

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

Minutes March 8, 2013

A meeting of the Planning Commission of the City of Saint Paul was held Friday, March 8, 2013, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. Noecker, Perrus, Reveal, Shively, Thao, Wang, Wencl; and Messrs. Edgerton, Gelgelu, Lindeke, Makarios, Nelson, Ochs, Schertler, Spaulding, and Wickiser.

Commissioners Absent: Mmes. *Merrigan, *Porter, and Messrs. *Connolly, *Oliver, *Ward.
*Excused

Also Present: Donna Drummond, Planning Director; Allan Torstenson, Merritt Clapp-Smith, Josh Williams, Kate Reilly, Scott Tempel, Bill Dermody, Hilary Holmes, Christine Boulware, Rene Cohn, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes February 22, 2013.

Chair Wencl announced that the minutes were not available at this time. However they will be ready for approval at the March 22, 2013 meeting.

II. Chair's Announcements

Chair Wencl had no announcements.

III. Planning Director's Announcements

Donna Drummond reported that the City Council held a lengthy public hearing on the 6th Street sidewalk widening project by Mears Park last Wednesday. The Council approved the project, which required making decisions about balancing travel modes in a limited right-of-way, as 6th Street is a prime street to be considered for bike lanes, street cars and pedestrian amenities.

IV. PUBLIC HEARING: District 12 Plan Amendments for the Creative Enterprise Zone – Item from the Neighborhood Planning Committee. (Merritt Clapp-Smith, 651/266-6547)

Chair Wencl announced that the Saint Paul Planning Commission was holding a public hearing on the District 12 Plan Amendments for the Creative Enterprise Zone. Notice of the public hearing was published in the Legal Ledger on February 18, 2013, and was mailed to the citywide Early Notification System list and other interested parties.

Merritt Clapp-Smith, PED staff, had previously given a full presentation when the public hearing

was scheduled, so she gave a brief reminder that today's public hearing is about the proposed amendment to the District 12 St. Anthony Park Plan, which is an addendum to the Saint Paul Comprehensive Plan. It is a small amendment to the district plan proposing the addition of one core strategy -- identification of the Creative Enterprise Zone effort. As of today, no written testimony has been received.

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

The following people spoke.

1. Amy Sparks, Executive Director of District 12 St. Anthony Park Community Council said this is an initiative that they have been working on for about three years. It started when a building that housed primarily artist studios was put on the market and some members of District 12 were concerned about maintaining the character of the neighborhood. They saw the kinds of uses in that building as contributing to the flavor and energy of the community, so a task force was created to see what could be done to retain such uses. They worked with a nationally known consultant to develop the Creative Enterprise Zone plan. Through the planning process they realized that there were not only artists in the community, but also videographers, architects, software designers and a variety of makers and businesses that they felt were a good fit for the St. Anthony Park area. Instead of naming it a 'cultural zone' or an 'artistic zone', they chose 'Creative Enterprise Zone', because that term better reflects the variety of uses there. They developed a strategy to do what they can to maintain the creative enterprises in their district, information of which can be seen on their new web site: www.creativeenterprisezone.org.
2. Jon Schumacher, Executive Director of the St. Anthony Park Community Foundation stated that he has been involved in the Creative Enterprise Zone effort since the start. It has been a community wide initiative with support from all areas, as people recognize the strengths of this emerging neighborhood along University Avenue and consider how it will evolve as light rail becomes a huge player in the community's life. The neighborhood is important as the largest contiguous industrial zoned property in Saint Paul. Mr. Schumacher said that the Creative Enterprise Zone process has been about building community around the commercial enterprises and industries of the area and acknowledging the pride and value of that industrial base. Up to this point, there were unknown and silent creative enterprises, operating and providing jobs as they do best. He and others want to make sure that this area can build on its strengths and continue to bring together the kinds of funding that will advance their efforts. It is important to have the City's acknowledgement of the Creative Enterprise Zone and its importance, to help legitimize the efforts and send a message to potential funders to help them move into the future.
3. Catherine Day is volunteer chair of the action team that has been working on the creative enterprise zone and been involved in the community for 20 years. They would like this area to be known and recognized for what it has been all along -- an interesting intersection of transportation at its locus point in the center of the city and a place where they can become better known for the kinds of creativity and enterprise that have emerged there. Ms. Day thinks that not only is it a neighborhood vision, but it is an opportunity for the city and their community to better recognize and attract the kinds of jobs and creative people that innovate and create new jobs. This is about people organizing and caring about their community,

