Saint Paul Planning Commission
City Hall Conference Center Room 40
15 Kellogg Boulevard West

Agenda

December 1, 2017
8:30 – 11:00 a.m.

I. Approval of minutes of October 6th, October 20th, and November 3, 2017.

II. Chair’s Announcements

III. Planning Director’s Announcements

IV. Zoning Committee

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

NEW BUSINESS

#17-211-599 Dorothy Day Place – Conditional use permit to increase the number of overnight shelter beds from 278 to 320. 435 Dorothy Day Place (formerly Main Street), NW corner of 6th and Dorothy Day Place. (Jamie Radel, 651/266-6614)

#17-210-652 Scout Service Center – Rezone from OS Office Service to T2 Traditional Neighborhood. 393 Marshall Avenue, NW corner at Western. (Tony Johnson, 651/266-6620)

V. Joint Comprehensive and Neighborhood Planning Committee

Southport Industrial District Study – Release draft for public review and schedule a public hearing for January 12, 2018. (Kady Dudlez, 651/266-6619)

Draft Water Chapter of the 2040 Comprehensive Plan – Overview and Key Themes. (Josh Williams, 651/266-6659)

VI. Transportation Committee

VII. Communications Committee

VIII. Task Force/Liaison Reports

IX. Old Business

X. New Business

XI. Adjournment
Information on agenda items being considered by the Planning Commission and its committees can be found at http://www.stpaul.gov/planningcommission.

Planning Commission Members: PLEASE call Sonja Butler, 651/266-6573, if unable to attend.
Saint Paul Planning Commission & Heritage Preservation Commission
MASTER MEETING CALENDAR

WEEK OF NOVEMBER 27-DECEMBER 1, 2017

Mon (27) 

Tues (28) 

4:00- 6:00 p.m. Comprehensive Planning Committee 13th Floor – CHA (Sonja Butler, 651/266-6573) 25 Fourth Street West

Sustainable Power (Wind and Solar) Zoning Code Amendments – Review public testimony and written comments and make recommendation for the Planning Commission to forward to the Mayor and City Council. (Jake Reilly, 651/266-6618)

Union Park Plan Amendment – Review amendment and recommend releasing for public review and scheduling a public hearing for January 26, 2018. (Kady Dadlez, 651/266-6619)

Weds (29) 

Thurs (30) 

Fri (1) 

8:30- 11:00 a.m. Planning Commission Meeting Room 40 City Hall (Donna Drummond, 651/266-6556) Conference Center 15 Kellogg Blvd.

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

NEW BUSINESS

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#17-210-652 Scout Service Center – rezone from OS Office Service to T2 Traditional Neighborhood. 393 Marshall Avenue, NW corner at Wester. (Tony Johnson, 651/266-6620)
Southport Industrial District Study – Release draft for public review and schedule a public hearing for January 17, 2018. (Kady Dadlez, 651/266-6619)

Draft Water Chapter of the 2040 Comprehensive Plan – Overview and Key Themes. (Josh Williams, 651/266-6659)
Saint Paul Planning Commission  
City Hall Conference Center  
15 Kellogg Boulevard West  

Minutes October 6, 2017

A meeting of the Planning Commission of the City of Saint Paul was held Friday, October 6, 2017, at 8:30 a.m. in the Conference Center of City Hall.


Also Present: Donna Drummond, Planning Director; Peter Warner, City Attorney, Lucy Thompson, Allan Torstenson, Bill Dermody, Josh Williams, Jamie Radel, and Sonja Butler, Department of Planning and Economic Development staff.

I. Swearing in new commissioners Shannon Eckman and Eric Wojchik.

New Planning Commission members Shannon Eckman and Eric Wojchik were sworn in by Peter Warner, Assistant City Attorney.

II. Approval of minutes August 25, 2017.

MOTION: Commissioner Reich moved approval of the minutes of August 25, 2017. Commissioner Vang seconded the motion. The motion carried unanimously on a voice vote.

III. Chair’s Announcements

Chair Reveal had no announcements.

