

AGENDA
BIG LAKE PLANNING COMMISSION MEETING
COUNCIL CHAMBERS

WEDNESDAY JUNE 17, 2020

6:00 p.m.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL** (Members: S. Marotz, K. Green, A. Heidemann, L. Odens, D. Vickerman, S. Zettervall)
- 4. ADOPT PROPOSED AGENDA**
- 5. OPEN FORUM**
- 6. APPROVE MEETING MINUTES**
 - 6A. Approve Regular Planning Commission Meeting Minutes of May 20, 2020
- 7. BUSINESS**
 - 7A. PUBLIC HEARING: Review of a Zoning Text Amendment to Allow Group Care Facilities as a Conditional Use in the T.O.D Zone
 - 7B. PUD Concept Plan for "Avalon Estates" (PID 10-324-1200)
 - 7C. Community Development Department Update
- 8. PLANNER'S REPORT**
- 9. COMMISSIONERS' REPORTS**
- 10. OTHER**
- 11. ADJOURN**

Audience Attendance at Meeting during the COVID-19 Pandemic: To participate via Zoom videoconferencing, please contact Recreation and Communication Coordinator Corrie Scott at 612-297-6331, or by email at cscott@biglakemn.org to obtain a meeting Identification and Password. The deadline to obtain a password to join the meeting is 4:00 p.m. the day of the meeting.

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.

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 6:00 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: 6/17/2020	Item No. 6A
Item Description: <i>May 20, 2020 Planning Commission Regular Meeting Minutes</i>	Reviewed By: <i>Hanna Klimmek, Community Development Director</i>	
	Reviewed By: <i>Amy Barthel, City Planner</i>	

ACTION REQUESTED

Approve the May 20, 2020 Big Lake Planning Commission Regular Meeting Minutes as presented.

BACKGROUND/DISCUSSION

The May 20, 2020 Planning Commission Regular Meeting Minutes are attached for review.

FINANCIAL IMPACT

N/A

STAFF RECOMMENDATION

N/A

ATTACHMENTS

05-20-20 Planning Commission Regular Meeting Minutes

**BIG LAKE PLANNING COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY MAY 20, 2020**

1. CALL TO ORDER

Chair Heidemann called the meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIENCE

The Pledge of Allegiance was recited.

3. ROLL CALL

Commissioners present: Alan Heidemann, Lisa Odens, Ketti Green, and Scott Zettervall. Commissioners absent: Larry Sundberg and Dustin Vickerman. Also present: City Planner Amy Barthel, Community Development Director Hanna Klimmek, and Recreation and Communication Coordinator Corrie Scott.

Scott Marotz entered the meeting at 6:13 p.m.

4. ADOPT AGENDA

Commissioner Odens moved to adopt the agenda. Seconded by Commissioner Zettervall, unanimous ayes, agenda adopted.

5. OPEN FORUM

Chair Heidemann opened the Open Forum at 6:03 p.m. No one came forward for comment. Chair Heidemann closed the Open Forum at 6:03 p.m.

6. APPROVE MEETING MINUTES

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

Commissioner Zettervall motioned to approve the May 6, 2020 Regular Meeting Minutes. Seconded by Commissioner Green, unanimous ayes, Minutes approved.

7. BUSINESS

7A. CONCEPT PLAN FOR COMMONBOND HOUSING DEVELOPMENT

City Planner Barthel reviewed a Concept Plan submitted by Commonbond Communities. The Development will consist of two (2) 60-unit apartment buildings and is proposed to be constructed in two (2) phases. The parcel is 7.49-acres on the northwest corner of Marketplace Drive and 168th Street, PID: 65-543-0040 (Subject Property). The next step in the applicant process would be to apply for a Planned Unit Development (PUD), Preliminary Plat, Rezone, and Site Plan. The Applicant communicated with Staff that the Concept Plan is preliminary in terms of timing of the Development. This project is applying for subsidized tax credits through the Minnesota Housing Tax Credit program (Credits) due to the mixed-income aspect of the Development. If awarded, the Applicant would plan to submit development applications to the City in December, 2020.

On February 28, 2020 the Applicant submitted a Concept Plan for a parcel located south of Marketplace Drive and East of 168th Street. PID: 65-555-0010. The concept was presented to the Planning Commission on April 1, 2020 and feedback was provided. The Commission did not support the location of the project due to the guided use of Commercial. The request was planned to be reviewed by the City Council on April 22, 2020 but the Applicant withdrew their application. The Applicant has proposed to locate their project on the Subject Property, and resubmitted an application on May 1, 2020. The Concept Plan will be reviewed by City Council on May 27, 2020.

Staff is requesting that the Planning Commission provide comment on a Concept Plan for a proposed two-phased mixed income apartment complex on the northwest corner of Marketplace Drive and 168th Ave.

Odens asked about whether there is a total for 120 units and 240 parking spots. Green confirmed that they are required to have 300 parking spots with 100 covered. Zettervall states that the Comprehensive Plan states to give developers flexibility where possible. Heidemann stated that there will be two portions of the parking requirements would be flexible where there are 60 less parking spaces proposed with none of the 300 covered.

Green asked how many of the units are three bedrooms. Hughes with CommonBond stated that 25% are 1 bedroom, 50% are 2 bedrooms, and 25% are 3 bedrooms. This works out to be one parking stall per bedroom. Hughes stated that offering covered parking is considered a cost issue of over \$1Million which is why they are asking for flexibility. Hughes also stated that with past experience, they have noted that the 1 stall per bedroom does work.

Green stated that it would be beneficial to have a loading area. Zettervall stated it would make sense to have a loading area for each building. Hughes stated that it is not a theme to have loading areas because they don't see it as a need for their proposed project. Barthel asked the Commission if there are any impervious surface or recreational area comments. Odens asked if the waterbody is a manmade pond and if it

Big Lake Planning Commission Meeting Minutes

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could be used for recreation. Barthel stated that it is likely an existing wetland. Barthel also stated they have a storm water pond and that she has asked the applicant to potentially include trails near the storm water pond that wouldn't be considered a liability like a swimming pond or dog park would. Green asked the applicant about the upgraded amenities. Hughes stated this includes tile flooring and plywood cabinet boxes.

Heidemann asked about the impervious surface. Barthel stated they have too much impervious surface in their proposal. Marotz asked if this is something that could be flexible in the PUD. Barthel confirmed that it could be addressed in the PUD. Marotz stated that the proposal doesn't seem outlandish and that the Commission might want to consider raising the maximum impervious surface amount for future development applications.

Heidemann stated that he considers one parking space per bedroom a reasonable request and that since they will be managing the complex, they have an incentive to make sure they propose enough parking. Green asked where dumpsters will be located. Hughes stated that there will be an enclosed trash room in each building.

7B. VACATED PLANNING COMMISSION SEAT

Barthel reported that on May 12, 2020 she received notice that Lawrence Sundberg has vacated his seat on the Big Lake Planning Commission as a Commissioner. All Planning Commission seats terms are for four (4) years. Mr. Sundberg was re-appointed to his seat in January, 2019. His term is set to expire on 12/31/2022.

Staff is asking for approval to provide public notice of the vacated seat and to collect letters of interest along with resumes from interested candidates.

Heidemann asked the Commission how the application and interview process will be conducted. Green stated it would continue as they have in the past.

