

**MINUTES OF MEETING
SOUTH ST. PAUL PLANNING COMMISSION
March 1, 2017**

MEETING CALLED TO ORDER BY COMMISSIONER ROSS AT 7:00 PM

Present:	Justin Humenik	Absent:	Ryan Briese
	Ruth Krueger		Tim Felton
	Jason Pachl		
	John Ross		
	Stephanie Yendell		

- 1) APPROVAL OF AGENDA – approved as presented – Pachl/Krueger (5-0)
- 2) APPROVAL OF MINUTES for February 1, 2017 – approved as presented – Humenik/Yendell (5-0)
- 3) PUBLIC HEARINGS

A) PC Case #2017-10: St. Mary's Coptic Orthodox Church (501 6th Avenue South) – Consider a CUP for a proposed 8,333 s.f. addition for a building gymnasium that would be constructed on the south side of the building over the existing parking lot. The application calls for the following variances:

- Rear setback variance – 25'
- Parking setback variance – 4'
- Parking variance of 81 spaces
- Building coverage variance (16.5% over)
- Fence height variance – 2.5'

Mr. Hellegers reported the applicant is seeking approval to construct a building addition for a new gymnasium, entry vestibule and parking lot. While churches are a permitted use in the R-2 zoning district a gymnasium structure would likely be part of a school. The code allows schools and accessory uses (when situated on the same site) a conditional use in the R-2 district. The proposed gymnasium would be attached to the church located on the same site as the existing church/education building. A proposed entry vestibule will also provide ADA access to the second floors of the existing education building. Additionally, the applicant acquired two single family homes south of the existing parking lot on which the new parking lot will be constructed. Approval includes combining the five properties in the proposed development site into one tax parcel.

Mr. Hellegers stated the proposed gymnasium exterior building materials consist of rock-faced block, concrete block, vertical steel siding and glass. Staff questioned the amount of steel siding stating the material is not typically seen in a residential area and recommends

use of alternative materials such as an efface type finish or synthetic stucco. Mr. Hellegers noted a good comparison is the high school fieldhouse addition. After speaking with the architect revised plans minimize the use of vertical siding by incorporating additional rock-faced block and banding to break up the blank space which produces a higher quality look.

Commissioner Pachl queried as to the number of existing parking spaces compared to the number of new spaces. Mr. Hellegers responded the new parking lot would be the same size and number (46 spaces) as the existing lot. Based on the total design the typical number of spaces for the church is approximately 127 parking spaces. It was noted traffic will enter and exit the parking lot at 6th Avenue and would not have access to the alley.

The applicant Ramses Sidky, representing St. Mary's Church, reported the church has been planning the expansion for years and over that time has acquired two residential properties south of the existing parking lot. Plans are to pursue acquisition of additional property as it becomes available to increase off-street parking. The intent of the addition is to add organized space for the youth activity programs.

Commissioner Pachl queried as to typical weekly schedule and neighborhood impact. Mr. Sidky stated the majority of the activity is on Sunday between the hours of 8:00 AM-4:00 PM. Church services are held on Saturday; however, only 20% of the congregation is in attendance on Saturday. Weekday activity is very minimal.

Chair Ross opened the public hearing.

Mr. Hellegers reported no correspondence was received with regard to the application. Larry Skipanski, owner of the property to the south stated a 6' privacy fence currently exists and queried as to the type of fence required after installation of the parking lot. Mr. Hellegers stated that the applicant is required to screen the parking lot on the south side with either a wood or PVC-type fence material noting part of the variance is the allowance of a 6' fence height adjacent to the neighboring front yard. Mr. Skipanski raised a concern regarding water drainage onto his property as the existing grade is high.

Discussion ensued regarding fencing used to screen the parking lot from the adjacent residential property. Mr. Hellegers noted the fence will stop 4 feet short of the front property line to provide better sight lines for vehicles exiting the parking lot. Staff also recommends using shrubs under 2.5 feet at the west side of the parking lot to minimize sightline obstructions for traffic exiting the lot.

Bob Minske, a resident of 6th Avenue S. raised concerns with parking issues on Sunday reporting that vehicles park too close to the corner obstructing the intersection.

Chair Ross closed the public hearing.

Commissioner Pachl stated activity appears to be isolated to Sundays and those living in the neighborhood are used to Sunday activity at that location, the church is not adding classes and has made a financial commitment to acquiring property to accommodate the project.

Mr. Hellegers noted church traffic will not have access to the parking from the east (alley) and will only enter and exit the parking lot on 6th Avenue. He opined that nearby residents are aware of the increase in traffic on Sunday and likely use the alley to access their garages.