IV. Planning Director’s Announcements

Donna Drummond announced that the Ford Zoning and Public Realm Master Plan was approved by City Council on a 5-2 vote. The City Council changed the affordable housing percentage targets, to 20% affordable housing for the Ford site in total, with 10% of those affordable at 30% of Area Median Income, 5% at 50% and 5% at 60%. She also announced that Merritt Clapp-Smith, the lead staff for the Ford Plan, had submitted her resignation and will be moving on to other things.

The City Council had its public hearing on Short Term Rental regulations, and 29 people testified. The zoning amendments that the Planning Commission recommended were paired with some licensing code changes that the Department of Safety and Inspections brought forward.

V. Commissioner Appreciation
Honoring Commissioner Makarios for his service on the Planning Commission.

Chair Reveal read a resolution thanking Commissioner Makarios for his service on the Planning Commission.

**MOTION:** Commissioner DeJoy moved approval of the resolution honoring Commissioner Makarios. Commissioner Fredson seconded the motion. The motion carried unanimously on a voice vote.

VI. **Zoning Committee**

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

**OLD BUSINESS**

#17-060-690 Listening House – Appeal of a zoning administrator similar use determination for Listening House to provide services at First Lutheran Church. 464 Maria Avenue, NE corner at 8th Street. (*Bill Dermody, 651/266-6617*)

Commissioner Makarios reported that the Zoning Committee had a lot of discussion about whether this is an appropriate use in a residential zoning district. The committee voted 4 – 3 to recommend granting the appeal, thereby reversing the Zoning Administrator’s decision to permit this use in a residential zoning district. He noted the matrix summarizing discussions that Listening House, the church, and their neighbors had, facilitated by Nancy Homans from the Mayor’s Office, since the public hearing and the last Planning Commission meeting.

Commissioner Vang asked if Listening House has budgeted $700 per month for guests’ bus fare, or if that is just what they have been paying out. Chair Reveal replied that we don’t know their budget.

Commissioner Eckman asked about where Listening House would move if they can’t continue their services at the church. Commissioner Makarios said he doesn’t know.

Commissioner Rangel Morales asked Assistant City Attorney Peter Warner about the appeal period and how the appeal occurred after Listening House had invested so much.

Mr. Warner said that the Zoning Code provides for appeal of a decision within 10 days of the decision. The difficulty here was lack of notification of the Zoning Administrator’s decision. Mr. Warner discussed a basic principle of law that an appeal provision without notification has no value, so when staff realized that notice had not gone out in this case he advised that there be notification of the decision with an opportunity for appeal.

Chair Reveal suggested a possible code amendment to clarify the notification required for such decisions.

Commissioner Fredson said he was one of the no votes at the Zoning Committee meeting. His hope was that both sides could come together and find some agreement, and that the commission could approve the use with some additional conditions.

Commissioner Ochs noted the option of bringing this issue to the City Council through appeal of the Planning Commission’s decision.
Commissioner Vang said it seems that there was some progress with the neighborhood process, and asked if there is a way for the commission to allow the use to continue under certain conditions for a trial period of a few months and then come back for an annual review.

Mr. Warner said the issue before the commission is the appeal of the determination made by the Zoning Administrator, whether that determination was correct, which needs to be addressed first.

Commissioner Rangel Morales asked Zoning Committee members who voted to uphold the appeal to comment about why they voted that way.

Commissioner Ochs said the commission’s charge is to determine whether this use is similar to what’s permitted and appropriate in the district, and he thinks it doesn’t meet that test. It’s an intensity issue, and he thinks it doesn’t fit well in a residential district.

Commissioner DeJoy said that while there is a lot of support for this organization and its operations, from a zoning perspective she thinks this is the wrong place.

Commissioner Makarios said this was a hard decision for him. It came down to the required findings under law for a similar use determination, one being that it is similar in character of one or more uses permitted in the RT1 district. Staff's finding was that the condition was not met because the use has a detrimental effect on the neighborhood, and there was compelling testimony about its significant detrimental effect on the neighborhood. Another required finding is that the use is consistent with the Comprehensive Plan. Staff found that this required finding was not met because the use has proven to not be compatible with adjacent properties.

Commissioner Rangel Morales asked Mr. Warner if he knew where there are other facilities like this in the city. Mr. Warner said that he is not familiar with any other facilities like Listening House. Chair Reveal noted that staff indicated they don’t have information on that either.

