

**BIG LAKE PLANNING COMMISSION
REGULAR MEETING MINUTES**

APRIL 1, 2020

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. ROLL CALL

Commissioners present: Alan Heidemann, Scott Marotz, Lisa Odens, Larry Sundberg, Dustin Vickerman via teleconference, Ketti Green, and Scott Zettervall. Also present: City Planner Amy Barthel, Consultant Planner Kevin Shay, Community Development Director Hanna Klimmek, City Administrator Clay Wilfahrt, and Recreation and Communication Coordinator Corrie Scott.

4. ADOPT AGENDA

Commissioner Zettervall moved to adopt the agenda. Seconded by Commissioner Marotz. A Roll Call Vote was conducted with Commissioner Green voting aye, Commissioner Sundberg voting aye, Commissioner Odens voting aye, Commissioner Vickerman voting aye, and Commissioner Heidemann voting aye. Vote passed unanimously, agenda adopted.

5. OPEN FORUM

Chair Heidemann opened the Open Forum at 6:32 p.m. No one came forward for comment. Chair Heidemann closed the Open Forum at 6:32 p.m.

6. APPROVE MEETING MINUTES

6A. APPROVE REGULAR PLANNING COMMISSION MEETING MINUTES OF MARCH 2, 2020

Commissioner Zettervall motioned to approve the March 2, 2020 Regular Meeting Minutes. Seconded by Commissioner Odens. A Roll Call Vote was conducted with Commissioner Green voting aye, Commissioner Sundberg voting aye, Commissioner Marotz voting aye, Commissioner Vickerman voting aye, and Commissioner Heidemann

voting aye. Vote passed unanimously, minutes approved.

7. BUSINESS

7A. PUBLIC HEARING: PUD CONCEPT PLAN FOR “MARKETPLACE CROSSING I & II”

Shay reviewed the CommonBond development application for a PUD Concept Plan. The request is for two 60-unit apartment structures on 7.33 acres south of Marketplace Drive. Shay reported that 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.

Staff is asking the Planning Commission 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.

Zettervall asked that staff reiterate what the comprehensive plan dictates for the plat that is proposed in the application. Shay stated that the plat is guided for business for the future. Shay also stated that the land across the street is planned for medium and high density housing in the long term.

Chair Heidemann opened the public hearing at 6:45 p.m.

Andy Hughes, Director of Acquisitions and Development for CommonBond Communities reviewed the development application for Marketplace Drive. He offered to answer any questions that attendees have.

Odens asked if the number of parking units proposed is based on other existing developments. Hughes stated that parking is based off of nearly 50 years of experience in previous projects. Green asked if this is a tax credit project. Hughes confirmed that a portion of the development will be market rate and approximately 80% will be tax credit based.

Brandonlee Ruddock, 20012 January Street made a comment via Zoom. He stated that the City would benefit from this area becoming a truck stop or recreational center.

Rachel Gowdy, 20233 167th Street NW, commented that when she originally purchased her home, the land was zoned as commercial. She doesn't feel this area would be fit for a large amount of people to live in. She is also concerned with adding multiple housing units across Big Lake that the school systems and public services will not be able to accommodate for the influx in residents.

Shane, address unknown, commented via email. 'Does losing commercial business spots right on Highway 10 sound good? What about property values going down in our neighborhood? How about a building of 120 units is really 500 room min which means parking and traffic for 500 rooms? It is not near a park or town features. There are better spots. Why should Big Lake change zoning for this business? How many residents from this building are going to be saying to themselves, I'm going to walk across the Highway to that sports bar? It's the wrong spot for this. There is no benefit to this for our neighborhood or community. Maybe this could be put next to the Bluff Park where the city has already spent money to set up a spot for development. The city can collect on the investment if they put it next to Bluff Park.'

Luanne Palmer, 19988 January Street commented via email. 'I do not support the concept because of the lack of information about CB Big Lake Housing and their track record of building and managing safe, well designed, and appropriate to the neighborhood. If design and management are poor, we risk increased traffic and parking problems, reduced property values, and higher crime.'

Elizabeth and Brandonlee Ruddock, 20012 January Street commented via email. 'I'm a resident of the Hudson Woods neighborhood it is come to my attention that it is come before the planning commission to consider building two multi level apartment building units between the marketplace gas station and the daycare.

