

**CITY OF ST. FRANCIS
ST. FRANCIS MN
ANOKA COUNTY**

**PLANNING COMMISSION MINUTES
FEBRUARY 17, 2021**

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The Planning Commission meeting was called to order at 7:00 pm by Chair Pro Tem Liz Fairbanks through a virtual setting via Zoom.

2. ROLL CALL

Members present: Liz Fairbanks, Colleen Sievert, Deborah Humann, Dustin Pavek, Tara Kelly, and Todd Gardner. Absent: Joe Kollodge.

Also present: Councilmember Kevin Robinson, City Administrator Joe Kohlmann and City Planner Beth Richmond.

3. 2021 Election of

A. Chair – MOTION BY GARDNER 2ND BY KELLY TO APPOINT LIZ FAIRBANKS AS THE CHAIR OF THE PLANNING COMMISSION. MOTION CARRIED 6-0.

B. Vice Chair – MOTION BY FAIRBANKS 2ND BY GARDNER TO APPOINT COLLEEN SIEVERT TO VICE CHAIR OF THE PLANNING COMMISSION. MOTION CARRIED 6-0.

4. Adopt the Agenda

MOTION BY SIEVERT 2ND BY GARDNER TO ADOPT THE AGENDA. MOTION CARRIED 6-0.

5. Approval of Minutes from January 20, 2021

Chairman Fairbanks noted that William Murray's last meeting was prior to the date of the last planning commission meeting. She noted that he should be removed from the minutes. Administrator Kohlmann noted the change. MOTION TO APPROVE THE MINUTES WITH THE NOTED CHANGED WAS CARRIED 6-0.

6. Public Comment

None.

7. PUBLIC HEARING – ZONING MAP

Planner Richmond provided an overview of the proposed zoning map change. She provided a background on the City adopting the 2040 Comprehensive Plan, the public engagement of the created the plan and the requirements to update the Comprehensive Plan. Richmond said the next step was to update the City's ordinances to be consistent with the plan. This includes new zoning districts consistent with updates to the Comprehensive Plan. Richmond said the final step in this process is to update the Zoning Map. She noted

the Commission will make a recommendation to Council for the final decision. She noted the importance of consistency between the zoning map, zoning code, and comprehensive plan. She also noted that property owners can always petition to get their classification changed in the future if they desired to do so. She noted a majority of the changes have occurred because the city consolidated zoning districts – especially R1 and R2 into one district – which is a house keeping item. She also noted A3 were consolidated to an Urban Reserve along the Rum River and A4 were moved into the A3 district – effectively consolidating residential districts from 4 to 3. Another piece was rezoning agriculture properties to rural residential to reflect their current use. She also noted agricultural may still be on those properties but is likely a secondary use for the property behind the residential use. She noted over 600 letters have been sent out to impacted property owners. The letters informed residents the property was being rezoned and pointed them to the city website. She noted it was a difficult communication to send out on such a broad scale. She noted that they have already heard from 35 residents. She noted those comments from residents already received will be added to the record as comments received on the matter. She noted one technical correction at 23543 De Gardner Circle was shown to be rezoned to R1 District and that is a mistake and it was corrected to show R3 High Density.

She noted there were frequent questions and she wanted to provide some answers to the frequently asked questions for the record. She noted the City is not buying, developing or requiring anyone to develop their property or tear it down. Also, she noted that all properties can continue to keep their current use. The new zoning designations will only apply if the property owner decides to expand or change the use to something else. She noted that if the property was sold, the new buyers could also continue to use the property as it is currently being used. She also noted that the rezoning does not directly change a property's value or property taxes by extension. She noted the change from Agricultural to Rural Residential was made to be consistent with the Comprehensive Plan and these properties are typically less than 10 acres. She noted they are primarily used as residential at this time. She noted the permitted amount or ability to have horses is not impacted by this zoning map change. That is a separate ordinance. CUPs and IUPs are not impacted by this zoning map change. She noted this is a public hearing and opportunity for the public to speak to the Planning and Zoning Commission and staff is recommending approval of the zoning map changes because it is consistent with the adopted Comprehensive Plan. She noted she could answer any questions from the Commission and then open the public hearing portion of the meeting.

Chairman Fairbanks said Planner Richmond answered some of her questions especially pertaining to if the property were sold. She confirmed that a residential home could be sold as a residential home and the city is not trying to take anything.

Councilmember Robinson noted that Planner Richmond provided a very informative presentation.

Chairman Fairbanks opened the Public Hearing for public comment at 7:29 p.m.

