



**CITY OF SAINT PAUL**  
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To: Comprehensive Planning Committee

From: Donna Drummond and Sarah Zorn, Planning Staff

Date: December 7, 2010

**Re: Central Corridor and Traditional Neighborhood Zoning Study: Nov. 19 and Dec. 3  
Public Hearing Testimony and Follow Up Research Proposed**

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**Introduction**

This memo lists the individuals who spoke at either the Nov. 19<sup>th</sup> and Dec. 3<sup>rd</sup> public hearings or submitted written testimony, summarizes the major issues that were raised, and proposes additional research to be completed in response to these issues. We would like the Committee to review this and let us know if there are additional issues we missed, or additional research you think would be helpful for the Committee in order to finalize its recommendations. Staff will be preparing a recommended response to all issues raised at the hearing for the Committee's consideration.

**Individuals who testified at the 11/19/10 public hearing:**

Thong Nguyen, auto repair shop owner

Julie Esch, Midway Chamber Chair

Paul McGinley, Midway Chamber board chair elect

Michael Glasgow, Glasgow Auto

Barbara Pecks, Health Impact Assessment Project

Amy Xiong, Take Action MN

Pastor Zelke, Hope Lutheran Church Pastor

Jim Erkel, MN Center for Environmental Advocacy (MCEA)

John Slade, MICAH

Benita Warns, Mr. Michael Recycles Bicycles

Michael Belean, Saint Paul Area Chamber of Commerce (SPACC)

Peter Latuff, Latuff Auto Body

Tim Thompson, Housing Preservation Project (HPP)

Lorrie Louder, Saint Paul Port Authority (SPPA)

Tait Danielson-Castillo, District 7

George Younes, William's Store

Michael Latuff, Latuff Auto Body

Summary of public hearing testimony

Barbara Schneider, represents Taco Bell on Snelling  
Jim Erickson, represents Border Foods  
Joy Johnson, Bethlehem Lutheran Church Pastor  
Elizabeth Drum, Bethlehem Lutheran Church member, MICAHA supporter  
Debbie Montgomery, Aurora St. Anthony Neighborhood Development Corp. (ASANDC)  
Veronica Burt, ASANDC, Preserve and Benefit Historic Rondo  
Tetra Constantino & brother, Elsa's House of Sleep  
Anne White, Union Park resident  
Judd Fenlon, Director of Real Estate at Wellington Management  
Jessica Treat, St. Paul Smart Trips  
James Kilau, auto sales lot owner

**Individuals who testified at the 12/03/10 public hearing:**

Lorrie Louder, Saint Paul Port Authority (SPPA)  
Robert Carpenter, RockTenn  
Greg Bistram, represents Wilder Foundation  
Al Constantino, Elsa's House of Sleep  
George Younes, William's Store  
Peter Latuff, Latuff Auto Body  
Neil Holstein, Industrial Equities representing John Allen/620 Pelham site  
Tom Vitalik, Project Manager for John Allen/620 Pelham site  
Marvin List, represents Rihm Kenworth  
John Glasgow, Glasgow Auto Repair  
John Slade, MICAHA  
Larry Peterson, represents University Avenue Business Association (UABA)  
Tait Danielson-Castillo, District 7  
Steve Ficker, Prospect Park resident  
Greg Heck, Unidale Mall management  
Michael Hafner, 1790 and 1800 University property owner  
Jim Erickson, represents Border Foods

**Written testimony received from:**

(\* indicates also spoke at the public hearing)

Housing Preservation Project\*  
Saint Paul Area Chamber of Commerce\*  
Midway Chamber\*  
Wilder Foundation\*  
District 7 Planning Council\*  
Healthy Corridor for All\*  
Larry Martin, representing Marsden Investments (one letter each for 1717 and 2124 University)  
Jay Cherner, 1605 University Ave  
Robert Ilg  
RockTenn  
MICAHA\*  
Latuff Brothers Auto Body\*  
Business Review Council  
Holiday Companies

