

**BIG LAKE PLANNING COMMISSION  
REGULAR MEETING MINUTES**

**JUNE 15, 2022**

**1. CALL TO ORDER**

Chair Zetervall 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: Allen Berg, Tony Benecke, Ketti Green, Alan Heidemann, Lisa Odens, Paul Seefeld, and Scott Zetervall. Also present: City Planner Lucinda Spanier, City Engineer Layne Otteson, Consultant Planner Kendra Lindahl and Planning Technician Will Bucheger.

**4. ADOPT AGENDA**

Commissioner Heidemann moved to adopt the agenda. Seconded by Commissioner Benecke, unanimous ayes, agenda adopted.

**5. OPEN FORUM**

Chair Zetervall opened the Open Forum at 6:01p.m.

No one came forward for comment.

Chair Zetervall closed the Open Forum at 6:01p.m.

**6. APPROVE MEETING MINUTES**

**6A. APPROVE REGULAR PLANNING COMMISSION MEETING MINUTES OF JUNE 1, 2022**

Commissioner Green motioned to approve the June 1, 2022 Regular Meeting Minutes. Seconded by Commissioner Berg, unanimous ayes, Minutes approved.

**7. BUSINESS**

**7A. PUBLIC HEARING FOR A REZONING, PRELIMINARY PLAT AND DEVELOPMENT STAGE PUD FOR "PRAIRIE ROSE" (PID 65-543-0030 AND 65-543-0070)**

Planning Consultant Kendra Lindahl discussed that Capstone Homes, Inc. has submitted a development application for a rezoning, preliminary plat and development stage PUD. The request is for a residential development on 32.66 gross acres located north of Marketplace Drive and west of 166th Street Northwest.

Commissioner Green asked about the difference in terminology regarding road width measurements.

Lindahl explained that the common measurement utilized for purposes of defining road width is face of curb to face of curb, or "face-to-face," which measures the drivable surface of the road.

Chair Zettervall opened the public hearing at 6:16 p.m.

No one came forward

Chair Zettervall closed the public hearing at 6:16 p.m.

Zettervall asked whether any of the Commissioners had issues with the proposed deviations.

Commissioner Heidemann stated that he is fine with the deviations that are requested by the developer.

Commissioner Benecke stated that this [detached townhome] development is preferable to multifamily development, which is what the property is currently zoned for. He acknowledged that the homes will be very close to one another and reiterated that the Fire Chief has viewed the plans and saw no problem with the side yard setbacks.

City Planner Lucinda Spanier stated that the Fire Chief recommended hard siding as opposed to vinyl siding for the sides of the homes and that he is inclined to recommend that for all single-family housing. Fire spreads faster with vinyl siding than it does with hard siding.

Benecke expressed concern regarding the height of the homes and noted that they cannot exceed 35 feet per the zoning code.

Zettervall stated that he wished to discuss the private street and indicated that he is not a fan of them. Odens stated that in general, the street designs are awkward.

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City Engineer, Layne Otteson, stated that a private street/driveway is not uncommon and there are examples of them in Big Lake. Otteson stated that he is in favor of the proposed private street/driveway.

Benecke asked if the private street will be 30 feet face to face or if it will be narrower and expressed concern for EMS access to the homes accessing on the private street. Otteson indicate that the private drive is likely to be narrower and that EMS accessibility will be considered and assured. Considerations will include parking restrictions.

Lindahl stated that in the PUD, it is written that the homeowners association would be responsible for maintaining the private drive and not the city.

Commissioner Berg stated he would follow staff recommendation and that he doesn't see any reason not to listen to them.

Otteson stated that a 30-foot road width works very well in neighboring cities and they have found it to be very effective in Big Lake as well. He stated that he wants to limit the amount of impervious surface, generally. Otteson discussed the issue of roadway width with Public Works Superintendent, Norm Michaels, whom is also hesitant to allow less than 30-foot road width.

Heather Lorch, Capstone Homes, thanked the City for all their help, and stated that she was under the impression that a 29-foot back-to-back was the dimension the City wanted to pursue for the development. She stated her confusion and expressed that she is not sure where to go from here.

Zettervall said he would allow them to talk further about this issue.

Lindahl stated that the City is looking for 30-foot face-to-face roadway width, which is absolutely feasible within a 60-foot right-of-way. She also stated that 30-foot face-to-face is included in the engineer's recommendation for the project.

Odens asked whether restricting parking to one side of the street would be a solution. Otteson stated that he believes that parking will be a challenge in general due to driveways and mail boxes; restricting parking on one side would eliminate valuable parking.

Zettervall asked the developer what their intention with the road width is and if they planned for their roads to be 30 feet face-to-face. Heather Lorch stated that they envision 30-foot back-to-back..

Lindahl stated that the engineering guidelines illustrate and require 32 feet face-to-face. Zettervall stated that the consensus of the Planning Commission is to require a 30 foot face-to-care street width.

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Zettervall asked Otteson to explain his recommendation to eliminate two lots from the development. Otteson's stated concern is lack of visibility to the roadway. An inexperienced driver may have experience difficulty accessing the roadway due to visibility issues caused by the positioning of the two lots in question. He indicated potential for safety concern. He stated that there are other lots in the development that do not meet the 90-degree radial, but they are only skewed 10-15 degrees which does not concern him.

