I. CALL TO ORDER

II. ROLL CALL

COMMISSION
Elaine Barton, Commission Chair
Michael Stahlmann, Commission Vice-Chair
Tom Sonnek, Commission City Council Liaison
Chris Bathurst, Commissioner
Rick Gelbmann, Commissioner
Trisha Hamm, Commissioner
John Wahl, Commissioner
Allan Worm, Commissioner

STAFF
Molly Just, City Planner
Karin Derauf, Commission Secretary

III. ADOPT AGENDA

IV. APPROVAL OF MINUTES
Approve the December 6, 2018 regular meeting minutes.

V. MEETING OPEN TO THE PUBLIC
Note: This is a courtesy extended to persons wishing to address the Commission concerning issues that are not on the agenda. This discussion will be limited to 15 minutes.

VI. PUBLIC HEARINGS
A. 2663 17th Ave E. – Minor Subdivision (Lot Split)

VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATIONS

VIII. REPORTS FROM STAFF
A. Proposed Cemetery, Crematorium and Columbarium Zoning Text Amendment

IX. REPORTS FROM COMMISSIONERS
Update from City Council Liaison

X. ADJOURNMENT

The next regularly scheduled Planning Commission Meeting is Thursday, February 7 2018 at 6:15 p.m.
I. CALL TO ORDER

Chair Barton called the meeting to order at 6:15 p.m.

II. ROLL CALL

COMMISSION
Elaine Barton, Commission Chair
Trisha Hamm, Commission Vice-Chair
Tom Sonnek, Commission City Council Liaison ABSENT
Chris Bathurst, Commissioner
Michael Stahlmann, Commissioner
Rick Gelbmann, Commissioner
John Wahl, Commissioner
Allan Worm, Commissioner

STAFF
Molly Just, City Planner
Karin Derauf, Commission Secretary

III. ADOPT AGENDA

Motion to adopt agenda by Commissioner Gelbmann, and seconded by Vice-Chair Hamm, with all present voting aye (5-0). Motion carried to adopt the December 6, 2018 Agenda.

IV. APPROVAL OF MINUTES

Motion to approve Minutes by Commissioner Gelbmann, and seconded by Commissioner Wahl, with all present voting aye (5-0). Motion carried to approve the November 1, 2018 regular meeting minutes as submitted.

V. MEETING OPEN TO THE PUBLIC

None

VI. PUBLIC HEARINGS
A. 2827 2nd Street Variance (Garage)

Planner Molly Just background information on the presented variance application regarding a garage addition with a 3-foot setback, which is a deviation from the Zoning Code for a corner lot that requires a 15-foot setback for a R1 - Single Family Residential District. The request is a 12-foot reduction from the required 15-foot setback. She cited specific concerns of the traffic flow on Beam Avenue as well as a potential compromise to the City right-of-way. If the existing right-of-way is used for the proposed garage addition, then it would be 3 feet from Beam Avenue. The utility and easement location is unknown as the applicant has not provided this information on the survey. There is no analysis for or plan for drainage for the garage addition, and finally, the applicant has not indicated how they meet the criteria that would justify granting a variance. Planner Just is recommending denial of this variance.

Applicant, Pat O’Brien, residing at 2777 Hazelwood Avenue in Maplewood, stated that his son lives in the house and they would like to add additional garage space, as the home only has a single car garage attached. He indicated he purchased the home located at 2872 2nd Street North in North St. Paul on September 13, 2018.

The applicant indicated that the house is on a hill and would not compromise viewing around the corners. He feels that the likelihood of widening Beam would not happen as they narrowed the road several years ago. He stated that he thinks the utilities are across the street rather than on his side of the road and he is willing to reduce the size of the garage for setback purposes.

Chair Barton provided clarification to the applicant that the lot needs to represent something unique as it pertains to the property that would make compliant changes impossible, thus the need for a variance. She asked the applicant to give the criteria or justification for the variance request. The applicant referenced other homes in the neighborhood and how they appeared and Chair Barton explained that the issue is in regards to mandatory codes rather than appearances. She indicated that there has to be unique characteristics of the lot as to why there should be a deviation from the Zoning Code, which would require a variance to be issued.

The applicant stated that it is unusual for a house to have a 1-car garage rather than a 2-car. He feels this would add value to the home. He stated that an addition to the garage, would encroach into the required setback space.

Chair Barton asked Planner Just if that was correct regarding encroachment into the 15-foot setback in terms of design and adding on to the garage. Planner Just indicated that it is not the City’s burden of design for the applicant’s garage to meet the Zoning Codes, however, indicated that a typical 22 to 24-foot garage should be able to fit in the required space without compromising the right-of-way or requiring a variance. The applicant indicated that the current garage is 13 feet with an additional 9-foot allowance remaining if he built the garage without a variance. He would like to install a 10-foot wide garage door as well as a service door.

Chair Barton asked the Commission if they had any questions prior to opening the Public Hearing. Vice Chair Hamm asked if a service door can be added to the side or back of the garage rather than the front. The applicant indicated that he could put it on the side, however, it would swing in the wrong direction. He stated that he would narrow the doors to bring the
variance request to only 5 feet rather than 12 feet. Commissioner Worm asked about the width of the right-of-way. Planner Just indicated that right-of-ways vary from street to street.

