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

Minutes September 5, 2014

A meeting of the Planning Commission of the City of Saint Paul was held Friday, September 5, 2014, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present:	Mmes. DeJoy, McMahon, Merrigan, Noecker, Padilla, Shively, Thao, Wencl; and Messrs. Edgerton, Gelgelu, Lindeke, Makarios, Nelson, Ochs, Oliver, Ward, and Wickiser.
Commissioners Absent:	Mmes. *Reveal, *Underwood, *Wang, and Mr. Connolly. *Excused
Also Present:	Donna Drummond, Planning Director; Lucy Thompson, Bill Dermody, Hilary Holmes, Jake Reilly, Laura Eckert, and Britney Wyatt, Department of Planning and Economic Development staff.

I. Approval of minutes August 22, 2014.

MOTION: ***Commissioner Thao moved approval of the minutes of August 22, 2014. Commissioner Shively 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 announced that the Steering Committee met and talked about organizing a fall retreat for the Planning Commission, similar to the one that was done in the spring on parking. It would be a two-hour session following a regular Planning Commission meeting and the topic would be the future of urban industrial development. A date has not been set but it will probably be this fall.

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, September 9, 2014:

- Beacon Bluff Business Center (Lot 1, Block 1), new 58,000 square foot office warehouse building at 1065 Phalen Boulevard.

- Westgate parking lot expansion, add 90 parking spaces to existing parking lot at 1055 Westgate Drive.

OLD BUSINESS

#14-308-882 More 4 A Buck – Change of nonconforming use permit for auto repair and outdoor auto sales. 1176 Dale Street North between Maryland and Geranium.
(Jake Reilly, 651/266-6618)

Commissioner Thao inquired if the reason for denying this permit application is that the applicant has not conformed with the conditions in the previously approved conditional use permit.

Commissioner Nelson responded that the staff report indicates that finding C suggests that the use must not be detrimental to the existing character of development in the immediate neighborhood, and in this case, that condition is not met.

Commissioner Oliver asked for clarification on this issue. He stated that this area of Dale is zoned in such a way that the existing auto uses are currently nonconforming, but looking at what it was in 1999 when the decision approving a special condition use permit was made, was it nonconforming then or was this a conditional use permit granted since the use become nonconforming?

Jake Reilly, PED staff, said that the business initially was in B3, when the special conditional use permit for outdoor auto sales with conditions was approved in 1999. At that time the auto repair use was legally nonconforming and the outdoor auto sales use was permitted with a CUP in B3 zoning districts. When the T2 designation was established in 2006, both uses became nonconforming which is why the application is for a change in nonconforming use permit.

Commissioner Gelgelu said that the staff report recommends approval of the change of nonconforming use permit.

Chair Wencl replied that the staff recommendation was for approval but the Zoning Committee was against the staff's recommendation.

Commissioner Nelson said that the actual denial is found in the resolution in the packet that has the votes on the cover and the resolution for denial is the action that was taken by the Zoning Committee.

MOTION: ***Commissioner Nelson moved the Zoning Committee's recommendation to deny the change of legal nonconforming use. The motion carried 16-1 (Edgerton) on a voice vote.***

NEW BUSINESS

#14-319-416 Premier Storage – Nonconforming use permit (reestablishment and change) for an indoor rental storage facility. 543 James Avenue NW intersection at Duke. (*Bill Dermody, 651/266-6617)*

Commissioner Wickiser said that this would be their first T3 approved warehouse, a noncontributing building within the context of the historic district at the Schmidt Brewery. It's hard for him to imagine that they could not have a better use economically as a result of this. His biggest issue with this particular case is that everything in the Comprehensive Plan calls out that the Schmidt Brewery redevelopment should happen in a T3 way. This site was rezoned for a specific reason and reverting back to warehouse use seems like we're dialing back in the context of the transportation and TOD and talking about density issues and sustaining a trolley line. It just doesn't make sense to revert back to a use that they specifically called out T3 in a 40-acre zoning study.

Commissioner Noecker asked for more clarity on this because it doesn't seem that the conditions being met are consistent with the Comprehensive Plan. It seems to her that with T3 we're trying to get higher density uses on the river. And nothing has happened on this site for a while, but it sometimes takes a while for a new vision of a neighborhood to take effect and if they rush into something like this, then we have a long time where we have a storage facility there that prevents other uses. So when the nonconforming use expires, this is their opportunity to reevaluate consistency with the zoning.

