

OPPOSITION

Name	Organization	Address
Youngquist, Bonnie		1170 Churchill Street, Saint Paul
Koskela, Linda		1125 Argyle St, Saint Paul
Dooley, Erin		1035 Van Slyke Ave, Saint Paul
Thole, Jeffery		810 W Idaho Ave, Saint Paul
Greenwood, Steven		1111 Argyle, Saint Paul
Burnison, Mary		1131 Argyle, Saint Paul
Connolly, Michael		993 Chatsworth St N, Saint Paul
Greene, Ronald		1015 Van Slyke Ave, Saint Paul
Anderson, Kris and Kevin		1029 Van Slyke Ave, Saint Paul
Alberico, Teri		1023 Como Ave, Saint Paul
Cox, Sara & Ryan		1152 Churchill St, Saint Paul

Langer, Samantha (CI-StPaul)

From: Bonnie Youngquist <bonnie.youngquist@comcast.net>
Sent: Thursday, December 13, 2018 10:16 AM
To: Williams, Josh (CI-StPaul); Anderson, Tia (CI-StPaul)
Cc: Corrie, Bruce (CI-StPaul)
Subject: Concerned neighbor - public testimony against TCGIS proposed variances
Attachments: Variance Request Public Hearing letter from concerned neighbor.pdf

Hello Josh, Tia and Dr. Corrie,

I live across the street from TCGIS and I am very concerned of the variance requests. I've done my homework and I hope you can take the time to review the attached document. I am also concerned about an expanding public charter school whose demographics are not representative by St. Paul. The destruction of a historic church, the social hub of working class immigrants is heart-breaking.

Thank you for allowing public comment as part of this process.

December 12, 2018

To: Josh Williams, Tia Anderson
CC: Dr. Bruce Corrie

Dear Josh and Tia:

I am not aware of another school in St Paul that has proposed 650 students on a parcel of 1.74 acres. TCGIS has outgrown the reasonable density of a school in a R-4 zoned, residential neighborhood. Their failure to correctly forecast their long-term needs is not the fault of those of us who tolerate/live with daily excessive traffic. There are reasons why building codes exist, to prevent situations like this. The parking variance requested is very high by all standards, with no means of enforcing once the variance is granted.

The residential and historic neighborhood should not continue to carry the burden of TCGIS leadership's failure to have chosen the right site to begin with in the first place given their desire to expand. Variances requested are not due to circumstances unique to the property – they are due to choices.

Bob Spaulding, a former Planning Commissioner and Zoning Committee member, has struggled with drivers speeding past the extended arm of his son's school bus repeatedly. This is an ongoing safety issue.



Bob Spaulding Thanks for being proactive Amy! I was going to check in w/ SPPS transport folks but was advised by experience of my SPPS-employed wife to let the early busy weeks pass for them for best chance of being heard. But an ask from Councilmember seems likely to cut through much of that dynamic, so very helpful!

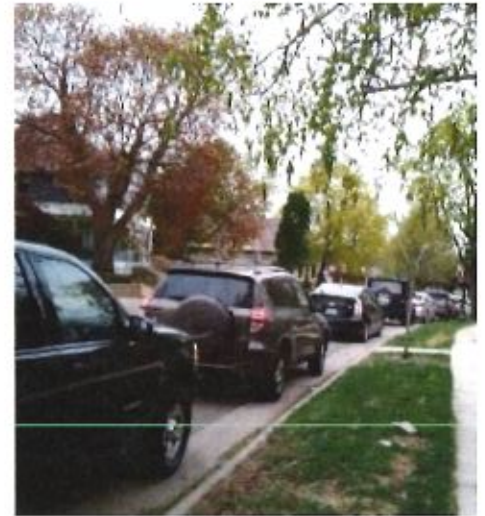
To clarify, the problem I'm having now is at Como and Churchill in afternoons (we use Discovery Club in mornings). We have to cross Como, and over the years we've experienced more times than we can count, probably approaching a couple dozen times, cars blow through the many flashing lights and outstretched stop arm of my kid's bus. Reasonable to infer based on who I see in the car in many even maybe most cases those are TCGIS parents dropping off or picking up themselves.

