



## Saint Paul Planning Commission

City Hall Conference Center Room 40

15 Kellogg Boulevard West

### Steering Committee Meeting – 8:30 a.m., Room 41

Christopher B. Coleman,  
Mayor

### REVISED Agenda

Saint Paul  
Planning Commission

December 19, 2014

9:00 a.m. – 11:30 a.m.

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

**I. Approval of minutes of November 14, 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**

**#14-349-037 Victoria Park – Phase 2** – Conditional use permit for a 73 foot building height. 764-802 Otto Avenue, 827- 1101 Shepard Road, SW corner of Otto and Shepard Road. (*Lucy Thompson, 651/266-6578*)

**#14-348-318 Wamoua Lee** – Change of nonconforming use for a two-family dwelling not owner occupied. 599 Wells Street between Edgerton and Payne. (*Bill Dermody, 651/266-6617*)

**V. Comprehensive Planning Committee**

Minor Zoning Text Amendments to Driveway Setback Requirements, Land Use Standards, and B, I, and T District Uses and Standards – Approve resolution recommending to Mayor and City Council for adoption. (*Jamie Radel, 651/266-6614*)

**VI. Neighborhood Planning Committee**

**VII. Transportation Committee**

**VIII. Communications Committee**

**IX. Task Force/Liaison Reports**

**X. Old Business**

**XI. New Business**

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

Planning Director  
Donna Drummond

## **XII. Adjournment**

**Planning Commission retreat will follow the conclusion of the regular meeting from 9:30-11:30 a.m. Topic: Urban Industrial Development – Current Market & Future Trends**

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

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

**REVISED**

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

**WEEK OF DECEMBER 15-19, 2014**

**Mon**      **(15)**

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**Tues**      **(16)**

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

**13<sup>th</sup> Floor – CHA**  
**25 Fourth Street West**

Comprehensive Plan priority themes – Review and follow up discussion from October 28<sup>th</sup> meeting. (*Michelle Beaulieu, 651/266-6620*)

DNR Mississippi River Critical Area Rulemaking – Continue discussion of draft City comments to the DNR. (*Allan Torstenson, 651/266-6579 and Josh Williams, 651/266-6659*)

**Weds**      **(17)**

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**Thurs**      **(18)**

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**5:00 p.m.      Heritage Preservation Commission**

**Room 40 City Hall**  
**Lower Level**  
**Enter building on 4<sup>th</sup> Street**  
**15 W. Kellogg Blvd.**

**Public Hearing/Permit Review**

**1700 Summit Avenue West, Ramsey Middle School – Summit West Heritage Preservation District**, by Christopher Rohr, SAC Wireless for AT&T, for a building permit to replace existing and install additional antennas on the chimney and upgrade telecommunication equipment at the site. File #15-013 (*Dermody, 651/266-6617*)

**100 Macalester Street, Macalester College, Old Main – Individual Site**, by Nathan Lief, Director of Facilities Services at Macalester College, for a building permit to replace all of the windows in Old Main. File #15-014 (*Spong, 651/266-6714*)

**239 Selby Avenue, Cathedral of Saint Paul – Hill Heritage Preservation District**, by Carolyn Will, CW Marketing & Communications, for a sign permit for install two, 28 ft. by 10 ft. vinyl banners on the front elevation of the Cathedral for the duration of 2015. File #15-015 (*Boulware, 651/266-6715*)

**710-740 Seventh Street East, Dayton's Bluff Heritage Preservation District**, by Laura Faucher, Preservation Design Works, for permits to construct a new, 114-unit,

four-/five – story apartment building with a 32,000 sq. ft. footprint. Parking includes 87 interior stalls and a 34-stall surface parking lot to the south. File #15-016  
(Boulware, 651/266-6715)

### **New Business**

Establish a Nominating Committee to recommend officers for the 2015 calendar year. The officers will be approved at the Annual Meeting in January 2015.

**Fri (19)**

**8:30 a.m. Planning Commission Steering Committee**  
(Donna Drummond, 651/266-6556)

**Room 41 City Hall**  
Conference Center  
15 Kellogg Blvd.

**9:00- Planning Commission Meeting**  
**11:30 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**

#14-349-037 Victoria Park – Phase 2 – Conditional use permit for a 73 foot building height. 764-802 Otto Avenue, 827- 1101 Shepard Road, SW corner of Otto and Shepard Road. (Lucy Thompson, 651/266-6578)

#14-348-318 Wamoua Lee – Change of nonconforming use for a two-family dwelling not owner occupied. 599 Wells Street between Edgerton and Payne. (Bill Dermody, 651/266-6617)

**Comprehensive Planning  
Committee.....**

Minor Zoning Text Amendments to Driveway Setback Requirements, Land Use Standards, and B, I, and T District Uses and Standards – Approve resolution recommending to Mayor and City Council for adoption. (Jamie Radel, 651/266-6614)

**Planning Commission Retreat: Urban Industrial Development – Current Market & Future Trends.** (Donna Drummond)

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

**Minutes November 14, 2014**

A meeting of the Planning Commission of the City of Saint Paul was held Friday, November 14, 2014, at 8:30 a.m. in the Conference Center of City Hall.

