

1
2 CITY OF ST. ANTHONY
3 PLANNING COMMISSION MEETING

4 FEBRUARY 15, 2022
5 7:00 p.m.
6

7 **CALL TO ORDER.**

8
9 Chair Socha called the meeting to order at 7:00 p.m.
10

11 **PLEDGE OF ALLEGIANCE.**

12
13 Chair Socha invited the Commission and the audience to join her in the Pledge of Allegiance.
14

15 **ROLL CALL.**

16
17 Commissioners Present: Chair Socha, Commissioners Erickson, Gaveske, Hendrickson,
18 Kuykendall, Morita, and Rude (arrived at 7:50 p.m.).
19

20 Absent: None.
21

22 Also Present: City Planner Stephen Grittman, Assistant to the City Manager Nicole
23 Miller and Student Liaison _____.
24

25 **I. APPROVAL OF THE FEBRUARY 15, 2022 PLANNING COMMISSION MEETING**
26 **AGENDA.**

27
28 Motion by Commissioner Hendrickson, seconded by Commissioner Erickson, to approve the
29 February 15, 2022 Planning Commission agenda.
30

31 **Motion carried 6-0.**
32

33 **II. APPROVAL OF THE JANUARY 18, 2022 REGULAR PLANNING COMMISSION**
34 **MEETING MINUTES.**

35
36 Motion by Commissioner Erickson, seconded by Commissioner Hendrickson, to approve the
37 January 18, 2022, Regular Planning Commission Meeting Minutes.
38

39 **Motion carried 6-0.**
40

41 **III. PUBLIC HEARING**

42
43 A. Consider Applicant request to re-guide the parcel located at 2501 Lowry Avenue NE
44 from High-Density Residential to Low-Density Residential.
45

46 Chair Socha opened the public hearing at 7:10 p.m.
47

48 City Planner Grittman reviewed the applicant is requesting that the City re-guide the subject
49 property from High-Density Residential to Low-Density Residential, a change to the 2040
50

1 Comprehensive Plan. The parcel (2501 Lowry Avenue NE – Urban Grove) is shown on the
2 zoning map provided and the 2040 Future Land Use map, also provided. The property
3 consists of approximately 11 acres after the subdivision of the westerly 4+ acres for
4 development of a senior housing project. The 2040 Comprehensive Plan describes High
5 Density Residential as a land use category that would expect to be developed at densities
6 between 20 and 40 units per acre. The Low-Density Residential category is expected to be
7 developed at densities between 2 and 4 units per acre. The plan includes a “Medium-Density”
8 category with a range from 4 to 20 units per acre.

9
10 The applicant seeks a Low-Density designation as being consistent with the long-standing
11 zoning of the property as R-1, Single Family Residential. Land Use refers to the general type
12 and intensity of use. Zoning is a specific designation that manages the use, and extent of
13 developed land.

14
15 For Zoning Map amendments (rezoning), the City conducts a public hearing by the Planning
16 Commission, after which the zoning amendment is considered by the City Council as an
17 ordinance. If approved, it is adopted and the map is amended.

18
19 Mr. Gritman stated for Comprehensive Plan amendments, the process is more complex. The
20 Planning Commission holds the public hearing, and the City Council then is asked to approve
21 the amendment for the purposes of notifying adjoining or affected jurisdictions (neighboring
22 cities, watershed districts, school districts, affected state agencies, etc.). The jurisdictions have
23 up to 6 months to comment on the proposed amendment. Once comments are received, the
24 City decides how to respond to the comments, and then sends the proposed amendment (with
25 the comments and responses) to the Metropolitan Council for review and comment. The Met
26 Council is responsible for reviewing the document for its consistency with regional plans
27 adopted by the Council. The Met Council will review the proposed impacts on several factors,
28 including population projections, road and traffic considerations, impacts on regional parks,
29 housing (and affordable housing impact), and sanitary sewer impacts – among others.

30
31 The process parallels the original adoption of the 2040 plan, which was prepared under the
32 requirements of the Met Council as well. For the 2040 plan to be approved, the City was
33 required to show how its future land use plan provided adequate land areas for the population
34 and housing projections made by Met Council, along with the City’s required allocation of
35 affordable housing units, also assigned by Met Council.

