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

Minutes March 27, 2015

A meeting of the Planning Commission of the City of Saint Paul was held Friday, March 27, 2015, at 8:30 a.m. in the Conference Center of City Hall.

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

I. Approval of minutes March 13, 2015.

MOTION: ***Commissioner Noecker moved approval of the minutes of March 13, 2015. Commissioner Lindeke 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. She had no announcements.

III. Planning Director's Announcements

Donna Drummond reported that the City Council approved the Citywide Bicycle Plan at its March 18th meeting and projects to begin implementation are underway. The City Council has funded improvements for the Grand Round and the proposed downtown bike loop, and community advisory committees are being organized for both. The Great River Gathering dinner will be on May 14th. Interested commissioners should register on-line, and let Ms. Drummond know so that she can make sure that Planning Commissioners are seated together. Commissioner Wang had sent out an invitation to the Knight Foundation Cities Challenge grant award announcement party on Tuesday March 31, 5:30-7:30pm at the new Saints Ballpark club room. The event is free but a RSVP is needed. Commissioner Wang is also one of the grant award finalists.

IV. Zoning Committee

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

Three items to come before the Site Plan Review Committee on Tuesday, March 31, 2015:

- Great River School, stormwater improvements, 1326 Energy Park Drive.
- Northern Salt Inc., storage and distribution building for road salt at 602 Prior Avenue North.
- Milan Motors, reconfigure small existing parking lot at 741 University Avenue.

NEW BUSINESS

#15-014-014 Salvation Army ARC – Conditional use permit for drive-through donation drop-off. 1905 Suburban Avenue, NE corner of Burns and Suburban. *(Bill Dermody, 651-266-6617)*

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

#15-012-760 Model Cities Properties – Conditional use permit for a mixed use structure of 45 ft. in height, and variance to allow using the alley as a maneuvering lane. 839-849 University Avenue West between Avon and Victoria. *(Hilary Holmes, 651/266-6612)*

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

#12-216-269 Wilebski's Blues Saloon Parking Lot – Set a public hearing to be held at the Zoning Committee on April 30, 2015 to consider revocation or modification of a nonconforming use permit due to noncompliance with conditions of the permit at 92 California Avenue West.

First Vice Chair Reveal asked if the Zoning Committee could have set the hearing themselves.

Commissioner Padilla noted the code requires that the Planning Commission be notified of noncompliance with conditions placed on a permit, so the full Planning Commission should be notified and decide whether to set a hearing. The Zoning Committee can hold the hearing.

Commissioner Nelson said that process is good for public notice sake, and the Zoning Committee recommended the April 30th date is to allow plenty of time for public notification and more dialogue between the City and the property owner.

Commissioner Noecker asked if the permit could be revoked without a public hearing, and if there are other ways for City staff to work with the applicant on the issue.

Commissioner Padilla said that a public hearing is necessary for revocation or modification of a permit, and that City staff had been working with the property owner for a couple of years to try to get the property into compliance with the permit. DSI is putting more effort into enforcement

of permit conditions, which the Zoning Committee asked about last year based on information they received about permit violations.

Allan Torstenson quoted code language that the commission may, at a public hearing, following notice to the owner of subject property and other adjacent property owners, revoke the approval or change the conditions. He said they would follow the normal procedure where the Zoning Committee holds the public hearing and makes a recommendation to the full commission.

MOTION: ***Commissioner Nelson moved the Zoning Committee recommendation to set a public hearing to be held by the Zoning Committee on April 30, 2015 to consider revocation or modification of the nonconforming use permit for the parking lot at 92 California Avenue W. The motion carried unanimously on a voice vote.***

Commissioner Nelson also announced the items on the agenda at the next Zoning Committee meeting on Thursday, April 2, 2015.

VI. Neighborhood Planning Committee

Campus Boundary Zoning Study – Initiate zoning study regarding requirements for the expansion of university, college, and seminary boundaries. *(Josh Williams, 651/266-6659)*

Commissioner Lindeke asked about the reasons for the study.

Commissioner Oliver said there have been complaints about college acquisition and demolition of single-family houses around a couple of campuses, thereby moving toward campus expansion before they have gone through the public hearing process for campus expansion.

