

**MINUTES**  
**MAPLEWOOD CITY COUNCIL**  
7:00 P.M. Monday, December 12, 2022  
City Hall, Council Chambers  
Meeting No. 25-22

**I. UNFINISHED BUSINESS**

- 1. Multifamily Residential Project, 1136/1160 Frost Avenue East**
  - a. Comprehensive Plan Amendment Resolution (Requires 4 Council Votes)**
  - b. Public Vacations Resolution (Requires 4 Council Votes)**
  - c. Conditional Use Permit Resolution**
  - d. Design Review Resolution**

City Manager Coleman introduced the item and gave background. Assistant Community Development Director Martin gave the presentation and provided history of similar projects and council action. Council asked questions of staff and discussed the topic. Ari Parritz, with Reuter Walton, addressed the council and answered questions.

Mayor Abrams moved to approve the resolution amending the 2040 Comprehensive Plan's Future Land Use Map to require the project properties from Medium Density Residential to High Density Residential. (Requires 4 Council Votes).

Resolution 22-12-2154  
**COMPREHENSIVE PLAN AMENDMENT RESOLUTION**

Resolution approving the comprehensive plan amendment regarding the properties at 1136 and 1160 Frost Avenue East from Medium Density Residential to High Density Residential.

Be it resolved by the City Council of the City of Maplewood, Minnesota, as follows:

Section 1. Background.

1.01 Ari Parritz, of Reuter Walton Development, has requested approval of a comprehensive plan amendment.

1.02 The properties are located at 1136 and 1160 Frost Avenue East and are legally described as:

PIN: 162922420003 and 162922420004 – Lots 1 to 13, inclusive, Block 2, Kavanagh and Dawson's Addition to Gladstone, and that portion of the vacated alley which accrued to said lots by reason of the vacation thereof, according to the recorded plat on file in the office of the Register of Deeds within and for Ramsey County, Minnesota.

AND

PIN: 162922420112 – Lots 1 through 20, inclusive, in Block 1, Kavanagh and Dawson's Addition to Gladstone, together with the vacated alley in said Block 1, Ramsey County, Minnesota.

Section 2. Criteria.

- 2.01 The 2040 Comprehensive Plan states the document may require amending due to a property owner request to change land use designation to allow a proposed development or redevelopment.
- 2.02 The 2040 Comprehensive Plan amendment process follows the same City identified public hearing process as the major update process used to develop the 2040 Comprehensive Plan. Amendments are required to submit and gain approval from the Metropolitan Council.

Section 3. Findings

- 3.01 The requested amendment would add additional housing units to the Gladstone Neighborhood, creating additional demand for commercial services that the City wants to see retained, expanded and established in this neighborhood.
- 3.02 The City has invested nearly \$17 million in public infrastructure improvements in the Gladstone Neighborhood to spur redevelopment and add additional housing units.
- 3.03 The request meets various amendment criteria outlined in the 2040 Comprehensive Guide Plan:
1. Enhance existing neighborhoods by encouraging residential neighborhood development and redevelopment to address gaps in the housing mix, ensuring the efficient use of city services and infrastructure, and strengthen neighborhood vitality.
  2. Increase development densities/intensities with quality design at appropriate locations to support an increased mix of housing options, viability of neighborhood commercial nodes, and regional transit investments.
  3. Ensure the City has a variety of housing types for ownership and rental for people in all stages of their life cycle.

Section 4. City Review Process

- 4.01 The City conducted the following review when considering this amendment request.
1. On September 20, 2022, 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. On October 18, 2022, the planning commission continued its review and recommended that the city council deny the comprehensive plan amendment.

2. On December 12, 2022, the city council discussed the comprehensive plan amendment. They considered reports and recommendations from the planning commission and city staff.

Section 5. City Council

5.01 The above described comprehensive plan amendment is approved based on the findings outlined in section 3 of this resolution. Approval is subject to, and only effective upon, the following conditions:

1. Review and approval of the Metropolitan Council as provided by state statute.
2. The site must be developed and maintained in substantial conformance with the following plans:
  - a. Design and site plans, date-stamped September 2, 2022.
3. The development must further comply with all conditions outlined in City Council Resolution No. 22-12-2156 for a conditional use permit approved by the Maplewood City Council on December 12, 2022.

Seconded by Councilmember Knutson

Ayes – All

The motion passed.

Mayor Abrams moved to approve the resolution for public vacations. (Requires 4 Council Votes).

Resolution 22-12-2155  
PUBLIC VACATIONS RESOLUTION

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

Section 1. Background.

