

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

Minutes April 19, 2019

A meeting of the Planning Commission of the City of Saint Paul was held Friday, April 19, 2019, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. Anderson, Grill, Lee, Mouacheupao, Reveal, Underwood; and Messrs. Edgerton, Ochs, Oliver, Perryman, Rangel Morales, and Risberg.

Commissioners Absent: Ms. *DeJoy, and Messrs. *Baker, Khaled, *Lindeke, and Vang.

*Excused

Also Present: Luis Pereira, Planning Director; Yaya Diatta, Department of Safety and Inspections, Lucy Thompson, Allan Torstenson, Anton Jerve, Josh Williams, Tony Johnson, Michael Wade, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes March 8, 2019.

MOTION: *Commissioner Underwood moved approval of the minutes of March 8, 2019. Commissioner Anderson seconded the motion. The motion carried unanimously on a voice vote.*

II. Chair's Announcements

Chair Reveal announced that at the next Planning Commission meeting they are scheduled to have their retreat afterwards.

III. Planning Director's Announcements

Luis Pereira announced that they have been working on the Ford site and they are now moving into a phase the environmental review process which is the (AUAR) Alternative Urban Areawide Review process, there will be a consultant on board to do the technical piece and an inhouse contractor to assist staff. There will be some heavier volume parts and public comments and responses that will be coming forth. They are also moving into the Comprehensive Plan briefing mode, they've reached out to the various Councilmembers briefing them. Finally, next week at City Council there are various items they have been working on including some resolutions related to development grant applications, Metropolitan Council's resolutions will be on the City Council agenda.

IV. PUBLIC HEARING: Mississippi River Corridor Critical Area Plan – Item from the Comprehensive and Neighborhood Planning Committee. (Lucy Thompson, 651/266-6578)

Chair Reveal announced that the Saint Paul Planning Commission was holding a public hearing on the Mississippi River Corridor Critical Area Plan. Notice of the public hearing was published in the Legal Ledger on Thursday, April 4, 2019, and was mailed to the citywide Early Notification System list and other interested parties.

Lucy Thompson, PED staff presented the PowerPoint she showed when the document was released.

Chair Reveal read the rules of procedure for the public hearing.

The following people spoke.

1. Tom Dimond, 2119 Skyway Drive, Saint Paul, MN 55119. Mr. Dimond said the proposed rules for our National Park fail to protect and enhance the natural resources and recreational opportunities within our National Park. The National Park can serve as a valuable lab for restoration of habitat, pollution cleanup, species restoration, and enhanced recreation and tourism. The river itself and wetlands can be restored as an amazing fish-producing area of unique species. The public and wildlife will regain public access with restoration of the natural river. The naturalization of our Nation's most famous river can spur recreational use of the Mississippi River in a National Park. Residents and visitors will be free to spend time on the water and in nature. Mr. Dimond submitted three pages of written comments/suggestions, which have been posted on the City's web page along with all of the written comments received.
2. Colleen O'Connor Toberman representing Friends of the Mississippi River, 101 East Fifth Street, Saint Paul, MN 55101. Their primary concern is with how the draft plan addresses potential development sites where there are conflicts between the Mississippi River Corridor Critical Area districts (MRCCA) the future land use districts in the Land Use chapter of the 2040 Comprehensive Plan, and zoning. On page 220 of the draft plan, it states that there are areas where Saint Paul may pursue flexibility in building height and/or district designation. That is concerning because MRCCA rules requires that in the case of a conflict, the more protective provision must apply. Furthermore, the MRCCA districts were created through an extensive stakeholder engagement process, so that stakeholder guidance should be adhered to. It is important that the river be protected as a community asset for everyone; limiting structure height to preserve scenic view is critical for this protection. They recommend revising the plan to state that, in case of a conflict, the City will use a criterion provided in the MRCCA rules to evaluate and mitigate (if needed) the potential visual conflicts of additional height. Their comment letter includes specific draft language that they suggest, as well as a list of policies in the existing plan that support this approach. Written comments/suggestions were also submitted.
3. Shirley Erstad, Executive Director of Friends of the Parks and Trails of St. Paul and Ramsey County, 1660 Laurel Avenue, Saint Paul, MN 55104. They undertake the work of this chapter with a very critical eye and deep sense of responsibility. The river is the birthplace of Saint Paul and the confluence of the Minnesota and Mississippi rivers is a sacred site to the Native Americans who arrived here first. The districts reflect regulatory requirements to balance protection of flora, fauna, and other natural resources, transportation and industry that very much make this a working river, areas of historical and cultural significance, and the potential for people to live, work, recreate and just plain relax within the Critical Area. They

appreciate the additional language regarding native vegetation, public river corridor views, erosion, remediation of contaminated sites in the river corridor and improved public access. Their approach to the Critical Area is deeply rooted in the past, recognizing the vision of those who protected it for us, while looking forward to the future and their responsibility to care for this unique landscape for those who will come after them. Living in an urban environment, it is so very important that all our citizens have access to nature and not just those who can afford to “go to a cabin up north”. The current draft has added language that addresses their concerns. Written comments were also submitted.