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

Ward 3 Residential Design Standards Zoning Study – Release draft citywide zoning text amendments pertaining to residential design and dimensional standards for public review and set a public hearing for May 8, 2015. *(Mike Richardson, 651/266-6621)*

Commissioner Oliver explained the committee recommendation, by majority vote, to release draft citywide zoning text amendments pertaining to residential design and dimensional standards for public review and set a public hearing for May 8, 2015. The draft amendments are based on the conclusions of the Ward 3 study but are appropriate to consider citywide.

Mike Richardson, PED staff, gave a brief presentation that can be viewed on the web page at: http://stpaul.gov/index.aspx?NID=3430

Commissioner Merrigan referred to the map showing radius options to use for basing maximum building height on the average heights of nearby buildings, and asked about the reasons for choosing a 100 foot radius.

Mr. Richardson said that 100 feet appears to be a balance between limiting the amount of analysis necessary and getting enough information to understand the surrounding character.

Commissioner Lindeke asked about how the amendments, based on looking at Ward 3, would impact older neighborhoods that have more varied residential development than Ward 3.

Mr. Richardson said we would be looking at examples in other neighborhoods before the public hearing. Many of the recommendations focus on limiting impact of new buildings on adjacent property in ways that may be generally appropriate.

Commissioner Edgerton expressed concern about pushing something through city-wide based on urgency in Ward 3 and not doing the same level of detailed analysis citywide as has been done for Ward 3. The city is very diverse. Applying standards based on Ward 3 analysis may not make sense citywide, and could have unintended consequences. The study is being done in response to concerns raised people in Ward 3 that as far as he knows haven't come elsewhere in the city, and others may not want the solution. The committee considered the options of releasing draft zoning code amendments for Ward 3 only, citywide amendments only, or some combination of the two and the decision was to recommend releasing the citywide option for public review. But that is being done with the idea that as it moves forward we can make adjustments based on what we find out. He asked if it would go back to the Neighborhood Planning Committee after the public hearing, and if the committee could then make changes before the Planning Commission sends it to the City Council.

Donna Drummond, Planning Director, replied that the committee and commission can make changes to the draft before sending it to the City Council. She said that we want to have the substance of what the Planning Commission is considering out for public review so we get feedback on it. Saint Paul always holds two public hearings [Planning Commission and City Council] on zoning text amendments even though state law just requires one. If the Planning Commission makes significant changes to draft amendments after their public hearing, people can comment on it at the City Council hearing.

Commissioner Oliver said that the study ended up not recommending new or novel design standards, but rather recommended that the appropriate response to the issues raised in Ward 3 is to amend basic standard zoning dimensional standards so that buildings can't be too high for the width of the lot and setback from adjacent property. This is not specific to any area in the city, and should be applied citywide.

Commissioner Shively said that Ward 3 is pretty varied, and nothing from the Ward 3 overlay district option is lost in the citywide option. She asked if after the public hearing the commission or City Council could go back to the Ward 3 overlay district option if not comfortable applying these amendments citywide right now.

Ms. Drummond said that is an option. The Planning Commission could say, for example, that we've heard significant concerns from other parts of the city, and we want to move forward at this point with Ward 3 and potentially look at citywide amendments in the future.

Commissioner Noecker said that people in other wards of the city may not be aware of this study. One of the things agreed upon at committee meeting was that staff would contact district councils in other wards about this between now and the public hearing, which is not until May 8th.

Commissioner McMahon said she had voted against releasing just the citywide option. She preferred releasing the Ward 3 overlay district option first or releasing both options together to have greater clarity hearing from the public on the two options. She thinks that there are a few different issues. One is whether these are good standards, and another is whether they are good standards citywide. She is happy to learn that releasing just the citywide option will not preclude going back to the Ward 3 overlay district option.

Mr. Richardson explained the draft amendments to the residential district dimensional standards table, with a lower height limit for one-family houses close to property lines, a provision for more height with greater setback, and a maximum of three stories (which is defined). This would limit building mass close to adjacent property, and should provide for taller historic houses that have greater setback.