I do not feel this would be benefit to this area because it's so far away from town, schools, and the NorthStar train. There is no Safeway if children are on bikes, etc. to bike from this area back to town or to the school area if children live in the apartment complex which I'm assuming they would be. There are no stop lights at the intersection on Hwy 10 this additional traffic would only become more of an issue becoming a high traffic accident area. The only other road is the road along Liberty where it's township with no shoulders to get by along with it being 55 mph. Kids in summer programs can't bike that road.

This parcel is zoned commercial and I don't understand why you're not looking at the parcel of land down by 172nd behind the storage buildings where it says right on the billboard zoned for commercial and or multiunit dwellings.

I do not see this as a benefit going in the neighborhood of Hudson Woods due to the fact that it is according to the documents considered to be both low income and regular income. I'm not trying to brag it up but we are very low crime neighborhood and I'd prefer to stay that way.

When I considered purchasing a home in the City of Big Lake the one thing I wanted to make sure of was the home I purchased was in an area away from townhomes, apartment, etc. to have a peaceful and quiet neighborhood to reside in. We have a lot of

young families and children in our neighborhood I'd be concerned about their safety if this draws the wrong folks to it including the daycare next to it.

I have no confidence that these buildings would blend in to this area or to the Hudson Woods neighborhood.

I do NOT support this being changed from commercial to residential for multi unit dwellings. I do NOT support multi dwelling units for this location.

Please consider looking at the parcel of land off 172nd behind the storage buildings. I see the same issues arising as these builds would be too far away from the city and amenities needed to support the apartments along with the same road and access issues.'

Chris Leeseberg, 20125 170th Street commented via email. 'Chair and Planning Commissioners, Hello and thank you for your time. I would like to express an overall concern with the concept proposal (Item #7A). I am not going to express concerns with things like increased traffic or lower property values as this proposal should not detrimentally affected these and you have professional staff to evaluate those issues. I am concerned with the city removing valuable commercial property for a residential use, when there is a property directly across the street from the subject site meeting all the city's goals and land use plans.

Please remember it is not the responsibility of a city to make a property/project work for an applicant just because they want to locate in a location not conducive to the city's plans. It is the city's obligation to follow the implemented plans for the good of the city. As of two years ago, the city indicated this property should remain guided for business, even with little to no commercial development occurring. As you are aware, the property is located at a significant intersection (Hwy. 10 and 166th Street) of a business/commercial hub. The property is not guided for residential uses. This proposal is not the best use of the subject property, as your adopted Land Use Plan indicates.

As you know, a Planned Unit Development (PUD) is often used as a tool to deviate from the zoning, rules/regulations, to spot zone, and/or sidestep formal variances. For example, why can't the applicant meet parking requirements that the city wants and requires? If 2.5 stalls/unit is too many for this apartment, why is this not too many for all apartments? If the city believes it is too many and there is no need for enclosed stalls, change the ordinance, don't PUD around it.

The land directly across Marketplace Drive (about 80' away) has the proper Land Use designation and is zoned correctly for what they want to do. Please evaluate carefully removing valuable commercial business property at a key highway intersection. A difficult thing for any city to do is say "no", but sometimes it is the correct action to achieve your overall adopted city plans. This is why you are a "Planning" Commission, not a "Reacting" Commission. Thank you for your valuable time.'

Andrew Lenertz, 20023 January Street commented via email. 'To Whom It May Concern, This email is to voice my opposition to the construction of two 60 unit mixed-income apartment complexes along Marketplace Drive. As a resident of the Hudson Woods neighborhood, our small neighborhood would be negatively impacted by the construction of these two complexes. The added amount of traffic on Marketplace Drive would be detrimental to the area, and with the intersection of 168th St NW and Hwy 10

already being extremely dangerous with the limited amount of traffic it currently see, this would only cause further issues and require the installation of a traffic signal on Hwy 10 - costing hundreds of thousands of additional dollars not accounted for in any proposals to the City. We would also see an increase in vehicle traffic cutting through our neighborhood, and with the amount of children in this neighborhood that becomes a very big safety factor. There is already a lot of traffic that, for some reason, cuts through this neighborhood and we don't need or want any more. As a father, I cannot accept that risk being placed on our development from this increase in traffic.

