

**CITY OF NORTH ST. PAUL
PLANNING COMMISSION
REGULAR MEETING MINUTES
THURSDAY, FEBRUARY 3, 2022
6:30 P.M.**

North St. Paul City Hall – Council Chambers
2400 Margaret Street

I. CALL TO ORDER

Chair Barton called the meeting to order at 6:33 p.m.

II. ROLL CALL – voice came on at 5.08 in to the video

COMMISSION

Elaine Barton, Commission Chair
John Monge, Vice Chair
Patrick Blees, Commissioner
Eric Brenna, Commissioner
Rick Gelbmann, Commissioner
Andrew Wise, Commissioner
Lisa Wong, City Council Liaison

STAFF

Brandy Howe, City Planner
Lisa Ritchie, Planning Secretary

III. ADOPT AGENDA

Motion to adopt agenda by Commissioner Monge, and seconded by Commissioner Wise all present voting aye (6-0). Motion carried to adopt the February 3, 2022 Agenda.

IV. APPROVAL OF MINUTES

A. Approval of January 6, 2022 Meeting Minutes

Commissioner Blees requested the following correction:

-Page 5, paragraph 3, line 3, statement should read “Commissioner Gelbmann stated...”.

Motion to approve Minutes by Commissioner Gelbmann, and seconded by Commissioner Blees, with all present voting aye (6-0). Motion carried to approve the January 6, 2022 regular meeting minutes as submitted.

V. MEETING OPEN TO THE PUBLIC

John Schmahl, 2750 Chisholm Ave, via zoom, noted the agenda wording stating “the meeting opened to the public” has changed and there is no longer anything about “not on the agenda.” He stated this courtesy is addressed to the people wishing to address the Commission and the wordage changed to “people.”

VI. PUBLIC HEARINGS

A. Preliminary Plat and Variance Requests at 2170 Eldridge Avenue

City Planner Brandy Howe reviewed the request from Victor Muthiani for a preliminary plat and petition for variances resulting from the requested preliminary plat at 2170 Eldridge Avenue. Ms. Howe stated the proposed subdivision will divide an existing 14,810 square foot parcel into two lots. This property was originally platted in 1887 in the Fifth Addition to North St. Paul and consisted of Lots 8, 9, and 10, in Block 13 of that plat. Each lot had an area of 4,958 square feet and width of 40 feet. At some point, these three lots were combined so a new subdivision requires platting. Ms. Howe stated the applicant intends to tear down the existing single-family house, rebuild on the existing foundation, and establish the second lot for the eventual new construction of a second single-family home.

Ms. Howe stated staff recommends approval of the front yard setback zoning variance for Parcel A, denial of the side yard setback zoning variances for Parcels A and B, denial of the minimum lot width zoning variance for Parcel B, denial of the minimum lot area zoning variance for Parcel B, denial of the subdivision variance to deviate from the lot width requirements for Parcel B, and denial of the preliminary plat. She suggested the owner could modify the application and resubmit.

Commissioner Blees questioned if the dimensions of the proposed structure have been confirmed. Ms. Howe will confirm the dimensions but believes the discussion should focus on the existing structure not the proposed.

Chair Barton questioned whether the home is currently occupied. Victor Muthiani, applicant, stated the structure is vacant. Mr. Muthiani also noted he plans to keep the front yard setback requirements, remove front level ceiling structure and keeping existing garage structure. Mr. Muthiani plans to increase the size of the house by increasing the foundation by 4 feet in the back and keeping the same width.

Chair Barton opened the public hearing at 6: 55 p.m.

Don Schuman, 2169 Belmont Lane, expressed his confusion to the width dimensions stated on the website vs the width dimensions discussed on this proposal. He explained that the two 40’ lots adjoining the subject property received variances because they were “stuck” (they weren’t able to purchase additional land from a prior owner of the subject property).

Dawn Jensen, 2153 Eldridge Avenue, wanted the Planning Commission to consider flooding issues that could come from this property. She suggested a drainage between properties so run off goes into the sewer or add requirements for the water runoff in the proposal. She was also concerned about street damage during the construction phase.