Commissioner Ochs asked what zoning district Listening House was previously in at the Dorothy Day Center.

Bill Dermody, PED staff, said Listening House was formerly located near the Dorothy Day Center in the B5 or B4 business district.

Commissioner Oliver said he sees this as a plain accessory use of a church, what he expects Christian churches to do, and he will be voting to reject the appeal.

Commissioner Eckman asked if there was a recommendation from the District Council.

Commissioner Makarios said that at the time of the public hearing there was no recommendation from the District Council.

Chair Reveal requested a hand vote.

**MOTION:** Commissioner Makarios moved the Zoning Committee’s recommendation to grant the appeal. The motion failed on a 7-7 voice vote.

**MOTION:** Commissioner Fredson moved to lay this case over to the next Planning Commission meeting on October 20, 2017. Commissioner Ochs seconded the motion. The motion carried unanimously on a voice vote.
NEW BUSINESS

#17-077-911 Metric Auto Parts – Rezone from RM2 Multiple Family to B2 Community Business. 550 South Smith Avenue, E side between George and Stevens.  (Juke Retlty, 651/266-6618)

Commissioner Wojchik asked about the reason for the West Side Community Organization recommendation for denial of the rezoning.

Commissioner Makarios said it was about the parking lot size and the amount of pavement. He said the property owner made it clear that they don’t intend to pave over this new lot, but eventually they would like to redo the entire site and parking area. They don’t need more parking, but they want to improve their property.

Chair Reveal added that they would have to come back to the City for a site plan review to redo the parking lot.

Commissioner Makarios said the question before us is rezoning of the lot, and he thinks the proposed rezoning is appropriate.

Commissioner DeJoy noted the letter from the community organization in the packet. It looks like there was some debate in response to a community concern and that is what resulted in their letter recommending denial.

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

#17-078-505 Morton Salt Rain Shelter – Conditional use permit for a structure not elevated on fill in the FF flood fringe district. 1111 Childs Road  (Josh Williams, 651/266-6659)

MOTION: Commissioner Makarios moved the Zoning Committee’s recommendation to approve the conditional use permit subject to additional conditions. The motion carried on a voice vote of 13 in favor with 1 abstention (Reich).

Commissioner Makarios announced the items on the agenda at the next Zoning Committee meeting on Thursday, October 12, 2017.

VII. Joint Comprehensive and Neighborhood Planning Committee

2040 Comprehensive Plan update: Housing Chapter – Overview and Key Themes. (Jamie Radel, 651/266-6614)

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

Ms. Radel, Senior Planner with Planning and Economic Development, is drafting the Housing Chapter for the Comprehensive Plan. Ms. Radel gave an update on status of the draft plan, discussed the requirements set forward by Metropolitan Council, and the process that the interdepartmental staff team used to undertake the update. She then gave a high level overview of the plan’s goals.
Commissioner Vang announced the item on the agenda at the next Joint Comprehensive and Neighborhood Planning Committee meeting on Tuesday, October 17, 2017.

VIII. Transportation Committee

Commissioner Ochs announced that the next Transportation Committee meeting has been canceled.

IX. Communications Committee

No report.

X. Task Force/Liaison Reports

No reports.

XI. Old Business

None.

XII. New Business

None.

XIII. Adjournment

Meeting adjourned at 9:35 a.m.

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

Respectfully submitted,

Donna Drummond
Planning Director

Approved _______________________
(Date)

Cedrick Baker
Secretary of the Planning Commission
The October 20, 2017 Planning Commission minutes will be emailed to you next week before the meeting on December 1, 2017.

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

Minutes November 3, 2017

A meeting of the Planning Commission of the City of Saint Paul was held Friday, November 3, 2017, at 8:30 a.m. in the Conference Center of City Hall.


Commissioners Absent: Messrs. Khaled, *Ochs, and Oliver.

*Excused

Also Present: Donna Drummond, Planning Director; Yaya Diatta, Department of Safety and Inspections, Lucy Thompson, Allan Torstenson, Bill Dermody, Jake Reilly, Mike Richardson, Kady Dadlez, and Sonja Butler, Department of Planning and Economic Development staff.

