

WEST. ST. PAUL PLANNING COMMISSION

The regular meeting of the West St. Paul Planning Commission was called to order by Chair Kavanaugh on Tuesday, May 15 at 7:00 p.m. in the Municipal Center Council Chambers, 1616 Humboldt Avenue, West St. Paul, Minnesota 55118.

ROLL CALL

Commissioners Present: Stevens, Franzmeier, McPhillips, Chair Kavanaugh, Leuer, and Strohmeier

Absent:

None

Also Present:

Assistant Community Development Director Ben Boike, Community Development Coordinator Melissa Sonnek, City Council Liaison Ed Iago.

PUBLIC HEARINGS

Case #18-07 – Comprehensive Plan Amendment to Amend the City of West St. Paul Land Use Map for the Properties Located at 1631/1645 Marthaler Lane (DARTS Property) from Industrial to Mixed-Use – City of West St. Paul

Coordinator Sonnek introduced the project by stating that the City of West St. Paul is the applicant proposing to amend the land use for the properties at 1631 and 1645 Marthaler Lane. Coordinator Sonnek then detailed the location of the site, as well as the land use and zoning of the surrounding properties; then making mention that in the new 2040 Comprehensive Plan the area to the north of the site will be re-categorized from public/semi-public to mixed use.

The desire to re-classify the property from industrial to mixed use stemmed from a developer that is interested in redeveloping the northern portion of the site to construct a 174 unit senior housing facility. The EDA preliminarily reviewed the proposal on April 23rd and voted to continue pursuing the possibility of creating a TIF district around the site, pending all of reviews of the project. Coordinator Sonnek further explained the proposed land use change and how the site would remain consistent with the surrounding land uses as the public/semi-public space to the north expected to be re-classified with the approval and implementation of the 2040 Compressive Plan. Ms. Sonnek also stated that if the project were to move forward and the site were to be rezoned, it would also remain consistent with the surrounding zoning with the B6 – Town Center Mixed Use zoning to the north.

Staff recommended approval with a request of two motions as follows:

1. Staff recommends the APPROVAL of the Comprehensive Plan amendment to re-classify the 1631/1645 Marthaler Ln properties from “Industrial” to “Mixed Use” on the Land Use map.

2. Staff recommends the APPROVAL of the attached TIF resolution confirming that the proposed use of the property as a retirement home conforms to the land use (post amendment).

Assistant Director Boike further explained the next steps in the process by stating that in order for the project to move forward, the first step in the process would be evaluate the re-classification of the land use from a higher-level comprehensive plan perspective. Then followed by the applicant submitting a formal site plan application, conditional use permit for the use, re-platting of the property, and a planned development (PD) for the re-zoning.

Chair Kavanaugh asked what the standard for reviewing those items is, if it is simply what the commission feels is appropriate for the site. Assistant Director Boike agreed that is a fair review from the commission's perspective and elaborated that from a city staff perspective, they believe that a connection can be made in terms of the land use because of the mixed use to the north of the site. A connection to surrounding sites helps to avoid unnecessary spot zoning.

Commissioner McPhillips asked if the property could be used as industrial once the property is re-classified to mixed use. Assistant Director Boike explained that any new use would have to conform to the mixed-use requirements, however the existing use of office space is able to be located in both industrial, as well as the B6 – Town Center Mixed Use zoning classification.

Commissioner McPhillips then asked if the property were to be re-classified to mixed use would the project advancement be reviewed by the Planning Commission. Coordinator Sonnek explained that if the commission were to decide to move forward with the project the next steps like a site plan and CUP would be brought before the Planning Commission. Commissioner McPhillips elaborated to say that he does not like to give up industrial areas and the jobs that come with it. However, with the potential development, jobs would also be created.

Commissioner Leuer asked about the status of our inventory of industrial land, asking if there is currently enough industrial or if we have a lack of industrial land available. Assistant Director Boike stated that the City has a good balance of industrial space, with some good existing businesses that are looking to potentially expand as well as vacant parcels that are available for new industrial development. Commissioner Leuer went on to say that since there are vacant lots available indicates that we are not over-crowded with industrial developments, but there still a general interest in development.

Commissioner Leuer asked another question about the building on the second parcel, what is it currently and would it be demolished. Coordinator Sonnek clarified that the middle building located at 1635 Marthaler Lane would be demolished if the development were to move forward.