Michelle Ryan, 2158 Eldridge, expressed her concern that runoff might damage landscaping she put in place to correct prior pooling of water on her property. She stated she would then have to incur the cost to fix it if the landscaping was damaged.

Kathy Schuman, 2169 Belmont, mentioned this structure stands out in the neighborhood, wants to save more land, and also reiterated her concern with the potential flooding.

Chair Barton closed the public hearing at 7:08 p.m.

Commissioner Monge stated the flat roof isn't like others in the area and wondered if rain run off could go off the back of the house. Mr. Muthiani replied stating the roof and existing house have a sloped roof in the back for water run-off.

Chair Barton questioned if this has been reviewed by City Engineering. Ms. Howe did clarify it has not gone to City Engineering yet. Commissioner Gelbmann added that permission from the water shed district could be a requirement for approval.

Chair Barton explained before going into design details, she'd like the focus to be on the variance and subdivision issues because staff concluded the applicant doesn't meet standards in all cases. She stated she agreed with Staff a parcel A front yard setback variance was reasonable due to the existing condition. She asked if any commissioners think the staff recommendations aren't reasonable. ~~stated this proposal hinges on the subdivision approval.~~

Commissioner Blees agreed with the staff option that the applicant could resubmit the application as a Conditional Use Permit. This would allow the Planning Commission to put conditions on the variance.

Commissioner Wise noted ~~the aesthetics should not be commented~~ at this point aesthetics aren't something the commission could comment on. , but rather how to work with the property owner or get a Conditional Use Permit instead. He also stated the CUP would be helpful to understand and assist with the rainwater run-off.

Commissioner Brenna concurred with previous comments made and that the recommendations were reasonable.

Chair Barton questioned if action was needed on the 3rd recommendation to deny a Parcel B side yard setback since the commission didn't have plans for that parcel. Ms. Howe confirmed building plans for that parcel weren't available and action on recommendations 1,2 and 4-7 was needed.

Motion by Commissioner Blees and seconded by Commissioner Gelbmann, with all present voting aye (6-0). Motion carried to approve Planning Commission recommendation of City Council approval of the front yard setback zoning variance for Parcel A identical to existing setback for Parcel A.

Motion by Commissioner Blees, and seconded by Commissioner Gelbmann, with all present voting aye (6-0). Motion carried to approve Planning Commission recommendation of City Council denial of the side yard setback zoning variance for Parcels A, denial of the minimum lot

width zoning variance for proposed Parcel B, denial of the minimum lot area zoning variance for proposed Parcel B, denial of the subdivision variance to deviate from the lot width requirements for Parcel B, and denial of the preliminary plat.

Ms. Howe stated details of the front yard setbacks will be part of March City Council meeting unless applicant withdraws the application and resubmits as a Conditional Use Permit.

Chair Barton advised to make sure minutes reflect when Planning Commission makes a recommendation.

VII. COMMISSION BUSINESS, ACTION ITEMS & RECOMMENDATIONS

A. Appointment “Election” of 2022 Commissioners

Chair Barton called for nominations for positions of Chair and Vice Chair for 2022.

Chair Barton also noted she was confused about the wording “Appointment” and not “Election.” City Planning Secretary Ritchie noted this was her fault as she mistyped.

Planning Commission discussed the Chair and Vice Chair positions for 2022. Vice Chair Monge voiced his opposition to lead the Commission. Chair Barton suggested co-chairs. The co-chairs would consist of Chair Barton and Vice Chair Monge with the understanding that Vice Chair Monge would lead every other meeting.

Commissioner Blees reminded members that he could not commit the time required to be Chair of the Planning Commission.

Chair Barton questioned if Vice Chair would be willing to commit to leading the meetings every other month.

Planning commission Secretary Ritchie noted City staff would be more than happy to help with that especially on meetings led by Vice Chair Monge. She will support Vice Chair Monge in any way she can.

Chair Barton nominated herself as Chair and Commissioner Monge as Vice Chair with the added responsibility of chairing half the meetings.