Seefeld asked the developers for their opinion on the possible removal of those two homes. The developer stated that additional conversations would need to take place since they were only recently made aware of this recommendation. She stated that the potential loss of these two lots would be significant.

Zettervall asked Otteson to detail his reasoning for removal of the lots and the requirement for lots to be radial/perpendicular to the roadway. Otteson said that the lot lines need to be radial for safety reasons. Otteson described that in this case, a lot with a curve in it could result in a potential car accident. He described that the positioning of the lots could potentially cause a preventable accident with a distracted or inexperienced driver.

Zettervall asked the Planning Commission for feedback. Seefeld stated that if the roads are slim, people will drive at a reduced speed in response, with a reduced speed, people may be able to see other drivers better and notice if someone is backing out of their driveway.

Heidemann said that there is an inherent danger in backing out of a driveway and does not believe the City should restrict the developers because of it. He does not support removal of the two lots.

Benecke stated that he is indifferent to removing the lots but errs on the side of the engineer's recommendation.

Seefeld asked if the speed limit can be reduced. Otteson stated that it is human nature to increase vehicle speed while traveling, so it may not be effective to reduce the speed limit. 30 mph is the standard speed limit in Big Lake. Otteson did state that if these lots are left where they are, then the City should reduce the speed limit to 25 mph. Seefeld stated he does not support the removal of the two lots.

Green asked why they couldn't straighten out the road more to allow these homes and to eliminate the situation from happening. Otteson cited a lack of space as the limitation in doing so. Zettervall said that he would side with Otteson on his advice. He stated that he can also envision car accidents happening from the placement of these lots. Green agreed with Zettervall. She further stated that she doesn't want to eliminate the lots, but that she does want to air on the side of caution and avoid accidents if at all preventable.

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to do so. Zettervall said that the safety of residents is their primary concern.

Berg stated that residents will eventually learn to operate vehicles safely after a period of time. He then stated that this will not be a serious problem in the future for residents since they should adapt to the development and its layout.

Zettervall stated that the consensus of the Commission appeared to allow for the lots to remain.

Zettervall said that the trees in the right of way seem like an unsafe situation since work is frequently occurring in the right of way. Lorch stated that the streetscape as designed, which incorporates overstory trees in the right of way, would result in a beautiful canopy over time. Planting such trees in the front yard is infeasible given the reduced front yard setback that is being proposed.

Odens expressed support for the developer's street design, including the street trees, suggesting additional value to the homes as a result.

Zettervall suggested that the desired canopy could be achieved without the trees planted in the 60 foot right of way.

Otteson stated it is a give and take situation with trees on private property and inside of the right of way. There are pros and cons to both and Cities vary on this topic. When planted in the right of way, trees can interfere with utilities, but they provide a great streetscape and canopy. Typically, maintenance is the City's responsibility since they're owned by the City.

Heather Lorch offered that the trees be maintained by the homeowner's association.

Lindahl said that in other cities that she works with, street trees are allowed, however the developers enter into a maintenance agreement. The agreement is intended to ensure the HOA adequately maintains the street trees. She then spoke that HOA's are very difficult to work with.

Spanier offered two considerations before the commissioner's vote on the topic. She stated that allowing the street trees would help create neighborhood diversity and identity, both of which are stated objectives in the comprehensive plan. She also said that cities are split on this issue and while the City of Big Lake has a policy of prohibiting street trees, allowing them in this development could be a "test-run" for future development and potential reevaluation of existing policy.

Zettervall explained that he would allow trees in the right of way inside of this development so long as the HOA is responsible for planting and maintaining the trees.

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Benecke asked if there is a potential threat to the curbs along the right of way as these trees mature. He wanted to know if these trees would disturb the curbs and cause potential damage. Otteson stated that he has created a list of tree species that have the least likelihood for popping out curbs; these trees have a shallow network of roots and as such reduce the risk of infrastructure damage. There is a reconstruction project planned which may have trees at risk due to their location within the right of way. This project involves curb and sidewalk replacement and will likely cause root exposure. Otteson stated that the position of the Public Works Superintendent is uniformity and consistency throughout the city.

Zetervall stated that the commission is now faced with three options, one is to allow trees in the right of way, the second option is to allow trees in the right of way with a condition that the HOA is legally bound to maintain said trees and the last option is to reject allowing trees at all in the right of way.

Seefeld said he wants to allow the trees to be present in the right of way so long as the HOA will be responsible for the trees. The entire commission agreed with Seefeld's statement. They chose to allow trees to be present in the right of way so long as the HOA is responsible for their maintenance and replacement.

The commission then spent time discussing different characteristics of the sidewalks proposed by the PUD.

Zetervall asked for staff help in the preparation for the motion. Lindahl discussed that they could motion to approve staff recommendation and then make amendments to said motion or they could proceed with an informal motion.

