



**City of Newport
Planning Commission Minutes
May 8, 2014**

1. CALL TO ORDER

Chairperson Lund called the meeting to order at 6:00 P.M.

2. ROLL CALL -

Commissioners present – Dan Lund, Anthony Mahmood, Susan Lindoo, Kevin Haley

Commissioners absent – Matt Prestegaard

Also present –Renee Helm, Executive Analyst; Sherri Buss, TKDA Planner; Tom Ingemann, Council Liaison;

3. APPROVAL OF PLANNING COMMISSION MINUTES

A. Planning Commission Minutes of April 10, 2014

Susan Lindoo - On the bottom of page 1 it should be "repossessed" not "reposed."

Motion by Mahmood, seconded by Haley, to approve the April 10, 2014 minutes as amended. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

4. APPOINTMENTS WITH COMMISSION

A. Public Hearing – To consider an application from Mark Gergen for Approval of a Lot Size Variance for Property Located on 4th Avenue south of 20th Street

Sherri Buss, TKDA Planner, presented on this item as outlined in the May 8, 2014 Planning Commission Packet.

Chairperson Lund - Lot A doesn't appear to get anywhere near 4th Avenue so why would we have it face that?

Ms. Buss - We talked through what would make the most sense. What you usually try to do is have everyone have the same front setback for the same conformity. Also, for their plans, it makes sense to have the front door face 4th Avenue even though the driveway will come off of 20th Street.

Chairperson Lund - Somewhere in the comments it said that the driveway would come off of 4th Avenue too.

Ms. Buss - No, the driveway would come off of 20th Street.

Chairperson Lund - That allows for the corner lot setbacks then?

Ms. Buss - Yes.

Susan Lindoo - It sounds as though the houses will be similar between the four lots and those houses took up about 25% on the three conforming lots so it seems like it would be taking up more than 25% on the non-conforming lot.

Ms. Buss - Yes, and that's why he's wondering if we could take a look at that in the next couple months and make a change so that when he brings in the plans for the third lot the lot coverage will be easier to meet.

Chairperson Lund - I know this has been an ongoing discussion but are you familiar with the similar requirements in nearby cities?

Ms. Buss - We looked at that in the last meeting and most allow 30%.

Executive Analyst Helm - St. Paul is 35%, Woodbury is 35%, St. Paul Park is 60%, Maplewood is 30% and Cottage Grove is 50% for similar zoning districts.

Chairperson Lund - Given it's going to be building season can we put that on the agenda for next time?

Ms. Buss - We can do that. So far we have one application and I think you all received the email about a joint meeting with the City Council on June 10. We thought we would have the joint meeting at 5:30 and yours at 6:30 so you wouldn't have to do two meetings that week.

Chairperson Lund - I'm not available after 7:00.

Executive Analyst Helm - I think one of the things we were waiting for on the lot coverage was coming from the HPC.

Ms. Buss - Yes, that's why we delayed it. We're waiting for comments from them.

Chairperson Lund - Let's put it on the agenda and they can come comment. What do we think is an appropriate number?

Susan Lindoo - I would go to 30%. The reason I'm so reluctant is this water issue. Having enough surface area for water penetration because we are beginning to have aquifer problems. I think you can do it if you don't need to have as much driveway or something. I think we'll need to be more aware of it because we all read the article yesterday about global warming, yes it is happening, yes we'll be warmer, yes we'll have heavier rain in the spring and droughty falls. It's something the whole world will need to start thinking about how we'll handle these changes.

Chairperson Lund - What does the lot coverage have to do with this?

Susan Lindoo - The amount of impenetrable surface. The amount of runoff you get. Maybe the City can think of other ways for capturing the water and returning it back to the aquifer. The more that is running into the storm sewer and into the Mississippi means less is going into the ground and that is ultimately an issue. I've heard that people who have had to dig a well in our areas need to go deeper than they did before. I think 30% makes sense but I'm not comfortable with 50%.

Chairperson Lund - I'm inclined to go at least 35% but I think the aquifer problem is because cities have been tapping water since the 1950's.

Susan Lindoo - But where does the water come from that replenishes the aquifer?

Chairperson Lund - I don't know that a 5% lot coverage, it's the pumping out.

Susan Lindoo - Our city is doing it, in the industrial area you can be 80%. There's more development and less land for water to go through. The more development we have the bigger issue we'll have.

Ms. Buss - There seems to be a fair consensus to go a little higher and it'll be on the June or July agenda.

Susan Lindoo - If we didn't change the lot coverage would he need a variance?

Ms. Buss - Yes.

Kevin Haley - Why don't we add that on to this variance, allow for a 30% lot coverage?

Chairperson Lund - Can we do that?

Ms. Buss - Yes.

Susan Lindoo - I would be in favor of that and then maybe it'll go up to 30% for all of the lots. That way it doesn't have to come back to us.