Motion by Commissioner Barton, and seconded by Commissioner Blees, with all present voting aye (6-0). Motion carried to elect Chair Barton as Chair and Commissioner Monge as Vice Chair with added responsibility that Vice Chair Monge chair half of the meetings for 2022.

B. Sign Ordinance Update

City Planner Brandy Howe shared a presentation of the completed Sign Ordinance draft. This draft was revised at the January 2022 Planning Commission meeting. This presentation is to provide the Planning Commission the opportunity for more discussion and continued revisions to City staff.

Ms. Howe and Planning Commission discussed whether to keep window signs out of the ordinance, definition of a window sign, regulating temporary signs especially if it is a neon sign, and the categorization of non-luminated or illuminated window signs.

Ms. Howe noted the yard sign regulations were moved to be under the general sign regulations.

Chair Barton liked the wordage change from temporary signs to informal signs.

Commissioner Blees also noted removing the political sign definition under types of signs. Ms. Howe clarified political signs can be placed in yards 45 days before the election and 10 days after the election. Ms. Howe stated Provision C of the Ordinance will be placed under General Provisions.

Ms. Howe removed yard signs from this ordinance and put them under the general regulation category. She also noted a standard yard sign is 32 square feet. She suggested this be a maximum square footage whether you have 1 sign or more than one sign.

Commissioner Blees agreed with the maximum aggregate area of 32 square feet as long as they are out of the right-of-way.

It was noted that duration and quality of sign would fall into maintenance of a sign. This could be a regulation that could be enforced if necessary.

Chair Barton clarified the removal of Numbers 2-3 and to keep Numbers 4-5 of the Sign Ordinance.

Commissioner Blees understood that you are not able to tell people what they can and cannot put in their yard but you can regulate size, quantity, location, how big and how many. Chair Barton stated it could be enforced even though we probably wouldn't want that right to do so. Commissioner Blees confirmed Ms. Howe changed the word in the Ordinance from 'temporary' to 'informal.'

The Planning Commission agreed signs should be regulated by size, location, and quantity.

Ms. Howe provided a list of prohibited signs. They are as follows; billboards, inflatables, off premise signs, rotating signs, signs attached to mobile equipment, and signs that are unsafe for traffic.

The Planning Commission found no other signs that should be prohibited.

Ms. Howe provided a chart explaining types of signs and where they can be placed. Signs in the residential Chart in Ordinance now. Chair Barton suggested using the word 'allowed' instead of 'permitted.'

The Planning Commission discussed sign regulations in multi-family, mixed use, single residential, and commercial districts.

Chair Barton wondered if a wall sign on an apartment complex would be appropriate. Ms. Howe clarified that no, a wall sign on an apartment building would not be allowed.

Commissioner Gelbmann questioned how to clarify the definition of residential use. Ms. Howe agreed it is an important part of the Ordinance to clarify and stated multifamily falls under residential use.

The Planning Commission discussed various options for multi-use sign requirements. It was noted that current City code is based on building square footage.

Council Member Wong suggested a more specific regulation to provide residents with a clear and concise definition.

The Planning Commission discussed multi use sign options such as amount of street footage, percentage of the building face the sign is on, or total wall size.

Commissioner Gelbmann suggested one standard size with a minimum of 10 square feet or percentage of space.

Ms. Howe proposed expanding the residential sign code for single family residential, 2 family residential, and multi-family residential to require a permit for a permanent sign.

Chair Barton offered some differentiation between single-family and multi-family use and would see the benefit for some flexibility.

Chair Barton mentioned R-1 and R-2 regulation is a two-square-foot maximum aggregate sign area. Ms. Howe stated this could be addressed in the Exemptions section but City code does require an address sign but it will not count for your sign square footage.

Commissioner Brenna wondered about changing dimensions to 8 square feet for signage.

Commissioner Blees suggested defining what a flashing light means and allow internal lit signs. Ms. Howe explained the definitions for variable flashing lights are currently in this draft. Other topics of discussion were hanging lights, building signs, free standing signs, wall size sign, and individual tenant signage.

