



ST. FRANCIS PLANNING COMMISSION

**ISD #15 DISTRICT OFFICE BUILDING
4115 AMBASSADOR BLVD.
MARCH 21, 2012**

7:00 PM

AGENDA

1. Call to Order/Pledge of Allegiance
2. Roll Call
3. Adopt Agenda March 21, 2012
4. Approve Minutes February 15, 2012
5. Public Comment
6. Ordinance Amendment & Conditional Use Permit – School Clinic
7. Goal Setting 2012
8. General Discussion Items by Planning Commissioners
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
February 15, 2012**

1. **Call to Order:** The Planning Commission meeting was called to order at 7:00 pm by Chairman Rich Skordahl.
2. **Roll Call:** Present were Chairman Rich Skordahl, Commission Members Greg Zutz, Todd Gardner, Roni Ronyak, William Murray, Council Member Tim Brown & City Planner Nate Sparks, NAC (Northwest Associated Consultants), Kathy Lind Planning Commission Secretary
3. **Adopt Agenda:** MOTION BY ZUTZ, SECOND BY RONYAK TO ADOPT THE FEBRUARY 15, 2012 PLANNING COMMISSION AGENDA. MOTION CARRIED 5-0
4. **Approve Minutes:** MOTION BY MURRAY, SECOND BY ZUTZ TO APPROVE THE NOVEMBER 16, 2011 PLANNING COMMISSION MINUTES. MOTION CARRIED 5-0
5. **Appoint Chair & Vice Chair:** MOTION BY ZUTZ, SECOND BY GARDNER TO APPOINT RICH SKORDAHL AS PLANNING COMMISSION CHAIRMAN. MOTION CARRIED 5-0. MOTION BY RONYAK, SECOND BY ZUTZ TO APPOINT TODD GARDNER AS PLANNING COMMISSION VICE-CHAIRMAN. MOTION CARRIED 5-0
6. **Public Comment:** None
7. **Public Hearing:** Minor Subdivision & Variance- Jones Minor Subdivision.

Zoning Administrator Sparks presented to the Commission the background and review of the applicants request for the Minor Subdivision and Variance request.

The Commission reviewed the applicants request to divide two parcels into three located at 23725 Nacre Street. The resulting division will leave existing buildings within the required setback necessitating the variance. The applicant stated that the variance is necessary due to a mediated settlement to resolve a property dispute between the various parties that have an interest in the land.

The Public Hearing opened at 7:08 pm. No comments from the public.

The Public Hearing closed at 7:09 pm

A MOTION WAS MADE BY RONYAK, SECOND BY MURRAY TO RECOMMEND APPROVAL OF THE MINOR SUBDIVISION & VARIANCE REQUEST WITH THE FOLLOWING CONDITIONS AS PROPOSED BY STAFF.

1. The applicant shall provide an easement 60 feet in width for right-of-way purposes along both County and City right-of-way.
2. Park dedication shall be paid.
3. The subdivision shall be recorded with Anoka County within 90 days of approval.
4. Any other recommendations by the City Engineer or Anoka County shall be met.

8. **Public Hearing:** Ordinance Amendment – School Clinic.

Zoning Administrator Sparks presented to the Commission the background and applicants request for a text amendment and conditional use permit for a clinic inside the high school intending to serve employees and their families. The text amendment would allow for this type of use as a conditional use permit in the R-2 District.

The Public Hearing opened at 7:30pm

Chris Wirz, Maintenance Program Supervisor and Tom Larson, Community Service Director with School District 15 took the podium to explain why the district was requesting this Ordinance Amendment and Conditional Use Permit. Basically, the Districts motivation to open the clinic was to become a self-insured district for those employees covered under their medical insurance as well as a significant cost savings to the district. The clinic will be free to qualified employees and their dependents and not open to the general public.

Council Member Brown was concerned that the district began the process of opening this clinic and signing contracts, publishing brochures etc. without considering zoning and permits requirements and cautioned this commission to carefully consider this request before making any recommendations to the city council.

Tom Larson and Chris Wirz both said that they had to put together the financial plans first to be presented to the school board for approval before they took it to this next step.