36
37 At the time the Comprehensive Plan was being prepared, there were no specific
38 redevelopment plans for the subject property. The property owner had removed most of the
39 buildings in the manufactured home park, but for a few retained homes and a few
40 common/maintenance buildings. The City adopted its new land use plan with newly revised
41 density allowances (between 20 and 40 units per acre) while at the same time, the property
42 owner was preparing the site for redevelopment. Planning staff is unaware of any specific
43 redevelopment plans provided to the City in the form of redevelopment or zoning applications
44 or site plan requests during this period, and no formal applications were made.

1 After a series of back-and-forth negotiations with Met Council Staff, the Met Council
2 formally approved the Comprehensive Plan in April of 2020 – although the formal
3 submissions were occurring during the previous 12 months. Also during this period, the
4 property owner began redevelopment of the property as a manufactured home park. The City
5 considered the manufactured home park a continuing “grandfathered” use since there had
6 been some buildings retained during the period that the park appeared to be mostly closed.
7 The only formal land use application made during this period was for the subdivision
8 removing the westerly 4+ acres from the bulk of the property, which is currently under
9 development of a senior housing project.

10
11 Chair Socha asked Mr. Grittmann to explain what the Met Council is expecting from St.
12 Anthony as far as goals. Mr. Grittmann stated St. Anthony is considered an urban community.
13 Met Council requires new development average at least 10 units per acre. The further you
14 move out the lower the density. The 2040 growth goal was in the 500’s over the unit count.
15 Mr. Grittmann does not have the specific numbers at this time. The affordability is also part of
16 these goals. There are targets that must be met.

17
18 The applicant is seeking a revision to the Land Use Plan, redesignating the land from High to
19 Low-Density Residential. To pursue this amendment, the City will need to revise more than
20 the map, since the map is directly tied to many of the numbers used elsewhere in the plan for
21 sewer, traffic, and most notably housing. Because the Comprehensive Plan was approved with
22 a fixed requirement for new housing units, and a component of affordable units, the land use
23 guidance for this site afforded the opportunity to assign several of those unit applications. The
24 Met Council Staff’s approval memorandum for the City’s 2040 Plan required the City to
25 adopt an affordable unit allocation for 2020 – 2030 of 153 affordable housing units.

26
27 Re-guiding the subject property to Low Density Residential would remove a significant
28 portion of those affordable units from the 2020-2030 and 2030-2040 Plan inventory, and they
29 would likely have to be reallocated to other sites. It is not clear how this might occur, and
30 would require some presumably extensive discussions with the City for suitable locations, as
31 well as with Met Council Staff. In that regard, it is possible that some or all of the replaced
32 manufactured homes may qualify for a portion of that allocation, but because there is no
33 specific development approval for the site, the mechanism for ensuring that is not clear at this
34 point.

35
36 Chair Socha asked if the mobile home park was legal non-conforming because it is zoned
37 single-family and they are putting in a higher density than the zoning allows. Mr. Grittmann
38 stated because they retained some of that activity the City has taken the position it can be re-
39 established.

40
41 Before Staff undertakes the extensive research and Met Council discussions required to
42 pursue and ascertain the extent of other changes necessary to accomplish the applicant’s
43 request, a determination as to whether the City considers that effort to be in the interest of the
44 City’s 2040 Plan overall and its land use goals and objectives. While the property owner is
45 concerned that the Hennepin County Assessor is incented to raise property value (and

1 property taxes) on the parcel, the land use implications for the City are separate from that
2 interest.

3
4 City Planner Gritman reviewed Staff recommends the Planning Commission forward the
5 application for a Comprehensive Plan Amendment to the City Council re-guiding the subject
6 property from High Density Residential to Medium Density Residential, rather than the Low
7 Density Residential requested by the applicant. This recommendation is made based on
8 findings that while the current zoning designation on the City's Zoning Map and the land use
9 designation in the City's 2040 Land Use Plan are not consistent, neither is consistent with the
10 actual intended use of the property as a Manufactured Home Park, the stated intent of the
11 owner/applicant and the current use as it is being developed. The proposed use will result in a
12 residential density of approximately 8 units per acre, within the 4-20 units per acre range for
13 Medium Density in the City's 2040 Plan. The pursuit of a Medium Density designation would
14 require changes necessary to the 2040 Plan would be a part of the applicant's land use
15 application escrow, rather than a direct City cost.

