

**MINUTES OF THE ZONING COMMITTEE**  
**Thursday, December 21, 2017 - 3:30 p.m.**  
**City Council Chambers, 3rd Floor**  
**City Hall and Court House**  
**15 West Kellogg Boulevard**

PRESENT: Baker, Eckman, Edgerton, Fredson, Lindeke, and Reveal  
EXCUSED: DeJoy, and Ochs  
STAFF: Tony Johnson, Cherie Englund, and Allan Torstenson

The meeting was chaired by Commissioner Edgerton.

**PDMC LLC Senior Living - 17-215-889 - Rezone from B2 community business to T2 traditional neighborhood at 739 Selby Ave., between Grotto and St. Albans.**

Tony Johnson presented the staff report with a recommendation of approval. District 8 recommended approval. There were 4 letters in support and no letters in opposition.

Chair Edgerton asked about need to rezone from B2 to T2, since B2 allows for mixed use with commercial on the first floor.

Mr. Johnson said that under B2 they would have to expand the church to at least 50% of the first floor. B2 caps the floor area ratio at 2.0 and they are proposing the floor area ratio of 2.25. B2 allows increased height by stepping back from side, rear and front property lines; T2 allows increased height by stepping back from side and rear property lines. In response to Chair Edgerton, Mr. Johnson said he expects that the site plan review will be handled administratively.

Commissioner Lindeke asked if there are any plans for larger scale rezoning of property in this area to T2, which seems like a good fit for this area.

Mr. Johnson agreed that T2 zoning fits the historic pattern of development in this area, but there is no zoning study proposed at this time.

The applicant, Della Kolpin, Mesaba Capital, 10700 Normandale Blvd., Bloomington, said they are proposing to demolish the Morning Star Missionary Baptist Church on the site and build a new 6,500 sq. ft. church as part of a new senior living building. It is a \$26 million redevelopment with 95 studio, 1- and 2-bedrooms units, community rooms, a commercial kitchen, and a bistro. The church has been at the corner of Selby and Grotto since 1981 and they want to continue to anchor this corner in the community. She said the church is not located in a preservation district, but they met with Heritage Preservation Commission staff as well as the Summit University Planning Council and neighbors for their input on the development.

Reverend Carl Walker, pastor of Morning Star Missionary Baptist Church, 739 Selby Ave., said that in order to continue the growth of the church and prosper within the community they partnered with Premier Housing Development and Mesabi Capital to create the type of facility they can be proud of.

Shawn Huckleby, of Premier Housing Development, 735 Selby Ave., said that this project will be done with private investment and they will not be seeking any City funds. He said they have worked closely with neighbors and the Summit University Planning Council to address any concerns. He added that Mr. Johnson and with other City staff within Planning and Economic Development have been helpful throughout this process.

Commissioner Reveal noted that she was on a task force six years ago with Reverend Walker and is happy to see this move forward.

Commissioner Eckman noted that the project is consistent with the comprehensive plan and the Aging in Place Initiative, and asked why they will not be using any City funding.

Mr. Huckleby said he was Chair of the Project Investment Committee for the Local Initiative Support Corporation. He said he wrestles with the use of local dollars because these resources are so limited and there are so many needs. It is good to be able to do this project without use of City funding.

Raymond Krause, 710 Dayton Ave., spoke in favor. He said he is the Chair of the Neighborhood Development Committee of the Summit-University Planning Council, and they support this project. He said this group has been to the Summit-University Planning council on numerous occasions to discuss their plans and receive input, and have revised their plans based on that input. They have also met with other neighborhood groups.

Theodore Stephany, 506 Central Ave., spoke in opposition. He said he has been a member of this church for 25 years, and while he is not against the project, he would like more information. There has been a lot of planning, but he thinks church members are not well informed.

Reverend Walker said the project has been in the works for quite a while. There have been numerous meetings and discussions, they still have a lot of work to do, and he thinks they are on the right path for the church to be an integral part of the community.

Commissioner Baker noted the community support for the project and Mr. Stephany's request for more information, and said there is still opportunity to have more conversations with church members to provide them with more information.

In response to Commissioner Baker and a question by Commissioner Eckman, Reverend Walker said that they have 50 active members, have 15 members that live in the surrounding community, and are committed to make sure that everyone is well informed.

Mr. Huckleby said that the development team introduced themselves to the congregation after a Sunday service and discussed the plans for the church. Once they had conceptual drawings, they met with interested groups within the church, including breaking into smaller groups that met with Ms. Kolpin to go over designs for individual areas of the plan. Over the summer the congregation voted to authorize the pastor to move forward with the acquisition agreement. He said that the site has contamination issues and they have worked with the Minnesota Pollution Control Agency in order to ensure the success of the project and can stay within the church's budget. They have tried to inform the congregation at various points to explain what was being considered, the options, design factors, and budget issues. Reverend Walker met with a subset of the congregation a few weeks ago to address their concerns, and they are planning another meeting with the congregation in January or February.

The public hearing was closed.

Commissioner Reveal moved approval of the rezoning. Commissioner Eckman seconded the motion.

