

PROCEEDINGS OF THE ST. CLOUD PLANNING COMMISSION

A meeting of the St. Cloud Planning Commission was held on July 12, 2011, at 6 p.m. in the City Hall Council Chambers. Members present were Anderson, Andzenge, Chirhart, DeVine, Holtberg, Radaich and Thometz. Council representative Goerger was present.

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

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

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

Approval of minutes from the June 14, 2011 Planning Commission meeting.

The motion was seconded by Anderson and carried unanimously.

Rezoning Request/Premier Self Storage, LLC; and, Comprehensive Plan Amendment/St.

Cloud Planning and Zoning Office: Matt Glaesman, Planning Director, stated that the five-acre property is located south of the Electrolux complex and adjacent railroad tracks. The rezoning to C5 would address the existing uses within the existing office/storage buildings on site. The office building was originally constructed as administrative space for the warehouse function on the property. Those were allowed in the I1 zoning district. As the business changed, a number of offices took the place of the storage offices. Therefore, there are a number of nonconforming users in the building. Rezoning from industrial to C5, Highway Commercial, would allow other office uses as well as other commercial uses such as the recreational use. Staff initiated the amendment to the 2003 Comprehensive Plan Future Land Use Map. Currently, all the property bound by 33rd Ave., Hwy. 15, 3rd St. No., and the railroad tracks is guided for industrial. That was not an intentional decision but rather an indication of the base zoning that was in the area at the time. Glaesman said he believes the future land use designation is no longer appropriate and a change should be considered. However, the surrounding

designations in the area should also be reviewed. Chirhart asked if staff considered a PUD zoning for this site. Glaesman responded that the C5 zoning was seen as a better short term action due to the good chance that a future land use change amendment and PUD rezoning will be considered. DeVine said she believes it would be preferable to rezone applicant's property to PUD now rather than rezoning it to C5 and rezoning it to PUD at a later date. Glaesman that is an option; however, staff thought it would be better to rezone to a base zoning district at this time rather than rezoning to PUD and then amending it and expanding it at a later date. He stated that if the property were rezoned to PUD, the uses could be limited to the current uses on the property; while the C-5 zoning would allow a broader range of uses. DeVine stated that C5 zoning would open this property up to numerous uses, including some that may not be appropriate. She suggested the larger area be brought forward for consideration in the next few months. Glaesman agreed that all of the C5 uses may not be totally appropriate. Chirhart said he shares DeVine's concerns and suggested that if the Commission votes to rezone to C5, the motion include the recommendation that this property be rezoned to PUD in the next couple months. He does not believe the C-5 zoning fits this property. Glaesman commented that the Commission could rezone to a PUD that limits the uses to those currently occupying the buildings and then talk with the property owner about adding other uses.

Chairperson Radaich opened the public hearing on: A) A request from Premier Self Storage, LLC to rezone the property located at 408 37th Avenue North from I1, Light Industrial District to C5, Highway Commercial District. Rezoning the applicant's property as requested will allow the existing nonconforming uses to remain and potentially expand on the property. (Location: 408, 410, 412, 414, and 420 37th Avenue North) (REZ-2011-06); and, B) Request from the St. Cloud Planning and Zoning Department to amend the 2003 Comprehensive Plan Future Land Use Map from Industrial to Commercial for the property located at 408, 410, 412, 414, and 420 37th Avenue North. (CPA-2011-04). There being no one wishing to speak, the public hearing was closed.

Holtberg noted that although rezoning to C5 may allow some uses that may not be totally desirable, the accessibility issue will probably prevent any undesirable uses from going in in the next

several months. He agreed with Chirhart's suggestion that if rezoned to C5, the property owner should be made aware that the Commission will consider rezoning the property to PUD in the future. Anderson questioned how long the property has been in a nonconforming status. Glaesman responded that it has been many years. Anderson asked if the rezoning request was prompted by applicant requesting a building permit. Glaesman stated that applicant was applying for a building permit to make internal improvements to the existing office space and to convert some space into recreational user space. Anderson said he would hesitantly support the request because the Commission would be approving some existing nonconforming uses. Glaesman commented that the rezoning was not a result of the property owner's disregard of the building code. Chirhart stated that if the property is zoned to C5 and the City pursues rezoning of the area to PUD, the property owner may object to the PUD zoning because he has been granted certain rights with the C5. Glaesman responded that the property owner could challenge the City on that rezoning. The PUD would allow fewer uses than the C5, but Glaesman said he thinks rezoning the neighborhood to PUD can be justified. The City would solicit input from the property owners. DeVine asked if the existing uses in the area proposed to be rezoned to PUD would be grandfathered in. Glaesman answered that they would be grandfathered in as legal nonconforming uses.

DeVine moved to rezone the property at 408 37th Ave. No. to PUD allowing uses that would suit the property owner's needs and that the Planning Commission consider rezoning of the surrounding area in the next 90-120 days. Chirhart seconded the motion. Anderson asked how many PUDs are located in this area. Glaesman answered that there are more than two, and they should be consolidated into the new PUD. Goerger said he would be concerned about rezoning this property to C5. He asked if it is appropriate for a caveat to be attached to the motion regarding future consideration about rezoning the surrounding area to PUD. Glaesman responded that he is interpreting the motion to have two components: 1) that the Planning Commission supports the rezoning request; and, 2) staff is directed to initiate a discussion with the property owners in the area. Goerger asked for an explanation of the process to get input from affected property owners.

