

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

Minutes December 14, 2018

A meeting of the Planning Commission of the City of Saint Paul was held Friday, December 14, 2018, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. Anderson, DeJoy, Lee, Reveal, Underwood; and Messrs. Baker, Edgerton, Fredson, Khaled, Lindeke, Ochs, Perryman, Risberg, and Vang.

Commissioners Absent: Ms. *Mouacheupao, and Messrs. Oliver, *Rangel Morales, *Reich, Wojchik.
*Excused

Also Present: Luis Pereira, Planning Director; Ya Ya Diatta, Department of Safety and Inspections, Fay Simer, Department of Public Works, Allan Torstenson, Bill Dermody, Josh Williams, Anton Jerve, Bob Spaulding, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes November 30, 2018.

MOTION: *Commissioner DeJoy moved approval of the minutes of November 30, 2018. Commissioner Baker seconded the motion. The motion carried unanimously on a voice vote.*

II. Chair's Announcements

Chair Reveal announced that she will not be able attend the next Planning Commission meeting on Friday, December 28, 2018, however Commissioner DeJoy will chair the meeting in her place.

III. Planning Director's Announcements

Luis Pereira, Planning Director announced that the Ford site Design Standards process has begun, there is a consultant who has been engaged on contract. That will be going on for about four months, Mike Richardson is the planner on that. On Wednesday at City Council they approved the 2019 budget which includes funds for Cultural Destination Areas, this was talked about at the previous Planning Commission meeting in addition to funds for other planning studies. This week in PED we had a new staff person start that will be supporting PED specifically in the area of environmental reviews and the loan services team, his name is Luke Odenthal. Also, David Chandler from the Center for Neighborhood Technology is in town, he has been involved with a Cargo Oriented Development Study looking at industrial infill opportunities in the Ramsey County area.

IV. PUBLIC HEARING: Gold Line Station Area Plans – Item from the Comprehensive and Neighborhood Planning Committee. (Bill Dermody, 651/266-6617)

Chair Reveal announced that the Saint Paul Planning Commission was holding a public hearing on the Gold Line Station Area Plans. Notice of the public hearing was published in the Legal Ledger on December 3, 2018 and was mailed to the citywide Early Notification System list and other interested parties.

Chair Reveal asked three times if there was anyone who wanted to give testimony.

No one spoke.

MOTION: *Commissioner Risberg moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Monday, December 17, 2018, 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*)

NEW BUSINESS

#18-117-397 SRPB Strategic Housing – Conditional use permit (CUP) for building height: 37 ft. allowed by right with stepbacks; 47 ft. proposed with CUP and stepbacks. 844-856 Payne Avenue, NE corner Payne and Whitall. (*Bill Dermody, 651/266-6617*)

MOTION: *Commissioner Edgerton moved the Zoning Committee’s recommendation to approve the conditional use permit subject to an additional condition. The motion carried 11-0 with 1 abstention (DeJoy) on a voice vote.*

#18-124-347 Peggy Dahl – Rezone from RM1 low density multi-family residential to RM2 medium-density multi-family residential. 1375 Cleveland Avenue North, between Carter and Doswell. (*Anton Jerve, 651/266-6567*)

Commissioner Edgerton said because of the spot zoning question it came to a judgement call by the Zoning Committee of whether or not they considered it to be spot zoning. After discussion and asking the City Attorney they felt that it was reasonable to not consider it spot zoning. Because of the spot zoning question, the staff report did not make a recommendation it basically said either RM1 or RM2 could work.

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

#18-122-789 Thomas Huywh – Reestablishment of nonconforming use as a duplex. 822 Van Buren Avenue, Between Avon and Victoria. (*Tony Johnson, 651/266-6620*)

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

#18-120-737 James Kilau – Reestablishment of a nonconforming use as a paint studio for preparation of commercial signs. 747-749 Tatum Street, SW corner at Chelton Avenue. (*Josh Williams, 651/266-6659*)

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

#18-124-254 James and Sarah Jarman – Rezone from RM2 multi-family residential to BC community business (converted). 541 Selby Avenue, between Kent and Mackubin. (*Tony Johnson, 651/266-6620*)

Commissioner Edgerton announced that they received one letter of opposition that had been delayed because of administrative reasons. Staff determined that this letter should be included in the record.

