

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

Minutes January 13, 2012

A meeting of the Planning Commission of the City of Saint Paul was held Friday, January 13, 2012, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. Merrigan, Perrus, Porter, Reveal, Thao, Wang, Wencl; and Messrs. Commers, Connolly, Gelgelu, Kramer, Nelson, Ochs, Oliver, Schertler, Spaulding, Ward, and Wickiser.

Commissioners Absent: Ms. *Halverson, and Mr. *Fernandez.

*Excused

Also Present: Donna Drummond, Planning Director; Lucy Thompson, Patricia James, Allan Torstenson, Penelope Simison, Sarah Zorn, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes December 30, 2011.

MOTION: *Commissioner Ward moved approval of the minutes of December 30, 2011. Commissioner Gelgelu seconded the motion. The motion carried unanimously on a voice vote.*

II. Chair's Announcements

Chair Commers announced that a short series of resolutions would be addressed immediately after the Planning Director's announcements.

III. Planning Director's Announcements

Donna Drummond announced that the 2012 cycle for the Neighborhood STAR Program, which provides grants and loans for capital improvement projects, was beginning. An application workshop on February 8th will provide information about the 2012 Neighborhood STAR Program and how to apply. Approximately \$2.5 million is available this year and applications are due March 29, 2012.

Ms. Drummond also announced that two new City Council members were sworn in last week, Amy Brendmoen for Ward 5 and Chris Tolbert for Ward 3.

IV. Resolutions of Appreciation for Departing Commissioners

Commissioner Nelson read a resolution thanking Commissioner Fernandez for his service on the Planning Commission.

MOTION: *Chair Commers moved approval of the resolution honoring Commissioner Fernandez. Commissioner Nelson seconded the motion. The motion carried unanimously on a voice vote.*

Commissioner Ward read a resolution thanking Chair Commers for his service on the Planning Commission.

Chair Commers commented on the open structure of the commission and City government, which he has grown to appreciate more and more over the six years of his service. He started his involvement with the City on the Streets and Utilities Task Force of the CIB Committee, then the CIB Committee itself, and from there had the opportunity to be on the Planning Commission. At each step he has been struck by the openness of the process and the effectiveness of bringing people together to work together on a strategy for the city as a whole, and he believes that is a strength. Also over the last six years he has been struck by the role that individuals can play in the work of the Planning Commission. Saint Paul's Commission is large, but this allows in depth work at the committee level. Chair Commers has really valued that as the chair and he is proud of the work they have done together in the last year and the work that he has been able to participate in on the Commission. He thanked all of the commissioners for that, including past commissioners who were mentors to him. He also thanked PED staff and Donna Drummond for being such a pleasure to work with and a wonderful partner. He thanked Commissioner Kramer for a very productive partnership and Mayor Coleman for giving him the opportunity to sit on the Commission.

MOTION: *Commissioner Nelson moved approval of the resolution honoring Chair Commers. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.*

Chair Commers read a resolution thanking Commissioner Kramer for his service on the Planning Commission.

Commissioner Kramer said that he was telling Commissioner Wencil that it might be in bad form to amend his own resolution. However, if he did offer an amendment to his resolution it would be that in 18 years he had never missed a Planning Commission meeting.

MOTION: *Chair Commers moved approval of the resolution honoring Commissioner Kramer. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.*

V. PUBLIC HEARING:

Chair Commers announced that the Saint Paul Planning Commission was holding a public hearing on the *North End-South Como District 6 Plan*. Notice of the public hearing was published in the Legal Ledger on December 22, 2011, and was sent to the citywide Early Notification System list and other interested parties.

Penelope Simison, PED staff, showed maps of the area which she referred to throughout her presentation. She said the plan includes the entirety of District 6 and includes four major elements, with the first one addressing the conflicts in the industrial area south east of the Como/ Front/Dale intersection. It also includes an update of the Arlington/Jackson Small Area Plan, adopted in 1991, by extending policies in that plan to the western portion of the

Arlington/Jackson area. Thirdly it includes policies from all of the adopted small area plans that have yet to be implemented, including the Rice Street Small Area Plan, the Loeb Lake Small Area Plan, and the District 6 plan update from 2004. Lastly, it includes improvements to the Como/Front/Dale intersection. Como/Front/Dale is the only neighborhood center in District 6 designated by the Land Use chapter of the *Comprehensive Plan*.

A request by District 6 to address the conflicts between housing and industrial development south and east of Como/Front/Dale initiated the study. There are approximately two dozen housing units in the area that date from the time prior to the current industrial zoning in that area. Many suffer from deferred maintenance and substandard conditions, and lenders are reluctant to provide financing for renovation of housing on industrially zoned land. It was a desire of District 6 to find a way to resolve those conflicts so the development pattern would be either one or the other. An industrial area task force co-chaired by Planning Commissioner Daniel Ward and the chair of the Land Use Committee from District 6 studied each of the residential properties in the industrial area. The result was a policy in the draft that over time promotes the acquisition of these parcels when they're available and when there is money to acquire them. This is a long term strategy that the task force thought was the most viable approach to resolve the conflicts and to allow the expansion of the industrial area.

