

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Dayton Avenue Church Historic Use Variance **FILE #** 19-016-207
 2. **APPLICANT:** Mohammad Thabet **HEARING DATE:** March 28, 2019
 3. **TYPE OF APPLICATION:** Historic Use Variance
 4. **LOCATION:** 217 Mackubin St, NW corner at Dayton Avenue
 5. **PIN & LEGAL DESCRIPTION:** 01.28.23.22.0015, Woodland Park Addition to St. Paul, Lots 19 through 22, Block 1
 6. **PLANNING DISTRICT:** 8 **PRESENT ZONING:** RT2
 7. **ZONING CODE REFERENCE:** § 73.031; § 61.501; § 63.206 (d)
 8. **STAFF REPORT DATE:** March 18, 2019 **BY:** Tony Johnson
 9. **DATE RECEIVED:** March 5, 2019 **60-DAY DEADLINE FOR ACTION:** May 4, 2019
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- A. **PURPOSE:** Historic use variance for a rental hall for weddings and receptions, with shared parking with other uses on site.
- B. **PARCEL SIZE:** 169.5 ft. of frontage on Mackubin St. x 211.2 ft. of frontage on Dayton = 35,798 sq. ft. With the inclusion of half the width of the alley for lot coverage and density purposes, the total lot area is 37,382 sq. ft.
- C. **EXISTING LAND USE:** Church
- D. **SURROUNDING LAND USE:**
North: One- Family Residential (RT2), Two- Family Residential (RT2), Multi- Family Residential (RT2)
East: Two- Family Residential (RM2), Multi- Family Residential (RM2)
South: One- Family Residential (RT2), Two- Family Residential (RT2), Multi- Family Residential (RT2), Commercial uses one block south on Selby Avenue (B2).
West: Two- Family Residential (RT2)
- E. **ZONING CODE CITATION:** § 73.03.1 establishes the findings and review process for historic use variances; § 61.601 further addresses requirements for historic use variances. § 63.206 (d) authorizes a reduction for two or more uses jointly providing parking when their respective hours of peak operation do not overlap.
- F. **PARKING:** Zoning Code § 63.207 requires a minimum of 38 spaces for all of the proposed uses. In addition to the proposed rental hall use, the applicant is proposing to establish an adult day care, a children's day care, and a residential unit on site, all of which are permitted uses in the RT2 zoning district. The proposed banquet hall use requires 27 parking spaces, the daycare uses require 10 parking spaces, and the residential unit requires 1 space. The applicant is proposing to operate the adult day care use from 8:00 a.m. to 2:00 p.m., Monday through Friday, the children's day care from 8:00 am to 5:00 pm, Monday through Friday, and the banquet hall, Friday and Saturday from 5:00 p.m. to 11 p.m. Zoning Code § 63.206 (d)(4) allows the planning commission to reduce off street parking requirements for multiple uses sharing the same off street parking facility, provided their joint peak hours of operation do not overlap. There are currently 32 parking spaces on site.
- G. **HISTORY/DISCUSSION:** The subject structure was originally constructed in 1888. In 1978 it received National Register designation and in 1980 it received local historic designation. The subject structure is also a contributing structure in the Historic Hill Heritage Preservation District. On February 28, 2019, the Heritage Preservation Commission passed resolution 19-010, recommending approval of the historic use variance. The Heritage Preservation Commission found that the historic use variance for Dayton Avenue Presbyterian Church at 217 Mackubin Street will maintain the value and reuse of this significant historic and cultural resource.
- H. **DISTRICT COUNCIL RECOMMENDATION:** No recommendation from the District 8 Council at the time of this staff report.

I. **FINDINGS:**

1. The applicant is requesting a historic use variance in order to use the Dayton Avenue Presbyterian Church building for weddings and receptions. The historic use variance is necessary because the applicant wishes to discontinue the use of the church as a religious institution, and is proposing to use the church for weddings and other events, such as graduations. A religious institution that hosts weddings, receptions, and church related events is a permitted use in an RT2 zoning district. The applicant is also proposing to establish an adult daycare, a child daycare, and one residential unit, all of which are permitted uses in the RT2 zoning district. The church has historically had multiple accessory uses including a medical clinic, space for religious education, and an adoption agency. The intensity and impact of the multiple proposed uses is consistent with the multiple historic uses of the church.
2. § 73.03.1 requires that the HPC make a recommendation regarding the application based on a staff report addressing five (5) findings. The HPC's findings and recommendation for approval are attached. Also, § 73.03.1 requires the Planning Commission to make findings regarding the following:
 - (a) *The proposed use is compatible with existing uses in the surrounding area and the underlying zoning classifications in the area. This finding is met.* The proposed use is compatible with the existing institutional uses in the immediate area and the commercial uses and zoning south of the parcel along Selby Avenue. The subject parcel is zoned RT2, which provides for civic and institutional uses, along with a range of housing types. The applicant is proposing to use the church in a manner that would be permitted in religious institutions within the RT2 zoning district. There is B2 zoning south of the subject parcel that allows banquet halls as a permitted use.
 - (b) *The proposed use is consistent with the comprehensive plan. This finding is met.* The subject parcel is within an area defined by the comprehensive plan as an established neighborhood. Policy LU-1.7 calls for permitting neighborhood serving businesses compatible with the character of established neighborhoods. The multiple uses proposed are consistent with Policy LU-1.46, which calls supporting compatible mixed-use within single buildings. The historic preservation chapter calls for preserving and protecting historic resources and using historic preservation to further economic development. Policy HP 5.3 calls for realizing the full economic potential of key historic resources.
3. §61.601(g) *imposes an additional finding for a historic use variance: The application for a historic use variance... shall be granted only to a property that is a locally designated heritage preservation site and the use variance is the minimum needed to enable the property to be used in a manner that will have the least impact upon its historic character and the character of the surrounding area. This finding is met.* The applicant is not proposing any exterior changes to the structure at this time. The historic use variance will not adversely impact this historic resource, provided the historically significant exterior architectural features are maintained. The re-use of the structure will help preserve this historic resource by prolonging its economic viability.
4. §63.206 (d) *authorizes a reduction in the total number of required parking spaces for two or more uses jointly providing parking when their respective hours of peak operation do not overlap. §63.206 (d)(1) requires planning commission approval if a shared parking agreement involves more than twenty five (25) shared parking spaces, results in more than a thirty five (35) percent decrease in required parking, or involves three (3) or more parties or uses.* The applicant has submitted a shared parking application indicating that the proposed child daycare and adult daycare will not have overlapping hours of operation with the rental hall. There are 32 parking spaces on site which meet the minimum requirement during the peak hours of operation of the multiple uses. The adult day care will operate from 8:00 a.m. to 2:00 p.m., Monday through Friday, the children's day care from 8:00 am to 5:00 pm, Monday through Friday, and the banquet hall, Friday and Saturday from 5:00 p.m. to 11 p.m. Based on the staggered hours of operation,

the largest minimum parking requirement is 27 spaces from 5 p.m. to 11 p.m. on Friday and Saturday.

- J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the Historic use variance for a rental hall for weddings and receptions, with shared parking with the other uses proposed for the site, subject to the following additional condition:
1. Final plans approved by the Zoning Administrator for this use shall be in substantial compliance with the plan submitted and approved as part of this application.



CITY OF SAINT PAUL
Melvin W. Carter, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

SHARED PARKING APPLICATION

Date submitted 3/20/19

File # _____

Business Name Mohammed Thabet

Business Address 217 Mackubin

of parking spaces required 38

of parking spaces provided 34

of parking spaces needed 4

Submit a detailed dimensioned floor plan and site plan of the new business, all businesses sharing the parking facility and of the shared parking facility.

Address of the shared parking facility 217 Mackubin

Submit a copy of the lease agreement / shared parking agreement between all businesses involved.

List the hours of operation for all businesses using the parking facility.

Business Name	Hours of operation	Peak Hours	Overlap Hours
<u>Day Care</u>	<u>7 AM - 6 PM</u>	<u>7 AM - 6 PM</u>	<u>N/A</u>
<u>Adult day Care</u>	<u>8 AM - 2 PM</u>	<u>8 AM - 2 PM</u>	<u>N/A</u>
<u>Banquet Hall</u>	<u>7 PM - 11 PM</u>	<u>7 PM - 11 PM</u>	<u>N/A 7:30</u>

Submit this application with a copy of the signed Shared Parking Agreement and \$225.00 filing fee.

Note: This agreement will be filed, monitored, and updated annually by the Zoning Administrator. A \$63.00 annual renewal fee will be invoiced to the business requiring the shared parking agreement.

Shared Parking Agreement between:

Company Name Mohammad Thabet

Doing Business As _____

Property Address 217 Macubin Ave. St Paul MN

Property Owner of Shared Off-Street Parking Spaces Mohammad Thabet

Address of Shared Off-Street Parking 217 Macubin

of shared off-street parking spaces. 34

I certify that to the best of my knowledge, the shared parking agreement on file with the City of Saint Paul is current and correct.

Mohammad Thabet
Printed Name

Owner
Title

[Signature]
Signature

3/20/19
Date



Heritage Preservation
 Department of Planning and Economic Development
 1400 City Hall Annex
 25 West Fourth Street
 Saint Paul MN 55102-1634
 651-266-9078

PD=8

Office Use Only	
File #:	_____
Date Received:	_____
Date Complete:	_____
Tentative Hearing Date:	3/28/19

#012823220015

HISTORIC USE VARIANCE APPLICATION

Property Information

Address/Location: 217 Mackubin Street, St. Paul MN 55102

Legal Description: Lot 19 Block 1 of WOODLAND PARK ADDITION, TO ST. LOTS 19 THRU 22 BLK 1 LOTS 19 THRU 22 BLK 1

Current Zoning: Select One RT2

Proposed Use: Select One Adult Day care, Child Day Care, Banquet Hall & 1 residential unit

Name of Owner: Dayton Avenue Presbyterian Church
(if different from applicant)

Contact Person: Darlinda Coe Phone: 612-889-7004
(if different from applicant)

Applicant Information

Name: Mohammad Thabet

Email: mthabet756@aol.com Phone: 612-275-7125

Address: 12425 53rd Street N

City: Stillwater State: MN Zip: 55082

OK 3719
 735.00 Add 3/1/19

The applicant must fill out the attached Historic Use Variance application checklist and attach any necessary documents.

NOTE: If the project will result in any exterior modifications or additions, a Heritage Preservation Design Review Application must be submitted and reviewed by the HPC prior to the Historic Use Variance Application submittal.



Heritage Preservation
Department of Planning and Economic Development
1400 City Hall Annex
25 West Fourth Street
Saint Paul MN 55102-1634
651-266-9078

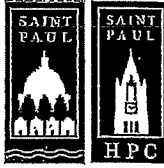
HISTORIC USE VARIANCE INFORMATION SHEET

In order to encourage the preservation and rehabilitation of designated heritage preservation sites, the Heritage Preservation Commission (HPC) shall review use variance applications and may recommend uses consistent with the historic use or a new use that requires minimal change to the defining characteristics of the building, its site, and environment in any zoning district where such uses are not permitted under current zoning. If a use variance is granted, any subsequent use of the property or premises is terminated.

NOTE: If the project will result in any exterior modifications or additions, a Heritage Preservation Design Review Application must be submitted and reviewed by the HPC prior to the Historic Use Variance Application submittal.

