



CITY OF WEST ST. PAUL
1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118

**PLANNING COMMISSION/
COMMITTEE OF ADJUSTMENTS
MUNICIPAL CENTER COUNCIL CHAMBER
FEBRUARY 16, 2016
7:00 P.M.**

1. COMMITTEE OF ADJUSTMENTS
2. Roll Call
3. Adopt Minutes
4. Public Hearings
5. New Business
6. Old Business
7. Other
8. Adjourn
9. PLANNING COMMISSION
10. Roll Call
11. Adopt Minutes
- 11.A. Minutes
Documents: [PC 11-17-15 MINUTES.PDF](#)
12. Public Hearings
- 12.A. Case 16-01 - Applications For The Subdivision Of 1636 And 1708 Delaware Avenue: 1) Rezoning 1636 Delaware From C, Conservancy District To R1-C, Single Family Residential; And 2) Plat To Subdivide The Existing Two Lots (1636 & 1708 Delaware) Into Four Lots And One Outlot – Thomas I. Dodge

Documents: [PC REPORT.PDF](#), [ATTACHMENTS.PDF](#), [PRELIMINARY PLAT.PDF](#),
[FINAL PLAT.PDF](#)

12.B. 16-02 - Zoning Ordinance Amendment, Section 3.2 Regarding The Definition Of Dwelling Unit – City Of West St. Paul

Documents: [PC REPORT.PDF](#), [NOTICE.PDF](#), [ORDINANCE.PDF](#)

13. New Business

14. Old Business

15. Other

16. Adjourn

*If you need an accommodation to participate in the meeting, please contact the ADA Coordinator at
651-552-4100, TDD 651-322-2323 at least 5 business days prior to the meeting
www.wspmn.gov EOE/AA*

WEST ST. PAUL PLANNING COMMISSION

The regular meeting of the West St. Paul Planning Commission was called to order by Chair Hubert on Tuesday, November 17, 2015, at 7:00 p.m. in the Municipal Center Council Chambers, 1616 Humboldt Avenue, West St. Paul, Minnesota, 55118.

ROLL CALL

Commissioners present: Chair Hubert, Vice Chair Leuer and Commissioners Fernandez, McPhillips, Kavanaugh and Ramsay.

Absent:

Commissioner Nelson.

Also Present:

Assistant Community Development Director Boike and Council Liaison Bellows.

APPROVE MINUTES

ON MOTION of Leuer, seconded by McPhillips, RESOLVED to approve the West St. Paul Planning Commission meeting minutes of October 20, 2015 as written.

Ayes: 6 Nays: 0

PUBLIC HEARINGS

CASE # 15-15

Site Plan Amendment For The Development Of Seven Townhomes At Wentworth Estates (255 – 281 Wentworth Avenue East) – Ronel Builders, LLC

Assistant Community Development Director Boike reviewed the request from Ronel Builders, LLC for a Site Plan amendment for the Wentworth Estates townhome development located at 255 – 281 Wentworth Avenue. The location of the townhomes are west of the intersection of Wentworth and Oakdale Avenue. The townhomes front Wentworth to the south with the golf course pond to the west and the golf course to the north.

Bonfe Homes obtained Site Plan approval in 2005 for the construction of thirteen townhomes, six of which were built. The applicant is proposing to complete the townhome development per the original plans however the applicant is requesting to amend the rear setbacks of the seven remaining townhomes in order to allow for rear porches and decks.

Mr. Boike said included in the Committee's packets are copies of the application, copies of the public notice sent out for the Public Hearing as well as copies of the submitted plans.

Mr. Boike explained the subject property currently consists of six (6) existing townhomes and vacant pads for seven (7) remaining townhomes. Adjacent properties to the west and north consist of city owned golf course property. Adjacent properties to the east consist of single family homes and adjacent properties to the south consist of light industrial uses.

The subject property is zoned PRD, Planned Residential Development with R3 Townhouse Residential underlying zoning. Adjacent properties to the west, north and east are zoned R1, Single Family Residential and the adjacent properties to the south are zoned I1, Light Industrial.

Ronel Builders, LLC has purchased the remaining land to develop seven townhomes as part of the Wentworth Estates development. The applicant is proposing to build the townhomes according to the original Site Plan (similar to the existing townhomes) however the applicant is requesting the ability to add rear porches and decks.

Staff is recommending APPROVAL of the SITE PLAN AMENDMENT subject to the revised plans and subject to the following conditions (includes original conditions *and revised / newly recommended conditions in italics*):

1. All Parking spaces to be 9 x 20 feet in size.
2. ~~Appropriate screening on the East side of the property, based on a meeting between the applicant, the neighbor and City Staff.~~ *The applicant shall install a six-foot maintenance free fence along the east property line as approved by Staff.*
3. Addition of underground irrigation for all grass on the site.
4. Addition of appropriate signage as per Fire Codes to identify “Fire Lanes”.
5. ~~Plan must be revised to incorporate 64.5 more caliper inches of quality replacement trees.~~ *The applicant shall submit a landscape plan upon application of a building permit for the undeveloped portion of the property. Said landscape plans shall adhere to Section 5.8(4) of the Zoning Ordinance.*
6. *The applicant shall obtain all applicable building permits for the development of the property.*
7. *The applicant shall submit a revised site plan showing the entire property upon application of a building permit. Said site plan shall depict minimum rear yard setback of 18 feet for both rows of townhomes.*

Chair Hubert asked the Commissioners if there were any questions for Assistant Community Development Director Boike.

Commissioner Fernandez asked about the single family home to

the east of the proposed townhomes #10 – 13 in regards to what part of the house is closest to them. Mr. Boike said the side of the house is closest to the townhomes with the garage being on the east side of the property. Commissioner Fernandez asked if the six foot privacy fence is going to be required to which Mr. Boike answered yes.

Vice Chair Leuer asked if the decks were originally part of the site plan. Mr. Boike said the first six townhomes had original approval but the new seven remaining townhomes did not have approval for the decks and porches.

Commissioner Ramsey said there will be eighteen feet from the townhome to the privacy fence and asked what the distance would be from the privacy fence to the single family home. Mr. Boike didn't have that information in front of him but thought at least a six foot setback should be in place.

Commissioner Fernandez asked if the neighbors have made any comments. Mr. Boike replied that Public Notices were sent out and he has not heard from anyone.

Commissioner Kavanaugh asked about the PRD flexibility and what does the code say? Mr. Boike said the Plan development language allows for increased density for residential developments -a variation from setback requirements and that tag allows the Council to allow for some flexibility in terms of density requirements and setback requirements.

Commissioner McPhillips asked if the neighbors were objecting could the driveways be shortened. Mr. Boike said there is no set minimum for driveway depth but he assumes that the applicant would want to maintain at least a vehicle depth.

Chair Hubert asked the applicant to step forward to see if there were any questions from the Commissioners. Mr. Bob Ronning, President of Ronel Builders, LLC stepped forward. Commissioner McPhillips commented on the nice location of the property.

Since there were no questions Chair Hubert opened the Public Hearing at 7:16 p.m. Kelly Strebis, 261 Wentworth, President of the Wentworth Estates Townhome Association said they support adding porches and decks and urged the Planning Commission to

approve them also.

Chair Hubert asked if the association had any opinions on the privacy fence on the east side facing the single family home being a requirement from the builder. Mr. Strebig stated not really and said his personal choice was to not have the fence so the area was kept more open.

Mrs. Strebig stated she would prefer to have the privacy fence and commented on the fact that interested parties have stopped and talked to her regarding the new seven townhomes being built but said they would prefer to have decks and porches. Mr. Strebig reiterated the position and the support the Association has with the addition of the decks and porches.

Chair Hubert asked if there were any other members of the public that would like to come forward on the issue. There was no other members of the public so he closed the public hearing at 7:19 p.m.

ON MOTION by Ramsay, seconded by Leuer, the Planning Commission recommended approval of Case #15-15, the Site Plan Amendment For The Development of Seven Townhomes At Wentworth Estates (255 – 281 Wentworth Avenue East) – Ronel Builders, LLC.

Ayes: 6 Nays: 0 Abstain: 0

Chair Hubert confirmed with Assistant Development Director Boike that the case would go to City Council for consideration on Monday, November 23rd, 2015 at 6:30 p.m.

