

**CITY OF NORTH ST. PAUL
PLANNING COMMISSION
REGULAR MEETING AGENDA
WEDNESDAY, SEPTEMBER 5, 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

Erin Perdu, City Planner
Karin Derauf, Commission Secretary

III. ADOPT AGENDA

IV. APPROVAL OF MINUTES

Approve the August 2, 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

VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS

A. Discussion of draft IUP ordinance amendments

VIII. REPORTS FROM STAFF

A. Code Enforcement Process
B. Comprehensive Plan Update
C. Census Complete Count Roundtable

IX. REPORTS FROM COMMISSIONERS

Update from City Council Liaison

X. ADJOURNMENT

The next regularly scheduled Planning Commission Meeting is Thursday, October 4, 2018 at 6:15 p.m.

**CITY OF NORTH ST. PAUL
PLANNING COMMISSION
REGULAR MEETING MINUTES
THURSDAY, AUGUST 2, 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 6:17 p.m.

II. ROLL CALL

COMMISSION

Elaine Barton, Commission Chair

Trisha Hamm, Commission Vice-Chair

Tom Sonnek, Commission City Council Liaison

Chris Bathurst, Commissioner

ABSENT

Michael Stahlmann, Commissioner

Rick Gelbmann, Commissioner

John Wahl, Commissioner

Allan Worm, Commissioner

STAFF

Erin Perdu, City Planner

Karin Derauf, Commission Secretary

ABSENT

III. ADOPT AGENDA

Motion to adopt agenda by Commissioner Stahlmann, and seconded by Commissioner Gelbmann, with all present voting aye (6-0). Motion carried to adopt the July 12, 2018 Agenda.

IV. APPROVAL OF MINUTES

Motion to approve Minutes by Vice-Chair Hamm, and seconded by Commissioner Gelbmann, with all present voting aye (6-0). Motion carried to approve the July 12, 2018 regular meeting minutes with the following amendments, in section VII. Reports From Staff, third paragraph, first sentence, change from, “Commissioner Gelbmann commented that there should be some means...” to, “Commission members discussed the need for an inventory of the existing CUP’s and IUP’s to understand any issues surrounding them, as well as some means...”. In section IX Reports From Commissioners, third paragraph, first sentence, change from, “...did not discover any invasive species...”, to, “...did not discover any significant amounts of invasive species.” In section V. Meeting Open to the Public, third paragraph, first sentence, change “cat shelter issue”, to, “therapy business”, and delete the words, “...regarding bobcats”.

V. MEETING OPEN TO THE PUBLIC

None

VI. PUBLIC HEARINGS

A. Richardson Elementary School Site Plan Review and Variances

Planner Perdu gave an overview of requests which includes three building additions, modifications to the parking lot, the bus loop, and some landscaping, grading, and storm water work on the site. Additions include classrooms, loading dock and mechanical areas, and new administration areas. There will be a new bus loop, sidewalks, storm water improvements, ball field improvements, and grading and landscaping.

The applicants are seeking approvals for the site plan due to the size of the addition, variances in the reduction of the number of parking islands (2 provided, where 7 are required), the size of parking stalls provided (18 feet depth where 20 foot depth is required), number of parking spaces (71 provided where 134 are required), and the width of driveways provided (22 foot maximum in the residential district and they are proposing 24 feet).

The standard requirement for parking islands is one parking island for every 12 parking spaces with a tree on each island. There are a total of 77 parking spaces proposed which would require seven islands in the parking area. The current parking lot configuration does not have any existing landscaped islands, so the addition of 2 islands would be an improvement to the site. The site will also be landscaped around the parking lot to make up for the lack of landscaping within the parking structure. The shading, screening, and storm water management will be provided outside of the parking lot. If additional parking islands are required this will further reduce the ability to provide parking spaces. The variance does appear to be the minimum necessary to relieve the practical difficulty, which is space related, This would be a trade off in relativity to storm water management, open space, and parking space, for the landscaping space.

The unique circumstances to the property are based on the usage of the sight as a school in a residential district which is different than use in an institutional district. Because of this difference, it is recommended by staff to approve the Planting Island Variance.

The parking space size variance request is asking for a vehicle overhang that would be between the parking stalls and the sidewalks. There is a question as to the height of the curb bumper. Vehicles would not overhang where people are walking and this maximizes the number of parking spaces that the lot could accommodate to balance this with storm water considerations. It is recommended that the Commission approve this variance request.

The number of parking spaces variance is requesting 77, however long term would be 71. The standard for schools is 134 spaces. This is an elementary school, so the students don't drive, and the school has been functioning well with the current parking available. There is space on the site for event parking in the bus area. There is sufficient parking currently as it is under-parked during the day. There doesn't appear to be a need for the additional parking spaces as required by the standard.

Council Liaison Sonnek asked if there is an ordinance on the type of school, for example, the high school versus the elementary and the required number of parking spaces. Planner Perdu said there is no difference, and it is the same for the elementary and the high school. It was suggested that the Ordinance should be reviewed to make possible changes and account for the

difference in schools. Planner Perdu has added it to a list of Ordinance reviews for the Planning Commission in the coming year. Staff recommended that the Commission approve the variance application for the number of parking spaces.

Chair Barton inquired as to whether or not there is bicycle parking or bicycle racks for the students. Planner Perdu is unaware of the number of bicycle racks or spaces for bicycles.

