

<p>Chair: John Ross Vice-Chair: Ryan Briese Commissioners: Tim Felton Justin Humenik Ruth Krueger Jason Pachi Stephanie Yendell</p>	 <p>City of South St. Paul Planning Commission Agenda</p> <p>Wednesday, May 4, 2016 7:00 p.m.</p>	<p>City of South St. Paul 125 Third Avenue North South St. Paul, MN 55075 Phone: (651) 554-3217 Fax: (651) 554-3211 www.southstpaul.org</p>
<p>Hearing assistance PA system is available – if you need a hearing assistance unit please notify City staff before the meeting. (If you use the hearing assistance PA system, please remove your hearing aid so it does not cause a feedback problem)</p>		
<p>Roll Call</p>		
<p>1. Agenda</p>		
<p>2. Minutes</p> <p>A. April 13, 2016 meeting</p>		
<p>3. New Business</p> <p>A. (none)</p>		
<p>4. Public Hearings</p> <p>A. <u>American Cancer Society Relay for Life IUP</u> (1725 Henry Avenue): An Interim Use Permit to host a fundraiser event on the ramp of the South St. Paul Fleming Field Airport.</p> <p>B. <u>Commemorative Air Force IUP</u> (310 Airport Road): An Interim Use Permit to host the beer garden for the MadFurther Car Show at the South St. Paul Fleming Field Airport.</p> <p>C. <u>Commemorative Air Force IUP</u> (310 Airport Road): An Interim Use Permit to host an outdoor movie in conjunction with Dealer 1-2-1 of White Bear Lake at the South St. Paul Fleming Field Airport.</p> <p>D. <u>J.K. Anderson Builders, Inc. Variance</u> (521 Stewart Ave.): Consider a rear setback variance request for the construction of a new home.</p>		
<p>5. Other Business</p> <p>A. <i>Updates</i></p>		
<p>6. Adjournment</p>		

Next Planning Commission Meeting: June 1, 2016

This meeting is being taped by Town Square Television (NDC4): phone: 651-451-7834 web: www.townsquare.tv
Replays can be viewed on Government Channel 19 on the Thursday following the meeting at 1:00 p.m. & 7:00 p.m.

**MINUTES OF MEETING
SOUTH ST. PAUL PLANNING COMMISSION
April 13, 2016**

MEETING CALLED TO ORDER BY COMMISSIONER RYAN BRIESE AT 7:03 P.M.

Present: John Ross (arrived 7:15 P.M.) Absent:
Ryan Briese
Jason Pachl
Timothy Felton
Justin Humenik
Ruth Krueger
Stephanie Yendell
Peter Hellegers, City Planner

- 1) APPROVAL OF AGENDA – as presented – Pachl/Yendell (6-0)
- 2) APPROVAL OF MINUTES for February 10, 2016 (6-0)
- 3) NEW BUSINESS

There was none.

- 4) PUBLIC HEARINGS

A. City of South St. Paul Service Center CUP (400 Richmond Street E.) – Consider a Conditional Use Permit for the construction of a 40'x60' accessory building for use by the City of South St. Paul Police Department for cold storage.

Police Chief Messerich stated the department presently utilizes outside storage for vehicles and occupies one bay of the Service Center for bicycles, long term file storage and larger property items. The accessory building will allow secure storage of all items and decreases the amount of exterior storage on the property. The facility will allow the Service Center additional room for their items.

No correspondence was received nor was anyone present to comment on the application.

Motion to approve as presented Pachl/Krueger (6-0)

B. Robert Brown III Car Show IUP (1725 Henry Avenue) – Consider the request for an Interim Use Permit for the annual car and motorcycle show (with swap meet and silent auction) at the Fleming Field Airport from 11:00 a.m. – 3:00 p.m. on Sunday, September 11, 2016. The request is for a 3-year term consisting of one event per year in September 2016, 2017 and 2018.

Chairperson Ross arrived.

The applicant, Les Blake, explained the memorial event is in honor of his friend, Robert Brown III. All proceeds will go to the Ronald McDonald house.

No correspondence was received nor was anyone present to comment on the proposed IUP.

Motion for approval as presented – Briese/Humenik (7-0)

Vice Chair Briese turned the gavel over to Chair Ross.

C. Commemorative Air Force IUP (310 Airport Road) – Consider a request by the Commemorative Air Force (CAF) to host a beer sales tent for the Robert Brown III Car Show IUP at Fleming Field Airport.

Mr. Hellegers reported the current application is for a one-year term to be held to coincide with the Robert Brown III Car Show from 11:00 a.m. – 3:00 p.m., September 11, 2016. A similar event was held in 2015 without incident. The CAF is required to obtain a temporary liquor license through the City.

Applicant Amy Lauria addressed Commissioner Ross' question stating attendees are not allowed to leave the designated area with an alcoholic beverage. Sale proceeds will be used to make changes to the museum.

No comments or correspondence were received nor was anyone in attendance to comment.

Motion to approve as presented – Humenik/Briese (7-0)

D. Wallace Properties Garage CUP/Variance (218 – 13th Avenue South) – Request for a CUP and Variance for the construction of a detached accessory garage structure over 200 sq. feet and exterior parking lot area on the south side of their building property.

Mr. Hellegers reported a building addition was previously proposed for the south side of property and went through the variance process; however, construction did not go forward on the building. Approval of that plan granted certain variances including having south side of the addition being 5' off the south property line. The applicant is now proposing a smaller detached structure that also includes a 5' side setback from the south property line. The proposed structure requires a CUP due to the size of the garage. The garage structure sits further back in order to accommodate an exterior parking area. The surface parking area will require screening from the residential property to the south. Company vehicles will enter the garage through the parking lot entrance off 13th Avenue South.

Peder Wallace stated the garage will provide additional off street parking for his delivery vehicles which will keep them off the street and out of sight.

Commissioner Pachl commented the floor to peak building height of 18' versus 16' and the gable roof on the alley side of the garage. Mr. Hellegers stated a condition of approval includes a variance for the 2 extra feet of garage height.

No comments were received nor was anyone present to comment on the application.
Motion to approve as presented – Pahl/Felton (7-0).

5) OTHER BUSINESS

A. Adoption of Planning Commission Rules of Order (adopt PC Resolution 2016-03) – motion to approve – Briese/Humenik (7-0)

B. Election of Planning Commission Officers – 1-year term – (adoption of PC Resolution 2016-04)

Chair: John Ross – approved Briese/Felton (7-0)

Vice Chair: Ryan Briese – approved Ross/Felton (7-0)

C. 2015 Planning Commission Report – A summary of issues and attendance to meet the requirement to provide the City Council with an annual report of Planning Commission activities.

Motion to approve the 2015 Planning Commission report – Yendell/Briese (7-0)

D. Updates

- The Somali Jazz Concert will be held at the South St. Paul High School Auditorium on Saturday, April 16th at 4:00 P.M. – free admission.
- The Mississippi River Corridor Critical Area is holding 3 public hearings in June for citizen comment relating to the proposed rules. Meeting dates and times are:

June 14, 2016	4:30 PM	Schaar’s Bluff Gathering Center – Hastings
June 15, 2016	4:30 PM	Greenhaven Golf Center – Anoka
June 16, 2016	4:30 PM	Mississippi Watershed Management Organization – Minneapolis
- Meetings for the design phase of the Southview Blvd. road project will take place this summer.
- Gearing up for the 2018 Comp Plan Update.
- Planning Division has become part of the Community Development Department. Planning is now located in the former HRA space with Economic Development and Housing Divisions.
- Staff discussed scheduling a worksession for the Planning Commission to discuss development issues and Met Council’s role in planning and development or perhaps scheduling a meeting with the City Council at a worksession.

Motion to adjourn – Briese/Felton (7-0).

Planning Commission Meeting Date: Wednesday, May 4, 2016	 City of South St. Paul Planning Commission Report	PC Agenda Item: 4.A
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Project Name:	Relay for Life IUP – Fleming Field Airport	
Site Address:	1725 Henry Avenue	PID: 361113000011
Applicant:	American Cancer Society	
Request:	Consider the request for an IUP to host the Relay for Life at the South St. Paul Fleming Field Airport	
Proceeding:	Public Hearing / Planning Commission Recommendation	
Tentative City Council Meeting Date:	May 16, 2016	
Deadline:	June 3, 2016 <small>*The City must act on this request by this 60-day review period deadline unless the city provides the applicant with written reasons for why additional time, up to a maximum of 120 days, is required. The City may extend the review period beyond the 120 days but only with the applicant's consent.</small>	
Exhibits:	A. Location map B. Correspondence from neighboring property owners – (none) C. Materials submitted by the applicant	

BACKGROUND

The American Cancer Society (ACS) is requesting an IUP to hold their Relay for Life event on the ramp at the South St. Paul Fleming Field Airport. The Relay for Life would be on Friday, August 5, 2016 from 4 pm through midnight and the event is expected to draw approximately 300 participants. The IUP would have a term of 3 years allowing for one Relay for Life event each year with a final expiration date of August 31, 2018. A copy of the event plan of action is attached as part of the submittals.