MOTION: Commissioner Mouacheupao moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Monday, April 22, 2019, and to refer the matter back to the Comprehensive and Neighborhood Planning Committee for review and recommendation. Commissioner Edgerton seconded the motion. The motion carried unanimously on a voice vote.

V. Comprehensive and Neighborhood Planning Committee

Sidewalks Signs Amendments to Zoning Code Chapter 64-Signs – Recommend proposed Zoning Code amendments for approval and forward to the Mayor and City Council for adoption. (Kady Dadlez, 651/266-6619)

Commissioner Ochs said that this coming as a request from the Business Association.

Commissioner Mouacheupao replied yes, the Business Review Council to the City Council.

Commissioner Ochs said whether it makes sense to allow signs on the sidewalk. So why do we feel that this is important to make this allowable in the public right-of-way? Is there some benefit to the City as a whole or just the business community?

Commissioner Mouacheupao said that the way they talked about it was probably more of a benefit to the businesses. This came from the Business Review Council.

Commissioner Perryman agreed, and said they also talked about that their role was not to make a discussion about that. If that is going to the City Council and they have something to say about it, then writing a letter or testifying at City Council. They are doing this to make sure they're on the same page so there's not conflicting information.

Commissioner Mouacheupao said that they got really into details but that's not their role their role is to just look for consistency between the zoning code chapter and the legislative code chapter.

Commissioner Ochs said by these changes they will be in line with legislative chapter?

Commissioner Mouacheupao replied yes, amendments to the legislative chapter is written to be consistent with the zoning code chapter.

Commissioner Ochs said he likes the opportunity for businesses to be able to stick out their sign and promote something to draw people in. However, it's kind of kept in check organically, if there's an issue people will complain, and the sign is removed. And people are complaining

because its in the way. Those signs that are not in the way are not a problem. He's concerned about trying to micro manage this, and he thinks let it be, let it be and it will sort itself out. Rather than trying to get our hands into it and start stipulating where it's going to be placed on the sidewalk, what distance from the curb, if there is a fire hydrant, if there's a bicycle facility etc.

Chair Reveal said that will be reflected into the minutes and they will pass it on to City Council.

Commissioner Rangel Morales said as Commissioner Perryman was noting that it was what they talked about at committee level and they discussed too much. His concern is that it's a misdemeanor if any of those things are done. But the question before them was if the two were consistent with each other. He wanted to note that it's concerning about the regulation and penalties were for this specific type of thing.

Commissioner Underwood wanted to know if the business community support this?

Commissioner Mouacheupao said she does not know, and she does not think that they had that information. Her assumption is that they support the ability to put signs out because this was a reaction to not having that ability.

Luis Pereira, Planning Director added that City Council held the public hearing last Wednesday, April 17, 2019 on the items. His understanding was that the Downtown Alliance showed up and were in favor of the amendments. There was a general sense earlier on for the City to allow sidewalk signs/portable signs like this was a no brainer, and that they are not explicitly allowed. There was general concern about the specifics of these amendments, but he cannot speak for the business community on that. Mr. Pereira pointed out that within the right-of-way there's allowance in the legislative code for obstructions and exemptions. Obstructions are allowed for sidewalk cafés and sidewalk retail, which are bigger obstructions to the right-of-way then a sidewalk sign, depending on size and placement.

MOTION: Commissioner Mouacheupao moved on behalf of the Comprehensive and Neighborhood Planning Committee to recommend approval of the resolution and forward to the Mayor and City Council for adoption of the zoning code amendments. The motion carried unanimously on a voice vote.

2019 Neighborhood STAR Comprehensive Plan Consistency – Approve resolution providing comments to the Neighborhood STAR Board regarding 2019 applications.

Commissioner Mouacheupao wanted to be clear about the Planning Commission's role. The role of the Planning Commission in this process is to provide comments to the Neighborhood STAR Board regarding consistency of the applications with the city's Comprehensive Plan. At committee they had a lot of opinions about the program and the project wanting to know a lot more information about each applicant. It's exciting to see all the projects and proposals but that is not our role to make the actual decisions about whether or not these applications are approved. The Planning Commission is just looking at consistency with the Comprehensive Plan and in addition to looking for consistency, whether something is consistent or not. They are actually not making that judgement or approving eligibility; the Commission is just saying it is or is not consistent with the existing Comprehensive Plan.

