



ST. FRANCIS PLANNING COMMISSION

**ISD #15 DISTRICT OFFICE BUILDING
4115 AMBASSADOR BLVD.
MAY 21, 2014**

7:00 PM

AGENDA

1. Call to Order/Pledge of Allegiance
2. Roll Call
3. Adopt Agenda May 21, 2014
4. Approve Minutes March 19, 2014
5. Public Comment
6. CUP & Site Plan Review Extension Request – Meridian Behavioral Health
7. Public Hearing – Outdoor Wood Burner Ordinance
8. Public Hearing – Planned Unit Development Ordinance
9. Adjournment

There may be a quorum of St. Francis Council Members present at this meeting.

**CITY OF ST. FRANCIS
ST. FRANCIS, MN
PLANNING COMMISSION MINUTES
March 19, 2014**

1. **Call to Order:** The Planning Commission meeting was called to order at 7:00 pm by Vice Chair Ray Steinke.
2. **Roll Call:** Present were Joel Olson, Ray Steinke, William Murray, Greg Zutz, and Todd Gardner. Also present were Council Liaison Tim Brown and City Planner Nate Sparks. Rich Skordahl was excused.
3. **Adopt Agenda:** MOTION BY ZUTZ, SECOND BY OLSON TO ADOPT THE FEBRUARY 19, 2014 PLANNING COMMISSION AGENDA. MOTION CARRIED 5-0.
4. **Approve Minutes:** MOTION BY OLSON, SECOND BY MURRAY TO APPROVE THE FEBRUARY 19, 2014 PLANNING COMMISSION MINUTES. MOTION CARRIED 5-0.
5. **Public Comment:** None
6. **Ordinance Amendment – Septic Ordinance**

Sparks stated Minnesota Statutes and Rules require all cities with septic programs to adopt an ordinance consistent with the County Ordinance. The City's existing ordinance needs to be updated to be consistent with the new ordinance adopted by Anoka County. The ordinance is a reflection of the minimum standards required by cities by the State of Minnesota. It outlines general permit requirements and procedures. The State requires individuals to maintain their septic system every three years, which is included. It is the responsibility of the City to monitor the inspection requirement. Sparks asked if the Commissioners would like to include a point of sale inspection requirement and possibly make more restrictive timelines for compliance and cited examples of jurisdictions that have these standards.

Zutz stated he was in favor of the point of sale requirement being added to the Ordinance and that the 24 month period to correct failing septic systems should be reduced to 18 months for groundwater protection. Olson said he favored the minimums found in the Anoka County model ordinance at this time. Murray stated that many of the older systems in place around the City would fail a point of sale inspection. Brown said the banks providing mortgages would require the inspection in most cases. Sparks said the point of sale requirement could be brought forward as a separate ordinance at a later date.

MOTION BY OLSON, SECOND BY MURRAY TO RECOMMEND APPROVAL OF THE SEPTIC ORDINANCE WITHOUT A POINT OF SALE REQUIREMENT AND USING THE TIMELINES FOR CORRECTION FOUND IN THE ANOKA COUNTY MODEL ORDINANCE.

Zutz stated he prefers the reduced timelines and the point of sale requirement.

MOTION CARRIED 3-2 (ZUTZ, GARDNER).

7. **Ordinance Amendment – Planned Unit Development Ordinance**
Sparks asked Commissioners if they would like to see a process added to the PUD Ordinance which would allow for some minor deviations to standards via Conditional Use Permit. The Commission consensus was to bring forward such an amendment at a future time.

8. **Adjournment:** MOTION BY MURRAY, SECOND BY GARDNER TO ADJOURN MEETING AT 8:00 PM. MOTION CARRIED 5-0.

Nate Sparks, City Planner

Date



PLANNING MEMO

TO: St. Francis Planning Commission
Matt Hylen, City Administrator

FROM: Nate Sparks

MEETING DATE: May 21, 2014

DATE: May 14, 2014

RE: Meridian Behavioral Health Extension Request

BACKGROUND

Meridian Behavioral Health received approvals for a Preliminary Plat, Rezoning, Conditional Use Permit, Site Plan Review, and Final Plat in 2013. The deadline for enacting these approvals is coming up in July. The applicant would like to have this deadline extended one year and has made a request to the Council for this purpose.

