

## PROCEEDINGS OF THE ST. CLOUD PLANNING COMMISSION

A meeting of the St. Cloud Planning Commission was held on Tuesday, August 11, 2015, at 6:00 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 absent. Staff present were Matt Glaesman and Ashley Skaggs.

**OPEN FORUM:** No one was present to speak.

### Consent Agenda:

**APPROVAL OF STAFF REPORTS FOR AUGUST 11, 2015 AS PART OF THE OFFICIAL RECORD**

**APPROVAL OF MINUTES FROM THE JULY 14, 2015 PLANNING COMMISSION MEETING**

**ACTION TAKEN:** Ballantine/Anderson/Approved (4-0-1, DeVine abstained)

### Public Hearings:

**DPA-2015-03 / KWIK TRIP ON BEHALF OF BONTEN HOLDING COMPANY / 3705 & 3709 23<sup>RD</sup> ST S**

**VAC-2015-06 / KWIK TRIP ON BEHALF OF BONTEN HOLDING COMPANY / 3705 & 3709 23<sup>RD</sup> ST S**

**ACTION TAKEN:** DeVine/Radaich/Approved (6-0)

Glaesman explained a request to amend the General Development Plan (GDP) of the Highway 15 & County Road 74 Planned Unit Development (PUD) to change the approved land use of two lots from C1, Business Office District to allow a convenience store with fuel sales. The convenience store development is proposed to be located on two existing platted lots, which will be combined into a single zoning lot to keep the fueling pumps on the same property as the convenience store. In addition, the applicants are requesting to vacate a 10' wide drainage and utility easement located on the common lot line. There is a storm drain pipe that is located within the easement. The applicants are proposing to relocate the storm drain pipe to the east and replace the vacated easement. Staff recommends approval of both requests.

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

Joe Schoenecker, 2414 Walden Way - He is the owner of one of the office buildings to the west of the proposed convenience store. He bought the building with the understanding that the PUD was zoned for office use only. Tenants of the building are not happy to see a convenience store in this location and are concerned that traffic will have an effect on their commute. He owns a second building on Washington Memorial Dr & Division St that is next to a convenience store. He has seen vandalism, vagrants, drug deals and break-ins as a result of this convenience store. He stated he is strongly opposed to the PUD amendment.

Wade Dumond, Kwik Trip of LaCrosse, WI - With the changes at the 33<sup>rd</sup> St S Interchange, traffic patterns are bound to increase. Convenience stores do not typically cause an increase in traffic but utilize the existing traffic. Safety can be an issue at older convenience stores. Kwik Trip stores have cameras, a 24 hour presence and excellent lighting to help diminish safety concerns. He

stated he is willing to speak with neighboring property owners to address concerns.

Judy Goering, 3723 W St. Germain St – A convenience store is very appropriate for this site. The neighborhood is very excited for the development. She is happy to see this property become useful. She asked that the request be approved.

There being no one else wishing to speak, the public hearing was closed. Ballantine asked if there has been other interest in office buildings for this location. Schoenecker stated he was not aware of any.

DeVine made a motion to approve both the amendment and vacation requests. The motion was seconded by Radaich. Andzenge commented that he thinks the development will be good for the area. DeVine agreed and noted that the development will help bring in other developments that are appropriate. Anderson commented that this property is much different than the property on Washington Memorial Dr. Kwik Trip runs a nice operation, and it will be a nice addition to serve the population. Larson called for a vote and the motion carried unanimously.

**REZ-2015-03 / KYLE SCHANGEN ON BEHALF OF JAMES SWANSON / 710 44<sup>TH</sup> AVE N**  
ACTION TAKEN: Ballantine/Anderson/Approved (4-2, Andzenge and Radaich opposed)

Glaesman explained a request to rezone a property from C5, Highway Commercial District to I3, Planned Industrial District. The applicant is proposing to construct a 13,000 sq. ft. auto body repair shop on the property. The property was rezoned from I3 to C5 in 2004 as a part of a larger rezoning request. Of the properties rezoned in 2004, only the bank to the north has been developed. Although the request comes forward for a specific end user, rezoning the property to I3 would allow for a broad range of uses to be utilized in the future.

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

Ronald Klemz, 3950 Veterans Dr – He represents MMPS, LLC and the owners of Centrasota Oral Surgeons. With the closing of the median on Veterans Dr at 41<sup>st</sup> St N, many patients have been redirected to a frontage road to access the facility. Many complaints have been received regarding the difficult access, including navigating the semi-trailer traffic in the area. He expressed concern that the use is incompatible for the property. Anything that would occur that would make it more difficult for patients to access the property would devalue the property.