Commissioner Green motioned to direct staff to provide public notice of the vacated seat and to collect letters of interest along with resumes from interested candidates. Seconded by Commissioner Odens, unanimous ayes, motion carried.

7C. PLANNING COMMISSION GOALS DISCUSSION

The Planning Commissioners, along with staff will open up a broad conversation to discuss desired developments, commissioner roles and other relevant topics.

Things to consider:

- Goals and Visions – Comprehensive Plan
- Zoning Code Regulations
- Accountability- Routine
- Questions

The intent of the Goals discussion is for the Commissioners to share general ideas and visions of the City with the group and to generate, as a group, a common goal and establish any benchmarking efforts.

Zettersvall stated that the Commission should track the number of PUDs that are passed so that if a theme comes forward for parking, impervious surfaces, etc... they can be addressed. Marotz commented that the PUD process is generally driven by the developer and that the Commission might not be able to slow the amount of PUDs that are submitted. Zettersvall asked Barthel what her thoughts are on PUDS. Barthel agreed that tracking PUDs that are coming in could be a good idea for streamlining processes going forward.

Heidemann stated that tracking the PUDs might not decrease the number of PUDs but the complexity of each PUD. Marotz stated that it is unlikely the Commission will be able to fully adapt before the market does. Marotz stated that more flexibility with the Comprehensive Plan and Zoning level could help with overall issues rather than one specific issue i.e. parking restrictions. Barthel stated that developers don't like PUDs, so if there is a way to issue a variance rather than a PUD, it would be beneficial for developers. Marotz stated that the Commission has considered 'getting out of the business's way' and that granting more flexibility will offer this to developers. Green stated that to some degree she does believe the developer knows best, but that there is a reason there are restrictions on things like parking to avoid issues with street parking, so having huge differences in the parking requirements and parking proposal from a developer tends to raise a red flag that there could be future issues if too much flexibility is granted.

Marotz stated that developers tend to gravitate towards a certain area due to multiple factors, but a major factor is interest from community members. Marotz stated that if the City isn't investing in the things the community is interested in i.e. landscaping, it will entice less developers to build in Big Lake. Zettersvall commented that the Commission should make a list of things that need to be looked at more closely. Marotz commented that there are certain qualities in more suburban/urban communities that are often considered 'frivolous' that potential residents seek out when moving from a suburban area. Green stated that generally when residents move from a more suburban area to a smaller community like Big Lake they are doing it based off of cost and are likely understanding why extra amenities aren't offered. Marotz confirmed that he agrees with Green, but that many families start out in Big Lake because of cost, and as they grow they move out of the community. Marotz asked the Commission if there are ways they can entice residents to stay and grow in the Big Lake community.

Marotz stated that things like street trees and other landscaping were not considered feasible in past years, but that with Public Works' recent restructuring it is more likely to be considered. Klimmek stated that the Comprehensive Plan should be a living document that is revisited and things like changes in staffing should spark changes.

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Klimmek recommended that the Commission could revisit the Comprehensive Plan quarterly. Zettervall confirmed that the Comprehensive Plan is two years old. Odens stated that at the Comprehensive Plan meetings they would consider priority projects for future development/redevelopment. Marotz stated that he doesn't believe sidewalks should be a part of an assessment. He commented that the City of Big Lake is behind on road projects and that current policies will significantly impact residents.

Marotz commented that the City has in the past gone with the cheapest options which aren't always appealing. He asked the Commission how the City can encourage more amenities come into the community. Heidemann stated that he agrees more amenities are beneficial to residents, but that requiring more amenities will potentially deter developers from coming to Big Lake.

Zettervall asked what the next steps are to include these suggestions in the Comprehensive Plan. Barthel stated that having requirements in the Comprehensive Plan make it more likely that a developer will negotiate with the City on their proposals. Marotz asked the Commission what kind of a timeline is reasonable for a Comprehensive Plan review. Odens asked about execution of review changes and if the Commission reviews too frequently it could be difficult to execute the new changes. Barthel stated that using a benchmarking system should help with execution. Marotz stated that it would be helpful if the Commission reviews the Comprehensive Plan more frequently so that it remains fresh in their minds. Green stated that rather than printing a full Comprehensive Plan for each member, it would be more reasonable for a smaller portion to be included in a packet for review. Marotz stated that it is also beneficial to bring portions of the Comprehensive Plan forward for conversation with the entire Commission so that other points of view are brought up rather than when an individual Commissioner is reading the document on their own.

Marotz stated that there is a section for Plan Action that includes transportation, natural resources, parks and trails, etc... He stated this would be a good section to review over a two-year period and then revisit once finished. Klimmek stated that the City has not completely implemented the Comprehensive Plan into the City Code and that it should be made a priority with the Code Revision Task Force.

Barthel stated that when she is writing memos for Council she includes comments from the Planning Commission and that if there are any formal comments that should be included to submit them to her. Odens stated that there can easily be a variety of ways to get to the same outcome and they should all be considered.

Klimmek suggested that creating a Task Force should be a goal as it is a new project. Odens asked about the timeline of reviewing the Comprehensive Plan. Marotz stated that using the second monthly meeting between May-August could be used as a time to review the Comprehensive Plan if there aren't many other agenda items.

8. **PLANNER'S REPORT** – None.

9. **COMMISSIONERS' REPORTS**

Zettervall stated that Lakeside Park will have metered parking starting the end of May. Zettervall also commented that street projects are currently at a stand-still. Green stated it would be better to move forward on street projects before the cost of fuel increases. Marotz asked how much higher the bids are compared to the budgeted amount. Zettervall stated that the project bids are 10% over budget.

Marotz brought up that homeowners don't generally budget for large payments to reconstruct roads. He stated it might be more efficient and less detrimental to homeowners if the cost for road construction is spread out throughout the entire community rather than certain neighborhoods.

Heidemann stated that at the last BLEDA meeting there was a discussion on goals moving forward. Klimmek stated that the discussion was for creating a strategic plan for the BLEDA. Green asked if it was possible to have a mid-year meeting with all of the City's Commissions. Heidemann and Zettervall agreed a mid-year review meeting would be a good idea. Klimmek stated that she would ask the City Administrator if a mid-year review meeting could be put together for all of the City's Commissions and staff departments.

10. **OTHER** – None.

11. **ADJOURN**

Commissioner Green motioned to adjourn at 7:40 p.m. Seconded by Commissioner Odens, unanimous ayes, motion carried.



AGENDA ITEM

Big Lake Planning Commission

Prepared By: <i>Amy Barthel, City Planner</i>	Meeting Date: 6/17/2020	Item No. 7A
Item Description: <i>Review of a Zoning Text Amendment to Allow Group Care Facilities as a Conditional Use in the T.O.D Zone.</i>	Reviewed By: <i>Hanna Klimmek, Community Development Director</i>	
	Reviewed By: <i>Clay Wilfarht, City Administrator</i>	

ACTION REQUESTED

A motion to recommend approval of the text amendment to allow Group Care Facilities as a Conditional Use in the Transit Oriented Development district.

BACKGROUND/DISCUSSION

Introduction

Kevin Green with Wilkus Architects, P.A. (Applicant) submitted an application for a zoning text amendment on behalf of Nystrom & Associates LTD. The Applicant is requesting a text amendment to allow Group Care Facilities to be allowed by way of Conditional Use Permit (CUP) in the Transit-Oriented Development (TOD) zoning district.

