

MINUTES OF THE ZONING COMMITTEE
Thursday, July 1, 2021 - 3:30 p.m.

PRESENT: Baker, DeJoy, Grill, Hood, Rangel Morales, Reilly, Syed, and Taghioff
STAFF: Emma Siegworth, Samantha Langer, Kady Dadlez, and Luis Pereira

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.

695 Grand Rezoning - 21-271-810 - Rezone from B2 Community Business District and EG East Grand Avenue Overlay District to T3 Traditional Neighborhood District without the EG East Grand Overlay District., 695 Grand Avenue, NW corner at St. Albans Street

Emma Siegworth presented the staff report with a recommendation of approval of rezoning from B2 community business to T3 traditional neighborhood and denial of rezoning out of the EG East Grand Avenue Overlay District. She said District 16 recommended approval of the rezoning from B2 community business to T3 traditional neighborhood and denial of rezoning out of the EG East Grand Avenue Overlay District and recommends that the applicant seek exceptions from the overlay district through the variance process. There were 48 letters in support, and 118 letters in opposition. A petition was submitted with 404 signatures in opposition.

In response to Commissioner Grill, Ms. Siegworth said most of the written testimony was referring to the development in general, including the CUP and variance application to be on our July 15 agenda. It was difficult to sort out which letters were solely for the rezoning because people referred to the entire project in their letters.

Commissioner Baker said the focus today is only on the rezoning application, not on the conditional use permit or variances to be on our July 15 Zoning Agenda.

In response to Commissioner Reilly, Ms. Siegworth said the property is within the state designated historic district. It wasn't mentioned in the staff report because there isn't a section for that in the rezoning staff template. She said information will be added next time since there is interest. She has contacted Heritage Preservation staff and she believes it will need to be reviewed by them. The applicant may have more information on where they are at with that process.

In response to Commissioner Rangel Morales regarding the written testimony, Chair Baker said he does not want to focus on items at today's meeting that do not have anything to do with the rezoning application.

In response to Commissioner Reilly asking if there was consideration to rezone to T2 instead of T3, Ms. Siegworth said that was the original proposal but because of the proposed height being greater than 55 feet, it made sense to rezone to T3 to avoid additional zoning applications.

In response to Commissioner Grill, Ms. Siegworth said that the process for rezoning out of the East Grand Avenue Overlay District would be the same as any other rezoning.

Commissioner Grill asked if the Committee recommended denial of rezoning out of the East Grand Overlay District would the applicant have the opportunity to come back with a variance instead of the rezoning. Ms. Siegworth said that is the reason they have requested a continuance to their variance and their conditional use permit application. They are applying for additional variances for the East Grand Overlay District restrictions, and this application will be at the next Zoning Committee meeting.

In response to Commissioner Baker, Mr. Taghioff said the Summit Hill Association has been involved in the neighborhood plan update process since last year and they are looking at a ten-year plan. The commitment is to review the East Grand Avenue Overlay District in detail, look at what ways it can be changed, and submit a recommendation about the overlay district by June 1, 2022.

Ari Parritz, Developer with Reuter Walton Development, 1026 Portland Avenue, said he will focus on the rezoning application and go into more detail about the CUP and variances at the next meeting. Mr. Parritz said they understood that the City and neighborhood was focused on the design, scale, and experience on Grand Avenue and they looked at how they could design a project that fit into what Grand Avenue has been for the last 120 years and what they hope it could be going forward for the next 120 years. They were working to develop a project that was developable, and they didn't find a lot of sense in designing something they knew they would never be able to build. We tried to find the intersection of these two things and that is the design the Committee is seeing today. Mr. Parritz said they have had five months of community engagement. It involved a series of public meetings that they hosted as the development team and a series of meetings that the Summit Hill Association hosted and then culminating in the Summit Hill Association Board's approval vote. These meetings shaped this project and worked to smooth out any rough edges and through collective input, they created a project they are all proud of and that ultimately, the neighborhood supports. Mr. Parritz said that they know that the support is not unanimous, and they understand the emotions and real-life experiences driving the lack of support. Mr. Parritz said they are not foreign to this community; they live in this community themselves and they feel that through the engagement that they've done, they've reflected those concerns in every feasible way. They are committed to continue to reflect those concerns throughout the creation of the project. They want to be a good neighbor and to be a productive and exciting new anchor on Grand Avenue. They want to deliver something new to the community that hasn't had a project like this in almost 20 years. They want to serve as a model for new projects and engagement processes for future development. There is an element of the community that would like a building strictly compliant with the underlying zoning and East Grand Overlay District and capped at three stories and still have a mixed-use development with the nice features we have in this proposal. There are buildings on Grand that have a similar character, but it is not feasible today. The history of the last 20 years of development in the East Grand Overlay District has proved that; it is not just them saying they can't make it work on this site. Mr. Parritz said they've spent a lot of time observing precedented development in the area and have not found one that is strictly compliant with what the East Grand Overlay conditions are. They understand what the East Grand Overlay conditions are, and they are not ignoring or being insensitive to them. They also understand the City's broader priorities are in the 2040

