



## HIGHLAND DISTRICT COUNCIL Community Development Committee (CDC) Minutes

August 5<sup>th</sup>, 2019 6:00 p.m.

**Committee members in attendance:** Kathy Soderbeg, Howard Miller, Jim Schoettler, Susan Duffy, Kate Hunt, Jay Mastrud, Gary Martland, Andrew Jensen, Anne Langford

**Executive Director:** Kathy Carruth

**Meeting was called to order at 6:30 p.m.**

### **Approval of Prior Meeting Minutes:**

- Agelgil: Corrected a note about a van parked on the street that the neighbors did not like. Changed from parked on the street to parked in the alley.
- 1886 Ford Pkwy: Corrected a sentence that was not completed in the discussion about HDC's motion to support the variance request. To the end of the sentence 'Suggests that they encourage using' added 'public transportation.'
- Motion to approve (Gary), seconded (Kate), motion approved unanimously.

### **AUAR Process Discussion (HDC) – Luis & Deb from PED**

- Minnesota Environmental Quality Board (EQB)
  - July 9<sup>th</sup> had Randy Newton come from the city to HDC to talk about issues related to transportation.
  - Today's presentation is on the HDC website
  - This board oversees environmental review program for the state of Minnesota. (EQB)
    - Offers consistency for different development
    - Environmental review is conducted by a Responsible Government Unit RGU such as a county, city or state agency. RGU for Ford Site is the City of Saint Paul
    - The requirements for environmental review are based on the nature, size and location of the proposed project and are described in Minnesota Rules 4410.
    - The AUAR is a prescribed process by the EQB and centers on a specific questions about aspects of the natural and built environment.
    - The AUAR Process builds on the City's adopted master plan, and each of the AUAR's analyzed development scenarios relate to the natural and built environment for the four identified land parcels
      - Specified natural and built environments will be evaluated based on technical data and assumptions



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- The AUAR considers 122 acres owned by Ryan companies proposed development, 4 acres owned by Lunds & Byerlys, and 13 acres owned by Canada Pacific
  - Not answering questions about the content of the AUAR since it's under development right now.
- Process
  - Scoping Draft & Final Order → Required 30 day public comment period → Draft AUAR & Mitigation Plan → Required 30 day comment period → 2 optional open houses (August 20 and August 27) → Final AUAR
- Schedule
  - AUAR Scheduled 2019 Process
    - Had the notice in EQB
    - Had the 30 day public comment period
    - Had the final order (July 22<sup>nd</sup>)
    - Now in the Draft AUAR & Mitigation Plan period.
    - Next will have Notice in EQB – Published Draft AUAR & Mitigation Plan
    - Then will be a 30 day comment period with 2 open houses
    - Then the city adopts final AUAR and Mitigation Plan
- AUAR: Natural and Built Categories of Review
  - Land use
  - Geology, Soils, Topography
  - Land Cover Types
  - Fish, Wildlife, Plant Ecology, Sensitive Resources
  - Water resources
  - Etc.
- 2 Scenarios that are under review
  - Ryan Development Scenario
    - Residential - 3800
    - Retail and Service - 150,000
    - Office and Employment – 265,000
    - Civic and Institutional – 50,000
  - Master Plan Maximum Development Scenario
    - Residential - 4000
    - Retail and Service - 300,000
    - Office and Employment – 450,000
    - Civic and Institutional –
- Draft AUAR – Available on Website
- Open Houses
  - Tuesday, August 20
    - Gloria Dei Lutheran Church