Planner Perdu briefly introduced the application for the driveway variance. Currently the ordinance states that driveways do not exceed a 22 foot maximum width for a vehicle access door. This is all in the residential district. The applicants are requesting a variance for 24 foot wide as this is an institutional facility operating in a residential district. Staff recommends the Commission approve the variance application for the driveway as well.

Commissioner Gelbmann asked for clarification of the 18 foot depth of the parking space. Planner Perdu described that there would be an 18 foot long space with a 6 inch curb at the end of the space. As a vehicle pulls in, the tires would bump against the curb, and the bumper of the vehicle would overhang into the grass/open space area.

Commissioner Gelbmann asked about the Parking Space Size Variance Staff Review, under number 2 Standards, item iv, the last sentence that states, "Any lesser variance would require that the applicant provide fewer parking spaces and would negatively impact the provision of impervious surface on the site." He indicated that the sentence needs clarification to better understand this portion of the review. It is also in the following section under Parking Space Number Variance Review, under number 2 Standards, item 4. Planner Perdu agreed, the sentence can be changed to offer better clarification and it should indicate that there would be more impervious surface if the Commission denies the variance request for parking space size.

Commissioner Gelbmann also discussed the concern he has regarding the current conditions of the parking lot and the ratio of parking versus student needs. In his calculations, there seems to be approximately a 53% reduction in the variance request for parking space.

Planner Perdu moved on to discuss the Site Plan Review. From a planning perspective the Site Plan is reviewed for compatibility with the surrounding land uses which are residential in nature. Planner Perdu also noted that the reconfiguration of the bus loop and revisions to the parking lot layout should reduce traffic conflicts, the building additions are one story, the appearance will be upgraded by adding more windows to the building, the entrance canopies and vestibules will provide better entrance points into the school which becomes an added safety improvement feature, there is plenty of screening in terms of landscaping which makes the Plan compatible with the surrounding neighborhood. The playground area will be moved from the west side to the east side of the schoolyard grounds.

Planner Perdu briefly reviewed the Engineering Comments to offer clarification on some of the items. The first item regarded fences and that they meet the setback requirements. The next item was regarding Sheet C411 in the Plans and the Engineering Comments, which was deferred to the applicant. Chair Barton also inquired about item number 2 regarding the west bus parking lot and no through lane for traffic. This was also deferred to the applicant for explanation.

Planner Perdu recommends approval of the Site Plan, with the applicant addressing the Engineering Comments to answer any questions the Commission has.

Randy Anderson, Director of Business Services for ISD 622, came forward to answer any questions the Commission had. He indicated that the school was built on minimal acreage in comparison to today's standards, so there are challenges to providing updated necessities and improvements with the amount of space. He introduced Mark Kusnierek, the architect from LHB.

Mr. Kusnierek directly addressed the bus parking issues that were brought up in the Engineering Comments, and clarified that the buses will pull in to the parking spaces, load and unload, and only then pull back out, in sequence. The bus lot will be gated and closed during school hours after the buses have loaded and unloaded. There will be no driving through this area during the day while school is in session. Further signage can be added for event parking to indicate proper entrance, parking, and exiting this parking area.

Commissioner Gelbmann asked if the lane next to the bus parking was wide enough for a bus to pass around while another bus in pulling out. Mr. Kusnierek indicated that there is only one lane for buses and expressed again, that the buses will only be allowed to pull in for pick up, and only upon being completely loaded will the busses be allowed to pull back out, in sequence, to leave the parking lot. He added that this will be heavily enforced for safety reasons.

Commissioner Sonnek asked if any other schools have provided this type of bus parking. He has concerns for emergency movement of the vehicles if they cannot leave, unless in sequence. Mr. Kusnierek stated that other schools are implementing the sequence parking and this actually works better in terms of safety, as no vehicles will be moving until the buses are completely loaded or unloaded and children are out of harm's way.

Commissioner Wahl expressed concerns over event parking and stated that signage may be necessary. He felt that because these are longer parking spaces to accommodate the length of a bus, that regular sized vehicles may be inclined to park two deep in those spaces making, parking difficult when entering and leaving. He indicated that particularly during voting times, it may pose a problem.

Chair Barton asked about the Lower North parking lot that doesn't have any handicapped parking areas. Mr. Anderson indicated that there is dock loading and staff parking in that area. Chair Barton stated that as a separate parking lot, it should have handicapped parking based on the number of spots available in that lot total. Mr. Kusnierek stated that they can accommodate that by adding handicapped parking in that area.

The architect moved on to the classrooms that will be added. There will be five new classrooms; one will be a pre-Kindergarten classroom. Mr. Anderson added that there will be a total student count of 750 with possible staff of about 50. The plan is to have 6 sections for pre-Kindergarten rooms which contain about 20 students per room. There will be morning and afternoon pre-K classes. Richardson currently accommodates about 500 full-time students and is currently under-utilized.

Commissioner Sonnek asked what is the overall net change to the pervious surfaces on the whole site. The architect answered that it is approximately about .5 acres increase in impervious surface based on the Site Plan. Commissioner Sonnek also asked about the filtering of storm water. The architect answered that the site currently doesn't have any storm water controls and the water just runs to catch basins as part of the City storm sewers. The Site Plan takes into account the watershed requirements. The requirements are such that the storm water must be

infiltrated except in certain conditions. This particular site meets these conditions with what is called “type D” soil. It is very impermeable, which means that the storm water infiltrates very slowly through the soil. The redevelopment project will incorporate an alternate compliance sequence to satisfy the criteria of the Watershed District. It will include filtration of 1.8 times the amount of storm water that will infiltrate into the soil. The run off will be collected into the local storm sewer on site, and it will then be conveyed to storm water basins where there is a ponding area to provide rate control and treat the water for contaminants via sand filtration. These are located on the east and west sides of the bus loop. Regulations allow ponding for up to 48 hours after a rain event. The ponding areas will not be deeper than 2 feet deep. The Plan allows for filtration of about 80 percent of contaminants from the site due to storm water run-off. There are no controls on the Site as it currently exists.

