Saint Paul Planning Commission & Heritage Preservation Commission
MASTER MEETING CALENDAR

WEEK OF SEPTEMBER 18-22, 2017

Mon (18)

Tues (19) (Joint Meeting)
4:00-6:00 p.m. Comprehensive Planning Committee and Neighborhood Planning Committee
(Merritt Clapp-Smith, 651/266-6347)
13th Floor – CHA
25 Fourth Street West

Housing Chapter of the 2040 Comprehensive Plan – Continued discussion. (Jamie Radel, 651/266-6614)

Weds (20)

Thurs (21)
5:00 p.m. Heritage Preservation Commission
Room 40 City Hall
Lower Level
Enter building on 4th Street
15 W. Kellogg Blvd.

Public Hearing/Permit Review

216 Bates Avenue – Dayton’s Bluff Heritage Preservation District, by Cory Vandenberghe, for permits for restoration of the building. HPC File #17-026 (Boulware, 651/266-6715)

218 Bates Avenue – Dayton’s Bluff Heritage Preservation District, by Cory Vandenberghe, for permits for demolition and new construction of the building. HPC File #17-027 (Boulware-Gause, 651/266-6714)

New Business

Historic Preservation Chapter of 2040 Comprehensive Plan Introduction

Introduction: Jacob Schmidt Brewing Company National Register District by the Deputy State Historic Preservation Officer, for Certified Local Government Comment on the designation of the property as a National Register historic district as described in the nomination to the National Register of Historic Places. The HPC will discuss, allow for public comment and submit the comments to the MNHPO at the October 5, 2017 meeting. (Boulware, 651/266-6715)

Staff Announcements

Lowertown Guidelines update
Fri (22)

8:00 a.m. Planning Commission Steering Committee
(Donna Drummond, 651/266-6556)  Room 41 City Hall
Conference Center
15 Kellogg Blvd.

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

PUBLIC HEARING: Zoning Code Chapter 65 Minor Text Amendments – Item from the Comprehensive Planning Committee. (Allan Torstenson, 651/266-6579)

Zoning___________________ 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, NW corner at 8th Street. (Bill Dermody, 651/266-6617)

NEW BUSINESS

#17-073-754 Syed Mahmood – Change of nonconforming use from bar to tobacco shop. 937 3rd Street East, NW corner at Forest. (Bill Dermody, 651/266-6617)

#17-071-969 Zamzam – Rezone B1 Local Business to B2 Community Business. 1543 - 1571 Maryland Avenue East, between Hazelwood and Herbert. (Bill Dermody, 651/266-6617)

#17-072-067 Zamzam – Conditional use permit for an auto convenience market. 1543 - 1571 Maryland Avenue East, between Hazelwood and Herbert. (Bill Dermody, 651/266-6617)


Informational Presentation.... 2040 Comprehensive Plan Update: Aging in Community – Informational presentation by Lucy Thompson, PED. (Lucy Thompson, 651/266-6578)
Saint Paul Planning Commission  
City Hall Conference Center  
15 Kellogg Boulevard West  

Minutes July 28, 2017

A meeting of the Planning Commission of the City of Saint Paul was held Friday, July 28, 2017, at 8:30 a.m. in the Conference Center of City Hall.


*Excused

Also Present: Jonathan Sage-Martinson, Planning and Economic Development Director, Donna Drummond, Planning Director; Fay Simer, Department of Public Works, Allan Torstenson, Lucy Thompson, Bill Dermody, Merritt Capp-Smith, Mike Richardson, Jamie Radel, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes June 30, 2017.

Chair Reveal 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

Chair Reveal had no announcements.

III. Planning Director’s Announcements

Donna Drummond said planning commissioners can join the American Planning Association for $65.00 and get all of the benefits of national and state chapter membership. Also, the City Council approved a resolution asking the Planning Commission to do a zoning study looking at a possible overlay district for the Tangle Town area near Macalester College.

IV. Zoning Committee

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

One item came before the Site Plan Review Committee Tuesday, July 25, 2017:

- Transfer Road Self Storage – New construction of rental storage facility at 631 Transfer Road. Josh Davis-Transfer Rd SS, LLC SPR #17-059511
Three items to come before the Site Plan Review Committee Tuesday, August 1, 2017:

- 809 Building – Building Renovation at 809 7th Street East. Dayton’s Bluff Neighborhood Housing Service  SPR #17-060629
- Montessori Training Center – Garage demolition and building addition at 611 Ames Avenue. Jessari Sutton-Montessori Center of MN  SPR #17-061722
- Olympus-Best Jet Hangers – New construction of 2 hangers at 717 Eaton Street. Keith Schwegler-Olympus Ventures  SPR #17-060783

NEW BUSINESS

#17-056-298 Victoria Park Apartments Phase 3 – Conditional use permit to increase the maximum allowable height up to 2 ft.; with a variance of 5 ft., (10 ft. required) in building setback. 1425 Victoria Way, NW corner at Kay Avenue.  (Lucy Thompson, 651/266-6578)

Commissioner Lindeke said that one of the things that came up at committee was whether or not balcony setbacks should be triggered the same way as regular setbacks as a policy matter for zoning code.

Donna Drummond, Planning Director, replied that that is an amendment that staff was thinking might make sense to look at, so it probably will be included in a future package of amendments.

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

Commissioner Makarios announced the items on the agenda at the next Zoning Committee meeting on Thursday, August 3, 2017.

V. Neighborhood Planning Committee

Commercial Development District: Firehouse Wine Bar – Adopt resolution determining that the commercial development district is consistent with the Comprehensive Plan.  (Jamie Radel, 651/266-6614)

Commissioner Perryman gave the Committee report. The Committee went over zoning text amendments for Chapter 65 and reviewed the Short Term Rental Study, which the Committee is moving forward to the August 11th Planning Commission agenda for a final vote. The Committee also went over the Transportation Chapter of the Comprehensive Plan. Today the committee is recommending approval of a resolution related to a Commercial Development District for the Firehouse Wine Bar.

Commissioner Underwood gave some brief background about the project. The structure for the wine bar is one of the oldest in the city as a former firehouse. It is in the area of Ramsey, Grand and 7th. There was a great effort to save the building instead of having it torn down as part of a
larger development..

Commissioner Rangel Morales did not understand the purpose of labeling this as a commercial
district as opposed to just rezoning.

Ms. Drummond said that this is a unique feature of the City’s code. It is a way of defining an
area for an additional liquor license to go beyond the established limit of licenses by ward that is
in place. The role of the Planning Commission in this case is to determine whether or not that
district is consistent with the Comprehensive Plan.

Chair Revel added that there is a lot of community support for this development and this action
will allow it to be a commercial establishment that serves liquor.

**MOTION:** Commissioner DeJoy moved the Neighborhood/Comprehensive Planning
Committee’s recommendation to approve the resolution for the Commercial Development
District is consistent with the Comprehensive Plan. The motion carried unanimously on a
voice vote.

VI. Transportation Committee

Safe Routes to School Plan – Approve Planning Commission resolution recommending the plan
to the Mayor and City Council for adoption. *(Fay Simer, Public Works, 651/266-6204)*

Ms. Fay Simer, Pedestrian Safety Advocate with the 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 believes that the Safe Route to School Plan is a very important part of our
City’s policies because it is the foundation for creating more livable spaces for families, getting
families into our communities, keeping them here and making them feel like they are important.
This is key to our economic development. Together with the Complete Streets Plan, the
Pedestrian Plan, the Transportation Chapter, Vision 8-80 initiative, and the work of departments
like Parks and Recreation, Planning & Economic Development as well as Public Works, these are
really key to what we do for our present and future.

Commissioner Baker asked about prioritizing potential safe routes to school infrastructure
projects for implementation. Did that come together from the Steering Committee or where did
that list come about?

Ms. Fay Simer said that came from the Steering Committee and the consultant’s recommendation
of best practices based on their work or examples from other cities. The challenge with the
project is defining the walk zones. If they created a map of the walk zones, which is typically
about ½ mile around each school, and put that buffer around all 80 schools in Saint Paul it pretty
much covers the entire city. That speaks to the need for safe walking and biking infrastructure
throughout the city but does not help prioritize based on whether it’s in a walk zone or not
because that is everywhere.
MOTION: Commissioner Lindeke moved on behalf of the Transportation Committee to approve the resolution recommending the plan to the Mayor and City Council for adoption. The motion carried unanimously on a voice vote.

Rush Line Locally Preferred Alternative – Approve Planning Commission resolution recommending that the Mayor and City Council support the LPA. *Bili Dermody, 651/266-6617*

Bill Dermody, PED staff, said that the Rush Line study has been a multi-year effort, with the City of Saint Paul represented on the Rush Line Task Force by Councilmember Amy Brendmoen. He described the Locally Preferred Alternative process and the main questions in determining the LPA in Saint Paul, including whether to take White Bear Avenue or the Ramsey County right-of-way, Phalen Boulevard or East 7th Street, and how exactly to get into downtown.

Commissioner Reich asked why not down Arcade then to East 7th into downtown.

