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DATE: February 25, 2011

TO: Planning Commission

FROM: Comprehensive Planning Committee

RE: **Central Corridor/Traditional Neighborhood Zoning Study: Response to Public Hearing Testimony and Committee Recommendations**

Introduction

The materials in this packet include recommended responses to the public hearing testimony for the Central Corridor/Traditional Neighborhood Zoning Study. This memo summarizes the main issues raised during the Nov. 19 and Dec. 3, 2010 public hearings and provides a recommended response based on the Comprehensive Planning Committee's discussions. Also attached are the accompanying changes to the zoning code amendments (Attachment A) and existing and proposed property zoning maps (Attachments B & C), reflecting the Committee's discussions. Several more attachments are referenced throughout the memo (Attachments D – J), which provide more detail on various issues referred to in the memo, such as affordable housing and density bonuses.

Background

The direction for the Central Corridor/Traditional Neighborhood zoning study came out of the *Central Corridor Development Strategy* (CCDS). It was determined during the CCDS process that the City's toolbox of existing zoning districts and requirements would not facilitate the type of development envisioned for University Avenue, where the goal is to have higher density development, a reduced demand for parking and more of a pedestrian- and transit-oriented environment. The zoning study was initiated by the Planning Commission in August, 2007 (Resolution #07-58) with the understanding that the study would follow development of station area plans for the University Avenue portion of the light rail line. During this period when the station area plans were being developed, there was concern that the City have some basic requirements in place to ensure that new development was not contrary to the planning work that was underway. The Central Corridor Overlay District was put in place in 2008 to provide interim requirements along the Central Corridor route until there was adequate time to undertake a more comprehensive study.

In reviewing the options for permanent zoning to replace the current overlay district, staff determined that the City's existing Traditional Neighborhood zoning districts would generally facilitate the type of development that is desired along University Avenue. However, these districts are not a perfect fit and there is a need for some revisions to facilitate the type of development envisioned in the City's adopted plans for Central Corridor, including creation of a new TN4 district to allow additional height and density where appropriate. The TN districts were first added to the Zoning Code in 2004, and are used in several locations throughout the city. Given the City's six year experience with the TN districts, this study is also

an opportunity to tweak the existing regulations in these districts so they better meet the goal of facilitating good, mixed-use development wherever these districts are used in the city.

What is Being Proposed?

The staff working group that developed the initial study recommendations included staff from Planning & Economic Development, Safety and Inspections, and the Saint Paul on the Mississippi Design Center. Preliminary staff recommendations were available for public review early in the summer of 2010, and were revised based on input staff received at a variety of open houses, presentations to community groups, and an on-line survey. Significant elements of the study recommendations include:

- Creation of a new Traditional Neighborhood 4 district, which would allow more height and density where appropriate. Tweaks to the existing TN 1-3 districts are being proposed to better fit existing market conditions while still facilitating improved market performance.
- Properties in the “area of change” as identified in the CCDS would be rezoned to a variety of revamped TN2 – TN4 districts, with some industrial zoning maintained in the West Midway area.
- Most new auto-oriented uses would be prohibited. Auto service stations would become conditional uses in TN2 along University Ave. (but not citywide). They are currently conditional uses in TN3.
- Additional job-producing commercial uses would be added to TN districts, including: business sales and services and mail order house as permitted uses, and reception halls as conditional uses.
- Some auto-related uses would be added as conditional uses in the IR (industrial restricted) district along University Ave. (but not citywide), including: auto service station, auto repair, and auto body shop, subject to additional conditions.
- Minimum parking requirements in TN districts within ¼ mile of University Avenue would be eliminated if paired with a system of permit parking along the corridor. Businesses and developers would determine how much parking is needed for the proposed uses.
- Minor revisions to TN design requirements are proposed that: allow more contemporary architecture; emphasize the importance of building entrances along streets; and require better design for structured parking facilities.

Key Points to Remember

- The zoning recommendations are based on policies in the CCDS and station area plans that have been adopted by the Mayor and City Council as part of the City’s Comprehensive Plan.
- New zoning requirements will primarily affect property owners and developers who are planning for new building construction.
- Existing buildings and businesses can remain indefinitely, until the owner decides to redevelop the property.
- Cities no longer have eminent domain (condemnation) authority for redevelopment purposes, so change will happen when owners decide to redevelop or sell for redevelopment.
- TN zoning will significantly expand development capacity along the corridor while enhancing the design of new development.
- The new zoning will replace the existing Central Corridor Overlay district, which expires June 20, 2011.

Public Hearing Testimony

The Planning Commission held public hearings on November 19 and December 3, 2010. A summary of the hearing testimony and all the written testimony submitted was provided to the Commission earlier and can be found on the Comprehensive Planning Committee’s web page -

<http://stpaul.gov/index.aspx?NID=3429>

The major issues and a recommended Planning Commission response to each are summarized below. References to the appropriate section of the recommended Zoning Code amendments in Attachment A are noted in parentheses. Please note that changes from the public hearing draft that are being recommended by the Committee in response to the public hearing testimony are indicated with double-underlining or double strikeouts.

Issue #1: Prohibition on new auto-related uses (auto repair, auto specialty, auto body, car rental).

Who testified: 6 auto-related business owners.

What they said:

- Allow auto uses to remain on University Avenue.
- Concern about the stigma and added hoops (relative to City process and commercial lending) associated with becoming nonconforming uses.
- Consider adding auto repair and auto specialty as conditional uses in TN.

Committee Recommendation: Existing auto repair, auto specialty, and auto body shops along Central Corridor that would become nonconforming under the new TN zoning should be allowed to expand without an expansion of non-conforming use permit, but no new such uses should be allowed to be established (Sec. 62.106(o)). Add auto detailing and minor auto servicing as allowed accessory uses in parking ramps and add auto rental as an allowed accessory use in a hotel or railroad passenger station.

Rationale:

- These types of businesses provide valuable services to the community. However, they usually require a large amount of land area for vehicle storage, and require a lot of vehicle movement into, out of, and within the site.
- The proposed amendment (“Bonfe amendment”) would allow these types of businesses to rebuild, construct a new facility or expand without a nonconforming use permit, but no new such uses could be established.
- The existing number of certain types of auto-related uses is sufficient to serve the community. New auto service (gas & minor repair) and auto convenience (gas & goods) stores would be allowed as conditional uses in TN districts along University Avenue. Restricting the establishment of new auto repair, auto sales, auto body and auto specialty uses will encourage new development that is more pedestrian and transit-user friendly.

Existing Auto-Related Businesses in the Study Area by Type:

Auto repair - 28

Auto service (gas & minor repair) -3

Auto body - 10

Auto convenience (gas & goods) - 6

Auto rental - 3

Auto sales - 13

Auto specialty - 13

Issue #2: Loss of industrially-zoned land.

Who testified: St. Paul Area Chamber, Midway Chamber, Port Authority

What they said:

- Loss of industrially-zoned land is equated with the loss of jobs.
- Land further than one block from University should remain industrial.
- Consider instituting a “no net loss” of industrial land policy.
- Wait for the results of the West Midway Study before making recommendations regarding industrial land.
- Need to retain industrial land to remain economically competitive.

- Port Authority’s property at 620 Pelham should retain light industrial (I1) zoning, so spec. office/warehouse development project can move forward.

Committee recommendation:

- Reduce area proposed for rezoning from Industrial to TN in selected areas, primarily between Prior and Raymond. Reduce area proposed for rezoning from I1 to IR. See proposed zoning map – Attachment C.

Zoning Districts: Summary of Changes to Recommendations

Zoning	Existing Acreage	Public Hearing Draft -Total Acres	% of total	Committee Recommendation (based on PH testimony) –Total Acres	% of total	Difference (acres)
IR	0	42.28	7.8%	18.35	3.4%	- 23.93
I1	225.5	59.77	11%	95.51	17.6%	+ 35.74
I2	43.5	0		0		
T2	20	45.41	8.3%	52.71	9.7%	+ 7.3
T3	7.2	140.71	25.9%	146.03	27%	+ 5.32
T4	0	255.86	47%	228.44	42.2%	- 27.42
B1	0	0				
B2	52.3	0				
B3	156.5	0				
OS	9.6	0				
PD	2.3	0				
RM2	20.8	0		0.59	0.11%	+ 0.59
RM3	6.7	0				
RT1	0.23	0				
VP	2.9	0				
Total	547.53			541.62		

*It is important to note that areas recommended for TN zoning that are currently zoned I1 include properties such as the 808 Berry and Emerald Gardens housing developments, the “bus barn” site at Snelling and I-94, and the Old Home Foods site at University and Western. These properties shouldn’t be considered a loss of acreage available for industrial development. There are 192 properties that are currently zoned industrial within the study area. Of the 192, 124 properties (65%) do not have industrial uses. These 124 properties total approximately 98 acres or 37% of industrial land area. The remaining 68 properties (35%) do have industrial uses. These properties total approximately 166 acres or 63% of industrial land area.

Rationale:

- Some reductions in TN and IR zoning between the Fairview and Raymond station areas are appropriate. However, with the exception of the KSTP property near the border with Minneapolis, the area west of Highway 280 that is within the study area should continue to be recommended for T3 and T4 zoning.
- Analysis of market demand and market strength indicate that the western-most portion of the Corridor in Saint Paul will see development demand and interest in TOD first (Central Corridor Development Strategy- Colliers analysis, 2007; Central Corridor Investment Framework-developer interviews, 2010). The development that has occurred in the area west of 280 in the last 5 years (Emerald Gardens, 808 Berry, the Metro, Jefferson Commons), and the continued strong occupancy rates for Court International are evidence of that.

- The Committee’s recommendations are consistent with the on-going work of the West Midway task force, which is studying the larger West Midway industrial area.
- An analysis of job density for sample blocks in the West Midway area indicates that blocks with the type of development facilitated by TN zoning have a higher per acre job density than blocks with typical industrial development (see Attachment D).
- The table below shows the impact of the recommended changes in industrial zoning:

Industrial Zoning	Acres
Existing Citywide	5,814
West Midway Study Area	1,548
Within Central Corridor Zoning Study Area	263
Acres proposed to be rezoned to TN	150

Issue #3: Large number of nonconforming uses (NCU) created by the zoning changes.

Who testified: St. Paul Area Chamber, Midway Chamber, fast food representatives

What they said:

- Proposed property rezonings would result in 98 (12.1%) of the 811 total properties in the zoning study becoming non-conforming as to use.
- NCU status makes it difficult to sell, finance, or lease property.
- Most NCUs are auto uses or uses on industrial property.
- Drive-throughs becoming NCUs restrict the ability of “quick service restaurants” to locate in the Corridor and has an impact on the jobs that these restaurants provide.

Committee recommendation:

- Reduce the number of non-conforming uses by reducing the number of properties recommended for TN (Traditional Neighborhood) or IR (Industrial Restricted) zoning, per the map of proposed zoning (Attachment C).
- Further minimize the impact of this number by allowing existing auto repair, auto specialty, and auto body shops along the corridor to expand without a non-conforming use permit (Sec. 62.106(o)).

Conforming and Nonconforming Uses: Summary of Changes to Recommendations

Status of Conformity	Public Hearing Draft – # of Properties (% land area)	Committee Recommendations - # Properties (% land area)	Total Change – number of properties (% of land area)
Remains conforming	621 (72.2%)	672 (79.6%)	+51 (+7.4%)
Remains nonconforming	51 (2.6%)	40 (1.6%)	-11 (-1.0%)
Becomes conforming	41 (3.3%)	41 (3.3%)	0 (0%)
Becomes nonconforming+	98 (21.8%)	60 (15.4%)	-38 (-6.4%)
Total	811	813*	

*Throughout the process several properties were eliminated from the study area, while a few others were added.
 +Existing auto repair, auto specialty, and auto body shops that would be allowed to expand without a non-conforming use permit (“Bonfe amendment”) have been removed from the “becomes nonconforming” line of the table, although technically still are considered non-conforming because no new such uses would be permitted in TN.

Breakdown of properties that become nonconforming by use

Use	# of Properties	Acres	% of Land Area
Auto Rental	4	1.3	1.56%
Auto Sales	10	1.41	1.1.69%
Drive-through	10	6.62	7.92%
Manufacturing	9	25.84	30.91%
Warehousing	17	40.40	48.32%
Other*	10	8.03	9.6%
Total	60	83.6	

* Includes pawn shops, equipment sales, storage facilities, distribution, etc.

Rationale:

- In order to begin implementing a gradual change in land uses as envisioned by the Central Corridor Development Strategy and station area plans, changes in zoning that make some existing uses non-conforming are inevitable. However, this needs to be balanced by a thoughtful consideration of the needed extent of these changes. After discussion, the committee has recommended changes that significantly reduce the number of non-conforming uses that would be created, yet do not compromise the overall vision of the plans.
- Non-conforming uses can continue indefinitely, even if sold to a new owner. Non-conforming uses can be improved and even completely rebuilt if destroyed by fire or other natural disaster.
- If the use is discontinued for more than 365 days, a non-conforming use permit would need to be granted by the Planning Commission for the use to be re-established. Or, in order for such a business to expand, an expansion of non-conforming use permit would need to be granted by the Planning Commission.
- An informal survey of bank representatives found that non-conforming status can create some concerns for bank financing since it introduces an element of uncertainty of continuation of the use (see Attachment E). The changes recommended by the Committee will significantly reduce this uncertainty.

Issue #4: Variances – given the Krummenacher state Supreme Court decision, consider using conditional use permits (CUPs) as option to vary from standards.

Who testified: St. Paul Area Chamber and Midway Chamber

What they said: Write more CUPs into the code to allow for exceptions to floor area ratio, height, and setback requirements.

Committee recommendation: No change to requirements based on this testimony.

Rationale: A bill to fix the variance problem and return flexibility to cities to grant variances was introduced at the Legislature shortly after the session started. It appears likely to pass with broad support.

Issue #5: ISIAH’s Healthy Corridor Initiative health impact assessment project is advocating use of zoning to create healthy neighborhoods.

Who testified: Project steering committee members, MICAH, Take Action MN, Hope Lutheran Church, MN Center for Environmental Advocacy

What they said:

- Zoning should be used as a tool to achieve community objectives related to transportation, housing and a healthy economy.
- Suggested techniques include living wage requirements; fast food bans; big box retail bans; affordable housing replacement policy; healthy food stores, farmers markets, community gardens; small business retail space set asides in larger developments; bike parking; public restrooms.

Committee recommendation:

- Proceed with zoning code changes and property rezonings as proposed in the Central Corridor Zoning Study, which will address major objectives of the initiative.
- Proceed with Food Zoning Study, which will create new regulations that facilitate access to and ability to provide locally-grown food.

Rationale:

- A number of the zoning changes recommended in the study are supportive of the Healthy Corridor for All objectives:
 - definition of the “Area of Change” (zoning boundary) that: 1) protects adjacent residential neighborhoods from redevelopment speculation by maintaining low-density residential zoning outside the “Area of Change”, and 2) supports the existing small-scale development pattern on the eastern end of the corridor where many small, local, ethnically-diverse businesses are found;
 - requirements that design of new development be more pedestrian and transit-user friendly;
 - zoning that allows greater density of development within the “Area of Change” (facilitating both creation of new jobs from new commercial development and development of affordable housing by lowering per unit land costs).
- Current community initiatives underway are addressing many of the goals and objectives identified by the Healthy Corridor for All project. These include: Met. Council’s DBE (disadvantaged business enterprise) requirements; Central Corridor Business Resources Collaborative; ISP/NSP investments; LAAND program to land bank sites for affordable housing.
- City already has significant compliance requirements associated with projects receiving City financing such as living wage, targeted vendor, Section 3, green building standards, affirmative action.
- A number of the goals of the Healthy Corridor Initiative cannot or should not be achieved through zoning – for example, better transit (advocate for improved funding at state legislature); better pedestrian walkways and lighting on public streets or new park spaces (advocate for funding through the City’s capital improvement budget process, STAR Program, or other funding sources).
- Attachment F contains a more detailed explanation of the above points.

Issue #6: Affordable housing and inclusionary zoning.

Who testified: MICAH, MN Center for Environmental Advocacy, Hope Lutheran Church, Bethlehem Lutheran Church, Preserve and Benefit Historic Rondo, Aurora-St. Anthony Neighborhood Development Corp., Union Park District Council

What they said:

- New construction should include affordable housing – MICAH proposed the 50/50 plan.
- Density bonuses for affordable housing should be used in TN3 and TN4.
- Inclusionary zoning is a way that limited public resources can go farther and shift some of the responsibility for the creation of affordable units to the private market. There will be developers in the future who don’t need public subsidies and it’s fair to expect private investment to further public goals.

Committee recommendation:

- Do not recommend an inclusionary zoning requirement but conduct a followup zoning study with the assistance of a nationally-known consultant to explore the use of density bonuses to obtain affordable housing units and other potential public benefits in exchange for additional height and density.

Rationale:

- Requiring private development to provide affordable units without public financing assistance will put Saint Paul at competitive disadvantage in the regional housing market. This is a regional issue; there should be a regional solution.
- Current City policies and programs for affordable housing are resulting in new and preserved affordable units along Central Corridor.
- Density bonuses – allowing residential buildings to exceed certain maximum heights or densities in exchange for providing a certain % of affordable units may be a method to obtain affordable units without public subsidy.
- See Attachment G: *Overview of Central Corridor Affordable Housing Policies and Current Implementation Activities, Jan. 2011*, and Attachment H: *Potential Application of Bonus Densities in T4 Zoning Districts*, for more detail.

Issue #7: Elimination of minimum parking requirements.

Who testified: Pro – Saint Paul Area Chamber, St. Paul Smart Trips; Con – Frogtown Neighborhood Association (District 7), Union Park Council, several individuals.

What they said:

- Pro: No minimum is better for businesses and development. Allows market to decide how much parking is needed.
- Con: Businesses can't afford to operate without parking – need it for customers and deliveries. Eliminating minimum parking requirement as a whole within ¼ mile is more of a concern than just eliminating it within TN zones. Eliminating minimum parking requirement is going too far – suggested 50% reduction initially.

Committee recommendation:

- Limit elimination of parking minimums to TN zones along University only (Sec. 63.207(b)).
- Encourage implementation of limited-time parking and permit parking Corridor-wide.

Rationale:

- Station area plans generally call for reducing or eliminating parking requirements in light rail station areas, where there is less need for parking. This will aid in meeting minimum FAR requirements in station areas, and in creating more compact, walkable, transit-oriented development.
- It can decrease the cost of development and improve housing affordability, particularly for lower-income households that tend to have lower auto ownership.
- Eliminating the minimum parking requirement in light rail station areas allows the market, business and property owners, the individual needs of a development, and the cost of land to be factored into a determination of how much parking is needed.
- It will facilitate the reuse of existing commercial spaces, particularly in the eastern portion of the Corridor where there are buildings with little or no off-street parking.
- No minimum parking requirement will work well if paired with management of on-street parking along the Corridor, including parking meters (on University) and limited-time parking and permit parking along other streets along the Corridor. This will require developers to determine exactly how much parking is needed for new development, and not assume that demand for parking beyond what can be accommodated by metered or limited-time parking can be accommodated on nearby streets.

Issue #8: Concerns about the potential for gentrification.

Who testified: Representatives of MICAH, Bethlehem Lutheran Church, Preserve and Benefit Historic Rondo.

What they said: Concern that LRT and the proposed zoning changes will result in increased property values that will make the area unaffordable for the people who currently live and run businesses in the area.

Committee recommendation:

- Maintain existing zoning recommendations that will stabilize existing residential neighborhoods and minimize land speculation for redevelopment.
- In the future, study the possibility of allowing development of accessory (also known as secondary) units on residential lots within Central Corridor or other areas of the city when recommended in an adopted City plan.

Rationale:

- In the Central Corridor Development Strategy the “Area of Change” defines where redevelopment is encouraged and the “Area of Stability” defines where reinvestment in existing neighborhoods is encouraged. Maintaining the existing low-density residential zoning in the “Area of Stability” will dampen property speculation and hold down property value increases in these areas.
- The proposed zoning reinforces the existing pattern of small, half-block depth commercial lots primarily found on the eastern end of the Corridor by not extending TN zoning beyond the alley in most cases. This will also serve to dampen property speculation and make it more economical to invest in building rehabilitation rather than site assembly and new construction.
- See Attachment I for a summary of studies of property value impact resulting from the Hiawatha LRT.
- The Committee discussed the possibility of allowing accessory dwelling units to be added to residential zoning lots under certain conditions. Accessory or secondary units can provide many benefits to communities by providing affordable housing and mitigating economic forces that can lead to gentrification. Secondary dwelling units would provide the opportunity to increase housing density in an unobtrusive way, allowing single family neighborhoods to retain their character while taking advantage of their proximity to transit. When used as rental housing they can provide a source of income for existing residents. This income could be used to offset any potential increase in property taxes, or used to supplement income that can be reinvested in the property. When used as an extension of a household, secondary dwelling units can provide space for a caregiver, an adult child, or elderly parent, allowing for multigenerational housing and independence. This can facilitate a property staying in the hands of current residents and their families, thus defending against displacement. Secondary dwelling units provide an additional type of affordable housing. The small unit size automatically keeps rents down while proximity to transit keeps transportation costs down, eliminating the need for monitoring of affordability by the city or a third party. Secondary dwelling units help preserve affordable housing by supplementing the income of the homeowner, decreasing the impact of mortgage and other housing costs. However, although the Committee was intrigued by the idea, it decided not to recommend zoning amendments to facilitate accessory units at this time. Since this idea had not been part of the public hearing draft, the Committee thought it should be introduced and discussed by the community through a separate zoning study.

Issue #9: Concern about use of shared alleys for commercial parking.

Who testified: Frogtown Neighborhood Association (District 7), Aurora-St. Anthony NDC, Preserve and Benefit Historic Rondo, one business owner.

What they said:

- Concerns that residents along proposed shared alleys haven’t received proper notification.

- Sharing an alley with University Avenue businesses can lead to a reduction in residential quality of life and property values; concerns about maintenance, wear and tear, trash pick up, commercial deliveries, etc.
- Shared alleys create unsafe conditions.

Committee recommendation:

- Reinstate the requirement in Sec. 61.402(b)(5) that property owners within 350 ft. be notified when new alley access is proposed as part of a site plan application.
- Improve options for buffering off-street parking that abuts a residential use or district across an alley by adding an option for an ornamental metal fence or masonry wall, as determined by the Zoning Administrator (Sec. 63.313).
- Support existing study recommendations to require new development to have a rear building setback that is at least 13 ft. from the centerline of the alley so that new development will have more space along the alley for access and deliveries (Sec. 66.331 – footnote k).
- Support additional funding to improve alleys and residential buffering for existing shared commercial-residential alleys along the Central Corridor. The City Council has already allocated \$350,000 to improve alleys and \$100,000 for residential buffering for alleys in the Central Corridor.
- Conduct a study of current City policy regarding alleys to determine how shared use alleys can function better for both commercial and residential uses. This includes determining appropriate policies and financing mechanisms for use, maintenance and improvement of alleys, addressing issues such as paving and repair, snow plowing, stormwater management, lighting, cleaning, and safety. As part of this study, the Department of Public Works should develop specific criteria for determining whether proposed new access to shared use alleys creates an unsafe condition.

Rationale:

- Existing City code requirements now allow off-street parking facilities in a non-residential zoning district abutting residentially-zoned land across an alley to have alley access unless it creates or aggravates an unsafe condition and meets one of four conditions. One of the conditions is that such alley access is supported by a comprehensive plan or a neighborhood plan that recommends the location of new off-street parking facilities to the rear of development sites or discourages additional curb cuts or driveways across sidewalks.
- The Central Corridor Development Strategy and individual station area plans encourage increased use of alleys to access parking and businesses. The LRT will eliminate much of the existing on-street parking and capacity for deliveries along University Avenue. Businesses will need to use alleys more to access existing parking behind buildings and for deliveries. New curb cuts (driveways) across sidewalks should be minimized for new development, using alley access if possible. This will create a more pedestrian-friendly environment along University Avenue.
- More work is needed to develop City policies that ensure shared use alleys function well for both commercial and residential uses.
- See Attachment J: Alleys in the Central Corridor, for more detail on this topic.

Issue #10: Zoning changes allow too much height and density; zoning changes do not allow enough height and density.

Who testified: Not enough – MN Center for Environmental Advocacy; Too much – Preserve and Benefit Historic Rondo Committee, Aurora-St. Anthony Community Development Corp., several residents.

What they said:

Not enough -

- City isn't allowing enough density and area for development given examples of successful TOD in other transit corridors around the country.
- Zoning proposal should more accurately reflect the CCDS in terms of development potential.

Too much -

- T4 shouldn't be used within 500 feet of low-density residential.

- Use absolute height maximums rather than writing in the possibility of exceptions through conditional use permits.
- Concerns about too much height/density being permitted at the University/Lexington intersection and areas south and east of there. Areas that are T4 should be T3, those that are T3 should be T2 so as not to encroach on the neighborhood. Jobs are important but more jobs can be added without the added density.
- Taller buildings are more expensive to build and difficult to lease, therefore the minimum requirements should be reduced.

Committee recommendation:

- Add requirement that buildings be designed with setbacks from side and rear property lines (one ft. back for each additional ft. of building height over 25 ft.) when new buildings are next to single-family, duplex or townhouse residentially-zoned parcels (Sec. 66.331, footnote e).
- Add a provision that a shadow study may be required as part of any CUP application for additional building height in T3 and T4 districts (Sec. 66.331, footnotes g and h). Develop guidelines to be used by the Planning Commission for evaluating the results of shadow studies, and subsequently determine if these should be adopted as zoning code requirements.
- Change recommended zoning on the south side of University between Fairview and Prior and the southeast corner of Lexington and University from T4 to T3. Change recommended zoning on Snelling Avenue north of Sherburne from T3 to T2. Change recommended zoning on the southern edge of the Unidale Mall site from T3 to T2.
- No changes are recommended to expand areas recommended for rezoning to TN.

Rationale:

- These changes will reduce maximum building height in locations requested by the community and also require that new buildings be designed to transition down to lower-density residential neighborhoods.
- The total area proposed for rezoning to TN is consistent with the area identified in the adopted Comprehensive Plan and provides significant areas for new development that may occur in response to the market demand generated by the LRT investment.

Issue #11: TDM (travel demand management) requirements for downtown.