16
17 Alternatives for the Commission would be as follows:

- 18 1. Recommend denial of the Comprehensive Plan Amendment.
- 19 2. Recommend approval of the Medium-Density designation as requested by the applicant.
- 20 3. Table action on the proposal, subject to additional information from Staff or the Applicant
21 as requested by the Commission.

22
23 Also provided for Commission review was a Location Map, Application and Supporting
24 Material. Also provided was a memorandum providing the prior discussion of potential
25 amendment of uses in the City's Commercial and Industrial Zoning Districts, and adds a table
26 -form list of proposed amended language for Planning Commission consideration.

27
28 Commissioner Hendrickson asked if this is the same developer that previously proposed a
29 high-density building on this site. Mr. Gritman stated it is the same owner but a different
30 development company.

31
32 Commissioner Kuykendall asked if the number of units on the site would be low-density and
33 Mr. Gritman stated they would be right at the threshold of low-density currently. It is
34 conceivable the owner would stop adding units to the property. Commissioner Kuykendall
35 asked with the current number of units on the site how far off the Comprehensive Plan would
36 it be. Mr. Gritman stated it would probably be 130 units short for that target area.

37
38 Commissioner Erickson stated it seems that the applicant's major concern is having the
39 guidance changed to reduce their property value/property taxes. He noted he is a tax assessor.
40 He did some comparisons for other mobile home parks. If the assessor valued the property
41 the land value would be significantly higher than \$12.50/square foot. The property is being
42 valued as a manufactured home park. By changing the guidance it should not do anything to
43 the property value or property taxes. Mr. Gritman stated the Applicant fears an increase to the
44 property value/property taxes. The concern is that when looking at highest and best use, the
45 tax assessor could increase the value based on the Comprehensive Plan guidance.
46 Commissioner Erickson stated it appears it is being valued as a mobile home park.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

Commissioner Morita summarized the Commission has 3 options to approve or reject or table action. The decision is what does the City want for that space to be. The Commission should be doing what is right for the City. Mr. Grittmann stated that would be the Planning Commission's normal approach.

Chair Socha stated if the Planning Commission denies this, the Applicant can still go ahead with the project because it is non-conforming and a substantial change would be made to the Comprehensive Plan. Her personal feeling is that there is no good reason to change the Comp Plan. There are very few projects as a manufactured home that are affordable. She does not see it being in the City's best interest or in the Met Council's goal. There are two land uses and asked if there is a zoning that would accommodate two land uses. She would like to see it zoned high-density. She asked if there could be a mixed zoning consisting of high-density and medium-density. Mr. Grittmann stated the R-4 District it would accommodate up to high-density units.

Commissioner Morita asked if the Commission's role is only to address the current application. Chair Socha stated the Commission could deny the application and recommend rezoning to R-4 District.

Commissioner Kuykendall asked if R-4 is considered the same as medium-density. Mr. Grittmann stated R-4 allows all uses permitted or conditional up to high-density multi-family, including townhouses. Commissioner Kuykendall stated that would allow the current development and expand as they see fit.

Chair Socha stated the topic of rezoning would be done adjacent to consider of the application.

Commissioner Hendrickson stated she does not believe it is in the best interest of the City and would cost a lot of money for the rezoning.

Chair Socha closed the public hearing at 7:44 p.m.

Motion by Commissioner Kuykendall, seconded by Commissioner Erickson, to recommend denial of the application due to the Commission not finding it to be in the best interest of the City due to the cost in proceeding with the Comprehensive Plan and no apparent benefit to the City. It is contrary to the goals of the Met Council and the 2040 Comprehensive Plan.

Motion carried 6-0.