strengthening the economic enterprise and the tax base of the city, and helping people make a living by their creative capacities.

4. Jack Becker, Executive Director for Forecast Public Art, which is located near the corner of University and Raymond and has been around for 21 years. They outgrew their space a few years ago and did a 6 month search around the Twin Cities for a location to expand, finally realizing that they were in the best location for an arts organization that serves artists throughout the Twin Cities and Minnesota. They wanted to be in this zone because they've felt an affinity with the other arts organizations and the small press community that's there, and they've been supported by the city. However, they are concerned about the rents going up and about gentrification. Mr. Becker got involved with the group working on the creative enterprise zone in hopes of helping connect with the other arts organizations and creative industries in his community to send a message to the city that this is an important cultural ecosystem in the Twin Cities and in the state. With light rail transit coming, they fear that they might not be able to stick around and survive with businesses moving in and rents going up. Their goal is to be recognized and valued by the city. This would help validate what they're trying to do and build and to get the kind of support, policies and technical assistance that they need to stay, thrive and grow to keep building a creative enterprise zone in the twin cities.

MOTION: *Commissioner Spaulding moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Monday, March 11, 2013 and to refer the matter back to the Neighborhood Planning Committee for review and recommendation. Commissioner Noecker seconded the motion. The motion carried unanimously on a voice vote.*

V. Zoning Committee

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

Two items came before the Site Plan Review Committee on Tuesday, March 5, 2013:

- St. Thomas University, replace existing turf field with artificial turf at NW corner of Cretin and Goodrich.
- Advance Auto Parts, new retail auto parts store at 1115 - 1125 Rice Street.

One item to come before the staff Site Plan Review Committee on Tuesday, March 12, 2013:

- Payne Maryland Community Center and Library at 1178 Payne Avenue (SE corner at Maryland), staff reviewed this plan in June 2012; there have been some revisions since then.

One item to come before the staff Site Plan Review Committee on Tuesday, March 19, 2013:

- Trillium Nature Sanctuary, new trail parking lot, restroom and restoration of Trout Brook stream channel at west of 35E between Maryland and Cayuga.

NEW BUSINESS

#13-151-984 Meridian Behavioral Health – Conditional use permit for human service-licensed community residential facility for up to 20 residents. 1609 Jackson Street, west side at Timberlake Road. (Bill Dermody, 651/266-6617)

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

#13-152-470 Saint Paul HRA – Rezoning from B1 Local Business to T1 Traditional Neighborhood and RT1 Two-Family Residential. 719 Burr Street, SW corner of Minnehaha and Burr. (Kate Reilly, 651/266-6618)

Commissioner Ochs asked if it's appropriate to rezone one parcel at a time. Maybe it would be better to look at the entire block.

Donna Drummond, Planning Director, said that the City initiates zoning studies for larger areas when there are bigger issues to address. Typically rezoning applications by individual property owners just involve the individual property.

Commissioner Perrus noted that staff does an analysis on whether rezoning would constitute spot zoning and make sure that the rezoning is appropriate. These are all applicant driven so they have to approach them that way in general.

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

VI. Comprehensive Planning Committee

Auto Body Text Amendments – Recommendation to release for public review and set public hearing for April 19, 2013. (Kate Reilly, 651/266-6618)

Commissioner Reveal announced that they needed to change the public hearing date from April 19, 2013 to May 3, 2013.

