

**CITY OF NORTH ST. PAUL  
PLANNING COMMISSION  
SPECIAL MEETING MINUTES  
THURSDAY, MAY 20, 2021**

**I. CALL TO ORDER**

Chair Barton called the meeting to order at 6:43 p.m. The meeting was conducted via Zoom.

**II. ROLL CALL**

Planning Secretary Lisa Ritchie stated Commissioner Gelbmann has joined another meeting link that was posted in the online meeting packet. She added she sent him an email to use the link from the Agenda.

COMMISSION

Elaine Barton, Commission Chair

Patrick Blees, Commissioner

Erik Brenna, Commissioner

Rick Gelbmann, Commissioner **Joined the meeting at 6:46 p.m.**

John Monge, Commission Vice Chair

Lisa Wong, Commission City Council Liaison

Andrew Wise, Commissioner

Allan Worm, Commissioner

STAFF

Eric Zweber, Planning Consultant

Planning Secretary, Lisa Ritchie

**III. ADOPT AGENDA**

The Agenda was accepted without a motion.

**IV. APPROVAL OF MINUTES**

-None.

**V. MEETING OPEN TO THE PUBLIC**

There were no public comments.

**VI. PUBLIC HEARINGS**

- A. ZCU-21-3 Conditional Use Permit and Structural Height Variance to Allow T.A. Schifsky & Sons, Inc. to Install Three (3) new silos and a scale.

Commissioner Gelbmann joined the meeting at 6:46 p.m.

City Planner Eric Zweber reviewed a request for a Conditional Use permit from T.A. Schifsky & Sons, Inc., located at 2310 Highway 36 E. At the time of the public hearing notice publication, the applicant was discussing silos that would have been 60 feet tall, which would require a height variance. The applicant has since submitted plans for 55-foot-tall silos, which would not require a variance.

Mr. Zweber stated the project includes the addition of three (3) 55-foot-high silos, a scale, and associated equipment, and is a legal nonconforming use in the MU-3 District. Schifsky's is currently operating as an asphalt plant, crushing operation and related uses. Typically, a nonconforming use would not be allowed to expand, but City Code contains an exception for expansion within the MU-3 Zone, with 4 requirements: not more than 10% of the gross floor area of the building; not more than 10 % of the floor area of the entire site; the use is otherwise consistent with other chapters of City Code; and the modification must be an improvement of the area, leading to a more rapid implementation of MU-3 objectives in the Comprehensive Plan.

Mr. Zweber reviewed a request for Conditional Use Permit for outdoor storage. The proposed silos and associated equipment are considered outdoor storage, which is a conditional accessory use, and silos are considered an accessory structure. He reviewed supplemental regulations for outdoor storage: it must be located outside the front yard, and not between principle building and abutting street; it must be completely screened from adjacent streets or sidewalks, walkways or parks; it must be screened from abutting residential uses with a wall, solid fencing, hedge or equivalent material six feet in height.

Mr. Zweber showed a photo of the type of structure that is proposed to be installed, depicting three adjacent silos with a scale underneath the silos. A 16-foot concrete wall is proposed for screening along the south half of the site, and 175 feet along 3<sup>rd</sup> Street. The City has requested that the southern access be relocated to align with the New Anchor Drive, which may adjust some of the screening. City Staff has requested that the applicant provide details of the proposed screening wall.

Mr. Zweber stated there are no proposed changes to onsite landscaping, as the screening wall will provide an appropriate buffer. There will be no additional parking requirements as no on-site employees will be added. The increased production that will result from having additional silos will allow the applicant to be more competitive for contractors, but the increase in business will not be realized on an hour-to-hour basis.

Mr. Zweber stated there are no proposed modifications to site access, but circulation within the site will be adjusted to accommodate the new silos. City Staff is recommending that all access be paved as most of the site is unpaved. No major changes to drainage areas are being required. Condition of approval includes appropriate approvals from all other agencies.

Mr. Zweber stated there are no proposed changes to lighting on the site.