Commissioner Mouacheupao added that there was one project that was found to be both consistent and not consistent possibly depending interpretation and on what happens with the actual project and it is noted.

Commissioner Rangel Morales recused himself.

MOTION: Commissioner Mouacheupao moved on behalf of the Comprehensive and Neighborhood Planning Committee to recommend approval of the resolution and forward to the Neighborhood STAR Board. The motion carried 11-0 with 1 recused (Rangel Morales) on a voice vote.

VI. Zoning Committee

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

NEW BUSINESS

#19-020-233 Raymond Station LLC Mixed Use Building – Conditional use permit (CUP) for mixed-use building height: 55’ allowed by right; 90’ allowed with CUP; 83’ proposed (86’5” for elevator overrun). 2250 University Avenue West, SW corner of University and Hampden. *(Anton Jerve, 651/266-6567)*

Commissioner Perryman stated that the map location is incorrect in the material they have.

Chair Reveal said they will correct that it’s just turned upside down, they will correct that in the record.

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

#19-025-505 Pitch Mixed Use Development – Conditional use permit (CUP) for a mixed-use building height (55’ allowed, 90’ allowed with CUP, 75’ proposed), floor area ratio (FAR) variance (3.0 allowed, 3.97 proposed) and nonconforming use permit for relocation of drive thru service lanes. 427 Snelling Avenue N., SW corner of Shields and Snelling Avenue. *(Kady Dadlez, 651/266-6619)*

Chair Reveal said that they had asked staff to look at whether there were some adjustments in the rules or in legislation that would automatically increase the F.A.R. by some formula if the conditional use permits are approved.

Chair Reveal also noted that Commissioner Grill asked that the site plan review people pay particular attention to pedestrian safety. Especially on that corner where they are pulling the building back for better sight lines for pedestrians.

Commissioner Underwood said that this is very reminiscent of the important conversations around pedestrian, bicycle and transit transportation safety with the new stadium there. This development seems exciting yet the impact especially with the one-way road and closing the alley people are looking closely at that.

Commissioner Ochs said that he does not see any site plan associated with this and they want to use the alley as part of the access for their drive-through. Is that correct?

Commissioner Edgerton replied no not the alley there is a parking lot back there. They will drive through and park or they can go through the drive-through heading south along the western edge then turn left there will be another drive-through for the bank and for the pharmacy. People can go through, or there is parking there, or there is access to Snelling which is a right turn only onto Snelling at that location.

Commissioner Ochs said that he is very well familiar with the site, so they are going to look at approving a lot of traffic on the first floor/ground level and build most of it above that. And most of the traffic is being contained within the property line.

Commissioner Edgerton said yes.

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.

#19-024-995 Bai Lor – Rezone from R4 one-family residential to RT1 two-family residential. 388 Minnehaha Avenue W., SW corner at Western 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.

#19-025-059 Bai Lor – Parking variance (3 spaces required, 2 spaces provided). 388 Minnehaha Avenue W., SW corner at Western Avenue. (Tony Johnson, 651/266-6620)

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

#19-025-272 Shawn Cooper – Conditional use permit for outdoor auto sales and rental with auto repair and detail services. 336 Larpenteur Avenue W., between Farrington and Western. (Michael Wade, 651/266-8703)

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.

VII. Transportation Committee

Commissioner Ochs announced the items on the agenda at the next Transportation Committee meeting on Monday, April 22, 2019.

VIII. Communications-Nominations Committee

Luis Pereira, Planning Director announced that they have meeting dates for this year, which should be on the members calendars now. Also, he will be working on a list of items for the group to look at.

IX. Task Force/Liaison Reports

No report.

X. Old Business

None.

XI. New Business

None.

XII. Adjournment

Meeting adjourned at 9:35 a.m.

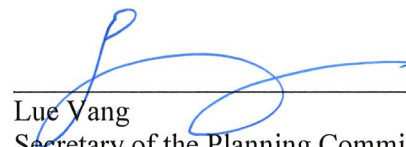
Recorded and prepared by
Sonja Butler, Planning Commission Secretary
Planning and Economic Development Department,
City of Saint Paul

Respectfully submitted,



Luis Pereira
Planning Director

Approved June 14, 2019
(Date)



Lue Yang
Secretary of the Planning Commission