

**MINUTES OF MEETING**  
**SOUTH ST. PAUL PLANNING COMMISSION**  
**June 7, 2023**

MEETING CALLED TO ORDER BY CHAIR FELTON AT 7:00 P.M.

Present:       Tim Felton, Chair  
                  Geoff Fournier  
                  Jason Frankot  
                  Ruth Krueger  
                  Brianna Miller  
                  Chad Schlemmer  
                  Michael Healy, City Planner

Absent:        James Hart

- 1)       APPROVAL OF AGENDA – Motion to approve as presented –Frankot/Fournier (6-0)
- 2)       APPROVAL OF MINUTES – May 3, 2023 –Motion to approve the minutes as presented-  
          Krueger/Miller (6-0).
- 3)       NEW BUSINESS

None

- 4)       PUBLIC HEARINGS

A. Bryant’s Ridge Development Application Resubmittal

Mr. Healy presented the staff report. The Applicant is TJ Hammerstrom on behalf of Bryant’s Ridge LLC. They are requesting to turn an 8-acre site located on Bryant Avenue into housing development. The Applicant is requesting several zoning approvals to construct 2 rental apartment buildings, 2 townhome buildings with for-sale units, 2 twin homes with for-sale units, and 2 single-family homes with for sale units. There are a total of 174 units in the development. Mr. Healy shared the history of the application and why the application was back in front of the Planning Commission after being initially denied by the City Council in April. Mr. Healy shared some additional information the Applicant had provided about the feasibility of the project and then explained the requested development approvals. Mr. Healy shared that all of underlying property owners, including Tom Murashie who owns the single-family home at 1235 Bryant, are in full support of the project and have signed their names on the development application. Mr. Murashie is no longer raising concerns about the project as he did at the February Planning Commission public hearing. Mr. Healy also explained that the “Vantem Panels” that the Applicant wants to use as a principal exterior building material have passed most of their required tests and just need to go through some additional testing to ensure that they meet the State Energy Code’s insulation requirements.

Mr. Healy explained that the property has had R-4 Multifamily Residential zoning since 1992 and has been zoned for apartments since at least 1969. The R-4 zoning district grants each property with at least 9,000 square feet of lot area an allowance for the total number of dwelling units. An 8-acre property could automatically support a 151-unit apartment building with just a conditional use permit. The R-4 district also has density

bonuses which would allow the developer to potentially build a 302-unit apartment building with just a conditional use permit. The City cannot deny a conditional use permit as long as the project complies with the City Code and the Comprehensive Plan. The Applicant is proposing a Planned Unit Development because he wants to break up the property into multiple parcels and create townhome units and single-family homes that will be homeownership opportunities. The Applicant is only proposing to have 153 apartment units and they could almost do this automatically under the R-4 ordinance if they designed the project to just have one large 8-acre parcel.

Mr. Healy explained that the 2040 Comprehensive Plan calls for protecting and strengthening South St. Paul's existing neighborhoods and focusing almost all density and redevelopment on the Concord Street mixed-use corridor which officially does include the subject property. The Comprehensive Plan requires development of the subject property to have a minimum density of 13 units per acre which would mean that the property must be developed with at least 104 units. The City cannot approve a variance, conditional use permit, or PUD for a housing project that is not substantially consistent with the comprehensive plan. The abandoned townhome development that Kamish attempted in 2004 was only 3.6 units per acre which was less dense than most of South St. Paul's single-family home neighborhoods. The Kamish development does not meet the current comprehensive plan and it could not be approved today.

Mr. Healy went over the site plan proposal for the various buildings and explained that the proposed development meets the purpose and intent of the zoning code and the 2040 Comprehensive Plan. In many ways, the development that the Applicant proposes to build is much nicer than the type of large lot apartment development that the City Code wants to be built on the site. If the Planning Commission agrees that the overall development is sound, the PUD flexibility that is being requested is reasonable.

Mr. Healy explained the long list of proposed "conditions of approval" and what it means that the City will not sign the mylars and allow the plat to be recorded unless many of the conditions have been satisfied. If the mylars are not signed or recorded, the land will essentially remain "as-is" and it will be like Bryant's Ridge never existed. He stated that there is little risk to the City in giving a development approval with such tight conditions that will prevent plat recording until all outstanding concerns have been addressed.

