

PROCEEDINGS OF THE ST. CLOUD PLANNING COMMISSION

A meeting of the St. Cloud Planning Commission was held on April 12, 2011, at 6 p.m. in the City Hall Council Chambers. Chairperson Radaich stated that Commissioner DeVine notified the Commission that she will be arriving late. Members present were Anderson, Andzenge, Chirhart, DeVine (arrived at 6:40 p.m.), Holtberg, Radaich, Thometz, and City Council representative Goerger. Chairperson Radaich welcomed new member Mary Jo Thometz.

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

Consent Agenda: Anderson moved to approve the consent agenda as follows:

Acceptance of staff reports for April 12, 2011, as part of the official record.

Approval of minutes from the March 8, 2011, Planning Commission meeting and March 15, 2011 Special Planning Commission meeting.

The motion was seconded by Andzenge and carried by a vote of 5-0-1 (Thometz abstaining).

Rezoning Request/Badal Ali on Behalf of Minnesota Halal Meat Grocery LLC:

Chairperson Radaich announced the request from Badal Ali on behalf of Minnesota Halal Meat Grocery LLC to rezone the property located at 622 East St. Germain Street from I2, General Industrial District to C5, Highway Commercial District. Rezoning the applicant's property as requested will allow for a wider range of permitted and conditional uses (REZ-2011-04). Matt Glaesman, Planning Director, stated that the property proposed for rezoning is southwest of the intersection of Lincoln Ave. and East St. Germain St. It is the middle section of a three-unit structure, but each portion of the building is on its own separate tax parcel. Applicant's request is to change the zoning from I2, which is the current zoning of much of this portion of the East St. Germain and Lincoln Ave. corridors, to C5, Highway Commercial District. C5 is the most intense commercial zoning district, and the permitted and conditional uses are extensive. Applicant has suggested in the applicant that the property could be for a day care facility. Glaesman pointed, however, that rezoning to C5 would not lock the applicant into that use. The Planning Commission's consideration should be for any and all of the

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uses allowed in the C5. The Comprehensive Plan (CP) guides this portion of the E. St. Germain Corridor for commercial use. During the 2003 CP update process, it was decided it would be appropriate to change this area from industrial to commercial. Several years ago, the Planning Commission considered initiating the rezoning themselves rather than having individual property owners making requests in a piecemeal fashion. Staff recommends approval of the rezoning as it is consistent with the CP. The uses allowed would be more compatible than those allowed by the industrial district. Chirhart asked if staff considered including a larger portion of the area in the C5 and if adjoining property owners were asked if they were interested in joining in the request. Glaesman answered that staff didn't feel it would be appropriate to send a notice from many property owners in the area who were not even aware of the request that there would be a hearing in 10 days. Staff suggested that applicant and several other property owners in the area who are attempting to rezone a larger area should contact others to come forward with the request from multiple property owners. However, that did not happen, and the request is, therefore, a single property request. Holtberg asked staff if a property next to Red's Electric was rezoned to C5 several years ago. Glaesman responded that property was across the intersection to the northeast of applicant's property and was rezoned to C5. Radaich opened the public hearing. The following persons testified:

William Becker
13 Columbia Ave. SE

He expressed concern about traffic congestion. There have been many accidents there and many emergency vehicles traveling through that area. If a restaurant goes in that location, there wouldn't be sufficient parking. If it is used as a day care center, it will be dangerous with people coming and going. He is concerned about pedestrian safety. He suggested looking at the total picture rather than just considering raising tax revenue.

Michael Carozzi
650 E. St. Germain St.

He voiced concerns similar to Mr. Becker's concerns. This is not a pedestrian friendly neighborhood. When the City expanded E. St. Germain to a four-lane street, on-street parking was eliminated. Applicant's property has very limited space. The previous owner leased 12 parking spaces from Handyman's. If applicant plans to use this property for day care in that commercial area, he is concerned for the safety of the children. Rezoning would also allow for many different types of businesses where parking would be a primary concern. The

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parking lot would not be adequate; he believes any business would need to lease parking from someone else in the area. He said other businesses also have limited parking. It would be preferable if applicant's property could be extended to provide more parking. There are many accidents on the corner of Lincoln Ave. and E. St. Germain St. He understands eventually rezoning a large stretch of the E. St. Germain corridor from Lincoln Ave. to Highway 10 to commercial. He asked that the Commission to consider the congestion in this area before making a recommendation.

