

**CITY OF NORTH ST. PAUL
PLANNING COMMISSION
RREGULAR MEETING MINUTES
THURSDAY, OCTOBER 4, 2018
6:15 P.M.**

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

I. CALL TO ORDER

Vice-Chair Hamm called the meeting to order at 6:15 p.m.

II. ROLL CALL

COMMISSION

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

STAFF

Erin Perdu, City Planner
Karin Derauf, Commission Secretary

III. ADOPT AGENDA

Motion to adopt agenda by Commissioner Bathurst, and seconded by Commissioner Gelbmann, with all present voting aye (4-0). Motion carried to adopt the October 4, 2018 Agenda.

IV. APPROVAL OF MINUTES

Motion to approve Minutes by Commissioner Gelbmann, and seconded by Commissioner Worm, with all present voting aye (4-0). Motion carried to approve the September 5, 2018 regular meeting minutes as submitted.

V. MEETING OPEN TO THE PUBLIC

Resident, John Schmahl of 2750 Chisholm Avenue, asked a question regarding the previous Commission Meeting, regarding the IUP update issues and when that will go to Council for discussion. Council Liaison, Tom Sonnek indicated that the City Planner still needs to discuss the issue with the City Attorney for advisement on the language updates that will be presented to Council. Breanne Rothstein, from WSB, indicated she would follow up with Erin Perdu on any updates regarding IUP status.

VI. PUBLIC HEARINGS

A. Anchor Block: Planned Unit Development, Preliminary Plat and Right-of-Way Vacation

Breanne Rothstein, WSB, presented the background on the Planned Unit Development, Preliminary Plat, and Right-of-Way Vacation for the redevelopment of the property known as the Anchor Block site, located at Highway 36 and McKnight Rd for the portion of the property south of the Gateway Trail between McKnight Road and 3rd St. N. The proposal includes 100 owner-occupied townhomes, and ten single family homes.

The project is proposed in two phases. Phase 1 is proposed to start in Spring of 2019 with the grading of land, and construction of 48 townhomes as well as 10 single family homes. Phase 2 would begin in Spring of 2020 include construction of the remaining 52 townhomes and associated road and utility improvements. The full project will be completed by Fall of 2020.

The property is zoned MU-3 and is consistent with the Comprehensive Plan, permitted uses, density. The proposed development is designed with open space buffers and meets parking requirements as well. All Streets, driveways, and pavement are proposed to be privately maintained by the homeowners association. Drainage and utility easements are proposed for City access. The City Fire Chief has reviewed the layout of the site plan and has no concerns about the access with regard to emergency protection.

The proposed landscaping plan included 114 trees spread throughout the development. The proposed tree plantings exceed the ordinance requirements.

There is a request for variance from the open space, as the zoning ordinance defines “usable open space” as space that “is intended and maintained for active and/or passive recreation...” The open space proposal on this site plan would be used for storm water drainage including ponding infiltration. So while it is green space, it is categorized differently than open space as per the ordinance.

The architectural design is visually compatible with the surrounding area and will not create any excessive burdens on existing parks, schools or other public facilities in the area.

There is also an Alley Right-of-Way Vacation application that has been submitted for an area that is unused by the City for transportation purposes. The applicants wish to utilize this area for open space and grading/storm water management. The vacation will be contingent on easements being granted back to the City for access to all utilities.

There is also a traffic study that has been ordered by the County that will be completed.

Liaison Sonnek asked for Breanne Rothstein to reiterate the “deviations” from the zoning ordinance. She explained that the only deviation from the MU-3 zoning district is the open space deviation. She stated that the open space requirement specifically discusses “usable” open space and specifies the 500 sq. ft. of usable open space per townhome unit or a total of 50,000 sq. ft. This definition excludes any open space for storm water management. The development includes 123,134 sq. ft. of green space, however, almost all of it is for storm water management which exempts it from being defined as “usable”. As the ordinance defines it, there is no usable open space. Liaison Sonnek asked if the space between the units is considered open space and what does “usable” mean. Breanne Rothstein indicated that it allows for adequate space between building, to allow for views, and to allow for true recreation areas. However, due to this site

being located next to a large recreation area such as the Gateway Trail, this can be viewed as the provided recreation area. This development would be well connected to the trails. Council Liaison clarified that what really needs to be accounted for is recreational space. Planner Rothstein indicated that based on the ordinance that is correct. Liaison Sonnek asked if the proposal was unusual in terms of the amount of open space for a townhome development of this size, basically, asking if the plan proposal is trying to “cram too many units into the property space”. Planner Rothstein indicated that it is not unusual based on the City’s ordinance.

Commissioner Worm asked about sidewalks, and Planner Rothstein indicated that there are sidewalks proposed on the west side of 3rd Street and will provide a critical connection with the Gateway Trail. This sidewalk maintenance will be deferred to the homeowner’s association.