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- 6-8 pm
- Topic: Natural and built environment, land use, geology, water resources, animal species, visual, air and noise.
- Tuesday August 27
  - Highland Park Community Center
  - 6-8 pm
  - Primary Topic: Transportation
- Questions from Board
  - Gary: AUAR is setting out the process for the study, not the study itself, right?
    - Process assess the direct, indirect, and cumulative effects
    - Scoping EAW is on the website and has more information than what we have here. The AUAR will get more into the impacts.
    - Question about the length of time that this has been in process. Will we have access to the documents before the open houses?
      - It will happen during the open houses.
  - Kate: The scoping document will include aspects and reject aspects to evaluate, right? Is it possible that it will reveal the deliberative process that underly whether a topic is accepted or rejected? Will we be able to see that process?
    - Draft scoping document was already published for review.
    - The AUAR is very regulated – the table of contents is dictated by certain rules. EAW is similar, but if you look in scoping you’ll see italicized text. That is all what is different than the AUAR.
    - Follow up: We are interested to learn more about how these decisions are arrived at, not necessarily just what the decision is.
    - All of these plans are based upon certain assumptions. The heart of the question is whether we will get to see those assumptions. Example of public transportation modeled after Copenhagen Denmark in other recent study (becoming more like Copenhagen being the assumption in that case).
      - We have folks with expertise on staff that are looking hard at this and we should be able to go back and look at what assumptions are going into this (Luis).
      - An AUAR is good for 5 years. After this period, we either have to update it or the city has to decide to update it. So, we may need to update this in 5 years if there are changes in the neighborhood.
  - Susan: How can you exclude Area C, an area that is so close to a residential area that is such a brown field? Is this process doing everything it can to ensure people living and working on these sites are not going to have a health risk, and to make sure that our tax dollars are not liable if there is a hiccup in 5 years and people start getting sick. Especially if the intention was to start big
    - PED said they would look it over. At the moment, there are not any plans to develop this area.



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- Susan: There are tunnels still there directly under some of these sites.
- Tony (Ryan Companies): Ryan does not have any interest in purchasing Area C and never will. There is a 5 acre concrete cap that is over an encapsulated dump site. The city is working with the county to figure out how to clean this up. There is some dispute as to who is responsible for it. There are 11 monitoring wells that measure the site for contamination that would go off and inform the PCA and Ford if there ever was (PCA.state.mn.us – click on Ford Site Area C to learn more). The city is talking to PCA about how to clean this up. The old steam plant has about 3-4 acres that Ryan can't develop until developing the other 122 acres. They can only build 30' of height so could only develop about 80 units of housing. When talking to the city about whether to include it, they couldn't (Ryan) come up with a scenario that made sense to include it. There still likely is a hazardous material cleanup issue here too, but that's why it isn't included yet.
- Neighbor Questions
  - Isn't there a tunnel that goes directly to Area C?
    - Tony: Yes. The primary tunnel takes power from the dam to a power line to approximately where Mt. Curve would hit the site. That's still open and active.
    - Neighbor: Fairly certain there is a tunnel that goes to Area C
  - In the information sent to the public regarding public comment, there was a section asking for comments about scenarios that would have less effect on the environment. If the AUAR is only going to look at the maximum impact, why would they ask for public comment on minimizing the impact?
    - PED will look into this. They like to look at the worst-case scenario to see what the impact would be, which is why they are looking at it the way they did. A lower density scenario will be encompassed within the study.
    - Follow up: There is a 3 part test to determine if you can deny a recommendation by public comment. Does PED and consultants stand by the statement that including the minimum wouldn't identify any significant environmental benefits?
      - The minimum is included in the maximum (PED)
      - Follow up: Yes, but that is not a reason that is allowed by the 3 part test.
      - We are not able to answer a legal question in a document we didn't write in a public forum. (Tony)
      - The minimum amount of retail we could propose is 150,000. The lowest office is 250,000 and lowest civic is 50,000. So we can't propose lower in 2 of the 4 categories. There is no financially viable means to continue with the project with less development than that. But, we also think the impact on the traffic, noise and other environmental



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factors will be better by coming in at the lower end of the range. We wouldn't advocate for lower density than what is in the AUAR.

