

WEST ST. PAUL PLANNING COMMISSION

WORK SESSION

The West St. Paul Planning Commission work session was called to order by Chair Kavanaugh at 5:32pm on Tuesday, May 21st, 2019, in the Municipal Center at 1616 Humboldt Ave, West St. Paul, MN 55118.

ROLL CALL

Commissioners present: Chair Kavanaugh, Commissioners Green, Franzmeier, Stevens, McPhillips, and Leuer.

ABSENT

Commissioner Stromeier had an excused absence.

ALSO PRESENT

Assistant Community Development Director/City Planner Boike, Community Development Coordinator Sonnek, and City Council Liaison Justen.

ITEMS OF DISCUSSION

Smith/Dodd Small Area Plan – B2 Overlay Zoning District

Asst. Director Boike introduced the item and summarized that the proposal for the potential overlay district stemmed from the Smith/Dodd Small Area Plan, which was actually a more in-depth examination of a plan that was created in 2011 as a joint effort with the City of St. Paul along the Smith Avenue Corridor. The Smith/Dodd Small Area Plan reviewed possible intersection re-alignment options as well as future land use, streetscaping, building type, and parking; the overlay district would implement regulations to incorporate these items into future developments and re-development.

Asst. Director Boike then explained the future of the small area plan and/or the intersection re-alignment would likely happen through either private development or federal funding since the City is still working to pay off the Robert Street improvements. Commissioner Green asked where the re-alignment of the Smith/Dodd intersection is in terms of the City's street improvement and reconstruction budget, Asst. Director Boike stated that the project is not on any of the capital improvement plans for the next five years and many of the future street projects were pushed back after the Robert Street reconstruction expenses. City Council Liaison Justen added that he does not think this street project was on the radar, however, if outside funding became available, it could be moved up onto the priority list. Commissioner Green asked about the process for applying for Met Council funding. Asst. Director Boike explained that even with additional outside funding there are additional costs to the project because the Met Council funding only covers a portion of the project.

Commission Green then asked if the B2 Overlay district would go into effect before or after the intersection re-alignment. Asst. Director Boike explained that the Overlay district could go into effect before the re-alignment because most of the properties included in the overlay district are private property and redevelopment of those properties could happen with or without the intersection re-alignment. Asst. Director Boike also mentioned that this overlay district would help to outline what future redevelopment would look like and that having a plan in place, like the Smith/Dodd Small Area Plan, helps to increase overall scoring when applying for outside funding sources.

Commissioner Stevens asked if the Met Council grant is the only grant opportunity for funding. Asst. Director Boike stated that it is the primary opportunity for grant funding. Commissioner Fransmeier stated that the Smith/Dodd intersection re-alignment seems like an economic development opportunity and asked if that has been factored into the decision in terms of priorities since redevelopment of this area could create additional property value and tax revenue. City Council Liaison Justen stated that a lot of the upcoming street projects are dependent on what happens during this legislative session and what funding comes from that. Council Liaison Justen went on to say that he would love to see this project happen, but an economic change would need to happen first.

Commissioner Fransmeier stated that she sees the overlay district as a different situation than thinking of the redevelopment as the bigger picture; the overlay district would provide a current fix rather than a long-term outlook on redevelopment and street re-alignment. Asst. Director Boike explained that it might be easier to separate things by public versus private land and projects. For example, Robert Street was more of a public project; for corridor projects, you need to look at how to address both, you can address the public portion, like the street, with right-of-way and you can address the private portion with guidelines, like what is listed in the overlay district language.

Commission Green asked how the Planning Commission deals with future development of the Smith/Dodd area when the street might not be handled for ten years; redevelopment might happen where we might potentially want a future street. Asst. Director Boike explained that a benefit to the Smith/Dodd Plan is that it does not depend on private land. Asst. Director Boike elaborated by stating that most of what is detailed in the plan would be on either City owned property, like 1010 Dodd Road, or right-of-way. Commissioner Stevens asked what happens when the street is re-aligned and the parcels that were previously roads are no longer roads. Asst. Director Boike stated that it could be opened up for redevelopment or a park.

