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**REGULAR MEETING
OF THE
VADNAIS HEIGHTS PLANNING COMMISSION
APRIL 28, 2020**

OPEN MEETING AND WELCOME

Chairperson Evan Cordes called the Regular Meeting of the Vadnais Heights Planning Commission to order at 7:00 p.m. on April 28, 2020.

ROLL CALL

Evan Cordes, Chairperson	Present
Linda Bigelbach	Present
Edward Caillier	Present
Brian Carnes	Present
Curt Cooper	Present
Martin Jokinen, Vice Chairperson	Present
Joseph Stumph	Present
Jerry Moynagh, First Alternate	Present
Terri Dresen, Second Alternate	Present

Also present: Nolan Wall, Planning/Community Development Director; Deputy City Clerk Peggy Aho; Councilmember Patricia Youker; and Jeff Melcoch, Cable Producer.

APPROVAL OF AGENDA

Upon motion by Commissioner Jokinen, seconded by Commissioner Carnes, it was

“RESOLVED, to approve the April 28, 2020, Regular Meeting Agenda as presented.”

Ayes – 7 Nays – 0

The motion carried.

APPROVAL OF MINUTES

Upon motion by Commissioner Cooper, seconded by Commissioner Carnes, it was

“RESOLVED, to approve the minutes of the March 24, 2020, Regular Meeting as corrected.”

Ayes – 6 Nays – 0 Abstain – 1 (Bigelbach)

The motion carried.

Upon motion by Commissioner Cooper, seconded by Commissioner Bigelbach, it was

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“RESOLVED, to approve the minutes of the April 15, 2020, Special Meeting as corrected.”

Ayes – 7 Nays – 0

The motion carried.

OPEN TO THE PUBLIC

Chairperson Cordes opened the floor to the public at 7:08 p.m. for questions and comments on items not on the agenda.

As no one wished to address the Commission, Chairperson Cordes closed the meeting to the public at 7:08 p.m.

PUBLIC HEARINGS

A. Case 20-004: Gasparre Westwood Park, LLC – Zoning Code Amendment

Planning/Community Development Director Wall shared that the applicant is requesting amendments to City Code Chapter 38, Article III, Division 4 concerning the Residence Three (R-3) District. The applicant owns and operates the Westwood Park Apartments located at 669 County Road D. The development contains two buildings with 48 total units on approximately three acres. The applicant is requesting a zoning code amendment to allow construction of an ancillary rental office/residential unit on their property. Planning/Community Development Director Wall said the proposed Ordinance 742 adds “ancillary building as part of a multi-family residential development” as a conditional use in the R-3 District, with several conditions:

- Only one such building is allowed on the property.
- Uses are limited to offices, one residential unit, attached garage/storage, and community facilities.
- Building height is limited to 35’ or no greater than the adjacent apartment buildings.
- Exterior materials have to match the existing apartment buildings.
- Size limited to 5,000 SF.
- Building setback 10’ from property boundary lines.

Wall clarified the proposed request does not approve the actual construction of a building on the subject property but creates the opportunity to pursue it further. As proposed, if approved, the property owner is required to submit separate conditional use permit and site plan applications prior to construction. Wall also clarified that approval of this request does not approve construction of a building and would require approval by the City Council.

Commissioner Caillier inquired how the defined conditions were developed and if these conditions are similar to other cities that have this type of Ordinance in their codes. Wall responded the City’s R-4 zoning district is for mobile housing developments and they

97 have community facilities as part of those developments such as laundry facilities and
98 storm shelters and that staff was working with the applicant on what they want to include.
99 He said the City wants to see reinvestment in these communities and stated this
100 allowance would be one way to have onsite management and ensure the property is well
101 managed.

102
103 Steve Perillo, President of MGM Property Management, and applicant representative,
104 said his firm manages several thousand units within the Twin Cities' area as well as
105 Rochester and St. Cloud areas and all have onsite rental offices on all of their sites. He
106 said these offices build harmonious relationships with residents and shows that
107 management staff are visible onsite. He noted no one currently lives onsite and that
108 having on onsite office and living unit would be very beneficial to the development.

