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

Minutes September 22, 2017  

A meeting of the Planning Commission of the City of Saint Paul was held Friday, September 22, 2017, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present:  Mmes. Anderson, Lee, Mouacheupao, Reveal, Thao, Underwood; and Messrs. Edgerton, Lindeke, Makarios, Ochs, Oliver, Perryman, and Rangel Morales.


*Excused

Also Present:  Donna Drummond, Planning Director; Wendy Lane, Department of Safety and Inspections; Lucy Thompson, Allan Torstenson, Bill Dermody, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes July 28th and August 11, 2017.

MOTION: Commissioner Underwood moved approval of the minutes of July 28, 2017. Commissioner Thao seconded the motion. The motion carried unanimously on a voice vote.

and

MOTION: Commissioner Underwood moved approval of the minutes of August 11, 2017. Commissioner Anderson seconded the motion. The motion carried unanimously on a voice vote.

II. Chair’s Announcements

Chair Reveal announced that 2 new commissioners will be sworn in at the next Planning Commission meeting on Friday, October 6, 2017. Chair Reveal passed around a book called “No Small Plans,” a publication from the Chicago Architecture Foundation. It is basically the Chicago Master Plan as a graphic novel. It was produced to mimic something that the city had done in late 1800’s to early 1900’s when they did their first master plan and someone had the brilliant idea to turn it into a comic book for elementary school children. For the next 20, 30, 40 years every child in the Chicago public schools received a copy of this book. It was a natural part of the curriculum and a lot of people attribute Chicago’s fascination with architecture to having taught generations of elementary school children from all kinds of communities what planning was about. This new book is an attempt to reintroduce that concept in a more millennial focused manner.
III. Planning Director’s Announcements

Donna Drummond announced that the Frogtown District 7 Planning Council is working on their plan update in a similar fashion, as graphic novel. It is a really creative approach to making what can be a dry subject to some people very interesting. Also, the Snelling Avenue South Zoning Study recommendations were approved by the City Council on a 6-1 vote, with Councilmember Thao voting against. The Ford public hearing was held Wednesday night in City Hall Room 40 instead of the council chambers and the room was packed with people. With staff presentation, and follow-up discussion the public hearing lasted 3-hours, probably the longest time the Council has ever spent on one item.

The Ford public hearing is continued to the next Wednesday because of the Jewish holiday Rosh Hashanah. The council may vote next Wednesday following the continuation of the hearing. The same arguments heard at the Planning Commission public hearing were repeated, with a little more testimony about affordable housing and a desire to add additional affordable housing to the requirement in the master plan. The plan was amended to require 10% of the total units affordable at 30% of area median income (AMI), 5% at 50% AMI, and 5% at 60% AMI. The original recommendation in the plan was for 10% of units at 50% AMI and 10 % of units at 60% AMI. Also, there was testimony about Area C, which is the area down by the old power plant that was used by Ford as a dumping ground and has been encapsulated with a parking lot in recent years. A concern was expressed that it’s continuing to leach pollutants, although Ford is working with the Minnesota Pollution Control Agency on additional testing and developing a response plan.

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

Chair Reveal announced that the Saint Paul Planning Commission was holding a public hearing on the Zoning Code Chapter 65 Minor Text Amendments. Notice of the public hearing was published in the Legal Ledger on September 11, 2017, and was mailed to the citywide Early Notification System list and other interested parties.

Allan Torstenson, PED staff, gave a brief review of what is included in the Chapter 65 Minor Text Amendments. Chapter 65 is the chapter of the zoning code that contains all of the land use-specific definitions and development standards. The draft amendments would make chapter 65 consistent with the proposed new use table for the Ford districts that groups more uses of similar impact under broader use categories and definitions, making the zoning code simpler and easier to use. The amendments add specific references to the Ford districts when necessary to be clear about what standards apply to those particular uses in the Ford districts. The amendments make a number of corrections, clarify language, and bring Chapter 65 up-to-date based on issues that have come up in administering the zoning code and decision that have been made in several determinations of similar use and nonconforming use permit cases. Many of those amendments were recommended by the Zoning Administrator, Wendy Lane, who is here today. There is also an amendment to bring the standards for cell antennas into conformance with Minnesota’s new telecommunications right-of-way user law. Mr. Torstenson noted that one letter had been received, from Verizon, with comments on the draft amendments.

Chair Reveal read the rules of procedure for the public hearing.
No one spoke.

**MOTION:** Commissioner Thao moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Monday, September 25, 2017 and to refer the matter back to the Joint Comprehensive/Neighborhood Planning Committee for review and recommendation. The motion carried unanimously on a voice vote.

