

**CITY OF NORTH ST. PAUL
PLANNING COMMISSION
REGULAR MEETING AGENDA
THURSDAY, JULY 12, 2018
6:15 PM**

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

I. CALL TO ORDER

II. ROLL CALL

COMMISSION

Elaine Barton, Commission Chair
Trisha Hamm, Commission Vice-Chair
Tom Sonnek, Commission City Council Liaison
Chris Bathurst, Commissioner
Rick Gelbmann, Commissioner
Michael Stahlmann, Commissioner
John Wahl, Commissioner
Allan Worm, Commissioner

STAFF

Olivia Dorow Hovland, City Planner
Karin Derauf, Commission Secretary

III. ADOPT AGENDA

IV. APPROVAL OF MINUTES

Approve the June 7, 2018 regular meeting minutes.

V. MEETING OPEN TO THE PUBLIC

Note: This is a courtesy extended to persons wishing to address the Commission concerning issues that are not on the agenda. This discussion will be limited to 15 minutes.

VI. PUBLIC HEARINGS

A. City of North St. Paul Conditional Use Permit

VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS

A. None

VIII. REPORTS FROM STAFF

A. Code Enforcement Process

IX. REPORTS FROM COMMISSIONERS

Update from City Council Liaison

X. ADJOURNMENT

The next regularly scheduled Planning Commission Meeting is Thursday, August 2, 2018 at 6:15 p.m.

**CITY OF NORTH ST. PAUL
PLANNING COMMISSION
RREGULAR MEETING MINUTES
THURSDAY, JUNE 7, 2018
6:15 P.M.**

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

I. CALL TO ORDER

Chair Barton called the meeting to order at 6:15 p.m.

II. ROLL CALL

COMMISSION

Elaine Barton, Commission Chair

Trisha Hamm, Commission Vice-Chair

ABSENT

Tom Sonnek, Commission City Council Liaison

Chris Bathurst, Commissioner

Michael Stahlmann, Commissioner

Rick Gelbmann, Commissioner

John Wahl, Commissioner

Allan Worm, Commissioner

STAFF

Erin Perdu, City Planner

Karin Derauf, Commission Secretary

III. ADOPT AGENDA

Motion to adopt agenda by Commissioner Gelbmann, and seconded by Commissioner Bathurst, with all present voting aye (6-0). Motion carried to adopt the June 7, 2018 Agenda.

IV. APPROVAL OF MINUTES

Motion to approve Minutes by Commissioner Worm, and seconded by Commissioner Wahl, with all present voting aye (6-0) with the following changes, in Section VI, paragraph 2, correct spelling of resident's name from John Schmalz to John Schmahl, add a return line between paragraph 23 and 24, change paragraph 27 from "...and wanted to add information regarding Star Watching..." to, "and wanted to add information regarding attention to shielded lighting to reduce light pollution and aid star watching...", add to paragraph 28 the following, "Planner Perdu will review all comments during the six month adjacent community review and will return to the Planning Commission with any changes or comments from those communities". Motion carried to approve the May 3, 2018 regular meeting minutes as submitted.

V. MEETING OPEN TO THE PUBLIC

Resident, John Schmahl, of 2750 Chisholm Avenue, requested the correction in the spelling of his name from the May 3, 2018, Meeting Minutes.

VI. PUBLIC HEARINGS

Chair Barton recused herself from the Public Hearing regarding the IUP annual review at 2115 Burke Avenue. The meeting was turned over to Commissioner Stahlmann to act as Interim Chair during Chair Barton's absence.

Planner Perdu reviewed the Staff Memo regarding the IUP review to give information regarding the snowplowing equipment and conditions of the IUP. She briefly reviewed the six conditions of the Council Resolution which involved change in ownership of the property, equipment storage, loading and parking, annual review, inspections, and hours of operation. She reported that the IUP is before the Planning Commission due to a complaint over the past year regarding loading and unloading of equipment on the street. There are accompanying photos surrounding one snow event in January 2018. As per Planner Perdu, loading and unloading would appear to be a violation of the third condition in the IUP. She spoke to the City Attorney regarding any remedies that are available for a violation of an IUP, and he gave the following three options, revoke the IUP, do nothing, or modify the conditions of the IUP.

Commissioner Stahlmann, as well as, Commissioner Worm, asked why the review is being conducted by the Planning Commission rather than the City Council. Planner Perdu responded by stating that the staff generally does the annual review, however, in the event that there are complaints or violations, that is when it would come to the Planning Commission for review and then passed along to the City Council with the recommendations from the Planning Commission. Ultimately the City Council makes the determination of whether to revoke or amend the IUP.

