



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6565
Facsimile: 651-266-6549

Date: September 18, 2015

To: Neighborhood Planning Committee

From: Josh Williams, Senior Planner

RE: Continued discussion of the Campus Boundaries (Expansion Process) Zoning Study

At the August 26, 2015 meeting of this committee, it was requested that staff work with stakeholder institutions to explore alternative ways to address the issue of housing teardowns near college campuses. Discussions pursuant to that request are ongoing, and staff will be providing a summary of those discussions at the September 23, 2015 meeting of this committee.

Attached please find the staff memorandum supplied for the August 26, 2015 meeting of this committee, which summarizes the comments received at the August 21 public hearing, and includes a staff recommendation to return the study to the full Planning Commission to be sent on to the City Council with a recommendation for adoption. I have provided below the original staff-recommended ordinance language below for your reference.

Sec. 65.220. - College, university, seminary, or similar institution of higher learning.

An institution for post-secondary education, public or private, offering courses in general, technical, or religious education and not operated for profit, which operates in buildings owned or leased by the institution for administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, student and faculty centers, athletic facilities, dormitories, fraternities, and sororities, but not including colleges or trade schools operated for profit.

Standards and conditions except in B4—B5 business districts:

- (a) *When an institution is established, it shall provide the minimum number of off-street parking spaces required by this code. The institution shall be required to provide additional parking spaces only when the minimum number of parking spaces will have to be increased due to a more than ten (10) percent or three hundred (300) gain in the total number of employees, staff and students, whichever is less. Thereafter, additional parking spaces will have to be provided for each subsequent gain of more than ten (10) percent or three hundred (300) in the total number of employees, staff or students. To determine compliance with parking requirements in, the institution must file an annual report with the planning administrator stating the number of employees, staff and students associated with the institution.*

(b) A theater, auditorium or sports arena located on a college, university or seminary campus must provide off-street parking within six hundred (600) feet of the building to be served as measured from a principal entrance to the building to the nearest point of the off-street parking facility, and also provide the number of parking spaces specified in section 63.200. The planning commission, after public hearing, may determine that the existing parking provided by the institution for students, employees and dormitory beds meets this parking requirement based upon the following:

- (1) The spaces are within six hundred (600) feet of the building they are intended to serve, as measured from a principal entrance to the building to the nearest point of the off-street parking lot; and
- (2) It can be demonstrated by the institution that the spaces are not needed by students and employees during times when events attracting nonstudents and nonemployees are to be held.

Additional standards and conditions in residential districts:

- (c) The campus boundary as defined under subparagraph (f) below at some point shall be adjacent to a major thoroughfare as designated on the major thoroughfare plan.
- (d) Buildings shall be set back a minimum of fifty (50) feet from every property line, plus an additional two (2) feet for every foot the building's height exceeds fifty (50) feet.
- (e) On a campus of five (5) acres or more, no building shall exceed ninety (90) feet in height; on a campus smaller than five (5) acres, no building shall exceed forty (40) feet in height.
- (f) The boundaries of the institution shall be as defined in the permit, and may not be expanded without the prior approval of the planning commission, as evidenced by an amended conditional use permit. Properties on which the primary structure has been demolished within the past ten (10) years shall not be eligible for addition to a college, university, or seminary boundary. The campus that is defined by the boundaries shall be a minimum of three (3) acres, and all property within the campus boundaries must be contiguous.

The applicant shall submit an "anticipated growth and development statement" for approval of a new or expanded campus boundary, which statement shall include but not be limited to the following elements:

- (1) Proposed new boundary or boundary expansion.
- (2) Enrollment growth plans that include planned or anticipated maximum enrollment by major category (full-time, part-time, undergraduate, graduate) over the next ten (10) years and also the anticipated maximum enrollment over the next twenty (20) years.
- (3) Plans for parking facilities over the next ten (10) years, including potential locations and approximate time of development.
- (4) Plans for the provision of additional student housing, either on-campus or off-campus in college-controlled housing.
- (5) Plans for use of land and buildings, new construction and changes affecting major open space.

- (6) *An analysis of the effect this expansion (or new campus) will have on the economic, social and physical well-being of the surrounding neighborhood, and how the expansion (or new campus) will benefit the broader community.*

Approval of a new or expanded campus boundary shall be based on an evaluation using the general standards for conditional uses found in section 61.500, and the following criteria:

- (i) Anticipated undergraduate student enrollment growth is supported by plans for student housing that can be expected to prevent excessive increase in student housing demand in residential neighborhoods adjacent to the campus.*
 - (ii) Potential parking sites identified in the plan are generally acceptable in terms of possible access points and anticipated traffic flows on adjacent streets.*
 - (iii) Plans for building construction and maintenance of major open space areas indicate a sensitivity to adjacent development by maintaining or providing adequate and appropriately located open space.*
 - (iv) The proposed new or expanded boundary and the "anticipated growth and development statement" are not in conflict with the city's comprehensive plan.*
- (g) The institution shall not exceed by more than ten (10) percent or three hundred (300), whichever is less, the student enrollment, staff and employee size and/or dormitory bed levels identified in the permit unless required off-street parking is provided and approved by the commission.*



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

*25 West Fourth Street
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*Telephone: 651-266-6565
Facsimile: 651-266-6549*

Date: August 26, 2015
To: Neighborhood Planning Committee
From: Josh Williams, Senior Planner
RE: Public comments re Campus Boundaries (Expansion Process) Zoning Study

The purpose of this memo is to summarize public comments received regarding the Campus Boundaries Zoning Study. A public hearing was held before the Planning Commission on August 21, 2015.

