Conditional Use Permit amendment
- Preliminary Plat of Big Lake Car Condos 2nd Addition
- Development Stage Planned Unit Development

WHEREAS, the Concept Plan for the Big Lake Car Condos was considered by the City Council on May 5, 2019.

WHEREAS, the Big Lake Planning Commission conducted a public hearing on April 1, 2020 and recommended, with a X-X vote, that the City Council approve the Conditional Use Permit Amendment, Development Stage Planned Unit Development and Preliminary Plat subject to the conditions identified herein; and

WHEREAS, notice of the public hearings were duly published and posted in accordance with applicable Minnesota Statutes and persons interested in said applications were afforded the opportunity to present their views and objections related to the project; and

WHEREAS, the Big Lake Car Condos Preliminary Plat and Development Stage PUD Plan conform to the requirements of the Zoning Ordinance, the conditions recommended for the concept plan approval and requirements of the Subdivision Ordinance with some flexibility from the City's default standards provided through the

PUD process. The proposed development is consistent with the Comprehensive Plan; and

WHEREAS the City Council of Big Lake makes the following Findings of Fact and decision:

A. A site location map showing the project location within the City is attached as Exhibit A.

B. The Planning Report dated April 22, 2020, shall be the governing document which includes the following attachments:

- Attachment A: Site Location Map
- Attachment B: Aerial Photographs of Subject Property
- Attachment C: Preliminary Plat and Engineering Plans
- Attachment D: PUD Narrative
- Attachment E: Engineer's Memo
- Attachment F: Public Hearing Notice
- Attachment G: Graphic Renderings
- Attachment H: Comments from Public Hearing

C. The legal description of the subject property is Outlot B, C, D, E, F and G, Big Lake Car Condos, Sherburne County, Minnesota.

D. The Preliminary Plat is attached as Exhibit B.

E. Public Hearing Notice for the one (1) public hearing that was held for applications related to the project are attached as Exhibit F.

F. The proposed industrial development will be compatible with present and future land uses of the area.

G. The proposed industrial development will not tend to or actually depreciate the area in which it is proposed.

H. The proposed industrial development can be accommodated with existing and future planned public and private services and will not overburden the City's service capacity.

I. Traffic generated by the proposed industrial development is within capabilities of streets serving the property.

J. Conditional Use Permit

1. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the objectives of the Comprehensive Plan, including public facilities and capital improvement plans.

The comprehensive plan calls for this to continue to be an industrial area.

2. The proposed action meets the purpose and intent of this Ordinance and the intent of the underlying zoning district.

The proposed use is allowed as a conditional use in the I-1 zoning district.

3. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.

The proposed use will not overburden the City's service capacity.

4. There is an adequate buffer yard or transition provided between potentially incompatible uses or districts.

The Planning Commission believes that the aesthetics of the project will positively complement the existing and future commercial uses to the north and west and the existing and future industrial uses of the south and east.

5. The proposed use is or will be compatible with present and future land uses of the area.

This is a transition area between commercial and industrial. The proposed use should be a good fit for this type of area.

6. The proposed use conforms with all performance standards contained within this Ordinance.

The proposed use shall conform to all applicable performance standards.

7. Traffic generation by the proposed use is within capabilities of streets serving the property.

The proposed use is not expected to generate levels of traffic that the streets cannot handle.

8. In addition to the above general criteria, the proposed conditional use permit meets the criteria specified for Industrial Districts:

- i. Nuisance. Nuisance characteristics generated by the use will not have an adverse effect upon existing and future development in adjacent areas.

The proposed use should not generate nuisance characteristics. No outdoor storage will be permitted.

- ii. Nearby Residences. Adjacent residentially - zoned land will not be adversely affected because of traffic generation, noise, glare, or other nuisance characteristics.

There are no nearby residences or adjacent residentially zoned land.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Big Lake that it hereby approves the Conditional Use Permit Amendment, Big Lake Car Condos 2nd Addition preliminary plat and the Development Stage Planned Unit Development Plan for Big Lake Car Condos subject to the following conditions:

PLANNING AND ZONING CONDITIONS

1. Development Stage PUD approval is granted. A rezone to PUD shall be processed concurrently with the approval of the final plat and Final Plan PUD. The following Planned Unit Development (PUD) flexibility shall be granted:
 - a. The requirement that all buildable lots in the I-1 zoning district be at least 150 feet wide and 40,000 square feet in size shall be waived. A townhome plat shall be allowed which creates 40 buildable lots in five separate buildings with eight (8) lots each, with sizes between 1,600 and 3,180 square feet, for the construction of a luxury garage building.
 - b. OUTLOT A will be permitted to be improved with site improvements other than buildings such as paved surfaces, landscaping, fences, and mechanical equipment which are consistent with approved site plans that are part of the PUD approval.
 - c. Load bearing structural components shall not be required to be steel or structural concrete so long as all construction complies with the State Building Code.
 - d. Noise-producing mechanical equipment shall be allowed in the “front yard” along 198th Avenue NW provided that it is set back at least forty (40) feet from the front property line. The equipment must either be color-clad to match the principal structure or must be screened in compliance with Section 1027 Landscape, Screening, & Tree Preservation.
 - e. Off-street parking facilities shall not be required to have a 10-foot setback from internal property lines within the luxury garage development. All parking areas must comply with standard I-1 Industrial Park setbacks in regards to the property lines at the perimeter of the development.

2. The PUD approval, preliminary plat approval, and CUP approval is for six (6) luxury garage buildings.
3. A building permit is required prior to the start of any construction activities. The review and approval of the site improvement pursuant to the requirements of City adopted building and fires codes shall be in addition to the site plan review process. The site plan approval process does not imply compliance with the requirements of these codes.
4. The parking lot shall be constructed with concrete curbs unless requirement is fully or partially waived by the City Engineer. Concrete curbing shall be required along the driveway but may be waived, at the City Engineer's discretion, for the other parking surfaces.
5. No parking may occur on any surface that has not been improved with asphalt, concrete, or paver bricks.
6. No parking may occur in any area that has been formally designated by the Fire Chief as a fire lane.
7. All construction plans officially submitted to the City shall be treated as a formal agreement between the Applicant and the City. Once approved, no changes, modifications, or alterations shall be made to any plan detail, standard, or specification without prior submittal of a plan modifications request to the City Planner for review and approval.
8. A sign permit is required before any signage may be installed.
9. The luxury garage development must comply with all applicable requirements of Section 1032 – Performance Standards in regards to noise, odors, glare, refuse, etc.
10. The applicant shall submit a landscape plan which does not conflict with stormwater ponding areas.
11. The applicant shall submit a landscape detail sheet which shows the correct number of trees and shrubs as identified on the landscape plan.
12. The Applicant shall be permitted to phase the required landscaping. The Applicant shall follow the approved phased landscape plan.
13. Prior to the issuance of any permit for land alteration, the applicant shall provide a financial guarantee (letter of credit or escrow payment) in the amount 125% of the estimated cost to furnish and plant materials including irrigation, mulch, and other landscape materials. The estimate should be based on the costs of each landscaping phase.

14. The security shall be maintained for at least one (1) year after the date that the last landscape materials have been planted. Upon a showing by the applicant and such inspection as may be made by the City, that portion of the security may be released by the City equal to one hundred twenty-five (125) percent of the estimated cost of the landscape materials which are alive and healthy at the end of such year. Any portion of the security not entitled to be released at the end of the year shall be maintained and shall secure the applicant's responsibility to remove and replant landscape materials which are not alive or are unhealthy at the end of such year and to replant missing trees. Upon completion of replanting said landscape materials, the entire security may be released. Any ornamental grass planted shall be guaranteed for a full two (2) years from the time planting is completed.
15. An irrigation system shall be required to ensure the viability of landscape materials.
16. Residential occupancy of the luxury garage units shall be prohibited.
17. A park dedication cash-in-lieu payment shall be made at a level consistent with the City Code and approved Fee Schedule. Commercial and Industrial developments are required to dedicate 4% of the value of the land. The Applicant shall be responsible for paying a park dedication fee based on the 6.02-acre parcel's assessed value. That value is currently set at \$288,500. The City will require that the Applicant pay 5/6 of the total park dedication cash requirement at this time. No park dedication will be charged for the final platting of the clubhouse building.
18. The Applicant shall be responsible for paying for five (5) acres worth of trunk charges. No trunk charges will be charged for the final platting of the clubhouse building.
19. Sewer Access Charges (SAC) and Water Access Charges (WAC) will be collected at the time of building permit issuance.
20. The owner of OUTLOT A shall be obligated to provide access to OUTLOT B, OUTLOT C, OUTLOT D, OUTLOT E, OUTLOT F, and OUTLOT G.
21. The Applicant will need to enter into a development agreement and PUD agreement with the City prior to development. A Development Contract/PUD Agreement shall be drafted by the City Attorney prior to approval of the Final Plat.
22. A homeowner's association must be established to maintain the common areas. The final HOA documents will be subject to review and approval by the City Attorney.
23. Any conditions of the Planning Commission, City Council, Staff, consultants, or other agencies responsible for the review of this development application.

24. Open Outdoor Storage, as defined in the Big Lake Zoning Code, shall not be permitted in the luxury garage development.

ENGINEERING CONDITIONS

25. The proposed sidewalk around Lot 1 Block 5 shall be increased to a minimum width of 4.5 feet.

26. The applicant shall submit a SWPPP for review by the city

27. The applicant shall enter into a Stormwater Maintenance Agreement for the infiltration basins proposed within the plat.

28. The applicant shall be responsible for obtaining a NPDES Phase II Construction Stormwater Permit. A copy of the permit shall be submitted to the city for its records.

29. The applicant shall submit final utility plans complete with profile drawings for review by the city.

30. The applicant shall submit final grading plans for review by the city.

31. The applicant shall confirm that 2-inch diameter water services are required for each of the proposed lots.

32. The applicant and its contractors shall coordinate all work in the Right of Way with the City Engineer including advance notice of work and inspection during installations. Work not inspected by the city during installation is subject to removal and re-installation by the applicant at their expense.

33. The applicant shall submit a striping and signage plan for the review of the city.

34. The applicant shall submit a landscaping plan for the review of the City Planner.

35. The applicant shall submit an irrigation plan for the review by the city.

36. All construction shall be in accordance with the City of Big Lake Standards.

Adopted by the Big Lake City Council on the 22nd day of April, 2020.

Mayor Mike Wallen

Attest:

Gina Wolbeck, City Clerk

The following Council Members voted in favor:

The following Council Members voted against or abstained:

Whereupon the motion was duly passed and executed.

Attachments:

- A- Site Location Map
- B- Preliminary Plat
- C- Public Hearing Notices
- D- City Engineer's Letter
- E- Engineering Plans
- F- Landscape plan
- G- Building Plans

Drafted By:
City of Big Lake
160 Lake Street North
Big Lake, MN 55309

STATE OF MINNESOTA)
COUNTY OF SHERBURNE) ss.

The foregoing instrument was acknowledged before me this ____ day of April, 2020 by the Mayor and City Clerk of the City of Big Lake, a Minnesota municipal corporation, on behalf of the corporation.

Notary Public

ATTACHMENT G
PUBLIC HEARING NOTICE



-Public Notice Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below. Please proof read carefully if changes are needed, please contact us prior to deadline at Cambridge (763) 691-6000 or email at publicnotice@ecm-inc.com

Ad Proof

Enlarged

CITY OF BIG LAKE
NOTICE OF PUBLIC
HEARING
FOR A PRELIMINARY PLAT,
DEVELOPMENT STAGE
PLANNED UNIT
DEVELOPMENT (PUD) AND
CONDITIONAL USE PERMIT
AMENDMENT FOR "BIG
LAKE CAR CONDOS"

You are hereby notified that the Big Lake Planning Commission will hold a public hearing in order to consider development applications pertaining to a project known as "Big Lake Car Condos". The public hearing will be held in the Big Lake City Council Chambers located at 160 Lake Street North, Big Lake, MN on: Wednesday, April 1, 2020 at or about 6:30 p.m.

Applicant: Richard Hinrichs
Parcel Identification Number:
#65-546-0010

The Applicant is seeking approval of development applications for subsequent phases of a "car condo community" on the six (6) acre lot directly south across 199th Avenue NW from the Friendly Buffalo. Car Condo communities are communities of storage buildings which are intended for use by car enthusiasts.

At present, the Applicant is seeking development approval to build all remaining buildings on site including five garage buildings with for-sale garage condo units and one community building space. Previously, a single garage building on the site was approved.

The Applicant has applied for the following approvals:

- A Conditional Use Permit Amendment to allow expansion of a luxury garage project.
- A Preliminary Plat.
- Development Stage Planned Unit Development to allow deviations from some of the design and performance standards of the Zoning Code.

Both oral and written comments will be considered by the Planning Commission. If you desire to be heard in reference to this matter, you should attend this hearing or submit written comments to City Hall. If you have any questions, please feel free to contact Kevin Shay, Planning Consultant at 612-638-0228 or KShay@landform.net.

Published in the
Star News
March 21, 2020
1032211

Date: 03/18/20
Account #: 388115
Customer: CITY BIG LAKE ~
Address: 160 LAKE STREET N
BIG LAKE
Telephone: (763) 263-2107
Fax: (763) 263-0133

Ad ID: 1032211
Copy Line: Big Lake Car Condos
PO Number:
Start: 03/21/20
Stop: 03/21/2020
Total Cost: \$67.50
of Lines: 67
Total Depth: 7.444
of Inserts: 1
Ad Class: 150
Phone #: (763) 691-6000
Email: publicnotice@ecm-inc.com
Rep No: CA700

Contract-Gross

Publications:
Star News

ATTACHMENT H
GRAPHIC RENDERINGS













AGENDA ITEM

Big Lake Planning Commission

Prepared By: <i>T.J. Hofer through Sara S.W. Roman, AICP, Consultant Planner</i>	Meeting Date: 4/1/2020	Item No. 7E
Item Description: <i>Public Hearing for a Development Application for Preliminary Plat, Development Stage PUD and Rezoning for "Sandhill Villas" (PID 10-560-0115)</i>	Reviewed By: <i>Sara S.W. Roman, AICP, Consultant Planner</i>	
	Reviewed By: <i>Hanna Klimmek, EDFP, Community Development Director</i>	

60-DAY REVIEW DEADLINE: May 11, 2020

ACTION REQUESTED

The Planning Commission is asked to make a motion recommending approval or denial of the development application.

BACKGROUND/DISCUSSION

APPLICATION:

Modern Construction of Minnesota, the applicant, has submitted a development application requesting the following:

- Preliminary Plat approval
- Development Stage Planned Unit Development
- A rezoning to PUD Planned Unit Development from A: Agricultural

The applicant submitted a complete application on February 28, 2020. State Statute dictates that the City must act upon a development application within 60 days of the receipt of a complete application. The City can extend the review for an additional 60 days, if needed, by providing written notice to the Applicant.

BACKGROUND:

On May 22, 2019, the City Council reviewed a preliminary detached townhome concept for the same parcel at a workshop session. For that concept, Jesse Hartung from Modern Construction of MN proposed to construct detached townhomes on small lots that have townhome-style layouts, dimensions, and architectural characteristics. He noted that these types of structures are often popular with seniors looking to downsize, and with young families looking for a single-family home level of privacy, but with townhome pricing and yardwork responsibilities. The council feedback included a discussion of the location of the project and access to amenities for seniors. Council Member Johnson also noted that the proposed design is out of character with surrounding structures, and discussed concern that Townhome Associations can

cease to exist which can present future issues. Johnson also stated that she doesn't see any major issues regarding the project. Mayor Wallen discussed the need for more sunset style housing concepts in the area, noting that the design would also be a nice entry level home for a young person. Wallen stated that he wants to let the market dictate sales. The applicant for that proposal, Jesse Hartung, is no longer involved in the project.

The Planning Commission and City Council reviewed a concept plan for the Applicant's detached townhomes project on November 6, 2019 and December 11, 2019, respectively, and the concept plan was positively received. Neither the Planning Commission nor the City Council provided substantial comments to the applicant. Several community members attended the November 6 public hearing before Planning Commission to state their concerns for the project, which included:

- that the density of the proposed development does not fit with the neighborhood
- that the development would negatively affect property values
- that the proposed project is located in a fairly low area and there are concerns with the water table and potential flooding because of the increased impervious surface the development would cause
- access to the property would be an issue and would require a turn lane.
- the City would be responsible for maintaining/plowing the streets and driveways.

The development under review has not changed substantially from the Concept Plan reviewed by Planning Commission and City Council.

PROPOSED DEVELOPMENT:

The subject application is for a detached townhome development, known as "Sandhill Villas" that would include 12 detached townhomes, otherwise known as villas, on 2.5 acres of vacant land for a total of 12 units. As part of the development request, the applicant is requesting to subdivide the subject parcel to create 12 lots. The 12 buildable lots are each to be developed as part of an overall development concept for villa style detached townhomes.

DEVELOPMENT APPLICATION ANALYSIS

PROPERTY CHARACTERISTICS:

The existing 2.5-acre property is currently vacant agricultural land. There are no existing structures on the site. The parcel lies west of the second addition of the Prairie Meadows development. The property is zoned Agricultural and guided for Future Neighborhood.

EXISTING ZONING AND LAND USE:

Zoning	A – Agricultural
Future Land Use	Future Neighborhood
Existing Land Use	Vacant Land

Topography	Relatively flat with minor topography changes
-------------------	---

SURROUNDING ZONING AND LAND USE:

Direction	Zoning	Future Land Use Plan	Existing Land Use
North	General Rural (Big Lake Township)	Agricultural or Semi-Rural Housing	Agricultural
South	PUD (R-1)	Future Neighborhood	Single Family Residential
East	PUD (R-1)	Low Density Housing	Single Family Residential
West	R-1 Single Family Residential Estate	Future Neighborhood	Single Family Residential

REZONING REQUESTED:

The parcel is currently zoned A - Agricultural. The parcel was recently annexed into the City of Big Lake at the request of the property owner. Per city code, all land that is annexed into the City is zoned as A – Agricultural until such time as the parcel is developed. The parcel is guided for future neighborhood by the Comprehensive Plan, so the City has the option of zoning the parcel as R-1, R-2 or R-3.

The applicant is requesting a rezoning to Planned Unit Development based on the standards of the R-2 zoning district. Section 1056.03 Subd. 3. states that detached townhomes are a permitted use in the R-2 zoning district if they are part of a PUD. Through the PUD, the applicant may also receive flexibility on a number of items required by the Zoning and Subdivision ordinances. The proposed flexibilities are discussed below.

