

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

Minutes December 20, 2019

A meeting of the Planning Commission of the City of Saint Paul was held Friday, December 20, 2019, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. Lee, Reveal, Underwood; and Messrs. Edgerton, Hood, Lindeke, Ochs, Oliver, Perryman, Rangel Morales, Rodriguez, and Vang.

Commissioners Absent: Mmes. *Anderson, *DeJoy, *Grill, *Mouacheupao, and Messrs. *Baker, *Khaled, and *Risberg.

Absent: *Excused

Also Present: Luis Pereira, Planning Director; Allan Torstenson, Bill Dermody, Anton Jerve, Kady Dadlez, Emma Siegworth, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes November 15, 2019.

MOTION: *Commissioner Rangel Morales moved approval of the minutes of November 15, 2019. Commissioner Vang seconded the motion, which carried unanimously on a voice vote.*

II. Chair's Announcements

Chair Reveal reminded the commissioners that when a quasi-judicial decision on a zoning case is being considered by the Planning Commission, they must avoid ex parte communication with parties to the case outside of the official public hearing process.

Commissioner Lindeke asked her to explain what ex parte communication is.

Chair Reveal said it is any conversation with anybody involved with the case. To be safe any conversation with anybody about a pending case that has not yet been decided. There was a situation with the past Zoning Committee meeting where one of the participants in the hearing wrote to a Commissioner after the fact outside of the public hearing, and that information was sent to all the Commissioners. However, after the public hearing is closed, we are not allowed to consider any other materials. We need to be careful about which cases you're talking to friends and colleagues about. In general, don't do it until after the Committee has made a decision.

III. Planning Director's Announcements

Luis Pereira announced that staff received a second incomplete letter from the Met Council about our 2040 Comprehensive Plan. They are looking for more in the transportation and water resources base, and had questions about truck routes, freight, transitways and how they are being

shown on some of the maps. We're working on making those updates and clarifying a few points with the Met Council staff. The final submittal to Met Council is forthcoming shortly.

Wednesday at City Council the Climate Action & Resiliency Plan was adopted 7-0. There was discussion about equity and accessibility of programs, and comments about community solar gardens and ensuring our workforce is trained and up to speed on doing installation work.

Also, on Wednesday several members on the Planning Team hosted about 20 Lego League students from Washington Tech and Farnsworth Aero Space Schools. The students were interested in city shaping and innovation with their team work. They were given a presentation about city planning, development, the Grand Round, the Ford site, and sustainability. The students had an interest in parks and parks accessibility.

IV. Zoning Committee

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

OLD BUSINESS

#19-097-759 2525 W 7th Coffee Shop Drive-Thru – Conditional use permit for coffee shop drive-thru sales. 2525 W. 7th Street, NE corner at Davern. *(Emma Siegworth, 651/266-6657)*

MOTION: *Commissioner Edgerton moved the Zoning Committee's recommendation to approve the conditional use permit subject to additional conditions. The motion carried 11-1 (Rangel Morales) on a voice vote.*

NEW BUSINESS

#19-102-522 Ramsey County Safe Space – Conditional use permit for an overnight shelter. 160 Kellogg Blvd. East, SW corner at Jackson Street. *(Bill Dermody, 651/266-6617)*

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

#19-101-117 Brad Graves – Rezone from RT2 townhouse residential to RM2 multiple family residential. 1035 Arkwright St. between Lawson and Cook. *(Bill Dermody, 651/266-6617)*

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

#19-100-305 Angie Byboth-Malmin Permanent Makeup Shop – Change of nonconforming use from acupuncture clinic to permanent makeup shop. 236 Cretin Avenue S., NE corner at St. Clair. *(Mike Richardson, 651/266-6621)*

In response to a question from Commissioner Ochs about the difference between a tattoo parlor and a permanent makeup shop, Commissioners Rodriguez and Hood said that permanent makeup is not permanent. It needs to be redone every few months.

Commissioner Perryman asked if a tattoo parlor is allowed at this location.

Allan Torstenson, PED staff, said that the site is zoned residential, so these are nonconforming uses. The question before the commission is whether the proposed permanent makeup shop is similar to the previous nonconforming use. There was a lot of information in the application about the number of chairs, the amount of traffic, and customers coming by appointment only.

