

city of saint paul
planning commission resolution
file number
date

WHEREAS, PDMC LLC, File # 18-069-134, has applied for a conditional use permit for building height up to 45 ft. and variance to allow alley maneuvering for 30 parking spaces under the provisions of §61.202(b); §61.601; §61.501 of the Saint Paul Legislative Code, on property located at 739 Selby Avenue, Parcel Identification Number (PIN) 02.28.23.11.0062, legally described as Lots 16 – 25, Block 3, Holcombe’s Addition; and

WHEREAS, the Zoning Committee of the Planning Commission, on June 21, 2018, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant is seeking a variance to allow the alleyway to be used as a maneuvering lane for 30 parking spaces. Zoning code § 63.310 allows alley access for non-residential property across from residentially zoned property to be granted through site plan review under certain circumstances and it limits the use of the alleyway as a maneuvering lane to 7 or fewer spaces. Zoning Code § 61.601 states that the Planning Commission shall have the power to grant variances from the strict enforcement of the provisions of the Zoning Code based on the following required findings.

a) *The variance is in harmony with the general purposes and intent of the zoning code. This finding is met.* An intention of the zoning code is to lessen congestion in the public streets by providing for off-street parking of motor vehicles and for off-street loading and unloading of commercial vehicles. The variance is necessary in order to allow the alleyway to be used as a maneuvering lane for the church’s off-street surface parking lot, because the surface parking is in a commercial zoning district and the surface parking lot exceeds 7 spaces. The alleyway is 20’ wide, which is the minimum maneuvering lane width required for a parking lot with 90 degree parking stalls. The 20’ alleyway is wide enough to accommodate two directions of traffic through the alleyway, and as a part of the application, the applicant has submitted a traffic study from SRF which indicates that there were no issues identified with the site plan and proposed parking layout. The structured parking on site is intended to only serve the senior housing portion of the new mixed-use development, so without the surface parking lot the church would not have access to any off-street parking facilities.

Another intention of the zoning code is to regulate the location, construction, reconstruction, alteration and use of buildings, structures and land. On February 21, 2018, the Mayor and City Council approved the applicants request to rezone the parcel

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to T2 traditional neighborhood. The traditional neighborhood zoning districts have additional design standards including §66.341 (b)(1) that states that parking should be located to the rear of the principal building. The proposed placement parking behind the principal structure is consistent with this design standard. Placement of the parking to the rear of the structure is an efficient use of space considering the limited parcel depth, the 20' width of the alley, and scale of the proposed structure.

- b) *The variance is consistent with the comprehensive plan. This finding is met.* Policy LU-1.49 calls for continuing to promote principals of traditional urban form in the design of new and renovated commercial buildings. Although the proposed senior housing and church are not commercial uses, the traditional neighborhood zoning districts are commercial districts and thus have designs standards that promote the traditional urban form commercial buildings, including the placement of parking to the rear of the principal structure.
 - c) *The applicant has established that there are practical difficulties in complying with the provision; that the property owner proposes to use the property in a reasonable manner not permitted by the provision. Economic considerations alone do not constitute practical difficulties. This finding is met.* The traditional neighborhood design standard in §66.341(b) states that the placement parking should be to the rear of the principal building. There is only about 25 feet between the alleyway and the wall of the principal structure. The limited space between the alleyway and the proposed structure necessitates the use of the alleyway as a maneuvering lane, if parking surface parking is to be provided in compliance the design standard in §66.341(b), the parking should be to the rear of the building.
 - d) *The plight of the landowner is due to circumstances unique to the property not created by the landowner. This finding is met.* The traditional neighborhood design standards specify that surface parking should be to the rear of the parcel and the subject parcel has a limited parcel depth of 109.7 ft. Developing a surface parking lot to the rear of the principal structure and that complies with the zoning code dimensional standards for the parking stalls and a two way maneuvering lane without the use of the alley would significantly reduce the developable area on the site, and is impractical considering the limited depth of the parcel.
 - e) *The variance will not permit any use that is not allowed in the zoning district where the affected land is located. This finding is met.* Accessory surface parking is a permitted use in the T2 zoning district.
 - f) *The variance will not alter the essential character of the surrounding area. This finding is met.* Allowing the alleyway to be used as a maneuvering lane for a surface parking lot off the alley is in keeping with the development pattern of other multifamily housing projects in the immediate area. There are three other multifamily apartments in close proximity to the site with surface parking lots that use the alley as a maneuvering lane, and therefore the proposed parking layout would not alter the essential character of the surrounding area.
2. A conditional use permit is being proposed to increase the maximum height to 45 feet. The vast majority of the structure has a large enough setback to meet the maximum height requirements. The conditional use permit is necessary to increase the height for a small portion of the structure that is on the fourth floor north east corner of the building. The church steeple is exempt from building height requirements. §61.501 lists five standards that all conditional uses must satisfy:
- (a) *The extent, location and intensity of the use will be in substantial compliance with the*

Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council. This condition is met. The subject parcel is located in a mixed use corridor and thus is in an appropriate location for a mix of uses at higher densities. The conditional use permit will allow for the development of one additional senior housing unit, which is consistent with policy LU-1.2 of the Saint Paul comprehensive plan, which calls for permitting high density residential development in mixed use corridors. The proposed use is also consistent with policy 26 of the District 8 neighborhood plan which calls for increasing housing options for seniors wish to continue living in the neighborhood.

- (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met.* The proposed senior housing has dedicated structured parking facilities that are accessed through the alleyway. The alleyway is 20 feet wide and therefore it can accommodate to two directions of traffic. As a part of the application, the applicant submitted a memo from SRF, which states that they found no issues with the proposed site plan and that the proposed development is expected to only generate 17 a.m peak hour trips.
- (c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare. This condition is met.* The portion of the building that necessitates the conditional use permit application for height is adjacent to the western exterior property line on the Grotto side of the development. The height of the proposed development is in keeping with the other 3 to 4 multifamily and mixed use developments along the Selby Avenue corridor, and will not be detrimental to the existing character of the immediate neighborhood.
- (d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. This condition is met.* The proposed structure complies with height requirements on the southern, eastern, and northern walls of by setting the building back from the property lines proportionally to the increased height. Because the building is being setback from these property lines, the building mass is being pushed away from the lower density residential uses to the north of the proposed development and also away from the multifamily apartment east of the proposed structure. The small portion of the building that requires the conditional use permit is abuts the public right-of-way, and will have little to no impact on the adjacent properties. The increased height will not impede the orderly development and improvement of surrounding properties.
- (e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located. This condition is met.* The use complies with all other applicable regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of PDMC LLC for a conditional use permit for building height up to 45 ft. and variance to allow alley maneuvering for 30 parking spaces at 739 Selby Avenue is hereby approved with the following 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.

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WHEREAS, the Saint Paul Housing and Redevelopment Authority, File # 18-067-776, has applied to rezone from RT1 two-family residential to T2 traditional neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 119 Lyton Place, Parcel Identification Number (PIN) 30.29.22.33.0009, legally described as Lots 10-12, Block 2 Lyton's Addition, and Lots 14-17, Block 1, Lockey's Addition and

WHEREAS, the Zoning Committee of the Planning Commission, on June 21, 2018, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of § 61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing, as substantially reflected in the minutes, made the following findings of fact:

1. The applicant is seeking to rezone 119 Lyton Place from RT1 two-family residential to T2 traditional neighborhood in order for this parcel to be used as a parking lot for a 41-unit affordable housing project proposed on the vacant lot fronting Rice Street between Sycamore Street and Lyton Place. The housing site is currently zoned T2. Section 63.303 Parking location, residential states: "Parking spaces for buildings containing three (3) or more dwelling units shall be on the same zoning lot...or in an abutting zoning lot in the same or less restrictive zoning district." The subject property is not part of the same zoning lot as the proposed structure and the RT1 district is more restrictive than T2. The rezoning of the subject property is requested to meet § 63.303.
2. The proposed zoning is consistent with the way this area has developed. Rice Street has developed with a mix of uses over time. There are a mix of uses in this area ranging from industrial and office to the west and residential to the north, east, and south. T2 allows for a similar range of uses.
3. The proposed zoning is consistent with the Comprehensive Plan. The site is located at the boundary of Mixed Use Corridors and Established Neighborhoods with the "opportunity site" designation. The North End District 6 Plan supports mixed-use development on lower Rice Street. Land Use policy 4.4 states: "Promote mixed-use redevelopment on lower Rice Street, between Front Street and the bridge over the BNSF railroad tracks, which could foster the growth of an urban village." The T2 district allows for a wide variety of uses, and provides standards that address issues associated with developing adjacent to residentially zoned properties.

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4. The proposed zoning is compatible with the surrounding land uses, including residential, office, and parking. The T2 district allows for a wide variety of uses. More intense uses or those expected to have greater potential impact on surrounding land uses require conditional use permits to reduce potential conflicts between uses.
5. The petition for rezoning was found to be sufficient on May 30, 2018: 32 parcels eligible; 22 parcels required; and 22 parcels signed.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of the Saint Paul Housing and Redevelopment Authority to rezone from RT1 two-family residential to T2 traditional neighborhood property at 119 Lyton Place be approved.