This text amendment application is requested as part of a larger project for Nystrom Treatment Facility which was reviewed by Planning Commission at Concept Level on January 6, 2020. The applicant has since amended the initial site plan and the need for a Planned Unit Development is no longer required. Thus, the applicant has submitted for a text amendment to allow this type of use in the district in order to conform to performance standards as stated in code.

The application for the zoning text amendment was submitted by the Applicant on May 29, 2020. The Completeness letter was sent on June 4, 2020 as the application had details necessary to complete the formal review. The 60-day statutory review formally ends on August 2, 2020.

Land Use and Zoning

The TOD zoning district is intended to encourage a mix of moderate and high-density development within walking distance of the transit station, to provide an alternate to traditional development by welcoming and promoting a mixed-use pedestrian oriented development, and to provide a range of housing options for people of different income levels, needs and at different stages in life.

The Comprehensive Plan outlines similar goals for the TOD zone. The proposed amendment to include Group Care Facilities would be in harmony with the intent of the land use designation of the TOD zoning district.

The proposed amendment is consistent with the City’s Comprehensive plan

Text Amendment

The TOD zoning district is relatively new and was created with the goal to encourage mixed use buildings with commercial uses on the ground level and residential units on top. The market has proven these types of developments to be unsuccessful in places outside the larger metropolitan market. There has not been a development like this proposed in the TOD zone. That being said, many of the uses for this area have become

residential in nature with no commercial component. The Planning Commission and City staff should continue to encourage a mix of uses in the TOD zone instead of just multi-family developments like the market has shown.

The proposed text amendment would allow for Group Care Facility; a use that is a hybrid of commercial and residential. There are short-term residents at the facility receiving support from employees working at the facility 24/7. More information about the treatment facility will be provided at time of platting. For now, the Planning Commission should focus on *if, and how* the Group Care Facility would be appropriate for this zoning district.

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 use is consistent with the comprehensive plan and encourages mixed-use development.*
- b. The proposed action meets the purpose and intent of this Ordinance or in the case of a map amendment, it meets the purpose and intent of the individual district. *The mixed-use component of zoning code will be complimented with the ability to allow a Group Care Facility.*
- c. There is adequate infrastructure available to serve the proposed actions. *The infrastructure is available for this type of use.*
- d. There is an adequate buffer or transition provided between potentially incompatible uses or districts. *The TOD district is designed for uses to be mixed. This allows commercial and residential developments to be close in proximity. County Road 43 acts as a buffer from residential developments to the west.*

Below is a table that shows three (3) zoning districts that allow for a Group Care Facility to operate with more than six (6) people.

Zoning District	Permitted type	Analysis
R-2, Medium Density Residential [Section 1046]	Conditional (7-16 people)	The majority of land in this district is developed and consists of small parcels.
B-2, Community Business [Section 1056]	Conditional (7+ people)	West of Eagle Lake Road abutting HWY 10. Smaller parcels with existing businesses.
B-3, General Business [Section 1057]	Conditional (7+ people)	East of Eagle Lake Road abutting HWY 10, and in the Marketplace Development. Many vacant parcels are available for development.
T.O.D (Proposed) [Section 1068]	Conditional (7+ people)	South of the Transit Station with multi-family buildings and vacant land.

All the zoning districts listed above allow Group Care Facilities as a CUP have the following performance standards. The TOD zone would implement these same standards.

- 1) The facility is licensed by the State of Minnesota and the operator of the facility provides documentation of compliance with all applicable federal, state and county regulations.
- 2) The facility is not located within one thousand three hundred twenty (1,320) feet of any similar type use or care facility.
- 3) The entrance of the facility is located within five hundred (500) feet of a public transit route and stop, and pedestrian access is available, or the operators provide a transportation/access plan which is found acceptable to the City Council.
- 4) The operation is subject to annual review and continual monitoring by the City and is found to be in compliance with all applicable construction and operation regulations and standards.

Summary

The Applicant feels this amendment is justified due to the existing uses that are allowed in other commercial and residential districts such as Adult Day Care, Daycare facilities, and Group Care Facilities. The Applicant believes this is a less obstructive use in the TOD zone due to the nature of the Group Care Facility. The property, as indicated by the Applicant provides a transitional use building that will fit with the surrounding uses in the TOD zone. The TOD zone encourages a mix of uses and the Applicant feels this type of development is beneficial for the City and is located in the appropriate zoning district.

Staff supports the proposed text amendment and believes the TOD zone would provide an area suitable to support the type of use and not negatively impact surrounding properties. The TOD zone is established for the purpose of incorporating different uses in the district. The Planning Commission and City staff should ensure the commercial component of the district is being developed.

FINANCIAL IMPACT

N/A

STAFF RECOMMENDATION

Staff recommends the Planning Commission make a motion to approve the text amendment for Group Care Facilities to be a Conditional Use in the Transit-Oriented Development district.

ATTACHMENTS

- Ordinance
- Narrative
- Zoning Map

City of Big Lake Ordinance No. 2020-XX

AN ORDINANCE AMENDING CHAPTER 10 (ZONING) OF THE BIG LAKE CITY CODE AMENDING SECTION 1068 (TRANSIT-ORIENTED DEVELOPMENT DISTRICT) OF THE BIG LAKE CITY CODE

THE CITY COUNCIL OF BIG LAKE ORDAINS:

1068.03: ALLOWED USES: The following uses are allowed within the TOD District (by specific zone) and subject to applicable administrative requirements of this Ordinance:

STATION ZONE	MIDWAY ZONE	TRANSITION ZONE
Permitted Uses		
<ul style="list-style-type: none"> • Service-oriented office uses • Above ground floor non-service oriented office uses • Mixed uses with ground floor retail, personal services and/or service-oriented offices and an above ground floor multiple family residential component • Banks, Credit Unions • Retail businesses (under 10,000 square feet) as standalone units or as part of a multi-tenant building • Government uses and buildings (including transportation terminals) 	<ul style="list-style-type: none"> • Mixed uses with ground floor retail, personal services and/or service-oriented offices and an above ground floor multiple family residential component • Ground floor restaurants (without drive-through facilities) • Multiple family residential developments containing eight (8) or more dwelling units per acre 	<ul style="list-style-type: none"> • All permitted uses as allowed within the B-1, Business Campus Zoning District • All permitted uses as allowed within the R-3 High Density Residential Zoning District

STATION ZONE	MIDWAY ZONE	TRANSITION ZONE
Permitted Uses		
<ul style="list-style-type: none"> • Transit stations • Restaurants (without drive-through facilities) • Civic, cultural and community facilities • Theaters, except drive-ins • Dry cleaner stores with cleaning facilities outside the TOD District • Concessions/vending as approved by Metro Transit. • Multiple family residential developments containing ten (10) or more dwelling units per acre 		
Accessory Uses		
<ul style="list-style-type: none"> • Accessory antennas • Accessory uses and buildings customary and incidental to uses allowed as permitted, conditional, interim and administrative permits in this chapter • Fences • Off-street parking and loading • Sexually oriented use - Accessory, as regulated by Section 1035 (Sexually Oriented Business) of this Ordinance and the license requirements of the City • Signs 	<ul style="list-style-type: none"> • Accessory antennas • Accessory uses and buildings customary and incidental to uses allowed as permitted, conditional, interim and administrative permits in this chapter • Fences • Home occupations • Off-street parking and loading • Sexually oriented use - Accessory, as regulated by Section 1035 (Sexually Oriented Business) of this Ordinance and the license requirements of the City • Signs 	<ul style="list-style-type: none"> • All permitted accessory uses as allowed within the B-1, Business Campus Zoning District • All permitted accessory uses as allowed within the R-3, High Density Residential Zoning District