**Commissioners Present:** Mmes. McMahon, Noecker, Padilla, Reveal, Shively, Wang, Wencl; and Messrs. Edgerton, Gelgelu, Lindeke, Nelson, Ochs, Oliver, and Ward.

**Commissioners Absent:** Mmes. \*DeJoy, \*Merrigan, \*Thao, \*Underwood, and Messrs. Connolly, \*Makarios, and Wickiser.

\*Excused

**Also Present:** Donna Drummond, Planning Director; Lucy Thompson, Allan Torstenson, Bill Dermody, Merritt Clapp-Smith, Hilary Holmes, Michelle Beaulieu, Jamie Radel, Leila Tripp, and Sonja Butler, Department of Planning and Economic Development staff.

**I. Approval of minutes October 17, 2014.**

**MOTION:** *Commissioner Reveal moved approval of the minutes of October 17, 2014. Commissioner Noecker seconded the motion. The motion carried unanimously on a voice vote.*

**II. Chair's Announcements**

Chair Wencl had no announcements.

**III. Planning Director's Announcements**

Donna Drummond reminded the commissioners of the December 19<sup>th</sup> study session on urban industrial development. This will follow the regular Planning Commission meeting. More information will be sent out about that soon. The City Council approved the Chapter 64 Sign Amendments. The City Council also heard two appeals of Planning Commission decisions. In both cases the Planning Commission's decision was overturned. The permit for 1176 Dale Street to change the nonconforming use for the auto repair that the Commission denied was approved. The non-conforming use permit approved for Premiere Storage at the Schmidt Brewery was denied based on an appeal by the West 7<sup>th</sup> Fort Road Federation. Two rezonings recommended by the commission were approved for 619-627-Well Street and 662 Payne Avenue.

**IV. PUBLIC HEARING: Minor Zoning Text Amendments to Driveway Setback Requirements, Land Use Standards, and T District Uses and Standards – Item from the Comprehensive Planning Committee. (Jamie Radel, 651/266-6614)**

Chair Wencl announced that the Saint Paul Planning Commission was holding a public hearing on the Minor Zoning Text Amendments to Driveway Setback Requirements, Land Use Standards, and T District Uses and Standards. Notice of the public hearing was published in the Legal Ledger on October 29, 2014, and was sent to the citywide Early Notification System list and other interested parties.

Jamie Radel, PED staff, gave a power point presentation which can be seen on the web page at: <http://stpaul.gov/index.aspx?NID=3430>

Chair Wencl read the rules of procedure for the public hearing.

The following people spoke.

1. Thomas Nelson representing Exeter Realty, the owner and developer of the former post office, which is the soon-to-be Custom House project on Kellogg Boulevard, spoke in favor of the B4 - B5 text amendment to allow public storage in a mixed-use facility. Others along with them deliver housing units to downtown Saint Paul. The housing growth has been successful and units are leasing up, which is adding to the vitality of downtown Saint Paul. Market studies show that the demand drivers are there for public storage. They think that this amendment, as drafted, would allow a complementary use to grow the vitality of downtown Saint Paul without building new dead space in active areas. This is a way to take existing facilities and propose a limited amount of self-storage to serve the demand that is coming to Saint Paul, and they think that it is a great enhancement and hope that the Planning Commission will advocate and vote in favor of the text amendment.

***MOTION: Commissioner Oliver moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Monday, November 17, 2014 and to refer the matter back to the Neighborhood Planning Committee for review and recommendation. The motion carried unanimously on a voice vote.***

## **V. Zoning Committee**

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

One item came before the Site Plan Review Committee on Tuesday, November 12, 2014:

- Saint Paul Assisted Living Facility, addition to existing senior housing facility at 1925 Norfolk Avenue.

## **OLD BUSINESS**

#14-324-859 Forrest Heating – Establishment of nonconforming use as a heating service business. 915 Burns Avenue, NE corner at Clermont. (Leila Tripp, 651/266-6708)

***Commissioner Nelson reported that the Zoning Committee laid this case over to the November 25, 2014 meeting.***

## **NEW BUSINESS**

#14-337-613 Face to Face Health and Counseling Service – Rezone from RT1 Two Family residential to T2 Traditional Neighborhood. 798 Rose Avenue East between Arcade and Wiede. (Bill Dermody, 651/266-6617)

***MOTION: Commissioner Nelson moved the Zoning Committee's recommendation to approve the rezoning. The motion carried unanimously on a voice vote.***

#14-339-543 Big Steer Meats – Rezone from R4 One-Family Residential to B2 Community Business and White Bear Avenue. Overlay District. 1762 Minnehaha Avenue East between White Bear Avenue and Flandrau. (Bill Dermody, 651/266-6617)

***MOTION: Commissioner Nelson moved the Zoning Committee's recommendation to approve the rezoning. The motion carried unanimously on a voice vote.***

#14-339-430 Joe Urbanski – Rezone from B2 Community Business to T2 Traditional. 1396 White Bear Avenue North between Sherwood and Cottage East. (Bill Dermody, 651/266-6617)

***MOTION: Commissioner Nelson moved the Zoning Committee's recommendation to approve the rezoning. The motion carried unanimously on a voice vote.***

#14-339-857 Bring Your Part Auto – Reestablishment of nonconforming use for auto repair. 847 Hudson Road, East at intersection of Plum and Bates. (Jake Reilly, 651/266-6618)