Theresa Olsen, Desnoyer Park resident  
Jeanne Weigum, Union Park resident  
Steve Ficker, Prospect Park resident\*  
Union Park District Council  
Michael Warns  
Benita Warns, Mr. Michael Recycles Bicycles \*  
Jane Prince, Dayton's Bluff resident  
Marvin Liszt on behalf of Rihm Kenworth\*  
John Schatz, Desnoyer Park resident  
Tait Danielson-Castillo\*  
Tetra Constantino, Elsa's House of Sleep\*  
Preserve and Benefit Historic Rondo\*  
Saint Paul Port Authority\*  
Tim Holden, 1607 University Ave

**Consultant reviewers:**

Thomas Comitta Associates  
Farr Associates  
McGuire Woods  
Community Design + Architecture

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Following are the main topics brought up during public hearing testimony, along with a bulleted summary of the comments presented.

**Auto-oriented uses (auto repair, auto body, auto specialty, car rental) on University Avenue:**

Thong Nguyen, auto repair shop owner  
Michael Glasgow, Glasgow Auto  
Peter Latuff, Latuff Auto Body  
George Younes, William's Store  
Michael Latuff, Latuff Auto Body  
Tetra Constantino, Elsa's House of Sleep  
James Kilau, auto sales lot owner  
Michael Hafner, auto repair property owner

- Many want to see auto uses remain on University Avenue and are concerned about the stigma and added hoops (relative to city process and lending) associated with becoming nonconforming uses.
- Add Auto repair and auto specialty to TN.

**Follow up research proposed:**

- Map all auto-related non-conforming uses, determine which are also non-conforming as to minimum lot size

**Loss of industrially-zoned land and the question of whether to wait for the West Midway Study:**

Julie Esch, Midway Chamber

Paul McGinley, Midway Chamber

Lorrie Louder, SPPA

Michael Belean, SPACC

Larry Peterson, UABA

Union Park District Council

- Loss of industrially-zoned land is equated with the loss of jobs. Midway Chamber is not resistant to change, but want to ensure that there are job-producing uses in the area now and in the future.
- Land further than one block from University should remain industrial or no industrially-zoned land should be rezoned.
- Add a “permissive overlay” to allow for future height and density on industrial land that can be used if needed.
- Institute a “no net loss” policy.
- Need clarification of study areas for the CC/TN and West Midway Study.
- Wait for the results of the West Midway Study before making recommendations regarding industrial land.
- Need to retain industrial land to remain competitive.
- Rather than implementing new zoning, extend the overlay for the industrial areas west of Prior until the West Midway Task Force Study is complete.

#### **Follow up Research Proposed**

- Determine average job density for selected industrially-zoned blocks by type of development (office, warehouse, manufacturing, retail) from data collected for the West Midway Study. Determine if average wage by job category is available from DEED or other sources.
- Determine reduction in NCUs if warehousing becomes a permitted use in the IR (industrial restricted) zone (may have been an oversight that this wasn’t included when IR was adopted?).

#### **Number of nonconforming uses created by the zoning change:**

Paul McGinley, Midway Chamber

Michael Belean, SPACC

Barbara Schnieder, represents Taco Bell

Jim Erickson, represents Border Foods

- NCUs make it difficult to sell, finance, lease property.
- Most NCUs are on industrial property.
- Drive-throughs becoming NCUs restrict the ability of “quick service restaurants” to locate in the corridor and has an impact on the jobs that the restaurant may provide.

#### **Follow up Research Proposed**

- Talk with both larger banks and smaller community banks to determine impact of NCU status on financing.
- Contact DSI and find out what their zoning compliance letters say about NCU status – is there any explanation in the letter about what that means?

#### **Variations – given the Krummenacher state Supreme Court decision, consideration of using CUPs as option to vary from standards or allow more types of uses in TN:**

Paul McGinley, Midway Chamber  
Michael Belean, SPACC

- Write more CUPs into the code for FAR, height, setbacks – Comprehensive Plan calls for flexibility.

**Follow up Research Proposed**

- Determine status of any initiatives to introduce new legislation in the upcoming session that would clarify rules for approving variances to restore flexibility by cities to grant variances.

