



**Saint Paul Planning Commission**  
City Hall Conference Center Room 40  
15 Kellogg Boulevard West

Christopher B. Coleman,  
Mayor

**Agenda**

May 3, 2013  
8:30 – 11:00 a.m.

Saint Paul  
Planning Commission

Chair  
Barbara A. Wencil  
First Vice Chair  
Elizabeth Reveal  
Second Vice Chair  
Paula Merrigan  
Secretary  
Daniel Ward II

Pat Connolly  
Daniel Edgerton  
Gene Gelgelu  
William Lindeke  
Kyle Makarios  
Gaius Nelson  
Rebecca Noecker  
Christopher Ochs  
Trevor Oliver  
Julie Perrus  
Marilyn Porter  
Tony Schertler  
Emily Shively  
Robert Spaulding  
Terri Thao  
Jun-Li Wang  
David Wickiser

Planning Director  
Donna Drummond

- I. Approval of minutes of April 19, 2013**
- II. Chair's Announcements**
- III. Planning Director's Announcements**
- IV. PUBLIC HEARING: District 9 Area Plan Amendments – Item from the Neighborhood Planning Committee. (*Lucy Thompson, 651/266-6578*)**
- V. Zoning Committee**  
**SITE PLAN REVIEW** – List of current applications. (*Tom Beach, 651/266-9086*)  
**NEW BUSINESS**  
#13-170-780 Bilal Alsadi – Conditional use permit for an auto convenience market. 1188-1200 Rice Street between Maryland and Rose. (*Kate Reilly, 651/266-6618*)
- VI. Transportation Committee**  
Harriet Island to South St. Paul Regional Trail Master Plan – Approve resolution recommending approval of the plan to the Mayor and City Council. (*Don Varney, Public Works*)
- VII. Comprehensive Planning Committee**
- VIII. Neighborhood Planning Committee**
- IX. Communications Committee**
- X. Task Force Reports**
- XI. Old Business**
- XII. New Business**
- XIII. Adjournment**

**Saint Paul Planning Commission &  
Heritage Preservation Commission**  
MASTER MEETING CALENDAR

**WEEK OF APRIL 29-MAY 3, 2013**

**Mon (29)** \_\_\_\_\_

**Tues (30)** \_\_\_\_\_

**3:30- Comprehensive Planning Committee**  
**5:00 p.m. (Merritt Clapp-Smith, 651/266-6547)**

**13<sup>th</sup> Floor – CHA**  
**25 Fourth Street West**

Review Neighborhood STAR applications for Comprehensive Plan compliance.  
(Merritt Clapp-Smith, 651/266-6547)

**Weds (1)** \_\_\_\_\_

**Thurs (2)** \_\_\_\_\_

**Fri (3)** \_\_\_\_\_

**8:30- Planning Commission Meeting**  
**11:00 a.m. (Donna Drummond, 651/266-6556)**

**Room 40 City Hall**  
**Conference Center**  
**15 Kellogg Blvd.**

**PUBLIC HEARING: District 9 Area Plan Amendments** – Item from the Neighborhood Planning Committee. (Lucy Thompson, 651/266-6578)

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

**NEW BUSINESS**

**#13-170-946 Icy Cup Farmers Market** – Conditional use permit for outdoor sales. 63 George Street West, NE corner at Stryker. (Kate Reilly, 651/266-6618)

**#13-170-780 Bilal Alsadi** – Conditional use permit for an auto convenience market. 1188-1200 Rice Street between Maryland and Rose. (Kate Reilly, 651/266-6618)

**Transportation Committee..... Harriet Island to South St. Paul Regional Trail Master Plan** – Approve resolution recommending approval of the plan to the Mayor and City Council.  
(Don Varney, Public Works)

**The Planning Commission  
minutes from the Public  
Hearing on Friday,  
April 19, 2013 are not  
ready for your review.  
Once they are done you will  
receive an email with the  
minutes attached. You will  
also get a hard copy.**

**Thank you,**

**Sonja Butler**





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

25 West Fourth Street  
Saint Paul, MN 55102

Telephone: 651-266-6565  
Facsimile: 651-266-6549

**DATE:** April 23, 2013  
**TO:** Saint Paul Planning Commission  
**FROM:** Lucy Thompson, Principal City Planner   
**SUBJECT:** Public Hearing on Proposed Amendments to the *District 9 Area Plan Summary*

The Planning Commission will hold a public hearing on May 3, 2013 on the attached proposed amendments to the *District 9 Area Plan*. The changes are shown as they would appear in the full plan, because that is the way the neighborhood submitted them to us. After the Planning Commission completes its review and makes a recommendation to the City Council, I'll drop the proposed amendments into the *District 9 Area Plan Summary* in the appropriate spot.

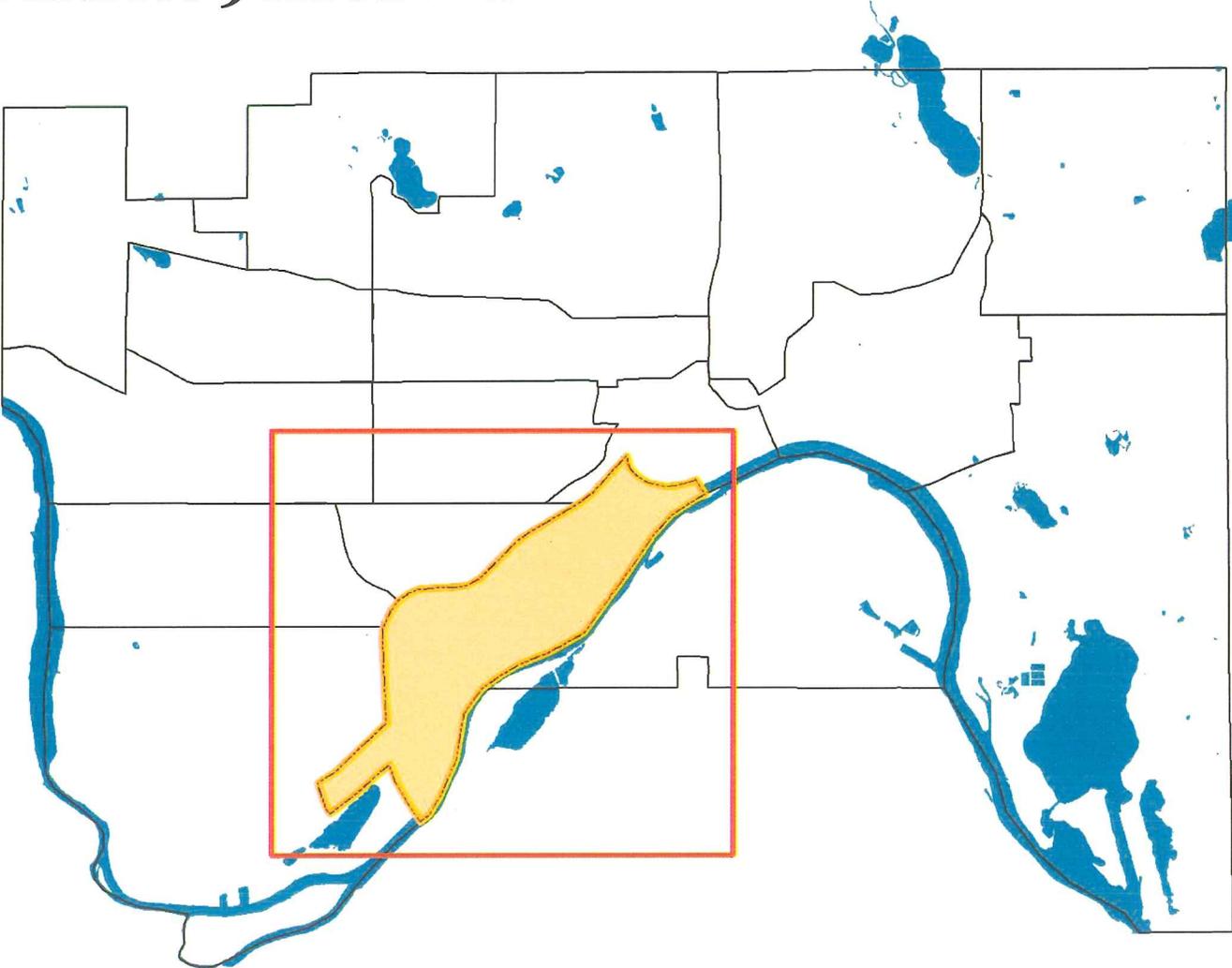
Since the Planning Commission released the proposed amendments, I have had discussions with neighborhood representatives about the concerns raised by Commissioners, especially regarding the specificity of some of the recommended guidelines and their potential conflict (or confusion) with zoning dimensional standards. I also checked with City Attorney Peter Warner to confirm that, in the case of a conflict between the zoning code and Comprehensive Plan, the Comprehensive Plan takes precedence, and the Zoning Code must be amended to remove the conflict. Neither staff nor the neighborhood have any intention of amending the zoning dimensional standards to be consistent with some of the more specific guidelines being proposed here. At the hearing, neighborhood representatives will suggest revised language to remove this conflict and address your concerns.

I'm attaching the proposed amendments again for your review prior to next week. Please let me know if you have any questions before the hearing.

Attachment

# West 7<sup>th</sup>/Fort Road

## District 9 Area Plan



Source: SDE Survey  
Digitized by IT Staff  
City of Salt Lake  
February 2006

**Summer 2006**  
**Amended 2012**

# West 7<sup>th</sup>/Fort Road District 9 Area Plan

Summer 2006

Amended 2012

## TABLE OF CONTENTS

### Page

2	<b>Executive Summary</b>	16	<b>Mix of Land Uses</b>
2	<b>A Brief History of our Community</b>	17	Improved compatibility for residences, business and industry
3	<b>The People of our Community</b>	17	Increased opportunity for mixed residential/business use
4	<b>Vision for our Future</b>	18	<b>Historic Preservation and Aesthetics</b>
6	<b>Housing</b>	19	Preserve historic character of the community
6	Preservation and improvement of existing housing	19	Urban design guidelines
8	Additions to the housing supply, especially near transit	20	<b>Environmental Quality</b>
9	Housing additions and improvements to complement existing housing	20	Enhance and protect natural landscape, greenway and river connections
9	Housing additions and improvement at a cost/income mix to meet market demand and the City's housing policy	20	Pollution (air, water, ground, and noise)
10	<b>Jobs and Economic Development</b>	20	Sustainability
11	Preservation of business and jobs in the area while complementing housing objectives	22	<b>Transportation and Circulation</b>
12	Effective reuse of polluted or under-used sites	22	Vehicular circulation
12	Priority redevelopment sites	22	Pedestrian and child safety
13	<b>Community Development</b>	22	Public transit
14	Recreation and community centers	22	Bicycle and pedestrian options
14	Schools and libraries	24	<b>Adjacent Areas</b>
14	Community gathering places and public access	24	<b>Existing Plans Adopted within this Plan</b>
15	Places of faith	24	<b>Members of the Planning Committee</b>
15	Public safety	25	<b>Maps</b>
15	Parks	25	District 9
		26	Redevelopment Priorities
		27	Historic Districts and Potential
		28	Bikeways and Parks
		29	Connections to Bikeways and Parks
		30	<b>Appendix A</b>
		30	Descriptions and visual examples of appropriate design



## Historic Preservation and Aesthetics

West 7<sup>th</sup> is steeped in the history of St. Paul. Our comprehensive district plan is worth nothing if it does not reflect the value of the historic roots of our community. We recognize that we cannot be a museum, but new development should complement the existing community. Specific areas that have sustained their character for more than 100 years need special attention to ensure that they are not lost to development and gentrification during the next decades.

The aesthetic quality of our physical environment is based on the *Fort Road Design Guidelines*, adopted in 1979<sup>1</sup>. The guidelines are still relevant today. An abbreviated summary of the guidelines with examples of appropriate and inappropriate designs are included in the appendix.

<sup>1</sup> The *Fort Road Design Guidelines* were reviewed and expanded in this chapter and an appendix was added in Summer 2012.

## Preserve historic character of the community

It is advantageous that the majority of the housing and commercial buildings that exist today are original to the community. This also means that the structures can be costly to maintain and improve. Others may be threatened by demands to utilize higher economic uses of commercial and residential areas.

## Urban design guidelines

Urban design guidelines need to be enforced to ensure an aesthetic environment that supports the character of the community and enhances the neighborhood's quality of life. Because of the age of the community, new developments need to respect the historic antecedents, where appropriate, while creating a living and working environment for the 21<sup>st</sup> century. Design guidelines are iterated in the *Fort Road Design Guidelines* as well as in each of the small area plans adopted since 2000. Recent adoption by the City of Saint Paul of Traditional Neighborhood Districts zoning include design guidelines (Sec. 66.343), which are supported in this plan.

New construction, particularly along West 7<sup>th</sup>, should have the scale, proportions, colors, rhythm of solids and voids, and expression in character with adjacent buildings. Contemporary design is supported if sympathetic to the streetscape. The first floor should be active and have a strong relationship to the sidewalk. Where original storefronts remain, their character should not be altered. Existing historic elements should be repaired, preserved and maintained. When possible, storefronts that have been altered should be restored to, or close to, their original character. In some cases, the original building fabric may be found behind the alterations. In all cases, as much original fabric should be maintained as possible. The back of commercial buildings should not be neglected from the perspective of shoppers or residents. Mechanical systems should not be located in public view.

Street furniture along West 7<sup>th</sup> should provide continuity and a welcoming pedestrian scale. Historic lanterns should be installed along the entirety of West 7<sup>th</sup>.

Examples of appropriate designs are included in the appendix.