Motion by Commissioner Morita, seconded by Commissioner Erickson, to reject the application with the caveat to further discuss rezoning of the property.

Motion carried 6-0.

Commissioner Rude joined the meeting at 7:50 p.m.

1
2 Chair Socha asked Mr. Grittmann how would it look procedurally for the City Council to hold
3 a public meeting. Mr. Grittmann stated he recommends the Commission recommend to City
4 Council to call for a public hearing to consider rezoning of the property to a higher residential
5 zoning district.

6
7 Motion by Chair Socha, seconded by Commissioner Erickson, to recommend the City Council
8 call a public hearing for the topic of rezoning the map for this area to R-4.

9
10 **Motion carried 6-0-1 (Commissioner Rude abstained).**

11
12 **IV. STAFF REPORTS – NONE.**

13
14 **V. OTHER BUSINESS.**

15
16 A. Potential Amendment of Uses in the City’s Commercial and Industrial Zoning
17 Districts.

18
19 Mr. Grittmann provided a memorandum containing the prior discussion of potential
20 amendment of uses in the City’s Commercial and Industrial zoning districts, and adds a table-
21 form list of proposed amended language for Planning Commission consideration. There are
22 references in the Comprehensive Plan related to this review, and the current districts are vague
23 and in some cases archaic in their language. Changes to consider would be to usage and goals
24 for each of the two districts. The purpose of the Zoning Ordinance is to implement the goals
25 of the Comprehensive Plan, but often, it is the Zoning Ordinance that does the “heavy lifting”
26 of purpose and general nature of these districts.

27
28 The table provided includes current language and proposed changes in redline. Text that is
29 proposed to carryover from the existing code is referenced in the second column. The third
30 column includes changes to each of the proposed sections. The fourth column provides some
31 commentary explaining the purpose of the changes. At this time the boundaries of these
32 districts will not be addressed. The Comprehensive Plan’s recommendations are to retain the
33 existing zoning pattern, with the primary change being a consideration of integrating more
34 residential development into the commercial zones.

35
36 Mr. Grittmann stated there is no time pressure so this could be reviewed for some time. He
37 reviewed some of the types of businesses that fall under the Commercial District. He did the
38 same for the Industrial District.

39
40 Mr. Grittmann stated the Planning Commission is asked to provide comments and thoughts on
41 the proposals, after which Staff will prepare formal ordinance amendments for a public
42 hearing.

43
44 Commissioner Hendrickson asked about the conditions for the Commercial District and
45 referred to hospitality uses and in particular eating and drinking facilities are required to be
46 outside 250 feet from R-1 or R-2 whereas some other Commercial uses are not. She asked

1 what is driving that as it would be more desirable to have these types of uses close to R-1 or
2 R-2. Mr. Grittmann stated he did not list everything in the uses. The condition comes out of the
3 Code for restaurants and they are allowed by a Conditional Use Permit to be within that
4 buffer.

5
6 Chair Socha asked what benefit is there for having the 250 feet condition for restaurants.
7 Some hospitality businesses can be loud and bothersome to neighbors while others would like
8 businesses closer to homes.

9
10 Commissioner Rude stated he is confused with the language involving a drive-thru. Mr.
11 Grittmann stated he will work on that language.

12
13 Commissioner Erickson asked if the new language is standard new language for zoning. Mr.
14 Grittmann stated it was written by Staff.

15
16 Commissioner Rude stated on the second page #7 medical, dental, veterinarian related and
17 asked if they require a CUP. Mr. Grittmann stated they are permitted. Commissioner Rude
18 asked if a COVID testing facility were to rent space in a Commercial District would they need
19 a Conditional Use Permit.

20
21 Commissioner Rude asked about item D – auto and noted this is a conditional use. He stated
22 he could name two businesses in violation right now – Goodyear and Northland with cars
23 parking in front of the buildings. They would need a conditional use permit to park in front.
24 He likes the setbacks of the buildings. He would like the Code not to read people cannot park
25 in front of the building. Mr. Grittmann stated there have been problems with these types of uses
26 where there are many cars parked that they may not be working on. The storage of vehicles
27 awaiting repair the intent was to put them behind the building. There was no intent to change
28 any of the building setbacks.