Andy Gitzlaff, Senior Transportation Planner, Ramsey County Regional Rail Authority, said they looked at 55 different route options as part of this study and 7 different types of rail and bus options. There are a lot of data for why certain options were not chosen, but primarily going up Arcade over on Maryland is very narrow right now. There would not be space to get any dedicated guideway through there without impacting one side or the other of that road and taking parking. So that was the rationale for that alignment option coming off the table.

MOTION: Commissioner Lindeke moved on behalf of the Transportation Committee to approve the resolution supporting the LPA recommendation to the Mayor and City Council for adoption. The motion carried unanimously on a voice vote.

Mr. Dermody announced the items on the agenda at the next Transportation Committee meeting on Monday, July 31, 2017.

VII. Comprehensive Planning Committee

Ford Site Master Plan – Approve resolution recommending Ford Zoning and Public Realm Master Plan to the Mayor and City Council for adoption. *(Merritt Clapp-Smith, 651/266-6547, and Mike Richardson, 651/266-6621)*

Merritt Clapp-Smith is PED staff and lead on the Ford project. Ms. Clapp-Smith went through a series of slides talking about what happened at the recent committee meeting, the public comments received and the nature of comments and recommendations from the staff. The powerpoint can be viewed on the web page at: [http://www.stpaul.gov/planningcommission](http://www.stpaul.gov/planningcommission).

Commissioner Lindeke asked for clarification on the Mississippi River Critical Area standards and how/when they were written.

Chair Reveal said that there had been a two to three year discussion of Critical Area rulemaking at the Comprehensive Planning Committee, Planning Commission and other committees, because it took a long time for the City, State and other affected municipalities to work through differences and ideas for updated critical area standards.
Donna Drummond, Planning Director, said that there is more to come. The DNR developed the rules for the critical area and the next step is for all the cities in the critical area to update their critical area regulations to be consistent with the new rules. The city will begin that step next year.

Commissioner Makarios said that in the northwest corner of the site that is zoned Gateway it allows up to 65 feet and the Critical Area limit is 48 feet, so if someone wanted to build a 65 foot building in that northwest quadrant they could apply for a conditional use permit. He asked if that conditional use permit would have a different set of standards than the traditional conditional use permits that are seen at the Zoning Committee.

Ms. Clapp-Smith replied that the critical area rules have a set of performance standards to meet the conditions for a conditional use permit. Based on the description of the performance standards in the state rules, City staff feels that there is a good chance that the conditions could be met and therefore it is appropriate for the Ford zoning districts to allow heights somewhat above the Critical Area regulations. If the standards for a conditional use permit are not met in the future, then the buildings in the Critical Area would have to comply with the maximum Critical Area heights.

Commissioner Makarios understands but the conditions to be met relate to visibility from the opposite shoreline and not to character of development in the neighborhood.

Commissioner Reich asked if the Critical Area only allows up to 48 feet and the Ford zoning in the northwest corner allows up to 65 feet, could heights exceed 65 feet with a conditional use permit?

Ms. Clapp-Smith said that exceeding 48 feet would require a conditional use permit for the Critical Area standards AND a variance to the Ford district height limit of 65 feet.

Ms. Clapp-Smith continued with her power point presentation.

Commissioner Makarios asked how to enshrine the idea for Hidden Falls Regional Park expansion and Mississippi River Boulevard realignment into the document going to City Council.

Ms. Clapp-Smith said that it could be put in the plan. Do you want to try and identify where that road realignment would go now or could the intent be identified now and the details figured out later?

Ms. Clapp-Smith ended the presentation and recommended that the Commission consider sending the plan back to committee for additional review and examination of key items.

Commissioner Mouacheupao provided an overview of the Comprehensive and Neighborhood Planning Committee meeting on July 11th to discuss the Ford plan. She explained that at committee they discussed the public hearing comments, including the additional comments that came through, and that there was a lot of discussion and things to consider. In the end, they had a unanimous vote to approve the plan with the additional recommendations mentioned, including the MRB realignment and retaining depiction of the recreation fields space. Now, in light of the additional staff recommendations discussed today:
Commissioner Mouacheupao moved to send this back to Comprehensive Planning Committee for further discussion. Commissioner Underwood seconded the motion.

Commissioner Makarios is okay either way but he does not believe that this necessarily needs to go back to committee and he is prepared to move forward today. 1) Lots of talk about the comments and the number of comments and what they received and he appreciates Ms. Clapp-Smith walking through the timeline of comments but they had all of the information before them when they met at the Comprehensive Planning Committee and no new information has come forward since then. At committee they had a very thorough discussion and they made a decision to move forward. The other small changes that staff had suggested -- dealing with parking design, building width, lot coverage, broadband and studying Ford Parkway -- are largely technical and can be considered by the full Commission today. We could easily remove the recreation fields from the map and it is something the committee had a lot of discussion around, and he does not feel that they need to delay this for 2 weeks, but he understands if there are people who feel strongly that they need to weigh in on this debate and take more time with the issues that have come up today. However, he doesn’t think that further discussion of the plan at committee would change their recommendation.

Commissioner DeJoy asked what the committee would discuss that it didn’t already consider; is there a specific reason to bring it back to committee?

Commissioner Mouacheupao said that there are the additional staff recommendations that they didn’t talk about at committee.

Chair Reveal noted that the timeline for plan review by City Council would not necessarily be affected if the item is sent back to committee and returns to Planning Commission in two weeks.

Commissioner Oliver said he was at the committee meeting and all of the changes that Ms. Clapp-Smith had on the slides were things that they discussed and are not new considerations. There is no new content to send back for discussion.

Commissioner Baker said the staff recommendation is to send it back to the committee and that process is important. He wants to make sure that when moving forward we can move forward saying that we heard the community and we were flexible enough to send it back to the committee for more conversation. His concern is more about the reputation of the committee and the process.

Commissioner Underwood said that the issues and plan considerations presented here today have been really well vetted. She appreciates and respects the accountability the City has taken regarding the temporarily missing 200 comments, which was about over half of all public comments received and while the for and against ratio of those comments might have been similar across the board and they understood the public response generally, she feels that out of respect for the process and the community role in this work, it is the responsible thing to do to go back to committee.

Commissioner Lee inquired as to what the next steps are in addressing the public’s concern and wanting to pause this process. This is a huge change to the community and she wants to make
sure that there is going to be more opportunity along the way for more public input.

Chair Reveal said that if we send it back to committee to discuss the issues we heard today, which for the most part were already discussed at committee, though people may want to discuss them more, then it will come back to Planning Commission and then go to City Council. City Council will hold another public hearing with opportunity for another round of public comments and discussion at City Council.

Commissioner Perryman said that he does not anticipate the committee changing anything based on the late set of comments, which the committee had when it met. All recommendations under consideration by the full Commission today were reviewed by the committee already and he doesn’t see anything changing if they are sent back for more discussion.

Commissioner Rangel Morales said that the City staff has been really diligent about providing all public comments to the Planning Commission and even the late comments were provided to the Planning Commission 2 weeks ago, which is more than enough time to review. He does not agree with the commissioners who say that the process hasn’t already been honored.

Chair Reveal took a vote on the motion to send this back to the joint Comprehensive/Neighborhood Planning Committee for further discussion and the motion failed on a hands vote of 7-9.

Commissioner Makarios moved the Zoning Committee’s recommendation for approval of the Ford Site Zoning and Master Plan. He also moved to incorporate the suggested staff recommendation that Ms. Clapp-Smith presented.

Commissioner Fredson cited a specific concern in the plan on page 68 table 5.1, building types by zoning district. It outlines the building types and number of units by zoning district. Currently under F1-River Residential, it permits ‘multi-unit home’ and ‘carriage house’. He said he felt very strongly that this F1-River Residential zoning district is the most prime piece of land on the site and should provide more people with an opportunity to live on the river.

**MOTION TO AMEND:** Commissioner Fredson moved to remove ‘Multi-Unit Home’ from F1-River Residential and add ‘Townhouse’, ‘Multi-Family Low’ to F1-River residential; keep the 48 foot maximum height for F1-River Residential, retain ‘Carriage House’, with the 30 foot maximum height; and maintain the 30 foot minimum setback from Mississippi river Blvd. Commissioner Underwood seconded the motion.

Commissioner Lindeke said he supports Commissioner Fredson’s amendment, but we have been talking about a separate design standard process that would happen after the Ford plan is on the table in City policy. So would this be the kind of thing to be addressed in the design standards further down the road or is it important to have it in now?

Chair Reveal replied that it would certainly be part of it, but it would be better to predefine in the plan itself whether there is more building type variety in this district and when the design standard is done to pay particular attention to design in that district.

Commissioner Ochs is not in support of the amendment because low density is more important
along this particular stretch of the River Blvd. There is still accessible public space along the river bluff and affording the opportunity for anyone to live there should not be a high priority. Low density is the goal that he would like to see there.

Commissioner Baker asked if there could be another articulation of the amendment.

