

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

**Minutes August 9, 2019**

A meeting of the Planning Commission of the City of Saint Paul was held Friday, August 9, 2019, at 8:30 a.m. in the Conference Center of City Hall.

**Commissioners Present:** Mmes. Anderson, DeJoy, Grill, Lee, Reveal, Underwood; and Messrs. Baker, Ochs, Oliver, Perryman, Rangel Morales, Risberg, Rodriguez, and Vang.

**Commissioners Absent:** Ms. \*Mouacheupao, and Messrs. \*Edgerton, Khaled, and \*Lindeke.  
\*Excused

**Also Present:** Luis Pereira, Planning Director; Kady Dadlez, Tony Johnson, Michael Wade, and Sonja Butler, Department of Planning and Economic Development staff.

**I. Approval of minutes June 14, 2019.**

**MOTION:** *Commissioner Underwood moved approval of the minutes of June 14, 2019. Commissioner Baker seconded the motion. The motion carried unanimously on a voice vote.*

**II. Chair's Announcements**

Chair Reveal had no announcements.

**III. Planning Director's Announcements**

Luis Pereira announced that at the August 7, 2019 City Council meeting, the rezoning of 84 Water Street West was approved the rezoning from IT Transitional Industrial to T3 Traditional Neighborhood, which the Planning Commission had discussed.

Also, he has received a letter from Mayor Melvin Carter, asking for the Chair and Planning Commission to support the initiation of the Hillcrest Golf Course master planning and zoning study in process. Anticipated today is a press release from the Mayor for this process, we will be launching a web site to encourage members of the public to consider applying for the Community Advisory Committee for the Hillcrest planning process. In the past we have had an approach for task forces, and community advisory committees which we would have a committee co-chair, a planning commission co-chair to lead that effort and sit on that committee. It will roughly be an 18-month process, with one meeting per month in the evening and the Saint Paul Port Authority as a new property owner will be involved as well, Bill Dermody is the lead. They will be looking for someone on the Planning Commission to serve as Co-Chair, if interested let him know right away.

**IV. PUBLIC HEARING: Frogtown Neighborhood Plan (the SMAPL) – Item from the Comprehensive and Neighborhood Planning Committee. (Tony Johnson, 651/266-6620)**

Chair Reveal announced that the Saint Paul Planning Commission was holding a public hearing on the Frogtown Neighborhood Plan (the SMAPL). Notice of the public hearing was published in the Legal Ledger on July 25, 2019, 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. Caty Royce, Co-Director, Frogtown Neighborhood Association, 4043 Elliot Avenue So., Minneapolis, MN 55407. Ms. Royce said that SMAPL is a wonder, it is a combination of City, community, and collaboration on some of the important issues that they face as a neighborhood. It was developed by a local artist, all people of color and many from Frogtown. The Planning staff person, Tony Johnson worked with them from day one, he attended a staff meeting at Frogtown Farm they were having a picnic. So SMAPL is a combination of all those relationships and variables coming together into a planning document that is also a graphic novel.
2. Danielle Swift, 1053 Earl Street, Saint Paul, MN 55106. She is an anti-community displacement organizer with the Frogtown Neighborhood Association. She carries SMAPL with her, using it to show community members what a district council does. What the points of a district council is and SMAPL is a tool that engages people and can translate what planning looks like at a community level. Which is something that every department in the City should be looking to do, to really include community in City process. Ms. Swift is excited to a part of working on an addendum and being a part of the team with Tony Johnson who is awesome and artistic and good at talking with the community.

**MOTION: Commissioner Risberg moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Monday, August 12, 2019, and to 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)

**NO BUSINESS**

**Informational Presentation**

Zoning Committee heard an informational presentation from staff regarding equity in zoning related work items, and had a conversation about the next steps.

