OPEN MEETING

Chairperson Evan Cordes called the Regular Meeting of the Vadnais Heights Planning Commission to order at 7:00 p.m. on July 23, 2019.

ROLL CALL

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

Also present: City Council Liaison Youker; Nolan Wall, Planning/Community Development Director; Sara Woolf, Landform; Kim Tramm, Tramm Development; Jennifer Kaplan, Mohagen Hansen Architecture Interiors; and Jeff Melcoch, Cable Producer.

APPROVAL OF AGENDA

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

“RESOLVED, to approve the July 23, 2019, Regular Meeting Agenda.”

Ayes – 7 Nays – 0

The motion carried.

APPROVAL OF MINUTES

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

“RESOLVED, to approve the minutes of the May 28, 2019, Regular Meeting as presented.”

Ayes – 7 Nays – 0

The motion carried.
OPEN TO THE PUBLIC
Chairperson Cordes opened the floor to the public at 7:05 p.m. for questions and comments on items not on the agenda.

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

PUBLIC HEARINGS

A. Case 19-011: Tramm Development, LLC – Conditional Use Permit for PUD Overlay District and Site Plan Review at 379-403 Commerce Court

Planning/Community Development Director Wall introduced the City’s appointed consulting planner Sara Woolf from Landform who would present the item.

Ms. Woolf said the applicant/property owner is requesting approvals to construct three structures containing 13 garage-space condominiums on the subject property that included a Conditional Use Permit (CUP) for a Planned Unit Development (PUD) Overlay and a garage-condominium use in the Office-Business Zoning District and Site Plan approval. The applicant/property owners own portions of the subject property, which is part of a Common Interest Community (CIC), known as the Oak Knoll Business Park. The intent of the Planned Unit Development (PUD) Overlay request is to allow for the development of a garage-condominium use. The use, which is not explicitly allowed within the applicable zoning district, would permit for individual ownership of garage units for use as offices, hobby areas, workshops, studios, and the like.

Ms. Woolf said that the applicant initially applied for a zoning text amendment to allow garage-condominiums as an allowed use in the Office-Business (O-B) District. Upon the recommendation of staff, the applicant withdrew their application and is now seeking a conditional use permit for a PUD overlay, including site plan review. Staff recommended the alternate approach because they felt that the use is appropriate for this site due to its location and unique conditions but is not well suited for the O-B District as a whole. The applicant requires flexibility from the following applicable City Code standards as part of the PUD Overlay District process that included use, wall signs, and freestanding signs. The Oak Knoll Business Park was approved approximately 12 years ago. Two office condominium structures were constructed, and additional basement foundations for seven units were poured but remain unfinished today. As part of this proposed development, the foundations will be removed, and the concrete will be recycled where possible. The originally approved project is no longer seen as viable from the standpoint of the Oak Knoll Business Park or the applicant.

Ms. Woolf said that the applicant is requesting approval for 21 parking stalls which were based on an office use with no overnight parking allowed in front of the condominiums. She spoke about building height of 31 feet 2 inches with gabled roofs and is compliant with the standards. She then shared the proposed architecture drawing that included yellow, green and orange colored elevation accents. She noted the surrounding area has more of a general residential feel and that the Commission may wish to review the proposed color scheme as part of their review.
She reviewed the proposed landscaping plan of 23 existing trees that the applicant plans to keep and this will give the applicant a credit with no buffer requirements in an industrial area and said the trees to be retained were good and 20 additional trees would be planted around the site and 40 shrubs. She referred to the 4% landscaping requirement in the parking aisles and the need for calculations as well as the Watershed’s requirements for additional buffer plantings along the wetland area so this is included in the conditions as well.

Ms. Woolf shared the proposed lighting plan that includes eight additional lighting elements throughout the site and the agreement with adjacent land owners to allow them to be installed on adjacent property.

Ms. Woolf said the grading and utility plans were not very detailed because of the City’s request for review as a new use through a PUD application which accelerated the timeline so the final review would occur when the agreement is signed. She said the applicant is requesting signage flexibility from Code with one monument sign which meets the setback requirement but freestanding signs must be at least 75 feet apart from an existing sign and there is one within that distance but staff feels comfortable with the request based on visibility. She said the applicants is also proposing unit signs on the building which will say the number of each unit and individual units signs next to each door, while the numbering was acceptable staff are recommending that the individual tenant signs be denied because this is not a retail use and suggested window signs instead as allowed by Code.

Ms. Woolf summarized the three variance items requested through the PU overlay was use, wall signage, and 75 feet between the freestanding signs then spoke about the association documents for the users so they know what uses were allowed.

Commissioner Cooper asked what type of tenants would use this space. Ms. Woolf said she believed the tenants would include hobbyist working on vehicles, home occupations with a need for space, and other craftsman-type users.