29
30 Chair Socha asked for clarification on display or outdoor storage of vehicles. Mr. Grittmann
31 stated display is for uses selling vehicles and storage are vehicles awaiting repair.

32
33 Commissioner Rude suggested the word “temporary” be used for pickup in the front or for
34 display. Mr. Grittmann stated there could be a 24 or 48 hour limitation but that may be an issue
35 with enforcement.

36
37 Commissioner Morita asked how this would affect current businesses. Mr. Grittmann stated
38 existing businesses that are using property legally they would be grandfathered and allowed.
39 Commissioner Morita stated new uses could apply for a Conditional Use Permit.

40
41 Commissioner Rude stated he agreed. If there are complaints they can be looked at on an
42 individual basis.

43
44 Commissioner Kuykendall referred to semi-trailer parking. He stated buses and street trucks
45 need to be addressed. Mr. Grittmann stated currently the language would not allow buses.

46

1 Chair Socha stated there is not a consensus on how to fine tune the portion referring to selling
2 cars. Mr. Grittman would like to think about that more.

3
4 Chair Socha requested a discussion about car washes. The wording about screening and noise
5 seems strict. Mr. Grittman stated it is related to the recent experience and one of the
6 difficulties with the application that came forward was carwashes were listed as conditional
7 use permit but there were no specific standards assigned to that CUP. It would be useful to
8 have some specific standards should future requests come in for a carwash particularly in
9 regard to the noise and the lights. Commissioner Rude suggested a distance be added
10 regarding noise and lights for carwashes. Mr. Grittman noted the conditions could be met and
11 pertain to adjoining residential property. Commissioner Rude suggested adding the same
12 wording to #3. Commissioner Morita suggested keeping #3 as is and the rest of the
13 Commission agreed. Commissioner Rude suggested #2 and #4 be changed removing
14 “adjoining residential property”. Chair Socha stated offices generally operate during the day
15 which would not be the case for carwashes. Commissioner Rude stated there needs to be
16 restrictions on what is being controlled and could be solved with a noise or lighting ordinance
17 for all businesses. Mr. Grittman stated there are noise standards set by the Pollution Control
18 Agency. They are not always easy to measure.

19
20 Commissioner Rude suggested charging stations be added to (G) Motor fuel station. Mr.
21 Grittman stated as time goes on charging stations will convert to be close to fuel stations.
22 Commissioner Hendrickson stated a charging station will be more integrated into other
23 businesses as accessories. Mr. Grittman stated currently there is no regulation to EV Charging
24 Stations. Commissioner Hendrickson asked if Cub Foods wanted to put in EV Charging
25 Stations would a conditional use permit be needed. Mr. Grittman stated probably not for one
26 or two and the impact of more units would need to be managed. Commissioner Morita stated
27 there does not to be additional language added to (G). Commissioner Hendrickson suggested
28 Staff look at other city’s ordinances to see how they handle EV charging stations. Mr.
29 Grittman stated he will research further.

30
31 Commissioner Hendrickson asked if the last discussion on micro-breweries is indicated in the
32 redline and Mr. Grittman stated he did not add the results of those discussions but will do so.

33
34 **VI. COMMUNITY FORUM.**

35
36 No one appeared to address the Planning Commission.

37
38 **VII. INFORMATION AND ANNOUNCEMENTS.**

39
40 Commissioner Morita stated he attended the last City Council Meeting and presented the
41 request for new sign at the High School. The City Council thanked the Planning Commission
42 for their work.

43
44 Mr. Grittman stated the Bremer/Interstate development was approved by the City Council.

45
46 **VIII. ADJOURNMENT.**

Planning Commission Regular Meeting Minutes

February 15, 2022

Page 9

1
2
3
4
5
6
7
8
9
10

Motion by Commissioner Erickson, seconded by Commissioner Rude, to adjourn the meeting at 9:00 p.m.

Motion carried 7-0.

Respectfully submitted,
Debbie Wolfe
TimeSaver Off Site Secretarial, Inc.