Application Process:

- 1) Submit a completed Historic Use Variance Application with required fee deposit to:
Heritage Preservation
25 West Fourth Street, Suite 1400
Saint Paul MN 55102
- 2) HPC staff will review the application for completeness. If the submittal is incomplete and additional information or clarification is required, you will be notified by staff. Until the application is deemed complete, it will not proceed through the process.
- 3) Once the submittal is complete, HPC staff will prepare a staff report for the Commission on the approval, conditional approval, or denial of the historic use variance and a public hearing on the application will be scheduled.
- 4) At the public hearing, the HPC will consider the report and recommendation from staff as well as public testimony and will make a recommendation which will be forwarded to the Planning Commission.
- 5) The Planning Commission will hold a public hearing on the application and consider the historic use variance as well as the application's consistency with the comprehensive plan and compatibility with the underlying zoning classifications in the surrounding area. The Commission will forward the HPC recommendation and Planning Commission recommendation to the City Council.
- 6) The City Council will review all materials relative to the application and decide by resolution to approve, approve with conditions, or deny the application. A public hearing will be held and the City Council decision will be valid for 2 years following the date of the council's motion of intent approving the application.



Heritage Preservation
 Department of Planning and Economic Development
 1400 City Hall Annex
 25 West Fourth Street
 Saint Paul MN 55102-1634
 651-266-9078

HISTORIC USE VARIANCE APPLICATION

The applicant must fill out the Historic Use Variance application checklist by placing a check mark in the boxes under the 'Applicant' column and attaching the accompanying documents. The 'Staff' column is for staff to verify that your submittal requirements have been met. 15 physical sets of application materials must be provided with application. All application materials must also be provided electronically on a CD or USB drive to allow for web posting for public hearing.

Applicant	Staff	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1) Description of the proposed use and its consistency with the structure's historic use.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2) Description of any exterior modifications to the structure, property, and site including an assessment of the impact of these modifications on the historic integrity of the site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3) Description of all interior architectural features unique to the historic period.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4) Site plan
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5) Photos of existing conditions
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6) 11" x 17" Architectural plans drawn to scale that include any proposed modifications.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7) Information supporting the following findings. (Do not simply rewrite the findings. You must discuss <i>why</i> you believe the findings below can be made for your request.)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	a. The proposed use is reasonable and compatible with the historic use(s) of the site or that the new use is consistent with Legislative Code Chapter 73.04(5).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	b. The proposed use complies with the adopted preservation program and the United States' Secretary of the Interior's Standards for Rehabilitation.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	c. The historic use variance is necessary to alleviate practical difficulties unique to the heritage preservation site that prevents its use in a manner consistent with its historic use or that the new use is consistent with Legislative Code Chapter 73.04(5) and that these difficulties were not created by the applicant.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	d. The proposed use is compatible with existing uses in the surrounding area and the underlying zoning classifications in the area.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	e. The proposed use is consistent with the comprehensive plan.
<input type="checkbox"/>	<input type="checkbox"/>	8) 1 CD or USB drive of application materials
<input type="checkbox"/>	<input type="checkbox"/>	9) 15 physical sets of application materials

I certify that I have completed and have included all material checked above in the application submittal.

Applicant Signature: _____ Date: _____

Historic Use Variance Application

Dayton Avenue Presbyterian Church
217 Mackubin Street

1. Description of the proposed use and its consistency with the structure's historic use.

1.1. Proposed Use

The proposed reuse of the Dayton Avenue Presbyterian Church at 217 Mackubin Street includes four proposed uses: child day care; adult day care; a banquet hall; and one residential apartment.

- The adult day care would occupy 5,000 square feet on the first floor and operate from 8:00 a.m. to 2:00 p.m. Monday through Friday.
- The child day care would include infants through school age children, occupy 10,000 square feet in the lower level and the first and second floors, and operate from 8:00 to 5:00 Monday through Friday.
- The banquet hall would be used on Fridays and Saturdays from 5:00 p.m. to 11:00 p.m. and would seat between 200 and 300 persons.
- One residential apartment unit would be built-out on the second floor and occupy 1,900 square feet.

1.2. Consistency With Historic Uses

Dayton Avenue Presbyterian Church has historically hosted community outreach programs including, a medical clinic for young mothers, space for summer religious education, and, most recently, an adoption agency. So, the proposed adult and child daycare uses are consistent with past uses. The church has provided space for a medical clinic for young mothers and space for summer religious education. As a church, the building has historically hosted large public gatherings for worship, Sunday school, church banquets, church meetings, and other church and community purposes. The proposed banquet hall use is consistent with these past historic uses. The church building itself has not housed residential uses before, but the apartment use is consistent with the historical residential uses in the immediate neighborhood.

2. Description of any exterior modifications to the structure, property, and site, including an assessment of the impact of these modifications on the historic integrity of the site.

2.1. Building's Historic Significance

The following paragraphs summarize portions of a study entitled *Dayton Avenue Presbyterian Church History and Description*, Kathryn Greiner, University of Minnesota, Arch 5413; June 1999. The entire study is included with this Application as Attachment A.

Dayton Avenue Presbyterian Church is located at the intersection of Dayton and Mackubin Street with its main façade facing Dayton Avenue. The sanctuary was completed in 1888 and a chapel and Sunday school addition was made in

Historic Use Variance Application

Dayton Avenue Presbyterian Church
217 Mackubin Street

1911-12. The church building has been owned and continuously used since 1888 by the Dayton Avenue Presbyterian Church congregation.

The building stands as a virtually unaltered example of early Richardsonian Romanesque architecture in St. Paul and is one of the first major commissions by American architect Cass Gilbert (1859-1934). Following the "Akron Plan," a popular arrangement for Protestant churches, the primary entrance is located in the tower and the sanctuary resembles an auditorium. The floor slopes to the altar, and there is no basement under the sanctuary. Gilbert's firm, Gilbert and Taylor, won the commission to design the building in 1885, due in part to the influence of Gilbert's mother, who was an "outspoken member of DAPC . . ." In 1903, Cass Gilbert designed an addition covering the rest of the church's property that included a new chapel and Sunday school. This addition was constructed in 1911-12.

The only building modification since construction of the chapel and Sunday school was the addition of a handicapped access door off the parking lot to comply with the Americans with Disabilities Act of 1990.

Although not listed on any historic register, the building lies within the Historic Hill Preservation District and comprises a significant resource in the District.

2.2. No Exterior Building Modifications

Due to the historic significance of the church building, no expansion, exterior structural modifications, or exterior modifications of historic elements will be made. However, maintenance work will be done to reverse deteriorating exterior conditions.

2.3. Property And Site Modifications

The major proposed modifications are interior and include removal of the pews from and a new floor in the sanctuary, a new floor at the second level above several existing classrooms, and build-out of an apartment unit on the second floor in existing space. Three off-street parking spaces would be added to the parking lot bringing the total number of off-street parking spaces to 32. See Attachment B, Architect's Plan Set for details.

3. Description of all interior architectural features unique to the historic period.

The significant interior features unique to the church's history are the stained-glass windows. For details on their history and pictures of key windows, please see Attachment A. No changes are proposed to the stained-glass windows.

Historic Use Variance Application

Dayton Avenue Presbyterian Church
217 Mackubin Street

4. Site plan

Please see Attachment B.

5. Photos of existing conditions

Please see Attachment C: Photos of Existing Conditions.

6. 11" x"17" Architectural plans drawn to scale that include any proposed modifications.

Please see Attachment B.

7. Information supporting the following findings. (Do not simply rewrite the findings. You must discuss *why* you believe the findings below can be made for your request.)

a. The proposed use is reasonable and compatible with the historic use(s) of the site or that the new use is consistent with Legislative Code 73.04(5).

Dayton Avenue Presbyterian Church has historically hosted community outreach programs including, a medical clinic for young mothers, space for summer religious education, and, most recently, an adoption agency. So, the proposed adult and child daycare uses are consistent with past uses. As a church, the building has historically hosted public gatherings for worship, Sunday school, church banquets, church meetings, and other large gatherings for church and community purposes. The proposed banquet hall use is consistent with these past historic uses. The church property is zoned "RT2 townhouse residential district." So, the proposed apartment is a one-family dwelling, which is a permitted use in the RT2 district. See St. Paul Legislative Code, Sections 60.301 and 66.221.

b. The proposed use complies with the adopted preservation program and the United States' Secretary of the Interior's Standards for Rehabilitation.

The proposed use cannot comply with "the adopted preservation program" because one has never been adopted. The proposed use will comply with the United States' Secretary of Interiors Rehabilitation Standards because no expansion, exterior structural modifications, or exterior modifications of historic elements will be made.

c. The historic variance is necessary to alleviate practical difficulties unique to the heritage preservation site that prevents its use in a manner consistent

Historic Use Variance Application
Dayton Avenue Presbyterian Church
217 Mackubin Street

with its use or that the new use is consistent with Legislative Code Chapter 73.04(5) and that these difficulties were not created by the applicant.

Membership in the Dayton Avenue Presbyterian Church congregation has declined to a level at which it is not possible to support work on the building, and, thus, many maintenance needs have been postponed. The congregation consulted with the Presbytery of the Twin Cities Area, the church's governing body, and an Administrative Committee was formed to investigate all options. Ultimately, selling the building was recommended. This recommendation received approval from the church's membership, the Presbytery's Board of Trustees, and the Presbytery.

The building was then placed on the market. The congregation hoped to sell the building to another faith group, but, while many toured the building, none made an offer. The applicant's offer was then received and accepted. If this Historic Use Variance Application is not approved, it is likely the congregation will leave the building, which will then become the property of the Presbytery of the Twin Cities Area. The Presbytery will continue to seek a buyer but will neither rent the property or place another congregation in it.

The difficulties described above were not created by the applicant. The applicant has never been a member of the Dayton Avenue Presbyterian Church, nor was the applicant involved with its operation prior to making an offer to buy the property.

d. The proposed use is compatible with existing uses in the surrounding area and the underlying zoning classifications in the area.

As noted earlier, the Dayton Avenue Presbyterian Church is currently zoned "RT2 townhouse residential district," which allows two-, three-, and four-family and townhouse structures, along with civic and institutional uses, public services, and utilities that serve residents in the district. It is intended to provide for a variety of housing needs and to serve as zones of transition between one- and two-family residential districts and multiple-family residential districts and business districts.

Day care is a permitted use in the RT2 zoning district, so the proposed adult and child day care uses are deemed permitted by the code. So is the addition of one apartment unit. See St. Paul Legislative Code, Section 60.221. The banquet hall use continues the assembly use of the property. In fact, the church sanctuary has a seating capacity of 450, so the proposed banquet hall use actually reduces the maximum capacity of this space by 150 persons. In short, the use for child and adult daycare on weekdays, as a banquet hall on Friday and Saturday evenings, and as a full-time apartment will continue existing use types that have been and will remain compatible with the existing uses.

Historic Use Variance Application

Dayton Avenue Presbyterian Church
217 Mackubin Street

As to circulation and parking, no changes would be made to the existing circulation pattern on the site that includes two curb cuts providing access to the on-site parking lot. This pattern provides, as it has in the past adequate ingress and egress to minimize traffic congestion in the public streets. And the proposed uses meet the requirements of the St. Paul Legislative Code, Section 63.200 for new structures. The adult day care parking requirement is 5 off-street parking spaces. The child day care parking requirement is 10 off-street parking spaces. The banquet hall off-street parking requirement is 30 spaces. The apartment requirement is 1.5 off-street parking spaces. The property will have 32 off-street parking spaces and will meet the standard: (i) on Sunday through Thursday because only the day care and apartment uses will be operating; (ii) on Friday because the day care uses will end on Friday before the banquet use commences; and (iii) on Saturday because only the banquet and apartment uses will occur.

The applicant believes the proposed use conforms to all other applicable regulations of the RT2 district.

e. The proposed use is consistent with the comprehensive plan.

