

**CITY OF NORTH ST. PAUL
PLANNING COMMISSION
REGULAR MEETING MINUTES
THURSDAY, MAY 28, 2020
6:15 P.M.**

I. CALL TO ORDER

Chair Barton called the meeting to order at 6:15 p.m. The meeting was conducted via Zoom.

II. ROLL CALL

COMMISSION

Elaine Barton, Commission Chair

Patrick Blees, Commissioner

Rick Gelbmann, Commissioner ABSENT AND EXCUSED

John Monge, Commissioner

Tom Sonnek, Commission City Council Liaison

Michael Stahlmann, Commissioner

Allan Worm, Commissioner ABSENT AND EXCUSED

STAFF

Erin Perdu, City Planner

Ryan Krzos, WSB

Olivia Boerschinger, Planning Secretary

III. ADOPT AGENDA

Chair Barton requested the follow Agenda addition:

-Item 7B. Selection of Vice Chair

Motion to adopt agenda by Commissioner Monge, and seconded by Commissioner Blees, with all present voting aye (4-0). Motion carried to adopt the May 28, 2020 Agenda as amended.

IV. APPROVAL OF MINUTES

Motion to approve Minutes by Commissioner Blees, and seconded by Commissioner Monge, with all present voting aye (4-0). Motion carried to approve the May 7, 2020 regular meeting minutes as submitted.

V. MEETING OPEN TO THE PUBLIC

There were no comments.

VI. PUBLIC HEARINGS

A. Text Amendment – Animal Shelter

City Planner Erin Perdu reviewed a potential Ordinance amendment that would separate “animal shelter” from higher impact uses like animal boarding and kennels and would allow this use in all MU districts. She added this issue was raised during City Staff’s consideration of an animal shelter application.

Chair Barton opened the public hearing at 6:25 p.m.

There were no comments.

Chair Barton closed the public hearing at 6:26 p.m.

Chair Barton stated the “animal shelter” category is separate in the uses chart. Ms. Perdu stated a boarding facility or kennel could potentially have an outside area which would be disruptive in the downtown area. She added the definition of “animal facility” includes animal shelter, boarding facility and animal day care.

Chair Barton stated the chart should read “animal boarding facility: kennel day care”, and “animal boarding facility: animal shelter”. She added it would not be necessary to change the definition of animal boarding facility. Ms. Perdu stated she does not believe the definition is confusing but agreed to make the change

Motion by Commissioner Monge, and seconded by Commissioner Stahlmann, with all present voting aye (7-0). Motion carried to recommend City Council approval of a text amendment to allow animal shelters as a conditional use in all MU districts.

VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS

A. Conditional Use Permit – Caring for Cats, 2550 7th Avenue

Ms. Perdu reviewed a request from Caring for Cats Shelter and Rescue to move into an existing building at 2550 7th Avenue. She added no outdoor modifications are being requested. The use is consistent with Comprehensive Plan guiding, and this type of pedestrian friendly use would enhance the downtown area. The building is more than 150 feet from residentially zoned properties and will not produce exterior impacts such as noise glare or unsightly areas.

Ms. Perdu stated City Staff recommends Planning Commission recommend approval to the City Council of a Conditional Use Permit for Caring for Cats.

Commissioner Blees stated the map on page 22 of the meeting packet still shows the wrong address and wrong property. Ms. Perdu stated that map was submitted as part of the CUP application. She added the map in the staff report is correct.

Chair Barton asked what hours the adoption center would be open. Ms. Perdu stated she believes they will have regular business hours.

Motion by Commissioner Brees, and seconded by Commissioner Monge, with all present voting aye (4-0). Motion carried to recommend City Council approval of a Conditional Use Permit for Caring for Cats at 2550 7th Avenue.

B. Selection of Vice Chair

Chair Barton asked whether any Commissioners are interested in serving as Vice Chair. She added the Vice Chair will conduct the meeting in the Chair's absence.

Motion by Chair Barton, and seconded by Commissioner Stahlmann, with all present voting aye (4-0). Motion carried to nominate Commissioner Monge to be Vice Chair.

VIII. OLD BUSINESS

A. 2020 Zoning Updates Discussion

Ryan Krzos, WSB Planning Consultant, provided an overview of the Zoning Ordinance for the Planning Commission's feedback and comments. He added City Staff did some follow-up on lot size analysis, made updates and added some definitions. He noted the purpose of this update is to fulfill recommendations in the Comprehensive Plan.

Mr. Krzos stated City Staff provided an additional map that shows properties 100 feet wide or more, that could potentially be subdivided if the minimum lot width were to be lowered to 50 feet.