V. **Zoning Committee**

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

Three items came before the Site Plan Review Committee on Tuesday, September 19, 2017:

- Morton Salt Shelter – Building addition for sheltering truck loading at 1111 Childs Road. Tom Swafford-Northern Metals, LLC  SPR #17-076799

- Lifetrack – Stormwater management improvements at 709 University Avenue. Trixie Goldberg-Lifetrack  SPR #17-076868

- Montessori Training Center – Garage demolition, building addition, new parking lot at 1611-1629 Ames Avenue. Jessari Sutton-Montessori Center of MN  SPR #17-076900

Three items to come before the Site Plan Review Committee on Tuesday, September 26, 2017:

- Capital Family Eye Clinic – Building addition at 941 Payne Avenue. Peter Thibado-Thibado & Associates  SPR #17-080566

- BNFS Crane Maintenance Building – New building at 1059 Westgate Drive. Michael Gibson-BNFS Railway Company  SPR #17-080677

- Macalester College Theater Building – Building demolition/addition at 130 Macalester Street. Nathan Lief-Macalester College  SPR #17-079295

**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)*

*Chair Reveal announced that this case has been laid over to the September 28, 2017 Zoning Committee meeting.*

**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)*

**MOTION:** Chair Reveal moved the Zoning Committee’s recommendation to approve the change of nonconforming use. The motion carried unanimously on a voice vote.
#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)

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

#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)

Commissioner Lindeke noted that a condition was added to require the gas pumps to be turned off for security purposes when the convenience store is closed.

Commissioner Thao noted that 24-hour gas pumps can be a convenience and asked about the reason for the added condition.

Commissioner Ochs said that the district council recommended the condition because of some crime issues at this location, and they want to avoid creating an excuse for people to gather here.

Commissioner Thao said there might be more opportunity for illicit activity if it is closed and the lights are turned off.

Chair Reveal said she’s not sure if they proposed to have 24-hour lighting, but there was discussion that the lighting not be intrusive to the nearby residential buildings.

Commissioner Thao asked about the urban farming currently present on the property.

Bill Dermody said the garden was always intended to be temporary, and that is where the gas pumps will go.

Commissioner Thao said she knows this site is privately owned, and encouraged public housing to find an alternative place for the garden.

Commissioner Perryman asked if there are any other places in the city where gas pumps are required to be turned off when the store is closed.

Mr. Dermody said he does not know, but it does not seem to be common.

Chair Reveal said that City Attorney Peter Warner noted at Zoning Committee that this condition is allowable. It was added at the request of the district council with the acceptance of the owner.

Commissioner Underwood said that in her neighborhood the lights at three gas stations down West 7th Street are turned off at night, which has caused her to never try to get gas at night. She does not know if the pumps are locked.

Commissioner Thao said that two gas stations in her neighborhood are open 24 hours and the lighting is turned off at 1:00 a.m. This is an interesting condition given that the other two gas stations within a 3 or 4 block vicinity do not have this restriction.
**MOTION:** Chair Reilly moved the Zoning Committee’s recommendation to approve the conditional use permit subject to additional conditions. The motion carried 12-1 (Thao) on a voice vote.

Commissioner Makarios announced the items on the agenda at the next Zoning Committee meeting on Thursday, September 28, 2017.

**VI. Neighborhood Planning Committee**


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

Commissioner Lindeke inquired about the wattage of the wind turbines on the roof of 1010 North Dale Street.

Mr. Reilly said that the three on the roof are 2 kilowatts each.

Commissioner Lindeke wanted to know the impact on birds. He also asked if Mr. Reilly talked to people who are interested in this kind of power and whether the regulations seem reasonable to people who might want to make use of them.

Mr. Reilly said that he has not because he was unaware of interested parties, other than the initial group from Capitol Lien at 1010 N. Dale. He said that colleges and universities have inquired several times, but there have been no additional inquiries from individuals, to his knowledge. Mr. Reilly suggested that implementing regulations regarding wind turbines on residential and small business properties may put the City of Saint Paul ahead of the curve. Regarding the impact on birds, Mr. Reilly stated that he looked at literature in 2012 and 2013 and then did a second, more brief review of the literature this year, during which he found an academic paper about the utility of smaller wind turbines, which also included a literature review of bat and bird impacts. That paper confirms earlier research suggesting that there is not enough information to have any kind of determination regarding bird safety. The concepts in this code language come from the American Planning Association’s Planner Advisory Service and from a model ordinance for wind permitting written by Brian Ross, then with CR Planning, now with the Great Plains Institute.

**MOTION:** Commissioner Thao moved on behalf of the Joint Neighborhood/Comprehensive Planning Committee to release the draft for public review and set a public hearing on November 3, 2017. The motion carried unanimously on a voice vote.

**VII. 2040 Comprehensive Plan Update: Aging in Community** – Informational presentation by Lucy Thompson, PED. *(Lucy Thompson, 651/266-6578)*

Lucy Thompson, PED staff, gave a power point presentation about how the concept of “aging in community” is showing up in the goals and policies of the 2040 Comprehensive Plan. She focused on the transportation and land use chapters, as those are the chapters that have been drafted and reviewed by the Comprehensive Planning Committee thus far. The PowerPoint is available here: http://www.stpaul.gov/planningcommission
Commissioner Edgerton asked if there was any thought about access to health care in the Plan.