Subject Property Site Data	
Future Land Use Plan	Airport
Existing Land Use	Airport
Zoning	I: Industrial
Property Size	14.23 acres (619,859 square feet) - terminal parcel and ramp area
Topography	Flat

EVALUATION OF THE REQUEST

A. INTERIM USE PERMIT

Following are standards from the City's Zoning Code that apply to specifically to Interim Use Permits.

U:\City Planner\Planning Cases\2016\05-04-16 PC Report - IUP for ACS Relay for Life event.docx

1. Interim Use Permit Findings

The applicant is seeking an Interim Use Permit (IUP) to hold the ACS Relay for Life event on the Fleming Field Airport Ramp which would run from approximately 4pm to 12am on August 5, 2016 (times and dates for 2017 and 2018 are anticipated to be similar). City Code Section 118-41, states that the City Council may grant an interim use permit for the interim use of property, if the following criteria can be met:

Interim Use Permit Criteria:

- ✓ *The use conforms to the zoning regulations.*
- ✓ *The date or event that will terminate the use can be identified with certainty.*
- ✓ *Permits for the use will not impose additional costs on the City, if it is deemed necessary for the City to take the property in the future; and.*
- ✓ *The user agrees in writing to any conditions that the City Council deems appropriate for permission of the interim use.*

City staff has determined that the proposed interim use would meet the criteria. First, the proposed use as a special event would be allowed in the Industrial zoning district and the airport has hosted several such events. Second, the use would allow for one Relay for Life event per year for each of the 3 years in the term, with a final termination date of August 31, 2018. Third, the permit would not impose additional costs should it be necessary to acquire the property, as the City already owns the property. Finally, the conditions are listed in staff's recommendation and would be incorporated into the resolution to approve the Interim Use Permit.

ALTERNATIVES

The Planning Commission has the following actions available on the proposed application:

A. **Approval.** If the Planning Commission finds the application to be acceptable, the following action should be recommended for approval:

- Approval of amending the **Interim Use Permit** to hold the ACS's Relay for Life event on the Fleming Field Airport Ramp on August 5, 2016 and similar time for 2017 and 2018, subject to the following conditions:

1) **Compliance with Plans/Submittals.** The site shall be utilized in substantial conformance, in the reasonable opinion of the City Council, with the application, narratives, and with the following plans on file with the Engineering Department:

- | | |
|---|------------------|
| a) Application / Event Operations Plan (ACS) | dated 04/04/2016 |
| b) Event Site Map (ACS) | dated 04/04/2016 |

2) **Lease Required.** The applicant shall be required to have a lease with the City of South St. Paul for the use of the property.

3) **Sales/Display Limited to the Designated Area.** No selling or display shall occur outside of the designated areas.

4) **Applicant Responsible for Clean-up.** The applicant shall be responsible for all

clean-up activities.

- 5) **Noise.** The applicant, vendors, exhibitors, and food vendors shall comply with all City regulations regarding noise levels and shall make reasonable efforts to minimize loud noises that may impact the nearby residential areas. Speakers will be placed inside the building to minimize potential for noise impacts on residential properties.
- 6) **Compliance with Laws and Approvals.** The property must remain compliant with all federal, state, and local laws and ordinances and all prior City approvals.
- 7) **License Required for Food Vendors.** The food vendors must obtain the necessary licenses from the Minnesota Department of Health (MDH) before the applicant and/or food vendor business can begin conducting business in the city. The food vendors must also keep the MDH license in good standing.
- 8) **Term of the Interim Use Permit.** The Interim Use Permit shall allow the applicant to hold one Relay for Life event per year on the Fleming Field Airport property and the term of the Interim Use Permit shall be for three (3) years beginning on May 17, 2016 and terminating on August 31, 2018. The first Relay for Life event on the Interim Use Permit will be held on Friday, August 5, 2016 from 4 pm through 12 am. The dates and times of the proposed event for 2017 and 2018 are anticipated to be similar with final determination on the hours subject to the approval of the Airport Manager. Additional time for set-up before the event and clean-up after the event is subject to the approval of the Airport Manager.
- 9) **Termination of the Interim Use Permit.** The violation of a condition of approval shall terminate the Interim Use Permit.

B. **Denial.** If the Planning Commission does not favor the proposed application or portions thereof, the above requested should be recommended for denial. If the Planning Commission recommends denial, then findings of the basis for denial should be given.

STAFF ANALYSIS

Staff has reviewed the proposal and believes that the proposed 1-day event can reasonably be administered through the IUP process. The applicant has shown that they will take measures to minimize the potential for nuisances on nearby residential properties.

STAFF RECOMMENDATION

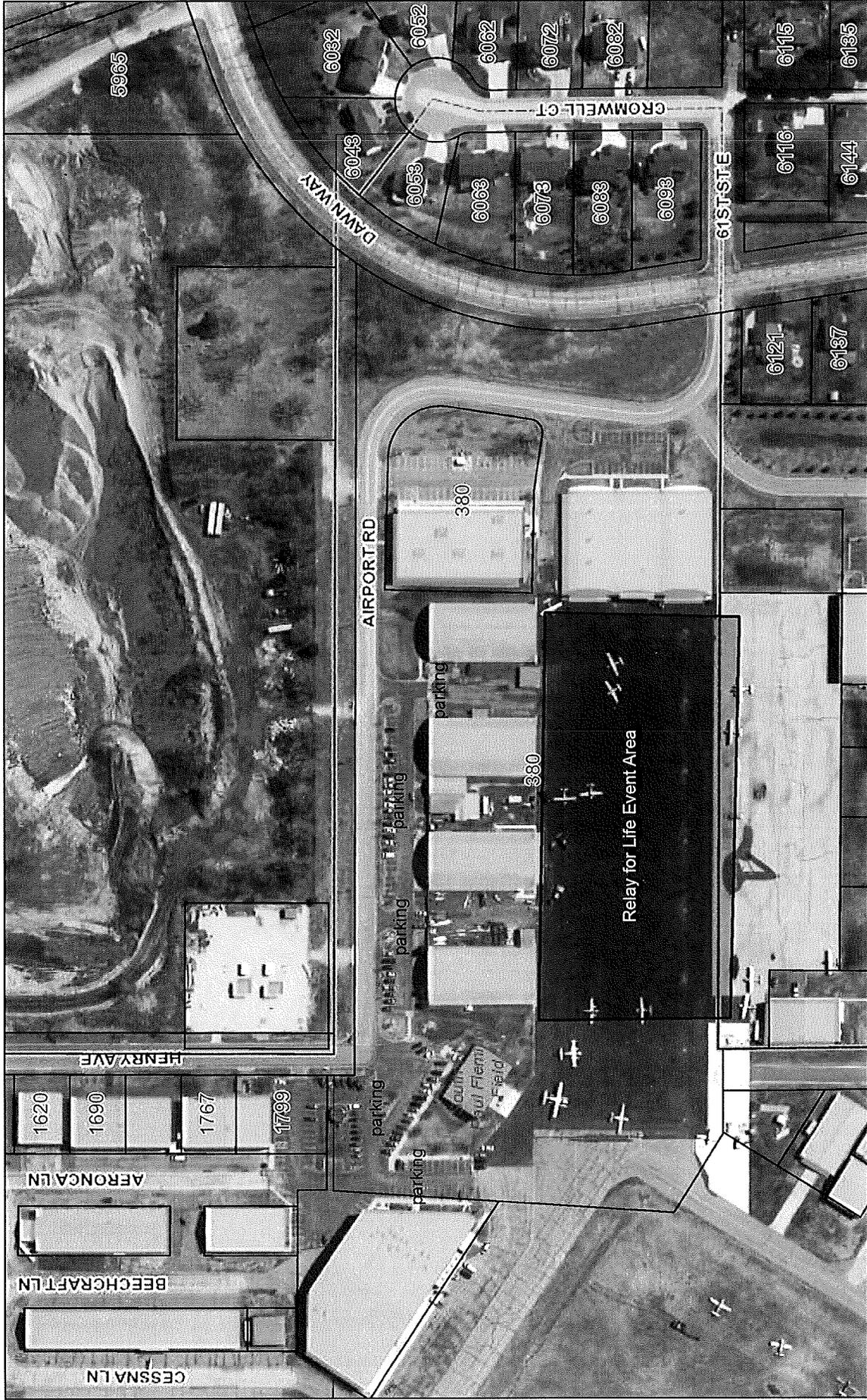
Staff recommends **approval** of the Interim Use Permit for the proposed Relay for Life event, subject to the conditions listed in this report.

