

MINUTES OF THE ZONING COMMITTEE
Thursday, March 1, 2018 - 3:30 p.m.
City Council Chambers, 3rd Floor
City Hall and Court House
15 West Kellogg Boulevard

PRESENT: Eckman, Edgerton, Fredson, Lindeke, Ochs, and Reveal
EXCUSED: Baker, DeJoy
STAFF: Bill Dermody, Cherie Englund, Allan Torstenson, and Peter Warner

The meeting was chaired by Commissioner Edgerton.

2103 Wabash - 18-023-089 - Rezone from I2 General Industrial to IT Transitional Industrial., 2103 Wabash Ave., NE corner at Montgomery Street.

Bill Dermody said he expects this rezoning application to be withdrawn once the appeal period for the conditional use permit approved for this property ends on March 5, so he recommended laying over the rezoning until March 15, 2018.

In response to a question by Commissioner Reveal, Mr. Dermody said the 60-day deadline for action on the rezoning ends on March 26, and we could extend this another 60 days.

Commissioner Reveal moved to lay over the rezoning. Commissioner Ochs seconded the motion.

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

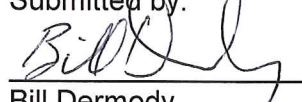
Adopted Yeas - 6 Nays - 0 Abstained - 0

Drafted by:



Cherie Englund
Recording Secretary

Submitted by:



Bill Dermody
City Planner

Approved by:



Dan Edgerton
Chair

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PRESENT: DeJoy, Eckman, Edgerton, Fredson, Lindeke, Ochs, and Reveal
EXCUSED: Baker
STAFF: Josh Williams, Cherie Englund, Allan Torstenson, and Peter Warner

The meeting was chaired by Commissioner Edgerton.

St. Thomas Parking Lot - 18-028-520 - Site plan review to modify a condition of previous site plan approval to allow continued use of a 33-space parking lot until March 2021 at 2060 Summit Ave., NW corner of Grand and Cleveland.

Josh Williams presented the staff report with a recommendation of approval for the modification of Condition No. 1 of Planning Commission Resolution 05-30. Mr. Williams stated District 14 recommended approval, and there were no letters in support or in opposition.

Commissioner Eckman asked if there is precedence for requiring a conditional use permit to have an established account to ensure the property returns to green space. Mr. Williams said there was a precedence set in 2015 and it is common for the City to require financial surety by means of performance bonds or in this case a letter of credit, based on Zoning Code § 61.402, under site plan review.

Chair Edgerton asked when St. Thomas intends to build housing here. Mr. Williams said that St. Thomas has identified a number of potential housing projects with their most recent master planning process.

The applicant, Amy Gage, 2115 Summit Avenue, Director of Neighborhood Relations for the University of St. Thomas said she is happy to have the unanimous support of the West Summit Neighborhood Advisory Committee and the Mac-Groveland Community Council. She said they committed \$100,000 to the Neighborhood Stabilization Fund in 2016, money that was spent on converting four student rentals back to owner occupied properties and lighting improvements on Cleveland and Summit Avenues. She said Bob Stupka, representing Coffee Bené and Davanni's, came to her and outlined the parking issues they are facing, and that St. Thomas had come to an agreement with Mr. Stupka that the 16 parking spaces he was using weeknights and weekends will now be available to him all the time, so the 33-space lot will have 16 fewer parking spaces for St. Thomas. She said the 2016 campus master plan has sixteen projects, of which four are new resident hall buildings and one is a renovation of a standard dorm to an apartment style housing that is in demand by today's students. She stated that while St. Thomas is not ready to announce timing of a specific housing project at this time, it is safe to say that it is unlikely that the potential housing on the NW corner of Cleveland and Grand will be the first project. The building that will be on this corner one day will have retail on the first floor and house 112 students on the upper levels, but it would mean taking an existing nearby apartment building offline and losing 56 beds. She said they hope to first construct a building where there is pure gain in housing, and not any loss of housing.

Commissioner Lindeke asked if the bonding capacity issue is the reason St. Thomas is not building housing. Ms. Gage said that is something that Vice-President Doug Hennes has talked about in the past, and may have been citing 5 years ago. St. Thomas is in a better position now than in 2005, when they were planning for the Anderson Student Center, the Anderson Athletic and Recreation Facility, Anderson Ramp, and McNeely Hall. Though bonding capacity is now

less of an issue than in the past, there are other academic buildings included in the 16 buildings in the master plan that are a priority.

Rachel Westermeyer, 1935 Summit Avenue, Co-chair of the West Summit Neighborhood Advisory Committee said she was a leader in many robust conversations about this project three years ago. She said they voted unanimously in support of this, but it would be the last time WSNAC would support an extension of the parking lot.

Commissioner Reveal said she is happy that St. Thomas and the West Summit Neighborhood Advisory Committee came together to make improvements in the neighborhood. She said that although the preference is to return this site to green space over surface parking, she appreciates the arguments for the continued use, and would assume the neighborhoods primary interest is to have housing here. Ms. Westermeyer said there are other locations on campus that their group feels are more advantageous.