## Preserve historic character of the community Actions:

- Consider phased development of the Schmidt Brewery including interim usage of some of the buildings.
- Pursue local and National Register designation for the Schmidt Brewery historic buildings.
- Pursue local designation of the Leech/McBoal and Butternut neighborhoods, either as individual buildings or as districts.
- Pursue local and National Register designation of the original limestone residential and commercial buildings in West 7<sup>th</sup>.
- Restore the original Fire Station #1 that was designed by Capp Wittington, currently owned by Kraus Anderson St. Paul.
- Maintain commercial facades along West 7<sup>th</sup> and restore their original features.
- Preserve the Island Station building.
- Explore loan programs that are targeted to the sensitive rehabilitation of historic buildings.
- Identify funds to target rehabilitation to older structures (similar to Dayton's Bluff Guidelines).
- Promote use of historic house/building tax credits as an incentive for rehabilitation.

## Urban design guidelines Actions:

- Utilize and enforce the *Fort Road Design Guidelines* to address commercial development along West 7<sup>th</sup>.
- Utilize Crime Prevention Through Environmental Design (CPTED) guidelines to guide improvements to the physical environment to reduce crime (i.e., develop defensible spaces) and improve the aesthetic environment.
- Encourage green roofs and LEED standards in commercial buildings.
- Encourage redevelopment that maintains appropriate scale and view sheds towards the river and to the upper bluff including the Cathedral and the Capitol.
- Improve the appearance of entrances to the community with sidewalks and landscape buffers.
- Maintain the existing urban street grid and reestablish it in the Schmidt Brewery site development.
- Develop the intersection at Randolph and Shepard Road to be more welcoming as a central gateway intersection of the community integrating it from Shepard Road to 35-E.
- Improve the southeast intersection of West 7<sup>th</sup> and Jefferson to respect the importance of this intersection as the keystone of the redevelopment of the Schmidt Brewery.
- Enforce the *Victoria Park Master Plan* guidelines.

# Appendix

Examples of successful and not so successful designs for commercial development are included in this appendix. Adjacent buildings should work together to create a common street character (unifying) but also to allow diversity and individual expression to avoid monotony (diversifying).

## Shop Fronts

Shop fronts should emphasize pedestrian scale along the sidewalk. There should be a strong sense of entry, frequently recessed, and windows should allow pedestrians to view inside. Windows should be kept at their original scale in old buildings. In the 1870's, innovation in storefront design was possible because of the development of large plate glass windows and cast iron for frames. Over time, many of these storefronts were bricked in and large signs attached to attract automobile drivers, ignoring the pedestrian shopper. Newly constructed buildings should have a similar proportion (width to height ratio) of the facades of adjacent buildings. The new facades should be consistent in the number of bays, size, and proportions and number of openings with that of neighboring buildings. The height of commercial structures should be a minimum of two stories and ideally within 10% of the height of adjacent structures. One-story buildings should be avoided. Commercial buildings should have zero setback from the sidewalk and be in line with adjacent structures.

### DO:

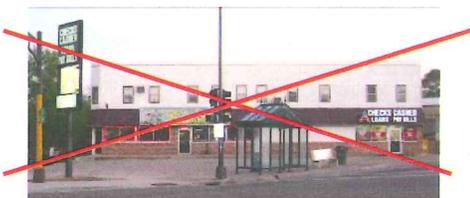


This block of buildings has maintained the entries and windows at the street level to appeal to shoppers. Keeping the original windows on the second and third floors, as well, maintains the structures' historic character.

### DON'T:



These pictures show buildings that have lost their original integrity through the bricking up of the first floor, elimination of original building details (such as cornices), and lack of sense of entries.



## Windows

Next to the material of a building, the size, shape, placement, and trim of windows constitute the major character-creating element of the building. In restoring an historic building, the practice of “blocking-up” or “blocking-down” existing window openings to fit a smaller than original window should be avoided because it does more than any other single element to change the basic appearance of a building—seldom for the better. Use of an interior sloped or boxed soffit can allow the window to retain its full height. In new construction, windows should provide character and evidence of human occupancy.

### DO:



In the first picture, windows were restored at the street level in this series of commercial buildings (however, cornices are missing).



In this newly constructed building on the left, appropriately-sized windows at the street level and in the second floor residential units are designed to be functional and reflect proportions of older structures.

### DON'T:



Windows in this large office building are monotonous and lack interest in this structure.



Original first floor windows were removed and the openings were bricked up in the building to the left. The windows installed do not conform with the building's historic character. The narrow rectangular horizontal orientation is incompatible with the age of the structure.

## Exterior Materials

Existing masonry should not be covered with other materials, but should be maintained in a manner that will preserve it. Waterproofing, water repellent coatings and sandblasting should be avoided as they can accelerate deterioration of the masonry. When tuck-pointing the joints, new mortar should duplicate the original mortar in composition, color, and joint profile. In new construction, materials should be used that complement other nearby structures that have kept their original materials, such as stone and brick.

### DO:



Maintenance of the original brick, stone and other materials makes this a successful historic structure.



Use of two color tones of brick horizontally delineating commercial and residential floors is effective in this new construction.



Use of blocks of material types creates visual interest and a sense of entry.



Use of brick and metal reflecting an industrial physical form is appropriate for this new construction in a former industrial area.

### DON'T:

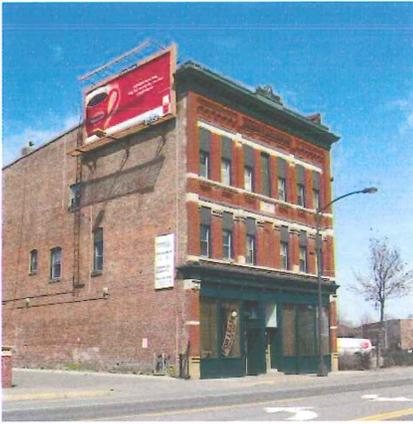


The first floor of the building to the left was covered with materials inappropriate to the original materials used in the structure.

## Cornices

Cornices are projections from buildings that help to keep rainwater away from the front of the structure. They are most often at the top of a building, creating a “crown” effect, but they may also be above a lower floor as well, creating a more human scale to the building. Historically, each building usually had a distinct cornice style, and when combined in a streetscape they had a unifying effect. Cornices should be restored to their original appearance as much as possible. A new, sympathetic cornice could be used to replace a cornice beyond repair. Cornices can be applied to structures to help unify the façade of the streetscape when the building is out of character with the rest of the streetscape and when there is a break in the cornice flow.

### DO:



In the picture to the left, cornices were preserved on an historic office building. At the first floor level, the cornice contributes to making the building pedestrian friendly. At the top of the building, the cornice “finishes” the façade setting off the architectural elements of the structure. The topmost façade can also hide mechanical systems.



In this newly constructed building, a cornice at the top of the building is complementary to other cornices in the area.

### DON'T:



The cornice was removed during a remodeling many years ago and broke the cornice line with the adjacent buildings.

## Roofs

Roofs retaining their original shape should be maintained and preserved. Deteriorated roof coverings should be replaced with new material that matches the old in color and texture. Roofs can help in hiding mechanical systems from the street and from other viewpoints of the building. All architectural features which give the roof its essential character such as dormers, cupolas, cornices, brackets, chimneys, cresting, etc., should be preserved or replaced where necessary.

### DO:



Each of these structures has kept its original roof line and features, including a residential structure that is now used for commercial purposes.



## Graphics

The use of graphics on buildings should be kept in character with the age of the building. Signs should be pedestrian oriented in size while also allowing for identification from vehicles. Signs should be simple and bold, attracting the passerby, both driving and walking. Signs should not be above the sill of the second floor unless it reflects a different occupant than that of the first floor. Projecting signs should clear the sidewalk by at least eight feet and have a horizontal rather than a vertical format. Graphics painted or stenciled in shop front windows were common, historically. The clutter and chaotic diversity of signs can be a problem, and is compounded by large signs and lighting techniques. The resulting visual environment is extremely confusing to one not familiar with the area, making it difficult to find a particular store or place. Paper and vinyl signs attached to store windows and buildings should be discouraged unless they are for a temporary public notice.

### DO:



Each of these examples displays signage appropriate to the era of the building. The signage is clear, easy to read from the sidewalk and from a car, and the signage does not restrict views into the building. Note that graphics painted on an awning is also traditional for historic buildings. Lighting of signs should be similar to the period.



### DON'T:



A plastic sign, backlit with fluorescent lamps, is easy to see at night, but is inappropriate to the age and integrity of the building.

## Awnings

Awnings provide shelter from the natural elements, and create a feeling of protection and human scale. People are drawn to walk beneath them and view shop front displays, an important factor in increasing sales. Colors are encouraged when complementary to the building. The size and scale of the awnings should be appropriate to the building openings and care should be taken not to cover any fine details on the façade. Awnings at the second and third floor levels should not be used unless documentary evidence shows that they existed on that building.

### DO:



The awnings in the three pictures on the left are simple, protective, and help to orient pedestrians to the buildings.

### DON'T:



While the awnings in the picture to the left are simple and colorful, they have no purpose in relationship to the function of the building.



The “awning” on the lower picture overwhelms the pedestrian scale at the sidewalk.

## Color

Color is an extremely important element in the street environment. Inappropriate colors and misuse of them can destroy the image of a building. Exterior colors should harmonize with other colors on the same building and with the colors on the street in general. Pastels were not a color tradition in the history of this community and should be avoided.

### DO:



The use of variations in color can break up a large structure into smaller units, making it more interesting.

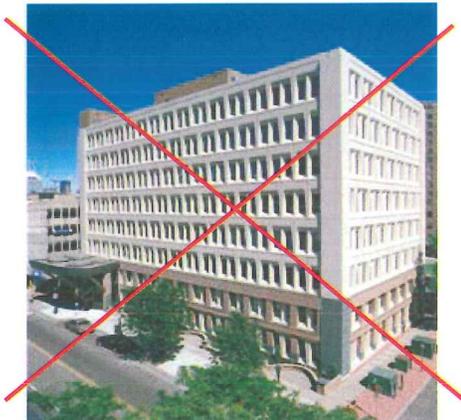


Paint colors selected for wood components of buildings should complement the other exterior colors and be appropriate to the age of the structure. Historic color palettes are carried by most major paint manufacturers. The National Register of Historic Places can also provide resources.



Sometimes, a burst of color on a building or on awnings can be effective, such as on the buildings on the left.

### DON'T:



Given the number of bleak months during the year in this environment, plain concrete is not an effective color.

## Building Rear

The design guidelines focus primarily on the front streetscape of commercial buildings along West 7<sup>th</sup>. But, the back of buildings should not be neglected when shoppers have access to them from parking lots. Space for delivery and trash and recycling can be developed to allow room for pedestrians. Landscaping and identification graphics should be used to improve the rear of buildings. Additionally, because West 7<sup>th</sup> transects the street grid, the front door of many residences faces the rear of commercial buildings; for others, they may share an alley. Below are some examples of how businesses have dealt with “their backdoor” in relationship to their shoppers and neighbors.

### DO:



These three examples solve different parking and access situations, but each is attractive to shoppers and to neighboring properties.



### DON'T:



Many residential properties face this fence and the large expanse of asphalt. Additional vegetation would soften the view for the residential and pedestrian community.

## Street Furniture

Street furniture, both publicly and privately owned, provides necessary services to a pedestrian environment, as well as providing a continuous element on the street. Benches and waste receptacles should be carefully placed for convenience of use, and to not interfere with pedestrian walkways (maintain 6 feet clear for walking). Historic street lighting (lantern style) should be installed along the entire length of West 7<sup>th</sup>. Trees should be carefully placed so that they don't obscure business fronts. In the west end of West 7<sup>th</sup>, many more trees should be planted; in other areas, they should be used to fill in the massing of the facades. Parking lots should be screened by a fence or a masonry wall and landscaping. A standard form of street graphics, with a single lettering style and a limited and consistent number of colors, should be used for identification of the community of West 7<sup>th</sup>/Fort Road. After the original design guidelines were adopted by the West Seventh/Fort Road Federation, such a graphic was integrated into sidewalk imprints and signage. This should be integrated into new developments to strengthen the identity of West 7<sup>th</sup>/Fort Road.

### DO:

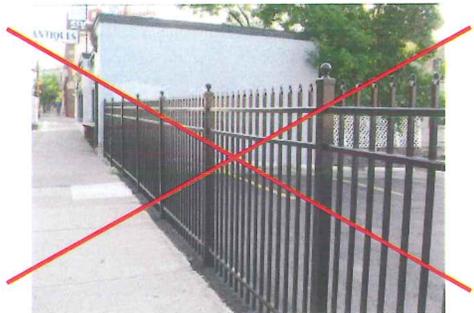


Street furniture can be used to accommodate and encourage healthy means of transportation. The bicycle rack allows for bikes to be parked without interfering with the sidewalk.



The trees were planted so that they do not block the entrance to this business. For additional greenery, large planters are used.

### DON'T:



The fence material is appropriate to the streetscape, but trees should have been planted behind the fence to soften this edge and to fill in the void between commercial buildings.

## Parking

Parking in West 7<sup>th</sup> needs to be addressed on a block by block basis. An area for potential parking development may be found in underutilized spaces behind existing commercial buildings. These areas have the potential of meeting the need for more and convenient parking. An alternative solution to parking is for businesses and adjoining properties to share parking when the uses occur at different times of day and different days of the week. For example, a retail store and a restaurant/bar have parking needs at different times of the day. A similar situation could occur with places of worship and restaurants. Another example for large parking is to create green space parking pods for overflow parking. Development of any parking should be coupled with an up-grading of the entire area including creation of a walk area having safe and attractive features, landscaping, benches, adequate lighting and well designed and effective signage for directions and identification.

