

**MINUTES OF THE ZONING COMMITTEE**  
**Thursday, July 28, 2016 - 3:30 p.m.**  
**City Council Chambers, 3rd Floor**  
**City Hall and Court House**  
**15 West Kellogg Boulevard**

PRESENT: Makarios, Merrigan, Nelson, Reveal, WencI, Wickiser, and McMahon  
EXCUSED: Edgerton  
STAFF: Mike Richardson, Cherie Englund, Bill Dermody, and Peter Warner

The meeting was chaired by Commissioner Nelson.

**St. Paul Leased Housing Associates VIII - 16-053-108 - Rezone from I1 Light Industrial to T3 Traditional Neighborhood, 2300 Territorial Road.**

Mike Richardson presented the staff report with a recommendation of approval for the rezoning. He added that District 12 recommended approval, and there were no letters in opposition.

The representative Patrick Ostrom, with Dominion, 2905 Northwest Blvd. #150, Plymouth, said that Mr. Richardson summarized the staff report well. He said they have the site under contract and are anticipating closing early next year.

Commissioner WencI asked about the roles between St. Paul Leased Housing Associates and Dominion. Mr. Ostrom said Dominion is the owner and operator of multi-family housing properties. He added for each property they own they create a separate ownership entity to form a limited liability partnership with outside investors. He said this is an affordable housing project, involving tax credits where St. Paul Leased Housing Associates VIII will be the owner of this property.


No one spoke in support or opposition and the public hearing was closed.

Commissioner WencI moved approval of the rezoning. Commissioner Makarios seconded the motion.

The motion passed by a vote of 7-0-0.

Adopted                      Yeas - 7              Nays - 0              Abstained - 0

Drafted by:



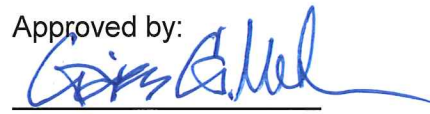
Cherie Englund  
Recording Secretary

Submitted by:



Mike Richardson  
Zoning Section

Approved by:



Gaius Nelson  
Chair

**MINUTES OF THE ZONING COMMITTEE**  
**Thursday, July 28, 2016 - 3:30 p.m.**  
**City Council Chambers, 3rd Floor**  
**City Hall and Court House**  
**15 West Kellogg Boulevard**

PRESENT: Makarios, Merrigan, Nelson, Reveal, Wencil, Wickiser and, McMahon  
EXCUSED: Edgerton  
STAFF: Jacquelyn Kramer, Cherie Englund, Bill Dermody, and Peter Warner

The meeting was chaired by Commissioner Nelson.

**Open Cities Health Center Inc. - 16-053-250 – rezone from RT1 two family residential to B2 community business, 127 Front Ave., between Rice Street and Park Street.**

Jacquelyn Kramer presented the staff report with a recommendation of approval for the rezoning. She noted that District 6 recommended approval, and there were no letters in support or opposition.

Commissioner Wencil asked for clarification of the history of this property. Ms. Kramer referred to a photo showing the B2 half, where there is a health clinic and parking lot. She said the RT1 property is a vacant lot that the applicant is proposing to rezone to B2 for parking and green space.

Commissioner Merrigan asked if a provision had been made to screen the parking lot next to the RT1 properties by either a fence or landscaping. Ms. Kramer deferred this question to the applicant.

Ms. Kramer said the revised staff report was due to an error under the staff recommendation where the address was corrected from 127 Front St. to 127 Front Ave.

Steve Miller with MSP Commercial, 1215 Town Centre Dr., Eagan, spoke on behalf of the applicant, Open Cities Health. Mr. Miller said they will be installing a wooden fence to screen the parking lot from the adjacent residences.

Commission Wencil asked how many parking spaces they will have. Mr. Miller said they will have about 27 parking spaces in addition to the current spaces available at the health center. He added that they have an agreement with Healtheast Clinic, located at 980 Rice St. to share 10 of these parking spaces. Commissioner Wencil also asked if there is a landscaping plan. Mr. Miller said they will be going through the site plan review process to address landscaping.

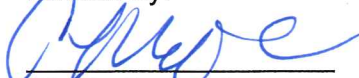
No one spoke in support or opposition and the public hearing was closed.

Commissioner Wencil moved approval of the rezoning. Commissioner Reveal seconded the motion.


The motion passed by a vote of 7-0-0.