Applicant, Tony Eiden, at 2115 Burke Ave. E., stated that the loading and unloading incident that is being referenced in the complaint is during his working time. He finishes his route which concludes with customers from his own neighborhood. He unloads his equipment down the street from his house, and then plows his neighbor's driveways, working towards his own house, and finally completes his own driveway last. Rather than driving the bobcat back down the street to load, he drives his bobcat into his garage for storage and walks back to get his truck and trailer to drive into his driveway, as he is finished with his plowing route. He commented that this is no different than someone loading and unloading lawn mowers or other equipment during the summer while working on customer's lawns. The unloading and reloading happens in the street as part of conducting business. The difference is he is not driving his bobcat back down the street and reloading. He is driving the bobcat right into his storage area because the last driveways on his route are those of his neighbors and then, finally, his own.

Commissioner Gelbmann asked the applicant for any solutions that he might have. The applicant commented that he doesn't see any solutions, because the two individuals who have complained about him have been complaining about him for 15 years. He doesn't feel that it will end. He remedies a complaint and they come up with a new one.

Public Hearing opened at 6:37 p.m.

Applicant, Tony Eiden, read letters submitted from his neighbors in support and favor of him conducting his business and having his IUP kept in place. The letters are from the following residents:

Phillip Hanson, 2109 Burke Ave. E.

Rich Nifke, 2114 Burke Ave. E.

Matt and Barb Williams, 2102 Burke Ave. E.

Mary O'Connor, 2120 Burke Ave. E.

Copies of these letters are included with the June 7, 2018 Planning Commission Minutes as a matter of record (see attached).

Other residents in attendance at the Planning Commission Meeting of June 7, 2018, came forward to speak on behalf of Mr. Eiden, also in support and favor of him continuing to conduct his business with the IUP in place. The residents who spoke during the Public Hearing are as follows:

Lena and Damian Nins, 2137 Burke Ave. E.

Ron Kasprzak, 2107 Burke Ave. E.

Barbara and Andrew Smith, 2090 Burke Ave. E.

John Schmahl, 2750 Chisholm, commented on a procedural issue regarding receiving the information on this IUP from the City Website. The pictures were distorted so he called the Communications Administrative staff to notify her. His question is regarding why a document was posted on May 30th, as opposed to being posted directly with the full packet for this meeting. Planner Perdu responded that there was an error with the photos, they were corrected, and that the Public Hearing notice was posted separately, however, it is unknown why that happened. Mr. Schmahl also commented about the IUP and that this isn't a noise complaint, even so, there is nothing in the agenda or memo indicating from code compliance what the actual complaint is. He is wondering why code compliance staff is not at the meeting to address what the complaints are.

Resident, Ron Kasprzak, 2107 Burke Ave. E., asked why one of the complainants, Elaine Barton is not at the meeting to hear the other side of the story. He doesn't feel it's fair that she is not here to listen to the applicant state why he was loading and unloading his equipment while conducting business.

Interim Chair Stahlmann stated it is the choice of the complainants to attend or not. They are not required to attend. He also stated that Chair Barton has the right to recuse herself from the meeting if she feels a personal conflict as she is part of the Planning Commission and the Planning Commission is making a recommendation regarding this IUP. He stated it is her choice.

Resident, Mike, 2120 Burke, came forward to speak on behalf of Mr. Eiden, in support and favor of his business.

Applicant, Tony Eiden, asked to have the IUP approved.

Commissioner Gelbmann asked the public how many of them utilize Mr. Eiden's services. Three residents raised their hands. Commissioner Wahl asked the public if any of them had concerns regarding Mr. Eiden's business being conducted outside business hours of operation. The public present at the meeting were all in agreement that none of them had problems with the applicant.

Public Hearing closed at 6:51 p.m.

Commissioner Wahl stated that this hearing has nothing to do with noise, but rather, the primary complaint and the pictures are in regards to the bobcat not being loaded and unloaded in the driveway. He feels we need to focus our efforts on this rather than noise.

Council Liaison Sonnek asked Planner Perdu to clarify the third condition of the IUP in regards to any violations, and if there are any reports or documentation from code compliance. Planner Perdu stated that there is no specific documentation from that department, however, Fire Chief, Scott Duddeck did inform Planner Perdu that he had a conversation with the applicant. Planner Perdu noted that meeting did not result in any documentation. City Council Liaison, Tom Sonnek, indicated that we need a more formal complaint and documentation system. However, he feels that we have enough substance that the Commissioners can still have a relevant conversation regarding what to do in regards to the IUP.

Council Liaison Sonnek stated that there is no complaint regarding noise, and Planner Perdu indicated that the noise complaint was from last year; however, those complaints have been addressed, as part of the conditions of the IUP regarding the loading and unloading during particular hours. Planner Perdu commented on a the letter of complaint that was submitted by a resident and it was not in regard to noise.