Chair Kavanaugh stated that the owner of Oxendale's was involved during the writing of the Smith/Dodd Plan and that he was interested in redeveloping that area, which may prompt partial redevelopment. Asst. Director Boike agreed and prompted the question, what would spur the redevelopment the road re-alignment or the redevelopment of the Doddway Shopping Center.

Asst. Director Boike lead into future land use and talked about how the area included in the overlay really has two sections; one to the north up by Cherokee Tavern and Amore Coffee, which pretty much functions on its own as it is because it has a commercial node supplemented with residential housing to the south. The Smith/Dodd Small Area Plan really focuses on the section south of there, south of the single family homes which is specifically where the overlay district was recommended so that when redevelopment does happen, there are good guidelines in place to bring the buildings up to the street while still leaving enough room for sidewalks, public space, and landscaping. The current B2 – Neighborhood Business Zoning District already requires buildings to be oriented to the front with parking in the rear, but it does allow for a 10-40 foot front yard building setback. For the Smith/Dodd area, the 10 feet setback would be enough room to allow for some sidewalk and public space, but the 40-foot option would leave a large gap between the sidewalk and the building. In the Smith/Dodd Small Area Plan it calls for a 15 foot build-to-line and within that 15 feet, you can put in a, b, c, or d. The overlay district would also allow for projecting signs or blade signs, while currently the properties would not allow them because if they projected off the front of the building it would go outside of the property and into the right-of-way. In summary, the overlay district is intended to fine tune the existing B2 district in a way that would make sense for this area. Asst. Director Boike then showed some visuals to better demonstrate some of the components of the overlay district, specifically design components to better accommodate the pedestrian.

Commissioner Leuer inquired what the population density of the area is as it could help to better determine how far and how many people would be walking. Staff stated that they do not know that number, but would later send that information out to the commission.

Asst. Director Boike asked the Commission what areas would they like to include in the overlay area and if Oxendale's should or should not be included. Commissioner Fransmeier stated that if the redevelopment has housing with small retail on the lower level, then it might fit what the overlay district requires. Commissioner Leuer stated that Oxendale's should be included in the overlay in the case that it fails and a new applicant or business comes in. Commissioner Stevens asked why the single family homes were not included in the overlay district. Asst. Director Boike explained that if the houses were included, it would create a use issue because the homes would no longer be in a residential district and be legal non-conforming, which then creates an issue with the re-sale of the home.

Asst. Director Boike then proceeded to explain the layout and general format of the overlay ordinance language. The ordinance language details the overall intent of the overlay district, where the overlay district applies within the City, what the underlying zoning district is, and how the overlay rules differ from those of the underlying district. For example, parking requirements could be more or less restrictive than the underlying B2 zoning district requirements. Similarly, the uses allowed in the overlay district can be different and more or less restrictive than the B2. Asst. Director Boike then asked the Commission what uses they thought would not be a good fit in this area or what uses should be restricted. For example, a drive-thru lane or a funeral home probably don't make much sense in this area. Commissioner Stevens asked where the language that is currently in the overlay ordinance came from. Asst. Director Boike stated that the language that is currently in the ordinance is based on his analysis of what would and would not work for this area, followed by the statement that the Commission is able to alter the language based on their thoughts and ideas. Commissioner Fransmeier stated that a government/municipal related facility would not be a good fit, that it would not be desirable to have a DMV in this area. Commissioner Fransmeier then asked the Commission what their thoughts were on having a group fitness classroom in this area; as this use might attract a lot of people that would have to drive to get to the class. Commissioner Fransmeier then prompted the question to the Commission if they would want to try to avoid having uses in this area that would require a lot of people to drive to rather than walk to. Asst. Director Boike mentioned that the B2 district currently allows a fitness class use if it is less than 4,000 sq. ft. Commissioner Leuer mentioned that he liked the smaller Chair Kavanaugh asked if it would be possible for the Commission to give this question some more thought and then later send their thoughts back to Staff. Asst. Director Boike stated that it might be good homework for the Commission and that the work session packet included all uses currently allowed in the B2 district. Asst. Director Boike asked the Commission to run through that list and mark uses that should or shouldn't be included, or make note if there is anything that is missing that maybe should be included.