109
110 Commissioner Carnes confirmed the owner would own the parcel and the individual
111 living onsite would work for the management company. Mr. Perillo said staff working in
112 the office would be an employee of MGM Property Management and the owner owns the
113 property as well as Westwood Park and that Westwood Park staff would work and live
114 within the residence. Wall said one of the conditions regarding the individual living
115 onsite requires them to be a current employee of the property management or leasing
116 company, it can't be someone just renting the space. Commissioner Bigelbach clarified
117 that one person or a family that would live there or would the employees rotate in and
118 out. Mr. Perlough said one person would live onsite who is an employee of the company
119 but that in the future could that change, it will always be available for staff.

120
121 Commissioner Cordes asked for clarification on the community facility for residence and
122 if the area could be used as a lounge for residents. Wall confirmed that was correct,
123 stating a laundry facility or community room is typically something residents want and
124 would add value to the development.

125
126 Mr. Perillo confirmed onsite management is standard in the industry and noted other
127 properties actually construct a separate building to provide more onsite staff.

128
129 Chairperson Cordes opened the public hearing at 7:23 p.m. and outlined the public
130 testimony process in the virtual meeting format.

131
132 As no one wished to address the Commission, Chairperson Cordes closed the public
133 hearing at 7:25 p.m.

134
135 Upon motion by Commissioner Cooper, seconded by Commissioner Caillier, it was

136
137 "RESOLVED to recommend approval of a draft Ordinance Amending Chapter 38,
138 Article III, Division 4, Section 38-155 of the City Zoning Code, Concerning Conditional
139 Uses in the Residence Three (R-3) District.

140
141 Subject to the following conditions:
142 1. Only one such building is allowed on the property.
143 2. Uses are limited to offices, one residential unit, attached garage/storage, and
144 community facilities.

- 145 3. Building height is limited to 35’ or no greater than the adjacent apartment
- 146 buildings.
- 147 4. Exterior materials have to match the existing apartment buildings.
- 148 5. Size limited to 5,000 SF.
- 149 6. Building setback 10’ from property boundary lines.”

150
 151 Chairperson Cordes referred to Lines 25-26 regarding attached garage/storage space and
 152 shared concerns about potential abuse by others who would use this to provide additional
 153 outdoor garages and clarified that the garage would be used only for a company vehicle
 154 or employee who lives their use it for their personal vehicle parking.

155
 156 Commissioner Carnes suggested adding language that refers to attached parking that
 157 would address that concern and not allow the garage to be used as additional storage.

158
 159 Chairperson Cordes suggested language about keeping single or double stall garage space
 160 to limit. Wall said staff could provide language that states garage would be associated
 161 with the office and residential dwelling unit and not allow construction of 5,000 square
 162 feet of attached garages and would request the City Attorney to draft language
 163 amendments for consideration by City Council.

164
 165 Commissioner Cordes suggested language that limits the size of the attached garage to be
 166 supplemental to the property management rather than additional garage space for
 167 residential use. Wall said he would suggest that additional condition to the City Attorney
 168 and have a discussion with the applicant.

169
 170 Upon motion by Chairperson Cordes, seconded by Commissioner Jokinen, it was

171
 172 “RESOLVED to amend the motion to incorporate language limiting the garage sizes as
 173 determined by City Attorney, staff, and applicant input.”

174
 175 Commissioner Carnes said he did not believe this language gave the applicant the right to
 176 construct anything as approval and that they would still had to go to the Planning
 177 Commission and City Council for approval. Wall confirmed that was the case but noted
 178 approval of the draft ordinance amendment not having limitations would allow an
 179 applicant to come forward with a conditional use permit application to add reasonable
 180 conditions.

181
 182 Ayes – 7 Nays – 0

183
 184 Amended motion carried.

185
 186 Ayes – 7 Nays – 0

187
 188 The main motion as amended carried.

