



Saint Paul Planning Commission

City Hall Conference Center Room 40
15 Kellogg Boulevard West

Agenda

Christopher B. Coleman,
Mayor

May 2, 2014
8:30 – 11:00 a.m.

Saint Paul
Planning Commission

Chair
Barbara A. Wencil
First Vice Chair
Elizabeth Reveal
Second Vice Chair
Paula Merrigan
Secretary
Daniel Ward II

Pat Connolly
Daniel Edgerton
Gene Gelgelu
Anne DeJoy
William Lindeke
Kyle Makarios
Gaius Nelson
Rebecca Noecker
Christopher Ochs
Trevor Oliver
Julie Padilla
Emily Shively
Terri Thao
Wendy Underwood
Jun-Li Wang
David Wickiser

Planning Director
Donna Drummond

I. Approval of minutes of April 18, 2014.

II. Chair's Announcements

III. Planning Director's Announcements

IV. Zoning Committee

SITE PLAN REVIEW – List of current applications. (*Tom Beach, 651/266-9086*)

NEW BUSINESS

#14-193-483 Form-A-Feed – Conditional use permit for equipment pits below the regulatory flood protection elevation and motor control shed elevated using an alternative to fill, in the flood fringe district. 0 Eaton Street, North and west of the barge channel. (*Josh Williams, 651/266-6659*)

#14-193-576 Hamline Park Plaza Auto Storage – Establishment of nonconforming use for motor vehicle storage. 570 Asbury Street at Edmund. (*Josh Williams, 651/266-6659*)

V. Comprehensive Planning Committee

West Midway Industrial Plan – Approve resolution recommending adoption to the Mayor and City Council. (*Hilary Holmes, 651/266-6612*)

VI. Vertical Subdivision by Registered Land Survey – Presentation by Joanne Matzen from Winthrop & Weinstine.

VII. Neighborhood Planning Committee

VIII. Transportation Committee

IX. Communications Committee

X. Task Force/Liaison Reports

XI. Old Business

XII. New Business

XIII. Adjournment

Information on agenda items being considered by the Planning Commission and its committees can be found at www.stpaul.gov/ped, click on Planning.

Planning Commission Members: PLEASE call Sonja Butler, 651/266-6573, if unable to attend.

**Saint Paul Planning Commission &
Heritage Preservation Commission**
MASTER MEETING CALENDAR

WEEK OF APRIL 28-MAY 2, 2014

Mon (28)

Tues (29)

3:30- Comprehensive Planning Committee
5:00 p.m. (Merritt Clapp-Smith, 651/266-6547)

13th Floor – CHA
25 Fourth Street West

Neighborhood STAR applications – Review findings for Comprehensive Plan compliance. Neighborhood STAR Board chair Kerry Antrim and PED's Michele Swanson will attend and talk about how Planning Commission input on STAR can be most useful. (*Michelle Beaulieu, 651/266-6620*)

Chapter 64. Signs – Review and discuss draft amendments. (*Jake Reilly, 651/266-6618*)

Weds (30)

6:00- West Side Flats Community Task Force
7:30 p.m. (Lucy Thompson, 651/266-6578)

**Neighborhood Development
Alliance (NeDA)**
NeDA Conference Room

- Complete discussion on building heights
- Update on conversations with Port Authority
- Final sign-off on plan draft

Thurs (1)

Fri (2)

8:30- Planning Commission Meeting
11:00 a.m. (Donna Drummond, 651/266-6556)

Room 40 City Hall
Conference Center
15 Kellogg Blvd.

Zoning..... SITE PLAN REVIEW – List of current applications. (*Tom Beach, 651/266-9086*)

NEW BUSINESS

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#14-193-576 Hamline Park Plaza Auto Storage – Establishment of nonconforming use for motor vehicle storage. 570 Ashbury Street at Edmund.
(Josh Williams, 651/266-6659)

Comprehensive Planning

Committee..... West Midway Industrial Plan – Approve resolution recommending adoption to the Mayor and City Council. (Hilary Holmes, 651/266-6612)

Informational Presentation... Vertical Subdivision by Registered Land Survey – Presentation by Joanne Matzen from Winthrop & Weinstine.