### DO:



On the left, access to a row of parking is narrow and the parked cars are partially shielded by vegetation and neighboring buildings.



The picture on the left shows the parking solution at the American Swedish Institute in Minneapolis. Each green parking pod accommodates four additional parking spaces when necessary.



The view on the left is of parking located behind a commercial building, accessed through the alley. Decorative fencing and vegetation border the sidewalk.



In the picture below, an alley, access to underground parking and access to surface parking are each accommodated from a side-street. The way these are integrated provides a buffer between the back of residential structures on the left and the back of the commercial structure on the right.

### DON'T:



There is no delineation between the busy street, the sidewalk, and the parking lot for the businesses, making it a vast expanse of pavement. Wide driveways into the lot also contribute to pedestrian and automobile safety concerns.

## Scale

The relationship of the size of structures to one another and to pedestrians is a concern of “scale.” New construction does not have to be exactly the same size as adjacent buildings, but it should ideally be within 10% of the height of adjacent structures. One story buildings should be avoided given the urban environment of our community. Commercial buildings should have zero setback from the sidewalk, be in line with adjacent structures, and be “pedestrian friendly.”

### DO:



The series of residential structures along West Seventh are each different in the number of stories, but they are acceptable in scale to one another because of the overall height of each.



The commercial structure on the left has incorporated full height windows on the first floor and trees, and shrubs along the sidewalk to make it pedestrian-scale friendly.

### DON'T:



The height of the structure towers over its historic neighboring buildings. It is too tall compared to its adjacent buildings. It is more similar to heights of buildings in the central business district of St. Paul.



The sidewalks along the two parking garages on the left are brutal environments for pedestrians. The building structures overwhelm the pedestrian scale of the street and provide no refuge for pedestrians, albeit one lone bus stop bench.





CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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## SITE PLAN REVIEW COMMITTEE

**Tuesday, April 30, 2013  
2nd Floor Conference Room  
375 Jackson Street, Suite 218**

<u>Time</u>	<u>Project Name and Location</u>
9:00	Alpha Gamma Rho Fraternity House 2060 Carter Addition to existing fraternity house
9:30	Kowalski's Market 1261 Grand Avenue Preliminary meeting for expansion of existing grocery store. Expansion extends into right of way for Ayd Mill Road.
10:15	Securian Plaza 400 Robert Street North Revised plans for renovating existing plaza. Staff looked at this plan before in December 2012.

### **Applicants should plan to attend this meeting.**

At this meeting you will have a chance to discuss the site plan for your project with Saint Paul's Site Plan Review Committee. The Committee is made up of City staff from Zoning, Traffic, Sewers, Water, Public Works, Fire Inspections, and Parks. You are encouraged to bring your engineer, architect, or contractor with you to handle any technical questions raised by city staff. The purpose of this meeting is to simplify the review process by letting the applicant meet with staff from a number of departments at one time. Staff will make comments and ask questions based on their review of the plans. By the end of the meeting you will know if the site plan can be approved as submitted or if revisions will be required. Staff will take minutes at the meeting and send you a copy.

The meeting room is on the skyway level and 25' to your left as you get out of the elevator.

### **Parking**

A few free parking spaces are available in our visitor parking lot off of 6<sup>th</sup> Street at Jackson. Parking is also available at on-street meters. The closest parking ramp is on Jackson one block south of our office between 4<sup>th</sup> and 5<sup>th</sup> Street.

If you have questions, please contact Tom Beach at 651-266-9086 or [tom.beach@ci.stpaul.mn.us](mailto:tom.beach@ci.stpaul.mn.us).



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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## SITE PLAN REVIEW COMMITTEE

**Tuesday, May 7, 2013  
2nd Floor Conference Room  
375 Jackson Street, Suite 218**

<u>Time</u>	<u>Project Name and Location</u>
9:00	Macalester College Parking Lot 1655 Grand Avenue Expand existing parking lot
	Metropolitan Council LRT Elevator Tower 46 5 <sup>th</sup> Street East Elevator and stairs to provide access from Cedar LRT station to skyway system

### **Applicants should plan to attend this meeting.**

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If you have questions, please contact Tom Beach at 651-266-9086 or [tom.beach@ci.stpaul.mn.us](mailto:tom.beach@ci.stpaul.mn.us).

**AGENDA  
ZONING COMMITTEE  
OF THE SAINT PAUL PLANNING COMMISSION  
Thursday, April 25, 2013 3:30 P.M.  
City Council Chambers, Room #300  
Third Floor City Hall - Saint Paul, Minnesota**

**NOTE:** The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

**APPROVAL OF MARCH 28, 2013, ZONING COMMITTEE MINUTES**

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

**NEW BUSINESS**

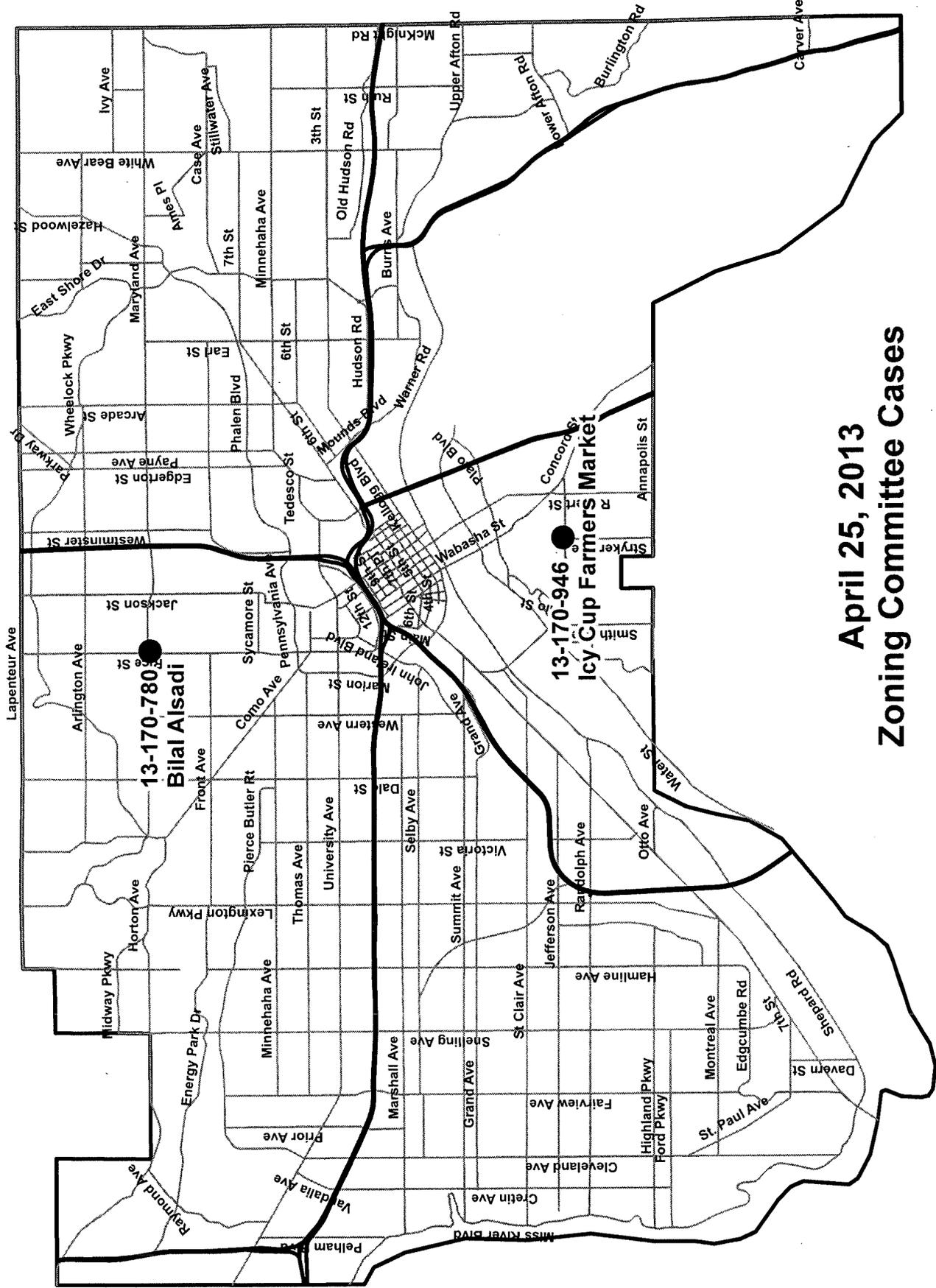
- 1      13-170-946 Icy Cup Farmers Market**  
Conditional use permit for outdoor sales  
63 George St W, NE corner at Stryker  
B3  
Kate Reilly      651-266-6618
  
- 2      13-170-780 Bilal Alsadi**  
Conditional use permit for an auto convenience market  
1188 - 1200 Rice St, between Maryland and Rose  
B2  
Kate Reilly      651-266-6618

**ADJOURNMENT**

Information on agenda items being considered by the Zoning Committee can be found online at [www.stpaul.gov/ped](http://www.stpaul.gov/ped), then Planning, then Zoning Committee.

**ZONING COMMITTEE MEMBERS:** Call Samantha Langer at 266-6550 if you are unable to attend the meeting.

**APPLICANT:** You or your designated representative must attend this meeting to answer any questions that the committee may have.



# April 25, 2013 Zoning Committee Cases

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Icy Cup Farmers Market FILE # 13-170-946
  2. **APPLICANT:** Pompeyo Sanchez HEARING DATE: April 25, 2013
  3. **TYPE OF APPLICATION:** Conditional Use Permit
  4. **LOCATION:** 63 George St W, NE corner at Stryker
  5. **PIN & LEGAL DESCRIPTION:** 072822140031, West St Paul Blks 1 Thru 99 S 30 Ft Of W 90 Ft Lot 4 & W 90 Ft Of Lot 5 Blk 84
  6. **PLANNING DISTRICT:** 3 PRESENT ZONING: B3
  7. **ZONING CODE REFERENCE:** § 65.525; § 61.501; § 61.502
  8. **STAFF REPORT DATE:** April 19, 2013 BY: Kate Reilly
  9. **DATE RECEIVED:** April 4, 2013 60-DAY DEADLINE FOR ACTION: June 3, 2013
- 

- A. **PURPOSE:** Conditional use permit for outdoor sales
- B. **PARCEL SIZE:** 80 ft (Stryker) x 90 ft, totaling 7,200 sq. ft.
- C. **EXISTING LAND USE:** C-Restaurant-Fast Food (Zoned B3 – general business)
- D. **SURROUNDING LAND USE:**
  - North: Residential (Zoned RT1 – Two-family)
  - East: Residential (Zoned RT1)
  - South: Commercial (Zoned B3)
  - West: Residential (Zoned RT1)
- E. **ZONING CODE CITATION:** §65.525 lists standards and conditions for outdoor commercial uses not otherwise allowed in the district; §61.501 lists general conditions that must be met by all conditional uses; §61.502 authorizes the planning commission to modify any or all special conditions after making specified findings.
- F. **HISTORY/DISCUSSION:** This property received a permit as a Dairy Queen in 1962 (Z.F. #208427). In 2013 the establishment re-opened as Icy Cup.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 3 Council had not responded at the time this staff report was written.
- H. **FINDINGS:**
  1. The applicant is seeking a conditional use permit for outdoor uses, commercial at 63 W. George Street to allow a farmers market. According to the application, the market will operate every Saturday from 9 a.m. to noon from June to September. Vendors will be allowed to set up beginning at 8 a.m. and will have until 1 p.m. to tear down the market. The market will primarily sell fruits and vegetables. Some specialty vendors may sell meat, honey, and baked goods and will follow all Saint Paul licensing and health codes.
  2. §65.525 lists standards and conditions for outdoor commercial uses not otherwise allowed in the district. It states: *the use shall not conflict with off-street parking, off-street loading and the system of pedestrian flow. The planning commission, in determining that the use is harmonious with adjacent uses, shall require the submission of a site plan including a floor plan and all uses within three hundred (300) feet of the boundary of said site superimposed on said site plan.* This finding is met. The use will not conflict with off-street parking, off-street loading and the system of pedestrian flow. Vendors will load and unload prior to the market's opening and will park in on-street spaces. The system of pedestrian flow will not be disturbed because the sidewalks will not be used for the market and internal flow of pedestrians will be maintained. In addition, the building requires four off-street spaces. The property currently has nine off-street spaces. Four will be used for the market, leaving five spaces for the use of patrons of Icy Cup.
  3. §61.501 lists five standards that all conditional uses must satisfy:
    - (1) *The extent, location and intensity of the use will be in substantial compliance with the*

*Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The West Side Community Plan in Urban Agriculture objective #1 seeks to "promote locally grown food to address food security issues on the West Side." This farmers market would provide locally grown food to the neighborhood.

- (2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. Vehicular access to and from the site will be from the Stryker Avenue side of the property. There are five parking spaces for the patrons of the market and the Icy Cup establishment. This is one greater than required by code. This will provide adequate ingress and egress and will minimize traffic congestion in the public streets.
- (3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The existing character of development in this area is general business uses (zoned B3) and one- and two-family homes (zoned RT1). A farmers market will not be detrimental to the existing character or endanger the public health, safety and general welfare; rather it will add value to the neighborhood by providing access to healthy food.
- (4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use is a temporary one and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
- (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The use is a conditional use in the B3 district.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for outdoor sales subject to the following additional condition:

1. Final plans approved by City staff for this use shall be in substantial compliance with the plan submitted and approved as part of this application.