Council Liaison Sonnek asked if the downspouts from the roof of the building also drain into these sites. The architect indicated that the current roof drains will drain here, as well as any roof drains added to the remodeled building structure.

Commissioner Gelbmann asked how the spaces are utilized when there is not a rain event. The architect indicated that it is mowed grass, so it can be used for play when children are outside. The architect answered that it will appear as turf grass and there will be a maintenance agreement with the Watershed District.

Commissioner Stahlmann asked what is indicated in the agreement, and does it entail tearing up the turf after a storm if it is not draining? The architect indicated that it does get torn up after a significant amount of time based on sediment that builds up. He indicated that maintenance is site dependent and that he has seen some storm ponds go 20 years before maintenance issues arise, and there are others that only go 5 years.

Chair Barton asked about planting islands at the ends of the interior parking bay on Plan sheet L101. She inquired as to where those are located as it is difficult to tell from the Plans. The architect stated that they are in the southeast parking lot. There are a couple trees on each end of the lot to fit within the islands themselves.

Commissioner Wahl asked about the sidewalks and whether or not there be any changes to the sidewalks and/or trees. It was indicated by the applicant that there will be no changes to the sidewalks; however, there will be the addition of trees to the site. The applicant indicated that there will be 56 new trees, however, some will have to be removed because they are Ash trees. On the V101 survey sheet, it shows all the trees. The applicant stated that they will be adding trees on the North, West, and South sides of the building. There are additional trees that have been added to adhere to the landscape requirements of the ordinance. Chair Barton asked what the net gain will be of the addition of trees. The applicant responded that there will be 18 trees removed around the perimeter of the building, approximately half of which are Ash trees. The courtyard will be enclosed so there will not be trees; however, there will be different types of planting. There will be a total of 56 new trees planted around the entire site, so there will be a net gain of 38 trees. Commissioner Worm asked what types of trees will be planted and the applicant indicated that it will be Serviceberry, Honey Locust, Sargent Apple, and Elm of 2.5 inch caliper, ball and burlap trees.

Planner Perdu revisited the question that Commissioner Gelbmann had regarding the bumper in the parking spaces. The applicant indicated that it is a MN Dot V612, 6” standard curb that is very similar to what is in the City Hall parking lot. The center spaces in the south lot will still be

20 foot spaces as there will be no necessity for an overhang. Currently there is 3 feet between the sidewalk and the curb. The sidewalks on 1st Street are 10 feet wide, so even if a pick-up truck were to back in, there will be enough space for pedestrians to stay on the sidewalk and pass by. The architect also commented that the south end of the ball fields currently has a worn path, and that will also become a sidewalk.

Chair Barton asked if the sidewalk along 1st Street goes to the playground area and it was answer that it does. This leads to the parent pick-up area and playground. The main entrance to the building will now be to the north.

Opened the Public Hearing at 7:17 p.m.

No comment

Closed the Public Hearing at 7:17 p.m.

Commissioner Wahl asked Planner Perdu about the Recommended Actions and whether they were options. Planner Perdu and Chair Barton indicated that all the items must be acted on for Planning Commission commentary/recommendation to Council. Chair Barton indicated that the Commission should look at each item of Recommended Actions in the order they are listed.

1. Variance for Minimum Required Parking Islands

Chair Barton referred to the variance for the minimum required parking islands. She stated that this will be the first time that the Commission will apply the new Landscaping Code since it was adopted in 2015. One of the items she noted in that section of Code was that it discusses value. The code indicates that if the alteration of landscaping is 50% more than the total value, then the Code applies. If the alteration is less than 50%, then there is some flexibility in the Code.

Commissioner Wahl asked about the student increase in relation to the increase in teacher count and the need for additional parking spaces. The applicant indicated that the increase wouldn't happen all at once, and to keep in mind that some of the students are only there for half days. The applicant indicated that they are not currently utilizing all the parking stalls, so there should be plenty of parking even with the additional students/teachers.

Chair Barton asked about the southeast parking lot and inquired about how many parking spaces are currently available. The applicant stated there are currently 30 and there will be an additional 6 for a total of 36 spaces in that lot.

Planner Perdu read part of the Landscaping Code and how it relates to upgrades. Code 154.010 (F) (2) (a) reads as follows: "If the value is less than 50% of the value of the existing development or structure, then only the affected areas need to be brought up to compliance or approval may be given for the landscape treatment (limited in size and scope to the new area) to be spread over the entire property to avoid an uneven appearance". Planner Perdu suggested that this may speak to Chair Barton's point regarding flexibility and the necessity of applying for a variance. Perhaps a variance is not needed.

