



**CITY OF SAINT PAUL**  
*Christopher B. Coleman, Mayor*

*25 West Fourth Street  
Saint Paul, MN 55102*

*Telephone: 651-266-6700  
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DATE: August 6, 2015

TO: Neighborhood Planning Committee

FROM: Bill Dermody, City Planner

RE: Gold Line (Gateway) Station Area Plans, associated plan amendments, and zoning study

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#### **PUBLIC HEARING TESTIMONY**

The Planning Commission held a public hearing regarding the Gold Line Station Area Plans, associated plan amendments, and zoning study on July 24, 2015. Representatives from St. Paul Youth Services and the Sun Ray shopping center ownership spoke and provided written comments, and one resident spoke. Also, the Heritage Preservation Commission (HPC) has provided comments via a resolution. A second public hearing is scheduled for August 7, 2015 with the hearing to be held open for written comments until 4:30 p.m. on August 10, 2015 – staff will update the NPC if additional testimony is received. The testimony received to-date is summarized below.

St. Paul Youth Services expressed concern regarding a proposed park & ride on their property and its impact on their continued viability and ability to provide services. They asked to be included in the Gold Line planning process for the Sun Ray station.

Stinson Leonard Street, representing the Sun Ray property owners, objects to the lack of accommodation for existing development and potential future incremental growth. Specifically, they object to the long-term street grid (illustrated by Figure 38 on page 54 of the draft plan) not relating to existing development, the short-term pedestrian/bike connection through the center, and rezoning to T4 that unrealistically hinders higher density development not in conformance with T4 regulations such as FAR minimums, maximum setbacks, emphasis on multi-story buildings, mandates on the configuration of parking facilities, window coverage, and required material on building façades.

A District 1 resident spoke to emphasize that the Sun Ray Design Workshop, held in February, was a thoughtful group process that considered shopping center impacts and worked to improve safety and pedestrian/bike connectivity issues in the area – it was not planned on a whim.

The HPC resolution calls for an assessment of historic resources to be conducted prior to BRT location decisions, for property impacts to all historic properties (not just locally designated ones) to be considered and avoided in choosing a BRT alignment, for buildings with historic character to be preserved in all station areas, and for future recommendations and implementation to be consistent with the Historic Preservation chapters of the Comprehensive Plan and the Legislative Code.

### **ANALYSIS OF TESTIMONY**

The section below analyzes the main issues raised by public testimony:

1. Issue: The plan may impact the viability of the St. Paul Youth Services property located at the southeast corner of Pederson Street and Wilson Avenue, behind the Sun Ray shopping center.

Response: The main threat to St. Paul Youth Services' ability to provide services is the proposal to place and construct a park & ride facility on or near their property. The plan currently states the park & ride is preferred to be located "at the southeast corner of Pederson Street and Wilson Avenue, behind the Sun Ray shopping center." Given that the St. Paul Youth Services building is located approximately 225 feet east of the Pederson right-of-way, the site's proposed T3 zoning calls for minimal (0 to 10-foot) building setbacks along Pederson and Wilson, and the park & ride facility with an anticipated 350 spaces is unlikely to require a width of more than 200 feet, there does not appear to be a need to remove the building in order to place a park & ride in accordance with the recommendation. Any parking that is needed by St. Paul Youth Services and removed by the park & ride could be replaced within the new structure. The building, with its prominent windows along Wilson Avenue, furthers the transit-oriented development vision for the area. Also, the services provided are important to the community and should be maintained. The plan language regarding the recommended park & ride location should be amended to state that the park & ride should be placed and designed so as to not remove the St. Paul Youth Services building. Additionally, the plan language should be amended to support the park & ride "at or near the southeast corner of Pederson Street and Wilson Avenue..." to provide additional flexibility for avoiding removal of the building.

The actual decision regarding park & ride placement will be made by the Gateway (Gold Line) Corridor Commission in conjunction with the Federal Transit Administration. St. Paul Youth Services should become involved directly in that decisionmaking process. Accommodations for construction impacts to St. Paul Youth Services are already called for on page 17 of the draft plan: "The construction project should seek ways to mitigate negative impacts on residential and commercial properties."