MOTION: *Commissioner Reveal moved on behalf of the Comprehensive Planning Committee to release the draft for public review and set a public hearing on May 3, 2013. The motion carried unanimously on a voice vote.*

Commissioner Reveal also announced that the committee reviewed the City's proposed (CIB) Capital Improvement Budget projects. The Planning Commission's task is to determine whether or not they conform with the Comprehensive Plan and the degree to which they conform. However, they will go to the Transportation Committee for their review before they come to the Planning Commission.

VII. Neighborhood Planning Committee

Malt Liquor Production Amendments – Resolution recommending approval of the proposed amendments to Sec. 65.774 of the Zoning Code. (Bill Dermody, 651/266-6617)

Bill Dermody, PED staff said that City Council identified that the small brewing regulations as being complicated and burdensome and not necessarily aligned with state law anymore. The Council also recognized that there is a lot of interest in these types of businesses going into Saint Paul. Generally speaking, the Council wants to loosen and simplify the requirements for those businesses and that will require a larger study but they saw this as a quick fix and wanted the Planning Commission's input on it. That is why they are going forward with the one line of code being struck and then they will handle the bigger issues later.

Commissioner Noecker asked if there was any discussion about why the original prohibition against sale on site was there. It notes that the sale of alcohol and other venues are already allowed in the same zoning district so what was the rationale originally and why it is no longer valid.

Mr. Dermody thinks that generally it is a matter of mirroring state law and then the state law changed and we're left with what is in the code.

Commissioner Wickiser said that he has talked to people about ethanol production and that ethanol or methanol can be produced from waste pop which would be the same process as brewing. Commissioner Wickiser has lived next to the ethanol plant for a long time down on West 7th Street which was horrendous. So if the committee could look at some of those issues in conjunction, although a small brew pub is obviously much different then producing ethanol for fuel.

Mr. Dermody replied that they will make sure to make that part of the report and consideration when they go forward with the larger amendments.

MOTION: Commissioner Spaulding moved the Neighborhood Planning Committee's recommendation to approve the resolution recommending approval of the proposed amendments to Sec. 65.774 of the Zoning Code. The motion carried unanimously on a voice vote.

West Grand Zoning Study – Recommendation to release report and draft zoning code amendments for public review and to set a public hearing for the April 19, 2013, Planning Commission meeting. (Josh Williams, 651/266-6659)

Josh Williams, PED staff, gave a presentation about the West Grand Avenue Zoning Study and the Neighborhood Planning Committee's recommendation and the findings of the study, which includes some recommended zoning changes to be released for public hearing with the date set for April 19, 2013. A map was shown on the overhead projector of the existing zoning and the boundaries of the study area. Mr. Williams gave some background saying that in August of 2012, the City Council passed Ordinance 12-53, which put in place a one-year moratorium on multifamily development greater than 40 feet in height along west Grand Avenue between Cretin and Fairview Avenues. The ordinance requested that the Planning Commission study whether RM2 multiple-family residential zoning and B2 zoning best furthers Comprehensive Plan land use objectives including supporting the prevailing character of Established Neighborhoods along this stretch of Grand Avenue. The City Council subsequently expanded the study area to include B2 parcels on Grand just east of Fairview Avenue, thereby encompassing the entire commercial node at the intersection of those two streets. The moratorium and zoning study request came primarily in response to a controversial development at the southwest corner of Grand Avenue

and Finn Street. The project (a five story, 50 foot-tall multifamily building containing 20 four-bedroom units targeted at student renters) received site plan approval as consistent with the lot's RM2 multifamily zoning and the Comprehensive Plan. On appeal, the City Council upheld the project approval.

Commissioner Perrus said she is not a huge fan of having multiple dimensional standards within a single zoning district; it is confusing for applicants and when they start opening that door, then particular streets could have a separate standard. She continued to ask if an overlay district was considered as an alternative to separate dimensions within the same zoning district.