Commissioner Fransmeier inquired about how the City and/or the property would react to the proposed zoning change to residential that may require changed traffic patterns, sidewalks, and other infrastructure in order to make the area a more attractive and livable area. Commissioner Fransmeier elaborated to say that she has concerns that with the nature of the industrial properties that surround this property and it does not provide a community feel. Coordinator Sonnek stated that the project is currently in the phase of the project that involves land use portion, and the next step would be to consider things like traffic and sidewalks. Commissioner Fransmeier went on to state that by reclassifying this property, the surrounding properties would be affected by adding sidewalk and similar street infrastructure. Commissioner Fransmeier reiterated her desire to create supporting infrastructure for the appropriate demographic rather than placing an isolated building onto a parcel. Assistant Director Boike mentioned that as applications come in, the City is unable to require surrounding properties to make alterations. The City and the commission are only able to review and place requirements on the subject property. However, the City is able to create goals and implementation measures on a more comprehensive level in documents like a bicycle and pedestrian plan.

Chair Kavanaugh asked if this property was specifically chosen due to its close proximity to the library, Walmart, and Robert Street. Assistant Director Boike stated that this property was chosen specifically because of the relationship with DARTs, and that a large portion of their property is being under-utilized as well as create a partnership with the applicant and provide services to the potential new residents.

Chair Kavanaugh requested that the applicant come forward to speak on the project. Ann Bailey, the President of Darts, came forward.

Commissioner McPhillips inquired about current projects at DARTS. Ms. Bailey mentioned that the company has been around since 1974 and has operated in West St. Paul for many years since that time. Presently, DARTs still does provide transportation services, however they no longer provide the Metro Mobility transportation. Since they no longer provide this service, DARTs no longer needs the large parking lot. Ms. Bailey mentioned that she was excited when the director asked about how to utilize the site that the community had given them and still serve their mission.

Chair Kavanaugh asked if the building would be operated by DARTs, or if the site would be sold to a developer and the two would work in tandem. Ms. Bailey stated that the land would be sold to a developer and they would have a limited partnership agreement. The developer would also help to manage the property while being on-site, while DARTs would be able to provide transportation services to the residents. Ms. Bailey also mentioned that she thought this location was terrific and thought that some accommodations would need to be made in order to help people move safely, however senior living facilities thrive in busy areas.

Commissioner McPhillips asked what Ms. Bailey meant when she said that the community had given them the land. Ms. Bailey explained that the purchase of the

property was funded through a capital campaign. As a non-profit DARTs ran a fundraising campaign for capital money in order to purchase the property. Commissioner McPhillips followed up by asking if the Planning Commission approves the application and re-classifies the property as mixed use, the proposal will later come back before the Planning Commission for another review. Assistant Director Boike stated that Commissioner McPhillips was correct in that the land use reclassification was just the first step in the process and the applicant was planning on submitting their next application for site review and conditional use permit (CUP) during the June Planning Commission meeting. Assistant Director Boike also mentioned that during that time would be the appropriate time to place reasonable conditions and/or approve or disapprove of the project based on density or other items of that nature.

Chair Kavanaugh inquired if the applicant had engaged in discussion with the City about additional infrastructure for necessary connections, paths, trails, etc. Ms. Bailey stated that they have not discussed those things in any detail.

Commissioner Fransmeier inquired if the commission was looking at establishing any parameters on the façade and height of the building in comparison to the surrounding one-story buildings. Assistant Director Boike stated that the applicant could probably elaborate more on the specifics of the project, but also mentioned that the zoning code has guidelines and requirements that the applicant is required to meet, such as the building materials. However, at this time, until Staff has plans for the layout they would be unable to comment. Chair Kavanaugh asked about the number of units that would be in the potential building. Ms. Bailey stated that the original proposal presented to the EDA had 174 units and 4 stories. Patrick Olstrom, the lead developer, came forward to speak more on the specific details of the project. Mr. Olstrom stated that the proposed building would be four stories with one level of underground parking, along with surface parking throughout the site while trying to preserve ample green space for the residents. Mr. Olstrom also stated that the drawings for the exterior of the building were currently being developed and planning to be submitted to City Staff within the next week or two. During this time, open dialogue with the City would occur to discuss things like walking paths and building materials.

Chair Kavanaugh stated that while the specific task of the commission for this meeting is more of a narrow charge, it is still helpful to know some of the details in relation to the big picture, and thanked the applicants for the information.