Uses by Administrative Permit		
<ul style="list-style-type: none"> • All uses by administrative permit as allowed in the B-1, Business Campus Zoning District • Outdoor Dining, Accessory as regulated by Section 1056.04 Subd. 4 	<ul style="list-style-type: none"> • All uses by administrative permit as allowed in the B-1, Business Campus Zoning District and the B-2, Neighborhood Business District 	<ul style="list-style-type: none"> • All uses by administrative permit as allowed in the B-1, Business Campus Zoning District • All uses by administrative permit as allowed in the R-3 High Density Residential Zoning District
Conditional Uses		
<ul style="list-style-type: none"> • Accessory outdoor seating associated with food service businesses • Commercial parking lots and structures (as a principal use) • Commercial recreation (indoor) • Hotels • Stadiums and sports facilities over 10,000 seats • Grocery stores over 10,000 square feet • <u>Group Home Facilities subject to the conditions listed in Section 1057.05: Subd. 18.</u> • All permitted uses in the B-2 Neighborhood Business District not already permitted in the Station Zone 	<ul style="list-style-type: none"> • Accessory outdoor seating associated with food service businesses • Convenience stores with gas • Restaurants with drive-through facilities • Hotels • Hospitals • Public, Educational and Religious Buildings and Municipal Government Buildings • All permitted uses in the B-2 Neighborhood Business District not already permitted in the Midway Zone 	<ul style="list-style-type: none"> • All conditional uses as allowed within the B-1, Business Campus Zoning District • Office/warehouse • Public, Educational and Religious Buildings and Municipal Government Buildings • All conditional uses as allowed within the R-3 High Density Residential Zoning District
Interim Uses		
<ul style="list-style-type: none"> • All interim uses as allowed within the B-1, Business Campus Zoning District 	<ul style="list-style-type: none"> • All interim uses as allowed within the B-1, Business Campus Zoning District 	<ul style="list-style-type: none"> • All interim uses as allowed within the B-1, Business Campus Zoning District

SECTION 5. This Ordinance shall be effective following its passage and summary publication.

Adopted by the Big Lake City Council this 24th day of June, 2020.

CITY OF BIG LAKE

Mayor Mike Wallen

Attest:

City Clerk Gina Wolbeck

*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 24th day of June, 2020 by the Mayor and City Clerk of the City of Big Lake, a Minnesota municipal corporation, on behalf of the corporation.

Notary Public



05/29/2020

Amy Barthel
City Planner
City of Big Lake
160 Lake Street N
Big Lake, MN 55309

RE: Nystrom & Associates Residential Treatment Center

Dear Amy,

Thank you for your time in considering our application. Nystrom & Associates LTD is proposing to develop a new residential treatment center to support Sherburne County and beyond, near HWY 43 and Forest Drive in Big Lake, MN. Please refer to the attached vicinity map for the site location. Nystrom is a great partner of Sherburne County and the city of Big Lake. We have been operating within the city since 2017.

The facility will offer comprehensive individual and group treatment services, surrounding mental health and substance use disorder in a safe and supporting environment. Per statute, these facilities are by nature “dry”, meaning there is no alcohol or illicit drugs kept/used onsite. To remove any uncertainty, this facility is not a “wet house” or “sober living facility.” We truly believe, and are told by the community, that this facility and service offerings will strengthen the community. We also look forward to bringing quality jobs to Big Lake.

The design offers a local pallet with a contemporary approach, using natural hues to soften the transition between the urban setting and intimate use. Amenities include an inviting exterior, improved landscaping, outdoor sporting equipment, indoor group dining, 34 shared units, group therapy rooms, lounge, and exercise room.

The nature of this request is for a text amendment to the existing zoning code, allowing for “Group Care Facilities” to be a conditional use in the TOD zone. If you compare the language within the other districts in the zoning code, most, if not all, already include “Group Care Facilities, Day Care, Adult Day Care, etc.” as approved uses. We feel the TOD zone should also include this use, as the site and adjacent properties fit well with the proposed design. The treatment center site requirements are like that of an assisted living facility, but less demanding on traffic as patients are required to be dropped off for their treatment sessions, usually a 30-day average duration. This reduces the building’s parking needs to simply staff and limited visitors.

In conclusion, Nystrom & Associates is requesting a text amending to the existing zoning code, to allow for “Group Care Facilities” to be a conditional use in the TOD zone, to support the proposed treatment center for greater Sherburne County. Nystrom & Associates is excited to develop in Big Lake and looks forward to working with staff throughout the process.

Sincerely,

Kevin Green
Project Manager
262-488-5035
Kpg@Wilkusarch.com

Enclosure: 2020 Development Application for Text Amendment
TOD Zoning Map with project location

Map Document: \\arcserver1\GIS\BIGLK_Basemap\ESRI\Maps\2018\Bgk-Zoning Map 11x17.mxd | Date Saved: 12/12/2018 9:20:34 AM