PROPOSED PRELIMINARY PLAT:

The applicant is proposing to take the existing 2.5-acre lot and subdivide it to create a detached townhome development comprised of 12 buildable lots:

- The proposed plat would be called “SANDHILL VILLAS.”
- The plat will have two blocks; Block 1 will have seven lots, Block 2 will have five lots.
- The proposed plat would dedicate 0.37 acres as public right-of-way.

PROPOSED SITE PLAN

Lot Standards

The site plan shows minimum lots sizes and lot widths that are under the established minimum in the R-2 zoning district.

Standard	Proposed Size	Code Requirements (min.)	Compliance with Code
Lot Area (Interior)	4,827 sq. ft.	7,500 sq. ft.	Does not comply; requires flexibility
Lot Area (Corner/Butt/Through)	5,825 sq. ft.	9,000 sq. ft.	Does not comply; requires flexibility
Lot Width (Interior)	41 ft.	60 ft.	Does not comply; requires flexibility
Lot Width (Corner/Butt/Through)	Varies 46 – 48 ft.	72 ft.	Does not comply; requires flexibility
Maximum Height	35 ft.	35 ft.	Complies

The proposed site plan does not meet the minimum lot size standards in the City Code. The preliminary plat provided by the applicant shows a table with lot standards required by the code and proposed lot standards. This should be revised to properly show a single proposed minimum lot size for the interior lots and a single proposed minimum lot size for corner, butt and through lots.

The site plan shows five through lots and two corner lots in Block 2. Lots with frontages on two streets that are not corner lots are generally prohibited by the City's Subdivision Ordinance except where lots back on to collector and arterial streets such as this site. An additional 20-ft. landscaped buffer is required for double frontage lots and corner lots. This buffer should be shown on the plans and the landscape plan should be revised to meet buffer standards. Staff is including a condition of approval to require the applicant to provide revised plans for city review that correctly show the required buffers and proposed lot minimums. Staff has also included a condition that the internal unnamed public street must be given a name.

Setbacks

The site plan shows a minimum 10-ft. front yard setback from the internal road right of way and 25 ft. setback from the curb. Setbacks from rights-of-way are proposed as a 25-ft. rear yard setback from the 172nd Street Northwest right-of-way and a 30-ft. side yard setback from the 205th Avenue Northwest right-of-way. Side yard setbacks from adjacent units are shown as five-feet from the lot line and 10-ft. between buildings.

Setback	Type	Setback Proposed	Setback Required	Compliance with Code
Northern property line abutting 205 th Avenue Northwest	Front Yard	30 ft. to primary structure	45 ft. from structure to right-of-way line	Does not comply; requires flexibility
Eastern property line abutting 172 nd Street Northwest	Front Yard	25 ft. to primary structure	45 ft. from structure to right-of-way line	Does not comply; requires flexibility
Lot 1, Block 2 South property line abutting internal unnamed street	Front Yard	10 ft. minimum to primary structure	25 ft. to principal structure	Does not comply; requires flexibility

Interior property lines abutting internal unnamed street	Front Yard	10 ft. minimum to ROW 25 ft. minimum to curb	25 ft. to principal structure	Does not comply; requires flexibility
Western property line abutting adjacent property	Rear Yard	25 ft. to rear lot line	25 ft. to principal structure	Complies
Internal side yard setbacks between abutting lots	Side Yard	10 ft. between lots	10 ft. between lots	Complies

The site plan orients the “front” of the development onto the interior unnamed public street. However, the lots in Block 2 are through lots with yards that abut rights-of-way on both the east and west sides. Lot 7, Block 1 and Lot 1 and 5, Block 2 have additional lot lines abutting right of ways and are corner lots.

Setbacks – Periphery

The through lots that are shown with a 25-ft. rear setback from 172nd Street should be shown as a 30-ft. front setback. Through lots are considered to have two frontages and should be shown with front yard setbacks from the right-of-way. Staff is including a condition of approval to require the applicant to provide revised plans for city review that correctly show the required setbacks.

For PUD developments, the front and side yard restrictions at the periphery of the PUD site must be the same as imposed in the respective zoning districts. For formal development review, the applicant must include on plans the right-of-way lines for 205th St to ensure that development is setback a minimum of 45 ft. It should be noted that historically this ordinance has been interpreted as saying that a PUD development must have buildings set back at least as far from adjacent private properties as is required by the underlying zoning district. However, flexibility has been allowed in the past for setbacks from adjacent city streets.

Building Height

The applicant is proposing a building height of approximately 16 ft. The code allows a maximum building height of 35 ft. The proposed building height meets code standards.

Sidewalks

The site plan does not currently show a sidewalk along the internal public street. There is an existing sidewalk on the eastern side of 172nd Street Northwest, across the street from the proposed development. The applicant is proposing to include an eight-foot-wide path along 205th Avenue Northwest at the request of staff. 1011.05 Subd. 5 requires that PUDs provide a clear path system that connects each housing unit to designations within the site and the surrounding neighborhood. The code requires that sidewalks not less than five feet in width be constructed along the frontage of all public streets. Trail should be designed and constructed to meet the City Engineer’s standards.

As proposed, the site plan will require flexibility from the requirement to provide sidewalks along the frontage of all public streets for the frontage along the street internal to the development.

PARKING

The site plan proposes parking to be provided for each structure by attached accessory garage structures shown in the following table:

Site	Minimum Parking Spaces Required	Maximum Allowed Parking	Garage Spaces Required	Surface Stalls Proposed	Garage Stalls proposed
Total	24	24	24	0	24

The City Code requires two enclosed parking stalls for each single family dwelling unit. The development complies as proposed.

LANDSCAPING

The City’s zoning ordinance requires a landscaping plan with every PUD application, which the applicant has provided. The landscape plan shows a total of 21 coniferous trees, 10 deciduous trees, 14 ornamental trees (equivalent to three trees) and 43 shrubs (equivalent to 14 trees) for a total of 48 trees. Three trees proposed by the applicant are not found on the approved list of trees in the City Code, and all are whitespire birch clump. A Whitespire birch "clump" is where there are more than 3 trunks on the tree. Trees that are not approved in the City Code require approval by the Zoning Administrator. Staff is comfortable approving this tree species.

The Code states that at least 50% of the required trees must be overstory coniferous or deciduous trees. The remaining 50% can be replaced with ornamental trees or shrubs at a rate of 3:1. At least 25% of the trees must be deciduous and at least 25% must be coniferous.

Trees per Dwelling Unit

The Code requires two trees per dwelling unit in the front yard for single family dwelling uses. The proposed plan has 12 dwelling units which will require a minimum of 24 trees. Four of the trees placed in the front yard are ornamental trees, resulting in a total of 22.3 trees proposed. As such, the submitted landscape plan does not comply with the code. The landscaping plan should be revised to include the equivalent of two trees in each front yard. Staff has included this as a condition of approval.

Buffer Plantings

The through lots on the site plan require a 20-ft. buffer yard from the abutting street in which the density of the plantings will be determined by the Zoning Administrator. Plantings required for the buffer yard are not counted toward the minimum planting requirements for the site.

The plan appears does not meet the minimum landscaping requirements. Plans should be revised to show designation between deciduous, coniferous, and ornamental trees, the correct names of trees and the area of the buffer yard required for through lots.

Staff has included conditions of approval that the applicant revised the number of trees in the front yards, tree designations, separate planting charts based of off required landscaping and buffer yards, correctly label trees, and show the buffer. Staff also recommends that the number of plantings on the northwest corner of the lot be increased to allow for a full row of plantings along 205th Avenue.

Phasing Plan – Landscaping

The applicant has not provided a phasing plan for the landscaping at this time, but it is assumed that the landscaping provided for each lot will be installed during the development of that lot. Staff recommends that a landscape escrow be attached to each lot to be released to the developer and/or lot owner upon installation of the required landscaping for each lot. A phasing plan will be required for the plantings within the landscape buffer yard and has been included as a condition of approval by city staff.

UTILITIES

The applicant is proposing to connect to municipal water and sewer by accessing the existing services to the east of the proposed site. The code requires that all new utilities shall be placed underground. The new utilities will be placed in drainage and utility easements to allow access for future maintenance.

A drainage and utility easement will be required over the location of underground utility lines and should be shown on the plans. Staff has included conditions of approval that the applicant revised the plans to show this. Staff has included a condition for approval that a stormwater management plan must be submitted for review and plans must be revised to show normal and high water levels of all ponds and watercourses.

STORM WATER MANAGEMENT:

Two drainage areas that are connected by a flared end section are shown on the site plan. When a storm water management plan is created, storm water management techniques will be required to be consistent with the City's Subdivision Ordinance, and with the following additions consistent with PUD requirements:

1. All retention basins shall resemble natural ponds to the maximum extent possible.
2. Retention basin landscaping shall include indigenous plants and landscaping materials.

BUILDING DESIGN STANDARDS

The detached villa units as proposed will be either a mix of vinyl lap siding, vertical vinyl siding, stone and timberline shingles or vinyl lap siding, vinyl shakes, stone and timberline shingles. Two of the four housing types include front porches. Colors have been identified for materials. The applicant should provide colored elevations and material samples to the city for approval and staff has included it as a condition of approval.

The Section 1011 of the Zoning Code sets standards for PUDs that buildings should address the street with varied and articulated facades, frequent entries and windows. The applicant has submitted four types of housing Meadow View, Meadow View with porch, Sand Hill Crane and Sand Hill Crane with porch. Staff believes that windows could be enlarged or added along the front, right and rear elevations to improve the design of the homes. The most visible parts of the homes will be the front and rear elevations which currently have large blank spaces or smaller windows that create undesirable vertical separations along the building face.

NEIGHBORHOOD CONFIGURATION

The planning commission may wish to comment on the overall neighborhood configuration, as it relates both to vehicle circulation and to cohesive neighborhood design. The code outlines the following considerations for neighborhood configuration for Residential PUDs:

- Clustering development toward identifiable features, such as preserved open space or a physical amenity such as a ball field or school

STREETSCAPE

Furthermore, neighborhood configuration highlights the role of the streetscape and notes that “the lots may be arranged such that the principle structures will face a street space enhanced with landscaping, street trees, boulevards, medians, or other landscaping techniques appropriate to the City’s street design standards.”

Additional streetscape standards may be negotiated as part of the PUD process.

LIGHTING

The applicant has submitted a lighting plan. The only light proposed is located at the intersection of the unnamed internal public street and 172nd Street.

The applicant has not provided details for the lighting. Staff has included the submittal of lighting detail sheets as a condition of approval.

SIGNAGE

Signage was submitted as part of the concept plan review, but was not submitted with the application for site plan. No signage is shown on the site plan. Any and all signage to be installed on site will require a separate sign permit to be issued to the applicant.

NEIGHBORHOOD DESIGN STANDARDS

Section 1011.08 of the code sets design standards for residential PUD developments. These standards are in place to implement the housing, neighborhood, environmental and greenway goals and policies of the Big Lake Comprehensive Plan. Residential developments shall be designed in patterns which incorporate the following elements:

NATURAL HABITAT

Residential PUDs are required to be designed to preserve the maximum quantity of natural habitat open spaces in a contiguous, connected configuration. Natural habitat open space may include, but are not limited to, fields, pastures, wetlands, slopes, bluffs, dense woods, lakes, ponds, streams, shorelands, and other environmentally sensitive areas or desirable view sheds. If the applicant should choose to provide any amenity areas, they must be platted as outlots and held as open space in perpetuity.

The site plan does not denote any areas to be preserved as natural habitat, neighborhood recreation or , greenways.

PEDESTRIAN CORRIDORS

The site plan has been changed notably from the concept plan and no longer shows a sidewalk beginning at the termination point of the cul-de-sac and running parallel along 205th Street. The trail now runs along 205th Avenue without connecting to the cul-de-sac. The applicant will be required to include any pedestrian corridors at a minimum of 30 ft. in width. An easement is required for this 30 ft. Staff has included a condition that the plans be revised to show this 30 ft. easement.

NEIGHBORHOOD RECREATION

The site plan does not include any areas for neighborhood recreation. The code notes that developments may include neighborhood recreation open spaces such as greens, commons, playgrounds, ball fields, gardens, or other recreational areas.

PUD FLEXIBILITY REQUESTED:

PUD JUSTIFICATION

The Applicant is seeking a PUD approval, an approval that goes outside of the zoning code and subdivision ordinance. The City's PUD ordinance (Code Section 1011) is very clear that the City should only grant PUD approval in situations where there is a "public benefit" that comes from granting the approval. The PUD ordinance lays out thirteen (13) benefits that are being sought by the City. Some of the benefits appear to be applicable in this situation:

1011.01: PURPOSE:

***Subd. 1.** Provide a development pattern in harmony with the objectives of the Comprehensive Plan. (The PUD process is not intended only as a means to vary applicable planning and zoning principles).*

***Subd. 9.** Result in an efficient use of land resulting in smaller networks of utilities and streets thereby lowering development costs and public investments.*

***Subd. 10.** Ensure the establishment of appropriate transitions between differing land uses.*

PUD FORMAT

The City Attorney's office has advised City Staff not to process PUD approvals as CUP's as the City has done in the past. The City Attorney's Office is advising that, going forward, all of the City's PUD's be processed as "Rezone to PUD." The City Attorney's stance is that the rezoning process is "cleaner," leaves better records, and is preferable because it is a legislative action while CUP's are quasi-judicial actions.

The Zoning Code's PUD ordinance states that PUD's can be processed as either a CUP or a rezone. Staff is processing this project's PUD as a rezone under the guidance of the City Attorney.

OVERVIEW OF REQUESTED FLEXIBILITY

The applicant is seeking the following PUD flexibility with the development stage PUD:

1. Permission to have reduced lot area minimums and lot width minimums.
2. Permission to have building setbacks that do not meet 45-ft. minimum setback requirements from a collector street and the 25-ft. minimum for front building setbacks.

PUD FLEXIBILITY ITEM #1: REDUCED LOT AREA AND LOT WIDTH MINIMUMS.

The R-2 zoning district provides the following standards:

1046.08: LOT AREA, HEIGHT AND SETBACK REQUIREMENTS

Subd. 2 Non-Shoreland District Requirements.

2. Detached Townhomes Non-Shoreland

Minimum Lot Area Interior Lot: 7,500 square feet
Minimum Lot Area Corner/Butt/Through Lot: 9,000 square feet (20% larger than interior lot)

Minimum Lot Width Interior Lot: 60 feet
Minimum Lot Width Corner/Butt/Through Lot: 72 feet (20% larger than interior lot)
Lots located adjacent to power lines, pipe lines or rail road right-of-way are required to be platted twenty (20) feet longer than other lots to accommodate the required buffer and screening outlined in Section 1027 (Landscape, Screening and Tree Preservation) of this Ordinance.

Maximum Height Principal Structure: 35 feet (25 in Shoreland Districts)

The applicant’s proposed lot area is reduced by 2,673 sq. ft. for interior lots and 2,774 sq. ft. for corner, butt and through lots. The reduced setbacks allow for the creation of more units within the site, staff supports the proposed coverage.

PUD FLEXIBILITY ITEM #2: BUILDING SETBACKS

The R-2 zoning district provides the following standards:

1046.08: LOT AREA, HEIGHT AND SETBACK REQUIREMENTS

Subd. 2 Non-Shoreland District Requirements.

2. Detached Townhomes Non-Shoreland

Principal Structure Setbacks:

Front: 25 feet
Side: 10 feet
Rear: 25 feet
Minimum Setback between Buildings: 10 feet

The proposed front building setbacks are less than the required standard to allow for a more spread out design. The intent to have a lower structure setback is to allow for a denser development on the site. While the structures are closer than allowed to rights-of-way, it allows for the maximization of the site while still meeting the character of the community. Therefore, staff is supportive of the request to allow the reduced setback as shown on the plans; however, setbacks along 172nd St. NW should be adjusted to be set back 30 ft. from the collector road.

DEVELOPMENT FEES

PARK DEDICATION

The City's subdivision ordinance and fee schedule state residential subdivisions must dedicate 10% of the land being subdivided as parkland OR pay a fee equal to 10% of the value of the land with a minimum of \$2,500 per unit. It is at the City's discretion whether to require a land donation or allow the fee in lieu to be paid. In this case, the cash option is preferable as there is available land left to be dedicated.

The park dedication requirement is based on the minimum value per unit. The applicant is proposing 12 units which will require \$30,000 (12 x \$2,500) in park dedication fees.

TRUNK SEWER FEE, TRUNK WATER FEE AND TRUNK STORM SEWER FEE

When land is developed, trunk sewer and trunk water fees are charged based on the amount of land that is being developed. These fees are "per acre" and help the City cover the costs of providing sewer and water infrastructure as the City grows. The fees are set every year by a City Council resolution and generally increase each year to account for inflation and actual costs of providing infrastructure. The applicant has not paid the correct fees to be considered "shovel-ready." These fees will be required to be paid prior to the City releasing a final plat for recording.

The 2020 fee schedule sets trunk fees at \$1,650 per acre for trunk water and \$5,330 per acre for trunk sewer. Trunk storm sewer fees are "case by case" and are waived entirely if all storm water is contained within the plat boundary. The proposed 2020 fee schedule keeps these fees at the same level.

The Applicant is proposing to subdivide 2.5 acres of land with "SANDHILL VILLAS." Of the existing lot, 0.37 acres of the land will be dedicated as right-of-way. Therefore, the 2.13-acres of land being developed will be required to pay fees.

SEWER ACCESS CHARGES (SAC) AND WATER ACCESS CHARGES (WAC) FEES

These fees, which are used to fund investments in expanding the capacity of the City's sewer and water plants and infrastructure as the City grows, are collected at the time of building permit issuance. The 2020 fee schedule sets the fees on a per unit basis at \$3,585 for the WAC fee and \$5,325 for the SAC fee. Because the fees are due at the time of building permit issuance, the amount is subject to change if the fee schedule is updated.

OTHER STAFF COMMENTS:

Engineering and Public Works:

Engineer's memo attached as Attachment C.

Fire Department

No comment.

Police Department

Chief Scharf stated his support for the project.

Other Comments.

Xcel Energy has confirmed that the project could be served by Connexus Electric by a gas main running along 172nd Street.

FINANCIAL IMPACT

NA

STAFF RECOMMENDATION

Staff is recommending approval of the PUD, Preliminary Plat, Rezoning and Preliminary Site and Building Plan for the Sandhill Villas project. Staff's recommendation of approval comes with the following conditions:

PLANNING AND ZONING CONDITIONS

1. The following Planned Unit Development (PUD) flexibility shall be granted, in accordance with the approved plans:
 - a. Permission to have reduced lot area minimums and lot width minimums as shown on the plans.
 - b. Permission to have building setbacks that do not meet 45-ft. minimum setback requirements from a collector street and the 25-ft. minimum for front building setbacks.

