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

Minutes March 13, 2015

A meeting of the Planning Commission of the City of Saint Paul was held Friday, March 13, 2015, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present:	Mmes. DeJoy, McMahon, Noecker, Padilla, Reveal, Shively, Thao, Underwood; and Messrs. Gelgelu, Nelson, Ochs, and Oliver.
Commissioners Absent:	Mmes. *Merrigan, *Wang, *Wencl, and Messrs. Connolly, *Edgerton, *Lindeke, *Makarios, *Ward, and Wickiser. *Excused
Also Present:	Allan Torstenson, Bill Dermody, Josh Williams, Hilary Holmes, Mike Richardson, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes January 30, 2015.

MOTION: ***Commissioner Noecker moved approval of the minutes of January 30, 2015. Commissioner Gelgelu seconded the motion. The motion carried unanimously on a voice vote.***

and

Approval of minutes of February 27, 2015.

MOTION: ***Commissioner Thao moved approval of the minutes of February 27, 2015. Commissioner McMahon seconded the motion. The motion carried unanimously on a voice vote.***

II. Chair's Announcements

Commissioner Reveal, the Commission's First Vice-Chair, chaired the meeting and she had no announcements.

III. Planning Director's Announcements

The Acting Planning Director, Allan Torstenson, had no announcements.

IV. PUBLIC HEARING: Cellular Telephone Antennas Zoning Study – Item from the Comprehensive Planning Committee. *(Bill Dermody, 651/266-6617)*

First Vice Chair Reveal announced that the Saint Paul Planning Commission was holding a public

hearing on the Cellular Telephone Antennas Zoning Study. Notice of the public hearing was published in the Legal Ledger on March 2, 2015, and was mailed to the citywide Early Notification System list and other interested parties.

Bill Dermody, PED staff, gave a power point presentation that can be seen on the web page at: http://stpaul.gov/index.aspx?NID=3430.

Commissioner Padilla asked how many nonconforming towers the amendments to setbacks and height would create.

Mr. Dermody replied that analysis about the number of nonconforming towers has not been done.

Commissioner Nelson asked if there are any restrictions with regard to when concealment can be required for towers or antennas.

Mr. Dermody said that there are restrictions with regard to covered modifications or collocations under the federal law. Once there are antennas and other equipment on the building there are certain rights – if the first set of antennas was not concealed future sets do not need to be concealed. However, if it's the first set going on the building, concealment requirements may or may not be appropriate to add under the normal conditional use permit considerations.

Commissioner Nelson asked if there are any current restrictions regarding concealment.

Mr. Dermody said that there are no explicit requirements in the code for that, but the Planning Commission has required that in certain cases.

Commissioner Nelson commented on the setback requirement for towers to the closest residential structure. Since structures can be expanded in the future, maybe the setback should be measured to the residential property line as opposed to the residential building.

First Vice Chair Reveal read the rules of procedure for the public hearing.

The following people spoke.

1. Steve Curlsen, Real Estate and Zoning Manager for T-Mobile, said that there are rules in place today that provide protection to the jurisdiction in terms of placement and design of installations. They are concerned ambiguity and subjectivity in the draft amendments. Not knowing the height allowed or setback required creates difficulties for them in terms of RF design, determining whether a site or location would work, and designing a facility. They would like specific requirements rather than ambiguous requirements that may be hard to enforce.

2. Jason Hall, representing AT & T Wireless, said they had submitted written comments. He said the stated of purpose of the code revision is to conform to the new FCC rules. Their interpretation is that conditional use permit requirements should not be added or be more restrictive, and conditional permits should not be required for eligible facility modifications. It looks like one of the proposed code amendments is to add a conditional use permit requirement to additional districts, which they think that goes against the Spectrum Act and new FCC rules. They also feel that reducing the maximum height of new freestanding poles

could limit the ability to co-locate multiple antennas on towers. That could work for the first provider, but a second or third or fourth provider may not be able to use the structure. The intent of the FCC rules is "to promote the deployment of wireless infrastructure by eliminating unnecessary reviews thus reducing the cost and delays associated with facility sighting and construction."

Commissioner Nelson said that many of the zoning districts in the city have maximum heights of 35 feet or so. The new federal rule allows expansion of cell antenna heights up to 28 feet, a significant change to an existing location.

Mr. Hall said he thinks Commissioner Nelson is referring to some of the pictures staff had provided to show what could be done, but there is no reason for the carriers to do it on a low structure like that, and he is not sure how structurally feasible it would be.