I. Swearing in new commissioner Jeffrey Risberg.

New Planning Commission member Jeffrey Risberg was sworn in by Trudy Maloney, City Council Director.

II. Chairs Announcements

Chair Reveal announced that the next Planning Commission meeting scheduled for Friday, November 17, 2017 has been cancelled.

Chair Reveal will also be asking a few commissioners to be members of the Nominating Committee for next year. The nominations will be announced at the first meeting of the year, with officers elected at the annual meeting the second meeting of January. Typically officers continue once they are in their position, but it does not have to be that way. The commission will have two officer vacancies starting next year, which are the first and second vice chair positions. Any commissioner who is interested should let Donna Drummond or Chair Reveal know.

III. Planning Directors Announcements

Donna Drummond, Planning Director announced that the package of zoning code amendments and licensing code changes for short term rentals was approved by the City Council. The only changes the City Council made from what the Planning Commission recommended was to allow triplexes and 4-plexes to have all short term rental units as long as the owner was in residence in the building. The City Council also changed the licensing fee which had been proposed at $7,500.00 for platforms like Air BnB and for individuals it at $75. The fee for individual hosts
was reduced to $40 and the fee for platforms was increased to $10,000.00. Minneapolis has recently approved some short term rental requirements too.

Ms. Drummond also discussed the current status of the existing Pedro Park and adjacent Public Safety Annex (PSA) building. The Fitzgerald Park Precinct Plan had proposed demolishing the PSA building and adding that area to the existing Pedro Park. There is discussion now about whether or not the park should be as big as was envisioned in the plan. The Mayor has proposed that the PSA Building be renovated for office space and for high tech companies that like that type of retro space.

Finally, Ms. Drummond introduced the new Zoning Administrator for the Department of Safety and Inspection (DSI). Wendy Lane, the City’s long time zoning administrator, has retired and Yaya Diatta, here in the audience, is the new Zoning Administrator. He has worked for DSI for 15 years.

IV. PUBLIC HEARING: Sustainable Power (Wind and Solar) Zoning Code Amendments – Item from the Joint Comprehensive and Neighborhood Planning Committee. (Jake Reilly, 651/266-6618)

Chair Reveal announced that the Saint Paul Planning Commission was holding a public hearing on the Sustainable Power (Wind and Solar) Zoning Code Amendments. Notice of the public hearing was published in the Legal Ledger on October 26, 2017, and was sent to the citywide Early Notification System list and other interested parties.

Jake Reilly, PED staff, gave a Power Point presentation which can be seen on the web page at: http://www.stpaul.gov/planningcommission

As of today’s date only two letters have been received: one from Benia Warns and one from Lorraine Delehanty, both concerned citizens of Saint Paul.

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

The following person spoke:

Ms. Mary Matze, Landform Professional Services, 105 5th Avenue South, Minneapolis. Ms. Matze represents a landscape architecture, engineering and planning firm that provides professional services for many developers in the community. Over the last three or four years they have been doing a lot of work in the solar industry. Landform has been working with large-scale national developers and local developers, including those developers who have worked on the airport solar installation. This industry is growing – it’s becoming more efficient not only in the United States but on a global scale. Ms. Matze is requesting that the city revisit the idea of looking at solar as a principal use in the city. There are opportunities in the city to look at sites where solar might be appropriate as a principal use. Those sites are typically sites that are not yet ready for development. Some of these opportunities might be sites that have been used for utilities in the past or sites that may be in undesirable locations for residential, industrial or commercial development. She noted that the City of Saint Paul has made efforts to power municipal buildings with solar energy sources, and to be able to say to your residents ‘we’re powering our own buildings by energy that’s produced in the city and also sending such energy to the grid’ may be a more politically acceptable argument for alternative energy use than saying,
‘we are getting this energy - buying a credit - but it is coming from somewhere else in Minnesota.’ She concluded by calling this an opportunity to create a holistic, full-circle energy system for the City of Saint Paul and asking that the City revisit studying solar as a principal use. Ms. Matze offered her services to work with staff to think about different considerations that have been raised by their clients.

**MOTION:** Commissioner Thao moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Monday, November 6, 2017 and to refer the matter back to the Joint Comprehensive and Neighborhood Planning Committee for review and recommendation. The motion carried unanimously on a voice vote.