The developers/applicants were invited to give a summary of the proposal for the Planning Commission and members of the audience. It was indicated that the proposal meets the Comprehensive Plan in terms of the urban street scape that the Comprehensive Plan was trying to achieve with 20 units per acre. This is a challenging site with changes in topography so the developers have slopes and retaining walls for added features to provide an aesthetic look. The units range in size from 1,650 to 2,000 sq. ft. and will be a price point of about \$280 to \$310K per unit with customization in terms of finishes on counters and flooring. There are 2 and 3 bedroom options. The size of this site will dictate about 3 to 4 years of work from start to full completion. On the east side of 3rd Street there will be single family homes. The green space does provide areas for small recreation, but that is not the specific designated use and the storm water requirements takes precedence over other landscape featured areas.

Commissioner Gelbmann asked a question regarding traffic flow and how will traffic flow in this area. M & I Development indicated that they met with the Ramsey County Transportation Department and City Engineer and it is noted that because of the area it will not cause an intersection failure, however, they will be conducting a study to find better ways to accommodate traffic in the form of timing changes of the traffic signal located at South Avenue and McKnight Avenue. The total County traffic count is 4,800 vehicles per day on South Avenue. So it is indicated that there will be approximately a 15% increase in traffic on South if all the traffic from the development left at the same time in the same direction.

Commissioner Worm asked about the demographics of who is purchasing townhomes. M & I Development indicated that it is hard to determine as the appeal is a lifestyle choice for someone who wants everything a single family home offers without the maintenance. The most common would be single parents, empty-nesters, and young professionals who don’t want the maintenance issue of caring for a single family home.

Commissioner Gelbmann asked about basements and the developer indicated that they have not determined yet whether they will build on slab or with basements. They do various types of townhome designs, and building with basements may help with grading issues, however, it has not been determined yet.

Council Liaison Sonnek asked about the units per acre. Planner Rothstein said the density is calculated by the total lot area being divided by the number of units. Because this is a Planned Unit Development and the MU-3 district allows for a wide range of flexibility and mix of densities, such as townhomes, this is well within the zoning ordinance requirements.

Council Liaison asked what the buffer will be along McKnight Road. The developer answered that the townhomes will be approximately 10 feet above McKnight along with a decorative

retaining wall. There is additional dedication of roadway along McKnight that is being given to the County for possible long-term sidewalk or trail being added to connect with the Gateway Trail. There will be an aesthetic separation from McKnight that will give added privacy to the residents of the townhome community.

Public Hearing opened at 7:11 p.m.

Members of the audience were invited to come forward with comments. The first resident was Jim Hanson, 2219 Oakhill Place. He stated that there has been a lack of information given to the residents regarding this development. He bought his house for the aesthetic of seeing a sunset and the line of trees as well as the seclusion the trees provide. He has concerns that this development will affect his view. He also has concerns that there will be noise from people in the development, noise from traffic, and he will no longer have the tree buffer to block noise from Highway 36. He also has concerns about how much of the hill will be cut away. He asked how big the retaining wall will be, and will it compromise his view.

Howard Rosta, Attorney for T.A. Shifsky, reminded the Commission and the developer/applicant that T.A. Shifsky's has a long standing history in North St. Paul and their trucks will continue to use the same roads they have always used along 3rd Street. The asphalt company will be operational as usual, with the crushing operation and with the same noise. He indicated that Shifsky's is not opposed to the development coming in to the area.

Stephanie Brantner, resident at 2279 South Ave., is new to the area and has concerns regarding the trees and what will be removed. She has a quiet and very private back yard. She asked what will happen to all the trees and how will that affect her privacy.

Planner Rothstein recommended to the Vice-Chair that questions being posed can be answered at the end if they are specific to the development proposal.

Tanya Ritchie, resident at 2222 Oakhill Ave., is a new resident and bought her house because of the backyard. She said the trees work as a sound barrier from Highway 36. She has concerns that she will hear all the noise. She has concerns of the retaining wall and taking out all the trees with taking out the roots and soil erosion. She has concerns for a sidewalk or trail and who will maintain that. She also asked about replacement for trees.

Glenn Bergman, resident at 2315 South Ave., was told that he has to vacate his shed from its present location. He stated that he has sought legal counsel. He asked if the land has been purchased from Anchor LLC. The developer confirmed that it has not been purchased yet. The resident reminded the Commission to be aware of that fact.

Ivan Beak, resident at 2321 South Ave., purchased his house because there was a vacant lot next to his that had no plans for any development. He has two young active boys and has enjoyed that vacant lot for free space for them to play. His garage is encroaching by 2 inches on to the property being sold and developed, and wants to know why the survey trumps his garage being built years ago. In the future, he may want to put up a fence, and what is the offset from the property line. If it is 2 or 3 feet, he will not have enough space to put up a fence. He is also concerned about water issues and drainage coming on to his property.