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

#18-124-337 Scott Griesbach and Tom Ellis – Parking variance (6 spaces required; 2 spaces plus bike parking proposed). 541 Selby Avenue, between Kent and Mackubin. (*Tony Johnson, 651/266-6620*)

Commissioner Edgerton announced that they received one letter of opposition that had been delayed because of administrative reasons. Staff determined that this letter should be included in the record.

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

Commissioner Edgerton announced the items on the agenda at the next Zoning Committee meeting in Thursday, December 20, 2018.

VI. Transportation Committee

Saint Paul Pedestrian Plan – Release draft plan for public review and set the public hearing date for February 8, 2019. Fay Simer, Department of Public Works. (*Fay Simer, 651/266-6204*)

Fay Simer, Department of Public Works, gave a Power Point presentation which can be seen on the web page at: <http://www.stpaul.gov/planningcommission>

Commissioner Ochs commented regarding safe routes to school. He feels that it should have a more important role in the Pedestrian Plan. It’s fine that it’s mentioned as a tool in Chapter 4 and 5 essentially, it’s a policy within a policy. That has a lot of elements to it that would apply to the Pedestrian Plan, but it should essentially be a larger role in Chapter 2 which is the policy framework. There are so many benefits it would have, you’ve covered a lot of them, but his focus is on the youth. It helps them by having more activity on the street going from home to

school creates a stronger relationship between themselves and the neighborhood, they become more familiar with their surroundings. Through proper training and education within the schools within the city as far as the Pedestrian Plan our kids can learn more about the responsibility of being a good pedestrian. They're getting to know the neighborhood better they're learning how to be active walkers getting their exercise and understanding their surroundings. So, if you could figure out a way to give it a greater priority.

Fay Simer, Public Works staff, said that she did not give a lot of emphasis to this in the presentation but in the implementation section of the plan all the recommendations related to Safe Routes to School they brought in the recommendations made in their Safe Routes to School Policy Plan. And they had a conversation when they drafted the Policy Plan it's been accepted by Council but how would they make some of those recommendations policies. What they decided to do at that time was bring forward recommendations from the Safe Routes Policy Plan into their Pedestrian Plan and that's where those specific Safe Routes to School recommendations are in the plan, that's where those come from.

Commissioner Lee said one thing that she did not hear was street crimes and when determining the areas of improvement throughout the City were there any conversations among community members as well as staff around street crime. Because that has to do with the number of streets or sidewalks being utilized. She does not see it as an isolated issue it may be in some of the other departments. But everything we do here, we should try to look at from a holistic perspective. She knows there are areas where it is not safe because of the crime rates, the drug and alcohol abuse, and the mental illness in the community. In the plan on page 24 under Community Priority in Outreach to see some language and perspective around that. She feels that crime has been absent from this narrative, so she recommends that they include some of those findings if any.

Ms. Simer agrees that that is a concern she has heard from community members. Especially in some of our areas of concentrated poverty where they have prioritized pedestrian safety in the plan. It was part of her walk with the Teen Advisory Council from Skyline Towers they pointed out areas along their walk in their neighborhood where they did not feel safe or that was an issue. The challenge for them is trying to identify what solutions they as a Public Works Department are able to commit to in that regards and they do have a recommendation related to street lighting knowing that that is something that helps people feel comfortable and safe walking especially at night in areas where street crime is an issue.

Commissioner Underwood is a member of the Transportation Committee, so she has had opportunity with this, and the table that Commissioner Lee pointed out on page 24 does speak to the piece that she has struggled with is that piece where there would be clear active walkability but for the sense of safety. And she lives in a community where they would see people walking a lot more if they felt safe on the street and crossing the street. And it is really hard to quantify that in this plan, she is excited that the plan will help insure that walking will be safer and be a clear priority, she wishes there was a way to speak to it in the plan.

Commissioner Khaled regarding the research and community conversations in developing these recommendations a lot of times especially in the Winter we hear certain neighborhoods experiencing late attention compared to other neighborhoods when it comes to plowing. And often times its coincidence with concentrated poverty and racially concentrated centers of poverty as well. When he thinks of that the quality of pedestrian thoroughfare and all that is in some

cases are more important in those settings. So, have you heard anything about that during conversations that you had with people? And have you thought about ways that they could think about what we should do better, in that regard if there are in fact facts that you found out.