I'm open to any way to change SPPS's bus drop off to make it safer - each choice for us would seem to bring problems, but there may be better and worse options and their transport folks could evaluate better. Could move drop off to Churchill and Horton for example, avoiding crossing the street, but then you conflict with parents waiting in the parent pickup line, at bigger and more confused intersection.

Biggest challenge is # of cars coming and going right then in area due to parent pick up at TCGIS. Maybe the corollary biggest challenge is current lack of TCGIS involvement in the conditions their transport system creates at corners of their block. Until that disconnect changes (and maybe it is now) it limits our options to address issues. What I mean specifically when I say that is I've never seen staff anywhere near the either the Como nor Horton corner w/ Churchill (the stop was there when our street was torn up) though school is just 150 feet down the block; I'm hazy on history but I thought there was more expectation staff be out there so not certain what to expect from school. And wholly agreed, crossing guards would be a huge improvement. I'm wired to focus on solutions, but until I sense/see a clear opening for action, I see my role as voicing the need for change, and offering alternatives.

TCGIS Proposed Parking Variance

- TCGIS plans to reduce the number of off-street parking spaces from 33 to 26 even though many residents have been working with District 10 to resolve this issue. This does not constitute as a practical difficulty, it's a choice.
- Granting a variance for a 37 parking spaces is significant that in part relies on an annual lease and should not be permitted.
- Approval of the parking variance request will not lessen congestion in the public streets by providing for off-street parking of motor vehicles or prevent overcrowding of land and undue congestion of population.
- The TCGIS traffic study includes Jessamine, while within the 500-foot distance, staff seldom if ever park there, they park closest to the school. Using those parking spaces inflates the number of available spaces. The 13 residences who live adjacent to TCGIS and those across the street will be impacted.
- The parking variance becomes part of the property with no end date and would be transferable to subsequent property owners.
- Proposed parking variance is not in harmony with the general purposes and intent of the zoning code.



On Van Slyke, the south side of TCGIS consist of cars in the queue to drop-off and pick-up students. As shown to the right, the north side of Van Slyke – both parking and traffic is tight.

Double-parking for drop-off and pick-ups exacerbate current traffic congestion as noted below.



Maximum capacity for parking on the north side of Van Slyke is 23 cars, allowing approximately 37 more on-street parking would not *“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 south side of VanSlyke is dedicated to the queue.

Traffic patterns from the last 5 years indicate that traffic flow and parking are problems jointly. Note that the photo below shows not only parking on the street to the right, but also a blocked intersection.



TCGIS Proposed Lot Size Variance

The requested variance for lot coverage carries with it a disproportionate impact. TCGIS is asking for something bigger than what it seems, the destruction of an eligible historic resource, St. Andrew's, altering the essential character of the Warrendale neighborhood, and additional traffic and parking burden.

The variance request is due to TCGIS choices to maintain class size (24) and playground size while increasing the number of classes and green space. These are not circumstances unique to the property, there are no practical difficulties. Expanding the lot size means more traffic, more congestion that fails the intent of City code.

In comparison to other schools in the area, TCGIS supports significantly more students on a significantly smaller site (see table below).

School	Size	Student Enrollment
TCGIS	1.78 acres	648 students
Great River School	3.4 acres	422 students
Chelsea Heights Elementary	3.79 acres	469 students
Murray Middle School	4.40 acres	693 students
Como Park Elementary	4.90 acres	508 students
Crossroads Elementary	8.43 acres	332 students

TCGIS— 648 students on 1.78 acres adjacent to 13 residences



Expansion plans to support roughly twice the number of students per unit area of any elementary school located in any Established Neighborhood in St. Paul is overcrowding and undue congestion.

We had too many afternoon bus drop off car scares at that intersection. So now I do parent pickup.

Like Reply · 6d

I hated having Lars cross Horton in the morning when he went to Chelsea. Between the traffic and the sun in the eyes of on coming cars.

Like Reply · 6d

Back when our kids were bussing I was able to convince whoever was in charge to both pickup and drop off our kids on north side of Churchill. They hate it because bus has to go around block on one trip to do it, but they agreed it was not safe to cross Horton. (Back then there was no painted crosswalk though)

this is no joke. I almost got hit a few times crossing Horton from North Churchill to the South Churchill bus stop for my 4 yo.