Council Liaison Justen asked if the Holiday gas station on Dodd Rd was included in the overlay area. Several Commissioners confirmed. Council Liaison Justen then further stated that the Commission should consider that if they were considering restricting motor fuel stations. Asst. Director Boike mentioned that the existing gas station would be allowed to continue to operate, and that it would then become non-conforming if the overlay were adopted.

Chair Kavanaugh asked Staff to confirm that single family homes were not allowed in the current B2 zoning district. Staff confirmed. Chair Kavanaugh went on to explain that housing would be allowed under the mixed use category, but not just single family or just apartments. Asst. Director Boike added that a lot of developers are currently doing a mix of housing in their redevelopment projects, with retail on the bottom and

housing above. Asst. Director Boike then added that that option does not necessarily work everywhere, it needs to be somewhere that has density where the businesses can be supported.

Asst. Director Boike then began to discuss the overlay setback language, stating that the requirements closely match what is currently required in the B2 and B3 zoning districts, except that instead of a 10 to 40 foot setback, the overlay requires a 15 foot front yard setback. This would establish a consistent build-to line throughout the area and help to encourage the incorporation of sidewalks, public space or seating, and landscaping. Commissioner Stevens asked if there would be a need in the future to widen the street. Asst. Director Boike stated that, currently that is not an option because there is no room. Commissioner Stevens went on to say that if there were a desire to put more parking or a bike lane, there would be no room. Asst. Director Boike confirmed. Commissioner Fransmeier asked if 15 feet would be a good number. Asst. Director Boike stated that he thinks it is a good number. Commissioner McPhillips stated that ideally all buildings would have similar setbacks to the recent Food Smith redevelopment. Asst. Director Boike then pulled a street view of the area as an added visual to provide the Commission with some additional context for size and distance. Commissioner Fransmeier inquired how wide a typical lane of traffic is. Commissioner Leuer responded with an answer of 12 feet, and in urban areas you can go down to 10 feet. Commissioner Leuer then elaborated by stating that looking at Smith Ave. today and looking at the future of Smith Ave., that he doubts there would be an interest in doing any major expansions. Commissioner Stevens asked how much room would be needed to add a bike lane. Commissioner Leuer answered by stating 4 feet.

Commissioner Green asked if the city of Richfield had any similar overlay districts because she is very familiar with that city. Staff stated that they were unsure if Richfield had any overlay districts. Asst. Director Boike stated that not all cities go with overlay districts, sometimes they just create an entirely new zoning district; however, this can become difficult to show on a map if you have several different districts. Commissioner Green asked if there was a reason the Commission was looking at an overlay district rather than a new zoning district. Asst. Director Boike stated that there was no major reason aside from not wanting to create too many individual zoning districts. Commissioner Leuer comically mentioned that the City was out of colors for the map. Commissioner Fransmeier stated that if a developer were to come in and redevelop the area, it maybe should have its own zoning district. Asst. Director Boike stated that you could go with either option.

Asst. Director Boike then began to discuss the overlay parking by mentioning that the location requirements are very similar to what is currently required, by having parking only allowed in the side or rear yard working to minimize the visibility of cars from the street front. To take this effort one step further, the overlay language requires that parking cannot be more than 50 percent of the visual from the street front. Chair Kavanaugh posed the question if they would like that visual from the street to be less than 50 percent. Commissioner Fransmeier brought up a comparison to Selby Avenue, stating that they have a lot of side parking and that it is nice. Chair Kavanaugh asked if the parking in that area is 50 percent of the lot, or if it is closer to 20 percent; Chair Kavanaugh then followed up with another question of if the Commission would to see the area as half parking and half building or if they would like to see the majority be buildings. Commissioner Fransmeier mentioned that a parking lot could be wide enough to fit one row of parking. Asst. Director Boike added that a standard two-way drive aisle width is about 20 feet and then another 20 feet for 90 degree parking which would total to 40 feet, or the requirement could be angled parking which would be smaller and then only require a one way drive aisle.

Commissioner McPhillips asked how deep the existing lots in this area are. Asst. Director Boike answered that the lots are about 120 feet deep. Commissioner Fransmeier mentioned that if parking is being pushed to the back of the property, then that would cause people to drive into an alley. Asst. Director Boike agreed and added that the overlay language actually requires the use of an alleyway if there is one on site.