CASE # 15-16

Zoning Ordinance

Amendment, Section 37.8

To Allow Off-Premises

Signs Through A

Conditional Use Permit in

the B3, B4 and B6

Commercial Districts –

City of West St Paul

Assistant Community Development Director Boike said the City Council is recommending the proposed Zoning Ordinance amendment be reviewed by the Planning Commission which would allow off-premise signage to be located on properties directly adjacent to Robert Street through a Conditional Use Permit. This signage would benefit only those commercial properties that directly abut a property that is directly adjacent to Robert Street. The proposed amendment is a result of a request from an existing property owner located one property off of Robert Street who has had discussions with their neighboring property owner who is directly located on Robert Street about locating signage on their property. The Zoning Ordinance does not currently allow off-premise signage in commercial districts thus if this is to be allowed this amendment would be required.

The attached amendment would allow off-premise signage through a Conditional Use Permit in the B3, B4 and B6 Districts based on the following requirements:

- a. Sign must be located on a property directly adjacent to Robert Street.
- b. Off-premises signage is for a commercial zoned business directly adjacent to the property on which the sign is located.
- c. The off-premise signage must be on a free-standing sign.
- d. Only one free-standing sign is allowed for each property. The sign must meet the design requirements as outlined in Section 37.7(6) which basically states the base of the monument must be comprised of brick, stone, stucco or decorative block to compliment the principle building on the property.
- e. If the off-premises sign is co-located on signage for the property on which the sign is located, the size of the entire sign may be increased to a maximum of 70 square feet. Maximum height is limited to 10 feet.
- f. Up to a maximum of two businesses may be co-located on a free-standing sign.

If the proposed amendment is approved by Council, any property owner who meets the requirements will then be required to apply for a Conditional Use Permit to construct an off-premises sign on their property. Details relating to each individual sign will be reviewed through the Conditional Use Permit process.

Staff is recommending holding a Public Hearing tonight and the Planning Commission recommend APPROVAL of the ZONING ORDINANCE AMENDMENT to the City Council.

Chair Hubert asked if there were any questions from the Commissioners. Commissioner McPhillips asked if there were any examples that could be sited. Mr. Boike said there are not any but the request came from Culver's who have had discussions with Bobby and Steve's about getting some signage on their sign because they have a little bit of a visibility issue.

Commissioner Ramsey asked if the Culver's sign could be on Bobby and Steve's sign or does it need to be on a whole new structure. Mr. Boike said it could be incorporated into the

existing sign but it still has to meet the requirements outlined. Culvers is wanting a 20 foot square foot section off the side of it and so it appear as one sign.

Commissioner Fernandez said signs are a big issue especially on Robert Street and is grasping as to what it will look like. Commissioner Ramsay said the new style sign that the city is looking for is like the Beirut Restaurant sign just put in and Culver's is a great example of a business getting lost on Robert Street.

Boike said according to MNDot standards in order to get signage out on the freeway, the property for that freeway sign has to be directly adjacent to the road the sign is referring to so Culver's cannot get a sign saying the restaurant is off a particular exit.

Boike said there are approximately 23 – 25 other properties this amendment could benefit where there is a commercial business directly adjacent to a business on Robert Street that if approved there could be potential of some other co-signage or off premise signs in the future.

Commissioner Leuer asked who it is up to for the second spot on the sign. Mr. Boike said it was up to the business who owns the sign.

Chair Hubert wondered if any state regulations would impact signage on Robert Street. Boike stated it would not impact the signage on Robert Street.

Commissioner McPhillips said how far adjacent can it be. Mr. Boike said as long as it abuts the property and that property abuts Robert Street. Commissioner McPhillips commented that it sounds like whoever owns the sign that their property just became more valuable.

Commissioner Kavanaugh said this amendment might encourage some pylon signs to come down. Mr. Boike said it could.

Public Hearing is opened at 7:33 p.m. and closed at 7:33 p.m.

ON MOTION by Leuer, seconded by Ramsay, the Planning Commission recommended approval of Case #15-16, the Zoning Ordinance Amendment, Section 37.8 to allow off-

premises signs through a Conditional Use Permit in the B3, B4 and B6 Commercial Districts – City of West St. Paul.

Ayes: 6 Nays: 0 Abstain: 0

Chair Hubert said this amendment will also be recommended to the City Council next Monday, November 23rd, 2015.

CASE # 15-17

Zoning Ordinance

Amendment, Section 25.2

To Allow Private Garages

Through A Conditional

Use Permit In The B5

District – City Of West St.

Paul

Assistant Community Development Director Boike said the City Council is recommending the attached Zoning Ordinance Amendment be reviewed by the Planning Commission which would allow private garages (including carports) to be constructed in a B5 District through a Conditional Use Permit. The proposed amendment is a result of a request from an existing property owner in the district who would like to construct a permanent garage / carport on their property. The Zoning Ordinance does not currently allow private garages / carports in the district therefore the attached amendment is required to proceed.

Attached is a draft amendment that would allow garages / carports through a Conditional Use Permit in the B5 District based on the following requirements:

- a. Principal Use of the property is Mixed-use;
- b. Property includes an owner occupied residential unit;
- c. Structure meets the provisions of Section 33.7. In addition, metal framing and metal roofing is not allowed.
- d. Carport structures must be secured to a cement slab or footing.

Staff is recommending holding a Public Hearing tonight and the Planning Commission recommend APPROVAL of the ZONING ORDINANCE AMENDMENT to the City Council.

Commissioner Leuer asked how many properties along Robert Street currently have garages / carports. Mr. Boike said it is very minimal.

Commissioner Ramsay asked if this carport would be visible from Robert Street. Mr. Boike said it would be to the rear of the building off of the alley.

Chair Hubert opened the Public Hearing at 7:39 p.m. and since there was no one in the audience he closed the Public Hearing at 7:39 p.m.

ON MOTION by McPhillips, seconded by Kavanaugh, the Planning Commission recommended approval of Case # 15-17, the Zoning Ordinance Amendment, Section 25.2 to allow private garages through a Conditional Use Permit in the B5 District – City of West St. Paul.

Ayes: 6 Nays: 0 Abstain: 0

The application will go to Council for consideration on Monday, November 23, 2015.

NEW BUSINESS:

None.

OLD BUSINESS:

The Planning Commission meeting for December has been shifted to Wednesday, December 16, 2015 at 7:00 p.m.

There was talk regarding changing the start time to 6:00 or 6:30 p.m. Chair Hubert said personally 6:30 p.m. would be a good time for him. Commissioner McPhillips said anytime earlier or later would work. Commissioner Kavanaugh and Fernandez said they prefer the 7:00 p.m. start time. The start time stays at 7:00 p.m.

ADJOURNMENT:

ON MOTION of McPhillips, seconded by Ramsay, Commissioners RESOLVED to ADJOURN the November 17, 2015 regular meeting of the Planning Commission at 7:44 p.m.

All Ayes. 6/0.

TO: Planning Commission
FROM: Ben Boike, Assistant Comm. Dev. Dir.
DATE: February 16, 2016
SUBJECT: Rezoning/Plat – 1636/1708 Delaware Ave



REQUEST

Thomas I. Dodge is requesting approval of two applications for the subdivision of his properties at 1636 and 1708 Delaware Avenue: 1) Rezoning of 1636 Delaware from C, Conservancy to R-1C, Single Family, and 2) Plat to subdivide the existing two lots to four lots and one outlot.

Attachments:

*Memos from the City Civil Engineer and Dakota County
Draft Rezoning Ordinance
Application
Notice
Land Use Map
Preliminary/Final Plat Drawings*



EXISTING LAND USES

The subject property currently consists of two residential lots: 1636 Delaware contains two homes, 1708 Delaware contains one home. Adjacent properties to the north, west, and south consist of single family homes. The property to the east is Dodge Nature Center.

ZONING

1636 Delaware is currently zoned C, Conservancy. 1708 Delaware is currently zoned R-1C, Single Family. Adjacent properties to the north and south are zoned R1-C Single Family. Adjacent properties to the west (Mendota Heights) are zoned single family. The adjacent property to the east is zoned C, Conservancy.