Dadlez, Kady (CI-StPaul)

From: Michael Born <m.jborn@comcast.net>
Sent: Thursday, June 21, 2018 3:12 PM
To: Dadlez, Kady (CI-StPaul)
Subject: Redone at 119 Lyton place

To whom it may concern. My name is Michael Born I live at 116 Lyton place. I am opposed to the rezoning on Lyton place, I believe that it will bring more crime and violence to the area. If you look at rice and Winnipeg and the history there you will see that it's just not working. The new zoning is right across the street from my house and I feel it will cause problems for me and my family. We have lived there for almost 50 years.

Sent from my iPhone

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WHEREAS, O’Gara Properties LLC, File # 18-065-972, has applied to rezone from RT1 two-family residential and T2 traditional neighborhood to T3 traditional neighborhood, under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 164 Snelling Avenue North and 1551-1559 Hague Avenue, Parcel Identification Numbers (PIN) 03.28.23.22.0159, 03.28.23.22.0127, 03.28.23.22.0126, 03.28.23.22.0125, legally described as Ex the N 72.10 ft. Lots 10-12, & Lots 13-23, Block D, Blocks E & D Boulevard Addition; and

WHEREAS, the Zoning Committee of the Planning Commission, on June 21, 2018, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of § 61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing, as substantially reflected in the minutes, made the following findings of fact:

1. The applicant owns the property and is petitioning to rezone it from RT1 and T2 to T3. The applicant is working with a developer to create a mixed use development that includes market rate apartments and a new, smaller, O’Gara’s restaurant and bar at the corner of Selby and Snelling. In addition, office/co-working space is planned on the first floor in the portion of the building fronting along Snelling Avenue. The proposed design includes a five-story building with 163 apartment units plus amenity space, 4,116 square feet of retail space for the new restaurant, and 205 parking stalls. Three affordable apartment units (at 60 percent AMI) are planned for the building. Off-street parking for the retail space will be in an exterior structured lot that is accessed off of Snelling Avenue. Residential parking, accessed off of Hague Avenue, will be in two areas, one level of below grade parking and one level of parking located behind the townhome units fronting on Hague Avenue. Stormwater management improvements are incorporated into the design; currently there is no active management on site. Construction is anticipated to being in fall 2018.
2. The proposed zoning is consistent with the way this area has developed. The intent of the T3 traditional neighborhood zoning district is to provide for higher-density pedestrian- and transit-oriented mixed use development. The Selby and Snelling area is a thriving urban neighborhood along an arterial street in Saint Paul that carries 30,000 to 40,000+ vehicles per day. Public transit that serves this site is designed to accommodate higher density; it is served by the A Line bus rapid transit and regular bus service, with close proximity to the Green Line at University Avenue. The proposed mixed use development is in keeping with

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the character of development and is an appropriate use for the mixed use corridor that calls for high density development along thoroughfares served by public transit.

3. The proposed zoning is consistent with the Comprehensive Plan. The property is located in a mixed use corridor, a primary thoroughfare in the city that is served by public transit. Land Use Policy 1.23 states, "Guide development along mixed use corridors. The City should recognize community circumstances and preferences as stated in City adopted summaries of small area plans and district plans, while still providing additional housing opportunities at densities that support transit." Land Use Policy 1.25 states, "Promote the development of more intensive housing on mixed use corridors where supported by zoning that permits mixed use and multifamily residential development." Land Use Policy 1.26 states, "Permit residential development at densities of 30-150 units per acre." The proposed development is about 133 units per acre, a density that supports transit.

Policies of the Union Park Community Plan include: LU1.1 "Maintain and establish zoning that encourages compact development in commercial areas and in mixed-use corridors"; LU2.3, "Ensure that new development fits within the character and scale of adjacent neighborhoods"; H1.1 "Support multi-unit mixed-use development in mixed-use corridors that can accommodate higher density levels, while minimizing impacts on adjacent lower density areas, and discourage multi-unit housing and retail uses that are incompatible with single-family residential areas"; and H1.3 "Support housing development designed to promote pedestrian, bicycle, and public transit activity". The proposed development is designed to promote pedestrian, bicycle, and public transit activity at a location that can accommodate higher densities.

