

WEST ST. PAUL PLANNING COMMISSION

The regular meeting of the West St. Paul Planning Commission was called to order by Chair Morgan Kavanaugh, on Tuesday, October 15, 2019 at 7:00 pm in the Municipal Center Council Chambers, 1616 Humboldt Avenue, West St. Paul, Minnesota 55118.

ROLL CALL: Dan McPhillips, Lisa Stevens Maria Franzmeier, Morgan Kavanaugh Samantha Green

Also Present: Melissa Sonnek, Community Development; Ben Boike, City Planner; Kori Land, Attorney; John Justen, Councilman

Adopt Minutes: Minutes from the September 17, 2019 meeting were approved.

PUBLIC HEARINGS

PC Case 19-12 –Site Plan review for the expansion of the existing building at 1200 Oakdale Ave (St. Croix Lutheran Academy) – Dr. Todd Russ

Community Development Coordinator Sonnek reviewed the site plan analysis for an addition to the St. Croix Lutheran Academy building. The request is to construct a 12,600 square foot addition to the western side of the building. The addition will not alter the number of students; it would create more space for its fine arts program and create a more secure office within the entry vestibule area. Additionally the construction would include a remodel to accommodate more traffic flow. Nearby properties are zoned single family use with the exception of St. George's Church and Thompson Lake and Thompson County Park. Setbacks are compliant with City code requirements. There are no modifications to the parking lot except to relocate the handicapped parking stalls. The Environmental Committee reviewed the landscaping plan at their October 2, 2019 meeting; they recommended approval of the plan with the recommendation of using pollinator-friendly plantings and a more diverse tree variety. Construction materials comply with City code. The plan did not detail any signage. The plan was reviewed by WSB, an outside engineering company. They recommended compliance with Lower Mississippi River Watershed Management Organization and regulatory agencies. The City Engineer has reviewed the plan. He recommended that the applicant build an 8-foot wide trail to be included, as detailed in the Bike/Ped Plan. This area in West St. Paul is a "big gap" in the Bike/Ped Plan. Sonnek noted that the applicant could pay/build/construct this part of the trail and that Dakota County has approved a feasibility study to be done for the Thompson/Oakdale part of the trail. South Metro Fire has also reviewed the plan. The Fire Department is requiring that the applicant adhere to the October 9, 2019 memo detailing the condition of approval.

Commissioner McPhillips asked Sonnek if it was common for the City to ask for the applicant to pay for a trail. Sonnek replied that it was a good question and referred to the new Hy-Vee building. Hy-Vee agreed to pay for the trail. She confirmed that the request was fairly common. Chair Kavanaugh mentioned 252 Marie as another example. Franzmeier asked about the location of the trail. Sonnek showed Franzmeier where it would be located; it was not part of the original submitted site plan.

The applicant, Todd Russ, came forward for questions. He is the president of St. Croix Lutheran Academy. He had nothing to add to the presentation of the site plan; it had been well laid out. He said that the plan was important because of the added security to the building and to emphasize to the community the importance of the fine arts program. McPhillips asked Russ who was paying for the addition, saying the other school construction was paid by tax payer levies. Russ said the costs would be covered by the school itself and donors. Langer Construction would be handling the construction of the addition. Russ said that they were happy to pay for the trail; they would like to be good neighbors and the trail would benefit the community and the Academy's students.

There were no further comments or questions generated from the Public Hearing or commission members and City staff.

A motion was made to approve the plan with the recommendations made by staff. The motion carried. All Ayes.

The recommendation will come before Council on October 18, 2019.

PC Case 19-10 - Rezoning, Conditional Use Permit, Site Plan Review, and Preliminary/Final Plat to Allow A 153-Unit Apartment Complex at 240 Thompson Ave E - Paul Tucci, Oppidan

City Planner Ben Boike reviewed the Planning Commission Report regarding multiple applications from the Oppidan for the redevelopment of 240 Thompson Avenue East, the former Thompson Oaks Golf Course.

The applications included: Rezoning in from R1 Single family housing to a Planned Residential Development (PRD) with B6 Mixed Use underlying zoning, a Conditional Use Permit to allow R4 Residential Dwelling in the B6 district, a site plan review for the redevelopment and a preliminary plat review.

