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

Minutes February 24, 2017

A meeting of the Planning Commission of the City of Saint Paul was held Friday, February 24, 2017, at 8:30 a.m. in the Conference Center of City Hall.


Commissioners Absent: Ms. *Shively, and Mr. *Reich.

*Excused

Also Present: Donna Drummond, Planning Director; Mollie Scozzari, Allan Torstenson, Bill Dermody, Josh Williams, Anton Jerve, Tony Johnson, Kady Dadlez, and Sonja Butler, Department of Planning and Economic Development staff.


MOTION: Commissioner Thao moved approval of the minutes of January 27, 2017. Commissioner Underwood seconded the motion. The motion carried unanimously on a voice vote.

and

MOTION: Commissioner Underwood moved approval of the minutes of February 10, 2017. Commissioner Gelgelu seconded the motion. The motion carried unanimously on a voice vote.

II. Chair’s Announcements

Chair Reveal announced that Paula Merrigan’s memorial service will be Friday, March 3rd at the Wiggington Pavilion on Harriet Island at 2:00 p.m.

III. Planning Director’s Announcements

Donna Drummond announced that the City Council, sitting as the Housing and Redevelopment Authority Board, approved the purchase of approximately 3 acres of land at the Weyerhaeuser Lumber site, which is on the border with Minneapolis. It is a 13 acre property that has been purchased for redevelopment. The land will be used to establish a new park space and new streets to break up the superblock. There have been many new housing units built in that area in the past 10 years with more to come. This property was the last chance to establish a park to serve this neighborhood, which was a recommendation of the Westgate Station Area Plan.
IV. Zoning Committee

SITE PLAN REVIEW – List of current applications. (Larry Zangs, 651/266-9082)

No site plan review applications were submitted.

NEW BUSINESS

#17-001-300 Metro Metals Corp. – Modification of a condition of the existing conditional use permit to allow maximum height of 15 feet for exterior storage. 2576 Doswell Avenue terminus of Doswell Avenue at City of Minneapolis border. (Anton Jerve, 651/266-6367)

**MOTION:** Commissioner Makarios moved the Zoning Committee’s recommendation to approve the modification of a condition of the existing conditional use permit subject to additional conditions. The motion carried on a voice vote with 18 in favor and 1 abstention (McMahon).

**MOTION:** Commissioner Makarios moved to have the Planning Commission direct the Zoning Administrator to look into violations of other conditions of the Metro Metals conditional use permit. The motion carried unanimously on a voice vote.

#17-006-697 Verizon Wireless – Conditional use permit for a replacement 33’ 6” high light pole with cellular telephone antennas. Future additions could increase the height by 20’ plus antennas. 1745 Grand Avenue, NW corner at Wheeler. (Bill Dermody, 651/266-6617)

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

#17-006-742 Verizon Wireless – Conditional use permit for a new 31’ high light pole with cellular telephone antennas. Future additions could increase the height by 20’ plus antennas. 425 7th Street West, NE corner at Douglas. (Bill Dermody, 651/266-6617)

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

#17-000-688 Dearing Mansion Bed & Breakfast – Revocation or modification of a conditional use permit Zoning File #14-326-683) for a bed & breakfast residence with 4 guest rooms due to noncompliance with conditions for this use. 241 George Street West between Charlton and Waseca. (Kady Dodlez, 651/266-6619)

Commissioner Makarios announced that this case has been laid over to the March 16, 2017 Zoning Committee meeting.

VI. Neighborhood Planning Committee

Alternative Financial Establishment Zoning Study – Release proposed amendment for public review and set a public hearing for April 7, 2017. (Tony Johnson, 266-6620)
Commissioner DeJoy noted questions about the amendment to condition (a), which Mr. Johnson will address.

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

Commissioner Ochs asked how to locate where there is housing in a business district.

Mr. Johnson said that Ramsey County parcel data provides an indication of uses, and the City also has property records that include use information.

Commissioner Edgerton asked about the rationale for the strike out in condition (a).

Mr. Johnson said it would make the ordinance easier to administer. Rather than having to determine the use of every property within 150 feet, it would simply be a distance requirement from residential zoning districts.

Allan Torstenson, PED staff, said it would also make it easier for the public to determine where a new alternative financial establishment could be located. Under the current language, the distance requirement could be from nonconforming dwellings in industrial and business districts. An option might be to have a distance requirement from dwellings in traditional neighborhood and business districts where they are conforming uses.

Commissioner McMahon asked how often there are proposals for new alternative financial establishments.

Mr. Torstenson said that it’s infrequent.

Commissioner Edgerton said he would prefer releasing the more restrictive language for public review.

Commissioner DeJoy asked if he prefers the current language or if he is open to an option with an additional distance requirement just in a traditional neighborhood and B4-B5 business districts.

Commissioner Edgerton said what he would want to know the impact of that option.

