

PROCEEDINGS OF THE ST. CLOUD PLANNING COMMISSION

A meeting of the St. Cloud Planning Commission was held on Tuesday, June 11, 2013, at 6 p.m. in the City Hall Council Chambers. Members present were Anderson, Ballantine, DeVine, Holtberg, Larson and Radaich. Andzenge was absent. City Council representative Goerger was present.

Open Forum: Holtberg invited members of the public to offer comments on any planning related matter that is not on the agenda. The following persons testified:

Darlene Disney
Executive Director of
Anna Marie's Alliance

She asked Commissioners to consider flexibility on the 45-day length of stay for women at Anna Marie's Alliance.

Matt Glaesman
Planning Director

He stated he met with Ms. Disney about their needs. The question is whether there is another allowance that should be made for people to stay an extended length of time at the shelter in terms of safety.

Chairperson Holtberg

He stated it would be appropriate to discuss at a future meeting.

There being no one else wishing to speak, the open forum was closed.

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

Acceptance of staff reports for June 11, 2013 as part of the official record

Approval of minutes from the May 14, 2013 Planning Commission meeting

The motion was seconded by Anderson. Anderson asked that the page in the consent agenda for staff reports be removed from future agendas for the sake of saving paper. Holtberg called for a vote and the motion carried unanimously.

Berscheid Builders, LLC / Westwood Parkway PUD Amendment / Vacation / Final Plat

Approval: Matt Glaesman, Planning Director, explained a request to amend the Westwood Parkway Planned Unit Development (PUD) to allow for a lower density of single family homes by increasing the lot size. Staff is supportive of the request.

Holtberg opened the public hearing and invited testimony. The following persons testified:

Rick Dingmann

He is the owner of Berscheid Builders. This development will be similar

Berscheid Builders to Rolling Ridge Estates except the new development will have a common area in the middle and will also have an association to take care of lawns, etc.

Kent Hunstinger He lives in one of the existing homes in the development. He and his wife are very excited for the change. He stated he plans to purchase a portion of Block 2, Lot 2 from Berscheid Builders. He asked that the easement between Lot 2 and Lot 3 also be vacated.
6575 Westwood Pkwy

There being no one else wishing to speak, the public hearing was closed. Anderson commented on the future utility improvements. He asked when those improvements will take place and who is responsible for the cost. Glaesman stated it will be the responsibility of the property owner at the time of the improvement whether it is an association, individual property owners or the developer. The City will not be responsible for those costs. Ballantine asked if the developer can build apartment buildings on the property. Glaesman stated the only land use that is allowed is single family homes. Anderson asked if it is possible to make sure that future homeowners are aware of potential obligation for utilities. Glaesman stated there is a limitation regarding what can be recorded against a property, but the request can be forwarded on to City Council. Radaich asked if the developer is comfortable with staff recommendations. Dingmann stated he does not see any issue with the changes.

Ballantine made a motion to approve to amend the Westwood Parkway PUD and was seconded by DeVine. Anderson noted an e-mail received from Kyle Winter stating he is opposed to a group home or apartment complex in this development. Holtberg called for a vote and the motion carried unanimously.

Radaich made a motion to approve the vacation including the change to vacation of Lot 3. The motion was seconded by Anderson and carried unanimously.

Anderson made a motion to approve the final plat of Westwood Parkway Plat 13. The motion was seconded by DeVine and carried unanimously.

Amendment to Article 19 – Off-Site Development Standards, Section 19.4 – Sidewalk

Improvements: Matt Glaesman, Planning Director, explained a request to amend Article 19, Section 19.4 of the Land Development Code (LDC). The issue was referred to the Planning Commission from

the City Council to look at the City's policy on a city-wide basis regarding sidewalks. The proposed ordinance has requirements for new construction as well as existing roads when reconstruction is necessary. Glaesman walked through the items of the draft ordinance.

Ballantine asked for clarification on the events that would cause a sidewalk to be installed. Glaesman stated that the ordinance addresses construction of new roads and reconstruction of existing roads. City Council has the authority to order a sidewalk project on its own, but typically sidewalks are incorporated into a neighborhood revitalization project. Radaich asked about the conditions upon which a property owner is obligated to pay for the improvements. Glaesman stated that Section F of the draft ordinance explains that the standard differs between residential and commercial properties, and new construction and reconstruction. If there is new road construction, the property owner will pay for the improvements. Properties will be assessed in the case of reconstruction of a commercial or industrial road; however, reconstruction of a residential road will not be assessed to the property owner. Anderson clarified that if a sidewalk in a certain area is not possible, it will not be installed. Glaesman confirmed that any provision of the LDC has the possibility of deviation. Larson asked about the process of a deviation. Glaesman stated that a deviation from the sidewalk ordinance would go through the Planning Commission and City Council. Holtberg acknowledged letters received in regard to the LDC amendment: Wendy Verkinnes, owner of Walking Billboards and Central MN BLEND board member, in support; Tina Scheierl at 515 5th Ave SE in support; Dave Tilstra M.D., CentraCare Clinic President, in support; and, Connie Pelzer at 1311 8th Ave SE in opposition.