2. Issue: The long-term Sun Ray street grid does not relate to existing development.

Response: The draft plan states: "As the Sun Ray shopping center redevelops, provide an urban street grid with pedestrian amenities and buildings placed near the sidewalks." The proposed T4 zoning includes a design standard that states: "Block faces in mixed use

areas shall typically not exceed 400 feet. Block faces in residential areas shall typically follow the pattern of neighboring blocks, but shall not exceed 660 feet, the length of the standard Saint Paul block. This standard may be modified to ensure compliance with the city's adopted comprehensive plan and development or project plans for sub-areas of the city." The long-term street grid illustration in Figure 28 on page 54 is conceptual and not prescriptive. Nothing in the draft plan precludes the implementation of the long-term street grid from relating to existing development. The long-term grid will be implemented as the private sector decides to redevelop portions of the shopping center. No revision to the draft plan is recommended.

3. Issue: The new north-south pedestrian/bike connection through the Sun Ray shopping center, to be implemented in the short-term, interrupts the shopping center in a location that may not make sense for current or foreseeable future use of the site. Extending through existing tenant space will be disruptive.

Response: The north-south connection is key to provide a safe, direct route between the BRT station along Hudson Road and points north of the shopping center, whose buildings were identified as a major barrier and safety issue for the surrounding neighborhood. The connection can likely be designed so as to remove only one tenant suite alongside the automobile driveway cutting through the buildings, thereby limiting the negative impact on the shopping center. Rerouting pedestrians and bicyclists west to Pederson Street would put them in a place that currently has few effective "eyes on the street," would not provide a direct functional and visual connection to destinations to the north, would not address the building barrier issue, and would not create a spine of activity within the shopping center to set up effective, double-loaded future redevelopment. Routing pedestrians and bicyclists through the unmodified existing shopping center would require trespassing and would not address the barrier/safety issue. No revision to the draft plan is recommended.

4. Issue: Rezoning the Sun Ray shopping center to T4 unrealistically hinders incremental development that moves the site toward the higher-density vision. It may be a plan for creating blight.

Response: T4 zoning at the Sun Ray shopping center allows for incremental development, such as a new pad building, that conforms to T4 design standards. The design standards may reduce flexibility in placement of buildings and increase development costs, but they do not prohibit small scale incremental development and they ensure that any such development furthers the transit-oriented development vision for the area. Also, there is flexibility in the nonconforming use regulations that allow small expansions of nonconforming buildings as long as the expansion does not increase its nonconformity. Allowing additional, larger-scale development under B2 standards would further entrench the existing development pattern and make the eventual transition to transit-oriented development more difficult and less complete.

The plan to transition to a transit-oriented development future does not require the existing shopping center to be unsuccessful or blighted. Rather, the rezoning allows

portions of the center to transition to a high-intensity transit-oriented development product as market conditions allow. This is less a matter of the existing shopping center's success than it is of future growth in the market for transit-oriented development at this location. The T4 zoning district, with its unlimited FAR and potentially unlimited height, does more than any other zoning district to remove limits on the market potential for transit-oriented development. No revision to the draft plan is recommended.

5. Issue: An assessment of historic resources should be conducted prior to BRT location decisions.

Response: Such assessment is being conducted prior to the BRT location decisions as part of the project's Draft Environmental Impact Statement (DEIS) study currently managed by Washington County Regional Rail Authority. No revision to the draft plan is recommended.

6. Issue: Property impacts to all historic properties shall be considered and avoided in choosing a BRT alignment.

Response: The draft plan states that the BRT alignment and station location should "(a)void property impacts, particularly to affordable housing and locally designated historic buildings" in the Mounds Station Area. The DEIS or other historic survey work may identify other historic properties meriting preservation, beyond the locally designated historic buildings in the Mounds Station Area. The plan language should be amended so that in each station area the BRT alignment and station location should "(a)void property impacts, particularly to affordable housing and ~~locally designated~~ historic buildings."

7. Issue: Buildings with historic character should be preserved in all station areas.

Response: The draft plan states that "(b)uildings with historic character should be preserved" in four of the station area chapters' Future Character sections, excepting only the Sun Ray Station Area. This was an inadvertent staff oversight. The plan should be amended so this statement is also included in the Sun Ray Station Area chapter.

