



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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DATE: April 29, 2015
TO: Zoning Committee
FROM: Bill Dermody, City Planner
RE: Freedom Works at 869 5th Street E.

At the April 16 public hearing, the Zoning Committee requested more information regarding alternatives for the Freedom Works application. Under guidance from Department of Safety & Inspections (DSI) staff, the applicant is pursuing a Conditional Use Permit (CUP) for a Transitional Housing Facility. Other potential options are a Licensed Correctional Community Residential Facility, a Licensed Human Service Community Residential Facility, a Boardinghouse/Roominghouse, or a Reuse of Large Structure, all of which require a CUP in the RM2 district for 24 residents. Each option is reviewed below.

Transitional Housing Facility (Sec. 65.159)

Definition: One main building, or portion thereof, on one zoning lot where persons who may or may not have access to traditional or permanent housing but are capable of living independently within a reasonable period of time, generally about 18 months, reside on a 24-hour-per-day basis for at least 30 days and participate in appropriate program activities designed to facilitate independent living.

Minimum lot area for proposed use: 27,000 ft² (shortfall of 9,315 ft²)

Analysis: The applicant does not consider itself “transitional housing”, but it provides program activities to facilitate independent living, and the residents stay an average of 12 to 24 months.

Licensed Correctional Community Residential Facility (Sec. 65.154)

Definition: One main building, or portion thereof, on one zoning lot where persons who are placed there by a court, court services department, parole authority or other correctional agency having dispositional power over persons charged with or convicted of a crime or adjudicated delinquent reside on a 24-hour-per-day basis under the care and supervision of a residential program licensed by the state department of corrections.

Minimum lot area for proposed use: 27,000 ft² (shortfall of 9,315 ft²)

Analysis: The use is not licensed by the state department of corrections. Residents are generally referred by a correctional agency, but not placed by them.

Licensed Human Service Community Residential Facility (Sec. 65.153)

Definition: One main building, or portion thereof, on one zoning lot where one or more children or persons with mental retardation or related conditions, mental illness, chemical dependency or physical handicaps reside on a 24-hour-per-day basis under the auspices of a program licensed by the state department of human services to provide lodging in conjunction with monitoring, supervision, treatment, rehabilitations, habilitation, education or training of the residents of the facility.

Minimum lot area for proposed use: 27,000 ft² (shortfall of 9,315 ft²)

Analysis: The use is not licensed by the state department of human services and residents do not necessarily have any of the conditions listed in the definition.

Boardinghouse (Sec. 65.170)

Definition: Any roominghouse which provides meals to its roomers.

Roominghouse (Sec. 65.171)

Definition: Any residential structure or dwelling unit, supervised or not, which provides living and sleeping arrangements for more than 4 unrelated individuals for periods of 1 week or longer. (Also defines two other categories of Roominghouse not applicable to this proposal.)

Minimum lot area for proposed use: 27,000 ft² (shortfall of 9,315 ft²)

Analysis: Does not address the services provided, such as mentoring, career development, and computer training.

Reuse of Large Structure (Sec. 65.132)

Definition: Conversion or reuse of residential structures of over 9,000 ft² gross floor area and permitted nonresidential structures such as churches and schools.

Minimum lot area for proposed use: None. 13,248 ft² building meets 9,000 ft² minimum.

Analysis: Requires parking as if this were a new structure (all 9 spaces required of a transitional housing facility would need to be provided) and requires a petition signed by 2/3 of property owners within 100 feet. Also, it is questionable whether this use would meet the standard that “the structure cannot reasonably be used for a conforming use”, since the proposed use appears to be a conforming use (in one of the above categories) that simply cannot meet the minimum lot area requirement.

MEMORANDUM

Date: April 23, 2015
To: Bill Durmody
City of St. Paul Planner
From: Bob Johnston
Subject: FreedomWorks Conditional Use Permit Application

Bill:

In response to the questions posed in your e-mail of April 22, please review the following:

1. Why is this transitional housing (under the City's definition) and not something else?

When FreedomWorks first inquired about submitting an application for a Conditional Use Permit, my initial conversations were with Corinne Tilley. She stated, and forwarded to me via e-mail, the two choices outlined below from which we had to select with respect to the FreedomWorks model and operation. It was clear, based on reading the first, that the ministry did not fit into this category. Therefore, we selected the second and submitted the CUP application under that designation.

Sec. 65.154. - Community residential facility, licensed correctional.

One (1) main building, or portion thereof, on one (1) zoning lot where one (1) or more persons who are placed there by a court, court services department, parole authority or other correctional agency having dispositional power over persons charged with or convicted of a crime or adjudicated delinquent reside on a 24-hour-per-day basis under the care and supervision of a residential program licensed by the state department of corrections.