Commissioner Nelson noted another photo of a building at the corner of Cretin and Grand, a similar situation, which has antennas on three or four corners of that building. Based upon the new rules, it's not considered a substantial expansion unless it's more than 20 feet measured from the top of the antenna to the bottom of the next antenna, which would make those antennas as tall as the building they are on. So he thinks there is justification for looking at initial applications in light of what can be added in the future.

MOTION: ***Commissioner Thao moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Monday, March 16, 2015, and to refer the matter back to the Comprehensive 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)*

Five items to come before the Site Plan Review Committee on Tuesday, March 17, 2015:

- Big Steer Meats, addition to existing store at 1766 East Minnehaha Avenue.
- Hawkins Terminal 2, new storage tanks at 701 Barge Channel Road.
- Twin Cities Contractor Supply, new concrete mixing plant at 91 Ridder Circle.
- Jamestown Homes, site improvements for existing multi-family housing at 586 Central Ave.
- Victoria Park, 5-story multi-family residential building with 195 apartments at 802 Otto.

One item to come before the Site Plan Review Committee on Tuesday, March 24, 2015:

- Salvation Army, addition for drive-thru donation drop-off at 1907 Suburban Avenue.

NEW BUSINESS

#15-007-957 749 East 7th Street – Rezone a 1526 sq. ft. (approx.. 39'X39') area being split off from the parcel from T2 Traditional Neighborhood to RT1 Two-Family residential to match the parcel to which it will be attached. 470 7th Street East, SW corner at Maple Street.
(Leila Tripp, 651/266-6708)

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

Commissioner Padilla announced the items on the agenda at the next Zoning Committee meeting on Thursday, March 19, 2015.

VI. Neighborhood Planning Committee

District 11 Hamline Midway Mixed-Use Corridors 40-Acre Zoning Study – Approve resolution recommending adoption to the Mayor and City Council. *(Josh Williams, 651/266-6659)*

Josh Williams, PED staff, said the only comment received at the public hearing was that a stretch along Thomas Avenue between Hamline and Pascal currently zoned RT1 two-family residential, where 12 of 54 residential structures are duplexes, should be rezoned R4 one-family residential. There are similar concentrations of duplexes in surrounding R4 one-family residential areas. One-family homes in the RT1 area are on lots that wouldn't meet the lot size requirements for a duplex, so wouldn't allow them to be converted to duplexes. R4 would make existing duplexes nonconforming uses and would constitute down zoning, which is generally inconsistent with the Comprehensive Plan for this location near LRT, so the recommendation is not to change the current RT1 two-family residential zoning along Thomas Avenue.

MOTION: ***Commissioner Oliver moved on behalf of the Neighborhood Planning Committee to recommend approval of the resolution and forward to the Mayor and City Council for adoption. The motion carried unanimously on a voice vote.***

Ward 3 Residential Design Standards Zoning Study – Release for public review and set a public hearing for April 24, 2015. *(Mike Richardson, 651/266-6621)*

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

Commissioner Nelson said that when there is a gable end facing a side yard and it seems like the definition of sidewall height should include part of the gable.

Commissioner Oliver clarified that the amendment pertaining to percentage of wall area to be windows and doors on additions applies citywide.

Commissioner Noecker asked if the issues addressed in the study apply to other parts of the city, asked about being more specific about what existing character means, and asked if proposed new standards could be applied anywhere in the city.

Mr. Richardson said the question of why this is specific to Ward 3 and not city-wide has been asked throughout the study process. The City Council resolution for the study is specific to Ward 3. Trying to be more clear about what existing character means is a good but challenging idea.

First Vice Chair Reveal suggested thinking about a generic way to define character, with a set of steps to go through for defining character for a specific part of the city.

Commissioner Padilla said that while the issues addressed in the study may have been raised by a vocal group of residence in Ward 3, they are city-wide issues. While different areas may have some different characteristics, instead of focusing on one ward and one overlay district we should be adopting standards that could apply city-wide. She fines it frustrating that we are taking a piece meal approach to this.

Commissioner Oliver said he has had the same reaction. He thinks this has been a useful study that has concluded a couple of things: 1) character is an amorphous concept that we are not really going to be able to define in a way that it is going to be helpful for the zoning code or for St. Paul's reputation for being able to build something; and 2) R3 and R4 zoning standards are too generous for the size of lots in those zoning districts, a city-wide issue. The zoning code has the same height limit for all single-family houses, whether on a multi-acre lot or on a 40 foot lot. He thinks amending R3 and R4 setback and height regulations is fine but doing this as an overlay district is not good. He would like put off setting a public hearing for a couple of weeks to draft these as city-wide amendments to release for a public hearing.