Commissioner Stahlmann asked Planner Just if she could cite the requirement for a variance. She referenced the first page of the application that Mr. O’Brien submitted. At the bottom of the form it indicates the following regarding practical difficulties of a property:

1. The property owner proposes to use the property in a reasonable manner not permitted by the Zoning code.
2. The plight of the landowner is due to circumstances unique to the property not created by the landowner.
3. The variance, if granted, will not alter the essential character of the locality.
4. Economic considerations alone do not constitute practical difficulties.
5. The variance is consistent with officially adopted City plans and overlays.

Planner Just also indicated that drainage may also pose a problem as the home is on a hill and the applicant did not provide accommodation for drainage. The applicant responded by saying that the drainage would flow towards 2nd Street rather than Beam Avenue. Chair Barton opened the Public Hearing for anyone who wanted to speak directly on the variance presented.

Public Hearing opened at 6:35 p.m.

Resident, Erik Kehle, of 2399 Beam Avenue, stated that he lives directly across Beam Avenue from the applicant’s home and has no concerns regarding the garage expansion.

Public Hearing closed at 6:38 p.m.

Commissioner Stahlmann indicated that the Planning Commission is an advisory commission and ultimately any final decisions are made by City Council. He indicated that he drove past the applicant’s home and site of the requested variance to get an idea of the space available. To the east of 2nd Street, it appears as though the home line on Beam Avenue starts at approximately 30 feet, however, when looking to the west it appears as though the homes are closer to the road. His stated that the recommendation to Council has to meet all the requirements as indicated on the front of the application. He asked the applicant if the City explained the application. Applicant stated that he received no instruction. Commissioner Stahlmann stated that the criteria does appear on the application itself. Chair Barton asked the applicant if he sat down with staff to discuss the criteria, as there is a high legal standard to grant a variance. The applicant indicated that he tried to have a meeting with Planner Erin Perdu but stated that he was unsuccessful. He claimed to have asked staff if he needed to provide additional information when he turned in his unsigned draft survey and that staff didn’t respond to his questions. Chair Barton asked Planner Just if there was a way to sit down with the applicant to work through the criteria as this is a significant variance. Planner Just indicated that was a feasible request.

Planner Just also indicated that she had discussions with Planner Perdu regarding the application and confirmed with the Planning Commission Secretary that there were several conversations with the applicant regarding his application submittal. She stated that she would like to revisit her conversation with Planner Perdu as she was not present at the meeting tonight. Chair Barton
indicated that the application should be put on hold until such time that the City Planners have had more time to work with the applicant and arrive at a feasible solution.

Commissioner Stahlmann made a motion, and seconded by Commissioner Gelbmann, with all present voting aye (5-0). Motion carried to table the application for further review and discussion after the City Planners and applicant have had additional opportunity to meet regarding potential changes to the application.

Commissioner Gelbmann voiced to the applicant that it is not the City’s responsibility to design plans for applicants’ to meet the criteria of the Zoning Codes. He stated that the applicant must bear the responsibility. The role of the City is to help the applicant understand the existing Codes and requirements.

Commissioner Worm asked if the applicant could add on to the back of the garage rather than the side. The applicant indicated that he would have to remove trees and would prefer not to do that.

VII. COMMISSION BUSINESS ACTION ITEMS & RECOMMENDATION

A. 2040 North St. Paul Comprehensive Plan – Metropolitan Council Review

Planner Just gave the background of the Comprehensive Plan and noted that it is ready to be sent to the Metropolitan Council for review and approval and will be returned to the City for final adoption. The planning process for the 2040 Comprehensive Plan started in early 2017, there was a Public Hearing in May of 2018 regarding the draft of the Plan, recommendations from various individuals, agencies and the public were taken into consideration. These recommendations were incorporated into the final draft of the document before submission to the Metropolitan Council for review and approval.

There was discussion on whether additional comments from adjacent communities and agencies has been incorporated into the final draft. Commissioner Wahl referenced the example of rare features such as information on the Blanding’s Turtles. The Commission wanted to know if all the recommendations for additions to the Plan were added. Planner Just directed the Commission to the matrix of changes in the Planning Commission Packet and referenced the specific Plan edits as well as the chapter and page number where they appear. She also indicated that the comments from the DNR will be incorporated prior to submission to the Met Council; all other changes have been incorporated.

Chair Barton indicated that there are some other changes that need to be addressed and gave the example of Chapter 10 with the Urban Ecology Center and the Environmental Learning Center. It appears as though a change to the open space reference has not been made in Chapter 10, Page 5, Table 10-2, as the Urban Ecology Center is still listed as a special purpose park, while the Environmental Learning Center is listed as open space. When viewing the previous table, Chapter 10, Page 4, Table 10-1, the parks are both listed as open space. Planner Just indicated that she will correct the error on Table 10-2.

Chair Barton also indicated that identification of one park on the Chapter 10, Page 10 map is called Eldridge Tot Lot. It should be identified as Country Club Park. She also commented that
she took a closer look at the photos that start each chapter and indicated that there are only two photos with people and they are lacking in diversity which is in direct contrast of the promotion of diversity built into the Plan; particularly, Chapter 3 which discusses the community profile. She would like to see photos with more people and especially diversity of these photos. Chair Barton indicated that there should be changes to other Chapter photos as well. Planner Just stated she would correct the photos.

Resident, Sheri Munyon, of 2680 2nd St. N., commented that she participated in some the Community Cafes and was appreciative that the City provided that opportunity. She referenced Chapter 6, Page 22, and the Goals and Tasks pages. She wondered why goals and tasks were not incorporated into the other chapters. Planner Just directed her to the final chapter on Implementation strategies of goals and tasks for the Comprehensive Plan as a whole, along with a matrix breakdown for each chapter. She also indicated that goals and strategies appear at the end of some chapters as a summary and some of the chapters have the goals and strategies dispersed throughout the chapter. Commissioner Wahl indicated that this is a 21st Century electronic document so links can be embedded into the document to provide reference to another area within the Plan.