Commissioner Baker reported that they had a great conversation/discussion at the last meeting. They started off the meeting with staff providing information on underway studies that have

happened or are planning to happen. As a Zoning Committee helped them to understand staff's capacity giving everything that is going on and a lot of the request. Not just coming from the Planning Commission and Zoning Committee, but also from the City Council and others. He felt that was helpful to ground them and what has been done, and staff's capacity within this next year. They had good conversation a better understanding of the concerns that the commissioners felt serving on the Zoning Committee and overall having the conversation about equity and how to operationalize that given a lot of constraints that they have with statute, policy and some of the procedures. There was a lot of back and forth, a lot of questions were raised, mostly directed to City Attorney Peter Warner, which was helpful to get his perspective and feedback. At the end of this, they landed on a few things.

First, staff will have conversations with applicants earlier on, really highlighting the interest and this particular Zoning Committee concerning equity and how things show up in their application. So, they are not surprised when certain questions come up concerning affordable housing and things of that nature. That would be helpful to start that conversation earlier on, because a lot of times they hear in the middle of the conversation because of timing, and other things they can look at it but they are not sure if it would work. While going into the process understand that the Zoning Committee and members are interested in this and they will be asking questions about it.

Commissioner Baker said that he learned a lot during this conversation, but he tried his best to just listen to his colleagues and Mr. Peter Warner. Speaking for himself, at times he has felt as if his hands have been tied in this process of being able to move forward and support what he feels like are the needs of many of the community members on things such as affordable housing, and others in an equitable way. Even enforcement of the Zoning Code. He has not taken advantage of all the options currently that are available to him in this process. That was helpful to hear in how to navigate this. He thinks they talked about using their current process and the Comprehensive Plan to make a rational basis if they are moving forward in the direction of something or not.

They discussed equity guidelines, which staff will be working on and bringing it back to the Planning Commission. They had a conversation in that process that Zoning Committee members and other Planning Commissioners interested in helping design what those look like. Lastly, he felt like it was helpful to him, also healthy they were talking as much as they were about how to equitably enforce the Zoning Code and how their processes are equitable and how it impacts a lot of different communities in our city. He was overjoyed to be a part of that conversation and his colleagues wrestle with lots of important issues, and ultimately understand that they are all on the same page.

Commissioner Grill said she appreciated them talking about using the Comprehensive Plan, because after Peter Warner talked, he gave a very specific set of legal guidelines and it felt like they would be hemmed in by that. But they can use the Comprehensive Plan as a tool when they want to have some of those conversations about equity and going back to things in the 2030 for the rest of this year. And pointing to those specific policy reasons, reasons why they are at least raising the question. If they do their homework right before these things and they come in with specific items from the Comprehensive Plan then there are more tools than she thought they really have.

Commissioner Rangel Morales said basically there were three take aways, first is a holistic approach to address equities starting with staff and applicants. Making sure that applicants

understand that these are the type of questions that they will be asked of by some of the Commissioners that sit on the Zoning Committee and possibly the Commission overall. Second, is the creation of a criterion that evaluates equity, so that all the commissioners are aware of how we're defining equity and if a particular project at the end is the goals of what they believe will be the Comprehensive Plan and its equity goals. That is for every Commissioner to do with that criterion what they will, if they don't want to consider it or if they believe that there are other important aspects in a project that will outweigh any equity concerns. They operate in a very diverse background and everyone should vote accordingly. The third thing is exactly how the Comprehensive Plan can be used currently to be able to support rational basis decisions on determining whether or not to approve a project. He looks forward to seeing what the criterion is going to look like, so that they can all be on the same page. Because when they have the equity summit back in early May, he thinks they all can agree that they all have a different understanding of what equity means. It would be helpful to narrow that down to what the City sees as equity in terms of building projects and development.

Commissioner Ochs has a concern that if they broaden economic development the ED side of PED and ask them, how do they want to attract developers, builders, people that help build the city to create these housing opportunities. And get their opinion on how this could work. A legacy of affordable housing included in all the projects but needed is their perspective to understand how to make that work. Because if they get this cage of equity put down over every applicant that comes into the City of Saint Paul it will turn away a lot of people. They'll say I don't want to deal with that, I'm going out to the suburbs and build out there because they can get a better deal and don't have to face these issues.