Commissioner Bigelbach asked about the term garage condominium. Ms. Woolf said people would own the unit instead of renting and would be similar to normal garage space but could include a mezzanine but not livable space although a restroom would be included in the units.

Commissioner Cordes asked about hazardous materials with vehicle work and other trades that could result in dumping near wetlands. Planning/Community Development Director Wall said that staff have had discussions internally regarding those types of operations that may occupy the space, but the intent is that the Fire Department do an inspection before any tenant occupies space.

Commissioner Caillier said vehicle storage was an allowed use and that pick-up and deposit of goods was not clear. Ms. Woolf confirmed that vehicles parked overnight must be parked in a unit and not outside and that sprinkling was required.
Wall noted that the fire department is requiring that the buildings be entirely sprinkled.
Commissioner Moynagh asked that future inspections occur based on use changeovers from tenant to tenant to ensure that appropriate changes are made for types of tenants.

Commissioner Bigelbach asked if this type of development is in any other neighboring cities. Ms. Woolf said there are some in Medina and Columbus that have buildings with similar uses but some were more of the “man-cave” storage unit options.

Chairperson Cordes opened the public hearing at 7:28 p.m.

No one wished to address the Commission, Chairperson Cordes closed the public hearing at 7:28 p.m.

Kim Tramm, Tramm Development, thanked staff for their assistance and said the project solves problems at the site because there have the buildings have been sitting empty for years. This project could result in a vibrant operating concern. He explained the garage condo concept as a mini-warehouse with units smaller and individually owned and in one site.

Mr. Tramm said it will be a beautiful building and the color scheme is interesting and while other color palettes could be considered. Office condo is a warehouse type space, smaller and in one segment and can have individual owners. He said he may have a problem with any restriction on hours of operation. He said it could be onerous to prohibit access to property that an owner owns. He agrees that people should not be living there, because they are not residential units, but a person may want to stay late to work on a project. There are no prohibitions on access to neighboring properties.

Commissioner Jokinen asked what the targeted price range is per unit. Jennifer Kaplan, Mohagen Hansen Architecture Interiors, said they do not have a target price in mind at this time.

Commissioner Jokinen asked if high voltage electrical would be included in the units and spoke about noise and fire hazards. Ms. Kaplan said each unit would have its own building permit process review by the fire department, so each product and each piece of equipment will be evaluated by the Fire Department.

Commissioner Cordes asked about uses and accessories and issues such as abatement, installation of drains, removal of hazardous waste, etc. what guarantee the City would have that the City would not be left to clean up any contamination. Ms. Kaplan said storage was not residential but commercial and would be evaluated annually by the Fire Department to see what is happening in the spaces. Planning/Community Development Director Wall said references to future second tenants could be included in some of the association documents.

Commissioner Jokinen asked if sublets could occur. Mr. Tramm said lots would be determined by price and tenant type and that sublets could occur. An owner of a property could lease it out.
Commissioner Caillier asked about phasing of the project. Mr. Tramm said the intent was for three buildings over three phases but probably completed within one year.

Commission Liaison Youker asked how many similar products have been built by Tramm before. Mr. Tramm said this was the first of this product but that they had constructed office condos before.

Planning/Community Development Director Wall shared areas of code that could address automobile use that included Sections C-1A District and C-2 as conditional uses with no vehicle sales, all indoors, fencing, trash dumpsters, and no work from 7AM-7PM in the C-1A District which is more of a residential area. He said this would not be the same use or was already not allowed in this zoning district but that staff could review again to ensure. The C-2 District does allow for automobile service stations as a conditional use.

Commissioner Cordes said he is concerned about storage and disposal of fluids in the adjacent wetland. Wall suggested adding language in the association documents which would be in accordance with State Fire Marshal and Department of Agriculture.

Commissioner Cordes noted the language would prevent units turning into garage operations for car repair. Ms. Woolf said the association documents included regulating sales of products off site. Wall said a condition in the association documents would be the first line of defense against non-compliance and that the site would operate on a complaint basis and have an annual inspection by the Fire Department.

Commissioner Stumph spoke about the co-existence between competing uses. Mr. Tramm noted that these would be large units and that he does envision monitory of use internally through association documents. Tramm said that he thinks the association will be the governing body.

Chairperson Cordes confirmed notice was sent to surrounding property owners. Wall responded yes.

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

“RESOLVED, to recommend approval of Case 19-011 for the Conditional Use Permit and site plan requests based on the following findings of fact and conditions from staff:

1. The proposed development will achieve a majority of the Planned Unit Development Overlay District’s general requirements and standards.

2. Flexibility from certain applicable City Code standards, as part of the Planned Unit Development Overlay process, is justified and allows for reasonable development of the subject property without negatively affecting the surrounding area.

3. The proposed use is acceptable, with conditions, on the subject property and the PUD Overlay approval process ensures non-proliferation throughout the Office-Business Zoning District.