BACKGROUND

The applicant is requesting the ability to subdivide the existing two lots into four lots and one outlot (ponds). There are currently a total of three homes on the two properties, two on the Dodge family property (1636 is the applicants home and 1668 is the old family home currently being rented) and one at 1708 Delaware (caretaker's home).

The applicant is not proposing any redevelopment at this time. The request is to simply put the family in better position for possible future redevelopment. The proposed subdivision of the property will allow for each existing home to be located on its own separate lot and creating a new lot on which a new home can be built, allowing the family the ability to sell individual homes and/or redevelop them as single-family lots.

Staff is recommending a condition of approval requiring the applicant apply for and obtain a rental license for the homes located at 1668 and 1708 Delaware that are rented to non-family members. The applicant must obtain the rental licenses before the city will sign off on recording the plat.

REZONING ANALYSIS

The applicant is requesting to re-zone 1636 Delaware from C, Conservancy to R-1C, Single Family Residential (1708 Delaware is currently zoned R-1C). If you may recall, the Planning Commission reviewed a Land Use Map amendment last fall to change the land use designation for 1636 Delaware from "Parks and Recreation" to "Single Family Residential". The land use map amendment was required in order to rezone the property from C, Conservancy to R-1C, Single Family Residential. The City Council approved the land use map amendment which was then submitted to the Metropolitan Council and approved.

Staff believes that R-1C zoning is appropriate zoning for the property based on the following:

- Current Use of Property – The property is currently being used as residential.
- Proposed lot sizes – The proposed lots are similar in size to surround single family lots.
- Surrounding Uses – With the exception of the Dodge Nature Center to the east, all surrounding uses are single family.
- Zoning of adjacent parcels – With the exception of the Dodge Nature Center to the east, all surround parcels are zoned Single Family.

- Land Use Plan Map – the Land Use Map (Comprehensive Plan) calls for “Single Family” uses for the subject properties.

PLAT ANALYSIS

The existing two properties consist of 23.69 acres, which are both owned by the applicant. The proposed subdivision will result in four lots and one outlot:

- Lot 1 consisting of 6.08 acres (current owner residence)
- Lot 2 consisting of 4.03 acres (former family home to remain)
- Lot 3 consisting of 1.94 acres (existing home to remain)
- Lot 4 consisting of 2.23 acres
- Outlot A consisting of 6.8 acres (pond area)

Access

Since Lot 4 does not have street frontage, Staff is recommending a condition of approval requiring an access easement be recorded through Lots 2 and 3 benefiting Lot 4. As discussed below, future access for Lots 3 and 4 shall be shared with Lot 2 per county spacing requirements.

Dakota County Review

Since the proposed plat abuts Wentworth Ave and Delaware Ave, which are both county roads, the Dakota County Plat Commission reviewed the proposed plat at their February 8, 2016 meeting. The County is requesting the following:

1. Five additional feet of right-of-way shall be dedicated to both Wentworth and Delaware Avenues.
2. Access shall be restricted on Wentworth Ave
3. Access shall be restricted to the two most northerly existing access drives on Delaware. Future access to Lots 3 and 4 shall share access with the existing drive for Lot 2.
4. No work shall be allowed in the Wentworth Ave right-of-way until a permit is obtained from the Dakota County Transportation Department.

The County has stated that they will consider allowing temporary access for Lot 3 in the location of one of the existing accesses to Delaware during final review. At time of preliminary review, they were unsure of the current use of the home located on Lot 3.

Staff is recommending a condition of approval requiring the applicant to adhere to the requests of the County.

City Civil Engineer Review

The City’s Civil Engineer has provided a memo with the following recommended condition pertaining to the Preliminary/Final Plat (see attached memo) which is included in Staff’s recommendation (condition 7):

1. If any of the lots are redeveloped in the future, water and sewer hook-ups to City infrastructure will be required.

Parkland Dedication

Staff is recommending a condition of approval that parkland dedication fees will be due upon application of a building permit for any new homes.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the REZONING of 1636 Delaware Ave from C, Conservancy to R-1C, Single-family Residential subject to the following condition:

1. Approval is contingent upon approval of the corresponding Plat application.

Staff recommends APPROVAL of the PRELIMINARY/FINAL PLAT subject to the following conditions:

1. Approval is contingent upon approval of the corresponding rezoning application.
2. The plat shall be recorded at the County Recorder's Office within 12 months of city approval.
3. Prior to recording, the applicant must apply for and obtain all required rental licenses for homes on the property that are being rented to non-family members.
4. The applicant shall prepare and record an access easement through Lots 2 and 3 benefiting Lot 4 as shown on the plat.
5. Parkland dedication fees will be required upon application of a building permit for any new home.
6. The plat shall adhere to the requests of Dakota County per the letter dated February 10, 2016.
7. If any of the lots are redeveloped in the future, water and sewer hook-ups to City infrastructure will be required.

Memorandum

TO: Ben Boike, Assistant Community Development Director/City Planner
FROM: Darin Rezac, Civil Engineer
DATE: February 11, 2016
SUBJECT: Plat Review for Dodge Property (1636/1668/1708 Delaware)

The engineering department has completed its review of the above-referenced project. Prior to issuance of a building permit for the site, the following conditions must be met.

RECOMMENDED CONDITIONS OF APPROVAL

1. If any of the proposed plats are redeveloped in the future, water and sewer hook-ups to City infrastructure shall be required.

C: Ross Beckwith, City Engineer/Public Works & Parks Director
Chuck Price, Eng. Tech III



Dakota County Surveyor's Office

Western Service Center • 14955 Galaxie Avenue • Apple Valley, MN 55124
952.891-7087 • Fax 952.891-7127 • www.co.dakota.mn.us

February 10, 2016

City of West St. Paul
1616 Humboldt Ave.
West St. Paul, MN 55118

Re: **DODGE SUBDIVISION**

The Dakota County Plat Commission met on February 8, 2016, to consider the preliminary plat of the above referenced plat. The plat is adjacent to CSAH 63 and CSAH 8, and is therefore subject to the Dakota County Contiguous Plat Ordinance.

The preliminary plat includes four residential lots and one outlot (pond), which is located along two county roads (Wentworth Avenue – CSAH 8) and Delaware Avenue (CSAH 63). The right-of-way needs for a two-lane rural design roadway are 55 feet of half right of way. The plat should dedicate an additional 5 feet along CSAH 8 and CSAH 63 to meet the right-of-way needs.

The access spacing guidelines are 1/8 mile (660 feet) for full access locations. There are four existing accesses along CSAH 63 that are shown on the proposed plat, approximately ¼ mile (1320 feet) long. The northern two existing accesses along proposed Lot 2 are spaced about 425 feet apart. The southern two existing accesses on proposed Lot 3 are spaced about 275 feet from the southern driveway on Lot 2 to the northern driveway on Lot 3 and spacing of about 150 feet between both driveways on Lot 3. Therefore, none of the four existing driveways meet the access spacing requirements. However, the Plat Commission will allow a variance to the access spacing guidelines and allow the two existing accesses to the north but will require both accesses on Lot 3 to be removed. Restricted access should be shown along all of CSAH 8 and CSAH 63 except for the two approved access openings on CSAH 63.

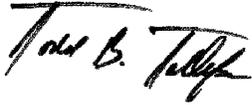
Future access for Lots 3 and 4 should be from the existing access along proposed Lot 2. The city mentioned that they will gather further information/details regarding the future plans for Lots 3 and 4.

The Plat Commission has approved the preliminary plat provided that the described conditions are met. The Ordinance requires submittal of a final plat for review by the Plat Commission before a recommendation is made to the County Board of Commissioners.

Traffic volumes on CSAH 63 are 6,000 ADT and are anticipated to be 9,600 ADT by the year 2030, and volumes on CSAH 8 are 5,200 ADT and are anticipated to be 5,100 ADT by the year 2030. These traffic volumes indicate that current Minnesota noise standards for residential units could be exceeded for the proposed plat. Residential developments along County highways commonly result in noise complaints. In order for noise levels from the highway to meet acceptable levels for adjacent residential units, substantial building setbacks, buffer areas, and other noise mitigation elements should be incorporated into this development.