4. The proposed zoning is compatible with surrounding uses including the mixed use development to the north and commercial use to the east and west. The design of the building takes into consideration the lower density uses to the south and east by incorporating door and window openings and balconies to break up the massing and setting back some of the building mass of the upper floors along Hague Avenue. Access to the residential portion of the site will be from Hague which will introduce more traffic on the street than at present. The developer is working with Public Works staff and a Union Park task force of area neighbors to address transit, traffic, and pedestrian safety concerns as plans for development progress.
5. The petition for rezoning was found to be sufficient on May 31, 2018: 21 parcels eligible; 14 parcels required; and 17 parcels signed.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of O'Gara Properties LLC to rezone from RT1 two-family residential and T2 traditional neighborhood to T3 traditional neighborhood for property at 164 Snelling Avenue North and 155-1559 Hague Avenue be approved.

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WHEREAS, Daniel O’Gara, File #18-066-193, has applied for a conditional use permit for a building height up to 62 feet, under the provisions of § 66.331(g) of the Saint Paul Legislative Code, on property located at 164 Snelling Avenue North and 1551-1559 Hague Avenue, Parcel Identification Numbers (PIN) 03.28.23.22.0159, 03.28.23.22.0127, 03.28.23.22.0126, 03.28.23.22.0125, legally described as Ex the N 72.10 ft. Lots 10-12, & Lots 13-23, Block D, Blocks E & D Boulevard Addition; and

WHEREAS, the Zoning Committee of the Planning Commission, on June 21, 2018, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing, as substantially reflected in the minutes, made the following findings of fact:

1. The applicant owns the property and is petitioning to rezone it from RT1 and T2 to T3 and obtain a conditional use permit (CUP). The applicant is working with a developer to create a mixed use development that includes market rate apartments and a new, smaller, O’Gara’s restaurant and bar at the corner of Selby and Snelling. In addition, office/co-working space is planned on the first floor in the portion of the building fronting along Snelling Avenue. The proposed design includes a five-story building with 163 apartment units plus amenity space, 4,116 square feet of retail space for the new restaurant, and 205 parking stalls. Three affordable apartment units (at 60 percent AMI) are planned for the building. Off-street parking for the retail space will be in an exterior structured lot that is accessed off of Snelling Avenue. Residential parking, accessed off of Hague Avenue, will be in two areas, one level of below grade parking and one level of parking located behind the townhome units fronting on Hague Avenue. Stormwater management improvements are incorporated into the design; currently there is no active management on site. Construction is anticipated to being in fall 2018.
2. The applicant requests a conditional use permit to allow a building height of up to 62’. The tallest projected height is 60’2” but the applicant requests the 62’ to provide some flexibility as plans proceed in case minor adjustments are needed. T3 dimensional standards limit the height of mixed use buildings to 55 feet and allow additional height by right with larger setbacks from side and rear property lines.

Under T3 zoning the portion of the building along Snelling Avenue has a 0’ setback and is

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allowed to be 55' by right; a CUP is needed for the additional height proposed along that frontage to allow a projected height of 59'5". The same situation applies for the frontage along Selby Avenue, 0' setback and a projected building height of 58'3".

Where the building abuts commercially zoned land along Hague Avenue and there is a 0' setback, a CUP is needed for the additional height above 55'; 60'2" is projected. Where the building abuts residentially zoned land along Hague Avenue and the setback of the first floor ranges from 3' to 5' a CUP may not be needed for the upper floors because the building massing is stepped back 34.5', allowing a building height of 58'8" by right. Where the building abuts residentially zoned land to the south across Hague and the setback is 0', a CUP is needed for the additional of height above 25' to allow the projected 57'3" building height here. Along the eastern boundary abutting residentially zoned land where the setback is 36 feet, a CUP may not be needed because the proposed building height here, approximately 57'3", can be achieved by right with the proposed setback. A graphic depicting building heights and setbacks is attached to the staff report.

3. Zoning Code §61.501 lists five standards that all conditional uses must satisfy:

(a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The property is located in a mixed use corridor, a primary thoroughfare in the city that is served by public transit, including bus rapid transit on Snelling and high frequency bus service on Selby. Land Use Policy 1.23 states, "Guide development along mixed use corridors. The City should recognize community circumstances and preferences as stated in City adopted summaries of small area plans and district plans, while still providing additional housing opportunities at densities that support transit." Land Use Policy 1.25 states, "Promote the development of more intensive housing on mixed use corridors where supported by zoning that permits mixed use and multi-family residential development." Land Use Policy 1.26 states, "Permit residential development at densities of 30-150 units per acre." The proposed development is about 133 units per acre, a density that supports transit. Policies of the Union Park Community Plan include: LU1.1 "Maintain and establish zoning that encourages compact development in commercial areas and in mixed-use corridors"; LU2.3, "Ensure that new development fits within the character and scale of adjacent neighborhoods"; H1.1 "Support multi-unit mixed-use development in mixed-use corridors that can accommodate higher density levels, while minimizing impacts on adjacent lower density areas, and discourage multi-unit housing and retail uses that are incompatible with single-family residential areas"; and H1.3 "Support housing development designed to promote pedestrian, bicycle, and public transit activity". The proposed development is designed to promote pedestrian, bicycle, and public transit activity at a location that can accommodate higher densities. It is separated from adjacent RT1 two-family residential areas by a street to the south and a large setback to the east, minimizing impact on these areas.

