

WEST ST. PAUL PLANNING COMMISSION
Regular Meeting Minutes

The regular meeting of the West St. Paul Planning Commission was called to order by Vice-Chair Fransmeier on Tuesday, June 15th, 2021 at 6:30 pm in the Municipal Center Council Chambers, 1616 Humboldt Avenue, West St. Paul, Minnesota 55118

Roll Call: Morgan Kavanaugh, Dan McPhillips, Lisa Stevens, Tori Elsmore, Tim Haubrich, Maria Fransmeier

Chair Samantha Green had an excused absence.

Also Present: Melissa Sonnek, City Planner; Sharon Hatfield, Administrative Specialist; Amanda Johnson, City Attorney; John Justen, City Council Liaison

Adopt Minutes: Minutes from the May 18th, 2021 meeting minutes were approved with a minor change.

Public Hearings

PC Case 21-07 – Preliminary and Final Plat Review for One Parcel Located at 1140 Robert Street South – Wakota Life-Care Center, Inc.

Sonnek reminded the Commission that in January 2020, the conditional use permit and the preliminary plat application came before the Commission. Because it has been over 12 months since that time, the Commission had to review the preliminary and final plat as well as conduct the public hearing. This review would be to record the property, combine the two existing lots and record the drainage and utility easements. Staff saw no issues with the plat aside with the recommended conditions of approval. Condition item 2 has been taken care of by the applicant; recommended conditions 1, 3, 4, and 5 are still valid. Staff also recommends that the commission hold a public hearing for the plat review.

Kavanaugh asked about the 12-month limit; Sonnek responded that this was to ensure that nothing had changed drastically between the preliminary and final review. Sonnek said the applicant was present at the meeting if there were any questions for him.

Franzmeier opened the Public Hearing at 6:33 pm.

With no comments and questions from the public, the Public Hearing was closed at 6:35 pm.

Motion was made by Kavanaugh and seconded by McPhillips to approve the preliminary and final plat as recommended by City Staff.

Vote: 6 ayes/0 nays. Motion carried.

New Business –

Robert Street Renaissance Plan Update and Zoning Code Review

Sonnek said that this meeting would be the first of four sessions that would work on aligning the Robert Street Renaissance Plan Update recommendations with the zoning code. The first area of focus would be centered around Robert Street being, “Pedestrian Oriented.”

The Renaissance Plan Update recommends as a possible zoning ordinance that parking lot exposure to sidewalks be no more than 180 feet on Robert Street and no more than 60 feet on adjacent/side streets. Kavanaugh commented that he could not envision what this would look like on the ground. Sonnek replied that parking stalls are typically 9 feet wide. One hundred eighty feet would be approximately 20 stalls. Currently, there are no minimums or maximums on this.

Stevens asked how the change would happen, especially with the big box stores. Sonnek said that City Staff sees the change and the effect on future developments being that big box stores would be able to have outlot developments. An example of this is the Target with the Chik-fil-A building in the front, closer to Robert Street.

Kavanaugh asked about the B4 district; businesses do not need to be up against the street and listed the recent Tumble Fresh (1365 Robert Street) as an example. Sonnek said that this was correct; the setback allows buildings in the B4 – Shopping Center district to be setback further and not to have to abut the street directly. Kavanaugh said that the 180 feet/20 parking stalls still seemed like a lot. Sonnek said that a different option to implement this recommendation into the code could be to allow for percentage of the block rather than a standard measurement or distance. It would be easier to apply for multiple blocks. The percentage would cover buildings/green space and parking areas.

Sonnek stated that the Renaissance Plan Update outlines different segments or neighborhoods within the City and along Robert Street. There may be different percentages/regulations that would be appropriate for each area, such as - Gateway North, Signal Hills, Town Center and South Gateway. There are different block sizes, building sizes and characteristics to consider for these four neighborhoods. Percentages may work but there are different standards for different districts.

Kavanaugh asked if this percentage could be applied to only certain districts or an application could request to be rezoned to a B3 zoning designation rather than a B4. Sonnek added that while this could be possible, it could result in “spot zoning”, which is something the City definitely does not want to have and therefore it may be better to rezone multiple properties to the B3 designation.

Fransmeier asked about the B4 setback requirements and if they could be redone to align with the B1-B3 setbacks. McPhillips said that this is already happening with the smaller outlots being

built. Franzmeier asked if the limited percentage allowing parking lots could also include the site entrance or drive through opening other impervious surface. Sonnek said that this could be included in the language to include drive aisles. Limiting all impervious surfaces to 30% could be too limiting as it might include a concrete pad being used for outdoor seating. Her opinion is not to apply it to impervious surface.