Mr. Zweber stated outdoor storage is proposed to be located outside of the front yard setback, and not between the principal building and abutting street; the outdoor storage is proposed to be completely screened from adjacent streets, sidewalks, walkways and parks, and be screened from abutting residential uses with a wall, solid fencing, hedge or equivalent material, six feet in height.

Mr. Zweber stated the applicant will need to request a variance for a wall that is taller than 6 feet. The standard is that the wall cannot exceed 6.5 feet.

City staff recommends conditional approval of this conditional permit request with 6 conditions included as listed in the staff report – a revised set of plans to be submitted that incorporates recommendations; the southern access shall be relocated to align with Anchor Drive; the site plan shall be updated to include paved surfaces at each entrance; all necessary permits and approvals must be obtained for the project; details of the screening wall shall be provided by Wednesday, May 26 for inclusion on the June 1 City Council meeting agenda; and the proposed screening wall shall be located on the property of 2310 Highway 36 E.

Mr. Zweber stated a new 7<sup>th</sup> condition is being requested, that the applicant shall apply for and receive approval of a wall height variance.

Commissioner Monge requested clarification regarding page 10 of 13, 2<sup>nd</sup> to the last line, which states “the number of silos increases day to day operations.” He asked whether that should read “does not increase”.

Mr. Zweber stated the increased number of silos could substantially increase their day-to-day operations. He added, however, peak hour activity will not change.

Commissioner Monge requested clarification regarding Lighting on page 11. Mr. Zweber stated the applicant is not proposing any changes to lighting.

Commissioner Monge requested clarification regarding the drawing on the last page of the application. He asked if the drawing represents the proposed change to the southernmost access onto 3<sup>rd</sup> Street, moving it 65 feet south, or is it part 1 of the Conditions.

Mr. Zweber stated the lines shown for the southern access on their site plan is the existing southern access.

The applicant thanked the Planning Commission for taking the time and consideration to review this request. The screen wall proposal could be revised to fall within compliance so a variance would not be necessary. Their goal is to improve the site for better use, but the screen wall could be revised to fall within compliance.

Chair Barton opened public hearing at 7:08 p.m.

Commissioner Gelbmann stated there was another individual, Mario, who was in the other Zoom meeting with him. He added he is trying to contact Mario to give him the correct meeting link information. Mr. Zweber stated Mario has joined this meeting.

Mario Gonzalez stated he has joined the meeting, and he is just observing. He thanked Commissioner Gelbmann for his help.

Chair Barton closed the public hearing at 7:10 p.m.

Chair Barton asked how the height of the silo is measured. Mr. Zweber stated the top elevation of the structure is a conveyor that is visible running across all three silos.

Commissioner Worm asked how the height can be reduced from 60 to 55 feet, and whether they increased the diameter. Mr. Zweber stated the leg height has been shortened.

Chair Barton stated, for purposes of clarification, the conditional use is permit request is for outdoor storage. She asked why there is no landscape plan proposal, which is a requirement in the Mixed Use district, and would show more detail about potential screening or fencing.

Mr. Zweber stated this application, due to the scale of expansion of the use, falls into the Conditional Use amendment category which does not require a landscape plan. He added, if the wall is adjusted to meet the Code at 6 feet, it would be appropriate to require a landscape plan.

Chair Barton stated a landscape plan is a requirement of the CUP process and can be required for improvements or alterations as well. She added it is mainly tree requirements.

Commissioner Monge requested clarification regarding the 16-foot wall, and whether that was a requirement of the City or requested by the applicant. Mr. Zweber stated the applicant indicated he was going to install a wall that is similar to the wall at the City's Public Works facility, which exceeds 6 feet in height.

Commissioner Gelbmann asked whether the proposed wall would have a setback similar to the wall at the City facility. Mr. Zweber confirmed this.

Commissioner Gelbmann stated his impression when biking along the trail is that he does not want it to become a rigid corridor, and some variability in the placement of the wall would be helpful in terms of breaking it up, and not look quite so monolithic. He added variability in the placement of the wall could provide opportunities for landscaping, vegetation and plantings.

Chair Barton stated the only type of fencing allowed in the MU-3 District is decorative fencing. She added she is struggling with envisioning this plan. She noted it appears that a portion of the wall would provide screening from the trail, but she did not see that in the packet. She added condition #3 also appears to be something new.

