

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

**Minutes December 18, 2015**

A meeting of the Planning Commission of the City of Saint Paul was held Friday, December 18, 2015, at 8:30 a.m. in the Conference Center of City Hall.

**Commissioners Present:** Mmes. DeJoy, McMahon, Merrigan, Padilla, Reveal, Shively, Thao, Underwood, Wang, Wencil; Messrs. Edgerton, Gelgelu, Lindeke, Makarios, Nelson, Ochs, Oliver, Ward, and Wickiser.

**Commissioners Absent:** None.

**Also Present:** Donna Drummond, Planning Director; Margaret Jones, Allan Torstenson, Anton Jerve, Jamie Radel, and Sonja Butler, Department of Planning and Economic Development staff.

**I. Approval of minutes November 13, 2015.**

**MOTION:** *Commissioner Reveal moved approval of the minutes of November 13, 2015. Commissioner Lindeke seconded the motion. The motion carried unanimously on a voice vote.*

**II. Chair's Announcements**

Chair Wencil had no announcements.

**III. Planning Director's Announcements**

Donna Drummond reminded the commissioners of the City Council inauguration on Tuesday, January 5, 2016 at 4:30 p.m. They are asking for RSVP's and will have a reception afterwards.

**IV. Zoning Committee**

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

Three items to come before the Site Plan Review Committee on Tuesday, December 29, 2015:

- Holiday Station – Tear down and rebuild convenience store/gas station at 1608 Rice Street and Wheelock. *(Tom Beach, 651/266-9086)*
- Raymond Avenue Flats – Build 5 stories of apartments over an existing one-story commercial building and create parking on the first floor at 735 Raymond Avenue. *(Tom Beach 651/266-9086)*

- Luther Seminary Senior Housing – Build a 49-unit senior housing cooperative at Luther Place at Como Avenue. (Larry Zangs, 651/266-9082)

## NEW BUSINESS

#15-180-427 CVS Pharmacy – Conditional use permit for drive through service with modification of special conditions requiring drive through lanes and service windows to be at least 60 feet from residential property and requiring drive through lanes not to be between the principal structure and a public street. 30 Fairview Avenue South, NE corner at Grand Avenue. (Mike Richardson, 651/266-6621)

*Commissioner Nelson announced that this case has been laid over to the December 29, 2015 Zoning Committee meeting.*

#15-180-927 MN Farmhouse Fraternity – Conditional use permit for off-campus fraternity with variances for lot coverage (35% permitted, 38% proposed), and building height (40 ft. permitted, 45 ft. proposed). 1505 Cleveland Avenue North, between Dudley and Hendon. (Anton Jerve, 651/266-6567)

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

Commissioner Nelson announced the items on the agenda at the next Zoning Committee meeting on Tuesday, December 29, 2015.

- V. **8-80 Overview** – Informational presentation by Margaret Jones, 8-80 Fellow. (Margaret Jones, 651/266-6637)

Margaret Jones, PED staff, gave a power point presentation which can be viewed on the web page at: <http://www.stpaul.gov/planningcommission>.

Commissioner Ward asked about the on-going speaker series and if those are being recorded so other who couldn't attend in person could view them.

Ms. Jones replied that the presentations are on the City's web site. Gabe Klein, one of the speakers, did not want his taped presentation posted, but the other two have been posted. We are trying to make sure our speakers are okay with the City posting their sessions to ensure the learning opportunity is there for everyone.

Commissioner Ward asked if there is a way for residents to give feedback about what they are hearing.

Ms. Jones said they are using surveys to find out what people are learning and are excited about. Also, they are asking for speaker ideas and what people would like to learn about in 2016.

Commissioner DeJoy inquired about the Lean Urbanism presentation. She participated in one of the presentations and it is not clear what the next steps are to that.