Who testified: Pro – Saint Paul Smart Trips; Con – Saint Paul Area Chamber of Commerce

What they said:

Pro: Downtown employers providing more than 100 new accessory parking spaces would benefit from doing a TDM plan to figure out options that would reduce the number of single-occupancy vehicles coming into downtown. Smart Trips has offered this service to many downtown employers and many find it helpful.

Con: This creates an unnecessary requirement that could deter potential businesses from locating downtown.

Committee recommendation: Maintain the zoning code amendment that would extend the requirement for TDM plans to downtown when 100 or more accessory parking spaces are proposed (Sec. 63.122(b)).

Rationale:

- This requirement would come into play only on rare occasions, when a new development is being planned that is providing 100 or more spaces exclusively for its use.
- Saint Paul Smart Trips currently offers this service at no charge to businesses and businesses that have taken advantage of it have found it very helpful in identifying options for its employees.
- Reduced vehicle trips reduce downtown traffic congestion and carbon emissions.
- Downtown has arguably the greatest concentration of alternatives to single-occupancy vehicles.

Issue #12: Requests to consider specific zoning for certain properties (many will be resolved with proposed treatment of auto uses and reduction in industrial property rezoned to TN).

Property rezonings – Requested Changes							
Address	Owner	Existing Zoning	Request	Requestor	Proposed Zoning	CPC Change	Rationale
620 Pelham	SPPA	I1	Remain I1	Lorrie Louder, Neil Holstein, Tom Vitalik	I1	none	Port Authority has developer who needs I1 zoning to build desired project.
0 Raymond	Rock Tenn	I1	Remain I1	Robert Carpenter	T4	I1	Most Rock Tenn properties are outside the study area and all should maintain their current zoning.
2220 Myrtle	Rock Tenn	I2	Remain I2	Robert Carpenter	T3	I2	Same comment.
2256 Myrtle	Rock Tenn	I2	Remain I2	Robert Carpenter	T3	I2	Same comment.
2265 Wabash	Rock Tenn	I2	Remain I2	Robert Carpenter	T3	I2	Same comment.
2280 Myrtle	Rock Tenn	I2	Remain I2	Robert Carpenter	T3	I2	Same comment.
689 Hampden	Rock Tenn	I2	Remain I2	Robert Carpenter	T3	I2	Same comment.
0 Lexington Pkwy (342923410067)	Wilder	B3	T4	Wilder	T4	none	Proposed zoning is as Wilder has requested.
0 Lexington Pkwy (342923410069)	Wilder	B3	T4	Wilder	T4	none	Same comment.
1441 University	Constantino	B3	B3	Tetra & Al Constantino	T2	none	Business will be conforming under proposed T2.
880 University	Latuff	B3	B3	Peter Latuff	T2	none	Business will be considered a conforming use under proposed T2 zoning.
2108 University	Rihm	I2	I2	Marvin Liszt	IR	I1	I1 zoning will allow business to remain a

Property rezonings – Requested Changes

Address	Owner	Existing Zoning	Request	Requestor	Proposed Zoning	CPC Change	Rationale
							conforming use.
2109 University	Rihm	I1	I1	Marvin Liszt	IR	I1	Same comment.
2120 Charles	Rihm	I1	I1	Marvin Liszt	IR	I1	Same comment.
740 University	Glasgow	B3	B3	John Glasgow	T2	none	Business will be considered a conforming use under proposed T2 zoning.
1790 University	Hafner	B3	B3	Michael Hafner	T3	none	Business will be considered a conforming use under proposed T3 zoning.
1800 University	Hafner	B3	B3	Michael Hafner	T3	none	Business will be considered a conforming use under proposed T3 zoning.
S. side Univ. between Prior and E. Lynnhurst	Varies	B3	T3	Benita Warns, Michael Warns	T4	T3	T3 is more appropriate to the scale of the adjacent neighborhood.
Within 100' of Iris Park to the east and west	Varies	B3	T3 or less intense	Union Park District Council	T4	T3	T3 is more appropriate to the scale of the adjacent neighborhood.
620 Pelham	SPPA	I1	T4	Theresa Olsen, John Schatz	I1	none	Port Authority has developer who needs I1 zoning to build desired project.
1607 University	Holden	B3	B3	Tim Holden	T4	none	Business will be conforming under proposed T4 zoning.
E. side of Lexington, south of Fuller to I-94	Varies	B3 and RM2	Remain B3 & RM2 or rezone to T1	Preserve and Benefit Historic Rondo	T2	none	Lexington Parkway north from I-94 to University is a significant

Property rezonings – Requested Changes

Address	Owner	Existing Zoning	Request	Requestor	Proposed Zoning	CPC Change	Rationale
				Committee (PBHRC)			gateway to the corridor. T2 will facilitate more mixed-use, pedestrian-friendly development.
E. of Lexington between Aurora & Fuller	Franks Nursery & Crafts	B3	T2	PBHRC	T3	none	This is a full block depth site, so T3 is appropriate.
SE corner of Lexington & University	Varies	B3	T3	PBHRC	T4	T3	T3 is more appropriate given the size of the block and proximity to low-density residential.
S. side of University between Oxford & Chatsworth	Varies	B3/I1/R T1/VP	T2	PBHRC	T3	none	This is a full block depth site, so T3 is appropriate.
2 Southernmost parcels at the SE corner of Dale & University	Credit Union & Camphor Church	T2	T2	PBHRC	T3	T2	T2 will provide a better transition to the low-density neighborhood to the south.
SW corner of Mackubin & University	Varies	B3	T2	PBHRC	T3	none	This is a full block depth site, so T3 is appropriate.
Parcels on the south side of University at Western	Varies	B3/I1	T2	PBHRC	T3	none	This is a full block depth site, so T3 is appropriate.
Area along Snelling Ave. north of Sherburne	Varies	B3/RM2 /RM3		Staff	T3	T2	T2 for the half-depth blocks here is consistent with how T2 has been used elsewhere.
VP zoned lot just north of	Song Hong Dao	VP		Staff	VP	T2	This small 45 ft. parcel that

Property rezonings – Requested Changes							
Address	Owner	Existing Zoning	Request	Requestor	Proposed Zoning	CPC Change	Rationale
353 University Ave.							provides parking to 353 University should have the same T2 zoning.
250, 256, 262 Sherburne	Saint Paul HRA	VP and RT1	T2	HRA staff	VP and RT1	T2	These parcels are part of the Saxon Ford site purchased by the HRA with LAAND \$ for affordable housing.
582, 602, and 622 Prior Ave. N.	Several	I1	I1	Staff	T4	I1	The southern-most of the 3 parcels contains a large Xcel power transformer station. Also include the two parcels to the north to create a clean zoning transition line.

Additional Revisions Recommended by the Committee

The City contracted with four nationally-known planning consultants to review the public hearing draft recommendations for the Central Corridor Zoning Study. In general, the consultants confirmed that the zoning study recommendations will facilitate the kind of development that will take best advantage of the proximity to LRT. The Committee has reviewed the consultant comments, and recommends several additional amendments in response to those comments. There are also some minor amendments that the Committee is recommending based on a further review and analysis by staff. The explanation for these additional amendments are generally found in the explanatory notes in Attachment A.

Amendments based on consultant comments:

- Add setbacks for higher building height when adjacent to lower-density residential districts (Sec. 66.331, footnote e). This is already explained in the response to public hearing testimony on building height issue above.
- Require building setbacks for heights over 75 ft. and require a shadow study with the conditional use permit applications in T3 and T4 districts (Sec. 66.331 – footnotes g & h).
- Minimize the number of curb cuts for drive-through uses in station areas – see Sec. 65.513(f).
- Clarify what should be counted toward meeting minimum floor area ratio requirements so that sliver areas or inaccessible areas of green space that don't contribute to public amenities cannot be counted (Sec. 66.331(a)).

Amendments based on additional Committee and staff analysis:

- Add a minimum bicycle parking requirement for residential units if no vehicle spaces are provided (Sec. 63.210(2)).
- Clarify sign regulation as it applies to buildings with multiple uses (Sec. 64.401(o)), materials allowed (Sec. 64.503, deleted (4)), and increase the allowed sign square footage in TN, OS & BC districts (Sec. 64.503(a)(1)).
- Add a clearer explanation of what should be considered when approving a conditional use permit for commercial uses over 15,000 square feet (see example language - Sec. 65.510).
- Allow structured parking that is located above or below usable building space to be counted toward meeting minimum FAR requirements (Sec. 66.331, footnote d)
- Clarify that service stations in TN can have some space devoted to accessory outdoor sales, such as ice or propane tanks (Sec. 65.703(g)).
- Allow auto rental as an accessory use to a hotel or railroad passenger station (Sec. 65.910(h)).
- Add commercial parking facilities as a conditional use in the IR district (Sec. 66.521 use table).

Additional background information on the zoning study can be found on the City's website at www.stpaul.gov/centralcorridor, click on Central Corridor Zoning Study.

Committee Recommendation

The Comprehensive Planning Committee recommends that the Planning Commission recommend the zoning code text amendments in Attachment A and the zoning map revisions illustrated on Attachment C to the Mayor and City Council. A draft resolution for your consideration is attached.

The Planning Commission should conduct follow-up studies of the following issues:

- Evaluate the use of density bonuses to obtain affordable housing units and other potential public benefits in exchange for additional height and density.
- Conduct a study of current City policy regarding alleys to determine how shared use alleys can function better for both commercial and residential uses.
- Study the possibility of allowing accessory (also known as secondary) dwelling units on residential lots within the Central Corridor or other areas of the city when recommended in an adopted City plan.
- Develop guidelines to be used by the Planning Commission for evaluating the results of shadow studies, and subsequently determine if these should be adopted as zoning code requirements.

If you have questions before the Commission meeting on March 4th, please feel free to contact Donna Drummond (651-266-6556, donna.drummond@ci.stpaul.mn.us) or Sarah Zorn (651-266-6570, sarah.zorn@ci.stpaul.mn.us).

Attachments:

- Attachment A: Draft of revised zoning text amendments
- Attachment B: Existing zoning map
- Attachment C: Proposed revised zoning map
- Attachment D: West Midway employment densities, by block
- Attachment E: Responses from banks on financing for non-conforming uses
- Attachment F: Healthy Corridor for All response
- Attachment G: Overview of Central Corridor Affordable Housing Policies and Current Implementation Activities, Jan. 2011
- Attachment H: Potential Application of Bonus Densities in T4 Zoning Districts
- Attachment I: Summary of studies of property value impact resulting from the Hiawatha LRT
- Attachment J: Alleys in the Central Corridor
- Draft Planning Commission resolution

Central Corridor/Traditional Neighborhood Zoning Study: Draft Zoning Text Amendments – 2/25/11

(Changes from PC public hearing draft shown with double underlines and ~~double strikeouts~~.)

Chapter 60. Zoning Code - General Provisions and Definitions; Zoning Districts and Maps Generally

Sec. 60.213. L.

Light rail station area. The area within a ¼ mile radius from the centerpoint of a light rail transit station platform. For split platform stations, this is measured from the centerpoint between the two platforms.

Sec. 60.214. M.

Multiuse ~~retail~~ center. A single, unified development on one (1) zoning lot that provides ~~commercial~~ space to a variety of ~~retail~~ commercial uses and has at least twenty thousand (20,000) square feet of gross floor area.

[The term “commercial” includes retail as well as things such as insurance and real estate offices, dental offices, and restaurants that are common in multiuse centers.]

Sec. 60.301. Zoning districts established.

- (b) Traditional neighborhood districts.
 - ~~TN1~~ traditional neighborhood district
 - ~~TN2~~ traditional neighborhood district
 - ~~TN3~~ traditional neighborhood district
 - T4 traditional neighborhood district

Sec. 60.307. More restrictive or less restrictive districts.

When the code refers to more restrictive districts or less restrictive districts, the districts in order from more to less restrictive are: CV, CO, RL, R1, R2, R3, R4, RT1, RT2, RM1, RM2, RM3, ~~TN1~~, OS, B1, BC, ~~TN2~~, B2, ~~TN3~~, B3, T4, B4, B5, IR, I1, I2, I3. The VP district shall be as restrictive as the district for which the VP district provides accessory parking.

Chapter 61. Zoning Code - Administration and Enforcement

Sec. 61.402. Site plan review by the planning commission

- (b) *Site plan application:*

- (5) Alley access; notice. Where a site plan application review has been delegated to the zoning administrator and notification to adjacent property owners is required in section 63.310(f), a notice shall be sent at least ten (10) days prior to a site plan review meeting by

city staff to the applicant and owners of record of property located within three hundred fifty (350) feet of the proposed alley access. Notice shall be delivered either personally or by mail at the address of the owner contained in the records of the county department of property taxation.

[Strikeout of this section taken off in response to concerns expressed at the public hearing.]

Chapter 62. Zoning Code – Nonconforming Lots, Uses and Structures

Sec. 62.106. Nonconforming uses of structures, or structures and land in combination.

- (o) Existing auto body shops located in zones other than industrial zones shall be considered, for purposes of changes in nonconforming uses, as B3 uses. Auto body shops that are legally nonconforming in T2-T4 and B3 zoning districts may expand even though ~~they auto body shops~~ are not permitted uses in ~~B3 these~~ zoning districts. Auto service stations in T2, T3 and B2 zoning districts which remove their gas tanks and pumps will be regarded as legal nonconforming auto repair stations. Auto repair stations and auto specialty stores that are legally nonconforming in T2-T4 zoning districts may expand even though they are not permitted uses in these zoning districts.

[Responds to concerns expressed at the public hearing about the impact of making these uses nonconforming through rezoning to T2-T4.]

Chapter 63. Zoning Code - Regulations of General Applicability

Sec. 63.114. Visual screens.

- (a) Wherever a visual screen is required by this code, it shall be of sufficient height and density to visually separate the screened activity from adjacent property. The screen may consist of various fence materials, masonry walls, earth berms, plant materials or a combination thereof.

[Masonry walls may be the best option, particularly where there is limited space.]

Sec. 63.122. Travel demand management.

- (b) *Applicability.* This section applies to any development or redevelopment, including phased construction, ~~providing requiring~~ one hundred (100) or more accessory off-street parking spaces, and to any change ~~in use~~ resulting in a parking increase of twenty-five (25) percent or fifty (50) accessory off-street parking spaces, whichever is less, and ~~providing requiring~~ one hundred (100) or more parking spaces, ~~based upon the parking requirements in sections 63.207 and 63.208.~~ TDM plans may be done for other development, but are not required by this section.

[Station area plans generally call for reducing or eliminating accessory parking requirements, and reducing single-use surface parking lots. A proposed change to section 63.207(b) below would eliminate the *minimum* accessory parking *requirement* for light rail station areas. However, accessory parking *may* still be provided, and if provided in the amounts that would trigger travel demand management (TDM) requirements, TDM requirements should apply even if the parking spaces are not “*required*” accessory parking spaces. This proposed change to § 63.122(b) would not only mean that TDM requirements would apply in light rail station areas where there are no parking requirements; it would also mean that TDM requirements would apply in B4 and B5 central business districts where there are no parking requirements. The last sentence provides for TDM plans for smaller parking facilities such as may be required by new language in § 63.207(c) below.]

Sec. 63.207. Parking requirements by use.

- (a) *Off-street parking minimum.* The minimum number of off-street parking spaces by type of use shall be determined in accordance with *Table 63.207, Minimum Required Off-Street Parking By Use.*
- (b) *Off-street parking reductions.* The minimum number of off-street parking spaces as determined in Section 63.207(a) shall be reduced by one hundred (100) percent in traditional neighborhood districts when more than fifty (50) percent of both the building and the parcel are within ¼ mile of University Avenue ~~between Emerald Street and Marion Street~~, and may also be reduced for:
 - 1. Shared parking, as described in Section 63.206(d);
 - 2. Bicycle parking, as described in Section 63.210(b);
 - 3. Shared vehicle parking, as described in Section 63.211.

Such reduction does not change the requirements of paragraphs (c) and (d) below when minimum parking is exceeded, nor does it change the maximum number of off-street parking spaces permitted for the use.

[Station area plans generally call for reducing or eliminating accessory parking requirements in light rail station areas, where there is less need for parking. This is beneficial in meeting minimum FAR requirements in station areas, and in creating more compact, walkable, transit-oriented development. It can decrease the cost of development and improve housing affordability, particularly for lower income households that tend to have lower auto ownership. Eliminating the minimum parking requirement in light rail station areas allows the market, business and property owners, the individual needs of a development, and the cost of land to have a bigger role in the determination of parking supply, subject to the parking maximum below.]

- (c) *Off-street parking maximum.* Surface parking facilities with more than fifteen (15) spaces ~~shall not be created~~ that exceed the specified off-street parking minimum for food and beverage uses by more than two hundred (200) percent, or by more than one hundred (100) percent in light rail station areas, or that exceed the specified minimum for all other uses by more than seventy (70) percent, or by more than forty (40) percent in light rail station areas, shall not be created unless a conditional use permit is approved based on demonstration of need (including in a TDM plan for surface parking facilities with more than fifty (50) spaces in light rail station areas). As an alternative, parking spaces over the maximum may be provided in a structured parking facility.

[Station area plans call for reducing surface parking in order to create more compact, walkable, transit-oriented development. These maximums apply everywhere, including where there is no minimum parking requirement.]

Sec. 63.310. Entrances and exits.

- (e) *Alley access from residential property.* ~~Entrances and exits to and from all~~ Off-street parking facilities ~~located on land zoned for~~ in residential use zoning districts shall be permitted access to an alley except where it is determined in the review of a site plan application that permitting alley access may be harmful to the public peace, health and safety.

For parking facilities of seven (7) or fewer parking spaces, the spaces may be directly off of the alley and the maneuvering lane may include the alley.

Uses prohibited alley access elsewhere in the zoning code shall not be permitted alley access by the provisions of this section.

[Without changing “use” to “zoning districts” in (e), the two requirements in (e) and (f) would be internally inconsistent. Adding the alley access provision for 7 or fewer residential parking spaces makes (e) consistent with the same existing provision in (f) below for 7 or fewer nonresidential parking spaces.]

- (f) *Alley access from nonresidential property.* ~~Entrances and exits to and from all~~ Off-street parking facilities ~~which are located on land~~ in nonresidential zoning districts ~~and which abutting~~ residentially zoned land across an alley shall be denied alley access except where the applicant can establish, in the review of a site plan application, that allowance of alley access would not create or aggravate an unsafe condition and one (1) or more of the following conditions exist:
- (1) Alternatives to alley access are unsafe due to traffic volumes, traffic speeds, proximity to an intersection, steep slopes, a blind pedestrian crossing, or some other unsafe condition;
 - (2) The location of existing structures on the property prohibits access to the street;
 - (3) A comprehensive plan or a neighborhood plan approved by the city council recommends that new off-street parking facilities be located in the rear of development sites or discourage additional curb cuts or driveways across sidewalks; or
 - (4) The number of parking spaces in the off-street parking facility is seven (7) or fewer less.

If a new alley access is proposed which will serve eight (8) or more parking spaces, notice to adjacent property owners and opportunity for them to comment shall be provided in the manner set forth in section 61.402(b)(5). Decisions to grant or deny alley access are subject to appeal pursuant to the provisions of section 61.700.

For parking facilities of seven (7) or fewer parking spaces, the spaces may be directly off of the alley and the maneuvering lane may include the alley.

Uses prohibited alley access elsewhere in the zoning code shall not be permitted alley access by the provisions of this section.

[Strikeout of the requirement for notice to adjacent property owners for new alley access taken off in response to concerns expressed at the public hearing. The appeal provisions in Sec. 61.700 apply to all administrative, BZA and Planning Commission decisions pertaining to the zoning code, and need not/should not be called out in individual paragraphs.]

Sec. 63.210. Bicycle parking.

- (a) *Bicycle parking required.* Bicycle parking shall be provided according to the greater of the following:
- (1) Off-street parking facilities shall provide a minimum of one (1) secure bicycle parking space for every twenty (20) motor vehicle parking spaces, disregarding fractional bicycle spaces. A minimum of one (1) secure bicycle parking space shall be provided for an off-street parking facility with twelve (12) or more motor vehicle parking spaces; or
 - (2) For dwelling units, a minimum of one (1) secure bicycle parking space shall be provided for every fourteen (14) dwelling units. A fractional space up to and including one-half (½) shall be disregarded, and any fraction over one-half (½) shall require one (1) secure bicycle parking space.

[This would require bicycle parking even if no vehicle parking spaces are provided.]

...

- (c) *Location and design.* The following standards shall apply to bicycle parking provided to meet the requirements of subsections (a) and (b) above:

...

- (5) For the purposes of this section, ~~a~~ secure bicycle parking ~~space~~ is an area and facility used for the securing of bicycles. This term shall include enclosed bicycle storage, covered bicycle racks or fixed bicycle racks which permit the locking of the bicycle frame and one

- (1) wheel to the rack and support the bicycle in a stable position, anchored to prevent easy removal.

Sec. 63.313. Visual screening.

For off-street parking facilities ~~that which adjoin or abut across an alley,~~ a residential use or zoning district, a visual screen shall be provided and maintained as required in section 63.114, Visual screens. For off-street parking facilities that abut a residential use or zoning district across an alley, one of the following shall be provided and maintained as determined by the zoning administrator as part of site plan review:

- (a) A visual screen as required in section 63.114, Visual screens; or
- (b) An ornamental metal fence or other non-screening, durable fence where security concerns make this preferable to a visual screen.

Chapter 64. Zoning Code - Signs

Sec. 64.401. All signs.

...

- (o) If a building will contain multiple uses, a comprehensive sign program ~~and a uniform sign theme~~ shall be established. ~~Signs shall be designed with common or compatible sizes, shapes and materials.~~

[The deleted language is difficult and unreasonable to interpret and administer.]

Sec. 64.502. RL-RM3 through RM3 residential and entirely residential uses in T1-T4 traditional neighborhood districts.

Sec. 64.503. TN1-TN3T4 traditional neighborhood and OS-BC business districts.

- (a) *Business and identification signs:*

- (1) The sum of the gross surface display area in square feet of all business signs on a lot shall not exceed one and one-half (1½) times the lineal feet of lot frontage, or seventy-five (75) square feet, whichever is greater.

[This would reduce the extent to which many lots would be made nonconforming as to sign area by rezoning most remaining B2-B3 areas to T2-T4. The sign area allowed in B2-B3 is 2 sq. feet of sign area per lineal foot of lot frontage. A maximum of one sq. foot of sign area per lineal foot of frontage is not enough for desired new development in these districts. A variance to allow 1.47 sq. feet of sign area per lineal foot of lot frontage for the Frogtown Square project is supported by District 7.]

...

- (3) One (1) projecting sign per entrance on a street frontage is permitted, except in the BC community business (converted) district where they are not permitted. There shall be a minimum of twenty (20) feet of lot frontage per projecting sign, and a projecting sign shall be a minimum distance of twenty (20) feet from any other projecting sign. Signs may project into a public right-of-way up to three (3) feet. The maximum display area shall be

sixteen (16) square feet per side. The highest point on a projecting sign shall be no more than thirty (30) feet above grade.

[Projecting signs are a traditional sign form that was overlooked in the creation of the traditional neighborhood districts. The added language permits them in traditional neighborhood, OS and B1 districts with the restrictions in the B2 district plus restrictions in the Grand Avenue Special Sign District. Projecting signs would not be permitted in the BC community business (converted) district, which is designed specifically to retain the residential character of houses converted for business uses.]

~~(4)(3)~~ No sign shall project higher than thirty-seven and one-half (37½) feet above grade, except wall signs and freestanding signs on zoning lots abutting principal and intermediate arterials. Wall signs may project to the height allowed by the height restriction in the zoning code. On zoning lots which abut a principal or intermediate arterial, one (1) freestanding sign may project to thirty-seven and one-half (37½) feet above the surface of the arterial.

~~(4) Sign materials shall be compatible with the original construction materials and architectural style of the building facade on or near which they are placed. Natural materials such as wood and metal are generally more appropriate than plastic.~~

[The deleted language is difficult and unreasonable to interpret and administer.]

...

(b) *Temporary signs:*

...

(3) For all uses, one sign not exceeding a total of ~~four (4)~~ fifty (50) square feet in area identifying an engineer, architect or contractor engaged in, or product used in, the construction of a building.

[4 sq. feet is an unreasonable and problematic standard. 50 sq. feet is the standard in residential districts.]

Chapter 65. Zoning Code - Land Use Definitions and Development Standards

Sec. 65.153. Community residential facility, licensed human service.

(b) In RL--RT1 residential districts, the facility shall serve six (6) or fewer facility residents. In RT2 residential, ~~TN1-TN3~~ traditional neighborhood, OS--B3 business and IR--I2 industrial districts, the facility shall serve sixteen (16) or fewer facility residents.

Sec. 65.158. Shelter for battered persons.

(a) In residential, ~~TN1-TN3~~ traditional neighborhood 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.

(d) In RL--RT2 residential, ~~TN1-TN3~~ traditional neighborhood, OS--B3 business and IR--I2 industrial districts, the facility shall serve sixteen (16) or fewer adult facility residents and minor children in their care.

Sec. 65.159. Transitional housing facility.

- (a) In residential, ~~TN1-TN3~~ traditional neighborhood 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.
- (d) In RL--RT1 residential districts, the facility shall serve six (6) or fewer adult facility residents and minor children in their care. In RT2 residential, ~~TN1-TN3~~ traditional neighborhood, OS--B3 business and IR--I2 industrial districts, the facility shall serve sixteen (16) or fewer adult facility residents and minor children in their care.

Sec. 65.452. Hospital.

An institution, licensed by the state department of health, providing primary health services and medical or surgical care to persons, primarily in-patients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or training facilities.

~~Standards and conditions:~~

- ~~(a) In RM2-RM3 residential and TN2-TN3 traditional neighborhood districts, hospitals and other similar health and medical institutions shall qualify as nonprofit institutions under the laws of the state, and the site shall have direct access to an arterial or collector street.~~
- ~~(b) In RM2-RM3 residential districts, all such hospitals and similar health and medical institutions shall be developed only on sites consisting of at least five (5) acres in area, there shall be no height limitations placed on the principal structure, and the minimum distance of any main or accessory building from bounding lot lines or streets shall be at least fifty (50) feet for front, rear, and side yards for all two-story structures. For every story above two (2) the minimum yard distance shall be increased by at least twenty (20) feet.~~

[Hospitals were allowed in residential zoning districts because there used to be many small neighborhood hospitals. Metropolitan hospitals have evolved into large institutions that are not appropriate uses in residential districts. The last St. Paul hospital in a residential zoning district, Midway Hospital (now HealthEast's Midway facility), is being rezoned to T3 as part of the Central Corridor zoning study. Therefore, it is time to delete hospitals from the list of uses allowed in residential districts, and also to delete standards and conditions that were necessary for hospitals in residential districts but not in other districts.]