MOTION: Commissioner Edgerton moved the Zoning Committee's recommendation to approve the change in nonconforming use. The motion carried unanimously on a voice vote.

#19-103-405 Outfront Media LLC – Nonconforming use permit and variance to change the angle of the east billboard face. 2516 Wabash Ave. west of Hwy 280. (Anton Jerve, 651/266-6567)

Commissioner Underwood asked when other billboards will be required to be removed for this one to be converted to dynamic display.

Anton Jerve, PED staff said that would be done as part of the sign permit, and the signs to be removed would be verified. The Zoning Code lays out the requirements for this. They can get credit for signs that they have taken down one year prior to the sign permit application and two months following the issuance of the permit.

Commissioner Rangel Morales said that many of the billboards to be removed in this case are smaller billboards scattered throughout neighborhoods. The removal requirement is based square footage, not the number of signs. Dynamic displays may change no more than once every twelve seconds. Based on the information received, this has not been shown to be a traffic safety issue. It would be interesting to compare accident rates at this intersection it in a few years.

Chair Reveal said that they all agreed that this intersection needs to be addressed, but the sign appears to be a small issue.

Commissioner Edgerton reported from his notes that the sign in question is 14 feet by 48 feet. They estimate that 28 smaller signs and 3 larger signs would be removed.

Commissioner Ochs said he is generally opposed to billboards (especially ones with dynamic display) because they're a blight on our neighborhoods, but this is a solid exchange and removing billboards in neighborhoods might be worth it.

Commissioner Lindeke said he agrees with Commissioner Ochs. While billboards are no longer permitted in St. Paul, you still see them all over the city. This is a case where there is a tradeoff, swapping out a lot of things not liked for one thing not liked.

MOTION: Commissioner Edgerton moved the Zoning Committee's recommendation to approve the nonconforming use permit and variance subject to additional conditions. The motion carried unanimously on a voice vote.

#19-103-464 337 W 7th/366-372 Smith Rezoning – Rezone from T2 to T3 traditional neighborhood. 337 W. 7th and 366-372 Smith Avenue, Block bounded by Smith Avenue, 7th Street, Leech Street, and Grand Avenue. (Anton Jerve, 651/266-6567)

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

#19-103-475 337 W. 7th/366-372 Smith CUP & Variances – Conditional use permit for a maximum building height of 75 feet, variance to increase the maximum floor area ratio (FAR) from 3.0 to 3.44, and a variance to reduce the required number of loading spaces for proposed retail use from 1 to 0. 337 W. 7th Street and 366-372 Smith Avenue, Block bounded by Smith, 7th Street, Leech Street, and Grand Avenue. (*Anton Jerve, 651/266-6567*)

Commissioner Rangel Morales discussed finding 2(c), regarding detriment to existing character of development in the immediate neighborhood, that the use abuts a new hotel of a similar scale. To him the West 7th neighborhood is still accessible to a lot people. Without understanding whether this hurts organic or naturally creating affordable housing, he wondered who these units are being created for.

Commissioner Underwood said there was a lot of discussion about workforce housing and supporting the hospital community on West 7th in their presentation to the Fort Road Federation and noted the Fort Road Federation letter of support. It felt like this project was recognizing the need for mixed housing.

Chair Reveal said they did say the project is designed for workforce housing. They weren't specific about rental rates, but said it was targeted to middle to lower incomes.

Commissioner Edgerton checked his notes and said they indicate that the applicant said they're going to provide studios and 1-bedroom apartments for entry level incomes.

Commissioner Ochs asked if there would be structured parking.

Chair Reveal said there would be two levels of structured parking on first and second floors.

Commissioner Ochs said he doesn't see a reason for a variance of the off-street loading requirement.

Anton Jerve, PED staff, said they felt variance was reasonable because there is only 2500 sq. feet of commercial space. There is no off-street loading requirement for commercial areas under 1500 sq. feet, and only one space required for up to 20,000 sq. feet. Given that the loading space would basically increase the commercial space by 20%, it would increase the cost of providing that commercial space and probably increase the rent. One of the things that the neighborhood supported in their letter is having the commercial space available for local businesses. If the rent for commercial space in new development is too high it tends to go to chains rather than local businesses, one of the factors they are considering here.