Background: Purpose of Study

Over the past several years, a large number of single-family residential properties have been acquired by institutions of higher education in Saint Paul. Some of these have been demolished and left as empty lots. The institutions undertaking these actions have done so in the absence of a clear plan for campus growth. This has raised substantial public concern over the potential for damage to the character and vitality of the residential neighborhoods surrounding these campuses.

The Saint Paul Zoning Code requires a conditional use permit for colleges, universities, and seminaries when they are located in residential districts. Sec. 65.220 of the Zoning Code lists standards and conditions for these institutions, and requires establishment of a defined campus boundary in residential districts and Planning Commission approval of any expansion of those campus boundaries.

Campuses include a wide variety of uses, some of which have the potential to be incompatible with adjacent residential uses. The requirement for a conditional use permit defining campus boundaries allows the Planning Commission to evaluate proposed campus expansions and permit expansions only under such conditions as they will not have a substantial negative impact on surrounding residential neighborhoods.

The intent of the study was to evaluate if the process for campus expansion is working as intended and, if not, to identify code amendments to improve the process.

Comments Received

A total of 12 comment letters were received, and two persons spoke at the hearing. Four letters, all from persons residing or worshipping in the Hamline Midway neighborhood, were received in

support of the proposed ordinance change. Eight of those letters received expressed opposition to the proposed changes. The letters came from the Macalester Groveland Community and Highland District Councils, St. Catherine University, the University of St. Thomas, Macalester College, Hamline University, MnSCU (primarily on behalf of Metro State), and one Macalester Groveland resident. The two speakers at the hearing were from the University of St. Thomas and Hamline University, and their oral testimony was nearly identical to the letters they submitted, and their oral testimony is therefore not explicitly discussed in this memo.

Almost all testimony received—both in favor and opposition—expressed at least partial support, either explicitly or in tone, with the general intent of the study and the proposed ordinance change. The educational institutions generally commented that the proposed change was overly restrictive and would limit options with regard to both campus expansion and property opposition. St. Thomas, Hamline, and MnSCU all suggested potential changes to the proposed amendments in the event that they go forward. The two district councils, as well as the University of St. Thomas, suggested tabling of the proposed amendments to enable further discussion of potential alternative solutions. Several commenters suggested consideration of inclusion of other types of campuses—such as high schools—in the campus regulatory process.

Three of the letters of support spoke to the frustration of poor communications with Hamline University and hopes that proposed amendments would bring about a more transparent planning process for campus expansions. Two commenters also noted that work obligations kept them from attending the public hearing to deliver oral testimony.

Recommendations

While the comments in opposition to proposed amendments noted the potential for unintended consequences and that the changes would potentially limit options around real estate acquisition and camps expansion, they did not offer meaningful alternatives.

The proposed amendments would not restrict the ability of any institution to acquire property nor add it to a campus. It only restricts addition of properties where demolition occurs before property is added to the campus. This would provide an incentive to colleges and universities to add properties to their campus—by going through a planning and approval process with a public component—before impacting a residential neighborhood by demolishing viable housing. In cases where emergency acquisition and demolition would occur, the Planning Commission would have the ability to modify (ie., waive) the proposed new restriction.

REQUESTED ACTION

Recommend that the Planning Commission forward the proposed zoning amendments to the City Council for consideration with a recommendation of approval.

College Campus (Expansion Process) Zoning Study

Comments Received in Favor

Williams, Josh (CI-StPaul)

From: Roy Neal <rneal@straightlinetheory.com>
Sent: Thursday, August 20, 2015 2:56 PM
To: Williams, Josh (CI-StPaul)
Subject: I Support Campus Boundary Zoning Study Recommendations

Mr. Williams,

Thanks to you and your colleagues for your hard work on the campus zoning study. It was a pressing need and I'm glad that it was undertaken.

I'm writing to voice my full support for the recommendations put forth in the proposed Campus Boundary Zoning Study.

St. Paul may be facing a unique situation due to the number of higher ed schools nested within neighborhoods—St. Thomas, St. Catherine's, Hamline, Metro State, William Mitchell, Macalester, Concordia, just to name a few. Most of these have expanded into neighborhoods. When they expand without regard for their neighbors, they can be very destructive and alter the character of a neighborhood. Today, there are few avenues of recourse available to concerned neighbors.