Mr. Zweber stated the requirement for the wall and property line was added to allow for southern access.

Commissioner Monge asked why the applicant is interested something similar to the City facility's 6-foot wall. The applicant stated they do not need a 16-foot wall, but they would like to utilize the screen wall to make it functional, which would require more height. He added a pre-cast wall can be used for storage and shelter for vehicles, which is why they chose the 16-foot height. He noted pre-cast panels can have some architecture added to them.

Chair Barton stated there is no way to completely screen outdoor storage, and sometimes landscaping can help, or other types of articulation, to draw the eye away from a blank wall.

Chair Barton stated she would like to have more information about this piece of the project, as screening is a key issue for this particular use. She added the City Council just approved the establishment of an Arts and Design Commission that could be enlisted as this could be a spot for a potential mural.

Commissioner Gelbmann stated Schifsky's has been a part of the North St. Paul community for many years. He added there are many different types of art that can be put on silos, and artwork could be commissioned that fits with the City's zoning regulations to be visible on the silos from Highway 36 as place of interest in North St. Paul. He asked whether the applicant would be amenable to this proposal

The applicant confirmed that they are open to such discussions, as they are a family business, and they want to be respectful of the community's input, giving consideration to plans that make sense for their business and for the City of North St. Paul. He stated a landscape plan was not put together, but that can be addressed by adding some trees and landscaping as part of the project.

Chair Barton stated she is struggling with providing a recommendation to the City Council without any additional details.

The applicant stated they can conform to the screening wall requirements to remain in compliance.

Chair Barton stated some landscaping would add interest, as there is less screening at ground level.

Commissioner Blees stated the normal landscape Ordinance would require landscaping on the property line, and the proposed wall would be located just inside the property line. The presentation showed the wall was very near the property line, but the dimensions were not defined, and a combination of landscaping and wall would be a good idea.

Commissioner Blees stated he supports the idea of a mural or artwork on the silos, as suggested by Commissioner Gelbmann.

The applicant stated they would consider adopting those items, and they are open to discussion. He added the Planning Commission's feedback and comments is much appreciated, as they want to create a project with functionality that makes sense for their business and the community.

Chair Barton stated asked whether this item is planned for review by the City Council at their June 1, 2021 meeting. Mr. Zweber stated the conditions state that information must be provided by the applicant by May 26 to be included in the June 1 City Council packet.

Chair Barton asked whether this item could be tabled to the Planning Commission's June 3 meeting for further review before it goes to the City Council in the middle of June. She asked whether that would cause problems. She expressed concern that the Planning Commission should review detailed plans and provide recommendation to the City Council, but there are no detailed plans to review.

Mr. Zweber stated a 60-day extension would be required, but there is time under the 120-day extension timeline to table this item.

The applicant stated a delay to mid-June would put a wrinkle in the process, as timing is essential with the current state of the economy.

The applicant stated they can provide detailed plans by May 26 including an updated view of what the screen wall would look like at 6 feet, in compliance with current regulations, and a civil drawing showing the wall with landscaping, plants and trees.

Chair Barton stated her concern is that if the Planning Commission reviews this issue again on June 3, a recommendation would not be provided to the City Council until June 15.

Commissioner Blees agreed with Chair Barton that it would be useful for the Commission to be able to provide confident recommendations. He added he is not hesitant to make an affirmative recommendation, but it is dependent upon details that the Commission does not currently have.

The applicant stated the timeline works with what they are trying to accomplish. He added he is concerned about coming up with design plans for a mural or art on the silos. He noted they would be amenable to that proposal, but he does not know what it would be at this point.

Commissioner Gelbmann stated the Commission would only be requesting a commitment from the applicant that they will work with the City design team to come up with an art plan.

Mr. Zweber stated the fence and landscaping, and the mural would be two separate conditions. He added the mural would be a commitment to work with the City, but no details would be required. He noted the fence and landscaping plans would be required.

Chair Barton stated the City does not have requirements for murals or wall art designs.