**Saint Paul Planning Commission
City Hall Conference Center
15 Kellogg Boulevard West**

Minutes April 18, 2014

A meeting of the Planning Commission of the City of Saint Paul was held Friday, April 18, 2014, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. DeJoy, Noecker, Padilla, Reveal, Shively, Thao, Wencl; and Messrs. Edgerton, Gelgelu, Lindeke, Makarios, Nelson, Ochs, Oliver, and Ward.

Commissioners Absent: Mmes. *Merrigan, *Underwood, *Wang, and Messrs. *Connolly, and *Wickiser.
*Excused

Also Present: Donna Drummond, Planning Director; Katie Knutson, Mayor's Office, Bill Dermody, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes March 21, 2014.

MOTION: *Commissioner Shively moved approval of the minutes of March 21, 2014. Commissioner Noecker seconded the motion. The motion carried unanimously on a voice vote.*

II. Chair's Announcements

Chair Wencl announced that the Planning Commission has a full table of 10 attending the Great River Gathering Dinner on May 8, 2014.

III. Planning Director's Announcements

Donna Drummond announced that Cecile Bedor, Director of Planning & Economic Development has resigned. Cecile has been the director for almost 8 years, which is longer than any other PED Director. She will become the Executive Vice President for Greater MSP, the Regional Economic Development Organization. Her last day is May 8th. Also the Mayor announced the appointment of a new Deputy Mayor who will be starting in May, Kristin Beckmann from Habitat for Humanity.

At the commissioners' places is a new committee list since the appointments have been finalized, along with a new contact list. If there are still some corrections needed, commissioners should let Sonja or Donna know.

Finally, the City Council had laid over final adoption of the Transit Street amendments. Councilmember Thune has some concerns about whether or not the Fort Road Federation had the opportunity to fully analyze the impact of the amendments. In particular, he is concerned about the reduction in the parking requirement for residential projects in T1 and T2, so he asked the

Council to lay this over for 45 days and asked the Planning Commission to check back in with the district councils. The other amendment that is part of that package is to allow additional height, from 35 ft. to 45 ft., with a conditional use permit. There did not seem to be any concern about that amendment.

IV. Zoning Committee

SITE PLAN REVIEW – List of current applications. (*Tom Beach, 651/266-9086*)

Two items to come before the Site Plan Review Committee on Tuesday, April 22, 2014:

- Mount Airy, construct new 4-plex and enlarge existing parking lot at 71 Mount Airy Street.
- Custom House, renovate Federal Post Office building for apartments and hotel at 180 Kellogg Blvd East. (Preliminary review)

NO BUSINESS

V. Comprehensive Planning Committee

Thrive MSP 2040 – Consider and recommend to the Mayor the draft City of Saint Paul comments that will be sent under the Mayor's signature. (*Donna Drummond, 651/266-6556*)

Commissioner Reveal said that with Thrive MSP 2040 the Met Council is starting the next full cycle of comprehensive planning, which involves setting an overarching policy document and then doing system plans for the system elements that they operate, like transit. This is the first cut of the overarching plan and it has been sent out to all of the jurisdictions in the region for comment. She thought the City has done a more comprehensive job than other jurisdictions. The draft of the City's comments and a resolution recommending these comments to the Mayor for consideration is before the commission today.

Donna Drummond, Planning Director, added that the Comprehensive Planning Committee suggested a few edits to the comments, which are in the track changes version at the Commissioners places on pages 4 and 6. Also, on the first page she crossed out "and climate mitigation and resilience." Looking back at the document it does say that the Met Council will be convening stakeholders around that issue so that will be deleted.

Ms. Drummond said that the Met Council has organized its vision around five outcomes - stewardship, prosperity, equity, livability and sustainability, and are proposing to set up metrics to measure the region's progress toward those. The three guiding principles to guide that work are integration, collaboration, and accountability. The City believes these are the right outcomes and the right approach to take to these issues. But there could be stronger language on some of these topics in terms of implementation. The Met Council under state law is responsible for several regional systems related to waste water treatment, regional parks and transportation. This Met Council appointed by Governor Dayton has taken a more proactive role and sees its role in a broader sense as a convener around regional topics. One area they could be more proactive in is helping the region develop an economic development strategy. There is the entity recently created, Greater MSP, that's focused mostly on marketing and business attraction to the region.

There could be more focused effort to have a regional economic development strategy that brings together job training, education, real estate development and marketing.