***MOTION: Commissioner Nelson moved the Zoning Committee's recommendation to approve the reestablishment of nonconforming use subject to additional conditions. The motion carried unanimously on a voice vote.***

#14-339-687 Sunlight Senior Living – Conditional use permit to add 23 assisted living units (for a total of 48), and to add 10 memory care units (for a total of 19). Variances of maximum lot coverage and minimum rear yard setback. 400 Western Avenue North between Fuller and St. Anthony Avenue. (Hilary Holmes, 651/266-6612)

***MOTION: Commissioner Nelson moved the Zoning Committee's recommendation to approve the conditional use permit subject to additional conditions. The motion carried unanimously on a voice vote.***

Commissioner Nelson announced that because of the Thanksgiving Day Holiday the next Zoning Committee meeting will be on Tuesday, November 25, 2014.

## **VI. Transportation Committee**

Commissioner Lindeke reported that at their last meeting they heard from Paul Kurtz, Public Works staff, about the Regional Solicitation for Metropolitan Council funding. The City applies every two years to this process in which the City competes against the whole region for funding for transportation projects. Metro Transit has a Service Improvement Plan that is out for comment and Michelle Beaulieu, PED staff talked about that, and they also heard from Anton Jerve, PED staff about the 8-80 Vitality Fund.



Commissioner Lindeke also announced the items on the agenda for the next Transportation Committee meeting on Monday, November 17, 2014. And the action today is:

**Draft of the Saint Paul Bicycle Plan** – Presentation by Reuben Collins, Transportation Planner/Engineer, Public Works. (*Reuben Collins, 651/266-6059*)

Reuben Collins, Public Works staff, gave a power point presentation which can be seen on the web page at: <http://stpaul.gov/index.aspx?NID=3430>

Commissioner Reveal referred back to the Grand Round map, saying that the West Side Flats Master Plan revision have developed a bicycle plan and she does not see discussion of connection to it or thinking about how it gets incorporated into the citywide plan. The plan has its own mini round and they all contemplated that it would be connected at some point. It's a very important part of that plan.

Mr. Collins said that in some of the Parks Department planning they identify the Grand Round as one large loop and then separate mini loops throughout the city and he believes that one of those was in the west side. This figure only shows the larger loop. Another thing that is happening is the Parks Department is planning to release a RFP soon hire a consultant to do some larger Grand Round planning.

Commissioner Reveal said she would not characterize it as a little loop. It's all of the area on the other side of the river and it's very significant portion. The Planning Commission will be looking at the West Side Flats master plan in about a month and she hopes that in the future they have some discussion about how the west side gets linked in to the rest of this citywide system.

Commissioner Ward said that he was talking to one of his neighbors about bicycle paths. He is close to Como Park by Wheelock Parkway and there are a lot of bicyclists that use that particular trail all year round. And his question is how does all this get paid for and where does this money come from? And who is going to maintain this and where is that money going to come from? He noted that in one of the charts presented, there is about \$3.5 million or more that goes toward maintenance and up keep, but again where does all of this money come from and who is paying for it? Because we all are taxpayers and we all pay into this system. If what's out there is for the public good at what point does it become too much for the public good?

Mr. Collins said in terms of where will new capital funding come to develop the network, the answer is they don't know. They assume that a lot of these projects will be implemented through already funded road projects but beyond that he thinks that they will see some CIB applications. They are also submitting some applications for federal funding to help implement some of this. He anticipates that it will be a cobbled together pot of a lot of different types of funding. This plan does not establish a timeline for implementation, it doesn't give any indication or not about how quickly they think they will be able to implement all of this.

Commissioner Ward asked what type of studies have they done or are available that he might be able to point somebody to that discuss or show the investment and then the return that's gained by implementing a planned interconnected city that uses less automotive transportation and more bicycling. He knows that there are some health benefits but what other benefits are there?



Mr. Collins said he did not have a great answer for that right now but he thinks that is something they are definitely looking at a staff level. Trying to quantify some of those benefits is a difficult thing; there is a lot of academic research that's trying to answer some of those exact same questions. But in terms of pointing to a specific study right now he does not have that.

Commissioner Ochs said you could hypothetically evaluate this by counting the average daily number of people using the bicycle lanes and quantifying that in terms of less impact on the roadways than from the same number of cars. Therefore you might have a right-a-way that would last a lot longer than typical asphalt on those roadways. So if people are moving on bicycles in and out of downtown instead of using a car the roads won't have to be repaired as often and you would have a longer lasting facility. Would you agree to that?

Mr. Collins agreed and he also thinks they can point at some studies that have been done at the federal level. Transit for Livable Communities has produced a series of reports indicating that as a result of targeted investments in bicycle facilities they have seen increased use in those facilities.

Commissioner Lindeke said that when reconstructing a street or overlaying a street how much more does it cost to add a bike lane or bike infrastructure?

Mr. Collins said that it adds almost no cost to the project. Imagine an overlay where they grind off the top couple inches of asphalt. They would have to restripe the road anyway so it makes sense to stripe it with bike facilities.

Commissioner Noecker wanted to know about the opposition to the plan from downtown business owners about the lack of parking.