Commissioner Padilla said that they did discuss this for some time at Zoning Committee and did not have a unanimous vote. And they did discuss the idea of this being viewed in isolation or in context, and based on her perspective they don't view sites in isolation generally. They view ideas behind the Comprehensive Plan as a whole and as a grouping so when they look at a specific parcel they're generally looking at the context. So it's difficult to have it both ways. Also, the City allows for nonconforming use permits to be reestablished and for changes in use to occur and that doesn't happen in every city. So even though the Comprehensive Plan calls out for future land use ideas, goals and objectives, if there is ability for an applicant to come in legally with an application and meet the conditions of that request, then that's what they have to take into consideration.

Commissioner Lindeke asked about finding 4(a): the structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose. So how does the city staff or Zoning Committee come to answering that question, especially when the neighborhood has been underused for many years but is changing rapidly right now and how would you even evaluate a question like that? He doesn't know what the building looks like right now, for example.

Commissioner Padilla said that Commissioner Reveal was a part of the back and forth debate, so she will address both of their concerns since Commissioner Reveal is not present. Commissioner Reveal's position at the Zoning Committee was that they should be looking at this as a possibility to utilize the entire site and potentially demolish this building and do something else. Commissioner Padilla's perspective is when you're talking about the code language that says you can't reutilize the building or the building and the land then you have to look at actually what's on the site. And this building with the way it is structured, and the way that it appears it currently cannot be reutilized for another economically reasonably purpose. When talking about an application that's coming before you, you have to look at that application rather than the context of what may or may not come in two, three or four years. You have to address what the applicant is looking at and that's the existing building not what potentially could be there.

Commissioner Lindeke said that it is a difficult question, because when he reads this language he does look at the next couple of years and he imagines what might happen, and he doesn't think this has easy answers.

Commissioner Padilla said the unfortunate reality is that while there are many ways to look at a long term vision for multiple areas of the city, you still have to deal with the applications that come before you and whether they meet the code requirements. So we are always pushed into that balancing act of what our visions are and what the legal realities are of the applications that come before us.

Commissioner Oliver said what it comes down to is do we mean what we say when we rezone properties to T3 or do we not. This seems especially true with this application coming in as a combination reestablishment and change. We have this provision in our code and it can preserve some valuable assets, it can lead to the reuse of some buildings, but we are making exception to the zoning that we previously discussed and approved. It seems that it has to have a really good reason to do that. What it comes down to for him is not so much weighing this whole proposal over the hope of something in the future, but do we mean what we say when we rezone a property, and he'd like the answer to be yes, unless there is a knock-your-socks-off reason not to, so that's why he is voting against the Committee recommendation.

Commissioner Noecker said that just because we have a process for reestablishing a nonconforming use doesn't mean that we are required to and doesn't obligate them to. And this is a situation where we are able take a look at the zoning that we established previously and say is this really what we want to see moving forward. She agrees with Commissioner Padilla that they need to have reasons for current applications to be denied, but in this case so much of this is subjective and she thinks there are lots of areas in the Comp Plan where they want highest and best use, especially more density and the fact that Schmidt Brewery is right behind it, there would be a much better use for this area then what's being proposed, so she will be voting against this.

Commissioner Ward reminded the Commission that, although there is a lot of passion on this topic, it comes down to a vote of the full board.

Commissioner Nelson said that they did have discussions that this is still a T3 zone, we're not rezoning the property. The nonconforming use being proposed is less disruptive then the former use. The former use had train cars coming and loading and unloading, so their new basis in terms of any ongoing nonconforming use on this site would be for an interior storage space. There was testimony that many of the people in the housing next door in the Artist Lofts are looking forward to being able to have some storage space, because typically new housing projects don't have lots of storage available for residents, so it is serving a community neighborhood need with regard to the storage spaces itself. There was further discussion that once economics and viability of highest and best use catch up to this site chances are that this could be something that looks much different than the warehouse. It's an old, tilt-up concrete warehouse that you'd see along railroad tracks which it is along a currently active railroad track, so the use of this warehouse building for another use other than what's been proposed here would be rather problematic in terms of trying to use it for another building that would need to do substantial modifications to provide windows and access to the site, et cetera.

