

WEST. ST. PAUL COMMITTEE OF ADJUSTMENTS

The regular meeting of the West St. Paul Committee of Adjustments was called to order by Chair Kavanaugh on Tuesday, February 19, 2019 at 7:01 p.m. in the Municipal Center Council Chambers, 1616 Humboldt Avenue, West St. Paul, Minnesota 55118.

ROLL CALL

Commissioners Present: Stevens, Franzmeier, McPhillips, Chair Kavanaugh, Leuer, Strohmeier, and Green

Absent:

None

Also Present:

Council Liaison Justen

Ayes: 7 Nays: 0

ADOPT MINUTES from the Committee of Adjustment meeting of December 18, 2018 and other minutes from the packet of August 2nd 2018 that the committee will be polling to do some corrections on and any changes or corrections from that of December 18, 2018.

PUBLIC HEARINGS

[Case #19-01 – Variance to allow for a reduction in rear yard building setback at 831 Deppe St. W. - Mark Schroeder & Emmett Booker.](#)

Mr. Boike presented the draft findings & facts for the committees review and approval. Mr. Mark Schroeder & as Emmett Booker are requesting a variance mentioned to offer reduction in rear yard building setback for a construction of a new home at 831 Deppe St which is at the SW corner of Winona and Deppe. Packets included draft findings & facts, copies of the applications, site plan drawing and public notice for the meeting.

The subject property is zoned a single family home and is currently vacant. The properties to the north is a single family residential and mixed-use and B2 neighborhood business, to the east and south are single family homes and directly to the west is a commercial property and to the south-west a small apartment building zoned B2 neighborhood business.

The applicants are requesting a variance to the rear yard building setback for a new home specifically to allow an attached garage on the west side of the house versus a detached garage which could need zoning. The home that was there previously was demolished a few years back. The EDA acquired a funding from the county and took down 15 of the worst foreclosed and vacant homes. This house was one of them. This property was sold along with 4 other properties of the 15 to applicants who agreed to purchase lots and build single family homes on these lots.

The zoning setback requirement is 30ft if the garage is attached. Because the lot is very narrow.,

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its depth being 85 ft from east to west, the applicant is requesting the ability to setback reduced to 8 ft requiring a variance of 22 ft. The applicant could essentially put a detached garage on the 5ft on the side and rear yard as was done previously but they prefer a connection to the house for saleability and amenity for the house. Being a corner lot, this case is a different.

The staff does not feel that the request is detrimental to the public nor does it present inconsistency with the Comp Plan. Staff does believe the request is proposing to utilize the property in a reasonable manner which is the construction of a new single-family home in a single family neighborhood and the practical difficulties related to the property with the shallow lot depth. Since the property was formerly occupied by a single family home, the proposed change should not alter the essential character of the single family neighborhood so Staff is recommending approval based on the one condition that the applicant should apply for and obtain all the applicable building permits for the construction of the house.

Commissioner Strohmeier although finding the proposal logical and amenable to working with residential type of issues raised a question if there were any concerns if the extra 6ft harm the environment/ water flow. Mr. Boike ascertained that the engineering department has already reviewed the house construction building plan in terms of elevation and no such concerns were raised.

The public hearing was then opened to the public. The applicants were also present in case of any questions. Mr. Robert Denell the neighbor liked that the plan proposed did not have the new house creating any issues for their house.

The applicants were then called forward in case there were any questions.

Mark Schroeder corrected that the lot depth was actually only 83.5ft and that it would be a 4 bedroom house around 2400 sq ft and a split entry style home with an access to the rear to the side yard should be a nice addition to the neighborhood.

He was asked if they had looked at any other options to the placement of the house and what was the deciding factor with going with their proposed option.

Given the 20ft side yard setback of Winona, they really wanted a variance coming off of Winona as well but it wasn't supported. With the 20ft side yard setback back at Winona and 30ft of the house width got them a nice compound of 30ft by 80ft of side yard with fencing. That's kind of why the placement wound up in the proposed location than further to the south.