PREVIOUS APPROVALS

Meridian received approval of a Preliminary Plat, Conditional Use Permit, and Site Plan Review on May 6, 2013 this was conditioned on the Rezoning being approved. The Rezoning was then approved on May 20, 2013 which was stated to be placed into effect upon recording of the Final Plat. The Council approved a Final Plat on July 1, 2013. The applicant had 90 days to record the Final Plat and execute the Development Agreement. On September 16, 2013, the City Council granted an extension to the applicant to record the Final Plat and execute the Development Agreement by July 31, 2014.

EXTENSION PROCESS

In Section 10-3-4 of the Zoning Ordinance, it states that Conditional Use Permit and Site Plan Review approvals expire after one year unless extended. An extension may be granted by the Council after review by the Planning Commission. The Planning Commission review is scheduled for May 21, 2014. After this review, the City Council may act upon the extension request at the June 2, 2014 meeting.

EXTENSION REVIEW

If the Planning Commission finds that the conditions that the approval were generally based on are still generally in place then it would be appropriate to recommend granting the extension. If there are concerns about land use changes in the area that would merit a new application, then it may be appropriate to not grant the extension.

REQUESTED ACTION

The Commission should review the extension request and provide a recommendation to the Council on whether or not the request should be granted.



May 5, 2014

Mayor Jerry Tveit and Members of the City Council
City of Saint Francis
23340 Cree Street NW
St. Francis, MN 55070

RE: OUTLOT A, MEADOWS OF SAINT FRANCIS – EXTENSION REQUEST

Dear Mayor Jerry Tveit and Council Members,

On May 14, 2013 the City Council approved a rezoning, conditional use permit, site plan and preliminary plat for Meridian Behavioral Health (MBH) to develop a residential treatment facility on Outlot A, Meadows of Saint Francis. On July 1, 2013 the City Council approved the final plat for the project. On August 20, 2013, MBH acquired Outlot A for the purpose of proceeding with development of the proposed facility. Further, on September 4, 2013, MBH requested (and was granted) an extension to July 31, 2014 to file the final plat and to commence work on the project. This letter is to request that the CUP, the time period to file the final plat and then to commence work, be extended to July 31, 2015.

Meridian Behavioral Health's search for a suitable site to develop in St. Francis began in earnest in December 2012. Outlot A, Meadows of Saint Francis was identified (and purchased) because it is seen as an ideal location for many reasons. St. Francis (and the site) offers the opportunity to serve an unmet need for addiction treatment, to partner with a welcoming community, and to build a treatment center at a site ideally situated for its therapeutic value. The opportunity to partner with the City of St. Francis and its community is exciting and compelling. As such, we have been in close contact with Michelle Anderson and regularly attending and participating in St. Francis Community Drug Awareness Board meetings since 2013.

We are committed to this project. In addition to purchasing the property, we have invested over \$265,000 to-date in development costs. However, we have other strategic initiatives whose requirements on our personnel and finances are such that it will be challenging to commence the St. Francis project in 2014. We would like to re-start this project in 2015 and begin site preparations in the spring of 2015. For these reasons we request an extension to July 31, 2015.

Please call the undersigned with any questions at 612-916-0352.

Sincerely,

A handwritten signature in black ink, appearing to read "John Seymour".

John Seymour
VP, Marketing and Business Development



PLANNING MEMO

TO: St. Francis Planning Commission
Matt Hylen, City Administrator

FROM: Nate Sparks

MEETING DATE: May 21, 2014

DATE: May 15, 2014

RE: Public Hearing – Outdoor Wood Boiler Ordinance

BACKGROUND

The Planning Commission has previously discussed placing restrictions on Outdoor Wood Boilers (also known as Outdoor Furnaces). This draft ordinance intends to prohibit the use of these devices within the MUSA only.

Outdoor boilers or furnaces are devices that are placed outside of a building that burn wood, corn, or other fuel to heat or provide energy to the building. This activity has been found to produce smoke, soot, and emissions that may become a public nuisance, especially in an urban environment.