Comprehensive Plan and have taken all the policies into consideration in designing this project. Mr. Parritz said they are flexible on the technical route that they take through either a rezone out of the East Grand Overlay District or seeking exceptions from the overlay through a variance process which they know to be the Summit Hill Association preference. They believe that this building through its T3 zoning and the other applications that will follow are very much in the spirit of what exists on Grand today and what the future guidance for Grand is through the 2040 Comprehensive Plan and its mixed use designation. Mr. Parritz said they commissioned a historic study of the site two or three years ago and that firm concluded that there is nothing historically relevant of the site today. Nothing on the site predates the grocery store that was there in 1960. They have never heard anything from staff to the contrary that they would be subject to Heritage Preservation Commission review. They are not simultaneously pursuing anything related to preservation because they didn't understand that to be an applicable process for them to do.

In response to Commissioner Baker, Mr. Parritz explained the changes made to the initial project based on input from community meetings. Mr. Parritz showed a presentation that has been submitted to public record. He said there were six items that the community felt they needed to pay more attention to or needed to be improved upon including traffic, parking, and access, retail loading, third retail space needs, larger units desired, alley safety and improvement and exterior design, and every one of these things has been addressed. They completely changed where traffic, parking and access functioned around the site. They had to find what was going to create the least amount of congestion and the safest pedestrian and bicycle experience, and at the same time be functional for the building. They relocated the reloading access off the alley and moved it to the street. Traffic is routed to the least intrusive points possible. Two of the three restaurants currently located there will close for a period of time and reopen to anchor the retail space in the development. They have over half of the retail space known and committed to and there are two smaller spaces that do not have a use and new tenants could benefit from the existing commercial tenants. Mr. Parritz said that they tweaked the unit mix to enable larger units to accommodate needs of folks who live in the neighborhood today, want to downsize, and don't have new housing to move into in the neighborhood. Improving the safety along the alley and along Grand and bringing more eyes on a street was a huge focus of theirs. Activating the plaza area between the restaurants and putting in public art signifies the investment for the community and makes the area feel safer. He explained that the changes for making the building fit into the context included strong architectural treatments and specifically corner anchors to relate to the condos on St. Albans, drive consistency, and provide appropriate transitions. Most significantly, they were able to accommodate an additional setback along St. Albans to make it feel more historically consistent and no create any obstructions along the alley.

In response to Commissioner Rangel Morales, Mr. Parritz said they looked at reducing the density of the building extensively, but in order to even get to a four-story building, they would have to drop all of the public space including all of the retail space. They felt like that would not be a win for Grand Avenue and it wasn't compliant with the mixed use designation of the 2040 Comprehensive Plan and didn't add the value that they thought this neighborhood needed.

Chair Baker stated that the comments made in the chat feature would not be included into the public record.

In response to Commissioner Reilly regarding the conflict between the 2006 Summit Hill/District 16 Neighborhood Plan and 2040 Comprehensive Plan, Ms. Siegworth said that it is difficult when concentrating on specific policies in each of the plans because they might contradict each other. That is why District 16 is currently updating their plan, in order to be consistent with the Comprehensive Plan. There are certain aspects of the neighborhood plan that are consistent with T3 zoning, including Policy G1 that states to maintain Grand Avenue as a continuous neighborhood retail and residential corridor.