Commissioner Baker said one of the reasons that this whole conversation came up is because in many instances they would sit in a Zoning Committee meeting with an application and have this conversation and the concern was that they shouldn't take an approach directly related only to this particular application that would have ripple effects in other areas. The thought was, let's have a conversation that has nothing to do with this particular application about what they want to see and where they are trying to go. His concern in that is that they keep saying yes to everything, just because it's coming their way. To him that's not a good enough answer, because if it's not necessarily meeting the needs of a lot of their neighbors and citizens in Saint Paul then they're saying yes but ultimately is it helping their neighborhoods, is it helping the people in there? He wants to ensure that they have more development and he agrees with Commissioner Ochs that they need to also reach out to developers. However, he hesitates to say that they still don't move forward with the overall goals of this conversation which is having an overall equitable approach to how they say yes to certain things, and certain developments. Because ultimately, they end up saying yes only because the developer or applicant says yes and he does not like being tied in just because they have a developer saying that they want to come in when it does not always meet the needs of the community members.

Commissioner DeJoy said that she did bring up towards the end of the meeting the fact that there's different sections within the Department of Planning and Economic Development (PED) and she was referring to the economic development section, that's these developers before they ever see any project and sometimes it stops right there. She would like to see more developers of color come to the table, she has not seen that but there is a process within PED that they are not connected to that particular stage of viewing an application and weighing it out for its ability to be successful. Another thing she brought up was that they are not requiring developers to read the Comprehensive Plan, so having more questions that prompt them to answer, the equity

question and other questions now would be on the application. Because if it comes up as a question at Zoning Committee and it was not part of their application process or they didn't have that information, then they are not prepared to answer it or even act on it.

Commissioner Grill said that a big part of the discussion was a long term Inclusionary Zoning Study and as part of that study it's going to be a different conversation for a lot of people. And they have all said that they are very cognizant that there is a line somewhere but that way it can go over we're pushing people to Roseville and they acknowledge that. So, having a good conversation about inclusionary zoning where the balance is, is a big part of that conversation. And they did look at briefly other cities like Minneapolis, St. Louis Park and Bloomington that already have inclusionary zoning ordinances and what those look like. They won't be out there on their own having that discussion there have been other people that have finessed it for them which should be helpful.

Commissioner Rangel Morales said Commissioner Baker expressed a lot of the concerns that he had, but also, he was concerned with the lack of initiative in the developers to consider these issues. It was apparent that when they were asking questions that it had not even been considered. The last project they approved that was significant was the one that was going to be built on West 7<sup>th</sup> along the river. In that staff presentation they learned the developer indicated that they were sort of amenable to adding some form of affordability to their units, but they were in a time crunch. And that they were so far along in the process they did not have time to go back and try to fit that in within their budget and within their project.

What was learned at the commission stage was that by Commissioner Underwood whom sits on the West Seventh/Fort Road Federation, was that this same developer had presented to the West Seventh/Fort Road Federation, and based on the concerns of what they had raised, they had complete redeveloped portions of it. For example: it gave access to the water and provided public access. He wants to think that developers want to create a brand that is looked at favorably. And that they explain why or why not something is or is not feasible, and once they get the answer then maybe even a project that doesn't promote equity issues is still in the best interest of the city because if a site has not been developed or better than having the site undeveloped. He wants developers to come prepared to answer those questions.

Commissioner Baker said when they are asking for development right now, the conversation is that there's nothing there and potentially there could never be nothing let's grab it and go. That mentality is not really trying to think through what is best 15-20 years from now for that plot of land or that area. Because of the conversations that they have had at Zoning Committee it's always a time crunch, it's always that this area needs to be developed and they're the ones to do it. And probably 95% of the time that is going to be okay and it works but he does not like looking at their process and saying because you're the only one there and the only one saying that you can build something there, we say yes. If it's not necessarily in the best interest of that neighborhood, the vision, the Comprehensive Plan and what we want to see. He is open to saying no, if it needs to be said and if it doesn't work for what they want to see.