The Thrive document highlights the whole idea of equity and the fact that the region is becoming increasingly diverse. That is projected to continue and grow into the future and the income gap and the education gap is alarming and reflects poorly on this region compared to other regions. Thrive recognizes the need to address this. These draft comments talk about how we can use an economic development approach to address those issues more directly. The comments also address the need to focus on infill development and redevelopment rather than on green fields at the edges of the metro area. The comments also address the debate about affordable housing and whether we are over-concentrating affordable housing on the Green LRT Line.

Other comments include the need for the Met Council to be stronger in making the case for more resources for maintaining public infrastructure especially roads and highways. Public Works staff has talked about the fact that we have 191 miles of arterial roads in the city and we get enough municipal state aid money to pay for replacing or rebuilding about 4 miles every year. They are crumbling and needing replacement. We are patching them together every year and that is a critical need throughout the state. Comments from Parks address better outreach to all the diverse communities in the metro area and making sure that we are meeting the needs, looking through the equity lens. Thrive addresses climate change but there needs to be stronger language in this area.

Commissioner Ochs said asked whether the departments that have submitted these different comments stand ready to be a resource for Met Council on implementing these ideas.

Ms. Drummond said that there are specific ideas that staff from different departments have, and this is a chance to highlight that these are important issues that need more discussion.

Commissioner Ward commented that on page 8 there is a short paragraph dealing with water resources and the little sentence above talks about coming up with more effective ways for controlling stormwater runoff. How much of this plan talks about or refers to best practices from around the country that we already know of? And how does it tie in new products that are out on the market already as far as research and development of how to implement these into city planning and water quality and water standards. How much of that is being done?

Ms. Drummond replied that this water resource section was written by the City's Water Resources Coordinator, Wes Saunders-Pearce. He is definitely very knowledgeable about best practices related to green infrastructure and stormwater management. He felt that the policy document could be stronger in that regard, that it did not really talk a lot about stormwater management for example. These comments are just highlighting that this is an important issue. Throughout the Thrive document the Met Council makes it clear that it wants to offer technical assistance to communities that need it in these different areas.

Commissioner Reveal added that they did have a fair amount of discussion on this at the committee meeting. The Met Council will do a water resources plan and what Wes was saying to them is that this is a significant issue. The water resources plan will get down to more detail with more guidance on green infrastructure. Commissioner Reveal thinks that he is on the right track and the Thrive document is not the place to do the detail but the water resources plan is really important and there are committees that have been established that are now starting that work.

Commissioner Edgerton asked about the Met Council's role in stormwater management. We do not need another regulatory entity stepping in as we already have a lot of them between watersheds, the MPCA, EPA, etc. So what's the role that Met Council wants to take on this? Also on pages 6, under Parks and Open Space, it mentions that equity of access is important, which he agrees with. He thinks the argument should be made that most of the state's population is here, with greater diversity, and that more resources for the metro area could be viewed as more equitable for that reason.

Ms. Drummond said that that would be a good thing to add and she can certainly do that.

MOTION: *Commissioner Reveal moved the Comprehensive Planning Committee's recommendation to approve the resolution to consider and recommend to the Mayor the draft City of Saint Paul comments. The motion carried unanimously on a voice vote.*

VI. Neighborhood Planning Committee

Gateway Station Area Planning – Initiate planning process, establish task force and initiate zoning study. (Bill Dermody, 651/266-6617)

Chair Wencil said that this resolution initiates the planning process and establishes a task force and zoning study for the Gateway Corridor which is from the eastern end of Woodbury on to the I-94 corridor into Saint Paul.

Bill Dermody, PED staff, said that Washington County is undertaking a draft environmental impact statement for the Gateway Corridor and it would be major investment whether BRT or LRT. There are six stations potentially in the city, though one is the Union Depot which has already been studied, so up to five new station area plans will be created.

MOTION: *Commissioner Oliver moved the Neighborhood Planning Committee's recommendation to approve the resolution initiating a plan and zoning study. The motion carried unanimously on a voice vote.*

Commissioner Oliver announced that the next Neighborhood Planning Committee meeting on April 23, 2014 has been cancelled.

VII. City of Saint Paul's 2014 Legislative Agenda and Session Update – Presentation by Katie Knutson, Government Relations, Mayor's Office.

The Planning Commission received a copy of the City of Saint Paul 2014 Legislative Agenda in their packets before the meeting.