Peter Rhoades, 1879 Rome Avenue, St. Paul, spoke in support. Mr. Rhoades said he serves as the President of the Summit Hill Association. They have had an extensive engagement process over the last five months. They have come to a lot of different conclusions on where we would like this to go, but in general our neighborhood wants investment on Grand Avenue. This site needs investment. It's an open parking lot that many people do not like. There have also been complaints about trucks in the alley behind the building and they like how the applicant has solved that issue. Mr. Rhoades said that the Board spent hours reading all the letters that were submitted by the neighbors. The Board voted in strongly in favor of the building as designed. They do not want this to be an indication on where they landed with the East Grand Overlay as a whole.

Denise Aldrich, 1053 Linwood Avenue, St. Paul, spoke in support. At the beginning of the project, she did not necessarily take the developers at their word that a project with underground parking wasn't economically feasible at four stories or less. However, after seeing other developments going in around Saint Paul and how they are built, it supports their claim that less than five stories are not feasible today. She believes that this project is good for the neighborhood, but probably not for those who live closest to it. An analysis of comments received by the Summit Hill Association shows that comments received from those that live within two blocks of the project are overwhelmingly opposed to it; however, if you look beyond that area, the majority of the neighbors support the project. Everyone who chose to move to this neighborhood is because of the proximity to Grand Avenue. Everyone supports development on Grand Avenue, and everyone supports the restaurants and shops located here. This development is an important addition to the neighborhood and keeping the restaurants that we all love and keeping the property in the hands of the local owner is very valuable to us. She noted her written comments submitted that shows where written comments on the project came from.

Ellen Brown, 874 Fairmount Avenue, St. Paul, spoke in support. She said that 75 or more dwelling units will contribute to the commercial vitality of Grand Avenue. The housing units to be built will be attractive to empty nesters wanting to downsize from their large Summit Hill homes, but still wish to stay in the neighborhood and will also free up those homes for new families. The development will also provide a significant contribution to the Saint Paul tax base. It is also very significant that the owner is local and a well-respected business owner.

Ted Lentz, 692 Summit Avenue, St. Paul, spoke in opposition. He feels that 695 Grand Avenue does not qualify for the T3 zoning district. Creating that as a T3 zoning district is a triple zoning jump. T3 throughout the City of Saint Paul primarily occurs in existing neighborhoods with major transit lines. Every T3 district in Saint Paul is adjacent either to a T4 or is surrounded by a T2

district where it abuts a residential district. To create a small, less than one-acre district, is a jump. It would be a T3 site and not a district.

Linda Makinen, 24 St. Albans Street, St. Paul, spoke in opposition. Summit Hill is one of the foremost dense neighborhoods in Saint Paul at 8,541 people per square mile. The current density of the Grand / St. Albans area is 14,017 per square mile. Adding an estimated 120 people to the area would bring the density to 16,517 people per square mile. Adding this level of density to the block is not supported by Saint Paul's 2040 Comprehensive Plan. Policy LU-1 asks for density to be built at existing transportation corridors. Grand and St. Albans does not have existing or planned transit that will support a T3 level of plan. Policy LU-30 asks for increased density to be built at neighborhood nodes and Grand and St. Albans is not a neighborhood node. Policy LU-34 asks for middle density planning compatible with the scale of urban neighborhoods and the level of increased density in this massive project does not attempt to be compatible with the surrounding neighborhood. The developer calls the difference between three and five stories marginal, but this T3 zoned project adds too much density to this block at the cost of the valued character of the neighborhood and it creates increased hazardous traffic and parking for the already burdened surrounding streets. A project designed within the East Grand Overlay District Plan could contribute to the unique character of Summit Hill and would provide added density at a scale the corner and the neighborhood could tolerate.

Shannon O'Toole, 223 Avon Street, St. Paul, spoke in opposition. The last time the City of Saint Paul studied parking in our neighborhood, it recognized the area around Grand and St. Albans as having a significant parking shortfall in 1993 and nothing has changed. In May 2020, when there was no commercial traffic or parking because COVID had shut down the City, a new survey found that the existing residential cars created a significant parking shortfall once again in this area. She has attached data in both surveys with her written comments. The 695 Grand project provides 69 paid parking spaces for 80 residential units. Many of the units will house more than one person and most of these people will have cars. At \$175 per month for a parking space, how many of the residents of the building will rent a parking space? The idea that people will not have cars and will rely on the bus or bicycles is not realistic. Few people work near this neighborhood and getting to work by mass transit is not feasible for most. The cars owned the residents will overwhelm an already challenged parking area. There will also be four retail establishments including two restaurants. Currently, there are 60 parking spaces for three restaurants. This project proposes 31 parking spaces for the staff and patrons of all four retail spaces. People don't come to Grand Avenue now because of the perceived parking problems and this project will make that perception a reality. Parking is just one reason why this project is too big for Grand Avenue.

