



**DATE:** July 16, 2021

**TO:** Planning Commission

**FROM:** Menaka Mohan, Principal Planner PED

**RE:** Public Comment as of July 16, 2021 for Proposed Amendments to Open Space Lot Specific Standards for the Ford Site Zoning and Public Realm Master Plan

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### **Background**

On June 11, 2021 the Planning Commission [released proposed amendments to Open Space Lot Specific Standards for the Ford Site Zoning and Public Realm Master Plan](#).<sup>1</sup> For a public hearing to be held on July 23, 2021.

### **Public Comment**

Below are comments received as of July 16, 2021.

Ms. Mohan,

I am submitting the following response on behalf of the Neighbors for a Livable St. Paul to be incorporated into the City of St. Paul public record regarding the Ford site proposed zoning amendments.

Thank you,  
Howard J. Miller  
2081 Highland Parkway  
St. Paul, MN 55116

It is very difficult to imagine completing a large-scale development like Highland Bridge without dependable measurements. St Paul set out with such measurements and zoning requirements, but they have since disappeared. An entire volume produced by PED and HRA & Associates and a task force dedicated to defining open space was published in February 2011. In May, 2017 this very commission reviewed and approved a Ford Site Zoning and Public Realm Master Plan

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<sup>1</sup> To access the report please visit: [https://www.stpaul.gov/sites/default/files/2021-06/Final\\_PC\\_FordOpenSpaceforLots\\_proposedamendments\\_packet%2006.09.21.pdf](https://www.stpaul.gov/sites/default/files/2021-06/Final_PC_FordOpenSpaceforLots_proposedamendments_packet%2006.09.21.pdf)

which included an exhaustive list of reliable measurements for the new development that both developer and neighbors could depend on.

For reasons that no one seems able to offer, these measurements have been discarded. These measurements are, in fact, part of the 32-page resolution you are being asked to review and approve today. If you open the document and scroll through it you will find them redlined on many of the pages. Why were they withdrawn from the Master Plan? Both PED staff and apparently, engineers employed by the Ryan company found them confusing and difficult to work with.

In 2011, the PED led planning commission defined open space as follows: "Open space: Natural lands, athletic fields (even if managed by non-city entity), recreational lands, community gathering spaces and recreational buildings which are publicly-owned and/or publicly-accessible. The term is not intended to refer to privately-owned lands, yards, urban plazas, stormwater treatment areas or public street rights-of-way unless, through agreement, the land is designated as public space with a recreational and/or habitat function."

A footnote on the second page of the Notice of this Public Hearings states that the exact opposite is the case. How is this possible? These are just the beginnings of the questions this group must answer. The people of St. Paul are waiting for the answers.

Howard J. Miller  
612-250-1734

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Ms. Mohan,  
I am submitting the following response on behalf of the Neighbors for a Livable St. Paul to be incorporated into the City of St. Paul public record regarding the Ford site proposed zoning amendments.

Thank you,  
Kate M. Hunt  
2081 Highland Parkway  
St. Paul, MN 55116

**Neighbors for a Livable St. Paul (NLSP) response to the City amendments to the definition of open space lot standards for the Ford Site Zoning and Public Realm Master Plan for the 7/23/21 Planning Commission's public hearing:**

The proposed amendments to the city's own definition of "open space" and lot coverage reads like *Alice in Wonderland*, where reality is being distorted. When confronted by NLSP about the definition of open space [through legal action using a Writ of Mandamus petition - filed on October 28, 2020], the city could not explain its own open space definitions or developer requirements. Subsequently, the city proposed a resolution which removes the term "open space" from the Ford Site Zoning and Public Realm Master Plan, thus almost eliminating the need for Ryan Companies, the developer, to ask for future variances on density.

The city claims that the new Master Plan amendments will clarify the definitions of "open space" and building density. In our view, the 32 pages of amended language are indecipherable and further obscure any clear understanding of "open space." These amendments appear to push even more density than was allowed in the 2017 Master Zoning Plan. Yes, certainly correct the city's inconsistent definitions of open space but do not eliminate the very zoning safeguards that the city itself endorsed in 2017 to prevent unfettered building density.

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Ms. Mohan,

The following are my personal comments regarding the proposed amendments to Open Space Lot Specific Standards in the Ford Site Zoning and Public Realm Master Plan (Ford MP) and accompanying zoning text amendments to be discussed Friday, July 23, 2021 at 8:30am. I cannot attend this public hearing, thus need to submit written comments – as follows:

- My family and I live at 531 Mount Curve Blvd / Ward 3 – only several blocks from the Ford site
- Overall, the June 4, 2021, 32-page Study of Proposed Amendments to Open Space Lot Specific Standards for the Ford Site Zoning and Public Realm Master Plan (to the Planning Commission from the Comprehensive and Neighborhood Planning Committee) presented superfluous verbiage that essentially allows Ryan Companies to build-out more density on the Ford site and be permitted to reduce setbacks and "surface-level" publicly accessible open space
- For example - revision to the definition of Functional Green Roof area on page 31 of the memo - deleting "which is surfaced" from the sentence "which is surfaced with

soil" – could now allow a private concrete patio with a potted plant to count towards "open space"