Commissioner Gelbmann commended that the loading and unloading is part of the regular business operations that must be conducted. Council Liaison commented that a lawn service would have similar business operation practices. He asked the applicant whether the loading and unloading is only during times of business operations. Applicant, Tony Eiden, stated yes and that all other times of loading and unloading take place in his driveway.

Mr. Eiden believes that the photo evidence turned in was during one occasion when he was having mechanical problems with his bobcat while on the street, in front of his home. He worked as quickly as he could to get the machine into his driveway so it was off the street.

Commissioner Worm asked how the applicant loads and unloads his bobcat onto his trailer when it is in his driveway. The applicant stated that he backs his truck and trailer into his driveway and drives the bobcat stored in his garage right up on to the trailer. He stated that the truck and trailer take up the full space of his driveway; however, it does not hang over in to the street. He is fully in his driveway at the time of loading and unloading.

Council Liaison Sonnek clarified that it is not illegal for others to load and unload in the street; however, it was added as a condition to the IUP because this is a residential business. He clarified that the loading and unloading happens in the driveway, but there have been rare occasions that it has happened in the street. The applicant confirmed that this is true. Council Liaison Sonnek asked Planner Perdu for information regarding licensure of the applicant's particular kind of business. Planner Perdu confirmed that there is not a required license for concrete or snow plowing work. She also confirmed that there is not a gross weight requirement for this applicant as he is not a commercially licensed business. She stated that the Code reads a "commercially licensed truck, trailer, or bus with a gross weight over 6 tons". Commissioner Bathurst reiterated that the applicant is not a commercially licensed business so this doesn't apply.

Council Liaison Sonnek asked Planner Perdu to address the issue of the Right of Way and his truck and trailer extending into this. Planner Perdu states that there is currently nothing in the ordinance that indicates he cannot park in the Right of Way in his driveway. There is a provision that prevents blockage of a sidewalk; however, the applicant does not have a sidewalk crossing his driveway. Code Enforcement has visited the residence to view the daily parking of the truck and trailer, and have not deemed it a violation. Council Liaison Sonnek indicated that he thought a portion of the Ordinance does address parking in the Right of Way, however, it is currently not

enforced. He interprets the Ordinance as stating that no one may park in the Right of Way whether they have a sidewalk or not, but due to shortened driveways, residents having more than one vehicle, or friends visiting, etc., there are many residents that encroach on to the Right of Way. Liaison Sonnek states that currently the Ordinance exists; however, enforcing it would potentially cause undue distress to the residents. Every resident is expected to follow the Ordinances, so it is difficult to address the Right of Way in relation to the applicant if other residents are not adhering to it as well. Commissioner Gelbmann poses a rhetorical question as to the difference of parking in the Right of Way in your own driveway as compared to parking in the street with a car. Which one would be more hazardous or compromising for emergency vehicles?

Council Liaison Sonnek moved on to the storage of equipment or materials. There was a complaint about the storage of concrete forms stored in the back yard. The applicant states that it is stored out of site, in his back yard, and under his deck. He inquired as to how anyone would know it was stored there unless they were in his back yard. It was stated by Interim Chair Stahlmann, that a photo was submitted showing the applicant carrying the concrete forms. He indicated that he was probably going to use them for work so he was carrying them.

Planner Perdu indicated that outdoor storage is prohibited on the IUP, so that would be a violation. She also stated that she had been to the site after a complaint was taken and there was no outdoor storage of the equipment at the time of her visit.

Commissioner Wahl commented that he feels the only issue the Planning Commission should be addressing during this meeting is the issue of loading and unloading. Liaison Sonnek indicated that the loading and unloading is generally happening in the driveway and there has been an occasion of it happening in the street. Does this one time violation mean that there is instant revocation of the IUP? He wonders why there is no system of progressive discipline regarding this issue. He is in agreement with the applicant when the applicant stated that he feels undue stress when going to work for fear of being videotaped or photographed for possible violations. Liaison Sonnek stated that no one should have to feel that way when going to work.

Planner Perdu reminds the Commission that if there were no violations or complaints this review would not be before the Planning Commission. It is only here because there were complaints and therefore a review is required. Commissioner Wahl reiterated the options before the Planning Commission as modify, revoke, or do nothing with the IUP.

Applicant, Tony Eiden, again cited the logistics of his loading and unloading in the street during regular business operation and that he has been trying to comply as best as possible to the conditions of the IUP as it is written.

Commissioner Gelbmann felt that it was enlightening to have the applicant here to answer all the questions regarding complaints and feels that the complainants may not be aware of the logistics and business operations of the applicant. The applicant stated that he feels they are aware, because they have been complaining for 15 years. The applicant stated that he takes any necessary corrective measures on complaints, and then a new, unrelated, complaint is made against him.