Legend

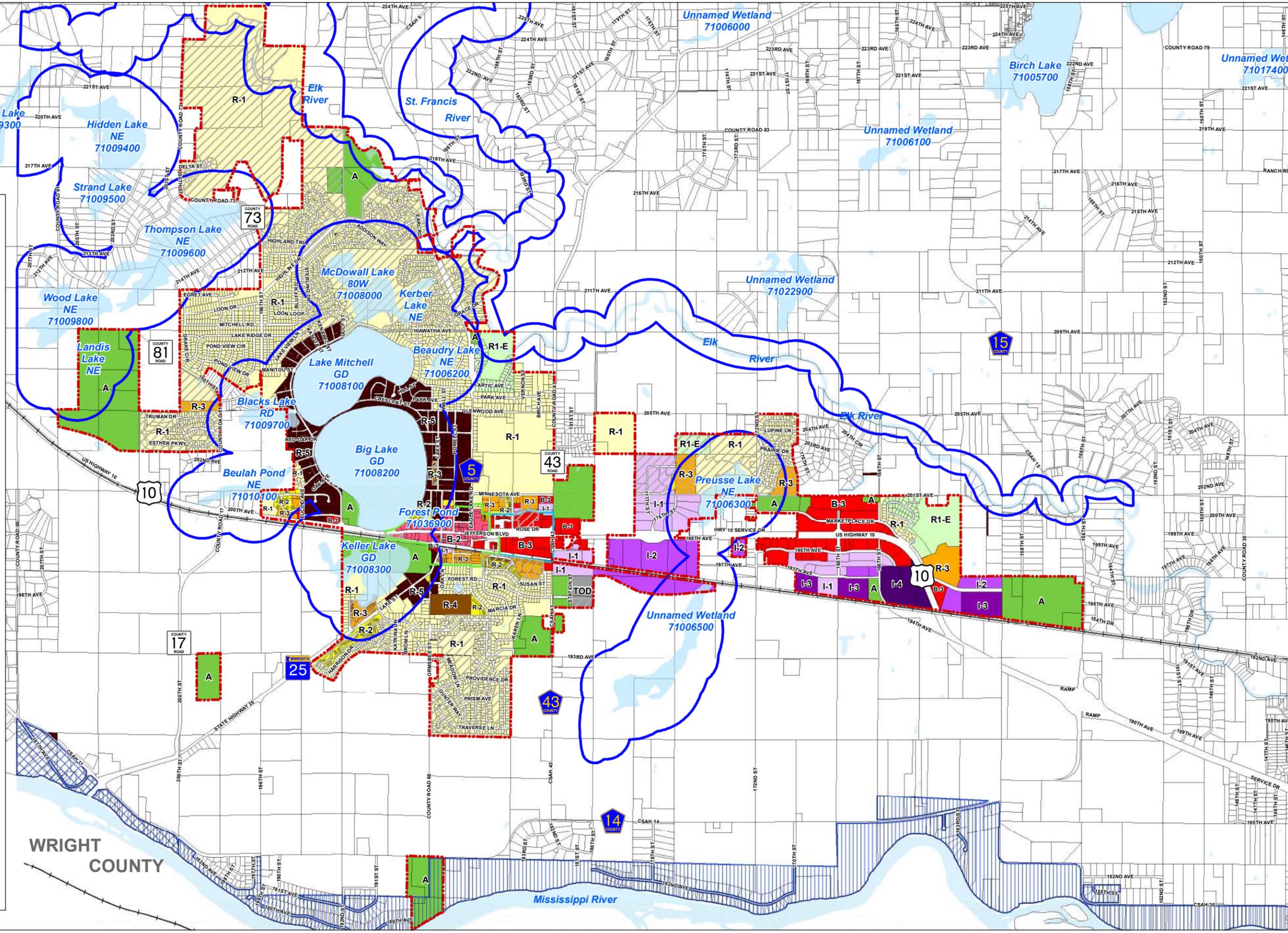
Zoning Districts

- A, Agricultural
- R1 - E, Single Family Residential Estate
- R-1, Single Family Residential
- R-2, Medium Density Residential
- R-3, High Density Residential
- R-4, Manufactured Home Park
- R-5, Residential Redevelopment
- B-1, Business Campus
- B-2, Community Business
- B-3, General Business
- I-1, Industrial Park
- I-2, General Industrial
- I-3, Isolated Industrial
- I-4, Innovation Industrial
- TOD, Transit Oriented Development
- Parcels
- Downtown District-Central Business
- Downtown District-Transition Zone
- PUD - Planned Unit Development
- Shoreland Overlay District
- Special Use District
- Recreational River District
- Water Features
- Railroad
- City Limits



0 3,200
Feet

Source: Sherburne County, MNDOT, MNDNR



WRIGHT COUNTY

Mississippi River



AGENDA ITEM

Big Lake Planning Commission

Prepared By: Kevin Shay Consultant Planner	Meeting Date: 6/17/2020	Item No. 7B
Item Description: PUD Concept Plan for "Avalon Estates" (PID 10-324-1200)	Reviewed By: Amy Barthel, City Planner	
	Reviewed By: Hanna Klimmek, EDFP, Community Development Director	

EXTENDED REVIEW DEADLINE: June 31, 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:

Avalon Homes has submitted a 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. There are no existing structures on the site. The parcel lies directly south of Blacks Lake and west of Big Lake. The property has recently been annexed into the City of Big Lake and is guided as future neighborhood on the land use map.

PROPOSED DEVELOPMENT:

The subject application is for a residential development that will provide patio twin homes, quad townhomes and an apartment building. The development is proposed to include 106 units broken into the following unit types:

- 32 patio twin home units;
- 32 quad townhome units;
- 42 apartment units;

With the proposed units the gross density of the development is 2.9 units per acre which is within the density range for the low-density housing land use which allows 2.5 to 4 housing units per acre. The development includes open amenity space and park areas.

PROPERTY CHARACTERISTICS:

The existing 57-acre property is currently vacant agricultural land. There are no existing structures on the site.

EXISTING ZONING AND LAND USE:

Zoning	Urban Expansion (County), Shoreland Overlay
Future Land Use	Future Neighborhood
Existing Land Use	Vacant Land - Agricultural
Topography	Relatively flat with some wooded area

SURROUNDING ZONING AND LAND USE:

Direction	Zoning	Future Land Use Plan	Existing Land Use
North	R-1 Single Family Residential / R-5 Residential Redevelopment	Low Density Housing	Low Density Housing
South	R-1 Single Family Residential / R-2 Medium Density Residential	Low Density Housing / Medium and High Density Housing	Low Density Housing / Medium and High Density Housing
East	R-5 Residential Redevelopment / R-1 Single Family Residential	Lakeshore Cottage Neighborhood	Lakeshore Cottage Neighborhood
West	Urban Expansion (County)	Future Neighborhood / Medium and High Density Housing	Vacant Land - Agricultural

ANALYSIS OF REQUEST

NEXT STEPS:

The parcel is currently zoned Agriculture by the City with a Shoreland Overlay from multiple lakes. The applicant would request a rezoning to assign the PUD zoning for the site with R-1 Single Family residential standards used as a base, a conditional use permit to allow a shoreland PUD in order to receive additional density, a preliminary plat and development stage PUD to subdivide the property and a variance to allow an increased building height in the shoreland district. With a traditional PUD, flexibility could be requested for the maximum building height but shoreland PUDs do not allow flexibility for development standards and therefore a variance is required.

PROPOSED SITE PLAN

Shoreland Overlay

The proposed development has four lakes that are classified as shoreland lakes by the MN DNR and impose restrictions on the development of the property. Big Lake and Lake Mitchell are classified as general development lakes, Blacks 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. The 1,000-foot shoreland boundary is further broken down into the tiers shown below and on the concept plan, which are used to calculate the allowable number of residential units within each shoreland tier.

Shoreland Tier Dimensions	
	Sewered
General Development Lakes	200 feet
Recreational Development Lakes	267 feet
Natural Environment Lakes	320 feet

Each tier is evaluated for the amount of land suitable to development, which excludes wetlands, bluffs and land below the ordinary high-water level (OHWL) of the lakes. The suitable land within each tier is then divided by the city’s single residential lot size standard for the lake classification to determine the allowable number of units for each tier.

A density bonus is available to increase the base number of units within each tier, provided the increase to standards such as lakeshore setbacks and shoreland preservation can be achieved.

There is also a provision which allows the developer to take any number of units not provided in a given tier and transfer them into a tier that is further from the lakeshore. The further from the lakeshore the tier is, the greater the bonus to the number of units. The intent of this provision is to push density away from the lakeshore and is only allowed if the developer pursues a PUD.

The tables included below show the calculations for the base number of allowable units and the allowable units with the density bonus compared to what the applicant is proposing.

