

MINUTES OF THE ZONING COMMITTEE
Thursday, March 11, 2021 - 3:30 p.m.

PRESENT: Baker, DeJoy, Grill, Hood, Rangel Morales, Reilly, Syed, and Taghioff
EXCUSED: DeJoy
STAFF: Josh Williams, Samantha Langer, Allan Torstenson, and Peter Warner

The meeting was chaired by Commissioner Baker. He stated that the chair of the Planning Commission had determined that due to the COVID-19 pandemic it is neither practical nor prudent for the Zoning Committee to meet in person, and therefore the meeting was being conducted remotely, with all members of the Zoning Committee attending the meeting remotely. The public is also able to join the meeting remotely and can speak during the public hearing portion or submit comments by noon on the day before the meeting.

Grand-Cleveland Parking Lot - 21-241-161 - Site plan review for a parking lot condition amendment, 2060 Summit Ave, NW corner of Grand & Cleveland

Josh Williams presented the staff report with a recommendation of approval with a condition for the modification of condition of a previous Planning Commission condition of site plan approval by removal of Condition No. 1 of Planning Commission Resolution 05-30, as modified by Planning Commission Resolutions 15-04 and 18-12, and that the existing parking lot at the northwest corner of Cleveland and Grand Avenues, including proposed physical changes, be allowed to remain indefinitely. He said District 14 recommended approval. There was letter in support, from District 14, and no letters in opposition.

In response to Commissioner Rangel Morales, Mr. Williams said there is no specific open space requirement for a campus. One of the unique things about a campus is that regardless of the underlying zoning district the campus conditional use permit (CUP) supplants are typical dimensional standards like lot coverage or building height setbacks.

Commissioner Hood said it seems like what would be more consistent with a CUP would be to extend this use further. Instead of extending the use in perpetuity it would make more sense to grant another five to ten year extension of the use as a parking lot.

Mr. Williams said that the last time this was CUP was extended, to continue to use this corner as a parking lot, was in 2018. The general feeling was that it required a lot of work for everyone to continue to extend this on a temporary basis. He noted that the recommendation to allow this parking lot to remain indefinitely is supported by MacGroveland District Council as well as the West Summit Neighborhood Advisory Committee (WSNAC).

Commissioner Hood said regardless of whether it was a lot of work it was put in there to be a hinderance because the Community did want this parking lot to be removed at some point. The temporary restriction was consistent regardless of how much of a hassel it is for the City or the University.

Mr. Williams said a lot has changed since 2005. The expansion of the St. Thomas campus was one of the reasons we have WSNAC that was created by an action of the City Council to provide a forum for discussions between the University and various neighborhood constituencies. He does not want to dismiss that history, however, it was 15 years ago at the time St. Thomas expanded the their campus. The CUP was very much negotiated in terms of

preserving the residential character of Summit Avenue and adding on-campus housing. There is a requirement that a number of the houses on Summit Avenue remain regardless of their internal use. It was restricted the number of academic buildings and amount and type of housing that could be built on the two block expansion.

Commissioner Taghioff said he wanted a better understanding of the discussions or reasoning in the 2018 Planning Commission resolution. He said the Planning Commission resolution seems to strongly object to the indefinite use as a parking lot and stated that if housing does not get built on this site it should be returned, with financial assurity of \$100,000, to green space. Mr. Taghioff stated that, in his opinion, the fact that student housing has been built elsewhere on the site doesn't upend that reasoning.

Mr. Williams said that in the 2018 Planning Commission resolution, the financial assurance was a way to give the City an enforcement tool, adding that a CUP or Site Plan Approval are generally permissive rather than directed. Anyone can apply for a CUP or Site Plan Approval and the application will be evaluated, but the City can't force an applicant to build what they proposed to build. In this case, per the site plan, a parking lot was constructed and the original condition of approval was that it should be removed at a set time unless it was replaced by a residential building consistent with the overall intent of the CUP or by green space. The financial assurance was there as a condition of approval recommended by staff, both in 2015 and 2018, solely as an enforcement tool. The requirement of a financial assurance gave the City the ability to enforce the removal condition unilaterally. He clarified that in this case, action is required: if the Planning Commission judges that the decision is not met (or declines to extend the deadline), it would require someone going in and removing the parking lot. He urged that they consider the 2005, 2015, and 2018 decisions as part of a whole.

Commissioner Grill said she is stuck on the phrase that says a permanent parking lot is not consistent with the St. Thomas CUP approved in August 2004 which shows housing at this location. She appreciates some of the later items about including landscaping and the benefits of the parking lot, but it seems like we are doing the exact opposite as what was recommended.

Mr. Williams said he would argue that language was brought forward from 2005 and the facts have changed significantly since that time. In addition to the new student residences that have been recently constructed there is also a new student center, athletic center, and parking ramp, all of which has altered the campus as a whole. The approval for a building that wasn't yet built—and the associated conditions of approval, need to be considered in context. The body of facts here suggest that one can come to a different conclusion regarding consistency with the CUP in 2021 than in 2005.

