

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

**Minutes December 28, 2018**

A meeting of the Planning Commission of the City of Saint Paul was held Friday, December 28, 2018, at 8:30 a.m. in the Conference Center of City Hall.

**Commissioners Present:** Mmes. Anderson, DeJoy, Lee, Mouacheupao; and Messrs. Baker, Edgerton Fredson, Lindeke, Perryman, Rangel Morales, Reich, Risberg, and Vang.

**Commissioners Absent:** Mmes. \*Reveal, \*Underwood, and Messrs. Khaled, \*Ochs, Oliver, and Wojchik.  
\*Excused

**Also Present:** Luis Pereira, Planning Director; Ya Ya Diatta, Department of Safety and Inspections, Josh Williams, and Sonja Butler, Department of Planning and Economic Development staff.

**I. Approval of minutes December 14, 2018.**

First Vice Chair DeJoy announced that the minutes are not available at this time. However, they will be ready for approval at the next Planning Commission meeting.

**II. Chair's Announcements**

Commissioner DeJoy, the Commission's First Vice-Chair, chaired the meeting. She announced something that was brought up while listening to the previous meeting recording. Which is regarding abstentions, if a motion comes up and you have mixed feelings about the motion or you may disagree, or don't want to vote against it or you feel the motion is off track you have the option to abstain. And in a case at the last meeting there was an abstention on a particular vote, however when you abstain you should not participate in any aspect of the decision-making process. If you decide to abstain you must do this before the discussion on the case starts at that point you cannot speak to the case and you should sit in the audience until the case is over, then return to your seat. If it is inappropriate to vote on the matter it is inappropriate to participate in any discussion or any activity that could influence another commissioners vote.

Commissioner Baker said if that is the case you can't abstain, so once vote is happening for example his other choice would be to vote no. Because you're saying that the abstention must be made before discussion or any of that.

First Vice Chair DeJoy said that if you vote no, very often you are asked why you are voting no. in a case of abstention, you can abstain, and not reveal why you're abstaining.

Commissioner Baker said so you can't choose not to vote.

First Vice Chair DeJoy replied that you cannot choose to not vote, that is correct. You have to take a position, you're either in favor, against or you abstain or if there is a conflict of interest you would recuse yourself.

Commissioner Baker is saying that once you have participated in the process then you cannot abstain later which means your only alternative at that point would be a yes or no vote.

First Vice Chair DeJoy's understanding is when you abstain you should not participate in any aspect of the decision-making process.

Commissioner Edgerton said that there will be cases when you don't know that you're going to be abstaining and would have actually participated then you realize you don't know so you abstain.

First Vice Chair DeJoy said that's her understanding and she thinks that is fair. The secretary Sonja Butler added that if you participate in the full discussion before you vote and then you abstain, then your comments should be omitted from the minutes. And that is difficult because sometimes through the discussion you get a better understanding of your position but those are the rules. It would have good to have the City Attorney Peter Warner here, and she did as much research as she could.

Luis Pereira, Planning Director, does not remember what it says in the By-Laws about this specifically, however he will look and see if anything.

Commissioner Risberg wanted to clarify, it sounds like there are two options for abstaining, one is if you know in advance then you sit in the audience, the second is after discussion you realize that you don't know then you can abstain at that point. Is that correct?

First Vice Chair DeJoy said that is the way she understands it.

Mr. Pereira added that they will check what other guidance they have.

Commissioner Fredson asked for some guidance from the City Attorney's Office on this.

Commissioner Risberg changed the subject to a different procedural question that came up in Comprehensive and Neighborhood Planning Committee meeting was if a member of the commission who is not a member of a particular committee and decides to attend a meeting, does that commissioner get the option to vote at the committee meeting or what is their role at a meeting and can they participate in the conversation at the meeting?

Mr. Pereira said that the By-Laws are silent on that issue. He has written that down to look at more deeply. Whether it merits an amendment to our By-Laws to clarify what the pluses and minuses of doing that, it could provide some clarity if it was written somewhere. In terms of that participation in the committee conversation and the voting. Traditionally commissioners have been encouraged to attend any committee and the Comprehensive and Neighborhood Planning Committee is a little more flexible in terms of the sort of decisions made there are more legislative there's more policy it's not quasi-judicial. So, it is easier to encourage that

participation but whether they want to add some guidance into the By-Laws he has been thinking about that as well as other things like abstaining.

First Vice Chair Dejoy noted that there was a contradiction from what she just understood from Ms. Butler and also what she looked up on the internet but what it said was: "When you abstain you should not participate in any aspect of the decision making process, if you need clarification you need more information in order to avoid an abstention those matters must be raised during the discussion, but before the vote is taken". And we will get more clarification, but it is an issue and it was something that came up at the last meeting, so we will keep you posted on that.