Recreational Development Lake (Blacks Lake)

Tier	Total Area (SF)	Unsuitable Area (SF)	Suitable Area (SF)	Minimum Lot Size (SF)	Base Density	Bonus Density Factor	Allowable Units per tier with Bonus Density	Adjusted Allowable Units per tier	Proposed Units	Units transferred to next tier
1	225,036	0	225,036	20,000	11.3	1.5	16.9		16	0.9
2	223,330	37,100	186,230	15,000	12.4	2.0	24.8	25.7	18	7.7
Total	448,300	37,100	411,200		23.7		41.7		34	

Natural Environment Lake (Beulah Pond)

Tier	Total Area (SF)	Unsuitable Area (SF)	Suitable Area (SF)	Minimum Lot Size (SF)	Base Density	Bonus Density Factor	Allowable Units per tier with Bonus Density	Adjusted Allowable Units per tier	Proposed Units	Units transferred to next tier
1	657,474	29,426	628,048	40,000	15.7	1.5	23.6		0	0
2	349,391	0	349,391	20,000	17.5	2.0	34.9	58.5	58	0
3	119,740	26,798	92,942	20,000	4.6	3.0	13.9	13.9	14	
Total	1,126,605	56,224	1,070,381		37.0		72.4		72	

The concept complies with the number of residential units allowed in the shoreland tiers for Beulah Pond and the shoreland tiers for Blacks Lake.

Shoreland Standards

The applicant has not provided enough information to determine compliance with most of the shoreland standards that apply to each lot. However, the standards are included below to inform both the developer and Planning Commission of the standards that will be evaluated at the time of a preliminary plat and development stage PUD plan submittal.

- The maximum impervious surface coverage is 25%, unless a conditional use permit is approved to allow a maximum of 35%.
- The minimum lakeshore setback for:
 - A recreational development lake is 75 feet (112.5 feet with density bonus)
 - A natural environment lake is 150 feet (225 feet with density bonus)
- 70% of the lakeshore setback must be preserved in a natural or existing state.
- The minimum setbacks for non-lakeshore residential lots:
 - Front setback is 30 feet
 - Side setback is 10 feet
 - Rear setback is 30 feet
- The minimum required open space is 50% of the project area.
- The maximum building height is 25 feet.

The proposed apartment building will exceed the maximum building height allowed within the shoreland area and will require a variance to allow for an increased building height. The developer will need to provide a narrative describing how the variance conditions are met at the time of preliminary plat and development stage PUD, however staff is generally supportive of the request.

The proposed extension of Highland Avenue is designated as a future collector road and is necessary to provide access to this development and for future development to the West. However, Highland Avenue falls 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 this standard cannot be achieved due to the existing roadway connection into the property, then a variance will be required to allow a greater lakeshore disturbance. The applicant would need to provide input on how the variance criteria are met and staff would evaluate the request. Staff would be generally supportive of this request as long as the area affected is minimized to the greatest extent possible.

PLANNED UNIT DEVELOPMENT:

PUD Justification

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 (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.

PUD Format

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.

ENVIRONMENTAL REVIEW:

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 provided in the Minnesota Rules. Section 4410.4300 Subpart 19a "residential development in shoreland outside the seven-county metro area" applies to this project because of the shoreland lakes surrounding the project. The number of residential units allowed before requiring an environmental review is determined by whether the surrounding shoreland is considered sensitive or nonsensitive shoreland. The shoreland lakes are considered as nonsensitive shoreland if they are classified as general development or recreational development lakes and considered sensitive shoreland if they are classified as a natural environment lake. Beulah Pond is considered sensitive shoreland and Blacks 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 there are more than 200 units in the nonsensitive shoreland area.

The current concept will require an EAW to be completed to determine the environmental impacts of this development.

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. It is at the City's discretion whether to require a land donation or allow the fee in lieu to be paid. There are various park areas shown on the concept plan and the Planning Commission should discuss if any of the areas are appropriate for a park and receive credit or if they should remain as open space. A portion of the area on the north side of the site is shown as future park in the 2018 Comprehensive Plan (Attachment D).

STAFF COMMENTS:

Engineering and Public Works:

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

The Functional Classification Plan (Figure 12-1) from the 2018 Comprehensive Plan showing the future collector road is provided as "Attachment E".

Fire Department

No comment provided.

Police Department

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

ADDITIONAL COMMENTS:

Department of Natural Resources:

James Bedell of the Department of Natural Resources provided comment on the concept plan. His comment read:

The concept plan is overall complainant with shoreland PUD standards. There are two items of concern in the concept plan.

1. The apartment complex is noted to be a 3-story building. Under the City of Big Lake's shoreland ordinance, structures cannot exceed a height of 25 feet. A 3-story complex may not meet this restriction.
2. The alignment of Highland Ave in the South East portion of this development puts the road in the shore impact zone. This zone is the most sensitive zone for maintaining water quality. The DNR recommends minimizing the roadway as much as possible out of the shore impact zone. Please review the alignment to ensure that at this location the road could not be moved further north while maintaining road safety standards.

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 next application. The applicant would take these comments under advisement as they prepare a formal submittal. Some of the larger issues the Planning Commission may wish to comment on include:

- Overall layout
- Apartment height variance
- Park areas

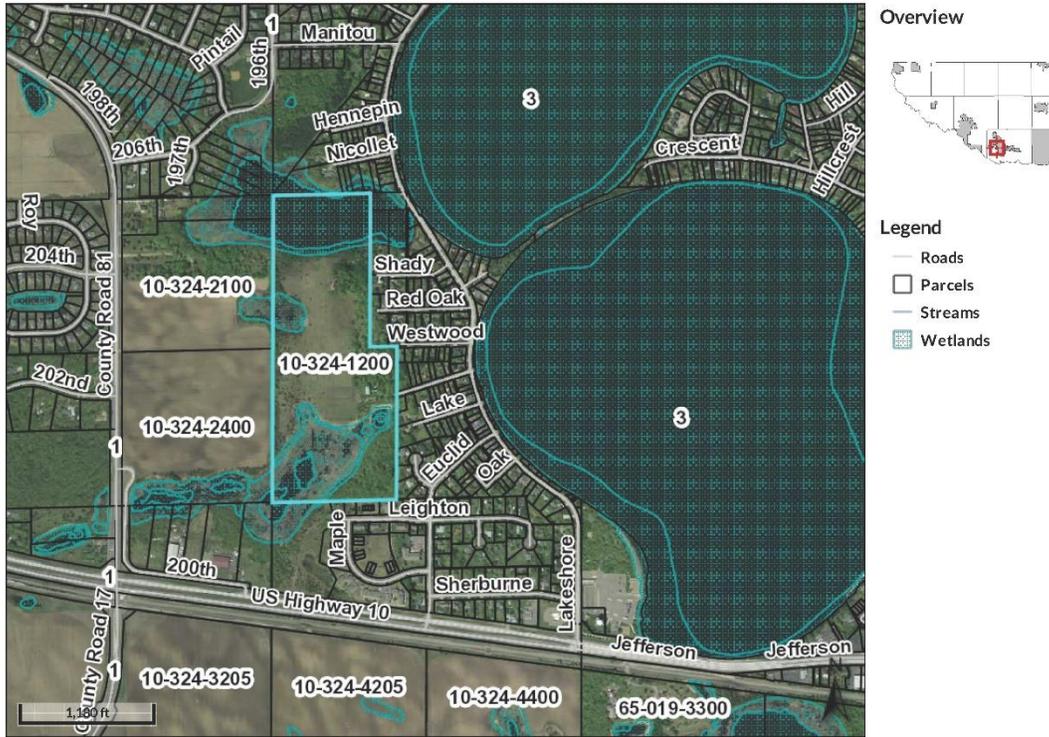
Staff is supportive of the current concept plan because it is consistent with the shoreland density standards. The Planning Commission is asked to provide informal review and comment regarding the project's

acceptability in relation to the Comprehensive Plan and overall use and to advise the City Council as they review the concept plan.