The Hamline-Midway neighborhood has suffered numerous residential demolitions recently by Hamline University in its quest to follow an old 2008 expansion plan. That plan outlined nearly 30 structures, most of them houses, they wanted to remove to make way for sidewalks, dorms, empty lots and parking. This plan is years away from fruition yet they have acted on this plan with increasing fervor, despite the fact that the school no longer needs to expand! This plan and its predecessor have been roundly criticized by the city of St. Paul and neighbors who live near campus. It has ripped rows of homes apart as recently as last summer, resulted in the demolition of a neighborhood historic landmark, removed at least a dozen properties from the tax rolls, and created a gap-tooth look of empty lots along Minnehaha Ave in St. Paul. We have attempted to work with the University on this issue with mixed success. To this day, despite continued conversations with concerned neighbors and community organizations, the expansion plan of the campus in our neighborhood has not changed course and still threatens to rip a hole in our neighborhood.

Many St. Paul colleges have used tactics of acquisition and destruction to expand their campuses into the surrounding neighborhoods, most without an understanding of the harm it may cause local residents. How many campus expansions were in harmony with their neighborhood growth plan, or the City of St. Paul's comprehensive plan? I'd guess none, as Hamline University showed no regard for any guidance from the city or our district council.

I value our neighborhood university and want all neighborhood universities to succeed, but success should not come at the expense of the neighborhood. That's a zero-sum gain. Residents like me who live under threat should not be bullied by a wrecking ball. I think the recommendations of this study will cause campus planners to consider neighbors and neighborhoods in their planning before they create yet more empty lots.

Thanks again,

Roy

Roy Neal
Hamline-Midway Neighborhood
St. Paul, MN

Williams, Josh (CI-StPaul)

From: Ellen Weinstock <ellenweinstock@gmail.com>
Sent: Sunday, August 23, 2015 10:47 PM
To: Williams, Josh (CI-StPaul)
Subject: Campus Boundaries Zoning Study

Dear Mr. Williams:

I am writing to express my strong support for the recommendations of the Campus Boundaries Zoning Study. As a frustrated resident of the Midway neighborhood and member of the Historic Hamline Village group, I am delighted to see recommendations that take neighborhood needs into account.

While many neighborhoods in St. Paul have some degree of "town and gown" tension, it has been particularly strong lately in my neighborhood. Hamline University spokespeople, while constantly bruiting about its contributions to the neighborhood (none of which they name), seem to feel that the school has the right to ride roughshod over those of us who live here in its quest for continued expansion. Meanwhile, its law school is transferring operations to the William Mitchell campus, and its recently built Klas Center (at the North end of campus) sits largely empty most of the time now that it has even more recently built the Anderson Center (at the Southwest end). Even though these changes have left Hamline with large amounts of unused space, its spokespeople continue to insist that it has the right to expand southward and eastward and that it intends to do so. It has shown no respect for historic buildings in its path and seems to find an empty lot a thing of beauty. (It's worth noting that, while our neighborhood is happy to be home to some wonderful Hamline professors, the top administrators do not seem to live nearby - including the recently retired President, who stated at a meeting that she was eager to return to Lakeville.)

After many fruitless discussions with Hamline's administrators, Historic Hamline Village has found that the school's plan seems to be to keep us talking for as long as possible (including insisting on a "design process" for our facilitated discussions after we had already been talking for a YEAR). The university will not afford our neighborhood the necessary respect for us to reach a consensus on Hamline taking no more than it needs and minimizing the loss of historic homes and neighborhood cohesion. The only way to even the scales is to have the help of the city through enactment of sensible ordinances that reward thoughtful growth.

I believe that your committee's recommendations will do just that, which is why I support them.

Very truly yours,

Ellen Weinstock
Hamline University School of Law '92
St. Paul, MN

Williams, Josh (CI-StPaul)

From: Ickler, Al <al_ickler@rdale.org>
Sent: Sunday, August 23, 2015 12:08 PM
To: Williams, Josh (CI-StPaul)
Cc: Henningson, Samantha (CI-StPaul); Stark, Russ (CI-StPaul)
Subject: Public Hearing re Campus Boundary Zoning Study at Planning Commission

Mr. Williams,

Thank you for you and your colleagues work to put this very reasonable recommendation together. Because of work obligations, I could not attend the hearing. However, I would hope that the city planning commission would adopt it, as well as our city council.

We live in a wonderful, vibrant city. As we grow, we need to have policies and practices in place that "incentivize" dialogue, interaction, and ways to hear the perspectives of residents, businesses, organizations, and institutions. Only in this manner will we continue to have a culture of inclusiveness and partnership that supports growth. This recommendation would accomplish this within the intent of the processes already in place for campus boundary changes. It would add a "protection" to residents and residential areas that dialogue and planning would occur throughout extended planning processes with the surrounding residents, rather than as an after thought.

