

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** The Bridges of Saint Paul **FILE #:** 07-110-903
  2. **APPLICANT:** JLT Group, Inc **HEARING DATE:** July 19, 2007
  3. **TYPE OF APPLICATION:** Rezoning-Council
  4. **LOCATION:** Area generally bounded by Robert, Fillmore, Hwy. 52, and the Mississippi River
  5. **PIN & LEGAL DESCRIPTION:** Area generally bounded by Robert Street, Mississippi River, Highway 52 and Fillmore Avenue. Parcel Identification Numbers (PIN): 052822230027, 052822230028, 052822230029, 052822230030, 052822230031, 052822230032, 052822230034, 052822230037, 052822230039, 052822230040, 052822240009, 052822240010, 052822240011, 052822240012, 052822240013, 052822240030, 052822240031. See file for full legal descriptions.
  6. **PLANNING DISTRICT:** 3 **EXISTING ZONING:** TN3, I1, I2, RC4
  7. **ZONING CODE REFERENCE:** §61.801(b), 66.800
  8. **STAFF REPORT DATE:** July 9, 2007 **BY:** Lucy Thompson
  9. **DATE RECEIVED:** June 28, 2007 **60-DAY DEADLINE FOR ACTION:** August 27, 2007
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- A. **PURPOSE:** Application to rezone from TN3 (Traditional Neighborhood), I1 (Light Industrial) and I2 (General Industrial) to PD Planned Development.
- B. **PARCEL SIZE:** 1,302,728 square feet (29.91 acres)
- C. **EXISTING LAND USE:** Office, surface parking, foundry, mix of light industrial uses (including body shop/auto repair, electric company)
- D. **SURROUNDING LAND USE:**
  - North: Mississippi River
  - East: Light industrial, Highway 52 (Lafayette Freeway) Bridge
  - South: Riverview Industrial Park (office, light industrial)
  - West: US Bank operations center, vacant land (planned West Side Flats Urban Village)
- E. **ZONING CODE CITATION:** §61.801(b) provides for changes in zoning classification by application of the owners of 67% of the area proposed to be rezoned; §66.800 provides the intent, general requirements, process for approval and amendment, and required findings for the Planned Development district.
- F. **HISTORY/DISCUSSION:** The I1 and I2 zoning within the area proposed for rezoning dates back several decades, reflecting the historic use of the riverfront for industrial purposes. Over time, the specific land uses on the I1 and I2 parcels have changed, but they are still used for general industrial purposes (not all of which are river-dependent).

TN3 zoning on the site has a more recent history, and is tied to the planned redevelopment of the West Side Flats (west of Robert Street and north of Plato Boulevard, not part of this rezoning application) as a mixed-use urban village. Following three years of visioning and planning for the West Side Flats, the City Council in **October 2000** created a new zoning district, OS2 General Office-Service, to provide for the development of compact, pedestrian-oriented urban villages with a diverse mix of higher-density commercial, residential, civic and recreational uses located within a quarter mile of high-frequency transit service. The area west of Robert Street was rezoned to OS2 to implement the *West Side Flats Development Strategy* and facilitate redevelopment of the West Side Flats as a mixed-use urban village. In **March 2001**, the Planning Commission initiated the Downtown Riverfront 40-Acre Study to implement the *Mississippi River Corridor Plan*, the *Land Use Plan* and the *Saint Paul on the Mississippi Development Framework* by making zoning more consistent with City policy, and existing and proposed uses along the riverfront. This study looked at riverfront sites beyond the West Side Flats, such as the parcels east of Robert Street