**Healthy Corridor Initiative to use zoning to create healthy neighborhoods:**

Brenda Pecks, HIA  
Amy Xiong, Take Action MN  
Pastor Zelke, Hope Lutheran Church  
Jim Erkel, MCEA

- Main focuses of study are transportation, housing and a healthy economy.
- Suggest living wage requirements; fast food bans; big box retail bans; affordable housing replacement policy; healthy food stores, farmers markets, community gardens; small business retail space set aside in larger developments (Phoenix model); bike parking; public restrooms.

**Follow up Research Proposed**

- Document existing City requirements related to living wage, targeted vendor, green development, and other compliance requirements that are tied to receipt of City financing.
- Summarize current community initiatives underway that are addressing some of the goals and objectives identified by the Health Corridor for All Health Impact Assessment.
- Research examples from a sampling of other cities regarding these types of requirements.

**Not allowing enough height and density:**

Jim Erkel, MCEA  
John Slade, MICAH

- City is leaving too much development value on the table.
- Zoning proposal should more accurately reflect the CCDS in terms of development potential.
- T4 should go back to 150' in height with a 10-20% density bonus for affordable housing.

**Too much height and density:**

Benita Warns, Mr. Michael Recycles Bicycles  
Michael Warns  
Debbie Montgomery, ASANDC  
Judd Fenlon, Wellington Management

- T4 shouldn't be used within 500 feet of low-density residential.
- Use absolute height maximums rather than writing in CUPs/exceptions.
- Concerns about too much height/density being permitted at the University/Lexington intersection; areas that are T4 should be T3, those that are T3 should be T2 so as not to

encroach on the neighborhood. Jobs are important but more jobs can be added without the added density.

- Taller buildings are more expensive to build and difficult to lease, requirement should be reduced.

**Affordable housing and inclusionary zoning:**

Pastor Zelke, Hope Lutheran Church

Jim Erkel, Minnesota Center for Environmental Advocacy

John Slade, MICAHA

Tim Thompson, Housing Preservation Project

Joy Johnson, Bethlehem Lutheran Church

Elizabeth Drum, Bethlehem Lutheran Church member

Veronica Burt, ASANDC, Preserve and Benefit Historic Rondo

Anne White, Union Park resident

Steve Ficker, Prospect Park resident

Union Park District Council

- New construction should include affordable housing – MICAHA proposed the 50/50 plan.
- Density bonuses for affordable housing should be used in TN3 and TN4.
- Inclusionary zoning is a way that limited public resources can go farther and shift some of the responsibility for the creation of affordable units on to the private market. There will be developers in the future who don't need public subsidies and it's fair to expect private investment to further public goals.
- Added cost of monitoring affordability and administering inclusionary zoning requirements.

**Follow up Research Proposed**

- Summarize Saint Paul affordable housing policies and record of developing affordable housing; place in regional context.
- Summarize research completed regarding inclusionary zoning policies from around the country.
- Research and summarize specific example of Madison, WI experience.

**Gentrification:**

John Slade, MICAHA

Joy Johnson, Bethlehem Lutheran Church

Elizabeth Drum, Bethlehem Lutheran Church member

Veronica Burt, ASANDC, Preserve and Benefit Historic Rondo

- Concern about rising property taxes.
- Adjust Area Median Income (AMI) benchmark for affordable units to 20% rather than 30%

**Follow up Research Proposed**

- Summarize research about impact of LRT on property values – Hiawatha example and studies from around the country.

**Elimination of minimum parking requirements:**

*Pro*

Michael Belean, SPACC

Jessica Treat, St. Paul Smart Trips

Farr Associates, consultant reviewer

Community Design + Architecture, consultant reviewer

- No minimums are better for businesses.
- Need to change language to ensure that there is adequate bike parking (currently tied to number of parking spaces provided).
- Consider implementing an absolute maximum standard, could be the existing requirement in 63.207, parking requirements by use, or provided in a structure.