Ms. Munyon asked how the City stays accountable to what is in the Plan. Chair Barton indicated that part of the job of the Planning Commission is to review what the Zoning codes and processes to ensure they reflect what is in the Comprehensive Plan. Commissioner Gelbmann indicated that the Plan unifies all the goals but each chapter has different departments and Commissions who work on the stated goals and strategies. Ms. Munyon gave a last comment that sidewalks are critical to the community for the aging population as well as families with young children and the necessity of having sidewalks for safety issues; providing this type of facility for pedestrian transportation and physical activity choices is needed and necessary.

Commissioner Gelbmann made a motion, and seconded by Commissioner Wahl, with all present voting aye (5-0). Motion carried to recommend to Council, the approval of the Comprehensive Plan.

VIII. REPORTS FROM STAFF

None

IX. REPORTS FROM COMMISSIONERS

Commissioner Wahl would like to discuss lighting at a future meeting in regards to light pollution. He also asked Planner Just if the Comprehensive Plan is similar when compared to other Plans she has seen or reviewed. Planner Just indicated that the Plan must be reviewed every 10 years and that the Metropolitan Commission created a very robust and efficient process for communities to follow. It created a very extensive list of topics to cover which was not limited to just North St. Paul; it was directed to all communities. Because the process is not a one-size fits all process, community outreach and feedback become important. The outreach efforts and feedback from the community and other agencies has resulted in very inclusive final document.
Commissioner Gelbmann indicated that the lime reduction system on Joy Road has been completed. This is a system to reduce phosphorus from going into Silver Lake.

Commissioner Stahlmann asked Planner Just if the City of North St. Paul uses salt brine for road conditions during the winter months. She said she would look into the matter as she was not sure.

Commissioner Worm indicated that the Toy Shelf is full. Richardson Elementary and the Cub Scouts are conducting toy drives to donate to the Toy Shelf.

X. ADJOURNMENT

There being no further business, motion to adjourn by Vice Chair Hamm, and seconded by Commissioner Worm, with all present voting aye (5-0). Motion carried to adjourn the meeting at 7:28 p.m.

The next regularly scheduled Planning Commission Meeting is Thursday, January 3, 2019 at 6:15 p.m.

Members, please notify any planned absences to: Karin Derauf
Planning Commission Secretary
651-747-2400
karin.derauf@northstpaul.org
MEMORANDUM

Date: 11/27/2018
To: Planning Commission Members
From: Molly Just, AICP, City Planner
CC: Craig Waldron, Interim City Manager
    Paul Ammerman, Community Development Director
Re: Minor Subdivision, Lot Split & Variance for 2663 17th Avenue East

BACKGROUND

The applicant is requesting approval for a Minor Subdivision and Variance. The request for the lot split is necessary to allow the two lots as specified on the plan. The Variance is necessary because the size and lot width of the proposed lots is smaller than what is permitted in the R-1 District, and what is enabled by the Special Infill Housing provisions. The applicant is requesting a 920 sf. variance from the required minimum lot size and a 10 ft. variance from the required minimum lot width.

The Planning Commission is asked to make a recommendation to the City Council to approve or deny a Minor Subdivision and Variance for 2663 17th Avenue East within the R-1, Single Family Residential District and S-1. Shoreland Overlay.

Figure 1. Area Map
FINDINGS

Minor Subdivision Lot Split Filing Requirements:
Standards for the review and approval of Variances are listed in below in italics. Staff comments on each of the review criteria follow.

1. *Legal Description of land you want to divide.*
   The applicant has provided a legal description to the City as shown on the application.

2. *Proposed split line(s). Clearly identify each new parcel.*
   The applicant has provided the proposed split lines clearly identifying each new parcel as shown on the application.

3. *Dimensions of all property lines.*
   The applicant has provided the dimensions of all property lines as shown on the application. The dimensions of both parcels is shown as 50’ x 140’. The lot width dimensions do not comply with the R-1 Single Family Residential District which requires a minimum lot width of 60 feet.

4. *Proposed use and area of each new lot.*
   The proposed use of each new lot is single family residential. The parcel is located in the R-1 district, which carries a minimum lot size of 7,920 sf., minimum width of 60 ft, and minimum side yard of 6 feet. The proposed lots are 6,998 sf. in area and 50 ft. wide. Both lots are smaller and narrower than the conventional area, lot width, and side yard of the R-1 district. The lot line as drawn meet the required 6 ft. setback for the existing structure on the property.

5. *Existing and proposed drainage and contour plan. The City requires most new lots to have drainage and utility easements located on the front and rear ten feet and the side five feet of the lot. The easements must be reflected on the survey.*
   The applicant has not provided a proposed drainage and contour plan but required areas for drainage and utility easements are reflected on the plan.

6. *Location and widths of proposed utility easements.*
   Required areas for drainage and utility easements are reflected on the plan (front and rear 10 feet, side 5 feet).

7. *Existing street rights-of-way, railroad and utility rights-of-way, parks and other public open space, permanent building and easements within the existing lot and adjoining lots.*
   The applicant has provided existing street rights-of-way as shown on the plan.
8. *Areas, other than street and utility easements, that you intend to dedicate for public use, including their areas.*
   There are no areas intended for public use.

9. *Scale of the drawing and north arrow.*
   The applicant has provided a scale and north arrow as shown on plan.