Kavanaugh asked about the Smith/Dodd Small Area Plan and the overlay district and what the percentage for that area was. Elmore said that the concern of the percentages is not necessarily for the smaller lots, but more for the very large lots. Sonnek said that the Smith/Dodd overlay has the parking maximum of 30 percent of the total lot frontage. Sonnek mentioned that there are a couple of other places in the code that have a percentage, for example the setback for a single family home is 30 feet or 20 percent of the lot depth.

Justen clarified that Council had never formally adopted the Renaissance Plan Update; therefore, the plan has no legal ramifications whatsoever. Council cannot adopt the entirety of the plan now because things have changed. Justen envisioned the Commission is now working on “chunks” of the plan and applying it to zoning code if they see merit in a change per the recommendations of the plan. Legally, code and zoning is where this should all live. The recommendations of the Renaissance Plan Update should trickle down to zoning. This is where the recommendations are enforceable. That is the intention of the discussion for this meeting.

Kavanaugh commented that many of the specifics of the plan are outdated. The North Gateway, Signal Hills and Town Center are done. To adopt the plan now does not make sense. Kavanaugh asked how the Comp Plan comes into play; it was approved by Met Council. Sonnek said that the Comp Plan, like the Renaissance Plan, is a higher-level document and does not necessarily see items as adversarial or conflicting between the Comp Plan, Renaissance Plan or the zoning code.

Franzmeier said that she agreed with Elmore regarding a percentage maximum for the B4 and even the B3 with the larger lot sizes. She is not keen on the B1 and B2. Franzmeier does not know if the City should give everyone 180 feet on Robert Street. Stevens also wondered about the 180 feet was still relevant. Franzmeier asked if decreasing the 180 feet would limit the City to more development. Sonnek said there is always the chance. The language says no more than 180 feet. The percentage code makes more sense to Sonnek in this manner.

Haubrich gave background on Renaissance Plan; he was on one of the original planning groups for the Robert Street Renaissance Plan. It was made up of Council Members, council-appointed individuals. Loucks and Associates also worked with the City. Building Inspections and other staff worked on it. It was not just planning that was made recommendations. The Plan was not meant to be a script allowing or permitting certain building types. It was a guidebook. The plan needs to be updated. The Planning Commission may need to look at some recommendations and see if they want to rewrite the plan/make addendums. Sonnek said that the task tonight was not

for the Renaissance Plan to be rewritten, especially because it was never formally adopted. The City will take components of the Plan Update and formally incorporate it into Zoning Code.

Franzmeier asked if there was consensus on adopting the Renaissance Plan Update for parking lot exposure as written in the Planning Commission memo. McPhillips commented that Commission has [implemented the Renaissance and Comp Plan's recommendations and] worked to move buildings to the front and parking to the rear. However, the require code on parking lot exposure to sidewalks be no more than 180ft. on Robert Street could make the Commission circle around and run into the same problem. Elsmore said that the Tumble Fresh laundromat fell into this category. With changes in the zoning code, the City would now have the zoning requirements to fall back upon. Justen said that the laundromat was the perfect example of this. The City was asking the developer to bring the building forward but did not have any zoning code which would require the developer to so. The laundromat had no legal obligation to bring the building forward. If such code language were in place, the Planning Commission would not need to fight to get their recommendations done. Site plans would come in front the Commission already aligning with the goals of the Commission in place.

Kavanaugh asked if work sessions were possible for this discussion. Franzmeier suggested tabling the first line item for now. There is a lot of food for thought. Sonnek said that she will do research on parking percentages. Sonnek will also do a summary of the Commission's discussion on each item.

Franzmeier asked if the Commission members had any questions regarding the next item on the list, "high quality screening." Elsmore asked about the intent of the zoning code requirement. Sonnek replied that the City does not want the cars to extend beyond the property line, whether it be the street or the adjacent property. The way to limit this would be through landscaping, screening, some sort of curbing mechanism or an actual wall. Elsmore said that the term, "high quality screening" seems vague. Sonnek said that screening refers to either landscaping or fencing. "High quality" refers to code minimums for the types and sizing. Depending on the type of screening, there is a minimum diameter or height in code.

Kavanaugh asked about requiring matching screening on Robert Street so that it does not look like a mishmash. Sonnek said that there is wording to the effect that the fencing be complimentary to the existing building and other surrounding structures. Franzmeier wanted to clarify that the screening was the applicant's choice and not the City's, (a prescriptive specification). Sonnek said that it can be landscaping or fencing and that there are minimum requirements for both. The screening cannot be chicken wire or a snow shield. For the Jimmy John's application, the screening on the western side of the property was fencing. The City said that one of the conditions of the fencing was that it had to be the iron-wrought. However, from a staff perspective, it is good not to limit all applicants to only one type of fencing. If the Commission felt differently, the option could be written into code. McPhillips asked what dictates the requirement for screening, because several properties along Robert Street do not have screening. For existing properties, Sonnek said they could be legal non-conforming. Many

of the businesses were constructed prior to the landscaping ordinance coming into effect, (early 2000's.) When property owners do decide to upgrade their site (like Burger King,) the City can require that they bring their site up to code. Franzmeier summarized that the recommendations from the Commission. The new language should include height requirements, "high quality" be fully defined and screening should be low maintenance. Franzmeier would also like to include a list of recommendations of "go to" quality building materials including the iron-wrought fencing.