Interim Chair Stahlmann stated that he feels this whole issue is a matter for code enforcement and the Planning Commission shouldn't be making a recommendation for the IUP at this time.

Discussion regarding the remedy options ended and a motion was made by Commissioner Worm to make no changes to the existing IUP, seconded by Commissioner Bathurst, with all present voting aye (5-0).

Council Liaison Sonnek has concerns regarding documentation; follow through, consensus, and final conclusions for both the complainant and the IUP holder. A consensus direction was made to recommend to Council the follow up of reports regarding code enforcement as it relates to IUP's.

VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS

Commission Chair, Elaine Barton, rejoined the Planning Commission meeting.

A. Dangerous Dogs Ordinance Update

City Council Liaison, Tom Sonnek, felt that the Planning Commission might like to review the Ordinance pertaining to Dangerous Dogs. Some changes that the Planning Commission noted are as follows:

In Chapter 95.19 DANGEROUS ANIMALS, section (B) (1), remove the word “uninvited” in the last sentence and change the word “home” to “property”. In section (C) (a) and (b) change “without provocation”, to “when provoked”, in (c) remove the word “domestic”.

In Number (2) POTENTIALLY DANEROUS ANIMAL, (a) after the word “bites”, add “or injury” and remove the word “domestic”, in (d), remove the word “domestic”

In Number (4), UNPROVOKED, section (I), second paragraph, change the second to last sentence from, “...for consideration by the Animal Control Officer without further foundation”, to read “...for consideration by the City Council without further foundation.”

On the Declaration and Appeal forms, make a distinction between the terms “may be” and “will be” at the bottom of the forms in the second to last sentences of the last paragraphs of each form where it reads, “In the event that the order is upheld...” or “...if the designation is upheld...” the portion that follows each sentence needs clarification and/or consistency.

VIII. REPORTS FROM STAFF

A. Maplewood Comprehensive Plan Review

Planner Perdu stated that the City of North St. Paul has received a copy of the draft 2040 Maplewood Comprehensive Plan for adjacent community review. The staff has reviewed Maplewood's Plan and found no conflicts or issues that affect North St. Paul.

Commissioner Gelbmann noted that one of the maps shows Maplewood including private property as park land near Joy Park. Planner Perdu stated that the map is not their Future Land Use Map, however, she will mention it to them.

Planner Perdu also indicated that the City of White Bear Lake has filed for an extension on their Comprehensive Plan.

IX. REPORTS FROM COMMISSIONERS

City Council Liaison, Tom Sonnek, commented on the need for better use of technology both in posting packets and agendas and having those things available during the meetings. He discussed the use of technology in the Council Chambers and larger screens. There is funding provided by the Cable Commission for new monitors, etc., however, that has been put on hold due to changes with the Director of the Cable Commission. Technology changes are something that the City hopes to see in the near future.

Liaison Sonnek also mentioned that the Lake Blvd. street project was approved by City Council. He also briefly mentioned the White Bear Lake versus Department of Natural Resources case has been put on hold for a year. This means that there are currently no watering bans for the City of North St. Paul.

He discussed the recent interest in the development of the City, and feels that the new City Manager has been instrumental in bringing in developers. Randy's Premier Pizza is adding another location. Randy will retain the location in Oakdale and add another location in North St. Paul.

Liaison Sonnek also mentioned that the Lifeguards at Silver Lake Beach will be active June 16, 2018 through August 19, 2018, and also, that Twin Cities Live will be at Neumann's Bar on Thursday, June 21, 2018 from 3:00 p.m. to 4:30 p.m.

He stated that the kick-off to the Car Show for this season started on June 1, 2018, and was estimated at approximately 10,000 people. Also, that Silver Lake Splash will be on a Saturday this year, rather than a Sunday; it will be held on Saturday, July 21, 2018.

Council Liaison Sonnek also mentioned that Christine Osorio, School District 622 Superintendent, was at the last City Council meeting and informed the Council that there will be improvements made to several of the local schools.

Commission Chair Barton inquired about the next Planning Commission Meeting being scheduled on July 5, 2018, and whether or not that date would work for everyone. She was hoping for a quorum at that meeting. Planner Perdu stated that there are items for discussion during the month of July, and that City Planner, Olivia Dorow Hovland, may be available for the July meeting.

Chair Barton also mentioned a flyer that was on the Community Development counter of City Hall, and wanted to inform every one of the event at the VFW being put on by Chef Shawn's BBQ. She encouraged everyone to go and also to stop at the Community Development counter for various events. Chef Shawn also participates in the Car Show event on Friday nights. She also mentioned that there is another meeting for the ADA Transition Plan for Public Right of Way on June 14, 2018, at 6:00 p.m. in City Hall.