I have been involved, as a long time resident, and a member of the Hamline United Methodist Church, in working to develop a structure/process that will more authentically engage Hamline University. From what I have heard, second hand, this change in policy would be beneficial to many areas of the city, but I can only comment on the one I am most familiar with.

I do not desire to re-live past negative interactions (or lack of necessary interactions) between Hamline University and our community. I do not know if there was intentionality to deceive, or not. I hope that our future interactions will be more constructive. However, I do know that we have been frustrated with the ability of the university to outreach, listen, and actually take feedback into their processes. And now we learn that many properties have been purchased without the appropriate communication to stakeholders.

In my view, this policy change would not stop Hamline University and other institutions from expanding their footprint. It would however, require a transparent planning process around very important, long term decision making processes. That seems very positive. And certainly what my neighbors and I would consider reasonable,

My understanding is that, at the hearing, there were primarily institutional voices. I would expect them to argue against this policy. I also do not want policies that get in the way of their ability to plan, decide, and change. However, there is a need for transparency in issues that greatly impact the broader community (meaning off their officially recognized footprint). With our current policy, this transparency has not been evident. Thus, a change is necessitated, and, other than require appropriate long term planning (as our institutions tell us they are adept at), will not lead to a negative outcome.

Thank you.

Al Ickler

Williams, Josh (CI-StPaul)

From: ruewest@aol.com
Sent: Friday, August 21, 2015 8:36 AM
To: Williams, Josh (CI-StPaul)
Subject: Campus Boundry

As a member of HHV I suport the study.

Thank you.

Bei Ruetten

College Campus (Expansion Process) Zoning Study

Comments Received in Opposition



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7/24/15

Josh Williams
City of Saint Paul
Department of Planning and Economic Development
25 W. Fourth Street
Saint Paul, MN 55102

Dear Josh:

On July 22, 2015, the Housing and Land Use Committee ("HLU") of the Macalester Groveland Community Council ("MGCC") held a public meeting, at which it considered Campus Boundary recommendations proposed in your memo to the Planning Commission dated July 1, 2015.

After considering input from the educational institutions within the Macalester-Groveland neighborhood, the HLU passed the following resolution:

The Macalester-Groveland Community Council recommends not changing section 65.20 as proposed in the memo to the Planning Commission regarding the Campus Boundary Zoning study. While we see merit with the background and findings, we believe that the proposed recommendation is ill-founded and not well-suited to solving the concerns about institutional expansions into residential areas in St. Paul. We request that the City continue to study the issue and develop alternative solutions.

Important to the HLU's passage of said resolution, were the following considerations:

- While the expansion of institutions is an issue in some areas of the City, the proposed change doesn't directly address the specific issue but instead imposes a broad change on all institutions.
- The HLU expressed particular concern about the passage on the bottom of page 2 of the July 1st memo stating "As a standard tied to a conditional use, the Planning Commission would also have the ability to ease the restriction in cases where it caused undue hardship." as the statement seems to be recommending establishing a condition with the intention of selective enforcement.

If you have questions or concerns, please do not hesitate to contact me.

Liz Boyer
Executive Director



Highland District Council
1978 Ford Parkway Saint Paul, Minnesota 55116
651-695-4005 Fax 651-695-4019
Email: hdc@visi.com

Building a More Vibrant, Welcoming, and Safe Neighborhood DRAFT

Resolution Regarding the Campus Boundaries Zoning Study

WHEREAS, the Highland District Council's (HDC) Community Development Committee reviewed the recommendations of the Saint Paul Planning Commission's Neighborhood Planning Committee to revise the Zoning Code requirements for setting campus boundaries; and

WHEREAS, the Highland Park neighborhood includes a college campus and a number of K - 12 Educational Facilities with the potential for expanded campuses; and

WHEREAS, the Highland Park has experienced K - 12 School expansion in residential neighborhoods;

THEREFORE, Be it resolved, that the HDC's Community Development Committee (CDC) does not support the recommended Campus Boundary Zoning Code change as written as it may result in a number of unforeseen and unintended consequences; and

Be it further resolved, that the HDC's CDC would like the Planning Commission to consider the applicability and impact of campus boundaries on residential neighborhoods for all levels of Educational Facilities including K - 12 Schools.

Approved August 18, 2015

By the Community Development Committee of the Highland District Council

Testimony

Good morning, and thank you for the opportunity to speak with you on behalf of Hamline University.

My name is Ken Dehkes, and I am the Director of Facilities Operations and Horticultural Services. I've worked at Hamline since 1989.

Within the past year, in an effort to improve neighborhood relations and to alleviate neighbors' concerns about future campus expansion, Hamline University has been engaged in discussions with neighbors, the City, our district council, the Hamline Church, and a preservation group called Historic Hamline Village.

Of particular note, the discussions have largely focused on one house that we own- 1549 Minnehaha- which was originally slated for removal, which is outside of our campus boundary, and which we have not, to date, removed.