Katie Knutson, Mayor's Office, reviewed the legislative agenda and gave an update of where they are at the session and what they're expecting the last four weeks. There are three priority items this year, local government aid, capital investment bonding and transportation. There are eight bonding priorities, the first three are the Children's Museum, Como Park Transportation Access & Circulation Improvements, and the Historic Palace Theater, which were all included in the Governor's budget. Everything at some level, except for the Regional Public Safety Facility in Saint Paul and the Dorothy Day ReVision, was included in the House Bill.

Regarding transportation Financing, the City joined Move Minnesota, which is making a big push for an increase in overall transportation funding.

They have been busy at the Capitol this year, with a lot of City of Saint Paul employees testifying, including Sara Grewing, City Attorney's Office, who testified about the domestic violence gun forfeiture bill; Rick Larkin worked on and testified about the railroad safety bill and the disaster aid relief bill; Ken Reid, Police Department, has been active in the data privacy legislation, which has been a hot topic. He's testified on both the automated license plate reader legislation and the location search warrant legislation. The Mayor testified on the Saint Paul Promise Neighborhood Bill, a bill that would give Saint Paul's Promise Neighborhood \$1.1 million of ongoing funding.

What's been done this session includes tax bill #1, many of the unsession bills that are a priority for the Governor have been done, minimum wage was just passed and the bullying bill was passed. Still to do is a second tax bill where LGA inflation would be addressed. The supplemental budget needs to be negotiated and the Senate has not yet introduced their bonding bill this year. They will not be introducing it next week, which gives them three weeks until the end of session to negotiate the bonding bill. The Senate still needs to take up the Women's Economic Security Act, which did pass the House. In the supplemental budget they are tracking things in education, recycling, transportation and public safety. There will be extra money for state roads, county roads and municipal roads to help with the massive amounts of pot holes as a result of the tough winter and some would say the lack of transportation funding previously. There is transit funding in both bills; in the Senate bill it's more funding but it's more general allocation and in the House bill it is less funding but it is specifically for arterial BRT. They like that because the two priority projects for Met Council for arterial BRT are the Snelling Avenue line and the West 7th line. Finally there is an increase in funding for just overall road construction. Also, the Senate Office building passed. So when they go back on Tuesday there will be four weeks left in the session with still a lot to do.

Commissioner Ward asked whether funding allocated for a specific purpose must be spent on that purpose or is it allocated as general funding which might be used to plug budget holes in other areas.

Ms. Knutson said some of it depends on the way the legislation is written. The arterial BRT language specifically says it's for arterial BRT, whereas in the Senate Bill that funding is transit way development which says that it could be used basically for anything that the Met Council wants to use it for. So it depends on how that final language is agreed to and written. The Governor still has his line item veto authority once the bills get passed to him to see where he does or doesn't want that money to go.

Commissioner Padilla said that once funding is passed for a particular project, whether it's transit way generally or specifically BRT, that is what that money is dedicated for. Unless there's a specific call back provision or something that reflects that money will go back into the general fund if it's not spent, that money is dedicated for that purpose and it can't be brought back.

Commissioner Ward said so it stays allocated for those particular projects that have been voted on an approved. Commissioner Padilla replied yes.

Commissioner Nelson said on page 11 there is a line item that talks about "Items to Monitor" and they all say monitor except the last line says "oppose." Is "monitor" things we're concerned about that we could potentially oppose and why does it talk about opposing forfeiture laws?

Ms. Knutson said that in general "monitor" is used for issues that they are concerned about and have a stake in. The opposed language related to state forfeiture laws relates to what they heard would possibly be proposed, and that the City would oppose. But none of that has come so they are still just monitoring it.

Commissioner Nelson wanted to know if it was related to past problems with the gang task force and things of that sort.

Ms. Knutson said from what she knows it's not related to that but this was actually done before she came. She will follow up on that and get back to him.

VIII. Transportation Committee

Commissioner Ochs reported that at their last meeting they had four items from Public Works, including the Maryland Avenue Widening Project, the Ames, Case and White Bear intersection redesign, the Cayuga, Arkwright Widening and Traffic Signal Project, and the Margaret Bikeway Project, establishing a bikeway route along Margaret Avenue. The next Transportation Committee meeting will be on Monday, April 21st at which the committee will meet at the Bandshell in Mears Park on Sixth Street between Sibley and Wacouta at 4:00 p.m.

