

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

Minutes October 18, 2013

A meeting of the Planning Commission of the City of Saint Paul was held Friday, October 18, 2013, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. Merrigan, Perrus, Porter, Reveal, Shively, Thao, Wang, Wencl; and Messrs. Edgerton, Gelgelu, Makarios, Nelson, Ochs, Oliver, and Ward.

Commissioners Absent: Ms. *Noecker, and Messrs. *Connolly, *Lindeke, *Schertler, Spaulding, and *Wickiser.

Absent: *Excused

Also Present: Donna Drummond, Planning Director; Allan Torstenson, Merritt Clapp-Smith, Jake Reilly, Josh Williams, Bill Dermody, Hilary Holmes, Jamie Radel, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes October 4, 2013.

MOTION: *Commissioner Reveal moved approval of the minutes of October 4, 2013. Commissioner Thao seconded the motion. The motion carried unanimously on a voice vote.*

II. Chair's Announcements

Chair Wencl announced that the Steering Committee met this morning and discussed the survey that the commissioners filled out. They decided to move ahead with planning for some kind of a retreat. More information will go out as the Steering Committee works on the program.

III. Planning Director's Announcements

Donna Drummond announced that PED director Cecile Bedor had sent a report out to staff, the Mayor and Council with an update on leasing for the Penfield project. Leasing of units is proceeding ahead of projections for this stage of the project. The project will also open its first units at the end of November, a month ahead of schedule.

IV. Zoning Committee

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

One item to come before the Site Plan Review Committee on Tuesday, October 22, 2013:

- Harriet Island, new parking lot and parks maintenance buildings at 85 West Water Street.

OLD BUSINESS

#13-228-100 Hassibullah Frooq – Reestablishment of nonconforming use as a reception hall and dance hall. 560 Como Avenue between Dale and Burgess. (*Jake Reilly, 651/266-6618*)

The Zoning Committee recommended approval of the reestablishment of nonconforming use as a reception hall with two conditions: 1) A solid six-foot high screening fence that completely closes off and separates the parking lot and building from the alley shall be constructed and maintained along the entire length of the alley adjoining the property; and 2) The reception and dance hall shall not operate between the hours of 12:00 midnight and 6:00 a.m.

In response to a question from Commissioner Thao about the condition for a midnight closing time, Commissioner Nelson said the midnight closing is consistent with the Legislative Code requirement that no public dance shall be held between midnight and 6:00 a.m. This will allow them to start operating, and there might be an expansion of those hours allowable depending upon what licensing allows.

Commissioner Reveal pointed out that there was some ambiguity on this, that the licensure for a dance hall has a time limitation and the licensure for a reception hall has no such limitation. The distinction between a dance hall and a reception hall appears to be that the reception hall is for a private party, something to be worked out through licensing.

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

#13-227-795 Unidale Mall Farmers Market – Conditional use permit for outdoor farmers market. 544 University Avenue West, SE corner at Kent. (*Hilary Holmes, 651/266-6612*)

Commissioner Edgerton asked if the last condition addresses the issue that had been in the news.

Commissioner Nelson said yes, condition #5 is to ensure that vendors sell only the products of their farm, garden, greenhouse, apiary, or forest directly to the public.

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

#13-234-831 Concordia University Campus Boundary – Conditional use permit to expand campus boundary. 1280 Marshall Avenue SW corner at Syndicate. (*Josh Williams, 651/266-6659*)

Commissioner Reveal noted that Concordia University said that they had excess dorm space on campus, so they have ample room to make up for the 11 units converted to academic use at 1280 Marshall.

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

Commissioner Nelson announced the items on the agenda for the next Zoning Committee meeting on Thursday, October 24, 2013.

V. Neighborhood Planning Committee

Alcohol Production Zoning Study - Approve resolution recommending zoning amendments to Mayor and City Council. (*Bill Dermody, 651/266-6617*)

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

VI. Ford Framework Zoning Study – Informational presentation of study findings and recommendations by Bob Kost, SEH, Inc. (*Merritt Clapp-Smith, 651/266-6547*)

Bob Kost, SEH, Inc. gave an informational presentation on the Ford Framework Zoning Study. Find the presentation and report documents on the Ford zoning web page "Planning for Redevelopment". Look under **Planning Activities to Date for Ford Zoning Framework Study**.

Merritt Clapp-Smith said that the Ford Framework Zoning Study has been going on for the past year and a half, with Bob Kost as the consultant team lead. Distributed to the commissioners was a two page executive summary and a copy of the full report was passed around to look through.

Commissioner Reveal said that everything being talked about is equally applicable to West Side Flats. She would like to see more coordination between these two, specifically related to alternative zoning to implement sustainability.