Mr. Collins said that so far they have received a lot of support from downtown businesses. For example the draft plan said that they would like to put the proposed downtown loop on St. Peter and they received a letter from Wabasha Partners and BOMA saying that the owners of businesses on Wabasha would like the bike lane moved there instead of on St. Peter. They have had conversations with some of the property owners along Fourth Street who are enthusiastic about this idea and he thinks are recognizing the value that these facilities can provide relative to the value of on-street parking.

Commissioner Edgerton said regarding downtown the idea of a bike plan is good and he assumes it's being well coordinated with the overall transportation plan, because when you're talking downtown it's a mix of cars, parking, driving, bikes and pedestrians. It seems it really should be not just a plan by itself but part of a complete streets type plan. To try to lay out where should the bike paths be in a bike plan without looking more at the context of Wabasha's great but if it is really tight how would that even work. You really need to look at the overall picture of what's going on in the street.

Mr. Collins said at a staff level they are trying to do that. There have been a lot of eyes from a staff level looking at this plan. They had representatives from Parks, Public Works and from the Planning Department. Each brought a unique perspective about things they're trying to accomplish in downtown so they did have a conversation about the primary transit spines through downtown are 5<sup>th</sup> and 6<sup>th</sup> for transit traveling east-west. That's one of the reasons why they don't see a recommendation for a bike facility on 5<sup>th</sup> or 6<sup>th</sup> on the map. North south transit is primarily

on Wabasha and Minnesota that's one of the reasons why there isn't a recommendation for Minnesota for example. So at a staff level they are trying to have some of those conversations.

## **VII. Comprehensive Planning Committee**

Parkland Dedication Amendments Study – Release for public review and schedule a public hearing for Jan. 16, 2015. (*Jamie Radel, 651/266-6614*)

Jamie Radel, PED staff, gave a power point presentation which can be seen on the web page at: <http://stpaul.gov/index.aspx?NID=3430>

Commissioner Padilla said that the whole purpose of the Parkland Dedication fee is to serve the community around the development. And what she has seen in many municipalities and locations is that they utilize a parkland dedication fee wherever they want to, so what are the safeguards to actually purchase property directly adjacent to or nearby that serves the property that the fee is coming from?

Ms. Radel said that in the code as drafted there is a provision where the money collected would have to be spent within one-half mile of the project where it was collected from or, if there is no planned park in that area, it could be spent on the closest neighborhood- or community-scale park that would serve that particular development.

Commissioner Padilla asked what the intention is to acquire new parkland in a fully developed area—is it to buy out a residential home and demolish it or what is the specific parkland goal?

Ms. Radel said that she cannot answer that at this point in time; she thinks that the Parks Department would work with properties owners to acquire land when that opportunity presented itself.

Commissioner Padilla said that in other cases you would just bank the money to wait for that opportunity. She struggles with the idea of exacting a fee if there is no plan for how to utilize the fee. She knows it is tough, and she wants the parks to be developed, but this is what builders struggle with and the cost of development is a fine tipping point. Also, she has struggled in many instances in other communities where a fee is exacted for an unplanned facility—she wants to make sure land is going to be acquired and that the fee is spent as intended and not going into the general fund of the Parks Department. She finds that personally challenging as we make these decisions.

Ms. Radel said that in Saint Paul there is a special fund that is set up to hold Parkland Dedication fees; fees collected do not go into the general fund of the Parks Department. And by state law, parkland dedication fees can only be used for acquisition and development of a park. That is how it is used in Saint Paul and that is how they intend to use it in the future. She cannot predict where the Parks Department ultimately wants to purchase specific parcels, but there is a systems plan that identifies areas that are currently underserved, and as new developments come in, they are going to be under served because there are often not parks in these infill areas.

Donna Drummond, Planning Director, added that this will also be useful in situations like the Ford site and the Snelling University redevelopment where they're planning for significant redevelopment and those developments will need new park spaces. Also as Ms. Radel mentioned

the funds can be used for capital improvements of existing parkland so it does not always have to be acquisition.

Commissioner Ward asked why there is a difference in affordable housing rate that is applied versus a market value rate for the parkland dedication fee.

Ms. Radel said that it was established as a policy direction back when the parkland dedication ordinance was created in 2007. There was a desire to not overly increase the gap for affordable housing projects. The law does allow for the complete elimination of the Parkland Dedication fee for affordable housing units, but staff feels it is important for those projects to still contribute to the parkland fund because affordable housing units are bringing new people to the community and therefore creating a new need for additional parkland. It is trying to balance the gap or expansion of the gap versus the complete decrease or zeroing out of the parkland dedication fee.

Commissioner Ward said in theory if more people are moving into the area and those people moving into the area are less affluent wouldn't it make more sense to keep the fee level, because if there are more people there is going to be more use of that parkland. So why is it that because I live in a subsidized housing project, I get less land and less parks, and because those that are in a market-rate development receive the benefits of more money and they get to enjoy the better parks. It seems somewhat discriminatory.

Ms. Radel said that parkland dedication is not the only source of revenue that the City can use for parks; it is one tool. If a park planning project identifies areas of need for parkland this is not the only funding mechanism to provide parks if there is a deficit of parkland in that area.

Commissioner Ward asked where that money is coming from. If it can only be used within the neighborhood and within the area of the development then that negates being able to use it anywhere else. So you are somewhat limited are you not?

