

ZC File # 16-103-701
16-103-741

12/19/2016

To: ***District #2 – Community Council.***

St. Paul, MN Planning Commission Zoning Committee

In Regards to: ***File # 16-103-701 and 16-103-741***

1475 Ames Avenue, St. Paul, MN 55106

To Whom It May Concern,

My name is Xeng Chang (Address: 1456 Ames Avenue, St. Paul, MN 55106). I am sending this letter in regards to a hearing that was schedule for Thursday, December 22, 2016, in regards to the file above. Due to some medical and personal circumstances during the afternoons, I will not be able to attend the hearing. Although I will not be able to attend the hearing, I would like my voice and suggestions be heard.

Disagreed with Plan If Only:

Agreed with Plan If Only:

<ol style="list-style-type: none">1. The zone is too small to build on.2. The area was not a commercial zone.3. It will bring the value of our homes down.4. Traffic will be horrible because of the dead-end road.5. It will attract unwanted noises and problems within our peaceful/quiet street.	<ol style="list-style-type: none">1. Ames street must open through the Northeast side.2. Mechanic Street must go through Barclay Ave. and Barclay must go through Magnolia.3. I prefer to go with single family homes only.
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Xeng Chang

Phone: (651) 955-7989

My Address: 1456 Ames Avenue, St. Paul, MN 55106

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December 19, 2016

City of Saint Paul
Planning & Economic Development
1400 City Hall Annex
25 west Fourth Street
Saint Paul, MN 55120

Ref: Proposed Rezoning of Ames Ave from R2 to an RM2

Dear City Council Members and Zoning Committee:

I have to strongly state I am against this proposed rezoning. For over 40 years the stated property that you listed as 1475 Ames Ave has been void of any structure or human inhabitants. At present it is a habitat for wildlife. Numerous species of song birds, common crow, deer, wild turkeys, rabbits, squirrels and feral cats have had this area as their domain. Also frequently spotted on that section of land, fox, raccoons, owls, and an eagle.

Now on this quiet residential street you are proposing to have a multicare facility and all that goes along with that change. A 40 unit facility, done in two stages would clog the area with needless construction and debris for years. Plus forcing wildlife to find other refuge.

A 40 unit facility does not constitute 40 individuals. This multicare facility would encompass needing staff, ie onsite manager, kitchen, medical, maintenance, cleaning, security, reception and admittance. Numerous deliveries, pickups and drop offs. Parking for the staff and visitors would add to the congestion on Ames.

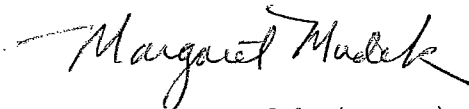
Has anyone addressed this added congestion and road maintenance? I would imagine at some point the residents of Ames would be accessed to compensate for this multicare unit facility. Would Ames Ave, which has been a no thoroughfare at Hazelwood Street since the early 1960's be changed to a through street? Bringing with it a myriad of problems, eg widening the street, sidewalks, added congestion. Would more residents property be encroached upon?

Ramsey County, through reseach has stated the corner of Ames Ave and Johnson Pkwy does not warrant a stoplight traffic stop. Would one now be mandatory with the construction and added traffic this multicare facility would create? This would impact the flow of traffic off the Phalen Drive to the arteries on the east side.

Residents of Ames Ave would be greatly impacted and distrubed by this proposed re-zoning. The quality of life would drastically change. I wish this pair luck in other endeavors, but as for Ames Ave it would not be a good situation, for either the residents or wildlife that has called this home for many years.

On a final note, the city planners have invested many dollars and reseach into re-establishing the Ames Lake Area to establish and foster native habitat and species, I cannot understand wanting to rezone an area so close to this project. There are many underground streams and a wetland type of soil also to consider. Ames Ave as it now stands is more conducive to the mission statement of Ames Lake.

Sincerely,



Margaret Mudek (owner)
1515 Ames Ames
St. Paul, MN 55106
651-717-5121

cc: Impacted Ames Residents/Owners

Englund, Cherie (CI-StPaul)

From: Bee Thao <dragonzz223@yahoo.com>
Sent: Tuesday, December 20, 2016 2:43 PM
To: Dermody, Bill (CI-StPaul)
Subject: File # 16-103-701 and 16-103-741,..... R2 to RM2
Attachments: Bee Thao.docx

Dear Sir:

This is Bee Thao. I am a home owner at 1506 Ames Avenue right across the propose address of 1475 Ames Avenue. This is a nice quiet pleasant neighborhood to raise a family in. I believe most residents residing along side Ames Avenue would agree also. I would like to keep it this way therefore, I do not want to see this rezoning and development of this 40-unit assisted living and memory care facility across from my property.

Thanks for your time and consideration. Any questions please contact myself via email or at

Bee Thao 1506 Ames Avenue
Saint Paul, MN 55106 telephone (651) 795-8606

Attached is a letter that I have sent to the City of Saint Paul Zoning Committee

Sincerely Yours,

Bee Thao

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Bee Thao

1506 Ames Avenue

Saint Paul, MN 55106..... Tel: (651) 795- 8606

Tuesday, December 20, 2016

RE: File number 16-103-701 and 16-103-741.... File Name: Hlee and May Xiong.... Property Address: 1475 Ames Avenue.... Rezone from R2 single family residential to RM2 multiple family residential and a conditional use permit for a 40 unit assisted living and memory care facility.