Charles Skrief, 773 Goodrich Street, St. Paul, spoke in opposition. He does not have a direct interest in this project. He opposes the rezoning until a thorough independent traffic study has been conducted. In support of his position, he has submitted a written statement. The developers traffic study fails to consider the very factors that has made this project controversial, high density housing and intense commercial uses in already narrow congested streets. Each of these issues are normally considered in a traffic study. He has documented current traffic problems on Grand and St. Albans; examples include semi-trucks illegally using the turning lane as a parking lane and other delivery vehicles double parking. Unlike other traffic studies, the report does not take pedestrians into account. Also, all restaurant vehicles will exit

onto Saint Albans and all traffic for 80 households will enter and exit onto St. Albans. We know from experience how many vehicles, both regular traffic and delivery vehicles, we see daily in this area and it is already overwhelming.

Marilyn Bach, 9 St. Albans Street, St. Paul, spoke in opposition. The developers have asserted that this development fits into the area because there is a single tall building at 745 Grand Avenue. I assert this is a false position. 745 Grand, which is called Grand Place, was built in 1981 prior to the East Grand Overlay District zoning. Grand Place is built 30 feet back from the sidewalk and the proposed project will only be three feet from the sidewalk. Grand Place is set back 26 feet from the alley and 695 Grand will be 8 feet from the alley. Grand Place is a strictly residential place with 40 units compared to 695 Grand that will have 80 units. 745 Grand does not create much traffic. 695 Grand will have 80 units and 4 retail units with two of them being restaurants that will create enormous traffic congestion, endanger pedestrians and cyclists. This building is a massive intrusion that will overwhelm the area.

Sonja Mason, 21 St. Albans Street, St. Paul, spoke in opposition. She said the staff report emphasizes the suitability of this site for mixed-use development and neighbors agree. The current zoning already allows for mixed use and why are they applying for a rezoning? The land use is permitted under B2. The reason we are here is because this application is solely to increase the intensity and scale from what is currently allowed, and they want to increase it far and above over what is located around it which is currently an excellent example of missing middle walkable neighborhood-scaled density multi-family. B2 and T2 are both supported by the Summit Hill plan as is East Grand. She wanted to make a couple of corrections to the staff report. She said Finding 3 was an error. The neighboring properties that are zoned RM2 cannot have a 50-foot height limit because they are within the East Grand Overlay District. The East Grand Overlay District has a 40-foot limit for residential structures. Most of the surrounding structures meet that height limit. The Finding 4 error is saying this height would match based on the 65-foot building a block away, which is a nonconforming structure. You should not base a Finding on a nonconforming structure. It is also a structure that in part caused the East Grand Overlay to be written. Regarding Finding 7, it is not in compliance with the Summit Hill plan. G5 specifically states that B2 and BC zoning are the most appropriate for Grand Avenue. G6 states rezoning and variances are opposed by the Summit Hill Association in those areas where parking and traffic problems persist. H7 ensures that the impact of any increased density conforms to zoning and building requirements. H9 states mixed use buildings should respect the historic nature and character of the neighborhood.

Rosalyn Goldberg 1023 Grand Avenue, St. Paul, spoke in opposition. She noted that she submitted written comments too. She adamantly is opposed to the project at 695 Grand Avenue. There are too many exceptions needed for this project and too many exceptions even with a rezoning. It is too big, and the developers knew from the beginning that it was noncompliant and submitted it anyway. They have repeatedly ignored the number one issue that is bothering people, which is the height issue. She said 77% of the neighborhood is opposed to this project and we cannot approve spot zoning. This project defeats the purpose of the overlay. There are other projects on the horizon, and they will also want their own personal zoning. This is a can of worms. This project is too big, and it does not fit into this neighborhood; it belongs in downtown Saint Paul, where development is needed.