Respectfully Submitted,

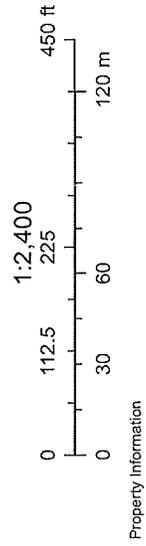
Peter Hellegers

Peter Hellegers, City Planner

American Cancer Society Relay for Life IUP



April 29, 2016



A.

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

C,

**Relay For Life of South St. Paul Area
Fleming Field Airport
Event Operations Plan 2016**

Herein is the Physical Operating, Public Safety, and Security Operations Plan setting forth the character, nature and location of all physical facilities and personnel relating to the Relay For Life of South St. Paul event ("Relay For Life"). Relay For Life will be taking place at Fleming Field Airport ("Airport") on Friday, August 5th to Saturday, August 6th.

Physical Operations Plan

- A. Type of Business/Activity
 - a. Relay For Life is a fundraiser event that takes place in several communities around the metro area. The event is planned and organized by a group of volunteers from South St. Paul, West St. Paul, and Inver Grove Heights. There are teams formed of community members who fundraise throughout the year and come together at Relay For Life to celebrate our cancer survivors, remember loved ones lost to the disease, and fight back against cancer.
- B. Hours of Operation, Number of Participants, and Number of Activities
 - a. Relay For Life will be held on Friday, August 5th 2016. The set up will begin at 10:00 am on Friday and will be cleaned up by 2:00 am on Saturday, August 6th. The event hours for all participants is from 4:00 pm-Midnight on Friday, August 5th.
 - b. The expected number of participants at the event will be 300 people during the event hours. Set up and take down will only consist of our Committee, which will be no more than 15 people.
 - c. This event will have approximately 5-10 planned event-wide activities throughout the duration of the event.
- C. Parking
 - a. Parking for the Relay For Life volunteers and participants is outlined in Exhibit A. The Airport parking lots will be designated for all participants.
 - b. Handicap parking will be designated for those who need closer parking.
- D. Entry and Exit Plan
 - a. All participants will be able to enter and exit the Relay For Life through the designated areas as marked in Exhibit A.
- E. Sanitary Facilities Location
 - a. We will be receiving one ADA port-a-potty and one regular port-a-potty that will be cleaned and serviced prior to the event.
 - b. The bathrooms in the Airport Main Terminal will also be accessible to participants and volunteers.
 - c. The port-a-potties will be located in the designated area on Exhibit A.
- F. Trash Receptacle Plan
 - a. A local trash company (ie Troje's or Tennis) will be providing a dumpster for the Relay For Life
 - b. The Trash Receptacles will be dropped off at the designated location outlined on Exhibit A at 10:00 am on Friday, August 5th and picking up by 11:00 am on Saturday, August 6th
- G. Security Plan
 - a. We will be having the South St. Paul Police Reserves stationed at the event near the entrance/exit.

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- b. The Police Reserves will provide security, crowd control, and traffic control for all hours that the Relay For Life is taking place
- c. We will have an American Cancer Society Representative (either staff or trained volunteer) who will handle a situation as necessary.
- d. Should a scenario arise, the following outlines how the situation will be handled:

Scenario #1: No Action Needed

No noticeable disturbance by event participants, members of the community or other individuals

Scenario #2: Inappropriate activity by an individual

Individual(s) attend event. Through appearance, behavior (including language, statements or actions) or posters/brochures/other literature is disseminating political or offensive messages

Action:

1. ACS representative asks individual to stop
2. If individual does not comply, ACS representative asks again
3. If individual continues to not comply, ACS representative asks individual to leave and alert onsite security team and other authorities
4. ACS representative puts other event participants at ease as necessary

Scenario #3: Protesting

Group of individuals gathers at or near the event site protesting organization/event

Action:

1. ACS representative approaches group to gather more information and alerts authorities
2. Within the limits/rights of the permit – ask individuals to move, leave etc.
3. If group does not comply, utilize authorities to take appropriate action
4. ACS representative puts other event participants at ease as necessary

Scenario #4: Safety threat (worst case)

Call 911; describe the security/safety threat

Communication Action

1. ACS representative puts other event participants at ease as necessary

H. Evacuation Plan

- a. Should an emergency occur where participants and volunteers will need to leave early, the designated areas on Exhibit A will serve as the exit routes.

I. Insurance: Please see attached Certificate of Insurance, which meets the contracted requirements.

J. American Cancer Society Personnel: There will be an American Cancer Society personnel and/or volunteers at the event at all times. The committee will be onsite from the hours of 10:00 am on Friday, August 7 until the event is cleaned up on Saturday, August 8.

K. Responsible Party Designation: For each of the following items, we will have three point-persons in charge of each: Shelly Forester (651-455-8583), Sandi Powers (651-216-9714) and Steve Becker (763-913-5802). These three volunteers will be responsible for:

- a. Security and Crowd control

- b. Vehicle traffic control
- c. Security for non-Relay For Life hours
- d. Relay For Life event control officer
- e. Parking/Transportation
- f. Clean-up and Logistics.

In addition, the Police Reserves will assist in items (a), (b), and (d).

Should any issues or questions arise, please refer below for contact information:

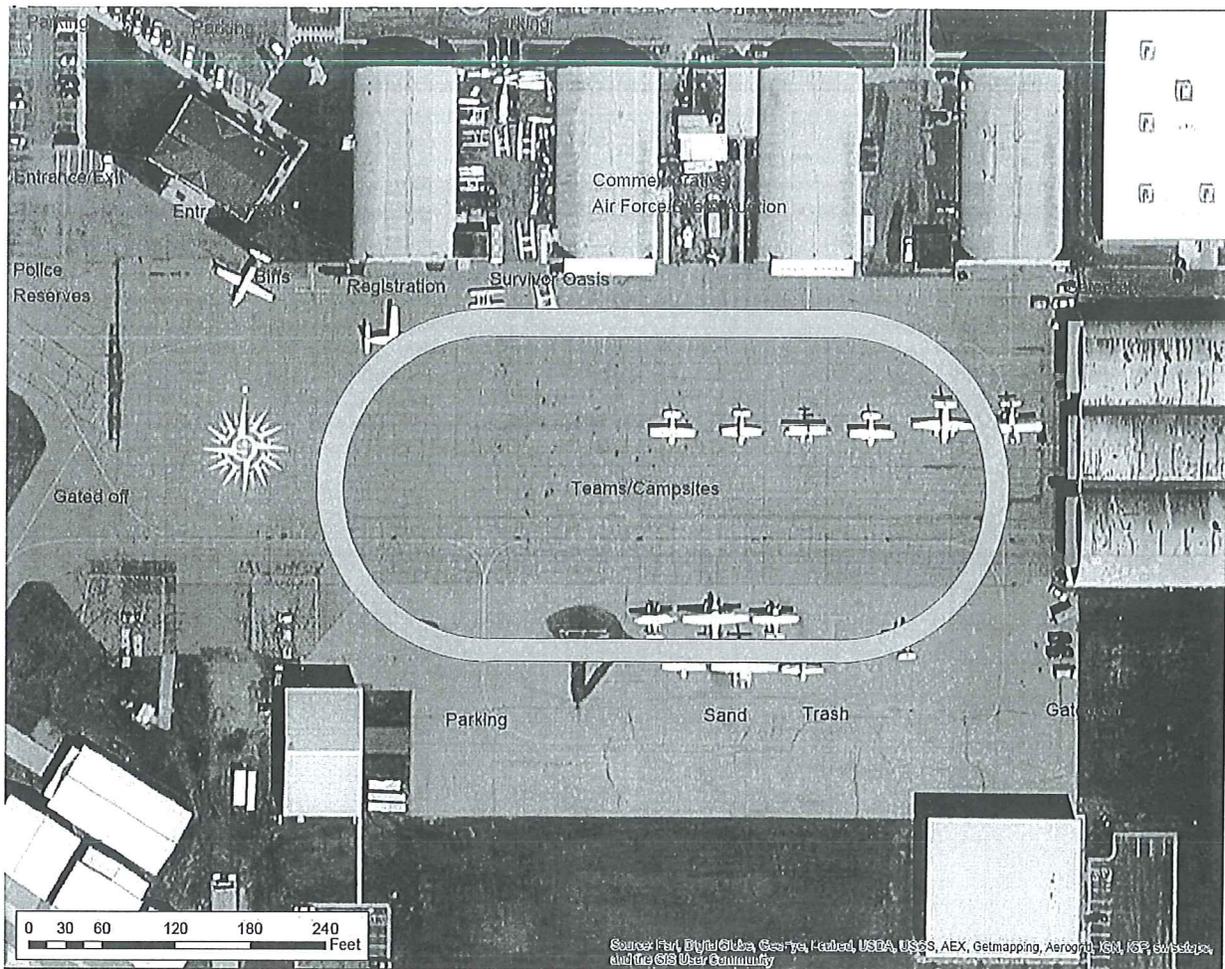
Sara Eberhardt, American Cancer Society Community Manager, 651-260-4559