Commissioner Fransmeier then asked if the existing alleys are wide enough to support two-way traffic. Asst. Director Boike stated that the alleys are in poor condition currently and are pretty narrow.

Commissioner Green mentioned that she had received an email from Ken Paulman, Chair Kavanaugh added that Ken Paulman was actually a part of the action committee for the Smith/Dodd Small Area Plan. Commissioner Green continued and explained that the email contained a comparison of the number of parking stalls required for businesses in the area and the number of parking stalls that are actually provided for each business. For most cases, the Planning Commission has granted extreme variances; for example, there is a drum shop that would require 18 stalls and currently only has zero. Similarly, the Cherokee Tavern would need 104 stalls and they currently have 30. Asst. Director Boike clarified by saying the at Planning Commission did not grant all of the businesses variances, there was one for Food Smith and one for Cherokee Tavern; many of the current businesses are grandfathered in because they were there before the parking requirements were established. Commissioner Green continued to say that since the existing businesses are doing fine with the existing limited parking, maybe there should be no off-street parking required and only utilize on-street parking like a lot of other areas in the metro; the Commission should ensure that the businesses are ADA compliant and have that be the only requirement. Commissioner Stevens mentioned that she thinks there should be somewhere that has parking available otherwise the only customers for the businesses would be the residents that live nearby and can walk.

Chair Kavanaugh inquired that if the requirement for parking could be a conditional use permit. Asst. Director Boike stated that since parking is not considered an individual use, that it could not be structured through the conditional use permitting process. Asst. Director Boike mentioned that the ordinance does allow for a reduction in parking for the businesses that don't want as much parking while still accommodating the businesses that do. For example, Food Smith was comfortable having no off-street parking, but some other businesses might not be and might actually want more than the minimum required number of parking and that is actually why some cities are starting to require parking maximums.

Commissioner Fransmeier asked what happens if a mixed use building were to come in with retail on the bottom with housing above. Asst. Director Boike stated for larger developments the planned development can come into play to adjust the rules to better fit the situation; for example if the housing is senior housing or assisted living, they typically do not require as many parking stalls. Commissioner Fransmeier stated that she would like to have at least one place for people to park if they do want to come from further away are not able to walk. Chair Kavanaugh stated that there are not a lot of cars parking on Ottawa Ave. Commissioner Fransmeier stated that Ottawa is a big block to walk around. Chair Kavanaugh elaborated by stating that the walking distance is the same if you parked on Mina St. and walked to Food Smith as if you were to park in the Target parking lot and walk to the produce section, people often don't make the connection of how far they are walking. Asst. Director Boike mentioned that parking on Robert St. is different than parking in the Smith/Dodd area, but also the City should also look globally at the current minimum parking requirements, especially since the last time that section of the code was updated was in 1997. Council Liaison Justen stated that while he can't make an official stance on behalf of the Council, but he believes that they would be open to the idea of reducing parking minimums.

Commissioner Green asked about what the ADA parking would be like if there were no minimum parking requirements. Asst. Director Boike explained that the number of ADA stalls is based on the number of regular parking stalls provided, as a business you need at least one ADA stall, then you need another for every 25 regular parking stalls.

Chair Kavanaugh asked for confirmation that the current language for the overlay district was a reduction of 50 percent if specific criteria are met, Asst. Director Boike confirmed. Chair Kavanaugh then asked,

West St. Paul Planning Commission Work Session Minutes – May 21st, 2019

should it be a 100 percent reduction. Commissioner Fransmeier proposed a 90 or 95 percent reduction and then if for some reason the applicant can't make it work they then have to come to the Planning Commission for a variance. Commissioner Fransmeier then stated her concerns about a development coming in that really does need additional parking. Asst. Director Boike mentioned that developers that come in are typically aware of their parking needs, and that the current language allows for a possible reduction of parking, not that there cannot be off-street parking. Commissioner Green stated that she would be comfortable with a 100 percent reduction in parking as an option rather than a requirement of no parking. Asst. Director Boike wrapped up the parking portion of the discussion in the interest of time and stated that the commission would revisit the parking portion.