Ms. Simer said she did not do any sort of deep dive into our city's snow removal process other than to get an understanding of the general order of types of facilities that their crews clear and what order. She does not have any insight as to what neighborhoods they go to first. Often when she has conversations about being more proactive with inspections related to snow clearance. A lot of times the first thing she hears people ask her is, what about properties that struggle with snow removal whether from a disability, age or working two jobs and there are plenty of reasons why it's hard for people to shovel their sidewalks. They have talked about the equity concern of burdening these property owners with more proactive assessments on clearing their walks versus the equity concern of neighborhoods where people rely on walking the most that are not getting cleared. That is something they know they need to balance and think about if they were to be more proactive in that area.

Commissioner Perryman said regarding the crossing treatments, how is it determined who gets crossing treatments and who does not. He works at Concordia University and they have a space between Marshall and Concordia on Hamline where students and faculty play frogger trying to cross the street. It's technically three blocks with no cross walk so there is no way to get across. And Macalester College on Snelling Avenue has in the past 5 years had multiple crosswalks put in and pedestrian safety things put in there. So is it people who bring it to the attention of the City, what is the process.

Ms. Simmer said that concern was something she heard very clearly when she first started with the City and when she launched into this planning process, is this perception that there are neighborhoods or property owners that call the City and they result in better crossings than someone that does not and in different parts of town. They wanted to address that perception by making clear entrance guidelines on how Public Works makes crossing decisions. When it comes to crossings there is the question of should they improve a crossing and that is a values conversation, which gets to be a gray area. The other question is that if we decide to improve a crossing what kind of treatment it should get. There is this perception that if you speak louder you get better stuff, and they have been looking at some FHWA guidelines that tie specific treatments to the number of cars on the road the speeds of the road and the number of lanes people have to cross when they are crossing the street. They compare those treatments directly to the road conditions, it's really based on the road not based on other considerations.

Commissioner Baker said that it sounds like the rationale for going in and making changes or at least in the past has been documented use, or demand, or is that what you were talking about going alongside this plan insuring the public understands that's how the City is moving forward. Were those instituted before in the past? Is that how the how the City has moved forward with going into a neighborhood and making a change.

MS. Simer said that Public Works does have an existing policy in their traffic manual that does reference documented use by pedestrians. What will be different going forward is having that in a flow chart that's a little more accessible for people to pick up and understand. As well as the buy in that's happened internally and the conversations they have been able to have with their Ward offices through this plan to help develop that policy and help them be more consistent in how we use it.

Commissioner Baker said one of the concerns from the community is if everything has not been set with guidelines and have been very strategic in how the City made decisions and if that has been the case, his thought is that the City should just say it and then moving forward this is how we'd like to do if not you should also say that. But he thinks this ambiguity on if you did if you did not does not provide confidence with some of the residents.

Commissioner Lindeke said how do we talk to other government agencies, because when it comes to streets and crossings the county and state have so much power and the city is limited on what it can do in many cases because of funding, and policy decisions. This plan is a great way to set a framework of what the city expects and is asking for, when coming into a conversation where the Public Works Department has to talk to a county or state Public Works Department.

Commissioner Khaled said do we think about as a region if there is some type of a traffic calming index that we track towards that says when you have responsible pedestrian enablement and you have this degree of reduction and average speeds in a region you come to a right space of what that looks like. Do we have a way that we think about our region from a key performance indicator of calming average speed?

Ms. Simer said that speed is important, and culture plays a big role in their plan and they just cannot build their way into safety it has to be their driving culture too. They do make some recommendations in the plan related to speeds. Speed limits are actually set by the state legislature and they want to make it a part of Saint Paul's Legislative agenda to have local control over setting speed limits in Saint Paul having the opportunity to reduce speed limits. And if they do reduce the speed limit what causes drivers to drive at a slower speed that is why the partnership with law enforcement through Stop for Me is important.

Commissioner Edgerton said in terms of things like crossings and where improvements are made, it sounds like we have a good rationale for making those decisions. There is a decent chance that there are certain areas that were underserved in the past. And that should be a factor in your consideration it's not looking at everything as a level playing field but are there underserved areas. Historically that should get a preference because their needs are greater, and they have not been served in the past and it would be important to try to address those issues.

