

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

Minutes June 1, 2018

A meeting of the Planning Commission of the City of Saint Paul was held Friday, June 1, 2018, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. Anderson, DeJoy, Eckman, Lee, Reveal, Underwood; and Messrs. Baker, Edgerton, Fredson, Khaled, Oliver, Perryman, Reich, Risberg, and Wojchik.

Commissioners Absent: Ms. *Mouacheupao, and Messrs. Lindeke, *Ochs, *Rangel Morales, and *Vang.
*Excused

Also Present: Lucy Thompson, Interim Planning Director; Dr. Bruce Corrie, Department of Planning & Economic Development Director; Ya Ya Diatta, Department of Safety & Inspections; Kady Dadlez, Jamie Radel, Bill Dermody, Josh Williams, Anton Jerve, Tony Johnson, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes April 20, 2018 and May 18, 2018.

MOTION: *Commissioner DeJoy moved approval of the minutes of April 20, 2018. Commissioner Eckman seconded the motion. The motion carried unanimously on a voice vote.*

and

MOTION: *Commissioner Wojchik moved approval of the minutes of May 18, 2018. Commissioner Oliver seconded the motion. The motion carried unanimously on a voice vote.*

II. Chair's Announcements

Chair Reveal announced that she has had discussions with Reconnect Rondo, and she will be recommending three Planning Commissioners to serve on their Advisory Task Force. Chair Reveal is recommending Commissioner Ochs as co-chair, and Commissioners Eckman and Oliver for participation.

III. Planning Director's Announcements

Lucy Thompson, Interim Planning Director, announced that Jamie Radel is organizing of Saint Paul's newest ADU on June 14th, June 21st or June 25th. Commissioners are asked to indicate their preference to Ms. Butler.

There will be a celebration for the Rice/Larpenteur work - Celebrate the Gateway - at the

intersection from 6-8:00 p.m.

When the Zoning Committee considered the rezoning for the Exeter project on the Boy Scout site, there was some concern about the site plan and about it possibly coming to the Planning Commission for final approval. The main concern was whether there had been enough outreach to neighbors and the district council. Exeter has had several meetings with the district council and neighbors. Staff and Commissioner Edgerton agreed that it is not necessary to bring the site plan to the Planning Commission.

A flyer was distributed about the two 2040 Comprehensive Plan open houses on June 9th and 12th. Mayor Carter will make introductory comments, Ms. Thompson will do a short presentation, there will be a round table conversation with the chapter leads about new and key ideas for each chapter, and then attendees will be invited to visit stations for each chapter.

The Planning Director position has been posted with a closing date of June 11th. An offer has been made for the Ford Planner position.

IV. PUBLIC HEARING: Zoning Code Chapter 64 Signs Text Amendments Study – Item from the Comprehensive and Neighborhood Planning Committee. (*Kady Dadlez, 651/266-6619*)

Chair Reveal announced that the Saint Paul Planning Commission is holding a public hearing on the Zoning Code Chapter 64 Signs Text Amendments Study. Notice of the public hearing was published in the Legal Ledger on May 17, 2018, and was mailed to the citywide Early Notification System list and other interested parties.

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

The following people spoke.

1. George Hoene, representing the Saint Paul Port Authority and Treasure Island Center, 380 St. Peter Street, Saint Paul, MN 55102. Mr. Hoene is available to answer questions.
2. Jemma Rodick, representing Populous Architecture and the Minnesota United's MLS soccer Stadium, 5918 West 75th Terrace, Prairie Village, Kansas City, MO 66208. They have already sent the Planning Commission a packet with information. She is here to represent the project team and answer questions.

MOTION: Commissioner Risberg moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Monday, June 4, 2018, and refer the matter back to the Comprehensive and Neighborhood Planning Committee for review and recommendation. The motion carried unanimously on a voice vote.

V. Zoning Committee

SITE PLAN REVIEW – List of current applications. (*Tia Anderson, 651/266-9086*)
Three items will come before the Site Plan Review Committee on Tuesday, June 5, 2018:

- Chalet Dental – Building addition at 1651 Dale Street. Justin Hayes-Foundation Architects
SPR# 18-064371

- St. Mary's Parking Lot – Parking lot addition at 179 Atwater Street West. Kraig Klund-TKDA SPR# 18-063843
- Hamm's Firelane Extension – Added fire lane at 680 Minnehaha. Rick Howden-City of Saint Paul Planning and Economic Development SPR# 18-066145

NEW BUSINESS

#18-059-091 Wedum Albion LLC Senior Housing - Rezone from R4 one Family Residential to T3 Traditional Neighborhood. 900 Albion Avenue area bounded by Lexington, 7th, and Albion. (*Kady Dadlez, 651-266-6619*)

MOTION: Commissioner Edgerton moved the Zoning Committee's recommendation to approve the rezoning. The motion passed on a voice vote of 13-0 with 2 abstentions (Baker, Underwood).