2. The submitted plans should be revised to include the following:
 - a. Revise plans to show the 20-ft. buffer yard required on corner and through lots.
 - b. The internal street must be given a name.
 - c. Revise proposed lot standards to properly show proposed minimum lot sizes.
 - d. Revise setbacks to show 45-ft. front building setbacks from the right-of-way where frontages exist on the right-of-way.
 - e. Revise the landscaping plan to be in compliance with Section 1027 of the City's Zoning Code.
 - f. Revise the landscaping plan to include the equivalent of two trees in each front yard.
 - g. Submit a phasing plan for plantings within the buffer yard.
 - h. Plans should be revised to show drainage and utility easements where applicable.
 - i. Revise the utility plan to include the normal and high water level of all ponds and watercourses.
 - j. Submit lighting detail sheets as for lighting that will be constructed.
 - k. Revise plans to show at least a 30 ft. easement over pedestrian corridors.
 - l. Submit a stormwater management plan.

m. Building plans should be provided that show proposed material colors.

3. The PUD approval is for twelve (12) apartment buildings and twelve (12) attached accessory garage structures. No additional structures may be built without a revision to the PUD.
4. The review and approval of the site improvement pursuant to the requirements of City adopted building and fires codes shall be in addition to the site plan review process. The site plan approval process does not imply compliance with the requirements of these codes.
5. All construction plans officially submitted to the City shall be treated as a formal agreement between the Applicant and the City. Once approved, no changes, modifications, or alterations shall be made to any plan detail, standard, or specification without prior submittal of a plan modifications request to the City Planner for review and approval.
6. Additional information regarding the phasing of the project should be submitted with the final PUD application.
7. Prior to the issuance of any permit for land alteration, the applicant shall provide a financial guarantee (letter of credit or escrow payment) in the amount 125% of the estimated cost to furnish and plant materials including irrigation, mulch, and other landscape materials.
8. The security shall be maintained for at least one (1) year after the date that the last landscape materials have been planted. Upon a showing by the applicant and such inspection as may be made by the City, that portion of the security may be released by the City equal to one hundred twenty-five (125) percent of the estimated cost of the landscape materials which are alive and healthy at the end of such year. Any portion of the security not entitled to be released at the end of the year shall be maintained and shall secure the applicant's responsibility to remove and replant landscape materials which are not alive or are unhealthy at the end of such year and to replant missing trees. Upon completion of replanting said landscape materials, the entire security may be released. Any ornamental grass planted shall be guaranteed for a full two (2) years from the time planting is completed.
9. A park dedication cash-in-lieu payment shall be made at a level consistent with the City Code and approved Fee Schedule. Residential developments are required to dedicate 10% of the value of the land. The City will require that the Applicant pay the total park dedication cash requirement prior to release of the final plat for recording, subject to the fee schedule in place at the time. The current fee schedule would require a park dedication fee of \$30,000 for the 12 residential units.
10. Sewer Access Charges (SAC) and Water Access Charges (WAC) will be collected at the time of building permit issuance.
11. Trunk sewer and trunk water charges will be calculated at the time of final plat.
12. The Applicant will need to enter into a development agreement and PUD agreement with the City prior to development. A Development Contract/PUD Agreement shall be drafted by the City Attorney prior to approval of the Final Plat.
13. Any conditions of the Planning Commission, City Council, Staff, consultants, or other agencies responsible for the review of this development application.

ATTACHMENTS

Attachment A: Site Location Map
Attachment B: Public Hearing Notice
Attachment C: Engineer's Memo
Attachment D: Draft Resolution
Attachment E: Preliminary Plat and Engineering Plans
Attachment F: Landscape Plan
Attachment G: Building Elevations

Attachment A
Site Location Map



Attachment B
Public Hearing Notice



-Public Notice Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below. Please proof read carefully if changes are needed, please contact us prior to deadline at Cambridge (763) 691-6000 or email at publicnotice@ecm-inc.com

Ad Proof

Enlarged

**CITY OF BIG LAKE
NOTICE OF PUBLIC
HEARING
FOR A PRELIMINARY PLAT,
DEVELOPMENT STAGE
PLANNED UNIT
DEVELOPMENT (PUD)
AND REZONE FOR
"SANDHILL VILLAS"**

You are hereby notified that the Big Lake Planning Commission will hold a public hearing in order to consider a concept plan for a project known as "Sandhill Villas". The public hearing will be held in the Big Lake City Council Chambers located at 160 Lake Street North, Big Lake, MN on: Wednesday, November 6, 2019 at or about 6:30 p.m.

Applicant:

Jesse Hartung, Modern Construction of Minnesota, on behalf of Troy and Kelly Siemers

Parcel Identification Number:
10-560-0115

Legal Description:

Lot 3, Block 1, Sandhill Acres, Sherburne County, Minnesota

The Applicant is proposing to build 12 detached townhomes, otherwise known as "villas," on 2.5 acres at the intersection of 172nd St NW and 205th Ave NW.

The Applicant has applied for the following approvals:

- A rezone from A: Agriculture to R-2: Medium Density Residential District
- Preliminary Plat
- Development Stage Planned Unit Development to allow deviations from some of the design and performance standards of the Zoning Code.

Both oral and written comments will be considered by the Planning Commission. If you desire to be heard in reference to this matter, you should attend this hearing or submit written comments to City Hall. If you have any questions, please feel free to contact Kevin Shay, Planning Consultant at 612-638-0228 or KShay@landform.net.

Published in the
Star News
March 21, 2020
1032217

<p>Date: 03/18/20</p> <p>Account #: 388115</p> <p>Customer: CITY BIG LAKE ~</p> <p>Address: 160 LAKE STREET N BIG LAKE</p> <p>Telephone: (763) 263-2107</p> <p>Fax: (763) 263-0133</p>	<p>Publications: Star News</p>
<p>Ad ID: 1032217</p> <p>Copy Line: Sandhill Villas</p> <p>PO Number:</p> <p>Start: 03/21/20</p> <p>Stop: 03/21/2020</p> <p>Total Cost: \$58.50</p> <p># of Lines: 58</p> <p>Total Depth: 6.444</p> <p># of Inserts: 1</p> <p>Ad Class: 150</p> <p>Phone #: (763) 691-6000</p> <p>Email: publicnotice@ecm-inc.com</p> <p>Rep No: CA700</p>	

Contract-Gross

Attachment C
Memorandum, Bolton and Menk



Real People. Real Solutions.

7533 Sunwood Drive NW
Suite 206
Ramsey, MN 55303-5119

Ph: (763) 433-2851
Fax: (763) 427-0833
Bolton-Menk.com

March 24, 2020

Sara Roman, Consultant City Planner
via e-mail: swoolf@biglakemn.org

RE: Sandhill Villas Preliminary Plat
City of Big Lake, Minnesota
Project No.: W18.119973

Dear Sara,

We have reviewed the Preliminary Plat, drainage calculations, and preliminary construction plans which are dated February 28, 2020 and were submitted for the above referenced project. We have the following comments:

1. The applicant shall provide the City of Big Lake with written verification, by a certified professional, that no wetlands exist on the property.
2. The proposed roadway name shall be included on the Preliminary Plat.
3. All proposed drainage and utility easements shall be clearly identified on the Preliminary Plat.
4. All storm sewer proposed outside of public right-of-ways shall be contained within easements and identified on the Preliminary Plat.
5. All stormwater basins shall be contained within easements. The easements shall be identified on the Preliminary Plat.
6. The applicant shall obtain a MPCA sanitary sewer extension permit.
7. The applicant shall obtain a MDH watermain extension permit and submit a copy to the city.
8. The applicant shall obtain a work within the right of way permit from the city.
9. The applicant shall obtain a NPDES Construction Stormwater Permit and shall submit a copy of the permit to the city prior to construction.
10. The applicant shall enter into a Stormwater Maintenance Agreement for the infiltration basins on the property.
11. The applicant shall prepare a Stormwater Maintenance Plan for the infiltration basins to be included in the Stormwater Maintenance Agreement.
12. The bituminous trail proposed within Outlot A shall be a minimum of 10 feet in width and shall include an ADA compliant concrete pedestrian ramp at the intersection of 205th Ave. NW and 172nd St. NW.
13. The infiltration basins shall be seeded with MnDOT seed mix 35-221. The applicable plan sheet notes shall be revised.

H:\BGLK\W18119973\1_Corres\C_To Others\2020-03-24 119973 Roman Sandhill Villas Preliminary Plat & Plans.docx

Bolton & Menk is an equal opportunity employer.

Attachment D
Draft Resolution

**CITY OF BIG LAKE
MINNESOTA**

A general meeting of the City Council of the City of Big Lake, Minnesota was called to order by Mayor Mike Wallen at 6:00 p.m. in the Council Chambers of City Hall, Big Lake, on Wednesday, April 22, 2020. The following Council Members were present: Seth Hansen, Rose Johnson, Paul Knier, Mike Wallen, and Scott Zettervall. A motion to adopt the following resolution was made by Council Member _____ and seconded by Council Member _____.

***CITY OF BIG LAKE*
RESOLUTION NO. 2020-XX**

RESOLUTION APPROVING A PRELIMINARY PLAT FOR “SANDHILL VILLAS” AND A DEVELOPMENT STAGE PLANNED UNIT DEVELOPMENT PLAN AND SITE/BUILDING PLANS FOR “SANDHILL VILLAS” AND SETTING FORTH CONDITIONS TO BE MET PRIOR TO SUBMITTAL OF THE FINAL PLAT APPLICATION

WHEREAS, Modern Construction of Minnesota submitted a development stage planned unit development plan, preliminary plat and site/building plans for the project known as “Sandhill Villas;” and

WHEREAS, the Concept Plan was reviewed by the City Council on December 11, 2019; and

WHEREAS, the Big Lake Planning Commission conducted a public hearing on April 1, 2020 and recommended that the City Council approve the planned unit development, preliminary plat and site plans subject to the conditions identified herein; and

WHEREAS, notice of the public hearings were duly published and posted in accordance with applicable Minnesota Statutes and persons interested in said applications were afforded the opportunity to present their views and objections related to the project; and

WHEREAS, the Sandhill Villas preliminary plat, development stage planned unit development plan and site/building plans conform to the requirements of the Zoning Ordinance, the conditions recommended for the concept plan approval and requirements of the Subdivision Ordinance and is consistent with the Comprehensive Plan; and

WHEREAS the City Council of Big Lake makes the following Findings of Fact and decision:

- A. A site location map showing the project location within the City is attached as Exhibit A.
- B. The Planning Report requires the following changes be made to the submitted plan:
 - a. Revise plans to show the 20-ft. buffer yard required on corner and through lots.
 - b. The internal street must be given a name.
 - c. Revise proposed lot standards to properly show proposed minimum lot sizes.
 - d. Revise setbacks to show 45-ft. front building setbacks from the right-of-way where frontages exist on the right-of-way.
 - e. Revise the landscaping plan to be in compliance with Section 1027 of the City's Zoning Code.
 - f. Revise the landscaping plan to include the equivalent of two trees in each front yard.
 - g. Submit a phasing plan for plantings within the buffer yard.
 - h. Plans should be revised to show drainage and utility easements where applicable.
 - i. Revise the utility plan to include the normal and high water level of all ponds and watercourses.
 - j. Submit lighting detail sheets as for lighting that will be constructed.
 - k. Revise plans to show at least a 30 ft. easement over pedestrian corridors.
 - l. Submit a stormwater management plan.
 - m. Building plans should be provided that show proposed material colors.
- C. The Planning Report dated April 1, 2020 shall be the governing document which includes the following attachments:

Attachment A:	Site Location Map
Attachment B:	Public Hearing Notice
Attachment C:	Engineer's Memo
Attachment D:	Preliminary Plat and Engineering Plans

Attachment E: Landscape Plan
Attachment F: Building Elevations

- D. The legal description of the subject property is Lot 3, Block 1, Sandhill Acres, Sherburne County, Minnesota.
- E. The Preliminary Plat is attached as Exhibit B.
- F. Public Hearing Notices for the two (2) public hearings that were held for applications related to the project are attached as Exhibit C.
- G. The proposed residential development will be compatible with present and future land uses of the area.
- H. The proposed residential development will not tend to or actually depreciate the area in which it is proposed.
- I. The proposed residential development can be accommodated with existing and future planned public and private services and will not overburden the City's service capacity.
- J. Traffic generated by the proposed residential development is within capabilities of streets serving the property.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Big Lake that it hereby approves the "Sandhill Villas" preliminary plat and the development stage planned unit development plan and site/building plans for "Sandhill Villas," subject to the following conditions:

1. Development Stage PUD approval is granted. A rezone to PUD shall be processed concurrently with the approval of the final plat and Final Plan PUD. The following Planned Unit Development (PUD) flexibility shall be granted:
 - a. Permission to have reduced lot area minimums and lot width minimums.
 - b. Permission to have building setbacks that do not meet 45-ft. minimum setback requirements from a collector street and the 25-ft. minimum for front building setbacks.
2. The applicant should discuss with the Postmaster the best location for the mailboxes.

3. Unless expressly permitted by the City Council, no construction or grading activities shall be permitted until such time as a final plat and final PUD plan have been approved and recorded with Sherburne County.
4. A cost estimate for landscaping shall be submitted in order to determine Letter of Credit or Escrow amount.
5. Drainage and utility easements shall be shown on the Final Plat in compliance with the City's Subdivision Ordinance.
6. Park dedication fees shall be calculated at \$2,500 per unit x 12 units = \$30,000.
7. The fire hydrants on the site must not be more than 1,000 feet apart. Final locations are subject to the approval of the Fire Chief.
8. Applicant shall comply with all conditions of the City Engineer's Letters dated 03/24/2020.
9. The applicant shall complete a wetland delineation for the project and submit a wetland delineation report in accordance with all Wetland Conservation Act (WCA) requirements.
10. The applicant shall submit an existing conditions stormwater model and stormwater narrative for the project.
11. The applicant shall enter into a stormwater maintenance agreement for the proposed private ponding areas pursuant to MPCA MS4 requirements.
12. The applicant shall be responsible for obtaining a NPDES Construction Stormwater permit. A copy of the permit shall be submitted to the City of Big Lake for our files.
13. The proposed watermain shall be insulated at the storm sewer crossing near the southwest corner of the property.
14. All sanitary sewer and watermain shall be considered private.
15. Final construction plans shall be reviewed by the City Engineer and Public Works Director prior to a building permit being issued for the project.
16. All construction shall be in accordance with City of Big Lake Standards.
17. A Development Contract and Planned Unit Development Agreement shall be signed by the Developer and the City and shall be recorded with Sherburne County. Unless otherwise directed by the City Council, no construction or grading activities shall be permitted to occur until the signed development contract has been recorded.

18. That development contract shall require that the developer make an escrow deposit or furnish an irrevocable letter of credit as is determined by the City. The amount shall be equal to 125% of the City Engineer's estimate of the total costs of the improvement to be furnished under the contract.
19. Unless otherwise determined to be appropriate by the City Council at a later date, a development contract shall not be approved until a final plat and final plan PUD have been approved.
20. A complete application for final plat shall be submitted no later than one (1) year from the date of approval of the preliminary plat, no later than April XX, 2021. Any extensions shall require the approval of the City Council.
21. A complete application for a Final Plan PUD must be submitted within six (6) months of the approval of the development stage PUD, no later than October XX, 2020. Any extensions shall require the approval of the City Council.
22. Any other conditions of the City Council, Staff, City consultants or other agency responsible for review of this application shall be addressed.

Adopted by the Big Lake City Council on the 22th day of April, 2020.

Mayor Mike Wallen

Attest:

GINA WOLBECK, CITY CLERK

The following Council Members voted in favor:
The following Council Members voted against or abstained:

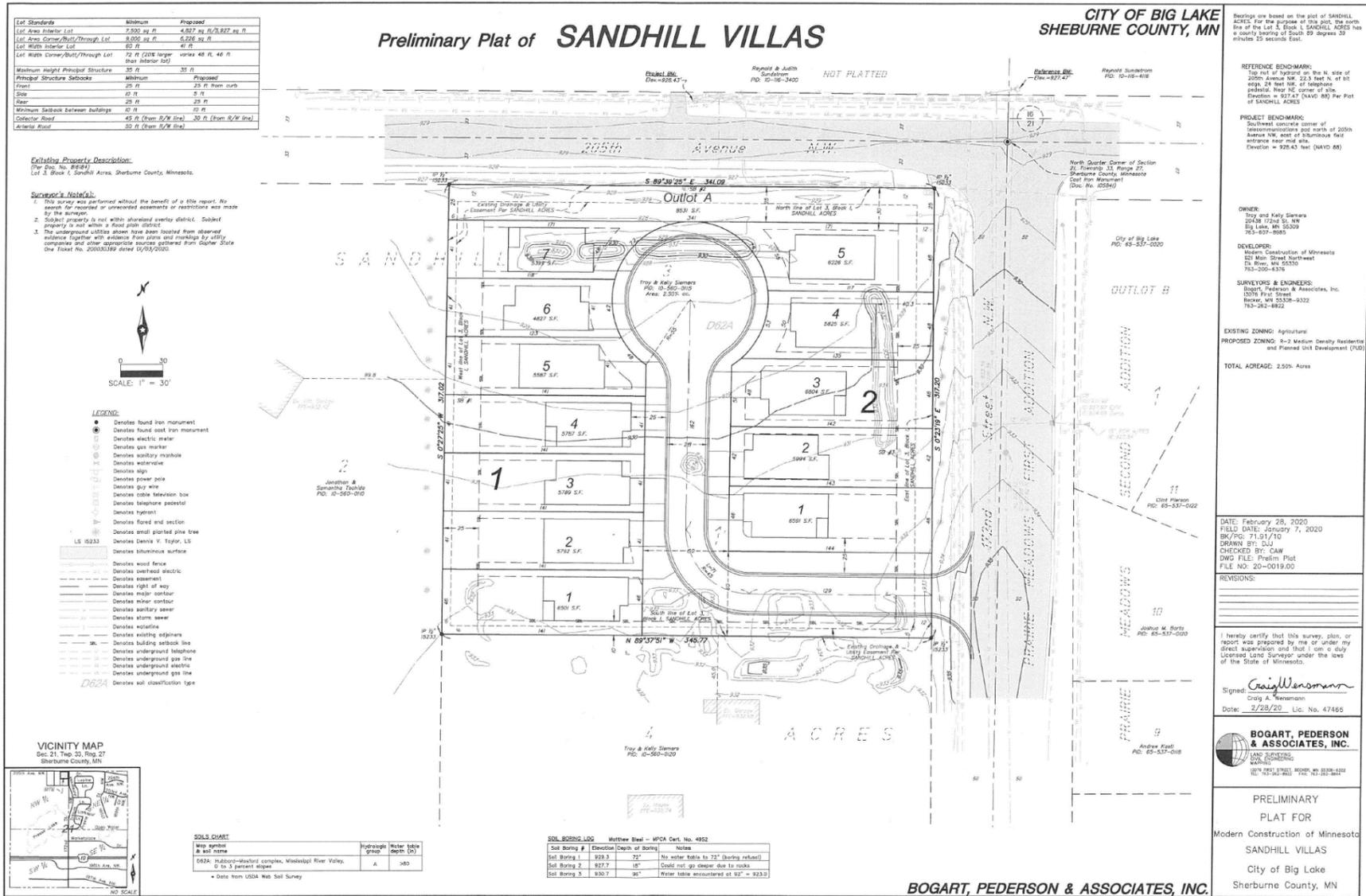
Drafted By:
City of Big Lake
160 Lake Street North
Big Lake, MN 55309