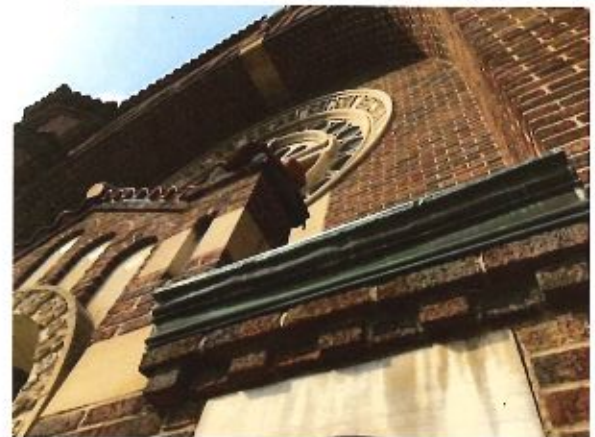
Like Reply · 6d

TCGIS Proposed Height Variance

The requested variance for a height variance is a small percent but it carries with it a disproportionate impact. TCGIS is asking for a variance that allows for the destruction of an eligible historic resource, St. Andrew's, altering the essential character of the Warrendale neighborhood. The demolition of St. Andrew's is not consistent with the Comprehensive Plan that the City should *"Prioritize the retention of designated historic resources (or those determined eligible for historic designation) over demolition when evaluating planning and development projects that require or request City action, involvement, or funding."*



Concern exists about the need for mechanicals on the roof, which are generally noisy that would be problematic in a residential neighborhood.



The proposed variance does not meet the requirement to prevent the overcrowding of land and undue congestion of population.

TCGIS has the option for adaptive reuse, however they repeatedly refuse. TCGIS's need for a variance is not due to physical characteristics unique to this property, it's due to choices made.

Based upon the determination of eligibility for historic designation, St. Andrew's is a neighborhood landmark and part of the essential character of the surrounding area.

Respectfully submitted,

Bonnie L. Youngquist
1170 Churchill Street
St. Paul, MN 55103

As a member of the Warrendale community, I am writing to request your opposition to the proposed three variances required for the proposed expansion at the Twin Cities German Immersion Site. We oppose these variances because of the irreversible impact that they will do to our neighborhood. We seek you to protect the character of the unique community that is Warrendale and we need your support.

VARIANCE 1: HEIGHT VARIANCE

The requested variance for height is small but it carries with it a disproportionate impact.

- The proposed variance does not meet requirement (n) from section 60.103 of the zoning code "to prevent the overcrowding of land and undue congestion of population." In comparison to other schools in the area, TCGIS supports significantly more students on a significantly smaller site. Once completed, the expansion plans to support roughly twice the number of students per unit area of any elementary school located in any Established Neighborhood in Saint Paul. Please also take into consideration that this site is adjacent to thirteen residences.
- The proposed variance does not meet requirement (n) to prevent the overcrowding of land and undue congestion of population. In comparison to other schools in the area, TCGIS supports significantly more students on a significantly smaller site. Once completed, the expansion plans to support roughly twice the number of students per unit area of any elementary school located in any Established Neighborhood in Saint Paul. We should also take into consideration that this site is adjacent to thirteen residences.
- The landowner's problem is due to the desire to expand staff and student populations while maintaining lot size, class size, and playground size. They also plan to increase the number of classes and amount of green space while constructing a new gymnasium. These are choices, not circumstances unique to the property.
- The Warrendale neighborhood is a residential and historic neighborhood. Even though the fate of the former Church of Saint Andrew's does not depend solely on the granting of this variance request, the interdependency of the two cannot be dismissed. This structure is a neighborhood landmark and part of the essential character of the surrounding area.

VARIANCE 2 – BUILDING COVERAGE VARIANCE

The former Church of Saint Andrew's is a neighborhood landmark.