Ms. Thompson said that access to health care is not specifically addressed, but that it could be accommodated under the policies supporting a mix of land uses at Neighborhood Nodes (in the Land Use chapter). The Transportation chapter’s support of multi-modal and shared transportation options will also impact being able to physically access health care.

Commissioner Thao asked if green space is being addressed.

Ms. Thompson replied that one of the goals of the 2040 Comprehensive Plan is “a parks and open space system that meets the needs of older citizens.”

Commissioner Ochs said that, regarding access to health care, Comprehensive Plan policy could help determine whether it is appropriate to have clinics or other health facilities as permitted uses in certain residential zones or Neighborhood Nodes.

Ms. Thompson said that would be one way to think about applying these policies. There might be additional considerations like size of facility, type of care, etc. that would determine what type of land use area it went into.

Chair Reveal would like a summary of what medical uses are currently allowed by zoning districts so the Commission has an idea of where things can be.

Commissioner Lee inquired if staff has more detailed data for Saint Paul on age demographics by ethnic group. Speaking as a Hmong daughter with aging parents, she is concerned about what housing options are available for them, as well as, generally, what type of community organizations and resources are available to assist a particular diverse community within Ramsey County or in Saint Paul.

Ms. Thompson said that she will work with PED staff to get Census data on age and ethnicity, but she is not aware of any projections for 2040. Guiding aging community members to community organizations, services, etc. is not something PED staff or the Comprehensive Plan typically do, but other organizations, like the Mayor’s Advisory Committee on Aging (ACOA), may be able to help. Two ACOA members are in the audience today, and the Commission was sent ACOA’s report “Reframing Aging.”

Chair Reveal added that the Comprehensive Planning Committee also talked about having links to community resources in the online version.

Ms. Thompson said that the next chapter for Committee review is Housing. There will be a brief update at the next Commission meeting. Upcoming chapters – in order of presentation - are Parks, Water Resources and Historic Preservation.

Commissioner Ochs asked if there is any opportunity to get an advance look at those chapters, particularly the Water Chapter.

Ms. Thompson said that the draft chapters are distributed through the Comprehensive Planning Committee and posted on the Committee’s web page. All Commissioners are welcome (and
encouraged) to attend the Committee meetings. The Committee takes two meetings per chapter, with the next chapter being handed out at the second meeting.

Donna Drummond, Planning Director, added that if you have any specific ideas or suggestions, Josh Williams is the staff person working on the Water Chapter, so feel free to contact him.

Bill Dermody, PED staff, noted that October 31, 2017, is the date that the Water Chapter is due to be handed out to the Committee, with discussion at the November 14, 2017, meeting.

Ms. Thompson said staff does a presentation when the chapter is handed out, which covers key issues, recommendations and guidance on how to approach review of the chapter.

VIII. Comprehensive Planning Committee

Commissioner Thao announced that at their last meeting they discussed the Housing Chapter. There were about 50 different policies and the committee got through about 40 of them. At the next meeting on October 3, 2017, they will continue discussing the Housing Chapter. She invited any interested Planning Commission members to join them.

IX. Transportation Committee

Commissioner Lindeke reported that at their last meeting they had a presentation about the Riverview Corridor planning, which is the transit project going from downtown to the airport, either through the Ford site or along W. 7th Street. There is going to be a “locally preferred alternative” voted on soon by the project’s Technical Advisory Committee and then it will go to the Policy Advisory Committee in December for a final recommendation. Commissioner Lindeke also announced the items on the agenda at the next Transportation Committee meeting on Monday, September 25, 2017.

X. Communications Committee

No report.

XI. Task Force/Liaison Reports

Commissioner Edgerton announced that the Rice/Larpenteur Task Force is having a joint community advisory group meeting with the Gateway Planning Committee on Thursday, October 5, 2017, 6:00 p.m. to 8:00 p.m. and they will talk about design concepts.

Donna Drummond, Planning Director, noted that the Rice/Larpenteur planning effort is a tri-city planning effort with Roseville and Maplewood. At the end there will be a set of recommendations dealing with that whole area and it will be up to the Commission what portions of that plan should be recommended for adoption as part of the Comprehensive Plan. These could end up being amendments to the District 6 Plan for example.

Commissioner Makarios said that the Ford Task Force did meet one last time to weigh in on the Planning Commission’s recommendation to City Council and also to consider the amendments suggested by Councilmember Tolbert. The task force did vote in support of the plan with the amendments proposed by Councilmember Tolbert. Those amendments are would significantly
reduce the height of the tallest section of the Ford plan potentially but then give it back if green space was created elsewhere on the site. This is a creative attempt to meet some of the community concerns and try to leverage a developer to get some more open space.

XII. Old Business

None.

XIII. New Business

None.

XIV. Adjournment

Meeting adjourned at 9:42 a.m.

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

Respectfully submitted,

Donna Drummond
Planning Director

Approved October 20, 2017
(Date)

Cedric Baker
Secretary of the Planning Commission

Planning team files\planning commission\minutes\September 22, 2017