

Planning Commission
September 13, 2022
6:00 p.m.
City Council Chambers, City Hall

Public hearing notices were published and mailed prior to the meeting and written public comment was accepted until 3:00 p.m. on September 13, 2022. All written public comments submitted were provided to the Planning Commission members prior to the start of the meeting.

ROLL CALL

Members Present: Marty Czech, Sheila DeVine, Dennis Ballantine, Luis Estevez, Lenora Hunt, Jared Becker, and Bill Mund
Members Absent: None
Council Rep. Present: Carol Lewis
Staff Present: Matt Glaesman, Kirsten Luecken, Isabella Margl, and Abby Schneider

OPEN FORUM

No testimony was submitted for the open forum.

Consent Agenda

APPROVAL OF STAFF REPORTS FOR SEPTEMBER 13, 2022 AS PART OF THE OFFICIAL RECORD

APPROVAL OF MINUTES FROM THE AUGUST 11, 2022 PLANNING COMMISSION MEETING

ACTION TAKEN: Mund/DeVine/Approved (7-0)

Public Hearing:

DPA2022-06/NASIR KHAN/3306, 3308, 3310, 3312, 3316, 3320 3RD ST N

ACTION TAKEN: Application withdrawn

DPA2022-07/DOUG BOSER & COBORN INVESTMENT INC/3305 COOPER AVE S

ACTION TAKEN: Mund/Estevez/Tabled (6-1)

Glaesman opened up with a brief history of the PUD and initial design plan for the site. Reviewed the applicant's plans for an animal hospital for the care of small animals. Ballantine asked about the lack of sign posted and

Glaesman acknowledged the late placement of the sign due to staff oversight but reiterated that the final decision is not made until the action gets to City Council, which does not come for another few weeks. Estevez asked about the access with the flow of the road with the lot access.

Public hearing opened.

Mike Bengtson, president of Deer Creek Crossing Homeowner's Association – Concerned about ability to gain feedback from residents before the meeting. Concerned about less berm/trees as a buffer. OK with the parking lot access – thinks it's better than the alternatives. Largest concerns of the HOA is the loss of the berm as a buffer.

Jonathan Fromm, neighboring resident – Concerned about daycare aspect and number of animals and length of time. Also questions about more details before this goes through. Agrees 33rd is the correct access but wondering about a possibility of only allowing people to turn right out of the facility.

Doug Boser, Inventure and Dr. Jeff Nelson and Amy Nelson, Granite City Pet Hospital - Discussion of working with the neighborhood and the PUD and the tenants of the facility. Boser discussed making the look more like the other buildings on 33rd, while keeping the single story. Dr. Nelson discussed the application at hand and how their business has outgrown their current set up of their building. Dr. Nelson also reviewed the daycare and the planned hours of only normal business hours, no evenings and weekends. Their goal is to fit in the neighborhood and offer some more services to their clients. Ballantine asked about capacity for the daycare and Dr Nelson discussed the desire to keep the numbers low, but not sure of an exact number yet. Becker asked about the berm and Boser clarified their reasoning for lack of need for a berm and the goal of the walking paths, drainage ponds, and landscaping that will provide that buffer and create that atmosphere. Councilmember Lewis discussed a vet clinic in Bloomington that she feels blends into the neighborhood and meets some of the goals they are talking about.

Glenn Chalupsky, Heritage Drive – Concerned about the aesthetics and with commercial in the middle of residential.

Doug Boser – Reiterated neighborhood reach outs that did happen ahead of time.

Bill Schnettler, 2137 Tamarack Drive – Concerned about the lack of a berm as screening from the road and the design of the building and the differences from the 2017 plans.

Jonathan Fromm – Likes idea of the vet clinic in the neighborhood but concerned about the loss of aesthetics and look and commercial nature.

Public hearing closed.

Mund asked about lack of detail on the look of the building and Czech followed up by asking if they are set to approve the use or the site plan. Glaesman said it really is up to the commission how they want to proceed. Becker asked about concerns of adding traffic and Glaesman responded that the road is designed to handle that traffic.

Becker made a motion to approve the application but ask for the applicants to have the exterior design mockup done before the City Council meeting. DeVine made a second of the motion.

Ballantine discussed the history of the area and agrees that he likes the area residential but the way that 33rd is developing is commercially. Lewis reiterated that the larger parking area would have to go back through the process. Mund discussed his preference for more detail at the Planning Commission level before handing it off to City Council. DeVine asked about the timeline of the project if Planning Commission did table it, and Czech asked the applicant. Boser responded it would make the timeline tight, but they would be able to make it work if that's what was best for the City.

Motion denied (3-4) – Ballantine, Becker, DeVine in favor, Estevez, Czech, Mund and Hunt against.

Motion by Mund to table with a recommendation to petitioners, second by Estevez. Approved 6-1, Czech dissenting.

LDC2022-02/CITY OF ST CLOUD/CANNABINOID RETAIL

ACTION TAKEN: Ballantine/DeVine/Tabled(5-2)

Glaesman explained the history behind these recommendations and the zoning side of the Cannabinoid products. Glaesman discussed how they stayed consistent with other buffering standards and context behind it. Reviewed how these separations would actually look in the City.

Becker asked about the no PUDs, Glaesman clarified that it just wouldn't be a general allowance, but specific PUDs could go through a development plan amendment process if they met the other standards. Lewis reviewed the discussions that had happened at City Council last night.

Public hearing opened.

John Henry, 2705 Lilac Court – Concerned about distance requirement due to many places of worship around town. He does not think the zoning is the important part about keeping kids safe, but the enforcement is more important.

Public hearing closed.

Mund clarified what the City Council passed, Glaesman clarified that the City Council passed licensure standards only. Mund concerned that we can't restrict a lawful sale that much. Glaesman clarified that existing lawful operations could keep operating in the current areas regardless of buffer, but new businesses would be restricted to the few areas. Mund concerned about defendability. Luecken answered that this is just another tool to layer on. DeVine wondered if a CUP would be a better option for this. Glaesman said that the CUP would be an allowed right. DeVine acknowledged that the City is one of the first in the State to take action and confirmed with Glaesman that changes would be made if needed.

Ballantine moves approval of the 1,320-foot separation, second by Mund.

Becker asked about the comparison to alcohol and tobacco standards.

Czech called the question – motion failed 3-4. Ballantine, Mund, Estevez in favor and Czech, Becker, Hunt, DeVine dissenting.

DeVine discussed removing allowance in C2 zoning district and reducing to 350' separation.

Becker made a motion to remove the C2 zoning district and reducing to 350' separation. No second was made, motion died.

Discussion ensued about the various standards the Commission could recommend to the City Council.

Mund made a motion to limit to C3-C6, 350' from parks & places of worship, 1320' from schools and other cannabinoid retailers. No second was made, motion died.

Ballantine made a motion to table for more information, choices to come from staff. Second by DeVine.

Discussion with recommendations to staff on what they'd like to see visualized.

Motion to table carried 5-2 Mund and Becker dissenting.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:47 p.m.



Abby Schneider, Recording Secretary