    The applicant has provided a proposed minor subdivision plan, not a Certificate of Survey.

**City Staff Comments:** Approval of Variances to lot size and width would be required in order to approve this application.

**Lot Size and Dimensions Variance Review:**
Standards for the review and approval of Variances are found in Chapter 154.004 Section E of the City Code are listed in below in italics. Staff comments on each of the review criteria follow.

2. **Standards. The City may grant a variance if the proposed request is compliant with the following findings:**
   i.) *The variance is in harmony and consistent with the general purposes and intent of the Comprehensive Plan and this Chapter;*
       The proposed variance is not consistent with the city code. Special Infill Housing provisions have been established, allowing reduced lot size and dimensions, but this proposal is for an even greater reduction than allowed by these provisions. Through the Special Infill Housing requirements, lot width and area could be reduced by 10 percent via a Conditional Use Permit. No application for Special Infill Housing has been made (and would still require a variance).

       The request is inconsistent with the Comprehensive Plan. The Community and the Plan (page 1-12) states that the Low Density Residential District (R-1) is reserved for a density range of 3-5.5 units/acre. The proposed lot area of 6,998 does not comply with this standard as the proposed density equals 6.22 units/acre.

   ii.) *The variance will not adversely affect the health, safety, or general welfare of the City;*
       Unknown.

   iii.) *The variance is necessary due to special conditions applying to the structures or land in question that are particular to the property and do not apply generally to other land or structures in the district or vicinity in which the land in located;*
       The variance is necessary to split the lot. The lot is developed and may be redeveloped in compliance with current code requirements.
iv.)  *The variance requested is the minimum variance necessary to alleviate the practical difficulty;*  
Unknown.

v.)  *Practical Difficulties are caused from the strict application of the Zoning Code as outlined below:*

a.  *The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Code;*  
The use is allowed but the variance request is too high and therefore unreasonable.

b.  *The plight of the landowner is due to circumstances unique to the property not created by the landowner; and*  
The owner’s proposal to split the lot has created the circumstances.

c.  *The variance, if granted, will not alter the essential character of the locality.*  
The variance, if granted, will alter the essential character of the locality as it violates fundamental zoning requirements in the City’s predominant zoning district.

d.  *Economic considerations alone do not constitute practical difficulties.*  
Economic considerations appear to be a factor in the variance request. It is possible to use the subject property for a permitted purpose (single-family residential) without approval of a variance.

e.  *The variance is consistent with officially adopted City plans and overlays.*  
The proposed variance is not consistent with the city code. Special Infill Housing provisions have been established, allowing reduced lot size and dimensions, but this proposal is for an even greater reduction than allowed by these provisions.

The request is inconsistent with the Comprehensive Plan. The Community and the Plan (page 1-12) states that the Low Density Residential District (R-1) is reserved for a density range of 3-5.5 units/acre. The proposed lot area of 6,998 does not comply with this standard as the proposed density equals 6.22 units/acre.

**RECOMMENDED ACTION**

Based on the findings described in this report, staff recommends the following actions:

1.  **Denial** of the minor subdivision/lot split as it cannot be achieved using the tools provided in the City Code, including the Special Infill Housing provisions. The proposed density exceeds that recommended in the Comprehensive Plan.

2.  **Denial** of the variance from the minimum lot size and lot width requirements based on inconsistency with the Comprehensive Plan, lack of practical difficulty and lack of unique circumstances.
Proposed Minor Subdivision for:
Cory Wright

PROPERTY ADDRESS
2663 17th Avenue East
North Saint Paul, MN 55109

EXISTING DESCRIPTION:
Lots 19 and 20, Block 5, CASTLE,
Ramsey County, Minnesota.
Subject to easements of record, if any.

PROPOSED PARCEL A
Lot 19, Block 5, CASTLE, Ramsey County, Minnesota.
Subject to a drainage and utility easement, over, under, and across the west 5 feet, the east 5 feet, the north 10 feet, and the south 10 feet of said Lot 20, and easements of record, if any.

PROPOSED PARCEL B
Lot 20, Block 5, CASTLE, Ramsey County, Minnesota.
Subject to a drainage and utility easement, over, under, and across the west 5 feet, the east 5 feet, the north 10 feet, and the south 10 feet of said Lot 20, and easements of record, if any.

AREA CALCULATIONS
PARCEL A - Zoning District R-1/S-1
Lot Area: 6998 sq. ft.
Proposed Use: Single Family Residential Coverage: 43% Maximum

PARCEL B - Zoning District R-1/S-1
Lot Area: 6998 sq. ft.
Existing Use: Single Family Residential Coverage (Existing)
House: 1056 sq. ft.
F. Patio: 140 sq. ft.
Walls: 34 sq. ft.
Drive: 554 sq. ft.
Shed: 50 sq. ft.
Total Cover: 1884 sq. ft.
Percent Cover: (1884/6998) x 100 = 27%

SETBACKS - Zoning District R-1/S-1
Front: 25 ft.
Rear: 25 ft.
Side: 6 ft.

LEGEND:
• Iron monument found
○ Iron monument set #7223
▼ Power Pole
▼ Hydrant
□ Carb. Stop
□ Gas Meter
→ Fence
← Drainage Arrow (Existing)

NOTES:
Bearings are on Ramsey Co. PLSS
Elevations are on assumed datum.