#### **STAFF RECOMMENDATION**

Staff recommends that the Neighborhood Planning Committee recommend approval of the Gold Line Station Area Plans, associated plan amendments proposed therein, and zoning study with the following amendments:

1. The Sun Ray Station park & ride is recommended to be placed and designed so as to not remove the St. Paul Youth Services building.
2. The Sun Ray Station park & ride is recommended to be placed "at or near the southeast corner of Pederson Street and Wilson Avenue".
3. All station area chapters should state that the BRT alignment and station location should "(a)void property impacts, particularly to affordable housing and ~~locally designated~~ historic buildings."
4. Buildings with historic character should be preserved in all station areas.

**Attachments**

1. HPC resolution
2. Stinson Leonard Street (Sun Ray) letter
3. St. Paul Youth Services letter
4. Draft July 24, 2015 Planning Commission minutes (excerpt)
5. Draft Gold Line Station Area Plans document, dated June 11, 2015 (provided previously to Planning Commissioners)



Christine Eid  
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July 23, 2015

City of St. Paul Planning Commission  
c/o Bill Dermody, City Planner  
Planning & Economic Development  
25 W. 4th St., 14th Floor; Saint Paul, MN 55102  
(e) bill.dermody@ci.stpaul.mn.us

Dear Commissioners:

Please accept this letter on behalf of Brixmor Property Group, Inc., owner and operator of the Sun Ray Shopping Center located at 2089 Old Hudson Road, St. Paul, Minnesota ("Sun Ray"), as their comments on the City of St. Paul Department of Planning & Economic Development zoning study and proposed Gold Line Station Area Plans.

Brixmor generally supports the vision incorporated in the proposed Gold Line Station Area Plans, including the proposed rezoning of the Sun Ray property to a higher density T4 Traditional Neighborhood District, provided the implementation of the Plan and the zoning amendments recognize the current success of Sun Ray and does not obstruct the orderly incremental development of Sun Ray over the next ten to twenty years.

#### **Background**

Sun Ray is composed of approximately 22 acres of land on which four commercial buildings used for general retail purposes are situated. Sun Ray is a thriving shopping center that has been contributing to the community, the local economy and the St. Paul and Ramsey County property tax base for over fifty years. Sun Ray is a historically successful shopping center, with a current occupancy rate of 92%. Sun Ray tenants include TJ Maxx, Famous Footwear, Great Clips, and Cub Foods, all of which provide important goods and services to the surrounding community, jobs to those people who work at the shopping center, and sales tax revenues. Brixmor has no current plans for expansion or redevelopment of Sun Ray, no interest in selling Sun Ray to a developer, and has received no indications of interest in acquiring Sun Ray for redevelopment. Brixmor is forward-thinking, appreciates that the proposed BRT park-and-ride may create a market for higher density development of Sun Ray and understands that the rezoning to T4 will accommodate higher density development when the time comes. Brixmor, however, objects to the fact that the Gold Line Station Area Plan does not accommodate existing development or contemplate incremental growth.

### **Gold Line Station Area**

Brixmor understands that the draft Gold Line Station Area Plans are conceptual and will not necessarily dictate future development, but we are concerned that the Sun Ray Station Area Plan (Figure 38 on page 54 of the Draft Report) envisions completely scraping the site and imposing a street grid that has no relationship to the existing improvements. The short term Plan shows a street running through a significant portion Sun Ray, currently occupied by Famous Footwear and Petland. The caption to Figure 38 says the street "should actually be a pedestrian and bicycle connection only." Whether the street carries vehicles, bicycles, pedestrians or all three, Brixmor objects to the street because it interrupts the shopping center in a location that may not make sense for current or foreseeable future use of the site. Brixmor has long term commitments to its tenants and is negotiating extension of leases with existing tenants and new leases with new tenants all the time. The acquisition of a right of way for the proposed extension of a street through existing tenant space will be disruptive to Sun Ray and expensive to the City.