Stuart Alger an attorney at Faegre Drinker Firm in Minneapolis. His address is 1143 Portland Avenue in St. Paul. He is attending on behalf of Deanne Hilgers who owns two parcels

impacted by the zoning map change. He pointed out which parcels he will be talking about. He noted they were currently being used for Agricultural and zoned A3. They have been guided for residential use under the 2040 Comprehensive Plan. He noted they are being rezoned from A3 three to various residential zonings. He said Ms. Hilgers is asking for the commissioners to table the zoning map approval so Ms. Hilgers can have an opportunity to talk to staff about the rezoning. She has some concerns about moving the properties to a residential condition that threatens the ability of the property to stay in the family because the agricultural use allows the family to retain the property under the green acres program. This allows them to defer taxes and pay taxes under an agricultural designation. He does believe rezoning may not directly result in a change in market value it is certain to drive up the value for the ad valorem or market value for property taxes. That is Ms. Hilgers request tonight to give her an opportunity to talk with staff about a zoning designation that doesn't threaten the agricultural use of this property, if it can be an urban reserve like other properties. He noted urban reserve allows for orderly development per the guide plan. He noted the flexibility as market conditions warrant. Another issue the Hilgers family has is the rezoning of parcel to high density which wouldn't allow for single family residential development and is unnecessary to be consistent with the comprehensive plan which guides it to medium density. He noted it could be met by an R2 designation instead of an R3. He agreed with Planner Richmond that the Hilgers could continue to use the property for agricultural use in a legal non conforming manner. He stated it threatens their status under the green acres program and wants to encourage working with city staff to readdress issues.

Chairman Fairbanks asked Planner Richmond if she could add anything to the points brought up by Stuart Alger.

Planner Richmond said the properties are currently zoned A3 which is Interim Agricultural Use. This designation notes that the properties are planned for future development within the city's urban service area. It is her understanding that changing the zoning shouldn't have an impact on the property's status under the green acres program.

Chairman Fairbanks asked about the DNR saying "no" to any type of development in this certain area.

Planner Richmond noted the Rural Rum River Management district and the severe limitations in that area. Chairman asked if we were trying to build in that area? Richmond stated the area in would not be eligible for dense development that area is proposed to be Urban Reserve.

Stuart Alger added that the green acres program does allow a property to still qualify if it is currently cultivated. However the rezoning makes agricultural a non-conforming use which threatens the viability of agricultural use. Also, the owners would potentially have to request an IUP. The owners would be subject to meeting additional requirements if they did not the requirements of a non-conforming use.

Diane Edwards 17180 Bittersweet St, Andover. In attendance with her aunt that has land that is proposed to be changed off Kings. She noted they have an agricultural property of

over 100 acres not 10 acres. She was curious about additional meetings that were held and wondered why the land owners weren't notified. She was wondering what a short time frame is and wondered if there was a definition. She noted they also have a farm under the green acres program and they have a family farm and they don't want the farm taken away from them. Also, she noted that there was an area noted as single family residential district with a landlocked farming area. 30 and 40 acres of tilled land. She noted the parcels are near the Rum River by the horseshoe by the Kings Ranch Road. She said if portions are mixed zoned between agricultural and residential she is concerned about access issues. Also, she is very concerned about the green acres program and would like to table this discussion until she could learn more. She would like something in writing that things aren't going to change.

Councilmember Robinson offered a suggestion to potentially table the topic to ensure these items are discussed and vetted properly. Kate and Beth could work with residents to provide clarity on the issues. Also, the items can be changed. He noted that sometimes cities and landowners have different views and we have a process for appeals.

Chairman Fairbanks asked if she would be allowed to table this item.

Planner Richmond asked for direction. She noted they haven't heard from anyone about green acres and knowing what the issues are would be helpful.

Darwin Gam 3222 41st Avenue NW noted that they never did receive a letter and they are on the east side of the river and they own a majority of the newly proposed urban reserve. He is just concerned that there may be a lot of people that haven't come to the city because they haven't gotten a letter.

Dale Blonigen 23137 Tamarack Street NE. His understanding is the proposal doesn't change land use of his property. He was wondering if it would have any impact on the streets?

Planner Richmond noted the zoning map will not impact streets or utilities.

Dale wanted to confirm the proposed changes wouldn't change the ability to hunt on the land. Richmond confirmed the proposed changes would not impact hunting on the land.

Jim Kalis 24084 Nightengale Street NW. He was concerned about and wanted clarification on dimensional standards.

