

PROCEEDINGS OF THE ST. CLOUD PLANNING COMMISSION

A meeting of the St. Cloud Planning Commission was held on July 13, 2010, at 6 p.m. in the St. Cloud City Hall Council Chambers. Members present were Anderson, Andzenge, Chirhart, Goerger, Holtberg, and Council representative Pederson. DeVine and Radaich were absent.

Consent Agenda: Chirhart moved approval of the consent agenda as follows:

Acceptance of staff reports for July 13, 2010, as part of the official record.

Approval of minutes from the June 8, 2010, Planning Commission meeting.

Anderson seconded the motion, and it carried by a vote of 4-0-1 (Goerger abstained on approval of minutes as he was not present at the last meeting.)

Open Forum: No one was present to speak at the open public forum.

Rezoning Request/Catholic Charities and 2003 Comprehensive Plan Future Land Use

Map Amendment/St. Cloud Planning and Zoning Department: Matt Glaesman, Planning Director, stated that the property is located off the Division St. and Cooper Ave intersection. The request seeks to rezone the entire property to R-2, Single and Two Family Residential. The northern undeveloped portion of the property is currently zoned C-5, Highway Commercial. The Comprehensive Plan guides the property toward commercial land use in anticipation of commercial redevelopment near the Cooper and Division intersection. Thus, a second related action is needed to amend the 2003 Comprehensive Plan future land use map. Glaesman stated that the intent of the request is to construct a second residential facility across the undeveloped northern portion of the site. The undeveloped northern portion of the site meets the minimum lot size requirement of the R2 district with a 84' lot width. Although rezoning to R-2 would not mandate a specific use of the property, the applicant has indicated that their intention is to construct the second residential facility for occupancy

by six or fewer residents. No variances would be required for the construction. Glaesman stated that staff is recommending approval of both the rezoning and the amendment to the land use plan of the Comprehensive Plan from commercial to residential. Holtberg asked if the rezoning and Comprehensive Plan amendment would only affect the parcel in question. Glaesman responded that it would affect the applicant's property. Holtberg said it is his understanding that the original terms of the purchase agreement prohibit applicant from selling the northernmost C-5 zoned lots. Glaesman responded that the parcels can be separated, but that neither parcel could be sold to another entity. Chirhart asked when the Domus House was constructed and asked what the use of the property was when the Comprehensive Plan was adopted in 2003. Glaesman stated that the existing structure was built in 1998; therefore, it was in existence when the Comprehensive Plan was adopted in 2003. Chirhart asked if the commercial designation of the property was an oversight in the 2003 Comprehensive Plan. Glaesman stated that it was a conscious decision to encourage commercial use of the underutilized blocks adjacent to Division St., St. Germain St, and Cooper Avenue. Chairperson Andzenge opened the public hearing and invited testimony on a request from Catholic Charities to rezone the northern portion of the property located at 17 19 ½ Avenue South from C5, Highway Commercial District, to R2, Single Family and Two Family Residential District (REZ-2010-03), and a request from the St. Cloud Planning and Zoning Department to amend the 2003 Comprehensive Plan Future Land Use Map from Commercial to Low Density Residential for the residentially zoned properties located on the block (CPA-2010-01). The following persons testified:

Jim Rudolph
Catholic Charities

Catholic Charities acquired the property with federal dollars. The agreement at the time was that Catholic Charities could not profit from the sale of the property. Therefore, if Catholic Charities were to sell this property, the proceeds from the sale would have to go back to the HRA. Consequently, Catholic Charities would maintain it as green space. When the Domus facility was built with government funds, the HRA indicated the vacant piece of property could be developed for further programming. At that time, there was no need to change the zoning as it was going to remain green space. However, at this time, there is a need to build an adult foster care home for four people, and purchasing property in a different location is not cost effective. Applicant has worked with the City, and the architect has designed a building that fits on the property without the need for any variances. Rezoning to R-2

is compatible with the neighborhood. Catholic Charities currently has a foster care home for four adults that is being lost to development in Waite Park. Those people need to be moved to another facility, and this is an opportunity to construct a facility for these people on this property.

There being no one else wishing to speak, the public hearing was closed. Anderson inquired if only applicant's property would change in the Comprehensive Plan amendment or the entire block. Glaesman answered that the current residentially zoned portion of the block will change from Commercial to Low Density Residential in the Comprehensive Plan's future land use designation. Holtberg stated that he believes this is an appropriate use of the property between the highway and the other residential uses.

Anderson moved to recommend to the City Council approval of the rezoning of the northern portion of the property located at 17 19 ½ Ave. So. from C-5, Highway Commercial District, to R-2, Single Family and Two Family Residential District. Chirhart seconded the motion. Goerger explained that he supported the Domus House expansion years ago and has supported Catholic Charities over the years. However, he said he would speak against the current request because he believes the current zoning is appropriate. Goerger stated that a number of years ago there was controversy with potential development in that area, and it did not occur due to the cost of moving Xcel's electric transmission facility. He said he believes the potential still exists for that area to be developed commercially. Therefore, he does not believe the Comprehensive Plan is in error. Goerger added that even though the proposed residential facility is for only up to six residents, he still believes there are separation requirements for these types of facilities for good reason. The motion carried by a vote of 4-1 (Goerger opposed).

Holtberg moved to recommend to the City Council approval of the amendment to the 2003 Comprehensive Plan future land use map to guide the area south of the two commercial businesses that front on Division Street between 19 ½ Ave. So. and 20th Ave. So. and W. St. Germain Street including the property located at 1932 W. St. Germain Street from Commercial to Low Density Residential. The motion was seconded by Anderson and carried by a vote of 4-1 (Goerger opposed).