Ms. Radel agreed that is an excellent point and the Planning Commission can talk about alternative ways, such as increasing it to the full value of the parkland dedication fee that a non-affordable dwelling unit would have to pay. The City's neighbor to the west is charging zero for parkland dedication for their affordable housing projects. We need to strike a balance between generation of funds and creating a gap that perhaps is unable to be funded through the funding mechanisms that create affordable housing; it is a fine line they need to walk.

Commissioner Ward said, but again, if you want to live in Saint Paul, we are providing these amenities then that is a reason for living here versus doing what everybody else does. And why do we care about what the neighboring communities are doing if this is the culture and environment that we want to build and attract people to Saint Paul.

Ms. Radel said she looks for suggestions from the commission on this draft; if there is a consensus from the group that you would like to amend the draft ordinance to increase affordable housing's requirement to the full amount of the parkland dedication fee, that is something that can be contemplated.

Commissioner Nelson said back when the original parkland dedication public hearing happened most of the testimony heard with regard to affordable housing and reducing the fee came from community development agencies who did not want to overburden the already difficult task of

trying to develop affordable housing. It mostly came from the community development entities of the city where that particular item of reduced fee came from.

Commissioner Wang said that it appears on the last page of the report that, in practice, most developments buy out their parkland requirement. Is that correct?

Ms. Radel replied correct, they have only had a handful of instances where someone has dedicated land to the city that they were willing to accept.

Commissioner Wang asked if that is similar to Minneapolis?

Ms. Radel said that Minneapolis just instituted their ordinance in January so she does not have any data on that, but she would suspect it is the same.

Commissioner Wang said that part of the idea behind this is that we provide open space and parkland to communities near them and she understands why we have this but it is unfortunate that it happens that most developers buy out their obligation.

Ms. Radel added that when they are looking at parcels for potential land dedication, that an acre or less of developable land provides so little land that you need to aggregate several projects together to get enough money or enough land to create a useable park space.

Commissioner Wang said she understands, but we don't see that happening either.

Commissioner Padilla added that mostly when you see the land dedication it is in the suburbs where someone is doing a larger scale of development, and they create a community park within that development. The Ford site is a perfect example and redevelopment along University Avenue where there might be a chance to aggregate some land within those sites to do an actual park. She is fully supportive of the fee, because there is that fine balance, and affordable housing is not the only thing that is tough to finance. So it can create a tipping point for a lot of different developers and we should be cautious about how we exact fees and that we have the intention and ability to spend them appropriately before we take them.

**MOTION:** *Commissioner Noecker moved on behalf of the Comprehensive Planning Committee to release the draft for public review and set a public hearing on January 16, 2015. The motion carried unanimously on a voice vote.*

Donna Drummond, Planning Director announced the items on the agenda at the next Comprehensive Planning Committee meeting on Tuesday, November 18, 2014.

## **VIII. Neighborhood Planning Committee**

Shepard Davern Area Plan Update and Zoning Study – Approve resolution recommending plan and zoning study to Mayor and City Council. (Michelle Beaulieu, 651/266-6620 and Merritt Clapp-Smith, 651/266-6547)

Merritt Clapp-Smith summarized the major issues that the Committee was discussing, for a better understanding of what that topic was.

Commissioner Edgerton asked to know the difference between the T3 and B2 in regard to parking and drive-throughs, which were identified as the reasons for keeping the current zoning.

Ms. Clapp-Smith said that the T3 zoning district does not allow drive-throughs associated with commercial properties, and it requires the parking to be placed to the side or the rear of the building. In the case of the redevelopment being considered for the Sibley Plaza property, the proposed plan shows keeping the parking at the front of the property along West 7<sup>th</sup> and having one or more anchor tenants utilizing a drive-through. When parking placement for the redevelopment was discussed with community members, some indicated a preference for keeping in front where it can be easily seen and monitored, since there is a history of some nuisance activities occurring in the parking lot. They felt that moving the parking to the side or to the rear next to the railroad tracks would decrease public visibility and might therefore allow a greater degree of nuisance activity.

Commissioner McMahon said that the community plan and zoning update on the whole is great, but that she is concerned about missing an opportunity with the redevelopment of the Paster Properties. There is a lot of potential in that part of the city and most of the proposed Sibley Plaza redevelopment could work with T3 zoning; the exception being the parking placement and inclusion of drive-throughs. If it remains B2 zoning, it will not match the rest of the T zoning proposed around it. This area is a gateway into Saint Paul, where long term vision and T3 zoning would be consistent with the vision for urban development across the city in areas like this.

Commissioner Lindeke asked for an explanation behind the staff recommendation of T3 for the Sibley Plaza parcels – why would no drive-throughs and parking to the side or rear of the building be a good thing?

Ms. Clapp-Smith said that the rationale is that if you bring the buildings up to the sidewalk and street, it makes it more accessible and safer for pedestrians, and potentially bicyclists, because people on foot or bicycle would not have to cross the parking lot to get to the store fronts. From an urban design perspective, bringing the building closer to the street creates a sense of enclosure on the street that some people find inviting.

Commissioner Lindeke asked if in the public conversation about this plan, West 7<sup>th</sup> and this parcel, was there a lot of concern about crossing the street and walking access.