Subject to the following conditions:

1. The applicant shall comply with the following:
a. **Intent:** The intent of the garage-condominium units shall be for offices and services for professions, businesses and hobbyists. There shall be no sales from the site and no employees. The following activities are appropriate and fit the intent of the use:

i. Offices.
ii. Workshops.
iii. Studios.
iv. Hobby Areas.
v. The pickup and deposit of goods and/or property in storage.

b. **Prohibited uses:** The following uses are explicitly prohibited:

i. Conducting retail sales of any kind.
ii. Employees on site, besides the unit’s owner/renter.
iii. Residences.
iv. The keeping of animals, including boarding or breeding.
v. Outdoor storage: all goods and property stored in a garage-condominium unit shall be stored in an enclosed building. No outdoor storage of boats, RVs, vehicles, etc., or storage in outdoor storage pods or shipping containers is permitted.
vi. Storage of hazardous materials.

c. **Parking:** No overnight or extended parking shall be allowed outside the units.

d. **Hours of Operation:** Garage-condominium facilities located in the O-B district shall not operate or allow tenant access between the hours of 10:00 p.m. and 7:00 a.m.

e. **Signage:** Window signs on garage-condominium units shall be regulated in Association governing documents to ensure appropriate visibility into units and aesthetic quality. All signs proposed to be installed on the subject property will require a Sign Permit(s) to be administratively reviewed/approved.

f. **Common Space:** Common spaces must be maintained by an Association. Maintenance of open spaces shall be outlined in Association governing documents and shall include provisions for snow plowing and shoveling.

g. **Noise:** The use shall abide by noise regulations and standards found in the City Code.

2. The applicant shall comply with the City Engineer’s memo dated July 17, 2019.
3. The applicant shall comply with the City Attorney’s memo dated July 2, 2019.
4. The applicant shall comply with the City Fire Department’s memo dated June 24, 2019.
5. The applicant shall comply with the Vadnais Lake Area WMO memo dated July 1, 2019.
6. The applicant shall revise and resubmit plan sets as part of a subsequent development agreement to the City to show:

a. Dimensioned elevations for all proposed buildings.
b. The percentage of landscaping in relation to the parking area to comprise at least 4% of parking area.
c. Compliance with VLAWMO pertaining to wetland buffer plantings.
d. Revised lighting plans OR a written agreement between the property owners allowing lighting to be installed on adjacent property.
e. Trash/recycling container locations, designed in compliance with applicable code requirements.

7. The applicant shall provide lighting fixture cut sheets and pole details to ensure cut-off fixture requirements are met.

8. The applicant shall provide material samples of all proposed building materials for review and approval by the City.

9. The applicant shall submit the CIC Plat to the City for preliminary and final plat review/approval, prior to issuance of any building permits.

10. The applicant shall provide Association Governing documents for review and approval by the City, including rental policies and maintenance of open spaces.

11. The following shall be filed by the applicant, at their cost, with the offices of the Ramsey County Recorder and/or Register of Titles, prior to any mortgages, liens, or similar interests:
   a. Resolution evidencing approval of the severance from the CIC plat.
   b. Declaration of Conversion of Common Elements to Ownership or Severance from the Oak Knoll Business Association HOA.
   c. Any and all plats subsequently recorded with Ramsey County pertaining to the subject property.
   d. Plat documents shall be in recordable form and shall be submitted to the City.

12. In the event there are any new mortgages or other interests in either property, signed original consents shall be required.

13. Drainage and utility easements shall be filed by the applicant, at their cost, with the offices of the Ramsey County Recorder and/or Register of Titles.
   a. Applicable existing easements shall be vacated.
   b. The new easements shall be filed concurrently with the plat.
   c. The easement documents shall in recordable form and shall be submitted to the City for review and approval.

14. The applicant and all parties with interest in the subject property shall enter into a development agreement with the City, approved by the City Council and recorded against the property, that assures that elements of the applications proposed by the applicant or imposed by the city shall be carried out, prior to issuance of a building permit.

15. Prior to release of the remaining escrow funds, the applicant shall provide a recorded copy of the easements and plat to the City.

Upon motion by Chairperson Cordes, seconded by Commissioner Cooper, it was “RESOLVED, to amend the earlier motion to make an addition to Item 1bvi by adding “use of hazardous materials must comply with State and Federal regulations and be subject to inspection.”

Ayes – 7  Nays – 0

The amendment carried.

Upon motion by Chairperson Cordes, seconded by Commissioner Jokinen, it was
“RESOLVED, to amend Item 1d, hours of operations, to restrict tenant access between the hours of midnight and 5:00 a.m.”

Ayes – 7  Nays – 0

The amendment carried.

Commissioner Stump asked why we would not go back to how the code reads and have the hours of 7 pm to 7 am.

The amendment carried.

