

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

Minutes February 7, 2020

A meeting of the Planning Commission of the City of Saint Paul was held Friday, February 7, 2020, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. DeJoy, Grill, Underwood; and
Messrs. Edgerton, Hood, Khaled, Lindeke, Ochs, Oliver, Perryman, Rangel
Morales, Risberg, Rodriguez, and Vang.

Commissioners Absent: Mmes. *Anderson, *Lee, *Mouacheupao, and Mr. *Baker.
*Excused

Also Present: Luis Pereira, Planning Director; Yaya Diatta, Department of Safety and
Inspections, Allan Torstenson, Bill Dermody, Mike Richardson, Tony Johnson,
Michael Wade, and Sonja Butler, Department of Planning and Economic
Development staff.

I. Approval of minutes December 4, 2019.

Chair Rangel Morales announced that the minutes are not available at this time. However, they will be ready for approval at the next Planning Commission meeting.

II. Chair's Announcements

Chair Rangel Morales had no announcements.

III. Planning Director's Announcements

Luis Pereira, Planning Director, said they have worked out a timeline on the parking code update; they are aiming to do something new with getting the word out about what they are doing - using a couple webinars. One aimed at businesses, business associations and chambers and one for district councils. The plan is to get that done the week of March 9, 2020, bringing the staff report and recommendations to the Comprehensive and Neighborhood Planning Committee in the middle of March. Also, the Zoning Committee does not have any cases next week so they will have a special meeting to discuss staff's draft of a two-page guide for zoning applicants to walk them through some of the policies in the Comprehensive Plan and comprehensive plan consistency but with a focus on equity which is an outcome of last year's work at the Planning Commission and Zoning Committee.

IV. Zoning Committee

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

Two items to come before the Site Plan Review Committee on Tuesday, February 11, 2020:

- 1810 Como Parking Lot – New surface parking lot at 1810 Como Avenue. Patrick Sarver-Civil Site Group. SPR #20-010497
- Terra Firma Addition – Building addition at 1381 N. Eustis Street. Joshua Rinke-Advance Surveying & Engineering. SPR #20-010516

NEW BUSINESS

#20-004-207 315 Fisk St N and 820 Concordia Avenue – Rezone from RT1 two-family residential to T1 traditional neighborhood. 315 Fisk St and 820 Concordia Avenue, Western side of Fisk Street between Concordia Avenue and Carroll Avenue. *(Tony Johnson, 651/266-6620)*

MOTION: Commissioner Edgerton moved the Zoning Committee’s recommendation to approve the rezoning. The motion carried unanimously on a voice vote.

#19-111-705 Maryland Tobacco Depot Expansion – Conditional use permit to expand tobacco shop into adjoining retail space, for a total floor area of 2,856 square feet. 1375-1377 Maryland Avenue East, north side of Maryland Avenue between Clarence street and Etna Street. *(Mike Richardson, 651/266-6621)*

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

#20-002-999 Glen Brown-Lowe – Rezone from RT1 two-family residential to RM2 multiple-family residential. 197 Baker Street East between Oakdale Avenue and Mount Hope Avenue. *(Michael Wade, 651/266-8703)*

Commissioner Edgerton stated that staff recommended denial for both the rezoning and the variance applications. There was a lot of discussion, Commissioner DeJoy did not support either application, Commissioner Grill and Edgerton supported the rezoning, but they did not feel that they could support the variance, because it’s a significant variance and they could not come up with unique circumstances or practical difficulties to justify.

The rezoning had been forwarded from Zoning Committee to the Planning Commission without a recommendation. Commissioner DeJoy had moved for denial of the rezoning, which did not get a second, and so died. Commissioner Grill had then made a motion to approve the rezoning, which also died without a second. The variance had received a 3-0 vote to recommend denial.

Commissioner Edgerton said that if the RM Zoning Study changes include the reducing the RM2 minimum lot size, then this property could move forward in the future without needing a variance. It would save the applicant from having to come back another time in the future applying for a rezoning so he could move forward. RM2 is immediately adjacent to the north and all along the roadway to the north and it is three properties away to the west. There are other triplexes and a fourplex in the vicinity, so it is compatible with the surrounding uses. Also, it is consistent with the Comprehensive Plan.

Commissioner Edgerton made a motion to approve the rezoning, reasons being stated. Commissioner Grill seconded the motion.

Commissioner Underwood asked if the applicant is the current landlord of this property and whether the two units are currently being rented now.

Michael Wade, PED staff, said yes, the current owner is a resident and he rents the other unit.

Commissioner Underwood said because there were only three commissioners in attendance at the Zoning Committee and the Chair cannot make a motion or second a motion, that is a great example of why we need support for getting more commissioners. As the Nominations & Communications Committee chair, she made the pitch to get more commissioners on board.

Chair Rangel Morales said that is a discussion the Planning Director and himself are having about why people that have been nominated have not been appointed. That is something they are looking into.