The property currently is occupied by vacant space with single family use to the properties to the north, east and south. The property to the west is zoned single family use/commercial with planned development. Boike showed a map of the area within the 2040 Comp Plan. The 2040 Plan shows that the area was designated for mixed use and explained that, when zoning and the comp plan differ, zoning complies with the comp plan. The Comp Plan sets precedence; the Land Use category is broader and allows mixed use both horizontally and vertically. It allows 25-40 units per acre. The proposed development is 28.1 units per acre. The proposed rezoning also allows more flexibility with setbacks. Regarding the conditional use permit, the City is considering a Zoning Ordinance amendment to allow an R4 Residential Building in the B6 District, specifically for the 4-story, 153 unit building. The current B6 District only allows this if there is a commercial element, i.e. a coffee shop or an office in the first floor of the building. Boike said Council has adopted the 2040 West St. Paul [Met Council] Plan as well as the Renaissance Plan which designates the former Golf Course for mixed use development, increased density and transit-oriented development. The applicant did research multi-family demand for West St. Paul; there is demand for affordable and market rate housing in the area. A four-story [apartment] building construction is consistent with the metro area. 252 Marie Ave is a comparable building and it is fully occupied. There are a lot of amenities in the building. The proposed building will be close to Hy-Vee, the River to River Trail, the Thompson Oaks Reclamation Project Water Space, Robert Street and Route 68 and Route 52. The applicant has made revisions to adjacent properties to the north to mitigate resident concerns. It will feature a mix of studio, one bedroom, 2 bedroom and 3 bedroom. It is amenity based and has a media room, storage, mail rooms and management office. It has proximity to a large green space. Regarding the setbacks, normally buildings would be located as close to the street as possible. The developer has pushed the building as far back south as he could to mitigate concerns of the neighbors to the north. This would normally require a variance. The parking setback would also require a variance because of the push to the south. Dakota County hired a company to analyze access to the building; they see no benefit to realigning site access to Carrie Street based on the traffic counts. There were no sightline issues. The increase to traffic will about 25 percent; the County is considering changing Thompson from two lanes into a three-lane roadway with a center turn lane. The applicant is putting in 1.67 parking stalls per unit; the majority of the units are studio or one bedroom which would decrease the number of parking stalls actually used. Staff is comfortable with this ratio. Screening to the north and west is a concern; initially the plans called for removal of mature trees. Hearing concerns from the neighboring residents, grading was changed to the site eliminating the need to remove the trees. The applicant is also planting more trees to the north of the parking lot. A berm will be built along the parking lot to shield residents from car lights, and staff is recommending as a condition of approval that the pet park to be moved the southeast part of the parking lot for additional screening. As to landscaping, the

plan call for 182 caliper inches of new trees; it exceeds the requirement. Staff is recommending as a condition of approval that the applicant revise the grading plan to divert water from entering the property to the north. The Environmental Committee reviewed the plan and was happy that the tree line was maintained; they would like the applicant to also use dark sky compliant lighting and green roof construction, to work with the residents to maintain the fence to the north and to use pollinator-friendly/non neonicotinoid plantings. The applicant is working with the County to build trails that will connect with the River to River Trail. Staff recommends, as a condition of approval, a sidewalk connect the front of the building to Thompson Avenue. Staff is requiring as a condition of approval that lighting be a zero foot candles at the property line. (The lighting plan must be revised.) The city requires that the property be platted; the property is not currently platted.

The City has received correspondence from neighboring properties regarding the project; the letters spoke of their overall opposition to the project. The letters also included suggestions for the plan, should it be approved; shifting access east, relocation of parking, a berm, relocating the pet park, maintaining the tree line and shifting the building south to limit views. The City received 54 letters opposing the site plan; Boike showed a map of where the opposing residents reside.

In review, Boike said that the Comp Plan designates the property as mixed use (which includes multi-family housing) with up to 40 units per acre. The proposed plan is 28.1 units per acre. It is important to note that the applicant is entitled to develop the property as multi-family. The request to rezone the area brings the property into compliance with the Comp Plan. The plan is contingent upon Council approval of the zoning code amendment. Staff believes that the plan is a good fit for the property. The applicant has responded to many of the residents' concerns. Staff recommends the rezoning application from R1 to PRD. Staff recommends the Conditional Use Permit subject to the two listed conditions. Staff recommends the site plan subject to the six listed conditions. Finally staff is recommending the approval of the preliminary and final plat subject to the four listed conditions.

