

**REGULAR MEETING
OF THE
VADNAIS HEIGHTS PLANNING COMMISSION
FEBRUARY 27, 2018**

OPEN MEETING

Chairperson Joseph Stumph called the Regular Meeting of the Vadnais Heights Planning Commission to order at 7:00 p.m. on February 27, 2018.

ROLL CALL

Joseph Stumph, Chairperson	Present
Dave Anderson	Present
Linda Bigelbach	Present
Edward Caillier	Absent
Brian Carnes	Present
Evan Cordes	Present
Martin Jokinen, First Alternate	Present
Curt Cooper, Second Alternate	Present

Also present: Nolan Wall, Planning/Community Development Director; Mark Graham, City Engineer; and Jeff Melcoch, Cable Producer.

APPROVAL OF AGENDA

Upon motion by Commissioner Cordes, seconded by Commissioner Carnes, it was

“RESOLVED, to approve the February 27, 2018, Regular Meeting Agenda.”

Ayes – 7 Nays – 0

The motion carried.

APPROVAL OF MINUTES

Upon motion by Commissioner Carnes, seconded by Commissioner Cordes, it was

“RESOLVED, to approve the minutes of the January 23, 2018, Regular Meeting.”

Ayes – 7 Nays – 0

The motion carried.

OPEN TO THE PUBLIC

Chairperson Stumph opened the floor to the public at 7:03 p.m. for questions and comments on items not on the agenda.

No one wished to address the Commission, Chairperson Stumph closed the meeting to the public at 7:03 p.m.

PUBLIC HEARINGS

A. Case 18-003: City of Vadnais Heights. City Code Amendment Concerning Commercial and City Center Zoning

Planning/Community Development Director Wall described this item and provided a presentation with background information regarding proposed amendments to several chapters concerning the definitions, commercial and City Center zoning district standards, as part of the codification process. He outlined the proposed amendments as well as companion ordinances. He noted that this was brought before the City Council at a workshop and the direction given was to be brought back to the Planning Commission for formal consideration. Wall gave a summary and rationale for the proposed changes.

Commissioner Jokinen inquired about the impact in Section 2, line 124-125, on food carts and food trucks. Planning/Community Development Director Wall said there are special limitations and conditions on uses in C-1 and explained how food trucks are relatively new in suburban areas or the idea of them, so it is currently not addressed at all. He noted if a restaurant already existing wanted a food truck and parked it in their parking lot that could be a zoning issue. Wall said if we want to regulate food trucks that regulation would be in the City's Chapter 20. He said that he would have to check with City Clerk to see what, if any, regulations we do have on food carts or trucks. He noted that typically they are somewhat treated the same as a transient merchant and that this would be an issue for policymakers and that we could certainly get some direction from the Council.

Commissioner Cordes noted it would be difficult to regulate a mobile vehicle. Planning/Community Development Director Wall suggested submitting changes to Chapter 20 as a first round for codification and said that he will follow up with the City Council to see if the Council would like the Commission to review code relating to food trucks. Commissioner Cordes said with new brewery uses and the tendency to utilize food trucks the City may want to review sooner and get ahead of a request.

Commissioner Cordes inquired about the elimination of bakeries, clubs and lodge hall uses from this section of the Zoning Code and asked if it is because they are in C-1 or are they no longer permitted uses. Planning/Community Development Director Wall said these are allowed uses in the C-2 Zoning District and that the ordinance amendment only includes what has been changed and how these uses are included as permitted uses in the C-1 Zoning District. He added that club and lodge halls, coin, philately, phonograph record and sheet music store uses have been completely removed. They are not allowed in C-1 and we are removing them from C-2.

Commissioner Carnes inquired about VFWs and other similar uses. Planning/Community Development Director Wall said those could be considered bar or restaurant and carry an additional type of use same as an office component.

Commissioner Jokinen confirmed that mortuaries and funeral home uses were no longer allowed in the C-2 Zoning District.

Planning/Community Development Director Wall reviewed the proposed changes to the C-3 Zoning District, Highway Commercial District. There were no comments or questions regarding the C-3 Zoning District.

Planning/Community Development Director Wall noted that, currently, there is nothing as a permitted use in City Center, the use that we've added is public utility uses because we've repealed the section it was in. He said that they also struck references to the City of Vadnais Land Use Plan. He said that the Land Use Plan doesn't get updated frequently and is a standalone document.

