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3 **REGULAR MEETING**
4 **OF THE**
5 **VADNAIS HEIGHTS PLANNING COMMISSION**
6 **AUGUST 28, 2018**

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11 **OPEN MEETING**

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13 Chairperson Joseph Stumph called the Regular Meeting of the Vadnais Heights Planning
14 Commission to order at 7:00 p.m. on August 28, 2018.

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22 **ROLL CALL**

23 Joseph Stumph, Chairperson	Present
24 Dave Anderson	Present
25 Linda Bigelbach	Present
26 Edward Caillier	Absent
27 Brian Carnes	Absent
28 Evan Cordes	Absent
29 Martin Jokinen	Present
30 Curt Cooper, First Alternate	Present
31 Jerry Moynagh, Second Alternate	Present

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

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37 **APPROVAL OF AGENDA**

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

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40 “RESOLVED, to approve the August 28, 2018, Regular Meeting Agenda.”

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43 Ayes – 6 Nays – 0

44 The motion carried.

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47 **APPROVAL OF MINUTES**

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

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50 “RESOLVED, to approve the minutes of the June 26, 2018, Regular Meeting as
51 presented.”

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54 Ayes – 6 Nays – 0

55 The motion carried.

48 **OPEN TO THE PUBLIC**

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

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

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55 **PUBLIC HEARINGS**

56
57 A. Case 18-011: City of Vadnais Heights. Ordinance 729 Enacting a New City Code
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59 Planning/Community Development Director Wall described this item and provided a
60 presentation with background information. He stated the City began working with
61 Municode on the codification process in 2017, which allowed the opportunity to
62 reorganize, reformat, and amend portions of the existing City Code. As part of that
63 process, the Planning Commission reviewed several ordinances that approved
64 amendments that are now included in the new City Code. Subsequent ordinances have
65 been adopted by the City Council that did not require Planning Commission review that
66 are also included. Staff reviewed the entire City Code as part of the codification process
67 and proposed various reformatting and grammatical revisions. The amended City Code
68 contains the proposed revisions, as compared to the current language.
69 Planning/Community Development Director Wall stated the draft Ordinance needs to be
70 adopted by the City Council to enact the new City Code. Once approved, Municode will
71 print the final copy and post it online in early September. He stated while the entire
72 proposed new City Code was being reviewed, staff only anticipated that the Planning
73 Commission would review and provide comments relating to the Zoning and Subdivision
74 chapters that are contained in Chapters 32 and 38, respectively.

75
76 Planning/Community Development Director Wall outlined in detail the substantive
77 changes to the existing City Code. He also shared comments from absent member
78 Commissioner Cordes regarding nomination of new Chairperson process and provided
79 amended language. He shared proposed changes regarding tobacco sales to minors stating
80 that while worthy of consideration the large policy issue needs Council approval and
81 Health and Public Safety Commission input first. Planning/Community Development
82 Director Wall commented on the removal of definition of person under Noise Control as
83 it was addressed in another section and stated regulations for dangerous weapons was
84 removed and referred to State Statute regarding permit to carry as it was duplicative.

85
86 Commissioner Cooper clarified that the definition of persons was consistent with the
87 style of written code and referred to in each Chapter, adding since the City contracts for
88 police services with Ramsey County that enforcement would be more difficult to manage.

89
90 Planning/Community Development Director Wall stated Subdivisions would be
91 referenced in Chapter 32, including the definition of flag lots, adding there were no
92 policy changes just inclusion of a definition. He also shared that requests for variances
93 have been eliminated in reference to procedures for zoning and zoning applications and
94 that minor subdivision update procedures would be consistent with processes contained
95 in the zoning chapter, stating after internal review they go directly to City Council.

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Planning/Community Development Director Wall referred to park dedication and fees, stating it was unlikely for many new subdivisions and the proposed language would eliminate reviews having to go through the Parks Commission. He highlighted minimum street widths and utility easements to 60 feet suggested by the City Engineer Graham that reduced the right-of-way to 50 feet, stating most trails and utilities can fit in that area and that there was no change to pavement width that is consistent with current development practice.

Planning/Community Development Director Wall recapped proposed changes in the zoning ordinance which included rules, language and definitions, administration and procedures regarding powers of the City Council and the public hearing process, including Planned Unit Developments having public hearings in front of both bodies. Commissioner Bigelbach said she was supportive of this change.