The *Saint Paul Comprehensive Plan* places the property in a strip of Established Neighborhood land between the I-94 corridor and Selby Avenue. Major institutional uses lie just two blocks to the north. The *Plan* states, “Established Neighborhoods are characterized almost entirely by single-family houses and duplexes, as well as scattered small-scale multi-family housing. Commercial areas at the intersections of arterial or collector streets provide goods and services for residents of the immediate neighborhood. There is medium density housing along Residential Corridors that run through Established Neighborhoods.”

The proposed use supports Established Neighborhoods Policy “1.1 Guide the development of housing in Established Neighborhoods, commercial areas within Established Neighborhoods, and in Residential Corridors” and Policy “1.7 Permit neighborhood serving commercial businesses compatible with the character of Established Neighborhoods.” As to Policy 1.1, the addition of an apartment unit supports the *Plan’s* intent to increase residential density in Established Neighborhood by adding a residential unit. As to Policy 1.7, the adult and child day care uses are businesses that are compatible with and support residents of the immediate neighborhood. And, the banquet use supports residents of the immediate neighborhood but also supports residents from a wider area.

The *Plan’s* Historic Preservation Chapter of the Comprehensive Plan has a strategy to “Preserve and Protect Historic Resources.” As noted earlier the church building is historically significant and lies with the Historic Hill Preservation District. HP Policy 5.3 reads “Realize the full economic potential of key historic

Historic Use Variance Application

Dayton Avenue Presbyterian Church

217 Mackubin Street

resources.” The proposed use preserves this historic resource, promotes the integrity of the District, and gives it new economic potential.

8. 1 CD or USB drive of application materials

A USB drive of the application materials is included with this Application.

9. 15 physical sets of application materials

The applicant was informed that complying with Section 8 above constitutes compliance with this section.

Addendum

Dayton Avenue Presbyterian Church has reached out to its neighbors to inform them about both the need to sell the church property and the prospective buyer’s intended use of the property. A brief review of these extensive efforts and indications of support from many neighbors are included with this Application as Attachment D: Community Outreach Summary. At the end of this effort, out of a total 29 property owners within 100 feet of the church property, 15 had signed a petition in support of the proposal, two had said they were opposed, five had taken materials but never responded in favor or against, and the church had been unable to establish contact with seven.

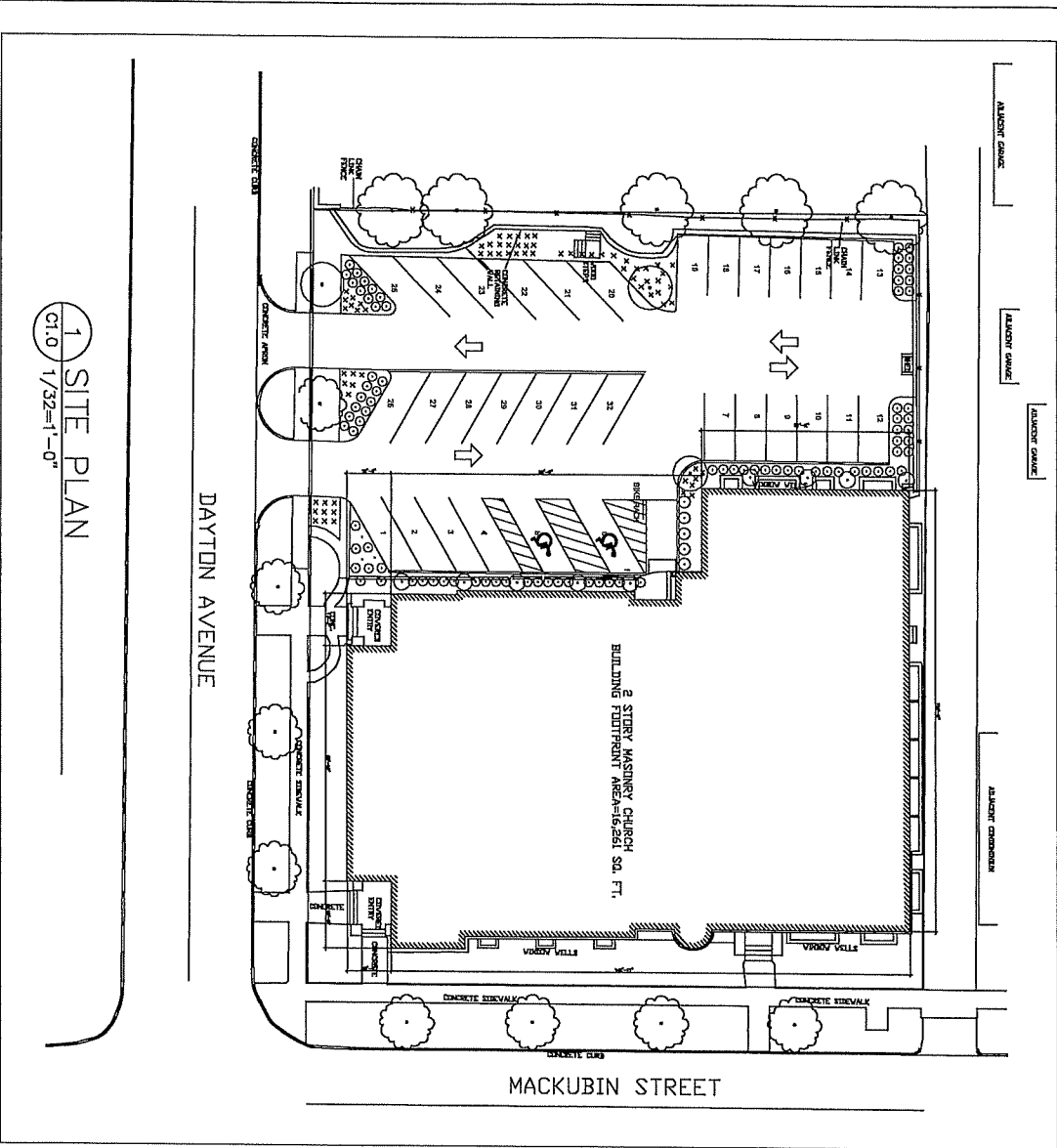
List of Attachments

Attachment A: *Dayton Avenue Presbyterian Church History and Description*, Kathryn Greiner, University of Minnesota, Arch 5413; June 1999

Attachment B: Architect’s Plan Set

Attachment C: Photos of Existing Conditions

Attachment D: Community Outreach Summary



1 SITE PLAN
 Cl. 0 1/32"=1'-0"

elinagdy
 architects

500 WEST 12TH AVE
 SUITE 200
 DENVER, CO 80202
 TEL: 303.733.1111
 FAX: 303.733.1112

PRELIMINARY
 NOT FOR
 CONSTRUCTION

consultants

NAME	DATE

1. DRAWING MADE FOR THE PROJECT BY
 Elinagdy Architects, Inc. on the basis of
 the information provided by the client.
 The client is responsible for the accuracy
 of the information provided.

