

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

Minutes May 17, 2013

A meeting of the Planning Commission of the City of Saint Paul was held Friday, May 17, 2013, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. Merrigan, Noecker, Shively, Thao, Wang, Wencl; and Messrs. Connolly, Lindeke, Makarios, Nelson, Ochs, Oliver, Schertler, Spaulding, and Ward.

Commissioners Absent: Mmes. *Perrus, *Porter, *Reveal, and Messrs. *Edgerton, *Gelgelu, and *Wickiser.

Absent: *Excused

Also Present: Lucy Thompson, Amy Spong, HPC, Allan Torstenson, Kate Reilly, Scott Tempel, Bill Dermody, Hilary Holmes, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes April 19th and May 3rd, 2013.

MOTION: *Commissioner Ward moved approval of the minutes of April 19, 2013. Commissioner Thao seconded the motion. The motion carried unanimously on a voice vote.*

And

MOTION: *Commissioner Thao moved approval of the minutes of May 3, 2013. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.*

II. Chair's Announcements

Chair Wencl had no announcements.

III. Planning Director's Announcements

The Acting Planning Director, Lucy Thompson, gave the report. The Metropolitan Council has approved the Greater Lowertown Master Plan. The Industrial Zoning Text Amendments public hearing is continued to July 17th. PED staff attended the first meeting of the Green Line Parks and Commons Initiative, led by the Trust for Public Land, which will work to implement the vision in the station area plans for an integrated park and open space system along the Corridor. The effort will culminate in a Green Line Parks & Commons Playbook that will contain strategies and recommendations for implementation of a coordinated system of parks and commons, including financing, incentives, ownership and stewardship.

IV. 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, May 14, 2013:

- Twin Cities German Immersion School, building additions, new parking, 1030 Van Slyke.
- Hmong Academy, kitchen addition to existing school at 1515 Brewster Street.

Four items to come before the Site Plan Review Committee on Tuesday, May 21, 2013:

- French Meadow Bakery & Café, addition to back of existing restaurant at 1662 Grand Ave.
- Raymond/Myrtle parking lot, pave new/resurface existing parking lot at 2391 Myrtle Avenue.
- Linder's Nursery, expand, regrade and repave existing parking lot at 270 Larpenteur Ave. W
- Highland Ravine Stabilization Project, stabilize eroding ravines at 1 Edgecombe Place.

OLD 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)*

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

NEW BUSINESS

#13-174-966 Pope Automotive – Establishment of nonconforming use as vehicle parking accessory to auto repair garage at 991 Front Avenue, with variance of paving requirement. 977 Chatsworth Street North, between Front and Hatch. *(Bill Dermody, 651/266-6617)*

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

#13-173-821 Macalester College Shared Parking – Conditional use permit for shared commercial parking in an institutional parking lot. 1655 Grand Avenue, between Cambridge and Macalester. *(Josh Williams, 651/266-6659)*

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

#13-172-049 Old Home Plaza – Conditional use permit to allow a maximum height of 45 feet for new construction. 370 University Avenue West, SE corner at Western.
(Hilary Holmes, 651/266-6612)

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

Commissioner Nelson announced that the next Zoning Committee meeting on Thursday, May 23, 2013 has been cancelled.

V. **Comprehensive Planning Committee**

Island Station Designation – Approve resolution that the Planning Commission finds the designation of the Saint Paul Gas Light Company Island Station as a Saint Paul Heritage Preservation Site, with accompanying Preservation Program, consistent with the Comprehensive Plan and any other planning considerations. (Amy Spong, 651/266-6714)

Amy Spong, Historic Preservation Specialist, talked about the Saint Paul Gas Light Company Island Station designation process and the recommendation from the Comprehensive Planning Committee. There are three types of review that take place prior to City Council designation: 1) Planning Commission review to determine if the proposed designation is consistent with the Comprehensive Plan; 2) State Historic Preservation Office (SHPO), which provides a response on the proposed local designation; 3) Historic Preservation Commission public hearing and recommendation to the City Council. Staff has received a letter from SHPO that states they concur that Island Station is eligible for designation as a local landmark under criteria 1 and 7. They also concur that Island Station is not eligible for listing on the National Register of Historic Places. Ms. Spong clarified the difference between National Register and local listing. In Saint Paul, there are properties that are only listed on the National Register, only locally designated and both. The National Register listing is an honorary listing; it does not protect the building from demolition (with some exceptions). The local designation is where the HPC has the authority to review any exterior alterations, site changes, demolition and new construction through the design review process.

Commissioner Ward said the neighboring communities around Island Station have talked about keeping the smoke stack as a landmark for Saint Paul, and asked whether that is one of the restrictions we're looking at locally.