ATTACHMENTS

- Attachment A: Site Location Map
- Attachment B: Concept Plan
- Attachment C: Engineer's Memo
- Attachment D: Current and Future Parks Map from the 2018 Comprehensive Plan
- Attachment E: Functional Classification Plan from the 2018 Comprehensive Plan

Attachment A
Site Location Map



Parcel ID	10-324-1200	Alternate ID	n/a	Owner	KNAEBLE, SHANON E & ANDERSON TRUST
Sec/Twp/Rng	24-33-28	Class	201-Residential 1 unit, 801-Wetlands Located on Non-Ag Property, 111-Rural Vacant Land	Address	1831 HIAWATHA AVE BIG LAKE MN 55309
Property Address	Acreage 57				
District	BIG LAKE				
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: 2/12/2020
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Developed by Schneider GEOSPATIAL

Attachment B Concept Plan



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

February 24, 2020

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

RE: Avalon Estates Concept
City of Big Lake, Minnesota
Project No.: W18.120331

Dear Sara,

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

1. All roadway right-of-ways shall be a minimum of 60 feet in width.
2. The alignment and right-of-way width of the Highland Avenue extension should be evaluated with respect to the City Comprehensive Plan, Chapter 12, Transportation.
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 and waterbodies within the development shall be delineated.
8. The applicant shall submit a grading plan for the review of the city.
9. The applicant shall submit utility plans for the review of the city.
10. A watermain loop shall be provided within the development.
11. The applicant shall submit striping plans for the review of the city.
12. The applicant shall submit signage plans for the review of the city.
13. The applicant shall submit construction details for the review of the city.
14. The applicant shall submit a lighting plan for the review of the city.
15. 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,

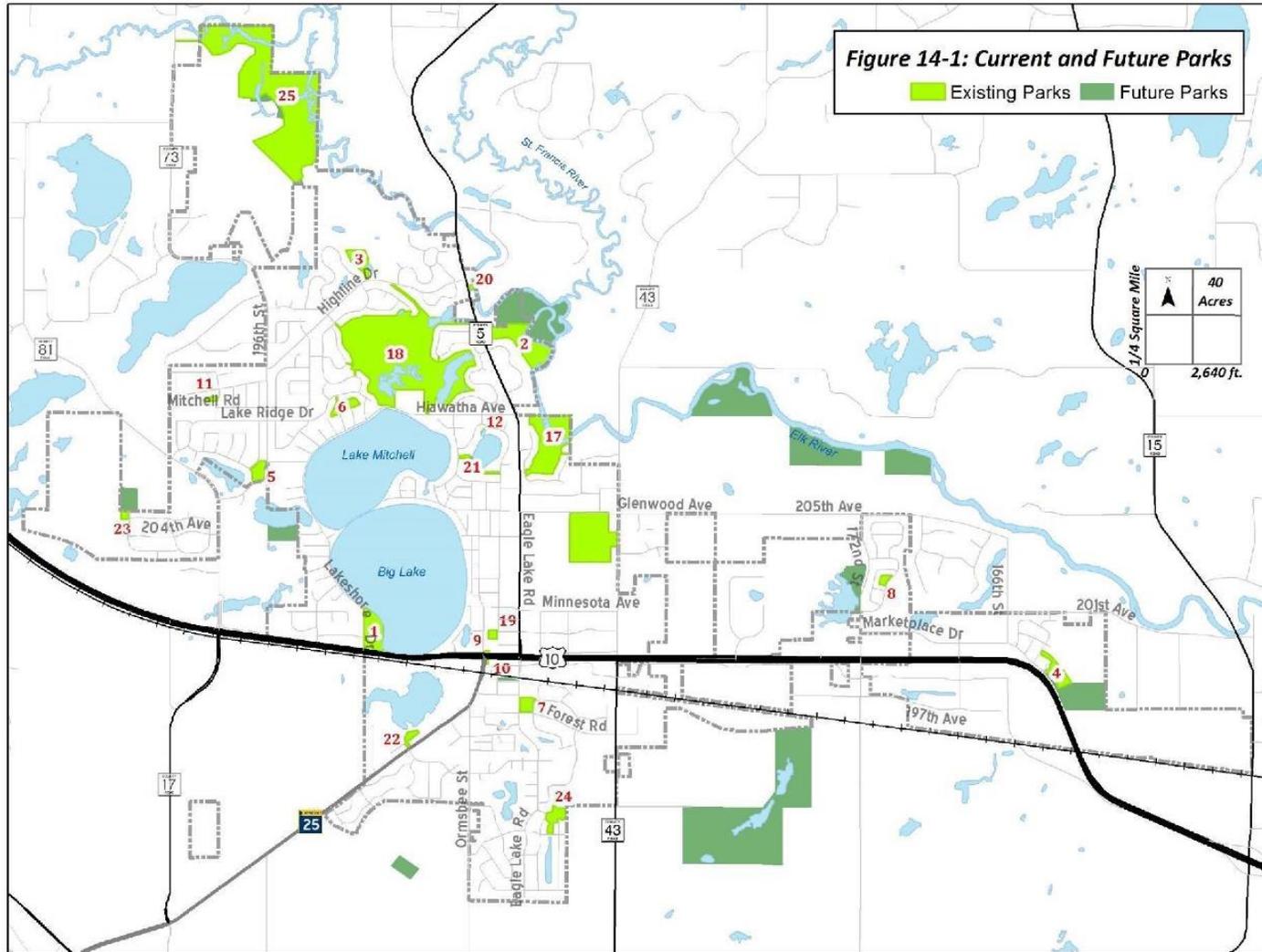
Bolton & Menk, Inc.