Commission members asked Boike questions. Commissioner Green asked if there was parking allowed on Thompson and what snow emergency rules applied. Boike said that there is parking on Thompson but does not know what would happen when the snow emergency is in effect. Commissioner Franzmeier asked about the increased density and the timing of the future roundabout; Boike assumes that the roundabout is part of the 5 year CIP. Boike answered that the landscaping on the south side of the building was "left open intentionally" because the grading had to be figured out; the County will include plantings that will be consistent with their trail system. Franzmeier is not comfortable with the parking stall ratio especially because ten stalls have been set aside for snow piling. If the stalls are removed, the ratio is decreased. She does not think parking on Thompson is safe. Boike clarified that the stalls used for snow removal were not counted in the parking ratio; the number of parking stalls would not be decreased. Franzmeier asked about the location of the building and if it were the only area that this building could built. The far west unit is located very far away from parking; it would be very hard to carry groceries to the unit. Boike explained that the building is built in the "T" shape in order for the nearby residents to the north to be shielded from the structure; the building could not be shifted to the east because of the instability of the land. It would be very expensive to correct the soils. McPhillips talked about the need for the roundabout; Boike said that it is planned for the future; and yes, "[construction] will not be fun," for a period of time. McPhillips asked about the sidewalk connection. Boike said currently there are no bike/ped facilities on Thompson. There is an approval for a Feasibility Study for Thompson Avenue, much like the one done for Marie and Oakdale. The study will be performed in early 2020. McPhillips asked about the depth of the pond and the need for the fence. Boike said that would be reviewed through the building permitting. Green asked about Thompson being a County road; would it be up to the County to prohibit left turns or add signs for "driveway ahead." Boike said yes, this came up in the meeting today; the County (with a right of way permit) required a left lane turn in on Thompson. A left turn would be needed as well for this project. A right turn-in is possible if the

road was expanded and had curb cuts. Commissioner Stevens asked when the City would rezone areas to match the Comp Plan. Boike said the City just adopted the Comp Plan; the City does not do whole sale rezoning right now. It might be a good idea for the group to look at doing this. McPhillips asked when the Comp Plan was adopted. Boike said that the plan was adopted after a nine-month long review process that included the Met Council and the Planning Commission. The plan was adopted in September of this year. Franzmeier asked about the platting of this site plan. Based on the layout of the property, Boike does not think it is likely that there will be a desire for commercial use for the property. The Town Center area (which includes the golf course) was targeted by the Met Council for development because there is not a lot of "green space to work with." This mixed use/multi-family development was determined before Oppidan "came to the door." Kavanaugh asked about the urban center. Boike answered that the Met Council has defined West St. Paul as a fully developed city; the Met Council placed growth expectations in terms of density going forward. West St. Paul's goal was 20 units per acre in the areas identified (Robert Street and the golf course); the City will arrive at the goal of 2,000 more units that Met Council suggested by 2040. Green asked Boike to explain what Met Council is. Boike responded the Met Council is the regional planning authority for 11 counties up to St. Cloud. Essentially, they are the regional planning authority for the metro area. They require each city to compose a comprehensive plan to meet their goals. They have plans for transit, parks and recreation and storm water. They require the city to compose a plan every 10 years. If the city does not meet goals, the city is shut off from grants and other assistance. All metro cities are expected to meet their goals, one of which is growth projections and to how to accommodate them. Stevens asked then if this would mean that this building would not really be a mixed use building. Boike said that commercial element would be the Hy-Vee supermarket.

The applicant, Paul Tucci of Oppidan, came forward to speak. He talked about the parking for the apartment building. Originally, Oppidan presented a plan for twin home and multi-level housing with tuck under garages and provided the estimates for the soil correction. They looked at many options; retooled the plan and came up with the T structure that situated further away from the nearby residents. The parking stalls and the pet park were also moved. He said for this type of setting 1.5 parking stalls per unit is usually enough for this type of building; most of the units are studio or one bedroom. Oppidan would also be able to pave more parking stalls on the east side of the lot. Tucci would not go below the 1.54 ratio. Grades were changed which allowed them to save the stand of trees on the western property line. It makes a challenge to plant efficiently in the future; they will work with the County on this. Oppidan wants to upgrade the landscaping on this project; He said it is not a grocery store or a restaurant, where you want to get in and get out; this is a place to live and you want to be proud of this. [Oppidan] exceeds the requirements and they want to make it site [even more] inviting. They have done an independent market research; the demand is for high amenities and high finishes; the study does show a demand.