Commissioner Ochs does not believe that this is the best use, this is T3 zoned and they are trying to strive for density and a warehouse facility is not necessarily going to fit that "picture". There

are ways to do storage he has seen in other places where there is higher density and can work a little more easily with the neighborhood or fit into a neighborhood. It may be multi-story with indoor loading and receiving, freight elevators so there's potential to create more of a density appropriate type of facility rather than a single story warehouse that occupies a lot of space adjacent to a neighborhood. It's our role to take into account the river, the neighborhood, future development, the desire for density, and the desire for traditional neighborhood. He will be voting against this as well.

Commissioner Padilla said that she would fully support a Zoning Code amendment if Commissioner Ochs wants to have a knock-your-socks-off provision in the nonconforming use reestablishment portion of the code because she struggles with allowing for nonconforming use reestablishment generally and she thinks it's a code issue rather than what's here. Also, while she agrees that this is a more discretionary type of application, her point in the discussion was that when they have a staff recommendation for approval if they are going to deny an application they can't just say no, in that circumstance they do have to create other conditions or define their context of denial in a way that is defensible.

Commissioner Oliver said that wanting to stick with the existing zoning is valid rational not an arbitrary reason for doing this. The question is whether to allow, especially when talking about reestablishment of something that has gone away and doesn't exist, whether to bring that back contrary to what they want it zoned for or to stick with the zoning they put in and have the uses in that zone take hold, he doesn't think that's arbitrary.

Commissioner Padilla said that she agrees with him and that is why she would not be opposed to dealing with the idea of a reestablishment of a nonconforming use, but the fact that they have that in the code by itself means that in cases they have said that just because they have rezoned a property doesn't mean they aren't going to allow other business or entities to come in. And the code conflicts with that, but she is not saying that if they could come up with language around that that would be defensible then that's something she would encourage Commissioner Oliver to try. But just saying that they want to stick with that same zoning if they do that if they want to set that precedent, then they really are saying that they are not approving any more reestablishment of nonconforming uses.

Commissioner Wickiser said that, with respect to specific reasons, for finding 4(a), nobody would have ever thought that there would be a 300-unit, $150 million housing development next door. In addition, the finding regarding the Comprehensive Plan, it specifically calls out the Schmidt complex for redevelopment, and there's no mention of any warehouse use. They just hung the last door and had their open house in July. Development is going to be happening immediately. Pushing this through is not letting everything sink in. That's the whole process: rezoning in 2008, you get a massive development there, they hung the last door in July, now in September we're going to revert back, essentially, to the previous zoning?

Commissioner Makarios is struggling with the staff finding 4 (d) that the proposed use is consistent with the Comprehensive Plan. The Comprehensive Plan calls for it to be Neighborhood Center and a Mixed Use Corridor. He struggles with the idea of opening up warehouse facilities on the site and whether or not in fact that does meet the Comprehensive Plan.

Commissioner Lindeke said that he will be voting "no" due to finding 4(a) not being met.

Commissioner Edgerton said that there were a couple of things that he was uncertain about but 4 (a) dealing with economics was not one of them. His view is he has difficulty in general making a judgment either way on that, because for them to say yes it is economical or no it's not, he feels as though "who are they?" to make that determination. The market makes that determination and they don't know the market – it's hard for them to know that there is someone waiting around the corner and snatch that up and turn it into something great, and they would love for that to happen but they can't know that. Also, regarding the discussion about what's the best use, we'd like to have a better use that's going to be driven by market forces. We've heard that there is no view from West 7th. Certain types of uses are going to be challenged because there's not a frontage on West 7th. It has nice views of the river, but it can't be seen from the roadway which makes it a more difficult property for someone to make economically viable for some uses. And the consistency with the Comp Plan he struggled with, because they heard the staff view point and there were other viewpoints. His vote at the Zoning Committee was that the Comp Plan is more of a broad brush – it's bigger picture, it wasn't intended to be surgical pinpoint that every single thing fits this, but rather in this area this is what we are looking for, and having said that it allows for different types of things. The Comp Plan is not intended to be entirely prescriptive – it is big picture. So he sided with staff that they don't have to look at it in isolation but they can look at it as a whole and within that it could fit.

