

**CITY OF NORTH ST. PAUL
PLANNING COMMISSION
REGULAR MEETING MINUTES
THURSDAY, FEBRUARY 1, 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 6:18 p.m.

II. ROLL CALL

COMMISSION

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

STAFF

Erin Perdu, City Planner	
Addison Lewis, City Planner	ABSENT
Karin Derauf, Commission Secretary	

III. ADOPT AGENDA

Motion to adopt agenda by Commissioner Wahl, and seconded by Commissioner Bathurst, with all present voting aye (3-0). Motion carried to adopt the February 1, 2018 Agenda.

IV. APPROVAL OF MINUTES

Motion to approve Minutes by Commissioner Bathurst, and seconded by Commissioner Wahl, with all present voting aye (3-0). Motion carried to approve the January 4, 2018 regular meeting minutes with the following changes:

Section VII, last sentence, “Elaine Barton accepted the position of Commissioner...” changed to, “Elaine Barton accepted the position of Chair...”

Section VIII, paragraph 7, “...other communities to support us in terms of water use,...” changed to, “...other communities to support White Bear Lake in terms of water use,...”

V. MEETING OPEN TO THE PUBLIC

Resident, John Schmahl, asked about the information content/subject matter in meetings and where does that information come from. His concerns were in regards to the Small Cell Wireless discussion in the Staff Report section and how the Sunfish Lake Ordinance would relate to the City of North St. Paul. Chair Barton answered that it comes from Staff, City Attorney, City Engineer, etc., and that we have individuals who are knowledgeable on the subjects for discussion. Chair Barton explained to Mr. Schmahl that the following discussion regarding Small Cell Wireless is in regards to a Conditional Use Permit along with an amended Right-of-Way Ordinance, and that the Sunfish Lake Ordinance is a general example of a current Ordinance that a local Municipality is using. For the purposes of our discussion, this is just an example and not necessarily what the City of North St. Paul will adopt.

VI. PUBLIC HEARINGS

None

VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS

None

VIII. REPORTS FROM STAFF

A. Small Cell Wireless Ordinance Direction

City Planner Perdu introduced the topic of Small Cell Wireless Facilities as a Land-Use issue and whether or not the Planning Commission would like to require a Conditional Use Permit when these Facilities are in the public rights-of-way in the single-family residential zoning districts. There have been recent State Law changes that require municipalities to allow these Facilities within the public rights-of-way. Updates have been drafted to the City's Right-of-Way Ordinance, which are not part of the City's Zoning Ordinance. These updates are scheduled to be brought to City Council. There are also co-location requirements that are not part of the Zoning Ordinance, but part of the general codes. These also fall under the new State required updates.

The topic of discussion pertained to the City's Land-Use in regards to the support structures or poles that will be in the right-of-way, adjacent to single-family residential zoning districts. If the City requires Conditional Use Permits for these structures, then standards could be created, within State guidelines, in relation to items such as height, size, the location in the right-of-way, aesthetics, etc.

Planner Perdu discussed the pros and cons of requiring Conditional Use Permits, for example, requiring a CUP would mean an application and a public hearing every time a pole is installed. As an alternative, standards could be written into the Right-of-Way Ordinance that would require staff review prior to installation of any structures. This would eliminate Conditional Use Permits for these, however, maintain City standards as indicated.

Planner Perdu informed the Planning Commission that the Sunfish Lake Sample Ordinance included in this discussion was only to show various items that could potentially be included in a North St. Paul Right-of-Way Ordinance in lieu of Conditional Use Permits.

Planner Perdu introduced James Monge, City Attorney, who discussed Small Cell Wireless Facilities as it pertains to the City. He presented some background on the new State Law that was recently passed. The State Law says that small cell wireless transmitter equipment is permitted in the Rights-of-Way in every zone. The State Law indicated that the only place we could allow Conditional Use Permits is in regards to the support structures or poles, called Facilities, not the transmitters themselves. There are requirements on items like height, antenna extension, matching of existing poles, etc.

Chair Barton asked Attorney Monge what other municipalities are opting for and what the benefits would be to utilizing Conditional Use Permits. Attorney Monge stated that most other cities are not utilizing Conditional Use Permits.

Commissioner Wahl asked for clarification on the current Ordinance. Attorney Monge stated that the City of North St. Paul already has a Right-of-Way Ordinance, however, it only involves obstructions and excavations within the rights-of-way. The Draft Ordinance has been amended to include Small Cell Wireless Facilities as a permitted use in the public right-of-way to follow the new State Law.

