

PROCEEDINGS OF THE ST. CLOUD PLANNING COMMISSION

A meeting of the St. Cloud Planning Commission was held on Tuesday, December 9, 2014, at 6 p.m. in the City Hall Council Chambers.

ROLL CALL: Members present were Anderson, Andzenge, Ballantine, DeVine, Larson and Radaich. City Council representative Goerger was present. Staff present were Matt Glaesman and Jim Flaaen.

OPEN FORUM:

Dianne Larson, 2929 Aurora Ln - She is the owner of Copper Corte I and II located at 200 Waite Ave S and 4180 Thielman Ln. She is concerned with the lack of visibility of her properties. There are a group of trees blocking visibility and as a result, it is difficult to rent space. There is currently nothing written in the Land Development Code that prevents this type of blockage from commercial buildings. She asked that the city either amend the code or lower taxes on the property.

Glaesman stated the city is not willing to amend the code to prevent installation of new landscaping that would block sightlines for commercial properties. The Planning Commission does not have a role in determining property values.

Ballantine stated he would not be opposed to looking at the issue. Radaich stated that this case is extreme; however, he does not believe a blanket change in vegetation or tree removal would be wise for the city.

Consent Agenda:

**APPROVAL OF STAFF REPORTS FOR DECEMBER 9, 2014 AS PART OF THE OFFICIAL RECORD
APPROVAL OF MINUTES FROM THE NOVEMBER 13, 2014 PLANNING COMMISSION MEETING
ACTION TAKEN: Ballantine/Anderson/Approved (6-0)**

Public Hearings:

**DPA-2014-05 / JAMES ANDERLE ON BEHALF OF PREMIER PLAZA, LLC / 3306, 3308, 3310,
3312 & 3320 3RD ST N
ACTION TAKEN: Ballantine/Andzenge/Approved (6-0)**

Glaesman explained a request to amend the general development plan for operation of a microbrewery, tap room, and the potential of off-sale beer. The previous microbrewery activities were permitted as an accessory use to the bar/restaurant. The applicants are proposing to operate an independent microbrewery with an associated tap room and potentially selling 'growlers' for off-site consumption. No expansion or modification of the structure is proposed. The request is simply to allow the use of a microbrewery without the restaurant element. Staff is supportive of the request.

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

James Anderle, 781 Meander Rd, Hanover – The microbrewery will be operating with the intent to distribute through keg sales to restaurants and bars. A secondary intent is to open the space to allow ‘growler’ sales. The facility was leased with the misunderstanding that the space was zoned to be a brewery since the brewing equipment was already in place.

Anderson asked about the amount of production expected. Anderle commented that production will start small. At some point, the space will not be large enough to accommodate the production volume. Production is anticipated at less than 5,000 barrels annually.

Radaich asked about the use of the tap room. Anderle stated that a tap room would operate like a bar, but only products brewed on site can be sold.

There being no one else wishing to speak, the public hearing was closed. Ballantine made a motion to approve the development plan amendment request. The motion was seconded by Andzenge and carried unanimously.

2016-2021 CAPITAL IMPROVEMENTS PROGRAM / PUBLIC INPUT SESSION #1

ACTION TAKEN: None

Flaaen introduced the 2016-2021 Capital Improvements Program and highlighted the structure, purpose and process utilized in adopting the CIP each year. Flaaen noted that this is the first of several community input opportunities throughout the process.

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

Lowell Olson, 23 Pandolfo Pl – He encouraged the City to make trail connections and extensions involving existing regional trails, continue to include park land acquisition in the plans, continue to leverage local dollars by applying for grants and collaborating with other jurisdictions on regional projects, and find ways to focus on the Mississippi River as a community asset as projects are planned and implemented. He supports the City’s work toward implementing the Complete Streets concept and Sustainability efforts. He addressed the fact that voters approved extending the ½% sales tax in November. This provides a long-term dedicated funding source for the city to use for regional parks and trails. This should make it possible for the city to plan and complete more Capital Improvement projects involving park land acquisition and to pay for development of regional parks and trails that have been planned but lack funding.

