

**MINUTES OF MEETING
SOUTH ST. PAUL PLANNING COMMISSION
SEPTEMBER 5, 2018**

MEETING CALLED TO ORDER BY CHAIR YENDELL AT 7:30 P.M.

Present: Isaac Contreras
Angela DesMarais
Timothy Felton
Justin Humenik
Ruth Krueger
Jason Pachl
Stephanie Yendell
Peter Hellegers, City Planner

- 1) APPROVAL OF AGENDA – approved as presented – Contreras/Humenik (7-0)
- 2) APPROVAL OF MINUTES – July 11, 2018 – Krueger/Contreras (7-0) approval of the minutes was continued to the October 3, 2018 meeting.
- 3) NEW BUSINESS

There was none.

4) PUBLIC HEARINGS

A) PC Case #2018-15: Lodge Properties, LLC, Box 2188, Stillwater, MN 55082 – Consider an amendment to the text of the City Code Section 118-126 regarding the C-1 Retail Business District to allow for the operation of doggie daycare, boarding, kenneling and veterinary uses in the district.

Mr. Hellegers reported the applicant is the owner of the property at 5th Avenue South and South Street and is requesting an amendment to the language of the C-1 Retail Business District to allow doggie day care, veterinary and pet boarding/kenneling uses. Mr. Hellegers explained the current code lists pet stores and grooming in the C-1 District; however, those are more retail in nature where pets stop for a short period of time. The current language doesn't allow the proposed uses adding that a doggie day care would have animals coming and staying at the site. Negative impacts that may affect neighbors or other tenants in the building would be noise/barking, odors and pet waste.

Mr. Hellegers stated if the decision is made to amend the district language to include the proposed uses performance standards would need to be put in place to address noise, availability of green space, proximity to residential properties, exercise area, pet waste pickup stations; etc. The uses could then be allowed as conditional use. An additional consideration is whether the uses would be good fit not only for the applicant's property but the entire C-1 District due to potential nuisances. Mr. Hellegers stated

similar uses are allowed in the Industrial District as a conditional use; however, the parcels in that district tend to be larger with more separation between parcels.

Discussion ensued regarding the dog training business at the Southview Shopping Center which is in the C-1 District. It was noted dogs typically visit the facility for a short period of time; however, there is some precedent with the use in that area.

Tony Lodge, owner of the property at 5th Avenue South and South Street, stated he purchased the 5th Avenue Plaza property to revitalize the area and is seeking an amendment to the Code to fill a void in the local market. Mr. Lodge stated pets are a big business and owners prefer indoor areas for their pets in the winter and he believes the space in the building is large enough to support the use. The applicant understands the concerns with kenneling; however, it is not the intention that dogs are left to run outside all day. The applicant added he's the owner of property in Oak Park Heights with a tenant that runs a similar business as the one proposed. That city mandates dogs are not allowed to remain outdoors and must be supervised while outside. The proposed uses would include boarding services for customers that travel. Mr. Lodge stated the use may not be a good fit in other areas of the district but believes the use can be controlled with a conditional use permit.

Chair Yendell opened the public hearing.

There was no one in attendance nor was there any correspondence received regarding the application.

Chair Yendell closed the public hearing.

Commissioner Krueger stated there is most likely a need for this type of use. Discussion ensued regarding doggie daycare sites in other communities that have daytime hours or are in more industrial buildings which are in larger spaces with industrial neighbors. Chair Yendell echoed the need for the use as there are not a lot of options in the area; however, has concerns with overnight stays due to noise into the evening hours which could prove to be a nuisance.

Commissioner Contreras recognizes the need with the popularity of dog parks and dog friendly apartments; however, doesn't see enough of a plan that addresses the concerns raised. The applicant stated as owner of the property he's seeking a zoning amendment in order to market the property for the proposed use. He would not be the operator.

Chair Yendell stated it would be helpful to look at ordinances of other cities that allow the uses in commercial districts. After discussion, it was the consensus that reviewing more defined language would be beneficial to make sure the use would fit for every property.

The applicant was asked if the business would be viable if the boarding and kenneling uses were disallowed. The applicant responded boarding is an integral part of the concept and limiting the use would negatively impact the business. Mr. Lodge also mentioned pet owners look for one location that will serve all their needs.

Discussion ensued regarding the proposed use at any of the properties in the C-1 district and whether

C-1 is the appropriate district for the use. Chair Yendell stated the concept serves the need of the community; however, believes having restrictions will avoid nuisances to neighboring businesses or residential properties.

Motion to continue the matter to the October 3, 2018 meeting - Felton/Pachl (7-0)

B) PC Case #2018-16: Charles Sartell, 201 Liberty Place, South St. Paul, MN – Consider variances to allow the addition of a new attached two-car garage and laundry/mud room to the property.

Mr. Hellegers stated the applicants are seeking variances to allow for the expansion of their property. The proposal includes removing the existing 1-car garage and breezeway to provide enough space to construct a 2-garage and laundry/mud room; however, the irregularly shaped lot makes it difficult to accommodate the larger garage without running into setback issues. The project includes a 12-foot setback variance, 4-foot side setback variance of 2 percent from the lot coverage. The existing driveway to Liberty Place would be widened to accommodate 2 vehicles.

Discussion ensued regarding the proposed front setback as it relates to other properties on the block. Mr. Hellegers stated the proposed 12' front setback variance is not even with the block average; however, there is some precedent insofar as the garage at 225 Liberty Place is also closer to the front property line adding that it would be consistent with the overall look of the neighborhood. The unique nature of the property makes it difficult to place a 2-garage anywhere on the property without it being impactful.