- Financial feasibility is also not a criteria for not including the minimum in the AUAR.
- The traffic study only goes as far North as Randolph on Snelling and does not consider Cretin or Cleveland. Would like to suggest for future consideration that the HDC and MGCC get together to talk about scenarios for Cretin and Cleveland Ave.
- Can you please show where all the entrances and exits into the Ford Site will be. Where will the traffic be concentrated
  - Page 7 of the scoping document has all the access points.
    - Mt. Curve
    - Cretin
    - New intersection and road connecting Montreal and Mississippi River Blvd.
    - Bohland will extend through to the Finn.
    - There will be 3 bike and pedestrian stretches.
- Could you explain your decision not to study greenhouse gas emissions as part of the scope?
  - This will be addressed in the AUAR in the air quality requirements. It is not going to be studied, but there are assumptions that will be included.
    - These are the assumptions we want to know about. What is going to happen when everyone leaves their homes from the 3000-4000 units to go to work in the morning and get onto Montreal. This is going to create a backup which creates a huge amount of CO2 emissions.
    - Tony: We haven't asked not to study this, we only studied what was prescribed.
- There were more bike paths in the past that would help mitigate traffic. Were there more that were taken out by Ryan?
  - No –
  - Yes, there were some in the master plan that was not adopted
  - Every road has bike infrastructure
  - No – there weren't any that were taken out
- There is a big elephant in the room that we should think more about multimodal transportation instead of just studying emissions and air quality. We should consider this as well and not just study the effects of auto.
- The city developed the master plan, the maximum number. Is there overlap in people developing the scope and the people that are now developing the AUAR?
  - Yes – there are 2 planners that have been involved in both parts of the process.
- What is the Canadian Pacific planning for the area?
  - Nothing right now.



- Wouldn't it make sense to have a more robust analysis of noise on the project? Shouldn't we be looking at this more closely, given this is one of the biggest developments in the history of the state?
  - What if they decide to start? It would put the local area at risk
  - Provide comments on this when you review the AUAR.
- Why do we keep pushing high cost apartments and density? We don't have a housing problem, we have an affordable housing problem.
- When you look at the future of the community, do you aspire to a community more like Copenhagen or more like Kansas City?
  - Would like Copenhagen, but it requires you already have the infrastructure. Most of these places are many years old and already have an infrastructure built in.
  - Is this impossible for St. Paul?
    - Yes

### **1351 Randolph Preliminary Project Presentation – *Ian Halker, Oppidan (HDC & MGCC)***

- Introduction
  - This is just an introduction, there have been no variances applied for with the city. This is meant to be informative.
  - Plan is to submit applications this fall, but wants to get feedback up front since this is a community project.
- Process
  - Met with Chris Tolbert and a handful of neighbors to talk through the process
  - Also met with the planning staff in St Paul.
  - Have gotten support from a handful of neighbors in the commercial area across the street
  - The site itself is .46 acres and fairly flat, allowing for nice layout for a drivethrough in an urban footprint.
  - Allows for 13 cars, so shouldn't have any overflow into Randolph
  - Plan is to completely remediate the site and put in an underwater water storage to reduce impact on neighbors and storm and sewage. Currently 100% impervious.
  - Building is 2100 square feet. Want to push it up against Hameline and Randolph to help pedestrian traffic. Will have a 500 square foot patio.
  - Will have 14 parking stalls.
  - Ingress and egress are separated. There is one pedestrian point of contact. Will have buffering for landscaping purposes.
  - The way we got here was their client (Starbucks) thought that having another site closer to the residents would help reduce traffic congestion at their Snelling site.
- Zoning