HelenAnn Johnson, 1411 9th Ave SE – She is a representative of the Southeast St. Cloud Neighborhood Preservation Coalition. The Coalition is opposed to the proposed University Drive Corridor Project. Three sections of the proposed project were included in the ICI category of the 2015-2020 CIP. The Coalition believes that the proposed project would have a negative impact on Southeast St. Cloud and the greater St. Cloud community.

Mike Petroske, 1205 Millstone Ct - He is representing St. Cloud Youth Hockey Association. He expressed support for possible MAC expansions. In addition, he asked that Whitney Park be looked at for improvements of parking, etc.

There being no one else wishing to speak, the public hearing was closed.

LDC-2014-03 / CITY OF ST. CLOUD / ARTICLE 15, SECTION 15.5

ACTION TAKEN: Andzenge/Larson/Approved (5-1, Ballantine opposed)

Glaesman explained that on January 24, 2015 the latest edition of the State of MN Building Code will go into effect across MN. The new building code exempts detached accessory structures 200 sq. ft. or less in floor area and detached decks less than 30” in height. A building permit is not required for exempt structures. Without a building permit, the City would not be able to confirm compliance with applicable standards affecting adjacent properties and public right-of-way. Staff are proposing an amendment to the Land Development Code (LDC) requiring detached accessory structures that are between 100-200 sq. ft. in floor area and detached decks that are higher than 7” and less than 30” in height above the adjacent grade to obtain a ‘land use permit’. The proposed permit would be an administrative action giving staff the opportunity to check for LDC related compliance. No action of boards or commissions would be required. An application fee of \$20.00 is proposed.

DeVine opened the public hearing and invited testimony. There being no one wishing to speak, the public hearing was closed. Board members discussed details of the proposed land use permit including fees, plan review, site visits, etc.

Andzenge made a motion to approve the Land Development Code amendment. The motion was seconded by Larson and carried (5-1, Ballantine opposed).

New Business:

PRELIMINARY AND FINAL PLAT OF STANG 2ND ADDITION

ACTION TAKEN: Anderson/Radaich/Approved (6-0)

Glaesman explained a request of preliminary and final plat approval of Stang 2nd Addition. In April 2014, the City of St. Cloud approved a rezoning of the applicants’ property from AG, Agricultural District to RR, Rural Residential District. The rezoning reduced the minimum lot size from 40 acres to 10 acres. The proposed preliminary and final plat will subdivide the applicants’ property into lots that conform to the RR District minimum lot area. Staff is supportive of the request contingent upon the dedication of an additional 30’ wide right-of-way along County Rd 74 that will allow the extension of the existing frontage road to the northeast. The applicants’ representative has indicated that the applicants are not willing to do so at this time.

Susan Stang, the applicant, stated that she was not opposed to dedicating the right-of-way, but is concerned about the outlet of the property. Glaesman suggested moving forward with approval tonight to allow for further discussion with the applicant and surveyor prior to City Council.

Anderson made a motion to approve the preliminary and final plats of Stang 2nd Addition subject to staff recommendations. The motion was seconded by Radaich and carried unanimously (6-0).

RESOLUTION OF THE ST. CLOUD PLANNING COMMISSION FINDING THE CREATION OF AN ECONOMIC DEVELOPMENT DISTRICT AND MODIFICATION TO CERTAIN EXISTING TAX

INCREMENT FINANCING DISTRICTS WITHIN THE CITY CONFORMS TO THE GENERAL PLANS FOR THE DEVELOPMENT AND REDEVELOPMENT OF THE CITY

ACTION TAKEN: Ballantine/Radaich/Approved (6-0)

Glaesman explained a request from the St. Cloud Economic Development Authority to review a modification creating an economic development district to facilitate development and redevelopment across a significant portion of the city. Staff recommends approval of the attached draft resolution finding the modification consistent with the Comprehensive Plan and sound planning principles.

Ballantine made a motion to approve the resolution finding the creation of an economic development district and modification to certain existing tax increment financing districts within the City conforms to the general plans for the development and redevelopment of the city. The motion was seconded by Radaich and carried unanimously (6-0).

Adjournment: There being no further business, the meeting was adjourned at 7:23 p.m.