David Henning
628 & 630 E. St. Germain

There is no parking at all associated with the property at 622 E. St. Germain. With the expansion of E. St. Germain to four lanes, there is no on-street parking. He does not believe there is any parking behind the building, and Handyman's owns the rest of that property. There are many vacant properties along E. St. Germain St. If the City is considering turning this into a C5 commercial corridor, parking issues need to be addressed. He would like parking addressed for everyone in the area, not just this property owner. There are no real sidewalks on E. St. Germain or Lincoln Ave. If it were a restaurant or grocery store, it would be a high traffic/pedestrian generator, and he would also oppose those uses.

Red Kuehnl
644 E. St. Germain St.

His main concerns are traffic and parking. He concurs with the comments of the previous speakers.

Matt Glaesman
Planning Director

Rezoning would open the door to a variety of uses. However, it does not guarantee those uses would be allowed on the property if parking requirements cannot be met for the specific uses. Almost no uses would be allowed without resolving the parking issue either through a variance, by acquiring another parcel to provide additional contiguous parking, or acquiring a right to shared parking with another property in the area. Rezoning the property would open the door to broader consideration of the corridor such as ways to resolve the parking shortage. For example, the City could purchase a public parking lot that would service the entire area or a redevelopment project could be proposed to buy a number of parcels to supply off-street parking.

There being no one else wishing to speak, the public hearing was closed. Holtberg asked if MNDOT's proposed changes to Hwy. 10 and the access to E. St. Germain is still a realistic plan. Glaesman responded that traffic studies done about 10 years ago suggested the Hwy. 10 corridor would go to a freeway design with limited access onto the E. St. Germain corridor. That was the reason for the temporary improvements, i.e., expansion to four lanes, improved pedestrian spaces. However, that is not the ultimate solution. Long term solutions may require land acquisition to provide

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for greater pedestrian spaces, dedicated turning lanes, etc. Glaesman added that MnDOT has removed the Hwy. 10 improvements from their CIP; therefore, the project is no longer in the 20-30 year time frame. Holtberg inquired about any East Side redevelopment discussions by the HRA. Glaesman responded that there have not been since the future of the corridor is likely to be commercial with access directly onto Hwy. 10. Currently, the HRA's focus is on their role as a housing entity. Chirhart commented that parking requirements would have to be met even if the property were to remain I2, and Glaesman reiterated that any change in use would require applicant to meet the parking requirements. Anderson asked if the basis for the request to rezoning to C5 as opposed to C4 is based on its proximity to other C5 property. Glaesman responded that the C4 zoning (Fringe Central Business District) ends just east of the railroad tracks. Extending it as far as applicant's property would not be appropriate. Andzenge asked if there are any anticipated changes to the next Comprehensive Plan update that would include expansion of Lincoln Ave. and/or E. St. Germain. Glaesman answered that currently there are no plans to initiate redevelopment of private property or improve either corridor. Andzenge asked if applicant's request is consistent with the vision for East Side development, and Glaesman answered that the request is consistent with the current CP. Andzenge asked those that testified what other types of uses on that property would not prompt the same concerns as they addressed regarding a day care. No one responded, but Glaesman explained that the outcome of the rezoning would give an investor an assumption that commercial uses will be allowed if they can resolve design issues of parking, setbacks, etc. Radaich clarified that rezoning to C5 would not only allow applicant's proposed day care use, but all of the allowed uses listed in the C5 district assuming design requirements will met unless waived by a variance granted by the Zoning Board of Appeals (ZBA). Anderson said he supports the long term vision for the corridor. He questioned whether it would be more logical to rezone a larger area since applicant

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would probably have to purchase another property to meet the LDC requirements. Glaesman stated that rezoning of this single property would indicate staff's support for redevelopment in that area.

Anderson moved to recommend to the City Council approval of the rezoning from I2 to C5. The motion was seconded by Chirhart. Thometz asked Glaesman to reiterate how required parking can be changed. Glaesman answered LDC requirements can be varied with approval of a variance by the ZBA. The Board must consider certain criteria in granting a variance, such as uniqueness of the property, hardship, etc. In this specific case, public hearing testimony indicated that there is no on-street parking and the traffic volumes are very high. The motion carried unanimously.