Planner Richmond provided an overview of lot area, lot width and setbacks. She reviewed the property at 24084 and said it had a minimum lot area of 10 acres and the proposed change would allow a minimum of 2.5. acres and setbacks from the roads were clarified too. She also provided clarity on the required lot width.

Kalis asked if it would change any tax status. Richmond state it would not.

Kent and Joanne Eittreim 2930 239th Avenue NW – They understand this is for the parcel property will be developed in the future. If I want to use the property for agricultural do I have to get a conditional use permit?

Richmond- it would be an interim use permit which is similar.

Eittreim – Noted he would have to jump through hoops to use his land the way he wishes. Doesn't Seem Right.

Kayla Davis 4485 Ambassador Blvd. St. Francis asked if they were zoned Rural Residential would they need to connect to the City sewer and water?

Richmond stated they would not need to connect.

Dean Becker 4436 241st Avenue NW. Asked what the minimum lot density was for acreage for an R2 zoning?

Richmond said for single family detached dwelling is 7,200 sq ft. She noted the need to be urban sized for utilities. She noted that the district requires more units than others.

Diane Edwards wondered if they could increase the size of their agriculture area.

Planner Richmond said general agriculture was a permitted use in that district. However, she noted that pole barns are regulated under a different section of the code. She noted the difference within the urban service area and outside the urban service area relating to pole barns. She noted in the urban service area pole barns are not allowed due to size restrictions.

Edwards clarified that a 60x100' pole barn could not be done. Richmond confirmed that would not be allowed anywhere in the city since the maximum in the city is 5,000 sq. ft.

Kohlmann offered a suggestion that the Commission could take comments and questions and get them to Planner Richmond to answer in writing for people. Also the public hearing could be tabled and we could come back. That would potentially provide people another opportunity to speak.

Chairman Fairbanks wanted to make sure everyone's voice should be heard and these concerns are extremely valid.

Kohlmann recommended all concerns be emailed to Richmond for answers in writing. He suggested hearing from everyone wishing to speak and not following up with their concerns tonight but allowing them to speak in order to get it on the public record. He then recommended that people, even the people who have already spoken, could email Richmond with their questions to get answers in writing and potentially alleviate concerns.

Chairman Fairbanks had Richmond provide her email address.

Chairman Fairbanks asked for additional comments.

Paul and Barbara Ryberg 23956 St. Francis Blvd NW. He noted they were zoned R2 right now and have 17 acres. He stated he talked to Richmond but he wanted to be on the record disapproving of being rezoned business park. They noted the last notification was the only letter they received and they did not previously receive any other notices and this came up fast. The rezoning would restrict the plans they had for the property.

Chairman Fairbanks asked for any further comments. No comments were offered and the Public Hearing was called to an end at 8:11 p.m.

Commissioner Humann wondered if they should discuss the questions posted by community members prior discussing and wondering what the process is to addressing these concerns. She asked if Beth would answer the questions independently. Richmond state questions are usually handled by staff and an update or overview is provided to the Commission at the next meeting.

Commissioner Gardner said it was a good idea to table this item. He thought it was good to let Kate and Beth answer questions but didn't know how long it would take to get everyone answers to their questions. He wanted to ensure that questions were answered prior to it coming back to the commission. He thought it would be good if everyone gets to talk to Kate and Beth and then it comes back to the Commission. He certainly didn't think this should be rushed but acknowledged the growth challenges.

Deanne Hilgers thanked the Commissioners for listening to residents.

Chairman Fairbanks stated that they may need to take a step back and make sure things are in order. She noted that growth is inevitable. FAIRBANKS MADE A MOTION TO TABLE THIS ITEM. COMMISSIONER HUMANN SECONDED. MOTION CARRIED 6-0.

Mark Kreitinger 6345 Ambassador Blvd requested more information and said the information sent out was very limited.

Commissioner asked where people could find the zoning regulations and wanted to ensure everyone had access to that.

Richmond noted where all of these documents were on the website.

Chairman Fairbanks stated she could try to share some information on social media for staff contacts and other related information. She thanked the new members on the Commission.

Commissioner Gardner noted that the commission is unfortunate in that they get to have him for the rest of his term since he is not moving. He thought that may help Kate so she doesn't have to search for new commissioners.

Chairman Fairbanks wants to promote collaboration to make the city better and hopes that they can find good things about the city to share with everybody. GARDNER MAKES MOTION TO ADJOURN 2ND BY KELLY. MOTION CARRIED 6-0. Meeting ADJOURNED AT 8:23 P.M.

Respectfully submitted by Joe Kohlmann
Approved without change: March 17, 2021