The Hudson Woods neighborhood is small and this new development proposes adding sidewalks and crossings to connect to this neighborhood and to that proposal I say absolutely not. Having hundreds of additional people walking through the neighborhood, a neighborhood that is already small and has no directly adjacent developments to mitigate the extra load of pedestrians, again is a safety factor for everyone. We're already mostly isolated from the rest of the City, as there is no trail system that attaches this end of the City to the rest of the infrastructure, we do not need the added stresses on the limited resources we currently have here.

The proposed buffer zone also presents a safety factor to the many children in this neighborhood. Another pond, storm water feature, does not provide a proper transition from two large apartment complexes to a single family neighborhood - especially directly adjacent to a childcare center. In reality, this location is best served to be utilized as originally intended and not re-zoned for any type of residential. Seeing the Marketplace area built up with something along the lines of law offices, small office complex, senior facilities or a second town square would be much better served to the people of Big Lake than more multi-family residential units.

There is already a proposal to build multi-family residential on the south side of Hwy 10 - why not place these two units over there and develop that area as one instead? I personally don't believe that we need anymore apartments in this City and should instead be focusing our efforts on attracting and maintaining businesses. Many businesses have come and gone in the 6 years that I've lived here and I believe that's a bigger issue than building more apartments.

Two apartment complexes along Hwy 10 as you enter the City would be an eye sore - no matter what type of exterior materials were used for construction. And the construction of these two units will have lasting, negative implications for the Hudson Woods neighborhood and for the future expansion of the neighborhood to the east. I know I'm not alone in opposition to this proposal, and I hope that the Planning Commission seriously takes into consideration the people that are currently tax paying residents of this City. We do not want these two units constructed in this area - please reject this proposal for the Marketplace I & II project.'

Robert Lindholm, 19958 January Street asked if phase one and phase two will be built at the same time. Hughes stated that phase one and two would be built separately about one year apart.

Crystal, 20096 January Street commented that there have been multiple accidents at the intersection near the proposed development. She stated that if the development will be built it would be likely a stoplight would need to be introduced which could be an

expense for the city.

Hughes stated that in their experience multi-family generates less traffic than other commercial businesses. They do not consider the accessibility to be a challenge. Regarding burdens on public services, Hughes stated that this will be a tax paying development that will contribute to city taxes. The appearance will also mimic market rate multi-housing developments.

Green asked why the applicant would want to change the way the proposed area is zoned rather than go for the areas that are already zoned for this type of development. Hughes stated that the purchase price is a primary. The visibility and accessibility for Highway 10 are also two major reasons for their decision to choose the parcel.

Chair Heidemann closed the public hearing at 7:08 p.m.

Odens asked for clarification on the long term plan for the intersection near the proposed development. Wilfahrt stated that MNDOT doesn't have current plans to place a stoplight at the intersection, but that the intersection was constructed so that it would allow for the addition of a stoplight or controlled intersection in the future. Klimmek confirmed that the potential area is being studied for the construction of a controlled intersection, but that MNDOT has reservations on the construction due to a lack of businesses in the area.

Odens asked about school bussing for students that live in the proposed development. Klimmek stated that the current parcel is in a zone that allows for residents to take the bus to school.

Marotz commented that he is unsure about rezoning the proposed parcel from commercial because it limits potential commercial growth in the area. He would like to see the applicant look at other options that do not require rezoning. Marotz also stated that there is a current substantial need for more housing per current market studies and that parking requirements is something the Planning Commission has been considering altering at previous meetings.

Sundberg stated that he is reluctant to rezone the area because there are other parcels in Big Lake that could host a development. He is also unsure about changing the comprehensive plan and with the potential development being located directly near the highway, it could pose a safety hazard.

Zettervall commented that he is apprehensive to support the proposed development due to negative public comment and the proposed amendments to the comprehensive plan.

Green commented that developers should be following what the current comprehensive plan has zoned for commercial and residential. Vickerman commented that the community does need low income housing, but that this parcel of land is not a good fit

for it due to it being zoned commercial.

Heidemann commented that it is not an appropriate time to amend the comprehensive plan as it was recently updated. He also agrees that the heavy traffic would prove to be an issue. Marotz recommended that this development plan would be more likely to be approved if it was proposed for an accurately zoned area.

7B. PUBLIC HEARING: PUD CONCEPT PLAN REVIEW FOR “BIG LAKE STATION”

Shay reviewed a development application requesting a concept plan review submitted by AEON. 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.

Shay reported that 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.

Staff is requesting that the Planning Commission 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.

Chair Heidemann opened the public hearing at 7:34 p.m.

