

**MINUTES OF MEETING  
SOUTH ST. PAUL PLANNING COMMISISON  
February 5, 2020**

MEETING CALLED TO ORDER BY VICE CHAIR KRUEGER AT 7:00 P.M.

Present:

Isaac Contreras  
Angela DesMarais  
Tim Felton  
Justin Humenik  
Ruth Krueger  
Jason Pachl  
Michael Healy, City Planner  
Ryan Garcia, Economic and Community Development Director

Absent: Stephanie Yendell

- 1) APPROVAL OF AGENDA – Motion to approve the agenda as presented –Pachl/ Contreras (6-0)
- 2) APPROVAL OF MINUTES – January 8, 2020 – Motion to approve the minutes as presented – Contreras/ Huminek (6-0)
- 3) NEW BUSINESS

Mr. Healy introduced himself to the Planning Commission and spoke to his background as the City Planner/ Zoning Administrator at the City of Big Lake.

4) PUBLIC HEARINGS

A) PC Case #2020-04: Southview Shopping Center Variance- 221-225 13<sup>th</sup> Avenue South- A request for a setback variance for parking along Southview Boulevard and 13<sup>th</sup> Avenue South.

Mr. Healy provided background on the Southview Shopping Center Variance. He explained that the case is unique in that the applicant is not seeking a new project, but rather correcting an issue that arose during a street reconstruction project. During the Southview reconstruction project, the County closed off one of the parking lot access points and eliminated 20 or so parking stalls. New parking stalls were created in the place of the abolished stalls; however, the new stalls were created in the required setback. The applicant has requested 2 setback variances to allow the new parking areas to remain in place along 13<sup>th</sup> Avenue and Southview Boulevard.

A representative of the applicant, Michael Couri, came forward to speak to his client's request to formally legalize the redesigned parking lot and its setbacks.

Vice Chair Krueger opened the public hearing

No one was present to speak on the item nor had any correspondence been received.

Vice Chair Krueger closed the public hearing.

Motion to approve as presented- Pachl/ Felton (6-0)

B) PC Case #2020-05: South St. Paul Open Foundation – 1725 Henry Avenue – Consider an amendment to an Interim Use Permit to allow a single day event at Hanger 3.

Mr. Healy spoke to the applicant's request for a hanger dance in the Commemorative Air Force (CAF) hanger at the South St. Paul Airport. The planning case memo was originally written for an Interim Use Permit (IUP) for a one day event. Staff discovered in the days leading up to the Planning Commission meeting that the CAF has an IUP for two hanger dances a year through 2031. Based on the new information, the city attorney recommended amending the existing IUP to allow a third hanger dance in 2020 instead continuing the item as a standalone IUP.

The applicant, Mark Duffy, spoke to the request.

Vice Chair Krueger asked if the applicant would need to return for an addition IUP amendment if they had a desire for a third dance hangar in 2021. Mr. Healy explained the applicant would need to but the Planning Commissioners have the opportunity to recommend a permanent change to the IUP. The applicant noted that there was interest in amending the IUP to allow a third hanger dance every year.

Vice Chair Krueger opened the public hearing.

No correspondence had been received nor was anyone present to speak.

Vice Chair Krueger closed the public hearing.

Commissioner Pachl pointed out the public hearing notice only informed the neighbors that there would be a single new hangar dance in 2020 and that amending the IUP to allow a third hangar dance every year would be a much larger proposal than what had been noticed. Mr. Healy agreed with that assessment and advised that the Planning Commission probably should not amend the IUP to allow a third dance every year without holding a new public hearing with a more accurate public hearing notice. The Commissioners agreed that, at this time, they would only be recommending that Council amend the Interim Use Permit to allow a third dance in 2020. A future amendment could be more far-reaching.

Motion to approve as amended – Felton/ DesMarais (6-0)

C) PC Case #2020-02: South Street Flats LLC- 300 South Street- A request for Preliminary Plat and a Conditional Use Permit for a Planned Unit Development.

Mr. Garcia provided background on the applicant's request for a Preliminary Plat and Conditional Use Permit for a Planned Unit Development for the property at 300 South Street. The proposed development would create 13 individual townhome lots and one common lot out of the five existing lots at the site. The site is zoned R-4 and is required by the Metropolitan Council to have at least 13 units per acre. The development would create 13 townhome units with access off of South Street.

Mr. Garcia explained that a Planned Unit Development (PUD) allows for flexibility from the typical requirements this kind of development would be subject to. Because the site is an infill site, a PUD is necessary for the project to work on this site. Staff recommendations included a revised landscaping plan to show how the

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building would be landscaped, information about buffering between the neighboring properties, reducing the radius of the road, a lighting plan for in the parking area, revised elevation plans showing all 13 units and material selection for the building. Staff recommends approval of the preliminary plat and the conditional use permit for a Planned Unit Development.

Commissioner Contreras asked for clarification on the mixed unit requirement set forth in Section 118- 267. Mr. Garcia explained that in the ordinance, there is a unit mix standard which states no more than 50% of the units can be two bedroom units. Mr. Garcia explained this ordinance is one of the reasons that the applicant has requested a Conditional Use Permit for a Planned Unit Development.