Sec. 65.510. General retail.

Standards and conditions:

~~In TN2-TN3 traditional neighborhood districts, these uses are intended to be of a moderate size compatible with neighborhood-level retail, and~~ In traditional neighborhood districts, a conditional use permit is required for establishments of more than 10,000 fifteen thousand (15,000) square feet in gross floor area to ensure size and design compatibility with the particular location.

[Compatibility is related to site and design factors; what works well may vary from one particular neighborhood commercial location to another. 15,000 sq. ft. is consistent with the size of neighborhood drug stores and small grocery stores that are encouraged in these districts and should be permitted by right. Larger stores can also be important anchor stores in some of these areas, but careful consideration of site and design factors become more important. "Gross" floor area is specifically only for computing shared parking.]

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

Additional conditions in the TN2 traditional neighborhood district:

- (g) The number of curb cuts shall be minimized. In light rail station areas, there shall generally be no more than one (1) curb cut on a block face per drive-through. Drive-through sales and services are prohibited along the entire length of block faces adjacent to light rail transit station platforms.

[Consultants said limit curb cuts in station areas to protect the transit-friendly, pedestrian-oriented environment. The number of curb cuts on a block face would be reviewed by the Planning Commission as part of the CUP.]

Sec. 65.518. Garden center, outdoor.

Standards and conditions in TN2-TN34 traditional neighborhood districts:

Sec. 65.532. Photocopying.

Standards and conditions:

In the TN1 traditional neighborhood district, the total floor area shall not exceed two thousand five hundred (2,500) square feet. In TN2-TN34 traditional neighborhood districts, ~~the total floor area shall not exceed 10,000~~ a conditional use permit is required for establishments of more than fifteen thousand (15,000) square feet.

[Change to be consistent with condition for *general retail*.]

Sec. 65.534. Service business with showroom or workshop.

Standards and conditions in T2-T3 traditional neighborhood districts:

- (a) A conditional use permit is required for establishments of more than fifteen thousand (15,000) square feet.
- (b) ~~In TN2-TN34 traditional neighborhood districts, the~~ The showroom or sales area shall be located at the front of the building and designed in a manner consistent with traditional storefront buildings, and total floor area shall not exceed ten thousand (10,000) square feet. All storage and workshop activities shall be done within a completely enclosed building.

[CUP condition consistent with that for *general retail*.]

Sec. 65.612. Coffee shop, tea house.

Standards and conditions in TN2-TN34 traditional neighborhood districts:

See section 65.613, restaurant.

Sec. 65.613. Restaurant.

Standards and conditions:

~~In TN2-TN3 traditional neighborhood districts, these uses are intended to be of a moderate size compatible with neighborhood level retail.~~ In traditional neighborhood districts, a conditional use permit is required for establishments of more than 10,000 fifteen thousand (15,000) square feet in gross floor area to ensure size and design compatibility with the particular location. Drive-through uses (primary or accessory) are not allowed in TN2-TN3 traditional neighborhood districts unless specifically permitted by a conditional use permit.

[Change to be consistent with condition for *general retail*. Permitted/conditional uses are covered by the use table in Sec. 66.321; the information should not be duplicated here.]

Sec. 65.615. Restaurant, fast-food.

Standards and conditions (except in the B4-B5 business districts):

- (a) Except in I1-I2 industrial districts, a conditional use permit is required for establishments of more than 10,000 square feet in gross floor area, and for any establishment with drive-through service, to ensure compatibility with the particular location. ~~In TN2-TN3 traditional neighborhood districts, these uses are intended to be of a moderate size compatible with neighborhood level retail.~~
- (b) In the B2 community business district, fast-food restaurants shall be incorporated within a multi-use retail center, and shall not provide drive-through service.

[Change to match the defined term in Sec. 60.214.]

Sec. 65.644. Indoor recreation.

Additional standards and conditions in TN2-TN3~~4~~ traditional neighborhood districts:

Sec. 65.701. Auto body shop.

A shop in the business of making substantial repairs to the shell or body of any automobile, and of major or substantial painting of the shell or body, and where the following services may also be carried out: general auto repair; engine rebuilding; rebuilding or reconditioning of motor vehicles; collision service, such as body, frame or fender straightening and repair; overall painting and undercoating.

Standards and conditions:

In the IR light industrial restricted district this use shall be limited to parcels within ¼ mile of University Avenue, subject to standards and conditions (b) and (e) in section 65.703, auto service station, and there shall be no outside storage.

Sec. 65.702. Auto convenience market.

Standards and conditions:

- (a) The use is subject to standards and conditions (a), (b), (d), (e), and ~~(g)~~ in section 65.703, auto service station.

[Conditions in § 65.703 added and rearranged; (f) does not apply to auto convenience markets.]

Sec. 65.703. Auto service station.

Standards and conditions:

- (a) The construction and maintenance of all driveways, curbs, sidewalks, pump islands . . .
- (b) A ten-foot buffer area . . . adjoining an existing residence or residentially zoned property.
- (c) The minimum lot area shall be. . . subject to all other provisions herein required.
- (d) Outdoor accessory sales of goods or equipment shall not be located in a required setback, parking or maneuvering space, or substituted for required landscaping.

Additional standards and conditions in traditional neighborhood districts:

- (e) The principal building shall comply with the dimensional standards and design guidelines . . . aesthetics or buffering of neighboring uses.

Additional standards and conditions in traditional neighborhood and IR industrial districts:

- (~~f~~) All vehicles awaiting repair or pickup shall be stored on the site within enclosed buildings or defined parking spaces in compliance with section 63.301.
- (~~g~~) There shall be no exterior storage. Space for accessory outdoor sales of goods or equipment shall be limited to two hundred (200) square feet, other than the dispensing of motor fuel.
- (h) In the T2 traditional neighborhood and IR light industrial restricted districts this use shall be limited to parcels within ¼ mile of University Avenue.

Sec. 65.705. Auto repair station.

A place where the following services may be carried out: general repair of automobiles, trucks, motorcycles, boats, etc.; engine rebuilding; and rebuilding or reconditioning of motor vehicles. The sale of engine fuels may or may not also be carried on.

Standards and conditions:

- (a) The minimum lot area shall be fifteen thousand (15,000) square feet.
- (b) A ten-foot landscaped buffer with screen planting and an obscuring fence shall be required along any property line adjoining an existing residence or adjoining land zoned residential.
- (c) All repair work shall be done within an enclosed building.
- (d) There shall be no outside storage.
- (e) In the IR light industrial restricted district this use shall be limited to parcels within ¼ mile of University Avenue, and all vehicles awaiting repair or pickup shall be stored on the site within enclosed buildings or defined parking spaces in compliance with section 63.301.

Sec. 65.706. Auto sales and rental, outdoor.

Outdoor sales space for the sale or rental of new, secondhand, or pawned automobiles, trucks, motorcycles, trailers, or boats.

Standards and conditions:

- (a) A site plan shall be submitted showing the layout of the vehicles for sale or rent, employee parking, and customer parking. The lot or area shall be provided with a permanent, durable and

dustless surface, and shall be graded and drained so as to dispose of all surface water accumulated within the area.

- (b) Vehicular access to the outdoor sales area shall be at least sixty (60) feet from the intersection of any two (2) streets.
- (c) No repair or refinishing shall be done on the lot unless conducted within a completely enclosed building.
- (d) Except in the IR light industrial restricted district, the minimum lot area shall be fifteen thousand (15,000) square feet. A site plan shall be submitted showing the layout of the vehicles for sale or rent, employee parking, and customer parking.
- (e) In the IR light industrial restricted district this use shall be limited to parcels within ¼ mile of University Avenue, limited to automobile rental only (no sales), and limited to no more than twelve (12) ~~vehicles~~ automobiles for rent on the site at any time.
- (fe) In the case of pawnbrokers, the businesses shall be separated from residentially zoned property by a distance of one hundred fifty (150) feet measured from property line to property line; . . .

Sec. 65.731. Parking facility, commercial.

An off-street parking facility, not accessory to any principal use, for which a fee is charged for the privilege of parking.

Standards and conditions in the ~~TN3-T4 traditional neighborhood development~~ and IR industrial districts:

- (a) In T3M districts, the facility shall be in a mixed use area identified in the master plan for the district. [Parking facilities may be in districts without a master plan.]
- (b) At least fifty (50) percent of the length of any parking structure facade adjacent to a public street shall consist of retail, office, civic, institutional, or other similar nonresidential, or other similar non-parking uses at street level.
- (c) All parking spaces shall be underground or within a parking structure. Thirty (30) percent of the floor area of the commercial parking facility may be counted toward meeting the minimum floor area ratio.

[Station area plans generally call for reducing or eliminating accessory parking requirements, getting away from single-use surface parking lots, and providing opportunities for more efficient publicly or privately owned and operated parking ramps for shared use by area destinations, incorporating non-parking uses (that may include civic, institutional and residential uses as well as retail and office uses) on the first floor along the street edges.

Proposed amendments to the *Traditional Neighborhood District Dimensional Standards Table* would apply the minimum floor area ratio (FAR) to parking structures in the T3 district, and require it for parking structures in the new T4 district, to ensure that parking structures help achieve the desired densities for these districts. Active first floor uses along the street edges alone would not be enough to meet these minimum FAR requirements for commercial parking facilities if they are located on a separate lot that does not include other principal uses. Therefore, paragraph (c) in this section is written to allow use of a portion of the floor area of a commercial parking facility toward meeting the minimum floor area ratio in these districts.]

Sec. 65.773. Limited production and processing.

Standards and conditions:

- (a) In traditional neighborhood ~~development~~ districts, a conditional use permit is required for such uses with more than ~~five-fifteen~~ fifteen thousand (15,000) square feet of ~~gross floor area, and total floor~~

~~area shall not exceed ten thousand (10,000) square feet to ensure size and design compatibility with the particular location.~~

[CUP standard consistent with *general retail*. “Gross” floor area is used only for computing shared parking.]

Sec. 65.774. Malt liquor production manufacturing.

Standards and conditions in traditional neighborhood and B2-B5 business districts.

- (a) ~~The manufacturing shall be conducted in conjunction with a brew on premises store.~~ In traditional neighborhood districts and B2 business districts, a conditional use permit is required for such uses with more than fifteen thousand (15,000) square feet of floor area to ensure size and design compatibility with the particular location.
- (b) Fewer than ~~two~~ five thousand (25,000) barrels of malt liquor shall be produced ~~manufactured~~ in a year.
- (c) The malt liquor shall not be ~~served~~ sold to customers for consumption on the site where manufactured.

Sec. 65.776. Printing and publishing.

Standards and conditions:

In traditional neighborhood ~~development~~ and B2 business districts, a conditional use permit is required for such uses with more than ~~five-fifteen~~ thousand (15,000) square feet of ~~gross floor area, and total floor area shall not exceed ten thousand (10,000) square feet to ensure size and design compatibility with the particular location.~~

[CUP standard consistent with *general retail*. “Gross” floor area is used only for computing shared parking.]

Sec. 65.910. Accessory use or accessory.

A building, structure or use which is clearly incidental to, customarily found in connection with, . . . located on the same zoning lot as, the principal use to which it is related. . . .

- (h) Uses clearly incidental to a main use such as, but not limited to, offices of an industrial or commercial complex ~~located on the site of the commercial or industrial complex;~~ greenhouses ~~located on the premises as~~ accessory and incidental to a florist; and auto rental accessory and incidental to a hotel or railroad passenger station. . . .

[By definition accessory uses must be located on the same zoning lot. Auto rental is a common and useful accessory use to hotels and passenger terminals in transit-oriented areas where alternatives to private auto dependence are encouraged.]

- (m) An enclosed, single-bay car wash operated in conjunction with an auto convenience market or auto service station.
- (n) Auto detailing and minor servicing of automobiles within and for users of a parking structure with more than fifty (50) parking spaces, using no more than ten (10) percent of the floor area of the parking facility.
- (~~o~~) Food shelf when located in . . .
- (~~p~~) Radio and television receiving antennas including . . .

Chapter 66. Zoning Code - Zoning District Uses, Density and Dimensional Standards

ARTICLE III. 66.300. TRADITIONAL NEIGHBORHOOD DISTRICTS

Division 1. 66.310. Intent

Sec. 66.311. General intent, TN traditional neighborhood districts.

TN traditional neighborhood districts are intended to foster the development and growth of compact, pedestrian-oriented urban villages. All ~~three (3)~~ four (4) districts are intended to encourage a compatible mix of commercial and residential uses within buildings, sites and blocks; new development in proximity to major transit streets and corridors; and additional choices in housing.

Sec. 66.312. Intent, TN1 traditional neighborhood district.

The TN1 traditional neighborhood district is intended to provide for compact, pedestrian-oriented mixed-use areas of limited size, with a variety of residential, office and service uses that primarily serve neighborhood needs. It is also intended to serve as a transitional use of land along major thoroughfares, between commercial or industrial districts and residential districts or other less intensive land uses.

Sec. 66.313. Intent, TN2 traditional neighborhood district.

The TN2 traditional neighborhood district is designed for use in existing or potential pedestrian and transit nodes. Its intent is to foster and support compact, pedestrian-oriented commercial and residential development that, in turn, can support and increase transit usage. It encourages, but does not require, a variety of uses and housing types, with careful attention to the amount and placement of parking and transitions to adjacent residential neighborhoods.

Sec. 66.314. Intent, TN3 traditional neighborhood district.

The TN3 traditional neighborhood district provides for higher-density pedestrian- and transit-oriented mixed-use development. It is designed for development or redevelopment of land on sites large enough to support:

...

The TN3 district is also intended for smaller sites in an existing mixed-use neighborhood center where some of the above elements already exist, or in an area identified in the comprehensive plan as a potential "urban village" site. The above elements may be found within the TN3 district or adjacent to it; the intent is that all would be present within a reasonable walking distance.

Sec. 66.315. Intent, T4 traditional neighborhood district.

The T4 traditional neighborhood district provides for high-density, transit-supportive, pedestrian-friendly mixed-use development. It is particularly intended for use near transit stops along fixed rail transit (including commuter rail, light rail and trolley) corridors, where a greater reliance on transit makes high-density mixed-use development possible and desirable.

Division 2. 66.320. Principal Uses in Traditional Neighborhood Districts

Sec. 66.321. Principal uses.

Table 66.321, principal uses in traditional neighborhood districts, lists all permitted and conditional uses in the TN1-TN34 traditional neighborhood districts, and notes applicable development standards

and conditions.

Table 66.321. Principal Uses in Traditional Neighborhood Districts

Use	TN1	TN2	TN3	T4	Development Standards
Residential Uses					
<i>Dwellings</i>					
One-family dwelling	P	P	P		✓
Two-family dwelling	P	P	P		
Townhouse	P	P	P	<u>P</u>	
Multiple-family dwelling	P	P	P	<u>P</u>	
Carriage house dwelling	C	C	P		✓
Housing for the elderly	P	P	P	<u>P</u>	
<i>Mixed Commercial-Residential Uses</i>					
Home occupation	P	P	P	<u>P</u>	✓
Live-work unit	P	P	P	<u>P</u>	✓
<u>Mixed residential and commercial use</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i>Congregate Living</i>					
Foster home, freestanding foster care home	P	P	P	<u>P</u>	
Community residential facility, licensed human service	P	P	P	<u>P</u>	✓
Community residential facility, licensed correctional	C	C	C	<u>C</u>	✓
Community residential facility, health department licensed	C	C	C	<u>C</u>	✓
Emergency housing facility	C	C	C	<u>C</u>	✓
Shelter for battered persons	P/C	P/C	P/C	<u>P/C</u>	✓
Transitional housing facility	P/C	P/C	P/C	<u>P/C</u>	✓
Sober House	P/C	P/C	P/C	<u>P/C</u>	✓
Roominghouse, boardinghouse	C	P	C	<u>C</u>	✓
Nursing home, boarding care home, assisted living	P	P	P	<u>P</u>	✓
Hospice	P	P	P	<u>P</u>	✓
Dormitory	P/C	P	P	<u>P</u>	✓
Fraternity, sorority	P/C	P	P	<u>P</u>	✓
Civic and Institutional Uses					
<i>Educational Facilities</i>					
Day care	P	P	P	<u>P</u>	✓
School, grades K--12	P	P	P	<u>P</u>	✓
College, university, seminary, etc.	P	P	P	<u>P</u>	✓
Trade school, arts school, dance school, etc.	P	P	P	<u>P</u>	
<i>Social, Cultural, and Recreational Facilities</i>					
<u>Club, fraternal organization, lodge hall</u>		<u>P</u>	<u>P</u>	<u>P</u>	
Museum	P/C	P	P	<u>P</u>	✓
Public library	P	P	P	<u>P</u>	
Public and private park, playground	P	P	P	<u>P</u>	
Recreation, noncommercial	P	P	P	<u>P</u>	
<i>Religious Institutions</i>					

Church, chapel, synagogue, place of worship	P	P	P	<u>P</u>	
Rectory, parsonage	P	P	P	<u>P</u>	✓
Convent, monastery, religious retreat	P	P	P	<u>P</u>	✓
Public Services and Utilities					
Antenna, cellular telephone	P/C	P/C	P/C	<u>P/C</u>	✓
Municipal building or use	P	P	P	<u>P</u>	✓
Utility or public service building	C	C	C	<u>C</u>	✓
Commercial Uses					
Offices					
Administrative office	P	P	P	<u>P</u>	
Artist, photographer studio, etc.	P	P	P	<u>P</u>	
Insurance office, real estate office, sales office	P	P	P	<u>P</u>	
Professional office	P	P	P	<u>P</u>	
Medical Facilities					
Clinic, medical or dental	P	P	P	<u>P</u>	
Hospital		C	C	<u>C</u>	✓
Medical laboratory	P	P	P	<u>P</u>	
Veterinary clinic		P	P	<u>P</u>	✓
Retail Sales and Services					
General retail		P/C	P/C	<u>P/C</u>	✓
Bank, credit union	P	P	P	<u>P</u>	
Business sales and services					
Drive-through sales and services, primary and accessory		C			✓
Dry cleaning, commercial laundry		P	P	<u>P</u>	✓
Food and related goods sales		P/C	P/C	<u>P/C</u>	✓
Food shelf	P	P	P	<u>P</u>	
Garden center, outdoor		P	P	<u>P</u>	✓
Laundromat, self-service		P	P	<u>P</u>	
Liquor store		P/C	P/C	<u>P/C</u>	✓
Massage center	P	P	P	<u>P</u>	
Mortuary, funeral home		P	P	<u>P</u>	
Photocopying	P	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	✓
Post office	P	P	P	<u>P</u>	
Service business	P	P	P	<u>P</u>	✓
Service business with showroom or workshop		<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	✓
Small appliance repair		P	P	<u>P</u>	
Tattoo shop		P	P	<u>P</u>	
Tobacco shop		P	P	<u>P</u>	
Food and Beverages					
Brew on premises store		P	P	<u>P</u>	✓
Catering		P	P	<u>P</u>	
Coffee shop, tea house	P/C	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	✓
Restaurant		<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	✓
Restaurant, carry out, deli		<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	✓
Restaurant, fast food		<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	✓

Restaurant, outdoor		P	P	<u>P</u>	✓
Commercial Recreation, Entertainment and Lodging					
Bed and breakfast residence	P	P	P	<u>P</u>	✓
Hotel, inn		P	P	<u>P</u>	
Health/sports club		P	P	<u>P</u>	
Indoor recreation		C	C	<u>C</u>	✓
<u>Reception hall</u>			<u>C</u>	<u>C</u>	
Theater, assembly hall		C	C	<u>C</u>	✓
Automobile Services					
Auto convenience market		C	C		✓
Auto service station		<u>C</u>	C		✓
Parking Facilities					
Parking facility, commercial			C	<u>C</u>	✓
Transportation					
<u>Bus or railroad passenger station</u>			<u>C</u>	<u>C</u>	
Railroad right-of-way	C	C	C	<u>C</u>	✓
Limited Production and Processing					
Limited production and processing		P/C	P/C	<u>P/C</u>	✓
<u>Mail order house</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<u>Malt liquor production</u>		<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	✓
Printing and publishing		P/C	P/C	<u>P/C</u>	✓
Accessory Uses					
Accessory use	P	P	P	<u>P</u>	

[One- and two-family dwellings are not appropriate in the new higher-density T4 district. Auto service stations are common neighborhood-oriented businesses that fit the intent of T2 as long as they conform to the additional conditions, dimensional standards and design guidelines that apply in T2. Likewise, fraternal organizations, business sales and services, and mail order houses (which can be fairly small) fit the intent of certain traditional neighborhood districts as noted above if they conform to the additional conditions, dimensional standards and design guidelines that apply in traditional neighborhood districts. Reception halls, commercial parking facilities, and bus or railroad passenger stations, proposed as “C” conditional uses in T3-4 districts, are worthy of the additional review of a conditional use permit process to ensure that in a specific case they fit the particular location and comply with applicable subarea or station area plans. Station area plans generally call for reducing or eliminating accessory parking requirements, getting away from single-use surface parking lots, and providing opportunities for more efficient publicly or privately owned and operated parking ramps for shared use by area destinations (such as commercial parking facilities).]

Division 3. 66.330. Traditional Neighborhood District Density and Dimensional Standards

Sec. 66.331. Density and dimensional standards table.

Table 66.331, traditional neighborhood district dimensional standards, sets forth density and dimensional standards that are specific to traditional neighborhood districts. These standards are in addition to the provisions of chapter 63, regulations of general applicability. Where an existing building does not conform to the following requirements, the building may be expanded without fully meeting the requirements as long as the expansion does not increase the nonconformity.

Table 66.331. Traditional Neighborhood District Dimensional Standards

Building Type by Zoning District	Density	Lot Size Minimum (per unit)		Height (feet)		Yard Setbacks (feet)		
		Area (sq. ft.)(a)	Width (feet)	Min. (stories)	Max. (feet)	Front Min. - Max.	Side Min.	Rear Min.
TN1								
1-family dwelling	6 - 12 units/acre (b)	3500 (b)	30	none	35 (d) (e)	15 - 25 (h) (i)	(j) (k)	15
2-family/townhouse	8 - 20 units/acre (b)	2000 (b)	20	none	35 (d) (e)	10 - 25 (h) (i)	(j) (k)	15
Multifamily	10 - 25 units/acre (b)	1700 (b)	n/a	none	35 (d) (e)	15 10 - 25 (h) (i)	(j) (k)	(j) (k)
Nonresidential or mixed use (including parking structures)	0.3 - 1.0 FAR	n/a	n/a	none	35 (d) (e)	0 - 15	(j) (k)	(j) (k)
TN2								
1-family dwelling	6 - 12 units/acre (b)	3500 (b)	30	none	35 (d) (e)	15 - 25 (h) (i)	(j) (k)	15
2-family/townhouse	8 - 20 units/acre (b)	2000 (b)	20	none	35 (d) (e)	10 - 25 (h) (i)	(j) (k)	15
Multifamily	10 - 34 units/acre (b) FAR as for mixed use	1,300 (b) n/a	n/a	none	35 (d),(e),(f)	15 10 - 25 (h) (i)	(j) (k)	(j) (k)
Nonresidential or mixed use (including parking structures)	0.5 0.3 - 2.0 FAR with surface parking and 0.5 0.3 - 3.0 FAR with structured parking (c)	n/a	n/a	none	35 (d),(e),(f)	0 - 10 (j)	(j) (k)	(j) (k)
TN3								
1-family dwelling	8 - 12 units/acre (b)	3500 (b)	30	25	35 (d) (e)	15 - 25 (h) (i)	(j) (k)	15
2-family/townhouse	10 - 20 units/acre (b)	2000 (b)	20	25	35 (d) (e)	10 - 25 (h) (i)	(j) (k)	15
Multifamily	30 - 44 units/acre (b) 0.5 - 3.0 FAR (d)	1,000 (b) n/a	n/a	25	45 (d),(f),(j) (e),(g),(l)	15 10 - 25 (h) (i)	(j) (k)	(j) (k)
Nonresidential or mixed use	1.0 0.5 - 3.0 FAR (d)	n/a	n/a	25	55 (f),(j) (e),(g),(l)	0 - 10 (j)	(j) (k)	(j) (k)
Parking structures	n/a	n/a	n/a	n/a	45 (g)	0 - 25	20	20
T4								
Multifamily	0.5 min. FAR (d)	n/a	n/a	25	75 (e),(h)	10 - 25 (i)	(k)	(k)
Nonresidential or mixed use	0.5 min. FAR (d)	n/a	n/a	25	75 (e),(h)	0 - 10 (j)	(k)	(k)

Min. - Minimum Max. - Maximum FAR - Floor Area Ratio n/a - not applicable

[Minimum FAR was adopted in 2004 with the expectation that it would be reviewed after a few years of experience. The minimum 0.5 and 1.0 FAR for nonresidential development in T2 and T3 has been the most problematic of the new TN standards, unrealistically high even with underground parking. The commercial development in traditional neighborhood districts closest to meeting the minimum FAR in the last 6 years was a 0.38 FAR for a Trader Joe’s with underground parking. An office building needing less parking per sq. foot than most retail got a parking variance and managed a 0.38 FAR. Other retail uses with surface parking in traditional neighborhood districts, including a credit union and a grocery store, have only managed to achieve a density in the 0.25 FAR range. Peter Calthorpe’s book *The Next American Metropolis*, which provides principles and standards for building patterns consistent with traditional neighborhood districts, recommends a minimum 0.3 FAR for retail with surface parking, and goes on to state that as land values rise, structured parking (and therefore higher density) will become economically feasible. A minimum 0.3 FAR in T2 and minimum 0.5 FAR in T3 are more realistic, but not easy, standards for commercial uses with surface parking.

The density standard for “multifamily” buildings in T2 and T3 is changed from units/acre to FAR, consistent with the standard for multifamily uses in a mixed-use building. The FAR would then be the same for multifamily uses whether or not there is some other mixed use in the building, and there would be no density requirement issues with changing the use of a building form multifamily to mixed use or from mixed use to multifamily. This change is also eliminates a disincentive to providing smaller, less expensive multifamily units.