Allen C. Schlip
Date: 11/22/18
LIC. NO. MN. 21292

1440 Arcade St., Suite 250
Saint Paul, MN 55106
Phone: 888-765-0112
Fax: 612-763-6000
E-mail: info@mpasso.com
APPLICATION FOR MINOR SUBDIVISION

The minor subdivision permit process must be scheduled through the Community Development Planning and Zoning Department. The lead-time for submittals shown on this application is necessary to allow City staff and consultants time to review and comment on documents provided. Additional lead-time will be required if the City determines that the potential impacts require more detailed study, or if review by other agencies is required. Incomplete application submittals will not be forwarded to the appropriate Commission or Council until all required information has been provided.

APPLICANT INFORMATION

Applicant Name: Cory Wright
Company (if applicable): WTO Properties, LLC
Address: 152 Vogt Rd.
City, State, Zip: Woodbury, MN 55125
Phone Number: 317-443-4920
Email: corywright4e@gmail.com
Are you the owner of the property? YES NO
(If no, you must supply property owner information)

Owner Name: WTO Properties, LLC
Company (if applicable):
Address: SAME
City, State, Zip: SAME
Phone Number: SAME
Email: SAME

PROPERTY INFORMATION

Street location of property (address): 21603 17th Ave E, North St. Paul, MN 55169
Parcel Identification Number (PID) (see Ramsey County website): 042922440051
Legal description of property: Lot 19 Blocks S of CASTLE
Present zoning of property (see City website): IA - Residential Homestead
Size of property (acreage): 0.52 Acres
Title information: Abstract Torrens
Property Description: Residential Commercial Industrial Institutional

PROPOSAL INFORMATION

Application is hereby made for a Minor Subdivision

✓ Lot Split

Lot Combination

Lot Line Adjustment

The applicant hereby grants permission for the City’s employees, officials, and agents to enter onto the property that is subject to this application for the purposes of reviewing the property and reviewing this request.

Provide a project description (attach additional paperwork if necessary):

Proposing to split our current lot described above which is 100 ft x 140 ft into 2 equal lots of 50 ft x 140 ft.

NOTE:

1. In addition, the City requires a Certificate of Survey reflecting the location(s) of the building(s) for all new construction prior to issuance of a building permit.
2. Filling or excavating a wetland may require a permit from the City or Watershed District.
3. County driveway permits are required where applicable.
4. Contact the Finance Department at (651) 747-2404 for sewer, water or any other pending or deferred assessments or cash connection charges. Any outstanding assessments or required cash connection fees must be paid at the time of application.
5. City Ordinances can be viewed online at www.amlegal.com/north_saint_paul/
## LAND USE PROCESS

**Review Process**

<table>
<thead>
<tr>
<th>Step 1</th>
<th>Step 2</th>
<th>Step 3</th>
<th>Step 4</th>
<th>Step 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial meeting with City staff</td>
<td>Application submission/fee</td>
<td>Planning Commission</td>
<td>City Council action</td>
<td>Record with Ramsey County</td>
</tr>
</tbody>
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<th>MONTH: AUG</th>
</tr>
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<tbody>
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<td>App Submittal</td>
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<td>Design Review</td>
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### APPLICATION SUBMITTALS

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- Completed Application.
- Application fee: $500 (must submit escrow fee also, see 1st page, top right corner).
- 1 full size set and 1 electronic set of drawings of a Certified Land Survey showing:
- Legal description of present property to be divided, combined, or altered property line.
- Proposed lot lines. Clearly identify each new parcel (i.e., Parcel A, Parcel B, etc.)
- Include street widths, lots, building and set back lines, easements, etc.
- Dimensions of all property lines.
- Proposed use and area of each new lot.
- Existing and proposed drainage and contour plan.
- Location and width of proposed utility easements. *(The City requires new lots to have drainage and utility easement located on the front and rear 10 feet and the side 5 feet of the lot. These easements must be reflected on the survey).*
- Location and widths of existing street rights-of-way, railroad and utility rights-of-way, parks and other public open space, permanent building and easements within the existing lot and adjoining lots. *(The term UTILITY shall include sanitary sewers, storm sewers, water, gases, electricity, telephone, street lights, and drainage. The location and size of the nearest water main and sewer or outlet shall be indicated).*
- Areas intended to be dedicated for public use, including the areas of those dedications.
- Scale and North arrow.
- Any additional data requested by the City:

### NOTE:

1. After all approvals are granted, the City will then record the survey and the certified copy of the City Resolution with Ramsey County. Ramsey County will not accept a survey or deed for recording unless the City has given their approval first.

2. Verification of Ramsey County recording of the lot division is required prior to the City issuing a building permit for the new lot(s).
NOTE TO APPLICANT

All completed application and accompanying materials are due 30 days prior to the scheduled Planning Commission meeting (if applicable). The purpose of this submittal requirement is to allow for:

1. Plan distribution to the City staff, consultants, and applicable government entities.
2. Project review time and generation of staff reports.
3. Project meetings between City staff and applicants.

The North St. Paul City Codes guide and enable development activities within the City by ensuring proper and well-coordinated projects. The land use application is the mechanism that allows the City to examine proposed land uses to ensure compatibility with the City Codes, design and development standards, and the surrounding land uses and natural environments. The review is intended to ensure positive growth for the community. All applications are reviewed individually and are evaluated based on their own merit. Each land use request has an associated checklist of required items. Applicants are encouraged to participate in an initial meeting with City staff prior to submitting a formal land use application. The initial meeting is an opportunity to informally discuss the conceptual idea of the proposed project in an effort to reduce delays. Participation in the initial meeting does not provide approval, or guarantee approval of the project. The City shall not accept plans, drawings, or other information related to the project except upon submittal of a formal application. The City reserves the right to reject an incomplete application.