certification

revisions

RENOVATION
 REBUILDINGS
 PROPOSAL
 project title

DAYTON AVE
 PRESBYTERIAN
 CHURCH

drawing title

Cl. 0

PRELIMINARY
 NOT FOR
 CONSTRUCTION

consultants

NAME	DATE

DATE: 10/15/2014
 PROJECT: RENOVATION AND REMODELING OF DAYTON AVE. PRESBYTERIAN CHURCH

certification

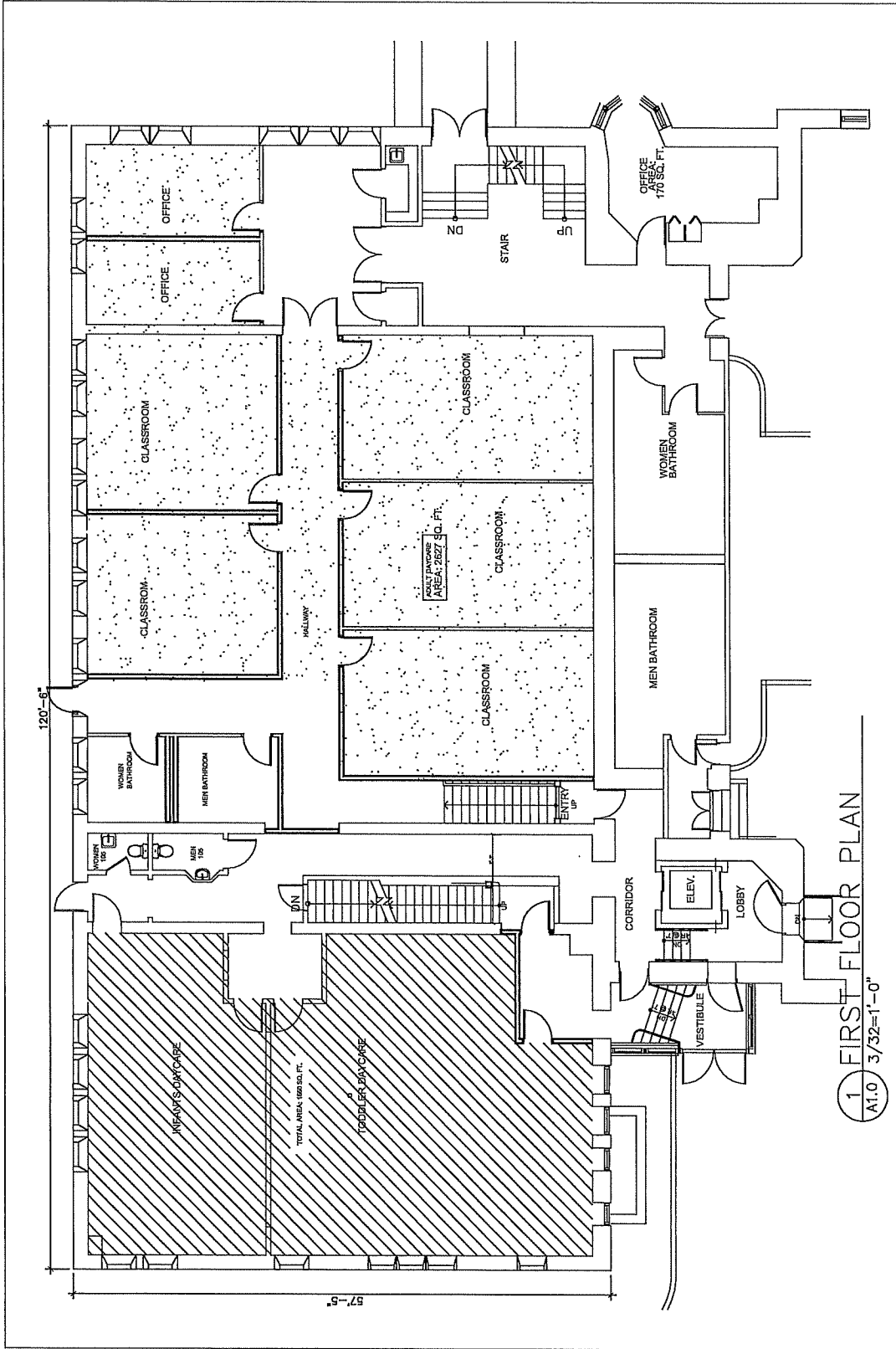
revisions

RENOVATION
 REMODELING
 PROFESSIONAL
 PROJECT TITLE

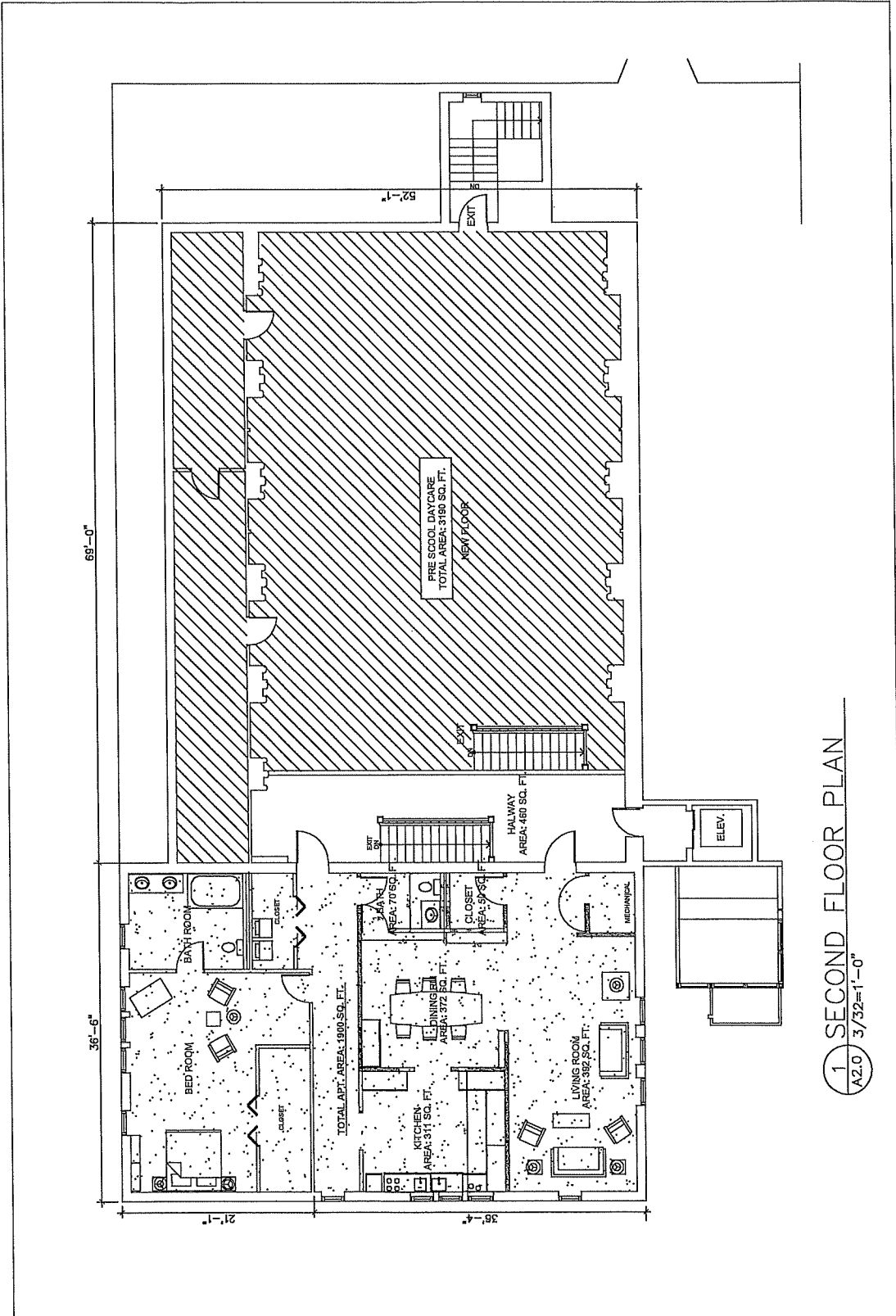
DAYTON AVE.
 PRESBYTERIAN
 CHURCH

drawing title

A1.0



1 FIRST FLOOR PLAN
 A1.0 3/32=1'-0"



1 SECOND FLOOR PLAN
A2.0 3/32=1'-0"

einagdy
architects

507 WEST 10TH AVENUE
DENVER, COLORADO 80202
TEL: 303.733.1111

PRELIMINARY
NOT FOR
CONSTRUCTION

consultants

DATE: _____
BY: _____
CHECKED BY: _____

DATE: _____
BY: _____
CHECKED BY: _____

certification

revisions

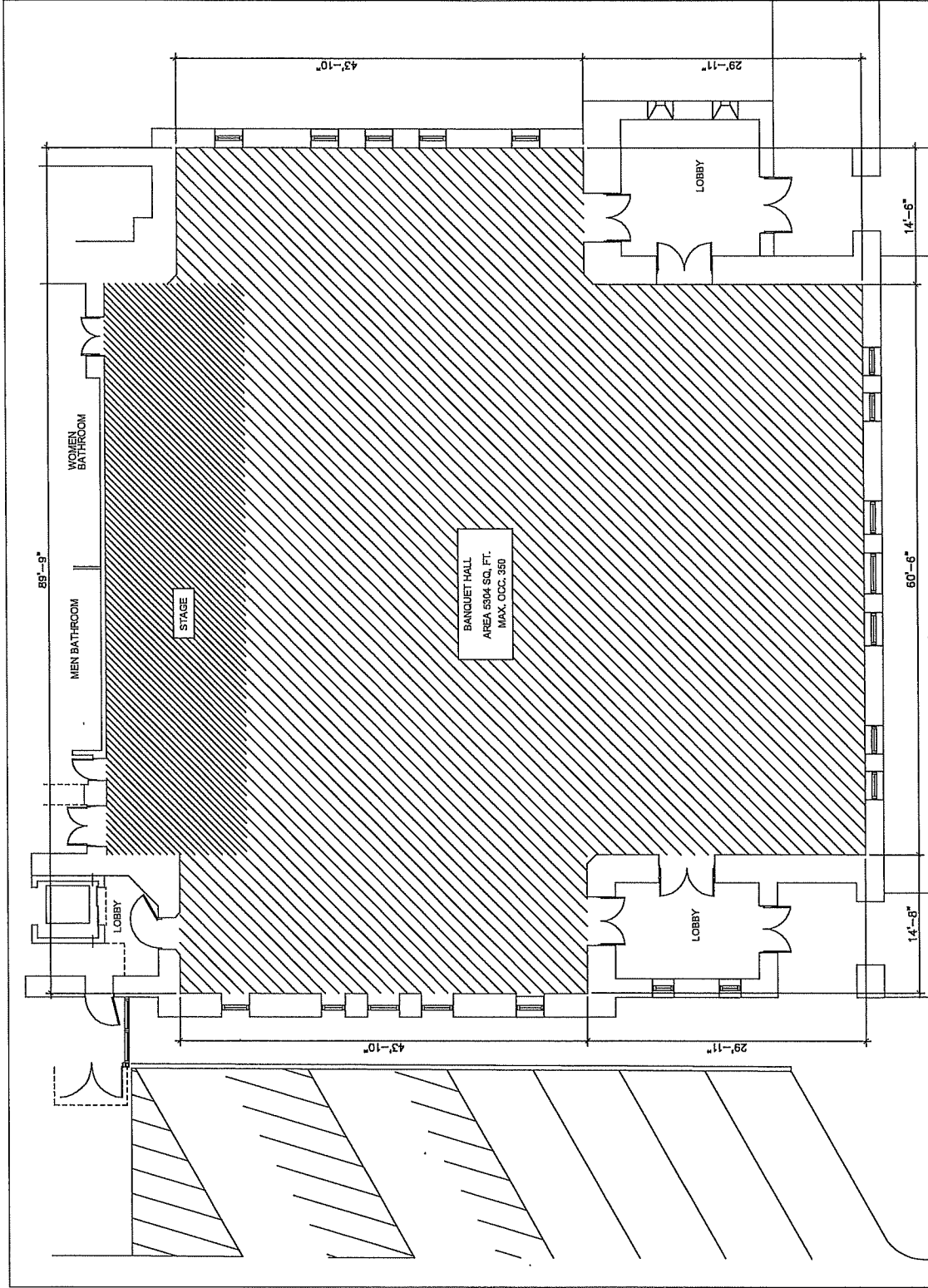
RENOVATION
REMODELING
PROPOSAL

project title

DAYTON AVE
METHODIST
CHURCH

drawing title

A3.0



einagdy
architects

100 MARKET ST.,
ANN ARBOR, MI 48106
TEL: 734.769.1100
WWW.EINAGDY.COM

PRELIMINARY
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CONSTRUCTION

consultants

NAME
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certification

revisions

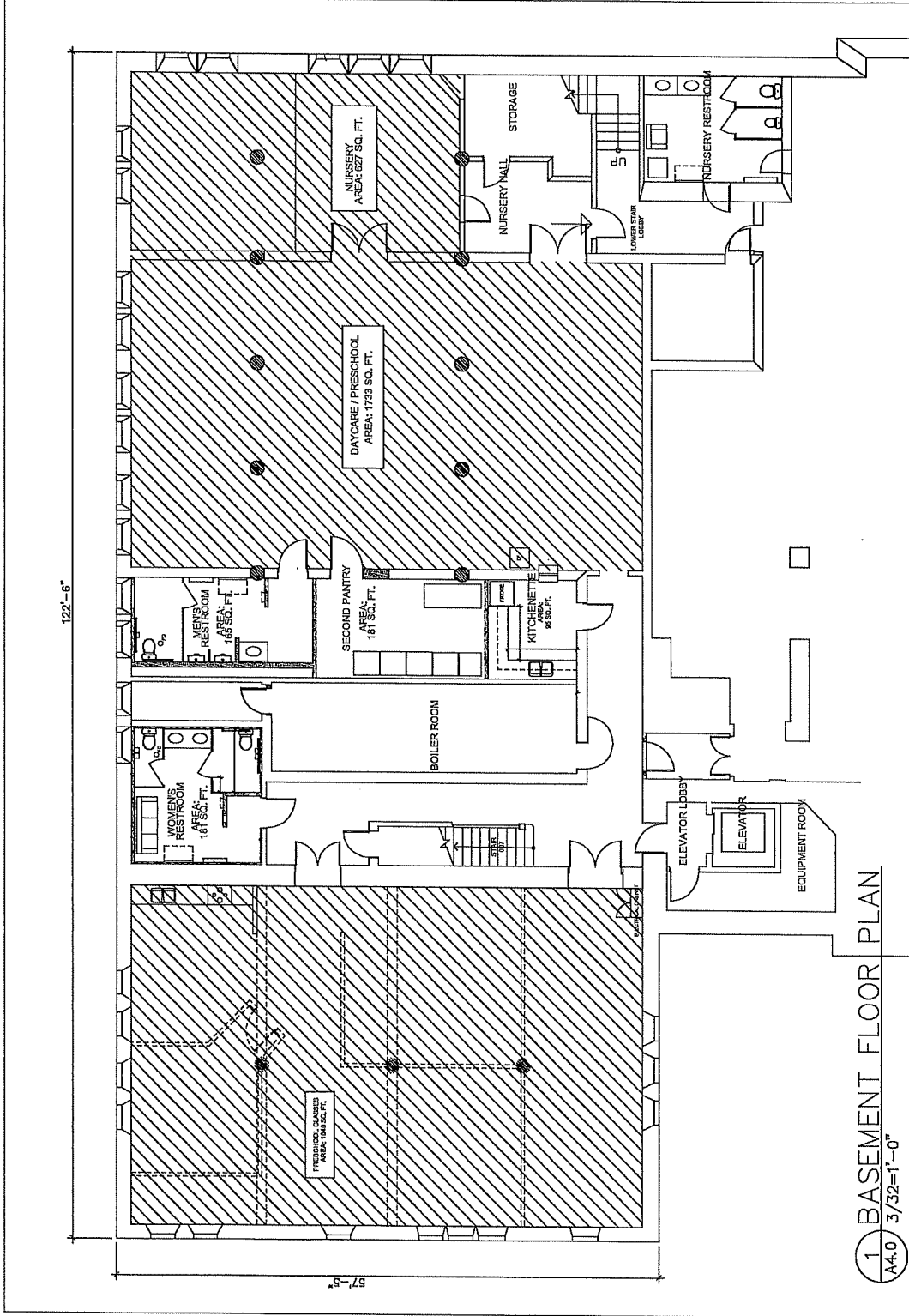
RENOVATION
REMODELING
PROPOSAL

project title

DAYTON AVE
PRESBYTERIAN
CHURCH

drawing title

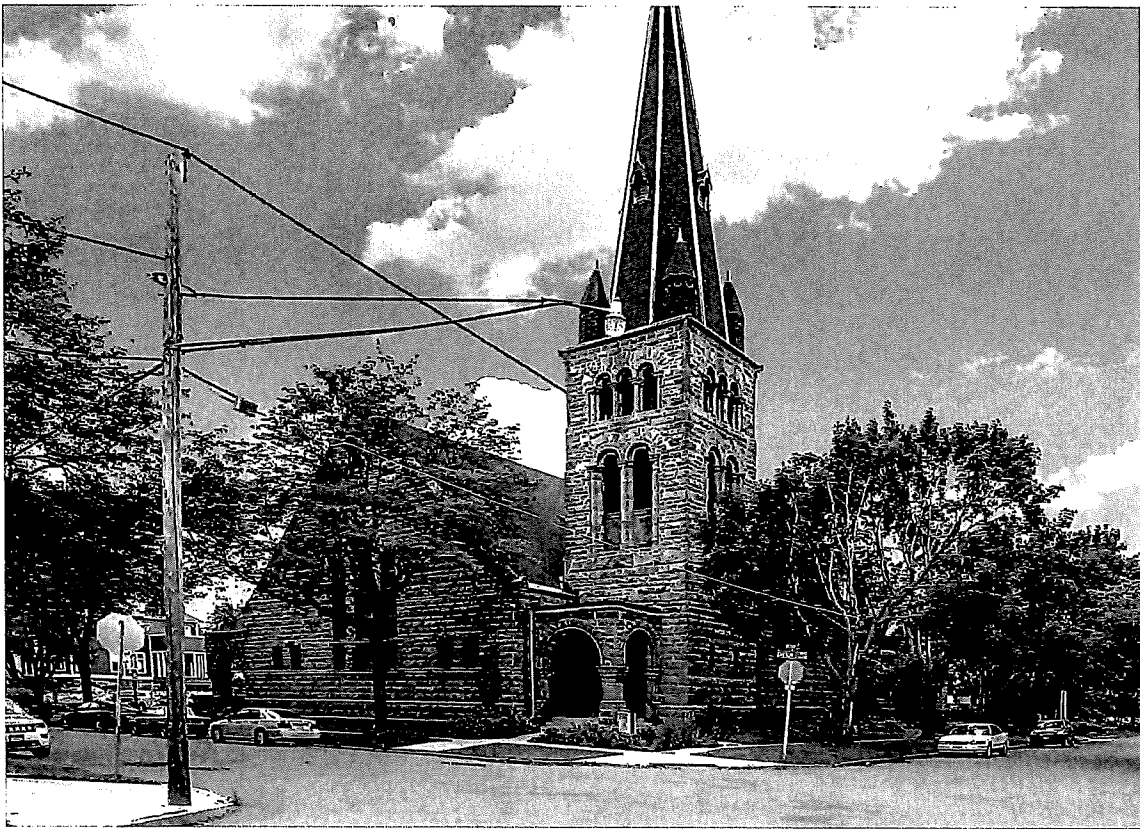
A4.0



1 BASEMENT FLOOR PLAN
A4.0 3/32=1'-0"

**Historic Use Variance Application
Dayton Ave Presbyterian Church**

Attachment B - Photos of Existing Conditions







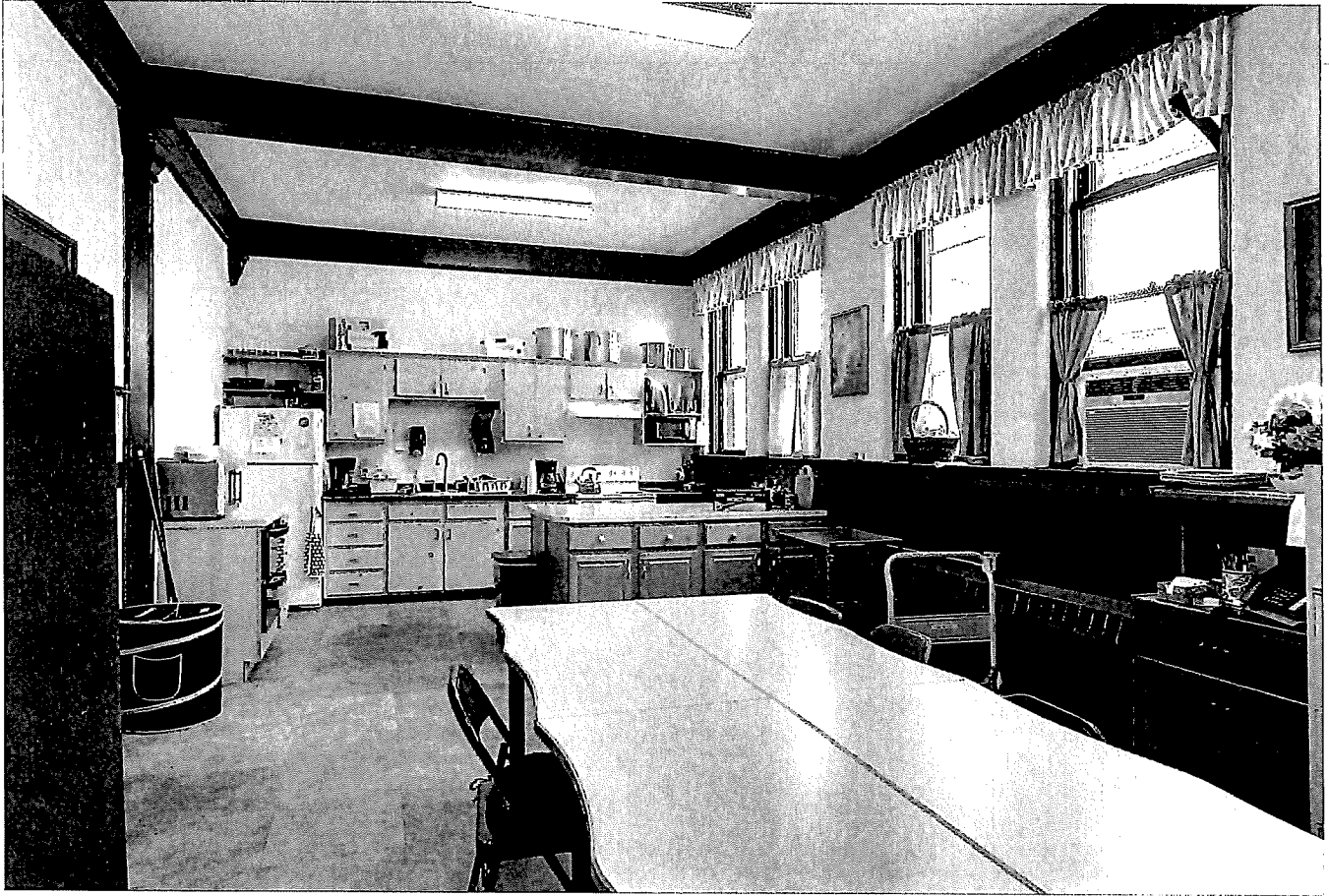


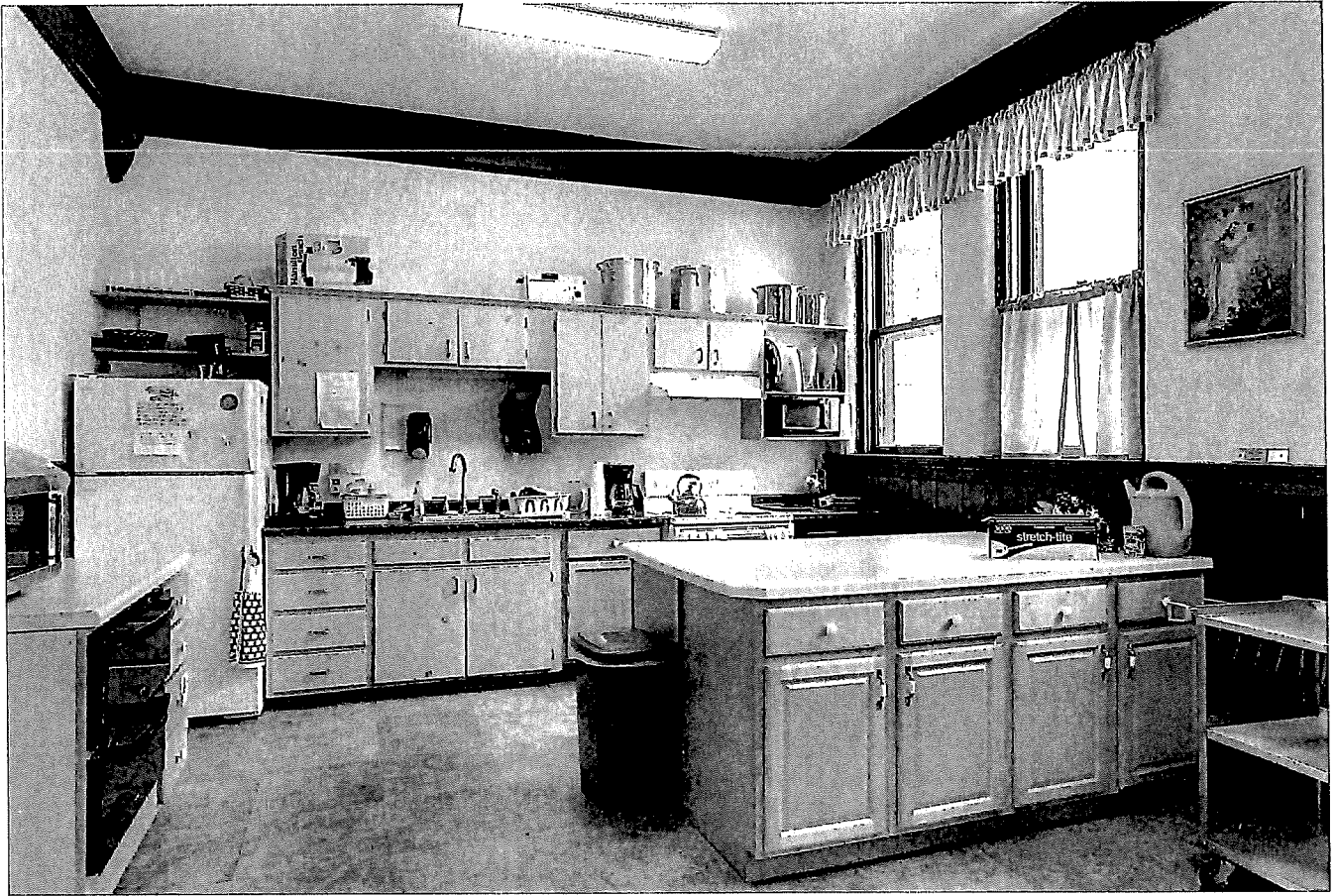


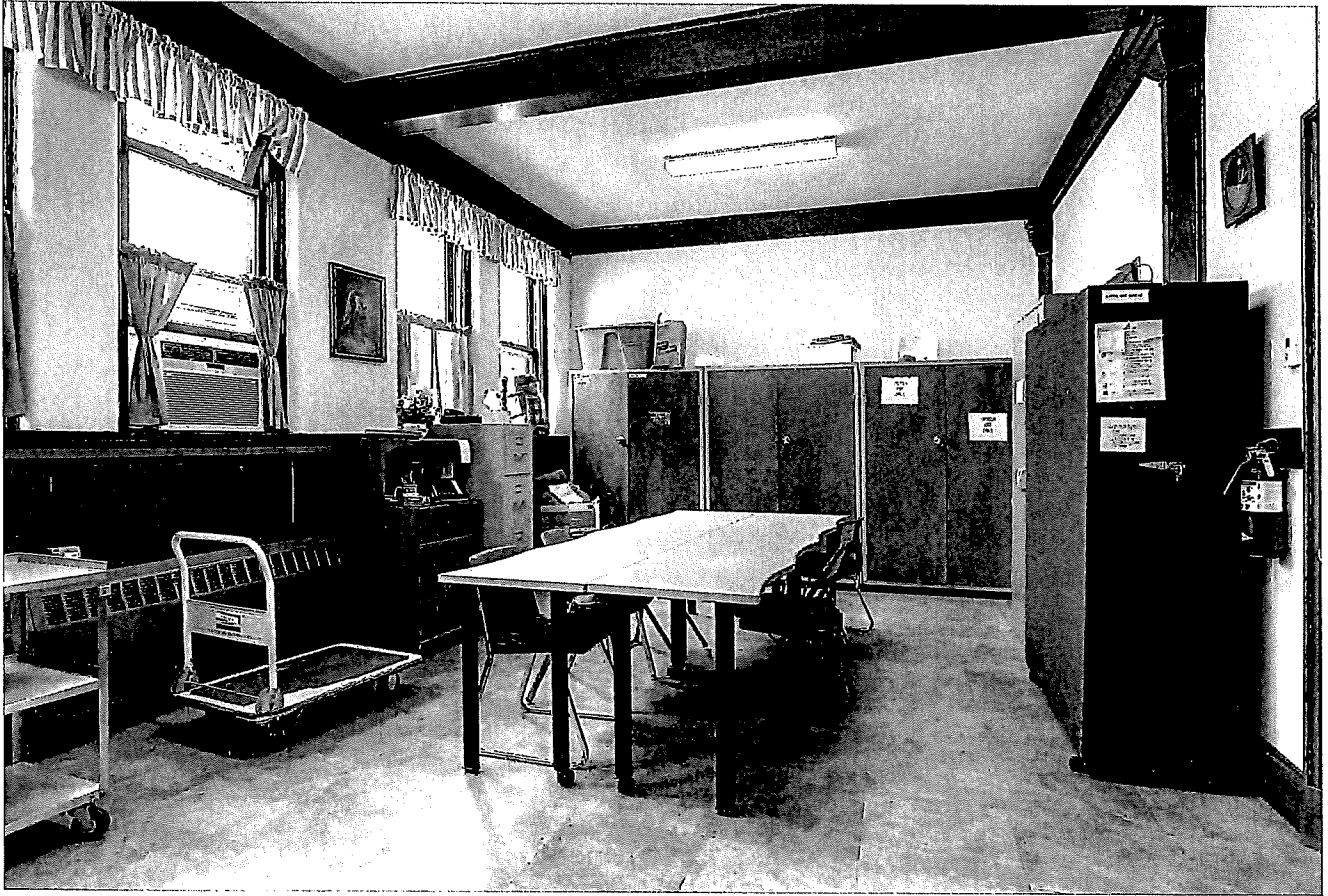


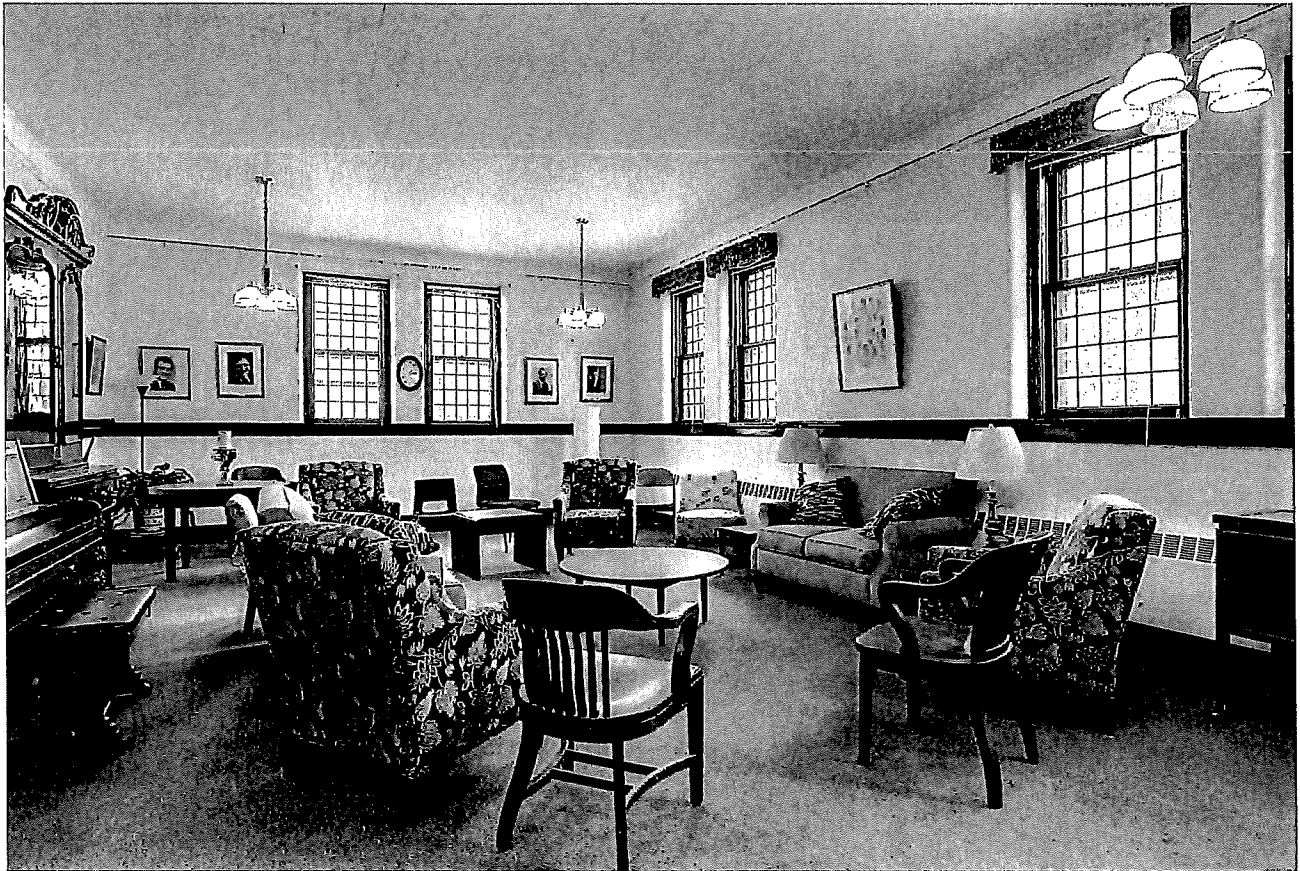


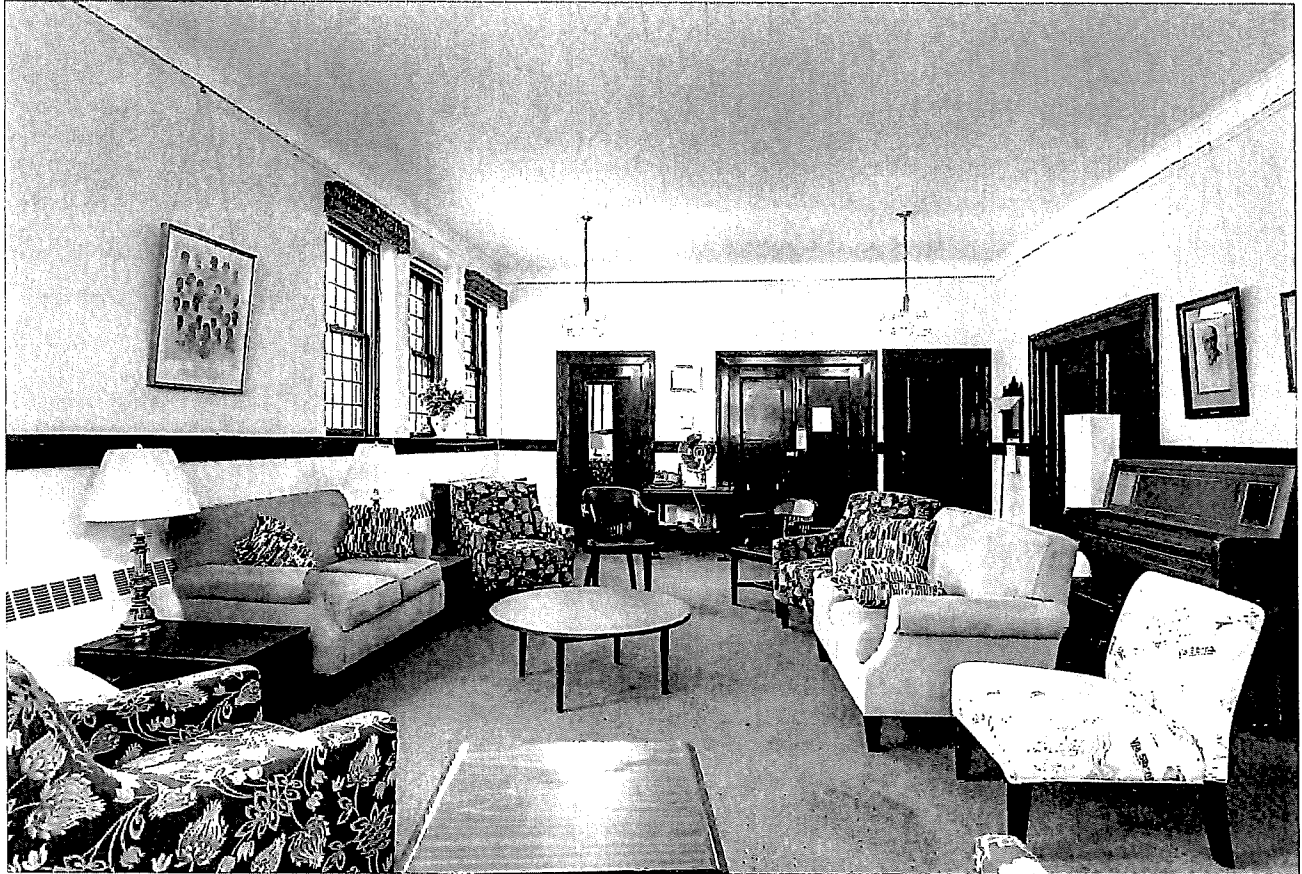


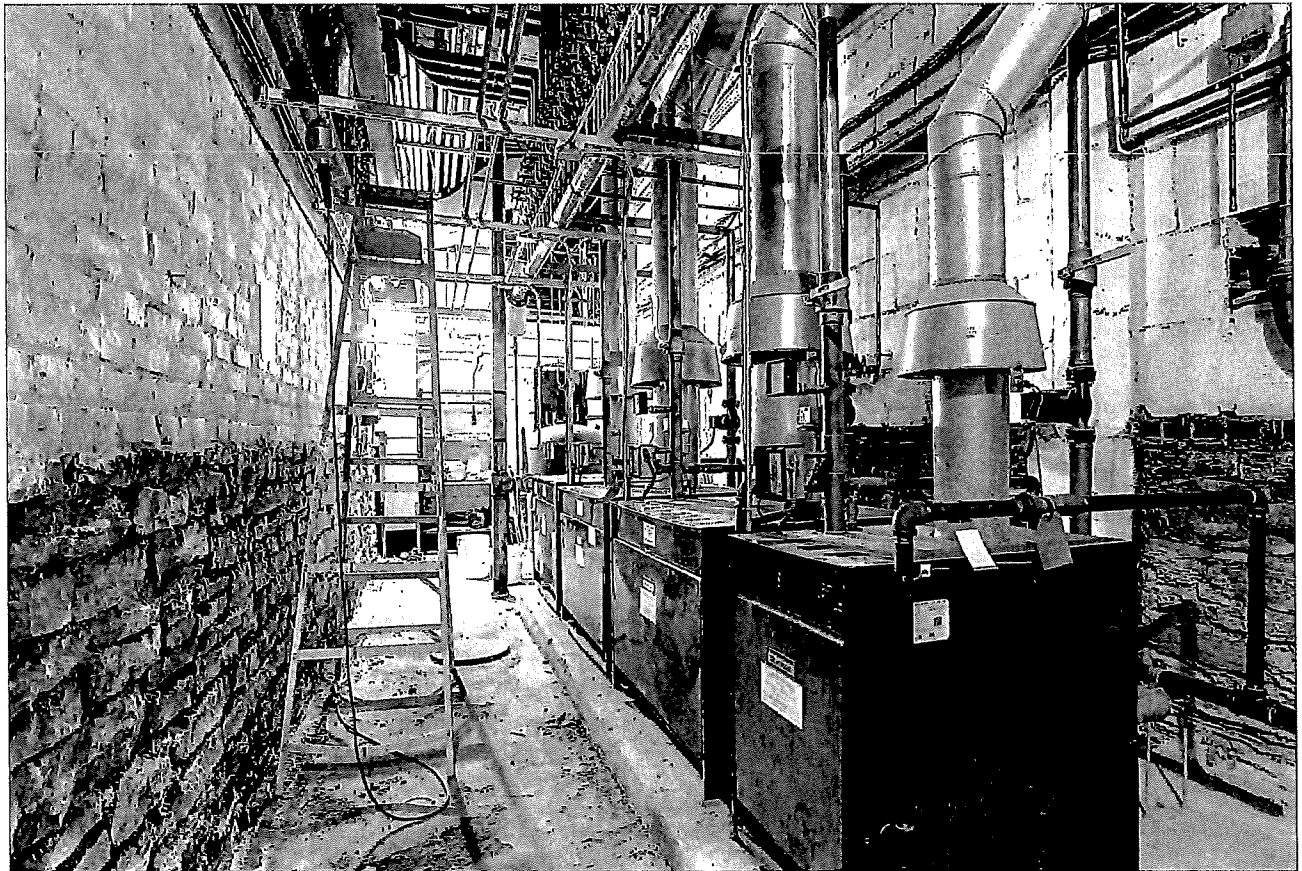






















CITY OF SAINT PAUL

HERITAGE PRESERVATION COMMISSION RESOLUTION

FILE NUMBER 19-010

DATE: February 28, 2019

Memorializing the Saint Paul Heritage Preservation Commission’s February 25, 2019 decision recommending City Council approve the Historic Use Variance for 217 Mackubin Street, located within the Historic Hill Heritage Preservation District.

WHEREAS, the Saint Paul Heritage Preservation Commission (HPC) is authorized by Chapter 73 of the Saint Paul Legislative Code to review Historic Use Variance applications and provide a recommendation that is forwarded to the Planning Commission and the City Council; and

WHEREAS, the subject property is located within the Historic Hill Heritage Preservation District, adopted by the Mayor and City Council in 1982 and updated in 1990; and