Approval of the 2012 - 2017 Capital Improvements Program (CIP): Matt Glaesman, Planning Director, pointed out that St. Cloud's CIP is a considered a model around the State. The Planning Commission and public input is key in having a quality document. Glaesman reviewed the chart depicting the proposed expenditures by function through the programmed years. He then reviewed the specific projects by function. Glaesman showed where these projects are located within the City's growth boundaries and on the future land use map. Chairperson Radaich opened the public hearing, and the following persons testified:

Dean Reller 223 23 rd Ave. No.	He is speaking on behalf of the Seberger Roosevelt Neighborhood Assoc. He stated that four out of the seven neighborhood revitalization projects are in the Seberger Roosevelt neighborhood. They were identified in 2001 as being in need of immediate repair. That has been 10+ years ago and would like to see dates assigned to those projects. His neighborhood also supports extension of the Scenic River Trail to the Lake Wobegon Trail which they believe is vital to the success of this core neighborhood.
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Lowell Olson 23 Pandolfo Pl.	The CIP is very important. He thanked the Planning Commission for recognizing the need for the trail extensions that are programmed for every year in the CIP. He suggested that those trail extensions should be connected so that there can be interaction between neighborhoods. Bike trails are going to be in demand as bikes are being used as an alternative mode of transportation, so connecting trails is a necessity.
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Charlotte Stephens	She concurred with Lowell Olson's comments. Relative to unprogrammed priority projects (UPP) for Park and Recreation, she
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specifically requested that parkland acquisition remains as a UPP in case an opportunity comes along for the City to acquire parkland.

There being no one else wishing to speak, the public hearing was closed. Chirhart commented on project funding. Neighborhood improvement projects are basically funded through taxes and consequently suffer when there is a declining economy. Having project funding information is valuable in making decisions on prioritizing projects. DeVine noted that each year the CIP offers more valuable information and is very user friendly. Glaesman emphasized the importance of making the document to be user friendly and encouraged the public to contact staff with any questions. Holtberg moved to approve the 2012-2017 CIP. The motion was seconded by DeVine and carried unanimously.

Sun Villa Estates 2 (Preliminary and Final Plats); Vacation Request/Torborg

Construction, LLC: Matt Glaesman, Planning Director, noted that several months ago a PUD amendment was approved for the property at 4020 25th St. So. and 2510 41st Ave. So. to allow construction of a 100-unit apartment building. The PUD amendment created one large development site which had originally been planned for townhouses. Several actions are necessary for this development to occur. Glaesman stated that the major roadway which originally had been intended to provide access from the property to the eastern growth area must be vacated. The proposed plat provides a dedicated roadway across the southern portion of the site. The second action that is necessary is approval of the preliminary and final plats of Sun Villa Estates 2. Relative to parkland dedication, Glaesman stated that two options are being considered. One option is to make the cash payment in lieu of parkland dedication (approximately \$53,000). The second option is for applicant to make improvements to existing park properties in the area. Glaesman stated there is currently a dedicated park across Co. Rd. 74 which would be appropriate for some type of park improvement although an active playground is not recommended. Consideration has been given to adding a community garden to that area as a temporary way to resolve the parkland dedication issue. Staff

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will continue to work with the Park Advisory Board on the preferable option. Anderson inquired if the speed limit would be reduced in that area of Co. Rd. 74. Glaesman responded that would require a study to be done. Chirhart noted that staff's recommendation includes changing the 30' roadway easement to a minimum 52' wide street right-of-way for 25th St. and also to change the name of the plat. He asked if applicant has accepted those conditions. Glaesman explained that the intent of the easement was to use that area, if necessary, to meet the standards for lot area, setback, etc. However, those standards have been waived because of the PUD for the building design. Glaesman stated that a dedication takes away no rights to build the site plan that was presented and approved by the City. Chirhart moved to recommend to the City Council approval of the vacation of 42nd Ave. So. and 25th St. So. in Burns Estates. The motion was seconded by Anderson and carried unanimously.

Goerger asked if the community garden would be located in the 2 acre park that currently exists across CR 74, and Glaesman answered that it would. Glaesman stated that the parkland is currently unimproved. Improvements could include a small shelter and the garden. He added that the developer would work with the City to establish the planter beds and boundaries to protect the garden. Goerger asked if that would satisfy the parkland dedication requirement. Glaesman responded that it would depend on the extent of the improvements. The details would be worked out prior to City Council consideration. Holtberg said it seems more logical to work toward having some amenity on the same side of CR 74 as the new apartments due to the traffic on CR 74. Glaesman responded that the commercial property just north of the proposed apartment building site was considered for a park; however, that is a very small site. Glaesman stated that eventually there will need to be a parkland solution for the area; the community garden in the park across CR 74 is not intended to be a long term solution. Anderson moved to recommend to the City Council approval of the preliminary and final plat of Sun Villa Estates 2 located at 4020 25th St. So. and 2510 41st Ave. So.

subject to changing of the plat name to Sun Villa Estates Three and other conditions of the Engineering memo dated April 6, 2011. Andzenge seconded the motion, and it carried unanimously.