Mr. Williams replied that, yes, the option of an overlay district was something that staff discussed. He stated that, in his opinion, overlay districts and footnotes as a way to apply different dimensional standards within a zoning district are imperfect solutions that make the zoning code harder to administer and more confusing for applicants. As to the issue of having different standards for different locations with the same zoning designation, Mr. Williams stated that staff felt that there are unique circumstances—namely the demand for student housing—in the West Grand area that don't exist elsewhere.

Commissioner Perrus understands that this is a limited area, but this is a limited area driven by a particular neighborhood's concerns. There are plenty of other areas in the city with student housing and she thinks this is being driven by one group of very vocal residents in a more well to do area. If student housing is that different and creates completely different problems then they should be addressing this issue as an overall issue for all neighborhood near colleges in the city rather than one particular street that is near St. Thomas. Commissioner Perrus understands that this is community-driven but she thinks they're missing the boat here.

Commissioner Lindeke asked about the percentage of renters in this area, the kind of outreach that was done to include students or renters in the discussions, and the percentage of the students and renters in the area who own automobiles.

Mr. Williams answered that he did not know the percentage of rental households versus owner-occupied offhand. He added that there was not specific outreach to students, other than informing UST student affairs staff and student representatives to the West Summit Neighborhood Advisory Committee (WSNAC). Mr. Williams also stated that it is difficult for the City to reach renters because we do not have a database of actual residents and addresses, only property owners.

Commissioner Edgerton asked if an analysis had been done on what the proposed zoning amendments would have meant for the Grand and Finn project if they had been in place at that time.

Mr. Williams said staff originally predicted around a 20% reduction in units based on the height restriction. He couldn't recall exactly the impact on number of units allowed based on the size of the parcel at Grand and Finn, but he thought the impact of the increase in minimum lot size per unit resulted in a greater than 25% reduction in allowed units. His calculations show that under the proposed changes, the project at Grand and Finn would include 13 four-bedroom units or 21 three-bedroom units.

Commissioner Schertler thinks that the reality here is that decisions on density and residential growth and Grand Avenue are always going to create anxiety because it's a higher demand-type

area. He talked about how much the city is supposed to grow and that it should be based on the Land Use Plan and where there is public infrastructure to support it. He also felt similar areas with similar infrastructure should be treated uniformly.

Commissioner Noecker said that the point of the Comprehensive Plan is to encourage density and they are going in the opposite direction with this proposal. She also doesn't understand the argument that because in this area where there is a huge demand for housing that we should be restricting this. Assuming that there is no other political consideration how does this make sense objectively? She also stated that the Alternative Residential Strategy analyzed in the study was interesting, the idea of rezoning to T1 or T2 as opposed to keeping the zoning the same but changing the density requirements. It states in the first paragraph that this is not the recommendation of the study but it has advantages and disadvantages. However, it is not clear why it wasn't the recommendation and what the advantages or disadvantages are. Commissioner Noecker wants it made clearer in the Alternative Residential Strategy so that people are not confused that there is this other suggestion being proposed.

Mr. Williams addressed the latter saying that in terms of advantages and disadvantages one issue with T zoning is that it is a commercial zone. The current character of that part of Grand Avenue is that the blocks are largely residential and the commercial is clustered at the corners. If commercial was put in mid-block there are potentially impacts. For example, commercial uses may generate more traffic, late night noise and particularly alley access is going to be necessary for most buildings, especially under Traditional Neighborhood District Design Standards.

Going back to the density question, under T2 the potential densities are greater than under RM2. However, it may be that a redesign of the building at Grand and Finn might have satisfied a lot of the concern. Under T zoning something lower-rise could be done that would accommodate the same number of units. Whether or not that alleviates the concerns coming out of the neighborhood and the people living across the alley he doesn't know, but those are the advantages and disadvantages and the intent of the committee was that there is not a clear right or wrong answer and discussion of those options at the public hearing would be a good thing for the reasons brought up.