Applicants Chuck and Sally Sartell stated they are previous South St. Paul residents having moved back to the community last summer. Insofar as the existing garage and breezeway are in need of replacement, the applicants decided in addition to constructing a 2-car garage to accommodate both of their vehicles they would move the laundry and mud/room to the main level which would better serve their needs as they age. David Marsh, M&J Services, a contractor for the homeowners, stated different scenarios were explored in order to accommodate a 2-car garage; however, each encountered setback problems. It was noted the new garage doesn't impose on the front setback any more than the house at 225 Liberty Place nor is it any closer to Earl Lane than the existing garage.

Chair Yendell opened the public hearing.

There was no one in attendance to speak on the application nor was there any correspondence received.

Chair Yendell closed the public hearing.

Commissioner Humenik stated placing a detached garage in the rear portion of the property would be more detrimental to the neighborhood.

Motion to approve a 5-foot side setback variance, a 12-foot front setback variance and a 2% lot coverage variance for the property at 201 Liberty Place - Humenik/Pachl – (7-0)

C) PC Case #2018-17: Israel United in Christ (IUIIC), 7400 Penn Avenue South, Apt. #4, Richfield, MN 55423 – Consider a Conditional Use Permit for a church use in a portion of the building at 490 Villaume Avenue.

Mr. Hellegers reported the applicant proposes to use a portion of the office/warehouse building at 490 Villaume Avenue for a church use. The facility is currently occupied by two tenants who utilize their space weekdays during business hours. The applicant is proposing to use the vacated front office area of approximately 2,200 square feet for their church services and activities. The site is zoned GB: General Business which by City Code is subject to a Conditional Use Permit for a church use. The use wouldn't interfere with the other users as the facility would be utilized by the church mainly on weekends or Wednesday evenings when daytime users are not occupying the space.

Eseriah Israel church member stated the church was established in 2014. Mr. Israel stated the church is in need of additional space for their current membership of 50-60 and due to the fact they continue to attract new members. The church operates on Wednesday evenings with services on Saturdays from 3:00 PM -11:00 PM and 10:00AM – 4:00 PM on Sundays.

Commissioner Humenik asked the applicant if parking would be sufficient. Mr. Israel stated parking should be adequate as their utilization doesn't conflict with the other tenants and many of their members rely on public transportation.

Chair Yendell opened the public hearing.

There was no one in attendance to speak on the application nor was there any correspondence received.

Chair Yendell closed the public hearing.

Motion to approve the Conditional Use Permit for a church use at 490 Villaume Avenue – Humenik/ Contreras (7-0)

D) PC Case #2018-18: Vandalia Glassworks, 550 Vandalia Street, Suite 205, Saint Paul, MN 55114 – Consider a Conditional Use Permit and parking variances for the reuse of the building at 103 Concord Exchange North as an art studio, art gallery, classroom space and retail/lease space.

Mr. Hellegers stated Vandalia Glassworks is proposing a total renovation of the building at 103 Concord Exchange North for their art studio and art gallery. The renovated building will also include classroom space and a retail/lease space of approximately 2,000 square feet at the southeast corner of the building. Components of the application include a Conditional Use Permit and variances. The Conditional Use Permit is necessary insofar as the art studio is not listed as a permitted use; however, is one that would be consistent with other uses in the Concord Gateway Mixed Use (CGMU)-1 district. Options for the lease space would all fit in the CGMU district.

The north parking lot would be utilized for the applicant; however, a parking variance for up to 11 spaces on the south side of the building is needed for the retail/lease user. Mr. Hellegers added without an identified tenant it's difficult to determine the actual parking needs. Adjacent to the property on the

south is the City right-of-way and encroachments by the retail user should be memorialized in an encroachment agreement with the City. ADA parking for both parking areas will be in the north lot.

Mr. Hellegers discussed the architectural improvements to the exterior of the building that include repainting some existing block and covering the stucco on the front of the building. A variance is required for exterior building materials used to re-skin the building. The proposed materials are not listed as permitted primary or secondary materials in the CGMU district; however, are Class I-Class III materials in the General Business and Industrial districts. Additionally, new windows and overhead doors would replace existing ones.

Mr. Hellegers stated the purpose of the CGMU district is to have a variety of uses and the proposed use fits in with City's vision for a vibrant pedestrian-friendly environment.

Erick Schmidt, a Mendota Heights resident and owner of another South St. Paul company explained he leases space in the I-94 & Vandalia area which is not ideal for glassblowing as its located on the 2nd floor. Mr. Schmidt stated the lease at Vandalia is expiring at the end of October and 103 Concord Exchange North was identified as an ideal space to move the business due to its proximity to I-494 and Hwy. 52. Vandalia Glassworks offers individual instruction, community education classes, hosts private events in addition to renting shop time to other artists. He anticipates the addition of the business will bring more people to the Concord Exchange area.

Commissioner Humenik queried as to whether there are any odors or hazards with pigments or dyes that are being heated. The applicant responded glassblowing doesn't produce any odors.

Commissioner Pachl asked the applicant what type of tenant will occupy the lease space to which Mr. Schmidt responded although a tenant hasn't been identified a café or restaurant would be his preference.

Chair Yendell opened the public hearing.

There was no one in attendance to speak to the application nor was there any correspondence received.

Chair Yendell closed the public hearing.

Motion to approve the Conditional Use Permit and variances for parking of up to 11 spaces and for exterior building materials used to renovate the property at 103 Concord Exchange North – Pachl/DesMarais (7-0).

5) OTHER BUSINESS

There was none.

6) ADJOURNMENT

Motion to adjourn – DesMarais/Krueger (7-0)