Glaesman will prepare base mapping to reflect the challenge with the varying uses and facilitate a property owner/neighbor meeting to discuss the future of their neighborhood. The result of that meeting(s) could be that only the future land use designation of the Comprehensive Plan Land Use Plan map be changed but no zoning change, or the result could be that the neighbors prefer a Land Use Plan amendment along with a rezoning. DeVine withdrew her original motion; Chirhart withdrew his second. DeVine moved to recommend to the City Council rezoning of applicant's property to PUD that would allow all uses that the property owner sees fit in order to utilize the property. The motion was seconded by Anderson and carried unanimously. Anderson moved to recommend to the City Council an amendment to the Comprehensive Plan Land Use Plan map to guide the property for commercial use rather than the existing industrial. The motion failed for lack of a second. DeVine moved to direct staff to consider the surrounding area for appropriate rezoning within 90-120 days. The motion was seconded by Chirhart and carried unanimously.

Consideration of 2012 Development Fund Budget: Matt Glaesman, Planning Director outlined the proposed Development Fund expenses and revenue. Glaesman added that the Community Development Section has come in under budget in recent years resulting in a higher year-end balance than was anticipated. Staff offers several suggestions for projects that the Commission may wish to consider for funding: 1) Healthy Neighborhoods Partnership Program (HNPP) Round 4. Currently, there are 7 organized neighborhoods in the City. The HNPP process should be revisited as some of those neighborhoods have struggled since that effort five years ago and have changed and/or are in need of revitalization. That cost is estimated at approximately \$20,000. 2) Undertaking a master plan for the riverfront plaza between the Civic Center and the Kelly Inn envisioned by the St. Cloud Urban River Plan. This project cost is estimated at \$40,000. 3) Closing the Beaver Island Trail Phase III funding gap (estimated at \$500,000 over 5 years). 4) Preparation for Comprehensive Plan and/or Joint Planning District Plan updates. Glaesman said he does not believe there will be support from other agencies that were initially involved with the Joint District Plan, but believes the Joint District Plan update should be done prior to the Comprehensive Plan update (\$250,000 each). 5)

Increase in Planning Commission/staff training (additional \$3,000 estimated). 6) Parkland acquisition. The City has several ideas for properties that it may want to acquire in the future. 7) GIS 3D modeling (estimated at \$40,000). Glaesman noted that the City's GIS system gets 3 million hits/year on the internet. A valuable tool which the City does not have is 3D modeling. Holtberg stated that the Planning Commission recently made a commitment to allow expenditure of Development Fund monies to purchase land near the Mississippi River at Cathedral High School. Glaesman acknowledged that \$50,000 was committed; however, the negotiations have been difficult. He stated that commitment is not included in that total. Chirhart said he continues to take issue with paying for staff salaries from the Development Fund. He asked if the City's CDBG monies are funding one staff position. Glaesman responded that \$90,000 can be allocated for Administration which pays for a portion of one Planning staff member and a portion of one Finance staff member. Chirhart questioned whether the entire Community Development Director's salary is paid out of the Development Fund. Glaesman answered that it is, in addition to funding one-half of the salary of the Senior Planner in the Economic Development Department. Chirhart inquired about how much of the Community Development Director/Planning Director's time is devoted to supervision of the Economic Development Department. Glaesman stated that it is difficult to estimate but believes it will be less than 10%. Chirhart objected to Development Fund monies to fund Economic Development supervision. Glaesman stated there is some flexibility in the time spent on Economic Development by the Senior Planner and the Community Development Director. DeVine asked if there is an opportunity to change the use of Development Fund monies now that there is an Economic Development Department. Glaesman suggested waiting a year to determine what kind of revenue will be generated for Economic Development. Goerger asked if the City had conversations with the HRA Director about the HNPP. Glaesman stated that the City met recently with the Initiative Foundation, HRA staff, and the St. Cloud Neighborhood Coalition to develop a strategy to fund that process to begin later this year. Goerger noted that the HRA Board held a retreat, and the HNPP was a high priority. Several neighborhoods have struggled, and it is important to get them back on track and

