

**MINUTES OF THE ZONING COMMITTEE**  
**Thursday, May 7, 2020 - 3:30 p.m.**

PRESENT: Baker, DeJoy, Edgerton, Grill, Hood, Lindeke, and Rangel Morales  
EXCUSED: Ochs  
STAFF: Josh Williams, Samantha Langer, Allan Torstenson, and Peter Warner

The meeting was chaired by Commissioner Edgerton. He stated that the chair of the Planning Commission had determined that due to the COVID-19 pandemic it is neither practical nor prudent for the Zoning Committee to meet in person, and therefore the meeting was being conducted remotely, with all members of the Zoning Committee attending the meeting remotely and the public able to submit comments by noon on the day of the meeting and monitor the meeting remotely.

**MS Relocation Services, Inc. - 20-027-532 - Establishment of legal nonconforming use status as a duplex, with variance of the consent petition requirement, 1300 Schletti St, between Wheelock Pkwy. and Orange Ave. W**

Josh Williams presented the staff report with a recommendation of approval with a condition for the establishment of legal nonconforming use and variance. He said that District 6 submitted a letter recommending approval, and there were no other letters in support or opposition. All written testimony is published online and was made available to the Zoning Committee members for review before the meeting.

In response to Commissioners, John Sadusky, MS Relocation Services, Inc. 2108 E 43<sup>rd</sup> Street, Minneapolis, MN, said that they fully intend to meet the condition that within one year of approval, or at the discretion of Department of Safety and Inspections (DSI), the property meets applicable housing and building code for use as a duplex. They renovated the property in the early part of 2020. They entered into a purchase agreement and it should sell in early June. Earlier this year, all trades inspected this property including, plumbing, building and electrical and all passed. He said it is part of their purchase agreement that they cannot sell the property until it is listed as a legal nonconforming duplex.

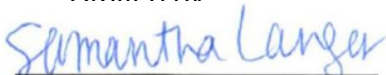
The public hearing was closed.

Commissioner Cedrick Baker moved approval with condition of the establishment of legal nonconforming use as a duplex, with a variance of the consent petition requirement. Commissioner Anne DeJoy seconded the motion.

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

Adopted                      Yeas - 7              Nays - 0              Abstained - 0

Drafted by:



Samantha Langer  
Recording Secretary

Submitted by:



Josh Williams  
City Planner

Approved by:



Dan Edgerton  
Chair

**MINUTES OF THE ZONING COMMITTEE**  
**Thursday, May 7, 2020 - 3:30 p.m.**

PRESENT: Baker, DeJoy, Edgerton, Grill, Hood, Lindeke, and Rangel Morales  
EXCUSED: Ochs  
STAFF: Kady Dadlez, Samantha Langer, Allan Torstenson, and Peter Warner

The meeting was chaired by Commissioner Edgerton. He stated that the chair of the Planning Commission had determined that due to the COVID-19 pandemic it is neither practical nor prudent for the Zoning Committee to meet in person, and therefore the meeting was being conducted remotely, with all members of the Zoning Committee attending the meeting remotely and the public able to submit comments by noon on the day of the meeting and monitor the meeting remotely.

**V V Property, LLC - 20-025-230 - Rezone from T2 traditional neighborhood to T3 traditional neighborhood, 1619 Dayton Ave, between Snelling Ave. and Fry Street**

**V V Property, LLC - 20-025-243 - Conditional use permit to allow a 75 ft. building height, and front yard setback variances for building articulation and balconies (10' required, 5' proposed), 1619 Dayton Ave, between Snelling Ave. and Fry Street**

Kady Dadlez presented the staff report with a recommendation of approval for the rezoning. She also recommended approval of the conditional use permit and variance subject to conditions. She said District 13 submitted a letter recommending approval on the condition that the apartment building include deeply affordable units at 30% AMI. There were no additional letters in support, and 1 letter in opposition. All written testimony is published online and was made available to the Zoning Committee members for review before the meeting.

In response to Commissioner Rangel Morales, Ms. Dadlez said it would be appropriate to add a condition regarding the applicant's representation of the project regarding affordability for a period not less than 30 years. She said that the condition could only apply to the conditional use permit and variance since rezonings cannot be conditioned.

In response to Commissioner Edgerton, Mr. Torstenson said that it is not required, but would be a good idea to place a condition on the conditional use permit stating that rezoning the property from T2 to T3 must be approved by the City Council.