Sixty percent of the units will have balconies. There will be two community rooms and a pergola patio. It will face the south and not the residents to the north. Tucci showed an examples of the lobby, community room, media room and workout room and a one bedroom unit. He understands the concerns about the location of the project. However, the benefit is that the property is presently shutdown and the building will generate more tax revenue for the City. Oppidan is working with the City and the County for grants to water reclamation and the River to River Trail. The project is bring in new housing stock; the market study shows it is needed; it allows more people to move in and to allow empty nesters people to downsize .

McPhillips asked about the exterior, and face brick. Tucci said that it is a thin brick, (a veneer.) McPhillips also asked about the metal paneling and Hardie Board. McPhillips commented that this building is a gateway to the City and Tucci, "could do better." He would like to see something like the Reserve Building in Mendota Heights, which is a comparable. He hoped that Tucci would take that into consideration if the site plan is approved. Kavanaugh asked what the rental fees would be. Tucci said that one bedrooms would run \$1,200-1,400 per

month roughly and that is market rate. The same unit in Mendota would be 10 -12 percent higher. McPhillips asked if it were because of the brick. Tucci said no, the market there would drive it higher. McPhillips said that because this is a premier property, the residents would like to get the most out of their buck or Tucci's buck. He wants a good-looking building and fifty percent Hardie. He commented that the rooflines could be jumped up a bit." Franzmeier does not see this building in West St. Paul, maybe in the North Loop or in Uptown. She thinks it will look dated in 5 -7 years. The residents would like a building that have charm and character. She is concerned with the burnt orange color on the top. She would like to see something more classic. The building does not look bad, but it looks trendy. Tucci will take the comments and take it back to the architect. Stevens agreed with Franzmeier and said she would like the building to look timeless. Green asked if City Staff had any concerns. Boike replied the staff did have some of the same concerns as the commission; these concerns have been addressed. The plan before the commission today has addressed the concerns, for example, the relocation of the pet park. Kavanaugh asked Boike if City Staff likes the building. Boike said that city staff looks at the zoning code and the plan does meet the coding needs. Franzmeier asked about the blinds for the windows; she would like the blinds to be opaque; Tucci said that there will be 3 different types of blinds; there will be consistency within the units. Regarding security around the building, there are 16 cameras planned throughout the site (entry ways, garages, hallways and lot) and he has talked about adding eight more. There will be a light every 16 feet in the hallways. There will be management staff at the building every day for some period of time. Franzmeier asked about the connection to Hy-Vee. Boike said that there will be a connection to Hy-Vee, with the River to River trail.

At the end of the answer and question session, Green made a motion for a 5 minute recess. The motion carried.

After the recess, Kavanaugh opened the meeting to the public hearing. Kavanaugh asked the public to address the comments to the commission and said that the commission members are also residents that have volunteered to be on the commission. They are not paid the big bucks like the Council Members. He asked the people coming forward to be respectful. The task of the Commission is to review plans and see if they meet code and to make recommendations to Council for the best interests of the entire City. The commission realizes there are competing interests. It is not a debate forum. They will bring questions to staff after the public hearing.

Kyle Johnson, of 247 Thompson Ave, spoke before the commission; he lives near the entrance of the proposed site. He said that he is disappointed in the discussion of the proposed building. It has centered on the construction of the building and not the safety issues. He has serious concerns regarding children safely crossing Thompson Avenue for the school bus especially during snow emergency. Apartment dwellers will park along Thompson creating a lot of blind spots. Thompson is a residential road, not a commercial roadway like Livingston. There is no trail or sidewalk for children to cross safely. There will be no more parking on Thompson for longtime residents. Johnson said that an adequate traffic study was not done for the Hy-Vee development. The City does not know what kind of traffic will occur along Thompson Avenue. The traffic study that was done was absurd; half of the street was under construction when it was done. There is also inadequate lighting on Thompson; we do not know how the lighting is going to affect the quality of life. He thought that the space was going to be preserved as green space. If the City wants to invest in the space, he would like sidewalk and trails to be installed. If the City wanted to develop the space, he would like to see quality condominiums to be built with people who are vested in the community to live there. He is opposed to the site. He urges the commission to think about the safety issues and high traffic problems that the apartment building will cause.

