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**REGULAR MEETING  
OF THE  
VADNAIS HEIGHTS PLANNING COMMISSION  
MARCH 26, 2019**

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**OPEN MEETING**

Chairperson Evan Cordes called the Regular Meeting of the Vadnais Heights Planning Commission to order at 7:00 p.m. on March 26, 2019.

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**ROLL CALL**

Evan Cordes, Chairperson	Present
Dave Anderson	Present
Linda Bigelbach	Absent
Edward Caillier	Present
Brian Carnes	Present
Martin Jokinen, Vice Chair	Present
Joseph Stumph	Present
Curt Cooper, First Alternate	Absent
Jerry Moynagh, Second Alternate (voting member)	Present

Also present: Nolan Wall, Planning/Community Development Director; Jeff Melcoch, Cable Producer.

**APPROVAL OF AGENDA**

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

“RESOLVED, to approve the March 26, 2019, Regular Meeting Agenda.”

Ayes – 7                      Nays – 0

The motion carried.

**APPROVAL OF MINUTES**

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

“RESOLVED, to approve the minutes of the February 26, 2019, Regular Meeting as presented.”

Ayes – 5                      Nays – 0                      Abstain – 2 (Anderson, Caillier)

The motion carried.

48 **OPEN TO THE PUBLIC**

49  
50 Chairperson Cordes opened the floor to the public at 7:05 p.m. for questions and  
51 comments on items not on the agenda.

52  
53 No one wished to address the Commission, Chairperson Cordes closed the meeting to the  
54 public at 7:05 p.m.

55  
56 **PUBLIC HEARINGS**

57  
58 None.

59  
60 **NEW BUSINESS**

61  
62 A. Case 19-002: City of Vadnais Heights – City Code Amendment Concerning Planned  
63 Unit Development Standards

64  
65 Planning/Community Development Director Wall said staff recommends the Planning  
66 Commission review the proposed amendments contained in DRAFT Ordinance 733 and  
67 provide direction on any additional revisions. He stated that a formal public hearing will  
68 be noticed for the April 23 Planning Commission meeting and that no recommendation to  
69 the City Council is required at this time.

70  
71 Wall said that City staff are proposing amendments to Chapter 38, Article III, Division  
72 15, of the City Code concerning the Planned Unit Development (PUD) District. The City  
73 is using its legislative authority when considering action on a City Code amendment  
74 request and has broad discretion; the only limitations are that actions must be  
75 constitutional, rational, and in some way related to protecting the health, safety and  
76 general welfare of the public. While processing recent applications, staff identified  
77 several potential amendments to the PUD standards and procedures. Due to the limited  
78 land available for development/redevelopment in the community, the PUD process will  
79 continue to be utilized as a regulatory tool to encourage flexibility that supports high-  
80 quality development. The proposed amendments aim to ensure an equitable and  
81 transparent review process that promotes additional community engagement. Wall  
82 reviewed the proposed amendments.

83  
84 Chairperson Cordes suggested removing the words “In general...” in Sections I and II, as  
85 it would allow for more exceptions. Wall agreed.

86  
87 Wall reviewed Section III. He said that paragraph E, Setback Standards, would allow  
88 a request for flexibility in any standard but that setbacks were included for a PUD  
89 district and that it seems unnecessary to have this when we are using the underlying  
90 zoning district in its place. He noted that the language that states an applicant may  
91 request flexibility in setbacks does not guarantee flexibility. He said that staff are  
92 recommending the following change: Any proposed setbacks within the PUD may be  
93 reduced from the required setback standards within the underlying zoning district  
94 under the following considerations:

- 95 (1) Adequate space remains to install an appropriate landscape buffer, if

96 determined necessary.  
97 (2) The height of the building does not negatively affect sunlight expose or  
98 air access on the adjacent properties and/or uses.  
99 (3) The overall site and/or building design is enhanced.  
100 (4) The site conditions present unique challenges and/or constraints.  
101  
102 Commissioner Carnes suggested other things could be considered and suggested  
103 amending the text to say “including but not limited to...” Wall agreed.  
104  
105 Commissioner Anderson suggested adding the words “sunlight exposure” to the text on  
106 Line 99.  
107  
108 Chairperson Cordes said Line 147 seems to exempt residential development from  
109 requiring cash in lieu of land dedication. Wall said that that was not the intent as cash in  
110 lieu was still allowed for residential uses and said that the Council may require cash in  
111 lieu of land dedication. He said that the ordinance already covers that but if the  
112 Commission wants to clarify we could add that land could be considered for residential  
113 development as well in Line 149. Cordes said that that change should be made and asked  
114 if others agreed. Commissioner Carnes asked why not leave the language to say “in  
115 general that the Council may require cash in lieu of land dedication”. Wall said that he  
116 will do more work on the language in this Section.  
117  
118 Wall reviewed the proposed changes to the paragraph regarding Density (residential).  
119 Chairperson Cordes noted densities can be flexible and asked why we need to add  
120 different ways to calculate densities. Wall agreed and said that reference regarding net or  
121 gross densities could be removed if the Commission finds it confusing. Commissioner  
122 Carnes said it may be good to keep this language because density was a key issue with  
123 the Aster Meadows project.  
124  
125 Commissioner Anderson asked if gross density was an easily understood phrase and  
126 suggested including definitions to ensure that the Council’s goal is to make it clear and  
127 transparent results. Wall noted that definitions were included in the Comprehensive Plan  
128 and that changing the definition to include gross density may make it more confusing and  
129 result in unintended consequences. Wall suggested leaving the language as it currently  
130 reads. Commissioners agreed.  
131  
132 Wall reviewed Section IV, PUD Overlay District. Commissioner Jokinen asked how staff  
133 tracks PUD overlay districts and individual PUDs. Wall said PUDs are added to the  
134 zoning map as approved and that PUD overlays are reflected by development agreements  
135 and the development agreements are recorded against the property.  
136  
137 Wall reviewed the new language being proposed to be added to Section IV:  
138 (c) *Additional requirements and standards.*  
139 (1) Setbacks. Flexibilities for the underlying zoning district standards shall be  
140 considered under the same conditions as in section 38-484(e).  
141 (2) Density. Flexibilities from the underlying zoning district standards and/or  
142 comprehensive plan shall be considered under the same conditions as in section

- 143 38-484(n).
- 144 (3) Building height. Flexibilities from the underlying zoning district standards shall
- 145 be considered under the same conditions as in section 38-484(o).
- 146 (4) Procedure. PUD overlay district applications shall be processed in accordance
- 147 with Sec. 38-43.

148  
149 Wall referred to Lines 249 and 250 regarding density, building heights and procedure and  
150 references to 38-43 which is a Conditional Use Permit (CUP). He noted that a PUD  
151 overlay is processed as a CUP. Commissioner Anderson suggested referencing Line 250  
152 as a CUP. Wall noted that they could do that and that there is a similar reference to  
153 PUDs that relates it back to the rezoning process and he will make that change in that  
154 area also.

155  
156 Wall reviewed Section V proposed changes which include some high-level policy  
157 changes. He said that the first substantial change to this Section is that if the applicant is  
158 required to host an open house to share the proposed concept plan with property owners  
159 within 350-feet and possibly beyond 350-feet, depending on the project. He stated that  
160 the intent is to inform the public of a proposed project prior to the public hearing,  
161 increase transparency and provide more proactive community engagement. He said the  
162 hope is this process would result in more public participation and vet out concerns prior  
163 to the actual public hearing of a project.

164  
165 Commissioner Carnes suggested rearranging the proposed process as the PUD overlay  
166 step is out of place and should be moved to the end. Planning/Community Development  
167 Director Wall said he doesn't disagree with that suggestion. Commissioner Jokinen  
168 asked how much time this step would add to the public process. Commissioner Cordes  
169 asked if Wall could have numbers on how many would have been notified within the  
170 350-feet versus a 500-foot area during an earlier PUD and suggested including parameters  
171 for an open house such as having an ADA accessible site located within the City to  
172 ensure the best possible participation. Wall asked if this should be on the application or  
173 codified. Cordes responded that it should be codified and state that the hearing should be  
174 held in Vadnais Heights in an ADA compliant location. Wall said that he will work with  
175 the City Attorney to come up with language regarding this requirement.

176  
177 Commissioner Cordes suggested including parameters on the application that must be  
178 approved by City staff instead of within City Code. Commissioner Anderson agreed that  
179 by providing direction to staff to allow for flexibility in parameters based on time and  
180 location may have an impact on a project.

