

PROCEEDINGS OF THE ST. CLOUD PLANNING COMMISSION

A meeting of the St. Cloud Planning Commission was held on Tuesday, July 9, 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 Libert 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:

David Mohs
403 7th Ave N

He lives in the Northside-Hester Park neighborhood. He stated the neighborhood, which is primarily zoned R5, is concerned with single family homes being divided and turned into apartments. He asked for consideration to rezone the area to R1.

Matt Glaesman
Planning Director

The Planning Department will need to look at each parcel and review the implication to the existing uses to determine whether current uses become permitted, conditional or non-conforming. The neighborhood information could be combined with the department's analysis to then reach out to the neighbors and see if they are interesting in proceeding with a formal application once they see the implications of the change.

Jake Anderson
Commission Member

He asked if the primary driver is to reduce the number of renters or the number of people splitting single family homes.

David Mohs

There are concerns with both, but they are mostly concerned with extreme density.

Commissioners agreed to discuss the issue 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 July 9, 2013 as part of the official record

Approval of minutes from the June 11, 2013 Planning Commission meeting

The motion was seconded by Ballantine and carried unanimously.

Nu Way Missionary Baptist Church PUD Amendment / Trent and Tron Swanson on behalf of Russell Warnert: Matt Glaesman, Planning Director, explained a request to amend the Nu Way Missionary Baptist Church Planned Unit Development (PUD). The existing PUD was granted in 2006 to change the zoning from I2 to PUD and limits the permitted uses to places of worship and

professional office uses. The applicant is proposing to expand the types of permitted uses to include light industrial, manufacturing and professional services. DeVine recused herself from the matter.

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

Tron Swanson Krillan, Inc	He is the applicant. A screen printing and embroidery business is intended for the property.
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There being no one else wishing to speak, the public hearing was closed. Ballantine asked if the action in 2006 was to accommodate the place of worship. Glaesman stated that at the time of the action, there were already professional offices in the building, and the place of worship use was added to the permitted uses. Now that the professional uses are gone, it is being discussed to expand the options of possible uses. Ballantine asked if the place of worship is concerned with the change. Glaesman stated that he has not been contacted by the place of worship.

Radaich made a motion to approve subject to staff recommendations. The motion was seconded by Ballantine. Holtberg asked if the applicant is the owner of the building. Glaesman stated that the property owner supports the application. Holtberg asked about the hours of operation. Swanson stated the business will be open to the public Monday through Friday 8 a.m. to 4 p.m.; however, the business is intending to deliver product, and there should not be any impact in regards to increase of traffic. Ballantine asked if surrounding tenants have been spoken to. Swanson stated that he spoke with a business owner to the south, and they were happy that the space will be occupied as it has been vacant for several years. Glaesman stated that the City is required to notify all property owners within 500 feet of the request, but that does not ensure that tenants were notified. Larson asked if the specific uses could be added to the PUD. Glaesman stated that it is an option to accommodate the uses that are proposed; however, the intensities of the proposed uses are nearly identical to the other uses in an I1 district. Holtberg called for a vote and the motion carried (5-0-1, DeVine abstaining).

Vacation of a Portion of 19th Ave N / Eich Motor Company: Matt Glaesman, Planning Director, explained a request from Eich Motor Company to vacate the 19th Ave N right-of-way between

1st St N and the Division St frontage road. The applicant owns all abutting property along both sides of the street segment proposed for vacation; however, there are City utilities within the street right-of-way. Staff is supportive of the request with the condition that the vacated portion of the right-of-way is replaced by a new drainage and utility easement for those utilities unless they are relocated by the applicant. This phase of the process is simply technical review, and there will be a public hearing when the issue is reviewed by City Council.

Holtberg commented that the vacation makes sense and asked if the applicant will add a sign or barrier so residents are aware that there is no longer a street. Carl Fasen, General Manager of Eich Motor Company, stated that it is being discussed to narrow the opening going into the property to make it known that it is no longer a public roadway. The opening may possibly be relocated to direct traffic to Cooper Ave instead of into the residential neighborhood. Ballantine asked if the vacation will remain indefinitely and if a building could be placed across the roadway. Glaesman stated that the City is giving up its interest in the right-of-way, but the roadway cannot be built upon until the public utilities are removed.

Ballantine made a motion to approve subject to staff recommendations. The motion was seconded by DeVine. Anderson stated he is supportive of the request. He commented that he would be interested in a conversation about more frontage roads if the vacation of the adjacent TH23 frontage road to the east of 19 ½ Ave comes forward. Holtberg called for a vote and the motion carried unanimously.

Recommendation of Bandshell Construction at Lake George/Eastman Park: Matt Glaesman, Planning Director, explained that the Planning Commission is required to take a position on proposed public improvements on City property. The City's Park and Recreation Department and St. Cloud Rotary have been advancing plans to construct a bandshell within Lake George/Eastman Park. The proposed structure is consistent with the 2002 Park Master Plan, which envisioned a live performance amphitheater within the green space between the lakeshore and renovated park building. Scott Zlotnik, Park and Recreation Director, stated that funding of the structure's

construction will be shared between the City with local option sales tax and St. Cloud Rotary. Commissioners discussed the design plan and funding options for the project, which was favorably received. Glaesman stated that the Planning Commission is required to take action on the physical improvements of the project. Additionally, there is an option to take a position on the financing of the project, but it does not have merit on City Council's vote.

Ballantine moved approval of the proposed bandshell at Lake George/Eastman Park. The motion was seconded by DeVine and carried unanimously. Commissioners agreed that the City should do what it can to support the project.

Discussion of Land Development Code Amendment for Temporary Shelter Facilities:

Matt Glaesman, Planning Director, reminded Commissioners that in 2011, the City amended Article 14, Section 14.3 of the Land Development Code (LDC) to extend the length of stay at temporary shelter facilities from 45 days up to 90 days for no more than 10% of the facility's occupants. The change has been limited to a two year period that will sunset on January 1, 2014. Anna Marie's Alliance is seeking a second amendment to address unique circumstances of their residents' needing protective care. An amendment allowing the shelter occupant to stay longer than the 45 day maximum could refer to a court mandated protection order or similar documentation. Planning staff is looking for direction regarding the possible amendments.

Commissioners discussed removing the sunset provision from the length of stay portion as an option and discussed unique circumstances, emphasizing regulation and the language of documentation. Commissioners agreed that the matter should come back to the Planning Commission for a public hearing.

Discussion of the 2014 Development Fund Budget: Matt Glaesman, Planning Director, presented the 2014 Development Fund Budget proposal. Commissioners discussed staffing changes, planning for a future Comprehensive Plan study, and working with the county on GIS for cost savings. Ballantine made a motion to approve the 2014 Development Fund Budget proposal. The motion was seconded by Radaich and carried unanimously.

Other Business: The last update regarding the Zucker Systems recommendations reported that 30% of the recommendations have been completed. The number is continuing to increase.

The Lakota Group has completed two site visits and several in-house meetings regarding placemaking. Recommendations will be ready for the committee to review in August with final recommendations available in September.

Adjournment: There being no further business, the meeting was adjourned at 7:12 p.m.

Dick Andzenge, Secretary