Commissioner Gelbmann stated that there is a single lane parking area that represents half of the parking spaces, along with a multi-lane parking area where islands apply. Chair Barton feels that the Commission can go ahead and recommend approval without a variance. Planner Perdu

clarified that this language only applies to landscaping, not parking. Chair Barton asked how this would need to be worded to account for this variance. As per Planner Perdu, according to the 60-day rule, the Commission either needs to deny the variance, or the applicant can withdraw their application prior to the Council Meeting, as it seems a variance is not necessary. However, the Site Plan can be approved with the proposed landscaping. Chair Barton expressed concern over denial of the variance and what language would be used for the denial. Planner Perdu indicated that the language would include recommending denial of the variance because the Commission is applying Landscaping Code section 154.010 (F) (2) (a), the flexibility regarding landscaping and the addition of landscaping over the whole site as per the Site Plan request. According to Planner Perdu, if the Commission denies the variance based on this, then the variance application doesn't move to Council.

Motion by Commissioner Wahl to recommend denial, if not withdrawn, of the variance for minimum required parking islands as it falls under Landscaping Code section 154.010 (F) (2) (a), flexibility of landscaped area over entire site. Second by Commissioner Stahlmann, with all present voting aye (6-0).

2. Variance for Minimum Required Parking Space Size

The discussion moved on to the second action item regarding the variance for the minimum required parking space size, to allow an 18 foot depth for exterior parking stalls. Commissioner Gelbmann asked about the bumper overhang and whether language needs to be included regarding that. Chair Barton asked if there is a sidewalk on the north lot at 17th Avenue. The applicant indicated that there is no sidewalk in that area.

Motion by Chair Barton to recommend approval of the variance for minimum required parking space size for 18-foot depth stalls with a minimum of a two-foot overhang with the condition to address all applicable Engineering Comments. Seconded by Vice-Chair Hamm, with all present voting aye (6-0).

3. Variance for the Minimum Required Number of Parking Spaces

Chair Barton began discussion on the third item regarding the variance for the minimum required number of parking spaces. She stated that the Code standard is potentially not reasonable for an elementary school. It is not necessarily applicable to this situation, as elementary school children do not drive. Council Liaison Sonnek commented that when something has been in existence for a great length of time, and then there is a net improvement on a property, there should be some kind of "grandfather clause" enacted. Chair Barton advised that the variance applies to the property, not the applicant or how they are using the property. Chair Barton doesn't feel that the variance conditions meet the basic criteria of the property having unique physical attributes.

Commissioner Wahl stated that perhaps language for the recommendation could include denial of this variance as the existing Code, regarding parking space provisions for this particular property use, needs revision because of the special circumstances of the schools. Planner Perdu stated that the Ordinance is definitely the issue. She reminded the Commission, that one of the criteria that must be taken into account in evaluating variance applications, is that the Ordinance has created a practical difficulty in utilizing the property for a permitted purpose, and a school is a permitted purpose in this residential district. Chair Barton stated that the language in the staff report should reflect that as well. Planner Perdu reiterated what Chair Barton stated, in that, the property itself does not present any unique characteristics, however, it is the Ordinance that is

creating a practical difficulty, so a variance is the appropriate remedy. Chair Barton stated that the Commission would then be recommending approval of the variance for the minimum required number of parking spaces because the applicable Ordinance creates the practical difficulty for elementary school use.

Motion by Chair Barton to recommend approval of the variance for the minimum required number of parking spaces, because the applicable Ordinance creates a practical difficulty for elementary school use, with the condition to address all applicable Engineering Comments. Seconded by Vice-Chair Hamm, with all present voting aye (6-0).

4. Variance for the Residential-district Driveway Requirement

Next discussion revolved around the fourth variance for the residential-district driveway requirements and the exemption from the driveway leading to a door. Planner Perdu clarified that the applicants are requesting an exemption from the requirement that the driveway lead to a vehicle access door. Chair Barton asked if the staff recommendation on the 24-foot curb cut be a safety accommodation rather than needing a variance. Planner Perdu commented that she would rather consult with the City Attorney on that, as she was uncertain that staff has that type of administrative flexibility to make this type of change without a variance. Planner Perdu is suggesting that the Commission make a recommendation on the variance anyway, and then if it is unnecessary, the variance application can be withdrawn.

Chair Barton addressed the 8-foot vehicle access door indicating that it doesn't apply as there is no door. Planner Perdu stated that the way it is written there will be an exemption from the residential-district driveway requirements. It is two-part, the 22-foot driveway with maximum and the 8-foot vehicle access door. So this can be handled with one motion incorporating both pieces of the variance. The specific driveway width is accounted for in the Site Plan. The language of the recommendation can include approval of the variance to permit the exemption from those residential-district driveway requirements.

Motion by Commissioner Worm to recommend approval of the variance to permit the exemption from the residential-district driveway requirements, to allow a 24-foot curb cut, and a driveway that leads to an exterior, non-enclosed parking area, with the condition to address all applicable Engineering Comments. Seconded by Commissioner Gelbmann, with all present voting aye (6-0).

5. Site Plan

Chair Barton moved on to the last recommendation.

Motion by Commissioner Gelbmann to recommend approval of the site plan for redevelopment of the site as proposed, with the condition to address all applicable Engineering Comments. Seconded by Vice-Chair Hamm, with all present voting aye (6-0).

The following summarizes the 5 recommended actions for the Richardson Elementary School Site Plan Review and accompanying Variances:

1. Variance for Minimum Required Parking Islands

Motion by Commissioner Wahl to recommend denial, if not withdrawn, of the variance for minimum required parking islands as it falls under Landscaping Code section 154.010 (F) (2) (a), flexibility of landscaped area over entire site. Second by Commissioner Stahlmann, with all present voting aye (6-0).