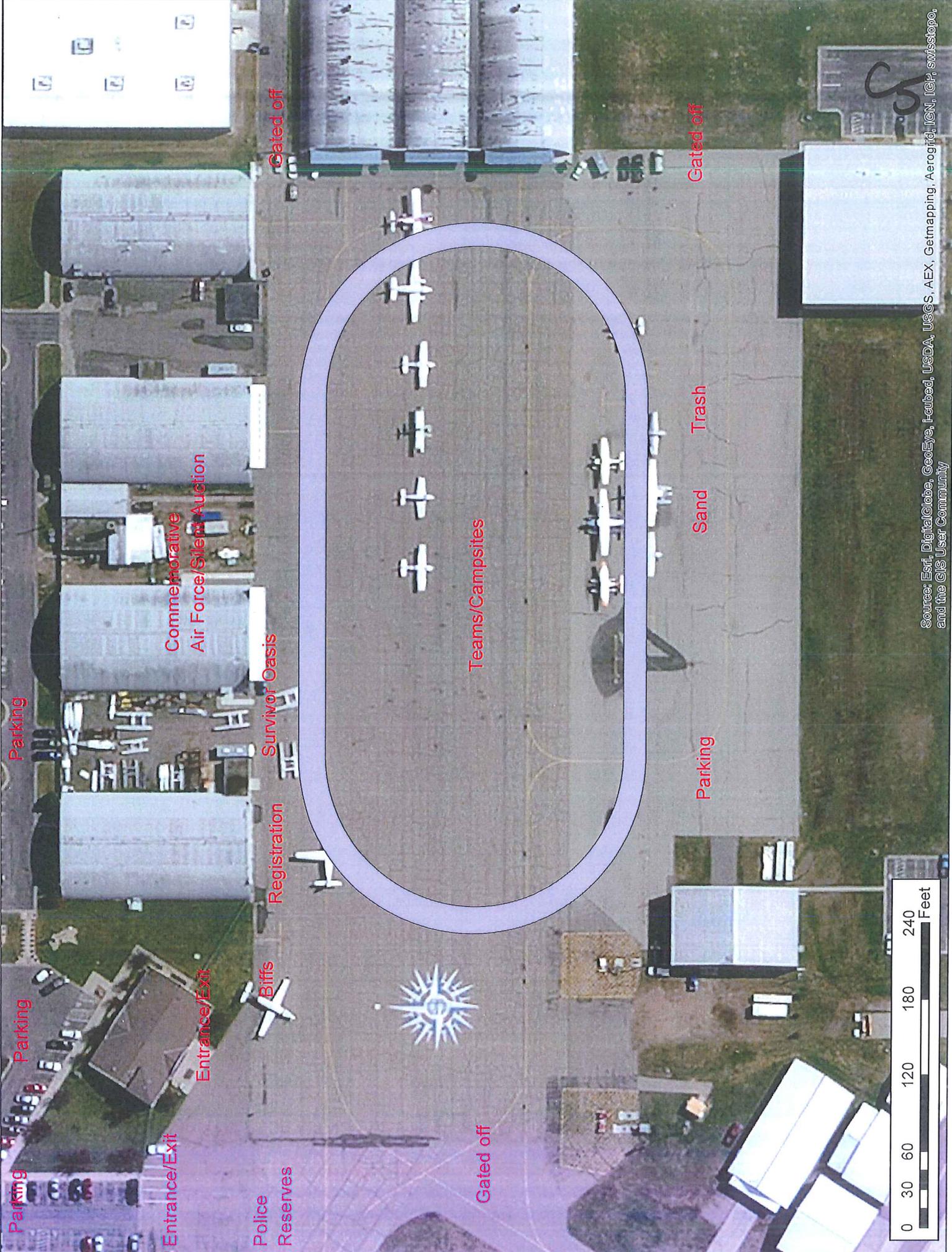
Shelly Forester, Relay For Life volunteer and Lead, 651-455-8583

Steve Becker, Relay For Life volunteer and Lead, 763-913-5802

C4

Exhibit A





Parking

Parking

Parking

Entrance/Exit

Entrance/Exit

Police Reserves

Bliffs

Registration

Survivor Oasis

Commemorative Air Force/Silent Auction

Gated off

Gated off

Teams/Campsites

Parking

Sand

Trash

Gated off



Source: Esri, DigitalGlobe, GeoEye, I-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Handwritten signature

Planning Commission Meeting Date: Wednesday, May 4, 2016	 City of South St. Paul Planning Commission Report	PC Agenda Item: 4.B
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Project Name:	Commemorative Air Force IUP – Fleming Field Airport	
Site Address:	310 Airport Road	PID: 361113000011
Applicant:	Commemorative Air Force	
Request:	Consider the request for an amended IUP to host the beer garden for the MadFurther Car Show and Robert Brown III Car Show for a term of 3 years.	
Proceeding:	Public Hearing / Planning Commission Recommendation	
Tentative City Council Meeting Date:	May 16, 2016	
Deadline:	June 19, 2016 <small>*The City must act on this request by this 60-day review period deadline unless the city provides the applicant with written reasons for why additional time, up to a maximum of 120 days, is required. The City may extend the review period beyond the 120 days but only with the applicant's consent.</small>	
Exhibits:	A. Location map B. Correspondence from neighboring property owners – (none) C. Materials submitted by the applicant	

BACKGROUND

The Commemorative Air Force (CAF) is requesting an amendment to their IUP to host the beer garden for the Robert Brown III Car Show to also include the MadFurther Car Show and to have the term of the IUP run for 3 years. The MadFurther Car Show (which does not fall under their existing IUP for 2 hangar dances) is on Saturday, September 17, 2016 and the beer garden would run consistent with the timelines for the Car Show (10 am-4pm in 2015). The CAF's IUP allows them up to 2 hangar dances per year but did not account for additional events on that property. The 3 year term is consistent with the IUP recently approved for the Robert Brown III Car Show. The IUP for the MadFurther Car Show would be submitted at a later date. The proposed use would primarily use the "ramp" area of the airport with the CAF hosting the beer garden portion of the events.

Subject Property Site Data	
Future Land Use Plan	Airport
Existing Land Use	Airport
Zoning	I: Industrial
Property Size	14.23 acres (619,859 square feet) - terminal parcel and ramp area
Topography	Flat

EVALUATION OF THE REQUEST

A. INTERIM USE PERMIT

Following are standards from the City's Zoning Code that apply to specifically to Interim Use Permits.

1. Interim Use Permit Findings

The applicant is seeking an Interim Use Permit (IUP) to host the beer garden for the car show which would run from approximately 10 am to 4 pm on September 17, 2016. City Code Section 118-41, states that the City Council may grant an interim use permit for the interim use of property, if the following criteria can be met:

Interim Use Permit Criteria:

- ✓ *The use conforms to the zoning regulations.*
- ✓ *The date or event that will terminate the use can be identified with certainty.*
- ✓ *Permits for the use will not impose additional costs on the City, if it is deemed necessary for the City to take the property in the future; and.*
- ✓ *The user agrees in writing to any conditions that the City Council deems appropriate for permission of the interim use.*

City staff has determined that the proposed interim use would meet the criteria. First, the proposed use as a special event would be allowed in the Industrial zoning district and the airport has hosted several such events. Second, the use will terminate after September 17, 2016. Third, the permit would not impose additional costs should it be necessary to acquire the property, as the City already owns the property. Finally, the conditions are listed in staff's recommendation and would be incorporated into the resolution to approve the Interim Use Permit.