#18-057-154 Wedum Albion LLC Senior Housing - Conditional use permit for a building height up to 65' and variance not to have a primary building entrance from 7th Street. 900 Albion Avenue area bounded by Lexington, 7th, and Albion. (*Kady Dadlez, 651-266-6619*)

MOTION: Commissioner Edgerton moved the Zoning Committee's recommendation to approve the conditional use permit and variance subject to additional conditions. The motion passed on a voice vote of 13-0 with 2 abstentions (Baker, Underwood).

#18-059-455 Urban Growler Farmers Market - Conditional use permit for a farmers market with up to 20 vendors. 2325 Endicott Street, NW corner at Hersey. (*Anton Jerve, 651-266-6567*)

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.

#18-050-373 Brett Ripley - Reestablishment of a nonconforming use as a 4-family dwelling. 1685 Taylor Avenue, between Aldine and Charlotte. (*Josh Williams, 651-266-6659*)

Commissioner Edgerton gave the report, and stated that required findings do not appear to allow approval by the Zoning Committee as a 4-family unit.

Chair Reveal stated that this was another of several times recently where either the seller or the real estate agent or both were misled about what was currently legal in Minnesota, and added that she hopes that a change in the Truth-In-Housing Act might require the seller to state what the current zoning is and what the legal uses are. Chair Reveal added that the property had been used as a 3-unit dwelling, and the buyer based the purchase on the assumption that this was a legal use. Chair Reveal stated that it was clear in this case that what was stated in regulatory determinations by the City (notably the Certificate of Occupancy) implied that this was a legal 4-unit dwelling. She added that this had also occurred in previous cases, where DSI and Fire determine different uses. She concluded by noting that, short of a complete revision of the zoning in the area and not just this site, the Planning Commission is constrained in the actions it can take.

MOTION: *Commissioner Edgerton moved the Zoning Committee's recommendation to approve a 2 or 3-family dwelling subject to an additional condition (denial of 4-family dwelling). The motion carried unanimously on a voice vote.*

#18-059-805 Michaelene Colestock (903 Beech) - Conditional use permit and variance for a supportive housing facility to serve 7 adult facility residents and their dependents. 903 Beech Street, between Mendota and Forest. (*Bill Dermody, 651-266-6617*)

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

#18-059-899 Michaelene Colestock (884 Hyacinth E) - Conditional use permit and variance for supportive housing facility to serve 6 adult facility residents and their dependents. 884 Hyacinth Avenue East, SE corner at Mendota. (*Bill Dermody, 651-266-6617*)

Chair Reveal noted that the three people who spoke in opposition were the most positive about a project that they have ever heard.

Commissioner Khaled asked how a small home can be increased by 50% and add residents, with only 1 ½ bathrooms. He asked the applicant whether they plan to expand the building.

Chair Reveal said that issue was considered by the Zoning Committee, but the Committee felt it was adequate.

MOTION: *Commissioner Edgerton moved the Zoning Committee's recommendation to approve the conditional use permit and variance. The motion carried 13-2 (DeJoy, Khaled) on a voice vote.*

#18-058-139 Khue Thi Dang Auto Repair - Conditional use permit for an auto repair shop with modification of conditions for minimum lot area (15,000 sq. ft. required, 7,160 sq. ft. available) and landscaped buffer next to residential property (10 ft. required, none proposed). 71 Annapolis Street West, NW corner at Stryker. (*Jamie Radel, 651-266-6614*)

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.*

#18-057-614 Geneet Kidane Duplex - Reestablishment of nonconforming duplex with a variance of the consent petition requirement (owners of 13 parcels required, 6 signed). 758 Charles Avenue, between Avon and Grotto. (*Tony Johnson, 651-266-6620*)

Commissioner DeJoy commented that the applicant worked very hard to get the required petition signatures, and that the applicant was very tenacious to sit through a long meeting.

Chair Reveal added that they had some support from a number of immediate neighbors, but they all were renters so could not legally sign the petition. Also, all of the property owners in the

immediate area do not live in the neighborhood.

Commissioner Eckman said the staff report said 65% of the homes in Frogtown are occupied by renters, making securing property owner signatures very difficult.

MOTION: Commissioner Edgerton moved the Zoning Committee's recommendation to approve the establishment of legal nonconforming use subject to an additional condition. The motion carried unanimously on a voice vote.