The Public Hearing closed at 7:51pm

After much discussion, A MOTION WAS MADE BY MURRAY, SECOND BY RONYAK TO NOT RECOMMEND APPROVAL OF THE ORDINANCE AMENDMENT. GARDNER AND SKORDAHL OPPOSED, ZUTZ ABSTAINED. 2-2-1

The commission was not sure what the Roberts rules were in regards to Zutz abstaining and how it effects the original motion, therefore it will be presented to City Council as a tie vote.

THERE WAS A MOTION BY MURRAY TO RECOMMEND APPROVAL TO REZONE THE SCHOOL TO COMMERCIAL. MOTION FAILED DUE TO LACK OF SECOND.

9. **Public Hearing:** Conditional Use Permit – School Clinic

Public Hearing Opened at 8:08pm. No public Comments

Public Hearing Closed at 8:09 pm.

THERE WAS A MOTION BY GARDNER, SECOND BY SKORDAHL TO RECOMMEND APPROVAL ON THE ORDINANCE AMENDMENT AND CONDITIONAL USE PERMIT WITH THE CONDITIONS PRESENTED BY STAFF AND ADD THE CONDITION THAT THE CLINIC NOT EXCEED 1400 SQUARE FEET. MURRAY AND RONYAK OPPOSED. ZUTZ ABSTAINED. MOTION FAILED DUE TO TIE VOTE. 2-2-1

Again, the commission was not sure what the Roberts rules were in regards to Zutz abstaining and how it effects the original motion, therefore it will be presented to City Council as tie vote.

10. **Goal Setting 2012:** There were no recommendations for goal setting for 2012 at this time.

11. **General Discussion items by Planning Commissioners:** None

12. **Adjournment:** MOTION BY MURRAY, SECOND BY ZUTZ TO ADJOURN MEETING AT 8:20 PM. MOTION CARRIED 5-0

Kathy Lind, Zoning Secretary

Date



PLANNING REPORT

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

FROM: Nate Sparks, City Planner

MEETING DATE: March 21, 2012

DATE: March 15, 2012

RE: Ordinance Amendment & Conditional Use Permit
3325 Bridge Street

BACKGROUND

At the February Planning Commission meeting, a public hearing was held for a text amendment and conditional use permit for the St. Francis School District. The St. Francis School District would like to open up a clinic for school staff and dependents in the high school building as a way to lower health care costs. The High School building is located in the R-2, Single Family Residential District and accessory medical clinics are not allowed in residential areas. Therefore, the School made an application for a text amendment to allow for this use. Since there are conditions upon which this use would be allowed, it is proposed as a conditional use. The School has also made an application for the CUP.

After discussing this item at the February meeting, the Planning Commission did not make a recommendation to the Council. Motions for both approval and denial failed 2-2. The Council reviewed this matter and has directed the item back to the Planning Commission for a formal recommendation.

COMPREHENSIVE PLAN & ZONING

In the Comprehensive Plan, the High School is guided for a public land use. The zoning district the City has historically used for such purposes is now the R-2 District.

REQUEST REVIEW

The City of St. Francis has historically allowed schools and churches as permitted uses in urban residential neighborhoods. While not uncommon, this can cause issues with accessory uses for such institutions, which may end up being incompatible with the neighboring residential uses. Thus, schools are restricted in terms of the accessory uses allowed on site. If the schools were to be zoned within custom institutional or commercial districts, this would not be much of a concern. However, the High School

building on 3325 Bridge Street is zoned R-2, Single Family Residential and accessory medical office uses are not allowed within such residential districts.

In a somewhat similar situation in 2010, Trinity Church made an application for a CUP to operate a day care center at the Church & School site on 229th Avenue. This site was zoned Urban Residential at the time and this District has since been renamed R-2. At the time the ordinance allowed day care centers as a CUP in this district, which was changed due to a Minnesota State Statute that requires smaller accessory day cares to be permitted uses in single family residential districts. The CUP was granted and this institutional use now has a school and a commercial day care center within the R-2 District.

Larger employers sometimes have accessory day care centers, clinics, and other such uses within their buildings for use by the employees. Many cities allow these uses via conditional use permits to monitor the use and to ensure it does not become a zoning violation and maintains its accessory use status. St. Francis does not currently have provisions to allow such uses.

There are three other cities that have recently discussed this same topic. New Hope and Farmington recently approved similar ordinance amendments for their schools to operate clinics. New Hope approved theirs via a CUP. The City of Brooklyn Center allowed a clinic in a school building under their existing ordinance.