X. ADJOURNMENT

There being no further business, motion to adjourn by Commissioner Worm, and seconded by Commissioner Gelbmann, with all present voting aye (6-0). Motion carried to adjourn the meeting at 8:41 p.m.

The next regularly scheduled Planning Commission Meeting is Thursday, July 5, 2018 at 6:15 p.m.

Members, please notify any planned absences to: Karin Derauf
Planning Commission Secretary
651-747-2400
karin.derauf@northstpaul.org

Phillip Hanson

From: Phillip Hanson
Sent: Thursday, June 7, 2018 4:02 PM
To: 'eidentony@yahoo.com'
Subject: Renewal of permit for my next door neighbor.

To whom it may concern,

I live @ 2109 Burke Ave E MSP MN 55109, next door to Tony (to the west side/same side of the street) .

I have no issue with noise at Tony's property.

I have not heard any noise in my neighborhood overall, for that matter, that is disturbing to me or my family.

I am unable to make the meeting today (6/7/18), due to prior obligations with my family, but I wanted my opinion to be known, because Tony does not bother us in any way.

Respectfully,



Phillip (Bud) Hanson
Operations Manager
(651) 262-2195 Direct
Bud@brothersmfg.com

Brothers Services
10900 60th Street N.
Grant, MN 55082
(651) 646-1696 Office
(651) 646-1722 Fax
www.Broserv.com

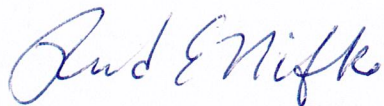
Rich Nifke
2114 Burke Ave. E
North St. Paul, MN. 55109

6-5-2018

To whom it may concern,

I am unable to attend the meeting as I did last year so I am writing to ask you to approve the interim use permit for A&E concrete. I have lived directly across the street from Tony Eiden for going on 18 years and in this time have never experienced excessive noise or dust or any other negative effects from Tony operating his business from his home. I feel Tony and his family are good neighbors and I encourage the city to approve of and support small businesses like A&E Concrete.

Sincerely,

A handwritten signature in blue ink that reads "Rich Nifke". The signature is written in a cursive style with a large, stylized 'R' and 'N'.

To whom it may concern,

We live at 2102 Burke Ave. East.

We do not have any noise issues due to Tony.

Thank You,

Matt and Barb Williams

6-8-18

My name is Mary O'Connor.
I live at 2120 Burke Ave E.

I have no issue with Tony Eiden
getting his Intern Use Permit
being renewed -

There is absolutely no reason why he
can't pursue his occupation.

Thank you!

MEMORANDUM

Date: 7/12/2018
To: Planning Commissioners
From: Olivia Dorow Hovland, City Planner
CC: Craig Waldron, Interim City Manager
Paul Ammerman, Community Development Director
Re: Conditional Use Permit for City of North St. Paul

BACKGROUND

The applicants are requesting a Conditional Use Permit to allow for storage of utility poles and street light standards at the old tennis courts at McKnight Field (2310 10th Ave E).



The city proposes to install two 16-foot gates to drive in and out of. The tennis courts are currently out-of-use as there are newer tennis courts located immediately to the southwest.

This storage use requires a Conditional Use Permit as “essential service structures” are listed as a conditional use in the R-1 zoning district.

Figure 1: Area Map



Figure 2: Zoning Map

FINDINGS

Conditional Use Permit Review:

Standards for the review and approval of Conditional Use Permits are found in Chapter 154.004 Section F of the City Code are listed below in italics. Staff comments on each of the review criteria follow.

2. Standards. The City Council may grant a Conditional Use Permit after considering the recommendation of the Planning Commission and if the use at the proposed location is compliant with the following findings:

- i.) The use is consistent with the general purposes and intent of the Comprehensive Plan;*
The proposal is in harmony and consistent with the 2030 Comprehensive Plan, which includes this site in the City Park and Open Space land use category. The CUP is being requested by the city, to use city land. Specifically, it will repurpose park land that is currently not being used. Condition met.
- ii.) The use will not adversely affect the health, safety, or general welfare of the City;*
The proposed CUP will not create any adverse effects on the general health, safety, or general welfare of the City based on the nature of its use or location. Condition met.
- iii.) The use is compatible with present and future land uses in the surrounding area and reasonable related to the overall needs of the City;*
Land uses surrounding the tennis courts include baseball fields, more tennis courts, parking lots, and a park building. Storage on the tennis court is compatible with these public recreational uses, and meets a storage need. Condition met.
- iv.) The use or appearance is compatible with adjacent properties;*
Based on the description of the use of the facility from the applicant and an analysis of the site conditions, this CUP appears to be compatible with adjacent properties. It is buffered from surrounding privately-owned properties, and will not create a visual blight. Condition met.
- v.) The use can be adequately supported by public urban services including the water supply, transportation system and capacity, police and fire protection, utilities, and sanitary waste disposal and stormwater disposal systems;*
There will not be any increase in need for public urban services. Condition met.
- vi.) The use will not create an excessive burden on existing parks, schools, and other public facilities which serve or are proposed to serve the area;*
There will not be any increase in demand for parks, schools, or other public facilities. Condition met.
- vii.) The use will be sufficiently compatible or separated by distance or screening from adjacent residentially zoned land;*
The use is at least 130 feet from the nearest residentially-zoned properties (Parkside Apartments). Residentially-zoned properties to the north and northeast do not face the tennis courts. Condition met.