and north of Fillmore Avenue (currently zoned TN3 and part of this rezoning application) and the Upper Landing. The area east of Robert Street was proposed for rezoning to OS2 to allow new higher-density, mixed-use (commercial and residential) development consistent with the existing office building and with the *Mississippi River Corridor Plan, Land Use Plan, Saint Paul on the Mississippi Development Framework* and planned West Side Flats Urban Village. In **July 2001**, the City Council approved rezoning of, among other sites, the parcels east of Robert Street and north of Fillmore Avenue owned by JLT Group, Inc. to OS2. In **May 2004**, the Traditional Neighborhood districts (TN1-3) were created by the City Council, with TN3 replacing OS2. All parcels zoned OS2 were “converted” to TN3. This included the West Side Flats Urban Village (immediately west of the subject parcels), and the parcels east of Robert Street and north of Fillmore Avenue owned by JLT Group. In **December 2004**, an Alternative Urban Areawide Review (AUAR) for the entire 75-acre Bridges of Saint Paul project (including more than the area proposed for rezoning) was completed. A mitigation plan was adopted in 2005 by the Saint Paul City Council to address and minimize adverse effects on the environment identified during the AUAR study process. In **August 2006**, JLT Group, Inc. applied to rezone to B5 (Central Business-Service) an area slightly smaller than the area currently under consideration for rezoning to PD. In **October 2006**, the Planning Commission voted to recommend denial of the rezoning. In **November 2006**, JLT Group, Inc. withdrew the application prior to its consideration by the City Council. Subsequent to the withdrawal, PED Director Cecile Bedor sent a letter to JLT Group urging redesign of the project to be consistent with TN3 zoning and design standards, and encouraging the developer to seek public input in this process. In **January 2007**, Councilmember Thune convened the Tri-Council Task Force (comprised of representatives of the developer, West Side Citizens Organization, CapitolRiver Council and W. 7<sup>th</sup>/Fort Road Federation) to articulate the community’s vision for the site and determine how the project site plan should be amended to be consistent with that vision. The Tri-Council Task Force was disbanded shortly thereafter, with no resolution as to the community’s vision or recommended changes to the site plan. Both the developer and WSCO subsequently held a series of public informational meetings to educate the community about the site and project, and to gauge community opinion on it.

G. **DISTRICT COUNCIL RECOMMENDATION:** On July 9, 2007, the West Side Citizens Organization (District 3) Board voted to support the project. However, there has been some question as to the validity of this vote. Staff will present any new information on July 19, 2007.

H. **FINDINGS:**

1. Project Proposal

The applicant wishes to rezone land currently zoned TN3, I1 and I2 to PD to develop Phases 1 and 2 of the Bridges of Saint Paul project. Totals for both phases are: 995 housing units (Phase 1: 692, Phase 2: 303), 430,000 gross square feet of retail (Phase 1: 390,000, Phase 2: 40,000), 380,000 square feet of office (340,000 of which are existing, 40,000 new in Phase 1), 250 hotel rooms (all Phase 1), and 3,757 structured and surface parking spaces (Phase 1: 3,421, Phase 2: 336). Structured parking is provided on two levels underneath the entire Phase 1 portion of the project. Surface parking is provided in Phase 2. The key elements of the “public” realm are the Lower Promenade, the City’s esplanade on top of the levee; the Landing, a river’s edge road above the Lower Landing that will be used for emergency access, loading/unloading and drop-off; the Upper Promenade, a wide pedestrian plaza/terrace overlooking the Landing; and Bridges Avenue, a pedestrian spine comprising the retail street through the middle of the site. Four vehicular entry points bring traffic from Fillmore Avenue into the project at the below-grade parking level; one of the entries also allows access to the hotel via a drop-off circle above-grade. The applicant proposes to build a central mechanical plant, a new sanitary pump station and a new sanitary lift station. The proposed project is south of the levee. According to the applicant, the proposed floor area ratio (FAR) for Phases

1 and 2 is 2.32. With the exception of a two-story (68 feet) Central Mechanical Plant, the proposed heights range from 3 stories (75 feet) to 30 stories (386 feet). The number of stories is measured from the top of the structured parking deck (two stories of parking underneath the project). Building height in feet is measured from Fillmore Avenue and includes the height of the parking structure.

2. Existing Underlying Zoning and Land Use

The area proposed for rezoning to PD is currently zoned TN3, I1 and I2. The TN3 parcels are used for offices and related surface parking. The I1 parcels are used for an auto repair/body shop and electrical contractor. The I2 parcels are used as a foundry. The site itself is located on the river flats across from the bluffs of downtown, where the topography of the river valley changes from a steep river gorge upriver to a broad floodplain downriver.

3. Existing RC4 River Corridor Urban Diversified (Overlay) Zoning

The area proposed for rezoning is within the RC4 (Urban Diversified) Mississippi River Corridor Overlay District. The Mississippi River Corridor Overlay District regulates land use in the Mississippi River Critical Area within Saint Paul. The purpose of the Overlay District is to protect the Mississippi River as a natural, biological, ecological, economic, historical, cultural and scenic resource. The area proposed for rezoning is also part of the 54,000-acre Mississippi National River and Recreation Area. No change is requested to the RC4 overlay zoning.