ALTERNATIVES

The Planning Commission has the following actions available on the proposed application:

A. **Approval.** If the Planning Commission finds the application to be acceptable, the following action should be recommended for approval:

- Approval of amending the **Interim Use Permit** to host the beer garden for two events at (Robert Brown III Car Show – September 11th and MadFurther Car Show – September 17th) at the South St. Paul Fleming Field Airport through September 2018, subject to the following conditions:

1) **Compliance with Plans/Submittals.** The site shall be utilized in substantial conformance, in the reasonable opinion of the City Council, with the application, narratives, and with the following plans on file with the Engineering Department:

- | | |
|---|------------------|
| a) Application / Proposal (CAF – Robert Brown III Car Show) | dated 03/03/2016 |
| b) Application / Proposal (CAF – MadFurther Car Show) | dated 04/20/2016 |
| c) Event Site Map (Robert Brown III & MadFurther Car Show) | dated 03/03/2016 |

2) **Lease Required.** The applicant shall be required to have a lease with the City of South St. Paul for the use of the property.

- 3) **Sales/Display Limited to the Designated Area.** No selling or display shall occur outside of the designated areas.
- 4) **Applicant Responsible for Clean-up.** The applicant shall be responsible for all clean-up activities.
- 5) **License Required.** The applicant must also obtain a temporary liquor license through the City.
- 6) **Noise.** The applicant and event bands, DJ, vendors, exhibitors, and food vendors shall comply with all City regulations regarding noise levels and shall make reasonable efforts to minimize loud noises that may impact the nearby residential areas. Speakers and noise emitting equipment shall be directed away from residential properties.
- 7) **Compliance with Laws and Approvals.** The property must remain compliant with all federal, state, and local laws and ordinances and all prior City approvals.
- 8) **Term of the Interim Use Permit.** The Interim Use Permit shall allow the applicant to host the beer garden for two annual car shows and the term of the Interim Use Permit shall be for three (3) years beginning on May 17, 2016 and terminating on September 30, 2018. The applicant will be allowed to host the beer garden for two car show for each of these three years on a weekend day in September with hours that run from 10 am through 4 pm. Additional time for set-up before the event and clean-up after the event is subject to the approval of the Airport Manager. The final dates for the car shows (and related beer gardens) in 2017 and 2018 are subject to the approval of the Airport Manager. The proposed interim use for the beer garden is subject to the car show event taking place. If a car show is cancelled or the IUP for that car show is terminated then the beer garden for that event must also be cancelled; it cannot be held independently.
- 9) **Termination of the Interim Use Permit.** The violation of a condition of approval shall terminate the Interim Use Permit.

B. **Denial.** If the Planning Commission does not favor the proposed application or portions thereof, the above requested should be recommended for denial. If the Planning Commission recommends denial, then findings of the basis for denial should be given.

STAFF ANALYSIS

Staff has reviewed the proposal and believes that the proposed 1-day events can reasonably be administered through the IUP process. The applicant has shown that they will take measures to minimize the potential for nuisances on nearby residential properties.

STAFF RECOMMENDATION

Staff recommends **approval** of the proposed Interim Use Permit to host the beer garden in conjunction with the two car shows for the next 3 years, subject to the conditions listed in this report.

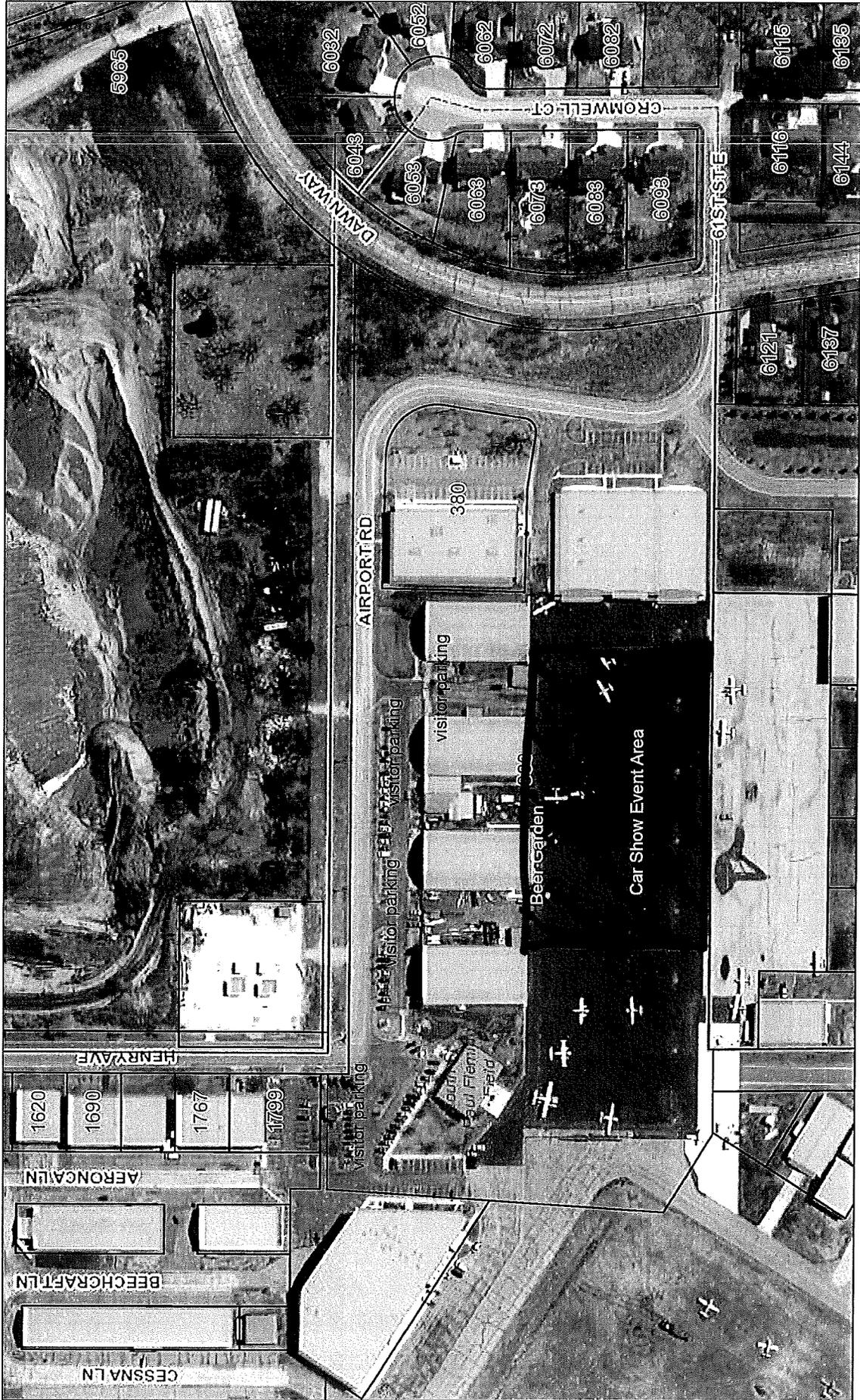
Respectfully Submitted,

Peter Hellegers

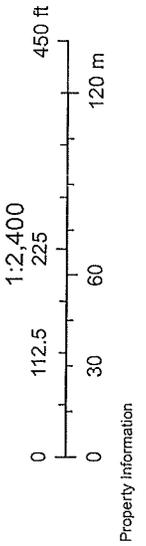
Peter Hellegers, City Planner

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Car Show Events / Beer Garden



April 29, 2016



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Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

COMMEMORATIVE AIR FORCE MINNESOTA WING



310 Airport Road ☎ Hangar 3, Fleming Field ☎ South Saint Paul, MN 55075
Phone: 651-455-6942 ☎ Fax: 651-455-2160 ☎ www.cafmn.org

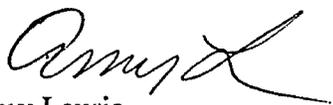
April 20, 2016

Dear Peter,

The Commemorative Air Force, Minnesota Wing would like to apply for an Interim Use Permit to host the beer garden in conjunction with the Mad Further Car show on September 17, 2016.

Please see the attached permit and beer garden layout.