- viii.) *The use is in harmony with the general purposes and intent of this Chapter and the zoning district in which the applicant intends to locate the proposed use;*
The use allows the City to store equipment on City-owned property that is otherwise not in use. Condition met.
- ix.) *The use will not create an intrusion of excessive noise, glare, or general unsightliness; and*
The equipment will not cause glare. There will be some truck traffic into and out of the tennis court area to retrieve or drop off equipment. Condition met.
- x.) *If applicable, the proposed use is consistent with officially adopted City plans and overlays.*
Not applicable.

Engineering Comments:

Additional Standards:

The zoning code contains no additional standards for the “essential services” use. The definition of essential services is below:

- **ESSENTIAL SERVICES.** Overhead or underground electric, gas, steam or water distribution systems and structures for collection, communication, supply or disposal systems and structures used by public utilities or governmental departments or commissions or as are required for the protection of the public health, safety or general welfare, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fiber alarm boxes, police call boxes and accessories in connection therewith but not including buildings.

RECOMMENDED ACTION

Based on the findings described in this report, staff recommends the following actions:

1. **Approval** of a conditional use permit for the use of the old McKnight field tennis courts as storage for utility poles and street light standards.



CITY OF NORTH ST. PAUL NOTICE OF PUBLIC HEARING CONDITIONAL USE PERMIT

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of North St. Paul, Minnesota will hold a public hearing to accept public input on a Conditional Use Permit Request for Essential Services at the property located at 2308/2310 10th Ave. East, North St. Paul, MN 55109. The applicant is requesting to store electrical utility poles on a portion of the former tennis courts on the property.

The public hearing will be conducted on Thursday, July 12, 2018 at approximately 6:15 p.m. or shortly thereafter at the City Council Chambers of City Hall, located at 2400 Margaret Street, North St. Paul.

Applicant/Address: City of North St. Paul, 2400 Margaret St. North St. Paul, MN 55109

Such persons with desire to be heard with reference to this matter will be heard at this meeting. Written and oral comments will be considered. Persons who require this information in another format should contact City Hall at (651) 747-2403 at least 72 hours prior to the public hearing.

PUBLISH: June 20, 2018





City of North St. Paul
2400 Margaret Street
North St. Paul, MN 55109
Phone (651) 747-2407
www.northstpaul.org

ZONING & LAND USE APPLICATION

Escrow:
\$1,000 min.
(code 1.2044)

Application Fee:
\$500.00
(code 1.3290)

APPLICATION FOR CONDITIONAL USE PERMIT

The conditional use permit process must be scheduled through the Community Development Planning and Zoning Department. The lead-time for submittals shown on this application is necessary to allow City staff and consultants time to review and comment on documents provided. Additional lead-time will be required if the City determines that the potential impacts require more detailed study, or if review by other agencies is required. Incomplete application submittals will not be forwarded to the appropriate Commission or Council until all required information has been provided.

APPLICANT INFORMATION

Applicant Name: Brian Frandle
Company (if applicable): City of North St. Paul
Address: 2400 Margaret St.
City, State, Zip: North St. Paul, MN 55109
Phone Number: (651) 747-2472
Email: brian.frandle@northstpaul.org
Are you the owner of the property? ☒ YES ☐ NO
(If no, you must supply property owner information)

Owner Name: _____
Company (if applicable): _____
Address: _____
City, State, Zip: _____
Phone Number: _____
Email: _____

PROPERTY INFORMATION

Street location of property (address): 2308/24th Ave E.
Parcel Identification Number (PID) (see Ramsey County website): 122922230092
Legal description of property: see attached
Present zoning of property (see City website): R-1
Size of property (acreage): 14.94 acres
Title information: _____ Abstract _____ Torrens
Property Description: _____ Residential _____ Commercial _____ Industrial ☒ Institutional

PROPOSAL INFORMATION

Application is hereby made for Conditional Use Permit to conduct the following: Electrical pole storage
Applicable Zoning Code Section (reference Zoning Code, see City website): Chapter 154
Appendix 4, Table 3 Essential services