Commissioner Rangel Morales said regarding projects that are proposed for certain developments that are not approved, whether they can have that information. There were 30 prior proposals for this project and they were not feasible and why. Also, just demographic information about the developers who have proposed.

Commissioner DeJoy gave an example. It was a small site on the East Side and it was being proposed by a local first-time developer, by a long-time business owner that was looking to expand her business and, build housing a mixed-use development. She was new at development but not new in business and it went to the Economic Development Department and it immediately was rejected without a reason. This is a person of color a long-time business owner a woman owned business, and this is the kind of equity that she thought they were talking about, during this whole process and they still don't know why it was rejected. Accept the verbal message, nothing in writing was that they will put it out for an RFP, send it out to the developers that they know in 6 months. That's an example and she thinks that there are more like that. It would be nice to know that PED is more consistent in the three sections within it, Housing, Economic Development, and Planning so that we are all on the same page.

Commissioner Underwood said not being a member of the Zoning Committee she is really grateful for the conversation they had and what is shared today. What comes to mind is, what questions are they asking of applicants up front and what are they going to add to those questions?

Chair Reveal said that the staff report needs to address some things that it has not traditionally addressed. They have done that many times before, they used to get so frustrated because they never knew what the parking rules were. And they don't get a staff report that doesn't explain exactly what is required for on parking any specific project. Part of that Mr. Pereira will be looking at with staff in developing guidelines and re-examining the process.

Commissioner Baker announced that the next Zoning Committee meeting on Thursday, August 15, 2019 has been canceled.

## **VI. Comprehensive and Neighborhood Planning Committee**

Hotel Zoning Study and Proposed Zoning Code Amendments – Release draft for public review and set public hearing for September 20, 2019. (*Kady Dadlez, 651/266-6619*)

Kady Dadlez gave a brief Power Point presentation, which is posted on the web page at: <http://www.stpaul.gov/planningcommission>

Commissioner Baker said he is interested in understanding what the City Council just acted upon on Wednesday August 7<sup>th</sup> and what was the impetus for it. He feels he is not up to speed on the rationale for why this is an issue of concern.

Ms. Dadlez said there are two reasons for the City Council's action on August 7<sup>th</sup> to adopt an ordinance that defines hotel in the Zoning Code. The first is that the Zoning Code allows and defines bed and breakfast and short term rental land uses and it allows hotels, motels, and inns but does not define these uses. Second, is the concern that without a definition of hotel it can be difficult to distinguish between a hotel and a short term rental. The City Council is concerned about long term rental units being converted to short term rental units, especially in buildings providing affordable housing. When the short term rental ordinance was adopted the intent was to allow large multifamily buildings to have four short term rental units by right and allow more than four with a conditional use permit. There is a downtown apartment building owner who circumvented the conditional use permit requirement by obtaining a hotel license from the Minnesota Department of Health to operate what appears to be short term rental units.

**MOTION: Commissioner Risberg moved on behalf of the Comprehensive and Neighborhood Planning Committee to release the draft for public review and set a public hearing on September 20, 2019. The motion carried unanimously on a voice vote.**

Amending Riverview Redevelopment Plan – Recommendation to the Mayor and City Council to amend the Riverview Redevelopment Plan as being consistent with the Comprehensive Plan. (Michael Wade, 651/266-8703)

Michael Wade, PED staff said that this is relatively straight forward item. In the packet there was a map, but basically this is coming from the Housing and Redevelopment Authority (HRA). It is a request to expand the project boundaries. This is not expanding the TIF District so it is not changing the amount of financing or expenditure. The impetus behind this is that, as development increases in the West Side Flats, the City needs to improve the sanitary sewer district in the area served by the lift station. This allows finances from the TIF District to be used for that, and that is the total of the thinking behind it. What is needed from the Planning Commission is a resolution to say that this move conforms with the Comprehensive Plan. There are a few policies called out in the staff report showing that it conforms to the Land Use chapter and the Housing chapter and the Water Resource Management chapter. After the resolution it will be taken to City Council and there will be a public hearing at that level.

