

PROCEEDINGS OF THE ST. CLOUD ZONING BOARD OF APPEALS

A meeting of the St. Cloud Zoning Board of Appeals was held on Tuesday, December 15, 2015, at 7:00 p.m. in the City Hall Council Chambers.

ROLL CALL: Members present were Bright, Hultgren, Newman, Radin and Zenzen. Staff present were Dave Broxmeyer and Ashley Skaggs. Hultgren noted there are two open seats on the Zoning Board of Appeals and encouraged anyone interested to apply through the Mayor's Office.

APPROVAL OF MINUTES FROM THE NOVEMBER 17, 2015 ZONING BOARD OF APPEALS MEETING
ACTION TAKEN: Bright/Zenzen/Approved (5-0)

CUP-2015-08 / CENTRACARE HEALTH SYSTEM ON BEHALF OF LEVIMO, LLC / 3001 CLEARWATER RD
ACTION TAKEN: Zenzen/Bright/Approved (5-0)

Broxmeyer explained a request for a Conditional Use Permit to use an entire building as offices in the I3, Planned Industrial District. In reviewing the site plan, staff was concerned with the off-street parking requirement. Calculations show that there is a surplus of three parking spaces on-site and an additional 48 spaces on the property to the north with the use of an easement agreement. Staff is recommending approval of the request.

Hultgren asked where the parking spaces on-site are located. Broxmeyer stated that parking stalls were counted in both the north and south parking lots. Hultgren asked about the current occupancy of the building. Broxmeyer stated there are several small businesses using a portion of the building.

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

David Larson, CentraCare Health System - He is the Director of Facilities for CentraCare. The goal is to off-load heightened congestion at the St. Cloud Hospital campus and to consolidate real estate by bringing all support staff to one location.

Hultgren asked if the building will be used for existing or new employees. Larson stated that the building will be used for existing employees; however, CentraCare is always hiring and growing.

There being no one else wishing to speak, the public hearing was closed. Zenzen made a motion to approve the request subject to staff recommendations. The motion was seconded by Bright. Hultgren commented that the use is appropriate for this location, and he will support the proposal. Hultgren called for a vote and the motion carried unanimously.

CUP-2015-09 / THOMAS BELCHER ON BEHALF OF GREATER MN FAMILY SERVICES / 545 25TH AVE N
ACTION TAKEN: Newman/Zenzen/Approved (5-0)

Broxmeyer explained a request for a Conditional Use Permit to operate a daycare facility. The Land Development Code (LDC) requires daycare operators to obtain a CUP for daycare facilities with 13 or more persons in any commercial zoning district. The applicant is proposing to provide daycare services for up to 24 children at a time. There are three identified parking spaces on-site with the possibility of a fourth located to the east of the building. Staff is recommending approval of the request.

Hultgren asked about the history of the building. Broxmeyer stated that the building is being treated as an existing nonconforming structure. In the past, it was used for a retail business. Hultgren asked about the required off-street parking. Broxmeyer stated that the LDC requires two spaces for the proposed use; however, staff is recommending four spaces be required as there are four employees. Bright asked about required play space. Broxmeyer stated that play space is a licensing issue through the Department of Health rather than a concern of the LDC.

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

Thomas Belcher, 2320 E Hwy 12, Willmar – He is the applicant. This program has been operating for approximately three years at a location on Wilson Ave. The program is a daycare under the LDC but is actually a day treatment facility for children with difficulty functioning in a typical daycare setting. There will likely be space allotted in the front room of the building for gross motor activity, but there is not a requirement for an outdoor play area. Children will be at the facility for approximately three hours at a time. There will be a maximum of 12 students in each of the two classrooms for a total of 24 children at any one time.

Radin asked about funding for the facility. Belcher stated that funding is provided through grants and insurance.

Hultgren asked about off-street parking requirements. Belcher stated that if a fourth parking space is required, he will find a way to accommodate it.

Radin asked about student drop-off and pick-up. Belcher stated that the facility provides transportation for students.

Tom Dukowitz, 2350 Imperial Dr – He owns the two adjoining properties to the north. He expressed concern for parking on the property. There are only three spaces on the property that are accessed by an easement across his property. There is no room on the property to add parking.

Mike Bobick, 3083 Dolores Dr – He spoke on behalf of the subject property owner, Kathleen Virnig. He confirmed that there are three parking spaces at the rear of the building which are accessed by an easement over Dukowitz's property. A fourth parking space has been used on the east side of the building for nearly 15 years. He provided a drawing to illustrate that a parking space can be utilized in this location.

Hultgren asked if the proposed fourth space will satisfy the recommendation for off-street parking. Broxmeyer stated it would.

Dukowitz commented that if the parking lot for the adjoining property to the north is full, vehicles parked on the subject property cannot get out. Hultgren noted that if there is an easement in place, it would be up to the property owners to work it out.

Kathleen Virnig, 2004 Charter Oaks Ct – She is the owner of the subject property. A retail store was in this location for 15 years. There has never been an issue with parking in the past.

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

Bright commented that he is willing to support the proposal. Newman agreed that the request is reasonable. Hultgren encouraged the property owners to work together and respect any easement that may be in place. Hultgren called for a vote and the motion carried unanimously.

OTHER BUSINESS

ACTION TAKEN: None

Broxmeyer reminded Board members of the Mayor's Appreciation Social on December 16 at 5:00 pm at the River's Edge Convention Center.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:41 p.m.