IX. Communications Committee

Commissioner Thao had no report.

X. Task Force/Liaison Reports

Commissioner Reveal announced that the previous night the West Side Flats Master Plan Community Task Force met and they will be meeting again on April 30th. The sticking point is height so they are going to look again at the zoning recommendations in the draft plan. She thinks that the task force (10 out of 13) feel if they can reach a compromise, they prefer to do that and so they are making one more effort to try and find a way that they can have the task force be unanimous in supporting a strategy as well as a specific zoning recommendation. They are down to seven parcels that are at issue in the entire study area.

Commissioner Nelson announced that the Shepard Davern Task Force had their final meeting to review the draft for the plan. The next stage will be the public zoning presentation and study portion. Towards the end of the meeting a couple of land owners in the area came forward and stated that they had some concerns about the direction some of the zoning might be headed. One does not want to have a TN zone based upon his existing operation having to do with parking in front versus parking behind, and the other owner is interested in TN zoning for the density uses because he is more interested in a housing project. So the next step is to get a public hearing scheduled for the zoning study and go through that process.

XI. Old Business

None.

XII. New Business

None.

XIII. Adjournment

Meeting adjourned at 9:33 a.m.

Recorded and prepared by
Sonja Butler, Planning Commission Secretary
Planning and Economic Development Department,
City of Saint Paul

Respectfully submitted,



Donna Drummond
Planning Director

Approved _____
(Date)

Daniel Ward II
Secretary of the Planning Commission



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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Saint Paul, Minnesota 55101-1806

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SITE PLAN REVIEW COMMITTEE

**Tuesday, April 29, 2014
2nd Floor Conference Room
375 Jackson Street, Suite 218**

<u>Time</u>	<u>Project Name and Location</u>
9:00	Beacon Bluff Lot 1 Block 1 Soil Corrections 0 Phalen Blvd (between Forest and Wells)

Applicants should plan to attend this meeting.

At this meeting you will have a chance to discuss the site plan for your project with Saint Paul's Site Plan Review Committee. The Committee is made up of City staff from Zoning, Traffic, Sewers, Water, Public Works, Fire Inspections, and Parks. You are encouraged to bring your engineer, architect, or contractor with you to handle any technical questions raised by city staff. The purpose of this meeting is to simplify the review process by letting the applicant meet with staff from a number of departments at one time. Staff will make comments and ask questions based on their review of the plans. By the end of the meeting you will know if the site plan can be approved as submitted or if revisions will be required. Staff will take minutes at the meeting and send you a copy.

The meeting room is on the skyway level and 25' to your left as you get out of the elevator.

Parking

A few free parking spaces are available in our visitor parking lot off of 6th Street at Jackson. Parking is also available at on-street meters. The closest parking ramp is on Jackson one block south of our office between 4th and 5th Street.

If you have questions, please contact Tom Beach at 651-266-9086 or tom.beach@ci.stpaul.mn.us.

FOR THE FULL ZONING COMMITTEE AGENDA SECTION

of this packet go to the link below:

<http://stpaul.gov/index.aspx?NID=3436>

Thank you

Sonja Butler

Planning Commission Secretary/Office Assistant IV

1400 City Hall Annex

25 Fourth Street West

Saint Paul, MN 55102

651-266-6573



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6700
Facsimile: 651-228-3220

DATE: April 25, 2014
TO: Planning Commission
FROM: Zoning Committee
SUBJECT: Results of April 24, 2014, Zoning Committee Hearing

NEW BUSINESS

		<u>Staff</u>	<u>Recommendation</u> <u>Committee</u>
1.	Form-A-Feed (14-193-483) Conditional use permit for equipment pits below the regulatory flood protection elevation and motor control shed elevated using an alternative to fill, in the flood fringe district Address: 0 Eaton St north and west of the barge channel District Comment: District 3 made no recommendation Support: 0 people spoke 0 letters Opposition: 0 people spoke 0 letters Hearing: Hearing is closed Motion: Approval with conditions	Approval with conditions	Approval with conditions (7 - 0)
		<u>Staff</u>	<u>Recommendation</u> <u>Committee</u>
2.	Hamline Park Plaza Auto Storage (14-193-576) Establishment of nonconforming use for motor vehicle storage Address: 570 Asbury St at Edmund District Comment: District 11 made no recommendation Support: 0 people spoke 0 letters Opposition: 0 people spoke 0 letters Hearing: Hearing is closed Motion: Approval with conditions	Approval	Approval with conditions (7 - 0)