Adopted                      Yeas - 7              Nays - 0              Abstained - 0


Drafted by:

  
Cherie Englund  
Recording Secretary

Submitted by:

  
Jacquelyn Kramer  
Zoning Section

Approved by:

  
Gaius Nelson  
Chair

**MINUTES OF THE ZONING COMMITTEE**  
**Thursday, July 28, 2016 - 3:30 p.m.**  
**City Council Chambers, 3rd Floor**  
**City Hall and Court House**  
**15 West Kellogg Boulevard**

PRESENT: Makarios, Merrigan, Nelson, Reveal, Wencil, Wickiser, and McMahon  
EXCUSED: Edgerton  
STAFF: Kady Dadlez, Cherie Englund, Bill Dermody, and Peter Warner

The meeting was chaired by Commissioner Nelson.

**Minnesota United Soccer Stadium - 16-057-512 - variance of minimum floor area ratio for a soccer stadium (1.0 FAR required; 0.19 FAR proposed), and variance to allow surface parking on a separate lot that may not be shared with another use, 400 Snelling Ave. N., north side of St. Anthony between Snelling and Pascal.**

Kady Dadlez presented the staff report with a recommendation of approval with conditions for the variances. She added that District 13 made no recommendation, and there were no letters in support or opposition.

Commissioner McMahon asked if the architect measured the floor area ratio as if the stadium were enclosed. Ms. Dadlez said she was unsure.

Commissioner Wencil asked why they are applying for both variances, as they may or may not need both, and why there were not two separate findings for the stadium and parking lot. Ms. Dadlez said they will need both variances to move forward with the project and the intent is that the parking lot on the southeast corner would be shared. She added that staff decided on one staff report for both variances and findings are separate for the stadium and the parking lot where appropriate and combined where appropriate.

Chair Nelson noted that final plans approved by the Zoning Administrator must be in substantial compliance with the site plan in the staff report. Ms. Dadlez said that the site plan in this packet was the most current at the time and it continues to evolve. She noted that a comment made by Commissioner Nelson at the Planning Commission meeting referenced the number of parking spaces that may need to be eliminated in order to provide landscaping and lighting. She said this issue has also evolved since then and the parking lot now has fewer parking spaces proposed. She added that 32 parking spaces have been eliminated. She said that Planning Commission recommended approval of the site plan with the knowledge that there would be some fine tuning.

Commissioner Merrigan asked if Mr. Zangs at the Department of Safety and Inspections is reviewing the site plan dated April 18, 2016 in the packet and if it is the most recent. Ms. Dadlez said that the most recent site plan is dated July 22, 2016, which would not have made it into this packet.

Jeff Shopek, President and Principal Civil Engineer of Loucks Associates, 55 E. 5<sup>th</sup> St., Ste. 910, St. Paul, represented the applicant. He said they are the consulting civil engineers and surveyors for this project and they are in agreement for the variance on this project. He added the FAR is an immeasurable item for the stadium since it doesn't include the playing field. In reviewing the FAR, he said they did a rough calculation of all of the area contained under the roof and they got close to a 1.0 FAR at 0.97 FAR. He said the architect looked at the square footage of the building at the various levels for the calculation. He pointed out that the whole plaza area was included as part of the lot area. He noted that intent of the FAR is to have a high intensity, developed site, adding that the stadium is a robust structure that meets the spirit of the intent of the FAR. He added that the southeast parking lot was initially created to be part of the stadium block. But since Simpson Street is needed to provide access to St. Anthony Avenue and vehicle circulation on the site the street splits the parking lot from the stadium site, thus creating a parking lot on a separate lot.

Chair Nelson asked Mr. Shopek what the date was on his site plan. Mr. Shopek replied that his site plan is dated July 22, 2016 and understood that this version will be used at City Council on August 3, 2016. He noted that the updated site plan increased the green space within the perimeter of the parking lot, by enlarging the islands and shifting a couple of the entrances. Chair Nelson asked Mr. Shopek to describe the retaining walls near the loading area of the building that appears to be a floor below street level. Mr. Shopek said it is a service drive with a concrete cap over the street and loading dock. Trucks will park under the building and at pitch level of the site. Chair Nelson asked if there are side walls that prevent people from falling off of this 1 foot drop. Mr. Shopek said there will be walls and planters. Chair Nelson said he was curious about the driveway access that joins the service driveway. Mr. Shopek said this is for the trucks to come in off of Pascal, to go through the middle of the parking lot, head up and back down without using the public right of way for maneuvering.