Ms. Spong responded that, if the building was designated as a local site, any proposals from the owner would go before the HPC, which would hold a public hearing and determine whether the proposal met the intent of the design review guidelines. The Commission has a process for how it reviews proposals.

Commissioner Ward asked whether there any other design standards the HPC can impose given its location in the river corridor.

Ms. Spong replied that this is not necessarily the purview of the HPC, but floodplain and critical area standards must be met.

Commissioner Schertler asked whether the language on page 3, the last sentence of bullet #3, is appropriate. If we're looking for something to be in conformance with the Comp Plan, it seems counter-intuitive to suggest that the on-going nonconformance use somehow meets the Comp Plan. He suggested they strike that language, because it's not relevant to whether this designation conforms with the Comp. Plan.

Ms. Spong said that the ordinance language that cites the Planning Commission's role does have a broader statement to consider *any other planning considerations*.

Commissioner Noecker said that adding the statement was her idea in talking with staff and the Comp Planning Committee, and her concern was how much more difficult designation might make the site to develop. As she understands it, if the entire building were razed, new development might actually be more difficult, because even though it is a non-conforming use, it would then have to meet stricter standards. She felt that was relevant information to provide to the Commission just to say what the impact would be if the building were gone.

Commissioner Schertler asked what the purpose of the language in here is, as to the designation.

Lucy Thompson, Acting Planning Director, said it relates to the other planning considerations the Planning Commission is supposed to explore.

AMENDMENT TO MOTION: *Commissioner Schertler moved to amend the resolution to remove the sentence "Alternatively a new development will have to meet the regulations of the Floodplain and Critical Area Overlay Districts, which have floodproofing and river set back requirements, as well as the 35-foot height limit in the underlying T2 district." Commissioner Merrigan seconded the motion. The motion carried unanimously on a voice vote.*

Commissioner Connolly asked, when pursuing local designation, what percentage of time do you have at least the indifference if not the willing participation of the property owner. Are you always in sync with where the property owner wants to go?

Ms. Spong replied no, we're not always in sync. In her experience, the Council has in very few instances designated a building against a property owner's wishes. When a historic district is established, often the Council likes to know that at least 50% of the property owners support designation.

Ms. Spong noted that, within the river corridor standards, there are exceptions for a historic structure. A historic structure is defined as either National Register contributing in a historic district, or locally designated through a certified local government program.

Commissioner Oliver asked whether staff sees any problems with implementing the plans shown in the Great River Passage Master Plan and what the property owner wants to do with the site, given the design guidelines.

Ms. Spong said that the proposed design guidelines for this site are a fairly standard template. Visions in a plan don't always go through the vetting process that the HPC would go through when a specific development proposal is made. It is difficult to look at a schematic drawing in a Comp Plan chapter and say that it complies with the guidelines.

Commissioner Oliver asked for clarification as to what the HPC feels is worth preserving – e.g. the site, the building’s architecture, the building’s location at an important spot along the river – and what implications this might have for reuse.

Ms. Spong believes that you can usually find ways to put almost any use in an historic building. There are just some uses that are better than others, and some require more change and alteration to a building and a site. However, the HPC cannot give that kind of level of certainty without a plan. Ms. Spong feels confident that some of the uses Commissioner Oliver mentioned would be very appropriate.

Lucy Thompson asked if the designation is for the building only, or for the building and the site.

Ms. Spong replied that it is for the whole parcel. There are some out-buildings on the site that are considered contributing to the site’s significance. A metal building is considered non-contributing. If someone wants to remove a non-contributing building and put something there, there’s more flexibility for that.

Commissioner Ochs is concerned that the property will be designated and nobody is going to be interested in investing money into it with a lot of restrictions. Its access to other businesses and residential areas is somewhat remote. It would really have to be a destination and, in order to make it a destination; it would require some significant modifications. He can understand recognizing and preserving the building in its general form, but if every detail must be preserved, it might make reuse difficult.

Ms. Spong responded that designation does not restrict the use of a property, nor does it require a building to be restored back to its original configuration or detailing. The guidelines do not freeze a building a time; they allow for new development and compatible changes.

Commissioner Makarios said it seems to him that designating this as a historic site is going to put restrictions on future use, making it harder to develop. The site been vacant since 1973. His understanding is that this site is not eligible for historic tax credits (Ms. Spong confirmed that this is the case). So, we’re adding additional restrictions on any developer without allowing them access to tools that help properties get over those hurdles. He thinks they are setting themselves up for failure.

Ms. Spong said that tax credits are one economic tool in order to encourage development, but they are not the only tool available that Saint Paul has.

MOTION: Commissioner Merrigan moved to approve the resolution (as amended above) finding that the designation is consistent with the Comprehensive Plan and any other planning considerations. The motion carried 14-0 with 1 abstention (Spaulding).