2. Variance for Minimum Required Parking Space Size

Motion by Chair Barton to recommend approval of the variance for minimum required parking space size for 18-foot depth stalls with a minimum of a two-foot overhang with the condition to address all applicable Engineering Comments. Seconded by Vice-Chair Hamm, with all present voting aye (6-0).

3. Variance for the Minimum Required Number of Parking Spaces

Motion by Chair Barton to recommend approval of the variance for the minimum required number of parking spaces, because the applicable Ordinance creates a practical difficulty for elementary school use, with the condition to address all applicable Engineering Comments. Seconded by Vice-Chair Hamm, with all present voting aye (6-0).

4. Variance for the Residential-district Driveway Requirement

Motion by Commissioner Worm to recommend approval of the variance to permit the exemption from the residential-district driveway requirements, to allow a 24-foot curb cut, and a driveway that leads to an exterior, non-enclosed parking area, with the condition to address all applicable Engineering Comments. Seconded by Commissioner Gelbmann, with all present voting aye (6-0).

5. Site Plan

Motion by Commissioner Gelbmann to recommend approval of the site plan for redevelopment of the site as proposed, with the condition to address all applicable Engineering Comments. Seconded by Vice-Chair Hamm, with all present voting aye (6-0).

VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS

None.

VIII. REPORTS FROM STAFF

A. Code Enforcement Process

Planner Perdu met with staff and the City Attorney to discuss the code enforcement process for Conditional Use Permits and Interim Use Permits and make modifications to the Ordinance. She indicated she also met with Scott Duddeck about the internal administrative process. The City Attorney has drafted some changes to the employee policy manual and the ordinance language to begin the conversation. The first section involves an addition to the employee policy manual that regards customer complaints, as there currently is not a process for customer complaints in that document. There was a draft addition of a new ordinance with an administrative appeals process

if a resident disagrees with the way in which the code enforcement staff is interpreting the City Code. The resident can appeal, in writing, to the City Manager. The City Manager then arranges a hearing either with a hearing officer, or a panel that the City Manager decides on. Section B of the proposed 10.21 Administrative Appeals Ordinance discusses the use of an independent hearing officer. Chair Barton asked how this can be deemed independent when it is the City Manager who designates the hearing panel or the hearing officer. Planner Perdu stated she would address that question with the City Attorney.

Chair Barton asked for an example that this appeal process would be applied to that is not zoning related. Commissioner Wahl gave an example of fire regulations in St. Paul, and employees were extending the regulations to include failure to paint gutters. Chair Barton asked what would be the process with this particular example. The resident receives a citation, and disagrees with the violation cited. They appeal the decision in writing within 14 calendar days, to the City Manager, who will arrange a hearing within 30 days, with an independent hearing officer or panel. Chair Barton wanted to know how the City will track the process when the person who is the subject of the notice of code violation receives the notice to appeal. Will it be sent by certified mail? Commissioner Wahl also questioned the filing fee of cash or a cashier's check for such an appeal and whether or not it is right to require a filing fee from a resident for appealing a decision that they don't agree with? Since the decision has not been reviewed by anyone, it would seem that the appeal needs to be reviewed first before any fees are required. Vice-Chair Hamm suggested that if the appeal is going to an independent party, perhaps that is what the fees are required for. Commissioner Wahl asked how often appeals on complaints come in to the City to necessitate creating a new ordinance, as the zoning ordinance already contains an appeal process?

Chair Barton brought up a case about garage and that the siding needed to match the house. The resident appealed and was denied. This went on for months; however, Elaine felt there should be a swifter appeal process without having to apply for a variance, or any other additional applications. Commissioner Wahl stated that he would like to know what the proposed filing fees are for as he feels no one should have to pay for that process. If the fees cover paperwork, for example \$10.00, that would be understandable. There is also no mention in this ordinance of refunding the filing fee if the resident wins the appeal. Council Liaison Sonnek reminded the Commission that this Ordinance draft is starting out with standard language and can be edited before the final Ordinance is adopted.

Commissioner Stahlmann asked what happens if the third party, designated by the City Manager, disagrees with the Code? Chair Barton referred back to the Zoning Codes 154.004 (B) as it refers to the advisory body as defined in Chapter 32, which is the Planning Commission, who makes recommendations to the City Council. This should apply to all Zoning appeals versus other appeals outside of the Zoning Codes. Planner Perdu will discuss all these comments with the City Attorney.

Commissioner Wahl asked for clarification on the language regarding revocation as well, in Section 2 (F), (6), where it discusses "violation", "subsection", and that the Planning Commission has 7 days to conduct a Public Hearing. There doesn't appear to be a time limit for Council to make a decision on the Hearing, it is only imposed on the Planning Commission. Planner Perdu questioned the 7 days as well and will add this section to the discussion with the City Attorney. This paragraph also appears in Section 3, (G) (6).

Chair Barton mentioned Conditional Use Permit standards versus Interim Use Permit under the IUP in Section 3. There is no mention of the consideration of the Planning Commission.

Planner Perdu commented that Scott Duddeck is planning to attend the September Planning Commission Meeting. He is not available on September 6, 2018, the next regularly scheduled Meeting, as there is a POW/MIA Event scheduled for that evening to pass in front of City Hall and end at the Veteran's Park. Planner Perdu suggested changing the meeting to September 5, 2018; the Commission agreed.