### **III. Planning Director's Announcements**

Luis Pereira announced that the Nominating Committee has been meeting and having discussions looking at applications to the Planning Commission for some of the vacancies. We do have an identified candidate for Ward 3 that the Mayor's Office and Ward 3 have endorsed, and the Nominating Committee has endorsed that will be moving forward with the reappointments in the new year. However, they still have vacancies from Wards 1, 4 and 6 with one spot each for the three. They did get one application recently from Ward 1 but if any of you know individuals in any of those wards that would be a good candidate please encourage them and spread the word about this opportunity. The timeline on that would be in the Spring that we would move forward on those three vacancies after the reappointments and the Ward 3 new commissioner moves forward.

Also, coming up Dr. Corrie, Department of Planning and Economic Development Director, Kristin Guild, Deputy Director, Lucy Thompson, PED staff and Luis Pereira will be sitting down with the Center of Economic Inclusion (CEI) a group in Minneapolis. There was a previous meeting with CEI to talk about the Comprehensive Plan and various other PED initiatives as it relates to CEI's work. So, we are going to do a follow-up with the leadership from CEI, that will be of interest may be have some implications for what has been talked about for the Planning Commission retreat.

Finally, a City Planning Tech position which will be posted on January 2, 2019. This is different from a city planner an entry level position, it will be helping with zoning counter back up potentially on GIS and research as well as some environmental review. The qualifications for this is a bachelor's degree in planning or related field or a two-year degree in a related field and two years' experience. He is mentioning this as part of a recruitment effort if you know anyone who would be a good candidate or just spread the word.

Commissioner Lee asked for an update on where we are on the retreat planning?

Mr. Pereira said that the Steering Committee gave him some additional feedback on a second draft of topics. The two main exploratory topics for consideration are related to the Comprehensive Plan and the current administrations priorities; what are the values that are flowing from the Comprehensive Plan and how is that impacts our work. There was some previous interest in equity and economic development, that is one that the committee endorsed and that is where we would spend most of our time with some invited speakers coming to inform that conversation. The other topic is something we could revisit at a future retreat is related to citizen participation and public engagement thinking about what we are doing currently and what are some innovative approaches for that and how do we move forward on that. The committee

did endorse a March 22, 2019 retreat date, which is a Planning Commission meeting day. So, after the Planning Commission meeting there would be a 2 or 3-hour retreat. To be determined the actual format of that hopefully there will not be a long Planning Commission agenda that day.

Commissioner Perryman asked if all of the commissioners are representing a specific Ward, he does not recall that being a part of the appointment process.

Mr. Pereira said technically yes, the Mayor's Office had a much bigger role in dictating three commissioners per ward with the seven wards and 21 members. It probably was not as apparent because it was something that the Mayor's Office was directly handling before but that is what we have been told in terms of instruction from the Mayor's Office.

#### **IV. Zoning Committee**

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

#18-127-225 Dorothy Day Center – Modification of conditional use permit #17-211-599 to increase the number of shelter beds from 320 to 356. 435 Dorothy Day Place, NW corner at Old Sixth. (*Lucy Thompson, 651/266-6578*)

***MOTION: Commissioner Baker moved the Zoning Committee's recommendation to approve the modification of the conditional use permit subject to additional conditions. The motion carried 9-0 with 1 abstention (Reich) on a voice vote.***

#18-126-865 Twin Cities German Immersion School – Variances for maximum building height (30' allowed, 33' -1" proposed), maximum lot coverage (35% allowed, 36% proposed), and minimum off-street parking (87 spaces required, 50 spaces proposed). 1031 Como Avenue, between Argyle and Churchill. (*Josh Williams, 651/266-6659*)

***Commissioner Baker announced that this case has been laid over to the January 17, 2019 Zoning Committee meeting.***

#18-117-556 Twin Cities German Immersion School – Site Plan for a 3-story building addition. 1031 Como Avenue, between Argyle and Churchill. (*Tia Anderson, 651/266-9086*)

***Commissioner Baker announced that this case has been laid over to the January 17, 2019 Zoning Committee meeting.***

Commissioner Edgerton announced the item on the agenda at the next Zoning Committee meeting on Thursday, January 3, 2019.

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

Commissioner Mouacheupao had no report.

#### **VI. Transportation Committee**

Commissioner Lindeke announced that at their last meeting they had two main items both which involved street projects on the East Side (Ward 6). The first one was discussion of a test closure

freeway on ramp at 6<sup>th</sup> Street, Public Works had a report from their trial of that. They wanted to see what would happen if they closed that street to the freeway on ramp traffic. And they are going to look at it more and have more conversations. The other item was an upcoming off-street bike trail on Johnson Parkway that is funded and scheduled for work to begin in a year. And they will have a lot of community outreach on it this Summer, they would extend the Grand Round up Johnson Parkway from Phalen down to Burns Avenue on the South Side. That is an exciting link to the city's bike trail network. The next meeting is canceled on Monday, December 31, 2018.