In response to Commissioner Baker, Ms. Dadlez said that there are 97 units proposed for the site and 100 percent of the units would be affordable at 50-70% AMI. Since the submittal of their application, and their conversations with the District Council about providing deeper affordability, the applicant has confirmed they will have five three-bedroom units affordable at 30% AMI.

In response to Commissioner Lindeke, Ms. Dadlez said that it is the applicant's intent to get financing through the City and that that will commit them to a certain level of affordability for a term of 30 years.

Commissioner Hood said it is possible we could hit a housing slow down and this project meets all of the City's goals of affordability. He voiced concern about placing too many conditions on this application and possibly slowing the project.

Keon Blasingame, 1800 Graham Avenue, Saint Paul, MN said he is the architect for the project. Mr. Blasingame said their goal for this project is to create a more affordable housing development in an area that is rapidly developing in a less affordable manner. He said they are dedicating five three-bedroom units at 30% AMI and that these units would lease at about \$780.00 for a 1,100 square foot unit. He said a similar unit across the street would be about three times that amount. They are looking at a split for 50% and 70% AMI for the one and two-bedroom units. The one-bedroom units at 50% AMI would lease for \$937.00 and 70% AMI would be \$1312.00 for 750 square foot units. The two-bedroom units at 50% AMI would be \$1125.00 and \$1575.00 at 70% AMI.

Mr. Blasingame said staff's presentation did a good job at explaining the project and the adjacent projects and properties in the area. Many are achieving similar height and density as their proposed project.

Mr. Blasingame spoke to the overall density at the site. He said that without the proposed lot split (the overall site at 1.91 acres with 97 units) they would be at about 51 units per acre. With the proposed split, which would be about .85 acres, with 97 units they would be at about 115 units per acre.

In response to Commissioner Rangel Morales, Mr. Blasingame said that for the one-bedroom units there would be 24 units at 50% AMI and 23 units at 70% AMI. The two-bedroom units would be at 23 units for 50% AMI and 22 units at 70% AMI. He said he would not be opposed to a condition that required 100% affordable units as opposed to getting into the minutiae of what percentage of units at what percentage of affordability. They are planning to reach these targets and it is always their goal to accommodate community input, but they want to make sure they do not have encumbrances because there is very limited amount of funding available. He said they have requested public financing, but the allocations have not occurred at this time. They have requested TIF financing in addition to the low income housing tax credits that have been requested. Mr. Blasingame also said that this project is within a qualified census track and that is really pushing their desire to get this deal done so that they do not lose out on the opportunity with the forthcoming 2020 census numbers.

In response to Commissioner Lindeke, Mr. Blasingame said currently they are at 69 feet 8 inches in height with the elevator over run. They are very early on in design and they are requesting up to 75 feet for height to allow for flexibility with things that might come up during site plan review. For example, they may have to raise the height at the garage level to accommodate access and reduce the ramp distance.

The public hearing was closed.

Commissioner Kristine Grill moved approval of the rezoning. Commissioner Cedrick Baker seconded the motion.

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

Adopted                      Yeas - 7              Nays - 0              Abstained - 0

Commissioner Luis Rangel Morales moved approval with conditions of the conditional use permit and variance subject to the additional condition that based on applicant's representation of the project contained in its letter dated April 2, 2020 and statements made during the public hearing on May 7, 2020, 100 percent of the units shall be affordable, with a minimum of five three bedroom units affordable at 30% AMI and the remainder affordable at 50% to 70% AMI, for a period of not less than 30 years from the date the building receives required occupancy certification. Commissioner William Lindeke seconded the motion.

Commissioner Baker asked that Commissioner Rangel Morales provide insight into the additional condition he is recommending.

Commissioner Rangel Morales said that if this application were to be approved the representations made by the applicant would really have no bearing on what ultimately gets built at this location unless a specific condition is added. This is a measure to ensure that the affordable housing is included in the project.

Commissioner Edgerton requested to add a friendly amendment that the property must be rezoned from T2 traditional neighborhood to T3 traditional neighborhood. Commissioner Rangel Morales accepted the amendment.


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

Adopted                      Yeas - 7              Nays - 0              Abstained - 0

Drafted by:

  
Samantha Langer  
Samantha Langer  
Recording Secretary

Submitted by:

  
Kady Dadlez  
Kady Dadlez  
City Planner

Approved by:

  
Dan Edgerton  
Dan Edgerton  
Chair