The Public Hearing opened at 6:12 p.m.

John Anderson, Representative of Mark Gergen - I've talked with Sherri about some of these issues that you are discussing right now. There are four lots, three of them are non-conforming. The wider lot was two lots that were combined because of the cul-de-sac and overpass. Parcel A does not have a road out to the east so we designed a side-low garage where the house will face 4th Avenue but the driveway will face 20th Street. We'll flip that design for Parcel B. We're going to build A and B first. Parcel D will be able to meet the setbacks and lot coverage. Parcel C needs the lot size variance and about 30% lot coverage. We'll probably also need a 10 foot setback for the front.

Chairperson Lund - I think your rear setback on the survey doesn't reflect the Code.

Ms. Buss - Yes, the rear is 5 feet.

Mr. Anderson - On the rear?

Chairperson Lund - Yes.

Executive Analyst Helm - For dwellings it's 30 feet and 5 feet for a garage.

Mr. Anderson - With the setbacks, a 30 foot rear and a 30 foot front, we have 25 feet to make a house, which we can't really do. We're thinking we'll have a shallow and wide house and garage but we'll still need a variance from the front setback about 10 feet. A comment on the impervious coverage. I do a lot of consulting work for cities as well. Looking at the 25%, it's not that that is a bad number but when you're dealing with a 9,100 square foot lot that gets to be small. 25% is usually for a 12,000 to 15,000 square foot lot. Also, your ordinance requires pavement, buildings, sidewalks, etc. A lot of these cities where you see 30 to 35% is probably just buildings and the 50 to 60% is pavement and structures.

Ms. Buss - No, not for the ones we're talking about.

Mr. Anderson - I just want to make sure you look at that. We're at 25% already for Parcel B and that's not a huge house. You're basically limiting larger houses from being built on your lot sizes. Someone could do it on a larger lot. We would have liked to build this house a little larger but we can't with the 25% lot coverage.

Kevin Haley - I would certainly be willing to go to 30 to 35% on all four lots if there's consensus.

Susan Lindoo - We can't do that.

Executive Analyst Helm - The public hearing was only for Parcel C.

Mr. Anderson - We're fine with what we have on Parcels A and B. We're going to start with those two lots first.

Kevin Haley - Would 30% on Lot C meet your needs?

Mr. Anderson - Yes.

Ms. Buss - Since that's the one that is the subject of the hearing you can add that on.

Chairperson Lund - Let's do that and add the front setback too. Looking at those four lots, even if we move it to be 15 feet instead of 25 feet it's still going to be further back.

Ms. Buss - What would work for you?

Mr. Anderson - We would like a larger back yard.

Susan Lindoo - I would rather give him the ten feet in the front to give him a larger back yard.

Mr. Anderson - We would like the 10 feet in the front.

Ms. Buss - Do you want a 10 foot setback or 10 feet less?

Mr. Anderson - If the setback is 30 feet, we would be fine with 20 feet.

Ms. Buss - Ok.

Kevin Haley - Why would the HPC review the design permit?

Ms. Buss - Because it's in the old town. We have a set of criteria for the review such as size, front door, windows, etc. There shouldn't be any issue with them meeting this. Most cities have this. I've already looked at the designs and they would meet the requirements.

The Public Hearing closed at 6:25 p.m.

Motion by Lindoo, seconded by Haley, to approve Resolution No. P.C. 2014-5 as amended recommending that the City Council a variance to permit the applicant to create and develop a lot that is 7,915 square feet in size, with a lot coverage of up to 30% and a front setback of 20 feet. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

Executive Analyst Helm - It'll go to the City Council next Thursday.

Chairperson Lund - There seems to be strong consensus on the lot coverage so let's get that on the agenda for next month.

5. COMMISSION AND STAFF REPORTS

Executive Analyst Helm - The Planning Commission and City Council will have a joint meeting on Tuesday, June 10 at 5:30 so we were wondering if you would want to have the June meeting that night as well so you don't have to have two meetings that week, it would be at 6:30 or 7:00. We do have one application so far for a side yard setback variance and we might get one more. Would that work?

Chairperson Lund - Thursday works much better for me.

Susan Lindoo - I'm fine with doing two nights.

Vice-Chair Mahmood - Works for me.

Kevin Haley - Thursday works for me.

Executive Analyst Helm - Ok. Do you want to have the public hearing for the lot coverage that night or just a discussion?

Chairperson Lund - Everything.

Susan Lindoo - You said that we haven't gotten anything from the HPC?

Executive Analyst Helm - They don't meet until next Wednesday.

Ms. Buss - I did get something from Bob saying that the lot coverage thing isn't an issue for them.

A. Discussion Regarding Washington County HRA Bus Tour

Mr. Buss - Since we're talking about the tour at the June 10th meeting I was wondering if anyone had any comments or questions about it before that meeting.