APPLICATION FEE STATEMENT

There may be additional expenses pertaining to project review that is the responsibility of the applicant. All applicable fees must be paid when submitting land use applications and accompanying materials. All fees, which are set annually by City Ordinance, help cover costs incurred by the City to review the application. The City of North St. Paul often uses consulting firms to assist in the review of projects. Please refer to the City’s Fee Schedule for information on planning review fees and other applicable costs.

REVIEW REQUIREMENTS

Minnesota State Statute 15.99 requires local governments to review an application within 15 business days of submission to determine if an application is complete and/or if additional information is required to complete the review. Once complete, a formal 30-day review period begins. The City has the ability to extend the review period for an additional 60 days, if necessary, due to insufficient information or scheduling difficulties. Please review the corresponding checklist that goes with the request. All applications must be received by the deadline(s) attached hereto. Failure to submit by the date given may result in a delay of the review by the Planning Commission and City Council.

ACKNOWLEDGEMENT

I certify that all information submitted is true and correct and I fully understand that all information and a complete application must be submitted at least 30 days prior to a Planning Commission meeting to ensure review by the Planning commission on that date. By signing this form, I hereby acknowledge the receipt of the checklist and procedure for the project to be submitted for consideration. It is my responsibility to check all applicable ordinances pertaining to the application, comply with all ordinance requirements, and submit all required materials. All permit requests should be submitted in a timely manner so as not to cause project delays.

Applicant signature: ____________________________ Date: 07/14/18
Owner Signature: ____________________________ Date: 07/14/18

PROPOSED MEETING DATES:
Environmental Advisory Commission: ___________ City Council: ___________

FOR OFFICE USE ONLY

Date submitted: ___________ Date complete: ___________ If incomplete, date letter sent to applicant: ___________
Date of public hearing: ___________ Publication date: ___________ Date notice sent to adjoining properties: ___________
Amount fee paid: ___________ Date fee paid: ___________ Receipt #: ___________ File #: ___________
Planning Commission action: ___________ Recommend approval: ___________ Recommend denial: ___________
Date applicant/property owner notified of Planning Commission action: ___________
City Council action: ___________ Recommend approval: ___________ Recommend denial: ___________
Date applicant/property owner notified of City Council action: ___________
Date filed with Ramsey County Recorder office: ___________
ZONING & LAND USE APPLICATION

APPLICATION FOR VARIANCE

The variance process must be scheduled through the Community Development Planning and Zoning Department. The lead-time for submittals shown on this application is necessary to allow City staff and consultants time to review and comment on documents provided. Additional lead-time will be required if the City determines that the potential impacts require more detailed study, or if review by other agencies is required. Incomplete application submittals will not be forwarded to the appropriate Commission or Council until all required information has been provided.

APPLICANT INFORMATION

Applicant Name: Cory Wright
Company (if applicable): WTD Properties, LLC
Address: 4152 Vogel Avenue Blvd
City, State, Zip: Woodbury, MN 55129
Phone Number: 651-443-4920
Email: corywright4@gmail.com
Are you the owner of the property? YES NO
(If no, you must supply property owner information)

Owner Name: WTD Properties, LLC
Company (if applicable): 
Address: 
City, State, Zip: 
Phone Number: 
Email: 

PROPERTY INFORMATION

Street location of property (address): 2600 3rd Av N, North St. Paul, MN 55109
Parcel Identification Number (PID) (see Ramsey County website): 0039.2244.005.01
Legal description of property: Lot 19, Block 1, 3rd Ward
Present zoning of property (see City website): A - Residential Homestead
Size of property (acreage): 0.32 Acres
Title information: Abstract Torrens
Property Description: Residential Commercial Industrial Institutional

PROPOSAL INFORMATION

The request(s) which we desire for our property is/are in conflict with the following section(s) of the City of North St. Paul Zoning Code (reference Zoning Code, see City website):

Proposed non-conformance(s):

Splinter lot

On a separate sheet of paper, please answer the following questions in full detail:

1. Provide a project description.
2. Is the variance in harmony and consistent with the general purposes and intent of the Comprehensive Plan and Chapter 154?
3. Will the variance adversely affect the health, safety, or general welfare of the City?
4. Is the variance necessary due to special conditions applying to the structures or land in question that are particular to the property and do not apply generally to other land or structures in the district or vicinity in which the land is located?
5. Is the variance requested, the minimum variance necessary to alleviate the practical difficulty? Practical Difficulties are caused from the strict application of the Zoning Code as outlined below:
   - The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Code.
   - The plight of the landowner is due to circumstances unique to the property not created by the landowner.
   - The variance, if granted, will not alter the essential character of the locality.
   - Economic considerations alone do not constitute practical difficulties.
   - The variance is consistent with officially adopted City plans and overlays.
LAND USE PROCESS

Review Process

Step 1  \rightarrow  Step 2  \rightarrow  Step 3  \rightarrow  Step 4  \rightarrow  Step 5

Initial meeting  \rightarrow  Application submission/fee  \rightarrow  Public Notice  \rightarrow  Planning Commission  \rightarrow  City Council action

MONTH:

App Submittal
Design Review
EAC
Parks & Rec
Planning Commission
City Council

WEEKS: 1  2  3  4  5  1  2  3  4  5

Regular Scheduled City Meetings:

PLANNING COMMISSION
1st Thursday of the month (6:15 p.m.)

DESIGN REVIEW COMMISSION
4th Thursday of the month (5:00 p.m.)

ENVIRONMENTAL ADVISORY COMMISSION
4th Monday of the month (6:00 p.m.)