city of saint paul
planning commission resolution
file number
date

WHEREAS, Form-A-Feed, File # 14-193-483, has applied for a conditional use permit for equipment pits below the regulatory flood protection elevation and motor control shed elevated using an alternative to fill, in the flood fringe district, under the provisions of §§61.501 and 72.73 of the Saint Paul Legislative Code, on property located at 0 Eaton St, Parcel Identification Number (PIN) 092822310012, legally described as Section 9 Town 28 Range 22 Parts Lying Nly Of Ext S Line Of Campbell's Addn And Swly Of Line Desc As Fl,comm At The Center Of Sec 9 Tn 28 Rn 22 Thence S Along The E Line Of Sw 1/4 Of Sd Sec 9 For 894 Ft To Pob Thence N 89 Deg 38 Min E 282.68 Ft Thence N 6; and

WHEREAS, the Zoning Committee of the Planning Commission, on April 24, 2014, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant is proposing the construction of a new building and associated structures for the unloading of bulk agricultural materials from barges. The building will be elevated on fill above the regulatory flood protection elevation (RFPE), with the exception of pits where conveyance equipment will be located. The pits will be floodproofed in accordance with the Minnesota State Building Code. The facility will also include a small building elevated by means other than fill which will house motor controls for the unloading equipment.
2. §72.74 lists standards for conditional uses in the FF flood fringe district. Subsections (a) through (d) are applicable to the proposed project:
 - (a) *Alternative elevation methods other than the use of fill may be utilized to elevate a structure's lowest floor above the regulatory flood protection elevation. These alternative methods may include the use of stilts, pilings, parallel walls or above grade, enclosed areas such as crawl spaces or tuck-under garages. The base or floor of an enclosed area shall be considered above grade and not a structure's basement or lowest floor if: 1) the enclosed area is above grade on at least one (1) side of the structure; 2) is designed to internally flood and is constructed with flood-resistant materials; and 3) is used solely for parking of vehicles, building access or storage. The above-noted alternative elevation methods are subject to the following*

moved by _____
seconded by _____
in favor _____
against _____

additional standards:

- (1) Design and certification. The structure's design and as-built condition must be certified by a registered professional engineer or architect as being in compliance with the general design standards of the Minnesota State Building Code and, specifically, that all electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities must be at or above the regulatory flood protection elevation or be designed to prevent floodwater from entering or accumulating within these components during times of flooding.*
 - (2) Specific standards for above grade, enclosed areas. Above grade, fully enclosed areas such as crawl spaces or tuck-under garages must be designed to internally flood and the design plans must stipulate:*
 - a. A minimum area of "automatic" openings in the walls where internal flooding is to be used as a floodproofing technique. There shall be a minimum of two (2) openings on at least two (2) sides of the structure and the bottom of all openings shall be no higher than one (1) foot above grade. The automatic openings shall have a minimum net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding unless a registered professional engineer or architect certifies that a smaller net area would suffice. The automatic openings may be equipped with screens, louvers, valves or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters without any form of intervention.*
 - b. That the enclosed area will be designed of flood-resistant materials in accordance with the FP-3 or FP-4 classifications in the Minnesota State Building Code and shall be used solely for building access, parking of vehicles or storage.*
- (b) Basements, as defined in §72.14, shall be subject to the following:*
- (1) Residential basement construction shall not be allowed below the regulatory flood protection elevation except as authorized in subsection (e) of this section.*
 - (2) Nonresidential basements may be allowed below the regulatory flood-protection elevation, provided the basement is protected in accordance with subsection (c) or (e) of this section.*
- (c) All areas of nonresidential structures including basements to be placed below the regulatory flood protection elevation shall be structurally dry floodproofed in accordance with the FP-1 or FP-2 floodproofing classifications in the Minnesota State Building Code. This shall require making the structure watertight, with the walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. Structures floodproofed to the FP-3 or FP-4 classification shall not be permitted.*
- (d) The storage or processing of materials that are, in times of flooding, flammable, explosive or potentially injurious to human, animal or plant life is prohibited. Storage of other materials or equipment may be allowed if readily removable from the area within the time available after a flood warning and in accordance with a plan approved by the planning commission, or if elevated above the regulatory flood protection elevation by alternative methods which meet the requirements of subsection (a) above. Storage of bulk materials may be allowed provided an erosion/sedimentation control plan is submitted which clearly specifies methods to be used to stabilize the materials on site for a regional flood event. The plan must be*

prepared and certified by a registered professional engineer or other qualified individual acceptable to the planning commission.

