



**City of Newport
Planning Commission Minutes
May 10, 2012**

1. CALL TO ORDER

Chairperson Lindoo called the meeting to order at 7:01 P.M.

2. ROLL CALL -

Commissioners present – Susan Lindoo, Dan Lund, Janice Anderson, Katy McElwee-Stevens, Matt Prestegaard

Commissioners absent –

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

3. APPROVAL OF PLANNING COMMISSION MINUTES

A. Planning Commission Minutes of April 12, 2012

Motion by McElwee-Stevens, seconded by Prestegaard, to approve the April 12, 2012 minutes as presented. With 5 Ayes, 0 Nays, the motion carried.

B. Board of Appeal Minutes of April 19, 2012

Motion by Prestegaard, seconded by McElwee-Stevens, to approve the April 19, 2012 Board of Appeal minutes as presented. With 5 Ayes, 0 Nays, the motion carried.

4. APPOINTMENTS WITH COMMISSION

A. Public Hearing – To consider amendments to the Zoning Code, including the following: Chapter 1300, Section 1330 General District Regulations, and Section 1350 Nonresidential Districts, and to consider an addition to Chapter 1300 by adding Section 1370.09 River Redevelopment Overlay District

The Public Hearing opened at 7:03 p.m.

Admin. Anderson, Sherri Buss, and Executive Analyst Helm presented on this item as outlined in the May 10, 2012 Planning Commission packet.

Executive Analyst Helm presented on the amendments to Subd. 15 and 21 of Section 1330.05.

Dan Lund – Do we want to define a small enclosure?

Executive Analyst Helm – I think that would be the discretion of the City Administrator.

Dan Lund – Because we want it to include gardens, trees and shrubs. Also, we're excluding it from people outside of the RE District, correct?

Executive Analyst Helm – Yes, it can only be used in the RE District.

Dan Lund – I would say that we allow it in all of the residential districts. Do we want to include chicken wire as well?

Susan Lindoo – I'm fine with using it as an enclosure but not as a fence. I wouldn't want to see chicken or welded wire used as a fence. I would be fine with welded wire in the backyard.

Matt Prestegaard – I agree. I think we should suggest that welded wire is always appropriate for small enclosures, but not fences.

Dan Lund – We could say that we don't consider welded wire or chicken wire around gardens to be a fence.

Ms. Buss – You could say welded wire may be used in all districts in the following locations.

Matt Prestegaard – My suggestion is to put welded wire under letter I, and state that it can be used for small enclosures. We leave the letter J, which states that it can be used for fencing in the RE District.

Susan Lindoo – Although, I states the allowable materials for fences.

Executive Analyst Helm – What we could do is for K put “Welded wire may be used for small enclosures in all of the districts” and for J, I would add that welded wire may not be used for fences except for in the rear yard in the RE District.

Dan Lund – Do we need to address chicken wire?

Susan Lindoo – It's not on the list of allowable materials for fences.

Dan Lund – I don't want to tell people that they can't use chicken wire to keep out rabbits.

Susan Lindoo – I don't think we are, we're just saying you can't use it as a fence.

Dan Lund – We have two problems here, one is what the words should say and the other is what do we mean them to say. I think we should address what we mean them to say before we do it.

Susan Lindoo – In my sense, I wouldn't worry about chicken wire because it's not a permitted fence use and I think that's the most visible. It seems that your point is that we want to allow protection of plants in all districts. What Renee has suggested seems clear to me.

Ms. Buss – As long as fence is defined in the ordinance.

The Public Hearing closed at 7:32 p.m.

Motion by Anderson, seconded by Prestegaard, to approve Resolution No. P.C. 2012-2 as amended. With 5 Ayes, 0 Nays, the motion carried.

B. Public Hearing – To consider an addition to Section 1371 Storm Water Management

The Public Hearing opened at 8:11 p.m.

Executive Analyst Helm presented on this item as outlined in the May 10, 2012 Planning Commission packet.

Dan Lund – Do we want to ban the sale of coal-tar based products as well?

Admin. Anderson – It's not an illegal substance. The local hardware stores do have customers from surrounding areas where it isn't banned and it may hinder their sales.

Susan Lindoo – I would need more research and a legal opinion.

Katy McElwee-Stevens – I would need more information.