Donna Drummond, Planning Director, said that an important difference between the two areas is that with Ford there will be a blank slate that they are starting with for all infrastructure and redevelopment and West Side Flats is more of an infill redevelopment area.

Commissioner Reveal said she doesn't know, but she thinks they are discovering that they have much more of a blank slate than what they thought they had. In terms of conceptualizing a transect for that, it would be a very helpful framework given the fact that there's more existing and likely long term development already there. But there is so much potential for redevelopment for higher and better uses that she does not think that they are unrelated and there is as much opportunity for an alternative approach for West Side Flats as there is at Ford.

Commissioner Thao asked what precedent alternative zoning might create. If it's good for Ford, and she appreciated Commissioner Reveal's example, then from a policy perspective what would it mean for other sites in the city?

Merritt Clapp-Smith, PED staff has talked about broader applicability, but recognize that the Ford site provides unique opportunities to go further with sustainability since the infrastructure system will be designed from scratch and can use all the best technologies, maybe for the same cost as traditional systems.

Commissioner Ochs commented that the current zoning tools help decide how land should be used in existing conditions. For an opportunity like Ford, new zoning tools may be a challenge to staff, but important to potential buyers and developers as an easier tool to navigate with on land use decisions. So whether or not we set a precedent, it is important that developers understand the comprehensive goals of the city with the comp plan, and that the city provides a zoning tool that's easy for potential buyers to use. Also, how much consideration has been given to looking at how other neighborhoods are built and how circulation in and around the Ford site can best be planned?

Bob Kost, SEH, Inc. said that the Ford transect model, which was built upon the analysis of the five scenarios, had a range of interconnectivity. The issue with the site is the perimeter -- access to and from it is limited, so regardless of how robust and interconnected its inner workings are, you still have to get out to Ford Parkway, River Road or east. Getting connectivity to the south will be difficult, so transportation limitations are a given on the project. Addressing street design in zoning for the site will be very important, given the constraints and needs for connectivity -- transportation is always a key element of design based codes. The city's current subdivision code, where the street standards are, is not very robust; it's pretty basic. The city's upcoming Street Design Manual may provide a good tool to guide street designs for the Ford site. Regardless, street design will be important and should be integrated into the zoning work, including attention to travel demand management techniques and sustainable transportation systems.

Commissioner Edgerton asked what are the recommendations of the study, how is the city going to use those, and what is the process moving forward to define zoning for Ford?

Ms. Drummond said that the next step is to figure out if there should be some kind of interim zoning put in place for the site. Right now the site is zoned I1, and clearly that is not an appropriate district for the mix of uses that everyone is envisioning could happen on the site. Figuring out what that interim zoning should be is a first step, and then when a master developer is selected, working with that entity on a more detailed master plan and additional zoning changes to facilitate that.

Ms. Clapp-Smith said that interim zoning seems to be a good next step. The trick will be deciding what to address in that zoning. When the site moves forward, it will develop in

phases, through shifts in the market. Therefore, the zoning and master plan must have some flexibility in the details of how the site builds out.

Commissioner Ward said if we are trying to start with a clean slate and want to use all the tools in the tool box, then we should commit to that now and bring in all the best practices to achieve a sustainable design that will make it one of the best communities in the City of Saint Paul. We shouldn't be ambiguous about what we want a developer to do. We've got existing zoning, but do we scrap that and go with fully alternative zoning or do we do a patch work of this code with some changes; a patch work of current zoning with additions and deletions may be difficult for a developer to work with. If we use alternative zoning, then we start new, but can be more defined about what we want in those areas. Perhaps instead of interim zoning, we wait to get more data about site environmental conditions (which determine land value) and then pursue final zoning for the site.

Ms. Clapp-Smith said that they have heard clearly from Ford Land that reducing reuse/zoning ambiguity before the site goes to market will facilitate its sale, because buyers need to know its potential value; they need to understand the redevelopment parameters. Currently, the City has identified five redevelopment scenarios and there is a lot of variation between them. However, they share some common principles, which were identified in the zoning study, and those common elements could be defined in interim zoning. We don't want the site filled with big box stores and huge parking lots, but right now the site zoning doesn't prevent that. We can work with the common design principles we have identified for the site, and our sustainability goals, and set parameters on the redevelopment through interim zoning.

Commissioner Ward said that we should look at examples of LEED-Platinum projects around the country and learn how the city and the developers approached them. They were given a specific goal to reach, rather than a pick and choose what you want to do. We need to set the bar high so that we get a better product in the end and a better choice of developers who have experience with these types of projects. We don't want to be too obtrusive and difficult, but we need to be specific about what we want, because we want the best.