**MOTION: Commissioner Risberg moved on behalf of the Comprehensive and Neighborhood Planning Committee recommending to the Mayor and City Council to amend the Riverview Redevelopment Plan as being consistent with the Comprehensive Plan. The motion carried unanimously on a voice vote.**

Hillcrest Golf Course Redevelopment Master Plan – Initiate a planning and zoning study to consider possibilities for redevelopment of Hillcrest site to maximize the opportunities available at this site, including land uses, street and trail networks, green space and neighborhood connections. (Bill Dermody, 651/266-6617)

**MOTION: Commissioner Risberg moved a recommendation to initiate a planning and zoning study for possible redevelopment of Hillcrest. Commissioner Grill seconded the motion. The motion carried unanimously on a voice vote.**

## **VIII. Transportation Committee**

Commissioner Underwood gave the report. The Committee met and cast a resolution to Metropolitan Council regarding notification that when routes are rerouted due to construction or in general that someone is not waiting for their bus that never comes because of an unmarked rerouting, or when a reroute takes passengers considerably off from where they are intended to go. There was a specific incident along bus route #68 on the West Side that was used as an example of creating unintended but unknown challenges for a person. The request for this came from one of our community members of the Committee but the letter that was sent spoke to the need to be posting when routes are moved, and not rely on electronic means. Also, if you do not know the Transportation Committee was formed 9 years ago, it was the blending of the Bicycle Committee and the Planning Commission Transportation Committee. It was very controversial at the time there were great concerns about voices not being heard and missed opportunities. The Transportation Committee speak for itself in its success, two founding community members

termed out, Jessica Treat and James Barton. At the meeting there was a lot of sharing the evolution of the committee and encouragement for the future.

The next Transportation Committee meeting scheduled on Monday, August 12, 2019 has been canceled.

**IX. Communications-Nominations Committee**

Commissioner Underwood said the committee met at 8:00 am this morning and they discussed the recommendations for a Ward 3 Planning Commissioner is in the Mayor's Office for their final decision. There is an active opening in Ward 1 and Ward 6 that they discussed a little looking for direction from the Mayor's Office. Luis Pereira, Planning Director and team are working a Planning 101, training/experience. There is an opportunity to do that coming up in the next couple of months. Mr. Pereira talked through staff plans and had made an ask that if available committee members and extended to Planning Commission members to have a few people attend.

Mr. Pereira said that they are working and talking with Betsy at District 1 Community Council about potentially a September or October date, however as soon as he has some dates he will share them with the Commission and staff. The idea would be a shorter version of a longer workshop that could be up to one hour long, geared at some of the questions from the community in District 1 tailored to that area.

Commissioner Underwood said they also discussed how to spend their October Committee meeting mapping out a plan for having the opportunity for Planning Commissioners to nominate for chair, vice chair etc. preparing for that both in recruiting and replacing and establishing their leadership.

Commissioner DeJoy said that she had recommended a Planning Commissioner who made an application who lives in District 4, and his business is in Ward 7. And it is known if his application is still active.

Several Commissioners said yes.

**X. Task Force/Liaison Reports**

No report.

**XI. Old Business**

None.

**XII. New Business**

Commissioner Perryman said on Sunday, August 18, 2019 not just for Central Alumni, a community benefit concert for Philando Castile. This is an outdoor event at Dunning Lot next door to Central High School from 1-5 p.m.

Commissioner Grill said that some of the soccer supporters will be there volunteering at the event.



**XIII. Adjournment**

Meeting adjourned at 9:25 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 9/6/19  
(Date)



\_\_\_\_\_  
Lue Vang  
Secretary of the Planning Commission