On a separate sheet of paper, please answer the following questions in full detail:

1. Provide a project description.
2. Is the proposal consistent with the general purposes and intent of the Comprehensive Plan?
3. Will the proposal adversely affect the health, safety, or general welfare of the City?
4. Is the proposal compatible with present and future land uses in the surrounding area and reasonably related to the overall needs of the City?
5. Is the proposal or appearance of the proposal compatible with adjacent properties?
6. Is the use adequately supported by public urban services including the water supply, transportation system and capacity, police and fire protection, utilities, and sanitary waste disposal and storm water disposal systems?
7. Will the proposal create an excessive burden on existing parks, schools, and other public facilities which serve or are proposed to serve the area?
8. Will the use be sufficiently compatible or separated by distance or screening from adjacent residentially zoned land?
9. Is the use in harmony with the general purposes and intent of this Chapter and the zoning district in which the applicant intends to locate the proposed use?
10. Will the use create an intrusion of excessive noise, glare, or general unsightliness?
11. If applicable, is the proposed use consistent with officially adopted City plans and overlays?

NOTE TO APPLICANT

All completed application and accompanying materials are due 30 days prior to the scheduled Planning Commission meeting (if applicable). The purpose of this submittal requirement is to allow for:

1. Plan distribution to the City staff, consultants, and applicable government entities.
2. Project review time and generation of staff reports.
3. Project meetings between City staff and applicants.
4. Meeting materials preparation and distribution.

The North St. Paul City Codes guide and enable development activities within the City by ensuring proper and well-coordinated projects. The land use application is the mechanism that allows the City to examine proposed land uses to ensure compatibility with the City Codes, design and development standards, and the surrounding land uses and natural environments. The review is intended to ensure positive growth for the community. All applications are reviewed individually and are evaluated based on their own merit. Each land use request has an associated checklist of required items. Applicants are encouraged to participate in an initial meeting with City staff prior to submitting a formal land use application. The initial meeting is an opportunity to informally discuss the conceptual idea of the proposed project in an effort to reduce delays. Participation in the initial meeting does not provide approval, or guarantee approval of the project. The City shall not accept plans, drawings, or other information related to the project except upon submittal of a formal application. The City reserves the right to reject an incomplete application.

APPLICATION FEE STATEMENT

There may be additional expenses pertaining to project review that is the responsibility of the applicant. All applicable fees must be paid when submitting land use applications and accompanying materials. All fees, which are set annually by City Ordinance, help cover costs incurred by the City to review the application. The City of North St. Paul often uses consulting firms to assist in the review of projects. Please refer to the City's Fee Schedule for information on planning review fees and other applicable costs.

REVIEW REQUIREMENTS

Minnesota State Statute 15.99 requires local governments to review an application within 15 business days of submission to determine if an application is complete and/or if additional information is required to complete the review. Once complete, a formal 60-day review period begins. The City has the ability to extend the review period for an additional 60 days, if necessary, due to insufficient information or scheduling difficulties. Please review the corresponding checklist that goes with the request. All applications must be received by the deadline(s) attached hereto. Failure to submit by the date given may result in a delay of the review by the Planning Commission and City Council.

ACKNOWLEDGEMENT

I certify that all information submitted is true and correct and I fully understand that all information and a complete application must be submitted at least 30 days prior to a Planning Commission meeting to ensure review by the Planning Commission on that date. By signing this form, I hereby acknowledge the receipt of the checklist and procedure for the project to be submitted for consideration. It is my responsibility to check all applicable ordinances pertaining to the application, comply with all ordinance requirements, and submit all required materials. All permit requests should be submitted in a timely manner so as not to cause project delays.

Applicant signature: Brian Frazee Date: 6-11-18

Owner Signature: _____ Date: _____

PROPOSED MEETING DATES:

Design Review Commission: _____ Planning Commission 7/12/18 Parks & Rec Commission _____
Environmental Advisory Commission _____ City Council 7/17/18

FOR OFFICE USE ONLY

Date submitted: _____ Date complete: _____ If incomplete, date letter sent to applicant: _____
Date of public hearing: _____ Publication date: _____ Date notice sent to adjoining properties: _____
Amount fee paid: _____ Date fee paid: _____ Receipt #: _____ File #: _____

Planning Commission action: _____ Recommend approval: _____ Recommend denial: _____
Date applicant/property owner notified of Planning Commission action: _____

City Council action: _____ Recommend approval: _____ Recommend denial: _____
Date applicant/property owner notified of City Council action: _____

Date filed with Ramsey County Recorder office: _____

Erin Perdu

From: Brian Frandle <Brian.Frandle@northstpaul.org>
Sent: Wednesday, May 23, 2018 4:09 PM
To: Erin Perdu
Subject: Tennis Court Storage
Attachments: DOC052318-05232018155721.pdf

Erin,
Attached is a picture of the tennis courts that I would like to use for the storage of our utility poles and street light standards. I have pointed out where we would install two 16' gates to drive in and out of.
Currently we store our poles at the Berwald property in their storage yard. The Berwalds have been very kind in allowing us to store our poles there but they are in need of this space and we need to move the poles and it would be better for us to store city property on city land.

