

MINUTES OF THE ZONING COMMITTEE
Thursday, September 23, 2021 - 3:30 p.m.

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

The meeting was chaired by Commissioner Reilly. 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.

1124-1126 Lincoln Establishment of Nonconforming Use - 21-299-256 - Establishment of nonconforming use as a triplex, 1124-1126 Lincoln Avenue, between Dunlap Street and Lexington Parkway

Emma Siegworth presented the staff report with a recommendation of denial for the establishment of nonconforming use as a triplex. She stated District 16 made no recommendation, and there was 1 letter in support, and 1 letter in opposition.

In response to Commissioner Hood, Ms. Siegworth said the Planning Commission is considering discontinuing the Triplex Conversion Guidelines as part of the 1 to 4 Unit Housing Study currently under public comment. The Triplex Conversion Guidelines are still in effect, however, and that is the reason behind staff's recommendation for denial. The Zoning Committee can make a recommendation that does not follow the Triplex Conversion Guidelines.

In response to Commissioner Hood, Ms. Siegworth said that the new parking regulations will go into effect on October 1, 2021, the same day that the Planning Commission is considering this application, and there will be no minimum parking requirements at that time.

Commissioner Hood said that it seems like if this application was received in six months they would most likely not have to go through this process because the Triplex Conversion Guidelines and parking would not be an issue. Ms. Siegworth clarified the applicant would still need to go through this process because the Department of Safety and Inspections determined that the third unit not a legal unit. There was never a permit for the third unit, and it does not comply with the code. The Triplex Conversion Guidelines may not be an issue though, and there will be no minimum parking requirements as of October 1.

In response to Commissioner Taghioff, Ms. Siegworth confirmed that the Triplex Conversion Guidelines require that staff recommend denial if specific guidelines are not met, and the Zoning Committee does not need to follow them.

In response to Commissioner DeJoy, Mr. Torstenson said that the required findings in the Zoning Code for approving the application are in the staff report under Finding 3 and they have all been met. The Triplex Conversion Guidelines are not in the Zoning Code and do not have to be met. They are guidelines that the Planning Commission adopted to guide staff.

In response to Chair Reilly, Mr. Torstenson confirmed that this application could be approved solely based on the required findings in Zoning Code Section 62.102, which are all met.

The applicant, Larry Kuenster, 711 Sumner Street, Saint Paul, was available for questions.

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

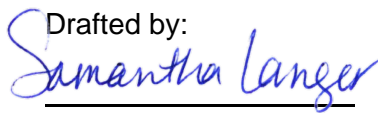
Mr. Torstenson said that if there is a desire to approve the application Ms. Siegworth has prepared a condition that might be worth considering.


Ms. Siegworth said it is that the applicant shall obtain the necessary permits, bring the entire structure into building and fire code compliance, and obtain a certificate of occupancy for the three dwelling units within six months.

Commissioner DeJoy moved approval of the establishment of nonconforming use as a triplex with the condition stipulated by staff. Commissioner Taghioff seconded the motion.

The motion passed by a vote of 5-0-0.

Adopted Yeas - 5 Nays - 0 Abstained - 0

Drafted by:

Samantha Langer
Recording Secretary

Submitted by:

Emma Siegworth (Oct 7, 2021 16:20 CDT)
Emma Siegworth
City Planner

Approved by:

Jacob Reilly (Oct 8, 2021 10:59 CDT)
Jake Reilly
Chair









ZC minutes 1124-26 Lincoln AT

Final Audit Report

2021-10-08

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