Ms. Jones explained the Project for Lean Urbanism and that they have been funded by the Knight Foundation to do some pilot projects. Two of the five cities selected need to be Knight Foundation cities. Brian Falk, the project leader, was here for two days of non-stop presentations and meetings and created lots of interest. He talked about the concept of creating "Pink Zones", where regulations are relaxed somewhat to minimize red tape. The idea is to make it easier for smaller businesses to get into the market, without hiring a lawyer or consultant to get through the process. The officials are determining whether or not to apply to become one of the pilots. The decision will be made quickly. If the City applies we would invite the Lean Urbanism people back to look at 3-5 different areas of the city as possible project areas and Lean Urbanism would make a decision on where to focus their attention. The best part about that project is that their information is going to be public and made known to everyone, so the tools and tactics that they are devising will be available to everyone.

Commissioner DeJoy asked if there is a timeline when they make the decision whether or not to apply.

Ms. Jones said that they are trying to get a decision before the end of the year. It is a big commitment to apply. Mr. Falk explained that because of the community capacity that already exists in St. Paul; he wants to think about whether or not the city is a good fit for his organization.

Commissioner Edgerton said that 8-80 is a citywide initiative, and he is wondering what is being done in some of the underserved, less privileged areas such as the North End and Eastside.

Ms. Jones said that is one of the areas of the city they are looking at; there are a lot of areas within Ward 5 that need some serious attention. Citywide they're looking at where the need is and how they can make sure they are doing what needs to be done, such as making sure everyone has a way to get to and from a transit, a store or a school.

Commissioner Edgerton asked how the resources are helping. The examples provided of 8-80 projects are along the Green Line and downtown. What is happening elsewhere.

Ms. Jones said one of the things they are trying to do is form a staff group from all City departments to look at policies and practices to make the city more livable for everybody and where are the areas that need more attention.

Donna Drummond, Planning Director, provided an example, citing the work to look at the City's sidewalk assessment policy for new sidewalks. Now they are 100% assessed to the abutting property owner and that is a real barrier when new sidewalks are proposed. There is opposition from property owners citing the cost, and the Council often eliminates the sidewalk portion of projects. So, should there be a different cost sharing mechanism for that because sidewalks don't just serve the abutting property owner, they create a network and they serve the whole community. That is one example looking at some of those policies and processes.

Commissioner Thao said the CIB process is where public infrastructure project funding is considered, so what is the commitment to take the 8-80 work into consideration? Can that be a specific criteria for evaluating projects?

Ms. Jones said that they are bringing people from all departments together to look at and develop some measurements - coming up with a simple check list to consider 8-80 principles. The

premise of this program is pretty simple. No one is going to argue against a city that is safe and welcoming for people of all ages. One thing they are looking at the Comprehensive Plan and how does each element of the plan comply with 8-80 principles, whether housing or transit or parks for example.

Ms. Drummond added that the idea is to look at everything that the city does through the 8-80 lens. Are there things that we should be doing differently or better to further this goal of making the city more livable for everyone.

Commissioner Lindeke commented that the 8-80 message is a focus on walkability, sidewalks, and creating spaces that are comfortable for people to get around the city. That is a question that comes up a lot and we should evaluate how this applies to the work of the commission. Next time a debate comes up about a site plan review or a plan that we are looking at we should think about 8-80 principles. He really appreciates the work Ms. Jones is doing they should try to help her and asked her to let them know what they can do and vice versa.

Ms. Jones said that a lot of these conversations come back to the greater good. There are situations where a change will benefit a greater number of people but there are people, usually a small vocal group, that will not be happy about it. She asked everyone not to lose sight of what are we are trying to accomplish or achieve in our city and understanding that it is not always easy to make those changes.

## **VI. Comprehensive Planning Committee**

Green Line TN Zoning Study Follow Up: Accessory Dwelling Units (ADUs) – Release draft zoning code amendments for public review and set public hearing on February 5, 2016.  
(Jamie Radel, 651/266-6614)

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

Commissioner Ochs asked why interior stairway access would be required for upper floor units, noting that this might be practically difficult, cost prohibitive, and lead to variances.