Commissioner Noecker said she agrees that as much as possible this should be citywide.

Commissioner DeJoy said she also thinks a citywide approach is better than overlay. She said it's interesting that the character of our neighborhoods developed when there was much less regulation. She was looking for examples of horrible McMansions, but many of the examples of new homes seem fit the existing character.

Commissioner Underwood asked if the core issue is height related to lot size.

Mr. Richardson said he thinks that height is a very significant part of it. The report talks about building height and mass in combination with lot size and the impact they have on neighbors.

Commissioner Nelson said that report doesn't really talk about character the way he might think about it, in terms of architectural details such as window trim, for example. It's really a study of dimensional standards. Setbacks, height, and lot coverage are basic zoning dimensional standards. He agrees that it would be great to look at this city-wide, but the City Council resolution asked us to study this for Ward 3.

Commissioner Padilla said that if the end result of the study is a group of dimensional standards that should apply citywide, then a proper role for the Planning Commission is to say they should apply citywide.

First Vice Chair Reveal said that she tends to agree with this. As long as we have been responsive to the resolution and done the study that was requested, if the conclusions we reach are broader we can recommend that they be applied more broadly.

Commissioner Noecker asked whether the commission feels these recommendations are applicable citywide, or should there be further study regarding city-wide applicability.

Commissioner Noecker made a motion to table this for a period of time.

Allan Torstenson, PED staff, said that the draft overlay district standards are based on looking at the residential development pattern in Ward 3. Building setbacks and the heights in relationship

to lot sizes are different in areas that developed at a different time. If we want to do something citywide, we would want to be fairly careful to make sure the standards fit all areas, and he thinks that may be somewhat different from what has been drafted for Ward 3.

Commissioner Padilla referred to the graphs that were put together as part of this report, noting that Ward 3 is not seeing the bulk of the permits that are being requested citywide for new development or additions. She is frustrated that when we started down this road we didn't decide that it was worthwhile to pay attention to the other wards simply because the City Council resolution was about Ward 3. The study suggests this is a citywide issue. We need to figure this out and maybe it's not the same standard. But the solution should be city-wide.

Commissioner McMahon said she agrees that this is a city-wide issue, but expressed concern that looking at it citywide would be a lot of work and take a lot of time. That is a good process to go through, but she doesn't want to hold up responding to the issues in Ward 3. Maybe we can move the Ward 3 study along and start a parallel or subsequent track and to look at the issue citywide.

First Vice Chair Reveal asked about tabling this for two weeks and asking the committee to come back and tell us how they want to proceed. They could say let's go ahead with the overlay district recommendation and follow the process through, but here is our intent with respect to looking at this city-wide. She asked how much of this could be city-wide without an enormous amount of additional research.

Commissioner Oliver said he thinks it's not necessary to do much study. They just need to take these things and adapt them into citywide amendments. It would be different if we were talking about detailed contextual design standards, but not so hard to do for the basic zoning dimensional standards the study has led us to. A conclusion he takes away from the study is that there are issues that need to be addressed but they are not unique to Highland Park or Macalester Groveland. While he does not think that this needs to be held up, what he prefers to see is that they come back in two weeks with this overlay district and a set of regulations written for citywide applicability or just the citywide applicability, but release something for public hearing that says these are being considered for citywide application, not just Ward 3.

Commissioner Noecker made a motion to table this item for two weeks, ask staff to investigate what could be applicable citywide, and come back to the Planning Commission with those revisions on March 27, 2015. Commissioner Oliver seconded the motion.

Commissioner Nelson said that when this was initially brought up at City Council it was proposed to be a citywide study, but none of the other councilmembers wanted it, so they voted to just study the issue in Ward 3 go ahead. Turning this into new city-wide standards may not be what the Council wants. Whatever we recommend should be easy for the Council to adopt just for Ward 3 if that is what they want.

Commissioner Ochs said this needs to go back to Committee for discussion and recommendation.

First Vice Chair Reveal agreed, and said it also needs to be back at Planning Commission in two weeks to set a public hearing.

Commissioner Oliver said that since there would not be enough time to add this and get the materials for the Neighborhood Committee meeting on the 18th, he suggested putting it on a joint Comprehensive Planning Committee/Neighborhood Committee meeting on Tuesday, March 24th.