Jared Voge, P.E.
Principal Engineer

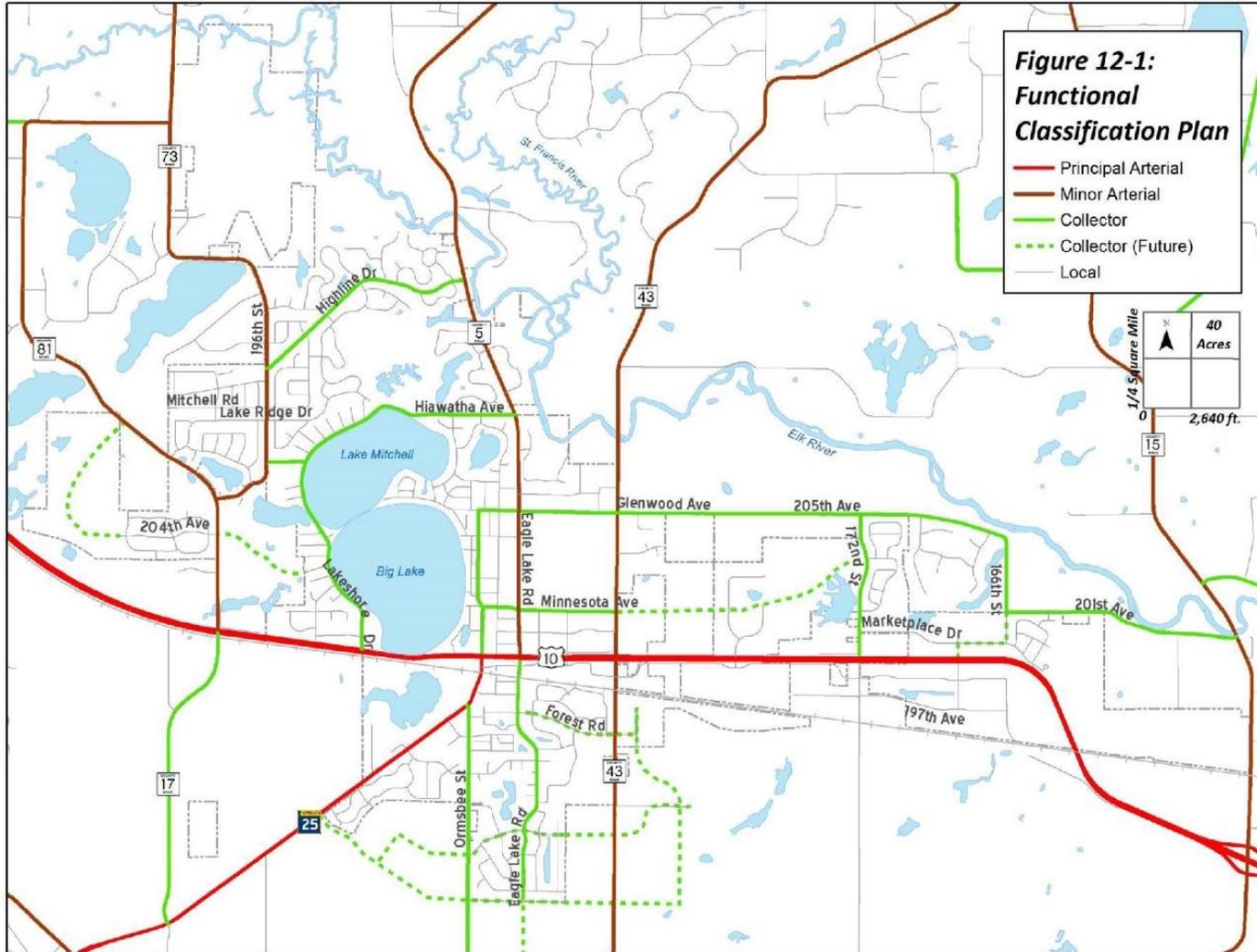
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Bolton & Menk is an equal opportunity employer.

Attachment D
Current and Future Parks Map from the 2018 Comprehensive Plan



Attachment E
Functional Classification Plan from the 2018 Comprehensive Plan





Community Development Department Update

1. Current Development Activity (as of 6/9/20):

Housing:

- Single-Family New Construction Issued Permits 15
- Single-Family New Construction in Review 07

- 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
 - In construction
 - 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 – Waiting on tax credit award from MN Housing
 - CommonBond – 120 multi-family units (2, 60-unit buildings)
 - Pre-development – Waiting on tax credit award from MN Housing

Commercial/Industrial:

- ❖ Minnco Credit Union – New Business / New Construction
 - Opening week of June 22nd
- ❖ Car Condo Project – New Business / New Construction
 - Project is on hold
- ❖ Wastewater Treatment Project - Expansion
 - In construction
- ❖ Nystrom Associates Rehabilitation Facility
 - Pre-development
- ❖ Great River Federal Credit Union – New Business / New Construction
 - Pre-development
- ❖ Blackbird Group LLC – New Business / New Construction
 - Pre-development

2. BLEDA:

- Kick-off for the Branding and Identity Design Project has been postponed until the community is ready to engage in the project.
- BLEDA Strategic Plan Committee will be working on creating strategies/framework for development, re-development, and repurposing.

- Aeon received a recommendation of approval from the BLEDA 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.
- CommonBond received a recommendation of approval from the BLEDA for Resolution of Support to submit one (1) tax credit application to MN Housing to newly construct 60 multi-family rental units of both market rate and affordable housing. Council approved the Resolution on 5/27/2020.
- 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. Contract was amended on June 8, 2020 to extend timelines by one year (one year due to unprecedented times and the limitations set forth by the Government for Options, Inc. – they have not been in operation since March 18, 2020).

3. **Planning & Zoning:**

- The Code Revision Task Force has been created. City Planner, Amy Barthel, is working on her first set of recommendations to bring forward.
- The City Council relaxed zoning to allow for outdoor dining. Staff has been working with restaurants/bars in providing an expedited approval of their outdoor dining concepts.

4. **Building:**

PERMIT ACTIVITY REPORT – THROUGH May 31, 2020

Permit Type	Permits Issued in May of 2020	2020 Total
Single-Family	2	12
Multi-Family	0	2
Commercial New / Remodel / Addition	3	10
Remodel / Decks / Misc.	49	113
HVAC / Mechanical	4	29
Plumbing	11	28
Zoning	37	71

Land Alteration	1	3
Fire	0	10
TOTAL	107	278

	Permit Fee	Plan Review	TOTAL
Total Fees in May 2020	\$15,723.85	\$3,996.15	\$19,720.00

YTD 2020 Total Valuation (through 5/31/20)	YTD 2020 Permit Fee + Plan Review (through 5/31/20)
\$10,157,319.40	\$123,742.95

PREVIOUS YEAR COMPARISON – THROUGH May 31, 2019

Permit Type	Permits Issued in May of 2019	2019 Total
Single-Family	7	13
Multi-Family	0	0
Commercial New / Remodel / Addition	1	12
Remodel / Decks / Misc.	36	87
HVAC / Mechanical	9	26
Plumbing	5	17
Zoning	33	53
Land Alteration	3	4
Fire	3	3

TOTAL	97	215
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	Permit Fee	Plan Review	TOTAL
Total Fees in May 2019	\$25,939.59	\$8,638.16	\$34,577.75

YTD 2019 Total Valuation (through 5/31/19)	YTD 2019 Permit Fee + Plan Review (through 5/31/19)
\$12,044,194.40	\$132,366.19

5. Other:

- Community Development has a complete team:
 - Hanna Klimmek CD Director
 - Sandy Petrowski Administrative Assistant
 - Kati Peterson Administrative Assistant
 - Corrie Scott Recreation & Communications Coordinator
 - Amy Barthel City Planner
 - Lenny Rutledge Chief Building Official
 - Jack Johansen Intern – Code Enforcement / Planning
 - Kevin Shay Planning Consultant
 - Mick Kaehler Building Inspections Contracted Service

Planning Update

Residential Development

- Interest from an apartment development in the property south of the Aeon property in the Station Street area.

Commercial Properties

- Nystrom Treatment Facility submitted application for Preliminary Plat, Conditional Use Permit and Site Plan. July 1, 2020 is anticipated Planning Commission meeting.
- Great River Federal Credit Union is expecting Final Plat in June or July. That review goes straight to City Council.

Other Updates

- Zoning Matrix complete for Zoning Task Force. To be distributed soon
- Surveys for the regional planning effort (Central Mississippi River Regional Planning Partnership) should be filled out by you and everyone you know! Please take the time to complete the survey and send them to residents, business owners, and maybe even strangers.
 - Elected/appointed official survey = Planning Commission, EDA, City Council, etc
 - Organization = Business
 - Employee = City Staff
 - Community = Residents

<ul style="list-style-type: none">• Survey links
Elected/appointed official survey
Organization survey
Employee survey
Community survey