



## Legislation Details (With Text)

**File #:** RES 12-1609 **Version:** 1  
**Type:** Resolution **Status:** Passed  
**In control:** City Council  
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**Title:** Commencing interim zoning regulations pursuant to Minn. Stat. § 462.355, Subd. 4, for the purpose of protecting the City's planning process pending the adoption of the Great River Passage amendment to the City's Comprehensive Plan, for that area of the City commonly known as the Island Station Power Plant.

**Sponsors:** Dave Thune

**Indexes:**

**Code sections:**

**Attachments:**

| Date      | Ver. | Action By      | Action             | Result |
|-----------|------|----------------|--------------------|--------|
| 8/15/2012 | 1    | Mayor's Office | Signed             |        |
| 8/15/2012 | 1    | City Council   | Adopted As Amended | Pass   |

Commencing interim zoning regulations pursuant to Minn. Stat. § 462.355, Subd. 4, for the purpose of protecting the City's planning process pending the adoption of the Great River Passage amendment to the City's Comprehensive Plan, for that area of the City commonly known as the Island Station Power Plant.

WHEREAS, presently, the City and its planning commission are, pursuant to Minn. Stat. § 462.355, Subd. 2, in the process of updating the Parks and Recreation Chapter of the City's Comprehensive Plan through the potential adoption of the proposed Great River Passage Master Plan ("Master Plan" or "Plan") whose purpose will be to provide direction for future land uses and development along the 17-mile stretch of the Mississippi River within the City's boundaries; and

WHEREAS, the City's work on the Master Plan began in 2010 and although work on the Plan is nearing completion, the Plan has yet to be reviewed and finalized by the planning commission so that it may recommend to the City Council and the Mayor that the Plan be approved and formally adopted as an amendment to the City's Comprehensive Plan; and

WHEREAS, the proposed Master Plan states specific goals and objectives for four separately defined subareas or "reaches" of the Mississippi River as it passes through the City including that reach described in the Plan as the "Valley" which extends from "the Fort Road Bridge to Downtown;" and

WHEREAS, within the Valley's reach the Master Plan recommends "creating gathering places" and notes that gathering places can be created by "repurposing existing iconic places" and, as a specific objective to that end, the Plan provides "as part of a public-private partnership, transform the vacant Island Station power plant into a gathering place that is a magnet for non-profits and environmental organizations, artists, adventure sports enthusiasts, entrepreneurs and nature-based commercial adventures;" and

WHEREAS, upon adoption of the Master Plan as an amendment to the Comprehensive Plan, the long vacant Island Station power plant will have attained "iconic" status and the preservation and perpetuation of the iconic nature of Island Station power plant building through its repurposing will become a key goal and objective of

the City's Comprehensive Plan; and

WHEREAS, in addition to identifying the repurposing of the Island Station power plant site as a goal of the City's Comprehensive Plan, the National Historic Preservation Act of 1966, (ANHPA@) established a strong federal policy favoring the preservation of properties and sites which have been significant in American history for the public's benefit; and

WHEREAS, NHPA authorized the Secretary of the Interior to create, maintain, and expand a National Register of Historic Places composed of districts, sites, buildings, structures and objects significant in American history, architecture, archaeology, engineering and culture; and

WHEREAS, the Minnesota Historic Site Act established a strong state policy favoring for the public=s benefit, the preservation of properties possessing historical, architectural, archaeological and aesthetic values which represent and reflect elements of the state=s cultural, social, economic, religious, political, architectural and aesthetic heritage through the creation of a State Register of Historic Places; and

WHEREAS, the state of Minnesota, at Minn. Stat. ' 471.193, Subd. 1, has further declared that it is the policy of the state to enable local units of government to engage in a comprehensive program of historic preservation and to promote the use and conservation of historical, architectural, archeological, engineering and cultural heritage sites in the State for the education, inspiration, pleasure and enrichment of the citizens of the State through the creation of local heritage preservation commissions; and