Hillary Parsons, 42 St. Alban Street, St. Paul, spoke in opposition. She echoes all the concerns already stated. She is concerned about public safety and has seen people struck as they cross Grand Avenue. This project will worsen the amount of traffic in the area. Parking is also a major issue. They are reducing the number of spots and they are adding too many people. This is already a very dense neighborhood. People from outside this area are going to avoid it like the plague. The developers are only looking at the financial benefits to having high-end, luxury rental units. This is an extremely inappropriate building for this neighborhood and offers no decrease as it goes into the residential area. It will be a massive wall along St. Albans.

Susan St. John, 25 St. Albans Street, St. Paul, spoke in opposition. She submitted A Better Way Petition with over 400 signatures that stated they oppose the 695 Grand/Dixies project proposal, which violates all existing zoning codes. She said that they oppose the proposed rezoning, conditional use permit, and all modifications and exceptions to current zoning. They support a better way for those who live, visit, shop, eat, walk, and bike on Grand Avenue. She said she supports a balanced, mixed-use project that meets current zoning regulations, with no variances or other zoning exceptions.

Jason Betchkal, 825 Goodrich Avenue, St. Paul, spoke in opposition. He is not opposed to development in general, but he does not believe this is the right development for this piece of property. He sees inconsistencies based on the 2040 Comprehensive Plan, starting with LU-29 stating that ensuring the building mass, height, scale, and design transition to those permitted to adjoining districts. Outside of 745 Grand, mentioned earlier, there are no other buildings similar. This building has very little setbacks and is too high compared to the adjacent buildings. It is also not consistent with LU-36 regarding scale and existence as it relates to the existing residential development that it is going into. Also, H-47 states the development must be sensitive to the context of the neighborhood and this doesn't seem like it is. This proposed project does not meet the Comprehensive Plan goals.

Brenda Besser, 24 St. Albans, St. Paul, spoke in opposition. The proposed building is too big for the limitations of the roads that will serve it. T3 is dependent on a strong, high-frequency transit infrastructure which Grand Avenue will never be able to provide at the level of comparable T3 zones. Grand Avenue has one local bus route 63 and the route recently reduced its number of stops. Pre-Covid ridership statistics reported by the Metropolitan Council showed an 8% reduction in ridership for local routes from 2018-2019, including the route 63, while routes offering express service have increased in use. The Metropolitan Council also states that ridership grows in corridors with frequent fast service. The route 63 bus is sufficient for local stops along Grand, but the capacity of Grand as a transit thoroughfare is and always will be limited due to it being a two-lane street that also serves cars, bikes, and pedestrians. It cannot demand the transit needs of large 80-unit buildings. For this reason, this development will not attract a significant number of transit dependent residents. They will always have cars because the 63 line will never suit their needs. A building the size of this project is appropriate for existing T3 nodes, but not the proposed location.

Pamela Bensen, 682 Summit Avenue, St. Paul, spoke in opposition. This project would be a massive mistake for the City and the neighborhood. This project is not consistent with the way the area has developed. The 480 letters Summit Hill Association has received in opposition and 47 letters of support indicates that the neighborhood isn't supportive of this project as proposed.

It is too generic and too large, and it does not honor or protect the uniqueness of the neighborhood. The community does not want this project to serve as a model to what this area will be in the future. The efforts by the developer to respond to the concerns repeatedly raised in months of community engagement were cosmetic at best.

Margaret Gradient, 809 Lincoln Avenue, St. Paul, spoke in opposition. She said that this proposal fails to transition to the density in this area. The policy states that the transitions in density or intensity shall be managed through careful attention to the building height, scale, massing, and solar exposure. The solar orientation of this development casts maximum shadows on surrounding residential development. The setbacks are not compliant. She said that the Saint Albans side is not consistent with the code which states that setback must be the average of those on the block. The proposed structure has a setback of three feet, while fifteen feet is required. Compliance for this property is not impractical or unreasonable. The change to T3 zoning is detrimental to the neighborhood.