Dave Heller of 228 Thompson Ave, came before the committee. He is completely opposed to this type of development. It is inappropriate to this site. Community discussions talked about building single family home and townhomes, never a four story apartment building. It is a manipulation of rezoning codes; it is a very

convoluted way of justifying a project. He cited projects in which the City ignored the established zoning and rezoned an area to a "PD." It gives the City the flexibility to do anything it wants. He urged the commission to be neutral and not do the agenda of City Staff and Council. The applicant has not proven that the building would not have an adverse effect on the neighboring residents. The adverse effects include the added traffic, the effect of a 4 story building being adjacent next to single family homes, (safety issues, site line issues, the large parking.) [He questioned] the B6 mixed use. It is the only zoning to allow four stories. He said there is no business element to this building. It's zoning gymnastics. It would be a lot easier if it were one zone and may be one variance but it combines four zones. The applicant has not shown a practical difficulty with the proposed plan except a financial one. It cannot count that as a hardship. The conditional use is the same type of thing; it has to demonstrate that it is not harmful the use and enjoyment of the surrounding properties. All the property owners' housing values will decline because of the apartment building. The repetitive architecture of the apartment building can be seen everywhere in and of itself does not create identity for the City. He has not found any resident that is in favor of the apartment building. He asked Commission to deny the application. It is planned development abuse. He asked the commission to deny the conditional use permit. He asked the Commission not to mix the zoning categories to make the apartment building fit.

James Codey of 1496 Oakdale Avenue came before the commission. They had problems with the leaves plugging up the system in the street drains. If the City wants to make the golf course residential then make it residential but not a four story apartment building. The trees along Oakdale should be taken down; the leaves cause flooding problems

Joseph Garcia of 1462 Carrie Street talked about safety and the county road; nothing has been said about Carrie Street. It is very bad; there are no sidewalks and people drive very fast through the streets there. It will be worse if the apartment building is constructed. People have to sit on the curb to wait for the bus. McPhillips has visited their neighborhood to see the traffic concerns. Garcia would like to make his street one way or into a cul-de-sac. There are a lot of children that are playing in our neighborhood. There wasn't a study done on Carrie. He opposed the apartment building. Many people come to visit apartment buildings. There won't be enough parking.

Linda Wiltfang of 1580 Oakdale spoke; she is very concerned about this increased traffic that the density will create. There is also a 4-story apartment building being built on Wentworth. There will be a lot of traffic from that building as well. The number one response from the police regarding speeding is, "There is nothing you can do about it." Putting up signs will not reduce the speeding. There were many accidents around the roundabout on Wentworth near her home. The County said that they cannot do anything about people speeding in the roundabout. People will not slow down on Thompson either. She is very concerned about safety. The area cannot support another 4-story building.

Sue Margo of 190 Thompson spoke. She talked about the golf course and wanting to keep it a green space. It is a prime piece of property; the value in it is that it is very green. It is a beautiful piece of property. There are deer, fox and ducks. The new apartment building is larger than the library; it takes a bigger chunk of property than the Y; it will infringe on many people who enjoy the green space. It is a mammoth building. It does not fit into what the neighbors have invested in. She agrees with what David said about the rezoning and shoehorning it into [this space.] Maybe an investment is needed to make it into single family residences. John Southworth of 1555 Meadowlane talked about the speeding on the roundabout on Oakdale now. There is no speed monitoring on Oakdale. He does not see it getting any better. He liked the golf course; it raised the value of the community. Traffic congestion and safety are the issues. He is opposed to the apartment building. John Jung of 1281 Ohio Street asked about the feasibility studies that were done for this project and how [this plan] could have passed. He agreed that there was no financial hardship shown by the developer; it is with the City. He is concerned about the 4-story building on this 4 ½ acre lot. It could be used for something else which is not high intensity use. Setting

