

MINUTES
MAPLEWOOD CITY COUNCIL
7:00 P.M. Monday, May 08, 2023
City Hall, Council Chambers
Meeting No. 09-23

J. NEW BUSINESS

- 2. JB Vang Multifamily Residential Project, 1310 Frost Avenue East**
 - a. Conditional Use Permit Resolution**
 - b. Design Review Resolution**

City Planner Hammond gave the staff report. Justin Fincher, Developer with JB Vang Partners, addressed council, provided further information, and answered questions of council.

Councilmember Cave moved to approve the resolution for a conditional use permit approving a four-story, 65-unit multifamily apartment project to be constructed at 1310 Frost Avenue East.

Resolution 23-05-2209
CONDITIONAL USE PERMIT RESOLUTION

BE IT RESOLVED by the City Council of the City of Maplewood, Minnesota, as follows:

- Section 1. Background.
 - 1.01 Ashley Bisner, of JB Vang, has requested approval of a conditional use permit to permit a four-story multifamily building.
 - 1.02 The property is located at 1310 Frost Avenue East and is legally described as:

PIN: 152922320076. Lots 1, 2, 3, 4, 5, 6, and 7, except the South 7 feet of said Lot 7, Block 3, Gladstone, according to the recorded plat thereof, together with the vacated Ridge Street adjacent, Ramsey County, Minnesota. Abstract Property
- Section 2. Standards.
 - 2.01 City Ordinance Section 44-359 requires a Conditional Use Permit for multiple dwelling buildings that exceed a height of 35 feet.
 - 2.02 General Conditional Use Permit Standards. City Ordinance Section 44-1097(a) states that the City Council must base approval of a Conditional Use Permit on the following nine standards for approval.
 - 1. The use would be located, designed, maintained, constructed and operated to be in conformity with the City's Comprehensive Plan and Code of Ordinances.

2. The use would not change the existing or planned character of the surrounding area.
3. The use would not depreciate property values.
4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water run-off, vibration, general unsightliness, electrical interference or other nuisances.
5. The use would not exceed the design standards of any affected street.
6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
7. The use would not create excessive additional costs for public facilities or services.
8. The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.
9. The use would cause minimal adverse environmental effects.

Section 3. Findings.

3.01 The proposal meets the specific conditional use permit standards.

Section 4. City Review Process

4.01 The City conducted the following review when considering this conditional use permit request.

1. On April 18, 2023, the planning commission held a public hearing. The city staff published a hearing notice in the Pioneer Press and sent notices to the surrounding property owners. The planning commission gave everyone at the hearing a chance to speak and present written statements.
2. On May 8, 2023, the city council discussed this resolution. They considered reports and recommendations from the planning commission and city staff. The Planning Commission recommended that the City Council approve this resolution.

Section 5. City Council

5.01 The city council hereby approves the resolution. Approval is based on the findings outlined in section 3 of this resolution. Approval is subject to the

following conditions:

1. All construction shall follow the approved plans, date-stamped March 31, 2023. The director of community development may approve minor changes.
2. The proposed construction must be substantially started within one year of council approval or the permit shall become null and void.
3. The city council shall review this permit in one year.
4. A parking waiver of 27 parking spaces is approved. If a parking shortage develops, the city council may require additional parking spaces to be constructed.

Seconded by Councilmember Villavicencio

Ayes – All

The motion passed.

Councilmember Lee moved to approve the resolution for design review approving a four-story, 65-unit multifamily apartment project to be constructed at 1310 Frost Avenue East.

Resolution 23-05-2210
DESIGN REVIEW RESOLUTION

BE IT RESOLVED by the City Council of the City of Maplewood, Minnesota, as follows:

Section 1. Background.

1.01 Ashley Bisner, of JB Vang, has requested approval of design review to permit a four-story multifamily building.

1.02 The property is located at 1310 Frost Avenue East and is legally described as:

1.03 PIN: 152922320076. Lots 1, 2, 3, 4, 5, 6, and 7, except the South 7 feet of said Lot 7, Block 3, Gladstone, according to the recorded plat thereof, together with the vacated Ridge Street adjacent, Ramsey County, Minnesota. Abstract Property

Section 2. Site and Building Plan Standards and Findings.

2.01 City ordinance Section 2-290(b) requires that the community design review board make the following findings to approve plans:

1. That the design and location of the proposed development and its relationship to neighboring, existing or proposed developments and traffic is such that it will not impair the desirability of investment or occupation in the neighborhood; that it will not unreasonably interfere with the use and enjoyment of neighboring, existing or

proposed developments; and that it will not create traffic hazards or congestion.

2. That the design and location of the proposed development are in keeping with the character of the surrounding neighborhood and are not detrimental to the harmonious, orderly and attractive development contemplated by this article and the city's comprehensive municipal plan.
3. That the design and location of the proposed development would provide a desirable environment for its occupants, as well as for its neighbors, and that it is aesthetically of good composition, materials, textures and colors.

Section 3. City Council Action.

3.01 The above-described site and design plans are hereby approved based on the findings outlined in Section 3 of this resolution. Subject to staff approval, the site must be developed and maintained in substantial conformance with the design plans date-stamped March 31, 2023. Approval is subject to the applicant doing the following:

1. Obtain a conditional use permit from the city council for this project.
2. Repeat this review in two years if the city has not issued a building permit for this project.
3. All requirements of the fire marshal and building official must be met.
4. Satisfy the requirements set forth in the engineering review authored by Jon Jarosch, dated April 10, 2023.
5. Satisfy the requirements set forth in the environmental review authored by Shann Finwall, dated April 11, 2023.
6. The applicant shall obtain all required permits from the Ramsey-Washington Metro Watershed District.
7. Rooftop vents and equipment shall be located out of view from all sides of the property.
8. Any identification or monument signs for the project must meet the requirements of the city's mixed-use sign ordinance. Identification or monument signs shall be designed to be consistent with the project's building materials and colors.
9. Prior to the issuance of a building permit, the applicant shall submit for staff approval the following items:

- a. The applicant shall provide the city with a cash escrow or an irrevocable letter of credit for all required exterior improvements. The amount shall be 150 percent of the cost of the work.
 - b. A revised landscape plan that details screening along the south property line that meets city code requirements.
 - c. A revised photometric plan that meets city code requirements.
10. The applicant shall complete the following before occupying the building:
- a. Replace any property irons removed because of this construction.
 - b. Provide continuous concrete curb and gutter around the parking lot and driveways.
 - c. Install all required landscaping and an in-ground lawn irrigation system for all landscaped areas.
 - d. Install all required outdoor lighting.
 - e. Install all required sidewalks and trails.
11. If any required work is not done, the city may allow temporary occupancy if:
- a. The city determines that the work is not essential to public health, safety or welfare.
 - b. The above-required letter of credit or cash escrow is held by the City of Maplewood for all required exterior improvements. The owner or contractor shall complete any unfinished exterior improvements by June 1 of the following year if occupancy of the building is in the fall or winter or within six weeks of occupancy of the building if occupancy is in the spring or summer.
12. All work shall follow the approved plans. The director of community development may approve minor changes.

Seconded by Councilmember Juenemann

Ayes – All

The motion passed.