Holtberg opened the public hearing and invited testimony. The following persons testified:

Connie Pelzer
1311 8th Ave SE

She stated she can appreciate the support of CentraCare and BLEND, but she does not feel a blanket ordinance without respect to the neighborhoods is a good thing. She asked that the ordinance be written so that existing neighborhoods without sidewalks can petition in favor of installing a sidewalk instead of against. She asked that enough notice be given to neighborhoods where infrastructure will take place with special assessments.

Gill Otto

He stated he does not believe there should be an ordinance where 'one-

- 1217 8th Ave SE size-fits-all'. The ordinance should be written in two phases: one for high traffic areas and one for older, established neighborhoods. He stated he hopes that a compromise can be worked out and that in certain cases, sidewalks can be excluded.
- Gary Markfort
728 8th Ave SE He stated he is in full support of Ms. Pelzer's suggestion. It allows the community to be more involved as a neighborhood in the project, and input early on in a project is important. When a sidewalk was proposed on 8th Ave SE previously, frustration was high until the Council decided to put the project on hold. The City has the resources to prove why a sidewalk needs to be in place, but the neighborhood should be informed in advance. He asked that the Commissioners consider the suggestions to reach out to neighborhood organizations and see how people actually feel about the project.
- Matt Glaesman
Planning Director As part of the Capital Improvements Program, a project was announced, but it was later decided by Council that the project would not move forward. It was decided to choose another neighborhood to receive the improvements based on its age, condition of the infrastructure, etc. The project was then forwarded onto the neighborhood on 8th Ave SE. It was acknowledged that there was not as much time for interaction and involvement from neighbors due to the prior actions. As a result, the Council made a decision against the improvement in that neighborhood, and another neighborhood that was interested in receiving the improvements came forward. He stated that the City is committed to engaging with organized neighborhoods.
- Dave Pullis
1845 Red River Trl He stated that all neighborhoods do not need sidewalks. There are some areas where it is necessary, but every project does not fit the same. Just because it is a new development does not mean it needs sidewalks. He stated he opposes the ordinance and would like each project looked at individually.
- Duane Sorenson
1820 Red Fox Rd He lives in an addition that is on a hill. One side of the street is flat and one is angled. If there were sidewalks, it would be very difficult to get vehicles into the driveway. He stated that having a sidewalk on the flat side of the road might work, but it would cause an issue if only one side of the road is assessed.
- Chris Ann Johnson
820 14th St SE She stated she is a walker and a biker. Sidewalks are necessary in busy sections of the city. In the winter, it is sometimes safer to walk on the road because people do not keep their sidewalk clean. She stated she would like to see each project looked at individually.
- Jodi Gertken
1406 6th Ave N She is representing the BLEND Coalition. She read a letter of support from the members of the Coalition. She stated the project is a community investment that will serve the residents. It is important to think of the health, safety and vitality of the community.
- Ellen Mork She is representing the League of Women Voters of the St. Cloud Area.

- 1013 Borgert Ave
The organization testified in favor of the complete streets project in September 2011. The ordinance proposal is designed to implement the complete street projects, and the organization supports its implementation. She stated that the basic function of sidewalks is safety. Sidewalks help to prevent air pollution and promote a healthy lifestyle and community.
- Mary Brennen
1302 8th Ave SE
She stated that mature trees in her neighborhood would have to be removed to accommodate sidewalks. She stated that on Kilian Blvd she has often needed to step out of the way of bicyclists. She asked where the environmental enhancement is when trees need to be removed and who is looking out for the safety of the walkers.
- Monica Zinken
435 21st Ave N
She stated that Cooper Ave has never had a sidewalk. The last time improvements were done, the City planted beautiful trees. If a sidewalk were to be installed, those trees would need to be removed. The area is not popular for walkers due to the railroad nearby. She stated there is a walking path on 3rd St N which is frequently used by walkers in the area.
- Dave Tilstra M.D.
1200 6th Ave N
He is the president of CentraCare Clinic. He spoke in support of the sidewalk ordinance. Sidewalks are a way for individuals and families to get outside and get exercise safely. It is important to give the opportunity to ride bikes or walk to school with sidewalks. It also gives families the opportunity to get outside and be more active.
- Andy Vinson
5911 Westcliffe Pl
He is the executive director of Health Partners. He spoke in support of the sidewalk ordinance. Other cities have also struggled with this issue of sidewalks. Anything to encourage a sense of community and activity is good. He stated we need to be thinking about health, and he is in full support of the project. He used to live in Sartell and moved to St. Cloud because his new neighborhood has a sidewalk.
- Ann Hill
728 8th Ave SE
She spoke in opposition of the sidewalk ordinance. She stated that some of the organization that have been heard from, such as Coborns and CentraCare, do very good things for the community, but they also have laid down a lot of pavement for their buildings. She said that the reason kids do not walk to school has nothing to do with sidewalks.
- John Fromelt
1319 10th Ave N
He stated that in existing developments, it should be left up to the neighborhood to decide whether a sidewalk is necessary. He stated he opposes due to the fact that he does not want the expense and does not want the responsibility of keeping it clean in the winter.