- The former church of Saint Andrew's has been a defining landmark of the neighborhood since 1927 and the scale of the structure relative to surrounding properties has established its role in defining neighborhood character. The proposed variance enables the demolition of this building and replacement of the structure with new construction of comparable scale. Such a move would irrefutably alter the historic character of the Warrendale neighborhood.
- The former church of Saint Andrew's has been a defining landmark of the neighborhood since 1927 and the scale of the structure relative to surrounding properties has established its role in defining neighborhood character. The proposed variance enables the demolition of this building and replacement of the structure with new construction of comparable scale. Such a move would alter the historic character of the Warrendale neighborhood.
- The property owner can use the property in a reasonable manner without the variance. The property is currently being used as a school.

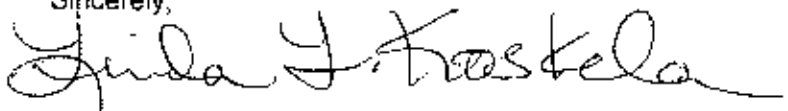
VARIANCE 3: PARKING

There has been a school in our neighborhood since 1920. We value the important contribution that a school brings to our neighborhood, but we also respect and value our heritage.

- The proposed variance does not meet requirement (g) of section 60.103 of the zoning code "to lessen congestion on the public streets by providing off-street parking of motor vehicles and for off-street loading and unloading of commercial vehicles." A variance request of 37 cars is an extraordinary request. For comparison, the entire capacity of the north side of Van Slyke Ave. is 23 cars. All the plans presented so far that might manage parking are flawed. The closest parking spaces at the Como Pool lot are 1,200 ft. away from the nearest door; the closest parking spaces on Jessamine Avenue is 800 ft. away from the nearest door.
- The proposed variance is not in agreement with Land Use section 1.5 of the Comprehensive Plan which states the city should maintain the character of Established Neighborhoods. The Warrendale neighborhood is zoned R4 and defined by the Comprehensive Plan as an Established Neighborhood of medium density. Warrendale is a residential and historic neighborhood.
- The Warrendale neighborhood is a residential and historic neighborhood. For years now, the neighborhood has addressed issues with the impact of the school on the surrounding area through the District Council. The relationship between the school and the neighborhood has suffered because of the current size of the school. If granted, this variance would stipulate that roughly three dozen cars will be required to park an uncomfortable distance away or to seek out street parking in the area adjacent to the school. This requirement can only exacerbate current difficulties.
- Even if the TCGIS' traffic study indicates ample on-street parking in Warrendale, on street parking cannot be used as a substitute for off street parking. Data also exists indicating the need for parking control in the local nearest the school building. Without a forceful, practical and permanent plan for parking enforcement, this request to dismiss the need for required parking is impractical.

Please consider the impact to the residential and historic neighborhood of Warrendale and reject these variance requests.

Sincerely,



Linda L. Koskela

1125 Argyle St.

St. Paul, MN 55103

Langer, Samantha (CI-StPaul)

From: Erin Dooley <emdooley1965@gmail.com>
Sent: Thursday, December 13, 2018 12:04 PM
To: Williams, Josh (CI-StPaul); Anderson, Tia (CI-StPaul)
Subject: Neighbor seeking support for parking issues related to TCGIS

Zoning Board Committee

City of St. Paul Planning Commission

Via Email

As a member of the Warrendale community, I am writing to request your opposition to the proposed three variances required for the proposed expansion at the Twin Cities German Immersion Site. We oppose these variances because of the irreversible impact that they will do to our neighborhood. I am writing today to seek your support in protecting the character of the unique community that is Warrendale.

While I have concerns about the overall height after the construction, once the heating and cooling systems are in place, I don't have a major opposition to the height variance. As a citizen with a strong mind toward environmentalism, I do have some concerns about the increased lot coverage. Moving to 36% coverage is a 1 percentage point increase, but the result is actually almost 3% (1 is 2.86% of 23), however, I realize that this higher number is also minimal.

My true concern is variance 3: Parking. From my understanding, there is a request for 37 out of 87 required spaces. Until the recent D10 Land Use Committee meeting, I was under the impression (based on attending TCGIS Board meetings) that they were intending to rent spaces at McMurray field. It is now my understanding that the intent is to simply utilize neighborhood streets to accommodate. This brings a variety of issues for the very local residents from lack of parking near our homes, to issues with traffic flow during drop off and pick up times, to blocking MTC bus stops. I feel that these issues would be greatly reduced if the school were to utilize a more "official" parking arrangement.