Commissioner Fredson clarified the amendment saying according to table 5.2 and the following pages in the plan in F1-River Residential it permits carriage house and multi-home unit only. Multi-unit home only permits 2-6 units and the carriage house permits 1-2 units. What he is proposing would allow more people to live along the river valley. Removing the multi-unit option which is 2-6 units and replacing with townhouse and row house that is 3-16 units and then multi-family low which is 6-40 units and keeping carriage house.

Commissioner Oliver supports the amendment and he views the density goals as being important site-wide and the idea that 5 blocks of low density doesn’t fit with the larger site. People are worried that the density is going to be clustered too high on the eastern side of the site and put pressure on Ford Parkway, Cleveland, Montreal Avenue and those areas. It does not make sense to him to reserve the other side of the site to be very low-density. Allowing more density on the west along Mississippi River Boulevard would reduce the pressure for density on the rest of the site and spread it out better across the entire site. It fits more with our goals to have the least dense version of housing in this area be townhomes, it fits with the urban picture that we are seeing and makes our goals more attainable.

Commission Rangel Morales wanted to know if part of the amendment included removing the use of ‘multi-unit home’ altogether from the plan.

Commissioner Fredson said that the four components of the amendment are: 1) Removing multi-unit home from F1- River Residential, 2) Adding townhouse and multi-family low to F1-River residential, 3) Keeping the 48 foot maximum height, and 4) Maintaining the 30 foot minimum setback from the Mississippi River Blvd.

Commissioner Reich stated that if density is the issue that we are trying to solve, he isn’t sure if spreading the density out differently across the site addresses it.

Chair Reveil noted that there is no recommendation to change the minimum and maximum number of housing units allowed overall on the site. The proposed change would not increase or reduce overall site density, but it would distribute it differently across the site.

Ms. Clapp-Smith clarified that all of the zoning districts allow a range of heights and lot coverage within them. In addition to the zoning, the master plan limits the site to no fewer than 2,400 housing units and no more than 4,000. If every lot on the site was built to the maximum allowed under zoning, there would be more than 4,000 housing units, so when the site is built out some of the buildings are going to have to be smaller than the maximum. The 4,000 units is a ceiling that caps maximum build out. If the River Residential zoning district allows more housing units, then a portion of the maximum of 4,000 units will shift there and leave fewer units on the rest of site.

Commissioner Reich clarified that a shift to more units along the river would have a corresponding reduction in density in other areas.
Ms. Clapp-Smith replied that within the limits of each zoning district, there remains some flexibility about how to distribute development across the site, so there could be various ways it would play out across the site.

Commissioner Ochs emphasized that the low density housing as proposed in the River Residential district provides a park like atmosphere along the river and that increasing the density in this area would take away from that. It behooves us to try to have a contiguous park like atmosphere along the bluff up and down both sides of the river, while making the public areas more accessible and enjoyable spaces for all.

Commissioner Mouacheupao stated that before they were called ‘multi-unit homes’ they were referred to as ‘mansion-plex’ housing, so that gives you a visual idea of what is being proposed. She agrees that it makes it feel too exclusive and supports the amendment to make it feel less so.

Commissioner Perryman supports the amendment for reasons of equity -- that anyone could access it and be able to open their door and see that space and have that quality of life.

*The motion to add the amendments with four parts carried 14-2 (Makarios, Ochs) on a voice vote.*

Commissioner Makarios said that Ms. Clapp-Smith mentioned doing an inset in the plan for the realignment of the Mississippi River Boulevard. He moved to recommend that they recommend realigning the southern portion of the Mississippi River Boulevard to incorporate what is now park space on the Ford site to be incorporated into Hidden Falls Regional Park. Realigning Mississippi River Boulevard to the north would allow that park space to become part of the regional park instead of City park, which in turn could allow the corresponding amount of park land to be added elsewhere on the site as City park space. We already have a recommendation to explore that avenue and he would like to have an inset in the plan showing what that alternative looks like.

Mike Richardson, PED staff, has some reservations about including an inset that indicates some sort of specific alignment. Instead, the language could be strengthened to identify the same intent, if that is what the commission decides to do. He also thinks that it is possible to more clearly delineate what needs to be addressed in the future because there is so much uncertainty now about what’s possible, how much land would be transferred, and how road realignment would be best designed.

Commissioner Makarios said is comfortable with letting staff work out some stronger language in the plan to indicate the interest in the Hidden Falls Regional Park expansion and road realign, without doing a map inset.

Chair Reveel said the motion is to address this graphically as well as narratively in the plan, but will rely on staff to do that appropriately. Commissioner Makarios said he is removing the recommendation to show it graphically.

Mr. Richardson added there are some specific concerns that need to be addressed in the future, such as traffic calming and the creation of adequate functional park space on either side of the road.
**MAIN MOTION:** Commissioner Makarios moved to approve the resolution with the additional changes, recommending the Ford Site Zoning and Public Realm Master Plan to the Mayor and City Council for adoption. The motion carried unanimously on a voice vote.

Commissioner Mouacheupao announced that the next Joint Comprehensive/Neighborhood Planning Committee meeting is on Tuesday, August 8, 2017.

VIII. **Communications Committee**

Commissioner Underwood had no report.

IX. **Task Force/Liaison Reports**

No reports.

X. **Old Business**

None.

XI. **New Business**

None.

XII. **Adjournment**

Meeting adjourned at 10:37 a.m.

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

Respectfully submitted,

[Signature]
Donna Drummond
Planning Director

Approved ____________________________
(Date)

[Signature]
Cedrick Baker
Secretary of the Planning Commission
Saint Paul Planning Commission  
City Hall Conference Center  
15 Kellogg Boulevard West  

Minutes August 11, 2017

A meeting of the Planning Commission of the City of Saint Paul was held Friday, August 11, 2017 at 8:30 a.m. in the Conference Center of City Hall.


Also Present: Lucy Thompson, Acting Planning Director; Allan Torstenson, Kady Dadlez, Mollie Scozzari and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes June 30th and July 14, 2017.

MOTION: Commissioner Makarios moved approval of the minutes of June 30, 2017. Commissioner Thao seconded the motion. The motion carried unanimously on a voice vote.

and

MOTION: Commissioner Vang moved approval of the minutes of July 14, 2017. Commissioner Oliver seconded the motion. The motion carried unanimously on a voice vote.

II. Chair’s Announcements

Chair Reveal had no announcements.

III. Planning Director’s Announcements

The Acting Planning Director, Lucy Thompson, announced the Great Places Initiative awards Call for Submissions. The Sensible Land Use Coalition (SLUC) has an annual competition recognizing “great places,” which SLUC defines as vibrant, publically-accessible places that encourage activity, add value to adjacent private development and celebrate place. The goal of the Sensible Land Use Coalition in doing the competition is to recognize great places, demonstrate their value and encourage private developers to provide them in their projects. Ms. Thompson encouraged Commissioners to submit ideas to Planning staff or to submit submissions on their own. There is no submission fee. Several Great Places have already been awarded in Saint Paul: Rice Park, Bruce Vento Nature Sanctuary, the Farmers Market, Urban Flower Field, Chestnut Plaza and CHS Field. The nominations are due August 25th.
IV. Zoning Committee

SITE PLAN REVIEW – List of current applications.  (*Tia Anderson, 651/266-9086*)
- ResCare St Paul – Building Renovation, Patio addition at 700 Transfer Road.  Stephen Hack-ResCare  SPR #17-062576
- Selby Milton Apartments – New 3-Story, Mixed-Use Senior Housing at 940 Selby Avenue  (near Milton)  Greg Finzell-Rondo Community Land Trust  SPR #17-062288
- Selby Victoria Apartments – New 3-Story, Mixed-Use Senior Housing at 838 Selby Avenue  (at Victoria)  Greg Finzell-Rondo Community Land Trust  SPR #17-062295

Three items to come before the Site Plan Review Committee on Tuesday, August 15, 2017:
- Urban Academy Modular Classrooms – Building addition at 1668 Montreal Avenue.  Tom Schumacher-Lumen Christi Catholic Community  SPR #17-065186
- Hudson Road Apartments – New residential building at 1880 Old Hudson Road.  Samir Abumayyaleh-Old Hudson Road Development  SPR #17-065017
- New Single Family Home – New residential-Steep slope, Tree preservation district at 572 Burlington Road.  John Eral-Michael Homes Inc.  SPR #17-065685

NEW BUSINESS

#17-058-900 MacQueen Equipment, Inc. – Rezone from IT Transitional Industrial to Il Light Industrial.  1125 7th Street East, NW corner at Duluth Street.  (*Bill Dermody, 651/266-6573*)

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

#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 announced that this case has been laid over to the August 31, 2017 Zoning Committee meeting.

Commissioner Makarios announced the items on the agenda at the next Zoning Committee meeting on August 17, 2017.