PARKS & RECREATION COMMISSION
4th Wednesday of the month (6:30 p.m.)

ECONOMIC DEVELOPMENT AUTHORITY
2nd Tuesday of every odd month (4:00 p.m.)

CITY COUNCIL
1st and 3rd Tuesday of the month (6:30 p.m.)

APPLICATION SUBMITTALS

Required  \rightarrow  Completed

\checkmark  \checkmark

Completed Application
Application Fee: Residential $200; Non-Res. $500. Escrow: Residential $500 min.; Non-Res. $1,000 min.
Certificate of Survey including the following items: Scale of drawing, legal description, dimensions of lot and north point, dimensions of front, rear and side yards, indicate buildable area, dimensions of proposed driveway(s), location of all existing buildings on the lot, location of the proposed building or construction, location of stakes established by the surveyor along each side lot line, location of all recorded and platted easements, two-foot contours and spot elevations, all encroachments, proposed drainage patterns, locate ponds, lakes, rivers, or other water features bordering on or running through the subject property, locate and depict all "significant tree(s)" to be removed on the property.

Site plan including the following items: Name and address of developer/owner, date of plan preparation, dates and descriptions of all revisions, name of project. Proposed front, rear and side yard setbacks. Location, setback, and dimensions of all proposed buildings and structures. Location of all adjacent buildings located within 100 feet of the exterior boundaries of the property. Location, number, and dimensions of proposed parking and loading spaces. Identify sidewalks, trails and walkways, and location of recreation and service areas. Location of rooftop equipment and proposed screening. Provisions of storage and disposal of waste, garbage and recyclables, including details for screening exterior trash/recycling. Location, size and type of water and sewer system mains, fire hydrants and proposed service connections.

Location map showing the general location of the proposed use within the city.

Map showing all principal land uses within 350 feet of the parcel for which the application is being made.

Proof of ownership of the property.

Map or plat showing the lands proposed to be changed and all lands within at least 350 feet of the boundaries of the property.

Names and addresses of the owners of the lands within 350 feet as appear on the records of the County Auditor of Ramsey County, which shall be provided by the petitioner (City can provide this for the applicant).

Other submittals as required by specific zoning district.

Any additional data requested by the city: ________________________________
NOTE TO APPLICANT

All completed application and accompanying materials are due 30 days prior to the scheduled Planning Commission meeting (if applicable). The purpose of this submittal requirement is to allow for:

1. Plan distribution to the City staff, consultants, and applicable government entities.
2. Project review time and generation of staff reports.
3. Project meetings between City staff and applicants.

The North St. Paul City Codes guide and enable development activities within the City by ensuring proper and well-coordinated projects. The land use application is the mechanism that allows the City to examine proposed land uses to ensure compatibility with the City Codes, design and development standards, and the surrounding land uses and natural environments. The review is intended to ensure positive growth for the community. All applications are reviewed individually and are evaluated based on their own merit. Each land use request has an associated checklist of required items. Applicants are encouraged to participate in an initial meeting with City staff prior to submitting a formal land use application. The initial meeting is an opportunity to informally discuss the conceptual idea of the proposed project in an effort to reduce delays. Participation in the initial meeting does not provide approval, or guarantee approval of the project. The City shall not accept plans, drawings, or other information related to the project except upon submittal of a formal application. The City reserves the right to reject an incomplete application.

APPLICATION FEE STATEMENT

There may be additional expenses pertaining to project review that is the responsibility of the applicant. All applicable fees must be paid when submitting land use applications and accompanying materials. All fees, which are set annually by City Ordinance, help cover costs incurred by the City to review the application. The City of North St. Paul often uses consulting firms to assist in the review of projects. Please refer to the City's Fee Schedule for information on planning review fees and other applicable costs.

REVIEW REQUIREMENTS

Minnesota State Statute 15.99 requires local governments to review an application within 15 business days of submission to determine if an application is complete and/or if additional information is required to complete the review. Once complete, a formal 60-day review period begins. The City has the ability to extend the review period for an additional 60 days, if necessary, due to insufficient information or scheduling difficulties. Please review the corresponding checklist that goes with the request. All applications must be received by the deadline(s) attached hereto. Failure to submit by the date given may result in a delay of the review by the Planning Commission and City Council.

ACKNOWLEDGEMENT

I certify that all information submitted is true and correct and I fully understand that all information and a complete application must be submitted at least 30 days prior to a Planning Commission meeting to ensure review by the Planning commission on that date. By signing this form, I hereby acknowledge the receipt of the checklist and procedure for the project to be submitted for consideration. It is my responsibility to check all applicable ordinances pertaining to the application, comply with all ordinance requirements, and submit all required materials. All permit requests should be submitted in a timely manner so as not to cause project delays.

Applicant signature: ___________________________ Date: 3/14/18
Owner Signature: ___________________________ Date: 7/14/18

PROPOSED MEETING DATES:

Design Review Commission: Planning Commission: Parks & Rec Commission:  
Environmental Advisory Commission: City Council: ___________________________

FOR OFFICE USE ONLY

Date submitted: ___________ Date complete: ___________ If incomplete, date letter sent to applicant: ___________
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Zoning & Land Use Application

1. WTO Properties, LLC currently owns 2663 17th Ave E, North St. Paul, MN 55109 and is in the process of rehabbing the house and property. As part of this project we are proposing splitting the current lot which is 100’x140’ (0.32 acres) in to 2 equal lots each 50’x140’ (0.16 acres) to free up the second lot for a new construction.