Dear sir or Madam and or Zoning Committee:

I am a resident at 1506 Ames Avenue right across from the propose address of 1475 Ames Avenue. I am a proud home owner and have been a resident at this property since January of 2013. This is a nice quiet neighborhood. A pleasant neighborhood to raise a family. I do believe that many of the neighbors residing on Ames Avenue would agree with me on this. I would like to keep it this way, therefore I do not want to see the R2 of single family residential zone changed to RM2 of multiple family residential and a conditional use permit for a 40 unit living and memory care facility across from my property.

Thank you for your time and consideration. If there are any questions feel free to contact myself at the above address and telephone number.

Sincerely Yours,

Bee Thao

Englund, Cherie (CI-StPaul)

From: Pa Cha Yang <pachayang.pcy@gmail.com>
Sent: Tuesday, December 20, 2016 9:27 PM
To: Dermody, Bill (CI-StPaul)
Subject: Rezoning 1475 Ames Ave

To whom it may concern,

This email is in regards to a rezoning request of 1475 Ames Ave, NE corner of Barclay and Ames. My name is Pa Cha Yang, and I live at 1464 Ames Ave. I am writing to express some concerns that I have regarding the rezoning efforts to building a 40 unit assisted living and memory care facility.

One of my main concerns is that Ames Avenue is **very narrow**. It is not like the average street in Saint Paul. The majority of us on Ames Avenue do not have sidewalks, and there is a barricade at the end of the street. If there is parking on both sides of the street, it is hard enough as is to drive one vehicle through. My concern is that ambulances, firetrucks, and other emergency services will not be able to get through to the nursing home with increased traffic. One argument is that these trucks and cars can drive on the curb in cases of emergencies, however Ames Ave. residents have mailboxes on their curbs. Mail is delivered "mounted" and the letter carrier delivers mail in a truck.

I am also concerned that if Ames Avenue will serve as the main entrance to the facility and parking is not adequate, overflow parking and traffic could result in our mail not being delivered. If a car is parked in front of a mailbox, the letter carrier will not deliver the mail.

Because the majority of the residents on our street do not have sidewalks, many children walk in the street to and from their homes to get to the bus stops. Increasing traffic could be dangerous. There is a blind curve and hill on Ames Avenue between Barkley and Etna. A solution is to create sidewalks and widen the street. This will mean that residents on our street will have to pay for an assessment. I believe that the company or individuals who want the rezoning to change should be responsible for this.

There is a barricade at the end of our street. My understanding is that it is there because the street is so narrow and there is concern about emergency units' accessibility if the barricade was gone and there were many cars able to access Ames Ave.

A solution could be to leave Ames Avenue as is, and create access to the building not through Ames Avenue but through Barkley through to Magnolia Ave or Mechanic Ave. Both of those streets are not narrow like Ames Avenue. This will mean that Barkley will need to be developed. Again, I think that the individuals pursuing this project should pay for assessments and for the street to be completed, and not the residents.

Again, I am concerned about the traffic to the area with such a narrow street. I am also concerned about the accessibility of emergency responding units.

Thank you for your time in reading this email,

Pa Cha Yang
1464 Ames Ave
Saint Paul, MN
55106

651-492-3284

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Englund, Cherie (CI-StPaul)

From: Deervang <deervang@comcast.net>
Sent: Wednesday, December 21, 2016 1:18 PM
To: Dermody, Bill (CI-StPaul)
Subject: 40 unit assisted living unit

My name is Cha Vang, I live on 1385 ames avenue, I oppose the construction of the 40 unit assisted living unit planned to be built. This part of the neighborhood is a quite residential area and not met for commercial living units. Please have the owner build at their other property it is better suited. Thank You.

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From: Steve Lynn
To: Dermody, Bill (CI-StPaul)
Subject: Stop Reconstruction Zone 1475 Ames Ave
Date: Wednesday, December 21, 2016 3:36:11 PM

Hi Bill,

I live on street 1394 Ames Ave. Today my family was informed about this reconstruction zone to take place soon on 1475 Ames Ave. I like to declare that me and my family do not support this act. We wish it be a single family home and not construct for buildings and other matter. In simple... "We Don't Want The Construction On 1475 Ames Ave." Please forward this email to the destination where it will be process, thankyou.

- Ma

From: Pa Cha Yang
To: Dermody, Bill (CI-StPaul)
Subject: Rezoning 1475 AMES
Date: Wednesday, December 21, 2016 9:32:29 PM

12-21-16

To: Zoning Committee of Saint Paul

After much consideration and time spent talking to many of my neighbors, I would like to again express my concern in allowing the rezoning of 1475 Ames Ave. From Etna street down to where the blockade is on Hazelwood Street, there are ONLY single family homes on a very narrow street. Our street is not like the average Saint Paul street. Please come by the property and see for yourself. When there are two cars parked on both sides of the street, it is hard for one car driving to go through. One could argue that there could be parking on one side of the street, this does not work as well because increase traffic no matter how street parking is would be dangerous on a narrow street with a blind curve/hill where Barkley street is when driving.

