

## PROCEEDINGS OF THE ST. CLOUD PLANNING COMMISSION

A meeting of the St. Cloud Planning Commission was held on Tuesday, October 13, 2015, at 6 p.m. in the City Hall Council Chambers.

**ROLL CALL:** Members present were Anderson, Andzenge, Ballantine, DeVine, Larson, Mund and Radaich. City Council representative Goerger was present. Staff present were Matt Glaesman and Carla Chapman.

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

### Consent Agenda:

**APPROVAL OF STAFF REPORTS FOR OCTOBER 13, 2015 AS PART OF THE OFFICIAL RECORD**

**ACTION TAKEN:** Anderson/Andzenge/Approved (7-0)

### Public Hearings:

**REZ-2015-06 / ST. CLOUD WASTEWATER TREATMENT PLANT / 24588 FRANKLIN RD**

**ACTION TAKEN:** Ballantine/Anderson/Approved (7-0)

Glaesman explained a request to rezone a 37 acre tract of property located northeast of the St. Cloud Wastewater Treatment Plant from I3, Planned Industrial District to Planned Unit Development (PUD). The applicants intend on changing the use of the property from a bio-solids recycling/agriculture use to a 5 mega-watt solar array. The majority of the property is located within the Scenic River Overlay District, which does not identify a solar array as a potential use. The solar array is anticipated to generate approximately 9.3 million kilowatt-hours of electrical energy annually. The project is intended to reduce and/or replace the City's consumption of energy from non-renewable sources.

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

Tracy Hodel, Assistant Public Utilities Director – She provided a conceptual rendering of the proposed solar garden. A two-to-three acre area at the northern end of the array will be restored to oak savanna vegetation. There will be approximately 20,000 panels installed. The City of St. Cloud will subscribe to a maximum of 40% of the total solar garden energy production.

Radaich expressed concern for vandalism. Hodel noted that the property is gated and will benefit from security cameras at the Wastewater Treatment Plant.

Ballantine asked about the remainder of the solar garden energy production. Hodel stated that the solar developer will own the garden and will contract with additional subscribers.

There being no one else wishing to speak, the public hearing was closed. Ballantine made a motion to approve the request subject to staff recommendations. The motion was seconded by Anderson.

Radaich asked why a PUD is suggested for this project. Glaesman stated that MN law requires the standards of the Scenic River Overlay District be enacted. A PUD will allow the property to be narrowly defined for this specific use. Larson questioned the future potential of the land. Glaesman

stated that the land has the potential to return to another urban or open space use, at which time the property would default to the Scenic River Overlay District. An unidentified member of the public approached the dais and questioned lighting, noise, and property values. Glaesman noted there will be an extensive natural buffer from the solar garden, the solar panels do not produce any noise, and property values are not expected to be effected. Larson called for a vote and the motion carried unanimously.

**DPA-2015-04 / LUMBER ONE DEVELOPMENT CO / 3000, 3068 & 3220 COUNTY RD 74**

**ACTION TAKEN:** Radaich/Andzenge/Approved (6-1, Anderson opposed)

Glaesman explained a request to change a portion of the Stone Gate PUD planned for multiple family uses to a variety of commercial land uses. The applicant is proposing the replace the apartments and townhouses fronting on County Rd 74 with a combination of big box retail, inline retail, and approximately five commercial lots of various sizes. The balance of the undeveloped land is proposed to be changed from townhouse and single-family residential uses to professional and commercial uses. The request comes as a result of the recent construction of the 33<sup>rd</sup> St Interchange. The amendment, if approved, will require a change to the preliminary plat.

Ballantine questioned whether the infrastructure can handle the demand. Glaesman noted that an environmental review, which includes a traffic assessment, has been completed and finds that the current access points are acceptable.

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

Chad Carlson, Lumber One Development Co – The demand for multi-family housing has changed in the last few years. The new interchange has sparked interest and brought forth the discussion of how to best utilize the property while creating amenities for existing residential properties. He feels there is a need to create a focal point as one enters the city.

Marvin Jonas, 4399 31<sup>st</sup> St S – He is concerned with the impact on the neighboring Stride Academy, stormwater drainage, and property values.

Ron Grand, 4384 30<sup>th</sup> St S – He represents the Sterling Waters Homeowners Association. He asked if there is a way to keep commercial development separate from the residential area and to possibly turn Nottingham Rd into a dead end.

Ben Zwack, 2938 County Rd 74 – He is concerned with traffic. His driveway accesses County Rd 74, which is dangerous as it is. With increased traffic, County Rd 74 will be in desperate need of an upgrade.

Larry Miller, 4346 30<sup>th</sup> St S – He is concerned with street access through the residential area and buffering from the commercial development.

Brian Koenig, 4338 30<sup>th</sup> St S – He is concerned with delivery vehicles traveling through the residential area to access the commercial development.

There being no one else wishing to speak, the public hearing was closed. DeVine asked if consideration has been given to closing Nottingham Rd. Glaesman stated it has not been a consideration at this point. The question before the board is to consider the change from what has already been approved as multi-family residential to the commercial development that is being proposed now.

DeVine questioned the timing of the project. Ted Schmid of Lumber One Development Co stated that timing is predicated on demand along with the possibility of a new high school. This project aspires to a higher end development. He is open to modifications to Nottingham Rd to reduce truck traffic, etc. Anderson suggested making the PUD more defined in terms of design and buffering. Ballantine stated he supports the overall request, but asked that traffic concerns be kept in mind. Jonas asked about assessments for street improvements. Glaesman stated he cannot make any guarantees at this time. Larson commented that he agrees with the overall concept, but there have been good points made regarding traffic flow, buffering and landscaping. He encouraged specific guidelines to be developed at City Council so the project can work well for both the residential and commercial areas.

Radaich made a motion to approve the request subject to staff recommendations. The motion was seconded by Andzenge. Larson called for a vote and the motion carried (6-1, Anderson opposed). Glaesman clarified that process that follows the recommendation made by the Planning Commission.

#### **PRELIMINARY PLAT OF STONEGATE / LUMBER ONE DEVELOPMENT CO**

ACTION TAKEN: None

Glaesman suggested tabling consideration of the preliminary plat of Stonegate.

#### **TEMPORARY ACCESSORY STRUCTURE DISCUSSION**

ACTION TAKEN: None

Glaesman reminded Commissioners of a decision requiring the design of accessory structures to be harmonious with the design of the principal structure. There are several examples within the City of temporary accessory structures made of a membrane-type material that staff has interpreted to be non-harmonious to the principal structure. Property owners have challenged staff's interpretation of these structures or have suggested that if the interpretation is true, than the City is being unreasonable. Glaesman asked for affirmation of staff's interpretation of the temporary accessory structures.

Commissioners discussed the possibility of a temporary permit, enforcement procedures and required staff time. Radaich suggested researching the practices of other communities. Goerger suggested discussing the topic as a part of the Neighborhood Best Practices. Commissioners agreed that the structures in question are not permitted.

**Adjournment:** There being no further business, the meeting was adjourned at 7:31 p.m.