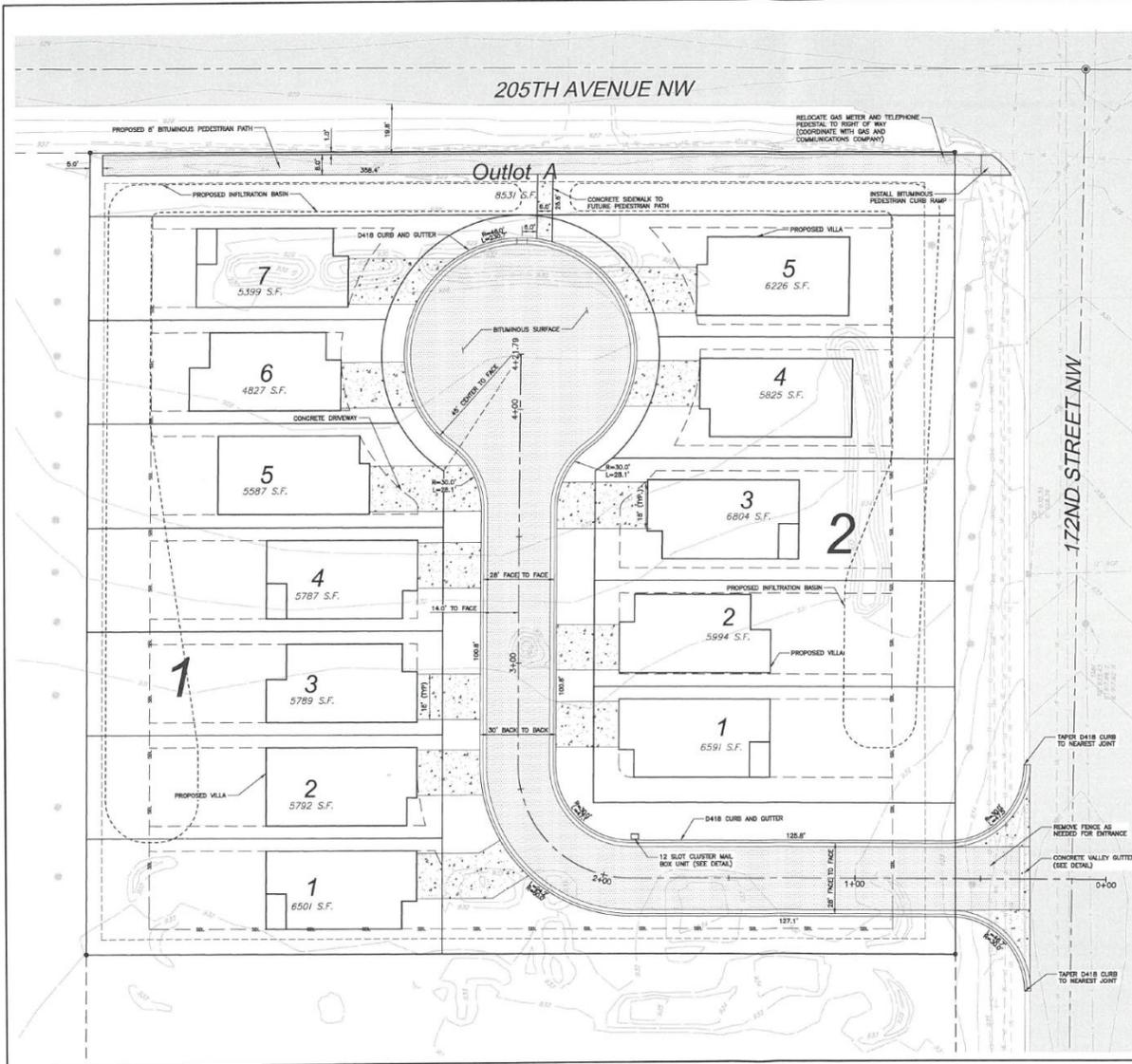
STATE OF MINNESOTA)
) SS.
COUNTY OF SHERBURNE)

The foregoing instrument was acknowledged before me this _____ day of April, 2020 by the Mayor and City Clerk of the City of Big Lake, a Minnesota municipal corporation, on behalf of the corporation.

Notary Public

Attachment E Preliminary Plat and Engineering Plans





LEGEND:

- PROPOSED ASPHALT PAVEMENT
- PROPOSED CONCRETE PAVEMENT
- PROPOSED TURF ESTABLISHMENT
- MOUNTABLE CONCRETE CURB AND GUTTER - C418



SITE PLAN NOTES:

1. INNER CURB DIMENSIONS ARE SHOWN TO FACE OF CURB. ALL OTHER CURB DIMENSIONS ARE TO BACK OF CURB, UNLESS SHOWN OTHERWISE.
2. ALL CONCRETE RAMPS, SIDEWALKS AND ACCESSIBLE HANDICAPPED PARKING STALLS TO CONFORM TO CURRENT ADA REQUIREMENTS.
3. CONTRACTOR SHALL FIELD VERIFY HORIZONTAL AND VERTICAL LOCATION OF EXISTING UTILITIES PRIOR TO START OF CONSTRUCTION.
4. CONTRACTOR SHALL INSTALL EROSION CONTROL MEASURES PRIOR TO THE START OF CONSTRUCTION.
5. CONSTRUCTION SHALL BE IN ACCORDANCE WITH APPLICABLE CITY, COUNTY AND STATE REGULATIONS.
6. SITE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE PLANS APPROVED BY THE CITY OF BIG LAKE COMMISSION.
7. NO SNOW STOCKPILING SHALL BE DONE ON MIDDOT R.O.W. EXCESS SNOW SHALL BE TRUCKED OFF-SITE.
8. HOUSE ENVELOPE IS SHOWN FOR REFERENCE ONLY AND IS APPROXIMATE. REFER TO ARCHITECTURAL AND STRUCTURAL PLANS FOR COORDINATION OF SITE CONSTRUCTION WORK.

SITE PLAN INFORMATION:

PARCEL AREA
±2.50 ACRES ±

EXISTING ZONING
R-2 MEDIUM DENSITY RESIDENTIAL

PROPOSED ZONING
PROPOSED PLANNED UNIT DEVELOPMENT

PROPOSED SETBACKS
 *FRONT: 10' (21' FROM BACK OF CURB)
 *SIDE: 5'
 *REAR: 25'

SITE DATA		EXISTING	PROPOSED
ROAD AREA	0	16,236	SF %
HOUSE AREA	0	2,780	SF %
DRIVEWAY AREA	0	4,518	SF %
PREVIOUS AREA	108,800	84,865	SF %
TOTAL AREA	108,800	108,800	SF %

REV	DATE	DESCRIPTION
1	02/28/2023	DRAWINGS SUBMITTED TO CITY
2	02/28/2023	

DESIGN BY: MAM
 CHECKED BY: MAM, CDF
 DRAWN BY: MAM
 DATE: 02/28/2023
 FILE NO.: 20-0018109

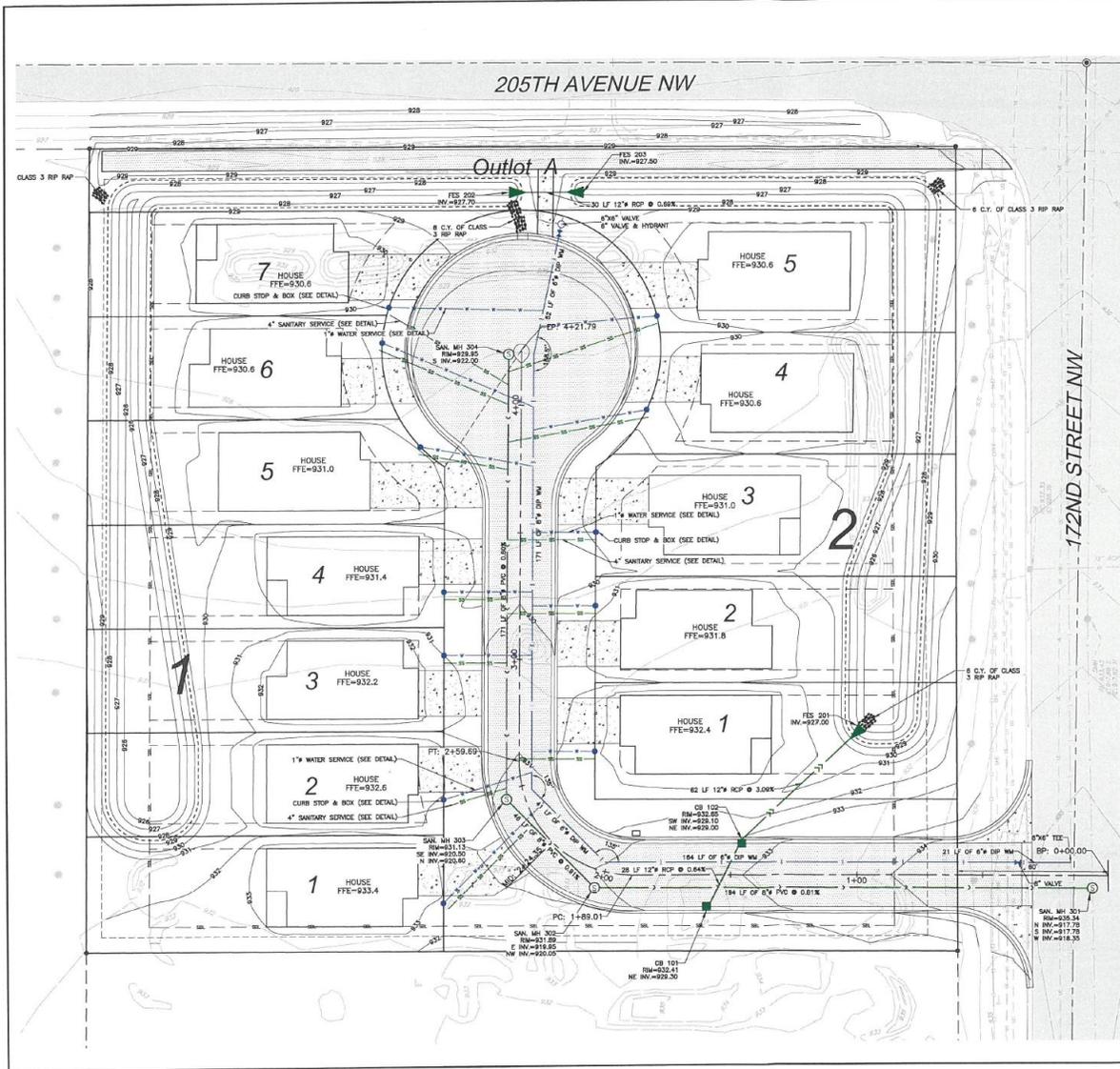
Signature: [Signature]
 Date: 02/28/2023, Lic. No. 65886

BOGART, PEDERSON & ASSOCIATES, INC.
 LAND SURVEYORS
 ENVIRONMENTAL SERVICES
 1000 W. WASHINGTON ST., SUITE 100
 MINNEAPOLIS, MN 55408
 TEL: 763-566-8877 FAX: 763-566-8888

SANDHILL VILLAS
 City of Big Lake, Sherburne County, MN
 SITE AND DIMENSION PLAN

SHEET NO.
C1.0

CALL 48 HOURS BEFORE DIGGING:
GOPHER STATE ONE CALL
 TWIN CITY AREA 651-434-0022
 MINNESOTA TOLL FREE 1-800-292-1198



LEGEND:

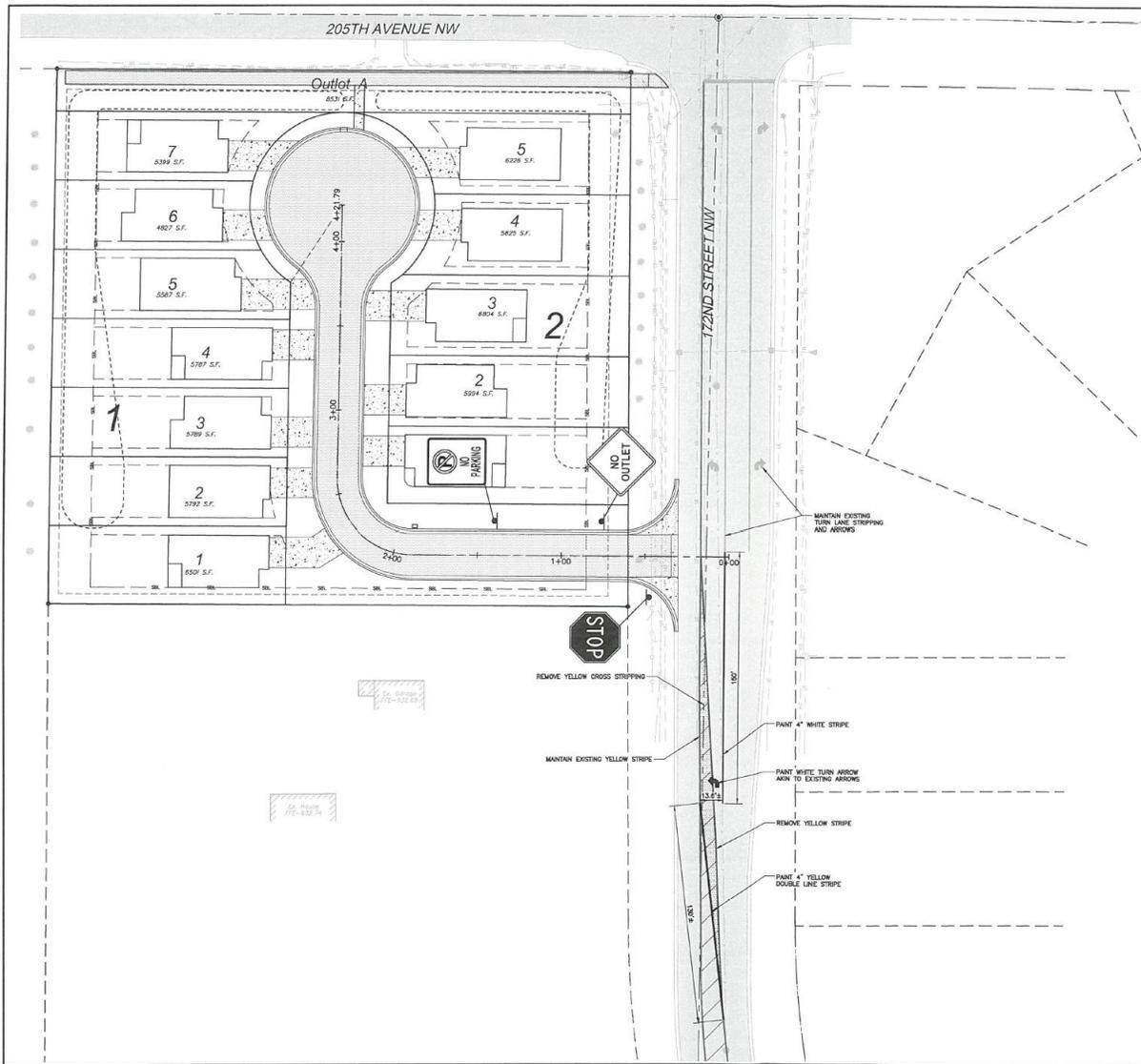
- >>— PROPOSED STORM SEWER
- |— PROPOSED WATER LINE
- >— PROPOSED SANITARY SEWER
- w—w— PROPOSED WATER SERVICE
- ss—ss— PROPOSED SANITARY SERVICE
- PROPOSED MANHOLE
- PROPOSED FLARED END SECTION
- PROPOSED CATCH BASIN
- PROPOSED GATE VALVE & BOX
- PROPOSED CLEANOUT
- PROPOSED RIP RAP



UTILITY GENERAL NOTES

1. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL UTILITY RELOCATIONS.
2. CONTRACTOR SHALL LOCATE AND VERIFY ALL UTILITIES WHICH MAY AFFECT THIS WORK AND NOTIFY OWNER OF ANY CHANGES. CONTACT LOCAL UTILITY COMPANIES FOR EXACT LOCATIONS PRIOR TO BIDDING THE PROJECT AND COMMENCING WORK.
3. CONTRACTOR SHALL VERIFY CRITICAL ELEVATIONS TO ENSURE CONFORMANCE WITH GRADING PLAN AND EXISTING UTILITIES, PARTICULARLY WITH EXISTING STRUCTURES AND/OR PAVEMENTS TO REMAIN.
4. THE CONTRACTOR SHALL NOTE ANY DISCREPANCIES BETWEEN EXISTING CONDITIONS AS EXISTING IN THE FIELD AND AS REPRESENTED WITHIN THE PLANS AS SHOWN AND ALERT THE ENGINEER BEFORE BIDDING THE PROJECT AND BEGINNING CONSTRUCTION.
5. WATER LINE TO MINIMUM 8.0 FEET DEPTH.
6. VERIFY INVERT ELEVATIONS OF EXISTING SANITARY LINE AT POINT OF CONNECTION WITH NEW SANITARY LINE PRIOR TO INSTALLING ANY NEW UTILITIES.
7. ALL CROSSING ELEVATIONS OF NEW UTILITIES AND SIZES OF THE EXISTING UTILITIES ARE BASED ON ASSUMED ELEVATIONS AND SIZES PROVIDED BY THE SURVEY.
8. IF DEWATERING IS REQUIRED FOR THIS PROJECT, THE PUMP DISCHARGE SHALL BE TREATED PRIOR TO BEING DISCHARGED OFF-SITE OR INTO A SURFACE WATER. THE DISCHARGE SHALL BE VISUALLY CHECKED TO ENSURE THAT IT IS VISIBLY CLEAN WATER.
9. ALL SANITARY SERVICE PIPE AND FITTINGS WILL BE PVC SDR 26.
10. ALL WATER PIPE AND FITTINGS WILL BE DIP CLASS 52.
11. ALL HOPE STORM SEWER SHALL BE DUAL WALL ALL RCP STORM SEWER SHALL BE CLASS 3 PIPE.