Ms. Howe suggested removing the current ~~Planned Unit Design Ordinance requiring a master sign plan to allow for flexibility and discretion.~~ Provision to allow signs with a planned unit development because it provides staff with too much discretion for approval.

Chair Barton suggested bringing a severability permit into this draft. Ms. Howe stated she will include a time frame as a requirement and look 60 days in conjunction with other Code requirements.

The Planning Commission reviewed and discussed the temporary banner portion of the Ordinance. There was also discussion surrounding the definition of a flag, a banner, and the size

of each. Suggestions derived from the discussion were to regulate flags by size, location, pole height, and the set back of the pole.

Chair Barton stated temporary flag signs would be left up to the Planning Commission for review and approval or getting rid of the flag sign portion of the ordinance.

Chair Barton expressed her concern with flashing neon light signs, stating it is a safety hazard.

Commissioner Wise noted concern over regulating font size and static readability stating the Planning Commission does want to put to many restrictions on a business. Ms. Howe will research electronic signs regarding font size, static readability, and safety concerns.

Ms. Howe concluded she will send a redlined and a clean version of the Sign Ordinance draft changes to Planning Commission members.

The Planning Commission reached consensus to direct staff to make revisions as discussed tonight and detailed in the meeting minutes.

VIII. OLD BUSINESS

A. Downtown Furniture Design Review Standards

Planning Commission Secretary Ritchie provided information to be reviewed, noting the objective is to review the outdoor seating and streetscape elements and materials palette to determine and define the design style standards including architectural character, color, and product material, for outdoor patio seating in the downtown area.

Chair Barton suggested creating a spreadsheet showing commercial vs residential grade, and detailed costs of patio furniture. It was also suggested to allow individual organizations to have more say in the matter and begin a pilot program with merchants.

Commissioner Monge expressed concern with the patio furniture being a possible City liability. Planning Secretary Ritchie believed the city would be responsible but will check with City Attorney for clarification.

Chair Barton suggested making a list of essential work to discuss next month. She noted community garden, signage, rentals, and off-street parking lot as the main ideas for next month's discussion. This will also help the City Council know what is important to the Planning Commission for 2022.

B. Street Cafés and Parklet Programs

Due to the late hour, this item will be considered at the March 3, 2022 meeting.

C. Downtown Review Manual

Due to the late hour, this item will be considered at the March 3, 2022 meeting.

D. Off-Street Parking Requirements Update

Due to the late hour, this item will be considered at the March 3, 2022 meeting.

IX. REPORTS FROM STAFF

A. Joint EDA & Planning Commission Meetings – Meeting Type ‘Regular’ vs. ‘Special’

Chair Barton explained “Special” meetings require a 3-day notice while “Regular” meetings require a 4-day notice of meeting agenda items. The City provided the same 3-day minimum notice for this joint meeting as if it were solely a Planning Commission meeting. It was determined the agenda should be posted 4 business days before the meeting date.

Commissioner Blees pointed out the posted updates have been very helpful to the public.

X. REPORTS FROM COUNCIL LIAISON

Council Member Wong noted the City is still looking for people to join the Planning Commission. Currently there are three applicants and accepting applications will be closed soon. She reported that the Council discussed sidewalks at the retreat and the meeting on March 24th is for all of the Commission Chairs. There was discussion on safety issues yesterday regarding Highways 120 and 36. Council Member Wong provided an update on the Redevelopment Master Plan timeline.

XI. REPORTS FROM COMMISSIONERS

Commissioner Monge updated the Planning Commission on the status of the Economic Development Authority.

Commissioner Wise described his work with Hillcrest Urban Development Committee.

XII. ADJOURNMENT

There being no further business, motion to adjourn by Commissioner Brenna, and seconded by Commissioner Gelbmann, with all present voting aye (6-0). Motion carried to adjourn the meeting at 9:47 p.m.

The next regularly scheduled Planning Commission Meeting is Thursday, March 3, 2022 at 6:15 p.m.

Members, please notify any planned absences to: Lisa Ritchie
Planning Commission Secretary
651-747-2400
lisa.ritchie@northstpaul.org