WHEREAS, on February 25, 2019, the HPC, having provided notice to affected property owners, duly conducted a public hearing on the said application where all interested parties were given an opportunity to be heard; and

WHEREAS, in accordance with Sec. 73.03.1, the HPC considered a staff report addressing the following five (5) findings, as follows:

1. The proposed use is reasonable and compatible with the historic use(s) of the site or that the new use is consistent with section 73.04(5) of this chapter.

Dayton Avenue Presbyterian Church has historically hosted community outreach programs including, a medical clinic for young mothers, space for summer religious education, and, most recently, an adoption agency. The proposed adult and child daycare use are consistent with past uses.

As a church, the building has historically hosted public gatherings for worship, Sunday school, church banquets, church meetings, and other large gatherings for church and community purposes. The proposed banquet hall use is consistent with these past historic uses.

The church property is zoned “RT2 townhouse residential district.” So, the proposed apartment is a one—family dwelling, which is a permitted use in the RT2 district. See St. Paul Legislative Code, Sections 60.301 and 66.221.

2. The proposed use complies with the adopted preservation program and the United States’ Secretary of the Interior’s Standards for Rehabilitation, as applicable.

Not applicable. No expansion, exterior structural modifications, or exterior modifications to the structure are proposed.

3. The historic use variance is necessary to alleviate practical difficulties unique to the heritage preservation site that prevents its use in a manner consistent with its historic use or that the new use is consistent with section 73.04(5) of this chapter, and that these difficulties were not created by the applicant.

Membership in the Dayton Avenue Presbyterian Church congregation has declined to a level at which it is not possible to support work on the building, and, thus, many maintenance needs have been postponed. The congregation consulted with the Presbytery of the Twin Cities Area, the church's governing body, and an Administrative Committee was formed to investigate all options. Ultimately, selling the building was recommended.

The congregation hoped to sell the building to another faith group, but none made an offer. The difficulties described above were not created by the applicant. The applicant has never been a member of the Dayton Avenue Presbyterian Church, nor was the applicant involved with its operation prior to making an offer to buy the property.