DATE:	02/28/2022	DESIGN BY:	MAJ	DATE:	02/28/2022
DRAWN BY:	MAJ	CHECKED BY:	MAJ, LEO	DATE:	02/28/2022
PROJECT NO.:	20-021818	FILE NO.:	20-021818	SIGNATURE:	<i>[Signature]</i>
<p>BOGART, PEDERSON & ASSOCIATES, INC.</p> <p>LAND SURVEYING ENVIRONMENTAL SERVICES 182 2ND STREET NW, SUITE 200 BIG LAKE, MN 56621</p>					
<p>SANDHILL VILLAS</p> <p>City of Big Lake, Sherburne County, MN</p>					
<p>UTILITY PLAN</p>					
<p>SHEET NO.</p>					
<p>C3.0</p>					



LEGEND:

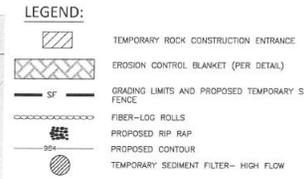
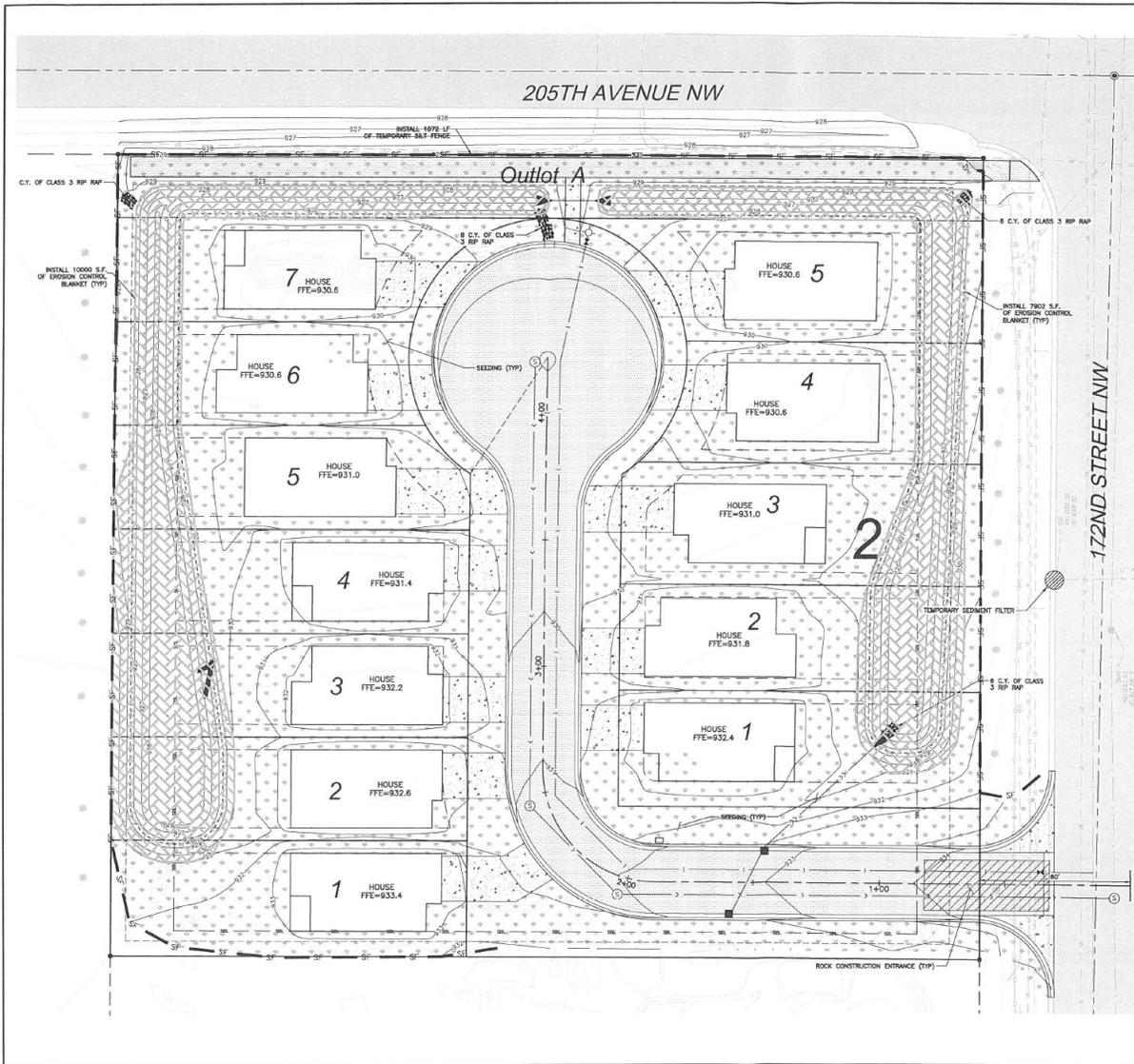
-  PROPOSED STREET SIGN (USE CORRESPONDING SIGN TYPE)
-  REMOVE YELLOW CROSS STRIPING



STRIPING AND SIGNAGE NOTES

1. THE CONTRACTOR SHALL COORDINATE WITH THE CITY CONCERNING STRIPING ON 172ND STREET.
2. ALL CONSTRUCTION AND STRIPING SHALL BE IN ACCORDANCE WITH THE CITY OF BIG LAKE STANDARDS.
3. SEE SIGNAGE DETAILS ON SHEET C10.0.

<p>SANDHILL VILLAS City of Big Lake, Sherburne County, MN STRIPING & SIGNAGE PLAN</p>	<p>BOGART, PEDERSON & ASSOCIATES, INC. LAND SURVEYORS 2075 UNIVERSITY AVENUE SHERBURNESVILLE, MINNESOTA 55077 TEL: 763-255-1212 FAX: 763-255-1211</p>	<p>DATE: 07/29/2020 DRAWN BY: AMN CHECKED BY: MWA, GCS DWG FILE: 202-0018.00 FILE NO.: 202-0018.00</p> <p>Signature: <i>Wally F. Davis</i> Date: 07/29/2020 Lic. No. 05869</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>REV. NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>07/29/2020</td> <td>DRAWING ISSUED TO CITY</td> </tr> </tbody> </table>	REV. NO.	DATE	DESCRIPTION	1	07/29/2020	DRAWING ISSUED TO CITY
REV. NO.	DATE	DESCRIPTION							
1	07/29/2020	DRAWING ISSUED TO CITY							
<p>CALL 48 HOURS BEFORE DIGGING. GOPHER STATE ONE CALL TWIN CITY AREA 651-454-0002 MINNESOTA TOLL FREE: 1-800-282-1166</p>		<p>C5.0</p>							



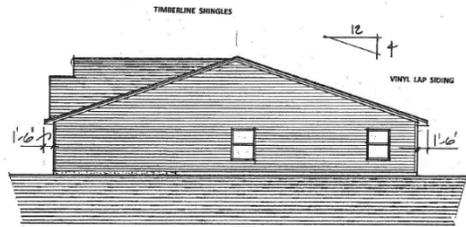
- EROSION CONTROL NOTES**
1. CONTRACTOR SHALL CONFINE CONSTRUCTION OPERATIONS TO THE CONSTRUCTION/GRADING LIMITS SHOWN.
 2. ALL WORK SHALL CONFORM TO THE MINNESOTA POLLUTION CONTROL AGENCY'S STORM WATER PERMIT REQUIREMENTS. CONTRACTOR SHALL OBTAIN ALL PERMITS AND COMPLY WITH ALL PERMIT REQUIREMENTS.
 3. THE SITE SOIL EROSION AND SEDIMENT CONTROL FACILITIES SHALL BE INSTALLED PRIOR TO ANY DEMOLITION OR GRADING OPERATIONS AND MAINTAINED TO CONFORM WITH THE STANDARDS SPECIFIED BY THE PERMIT.
 4. CONTRACTOR SHALL INSPECT TEMPORARY EROSION CONTROL MEASURES ON THE ENTIRE SITE AT LEAST EVERY 7 DAYS AND WITHIN 24 HOURS OF ANY MEASURABLE TRANSFORM. DAMAGED SILT FENCE OR OTHER EROSION CONTROL DEVICES OR PRACTICES SHALL BE REPAIRED IMMEDIATELY. INSPECTION AND MAINTENANCE OF DEVICES SHALL CONTINUE UNTIL THE SITE HAS UNDERGONE FINAL STABILIZATION AND A NOTICE OF TERMINATION IS SUBMITTED TO THE MPCA.
 5. ALL GRADING OPERATIONS SHALL BE CONDUCTED IN A MANNER TO MINIMIZE THE POTENTIAL FOR SITE EROSION.
 6. THE SITE SOIL EROSION AND SEDIMENT CONTROL FACILITIES SHALL BE INSTALLED AND MAINTAINED TO CONFORM WITH THE STANDARDS SPECIFIED BY THE CITY OF BIG LAKE AND THE MPCA.
 7. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE DISTURBANCE OF ANY AREAS AND MAINTAINED UNTIL ALL TRIBUTARY DISTURBED AREAS ARE RESTORED.
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL EROSION CONTROL MEASURES, INCLUDING SILT FENCE AND SALES, UPON ESTABLISHMENT OF PERMANENT VEGETATION IN SAID AREAS.
 9. ALL SOILS TRACKED ONTO PAVEMENT OR ANY OTHER OFF-SITE AREA SHALL BE REMOVED DAILY.
 10. THE SITE SEDIMENT CONTROL FACILITIES FOR THE PROJECT MUST BE INSTALLED PRIOR TO ANY GRADING OPERATION.
 11. ALL AREAS DISTURBED DURING CONSTRUCTION SHALL BE RESTORED AND VEGETATED AS SOON AS POSSIBLE. ANY FINISHED AREAS SHALL BE SEEDED AND MULCHED WITHIN 7 DAYS AFTER FINISHED GRADING IS COMPLETED IN ACCORDANCE TO MN/DOT 2575.
 12. ALL DISTURBED AREAS SHALL BE REVEGETATED WITH MN/DOT SEED MIX, MULCHED, FERTILIZED & DISK ANCHORED, PER THE FOLLOWING SCHEDULE:
- | | |
|---------------------|-------------|
| SEED MIX 25-131: | 220 LB./AC. |
| FERTILIZER 22-5-10: | 350 LB./AC. |
| MULCH TYPE 3: | 2 TONS/AC. |
13. SEE LANDSCAPING PLAN FOR ADDITIONAL PLANTINGS.

	DATE: 02/29/2025	REV. NO.:	DESCRIPTION:
	DESIGN BY: MNY		DRAWING ISSUED TO CITY
	CHECKED BY: MNA, JDR		
	INVC FILE: DSD000		
	FILE NO.: 25-0218.00		

<p style="font-size: small;">I hereby certify that this plan, specification, report or other document was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.</p> <p style="text-align: right;"> Signature: Date: 02/29/2025 Lic. No. 50686 </p>	<p>BOGART, PEDERSON & ASSOCIATES, INC.</p> <p style="font-size: small;">ENGINEERS ARCHITECTS</p> <p style="font-size: x-small;">10707 FIFTH STREET, BOCA RATON, FL 33432 TEL: 561-993-8322 FAX: 561-993-8044</p>
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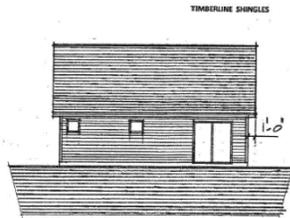
<p>SANDHILL VILLAS</p> <p>City of Big Lake, Sherburne County, MN</p>	<p>EROSION CONTROL PLAN</p>
<p>SHEET NO.</p> <p style="font-size: large;">C6.0</p>	

Attachment G
Elevations



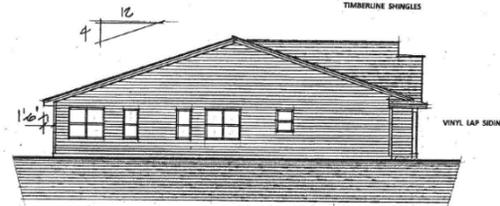
RIGHT ELEVATION

16'



REAR ELEVATION

16'



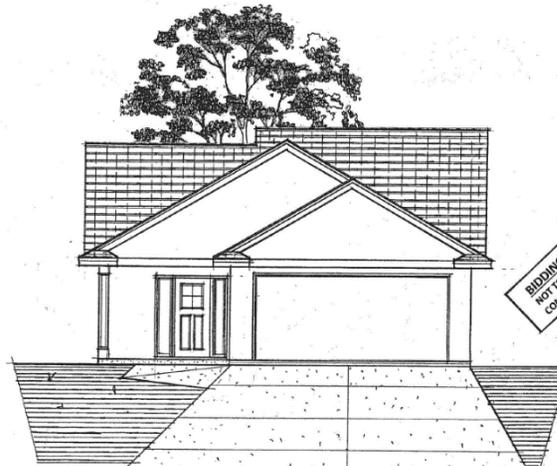
LEFT ELEVATION

16'



FRONT ELEVATION

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

BIDDING AND REVIEW PLAN
NOT TO BE USED FOR PERMITS,
CONSTRUCTION, OR MATERIAL ORDERING

MEADOW VIEW
(WITH PORCH)

NOTICE: THESE PLANS ARE DESIGNED EXCLUSIVELY FOR THE USE OF HOME PLANNING ASSOCIATES INC. AND ANY REPRODUCTION FOR OTHER USE IS STRICTLY PROHIBITED WITHOUT THE EXPRESS WRITTEN CONSENT OF HOME PLANNING ASSOCIATES INC. ALTHOUGH EVERY EFFORT HAS BEEN MADE IN DESIGNING AND PREPARING THESE PLANS AND CHECKING FOR ACCURACY, THE ARCHITECT, ENGINEER, OR CONTRACTOR SHALL REMAIN FULLY LIABLE AND RESPONSIBLE FOR ANY CHANGES OR ADJUSTMENTS REQUIRED DURING CONSTRUCTION.

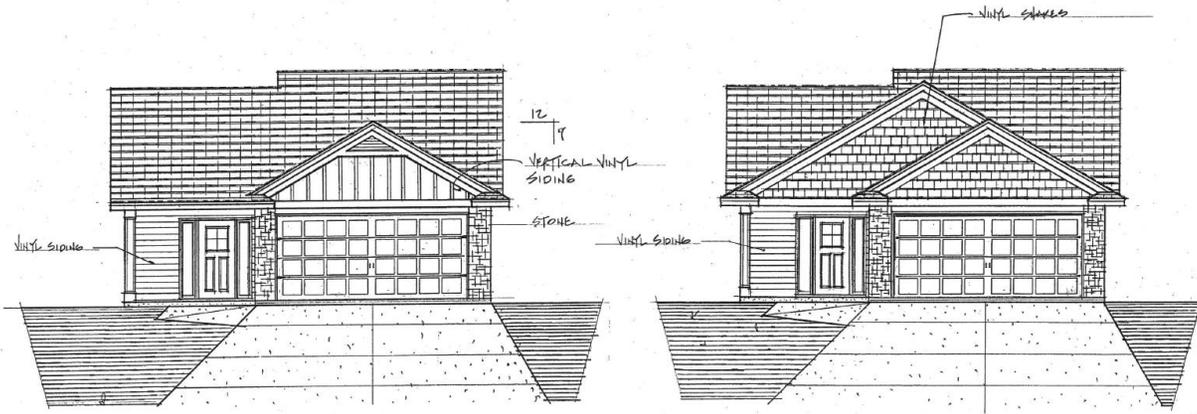
KEYNOTES:

JERRE HARTLINE
PRESIDENT
1829 CENTRAL AVENUE NE
SPRING LAKE PARK, MN 55432
PH: 763-261-8888
FAX: 763-261-8889
HOMEPAGE: WWW.HOMEPANNING.COM
E-MAIL: JHARTLINE@HOMEPANNING.COM

MC
MODERN
CONSTRUCTION
BY MINNESOTA

HOME PLANNING ASSOCIATES INC.
1829 CENTRAL AVENUE NE
SPRING LAKE PARK, MINNESOTA 55432
SPRING LAKE PARK LUMBER BLDG.

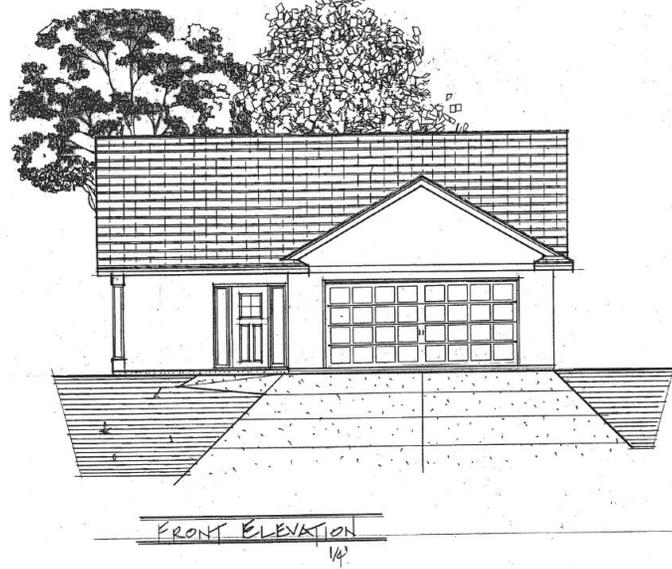
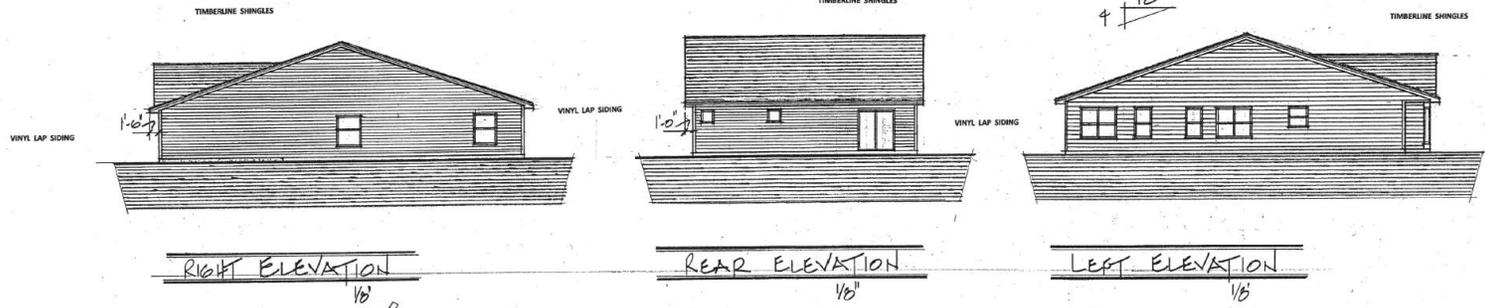
SHEET NUMBER
ONE
OF SHEETS
PLAN NUMBER
19 111



BIDDING AND REVIEW PLAN
 NOT TO BE USED FOR PERMITS,
 CONSTRUCTION, OR MATERIAL ORDERING

MEADOW VIEW
 (WITH PORCH)

HOME PLANNING ASSOCIATES INC. 8320 CENTRAL AVENUE NE SPRING LAKE PARK, MINNESOTA 55432 (763) 786-0089 SPRING LAKE PARK LUMBER BLDG.	
SHEET NUMBER	TWO
OF SHEETS	
PLAN NUMBER	19 111



BIDDING AND REVIEW PLAN
NOT TO BE USED FOR PERMITS
CONSTRUCTION OR MATERIAL ORDERING

SAND HILL CRANE
(WITH PORCH)

ALL DIMENSIONS AND SIZE DESIGNATIONS
SHOWN ARE SUBJECT TO VERIFICATION ON
JOB SITE AND ADJUSTMENT TO FIT JOB
CONDITIONS.

