



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

**COMMITTEE OF ADJUSTMENTS/
PLANNING COMMISSION**

June 21, 2016

7:00 p.m.

MUNICIPAL CENTER COUNCIL CHAMBER

1. COMMITTEE OF ADJUSTMENTS

2. Roll Call

3. Adopt Minutes

3.A. Minutes 5-17-16

Documents: [05-17-16 MINUTES.PDF](#)

4. Public Hearings

4.A. Case #16-02 – Application For A Variance To Allow A Reduction In Setback To A Residential Property For An Essential Service Structure In An R1 District At 1365 Bidwell St. – St. Paul Regional Water Services (CONT. FROM 5/17/16)

Documents: [COA REPORT 2.PDF](#)

4.B. Case 16-04 Application For A Variance To Allow A Reduction In Minimum Lot Width For A New Lot At 260 Edgewood – Sylvia Dorsey

Documents: [COA REPORT.PDF](#), [RESOLUTION - FINDINGS.PDF](#),
[APPLICATION.PDF](#), [NOTICE.PDF](#), [EMAIL.PDF](#)

5. New Business

6. Old Business

7. Other

8. Adjourn

9. PLANNING COMMISSION

10. Roll Call

11. Adopt Minutes

11.A. Minutes 5-17-16

Documents: [05-17-16 MINUTES.PDF](#)

12. Public Hearings

12.A. CASE #16-05 – Application For A Conditional Use Permit To Allow For The Expansion Of An Essential Service Structure (Building Expansion) At 1365 Bidwell St. – St. Paul Regional Water Services (CONT. FROM 5/17/16)

Documents: [PC REPORT 2.PDF](#)

12.B. Case #16-07 – Application For A Conditional Use Permit To Allow A Two-Family Home In An R4 District At 217 W. Bernard – Donovan Tegg

Documents: [PC REPORT.PDF](#), [APPLICATION.PDF](#), [NOTICE.PDF](#), [PLANS.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 COMMITTEE OF ADJUSTMENTS

The regular meeting of the West St. Paul Committee of Adjustments was called to order by Chair Hubert on Tuesday, May 17, 2016, at 7:00 p.m. in the Municipal Center Council Chambers, 1616 Humboldt Avenue, West St. Paul, Minnesota, 55118.

ROLL CALL

Present: Chair Hubert and Commissioners Leuer, Nelson, McPhillips, Kavanaugh, Fernandez (arrived at 7:08 p.m.) and Ramsay.

Absent: None.

Also Present:

Assistant Community Development Director Boike, Civil Engineer Rezac, Council Liaison Bellows, City Attorney Land, and Recording Secretary Dull.

APPROVE MINUTES

ON MOTION of Kavanaugh, seconded by McPhillips, RESOLVED to approve the West St. Paul Committee of Adjustments meeting minutes of Tuesday, January 16, 2016 as written.

Ayes: 6 Nays: 0 Abstain: 0
(Fernandez was not present for vote)

PUBLIC HEARINGS

CASE # 16-02

Application for a Variance to Allow a Reduction in Setback to a Residential Property For an Essential Service Structure in an R1 District at 1365 Bidwell St. – St. Paul Regional Water Services

Assistant Community Development Director Boike reviewed the staff memo regarding a variance request by St. Paul Regional Water Services to reduce the minimum setback of an Essential Service Structure (pump house) from an abutting lot in a Residential District. Included in the commissioners' packets were a draft resolution memorializing the findings of facts should the committee approve the variance, a copy of the application, a letter from St. Paul Regional Water Services dated April 21, 2016, the notice of public hearing, and a copy of the site plans. Additional photographs were also provided to Commissioners at the meeting that were not originally included in the packet. Staff recommended approval of the variance subject to the five conditions provided in the staff memo.

Assistant Community Development Director Boike advised the structure was currently a legal non-conforming use with setback of 17 feet which predates the existing 50 feet setback.

Commissioner Ramsay inquired about noise from the proposed generator. Assistant Community Development Director Boike noted that staff has not been informed as to noise levels to date.

WEST ST. PAUL COMMITTEE OF ADJUSTMENTS

Meeting Minutes – May 17, 2016

Commissioner Kavanaugh noted operation during daylight hours and suggested operation between 7 a.m. and 10 p.m. in line with the noise ordinance. Assistant Community Development Director Boike stated that the intent of daylight hours was to be more restrictive but Commission can amend if desired.

Ben Feldman, St. Paul Regional Water Services, was invited to the podium for questions by the Commission.

Commissioner McPhillips confirmed with Mr. Feldman that installation of a generator replaces the need for building a water tower. Mr. Feldman added that the water was sufficient and the issue was the power outages at the station.

Commissioner Ramsay asked why generators weren't being installed all over instead of new water towers. He also inquired about the 6 foot fence, noise levels and alternative options. Mr. Feldman responded that generators weren't as reliable in the past but have made progress so many smaller cities were switching to generator operation. He added that the electrical engineers have advised that sound will be limited as the generator will be located in an enclosure within an enclosure. Mr. Feldman compared the sound outside of the building to that of an idling car and explained that there were other options they could explore for noise minimization inside.

Commissioner McPhillips stated information he received shows noise from exhaust rather than inside and asked Mr. Feldman to respond. Mr. Feldman explained that there were other options such as mufflers for noise and noted that St. Paul Regional Water opted for the highest level sound deafening option on the unit. He added that the unit would run fairly quiet and there was a west side station that sits outside without any complaints to date.

Commissioner Fernandez inquired about exhaust content. Mr. Feldman advised that exhaust was natural gas, the same as any residential home.

Commissioner Kavanaugh asked whether there were other options for location of the generator. Mr. Feldman explained there was no room in the existing building which is why they were requesting an addition. He added that an addition to the north would require clearing of landscape and the least disturbance option was to not remove trees and put the generator in the building rather than free standing outside.

Chair Hubert opened the Public Hearing at 7:18 p.m.

Scott Ploss, Representing mother-in-law at 151 Myrman Ave.

Mr. Ploss noted that an addition to the back of the building would encroach to 5.5 feet of the property line. Suggested an addition to the north side since there was more room as the addition would be an eye sore for the property behind the building. Mr. Ploss added that he understands that there would be noise but the Menards generators were loud and required muffles and doesn't want that to be the case in a residential setting. Also, it is annoying to have a constant hum. He explained that the construction would take place in the summer causing an entire summer of noise and that it would be a shame to lose the mature oak trees on the lot. Mr. Ploss asked what the proposed addition would do to property values also.

Diane Ploss, Representing mother at 151 Myrman Ave.

Mrs. Ploss explained that she helps her mother with yard work and noise will not be nice when outside. She added that construction of a building addition and a fence will disrupt the gardens She also asserted that she has talked to St. Paul Regional Water in the past regarding property maintenance noting that yard cutters have thrown branches into her mother's yard and weeds are tall. Mrs. Ploss explained that water runoff comes down the hill and is not addressed and when the roof was last tarred/repared, the compound spilled and got on mother's garage, grass, plants, etc. and no one cleaned it up.

Chair Hubert asked Mr. and Mrs. Ploss if they preferred a fence or no fence. Mrs. Ploss stated that a fence in some cases is fine if it is maintained and that currently her mother's property is fenced on three sides, none of which belong to her mother, but no one maintains the fences.

Commissioner Fernandez confirmed with Assistant Community Development Director Boike that a fence would be allowed if the building were turned back into a single family home. He also clarified with Mr. and Mrs. Ploss that the primary concerns were noise and aesthetics. Commissioner Fernandez verified with Mr. and Mrs. Ploss that St. Paul Regional Water did not contact neighbors regarding the proposal prior to the meeting.

Ed Iago, 12 Langer Circle

Mr. Iago advised he was in favor of the generator as it was needed but he was also in favor of St. Paul Regional Water being a good neighbor. He explained that noise, litter, and odor were already issues with the site and he has personally contact code

enforcement a number of time to get the yard cleaned up. Mr. Iago stated that when the pumps go off in the building now, the noise can be heard so sound proofing would need to be substantial. He indicated that it is extremely difficult to get people to change or address issues once the project is built so staff condition four may be difficult to enforce. Mr. Iago asked the Commission to address the odor and noise issues before approving the variance as well as require a noise meter reading. He also suggested that St. Paul Regional Water consider moving the addition as it would be less impact to the neighbors and neighborhood.

Chair Hubert closed the Public Hearing at 7:34 p.m.