No work shall commence in the County right of way until a permit is obtained from the County Transportation Department and no permit will be issued until the plat has been filed with the County Recorder's Office. The Plat Commission does not review or approve the actual engineering design of proposed accesses or other improvements to be made in the right of way. Nothing herein is intended to restrict or limit Dakota County's rights with regards to Dakota County rights of way or property. The Plat Commission highly recommends early contact with the Transportation Department to discuss the permitting process which reviews the design and may require construction of highway improvements, including, but not limited to, turn lanes, drainage features, limitations on intersecting street widths, medians, etc. Please contact Gordon McConnell regarding permitting questions at (952) 891-7115 or Todd Tollefson regarding Plat Commission or Plat Ordinance questions at (952) 891-7070.

Sincerely,

A handwritten signature in black ink that reads "Todd B. Tollefson". The signature is written in a cursive style with a prominent horizontal line above the first name.

Todd B. Tollefson
Secretary, Plat Commission

c:

Ord. No. 16-

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

AN ORDINANCE REZONING 1636 DELAWARE AVE
FROM C, CONSERVANCY TO R-1C,
SINGLE-FAMILY RESIDENTIAL

The City Council of West St. Paul does ordain:

SECTION 1. AMENDMENT. The Zoning Map of the City of West St. Paul is hereby amended by rezoning from C, Conservancy to R-1C, Single-family Residential for the property legally described as:

NW ¼ SW ¼ EX S 200 FT OF W 255 FT & EX PT E OF LINE BEG 1021.46 FT
E OF NW COR S 8D W 128.8 FT SW 165.32 FT ON TANG CUR S 54D W
78.07 FT SW 57.51 FT ON TAN CUR CONC E S 21D W 94.06 FT S 51.44 FT
ON TAN CUR CONC TO E S 214.09 FT S 13D W 176.43 FT SWLY 64.56 FT
ON TAN CUR CON TO W SW 51.10 FT ON REV CUR S 1D E 8.40 FT S 33D
W 32.85 FT S 23D W 111.13 FT S 26D E 238.98 FT TO S LINE NW ¼ SW ¼ &
THERE TERM, SECTION 19 TWN 28 RANGE 22.

SECTION 2. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this _____ day of _____, 2016.

Ayes:

Nays:

Attest:

David Meisinger, Mayor

Chantal Doriott, City Clerk



CITY OF WEST ST. PAUL

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972

MUNICIPAL CENTER 651-552-4100
PARKS/RECREATION 651-552-4150
FAX 651-552-4190

POLICE 651-552-4200
FIRE 651-552-4176
TDD 651-552-4222

REZONING APPLICATION

Filing Fee: \$325.00

Escrow Amount: \$800.00

TOTAL FEES \$1,125.00

(OFFICE USE ONLY)

CASE NO. 16-01
DATE RECEIVED 1/22/16
RECEIPT # _____
60 DAY DATE 3/24/16

1. STREET ADDRESS OF PROPERTY 1636/1668/1708 Delaware Avenue

2. NAME OF APPLICANT Thomas I. Dodge Phone # (651) 341-8930

3. ADDRESS OF APPLICANT 1636 Delaware Avenue Email 9magic@comcast.net
West St. Paul, MN 55118 dhellmuth@hjlawfirm.com

4. NAME OF OWNER Same Phone # Same

5. ADDRESS OF OWNER Same Email _____

6. LEGAL/PID # 42-01900-54-023/021/010

7. PRESENT ZONING C PROPOSED ZONING R1

8. PRESENT USE Conservancy PROPOSED USE Single Family

9. WHAT CHANGED OR CHANGING CONDITIONS MADE THE PASSAGE OF THIS AMENDMENT NECESSARY Applicant is subdividing the existing parcel to create additional lots.

10. WHAT IS THE EFFECT OF THE PROPOSED AMENDMENT? N/A. All existing homes are single-family homes. Therefore, proposed rezoning will bring all existing homes into compliance.

11. WHAT ERROR, IF ANY, IN THE EXISITING ORDINANCE WOULD BE CORRECTED BY THE PROPOSED AMENDMENT? N/A

12. WHAT OTHER CIRCUMSTANCES JUSTIFY THE AMENDMENT? N/A

EXHIBITS REQUIRED

1. An electronic copy as well as four (4) 22x34 and twenty (20) 11x17 paper copies in sets and folded, of a map or plat showing the lands proposed to be rezoned and all lands within 350 feet of the boundaries of the property proposed to be rezoned.
2. Written proof of ownership or legally recognized financial interest of the property on which the rezoning is requested. **SEE ATTACHED TITLE COMMITMENT.**

ACKNOWLEDGE AND SIGNATURE

The undersigned hereby represents upon all penalties of law, for the purpose of inducing the City of West St Paul to take action herein requested, that all statements herein are true and that all work herein mentioned will be done in accordance with the Ordinances and all Codes of the City of West St Paul and the State of Minnesota.

Thomas E Dodge
Signature of Owner (Required)

651-341-8930
Phone Number

Signature of Applicant (If different)

Phone Number

NOTE: All Materials relevant to this Application must be filed on or before the dates listed on the Operating Procedures for Applicants page. The Planning Commission holds its regular meeting at 7:00pm on the third Tuesday of each month.

FEES

1. The fees to be paid by each applicant for each zoning request shall be as prescribed by the City Council. Fees shall be payable at the time applications are filed with the Zoning Administrator and are not refundable unless the application is withdrawn prior to being sent for legal publication and notice. There shall be no fee in the case of applications filed in the public interest by the City Council or the Planning Commission. Fees shall include the application fee, filing fees, consultants, legal, planning, and engineering fees.
2. Applicants shall deposit with the City, together with the application filing fees, the sums required by City Council resolution toward prepayment of the Consultants and Attorneys expenses and all costs to be billed and charged to the City. The prepayment amounts shall be a credit toward all reasonable fees and expenses charged by the Consultants to the City in the investigation report and recommendation to the City Council concerning the application. All reasonable expenses and fees in excess of the deposit, shall be paid by the applicant to the City within 30 days of final action on the matter by the City. If not paid within 30 days, the account shall be deemed delinquent. If the fees and expenses incurred by the City from the Consultants are less than the amount of deposit, such excess shall be returned to the applicant upon final action by the City in said manner.



CITY OF WEST ST. PAUL

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972

MUNICIPAL CENTER 651-552-4100
PARKS/RECREATION 651-552-4150
FAX 651-552-4190

POLICE 651-552-4200
FIRE 651-552-4176
TDD 651-552-4222

PLATTING APPLICATION

Filing Fee: \$275.00 + \$2 each lot

(OFFICE USE ONLY)

Required Escrow: \$600.00 (1-2 Lots)
\$1600.00 (3 or more Lots)

CASE NO. 16-01
DATE RECEIVED 1/22/16
RECEIPT # _____
60 DAY DATE 3/22/16

TOTAL FEES \$1,885.00

CONTACT INFORMATION

1. NAME OF APPLICANT Thomas I. Dodge Phone # (651) 341-8930
2. ADDRESS OF APPLICANT 1636 Delaware Avenue Email _____
West St. Paul, MN 55118
4. NAME OF OWNER Thomas I. Dodge Phone # (651) 341-8930
5. ADDRESS OF OWNER 1636 Delaware Avenue Email _____
West St. Paul, MN 55118
6. NAME OF SURVEYOR Eric Lindgren, PLS Phone # (612) 638-0230
7. ADDRESS OF SURVEYOR c/o Landform Professional Services, LLC
105 South Fifth Avenue, #513
Minneapolis, MN 55401
Email elindgren@landform.net
8. NAME OF ENGINEER N/A Phone # _____
9. ADDRESS OF ENGINEER N/A Email _____

PLAT INFORMATION

10. LEGAL/PID # OF PROPERTY INVOLVED 42-01900-54-023/021/010
11. TOTAL ACREAGE 24
12. NUMBER OF PROPOSED LOTS Five (5) Lots
13. PROPOSED NAME OF PLAT Dodge Subdivision

EXHIBITS REQUIRED

1. An electronic copy as well as four (4) 22x34 and twenty (20) 11x17 copies of the proposed plat/final plat in sets.
2. Plat meets all minimum subdivision requirements. If not, explain:

ACKNOWLEDGE AND SIGNATURE

The undersigned hereby represents upon all penalties of law, for the purpose of inducing the City of West St Paul to take action herein requested, that all statements herein are true and that all work herein mentioned will be done in accordance with the Ordinances and all Codes of the City of West St Paul and the State of Minnesota.