We feel through discussions we are beginning to build trust and work through the challenges and concerns neighbors have voiced regarding campus expansion, campus master planning, and historic preservation. Additionally, we are working to create a neighborhood advisory group for the university, and we are planning to co-host a Community Meeting in September.

With that in mind, I would like to address the proposed zoning changes:

We were not consulted directly for this zoning study, nor, to our knowledge, were other colleges or universities who may be impacted by the recommended change to zoning, consulted for the study. We would like to express concern for that lack of inclusion, as the zoning study did not take into consideration how any changes, no matter how small, may impact us, nor did it allow any of us time to reflect on how the change might impact our college or university.

Additionally, because we are already engaged in a process that will offer neighbors a voice in discussions related to campus planning and expansion, and because there is already an existing process for campus boundary change and development site plan review with the City of St. Paul, we feel the zoning change is unnecessary and a bit heavy-handed.

Hamline University is a significant part of the Hamline-Midway neighborhood community and greatly contributes to its economic growth. It remains one of the largest employers in the vicinity, and its health is and should be important to the community, just as the health of the community is important to Hamline. By putting an additional barrier restricting our ability to meet the changing needs of our university—by limiting how we may use property we might purchase with an arbitrary number of 10 years, we feel this could prevent us from being flexible and could have a negative effect on our university's health and well-being.

Hamline University continues to be a strong asset for the neighborhood. We believe we are part of the solution and have helped mitigate against blight in the community. We have made positive visual improvements to campus spaces and buildings over the past few decades, and we've invested in creating a "park like" atmosphere that is enjoyed by the entire neighboring community. Our students, faculty, and staff have positive interactions with the neighborhood in many ways—through volunteer efforts like paint the pavement projects, a community garden, an art mural project, a collaborative relationship with the local elementary school, the greening of the Snelling Avenue medians, and much more.

If you do decide to move forward with the proposed zoning change, we ask that it apply to new purchases only and that it not be retroactive; we do not feel it should include homes already owned by colleges and universities. We feel the existing properties should be governed by the existing process under which they were purchased- of soliciting the City for a change in campus boundary.

Thank you again for your time this morning. We appreciate the opportunity to share our thoughts with you.

Williams, Josh (CI-StPaul)

From: Hennes, Douglas E. <DEHENNES@stthomas.edu>
Sent: Friday, August 21, 2015 9:57 AM
To: Williams, Josh (CI-StPaul)
Cc: Gage, Amy L.; Drummond, Donna (CI-StPaul)
Subject: St. Thomas testimony on college boundary issues
Attachments: PC-Campus boundaries public hearing (8-21-15).docx

JOSH,

Here's a copy of the testimony that I gave at this morning's Planning Commission public hearing.

One other thought, which I should have suggested as a possibility during the testimony: Lay over the issue pending further discussion with the colleges. If we got city staff together with the affected schools (St. Thomas, Hamline, Macalester, St. Catherine and Concordia) with city planning staff, we might come up with some good ideas.

Be in touch,

DOUG

**ST. PAUL PLANNING COMMISSION
CAMPUS BOUNDARIES ZONING STUDY PUBLIC HEARING
AUGUST 21, 2015**

Good morning. My name is Doug Hennes, vice president for university and government relations at St. Thomas, and I am representing St. Thomas today on the proposal regarding college campus boundaries.

For starters, I must note that the proposal would not affect St. Thomas, which does not own any property in St. Paul beyond our boundaries at this time. Our 2004 Conditional Use Permit with the City of St. Paul does not allow St. Thomas to acquire property within one mile of the campus boundary and also requires us to sell, within two years, any gifted property within one mile. The only exception allowed by the CUP is if we want to buy a property within a mile of campus for use as a residence for an ex-president or chancellor, and we do not foresee doing that in the foreseeable future.

St. Thomas, however, does oppose the proposed change in the zoning code. We do not believe it is good public policy, and a 10-year window seems excessive, unfair and even punitive. As the city staff report acknowledges, it can take many years for an institution to acquire enough properties to enable new development on that land. Some of those properties can be in terrible condition, and it makes little fiscal sense to put significant dollars into them because they ultimately will be demolished. But the proposed zoning code would prohibit – unfairly, in our view – the institution from adding the property to the campus boundary if buildings were demolished.

A possible solution would be for an institution to put any property to other use if a building or buildings were demolished. Examples could include a well-landscaped green space, a park, a community garden or even a parking lot. Then, when the institution is ready to expand its campus boundaries and add the property in question, it would do so – something the proposal under consideration at this time would not allow.

Thank you.

MACALESTER COLLEGE



THE HIGH WINDS FUND
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www.macalester.edu/highwinds/

August 20, 2015

St. Paul Planning Commission

Dear Chair Wencil and Planning Commissioners:

I had hoped to deliver comments to you in person on Friday morning concerning the proposed rules that stem from the Campus Boundary Study recently conducted by planning staff. I will not, however, be able to be with you because of a funeral for my uncle happening at the same time.