This definition does not include:

- (1) Licensed foster care homes serving persons under eighteen (18) years of age in the principal residence of the license holder;
- (2) Municipal, county or regional jails, workhouses, juvenile detention facilities, or state correctional facilities operated by the commissioner of corrections.

Sec. 65.159. - Transitional housing facility.

One (1) main building, or portion thereof, on one (1) zoning lot where persons who may or may not have access to traditional or permanent housing but are capable of living independently within a reasonable period of time, generally about eighteen (18) months, reside on a 24-hour-per-day basis for at least thirty (30) days and participate in appropriate program activities designed to facilitate independent living.

2. Is participation in the program mandatory?

Men who are referred to the program and then carefully screened and interviewed, sign a covenant agreement prior to entering and commit to the program as outlined. Therefore, yes, the program, and all of its components, is mandatory. However, there is nothing that the DOC or any other agency with ex-prisoner oversight mandates or demands of the men. The men enter the program purely on a voluntary basis and know fully prior to entering, the standards and personal accountability required.

3. What does a schedule of program activities look like?

The programs are held in the evening hours.

Monday	CBS Bible study	7:00 – 8:30
Tuesday	Career Development/Computer Training	6:00 – 7:30
Wednesday	Night off, but have house jobs to complete	
Thursday	Community Dinner/Program	6:15 – 8:00
Friday	Service Project	5:30 – 9:00 (varies)
Saturday	Support Group Activity	Men schedule on their own
Sunday	Worship/Free	

Hours free from any programming function or work-related obligations, including often times hours traveling to and from employment, men meet with mentors, enroll in on-line courses, attend trade school, and enroll in advanced computer training. As a whole, they have little free time.

4. Does the program amount to more than holding a job, attending church and bible study, and optional counseling and computer classes?

For those who are not yet employed, they meet with staff on Monday mornings, typically for one hour, and they are accountable (by the hour) for what they do with their time from 8:00 a.m. – 4:00 p.m. Their full-time job is to look for full-time work. Community outreach is a significant element of the

program. Also, the men participate in "fun" activities through various outings such as camping, movies, horseback riding, fishing, dinners and fellowship times.

5. How does one know the program has been completed?

Completion of the program is measured. At every interval, each man is accountable to staff for his program progress. The first phase, for example, is 40 days, during which each man is obligated to complete 40 tasks. If the gentleman does not complete those tasks, it demonstrates to the ministry that he is not really serious about transformation and progressing in the program. Many times, he is then asked to leave the program. The second phase is 60 days. The third phase is 90 days. The fourth and final phase is 60 days, at which time each man takes personal responsibility for his actions and accountability with less oversight by the ministry.

Bill, I have also attached a Covenant Commitment that I have shared with the Dayton Bluffs Community Council leaders (Deanna and Brenda) and also with Sage. This is our way of telling them and the residents that we want to be a part of their community, and we want them to be a part of, and participate in, our community as well.

Please call me with any further questions. I hope this addresses what you were looking for.

Thank you.

Covenant Commitment

THIS COVENANT COMMITMENT is made this ____ day of _____, 2015, between FreedomWorks, Inc., a Minnesota non-profit organization ("FW") and the Dayton Bluffs Neighborhood Residents ("Dayton Bluffs").

RECITALS:

- A. FW currently operates a Christ-centered, post-prison ministry in North Minneapolis and desires to expand the ministry to a St. Paul location; and
- B. FW desires to purchase a property currently owned by Catholic Charities located at 869 Fifth Street East in St. Paul ("Property"); and
- C. Dayton Bluffs has expressed concern about FW use of the Property; and
- D. FW and Dayton Bluffs want to work cooperatively to maintain a safe neighborhood and the continued vitality of the adjacent charter school and parish.

NOW, THEREFORE, FW proposes the following:

- 1. FW will invite Dayton Bluffs to periodic meetings of FW Board of Directors in order to maintain open communication with respect to neighborhood concerns and desires.
- 2. FW will invite Dayton Bluffs to FW open houses, community events, barbeques and socials to allow Dayton Bluffs to interact with FW and better understand (and even participate in) the ministry.
- 3. FW will provide Dayton Bluffs contact information for all staff personnel.
- 4. FW is involved in many service projects with its residents. FW is desirous of working collaboratively with Dayton Bluffs to identify projects FW can complete for area residents, such as fix-ups, lawn raking, snow shoveling, trash pick-up, etc.
- 5. FW will schedule monthly/bi-monthly meetings with Dayton Bluffs community council to ensure that those overseeing resident activity are informed and able to appropriately schedule and communicate FW events to area residents.
- 6. FW will ensure that exterior lighting of the property is adequate during night-time hours.