Commissioner Noecker said that she agrees that the Comp Plan is in general a big picture view. She thinks about as a television screen picture and every time they make an exception it's like taking one of those pixels and making them dark, and yes, doing that a couple of times it's going to give the overall picture of the plan, but the more it's done, the more of the picture changes from what they originally wanted to see. She continues to not understand the line in finding 4 (d) "viewed as part of the larger Schmidt Brewing campus project, it contributes to the feasibility of the rest of the site to allow it to meet the aims of a Neighborhood Center or Mixed Use Corridor." She doesn't understand what that language is saying and she doesn't see how putting this use on the site helps the rest of the site be a Mixed Use Corridor.

Commissioner Padilla said what that language means and looking at the letters received for the neighborhood the direct neighbors that signed the letter in support of this application it cleans up that warehouse use, it repairs it and makes it structurally viable again. In a broader context it allows more development around that and maybe in part the rest of that site. There is still a retail area that would be available for additional purchase or development that currently hasn't been viable to date, there's potential for more density above or around, so in that context it's the idea that this cleans up this site it makes the area then more palpable for future development and it uses an existing building on that site so it then retains the integrity of the overall look of the entire facility.

Commissioner Edgerton said that right now it is vacant, so the development would improve the property. At the same time, his take is doing something like this doesn't preclude future development if it's really economically viable – someone can come in and redevelop again to some other use that maybe they would aspire to. Allowing this to go from a vacant site to an improved site will make it such that it won't take that next step. He'd rather see a useful productive building there rather than a vacant building.

Commissioner Ochs said that they should not set a target low and just because there's going to be somebody there to prop up the building and make it look nicer isn't a good reason to ignore what the general broad guidelines of the Comprehensive Plan are aiming for. He's sure that Premier

Storage is going to do a fine job should they be able to move forward. However, he doesn't think it is the highest and best use for the property or for the neighborhood as a whole.

Commissioner Thao moved to call the question. The motion to call the question passed 16-1 (Oliver) on a voice vote.

MAIN MOTION: ***Commissioner Nelson moved the Zoning Committee's recommendation to approve the reestablishment and change of legal nonconforming use subject to additional conditions. The motion carried 9-8 (Lindeke, Makarios, McMahon, Noecker, Ochs, Oliver, Wencl, Wickiser) on a voice vote.***

#14-319-307 River Road II Investments – Conditional use permit for a 69-unit assisted living/memory care facility, with density, front yard setback, and lot coverage variances. 1903 Norfolk Avenue, Area bounded by Graham, Prior Avenue S., Norfolk and Sue Street. *(Michelle Beaulieu, 651/266-6620)*

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.***

#14-316-218 Cash-N-Pawn – Expansion of a nonconforming use for a pawn shop. 490 University Avenue West, SE corner of University Avenue and Mackubin. *(Hilary Holmes, 651/266-6612)*

Commissioner Nelson announced that this case has been laid over to the next Zoning Committee meeting on Thursday, September 11, 2014.

#14-316-432 344 Summit Boutique Hotel – Conditional use permit for reuse of large structure for boutique hotel. 344 Summit Avenue between Western and Virginia. *(Hilary Holmes, 651/266-6612)*

Commissioner Nelson said that the request is for a conditional use permit for the reuse of a large structure for a boutique hotel with modifications of 65.132(d) for the parking requirement. A conditional use permit has a number of findings that need to be met. There are five standards for the conversion and reuse of large residential structures in excess of 9,000 square feet. The resolution is based upon the Zoning Committee's vote recommending approval. There were some revisions to the original staff report which were presented to the Committee and explained in the accompanying memo from Zoning staff which was also provided to the Committee.

Commissioner Padilla said that the Zoning Committee ended up adopting the suggested conditions that were part of the staff memo which was attached to the revised staff report. All of these items are included in the Commission packet. The memo presented conditions for the Zoning Committee to consider if the Committee wanted to consider approval rather than the staff recommendation of denial. The conditions attached to the approval by the Committee are in the resolution.

Commissioner Nelson said the recommendation of the Zoning Committee is that the conditional use permit for the reuse of this building as a 10 unit boutique hotel is recommended for approval based upon the findings that are in the resolution. It is a very large vacant building that has not

been available for another use and no one has come forward to use it as a conforming use in the district. Commissioner Nelson read all of the findings and with the concurrence of the remainder of the Zoning Committee members he moved approval with the additional conditions that were put on the staff memo and those conditions are reflected in the draft resolution.

