

PROCEEDINGS OF THE ST. CLOUD PLANNING COMMISSION

A meeting of the St. Cloud Planning Commission was held on Tuesday, May 13, 2014, at 6 p.m. in the City Hall Council Chambers. Members present were Ballantine, DeVine, Larson and Radaich. Anderson and Andzenge were absent. City Council representative Goerger was present.

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

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

Acceptance of staff reports for May 13, 2014 as part of the official record

Approval of minutes from the April 8, 2014 Planning Commission meeting

The motion was seconded by Larson and carried unanimously.

VAC-2014-01 / Patrick Benson / 2275 37th St S and Final Plat of Sommersby Plat 3: Matt Glaesman, Planning Director, explained a request to vacate a 5' wide drainage and utility easement on the southwestern lot line of Lot 14, Block 2, Sommersby Plat 2. The applicant is also seeking approval of the final plat for Sommersby Plat 3, which will allow the vacated lot to be combined with a portion of Outlot A to the south. Staff is supportive of both the vacation and final plat with the understanding that the plat will be corrected to dedicate the right-of-way for 23rd Ave S abutting the southern boundary of proposed Lot 1, Block 1, Sommersby Plat 3.

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

TEP-2014-02 / Hoffman Construction on behalf of Roger C. Poganski Trust / 3319 County Rd 74: Matt Glaesman, Planning Director, explained a request for the extraction of granular material for the construction of the 33rd St S / TH 15 interchange project. Staff originally recommended denial with the concern for the long term reduction of potentially developable property in St. Cloud. The applicant provided additional information to correct the amount of materials being

taken for the interchange. With this corrected information, staff is comfortable that the removal of materials will accommodate the interchange and still allow for development. Glaesman reminded Commissioners that the item does not require a public hearing; however, the Commission has the discretion to schedule a hearing to gain public input on the proposal.

Ballantine asked what will become of the area being extracted for material. Glaesman stated that those pits will become either a water feature or functional stormwater ponding. Ballantine noted his concern with leaving gravel pits in an area that has high potential for commercial development and asked about the longevity of the project. Glaesman stated that the extraction of materials from the site will only benefit the interchange project, and the temporary excavation permit is good for one year. Larson agreed with Ballantine's concerns and commented he would like to see a potential plat to see how the pits could be incorporated. Goerger commented that he does not want to see the project deter development and asked if it is possible to fill the pits after excavation is complete. Glaesman stated that it is possible but not proposed at this time.

DeVine commented that it would be wise to call a public hearing to hear from neighbors and area business owners. Ballantine asked about the interchange project time table. Glaesman stated that the need for material from this site is a result of action on the previously approved temporary excavation permit. The proposal in that case was to excavate three areas, but one area was not approved because it was in an environmentally sensitive area. This required the applicant to obtain the remainder of materials from a different location.

Ballantine noted that the project should move forward to City Council due to the time sensitivity and made a motion to approve the temporary excavation permit. The motion was seconded by Radaich and carried (3-1-0, DeVine opposed).

VAC-2014-02 / 2821 Walden Way: Matt Glaesman, Planning Director, explained a request to vacate a drainage and utility easement located on the common lot line between Lots 5 and

6, Block 1, Walden Woods Plat 3. The property is in the process of being sold, and there is no record that the easement vacation exists, although it is believed to have occurred at the time of combining the two platted lots prior to the merger of the City and St. Cloud Township. The existing home was built in 1997, less than two years following the merger, and encroaches over the easement. No utility lines are believed to be located within the easement. Staff is acting as the applicant in this case and is recommending approval.

Larson made a motion to approve the vacation. The motion was seconded by Radaich and carried unanimously.

Discussion of Back Yard Chickens: Matt Glaesman, Planning Director, explained the need for a discussion on back yard chickens. The City Code currently defines chickens as non-domesticated animals and prohibits their keeping in residential zoning districts. Local advocates have asked the City of St. Cloud and surrounding municipalities to reconsider this standard and allow the keeping of back yard chickens subject to a variety of standards addressing quantity, hens, enclosures, waste management, etc. The Health & Housing Advisory and Appeals Committee and Planning Commission hosted a public forum on April 15, allowing those in opposition and support of an ordinance change to state their opinion. It is appropriate for the Planning Commission to make a recommendation to City Council in support or opposition of an ordinance amendment being introduced. Staff feels that this is not the right time for this item to move forward due to health and nuisance concerns.