181  
182 Wall said the concept PUD plan review process would be required and has been included  
183 as a suggestion. He said that other communities require a similar process. He said the  
184 proposed change was not motivated by the Aster Meadows project but that the City  
185 realized some changes could be good to ensure transparency and public engagement.

186  
187 Commissioner Moynagh said the proposed process would allow more time for Planning  
188 Commission review as well. Wall said it would be made clear that the open house would  
189 be for concept review only and that no action would be taken and that nothing would be

190 binding to any future decision by the Council but that the intent is to help influence a  
191 better project.

192  
193 Commissioner Cordes confirmed that the timeline would not result in any delay in the  
194 legal time limit. Wall explained the timelines for a PUD approval process and a PUD  
195 District Overlay approval process. He then noted that a formal public hearing will be  
196 noticed for the April 23 regular Planning Commission meeting for the Commission's  
197 consideration.

198

199 B. Planning Commission Work Plan

200

201 Planning/Community Development Director Wall said the Planning Commission's role is  
202 inherently reactive as its main responsibility is to review proposed development and code  
203 amendment applications and make recommendations to the City Council. In the past, the  
204 Planning Commission has established an annual work plan to take a more proactive  
205 approach on a variety of land use/zoning issues. Staff are proposing that the Planning  
206 Commission establish a proposed work plan for 2019 to present to the City Council for  
207 their consideration and/or direction. Some issues may be timelier than others and the  
208 intent is to complete any required work within the current department budget and is also  
209 based on staff's current workload. He explained that the intent is to be proactive and  
210 assist the City Council by bringing forward ideas for their consideration.

211

212 Wall reviewed the proposed work plan for Commission consideration:

213

214 1. Review Potential Zoning Code Amendments

215 A. Planned Unit Development District

216 B. Steep slopes

217 C. Park dedication

218 D. Billboards/signs

219 E. Density (gross vs. net)

220 F. Water Management Overlay District

221 G. Subdivision Ordinance

222

223 2. Bi-Annual/Annual Joint City Council Meeting

224 A. Present proposed work plan

225 B. Get direction on additional goals

226

227 3. Economic Development Initiatives

228 A. Current policies and programs

229 B. Surrounding cities' policies and programs

230 C. Recommend additional policies and programs

231 D. TIF 101

232 E. VHEDC coordination

233 F. Economic Development Authority

234

235 4. Housing Initiatives

236 A. Current policies and programs

237 B. Surrounding cities' policies and programs

238 C. Recommend additional policies and programs

239

240 5. Evaluate Redevelopment Areas

241 A. Study constraints

242 B. Identify funding or budgeting priorities

243

244 Commissioner Cordes asked if this work plan was more about a vision or if staff wanted  
245 ideas as well. Wall said staff would welcome working directly with a Planning  
246 Commission member on any proposed topic on the work plan but said staff are really  
247 looking for permission to review and bring back potential code changes for full  
248 Commission discussion, and added that the final work plan would need Council support  
249 as well.

250

251 Commissioner Jokinen suggested including accessory buildings to the work plan. Wall  
252 said accessory buildings were recently reviewed and expanded to comply with building  
253 code standards and that he believes that portion of the Code is up-to-date with building  
254 standards, but he could bring the topic back for review and confirmation with the  
255 Commission.

256

257 Commissioner Anderson suggested including code standards for signage. Wall agreed  
258 that not all signage sections are clear and said that review of signage code could include  
259 how many wall signs should be allowed on a building.

260

261 Commissioner Carnes referred to changes that occurred when digital signage was added.  
262 Commissioner Stumph said the last discussion by the Commission included when the  
263 City should draw the line and not allow a variance to signage. Wall referred to potential  
264 First Amendment concerns with regards to signage but said the topic could be reviewed  
265 in a proactive manner.

266

267 Commissioner Carnes suggested reviewing the Code as a whole instead of by section.  
268 Wall agreed, stating that there are inconsistencies. He noted he may want to bring in an  
269 outside consultant to specifically review signage but said it would be helpful for the  
270 Commission to make it a priority.

271

272 Wall suggested the Commission consider having a bi-annual or at least a joint meeting  
273 with the City Council to present the proposed Planning Commission work plan and get  
274 direction on the Council's goals. He said that this would help build relationships and  
275 rapport with the Council.