DRAFT AMENDMENT

The School District wishes to have a limited medical clinic within the High School building in order to primarily serve district employees and their dependents. If the Planning Commission finds that this use is acceptable it would be appropriate to add this use as a conditional use in the R-2 District. The draft language proposed read as follows:

10-57-4: R-2 District Conditional Uses:

D. Accessory Medical Clinic to a Public School provided:

- a. The clinic is located within an existing school building.
- b. The clinic exclusively serves school district employees and dependents.
- c. The clinic shall be clearly accessory and incidental to the school use.
- d. The school shall demonstrate that adequate required parking is available on site to serve both the school and the clinic.

Another consideration could be to require a limited size for the clinic. Another condition stating that the clinic shall not exceed 1,400 square feet in area could be added.

AMENDMENT REVIEW

The Planning Commission shall consider possible effects of the proposed amendment. Its judgment shall be based upon, but not limited to, the following factors:

- A. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official City Comprehensive Plan.
- B. The proposed use is or will be compatible with present and future land uses of the area.
- C. The proposed use conforms with all performance standards contained in this Ordinance.
- D. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.
- E. Traffic generation by the proposed use is within capabilities of streets serving the property.

The Comprehensive Plan identifies schools as "Public Uses" which are intended to be institutions such as churches and schools. The City has been using the R-2 District to implement this comprehensive planning category. The City has, in the past, allowed a commercial day care center and the School District Administrative Offices to operate on property guided and zoned in this manner. These types of actions could be considered as precedence.

There was some discussion about taxation at the previous meeting. The County Assessor was contacted and said he would review the situation once it is established to determine if it would be required to pay taxes or not. However, this is not something under the City's control.

The Planning Commission needs to consider whether or not it is appropriate to allow for an employee service business such as the clinic as an accessory use to the School considering how the site is guided and zoned. As mentioned above, there are similar situations that have been approved within the City. These could be seen as precedence but they could also be seen as severely limited exceptions that should go no further.

CONDITIONAL USE PERMIT

It is appropriate for potentially incompatible uses within zoning districts to be allowed only through conditional uses. Since the use is proposed for a single family residential district, a CUP is required. The School District has requested that the Planning Commission consider the request for the CUP conditional to the approval of the ordinance amendment. If the Planning Commission recommends approval or denial of the ordinance amendment, subsequent consideration to the CUP should be given, as well.

At the previous meeting, the Planning Commission discussed a motion to approve the CUP but with a limit on the size of the facility of 1400 square feet. The motion failed. This standard could be added to the ordinance or the CUP, if a motion of approval is made.

CONDITIONAL USE PERMIT REVIEW

The Planning Commission shall consider possible effects of the proposed conditional use. Its judgment shall be based upon, but not limited to, the following factors:

- A. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the Official City Comprehensive Plan.
- B. The proposed use is or will be compatible with present and future land uses of the area.
- C. The proposed use conforms with all performance standards contained in this Ordinance.
- D. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.
- E. Traffic generation by the proposed use is within capabilities of streets serving the property.

In order to ensure these conditions are being met, parking and floor plans would need to be supplied. The School has supplied a floor plan and if the amendment is approved a parking plan would be reviewed by City Staff.

