

**MINUTES OF MEETING
SOUTH ST. PAUL PLANNING COMMISSION
September 7, 2016**

MEETING CALLED TO ORDER BY COMMISSIONER JOHN ROSS AT 7:00 P.M.

| | | | |
|----------|-------------------------------|---------|--------------|
| Present: | John Ross | Absent: | Ryan Briesse |
| | Jason Pacht | | |
| | Ruth Krueger | | |
| | Tim Felton | | |
| | Justin Humenik | | |
| | Stephanie Yendell | | |
| | Peter Hellegers, City Planner | | |

- 1) APPROVAL OF AGENDA – approved as presented – Yendell/Krueger (6-0)
- 2) APPROVAL OF MINUTES for August 3, 2016 – Chair Ross requested that the adjournment time be included in future meeting minutes - approved as presented – Yendell/Pacht (6-0)
- 3) PUBLIC HEARINGS
 - A. Comprehensive Plan Amendment: Changing the Future Land Use designation of a property in the community from Open Space to Industrial
 - B. Zoning Amendment: Amendment to the North Riverfront Development District (NRDD) that would allow exterior storage as an Interim Use

Commissioner Ross indicated the public hearing portion of this request was carried over from the August 3rd meeting. The items will be discussed together; however, will be dealt with by separate motions.

Mr. Hellegers reported the request is to amend the Comp Plan changing the future land use designation from Open Space to Industrial and a Zoning Amendment allowing exterior storage as an Interim Use in the NRDD zoning district. Notification was sent to adjacent communities and agencies offering the opportunity to provide comment. Comments in the form of emails were received from the DNR, Dakota County and Friends of the Mississippi River and were provided to the Commission for consideration.

Chair Ross opened the public hearing portion asking if anyone in attendance wished to comment:

M. Docks (1503 Willis) – requested documentation regarding this matter and reiterated his concerns from the August meeting relating to noise/diesel train pollution, preservation of wildlife and green space and asked the Commission to consider the

ramifications of the request.

L. Swanson (901 16th Ave. N.) – read a letter dated September 7, 2016 from the Friends of the Mississippi River stating the organization is in opposition to the proposed Comp Plan and Zoning Code amendments stating concerns with environmental impacts, impacts to the Mississippi River Trail and the amount of natural land available for wildlife habitat and public use. The group asked the elected officials to uphold the vision of the area and stick to the current use.

M. Peterson (909 16th Ave. N.) – stated that once the open space is gone it's gone. Is in opposition for changing the area to Industrial.

J. Moen (1504 Willis) – queried the radius of the notification area to which staff responded the radius of notification was much expanded. Mr. Moen expressed his opposition and feared interest would subside if the matter is continued to October. If the matter moves forward an environmental impact study should be the first item of business.

J. Francis (107 19th Ave. N.) – stated opposition and asked if the City has spoken to the St. Paul Port Authority regarding their intended use. Staff reported the Port Authority was contacted and they may be interested in an expansion of the impound lot.

Chair Ross closed the public hearing portion of the matter. Mr. Hellegers stated correspondence from all agencies hadn't been received.

Commissioner Felton stated he hadn't changed his opinion stating it's a big mistake to change the use from Open Space as there's no upside to doing it.

Commissioner Yendell requested that previous meeting minutes containing citizen comments be included in future reports, etc. in order that all citizen comments are considered.

Commissioner Krueger opined if the City isn't going to consider allowing exterior storage there is no need to change the designation from open space to anything else. Ms. Krueger stated the river should be celebrated and that any revenue derived from the railroad is penny wise and pound foolish.

Commissioner Pachl opined that taking away woods forces the wildlife out, it's the last piece of green space and stated the importance of preserving what we currently have.

Mr. Hellegers stated the meeting could be continued if the Commission wished to wait to consider additional documentation that may be submitted. Commissioner Felton stated he was in favor on voting on the matter this evening.

Chair Ross indicated he visited the site today and in his opinion changing the future land use designation would give the ability of the City to put something on the tax rolls albeit storage. The City would have control with the ability to require an interim use permit, to stipulate screening and how the trail goes.