- The report of proposed amendments is filled with technical jargon and details that the average community member will not easily grasp – such as details around the measure of density (Floor to Area Ratio) and what PED and Ryan are gunning for with this amendment
- Between the lines of your report, it appears that the City is trying to rewrite their own rules that get in the way of allowing Ryan to change the original Master Plan mandates
- Fundamentally, my comment is to simply not rewrite or redefine the open space mandates that Ryan had to adhere to in the original Master Plan – thus not allowing private balconies and rooftop gardens to count towards open space – this is just playing with the definition of "open space"
- Upon reading your background, you surely understand the connection between the built environment and public health / quality of life
- The New Urbanists paradigm seems to advocate highest density at any cost to the existing community – this high density paradigm will eventually bring diminishing returns as the quality of life factors diminishes in Highland Park. Further, as with any urban planning trend/cycle, the desire to live in high-density urban settings may shift back to single family housing stock – especially post-pandemic and as working-at-home increases. I know I can't change St. Paul PED's indoctrination into New Urbanist principles – but we can influence eventually using the voting booth for new Council members and new Mayor
- The community is closely watching the moves that Ryan Companies and the PED are making that are possibly not in the best interest of the residents of Highland. Evidence continues to stack up that the City is bending the rules in favor of the developers, not the tax payer / home owner
- The city continues to ignore its own development planning rules or makes up new ones when it suits a purpose. As more open space disappears within the Ford development, the dream that was promoted by City leaders and Ryan Companies will disappear as well
- Subsequently, the city proposed a resolution which removes the term "open space" from the Ford Site Zoning and Public Realm Master Plan, thus almost eliminating the need for Ryan Companies, the developer, to ask for future variances on density – setting a critical precedent

Maybe we are misinterpreting some of what is being proposed in your hard-to-decipher report. It may serve your interest to clarify to the public, in layperson's terms, the key points/proposals and potential outcomes – how about one PowerPoint slide with cause-&-effect bullets? I know that Ryan Companies has a strong marketing department. You should know that there is a grassroots community group with a database of over 1000 community supporters (called Neighbors for a Livable St. Paul) that is monitoring the

cadence of systematic variance requests and redefinition of laws and codes that seemingly support developers. <https://www.livablesaintpaul.com/>

To conclude: I'm opposed to all of the proposed Ford site zoning amendments – virtually everything in the proposed language appears to only support Ryan's ability to reduce "real" open green space and build-out to an even higher density than the original Master Plan. The Master Plan should remain intact as the guide to the Ford development.

Sincerely,

Bruce Hoppe – 531 Mt Curve Blvd, Highland 55116

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Essentially, it is difficult in this proposed language to see where the taxpayer / community member will be advantaged. How does this proposal help your key customer, the taxpayer? These points only appear to support the developer:

WHEREAS, City planning staff propose the following amendments to the Master Plan and the Ford Site zoning ordinances to address these present difficulties when future development applications are received by staff for review:

1. Remove the term "Open Space" from the Master Plan as it pertains to privately owned development parcels and lots and remove the definition of Green Roof Areas as Open Space.

This amendment would not impact publicly owned park and open space parcels and lots dedicated to the City via the November 20, 2019 Ford plat.

2. Add the definition for "*lot coverage*" from the Zoning Code to Master Plan Chapter 5 entitled "Building and Lot Terminology."

3. Amend the Master Plan's current incentive language for Green Roofs in Chapter 4: Zoning - Districts and General Standards, as follows:

Lot Coverage Bonus for Green Roof Areas

Projects that provide Functional Green Roof can receive a 1% lot coverage by buildings bonus for every 1% of Functional Green Roof provided by the project, up to a maximum 10% lot

coverage by buildings bonus.; and amend the definition of Functional Green Roof as follows:  
Functional Green Roof Area shall be defined as area atop surface on a building, open to the sky  
and air, which is surfaced with soil and living plant materials for the purpose of retaining  
rainwater  
and absorbing heat from sunlight. The depth of substrate and planted material shall be at least  
two (2) inches.

WHEREAS, the Comprehensive and Neighborhood Planning Committee, on June 2, 2021,  
forwarded its recommendation to the Planning Commission for initiation of a zoning study for  
Zoning Code amendments corresponding to proposed amendments to the Ford Site Zoning and  
Public Realm Master Plan;

NOW, THEREFORE, BE IT RESOLVED, under provisions of Minnesota Statutes § 462.357 and  
Legislative Code § 61.801, that the Planning Commission hereby initiates a zoning study  
to consider Zoning Code amendments corresponding to proposed amendments to the Ford Site  
Zoning and Public Realm Master Plan.