Leslie Roering, Senior Real Estate Developer for AEON stated that this is the perfect time to make adjustments to the proposed plan and be flexible with the amenities that are proposed. She welcomed questions and comments from the public.

Zetervall asked why four levels are being proposed when currently only three levels are allowed for the proposed site. Roering stated that they are proposing larger individual units and in order to make this project efficient and because of this they are hoping to include a fourth level. Green asked if AEON has been awarded a tax credit. Roering stated that they haven’t been approved for a tax credit, but are applying in June and are hopeful they will be awarded.

Sundberg asked about the applicant’s proposed amenities. Roering stated that the senior side will feature patios, outdoor fire places, a community room, and playground. Roering also stated that they intend to build out their sidewalk connectivity.

Green asked the applicant if there will be any market rate units available. Roering commented that there will not be market rate units available due to the limitations with the tax credit they are applying for. Green asked the applicant to expand on long-term homeless units. Roering stated that there is an initiative to support individuals who have been homeless for over a year and bring them into currently vacant affordable housing units.

Zettervall asked about off-street parking. Roering reviewed the parking portion of the application with 132 proposed parking spaces for the multi-family building and 98 for the senior housing building. Zettervall expressed concern that this is not enough parking for the proposed development. Roering stated that they currently have a similar development in Ramsey that has less parking than what is proposed and that they increased the parking for this application to combat the potential issue.

Sundberg asked about the recreational space and if there is an opportunity to provide something for the children to use recreationally outdoors. Roering confirmed that there will be playground equipment and greenspace to accommodate for families.

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

Green stated that her only current concern is parking. Zettervall expressed concern with rezoning to PUD. Marotz commented that this proposed development is in line with what the comprehensive plan intends for the area. Marotz also recommended that there be a plan to expand parking in the case that there is an issue with the proposed off-street parking plan. Odens asked about the setbacks for this area due to its proximity to the train tracks. She doesn't have an issue with the proposed setbacks, but would prefer that the buildings and amenities utilize more of the space available. Vickerman stated that the proposed setbacks could allow for more connectivity. Heidemann commented that he feels the proposed four stories isn't an issue.

7C. PUBLIC HEARING: CUP AND VARIANCE FOR 301 CRESCENT STREET

Shay reported that Kathleen and Richard Anderson have submitted a development application requesting a Conditional Use Permit and 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. Staff is recommending that the Planning Commission make a motion recommending approval or denial of the development application.

Marotz asked if there is a calculation for the current impervious surface of the lot. The applicant stated that it is currently 42.8%.

Chair Heidemann opened the public hearing at 8:03 p.m.

Kathleen Anderson, 15111 Sodium Street, NW Ramsey, Minnesota commented that this is currently their summer home. They have been managing the property for the last 30 years and they are having issues with a cracked foundation. Their intent is to move from Ramsey and live in Big Lake full time.

Sue Ronayne, commented via email. 'I will not be able to attend the Planning Commission Meeting on Wednesday, April 1st but request my letter is read at the meeting and become part of the official record.

Although I do not oppose the variance or conditional use permit I do have a couple of items I would like addressed. I own the property directly to the west of the proposed project. Since both residences are very close to the property line, I would request the west property line be very clearly staked so that no construction workers are impeding my property or that no construction material is stored on my property.

I would also recommend that no construction work start before a reasonable time or 8:00 a.m. each morning.

I greatly appreciate the opportunity to give my input regarding the expansion project at 301 Crescent Street.'

Bonnie Beeland, 297 Crescent Street commented via email. 'My home at 297 Crescent Street has been in our family for over 75 years as a summer home. I moved here permanently in 2015 to be able to have peace and quiet away from the city, where I worked at the University of St. Thomas as a dean and instructor.

I am also a 64 year old woman diagnosed with high functioning autism. As such, loud noises, bright lights, unfortunately cause me extreme anxiety and stress.

These particular neighbors have been an increasing problem. They ignore property lines, tease my dogs, insist on packing 20-30 screaming children and random adults into a 43 foot lot every weekend, play croquet in my garden and off the side of my garage, and make trying to sit on my deck and read impossible. You should know that one family of two adults is not going to live there; it's more like a summer camp because the extended family is SO large and ALWAYS around. Every week during the summer they host a social gathering of at least ten people, once a year there is a group of seventy to eighty. Outdoors. Next to my window. I can't garden or even mow my yard, as, every time I try, five to seven children come out to stare at me and make comments. My lawn care provider, who I hired after a few tries braving the audience, has even commented on how inappropriate they are. So have the neighbors on the other side of me.