Commissioner Grill said that a lot of the argument surrounded why they did not feel comfortable with the variance. The need for a variance goes away if the RM Zoning Study goes forward and some of those lot size requirements go away. The case is consistent with the Comprehensive Plan and compatible with the neighborhood.

Commissioner Hood added that this is the type of development they need to see more of in the city and they really need to be encouraging. Not only consistent with the 2040 Comprehensive Plan, it has affordable housing, its owner-occupied rental; this is everything that appears on the West Side Equitable Development Scorecard, etcetera. And they should encourage and continue to encourage projects like these.

Commissioner DeJoy said that she was not in favor of the rezoning or the variance. She looked thoroughly at the staff report and agrees with it. She also listened to the testimony and she is very impressed with the developer, liking the fact that it is owner-occupied. Commissioner DeJoy went to that property on Saturday and on that immediate block were all single-family houses. She noticed that there was traffic and that it's more challenging now because of how the snow has built up, though it has a lot of parking. The testimony and concerns expressed during the public hearing were about the basement not being available. She hopes that the developer does not get discouraged and continues because he is the exact kind of developer we need in the city. She's just not convinced that this is the property.

Commissioner Lindeke feels like the housing shortage in Saint Paul must be talked about and they have to think about that in the Comprehensive Plan. But also, he struggles with finding 3 and 5 where it talks about the way this area has developed. And it's a very diverse mix of housing types and developed in a complex and messy way. How the area developed is subjective so when he looks at that kind of finding he wonders: should they think about just the last 30 years, 50 years or the last 100 years or what? If you look at the big picture this does fit with how the area developed.

Correcting an earlier reference to findings 4 and 5, Mr. Wade said that if the Commission recommends approval, it's not findings 4 and 5 but 3 and 5 that the Commission would need to

address. Addressing the Comprehensive Plan he did find that the proposed zoning is consistent with the 2030 and 2040 Comprehensive Plan but its finding 3 – that it is inconsistent with the way the area is developed – and 5 – that it is incompatible with the immediately surrounding uses. Mr. Wade clarified they will need to address those findings if they recommend approval of the rezoning.

Commissioner Edgerton said they have two resolutions; one supports approval and the other supports denial. Staff has already prepared resolutions to support either decision by the Planning Commission.

Commissioner Oliver pointed out that they have gone through the training about quasi-judicial decisions and how they have to follow the criteria and make findings. This is not a quasi-judicial decision. This is a legislative decision about rezoning. The only criteria is: Do you think this is a good idea? For the record he thinks this is a good idea.

Mr. Wade said that there is a State mandate that the legislative decisions be according to the Comprehensive Plan. As far as that plan guides, are these (rezonings) good or bad decisions? That is a mandate, but the rest of these findings are not the same as the variance (quasi-judicial) findings.

MOTION: *Commissioner Edgerton moved the Zoning Committee's recommendation to approve the rezoning. The motion carried 12-2 (DeJoy, Ochs) on a voice vote.*

#20-003-092 Glen Brown-Lowe – Lot area variance to convert a duplex to a triplex (9000 sq. ft.). 197 Baker Street East between Oakdale Avenue and Mount Hope Avenue. (Michael Wade, 651/266-8703)

MOTION: *Commissioner Edgerton moved the Zoning Committee's recommendation to deny the variance. The motion carried 10-3 (Hood, Khaled, Ochs) on a voice vote.*

Commissioner Edgerton announced the next regular Zoning Committee meeting is canceled; however they are having a special meeting to review a staff proposal regarding equity and Comprehensive Plan guidance for zoning applications, followed by a discussion.

V. Comprehensive and Neighborhood Planning Committee

RM Zoning Study – Initiate, release draft for public review, and set public hearing for April 17, 2020. (Bill Dermody, 651/266-6617)

Bill Dermody, gave a Power Point presentation which can be seen on the web page at: <http://www.stpaul.gov/planningcommission>

Commissioner Ochs said that landscaping should always be considered for stormwater management. There should be some kind of landscaping requirements whenever there's a parking lot.

Bill Dermody, PED staff, said that there is a requirement for landscaping in the T districts that does not currently apply to RM districts, but is proposed to.

Commissioner Edgerton asked if the Floor Area Ratio (FAR) maximum accounts for the additional conditional use permit height, and if we will continue to see variances for FAR.

Mr. Dermody said that there is a chance that the FAR's are not set high enough for the types of developments we've seen variances for in T districts. The proposed FAR maximums in RM districts are similar to those in T districts.

Commissioner Grill said there will be opportunities to address this issue with the parking study coming through – FAR can be part of that conversation.

Commissioner Ochs said he would be concerned that if RM districts are not carefully placed, with their lack of commercial compared to T districts, they might create a lack of opportunities for access to goods and services. Also, we should be considerate of the neighborhood fabric, when you start sticking new developments within existing residential single-family home areas. The street makes a difference and if you want to retain residents and have them raise their families.