4. The proposed use is compatible with existing uses in the surrounding area and the underlying zoning classifications in the area.

The Dayton Avenue Presbyterian Church property Mackubin is zoned "RT2 townhouse residential district," which allows residential units. Day care is a permitted use in the RT2 zoning district, so the proposed adult and child day care uses are deemed permitted by the code.

The historic use variance is required for the proposed banquet hall, which continues the historic assembly use of the property. In fact, the church sanctuary has a seating capacity of 450, so the proposed banquet hall use reduces the maximum capacity of this space by 150 persons.

The use for child and adult daycare on weekdays, as a banquet hall on Friday and Saturday evenings, and as a full-time apartment will continue existing use types that have been and will remain compatible with the existing uses.

5. The proposed use is consistent with the comprehensive plan.

The proposed use supports Established Neighborhoods Policy "1.1 Guide the development of housing in Established Neighborhoods, commercial areas within Established Neighborhoods, and in Residential Corridors" and Policy "1.7 Permit neighborhood serving commercial businesses compatible with the character of Established Neighborhoods." As to Policy 1.1, the addition of an apartment unit supports the Plan's intent to increase residential density in Established Neighborhood by adding a residential unit. As to Policy 1.7, the adult and child day care uses are businesses that are compatible with and support residents of the immediate neighborhood. And, the banquet use supports residents of the immediate neighborhood but also supports residents from a wider area.

The Plan's Historic Preservation Chapter of the Comprehensive Plan has a strategy to "Preserve and Protect Historic Resources." As noted earlier the church building is historically significant and lies with the Historic Hill Preservation District. HP Policy 5.3 reads "Realize the full economic potential of key historic properties".

WHEREAS, the HPC also considered the staff report's 6th finding addressing a requirement of Sec. 61.601, as follows:

6. The use variance is the minimum needed to enable the property to be used in a manner that will have the least impact upon its historic character and the character of the surrounding area.

No expansion, exterior structural modifications, or exterior modifications to the structure are proposed. The property can be used for the proposed activities without any adverse impact the historic structure.