These individuals are overly loud, disrespectful, feel they own the lakefront and have already got their deck on part of my property. Now they want to come closer? They already act like they have the right to use half of my property!

I strongly oppose allowing a variance for my own health and well being as well as my property value.

I would also request that a 6 foot privacy fence is completed before construction begins. In addition I want absolutely no construction debris or dirt on my property.

My bedroom faces their house. It's unreasonably loud when they are there now, especially when I am trying to sleep. They have front row seats to my bedroom n

bathroom, so a privacy fence is all I can think of to help cut down on showtime as well as the constant noise factor.

It might also help them to understand “boundaries” and perhaps mitigate somewhat the staring at me and my guests and the teasing of my dogs as well as the noise of the screaming kids.

I’m very unhappy and worried about this. This is my family home, and I am so afraid of losing the comfort and calm I need at this time. I don’t want to move.’

Bettina Potter, 120 Edgewater Place commented via email. ‘Respectfully request that the applicant be required to include shoreline restoration by planning of natural areas along the shoreline, representing a minimum of 50% of the lake shore. The Sherburne County Water Conservation District is able to provide guidelines of approved plantings. This shoreline restoration has been required in the past for most of the Lake shore residents that have requested variances for impervious surface, etc. (including our prior application)

Also, would like to state that doubling the impervious surface allowance seems a bit larger than necessary. However, given the odd shape of the lot, we remain neutral on that request.’

Anderson commented that they have a family gathering once a year that doesn’t include alcohol and that the family doesn’t stay onsite overnight. She stated that she does have multiple children and grandchildren in the area and that she takes precautions to ensure they stay in the yard. Heidemann stated that any issues between neighbors should be resolved outside of public meetings and will not have effect on the Planning Commission’s decision.

Chair Heidemann closed the public hearing at 8:13 p.m.

Green asked if the City Code or DNR has any requirements for this application on lakeshore plantings and restoration. Shay stated that the DNR hasn’t made official comments on this application at this point.

Zettervall asked if there should be a condition about the property line upon approval. Shay stated that the surveyors are required to clearly follow specific property lines. Shay stated that the existing deck on the property is .2 feet over the property line, but because it is an existing structure that isn’t being changed, no further action is required by the city regarding the deck to allow for approval of this application.

Odens stated that the proposed plan is consistent with other homes in the area. Heidemann commented that construction times aren’t something that can be addressed upon approval. Heidemann asked if a condition should be included for DNR comments. Shay stated that any DNR comments and requirements will be included before the upcoming Council meeting.

Commissioner Green motioned to recommend that the City Council approve the proposed Conditional Use Permit and Variance for the new single family home at 301

Crescent Street. Seconded by Commissioner Vickerman. A Roll Call Vote was conducted with Commissioner Zettervall voting aye, Commissioner Sundberg voting aye, Commissioner Odens voting aye, Commissioner Marotz voting aye, and Commissioner Heidemann voting aye. Vote passed unanimously, motion carries.

7D. PUBLIC HEARING: CAR CONDO DEVELOPMENT APPLICATION

Shay reviewed a development application submitted by Richard Hinrichs. The applicant is 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.

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. Staff is requesting that the Planning Commission make a motion recommending approval or denial of the development application.

Green asked if when the initial building was proposed if bathrooms were proposed for each individual building. Shay stated that there will not be private bathrooms in each individual unit, but the applicant is proposing to include a public bathroom in each building.

Chair Heidemann opened the public hearing at 8:31 p.m.

No one came forward for comment.

Chair Heidemann closed the public hearing at 8:31 p.m.

Vickerman asked if the development is still being completed in phases. Shay outlined the phases for the proposed development. Zettervall asked for the phase timeline. Shay stated the intended timeline includes phase one completed this year and one additional phase completed each year following.

Commissioner Odens motioned to recommend that the City Council approve the proposed Conditional Use Permit amendment, preliminary plat and development stage

PUD for five luxury garage buildings and a public clubhouse. Seconded by Commissioner Sundberg. A Roll Call Vote was conducted with Commissioner Zettervall voting aye, Commissioner Green voting aye, Commissioner Vickerman voting aye, Commissioner Marotz voting aye, and Commissioner Heidemann voting aye. Vote passed unanimously, motion carries.

