

city of saint paul  
planning commission resolution  
file number 14-76  
date November 14, 2015

**Shepard Davern Area Plan Update and Zoning Study**

WHEREAS, the Highland District Council requested a small area plan update and zoning study of the Shepard Davern area; and

WHEREAS, “The Shepard Davern Gateway Small Area Plan & Saint Paul Gateway Project” was adopted as an addendum to the “Saint Paul Comprehensive Plan” on September 22, 1999; and

WHEREAS, it is the policy of the Planning Commission to decertify small area plans that are ten (10) years old or older when a new plan is done for the same geographic area; and

WHEREAS, two zoning overlay districts were created to implement the goals of “The Shepard Davern Gateway Small Area Plan & Saint Paul Gateway Project,” which permitted a mix of uses and included design standards similar to the Traditional Neighborhood zoning districts now in use across the city; and

WHEREAS, in December 2012, the Saint Paul Planning Commission initiated the Shepard Davern Area Plan and Zoning Study; and

WHEREAS, the Planning Commission authorized the creation of the Shepard Davern Area Task Force, which was comprised of co-chairs from the Planning Commission and the Highland District Council as well as residents, commercial property owners and business operators, and met over the course of 13 months to advise the work of City staff; and

WHEREAS, the Task Force process informed the draft “Shepard Davern Area Plan,” which includes strategies on Land Use, Transportation, Parks and Recreation and Housing; and

WHEREAS, the Task Force process informed the draft amendment to the “Area Plan Summary: District 15 Highland Park Neighborhood Plan,” which was adopted by the City Council on July 18, 2007, as an addendum to “The Comprehensive Plan for Saint Paul”; and

WHEREAS, consideration of rezoning for the study area began in early 2014, informed by community interests as identified by the Shepard Davern Task Force; and

moved by Oliver  
seconded by \_\_\_\_\_  
in favor 10  
against 2 (McMahon, Ochs)

WHEREAS, in summer and early fall 2014, a few community meetings were conducted and two separate notices were mailed to all property owners in the study area to elicit comments on staff recommendations for property rezoning, and these comments were considered in making additional revisions to the draft recommendations; and

WHEREAS, the Planning Commission, on September 5, 2014, released a draft of the “Shepard Davern Area Plan,” a draft of the amendment to the “Area Plan Summary: District 15 Highland Park Neighborhood Plan,” and a draft of the Zoning Study Report for formal public review, and set two public hearings for October 17, 2014; and

WHEREAS, public hearing notices were published pursuant to Minnesota Statute § 462.357, Subd. 5 and sent to the early notification list and other interested parties; and

WHEREAS, public hearings on the draft “Shepard Davern Area Plan,” draft amendment to the “Area Plan Summary: District 15 Highland Park Neighborhood Plan,” and proposed property rezonings were conducted by the Planning Commission on October 17, 2014, at which all persons present were allowed to testify; and

WHEREAS, the written record was left open until Monday, October 20, 2014 at 4:30 p.m.; and

WHEREAS, in regard to the “Shepard Davern Area Plan” and amendment to the “Area Plan Summary: District 15 Highland Park Neighborhood Plan,” five (5) people spoke at the hearing and six (6) written comments were received; and

WHEREAS, the public hearing comments supported the draft “Shepard Davern Area Plan” and amendment to the “Area Plan Summary: District 15 Highland Park Neighborhood Plan,” with specific comments on the use of parks, neighborhood signage, specific businesses, and the transportation studies ongoing in the area; and

WHEREAS, in regard to the proposed rezonings, eleven (11) people spoke at the hearing and seventeen (17) written comments were received; and

WHEREAS, the public hearing comments supported the proposed zoning changes in the study area, with the exception of rezoning three parcels associated with Sibley Plaza, for which public comment favored retaining the current zoning; and

WHEREAS, the Planning Commission referred the draft “Shepard Davern Area Plan” and amendment to the “Area Plan Summary: District 15 Highland Park Neighborhood Plan,” and the proposed rezonings to the Neighborhood Planning Committee for consideration of the public testimony and possible revisions to the draft Plan and property rezonings; and

WHEREAS, the Neighborhood Planning Committee discussed the comments, draft documents and proposed rezonings on November 5, 2014, and forwarded its recommendation to the Planning Commission; and

WHEREAS, the Planning Commission considered the public testimony and the recommendations of the Neighborhood Planning Committee on the “Shepard Davern Area Plan,” amendment to the “Area Plan Summary: District 15 Highland Park Neighborhood Plan,” and proposed rezonings; and

WHEREAS, the “Shepard Davern Area Plan,” the amendment to the “Area Plan Summary: District 15 Highland Park Neighborhood Plan,” and the property rezoning recommendations are consistent with the Saint Paul Comprehensive Plan and other relevant area plans;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the City Council adopt the “Shepard Davern Area Plan” as an addendum to the “City of Saint Paul Comprehensive Plan”; and

BE IT FURTHER RESOLVED, that the Planning Commission recommends that the City Council adopt the amended “Area Plan Summary: District 15 Highland Park Neighborhood Plan” addendum to the “City of Saint Paul Comprehensive Plan”; and

BE IT FURTHER RESOLVED, that the Planning Commission recommends that the City Council decertify “The Shepard Davern Gateway Small Area Plan & Saint Paul Gateway Project”; and

BE IT FURTHER RESOLVED, that the Planning Commission recommends City Council approval of the rezoning recommendations contained in the *Shepard Davern Zoning Study Report and Recommendations*, dated November 7, 2014, with the following key conclusions and recommendations (maps attached):

1. T2 and T3 is the appropriate zoning for much of the Shepard Davern Study Area for the following reasons:
  - to bring zoning for the area into general compliance with neighborhood plans and the Comprehensive Plan;
  - to allow more flexibility in future uses for the area, in response to market conditions and to spur reinvestment that can expand services, amenities and design for the area; and
  - to bring a number of current nonconforming uses into conformance, that are compatible with the future vision for the area.
2. The three parcels containing and adjacent to Sibley Plaza northeast of Davern and West 7<sup>th</sup> Street retain their current zoning of RM2 for the existing apartment parcel and B2 for the Sibley Plaza parcel and corner gas station parcel, in recognition of the current property owner’s plans for redevelopment, which the Planning Commission determines will be beneficial for the neighborhood and city.

BE IT FURTHER RESOLVED, that the Planning Commission recommends that the City Council delete Article III, 67.300 Shepard Davern Commercial and Residential Redevelopment Overlay District in its entirety from the Saint Paul Zoning Code; and

BE IT FINALLY RESOLVED, that the Planning Commission thanks the Shepard Davern Task Force for its involvement and assistance throughout the study process in communicating with residents and property owners, soliciting input and providing feedback.