Commissioner Yendell stated that she didn't believe that correspondence from a state agency that was in support of the Comp Plan change would change her mind due to the overwhelming citizen opposition.

Motion to deny item 3A. Comprehensive Plan Amendment changing the Future Land Use designation from Open Space to Industrial – Felton/Pachl (5-1)

Motion to deny item 3B. Zoning Amendment to allow exterior storage as an Interim Use in the North Riverfront Development District – Felton/Pachl (5-1)

C. Mad Further (1725 Henry Ave.): Consider a request for a 3-year IUP to host a car show on the ramp of the South St. Paul Fleming Field Airport. The first event would take place on October 8, 2016 and subsequent car shows would be for mid-September in 2017 and 2018.

Mr. Hellegers stated the applicant is not able to hold the car show event on October 8, 2016 and is requesting the matter be extended to the October 5th Planning Commission. The request is for a 3-year IUP with the first car show event taking place in May, 2017.

Motion to continue the matter to the October 5, 2016 Planning Commission meeting – Ross/Yendell (6-0)

D. Danner, Inc. Proposal (600 Verderosa Ave.): Consider a request for a 19,317 square foot building, with Conditional Use Permit for gas/diesel fueling station, exterior storage, variances for minimum building size, and an Interim Use Permit for a rock crushing operation.

Mr. Hellegers reported the applicant is requesting a vote on this item tonight due to a scheduled closing and the need to get the process underway to make it a reality. The applicant is selling his current 30-acre site at 843 Hardman and planning to relocate to 600 Verderosa. The proposal calls for the construction of a 19,317 square foot building for truck service including 3,500 s.f. of office space. A parts storage area would be located in the lower level under the office space. The western end of the property would include fueling stations for gasoline and diesel fuel. The eastern portion would be screened for exterior storage and would be used for a temporary rock crushing operation. The concrete crushing and stockpiling is needed to excavate concrete material buried on the site. The crushing and stockpiling is estimated to last for 4 years.

Items that fall under a Conditional Use include the fueling portion for gas and diesel and exterior storage. Rock crushing is also allowed as a Conditional Use or IUP subject to a redevelopment plan which the applicant is looking to do. A PUD could be considered if looking at the whole development scenario. Without the PUD, a variance for quite a bit of square footage would be needed as lot coverage by building is at 6.5%. The applicant is looking to build in phases so full development of the property could accommodate two additional properties to the east allowing for 20% required lot coverage.

The applicant submitted a survey, site and landscaping plan; however, the site plan does not provide enough detail relating to the area that the applicant will be working to clean

up.

Revised plans will be needed relating the parking lot area and stormwater treatments.

Discussion ensued regarding the vision for the 494 corridor. The building meets the standards and the side facing 494 would require screening for less visibility.

Commissioner Yendell queried about the soil conditions. The site has soft soils and is a construction landfill that is in need of excavation. Staff stated the applicant has the wherewithal to undertake the project.

Mr. Danner stated Braun-Intertec is undertaking environmental studies. A Phase I has been completed and Phase II will start shortly. He estimates 400,000 cu. yds. of rubble on the site which can be excavated and crushed in 4 years; however, he cannot be certain there isn't more until the Phase II is completed.

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

Commissioner Krueger stated this is an excellent way to clean up the site and provide an increase in tax base.

Chair Ross stated the Council reviewed the request at a Worksession and asked if any guidance was suggested. Mr. Hellegers reported the Council is interested in making the site developable; however, there are tradeoffs. While storage and stockpiling is not in the vision it will lead to making a vacant parcel developable.

Chair Ross asked the applicant if he is aware of the conditions of approval and if he takes exceptions to any of the conditions. The applicant stated he will do his best to be finished in the 4-year timeframe; however, if the Phase II reveals that debris is 27' feet throughout the entire site he will be unable to complete the project in that time.

Motion to approve Variances of 13.5% for the minimum building size, a CUP for a gas/diesel fueling station and exterior storage of equipment and an Interim Use Permit for temporary concrete rock crushing and stockpiling for the property at 600 Verderosa Avenue subject to conditions #1-11 in staff's report – Krueger/Humenik (6-0)

E. Twin City Hide Building Addition and Site Plan Amendment (501 Malden St.): Consider a request for a 6,254 square foot building addition to the southwest side of the existing facility and the addition of a parking lot at the SW corner of Clinton and Malden.