With respect to the longer term plan to impose a street grid on the site, Brixmor understands that this is consistent with current planning principals and agrees a street grid may present development opportunities worth considering when the time comes. Brixmor however again objects to the fact that the grid ignores current improvements. If the grid were parallel to the frontage road and the existing improvements, instead of on a true north-south axis (as almost nothing else in St. Paul), it would be possible to integrate the street grid with future development of Sun Ray. As drawn, the street grid cannot be developed without demolishing Sun Ray. A plan that cannot get started until an existing, thriving shopping center goes out of business voluntarily or is taken by the County or City will never get started.

### **Rezoning**

Brixmor supports the City's vision of higher density transit-oriented development on and around Sun Ray. Brixmor does not object to the proposal to change the zoning classification of Sun Ray from the existing B2, Business district, to T4, a Traditional Neighborhood district if the zoning ordinance amendments address incremental improvements to accommodate near-term growth. Brixmor does object, however, if the City adopts zoning amendments that would result in the shopping center becoming nonconforming in any respect. The current nonconforming use rights under the state statutes and City ordinances guarantee that Sun Ray can continue in its current configuration indefinitely. If the City hopes to achieve its vision in the foreseeable future, the zoning ordinance amendments must allow for incremental improvements that move the site toward the higher-density vision without requiring an all-or-nothing approach to compliance.

The Sun Ray Station Area Plan is a blight-clearance plan but Sun Ray and its surrounds are not blighted. In its present form, the Sun Ray Station Area Plan may be a plan for creating blight where none exists. As long as Sun Ray is successful, no developer will want to acquire it to replace with something less profitable or more risky. If the existing structures are rendered nonconforming, state law and City ordinances will allow Brixmor and its successors to maintain Sun Ray as it is but will hinder if not prevent improvements that will bring Sun Ray into a denser configuration. Brixmor is willing to work with the City to develop a plan for

incorporating reasonable transit-oriented development standards into future improvements to Sun Ray. The T4 design standards are, however, unrealistic mandatory standards for the existing shopping center. In particular, floor area ratio minimums, maximum setbacks, emphasis on two-story buildings, mandates on the configuration of parking facilities, window coverage, and required material on building facades would make all of Sun Ray nonconforming and inhibit any new development that would be compatible with the existing development and consistent with the higher density development the City envisions.

**Conclusion**

Brixmor welcomes the opportunity to work with the City in developing a plan for locating and providing access to the park-and-ride and drafting zoning amendments that will allow Sun Ray to continue to thrive while fulfilling TOD objectives in the expansion of the Gold Line BRT in the Gateway Corridor.

Sincerely,

STINSON LEONARD STREET LLP



Christine L. Eid



**IV. PUBLIC HEARING: Gold Line Station Area Plans – Item from the Neighborhood Planning Committee. (*Bill Dermody, 651/266-6617*)**

Chair Wencl announced that the Saint Paul Planning Commission was holding a public hearing on the Gold Line Station Area Plans. Notices of the public hearings were published in the Saint Paul Pioneer Press on July 20, 2015, July 27, 2015 and August 3, 2015, and were published in the Legal Ledger on July 13, 2015, and were sent to the citywide Early Notification System list of recipients and other interested parties.

Bill Dermody, PED staff gave a brief power point presentation giving some background which can be viewed on the web page at: <http://www.stpaul.gov/planningcommission>. As of today two letters were received from one from Christine Eid with Stinson, Leonard and Street, representing Brixmor Property Group, Inc. owner and operator of the Sun Ray Shopping Center and the other from Cheryl Schmura, Board Chair and Tracine Asberry Executive Director of Saint Paul Youth Services.

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

The following people spoke.