Ms. Clapp-Smith said that throughout the task force process many of the concerns expressed in the neighborhood related to the speed and volume of traffic on West 7<sup>th</sup> and how it is very difficult to cross. It is even difficult for cars going in and out of some of the businesses on West 7<sup>th</sup> due to the speed and volume of traffic. The real problem at this point is the design of the roadway and the design of the crossings that don't provide a feeling of security or time for pedestrians to get across.

Commissioner Lindeke said that these points emphasize the importance of thinking about planning all things together. You can't just look at these parcels without thinking of transportation and how the street is designed -- that's the dominant situation in this neighborhood. West 7<sup>th</sup> Street and the Riverview Corridor Study should be part of conversation, even though they are still vague right now.

Commissioner Ochs said that he firmly believes that the railroad tracks are going to have a different purpose in the future, with an opportunity for a transit station to occur off of 7<sup>th</sup> Street via those railroad tracks. Perhaps that transit station could be next to West 7<sup>th</sup> Street, behind the Sibley Plaza parcel. Having a wide corridor for pedestrians along West 7<sup>th</sup> Street in such highly dense populated area with lots of multi-family housing is important and therefore he encourages T3 zoning over B2.

Commissioner Nelson said that he has come to the conclusion that for all the talk about future plans -- what the railroad tracks are going to be, what West 7<sup>th</sup> is going to be -- there is no certainty behind these future visions. They could be 10, 20, or 30 years off, whereas today we have a developer who wants to begin redevelopment in the next year. How can the site be designed now for something we are uncertain about? For instance, is the future front door of the site going to be the railroad tracks or West 7<sup>th</sup>? There is a lot of indecision in future plans, and the developer has to make a decision today on what he's doing. Commissioner Nelson said he looked at the site plan and did some quick little layouts of his own, and what he thought might work best on the site would require a lot of variances, with regard to parking and the use of drive-throughs. He came to the conclusion that given the situation in the area, and the fact that community members really want redevelopment in the area following a slow downward trend, that and the proposed Sibley Plaza project under current zoning is an opportunity to improve the quality level of what is there. If in the future, 20 years down the road, we get a nice transit stop here, then there's nothing to preclude it from being redeveloped again or adding more building space in the front. Leaving the zoning as it is at this point in time, given all the facts on the table, is probably the best way to proceed.

**MOTION:** *Commissioner Oliver moved to approve the resolution recommending that the plan and zoning study be adopted by the Mayor and City Council. The motion carried 10-2 (McMahon, Ochs) on a voice vote.*

Commissioner Oliver announced the items on the agenda at the next Neighborhood Planning Committee meeting on Wednesday, November 19, 2014.

#### **IX Communications Committee**

No report.

#### **X. Task Force/Liaison Reports**

Commissioner Reveal pointed out that the West Side Flats had one outstanding recommendation from the task force that they need to take action on at some point. That is to put a small group together to try and develop a first cut of guidelines for how the Planning Commission and Zoning Committee should interpret future view analyses and studies. They're thinking about some kind of guidelines similar to what they have for duplex and triplex conversion and other things that aren't code but are helpful in making decisions. They are recommending that a small task force be put together with a recommendation to the Comprehensive Planning Committee and if a more formal process is needed it will be done then.

Chair Wencl gave an update on the Gateway Station Area Planning Task Force. They met on Wednesday evening and the discussion was about where the stations are going to be, especially

the Sun Ray, Earl Street and actually four of the five are up in the air so they decided that they needed to focus on one at a time. And at the next meeting they will focus in on just one of them.

Donna Drummond, Planning Director announced that the Ford Site Task Force met last week and that was followed by a big public meeting last Monday night. It went really well as they received a lot of positive feedback. This was an update to the community on the status of the site and activities moving forward in the next year.

**XI. Old Business**

None.

**XII. New Business**

None.

**XIII. Adjournment**

Meeting adjourned at 10:30 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

375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

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## **Re-revised Agenda** **SITE PLAN REVIEW COMMITTEE**

**Tuesday, December 16, 2014**  
**2nd Floor Conference Room**  
**375 Jackson Street, Suite 218**

<u>Time</u>	<u>Project Name and Location</u>
9:00	<b>Victoria Park Apartments – Phase 2</b> 802 Otto (at Shepard Road) Six story apartment building with 195 units <i>Preliminary review</i>
10:00	<b>Demolition of Ramsey County Buildings</b> 14 and 50 Kellogg Blvd Demolition of Ramsey County Jail and “West Publishing” building <i>Preliminary review</i>

**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: December 12, 2014  
TO: Planning Commission  
FROM: Zoning Committee  
SUBJECT: Results of December 11, 2014, Zoning Committee Hearing

**NEW BUSINESS**

1. **Victoria Park - Phase 2 ( 14-349-037 )**  
Conditional use permit for a 73 foot building height

**Address:** 764-802 Otto Ave., 827-1101 Shepard Rd  
SW corner of Otto and Shepard Road

**District Comment:** District 9 recommended denial

**Support:** 0 people spoke, 0 letters

**Opposition:** 0 people spoke, 2 letters

**Hearing:** closed

**Motion:** Approval with a condition

<u>Staff</u>	<u>Recommendation</u> <u>Committee</u>
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Approval with a condition	Approval with a condition ( 5 - 0 )
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2. **Wamoua Lee ( 14-348-318 )**  
Change of nonconforming use for a two-family dwelling not owner occupied