**CONDITIONAL USE PERMIT APPLICATION**

Department of Planning and Economic Development  
Zoning Section  
1400 City Hall Annex  
25 West Fourth Street  
Saint Paul, MN 55102-1634  
(651) 266-6589

Zoning office use only  
File # 13-170946  
Fee 800.00  
Tentative Hearing Date 4-25-13

Icy Cup PD:3 # 072822140031

**APPLICANT**

Name Pompeyo Sanchez  
Address 63 George St. W  
City St Paul St. Zip 55107 Daytime Phone 612 876 7769  
Name of Owner (if different) \_\_\_\_\_  
Contact Person (if different) Mason Wells Phone 651-293-1708

**PROPERTY LOCATION**

Address / Location 63 George St. W  
Legal Description \_\_\_\_\_  
Current Zoning B3  
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of Chapter \_\_\_\_\_, Section 65, Paragraph 525 of the Zoning Code.

SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

See attached narrative

RECEIVED  
APR 04 2013  
Per \_\_\_\_\_

Required site plan is attached

Applicant's Signature [Signature] Date 4-3-13 City Agent [Signature]

The owner of Icy Cup at 63 George St W, a B3 commercial property, is seeking a Conditional Use Permit for "outdoor sales" to allow a Farmer's Market as outlined in Sec. 65.525. of the City of St. Paul Zoning Code. Weather permitting the market will operate every Saturday from 9:00 a.m. to Noon from June to September. Vendors will be allowed to set up beginning at 8:00 a.m. and will be given until 1:00 p.m. to pack away their materials. The market will include 5 to 10 vendors and have a mix of neighborhood gardeners and small scale farmers. The market will primarily sell fruits and vegetables. Some specialty vendors will sell a range of meat, honey, and baked goods and will follow all St. Paul licensing and health codes. A bucket of warm water with a spigot and soap will be available on site.

The market will meet all the standards and conditions for outdoor commercial uses not otherwise allowed in the district. As the site plan notes, vendors will use the rear two-way driveway to load and unload their materials in the hour before and after the opening and closing of the market and then park their vehicles in on street spaces. Pedestrian flow will not be impeded as vendors will be facing the sidewalk but will be set back to allow customers to browse without obstructing the public way. The market is harmonious with adjacent uses, which include B3 commercial and RT1 residential. This market will be a value added to the neighborhood. It will increase access to healthy foods, stimulate local economic growth, and provide a needed community space. It accomplishes objectives for promoting local food access and farmer's markets as outlined in the 10 year West Side Community Plan, which was recently adopted by the City Council as an addendum to the City of St. Paul Comprehensive Plan.

As a small community project the application fee is an obstacle for the market. For that reason we are asking the Zoning Committee to consider refunding the application fee.

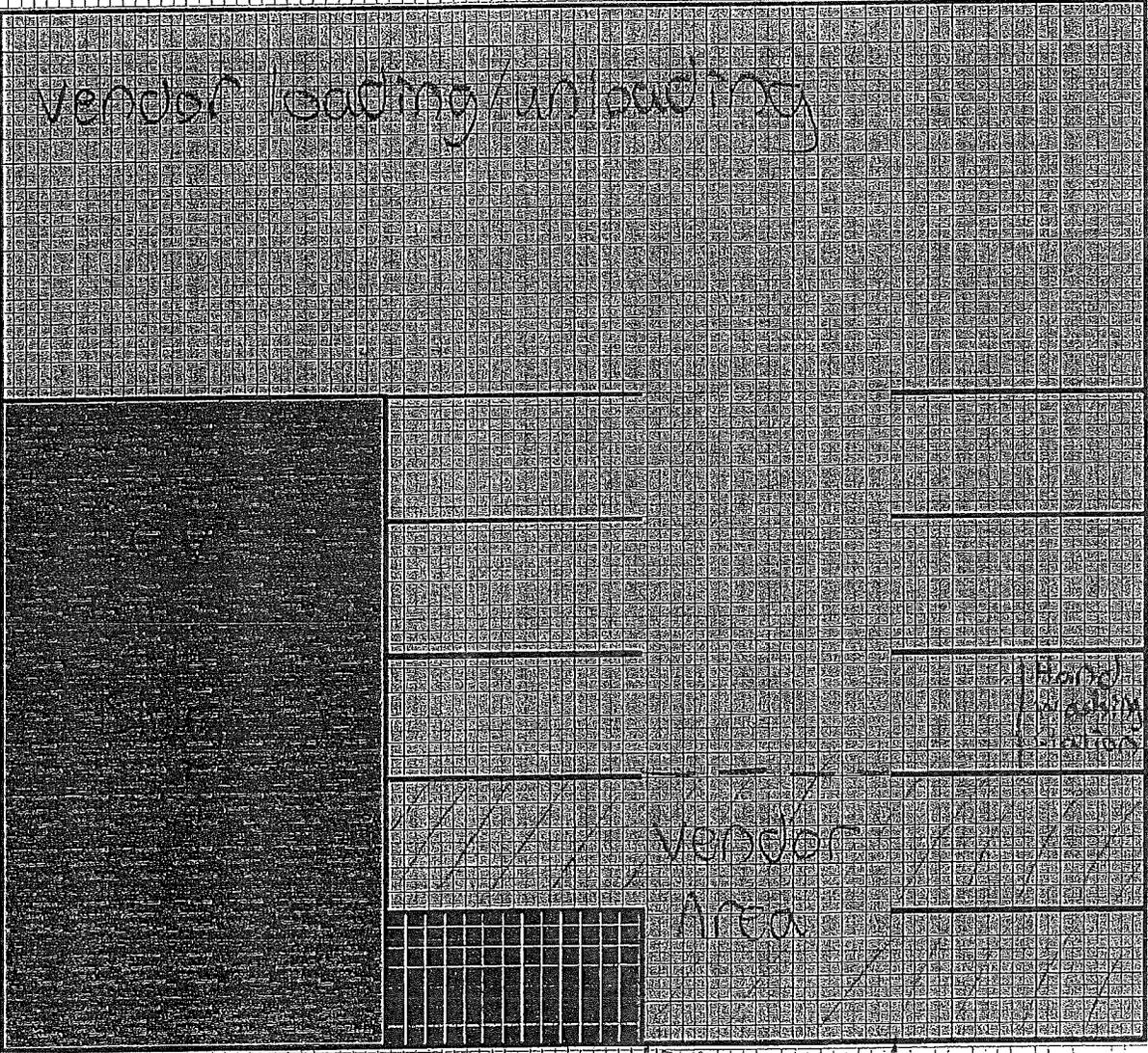
Thank you.

90 ft

80 ft

Stryker Ave

Driveway



↑  
Signage Bench  
Space

Driveway

George Street

**Reilly, Kate (CI-StPaul)**

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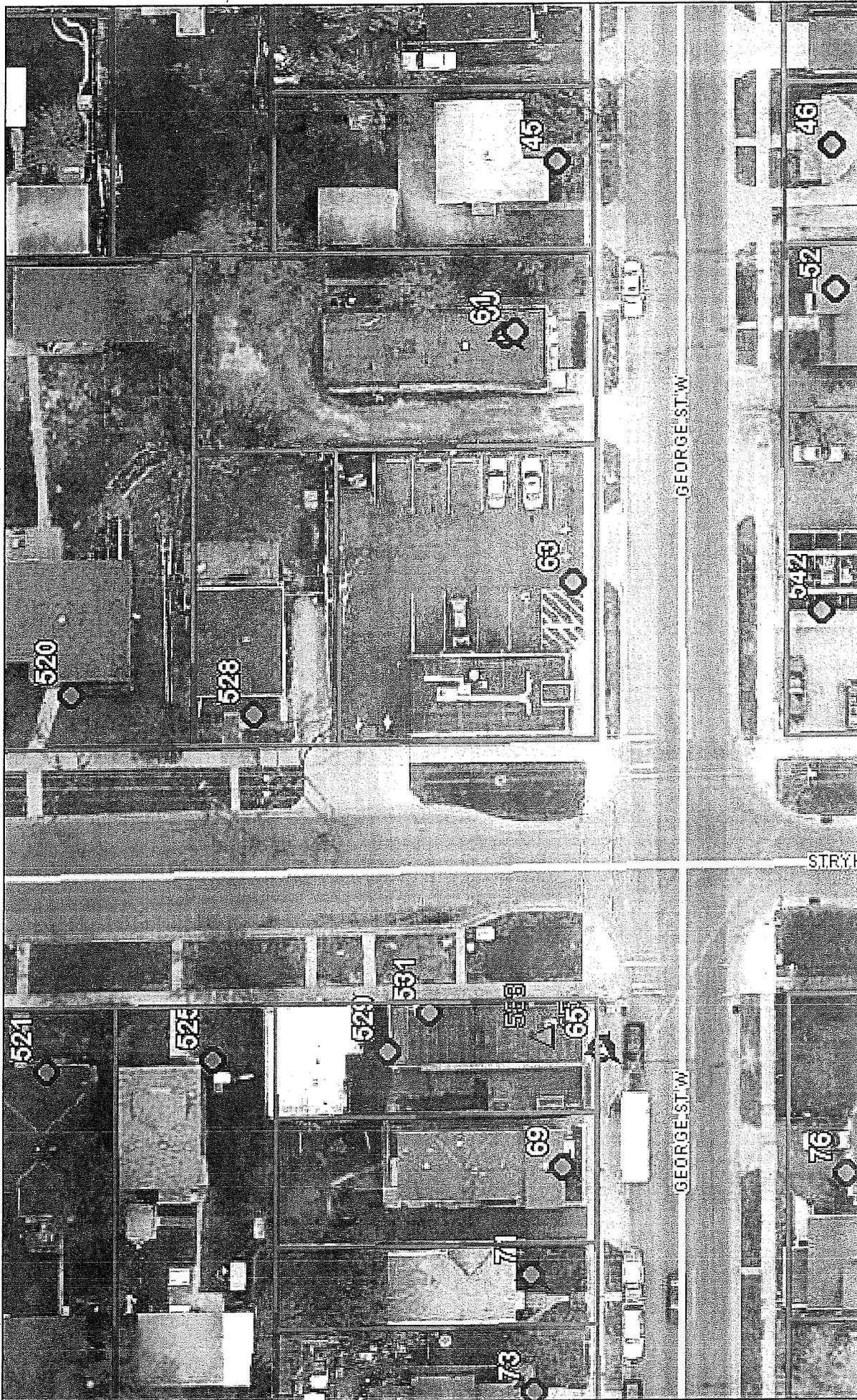
**From:** Baumgardner, Briana <briana.baumgardner@CO.RAMSEY.MN.US>  
**Sent:** Thursday, April 18, 2013 9:50 AM  
**To:** Reilly, Kate (CI-StPaul)  
**Subject:** File 13-170-946

Hello Ms. Reilly:

I received a notice in the mail about a public hearing regarding the conditional use permit for outdoor sales/farmers market at the Icy Cup on George St. My husband & I live behind the Icy Cup and we both believe that this is a great idea and will be beneficial to the neighborhood. We hope it is approved.

Thank you for your time.

Briana Baumgardner  
Assistant Ramsey County Attorney  
50 West Kellogg Boulevard, Suite 315  
Saint Paul, Minnesota 55102  
651-266-3231 (Office)  
651-266-3010 (Fax)  
[briana.baumgardner@co.ramsey.mn.us](mailto:briana.baumgardner@co.ramsey.mn.us)







## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Bilal Alsadi **FILE #** 13-170-780
2. **APPLICANT:** Bilal Alsadi **HEARING DATE:** April 25, 2013
3. **TYPE OF APPLICATION:** Conditional Use Permit
4. **LOCATION:** 1188 - 1200 Rice St, between Maryland and Rose
5. **PIN & LEGAL DESCRIPTION:** 302922220172 and 302922220009, Stinsons Rice Street addition Subj To Esmt Lots 10- 14, Block 2.
6. **PLANNING DISTRICT:** 6 **PRESENT ZONING:** B2
7. **ZONING CODE REFERENCE:** § 61.503 § 65.702; § 61.501; § 61.502
8. **STAFF REPORT DATE:** April 19, 2013 **BY:** Kate Reilly
9. **DATE RECEIVED:** April 4, 2013 **60-DAY DEADLINE FOR ACTION:** June 3, 2013

- 
- A. **PURPOSE:** Conditional use permit for an auto convenience market at 1188-1200 Rice Street
  - B. **PARCEL SIZE:** Irregular parcel 155 ft (Rice) x 127 ft x 171 ft x 111 ft (Maryland) x 22 ft totaling 21,515 sq. ft.
  - C. **EXISTING LAND USE:** A-Auto Convenience Market
  - D. **SURROUNDING LAND USE:**
    - North: Commercial building (B2 Community Business)
    - East: Single family homes (R4 Single-family residential)
    - South: Commercial (B3 General Business)
    - West: Single family homes (B2)
  - E. **ZONING CODE CITATION:** §61. 503 lists conditions that may occur requiring a new conditional use permit when a change to the property occurs; §65.702 lists conditions that auto convenience markets must meet; §61.501 lists general conditions that must be met by all conditional uses;
  - F. **HISTORY/DISCUSSION:** A permit for a filling station was first approved in this location in 1940 (Z.F. #999). The permit was granted again in 1967 when the existing filling station was rebuilt (Z.F. #6245). A conditional use permit for an auto convenience market was approved by the Planning Commission on May 10, 2012 (Z.F. 12-045-151). A site plan (SPR #11-250-428) was filed in July, 2011, and denied by staff on July 11, 2012. A new site plan (SPR #12-090-127) was filed in August, 2012, and approved by staff on August 24, 2012. A neighbor (Raymond and Susan Cantu) filed an appeal (Z. F. #12-101937) which was denied by the Planning Commission on October 5, 2012, in resolution #12-65. That decision was appealed to the City Council, which denied the appeal on November 7, 2012, implementing the site plan approved on August 24, 2012. These plans were never completed. A current site plan application is SPR # 13-169-828, review of which took place on April 16, 2013.
  - G. **DISTRICT COUNCIL RECOMMENDATION:** The District 6 Council will meet on this matter on April 23, 2013.
  - H. **FINDINGS:**
    1. The applicant, Bilal Alsadi, is requesting a new conditional use permit for an auto convenience market for the property at 1188-1200 Rice Street. A conditional use permit for an auto convenience market was previously granted by the Planning Commission in May, 2012 for the location at 1200 Rice Street.
    2. §61. 503 (e) states that a new conditional use permit is required when *the principal use of a conditional use expands onto an abutting lot*. The applicant is now proposing to expand the use onto the property at 1188 Rice Street.
    3. § 65.702 lists the following standards that an auto convenience market must satisfy:
      - 1) *The use is subject to standards (a), (b), (d), (e), and (g) in § 65.703, auto service station.* Standards (e) and (g) apply only in traditional Neighborhood and IR industrial districts. The

subject property is in the B2 Community Business District, and therefore standards (e) and (g) do not apply.