Commissioner Edgerton announced the items on the next Zoning Committee agenda on Thursday, June 7, 2018.

VI. Comprehensive and Neighborhood Planning Committee

Zoning Study to Amend Locational Standard of Accessory Dwelling Units – Forward report, recommending zoning code amendments to the Mayor and City Council. (*Jamie Radel, 651/266-6614*)

Jamie Radel, PED staff, gave a PowerPoint presentation, which can be seen on the web page at: <http://www.stpaul.gov/planningcommission>

Commissioner Baker asked staff if the recommendation on moveable, tiny homes is that put forward in the staff report, which refers to the 2017 Solderholm report on small homes in the city.

Ms. Radel said that is the recommendation that came out of the 2017 analysis, and ultimately the issue is that of sewer and water connection. It would be a radical shift in the ordinance, at this point in time, to allow these moveable homes to be placed in backyards.

Commissioner Baker suggested to that more study should take place around tiny, moveable homes, as there is interest within the community for that housing type.

Ms. Thompson said that there is not any official position the Planning Commission has taken on the issue; this is a conclusion of the study completed by Mr. Solderholm.

Ms. Radel said a study with similarities to issues associated with moveable, tiny homes is one that the Department of Safety and Inspections completed for medical pods. Cities were able to opt out of those, and Saint Paul chose to opt out of them because of the sewer and water issues, based on DSI analysis. On its surface, a tiny house on wheels may seem like a less expensive alternative to developing a permanent ADU in a backyard; however, it might ultimately be around the same cost because of the sewer line connection issue.

Commissioner Baker reiterated his support of additional study of movable, tiny houses.

Commissioner Edgerton asked staff to explain the difference between an ADU within a principal structure and a duplex.

Ms. Radel said it depends on what zoning district the property is located in. One difference between an ADU and a duplex is that ADUs are allowed in single-family zoning districts, R1-4,

in which you would not be able to have a duplex. Another difference is the owner-occupancy requirement. With an ADU, the owner has to live on the premises; with a duplex, there is no owner-occupancy requirement. Another difference is the number of people who can live there. Duplexes can have two families living on one parcel, while a property with an ADU can only have one family under the zoning definition of family. The zoning definition of a family is one or two people and their children, a domestic helper, and two people not related, or four unrelated adults.

Commissioner DeJoy asked whether somebody with a conditional use permit for three units could add a fourth unit and call it an ADU.

Ms. Radel said no, because the definition is limited to single-family homes. However, Minneapolis has expanded its definition of ADUs to include duplexes.

Commissioner Fredson asked for clarification on the issue of a separate sewer and water connection. It would appear to be difficult and expensive to run a line from the back of the property (if an ADU is over a garage, for example) to the street and that would be challenging and expensive.

Ms. Radel said it is not as challenging as you would think. She has spoken with the person who has already built an ADU in Saint Paul, and he said there is technology where you dig a hole near the new ADU and then a hole is dug in the street, and you bore lines between the two points. The boring tool creates the space to run the pipes. It is expensive. He said that it cost about \$22,000 to make that connection. However, that is an incremental cost. The real difference in cost is to connect into City sewer.

Commissioner Fredson asked if an ADU in a principal structure would need a separate sewer connection..

Ms. Radel replied no, that it would be just like if you were renting out rooms in your home.

Commissioner Baker asked to confirm that there is a cost to connect, beyond the \$22,000.

Ms. Radel said that the owner gave her the lump sum, so she is assuming the fee was wrapped in that cost. Building an ADU in an accessory structure is a new home; there is a fee to connect into the City's sewer and water.

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

Commissioner Risberg announced that proposed amendments to the Snelling and Westgate Station Area Plans will be before the Planning Commission at its next meeting, as well as Fire Station #10. The next Comprehensive and Neighborhood Planning Committee meeting is scheduled for Wednesday, June 13, 2018.

VII. Transportation Committee

Commissioner Underwood stated that the Committee discussed Saint Paul's bike sharing services

and the changes coming to that program. The 2018 Regional Solicitation Projects and the 2018 City Mill & Overlay Projects will be on the Monday, June 4, 2018 agenda.

VIII. Communications Committee

Commissioner Underwood had no announcements.

IX. Task Force/Liaison Reports

No report.

X. Old Business

None.

XI. New Business

None.

XII. Adjournment

Meeting adjourned at 9:41 a.m.

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

Respectfully submitted,



Lucy Thompson
Interim Planning Director

Approved August 10, 2018
(Date)



Luis Rangel Morales
Secretary of the Planning Commission