*Con*

Benita Warns, Mr. Michael Recycles Bicycles

Tait Danielson-Castillo, District 7

Tetra Constantino, Elsa's House of Sleep

Anne White, Union Park resident

George Younes, William's Store

Union Park District Council

- Businesses can't afford to operate without parking – need it for customers and deliveries.
- Eliminating minimum parking requirement as a whole within ¼ mile is more of a concern than just eliminating it within TN zones.
- Eliminating minimum parking requirement is going too far – suggested 50% reduction initially.

**TDM requirements in downtown:**

Michael Belean, SPACC

Jessica Treat, St. Paul Smart Trips

- Downtown businesses should be exempt from doing TDMs – seen as a barrier for businesses.
- TDM requirements should remain applicable to downtown businesses.

**Use of shared alleys for commercial traffic:**

Tait Danielson-Castillo, District 7

Debbie Montgomery, ASANDC

Farr Associates, consultant reviewer

Community Design + Architecture, consultant reviewer

Al Constantino, Elsa's House of Sleep

Preserve and Benefit Historic Rondo

- Concerns that residents along proposed shared alleys haven't received proper notification. Sharing an alley with University Ave businesses can lead to a reduction in residential quality of life and property values; concerns about maintenance, wear and tear, trash pick up, commercial deliveries, etc.
- Shared alleys create unsafe conditions.
- Delicate balance between accommodating residents and new development – suggest block by block analysis of alley use and University Ave curb cuts to avoid potential conflicts.
- Use of alleys, with a greater emphasis on mitigation and landscape design, results in a more walkable environment due to a reduced need for curb cuts along University.
- Permission of additional curb cuts will alleviate traffic on side streets and in the alleys.
- Minneapolis cleans and maintains alleys and business districts. To keep businesses in Saint Paul, the city should consider providing these services.

**Follow up Research Proposed**

- Develop summary of existing City policies regarding use, maintenance, improvement, and financing of alleys and identify issues to resolve if shared commercial-residential alleys are to be used more frequently for commercial vehicle parking and deliveries.
- Develop map of where there are shared alleys along Central Corridor.

**Property Rezonings:**

- Scope of Central Corridor Zoning Study – should there be adjustments to the Area of Change/study area?

Address	Owner	Existing Zoning	Proposed Zoning	Request	Requestor
620 Pelham	SPPA	I1	I1	Remain I1	Lorrie Louder, Neil Holstein, Tom Vitalik
0 Raymond	RockTenn	I1	T4	Remain I1	Robert Carpenter
2220 Myrtle	RockTenn	I2	T3	Remain I2	Robert Carpenter
2256 Myrtle	RockTenn	I2	T3	Remain I2	Robert Carpenter
2265 Wabash	RockTenn	I2	T3	Remain I2	Robert Carpenter
2280 Myrtle	RockTenn	I2	T3	Remain I2	Robert Carpenter
689 Hampden	RockTenn	I2	T3	Remain I2	Robert Carpenter
0 Lexington Pkwy (342923410067)	Wilder	B3	T4	T4	Wilder
0 Lexington Pkwy (342923410069)	Wilder	B3	T4	T4	Wilder
1441 University	Constantino	B3	T2	B3	Tetra & Al Constantino
880 University	Lattuf	B3	T2	B3	Peter Latuff
2108 University	Rihm	I2	IR	I2	Marvin Liszt
2109 University	Rihm	I1	IR	I1	Marvin Liszt
2120 Charles	Rihm	I1	IR	I1	Marvin Liszt
740 University	Glasgow	B3	T2	B3	John Glasgow
1790 University	Hafner	B3	T3	B3	Michael Hafner
1800 University	Hafner	B3	T3	B3	Michael Hafner
S. side Univ. between Prior and E. Lynnhurst	Varies	B3	T4	T3	Benita Warns, Michael Warns
Within 100' of Iris Park to the east and west	Varies	B3	T4	T3 or less intense	Union Park District Council
620 Pelham	SPPA	I1	I1	T4	Theresa Olsen, John Schatz
1607 University	Holden	B3	T4	B3	Tim Holden