The additional building height proposed allows for increased density on the site, which is supported by the comprehensive plan. This is a large site along a primary thoroughfare served by transit. The brick accents on the building exterior near the corner of Selby and Snelling evoke a sense of the brick exterior of the existing building and restaurant and help to break up the massing of the structure as do door and window openings at street level and balconies and railings on upper levels. Much of the building mass of the upper floors along Hague is setback where an outdoor amenity area is planned.

(b) *The use will provide adequate ingress and egress to minimize traffic congestion in the*

public streets. This condition is met. The developer is working with Public Works staff and a Union Park task force of area neighbors to address transit, traffic, and pedestrian safety concerns as plans for the site progress. A travel demand management plan (TDMP) and traffic impact study are required as part of the site plan review process. MnDOT is also involved in traffic discussions because Snelling is a state highway. Minnesota Moves, formerly known as Transit for Livable Communities is also reviewing the plans.

Public Works is considering installation of medians in the center of Snelling Avenue to separate north and southbound traffic lanes. The developer is coordinating with Public Works to ensure that ingress and egress will be adequate if medians are constructed as this would prevent southbound left turns to the site either from Snelling or at Hague. Off-street parking for the retail space will be in an exterior structured lot that is accessed off of Snelling Avenue. Residential parking, accessed off of Hague Avenue, will be in two areas, one level of below grade parking and one level of parking located behind the townhome units on the ground floor. The developer plans to provide at least 22 secure bicycle spaces and manage on-site one shared vehicle for residents and neighbors.

An existing curb cut along Selby Avenue that provides access to a space that functions like an alley between O'Gara's building and Neighborhood Café but is privately owned property will remain. Plans for use of the space are still being discussed and may include an outdoor patio for both restaurants with a gate along the Selby sidewalk. The space may also provide access for delivery, waste, and recycling vehicles, which would likely enter on Snelling and exit on Selby. Access for emergency vehicles will be from street frontages.

- (c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The Selby and Snelling area is a thriving urban neighborhood along two arterial streets. Snelling carries 30,000 to 40,000+ vehicles per day and Selby about 14,000. Public transit that serves the site is designed to accommodate higher density; it is served by the A Line BRT and regular bus service, with close proximity to the Green Line at University Avenue. The proposed mixed use development is in keeping with the character of development and is an appropriate use for the mixed use corridor that calls for high density development along thoroughfares served by public transit. Streetscape improvements including additional plantings between the road and sidewalk are planned to create a safer, more visually interesting pedestrian experience.
- (d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The proposed use will not prevent future development that is consistent with the Comprehensive Plan and existing zoning. A shadow study was submitted as part of the conditional use permit application to help assess the impact of the additional height of the building.
- (e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* Subject to the proposed rezoning of property from RT1 and T2 to T3, the use will conform to all other applicable T3 district regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Daniel O'Gara for a conditional use permit for a building height up to 62 feet at 164 Snelling Avenue North and 1551-1559 Hague Avenue is hereby approved, subject to the following conditions:

1. Rezoning of the site from RT1 and T2 to T3.
2. Final plans approved by the Zoning Administrator for this use as part of the site plan review process, including a travel demand management plan and traffic impact study approved by the Department of Public Works, shall be in substantial compliance with the plan submitted and approved as part of this application.



UNION PARK DISTRICT COUNCIL
1821 University Avenue, Suite 308, Saint Paul, MN 55104
651.645.6887 | info@unionparkdc.org | www.unionparkdc.org
An Affirmative Action, Equal Opportunity Employer

June 19th, 2018

Dan Edgerton, Zoning Committee Chair
City of Saint Paul
15 Kellogg Blvd. West
St. Paul, MN 55102

Mr. Edgerton and Committee Members:

At its regular meeting on June 18th, 2018, the Union Park District Council Committee on Land Use and Economic Development reviewed the following requests from O’Gara’s regarding their proposed redevelopment as presented by Joseph Peris and Tom Rehwaldt on behalf of Ryan Companies; Excelsior Group:

-O’Gara’s request to rezone from RT1 two-family residential and T2 traditional neighborhood to T3 traditional neighborhood zoning

As well as:

-O’Gara’s request for a conditional use permit for a building height variance up to 62 feet (55 feet permitted in T3 zoning).