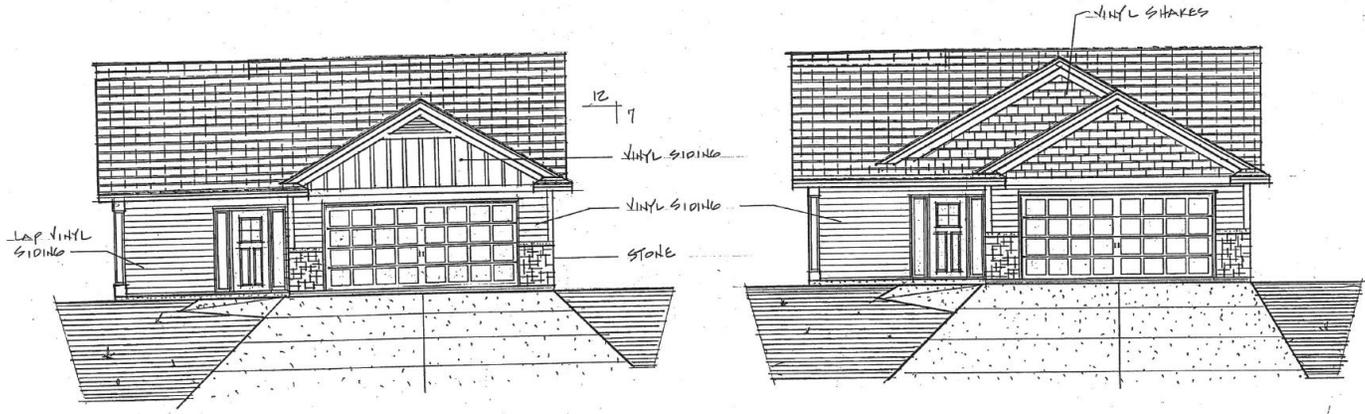
NOTICE: THESE PLANS ARE DESIGNED EXCLUSIVELY FOR THE USE OF
HOME PLANNING ASSOCIATES INC. AND
ANY REPRODUCTION OR OTHER USE IS STRICTLY PROHIBITED WITHOUT
THE EXPRESS WRITTEN CONSENT OF HOME PLANNING ASSOCIATES INC.
ALTHOUGH EVERY EFFORT HAS BEEN MADE IN DESIGNING AND
PREPARING THESE PLANS AND CHECKING FOR ACCURACY, THE
INSTALLER, OWNER, OR CONTRACTOR MUST VERIFY ALL DETAILS AND
DIMENSIONS AND BE RESPONSIBLE FOR ANY CHANGES OR
ADJUSTMENTS REQUIRED DURING CONSTRUCTION.

KEY/DWG:

HOME PLANNING ASSOCIATES INC.
8329 CENTRAL AVENUE NE
SPRING LAKE PARK, MINNESOTA 55432
(763) 786-6099
SPRING LAKE PARK LUMBER BLDG.

SHEET NUMBER
ONE
OF
SHEETS

PLAN NUMBER
19 112





AGENDA ITEM

Big Lake Planning Commission

<p>Prepared By: T.J. Hofer through Sara S.W. Roman, AICP, Consultant Planner</p>	<p>Meeting Date: 4/1/2020</p>	<p>Item No. 7F</p>
<p>Item Description: Public Hearing for a Development Application for Preliminary Plat, Development Stage PUD, Final Plat and Final PUD and Rezoning for “Big Lake Wastewater Treatment Facility” (PID 10-560-0115)</p>	<p>Reviewed By: Sara S.W. Roman, AICP, Consultant Planner</p> <hr/> <p>Reviewed By: Hanna Klimmek, EDFP, Community Development Director</p>	

60-DAY REVIEW DEADLINE: May 17, 2020

ACTION REQUESTED

The Planning Commission is asked to make a motion recommending approval or denial of the development application for Preliminary Plat, Development Stage Planned Unit Development and Rezoning.

BACKGROUND/DISCUSSION

APPLICATION:

The City of Big Lake, the applicant, has submitted a development application requesting the following:

- Preliminary Plat approval
- Final Plat approval
- Development Stage Planned Unit Development approval
- A rezoning to PUD Planned Unit Development from A: Agricultural
- Final Planned Unit Development approval

The applicant submitted a complete application on March 18, 2020. State Statute dictates that the City must act upon a development application within 60 days of the receipt of a complete application. The City can extend the review for an additional 60 days, if needed, by providing written notice to the Applicant.

The Final Plat and Final PUD are not reviewed by the Planning Commission.

BACKGROUND:

On February 5, 2019 and February 26, 2019 the Planning Commission and City Council, respectively, reviewed a concept for a waste water treatment facility. The Planning Commission provided general feedback and did not recommend any specific changes, but did note that screening may be necessary when future areas around the site develop. The City Council provided support but no comments.

The project has not changed substantially from the Concept Plan reviewed by Planning Commission and City Council.

PROPOSED DEVELOPMENT:

The subject application is for expansion of an existing wastewater treatment facility. The development will require considerable flexibility through the PUD. The applicant has indicated that the treatment facility is necessary for the growth of the city and will address State of Minnesota regulatory requirements. Most of the work will be internal and external improvements to the principal building and equipment, as well as the addition of a third clarifying pond.

City staff notes the communications tower is not proposed to be expanded and will require future approvals if expansion is desired. Staff has included this as a condition of approval.

DEVELOPMENT APPLICATION ANALYSIS

PROPERTY CHARACTERISTICS:

The existing 53.89-acre property is mostly vacant agricultural land, but also contains the current wastewater treatment facility, buildings related to the treatment facility, clarifying ponds and a communications tower. The parcel is the furthest south property that is incorporated into the City of Big Lake and is surrounded by properties that are still part of Big Lake Township. The property is zoned Agricultural and not guided by the Comprehensive Plan.

EXISTING ZONING AND LAND USE:

Zoning	A – Agricultural
Future Land Use	NA
Existing Land	Wastewater Facility, Vacant Land

Use	
Topography	Relatively flat with minor topography changes

SURROUNDING ZONING AND LAND USE:

Direction	Zoning	Future Land Use Plan	Existing Land Use
North	Agricultural (Big Lake Township)	NA	Agricultural
South	Agricultural	NA	Vacant Forest
East	Recreation River (Big Lake Township)	NA	Vacant Forest
West	General Rural and Recreational River	NA	Single Family Residential And Vacant Land

REZONING REQUESTED:

The parcel is currently zoned A - Agricultural. The applicant is requesting a rezoning to Planned Unit Development based on the standards of the A zoning district. Section 1043.02 Subd. 9. states that municipal buildings, utility stations, facilities and equipment are a permitted uses in the A zoning district. The rezoning is required because Planned Unit Developments and CUPs are not listed as a permitted use in the Agricultural zoning district, and both existing and proposed structures and site conditions require flexibility from the Zoning Code and Subdivision Ordinance. The proposed flexibilities are discussed below.

PROPOSED PRELIMINARY PLAT:

The applicant is proposing to take the existing parcels (totaling 53.89 acres) and combine them into a single lot:

- The proposed plat would be called “Big Lake Wastewater Treatment Facility.”
- The plat will create one 52.42-acre lot
- The plat will dedicate the necessary right-of-way for CSAH 14 (approximately 50 feet wide).

A plat is necessary for the lot combination because PUDs are only allowable on platted lots.

PROPOSED SITE PLAN

Lot Standards

The site plan shows a lot that complies with the underlying A - Agricultural district.

Standard	Proposed Size	Code Requirements (min.)	Compliance with Code
Lot Area	52. 42 acres	20 acres	Complies
Lot Width	1,181.18 ft. .	500 ft.	Complies
Maximum Height	Not provided	35 ft.	Will comply

The site plan appears to meet the minimum lot size standards in the City Code. Building height is unknown, but a typical treatment plant would comply with these height limitations in the district.

No modifications that will affect the height of existing structures are planned as part of the project.

Setbacks

The proposed setback listed below are approximations to the closest point of the property line to the new construction on the site.

Setback	Setback Proposed	Setback Required	Compliance with Code
Front Setback	1,050 ft.	100 ft.	Complies
Side Setback	550 ft.	50 ft.	Complies
Rear Setback	870 ft.	40 ft.	Complies

Setbacks on the property comply with those of the underlying zoning district.

Setbacks – Periphery

For PUD developments, the front and side yard restrictions at the periphery of the PUD site must be the same as imposed in the respective zoning districts. The application appears to comply.

Building Height

The building height is not given on the submitted materials. No additions are being made to the existing building. The application appears to comply.

Sidewalks

Sidewalks are not required for municipal uses by the City's Subdivision Ordinance. The submitted application complies.

PARKING

The site plan proposes parking on unstriped asphalt. The Zoning Code requires one parking space for each 500 sq. ft. of floor area in the principal structure. The applicants are providing space for approximately 25 parking stalls where 36 stalls are required and are requesting flexibility for the amount of required parking.

LANDSCAPING

The City's Zoning Code requires a landscaping plan with every PUD application.. The applicant is requesting flexibility from the requirement of a landscaping plan and no new landscaping is proposed

City staff required the applicant to note areas where existing trees were to be preserved in order to satisfy the requirements of the tree preservation ordinance. Tree cover is not permitted to be impacted as part of this approval, this is included as a condition of approval.

UTILITIES

The applicant has not provided a utility plan at this time. No additional utility connections are planned or required.

STORM WATER MANAGEMENT:

The applicant has not provided a storm water management plan at this time. The applicant has provided plans for erosion control by use of silt fencing.

Staff notes that while no work is planned within the Mississippi Recreational River District, any work that is done within the Mississippi Recreational River District would require a PUD amendment. Staff has included this as a condition of approval.

LIGHTING

The applicant has not provided a lighting plan at this time. No habitable buildings are being proposed so no additional lighting is required for safety.

COMMON OPEN SPACE

The submitted application does not provided common open space as required by Section 1011.03 Subd. 3 of the Zoning Code. The use of the site is not one which benefits from or requires common open space. The applicant is requesting flexibility from the common open space requirement.

DEVELOPMENT AGREEMENT

PUDs are required to enter into a Development Agreement with the City as required by Section 1011.03 Subd. 6. City staff waived the Development agreements requirement for the proposal, as a City project.

PUD FLEXIBILITY REQUESTED:

PUD JUSTIFICATION

The Applicant is seeking a PUD approval. The City's PUD Ordinance (Code Section 1011) is very clear that the City should only grant PUD approval in situations where there is a "public benefit" that comes from granting the approval. The PUD Ordinance lays out 13 benefits that are being sought by the City. Some of the benefits appear to be applicable in this situation:

1011.01: PURPOSE:

Subd. 1. Provide a development pattern in harmony with the objectives of the Comprehensive Plan. (The PUD process is not intended only as a means to vary applicable planning and zoning principles).

Subd. 3. Preserve and enhance desirable site characteristics such as natural topography, wetlands, woodlands, scenic views, natural habitat, and geologic features and prevent soil erosion.

Subd. 5. Provide for flexibility to the strict application of the land use regulations in this Ordinance in order to improve site design and operation, while at the same time incorporating design elements (e.g., construction materials, landscaping, lighting, etc.) that exceed the City's standards to offset the effect of any deviations.

PUD FORMAT

The Zoning Code's PUD Ordinance states that PUD's can be processed as either a CUP or a rezone. Staff is processing this project's PUD as a rezone under the guidance of the City Attorney, as PUDs and CUPs are not a permitted use in the A - Agricultural Zoning District, and thus a rezoning must occur to allow a Planned Unit Development

Further, the City Attorney's office has advised City Staff not to process PUD approvals as CUP's as the City has done in the past. The City Attorney's Office is advising that, going forward, all of the City's PUD's be processed as "Rezone to PUD." The City Attorney's stance is that the rezoning process is "cleaner," leaves better records, and is preferable because it is a legislative action while CUP's are quasi-judicial actions.

OVERVIEW OF REQUESTED FLEXIBILITY

The applicant is seeking the following PUD flexibility with the development stage PUD:

1. Permission to not provide the required amount of parking.
2. Permission to not provide common open space as part of a PUD.
3. Permission to establish a PUD without entering into a Development Agreement with the City.

PUD FLEXIBILITY ITEM #1: NOT PROVIDING THE REQUIRED AMOUNT OF PARKING.

The Zoning Code provides the following standards:

1030.11: NUMBER OF SPACES REQUIRED

Subd. 21. *Municipal Administration Buildings, Post Office and other Public Service Buildings. (One (1) parking space for each five hundred (500) square feet of floor area in the principal structure.*

The applicant's proposed parking is not detailed or defined with striping, but is estimated to provide roughly 25 spots. The parking for the building will not change with the proposed PUD or site modifications.

PUD FLEXIBILITY ITEM #2: NOT PROVIDING A COMMON OPEN SPACE

The Zoning Code provides the following standards:

1011.03 PUD GENERAL REQUIREMENTS

Subd. 1. Common Open Space. Common open space at least sufficient to meet the minimum requirements established by this Ordinance and such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the residents of the PUD shall be provided within the area of the PUD.

The use for the project does not create need or opportunity for common open spaces. This site is developed for essential public services and limiting access to the site is critical.

PUD FLEXIBILITY ITEM #7: NOT ENTERING INTO A DEVELOPMENT AGREEMENT WITH THE CITY

The Zoning Code provides the following standards:

1011.03 PUD GENERAL REQUIREMENTS

Subd. 6. Development Agreement. Following the approval of the development plan but prior to final plan approval, the applicant shall enter into an agreement with the City relating to the terms of the PUD, and shall also provide such financial guarantees as the City requires or deems necessary. The agreement shall detail all use restrictions and required on and off-site improvements conditional to the PUD rezoning or CUP approval. The agreement shall provide for the installation within one (1) year of the off-site and on-site improvements as approved by the City Council, secured by a cash escrow or surety bond in an amount and with surety and conditions satisfactory to the City, to insure the City that such improvements will be actually constructed and installed according to specifications and plans approved by the City as expressed in such agreement. The amount of the bond shall be one and one-half (1-1/2) times the estimated cost of the improvements as determined by the City Engineer or City Building Official. Such agreement may take the form of:

- 1. A development contract; and/or*
- 2. Site improvement performance agreement; and/or*
- 3. Another form of legally binding instrument as may be required by the City.*

The City is the applicant for the project and does not need to enter into an agreement with itself.

DEVELOPMENT FEES

PARK DEDICATION

This plat is a combination that creates a new lot and dedicates public right-of-way. No new lots are being created, therefore, no park dedication is due.

TRUNK SEWER FEE, TRUNK WATER FEE AND TRUNK STORM SEWER FEE

No additional connections are being created; therefore, no fee is incurred.

SEWER ACCESS CHARGES (SAC) AND WATER ACCESS CHARGES (WAC) FEES

No additional connections are being created; therefore, no fee is incurred.

OTHER STAFF COMMENTS:

Engineering and Public Works:

Engineer's memo attached as Attachment C.

Fire Department

No comment.

Police Department

Chief Scharf stated his support for the project.

Other Comments.

No other comments.

FINANCIAL IMPACT

NA

STAFF RECOMMENDATION

Staff is recommending approval of the PUD, Preliminary Plat, Rezoning and Preliminary Site and Building Plan for the Sandhill Villas project. Staff's recommendation of approval comes with the following conditions:

PLANNING AND ZONING CONDITIONS

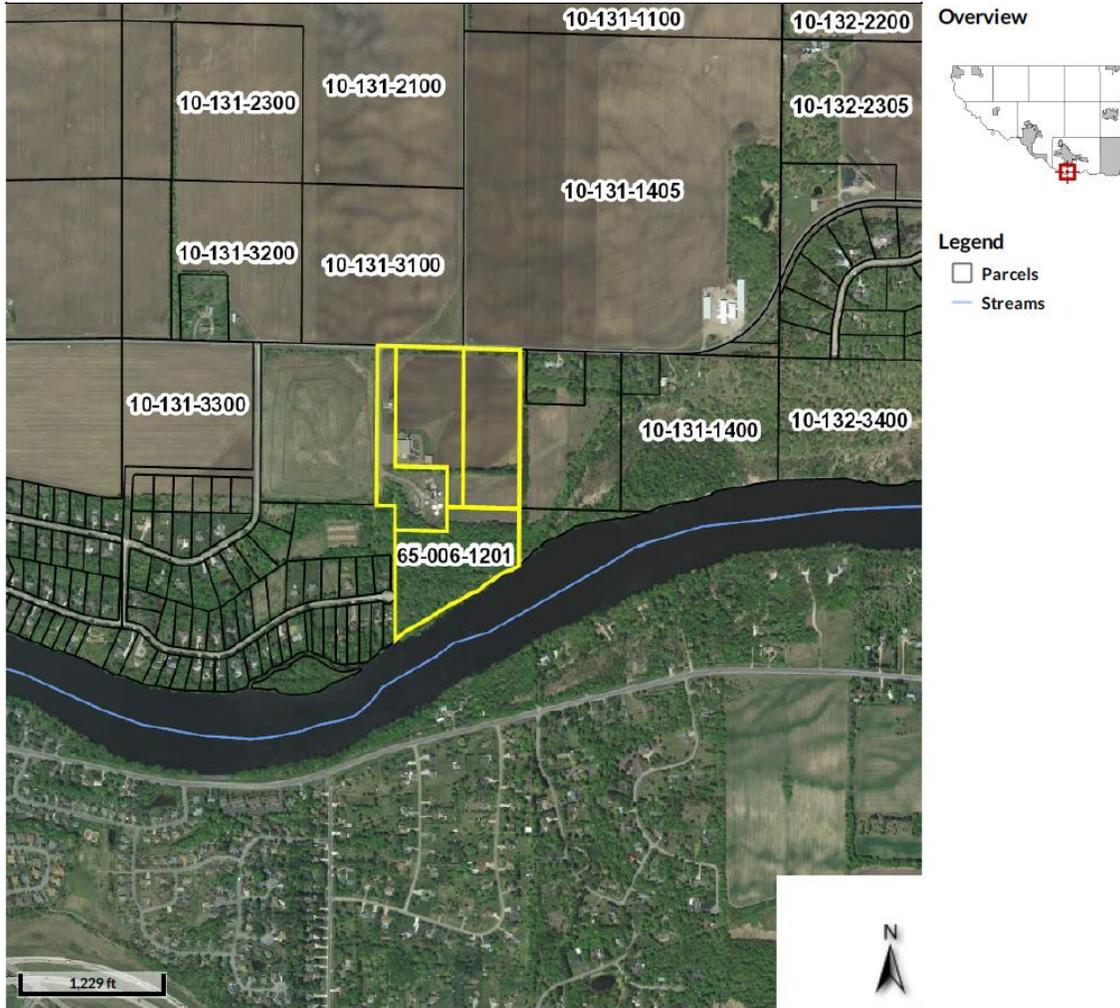
1. The following Planned Unit Development (PUD) flexibility shall be granted, in accordance with the approved plans:

- a. Permission to not provide the requirement amount of parking.
 - b. Permission to not provide common open space as part of a PUD.
 - c. Permission to establish a PUD without entering into a Development Agreement with the City.
2. The PUD approval is for internal and external improvements on the principal structure and the addition of an additional clarifying pond. No additional structures may be built without a revision to the PUD.
 3. No changes to the communication tower and associated ground equipment is approved as part of this application.
 4. Tree cover cannot be impacted as part of this approval. No tree removal is approved.
 5. Any changes to the plans that result in work within the Mississippi Recreational River District will require a PUD amendment and review and approval by the MN DNR.
 6. The review and approval of the site improvement pursuant to the requirements of City adopted building and fires codes shall be in addition to the site plan review process. The site plan approval process does not imply compliance with the requirements of these codes.
 7. All construction plans officially submitted to the City shall be treated as a formal agreement between the Applicant and the City. Once approved, no changes, modifications, or alterations shall be made to any plan detail, standard, or specification without prior submittal of a plan modifications request to the City Planner for review and approval.
 8. Any conditions of the Planning Commission, City Council, Staff, consultants, or other agencies responsible for the review of this development application.