189
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192 B. Case 20-005: Davis Group Real Estate Services Group, LLC – Variances and Site
193 Plan Review at 3590 Arcade Street

194
195 Planning/Community Development Director Wall shared that the applicant/property
196 owner is requesting setback variances and a site plan review to construct a parking lot
197 expansion at the Midwest ENT property. The subject property is an undeveloped remnant
198 parcel from the park-and-ride facility to the east and was recently purchased by the
199 applicant from the Metropolitan Council. The applicant also owns and developed (in
200 2018) the Midwest ENT medical-office building on the adjacent parcel to the west. The
201 proposed parking lot expansion is intended to be utilized by employees and for overflow.
202 The surrounding area includes Wal-Mart to the north; Summit Orthopedics to the south;
203 Metropolitan Council park-and-ride facility to the east; and Midwest ENT to the west. No
204 adverse impacts to surrounding properties are anticipated. Wall stated no adverse impacts
205 to the existing traffic patterns in the surrounding area are anticipated. He said that the
206 proposed project would add 51 parking spaces for use by the adjacent medical-office
207 building. The existing parking lot contains 53 spaces and was compliant with the
208 applicable standards when developed. The proposed parking lot will be utilized by
209 employees and for overflow. The parking lot grade, surfacing, striping will be required to
210 meet the applicable City Code standards and will be reviewed in greater detail as part of
211 the building permit process.

212
213 Wall noted that the sidewalk in the area will be extended around the east and north sides
214 of the existing building. A new curb cut is proposed from the existing private/shared
215 driveway, which is mostly used as a secondary access point for the surrounding uses.
216 Wall noted that the proposed project remove all existing vegetation on the subject
217 property and the Landscape Plan includes 14 deciduous and coniferous major/over-story
218 trees, which is compliant with the required amount based on the applicable standard
219 above. In addition, the applicant is proposing to temporarily remove five existing trees
220 along the northern property boundary line to allow for construction of the storm sewer
221 connection and then they will be re-planted. Wall noted that VLAWMO and SEH both
222 expressed concerns about the proposed plantings within the bio-filtration basin and
223 recommend that the trees be relocated to other areas of the site. The City Center District
224 requires that plantings are one-third conifers and two-thirds deciduous of certain species,
225 and the proposed Landscape Plan is not entirely compliant with the applicable ratios,
226 required species, or planting sizes. Staff has included a condition that requires the proper
227 coniferous-to-deciduous ratio and planting sizes in a revised landscape plan. However,
228 the species match those allowed for the original development, as part of the PUD Overlay
229 process, and should be allowed as proposed.

230
231 Mark Davis, applicant, thanked the Planning Commission for reviewing and considering
232 their application and shared that Midwest ENT is a very busy clinic and a productive
233 health facility for their clients and the need for additional parking is important. He said
234 they were currently leasing from TCO and were entering into a bid process to acquire
235 land to better meet their patients' needs.

236
237 Commissioner Jokinen left the meeting at 7:41 p.m.
238

239 Wall confirmed the stormwater management plan was reviewed by VLAWMO and SEH
240 and they are confident the project is compliant with all regulations.

241

242 Chairperson Cordes opened the public hearing at 7:42 p.m.

243

244 As no one wished to address the Commission, Chairperson Cordes closed the public
245 hearing at 7:43 p.m.

246

247 Upon motion by Commissioner Cooper, seconded by Commissioner Carnes, it was

248

249 “RESOLVED to recommend approval of the proposed rezoning, final planned unit
250 development plan, and site plan requests, based on the following findings of fact:

251 1. The proposed project will be integrated into the adjacent development and adds
252 parking capacity for employees and overflow, if needed.

253 2. The proposed use is a permitted accessory use in the applicable zoning district
254 and is compliant with the comprehensive plan.

255 3. The subject property is likely too small to support a viable, stand-alone
256 development and the proposed parking lot setbacks closely match those approved
257 for the adjacent development under the PUD Overlay process.

258 4. The proposed project will not alter the essential character of the area

259

260 Subject to the following conditions:

261 1. A development agreement amendment between the property owner, and all others
262 with interests in the subject property, shall be entered into with the City, to be
263 recorded at the applicant’s cost with the offices of the Ramsey County Recorder
264 and/or Register of Titles, prior to issuance of a building permit.