V. Comprehensive Planning Committee

Zoning Code Chapter 65 Minor Text Amendments – Approve resolution initiating a zoning study, release draft amendments for public review, and set a public hearing for September 22, 2017.  (*Allan Torstenson, 651/266-6579*)

**MOTION:** Commissioner Thao moved the Comprehensive Planning Committee’s recommendation to approve the resolution initiating a zoning study and set a public hearing on September 22, 2017.  The motion carried unanimously on a voice vote.
Commissioner Thao announced that the Committee discussed the draft Land Use Chapter of the Comprehensive Plan at their last meeting. The next meeting is scheduled for Tuesday, August 22, 2017.

VI. Neighborhood Planning Committee

Short-Term Rental Study and Zoning Amendments – Approve resolution recommending zoning code amendments to the Mayor and City Council for adoption. (Kady Dadlez, 651/266-6619)

Commissioner DeJoy reported that, at the last Planning Commission meeting on July 14th, this item was sent back to committee because there were some issues that needed addressing as outlined in the packet. The definition of family was the main topic of discussion, as it was thought to be confusing.

Kady Dadlez, PED staff, explained that staff prepared a memo detailing the questions raised at the Planning Commission meeting and responses to those questions. The Neighborhood Planning Committee members discussed the items in the memo at length, but made no changes to the proposed zoning amendments. There was one change, however, recommended by the Committee to the short-term rental study itself. The study referred to short-term rental uses as illegal. The Committee agreed that that language should be revised to say that they are not permitted. Ms. Dadlez added that one of the questions raised by the Planning Commission at the July 14th meeting was about accommodating large one-time events like the Super Bowl. She noted the City Council has the authority to grant interim use permits for large one-time events to allow exceptions to the standards and conditions for the use. The Committee briefly discussed this idea and supported it. It is included in the resolution before the Planning Commission today.

Chair Revelin inquired if the Planning Commission would be involved with those interim use permits or whether it is something the City Council does on its own.

Ms. Dadlez said that interim use permits are under the purview of City Council. Ms. Dadlez also noted that staff had requested additional information from Airbnb about its profile data (information that Commission Thao had requested about the make-up of the 4 percent of its stays that involve more than four guests) but Airbnb was not able to provide it. Information Airbnb did provide indicates that the average number of people in a group that stays in Saint Paul is 2.1, and that 96 percent of stays involve four or fewer guests.

Commissioner Thao reminded the Planning Commission about Commissioner Underwood’s concerns raised at the July 14th meeting and why this item was referred back to Committee. Commissioner Underwood is not present today, but Commissioner Thao noted that she did speak with her after the Committee meeting. Commissioner Underwood wanted to make sure that the Committee was able to address some of her concerns, including the addition of a chart to help define family.

Chair Revelin added that she received a copy of Minneapolis’ recently proposed short-term rental regulations from an informal group of Airbnb hosts in the Twin Cities. She said she is not proposing the Planning Commission not go forward with a recommendation today, but she wanted to note that the Minneapolis regulations are definitely worth looking at. They are very simple and straightforward, and the fees are dramatically lower than Saint Paul’s. Staff should
look at this and make the City Council aware that Minneapolis is in the process of regulating short-term rentals and what they are proposing.

Commissioner Lindeke said that the definition of family seems really out-of-date, including the reference to domestic servants, and was wondering if at the City level or in the code somewhere we could come up with a more inclusive 21st century definition. Commissioner Lindeke also noted that under Issue #5 in the memo it says that the Department of Safety and Inspections (DSI) will track and monitor impacts to housing availability and affordability with data and information. Commissioner Lindeke asked whether Airbnb would provide the City with data about how things are going.

Ms. Dadlez responded that the definition of family seems antiquated, but it is what we have used for a long time. She said she believes there may be a recommendation in the Housing chapter of the Comprehensive Plan update to review and update the definition.

Dan Niziolek, DSI staff, said that good data are very important when talking about a new economic model for the City of Saint Paul in order to track what is happening and perhaps predict what will happen in the future. DSI staff has had a number of conversations with Airbnb and Expedia (which operates VRBO and HomeAway). There is a real reluctance on their part to share information they say is protected by federal law. We disagree that it is federally protected. There have been significant legal challenges throughout the country between Airbnb and other cities. Host platforms are just like transportation network companies, and transportation network companies provide us with all kinds of information upon request on a regular basis. It is something DSI staff is going to continue to push for in its negotiations. One of the reasons we are looking at licensing all hosts is to ensure we have that information. Our initial plan for a regulatory model was much more limited than what is proposed because our hope was that short term platforms would register and provide information to the city on a regular basis. Under this model, we would not have needed to license individual hosts, but only license the host platforms; we would then have the data from the platforms to determine who should be on the platform and who should not. The platform companies have politely said that this is not their job. So, we have had to create a more structured regulatory model to insure public health, safety and livability for the City of Saint Paul. That’s where we’ll push for the data, but we are not confident that we will get it.

**MOTION:** Commissioner DeJoy moved the Neighborhood Planning Committee’s recommendation to approve the resolution recommending the zoning code amendments to the Mayor and City Council for adoption. The motion carried 11-2 (Oliver, Rangel Morales) on a voice vote.

Commissioner DeJoy asked Commissioner Oliver and Commissioner Rangel Morales their reasons for voting against the resolution.

Commissioner Oliver said that he is not convinced that there is any real basis to change the City’s approach to lodging. Just because something happens on the internet doesn’t really change the nature of it.

Commissioner Rangel Morales said the ordinance imposes too many restrictions and limitations, and complicates things. He recalled testimony from a woman who lives near Cathedral Hill. She has a very large home that is be suitable for more guests than what would be allowed by the
ordinance. He said he does not think it is fair to require people like that to have to apply for a conditional permit to be able to host more people, even if it is granted. He thinks this is an unnecessary step.

VII. Transportation Committee
Commissioner Lindeke reported that, at their last meeting, they heard from a Shared Mobility expert from Chicago who was working on a report about Twin Cities shared-use mobility – e.g. car and bike sharing. They also heard about the Westgate Public Realm Plan. The August 14, 2017 meeting has been canceled.

VIII. Communications Committee
No report.

IX. Task Force/Liaison Reports
Commissioner Edgerton reported that the Rice-Larpenteur Gateway Vision Plan task force met on August 8, 2017, and heard presentations on concepts for street widths, number of lanes, streetscapes, connections and open space. The next meeting date has yet to be determined. More information to come later.

X. Old Business
None.

XI. New Business
None.

XII. Adjournment
Meeting adjourned at 9:03 a.m.

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

Respectfully submitted,

Lucy Thompson
Acting Planning Director

Approved _______________________________
(Date)

Cedrick Baker
Secretary of the Planning Commission
Date: July 25, 2017
To: Planning Commission
From: Comprehensive Planning Committee
Subject: Zoning Code Chapter 65 Minor Text Amendments

Background

Chapter 65 and all of the use tables in Chapter 66 use consistent terms and organization. This is important for clarity, for ease of use, and to help avoid confusion. A draft new Article IX, 66.900, Ford Districts to be added to Chapter 66 of the Zoning Code has a simplified use table that groups more uses of similar impact under broader use categories and definitions. This is consistent with American Planning Association guidance for simplifying zoning codes as well as with a City goal for making the Zoning Code as simple and easy to read and use as possible. The other use tables in Chapter 66 will be amended to be consistent with the new use table for the Ford districts. Chapter 65 needs to be amended for consistency with the terms and organization of the new Ford district use table. It also needs to be amended to specifically refer to the Ford districts when that is needed to be clear about standards and conditions for uses that apply in Ford districts.

Zoning Code § 61.801 requires periodic review and reevaluation of the Zoning Code. Last March the Zoning Administrator recommended a number of corrections and minor amendments to clarify language in Chapter 65 and bring it up-to-date based on issues that have come up in administering the code and decisions that have been made in several determination of similar use and nonconforming use permit cases.

Committee Recommendation

The Comprehensive Planning Committee recommends that the Planning Commission initiate a zoning study to consider the following amendments to Zoning Code Chapter 65 for minor corrections, simplification, Ford District integration, and bringing Chapter 65 up-to-date; to release the draft amendments for public review; and to schedule a public hearing on the draft amendments for the September 22, 2017 Planning Commission meeting.


NOTE: Existing language to be deleted is shown by strikeout. New language to be added is shown by underlining. [Drafting notes are in brackets.]
ARTICLE II. 65.100. RESIDENTIAL USES

... 

Sec. 65.113. Dwelling, three-family.
A building designed exclusively for or occupied exclusively by no more than three (3) families living independently of each other in three (3) individual dwelling units. [Covered under multiple-family dwelling.]

Sec. 65.114. Dwelling, four-family.
A building designed exclusively for or occupied exclusively by no more than four (4) families living independently of each other in four (4) individual dwelling units. [Covered under multiple-family dwelling.]

Sec. 65.115. Dwelling, townhouse.
A one-family dwelling unit, with a private entrance, which is part of a structure whose dwelling units are attached horizontally in a linear arrangement, and having totally exposed front and rear walls to be used for access, light and ventilation.

Development standards:

In the RT2 townhouse residential district, no more than six (6) townhouse dwelling units shall be attached to form the townhouse structure. [Covered under multiple-family dwelling.]