Ms. Drummond said that the Mayor has been very clear that he would like to set a very high bar for redevelopment of this site. We are talking about defining the principles that any development of this site must follow to provide the high bar that this development should meet. The flexibility talked about is in terms of exact uses. We can't predict exactly what the market is going to support on the site in terms of mixed uses, so we want some flexibility for that, recognizing that the site will be developed over a series of years with changing markets.

Commissioner Porter said these are the technical aspects of the development but where is the community piece in this?

Ms. Clapp-Smith replied that they had a lot of community dialogue when they created the five scenarios which this study analyzed. If the City moves to look into interim zoning for the site, then we need to include the Ford Task Force and the community in that process so that people can understand the choices to be made, how they impact the development, what things we can set standards on, and what things are beyond our zoning control. If interim zoning is adopted, the community, stakeholders and elected officials should understand what it is and how it works.

Commissioner Ochs doesn't know if this has been presented to ULI, but it would be interesting to get their feedback, particularly from the realtors and developers. That would be one place to touch the market place and see what kind of interest is out there for how it could be developed residentially, commercially etc.

Ms. Clapp-Smith mentioned that the interim zoning can define overarching design standards for the site and create different districts, but perhaps adopt them as "floating zones" to be selected from and applied to the site during the master plan process. As an example, the City could say that IT zoning, or something like it, is an appropriate district for parts of the site that will have jobs, but not physically identify where that zoning goes on the site until we understand the environmental conditions of the site and where it would be most appropriate to place it. This would enable the City to clarify standards for redevelopment, but maintain some flexibility on placement of the zones. The City attorney is researching floating zones a bit to understand if they might be a good tool.

Commissioner Edgerton asked how market demand, job creation, and such things factor into the evaluation of these scenarios.

Ms. Clapp-Smith said when they did the scenario development work in 2007, the Port Authority hired Colliers to assist with a market study. Colliers provided information to the task force and stakeholders about the market for the site at that time – they said there was potential for all types of residential, some retail and some office/industrial. The 2007 study also included a developers' forum to get input on the site potential.

Bob Kost added that their case study work looked at a few other projects with similarities to Ford. The East Billings urban renewal district is a large track of current light industrial mixed with old residential and auto oriented commercial. The City's IT district provides somewhat similar use flexibility, but with a focus on the jobs use. Alternative zoning districts can easily be designed to accommodate a range of uses and sizes that are responsive to market place changes, while defining a theme of being more heavily residential, retail or industrial.

Ms. Clapp-Smith said that they will be looking at updating the market information when the master planning phase begins in a couple of years, so that it's informed by realistic market expectations.

Commissioner Reveal asked how the City is going to determine whether the City does the master plan or a new owner does it.

Ms. Clapp-Smith replied that at this point they are anticipating that the City and a master developer will do a master plan together, but that depends on the two entities having a good working partnership.

Ms. Drummond noted that the City did interim zoning for Central Corridor to begin to guide development in a new direction, but then replaced it with more detailed final zoning after a complete study. The Ford site is potentially more complex as a new redevelopment site and final zoning and a master plan will take time to complete. It would be good to have something in place between now and then.

Commissioner Reveal asked how did they decide on interim zoning for Central Corridor - did PED propose a zoning framework to council or was there a zoning study in response to council?

Ms. Drummond said that was recommended by staff as they were finishing the station area plans, knowing that there was more work to be done on zoning, but development was happening in the meantime that needed the guidance of amended zoning to be consistent with the adopted Central Corridor Development Strategy. The interim zoning for Central Corridor was reviewed at a public hearing of the Planning Commission and then adopted by City Council.

II. Comprehensive Planning Committee

Commissioner Merrigan reported that at their last meeting they finished up their discussions on the West Midway Industrial Plan for now. Staff will take it back and work more on it to break out the portions that are to be adopted as part of the Comprehensive Plan, action plan and so forth. This is a fairly large assignment so will take some time before it's back at committee. The Committee will be meeting on another item at its meeting next week.

VIII. Transportation Committee

Commissioner Wang announced that at their last meeting they continued to discuss the transportation elements of the Midway Industrial Strategy. At the next meeting on Monday, October 21, 2013 they will be meeting at the NE corner of University Avenue West and Raymond Avenue to take a walking tour of the new infill sidewalks at 4:00 p.m.

IX. Communications Committee

Commissioner Thao had no report.

X. Task Force/Liaison Reports

Commissioner Reveal announced that the West Side Flats Community Task Force will have their

next meeting on November 6, 2013.

XI. Old Business

None.

XII. New Business

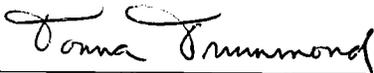
None.

XIII. Adjournment

Meeting adjourned at 9:54 a.m.

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

Respectfully submitted,



Donna Drummond
Planning Director

Approved November 1, 2013

(Date)



Daniel Ward II
Secretary of the Planning Commission