

**BIG LAKE PLANNING COMMISSION
REGULAR MEETING MINUTES
SEPTEMBER 7, 2022**

1. CALL TO ORDER

Chair Zettervall 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: Ketti Green, Lisa Odens, Paul Seefeld, and Scott Zettervall.
Commissioners absent: Alan Heidemann. Also present: City Planner Lucinda Spanier,
Consultant Planner Kendra Lindahl and Planning Technician Will Bucheger.

4. ADOPT AGENDA

Commissioner Oden moved to adopt the agenda. Seconded by Commissioner Green,
unanimous ayes, agenda adopted.

5. OPEN FORUM

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

No one came forward for comment.

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

6. APPROVE MEETING MINUTES

**6A. APPROVE REGULAR PLANNING COMMISSION MEETING MINUTES OF
AUGUST 17, 2022**

Commissioner Seefeld motioned to approve the August 17, 2022 Regular Meeting
Minutes. Seconded by Commissioner Green, unanimous ayes, Minutes approved.

7. BUSINESS

7A. PARKWOOD KNOLLS AUAR AND MITIGATION PLAN

Planner Lindahl stated that the purpose of the agenda item is to provide an opportunity for the public to provide comment on the draft AUAR and Mitigation Plan prior to adoption of the final AUAR by the City Council in November.

Planner Spanier asked if there were any substantive comments made from the agency. Lindahl stated that there were no substantive comments received, however state agencies did provide generic comments.

Commissioner Green asked if property owners surrounding the subject property received notifications of the Parkwood Knolls AUAR. Spanier stated that notices were mailed to property owners in accordance with local ordinance.

Commissioner Odens noted that the traffic analysis section states that a new traffic signal may be warranted at 168th Street NW and Highway 10 as area development continues. Odens questioned whether that is an assumption based on traffic counts produced by the study, or if it is based on actual MNDOT plans. Spanier responded that to her knowledge, signaling that intersection is not a viable option given the curve in Highway 10 east of 168th St NW. Odens asked whether there will be a controlled intersection on Highway 10 in the future. Lindahl replied that the traffic study made assumptions that a traffic signal may be warranted in 2045, however, MNDOT does not believe this to be true.

Chair Zettervall stated he is not concerned with traffic associated with the project.

Spanier asked whether the MPCA issued comment regarding water and sewer capacity given the City's wastewater system would reach 90% capacity under Scenario 1. Lindahl indicated that the MPCA did not comment on that fact. Zettervall asked what the impact of that stress on the system may be and if the MPCA could put a halt to Scenario 1 due to lack of capacity. Spanier indicated that the wastewater capacity will be increased in about five years with the waste water treatment plant expansion project is completed.

Commissioner Seefeld stated that the City Council has no interest in rezoning this area to allow for Scenario 1.

7B. CODE REVISION PROJECT: RESIDENTIAL ZONING DISTRICTS

Planner Lindahl asked the Commission to review the draft Zoning Ordinance for Section 1003 (District Regulations).

Commissioner Green asked about the short-term rental ordinance drafted by staff.

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Lindahl stated that the short-term rentals are not currently regulated and staff has proposed language to consider for purposes of managing this emerging use, i.e VRBO, AIRBNB. Lindahl stated that the Code Revision Task Force did not view this as an issue that was needed to be solved currently. She then spoke that the code revision project is about 50% complete, they have gone through the subdivision ordinance and are now almost half way through zoning ordinance.

Commissioner Seefeld commented that the Code Revision Task Force held a four-hour meeting which included discussion on the short-term rental ordinance.

Green encouraged the Planning Commission to hold a discussion on the draft ordinance as well. Green expressed disapproval of the accessory dwelling unit (ADU) ordinance and believes it will cause problems for neighborhoods in the future. She asked whether staff spoke with other cities on the topic. Green advocated for the inspection of all residential rental property and not just the multifamily buildings. Lindahl responded that research has been conducted on how other cities manage short term rentals. Chair Zettervall asserted that the Planning Commission could revisit the topic at a later date. Spanier noted that the code revisions are provided to the Planning Commission for their input prior to the City Council.

Commissioner Odens stated that the Code Revision Task Force chose to remove short-term rentals from the draft was it was not seen as a problem. Spanier discussed how policymakers should view short-term rental properties less as a single-family home and more as a business. They involve an influx of occupants.

Green asked what form of authority the City has to revoke a rental license if the property is in abysmal conditions and has frequent visits from law enforcement, etc.

Zettervall discussed a potential establishment of a permit process for these rentals with an annual inspection included, though he does not feel additional regulations should be included since the primary use is still residential. Lindahl noted the draft ordinance requires an administrative permit, not a conditional use permit.

Zettervall asked what would happen to property owners with current Vrbo's and Airbnb's if the city adopted the ordinance. Spanier stated that those property owners would be required to comply with the ordinance.

Green stated that she would like to see a nominal fee for applications associated with short-term rentals. Lindahl stated that in the current draft, every three years a renewal fee would need to be paid. The draft requires short-term rental units comply with all codes and stated that the building official may inspect them but is not required to.

Odens, Green and Zettervall expressed support for the ordinance as drafted. Seefeld did not support the ordinance.

Spanier stated that the ordinance would be considered by the City Council in April.

Zetervall asked how often staff receive inquiries on the topic. Spanier indicated she has received approximately 10 inquiries over a two-year period and that they have each pertained to properties located in the Residential Redevelopment (R-5) district due proximity to the lakes and redevelopment potential.

7C. COMMUNITY DEVELOPMENT DEPARTMENT UPDATE

8. PLANNER'S REPORT

Planner Spanier stated that staff is still accepting requests for the two open Planning Commission vacancies. Chair Zetervall requested staff reach out to former candidates. Spanier stated that interviews will take place September 12 and a recommendation for appointment is scheduled September 28. The new Commissioners' will be sworn in during the October 5th Planning Commission meeting.

An offer has been extended to the leading candidate for the Community Development Director position. The City Council is expected to appoint the position on September 14.

Spanier and Lindahl are scheduled to attend the annual conference of the Minnesota Chapter of the American Planners Association in Duluth September 21-23.

Marketplace Crossing multifamily building plans to open in July of 2023, and will begin leasing 3-4 months prior to opening. Look for information on-site in the coming weeks.

Commissioner Green asked why a section of sidewalk was removed from Prairie Rose. Commissioner Seefeld commented that the City council did not believe that the section was needed given there is a sidewalk to the south and there will be one to the north.

Planner Lindahl noted that the City Council gave that project park dedication credit for the proposed park so long as it remains a private park.

9. COMMISSIONERS' REPORTS

Commissioner and PAC Liaison Green reported Powell Park is up and running, wood chips were replaced by a different material at Hudson Woods Park, extensive vandalism (graffiti) has occurred at Bluff Park and lastly, Movie in the Park is scheduled September 17th.

10. OTHER

11. ADJOURN

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Commissioner Green motioned to adjourn at 7:12 p.m. Seconded by Commissioner Seefeld, unanimous ayes, motion carried.