Mr. Hellegers reported Twin City Tanning is proposing construction of a 6,254 square foot addition to the southwest side of their existing facility. The proposed addition would be a refrigerated space to accommodate an additional process to the collagen processing that is currently taking place at the site. The addition does not meet setback requirements in the Industrial District and would require a variance of 12.4 feet. Additionally, the applicants are proposing a 23-space parking lot at the southwest corner to replace the parking lost with construction of the proposed addition. A setback variance would be needed for the southeasterly spaces of the proposed parking lot.

Commissioner Pachl expressed concerns with the source of odors and odor control. Mr. Hellegers reported the applicant is not the only source of odors. The odors are localized with the use of a scrubber system within the building.

Commissioner Felton asked if the applicant has been a good neighbor. Mr. Hellegers responded that a recent site visit revealed exterior storage issues (pallets and containers) that are manageable and will be dealt with.

Commissioner Humenik asked if the building meets the architectural standards to which Mr. Hellegers responded the current building is concrete and the plans submitted depict a similar precast concrete structure with windows on the proposed addition. The addition is under the size that is required to following the architectural standards.

The applicant's representative Paul Rogosheske presented charts explaining the filtration system. Chemical engineer Paul McGinley reported the facility will be refrigerated with no increase of odors or exhaust. Mr. McGinley explained how the collagen process works stating the product will be cured on site and made into an edible casing food product which will produce additional income for the company. Additional improvements will be made to the other part of the plant relating to the existing odor control system including renovation of the existing scrubber to bring it up to full design capacity, new ducting, air flow lines and control valves.

Commissioner Humenik expressed concern with the wastewater treatment to which Mr. Rogosheske indicated the applicant is working with Met Council on conditional permits for wastewater; however, that may be 2-3 years away.

Discussion ensued regarding 3 exterior storage pods/containers and other accumulated material around the pods. The applicant is open to applying for a CUP but the area can certainly be condensed and cleaned up. Space may be available inside the building for some of the material.

Commission Pachl stated that the collagen process is an additional step the company didn't do previously and queried about the future production plans. Mr. Gunderson stated storage capacity will maximize the addition space which cannot be expanded.

Commissioner Yendell asked if the scrubber is tied to this project. Mr. Gunderson reported it is not but the company is operating in good faith in regard to odor control and is in line with the odor management plan. Further discussion ensued regarding odor control. The building addition will have no impact on odors.

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

Commissioner Pachl stated based on the plans and layout the project makes sense.

Motion to approve the variance request for a 12.4-foot front yard setback for the building and a parking lot setback of 20-feet for the property at 501 Malden Street

subject to conditions #1-8 in the staff report – Pachl/Ross – (4-2) – Motion passed.

F. Accessory Building Ordinance Amendments - Amending Section 118-121 of the Zoning Code to allow up to two accessory structures to include one garage and one accessory structure.

Chair Ross reported this item was continued from the July and August Planning Commission meetings stating there are two recommendations before the Planning Commission or to leave the existing language as it is.

Discussion ensued regarding the two options:

Alternative A would amend the language to allow 2 accessory structures (detached garage and shed) when the property already has an attached garage. The 1,200 s.f. of allowable space would count against just the accessory (detached) buildings;

Alternative B would allow the 2 accessory buildings (detached garage and shed) when there is an attached garage but the space for all accessory uses would be capped at 1,200 square feet (including the attached garage, detached garage, shed);

Commissioners Ross and Kruger were in agreement that alternative A is the best option.

Commissioners Felton and Yendell opined to leave the language as is. Commissioner Pachl stated the requests are not frequent and in his opinion it is beneficial to look at each case individually as the requests are lot specific.

Motion to approve Option A – Ross/Krueger (2-4) – motion failed.

Motion to approve leaving the language as it currently exists – Felton/Pachl (4-2) motion passed.

Motion to adjourn at 9:14 P.M. – Yendell/Humenik (6-0).