Mr. Torstenson said that having a distance requirement from multi-family dwellings in B4 and B5 districts would prohibit a new alternative financial establishment from being established in Lowertown. Because of the mix of zoning districts in the Como-Front-Dale area we would need to map out the new distance requirement to know what the effect would be.

Commissioner Perryman asked if the purpose is to protect neighborhoods from predatory lending.

Commissioner Underwood said she is prepared to remove the strikeout from standard (a) to keep the language more restrictive.

Commissioner Rangel Morales asked about the situation that happened to Getten, and if there
would be a record of other similar businesses inquiring about where they could locate.

Mr. Johnson said we would not have any records about inquiries from alternative financial establishments about possible new locations. Getten was forced to relocate their business because they did not comply with the current requirements and enforcement action was taken against them, but they would like to come back to Saint Paul. They would not fall under the amended definition because they do not offer consumer short term loans or consumer small loans.

Commissioner Lindeke supported the proposed simpler language and encouraged open-mindedness about alternative financial establishments. He noted a recent book, *The Unbanking of America*, that explains why people use alternative financial establishments.

Commissioner Perryman noted that predatory lending helps to keep people in poverty.

Commissioner Ochs encouraged consideration of middle-ground language for the draft amendments.

Commissioner Edgerton said the Commission is just releasing the draft amendments for public review and scheduling a public hearing, so there is time for more research and thinking, and the Commission can make adjustments down the road.

Chair Reveal said the Commission could return this to the committee and ask them to come back with a formal recommendation, or there could be a motion to move this along one way or another.

Commissioner Ochs made a motion to amend standard (a) to include the strike out as presented, and to add language to keep the distance requirement for residential uses in a traditional neighborhood districts and B4 - B5 business districts. There was no second.

**MOTION:** Commissioner Edgerton moved to lay this over and send it back to the Neighborhood Planning Committee for further review. Commissioner Underwood seconded the motion. The motion carried unanimously on a voice vote.

**VII.** **Mississippi River Critical Area Rulemaking:** Update and next steps. Informational presentation by Josh Williams, PED. (*Josh Williams, 651/266-6659*)

Josh Williams, PED staff, 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 Makarios asked if there were districts in the city where the underlying zoning that we have today is less restrictive than the new rules adopted, particularly related to building height.

Mr. Williams said it is complicated, but in general the answer is yes. There are also places where the new rules will be less restrictive, so under the current ordinance we have 4 districts and in one of them there is a 40 foot height limit. He gave as an example the Shepard Davern area. Prior to the formal rule making process when we were discussing draft rules with the Department of Natural Resources (DNR) that area would have been in the Urban Mixed district, with a building height of 65 feet. After public feedback the DNR changed this to the River Towns and Crossing
district, with a 48 ft. height limit. There is a 40 foot height limit there under the current river corridor requirements. Under our existing ordinance the underlying zoning T3 (traditional neighborhood), which has a 45 foot height limit for residential or 55 foot height limit for mixed use buildings with the potential to go higher with a CUP. So there are cases where the rules are more restrictive, there are cases where they are less restrictive. For the most part residential districts have lower height limits that aren’t heavily impacted by the new rules. In those urban mixed zones there is some conflict. For the downtown area along the river the rules defer to the underlying zoning. There are no special height limits or setbacks from the bluff because downtown has historically been built along the bluff. An example is the Science Museum, which is built right on the river bluff. On the West Side Flats, the master plan zoning is more restrictive than the 65 ft. height limit in the rules, but less restrictive as you move farther from the river.

Commissioner Makarios asked if a developer builds a project under the existing zoning in Saint Paul before these rules are adopted into ordinance and then we adopt this new ordinance pursuant to the rules, would those new buildings then become nonconforming structures?

Mr. Williams replied that, yes, there is potential for that to happen.

Chair Reveal added that this represents an enormous amount of work on the part of PED staff and the Comprehensive Planning Committee for the past several years. She is glad to see that rules have finally been adopted. She also noted that we will see individual case by case issues with this as we move forward, particularly on the big development sites like West Side Flats and others.

VIII. Comprehensive Planning Committee

Commissioner Thao reported that at their last meeting they went over the Central Station Block Redevelopment Guidelines. It should be coming to the Planning Commission at the next meeting to release for a public hearing later in April. The next Comprehensive Planning Committee meeting is scheduled for March 7th.

IX. Transportation Committee

Commissioner Lindeke said at their last meeting they discussed the Hwy. 29 MnDOT project and the Smith Avenue High Bridge project. He noted that the new bridge design will have a protected sidewalk with a 2 foot high wall. The next meeting on Monday, February 27th is canceled.

X. Communications Committee

Commissioner Gelgelu had no report.

XI. Task Force/Liaison Reports

No reports.

XII. Old Business

None.

XIII. New Business
None.

XIV. Adjournment

Meeting adjourned at 9:54 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 March 24, 2017
(Date)

[Signature]
Melanie McMahon
Secretary of the Planning Commission