Commissioner McPhillips asked Mr. Feldman to respond to comments. Mr. Feldman advised that he is still fairly new to St. Paul Water having been there for only three years but is aware of St. Paul Water making a big push to upgrade all buildings and maintain the lots. He explained that prior to the roof repair there was significant leakage in the building. He stated it is unfortunate the contractor did not clean up the mess and added that he would talk to the head of building and grounds regarding the branches and grass to be better maintained due to public complaints.

Chair Hubert asked Mr. Feldman if extending to the east was an option for St. Paul Water. Mr. Feldman explained that they were trying to stay within zoning requirements. He added that if moving the addition, other significant structural changes would be required. Mr. Feldman stated that locating the generator to the north of the water mains would not be ideal either.

Commissioner McPhillips noted existing issues with water runoff and asked whether the increase in water runoff had been considered. He requested other options for an addition be proposed and more information regarding the structure be provided.

Commissioner Ramsay stated he'd like to see a plan for alternative locations and would like to see roof lines to ensure aesthetics are appropriate for the neighborhood. He added that he could not vote in favor of the application as proposed.

Commissioner Leuer verified with Assistant Community Development Director Boike that side setbacks on residential properties were 15 feet split between the two side yards.

Commissioner Fernandez stated he would vote no due to too much grey area and that St. Paul Regional Water needs to do a better job

WEST ST. PAUL COMMITTEE OF ADJUSTMENTS
Meeting Minutes – May 17, 2016

with plans and possibly come back with a request for a different variance as placing additional conditions would be too extensive.

Chair Hubert requested Commissioners provide a list of topics to be addressed by the applicant. The list included regular drawings to show the roof line of the addition, impact to neighborhood, exploration of roof line on opposite end of existing structure, sound level information, exhaust impacts, alternative options for generator placement.

Mr. Feldman noted that the proposed option was the most expensive, had the least disturbance to neighbors, served the electrical replacement needs of St. Paul Water, and that other options were considered. He explained that the replacement of electrical will reduce disturbance to neighbors and the addition will eliminate the need for a generator to run full time and will keep the station operational.

Chair Hubert appreciated that St. Paul Water was trying to keep neighbors considerations in sight but suggested that alternate options be proposed and encouraged additional discussion with neighbors that would be affected. He confirmed with Assistant Development Director Boike that options for the Commission included either continuing the application to the next meeting for more information, deny the application, or approve with conditions.

Attorney Land explained that if the Commission was requesting other options, that would require a different variance application. She suggested continuance to allow the proposed application to be acted upon at the same time other options, if any, are considered. Attorney Land also noted the 60 day rule would expire on June 20th and suggested the Commission request the Zoning Administrator send an extension letter to allow for an additional 60 days to further analyze and act upon the application..

ON MOTION by Leuer, seconded by Ramsay, the Committee of Adjustments continued Case #16-02, Application for a Variance to allow a reduction in Setback to a Residential Property for an Essential Service Structure in an R1 District at 1365 Bidwell St., until the June 21, 2016 meeting and requested the Zoning Administrator send an extension letter to allow an additional 60 days to act upon the application.

Ayes: 7 Nays: 0 Abstain: 0

CASE # 16-03

Application for Two Variances: 1) to Allow Parking (Drive Aisle) in the Front Yard Setback, and 2) to Allow for a Deviation in Front Yard Building Setback, both for the Redevelopment of 1725 Robert St. – Venture Pass Partners, LLC

Assistant Community Development Director Boike reviewed the staff memo regarding two variance requests by Venture Pass Partners, LLC to allow parking in the front yard setback and allow a deviation in front yard building setback. Included in the commissioners' packets were a draft resolution memorializing the findings of facts should the committee approve the variances, a copy of the application, the notice of public hearing, and a copy of the site plans. Staff recommended approval of the variances subject to the condition that the Variances are contingent upon approval of the corresponding Site Plan, Conditional Use Permit, and Plat applications.

Commissioner Leuer inquired about existing setback of the credit union. Commissioner Kavanaugh asked about other fast food setbacks on Robert St. Assistant Community Development Director Boike explained that the credit union setback was about 80 feet and the proposed redevelopment would be substantially closer and other fast food setbacks were in the 40-50 range which is similar to what was being proposed.

The applicant was invited to the podium for questions by the Commission.

David Carlend, President of Venture Pass Partners, LLC

Mr. Carlend introduced his team. He Provided an overview of the proposed redevelopment to combine several properties and the City approvals and encouragement received thus far and explained that traffic circulation within the site would be improved. Mr. Carlend discussed tenants of the redevelopment and a total construction cost of over \$6.5 million with \$130,000 in park dedication funds.

Commissioner McPhillips asked about lease terms from tenants. Mr. Carlend provided initial lease terms of 10- 15 years for tenants.

Commissioner Fernandez inquired about pedestrian entrance from Robert St. and possible conflicts in internal traffic flow. He also asked about sidewalks from Livingston into the development. Mr. Carlend stated there wouldn't be conflicting turning movements and explained options for ingress, egress, and circulation within the site including signal at Lothenbach, right-in – right-out at the north end of the site, and full access onto and from Livingston. He also confirmed his willingness to include sidewalks from Livingston.

Randy Rauwerdink, Venture Pass Partners, LLC

Mr. Rauwerdink explained pedestrian traffic from Robert St. bus stop and along sidewalks that will connect people to the front of the buildings. He also explained that doors along Robert St. will likely be emergency exits only.

Commissioner Ramsay requested clarification that the proposal is to run four businesses through one primary driveway. Mr. Carlend explained that MnDOT recommends less curb cuts on Robert St. but that there would be alternative access points on Livingston.

Commissioner McPhillips inquired about traffic engineer analysis of the primary intersection. Mr. Carlend advised that one condition of approval of the Site Plan is a traffic study which will require certification from engineers adding that the merge in traffic as proposed would be less conflict than crossing traffic.

Commissioner Ramsay asked about street parking on Livingston which Assistant Community Development Director Boike responded that he was unsure but didn't think street parking was allowed in the area given the curb cuts.

Commissioner Kavanaugh noted a staff typo in the Findings of Fact Resolution and Boike advised the resolution would be consistent with the staff memo.

Commissioner Fernandez inquired about the traffic light and confirmed with the applicant and staff that internal traffic stacking would be sufficient.

Chair Hubert opened the Public Hearing at 8:19 p.m.

Commissioner Fernandez noted email correspondence received by some Commissioners and asked whether it should be part of the record. Attorney Land stated she was unaware of any correspondence received and recommended reading if it warrants being read into the record. After brief discussion by Commissioners, Chair Hubert stated the comments from the email would remain outside the public record.

Chair Hubert closed the Public Hearing at 8:21 p.m.

Commissioner Fernandez noted that as redevelopment of Robert St. continues, most businesses are being developed with building backs on Robert Street which is not pedestrian friendly. He suggested addressing that issue as applications are proposed.

WEST ST. PAUL COMMITTEE OF ADJUSTMENTS
Meeting Minutes – May 17, 2016

Mr. Carlend noted that interior layouts for the businesses have not been completed and speculated that it may not be possible to have access on Robert but it hasn't been eliminated. However, it is an objective that tenants are aware of but promises cannot be made.

Chair Hubert mentioned that access on Robert St. may be something the City Code could or should address.

ON MOTION by McPhillips, seconded by Fernandez, the Committee of Adjustments approved Case #16-03, Application for two Variances: 1) to allow parking (drive aisle) in the front yard setback, and 2) to allow for a deviation in front yard building setback, both for the redevelopment of 1725 Robert St. requested by Venture Pass Partners, LLC.

Ayes: 7 Nays: 0 Abstain: 0

NEW BUSINESS:

None.

OLD BUSINESS:

None.

OTHER:

None.

ADJOURNMENT:

ON MOTION of Nelson, seconded by Leuer, the Commissioners ADJOURNED the Committee of Adjustments meeting of May 17, 2016, at 8:25 p.m.

All Ayes: 7/0.

TO: Committee of Adjustments
FROM: Ben Boike, Assistant Comm. Dev. Dir.
DATE: June 21, 2016
SUBJECT: Case #16-02



REQUEST

The applicant has requested that this item be continued to the July 19 meeting to allow additional time to provide the requested information and meet with the neighboring property owner.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission CONTINUE Case #16-02 to the July 19, 2106 Committee of Adjustments meeting.