**Address:** 599 Wells St  
between Edgerton and Payne

**District Comment:** District 5 recommended approval

**Support:** 0 people spoke, 1 letter

**Opposition:** 0 people spoke, 0 letters

**Hearing:** closed

**Motion:** Approval

<u>Staff</u>	<u>Recommendation</u> <u>Committee</u>
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Approval	Approval ( 5 - 0 )
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city of saint paul  
planning commission resolution  
file number  
date

WHEREAS, Chase Real Estate, File # 14-349-037, has applied for a conditional use permit for a 73-foot building height under the provisions of §61.501 of the Saint Paul Legislative Code, on property located at 764-802 Otto Avenue and 827-1101 Shepard Road, Parcel Identification Numbers (PIN) 14.28.23.12.0023, 14.28.23.12.0029, 14.28.23.12.0030, 14.28.23.12.0031 and 14.28.23.12.0028, legally described as Registered Land Survey 598 Tract A; and

WHEREAS, the Zoning Committee of the Planning Commission, on December 11, 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. Chase Real Estate has applied for a conditional use permit to construct a 194-unit, multi-family building at a height of 72' 10 ¾ " the Victoria Park Urban Village. The building, Victoria Park Apartments Phase 2, is proposed to be a 5-story building over one level of underground parking.
2. The site is zoned T3M and is covered by the *Victoria Park Master Plan*, adopted in 2005 and amended in 2007 and 2011. The Master Plan shows the future use of this site as mixed residential, in a condominium building type with a common entry, balconies and large window openings, predominantly brick exterior materials and a vertical orientation. The *Master Plan* indicates that a maximum building height of 120' is acceptable at this location, although the *Master Plan* clearly states that not all of the maximum building heights are permitted as-of-right, and that some of them will require conditional use permits and variances.
3. Sec. 66.331(l) states that: "*In developments for which there was a signed, approved redevelopment agreement with the housing and redevelopment authority of the city as of March 17, 2004, a maximum height of seventy-five (75) feet may be permitted with a conditional use permit.*" This clause refers to Victoria Park.
4. The site is also located in the RC-4 Urban Diversified River Corridor Overlay District. There are no overlay height restrictions in the RC4 District. The project as proposed meets the River Corridor Standards and Criteria in §68.400.

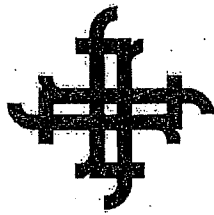
moved by \_\_\_\_\_  
seconded by \_\_\_\_\_  
in favor \_\_\_\_\_  
against \_\_\_\_\_

5. §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. The development of this site for medium-density multi-family housing is consistent with the St. Paul Comprehensive Plan (2010), the *Victoria Park Master Plan* (2005-2011) and the *District 9 Area Plan Summary* (2009/2013). In the Comprehensive Plan, Victoria Park Urban Village is classified as a Neighborhood Center along a Mixed-Use Corridor in the 2030 Land Use Plan. The *Victoria Park Master Plan* shows the future use of this site as mixed residential, in a condominium building type with a common entry, balconies and large window openings, predominantly brick exterior materials and a vertical orientation. The *Master Plan* indicates that a maximum building height of 120' is acceptable at this location. The *District 9 Area Plan Summary* identifies Victoria Park as a key site for major housing development.
- b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. As part of the redevelopment of the site, the City will construct Stewart Avenue south of Otto Avenue. Stewart Avenue will provide access to both Victoria Park Apartments Phase 2 and the southern half of Victoria Park. Stewart Avenue will be built to City street standards.
- 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. Medium-density housing is an appropriate use at this location – at the intersection of a major arterial and a collector street – and will be a good addition to the residential, institutional and commercial uses already in the Victoria Park Urban Village.
- 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 applicant has been working with staff from the Saint Paul Department of Parks and Recreation to connect the development site to the new Victoria Park.
- e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. Multi-family housing is a permitted use in the T3M district.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Chase Real Estate for a conditional use permit for a 73-foot building height at 764-802 Otto Avenue and 827-1101 Shepard Road is hereby approved, subject to the following condition:

1. Final plans approved by the Zoning Administrator for this use shall be in substantial compliance with the plan submitted and approved as part of this application.



ZF# 14-349-037  
Victoria Park

**West 7th/Fort Road Federation**  
974 West 7th Street  
Saint Paul, Minnesota 55102

651-298-5599  
FortRoadFederation.org

Date: December 10, 2014

Re: Victoria Park Phase 2

To: Planning Commission Zoning Committee

From: West Seventh/Fort Road Federation

At the December 8, 2014 meeting of the board of directors of the West Seventh/Fort Road Federation the board voted to not support the conditional use permit for a 73 ft. building height for Victoria Park Phase 2

The retaining wall should be shown as part of the building height. Almost half of the apartments have no views of the river, downtown, St. Paul's Cathedral or the bluff line. We want this project to be a success with good urban design.