IX. REPORTS FROM COMMISSIONERS

Council Liaison Sonnek commented briefly about the tennis courts and whose responsibility it is to maintain them. There will be a discussion with the high school to determine maintenance, as well as further discussion with staff on the temporary use. He also commented about the Silver Lake Splash event that was held on July 21, 2018 and there was a great turnout. Everyone had a great time. The Veteran's POW/MIA Candlelight Event will be on Thursday, September 6, 2018 and will be a march or parade on 7th Avenue and Margaret Street, ending at Veteran's Park with a memorial tribute.

Council Liaison Sonnek mentioned that there is further interest in the Anchor Block, site particularly the south end of the parcel to potentially develop townhomes. He also stated that there are some soil issues with the Commerce Park Site and additional soil clean-up will be necessary prior to the developers getting started.

It was mentioned that Council has approved the forming of a Tree Committee to explore all potential avenues for saving as many trees as possible during the Lake Blvd. Street Project.

Chair Barton briefly discussed trash can storage and the Zoning Codes, and determined that the Planning Commission should review front yards and the 25 foot setback area in relation to the Code.

X. ADJOURNMENT

There being no further business, motion to adjourn by Commissioner Gelbmann, and seconded by Commissioner Wahl, with all present voting aye (6-0). Motion carried to adjourn the meeting at 8:37 p.m.

The next regularly scheduled Planning Commission Meeting is Wednesday, September 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

MEMORANDUM

Date: 8/29/18

To: Planning Commissioners

From: Erin Perdu, AICP, City Planner

CC: Soren Mattick, City Attorney

Craig Waldron, City Manager

Re: Ordinance Amendment Regarding Interim Use Permits

BACKGROUND

The City Council discussed the 2115 Burke IUP at a recent meeting and the difficulty faced when property owners must comply with conditions that conflict with other portions of the zoning ordinance. At the conclusion of the discussion, the Council directed staff to draft language that would address this conflict and clarify that conditions of an IUP would take precedence over other conflicting provisions of the ordinance.

FINDINGS

The following ordinance amendment is recommended to address this issue:

154.004 ADMINISTRATION

(G) Interim Use Permits

6. Conflicts. To the extent the Interim Use Permit is inconsistent with a provision of the zoning ordinance, the conditions of the Interim Use Permit govern.

RECOMMENDED ACTION

Provide comments and set a public hearing on the proposed ordinance amendment.

MEMORANDUM

Date: 8/29/2018
To: Planning Commissioners
From: Erin Perdu, City Planner
CC: Craig Waldron, City Manager
Paul Ammerman, Community Development Director
Re: Code Enforcement Process

BACKGROUND

Continuing our discussion from last month, this month we will be discussing the code enforcement process in general for issues beyond just CUPs and IUPs. During a recent IUP review, the Planning Commission requested review and formalization of the process. To assist with that discussion, Scott Duddeck, Fire Chief, whose staff conducts code enforcement for the City, will be at the meeting to discuss current procedures and possible improvements. Ron Koehnle is drafting a memo describing current code enforcement processes that will be distributed to you electronically as soon as it is available; hard copies will be presented at the meeting.

The City Attorney is still working on the ordinance and procedure amendments discussed at the August meeting.

FINDINGS

None

RECOMMENDED ACTION

None

North St. Paul Comprehensive Plan Edits

Edit	Chapter	Page	Complete?	Notes
Typo in “water supple”	1	2	x	
“easy transit to both Downtowns is desired”, but we only have one. Clarify Mpls and St. Paul	2	1	x	
Add “do business” to 3 rd question	2	9	x	
Conflicting info regarding percentage of English speakers in 2009 v. today; final sentence should say “decrease”?	3	1		
Generally...use 120 or Century Ave. the same throughout the text	3			
Change “figure” labels on tables to “tables”	3			
Move all figure/table captions above the table	3			
Free & reduced lunch data: <ul style="list-style-type: none"> • why is this set at 185% of the poverty line? • how is the 81% of NSP residents below 185% of the poverty line statement calculated? is that individuals or households? 	3	10		Questions, not necessarily edits – clarification needed
Hispanic is not a “race”; change this in the table (also in school data on page 12)	3	11		
Missing language in last bullet, last sentence (what is being connected?)	4	23	x	
Errors (white spaces) on existing land use map	4	5		
Clarify why adding medium density redevelopment sites would reduce average redevelopment density	4	16	x	
Columns in housing matrix don’t line up	5	20-21		
Confusing language in middle paragraph re. baseline census year	6	2		
Correct tax rate in last sentence	6	2		
Table 6-9, total HHs incorrect	6	10		

North St. Paul Comprehensive Plan Edits

Edit	Chapter	Page	Complete?	Notes
Table and graph on same page; also is it valid to project additional household permits in the future based on the past trend? Eliminate this.	6	13		
West End district: Include bullet 3 in parks plan	6	18		
Commerce park district: mention interchange at 120	6	18		
Describe unique “characteristics” of each district rather than “opportunities”	6	16		
Goal 1, task 3: focus more on marketing, not branding	6	22		
Barriers between Polar Ridge and Library; add more than a general statement about this; add specific examples of pedestrian and bike links for transportation and recreational uses	7	8		
Chapter needs general reference to ADA accessibility	8			
Paragraph 2 – sentence 1: Hwy 36 also intersects Century Ave. Add this to the text	8	8		
Last section, first bullet, second sub-bullet: south bound left-turn lane into Oakdale? Is that really intended?	8	19		
Stillwater bridge impacting forecasted traffic counts – verify if that was taken into account	8	25		
Mention FedEx facility in freight section?	8	36		
Charles and 17 th : no bus stop here (correct map and bus stop locations in general)	8	40		
Edits to Figure 7: -Many sidewalks not shown -Need to cross check with parks map -Consider creating a separate bike map? -Bike trail shown on Margaret north of Seppala is not actually there	8	33		