The “*parking structures*” building type in T3 is folded into the “*nonresidential or mixed use*” building type row to be consistent with T1, T2, and T4 and have a minimum floor area ratio requirement apply to commercial parking facilities. Parking structures that serve a nonresidential use are a nonresidential building type; this does not need to be noted in the table with the language “(including parking structures).” A 2-car garage providing parking for a single-family house is a parking structure that should be regulated as an accessory residential structure, not as a “*nonresidential or mixed use*” building type in this table.]

Notes to table 66.331, traditional neighborhood district dimensional standards:

- (a) ~~Units per acre is calculated based on net acreage for residential development. Density based on units per acre must be calculated for parcels of an acre or more in size. For smaller parcels, the maximum number of units may be calculated based upon minimum lot size per unit. In calculating the area of a lot that adjoins a dedicated public alley, for the purpose of applying minimum lot area and maximum density requirements, one-half the width of such alley adjoining the lot shall be considered as part of the lot. The minimum FAR applies to new buildings. The minimum FAR does not apply to the creation or reconfiguration of lots, or to removal of buildings. For a new building on a zoning lot where an existing building will remain, or where the new building and its associated parking and landscaping will cover only part of the site and leave the rest of the site open for an additional building, minimum FAR may be calculated based on the area of the site covered by the new building and its associated parking and landscaping. Public gathering, landscaped, public art, and outdoor seating areas, landscaped areas at least twenty (20) feet wide preserved for future development between the public right-of-way and parking, and land dedicated to the city as public right-of-way may be approved by the planning administrator as counting toward meeting the minimum FAR.~~

[This is language from the CC overlay district to allow additions, etc. to a site that gets closer to the minimum FAR. The first sentence is moved to (b) below.]

- (b) Units per acre is calculated based on net acreage. Density based on units per acre must be calculated for parcels of an acre or more in size. For smaller parcels, the maximum number of units may be calculated based upon minimum lot size per unit. [Moved here from (a).]

In calculating the area of a lot for the purpose of applying lot area and density requirements, the lot area figure may be increased by three hundred (300) square feet for each parking space (up to two parking spaces per unit) within a multiple-family structure or otherwise completely underground. Parking spaces within an above-ground parking structure, except for those on the top level, may also be used for this lot area bonus. The maximum number of units possible on a lot using this lot area bonus can be calculated using the formula $X = L \div (A - 600)$, where X = maximum units allowed, L = lot area in square feet, and A = required lot area per unit in square feet. A site plan showing parking layout and dimensions shall be required when applying for this lot area bonus.

- (c) Floor area ratio (FAR) shall be prorated upon the percentage of required parking that is provided as structured parking. A minimum FAR of 0.5 is required in light rail station areas. Thirty (30) percent of the floor area of structured parking within, above, or below the principal structure may be counted toward meeting the minimum FAR.

[A higher FAR is possible and appropriate in light rail station areas, where there is less need to use space for parking and a desire to create more compact, walkable, transit-oriented development. The minimum 0.5 FAR is a challenge for retail development even with structured parking. The new language for counting part of the floor area of structured parking within, above, or below the principal structure toward the minimum FAR addresses this and is an added incentive for the most land-efficient and also the most expensive structured parking.]

- (d) 1.0-3.0 FAR in light rail station areas for lots more than twenty-five thousand (25,000) square feet in area, with no maximum FAR in T4. ~~Thirty (30) percent of~~ The floor area of structured parking within, above, or below the space used for principal structure uses, up to an amount equal to the floor area of the principal uses, may be counted toward meeting the minimum FAR. For lots more than twenty-five thousand (25,000) square feet partly in a light rail station area,

minimum FAR shall be prorated upon the percentage of the lot in a light rail station area.

[A higher FAR is possible and appropriate for lots of more than 25,000 sq. feet in light rail station areas, where there is less need to use space for parking, there is a desire to create more compact, walkable, transit-oriented development, and the lot is large enough for efficient structured parking. The minimum 1.0 FAR is a challenge, particularly for retail development, even with structured parking. The language for counting part of the floor area of structured parking within, above, or below the principal structure toward the minimum FAR addresses this and is an added incentive for the most land-efficient and also the most expensive structured parking.]

- (ed) Except in the river corridor overlay district, height of structures may exceed the maximum if set back from side and rear setback lines a distance equal to additional height. Structures shall be no more than twenty-five (25) feet high along side and rear property lines abutting RL-RT2 residential districts; structures may exceed this twenty-five (25) foot height limit if stepped back from side and rear property lines a distance equal to the additional height.

[This added language is part of the response to concerns expressed at the public hearing to limit heights next to low-density residential parcels. It is consistent with residential dimensional standards: RM2 allows a 50 ft. high building set back 25 ft. from property lines.]

- (fe) A maximum height of forty-five (45) feet may be permitted with a conditional use permit when the structure is within six hundred (600) feet of an existing or planned transit stop on a designated transit street. A maximum height of sixty-five (65) feet may be permitted with a conditional use permit for property along University Avenue within six hundred (600) feet of an existing or planned transit stop, except on the following blocks, where heights greater than forty-five (45) feet would generally be incompatible with the surrounding neighborhoods: north side of University between Aldine Street and St. Albans Street, and between Kent Street and Galtier Street; and south side of University between Oxford Street and St. Albans Street, and between Mackubin Street and Galtier Street.

- (gf) Except in the river corridor overlay district, a maximum height of ninety (90) feet may be permitted with a conditional use permit. Structures shall be stepped back one (1) foot from all setback lines for every two and one-half (2½) feet of height over seventy-five (75) feet. A shadow study may be required for a conditional use permit application to help determine the impact of the additional height.

[This step back requirement over 75 ft. is consistent with Height District II along University Avenue in the zoning code from 1922-1975, and with consultant recommendations.]

- ~~(g) Except in the river corridor overlay district, a maximum height of sixty-five (65) feet may be permitted with a conditional use permit.~~

[This applied only to parking structures in T3, which have been folded into the “nonresidential or mixed use” row (which would then include nonresidential parking structures) to be consistent with T1, T2, and T4 and have a minimum floor area ratio requirement apply to commercial parking facilities.]

- (h) Additional height may be permitted with a conditional use permit. Structures shall be stepped back one (1) foot from all setback lines for every two and one-half (2½) feet of height over seventy-five (75) feet. A shadow study may be required for a conditional use permit application to help determine the impact of the additional height.

[The 25 ft. minimum height is enough to create a sense of enclosure for the street, and the 75 ft. maximum provides for 6 stories of standard construction. Station area plans call for taller buildings from 6-15 stories on large parcels, along University Ave., and in other prominent locations, with point towers to be set back from the base podium to reduce their impact at ground level. Additional height with a conditional use permit provides for taller buildings where they are consistent with station area plans. The step back requirement over 75 feet is consistent with Height District II along University Ave. in the zoning code from 1922-1975, and with consultant recommendations.]

- (ih) Where at least fifty (50) percent of the front footage of the block is built up with principal structures, the minimum front yard setback for new structures shall be the average setback of the

existing structures, or the normal setback requirement in the district plus half the amount the average setback is greater than the normal setback requirement, whichever is less. Existing structures set back twenty (20) percent more or less than the average shall be discounted from the formula. The minimum front yard setback shall not exceed the maximum front yard setback requirement. Sixty (60) percent of the front facade must fall within the maximum setback. For local heritage preservation sites, the standard may be modified to comply with the preservation program and design review guidelines.

- (j) For properties fronting on University Avenue between Marion and Emerald Streets a minimum four (4) foot front yard setback is required. The four (4) foot setback shall be either landscaped or paved. If paved (preferred), the property owner may provide a permanent easement to the City to provide additional sidewalk space. An additional six (6) feet may be added to provide an outdoor activity zone, pedestrian seating or amenities, resulting in a building setback of ten (10) feet. For local heritage preservation sites, the standard may be modified to comply with the preservation program and design review guidelines.

[A goal identified in the Central Corridor Development Strategy and station area plans is to provide a 14 foot wide sidewalk/pedestrian zone. In most areas along University this requires an additional 4 feet. The 10 ft. maximum setback allows for such things as recessed entries and sidewalk cafes.]

- (k) No side or rear yards are required along the interior lot lines except as otherwise specified in the building code; provided, that if walls of structures facing such interior lot lines contain windows or other openings, yards of not less than six (6) feet shall be provided. Side and rear yards of at least six (6) feet shall be required when a nonresidential use adjoins a side yard of a residential property. These setback requirements from interior lot lines shall be waived when an easement agreement is recorded as to the affected properties. Proof of such recorded easement shall be provided at the time of application for a building permit. The recording of the easement agreement shall be interpreted to mean that the following intents and purposes of these setback requirements are met: adequate supply of light and air to adjacent property; sufficient space for maintenance of the building from the same lot; and prevention of damage to adjoining property by fire or runoff from roofs. The setback shall be a minimum of thirteen (13) feet from the centerline of an adjoining alley.

[Alleys are a particularly important part of a safe and efficient circulation system in T districts. This setback requirement from the centerline of alleys helps ensure they have enough room for delivery vehicles, passing, and backing out of parking spaces.]

- (l) In developments for which a master plan was adopted by the city council as of August 23, 2001, and for which there was a signed, approved redevelopment agreement with the housing and redevelopment authority of the city as of August 23, 2001, a maximum height of sixty-five (65) feet may be permitted without a conditional use permit, and a maximum height of one hundred (100) feet may be permitted with a conditional use permit, provided that such developments, to the extent reasonably possible, follow the design guidelines of the "Sustainable Decisions Guide for City Facilities" or other sustainable development guidelines. In developments for which there was a signed, approved redevelopment agreement with the housing and redevelopment authority of the city as of March 17, 2004, a maximum height of seventy-five (75) feet may be permitted with a conditional use permit.

Division 4. 66.340. Required Conditions

Sec. 66.341. Required conditions in TN1 - TN2 traditional neighborhood districts.

- (a) *Amount of parking.*

For properties within one-quarter (1/4) mile of a transit street, as defined, the minimum amount

of required off-street parking for residential uses specified in section 63.207, Parking requirements by use, may be reduced by twenty-five (25) percent ~~to one (1) parking space per dwelling unit~~. This provision applies to principal and secondary dwelling units and units in mixed-use buildings, but not to live-work units.

[Recent amendments to § 63.207 created graduated residential parking requirements based on unit size: 1 space / 1-2 room unit, 1.5 spaces / 3-4 room unit, and 2 spaces / 5+ room unit. This 25% reduction would make that 0.75 space / 1-2 room unit, 1.125 spaces / 3-4 room unit, and 1.5 spaces / 5+ room unit.]

(b) *Placement of parking.* Surface parking may be located:

- (1) To the rear of the principal building or within the rear yard of the parcel;
- (2) In an interior side yard if rear parking is impractical or insufficient, provided that surface parking areas and entrance drives occupy no more than fifty (50) percent of the total lot frontage; Surface parking areas in light rail station areas shall occupy no more than sixty (60) feet of the lot frontage. . . .

[This amendment is consistent with the Central Corridor Interim Overlay requirements. Larger parking lots can detract from the pedestrian realm and create unsafe pedestrian environments.]

(c) In the TN1 district, all activities except for off-street parking and loading shall take place within completely enclosed buildings, with the exception of outdoor seating areas for coffee shops or similar uses. ~~Drive-through sales and services (primary or accessory) are not allowed in the TN1 district, and are not allowed unless specifically permitted by a conditional use permit in the TN2 district.~~

[The deleted language is superfluous because it's covered by the use table, and confusing because there's no similar language for T3-T4.]

Sec. 66.342. Parking requirements in the TN3 - T4 traditional neighborhood districts.

(a) *Amount of parking.*

The minimum amount of required parking for residential uses specified in Section 63.207, Parking requirements by use, may be reduced by twenty-five (25) percent ~~to one (1) parking space per dwelling unit~~. On-street parking located along the frontage of a property may be used to meet parking requirements for that property.

[Recent amendments to § 63.207 created graduated residential parking requirements based on unit size: 1 space / 1-2 room unit, 1.5 spaces / 3-4 room unit, and 2 spaces / 5+ room unit. This 25% reduction would make that 0.75 space / 1-2 room unit, 1.125 spaces / 3-4 room unit, and 1.5 spaces / 5+ room unit.]

(b) *Placement of parking.* Surface parking may be located:

- (1) To the rear of the principal building or within the rear yard area of the parcel.
- (2) In an interior side yard if rear parking is impractical or insufficient. Surface parking areas and entrance drives accessory to a principal building or use may occupy no more than ~~thirty (30) percent~~ sixty (60) feet of the total lot frontage.

[This amendment is consistent with the Central Corridor interim overlay requirements. Larger parking lots can detract from the pedestrian realm and create unsafe pedestrian environments.]

Sec. 66.343. Traditional neighborhood district design standards.

(a) *Applicability.* The traditional neighborhood district design standards under paragraph (b) below apply to development within TN1-TN34 traditional neighborhood districts, as indicated in table 66.343, applicability of traditional neighborhood district design standards. Site plans and other

development proposals within traditional neighborhood districts shall be consistent with the applicable design standards unless the applicant can demonstrate that there are circumstances unique to the property that make compliance impractical or unreasonable. In cases where more specific design standards or guidelines have been developed as part of city council-approved master plans, small area plans, or other city-approved plans for specific sites, those shall take precedence. All standards in section 63.110, general design standards, are also applicable to development within ~~TN1-TN3~~ traditional neighborhood districts.

Table 66.343. Applicability of Traditional Neighborhood District Design Standards

TN Guidelines	TN1	TN2	TN3	<u>T4</u>
1. Land use diversity			✓	<u>✓</u>
2. Similar facing buildings		✗	✗	
2-3. Transitions to lower-density neighborhoods		✓	✓	<u>✓</u>
3-4. Block length		✓	✓	<u>✓</u>
4-5. Compatible rehabilitation and reuse	✓	✓	✓	<u>✓</u>
5-6. Use established building facade line	✓	✓	✓	
6-7. Buildings anchor the corner	✓	✓	✓	<u>✓</u>
7-8. Front yard landscaping	✓	✓	✓	<u>✓</u>
8-9. Building facade continuity		✓	✓	<u>✓</u>
9-10. Building facade articulation - base, middle and top	✓	✓	✓	<u>✓</u>
11. Building facade articulation - vertical	✗	✗	✗	
10-12. Building height - treatment of 1-story buildings	✓	✓	✓	<u>✓</u>
11-13. Definition of residential entries	✓	✓	✓	<u>✓</u>
12. Entrance location	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>
13-14. Door and window openings – minimum and character	✓	✓	✓	<u>✓</u>
14-15. Materials and detailing	✓	✓	✓	<u>✓</u>
15-16. Screening of equipment and service areas		✓	✓	<u>✓</u>
16-17. Interconnected street and alley network		✓	✓	<u>✓</u>
17-18. On-street parking both sides of streets		✓	✓	<u>✓</u>
18-19. Parking location and entrance design	✓	✓	✓	<u>✓</u>
19-20. Residential garage location	✓	✓	✓	<u>✓</u>
20-21. Parking lot lighting		✓	✓	<u>✓</u>
21-22. Entrance location for transit access	✓	✓	✓	<u>✓</u>
22-23. Street trees	✓	✓	✓	<u>✓</u>
23-24. Sidewalks	✓	✓	✓	<u>✓</u>

(b) *Traditional neighborhood district design standards.*

- (1) *Land use diversity.* In general, it is desirable for each block to include some diversity in housing type, building type, and mix of land uses. In T3M districts any two (2) abutting block faces shall include more than one (1) land use or building type.

[The new higher-density T4 district and T3 districts without a master plan are intended to provide more flexibility. T3 districts without a master plan do not dictate building type.]

- ~~(2) Similar facing buildings. Buildings that face each other across a street shall be generally~~

~~similar in height, scale and articulation.~~

[This standard can be inconsistent with standard #1 encouraging land use, housing type, and building type diversity. It can be inconsistent with standard #2 below for density transitions; it may be appropriate for buildings to be lower on the north side of University Avenue where they are across the alley from low density residential lots, for example, than across the street on the south side of University Avenue where there are no nearby low density residential lots. This standard can also be inconsistent with standard #9, *building facade articulation*, and standard #10, *building height*, in cases where the buildings across the street do not conform to these standards.]

- (23) *Transitions to lower-density neighborhoods.* Transitions in density or intensity shall be managed through careful attention to building height, scale, massing and solar exposure.
- (3-4) *Block length.* Block faces in mixed use areas shall typically not exceed four hundred (400) feet. Block faces in residential areas shall typically follow the pattern of neighboring blocks, but shall not exceed six hundred sixty (660) feet, the length of the standard Saint Paul block. This standard may be modified to ensure compliance with the city's adopted comprehensive plan and development or project plans for sub-areas of the city.
- (45) *Compatible rehabilitation and reuse.* Remodeling, additions or other alterations to existing traditional buildings shall be done in a manner that is compatible with the original scale, massing, detailing and materials of the original building. Original materials shall be retained and preserved to the extent possible.
- (56) *Use established building facade lines.* New buildings shall relate to the established building facade line on the block where they are located. On most nonresidential or mixed use blocks, this is the inside edge of the sidewalk. For corner buildings, each facade that fronts a public street shall maintain the established building facade line. Portions of the facade may be set back a greater distance to emphasize entries or create outdoor seating and gathering areas.
- (67) *Buildings anchor the corner.* New buildings on corner lots shall be oriented to the corner and both public streets. On corner lots at light rail transit station platforms, no portion of a structure shall be permitted in the triangular area of the lot included within fifteen (15) feet of the corner along each lot line.

[This improves site lines and pedestrian safety and circulation on corners at light rail transit stations where there is high pedestrian and vehicular traffic volume.]

- (78) *Front yard landscaping.* Front yard areas located between the principal building and the street shall be landscaped, except on University Avenue where the first four (4) feet may be paved similar to the public sidewalk. Other hard surfaced front yard areas should include amenities such as benches, tables, and planters.

[This is consistent with a goal identified in the Central Corridor Development Strategy and station area plans is to provide a 14 foot wide sidewalk/pedestrian zone. In most areas along University this requires an additional 4 feet.]

- (89) *Building facade continuity.* New buildings along commercial and mixed-use streets shall provide a continuous facade along the street. Where breaks occur, the street edge shall be continued through the use of fencing, low walls and/or landscaping.

(910) *Building facade articulation—base, middle and top.*

- a. ~~Most traditional buildings in the city have a strong pattern of base, middle and top, created by variations in detailing, color and materials. New buildings shall respond to this pattern.~~
- b. ~~Articulated tops shall be considered in the design of all new buildings. This articulation might consist of pitched roofs, dormers, gable ends, cornice detailing, etc.~~

- e. The bottom twenty-five (25) feet base of the buildings shall include elements that relate to the human scale. These should include doors and windows, texture, projections, awnings and canopies, ornament, etc.

- ~~(11) *Building facade articulation – vertical.* Consistent with most traditional buildings in the city, a building width of forty (40) feet or less is encouraged. New buildings of more than forty (40) feet in width shall be divided into smaller increments, between twenty (20) and forty (40) feet in width, through articulation of the facade. This can be achieved through combinations of the following techniques, and others that may meet the objective.~~
- ~~a. Facade modulation – stepping back or extending forward a portion of the facade.~~
 - ~~b. Vertical divisions using different textures or materials (although materials should be drawn from a common palette).~~
 - ~~c. Division into storefronts, with separate display windows and entrances.~~
 - ~~d. Variation in roof lines by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval.~~
 - ~~e. Arcades, awnings, window bays, arched windows and balconies at intervals equal to the articulation interval.~~

[Old design standard #s 10 and 11 are combined in a simpler single *building facade articulation* standard #9 that allows more design flexibility while ensuring both vertical and horizontal facade articulation in the bottom 25 feet of the building, which is the minimum height of a building and the most visible to pedestrians.]

- ~~(102) *Building height - treatment of 1-story buildings.* New buildings of two (2) or more stories are encouraged in TN1 and TN2 districts and required in the TN3 district. One-story buildings, where constructed, shall be designed to convey an impression of greater height in relation to the street. This can be achieved through the use of pitched roofs with dormers or gables facing the street, a higher parapet, and/or the use of an intermediate cornice line to separate the ground floor and the upper level.~~

[The minimum height standard in Table 66.331 is changed from stories to feet.]

- ~~(113) *Definition of residential entries.* Porches, steps, pent roofs, roof overhangs, hooded front doors or similar architectural elements shall be used to define all primary residential entrances.~~

- (12) *Entrance location.* There shall be a primary pedestrian building entrance on all arterial or collector streets. At a corner location where both streets are arterial or collector streets, this standard may be satisfied with a single entrance at the corner. In multi-tenant buildings, any ground floor use with street frontage shall have an entrance facing the street.

- ~~(13-4) *Door and window openings - minimum and character.*~~

- ~~a. For new commercial and civic buildings, windows and doors or openings shall comprise at least fifty (50) percent of the length and at least thirty (30) percent of the area of the ground floor of the along arterial and collector primary street facades.~~
- ~~b. Windows shall be designed with punched and recessed openings, in order to create a strong rhythm of light and shadow.~~
- ~~c. Glass on windows and doors shall be clear or slightly tinted, and allowing views into and out of the interior.~~
- ~~d. Window shape, size and patterns shall emphasize the intended organization of the facade and the definition of the building.~~

(145) *Materials and detailing.*

- a. Residential buildings of more than six (6) units and nNonresidential or mixed use buildings shall be constructed of high-quality materials such as brick, stone, textured cast stone, ~~or~~ tinted masonry units, concrete, glass or metal. The following materials are generally not acceptable:
 - Unadorned plain or painted concrete block;
 - Tilt-up concrete panels;
 - Synthetic stucco products ~~Pre-fabricated steel or sheet metal panels;~~
 - Reflective glass; and
 - ~~Aluminum,~~ Vinyl, fiberglass, asphalt or fiberboard siding.
- b. All building facades visible from a public street or walkway shall employ materials and design features similar to those of the front facade.

(156) *Screening of equipment and service areas.* If an outdoor storage, service or loading area is visible from adjacent residential uses or a public street or walkway, it shall be screened by a decorative fence, wall or screen of plant material at least six (6) feet in height. Fences and walls shall be architecturally compatible with the primary structure.

(167) *Interconnected street and alley network.* The existing street and alley network shall be preserved and extended as part of any new development. If the street network has been interrupted, it shall be restored whenever possible. Cul-de-sac streets are discouraged; crescent-shaped or courtyard street arrangements may be used when street connections are impractical.

(178) *On-street parking.* Streets shall generally have parking on both sides to buffer pedestrians, calm traffic and supplement off-street parking unless the space is needed to accommodate traffic volume, emergency vehicles, transit or deliveries. Parking bump-ins are permitted in special cases (such as adjacent to large development sites) in conjunction with a redevelopment project that has at least three-hundred (300) feet of street frontage.

(189) *Parking location and ~~entrance~~ design.*

- a. Off-street parking shall be provided within a principal structure, underground, or to the rear of buildings to the greatest extent possible. Limited side yard parking may be appropriate. Entrance drives and garage doors for underground or structured parking may face the street, except adjacent to light rail transit platforms, but shall be designed for pedestrian convenience and safety.
- b. Surface parking shall not be located within thirty (30) feet of a corner. Buildings shall be located to emphasize and "anchor" the corner whenever possible.
- c. Vehicular entrances to structured parking shall be minimized so that they do not dominate the street frontage of the building. Possible techniques include recessing the entry; extending portions of the structure over the entry; using screening and landscaping to soften the appearance of the entry; using the smallest curb cut and driveway possible; and subordinating the vehicular entrance to the pedestrian entrance in terms of size, prominence in the streetscape location, and design emphasis.
- d. New above-grade parking structures fronting on arterial and collector streets shall be lined with active commercial/retail uses at street level with direct access to the sidewalk.

e. Upper levels of new parking structures shall be designed with exterior wall treatments, detailing, fenestration and materials that screen the view of vehicles and relate to existing adjacent buildings.

(190) *Residential garage location.* Attached residential garages shall be recessed at least ten (10) feet behind the front facade of the building. Detached residential garages shall be located in the side or rear yard, recessed at least twenty-five (25) feet behind the front facade of the building. When an alley is present, garages shall be located in the rear yard and accessed through the alley. Individual residential unit garage entrances shall be off alleys or interior courtyards.

(204) *Parking lot lighting.* Pedestrian-scale lighting shall be provided within parking areas. Light standards shall be ~~nine (9) to twelve (12)~~ no more than twenty-five (25) feet in height in parking lots and sixteen (16) feet in height along interior sidewalks and walkways, and have a downcast glow.

[Sixteen feet is consistent with the height of historic St. Paul lantern style street lights. Twenty-five feet is an optimal height for the most efficient LED parking lot lighting.]

(212) *Entrance location for transit access.* New and existing retail, office and multifamily housing shall coordinate with the transit agency in locating bus stops and related improvements. Building entrances shall be located to provide easy access to bus stops and shelters.

(223) *Street trees.* Street trees in the street right-of-way, as prescribed by the city forester and section 69.600 of the subdivision regulations, and other landscape improvements shall be provided along all streets at regular intervals to help define the street edge, buffer pedestrians from vehicles, and provide shade. Trees shall be located in a planting strip at least five (5) feet wide between the curb and sidewalk, or in a planter or planting structure of a design acceptable to the city.

(23-4) *Sidewalks.* Streets shall be designed with sidewalks on both sides except where they abut a park or other open space. Sidewalk width shall be at least five (5) feet, and six (6) feet or more in areas of high pedestrian activity. The T4 district is defined as an area of high pedestrian activity.

Sec. ~~66.344~~ 66.345. TN3-T4 district planning requirements.

- (a) *Previous plans.* Any pre-existing city-approved plans, such as small area plans, station area plans, precinct plans or master plans, prepared for the site or the surrounding area shall be incorporated as appropriate in preparing any development plan for a TN3 or T4 traditional neighborhood district site. It is understood that these plans may occasionally be amended as conditions change. The intent of such plans shall be realized to the extent possible in any subsequent development plans. For a T3 or T4 development site that, together with adjoining T3 or T4 parcels of land held by the same owner, is fifteen (15) acres or more in area, prior to issuance of building permits for new buildings on the site, a conceptual site plan shall be provided showing how the land under single ownership will be developed in conformance with any pre-existing city-approved plans.
- (b) *Master plan.* For any TN3 or T4 district of fifteen (15) acres or more in area, a master plan may ~~shall~~ be provided for review and recommendation by the planning commission and approval by city council resolution. The master plan may be already in existence, or it may be prepared by city staff or by the applicant or developer. A TN3 or T4 area for which a master plan has been adopted by the city council shall be designated as a TN3(M) or T4M district. The master plan may ~~shall~~ include the following information:

[T3-T4 zoning is an important tool for implementing city-approved plans. Development of a master plan, particularly for an area with multiple owners, can be impractical, unreasonable, unnecessary, and a barrier to appropriate use of T3-T4 zoning. For T3-T4 areas being newly developed or substantially redeveloped, a master plan may appropriately be quite complex and thorough. In T3-T4 areas that are largely already developed, it may be useful or necessary for a master plan only to address a few key issues or elements. For implementation of station area plans and other city approved plans, it is helpful to provide for more flexible use of master plans and T3-T4 zoning.]