Sec. 65.113 65.116. Dwelling, multiple-family.
A building, or portion thereof, designed exclusively for occupancy by three (3) or more families living independently of each other in individual dwelling units.

Development standards in the RT2 townhouse residential district:

No more than six (6) dwelling units shall be attached to form a townhouse structure, and other types of multiple-family dwellings shall contain no more than four (4) dwelling units.

[Three- and four-family dwellings fall under the more general use category “multiple-family dwelling,” defined in § 65.116 as a building with 3 or more dwelling units. § 65.115 defines townhouse dwelling as more of a building type than as a use: “... a structure whose dwelling units are attached horizontally in a linear arrangement, and having totally exposed front and rear walls to be used for access, light and ventilation.” Townhouse is a building type that falls under the more general use category “multiple-family dwelling.” Therefore, townhouse and 3-4 family dwelling do not have to be separately defined in Chapter 65 and do not have to be separately listed in the use tables. The amendments above delete the separate sections for townhouses and 3-4 family dwellings, and continue to regulate them the same way under § 65.116, multiple-family dwelling. This just changes how these are listed, not how they are regulated.]

Secs. 65.114- 65.117-65.120. Reserved.

Sec. 65.121. Dwelling, carriage house.
An accessory dwelling in a combined residential and garage building, separate from the main building on the lot, located above and/or adjacent to the detached garage.

Standards and conditions in residential districts:

(a) The building planned for use as a carriage house dwelling had space originally built to house domestic employees.

(b) The applicant shall obtain a petition signed by two-thirds (%) of the property owners within one hundred (100) feet of the applicant's property line consenting to the carriage house dwelling.

(c) The applicant shall not reduce the number of existing off-street parking spaces on the property and shall also provide additional off-street parking as required for the carriage house dwelling.
(d) A site plan and a building plan shall be submitted to the planning commission at the time of application. Carriage house dwellings are exceptions to one (1) main building per zoning lot requirements.

[In some cases part or all of a carriage house dwelling is on the same floor as the garage. The standards and conditions for carriage houses were written to apply to reuse of old accessory dwellings for domestic employees in residential districts, not to construction of new carriage house dwellings such as proposed as part of Ford site redevelopment.]

...  

Sec. 65.131. Housing for the elderly.

A multiple-family structure in which eighty (80) percent of the occupants shall be sixty-two (62) years of age or over, or a multiple-family structure owned and operated by the city public housing agency (PHA) within which over ninety-five (95) percent of the units have no more than one bedroom and are occupied by persons who are eligible for admission to public housing in accordance with current federal regulations.

[Delete an extra “e” in the first line.]

...

Sec. 65.141. Home occupation.

An occupation carried on in a dwelling unit by a resident thereof, provided that the use is limited in extent, incidental and secondary to the use of the dwelling unit for residential purposes and does not change the character thereof.

Standards and conditions:

...(b) A home occupation shall not involve the conduct of a general retail or wholesale business, a manufacturing business, a commercial food service requiring a license, a limousine business, or auto service or repair for any vehicles other than those registered to residents of the property, a motor vehicle salvage operation or a recycling processing center, and shall not involve retailing except as noted in paragraph (a).

[A number of complaints have been received about salvaging and recycling out of a residential dwelling. The proposed change would specifically prohibit this.]

...

(g) There shall be no exterior storage of equipment, supplies or commercial or overweight vehicles as defined in Chapter 151 associated with the home occupation, nor parking of more than one (1) business car, pickup truck or small van, nor any additional vehicles except those for permitted employees identified under paragraph (d).

[This proposed amendment would establish a vehicle threshold size when enforcing this section. Sec. 151.02(9) defines an overweight vehicle as: “Any vehicle, with or without load, which weighs more than six thousand (6,000) pounds or is registered for a gross weight of more than nine thousand (9,000) pounds or is greater than twenty-two (22) feet in length and/or seven and one-half (7½) feet in height. This definition includes but is not limited to semi-trailers, tow trucks, buses, limousines, tractors, construction equipment or similar vehicles. This definition excludes licensed, operable recreational vehicles (RV’s).”]

...

Sec. 65.151. Adult care home.

...  

Standards and conditions:

...
(c) In traditional neighborhood development districts, the site shall contain a minimum of one hundred fifty (150) fifty (50) square feet of outdoor community space per resident, consisting of seating areas, yards and/or gardens. Public parks or plazas within three hundred (300) feet of the site may be used to meet this requirement.

[This corrects an error - the proposed change was actually adopted but when the congregate living text amendments were written, an older version of the code was used.]

... Sec. 65.154. Emergency housing facility.
...

Standards and conditions:
See section 65.164 65.162, supportive housing facility, standards and conditions (a) – (d).

Sec. 65.155. Foster home.
...

Development Standards and conditions:
In B1, B2-B3 business, and IT-I2 industrial districts, the use shall be within a mixed-use building. In B4 and B5 business districts, the use shall be within a multiple-family building.

[Corrects coding error – these sentences were intended to be in the same paragraph.]
...

Sec. 65.158. Roominghouse

(1) Any residential structure or dwelling unit, supervised or not, which provides living and sleeping arrangements for more than four (4) unrelated individuals for periods of one (1) week or longer; or

[Apartments buildings, residential structures that typically provide living and sleeping arrangements for more than four unrelated individuals, are not automatically roominghouses.]

(2) Any residential structure or dwelling unit that provides single room occupancy (SRO) housing as defined in CFR section 882.102 to more than four (4) unrelated individuals; or

(3) Any building housing more than four (4) unrelated individuals that has any of the following characteristics shall be considered and regulated as a roominghouse:

a. Rental arrangements are by the rooming unit rather than the dwelling unit.

b. Rooming unit doors are equipped with outer door locks or chains which require different keys to gain entrance.

c. Kitchen facilities may be provided for joint or common use by the occupants of more than one (1) rooming unit.

d. Rooming units are equipped with telephones having exclusive phone numbers.

e. Rooming units are equipped with individual intercom security devices.

f. Each rooming unit has a separate assigned mailbox or mailbox compartment for receipt of U.S. mail.

This definition does not include congregate living facilities separately defined in this code:

(1) Supportive housing facilities as defined in this code.

(2) Licensed correctional community residential facilities as defined in this code.

(3) Sober houses as defined in this code.
[Adult care homes, dormitories, emergency housing facilities, fraternities, overnight shelters, and shelters for battered persons are also not roominghouses.]

... 

**Sec. 65.159. Shareable housing.**

A residential structure designed for collaborative living, in which individuals share common facilities and amenities.  [A use proposed for Ford districts.]

**Sec. 65.160. See—65.159. Shelter for battered persons.**

... 

Standards and conditions for shelters for battered persons serving more than four (4) adult facility residents and minor children in their care:

(a) In residential, traditional neighborhood, Ford and OS-B2 business districts, a conditional use permit is required for facilities serving more than four (4) adult facility residents and minor children in their care.

...

(c) In RL-RT2 residential, traditional neighborhood, Ford, OS-B3 business and IT-I2 industrial districts, the facility shall serve sixteen (16) or fewer adult facility residents and minor children in their care.

...

**Sec. 65.161. See—65.160. Sober house.**

...

**Sec. 65.162. See—65.161. Supportive housing facility.**

...

Standards and conditions:

(a) The facility shall be a minimum distance of one thousand three hundred twenty (1,320) feet from ... 

(b) In RL-RT1 residential districts, the facility shall serve six (6) or fewer facility residents. In RT2 residential, traditional neighborhood, Ford, OS-B3 business and IT-I2 industrial districts, the facility shall serve sixteen (16) or fewer facility residents.

(c) In residential, and T1 traditional neighborhood and F1 Ford districts, a conditional use permit is required for facilities serving seven (7) or more facility residents.

...

**Sec—65.162—65.191. Reserved.**

ARTICLE III. 65.200. CIVIC AND INSTITUTIONAL USES

Division 1. 65.210. Educational Facilities

**Sec. 65.210. See—65.234. Cemetery, mausoleum.**

Condition in residential districts:

The use shall have lawfully occupied the property at the time of adoption of this code.

**Sec. 65.211. See—65.232. Club, noncommercial.**

An organization of persons for special purpose or for the promulgation of sports, arts, sciences, literature, politics or the like, but not operated for profit, excluding churches, synagogues or other houses of worship.
Sec. 65.212. School, grades K-12.

Development standard:

The school shall offer courses in general education, and shall not be operated for profit.

[The planning commission decided that a private junior high boarding school operated by a for-profit corporation at 325 Dayton Ave, was similar to a nonprofit school. It is clear what primary and secondary schools are without a separate definition here.]

Secs. 65.213–65.219. Reserved.

Sec. 65.220. College, university, seminary, or similar institution of higher learning.

...

Standards and conditions except in B4–B5 business districts:

(a) ... To determine compliance with parking requirements in, the institution must file an annual report with the planning administrator stating the number of employees, staff and students associated with the institution.

[Remove an extra word, “in.”]

...

Sec. 65.221. See 65.214. Day care.