Let me know what else you need from me Erin.

Thank you,

Brian Frandle
Electric Director

direct 651.747.2472
office 651.747.2410
fax 651.747.2445
Brian.frandle@northstpaul.org



Pay Property Tax

Pay Property Taxes

Summary View

Parcel ID 122922230092
Parcel Status Active
Property Address 2310 10TH AVE E
 NORTH ST PAUL, MN 55109-2253
Sec/Twp/Rng 12/029/022
Brief Lot 15 Block 7 of FOURTH ADDITION TO NORTH, ST. P
Tax Description PART OF BLK 1 NO ST PAUL LAND CO RE-ARR OF BLKS 7,15 & 10 NO OF HWY & PART OF BLK 7 NO ST PAUL PROPER RAMSEY CO MN NO OF HWY
 AND IN SD NO ST PAUL PROPER RAMSEY CO MN SUBJ TO HWY LOTS 7 THRU LOT 15 AND ALLOF LOTS 16 THRU LOT 29 BLK 8 AND SUBJ TO HWY THE
 FOL LOTS 3 THRU LOT 25 BLK 9 AND SUBJ TO MCKNIGHT RD AND ESMTS BLK 8 AND LOTS 4 THRU LOT 32 BLK 11 AND ALL OF BLK 12 SUBJ TO RD
 ALLEY ACCRUING AS VAC IN DOC 1869393 LOTS 15 THRU LOT 28 BLK 7
 (Note: Not to be used on legal documents)
Parcel Area 14.94 Acres
Parcel Width 0 Feet
Parcel Depth 0 Feet
 (Note: Width and Depth represent buildable area of lot in the case of irregularly shaped lots)
Tax Classification 5E-Exempt Properties
Roll Type Real Property
Municipality NORTH ST PAUL
School District ISD #622
Watershed METRO WATERSHED
TIF District
Land Use Code 640 E - EXEMPT PROP. OWNED BY MUNICIPALS
 * The Tax Classification is the Assessor Office's determination of the use of the property and is not the same as the property's zoning.
 * Please contact the zoning authority for information regarding zoning.
 * To determine whether your property is Abstract or Torrens, call 651-266-2050

Taxpayers

Please refer to disclaimer at bottom of this page

Type	Name	Address
Owner	City Of North St Paul	2400 Margaret St North St Paul MN 55109-3020

Current Tax Year

*Information listed is as of yesterday. For specific payoff information contact Property Tax Info at 651-266-2000

First Half Due 05-15-2018
Amount Due \$0.00
Penalty & Fees (thru current month) \$0.00
Sub Total \$0.00
Payments Made \$0.00
Balance Due \$0.00

Total Due \$0.00

Tax Summary

	2018 Payable	2017 Payable	2016 Payable	2015 Payable	2014 Payable
Estimated Market Value	\$4,154,300	\$4,154,300	\$4,202,700	\$4,315,500	\$4,315,500
Taxable Market Value	\$0	\$0	\$0	\$0	\$0
+ Net Tax Amount	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
+ Special Assessments	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
= Total Taxes	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
+ Penalty	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
+ Interest	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
+ Fees	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
- Amount Paid	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
= Outstanding Balance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Tax Transaction History

Tax Year	Business Date	Effective Date	Transaction Type	Tax Amount	Special Assessment	Penalty	Interest	Fees	Overpayment	Total
2018	2/28/2018		Original Charge	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2017	2/19/2017		Original Charge	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2016	2/15/2016		Original Charge	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Pole Storage

Legend



Google Earth

Image Landsat/Copernicus

100 ft



MEMORANDUM

Date: 7/12/2018
To: Planning Commissioners
From: Olivia Dorow Hovland, City Planner
CC: Craig Waldron, Interim City Manager
Paul Ammerman, Community Development Director
Re: Code Enforcement Process

BACKGROUND

City staff met to discuss the code enforcement process for conditional and interim use permits. The planning commission requested review and formalization of the process. There has previously been no set way that CUPs and IUPs are monitored and reviewed by staff. The city attorney is working to draft a formalized process for review.

FINDINGS

Staff has prepared a draft review process. Any additional comments the Planning Commission would like to provide can be added.

RECOMMENDED ACTION

None