No changes would be made to the existing circulation pattern on the site that includes two curb cuts providing access to the on-site parking lot. This pattern provides, as it has in the past, adequate ingress and egress to minimize traffic congestion in the public streets. And the proposed uses meet the requirements of the St. Paul Legislative Code, Section 63.200.

The adult day care parking requirement is 5 off-street parking spaces. The child day care parking requirement is 10 off-street parking spaces. The banquet hall off-street parking requirement is 30 spaces. The apartment requirement is 1.5 off-street parking spaces. The property will have 32 off-street parking spaces and will meet the standard: (i) on Sunday through Thursday because only the day care and apartment use will be operating; (ii) on Friday because the day care uses will end on Friday before the banquet use commences; and (iii) on Saturday because only the banquet and apartment uses will occur.

NOW THEREFORE, BE IT RESOLVED, that the Heritage Preservation Commission adopts the six (6) findings as detailed above; and

BE IT ALSO RESOLVED, the Heritage Preservation Commission recommends approval of the Historic Use Variance subject to the following condition:

1. By ordinance, the final decision of the city council shall be valid for a period not longer than two years following the date of the council's motion of intent approving the application unless a city permit(s) is obtained within that time and/or steady progress is being made to establish the use. A use variance shall terminate and any subsequent use of the property or premises shall be in conformance with the property's underlying zoning classification where the use permitted by the historic use variance is destroyed by fire or other peril.

MOVED BY	Dana
SECONDED BY	MacDonald
IN FAVOR	8
AGAINST	0
ABSTAIN	0

Decisions of the Heritage Preservation Commission are final, subject to appeal to the City Council within 14 days by anyone affected by the decision. This resolution does not obviate the need for meeting applicable building and zoning code requirements, and does not constitute approval for tax credits.

Johnson, Tony (CI-StPaul)

From: Barb Gudknecht <barb.gudknecht@gmail.com>
Sent: Thursday, March 21, 2019 9:50 AM
To: Johnson, Tony (CI-StPaul)
Subject: File 19-016-207

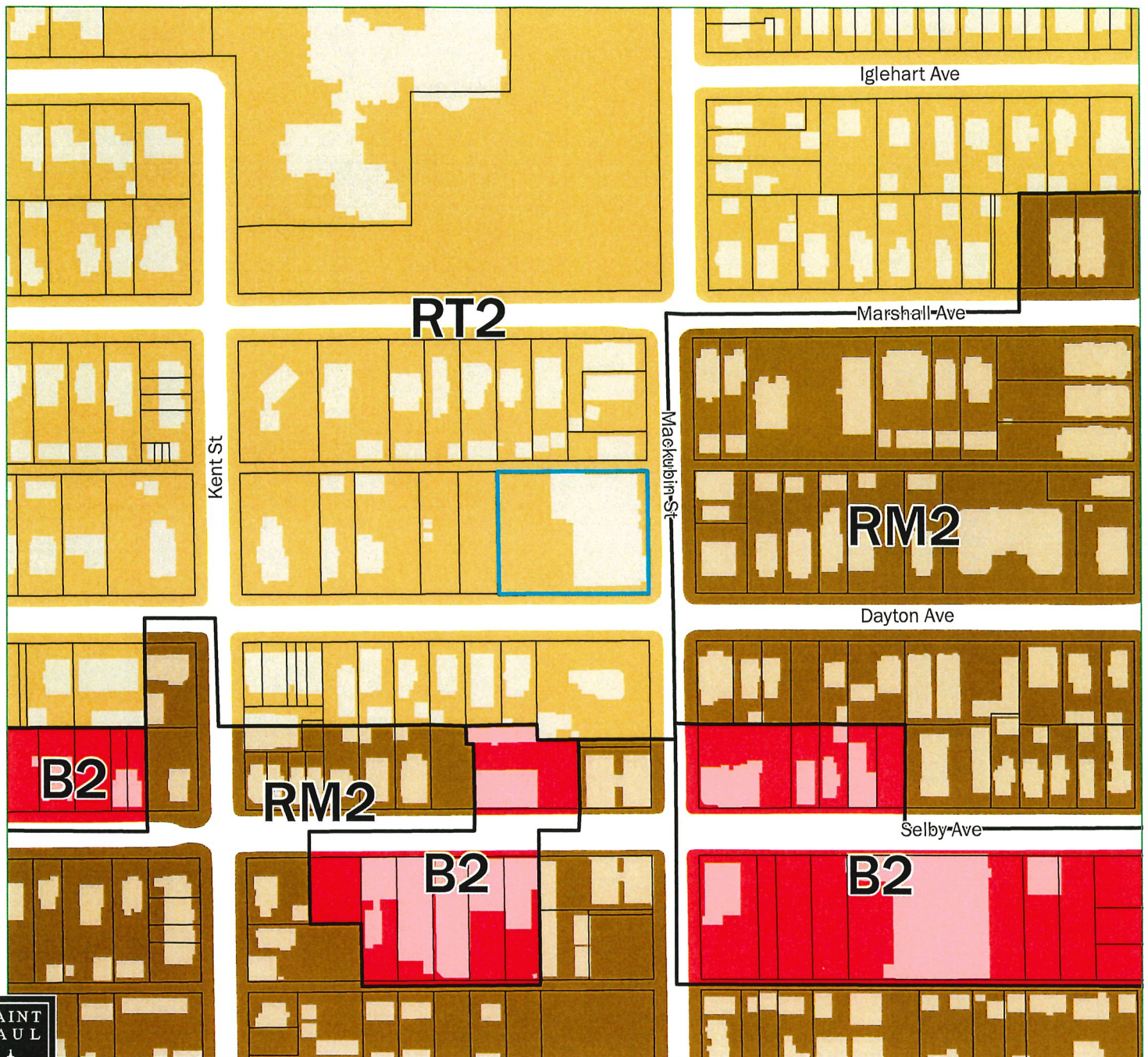
Hi Tony,

Just a quick email to recap our conversation yesterday about our concern regarding parking space for the proposed rental hall for weddings and receptions at 217 Mackubin. Parking is already an issue due to the number of rentals, airbnbs, and duplexes the the neighborhood.