The Committee voted to support both of these requests. The former with a vote of 12 for, 7 opposed and 1 abstention and the latter with a vote of 12 for and 8 opposed.

Please let me know if you have any questions.

Sincerely,

Brandon Long, Executive Director
Union Park District Council

From: Heidi Raatz
To: Dadlez, Kady (CI-StPaul); #CI-StPaul_Ward4
Subject: File # 18-065-972 and 18-066-193 O'Gara's Mixed Use Development
Date: Tuesday, June 19, 2018 9:29:50 AM

19 June 2018

Re: File # 18-065-972 and 18-066-193

Dear St. Paul Planning Commission Zoning Committee, St. Paul City Council Ward 4,

I am writing in opposition to the request for Rezoning from RT1 two-family residential and T2 traditional neighborhood to T3 traditional neighborhood and conditional use permit for building height up to 62 feet for the O'Gara's Mixed Use Development (O'Gara's and Ryan Companies) at the property addresses of 164 Snelling Ave. N. and 1551-1559 Hague Avenue (NE corner of Snelling and Hague).

This development as proposed by Ryan Companies is out of character with the surrounding historic neighborhood, will destroy three 100+ year old homes, and will negatively intrude into and impact the immediate neighborhood. Allowing this rezoning and conditional use permit opens the door for more of the same. More out of scale cookie cutter "market rate" apartment developments intruding into, gentrifying, and forever changing the historic nature of our St. Paul neighborhoods. We need responsible development in our neighborhood. We deserve development which emphasizes creative building approaches, adaptive re-use of existing historic properties, support of local small businesses, and a genuine commitment to livability for existing neighborhood residents and local small business owners.

Further, we believe the O'Gara's Mixed Use Development request does not meet all the required conditions for a conditional use permit as outlined in the city code, which states:

- (d) The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.
- (e) The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The code also states that the city must protect adjacent properties.

We respectfully ask you to deny this request for rezoning to T3 and conditional use permit for a building height up to 62 feet for O'Gara's Mixed Use Development.

Sincerely,

Heidi Raatz and Thomas Bertilsson
Homeowner and Resident
1537 Hague Avenue
St. Paul, MN 55104

Please Note: this letter is also being mailed to the Zoning Committee. As we are unable to attend the Public Hearing (Thursday 21 June 2018 at 3:30pm) in person, we wanted to ensure that our comments on this matter are heard in advance of the hearing.

From: Pete Clasen
To: Dadlez, Kady (CI-StPaul)
Subject: re: Public Hearing for rezone for O'Gara's development
Date: Tuesday, June 19, 2018 7:59:47 PM

Dear Ms Dadlez,

We are writing as 40+ years property owners at 1554 Hague to express our concerns about the rezoning and conditional use permit for the O'Gara project at Snelling and Selby and Hague Avenues.

We support developing the site and know that it will improve the corner.

However, the detailed plans and elevations were only distributed to the Union Park District Council via email on June 16th. The meeting to discuss the plans was very short and did not address the concerns of the community present.

When Dan O'Gara approached us earlier this year, he said there were no plans for a pool in this facility. The detailed plans have revealed a second floor "Outdoor amenity area" on the roof of the first floor apartments facing Hague Ave including a pool of some kind and an adjoining indoor party room. We are concerned about the noise level of party attendants for the neighborhood residents. This issue and the additional building height were not given enough discussion at the UPDC land use committee meeting June 18. (See following email to UPDC.) Although O'Gara's have been good neighbors, late night noise and activity has been an issue in the past. We had hoped the noise issue would disappear with the new building. Now we are looking at the potential of an outdoor party area reflecting noise off a tall building across the street.

We ask that you delay the rezone vote to allow more discussion after receiving the detailed plans or add conditions for use and a physical barrier from Hague other than foliage. Please forward this to the zoning committee as we are unable to attend due to work schedules.

Thank you for your consideration,
Mary Jo & Peter Clasen
property owners of 1554 Hague Ave and 1439 Goodrich Ave, our residence
Pete: 651.249.6499

Begin forwarded message:

From: Pete Clasen <peteclasen@gmail.com>
Subject: UPDC Land use meeting 6/18/2018
Date: June 19, 2018 at 6:43:25 PM CDT
To: brandon@unionparkdc.org, alexa@unionparkdc.org
Cc: dant@unionparkdc.org, dean.m.nelson@pjc.com

I have been to many of these meetings this year and in past years. Last night is the 1st time I felt the community was poorly treated and not given a proper amount of time to respond to the information being presented.