1.01 Ari Parritz, of Reuter Walton Development, has requested The Maplewood City Council to vacate the following unused public rights-of-way:

All that part of Edward Street lying southerly of a line drawn from northeast corner of Block 2 to the northwest corner of Block 1, all within KAVANAGH AND DAWSON'S ADDITION TO GLADSTONE, Ramsey County, Minnesota, according to the recorded plat thereof, and northerly of a line drawn from the southeast corner of said Block 2 to the southwest corner of said Block 1.

And,

All that part of North 1/2 of Fenton Avenue lying easterly of the southerly extension of the westerly line of Block 1, KAVANAGH AND DAWSON'S ADDITION TO GLADSTONE, Ramsey County, Minnesota, according to the recorded plat thereof, and westerly of the southerly extension of the easterly line of said Block 1,

And,

All that part of Frank Street, formerly known as Good Avenue, lying southerly of the easterly extension of the northerly line of Block 1, KAVANAGH AND DAWSON'S ADDITION TO GLADSTONE, Ramsey County, Minnesota, according to the recorded plat thereof, and easterly of the southerly extension of said Block 1, and northerly of the southerly line of the North 1/2 of Fenton Avenue, and westerly of the east line of said KAVANAGH AND DAWSON'S ADDITION TO GLADSTONE plat.

1.02 The properties located at 1136 and 1160 Frost Avenue East are legally described as:

PIN: 162922420003 and 162922420004 – Lots 1 to 13, inclusive, Block 2, Kavanagh and Dawson's Addition to Gladstone, and that portion of the vacated alley which accrued to said lots by reason of the vacation thereof, according to the recorded plat on file in the office of the Register of Deeds within and for Ramsey County, Minnesota.

AND

PIN: 162922420112 – Lots 1 through 20, inclusive, in Block 1, Kavanagh and Dawson's Addition to Gladstone, together with the vacated alley in said Block 1, Ramsey County, Minnesota.

1.03 The proposed single lot is proposed to be legally described as:

Lots 1 to 10, inclusive, Block 2, Kavanagh and Dawson's Addition to Gladstone, and that portion of the vacated alley and vacated Edward Street.

Lots 11 to 13, inclusive, Block 2, Kavanagh and Dawson's Addition to Gladstone, and that portion of the vacated alley.

Lots 1 through 20, inclusive, in Block 1, Kavanagh and Dawson's Addition to Gladstone, together with the vacated alley, and that part of vacated Frank Street North and Fenton Avenue which lies east of the most westerly extent and south of the most northerly extent of said Block 1, Ramsey County, Minnesota.

Section 2. Standards

2.01 Minnesota state statute requires that no vacation shall be made unless it appears in the interest of the public to do so.

Section 3. Findings.



1.02 The properties are located at 1136 and 1160 Frost Avenue East and are legally described as:

PIN: 162922420003 and 162922420004 – Lots 1 to 13, inclusive, Block 2, Kavanagh and Dawson's Addition to Gladstone, and that portion of the vacated alley which accrued to said lots by reason of the vacation thereof, according to the recorded plat on file in the office of the Register of Deeds within and for Ramsey County, Minnesota.

AND

PIN: 162922420112 – Lots 1 through 20, inclusive, in Block 1, Kavanagh and Dawson's Addition to Gladstone, together with the vacated alley in said Block 1, Ramsey County, Minnesota.

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 September 20, 2022, 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. On October 18, 2022, the planning commission continued its review and recommended that the city council deny this resolution.
2. On December 12, 2022, the city council discussed this resolution. They considered reports and recommendations from the planning commission and city staff.

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: (additions are underlined and deletions are crossed out):

1. All construction shall follow the approved plans, date-stamped September 2, 2022. 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 56 parking spaces is approved. If a parking shortage develops, the city council may require additional parking spaces to be constructed.
5. Storage on the first-level patios shall be limited to patio furniture only.
6. The applicant's request to combine the three properties comprising of 1136 and 1160 Frost Avenue East meets all city subdivision requirements and is approved. The applicant shall complete the following items:





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 September 2, 2022. 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 September 12, 2022.
5. Satisfy the requirements set forth in the environmental review authored by Shann Finwall, dated September 12, 2022.
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 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 site plan with the dog park setback at least 50 feet from the south property line, the gazebo setback at least 50 feet from the west property line and the trail setback at least 50 feet from the west property line and located east of the stormwater pond.
  - c. A revised landscape plan that enhances the vegetative break between the west side of the project and the residential properties.
  - d. Revised floor plans showing all alcove – studio – units meeting the minimum floor area size of 580 square feet and that all units in the building have a minimum of 120 cubic feet of storage space.
  - e. 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 Knutson

Ayes – All

The motion passed.