Thank you for your time and let me know if you have any questions,



Amy Lauria
PIO
CAF MN Wing
www.cafmn.org
651-373-1185

2

STRONG BEER LAYOUT



Food and Beer Tent

- Alcohol will be served here to people 21 and over
- Patrons will be carded and receive a stamp on hand from designated CAF personnel. (21 years of age or older)

Food & Beer Tent

Planning Commission Meeting Date: Wednesday, May 4, 2016	 City of South St. Paul Planning Commission Report	PC Agenda Item: 4.C
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Project Name:	Commemorative Air Force IUP – Fleming Field Airport	
Site Address:	310 Airport Road	PID: 361113000011
Applicant:	Commemorative Air Force	
Request:	Consider the request for an IUP to host the beer garden and movie at their facility	
Proceeding:	Public Hearing / Planning Commission Recommendation	
Tentative City Council Meeting Date:	May 16, 2016	
Deadline:	June 19, 2016 <small>*The City must act on this request by this 60-day review period deadline unless the city provides the applicant with written reasons for why additional time, up to a maximum of 120 days, is required. The City may extend the review period beyond the 120 days but only with the applicant's consent.</small>	
Exhibits:	A. Location map B. Correspondence from neighboring property owners – (none) C. Materials submitted by the applicant	

BACKGROUND

The Commemorative Air Force (CAF) is requesting the IUP to hold a movie night in their facility with a Beer Garden on the adjacent airport ramp during Kaposia Days weekend. The event would be on Saturday, June 25th from 7-11pm. The movie would be held in the building so the only part of the event that would be outdoors would be the beer garden. There would not be any bands or outdoor speakers as part of the event and parking would be kept to the parking lots north of the facility on Airport Road.

Subject Property Site Data	
Future Land Use Plan	Airport
Existing Land Use	Airport
Zoning	I: Industrial
Property Size	14.23 acres (619,859 square feet) - terminal parcel and ramp area
Topography	Flat

EVALUATION OF THE REQUEST

A. INTERIM USE PERMIT

Following are standards from the City's Zoning Code that apply to specifically to Interim Use Permits.

1. Interim Use Permit Findings

The applicant is seeking an Interim Use Permit (IUP) to host the beer garden and movie night at their facility on 310 Airport Road which would run from approximately 7pm to 11 pm on June 25, 2016. City Code Section 118-41, states that the City Council may grant an interim use permit for the interim use of property, if the following criteria can be met:

Interim Use Permit Criteria:

- ✓ *The use conforms to the zoning regulations.*
- ✓ *The date or event that will terminate the use can be identified with certainty.*
- ✓ *Permits for the use will not impose additional costs on the City, if it is deemed necessary for the City to take the property in the future; and.*
- ✓ *The user agrees in writing to any conditions that the City Council deems appropriate for permission of the interim use.*

City staff has determined that the proposed interim use would meet the criteria. First, the proposed use as a special event would be allowed in the Industrial zoning district and the airport has hosted several such events. Second, the use will terminate after June 25, 2016. Third, the permit would not impose additional costs should it be necessary to acquire the property, as the City already owns the property. Finally, the conditions are listed in staff's recommendation and would be incorporated into the resolution to approve the Interim Use Permit.

ALTERNATIVES

The Planning Commission has the following actions available on the proposed application:

A. **Approval.** If the Planning Commission finds the application to be acceptable, the following action should be recommended for approval:

- Approval of amending the **Interim Use Permit** to host the beer garden and movie night at their facility on 310 Airport Road (the beer garden would be on the adjacent ramp at the South St. Paul Fleming Field Airport) subject to the following conditions:

1) **Compliance with Plans/Submittals.** The site shall be utilized in substantial conformance, in the reasonable opinion of the City Council, with the application, narratives, and with the following plans on file with the Engineering Department:

- | | |
|---|------------------|
| a) Application / Proposal (CAF – Movie Night) | dated 04/20/2016 |
| b) Event Site Map (CAF – Movie Night) | dated 04/20/2016 |

2) **Lease Required.** The applicant shall be required to have a lease with the City of South St. Paul for the use of the property (for the beer garden).

3) **Sales/Display Limited to the Designated Area.** No selling or display shall occur outside of the designated areas.

4) **Applicant Responsible for Clean-up.** The applicant shall be responsible for all clean-up activities.

- 5) **License Required.** The applicant must also obtain a temporary liquor license through the City.
- 6) **Noise.** The applicant, vendors, exhibitors, and food vendors shall comply with all City regulations regarding noise levels and shall make reasonable efforts to minimize loud noises that may impact the nearby residential areas. Speakers will be placed inside the building to minimize potential for noise impacts on residential properties.
- 7) **Compliance with Laws and Approvals.** The property must remain compliant with all federal, state, and local laws and ordinances and all prior City approvals.
- 8) **Applicant Responsible for Clean-up.** The applicant shall be responsible for all clean-up activities.
- 9) **License Required for Food Vendors.** The food vendors must obtain the necessary licenses from the Minnesota Department of Health (MDH) before the applicant and/or food vendor business can begin conducting business in the city. The food vendors must also keep the MDH license in good standing.
- 10) **Term of the Interim Use Permit.** The Interim Use Permit shall allow the applicant to host one beer garden and movie event at their facility for Saturday, June 25, 2016. The approximate hours for the event shall be from 7 pm through 11 pm, final determination on the hours is subject to the approval of the Airport Manager. Additional time for set-up before the event and clean-up after the event is subject to the approval of the Airport Manager. The proposed interim use for the beer garden is subject to the movie event taking place. If the movie event is cancelled then the beer garden for that event must also be cancelled; it cannot be held independently.
- 11) **Termination of the Interim Use Permit.** The violation of a condition of approval shall terminate the Interim Use Permit.

B. **Denial.** If the Planning Commission does not favor the proposed application or portions thereof, the above requested should be recommended for denial. If the Planning Commission recommends denial, then findings of the basis for denial should be given.

STAFF ANALYSIS

Staff has reviewed the proposal and believes that the proposed 1-day event can reasonably be administered through the IUP process. The applicant has shown that they will take measures to minimize the potential for nuisances on nearby residential properties.

STAFF RECOMMENDATION

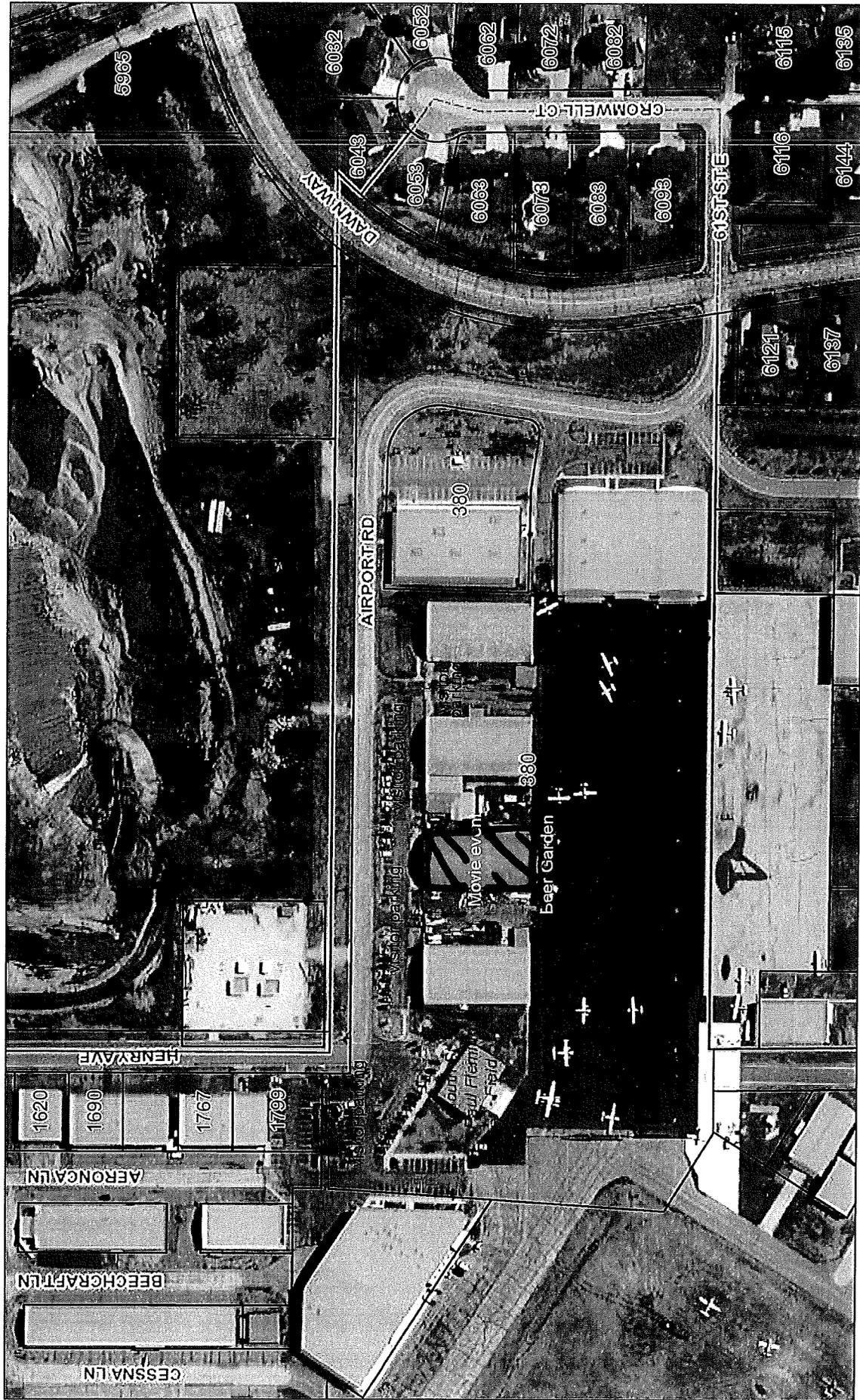
Staff recommends **approval** of the proposed movie and beer garden Interim Use Permit, subject to the conditions listed in this report.