Executive Analyst Helm – White Bear Lake or Maplewood is the only municipality that bans the sale of it. Also, Home Depot, Lowes and Menards have stopped selling these products.

Admin. Anderson – I spoke with the owner of Bartles about the ordinance and didn't mention that we were looking at banning the sale; I only mentioned that we were looking at banning the use. He understood why we want to ban the use of it.

Matt Prestegaard – I agree that I would need more information.

Dan Lund – I agree that we need more consideration to ban the sale.

The Public Hearing closed at 8:19 p.m.

Motion by Lund, seconded by Anderson, to approve Resolution No. P.C. 2012-3 as presented. With 5 Ayes, 0 Nays, the motion carried.

C. Red Rock Corridor Redevelopment Plan

Admin. Anderson, Barb Dacy, Executive Director of the Washington County HRA, and Stacy Kvilvang of Ehlers, presented on this item as outlined in the May 10, 2012 Planning Commission packet.

Ms. Buss – This City has not done a Tax Increment District in quite a while, could you provide a brief tutorial on it?

Ms. Dacy – The County HRA would create and be responsible for the TIF District. Once a district is created, the value of the property is set as a floor, called the base value. When new development occurs, they will be at a higher value. The difference between the values is the tax increment. We can use that difference to help pay the various costs. The properties will still continue to pay taxes based on the base value. We can use the tax increment for a period of 20-30 years to help pay for the improvements.

Susan Lindoo – So the HRA is putting the money upfront and when the development occurs, the difference will go to paying back the HRA. Will TIF fund the infrastructure? If we sell those types of bonds, how do those get paid off?

Ms. Kvilvang – There are two types of bond that you can sell for the public improvements. For any roadway improvements, there's a GO429 Special Assessment Bond. That means that at least 20% of the cost of the improvement has to be assessed back to the benefiting property owners. That's paid from special assessments, the rest is paid from a tax levy. We will look at all of the financing tools once the public improvements come forward to determine which tool is the best to use.

Matt Prestegaard – We must realize the tax increment before we're obliged to use that money. Is there interest or what's the arrangement back to the HRA?

Ms. Dacy – This is a key part of our mission. The investment that will occur in this area will help both the City and County.

Ms. Kvilvang – An interfund loan is created for both the City and HRA. They would loan money to the district and expect to get repaid. Statute limits the amount of interest, today it is at 4%.

Dan Lund – What exactly are we committing to?

Ms. Dacy – The overall goals and the notion that it's appropriate to do this. It also implements the MX-3 District that you just approved.

Dan Lund – What time line do you expect before major development?

Ms. Dacy – The commercial market is still trying to recover, the housing market is significantly brighter. There could be development in the next two to five years.

Motion by Anderson, seconded by McElwee-Stevens, to recommend the City Council approve the Red Rock Corridor Redevelopment Plan. With 5 Ayes, 0 Nays, the motion carried.

5. COMMISSION AND STAFF REPORTS

Susan Lindoo – I would like to request that Sherri provide information on what percentage of the City is in each zoning district.

Ms. Buss – I can provide that. We can do it on the current land use and the new zoning map.

Admin. Anderson – The City qualified as a Step 2 City and is in the process of completing several other Best Practices to be a Step 3 City. The City also submitted two more grant applications for the Knauff Property. We should hear in June.

Ms. Buss – The Federal Government will be funding HUD with some money for development grants for 2013. The applications will be coming out later this summer and we'll be looking at it for the Red Rock Gateway Area.

Janice Anderson – Has Veolia vacated their building?

Admin. Anderson – It looks like they have vacated both the mechanical and office buildings.

6. NEW BUSINESS

No new business

7. ANNOUNCEMENTS

A. Upcoming Meetings and Events:

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| 1. City Council Meeting | May 17, 2012 | 5:30 p.m. |
| 2. Memorial Day – City Offices will be closed | May 28, 2012 | |
| 3. City Council Meeting | June 7, 2012 | 5:30 p.m. |
| 4. Planning Commission Meeting | June 14, 2012 | 7:00 p.m. |

8. ADJOURNMENT

Motion by McElwee-Stevens, seconded by Prestegaard, to adjourn the Planning Commission Meeting at 8:28 P.M. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

Signed: _____
Susan Lindoo, Chairperson

Respectfully submitted,

Renee Helm
Executive Analyst