Commissioner Contreras asked if the applicant would provide revised plans showing the laundry room inside the housing space. Mr. Garcia explained that one of the conditions of approval include the submittal of a revised floor plan, building elevations and site plan prior to final plat approval.

Commissioner Contreras clarified if the Planning Commission needs to see the revised plans before moving forward. Mr. Garcia explained that the item could be tabled by the Planning Commission subject to seeing additional plans before acting on the recommendation. Mr. Garcia emphasized that city staff feel comfortable recommending approval without seeing the revision prior to council.

The applicant, Dick Braun, spoke to Commissioner Contreras's concerns presented and affirmed that a new draft incorporating the changes recommend by staff was in the works.

Commissioner Contreras asked for clarification if the pond on the Northwest corner was a stormwater pond. Mr. Braun explained that the pond was dry pond. Commissioner Contreras asked if that was where snow would be kept. Mr. Braun stated he would need to talk to the City engineer about that.

Commissioner Contreras asked if a new homeowners association would be created or an existing association would be used. Mr. Braun stated that a new homeowner's association would be created for South St. Flats.

Vice Chair Krueger opened the public hearing.

Mr. Garcia stated he had received a telephone call from the property owners at 226 South Street West regarding how far the building would be from their property line and would the driveway interfere with the enjoyment of their property. As a result of the call staff have recommended a landscaping buffer between the neighboring property and the proposed development. Vice Chair Krueger also noted the email from the resident regarding water drainage.

Lavonne Francis, 245 Ash Street W, spoke to concerns that some of the neighbors had including fencing between the proposed and the neighboring properties, the height of the building and how that would affect privacy, the effects of lighting on the neighboring properties, traffic on the property, water runoff and whether the units would be purchased or rented.

Vice Chair Krueger closed the public hearing.

Mr. Braun noted that townhomes could be either rented or owned. Mr. Braun addressed Mrs. Francis's concerns regarding the intention to have trees between the development and the neighboring properties. Mr. Braun stated that there would be 150 feet between the proposed development and neighboring properties along Ash Street to protect the neighbor's privacy. A lighting plan had not been fully determined but there were a variety of lighting

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options. A fence would be added between the proposed development and the property directly to the East. Finally, the applicant had worked closely with the City Engineer to address the water drainage issues.

Vice Chair Krueger clarified what the next steps were and what safe guards were in place if concerns arose. Mr. Garcia explained that the Preliminary Plat and PUD are separate items. If the Planning Commission recommends approval, the item would go to the City Council on February 18<sup>th</sup> for their approval of the preliminary plat. The next item would be a final plat which would go only to the City Council but not the Planning Commission. Mr. Garcia reminded the Planning Commissioners that they are allowed to table an item until they receive the information they want. Mr. Healy provided insight into the Planned Unit Development process.

Commissioner Huminek asked if the development would meet the minimum density requirements of the 2030 Comprehensive Plan. Staff confirmed it would. Commissioner Huminek strongly recommended that the developer take the neighbor's concerns into account going forward.

Christopher Francis, 245 Ash Street West, asked for confirmation that the developer had purchased the land so the project would not fall through as the previous project had. Mr. Braun confirmed he had.

Mr. Braun responded to additional questions and concerns the commissioners presented.

Motion to approve as presented- Contreras/ Huminek (5-1)

D) PC Case#2020-06: City of South St. Paul- 125 3<sup>rd</sup> Avenue North- A Code Amendment to the Concord Gateway Mixed Use District.

Mr. Healy elaborated on the proposed amendments to the Concord Gateway Mixed Use District (CGMU). The CGMU district has two sub-districts: CGMU-1 and CGMU-2. At the January 13<sup>th</sup> workshop, City Council decided they would like to see body art establishments allowed in the CGMU district. Other proposed changes to the district include allowing veterinary clinics with a CUP, requiring a CUP for schools and churches and prohibiting drive-through uses in the CGMU-1 while continuing to allow them in the CGMU-2. The proposed changes would not create any non-conformities and would help nurture a craft economy in the district.

Commissioner Felton confirmed that only 2 body art establishments are allowed in town. Mr. Healy confirmed that was the case and that it could not be changed by the Planning Commission because the restriction was set forth through licensing.

Vice Chair Krueger asked why churches and schools would require a conditional use permit. Mr. Garcia explained that many of the lots are not prepared to handle the parking that would be needed for those uses and requiring a conditional use permit would help to regulate this. Vice Chair Krueger asked if the ordinance amendment would impact existing churches. Mr. Garcia explained that the CGMU district does not have any existing churches.

Vice Chair Krueger opened the public hearing.

Mr. Healy stated he had received correspondence requesting more information about the proposed changes but did not receive any feedback on the proposed changes.

No one was present to speak on the item.

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Vice Chair Krueger closed the public hearing.

Motion to approve as amended– Contreras/ DesMarais (6-0).

5) OTHER BUSINESS

Mr. Healy presented an update on the Comprehensive Plan. The Metropolitan Council is requiring the city to make additional changes to the Comprehensive plan that was submitted in December, which is standard procedure.

Commissioner Felton thanked Commissioner Pachl for his time serving on the Planning Commission.

6) ADJOURNMENT

Motion to adjourn- Contreras/Pachl (6-0).