V. **Zoning Committee**

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

**NO BUSINESS**

Commissioner Edgerton announced that the next Zoning Committee meeting scheduled for Thursday, November 9, 2017 has been cancelled. Commissioner Edgerton also noted that the Listening House has appealed the Planning Commission’s decision, so now it will go to City Council for them to make a decision on. Donna Drummond added that there were two appeals files, one from Listening House and the other from the neighbors.

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

**2040 Comprehensive Plan Update:** Parks Chapter – Overview and Key Themes. *(Mike Richardson, 651-266-6621)*

Mike Richardson gave a Power Point presentation which can be seen on the web page at: [http://www.stpaul.gov/planningcommission](http://www.stpaul.gov/planningcommission).

Commissioner Lindeke asked if the Parks Chapter says anything about parking and transportation issues.

Mr. Richardson said that it addresses them in terms of access. Mr. Dernody is chapter lead for the Transportation Chapter and is on the Parks Chapter working group. This was intended to keep those lines of communication open to make sure that there is not something in the Parks Plan that conflicts with the Transportation Plan or vice-versa. For example, there was discussion about a policy regarding the potential for ride sharing and other transportation options near parks. There are access issues to be addressed in both chapters.

Chair Reveal asked if Commissioner Lindeke has had a chance to have a discussion with the Transportation Committee.

Commissioner Lindeke does not recall parks issue coming up in particular. However, he identified Como as a regional park and suggested including a goal in the plan about the transportation vision or something like that. He noted the connections between parks, budget, and land use.
Commissioner DeJoy asked how decisions are made regarding when to put in a restroom facility from a policy standpoint, because it doesn’t seem equitable across the city.

Mr. Richardson replied that was one of the comments that they received from the Parks Commission and that the presence or quality of restrooms differentiate parks from one another and has very real use implications. This issue will be addressed during the next chapter revision cycle.

Commissioner Lee stated that she did not see anything about security and safety and asked about the plan for that. She also asked what tools were used to measure or determine equitable allocation of programs and resources?

Mr. Richardson said for security and safety they have a policy that requires considering public safety in the process of designing and maintaining parks as an important part of those decisions. In the existing plan there are approximately half a dozen policies that all talk about different aspects of public safety, and those have been consolidated into a more broad statement that is going to allow for funding to be accessed and to allow for future safety and security ordinances and policies to be put into place. Regarding equity, Mr. Richardson said that it has been an ongoing conversation and the most consistent comment from everyone consulted over the last four to six weeks. There is a need to clarify what we are talking about when we talk about equity, not just as an overall goal of the Comp Plan, but also from the point of view of particular chapters. For example, how is equity operationalized in Parks? One of the tools the Comp Plan team is looking at is the ACP 50 boundary. It identifies areas of the city that are at least 50% people of color and where at least 40% of people have incomes that are less than 185% of the federal poverty threshold. This line is an ever-changing line.

Chair Reveal added that equity is a major theme across the whole plan and it is not just the Parks Chapter.

Commissioner Baker added that they should think specifically more about the equitable allocation of resources, and asked staff to consider the feedback loop. For example, once the City identifies an inequity, how is that information brought back to determine future allocations of that process and plan. He said that once you have that information and are tracking it, it can then inform future allocation decisions.

Commissioner Edgerton said that there have been several questions about policies and specifics and suggested that if there is an interest, he encouraged commissioners to review the Joint Comprehensive and Neighborhood Planning Committee packets online to find the whole list of the 38 policies. It was reviewed at the committee level, but not at the full Planning Commission. He suggested reviewing the list of policies online and forwarding any comments and questions along to Mr. Richardson.

Commissioner Thao announced the item on the agenda for the next Joint Comprehensive and Neighborhood Planning Committee meeting on Tuesday, November 14, 2017.

VII. **Transportation Committee**

Commissioner Lindeke announced that their last meeting was canceled, but they are meeting on
Monday, November 6, 2017.

VIII. Communications Committee

No report.

IX. Task Force/Liaison Reports

No reports.

X. Old Business

None.

XI. New Business

None.

XII. 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,

Donna Drummond
Planning Director

Approved ________________
(Date)

Cedrick Baker
Secretary of the Planning Commission