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- This is a variance free site plan. This is conforming to B2 zoning, and the incremental upgrades going from 4 driveways to 2 driveways, adding water storage and greenspace.
- There is a clear message about R4 or R5 that the area is guided for is also not desired for the neighborhood.
- They believe the traffic is the same for both uses, mentioned something about a study being completed if an application is submitted.
- They were able to offer enough to get the current owner to sell. Otherwise, they would continue to operate as a gas station.
- Questions from neighbors
  - Why do we need another coffee shop? We already have 4 in a 6 block radius and we don't want the drive through.
    - Our client made a decision based on their market analysis. They are a billion dollar company and they look at their consumer profile to look for locations where there is opportunity, and so they thought this was an area with opportunity.
  - I have a drive through in my neighborhood and it doesn't get in my way. Looking at the way the traffic pattern is, it's going in only one way. Can you turn right or left?
    - There are only 2 curb cuts compared to 4 today. We're code compliant for parking.
    - A traffic study that will be done in the future will help answer if you can turn both ways. It's not designed to be only a one way, but will need to be informed by the traffic study. It's not a fair analysis right now in the summer, so waiting until school is back in session in the fall
  - I don't want Cold Front to go out of business. I don't want the Copper Dome or Bean Factory to be affected, or PJ Murphy's. Trader Joes has increased traffic problems greatly. I can't turn left today as it is, it'll be impossible in the middle of winter and when school is in session. You're going to run other businesses out of business and I oppose.
  - The early 90's there were car crashes almost every day, before Ayd Mill Road opened. If you do this, it'll be a nightmare.
  - I stood before the city council time after time debating Trader Joes and the traffic study was the last thing done, and the traffic study showed there would be no problem and just look at what we have. We have about 4 schools in that area.
    - We've studied the school locations, there are about 250 drops every morning at Holy Spirit and Cretin. We want this to be a safe development that will integrate into the neighborhood
  - Want to thank you for coming, and like how the plan is stacked, probably one of the few people here that really likes this. When you have small children its hard going in and out when you have children in the car. I go to the local places too, but it's not bad to have an option.



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- Main concern is for the safety, particularly from 7-8:30 and for students who are walking.
- Main concern is the drive through, which has the traffic. If you think people going east on Randolph will not turn in, you're wrong. They will do it. Also, Hameline Ave has problems when people turn left. It blocks traffic while they wait for it.
- MGCC Question: What is your client's target audience for this location? People coming into the neighborhood or in the neighborhood?
  - In and leaving the neighborhood. People not driving, or going to and from work.
  - Is that the same audience as Snelling and Marshall?
    - I think it's different. They have twice the volume of drivers.
- What are they doing to remedy the noises? Are there hour limitations or anything to remediate the noise? I live 3 houses down and can hear everything at the gas station.
  - The hours of operation controlled by B2 will govern here. We will email the hours/rules to the council. It's the same rules that apply to the Nook and others.
  - Will have something to provide year round buffering on the North and West side. Concept is to have somethings raised up on a berm.
- Also want to voice support for the local businesses like Cold Front. At a time when St. Paul is doing everything to encourage density and public transportation, it seems antithetical to bring in a drive through. Most of these cars will be coming at the same time as drop off times for schools.
- This would likely be great for Starbucks, but probably not for our neighborhood and the local businesses. Question about the process.
  - Explained that this is only a preliminary meeting, this is just an informational outreach to the community to get feedback.
  - Drive throughs require a conditional use permit, which would require going through neighborhood reviews, planning commissions and city council.
- This plan does not conform with the city's 2040 vision or the recent D15 plan or the HDC 10 year development plan. Be sure to be strategic about the law.
- I'm in support of the project. I'm a little concerned about the drive through and am curious if you considered Hameline since it's lower traffic.
  - There's a provision in the code that brings all structures to the street. Unfortunately, with the alley, it doesn't make it very easy to make a design that works well with the structure on Randolph
- Why can't we put an arrow in on Randolph?
  - You need more lanes.
- My concern is traffic. You have 2 stoplights that are already backed up.
- There is a model for this at Snelling and Marshall. They have 13 cars in the satellite image, so 13 stalls is not going to be enough. Think there is going to be the same thing here as what happened in the Union Park district council.