Ms. Simer said that was on the minds of their Steering Committee, as they developed these priority areas for walking investment. Equity was a more heavily weighted measure than some of the other factors. She had conversations with some focus groups and some people at Safe Summer Nights events outside of their survey process and when they looked at groups of extremely low income, they looked at what their priorities were and how they were different from what she heard in their survey. One example is those groups prioritize the ability to walk to the grocery store more highly than other demographic groups. So, they bumped that up in their weighting as they were creating this map.

MOTION: Commissioner Lindeke moved on behalf of the Transportation Committee to release the draft plan for public review and set a public hearing on February 8, 2019. The motion carried unanimously on a voice vote.

Commissioner Lindeke announced that at their last meeting they discussed the Pedestrian Plan and recommended it to be released for public hearing on February 8, 2019. Commissioner

Lindeke also announced the items on the agenda at the next Transportation Committee meeting on Monday, December 17, 2018.

VII. Comprehensive and Neighborhood Planning Committee

St. Andrew's Church – Proposed designation of St. Andrew's Church as a Saint Paul Heritage Preservation site. (*Josh Williams 651/266-6659, and Christine Boulware, 651/266-6715*)

Commissioner Risberg said a document was handed out this morning from Josh Williams that summarizes the Committee's position and proposed recommendation regarding the former St. Andrews Church. He highlighted some of the main points in the documents that led to the recommendations. The church is owned by the Twin Cities German Immersion School, which is a K-8 Charter School with plans for expansion at the site. They are strongly opposed to the proposed designation due to potential impact on the future of the school and its planned expansion.

The nomination for local designation was proposed by a non-profit entity Save Historic Saint Andrews and submitted to the Saint Paul Heritage Preservation Commission (HPC) on October 1, 2018. A public hearing was held on November 5, 2018 and the HPC agreed that the property met criteria for local designation and voted to continue with the designation process. That process includes obtaining a recommendation on the proposed designation from the Saint Paul Planning Commission and the State Historic Preservation Office. Those recommendations become part of the official record and are submitted by the HPC along with its recommendation on the designation to the City Council for consideration.

The HPC may make changes to the proposed recommendations to the City Council based on the Planning Commissions input. The Planning Commission is required to include the following in its recommendation to the HPC, which is reflected in the memo and the resolution: 1) the relationship with proposed designation to the Comprehensive Plan 2) the effect of the proposed designation on the surrounding neighborhood 3) an evaluation of any other planning considerations which may be relevant to the designation. The Planning Commission is to provide a recommendation for the approval, rejection or modification of the proposed designation. The committee found that the Comprehensive Plan has competing goals and priorities. While Heritage Preservation Chapter goals of the plan broadly support local designation, the Committee concluded that other goals and policies in the current Comprehensive Plan clearly do not support the designation.

Commissioner Lindeke wanted to know how common it is for the historic designation to occur against the wishes of a property owner.

Josh Williams, PED staff, said no he does not know if it has occurred in the past but it is not the usual course of action.

Commissioner Fredson said in the memo there is a reference to Land Use 1.50 and he feels like this is used to justify the recommendation to deny the designation ("facilitate the redevelopment of commercial areas where existing buildings are no longer considered

functional to accommodate viable retail and businesses”). He stated that he does not see this as a commercial zone he does not believe that this is looking towards retail business. He is questioning why this criterion was used to justify the recommendation.

Commissioner Risberg said that that was a secondary consideration, the Land Use Policy 1.55 was stronger about collaborating with the public and private elementary and secondary schools in conjunction with the major remodeling. The point was to think more generically about avoiding vacant and underutilized buildings, because they are not an asset to the city and the Planning Commission should do what it can to try to avoid that outcome. He concluded that it was more of a broader reference, not a core part of the recommendation.

Commissioner DeJoy said that the very existence of Historic Preservation is to preserve beautiful buildings like this, it’s a beautiful church. She stated she would feel more comfortable if the designation came along with a plan for adaptive reuse, but that she is not seeing that here. Instead she is seeing the owner saying this does not work for us and then an effort to preserve it with no plan.

Commissioner Fredson stated that he feels like this is a defining landmark, this is historic property. He added that historic properties can help create a sense of place, add to the character of the neighborhood. The HPC voted 8-1 in support of this designation, the HPC staff report memo lays out that it is supported by the Comprehensive Plan. He believes that educational institutions are important. He hopes that the commissioners have been in that neighborhood to see that building and thinks it would be a tragedy if this building went down. We cannot lose these buildings; once they are gone, they’re gone.