Authorization of Mississippi River Bluffs Regional Park Improvements (Boat Ramp, Service Road and Trail System): Matt Glaesman, Planning Director, explained that several years ago, a master planning committee was formed to consider the long term use of City owned property as well as other properties in the Plum Creek Park (now Mississippi River Bluff Regional Park) area which may be acquired by the City to develop a broader active and passive recreational amenity. The master plan focused on the north part of the site for active recreation. The upper bluffs would be maintained, and the great meadow would be restored to a natural setting. The existing trail system would be extended further south and connect to the Beaver Island Trail system to Warner Lake. Minimal improvements have been made to the park due to lack of funds; however, the City has received a \$427,000 Legacy grant for 2011 construction of improvements in this park. A local match minimum of \$143,000 is required. Total improvement costs scheduled in the Capital Improvements Program (CIP) for 2011-2012 is \$1 million. Glaesman stated that the proposed park improvements would include a significant trail element that would extend from the parking lot and bathrooms all the way through to the Merrill property and south. In addition, a river landing would be constructed, utilizing the existing farm road on the upper portion of the bluff. Anderson stated that he attended the Park Advisory Board meeting, and although there was not a quorum, the general consensus was that this was a very favorable plan. Holtberg noted that the balance of the improvement costs are intended to come from the local option sales tax. He asked staff what percentage of the total improvements the Planning Commission is being asked to commit to, and Glaesman answered that a significant amount of sales tax dollars would be dedicated to parkland. Staff believes it is justified given that this park is a significant piece of the regional park system. Chirhart noted that initially \$10 million was allocated in the CIP for regional parks and trails projects. He asked how much has been

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committed to date. Glaesman responded that roads and the airport were a higher priority than parks; therefore, a small amount has been committed to parkland. Chirhart supported community access to the Park. Anderson commented that he believes the Park will be an outstanding asset to the community and the region; however, as improvements are added, the cost of maintaining those improvements will have to be considered. Holtberg moved to authorize the proposed Mississippi River Bluffs Regional Park improvements. The motion was seconded by Chirhart and carried unanimously.

Presentation of the Draft St. Cloud Urban Area Mississippi River Corridor Plan: Matt Glaesman, Planning Director, stated that many people were involved in the formulation of the plan. Task Forces were formed for four focus areas: Active Recreation, Events & Tourism, Ecosystem Protection and Restoration, and Urban & Economic Development. He stated that new recommendations are based on nine guiding principles, four focus areas, and the four river reaches. Glaesman emphasized the importance of marketing and promoting the River. He noted the importance of incorporating the Plan into decision making tools such as the CP, CIP, etc. Glaesman stated that the Commission should make a recommendation on the Plan to bring forward to the City Council next week so that the Joint Planning District Board has input on the Plan prior to its April 28 meeting. Holtberg asked if the east side of the river is addressed in the Plan. Glaesman responded that there is in the Sauk Rapids reach area. In St. Cloud, there are a number of parks along the east side of the river. There is limited development potential on the east side of the river due to the Scenic Rivers District. Chirhart asked the northern boundary of the Plan. Glaesman responded that the joint district plan is a 50 year growth plan; therefore, the plan includes the river far north of the Sartell dam. Chirhart asked if there is criteria that must be met for legacy funding as he believed that may be a good source of funding to implement elements of the Plan. DeVine commented that a large number of people were involved in the formulation of this Plan because the river has been neglected as an

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asset for so long. DeVine stated that it is essential that the Advisory Committee be in place to assure that the Plan stays in the forefront of planning. DeVine added that the River Plan should be an integral part of the economic development effort. Goerger stated that he had represented the Planning Commission at the Mississippi River Renaissance meetings and asked if there has been communication between that group and the group working on the Mississippi River Plan. Glaesman said that they are separate groups, but are closely linked. Since he is no longer a Planning Commission member, Goerger suggested that a Planning Commission member be appointed to attend meetings of the Mississippi River Renaissance group. Radaich said the River Plan is impressive. Andzenge asked if property owners abutting the river had input into the River Plan process. Glaesman answered that every property owner abutting the river was invited to participate in the process. Andzenge asked staff what type of partnership he envisions with private property owners and businesses. Glaesman responded that the River Plan Committee membership is very diverse. The Plan Committee will transition into an Advisory Committee. Andzenge moved to approve the draft St. Cloud Urban Area Mississippi River Corridor Plan and was seconded by DeVine. The motion carried unanimously.