- (1) ~~A~~ Location maps of suitable scale showing the boundaries and dimensions of the site within the context of the community and adjacent parcels, including. ~~The map or maps shall show:~~
 - a. Locations of any streets; railroads; significant natural, geographic or topographic features; and other major features within five hundred (500) feet of the site; and
 - b. Existing parks, open space, major institutions, and concentrations of commercial use within one-half mile of the site.
- (2) A site inventory and analysis to identify site resources and constraints, including floodplain, wetlands, poorly drained soils, soils with bedrock near surface, utility easements, slopes greater than twelve (12) percent, and areas of possible soil contamination.
- (3) Plan graphics, including but not limited to the following:
 - a. Topographic contours at five (5) foot intervals.
 - b. Layout of blocks.
 - c. Circulation system, indicating existing and proposed streets or rights-of-way, transit stops, bike routes, sidewalks and other walkways.
 - d. Street classification system, designating ~~all~~ streets by function within the site.
 - e. Block-level analysis, designating blocks or portions of blocks as “mixed residential,” “mixed use,” “edge,” “transition,” or other (see section ~~66.345~~ ~~66.344~~, Required Traditional neighborhood district master plan elements) and identifying primary building types on each block. Blocks may be designated for a range of traditional neighborhood elements and building types. Undesignated blocks would allow the full range of TN3 uses and building types. ~~Blocks shall be defined in relation to adjacent street classifications and open space.~~
 - f. Open space plan, including ~~all~~ areas to be set aside as public or private open space and their preliminary design treatment.
 - g. Preliminary landscape plan, indicating street trees and landscape treatment of ~~all~~ streets and public spaces.
- (4) Plan graphics may ~~(but are not required to)~~ include examples of building elevations for each building type; an indication of building scale, height, massing, parking location and relationship to the street; visual analysis of impact on critical views and vistas; and examples of streetscape and other public improvements, including light fixtures, screening walls and fences, benches and other street furniture.
- (5) A preliminary stormwater plan, identifying any wetlands or floodplain, and preliminary locations of structures and methods to be used in managing stormwater and surface water on the site. ~~Any wetlands or floodplain on the site shall be identified.~~ Integration of stormwater treatment into the landscape and site design is encouraged, as is the use of natural methods such as ponds, wetlands or swales.

- (6) Phasing plan, where applicable, including the phasing of open space and street improvements.
- (7) Utilities plan, indicating existing conditions and proposed changes, as appropriate.
- (c) *Changes to master plan.* Once approved, a master plan may be modified as follows:
 - (1) *Minor modification.* Minor modifications to an approved master plan may be requested by the property owner or developer. The planning administrator may approve minor modifications, including changes of less than ten (10) percent in land area designated in a specific category, provided such changes are consistent with the intent of the master plan.
 - (2) *Major modification.* Major modifications to an approved master plan may be initiated by the city council, the planning commission, or any person having an ownership or leasehold interest (contingent included) in property that is the subject of the proposed modification. Major modifications include changes of ten (10) percent or more in land area designated in a specific category; creation of a new public street or removal of a public street segment; removal of a park or open space area; or addition or removal of an entire block. Major modifications may be approved as an amendment to the master plan by city council resolution following planning commission review, public hearing and recommendation.

Sec. ~~66.345~~ 66.344. TN3 Traditional neighborhood district master plan required elements.

This section applies to TN3M and T4M districts for which a master plan designates blocks or portions of blocks as “mixed residential,” “mixed use,” “open space,” “edge,” or “transition area.” A TN3M traditional neighborhood district of fifteen (15) or more acres in area ~~shall~~ should include, at a minimum, a mixed residential area and the specified minimum percentage of open space within one-quarter (1/4) mile of a mixed-use neighborhood center. These elements may be found within the TN3M district or adjacent to it; the intent is that they would be present within a reasonable walking distance. A mixed use area and/or an edge/transition area may also be required, depending on the criteria listed below.

- (a) *Mixed use area.* The mixed use area consists of service and retail commercial uses, workplaces, civic uses, housing, and public open space. It contains the broadest variety of land uses, and is intended to function as a center of activity for residents of the entire TN3 district and, potentially, surrounding areas.
 - (1) All residential lots within a TN3M or T4M traditional neighborhood district should be located within approximately one-half mile of an existing or proposed mixed use area. ~~(2) The requirement to include a mixed use areas may be existing fulfilled by adjacent mixed use areas such as neighborhood commercial nodes.~~
 - ~~(2)(3)~~A mixed use area shall be composed of at least two of the following land use categories, as categorized in table 66.321, principal uses in traditional neighborhood districts:
 - a. commercial uses, such as general retail, restaurants, offices, services and accommodations-
 - b. residential uses, not including one-family or two-family dwellings-
 - c. civic and institutional uses such as school, place of worship, community meeting facility, library, and transit station-
 - ~~(3)(4)~~A new mixed use area shall also include centrally located public open space, in the form of a square, park or plaza.

- (b) *Mixed residential area.* A mixed residential area consists of a variety of housing types and limited office and service uses. It may be located anywhere within the ~~TN3~~ district, and is intended to be linked to surrounding areas by interconnected streets, paths and open spaces.
- (1) A minimum of fifty (50) percent of all dwelling units in a mixed residential area shall consist of multifamily units, units in mixed-use buildings, and/or attached single-family units such as townhouses and live-work units.
 - (2) If over fifty (50) units are proposed in a site plan or master plan, at least two housing types shall ~~must~~ be included from the following categories:
 - a. one- and two-family dwellings;
 - b. attached units such as townhouses and live-work units; ~~and~~
 - c. other multifamily dwellings
 - (3) For infill development, the required mix of residential uses may be satisfied by existing adjacent residential uses within a two-block radius.
 - (4) Up to twenty (20) percent of total floor area may consist of office and limited service uses as part of live-work units or integrated into residential structures.
 - (5) All residential lots shall be located within one-half (½) mile of existing or planned public or common open space.
- (c) *Edge or transition area.* An edge area may be required as a lower-density transitional zone responding to adjacent uses. The required mix of housing types specified in the previous sections shall ~~will~~ not apply in transition areas. Densities and uses will depend on adjacent conditions.
- (d) *Open space areas.* For a ~~TN3M~~ district of fifteen (15) or more acres in area, a minimum of twenty (20) percent of a district's gross acreage, exclusive of street or alley right-of-way, shall ~~must~~ be defined in the master plan as open space, which may include undevelopable areas such as steep slopes and wetlands, and stormwater basins.
- (1) A minimum of fifty (50) percent of the required open space shall be accessible to and usable by the public, such as a central square or plaza, neighborhood parks, greenways, trail corridors, or extensions of existing parks on the periphery (as specified in comprehensive or small area plans, or in the master plan process).
 - (2) Existing parks or open space adjacent to the area may satisfy the open space requirement; a fee-in-lieu of park dedication may be required for enhancements to such adjacent existing parks or open space.

ARTICLE II. 66.200. RESIDENTIAL DISTRICTS

Division 2. 66.220. Principal Uses in Residential Districts

Sec. 66.221. Principal uses.

Table 66.221. Principal Uses in Residential Districts lists all permitted and conditional uses in the RL-RM3 Residential Districts, and notes applicable development standards and conditions.

Table 66.221. Principal Uses in Residential Districts

Use	RL	R1-R4	RT 1	RT 2	RM1	RM2	RM3	Development Standards
Commercial Uses								
Medical Facilities								
Hospital, health and medical institution						€	€	↙
Commercial Lodging								
Bed and breakfast residence	P	P	P/C	P/C	P/C	P/C		✓

ARTICLE IV. 66.400. BUSINESS DISTRICTS

Division 2. 66.420. Principal Uses in Business Districts

Sec. 66.421. Principal uses.

Table 66.421, principal uses in business districts, lists all permitted and conditional uses in the OS-B5 business districts, and notes applicable development standards and conditions.

Table 66.421. Principal Uses in Business Districts

Use	OS	B1	BC	B2	B3	B4	B5	Development standards
Limited Production, Processing and Storage								
Finishing shop					P		P	✓
Limited production and processing					P		P	✓
Mail order house			P	P	P	P	P	
Malt liquor production manufacturing				P/C	P	P	P	✓
Plastic products							P	
Printing and publishing				P/C	P	P	P	
Recycling collection center					P			✓
Recycling drop-off station			P	P	P	P	P	✓
Toiletries and cosmetic manufacturing							P	
Warehousing and storage							P	✓
Wholesale establishment					P	P	P	✓

ARTICLE V. 66.500. INDUSTRIAL DISTRICTS

Division 2. 66.520. Principal Uses in Industrial Districts

Sec. 66.521. Principal uses.

Table 66.521, principal uses in industrial districts, lists all permitted and conditional uses in the IR-I3 industrial districts, and notes applicable development standards and conditions.

Table 66.521. Principal Uses in Industrial Districts

Use	IR	I1	I2	I3	Development Standards
Automobile Services					
Auto body shop	<u>C</u>	P	P	P	✓
Auto convenience market	C	P	P		✓
Auto service station	<u>C</u>	P	P		✓
Auto specialty store	C	P	P		✓
Auto repair station	<u>C</u>	P	P		✓
Auto sales, indoor	<u>P</u>	P	P		
Auto sales and rental, outdoor	<u>C</u>	P	P		✓
Car wash		P	P		✓
Parking facilities					
Parking facility, commercial	<u>C</u>	P	P	C	✓
Limited Production, Processing and Storage					
Finishing shop	P	P	P		✓
Limited production and processing	P	P	P		✓
Mail order house	P	P	P		
Malt liquor production manufacturing	P	P	P		
Plastic products	P	P	P		
Printing and publishing	P	P	P		
Recycling collection center		P	P		✓
Recycling drop-off station	P	P	P		✓
Storage facility, rental		P	P	P	
Toiletries and cosmetic manufacturing	P	P	P		
Warehousing and storage	<u>P</u>	P	P		
Wholesale establishment	P	P	P		

[These are appropriate uses in the IR district as long as they conform to the design standards noted below and the standards and conditions added for these uses in the IR district in Chapter 65. The “P” for warehousing and storage in the IR district, a common IR use, was inadvertently deleted in a previous zoning amendment.]

Sec. 66.542. Required conditions in the IR light industrial restricted district special setbacks.

- (a) *Placement of parking.* Surface parking may be located to the rear of the principal building, within the rear yard area of the parcel, in an interior side yard if rear parking is impractical or insufficient, or . . .
- (b) *Park setbacks.* In any yard which adjoins a publicly owned park, buildings may . . .
- (c) *Design standards.* Development shall be consistent with the design standards in section 66.343(b)(~~6~~), (7), (89), (10), (~~12~~), (~~13~~), (~~14~~), (15), (~~16~~), (~~189~~), (~~20~~) (21), (~~22~~), and (23), and

(24), unless the applicant can demonstrate that there are circumstances unique to the property that make compliance impractical or unreasonable.

Chapter 69. Zoning Code - Subdivision Regulations

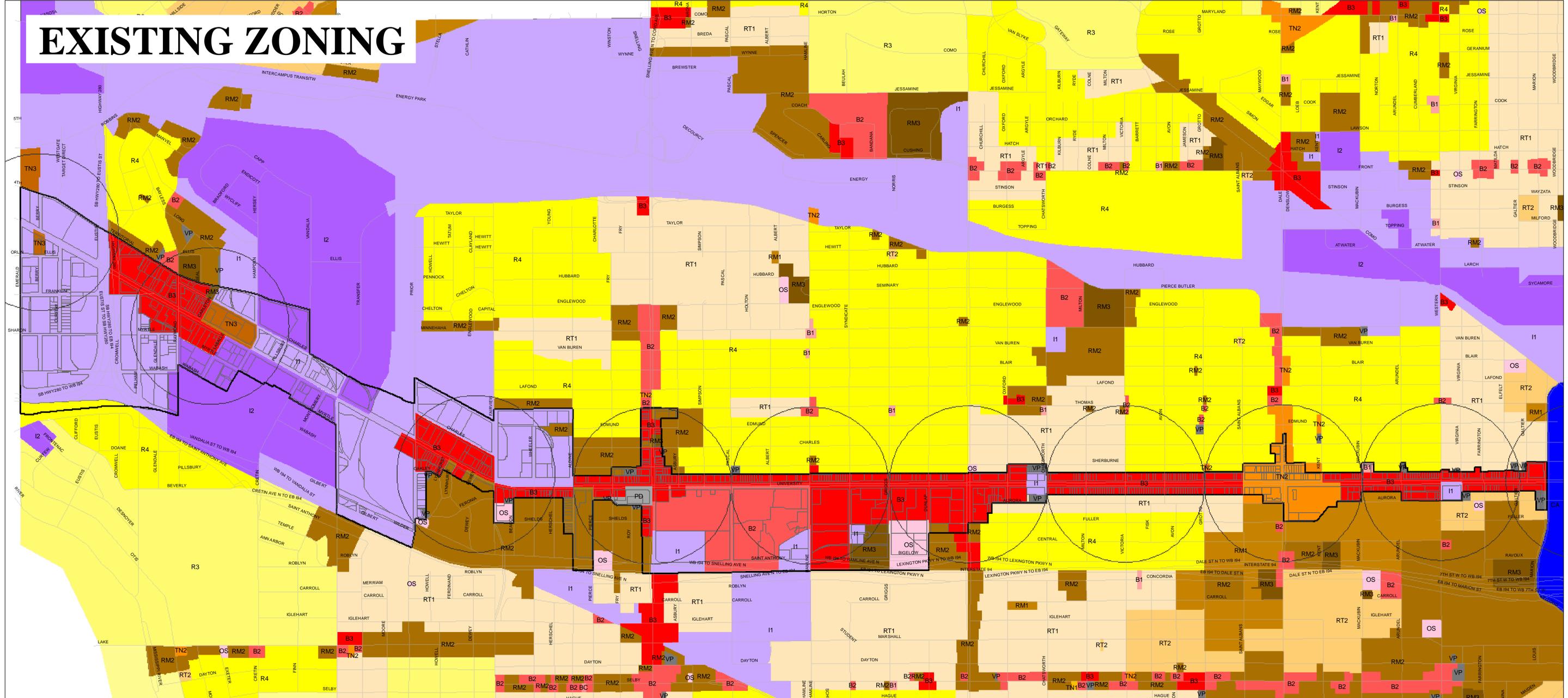
ARTICLE V. GENERAL REQUIREMENTS AND DESIGN STANDARDS

Sec. 69.502. Alleys.

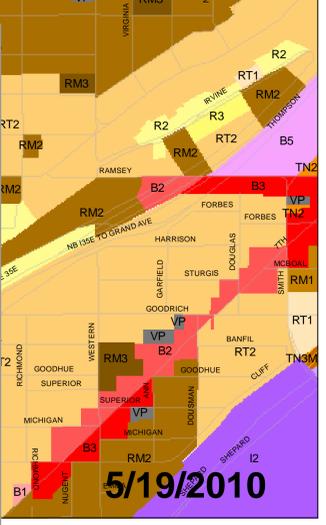
- (a) *Required.* Alleys shall be provided where topography renders driveways from the street to service or off-street parking areas impractical, where limited access streets prohibit driveways to off-street parking and service areas, and in ~~a~~ the TN3 ~~or~~ T4 district where alleys are designed as part of an interconnected street network in an approved master plan.

Attachment B: Existing Zoning Map

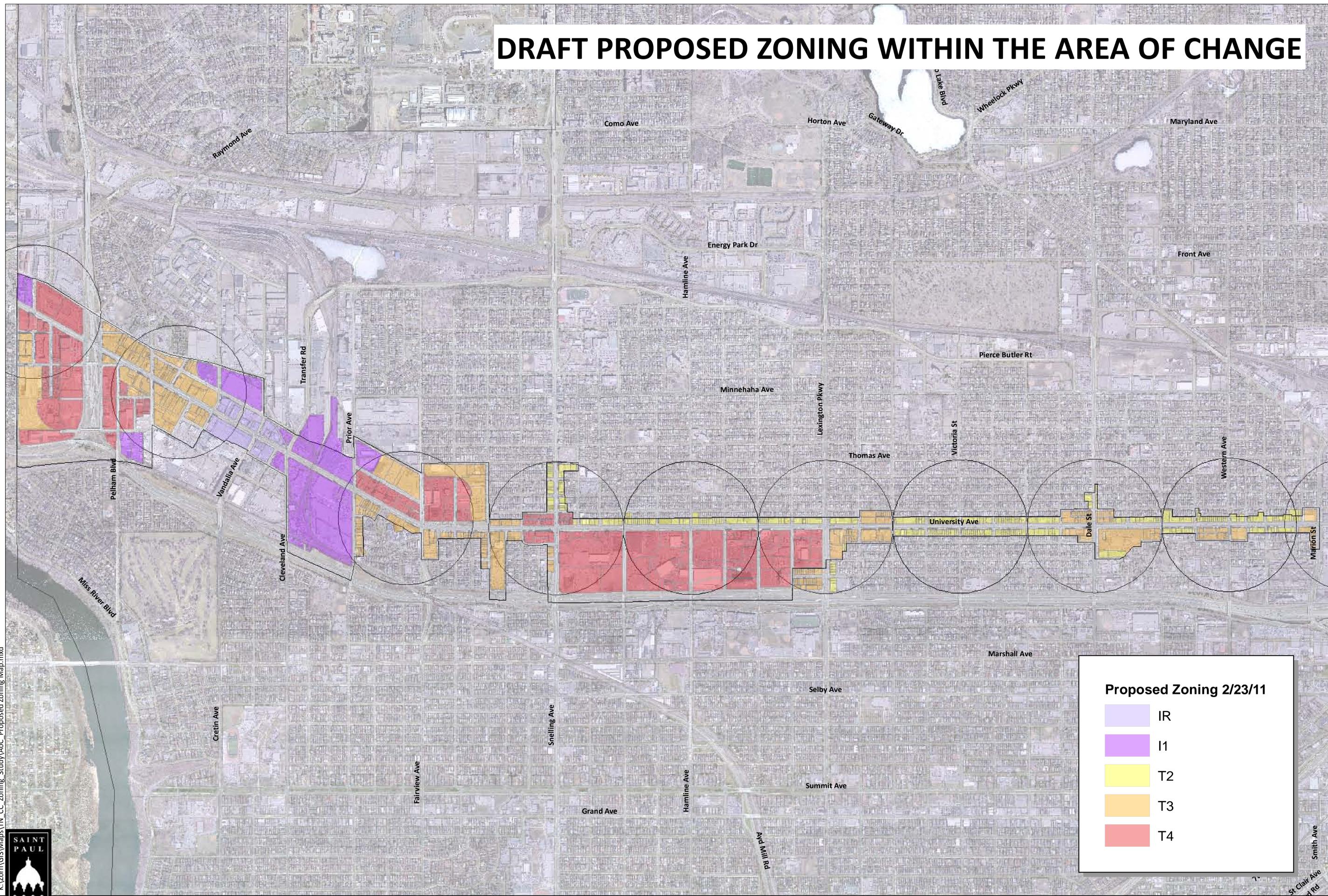
EXISTING ZONING



 RL One-Family Large Lot	 RT2 Townhouse	 TN3 Traditional Neighborhood	 B3 General Business	 I3 Restricted Industrial
 R1 One-Family	 RM1 Multiple-Family	 TN3(M) TN3 with Master Plan	 B4 Central Business	 VP Vehicular Parking
 R2 One-Family	 RM2 Multiple-Family	 OS Office-Service	 B5 Central Business Service	 PD Planned Development
 R3 One-Family	 RM3 Multiple-Family	 B1 Local Business	 IR Light Industrial Restricted	 CA Capitol Area Jurisdiction
 R4 One-Family	 TN1 Traditional Neighborhood	 BC Community Business (converted)	 I1 Light Industrial	
 RT1 Two-Family	 TN2 Traditional Neighborhood	 B2 Community Business	 I2 General Industrial	



DRAFT PROPOSED ZONING WITHIN THE AREA OF CHANGE



Proposed Zoning 2/23/11

IR	IR
I1	I1
T2	T2
T3	T3
T4	T4

K:\Zorn\GIS\Maps\TN_CC_Zoning_Study\AOC_Proposed Zoning Map.mxd



West Midway Jobs/Acre, block analysis

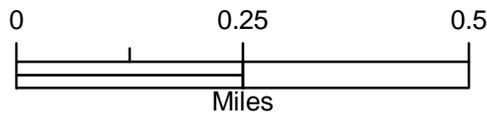


Attachment D

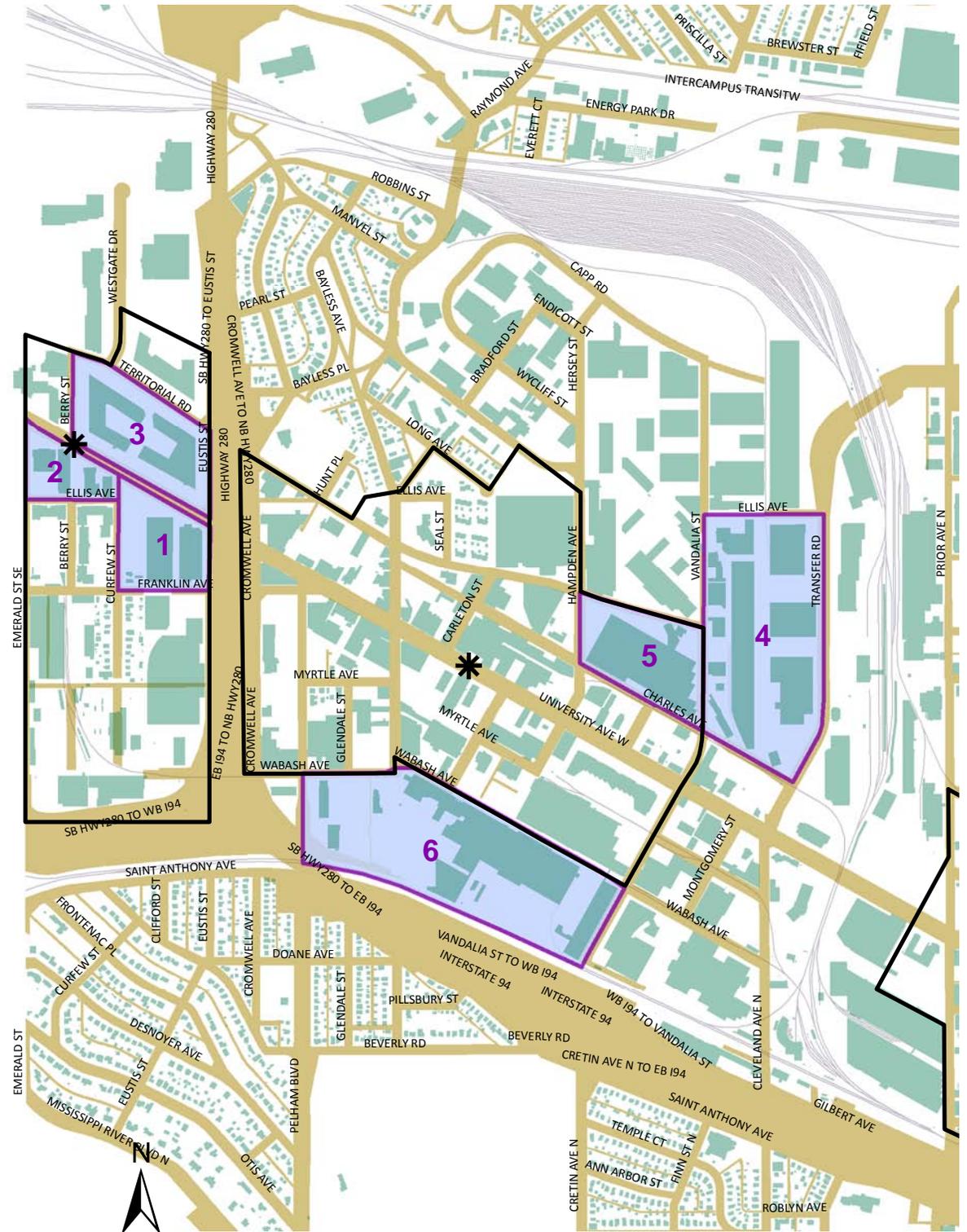
Jobs per acre, blocks analyzed*

- LRT stations
- Right-of-way
- Station Area Plan boundaries
- Building footprints
- Blocks analyzed for job density (numbered)

***Note:** A jobs per acre calculation by parcel was not possible because much of the firm-specific data from Dunn & Bradstreet was spatially located at the nearest point on a street centerline, and could not be successfully matched to a specific parcel.