TO: Committee of Adjustments
FROM: Ben Boike, Assistant Comm. Dev. Dir.
DATE: June 21, 2016
SUBJECT: Case #16-04

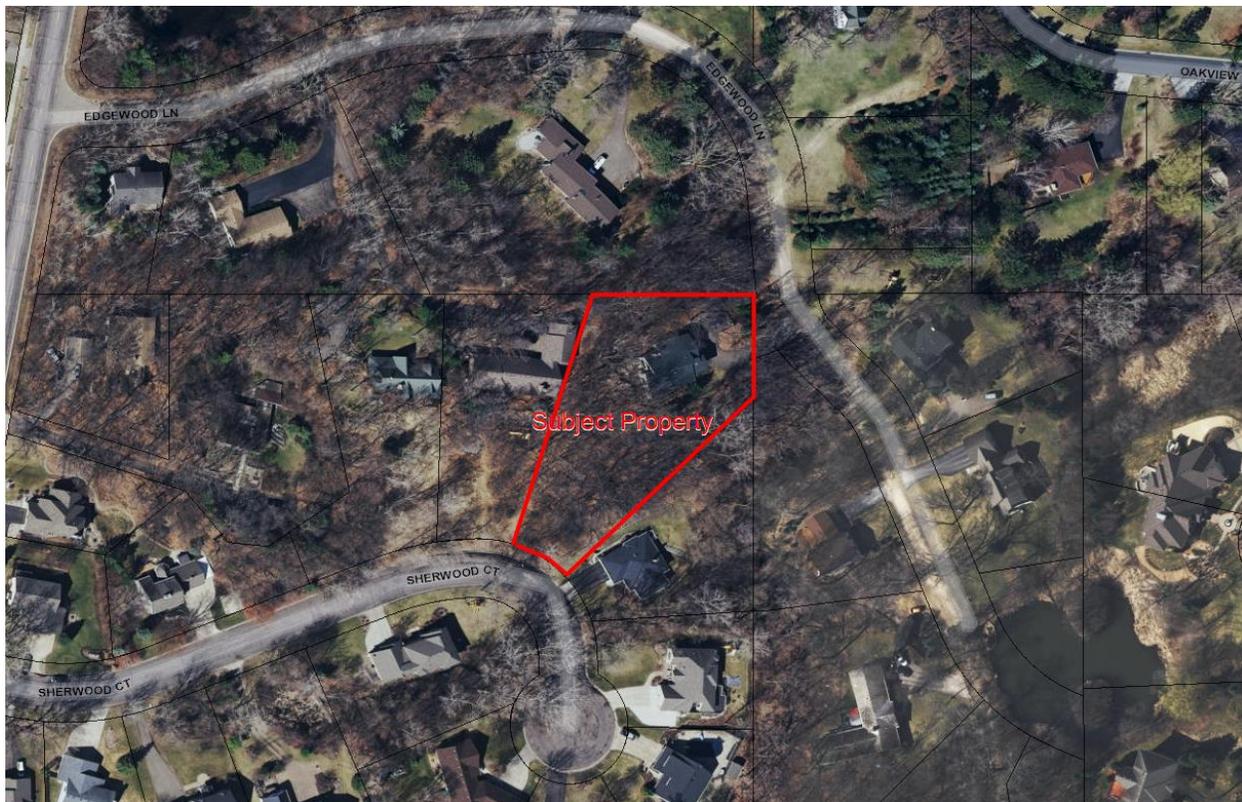


REQUEST

Sylvia Dorsey is requesting Variance approval to reduce the required minimum lot width from 100 feet to 77.2 feet in order to subdivide a second lot at 260 Edgewood (proposed lot would actually have frontage on Sherwood Ct.).

Attachments:

Draft Findings of Fact
Application
Notice
Proposed Plat Plan



EXISTING LAND USES

The subject property and adjacent properties consist of a single-family homes.

ZONING

The subject property and all adjacent properties are zoned R1-C, Single Family Residential.

BACKGROUND

The applicant is proposing to subdivide her existing single-family lot into two lots. In order to subdivide the property, the newly created lot must meet the minimum lot width and minimum lot size requirements. Although the proposed new lot meets the minimum lot size requirement of 15,000 sq. ft., the proposed lot does not meet the minimum lot width of 100 feet. As a result, in order to subdivide the lot, a Variance is needed.

VARIANCE REQUESTED

Variance to allow reduction in minimum lot width:

153.038 Lot Area, Heights, Lot Width, Yard and Other Requirements.

(B) The following minimum requirements shall be observed subject to the additional requirements, exceptions and modifications as set forth elsewhere in this chapter:

<i>Lot Width*</i>	
Corner lot	100 feet
Interior lot	100 feet

The Zoning Ordinance requires a minimum lot width of 100 ft. in the R1-C District. The applicants are requesting a minimum lot width of 77.2 feet resulting in a variance of 22.8 feet.

ANALYSIS

In reviewing Variance requests, the following section of the Zoning Code, Section 5.3 (1) (b-d), is utilized:

(b) Criteria for Granting a Variance. A Variance may only be granted by the Committee of Adjustments when:

- i. The Variance is in harmony with the general purpose and intent of the Ordinance;
- ii. The terms of the Variance are consistent with the Comprehensive Plan; and

iii. The applicant for the Variance establishes that there are practical difficulties in complying with the Zoning Ordinance.

(c) Definition of Practical Difficulties. “Practical Difficulties” as used in connection with the granting of a Variance means that:

- i. The property owner proposes to utilize the Property in a reasonable manner;
- ii. The plight of the property owner is due to circumstances unique to the Property that were not created by the property owner; and
- iii. The Variance will not alter the essential character of the neighborhood.

(d) Restrictions on Granting Variances. The following restrictions shall be applied when considering granting a Variance:

- i. Economic considerations alone do not constitute practical difficulties.
- ii. The Committee of Adjustments may not permit as a Variance any Use that is not allowed in the Zoning Ordinance for Property in the district where the affected person’s land is located (i.e. a Use Variance).

REVIEW

Per the attached drawing, the subject property has access to two streets, Edgewood Lane to the northeast and Sherwood Ct. to the southwest. The existing home is located on the northern half of the property and is accessed via Edgewood Lane. The applicant is proposing to subdivide the southern half of the property. As mentioned, the proposed lot meets the minimum lot size requirement for the R1-C District however it does not meet the minimum width requirement.

The property frontage along Sherwood Ct. is located at a curve in the street. As a result, the property is pie-shaped, similar to that of properties located in cul-de-sacs with the property being narrow at the front and wide at the rear. The two adjacent parcels have similar shapes with similar narrow frontages of 88.28 feet and 74.47 feet as measured at the front setback line.

Based on the fact that the adjacent properties have similar lot widths and the fact that the subject property widens to the rear and exceeds the minimum lot size by 2,000 sq. ft., Staff is comfortable recommending approval of the request.

Staff does not feel that the request is detrimental to the public nor does it present inconsistency with the Comprehensive Plan. Staff believes that the applicant is proposing to utilize the property in a reasonable manner - construction of a new single family home in a single family neighborhood - and that the practical difficulties are unique to the property (pie shape of property). As a result, the proposed request should not alter the essential character of the neighborhood.

PUBLIC INPUT

As a result of the notice sent to all adjacent property owners, Staff received a call from two neighboring property owners who inquired about the request.

A neighboring property owner expressed concern regarding drainage and how a new home might impact drainage to her property. Staff explained that the City reviews drainage for all new homes through the building permit process. Staff mentioned that a recommended condition of approval will be included requiring that drainage concerns be reviewed if and when a new home is constructed.

A second neighbor called and informed Staff that she is not in favor of the proposed Variance. The neighbor followed up with the attached email as to the reasons why since she is unable to attend the meeting. Please see the attached email for more information.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the VARIANCE to allow for a reduction in minimum lot width (variance of 22.8 feet):

1. The applicant shall apply for an administrative plat review to subdivide the new lot per the submitted plat plan within one year of this approval.
2. Should application of a building permit be submitted in the future for the construction of a new home on the newly created lot, the applicant shall submit proper drainage plans to mitigate any potential impact to neighboring property owners.

FINDINGS OF FACT

A proposed Resolution adopting findings of fact for the Variance is attached for your consideration.



View looking at the property from the South on Sherwood Ct.



View looking at the property from the west on Sherwood Ct.