Ballantine asked about the frequency of semi-trailer traffic. Klemz stated that there are 10-12 semis daily.

Casey O'Malley, 1936 Knollwood Cir – He represents Abra Auto Body & Glass. It is not the intention of Abra to negatively impact this corridor or commerce. Abra, which is an auto body shop with a retail element, is currently located next to Walgreens on Division St in Waite Park. Operations are stringent requiring a privacy fence, gate and strict protocol for delivery of vehicles. Abra feels that the business would have a positive impact on the site and this would be the highest and best use for the property.

There being no one else wishing to speak, the public hearing was closed. Glaesman explained that the applicant will also be required to obtain a Conditional Use Permit (CUP) from the Zoning Board

of Appeals. The CUP process will run concurrently with the rezoning process. DeVine asked if it would be more appropriate to rezone the property to a Planned Unit Development (PUD). Glaesman noted that all adjacent properties are zoned I3, with the exception of the bank to the north, so staff felt it was appropriate to revert the zoning to I3 rather than introduce a new PUD. Anderson asked about the process if the CUP is not approved. Glaesman stated that if the property is rezoned and the CUP is denied, the use could change to any of those allowed in an I3 district. Radaich expressed concern for the use of a body shop in this location.

Ballantine made a motion to approve the rezoning request. The motion was seconded by Anderson. Ballantine commented that he does not believe a change in use will further the problem with traffic, and he will support the motion. DeVine agreed and will support the motion. Larson called for a vote and the motion carried (4-2, Andzenge and Radaich opposed).

**New Business:**

**SCHWINGHAMMER FARM / SCHWINGHAMMER FAMILY LIMITED PARTNERSHIP**

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

Glaesman explained a request to approve the preliminary and final plats of Schwinghammer Farm. The applicants are proposing a mixed use development on their 153.25 acres of land located in the northwestern quadrant of the intersection of County Rd 136 and 33<sup>rd</sup> St S. Staff is recommending approval of the request.

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

**VAC-2015-05 / LONNY & CAROL WILD / 1125 COUNTY RD 4 & 5910 19<sup>TH</sup> ST N**

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

Glaesman explained a request to vacate a 10' wide drainage and utility easement located on a common lot line to accommodate a potential home being constructed over the easement. The affected property owners have agreed to relocate the shared property line 5' to the east. A new easement will be dedicated as part of an administrative plat recording the relocated property line. Due to the nature of the request and time restraints, the request appeared on the City Council agenda on Monday, August 10, 2015. The City Council approved the vacation request contingent upon the Planning Commission's recommendation of approval.

Anderson made a motion to approve the vacation request. The motion was seconded by DeVine and carried unanimously.

**PLANNING INITIATIVES AND IMPLEMENTATION ACTIVITIES**

ACTION TAKEN: None

Glaesman presented two potential initiatives to consider following the 2015 Comprehensive Plan adoption. The first is a Brownfield Grant proposal. The nature of the program allows the City to hire a consulting firm to make an application on its behalf where it could then utilize grant funds. An RFQ was issued and staff feels Stantec is the right firm to proceed with the application process. Given there are no cost implications, staff is moving forward with this initiative.

The second initiative is an idea to find a consulting firm that can look at current stock, quality and location of athletic facilities and plan for future needs. The Development Fund is the most likely fund for a study of this kind. Anderson asked if the study could also incorporate trails and the maintenance of trails. Glaesman stated that a decision would need to be made whether trails and

their maintenance would be incorporated or if the topic is unique enough to have its own study. Commissioners agreed to consider the study in the future.

**Old Business:**

**PROTECTION OF NON-CONTRIBUTING STRUCTURES IN HISTORIC DISTRICTS**

ACTION TAKEN: None

As a continuation of the Planning Commission’s discussion in July, the HPC suggested that one of its members attend the next Planning Commission meeting to further explain their concerns. The HPC Chair Peter Fandel was expected to address the Planning Commission; however, he was not present. Commissioners agreed to table the item until hearing from Chair Fandel. Anderson suggested the topic may be more appropriate for the upcoming task force on rental properties.

**Other Business:**

Anderson asked if it would be appropriate for the Planning Commission to serve on the task force. Glaesman noted that Commissioners did sit on the last Neighborhood Best Practices Task Force. Commissioners agreed it would make sense for the Planning Commission to serve as a core, neutral group.

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