There would be increase traffic from the projected visitors of 40 elderly residents along with staff, many delivery trucks (oxygen equipment, food, cleaning service, supplies, lawn maintenance personnel etc...), and necessary ambulances and emergency vehicles going to the senior living center. Please keep in mind that Ames Avenue is a dead end street. The barricade is there because it is not safe for traffic to go through because of how narrow it is. Little children walk on the street to and from the bus stops because the majority of us do not have sidewalks. This works for now because of the amount of traffic we get, however if there is increase traffic, this could be a major issue. This could be dangerous during the winter.

When metro mobility trucks, plow trucks, and delivery trucks try to turn on our street it is very difficult. Again, I invite you to come and see for yourself.

If the street is widen and sidewalks built in, we the residents would be responsible for paying for the assessments and the street construction. The financial burden should not be on existing residents.

Our street is very unique and not adequate for traffic to a 40 unit building. In the beginning, I have tried to welcome the idea of a senior living facility:

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however after much discussion with my neighbors, this is something that we do not want because we think that it will make our street less safe. Many of them have called, written, and will be at tomorrow's meeting; however two specifically could not make it and I expressed to those neighbors that I would include their names here in this email. Neighbors Neng Yang and Seng Chang both agree with my concerns.

Today alone, I have spoken with about ten neighbors who do not like the rezoning 1475 Ames Ave.

Again, please come by and look at the site before deciding. You will see that our concerns are valid.

Thank you for your time in reading this email.

Concerned Ames Ave resident,

Pa Cha Yang
1464 Ames Ave
Saint Paul, MN
55106
651-492-3284

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From: [martin.hernandez](#)
To: [Dermody, Bill \(CI-StPaul\)](#)
Subject: 1475 Ames Ave
Date: Wednesday, December 21, 2016 10:41:36 PM

Dear Bill,

I am very worried about the rezoning at 1475 Ames Ave. because I own two properties on Ames Ave. If this rezoning project goes through I am concerned that I will have problems renting my property.

When the Hmoob shopping center opened up on Johnson Parkway we started to have problems because of the traffic. The renters at that time moved out because it was no longer an accessible street. I am apprehensive of this rezoning because the dead end on Ames will be opened up and therefore cause new problems to all of us on Ames.

This is why I am against the rezoning of 1475 Ames Ave. I hope you will take my concerns into account. I love Ames Ave just the way it is.

Thank you, Maria Balderrama

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From: Karen Gorz
To: Dermody, Bill (CI-StPaul); chuckrepke@aol.com
Subject: Rezoning of 1475 Ames Avenue
Date: Thursday, December 22, 2016 1:19:13 AM

Hello,

I live on Ames and I'm writing to ask you to please, please not rezone Ames to RM2 in order to build an assisted living facility. I don't have anything against senior housing (I'm 60 years old and I may need it myself one of these days), but the site on Ames is not the place for it. Except for the apartment building on Ames and Johnson Parkway, the rest of the street is single family homes and a 40-unit building just wouldn't look right. Plus the street down there isn't wide and straight to accommodate extra traffic (like ambulances). It would make more sense to build the assisted living up on Magnolia and Barclay where it wouldn't have to be rezoned and it would be next to the Elder Lodge.

Thanks for your consideration.

Karen Gorz
1388 Ames Avenue

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From: Porchua Xiong
To: Dermody, Bill (CI-StPaul)
Subject: 1475 Ames Avenue
Date: Thursday, December 22, 2016 7:38:01 AM

I (we) oppose the construction of 40 multi living units at property addressed 1475 Ames Avenue.
We are residents of Ames Avenue for 20 years!
There has been many changes along the way, but this we highly oppose!

Sincerely,

Concerned neighbor.

Sent from my iPhone

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From: Marty Her
To: Dermody, Bill (CI-StPaul)
Subject: stop the rezoning
Date: Wednesday, December 21, 2016 10:30:55 PM

Hello Bill,

I am writting to you because I am concerned about the rezoning of 1475 Ames Ave. I live on Ames and I love it just the way it is. This area is quiet and a great place to raise a family. I love that there is not a lot of traffic because of the dead end at the end of my block. My two kids ride their bikes and roller skate in the summer because of the scarcity of traffic.

If the project on 1475 was to happen there will be a significant increase in traffic and the street will not be as safe as they are now.

I am very concerned and i am not happy about this rezoning project.

thank you, Marty

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December 21, 2016

Rich Holtkamp, 1402 Ames Avenue

I just got this notice yesterday. We don't have time to react to this. The project is going to create more traffic on Ames, which is a dead-end. We have cars flying up and down Ames to begin with. I don't know anything about this project except it's 40 units of assisted living and memory care. I'd like more info on traffic flow and what else is going on with the property. I have to be against it at this point.

RE-ZONING AMES AVENUE

Please note the listed residents and owners of property on Ames Ave are opposed to the re-zoning.