Source: Saint Paul PED; Dunn & Bradstreet data



West Midway Employment Density, by blocks

(key findings below)

#	Block description	Block location	Prototype land uses / built form	# businesses	Sample businesses	Total built-out square footage	acres in block	# jobs in block	jobs per acre	Estimated Floor Area Ratio (non-residential only)
1	Court International	University, Eustis, Franklin, Curfew	Office, surface parking, deck parking (Office uses and parking uses - according to Ramsey County Land Use Codes)	89	Upper Midwest Organ; On Assignment Staffing Svcs; Big Bros Big Sisters of MN; MN Gastroenterology PA; Regional Multiple Listing Services	448,283	9.67	1,447	150	1.1
2	Metro condos / MN Geological Survey	University, Curfew, Ellis, Emerald	Offices, multifamily housing, vacant commercial parcel, deck parking (Commercial vacant land; office; condo/coop; other residential; small (under 10K sf detached retail); commercial warehouse uses - according to Ramsey County Land Use Codes)	14	Wackenhut Corp; MN Geological Survey; Trust for Public Land; Camp Fire USA	63,604	5.60	555	99	0.3
3	Westgate Business Center	University, Eustis, Territorial, Berry	One (Two-?) -story office/light industrial buildings, surface parking ("Flex Industrial Center" according to Ramsey County Land Use Codes)	11	Synovis Life Technologies Inc; Healthpartners Inc; Innovative Furniture Solutions; Protatek International Inc	171,981	14.99	888	59	0.3
4	Office/warehouse predominant block	Charles, Transfer, Ellis, Vandalia	One-story office/warehouse buildings with loading docks, surface parking (Commercial warehouse, and Railroad real property (MN Commercial Railway) - according to Ramsey County Land Use Codes)	28	Aspect Automation LLC; Remmele Engineering; Midway Training Services LLC; Stericycle Inc; Browning-Ferris Industries	507,149	34.12	577	17	0.3
5	Warehouse predominant block	Charles, Vandalia, Territorial, Hampden	One warehouse building with large footprint (MSP Industrial Park), including loading docks, and small ancillary office building on north (Commercial warehouse - according to Ramsey County Land Use Codes)	8	Bro-Tex Co. Inc; Superior Third-Party Logistics; Trademark Transportation Inc.;	398,832	12.48	167	13	0.7
6	Manufacturing predominant block	Wabash, Vandalia, Pelham, and I-94 frontage	(Foundries and Heavy Manufacturing Plants; Manufacturing and Assembly - Light; Industrial Vacant Land; Commercial Truck Terminals - according to Ramsey County Land Use Codes)	6	Rock-Tenn, Co; Root River Valley Transfer; Johnson Security, Inc.;	744,146*	38.49	633	16	0.4

*Rock-Tenn facility at 2250 Wabash Ave = 728,335 sf based on Ramsey Co Tax Records

Key findings:

*Block 1 (Court Int'l block) has the highest job density of all blocks analyzed (as well as the highest job density in the West Midway study area) of 150 jobs/acre.

*Block 2 (MN Geological Survey) is not yet fully developed and includes housing, but still has a high job density of 99 jobs/acre.

*Block 3 - the Westgate light industrial/office business center - has a fairly high job density of about 60 jobs/acre, which is about four times as intense as blocks dominated by office/warehouse, warehouse, and manufacturing uses.

*Despite Block 3 (Westgate center) having a much higher job density, it is developed at a similar FAR (0.3) as the predominantly office/warehouse and warehouse blocks.

*Blocks 4-6 (office/warehouse predominant, warehouse predominant, and manufacturing predominant) have similar job densities.

2/11/2011

Summary of responses regarding the treatment of nonconforming uses by financial institutions

- General misunderstanding regarding the provisions permitting nonconforming uses to be reconstructed if a building permit is pulled within 6 months.
- Concern about the loss of legal nonconforming use status following a one year period of vacancy, potentially due to foreclosure. City Attorney's Office has made the determination that a property that is actively being marketed for the legal nonconforming use ~~will~~ may¹ not lose its status during that time.
- Potential to affect the down payment requirement and financing conditions if the land is valued based on the underlying, more restrictive, zoning.
- Regarding expansions and remodeling, this is more of a concern for the business owner. Banks make loans on the original property conditions and assume that those conditions are sufficient to service the debt. There was no discussion of refinancing to do an expansion or remodel, which would be contingent on Planning Commission approval adding an element of uncertainty and additional time.
- Risk to the lender increases if the underlying zoning renders the use nonconforming; this risk can be managed through underwriting.

Lending institutions that responded:

Anchor Bank

Park Midway Bank

Grandbridge Capital

M & I Bank

¹ The City Attorney's Office requested the change from "will" to "may" so that the statement more accurately reflects the determination regarding nonconforming use status made by the CAO. Using the word "will" misrepresents the CAO determination and suggests a one-size-fits-all approach to nonconformities, which require evaluation on a case-by-case basis.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6700
Facsimile: 651-228-3220

Central Corridor/Traditional Neighborhood Zoning Study

Healthy Corridor for All Project: Public Hearing Testimony

Description of the “Healthy Corridor for All” project (from ISALAH’s website):

The Central Corridor Light Rail Transit line will create many long-lasting changes to the Central Corridor area and to St. Paul as a whole. In order to ensure that zoning decisions keep neighborhoods as healthy as possible, we will use a tool called a Health Impact Assessment (HLA) to size up the proposed zoning changes and make practical recommendations. For example, rezoning that doesn’t consider the needs for affordable housing can force families to make difficult trade-offs which limit spending on healthy food, medical bills and other essential goods and services that promote health and well-being. The Healthy Corridor for All project is being led by ISALAH and its partners, TakeAction Minnesota’s Hmong Organizing Program - a statewide organization sharing ISALAH’s dedication to social, racial and economic justice, and PolicyLink – a national research and policy institute.

(More information at - <http://isaiah-mn.org/Issues/HealthyCorridorforAll.htm>.)

The project has six main objectives organized around the three major themes:

Healthy Economy:

1. High quality, healthy jobs that increase wealth, income and equity for all residents.
2. Diverse, local businesses – existing and new – are developed and supported.

Healthy, Affordable Housing:

3. Protect resident from negative impacts of gentrification.
4. Construct and preserve affordable and diverse housing in proportion to demand.

Sustainable and Safe Transportation

5. Maintain and improve affordable and accessible transportation.
6. Safe, connected biking and walking to, from, and across transit stops.

The Healthy Corridor for All project has a community steering committee with staff support from ISALAH and Take Action MN, and research and analysis provided by PolicyLink. They have identified the six main objectives above and a set of various indicators to measure community health. The project is still in process and has not yet developed specific recommendations for changes to the proposed zoning regulations for Central Corridor that are under review by the Planning Commission.

Existing City Policies and Community Initiatives Currently Underway that Support Healthy Corridor for All Objectives

There are policies in the *Central Corridor Development Strategy* (CCDS) and station area plans that strongly support all six of the project’s objectives. The concerns these objectives address were a major focus of the discussion during the community engagement process that resulted in the CCDS.

A follow-up planning document, the *Bike Walk Central Corridor Action Plan*, provides more detail about specific bicycle and pedestrian improvements that should be implemented to improve connections to and movement within the corridor for bicyclists and pedestrians.

These planning documents (found at www.stpaul.gov/centralcorridor) have created the policy framework from which a wide variety of community-building initiatives have sprung. The list below highlights many of the specific initiatives that are underway:

Healthy Economy – high quality jobs and diverse local businesses

- **Central Corridor Zoning Study** – proposed zoning will allow higher density development that will generate more jobs along the corridor. Proposed scope of zoning in the eastern portion of the corridor supports the small scale development pattern where many small, local, ethnically-diverse businesses are found (www.stpaul.gov/centralcorridor, click on Central Corridor Zoning Study).
- **Central Corridor Business Resources Collaborative** (Metropolitan Council, Cities of Saint Paul and Minneapolis, University Ave. Business Assoc., Asian Economic Development Assoc., University Ave. Business Preparation Collaborative, Midway and Saint Paul Area Chambers, and other Minneapolis-based groups)
 - construction communication
 - business technical assistance and financial support
 - “Buy Local” campaign
 - Long-term economic development
 - <http://www.readyforrail.net>
- **Parking Mitigation** (City of Saint Paul, Metropolitan Council) – efforts in support of businesses to address the loss of on-street parking on University Ave. due to the LRT (www.stpaul.gov/centralcorridor, click on Parking Management).
 - *Mitigating the Loss of Parking in the Central Corridor*, April 2009
 - Parking workshops with business and property owners, Summer 2009
 - *Neighborhood Commercial Parking Program*, 2010 - \$1.5 million program, 24 funded projects to improve parking along the corridor.
 - *Central Corridor Parking Policy Recommendations*, November 2010 draft – recommendations to better manage on-street parking.
- **Met. Council DBE program** (disadvantaged business enterprises): 15% overall hiring goal for Central Corridor contracts - <http://www.metrocouncil.org/transportation/ccorridor/CCDoingBusiness.htm>
- **LRT Works initiative** – employment and educational opportunities related to Central Corridor LRT – www.lrtworks.org
- **City of Saint Paul requirements for projects receiving city financing** – affirmative action, targeted vendor, Section 3, Federal Davis Bacon, “Little” Davis Bacon, living wage, limited English proficiency requirements – see attached spreadsheet for more information.

Healthy, Affordable Housing – prevent gentrification and provide affordable, diverse housing

- **LAAND** - \$2 million in state and Met. Council funding the City received to land bank property along Central Corridor for future affordable housing development. Properties at 255 and 1433 University Ave. purchased.
- **Invest St. Paul/Neighborhood Stabilization Program** - \$30+ million targeted to four target neighborhoods, including the eastern end of the corridor between Lexington Parkway and Rice St.
- **Central Corridor Zoning Study** – Allowing increased densities as recommended by the zoning study will aid in the development of affordable housing by decreasing per unit land costs. Proposed zoning within the “area of change” limits the area where higher density development

can occur and protects the character of existing low-density residential neighborhoods. This should hold down property values by dampening property speculation for redevelopment purposes.

- Refer to separate memo included in the packet - *City of Saint Paul: Overview of Central Corridor Affordable Housing Policies and Current Implementation Activities*, January, 2011, for more detail on this topic.

Sustainable and Safe Transportation – affordable and accessible transportation, safe biking and walking

- **Hamline, Western, Victoria LRT stations** – a community effort spearheaded by the Stops for Us campaign led to the addition of these three LRT stations to ensure the eastern end of the corridor had acceptable access to LRT.
- **Central Corridor streetscape improvements** – the City committed over \$18 million towards paying for one of the additional LRT stations, and streetscape improvements (trees, decorative lighting, brick pavers, median plantings, pedestrian crossing enhancements) along University Ave. and downtown to improve pedestrian amenities along Central Corridor.
- **Central Corridor Zoning Study**: Many of the zoning recommendations will guide new development to have a more pedestrian and transit user-oriented design, including placement of parking to the side or rear, doors oriented toward the street, more windows, and other design enhancements.
- **Bike Walk Central Corridor Action Plan** – this plan has been the catalyst and policy foundation for a number of bicycle and pedestrian projects in the corridor, which are detailed in the attached two page overview.

HRA/PED COMPLIANCE AND PED/HREEO RESPONSIBILITY MATRIX

Dated: February 23, 2010

Compliance	Thresholds	Requirements	Exemptions	HREEO Responsibility	PED Responsibility	Staff Contact Person
Affirmative Action	(a) \$50,000 on annual basis, and (b) sales made under HRA Land Disposition Policy	Both you as an employer / recipient of City funds AND your contractor will need to meet affirmative action goals to employ women, minorities, and people of disabilities. Monthly construction and semi-annual reporting required. Workforce opportunity template must be completed. Affirmative Action plan goals and on the job site are 11% Minority Skilled Craft, 11% Minority Unskilled, 6% Female Laborer Combined	None	HREEO staff (i) attends pre-bid and pre-construction conferences to educate developers/contractors of affirmative action requirements; (ii) provides to PED project manager affirmative action documents to be used as exhibits to contracts; (iii) receives, approves or rejects affirmative action plans; (iv) collects reporting requirements from developers/contractors, monitors compliance, and determines if any noncompliance matters exist, and takes steps to enforce compliance; (v) notifies PED project manager of any noncompliance matters.	PED project manager (i) notifies HREEO staff of all upcoming projects so that they may analyze which contractors need to register their AAP and what staff needs to attend the prebid and preconstruction conferences, (ii) assures affirmative action requirements are included in contract, (iii) verifies affirmative action compliance with HREEO before approving draw requests;	HREEO - Yia Thao and Elizabeth Knight
Apprenticeship Opportunities Pilot Program (AOPP)	\$50,000 (Pilot program sunsetted June 30, 2008-no longer in effect).					
Bonds-revenue and conduit, and host city approval	All Bonds - No threshold	Little Davis Bacon, Affirmative Action, and Vendor Outreach	None	Oversees PED activities.	PED project manager completes Bond Compliance Agreement and gets Agreement signed by applicant, monitors compliance and determines if any noncompliance matters exist and takes steps to enforce compliance.	PED-Patty Lilledahl
Business Subsidy (State Law Chapter 1161.993)	(a) 150,000 for grant or other subsidy, yearly reporting is required beginning at \$25,000;(b) over \$150,000 for loan or loan guarantee, yearly reporting required beginning at \$75,000	Wage and job goals, reporting.	Exemptions include: redevelopment when purchase of the site and site preparation is greater than 70% of assessed value, redevelopment of contaminated property, pollution control or abatement, renovation of old buildings or historic district assistance when assistance is less than 50% of cost, energy conservation, housing, certain non profit corporations, and other exemptions.	Oversees PED activities.	PED project manager (i) negotiates wage and job goals with recipient, (ii) assures such goals are included in contract, (iii) receives wage and job information annually from recipient by March 1, monitors compliance, and determines if any noncompliance matters exist and takes steps to enforce compliance by DEED by April 1 consisting of recipient's reports to PED, noncompliance matters and reporting on \$25,000 business subsidies and \$75,000 loans and loan guaranties;	PED-Craig O'Brien
Early notification system	\$250,000	Provides notice to interested persons of applications for HRA financial assistance and developer rights.	Conduit bond	No role.	PED project manager gives written notice to interested persons after receiving application for financial assistance of \$250,000 or more, or for developer rights, and under Land Disposition	PED-Kelly Bauer

HRA/PED COMPLIANCE AND PED/HREO RESPONSIBILITY MATRIX

Dated: February 23, 2010

Compliance	Thresholds	Requirements	Exemptions	HREO Responsibility	PED Responsibility	Staff Contact Person
Federal Davis Bacon	\$2,000	When funding is of Federal origin (CDBG, HOME, ARRA, EEC, etc.), all job site construction workers (including owners) whose duties are physical or manual must be paid weekly minimum prevailing wage rates (including fringe benefits). Weekly certified payroll submission is required.	Exemptions include housing projects with 7 or fewer units assisted with CDBG funds - [11 or fewer units assisted with HOME funds]. No exemptions for commercial project. Demolition without future reuse is exempt.	HREO staff (i) attends pre-bid and pre-construction conferences to educate developers/contractors of Federal Davis Bacon labor standards; (ii) provides to PED project manager wage standards to be used as exhibits to contracts; (iii) collects wage information from developers/contractors, monitors compliance, and determines if any noncompliance matters exist, and takes steps to enforce compliance; (iv) notifies PED project manager of any noncompliance matters;	PED staff (i) informs HREO staff of upcoming projects, including the various types of funding to be used in project, in order to be involved at prebid and preconstruction conferences and whether federal Davis Bacon is applicable, (ii) assures ensures federal wage requirements are included in contract, (iii) verifies federal wage compliance with HREO before approving draw requests	HREO-Va Bridgford
Limited English Proficiency	All federal financial assistance	Requirement to provide meaningful access to PED programs, services and activities to persons with limited english proficiency.	None	Oversees PED activities.	Project manager assures that persons who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English have meaningful access to federally funded programs, services and benefits.	PED-Amy Filice
Little Davis Bacon	\$10,000	When funding is of non-federal origin (ie City, State, other) all construction workers on the job site whose duties are physical or manual are paid weekly minimum prevailing rates (including fringe benefits). Weekly certified payroll completion and documentation submittal required	Exemptions include housing projects with 7 or fewer units. No exemptions for commercial project. Demolition without future reuse is exempt.	Oversees PED activities.	PED project manager assures City wage requirements are included in contract, PED Little Davis Bacon compliance officer (i) provides to PED project manager city wage standards to be used as exhibits to contracts; (ii) attends pre-bid and pre-construction conferences to educate developers/contractors of city wage requirements; (iii) collects wage information from developers/contractors but does not review it unless a complaint is filed, whereupon investigation is made, and steps are taken to assure compliance.	PED-Beth Ulrich

HRA/PED COMPLIANCE AND PED/HREEO RESPONSIBILITY MATRIX

Dated: February 23, 2010

Compliance	Thresholds	Requirements	Exemptions	HREEO Responsibility	PED Responsibility	Staff Contact Person
Living Wage (City Ordinance Administrative Code Chapter 98)	\$100,000	Living wage at 130% of the poverty level for a family of four is \$12.91 per hour or 110% (\$10.92 per hour) if health benefits are provided. Wage rates change annually. Duration is longer of three years or length of subsidy.	Living Wage Exemptions include: Small businesses with 20 or fewer full time employees, gross revenues of less than \$1,000,000 or if professional/technical business then gross revenues less than \$2,500,000	HREEO staff (i) assures living wage language is included in all bids and requests for proposals for City Contracts (as that term is defined in the Living Wage Ordinance); (ii) assures living wage requirements are included in City Contracts ; (iii) receives wage information annually from recipient for City Contracts , monitors compliance, and determines if any noncompliance matters exist, and takes steps to enforce compliance by recipient, contractors, subcontractors, and tenants. Oversees PED activities.	PED project manager (i) assures living wage requirements are included in City Business Subsidy agreement (as that term is defined in the Living Wage Ordinance); (ii) receives wage information annually from recipient for City Business Subsidy , monitors compliance, and determines if any noncompliance matters exist, and takes steps to enforce compliance by recipient, contractors, subcontractors, and tenants. PED Living Wage compliance officer provides to PED project manager living wage amounts to be used in contracts;	PED-Craig O'Brien
Low Income Housing Tax Credits	All	Little Davis Bacon, Affirmative Action, and Vendor Outreach		No role.	PED project manager assures Little Davis Bacon, Affirmative Action and Vendor Outreach program requirements are included in agreement, monitors compliance, and determines if any noncompliance matters exist, and takes steps to enforce compliance by recipient.	PED-Joe Collins
Project Labor Agreements	\$250,000 (Effective June 4, 2009.)	Building and construction projects, parks, public works	Conduit bond	Oversees PED activities.	PED project manager to provide notification to interested parties of project and submit to City Council for decision if a project labor agreement will be required by City Council. Notify the HREEO staff of PLA status.	CAO-Pete McCall
Section 3	City must comply, if \$1 of HUD financial assistance in project; contractors and subcontractors must comply if HUD financial assistance exceeds \$200,000 and contract/ subcontract exceeds \$100,000	Requires efforts to direct employment and economic opportunities for housing and community development programs, to the greatest extent feasible, toward low and very low income persons, and section 3 business concerns.	None	HREEO staff (i) create and maintain certification list of section 3 persons and businesses; (ii) receives section 3 reports from developer/recipient, monitors compliance by developer/recipient and determines if any noncompliance matters exist, and takes steps to enforce compliance; (iii) notifies PED project manager of any noncompliance matters ;	PED project manager (i) assures section 3 requirements are included in contract, (ii) verifies section 3 compliance with HREEO before approving draw requests; (iii) files annual section 3 reports with HUD	HREEO- Charles Gbadebo
Sustainable Green Policy - Approved by City in December, 2009	ALL			No Role.	PED project manager (i) assures sustainable green requirements are included in contract; (ii) monitors and assures compliance by developer/recipient	PED-Kurt Schultz
Two Bid Policy	\$20,000	Requirement to obtain 2 bids from general contractors and subcontractors; award contract to lowest responsible bidder.	Exemption of process followed for negotiated contract with general contractor.	No Role.	PED project manager (i) assures two (2) bid requirements are included in contract; (ii) monitors and assures compliance by developer/recipient.	CAO-Pete McCall

HRA/PED COMPLIANCE AND PED/HREEO RESPONSIBILITY MATRIX

Dated: February 23, 2010

Compliance	Thresholds	Requirements	Exemptions	HREEO Responsibility	PED Responsibility	Staff Contact Person
Vendor Outreach	ALL Contracts	<p>City wide annual goal of 25% of Business Opportunities should be awarded to Small, Women-owned and Minority-owned businesses, with at least 10% awarded to Women-owned and at least 5% to Minority-owned businesses. Business Opportunity Template must be completed for all construction contracts. Monthly reporting required. (Good faith efforts) Project goals set on a project-by-project basis.</p>	None	<p>HREEO staff (i) sets VOP project goals by using business opportunity template based on information provided by developer; (ii) attends pre-bid and pre-construction conferences to educate developers/contractors of VOP requirements; (iii) provides to PED project manager documents to be used as exhibits to contracts; (iv) receives reports from developers, monitors compliance, and determines if any noncompliance matters exist, and takes steps to enforce compliance; (v) notifies PED project manager of any noncompliance matters; (vi) maintains Projects Compliance Report Card.</p>	<p>PED project manager (i) assures VOP requirements are included in contract; (ii) assures developer completes business opportunity template and delivers same to HREEO staff; (iii) verifies VOP compliance with HREEO before approving draw requests;</p>	HREEO-Stephanie Selb
	General Matters					
	1. For each compliance area, it is the responsibility of the HREEO compliance staff, with input from the PED project manager, to determine if compliance is applicable. If so, the PED project manager, with input from the HREEO compliance staff, will ensure compliance language is included in the contract.					
	2. Chart above defines which department (PED or HREEO) is responsible for compliance during construction.					
	3. PED project manager is responsible for post construction compliance (eg annual reporting required for Minnesota's business subsidy law, living wage ordinance-Business Subsidy agreements, and income limits for tenants in HOME projects, etc). HREEO oversees PED activities.					
	4. PED staff is responsible to prepare and maintain the HRA Development Projects Compliance Reprt Card for all existing projects, and HREEO will maintain for new projects using electronic reporting system.					
	5. HREEO staff to maintain on the City's intranet, for use by PED staff as exhibits in contracts, current documents for (a) vendor outreach program, (b) federal davis bacon, and (c) affirmative action.					
	6. For unresolved compliance matters relating to vendor outreach program, federal davis bacon, affirmative action, living wage ordinance-City Contracts, and section 3, HREEO will take steps to initiate appropriate debarment or other action. For all other compliance areas, PED will take steps to initiate appropriate debarment or other action.					



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IMPLEMENTATION PROGRESS ON THE *BIKE WALK CENTRAL CORRIDOR ACTION PLAN* Compiled by Christina Morrison, Department of Economic Development, August 2010.

Capital and Maintenance Projects

- *Marshall Avenue from Mississippi River Blvd to Cretin*: funded at \$490,800 to provide a sidewalk, an eastbound bike lane and "Share the Road" signs for westbound bicyclists on Marshall Avenue between Cretin Avenue and the Lake Street Bridge. Other amenities include countdown timers at the two signalized intersections with pedestrian walk signs, planted medians, bus shelter, bike racks, improved lighting and a dynamic speed display sign.
- *Como Avenue from Raymond to Minneapolis border*: funded at \$333,200 to reconfigure traffic lanes on Como Avenue to accommodate on-street bicyclists.
- *Griggs Street from Summit to Minnehaha*: funded at \$362,000 to provide improved bicycle and pedestrian accommodations on Griggs Street to coincide with the completion of the new Griggs bicycle/pedestrian bridge over Interstate 94. Existing bike lanes on Summit and Minnehaha would be connected via the improved Griggs route. As recommended in the draft *Bike Walk Central Corridor Action Plan*, Griggs will serve as a regional route and as an alternative to Lexington Parkway, which is too narrow to accommodate dedicated space for cyclists. Bicycle accommodations will include on-street bike lanes, bike/walk street elements, sharrows & wayfinding signage. Pedestrian accommodations will include pedestrian-level lighting and automated pedestrian detection, with flashers at key intersections.
- *Griggs Bridge Bike/Pedestrian Bridge over 94*: Replaced in 2008.
- *Western Avenue Streetscape from Selby to University*: Funded at \$1.425 Million to implement new curb and gutter, and traffic calming strategies such as bump-outs, new pedestrian level lighting, on-street bike lanes, landscaping, wayfinding, and bike racks.
- *Central Corridor Sidewalk Completion Fund*: funded at \$350,000 for 2011-2012 to incentivize the installation of new sidewalks in the West Midway area (sidewalk infill area shown on page 28 of the *Bike Walk Central Corridor Action Plan*).
- *Marshall Avenue Snow Plowing Pilot*: During the winter of 2009 – 2010, Public Works offered a trial program to ban parking several nights a week and plow snow to the curb, making Marshall accessible year-round. The pilot envisioned a winter priority bike network that would allow bicyclists to safely traverse the city in the winter. By designating key north/south and east/west streets such as Marshall as winter bike routes the idea is to clear snow more effectively to allow for the widest winter street possible.
- *University Avenue Streetscape*: On November 25, 2009, the City Council approved a finance and spending plan for additional streetscape improvements along University Avenue and in downtown Saint Paul as part of the Central Corridor LRT project. These streetscape improvements are needed to ensure that the LRT project meets its full potential to attract new investment and make the corridor more green and walkable.
- *Lafayette Bridge Reconstruction (with bicycle/pedestrian path)*: Project budget is \$185 million, with expected completion in 2014

- *Pierce Butler Route East extension*: Design Phase I and ROW Phase I funded at \$1.94 million.
- *Lexington Bikeway and bridges*: Funded at \$1.570 Million. Connect the proposed off-road bikeway on Lexington Parkway from Minnehaha to Jessamine. The off-road path and bridges would be widened to appropriate standards, and provide new lighting and signage.
- *Raymond Avenue Traffic Calming from University to Hampden*: Funded at \$190,000 for 2011.
- *Prior Avenue Bicycle Route Improvements*: Funded at \$53,000, this project would install bikeways with signage and markings on Prior Avenue from Summit Avenue north to University Avenue, and improving signage and markings on Prior Avenue from University Avenue north to Pierce Butler Route.

Design/Planning

- *Bridging the Gap report*: A Pedestrian, Bicycle, and Traffic Calming Plan for the St. Anthony Park and Prospect Park Neighborhoods, focusing on better connections on the bridges over Highway 280. (Produced by District 12)
- *5th and 6th Street Plan*: A capital improvement initiative to beautify 6 blocks of streetscape on 6th and 5th Streets in Downtown Saint Paul (Produced by the Saint Paul Design Center).
- *Trout Brook Regional Trail*: Planning is underway for the expansion of the Trout Brook Regional Trail from its existing location at Lake McCarron's County Park. The trail corridor will be expanded to the south and connect to the Mississippi River and Sam Morgan Regional Trail within the City's Lower Landing Park.
- *Trout Brook Boulevard*: This future street would connect to the new Lafayette Bridge, the River, Downtown Saint Paul, and the Trout Brook Regional Trail.