Planning/Community Development Director Wall noted that with regard to performance standards and landscaping requirements in the City Center Zoning District, staff are not proposing any changes at this time.

Planning/Community Development Director Wall said that the memo summarizes proposed changes as presented at a workshop with the Council and encompasses the draft ordinance. He said that this is a public hearing and once the hearing is closed, staff are looking for a recommendation.

Commissioner Cordes suggested an amendment to Line 674 to remove professional services and just put "offices, including for..." for clarification.

Commissioner Cordes suggested clarification on definition of place of assembly, specifically on the language "for deliberation and legislation, worship or celebration". The two clauses separated by the comma are awkward. Planning/Community Development Director Wall said the language came from the City Attorney and the intent was to not infringe on free speech rights and suggested striking the "and legislation" and insert commas.

Planning/Community Development Director Wall said another change for clarity that would be included in the motion would be eliminating club and lodge halls from C-2.

Planning/Community Development Director Wall stated that staff recommends approval of the proposed draft Ordinance 724 as presented.

Chairperson Stumph opened the public hearing at 7:39 p.m.

No one wished to address the Commission, Chairperson Stumph closed the public hearing at 7:39 p.m.

Upon motion by Commissioner Cordes, seconded by Commissioner Carnes, it was

"RESOLVED, to recommend approval of Ordinance No. 724 amending Chapters 5, 13, 13A, 14, 14A, 15 and 18 of the Zoning Code, concerning Commercial and City Center District Standards, as presented by staff with the amendment to strike all of Line 674 and keep line 695, strike "offices for professional services" and keep

“offices”, and that “legislation” on line 850 be omitted, and insert a comma after the word worship, and then tentatively agree to pass the union hall one, line 296, pending review for current uses to ensure that that it does not create non-conforming uses with current buildings.

Ayes – 7

Nays – 0

The motion carried.

B. Case 18-004: City of Vadnais Heights, City Code Amendment Concerning Small Cell Wireless Telecommunication Facilities

Planning/Community Development Director Wall described this item and provided a presentation with background information on small cell wireless facilities. This was discussed with the City Council at a workshop and they directed that it be brought before the Planning Commission. He explained that due to the emergence of personal communication devices as well as increased number of cell phone providers, and the demand for coverage, State Statute was amended in 2017.

City Engineer Graham said this legislation came as a result of a powerful lobbying group. He noted that the League of Minnesota Cities’ engineering and planning groups, fought to retain local control and that the ordinance is needed to retain some local control and set parameters.

Commissioner Bigelbach inquired about rent. Planning/Community Development Director Wall said rent was included in the proposed ordinance and that there is a cap for rental fee within the legislation.

Planning/Community Development Director Wall commented on the types of poles and standards for pole attachments, such as flower baskets, and said staff want to ensure infrastructure is not damaged by these antennae or result in not using the poles in the way intended. Cities are allowed to place reasonable conditions on placement of the cells in all districts except residential districts. Recognizing that there is time and effort on staff level administratively to reviewing and process the applications.

Planning/Community Development Director Wall noted that the purpose of the City’s Ordinance is to regulate the installation of these facilities within the right-of-way and to limit visual distractions and clutter within the right-of-way and also preserve our ability to add sidewalks and trails where needed. Further, the City wants to protect existing infrastructure from damage by new technology, maximize the safe movement of the people while allowing for the safe movement of data, and, as with any purpose for a zoning code amendment our goal is to protect the wealth, health and general welfare of the community. The draft ordinance encompasses many chapters in the City’s code. The ordinance allows these facilities as a permitted use in all zoning districts and a conditional use permit in residential zones.

Commissioner Carnes asked if the City can limit the number of antennas. City Engineer Graham said the City cannot limit the number. He said the City can reasonably charge for

electricity up to a certain amount but noted staff is unsure if that amount will cover all costs, adding that they are also concerned about maintenance.

Commissioner Jokinen asked if it would be more beneficial for the vendors to install a higher booster. City Engineer Graham said that they could, but the preference is to use an existing pole. He said once the ordinance is in place, staff will wait to receive an application and then address any necessary changes.