Work on the plan also included a 40-acre zoning study. The area southeast of Como/Front/Dale is almost entirely industrial zoning. There are houses within the industrial area, as well as two areas along Como and along Burgess where there is a preponderance of residential development. These houses do not suffer from the extent of deferred maintenance seen in houses in the core of the industrial area. Four businesses would be nonconforming uses under the proposed rezoning in that area. Currently there is commercial zoning along Como and industrial zoning along Burgess. The task force proposed the zoning pattern of T2 (traditional neighborhood) along Como and RT2 (townhouse residential) along Burgess.

The area south and east of Oakland Cemetery also includes conflicts between residential and industrial uses. The proximity of housing to industrial uses is closer than in the area south and east of Como/Front/Dale. The six-block area immediately south of the cemetery is part of the Rice Street area redevelopment plan, which dates back to the late 1980s. The area was investigated, and staff and the task force concluded the area needed a closer study of this area than was possible during the current study. Another element in the draft plan is the Como/Front/Dale intersection. The Design Center at the University of Minnesota prepared design drawings for improving the functioning and aesthetics of the intersection.

One letter was received from Ms. Linda Jungwirth, a participant on the District 6 Plan Task Force, with her comments and suggestions.

Chair Commers read the rules of procedure for the public hearing.

The following people spoke.

1. Mr. Martin Vogel, property owner of 449 Front Street, which is zoned for industrial uses. He said he does not understand why a change is proposed and he believes it does not make any sense to rezone the area where his property is.

Commissioner Ward said that there is an extremely large parcel of land to the west of Mr. Vogel's property which used to be an ambulance bay. He added that the task force thought it would be better to tie that parcel into the surrounding residential neighborhood so that the properties on Front would be more connected to it. Mr. Vogel's property along with the others would fit better if they would part of the residential neighborhood.

Mr. Vogel questioned if the developer came in and decided to keep it industrial, then would he have to change the zoning.

Chair Commers said that there would be an opportunity to rezone the property to an industrial use if that situation arose.

Mr. Vogel said the current zoning should be left alone. He said why would someone want to put houses in where it is surrounded by industrial?

Commissioner Ward explained that the public hearing was a forum to get feedback from the residents.

Chair Commers said the public hearing is the time when testimony is taken on the plan and the zoning study. The testimony will go back to the Neighborhood Planning Committee and, then, the Planning Commission before moving forward to the City Council. He encouraged Mr. Vogel to submit additional comments in writing.

2. Ms. Kerry Antrim, staff with District 6 Planning Council, explained the process at District 6. District 6 has a few industrial sites, in the Arlington/Jackson area and southeast of the Como/Front/Dale intersection. District 6 had requested a small area plan study for the industrial area. In the fall of 2010, District 6 did a housing survey of the structures in the industrial area. The report was completed in March 2011 and is over 54-pages long.

In December 2010 an industrial focus group met, and in January 2011 the meetings of the task force began and continued through June 2011. In August 2011 there was a meeting of business and property owners at the Como/Front/Dale intersection about the design proposals from the Design Center. There were also three community meetings. District 6 received two comments concerning Como/Front/Dale; one dealt with the median because pedestrians are running, then standing on the median, and then running across the street, and the other with removing the island on the east side of Como because it is unnecessary and in the winter it is not plowed.

Commissioner Schertler said that ultimately the City Council will decide on these issues and the proposed rezoning and that the Commission is not taking an action today on the proposed rezoning.

3. Ms. Triesta Brown, owner of rental property in the District 6 area. Ms. Brown liked that there was a comprehensive approach to the plan. She thanked the task force that worked on the issues of residential and industrial conflict. One of her concerns is that the notification to people whose property is proposed for rezoning might be confusing and there should be more clarification of the proposals and about the process of appearing at the public hearing.

4. Mr. John Bluhm, owner of two commercial properties north of Front. He said he was concerned about residential zoning if he decided to sell those commercial properties. He asked if the buyer, under the rezoning proposed, could use it the same way that the properties are being used now.

Chair Commers said the buyer could use the property in the same manner as being used now.

Commissioner Perrus said when a property is rezoned it does not mean that the property owner has to give up the existing use or the use can't continue or the business can't be sold. The challenge is if the use is expanded or changed to another use.

Mr. Bluhm said that one of the commercial properties he is part owner of is a dirt lot with a structure for storage on it. He is putting up a new building there, to have his shop on that property. He asked if he could do that if it were rezoned.

Commissioner Perrus said that because the new construction would be an expansion of the legal nonconforming use, this would require an expansion of non-conforming use permit.

Commissioner Ward said it was important to know that no decision was being made today. The public hearing is part of an ongoing process and Mr. Bluhm's testimony is important in shaping how this moves forward.