Asst. Director Boike then moved into the lighting and landscaping portion of the overlay district, explaining that landscaping and lighting is expected to be used to fill in the 15-foot setback area to make the district more pedestrian friendly. The requirements are similar to the visual relief guidelines used in the zoning code, by listing several different options and the applicant can pick the three or four that best fit their application. Commissioner Fransmeier questioned the bike rack option, asking if it would be necessary to have a bike rack at every business, as it might be better to locate the bike racks to the street corners. Commissioner Fransmeier and Chair Kavanaugh discussed changing the language from requiring a bike rack to it is preferred that the business have a bike rack. Commissioner Fransmeier stated that this does not require the business to have the bike rack unless they feel that they would want or use one, or encourage businesses to share bike racks.

Asst. Director Boike then discussed blade signs being allowed in the overlay district, projecting off the business but still within the private property lines. Commissioner Fransmeier inquired about lighting for the signs, Asst. Director Boike stated that typically blade signs are not lit internally, but rather have a light shining on them. Commissioner Fransmeier asked about the brightness of the lights and if that might negatively affect surrounding properties. Asst. Director Boike mentioned that there is a zero foot-candle requirement for all property lines so that lights are not shining onto other properties.

Asst. Director Boike then explained the façade and building material requirements, stating that the overlay district incorporates what we currently require for design requirements, but then adds some additional requirements such as more window coverage and burying utility lines when possible. Commissioner Stevens inquired about allowing roof-top seating as it might be an enticing use, Asst. Director Boike stated that use is not currently defined in the code, so it would have to be added.

Asst. Director Boike wrapped up the discussion on the overlay district to begin discussing the next item on the agenda.

Banquet Halls

Asst. Director Boike summarized the request to review the possibilities of banquet halls in the City by stating that the request was to look at the city from a very high-level point of view, sky level, and determine where would this use best fit in the city. Further explaining that the current code does not allow for banquet halls and City Staff has received multiple inquiries from applicants.

Commissioner Stevens asked what the code would have to detail and how it is different from what we currently require for restaurants. Chair Kavanaugh explained that banquet halls are a bit more sporadic than restaurants, because a lot of people come together at one time. Asst. Director

Boike posed the question in relation to a wedding reception, if West St. Paul were to have a space for this, where would be a good place to put it. Commissioner Green asked if the Cherokee Tavern could host a wedding reception. Asst. Director Boike stated that since the Cherokee Tavern is a restaurant with a banquet room, they would fall under the restaurant use more than the banquet hall use. Commissioner Green then stated that she expressed her concern with making a recommendation without knowing all of the details, like hours of operation or liquor licensing. Asst. Director Boike explained that the details would be laid out during the conditional use permitting process, as an example, on-site sale of liquor requires its own additional CUP. The City Council is looking for a recommendation based on two requests for a banquet hall; neither request seemed to be for the right location for a banquet hall. Council Liaison Justen elaborated by explaining that if banquet halls were allowed in the Signal Hills location, then the code would have to allow it throughout all of the B4 district. When looking at the B4 district there are a lot of areas that the Council would not want a banquet hall.

Commissioner Stevens asked where else would they not want to have a banquet hall. Chair Kavanaugh explained that it would not be a good fit for strip mall centers because it could damage the foot traffic of the other tenants in the center. While normally, surrounding tenants would rely on the foot traffic from the other stores and larger spaces, however, when the large space is only being used on a Friday or Saturday night, the other tenant spaces do not get that same amount of foot traffic. Commissioner Green reiterated her concern of approving an item without first reviewing a business plan. Commissioner Fransmeier stated that this amendment could be an exciting opportunity for the Commission to forge the way on something that does not currently exist in the code. Additionally, Commissioner Fransmeier stated that the B3 or Industrial districts seem like a good fit, as long it is held within a stand-alone building with surrounding parking. Commissioner Stevens agreed by saying if the use is going to have a large number of people coming and going, then you would want it somewhere that would not interrupt other properties.

Commissioner McPhillips asked what other cities are doing to regulate banquet halls. Commissioner Leuer stated that he thought it would be beneficial to see what other cities are doing. Commissioner Green asked to see if anywhere in the metro area has banquet halls in a strip mall.

Asst. Director Boike wrapped up the discussion by agreeing to look at other cities and gather additional information for another work session.

ADJOURNMENT

The May 21st, 2019 Planning Commission Work Session was adjourned at 6:58pm.