Motion to approve as presented – Pachl/Yendell (5-0)

Commissioner Yendell requested the applicant to remind parishioners to park back from the intersection.

B) PC Case #2017-11: Group Home Ordinance – An ordinance amendment regarding state licensed residential care facilities and housing with services establishments.

Mr. Hellegers reported this application is brought forth by the City to keep the City's ordinance in line with State regulations and code. The draft ordinance deals with group home definitions and the confusion that surrounds those definitions. The ordinance is similar to that adopted by the City of West St. Paul regarding group residential housing. In addition to providing definitions the ordinance provides clarity as to where and when the facilities are allowed.

State licensed residential care facilities and registered housing with services are permitted as a single family use for 0-6 persons in the R1 and R2 zoning districts. The uses are also permitted for 0-6 in single family in the R3 and R4 zoning districts; however are allowed as a conditional use for 7-16 in the R3 and R4 districts. The establishments are prohibited in the CGMU, C-1, NCMU, GB, and Industrial zone.

The proposed amendment makes the ordinance easier to follow and provides good protection for the city.

Commissioner Krueger queried if the change affect any existing group home in the city. Mr. Hellegers replied that like any other zoning provision existing uses would be grandfathered in and carried forward.

Mr. Hellegers reported the amendment has come about due to the influx of questions regarding group homes in general in the last several due, in part to the housing market and the city's affordability.

Chair Ross opened the public hearing.

There was no one in attendance nor was any correspondence received regarding this issue.

Chair Ross closed the public hearing portion.

Motion to approve as presented – Yendell/Humenik (5-0)

C) PC Case #2017-12: Outdoor Burners/Boilers – The proposed ordinance would provide definitions and would establish regulations for outdoor burners/boiler devices.

Mr. Hellegers stated that the Outdoor Burners/Boilers are essentially free standing heating devices located outside of a building that are connected via piping to provide heat to a house or business. The matter came before the Planning Commission in 2013 and was recommended for approval on a split vote which then moved it forward to the City Council for its first reading. At that time it was found that one property owner was using a wood burner/boiler device. Staff worked with the property owner to consider whether additional time for the existing units to remain should be allowed. In the end, the ordinance did not have a second reading and was not adopted.

The ordinance is being reconsidered at this time as the City has received complaints regarding smoke and the wood smoke odor from an existing outdoor burner/boiler. Staff researched two different ordinance models that could be enacted i) allowing the devices subject to certain standards and setback regulations and ii) prohibiting the devices. Due to the typical residential lot size of 5,000 square feet it is staff's recommendation that new the devices be prohibited noting the setbacks and standards would likely be inadequate to provide necessary protections.

The draft ordinance prohibits outdoor wood burners/boilers while allowing existing units to remain in operation for 2 years (through May 31, 2019).

Commissioner Ross asked as to whether the devices are prohibited in their entirety? Mr. Hellegers replied that they would be.

Commissioner Krueger asked if the devices are hazardous to kids? Mr. Hellegers responded the existing device is not in a residential area but located in the business park. That device is too close to the property line, is an older unit which has more nuisance characteristics than other sources of heat.

Commissioner Yendell noted the date in item (c) of the draft ordinance should be changed to from March 18, 2013 to March 20, 2017.

Motion to approve the proposed ordinance – Humenik/Pachl (5-0)

NEW BUSINESS

A) Planning Commission Rules of Order

Motion to approve as presented – Yendell/Humenik (5-0)

B) Election of Planning Commissioners Officers

Commissioner Ross stated that due to the absence of two Commissioners his recommendation is to table the item to the next meeting.

Motion to table Election of Planning Commission Officers to April 5, 2017 – Ross/Humenik (5-0)

C) 2016 Annual Planning Commission Report

Commissioner Yendell noted a correction to page 5 of the Annual Planning Commission report noting that the number of single family permits should be changed from 0 to 4 for 2016.

Motion to approve as amended – Yendell/Krueger (5-0)

OTHER BUSINESS

Mr. Hellegers reported:

- Commissioners Humenik and Felton were reappointed to the Planning Commission for two-year terms.
- Gun Club request for IUP for the shotgun 5-stand heated range was approved by the Council on February 21st.
- Gun Club temporary rifle structure – the Council questioned whether the Gun Club was compliant with the remainder of the items approved in the August 1st resolution approving the permanent structure. The item went to a Special Meeting on February 27th which resulted in approval.
- Staff is seeing demand for new building space which is a good sign for the community. Three plans for new buildings have been received so far this year with another in the pipeline.

ADJOURNMENT

Motion to adjourn 8:05 P.M. – Pachl/Humenik (5-0)