Thomas e Dodge
Signature of Owner (required)

651-341-8930
Phone Number

Signature or Applicant (if different)

Phone Number

NOTE: All Materials relevant to this Application must be filed on or before the dates listed on the Operating Procedures for Applicants page. The Planning Commission holds its regular meeting at 7:00pm on the third Tuesday of each month.

LAPSE OF PLAT: An approved Plat shall lapse and become null and void six months following the date on which the Plat was approved, unless prior to the expiration of six months the Plat is recorded at Dakota County

FEES

1. The fees to be paid by each applicant for each zoning request shall be as prescribed by the City Council. Fees shall be payable at the time applications are filed with the Zoning Administrator and are not refundable unless the application is withdrawn prior to being sent for legal publication and notice. There shall be no fee in the case of applications filed in the public interest by the City Council or by the Planning Commission. Fees shall include application fee, filing fees, consultant, legal, planning, and engineering fees.
2. Applicants shall deposit with the City, together with the application filing fees, the sums required by Council resolution toward prepayment of the Consultants and Attorney's expenses and all costs to be billed and charged to the City. The prepayment amounts shall be a credit toward all reasonable fees and expenses charged by the Consultants to the City in the investigation report and recommendation to the City Council concerning the application. All reasonable expenses and fees in excess of the deposit, shall be paid by the applicant to the City within 30 days of final action on the matter by the City. If not paid within 30 days, the account shall be deemed delinquent. If the fees and expenses incurred by the City from the Consultants are less than the amount of deposit, such excess shall be returned to the applicant upon final action by the City in said manner.

**CITY OF WEST ST. PAUL
NOTICE OF PUBLIC HEARINGS**

TO WHOM IT MAY CONCERN:

The listed item below will be a public hearing at the Planning Commission meeting on February 16, 2016 at 7:00 p.m. and a public hearing at the City Council meeting on February 22, 2016 at 6:30 p.m.:

CASE #16-01 – Applications for the subdivision of 1636 and 1708 Delaware Avenue: 1) Rezoning from C, Conservancy District to R1-C, Single Family Residential; and 2) Plat to subdivide the existing two lots into four lots and one outlot – Thomas I. Dodge

Interested persons will be heard at these meetings. If you have any questions, please contact City Planner Ben Boike at 651-552-4134. If you need any type of accommodation to participate in the meeting, please contact the ADA Coordinator at 651-552-4102 at least 5 (five) business days prior to the meeting.

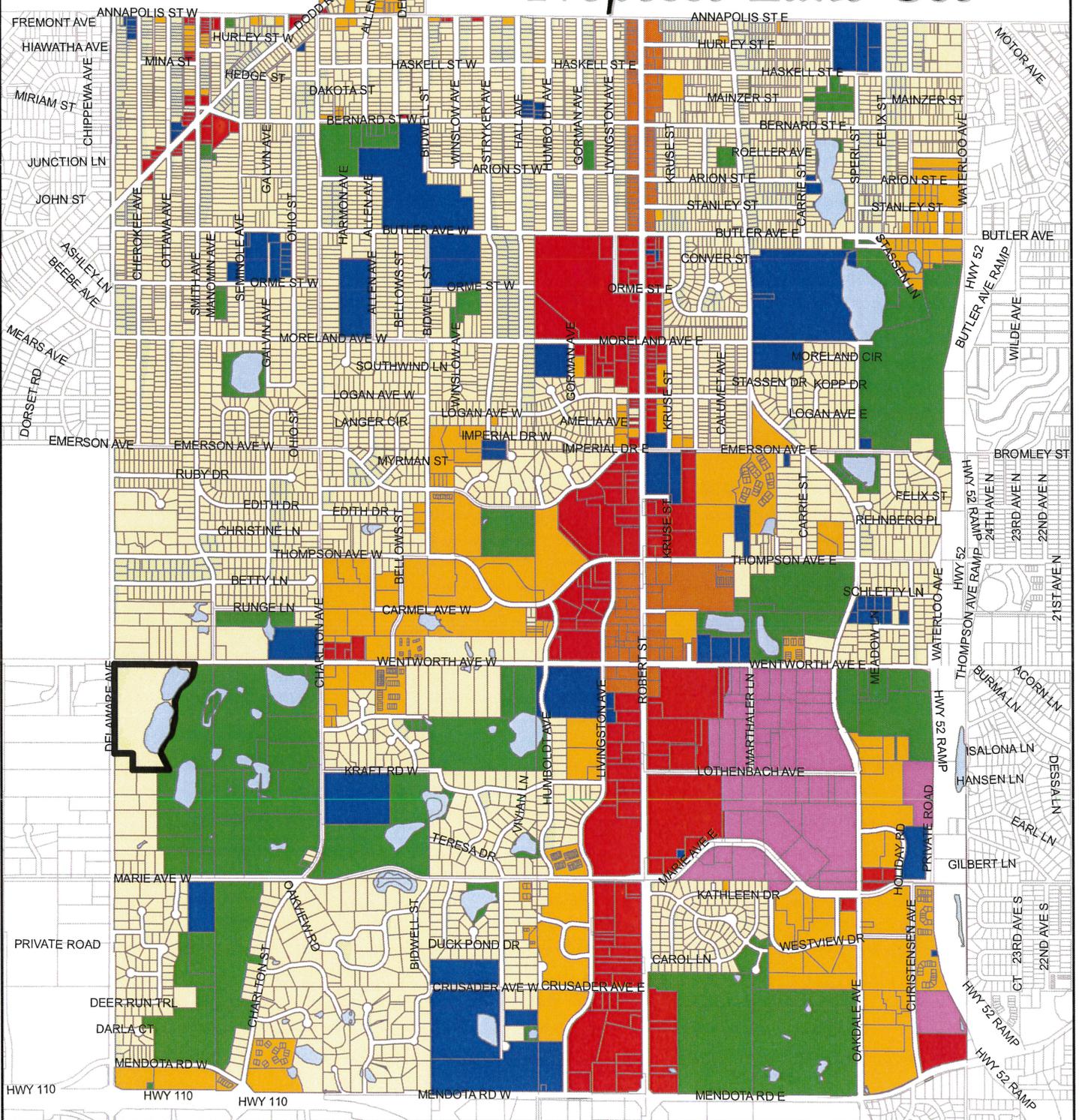


Chantal M. Doriott
City Clerk
City of West St. Paul

Published: February 7, 2016

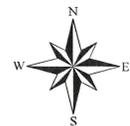
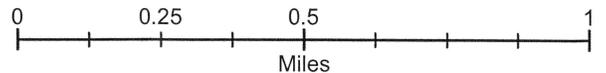
2030 Comprehensive Plan Update