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

RESOLUTION NO. 16-04

**RESOLUTION MEMORIALIZING THE
FINDINGS OF FACT AND REASONS FOR APPROVAL
RELATING TO THE VARIANCE APPLICATION OF
SYLVIA DORSEY FOR THE SUBDIVISION
OF HER PROPERTY AT 260 EDGEWOOD LN**

WHEREAS, Sylvia Dorsey is the owner of certain real property located at 260 Edgewood Ln., legally described as follows:

LOT 6, BLOCK 1, HOWARD RUNGES 2ND ADDITION

(the "Property");

WHEREAS, Sylvia Dorsey has applied for a Variance to allow a reduction in minimum lot size for a newly subdivided lot; and

WHEREAS, the existing shape of the lot and orientation of the lot as it relates to Sherwood Ct. presents significant constraints on the development of the property; and

WHEREAS, a public hearing on the application was heard by the Committee of Adjustments on June 21, 2016, at which meeting the Committee of Adjustments voted to approve the Variance request; and

WHEREAS, contemporaneously with the votes on the motions, the Committee of Adjustments members voting to approve the request made the following findings of fact:

FINDINGS OF FACT

1. The Variances are in harmony with the general purpose and intent of the Ordinance;
2. The terms of the Variances are consistent with the Comprehensive Plan; and
3. The property owner has established that there are practical difficulties in complying with the Zoning Ordinance because of the following:
 - a. The Property owner proposes to utilize the Property in a reasonable manner;

- b. The plight of the property owner is due to circumstances unique to the Property, specifically the shape and orientation of the lot.
- c. The Variances will not alter the essential character of the neighborhood.

NOW, THEREFORE, BE IT RESOLVED by the West St. Paul Committee of Adjustments that the Variance to reduce the minimum lot width to 77.2 feet (variance of 22.8 feet) is approved based on the Planner's report, dated June 21, 2016, which is hereby adopted and incorporated herein;

AND BE IT FURTHER RESOLVED that the following conditions are imposed on the applicant:

1. The applicant shall apply for an administrative plat review to subdivide the new lot per the submitted plat plan within one year of this approval.
2. Should application of a building permit be submitted in the future for the construction of a new home on the newly created lot, the applicant shall submit proper drainage plans to mitigate any potential impact to neighboring property owners.

Passed this 21st day of June, 2016.

Ayes:

Nays:

Attest:

Chris Hubert
Committee of Adjustments Chair

Jennifer Dull,
Recording Secretary



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

VARIANCE APPLICATION

Filing Fee: \$100.00 (R-1 & R-2 Zones)
\$200.00 (All other Zones)

(OFFICE USE ONLY)

Escrow Amount: \$400.00 (single var. residential)
\$500.00 (multiple var. residential)
\$600.00 (single var. commercial)
\$700.00 (multiple var. commercial)

CASE NO. 16-04
DATE RECEIVED 5/9/16
RECEIPT # _____
60 DAY DATE 7/8/16

TOTAL FEES \$500.⁰⁰

1. ADDRESS OF PARCEL 260 Edgewood Ln
2. NAME OF OWNER Sylvia A. Dorsey Phone # 457-0025
3. ADDRESS OF OWNER 260 Edgewood Ln Email syldorsey@AOL.com
W. St. Paul, MN 55118
4. LEGAL/PID # Howard Runge ^{BLK 1} Lots 2nd Addition PID# 42-65151-060-01
5. PRESENT USE Vacant lot PROPOSED USE Single-family
6. PRESENT ZONING RIC DATE ACQUIRED _____
7. VARIANCE SECTION FOR REQUEST § 153.038 (B)
8. SECTION REQUIREMENTS IN #7 minimum lot width of 100 ft.
9. DESCRIBE VARIANCE REQUEST to allow reduction in lot width
to 77.2 ft.

The Law requires that the conditions set forth in the three items listed below (#10, 11, 12) must be established before a Variance can be granted. Please explain in detail after each statement if your case conforms to the requirements.

10. DIFFICULTIES OR HARDSHIP TO OWNER

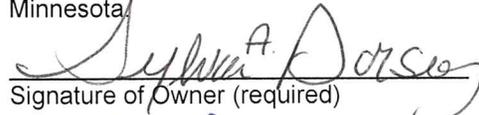
Strict application of the provisions of the Zoning Ordinance would result in peculiar and practical difficulties or exceptional or undue hardship upon the owner of the parcel in developing or using such parcel in a manner customary and legally permissible within the zoning district in which said lot is located.

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.


Signature of Owner (required)

457-0025
Phone Number


Signature or Applicant (if different)

457-0025
Phone Number

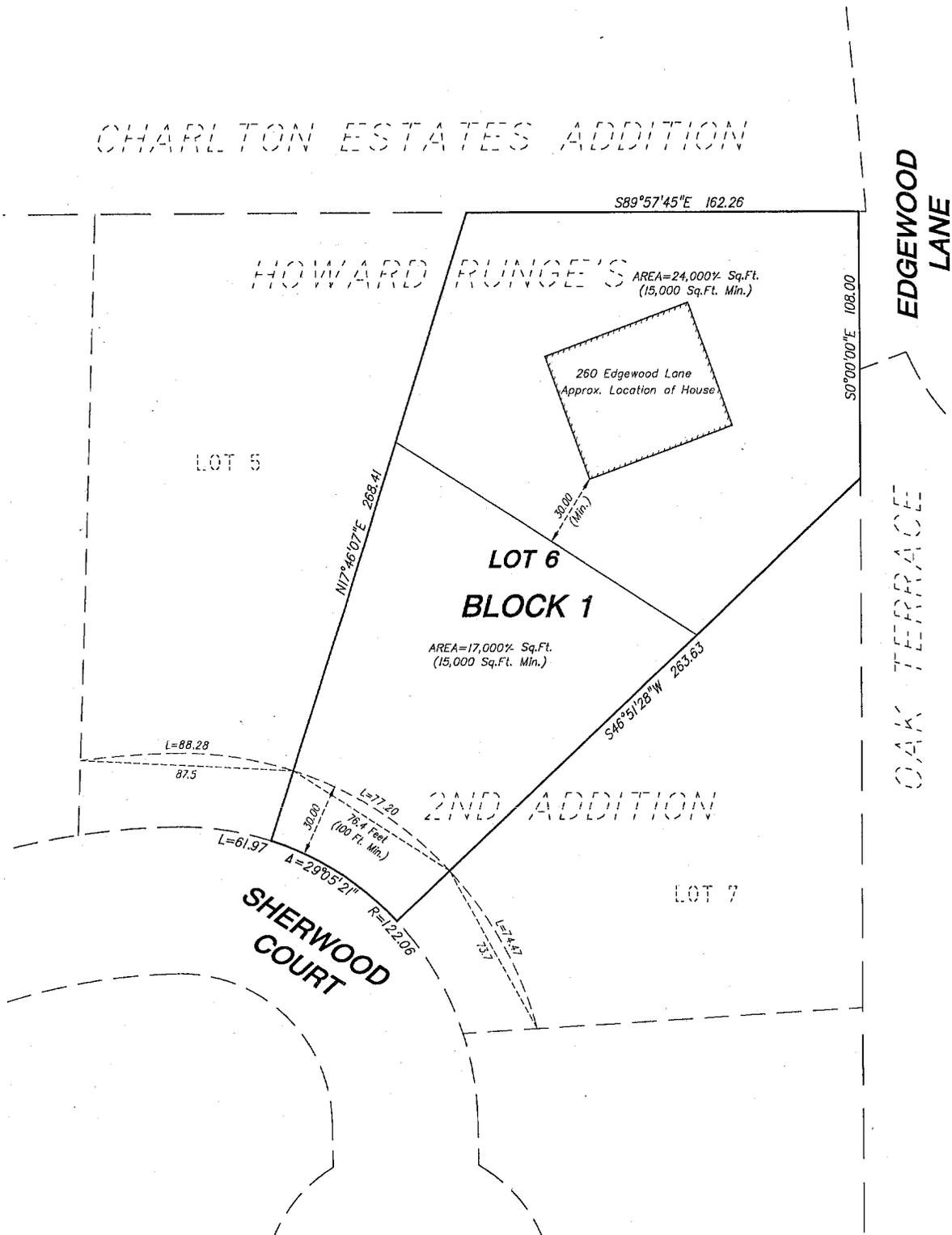
NOTE: All Materials relevant to this Application must be filed on or before the dates listed on the Operating Procedures for Applicants page. The Planning Commission holds its regular meeting at 7:00pm on the third Tuesday of each month.

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.

LOT SKETCH



Lot 6, Block 1, HOWARD RUNGE'S 2ND ADDITION, according to the recorded plat thereof, Dakota County, Minnesota.

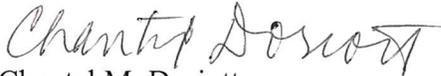
**CITY OF WEST ST. PAUL
NOTICE OF PUBLIC HEARINGS**

TO WHOM IT MAY CONCERN:

The listed item below will be public hearings at the Committee of Adjustments meeting on June 21st, 2016 at 7:00 pm:

Case #16-04 – Application for a Variance to allow a reduction in minimum lot width for a new lot at 260 Edgewood – Sylvia Dorsey

Interested persons will be heard at the meeting. 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: June 12, 2016

Hi Ben,

I truly regret not being able to attend the June 21 meeting but we have purchased tickets to an event that cannot be changed. If at another point in time another meeting is planned I will hope to be able to attend.