4. Comparison of Existing Zoning with Proposed Uses

All of the proposed land uses in Phases 1 and 2 are already permitted under existing (TN3, I1 and I2) zoning, with the exception of general retail uses and restaurants over 10,000 gross square feet, which are conditional uses in TN3. The applicant has not yet identified the proposed size of the individual commercial uses. RC4 zoning allows the same permitted and conditional uses as underlying zoning.

5. Comparison of Existing Zoning Regulations with Proposed FAR and Building Heights

The proposed FARs of 2.13 (Phase 1) and 2.32 (Phase 2) are allowed under existing TN3 (maximum permitted FAR = 3.0) and I2 (maximum permitted FAR = 3.0) zoning, but not under existing I1 (maximum permitted FAR = 2.0) zoning. Building heights range from 75-386 feet. The maximum height permitted in TN3 is 55 feet, 50 feet in I1, and in 75 feet in I2. RC4 River Corridor Urban Diversified overlay zoning does not contain any height restrictions.

6. Impact of Building Heights on Holman Field Operations

As part of the AUAR, the Federal Aviation Administration determined that none of the proposed structures (in terms of height) would have "an adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities." None of the structures was found to be a hazard to air navigation at Holman Field.

7. Intent of Proposed PD Planned Development Zoning

§66.801 of the Zoning Code states that the PD Planned Development District "is intended to permit more flexible and creative private or public development or redevelopment than is possible under standard zoning classifications." Planned developments are required to be "harmonious with the general surrounding land uses, permitting flexibility in overall development while ensuring adequate safeguards and standards for public health, safety, convenience and general welfare."

8. General Requirements for a PD District

§66.802(a) of the Zoning Code requires that planned developments meet the following criteria:

**a. Parcels must be at least 1.5 acres in size.**

This requirement is met. The entire area (both phases) to be rezoned is 29.9 acres.

**b. The PD must be consistent with the Comprehensive Plan.**

This requirement is not met. See #10.a. below for a thorough discussion of consistency with the Comprehensive Plan.

**c. Subdivision of land required by the development shall be consistent with the rezoning.**

No subdivision is required.

**d. Unless phased, all development must be completed within three years of the effective date of the rezoning, unless specifically extended by the City Council.**

The project will be phased. See below for additional requirements pertaining to phasing (Finding 9).

**e. If phasing is proposed, the preliminary plan must indicate development for the total parcel. Final plans for separate phases must be submitted as amendments prior to execution of each phase.**

This requirement is met. The preliminary plan shows development for Phases 1 and 2, with Phase 2 shown as surface parking. Based on the development program assessed in the AUAR, it is presumed that final plans will be submitted at a later date for the full build-out of Phase 2.

**f. If phasing is used, each phase must be able to exist as an independent unit so that the area surrounding the PD can be planned and developed in a manner compatible with the PD.**

This requirement is met.

**9. Requirements When Phasing is Proposed**

§66.812 of the Zoning Code requires phased planned developments to meet the following requirements:

**a. The parcel must be at least five acres in size.**

This requirement is met. The entire area (Phases 1 and 2) to be rezoned is 29.9 acres.

**b. Phases must be capable of functioning as independent units. One phase must not preclude subsequent development of a parcel in the event the entire PD is not developed.**

This requirement is met.

**c. Phase 1 must constitute at least one-third of the total PD.**

This requirement is met. Phase 1 comprises 92 percent of the total site area.

**d. The entire PD must be developed within five years of the rezoning, unless extended by the City Council.**

Phases 1 and 2 are proposed to be completed within five years.

**e. The City Council may accept the following in lieu of a final plan for the entire PD: a final plan for Phase 1, a preliminary plan for subsequent phases and a schedule of phasing. Final plans for subsequent phases are treated as amendments.**

The current submission is a preliminary plan for Phases 1 and 2.

10. Required Findings to Approve Rezoning to PD

§66.809 of the Zoning Code requires the Planning Commission to make the following findings in approving a rezoning to PD:

**a. The proposed development is not in conflict with the Comprehensive Plan.**

With a project as complicated as Bridges, it is to be expected that there are aspects of the project that are consistent with the Comprehensive Plan and aspects where it conflicts with the Comprehensive Plan. Staff believes that those areas in which the proposed project conflicts with the Comprehensive Plan are more significant than those areas in which the proposed project is consistent with the Comprehensive Plan. The key chapters relevant to this evaluation are Land Use, Mississippi River Corridor, Parks and Recreation, and Transportation. Section 10 of the preliminary plan application contains the applicant's conclusions as to the consistency of the proposed project with the Comprehensive Plan. This staff report addresses the major elements of the Comprehensive Plan relevant to the findings.