Dr. Erick Ruhland, 790 Summit Avenue, St. Paul, spoke in opposition. They have converted a vacant home in a historic gem. He followed every rule from HPC with regards to his home and his business, a veterinary hospital. He said that the builder's argument that it is not feasible, and they can't build a three-story building and stick with the zoning code is erroneous and doesn't make any sense. The proposed size and scope are a problem for the neighborhood. He said that the fact that the staff report lacks any mention about the historic nature of the neighborhood, a reason why most of us live here, says a lot. We want development but not at this size. The reason businesses are fleeing Grand Avenue is because the commercial prices are so high, and this development will not help.

Annie Halland, 720 Summit Avenue, St. Paul, spoke in opposition. There is a way forward with reasonable development that conforms with the 2040 Comprehensive Plan. There are some relevant sections from the Comprehensive Plan she would like to read that show how important the scale and sensitivity to the neighborhood is regarding this project. Policy LU-1: to encourage transit supportive density and direct the majority of growth to areas with the highest existing or planned transit capacity. Policy LU-29: to ensure that building massing, height, scale, and design transition to those permitted in adjacent district. Policy LU-34: provide for medium density housing that diversifies housing options such as townhomes, courtyard apartments and smaller multi-family developments compatible with the general scale of urban neighborhoods. Policy LU-35: provide for multifamily housing along arterial and collector streets and employment centers to facilitate walking and public transportation. LU-36: to promote neighborhood serving commercial businesses with urban neighborhoods that are compatible with character and scale of the existing residential development. Policy H-47: to encourage high quality urban design for residential development that is sensitive to context but allows for innovation and consideration for market needs. She also read a quote from *Missing Middle*, "Many cities over the past couple of decades have introduced strategies, policies, and zoning to allow higher-intensity development, often transit-oriented, along their major corridors. The result has often been awkward, with five-plus-story buildings abutting single family homes, which usually results in an outcry from adjacent neighborhoods. Applying Missing Middle Housing is a great way to transition from these corridors into lower-scale neighborhoods."

Jonathan Mason, 21 St. Albans Street, St. Paul, spoke in opposition. He submitted a video of an alternative design into public record. He said that the planning documents have inaccurate information and that could have affected the staff report. Specifically, the 707 building was said to be 38 feet tall and it is 25 feet tall. The building directly behind the project is 2 ½ stories tall, not 3 ½ stories tall. These types of omissions and inaccuracies could affect the staff report. These were brought to the developer's attention and have not been updated. He recommends the staff report be reviewed.

Howard Quinlan, 223 S. Avon Street, St. Paul, spoke in opposition. From experience, he has a fair understanding of the complexities and challenges Grand Avenue developments and the issues that you face. He said that everyone is in favor of vital development, but this proposal presents a serious range of complex variance requests that completely disregard previously established standards, guidelines, and plans. The proposed development is not in compliance with the 2040 Comprehensive Plan, East Grand Avenue Overlay, or the Summit Hill Comprehensive Plan. The proposal will be detrimental to the existing character of the neighborhood. It will affect the historic nature of the neighborhood and area. It will also prevent reasonable enjoyment of the adjacent properties. He said we need to look for a balanced approach to development that respects the desires of the neighborhood and the history of the neighborhood.

Shandon Halland, 720 Summit Avenue, St. Paul, spoke in opposition. He said most people have already spoken to the technical reasons, but he also wanted to make a point about common sense issues. People used to get together and speak about what would be better for the neighborhood. He said that although there have been neighborhood meetings, there hasn't been much adjustment and change to accommodate the request of the people who do want good development. There is great potential for this parcel, but this is not it. The pressing need in Saint Paul is having more affordable housing and this does the exact opposite. It continues to concentrate opportunity and wealth in one area.

Mr. Parritz responded to testimony. He said that they were aware that this project does not comply with existing zoning and the East Grand Avenue Overlay. That was a fundamental feature of the engagement process that they went through. They looked at what they thought this project needed, what the existing regulations were, and they explored what could be done at this site. Zoning laws exist as guidance and there can be exceptions and a petition for rezone. This was ultimately substantiated by the official representation of the neighborhood, the Summit Hill Association. They have carefully considered all the neighborhood testimony. He said that the precedent exists, especially on this section of Grand Avenue, for higher density housing and higher height and where the circumstances justify the rezoning from B2 to T3 to enable a project like this to exist, they felt there was enough to go through the project with the Summit Hill Association and are grateful that they earned their support. Mr. Parritz said they have done multiple versions of a traffic study. The traffic study didn't only look what is currently at 695 Grand Avenue, it looked at what their project is including units, mix of retail space, and parking and access points. The parking study determined that the number parking spaces they have and the access points that they have are appropriate. It also went through Public Works to substantiate it and they reached the consensus that this was an appropriate traffic and parking solution for the project. It didn't create any negative consequences for pedestrians, bicyclists, or vehicle safety on any adjacent streets of this project. If Public Works asked them to do a