increase the number of neighborhoods involved. Goerger also supported the Riverfront master plan as well as GIS improvements. Holtberg fully supported the GIS project for future Development Fund expenditures. Holtberg added that Staff training is not a large amount and would support an increase. Andzenge moved approval of the Development Fund budget as presented. Anderson seconded the motion and suggested that if there are potential expenditures, a dollar amount limit should be set. Glaesman indicated that he was not seeking authorization of additional projects but hoping to gain insight into a desired balance. Chirhart asked how the Development Fund is funded and if some of the recently announced projects might generate more funds. Glaesman noted that the budget anticipated steady revenues from the traditional sources; licenses, permits, etc. Glaesman agreed that a number of anticipated large building projects should generate significant permit revenue. He suggested that the Planning Commission approve the Development Fund budget as presented and that Staff would bring back detailed amendments for potential expenditures. Goerger suggested that the Planning Commission advise staff of the top priorities on the potential expenditure list and assign a number to them. Goerger added that he had found a lot of value in past training opportunities. Anderson was not comfortable going below a million dollar balance. Anderson noted that, with the exception of the Beaver Island Trail and Joint Planning District Plan, he would support the other projects on staff's list. Goerger noted that the Comprehensive Plan update is required and asked when it is due. Glaesman explained that a 10 year threshold is common. DeVine noted the high costs of the Joint Planning District and Comprehensive Plan at roughly \$500,000, but felt that an update of these documents was vital. DeVine supported GIS and HNPP; while early successes from the Riverfront Plan are important. DeVine felt that parkland acquisition and increased training are also priorities, while more information on the Beaver Island Trail is needed before making that expenditure. The motion to support the budget passed unanimously. Chirhart felt that a minimum Development Fund balance should be roughly two years of expenses or \$800,000+. Chirhart supported the training increase. Andzenge questioned if the new Community Development Section structure was proving beneficial for budgeting. Glaesman suggested that reduced staffing has been addressed through

transfer of responsibilities within the Community Development Section's departments. Andzeng questioned if the \$3,000 for training was sufficient. Glaesman noted that in past years Planning Commissioners, City Council, and staff had attended the national conference on a rotating basis. Glaesman felt that a \$30,000 increase in the training budget was needed to return to national conferences. Radaich shared his concerns with the Beaver Island Trail underpass on Division Street and the railroad bridge. Glaesman noted that a million dollar gap remains between state and federal funding and that a large Development Fund contribution to the project would still leave a significant gap.

Consideration of St. Cloud Complete Streets Policy: Glaesman explained that the draft policy was the result of significant discussions stemming from a session at the APA National Conference in Minneapolis. The St Cloud APO has recently adopted the regional complete streets policy indicating its membership's support for the complete streets concepts. Glaesman added that a significant amount of background information is included in the packet about complete streets and its benefits, which will be important as this draft policy goes forward to educate the City Council and general public about the initiative. Glaesman added that the draft policy represents a statement of commitment by the City to implementing complete streets, while also suggesting a few specific ways be which it will be incorporated into the City's capital planning. Chirhart and Devine noted that this policy is the result of the training opportunity and an example of why continued investment in national conferences is important. Holtberg moved to approve the "Resolution Establishing a Complete Streets Policy for St. Cloud, Minnesota." The motion was seconded by Anderson and carried unanimously.

Report on Temporary Shelter Facility Policy: Glaesman noted that this item was introduced under Open Forum at the June meeting. Glaesman explained that the Planning Commission is being asked to initiate a Land Development Code amendment in place of requiring various interested parties to act as applicant. Glaesman stated that the maximum stay allowed is currently 45 days and that Salvation Army representatives have suggested it be extended to 90 days. Glaesman explained some history of Temporary Shelter Facilities provisions in the code; in 1990 an

ordinance was adopted creating terminology; the initial limit was 21 days which was changed to 45 days. Glaesman explained that the 45 days was used to reflect the time necessary to gain financial assistance through the counties. Glaesman was uncertain as to whether an additional 45 days will make a difference in getting a person into housing and on their own. Chirhart asked how many other temporary shelter facilities are in St. Cloud. Glaesman stated that there are just a few as a result of recent facility closings. Chirhart supported initiation by the Planning Commission because it is a community issue, not just for one interested party. Holtberg concurred. Glaesman noted that a third option was to form a working group of interested parties to discuss the matter before formal consideration. Anderson agreed with forming a working group to allow further discussions. Thometz felt it is the responsibility of the Planning Commission to initiate an amendment and that potentially affected neighborhoods should be included. Chirhart withdrew his motion and moved to form a Task Force with membership consisting of temporary shelter representatives and two representatives from the Planning Commission. Glaesman agreed that neighborhood involvement was necessary. Thometz and Radaich volunteered to serve on the Task Force. Anderson seconded the motion. Goerger stated that he was part of the task force that was formed to lead these discussions in 1999. Goerger noted that the result of the task force was different than how it started out due to the broad representation on the task force. The motion carried by a vote of 6-0-1 (Andzenge abstaining).

Report on Amateur Radio Towers: Glaesman noted that this item was also introduced under Open Forum during the June meeting. Glaesman explained that the Planning Commission is being asked to initiate a Land Development Code amendment in place of requiring various interested parties to act as applicant. Glaesman stated that Land Development Code clearly addresses commercial wireless telecommunications, but is not clear on amateur radio towers and equipment. Glaesman added that the bulk regulations have been questioned by one party seeking a building permit, including maximum height and tower design standards. Glaesman felt that a Land Development Code amendment was necessary to clearly define the applicable use and bulk standards and that the City should initiate this amendment. Chirhart moved that staff be directed to

prepare a draft amendment and initiate the public hearing process for amateur radio equipment.
Devine seconded the motion, which passed unanimously.

Adjournment: There being no further business, the meeting was adjourned at 7:38 p.m.

Dick Andzenge, Secretary