Planning/Community Development Director Wall referred to the change of Conditional Use Permits (CUPs) versus interim use permits that include time limits and would be a more flexible tool for cities and developers, recognizing that variances and CUPs are separate. He highlighted medical marijuana distribution facilities conditions and standards and noted that they are now referenced in another section of the Code.

Planning/Community Development Director Wall highlighted residential districts and changes to commercial districts that were reviewed the final districts of Office, Office Business and Industrial during a Council workshop in order to move the process further along, but agreed to changes included in the draft code as part of the ultimate ordinance that will be adopted. He outlined language clean-up in Office District that included public parks, underground utilities provisions as a permitted use in all zoning districts and removed a number of accessory uses that were different than what is done today and already provided for in surrounding commercial and retail uses.

Planning/Community Development Director Wall referred to sign code language clean-up, conditional uses in office and public buildings, churches, schools, and medical marijuana referenced in an additional chapter. He emphasized that no changes were made to setbacks in office or to building heights. He outlined additions to the office business section and permitted uses of office building, professional medial or institutional uses that recognized what we currently have. He noted language clean up regarding tennis racket clubs as was included in athletic clubs, commented on public utilities, parks, land for primary residential purposes and no accessory use changes except for adding off-street parking like other sections.

Planning/Community Development Director Wall stated the dining condition for hotels and motels was eliminated as not needed any longer with the current number of restaurants in the City and stated microbreweries followed Section 38.624 similar to medical marijuana uses. He stated access requirements and lot coverage was duplicative in the Office District and noted changes for parking lots and drives had no changes to setbacks or building heights.

143 Planning/Community Development Director Wall outlined changes in the Industrial
 144 zoning included laboratories moved to another section, warehouse office showrooms
 145 accessory use section for signs and CUPs, motor vehicle body shops, minor fire changes
 146 regarding living quarters with sprinklers, and changing special use permit to conditional
 147 use permit throughout. He stated onsite retail sales moved from accessory to CUP and
 148 that there were no changes to setbacks for parking, circular drives or building heights.

149
 150 Planning/Community Development Director Wall outlined changes in the last sections in
 151 Chapter 20, General Performance Standards, that included mostly clean-up and
 152 duplicative sections, adding allowances for accessory use could be allowed in a public
 153 easement by variance, which was already allowed, and removed standards related to pole
 154 barns as we already allowed large detached garages and did not want to encourage
 155 outside use what was already allowed. He stated building height restrictions exceeded
 156 may be allowed by a CUP with conditions and that staff was proposing this request
 157 would require a variance instead moving forward.

158
 159 Planning/Community Development Director Wall commented on the remaining changes
 160 as housekeeping items with no major policy decisions outside the zoning section, sign
 161 code changes that will occur later, and a dedicated website that will be searchable, user
 162 friendly, and more accessible to the public. He said Council will consider the Ordinance
 163 at their September 4 meeting.

164
 165 Commissioner Jokinen inquired about the definition of viewsheds in Section 38-622.
 166 Planning/Community Development Director Wall explained viewshed referred to
 167 significant aesthetic views such as a view of Vadnais Lake and the disruption because of
 168 development. He stated that viewshed is subjective and determined on a case-by-case
 169 basis.

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 171 Commissioner Anderson asked if Municode would follow through with updates to
 172 application forms, website citations, etc. Planning/Community Development Director
 173 Wall replied that it is part of Municode’s service to update all footnotes, citations,
 174 chapters and references to State Statute but said not anything beyond the City Code itself
 175 and that staff is currently updating those items such as applications.

176
 177 Chairperson Stumph opened the public hearing at 7:56 p.m.

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 179 No one wished to address the Commission, Chairperson Stumph closed the public
 180 hearing at 7:57 p.m.

181
 182 Planning/Community Development Director Wall recapped that staff’s recommendation
 183 was to approve the proposed draft Ordinance 729 which enacts a new City Code, repeal
 184 of certain sections not included, and all proposed changes by staff be included.

185
 186 Upon motion by Commissioner Jokinen, seconded by Commissioner Anderson, it was
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 188 “RESOLVED, to recommend approval of Ordinance 729 adopting and enacting a new
 189 Code for the City of Vadnais Heights, Minnesota; providing for the repeal of certain
 190 Ordinances not included therein; providing a penalty for the violation thereof; providing

191 for the manner of amending such Code; and providing when such Code and this
192 Ordinance shall become effective, as presented by staff.