The main motion carried unanimously.

NEW BUSINESS

B. Case 19-013: City of Vadnais Heights – Subdivision Ordinance Amendments

Planning/Community Development Director Wall said staff recommends the Planning Commission review the proposed amendments contained in DRAFT Ordinance 734 and provide direction on any additional revisions with formal public hearing noticed for the August 27 regular meeting. The City is proposing amendments to Chapter 32 of the City Code concerning subdivisions. He said while processing recent applications, staff has identified several potential amendments to the subdivision process. The proposed amendments are intended to bring this chapter of the Code into a similar format as the zoning sections, update language to be consistent with state statutes, and streamline the review process for certain requests.

Wall noted that staff have worked with the City Attorney and Assistant City Administrator on the park dedication sections and the Parks, Trails, and Recreation Commission was introduced to the issues at their July meeting. Staff recommends the Planning Commission review the proposed amendments contained in DRAFT Ordinance 734 and provide direction on any additional revisions prior to next month’s public hearing.

Wall reviewed the proposed amendments for minor subdivisions including definitions to include ownership, add lot line adjustments and survey exemption, variances in reference to unusual hardships, renumbering some sections and updates to general requirements. He said the sketch plan review process would allow for Park Commission review but not trigger statutory review and that park dedication determination of amounts and process with preliminary plat consistent with procedural language and combining of multiple sections with final plan review, additional plat requirements, and park dedication language clean-up.

Chairperson Cordes spoke about inconsistencies with Line 18 and suggested adding “the City Council can at its discretion determine whether park dedication should occur” to indicate waiver of policy decision. He spoke about how commercial abuts residential and the five percent of car lots dedicated as park land was not necessary at this point in the
City’s development and should be up to 5% or 10% and not at the discretion of the Council. Commissioner Jokinen asked if line 652 should be xvi? Wall responded yes.

Commissioner Jokinen stressed the importance of park dedication and not having funds go to the General Fund.

Chairperson Cordes said he has been impressed with work to replace equipment when needed and suggested inserting the word “use” after “only” on Line 646.

Wall spoke about the memo he provided to the Parks Commission on the fee schedule and other surrounding communities park dedication fees during the building process at the time of plat.

Commissioner Jokinen spoke about how other cities in the past could require park dedication fees from signage and asked what process was in place to ensure both property owners of minor subdivisions were in agreement. Wall outlined how the application was signed by both property owners and how property reports were received for title searches which acknowledged understanding which was why staff was comfortable with relinquishing formal approval and eliminating the public hearing requirement to streamline the process.

OLD BUSINESS

None.

GARCEAU CORNER TASK FORCE UPDATE

Planning/Community Development Director Wall said the Garceau Corner Task Force has completed three meetings with the first meeting included introductions and a site tour, the second meeting included presentations on the property background, environmental contamination, and tax increment financing from staff and consultants, and then the third meeting included a developer roundtable and discussion of commercial/office redevelopment scenarios and financial analysis. He said staff was pleased with the facilitation of the process so far and that subsequent meetings will focus on residential redevelopment scenarios and formulating a recommendation to the City Council. He added that Commissioners Bigelbach and Jokinen and Councilmember Youker all serve on the Task Force and can provide their feedback at the meeting. He said financial impact development scenarios were reviewed with commercial office retail and a local restaurant owner who provided input about those types of businesses and also discussed senior housing and open space options. Wall noted that the fourth meeting will include an analysis of strengths, weaknesses, opportunities and threats with ultimate recommendation to the City Council, adding they are using a facilitator to help the process and ensure active collaboration and engagement.

Commissioner Bigelbach said she was impressed with the process, cooperation and open forum, as no idea is a bad idea. She said the tour was interesting as it showed the hardware store could be usable with a new roof for future grocery or restaurant and that the hardware store appeared to be structurally sound. She said one take away was the location for a destination restaurant could be difficult.
Commissioner Caillier asked when the results would be before the Planning Commission. Wall said results would not occur until fall and that an update would be given at the next Commission meeting as well.

REPORTS

A. Council Liaison

Councilmember Patricia Youker had nothing to share at this time.

B. Planning Commissioners

Commissioner Moynagh invited the community to attend the Vadnais Heights Area Community Foundation barbeque on September 12 at Koehler’s Meadows Park, sharing their non-profit mission of education, human need and cultural activities.

C. Staff

Planning/Community Development Director Wall shared about three upcoming construction projects: Willow Ridge East will begin construction in August, Aster Meadows will soon close on the property and construction will begin soon, and the Luther Cadillac project will start late this fall.

NEXT MEETING

The next Planning Commission meeting will be held on August 27, 2019.

ADJOURN MEETING

Upon motion by Commissioner Bigelbach, seconded by Commissioner Cooper the meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Cathy Sorensen, TimeSaver Off Site Secretarial, Inc.