7E. PUBLIC HEARING: SANDHILL VILLAS DEVELOPMENT APPLICATION

Shay reviewed a development application that was submitted by Modern Construction of Minnesota. The applicant is 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.

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. Staff is requesting that the Planning Commission make a motion recommending approval or denial of the development application.

Zetervall asked if the internal street is publicly or privately owned. Shay stated that the internal street is publicly owned and that the City would be responsible for maintenance including snow removal and that there is currently a small area for snow storage on the street. Green asked if the proposed lighting would be sufficient. Shay stated that it is likely more lighting would be required.

Chair Heidemann opened the public hearing at 8:53 p.m.

John, 17267 205th Avenue commented that PUD should not be for the economic gain of the applicant and that he views this application is solely for the gain of the applicant. He commented that the design standards are noted to be lacking by staff. He feels it is irresponsible to move forward with an application that has multiple unanswered questions. Because the surrounding land is solely single family homes, he doesn't feel it would be fitting to have townhomes placed in the proposed parcel. He expressed concern in having the City become responsible for snow removal. He doesn't feel there is the ability for there to be an adequate stormwater plan with this specific parcel. He feels this development will also negatively impact the property value of his home. He commented that with no association for the townhome, there is nothing preventing the townhome from becoming blight. He stated the buffer zones shouldn't be changed when there are other parcels that can be used for this type of development.

Jesse Hartung, Employee of Modern Construction commented that the target residents for this type of development tend to be widows and retired couples. Hartung stated that he doesn't feel a parcel near a train track would be fitting for this type of resident. Hartung stated that they have an adequate retention pond plan that should fix any stormwater issues. He also stated that they have similarly successful developments in neighboring communities and that there is an HOA in place to allow for maintenance of the area. Hartung commented that they are able to accommodate the larger window recommendation by staff, but they would like flexibility with setbacks.

Zetervall asked why the internal street was changed from a private to a public street. Hartung stated that because they expanded the size of the proposed street, they felt it was more fitting to deem the street publicly owned.

Heidemann asked if the association is going to hold the insurance policy for the outside of the buildings. Hartung stated that the minimum responsibility of the HOA will be snow removal, landscaping, and lawn mowing. Marotz commented that there could be an issue with snow storage and that he feels the HOA should be held responsible for any additional snow removal costs. Hartung confirmed that additional snow removal costs can be accommodated.

Dan and Janette Moores, 17369 205th Avenue NW commented via teleconference that reducing the setback wouldn't allow for a safe walking path. They stated that they originally purchased the home because it was plotted for single family homes. They feel the aesthetics do not fit the area. Hartung commented that the population density because of this development will not be increased substantially. He also commented that because the townhomes will be owned by an association it is unlikely that there will be an issue with aesthetics. They also have an extensive landscaping plan that will allow for natural buffers.

Dan and Janette Moores, 17369 205th Avenue NW commented via email. 'After living at 17369 205th Avenue for over 40 years, we purchased the first lot in the Sandhill Acres development Lot # 10-560-0105. We purchased this lot for a few reasons; one being an investment in our retirement, another was adding to our privacy, we also have the 4.75 acres of Lot # 10-569-0105 planted with corn and soy beans just for the deer and any other animals that are being pushed out of their natural habitat.

Sandhill Acres was plotted designed and approved by the Township and the county for single family homes back in 2015. We disagree 100% with any rezoning of Parcel # 10-560-0115. To the North, South and West of Parcel # 10-560-0115 is township, surrounded by farm land and single-family homes with acreage. These lots were purchased for reasons of having acreage, serenity of nature and privacy.

Adding twelve townhomes will change the dynamics of this area; it could also potentially reduce the value of the existing homes and land value.

Instead of rezoning 2.5 acres of Parcel # 10-560 0115 into the city could there not be a like kind of exchange for land that is already designed and zoned for town homes with city water and sewer hookup designed in the already existing Prairie Development?'

John, 17267 205th Avenue commented that he doesn't have an issue with density of people, but with aesthetics. He feels single family homes are a better fit for the area.

Chair Heidemann closed the public hearing at 9:16 p.m.