Lacking my ability to attend here are my concerns regarding the application from the Dorsey's for a variance in creating a new lot:

- √ The new lot they want to create is significantly smaller than any of the adjoining lots,
- √ Any home built on such a lot would either spread out to cover the lot thus allowing for little space between adjoining lots and/or the home would be built up to make up for the minimal possible foot print on the lot thus out of keeping with the homes currently in place,
- √ There is a deer and wildlife path that goes across the back of all of our properties and up the hill which risks being threatened by any new construction. Protecting all wild life in our area has been paramount to maintaining the value of all of our properties,
- √ Those of us who have built on lots on Edgewood Lane and Sherwood Court have maintained a good buffer of natural trees and woods around us. The small size lot proposed in the variance would not allow for that and construction on that lot would require removing most of the current woods,
- √ I have spent thousands of dollars to enhance my property over the 40 years I have lived here by adding evergreens, flaming red maple trees, arborvitaes and other plantings. Due to severe storms that have established a path over that back portion of their lot and through the western side of my lot many tall, mature trees have been destroyed. In particular at the juncture of the 3 lots in question. Creating a new lot on the back side of their current lot would necessitate removing additional mature trees and there is no guarantee that the new structure on that lot would maintain any natural growth or plant good-sized replacement trees.

Although we do not have a covenant binding any of us to the protection of the natural environment our area provides, we have as a community always acted in the best interests of that concept.

I invite you and all of the Planning Committee members to come and see the positioning of the proposed lot and to make a stop at my home to see what I have done to protect the beauty of our setting and how a new lot would affect all of those surrounding it.

Thank you for your consideration,
Dianne Hopen
250 Edgewood Lane

WEST ST. PAUL PLANNING COMMISSION

The regular meeting of the West St. Paul Planning Commission was called to order by Chair Hubert on Tuesday, May 17, 2016, 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 and Commissioners Leuer, Nelson, McPhillips, Kavanaugh, Fernandez, and Ramsay.

Absent:

None.

Also Present:

Assistant Community Development Director Boike, Civil Engineer Darin Rezac, Council Liaison Bellows, City Attorney Land, and Recording Secretary Dull.

APPROVE MINUTES

ON MOTION of Kavanaugh, seconded by Ramsay, RESOLVED to approve the West St. Paul Planning Commission meeting minutes of April 19, 2016 as written.

Ayes: 7 Nays: 0 Abstain: 0

PUBLIC HEARINGS

CASE # 16-04

Application for an Interim Use Permit To Allow For Outdoor Display/Sale of Fireworks At 1640 Robert St. (Walmart) – TNT Fireworks

Assistant Community Development Director Boike reviewed the staff memo regarding an application for an Interim Use Permit. Commissioners' packets included the application, letter from Chris Ulmer, Walmart Tenant Access Letter, sales area map and layout, certificate of liability insurance, and a list of products to be sold. Staff recommended approval of the Interim Use Permit subject to the four conditions provided in the staff memo.

Commissioner McPhillips confirmed with Staff there have been no problems with the applicant in the past.

Chris Ulmer, TNT Fireworks, Fargo, North Dakota

Mr. Ulmer stated it was his fourth year and nothing has changed.

Chair Hubert opened the Public Hearing at 8:29 p.m. and seeing no one wishing to speak for or against the application, **Chair Hubert closed the Public Hearing at 8:29 p.m.**

ON MOTION by Kavanaugh, seconded by Nelson, the Planning Commission recommended approval of Case #16-04, Application an Interim Use Permit to allow for Outdoor Display/Sale of Fireworks at 1640 Robert St. (Walmart) by TNT Fireworks subject to the conditions as detailed in the staff memo.

Ayes: 7 Nays: 0 Abstain: 0

CASE # 16-05

Application for a Conditional Use Permit To Allow For The Expansion Of An Essential Service Structure (Building Expansion) At 1365 Bidwell St. – St. Paul Regional Water Services

Attorney Land recommended the Planning Commission continue the Public Hearing to the June 21, 2016 meeting and request the Zoning Administrator send a 60 day extension letter consistent with the action taken by the Committee of Adjustments for the associated Variance request application.

ON MOTION by Fernandez, seconded by Leuer, the Planning Commission continued the Public Hearing for Case #16-05 to the June 21, 2016 regular meeting of the Planning Commission and requested the Zoning Administrator send a 60 day extension letter.

Ayes: 7 Nays: 0 Abstain: 0

CASE # 16-06

Application For A Site Plan, Plat, And Conditional Use Permits For The Redevelopment Of 1675, 1701, And 1725 Robert St. – Venture Pass Partners, LLC

Assistant Community Development Director Boike reviewed the staff memo regarding an application for Site Plan, three Conditional Use Permits, and Preliminary/Final Plat. Commissioners' packets included the Site Plan, Conditional Use Permit, and Platting applications, Memo from City Civil Engineer Darin Rezac, Memo from Fire Marshal Linda McMillan, Letter from Karen Scheffing, Principal Planner, MnDOT, dated May 11, 2016, Memo from Environmental Committee, Notice of Public Hearing, proposed Site, Grading, Erosion, Utility and Landscape Plans, Exterior Elevations, Land Survey, and proposed Preliminary Plat dated 4/22/16, revised 5/6/16. Staff recommended approval of all applications subject to the conditions provided in the staff memo.

Commissioner Fernandez asked whether windows facing Robert St. for the medical building would be clear or spandrel. He also inquired about including West St. Paul community branding on buildings and what the green space along Robert St. would include. Assistant Community Development Director Boike advised that the green space would include shrubbery. Randy Rauwerdink Venture Pass Partners, LLC, advised that the medical use does have donor privacy requirements so they were proposing spandrel glass on the bottom with clear windows above. Assistant Community Development Director Boike added that Cane's would keep their own branding and is being asked to include a window or two on each elevation per Code.

Commissioner Nelson inquired about snow removal. David Carlend, Venture Pass Partners, LLC, explained there would be on site storage available but they do remove if necessary.

Commissioner Leuer confirmed with Assistant Community Development Director Boike that 20' parking stalls were City requirement. He then inquired about reducing stall depth to 18 feet to increase the drive aisles. Mr. Rauwerdink noted that a 20 stall is required by the City with a 22 foot drive aisle.

Commissioner Kavanaugh asked about how the entrance median would affect internal traffic flow and expressed concern with cross traffic of Cane's to get to the businesses to the north. He also noted the vast parking with only two designated handicapped stalls. Assistant Community Development Director Boike noted that Code requires 1 handicap stall per 25 parking stalls so the proposed was in line with code. He added that the Commission could request the one-way access from Canes to the north businesses be closed off if desired.

Chair Hubert requested clarification of property line shift for rear yard parking setback and whether the parking lot would then be its own parcel. He also asked about grading at the Lothenbach entrance and requested clarification of the monument signs. Assistant Community Development Director Boike responded that the 10 foot shift to the west would not be a major impact or change since two parking lots are existing. He also noted that the grade would be improved for the access point as the site will be dropped down to be more consistent with Robert St. and that the current proposal shows two monument signs on one parcel so the City is recommending one sign be shifted north to be located on a separate parcel.

Mr. Rauwerdink explained that the condition requiring rooftop mechanical screening would be revised to include a 4-foot high parapet around rooftop mechanicals. Building materials for the medical use will also change to those approved by Code. These are non-problematic. He noted that the building materials issue requiring windows has been forwarded to Cane's so they were aware of the issue and are making the necessary changes. However, Cane's would like to entertain murals on their buildings. Mr. Rauwerdink noted issues with the 5' interior lot line drainage and utility easement requirement given that the proposed buildings have a 0' setback so an easement could not be located under the building foundation. He also requested flexibility for the placement of the City's requested parking islands along the lot lines. Mr. Rauwerdink noted the trash

enclosure for the retail tenant would be at the southwest peninsula and would be reincorporated into the plans and the monument sign would be moved north to fall within Lot 2. He stated they were comfortable with the conditions as provided with the exception of the interior lot line drainage and utility easement that would run under the proposed building foundation.

Commissioner Leuer noted the Code required 106 parking stalls but the proposal had 172 and asked why there were so many more. He also suggested cutting the connecting drive aisle to 15 foot width to discourage potential two-way traffic even though it is proposed to be one-way traffic only and what the impact would be if the pinwheel were closed or not allowed.

Mr. Rauwerdink advised that parking was driven by specific use and users' needs more than by City standards. He also noted that closing the pinwheel would be extremely problematic for the users and by having the 22 foot wide drive aisle, it would allow both parking areas to circulate with less conflict.