Instead I would like to share with you, in writing, the perspective of Macalester College regarding the proposed rules and the concerns we have regarding the rules:

From our perspective, the proposed rules around tear downs and campus boundaries seem aimed at a very specific problem with a single institution and do not stem from a systemic, city-wide problem with institutions of higher education. In this way it is similar to the student housing ordinance – where the behavior and concentrations of student from a different institution adversely affected Macalester students because of the overreach of the legislation.

Under the current rules Macalester College purchases real estate for a multitude of reasons (buffer zoning, housing preservation, campus expansion, economic development, meeting housing needs of new faculty). We tear down some structures, restore some and even move some to other parts of the neighborhood and other parts of St. Paul. I believe that, on the whole, our neighbors are satisfied with Macalester's performance with regard to neighborhood and campus development. Why should we have one of our redevelopment tools taken away? Because some other institution uses the tool poorly? Clearly, the tool itself is not the problem here.

We think the proposed rules are the wrong means for what they set out to accomplish. Campus development (and redevelopment) can be a good thing or a bad thing. The proposed rules handicap colleges that work well with neighbors around the issues of campus expansion. Our track record in our neighborhood is excellent. The proposed rules unnecessarily punish colleges who do it well. In fact, it will make it harder for Macalester do the right thing in some cases. One obvious scenario involves tearing down a blighted property to bring it into the campus boundary, if that were the highest and best use of the property. If the proposed rules were in effect, our options would be very limited.

A recent example of how we do expansion pertains to a house we took down at 100 Cambridge about five years ago. We then consulted with our neighbors to bring it into the campus boundary; vacate the alley between MacPlymouth Church and Janet Wallace Fine Arts Center; landscape the western edge of campus; and, close down a driveway from Cambridge St. to our biggest parking lot. It was a very productive conversation with our neighbors which, in the end, pretty much gave everybody what they asked for. We would not have been able to do this under the proposed rules. We were able to renovate two 50+ year-old campus buildings, to straighten out a long-standing traffic safety issue and to provide beautiful new landscaping & sustainable rain water management. We also now use the lot where the

house stood for our Grounds Department which has had to expand its operations in recent years to maintain landscaped medians on both Grand & Snelling Avenues.

There is no question that Macalester and High Winds Fund acquire properties. Here are some additional examples of how we work toward the overall interests of our neighborhood:

- The Saint Paul Meat Shop opened this summer in a restored building we purchased in the spring of 2014.
- French Meadow opened eighteen months ago after significant improvements were made to that building and the four apartments upstairs were renovated for faculty housing.
- Pad Thai replaced a dirty old gas station that had leaked toxins into the soil. High Winds cleaned it up, built a new structure and brought in a stable tenant and created more student housing close to campus.
- 1673-79 Grand Avenue, which is leased to Breadsmith, The St. Paul Cheese Shop, the Squire Barbershop and Jamba Juice, was built to replace a very ugly wholesale office equipment/furniture shop that did not serve neighborhood needs.
- Last fall, Macalester purchased 1550 Summit intending to reuse the building, not tear it down.
- Macalester recently restored 1721 Princeton and put it back into the hands of a family with covenants protecting single family ownership for decades. The High Winds Fund did much the same on larger scale throughout the neighborhood in the 60s, 70s, and 80s.

Macalester has moved, torn down and restored structures/houses. All were done in close conversation with neighbors, who have been collectively satisfied with the outcomes.

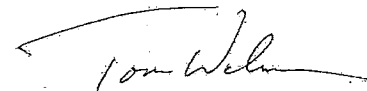
One particular concern with the proposed rules is the clause regarding "undue hardship." First, Macalester College will never be able to prove "undue hardship" for obvious reasons. Second, the provision opens the door to political favoritism over time for one campus or another. It is an "out" that can be used selectively. We would prefer that rules be set firmly and enforced uniformly rather than selectively and on a case by case basis.

Finally, these rules, as proposed, appear to address college campuses only. There are other types of campuses in St. Paul, (i.e., St. Paul Academy, Cretin Derham, privately owned companies, et al) that also acquire properties and expand. So, while the legislation is overbroad, it simultaneously excludes activities similar to the activities identified in the study.

For all the above reasons, we oppose the proposed rules suggested by the Campus Boundary Study report.

Thank you for the opportunity to share our concerns and perspective with you.

Sincerely,



Tom Welna
Director

August 25, 2015

Josh Williams, Senior City Planner &

Saint Paul Planning Commission

Re: Written comment on item IV, *Public Hearing on the Campus Boundaries Zoning Study* from the Steering Committee Meeting of Friday, August 21.

Mr. Williams,

St. Catherine University joins other St. Paul Colleges, Universities and Seminaries in opposing the proposed amendment to section 65.220 of the Zoning Code. We believe the existing codes function appropriately; relying on a comprehensive process to present and openly discuss plans, raise concerns and negotiate mutually-beneficial agreements. We believe additional legislation will only hinder that process.