Susan Lindoo - It was interesting.

Chairperson Lund - We saw a lot of nice development.

Susan Lindoo - It seemed that we were hearing that it's important that the HRA is working with us and I've heard that from a lot of people. That is a good sign I think.

Ms. Buss - They have a lot more experience with this than Newport does, especially with the financing part. They're putting a lot of time into the Liveable Cities grant and the marketing issues. We had a meeting with South St. Paul about the odor issues and the HRA staff are really helpful with trying to deal with that.

Susan Lindoo - It's nice to have a body of people who have been working at that level. We just haven't had big money items.

Kevin Haley - I would welcome more feedback on TIF because at this moment it doesn't get me all warm and fuzzy.

Ms. Buss - There aren't very many tools that a City can use for redevelopment. Redevelopment is expensive and TIF is one of the few financial tools that cities have to help with that process. When I started in the 1980's there were more options but they've gradually gone away.

Susan Lindoo - Is there anyone who can give us background or a walkthrough on TIF? It would be interesting to have more information.

Ms. Buss - There's some League information and I can get that to you. The City needs to identify a district for TIF and it needs to meet certain State criteria. There's a pretty high threshold for abandoned or vacant lots, for properties that don't meet code, etc. That's all been done for this area. Then you freeze the property tax rates at the current rate for the length of the TIF district. Next, the city would issue bonds. As properties in that area are redeveloped and gain value, the extra value pays back the bonds. The people that typically aren't happy about them are school districts. On the other hand, if there's no other way to finance the redevelopment, the property

will sit there forever. By freezing them for the short amount of time you gain the money you need to finance the redevelopment so that after the 20 years everyone will see the tax dollars.

Susan Lindoo - Basically, we couldn't redevelop unless we did bonds to improve the infrastructure.

Chairperson Lund - The bonds are a subsidy for the project, not for the infrastructure.

Susan Lindoo - They're a subsidy to the developer?

Chairperson Lund - To make the whole finances work right?

Ms. Buss - Partly. In this case, we're asking for the Livable Communities grant from Met Council, which is also a piece to help bring down some of the costs.

Chairperson Lund - That's a separate subsidy on top of the TIF District. So they're both subsidies to make the project happen just so we're clear. It's not for building roads and infrastructures it's for greasing the wheels to get the project done.

Ms. Buss - Part of the TIF bonding is for infrastructure, as well as the grant. You would not be able to get a developer to come here and pay for those infrastructure costs because every other city is doing the same thing.

Susan Lindoo - It's the sewer and storm water so the developer doesn't need to pay as much for the land?

Ms. Buss - I don't know how Stacie has worked it out. The bonding is for roads, sewer, storm sewer, water, plus writing down the land costs.

Kevin Haley - A couple of the cases, they had taken the TIF as a tax credit and used it as security or value to the bank. Then the bank gets the tax credit.

Ms. Buss - It's very involved. There are tax credits for banks if they invest in "workforce" housing. There's a whole little package of things here and Stacie would need to run through it for you.

Susan Lindoo - If we don't do that developers would need to finance it themselves and we're not finding any developers that want to do that correct?

Ms. Buss - Yes.

Chairperson Lund - Not in the area surrounding the transit station and not today.

Ms. Buss - You're seeing someone here who is very interested in investing in your City at a different level and he's not asking for a subsidy. The kind of development we see around the transit station is more difficult to do.

Kevin Haley - In that case, the highways are sitting over that lot primarily, to allow for a higher building to keep the garage...

Chairperson Lund - The height is limited by the fire trucks.

Ms. Buss - Part of the question gets to be could you have a joint agreement with surrounding cities or get a new fire truck eventually but right now, the height is limited. I would encourage you to ask these questions at the joint meeting.

Susan Lindoo - He said he has built in Newport before, where is that?

Executive Analyst Helm - Eternity Homes built one at 14th Street and 3rd Avenue and one at 15th Street and 3rd Avenue. They're really nice homes.

Kevin Haley - How many potential lots are on the old Public Works site?

Executive Analyst Helm - 8 or 9.

Susan Lindoo - I remember we were going to put a larger multi-family building on there but the neighbors weren't too happy with it. What about the one up on Catherine Drive?

Ms. Buss - I think Deb has had a few calls on it but nothing further.

6. NEW BUSINESS

7. ANNOUNCEMENTS

Chairperson Lund - We'll have a joint meeting on June 10 at 5:30 p.m. and a regular meeting on June 12 at 6:00 p.m.

8. ADJOURNMENT

Motion by Haley, seconded by Mahmood, to adjourn the Planning Commission Meeting at 6:47 P.M. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

Signed: _____
Dan Lund, Chairperson

Respectfully submitted,

Renee Helm
Executive Analyst