North St. Paul Comprehensive Plan Edits

Edit	Chapter	Page	Complete?	Notes
<p>-Add Priority intersection at Holloway and 120 -Generally integrate with Parks & Trails map</p>				
<p>Core Loop: Shows as existing facility on the map but doesn't exist for bikes. Need to adjust the text to reflect this.</p>	8	36		
<p>Tier 1 Facilities: Talk about bikes on Margaret (7th & Gateway) here</p>	8	36		
<p>Tier 2 & 3 Facilities: Mention bike v. pedestrian and motorized – what's allowed on each facility</p>	8	37		
<p>Add importance of interchange to text; second paragraph from the bottom (including a WHY it is important in terms of the downtown and economic development)</p>	8	55		
<p>Add "reducing light pollution"</p>	9	3		
<p>Change "low-income households" to "households" in the table; change "explore" to "review"</p>	9	5		
<p>Note the EAC's importance to implementation on Goals and Strategies on pages 12-13</p>	9	12-13		
<p>Add more specifics on what impacts might result from climate change under Economy and Society (add examples)</p>	9	11		
<p>Add "and waters" to 3rd bullet under first strategies</p>	9	13		
<p>Mention Cowern school forest under #8</p>	10	8		
<p>Non-Motorized Transportation Network has wrong title; change follow to following</p>	10	9		
<p>Parks and Trails Map: Cross reference with Ch. 8 page 33 (non-motorized plan) Add school locations Update sidewalk locations</p>	10	10		

North St. Paul Comprehensive Plan Edits

Edit	Chapter	Page	Complete?	Notes
<p>Some parks shown but not identified No signs for path to Cowern Forest Proposed trail south of 11th is actually an existing bridge Proposed trail around Casey Lake Park is actually existing Some existing foot paths shown around Casey Lake Park do not exist Proposed trails on 1st St ,North were vetoed in 2016 CIP (remove) Show trail on Lake Ave? As dotted line? Have Debra Review</p>				
<p>Add: Develop Park Master Plan Develop ADA compliance Plan</p>	10	11		
<p>Southwood Nature Preserve Paths: Should mark the trails No bikes Link to Google Maps for blue bird counts</p>	10	General		
<p>Add a wayfinding strategy</p>	10	13		
<p>Change “system, especially in the downtown redevelopment area” to “system to ensure that all have access to quality community facilities and programs”</p>	10	7		
<p>Cowern Elementary Southwood Park Link isn’t on trails map in Ch. 8 p. 33</p>	10	13		
<p>Add “develop a neighborhood park as residential development occurs in the West End Housing and Redevelopment District”</p>	10	13		

North St. Paul Comprehensive Plan Edits

Edit	Chapter	Page	Complete?	Notes
Include info on programs/activities available in the parks	10	General		Debra
Include another bullet point regarding chloride infiltration in relation to road salts degrading water bodies	10	13		
Table 10-2: Urban Ecology Center and Environmental Learning center, why are they described differently? (Special purpose park v. open space? Shouldn't they be the same?)				Talk to Debra
Check table numbering format and make consistent with other chapters (start with 11-)	11	General		
Check table numbering format and make consistent with other chapters (start with 12-)	12	General		
Change language in second bullet under #2 to past tense	12	17		
Include in narrative a targeting of large water users for water reductions	12	12,17 or 18		
Check table numbering format and make consistent with other chapters (start with 13-)	13	General		
Check table numbering format and make consistent with other chapters (start with 14-)	14	General		
Renewable energy, first sentence: identify the school at which educational panels were installed; 3 rd sentence add "use" after "accessory"				
Show breaks in the table for each chapter	15	General		
Show bars instead of Xs for timeframes	15	General		
Downtown implementation items: change prepare and implement the CIP to medium term to match Plan & Coordinate location and scheduling of capital improvements	15	10		

Erin Perdu

From: Debra Gustafson <Debra.Gustafson@northstpaul.org>
Sent: Monday, July 16, 2018 2:18 PM
To: Erin Perdu; Olivia Dorow Hovland
Cc: Paul Ammerman; Karin Derauf
Subject: FW: Metro Local Governments Roundtable on 2020 Census

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Erin and Olivia,

Listed below is information regarding Complete Count Committees for the 2020 census. Sending your way since the Planning Commission was designated as NSP's Complete Count Committee.

Thanks,

Debra

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From: Graham, Todd [mailto:todd.graham@metc.state.mn.us]
Sent: Sunday, July 15, 2018 7:53 PM
To: Graham, Todd <todd.graham@metc.state.mn.us>
Subject: Metro Local Governments Roundtable on 2020 Census

Hi Friends of 2020 Census--

Earlier this summer, many of you attended our **Metro Local Governments Roundtable on 2020 Census**. Others of you expressed interest in 2020 Census preparations, either to our meeting organizers or to US Census Bureau.

The goal of our Roundtable is: Local governments working together to promote awareness and participation in the 2020 Census.

We began this conversation in January, with staff of Minneapolis, Hennepin and Ramsey Counties. Our most recent meeting brought together staff and officials from 20 local governments. This email is a brief recap, and pointers to some of the information shared on June 1.