this unit in the middle of residential properties is not the right thing to do. There are about 35 homeowners around this site. The City wants to put this in for tax dollars. The City could spend more money and put on 40 properties and get \$160-180k in taxes. Let's get off the City hardship thing. He has lived in West St. Paul since 1957 and too many things have been ramrodded in since then. John Gustafson of 211 Thompson Ave E said his biggest concern are safety and traffic. When Robert Street was being done, there was no parking; the residents struggle with parking every winter. Snow removal is an issue. Jan Ahola of 237 Thompson Ave E said she moved there 13 years ago. Since then she has noticed a significant traffic increase on Thompson; there are often parked cars blocking the view of traffic. Backing out of her driveway is hard. There have been many car accidents on Thompson. She would like the City to find ways to reduce traffic on Thompson. There are on average 3-4 accidents a month on her part of the road. My home value has decreased and the apartment complex will make it decrease more. She enjoys the view of the golf course. [The apartment] will increase the number of accidents and negatively affect the property values and permanently damage remove the aesthetic beauty that she's been accustomed to enjoying. Margaret Dahl of 1486 Oakdale said it takes 10 -15 minutes to get out of her driveway every day. She has also been in an accident while trying to transport a vulnerable adult in her car. It will be worse when the Hy-Vee comes in.

Kavanaugh closed the public hearing. He asked if staff has safety concerns. Boike said that traffic will increase with Hy-Vee; the traffic count rose from 9,600 to 13,000; it used traffic data and modeling data. (It was not performed during the construction.) Eight hundred trips would be added with the projects around the apartment, (the Hy-Vee, DARTS apartment building, and other proposed projects on Robert Street.) Boike said that the County is comfortable with the number. The study has not been finalized and there is a condition of approval that if the County moves the access to Carrie Street. Kavanaugh asked if sidewalk and trail are the purview of the county. Boike replied, yes and no. Thompson Ave is a priority for the Bike/Ped plan and Council is working on some of the segments. Marie and Oakdale are getting trails and sidewalks. A feasibility study for trails on Thompson will be done as well. Kavanaugh asked Kori Land about the legal issues for proposed zoning structure. Land talked about the criteria for approval of the each of the applications; the discussion of practical difficulties is a variance related standard. As proposed, with the use of the different zoning, there is no variance that would be granted. So there would be some flexibility built into the use of the PRD or PD. With respect to the rezoning, regarding amendments to rezoning, City Code talks about text amendment and map amendment, City Council would make the final decision with the Planning Commission making recommendation in accords with the Comprehensive Plan. The 2040 Comp Plan calls for mixed use, commercial and multi-use development. The conditional use permit, the use is permitted if certain conditions are met. There are seven criteria to meet. From what Land can see, every one of the criteria has been met and the platting requirement have also been met. Kavanaugh asked if a condition of approval could be to make Carrie a cul-de-sac. Boike said that it would not be a reasonable condition of approval on the applicant. Kavanaugh asked about the new stormwater created by the project; Boike said that it would be treated though a stormwater pond; a third party consultant is reviewing this and the applicant is working with the water reclamation project; it may be filtered through in Thompson. McPhillips asked Land about the condition use permit and the, "detriment to surrounding owners." how do we satisfy all seven of the conditions. Land talked about staff review and that conditions have been met. Regarding the police department and the increased density, Boike said that the police department recently has dedicated an officer to multi housing. Commissioner Green remarked that one of the recommendation of the housing plan was to look at how the police department deals with multi housing [buildings.] Commissioner Stevens talked about the increase of traffic and school buses.

Commissioners shared their thoughts on the site plan. Green said that it was not what she envisioned first for Thompson Oaks; the City is in need to multi-family housing. She does not know where else to put it. She does not know if not liking the project is enough to deny it. As a renter, she disagrees that renters are not vested residents. Renters can be great residents. She would like to get more information from a traffic study. She would