Commissioner Wahl discussed a hypothetical situation of requiring CUP's if a Facility was installed on private property. He gave the example of satellite dishes. The City does not require a CUP for those and he expressed concern of "over regulating" the residents should they want the option of adding a Facility to their own personal property. Attorney Monge stated that language can be included in the Ordinance to reflect that it only applies to the Public Rights-of-Way. Towers or antennas that are on private property would follow the already existing Zoning Ordinances in the City.

Commissioner Wahl asked about item #17 in the Sunfish Lake Sample Ordinance in regards to the spacing. Where does the spacing placement come from? Does the State require a particular placing? Attorney Monge said that the City cannot prevent the Small Cell Wireless Companies from utilizing the Rights-of-Way based on the new State Laws, however, there is some discretion the City retains as to the particulars of allowing those Facilities within the Rights-of-Way, for example, the spacing placement, the height, etc.

City Planner Perdue stated that she is not advocating utilization of the Sunfish Lake Sample Ordinance language, but that it is merely an example of what can be regulated by the City. Planner Perdu reiterated that the discussion for the meeting should be whether or not the Planning Commission wants to utilize a Conditional Use Permitting process, and if so, then what types of items would need to be included for regulation within the State Laws.

Commissioner Bathurst asked if it would be beneficial for the City to go beyond the State Regulations, or would that be over-complicating this issue? How much revenue would be generated for requiring a Conditional Use Permit versus what the State already has in place? Attorney Monge stated that the City is going to be able to charge fees for managing the rights-of-way. It will be approximately \$175.00 per year, per Facility, in rent and maintenance, for locating a Facility on a City pole. Also, if a Small Cell Wireless company will utilize the City's

electricity, the City can charge fees for that as well. Basically, Small Cell Wireless Facilities will be allowed to be placed in the Rights-of-Way. The City cannot prevent that based on State Law. Therefore, a CUP is not going to prevent a Facility from being placed in the right-of-way in single-family residential zoned districts. The reason for a CUP, would be for additional allowances or restrictions placed, within State Law guidelines. City Planner Perdu indicated that items, such as distance restrictions, can be included in a CUP. However, it can be included in the language of the Right-of-Way Ordinance as well. If the appropriate language is included in the Ordinance, then it doesn't become necessary to bring forth all Facility installations to the Planning Commission on a Conditional Use Permit.

Commissioner Sonnek stated that it would be more beneficial to review the Right-of-Way Ordinance and amend it to include the City allowances or restrictions within State Law guidelines, rather than include Conditional Use Permits also.

Commissioner Barton stated that after all the discussion, it seems that the better option would be to only have the amended Right-of-Way Ordinance rather than include CUP's as well. The Commission is in agreement, with the reservation to review the Right-of-Way Ordinance prior to City Council adopting the amendments.

B. Comprehensive Plan Housing Chapter

The main focus of the Land Use Chapter is to look at how the City is going to link various needs for affordable housing, and what tools are available to the City to facilitate those needs. There is a tool matrix in the Chapter, however, that doesn't necessarily obligate the City to utilize this matrix, nor is the City obligated to build any particular quantity of affordable housing. The future Land Use Map and the tools in the Chapter are provided to enable affordable housing, not necessarily guarantee it.

Planner Perdu went through the Chapter and summed up various items for example, about 30% of housing in North St. Paul is rental. She referred to Figure 5-3. This Chart reflects the number of housing units by number of units in each structure. Primary housing in North St. Paul is single-family structures, there are a very low number of structures with 2, 3-4, or 5-9 units. This is termed the "missing middle", and there is a greater quantity of structures with 10-19 or 20+ structures.

In Figure 5-4, the data reflects a trend decrease in married families with children. The trend increase on the table shows small types of household sizes are on the rise, which is a good indicator of the need for the "missing middle" type of housing. Commissioner Barton commented that it would be relevant to include text in this chapter reflecting Figure 5.4 information. It would also be relevant to show the percentages in a dollar format.

Commissioner Sonnek pointed out the changes in the percentages and that it would helpful to reflect the actual percentage change from 2000 to 2015 rather than the difference in percentages for each year. For example, the decrease in Married Families with Children has an actual percentage decrease of 35%.

Commissioner Barton asked if this decrease is an unusual trend, and Planner Perdu commented that it is not unusual in inner ring suburbs and is even more pronounced in "urban centers". The more rural areas show less of this trend.