West St. Paul Proposed Land Use

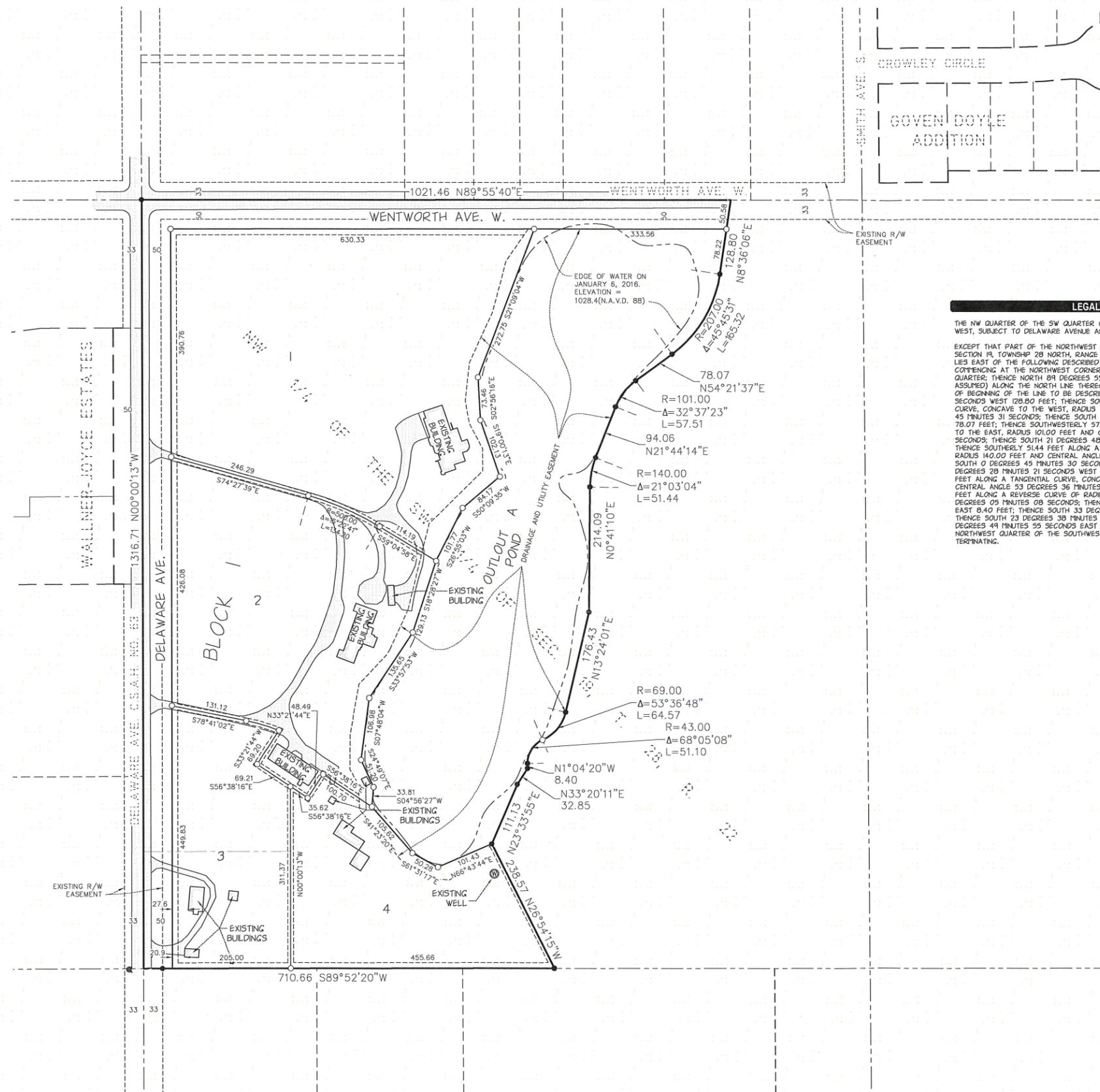


LEGEND

- | | | | |
|---|---------------|---|----------------------|
|  | SINGLE FAMILY |  | INDUSTRIAL |
|  | MULTI-FAMILY |  | PARKS AND RECREATION |
|  | MIXED USE |  | PUBLIC / SEMIPUBLIC |
|  | COMMERCIAL |  | WATER |



Source: Dakota County Parcels Map



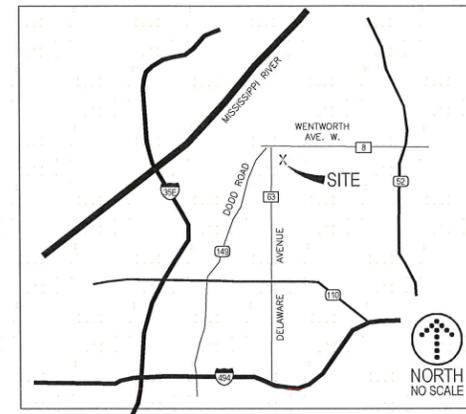
LEGAL DESCRIPTION

THE NW QUARTER OF THE SW QUARTER OF SECTION 19, TOWNSHIP 28 NORTH, RANGE 22 WEST, SUBJECT TO DELAWARE AVENUE AND WENTWORTH AVENUE.

EXCEPT THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 28 NORTH, RANGE 22 WEST, DAKOTA COUNTY, MINNESOTA WHICH LIES EAST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF SOUTHWEST QUARTER; THENCE NORTH 84 DEGREES 59 MINUTES 52 SECONDS EAST (BEARING ASSUMED) ALONG THE NORTH LINE THEREOF A DISTANCE OF 1021.46 FEET TO THE POINT OF BEGINNING OF THE LINE TO BE DESCRIBED; THENCE SOUTH 8 DEGREES 40 MINUTES 26 SECONDS WEST 128.50 FEET; THENCE SOUTHWESTERLY 165.32 FEET ALONG A TANGENTIAL CURVE, CONCAVE TO THE WEST, RADIUS 207.00 FEET AND CENTRAL ANGLE 45 DEGREES 45 MINUTES 31 SECONDS; THENCE SOUTH 54 DEGREES 25 MINUTES 57 SECONDS WEST 78.07 FEET; THENCE SOUTHWESTERLY 57.51 FEET ALONG A TANGENTIAL CURVE, CONCAVE TO THE EAST, RADIUS 101.00 FEET AND CENTRAL ANGLE 32 DEGREES 37 MINUTES 23 SECONDS; THENCE SOUTH 21 DEGREES 45 MINUTES 34 SECONDS WEST 94.06 FEET; THENCE SOUTHERLY 51.44 FEET ALONG A TANGENTIAL CURVE, CONCAVE TO THE EAST, RADIUS 140.00 FEET AND CENTRAL ANGLE 21 DEGREES 03 MINUTES 04 SECONDS; THENCE SOUTH 0 DEGREES 45 MINUTES 30 SECONDS WEST 214.09 FEET; THENCE SOUTHWESTERLY 64.56 FEET ALONG A TANGENTIAL CURVE, CONCAVE TO THE WEST, RADIUS 69.00 FEET AND CENTRAL ANGLE 53 DEGREES 36 MINUTES 48 SECONDS; THENCE SOUTHWESTERLY 51.10 FEET ALONG A REVERSE CURVE OF RADIUS 43.00 FEET AND CENTRAL ANGLE 68 DEGREES 05 MINUTES 08 SECONDS; THENCE SOUTH 11 DEGREE 00 MINUTES 00 SECONDS EAST 8.40 FEET; THENCE SOUTH 33 DEGREES 24 MINUTES 31 SECONDS WEST 32.85 FEET; THENCE SOUTH 23 DEGREES 38 MINUTES 15 SECONDS WEST 111.13 FEET; THENCE SOUTH 26 DEGREES 49 MINUTES 55 SECONDS EAST 238.57 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 19 AND THERE TERMINATING.

VICINITY MAP



GENERAL NOTES

1. FIELD SURVEY COMPLETED BY LANDFORM PROFESSIONAL SERVICES, LLC IN DECEMBER, 2015 AND JANUARY 2016.

ZONING AND SETBACK SUMMARY

THE PROPERTY IS ZONED C - CONSERVANCY DISTRICT, AND R-1 - ONE FAMILY RESIDENTIAL.

R-1 - RESIDENTIAL DENSITY CODE C

LOT AREA:
 INTERIOR - 15,000 SQ. FT.
 CORNER - 15,000 SQ. FT.

LOT WIDTH:
 INTERIOR - 100 FT.
 CORNER - 100 FT.

YARD, BUILDING SETBACK INFORMATION IS AS FOLLOWS:
 FRONT - 30 FT.
 SIDE - 10 FT.
 SIDE CORNER - 30 FT. TO STREET
 REAR - 30 FT. OR 20% OF AVERAGE LOT DEPTH, WHICHEVER IS GREATER

NO STRUCTURE OR BUILDING SHALL EXCEED 30 FEET IN HEIGHT AS DEFINED IN SECTION 3.2 ('BUILDING HEIGHT'), EXCEPT AS PROVIDED IN SECTION 4.5 OF THIS ORDINANCE.

AN AREA WHICH IS NOT SERVED BY THE MUNICIPAL SEWAGE SYSTEM MAY BE DEVELOPED ONLY AT ONE ACRE PER DWELLING UNIT.

*A 10% DEVIATION IN LOT WIDTH AND/OR AREA MAY BE PERMITTED PROVIDED THE AVERAGE LOT AREA FOR EACH PLAT OR SUBDIVISION SHALL NOT BE LESS THAN 15,000 SQUARE FEET, AND THE AVERAGE LOT WIDTH NOT LESS THAN 100 FEET.