Donna Drummond, Planning Director, clarified that there was a revised staff report that was prepared that had more analysis and nuanced findings regarding all the conditional use permit standards that must be met. The staff recommendation was still for denial. Staff prepared a memo for the Zoning Committee's consideration if the Committee wanted to consider approval; this memo included suggested conditions for the Committee to consider if they chose. The resolution reflects the Zoning Committee's recommendation for approval and the conditions are in the resolution.

Commissioner Oliver said the previous use was a college, and college buildings are allowable conditional uses in all of the residential districts, but it seems to be treated like a nonconforming use. He asked what the status of the previous college use was, as it was first used for college use in the 1950's.

Chair Wencl said that this was originally built as a single family home.

Commissioner Oliver replied that it still was being used for a use that in the code is a conforming use, so why is it being considered a nonconforming use?

Donna Drummond, Planning Director, said that it was a use permitted subject to special conditions as the College of Visual Arts so it did have a conditional use permit when they went through the process of establishing permits and campus boundaries for all the schools back in the 1980's.

Commissioner Merrigan asked for clarification of one of the conditions which states there will be no food or beverage service to be offered to the general public. She said one of the concerns of the neighborhood is about liquor sales and whether this means that there can't be liquor privately on the premises nor could it be served to people who stay at the hotel and not the general public.

Jake Reilly, PED staff, said that the condition is designed to prevent sales of food and liquor to the general public, but that language is not generally understood to preclude use of food or alcohol on the site. The goal of the condition is to prevent a truly commercial use as a bar, restaurant, or reception venue. The licensing issue regarding a liquor license or food license is operated through DSI and the applicant would have to go through a separate process to get one of those should they desire. This condition essentially prevents the applicant from being able to operate a bar or restaurant with food and beverage service to non-hotel guests. Mr. Reilly noted that the commission has the ability to amend the condition should the members feel it is unclear, or does not meet their needs or their intent.

Commissioner Noecker asked whether room service to people staying at the hotel would be prevented.

Mr. Reilly said the intent is to allow the hotel guests to eat or drink whatever they care to eat or drink, however that ends up being provided to them. A delivery from outside; the applicant providing some kind of breakfast service through one of their other operations; or a private beverage service not requiring a liquor license was intended to be permitted. The intent of the condition is to prevent people who are not staying at the facility and are instead walking up, from purchasing some sort of food or beverage product.

Commissioner Oliver said that this is a backdoor nonconforming use process and they managed to hold themselves to conditional use permit standards and does not think it's a good idea. What it comes down to are the differences between the two staff reports about whether this is compatible or fits in with the neighborhood. It says in R2 and RT2 that these districts are not intended to have commercial use, so they should mean what they say and is more inclined to agree with staff recommendation and vote no.

Commissioner Nelson said that he thinks that there are some parallels between Premier Storage and this case, mainly with regard to whether this use is what they want to have in this particular neighborhood, contrary to the underlying zoning. Is this something that should be approved within this neighborhood? The main difference between the two is that Premier Storage was a substantially similar nonconforming use to what had been there in the past but probably better in terms of how it would impact the neighborhood. This case is different because what was in use prior, which could be argued was higher in density, was actually a building which is a permitted use in a residential zone with special conditions. Schools, churches, and those types of uses that are allowed within residential neighborhoods are designed to serve the neighborhoods. They have a public service and serve a public good and that is why they have this special status within a residential neighborhood. This case is actually a change to something commercial within the neighborhood. If this is seen as an intensification of a commercial use within a RT zone it seems it should not be used just because it's a big building and because it used to be a different, more intensive, public use. If residential areas have commercial uses they should have residential serving commercial uses, a hotel is not a residential commercial use as nobody in the neighborhood is going to be utilizing this hotel as part of their daily services within the neighborhood. The question is we want in the future here versus what's in front of us.

Commissioner Noecker said the difference between an apartment building and a boutique hotel commercial or residential is a fine line. The movement of people in and out of an apartment building doesn't seem all that different from a hotel, especially one that's built in this residential area, making great use of an historic property and looking no different on the street from a home. It's not commercial use invading this residential area.

Commissioner Oliver said a hotel is not a permitted conditional use in that district; it's not a permitted use at all in any of the residential districts. What the conditional use permit is for is the reuse of a large dwelling that could be for anything - a hotel, car dealership, etc. There is nothing given to the Commission about the appropriateness of a hotel from the zoning code. It is exactly the opposite while reading the zoning code, as a hotel is a prohibited use in all residential districts. It comes down to a gut feeling about whether this is appropriate with the existing zoning. To be clear about what the conditional use permit actually is, it is not for a hotel, the code

allowance is for the reuse of a big building if you think this use a good idea and it fits the neighborhood good and if you don't then no.