The agenda was too long considering the number of topics(3), the amount of information given, and the necessity of a quick decision on one of them. T

In the meeting agenda sent out 6/15, the information about the O'Gara's project included drawings and elevations not seen or presented before this time. We were not given enough time to discuss the new material.

The community present at the meeting were given 1min. to ask 1 or two questions and not allowed to discuss answers given....."because of time constraints of the Agenda".....

How can a committee discuss or come proper understanding of the heights and design and their impact on neighbors to south and east in that short time?

As a Property owner across Hague ave from the development I had many questions about what was presented in those plans and elevations not talked about or considered at that meeting including the second floor open roof top pool area and party room across from the residential neighborhood.

The Action called for was a recommendation to the UPDC Board that the committee approved the rezoning and conditional use permit requests to the zoning committee.

That zoning meeting is only three days after UPDC land use meeting. Will the UPDC Board of directors meet and discuss? Did the letter go to the City Zoning Committee ?

I am very disappointed with the very short timeframe: 6/15 agenda,... 6/18 meeting with recommendation to UPDC Boardno Board meeting ... and 6/21 zoning committee hearing

Yes, O'Gara's/Ryan have presented at past meetings the plans and drawings and yes many of us are in favor of this development, but what about properly considering all the details and in a more timely and thoughtful discussion!!! Are We Letting Developers Dictate Time Lines and Agendas?.....As a Property owner I'm not feeling represented by this committee..... I would like this addressed at the next UPDC land use meeting..... Peter M Clasen owner 1554 Hague ave 55104 peteclasen@gmail.com

Wynn Barber
Karma Boutique
1591 Selby Ave
St. Paul, MN

Tuesday, June 19, 2018

To Whom It May Concern,

As a business owner in the area and the President of our business association, I am completely behind the new construction at O'Gara's. Building something new and better will only increase the value of the experience that people have when they visit our area, and will make this a more viable neighborhood for the residents.

I know I can speak for all of the members when I say that we approve of this development and specifically the request to rezone from RT1 two-family residential and T2 traditional neighborhood to T3 traditional neighborhood, and the request for a conditional use permit for a building height of up to 62 feet.

Sincerely,
Wynn Barber
President
Selby Snelling Area Business Association



Building A

Stronger Midway

President's Circle

Envision Catering & Hospitality

Hiway Federal Credit Union

Mille Lacs Corporate Ventures

Sunrise Banks

UPS

Warners' Stellan

Wellington Management

Western Bank

Xcel Energy

Director's Circle

American Engineering Testing, Inc.

Colliers

Hamline University

Hubbard Broadcasting, Inc.

Intermix Beverages

Loucks

McDonald's

Old National Bank

Riverland Bank

Royal Credit Union

Seven Corners Printing

Saint Paul Port Authority

Thrivent Financial

Associate's Circle

Ally People Solutions

Associated Bank

Bywater Business Solutions

Clever Architecture

Episcopal Homes

FastSigns- Roseville

Ideal Printers, Inc.

Mahoney Ulbrich Christiansen & Russ, P.A.

Mendoza Law, LLC

Mortenson Construction

St. Paul Saints Baseball Club



June 21, 2018

Saint Paul Planning Commission- Zoning Committee
25 West 4th Street
City Hall Annex
Suite 1400
Saint Paul, MN 55102

Members of the Saint Paul Planning Commission Zoning Committee,

The Midway Chamber of Commerce writes in support of the redevelopment of O'Gara's, specifically the request to rezone from RT1 two-family residential and T2 traditional neighborhood to T3 traditional neighborhood, and the request for a conditional use permit for a building height of up to 62 feet.

As a Chamber of Commerce, we believe this project will benefit the business community by bringing in additional residents. In speaking with neighboring businesses, we have found they also see the added benefit of more density. We also believe O'Gara's has been very thorough in seeking community input, by talking to other businesses, the district council and residents.

Sincerely,

A handwritten signature in blue ink that reads "Chad Kulas".

Chad Kulas
Executive Director
Midway Chamber of Commerce

Spruce Tree Centre • Suite #301 • 1600 University Avenue West • St. Paul, MN 55104
PHONE: (651) 646-2636 WEBSITE: www.midwaychamber.com

From: Kathryn McGuire
To: Englund, Cherie (CI-StPaul)
Subject: Vote No on O'Gara/Ryan request for upzoning
Date: Thursday, June 21, 2018 10:50:31 AM

Members of the Zoning Committee,

I am writing at this time to state my opposition to the request by Dan O'Gara and Ryan Companies to up zone the properties at 164 Snelling Avenue N. and the properties at 1551 - 1559 Hague Avenue. I also wish to state my opposition to their request for a conditional use permit to extend the height of the building.