Here are some additional thoughts about zoning particulars.

There has been a school in our neighborhood since 1920. We value the important contribution that a school brings to our neighborhood, but we also respect and value our heritage.

- The proposed variance does not meet requirement (g) of section 60.103 of the zoning code "to lessen congestion on the public streets by providing off-street parking of motor vehicles and for

off-street loading and unloading of commercial vehicles.” A variance request of 37 cars is an extraordinary request. For comparison, the entire capacity of the north side of Van Slyke Ave. is 23 cars. All the plans presented so far that might manage parking are flawed. The closest parking spaces at the Como Pool lot are 1,200 ft. away from the nearest door; the closest parking spaces on Jessamine Avenue is 800 ft. away from the nearest door.

- The proposed variance is not in agreement with Land Use section 1.5 of the Comprehensive Plan which states the city should maintain the character of Established Neighborhoods. The Warrendale neighborhood is zoned R4 and defined by the Comprehensive Plan as an Established Neighborhood of medium density. Warrendale is a residential and historic neighborhood.
- The Warrendale neighborhood is a residential and historic neighborhood. For years now, the neighborhood has addressed issues with the impact of the school on the surrounding area through the District Council. The relationship between the school and the neighborhood has suffered because of the current size of the school. If granted, this variance would stipulate that roughly three dozen cars will be required to park an uncomfortable distance away or to seek out street parking in the area adjacent to the school. This requirement can only exacerbate current difficulties.
- Even if the TCGIS’ traffic study indicates ample on-street parking in Warrendale, on street parking cannot be used as a substitute for off street parking. Data also exists indicating the need for parking control in the local nearest the school building. Without a forceful, practical and permanent plan for parking enforcement, this request to dismiss the need for required parking is impractical.

Please consider the impact to the residential and historic neighborhood of Warrendale and reject these variance requests.

Sincerely,

Erin Dooley

1035 Van Slyke Ave

St Paul MN 55103

Langer, Samantha (CI-StPaul)

From: Jeffery <jthole@juno.com>
Sent: Thursday, December 13, 2018 8:28 AM
To: Anderson, Tia (CI-StPaul)
Subject: Please OPPOSE the TCGIS variances

Tia Anderson
Zoning Board Committee
City of St. Paul Planning Commission

As a resident of district 10 St. Paul Como Park, I am writing to state my opposition to the three proposed variances requested by The Twin Cities German Immersion School. I oppose these variances because of the detrimental impact they will have on the surrounding residential neighborhood.

According to the TCGIS Website, TCGIS currently has 585 students on less than 1/2 city block of space. And according to statistics published by the Minnesota Association of Charter Schools, TCGIS already has the most dense student population in the City of St. Paul.

Please do not let an already bad situation get worse. The school property is completely surrounded by private residential homes in all directions. Additional noise, traffic and parking congestion is not acceptable.

Jeffery M Thole
810 W Idaho Ave.
St. Paul, MN 55117

Legendary Stockpicker Reveals His #1 Pick for 2019 tracking.legacyoffers.com
<http://thirdpartyoffers.juno.com/TGL3141/5c126c90b40676c9031dcst04vuc>

December 13, 2018

Zoning Board Committee

City of St. Paul Planning Commission

Re: Denial of Permit Variance Request by TCGIS, File No. #18-123865

To Whom It May Concern:

As a St. Paul, Warrendale resident since 1983, I am writing requesting that the three (3) Zoning Variance requests (parking, area and height) by Twin City German Immersion School (TCGIS) be denied, on the basis of Minnesota Statute 462.357. Here is the link to the Minnesota State Statute which governs city zoning and variances:

<https://www.revisor.mn.gov/statutes/cite/462.357>

I. Altering the essential character of the locality

a. Demolition of St. Andrews

Subd. 6., (2) states the following:

"... Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and **the variance, if granted, will not alter the essential character of the locality....**"

Historical designation of the building is not required by State Statute, in determining 'essential character' of the locality.