Name CHESTINA ZIER *Chestina Zier*

Address 1521 AMES AVE

Phone 651-357-6583

Name MICHAEL ZIER *Mike Zier*

Address 1521 AMES AVE

Phone _____

Name JACKIE DAILY *Jackie Daily*

Address 1521 AMES AVE

Phone 651-210-0858

Name Joseph Anderson

Address 1515 AMES AVE

Phone 651-206-4127

Joseph Anderson

RE-ZONING AMES AVENUE

Please note the listed residents and owners of property on Ames Ave are opposed to the re-zoning.

Name Margaret Mudek

Margaret Mudek

Address 1515 Ames Ave

Phone 651-717-5121

Name Kathy Colberg

Address 1455 Ames Ave

Phone 651-274-3044

Kathy Colberg

Name Maria Balderrama

Address 1438 Ames Ave

Phone 651-472-1166

Maria Balderrama

Name Chao Lee

Address 1460 Ames Ave

Phone 612-418-8365

RE-ZONING AMES AVENUE

Please note the listed residents and owners of property on Ames Ave are opposed to the re-zoning.

Name Xeng Chang

Address 1456 Ames Ave.

Phone 651-808-2456

Name Allen Hane

Address 1450 Ames

Phone 651 774-4726

Name Sandra J. Ganson

Address 1433 Ames Ave

Phone 651 776-4783

Name Perry Fierro

Address 1422 Ames Ave

Phone 612-220-4564

city of saint paul
planning commission resolution
file number _____
date _____

ZONING FEE STUDY AND TEXT AMENDMENTS

WHEREAS, Zoning Code § 61.302, *Application forms and fees*, prescribes fees to defray the costs of zoning permits and approvals pursuant to MN Stat. §§ 462.351-364, which require fees to be fair, reasonable, and proportionate to the actual cost of the service for which the fee is imposed; require zoning fees to be prescribed by ordinance; and require Planning Commission review and recommendation for Zoning Code amendments; and

WHEREAS, Zoning Code § 61.801(b) provides that Zoning Code text amendments may be initiated by the City Council or by the Planning Commission; and

WHEREAS, the cost of providing services for which zoning fees are imposed was studied in 2010, and in January 2011 the City Council adopted an ordinance setting zoning fees at an appropriate percentage of the cost to the City for review and administration of each particular type of zoning application, generally between 60% and 100% of the estimated cost; and

WHEREAS, inflation data for Minneapolis-Saint Paul and for state and local government show inflation in City costs between 8.9% and 9.8% in the five years from 2010 to 2015; and

WHEREAS, in January 2016 the City Council adopted an ordinance that increased zoning fees collected by the Department of Safety and Inspections by 3%, which did not include most zoning fees collected by the Department of Planning and Economic Development; and

WHEREAS, Zoning Committee of the Planning Commission, on December 22, 2016, reviewed the inflation of costs to the City for processing various types of zoning reviews and applications since the fees were set in January 2011, reviewed draft amendments to Zoning Code Section 61.302, *Application forms and fees* to reflect an increase in costs due to inflation since January 2011, and forwarded its recommendations to the Planning Commission; and

WHEREAS, the full Planning Commission considered the recommendations of the Zoning Committee on December 30, 2016;

NOW, THEREFORE, BE IT RESOLVED, under provisions of Minnesota Statutes § 462.367 and Legislative Code § 61.801, that the Planning Commission hereby initiates a zoning study to consider adjustments of fees prescribed in Zoning Code § 61.302, *Application forms and fees*, to reflect an increase in costs due to inflation since the fees set in January 2011; and

moved by _____
seconded by _____
in favor _____
against _____

BE IT ALSO RESOLVED, under provisions of Minnesota Statutes § 462.367 and Legislative Code § 61.801, that the Planning Commission hereby recommends to the Mayor and City Council the following amendments to Zoning Code § 61.302, *Application forms and fees* to increase zoning fees collected by the Department of Planning and Economic Development by 3% to catch up with the 3% increase in Department of Safety and Inspections zoning fees adopted in January 2016, and then to increase all zoning fees an additional 2%; and

BE IT ALSO RESOLVED, that the Planning Commission directs the Planning Administrator to forward the following draft zoning text amendments, along with the December 22, 2016, memorandum from the Zoning Committee containing their recommendations and rationale for the recommended text amendments, to the Mayor and City Council for their review and adoption.

Note: Existing language to be deleted shown by ~~strikeout~~. New language to be added shown by underlining.

Sec. 61.302. Application forms and fees.