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Ayes – 6

Nays – 0

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The motion carried.

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Planning/Community Development Director Wall shared the City of North Branch’s
199 online City Code as an example of what Vadnais Heights’ online Code would look like
200 and thanked Deputy City Clerk Aho for her work in completing this project

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Commissioner Cooper said with the search tools available it would be good to remove
203 redundancies.

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205

Commissioner Bigelbach inquired about the project timeline. Planning/Community
206 Development Director Wall said Council will consider the Ordinance on September 4 and
207 then again on September 18 and if adopted will hopefully be placed online within a
208 month. He noted another benefit to the new Code included the ability for staff to search
209 surrounding cities’ Codes for review and comparison, adding Municode will be used as a
210 resource for general updates. He said the website will be very user-friendly for the public
211 and thanked the City Council and Planning Commission for their work.

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213

Commissioner Jokinen said Municode will be similar to the Minnesota Revisor of
214 Statutes for our City Code.

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Commissioner Anderson thanked staff for their work.

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NEW BUSINESS

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None.

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OLD BUSINESS

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None.

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REPORTS

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A. Council Liaison

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Council Liaison Urban was not present.

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B. Planning Commissioners

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None.

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237 C. Planning and Engineering Staff

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239 Planning/Community Development Director Wall noted that no July Planning
240 Commission meeting was held and shared the withdrawal of the previous Aster Meadow
241 Planned Unit Development application and subsequent new application for a different
242 project on that site. He said staff is currently reviewing the application and has created a
243 webpage for public review and transparency with a public hearing to be held at the end of
244 next month. He shared that in addition to the City Code project, staff had forwarded the
245 Comprehensive Plan to other surrounding jurisdictions for review, stating they have
246 received one response of no comment and hope to receive the remaining comments
247 within the next three months.

248

249 Commissioner Anderson asked when cities had to respond. Planning/Community
250 Development Director Wall said cities had six months to respond but if not then they are
251 considered a no response but staff requested a response either way within three months if
252 possible.

253

254 Commissioner Jokinen inquired about a proposed development in the City of Gem Lake
255 at the Hoffman Road. Planning/Community Development Director Wall said Gem Lake
256 had received a proposal for a Hy-Vee convenience store and coffee shop at the
257 intersection of Highway 61 and County Road E. He shared a map of the proposed site,
258 adding while the lots are all under single ownership .07 acres of the development is
259 located in Vadnais Heights. He said Gem Lake is asking for annexation of that property
260 and that the Council considered options and countered with retaining taxable value and
261 no boundary change with a joint powers agreement and an administrative process for
262 project review and no permits in Vadnais Heights. Planning/Community Development
263 Director Wall stated ultimately the Council agreed to annexation based on conditions
264 including attorneys' fees, and compensation for loss of taxable revenue.

265

266 Commissioner Anderson said this area will receive a lot of attention as it is on the Rush
267 Line Corridor BRT project line and being considered for stops at that intersection.
268 Planning/Community Development Director Wall said Commissioner Anderson served
269 on the Advisory Committee for the group and suggested he provide an update at the next
270 Planning Commission meeting regarding his role and the Committee's next steps. He
271 stated there have been many internal meetings that included a Policy Advisory
272 Committee of Council, community Advisory Committee and Technical Advisory
273 Committee of staff.

274

275 Commissioner Anderson stated that there is a station-specific workgroup and
276 stakeholders are also involved in the planning process and that there are many areas
277 available for involvement.

278

279 Commissioner Jokinen asked if this will result in a full Hy-Vee project in the future.
280 Planning/Community Development Director Wall said staff has not heard that but said it
281 was possible as Hoffman Road could be envisioned as part of future changes and an
282 entrance way to Vadnais Heights. He said that it would be good to see it developed.

283

284 Commissioner Jokinen inquired about any development on the northeast corner.
285 Planning/Community Development Director Wall said he is not aware of any proposed
286 development, adding this is a unique area with four jurisdictions at this intersection.

287

288 **NEXT MEETING**

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290 The next Planning Commission meeting will be held on September 25, 2018.

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292 **ADJOURN MEETING**

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294 Upon motion by Commissioner Bigelbach, seconded by Commissioner Anderson the
295 meeting was adjourned at 8:23 p.m.

296

297 Respectfully submitted,

298

299 Cathy Sorensen

300 *TimeSaver Off Site Secretarial, Inc.*

APPROVED