Approval of the three requested variances (parking, area and height) would permit the demolition of the former St. Andrews church, which will factually alter the essential character of the locality. The St. Paul Historical Preservation Commission (HPC) and staff determined that St. Andrews meet the following four (4) City Code - Section 73.05 requirements for historical designation:

- (1) Its character, interest or value as part of the development, heritage or cultural characteristics of the City of Saint Paul, State of Minnesota or the United States.
- (4) Its embodiment of distinguishing characteristics of an architectural or engineering type or specimen.

(5) Its identification as the work of an architect, engineer, or master builder whose individual work has influenced the development of the City of Saint Paul.

(7) Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood, community or the City of Saint Paul.

Three independent, professional groups have reviewed these findings: 1) The group of professional historical architects who wrote the initial report, led by Rolf Anderson, 2) The St. Paul HPC staff and 3) The St. Paul HPC Commissioners. Also, the 2007 book "AIA (American Institute of Architects) Guide to the Twin Cities" authored by Larry Millett states about St. Andrews:

"One of St. Paul's best Period Revival churches...."

This book and statement about St. Andrew was peer reviewed by a group of professional architects and architectural historians. There are multiple professionals who concur that St. Andrews is indeed unique, special, beautiful, and deserves historic designation.

***** Issuing any variance which permits the demolition of St. Andrews will alter the essential character of the locality and thus be in violation of Minnesota Statute 462.357, as HPC has concurred St. Andrews is historically eligible, as St. Andrews is an established and familiar visual feature of the neighborhood and its embodiment of distinguishing characteristics of an architectural *****

- b. Change from a small neighborhood, local school to a larger metropolitan school, with increased traffic problems, lack of parking and increased noise issues, results in change of character.

When TCGIS bought St. Andrews school, they had complete knowledge that the school was a 2 section per grade neighborhood school and the small lot size. St. Andrews was a neighborhood school, where children would either primarily walk, bike or take one of the school buses to St. Andrews. Heavy traffic flow and safety problems of long lines of cars for pickup or drop-off were non-existent at St. Andrews school. Also, the school was designed with nuns being teachers, as there was a convent next to the school. The convent was demolished, after St. Andrews school was merged with Maternity of Mary school in the late 1980's. The reason for convent demolition was that more parking, close to the church was needed for senior citizens and handicapped people.

TCGIS with their plans to expand from a 2 section per grade to 3 sections per grade are in fact changing the 'essential character of the locality' by the increase in student and staff population, increased traffic flow, increased need for parking space, and increased noise. Using the TCGIS design of 24 students per section, the total increase of the student population is 216 students ($9 \times 24 = 216$) from the original St. Andrews school design of 2 sections per grade. Also, additional staff are needed. TCGIS is no longer a neighborhood school, but rather a school that serves the entire Metro area; thus, resulting in a major increase in traffic flow. St. Andrew's school and local, curved, hilly streets were not designed heavy traffic flow, during pick-up and drop off-times, TCGIS is in fact changing the 'essential character of the locality'.

TCGIS has failed to address the total impact on the 'essential character of the locality' in their decision to expand from 2 sections to 3 sections per grade, which would include issues of increased traffic flow & safety, parking, noise and demolition of St. Andrews. TCGIS knew by at least February 2016, that the demolition of St. Andrews was a real possibility, as maintenance projects were put on hold per their 2016 Facilities Plan. The Warrendale/Como community was not informed of TCGIS demolition and expansion plans until April of 2018, and TCGIS essentially wants to 'steamroll' the project past the neighbors.

II. The plight of the landowner is due to circumstances unique to the property not created by the landowner;

The plight of the landowner is due to the landowner and not the property; therefore, all three variances should be denied. When TCGIS purchased St. Andrew's, they knew of the very limited lot size, the school with 2 sections per grade, the limited parking, and an 80-year old brick church. At the time, TCGIS representatives said that this was the best lot they could find in the Twin Cities. The need for expansion from 2 to 3 sections per grade is due to the landowner's school management policies, not the property. The property did not create the need for expansion.