not mind putting this on hold for the traffic study. Kavanaugh said that he studied the Renaissance Plan, the 2030 plan, the 2040 plan and the Housing Plan. There has been talk about mixed use for 20 years. He has looked at all the meetings he has been to since 2014. For Kavanaugh, it is an exciting plan. There would be new residents that are coming into the community. The population has stayed the same for 40 years; it was in decline. The City is supposed to add new residents. He talked about the urban center tag; the City is subject to it. We need to find a place to put the new residents. The more people the better. We are in a housing crisis in terms of availability of housing. As a real estate attorney; he has represented all sides; he is trying to make the best decision for West St. Paul. A golf course is one of the worst land uses of its kind. He enjoys golf and it "blows his mind" that land would be used for a very small group of people. The fact that the golf course is closed and no longer a drain on the City is a good thing. This project checks all the boxes. There is green space. All residents can use it. Our plan says we need this housing. Our plan from twenty years ago said we need the housing. There will be concerns for traffic everywhere, we are nowhere near to the traffic in those suburbs like Richfield, Edina, and Plymouth. West St. Paul has room to grow. Studies show that apartments do not cause crime. There is no land left for single family housing. He would love to build 1,000 new homes. There are new residents that want to come to this town and he would like to be their voice. Franzmeier said that this was not the development that she envisioned. However, considering the financially impactful challenges with redeveloping and the fact that the City has a helpful and negotiable developer is positive thing. She understands all the perspectives being a property owner; she would not like to see a big building going in back of my home. She has issues with the fact the county has not weighed in at what they want to do on Thompson. She was blindsided with the Hy-Vee plan. She does not want that again. She is concerned with the parking ratio; we need to exercise our code and require the developer to provide 2 units per stall. She is disappointed that mixed use is not going to be really mixed use. She agrees with some public comments about changing the zoning to make this application work. She is not comfortable with the plan without having the River to River Trail plan firmed up because of the adjacency of the trails to the building. Stevens commented that she understands that the residents do not want to have a 4 story building built in the green space that they enjoyed for many years; she is not comfortable having the apartment built without the infrastructure in place. She also understands the need to more housing. She is concerned that the City and the County have not done much to alleviate the density concerns people have especially with the speeding in this area. She complimented the developer who is willing to work with individual residents' requests; this is very different from other developers for this site. She is concerned that the City does not have answers from the County. McPhillips said that the traffic, the layout and the construction of the Hy-Vee is terrible. The City has no timeline from the County on how [concerns] would be handled. He likes ninety percent of the developer's plan, except for the look of it. He too sympathizes with the residents; he feels that the County could help with their issues of safety and inflow/outflow. Boike commented that in his twelve years of experience, that the County is very conservative when it comes to terms of access. They like to limit access. Currently the County is not concerned with the access on Thompson; they will not move the access east. The City and the County do agree with the need for a Bike/Ped facility. All parties including community development and engineers agree on the fact for the bike/ped access. Most likely this development will happen in 2020. Tucci said that he will work with the City/County to put in the sidewalk to Carrie St. Green said that Thompson Oaks is going to be redeveloped; it will not stay green space forever. The site fits a need; the boxes have been checked. The City has a good developer and Green is comfortable moving ahead. Clpn. Justen gave an update on the underpass/tunnel project; opening bids will be taken in June 2020 and work will begin in July or August.

Boike reviewed the four applications with the commissioners. He explained that the Comp Plan is a broad overall perspective; it has mixed use. The rezoning request brings zoning into compliance with the Comp Plan and there is flexibility with the PRD. Density is covered by the Comp Plan, it allows 25-40-units per acre. The site plan ratio is 28-1. The developer can push the building further north and meet the setback and there is room for more parking. The project could technically fit building code; based on the site. The developer made changes to "make

the project happen,” which required the PRD. The County is asking for additional right of way for the future which would affect parking. Boike does acknowledge there are problems currently with residents trying to exit their driveways and safety concerns; the City has to wait for the County to address these concerns.

Kavanaugh disagrees with Franzmeier regarding the parking requirements. He would like to have less parking and allow the developer and the market to determine what they need. The preference would be more green space. Franzmeier would like to see less cars on Thompson and add more parking spots in the parking lot. Tucci said that there will also be bicycle facilities in the underground parking facility. Justen said there is a plan for a trail head in Marthaler Park to get on the River to River Trail. Thompson Park will also have a trail head. Franzmeier asked for more clarification on the mixed use zoning designations; and why “we’re bending backward to put in the B6 to put in the R4.” She does not want have all B6 to entertain R4. Boike clarified that the areas guided as mixed use by the Comp Plan could be R4 stand alone; commercial areas cannot have the R4. There are single family, multifamily, commercial, industrial and green space areas; with in these areas were the zoning districts. In trying to meet the demands from Met Council’s growth projection and from developers, the City strategically placed these mixed use in areas where they felt the development was appropriate. The Planning Commission approved this plan in June 2018. Green said that she understands the residents’ concerns regarding the safety issue; she has the same problems where she lives on Butler near 52. She said that she has to put aside her personal feelings regarding the apartment building and look at the project and see if it follows the zoning code. Boike said the City could ask for a permanent speed radar on the road; it could be a reasonable condition. Neighbors and the City can petition to lower the speed limit on that as well.