While the University does not currently forecast any expansion beyond existing boundaries, we must always be responsive to opportunities to improve academic facilities or operate more efficiently and responsibly. The amendment, which essentially amounts to a 10-year waiting period for certain construction initiatives, will remove our ability to nimbly respond to the needs of our students, our marketplace – and yes – our neighbors.

St. Paul Colleges and Universities have a vested interest in the health of their surrounding neighborhoods. Vibrant communities make for vibrant campuses, and vice versa! At St. Catherine University, we welcome all neighbors to the park-like beauty of our campus for walking dogs, playing with children, and simply enjoying the gardens. We also open our doors for local residents to use the pool, tennis courts and gym facilities, and to participate in the many cultural events we host each year. In turn, the neighborhood benefits greatly as our campus community visits parks, restaurants, shops, and entertainment events. At the core of this relationship is a strong commitment – among all – to open and clear communication regarding potential change or growth. Unnecessary legislation threatens these types of relationships; those that every affected institution has worked so very hard to foster and protect.

Please consider the actual need for such an amendment and the serious consequence it could have before approving this change.

Sincerely

Jim Manship

Director of Facilities Management

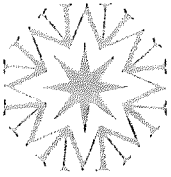
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To: City of St. Paul, Planning and Economic Development

From: Greg Ewig, Director of Capital Development, Minnesota State Colleges and Universities, 651.201.1775 or Gregory.ewig@so.mnscu.edu 

Date: August 25, 2015

Re: Proposed Zoning Code 65.220 changes

This memorandum is provided as feedback on the proposed zoning code changes to 65.220, specifically subpart (f), as underlined, which reads:

The boundaries of the institution shall be as defined in the permit, and may not be expanded without the prior approval of the planning commission, as evidenced by an amended conditional use permit. Properties on which the primary structure has been demolished within the past ten (10) years shall not be eligible for inclusion in a college, university, or seminary boundary.

At issue are recent developments at Metropolitan State University. Metropolitan State University recently built a new science building, parking ramp and student center on its campus, and as part of numerous discussions, including a site plan agreement approved by the Planning Commission in 2014, the city and university established the operating parameters for campus development.

Minnesota State Colleges and Universities (MnSCU) is a state public higher education system created by Minn. Stat. §§136F et. al., and operates two campuses within the city of St. Paul: Metropolitan State University and Saint Paul College. Minnesota State Colleges and Universities has recognized authority to determine its exact location and site for each campus, see Minn. Stat. §136F.16, Subd. 2, and its board of trustees may purchase property adjacent to or in the vicinity of campuses as necessary for the development of a state college or university. Minn. Stat. §136F.60, Subd. 1.

At the time of the university's site plan approval for its parking ramp and student center, the university had not yet acquired the residential property located at 393 Bates Avenue necessary for the completion of the surface parking that was a planned feature of the site. The 393 Bates property is now the subject of a condemnation process with an expected acquisition date of late October 2015. The Zoning Committee Site Plan Review and Variance staff report of March 13, 2014 acknowledged the planned acquisition, but indicated that:

Metropolitan State University owns two houses at the southeast corner of the block and is trying to acquire the third house. Once they acquire all the houses, they will apply to rezone them from RT 1 to B2 and expand the surface parking

lot into this area. A plan showing this was submitted for information but final approval of this plan cannot be given until these properties are rezoned and the site plan for the expanded lot is not under review by the Planning Commission at this time.

The city's proposed language change to the zoning code appears to conflict with the Board's authority to determine the location and inclusion of – in this case – the 393 Bates property within its campus boundaries. The proposed zoning code change also would appear to conflict with the acknowledgement in the zoning committee report regarding the surface parking lot which requires demolition of the existing house after it is acquired. Long term, we have serious concerns about the ability to acquire and develop surrounding properties – some of which may be residentially zoned - as academic needs evolve.

After meeting with city planning department staff, representatives from both entities realized that there are differences in interpretation regarding the extent of authority to establish or otherwise limit campus boundaries without subjecting the parties to a conflict of laws analysis. In an attempt to minimize such differences, we offer the following alternative language for consideration (see attachment) or, alternatively, recommend a waiver procedure for state colleges or universities that would offer our institutions a clear path to expand if necessary without undue restraint, yet still subject to community, site plan and related review.

Thank you for your consideration.

MALSCU Metro State: Suggested amendments

Option for Zoning Code Change 65.220

Changes underlined

Sec. 65.220. - College, university, seminary, or similar institution of higher learning.

An institution for post-secondary education with residential halls, public or private, offering courses in general, technical, or religious education and not operated for profit, which operates in buildings owned or leased by the institution for administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, student and faculty centers, athletic facilities, dormitories, fraternities, and sororities, but not including colleges or trade schools operated for profit.