(e) When the Federal Emergency Management Agency has issued a letter of map revision-fill (LOMR-F) for vacant parcels of land elevated by fill to the one (1) percent chance flood elevation, the area elevated by fill remains subject to the provisions of this chapter. A structure may be placed on the area elevated by fill with the lowest floor below the regulatory flood protection elevation provided the structure meets the following provisions:

- (1) No floor level or portion of a structure that is below the regulatory flood protection elevation shall be used as habitable space or for storage of any property, materials, or equipment that might constitute a safety hazard when contacted by floodwaters. Habitable space shall be defined as any space in a structure used for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage rooms, laundry or utility space, and similar areas are not considered habitable space.*
- (2) For residential and nonresidential structures, the basement floor may be placed below the regulatory flood protection elevation subject to the following standards:*
 - a. The top of the immediate floor above any basement area shall be placed at or above the regulatory flood protection elevation..*
 - b. Any area of the structure placed below the regulatory flood protection elevation shall meet the "reasonably safe from flooding" standards in the Federal Emergency Management Agency (FEMA) publication entitled "Ensuring that Structures Built on Fill In or Near Special Flood Hazard Areas Are Reasonably Safe From Flooding," Technical Bulletin 10-01, a copy of which is hereby adopted by reference and made part of this chapter. In accordance with the provisions of this chapter, and specifically section 72.33(g), the applicant shall submit documentation that the structure is designed and built in accordance with either the "Simplified Approach" or "Engineered Basement Option" found in FEMA Technical Bulletin 10-01.*
 - c. If the ground surrounding the lowest adjacent grade to the structure is not at or above the regulatory flood protection elevation, then any portion of the structure that is below the regulatory flood protection elevation must be floodproofed consistent with any of the FP-1 through FP-4 floodproofing classifications found in the Minnesota State Building Code.*

These standards can be met. The applicant has stated that the lowest finished floor of the motor control building will be located above the RFPE, and elevated on an open structure constructed of flood-proof materials which allow flood waters to flow through the structure. Power supply lines will be disconnected at times of flooding. The applicant has stated that the equipment pits will be floodproofed in accordance with the FP-1 or FP-2 floodproofing classifications of the Minnesota State Building Code. At high flood stages, conveyance equipment and materials will be removed from the pits, and the pits will be filled with clear water to equalize hydrostatic pressure. As a condition of approval, the applicant should provide building and foundation plans and record of as-built condition for both the motor control center elevation structure and the conveyance equipment pits signed by a registered professional engineer or architect and verifying consistency with the requirements of §72.74.