DRAFT ORDINANCE AMENDMENT

The draft ordinance is proposed in two parts.

First, the City needs to draft a definition of an outdoor wood boiler.

“Outdoor Wood Boiler: Any equipment, device, appliance, or apparatus, or any part thereof which is installed, affixed, or situated outdoors for the primary purpose of combustion of solid fuel, including but not limited to wood, wood pellets, and corn, that produces heat or energy used as a component of a heating system providing heat for any interior space or pool. Said device shall be deemed to be outdoors, even if it is located in a building. Outdoor wood boilers do not include natural gas-fired fireplace logs, wood burning fireplaces, or wood stoves in the interior of a dwelling nor do they include barbecue grills or outdoor open air recreational fires.”

Second, the City needs to establish the regulations:

10-16-17: OUTDOOR WOOD BOILERS.

- A. Outdoor wood boilers are prohibited in the Urban Services Area of the City.
- B. All outdoor wood boilers require a permit from the City of St. Francis.
- C. Outdoor wood boilers in the City shall be required to use clean wood or wood/product specifically permitted by the manufacturer as fuel. Clean wood is defined as natural wood which has not been painted, varnished, or coated with a similar material, has not

been pressure-treated with preservatives, and does not contain resins or glues as in plywood or other composite wood products. The use of the following materials as fuel is strictly prohibited:

1. Rubbish or garbage including but not limited to food wastes, food wraps, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris, or other household or business wastes.
2. Kerosene, gasoline, or petroleum products.
3. Asphalt and products containing asphalt.
4. Wood or wood products, other than clean wood.
5. Any plastic material including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic film, and plastic containers.
6. Rubber, including tires and synthetic rubber-like products.
7. Newspaper, corrugated cardboard, container board, and office paper.

If the Commissioners were to want additional standards, more can be added.

REQUESTED ACTION

The Commission should review the draft ordinance and request any changes desired then provide a recommendation to the City Council.



PLANNING MEMO

TO: St. Francis Planning Commission
Matt Hylen, City Administrator

FROM: Nate Sparks

MEETING DATE: May 21, 2014

DATE: May 15, 2014

RE: Public Hearing - PUD Ordinance Amendment

BACKGROUND

At the March meeting, the Planning Commission discussed a general change to the Planned Unit Development Ordinance that would allow for “minor” PUDs that could be processed as Conditional Use Permits instead of a zoning amendment.

DRAFT ORDINANCE AMENDMENT

Attached is a draft ordinance amendment that creates this provision. Also included are some minor changes granting additional flexibility for commercial and industrial PUDs. The term “PUD Permit” is found throughout the ordinance which is being removed to avoid confusion with the Conditional Use Permit provision. The primary proposed revisions are:

Part 1: Section 10-10-1

The purpose statement is proposed for revision to include the use of the CUP for certain PUDs.

Part 2: Section 10-10-2-M

The perimeter setbacks and building separation are proposed to be slightly revised to allow for greater flexibility for commercial and industrial PUDs and to lessen building separation requirements.

Part 3: Section 10-10-6

An allowance for minor revisions to a PUD that can be approved via resolution than by ordinance amendment is proposed in this section.

Part 4: Section 10-10-8

This section simply states the allowance for procession commercial and industrial PUDs by CUP in limited cases.

REQUESTED ACTION

The Commission should review the draft revisions and request any changes deemed necessary.

PUD ORDINANCE AMENDMENTS

Public Hearing Draft

May 21, 2014

Part 1:

10-10-1: PURPOSE: ~~This Section is established to provide comprehensive procedures and standards designed to allow greater flexibility, uniqueness, and innovative design, and energy conservation in the development of neighborhoods or areas by incorporating a mixture of densities/intensities or use types when applied to a PUD District. The PUD process, by allowing deviation from the strict provisions of this Chapter related to setbacks, height, lot area, width and depth, yards, etc., by conditional use permit or the mix of uses by PUD zoning, is intended to encourage:~~