ON MOTION by Commissioner Stevens, seconded by Commissioner Leuer, to approve variance to allow reduction in rear yard building setback at 831 Deppe St W. Motion approved 7-0.

No other business.

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Motion to ADJOURN the 19 February, 2019 regular meeting of the Planning Commission at 8:36 PM. Motion approved 7-0.

Pajacta (Alex) Eveland
Recording Specialist

WEST ST. PAUL PLANNING COMMISSION

The regular meeting of the West St. Paul Planning Commission was called to order by Chair Kavanaugh on Tuesday, February 19, 2019 at 7:14 p.m. in the Municipal Center Council Chambers, 1616 Humboldt Avenue, West St. Paul, Minnesota 55118.

ROLL CALL

Commissioners Present: Stevens, Franzmeier, McPhillips, Chair Kavanaugh, Leuer, Strohmeier, and Green

Absent: None

Also Present: Ayes: 7 Nays: 0

ADOPT MINUTES ON MOTION of Commissioner Franzmeier, seconded by Commissioner Green, RESOLVED to approve the West St. Paul Planning Commission work session meeting minutes of December 18th, 2018 as presented.

PUBLIC HEARINGS

[Case #19-01 - Conditional use permit to allow an on-sale liquor establishment in a B4 district at 1895 Robert Street.](#)

Mr. Boike presented the case.

Zhong Q. Zheng is requesting a Conditional Use permit to allow on sale liquor establishment in a B4 shopping center district at 1895 Robert Street, which is the Southview shopping center. This Committee recently reviewed the site plan for the remodel of the facade. In terms of the location, there's a vacant space in the shopping center just south of Amazing Spa previously occupied by Hancock Fabrics.

Mr. Boike displayed the street picture and explained where the entrance would be located with respect to the tall tower and Amazing Spa space, on the main drive coming off, of Robert St. The applicant is in the process of opening a new sushi restaurant that they have submitted building permits for and is to open soon. The restaurant itself is a permitted use and they just need the conditional use for on-sale liquor specifically only beer and wine.

Terms of conditional uses 153156 does require the conditional use for on sale liquor establishments. Other details are as follows:

1. Restaurant is 5700-~~5800~~ sq. ft. serving beer and wine.
2. In addition to getting the conditional use approval, they will also need to apply and obtain an annual liquor license which is a conditional approval required with the conditional use permit.
3. **Hours of operation** would be open daily 11am to 11pm,
4. **Employees** : About 10 full time and 5 part time
5. **Parking**- In terms of parking, zoning code requires them to have 46 stalls (1 stall per 125sq. ft.). The center itself includes 504 stalls which includes 425 standard stalls and 25

accessible stalls along with 69 approved for parking. With the 46 required stalls, they have a total of 408 are required and with the current 504 stalls, parking is in compliance.

Staff is recommending conditional use approval based on the three conditions below:

1. Applicant applying for applicable building and sign permits,
2. Applicant applying and maintaining a valid annual liquor license, and
3. The delivery hours should be maintained between 7am to 10pm.

There were no further questions to the applicant nor did he have any further comments on his application.

ON MOTION by Commissioner McPhillips, seconded by Commissioner Stevens, Case #19-01 - Conditional use permit to allow on-sale liquor establishment in a B4 district at 1895 Robert Street. Motion approved 7-0 with the condition to ensure the delivery hours as recommended by the staff.

[PC Case #19-02 - Conditional Use Permit to allow a Medical Clinic at 963 Robert St. - Children's Health Care](#)

Staff Melissa presented the case.

The Children's Healthcare are requesting a conditional use permit to operate a medical office/clinic in the B5 Gateway Northern mixed use business district on Robert Street.

Location of the site: is north of Robert street and south of Haskell & Livingston. Surrounding users are single family / small multi-family and some businesses.

Background & additional information:

The Children's Healthcare formerly PACE Pediatrics has been in operations in West St Paul since 1979.

The proposal is to relocate from their current location south of Thompson Ave and west of Livingston Ave to 963 Robert Street.