2. Given the make-up of the surrounding neighborhood we believe our proposal is consistent with the general purposes and intent of the Comprehensive Plan and Chapter 154. Our work on the existing 2663 17th Ave E house and surrounding property as well as opening up the 2nd lot for new residential development both improve the overall aesthetic and property value of the neighborhood. Additionally, as shown with yellow stars in the picture below there are at least 13 lots within the surrounding block that have a 50’ wide lot, so we do not think our lot split will be unique or cause any change to the make-up of the surrounding neighborhood.

3. The variance will have no adverse effect on health, safety, or general welfare of the city. Our 2 lots and their relative size and location within the neighborhood will not be unique in size as many of the surrounding lots have a 50’ street width. We are planning to use the new lot for residential development of a single-family home.

4. No, the variance is only necessary based on the Table 4, R1 Single Family Residential District minimum square footage and minimum lot width requirement. Our proposal for variance does not have any other special conditions that apply.

5. Yes, the variance requested is the minimum needed to allow for a division of the existing lot. This will not alter the essential character of the locality.
MEMORANDUM

Date: January 03, 2019
To: City of North Saint Paul Planning Commission
From: Molly Just, Planning Consultant

Re: Updates to City Ordinance Definitions and Permitted Uses - Cemeteries, Columbariums and Crematoriums

BACKGROUND
Recently there has been desire from area churches to add a columbarium on their property. Many of these properties do not have a cemetery attached but would still like to offer the ability to intern ashes in this way. Currently, City Code considers a columbarium to be synonymous with a cemetery requiring a CUP for this use. To allow for the construction of a columbarium on church property, staff was directed to make changes to the definitions related to ‘cemetery’ and ‘columbarium’ in the City Code.

In addition to these changes, staff was directed to define ‘crematoriums’ and prohibit their use within the City.

FINDINGS
Please note the new proposed ordinance text below. The underline indicates new text, strike-through indicates text to be deleted.

Section 154.003 Definitions

Existing Language:

CEMETERY. Any non-publicly owned parcel of land designed, intended to be used, or used for the burial of deceased persons or animals. For purposes of this code, a burial lot and columbarium shall be included in the definition of cemetery.

Proposed Language:

CEMETERY. Any non-publicly owned parcel of land designed, intended to be used, or used for the burial of deceased persons or animals. For purposes of this code, a burial lot and columbarium shall be included in the definition of cemetery.

COLUMBARIUM. Above-ground repository composed of niches to hold cremation urns.

CREMATORY. "Crematory" means a building or structure containing one or more cremation chambers or retorts for the cremation of dead human bodies.
APPENDIX A: TABLES
Table 3. Residential Use Districts

Existing Language:

<table>
<thead>
<tr>
<th>Civic and Institutional</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>Supplemental Regulations</th>
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<tr>
<td>Cemetery</td>
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<td>C</td>
<td>C</td>
<td></td>
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<td>Day Care Center, Day Nursery</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>X</td>
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<td>Institutions</td>
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<td>Schools, Public and Private</td>
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<td>C</td>
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<tr>
<td>Public Park or Playground and Open Space</td>
<td>P</td>
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Proposed Language:

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<th>Civic and Institutional</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>Supplemental Regulations</th>
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<td>Cemetery</td>
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<tr>
<td>Columbarium</td>
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<td>Crematory</td>
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<td>Day Care Center, Day Nursery</td>
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<td>Public Park or Playground and Open Space</td>
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Table 6: Mixed Use Districts

Existing Language:

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<tr>
<th>Retail Sales and Service</th>
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<th>MU-2</th>
<th>MU-3</th>
<th>Supplemental Regulations</th>
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<td>Animal Grooming</td>
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<td>Auction Rooms</td>
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<td>Body Art Establishment</td>
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<td>Contractor's Business with Showroom or Workshop</td>
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<td>Drive-In or Self-Service Business</td>
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<tr>
<td>Dry Cleaning, Commercial Laundry</td>
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<td>Farmer's Market</td>
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**What is a Text Amendment?**

A Zoning Text Amendment is a procedure that amends the written provisions of the ordinances contained within Chapter 154. Amendments shall not be made indiscriminately, but shall only be used as a means to reflect changes in the goals and policies of the City as reflected in the Comprehensive Plan, policies, plans or changes in conditions within the City.

**City Code Section 154.004, (D) Zoning Text Amendments (2):**

The City may grant a Zoning Text Amendment if the proposed amendment is compliant with the following findings:

- The proposed amendment is consistent with the general purposes and intent of the Comprehensive Plan. *The proposal complies with this standard.*
- The proposed amendment will not adversely affect the health, safety, or general welfare of the City. *The proposal complies with this standard and is not anticipated to have an adverse effect on the health, safety, or general welfare of the city and surrounding land.*
- The proposed amendment is compatible with present and future land uses in the surrounding area and reasonably related to the overall needs of the City. *The proposal complies with this standard.*
- The proposed amendment is compatible with adjacent properties. *The proposal complies with this standard.*
- The proposed amendment can be adequately supported by public urban services including water supply, transportation system and capacity, police and fire protection, utilities, and sanitary waste disposal and stormwater disposal systems. The proposed amendment will not impact existing or future public urban services.

**Public Hearing:** A Text Amendment requires a Public Hearing and the Planning Commission will need to open the hearing to take comment from the public. A public hearing will need to be held for this issue.

**RECOMMENDED ACTION**

To offer any feedback on the proposed text amendments and to direct Staff to hold a public hearing for this proposed amendment at the next Planning Commission meeting on February 7th, 2019.