Ellisa Johnson from Census Bureau discussed best practices in raising awareness and promoting the 2020 Census. Her #1 recommendation is: Start local Complete Count Committees composed of local stakeholders who can bring resources and connections to communities. City Hall staff and county agencies can be involved too -- but experience has shown multi-sector, coordinated, community-involved approaches to be most successful.

Census Bureau is sharing information to get you started.

- Brochure describing Complete Count Committees: www.census.gov/2020completecount
- A 27-page Guide on Complete Count Committees: www.census.gov/content/dam/Census/newsroom/press-kits/2018/ccc-guide-d-1280.pdf
- A Census Solutions Workshop Toolkit, with methodology and materials to get you thinking and ACTING on 2020 Census promotion: <https://sdcclearinghouse.com/census-solutions-workshop-toolkit/>
- You can put yourself on Census Bureau's 2020 Partnership mailing list. REGISTER here: www.census.gov/partners/join.html (If you're not sure whether you're already on it, recommend you re-register. This is a new mailing list created in 2018.)

Ellisa Johnson's contact information is: 1-800-865-6384 or chicago.rcc.partnership@census.gov (regional partnership team) or Ellisa.Johnson@2020census.gov (direct).

Andrew Virden from Minnesota State Demographic Center wants to share resources and information to local Complete Count Committees and also local governments that have their own budgets and plans for 2020 Census promotion.

- In February 2018, Minnesota SDC held a 1/2 day workshop for local governments. Materials are here: <https://mn.gov/admin/demography/census2020/get-involved/>
- They expect to organize another of these in the metro area, later this year.
- Like Census Bureau, Minnesota SDC has a 2020 Census mailing list. REGISTER here: <https://mn.gov/admin/demography/census2020/ccc/signup/>

Andrew Virden's contact information is 651-201-2507 or andrew.virden@state.mn.us

Our June 1 meeting was held at Ramsey County Library-Roseville -- thank you! -- and was planned and convened by Todd Graham (Metropolitan Council), Karen Moe (City of Minneapolis), Renee Van Siclen (Hennepin County), and Jolie Wood (Ramsey County).

Save the date: September 7. We expect to reconvene this Roundtable in September. (If you're receiving this, we will send you an invite.) The agenda and convener have not been determined yet. If you have suggestions, please email Todd.Graham@metc.state.mn.us

Cheers,

Todd Graham
Principal Demographer, Metropolitan Council

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Visit www.metrocouncil.org/data for the latest in regional information.

Erin Perdu

From: Debra Gustafson <Debra.Gustafson@northstpaul.org>
Sent: Wednesday, August 29, 2018 11:22 AM
To: Erin Perdu
Cc: Paul Ammerman
Subject: FW: You're invited to Metro Local Governments Roundtable on 2020 Census (Sep 7, 2018)

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From: Graham, Todd [mailto:todd.graham@metc.state.mn.us]
Sent: Wednesday, August 22, 2018 5:23 PM
To: Graham, Todd <todd.graham@metc.state.mn.us>
Subject: You're invited to Metro Local Governments Roundtable on 2020 Census (Sep 7, 2018)

Hello,

You are invited to the following event:

**METRO LOCAL GOVERNMENTS
ROUNDTABLE ON 2020 CENSUS**

Event to be held at the following time, date, and location:

Friday, September 7, 2018 from 12:00 PM to 1:30 PM (CDT)

Ramsey County Library - Roseville
2180 Hamline Avenue North
(Community Program Room)
Roseville, MN 55113



[View Map](#)

[Attend Event](#)

Share:



You are invited:

Metro Local Governments Roundtable on 2020 Census

This is a meeting of local governments working together to promote awareness and participation in the 2020 Census. We began this conversation in January, with staff of Minneapolis, St Paul, Hennepin and Ramsey Counties. Now we are broadening the discussion to include: all metro counties, cities with "[low response score](#)" [challenges](#), and cities that have (will have) [Complete Count Committees](#).

This group is *not* itself a Complete Count Committee. This group does include local government professionals and officials who are organizing and supporting such committees.

You are welcome to share this invitation *within your own local government or agency*. We are especially interested to involve community engagement specialists, voter-reg promotion specialists, and interested elected officials.

Agenda

On Sept 7, the **Metro Local Governments Roundtable** meeting will include:

- How local gov efforts fit with: MN Census Mobilization Partnership, Complete Count Committees, State Demographer, and Census Bureau's own outreach
- Complete Count Committee updates

- Tips and experiences in organizing and project managing Complete Count Committees
- Focused conversation
- Commitments: What can we do together, regionwide
- Short preview of December quarterly meeting

We are intending a short 90-minutes meeting.

IF you are new to "what is 2020 Census" and "why does it matter," you can attend the Census Mobilization Partnership, beforehand, at the same location. You are welcome to attend both meetings.

Box lunch pre-order: optional

At the Library there is on-site catering from Dunn Bros. If you wish to pre-order lunch, please indicate "RSVP + Lunch purchase" with your registration.

The lunch from Dunn Bros. will be a sandwich, cookie, and chips. To cover the cost, you will pre-pay \$10. ***This is optional.***

Meeting organizers

Twin Cities Research Group and MN Council of Foundations are supporting this meeting by coordinating RSVPs and lunch logistics. *(Thank you, TCRG and MCF!)*

The conveners for the September 7 meeting of Metro Local Governments Roundtable are Todd Graham, principal demographer at Metropolitan Council, and Karen Moe, neighborhood and community relations deputy director at City of Minneapolis. [Contact Todd with any questions.](#)