**Land Use Plan**

The project **is consistent with** the Land Use Plan in the following ways:

- It would support an increase in the number of jobs and housing units in the city and focus growth along a transit corridor (Robert Street). (Policy 3.3.1)
- It would allow new housing construction to help meet the projected demand for 3,000 new housing units in linked urban villages around the downtown and on the West Side Flats by 2020, in a location that will sustain its residential value over time. (Policies 4.5.1, 5.3.2, 5.4.1, 5.4.4)
- It would allow for a range of housing types and values. (Policies 5.3.1, 5.3.2)
- It would encourage more housing and jobs to locate along high-service bus routes (Policy 5.5.2)
- It would provide a mix of land uses. (Policy 6.2.2)

The project **conflicts with** the Land Use Plan in the following ways:

- On this site, the proposed heights would negatively impact the topographic features of the city, especially the bluffs, by allowing buildings on the river flats that are taller than the bluffs, and by blocking views of and from the bluffs. (Policy 3.4.1)
- On this site, the height and scale of proposed buildings would create a barrier between surrounding areas and the river, and negatively impact several of the views and vistas identified in the Land Use Plan. (Policy 7.8.1)
- On this site, the height and scale of proposed buildings would: 1) stop, rather than extend, the influence of the river valley into the "Greater West Side" neighborhood; 2) be detrimental to the sense of the river valley in this location; and 3) harm the neighborhood's connection to this topographically unique part of the river corridor. (Policy 7.2.3)

The existing TN3 zoning, which covers a majority of the site proposed to be rezoned to PD, requires adherence to a set of design standards (Table 66.343) that will result in a project that is consistent with the Land Use Plan by:

- ensuring compatibility with the Ten Principles for City Development (most notably those dealing with urban ecology, connectivity and the public realm) and the land use themes of the *Saint Paul on the Mississippi Development*

*Framework* (most notably connectivity, re-greening the river valley; connecting to nearby land uses; designing streets to accommodate transit, bikes and pedestrians as well as cars; designing buildings to meet the street and increase pedestrian activity on the sidewalks; and providing a continuous urban fabric to keep streets interesting for pedestrians). (Land Use Plan Policies 3.5.1, 4.1.1); and

- promoting the corridor's natural ecology, improve public access and recreational uses, and require a finer pattern of public streets than the current industrial park configuration. (Land Use Plan Policies 6.2.1, 6.2.2, 6.2.3).

#### **Mississippi River Corridor Plan**

The project is **consistent with** the Mississippi River Corridor Plan in the following ways:

- The project would result in the redevelopment of underused industrial sites as with a mix of uses. (Policy 6.4.1)
- The buildings are designed with street-level windows, front doors facing the street and active street-level uses. (Policy 7.2.5)

In general, the proposed project conflicts with the Mississippi River Corridor plan in that it does not respond to the surrounding neighborhood context, topography or public realm; respect the urban ecology and topography of the Mississippi River Valley; or heighten the experience of the river corridor by preserving critical public views. Specifically, the project **conflicts with** the Mississippi River Corridor Plan in the following ways:

- The proposed development will not be served by natural stormwater management techniques. (Policy 4.4.7)
- The proposed building height and scale would harm views of the river and negatively impact public views to the top of the High Bluff. (Policies 5.1.1, 7.2.1)
- The proposed scale, form and configuration of the project would harm the connection between the city and river. (Policy 6.4.1)
- The proposed project does not establish a fine-grained system of blocks and streets. (Policy 7.1.1)
- The proposed interior streets and perpendicular rights-of-way do not accommodate all modes of movement (bicycles, pedestrians and cars). (Policy 7.1.5)

The existing TN3 zoning, which covers a majority of the site proposed to be rezoned to PD, requires adherence to a set of design standards (Table 66.343) that will result in a project that is consistent with the Mississippi River Corridor Plan by:

- ensuring development consistent with the site's location in the Lowlands, including an urban street grid that provides access to the river's edge, a fine-grained system of blocks and streets, and urban continuity through the integration of streets and blocks into existing traditional patterns; (Mississippi River Corridor Plan Policy 7.1.1); and
- encouraging the project to be designed in a way that enhances physical and visual connections between the West Side neighborhood and the river's edge; (Mississippi River Corridor Plan Policy 7.1.5).