- (a) *Application forms and fee.* All applications shall be filed on appropriate forms. Pursuant to Minn. Stat. § 462.353, subd. 4, a fee to defray the costs incurred in administering official zoning controls established pursuant to Minn. Stat. § 462.351-364, as set forth in the schedule below, shall be paid by the applicant when a zoning application is filed. The fee for applications filed with the planning administrator shall be paid to the department of planning and economic development. The fee for applications filed with the zoning administrator shall be paid to the department of safety and inspections. Zoning control application fees shall be amended by ordinance.
- (b) *Fee schedule.* Fees for the following zoning control applications shall be as follows:
- (1) *Site plan review:*
 - a. Three hundred fifty-seven dollars (\$350357.00) residential, one (1) to two (2) dwelling units. Three hundred ~~twenty-five~~ thirty-two ~~dollars (\$325332.00)~~ for additions to one- and two-family dwellings.
 - b. Five hundred ~~fifteen~~ twenty-five ~~dollars (\$515525.00)~~ up to ten thousand (10,000) square feet of land and two hundred six ~~ten~~ dollars (\$206210.00) for each additional ten thousand (10,000) square feet of land for all other uses, and an additional fee of two hundred ~~sixty-eight~~ seventy-three ~~dollars (\$268273.00)~~ for sites on steep slopes or in the river corridor or tree preservation overlay districts. For any site plan for which a travel demand management plan is required, there is an additional fee of four hundred ~~sixty-four~~ seventy-three ~~dollars (\$464473.00)~~. For any site plan for which parkland dedication is required, there is an additional fee of five (5) percent of the parkland dedication fee up to one-hundred two ~~dollars (\$100102.00)~~.
 - c. In addition to the site plan review fee, three hundred ~~nine~~ fifteen ~~dollars (\$309315.00)~~ for site plans that are reviewed before the planning commission.
 - d. ~~Thirty-two~~ one ~~dollars (\$3132.00)~~ for agricultural uses required by section 65.771(a) and farmer's markets required by section 65.515(b).
 - (2) *Conditional use permit:* Eight hundred forty ~~dollars (\$800840.00)~~ up to one (1) acre of land, two hundred ten ~~dollars (\$200210.00)~~ for each additional acre of land, and an

- additional fee of one hundred ~~eighty ninety~~ (\$180190.00) for a river corridor conditional use permit.
- (3) *Major variance:*
- Five hundred ~~thirty-six~~ forty-seven dollars (~~\$536~~547.00) one- and two-family residential and signs.
 - Five hundred ~~seventy-seven~~ eighty-nine dollars (~~\$577~~589.00) multiple-family residential.
 - Eight hundred ~~thirty-nine~~ fifty-six dollars (~~\$839~~856.00) commercial, industrial, institutional.
- (4) *Minor variance:* Four hundred ~~thirty-three~~ forty-two dollars (~~\$433~~442.00).
- (5) *Nonconforming use permit, determination of similar use:* Seven hundred thirty-five dollars (~~\$700~~735.00).
- (6) *Appeals:*
- Five hundred ~~thirty-six~~ forty-seven dollars (~~\$536~~547.00) for appeals from administrative decisions to the board of zoning appeals or planning commission.
 - Four hundred ~~fifty-three~~ sixty-two dollars (~~\$453~~462.00) for appeals from decisions of the board of zoning appeals or planning commission to the city council.
- (7) *Rezoning:* One thousand two hundred sixty dollars (~~\$1,200~~1,260.00) up to one (1) acre of land, two hundred ~~fifty~~ sixty-three dollars (~~\$250~~263.00) for each additional acre of land, and an additional fee of five hundred twenty-five dollars (~~\$500~~525.00) for rezoning to TN3(M) Traditional Neighborhood District with a master plan and an additional fee of one thousand fifty dollars (~~\$1,000~~1,050.00) for rezoning to PD Planned Development District.
- (8) *Reduced fees for multiple approvals:* For any permit or variance application in subparagraph (2) through (6) above submitted for consideration by the planning commission at the same public hearing as a rezoning, or a permit or variance application in subparagraph (2) through (6) with a higher fee, an additional fee of three hundred fifteen dollars (~~\$300~~315.00) shall be added to the rezoning fee set forth in subparagraph (7) or to the higher fee in subparagraph (2) through (6).
- (9) *Subdivision review:*
- Three hundred fifteen dollars (~~\$300~~315.00) lot split.
 - Six hundred ~~thirty~~ dollars (~~\$600~~630.00) up to one (1) acre of land, and one hundred ~~twenty-five~~ thirty-one dollars (~~\$125~~131.00) for each additional acre of land, sans dedicated public streets and open space, for preliminary plat/registered land survey.
 - Two hundred ~~twenty-five~~ thirty-six dollars (~~\$225~~236.00) final plat/registered land survey.
 - Five hundred ~~twenty~~ forty-six dollars (~~\$520~~546.00) for variance of subdivision regulations to be considered by the city council.
- (10) *Planning commission shared parking permit:* Three hundred ~~fifty~~ sixty-eight dollars (~~\$350~~368.00).
- (11) *City council interim use permit:* Seven hundred thirty-five dollars (~~\$700~~735.00)
- (12) *Zoning compliance letter, research:*
- One hundred ~~three~~ five dollars (~~\$103~~105.00) one- and two-family residential.