Commissioner Ochs is a design architect and states that these historic buildings and places are very valuable, they just can’t be rebuilt. But at the same time, he stated, the City should consider allowing places like this to be razed in the case of hardship. He stated that he is between being supportive of the designation but at the same time understanding that it can be a burden when HPC designates a place, particularly an older place that might need so many things to be updated. He added that this charter school that doesn’t necessarily have those funds. He said that having an adaptive reuse plan would be very valuable and unfortunately, it’s not there. He concluded that if the HPC wanted to consider that as part of their arsenal and with help from private/public partnerships to help make historic places worthy of designation possible, he thinks it would be a good idea.

Commissioner Vang a member of the Comprehensive and Neighborhood Planning Committee, said that the committee considered the proposed designation on a bigger scale, and they appreciate the Heritage Preservation Commission considering this as a historic site. However, based on the conversation and information that they received in the last two weeks they felt that this building was underutilized. From 2011–2013 it was not vacant, but it was underutilized, until the Twin Cities German Immersion School

purchased it in 2013. They have been utilizing the school and the church for the last couple of years, and now they want to renovate it and do something more. He added that the church has been renovated several times, and if the property is designated as a Heritage Preservation site then it would cause a lot of issues to the owner especially with what they want to do.

Commissioner Perryman said the building is referred to as a church but by definition it has not been a church for many years. Then when it was made into a public school, the religious artifacts were removed and that had different effects on people. The reason he voted the way he did at the committee meeting was because the heritage preservation preserves the exterior, and you can do whatever on the inside. He noted that this is not a heavily trafficked area, and that he has lived in Saint Paul his whole life and surrounding neighborhoods, and he's driven around Como and he has never seen the building until the nomination came for discussion. He also noted that there have been multiple churches in the Twin Cities that have been in the same situation that people have said it was never vacant, but there is no evidence that with the other churches in the city that there is a high demand for reuse of these gigantic buildings.

Commissioner Fredson proposed an amendment to the resolution. He moved to delete the word not in the fifth paragraph on the first page of the resolution, and on the sixth paragraph remove the word not and add s to support making it supports, and in the seventh paragraph change the word negative to positive impacts and change the word positive to negative effects, and in the last paragraph on the first page of the resolution add the words do not between the word vitality and outweigh, and on the last page of the resolution, second paragraph, delete the word against. Commissioner Lindeke seconded the motion. On a 1-11 voice vote the motion failed.

Commissioner Perryman said the Heritage Preservation Commission decided to designate it and the Planning Commission puts a recommendation on it and it continues to the City Council to make the final decision and then to the State Historic Preservation Office. So, the Planning Commission is just giving their opinion on it which does not stop anything necessarily.

Chair Reveal affirmed that the Planning Commission does not have the final decision nor is the Planning Commission the body holding the final hearing. But she added, it should be clear that the (Fredson) amendment would reverse the recommendation of the Committee absolutely.

MOTION: Commissioner Risberg moved on behalf of the Comprehensive and Neighborhood Planning Committee in consideration of potential effects on the surrounding neighborhood of the designation, and evaluation of other planning considerations, that the Saint Paul Planning Commission recommends against the proposed designation of the former St. Andrews Church as a local heritage preservation site. The motion carried 12-1 (Fredson) with 1 abstention (Khaled) on a voice vote.

VIII. Communications Committee

Commissioner Underwood announced that they are working on the Annual Report for 2018.

Luis Pereira, Planning Director, added that they have talked about the Communications Committee meeting in early January 2019 to review a draft.

IX. Task Force/Liaison Reports

Commissioner Underwood announced that the Nominating Committee is actively hard at work.

X. Old Business

None.

XI. New Business

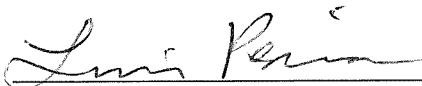
None.

XII. Adjournment

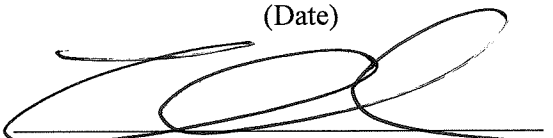
Meeting adjourned at 10:15 a.m.

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 1-11-19
(Date)


Luis Rangel Morales
Secretary of the Planning Commission