**VII. Communications Committee**

Luis Pereira, Planning Director, announced that the Communications Committee will meet directly after the Planning Commission meeting this morning.

**VIII. Task Force/Liaison Reports**

None.

**IX. Old Business**

None.

**X. New Business**

Commissioner Reich announced that today is his last day on the Planning Commission, between additional responsibilities at work (a good thing) and his children, it has been hard to make some of the meetings. He is resigning from the Planning Commission so that someone who can make the meetings and participate can. He is a big fan of government that works, and this is a great example of that and he thanked everyone who takes time out of their day and personal life to serve on this commission because it is important work.

First Vice Chair DeJoy thanked him for his service on the commission and his participation at the meetings and wishes him the very best.

Commissioner Fredson said that the Mayor's Office takes that into consideration, or maybe their direction is what we want to find is equal distribution across Wards, but his understanding is that technically they don't represent a Ward. The Mayor's Office looks at race, ethnicity, planning district, ward in terms of representation across the board, but he doesn't think there is a residency requirement. He believes that if you have someone in mind to serve on this body and they don't happen to come from Ward 1, 4 or 6 that you should still actively pursue them to apply.

Mr. Pereira said that the direction that this administration has given him is to look at the Wards and he did look to see if it was written down anywhere, but he could not find anything. He agrees that they have been given instruction to not only look at residency but also look at the different perspectives that they are offering as well as diversity across the city.

Commissioner Lindeke said that he recalls when he was appointed there was a Ward preference then he moved from his ward, and the reason why they don't do a technical representation is because they are here to represent the city as a whole. And a lot of issues at the city level become parochial where you represent your Ward, and you represent your Ward and long history in Saint

Paul city government and lots of cities of being that way. And one of their jobs is to get passed that kind of approach and think about what's best for everyone not just your neighborhood.

Commissioner Edgerton said with Commissioner Reich resigning is that included in the Wards 2, 4, and 6 that you're looking for or is he in a different ward.

Mr. Pereira sated that Commissioner Reich is a resident of Ward 3. They were anticipating this, and they do have a candidate for Ward 3 that the Mayor's Office, Ward 3 Office and the Nominating Committee has endorsed.

Commissioner Perryman inquired if there was a demographic report of the Commissioners and which ward they represent.

Mr. Pereira stated that on the web page there is a biography sheet of current commissioners. That is helpful in thinking about the perspectives that we might be missing in thinking about some of those vacancies. Architecture and designs has been one area where they might need some perspective and when he looked at it he thought about housing and economic development as other areas where having some additional perspective would be helpful.

First Vice Chair DeJoy stated that this is a new responsibility for the Planning Director, generally those appointments came out of the Mayor's Office and basically the direction is that the Mayor's Office wants the directors of the different committees throughout the city to take a more active role.

Commissioner Mouacheupao asked about the biography information on the web page, which shows that her information is incorrect.

Mr. Pereira stated that the Commissioners should send their changes/corrections to Sonja Butler or him and it will get updated. He advises all of the commissioners to look at their biography information to make sure it has their correct information listed. He will email them the link so that they can take a look at what is shown.

Commissioner Perryman asked whether they decided to go paperless or continue with the hard copy packets that they have been receiving in the mail. He wanted to know if there has been a poll taken or if anything has been decided.

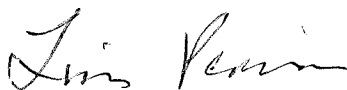
Mr. Pereira said that it is something that they should do, he believes in the fairly recent past they did an informal poll trying to move to electronic packets. But there still a sense that having something when voting something physical in front of them is helpful to refer too. If you commissioners have strong feelings one way or another let him know. They are trying to reduce cost related to paper, but on the other hand it is helpful to have materials in your hand. Nothing has been moved officially in terms of a survey.

## **XI. Adjournment**

Meeting adjourned at 9:17 a.m.

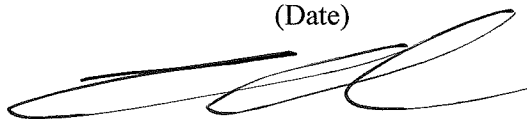
Recorded and prepared by  
Sonja Butler, Planning Commission Secretary  
Planning and Economic Development Department,  
City of Saint Paul

Respectfully submitted,



\_\_\_\_\_  
Luis Pereira  
Planning Director

Approved 1-11-19  
(Date)



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Luis Rangel Morales  
Secretary of the Planning Commission

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