1. Cheryl Schmura, 6255 Keswick Avenue, Stillwater, representing Saint Paul Youth Services which sits right in the foot print of where this station would come into. The Saint Paul Youth Services learned only two weeks ago that the site plan for the Sun Ray Station includes their office and the adjoining property. They have not been engaged in any discussions on the project, in fact they have talked with neighboring businesses that only became aware of it when they were asked what they knew about the project. This raises concerns about how the site plan will affect their organization location both in the short and long term, how their clients will be serviced while the project is underway, will their agency be viable given the potential disruption to their services and the resulting loss in clientele. If they are to continue the vital services that they provide they need to be involved in plans such as the Gold Line. They are requesting to be included step by step in the planning process of the Gold Line as it pertains to the Sun Ray Station. Only through this engagement can they hope to avoid serious negative impacts to their organization and the population that they serve. (letter submitted with literature)
2. Christine Eid, Attorney with Stinson, Leonard, Street, 1881 Munster Avenue, representing the Brixmor Property Group. Brixmor generally supports the Gold Line Station Area Plans and the expansion of the BRT at Sun Ray; they also support the higher density vision of the City of Saint Paul. However they have concerns, with the station area plan at Sun Ray and the proposed rezoning from the existing B2 District to the T4 District. Sun Ray is a thriving shopping center it has been in the area for over 50 years that has been contributing to the community, the local economy and the Saint Paul and Ramsey County property tax base. It is a historically successful shopping center, with a current occupancy rate of 92%. Brixmor is concerned with the current configuration of the Sun Ray Station in the existing plan, and their concern is with the short and long term configuration. Short term there is a pedestrian and bikeway path that bisects an existing building located within the shopping center and would result in the re-configuration of the parking area. Both of these would have the potential to negatively impact existing leases and future leases by displacing at least one tenant in addition to visibility, access and stability of the overall shopping center. The long term plan contemplates the existence of a street grid and the realization of that street grid is possible if the shopping is demolished. Brixmor encourages the stations existence at Sun Ray, they have

ideas about how to accomplish the higher density transit oriented vision of the city and county also allow the existing thriving shopping center to continue. Regarding the rezoning they are concerned with the higher density design and development standards that may come along with the fact that the Sun Ray Shopping Center is in close proximity to a station. They would like the zoning amendments to allow for more organic and gradual growth of the shopping center in conformance to the higher density standards. Brixmor is opposed to any zoning amendments that would result in nonconformity. And they request the city take a thoughtful economical and practical approach to moving forward with both the station area and the rezoning. They look forward to working with city staff in order to accomplish the City's higher density vision while allowing Sun Ray to continue to be a thriving and successful community shopping center. (a letter with their concerns was received)

3. Liz De La Torre, 2215 5<sup>th</sup> Street East, was a participant in the Sun Ray Design Workshop. Sun Ray Shopping Center is a good tax base, but it is somewhat of an eye sore, the two biggest tenants are Cub Foods and TJ Maxx. The group did a thoughtful process and they wanted to create a sense of community, they wanted to address a lot of the public safety concerns that are in that area. There is no easy access for anyone south of 94 to get to the bus. And one of the things that they wanted to improve was how to make that more pedestrian friendly, more bike friendly taking all modes of transportation. She knows that there is not a single solution that is going to solve everything but there was a lot of thought in this process and they really came together as a group after hours of designing with the city planners, Bill Dermody was very helpful. And they want to have a long term plan for their community to address all of the issues. She understands some of the concerns that Brixmor brings forward, but they should take into consideration that they did not do this on a whim, they want to make this a place that thrives on the east side a place that connects the eastside to the rest of the metro area and that is exactly what this plan does as well as create some community space and open space.

**MOTION:** *Commissioner Oliver moved to continue the public hearing to Friday, August 7, 2015, leaving the record open for additional written testimony received by 4:30 p.m. on Monday, August 10, 2015. The motion carried unanimously on a voice vote.*

**CITY OF SAINT PAUL**  
**HERITAGE PRESERVATION COMMISSION RESOLUTION**

**FILE NUMBER** Gold Line Station Area Plans

**DATE** July 9, 2015

**WHEREAS**, Section 73.04 of the Saint Paul Legislative Code states the Heritage Preservation Commission (HPC) shall "serve as an advisory body to the mayor and city council on municipal heritage preservation matters... [and] shall review and comment on studies which relate to the...architectural heritage of the city..."; and

**WHEREAS**, the Gold Line Station Area Plans document, including associated amendments to the Comprehensive Plan and Saint Paul Bicycle Plan, decertification of the Sun Ray-Suburban Small Area Plan, and a zoning study, was released by the Planning Commission for public review with a public hearing scheduled for July 24, 2015; and