ATTACHMENTS

Attachment A:	Site Location Map
Attachment B:	Public Hearing Notice
Attachment C:	Engineer's Memo
Attachment D:	Draft Resolution
Attachment E:	Draft Ordinance
Attachment F:	Draft Summary Resolution
Attachment G:	Preliminary Plat and Engineering Plans

Attachment A
Site Location Map



Disclaimer: Every attempt has been made to ensure that the information contained on this web site is valid at the time of publication. Sherburne County reserves the right to make additions, changes, or corrections at any time and without notice. Additionally, Sherburne County disclaims any and all liability for damages incurred directly or indirectly as a result of errors, omissions or discrepancies and is not responsible for misuse or misinterpretation. Data is updated periodically. For the most current information contact the appropriate county department.

Disclaimer for St Cloud Parcels: Sherburne County information about St Cloud properties are limited to classification and value. Any questions regarding additional information please contact the City of St Cloud's assessor office.

Date created: 3/25/2020
Last Data Uploaded: 3/24/2020 11:55:22 PM

Developed by Schneider
GEOSPATIAL

Attachment B
Public Hearing Notice



Ad Proof
Enlarged

-Public Notice Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below. Please proof read carefully if changes are needed, please contact us prior to deadline at Cambridge (763) 691-6000 or email at publicnotice@ecm-inc.com

<p>Date: 03/18/20</p> <p>Account #: 388115 Customer: CITY BIG LAKE ~</p> <p>Address: 160 LAKE STREET N BIG LAKE</p> <p>Telephone: (763) 263-2107 Fax: (763) 263-0133</p>	<p>Publications: Monticello Times</p>
<p>Ad ID: 1032207 Copy Line: Wastewater treatment facility p</p> <p>PO Number: Start: 03/26/20 Stop: 03/26/2020 Total Cost: \$0.00 # of Lines: 59 Total Depth: 6.9 # of Inserts: 1 Ad Class: 150 Phone #: (763) 691-6000 Email: publicnotice@ecm-inc.com Rep No: SM700</p>	

Enlarged

**CITY OF BIG LAKE
NOTICE OF PUBLIC HEARING
FOR A PRELIMINARY AND FINAL PLAT, DEVELOPMENT
AND FINAL STAGE PUD PLAN AND REZONE FOR
"BIG LAKE WASTE WATER TREATMENT FACILITY"**

You are hereby notified that the Big Lake Planning Commission will hold a public hearing in order to consider a concept plan for a project known as "Big Lake Waste Water Treatment Facility". The public hearing will be held in the Big Lake City Council Chambers located at 160 Lake Street North, Big Lake, MN on: Wednesday, April 1, 2020 at or about 6:30 p.m.

Applicant: City of Big Lake
Parcel Identification Numbers: #65-031-3405, #65-031-4302, #65-006-1201, and #65-031-3410



The City of Big Lake is seeking development application approval in order to make needed upgrades to the City's wastewater treatment facility. The proposal will consist of internal upgrades as well as some external upgrades, most notably an additional clarifying pond. This improvement is necessary for the growth of the City. It also addresses regulatory requirements of the State of Minnesota. The waste water treatment facility is located within the Mississippi Recreational River District (MMR) and will require written review and approval of the project by the Commissioner of Natural Resources per City ordinance.

The Applicant has applied for the following approvals:

- Preliminary and Final Plat
- Development Stage and Final Stage PUD
- Rezone from A: Agriculture to Planned Unit Development

Both oral and written comments will be considered by the Planning Commission. If you desire to be heard in reference to this matter, you should attend this hearing or submit written comments to City Hall. If you have any questions, please feel free to contact Kevin Shay, Planning Consultant at 612-638-0228 or KShay@landform.net.

Published in the
Monticello Times
March 26, 2020
1032207

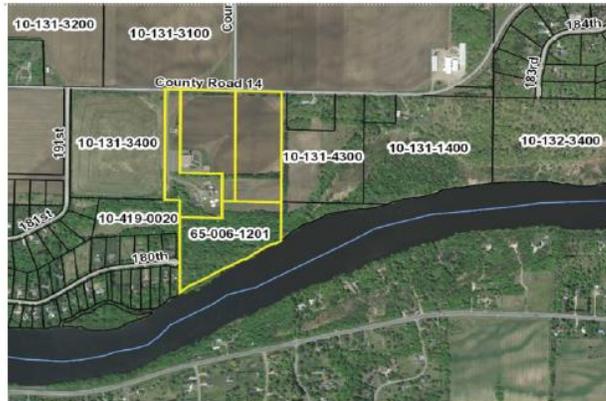
Ad: 1

\$0.00

**CITY OF BIG LAKE
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FOR A PRELIMINARY AND FINAL PLAT, DEVELOPMENT
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Published in the
Monticello Times
March 26, 2020
1032207

Attachment C
Memorandum, Bolton and Menk



Real People. Real Solutions.

7533 Sunwood Drive NW
Suite 206
Ramsey, MN 55303-5119

Ph: (763) 433-2851
Fax: (763) 427-0833
Bolton-Menk.com

March 23, 2020

Sara Roman, Consultant City Planner
via e-mail: swoolf@biglakemn.org

RE: Wastewater Treatment Facility Preliminary Plat
City of Big Lake, Minnesota
Project No.: W18.120307

Dear Sara,

We have reviewed the above referenced Preliminary Plat dated March 13, 2020 and have the following comment.

1. The proposed drainage and utility easements should be identified on the plat along the west, north, and east boundaries of the property.

Based on our review, we recommend approval of the Preliminary Plat contingent on the comment identified above as well as comments received from other city staff and council.

If you have any questions on the above, please call.

Sincerely,

Bolton & Menk, Inc.

A handwritten signature in blue ink, appearing to read 'J. Voge', is written over the printed name and title.

Jared Voge, P.E.
Principal Engineer

Attachment D
Draft Resolution

**CITY OF BIG LAKE
MINNESOTA**

A general meeting of the City Council of the City of Big Lake, Minnesota was called to order by Mayor Mike Wallen at 6:00 p.m. in the Council Chambers of City Hall, Big Lake, on Wednesday, April 22, 2020. The following Council Members were present: Seth Hansen, Rose Johnson, Paul Knier, Mike Wallen, and Scott Zettervall. A motion to adopt the following resolution was made by Council Member _____ and seconded by Council Member _____.

**CITY OF BIG LAKE
RESOLUTION NO. 2020-XX**

RESOLUTION APPROVING A PRELIMINARY AND FINAL PLAT FOR “BIG LAKE WASTEWATER TREATMENT FACILITY” AND A DEVELOPMENT STAGE AND FINAL PLANNED UNIT DEVELOPMENT PLAN AND SITE/BUILDING PLANS FOR “BIG LAKE WASTEWATER TREATMENT FACILITY”

WHEREAS, Wenck submitted a development stage planned unit development plan, preliminary plat and site/building plans for the project known as “Big Lake Wastewater Treatment Facility;” and

WHEREAS, the Concept Plan was reviewed by the City Council on February 26, 2020; and

WHEREAS, the Big Lake Planning Commission conducted a public hearing on April 1, 2020 and recommended that the City Council approve the planned unit development, preliminary plat and site plans subject to the conditions identified herein; and

WHEREAS, notice of the public hearings were duly published and posted in accordance with applicable Minnesota Statutes and persons interested in said applications were afforded the opportunity to present their views and objections related to the project; and

WHEREAS, the Big Lake Wastewater Treatment Facility preliminary and final plat, development stage and final planned unit development plan and site/building plans conform to the requirements of the Zoning Ordinance, the conditions recommended for the concept plan approval and requirements of the Subdivision Ordinance and is consistent with the Comprehensive Plan; and

WHEREAS the City Council of Big Lake makes the following Findings of Fact and decision:

- A. A site location map showing the project location within the City is attached as Exhibit A.
- B. The Planning Report dated April 01, 2020, shall be the governing document which includes the following attachments:

- Attachment A: Site Location Map
- Attachment B: Public Hearing Notice
- Attachment C: Engineer's Memo
- Attachment D: Preliminary Plat and Engineering Plans

- C. The legal description of the subject property is:

Parcel A

Parcel 1, described as follows:

The East 154.77 feet of the West 781.77 feet of the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) of Section Thirty-one (31), Township Thirty-three (33), Range Twenty-seven (27), Sherburne County Minnesota;

Parcel 2, described as follows:

All of the following:

The North 200 feet of the East 430 feet of the West 1211.77 feet of Government Lot Two (2), Section Six (6), Township Thirty-two (32), Range Twenty-seven (27), Sherburne County, Minnesota, and The South 328 feet of the East 430 feet of the West 1211.77 feet of the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) of Section

Thirty-one (31), Township Thirty-three (33), Range Twenty-seven (27), Sherburne County Minnesota,

And Parcel B:

All that part of the Southwest Quarter of the Southeast Quarter, Section 31, Township 33, Range 27, lying West of the East 844.54 feet thereof. Sherburne County, Minnesota.

And Parcel C:

All that part of Government Lot 1, Section 6, Township 32, Range 27, lying West of the following described line; Commencing at the Southwest corner of said Southwest Quarter of the Southeast Quarter, Section 31, Township 33, Range 27, marked by a cast iron survey marker, thence Easterly, along the South line of said Southwest Quarter of the Southeast Quarter, on an assumed bearing of South 89 degrees 36 minutes 00 seconds East, a distance of 465.46 feet to the Southwest corner of the East 844.54 feet of said Southwest Quarter of the Southeast Quarter and the point of beginning; thence South 00 degrees 17 minutes 43 seconds West, a distance of 479.10 feet to the Mississippi River.

And

Government Lot 2, Section 6, Township 32, Range 27. Except that part thereof lying within SLEEPY HOLLOW SOUTH, according to the plat thereof on file and of record at the Office of Recorder, Sherburne County.

Also Excepting

The North 200.00 feet of the East 430.00 feet of the West 1211.77 feet of said Government Lot 2, Section 6, Township 32, Range 27. Sherburne County, Minnesota.

And

Parcel D:

The Southeast Quarter of the Southwest Quarter, of said Section 31, Township 33, Range 27, Except the West 781.77 feet of said Southeast Quarter of the Southwest Quarter, Section 31, Township 33, Range 27.

Also excepting

*The South 328.00 feet of the East 430.00 feet of the West 1211.77 feet of said Southeast Quarter of the Southwest Quarter, Section 31, Township 33, Range 27, Sherburne County, Minnesota
Being Abstract Property*

D. The Preliminary Plat is attached as Exhibit B.

E. Public Hearing Notices for the two (2) public hearings that were held for applications related to the project are attached as Exhibit C.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Big Lake that it hereby approves the “Big Lake Wastewater Treatment Facility” preliminary and final plat and the development stage and final planned unit development plan and site/building plans for “Big Lake Wastewater Treatment Facility,” subject to the following conditions:

1. Development and Final Stage PUD approval is granted. A rezone to PUD shall be processed concurrently with the approval of the final plat and Final Plan PUD. The following Planned Unit Development (PUD) flexibility shall be granted:
 - a. Permission to not provide the requirement amount of parking.
 - b. Permission to not provide common open space as part of a PUD.
 - c. Permission to establish a PUD without entering into a Development Agreement with the City.
2. Unless expressly permitted by the City Council, no construction or grading activities shall be permitted until such time as a final plat and final PUD plan have been approved and recorded with Sherburne County.
3. No changes to the communication tower and associated ground equipment is approved as part of this application.
4. Tree cover cannot be impacted as part of this approval. No tree removal is approved.
5. Any changes to the plans that result in work within the Mississippi Recreational River District will require a PUD amendment and review and approval by the MN DNR.
6. Applicant shall comply with all conditions of the City Engineer’s Letters dated 03/23/2020.
7. Final construction plans shall be reviewed by the City Engineer and Public Works Director prior to a building permit being issued for the project.
8. All construction shall be in accordance with City of Big Lake Standards.
9. Any other conditions of the City Council, Staff, City consultants or other agency responsible for review of this application shall be addressed.

Adopted by the Big Lake City Council on the 22th day of April, 2020.

Mayor Mike Wallen

Attest:

Gina Wolbeck, City Clerk

The following Council Members voted in favor:

The following Council Members voted against or abstained:

Drafted By:
City of Big Lake
160 Lake Street North
Big Lake, MN 55309

STATE OF MINNESOTA)
) SS.
COUNTY OF SHERBURNE)

The foregoing instrument was acknowledged before me this _____ day of April, 2020 by the Mayor and City Clerk of the City of Big Lake, a Minnesota municipal corporation, on behalf of the corporation.

Notary Public

CITY OF BIG LAKE ORDINANCE NO. 2020-XX

AN ORDINANCE ESTABLISHING A PLANNED UNIT DEVELOPMENT ZONING DISTRICT FOR BIG LAKE WASTEWATER TREATMENT FACILITY

THE CITY COUNCIL OF BIG LAKE ORDAINS:

SECTION 1. LEGAL DESCRIPTION. This Ordinance modifies the zoning district of the following described property located within the City of Big Lake, Sherburne County, Minnesota:

See Exhibit A

(hereinafter "Property").

SECTION 2. PUD ZONING. The City hereby rezones the Property to PUD, Planned Unit Development District, with the following conditions:

A. Base Zoning District. Except as superseded herein, all provisions of the Big Lake Zoning Code applicable to an A, Agricultural District shall be applicable to the Property.

B. Regulations. The regulations from Resolution No. 2020-XX which approved the development stage PUD and final PUD, apply to the Property and supersede all conflicting provisions of the Big Lake Zoning Code applicable to a A, Agricultural District.

SECTION 3. ZONING MAP. The zoning map of the City of Big Lake shall not be republished to show the aforesaid zoning, but the Clerk shall appropriately mark the zoning map on file in the Clerk's Office for the purpose of indicating the rezoning hereinabove provided for in this ordinance, and all of the notations, references, and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

SECTION 4. EFFECTIVE DATE. This ordinance shall be effective upon its passage and summary publication by the City Council.

SECTION 5. RECORDING. A copy of this Ordinance shall be recorded against the Property.

Adopted by the Big Lake City Council this 22th day of April, 2020.

CITY OF BIG LAKE

Mayor Mike Wallen

Attest:

Gina Wolbeck, City Clerk

*Drafted by:
City of Big Lake
160 North Lake Street
Big Lake, MN 55309*

STATE OF MINNESOTA)
) SS.
COUNTY OF SHERBURNE)

The foregoing instrument was acknowledged before me this____ day of April, 2020 by the Mayor and City Clerk of the City of Big Lake, a Minnesota municipal corporation, on behalf of the corporation.

Notary Public

EXHIBIT A
Legal Description

Parcel A

Parcel 1, described as follows:

The East 154.77 feet of the West 781.77 feet of the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) of Section Thirty-one (31), Township Thirty-three (33), Range Twenty-seven (27), Sherburne County Minnesota;

Parcel 2, described as follows:

All of the following:

The North 200 feet of the East 430 feet of the West 1211.77 feet of Government Lot Two (2), Section Six (6), Township Thirty-two (32), Range Twenty-seven (27), Sherburne County, Minnesota, and The South 328 feet of the East 430 feet of the West 1211.77 feet of the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) of Section Thirty-one (31), Township Thirty-three (33), Range Twenty-seven (27), Sherburne County Minnesota,

And Parcel B:

All that part of the Southwest Quarter of the Southeast Quarter, Section 31, Township 33, Range 27, lying West of the East 844.54 feet thereof. Sherburne County, Minnesota.

And Parcel C:

All that part of Government Lot 1, Section 6, Township 32, Range 27, lying West of the following described line; Commencing at the Southwest corner of said Southwest Quarter of the Southeast Quarter, Section 31, Township 33, Range 27, marked by a cast iron survey marker, thence Easterly, along the South line of said Southwest Quarter of the Southeast Quarter, on an assumed bearing of South 89 degrees 36 minutes 00 seconds East, a distance of 465.46 feet to the Southwest corner of the East 844.54 feet of said Southwest Quarter of the Southeast Quarter and the point of beginning; thence South 00 degrees 17 minutes 43 seconds West, a distance of 479.10 feet to the Mississippi River.

And

Government Lot 2, Section 6, Township 32, Range 27. Except that part thereof lying within SLEEPY HOLLOW SOUTH, according to the plat thereof on file and of record at the Office of Recorder, Sherburne County.