Respectfully Submitted,

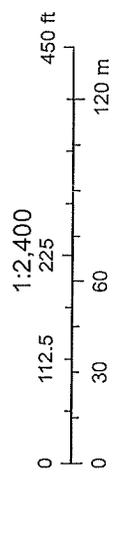
Peter Hellegers

Peter Hellegers, City Planner

Car Show Events / Beer Garden



April 29, 2016



A.

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

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COMMEMORATIVE AIR FORCE MINNESOTA WING



310 Airport Road - Hangar 3, Fleming Field - South Saint Paul, MN 55075
Phone: 651-455-6942 Fax: 651-455-2160 www.cafmn.org

April 20, 2016

Dear Peter,

The Commemorative Air Force, Minnesota Wing would like to apply for an Interim Use Permit for a movie night to be hosted on June 25, 2016.

We have been approached by Dealer 1-2-1 out of White Bear Lake. They would like to host the movie Top Gun at our museum. The movie night will be the same weekend as Kaposia Days and we feel it could be an excellent addition to the celebration.

We will be turning in a beer permit as well.

Thank you for your time,

Amy Lauria
PIO
CAF MN Wing
www.cafmn.org
651-373-1185



STRONG BEER LAYOUT

Hangar #2

CAF Hangar
Hangar #3

All doors will be
open during the
dance

Hangar #4

Motor Pool
Building

Motor Pool
Building

Emergency Exit

Porta Potty

Food &
Beer Tent

Food and Beer Tent

- Alcohol will be served here to people 21 and over
- Patrons will be carded and receive a stamp on hand from designated CAF personnel. (21 years of age or older)

Temporary Fencing →

↑
I.D. Checkpoint/Security

Planning Commission Meeting Date: Wednesday, May 4, 2016	 City of South St. Paul Planning Commission Report	PC Agenda Item: 4.D
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Project Name:	521 Stewart Ave. Variance	
Site Address:	521 Stewart Avenue	PID: 367020920140
Applicant(s):	J.K. Anderson Builders, Inc.	
Request:	Consider the request for a 21-foot front setback variance and variance for lot coverage to allow for the construction of a single family home on the property.	
Proceeding:	Public Hearing / Planning Commission Recommendation	
Tentative City Council Meeting Date:	May 16, 2016	
Deadline:	June 18, 2016* <small>*The City must act on this request by this 60-day review period deadline unless the city provides the applicant with written reasons for why additional time, up to a maximum of 120 days, is required. The City may extend the review period beyond the 120 days but only with the applicant's consent.</small>	
Exhibits:	A. Location map B. Correspondence from neighboring property owners - (none) C. Materials submitted by the applicant	

REQUEST

The applicant is requesting that the revised plan be allowed as it is within the same area as approved in the previous variances (the resolution for approval of the variance is linked to the previously approved plans).

BACKGROUND

The property at 521 Stewart Avenue is an irregularly shaped lot located at the Southwest corner of Congress Street and Stewart Avenue. The property was formerly the site of a 5-unit apartment building that was located up to the north property line and was also close to the front property line. In addition to being a non-conforming use in the R-2 district the property also had a number of code enforcement issues. The property has been vacant since the HRA acquired the property in 2009 and demolished the building shortly thereafter.

In December of 2013 the applicant received approval for a 21-foot front setback variance and a 6.5 percent building coverage variance to allow construction of a new single family home on the property. The new home is required to be built to be consistent with the standards of the HRA's

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Other Critical Zoning Items	
Floodplain	No
Shoreland	No
MNRRA	No
Utility easements	No

EVALUATION OF THE REQUEST

A. VARIANCE

Following are standards from the City's Zoning Code that apply to specifically to the application.

1. Zoning

The zoning for the property is R-2: Single and Two Family Residential. The proposed house would be a story and a half structure that would meet both of the side and rear minimum setback. Due to the odd shape of the property, the buildable area of the lot is only about 20 feet in depth at the northern side of the property and is approximate 55 feet in depth at the southern end of the property. The block average for the front setback would be 23.86 feet while the proposed house would be as close as 3 feet as measured from the closest point of the house to the front property line. Additionally due to the irregular shape of the lot the buildable area of the lot is only approximately 1,665 square feet whereas a typical rectangular shaped lot of similar size would allow approximately 2,320 square feet of buildable area on the property.

2. Correspondence from Neighboring Property Owners *(none)*

3. Variance Findings

In variance cases the City is required to make findings in regard to practical difficulties as used in connection with the granting of a variance as defined by State Statute 462.357, subd. 6 and in City Code Section 118-39. The City must make the following findings in considering approval of a variance:

- a. The variance is in harmony with the general purpose and intent of the ordinance*
- b. The terms of the variance are consistent with the Comprehensive Plan, and*
- c. The applicant for the variance establishes that there are practical difficulties in complying with the ordinance. (Economic considerations alone do not constitute practical difficulties). Practical difficulties as used in connection with the granting of a variance means that:*

- a) **Application/Narrative (JK Anderson Builders)** dated 07/31/2015
- b) **Amended Application/Narrative (JK Anderson Builders)** dated 04/18/2016
- c) **Site Survey (Lot Surveys Company)** dated 10/25/2013
- d) ~~House Plans / Elevations (JK Anderson Builders)~~ dated 11/21/2013
- e) **House Plans / Elevations (JK Anderson Builders)** dated 04/18/2016

- 2) **Consistency with Rediscover SSP Program Standards.** As the home site was a City (HRA) owned home site administered through the Rediscover South St. Paul program the plans must be consistent with Rediscover South St. Paul Architectural and Site Development standards subject to the review and approval of the City Planner/Planning Manager, and Housing Division Manager.
- 3) **Building Permits Required.** Building Permits are required for the proposed improvements. All building plans and specifications are subject to the review and approval of the City Building Official and South Metro Fire Marshal.
- 4) **Updated Site Survey.** An updated site survey showing the proposed site plan for the house will need to be submitted at the time of building permit application.
- 5) **Compliance with Laws and Approvals.** The property must remain compliant with all federal, state, and local laws and ordinances and all prior City approvals.
- 6) **Recording of the Variance.** The applicant shall have the Variance recorded at the Office of the Dakota County Recorder and shall provide the City with a copy of the recorded Variance.
- 7) **Termination of the Variance.** The variance will terminate if improvements have not substantially begun within 1-year from the date of approval of the variance. The violation of any condition of approval for the variance shall terminate the variance. The property must be continually operated for use specified in the Variance to remain valid. If the property is not used for the use listed in this Variance for a period of 1-year then the Variance shall terminate.

B. **Denial.** If the Planning Commission does not favor the proposed application or portions thereof, the above requested should be recommended for denial. If the Planning Commission recommends denial, then findings of the basis for denial should be given.