STAFF RECOMMENDATION

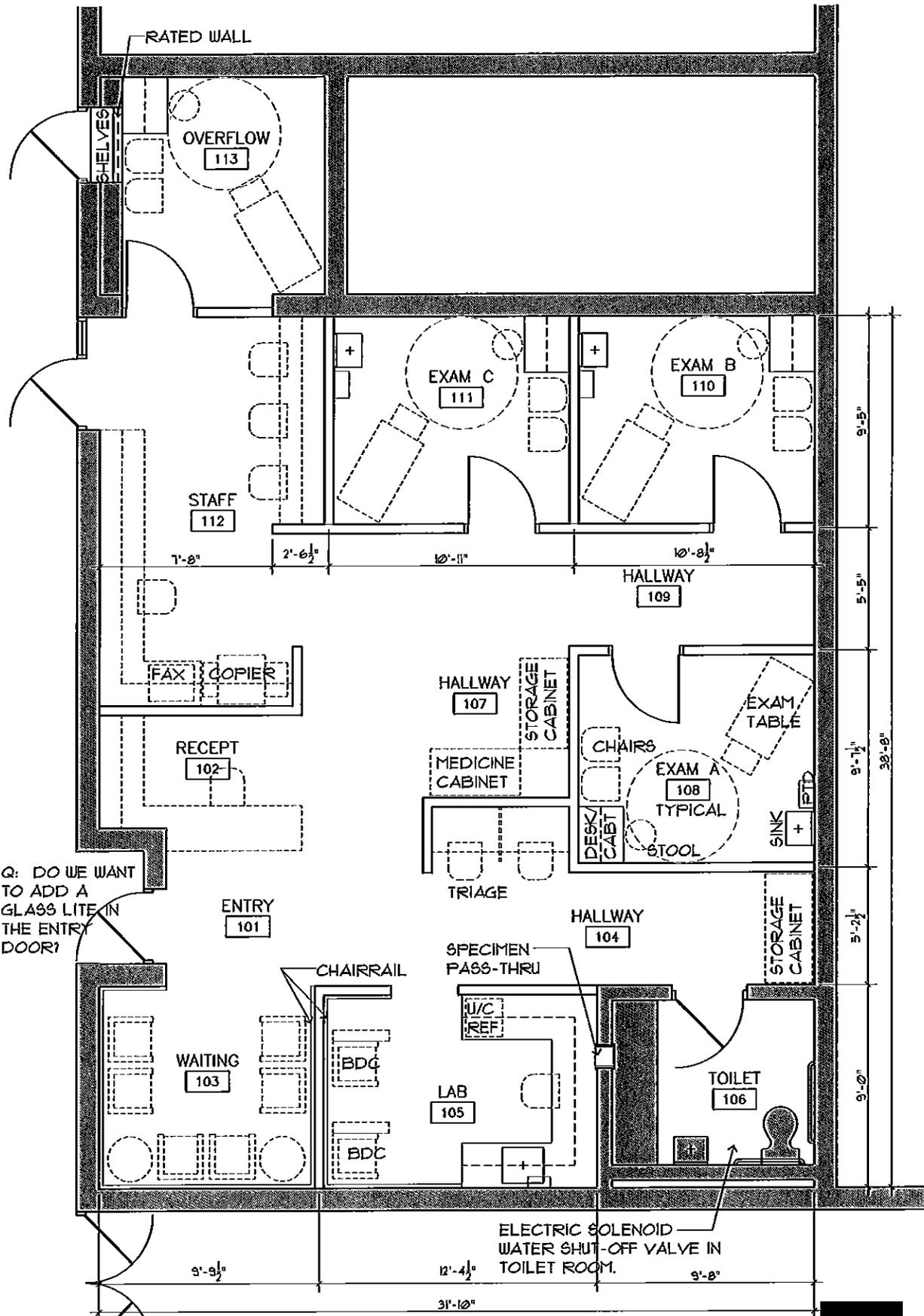
The proposal by the School District may be considered to be appropriate for a residential district provided it is limited. A clinic open to the general public would most definitely require a rezoning. However, with a conditional use permit to ensure compatibility concerns can be managed, it may be considered appropriate. If the Planning Commission cannot find that this accessory use is reasonable for a public institution in a residential zoning district, a recommendation of denial should be given to the City Council.

Commissioner Murray suggested during the previous meeting that perhaps the school should be rezoned into a different district. Some cities do zone churches and schools within separate districts from residential uses. Currently, the Commission is responding to a request made by an applicant. If greater changes (such as this) are desired, they could be brought back for future discussion after resolution of this matter.

REQUESTED ACTION

The Planning Commission must make a policy decision on the acceptability of the medical clinic in the R-2 District. The draft ordinance attempts to mitigate potential impacts that may be presented by a clinic in the school. The City Council is requesting the Planning Commission to make a formal recommendation on the ordinance amendment and CUP. If the Planning Commission recommends approval, it should be with the following conditions:

1. The demonstration building plans are to be incorporated into the CUP.
2. A parking plan shall be submitted to demonstrate there is adequate parking for the school and clinic use.
3. The clinic shall be limited to 1,400 square feet in size.



DESIGN PLAN

NeoPath HEALTH CLINIC
 ST. FRANCIS HIGH SCHOOL, ST. FRANCIS, MN
 01-13-12

NOTE: LAB & EXAM ROOM CABINETS IS BUILT-IN BY CONTRACTOR. ALL OTHER ITEMS ARE FURNITURE PROVIDED AND INSTALLED BY NeoPath OR THE SCHOOL.