Council Liaison Sonnek commented to Planner Rothstein to contact the City Engineer to look at any drainage issues and garage encroachment. Planner Rothstein indicated she would pass the

information along to the City Engineer, and also that any drainage issues are part of the storm water management plan.

Joe Florian, resident at 2367 7th Ave., he has a concern regarding the trees and doesn't want to see the trees cut down. Cutting down the trees, this will affect the wild life. This area could be developed into a recreational area rather than a housing development.

John Schmahl, resident at 2750 Chisholm Ave., indicated that he could not find the information for the hearing on the website.

Public Hearing Closed at 7:36 p.m.

Council Liaison asked which parcels are City owned. Community Development Director, Paul Ammerman, indicated that the east and west corners on South Avenue at 3rd Street are City own properties. Public Works is determining alternate spaces for snow removal.

Commissioner Worm asked about the single family lots and what the sizes are. The developer indicated that the existing lots are 40 ft. x 125 ft. There is also a ROW that will not be vacated. The vacation is to the south of these lots. They will be some reconfiguring of the lots to account for an additional lot and work them into the overall plat.

Liaison Sonnek asked if the parcels on the east side of 3rd Street are all part of the same parcel. The developer indicated that they are all owned by Anchor Block LLC, and the parcel is being sold all together, including the lots on the east side of 3rd Street. Council Sonnek asked if there is a way to save some of the trees. The developer indicated that they are willing to look at a different variation of the plans being considered and see what can be worked out.

Council Liaison Sonnek indicated to the members of the audience that this property is zoned MU-3, and a residential area is one of the best possible scenarios for outcome of the development of this property. He also indicated that Anchor Block currently owns the property and could themselves remove all the trees as it is their right as the property owner. He reminded the audience that a new owner can be encouraged to spare trees, however, it is their right as well, to remove trees as the owner of the property.

Council Liaison asked Planner Rothstein if there are changes to the plat, is a new Public Hearing necessary. Planner Rothstein indicated that if there are substantial changes, such as new infrastructure requirements, or number of units, then yes, another Public Hearing would be required, however, if there recommendations that the Commission would like to indicate, then those can be added as contingencies to the motion.

Commissioner Gelbmann commented that he understands that the residents have some very genuine concerns and reminded the audience that good communication can go a long way between parties. He indicated he would like to see additional communication between the developers and the residents and feels the resident's concerns can be addressed. Council Liaison Sonnek suggested an Open House for the residents. Planner Rothstein indicated that all the information can be available on the website, and she would be happy to answer any questions after the meeting. Liaison Sonnek asked the developer if they would be available to present the large size drawings of the plans and provide that information to the residents. Planning Commission Secretary Derauf indicated that she offered to make copies of the proposal with maps prior to the meeting and if any resident's wanted copies, she would stay and make as many further copies as necessary.

Steve Schwanke, from Inland Developers who is working with M & I Developers and has the purchase agreement from Anchor Block LLC, suggested an Open House prior to the City Council Meeting and suggested Monday, October 8th, Tuesday, October 9th, or Thursday, October 11th of next week for the Open House.

Council Liaison Sonnek indicated that an Open House would be readily acceptable, and will solidify a date for the following week and make a means to notify the residents of the meeting date.

Commissioner Gelbmann made a motion, and seconded by Commissioner Worm, with all present voting aye (4-0). Motion carried to recommend to Council, the approval of the Planned Unit Development, Preliminary Plan and Right-of-Way Vacation request for the Anchor Block redevelopment along with the following conditions:

1. Execution of a Developer's Agreement with the City of North St. Paul.
2. All utilities (including electric and cable services) shall be installed underground.
3. Conformance with building height requirements (2 ½ stories or 35 feet maximum) will be verified at the time of building permit application.
4. Have an Open House for residents to review the visual plans.
5. Continue to work with the developer/builder in saving as much of the existing natural resources as possible.

VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS

None

VIII. REPORTS FROM STAFF

None

IX. REPORTS FROM COMMISSIONERS

Council Liaison Sonnek reported that there are additional projects coming for North St. Paul. There are developers looking at the old City Hall site, as well as the dental site on the corner of Seppala and Margaret St. Also, the old Community Center building is being used by the volleyball school and they have made improvements on the building.

X. ADJOURNMENT

There being no further business, motion to adjourn by Commissioner Bathurst, and seconded by Commissioner Worm, with all present voting aye (4-0). Motion carried to adjourn the meeting at 8:09 p.m.

The next regularly scheduled Planning Commission Meeting is Thursday, November 1, 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