Planning/Community Development Director Wall commented on follow-up work including amending the fee schedule and the City Attorney is working on a companion document for co-location agreements, rent, any stipulations locating on our utility poles, coordination and cooperation with Ramsey County, because the City's light poles are located in the County's right-of-way. He noted that staff recommend approval of the proposed ordinance.

Commissioner Carnes clarified that cities cannot in their ordinance forbid ground mounted ones or allow additional fees if ground wires are hit during installation. City Engineer Graham said cities have to allow these uses and that the fees were established by the Legislature. Planning/Community Development Director Wall commented on portions of the Ordinance regarding ground mounted performance standards and noted that the City has setback requirements and separation from sidewalks and intersections, etc. Ground mounting will probably be the last option for them.

Commissioner Bigelbach inquired about right-of-way in residential areas. Planning/Community Development Director Wall said a Conditional Use Permit would be required in residential districts but are permitted in all other zoning districts.

Commissioner Bigelbach asked if antenna can be attached to street signals. City Engineer Graham said street signals locations were prohibited in state law.

Chairperson Stumph opened the public hearing at 8:09 p.m.

No one wished to address the Commission, Chairperson Stumph closed the public hearing at 8:09 p.m.

Commissioner Jokinen asked if we can regulate the number of devices. Planning/Community Development Director Wall said we cannot.

Commissioner Bigelbach asked if we can prohibit lights/lamp posts being put up within a certain distance from an intersection. Planning/Community Development Director Wall said because of engineering and standards there will be a limited amount that can go on an existing pole.

Chairperson Stumph asked if we can deny a location as it could affect a banner or flower basket. Planning/Community Development Director Wall we can advocate to protect our infrastructure and noted it is not the City's intent to regulate these facilities so this is the best option.

Upon motion by Commissioner Cooper, seconded by Commissioner Jokinen, it was

“RESOLVED, to recommend approval of the proposed Ordinance No. 725, amending Chapters 9, 11, 12, 20 and 75 concerning small cell wireless telecommunication facilities, as presented by staff with no additional public hearings execute for requiring a special use permit as required in the Ordinance.

Ayes – 7

Nays – 0

The motion carried.

NEW BUSINESS

A. Transportation Element – DRAFT 2040 Comprehensive Plan Update

Planning/Community Development Director Wall said staff and the Planning Consultant Bolton & Menk have been working on the draft elements (transportation) and maps of the Comprehensive Plan Update since early 2017. The map in the memo shows traffic counts from 2012 to 2016. He said staff has conducted ongoing engagement efforts with the public and business community and has reviewed several draft elements of the Plan already. He explained future outreach efforts and said the remaining elements for the Commission’s review will be water resources and implementation.

Planning/Community Development Director Wall reviewed the Transportation element of the draft 2040 Comprehensive Plan Update and commented on traffic and development patterns in the City. Wall shared comments on 2040 impacts and how roads are constructed, such as roundabouts to prepare for future traffic increases. He shared a map of functional classifications with no changes recommended. He shared a summary of the I-694/Rice Street interchange analysis that has received municipal consent from the County for the three roundabouts with construction expected to start at year-end of the year.

Commissioner Cordes asked if the Plan discusses a new trail the City is getting in conjunction with the Rice Street Project. Planning/Community Development Director Wall said it does not, adding the County has a Capital Improvement Plan where the project is likely placed but does not necessary guarantee that they will do the project. He said they need to identify funding, which might be through Legacy funds. City Engineer Graham noted the trail is included in the Parks and Recreation/Trails element.

Planning/Community Development Director Wall commented on the Rushline Project which the City gave consent to its locally preferred alternative (LPA) for the transit line. He said staff are serving as representatives on the Technical Advisory Committee (TAC) and will have more information to follow on this project. He shared the roadway system plan and system improvements, interchange project and additional work on I-35E which is programed. He said that transportation analysis zones (TAZs), are a requirement in the 2040 Plan, and has to do with areas on the map and how they are programmed or planned for. The projected 2040 traffic volume map will be completed when they finish the table.

Planning/Community Development Director Wall commented on the recommended roadway improvements and extension of Labore Road to White Bear Parkway through the Structural Wood property which was held over from the last Comprehensive Plan update and noted a possible transportation connection.

Planning/Community Development Director Wall said there are no proposed changes to the functional classification and access management and commented on the elimination of light rail transit (LRT) in favor of the bus rapid transit (BRT) after the cost benefit analysis.