Commissioner Shively said she is comfortable with setting a public hearing on the Ward 3 study and recommendations as drafted, and will vote against a layover. The study responds to what the City Council asked for. We can get public testimony, and Planning Commission recommendation to the City Council can include recommending that these issues be looked at city-wide if that is where we end up.

Commissioner Padilla said the Planning Commission's job is to plan appropriately for the city, so if the commission agrees that zoning amendments to address these issues city-wide would be better, that's appropriate for the commission to recommend. The City Council can adopt the amendments for Ward 3 if that is what they want.

Commissioner Oliver noted that there is a big difference between when something was proposed and it had the prospect of being subjective character-based regulations and things that might be a lot like home owners association type regulations. But city-wide amendments to straight-forward dimensional standard may not be controversial.

MOTION: ***Commissioner Noecker moved to have this item laid over for two weeks and go back to the Neighborhood Planning Committee for further discussion. The motion carried 8-4 (McMahon, Nelson, Shively, Underwood) on a voice vote.***

Mr. Torstenson said he understands that this is going back to the Neighborhood Planning Committee on Tuesday, March 24th, which will be a joint meeting with the Comprehensive Planning Committee.

First Vice Chair Reveal said yes, and that it would then come back to the Planning Commission on Friday, March 27, 2015.

VII. Transportation Committee

Downtown Parking Study Update – Informational presentation by Hilary Holmes, PED. *(Hilary Holmes, 651/266-6612)*

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

Commissioner DeJoy asked how current or future vacancy rates would affect the current parking utilization downtown. Ms. Holmes stated that this is a consideration and has been a specific question from BOMA. She also noted that in attracting more employees downtown it is important to keep in mind the different ways that people are getting downtown as not every person will drive and need to park a vehicle.

First Vice Chair Reveal noted that the parking standards of the Institute for Transportation Engineers (ITE) are for suburban development and standards for urban areas might be more helpful for comparison to the actual demand and utilization. Commissioner DeJoy added that ITE standards assume that parking is at its highest capacity 24 hours a day.

Commissioner DeJoy asked about the bicycle plan and potentially reducing the number of on-street parking, particularly in front of businesses that have quick in and out customer activity.

Ms. Holmes noted that it has not been determined that on-street parking would be taken away in a bike loop design. It is a matter of allocating the right-of-way. She noted that there are a number of uses competing for the right-of-way and curbside use and it will be a policy decision of how the City decides to allocate those uses. She noted that business owners would like to see availability and turnover of parking, and a question is how to ensure that there is an open parking spot on every block. One of the strategies that might come out of this work is the need to establish what we want on-street parking occupancy to be on each block. Typical occupancy would be 80-85%, and how a city gets there is through pricing, time limits and enforcement. However, enforcement is not a customer friendly tool. It's what we use now but it's not really what we want to use to get availability.

First Vice Chair Reveal said that lots of places do that successfully and she never would have guessed that on-street was as low of a percentage of the total parking supply. Secondly there are a very limited number of lines of on-street parking on the map so let's find a solution for these blocks.

Commissioner Noecker asked if the map could represent where businesses are currently located in relation to where parking activity is and that location of parking is important. Ms. Holmes replied that the land use map and utilization maps represent this.

First Vice Chair Reveal referenced the cost of parking and location of parking and its effect on peoples' behavior, as well as the ability for on-street and off-street pricing changes to effect where people park.

Ms. Holmes replied that there has been discussion from the beginning about balancing the on-street and off-street pricing, though to what extent has not been determined yet. She noted that bringing those prices closer together is one option and related to this is the potential to create spots that are easily accessible for short term parkers off-street so that on-street is not the only option.

Commissioner DeJoy asked if the ramp related to the Macy's building is still being used, to which Ms. Holmes confirmed that it is.

First Vice Chair Reveal thanked Ms. Holmes and said that this is going to be enormously helpful and she is happy to see how far along this is.

VIII. Comprehensive Planning Committee

First Vice Chair Reveal announced that the next Comprehensive Planning Committee meeting on Tuesday, March 24, 2015 will be a joint meeting with the Neighborhood Planning Committee.

IX. Communications Committee

First Vice Chair Reveal announced that there was no report.

X. Task Force/Liaison Reports

First Vice Chair Reveal announced that there was no report.

XI. Old Business

None.

XII. New Business

None.

XIII. Adjournment

Meeting adjourned at 10:50 a.m.

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

Respectfully submitted,

for Donna Drummond
Planning Director

Approved March 27, 1025
(Date)

Daniel Ward II
Secretary of the Planning Commission

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