Commissioner Odens motioned to recommend approval of the PUD and preliminary plat with the conditions outlined in the staff report adding 1.) the Engineer's recommendation for a 30-foot face-to-face road width, 2.) to allow street trees as proposed in the landscape plan conditioned upon HOA maintenance, and 3.) to require sidewalks be added to Road C. Seconded by Commissioner Heidemann.

Motion retracted from Commissioners Odens and Heidemann since a consensus was not reached.

Lindahl proposed a motion to the commission. She proposed that they move to recommend approval of the PUD with the conditions in the staff report and the requirement that public streets be a minimum of 30-feet face-to-face. She described as they are making that motion another commissioner can add another requirement onto the motion.

Commissioner Odens motioned to recommend approval of the PUD Preliminary Plat and rezoning for Prairie Rose subject to the conditions in the staff report. Seconded by

Commissioner Heidemann.

Odens moved to amend her motion to include the City Engineer's recommendation for a 30-foot face-to-face minimum road width. Seconded by Commissioner Berg, unanimous ayes, amendment carried.

Odens motioned to amend the original motion to allow street trees under the condition that the developers work with staff to include that the HOA is responsible for tree maintenance. Second by Commissioner Benecke, Green voted nay and the rest of the commission voted aye, amendment carries.

Odens motioned to amend the original motion to require the addition of sidewalks on Street C. Seconded by Heidemann. Odens, Green, Heidemann and Benecke voted aye and Berg, Seefeld and Zettervall voted nay, amendment carries.

Zettervall then asked for all those in favor for the official motion with said amendments, unanimous ayes, motion carried.

## **7B. PUBLIC HEARING: ZONING MAP AMENDMENT FOR OUTLOT C, BIG LAKE MARKETPLACE SECOND ADDITION (PID #65-534-0030)**

Spanier asked the Planning Commission to hold a public hearing and provide a recommendation to the City Council to approve or deny the zoning map amendment (rezoning) request for the property legally described as Outlot C, Big Lake Marketplace Second Addition (PID # 65-534-0030). The applicant requests the property be rezoned from General Business (B-3) district to Innovation Industrial (I-4) district, which is compatible with the comprehensive plan future land use map.

Al Gesell the president of the Becker-Big Lake Ice Association came forward to present information to the commission and described the proposed ice arena project. Gesell stated that the ice association is working on a feasibility study to determine whether the community would embrace an ice arena. Assuming the community does, the next step is obtaining bids for the project.

Green described her enjoyment to see this project and organization becoming a reality and asked whether they intend to provide one or two sheet of ice. Gesell indicated that based on the amount of donations and the support received so far; one sheet appears to be sufficient for the near future. The nearest ice rink is located in Princeton; it is likely that more area kids will enjoy the sport with the addition of an ice area.

Chair Zettervall opened the public hearing at 7:56 p.m.

No one came forward for comment.

Chair Zettervall closed the public hearing at 7:57 p.m.

Commissioner Heidemann motioned to approve the rezoning from B-3 to I-4. Seconded by Commissioner Green, unanimous ayes, motion carried.

#### **7C. ORDINANCE UPDATE – ZONING ORDINANCE – TITLE AND APPLICATION, ADMINISTRATION AND GENERAL REQUIREMENTS**

Lindahl discussed that the task force reviewed the draft ordinance at their meeting on May 24<sup>th</sup>, she stated that the task force discussed the zoning ordinance and made recommendations on various section of the draft ordinance. Lindahl stated that she would like the Planning Commission to review the draft subdivision ordinance and provide feedback.

Odens asked the commission to weigh in on the garage dimensions specified in the draft subdivision ordinance. Zettervall discussed that he would like to specifically identify the dimensions of garages instead of simply allowing 2 car garages. Spanier indicated she has yet to receive any plans for garages less than 20ft in length. Heidemann spoke that until the commission enters situations that require specific dimensions for garages, they should have a level of vagueness in their language. He described that if they need to, they can always define the dimensions of garages in the future.

Green stated a large majority of material was redlined in this update. She then asked a question pertaining to the outdoor wood burners, primarily the list of prohibited materials that cannot be burned. She asked if the list of prohibited materials was taken out of the ordinance. Lindahl spoke that the idea behind the task force was to eliminate large lists of items. She then spoke that the task force did not get to this item yet.

#### **8. COMMUNITY DEVELOPMENT DEPARTMENT UPDATE**

Spanier discussed the status of various projects within Community Development as of June 15, 2022. This update included Housing, Commercial and Industrial, BLEDA, Planning and Zoning, Building, Recreation and Communication, and Streets and Parks.

#### **9. COMMISSIONERS' REPORTS**

Seefeld discussed the next City Council meeting will be performing a review of the Interim City Administrator.

Zettervall said that the 3<sup>rd</sup> annual ATV run will be held in Big Lake this coming Saturday.

#### **10. OTHER**

Green asked the status of a parcel of land on the corner of Powell St N and Jefferson Blvd. She discussed that multiple vehicles and a pontoon have been sitting on the lot for



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a good bit of time now. Spanier replied that staff is happy to investigate the compliance status of the parcel.

**11. ADJOURN**

Commissioner Green motioned to adjourn at 8:14p.m. Seconded by Commissioner Heidemann, unanimous ayes, motion carried.