- b. Two hundred ~~thirty-seven~~ forty-two dollars (\$~~237~~242.00) all other uses.
- c. One hundred ~~three~~ five dollars (\$~~103~~105.00) additional for an expedited request.
- (13) *Administrative staff reviews:*
 - a. Three hundred ~~sixty-six~~ seventy-three dollars (\$~~366~~373.00) for review of request for reasonable accommodation.
 - b. Three hundred ~~eight-six~~ ninety-four dollars (\$~~386~~394.00) for review of statement of clarification.
 - c. Two hundred ~~twenty-five~~one dollars (\$~~224~~225.00) for review of shared parking permit.
 - d. Ninety Eight~~eight~~ dollars (\$~~88~~90.00) for review of demolition permit.
 - e. One hundred ~~eight~~ ten dollars (\$~~108~~110.00) for review of antenna permit.
 - f. One hundred ~~eighteen~~ twenty (\$~~148~~120.00) for a flood plain permit.
- (14) *Historic use variance:* Seven hundred thirty-five dollars (\$~~700~~735.00).
- (15) *SFV state fair vending permit:* Annual fee of one hundred ~~twenty-six~~four dollars (\$~~124~~126.00) per parcel on which vending will occur.
- (16) *Wetland Conservation Act administrative determination:*
 - a. One hundred ~~twenty-nine~~ thirty-two dollars (\$~~129~~132.00) for Wetland Conservation Act exemption or no loss compliance letter.
 - b. Wetland delineation review:
 - 1. One hundred ~~sixty-eight~~five dollars (\$~~165~~168.00) for sites less than 1 acre.
 - 2. Three hundred ~~thirty-six~~ dollars (\$~~330~~336.00) for sites 1 acre or larger.
 - c. Four hundred ~~seventy-four~~ eighty-three dollars (\$~~474~~483.00) for wetland fill and replacement/sequencing plan review.
- (17) *Environmental review:* Actual cost of review processes as determined by the planning director.
- (18) *Late fee:* For any application made for any development commenced without first obtaining all required permits and approvals, the fees listed above shall be doubled, to a maximum additional fee of one thousand fifty dollars (\$~~1,000~~1,050.00), to offset costs associated with investigating, processing and reviewing applications for such development.
- (19) *Refunds:* For a zoning case withdrawn before final approval, the zoning or planning administrator may refund part of the fee based upon the proportion of the work completed at the time of withdrawal.
- (20) *Large sites:* For large sites where only a portion of the site is affected by the zoning action, the zoning or planning administrator may set the fee based on the size of the affected portion of the site.
- (c) *Fee for permits and approvals subject to annual review condition.* A holder of a conditional use permit, nonconforming use permit or variance, which the planning commission, board of zoning appeals or city council, has approved subject to annual review, shall pay to the department of safety and inspections, at the time the zoning administrator provides notice of the annual review to the permit holder, an annual review fee in the sum of ~~sixty-three~~two dollars (\$~~62~~63.00).



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6700
Facsimile: 651-266-6549

DATE: December 22, 2016
TO: Planning Commission
FROM: Zoning Committee
RE: Zoning Fee Study and Amendments

Zoning Code § 61.302, *Application forms and fees*, prescribes fees to defray the costs of zoning permits and approvals pursuant to MN Stat. §§ 462.351-364, which require fees to be fair, reasonable, and proportionate to the actual cost of the service for which the fee is imposed; require zoning fees to be prescribed by ordinance; and require Planning Commission review and recommendation for Zoning Code amendments. Zoning Code § 61.801(b) provides that Zoning Code text amendments may be initiated by the City Council or by the Planning Commission.

Zoning Code § 61.302(a) states that fees for applications filed with the planning administrator (in PED) shall be paid to the Department of Planning and Economic Development and fees for applications filed with the zoning administrator (in DSI) shall be paid to the Department of Safety and Inspections. The fees for some specific types of applications are sometimes paid to DSI and sometimes paid to PED because for case-specific reasons the applications are sometimes required to be filed with the zoning administrator in DSI and sometimes required to be filed with the planning administrator in PED. Except for an update to zoning fees about a year ago that just applied to DSI fees, zoning staff in PED and DSI have always worked closely together to recommend coordinated and consistent zoning fee amendments

The relationship of zoning fees to the cost of the service for which the fee is imposed was studied in 2010. In that study, DSI and PED zoning staff prepared detailed cost estimates for processing the various types of zoning applications. A table prepared in 2010 summarizing that work is attached. It shows the estimated actual cost of each type of application, the proposed fee, and the % of the cost recovered by the proposed fee. It also shows the fees Minneapolis and Bloomington were charging at that time. The amendments to zoning fees prescribed in Zoning Code § 61.302 recommended in the 2010 study and adopted by the City Council in January 2011 set fees at an appropriate percentage of the cost to the City for review and administration of each particular type of zoning application, generally between 60% and 100% of the estimated cost.

All of the work done in the 2010 study to prepare detailed cost estimates for the various types of zoning applications doesn't need to be redone now, but the fees do need to be adjusted periodically for inflation. The total amount of zoning fees per year does not justify the time and cost of going through the process of amending the Zoning Code to adjust zoning fees

every year. DSI collected a total of \$206,025 in 2014 and \$244,277 in 2015 in zoning fees under the fee schedule in Zoning Code § 61.302. PED collected a total of \$61,879 in 2014 and \$67,023 in 2015. The last two zoning fee studies/amendments for all DSI and PED zoning fees were in 2005 and in 2010/2011, about five years apart.

Two tables with inflation data that apply to Saint Paul through 2015 are attached. The table for Minneapolis – Saint Paul shows inflation of 8.9% in the first five years after the zoning fees were amended at the end of 2010. The table for state and local government shows inflation of 9.8% in the five years from 2010 to 2015.