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

Commissioner Reveal moved approval of the modification of Condition No.1 of Planning Commission Resolution 05-30. Commissioner Fredson seconded the motion.

Commissioner Lindeke said that this site, with transit access, and a bike path, is a good site for student housing. He said he will support this, but he would not support it again in the future.

The motion passed by a vote of 7-0-0.


Adopted Yeas - 7 Nays - 0 Abstained - 0

Drafted by:



Cherie Englund
Recording Secretary

Submitted by:



Josh Williams
City Planner

Approved by:



Dan Edgerton
Chair

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EXCUSED: Baker
STAFF: Mike Richardson, Cherie Englund, Allan Torstenson, and Peter Warner

The meeting was chaired by Commissioner Edgerton.

St. Paul's Episcopal Church Reuse - 18-028-380 - Conditional use permit for reuse of the church for St. Paul Conservatory of Music at 1524 Summit Ave., SW corner at Saratoga.

Mike Richardson presented the staff report with a recommendation of approval for the conditional use permit with one condition. Mr. Richardson stated District 14 recommended approval, and there were no letters in support, and 1 letter in opposition.

Commissioner Ochs asked what portion of the church will be used for music education. Mr. Richardson said the southern half will be used for classes and the sanctuary will be used for recitals.

In response to a question by Commissioner Ochs, Mr. Richardson said the parking requirement for a church is calculated based on the square footage of the sanctuary.

Chair Edgerton asked how much parking was needed by the church and what the busiest time of day will be for the school. Mr. Richardson said he was unsure.

In response to a question by Chair Edgerton, Mr. Richardson said there is continuous institutional use from Snelling to the church.

The applicant, John Rupp, 366 Summit Avenue, is the Chief Manager and owner of the corporation that purchased this church. He said the publicity surrounding the reuse of the church describes a larger vision than just having a church and school occupy the building, but that step is a long way off. He said along with the St. Paul Conservatory of Music, this space will also be used for a Sunday school. He said at some point there was one interior modification converting three small classrooms into one large room, and they have filed a permit with the Department of Safety and Inspections to subdivide this room back to the original three classrooms. He said they will be restoring original interior features from 1912. He added that there may be minor changes to the exterior of the building. He said he has had help and advice on this project from many people including Brian Alton, attorney at McClay-Alton, Cléa Galhano, Executive Artistic Director for the St. Paul Conservatory of Music, and Harry Chalmiers, past President of McNally Smith College of Music.

Commissioner DeJoy said that some of the information included with the application lists the name of the school as the St. Paul Center for Performing Arts. Mr. Rupp said that is the name we are using now, which encapsulates the long-term vision that we may or may not get to and there is a lot of work to do before we expand the vision from a home for New Cities Church and the St. Paul Conservatory of Music.

In response to a question by Commissioner DeJoy, Mr. Rupp said that there could be recitals for the school, but not outside of the school. He said that there could be wedding ceremonies as a use by the church, but no receptions or banquets, not part of use by the church.

In response to Chair Edgerton's previous question, Mr. Rupp said he is not sure what the busiest time of day would be for parking, but they will be analyzing parking within blocks of this building for current and future uses.

Cléa Galhano, Executive Artistic Director, St. Paul Conservatory of Music, 26 E. Exchange St, said they have about 250 students, provide private and group music lessons, serve St. Paul Public Schools with the Music for All program, and provide scholarships to underserved students. She said they have six Coffee Concerts per year that are presented at various locations in St. Paul and are free to the community.

In response to Chair Edgerton's question, she said the busiest time of day for the Conservatory is between 3:30 p.m. and 8:30 p.m. She said during the day they have a small amount of seniors that study music. She said lessons are 30 minutes long with no more than 15 students at a lesson. On Saturday mornings until noon, they have a Suzuki program serving 20 to 30 students. Commissioner Reveal asked which room they would be using for the Suzuki program. Ms. Galhano said they will use a large fellowship room and they are hoping to use the church sanctuary for the Coffee Concerts.

Harry Chalmiers, 487 Portland Avenue spoke in favor. He said he was the past President at McNally Smith College of Music and works as a consultant and advocate for art and music education. He said Mr. Rupp has been transparent in his vision. He said this could be a significant arts performance center. He said the architecture is significant and offers the finest acoustics in the Twin Cities for a room that can hold 300 to 400 people, which is difficult to find. He said they would like to reuse the Sunday school area of the church to create a positive benefit to the community. He said the power of music education is a wonderful way to reclaim this space and there have been no other applicants with ideas for reuse of this space.

Stephanie Martineau, 1474 Summit Avenue, said she found out about the meeting from a neighbor and is not in favor or in opposition. She said it sounds like a wonderful use of the building, but the parking on Summit for her block is unrestricted and she would like to know how parking will be impacted. Mr. Richardson said there will not be significant parking impacts on the neighborhood as part of the current proposal.