- a. *The construction and maintenance of all driveways, curbs, sidewalks, pump islands or other facilities shall be in accordance with current city specifications....* This condition is met. The newly constructed auto convenience market will be constructed in accordance with current city specifications.
- b. *A ten-foot buffer area with screen planting and an obscuring wall or fence shall be required along any property line adjoining an existing residence or residentially zoned property.* This condition is met. The residential property to the east does not adjoin the property. It is separated from the property by a 20 foot wide alley. In addition, the residentially zoned area will be buffered by a 6' 6" landscaped area and a fence.
- d. *Outdoor accessory sales of goods or equipment shall not be located in a required setback, parking or maneuvering space, or substituted for required landscaping.* This condition is met. Outdoor accessory sales of goods or equipment will not take place in a required setback, parking or maneuvering space at this location.

(2) *The zoning lot on which it is located shall be at least twelve thousand (12,000) square feet in area.* This condition is met. The lot size is 21,515 square feet.

3. § 61.501 lists the following standards that all conditional uses must satisfy:

- a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. This is a neighborhood-serving commercial business that meets Saint Paul Comprehensive Plan Land Use Strategy 1.7, "Permit neighborhood serving commercial businesses compatible with the character of established neighborhoods." A similar use has been on this site since at least 1940.
- b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. There is adequate ingress and egress which has been reviewed by Public Works as part of site plan review, that will minimize traffic congestion in the public streets.
- c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. A previously established business in an area zoned B2 community business will be allowed to continue to operate.
- d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use will continue a previously established business. This use will not prevent the development and improvement of the other businesses in the area, nor will it impact the development and improvement of the residential uses in the districts surrounding it.
- e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The use conforms to all applicable regulations of the B2 district.

1. **I. STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of a conditional use permit for an auto convenience market at 1188-1200 Rice Street.



**CONDITIONAL USE PERMIT APPLICATION**

Department of Planning and Economic Development  
Zoning Section  
1400 City Hall Annex  
25 West Fourth Street  
Saint Paul, MN 55102-1634  
(651) 266-6589

**Zoning office use only**

File # \_\_\_\_\_

Fee: \_\_\_\_\_

Tentative Hearing Date: \_\_\_\_\_

**APPLICANT**

Name Bilal Alsadi

Address 1200 Rice St

City St Paul St. MN Zip 55117 Daytime Phone (612) 7504418

Name of Owner (if different) \_\_\_\_\_

Contact Person (if different) \_\_\_\_\_ Phone \_\_\_\_\_

**PROPERTY LOCATION**

Address / Location 1200 - 1488 RICE ST (S.E. CORNER Rice & Marquette)

Legal Description LOTS 10, 11, 12, 13 & 14, BLK 2, ST. NEON'S

RICE STREET ADDITION TO CITY of ST. PAUL, MN Current Zoning B-2

(attach additional sheet if necessary)

**TYPE OF PERMIT:** Application is hereby made for a Conditional Use Permit under provisions of Chapter \_\_\_\_\_, Section \_\_\_\_\_, Paragraph \_\_\_\_\_ of the Zoning Code.

**SUPPORTING INFORMATION:** Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

SEE ATTACHED,

**RECEIVED**

**APR 09 2013**

Per \_\_\_\_\_

*original*

Required site plan is attached

Applicant's Signature [Signature] Date 3/27/13 City Agent \_\_\_\_\_

Property location: 1200 – 1188 Rice Street, Lots 10,11,12, 13 & 14, Blk. 2, Stinson's Rice Street Addition to City of St. Paul, MN.

St. Paul, Minnesota, Code of Ordinances >> PART II - LEGISLATIVE CODE >> TITLE VIII - ZONING CODE >> Chapter 61. - Zoning Code—Administration and Enforcement >> ARTICLE V. - 61.500. CONDITIONAL USE PERMITS >>

(Replies to individual topics by John Kosmas, Architect, K K Design.)

ARTICLE V. - 61.500. CONDITIONAL USE PERMITS

Sec. 61.501. - Conditional use permit, general standards

Before the planning commission may grant approval of a conditional use, the commission shall find that:

(a) The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.

(Previously approved, no substantial changes have taken place.)

(b) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.

(The use provides adequate ingress and egress.)

(c) The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.

(The use will not be detrimental to the existing character of adjacent areas.)

(d) The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

(The use will not impede development of area.)

(e) The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

(The use will conform to regulations.)

Sec. 61.502. - Modify special conditions

The planning commission, after public hearing, may modify any or all special conditions, when strict application of such special conditions would unreasonably limit or prevent otherwise lawful use of a piece of property or an existing structure and would result in exceptional undue hardship to the owner of such property or structure; provided, that such modification will not impair the intent and purpose of such special condition and is consistent with health, morals and general welfare of the community and is consistent with reasonable enjoyment of adjacent property.

Sec. 61.503. - Conditional use permit, change requiring new permit

A change to a conditional use requires a new permit when one (1) of the following conditions occurs:

(a) A conditional use changes from one (1) conditional use to another conditional use.

(Conditional Use remains the same as existing.)

(b) The floor area of a conditional use expands by fifty (50) percent or more. For a conditional use existing on October 25, 1975, expansion is the sum of the floor area of all the expansions since then. For a conditional use established after October 25, 1975, expansion is the sum of the floor area of all the expansions since being established. Floor area does not include floor area which is accessory to a principal use and which does not result in the expansion of a principal use.

(The expansion is less than 50%, existing is 1,952 sq.ft. increasing to 2,724 sq. ft. a 40% increase.)

(c) For a conditional use permit triggered by floor area, the floor area expands to be larger than the floor area that triggers the requirement for a conditional use permit for the first time; or if already larger than the floor area that triggers the requirement for a conditional use permit, the floor area expands by ten (10) percent or more.

(The floor area expansion is 40% greater than existing.)

(d) The building containing a new conditional use is torn down and a new building is constructed, even if the new building contains the same or less floor area.

\*(The existing building containing the existing conditional use will be removed and new building constructed to contain the existing conditional use.)

(e) The principal use of a conditional use expands onto an abutting lot, such as a used car lot or a fast food restaurant building addition expanding onto an abutting lot.

\*(The principal use of the conditional use is expanding into an abutting lot.)

(f) The number of residents in a community residential facility increases, or the number of rooming units in a rooming or boarding house increases.

(Not applicable.)

(g) A college, university or seminary adds a school building or an off-street parking facility for its exclusive use outside of its approved campus boundary.

(Not applicable.)

(C.F. No. 10-349, § 2, 4-28-10)

Sec. 61.504. - Change to conditional use, no new permit required. 

A change to a conditional use does not require a new permit but does require approval of a site plan when one (1) of the following conditions occurs:

(a) The floor area of a conditional use expands by less than fifty (50) percent. For a conditional use existing on October 25, 1975, expansion is the sum of the floor area of all the expansions since then. For a conditional use established after October 25, 1975, expansion is the sum of the floor area of all the expansions since being established. Floor area does not include floor area which is accessory to a principal use and which does not result in the expansion of a principal use.

(The existing Auto Convenience Market is currently 1,942 sq. ft. the new structure will include an Auto Conv. Market at 2,724 sq. ft. and increase of 40 %, less than

the allowable of 50%. Therefore, a new CUP should not be required.) (The balance of the new structure is not be involved with the Auto Conv. Market.)

(b) An accessory use of a conditional use expands onto an abutting lot, such as a bowling alley's off-street parking lot expanding onto an abutting lot.

(The existing use will be expanding into the abutting lot for construction of new building and additional parking.)

(c) Off-street parking spaces are added in a parking lot, garage or ramp on the site of a conditional use.

(Off-street parking will be added with expansion into the adjacent lot.)

(d) An accessory structure is added to the site, such as a building to store salvaged motor vehicle parts being constructed on the site of a motor vehicle salvage operation.

(Not applicable.)

(e) A college, university or seminary adds a school building or an off-street parking facility within its approved campus boundary.

(Not applicable.)

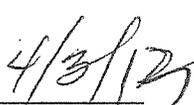
Sec. 61.505. - Conditional use permits, automatic expiration. 

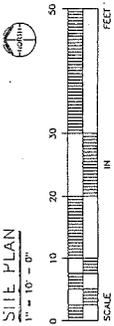
Unless expressly provided by the planning commission, when a use requiring a conditional use permit is discontinued or ceases to exist for a continuous period of three hundred sixty-five (365) days, or when a conditional use changes to a permitted use not requiring a conditional use permit, the conditional use permit shall automatically expire. If the lot area of a conditional use is subsequently reduced in size, the conditional use permit shall automatically expire. If a conditional use becomes nonconforming and subsequently is discontinued or ceases to exist for a continuous period of three hundred sixty-five (365) days, the conditional use permit shall automatically expire. When an approved conditional use is not established in accordance with section 61.105, or is established and subsequently changed to a conditional use requiring a new permit under section 61.503, the conditional use permit shall automatically expire.

(Use will not be discontinued for 365 days. It will be discontinued for the period of construction, less than 6 months (180 days).)

(C.F. No. 07-348, § 1, 5-9-07)

(Based on the items noted under 61.503, (d-?) and (e) a new Conditional Use Permit is requested. Application, fee and related drawings attached.)

   
\_\_\_\_\_  
John Kosmas, Arch.                      Date  
K K Design



**SITE DATA:**

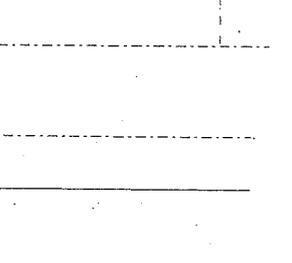
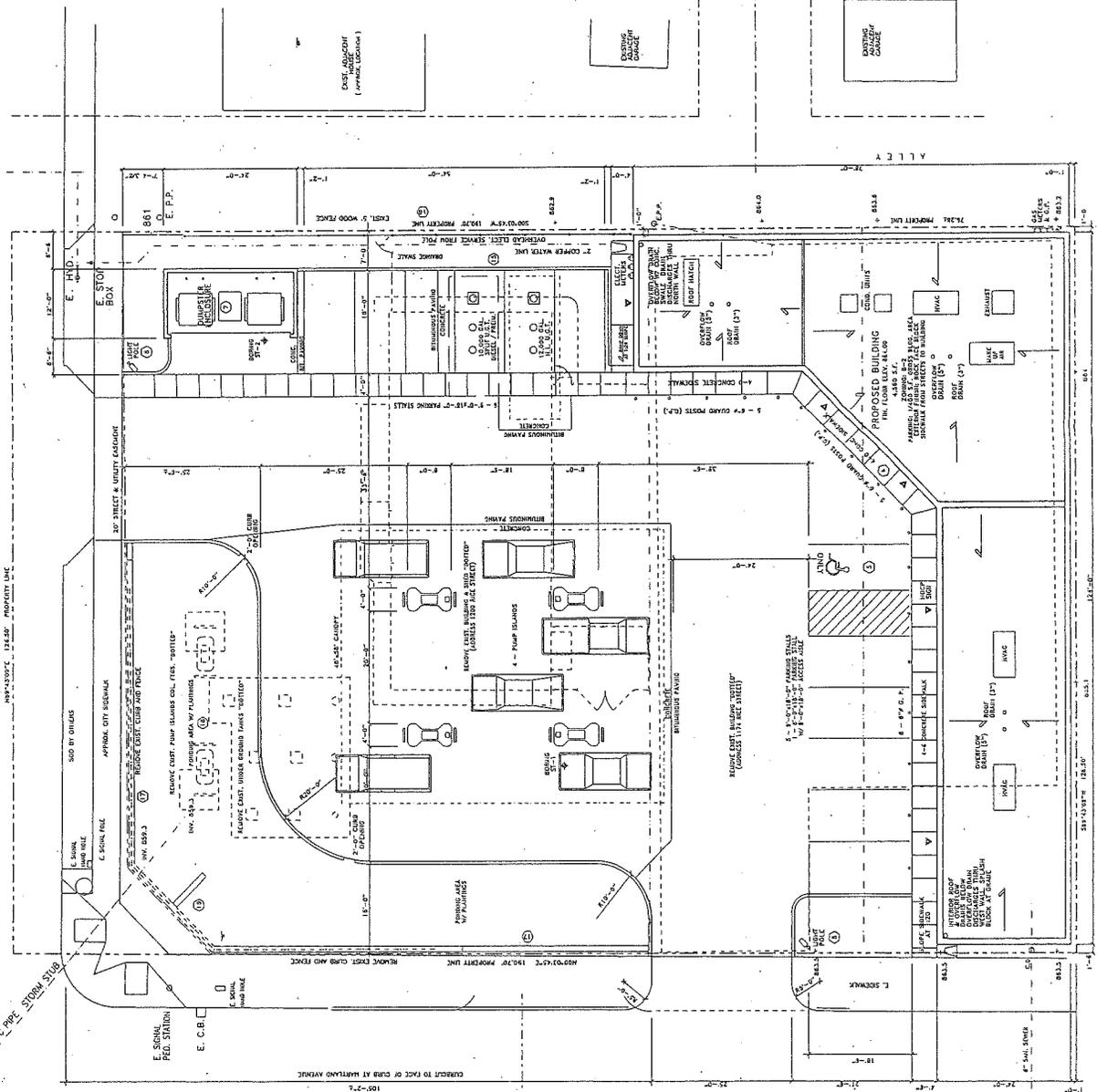
LOT AREA	31,044 S.F. ( 71.9 ACRES )
BUILDING AREA	4,140 S.F. ( 94.8 )
LANDSCAPE AREA	3,875 S.F. ( 88.3 )
PARKING / DRIVE AREA	13,349 S.F. ( 306.8 )