**WHEREAS**, the HPC has been asked to review and comment on the Gold Line Station Area Plans document pursuant to Chapter 73.04; and

**WHEREAS**, the Gold Line is a proposed Bus Rapid Transit (BRT) project to be located largely in its own dedicated guideway running along the north side of Interstate 94 between Union Depot and Manning Avenue, with up to six (6) stations in Saint Paul; and

**WHEREAS**, the study area includes multiple historic resources that are locally designated as Saint Paul Heritage Preservation Sites or Districts by the Saint Paul City Council and/or listed on the National Register of Historic Places and/or State Historic Register; and

**WHEREAS**, much of the study area has not been assessed for potential historic resources with historic and/or architectural significance via survey and inventory work;

**NOW THEREFORE, BE IT RESOLVED**, that the Heritage Preservation Commission makes the following recommendations for changes and/or additions to the Gold Line Station Area Plans document for further consideration by the Saint Paul Planning Commission and City Council:

1. Assessment of historic resources within the area of potential effect (APE) should be conducted prior to any decisions being made regarding BRT alignment, station locations, and station design.
2. Property impacts to all historic properties will be considered and shall be avoided in choosing a BRT alignment, not just impacts to locally designated historic properties.
3. Buildings with historic character should be preserved in all station areas, including Sun Ray and the Sun Ray shopping center property.
4. Future recommendations and implementation should be consistent with the Historic Preservation chapter of the Comprehensive Plan and Chapters 73 and 74 of the Saint Paul Legislative Code.

**MOVED BY** Bezat  
**SECONDED BY** Trimble

**IN FAVOR** 8 (Bezat, Trimble, Ferguson, Hill, Lightner, Meller, Riehle, Wagner)  
**AGAINST** 0  
**ABSTAIN** 0



*Affirmative Action, Equal Opportunity Employer*

July 24, 2015

2100 Wilson Avenue  
St. Paul, MN 55119  
Fax: (651) 771-2542

(651) 771-1301

Dear Planning Commission Members,

We are writing with regards to the proposed Gateway Corridor, or Gold Line, as it is now called.

We represent St. Paul Youth Services, a 40+-year-old community-based institution originally founded by the Saint Paul Public Safety Department to redirect young people starting to get in trouble with the law.

Over time, we've become a leading Twin Cities provider of behavioral support services. We impact the lives of 1,200 children ages 5-18 each year through early intervention behavior programs, family engagement, crisis counseling, and restorative justice services. 9 of 10 young people we serve do better in school, stay out of the criminal justice system, and resolve family conflicts. Our offices are located at 2100 Wilson Avenue, directly across Wilson Avenue from the Sun Ray Library.

We learned two weeks ago that the site plan for the Sun Ray station includes our office and adjoining property. We have not been engaged in any discussions on the project and in fact, have talked with neighboring businesses who were also unaware of it. This raises concerns about how the site plan will affect our organization's location, both in the short and long term. How will our clients be served while the project is underway? Will our agency be viable given the potential disruption to our services and the resulting loss in clientele? Will the jobs of our 37 employees be in jeopardy as a result of these changes?

We are champions of public transit - many of the youth and families we serve depend on it for their mobility. However, any plans need to take into account the impact on the communities who will be most disrupted. We are particularly active with the East Side neighborhood of St. Paul, where we regularly host trainings for neighborhood residents, the Sun Ray Library, and other public and nonprofit agencies on strategies regarding youth.

If we are to continue the vital services that we provide, then we need to be involved in plans, such as the Gold Line, that could significantly impact the future of our agency. We are here this morning to request that we will be included step-by-step in the planning process for the Gold Line as it pertains to the Sun Ray station. Only through this engagement can we hope to avoid serious negative impacts to our organization and the population that we serve.

Please contact us at your earliest convenience to discuss our engagement in the next steps. The best contact point is Dr. Tracine Asberry, Executive Director at (651) 252-6251.

Respectfully,

Cheryl Schmura  
St. Paul Youth Services  
Board Chair

Tracine Asberry, Ed.D  
St. Paul Youth Services  
Executive Director