VI. Neighborhood Planning Committee

West Grand Zoning Study – Approve resolution recommending adoption of zoning amendments to the Mayor and City Council. (Josh Williams, 651/266-6659)

Scott Tempel, PED staff, gave a brief presentation on the West Grand Zoning Study. A public hearing was held on the West Grand Zoning Study draft amendments on April 19, 2013.

Building height was identified in public testimony as a major concern, particularly for single-family residents directly across an alley from RM2 lots, and District 14 suggested further height reduction. Based on public testimony and Comprehensive Plan goals, the Neighborhood Planning Committee concluded that the number of units is less important than building height and mass in regard to the relationship between Grand Avenue apartments and adjacent single-family residential lots. The Committee recommends adding the following new language to Zoning Code Sec. 66.231 pertaining to property along Grand Avenue between Fairview and Cretin, between lines defined by the parallel alleys immediately north and south of Grand Avenue:

- (1) Building height shall be limited to four (4) stories and forty (40) feet;
- (2) The minimum lot size for units with three (3) bedrooms shall be one thousand seven hundred (1700) square feet per unit, and the minimum lot size for units with four (4) or more bedrooms shall be one thousand nine hundred (1900) square feet per unit;
- (3) Minimum side setbacks for multiple-family residential dwellings shall be nine (9) feet; and
- (4) The T2 design standards in Sec. 66.343 shall apply.

The Committee also recommends rezoning property at Grand and Cleveland from B2, BC, and RM2 to T2, and rezoning property at Grand and Fairview from B2 to T2.

Commissioner Oliver noted that the Committee memo identifies two items for additional study that are not in the resolution: 1) the impact of large new apartment buildings on the availability of on-street parking in residential permit parking districts, to be addressed in permit parking regulations; and 2) transitions from RM2 to one-family residential districts city-wide. The resolution is focused on the West Grand Zoning Study initiated by the City Council. While some of the issues in the study area are unique, the relationship of RM2 dimensional standards to adjacent single-family districts is not entirely unique.

Commissioner Noecker said she thinks the Committee recommendation is backing down from Comprehensive Plan language for higher density in response to neighborhood pressure. She understands adjusting the RM2 height standard, which she agrees may be a city-wide issue, but does not agree with changing the minimum lot area.

Commissioner Spaulding discussed the history and unique context of student housing issues in the study area. The recommendation is for a relatively small increase in minimum lot area per unit for 3- and 4-bedroom units, and no change for smaller units, consistent with existing development. Everyone agreed that a 9-foot side setback requirement would be more consistent with existing development along Grand Avenue. District 14 developed their recommendation for design standards through their Corridor Development Initiative process. The Committee tried to address both Comprehensive Plan goals and neighborhood concerns.

Commissioner Lindeke said the impact of large new apartment buildings is parking. The kind of apartment buildings historically on Grand, which are consistent with the kind of development and density most people would like, often had little parking. We should get past minimum residential parking requirements and look at options such as car sharing, especially suitable for students. Some places give residents of a building a pass for car sharing and require that they not have their own car.

Commissioner Ward said that the issues need to be looked at globally, what's best for the city as a whole. If we want to grow as a city and have more commercial and housing development, we need to facilitate it, not further restrict it.

Commissioner Nelson noted the balance in the Committee recommendation. Reducing the side setback requirement to 9 feet, in addition to being more consistent with existing development along Grand and helping create a better urban form, also helps to balance the impact of reducing maximum height from 50 feet to 40 feet.

Commissioner Oliver said the Comprehensive Plan goals for density are not just greater density for density's sake, but to support broader community goals. New higher-density development needs to be compatible with the immediate area, which is the balance the Committee has tried to achieve, recognizing the unique context of the study area. The proposed T2 zoning at Cleveland and Fairview would provide for higher density mixed-use development at these commercial nodes.

MOTION: Commissioner Oliver moved to approve the resolution recommending zoning text amendments pertaining to development standards for RM2 districts in the West Grand study area and rezoning of property at the Grand-Cleveland and Grand-Fairview intersections. The motion carried unanimously on a voice vote.

Commissioner Oliver announced the items on the agenda for the next Neighborhood Planning Committee meeting on Wednesday, May 22, 2013.

VII. Transportation Committee

Commissioner Spaulding announced the items on the agenda for the next Transportation Committee meeting on Monday, May 20, 2013.

VIII. Communications Committee

Commissioner Thao had no announcements.

IX. Task Force/Liaison Reports

None.

X. Old Business

None.

XI. New Business

None.

XII. Adjournment

Meeting adjourned at 9:53 a.m.

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

Respectfully submitted,



Lucy Thompson
Acting Planning Director

Approved June 14, 2013

(Date)



Daniel Ward II
Secretary of the Planning Commission

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