2F# 14-349-037  
Victoria Park

**From:** Josh Simma [<mailto:joshsimma@gmail.com>]

**Sent:** Monday, December 08, 2014 2:33 PM

**To:** Thompson, Lucy (CI-StPaul)

**Subject:** Victoria Park Phase 2 File# 14-349-037 conditional use permit comment

Lucy: as an adjacent property owner to the phase 2 expansion of Victoria Park I received a notice for the review of a conditional use permit for a 73 foot building height. Unfortunately I will not be able to attend the public hearing but wanted to voice my comments against allowing a 73 foot tall structure or structures along the river bluff portion of the Victoria Park site. The vertical scale of such a development would not fit into the local neighborhood and would set a poor precedence for future development along the Mississippi River Corridor. I also believe that this request for such a tall structure goes against the planning guidelines that were outlined in the Mississippi River Corridor Plan from 2001 with regards to planning for Upland areas along the bluff. Therefore my opinion is that the added height proposal does not preserve the historic and scenic aspects of the bluff and neighborhood area. The request for additional height also implies a request for additional density of housing units. My opinion is that the site access on to Otto from so many additional housing units would greatly impact the existing street traffic flow. The added traffic will most likely generate traffic and drive lane access issues beyond what this neighborhood and location can safely handle; especially when squeezed between an existing railroad line and stop light access to Shepard Road.

Thank you for hearing my comments against the proposed conditional use permit.

Joshua Simma



city of saint paul  
planning commission resolution  
file number  
date

WHEREAS, Wamoua Lee, File # 14-348-318, has applied for a change of nonconforming use for a two-family dwelling not owner occupied under the provisions of §62.109(c) of the Saint Paul Legislative Code, on property located at 599 Wells St., Parcel Identification Number (PIN) 29.29.22.42.0179, legally described as Lot 21 of Block 35 of Chas Weide's Subd of Arlington Hills Addition to St. Paul; and

WHEREAS, the Zoning Committee of the Planning Commission, on December 11, 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 application is for a change of nonconforming use from an owner-occupied two-family dwelling to a non-owner-occupied two-family dwelling. Essentially, the application seeks to remove the condition of approval of the 2005 Establishment of Nonconforming Use Permit that required owner-occupancy of at least one of the units.
2. The building was constructed in 1914 as a single-family home and converted to a duplex in 1989. The minimum lot size for a duplex in either the RM2 or RT2 zoning district is 6,000 square feet and 50 feet wide, as compared to the subject site's lot size of 5,000 square feet and 40 feet wide. The site received approval in 2005 for an Establishment of Nonconforming Use Permit, conditional on owner-occupancy of at least one of the units.
3. Section 62.109(c) states: *The planning commission may allow a nonconforming use to change to another use permitted in the district in which the existing nonconforming use is first allowed, or a use permitted in a district that is more restrictive than the district in which the existing nonconforming use is first allowed, or permit another, related nonconforming use at the same location if the commission makes the following findings:*
  - a. *The proposed use is equally appropriate or more appropriate to the neighborhood than the existing nonconforming use.* This finding is met. The duplex has a similar neighborhood impact regardless of the presence of owner-occupancy. The neighboring properties on either side of the subject site contain duplexes without owner-occupancy zoning requirements.
  - b. *The traffic generated by the proposed use is similar to that generated by the existing nonconforming use.* This finding is met. The number of residential units is unchanged.

moved by \_\_\_\_\_  
seconded by \_\_\_\_\_  
in favor \_\_\_\_\_  
against \_\_\_\_\_

*c. The use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is met. The duplex has similar impact regardless of its owner-occupancy status.

*d. The use is consistent with the comprehensive plan.* This finding is met. The Comprehensive Plan's Housing Chapter calls for a mix of owner-occupied and rental housing in new housing development, but does not address owner-occupancy versus rental status for conversions of existing housing stock.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Wamoua Lee for a change of nonconforming use for a two-family dwelling not owner occupied at 599 Wells St. is hereby approved.

ZF # 14-348-318  
Wamona Lee

# PAYNE PHALEN DISTRICT FIVE PLANNING COUNCIL

STRONG  SAFE  WELCOMING  CONNECTED  NEIGHBORHOODS

December 9, 2015

Bill Dermody, City Planner  
Planning & Economic Development  
25 W. 4th St., Suite 1400  
Saint Paul, MN 55102

**Re: Change of nonconforming use for a two-family dwelling not owner occupied  
at 599 Wells St. between Edgerton and Payne**

Dear Bill Dermody:

The District Five Planning Councils CPED (Community Planning & Economic Development) Committee met on December 2, 2015 and heard from the applicant. Mr. Lee. The Committee referred the matter to the Board of Directors which met on December 9<sup>th</sup>, 2015. The applicant Mr. Wamoua Lee and Ms. Sheng Lee were present at both meetings. Mr. Lee noted that he owned about ten properties in the area and he stated his intent to maintain the properties to code.

The Board of Directors voted in a split vote to recommend approval of the change in nonconforming use to permit a duplex.

Please contact me if you have any questions at 651-774-5234.

On behalf of the District Five Board of Directors,



Leslie McMurray  
Executive Director – Lead Organizer

506 KENNY ROAD, SUITE 130, SAINT PAUL, MINNESOTA 55130-4554

TEL # (651) 774-5234  FAX # (651) 774-9745

E-MAIL: DISTRICT5@PAYNEPHALEN.ORG

WWW.PAYNEPHALEN.ORG