Vacation Request/St. Cloud Engineering Department: Matt Glaesman, Planning Director, explained that this street is adjacent to the northern right-of-way of I-94 where Cooper Ave. terminates. It is a 33' right-of-way for Sholing Dr. that was dedicated as part of the Sholing Place plat in former St. Augusta Township. The driving surface located within this right-of-way on Sholing Dr. functions as a private drive access to 4334 Cooper Ave. So. and is not maintained by the City. The property owner at 4334 Cooper Ave. So. has asked that the City provide on-going maintenance or vacate the street for their sole use. Glaesman stated that staff is recommending that Sholing Dr. be vacated as the public road services only the single residence. Glaesman further explained that the City sees no need to extend the roadway to the east due to the large environmentally sensitive area and wetland complex east of the property. Also, the 2003 Comprehensive Plan suggests an overpass at Cooper Ave. and I-94, which will not allow for an access road lying immediately adjacent to the I94 right-of-way. Goerger moved to recommend to the City Council approval of the vacation of Sholing Dr. located easterly of the east right-of-way line of Cooper Ave. So. as dedicated in Sholing Place. The motion was seconded by Holtberg and carried unanimously.

Vacation Request/Roger and Patricia Kirmeier: Matt Glaesman, Planning Director, explained that the purpose of the vacation request is to enable the applicant to expand the applicant's lot by purchasing additional land from the unplatted property to the southeast. However, the existing parcel is surrounded with a drainage and utility easement to accommodate public and private installation of infrastructure. Applicant is requesting to vacate the drainage and utility easement to create a larger contiguous building window. Glaesman stated that the City does not foresee a need for utilities, and the new administrative plat would dedicate new easements on the perimeter property line. Goerger moved to recommend to the City Council vacation of the 5' drainage and utility easement adjacent to the southeasterly line of Lot 1, Block 1, Quarry Woods Fourth Addition (location: 3407 Granite Way South) (VAC-2010-03). Chirhart seconded the motion which carried unanimously.

Presentation and Discussion of Draft St. Cloud Area Sustainability Framework Plan: Matt Glaesman, Planning Director, stated that a draft of the St. Cloud Area Sustainability Framework

Plan has been completed and will soon be forwarded to other individual jurisdictions for their review and adoption as an amendment to their comprehensive plans. Glaesman stated there were 17 best practice areas identified in the Plan. Drafting of the Sustainability Framework Plan has been led by the Joint Planning District Board's Sustainability Committee. Recently, HUD announced that it will make Sustainable Community Planning Grants in the amount of \$100,000 to \$1,000,000 available for projects that ingrain sustainability concepts into community planning documents addressing economic development, transportation, housing, land use, environmental protection, etc. Glaesman stated that the City intends to submit a HUD application for a grant of \$300,000 to \$400,000 to update the Joint District Plan which was started in 1998 and subsequently adopted in 2000. That plan is over 10 years old and due for revision given the environmental and economic changes that have occurred since the late 1990's and 2000. With the recent completion of the sustainability framework plan, the district plan update is an ideal opportunity to incorporate sustainable land use and development practices into these broader growth concepts. The local match requirement is 20% or \$60,000 for a \$300,000 grant which would need to be paid back over a three year period. Glaesman anticipates that there would be monetary participation from other public and private partners so that the City would not be solely responsible for the full \$60,000 match. He asked that the Commission consider whether the City should pursue the grant application for an update of the joint district plan. Goerger inquired where the dollars would come from for the local match. Glaesman anticipated it would come from the Development Fund. Goerger believed that would be an appropriate use of Development Fund monies and added that a 20% match seems to be very reasonable. He said that \$300,000 is a big grant dollar amount, and he would support the City applying for the grant. Chirhart asked how much overlap there is between the City's Comprehensive Plan and the Joint Planning District Plan, and Glaesman said that the document offers guidance on issues of regional connectivity but there is little detail offered on specific community objectives and strategies. Chirhart asked if there are any consequences for jurisdictions that do not follow the joint planning district plan. Glaesman responded that there are no mandates; however, the jurisdictions are required to give an annual presentation to

the Board on how they have complied with the recommendations of the Joint Planning District Plan. Holtberg questioned if the City has adequate staff to have the grant ready by August 23, and Glaesman answered that every attempt will be made to complete the application. Anderson stated that he is excited about the opportunity to update the joint planning district plan from a sustainability perspective. He stated that it is important to establish a competitive advantage in luring industry/businesses to St. Cloud and the St. Cloud area. Andzenge also expressed support.

Update on the St. Cloud Urban Area Mississippi River Corridor Plan Process: Matt Glaesman, Planning Director, stated that the public input process is nearing completion. He stated that the kickoff was attended by approximately 150 people who were able to hear addresses from two very good keynote speakers. Subsequently, two open houses were held, one in Sauk Rapids and one at the St. Cloud Civic Center. The open houses offered opportunities to review existing river-related planning documents, a visual preference survey, and a preview of the MP3 guided river tours. A virtual open house was created, giving those who could not attend the open houses an opportunity to participate on-line and submit their comments. Every one of the graphics/documents presented at the open houses is on the web page. Glaesman asked that the Commission members take the time to look at the virtual open house and submit their comments. Chirhart said he has navigated the virtual open house. He asked about the funding source(s) to implement the Corridor Plan. Glaesman answered that it will come from public/private partnerships, sales tax, bonding, etc. Goerger asked how long the virtual open house has been active, and Glaesman said it has been active for about three weeks. Goerger asked how many hits it has received. Glaesman stated that since the initial e-mail notifying people that it was available, there have been approximately 100 hits.

Adjournment: There being no further business, the meeting was adjourned at 6:47 p.m.

Rick Holtberg, Secretary