Carolyn Will, 1583 Summit Avenue, President of the Summit Avenue Residential Preservation Association (SARPA) said that she was not notified of the public hearing.

In response to committee questions, Mr. Torstenson said there was a petition of property owners within 100' for which 9 out of 10 possible owner signatures were obtained, and public hearing notices were mailed to owners of all properties within 350'. He noted that both people who said they did not receive a notice are beyond 350' from this parcel.

Carolyn Will said that in 1986 Mayor George Latimer appointed SARPA to uphold and protect the residential park quality of Summit Avenue and at that time the schools, churches, and businesses were grandfathered in. She said the grander vision for this business is not well thought through, and could harm the quality of Summit Avenue. She said they appreciate Mr. Rupp being forthcoming by attending their board meeting, and hosting a community gathering to

lay out his grand vision for the use of this building. She said Mr. Rupp was clear that they would use this space for commercial, large-scale events to make this work economically, and the St. Paul Conservatory of Music would not be enough revenue to cover the cost for maintenance on this building. She said at the SARPA board meeting, Mr. Rupp said commercial uses would occur over 20% of the calendar year or 50 events per year with 200 to 250 guests. She said this is a different use than just the St. Paul Conservatory of Music and the parking concerns have not been addressed.

Tom Darling, 445 Summit Avenue, SARPA board member, said the applicant is proposing to change the use of this building into a commercial use that is not permitted. He said this conditional use permit is just a foot in the door and the music school is not sufficient to make this a financially viable project for Mr. Rupp. He said that Mr. Rupp told them that as a real estate developer he watched the market and waited for the price to come down to where he decided he could establish a business that would be financially sound. Mr. Darling said this building has never been at risk of being torn down and was managed by a responsible owner. It has been on the market for a long time and could be reused residentially or as another church. He said the letter they submitted outlines the business uses necessary to make this work for Mr. Rupp. He said this building will be used commercially over half of the year. He asked for this application to be denied and said the full plan should be presented showing all of the data so a thoughtful decision can be made. He said the application is not complete because it omits the concerts, and gives opportunity to the music school to become the administrator for other concerts. He added that there may be too limited a view of the use and its effect on the neighborhood. He said the historic component of the comprehensive plan mentions the importance of protecting the fabric of our historic resources, and we cannot allow this to become a commercial street.

Rachel Westermeyer, 1935 Summit Avenue, said she agrees with her fellow SARPA board members. She said she lives closer to St. Thomas and 3 ½ blocks from a now closed, small music school that affected parking in front of her house. She said she now has permit parking in front of her house which eases the parking issues. She asked the committee to deny this application.

Bob Morrison, 1649 Summit Avenue, said he agrees with his fellow SARPA board members. He said Mr. Rupp was very open about his plans and clear in terms of his wider vision for the use of this property, stating that this would be a performing arts center and the music school would be a subcomponent. He said they believe in the school, but there may be unintended consequences.

Mr. Rupp said he owned the Exchange Building where the St. Paul Conservatory of Music was located and this building was sold to developer for conversion to a boutique hotel. He said the conservatory has to be out of the building within 30 days and without a home could threaten its viability. He said the grander vision that is not included in this application still requires a huge amount of work before they would file applications for approvals they may need. He said the building has not been maintained for several years and there are at least six areas where the interior ornamental plaster had collapsed. He said the overall financial viability is risky for him, but he said there is no mortgage on the building and he will be funding the improvements before the new tenants move into the building.

Commissioner Reveal asked if there is any intent for the St. Paul Conservatory of Music to be a manager or producer for other more intensive uses. Mr. Rupp said that is not their intention, but the school hopes to be a participant in their grander vision.

The public hearing was closed.

Chair Edgerton asked if concerts and recitals would affect the findings and to what degree. Mr. Richardson said that St. Paul Conservatory of Music Coffee Concerts currently occur throughout the City.

In response to a question by Chair Edgerton, Mr. Richardson said any use that is not allowed in the zoning code would require them to go through the application process for approval by the Planning Commission.

Commissioner DeJoy made a recommendation that finding 2(c) be modified. Commissioner Reveal asked for the meaning of "related activity" in this finding. Mr. Richardson said it should have been written to refer to activity directly related to the music education, and said he can clarify that language.

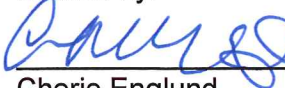
Commissioner DeJoy noted the concerns that have been expressed that this is a small school in a large building and the bigger vision.

Commissioner Eckman moved approval of the conditional use permit with a modification of finding 2(c) and one condition. Commissioner Reveal seconded the motion.

The motion passed by a vote of 7-0-0.

Adopted Yeas - 7 Nays - 0 Abstained - 0

Drafted by:


Cherie Englund
Recording Secretary

Submitted by:


Mike Richardson
City Planner

Approved by:


Dan Edgerton
Chair