A motion was made to approve the rezoning from R1, Single-family Residential to PRD, with B6, Town Center Mixed–use underlying zoning for 240 Thompson Avenue East.

The motion carried. 4 Ayes, 1 Nay, Commissioner Franzmeier opposed.

A motion was made to approve the Conditional Use Permit to allow an R4 Residential Dwelling (multi-family) for 240 Thompson Avenue East. Discussion followed. Franzmeier said that the language is too confusing. Boike clarified that the R4 in the statement does not refer to zoning; it only refers only to the development type and allows a R4 apartment building in the B6 district. It is conditioned upon the zoning ordinance amendment to follow. It is [being done] to conform to the Comp Plan. Franzmeier said that the motion is too confusing and would like the area to be rezoned R4.

The motion carried-3 Ayes, 2 Nays, Commissioners Stevens and Franzmeier opposed.

Kavanaugh introduced the next item on the agenda for approval; the Site Plan Review for the redevelopment of the property. Kavanaugh said there were a number of listed conditions and asked for other recommendations from the Commission. There were six right now. Franzmeier recommended increasing the parking ratio to 2 stalls per unit. Boike asked if this were proof of parking or actual stalls. Proof of parking gives the city the right to have the parking added in the future. Franzmeier would like the ratio to be actual stalls. McPhillips recommended that the sidewalk connect apartments to Thompson with potential sidewalk connection to Carrie. Boike said that staff condition already has the connection to Thompson, the recommendation would be to add sidewalk to the access drive east to the bus stop on Carrie. Stevens recommended that the builder consider quality materials (i.e. stone and brick) that were more aesthetically pleasing and that would contribute more charm and character. Boike suggested a friendly amendment regarding the sidewalk to Carrie pending the approval from the County; it is in their right of way. Boike also suggested the consideration of a speed monitoring device.

Land suggested directing staff to work with the County to work on driveway signage. Green suggested that staff work with the police to increase patrols effective immediately. The commission recommended increasing the

proof of parking to the north side and the east side for 16 additional stalls and tree line to be adjusted to be accommodated into the site plan.

A motion was made to approve the site plan for 240 Thompson Avenue East, subject to the staff recommended conditions to the listed conditions and the recommendations generated by the commission meeting. The motion carried. All Ayes

A motion was made to approve the preliminary/final plat for 240 Thompson Avenue East. Discussion followed. Franzmeier asked if Council would see a revised plan from the County. Boike said probably not. The county will have the right to move the driveway of the apartment building, (when the building permit is reviewed) and the county is asking for additional right of way (if the county needs to widen Thompson Avenue.) The access point is unknown; there is a built-in condition to handle it. The motion carried. All ayes.

All four recommendations will go to the October 28 Council Meeting.

NEW BUSINESS - NA

OLD BUSINESS

PC CASE 19-09 - Zoning Ordinance amendment, Regarding Allowing R4 Multi-Family Housing in the B6, Town Center Mixed-Use District - City of West St. Paul

Kavanaugh said that the amendment is part of the Comp Plan to meet the 20 units per acre requirement. The commission identified where mixed-use areas would be in the Land Use map. Boike said the amendment would allow R4 in the B6 districts through the conditional use permit, standalone multi-family housing; whether or not a PRD is needed would be site dependent. Kavanaugh said that it helps with fully developed cities. It is hard to piece together multiple parcels [without the PRD.] Over time properties get sold and pieced together and needs change. Boike says that we probably need to change city code. For example, parking requirements have changed; they are liberal; there is too much parking.

Boike said that this amendment is needed for the apartment site plan to move forward. Franzmeier remarked that this was being done in a backward fashion. Boike agreed.

A motion was made to approve the Zoning Ordinance amendment. Regarding Allowing R4 Multi-Family Housing in the B6, Town Center Mixed-Use District - City of West St. Paul. The motion carried. 4 Ayes, 1 Nay, Commissioner Franzmeier opposed.

ADJOURN

A motion was made to adjourn the meeting at 11:27 pm. The motion carried. All ayes.

Respectfully submitted,

Sharon G. Hatfield