Chair Barton asked whether any information was available on shoreland regulations for properties around Silver Lake. Ms. Perdu agreed to do that for next time.

Mr. Krzos stated a definition for live/work units was added after the Planning Commission's discussion regarding townhomes and 2-family uses. He added the PUD section was moved because PUDs can also be mixed use.

Commissioner Blees asked why a 2-family dwelling is a conditional use in the R-3 district but permitted in the Multi-Family (MU) district. Mr. Krzos stated the R-3 is intended to be a higher density district. He added this is a carryover from the existing Code, and most Zoning Codes would allow it as a permitted use.

Chair Barton stated the R-3 zone was essentially only multi-family and apartment buildings. She added she does not know if there are any single-family lots in the R-3 district. She noted, if there are no single-family lots in the R-3 district, it is questionable whether they should be allowed now.

City Council Liaison Sonnek stated there might be nonconforming single-family properties in an R-3 area. He asked whether it is always acceptable to have less density than what an area is zoned for, even if the Comprehensive Plan calls for higher density. He stressed the importance of being consistent. He noted the easiest solution would be to permit single-family dwellings in the R-3 zone.

Chair Barton stated townhouse dwellings could be as small as 2-family units. She added townhouses are not permitted in the R-3 district. She noted other types of developments like cottages would also be single-family dwellings. She added she is unsure why 2-family use is conditional.

City Council Liaison requested clarification regarding “lodging house” use. Mr. Krzos stated “lodging house” is defined as any dwelling other than a hotel that can accommodate 1 or more people not to exceed 8 people. Ms. Perdu stated the intent of the “lodging house” definition was to capture short-term rentals. She added City Staff will review that definition.

Ms. Perdu stated it might be necessary to look at the definition of “family”, and how many unrelated people are living in one house. She added the intent

Mr. Krzos stated language was changed related to “civic and institutional” uses, to correspond with State definitions for day care facilities and day nurseries.

Chair Barton asked why public parks, playgrounds or open space are not allowed in MU1 or MU2 districts. She added it seems that would be a use that would be allowed in those districts. Mr. Krzos stated there are not many MU2 properties, and MU1 is the downtown area. Ms. Perdu agreed. Mr. Krzos stated a park or open space would be allowed if it was an accessory to a development.

Mr. Krzos stated the “medical use” category was simplified into “clinic use” to make it easy to administer. He added this would include places that are very defined in their scope. He noted “utility uses” are also simplified onto one line.

Chair Barton stated veterinary clinic should be considered in the long term, if the City gets a request for one in the near future. She added animals are treated and sent home immediately, and there is no boarding or outdoor use.

Mr. Krzos stated, under “Commercial uses”, “lodging general” has been more clearly defined, and a placeholder was added for “short term rental”. A definition for “coffee shop/tea house” was added, and the definition of “cultural center” was changed so it does not overlap other uses, and “catering” was defined. He added catering might considered for restriction in the M1 district, since it is usually not pedestrian-related. He noted it could be kept as a permitted use if there are catering businesses that are also restaurants.

Mr. Krzos stated he would include the animal boarding facility/animal shelter schedule for the next review. He added “educational services” was added to accommodate dance studios and karate studios in the MU district.

Mr. Krzos stated the “bank/financial” definition does not include pay day loan businesses. He added pawn shops are also excluded, which would be a retail use. He made a note to remove the last sentence in the definition. Chair Barton stated the sentence could be changed to say “does not include pawn shops”.

Mr. Krzos stated definitions were modified or added for retail, outdoor recreational uses and transportation uses.

Chair Barton requested that the number of allowable automobiles or trailers for storage or display should be changed to “2 or more” to make it more specific.

Chair Barton stated the definition of “parking facilities” should include differentiation between commercial and municipal parking. She requested that the definitions for parking be reviewed and consolidated.

Mr. Krzos stated the definition of “limited production and processing” was changed to reflect how it is administered. He added the previous version allowed for self-storage facility, but there was already a definition for mini-warehouse. He added self-storage facility was added as a conditional use in the MU3 district, and a definition for “warehousing” was added.

Mr. Krzos stated, under Accessory Uses, definitions were added for “dependency living arrangement”, “geothermal”, “yard sale” and “bulk storage of liquids”. The term “tennis court” was changed to “sport court”.

Chair Barton asked whether other temporary events are permitted that would be similar to a yard sale. Mr. Krzos stated allowable temporary outdoor events include Christmas tree sales, pumpkin sales, church events, promotional events, and travelling carnivals.

Chair Barton asked whether there are supplemental regulations for surface parking. Mr. Krzos stated it seems unnecessary to list that as a permitted accessory use.