Commissioner Padilla said that this isn't the Graves or Hyatt or someplace where there are conference rooms with people coming in off the street to a restaurant, dining facility or events. It will function more like a residential building with shorter term stays. This applicant came before the Commission with a conditional use permit for reuse of a large structure. The balancing act is that the Zoning Committee added conditions intending to appease some of the neighborhood concerns and address what the Commission expects from this property which is to limit it to that residential use and limit the commercial activity that would happen on this site and provide the opportunity for what is the boutique hotel.

Commissioner Dejoy related it to bed and breakfasts. In historic districts throughout the United States large residential properties are used for bed and breakfasts as part of the revitalization of the neighborhood. It is small scale and respectful of the neighborhood. This city is constantly evolving, zoning changes are happening, new plans are being adopted that also create nonconforming or conforming conditional uses so they are always going to have these proposals before them because of the change in environment of the city.

Commissioner Merrigan moved to call the question. The motion to call the question passed 16-1 (Oliver) on a voice vote.

MOTION: ***Commissioner Nelson moved the Zoning Committee's recommendation to approve the conditional use permit subject to additional conditions. The motion carried 14-3 (Makarios, Nelson, Oliver) on a voice vote.***

Commissioner Nelson announced the items on the agenda for the next Zoning Committee meeting on Thursday, September 11, 2014.

V. Neighborhood Planning Committee

Shepard Davern Plan and District 15 Plan Amendment - Release draft for public review and schedule a public hearing for October 17, 2014. *(Michelle Beaulieu, 651/266-6620)*

Donna Drummond, Planning Director, gave the report. She said that there are the plan documents and a zoning study which accompanies the plan recommendations. In the packet are some amendments to the District 15 Area Plan Summary which was originally adopted in 2007 and there was a Shepard Davern Area Plan in 1999 and what has been completed is a plan update for that area which is proposed to be adopted with the District 15 Plan amendments as part of the city's Comprehensive Plan. Ms. Drummond showed on the overhead a map of the study area, and she talked about the main things emphasized in the plan. She talked about the current zoning of the area and the proposed zoning for the area. Also, the Neighborhood Committee is recommending a few options for zoning of particular parcels to go out for public hearing and discussion to get additional public input so that the Planning Commission can make a recommendation.

MOTION: ***Commissioner Oliver moved on behalf of the Neighborhood Planning Committee to release the draft for public review and set a public hearing on October 17, 2014. The motion carried unanimously on a voice vote.***

Shepard Davern Zoning Study - Release draft for public review and schedule a public hearing for October 17, 2014. *(Merritt Clapp-Smith, 651/266-6547)*

MOTION: ***Commissioner Oliver moved on behalf of the Neighborhood Planning Committee to release the draft for public review and set a public hearing on October 17, 2014. The motion carried unanimously on a voice vote.***

VI. Transportation Committee

Gateway Transit Corridor Locally Preferred Alternative – Recommend draft resolution to the Mayor and City Council. *(Bill Dermody, 651/266-6617)*

Bill Dermody, PED staff, said that this is a significant moment in the timeline for the Gateway Corridor Transitway going east from downtown Saint Paul towards Wisconsin. The locally preferred alternative for consideration today is not the final decision made by the City of Saint Paul – it's a preliminary indication and an important step in the federal process. It's where the consultants working on this project under the direction of Washington County Regional Rail Authority will be directing their efforts for further study. The mode that is proposed is BRT (Bus Rapid Transit), with the most recent discussion about the specific alignment for BRT heading east from downtown Saint Paul. Earlier on, the Saint Paul portion of the line was considered for 7th and White Bear, but that alignment dropped out of the process due to property impacts. Now, you see the Saint Paul alignment as A-B-C. The recent alignment debate has been in the Lake Elmo/Woodbury portion in the line. What came out of the evaluation is the proposed alignment of A-B-C-D2-E2 where the line stays mostly north of I94 and drops south just in the last mile or two before Manning Avenue finally terminating at Manning Avenue in Woodbury. Mr. Dermody described some of the main findings and presented a map of the proposed LPA.

Commissioner Thao asked where the B section is exactly.