Commissioner Kavanaugh suggested adding a cross walk between the two parcels to provide better safety for pedestrians crossing the pinwheel. Mr. Rauwerdink stated they would consider adding a crosswalk after consulting with all parties to determine if it makes sense and where it could be placed.

Commissioner Nelson asked about a retaining wall on the site. Mr. Rauwerdink explained that the proposed Cane's site would be dropping at least two feet to get rid of the slope and that the retaining wall would start at the east end at 0, grow to 6-7 feet, and then decline back to 0.

Chair Hubert asked the applicant if they would entertain a one year sunset date for the access easement requirement. Mr. Carlend noted the site plan with the one-ways was less than optimal to include another access drive to the south property and stated if there is the ability to provide the access easement with the south property, they should be able to get it done in a year but added it depended upon the south property owner working with them to get it done.

Commissioner Fernandez stated he would hate to infringe on the developability of that lot and didn't necessarily see the benefit of the access easement. He added that if connecting the south

properties, there would be more traffic entering the pinwheel.

Assistant Community Development Director Boike advised that staff has been in discuss with the property owners to the south and they would also like to connect to the Lothenbach traffic light.

Commissioner Ramsay noted that Party City enjoyed all access but that 5-8 has one access point and that it would be nice to keep the option for additional access for the south properties.

Chair Hubert opened the Public Hearing at 9:24 p.m. and seeing no one wishing to speak for or against the application, **Chair Hubert closed the Public Hearing at 9:24 p.m.**

Commissioner Fernandez agreed that parking and access for south properties could be good if they are interested and the developer is willing to install. He agreed that a sunset date of one year makes sense in the event the southern property owners do not want to negotiate.

Attorney Land interjected that the City has undertaken a communication exercise to obtain temporary cross access easements for those properties for the Robert St. project. Since the City has been able to communicate, dialog should be able to continue.

Chair Hubert inquired about how to add the sunset date and remove the drainage and utility easement. Assistant Community Development Director Boike noted that plats require 10 foot on right of way and 5 foot on lot lines but with a 0 foot setback, plat would not show the easement through the building so staff will coordinate if Commissioners want to request an amendment to engineer condition 4.

ON MOTION by Fernandez, seconded by Kavanaugh, the Planning Commission recommended APPROVAL of Case #16-06 including:

- 1. SITE PLAN subject to the 12 conditions detailed in the staff memo, amending condition 7 to include a sunset date of one (1) year from final approval of the Site Plan application, and amending condition 12 referring to the City Civil Engineer recommendations, City Civil Engineer recommendation 4 is amended to state “Add 10’ drainage**

and utility easement where proposed plat abuts the public right-of-way. Add 5' drainage and utility easement around interior property lines except at the area under the proposed building having a 0 foot setback";

2. **CONDITIONAL USE PERMIT** to allow a Medical Clinic subject to the one (1) condition detailed in the staff memo;
3. **CONDITIONAL USE PERMIT** to allow a drive-through lane subject to the two (2) conditions detailed in the staff memo;
4. **CONDITIONAL USE PERMIT** to allow Outdoor Seating subject to the two (2) conditions detailed in the staff memo; and
5. **PRELIMINARY/FINAL PLAT** subject to the four (4) conditions detailed in the staff memo and amending condition 4 referring to the City Engineer recommendations, City Engineer recommendation 4 is amended to state "Add 10' drainage and utility easement where proposed plat abuts the public right-of-way. Add 5' drainage and utility easement around interior property lines except at the area under the proposed building having a 0 foot setback".

Ayes: 7 Nays: 0 Abstain: 0

CASE # 16-07
Zoning Ordinance
Amendment, Section
153.029 Regarding
Interim Use Permits – City
of West St. Paul

Assistant Community Development Director Boike reviewed the staff memo regarding a proposed Zoning Ordinance amendment to streamline the process for requesting Interim Use Permits for returning applicants. Commissioners' packets included a proposed ordinance. Staff recommended holding a public hearing and recommending approval of the amendment.

Commissioner Leuer confirmed the amendment would apply to all Interim Use Permits and thanked staff for the proposed streamlined process.

Chair Hubert opened the Public Hearing at 9:36 p.m. and seeing no one wishing to speak for or against the amendment, **Chair Hubert closed the Public Hearing at 9:36 p.m.**

ON MOTION by **Kavanaugh**, seconded by **Ramsay**, the **Planning Commission** recommended approval of **Case #16-07, Zoning Ordinance Amendment, Section 153.029 regarding Interim Use Permits.**

Ayes: 7 Nays: 0 Abstain: 0

WEST ST. PAUL PLANNING COMMISSION

Meeting Minutes – May 17, 2016

Page 7

NEW BUSINESS: None.

OLD BUSINESS: None.

OTHER: None.

ADJOURNMENT: **ON MOTION of Leuer, seconded by Nelson, Commissioners RESOLVED to ADJOURN the May 17, 2016 regular meeting of the Planning Commission at 9:37 p.m.**

All Ayes: 7/0

TO: Planning Commission
FROM: Ben Boike, Assistant Comm. Dev. Dir.
DATE: June 21, 2016
SUBJECT: Case #16-05



REQUEST

The applicant has requested that this item be continued to the July 19 meeting to allow additional time to provide the requested information and meet with the neighboring property owner.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission CONTINUE Case #16-05 to the July 19, 2106 Planning Commission meeting.

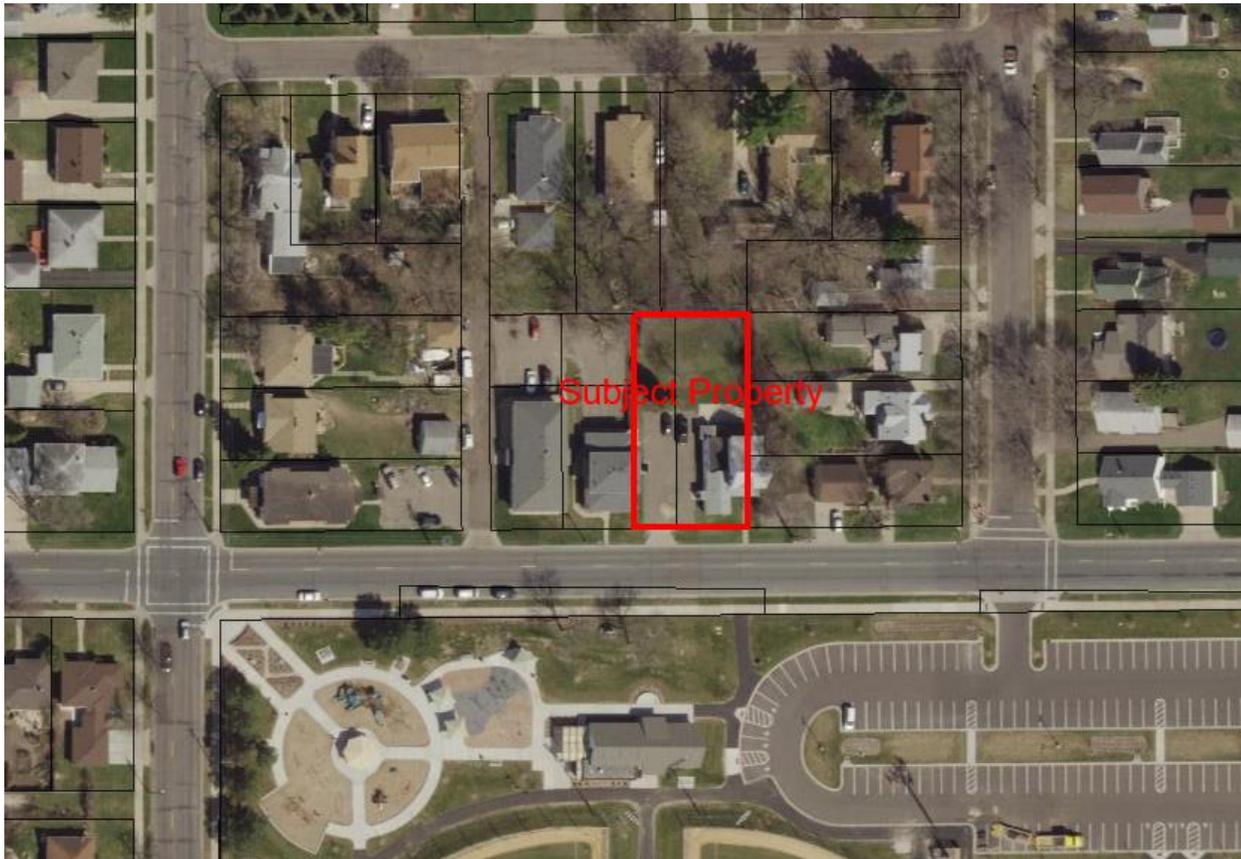
TO: Planning Commission
FROM: Ben Boike, Assistant Comm. Dev. Dir.
DATE: June 21, 2016
SUBJECT: Case #16-07



REQUEST

Donovan Tegg is requesting a Conditional Use Permit to allow a Two-family Dwelling in an R-4, Multi-family Residential District at 217 Bernard St. W.