Standards and conditions except in B4—B5 business districts:

- (a) When an institution is established, it shall provide the minimum number of off-street parking spaces required by this code. The institution shall be required to provide additional parking spaces only when the minimum number of parking spaces will have to be increased due to a more than ten (10) percent or three hundred (300) gain in the total number of employees, staff and students, whichever is less. Thereafter, additional parking spaces will have to be provided for each subsequent gain of more than ten (10) percent or three hundred (300) in the total number of employees, staff or students. To determine compliance with parking requirements in, the institution must file an annual report with the planning administrator stating the number of employees, staff and students associated with the institution.
- (b) A theater, auditorium or sports arena located on a college, university or seminary campus must provide off-street parking within six hundred (600) feet of the building to be served as measured from a principal entrance to the building to the nearest point of the off-street parking facility, and also provide the number of parking spaces specified in section 63.200. The planning commission, after public hearing, may determine that the existing parking provided by the institution for students, employees and dormitory beds meets this parking requirement based upon the following:
 - (1) The spaces are within six hundred (600) feet of the building they are intended to serve, as measured from a principal entrance to the building to the nearest point of the off-street parking lot; and
 - (2) It can be demonstrated by the institution that the spaces are not needed by students and employees during times when events attracting nonstudents and nonemployees are to be held.

Additional standards and conditions in residential districts:

- (c) The campus boundary as defined under subparagraph (f) below at some point shall be adjacent to a major thoroughfare as designated on the major thoroughfare plan.
- (d) Buildings shall be set back a minimum of fifty (50) feet from every property line, plus an additional two (2) feet for every foot the building's height exceeds fifty (50) feet.
- (e) On a campus of five (5) acres or more, no building shall exceed ninety (90) feet in height; on a campus smaller than five (5) acres, no building shall exceed forty (40) feet in height.
- (f) The boundaries of the institution shall be as defined in the permit, and may not be expanded without the prior approval of the planning commission, as evidenced by an amended conditional use permit, except as such boundaries may otherwise be established by state statute. Properties on which the primary structure has been demolished within the past ten (10) years shall not be eligible for inclusion in a college, university, or seminary boundary. The campus that is defined by the boundaries shall be a minimum of three (3) acres, and all property within the campus boundaries must be contiguous.

The applicant shall submit an "anticipated growth and development statement" for approval of a new or expanded campus boundary, which statement shall include but not be limited to the following elements:

- (1) Proposed new boundary or boundary expansion.
- (2) Enrollment growth plans that include planned or anticipated maximum enrollment by major category (full-time, part-time, undergraduate, graduate) over the next ten (10) years and also the anticipated maximum enrollment over the next twenty (20) years.
- (3) Plans for parking facilities over the next ten (10) years, including potential locations and approximate time of development.
- (4) Plans for the provision of additional student housing, either on-campus or off-campus in college-controlled housing.
- (5) Plans for use of land and buildings, new construction and changes affecting major open space.
- (6) An analysis of the effect this expansion (or new campus) will have on the economic, social and physical well-being of the surrounding neighborhood, and how the expansion (or new campus) will benefit the broader community.

Approval of a new or expanded campus boundary shall be based on an evaluation using the general standards for conditional uses found in section 61.500, and the following criteria:

- (i) Anticipated undergraduate student enrollment growth is supported by plans for student housing that can be expected to prevent excessive increase in student housing demand in residential neighborhoods adjacent to the campus.
 - (ii) Potential parking sites identified in the plan are generally acceptable in terms of possible access points and anticipated traffic flows on adjacent streets.
 - (iii) Plans for building construction and maintenance of major open space areas indicate a sensitivity to adjacent development by maintaining or providing adequate and appropriately located open space.
 - (iv) The proposed new or expanded boundary and the "anticipated growth and development statement" are not in conflict with the city's comprehensive plan.
- (g) The institution shall not exceed by more than ten (10) percent or three hundred (300), whichever is less, the student enrollment, staff and employee size and/or dormitory bed levels identified in the permit unless required off-street parking is provided and approved by the commission.

Williams, Josh (CI-StPaul)

From: jackfei@aol.com
Sent: Sunday, August 23, 2015 12:22 PM
To: Williams, Josh (CI-StPaul)
Subject: Campus Boundary Zoning Study Recommendations

Josh,

I stand firmly behind the MGCC Resolution that opposes the recommendation.

My reasoning is:

- 1) This study was done due to the bad stewardship of Hamline in their neighborhood. No other colleges had input. It is not fair to impose bureaucracy upon colleges without their input, particularly when they have worked to establish positive neighborhood relationships. Only regulate those colleges whose behavior warrants greater regulation.
- 2) The recommendation is not effective in accomplishing the goals. Members of other colleges have already told me that they can easily circumvent the rules by selling the property to an outside developer and buying it back later. It is therefore, BAD LAW in that it encourages less process transparency.
- 3) I would not oppose having the same outcome on these recommendations as on the MGCC Zoning Study: create a Hamline University overlay district where recommendations apply. And see if they really solve the problems they are intended to before imposing them city-wide.

Thanks for listening,
Jack Fei