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- That site is substantially less wide
- How are you going to manage all the traffic with the kids at school?
- Where does the snow go?
  - Will truck it away
- The data on injury rates are incontrovertible. How does this conform to the city's 2040 plan? And, did you go to the threat on purpose that there a lot of people on the district council who oppose multilevel units?
  - After meeting with Tolbert, he suggested neighborhood outreach. When we reached out to the neighbors, heard more about concerns about more parking and about larger buildings going in if we don't.
- Main concern is that there is only 1 lane of traffic. There are always parked cars on both sides, so it's really hard to get around people turning left. Also concerned about the kids. I choose to live in this city and neighborhood because we promote sustainability and have a vision for the city and I don't think taking up 30% of this land with a building and the rest with a parking lot is good.
- Owner of J&S Coffee: About 3-4 years ago City Council told us if we fix Randolph Ave it would fix traffic. Just think that traffic is going to be terrible.

## **1886 Ford Pkwy Parking Variance – *Neighbors, HDC***

- Presented an early concept in February, then another a few weeks ago and are back today because we got feedback from the BZA hearing last week that we wanted to share and discuss how we can mitigate concerns from neighbors. Here to listen
- See a need for day care service in the neighborhood. They have a long waiting list and have to turn families away, especially with the closure of Whole Child.
- Currently have 42 children and would like to increase to 84.
- Originally wanted to renovate the existing facility, but several issues arose. Explored linking the buildings, but decided a new facility that was handicap accessible and designed for day care use (instead of a duplex retrofitted to be a daycare) was needed
- Developed a concept plan that met state license requirements and zoning requirements, with the exception of just 1 – staff parking.
- The building as proposed has a footprint of 2646 square feet. It's 3 stories. Meets requirements for maximum height and for site width. It meets all set back requirements and maximum lot coverage requirement (35%) and minimum building width requirement. The reason they are here is because they don't meet the requirement for staff parking.
- One parking space is required per staff member. Based off the 84 children, they would need 12 staff parking spaces for 12 staff members. The plan currently has 5 spaces plus a handicap space.



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- They own the building next door, which is what will be demolished and rebuilt. Will eventually convert the existing day care back to a duplex after moving into the new building next door.
- There is proposed outdoor play are for the kids, and state requires 75 square feet per child for this. They would like to do more than this because they like to have 2 different shifts for kinds to go out and play, so there are play areas on the east side, west side, and front of the building.
- Parents dropping off will be instructed to use the front entry only, rear will be for staff and service only.
- It's a 34.5' building, brick on the main level and metal panel or cement panel for the upper floors.
- Main concerns we heard were about the alley – speed through the alley and families using it for drop off.
  - Will make it very clear to parents not to use the alley
  - Will use signage to help also, on both Ford Parkway and in the Alley. (Ford is a public right of way, so not optimistic they will get it).
  - Also worried about trash – looking at increasing the size to accommodate increased enrollment.
  - Looking into subsidizing public transportation for staff
- Neighbor Disussion
  - Father and Neighbor – wife had to have an additional 4 month maternity leave to find a day care in the neighborhood. Whole child had over 60 students and had 0 off street spots. Little School has 5 – code requires 7, Migos has 6 – code requires 12, New Horizons has 12 and code requires 23. Loves the teachers at the school, they've been great, would love to see them expand and thinks its an opportunity to support a good neighbor and minority owned business. Huge need in the neighborhood.
  - Parent in neighborhood – took 9 months to get into New Horizons. It's so expensive and so hard to get in. There's no off street parking for staff at New Horizon. Both teachers last year rode the bus, would support.
  - The city needs daycare, it's such a good approach. Likes that a company is proposing fewer parking since it'll encourage public transportation. Doesn't want to lose more families to suburbs.
  - Former parent of Little School – barely got in at Little School in time and started looking while pregnant. Most staff lived in neighborhood, and they had very few parking spots, didn't have problems with parents in the alley.
  - Parent of 2 kids attending the school – thinks the school is fantastic and knows how hard it is to get into day care. This is a local business, not a Kinderberry or a New Horizons and we should support them.
  - Parent of child at the school – this school has a great sense of community and had some not so nice day care experiences in the past. The sense of community of the teachers and way the school is set up it makes me feel good to bring my son there



every day. It's such a unique experience and strongly support the proposal (also as an architect and someone interested in how it fits into our neighborhood fabric).