Also Excepting

The North 200.00 feet of the East 430.00 feet of the West 1211.77 feet of said Government Lot 2, Section 6, Township 32, Range 27. Sherburne County, Minnesota.

And

Parcel D:

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Also excepting

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Being Abstract Property

Attachment F
Draft Summary Resolution

CITY OF BIG LAKE

MINNESOTA

A general meeting of the City Council of the City of Big Lake, Minnesota was called to order by Mayor Mike Wallen at 6:00 p.m. in the Council Chambers of City Hall, Big Lake, on Wednesday, April 22, 2020. The following Council Members were present: Seth Hansen, Rose Johnson, Paul Knier, Mike Wallen, and Scott Zettervall. A motion to adopt the following resolution was made by Council Member _____ and seconded by Council Member _____.

**BIG LAKE CITY COUNCIL
RESOLUTION NO. 2020-XX**

RESOLUTION APPROVING SUMMARY PUBLICATION OF ORDINANCE NO. 2020-XX AMENDING CHAPTER 10 (ZONING CODE) OF THE BIG LAKE CODE TO REZONE PID #10-560-0115 TO PUD

WHEREAS, the City Council has adopted an ordinance amendment; and that amendment rezones a property to the PUD zoning district; and

WHEREAS, as authorized by Minnesota Statutes, Section 412.191, subd. 4, the City Council has determined that publication of the title and summary of Ordinance No. 2020-XX will clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, a printed copy of the Ordinance is available for inspection during regular office hours in the office of the City Clerk.

NOW THEREFORE, BE IT RESOLVED that the following summary of Ordinance No. 2020-XX is approved for publication:

**CITY OF BIG LAKE, MINNESOTA
ORDINANCE NO. 2020-XX**

The Big Lake City Code is amended amend the zoning map to rezone PID #10-560-0115 to PUD. The rezoning will establish a PUD district which will allow for the construction of internal and external building modifications and a clarifying pond. A PUD amendment will be required for the construction of any additional buildings. A printed copy of the Ordinance is available for inspection during regular office hours in the office of the City Clerk.

Adopted by the Big Lake City Council on the 22th day of April, 2020.

Mayor Mike Wallen

Attest:

Gina Wolbeck, City Clerk

The following Council Members voted in favor:

The following Council Members voted against or abstained:

Drafted By:
City of Big Lake
160 Lake Street North
Big Lake, MN 55309

STATE OF MINNESOTA)
) SS.
COUNTY OF SHERBURNE)

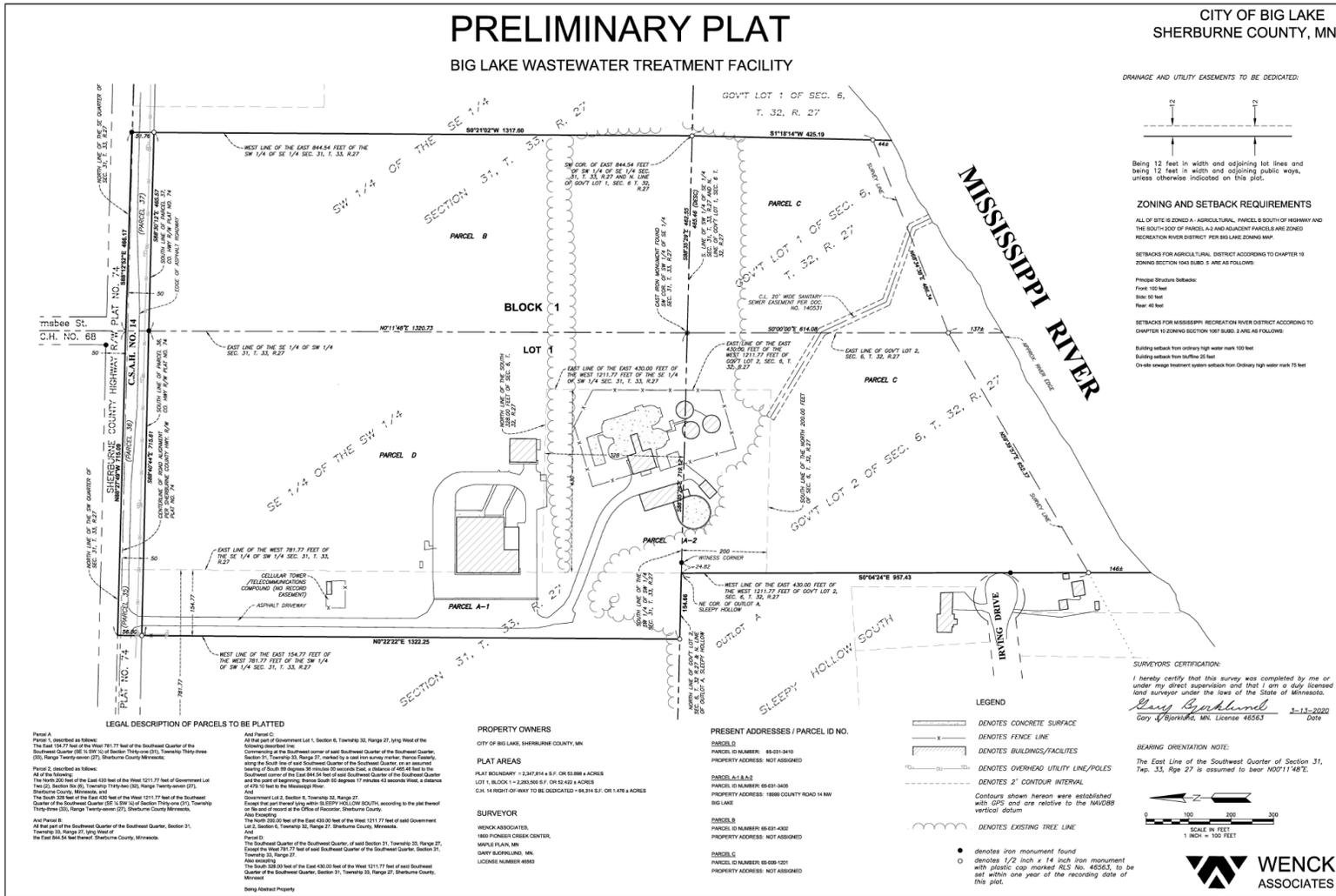
The foregoing instrument was acknowledged before me this _____ day of April, 2020 by the Mayor and City Clerk of the City of Big Lake, a Minnesota municipal corporation, on behalf of the corporation.

Notary Public

Attachment G
Preliminary Plat and Engineering Plans

PRELIMINARY PLAT
BIG LAKE WASTEWATER TREATMENT FACILITY

CITY OF BIG LAKE
SHERBURNE COUNTY, MN



DRAINAGE AND UTILITY EASEMENTS TO BE DEDICATED:



Being 12 feet in width and adjoining lot lines and being 12 feet in width and adjoining public ways, unless otherwise indicated on this plat.

ZONING AND SETBACK REQUIREMENTS

ALL OF SITE IS ZONED A - AGRICULTURAL. PARCELS SOUTH OF HIGHWAY AND THE SOUTH 200' FOOT OF PARCELS A,2 AND ADJACENT PARCELS ARE ZONED RECREATION RIVER DISTRICT. PER BIG LAKE ZONING MAP.

SETBACKS FOR AGRICULTURAL DISTRICT ACCORDING TO CHAPTER 10 ZONING SECTION 1043 SUBD. 5 ARE AS FOLLOWS:

Private Structure Setbacks:

- Front: 100 feet
- Side: 50 feet
- Rear: 40 feet

SETBACKS FOR MISSISSIPPI RECREATION RIVER DISTRICT ACCORDING TO CHAPTER 10 ZONING SECTION 1043 SUBD. 2 ARE AS FOLLOWS:

- Building setback from ordinary high water mark: 100 feet
- Building setback from 100' High 25 feet
- Overall sewage treatment system setback from Ordinary High water mark: 75 feet

SURVEYORS CERTIFICATION:

I hereby certify that this survey was completed by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.
Gary R. Bjorklund 3-11-2020
Gary R. Bjorklund, MN License 46563 Date

BEARING ORIENTATION NOTE:

The East Line of the Southwest Quarter of Section 31, Twp. 33, Rge. 27 is assumed to bear N00°11'48"E.



LEGAL DESCRIPTION OF PARCELS TO BE PLATTED

Parcel A: As described as follows: The East 154.77 feet of the West 781.77 feet of the Southeast Quarter of the Southwest Quarter (SE 1/4) of Section 31, Township 33, Range 27, Sherburne County, Minnesota.
Parcel B: As described as follows: The East 154.77 feet of the West 781.77 feet of the Southeast Quarter of the Southwest Quarter (SE 1/4) of Section 31, Township 33, Range 27, Sherburne County, Minnesota.
Parcel C: As described as follows: The East 154.77 feet of the West 781.77 feet of the Southeast Quarter of the Southwest Quarter (SE 1/4) of Section 31, Township 33, Range 27, Sherburne County, Minnesota.
Parcel D: As described as follows: The East 154.77 feet of the West 781.77 feet of the Southeast Quarter of the Southwest Quarter (SE 1/4) of Section 31, Township 33, Range 27, Sherburne County, Minnesota.

PROPERTY OWNERS

CITY OF BIG LAKE, SHERBURNE COUNTY, MN
PLAT AREAS
PLAT BOUNDARY - 2,347.814 ± S.F. OR 53.898 ± ACRES
LOT 1, BLOCK 1 - 2,263.500 S.F. OR 52.424 ± ACRES
C/A 14 NORTH-OF-WAY TO BE DEDICATED - 142.314 S.F. OR 3.274 ± ACRES

SURVEYOR

WENCK ASSOCIATES,
1865 FOUNDER CREEK CENTER,
MAPLE PLAIN, MN
GARY R. BJORKLUND, MN
LICENSE NUMBER 46563

PRESENT ADDRESSES / PARCEL ID NO.

PARCEL D:
PARCEL ID NUMBER: 88-031-3410
PROPERTY ADDRESS: NOT ASSIGNED
PARCEL A,1 & A,2:
PARCEL ID NUMBER: 66-031-3408
PROPERTY ADDRESS: 19800 COUNTY ROAD 14 NW, BIG LAKE
PARCEL B:
PARCEL ID NUMBER: 66-031-4300
PROPERTY ADDRESS: NOT ASSIGNED
PARCEL C:
PARCEL ID NUMBER: 66-036-1001
PROPERTY ADDRESS: NOT ASSIGNED

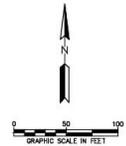
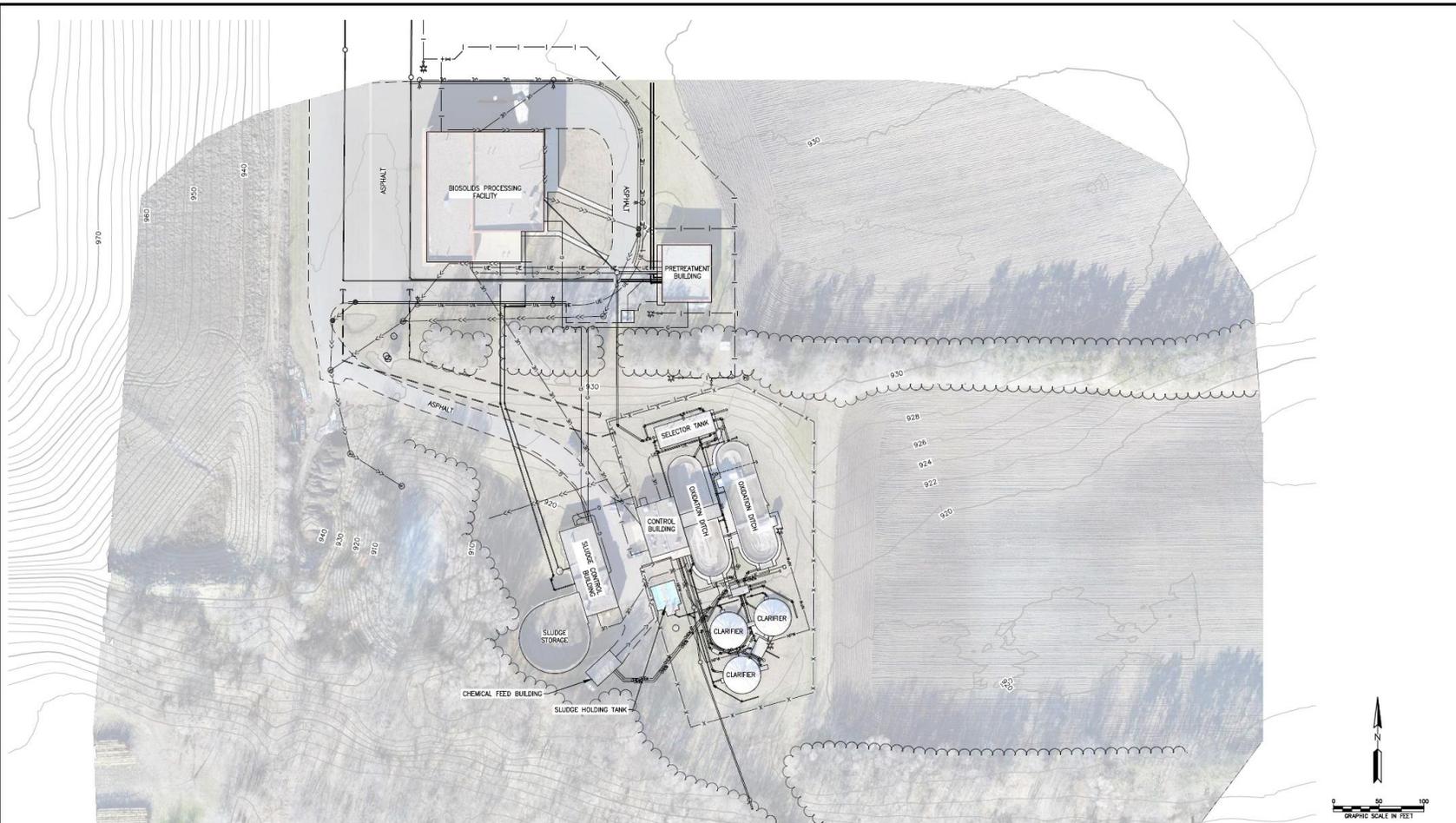
- LEGEND**
- DENOTES CONCRETE SURFACE
 - DENOTES FENCE LINE
 - DENOTES BUILDINGS/FACILITIES
 - DENOTES OVERHEAD UTILITY LINE/POLES
 - DENOTES 2' CONTOUR INTERVAL
 - Contours shown hereon were established with GPS and are relative to the NAVD83 vertical datum
 - DENOTES EXISTING TREE LINE

- denotes iron monument found
- denotes 1/2 inch x 1/4 inch iron monument with plastic cap marked RLS No. 46563, to be set within one year of the recording date of this plat.



Plot Date & Time: 18 Apr 2019 11:04 AM

\\Globe-biglake\002-WP\03\04\05-19\01_Existing Conditions.dwg



REV	REVISION DESCRIPTION	OWN	APP	REV DATE
0	ISSUED FOR BID	JVB	PKD	05/08/19

SEAL
 I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT
 WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND
 THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER
 THE LAWS OF THE STATE OF MINNESOTA.
 PRINT NAME: PETER K. DANIELS
 SIGNATURE: *[Signature]*
 DATE: 05/29/2019 LICENSE # 47543

SUB CONSULTANT

PRIME CONSULTANT

 Responsive partner. Exceptional outcomes.

PROJECT TITLE
BIG LAKE WASTEWATER TREATMENT FACILITY IMPROVEMENTS
 CITY OF BIG LAKE
 BIG LAKE, MINNESOTA
 SHERBURNE COUNTY

SHEET TITLE			
EXISTING SITE AND PIPING PLAN			
OWN BY	CHK'D	APP'D	DATE
JVB	LHS	PKD	JAN. 2019
PROJECT NO.	SHEET NO.	SCALE	REV NO.
0362-0003	C-101	AS SHOWN	0



Community Development Department Update

1. Current Development Activity (as of 3/26/20):

Housing:

- Single-Family New Construction Issued Permits 2
- Single-Family New Construction in Review 7

- Multi-Family New Construction
 - Duffy Development - The Crossing at Big Lake Station Phase II
 - In construction
 - Kuepers, Inc. – Station Street Apartments - 105-unit multi-family, market rate new construction project
 - Building permits under review
 - Sandhill Villas (HOA) – 12-unit development project
 - Pre-development
 - Avalon Estates – Approximately 120-unit development for 55+
 - Pre-development
 - Aeon - Big Lake Station Apartments – 55 multi-family units; 70 units for 55+
 - Pre-development
 - CommonBond – 120 multi-family units (2, 60-unit buildings)
 - Pre-development

Commercial/Industrial:

- ❖ Minnco Credit Union – New Business / New Construction
 - In construction (plan to open by June 1, 2020)
- ❖ Car Condo Project – New Business / New Construction
 - Building permit under review
 - Starting pre-development process for Phase II
- ❖ Wastewater Treatment Project - Expansion
 - Pre-development
- ❖ Nystrom Associates Rehabilitation Facility
 - Pre-development
- ❖ *Actively working with Developers/Business Owners on three (3) additional new construction projects*

2. BLEDA:

- A Panel interviewed three candidates to facilitate the Community Brand and Identity Design Project. The Panel selected Como Lake Marketing Partners and recommended the BLEDA approve a Contract for Service. We are currently waiting to schedule a “kick-off” meeting for when everyone is back in the office.

- BLEDA Strategic Plan Committee will be meeting once everyone is back in the office to revise the Strategic Plan as it is a “working document.”
- The Telecommuter Forward! Certification Resolution was approved by the City Council on 3/11/20.
- Aeon is asking for a Resolution of Support to submit two (2) tax credit applications to MN Housing to newly construct a 55-unit multi-family structure and a 70-unit apartment building for senior’s age 55+. Council approved the resolution on 3/25/20.
- During their November 12, 2019 meeting, the BLEDA entered into a Contract for Private Development with the Blackbird Group LLC to newly construct a laundromat facility on the corner of Martin and Fern.

3. Planning & Zoning:

- City Council appointed Big Lake’s new City Planner on 2/26/20 – Amy Barthel began her service on March 16, 2020.
- Holding off on hiring a summer intern to facilitate code enforcement and assist with operating the Farmers Market. We do have a great candidate who would like to take the opportunity.
- Style Catering (new business) received a CUP approval for use and another CUP approval to allow for liquor sales during the 3/25/20 City Council meeting.

4. Building:

- Working on hiring a Chief Building Official.

5. Other:

- Most time is dedicated to reacting to COVID-19 and assisting businesses in making sure they have the correct information and resources.