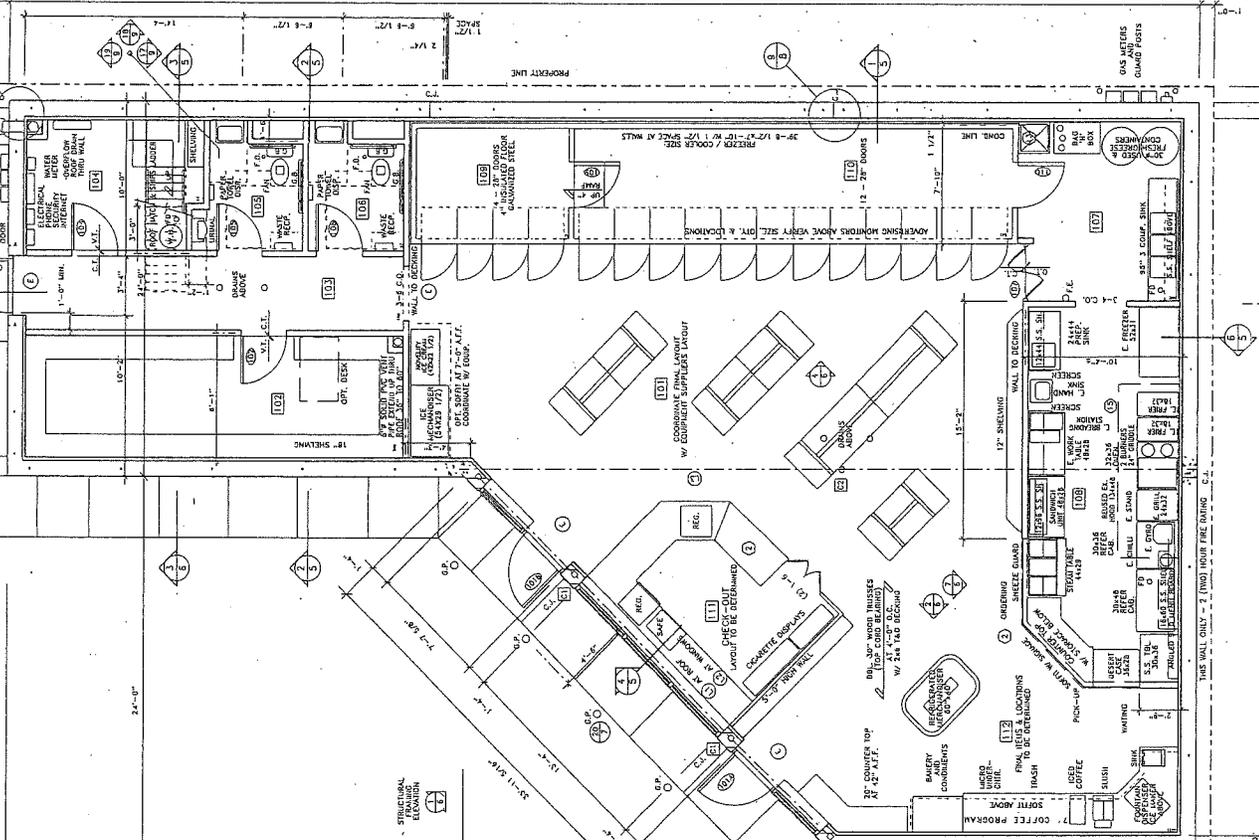
**PARKING PROVIDED:**  
 11 SPACES  
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**PARKING PROVIDED FOR CITY:**  
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 11 SPACES

**SITE DATA TAKEN FROM:**  
 REEMO GAS ASSOCIATES, INC.  
 1200 RICE STREET  
 ST. PAUL, MN 55108  
 DATE: 4/16/2013  
 REVISION: 1/17/2013

- NOTES:**
1. SEE PLAN FOR LOCATION OF UTILITIES.
  2. SEE PLAN FOR LOCATION OF UTILITIES.
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  30. SEE PLAN FOR LOCATION OF UTILITIES.
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  50. SEE PLAN FOR LOCATION OF UTILITIES.





**FLOOR PLAN**  
 1/8" = 1'-0"  
 1580 S.F.

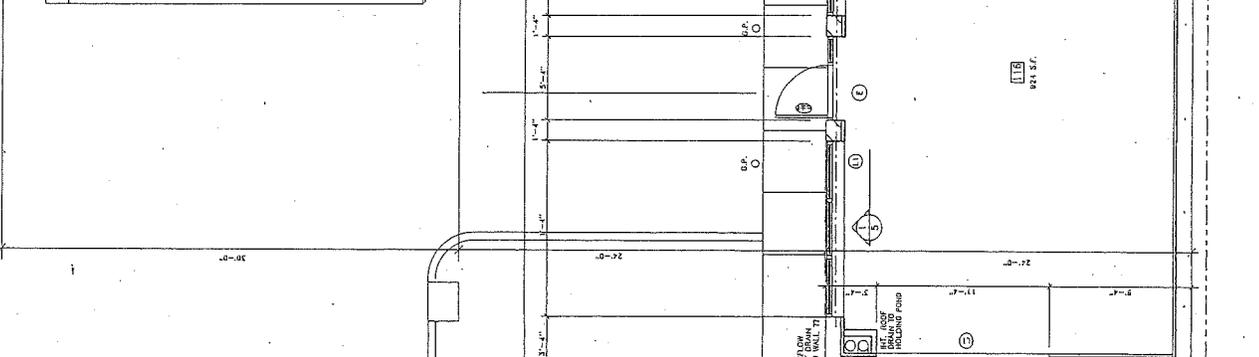
THE ELECTRIC VERSION OF THIS DRAWING HAS NOT YET BEEN PREPARED. AS NECESSARY TO BE AT SCALE.

BEAM/LINTEL SCHEDULE		NOTES
KEY	LIPEL SIZE	SEE COLUMN SCHEDULE
11	3x8x1/2" ROLLED STEEL IPEL	CONC. BA WOOD WALKER BELTD TO TOP FLANGER W/ 1/2" THRD BOLTS AT 4'-0" O.C.
12	3x8x1/2" ROLLED STEEL IPEL	11" STAINL. STEEL PLATE SHIP WELD TO BOTTOM AND TO ROCK FEND WELD TO COLS. AT 12" O.C. SCHEDULES 2" PILET RIGES
13	6x12x1/2" ROLLED STEEL IPEL	SEE COLUMN SCHEDULE FOR PLATE AT COLUMN
		ALLOW 6" 7/8" CLEAR WIDTH FOR BEAM

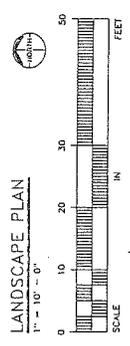
  

COLUMN SCHEDULE		NOTES
KEY	COLUMN SIZE	TOP PLATE
14	4x4x3/8" IBE	3x10x1/2"
15	6x6x3/8" IBE	(3) 1/2" DIA.
16	8x8x3/8" IBE	(3) 3/4" DIA. x 8"
17	10x10x3/4" IBE	(3) 1/2" DIA.
18	12x12x3/4" IBE	(4) 3/4" DIA. x 12"

- NOTES:**
1. REQUIRED CLEARANCES TO WALL ON OBSTRUCTION DIMENSIONS 18" AT PERIMETER OF DOOR 12" AT PERIMETER OF WINDOW
  2. INTERFERE WITH TRANSITION AREA
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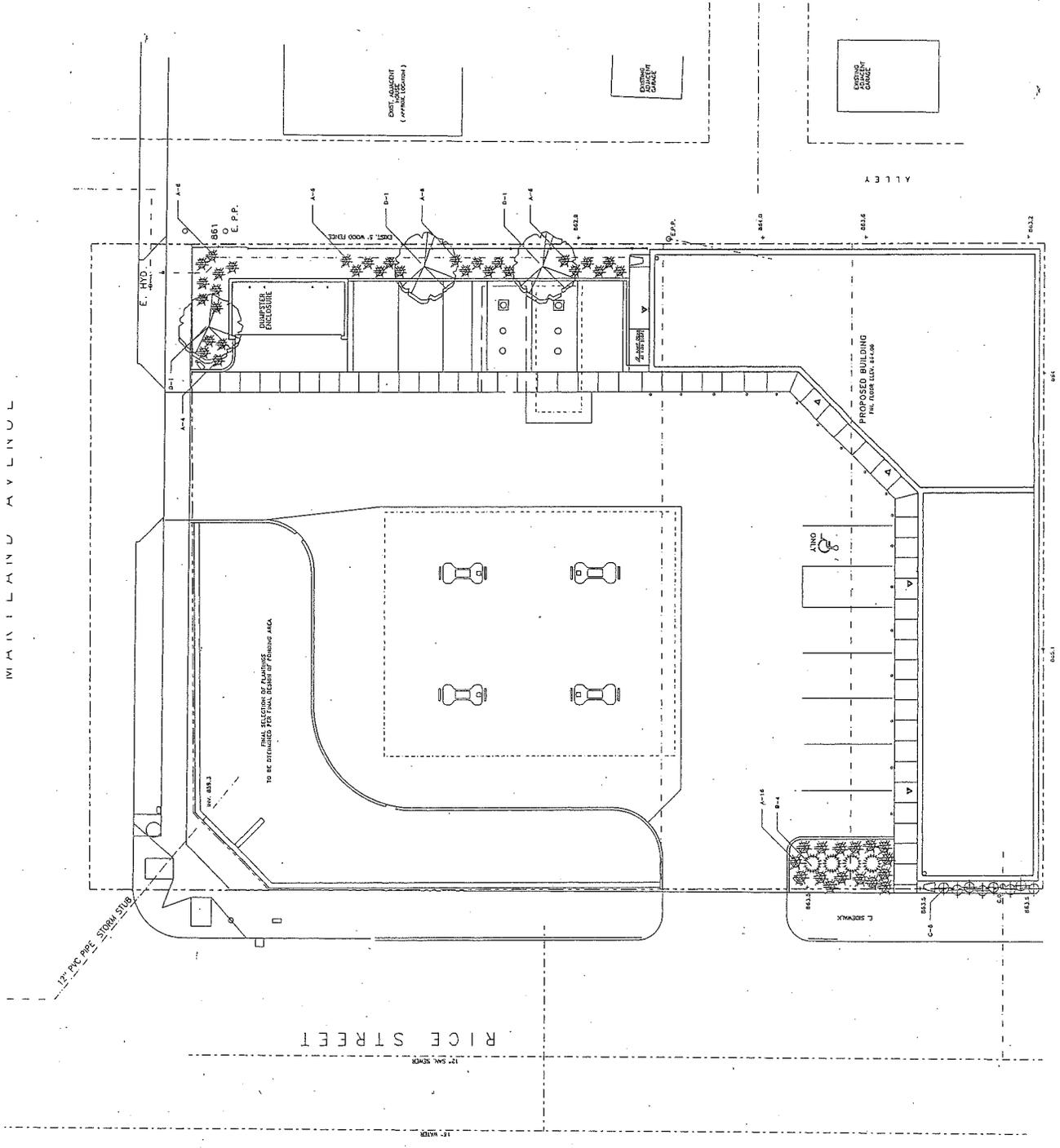