- Parent of young child here – started at 7 weeks pregnant looking for someplace and feel very lucky to have their daughter here and are thinking about expanding their family because they know where they'll send their next child.
- Next door neighbor – very supportive of the day care. Couple of concerns though – with the limited parking, there is a staff car that often parks right in front of their garage and has had a hard time getting out of his garage as a result. They are usually very good about coming out, but still has some concern. There is a need for a larger garbage container, often he has had garbage put into his garbage can and has had to move his garbage can.
- Neighbor: Dumpster is not accessible to city garbage collector. We have seen parents using the alley as a de facto drop off and pickup. Cars back up and there are children in the alley. Is wondering if the site is actually 67 feet. Her plat map shows it is 55 feet.
  - We have a survey that was conducted by a licensed surveyor that shows it at 67 feet. We can check into with the surveyor and double check, but are pretty confident it's 67 feet.
- Neighbor: Twice have been almost hit by a driver speeding through the alley. Would like to know how parents would be informed and how it will be enforced. Also would like know what the security will be like and how will neighbors be informed to help. Would like to hear from the owners.
- Neighbor: Considers this day care a nuisance. Considers it too dangerous to use their garage and has to park on Hilcrest. Can't bike in the alley. Fence has a hole in it – went to work one day and came home and it was damaged.
- Neighbor: Understand it's a need, we're pregnant too, we have a lot of traffic come through and people parking in our driveway, just wondering with these things that are a bit of a nuisance and want to know what is going to be done since it has been hard to address in the past.
- Neighbor behind proposed development: Have 2 small children and one on the way. Main problem with the development is the scale – it meets the max on everything and asking for a variance on the one thing that keeps it from getting bigger. Has there been any look at scaling it back at all? Also sees there is 0 green space behind and wonders where all the snow will go.
- Neighbor down the alley: Thinks the root problem is scale, the plans are too large for the space available. I know the owners plan to prevent the parents from using the alley, and am wondering what is the plan to keep the alley access from being used.
- Want to echo the last statement about all the parents continuing to use the alley for parking. In the morning and evening, the lot is full, people are parking illegally, and it's summertime. When the snow piles up in the alley, the alley shrinks and it becomes a one way alley and it's hard to get through.



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- Also want to address the noise factor.
- Neighbor: Concerned about the community. When you design these spaces, why can't you design in a turn around or something simple like that?
- Neighbor: want to echo concerns that we have a small daughter and are afraid to let her near the alley until daycare is closed. We see a lot of parents speeding down the alley.
  - Owner: This is partially my fault. I didn't know about your concerns until the hearing. If you had come to me, I would have addressed it sooner and would have asked the parents to not use the back alley. We have a great relationship with the parents.
- Neighbor: it would be helpful to see an actual concrete plan for how you're planning to remediate more specifically.
- Neighbor: Will we change our position on this?
- Gary: Seems like a few things could be done. Could put in speed bumps, could put in contractual language to penalize people from dropping off people, but not sure those are resolutions.
- Kathy S: Recommend amending the resolution to say owners will 'require' instead of 'encourage' parents.
  - Garbage – the city forced them to change to what they're using right now. They will look at changing the garbage. However, this isn't really material to the variance.
  - What about
  - Motion to table the discussion until (Gary), seconded (Kate), passed unanimously.
    - If they want input, we need to know about:
      - Traffic
      - Snow removal
      - Garbage
- Summary
  - Most of the issues have to do with drop off in the alley.
  - Would like a larger garbage dumpster
  -

## **New/ Old Business**

- XXX

**The meeting was adjourned at 8:45 p.m.**

Andrew Jensen  
CDC Secretary