Zettervall asked staff if they feel the internal street could be efficiently plowed of snow without additional costs incurred by the City. Clay stated that he cannot confirm this would possible without consulting the City Engineer. Zettervall asked if there could be a condition added that snow removal be addressed before approval of the application. Clay confirmed that this condition could be added.

Green asked if the proposed setbacks would accommodate for the addition of a turn

lane if needed in the future. Shay stated that the intent of the setbacks would be not to allow for a turn lane, but to include a sidewalk. Zettervall expressed concern for the potential need for a turn lane. Odens and Zettervall asked if the 45' proposed setback by staff was recommended by the City Engineer. Shay stated that the 45' setback was requested by the Planning Department but that 30' are requested in the proposal.

Troy, 2043 172nd Street commented that they are requesting 30' from the right away and that this decision was made with consultation of the City Engineer and former Fire Chief who requested that the internal street not become a through street so that snow can be stored.

John, 17267 205th Avenue commented that at the previous Planning Meeting, staff was adamant at keeping the setbacks at 45'.

Odens asked why the street is proposed for 30' versus other streets that are generally 28'. Hartung stated that the street is proposed for 30' to accommodate on street parking. Green asked about the various criteria the applicant must meet. Shay stated that the applicant doesn't have to meet all 13 benefits for the PUD, but that the majority of them are required to be met prior to approval. Green asked about ensuring the mitigation of any stormwater from neighboring lots. Shay stated this would be something the City Engineer would review and finalize to ensure the applicant is following regulations.

Green asked how this application can be approved or denied with multiple unresolved issues. Marotz stated that this is only one step of many, so the unresolved issues would be addressed at a future meeting. Shay stated that the Planning Commission has the ability to amend the City's recommendations.

Troy stated that there is currently a walking path near their home that has similar setbacks. Marotz expressed concern that the HOA would potentially be responsible for putting up a fence or other maintenance if a turn lane is introduced. Troy stated that he plans to work out a buffer of some sort with staff.

Green asked about park dedication and if this needs to be addressed. Heidemann stated that because they do not have land available to dedicate, they would have to pay park dedication fees. Marotz recommended including a condition to move existing trees to the rear to act as a canopy and to avoid needing to remove them in the future as they grow and expand.

Commissioner Marotz motioned to recommend that the City Council approve the proposed preliminary plat and development stage PUD for Sandhill Villas with the stated requirements listed in the Planning Packet and to modify the revised setbacks to allow staff to work with the applicant to reduce them from 45' to what city staff feels appropriate, and to revise the landscape on 2f with the equivalent of two trees per lot with at least one in the front yard. Seconded by Commissioner Green. A Roll Call Vote was conducted with Commissioner Zettervall voting aye, Commissioner Sundberg

voting aye, Commissioner Vickerman voting aye, Commissioner Odens voting aye, and Commissioner Heidemann voting aye. Vote passed unanimously, motion carries.

7F. PUBLIC HEARING: WASTEWATER TREATMENT PLANT DEVELOPMENT APPLICATION

Shay reviewed a development application that was submitted by the City of Big Lake. The applicant is 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.

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.

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

Chair Heidemann opened the public hearing at 10:03 p.m.

No one came forward for comment.

Chair Heidemann closed the public hearing at 10:03 p.m.

Commissioner Sundberg motioned to recommend that the City Council approve the proposed Preliminary Plat, Final Plat, Development Stage PUD, Final PUD, and Rezoning for the wastewater treatment plant. Seconded by Commissioner Odens. A Roll Call Vote was conducted with Commissioner Zettervall voting aye, Commissioner Green voting aye, Commissioner Vickerman voting aye, Commissioner Marotz voting aye, and Commissioner Heidemann voting aye. Vote passed unanimously, motion carries.

7G. COMMUNITY DEVELOPMENT DEPARTMENT UPDATE

Klimmek introduced Consultant Planner Kevin Shay and City Planner Amy Barthel.

8. PLANNER'S REPORT – None.

9. COMMISSIONERS' REPORTS

Odens requested that future discussion ensue about a workshop for Planning Commission goals.

10. OTHER – None.

11. ADJOURN

Commissioner Green motioned to adjourn at 10:08 p.m. Seconded by Commissioner Zettervall. A Roll Call Vote was conducted with Commissioner Sundberg voting aye, Commissioner Odens voting aye, Commissioner Vickerman voting aye, Commissioner Marotz voting aye, and Commissioner Heidemann voting aye. Vote passed unanimously, motion carries.