Sonnek talked about the next item on the list, public plazas. Commissioner Stevens asked what counts as a plaza; Sonnek clarified that a plaza is a public space that is accessible to multiple people, not necessarily just people who are part of the business. It could be a public plaza, park benches or a picnic table. It is called a "third place," where a person is not living and not where they are working. It is a public space where they can relax. Stevens asked if there were any size or scale for the plaza. Sonnek said can be however the Commission wants to define it. An example of this would be the public dog park at the Town Center I apartments (1571 Robert Street). McPhillips asked if the City could require this of an applicant. Johnson said that the reason this is a recommendation in the Renaissance Plan and not in code, is that the City cannot require a plaza. There is the parkland dedication; an applicant can dedicate part of their land to parkland or contribute to the parkland dedication fees. The City cannot demand anything above this. The City however, can ask nicely. It is a good idea in theory, can be difficult in practice. Franzmeier asked about the new dog park and if it were a public plaza technically owned by the apartment complex owners. The Commission recommended some security measures, (lights, access control from Robert Street) Franzmeier asked if the Commission has rights to outline some parameters for this park. Johnson said that the City did not take fee title over the dog park. Johnson does not remember if there is an easement over the dog park, and if the City has any control over the park. There was no title transfer to the City for that part of the property. She does not recall what agreements were recorded over the dog park. She would have to review this. Justen went on to say that building a plaza would be like a carrot to the developer; they would not have to pay the full park dedication fee if they were to build a small public pavilion. Franzmeier said that it sounds like this is out of the Commission's jurisdiction to lay any requirements. This could be a conversational point with potential developers. Franzmeier stressed that the dog park should have proper lighting access and security measures as if it were public property.

Johnson commented on the requirement of sidewalk to be a minimum of 10 feet wide. If the City were to require that sidewalks be 10 feet wide, it could be considered a "taking", the City would be taking additional square footage away from the property owner. The Commission would have to tread lightly. Current sidewalks work at 5-6 feet wide. The trails are 8-10 feet wide. The sidewalks could be a polite ask, but not something that could be put into code as a requirement. Stevens asked how the Commission could ensure that there is a good pedestrian flow in a new development. Kavanaugh talked about how the County makes developers install sidewalks; Sonnek said that the "carrot" the county uses is access from their road; there is some negotiating and finessing. Sonnek said that she can fine-tune the wording of this area of focus to- the applicant shall ensure appropriate and safe pedestrian flow throughout the site. Stevens asked what is a "Complete Streets policy". Sonnek responded that there are multiple options for

this policy; the one that West St. Paul recently took on was that every time the City does a street project or reconstruction, if there is room for a sidewalk the City considers the option. All components, (the road, sidewalk, off-street parking and bike trail) are considered. McPhillips said that the City has a long-range plan for the roads around Crew Carwash; it would be nice for the Commission to know what the street improvement plans will be. Sonnek said that she is wanting to update the Bike Pedestrian plan soon as it is 10+ years old.

Franzmeier talked about the last item on the list, “Require a certain amount of front property line to have storefront that activates the sidewalk”, she asked if there anything different than the item list that was talked about before. Sonnek said that this item definitely complements the first item on the list (ratio of parking lot to store frontage abutting the street). Sonnek stated that simply put, it sounds like the Commission wants to see a higher percentage of the building up to the sidewalk or the street and a lower percentage for the parking lots and other things. For example, Med Express and Aspen Dental have 100 percent of its storefront on the property line. It is 100 percent activation, with all of their parking is in the back. Sonnek pointed out this could be similar to what the code requires for building materials, it is a 60% to 40% measure. At least 60% of the building must be primary materials, and no more than 40% can be secondary materials. Justen said the maximum and the minimum talk may be helpful, as in maximum amount of parking and minimum amount of storefront. Franzmeier remarked that this requirement informs the first item listed in this area of focus.

Kavanaugh asked if the Commission could have the B4 zoning district setbacks aligned with the rest [of the zones.] Haubrich would like to hear staff’s recommendations on these multiple areas of focus. Sonnek said she could work with some [percentage] numbers and see how would [work in different scenarios.] Franzmeier asked the Commissioners if they were okay with a varying percentage based on the district. There was an informal consensus on this from the Commissioners.

Old Business - NA

Other - NA

Adjourn -

A motion was made to adjourn the meeting at 7:25pm

The motion carried. All ayes.

Respectfully submitted,

Sharon G. Hatfield