During their budget process in 2015, a DSI proposal for an across-the-board increase for all DSI fees (building permit fees, license fees, etc. as well as zoning fees collected by DSI) was discussed with the Mayor and Council, and a 3% across-the board increase was agreed to. When the Planning Commission reviewed these proposed zoning fee increases in November 2015, options for more coordinated and consistent amendments were considered to adjust zoning fees for inflation (rather than just a 3% increase), and to include the zoning fees paid to PED (rather than just the fees paid to DSI). However, the Deputy Mayor was not comfortable with moving ahead at that time with something other than what DSI has already discussed with the Mayor and Council, so the City Council adopted a 3% increase that just applied to zoning fees collected by DSI.

On December 4, 2015, the Planning Commission passed Resolution # 15-78 to consider adjustments of fees prescribed in Zoning Code § 61.302, *Application forms and fees*, to reflect an increase in costs due to inflation since the fees were set in 2011. More recently, DSI has proposed a 2% increase in zoning fees collected by DSI. In October the Deputy Mayor indicated support for increasing zoning fees collected by PED by 3% to catch up with the 3% increase in DSI zoning fees last year, and then increasing all zoning fees an additional 2%.

Committee Recommendation

The Zoning Committee recommends initiation of a zoning study to consider adjustments of fees prescribed in Zoning Code § 61.302, *Application forms and fees*, to reflect an increase in costs due to inflation since the fees were last set, and recommends the following draft amendments to Zoning Code § 61.302, *Application forms and fees* to increase zoning fees collected by PED by 3% to catch up with the 3% increase in DSI zoning fees last year, and then increasing all zoning fees an additional 2%.

Draft amendments to Zoning Code § 61.302, *Application forms and fees*

Sec. 61.302. Application forms and fees.

- (a) *Application forms and fee.* All applications shall be filed on appropriate forms. Pursuant to Minn. Stat. § 462.353, subd. 4, a fee to defray the costs incurred in administering official zoning controls established pursuant to Minn. Stat. § 462.351-364, as set forth in the schedule below, shall be paid by the applicant when a zoning application is filed. The fee for

applications filed with the planning administrator shall be paid to the department of planning and economic development. The fee for applications filed with the zoning administrator shall be paid to the department of safety and inspections. Zoning control application fees shall be amended by ordinance.

(b) *Fee schedule.* Fees for the following zoning control applications shall be as follows:

(1) *Site plan review:*

- a. Three hundred fifty-seven dollars (~~\$350~~357.00) residential, one (1) to two (2) dwelling units. Three hundred ~~twenty-five~~ thirty-two dollars (~~\$325~~332.00) for additions to one- and two-family dwellings.
- b. Five hundred ~~fifteen~~ twenty-five dollars (~~\$515~~525.00) up to ten thousand (10,000) square feet of land and two hundred ~~six~~ ten dollars (~~\$206~~210.00) for each additional ten thousand (10,000) square feet of land for all other uses, and an additional fee of two hundred ~~sixty-eight~~ seventy-three dollars (~~\$268~~273.00) for sites on steep slopes or in the river corridor or tree preservation overlay districts. For any site plan for which a travel demand management plan is required, there is an additional fee of four hundred ~~sixty-four~~ seventy-three dollars (~~\$464~~473.00). For any site plan for which parkland dedication is required, there is an additional fee of five (5) percent of the parkland dedication fee up to one-hundred two dollars (~~\$100~~102.00).
- c. In addition to the site plan review fee, three hundred ~~nine~~ fifteen dollars (~~\$309~~315.00) for site plans that are reviewed before the planning commission.
- d. ~~Thirty-two~~ one dollars (~~\$31~~32.00) for agricultural uses required by section 65.771(a) and farmer's markets required by section 65.515(b).

(2) *Conditional use permit:* Eight hundred forty dollars (~~\$800~~840.00) up to one (1) acre of land, two hundred ten dollars (~~\$200~~210.00) for each additional acre of land, and an additional fee of one hundred ~~eighty~~ ninety (~~\$180~~190.00) for a river corridor conditional use permit.

(3) *Major variance:*

- a. Five hundred ~~thirty-six~~ forty-seven dollars (~~\$536~~547.00) one- and two-family residential and signs.
- b. Five hundred ~~seventy-seven~~ eighty-nine dollars (~~\$577~~589.00) multiple-family residential.
- c. Eight hundred ~~thirty-nine~~ fifty-six dollars (~~\$839~~856.00) commercial, industrial, institutional.

(4) *Minor variance:* Four hundred ~~thirty-three~~ forty-two dollars (~~\$433~~442.00).

(5) *Nonconforming use permit, determination of similar use:* Seven hundred thirty-five dollars (~~\$700~~735.00).

(6) *Appeals:*

- a. Five hundred ~~thirty-six~~ forty-seven dollars (~~\$536~~547.00) for appeals from administrative decisions to the board of zoning appeals or planning commission.
- b. Four hundred ~~fifty-three~~ sixty-two dollars (~~\$453~~462.00) for appeals from decisions of the board of zoning appeals or planning commission to the city council.