Mr. Dermody said that generally follows I94 through Saint Paul on the north side of I94. There are some details to be determined whether that runs adjacent to the freeway, on the freeway, or more on Hudson Road.

Commissioner Thao said that she knows BRT is to get people from the suburbs in, but what about the people on the East Side. A few meetings ago Ryan O'Connor was here from Ramsey County and talked about people east of downtown having some of the longest commutes in the Twin Cities.

Mr. Dermody said the question of how to service the neighborhood rather than bypassing the neighborhood has been an issue for years on this particular corridor and that is why the 7th and White Bear alignment that goes farther north and into the neighborhood was so closely considered. Ultimately it was decided that the property impacts were too great and the neighborhood would have to be served another way. The ways that Saint Paul residents and businesses are served by this line are by the number of stops in Saint Paul, and by future bus route changes by Metro Transit to connect to the line, much as they realigned routes to connect to the Green Line.

Commissioner Ochs asked why LRT was removed from this option and how feasible is it to convert from BRT to LRT sometime in the future because he firmly believes that the development and population density is going to focus more on the East Side than anywhere else in the metro region.

Mr. Dermody said that LRT was a cost concern – the amount of additional ridership was minimal compared to the cost difference and it would be unlikely to be funded at the federal level.

Lyssa Leitner, Washington County Regional Rail Authority, said it could feasibly be converted, but not easily. One of the bonuses of Bus Rapid Transit is that it can be constructed fairly quickly and easily because it's not moving utilities underneath the dedicated guideway for the buses amd they're not constructing the overhead wires. They would have to do additional environmental analysis for those pieces and they would basically be shutting the system down for probably about two-years to be able to construct Light Rail Transit. And the reason why the Los Angeles Orange line is being considered for conversion right now is because the ridership is extremely high and has almost tripled from what they originally had anticipated.

Commissioner Thao said that the City is also still proceeding on the overall streetcar feasibility study correct?

Mr. Dermody said that the City Council has approved an initial a system of seven lines in the city and identified East 7th and West 7th as the most feasible starter line. The study has paused at this point while Ramsey County and the Regional Rail Authority lead two studies that incorporate the E. 7th and W. 7th lines, which are the Riverview Corridor Study and the Rush Line Study going northeast. Those studies are looking at streetcar among a whole range of choices and options so they felt it was appropriate to pause at this point and let those studies go forward before proceeding with the next steps for the streetcar study.

Commissioner Makarios referring back to Commissioner Thao's earlier question, when you said property impacts were too great does that mean we'd have to tear up too many houses and businesses?

Mr. Dermody replied yes, that's right.

Commissioner Shively said to Commissioner Thao's earlier point about how the East Side would be served, on the resolution it talks about providing all day bi-directional service that is an important thing to have in there. Also they are recognizing that there may be some significant employment centers developed on the east end of the line and this would provide an opportunity for Saint Paul residents to get out to those jobs. So it's not intended just to bring commuters from the east, but also to provide the bi-directional service.

MOTION: ***Commissioner Lindeke moved on behalf of the Transportation Committee to approve the draft resolution to the Mayor and City Council. The motion carried unanimously on a voice vote.***

VII. **Saint Paul Downtown Alliance** - Informational Presentation by Joe Spartz, President, Saint Paul Building Owners & Managers Association.

Donna Drummond, Planning Director, announced that Mr. Spartz had to leave for another commitment so his presentation was deferred to another date in the future.

VIII. Comprehensive Planning Committee

Commissioner Merrigan announced that at their last meeting they looked at the staff comments on the Met. Council's draft Housing Policy Plan from the Thrive MSP 2040 process and they will continue this at the next meeting.

Donna Drummond, Planning Director, said that the committee will be considering one or two zoning studies to recommend for release, which are minor text amendments to the T & B Districts and the other one related to fish and fowl processing if they are ready.

IX. Communications Committee

Commissioner Thao had no report.

X. Task Force/Liaison Reports

Chair Wencl reported that the Gateway Station Area Planning Task Force will have a meeting on Tuesday, September 9, 2014 at the Conway Recreation Center at 5:00 p.m.

XI. Old Business

None.

XII. New Business

None.

XIII. Adjournment

Meeting adjourned at 10:40 a.m.

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

Respectfully submitted,

Donna Drummond
Planning Director

Approved October 3, 2014
(Date)

Daniel Ward II
Secretary of the Planning Commission

Planning Team Files\planning commission\minutes\September 5, 2014