Commissioner Leuer inquired about the two motions, the second motion to approve the attached TIF; Commissioner Leuer explained that he understands this would not be creating a TIF district, but rather stating that the proposed TIF matches the land use within the city. Assistant Director Boike stated that that question would be more suited to Council Person Iago, since he has experience and has been involved in discussions at the EDA meetings. Assistant Director Boike mentioned that the creation of a TIF district is an entirely different matter. However, the whole process of creating a TIF district requires the resolution stating that the Planning Commission thinks that the proposed use

matches the current land use, which is being proposed to change. Commissioner Leuer stated that that was the impression he was under, however he wanted to confirm. Chair Kavanaugh stated that he had also asked Ben a similar question since he had not seen it during his time on the Planning Commission. Assistant Director Boike mentioned that it was also a first for him.

Commissioner McPhillips enquired about the TIF resolution, if the approval of the resolution would be granting TIF money, or if it would just be opening up the possibility for TIF money. Assistant Director Boike explained the in order to initiate the process of creating a TIF district, the Planning Commission is to approve a resolution stating that the proposed use matches the designated land use for the property. Assistant Director Boike went on to elaborate that it is City Staff's opinion that the proposed change going from industrial to mixed use matches because the classification of mixed use allows B6 zoning, which in turn allows retirement homes. That the resolution has nothing to do with the funding of a TIF because that item is reviewed by the EDA.

Chair Kavanaugh asked the commission if there were any concerns with the proposal. After no concerns were raised, Chair Kavanaugh stated that he is looking for a motion.

ON MOTION by Commissioner Leuer, seconded by Commissioner McPhillips, to approve Case #18-07 – Comprehensive Plan Amendment to Amend the City of West St. Paul Land Use Map for the Properties Located at 1631/1645 Marthaler Lane (DARTS Property) from Industrial to Mixed-Use – City of West St. Paul. Motion approved 6-0.

ON MOTION by Commissioner Leuer, seconded by Commissioner McPhillips, to approve Case #18-07 – The Attached TIF Resolution Confirming that the Proposed Use of the Property as a Retirement Home Conforms to the Land Use (Post Amendment) – City of West St. Paul. Motion approved 6-0.

These items will go before the City Council at the next meeting on Tuesday, May 29th.

Case #18-08 – Zoning Ordinance Amendment, Section 153.46 Regarding Signs – City of West St. Paul

Assistant Director Boike stated that the interest in changing the zoning ordinance was prompted by two requests, one local school and one local church, to have an electronic message sign at their facilities. Currently the zoning code does not allow for any type of electronic signage in residential districts, while generally both school and churches tend to be located in residential districts. An initial discussion on the potential change was brought to the City Council to discuss the pros and cons as well as potential ways to mitigate concerns of adjacent residential uses. Once a consensus was reached, the amendment was then brought to the Planning Commission for review.

The proposed ordinance amendment, if approved, would require a conditional use permit as a part of the application process. Therefore, if a church, a school, or another non-residential use were to apply, the process would provide notification to all surrounding property owners within 350 feet of the subject property of the public hearing. During the public hearing residents are allowed to come and speak on the proposed project and ask questions, while Staff will present the details of the proposal, as well as allow the Planning Commission and City Council to place reasonable conditions on the permit request in order to mitigate any concerns expressed by the public.

The ordinance established standard mitigative measures such as brightness of the electronic display by requiring all text to be amber in color with a black background, distance to other residential uses by requiring that the sign be a minimum of 50 feet from the nearest residential property. The amendment would also require similar requirements for changeable copy signs seen in the commercial districts by requiring that the message on the sign to be static for a minimum of eight seconds then change instantaneously, no displays on the sign, limited to text only, no flashing, etc.

Staff recommended that the Planning Commission host a public hearing as well as approval of the amendment.

Commissioner Leuer asked where the requirement of the text being amber in color came from, further stating that he does not care if sign text is amber in color as long as it is mono-colored. Assistant Director Boike explained that when surveying other similar communities, the amber text was a standard consistency that he saw. Assistant Director Boike also mentioned that the amber is a relatively dull color, and this helps to mitigate any visual light pollution that would be emitted by the sign. However, Assistant Director Boike stated that if the Planning Commission feels that the requirement should be mono-colored text rather than amber text, he would be agreeable to that to allow additional flexibility.

Commissioner Fransmeier asked if the ordinance would establish a restriction on the size of the electronic signs, similar to the monument signs on Robert Street. Assistant Director Boike mentioned that in the residential district the largest size is 32 square feet and six feet in height for free-standing signs.