C - CONSERVANCY

LOT AREA:
 40 CONTIGUOUS ACRES

LOT WIDTH:
 300 FT. AT BUILDING SETBACK LINE

YARD, BUILDING SETBACK INFORMATION IS AS FOLLOWS:

FRONT - 75 FT.
 SIDE - 75 FT. EACH SIDE
 SIDE - 75 FT. ADJACENT TO STREET
 REAR - 75 FT.

NOT MORE THAN 5% OF THE AREA SHALL BE OCCUPIED BY BUILDINGS.

NO STRUCTURE OR BUILDING SHALL EXCEED 45 FEET IN HEIGHT EXCEPT AS PROVIDED IN SECTION 4.5 OF THIS ORDINANCE. THE FOLLOWING HEIGHT REQUIREMENTS SHALL BE OBSERVED SUBJECT TO THE ADDITIONAL REQUIREMENTS, EXCEPTIONS, AND MODIFICATIONS AS SET FORTH ELSEWHERE IN THIS ORDINANCE.

AREA SUMMARY

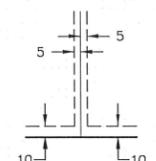
TOTAL SITE AREA: 1031.933 SQ. FT. = 23.690 AC.
 RIGHT OF WAY AREA: 114,218 SQ. FT. = 2.622 AC.
 NET AREA: 917,715 SQ. FT. = 21,068 AC.
 POND AREA: 265,105 SQ. FT. = 6.086 AC. AC.
 TOTAL SINGLE FAMILY LOTS = 4
 NET DENSITY = .02 UNITS/ACRE

OUTLOT A - 296,046 SQ. FT. = 6.796 AC.
 LOT 1 - 264,661 SQ. FT. = 6.076 AC.
 LOT 2 - 173,446 SQ. FT. = 4.028 AC.
 LOT 3 - 84,466 FT. = 1.939 AC.
 LOT 4 - 97096 SQ. FT. = 2.229 AC.

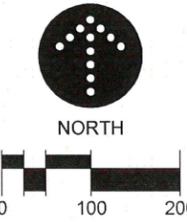
PROPERTY CORNER LEGEND

- DENOTES FOUND IRON MONUMENT
- DENOTES SET IRON MONUMENT
- MARKED WITH LICENSE NO. 48176.

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS: (NOT TO SCALE)



BEING 5 FEET IN WIDTH AND ADJOINING LOT LINES AND 10 FEET IN WIDTH AND ADJOINING RIGHT OF WAY LINES UNLESS OTHERWISE INDICATED.



DEVELOPER

TOM DODGE
 1636 DELAWARE AVENUE
 WEST ST. PAUL, MN 55118

MUNICIPALITY



PROJECT

DODGE PROPERTY
 WEST ST. PAUL, MN

SHEET INDEX

SHEET	TITLE
C1.0	SITE PLAN/PRELIMINARY PLAT

ISSUE / REVISION HISTORY

DATE	ISSUE / REVISION	BY
22 JAN 2016	CITY SUBMITTAL	SPK

PROJECT MANAGER REVIEW

BY EIL: _____ DATE: 01.22.2016

CERTIFICATION

PRELIMINARY NOT FOR CONSTRUCTION

IF THE SIGNATURE, SEAL OR FOUR LINES DIRECTLY ABOVE HEREIN IS BLURRED, THIS SHEET HAS BEEN REPRODUCED BY UNAUTHORIZED PERSONS AND IS NO LONGER A VALID DOCUMENT. PLEASE CONTACT THE ENGINEER TO REQUEST ADDITIONAL DOCUMENTS.

SUBMITTAL

01.22.2016

LANDFORM
 From Site to Finish

105 South Fifth Avenue Suite 513
 Minneapolis, MN 55401
 Tel: 612-252-9070
 Fax: 612-252-9077
 Web: landform.net

FILE NAME: C101ZZ153Z7

PROJECT NO.: ZZZ153Z7

SITE PLAN PRELIMINARY PLAT
C1.0
 SHEET NO. 1/1

DODGE ADDITION

KNOW ALL PERSONS BY THESE PRESENTS: That Thomas I. Dodge, a single person, owner of the following described property:

The Northwest Quarter of the Southwest Quarter of Section 19, Township 28, Range 22, Dakota County, Minnesota, EXCEPT That part of said Northwest Quarter of the Southwest Quarter, which lies east of the following described line: Commencing at the northwest corner of said Northwest Quarter of Southwest Quarter; thence North 89 degrees 55 minutes 52 seconds East (bearing assumed) along the north line thereof a distance of 1021.46 feet to the point of beginning of the line to be described; thence South 8 degrees 40 minutes 26 seconds West 128.80 feet; thence southwesterly 165.32 feet along a tangential curve, concave to the west, radius 207.00 feet and a central angle of 45 degrees 45 minutes 31 seconds; thence South 54 degrees 25 minutes 57 seconds West 78.07 feet; thence southwesterly 57.51 feet along a tangential curve, concave to the east, radius 101.00 feet and a central angle of 32 degrees 37 minutes 23 seconds; thence South 21 degrees 48 minutes 34 seconds West 94.06 feet; thence southerly 51.44 feet along a tangential curve concave to the east, radius 140.00 feet and a central angle of 21 degrees 03 minutes 04 seconds; thence South 0 degrees 45 minutes 30 seconds West 214.09 feet; thence South 13 degrees 28 minutes 21 seconds West 176.43 feet; thence southwesterly 64.56 feet along a tangential curve, concave to the west, radius 69.00 feet and a central angle of 53 degrees 36 minutes 48 seconds; thence southwesterly 51.10 feet along a reverse curve of radius 43.00 feet and a central angle of 68 degrees 05 minutes 08 seconds; thence South 1 degree 00 minutes 00 seconds East 8.40 feet; thence South 33 degrees 24 minutes 31 seconds West 32.85 feet; thence South 23 degrees 38 minutes 15 seconds West 111.13 feet; thence South 26 degrees 49 minutes 55 seconds East 238.98 feet to the south line of the Northwest Quarter of the Southwest Quarter of said Section 19 and there terminating.

Has caused the same to be surveyed and platted as DODGE ADDITION and does hereby dedicate to the public for public use the public ways and the drainage and utility easements as created by this plat. In witness whereof said Thomas I. Dodge, a single person, has hereunto set his hand this _____ day of _____, 20____.

Thomas I. Dodge

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me on _____, by Thomas I. Dodge.

Notary Public, Minnesota
My Commission Expires _____

I Eric B. Lindgren do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and that all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20____.

Eric B. Lindgren, Licensed Land Surveyor
Minnesota License Number 48176

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me on _____, by Eric B. Lindgren.

Notary Public, Minnesota
My Commission Expires _____

CITY COUNCIL, CITY OF WEST ST. PAUL, MINNESOTA

This plat was approved by the City Council of West St. Paul, Minnesota this _____ day of _____, 20____, and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subd. 2.

By _____, Mayor

By _____, Clerk

DAKOTA COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, and the Dakota County Contiguous Plat Ordinance, this plat has been reviewed and approved this _____ day of _____, 20____.

Todd B. Tollefson
Dakota County Surveyor

DEPARTMENT OF PROPERTY TAXATION AND RECORDS

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____ day of _____, 20____.