Commissioner Carnes clarified that buses would not run on the Bruce Vento Trail. Planning/Community Development Director Wall said portions of the BRT will go near the trail but clarified it would be separated. He said an Alternatives Analysis was conducted and the Project is now doing preliminary engineering on the station locations.

Commissioner Jokinen commented on paved roads versus pervious roads and spoke about changes to the concentration of auto uses on Highway 61 as mobility changes and the future of automatous vehicles. Planning/Community Development Director Wall said staff agreed with the upcoming trends and technology and the future of automatous vehicles that will largely impact land use if implemented but noted there is not enough information yet to make many changes.

Planning/Community Development Director Wall commented on aviation and freight lines and the status of quiet zone regulations. City Engineer Graham commented that quiet zones exist during the night but that two new locations have been approved for 24-hour quite zones at County Road F west of McMenemy Road and the crossing on McMenemy Road. Everything has been approved, we just need to get the signs up and the word out.

Planning/Community Development Director Wall commented on the Plan’s goals and policies including active living, healthy food access and equity. These areas are requirements of the Metropolitan Council.

Upon motion by Commissioner Jokinen, seconded by Commissioner Anderson, it was

“RESOLVED, to recommend approval of the Transportation Element of the draft 2040 Comprehensive Plan Update, as presented, to be presented to the City Council.”

Ayes – 7 Nays – 0

Planning/Community Development Director Wall noted there will be a public hearing element at the Council level before final review and noted while this is not a formal public hearing the City is always soliciting input from the public on the Comprehensive Plan.

The motion carried.

B. Economic Competitiveness Element – DRAFT 2040 Comprehensive Plan Update

Planning/Community Development Director Wall reviewed the Economic Competitiveness element of the draft 2040 Comprehensive Plan Update which is not a requirement of the Plan. He said this chapter of the Plan was reviewed with the VHEDC and Business Council meeting and reviewed demographic information, employment and employment levels, forecasted employment, and unemployment data. He noted more people are working from home and jobs are being automated which will continue to reduce the workforce, adding there are many factors the City does not have control over. He commented on manufacturing as the highest employment sector of the City but said we still have a good mix of all types of employment. He also shared wage data, commute information, means of transportation, and goals and objectives, adding we have built off what we have today in infrastructure, trails, parks, and other factors and have tools available such TIF and tax abatement.

Upon motion by Commissioner Carnes, seconded by Commissioner Cordes, it was

“RESOLVED, to recommend approval of the Economic Competitiveness element of the draft 2040 Comprehensive Plan Update”, as presented to be presented to the Council.

Ayes – 7

Nays – 0

The motion carried.

OLD BUSINESS

None.

REPORTS

A. Council Liaison

None.

B. Planning Commissioners

None.

C. Planning and Engineering Staff

Planning/Community Development Director Wall said in order to solicit additional feedback on the 2040 Comprehensive Plan staff will be attending the Lions Waffle Breakfast on April 8, will be producing an article in the next City newsletter, and also hosting an open house on April 24 in the lobby prior to the Planning Commission meeting, and will be attending the Northeast Metro Expo on April 29. He said the next chapter for review will be water resources and then staff will work on an implementation element to create a user-friendly document.

City Engineer Graham shared that the County Road E mill and overlay project will be done this year from Edgerton Street to County Road 61. He commented on pothole repair and snowplowing work and shared impacts from the White Bear Lake water levels that will result in a ban on residential lawn irrigation because of that lawsuit. He said the City will begin publicizing this ban which will impact new wells and lawn care and will likely not be well received by the public.

Planning/Community Development Director Wall said staff received five applications for the Planning Commission vacancy and that interviews will be held March 6 for appointment before the March 27 Planning Commission meeting. He noted there will be a workshop prior to the March 27 meeting for the City Attorney to review open meeting law, meeting procedures, and ethics and will be a good refresher for the Commission.

Chair Stumph thanked City Engineer Graham for attending and providing the technical information on the small cell wireless facilities topic.

NEXT MEETING

The next Planning Commission meeting will be held on March 27, 2018.

ADJOURN MEETING

Upon motion by Commissioner Cooper, seconded by Commissioner Cordes, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,
Cathy Sorensen
TimeSaver Off Site Secretarial, Inc.