WHEREAS, the City, at Leg. Code ' 73.01, has declared that it is the policy of the City that preservation, protection, perpetuation and use of areas, places, buildings, structures and other objects having a special historical, community or esthetic interest or value, is a public necessity and is in the interest of the health, prosperity, safety and welfare of the people, including safe-guarding the heritage of the City by preserving sites and structures which reflect elements of the City's cultural, social, economic, political or architectural history; and

WHEREAS, enhancing the iconic status of the Island Station power plant building can be furthered by determining whether Island Station is eligible for designation under the national, state, or city programs for historical site designation; and

WHEREAS, nomination to either the National or State Register of Historic Places or as a City=s Heritage Preservation Site, requires an exacting process of data collection, investigation, and documentation to assure that a property so nominated is eligible for historic designation based upon complete and adequate information regarding the historical significance of the property; and

WHEREAS, the Island Station power plant, historically known as the Saint Paul Gas Light Company Plant, is listed in the May 1983 Historic Sites Survey of Saint Paul and Ramsey County Final Report as a "Site of Major Significance" and the Report's accompanying inventory form notes potential for National Register of Historic Places ("NRHP") listing and local designation as a Saint Paul Heritage Preservation Site; and

WHEREAS, a National Register of Historic Places Nomination Form was prepared for the Island Station power plant in 1984 but the State Historic Preservation Office ("SHPO") determined that the property was not eligible for listing on the NRHP; and

WHEREAS, in 2004, a Phase I Architectural History Evaluation of Potential Effect Scoping report was prepared for the "High Bridge Combined Cycle Project" which noted Island Station and the 1984 SHPO opinion that Island Station did not meet the criteria for eligibility under the NRHP; and

WHEREAS, it is the opinion of the City's Heritage Preservation Commission staff that updated data collection,

investigation, and documentation, SHPO's 1984 opinion may be reconsidered or be found no longer valid; and

WHEREAS, pending the completion of the Great River Passage Master Plan by the Planning Commission and its adoption by the City Council and the Mayor as an amendment to the Parks and Recreation Chapter of the City's Comprehensive Plan, and during the data collection, investigation and documentation process to determine the historical significance of Island Station for designation to the National or State Register of Historic Places, or as a City Heritage Preservation Site, the City Council finds for the reasons noted above, that it is in the interest of the health, welfare, and safety of the public and the City's comprehensive land use planning processes and historical preservation policies, to enact temporary legislation to provide interim protection pursuant to Minn. Stat. § 462.355, Subd. 4 for the former Island Station power plant building until the Great River Passage Master Plan has been incorporated into the City's Comprehensive Plan and it has been determined whether the plant is of significance for designation on a list of National, State, or City historic places; NOW, THEREFORE

BE IT RESOLVED, that until the Great River Passage Master Plan has been approved and adopted into the City's Comprehensive Plan, and until such time as it has been determined whether the Island Station plant building is of significance to be named to a list of National, State, or City historic places, no permits under Leg. Code § 33.03 or zoning permits or approvals under Leg. Code Chaps. 60-69 may be issued or approved for any project or development of the Island Station power plant building commonly known as 380 Randolph Avenue (active) or 436 Shepard Road W. (Historic) or 437 Shepard Road W. (historic) from the effective date of this resolution and for twelve (12) months thereafter, as permitted under Minn. Stat. ' 462.355, Subd.(4), or until such earlier time as both the Great River Passage Master Plan has been incorporated into the City's Comprehensive Plan and the historical eligibility of the Island Station power plant building has been determined and reported to the Council of the City of Saint Paul or the project or development has been exempted by duly adopted ordinance from this interim ordinance based upon a determination by the Council that the project or development will further the goals and objectives contemplated by the Master Plan and/or historical designation efforts; AND

BE IT FURTHER RESOLVED as provided in Minn. Stat. § 462.355, Subd. (4), that the Council of the City of Saint Paul will, in conformance with City Charter § 6.05, subsequently enact a separate interim ordinance consistent with the intent of this resolution and, for the purpose of complying with the time limit imposed on interim ordinances under Minn. Stat. § 462.355, Subd. (4), the effective date of the said interim ordinance shall be the effective date of this resolution and, finally, upon the effective date or failure of the said interim ordinance, the regulatory effect of this resolution shall terminate with no additional action on the part of this Council.