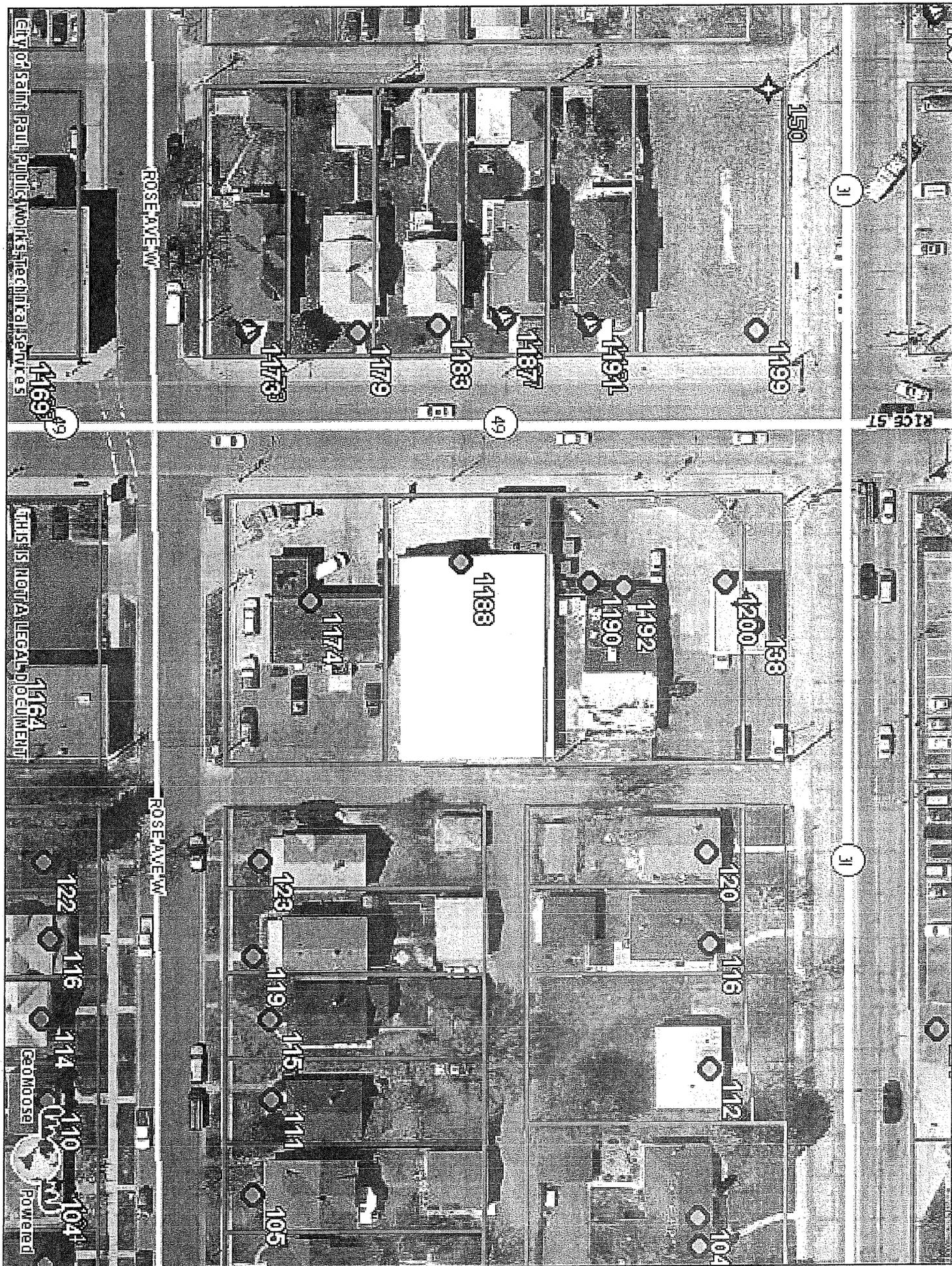
KEY	QTY.	COMMON NAME	BOTANICAL NAME	PLANTING SIZE & ROOT TYPE
1	4	FRAX LIGNO	FRAX LIGNO	18" - 8 R & B
2	4	FRAX LIGNO	FRAX LIGNO	18" - 8 R & B
3	3	QUERCUS ROBUR	QUERCUS ROBUR	18" - 8 R & B

NOTES:  
1. ALL PLANTING SHALL BE DONE BY THE CONTRACTOR.  
2. ALL PLANTING SHALL BE DONE BY THE CONTRACTOR.  
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RICE ST

31

150

1199

1191

1187

1183

1179

1173

ROSE AVE W

49

1169

49

1138

1200

1192

1190

1188

1174

1164

CHAISSIS ROTTA LEGAL DOCUMENT

31

120

1116

1112

104

123

119

115

111

105

ROSE AVE W

122

116

114

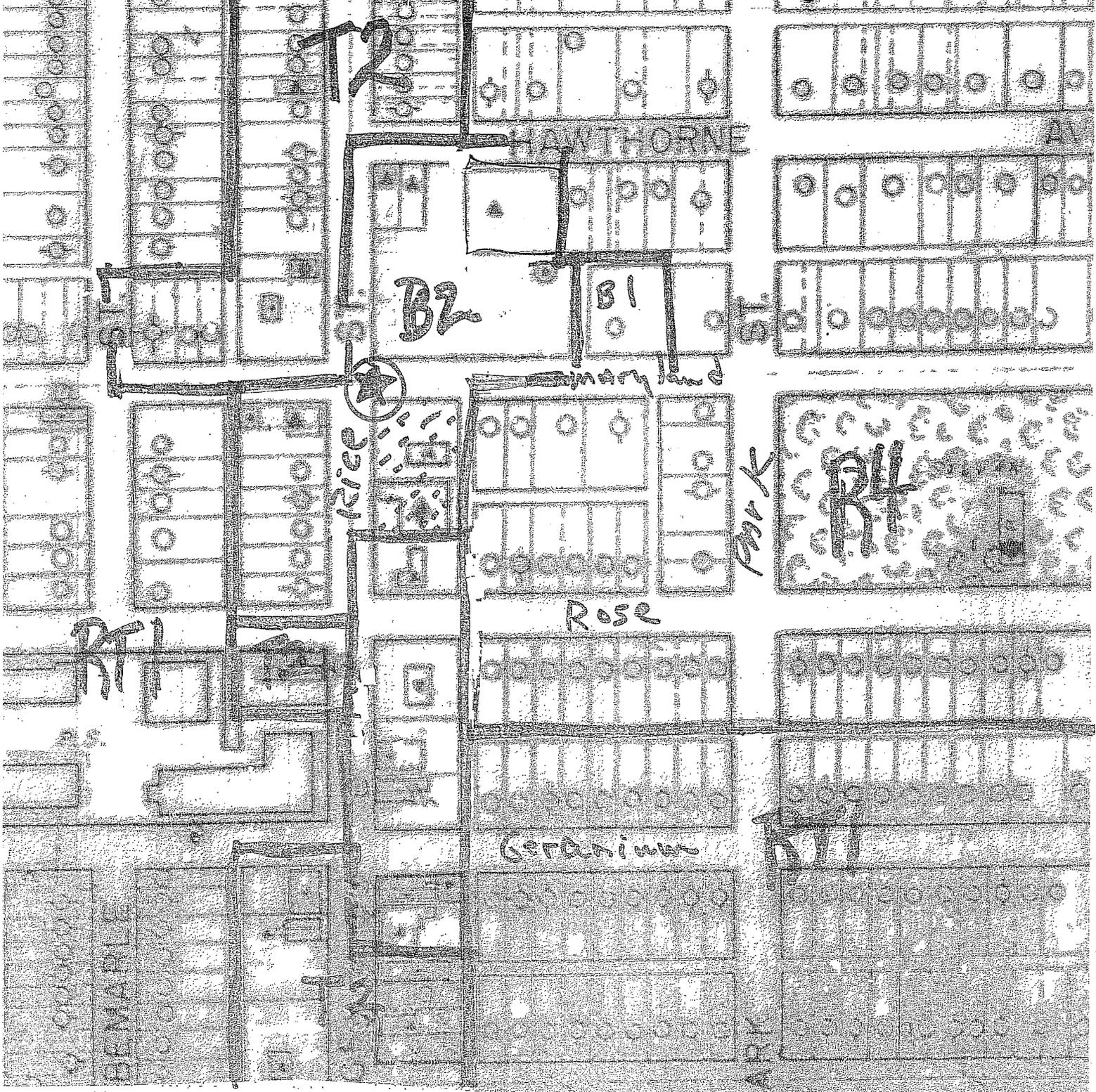
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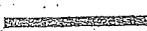
GeoMoose

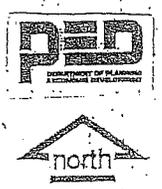
Powered

City of Saint Paul Public Works The Central Services



APPLICANT Bilal Alsadi  
 PURPOSE Conditional USE permit  
 FILE # 13-170780 DATE 4-5-13  
 PLNG. DIST. 6 Land Use Map # 4  
 Zoning Map # 4  
 SCALE 1" = 400'

- LEGEND
-  zoning district boundary
  -  subject property
  -  one family
  -  two family
  -  multiple family
  -  commercial
  -  industrial
  -  vacant





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

25 West Fourth Street  
Saint Paul, MN 55102

Telephone: 651-266-6700  
Facsimile: 651-228-3220

DATE: April 26, 2013  
TO: Planning Commission  
FROM: Zoning Committee  
SUBJECT: Results of April 25, 2013 Zoning Committee Hearing

**NEW BUSINESS**

		<u>Recommendation</u>
	<u>Staff</u>	<u>Committee</u>
1. <b>Icy Cup Farmers Market ( 13-170-946 )</b> Conditional use permit for outdoor sales	Approval with conditions	Laid Over ( 5 - 0 )

**Address:** 63 George St W  
NE corner at Stryker

**District Comment:** District 3 recommended approval

**Support:** 3 people spoke, 1 letter

**Opposition:** 0 people spoke, 2 letters

**Hearing:** Hearing is open

**Motion:** Laid over to May 9, 2013

		<u>Recommendation</u>
	<u>Staff</u>	<u>Committee</u>
2. <b>Bilal Alsadi ( 13-170-780 )</b> Conditional use permit for an auto convenience market	Approval	Approval with conditions ( 5 - 0 )

**Address:** 1188 - 1200 Rice St  
between Maryland and Rose

**District Comment:** District 6 recommended approval

**Support:** 1 person spoke, 1 letter

**Opposition:** 0 people spoke, 0 letters

**Hearing:** Hearing is closed

**Motion:** Approval with conditions

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Icy Cup Farmers Market **FILE #** 13-170-946
  2. **APPLICANT:** Pompeyo Sanchez **HEARING DATE:** April 25, 2013
  3. **TYPE OF APPLICATION:** Conditional Use Permit
  4. **LOCATION:** 63 George St W, NE corner at Stryker
  5. **PIN & LEGAL DESCRIPTION:** 072822140031, West St Paul Blks 1 Thru 99 S 30 Ft Of W 90 Ft Lot 4 & W 90 Ft Of Lot 5 Blk 84
  6. **PLANNING DISTRICT:** 3 **PRESENT ZONING:** B3
  7. **ZONING CODE REFERENCE:** § 65.525; § 61.501; § 61.502
  8. **STAFF REPORT DATE:** April 19, 2013 amended 04/25/2013 **BY:** Kate Reilly
  9. **DATE RECEIVED:** April 4, 2013 **60-DAY DEADLINE FOR ACTION:** June 3, 2013
- 

- A. **PURPOSE:** Conditional use permit for outdoor sales
- B. **PARCEL SIZE:** 80 ft (Stryker) x 90 ft, totaling 7,200 sq. ft.
- C. **EXISTING LAND USE:** C-Restaurant-Fast Food (Zoned B3 – general business)
- D. **SURROUNDING LAND USE:**
  - North: Residential (Zoned RT1 – Two-family)
  - East: Residential (Zoned RT1)
  - South: Commercial (Zoned B3)
  - West: Residential (Zoned RT1)
- E. **ZONING CODE CITATION:** §65.525 lists standards and conditions for outdoor commercial uses not otherwise allowed in the district; §61.501 lists general conditions that must be met by all conditional uses; §61.502 authorizes the planning commission to modify any or all special conditions after making specified findings.
- F. **HISTORY/DISCUSSION:** This property received a permit as a Dairy Queen in 1962 (Z.F. #208427). In 2013 the establishment re-opened as Icy Cup.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 3 Council had not responded at the time this staff report was written.
- H. **FINDINGS:**
  1. The applicant is seeking a conditional use permit for outdoor uses, commercial at 63 W. George Street to allow a farmers market. According to the application, the market will operate every Saturday from 9 a.m. to noon from June to September. Vendors will be allowed to set up beginning at 8 a.m. and will have until 1 p.m. to tear down the market. The market will primarily sell fruits and vegetables. Some specialty vendors may sell meat, honey, and baked goods and will follow all Saint Paul licensing and health codes.
  2. §65.525 lists standards and conditions for outdoor commercial uses not otherwise allowed in the district. It states: *the use shall not conflict with off-street parking, off-street loading and the system of pedestrian flow. The planning commission, in determining that the use is harmonious with adjacent uses, shall require the submission of a site plan including a floor plan and all uses within three hundred (300) feet of the boundary of said site superimposed on said site plan.*

This finding is met. The use will not conflict with off-street parking, off-street loading and the system of pedestrian flow. Vendors will load and unload prior to the market's opening and will park in on-street spaces. The system of pedestrian flow will not be disturbed because the sidewalks will not be used for the market and internal flow of pedestrians will be maintained. In addition, the building requires two off-street spaces. The property currently has nine off-street spaces. Four off-street spaces will be used for the farmers market/outdoor sales use and five will be available to patrons of the Icy Cup use and the market.

3. §61.501 lists five standards that all conditional uses must satisfy:

- (1) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The West Side Community Plan in Urban Agriculture objective #1 seeks to "promote locally grown food to address food security issues on the West Side." This farmers market would provide locally grown food to the neighborhood.
- (2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. Vehicular access to and from the site will be from the Stryker Avenue side of the property. There are five parking spaces for the patrons of the market and the Icy Cup establishment. This will provide adequate ingress and egress and will minimize traffic congestion in the public streets.
- (3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The existing character of development in this area is general business uses (zoned B3) and one- and two-family homes (zoned RT1). A farmers market will not be detrimental to the existing character or endanger the public health, safety and general welfare; rather it will add value to the neighborhood by providing access to healthy food.
- (4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use is seasonal, on Saturday mornings, and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
- (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The use is a conditional use in the B3 district.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for outdoor sales subject to the following additional condition:

1. Final plans approved by City staff for this use shall be in substantial compliance with the plan submitted and approved as part of this application.
2. There will be adequate trash collection facilities provided and there will be no debris left on the boulevard.
3. The market will be limited to eight (8) vendors. Additional vendors will require a modification to the conditional use permit.
4. Vendors must follow all licensing and health codes established by the City of Saint Paul.
5. The market will be limited to 9 a.m. to noon on Saturdays. Vendors are to arrive at the site no earlier than 8 a.m. and depart the site no later than 1 p.m.