Amy McDonough, Chief of Staff for President Julie Sullivan, St. Thomas University, 2115 Summit Avenue, said she understands this is a confusing issue because there are so have been so many layers throughout the years. She said when they came to the Planning Commission, they encouraged St. Thomas to come back with a permanent proposal. They did not want to see this extension any longer. They have tried to respond to what the Planning Commission said at that point. They also tried to respond to what the neighbors wanted. She can't stress enough how significant it is that they made a huge leap for housing on campus. The neighbors have wanted St. Thomas to build more housing on campus and enact a residency

requirement for first and second year students for a long time. She noted that this is the first time in their history that they have done that, and it's been a huge benefit to the neighbors, and that the future of the parking lot was discussed, they said that a key zoning issue was to keep pressure on St. Thomas to build more housing on campus. She added that St. Thomas has built more housing on campus not then they ever could have at the parking lot site, totaling 480 beds in one building and 260 in the other, creating the ability to house all freshmen and sophomores on campus. She continued by stating that UST recognizes this lot has a lot of uses for the community including Davanni's and McNeely Hall, which is a voting site. UST tried to come up with a compromise because they know parking lots are not ideal. They do have a sustainability campus plan and they want students to use multimodal transportation, so they have tried to combine that into the parking lot by adding more bike racks and charging stations that are available to everyone.

Amy Gage, Director of Neighborhood and Community Relations, St. Thomas, 2115 Summit Avenue said the restriction of some time ago that they could either have housing or green space on this lot has hemmed them in. This is a very busy commercial corner and they see a greater benefit to the community and neighboring businesses for this to be a community focused parking lot rather than add green space. It's not necessarily a place where people will lounge. They truly have the community in mind in keeping this a parking lot.

Bob Stupka, 41 S. Cleveland Avenue, Saint Paul, spoke in support. He said he is president of Davanni's, and it has been a very trying time for restaurants, and theirs is not exception. This parking lot is critical to their business. They have lost virtually all their on-street parking, parking was taken away on Cleveland Avenue and the rest of the neighborhood is all permit parking. The sixteen spots that St. Thomas allows them to use doubles their off-street parking and it is a godsend to their business. It's critical that they have space for customers.

Cathy Plessner, 2038 Summit Avenue, Saint Paul, spoke in support. She said it is important to recognize the roll Doug Hennes played in getting us here today. The Planning Commission and City Council established WSNAC and neighbor members were given eight votes to University of St. Thomas' three votes. As Vice President of Government Relationships and Special Projects for the University of St. Thomas, Doug Hennes worked wholeheartedly and respectfully with WSNAC colleagues. There were contentious 3.5 hour long meetings to discuss this property and in 2018 the extension meetings were still painful, but only 1.5 hours long. Coming in front of you today feels like a celebration. She has watched Josh Williams foster equity. She said that Doug Hennes had uncommon good sense. She concluded by stating that the site under consideration would, as proposed, fit his concept of that and it will be for the good of the community. It will keep Davanni's viable, add bike racks that is consistent with the Comprehensive Plan, and help the community.

No one spoke in opposition. The public hearing was closed.

Commissioner Hood wondered if there was any interest in laying this over. His personal opinion is that the temporary status of the parking lot was written for an express purpose back in 2005 and it has been continued thereafter and that was that we recognize this as a key corner to hold the corner to create walkability. He doesn't feel it needs to be removed immediately, but it warrants further discussion on whether they should continue the temporary status of the CUP of

this parking lot. Maintaining a parking lot at this location in perpetuity goes against the original intent of the conditional use.

Commissioner Grill said she is leaning in the direction of laying this over for more discussion. She understands that the community needs it now, but if it was extended for 10 or 15 years it would give them more options and get around the issue of having to come back to the Committee every few years.

Commissioner Baker said St. Thomas is responding to what we have asked them to do which is find a permanent use for this site. A lot has changed through out the years and he doesn't think their request for permanency is wrong. He understands the other Commissioners concerns and he wants there to be an opportunity for discussion, but he isn't in favor of changing the current use. The parking lot is a use for the community, and he would either recommend approving what is proposed or extend the timeline longer so that it doesn't come back within the next five years.

Commissioner Rangel Morales said the location of the parking lot is concerning and if we are trying to build up these corners to build a more walkable St. Paul, and it doesn't make sense to keep it as a parking lot even for another 5 or 10 years. If there is an extension, he would like a caveat that it would be the last extension and going forward it would either need to be turned into green space or developed into a more useful site.

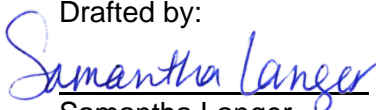
Mr. Williams said that technically the requirement regarding removing the parking lot is a condition of site plan approval for McNeely Hall, not of the CUP. The judgement of the Planning Commission at the time of that site plan approval was that a parking lot at that location was not consistent with the CUP.

After further discussion, Commissioner Rangel Morales moved to lay over to March 25, 2021, to allow staff time to provide more information around the connection between the McNeely Hall site plan approval and the parking lot as well as the overall history of the neighborhood and how St. Thomas has developed since 2005. Commissioner Hood seconded the motion.

The motion passed by a vote of 7-0-0.

Adopted Yeas - 7 Nays - 0 Abstained - 0


Drafted by:


Samantha Langer
Recording Secretary

Submitted by:


Joshua A. Williams (Mar 26, 2021 17:39 CDT)
Josh Williams
City Planner

Approved by:


Cedrick Baker (Mar 27, 2021 14:06 CDT)
Cedrick Baker
Chair









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Final Audit Report

2021-03-27

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