Ms. Radel said that interior stairway access is better in Minnesota winters and has less impact on single family home character. Any variance application would have to demonstrate that all of the requirements for a variance are met.

Commissioner Ochs asked about provision of bathroom facilities in an accessory dwelling unit.

Ms. Radel explained the zoning code definition of *dwelling unit*, which includes complete kitchen and bathroom facilities within the unit.

Commissioner Reveal asked if fire inspection has seen the draft amendments, noting that there should be an analysis of how this interacts with public safety standards so there are no conflicts, and that houses often have exterior stairs that provide a required second egress.

Ms. Radel replied that she will send the amendments to Fire Code staff for review.

Commissioner Ward said he is a big supporter of ADUs and asked about moveable tiny houses.

Ms. Radel said the backyard accessory dwelling units (ADUs) we are talking about would have to be affixed to a concrete slab and be permanent in the sense that all houses are permanent; they can be moved, but not easily. Movable tiny houses are dependent on a house for a bathroom, sewer and water, and are a different issue.

Commissioner Ward asked about transit supportive density and whether this would be expanded to other transit corridors.

Ms. Radel said ADUs are one tool to help provide the density necessary for ridership to support higher frequency transit service and the services desired in station areas.

Commissioner Ward asked about data for ADUs in other cities, the effect on transit ridership, retail, crime, and other activities that comes with increased density, and what we expect here.

Ms. Radel replied that Minneapolis has a new citywide ADU ordinance with side door setback requirements we are not proposing. They had 36 applications this year, and of those 18 went through the full process and pulled building permits. Some of those were to legalize units that were already there. West coast cities with higher property values and hotter housing markets, such as Seattle, have more ADUs.

Commissioner Wickiser said that adding an interior stairway could make a house harder to convert back to single family, taking out a parking space for a stairway in a garage could be a hardship, and an exterior stairway could be fine. He also said that conventional mortgages are not readily available for property with duplexes or two houses, so trying to figure out the where the market it at for this can be financially risky.

Ms. Radel said she has heard through conversations with district councils that people have been surprised when their taxes went up after they added a second unit to their lot.

Commissioner Wickiser said he has converted duplexes to single-family houses and had them appraised for more as single-family houses.

Commissioner Underwood asked if an interior stairway would be part of ADU floor area.

Ms. Radel said that it would depend on its location in the building.

Commissioner Underwood asked why this is only being proposed for the Green Line.

Ms. Radel said it was requested as a follow-up to the central corridor zoning study.

Chair Wencl said she believes that some district councils are looking at ADUs, too.

Ms. Radel said that the St. Anthony Park Community Council is currently studying ADUs, but she doesn't know of any other district councils that are actively considering them.

Commissioner Underwood said there is a lot here that would be supportive of our artist community and aging in place, and of interest in the West 7th / Fort Road community.

Donna Drummond, Planning Director, said that ADUs have been looked at city-wide a couple of times in the past and there has been push back. If they work along the Green Line maybe other districts would be more comfortable with them. Minneapolis now has a citywide ADU provision that seems uncontroversial and not that much used. We think there would be limited applications in St. Paul, as well.

Commissioner Thao noted that this is one tool to help address concerns about gentrification in the Central Corridor, and can provide some flexibility for accommodating multi-generation families.

Commissioner Wang asked about alley houses in Frogtown.

Ms. Radel said they are legal nonconforming uses if occupied.

Commissioner Lindeke said that Minneapolis started with a pilot project to allow ADUs in Powderhorn and none were built any during the whole time. The economics only makes sense in areas with higher property values. He is concerned that nothing will happen along the Green Line if the regulations are too restrictive.

Ms. Radel noted that Minneapolis figured out a way to allow provision of sewer and water from the principal structure to an ADU in an accessory structure. Otherwise it would cost \$10,000 to \$15,000 just for separate sewer and water lines from the street.