The clinic will continue to provide primary care to pediatric and young adult patients, aged 0-23 years.

Hours of operations

Monday to Thursday: 8am – 7pm (might go up to 8am-8pm)

Friday: 8am – 5pm

Saturday: 9am – 1pm

Sunday: Closed

Employee count: The clinic currently employs a total of 10 staff, including 3 providers, 5 support staff, 1 interpreter and 1 social worker. In future, they would employ 2 additional providers and 2 additional support staff taking the staff count to 14.

Parking: Although there are no specific parking requirements for medical clinics, staff considers the clinic as a professional/business entity and so the clinic being 8520 sq ft would require 34 stalls. There are currently 68 stalls so the parking would be in compliance.

Staff recommends approval based:

- On the applicant applying for and obtaining all applicable building and sign permits with the city of West St Paul

Questions:

Commissioner McPhillips wanted to know if the applicant was proposing to utilize the entire building. Staff Melissa wasn't sure and would request that information from the applicant. Later, the applicant did share that the clinic plan did not include the entire building.

The other concerns, which were addressed to Mr. Boike earlier, were:

- Lighted signage facing the residential area may have restrictions.
- Concern of the current clinic becoming a 24/7 kind of set up and how it would affect the neighbors. So the CUP could be approved with time restrictions.
- Enough parking space if the area were to further develop. It was determined that the parking would still be compliant.

The applicant was called forward. Mr. Jim Leste, VP – Support & Operations of Children's Minnesota and his colleagues Dr. Gigi Chawla, Chief of general pediatrics and Ms. Monica Schiller, VP of Ambulatory Services.

They were excited to move to a more modern location, which would be more visible and accessible location and serve more communities in West St Paul.

They were willing to work with the lighted signage restrictions and that they needed some kind of light at the back of the building mainly for the safety of the staff as they use that parking lot and reiterated that are occupying the building only partially and have an option to completely occupy the building in future depending on how their program grows.

They also stated that none of their clinics were 24/7 and they had no plans to develop a 24/7 clinic.

Staff recommended conditional use permit approval based

- The lighting on the signage on the west side facing the neighborhood would be lit between 7 am to 10 pm.

ON MOTION by Commissioner Leuer, seconded by Commissioner Green, PC Case #19-02 - Conditional Use Permit to allow a Medical Clinic at 963 Robert St. - Children's Health Care. Motion approved 7-0 with added condition of lighted signage on the west side facing the neighborhood would be restricted between 7 am to 10 pm.

New Business:

Election of Chair/Vice-Chair

Ballots were collected.

Commissioner McPhillips complimented current chair Kavanaugh on doing a great job. He made a special note of his good character, conviction, and consistence.

Mr. Boike suggested that if anybody was interested in being Chair to come forward and express their interest.

Chair Kavanaugh stated his interest in serving the chair again and that his commitment is shown by the fact that he has never missed a meeting/work session.

Commissioner Green showed an interest in being the Chair/Vice Chair and Commissioner Leuer although open to being the Vice Chair, mentioned that he would definitely support Commissioner Green.

Mr. Boike collected the votes and the ballot was announced. Mr. Kavanaugh will continue as Chair and Ms. Samantha Green was elected Vice Chair.

Old Business – None

Other - Mr. Boike updated that the Food Smith from Smith Ave came through Planning Commission Committee of Adjustments last summer submitted building permits recently and that they are moving ahead with the restaurant once they get their building permit at 973 Smith Ave.

Hy-Vee still working on negotiating with MNDOT in terms of access on Robert. Their agreement with the YMCA is still in progress and YMCA will continue operating until Hy-Vee would takeover.

Darts – City has approved their building permits.

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ADJOURNMENT:

ON MOTION by Commissioner McPhillips, seconded by Commissioner Franzmeier, Commissioners RESOLVED to ADJOURN the February 19, 2019 regular meeting of the Planning Commission at 7:44 PM. Motion approved 7-0.

Prajacta (Alex) Eveland
Recording Specialist