Commissioner Lindeke said one thing he thinks about when going down Grand Avenue, are 8-unit historic apartment buildings and he has known many people who have lived there, and he's spent time in lots of those apartments. You can't build those apartment buildings in Saint Paul currently under our zoning - they are all nonconforming. He likes this approach because it gives something that fits with the historic fabric of our apartment buildings on the commercial corridors. Regarding the parking reduction, why does it only apply to 6+ unit buildings?

Mr. Dermody the logic behind the 25% reduction being for only 6+ unit buildings was what they did in the T districts a few years ago. When they changed the 25% reduction to being citywide for T districts, there was a lot of public input at that time that the smaller apartment buildings were causing parking problems. The Planning Commission made that change, the City Council approved it, and we copied that over to RM.

Commissioner Lindeke asked what year the T district changes were passed?

Mr. Dermody stated it was 2015 or so.

Commissioner Grill said that the suggested RM zoning changes are somewhere between the current RM now and T now. The examples shown in the packet are more drastic when looking at T then they would be with an updated RM. And the parking will probably change again. All these lists and concerns should come back to Comprehensive and Neighborhood Planning Committee so they can take them into account for the next round of edits.

Chair Rangel Morales said that some of the suggestions that were being released today, are kind of drastic suggestions, like the 70 feet, is so that we can get public opinion during the public hearing on what people think about that.

Commissioner Hood wants to encourage staff to really look at that 25% parking reduction and make that number a lot higher. Looking at some of the examples for smaller apartment buildings, if we're going to be requiring underground or below surface parking, there is a

tremendous high cost for that. It's incompatible with adding new affordable housing and housing that is affordable if we are going to go that route. If we're going to have these parking requirements, we have to expect a lot less development to occur on parcels like this.

MOTION: *Commissioner Grill moved on behalf of the Comprehensive and Neighborhood Planning Committee to release the draft for public review and set a public hearing on April 17, 2020. The motion carried unanimously on a voice vote.*

Commissioner Grill announced the item on the agenda at the next Comprehensive and Neighborhood Planning Committee meeting on February 19, 2020.

VI. Transportation Committee

Commissioner Lindeke at their last meeting they talked about the regional solicitation application the City is doing to the Metropolitan Council for federal funding for projects. There is a competition with other cities and counties in the metro area to get the funds. Here is a list of what the city is requesting funds for: Kellogg third bridge replacement, Robert Street reconstruction funding from Kellogg to 11th, University Avenue reconstruction funding from 35E to Lafayette, Capitol City Bikeway along Kellogg Blvd., school funding Crossroads Elementary School in the North End because there are no sidewalks there to get to the park, new sidewalks at Burns and Suburban Avenues, a traffic signal updates from Dale Street to Maryland Avenue, reconstruction funding or construction funding for two bike trail projects. The Sam Morgan Regional Trail and the Point Douglas Road, which does not exist now but it's the Battle Creek area and south.

The Capitol Area Architectural Planning Board is the area around the State Capitol, they have three staff who came to the Transportation Committee meeting to talk about their Comprehensive Plan process and they are interested in people commenting on it. If people have thoughts about the Capitol Area and what it should look like, keeping in mind that the City of Saint Paul does not have any zoning or land use controls over it, but they will listen to any comments.

And the next meeting on Monday, February 24, 202 is canceled.

Commissioner Ochs wanted to know why the Capitol Area Architectural Planning Board presented to the Transportation Committee and are they scheduled to present at the Planning Commission or not.

Luis Pereira, Planning Director, said that the CAAPB staff came last year to the Planning Commission to present on their Comprehensive Plan. They are taking an approach chapter by chapter to update and release drafts and get feedback. The one chapter they talked about - Chapter 7A, it's the Capitol Rice Framework chapter of their Comprehensive Plan, corresponding to the western part of the district including the Sears site. As they were getting to their chapter update on public realm, mobility, and transportation, he recommended that they also attend the Transportation Committee meeting specifically because of our special expertise and experience of that committee. Not to say that they can't come back to the full Planning Commission this year for an update, as the broader Comp Plan is still in process.

Commissioner Ochs thought that they are lacking having an ability to provide some transportation planning suggestions or ideals to the committee. For the rest of the commissioners,

it's a good ideal to keep up to date on the development of Rice Street, which is huge.

VII. Communications Committee

Commissioner Underwood had no report.

VIII. Task Force/Liaison Reports

Commissioner DeJoy announced that the Hillcrest Master Plan is having a community workshop on Wednesday, February 12th from 5:30-7:30pm. The location is the Heights Community School cafeteria at 1863 Clear Avenue East. There will be snacks, activities for the kids, and the presentation kicks off at 5:45pm.

IX. Old Business

None.

X. New Business

None.

XI. Adjournment

Meeting adjourned at 9:43 a.m.

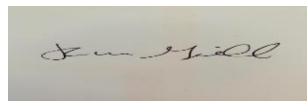
Recorded and prepared by
Sonja Butler, Planning Commission Secretary
Planning and Economic Development Department,
City of Saint Paul

Respectfully submitted,

Approved May 29, 2020
(Date)



Luis Pereira
Planning Director



Kristine Grill
Secretary of the Planning Commission