Zoning Summary Sheet\*

License ID# (Office Use) \_\_\_\_\_

In order for the Zoning Administrator to determine the classification of your business and to expedite your license application, this form must be completed and submitted with a floor plan and a site plan which is dimensioned and drawn to scale (see example site & floor plan formats below).

\*Zoning approval will not be granted for this license request without this information.

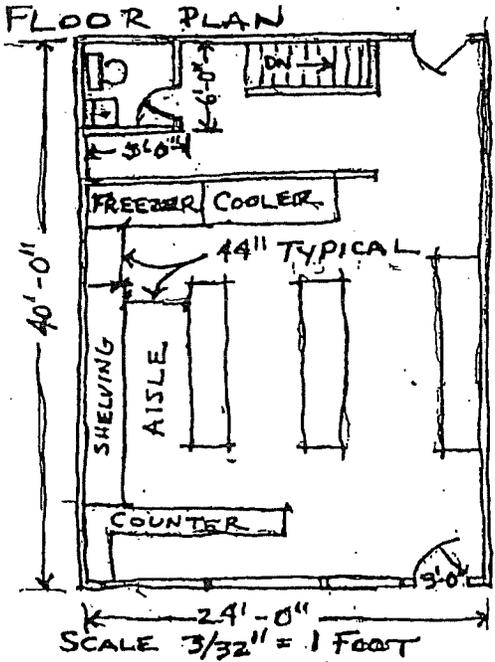
Business Address 63 George St. W St. Paul Business Type Ice cream-coffee  
 Street Address MN 55107 Fast Food

Business Name ICY Cup

Licensee/Owner Name: Pompeyo Sanchez Velasquez Day Phone: 612 876 7769  
 (Responsible Party) First Middle Maiden Last

Please answer questions 1 - 6. You will also need to answer questions 7 - 15 if you are applying for a restaurant license. Contact the zoning inspector at 651-266-9083 if you have questions about the information needed on this form.

1. What is the gross floor area for this business? <u>832</u> square feet.	7. Do you intend to have a drive-thru window? ___ yes <input checked="" type="checkbox"/> no
2. What was the previous use of this space? <u>Ice Cream - Fast Food</u>	8. Will you have a permanent menu board? <input checked="" type="checkbox"/> yes ___ no
3. How many off-street parking spaces are provided for this business? <u>10</u>	9. Do you intend to serve liquor? ___ yes <input checked="" type="checkbox"/> no
4. How many different uses are in the building? <u>1</u>	10. Is this a restaurant associated with a Chain or franchised business? ___ yes <input checked="" type="checkbox"/> no
5. What are these uses? <u>Ice cream-coffee</u>	11. Will customers pay for their food before consuming it? <input checked="" type="checkbox"/> yes ___ no
6. Do you own the property or are you leasing it? <u>Own</u>	12. Is a self-service condiment bar proposed? <input checked="" type="checkbox"/> yes ___ no
	13. Are trash receptacles provided for self-Service bussing? <input checked="" type="checkbox"/> yes ___ no
	14. Will there be hard finished, stationary seating? <input checked="" type="checkbox"/> yes ___ no
	15. Are your main course food items Prepackaged ___ or made to order? <input checked="" type="checkbox"/>



2F 13-170-946

Kate,

I have concerns about the conditional use permit for outdoor sales at the property at 63 George Street west. There is already no parking available.

I am the owner at 69 George street West and I am unable to park outside my building since the space is always filled.

Is it possible for me to request a "Private Parking sign" for one space directly outside of 69 George street west? Quite often, there are cars parked in my driveway that are going to the business at 63 George.

Please advise.

Steven Fischbach

612-210-9064

13-170-946

APRIL 18, 13

To whom it may concern,  
To the CONDITIONAL use permit  
FOR outdoor Sales AT 63 W  
GEORGE ST - ST PAUL.

We are our Name at  
548 HALL AVE - 1 Block away.  
From this Business do NOT  
conceal -

The Past Business has  
Daily Given left our neighbors  
with trash & LATENT traffic  
& good people coming and  
going & leaving trash behind -

Also there is no parking  
there - so parking would over  
flow to our block -  
Hence no use permit

FROM US - THANK YOU

DAVID & JOAN JOHNSON

548 HALL AVE  
CORNER OF HALL & W. GEORGE

PRIDE

city of saint paul  
planning commission resolution  
file number  
date

WHEREAS, Bilal Alsadi, File # 13-170-780, has applied for a conditional use permit for an auto convenience market at 1188-1200 Rice Street under the provisions of §65.503 and §65.702 of the Saint Paul Legislative Code, on property located at 1200 Rice St, Parcel Identification Number (PIN) 302922220172, legally described as Stinsons Rice Street addition Subj To Esmt Lots 10,11 And Lot 12 Blk 2; and

WHEREAS, the Zoning Committee of the Planning Commission, on April 25, 2013, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant, Bilal Alsadi, is requesting a new conditional use permit for an auto convenience market for the property at 1188-1200 Rice Street. A conditional use permit for an auto convenience market was previously granted by the Planning Commission in May, 2012 for the location at 1200 Rice Street.
2. §61. 503 (e) states that a new conditional use permit is required when *the principal use of a conditional use expands onto an abutting lot*. The applicant is now proposing to expand the use onto the property at 1188 Rice Street.
3. § 65.702 lists the following standards that an auto convenience market must satisfy:
  - 1) *The use is subject to standards (a), (b), (d), (e), and (g) in § 65.703, auto service station.* Standards (e) and (g) apply only in traditional Neighborhood and IR industrial districts. The subject property is in the B2 Community Business District, and therefore standards (e) and (g) do not apply.
    - a. *The construction and maintenance of all driveways, curbs, sidewalks, pump islands or other facilities shall be in accordance with current city specifications....* This condition is met. The newly constructed auto convenience market will be constructed in accordance with current city specifications.
    - b. *A ten-foot buffer area with screen planting and an obscuring wall or fence shall be required along any property line adjoining an existing residence or residentially zoned property.* This condition is met. The residential property to the east does not adjoin the property. It is separated from the property by a 20 foot wide alley. In addition, the

moved by \_\_\_\_\_  
seconded by \_\_\_\_\_  
in favor \_\_\_\_\_  
against \_\_\_\_\_

residentially zoned area will be buffered by a 6' 6" landscaped area and a fence.

d. *Outdoor accessory sales of goods or equipment shall not be located in a required setback, parking or maneuvering space, or substituted for required landscaping.* This condition is met. Outdoor accessory sales of goods or equipment will not take place in a required setback, parking or maneuvering space at this location.

(2) *The zoning lot on which it is located shall be at least twelve thousand (12,000) square feet in area.* This condition is met. The lot size is 21,515 square feet.

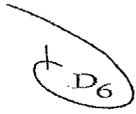
3. § 61.501 lists the following standards that all conditional uses must satisfy:

- a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. This is a neighborhood-serving commercial business that meets Saint Paul Comprehensive Plan Land Use Strategy 1.7, "Permit neighborhood serving commercial businesses compatible with the character of established neighborhoods." A similar use has been on this site since at least 1940.
- b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. There is adequate ingress and egress which has been reviewed by Public Works as part of site plan review, that will minimize traffic congestion in the public streets.
- c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. A previously established business in an area zoned B2 community business will be allowed to continue to operate.
- d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use will continue a previously established business. This use will not prevent the development and improvement of the other businesses in the area, nor will it impact the development and improvement of the residential uses in the districts surrounding it.
- e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The use conforms to all applicable regulations of the B2 district.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Bilal Alsado for a Conditional use permit for an auto convenience market at 1188-1200 Rice Street at 1200 Rice St is hereby approved subject to the following conditions:

1. Final plans approved by City staff for this use shall be in substantial compliance with the plan submitted and approved as part of this application
2. That a litter collection plan is provided.
3. That the hours of operation shall be between 6 a.m and 1 a.m. Sunday through Saturday.
4. That fencing must be of substantial quality of material to provide for the safety and security of the property and must be opaque along the eastern property line adjoining the alley.

ZF# 13-170-780



District 6 Planning Council

171 Front Avenue  
Saint Paul, MN 55117  
651-488-4485 fax: 651-488-0343  
[district6ed@dist6pc.org](mailto:district6ed@dist6pc.org)

April 24, 2013

Zoning Committee of the Planning Commission  
15 West Kellogg BLVD  
Saint Paul, MN 55102

RE: Zoning File #13-170780

At its April 23, 2013 Land Use Task Force meeting the members met with the applicant's representative John Kosmos, KK Design regarding the establishment of a conditional use permit at 1200 Rice Street and a subsequent site plan.

After discussion with task force and community members, the District 6 Planning Council's Land Use Task Force recommends approval of the requested conditional use permit. In regards to the site plan, the Task Force requests that the fencing to be installed on the Maryland Avenue/Rice Street perimeter not be aluminum and should be substantial and be a minimum of 4.6 to 5 feet in height, measured from the sidewalk and there be no entrance/exit to the property besides the curb cuts.

If there are deviations from the site plan reviewed by District 6 Planning Council and the community, the applicant must come back to discuss any modifications and seek a recommendation.

Thank-you for your consideration and if you have questions, please contact the office at the numbers above.

Regards,

*Jeff Martens*

Jeff Martens  
Land Use Chairman

Cc: Ward 5

## Transportation Committee Staff Report

Committee date: 2/25/13, 4/22/13

<b>Project Name</b>	Harriet Island to South St. Paul Regional Trail Master Plan
<b>Geographic Scope</b>	Master Plan for bicycle and pedestrian trail connecting Harriet Island Regional Park to Kaposia Landing Park in S. St. Paul/Dakota County
<b>Ward(s)</b>	Trail Construction is in Ward 2. Trail connections are citywide.
<b>District Council(s)</b>	District 3. West Side
<b>Project Description</b>	Project will construct a regional trail between Harriet Island Park and Kaposia Landing Park in South St. Paul. The trail construction will be partially funded by Federal Surface Transportation Program (STP) funds. Local matching funds will be from CIB and Met. Council.
<b>Project Contact</b>	Don Varney
<b>Contact email/phone</b>	<a href="mailto:don.varney@ci.stpaul.mn.us">don.varney@ci.stpaul.mn.us</a> / 651 266-6427
<b>Lead Agency/Department</b>	St. Paul Parks and Recreation Department
<b>Purpose of Project/Plan</b>	The construction of the trail will provide an important alternative transportation link between Saint Paul and South St. Paul. The trail will become part of the Mississippi River Trail, a multi-state trail that follows the course of the Miss. River from its start in Itasca State Park to New Orleans.
<b>Planning References</b>	The trail plan is part of Saint Paul's Great River Passage Master Plan. In addition, the City Comprehensive Plan Policy 18: Providing Pedestrian and Bicycle Travel Systems.
<b>Project stage</b>	There have been planning meetings with the public works department, the St. Paul Port Authority, the Metropolitan Airports Commission, Dakota County and South St. Paul Planning Department. The project was part of a multi project STP grant application that will provide construction funding for this trail connection.
<b>General Timeline</b>	The project funds will be available in 2017. Project planning and interagency coordination is under way and will continue until project completion in 2017-2018.
<b>District Council position</b>	N/A
<b>Committee Involvement</b>	Advise & Consent
<b>Previous Committee action</b>	None
<b>Level of Public Involvement</b>	Project was introduced & commented on as part of the Great River Passage Master Plan. The specific trail alignment has been revised several times and may change slightly as design factors are considered in detail.
<b>Public Hearing</b>	N/A
<b>Public Hearing Location</b>	N/A
<b>Primary Funding Source(s)</b>	Federal Surface Transportation Program (STP), State Legacy Funds & CIB funds
<b>Cost</b>	Full Project Cost for both Saint Paul and S. St. Paul portions; ~\$5.2M
<b>Staff recommendation</b>	Recommendation of the Plan

Action item requested of the Committee	Parks is seeking recommendation from the Transportation Committee and Planning Commission prior to submitting to City Council for approval
Committee recommendation	Approve staff recommendation
Committee vote	Unanimous (6-0)

**city of saint paul**  
**planning commission resolution**  
**file number** \_\_\_\_\_  
**date** \_\_\_\_\_

**Recommendation of Harriet Island-South St. Paul Regional Trail Master Plan**

WHEREAS, the City of Saint Paul Parks and Recreation Department plans to construct a regional trail between Harriet Island Park and Kaposia Landing Park in South St. Paul that will become part of the Mississippi River Trail; and

WHEREAS, the project was introduced and commented on as part of the Great River Passage Master Plan; and

WHEREAS, the project will be partially funded by Federal Surface Transportation Program funds with local matching funds from the Metropolitan Council and the Capital Improvement Budget (CIB); and

WHEREAS, the trail will provide an important alternative transportation link between Saint Paul and South St. Paul; and

WHEREAS, these planned improvements were presented to the Transportation Committee of the Planning Commission on February 25, 2013 and April 22, 2013; and

WHEREAS, the Transportation Committee on April 22, 2013 voted to recommend the Plan; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends approval of the Harriet Island-South St. Paul Regional Trail Master Plan to the Mayor and City Council.

**moved by** \_\_\_\_\_  
**seconded by** \_\_\_\_\_  
**in favor** \_\_\_\_\_  
**against** \_\_\_\_\_