### **The Parks and Recreation Plan**

The project **is consistent with** the Parks and Recreation Plan in the following ways:

- The proposed project will add some open space features that will be privately-owned and -maintained. In addition, the applicant pledges to work with the Division of Parks and recreation during the master site plan process to develop active recreational space and/or to meet the parkland dedication requirement. (Policy 5)

The project **conflicts with** the Parks and Recreation Plan in the following ways:

- The proposed project would allow a height and scale of development that is not environmentally compatible with the river's history and the site's unique location. (Policy 9)
- On this site, the proposed project would allow a height and scale of development that negatively impact significant river and downtown skyline views for the public, obstruct public access and views to the river, and are a barrier between the rest of the West Side and the esplanade trail along the top of the levee. (Policies 10.b., 10.c., 36, 38)

### **The Transportation Plan**

The proposed project **is consistent with** the Transportation Plan in the following ways:

- The proposed project's location along the Robert Street transit corridor has the potential to reduce trips and promote alternative modes of travel. (Policies 4, 6)
- The proposed project discourages regional sprawl and subsequent disinvestment in the metropolitan core. (Policy 50)

The proposed project **conflicts with** the Transportation Plan in the following ways:

- The scale and building configuration of the proposed project disconnects the adjacent neighborhood from the riverfront. (Policy 69)

**b. The proposed development is designed to provide a desirable and unified environment within its own boundaries.**

This is the case.

**c. The proposed uses will not be detrimental to present or future land uses in the surrounding area.**

Staff believes that the impact on river views and the amount of traffic generated by the project may be detrimental to present or future land uses in the surrounding area. In particular, there has been a fair amount of concern on the part of the Planning Commission and the larger community regarding the proposed project's impact on the economic vitality of downtown Saint Paul. Development that meets the requirements of the existing TN3 zoning, which covers a majority of the site proposed to be rezoned to PD, would not be detrimental to present or future land uses in the surrounding area.

**d. The exceptions to the standard requirements in the schedule of regulations are justified by the design of the development.**

As currently designed, B5 Central Business-Service would accommodate the proposed project. However, staff believes that B5 zoning at this location would be

inconsistent with the Comprehensive Plan. The Planning Commission agreed with this assessment in Resolution #06-79 adopted October 10, 2006.

- e. **The PD or phase thereof is of sufficient size, composition and arrangement that its construction, marketing and operation make it feasible as a complete unit without dependence upon any subsequent unit.**

This is the case.

- f. **The proposed development will not create an excessive burden on parks, schools, streets or other public facilities and utilities that serve or are proposed to serve the PD.**

Staff questions whether the proposed project may create an excessive burden on streets, given the extent of the improvements to Fillmore Avenue that will be required to accommodate traffic generated by the project. It is the applicant's intention to pay for the Fillmore Avenue improvements as part of the development budget, not the City's budget. However, whether this ends up being the case will depend on negotiations regarding public financial participation, which are not a part of the zoning process. The applicant indicates that he intends to seek public financial participation for all or a portion of the project's infrastructure capital costs through a tax increment request, grant funding or other similar financing. The applicant states that there is no current intention that any City tax dollars will be used other than those generated at the project site.

Staff believes that the proposed project will create an excessive burden on parks. The proposed project includes several areas designated "Public Parks, Play Areas and Trails." Parks staff agree that the following areas may well function as public facilities, as long as they meet the same rules and criteria as other public park facilities: Riverwalk Extension and "Active Use Area" (this area is really too small to fit into an "active use" category, but the green space portion could serve as space for general recreational use such as frisbee throwing, dog walking, etc.); Children's Play Areas, which are very small play areas that will not accommodate much more than one piece of equipment (typical play areas average 10,000SF); Regional Trail connections (provided they are actually designed and constructed as trails, not just typical sidewalks); and Public Event Plaza A, which could function as a public park space. These spaces total 55,000 SF or 1.2 acres. Parks staff does not believe that the Upper Promenade, Pedestrian Way or other plaza spaces meet the requirements of public park space or trails, as they are not exclusive to those uses but are required to be available for non-park uses such as emergency vehicle access, commercial venues etc.

According to Parks and Recreation staff, there is currently a lack of adequate active outdoor recreation opportunities and passive green space on the greater West Side Flats due to topography, flooding, and former industrial land uses.