Thank you for bringing this concern to the meeting.

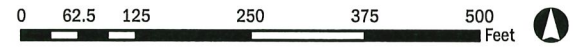
Thanks.

Barb Gudknecht
487 Marshall Ave



FILE #19-016207 | ZONING MAP
Application of Mohammed Thabet

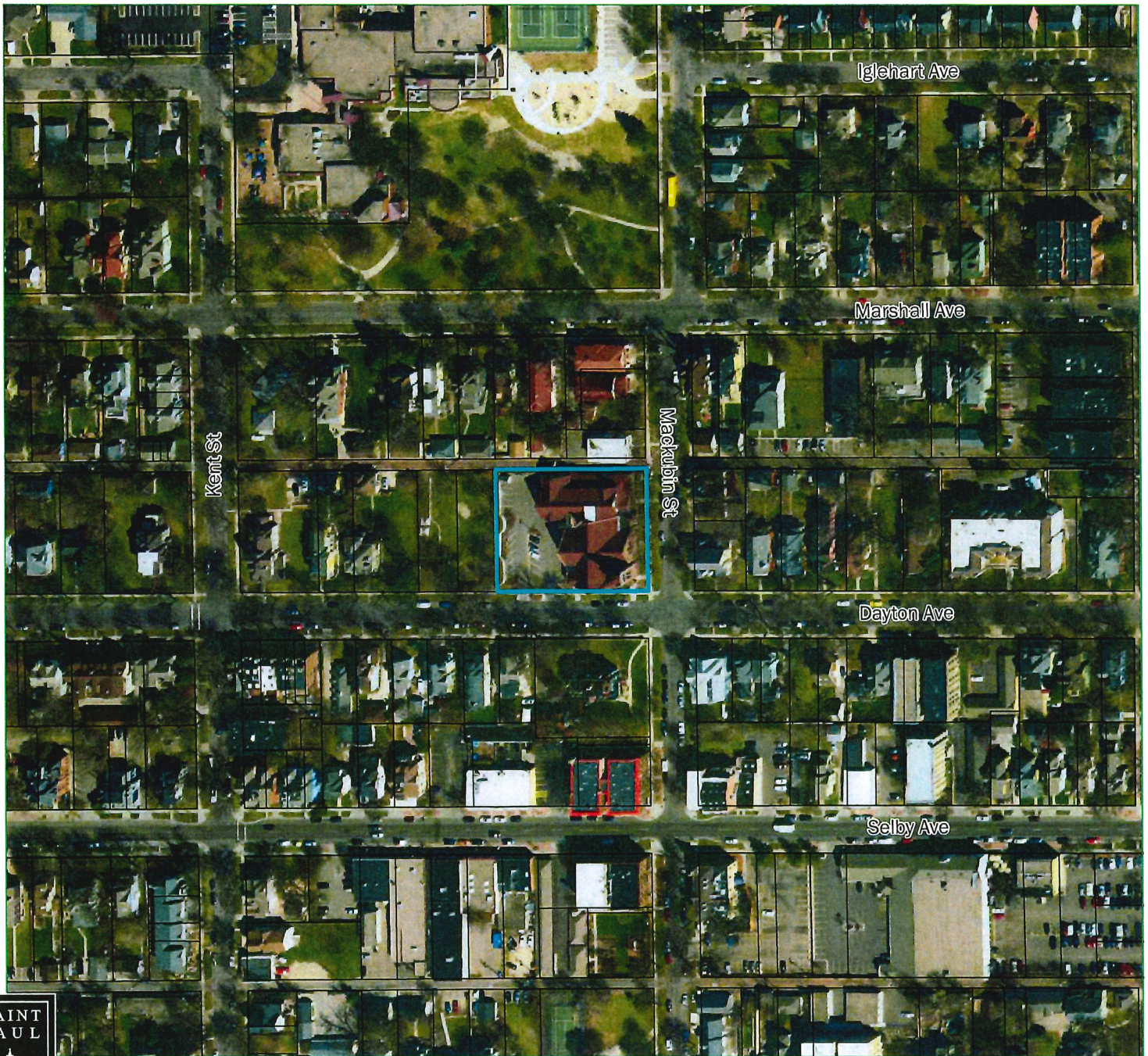
Application Type: Historic use Variance
 Application Date: February 28, 2019
 Planning District: 8



This document was prepared by the Saint Paul Planning and Economic Development Department and is intended to be used for reference and illustrative purposes only. This drawing is not a legally recorded plan, survey, official tax map or engineering schematic and is not intended to be used as such. Data sources: City of Saint Paul, Ramsey County, Metropolitan Council, State of Minnesota.

Subject Parcel Outlined in Blue

RL One-Family Large Lot	RM3 Multiple-Family	BC Community Business (converted)	I3 Restricted Industrial
R1 One-Family	T1 Traditional Neighborhood	B2 Community Business	F1 River Residential
R2 One-Family	T2 Traditional Neighborhood	B3 General Business	F2 Residential Low
R3 One-Family	T3 Traditional Neighborhood	B4 Central Business	F3 Residential Mid
R4 One-Family	T3M T3 with Master Plan	B5 Central Business Service	F4 Residential High
RT1 Two-Family	T4 Traditional Neighborhood	IT Transitional Industrial	F5 Business
RT2 Townhouse	T4M T4 with Master Plan	ITM IT with Master Plan	F6 Gateway
RM1 Multiple-Family	OS Office-Service	I1 Light Industrial	VP Vehicular Parking
RM2 Multiple-Family	B1 Local Business	I2 General Industrial	PD Planned Development
			CA Capitol Area Jurisdiction



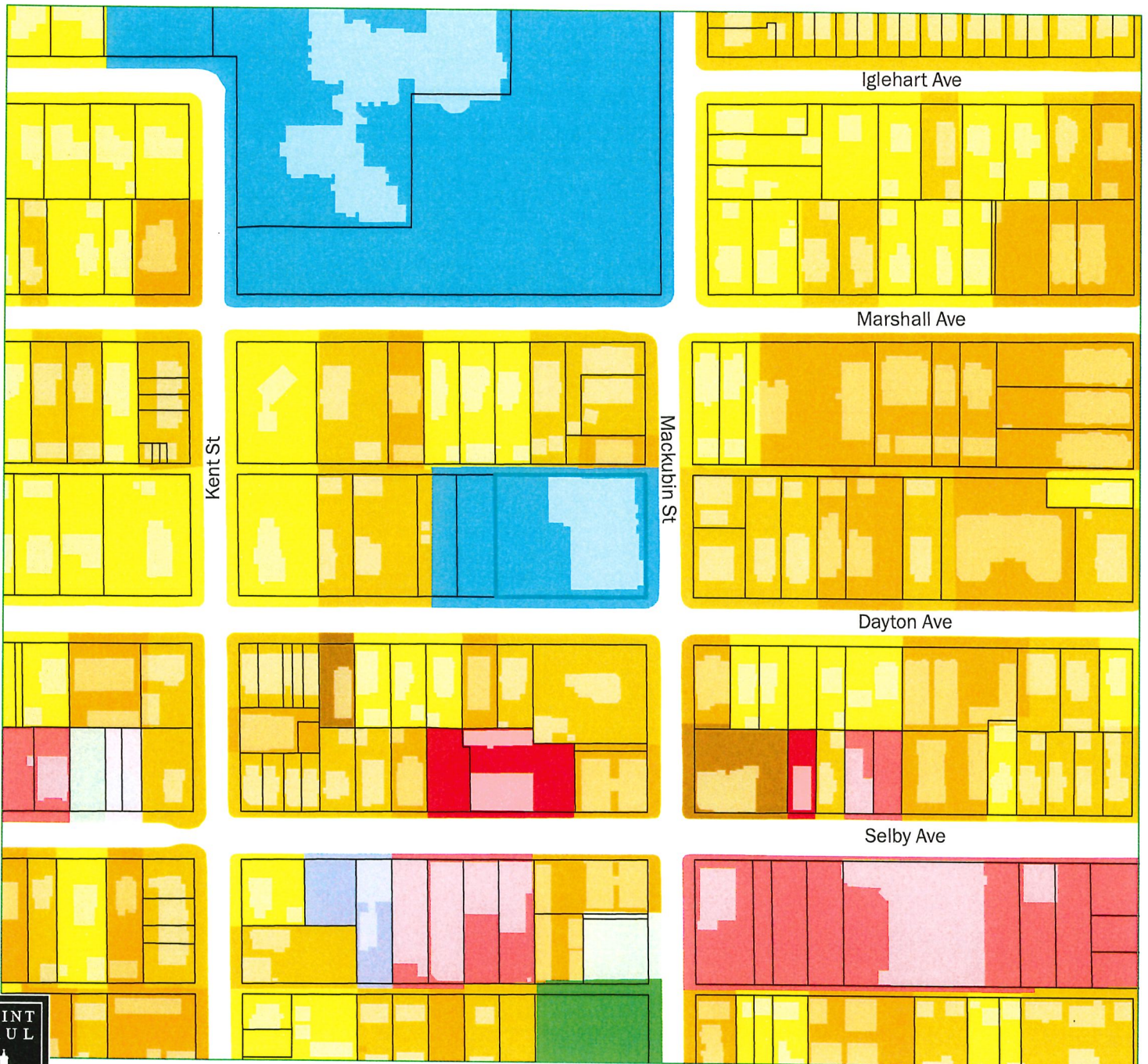
FILE #19-016207 | AERIAL MAP
Application of Mohammed Thabet

Application Type: Historic use Variance
Application Date: February 28, 2019
Planning District: 8

Subject Parcel Outlined in Blue



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FILE #19-016207 | LAND USE MAP
Application of Mohammed Thabet

Application Type: Historic use Variance
 Application Date: February 28, 2019
 Planning District: 8



Subject Parcel Outlined in Blue

- | | | | |
|---------------------------|--------------------------------|--------------------------------|--------------|
| Farmstead | Office | Extractive | Airport |
| Seasonal/Vacation | Retail and Other Commercial | Institutional | Agricultural |
| Single Family Detached | Mixed Use Residential | Park, Recreational or Preserve | Undeveloped |
| Manufactured Housing Park | Mixed Use Industrial | Golf Course | Water |
| Single Family Attached | Mixed Use Commercial and Other | Major Highway | |
| Multifamily | Industrial and Utility | Railway | |

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