Commissioner Merrigan noted that an enclosed stairway addition to a house might look like a big chimney but would be part of the gross floor area and solve the snow issue, would address the character issue, and would be less expensive than carving up the interior in a way that might make it more difficult to convert back to a single dwelling unit.

Commissioner Nelson said there had been discussion about tying ADU utilities to the principal dwelling unit so it doesn't become a duplex or two houses on one lot.

Ms. Radel said she is working with building code staff to see if we can do that, but they have noted a regulation that says separate buildings need separate sewer and water services.

Commissioner Nelson raised the issue of addresses for ADUs, and asked how to make sure these don't turn into Air B&B operations.

Ms. Radel said the issue of illegal Air B&Bs tends to get addressed on a complaint basis.

Commissioner Nelson said there could be a requirement for some sort of affirmative declaration from the owner that it would not be used as an Air B&B.

Commissioner Ochs recalled a lot of push back from places like Summit Avenue when an ADU provision was discussed in the past because people were fearful of negative impact on their property values, and some of this history probably should to be put in the file.

Commissioner Ward said that the impact on property values is more likely to be positive. He noted cities that have a lot of experience with ADUs and several high-value neighborhoods in St. Louis where ADUs are highly coveted places to live and property values have gone up. He sees ADUs as a way to provide for multiple generation families to live together, culturally important to many immigrant families and allowing family members to age in place. It also allows families to pool their resources and build wealth. He sees this as an opportunity to shift our paradigm a bit and look at more of a global way of living that is more family- and community-based. He wants to do this with his family.

***MOTION: Commissioner Merrigan moved on behalf of the Comprehensive Planning Committee to release the draft for public review and set a public hearing for February 5, 2016. The motion carried unanimously on a voice vote.***

**VII. Neighborhood Planning Committee**

Commissioner Oliver announced that their last meeting was cancelled and the next meeting will be in January 2016.

**VIII. Transportation Committee**

Commissioner Lindeke reported that at their last meeting they heard presentations about the River Balcony project being planned downtown, MnDOT replacing two pedestrian bridges over I-94, and the Grand Round bike and pedestrian project. Also, the Transportation Committee will not be meeting again until next year.

**IX. Communications Committee**

Commissioner Thao had no report.

**X. Task Force/Liaison Reports**

Commissioner Thao announced that the Grand Round committee met and they will have an open house on January 19, 2016 from 6-8:00 p.m. at the Arlington Hills Community Center to review the design, including temporary street closures during different phases. Johnson Parkway will be under construction in 2016 and Wheelock Parkway too. They also looked at a proposed logo for the Grand Round.

Commissioner Makarios announced that the Ford Site Planning Task Force met on Wednesday night for their first actual task force meeting, since they've been having 8 large public meetings over the last 13 months. On Wednesday night they mapped out their process moving forward and they have two more meetings set for the 11<sup>th</sup> and 28<sup>th</sup> of January where they will begin to dig into the substance of public input that they have heard over the last year and update the priorities of the task force. Also, Ford said at the meeting that they will be releasing their preliminary environmental data next week.

Donna Drummond, Planning Director, reported that the Snelling Midway Community Advisory Committee, of which Commissioner Padilla is co-chair, had their second meeting to provide community input as the soccer stadium site plan is developed and also the master plan for redevelopment of that whole 35 acre super block. There will be another community meeting to

look at concept plans on January 14, 2016 (since rescheduled to January 26) at Concordia University from 7-8:30 p.m.

**XI. Old Business**

None.

**XII. New Business**

None.

**XIII. Adjournment**

Meeting adjourned at 9:55 a.m.

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

Respectfully submitted,



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Donna Drummond  
Planning Director

Approved January 22, 2016

(Date)



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Daniel Ward II  
Secretary of the Planning Commission