Up zoning these properties will overpower the Snelling Selby intersection, and this is NOT in keeping with the original zoning plan. That corner was zoned T2 for a reason. To allow property owners and developers to obtain up zoning and conditional use permits with ease will create a house of cards on Snelling Avenue. The up zoning and conditional use permit WILL be detrimental to the character of development in the area of single family homes. The citizens of this community deserve a better plan.

To destroy a historic building and single family homes that are completely habitable is wasteful and environmentally unsound. To ignore the impact to the surrounding community of single family homes is disgraceful. This is not the first time that Saint Paul has made poor decisions that are later viewed with deep regret, and it is not the first time it has sacrificed communities to appease special interests. That is unspeakable.

As a lifelong resident of Saint Paul, I am completely disgusted with the current leadership in this city. I am appalled by the ease with which decisions are made to pursue a political agenda and appease special interests at the expense of citizens. I urge you to represent the interests of ALL citizens and deny these requests.

Kathy McGuire
2203 Fairmount Avenue

From: Bell, Marsha R
To: Englund, Cherie (CI-StPaul)
Subject: PRIORITY O'Gara Upzone and CUP
Date: Thursday, June 21, 2018 1:18:01 PM
Importance: High

Cherie,

Please send this email today to the Zoning Committee Members.

To Zoning Committee Members:

This email is to inform you that I oppose Mr. Dan O'Gara's and the Ryan Company's request to increase the zoning at 164 Snelling Ave. N. and 1551-1559 Hague Avenue properties and oppose their request for CUP (conditional use permit) to increase the height of the building.

This corner was zoned a T2 and it should remain a T2. The T2 made sense because it is an extremely busy area of Highway 51 (Snelling Ave) and Selby Ave. It is also close to the Hwy 94, the upcoming stadium and the use of Ayd Mill Road! I am shocked that this is being discussed because that corner is always congested —unsafe for the pedestrians/bikes and vehicles! It's a nightmare getting on the freeway! I highly suggest that the Zoning members take time to visit that area at various times of the day/evening before making any decisions and please consider the additional traffic of the future – coming in from all directions!!

NO DECISIONS SHOULD BE MADE WITHOUT A TRAFFIC AND SAFETY STUDY BEING COMPLETED BY AN REPUTABLE, INDEPENDENT COMPANY – NOT AFFILIATED WITH THE CITY OR THE COMPANIES INVOLVED - It is worthless information if it is not done correctly and honestly. It should've been done last year!

I know many young adults who moved to the Minneapolis area because of the tall buildings and the exciting "feel" of the busy city – Minneapolis is the best place to live! After about 2 years they ALL have moved back to St. Paul stating it's a much better place – they don't want the huge apartment buildings and non-stop traffic problems – they love the "neighborhoods" we have in our great city!! We all should be protecting our neighborhoods. Don't ruin what we have – oppose the request to increase the zoning and the request for the CUP!

Thank you,

Marsha Bell
1548 Goodrich Ave



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Englund, Cherie (CI-StPaul)

From: rejuv-a-home <rejuv-a-home@mindspring.com>
Sent: Thursday, June 21, 2018 1:46 PM
To: EDWARD Conley; Englund, Cherie (CI-StPaul)
Subject: O'Gara's support

Follow Up Flag: Follow up
Flag Status: Flagged

Sent from my Verizon, Samsung Galaxy smartphone

For the record we would like to share our enthusiastic support of the proposed rezoning and conditional use permit for the development at 164 Snelling Avenue in St. Paul.

We are the owners of the properties comprising the the north side of Selby Avenue at Snelling Avenue and west to Fry Street, north and west of the proposed development.

O'Gara's has been a great neighbor for the more than 12 years of our ownership. As members of the area business association, they have supported numerous area projects to promote community and safety to the neighborhood.

Ryan companies entered the neighborhood with an impressive and successful development in The Vintage at the north east corner of Snelling and Selby Avenues. They were sensitive to the neighbors and their needs. We appreciated especially their concern and solutions for existing and future parking, traffic and safety issues.

We strongly believe in another beautiful and vibrant addition to our neighborhood.

Sincerely,

Ed and Sara Conley
1581 Selby Avenue
1595 Selby Avenue
1599 Selby Avenue
1605 Selby Avenue
1607 Selby Avenue
1611 Selby Avenue
1615 Selby Avenue
1619 Selby Avenue
1623 Selby Avenue
1625 Selby Avenue

Sent from my Verizon, Samsung Galaxy smartphone