Education

- *Smart Trips Union Park*: funded at \$112,000. Smart Trips Union Park is a residential social marketing program which uses individualized techniques to get people out of their cars and choosing sustainable alternatives such as transit, biking and walking. The program targets the approximately 7,100 households in the Union Park neighborhood of St. Paul and contains several elements including materials outreach, events and evaluation. Smart Trips Union Park is the second program of this type conducted by St. Paul Smart Trips, the first being Smart Trips Summit-U which occurred over the summer of 2008.
- *Smart Trips Snow Shoveling Campaign*: In the winter of 2009 – 2010, Smart Trips created a website and informational door hanger campaign to help publicize sidewalk snow removal laws and resources for winter maintenance.
- *Smart Trips Saint Paul Greenway Committee*: An adhoc committee will develop a vision for a proposed extension of the Minneapolis Midtown Greenway across the Mississippi River east to Pascal Avenue and then south along the Ayd Mill corridor eventually connecting to the Sam Morgan Trail.
- *St. Paul Bike/Ped Bridges Work Group*: An adhoc committee will develop a vision for how freeway crossings in St. Paul should look and function for bicyclists and pedestrians.

Funding Being Pursued

- Citywide Bicycle Plan
- Dale Street Bridge Reconstruction over 94
- Replacement of Aldine Bridge Bike/Pedestrian Bridge over 94
- Replacement of Grotto Bridge Bike/Pedestrian Bridge over 94
- Replacement of Chatsworth Bridge Bike/Pedestrian Bridge over 94
- Replacement of Mackubin Bridge Bike/Pedestrian Bridge over 94



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City of Saint Paul: Overview of Central Corridor Affordable Housing Policies and Current Implementation Activities January, 2011

Central Corridor Opportunity

The construction of LRT represents a tremendous opportunity for Saint Paul to achieve both transportation and related community development benefits. The majority of the growth in housing and jobs citywide to 2030 is expected to take place along the Central Corridor. As the City has planned for this opportunity, there has been special attention paid to ensuring that this growth and change benefits the existing low-income and minority communities along the line. In terms of housing, this means there will be affordable housing available so these communities can take advantage of this major transportation improvement. There is a recognition that as the market heats up and new investment is attracted to the corridor, special efforts must be made to maintain housing affordability for the existing communities along the line to avoid gentrification that forces these households out of the area.

This document provides an overview of adopted City policy regarding affordable housing in the Central Corridor and a summary of current implementation activities.

Policy Overview

City policy regarding affordable housing along the Central Corridor LRT alignment is guided by the City's recently adopted *Housing Action Plan 2010-2013* (2010), *Housing Plan* (2010) and *Central Corridor Development Strategy* (2007). The later two are chapters of the City's Comprehensive Plan, while the former is an implementation work plan for the *Housing Plan*.

New construction of affordable housing: Both the *Housing Plan* and *Central Corridor Development Strategy* support the development of new mixed-income housing along Central Corridor in the area identified for redevelopment (the "area of change"), and preservation of existing affordable housing in the established neighborhoods along the corridor. The affordability goals for new construction housing along Central Corridor are those articulated in the *Housing Plan*, which apply citywide (detailed below under "Housing Plan").

Location and density of new housing: Both plans recommend focusing new housing development along transit corridors at higher density levels. These policies aid affordability. By locating new housing next to transit, it lowers the transportation cost burden, which is especially helpful to low income households. Constructing at higher densities lowers per unit land and infrastructure costs, which also promotes affordability.

Maintenance of existing affordable housing: There is a strong emphasis in the new *Housing Plan* on devoting more resources to maintaining existing housing and directing fewer resources to new construction. The subsidy required per unit to maintain existing affordable housing is significantly less than that required for constructing new affordable housing. Given limited public housing resources, reinvesting in existing affordable housing and home improvement makes the most of limited public

housing resources. Much of the existing housing along Central Corridor is already affordable, and the focus should appropriately be on maintaining the quality and affordability of that housing.

Housing Plan

Relevant policies:

Policy 1.2: Meet market demand for transit-oriented housing.

- a. Prioritize sites within a quarter mile of a transit route, such as along the Central Corridor (within the Area of Change) and other corridors, as well as those in high-amenity areas, such as Downtown and the riverfront.

Policy 3.1: Support the preservation of publicly-assisted and private affordable housing.

Policy 3.2: Support new housing opportunities for low-income households throughout the city.

Policy 3.3: Provide affordable housing in new production projects.

For City/HRA-assisted **new rental units**, at least 30 percent will be affordable to households earning 60 percent of the AMI, of which at least one third will be affordable to households earning 50 percent of the AMI, and at least one third will be affordable to households earning 30 percent of the AMI.

For City/HRA-assisted **new ownership units**, at least 20 percent will be affordable to households earning up to 80 percent of the AMI, and an additional 10 percent will be affordable to households at 60% of the AMI.

Housing Action Plan, 2010-2013

The Housing Action Plan 2010-2013 (HAP), adopted in November 2010, provides a report on the market context of City/HRA housing activities in 2010, and outlines for the 2010-2013 time period the implementation actions to be undertaken by the City/HRA. The HAP includes specific targets to be met in furtherance of the strategies and policies outlined in the *Housing Plan* and the Livable Communities Act. The HAP takes as given the policy set by the *Housing Plan*, including policies on the preservation and rehabilitation of existing affordable housing, the new construction of affordable housing, as well the emphasis on transit-oriented housing, in particular along and near the Central Corridor.

As can be seen on the attached map “**Multifamily housing projects, 2010-2013, version 2010,**” of the projected new production units within one-half mile of the Central Corridor, approximately 215 will be affordable to households earning 60 percent or less than the area median income. There are also an estimated 399 affordable units within affordable housing preservation projects located within one-half mile of the Central Corridor over the same period.

In regard to vacant housing activities being undertaken with the *Invest Saint Paul* initiative and Neighborhood Stabilization Programs, as of summer 2010, approximately 39 one- and two-family units have been acquired within Central Corridor neighborhoods (areas within one half mile of the Central Corridor), three of which are under rehabilitation now. An additional 19 properties have been landbanked for future residential uses within Central Corridor neighborhoods, with a remaining two (2) properties that may be rehabilitated or demolished. This data does not include the three larger (3) sites that could support new multifamily/mixed use residential development along Central Corridor (two of which are discussed in the **LAAND Program** description below).

Central Corridor Development Strategy (CCDS)

Relevant policies:

- **Principle 2: Benefit and Strengthen Diverse Communities along the Corridor** – “Change is both welcome and inevitable . . . must occur in a way that will enhance – not diminish or displace – the rich variety of distinct neighborhoods, cultures, and businesses here. The LRT should act as a catalyst for “lifting up” . . . promote new ways to diversify and preserve the existing housing stock for all income groups
 - **Objective 2.4: Help stabilize and support the retention and enhancement of area households under the threat of revitalization displacement.** Implement “stay in place and thrive” programs. . .
 - **Objective 2.5: Leverage LRT investment and related development to . . . foster wealth-building opportunities for existing residents.** Ensure options for living wage employment, job training, affordable housing (home ownership and rental) and business development opportunities.

Market opportunity identified in the CCDS:

- Market analysis indicates the potential for 11,000-14,000 additional housing units in five geographic market segments in the Corridor by about 2030. Half of them would be in the Downtown. (The University Avenue segments include about four blocks north and south of the Avenue.)

	Potential for Rental Units	Potential for Ownership Units
West End: Border-Fairview	2,400 - 3,100	750-1,300
Midway: Snelling - Lexington	700 - 850	375 - 550
East End: Dale - Rice	550-800	850-900
Capitol	150 - 200	-
Downtown	5,000-6,000	500-1,000
Totals (rounded)	9,000 – 11,000	1,750 – 3,000

- The projected market demand on the portion of the Corridor between the Capitol and the city’s western border with Minneapolis totals 5,250-7,000 or 250-300 units a year, with 2/3 of it expected to be in the area west of Snelling Avenue.
- According to City policy, 30% of the new rental units and 30% of the new ownership units developed with City/HRA assistance must be affordable at the levels specified in the *Housing Plan*.

Current Implementation Activities

Land Acquisition for Affordable Housing (LAAND) Program: The City received a \$2 million loan from the Metropolitan Council and Family Housing Fund to acquire sites for future development of affordable housing along Central Corridor. The concept for the program is to acquire property before land values escalate in response to the development of LRT. The City has acquired two properties: 255 and 1433 University Avenue. Both are former new car dealership properties.

- Pursuant to the loan agreements, the parcels must be land banked for at least one year.
- After consultation with applicable community groups, an RFP will be issued to seek interested developers to develop affordable housing on the sites. The sites must be developed within 5 years.

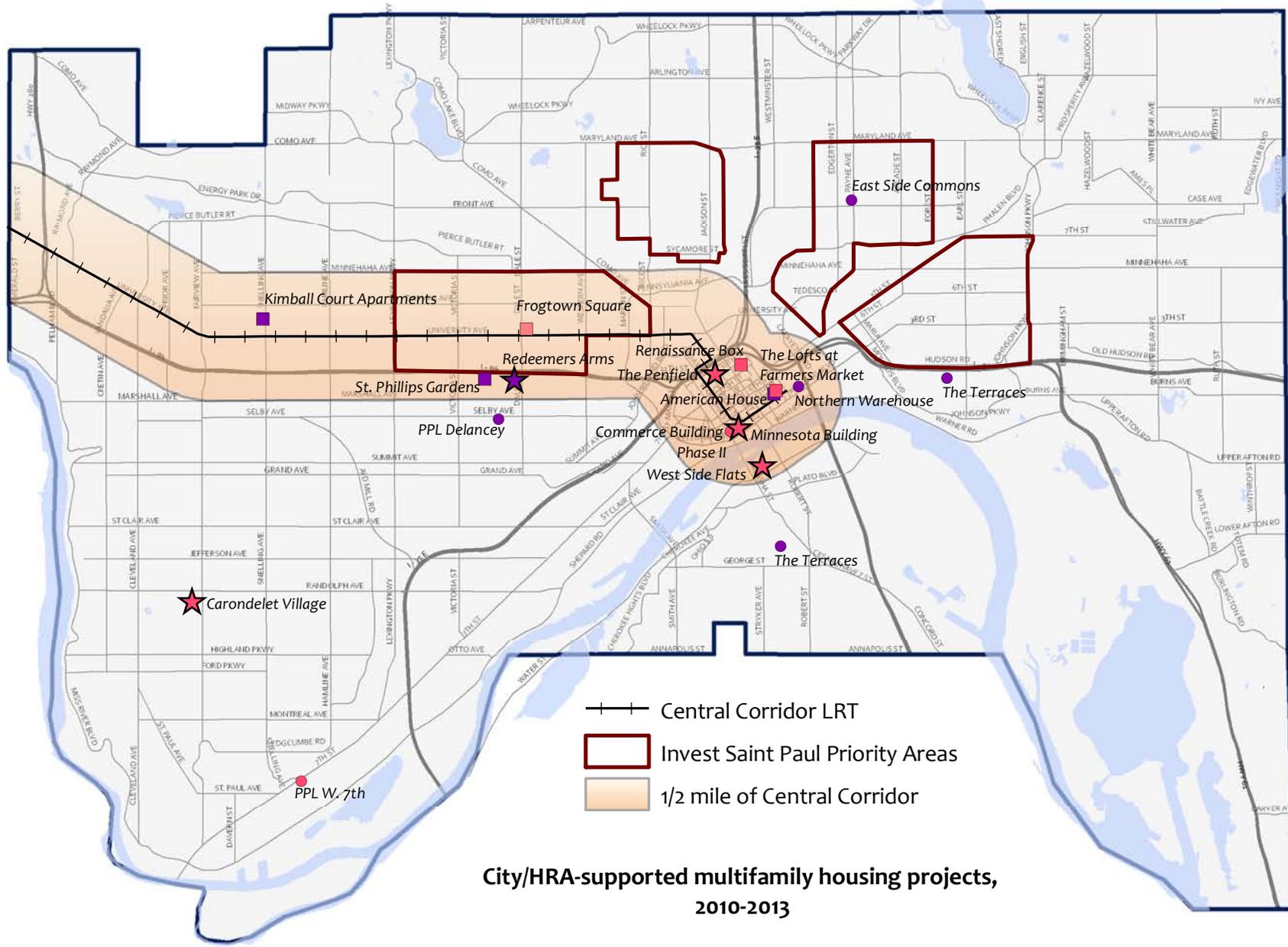
Invest Saint Paul/Neighborhood Stabilization Program: The City is devoting significant resources through the Invest Saint Paul and federal Neighborhood Stabilization programs to rebuild and maintain affordable housing in four target neighborhoods that have been hardest hit by the decline in the housing market and the foreclosure crisis. One of the four neighborhoods is located in the eastern end of the Central Corridor, between Lexington Parkway and Rice Street.

In August, 2007, the Saint Paul Housing and Redevelopment Authority (HRA) board approved the **Invest Saint Paul (ISP)** work plan and budget. The City earmarked \$25 million of Sales Tax Revitalization (STAR) ‘jumpstart’ funds for strategic projects aligned with the overall Invest Saint Paul goals, of which \$17 million was designated for ISP activities (primarily housing-related) managed by the Department of Planning & Economic Development.

In 2008 the federal Dept. of Housing and Urban Development created the **Neighborhood Stabilization Program (NSP)** and awarded funds for emergency assistance to state and local governments to acquire and redevelop foreclosed properties that might otherwise become sources of abandonment and blight within their communities. The City of Saint Paul received \$10.7 million in the first round of NSP funding in 2008. In early 2010, the City received an additional 18 million in NPS 2 funds. The target geography for NSP funds closely matches the ISP areas.

Central Corridor Zoning Study: The *Central Corridor Development Strategy* and accompanying station area plans recommend development of 11,000 – 14,000 new housing units along the Central Corridor. The City is undertaking a zoning study to create the zoning tools (through development of new regulations and the rezoning of properties) needed to achieve the kind of housing densities envisioned. Allowing increased densities will aid in the development of affordable housing. The zoning study is currently in the staff development phase, and is targeted for completion by June, 2011.

Examples of Recent Mixed-Income Housing Projects: Examples of housing projects built along the Central Corridor since 2003 with an affordability component are highlighted in the attached powerpoint slides. Examples of housing projects being rehabilitated or constructed along the Central Corridor with City/HRA support over the next several years are shown on the attached map from the Housing Action Plan, 2010-2013 (**Multifamily housing projects, 2010-2013, version 2010**).



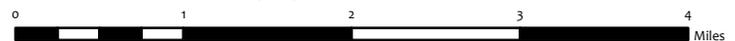
City/HRA-supported multifamily housing projects, 2010-2013

Preservation (Name; Total units; Affordable units)

- St. Phillips Gardens, 55, 55
- The Terraces, 35, 35
- PPL Delancey, 37, 37
- Northern Warehouse, 48, 48
- East Side Commons, 52, 52
- American House, 69, 69
- Kimball Court Apartments, 76, 76
- ★ Redeemers Arms, 151, 151

New Production (Name; Total units; Affordable units)

- ★ Minnesota Building, 137, 137
- ★ West Side Flats, 179, 36
- ★ Carondelet Village, 249, 45
- ★ The Penfield, 250, 0
- PPL W. 7th, 44, 44
- Commerce Building Phase II, 45, 45
- The Lofts at Farmers Market, 58, 0
- Renaissance Box, 70, 70
- Frogtown Square, 50, 50



Recent Mixed-Income Housing Projects Constructed Along Central Corridor



808 Berry Place - 2004



- Western edge of Saint Paul, near University & Highway 280
- 267 rental units; underground parking
- Near Westgate LRT station
- 30% of units affordable at 50% area median income
- Public financing - HRA bonds; tax credits, tax increment financing

Emerald Gardens - 2003



- Next to 808 Berry Place
- 212 ownership units in 4 buildings; underground parking
- Near Westgate LRT station
- Affordability: developer donation to citywide affordable housing fund
- Sale prices - \$180,000 - \$350,000
- Public financing: TIF

The Metro - 2006



- North of 808 Berry on University Ave.
- At Westgate LRT station
- 67 ownership units
- 6,000 sq. ft. retail
- 10 units affordable at 80% area median income
- Public financing: TIF

Carlton Place Lofts - 2007



- 169 units in three renovated historic warehouse buildings
- At Raymond LRT station
- Targeted to artists
- Affordability: 10% at 30% AMI; 10% at 50% AMI; 80% at 60% AMI
- Public financing: tax credits; HRA revenue bonds; historic tax credits; TIF

Cornelia House - 2005



- 47 senior apartments on Episcopal Homes continuing care campus
- At Fairview LRT station
- Affordability: 11% of units at 30% AMI; 11% at 50% AMI; 11% at 60- 80% AMI
- Public financing: taxable bonds; HOME

Carty Heights - 2007



- 50 units senior rental independent living
- Developed by Episcopal Homes
- Near Lexington LRT station
- Affordability: 72% of units at 30% AMI; 28% at 50% AMI
- Public financing: HUD 202; HRA grant for land costs

University and Dale Apartments - 2006



- 98 market rate and affordable rental units built over first floor public library
- At Dale LRT station
- Underground parking for library; parking level over library for housing
- Affordability: 10% of units at 30% AMI; 10% at 50% AMI; 60% at 60% AMI
- Public financing: 8 sources



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DATE: January 25, 2011

TO: Comprehensive Planning Committee

FROM: Anton Jerve and Sarah Zorn, PED staff

SUBJECT: Potential Application of Bonus Densities in T4 Zoning Districts

Background

Among the testimony at the public hearing were several comments suggesting that the City is “giving away” too much density and rather than having no density or height limits in T4 districts the City should consider limiting density and offer bonus density in exchange for public benefits, including affordable housing. Currently, Saint Paul only offers density bonuses in the B4 and B5 zoning districts for arcades, plazas and setbacks.

Issues

Market

Until the LRT line is built and the market improves it is unlikely that bonus densities would even be used. Market conditions need to be such that exceeding the maximum permitted density is desirable and profitable. To date, this has not been the case along University Avenue. Indeed, some projects have struggled to meet the 1.0 FAR minimum; elsewhere in the city, projects have struggled to meet the 0.5 FAR minimum in TN zones.

However, it can be argued that although bonuses may not be used today, it is best to establish them and an expectation for them now because it may be more difficult to establish them in the future given the way the code is written. In other words, if the city offers unlimited density for a period of time, it may create issues in the future to go back and “cap” density at a later date when the market is hotter. There may be validity to this argument if densities previously allowed by-right are changed to only be allowed with a bonus density. This could be construed as down-zoning to extract public benefits from property owners.

Limiting Density

When bonus density is used as an incentive, a maximum density must be established. The draft T4 zoning has no proposed maximum. The table below illustrates the continuum of density and height maximums among relevant zoning districts. A logical cap for T4 would fall within the 3.0 – 5.0 FAR range. For scale, most TN and TOD projects such as Emerald Gardens, 808 Berry, Frogtown Square, Upper Landing, and Oxford Grand all fall under 3.0 FAR.¹ From a policy perspective, the maximum FAR should allow for enough density to support TOD, while being low enough for bonus densities to be attractive to developers.

	T2	B3	T3	T4	B5	B4
Max FAR	2.0 – 3.0	2.0	3.0	?	5.0	8.0
Max height	35 (65 with CUP)	30	35 – 55 (90 with CUP)	75 (None with CUP)	None	None

Selecting Desired Benefits for Bonuses

The public testimony recommended allowing bonus density for affordable housing. In cities offering bonus densities, affordable housing is a common bonus option, however it is typically offered as one of a suite of several “public benefits” that are exchanged for bonus. Portland, OR for example had, until the code was recently revised, 18 different bonus options.² Best practices indicate that bonuses should be offered for a small number of public benefits that reflect the City’s most desired development goals and plan objectives. Too many bonuses are confusing to developers and difficult to administer for the municipality. Only offering one bonus may not allow enough flexibility in the program, would restrict potential benefits to the City, and would not allow developers more than one way to bonus in zones where several public benefits may be most needed. The table below shows potential candidates for density bonuses.

Public benefits identified in CCDS and station area plans and commonly used for density bonuses

Public Benefit	Justification	Note
Affordable housing	Supports City policy	Would need to address both ownership and rental
Right-of-way dedication	Provides new streets, wider sidewalks, and alleys identified in SAP's	Finished streets or just land?
Underground parking	Supports SAP goals	
Historic preservation	Supports SAP and HPC goals	Bonus for full building and façade preservation
Green/sustainable development	Supports City policy	Only for projects not already required to meet green policy
Parkland dedication contribution	Supports City policy, SAP goals	For \$ contributions above ordinance requirement

Choosing a Fair Bonus

Once the menu of potential public benefits to be allowed for bonus densities is selected, a reasonable bonus for each option has to be established. Ideally, the density bonus should off-set the cost of providing the benefit to such an extent that it brings the cost per square foot low enough to make providing the benefit worthwhile without the City “giving away” density. This can be a delicate balance. Portland hired a consultant to evaluate their bonuses and the extent to which their bonuses were either too high or low. It is recommended that if the City is to provide bonuses, the ordinance should be reviewed by experts to modify bonuses as needed.

Ease of Administration

Another consideration is ease of administration. The code should be written in such a way that bonuses are as discreet as possible and do not require ongoing monitoring by the City. Where monitoring is a necessity, such as for affordable housing, the City should use established, outside processes for monitoring.

Achieving Goals

Finally, the goal of offering bonus density should be providing quality public benefits. This entails only asking for those benefits that can be reasonably provided by developers. When bonus densities were originally written into zoning code, many municipalities (including Saint Paul’s current code) offered bonus densities for arcades and plazas. The vast majority of these spaces did not live up to the intent of the code and often were fenced off from the public. For this reason, whether or not bonus

densities are include for the T4 zone, it would be worthwhile to review and revise the bonus densities section of the Saint Paul zoning code. In any case, any bonus density code ordinance should be reviewed regularly to ensure it remains both effective and applicable.

Precedents

Bonus Densities in the Metro Area and Model TOD Areas

City	Location	Base FAR Max	Bonuses for
Saint Paul	Downtown	5.0 – 8.0	Plazas Arcades Setbacks
Minneapolis	TOD	2.5 – 3.0	Structured parking Affordable housing ³ 1 st floor commercial Other amenities (PUD)
Bloomington	TOD	2.0	1 st floor commercial Underground parking Plaza/Open space Affordable housing ⁴ Public art Sustainable design
Portland, OR	TOD	4.0	Housing Open space Eco-roof Day care Underground parking [additional bonuses by station area]
Arlington, VA	TOD	3.8 – 4.8	Affordable housing ⁵ Historic preservation Sustainable design
Austin, TX	TOD	2.0	Affordable housing [under development]

Recommendation

Allow density bonuses in T4 and revise bonus density section of the Zoning Ordinance with outside expert review. The revisions will include revised bonuses for B4, B5 & T4 districts including bonuses for the public benefits listed above and a base density limit for T4 districts.

Additional Resource

PAS Report Number 494: Incentive Zoning – Meeting Urban Design and Affordable Housing Objectives; American Planning Association, 2000

¹ Examples of floor area ratios along University: Griggs Midway building – 1.5; Chittenden & Eastman building – 4.02; Specialty Building – 3.1; Upper Landing – 2.83; 808 Berry – 2.5; Zimmerman Building – 1.0; Spruce Tree Center – 1.8; Old Home building 0.8.

² *Evaluation of Entitlement Bonus and Transfer Programs Portland's Central City: Report on Findings*, November 2007; <http://www.portlandonline.com/bps/index.cfm?a=177368&c=52119>

³ (b) *Bonus for affordable housing*. The maximum number of dwelling units and the maximum floor area ratio of new cluster developments and new multiple-family dwellings of five (5) units or more may be increased by twenty (20) percent if at least twenty (20) percent of the dwelling units meet the definition of affordable housing. (2002-Or-181, § 1, 11-22-02)

⁴ Affordable housing bonus. Developments including affordable housing as defined by the Metropolitan Council are eligible for bonus floor area. Three square feet of additional floor area is allowed per square foot of affordable housing unit floor area subject to the following requirements.

(i) The development agreement [shall] must include provisions ensuring that rental units receiving the bonus will continue to remain affordable for thirty years.

(ii) The development agreement [shall] must include provisions ensuring that owned units receiving the bonus will initially be sold at an affordable level and that mechanisms are in place to ensure that the owned units receiving the bonus will continue to remain affordable when resold in the future.

(iii) In no case may the affordable housing floor area ratio bonus exceed 1.0.

⁵ (a) Affordable Housing: When a project includes affordable dwelling units (ADUs), pursuant to the definition of ADUs in use by the County at the time of the application, or an equivalent cash contribution, the County Board may permit up to an additional 1.5 FAR of density, as set forth below:

i. For residential rental projects, ADUs shall be provided on-site as part of the Use Permit Project as a total of at least 10% of the gross square footage (GFA) of the bonus density permitted under this subsection 31.A.17.d (12)(a) when the required 10% of the GFA is equal to four thousand (4000) square feet or more.

ii. For all other projects, ADUs shall be provided on-site as a total of at least 10% of the gross square footage of the bonus density permitted under this subsection 31.A.17.D (12)(a), or the applicant shall make a cash contribution to the Affordable Housing Investment Fund of \$15.00 per square foot of the gross floor footage of the bonus density. The cash contribution will be indexed to the Consumer Price Index for Housing in the Washington-Baltimore MSA as published by the Bureau of Labor Statistics and shall be adjusted annually based on the January changes to such index for that year, beginning in January, 2010. Revised amounts apply only to Use Permit plans filed after the adjustment date. Amounts for the calculation of the cash option are established at the time the Use Permit application is filed. Bonus density permitted through a cash contribution shall be accommodated on-site and shall not be available to transfer to another site.