Commissioner Fransmeier asked if the Planning Commission could mandate certain hours of operation, such as limiting the sign usage to 6:00am to 12:00am, to avoid any visual discomfort. Assistant Director Boike stated that hours of operation can be mandated through the zoning ordinance, which would be applied to all signs that apply, or through the conditional use permit process as a reasonable condition, which would allow the commission to analyze each application on a case by case basis.

Commissioner Fransmeier inquired about solar power, since a lot of technology will be leaning toward the solar power option. Specifically wondering if the code has any requirements regarding solar power. Assistant Director Boike stated that there is

currently not anything in the zoning ordinance pertaining to solar power for signs; however, the building code does dictate solar power for things such as solar rooftops. Since solar rooftops are allowed by the building code, Assistant Director Boike stated that he doesn't think that there would be anything that would prevent solar powered signs. Additionally, it may be worth discussing further at a future time.

Commissioner McPhillips stated that he also had questions on the hours of operation, if the Planning Commission would place that restriction on hours of operation during this meeting or evaluate as each sign comes before the Planning Commission. Commissioner McPhillips stated that a sign on Robert Street might have the need for different hours of operation in comparison to a sign on Oakdale near a church. Assistant Director Boike stated that he would advise that the commission place the hours of operation restriction on the individual request rather than within the zoning ordinance as each situation might be different.

Commissioner Stevens stated that she did not see anything in the ordinance pertaining to the brightness of signs, other than the amber in color requirement. Assistant Director Boike stated that brightness of a sign could also be addressed directly in the zoning ordinance or as a reasonable condition that the commission places on an electric sign application. That if the Planning Commission feels that language pertaining to brightness should be added, City Staff could certainly do that.

Commissioner Stevens stated that she believes that most communities are going against the electronic message display signs and is curious about the reasons that other communities have for not allowing such signs. Assistant Director Boike stated that Public Safety is likely the number one concern around electronic signs, for example flashing and driver distraction, and that other cities likely put restrictions in place to mitigate any public safety hazards.

Chair Kavanaugh opened the public hearing at 7:35pm.

No one from the public came forward to speak on the item.

Chair Kavanaugh closed the public hearing at 7:35pm.

Chair Kavanaugh stated that he was currently on the fence about this ordinance amendment and that he did not have a strong feeling one way or the other. However, Chair Kavanaugh stated that he is somewhat leaning toward no, because once you open the door for something, people ask for more and more once you allow it.

Chair Kavanaugh further inquired about what other communities had voted against electronic signs. Assistant Director Boike stated that Staff surveys mostly other inner ring suburbs within the Twin Cities, and about half of the cities allow electronic signs while the other half do not. However, Assistant Director Boike stated that he believes that cities are starting to lean more toward allowing electronic signs as the requests

become more and more common. For example, the request that the City of West St. Paul received was because the interested party has a static message board where someone has to go out and manually change the message compared to someone changing the message from a computer. This would allow them to advertise all sort of events that they may have going on and want to get those messages out to the community, while still limiting the negative effects it might have on neighboring properties. Assistant Director Boike listed that out of the communities that staff surveyed, Falcon Heights, Richfield, Golden Valley, and Maplewood have some sort of variation to allow the signs with some sort of restrictions. Other cities such as, South St. Paul, Mendota Heights, and Inver Grove Heights do not allow them.

Commissioner Stevens stated that as a member of the Parent Teacher Association (PTA) she could not imagine why they would not do this in 2018 and that there are a lot of things that do need to be communicated to people and that as long as it doesn't negatively affect any people that live nearby. Also as long as the commission is able to mitigate any issues with driver distraction.

Commissioner McPhillips proved the example of the big billboard out on the freeway that was so big and so bright, that it actually affected people over in South St. Paul that were across the road. Commissioner McPhillips also provided the example that if St. Croix Lutheran Church wanted to put a sign up along Oakdale Ave. and without any time constraints on the sign, the surrounding neighbors would have an amber hue glowing all night long. Further stating that he liked the idea that as each application comes in the commission could review each one on a case-by-case basis. And for that reason, Commissioner McPhillips states that he likes it and would vote yes.

Commissioner Fransmeier asked for clarification on the size of the signs, to establish a comparison on the size of the current school signs to the potential six-foot high signs. Assistant Director Boike stated that in residential districts, the zoning code allows for a maximum of 32 square feet of signage, not including the base of the sign. The current code requires a monument style sign with a base for the sign to be as wide as the sign, while conversely on Robert Street in a commercial district 50 square feet of sign with a maximum of 10 feet in height. Creating slightly larger signs on Robert Street with smaller, scaled-down signs in residential districts. Assistant Director Boike explained that in residential districts, typically signs have a static message on the top of the sign with an electronic message below, therefore the full sign of up to 32 square feet is not entirely electronic message.