Donna Drummond added that the Alternative Residential Strategy is in the study so that when it it's released for public hearing people can comment on that and we can get additional input on that idea. Although it was not the recommendation of the committee it is out there for people to consider and comment on.

Commissioner Noecker said that the way Mr. Williams stated the advantages and disadvantages should be listed.

Commissioner Spaulding said that the exercise they went through to reach what is recommended here today has actually reaped some benefits that may be worth thinking about citywide especially related to the RM2 set back issue. The 50 feet between adjacent RM2 buildings at 50 feet high is out of character with a lot of the land zoned RM2, and out of character with existing development zoned RM2.

Commissioner Nelson is not concerned about inconsistency across the city. For example the student housing that is an overlay zone and part of the foot note was a way to easily facilitate implementation within the zone as opposed to another map. It is a first step as a tool that can be

used and now that there is a student overlay zone around the St. Thomas area other areas can use it if similar problems develop. Zoning codes are evolving and often something tried in one area doesn't necessarily apply across the city and that kind of consistency is not problematic to him at all.

Commissioner Perrus thinks that they are doing kind of a band-aid based on an application that a lot of people didn't like in their area, and if a 20-unit building with very little green space is considered inappropriate around that college, then perhaps it should be considered inappropriate for all RM2 areas. She stated further that she does not like the idea that they are potentially putting this area on hold or changing the dynamics for this area when they should be considering if that use is appropriate generally as student housing everywhere around the city.

Commissioner Nelson said that they were limited by the request from City Council to just study West Grand Avenue.

Commissioner Perrus said that shouldn't limit the discussion of how the Planning Commission should proceed.

Commissioner Lindeke said staff had provided him information that the housing in the area is 52% owner-occupied and 48% rental. He inquired if it would be possible in the public process going forward to try to get some inclusion of that half of the neighborhood that might not be represented by just notifying property owners.

MOTION: Commissioner Spaulding moved on behalf of the Neighborhood Planning Committee to release the draft for public review and set a public hearing on April 19, 2013. The motion carried 15-1 (Perrus) on a voice vote.

Chair Wencil announced the items on the agenda for the next Neighborhood Planning Committee meeting on Wednesday, March 13, 2013.

VIII. Transportation Committee

Commissioner Spaulding said at their last meeting they heard about the Central Corridor sidewalk infill project, which plans to put in missing segments of sidewalk in the West Midway Industrial area. The other item discussed was the proposed extension of the bicycle/pedestrian path connecting Harriet Island to Kaposia Landing Park in South Saint Paul. This would offer a trail going 17 miles the length of the Saint Paul River Corridor. Mr. Don Varney from Public Works Department is coming back to the Transportation Committee in about 2 weeks to answer some of the questions they had. Commissioner Spaulding announced the items on the agenda for the next Transportation Committee meeting on Monday, March 11, 2013.

IX. Communications Committee

No report.

X. Task Force/Liaison Reports

Commissioner Reveal announced that the West Side Flats Community Task Force second meeting is Thursday, March 14, 2013 at 6:00 p.m. in the Neighborhood Development Alliance

office (NeDA).

Merritt Clapp-Smith, PED staff, announced that the Shepard Davern Area Planning Task Force will have a meeting on Wednesday, March 13, 2013 at 4:00 p.m. in the St. Paul Jewish Community Center conference room.

XI. Old Business

None.

XII. New Business

None.

XIII. Adjournment

Meeting adjourned at 10:13 a.m.

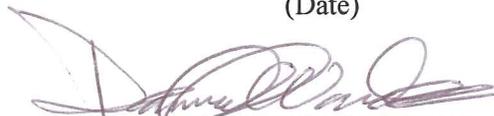
Recorded and prepared by
Sonja Butler, Planning Commission Secretary
Planning and Economic Development Department,
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Respectfully submitted,



Donna Drummond
Planning Director

Approved March 22, 2013
(Date)



Daniel Ward II
Secretary of the Planning Commission