The care of one (1) or more children on a regular basis, for periods of less than twenty-four (24) hours per day, in a place other than the child's own dwelling unit. Day care includes family day care, group family day care and group day care child care centers, as hereinafter defined.

...

(3) Group-day care Child care center. A day care program providing care for more than six (6) children at one time and licensed by the state or the city as a group-day child care center. Group-day Child care centers include programs for children known as nursery schools, day nursery, child care centers, play groups, day care centers for school age children, after school programs, infant day care centers, cooperative day care centers and Head Start programs.

Standards and conditions:

(a) In RL–R4 residential districts, group day care a child care center for more than twelve (12) children at one time shall be located in a nonresidential structure formerly occupied by a church, school or similar facility. In industrial districts, group day care a child care center shall be accessory to a principal use permitted in the district.

...

[In order to bring the code into compliance with current state licensing standards, a group day care facility is proposed to be changed to a child care center. Under current state license rules any facility meeting the definition of a child care center needs to be licensed regardless of the number of children at the facility. Therefore, any reference to the number of children at the child care center should be eliminated.]

Secs. 65.222–65.232. Reserved.

Division 2. 65.230. Social, Cultural, and Recreational Facilities

...

Sec. 65.236. Religious institution.

A church, chapel, synagogue, temple or other similar place of worship, along with uses directly associated with the place of worship such as a rectory, parsonage, convent, monastery, and religious retreat.
Division 3. 65.250. Religious Institutions.

Sec. 65.271. Rectory, parsonage.

Condition:
The use shall be associated with a church, chapel, synagogue, temple or other similar house of worship.

Sec. 65.272. Convent, monastery, religious retreat.

Condition in residential districts:
The use shall be associated with a church, chapel, synagogue, temple or other similar house of worship.

ARTICLE IV. 65.300. PUBLIC SERVICES AND UTILITIES

Sec. 65.310. Antenna, cellular telephone.

A device consisting of metal, carbon fiber, or other electromagnetically conductive rods or elements, usually arranged in a circular array on a single supporting pole or other structure, and used for the transmission and reception of radio waves in wireless telephone communications.

Standards and conditions:

(a) In residential, traditional neighborhood, Ford and business districts, a conditional use permit is required for cellular telephone antennas on a building less than forty-five (45) feet high or on a freestanding pole, except for existing utility poles or replacement utility poles required for structural reasons that match the size and appearance of the existing utility pole it replaces. In residential and traditional neighborhood districts, existing utility poles or replacement utility poles to which cellular telephone antennas are attached shall be at least sixty (60) feet high unless the antennas are located within a canister of a maximum three (3) feet in height and eighteen (18) inches in diameter that is colored to blend with the pole, in which case the pole shall be at least twenty-five (25) feet high. Conditional use permit review for such antennas will take into account not only the request made by the application, but also any future eligible facility modifications allowed under 47 CFR § 1.40001, such as antennas of a more obtrusive design or placement than the subject application. A conditional use permit is not required for any eligible facility modification allowed under 47 CFR § 1.40001, nor for any “small wireless facility” placement in the public right-of-way that meets the requirements of Minnesota Statutes 237.162 and 237.163.

[The first two additions clarify that a new pole can be considered the same as an existing utility pole when it matches what had been the existing pole, but requires replacement solely for structural reasons, which is a very common situation that would seem to meet the existing code’s intent. The third addition allows for small canisters containing antennas to be placed upon light poles, as has occurred numerous times downtown and recently on/near college campuses. The aesthetic impact in those situations is very minimal. This would not affect applications in the right-of-way because of the fourth addition. The fourth addition refers to MN Revised Statutes due to a new law that makes “small wireless facilities” (by their definition: generally 6 cubic feet or less in size, of whatever appearance) a permitted use in the right-of-way for all collocations on existing poles, plus for erecting new poles in ROWs that are not in a residential or historic district.]

(b) In residential, traditional neighborhood, Ford and OS-B3 and B5 business districts, the antennas shall not extend more than fifteen (15) feet above the structural height of the structure to which they are attached. In B4 business and industrial districts, the antennas shall not extend more than forty (40) feet above the structural height of the structure to which they are attached.

(c) For antennas proposed to be located on a building less than forty-five (45) feet high in residential, traditional neighborhood, Ford and business districts, or on a new freestanding pole in residential, traditional neighborhood, Ford and business districts, the applicant shall demonstrate that the proposed antennas cannot be accommodated on an existing freestanding pole or an existing structure
at least forty-five (45) feet high within one-half (½) mile radius of the proposed antennas due to one
(1) or more of the following reasons:

(1) The planned equipment would exceed the structural capacity of the existing pole or structure.
(2) The planned equipment would cause interference with other existing or planned equipment on the
pole or structure.
(3) The planned equipment cannot be accommodated at a height necessary to function reasonably.
(4) The owner of the existing pole, structure or building is unwilling to co-locate an antenna.

(d) In residential, traditional neighborhood, Ford and business districts, cellular telephone antennas to be
located on a new freestanding pole are subject to the following standards and conditions:

(1) The freestanding pole shall not exceed seventy-five (75) feet in height, unless the applicant
demonstrates that the surrounding topography, structures, or vegetation renders a seventy-five-
foot pole impractical. Freestanding poles may exceed the above height limit by twenty-five (25)
feet if the pole is designed to carry two (2) antennas.

(2) Antennas shall not be located in a required front or side yard and shall be set back one (1) times
the height of the antenna plus thirty-eight (38) feet from the nearest residential building.

(3) The antennas shall be designed where possible to blend into the surrounding environment through
the use of color and camouflaging architectural treatment. Drawings or photographic perspectives
showing the pole and antennas shall be provided to the planning commission to determine
compliance with this provision.

(4) In residential, and traditional neighborhood and Ford districts, the pole shall be on institutional
use property at least one (1) acre in area. In business districts, the zoning lot on which the pole is
located shall be within contiguous property with OS or less restrictive zoning at least one (1) acre
in area.

(h) Transmitting, receiving and switching equipment shall be housed within an existing structure
whenever possible. If a new equipment building is necessary, it shall be permitted and regulated as an
accessory building, section 63.500, and screened from view by landscaping where appropriate.

(i) In residential, traditional neighborhood, business, and Ford districts, antennas, support structures and
transmitting, receiving and switching equipment shall blend into the surrounding environment to the
greatest extent possible through the use of color, camouflaging architectural treatment, and
landscaping where appropriate. Antennas on a structure shall be aesthetically compatible with the
structure. Scaled drawings or photographic perspectives showing the antenna, pole and equipment
building and a landscape and landscape maintenance plan shall be submitted with the permit
application showing compliance with this provision.

(jj) Cellular telephone antennas, poles and supporting structures and equipment: buildings that are no
longer used for cellular telephone service shall be removed within one (1) year of nonuse.

[There are currently only appearance standards for cellular telephone antennas on freestanding poles and not for
those on structures. Since both types of antennas can be incompatible with the surroundings, the proposed change
would delete appearance standards from freestanding poles and add an appearance standards paragraph that address
both freestanding antennas and antennas on structures.]

Sec. 65.320. Electric transformer or gas regulator station.

Standards and conditions in Ford and business districts.
There may be service yards, but there shall be no storage yards.

**Sec. 65.321. Municipal building or use.**

*Development standard in residential, traditional neighborhood, Ford and OS—B4 business districts:*

There shall be no outdoor storage.

**Sec. 65.322. Utility or public service building.**

Utility and public service buildings include such things as water and sewage pumping stations and telephone exchange buildings.

*Standards and conditions in residential, traditional neighborhood, Ford and OS—B4 business districts:*

(a) Except for off-street parking and loading, the use shall be completely enclosed within a building. There shall be no outside storage.

(b) Except in business districts, the application shall include substantiating evidence that operating requirements necessitate locating the use within the district in order to serve the immediate vicinity.

... 

**ARTICLE V. 65.400. COMMERCIAL USES**

Division 1. 65.410. **Offices Office, Retail and Service Uses**

**Sec. 65.411. 65.412. General Professional office, studio.**

General office and studio uses Professional offices include, but are not limited to, administrative, insurance, real estate, and sales offices; artist and photographer studios; and offices of professionals such as accountants, architects, attorneys, auditors, bookkeepers, engineers and financial planners.

[This simplifies the code by grouping administrative offices, professional offices, artist and photographer studios, and insurance, real estate and sales offices under a single, broader use category. These are similar uses of similar impact that are permitted in the same zoning districts. There is no need to list them separately in the use tables.]

Division 2. 65.450. Medical Facilities

65451. **Clinic, Medical or dental.**

An establishment where human patients who are not lodged overnight are admitted for examination and/or treatment by a group of physicians, dentists or similar professionals.

[The originally accepted meaning of these terms is so commonly understood that the separate definition for this is not necessary, and this section can be deleted. Medical or dental clinic or laboratory is listed in the definition of "general service business" below, and doesn’t have to be separately listed.]