Commissioner Ochs said his concern is delivery trucks obstructing traffic during times of high traffic.

Commissioner Rangel Morales said he is not opposed to the project but is concerned about transparency. He said we recently approved project by the river and there was no form of affordable housing or any consideration of affordable housing. Across the street from this is a big Public Housing project and behind that is a really affluent neighborhood. He thinks what they

should strive to have is a mix of income. We want to promote business and a tax base, but we also don't want to drive out members of the community.

Commissioner Lindeke said his perception of the neighborhood character is different and he is averse to using that to guide this zoning decision. He would rather see inclusionary zoning requirements with specific guidance to developers about targets for a mix of housing affordability, so they can see the rules and plan a project to follow them.

Commissioner Underwood said that part of the Fort Road Federation conversation was about the work going on to look at changing the parking requirements citywide. This building is so tall in part because the first two floors are parking. If we change how much parking is required, this building could be shorter. This was discussed at the Fort Road Federation meeting, and the developer said they would love to have less parking, but this is currently what's required.

Commissioner Edgerton said he is a big supporter of affordable housing but how we get it is one of the questions. Inclusionary zoning sounds like a good idea if there are ways to incentivize affordability. Putting limitations on density and not allowing construction of new housing units in this case because they don't meet some affordability standard may not be the way to go. We need to figure out how to have inclusionary zoning that incentivizes affordability but doesn't limit housing construction. The places with more rules and the most restrictions on growth are the places where housing is most expensive. Part of making housing more affordable is just getting more housing units built, and not making building housing more expensive. We really need to think about creating more density, allowing more density, and not adding requirements that add to the cost of the units because that's the biggest part of the affordability question.

Commissioner Ochs agreed with Commissioner Edgerton, recommended that that developers be included in the inclusionary zoning conversation, and discussed making other housing more expensive in our desire to make some housing units more affordable. He's concerned about the inclusionary zoning approach in the sense that it is a band aide and not a fix. In the bigger picture, people need to be educated and empowered to earn higher income to afford housing.

MOTION: Commissioner Edgerton moved the Zoning Committee's recommendation to approve the conditional use permit and variances subject to additional conditions. The motion carried 9-2 (Underwood, Rangel Morales) on a voice vote.

Commissioner Edgerton announced that the next Zoning Committee meeting on Thursday, January 2, 2020 is canceled.

V. Comprehensive and Neighborhood Planning Committee

Commissioner Perryman said that at their last meeting they talked about the Districts 14 and 15 design standards, amendment to the West Side Community Plan/Equitable Development Scorecard, and a Commercial Development District for 160 South Wabasha Street. There were no action items. The next meeting is scheduled for Wednesday, January 08, 2020.

VI. Transportation Committee

Commissioner Lindeke said that at the last meeting they had a report from Don Pflaum, Public Works Department, on a Pavement condition index for how many potholes there are in different

streets, scored on a 0-100 scale. seventy or higher is good, and the average is 62. The key take away is that we need more money for the streets budget or things will get worse quickly, especially on residential streets. There was a presentation from Public Works about a new \$500,000 a year fund that the Mayor's Office put in for dedicated bike lane striping, starting this spring on a few projects including Summit Avenue, Como by the east side of Lake Como and the Maryland - Como intersection, and Marshall Avenue by the Cathedral and St. Paul College. They also discussed the Hillcrest Golf Course redevelopment and transportation related to that.

VII. Communications Committee

No report.

VIII. Task Force/Liaison Reports

No reports.

IX. Old Business

None.

X. New Business

None.

XI. Adjournment

Meeting adjourned at 9:30 a.m.

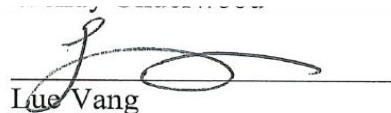
Recorded and prepared by
Sonja Butler, Planning Commission Secretary
Planning and Economic Development Department,
City of Saint Paul

Respectfully submitted,



Luis Pereira
Planning Director

Approved April 3, 2020
(Date)



Secretary of the Planning Commission