Chair Barton stated composting is permitted with regulations, but it is included in Recycling or Waste Management and not in Zoning regulations. She asked whether it could be added. Mr. Krzos confirmed that could be denoted.

Mr. Krzos stated, under “Housing policy”, “family” is defined as “one or more persons related by blood, adoption or marriage”, with a limit not to exceed 3 unrelated people living together as a housekeeping unit. He added other communities have a limit of four unrelated people and he recommends that change.

Ms. Perdu stated the second bullet point should be clarified to read “no more than two adults are assumed to be related by blood, adoption or marriage”.

Mr. Krzos stated it may be appropriate have a policy that would give bonuses to achieve affordable housing goals. He added, for example, the City of Edina offers increased building height if a development has more than 20 units and percentages that are affordable to 60% AMI. He noted the Zoning Ordinance is the appropriate place for that type of policy.

Chair Barton stated the PUD process addresses incentives. Ms. Perdu agreed, adding the PUD furthers the goals of the Comprehensive Plan, including affordable housing, and clarifying the PUD language will help. She asked whether it should be added to the Zoning Ordinance when it

is an HRA issue. She noted allowing bonuses in certain zoning districts would alleviate the need for someone to request a PUD.

Mr. Krzos stated, with regard to alternative neighborhoods in the housing policy, the trend toward tiny houses and cottage developments is growing, and allowances and standards should be considered. He asked whether there is interest in allowing alternative neighborhoods by something other than a PUD. He added some communities use an administrative permit, or conditional use permit.

Commissioner Blees stated he thinks that type of community development is a good thing, but it would be helpful to review examples from other communities.

Chair Barton stated she would be cautious about an administrative process, as neighborhoods are settled and there is not a lot of developable area. She added the CUP process or special infill provides input when it relates to density. She noted she agrees the concept is intriguing. She stressed the importance of having a good understanding of what could be allowed.

Mr. Krzos stated the PUD has a lengthier approval process than the CUP, so that would be one way to push incentives. Ms. Perdu agreed the CUP is easier to evaluate and the standards are clearer.

Ms. Perdu stated tiny houses have been discussed as an option to be allowed as special infill around town, that would not be a whole development. She asked whether there is interest in looking into it further.

Chair Barton stated she would not support a house that is 200-300 square feet. She asked what the minimum square footage would be, and how a “tiny house” is defined.

Mr. Krzos stated a tiny house is generally 900 square feet for a single story. Chair Barton stated anything below that would not be acceptable. She added she is unsure what would be an appropriate size.

Ms. Perdu stated the 900 square foot minimum can remain in place, and applicants can request a variance.

Mr. Krzos stated there is a mechanism for rehab of smaller lots without a variance. He added an example would be having a stratified standard where smaller or narrower lots would have less setback requirement.

Chair Barton stated this would affect many lots if the minimum lot width is lowered to 50 feet. She added setbacks have already been reduced by 3 feet.

Ms. Perdu stated a housing need goal in the Comprehensive Plan was to preserve existing affordable housing in the single-family areas. She added City Staff can bring back examples of other zoning ordinances. Chair Barton agreed.

Chair Barton stated setbacks and open space are impacted when lot widths are down to 45 feet. Ms. Perdu agreed, adding setback requirements of 6 feet on either side brings the building envelope to 33 feet wide.

Chair Barton asked whether infill could be an option for certain types of housing, like small houses or a small house development. Mr. Krzos stated a reduction in unit size could be a required component.

Commissioner Stahlmann logged off the meeting, and called in via phone at 7:45 p.m.

Mr. Krzos stated many communities do not allow small houses in their lowest density districts, or larger low-density lots. He added this type of development would be unique to North St. Paul. He noted there is a community in Wisconsin that allows it as a conditional use.

Chair Barton stated this could be worded as “single family attached homes”, and allowable in the R-1 district. She added that is the primarily single-family home district. She noted the difference between a townhome and a duplex is land ownership and separate entrances for each unit.

Mr. Krzos stated the Planning Commission should consider whether it would be appropriate to put a duplex on a 50-foot wide lot. He added that could be a permitted use, and standards would need to be determined.

Chair Barton stated the term “duplex” usually means two side-by-side townhomes that are both single family dwelling units attached to each other.

Ms. Perdu stated it will be necessary to develop a standard for the minimum allowable lot size for a development in the R-1 district.

Ms. Perdu stated townhome structure and townhome development are different in terms of land ownership, and private exterior access. She added the duplex lot is typically not owned by the occupant.

Chair Barton stated there are duplexes in R-1 zones that would be considered townhomes that have their own entrance from the outside, but are not on their own lot. She added she believes that is the distinction.