MOTION: Commissioner Wencl moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Tuesday, January 17, 2012, and to refer the matter back to the Neighborhood Planning Committee for review and recommendation. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

VI. Zoning Committee

STAFF SITE PLAN REVIEW – List of current applications. (Tom Beach, 651/266-9086)

One item came before the staff Site Plan Review Committee on Tuesday, January 17, 2012:

- New Science Education Center for Metropolitan State University, three story building with skyway connection across 6th Street located at 654 East 6th Street. This is a *preliminary* site plan review.

OLD BUSINESS

#11-299-652 Cityview Apartments, Inc. – Rezoning from B2 Community Business to T2 Traditional Neighborhood. 743 3rd Street East. (Sarah Zorn, 651/266-6570)

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

#11-308-683 Cityview Apartments, Inc. – Conditional Use Permit for conversion of commercial storefront to residential use. 743 3rd Street East. (Sarah Zorn, 651/266-6570)

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

#11-307-389 Marquette Apartments LLC (Western) – Rezoning from RM2 Medium-Density Residential to T2 Traditional Neighborhood. 204 Western Avenue N, NE corner at Dayton. (Kate Reilly, 651/266-6618)

Commissioner Ochs asked if the building actually fits within the design standards of T2 in regards to the height of the building.

Patricia James, PED staff said that the staff did not figure the floor area ratio or measure the height and setbacks for the building, but it occupies most of the site. If these items are not met, the building would be legally nonconforming.

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

NEW BUSINESS

#11-310-568 Metropolitan State University – Conditional Use Permit for a wind turbine on a freestanding pole 104 feet high. 645 7th Street East, between Maria and Mounds. (Kate Reilly, 651/266-6618)

Commissioner Kramer announced that this case has been laid over to the February 2, 2012 Zoning Committee meeting.

Commissioner Kramer announced the items on the agenda for the next Zoning Committee meeting on Thursday, January 19, 2012.

VII. Comprehensive Planning Committee

Greater Lowertown Master Plan Summary – Recommendation to release for public review and set public hearing for February 24, 2012.

Lucy Thompson, PED staff gave a PowerPoint presentation about the Greater Lowertown Master Plan Summary. She is representing the community task force that prepared this plan. The Greater Lowertown Master Plan Task Force raised almost \$200,000 to hire the Cuningham Group as the lead consultant in the planning process. The existing Lowertown Plan dates from 1994 and will be decertified once this plan is adopted. The Plan has three key values that underpin every goal, objective and strategy: arts and creativity, sustainability and historic preservation. The document begins with a vision statement. Seven initiatives follow from that vision: 1) Complete the village; 2) Grow the market; 3) Advance the arts; 4) Connect to the river; 5) Stitch the seam; 6) Preserve the district; and 7) Evolve the task force. Strategies are presented in 7 chapters: land use and urban design; arts, culture and the creative economy; transportation; parks and open space; housing; water, energy and the environment; and historic preservation. Key ideas include

enhancing Lowertown as a dense, transit-oriented village; conducting a downtown-wide parking plan; focusing new economic development around three retail clusters; connecting Lowertown to other neighborhoods, the river and the region; providing a diverse range of housing types and prices, while maintaining affordability for artists; extending District Energy into the neighborhood; and being a steward of Lowertown's historic resources.

Commissioner Schertler said the burden that Lowertown carries is that it supplies relatively inexpensive parking for the downtown workforce, much of which is slated for redevelopment in the Greater Lowertown Master Plan. He believes there has to be a strategy to replace that affordable parking for downtown.

Ms. Thompson acknowledged the issue and responded that that is why the Plan calls for a downtown-wide parking plan. It is a good sign that land is becoming too valuable to use for surface parking in downtown, but there needs to be a significant investment in transit so that people rely less on cars and inexpensive parking.

Commissioner Reveal noted that the Comprehensive Planning Committee also talked about the need for a parking plan. The Committee felt that it would be good to allow some time for Light Rail Transit to settle out, and for some of the implementation priorities in this plan to get better defined and set.

MOTION: *On behalf of the Comprehensive Planning Committee, Commissioner Reveal moved to release the draft for public review and set a public hearing on February 24, 2012. The motion carried unanimously on a voice vote.*

VIII. Neighborhood Planning Committee

Chair Wencil announced the items on the agenda for the next Neighborhood Committee meeting on Wednesday, January 18, 2012.

IX. Transportation Committee

Commissioner Spaulding said the committee met on January 9, 2012, and discussed an item that Commissioner Kramer had outlined on the Zoning Committee agenda, the guidelines for conditional use permits to increase off-street parking maximums. The Transportation Committee forwarded proposed guidelines to the Zoning Committee for consideration.

He also announced the items on the agenda for the next Transportation Committee meeting on Monday, January 30, 2012.

X. Communications Committee

Commissioner Thao announced that the committee would meet immediately after today's Planning Commission meeting to discuss the annual report.

XI. Task Force/Liaison Reports

None.

XII. Old Business

None.

XIII. New Business

None.

XIV. Adjournment

Meeting adjourned at 10:10 a.m.

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

Respectfully submitted,



Donna Drummond
Planning Director

Approved _____
(Date)

Anthony Fernandez
Secretary of the Planning Commission