3. §72.32 lists thirteen (13) factors to be considered in evaluating applications for conditional use permits in the FF flood fringe district:
- (a) *The relationship of the proposed use to the comprehensive plan and floodplain management program for the city.* Subject to meeting the standards listed in §72.74, this proposed use is in compliance with the Saint Paul Comprehensive Plan and the city's floodplain management program. Policy 5.1.3 of the river corridor chapter of the comprehensive plan supports continuation of and additions to industrial uses in the Southport industrial area if said additions will not have significant adverse impacts on air or water quality nor impair river valley views. The proposed additions are in an existing industrial area, and will not significantly alter river valley views. The project will not significantly impact air quality, and subject to adherence to the flood response plan and storm water pollution prevention plan (SWPPP) required as part of site plan approval and on file with the Department of Safety and Inspections, the project will not have a significant adverse impact on water quality. Adherence to the flood response plan and SWPPP should be a condition of approval.
 - (b) *The importance of the services provided by the proposed facility to the community.* The proposed facilities will put vacant industrial land to use. The primary importance of the facility to the community is economic activity and tax base.
 - (c) *The ability of the existing topography, soils, and geology to support and accommodate the proposed use.* The topography, soils, and geology of the site are similar to those of the general Southport industrial area, and are sufficient to support and accommodate the proposed use.
 - (d) *The compatibility of the proposed use with existing characteristics of biologic and other natural communities.* The area of the proposed use is industrial in character, and does not contain significant biological communities; impacts of the proposed use will not extend beyond the immediate area.
 - (e) *The proposed water supply and sanitation systems and the ability of those to prevent disease, contamination, and unsanitary conditions.* The area is already served by adequate water supply and sanitation systems. The proposed addition will not create significant additional demand for water supply or sanitation capability.
 - (f) *The requirements of the facility for a river-dependent location, if applicable.* The purpose of the facility is for transfer of materials from barges, and is therefore dependent on a river location.
 - (g) *The safety of access to the property for ordinary vehicles.* Safe access to the site is available by private road accessed via Barge Channel Road.
 - (h) *The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.* The proposed motor control center elevation structure will be of open construction and built of flood resistant materials. Control equipment will be removed in times of flooding. The proposed equipment pits will be built to floodproofing specifications of the Minnesota State Building Code. Equipment will be removed from the pits in times of flooding.
 - (i) *The dangers to life and property due to increased flood heights or velocities caused by encroachments.* The proposed encroachments are of limited footprint and located in the flood fringe where impacts on flood flows are negligible.
 - (j) *The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site.* The proposed facility is located in the flood fringe, where the velocity of flood flow is generally minimal.

- (k) *The danger that materials may be swept onto other lands or downstream to the injury of others.* The proposed facility will be located in the flood fringe, where water velocities are generally minimal. The equipment pits will be located inside a structure that is otherwise elevated on fill above the RFPE. The motor control center elevation structure will be of open construction using flood resistant materials, and will be anchored to a sub-grade foundation.
 - (l) *The availability of alternative locations or configurations for the proposed use.* The motor control center elevation structure is an integral part of barge unloading equipment, and must be located at the edge of the barge channel. The creation of pits for conveyance equipment supports efficient operations and minimizes wear and tear on equipment; the floodproofing and locating of these pits inside a building raised above the RFPE minimizes any flood-related risk thereby created..
 - (m) *Such other factors as are relevant to the purposes of this chapter.* The factors and findings enumerated and described herein adequately evaluate the proposed use for the purposes of this chapter.
4. §61.501 lists five standards that all conditional uses must satisfy:
- (a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. Subject to meeting the standards listed in §72.74, this proposed use is in compliance with the Saint Paul Comprehensive Plan and the city's floodplain management program. Policy 5.1.3 of the river corridor chapter of the comprehensive plan supports continuation of and additions to industrial uses in the Southport industrial area if said additions will not have significant adverse impacts on air or water quality nor impair river valley views. The proposed additions are in an existing industrial area, and will not significantly alter river valley views. The project will not significantly impact air quality, and subject to the requirements of a flood response plan and a storm water pollution prevention plan required as part of site plan approval, the project will not have a significant adverse impact on water quality.
 - (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The proposed facility will be served by a private road accessed via Barge Channel Road. During site plan review, Saint Paul Public Works staff did not identify any adverse impacts associated with increased truck traffic on Barge Channel Road.
 - (c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The proposed facility is consistent with the existing industrial character of the immediate neighborhood.
 - (d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use is industrial in nature, and will not impeded improvement of surrounding properties for allowed uses.
 - (e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition can be met. Subject to adherence to the flood response plan and SWPPP required as part of site plan approval and on file with the Department of Safety and Inspections, the use conforms to all applicable regulations of the I2 general industrial district, RC2 river corridor district, and the FF

flood fringe district. Adherence to the flood response plan and SWPPP should be a condition of approval.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Form-A-Feed for a conditional use permit for equipment pits below the regulatory flood protection elevation and motor control shed elevated using an alternative to fill, in the flood fringe district, at 0 Eaton Street is hereby approved, subject to the following additional conditions:

1. The applicant shall provide building and foundation plans and record of as-built condition for both the motor control center elevation structure and the conveyance equipment pits signed by a registered professional engineer or architect and verifying consistency with the requirements of §72.74.
2. The applicant shall adhere to all provisions of the flood response plan and SWPPP on file with the Department of Safety and Inspections.

14-193-576 Hamline Park Plaza Auto Storage

The draft resolution will not be available until next week. We will email copies once it is ready.