Department of Property Taxation and Records
Director

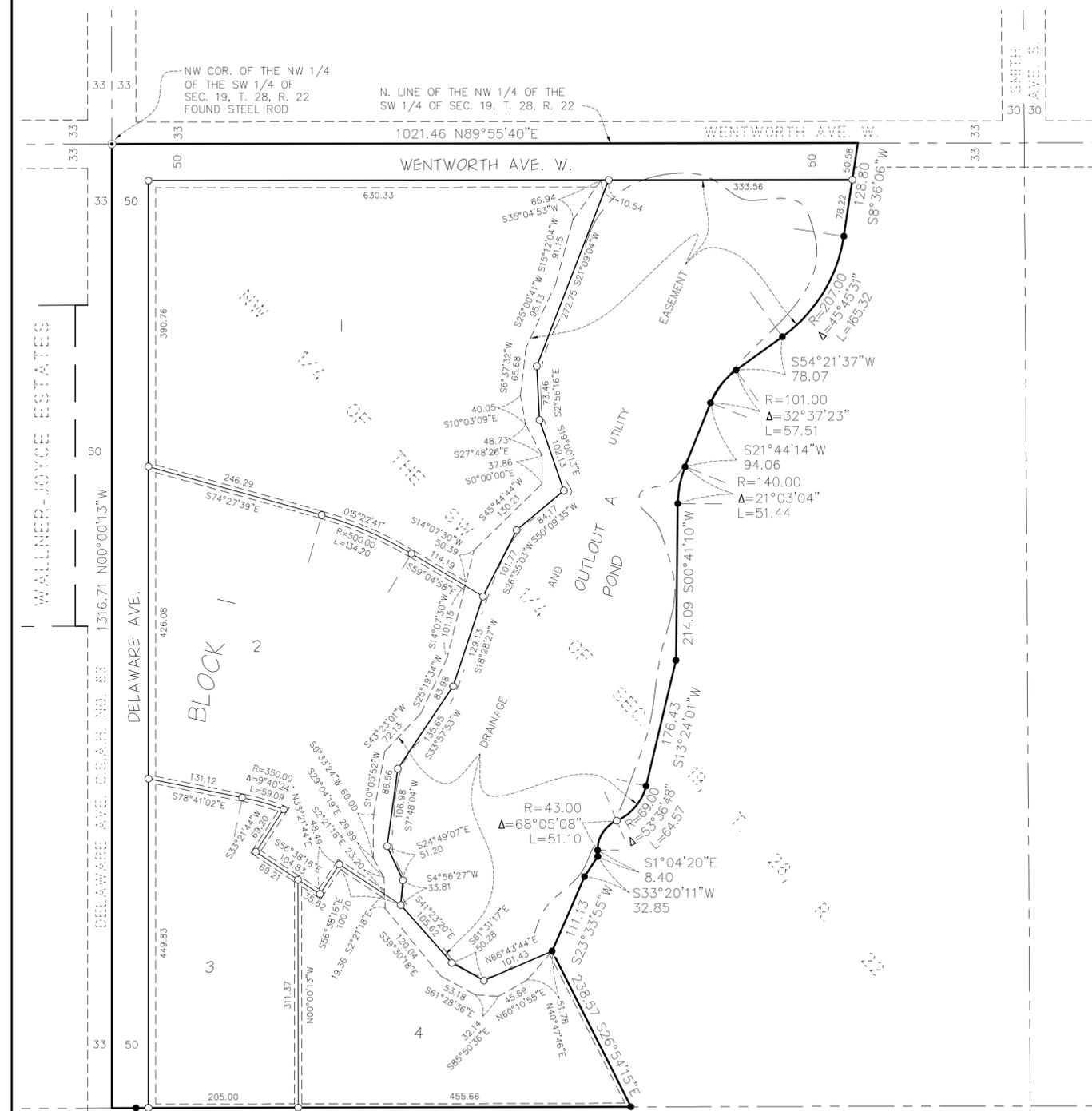
DAKOTA COUNTY BOARD OF COMMISSIONERS

We do hereby certify that on the _____ day of _____, 20____, the Board of Commissioners of Dakota County, Minnesota, approved this plat of DODGE ADDITION, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03 Subd. 2 and pursuant to the Dakota County Contiguous Plat Ordinance.

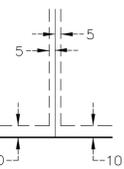
By: _____
Chair, County Board

County Recorder

Attest: _____
County Treasurer-Auditor



DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS: (NOT TO SCALE)

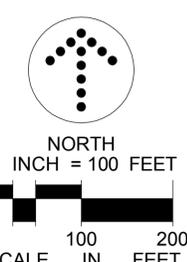
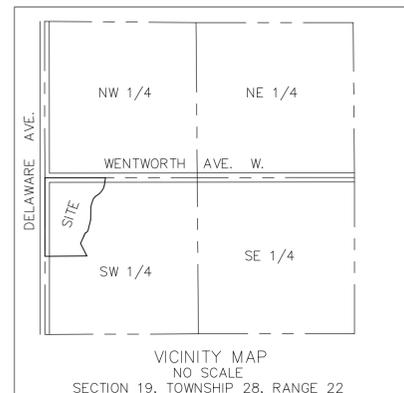


BEING 5 IN WIDTH AND ADJOINING LOT LINES AND 10 FEET IN WIDTH AND ADJOINING RIGHT OF WAY LINES UNLESS OTHERWISE INDICATED

● DENOTES 1/2 INCH IRON PIPE MONUMENT FOUND.

○ DENOTES 1/2 INCH BY 14 INCH IRON PIPE MONUMENT SET AND MARKED BY LICENSE NO. 48176.

BEARINGS SHOWN ARE BASED UPON THE NORTH LINE OF THE NW 1/4 OF THE SW 1/4 OF SEC. 19, T. 28, R. 22 WHICH HAS AN ASSUMED BEARING OF N 89°55'40" E.



TO: Planning Commission
FROM: Ben Boike, Assistant Comm. Dev. Dir.
DATE: February 16, 2016
SUBJECT: Ordinance Amend. – Def. of Dwelling Unit



CASE #16-02 - Zoning Ordinance Amendment, Section 3.2 regarding the definition of Dwelling Unit – City of West St. Paul

BACKGROUND:

The zoning ordinance currently has conflicting definitions pertaining to the number of non-related residents that can reside in a housing unit.

Family. An individual or two or more persons legally related by blood, marriage, foster care or adoption, or a group of not more than three persons not related by blood or marriage living together in a Dwelling Unit.

Dwelling Unit. A Building or portion thereof which contains living Facilities including provisions for sleeping, eating, cooking and sanitation for not more than one family or a congregate residence for ten or less persons.

The City Council discussed the conflicting definitions at the January 11 Open Council meeting and directed staff to draft the attached amendment to remove the language “or a congregate for ten or less persons” from the definition of Dwelling Unit. If approved, the amendment will limit any confusion regarding the number of non-related individuals who can reside in a dwelling unit by limiting the number to three per the definition of family.

RECOMMENDATION:

Hold public hearing and recommend approval of the amendment.

ATTACHMENTS:

Public Notice
Ordinance Amending Sections 3.2

TIMELINE:

Jan. 25: CC first reading
Feb. 16: PC public hearing
Feb. 22: CC final reading (public hearing)



**CITY OF
WEST ST. PAUL**

City Hall
1616 Humboldt Avenue
West St. Paul, MN
55118-3972
651-552-4100
FAX 651-552-4190
TDD 651-322-2323
www.wspmn.gov

**CITY OF WEST ST. PAUL
NOTICE OF PUBLIC HEARINGS**

TO WHOM IT MAY CONCERN:

The listed items below will be a public hearing at the Planning Commission meeting on February 16, 2016 at 7:00 p.m. and a public hearing at the City Council meeting on February 22, 2016 at 6:30 p.m.:

CASE #16-01 – Applications for the subdivision of 1636 and 1708 Delaware Avenue: 1) Rezoning from C, Conservancy District to R1-C, Single Family Residential; and 2) Plat to subdivide the existing two lots into four lots and one outlot – Thomas I. Dodge

CASE #16-02 - Zoning Ordinance Amendment, Section 3.2 regarding the definition of Dwelling Unit – City of West St. Paul

Interested persons will be heard at these meetings. If you have any questions, please contact City Planner Ben Boike at 651-552-4134. If you need any type of accommodation to participate in the meeting, please contact the ADA Coordinator at 651-552-4102 at least 5 (five) business days prior to the meeting.

Chantal M. Doriott
City Clerk
City of West St. Paul

Published: February 7, 2016

Ord. No. 16-

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING
WEST ST. PAUL ZONING ORDINANCE SECTION 3.2,
REGARDING THE DEFINITION OF
DWELLING UNIT**

The City Council of West St. Paul does ordain:

SECTION 1. AMENDMENT. West St. Paul Zoning Ordinance Section 3.2 is hereby amended as follows:

55. Dwelling Unit. A Building or portion thereof which contains living Facilities including provisions for sleeping, eating, cooking and sanitation for not more than one family ~~or a congregate residence for ten or less persons.~~

SECTION 2. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this _____ day of _____, 2016.

Ayes:

Nays:

Attest:

David Meisinger, Mayor

Chantal Doriott, City Clerk