In terms of active recreation, current trends indicate that more locations and space will be needed on the West Side for opportunities such as tennis, basketball, soccer, baseball, softball, football and volleyball. The two recreation center sites currently serving the West Side (El Rio Vista in the Wellstone Center and Baker) have limited space for expanded active outdoor recreation opportunities. As new residential



communities are developed, the gap between supply and demand will widen. Demographic projections indicate this need will only intensify over the next 5-10 years.

In terms of passive recreation, there are currently several areas on the West Side, including Lilydale, Cherokee, Harriet Island and Raspberry Island Regional Park that provide passive recreation opportunities such as trails and natural areas for hiking and biking, fishing, dog walking and picnicking. As proposed, the Bridges project can be expected to cause a significant increase in demand for these passive recreation opportunities. In addition to the planned 2,000 permanent Bridges residents, there will be an increase in visitors to nearby recreation centers and regional parks related to the new residents as well as more general public visitors. The existing recreation centers and regional parks already need improvements in multi-modal accessibility, intra-/inter-park connectivity, upgraded facilities, maintenance/operations, safety/security, and mitigation of invasive species. The anticipated visitor increase will add to these current demands and create future expectations for maintenance, operations, and safety/security activities (e.g. garbage removal, snow plowing and removal, trail sweeping and repair, lighting repairs, lot sweeping, safety and security patrols, litter and graffiti removal, new benches and picnic tables, and other park furniture repairs and replacements.)

In addition, the passive park areas noted above are all west of Wabasha Street. There is currently no open green space of any significant size, active or passive, east of Wabasha, and trails in this area are also lacking. Good connections, including trails and public transit into and out of the Bridges site, are critical for safe and effective access from both a neighborhood and regional perspective.

In conclusion, it is the assessment of Parks and Recreation staff that, with a proposed permanent population in the 2,000 range, the Bridges project will add to the existing demand for both active outdoor recreation opportunities and passive green space, and will more than likely create an excessive burden on existing park facilities unless adequate active and passive recreational space is provided in or adjacent to the proposed site. The current Bridges public realm plan includes primarily hard surface plaza-type spaces for sitting and walking. It does not appear to include space for any active outdoor recreation, with the exception of the Lower Promenade, which will include a bike trail and two small play equipment areas adjacent to plaza spaces (tot lots).

Development that meets the requirements of the existing TN3 zoning, which covers a majority of the site proposed to be rezoned to PD, will not create an excessive burden on parks.

**g. The proposed development is consistent with the reasonable enjoyment of neighboring property.**

Staff believes that the impact on river views and the amount of traffic generated by the project may impair the "reasonable enjoyment" of neighboring property.

Development that meets the requirements of the existing TN3 zoning, which covers a majority of the site proposed to be rezoned to PD, would be consistent with the reasonable enjoyment of neighboring property.

- I. **STAFF ANALYSIS:** While PD is an appropriate zone to deal with the complexities of a project of this magnitude, the Bridges of Saint Paul as currently designed is not consistent with the Comprehensive Plan. The key concerns relate to the street and block pattern, and building height. The existing TN3 zoning, which covers a majority of the site proposed to be rezoned to PD, or a project that meets the requirements of TN3 is consistent with the Comprehensive Plan; will not be detrimental to present or future land uses in the surrounding area; will not create an excessive burden on parks or streets; and is consistent with the reasonable enjoyment of neighboring property. In addition, the building heights allowed in TN3 better implement policies in the Land Use Plan (Policies 3.4.1, 7.8.1 and 7.2.3) and Mississippi River Corridor Plan (Policies 5.1.1, 6.4.1, 7.1.1, 7.1.5 and 7.2.1). However, assuming that the project is redesigned to truly implement the intent, and design and dimensional standards of TN3, staff believes it may be appropriate to consider height variances to the TN3 regulations for a building(s) based on impacts on river views, the scale of adjacent physical and geographic features, etc. This could be done in the context of maintaining and extending TN3 zoning and considering height variances to the TN3 regulations, or rezoning to PD for a project that generally meets the TN3 regulations but allows for some taller buildings in strategic locations.
- J. **STAFF RECOMMENDATION:** Based on the above findings for the proposed project as submitted, staff recommends denial of the application to rezone a portion of the area bounded by Robert Street, Fillmore Avenue, Hwy. 52 and the Mississippi River to PD Planned Development.