Amendment of the 2011 Development Fund Budget to Acquire Property at 312 5th

Avenue North: Matt Glaesman, Planning Director, explained that the owner of the property at 312 5th Ave. No. approached staff during Mississippi River discussions of potential interest in selling the property. There has been a design discussion over the past couple years regarding the extension of the Beaver Island Trail from the Civic Center to Hester Park. Glaesman stated that there is a sufficient balance in the Development Fund for a \$50,000 parkland acquisition. Chirhart asked for an explanation of dollars available to fund this extension of the Beaver Island Trail including federal funding and the cost of the project. Glaesman answered that this extension was part of last year's CIP discussions. The 2012 project indicates an unidentified \$1 million gap. State and Federal funds

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have been allocated toward the project; therefore, staff included it in the 2012-2013 timeframe. Glaesman added that it is hoped that the River Plan will prompt interest from someone to help bridge that \$1 million gap. The Planning Commission had indicated that they did not want to see a significant allocation from sales tax dollars for park projects. Glaesman stated that authorization of purchase of this property for \$50,000 from the Development Fund would be a step in closing that million dollar gap. This property would be valuable as part of the park system even if the trail is not extended. Holtberg said he would support the purchase as it lends itself to a variety of activities. Goerger inquired if the purchase price includes demolition and cleanup, and Glaesman answered that it would only cover acquisition cost. The cost of demolition and cleanup would have to come from another source. DeVine asked if the property will be purchased contingent on demolition of the structure on the site. Glaesman said that is correct. DeVine moved to approve the amendment to the 2011 Development Fund budget for the expenditure of up to \$50,000 toward the purchase of the property at 312 5th Ave. No. The motion was seconded by Anderson and carried unanimously.

Update Regarding CDBG 2011 Annual Action Plan: Matt Glaesman, Planning Director, informed the Commission that the City Council approved the 2011 CDBG funding which more closely recommended staff's recommendation. Glaesman noted that the Central MN ReEntry project withdrew their request. The Commission's recommendation very closely resembled staff's recommendation with the addition of the Central MN ReEntry project and the Dream Center. The City Council decided against funding the Dream Center request. Therefore, Whitney Center, Seberger and the Boys and Girls Club projects were moved back in for funding. Andzenge asked for an explanation for the Council's disagreement with the Planning Commission's recommendation. Council representative Goerger said the City Council's decision was unanimous. He said he personally based his decision on how many people the funds affected. Goerger stated that Seberger Park improvements were not included in the CIP, and the neighborhood has requested new, safe

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equipment in that park for years. Funding of the air conditioning for the Boys and Girls Club will allow the kids to use the facility rather than roaming the streets. He added that thousands of people use the Whitney Senior Center every month; therefore, he felt funding of the reroof project was logical. Anderson asked that relative to next year's CDBG's allocations, if it would be helpful for the Commission to understand the City Council's priorities upfront to avoid spending too much unnecessary time on it. Goerger stated that the Council unanimously adopted the Administration's plan. Radaich pointed out that some of the same organizations get the money year after year which is acceptable depending on the project, but it seems other organizations will never have a chance of getting any money. Andzenge felt the prioritization process with the applicants was valuable. He said he believed the ReEntry Project would have had a great community benefit. He also asked for an explanation for the Council's action. Goerger stated that the City is under great financial strain. The City had requested projects that met the funding criteria. For example, the reroof of Clemens Hall at the Whitney Senior Center is an investment in the future. He believes the City Council based their decision on economics and how the City would get the projects done without CDBG monies. DeVine asked staff if it would be possible for the Council to be involved in the prioritization process next year. Glaesman answered that it is a two step process with the two bodies having different perspectives. After meeting with the Planning Commission, they may want to alter their presentation before the Council. Goerger commented that this was a much better, more effective process than when CDBG was under the HRA's jurisdiction. He added that the Council has the utmost respect for the Planning Commission, but believes the Council has different viewpoints and responsibilities relative to fiscal responsibility. Chirhart stated that he believed it was unfortunate that the City Council did not participate in the stakeholder's meeting as it was a productive process because applicants prioritized needs and recommended funding allocations. The change that was made was in the recommendation of the stakeholders and the Planning staff recommendation. Chirhart said he did not

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believe using CDBG monies for City projects because of lack of City tax dollars is not necessarily appropriate. Goerger pointed out that there are communities that use all of their CDBG funding for City projects.

Other Business: Goerger stated that the Mayor made it clear at the Council retreat that City representation at the APO meetings is a necessity because of the important issues that are considered. He encouraged the Planning Commission representatives' attendance at these meetings.

Adjournment: There being no further business, the meeting was adjourned at 8:37 p.m.

Dick Andzenge, Secretary