Division 3. 65.500. Retail Sales and Services

**Sec. 65.412. 65.510. General retail.**

General retail sales include the retail sale of products to the general public, sometimes with provision of related services, and produce minimal off-site impacts. General retail sales include but are not limited to the following:

(a) Antiques and collectibles store;

(b) Art gallery;

(c) Bakery;
(de) Bicycle sales and repair;
(ed) Book store, music store;
(f) Butcher shop;
(g) Catering;
(h-e) Clothing and accessories;
(i) Deli;
(j) Drugstore, pharmacy;
(k) Electronics sales and repair;
(l) Florist;
(m) Food and related goods sales;
(n) Jewelry store;
(o) Hardware store;
(p) Liquor store;
(q) News stand, magazine sales;
(r) Office supplies;
(s) Pet store;
(t) Photographic equipment, film developing;
(u) Stationery store;
(w) Picture framing; and
(x) Video store.

Standards and conditions:

In traditional neighborhood districts, a conditional use permit is required for new construction covering more than twenty thousand (20,000) square feet of land to ensure size and design compatibility with the particular location.

[Adding bakery, catering, deli, food and related goods sales, and liquor store to the definition of general retail simplifies the code and use tables by eliminating the need to separately list these similar uses of similar impact.]

Sec. 65.413. 65.533. Service businesses, general.

Service businesses include provision of services to the general public that produce minimal off-site impacts. Service businesses include but are not limited to the following:

(a) Bank, credit union;
(b) Barber and beauty shops;
(c) Dry-cleaning pick-up station;
(d) Food shelf;
(e) Interior decorating/upholstery;
(f) Laundromat, self-service;
(g) Locksmith;
(h) Mailing and packaging services;
(i) Massage center;
(j) Medical or dental clinic or laboratory;
(kf) Photocopying;
(l) Post office;
(me) Radio and television service and repair;
(nh) Shoe repair;
(o) Small appliance repair;
(pi) Tailor shop; and
(qj) Watch repair, other small goods repair.

(Ord 15-5, § 2, 2-5-15)

[Adding bank, credit union, food shelf, self-service laundromat, massage center, medical or dental clinic or laboratory, post office, and small appliance repair to the definition of general service business simplifies the code and use tables by eliminating the need to separately list these similar uses of similar impact.]

Sec. 65.414. 65.534. Service business with showroom or workshop.

...

Secs. 65.415-65.500. Reserved.

Sec. 65.501. 65.511. Alternative financial establishment.

...

Sec. 65.502. Animal boarding, animal shelter.

An establishment for the keeping and care of domestic pets for more than 24 hours by a person other than the owner of the animal and not associated with a veterinary clinic.

Standards and conditions:

(a) In traditional neighborhood districts, all activity shall take place within completely enclosed buildings except for the walking of dogs.

(b) An outdoor kennel or exercise/relief area shall be entirely enclosed with a fence and the animals shall not be kept outdoors between the hours of 10 p.m. and 6 a.m. The property where the use is located shall not adjoin residentially zoned property.

Sec. 65.503. Animal day care.

An establishment providing exercising and socializing for domestic pets on a daily basis for less than twenty-four (24) hours per day by a person other than the owner of the animal.

Standards and conditions:

(a) In traditional neighborhood, Ford and B3-B4 business districts, all activity shall take place within completely enclosed buildings except for the walking of dogs.

(b) In industrial and B5 business districts, an outdoor exercise/relief area shall be entirely enclosed with a fence. The property where the use is located shall not adjoin residentially zoned property.

[Standards for animal boarding and animal day care added to reflect Planning Commission decisions in several determination of similar use and nonconforming use permits in the following zoning files: #07-064978, #16-064802, #12-109252, #13-239519, #06-273087, #10-506183, #10-900721, and #12-215800. Both animal day care and animal boarding require a Saint Paul license under Chapter 348 that establishes minimum standards for the safekeeping of animals, noise, odors, sanitation, external effects, and inspections, and that requires a neighbor petition.]
Sec. 65.504. See-65.411. Artist’s Studio.

A place designed to be used, or used as, both a dwelling place and a place of work by an artist, artisan or craftsperson, including persons engaged in the application, teaching or performance of fine arts such as, but not limited to, drawing, vocal or instrumental music, painting, sculpture and writing.

[While artist’s studio is proposed to be included in the definition of “general office, studio” above, a broader land use category that would be listed in the use tables, this separate definition of artist studio is still needed to state that an artist’s studio may be used as a dwelling place by the artist.]

...  

Secs. 65.505-65.511. Reserved.  

...

Sec. 65.513. Drive-through sales and services, primary principal and accessory.  

...

Secs. 65.516-65.517. Reserved Food-and-related-goods-sales.
Retail sales of food and related goods include the following:
(a) Grocery store; supermarket;
(b) Butcher shop;
(c) Bakery;
(d) Candy store;
(e) Produce shop, or other specialty food shop;
(f) Retail food establishment; and
(g) Catering.

Standards and conditions:

See section 65.510, general retail.

[Food and related goods sales is listed under general retail above.]

Sec. 65.517. Food shelf.
A place where groceries are provided at no cost to individuals in emergency situations and where such groceries are consumed off-site.

[Food shelf is listed under general service business above. A separate definition for this is not necessary.]

...

Sec. 65.521. 65.452. Hospital.

...

Sec. 65.521. Liquor store.
Standards and conditions:

See section 65.510, general retail.

[Liquor store is listed under general retail above.]

Sec. 60.522. Massage center.
A building or portion of a building which is used for offering "massage," defined as the rubbing, stroking, kneading, tapping or rolling of the body, for the purposes of pleasure, relaxation, physical fitness or beautification, offered for a fee or other valuable consideration. This definition shall include any building, room, structure, place or establishment used by the public, other than a hospital, sanatorium, rest home, nursing home, boarding home or other institution for the hospitalization or care of human beings, duly licensed under the provisions of Minnesota Statutes, sections 144.50 through 144.703, inclusive, where nonmedical and nonsurgical manipulation exercises or massages are practiced upon the human body for a fee or other valuable consideration by anyone not duly licensed by the state to practice medicine, surgery, osteopathy, chiropractic, physical therapy or podiatry, with or without the use of mechanical, therapeutic or bathing devices, or any room or rooms from which a massage therapist is dispatched by telephone or otherwise for the purpose of giving a massage.

[This definition is unnecessary, and this section can be deleted. Massage center is listed in the definition of "general service business" above, and doesn’t have to be separately listed in the use tables.]

Secs. 65.523, 65.522-65.524. Reserved.

...

Sec. 65.532-65.534. Reserved.

Sec. 65.535. Tobacco products shop.

A retail establishment with a principal entrance door opening directly to the outside that derives more than ninety (90) percent of its gross revenue from the sale of loose tobacco, plants, or herbs and cigars, cigarettes, electronic cigarettes, pipes, and other smoking devices for burning tobacco and related smoking accessories and in which the sale of other products is merely incidental. "Tobacco products shop" does not include a tobacco department or section of any individual business establishment with any type of liquor, food, or restaurant license.

[The City Council decided that the sale of electronic cigarettes should be added to the list of products that require a license for the sale of tobacco under Chapter 324. DSI has determined that the sale of electronic cigarettes is included in the zoning code definition of a tobacco products shop. To reinforce that position and to be consistent with the license ordinance, staff proposes that electronic cigarettes be added to the definition of a tobacco products shop.]

...

Sec. 65.536. 65.453. Veterinary clinic.

...

Division 2 Division 4. 65.600. Food and Beverages

Sec. 65.610. Bar.

An establishment that serves wine, beer, or intoxicating liquor for consumption on the premises any time between midnight and 2:00 a.m.

Standards and conditions in traditional neighborhood and B2 community business districts:

In traditional neighborhood, Ford and B2 community business districts, a conditional use permit is required for a bar of more than five thousand (5,000) square feet in floor area to ensure size and design compatibility with the particular location.

...

Sec. 65.612. Coffee kiosk.

...
Standards and conditions:

See section 65.513740, drive-through sales and services, primary principal and accessory.

Sec. 65.613. Coffee shop, tea house.

An establishment engaged principally in the sale of coffee, tea, and other nonalcoholic nonalehouse beverages for consumption on the premises or for carryout, which may also include the sale of a limited number of food items as allowed under a limited food menu license restaurant C licence.

[Spelling error. The city no longer licenses food establishments, the state does. The state licenses for food establishments are:

- **Limited Food Menu** - prepackaged food that receives heat treatment and is served in the package, continental breakfast, soft drinks, coffee, nonalcoholic beverages.
- **Small Establishment** - food service with no salad bar, equipment not exceeding: one deep fryer; one grill; two hot holding containers; microwaves, or service of dipped ice cream/soft serve frozen desserts, or breakfast service in a bed and breakfast operation, or boarding establishments. Establishments which do not provide catering service and which meet "Medium Establishment" equipment criteria but have a total seating capacity of 50 or less are "Small Establishments."
- **Medium Establishment** - food service using a range, oven, steam table, salad bar, or salad prep area, more than one deep fryer or grill, more than two hot holding containers, or involving catering.
- **Large Establishment** - food service that meets the full menu definition and seats more than 175 people, serves a full menu selection an average of five or more days per week or caters 500 or more meals per day.]