Commissioner Brenna asked why the screening on the west stops just east of the new silos. He asked whether it could continue to 2<sup>nd</sup> Street. He added it does not provide an effective screen for the silo.

The applicant stated they hope to use the 16-foot screen wall for functional purposes, and that area is where it would be functional. He added the wall would have to be shifted a little bit due to conditions.

Commissioner Monge asked whether the silo request could be moved forward, and the fencing and wall requests addressed afterwards. He added there have been no objections to the silo plans.

Chair Barton stated screening and fencing are part of the standards for accessory outdoor storage and all requirements must be met.

Chair Barton stated City Code requires that the accessory use be completely screened, and there is no way for that to be done. She stressed the importance of reviewing options that will draw attention away from the height.

Chair Barton stated she would recommend this issue be tabled to and reviewed at the Commission's June 3 meeting, to get clarification regarding the screening and potential landscaping.

Commissioner Wise stated this is an important site in the City, and in terms of the goals of the Comprehensive Plan, there will be many more residential neighbors in this area, close to this property. He added this will not just be a fence but could also provide something more for residents that live around there. He thanked the applicant and the Schifsky family for being open to having more discussions about doing something really nice that is also functional for Schifsky's.

Commissioner Monge expressed appreciation for Schifsky's continued presence in North St. Paul for so many years.

Chair Barton stated she would like to make a motion to table item this until the June 3, 2021 Planning Commission meeting.

Mr. Zweber stated, for purposes of clarification, the Planning Commission is requesting details related to landscaping and the fence/wall combination. He added no information is required regarding plans for a mural or art on the silos.

Commissioner Gelbmann stated the applicant has expressed a willingness to consider artwork for the silos. The applicant agreed.

Mr. Zweber stated civil drawings for landscaping and fencing would be required, as well as site plan and elevations showing the fence details.

Commissioner Gelbmann stated the requirements are well-stated in City Code, as follows: "Pedestrian oriented design and building design encouraged to make streets enjoyable, visually interesting and comfortable".

Motion by Commissioner Chair Barton, and seconded by Commissioner Gelbmann, with all present voting aye (7-0). Motion carried to table the application from Schifsky & Sons, Inc. to the Planning Commission's June 3, 2021 meeting, and to require that the applicant provide civil drawings for landscaping and fencing, as well as site plan and elevations showing the fence details.

## **VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS**

-None.

## **VIII. OLD BUSINESS**

-None.

## **IX. REPORTS FROM STAFF**

Mr. Zweber stated the City Council's June 1, 2021 meeting will include the Zoning Ordinances and Swan Avenue Shoreland Variance request. An extension has been requested by North High

School for the renovation project. The Planning Commission's next meeting is scheduled for June 3, 2021, at which the only item will be a continuation of the Schifsky's review.

Ms. Ritchie stated this meeting's agenda was created in CivicClerk for the first time. She added many meeting attendees could not access the meeting link in the meeting packet. She apologized for the confusion and agreed to look into it. She noted she is unsure about a time frame on the full CivicClerk implementation.

## **X. REPORTS FROM COUNCIL LIAISON**

City Council Liaison Wong stated the City Council's last meeting included approval of an Ordinance to disband the Design and Review Commission and establish the Arts and Culture Commission. She added there are a few potential Commissioners, and the City Council is excited about working with the new Commission.

City Council Liaison Wong stated Ramsey County has added the Highway 120/36 project to their transportation improvement plan for 2021-2025, which will make them more competitive for federal funding. A budget of \$50 million is anticipated, mostly through state and federal funding.

## **XI. REPORTS FROM COMMISSIONERS**

Chair Barton stated the Zoning Code refers to the Design and Review Commission in several places and will need to be updated.

## **XII. ADJOURNMENT**

There being no further business, motion to adjourn by Commissioner Gelbmann, and seconded by Commissioner Wise, with all present voting aye (7-0). Motion carried to adjourn the meeting at 8:16 p.m.

**The next regularly scheduled Planning Commission Meeting is Thursday, June 3, 2021 at 6:30 p.m.**

Members, please notify any planned absences to: Lisa Ritchie  
Planning Commission Secretary  
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651-747-2400