different traffic study, they would have complied. It is their intention to make sure that there are no safety issues. Mr. Parritz said that someone mentioned that people are fleeing Grand Avenue because the prices are too high. He said they view their project as having a role in helping to alleviate some of that pressure. Part of the reason why prices are high is because the tax base isn't high enough to spread the burden around and that manifests itself in higher property taxes for the neighborhood and for Grand Avenue businesses. They look at their project and the incremental tax revenue that it will generate over what is there today as an important tool that the City has to help alleviate some of that pressure and enable their businesses and the adjacent businesses to continue to survive. Mr. Parritz said that while the six-story condo, Grand Place, was part of a portfolio of precedent that they used for height, it wasn't solely the precedent. They looked at dozens of other buildings that make up the intersection of Grand and St. Albans. They reached the conclusion that this project does fit in with the surrounding area.

In response to Commissioner Baker, Mr. Parritz said they addressed the concern about the overall size extensively with the neighborhood. To accommodate a four-story building we would have to eliminate all the ground floor publicly accessible space. We didn't feel like that would be the right project for this area. They have made changes to the project that were suggested by the neighbors.

In response to Commissioner Rangel Morales, Mr. Parritz explained how the scale is appropriate to the site. He showed a slide (submitted into public record) to illustrate how the height and scale of the project is appropriate to this area. It showed different heights of the surrounding buildings in the area. There is similar massing, but their project also has underground parking, elevator, and fire safety infrastructure that takes up additional space and manifests in a larger building than what was built 100 years ago.

In response to Commissioner Rangel Morales, Commissioner Reilly said that the Grand Avenue Overlay was designed to limit designs that are common to big boxed retail.

Commissioner Reilly said he would like to lay this over to get more information associated with adjacent properties and heritage preservation issues.

Commissioner Reilly said he is in favor of increasing density especially around transit opportunities. As a resident on the east side, they have suburban style development that may be contributing to this tax base mismatch. He is also a strong believer that our wealthier neighborhoods should not get preferential treatment around development. He was taught that there is no real such thing as a precedent in Land Use Planning and Land Use Law until it gets to the point of a Supreme Court of a state. He rejects some of the public safety concerns and doesn't think those are relevant to the case. He thinks that B2 zoning is inappropriate because Grand Avenue as built doesn't even meet the dimensional standards. A Comprehensive Plan is a visionary document that sets the goal for development in a City and from that all other official controls must stem from the policy direction in the Comprehensive Plan. In this scenario, he doesn't think that the proposal for a T3 zoning is appropriate and he has findings and rationale detailing why he would like to deny this proposal. He said that we have dozens of comments from the community that shows they are not in favor of this proposal and often our boards don't necessarily represent the beliefs held by most of the people.

The public hearing was closed.

Commissioner Grill moved approval of rezoning from B2 community business to T3 traditional neighborhood and denial of rezoning out of the EG East Grand Avenue Overlay District. Commissioner Hood seconded the motion.

In response to Commissioner Rangel Morales, Ms. Siegworth said that the analysis for a rezoning is based on four findings: that the proposed zoning is consistent with the way the area has developed, that the proposed zoning is consistent with the Comprehensive Plan, that the proposed zoning is compatible with the surrounding use, and that the proposed zoning would not be spot zoning.

In response to Commissioner Rangel Morales, Ms. Siegworth explained why the East Grand Overlay District was created based on her research. She said that the overlay was intended to provide room for change and growth, but also to respect and reinforce the character of Grand Avenue. It was also in response to some taller buildings that were constructed, specifically the four-story building at Oxford and Grand. They wanted to protect the neighborhood from big box development as well.