Radaich commented that he agrees with the staff recommendation that the revision not be brought forward, especially due to the density of core neighborhoods. He stated he does not believe it is the right time for the urban core.

Ballantine commented that supporters clearly have legitimate reasons for wanting the ordinance change. He noted speaking with a friend who has a neighbor with chickens and the

annoyance they cause. He stated he cannot see himself in a position of support regarding an ordinance change for residential districts.

Larson commented on his concern with public health issues and neighborhood density. He stated that most people would not have a problem with regulations, but that will not be the case for everyone.

Glaesman provided a summary of cities in the area, most of which do not allow chickens in their residential districts. He noted that although chickens are not allowed in residential zoning districts, chickens are allowed in the City's Rural Residential and Agricultural districts.

DeVine commented that she would not recommend the change to City Council at this time.

Ballantine made a motion to recommend against initiating the change of ordinance. The motion was seconded by Radaich and carried unanimously.

Discussion of Northside-Hester Park Rezoning: Matt Glaesman, Planning Director, reminded Commissioners of a request to consider rezoning the southern portion of the Northside-Hester Park neighborhood. The area consists primarily of single-family homes, and the desired change in zoning is to prevent the splitting of single-family homes into multi-family uses. Staff is suggesting that this item be discussed during the Comprehensive Plan Update rather than initiating a rezoning.

DeVine agreed that it would be premature to take action when the Comprehensive Plan Update is getting ready to begin. She noted that the update will allow the neighborhood the opportunity to come forward and discuss the proposal. Radaich also commented that it would be appropriate to discuss this item in connection with the Comprehensive Plan.

Discussion Regarding Definition of 'Micro-Breweries': Matt Glaesman, Planning Director, explained that the City's Land Development Code defines 'micro-breweries' as a facility of not more than 2,400 square feet of building area and generating 15,000 gallons or less of product

annually. This definition exists to distinguish between large industrial brewing productions suited for industrial environments and the smaller brew-pubs more suited for commercial zoning districts. Micro-breweries are consistently defined by national sources as a facility generating no more than 15,000 *barrels* of product annually. The City's adoption of the definition in 2000 utilized gallons rather than barrels to quantify production. In an attempt to facilitate development in the C3 and C4 zoning districts and the vitality created by these facilities, staff suggests the City's definition be brought into conformance with the national standard.

Larson made a motion to initiate an amendment to the Land Development Code regarding the definition of 'micro-breweries' and direct staff to schedule a public hearing for June. The motion was seconded by Radaich and carried unanimously.

Preliminary Plat of Granite City Crossings: Matt Glaesman, Planning Director, reminded Commissioners of a request at the April 2014 meeting for a rezoning and preliminary plat approval. The Commission decided to forward the rezoning on to City Council, but tabled the plat for further consideration as there were several issues to be resolved. Staff has continued to work with the development team and has received comments from Stearns County and MnDOT. Staff feels that the most important issues regarding the plat have been resolved. Glaesman noted two comments in opposition that were received after the April public hearing regarding the rezoning and provided them to Commissioners for their information.

Ballantine noted his excitement for the potential of development in this area. Radaich commented on the letters in opposition to the rezoning stating that it is a natural progression to change zoning as the City grows. Glaesman stated that the Comprehensive Plan Future Land Use Map identifies this area as commercial, and he respectfully disagreed with the opposition. Goerger commented that he would like to see the development rather than parking along the highway.

Ballantine made a motion to approve the preliminary plat of Granite City Crossings. The motion was seconded by Larson and carried unanimously.

2014 Comprehensive Plan Update: Matt Glaesman, Planning Director, explained that a selection panel has recommended Houseal Lavigne Associates as the preferred consultant for the 2014 Comprehensive Plan Update. Staff has begun negotiations with Houseal Lavigne on the project scope of work. Staff recommends the City enter into a contract with Houseal Lavigne for professional services to assist in preparation of the document. The Planning Commission is being asked for authorization to contract with the firm with the understanding that staff will continue to negotiate the scope of work.

Ballantine made a motion to authorize a contract with Houseal Lavigne. The motion was seconded by Radaich and carried unanimously.

APO 2040 Long Range Transportation Plan: The St. Cloud APO will be hosting a public meeting to discuss the 2040 Long Range Transportation Plan on Thursday, May 15.

Adjournment: There being no further business, the meeting was adjourned at 7:01 p.m.

Dennis Ballantine, Secretary