Commissioner McPhillips stated that with a lot of signs, the brightness is measured in lumens. Commissioner McPhillips asked about if the ordinance could potentially place a cap on the number of lumens for a sign, and if any other cities are placing a cap on the amount of lumens for signs or if they have a standard benchmark for a typical number of lumens. Assistant Director Boike stated that if the commission would like, City Staff can look into that item and the item can be continued to the next Planning Commission meeting or even bring the amendment to the City Council with that additional

information is another option as well. Assistant Director Boike also stated that there is no immediate hurry for this amendment to go through.

Chair Kavanaugh stated that he was having a hard time visualizing what one of these signs would look like, specifically in the residential districts. Commissioner McPhillips stated that St. Croix Lutheran Church currently has their message board out, and that if they installed an electric sign. Commissioner McPhillips went on to state that if the sign was illuminated with digital LED lights, it would increase the amount of brightness in a relatively dark area. Commissioner Leuer stated that he recalled a similar discussion regarding a sign at the West St. Paul dome, and asked if there were any complaints on that or if anything was visually appalling. Assistant Director Boike clarified that the sign itself never actually was built for a number of reasons, however mentioned that there were concerns around lighting on the dome and he had not heard any complaints related to that. Assistant Director Boike stated that many examples of electronic signs could be seen along Robert Street, specifically with a traditional display on the top of the sign with an electronic display below.

Commissioner Leuer asked if during the CUP process, if the City would be able to limit the number of electronic signs on a property. Assistant Director Boike stated that the ordinance currently limits each property to one sign. Commissioner Stevens asked if the electronic signs would also have to follow the other established regulations in the sign code, specifically the content displayed. Assistant Director Boike confirmed that the electronic signs would also be expected to follow the established regulations in the existing sign ordinance. However, he also stated that if something were displayed on the sign that was not suitable to be displayed, the City would be notified rather quickly and as a CUP, the City Council has the ability to revoke the sign permit if there are any issues.

Commissioner Stevens stated that it would be nice to see a picture of some of the typical signs.

Commissioner Strohmeier asked Assistant Director Boike to confirm that there was no rush on approving this amendment. Assistant Director Boike confirmed this, and stated that one interested party stated that they wanted to have their sign up before the start of the next school year. Commissioner Strohmeier stated that he thinks so far the commission has made a lot of good points and that with signs you want to be careful, because if something is passed without a lot of thought, it can cause future issues. Commissioner Strohmeier agreed that he would also like to see some examples of other signs.

Commissioner Stevens stated that a visual would be helpful to see what the ordinance can regulate in regard to future trends, as signs currently might not display large text however they might in the future. Commissioner Stevens stated that it might be a good idea to regulate the size of the text on a sign, while still allowing the applicant to utilize the sign as a communication device.

ON MOTION by Commissioner Strohmeier, seconded by Commissioner Fransmeier, to continue Case #18-08 – Zoning Ordinance Amendment, Section 153.46 Regarding Signs – City of West St. Paul. Motion approved 6-0.

This item will be continued to the next Planning Commission meeting on June 19th.

NEW BUSINESS:

The voting for a new Vice Chair of the Planning Commission. The Planning Commission unanimously voted to make Commissioner Leuer the new Planning Commission Vice Chair.

Chair Kavanaugh made an announcement about the draft of the new 2040 Comprehensive Plan and that the document was currently available for public review. The City Council reviewed the document during the Open Council Work Session on May 14th, no questions were raised about the document. The document would be reviewed next by the Planning Commission during the June 19th meeting and the commission will host a public hearing to speak on the document.

Assistant Director Boike mentioned that after the Planning Commission review on June 19th, the City Council would review the document during the June 25th meeting, after which the document will be submitted to the Metropolitan Council for the six month review. During the six-month review, the document will remain open for comment and after the six-month review has been completed, the document will come before the Planning Commission and the City Council for final review around the end of the year

ADJOURNMENT:

ON MOTION by Commissioner McPhillips, seconded by Commissioner Leuer, Commissioners RESOLVED to ADJOURN the May 15, 2018 regular meeting of the Planning Commission at 7:51 PM. Motion approved 6-0.

Melissa Sennek
Community Development Coordinator