In response to a question by Commissioner Lindeke, Mr. Johnson said the parking requirements for the project under T2 zoning are a minimum of 42 spaces and a maximum of 71 surface parking spaces. Current plans are for 30 surface parking spaces and 66 spaces within the building.

Commissioner Reveal said that there may be opportunities for shared commercial parking space with the high level of development happening in the area.

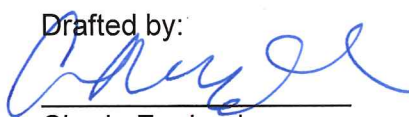
Mr. Johnson said the 30 surface parking spaces off the alley are intended for the church and the 66 structured parking spaces are intended for the senior housing development. They have preliminarily reached out to the community to address the parking issues that shared parking could help alleviate.

Commissioner Lindeke asked about the tax base for the new development. Mr. Johnson said that Morning Star Missionary Baptist Church will own the church, the senior housing facility will be owned by PDMC LLC, and most of the site will be added to the tax rolls.

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

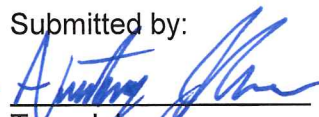
Adopted                      Yeas - 6              Nays - 0              Abstained - 0

Drafted by:



Cherie Englund  
Recording Secretary

Submitted by:



Tony Johnson  
City Planner

Approved by:



Dan Edgerton  
Chair

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STAFF: Josh Williams, Cherie Englund, and Allan Torstenson

The meeting was chaired by Commissioner Edgerton.

**Halima Duale - 17-212-449 - Reestablishment of nonconforming use as a duplex at 1508 Van Buren Ave., between Simpson and Asbury.**

Josh Williams presented the staff report with a recommendation of approval for the reestablishment of a nonconforming use permit with conditions. He stated District 11 made no recommendation, and there were no letters in support or opposition.

In response to a question by Commissioner Eckman, Mr. Williams said that the Truth in Sale of Housing (TISH) certificate issued at the time of sale documents several items such as the condition of the property, its use, and whether it is in a historic district. He said the certificate of occupancy (C of O) program is how the City regulates rental property to ensure that it is meeting code and safe for occupancy. This only applies when a property is not owner occupied or if it has three or more units; it does not apply to single-family homes or an owner-occupied duplex. The City of Saint Paul does not have a rental licensing program. If the applicant decides to rent both units she would be required to get a C of O.

In response to a question by Chair Edgerton, Mr. Williams said the owner intends to occupy one of the units. He also discussed the option at this location for an accessory dwelling unit (ADU), which requires owner occupancy. The applicant chose not to pursue an ADU.

In response to questions by Commissioner Lindeke, Mr. Torstenson said he thinks there may be one ADU on Sherburne, a block west of Lexington. Mr. Williams said the parking requirement is 1½ spaces per unit for new construction. He noted that the applicant intends to build a paved parking area in the rear of the property for three, non-stacked parking spaces.

Commissioner Baker asked how the one-year time frame was determined in condition 1 of the staff recommendation. Mr. Williams said most nonconforming use permits have a two-year window, unless it is otherwise specified. He said it is not good to leave these open ended and one year is a reasonable amount of time to find a contractor, pull permits, and perform the work.

Commissioner Eckman, asked about the cost of needed repairs and noted the difficulty for people to enter home ownership and pay for needed repairs when a home is not move in ready.

Commissioner Reveal said that in the past the Planning Commission required a financial feasibility statement, but it did not make sense because the pro formas were not consistent and there was no way to validate that they were truthful. Pro formas have not been used by the Planning Commission for about five years.

Mr. Williams said that the City assigns categories to vacant buildings by a level of 1, 2 or 3 to keep unsafe structures from changing hands. Category 1 is a secured building that is fine, category 2 requires a timeline for completing necessary work, and category 3 is a condemned building requiring a performance bond for the ability to complete the work.

The applicant, Halima Duale, 1508 Van Buren Ave., had nothing more to add.

In response to a question by Commissioner Lindeke, Ms. Duale said she would build 3 parking spaces in the rear of the property. Chair Edgerton clarified to Ms. Duale that the committee would be willing to require only 2 parking spaces and asked if she would like 2 or 3 parking spaces. Ms. Duale said she intends to build 3 parking spaces.

Hibaq Ali, 1508 Van Buren Ave., said that she lives with Ms. Duale and is her sister. She said some neighbors that have duplexes have given them advice on what they need to do, as they have never rented or owned a duplex before. She added that they have lived in the neighborhood since 2012 and the neighbors have been very supportive of their family.

No one spoke in favor or opposition and the public hearing was closed.

Commissioner Baker moved approval for the reestablishment of a nonconforming use permit with conditions. Commissioner Eckman seconded the motion.

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

Adopted                      Yeas - 6                      Nays - 0                      Abstained - 0

Drafted by:



Cherie Englund  
Recording Secretary

Submitted by:



Josh Williams  
City Planner

Approved by:



Dan Edgerton  
Chair