Mr. Krzos stated North St. Paul does not allow upper/lower townhomes, and 2-5 units per building. He asked whether the current definition is realistic, and whether it should be expanded.

Mr. Krzos stated 3 units are currently allowed but advised against making a distinction between a 3-unit attached building as a townhouse.

Chair Barton stated Oakdale defines townhome as a single structure consisting of 3 or more dwellings, with separate entrances. She asked whether they allow the same style of home in other districts. Mr. Krzos confirmed this, adding the R-1 district allows single family, while the R-2 district is 2-family detached, and R-3 is 3 families and above.

Chair Barton stated she would not want to disallow a townhome development with 2 side-by-side units in the R-2 or R-3 districts.

Mr. Krzos asked whether upper/lower form should be allowed. Chair Barton stated that was a carryover from when there were no townhomes in North St. Paul.

Ms. Perdu stated the City can regulate the number of units, density, and setbacks, but not the ownership arrangement.

Chair Barton asked whether condominiums are allowed. Mr. Krzos stated multi-family condos are allowed in the R-3 district.

Ms. Perdu asked whether townhomes should be allowed in the R-1 district. Chair Barton stated they should be allowed along with duplexes.

Ms. Perdu stated this can become an issue related to when a development is defined as “multi-family”. She added City Staff can do more research and come back to that.

Mr. Monge stated the current definition allows up to 5-family attached townhouses in the R-3 district. He added you could not build a townhouse building with more than 5 units.

Ms. Perdu stated the issue is whether a 5-unit townhouse building is allowable in the R-1 district, and whether 2 attached townhome units would be allowed.

Commissioner Monge stated the term “townhome” indicates more than 2 units in a development. He added 2 attached homes could be called a “twinhome”. Chair Barton agreed. Mr. Krzos agreed to review these definitions.

Mr. Krzos stated performance standards for townhouse uses include an open space requirement of 500 square feet. Chair Barton stated she likes the percentage approach of total development area, rather than an arbitrary number, especially since lot sizes have been changed. Mr. Krzos agreed, adding a specific number does not make sense since the lot sizes have changed. He agreed to look at the potential use of percentage of total area.

Mr. Krzos stated there is a requirement for garages for townhomes. He asked whether that is a relevant requirement. Commissioner Monge stated garages should be a requirement.

Mr. Krzos stated the more relevant question is public road access, and whether it is contradictory to require that each townhome has access to a public road.

Chair Barton stated it is worded that way in the performance standards and should be reviewed. Mr. Krzos agreed.

Chair Barton asked whether the diversity requirement is too restrictive and should be clarified. Mr. Krzos stated the requirement for aesthetic diversity does not include specifics for how to achieve that goal. He agreed to review this item and provide additional feedback.

Chair Barton stated, in terms of definitions, it would be a good time to update the definition of “front yard”. Mr. Krzos stated that is on the list of items for review.

Mr. Krzos thanked the Planning Commission for their feedback and comments.

IX. REPORTS FROM STAFF

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-None.

X. REPORTS FROM COMMISSIONERS

a. Update from City Council Liaison

City Council Liaison Sonnek stated the City Council met last week and voted to move forward with agreements related to the Uptown Commons development. He added the chicken and bee Ordinance passed on a 3/2 vote. He noted the City Council held a special meeting on May 26, 2020 to consider drafting a letter to the Governor in support of re-opening local businesses.

Chair Barton asked for an update on the City Council’s discussion about supporting local bars and restaurants by allowing them to operate outside. City Council Liaison Sonnek stated some local bars and restaurants already have patio seating, but there are some that do not. The City Council voted to allow local bars and restaurants to use public space either at the front or rear of their business to establish outdoor seating areas. He stressed the importance of being flexible and serving people outside on a temporary basis.

City Council Liaison Sonnek stated the City Council voted to allow food trucks to operate in North St. Paul, and City Staff will work with food truck owners to work out logistics.

Planning Secretary Olivia Boerschinger stated City Staff wanted to come up with an organized plan for having food trucks in the community. She added three food trucks have gone through the vendor license procedure and are being allowed to operate in North St. Paul.

XI. ADJOURNMENT

There being no further business, motion to adjourn by Commissioner Monge, and seconded by Commissioner Blees, with all present voting aye (4-0). Motion carried to adjourn the meeting at 8:30 p.m.

The next regularly scheduled Planning Commission Meeting is Thursday, July 2, 2020 at 6:15 p.m.

Members, please notify any planned absences to: Olivia Boerschinger
Planning Commission Secretary
651-747-2400
Olivia.boerschinger@northstpaul.org