276

277 Wall said that the Council deals with the budget, roads, etc., and that sometimes planning  
278 development related items lose their way. He said that the City does have an Economic  
279 Development Authority (EDA) but it hasn't utilized it in a way that allows us to review  
280 our current policies and programs. He said that perhaps recommending additional policies  
281 and programs and providing information on TIF would help give the Planning  
282 Commission a framework and understanding so we can reduce the learning curve and  
283 provide a framework where there is a familiarity when it surrounds TIF.

284

285 Commissioner Carnes noted that the Planning Commission does not approve TIF but just  
 286 a TIF-related project, so he was not sure how Economic Development Initiatives would  
 287 pertain to the Commission. Wall said it would be related to planning and development  
 288 and be informative to Council as they make their decisions regarding TIF, business  
 289 retention and expansion programs. Commissioner Jokinen said that having it as part of  
 290 the work plan would provide vision before projects come forward, such as a joint project  
 291 with the City of Gem Lake.

292

293 Commissioner Cordes inquired about the EDA structure and Commission representative.  
 294 He said he has been alternative on the EDA and doesn't believe they have ever met since  
 295 he was appointed. Wall said that the Council oversees the EDA which is another reason  
 296 why reason it would be helpful to meet with the Council to review rules, procedures and  
 297 framework of the City Council, EDA, and the Planning Commission.

298

299 Commissioner Carnes asked if some of the concepts for Housing Initiatives are guided by  
 300 expectations of the Metropolitan Council. Wall said the work plan addressed more of  
 301 what housing programs could be implemented to encourage reinvestment in the City's  
 302 housing stock. Commissioner Jokinen said many housing developments were built at the  
 303 same time and therefore will deteriorate at the same time. Wall agreed, stating in order  
 304 for the bulk of the City's housing stock to remain viable, the City many need to be  
 305 proactive with regard to reinvestment and maybe even subsidize some redevelopment.  
 306 Commissioner Anderson suggested adding County and State program review as well.  
 307 Wall agreed and then referred to items such as revolving loan funds, energy programs,  
 308 and others to build-off the Comprehensive Plan and is a high level policy decision by the  
 309 Council.

310

311 Wall noted that the Planning Commission's first priority will always be to react to  
 312 development opportunities, but the work plan could provide some good direction with the  
 313 approval of City Council.

314

315 Upon motion by Commissioner Anderson, seconded by Commissioner Caillier, it was

316

317 "RESOLVED, to approve the 2019 Planning Commission Work Plan as amended  
 318 for consideration by City Council with the addition of 1H Accessory Structures  
 319 and 4D to include surrounding Cities, Counties, and State policies and programs."

320

321 Ayes – 7 Nays – 0

322

323 Wall said once the Work Plan is approved by the City Council he will work to prioritize  
 324 the list with short-term and long-term goals. He asked if any Commissioners would  
 325 attend the upcoming Council meeting to hear the discussion directly. Chairperson Cordes  
 326 and Commissioner Anderson said they would both attend.

327

328 The motion carried.

329

330 **OLD BUSINESS**

331

332 None.

333

334 **REPORTS**

335

336 A. Council Liaison

337

338 Council Liaison Youker not present.

339

340 B. Planning Commissioners

341

342 None.

343

344 C. Staff

345

346 Planning/Community Development Director Wall stated that the billboard variances for  
347 the Rice Street project was approved by the City Council at their last meeting and that  
348 next month's meeting will include review of a new Cadillac dealership on the east side of  
349 Highway 61 that includes one lot in the City of Gem Lake. The request is to re-plat the  
350 property and two variance requests.

351

352 Commissioner Jokinen asked if task force members had been selected for the Garceau  
353 Corner Task Force. Wall said that applications were due last week and names will be  
354 presented to the City Council at their next meeting for consideration and appointment.  
355 He said once the group is finalized, staff will work to schedule the first meeting, adding  
356 that the City Council approved hiring a facilitator to work through the process to build  
357 consensus and manage the project.

358

359 Chairperson Cordes suggested including the Task Force as an ongoing agenda item for  
360 monthly updates. Wall agreed, adding staff will also be updating the Task Force webpage  
361 as the Task Force moves through the process.

362

363 **NEXT MEETING**

364

365 The next Planning Commission meeting will be held on April 23, 2019.

366

367 **ADJOURN MEETING**

368

369 Upon motion by Commissioner Stumph, the meeting was adjourned at 8:35 p.m.

370

371 Respectfully submitted,

372

373 Cathy Sorensen, *TimeSaver Off Site Secretarial, Inc.*