Attachments:
Application Package
Notice
Plans



EXISTING LAND USES

The subject property consists of an existing vacant single-family home. Adjacent properties to the west consist of multi-family apartment buildings. Adjacent properties to the north and east consist of two-family and single-family homes. The adjacent property to the south is Harmon Park.

ZONING

The subject property and adjacent properties to the west are zoned R4, Multiple Family Residential. Adjacent properties to the north are zoned R2, Two-family Residential. Adjacent properties to the east and south are zoned R1, Single-family Residential.

ANALYSIS

Zoning Ordinance

Section 153.126 of the Zoning Ordinance requires a Conditional Use Permit to allow Two-family Dwellings in the R4 District:

153.126 CONDITIONAL USES.

Within the R-4 Multiple-Family District, no structure or land shall be used for the following uses except by conditional use permit:

(C) Two-family dwellings



Proposal

The applicant is proposing bring the existing building up to code as a duplex. Per the attached narrative and plans, the applicant is proposing a variety of improvements to the existing structure, including replacement of the water main, new framing, updated electrical throughout, plumbing work, new windows and doors, flooring and fixtures. In addition, the application is also proposing to replace the driveway and update the landscaping.

Review

Staff is recommending conditions of approval relating to obtainment of all required building permits for the proposed improvements, a rental license for units that are rented, separation of utilities (required for a duplex), resurfacing of the driveway, updating of landscaping, and repair of the water main.

Staff considered requiring an I & I inspection as a recommended condition however the rental license process will require the inspection by their first license renewal.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the CONDITIONAL USE PERMIT to allow a Two-family Dwelling in an R4 District at 217 Bernard St. W. subject to the following conditions:

1. The applicant shall apply for applicable building permits.
2. The applicant shall apply for and obtain a rental license should one or both of the units be rented.
3. Separate utilities must be provided for each unit.
4. The applicant shall resurface the driveway and update landscaping of the property.

RECEIVED MAY 27 2016



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

CONDITIONAL USE PERMIT APPLICATION

Filing Fee: \$275.00

(OFFICE USE ONLY)

Escrow Amount: \$400.00 (residential)
\$800.00 (commercial)

CASE NO. 16-07
DATE RECEIVED 5/27/16
RECEIPT # _____
60 DAY DATE 7/26/16

TOTAL FEES \$675.00

1. STREET ADDRESS OF PARCEL 217 BERNARD ST W

2. NAME OF APPLICANT DONOVAN TEGG Phone # 651 210 0648

3. ADDRESS OF APPLICANT 11 ALICE CT Email DTEGG@KINGSCAPES.NET
ST PAUL, MN 55107

4. NAME OF OWNER DONOVAN TEGG Phone # 651 210 0648

5. ADDRESS OF OWNER 11 ALICE CT Email DTEGG@KINGSCAPES.NET
ST PAUL, MN 55107

6. LEGAL/PID # 4238 000 45090 & 4238 000 45091

7. PRESENT ZONING R4, MULTIPLE FAMILY

8. PROPOSED USE OF PARCEL DUPLEX WITH (2) TWO BEDROOM UNITS

9. ZONING SECTION AUTHORIZING CUP 153.126 (C)

10. WHAT WILL BE THE EFFECT OF THE PROPOSED USE ON THE HEALTH, SAFETY, & WELFARE OF THE OCCUPANTS IN THE SURROUNDING PARCELS?
NONE

11. WHAT WILL BE THE EFFECT ON EXISTING AND ANTICIPATED TRAFFIC CONDITIONS, INCLUDING PARKING FACILITIES ON ADJACENT STREETS?
NONE

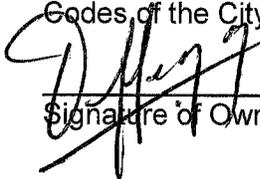
12. WHAT WILL BE THE EFFECT OF THE PROPOSED USE ON THE COMPREHENSIVE PLAN?
NONE

EXHIBITS REQUIRED

- A. An electronic copy as well as four (4) 22x34 and twenty (20) 11x17 paper copies, of a map or plat showing the property on which the Conditional Use Permit is requested, and all parcel within 150 feet of the boundaries of the subject parcel.
- B. An electronic copy as well as four (4) 22x34 and twenty (20) 11x17 paper copies in sets and folded plans, showing application information as follows:
 - a. Proposed and existing topography and drainage.
 - b. A complete plan prepared and signed by a registered Civil Engineer, Architect, and/or Landscape Architect showing:
 - i. The parking layout, access provisions, structure locations, landscaping, drainage, trees and shrubbery including types and locations, and sizes.
 - ii. Any fences, walls, or other screening, including height and type of material.
 - iii. All lighting provisions, including type, location, and lumens affecting the surrounding parcels and streets.
 - iv. Curb type and location on site.
 - v. Proposed plans for sidewalk to service, parking, recreation and service areas within the site.

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.



Signature of Owner (Required)

651 210 - 0648

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 Operating Procedures for Applicants page. The Planning Commission holds its regular meeting at 7:00pm on the third Tuesday of each month.

LAPSE OF CONDITIONAL USE PERMIT:

An approved Conditional Use Permit shall lapse and become null and void six months following the date on which the Conditional Use Permit was approved, unless prior to the expiration of six months a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the subject site, or a Certificate of Occupancy is issued by the Building Official. A Conditional Use Permit may be renewed once for a period of one year by the City Council.

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.

Donovan Tegg
217 Bernard St W
West Saint Paul, MN 55118

May 26, 2016

217 Bernard St W

Dear Ma'am / Sir,

I purchased the property at 217 Bernard St W in March, 2016. It is zoned R4 – Multiple Family.

Our understanding was that it had been a bar back in the day, the layout being somewhat evident that it had been divided into two units or sections.

My goal is to improve the property and bring it up to code as a duplex with two, two bedroom units. Provisionally as a rental, with the thought of possible owner occupancy in the future.

We see this as a long term investment and aim to bring a higher end feel to this particular property with new finishes throughout and extensive landscaping, including paver walks and a paver driveway.

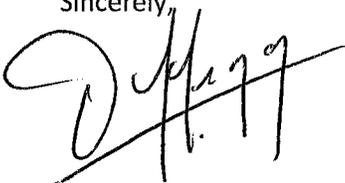
We do not plan to adjust the footprint of the building or make any major structural changes, bar replacing the section of flat roof with a shed roof.

The main water line is scheduled to be replaced in June.

Already being a resident of the neighboring community, I am vested in improving our surroundings and feel that this is a good opportunity and a means to restore a derelict building.

Proposed building plans are attached.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Tegg', written over a horizontal line.

Donovan Tegg

(651) 210 – 0648

dtegg@kingscapes.net

217 BERNARD ST W - SCOPE OF PROJECT

- Replace water main.
- Replace flat roof section with shed roof.
- Separate house into two, two bedroom units, side by side with their own laundry facilities. This requires framing out two internal walls and closets for the west side unit bedrooms and closing off the connecting thoroughfare. Proposed plans are attached.
- Update the electrical throughout.
- Adjust plumbing.
- Replace windows and doors.
- New flooring throughout.
- Update fixtures and finishes throughout.
- Replace concrete and asphalt driveway with pavers and update landscaping.