- Denial of the 21 foot front setback **Variance** and 6.5% building coverage Variance for the property located at 521 Stewart Avenue, for the following reasons:

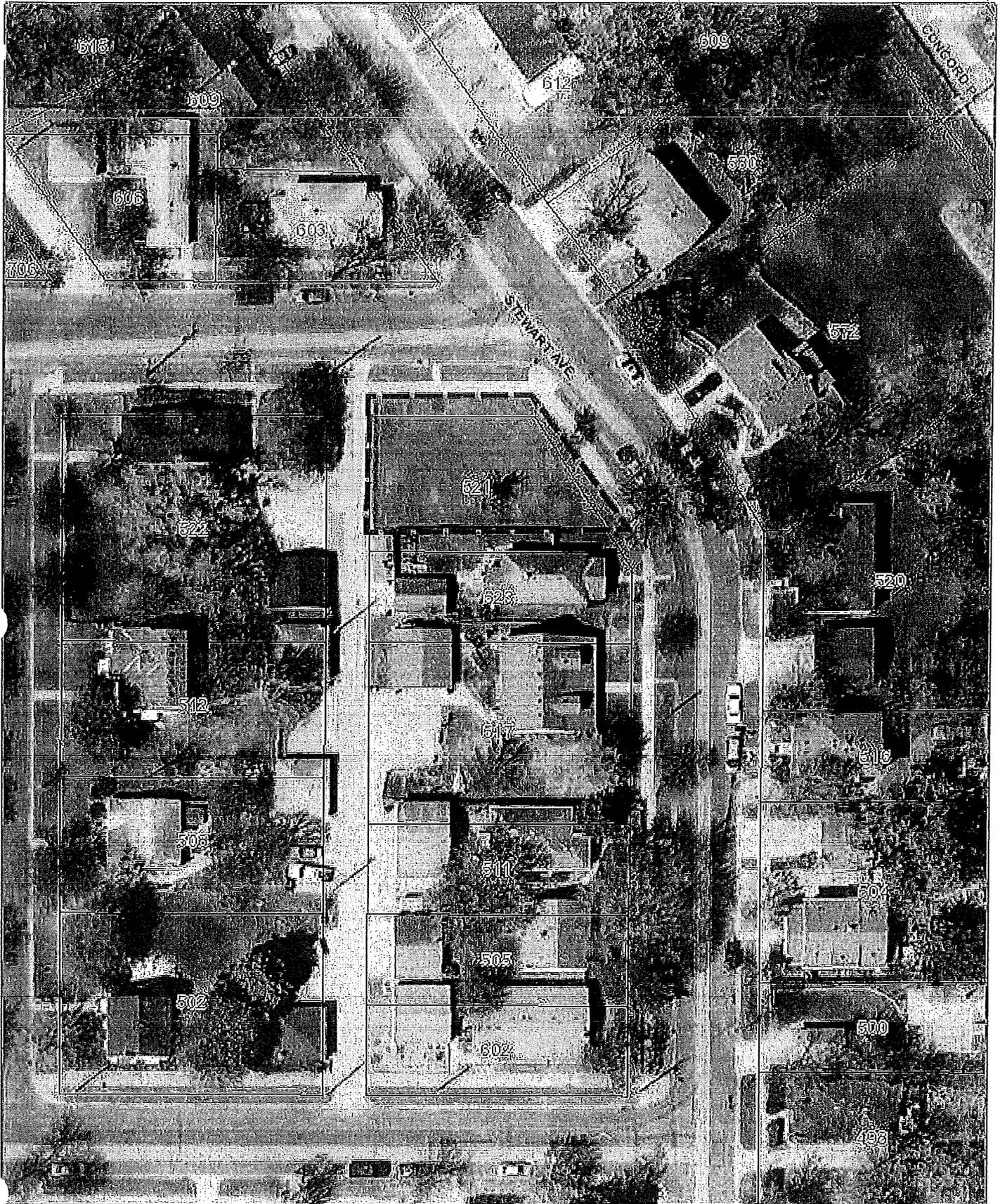
1. _____

STAFF ANALYSIS

The variances would allow for a single family home to be developed in a single and two family zoning district. Additionally, due to the shape of the lot, the variances would be encountered even if the shape or orientation of the house was rearranged.

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521 Stewart Ave.



Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification. Dakota County assumes no legal responsibility for the information contained in this data.

Map Scale
1 inch = 59 feet
8/21/2015

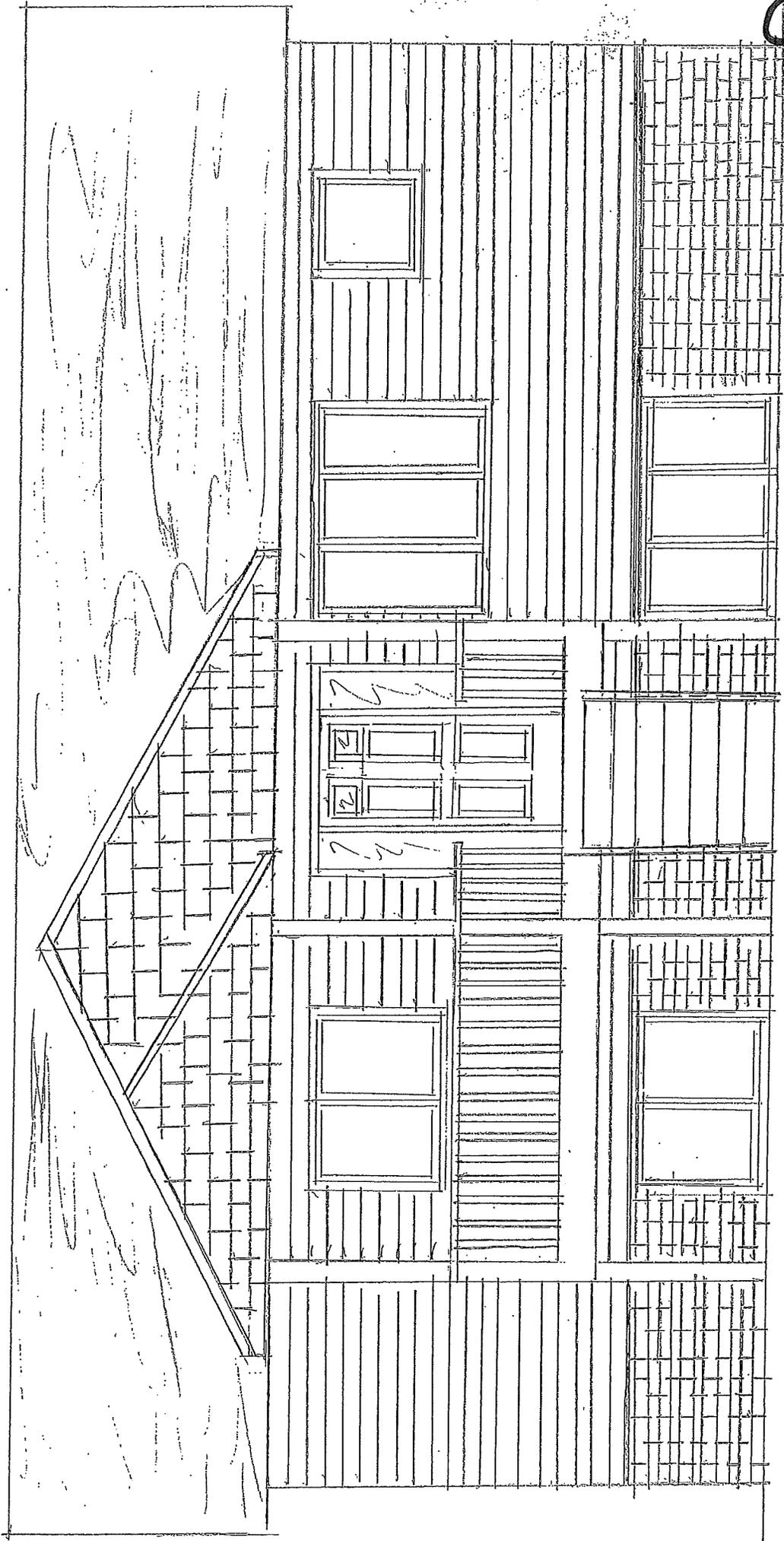
JON ANDERSON

C,
4-19-2016

I WANT TO BUILD A SINGLE
FAMILY HOME ON 521 STEWART AV.
I DID GET A VARIANCE TO BUILD
A HOME ON THIS SITE IN SEPT.
I NOW HAVE A DIFFERENT PLAN
WHICH WILL STAY WITHIN THE
BUILDING LINES OF MY VARIANCE
I AM PROPOSING TO FACE THE FRONT
DOOR TO STEWART AVE WITH A
PORCH ON THE FRONT AS SHOWN ON
THE PLANS. WITH THIS DESIGN
I HAVE A BIGGER BACKYARD FOR
THE OWNER.

Jon Anderson

C3



WEST SIDE