...
Sec. 65.616. Restaurant, fast-food.

A public eating place, other than a carry-out restaurant, designed for rapid food delivery to customers seated in their automobiles or from a counter or drive-through window, with minimal personal service and for consumption on or off the premises. All restaurants with drive-through service are considered fast-food restaurant.

Any restaurant whose design or principal method of operation includes four (4) or more of the following characteristics shall be deemed a fast-food restaurant for zoning purposes:

...  

Sec. 65.617. Restaurant, outdoor.

Development standard:

The use shall be accessory to an indoor restaurant or a farmers' market.

[Outdoor restaurants are permitted in the same districts as restaurants. Language in § 65.617, restaurant, outdoor, about an outdoor restaurant needing to be accessory to an indoor restaurant or a farmers market is proposed to be moved to the standards and conditions for a restaurant, and then § 65.617 can be deleted and outdoor restaurant would not need to be separately listed in the use tables.]

Division 3 Division 5. 65.640. Commercial Recreation, Entertainment and Lodging

...

Sec. 65.644. Indoor recreation.

Bowling alley, billiard hall, indoor archery range, indoor tennis courts, racquetball and hand ball; basketball courts, dance hall, electronic game room, indoor skating rink, and similar forms of indoor commercial recreation.

Development standard:

(a) The building in which the use is located shall be at least one hundred (100) feet from the closest point of any residential lot in a residential district.

Additional Standards and conditions in traditional neighborhood districts:

(ab) Primary access shall be from an arterial or collector street.

(be) Floor area shall not exceed 40,000 square feet.

[Correct typo in definition. Delete setback requirement from a residential lot to be consistent with other similar uses such as bingo hall and health/sports club that do not have such a setback requirement, and in light of BZA case experience, The Trapped Puzzle Room, 561 S. Snelling, received a variance from the 100 foot required setback from a residential lot, which seemed unnecessary.]

...  

Division 4 Division 6. 65.660. Adult Entertainment

...

Division 5 Division 7. 65.700. Automobile Services

...

Sec. 65.703. Auto service station.

...

Standards and conditions:
(a) The construction and maintenance of all driveways, curbs, sidewalks, pump islands or other facilities shall be in accordance with current city specifications. Such specifications shall be developed by the planning administrator, traffic engineer and city fire marshal, and shall be approved by the planning commission, and filed with the city clerk.

[Technical specifications for auto service stations are established by the various reviewing departments based on current rules and standard operating practices and are imposed at part of the site plan review process.]

... Sec. 65.707. Car Wash, Detailing.

[The Zoning Administrator considers an auto detailing operation to be the same as a car wash.]

... Division 6 Division 8. 65.730. Parking Facilities

... Division 7 Division 9. 65.750. Transportation

... Sec. 65.762. Railroad Right-of-Way.

*Development standard:*

In residential, traditional neighborhood, **Ford**, and OS-B3 business districts, there shall be no terminal freight facilities, transfer or storage tracks.

Division 8 Division 10. 65.770. Limited Production, Processing and Storage

Sec. 65.771. Agriculture.

... (j) Accessory buildings shall not exceed an area greater than ten (10) percent of the parcel or one thousand (1000) square feet, whichever is greater. Temporary structures, not exceeding one hundred eighty (180) days per year, such as hoop houses, cold frames, and similar structures located above gardening plots and being used to extend the growing season are permitted. A building permit is required for any temporary structure covering an area greater than one hundred twenty (120) two hundred (200) square feet.

[The threshold for requiring a building permit under the building code for an accessory structure has changed from 120 square feet to 200 square feet, necessitating this change.]

... ARTICLE VII. 65.900. ACCESSORY USES

... Sec. 65.915. Hot Tub, Outdoor.

*Standards and conditions:*

All yards containing hot tubs shall be secured as required in section 65.923(d)(e) or shall have a cover, which shall be locked when the hot tub is not in use. A hot tub shall not be located in a required front or side yard, less than three (3) feet from any lot line, or in a public easement. A hot tub shall be located at least three (3) feet away from any lot line.
[Moved from the swimming pool regulations under Sec. 65.923.]

... 

Sec. 66.922. Support services in housing for the elderly.

Support services within elderly housing as defined in section 65.131, 65.123 including limited food service, beauty salon and related goods sales areas.

Development standard in residential districts:

Support service areas shall not exceed five (5) percent of designated community room area.

[Correct the wrong citation. The development standard is intended to apply in residential districts where commercial uses are more limited. It is not intended to apply in mixed-use and business districts where these uses are otherwise permitted.]

Sec. 65.923. Swimming pool, outdoor.

A pool or tub constructed either above or below grade and having a capacity of five thousand (5,000) or more gallons. Any structure designed, constructed or intended to be used for outdoor swimming, either above or below grade, with a capacity of twenty-four (24) or more inches deep and having one hundred fifty (150) or more square feet of surface area.

[To be consistent with the changes made to Sec. 34.07 under Ord. 15-49.]

Standards and conditions:

(a) There shall be a distance of not less than ten (10) feet between the adjoining property line and the outside of the swimming pool wall for aboveground pools. For in-ground swimming pools, there shall be a distance of not less than five (5) feet between the adjoining property line and the outside of the pool wall.

(b) There shall be a distance of not less than four (4) feet between the outside swimming pool wall and any building located on the same lot.

(c) A swimming pool shall not be located in a required front or side yard, less than ten (10) feet from any street or alley right-of-way, or in a public easement.

(d) A hot tub shall not be located in a required front or side yard, less than three (3) feet from any lot line, or in a public easement. [Belongs under Sec. 65.915, hot tub, outdoor.]

(e) All yards of one- and two-family structures containing swimming pools shall be enclosed by an obscuring fence or wall not less than four (4) feet in height, maintained in a professional state of maintenance or repair, and shall be constructed such that no openings, holes or gaps in the fence or wall exceed four (4) inches in any dimension except for openings protected by a door or gate. All yards of residential structures of three (3) or more units and commercial structures containing swimming pools shall be enclosed by an obscuring fence not less than five (5) feet in height, maintained in a professional state of maintenance or repair, and shall be constructed such that no openings, holes or gaps in the fence or wall exceed four (4) inches in any dimension except for openings protected by a door or gate. Sidewalls greater than four (4) or five (5) feet in height on an above ground outdoor swimming pool are not a substitute for the appropriate fence or wall. The gates shall be of a self-closing and self-latching type, with the latch on the inside of the gate, not readily available for children to open. Gates shall be capable of being securely locked when the pool is not in use.

[To be consistent with the changes made to Sec. 34.08(12) under Ord. 15-49.]
SITE PLAN REVIEW COMMITTEE MEETING  
Tuesday, September 19, 2017  

Saint Paul Department of Safety and Inspections  
375 Jackson Street, 2nd Floor Conference Room  

<table>
<thead>
<tr>
<th>Time</th>
<th>Project Name and Location</th>
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<tbody>
<tr>
<td>9:00</td>
<td>SPR Committee – Old/New Business</td>
</tr>
<tr>
<td>9:15</td>
<td>Morton Salt Shelter 1111 Childs Rd Building Addition for Sheltering Truck Loading Tom Swafford – Northern Metals, LLC SPR #17-076799</td>
</tr>
<tr>
<td>9:45</td>
<td>Lifetrack 709 University Ave Stormwater Management Improvements Trixie Golberg - Lifetrack SPR #17-076868</td>
</tr>
<tr>
<td>10:45</td>
<td>Montessori Training Center 1611 - 1629 Ames Ave Garage Demolition, Building Addition, New Parking Lot Jessari Sutton – Montessori Center of MN SPR #17-076900</td>
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</tbody>
</table>

Applicants should attend the Site Plan Review Committee meeting. At the Site Plan Review meeting, applicants will discuss their project’s site plan with Saint Paul’s Site Plan Review Committee. The Committee includes City staff from Zoning, Planning, Building Code, Traffic, Sewers, Water, Public Works, Fire Inspections, Forestry, and Parks.

The purpose of the meeting is to coordinate Site Plan approval across City departments.
- Applicants are encouraged to bring the project’s engineer, architect, and/or contractor to handle technical questions.
- Site plan application and documents were routed for City staff review prior to the meeting.
- City staff will provide comments and ask questions based on review of the site plan.
- At the end of the meeting a decision will be made whether the site plan can be approved as submitted or if revisions are required.
- City staff will document site plan comments in a letter to be emailed to the applicant.

Location and Parking:  
The meeting room is at 375 Jackson Street on the 2nd floor, skyway level, to your left as you exit the elevator.

A few free parking spaces are available in the DSI visitor parking lot off of 6th Street at Jackson. On-street parking meters are also available. The closest parking ramp is on Jackson one block south between 4th and 5th Street.

Contact Tia Anderson (651-266-9086 tia.anderson@ci.stpaul.mn.us) or Larry Zangs (651-266-9082 larry.zangs@ci.stpaul.mn.us) if you have questions.

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