**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:

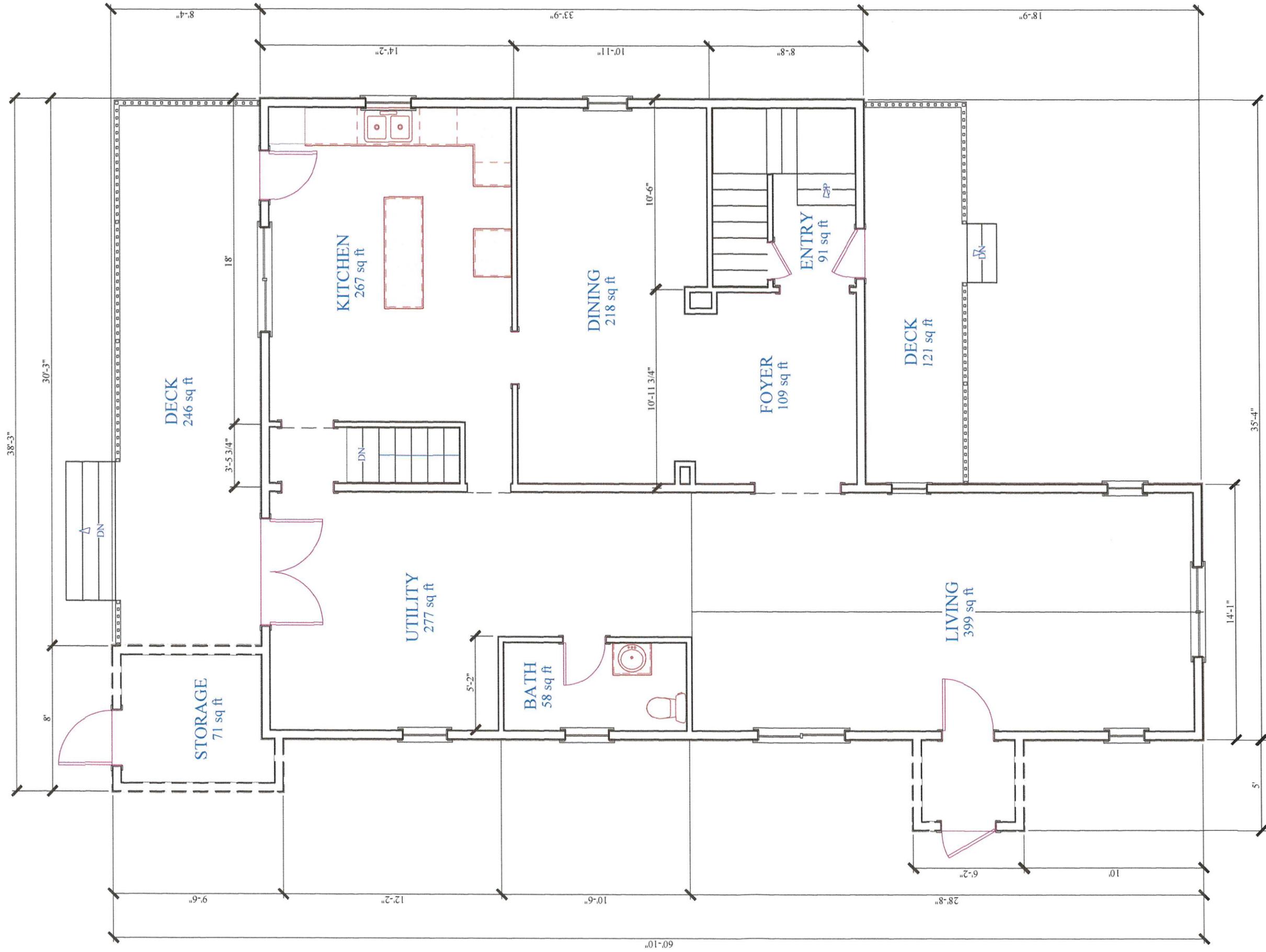
The listed item below will be public hearing at the Planning Commission meeting on June 21st, 2016 at 7:00 pm and a public hearing at the Council meeting on June 27th 2016 at 6:30 pm:

Case #16-06 – Application for a Conditional Use Permit to allow a Two-family Home in an R4 District at 217 W. Bernard – Donovan Tegg

Interested persons will be heard at the meeting. 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: June 12, 2016



A 1 EXISTING MAIN FLOOR LAYOUT / DEMO PLAN

SCALE: 3/16"=1'-0" (11X17)

[Solid Line] EXISTING
 [Dashed Line] DEMO

PRELIMINARY DRAWING, NOT FOR CONSTRUCTION

Signature Design Build

14451 HWY 7 STE B, MINNETONKA MN 55345
 WWW.SIGNATUREDESIGNBUILD.MN.COM
 763.516.2732

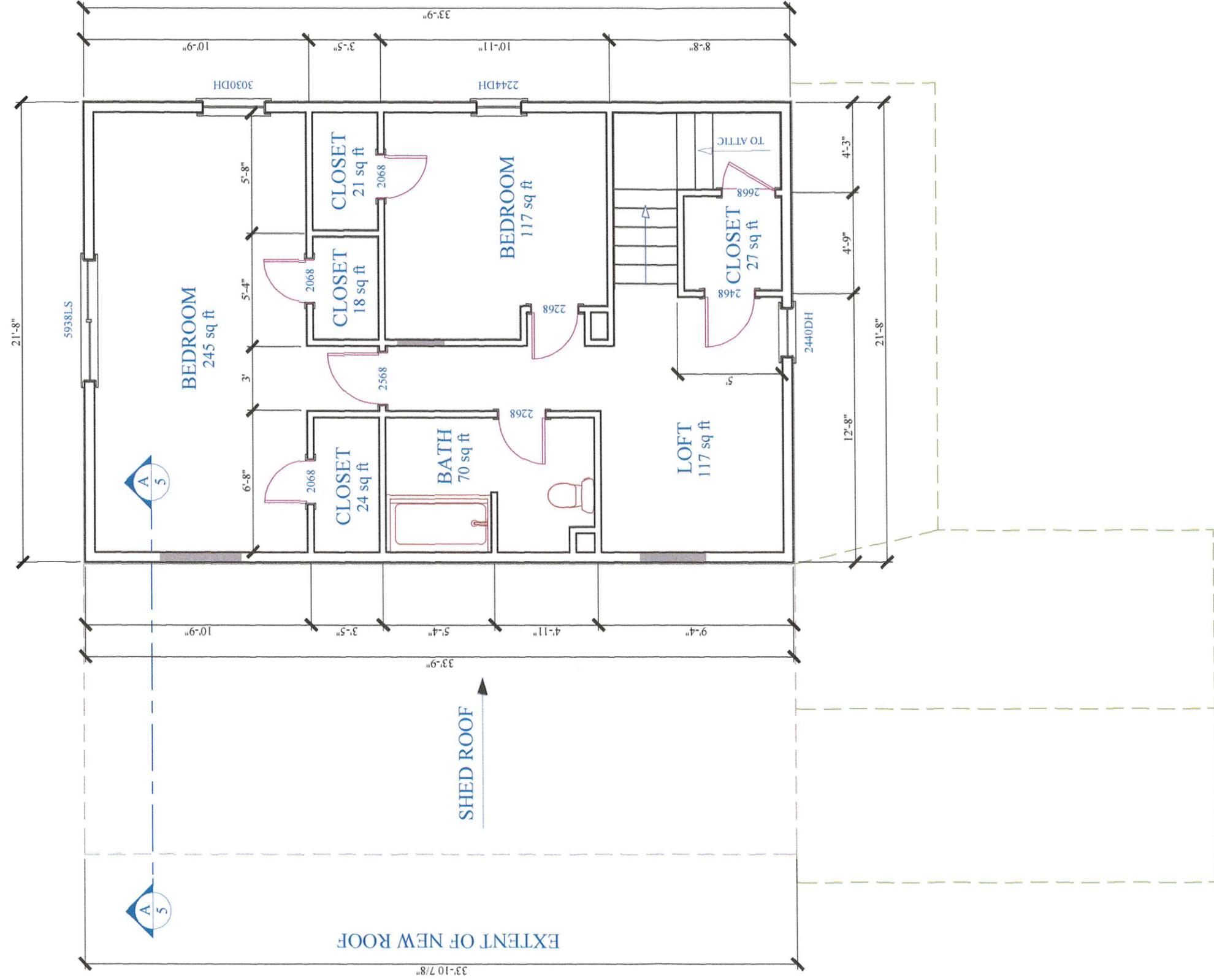
DONOVAN TEGG
 217 BERNARD ST W.
 WEST ST PAUL, MN 55118

BY	REVISION	DATE

JOB #: 15062 - 5/12/2016
 DRAWN BY: B. KEMP
 APPROVED:
 SCALE: AS NOTED
 PRINTED ON: 11X17

SHEET #

1



A 4 PROPOSED 2ND FLOOR LAYOUT
 SCALE: 3/16"=1'-0" (11X17)

EXISTING
 NEW

PRELIMINARY DRAWING, NOT FOR CONSTRUCTION

Signature Design Build
 14451 HWY 7 STE B, MINNETONKA MN 55345
 WWW.SIGNATUREDESIGNBUILD.MN.COM
 763.516.2732

DONOVAN TEGG
 217 BERNARD ST W.
 WEST ST PAUL, MN 55118

BY	REVISION	DATE

JOB #: 15062 5/12/2016
 DRAWN BY: B.KEMP
 APPROVED:
 SCALE: AS NOTED
 PRINTED ON: 11X17