Chair Felton asked Mr. Healy if he felt the Council's concerns which led them to vote against the project in April had been addressed. Mr. Healy explained that one of the votes against the project was because the City Council member did not believe the developer could pull off the project and that this individual would not change their mind. Another one of the Council members voted against the project because she was against approving additional apartment buildings until the other apartments under construction elsewhere in town are completed and fully occupied. A third City Council member voted against the project because she is not in favor of luxury townhomes and had concerns about the townhomes being too expensive for South St. Paul residents. The fourth Council member voted against the project at least in part because he did not believe the project was buildable due to the property's history as a construction debris dump with soil issues and contamination. This City Councilmember was persuaded by additional evidence submitted by the Applicant that the piece of land could physically support the project and he was one of the four City Councilmembers who voted to allow the Applicant to resubmit the project without waiting six months as the City Code normally requires.

Chair Felton asked if a notice of public hearing was sent out for the project. Mr. Healy shared that a notice was sent to all properties located within 350 feet of the project site.

Commissioner Miller asked about the final location for the house that would be moved as part of the project. Mr. Healy showed Commissioner Miller where the existing house would be moved to.

TJ Hammerstrom came forward to speak on the application. Mr. Hammerstrom introduced his team and welcomed any questions from the commissioners.

Commissioner Schlemmer asked if there were concerns related to the cost of soil corrections and the impacts of the cost on the project. Mr. Hammerstrom shared that his team had investigated as much of the soil conditions as they could without actually starting the project. Mr. Hammerstrom explained that they would be utilizing the existing soil corrections from the previous development attempt and had worked extensively with their geotechnical consultants to be ready to address any additional soil corrections.

Commissioner Fournier asked the applicant to clarify that the construction would start at the west of the site and move east. Mr. Hammerstrom shared that the order of construction may change based on the market conditions. Mr. Hammerstrom explained that everything would be constructed in about 8 months.

Chair Felton confirmed with Mr. Hammerstrom that the project finish date would be 8 months from the start. Mr. Hammerstrom confirmed that was correct.

Chair Felton opened the public hearing.

Christian Kline, 1021 Bryant Avenue, shared that he spoke at a previous City Council meeting about his three concerns about the project: parking, the sidewalk that would be placed in front of his home, and the height of the apartment complex in relation to his property. Mr. Kline acknowledged that the parking issue had been addressed. Mr. Kline shared that he and Mr. Hammerstrom discussed options for the sidewalk that would be placed in front of his house. Mr. Kline shared that while he still had concerns about the height of the apartment, the Applicant and his team had proposed vegetative screening between the two properties that made him more comfortable with the project. The Applicant's architect has also provided some suggestions for ways that the front entry at 1021 Bryant might be redesigned through a small remodeling project to add more privacy. Mr. Kline shared that he supported the project and that he and his fiancé hoped to see pedestrian access to Kaposia landing be improved as a result of the additional housing created by this project.

Mr. Felton reconfirmed with Mr. Kline that his concerns about the project had been addressed. Mr. Kline confirmed that his concerns had been addressed and added that he was hopeful the commission would consider adding some of Mr. Hammerstrom's promises to him as conditions of approval for the project. Mr. Kline reiterated his support for the project.

Mr. Healy shared that he had added a condition of approval for the project that the sidewalk in front of Mr. Kline's home would need to be as far away from it as possible. Mr. Healy stated that it would be unusual to condition a development approval on the developer paying to remodel a neighboring private home and the City would probably want to stay out of that conversation between Mr. Kline and the Applicant. Mr. Healy shared that the City was open to working with the Applicant and Mr. Kline to potentially get some additional trees in the unvacated road between Mr. Kline's property and the development site. Mr. Healy stated that there is not currently a condition of approval that there needs to be a tree line between the two properties. There are buried utilities in that unvacated right-of-way area that may impact where trees can be placed.

Mr. Healy shared an email he received from Christine Maki, 725 13<sup>th</sup> Avenue North, in opposition of the project. Ms. Maki shared a host of reasons she was opposed to the project including that the type of housing being constructed would not encourage families to move to South St. Paul, the pricing of the luxury housing units that would be constructed, and concerns about traffic at the site.

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Chair Felton asked if any additional correspondence had been received. Mr. Healy shared that he had not received any additional correspondence.

Chair Felton closed the public hearing.

Motion to recommend approval of the development application- Krueger/Miller (5-0) (Schlemmer abstained)

Chair Felton asked Mr. Hammerstrom if he had any concerns with the conditions of approved. Mr. Hammerstrom stated he did not.

5) OTHER BUSINESS

None.

6) STAFF UPDATES

None.

7) ADJOURNMENT

Motion to adjourn- Miller /Fournier (6-0).