Commissioner Taghioff said his observation of the Summit Hill Board's approach was to spend that time listening and facilitating a community-wide conversation. Over 300 residents attended the first meeting, and subsequent meetings were attended by tens of hundreds of people. He said over a hundred comments were received before the Board's consideration deadline plus 38 post the public hearing was held. It is fair to say that there was a genuine desire to listen to everyone. The decision made by the Summit Hill Board was not an easy decision for anyone. They did not support the way it was presented in March. There were numerous accommodations made by the developer to attempt to reduce the impact of the building, and this made a difference to the way the Board members voted. In terms of the engagement process, it is fair to say that these issues have been discussed and debated extensively.

Commissioner Reilly explained why he will not be voting in favor of the motion. He said that the 2006 Neighborhood Plan and related overlay district is trying to preserve the historic development patterns of Grand Avenue. The massing allowed under a T3 zoning is not in keeping with the spirit and intent of the Comprehensive Plan. Finding 3, relating to height has not been met based on the existence of the overlay. Finding 4 has not been met because it is not consistent with the way the area has developed. The scale and massing don't match the way the area has developed and there is no transit to support a T3 zoning. It is also not compatible with the neighboring properties. He concluded that Findings 3 through 9 are not met and he has supporting documentation to back it up.

Commissioner DeJoy said that during the public testimony, she heard a considerable amount of comments noting that the opposition was more about the size, massing, and density of the development and not to the T3 zoning.

Commissioner Hood said he thinks it is a thoughtful proposal and the developer has done a good job of engaging the community and making concessions. Summit Hill Association has also

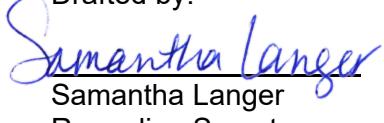
done a great job of community engagement. He said transit could become available with more density. He said that the proposed T3 zoning is consistent with how the area has developed, with the Housing and Land Use Chapters of the Comprehensive Plan, the 2006 Summit Hill District Neighborhood Plan, and with the neighboring uses. This is a reasonable rezoning.

Commissioner Baker said ultimately what they are deciding today is the rezoning and not the conditional use permit or variances. He appreciates the engagement process between the developer and the Summit Hill Association; however, there are more opportunities that can happen to engage the community moving forward.

The motion passed by a vote of 6-2-0.

Adopted Yeas - 6 Nays - 2 (Reilly, Rangel Morales) Abstained - 0

Drafted by:


Samantha Langer
Recording Secretary

Submitted by:

Emma Siegworth
Emma Siegworth (Jul 19, 2021 08:42 CDT)
Emma Siegworth
City Planner

Approved by:

Cedrick Baker
Cedrick Baker (Jul 19, 2021 09:21 CDT)
Cedrick Baker
Chair

21-271-810 695 Grand Rezoning minutes_7-12_ES

Final Audit Report

2021-07-19

Created:	2021-07-19
By:	samantha.langer (samantha.langer@ci.stpaul.mn.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAuE78B34LefpX5FnAXyQOQIs6pBtD55Mf

"21-271-810 695 Grand Rezoning minutes_ 7-12_ES" History

-  Document created by samantha.langer (samantha.langer@ci.stpaul.mn.us)
2021-07-19 - 1:14:25 PM GMT- IP address: 156.99.75.2
-  Document emailed to Emma Siegworth (emma.siegworth@ci.stpaul.mn.us) for signature
2021-07-19 - 1:14:58 PM GMT
-  Email viewed by Emma Siegworth (emma.siegworth@ci.stpaul.mn.us)
2021-07-19 - 1:42:12 PM GMT- IP address: 156.99.75.2
-  Document e-signed by Emma Siegworth (emma.siegworth@ci.stpaul.mn.us)
Signature Date: 2021-07-19 - 1:42:48 PM GMT - Time Source: server- IP address: 156.99.75.2
-  Document emailed to Cedrick Baker (cedrick.baker@spps.org) for signature
2021-07-19 - 1:42:50 PM GMT
-  Email viewed by Cedrick Baker (cedrick.baker@spps.org)
2021-07-19 - 1:44:50 PM GMT- IP address: 63.238.68.48
-  Document e-signed by Cedrick Baker (cedrick.baker@spps.org)
Signature Date: 2021-07-19 - 2:21:55 PM GMT - Time Source: server- IP address: 63.238.68.48
-  Agreement completed.
2021-07-19 - 2:21:55 PM GMT



Adobe Sign