There being no one else wishing to speak, the public hearing was closed. Ballantine stated that he is in general support of the ordinance, especially regarding new construction. Anderson commented that the ordinance supports what was intended with the complete streets idea. He stated it is important to look to the future, and he is in support of the ordinance. Larson asked how sidewalks

have been addressed in new developments in the past. Glaesman stated that in the last ten years, sidewalks have been addressed similarly to the way the ordinance is drafted. Larson asked if there is a way to address tree preservation. Glaesman stated that every attempt is made to save the trees that can be saved. Where trees cannot be saved, the solution is planting back trees. Radaich asked what neighborhood involvement will take place if the ordinance is passed. Glaesman stated that staff is committed to early engagement. There is a petition process where people can oppose a specific project before it is ordered by City Council. The ordinance puts the burden on making a better case as to why the sidewalk is not necessary. It is acknowledged that sidewalks do not have to be in every neighborhood, but the ordinance puts the bias on the side of the sidewalk. In recent history, a sidewalk project has not advanced on its own. Sidewalks have partnered with neighborhood revitalization projects.

Ballantine stated he is concerned with the possibility of ordering a stand-alone sidewalk project. Glaesman stated that the authority to order a stand-alone sidewalk project already exists. The ordinance does not address this type of project. Goerger noted that in 20 years, City Council has not ordered a sidewalk without construction or as a part of a bigger project with the exception of the Safe Routes to School program. Goerger added that residential properties will not be assessed unless it is a stand-alone sidewalk project that is ordered. Sidewalks should be a part of the other improvements in a neighborhood revitalization project. There are instances where a sidewalk will not work, and that is addressed in the draft. Holtberg asked how it will be assured that sidewalks will be installed on arterial roadways. Glaesman stated that arterial and collector streets are addressed in sections B and C of the draft ordinance. Holtberg asked about road work with the County or State. Glaesman stated there should be no issue discussing a pedestrian system for those roadways. Holtberg asked about the future interchange at 33rd St S. Glaesman stated that there are sidewalks in the plan for the project.

Anderson made a motion to approve the draft ordinance. The motion was seconded by DeVine. Holtberg stated he would be voting against the motion, and he has an issue with demanding

sidewalks, although he does understand the thought process of making sidewalks a part of the bundle of improvements. DeVine stated she will be voting in favor. The ordinance indicates that sidewalks must meet the requirements in order to be installed, and the financial burden is clearly discussed. She stated the effort on the part of the neighborhoods to weigh-in exists, and she does not feel it will be forcing the sidewalk when there might be some reasons where it is unnecessary. Ballantine asked about assessments. Goerger stated that currently, property owners are assessed the cost of sidewalk improvements. This ordinance would change that for residential properties, which would not be assessed for reconstruction. Ballantine stated he will vote in favor of the ordinance because new construction and reconstruction should have sidewalks. He stated he will take it at face value that stand-alone projects will not be ordered. Goerger commented that if the Council decided to order a stand-alone sidewalk project, it would still go through due process with a public hearing, etc. Anderson noted that the language for the ordinance is available online. Holtberg called for a vote, and the motion carried, 4-2 (Holtberg and Radaich opposed).

RST Land, LLC / Preliminary and Final Plat of Sauk River Estates Plat 4: Matt Glaesman, Planning Director, explained a request to approve the Sauk River Estates Plat 4. The applicant intends to utilize the three platted parcels for construction of new single-family detached housing. Staff is supportive of the request with the understanding that the long term potential for these parcels to be subdivided still exists. Staff is recommending the applicant dedicate a public drainage and utility easement in the final plat.

Ballantine asked if there was concern with building multi-use housing instead of single-family. Glaesman stated the zoning of the property for single-family will remain. Holtberg asked if the applicant is in agreement with the four staff recommendations. Rick Poplinski from RST Land, LLC stated he is aware and in agreement with the conditions. Anderson commented that the packet states the Fire Department is reviewing the need for turnaround dimensions and asked if those had been provided. Glaesman stated that they had been provided, and the issue has been resolved. DeVine asked if any future re-platting would return to the Commission. Glaesman stated that any further

subdivision of these three lots would need to come forward to address issues with utilities, road extensions, etc.

Radaich made a motion to approve the vacation subject to staff recommendations. The motion was seconded by Ballantine and carried unanimously.

Adjournment: There being no further business, the meeting was adjourned at 7:48 p.m.

Dick Andzenge, Secretary