The Section is established to provide comprehensive procedures and standards to allow for the mixing of uses and flexibility from the general performance standards to allow for more innovative and efficient design for the development of neighborhoods or areas. The PUD process by allowing flexibility from the strict provisions of this Ordinance related to setbacks, heights, lot area, width, depth, yards, and other equivalent performance standards by rezoning to a PUD District (or as a conditional use when applicable) is intended to encourage:

- A. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and siting of structures and by the conservation and more efficient use of land in such developments.
- B. Higher standards of site and building design through the use of trained and experienced land planners, architects and landscape architects.
- C. More convenience in location and design of development and service facilities.
- D. The preservation and enhancement of desirable site characteristics such as existing vegetation, natural topography and geologic features and the prevention of soil erosion.
- E. A creative use of land and related physical development which allows a phased and orderly transition of land from activity to another.
- F. An efficient use of land resulting in smaller networks of utilities and streets thereby lowering development costs and public investments.
- G. A development pattern in harmony with the objectives of the Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principals.)
- H. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.

- I. That the flexibilities granted through the PUD process for the development produce a clear and identified benefit to the City that would not have been achievable following the standard zoning procedure.

Part 2:

10-10-2

M. Setbacks.

1. ~~The front and side yard restrictions at the periphery of the Planned Unit Development conditional use permit site at a minimum shall be the same as those imposed in the base zoning districts. A PUD zoning district shall at minimum have a thirty (30) foot front yard setback and ten (10) foot side yard setback. As appropriate, the City may increase or decrease these standards. Site Perimeter Setbacks:~~
 - a. For commercial and industrial development, the perimeter setback shall be 30 feet to property zoned for single family residential uses. To all other uses the perimeter setback shall be determined as deemed appropriate by the City based on the nature of the proposed use and the adjacent uses.
 - b. For all other uses, the perimeter setback shall be the same as the setback on adjacent property.
2. No building shall be located less than fifteen (15) feet from the back of the curb line along those roadways which are part of the internal street system.
3. ~~No building within the project shall be nearer to another building than one half (1/2) the sum of the building heights of the two (2) buildings. No building within the project shall be nearer to another building than 12 feet.~~

Part 3:

10-10-6: AMENDMENT OF A PUD PERMIT:

- A. Application Procedures. Any deviation or modification from the terms or conditions of an approved PUD permit or any alteration in a project for which a PUD ~~permit~~ has been approved shall require an amendment of the original ~~permit~~ development stage plan. ~~An application for amendment of the original PUD permit specifying the proposed variance or alteration shall be submitted to the City, together with a fee established by City Council resolution and such information as is required by the City or as the applicant deems necessary to fully explain his application. Should the applicant request an amendment of a PUD permit to erect an additional building or buildings, the applicant fee therefore shall be established by City Council resolution. In either case, the applicant also shall pay, as an additional fee, any consulting expenses which are incurred by the~~

~~City in review of the application.~~ The same application and hearing procedure for an amendment of a PUD permit shall be followed as was followed with respect to the applicant's initial request, as outlined in Section 10-10-4 of this Ordinance.

B. Action by the Planning Commission and City Council. ~~The same review procedure by the Planning Commission and City Council shall be followed for an amendment of a PUD permit as was followed with respect to the applicant's initial request, outlined in Section 10-10-4 of this Ordinance. The affirmative vote of four-fifths (4/5) of the full Council shall be required for approval of an amendment of a PUD permit~~

1. The same review procedure by the Planning Commission and City Council shall be followed for an amendment of a PUD permit as was followed with respect to the applicant's initial request, outlined in Section 10-10-4 of this Ordinance. The affirmative vote of four-fifths (4/5) of the full Council shall be required for approval of an amendment of a PUD.
2. Amendments which are minor in nature and do not require amendments in the terms of a PUD Ordinance may be approved by resolution and approved by a simple majority of the Council.

Part 4:

10-10-8: PUD BY CONDITIONAL USE. Commercial and Industrial Planned Unit Developments may be approved as a Conditional Use Permit in all Commercial and Industrial Zoning Districts provided the only flexibilities being granted are from performance standards applicable in the underlying zoning district or to allow for the placement of more than one principal structure on a lot.