- (7) *Rezoning*: One thousand two hundred ~~sixty~~ sixty-three dollars (\$~~1,200~~1,260.00) up to one (1) acre of land, two hundred ~~fifty~~ sixty-three dollars (\$~~250~~263.00) for each additional acre of land, and an additional fee of five hundred ~~twenty-five~~ twenty-five dollars (\$~~500~~525.00) for rezoning to TN3(M) Traditional Neighborhood District with a master plan and an additional fee of one thousand ~~fifty~~ fifty dollars (\$~~1,000~~1,050.00) for rezoning to PD Planned Development District.
- (8) *Reduced fees for multiple approvals*: For any permit or variance application in subparagraph (2) through (6) above submitted for consideration by the planning commission at the same public hearing as a rezoning, or a permit or variance application in subparagraph (2) through (6) with a higher fee, an additional fee of three hundred ~~fifteen~~ fifteen dollars (\$~~300~~315.00) shall be added to the rezoning fee set forth in subparagraph (7) or to the higher fee in subparagraph (2) through (6).
- (9) *Subdivision review*:
 - a. Three hundred ~~fifteen~~ fifteen dollars (\$~~300~~315.00) lot split.
 - b. Six hundred ~~thirty~~ thirty dollars (\$~~600~~630.00) up to one (1) acre of land, and one hundred ~~twenty-five~~ thirty-one dollars (\$~~425~~131.00) for each additional acre of land, sans dedicated public streets and open space, for preliminary plat/registered land survey.
 - c. Two hundred ~~twenty-five~~ thirty-six dollars (\$~~225~~236.00) final plat/registered land survey.
 - d. Five hundred ~~twenty~~ forty-six dollars (\$~~520~~546.00) for variance of subdivision regulations to be considered by the city council.
- (10) *Planning commission shared parking permit*: Three hundred ~~fifty~~ sixty-eight dollars (\$~~350~~368.00).
- (11) *City council interim use permit*: Seven hundred ~~thirty-five~~ thirty-five dollars (\$~~700~~735.00)
- (12) *Zoning compliance letter, research*:
 - a. One hundred ~~three~~ five dollars (\$~~403~~105.00) one- and two-family residential.
 - b. Two hundred ~~thirty-seven~~ forty-two dollars (\$~~237~~242.00) all other uses.
 - c. One hundred ~~three~~ five dollars (\$~~403~~105.00) additional for an expedited request.
- (13) *Administrative staff reviews*:
 - a. Three hundred ~~sixty-six~~ seventy-three dollars (\$~~366~~373.00) for review of request for reasonable accommodation.
 - b. Three hundred ~~eight-six~~ ninety-four dollars (\$~~386~~394.00) for review of statement of clarification.
 - c. Two hundred ~~twenty-five~~ one dollars (\$~~224~~225.00) for review of shared parking permit.
 - d. ~~Ninety~~ Eighty-eight dollars (\$~~88~~90.00) for review of demolition permit.
 - e. One hundred ~~eight~~ ten dollars (\$~~108~~110.00) for review of antenna permit.
 - f. One hundred ~~eighteen~~ twenty (\$~~148~~120.00) for a flood plain permit.
- (14) *Historic use variance*: Seven hundred ~~thirty-five~~ thirty-five dollars (\$~~700~~735.00).
- (15) *SFV state fair vending permit*: Annual fee of one hundred ~~twenty-six~~ four dollars (\$~~124~~126.00) per parcel on which vending will occur.

- (16) *Wetland Conservation Act administrative determination:*
- a. One hundred ~~twenty-nine~~ thirty-two dollars (\$~~129~~132.00) for Wetland Conservation Act exemption or no loss compliance letter.
 - b. Wetland delineation review:
 1. One hundred sixty ~~eight~~five dollars (\$~~165~~168.00) for sites less than 1 acre.
 2. Three hundred thirty ~~six~~ dollars (\$~~330~~336.00) for sites 1 acre or larger.
 - c. Four hundred ~~seventy-four~~ eighty-three dollars (\$~~474~~483.00) for wetland fill and replacement/sequencing plan review.
- (17) *Environmental review:* Actual cost of review processes as determined by the planning director.
- (18) *Late fee:* For any application made for any development commenced without first obtaining all required permits and approvals, the fees listed above shall be doubled, to a maximum additional fee of one thousand fifty dollars (\$~~1,000~~1,050.00), to offset costs associated with investigating, processing and reviewing applications for such development.
- (19) *Refunds:* For a zoning case withdrawn before final approval, the zoning or planning administrator may refund part of the fee based upon the proportion of the work completed at the time of withdrawal.
- (20) *Large sites:* For large sites where only a portion of the site is affected by the zoning action, the zoning or planning administrator may set the fee based on the size of the affected portion of the site.
- (c) *Fee for permits and approvals subject to annual review condition.* A holder of a conditional use permit, nonconforming use permit or variance, which the planning commission, board of zoning appeals or city council, has approved subject to annual review, shall pay to the department of safety and inspections, at the time the zoning administrator provides notice of the annual review to the permit holder, an annual review fee in the sum of sixty ~~threetwo~~ three dollars (\$~~62~~63.00).