MOTION: ***Commissioner Oliver moved on behalf of the Neighborhood Planning Committee to release a City-wide Residential Design Standards Zoning Study and draft text amendments for public review and set a public hearing on May 8, 2015. The motion carried unanimously on a voice vote.***

VII. Comprehensive Planning Committee

Cellular Antennas Zoning Study – Approve resolution recommending zoning text amendments to the Mayor and City Council. *(Bill Dermody, 651/266-6617)*

Bill Dermody, PED staff, highlighted the changes since the March 13 public hearing where he gave a full presentation. One change is prompted by the public hearing testimony regarding poles that can accommodate multiple carriers. The initial draft amendments deleted the allowance for going from a 75 foot height up to 100 feet in non-industrial zoning districts simply by having accommodation for multiple carriers. The theory behind that was now under federal law you can make approximately a 25 foot height addition. However, that deletion has been restored under the philosophy that we want to encourage accommodating cell antennas on existing poles rather than having the carriers go through a multiple-stage process. A second change is fixing a flaw in the logic behind some of the other changes, which was a result of rushing the item from Comprehensive Planning Committee to Planning Commission last time. They had used the logic that the City now encourages a finer grained mix of uses in recommending expansion of the conditional use permit requirement beyond residential buildings. However, mixed uses were actually encouraged even previous to the traditional neighborhood districts. So, the recommendation in the resolution before the Commission is that it's not the use of any particular building with antennas that matters for the community impact – what matters is the height of the building and the context. That's why it's been recommended to require a conditional use permit based only on building height – not use – as long as it's not in an industrial district.

Commissioner Noecker said that Section 65.310. (d)(1) talks about freestanding poles not exceeding 75 feet in height unless there is some demonstration that vegetation or topography makes that impractical. And then there is no limit beyond that, so do we want to have any maximum beyond just demonstrating that that's not practical?

Mr. Dermody said that it's a policy question that he does not have a lot of analysis for, except that they have run this through the Department of Safety and Inspections (DSI) and he has not heard of that being an issue. He does not believe it happens very often if at all that somebody requests

extra height because of vegetation or topography.

Commissioner Noecker said that on the same note, do we want to have similar language for industrial districts?

Mr. Dermody replied that that would be an option. However in industrial districts the maximum height is 150 feet, so those vegetation or topography issues are unlikely to come into play.

MOTION: ***Commissioner Merrigan moved on behalf of the Comprehensive Planning Committee to approve the resolution recommending that the zoning amendments be adopted by the Mayor and City Council. The motion carried unanimously on a voice vote.***

Commissioner Merrigan announced the items on the agenda at the next Comprehensive Planning Committee meeting on Tuesday, April 7, 2015.

VII. District 6 Natural Resources Study – Informational presentation by Mark Doneux and Nate Zwonitzer, Capital Region Watershed District and Josh Williams, PED.
(Josh Williams, 651/266-6659)

Donna Drummond, Planning Director, announced that this presentation will be rescheduled for a later date.

VIII. Transportation Committee

Commissioner Lindeke said that at their last meeting the committee heard from Metro Transit about the Route 54 extension, which is an express bus service that will extend all the way to the eastside. In addition, Public Works staff talked about two repaving/reconstruction projects, St. Clair Avenue for a mile or two south and Franklin Avenue between the Raymond Station and the border to Minneapolis, both of which will get sidewalk improvements. He announced the items on the agenda for the next Transportation Committee meeting on Monday, March 30, 2015.

IX. Communications Committee

None.

X. Task Force/Liaison Reports

Commissioner Makarios announced that he had attended the Ford Site Study trip abroad last week, visiting and learning about 10 industrial redevelopment sites in Berlin, Copenhagen, Stockholm and other areas of Sweden. There were lots of lessons about energy efficiency, energy systems, stormwater management, urban design and density etc. and they look forward to taking some of those lessons as they move forward with the planning for the Ford Site.

Commissioner Edgerton asked if there would be a presentation or information available on lessons learned.

Commissioner Makarios said he believes there will be a presentation put together that he can share.

XI. Old Business

None.

XII. New Business

None.

XIII. Adjournment

Meeting adjourned at 9:33 a.m.

Recorded and prepared by
Sonja Butler, Planning Commission Secretary
Planning and Economic Development Department,
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Respectfully submitted,

Donna Drummond
Planning Director

Approved April 10, 2015
(Date)

Daniel Ward II
Secretary of the Planning Commission

PlanningTeamFiles\planning commission\minutes\March 27, 2015