No one spoke in support or opposition and the public hearing was closed.

Commissioner Wencil asked Ms. Dadlez if they could get the July 22, 2016 site plan. Commissioner Reveal suggested that it should be clarified in the resolution that they are basing their decision on the July 22, 2016 site plan to which Ms. Dadlez agreed.

Chair Nelson asked for clarification on the variance for the parking lot as it is based on shared issues. He said his recollection of the zoning code in T districts is that parking is not allowed within a certain number of feet from intersections and that buildings are supposed to hold the street edge. He is wondering why this parking lot does not need to have those general design requirements built into this site for the parking lot. Commissioner Merrigan added that you can't have more than 60 feet of continuous parking frontage on a street. Chair Nelson said that in other cases they have made requirements to have side walls, landscaping, and fencing to maintain the street frontage to protect the urban environment, asking where this parcel fits into those design requirements.

Ms. Drummond said that there are a number of T district design standards that are not met by this site plan. She added that in the zoning code for T district design standards, it says if there are more specific plans that are adopted by the City Council (in this case the master plan), they can take precedence. She said all of the design standards were listed in the staff report and resolution, and there were 3 or 4 where the master plan was more specific and didn't meet the design standards and in that case the master plan would take precedence. Commissioner Reveal said that they did not apply those design standards to this part of the parcel when they approved the master plan. Ms. Drummond said that was correct because the master plan showed this as a condition and the master plan is recommended for approval by the Planning Commission. Ms. Drummond noted that the City Council Public Hearing is scheduled for Wednesday, August 3, 2016 where they will layover the 4 items which are the zoning amendment, master plan, site plan and preliminary plat until August 10, 2016 and if they are ready they could vote on those items at that point.

Commissioner Wencil moved to approve the variances, with conditions as discussed and stated in the staff report. Commissioner McMahon seconded the motion.

Commissioner Reveal said she is uncomfortable with why they are doing the variances prior to City Council approval; because she feels that they would have a point in time where it has been fully approved. She also asked why the variance would be needed since the site plan has not been acted on. She asked why we are doing the variances in this order. Ms. Drummond said if they had known about the variances at the time of the public hearing for the site plan review we would have announced those as part of the public hearing for the whole package. Since that wasn't done, the public hearing today on the variances is necessary.



Commissioner Reveal requested to have staff meet in September or October for an update to review the final decisions and the permitting process for the stadium site plan, as it would be nice to see the details.

Ms. Drummond said there were a number of conditions of approval that were attached to the recommendation which were recommended to City Council to attach to the site plan approval. She added this is not a blank check approval and there are still a lot of technical reviews that need to take place and there may be landscaping standards that will need to be met for the parking lot.

Commissioner Reveal asked if it is correct that they will not get a final building permit until there is a completed site design and those issues have been resolved. Ms. Drummond said that is correct and that there has to be a final sign off on the site plan by staff on all of the items.

Commissioner Merrigan asked if there was a landscape plan available for the Planning Commission to view. Chair Nelson said when we grant a variance we can put a condition on those variances, if we have enough detail to work with.

Peter Warner said that the Planning Commission can attach conditions that are consistent with the nature of the variance request. It would be useful to have the landscaping plan, if one has been provided. He said that there should be specific language that would signal City Council that the Planning Commission is interested in getting a good landscape design.

Commissioner Merrigan suggested that the parking lot be designed in some manner consistent with the guidelines passed in the master plan. She said she sees the intention is there, but it is clear to see everyone's discomfort in trying to make the most responsible decision with the amount of information we have and it is our desire to give serious consideration to the project which has such great potential for the City.

Chair Nelson said that if there is not a condition for a robust landscape treatment in place it could be a forgotten and neglected parking lot. Landscaping should help mitigate the fact that it really isn't something you would see in a T4 zone.

Peter Warner said he would put some language together and run it by staff to give guidance and expectations to City Council.

Ms. Drummond agreed to add a third condition to address the landscaping concerns at the surface parking lot on the southeast corner of the site.

The motion passed by a vote of 7-0-0.

Adopted                      Yeas - 7              Nays - 0              Abstained - 0

Drafted by:



Cherie Englund  
Recording Secretary

Submitted by:



Kady Dadlez  
Zoning Section

Approved by:



Gaius Nelson  
Chair