265 2. A grading permit in compliance with all applicable code standards shall be
266 submitted prior to commencement of any construction activities on the subject
267 property, to be reviewed/approved administratively.

268 3. A stormwater operation and maintenance agreement between the property owner,
269 and all others with interests in the subject property, shall be entered into with the
270 City, to be recorded at the applicant’s cost with the offices of the Ramsey County
271 Recorder and/or Register of Titles, within six (6) months of completion of the
272 proposed project.

273 4. The off-street parking lot and driveways shall be constructed and operated in
274 compliance with the applicable code standards, to be reviewed/approved
275 administratively as part of the building permit.

276 5. Retaining walls in excess of four (4) feet in height shall require engineering
277 design, to be reviewed/approved administratively as part of the building permit.

278 6. A photometric lighting plan shall be submitted for inclusion in a subsequent
279 development agreement amendment.

280 7. The landscape plan shall be revised to comply with the required standards and
281 agency/department comments, to be included in a subsequent development
282 agreement amendment.

283 8. The property owner shall re-plant any vegetation removed to construct the
284 required utility connections.

- 285 9. The subject parcel shall be combined with the adjacent parcel to the west, to be
- 286 recorded at the applicant’s cost with the offices of the Ramsey County Recorder
- 287 and/or Register of Titles.
- 288 10. Compliance with the conditions included in SEH’s memorandum, dated
- 289 04/16/2020.
- 290 11. Compliance with the conditions included in VLAWMO’s memorandum, dated
- 291 04/16/2020.
- 292 12. Compliance with the conditions included in the Fire Chief’s memorandum, dated
- 293 04/15/2020.
- 294 13. Compliance with the conditions included in the Director of Public Works/City
- 295 Engineer memorandum, dated 04/21/2020.

296
297 Ayes – 7 Nays – 0 Absent – 1 (Jokinen)

298
299 The motion carried.

300
301 **NEW BUSINESS**

302
303 None.

304
305 **OLD BUSINESS**

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307 None.

308
309 **REPORTS**

310
311 A. Council Liaison

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313 Councilmember Patricia Youker had nothing to report.

314
315 B. Planning Commissioners

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317 None.

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319 C. Staff

320
321 Planning/Community Development Director Wall shared that the At Home Apartment
322 project will be before the City Council on May 5 and will include the normal public
323 hearing process. He said that residents are encouraged to submit emails or sign up for
324 public testimony timeslot. Wall noted that staff received a letter from the Metropolitan
325 Council approving the land use amendment relating to that project and said that the delay
326 was due to errors in the final plan that had to be corrected before any amendments could
327 be considered. He shared that staff have not seen a noticeable decrease in building permit
328 activity due to the current pandemic and said that the City is seeing the same number of
329 roofs, decks, windows, and apartments projects permits as planned but noted that the
330 Luther Cadillac dealership project has been delayed a bit while they wait to start
331 construction. He said there will be some slow down likely due to a backlog of permits
332 from residents doing home projects now as more residents are home during this time.

333 Commissioner Cooper asked for an update regarding the Hy-Vee project on Highway 61.
334 Wall said the project was located on Highway 61 and County Road E in Gem Lake and
335 Hy-Vee acquired the site few years ago and demolished the existing buildings but had no
336 current timetable for construction. He explained how Vadnais Heights annexed a portion
337 of that site to Gem Lake to help provide a cleaner building process and noted
338 construction will likely not happen this spring as planned due to the current
339 circumstances and that it is within Gem Lake.

340

341 **NEXT MEETING**

342

343 Planning/Community Development Director Wall said the next meeting would be held
344 May 26, 2020.

345

346 **ADJOURN MEETING**

347

348 Upon motion by Commissioner Caillier, seconded by Commissioner Cooper, the meeting
349 was adjourned at 7:50 p.m.

350

351 Respectfully submitted,

352

353 Cathy Sorensen, *TimeSaver Off Site Secretarial, Inc.*