Planner Perdu discussed existing housing affordability. The HUD standard is that a household doesn't spend more than 30% of income on housing. Some points of interest were highlighted in this section of the chapter, for example Figure 5-5 and the table in Figure 5-6. This indicates that 94% of the existing housing in North St. Paul is affordable based on the Metropolitan Council's standards. Overall, North St. Paul is doing well with its housing stock, including age of the stock and affordability of the stock. There is a need to preserve this naturally occurring affordable housing, yet try to find ways to get residents to make improvements and upgrades to their aging homes and make them desirable for resale to new families.

Planner Perdu also pointed out Figure 5-8 and cost burdened households. Commissioner Sonnek commented that North St. Paul has a greater number of people living at or below 30% AMI in the "cost burdened" category versus other municipalities in the area. How do we build affordable housing for those people, yet still maintain a balance with the existing affordable housing units? Planner Perdu explained that much of this is speculation on how all the numbers in the charts and tables interact with one another, but the basic principal is that the City has to consider affordable housing in general and the market will actually determine where building occurs. Commissioner Wahl pointed out that there are some buildable areas in the downtown area, and Chair Barton stated that it is hard to build new housing and keep it to affordable costs at the same time.

Planner Perdu next summarized the Housing Need Goals section of the Chapter. One of the most critical housing trends in North St. Paul is reiterated; the number of households with children seems to be declining, while household size also declines. This places the City at risk of losing its naturally occurring affordable housing to redevelopment. Chair Barton briefly mentioned the idea of "tiny homes".

Planner Perdu also pointed out the need for creative strategies to manage the naturally occurring affordable housing within all affordability bands, with focus on preserving the affordability of North St. Paul's single-family housing stock. Supporting housing maintenance and assistance goals would be helpful in this area. Chair Barton would like to include broad goals, for example, upgrades and modernizing.

A discussion of the Tool Matrix involved matching goals with the available tools. Some points of interest on the Matrix were fee waivers or adjustments and financial or procedural incentives to private developers. For example, the City could decide to waive permit fees, in certain circumstances, if a developer were building affordable housing.

Commissioner Wahl asked about "encourage repair and rehab programs including housing replacement program", as shown on the Matrix, and what that would entail. He would like to know more and how that can be applied to the "missing middle" housing in North St. Paul. Planner Perdu will review this to provide detailed information on the Matrix.

C. Updates on Comprehensive Plan

Planner Perdu received comment from Corrin Wendell at the Metropolitan Council regarding the Land Use Chapter. Planner Perdu approached Corrin to get feedback from her regarding projected forecast. Corrin has met with the Metropolitan Council's forecast analysts and has made a suggestion to the Metropolitan Council that they change their forecasts to match what the

City of North St. Paul has forecasted. She did question whether or not the City of North St. Paul will be requiring any residential mixed-use yield in the Downtown Area; If not, then the Metropolitan Council will adjust their forecast.

Chair Barton requested an update on the Tattoo shop. Commissioner Wahl asked for an update on the former Tap-N-Grill property on McKnight Avenue. Planner Perdu will follow up and bring information to the next meeting.

IX. REPORTS FROM COMMISSIONERS

Commissioner Sonnek gave updates regarding the next City Council Meeting, to be held on Tuesday, February 6, 2018. The Workshop will be held from 4:00 p.m. to 5:00 p.m. and the Council Meeting will be held from 5:00 p.m. to 6:00 p.m. due to Caucus night.

Commissioner Sonnek also commented on the EDA and the video that was put together to promote North St. Paul. This will be shown at a future Council Meeting. Luv's Ice Cream, La Garage, and Reflex Medical participated in the video.

Commissioner Sonnek then spoke on the Lake Blvd. road reconstruction project. Regarding sidewalks/trails, a request was given to the City Engineer for 2 separate bid options on the Lake Blvd. section. Option 1 is that it would be rebuilt as-is, and option two would show reconstruction with a sidewalk that abuts the curb on the east side of the road. The on-street trail option was taken away because it would require higher impact to the area, in terms of tree removal, widening the road, and stanchion installments. There was an Open House held at City Hall for the residents in the area of Lake Blvd. Feedback was given by the residents. There will be another Lake Blvd. Resident Open House to discuss the two options mentioned, followed by a City wide public hearing.

X. ADJOURNMENT

There being no further business, motion to adjourn by Commissioner Bathurst, and seconded by Commissioner Wahl, with all present voting aye (3-0). Motion carried to adjourn the meeting at 8:12 p.m.

The next regularly scheduled Planning Commission Meeting is Thursday, March 1, 2018 at 6:15 p.m.

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