Report #4 in the series
Transitway Impacts Research Program

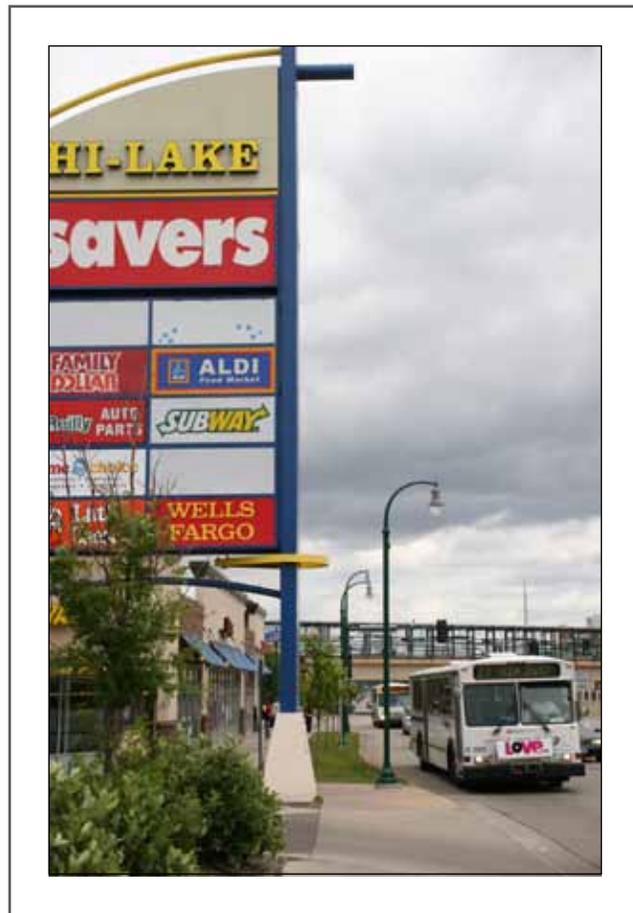
Program Sponsors:

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Impacts of the Hiawatha Light Rail Line on Commercial and Industrial Property Values in Minneapolis



CTS Report 10-05

Technical Report Documentation Page

1. Report No. CTS 10-05	2.	3. Recipients Accession No.	
4. Title and Subtitle Impacts of the Hiawatha Light Rail Line on Commercial and Industrial Property Values in Minneapolis		5. Report Date June 2010	
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7. Author(s) Kate Ko and Xinyu (Jason) Cao		8. Performing Organization Report No.	
9. Performing Organization Name and Address Humphrey Institute of Public Affairs University of Minnesota 301 19 th Ave. S. Minneapolis, MN 55455		10. Project/Task/Work Unit No.	
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15. Supplementary Notes http://www.cts.umn.edu/Publications/ResearchReports/			
16. Abstract (Limit: 250 words) Metropolitan Council has proposed a network of dedicated transitways in its 2030 Transportation Policy Plan to coordinate transportation and land use development and ultimately manage congestion. Since transitways require substantial funding from federal, state, and local governments, the public is interested in knowing if transitway investments bring about meaningful economic benefits to local communities. In this report, we analyzed the impact of proximity to Hiawatha light rail line stations on sales prices for commercial and industrial properties. We applied a linear hedonic pricing model on the 2000-2008 sales data spanning before and after completion of the line (2004). We expect the findings will illuminate questions about light rail transit's economic benefits. They can provide evidence for transit agencies to justify transitway investments and address concerns of local developers and lenders regarding economic benefits of transitways.			
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Impacts of the Hiawatha Light Rail Line on Commercial and Industrial Property Values in Minneapolis

Final Report

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Humphrey Institute of Public Affairs
University of Minnesota

June 2010

Published by:

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Minneapolis, Minnesota 55455

This report represents the results of research conducted by the authors and does not necessarily reflect the official views or policies of the Center for Transportation Studies, the University of Minnesota, or the sponsoring organizations of the Transitway Impacts Research Program.

The authors, the Center for Transportation Studies, the University of Minnesota, and the sponsoring organizations of the Transitway Impacts Research Program do not endorse products or manufacturers. Any trade or manufacturers' names that may appear herein do so solely because they are considered essential to this report.

EXECUTIVE SUMMARY

The 2030 Transportation Policy Plan developed by the Metropolitan Council identifies several potential transitway corridors for the Twin Cities metropolitan area. Because these transitways are major transportation investments, it is imperative to know whether they bring measurable economic benefits. Urban economic theories state that a relative increase in accessibility tends to boost the values of nearby properties because the demand for highly accessible locations drives up the bid for the locations. As a companion work on residential property led by Dr. Ed Goetz, this study investigates the impact of proximity to transitways on the values of commercial and industrial properties. Through a case study of the Hiawatha Light Rail Line, this study aims to address the following question: How does the proximity to light rail stations impact the values of properties along the corridor?

The study examines the first operational section of the Hiawatha Line, a 12-mile section of light rail line connecting downtown Minneapolis, Minnesota, to its southern suburbs. Using the 2000-2008 property sales data, we applied a linear hedonic pricing model to isolate the value-added impact of the proximity to light rail stations, while controlling for other key factors that determine commercial and industrial property values. These factors include those related to property structural characteristics, access to transportation network, agglomeration economy, prestige of location, and access to labor pool. We developed two models: one for one-mile station area and the other for a sub-region.

According to the model for the sub-region, we did not find a statistically significant impact of the Hiawatha Line on property values in the sub-region. Therefore, the impact of the light rail line, if any, tends to be along the line. The station area model showed that the Hiawatha Line has increased the demand for commercial and industrial properties along the corridor; properties closer to light rail stations were sold at higher prices and the benefits of the Hiawatha Line extended nearly a mile from stations.

Overall, the Hiawatha Line has increased the values of commercial and industrial properties within a one-mile radius of light rail stations. However, this study is unable to tell whether the increases along the line represent generative economic benefits or the increases are at the expense of losses in other areas in the region.

Report #2 in the series Transitway Impacts Research Program

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The Hiawatha Line: Impacts on Land Use and Residential Housing Value



CTS Report 10-09

Technical Report Documentation Page

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4. Title and Subtitle The Hiawatha Line: Impacts on Land Use and Residential Housing Value		5. Report Date February 2010	
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7. Author(s) Edward G. Goetz, Kate Ko, Aaron Hagar, Hoang Ton, Jeff Matson		8. Performing Organization Report No.	
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		14. Sponsoring Agency Code	
15. Supplementary Notes http://www.cts.umn.edu/Publications/ResearchReports/			
16. Abstract (Limit: 250 words) <p>This report presents the results of an examination of the economic and land-use impacts of the Hiawatha Light Rail Line. Specifically, the report contains findings on the impact of the line on residential property values, housing investment, and land-use patterns. Property value impacts were determined through the creation of a hedonic pricing model for single-family and multi-family residential properties within a one-half mile radius of the Hiawatha Line stations. Price trends within station areas were examined both prior to and after completion of the Hiawatha Line in 2004 and in comparison to a control area of southeast Minneapolis. Housing investment trends were investigated through an examination of building permit data, also broken down into pre- and post-construction periods. Land use patterns were examined through analysis of the Metropolitan Council's seven-county land use data base. The findings indicate that construction of the Hiawatha Line has had a positive effect on property values within station areas. The effect is limited to the west side of the line; on the east side a four-lane highway and a strip of industrial land uses intervenes and eliminates any positive impact of the line. Results also show a high level of residential investment (as measured by dollar value of the investment) within station areas compared to the control area. No changes in land use patterns were detected since completion of the light rail line. This study demonstrates that completion of the Hiawatha Line has generated value and investment activity in the Minneapolis housing market.</p>			
17. Document Analysis/Descriptors Transitways, Guideways, Light rail transit, Economic impacts, Property values		18. Availability Statement No restrictions. Document available from: National Technical Information Services, Springfield, Virginia 22161	
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The Hiawatha Line Impacts on Land Use and Residential Housing Value

Final Report

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Executive Summary

The \$715 million Hiawatha Light Rail Line opened in 2004, running between downtown Minneapolis and the Mall of America in Bloomington. The line is the first major investment in the Twin Cities region in what planners and public officials are envisioning as a comprehensive network of transitways to include a mix of light and heavy rail and Bus Rapid Transit. This report presents the finding of a study of economic impacts resulting from the construction of the Hiawatha Line.

Three major research questions are investigated:

- RQ1. What are the impacts on property values of proximity to a Hiawatha Line station?
- RQ2. How have land-uses changed around the Hiawatha transit stations?
- RQ3. What are the impacts of the transit stations on the level of housing investment within the corridor?

Research question 1 focuses on the impact of the line on the real estate market. Using tax assessor's data we examine trends in residential property sales before and after development of the Hiawatha Line. The assessor's data provides data on most recent sales prices as well as detailed information on property attributes. The data allow us to control for a range of variables that determine sales value in order to isolate the impact of proximity to a transit station. We examine home sales from 1997 to 2007, both within station areas and in the larger southeast Minneapolis housing sub-market which we use as a control group. We use 2004, the year the Hiawatha Line completed construction, as the break point between pre- and post-LRT. Thus, we utilize a "pretest-posttest with comparison group" design.

The second research question is an examination of how land-uses have changed around Hiawatha stations. We develop several measures of the land-use characteristics within station areas utilizing data from the Metropolitan Council covering a period between 1984 and 2005. In this analysis we focus our attention on an area defined by a ¼ mile radius from the stations. We also describe the planning efforts of the cities of Minneapolis and Bloomington that have led to rezoning to accommodate land-use changes.

The third research question focuses on the degree of investment in the housing stock that may have been induced by the Hiawatha Line. In this analysis we utilize data on construction permits issued within the city of Minneapolis from 2000 to 2007. We compare the rate and value of permits over the eight-year period, comparing station areas to comparison areas more distant from the Hiawatha Line stations.

The 17 Hiawatha Line stations are located in a diverse set of neighborhoods. The downtown Minneapolis station areas from the northern terminus (Warehouse district station) to the Downtown East/Metrodome station have little land-use diversity, being dominated by commercial land uses and having very few residential properties. The downtown stops are typically destinations for those travelling on the Hiawatha Line.

The neighborhood corridor of the line stretches from the Cedar Riverside station on the north to the V.A. Medical Center station to the south. These station areas have a greater mix of land uses

(especially the Franklin and Lake Street stations) that become more residential as one moves south along the line. The neighborhood corridor stations are primarily origin stations; most of the riders using these stations begin their LRT trips at these stations. There are significant differences in the demographic (and housing stock) profiles between the Cedar Riverside and Franklin Avenue stations in the northern section of the neighborhood corridor and the stations from 38th Street south to the V.A. The northern stations have greater levels of racial diversity, lower incomes, and more multifamily housing compared to the southern stations in the neighborhood corridor. The Lake Street station occupies a middle ground both geographically and demographically.

The third identifiable subset of station areas along the Hiawatha Line is made up of the Fort Snelling station and the two airport stations. These station areas are surrounded by institutional land uses with no residential properties.

Finally, the southernmost stations of the line are in the city of Bloomington and are surrounded primarily by commercial properties, including the Mall of America. In general, the institutional and commercial station areas at the southern end of the line are destination stations (the 28th Street station is a notable exception, having park and ride facilities nearby).

Key Findings

- Single family homes sold within a half-mile radius of the station areas along the neighborhood corridor are 16.4 percent lower in price before 2004 than homes sold in the larger southeast Minneapolis sub-market. After 2004, single family homes within station areas sold for 4.2 percent more than homes in the comparison area.
- There is a significant accessibility effect for single family residential properties located within station areas west of the Hiawatha Line. Location closer to the LRT stations is associated with higher property values, an effect that extends beyond a half-mile. There is also a negative, nuisance effect for properties that are close to the LRT tracks. This effect is of a smaller magnitude than the positive, accessibility effect.
- Properties on the east side of the Hiawatha Line do not benefit from proximity to the line. This is likely due to the intervening effect of the four-lane Hiawatha Avenue and the strip of industrial land use immediately adjacent to the highway on the east. The combination of these pushes the nearest residential property close to 200 meters away from the LRT line and its stations. Furthermore, the large industrial structures create a visual barrier between the residential properties on the east and the Hiawatha Line.
- Development of the Hiawatha Light Rail Line has produced an average \$5,229 price premium per single family home in the station areas. This translates to an aggregate increase in home value of \$18.3 million for houses that sold in the station areas since 2004. Applied to all single family homes in the station areas, the Hiawatha Line has produced an aggregate premium of \$29.4 million.
- Properties with multifamily housing located within station areas have also benefitted from development of the Hiawatha Line. West of Hiawatha, proximity to LRT stations is associated with an increase in value of roughly \$350 per meter. As with single family properties, there is also a smaller nuisance effect associated with proximity to the tracks. The positive accessibility effect, however, is of a greater magnitude than the nuisance

effect, producing an overall price benefit for multifamily properties. As with single family properties, these patterns are not repeated east of the Hiawatha Line.

- Development of the Hiawatha Light Rail Line has produced an average \$15,755 price premium per multifamily property in the station areas. This translates to an aggregate increase in property value of \$6.9 million for multifamily properties that have sold since 2004. Applied to all multifamily properties in the station areas, the Hiawatha Line has produced an aggregate premium of \$17.7 million.
- All told, the development of the Hiawatha Line has resulted in a combined price premium of \$25.2 million for residential properties sold after 2004 in the station areas from Cedar Riverside on the north to the V.A. Medical Center to the south. When applying the increase in value to all residential properties along Hiawatha's neighborhood corridor, the LRT line has produced an increase of \$47.1 million in residential property value between 2004 and 2007.
- There has been a significant amount of new housing construction immediately adjacent to the Hiawatha Line since 1997; 183 percent more than would be expected given rates of new construction throughout the southeast Minneapolis sub-market. Aerial photographs show fill-in construction of parcels adjacent to the line that had been kept vacant to accommodate potential widening of Hiawatha Avenue. In total, there were 67 residential properties constructed within 300 feet of the light rail tracks after funding for the Hiawatha project was announced in 1997.
- An analysis of building permits from 2000 through 2007 shows little difference between the number of building permits for station areas and for the larger sub-market comparison area. Three exceptions to this pattern exist; permit activity within a quarter mile of the Franklin Avenue station, the Lake Street station, and the V.A. station were all well above the sub-market rate for the 2000-2007 period. It is notable that station-area planning and rezoning efforts by the City of Minneapolis were completed first for the Franklin Avenue and Lake Street station areas. The greater rate of investment reflected in permit activity may be a result of completed planning processes in those station areas.
- When analyzed by value, permitting activity along the neighborhood corridor accounted for 6 percent of aggregate residential value at the quarter mile scale, compared to 4 percent for the larger sub-market comparison group. This suggests that station areas saw larger-scale building activity than the comparison area for the 2000-2007 period.
- There has been little systematic effect of the Hiawatha Line on the land-use patterns of station areas. Measures of vacancy and undeveloped land, land-use intensity, land-use type, and diversity show modest levels of change over an extended period of time from 1984 and 2005. The changes that have occurred since 2000, however, are indistinguishable in scale or pattern from those that occurred in previous years. Our data on land use extends only to 2005, just one year after opening of the Hiawatha Line. It is likely that greater land-use changes may occur in the future.

Attachment J

Alleys in the Central Corridor Frequently Asked Questions for TN Zoning Study (January 14, 2011)

Why would we want to change how alleys function near the Central Corridor?

The main reasons alleys are being discussed in the CC area are the loss of 85% of on-street parking on University Avenue and the potential for redevelopment of parcels along University Avenue as a result of light rail transit. The loss of on-street parking means that property and business owners need ways to increase access to off-street parking without increasing curb cuts on University, and alleys and side streets provide a convenient solution. Alleys are also an important element of redevelopment projects, since new developments along University will need to address a unique set of access issues.

Where did the idea of expanding the use of alleys come from?

Alleys were discussed as a way to reduce curb-cuts along University Avenue and access off-street parking in the *Central Corridor Development Strategy* (CCDS), which was adopted in October 2007.

Saint Paul may wish to introduce policies through its station area plans and Zoning Ordinance that restrict the amount of surface parking and number of curb cuts along the Corridor in favor of parking access via side streets and shared alleys. This will help to create a continuous street frontage, minimize conflict between pedestrians and cars, and maximize convenient on-street parking to support local businesses. (p. 88)

The CCDS's six Development Types (section 3.3) includes discussion of alleys in distinct development scenarios, including in the case where the alley separates residential and commercial uses and should be used for access to parking and servicing: "Preserve and extend existing alleys ... as important access routes for parking and servicing. Where alleys are shared by residential uses, minimize disruption for those uses" (p. 51).

The "Moving Forward" chapter of the set of seven Central Corridors station area plans adopted in October 2008 contains similar recommendations on alleys (p. 17) and begins to discuss how alley improvements might be funded (p. 18).

How are alleys addressed in current planning work?

In the "Mitigating the Loss of Parking in the Central Corridor" staff report (April 2009) and Central Corridor Parking Policy Recommendations (November 2010 draft), **alleys are seen as a key element in creating parking solutions**. The policy recommendations include implementation steps for Corridor-wide parking solutions related to alleys, like improving the residential-commercial alleys by:

- exploring ways to improve ongoing maintenance and cleanup of both sides of the alleys in the Central Corridor,
- centralizing and sharing refuse and recycling services, and
- directing Public Works to maximize width when repaving alleys.

The TN zoning text amendments propose **setbacks from alley centerlines for new commercial developments**, to help ensure that alleys have enough room for delivery vehicles, passing, and backing out of parking spaces. Additionally, the amendments will further explore additional design requirements for the alley interface for new commercial developments across from residential uses to ensure appropriate buffering/screening along shared alleys.

The draft Hamline, Victoria, and Western Station Area Plans recommend **improving the condition, maintenance, and character of alleys** in all three station areas through enhanced paving, pedestrian lighting, integrated stormwater management features, rear business entrances, and public art. The Western Station Area Plan additionally recommends **reestablishing partially vacated alleys** (particularly between Arundel and Mackubin) and, over time, **establishing shared circulation routes** to the rear of the blocks that currently lack alleys by reconfiguring driveways and parking lots (on the north side of University, between Galtier and Western).

What are the potential benefits of shared-use alleys?

- Fewer conflicts with pedestrians along University Avenue due to the need for fewer curb cuts
- Opportunity to better coordinate services, like trash pick up, snow plowing, etc.
- Possibility of grant-funded alley improvements to benefit all users
- More users and eyes on the alley to improve safety and maintenance
- Potential to share costs of lighting and recycling services

What are the potential drawbacks of shared-use alleys?

- Increased traffic
- Potential for conflict between residential and commercial users, who may have different expectations, needs, hours, etc.

What does City Code say about alleys?

Alleys are public right-of-way and shall not be obstructed or built upon (Section 106.01). Alley construction and reconstruction costs are 100% assessed to the benefitting owners (Chapter A-8 – Special Assessment Policy). Property owners along alleys that are maintained (i.e. patched, etc.) pay an alley maintenance fee set by the City Council as part of its annual budget process, after a public hearing, published notice, and mailed notice (Section 62.01). Some alleys are unpaved (gravel) and are not maintained by the City so are therefore not assessed a maintenance fee. There are gravel alleys in existence along University Avenue. The City does not plow snow in alleys. Property owners coordinate and pay for alley snow plowing on each block.

How would alley improvements be funded? Will residents have to pay for alley improvements?

St. Paul PED has been awarded \$350,000 in CIB (Capital Improvement Budget) funding that would allow the City to repave up to ten blocks of alleys, \$100,000 for residential buffering in other funding to create a grant program for business owners, and fund work crews.

What might alley improvements look like?

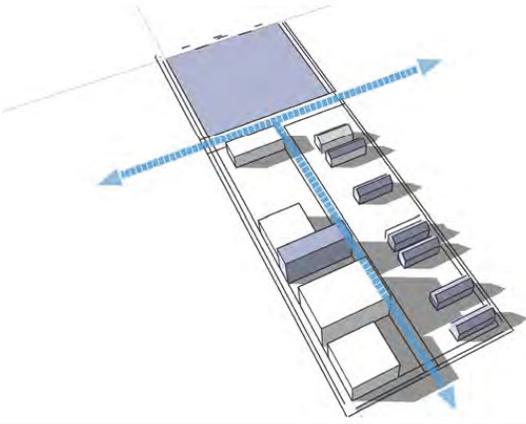
Example from the Western Station Area Plan (pending approval)



FIGURE 4.7 - Murals created by local artists such as this example along Grand Avenue (top left) can help to enhance the image of the alleys. Enhanced metal halide lighting such as in this example from Chicago (top right) creates a brighter, more natural light making it easier to see and enhancing user safety. The before and after photos of this alley in Chicago (bottom) illustrate the results of their Green Alley program and demonstrate how permeable surfaces can reduce water runoff issues while enhancing the image and character of the alley.

Design principles from the Parking Solutions Design Workshops (October 2009)

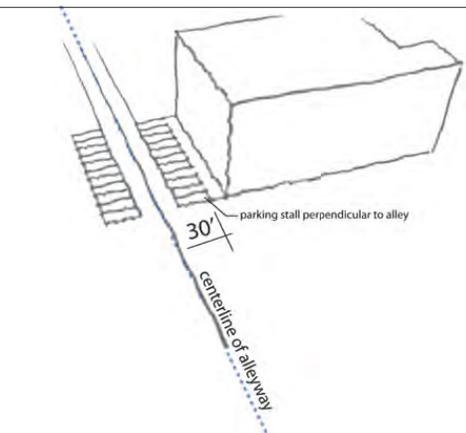
CIRCULATION



Internal Circulation

- Minimum width for new alleys= 24'
- Alleys are to be either T or L-shaped if they do not run parallel to the length of the block
- Alleys are to be utilized for deliveries and access to the rear of buildings fronting University Avenue
- Where possible, alleys may serve as parking lot driveways, reducing drive lane redundancy
- Alleys provide secondary circulation routes

ALLEY PARKING



Alleys: Parking

- 30' offset from alley centerline allows for perpendicular parking spaces.
- Maximize alley ways for circulation, access, and parking opportunities
- Agreements with residential properties may increase available space for parking thereby creating double loaded parking in alley way.
- Parking opportunity for employees and customers
- Opportunity to organize rear parking spaces for improved safety and visibility

ALLEY EDGE



Stabilize the Residential Alley Edge

- Garage Improvements
- Fence
- Lighting
- Dumpsters
- Parking Courts or parking pads

city of saint paul
planning commission resolution
file number _____
date _____

Central Corridor and Traditional Neighborhood Zoning Study

WHEREAS, the direction for the Central Corridor and Traditional Neighborhood zoning study came out of the *Central Corridor Development Strategy* (CCDS), adopted in October of 2007, and the creation of the Central Corridor Overlay District in April of 2008. The study was designed to meet goals in the CCDS by facilitating higher density development, a reduced demand for parking and more of a pedestrian- and transit-oriented environment. The study began in the spring of 2010; and

WHEREAS, throughout the summer of 2010, four public open houses and several stakeholder meetings were conducted to elicit comments on draft staff recommendations for property rezonings and proposed text amendments; these comments were considered in making additional revisions to the draft recommendations. Notification of the open houses was posted on the project website, distributed through the District Council Liaison and sent to the ENS list. In addition, letters were sent to all property owners within the study area notifying them of the open houses on August 24, 2010 and August 26, 2010 (these events were designed to solicit comment on individual property rezonings); a second letter was sent to property owners notifying them of the public hearing dates and the specific zoning change proposed for their property, and was followed up with a reminder postcard; and

WHEREAS, the Planning Commission, on October 8, 2010, released a draft of the Central Corridor and Traditional Neighborhood Zoning Study Report for formal public review and set public hearings for November 19, 2010, and December 3, 2010; and

WHEREAS, a public hearing notice was published in the Pioneer Press for three consecutive weeks pursuant to Minnesota Statutes § 462.357, Subd. 5 and sent to the early notification list and other interested parties; and

WHEREAS, a public hearing on Central Corridor and Traditional Neighborhood Zoning Code text amendments was conducted by the Planning Commission on November 19, 2010, and a public hearing on property rezonings was conducted by the Planning Commission on December 3, 2010, at which all persons present were allowed to testify; and

WHEREAS, the written record was left open until December 6, 2010, at 4:30 p.m.; and

WHEREAS, at the November 19, 2010, hearing twenty-seven people spoke and at the December 3, 2010, hearing seventeen people spoke. A total of thirty-four letters of comment were submitted; and

WHEREAS, the Planning Commission referred the proposed amendments to the Comprehensive Planning Committee for consideration of the public testimony and possible revisions to the proposed recommendations; and

WHEREAS, the Comprehensive Planning Committee discussed the comments, proposed code amendments and proposed property rezonings at five meetings held in December 2010, and January and February, 2011, and forwarded its recommendation to the Planning Commission; and

WHEREAS, the Planning Commission considered the public testimony and the recommendations of the Comprehensive Planning Committee; and

WHEREAS, the text amendment and property rezoning recommendations are consistent with the Central Corridor Development Strategy and station area plans adopted as part of the Saint Paul Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends to the Mayor and City Council approval of the Zoning Code text amendments and property rezoning recommendations contained in the *Central Corridor and Traditional Neighborhood Zoning Study report and recommendations*, dated February 25, 2011, with the following key conclusions / recommendations:

1. A mixture of Industrial and Traditional Neighborhood zoning districts, including the newly created Traditional Neighborhood 4 zoning district, is appropriate for most of the Central Corridor Study Area to bring it into general compliance with the Comprehensive Plan. Recommended changes to the requirements for the existing Traditional Neighborhood zoning districts will better fit existing market conditions, while still facilitating improved market performance.
2. Existing auto body, auto repair and auto specialty uses should be allowed to remain and expand similar to conforming uses within the Corridor, although new auto body, repair and specialty uses should not be allowed. This is appropriate given the viability of these businesses, their importance as neighborhood services and reflects the general wishes of the community.
3. Industrial zoning generally found between Prior and Hampden, and in several other select locations, should be maintained. This is appropriate given the distance from light rail transit station areas, the viability of existing businesses and industries, and reflects the general wishes of stakeholders.
4. Additional job-producing commercial uses should be added to TN districts, including: business sales and services and mail order house as permitted uses, and reception halls as conditional uses.
5. Some auto-related uses should be added as conditional uses in the IR (industrial restricted) district along University Ave. (but not citywide), including: auto service station, auto repair, and auto body shop, subject to additional conditions.

moved by _____
seconded by _____
in favor _____
against _____

6. Minimum parking requirements in TN districts within ¼ mile of University Avenue should be eliminated and paired with a system of permit and time-limited parking along the corridor, allowing businesses and developers to determine how much parking is needed for the proposed uses.
7. Minor revisions to TN design requirements are recommended that: allow more contemporary architecture; emphasize the importance of building entrances along streets; and require better design for structured parking facilities.
8. Recommended property rezonings are generally within the “area of change” as determined by the CCDS and station area plans and involve 813 parcels constituting 542 acres. Approximately 80% of the uses will remain conforming, 15.4% will become nonconforming, 3.3% will become conforming, and 1.5% will remain nonconforming.
9. TN zoning will significantly expand development capacity along the corridor, enhance the design of new development, and require appropriate transitions to adjacent low-density residential neighborhoods.
10. These new zoning requirements should entirely replace the existing Central Corridor Overlay District (Sec. 67.700 of the Zoning Code), which is set to expire on June 20, 2011; and

BE IT FINALLY RESOLVED, that the Planning Commission thanks the neighborhood residents, property and business owners, district councils and various stakeholders for their involvement, comments and assistance throughout the study process in soliciting input and providing feedback.