In my email to TCGIS, dated May 23, I stated the following:

"At TCGIS listening session last April 9, I very clearly said that the need for this expansion is the result of TCGIS management planning mistakes, listed below:

- a. As Ted Anderson said, 'more space is needed because the student departure rate was lower than planned'. Well, this is a TCGIS planning error. Why should the Warrendale neighbors be subject to a major expansion and loss of St. Andrews because of planning errors?
- b. The other planning error of TCGIS is planning for 3 sections per grade, requiring the demolition of St. Andrew's without full community input and support. This is a planning error. The fact is there are hundreds of schools with 2 sections per grade that are successful.
- c. Another planning error is that of trying to convince me on TCGIS's need to have to accept the increasing number of applicants given the limited TCGIS site space. This was another major planning error. Many colleges & universities have excess student applications, but only accept the number of students which they can handle.

TCGIS staff do not appear to be responsive to planning mistakes."

I reject TCGIS claims that they need to have 3 sections per grade to operate. There are many successful schools around the city, state and country that operate 2 sections per grade. If TCGIS management can't operate successfully with 2 sections per grade, then TCGIS should look for new management, whom can operate a school with 2 sections per grade. For example, being a public school, why doesn't TCGIS

evaluate reducing their high staff/student ratio, via attrition to make a 2 section per grade school more cost effective?

Concerning traffic safety, I have had 3 near miss accidents near TCGIS at school drop pick up times over the course of the last 2 years and have written to District 10 about the need for traffic safety. The St. Andrews school and road system simply not designed for the type of traffic that occurs during TCGIS drop-off and pick-up times. St. Andrews school was designed as a local neighborhood school, now TCGIS is changing it to a Metropolitan school with primarily auto transportation to and from school. This is a traffic safety issue and a major change in the character of the neighborhood.

TCGIS failed in their planning of increasing the number of sections from 2 to 3 for increased parking spaces, traffic safety issues, increased noise and demolition of St. Andrews.

With an increase of up 37 autos, on public streets this changes the character of the neighborhood, and it is fully the responsibility of the landowner for this. The property is not making TCGIS expand.

*****Public streets are not meant to be a parking lot for a private company or school.*****

III. Site Plan Issues – Noise

The Minnesota Pollution Control Agency regulates noise levels, which includes unamplified noise from schools. the noise standards for a NAC 1 area during daytime hours (7a to 10p): $L_{10} = 65$ dBA, $L_{50} = 60$ dBA. These are the standards are defined in state rule under Minn. R. Ch. 7030.0040. The state noise standards are receiver-based. That is, noise is measured on the property from where a complaint is generated, in this case it would be on a neighbor's property.

TCGIS must submit a noise plan that will ensure that MPCA noise limits at the property owners are complied with.

Thank you for your time and effort in evaluating my comments.

Steven Greenwood
1111 Argyle
St. Paul, MN

December 12, 2018

Zoning Committee

St Paul Planning Commission

Re: Situation in Our Como Warrendale Neighborhood

Dear Members of the Zoning Committee:

My name is Mary Burnison and I am a resident in the Como Warrendale neighborhood. The reason I am contacting you and other members of the Zoning Committee, Part of the St Paul Planning Commission, is because of my opposition to the variances recently requested by the Twin Cities German Immersion School. I am attaching an essay and a poem that I recently wrote, that illustrate and explain my opposition, but in very different ways. Both provide a context for understanding our current situation in this small pocket neighborhood and why these variances mask a bigger issue, the destruction of a treasured historic landmark. Poems have a way of cutting to the heart of matters, so although it may seem an unusual response, it is why I choose to send you one of mine today. The essay and poem are attached.

Thank you for being at the table with us today. Together we can make a difference.

In looking at these variances, we need to take into consideration the evolution of this neighborhood, to link Past to Present to Future—honorably and respectfully. And to recognize why it's important maintain the roots and values of this small Pocket Neighborhood:

- *Remember Those Who Came Before Us
- *Make Room for Others to Join Us
- *Respect the Residential and Historic Character of this Neighborhood
- *Ensure that Change and Evolution of the Neighborhood is Cooperative & Inclusive

Thank you for consideration of my essay and poem.

Sincerely,

Mary Burnison
1131 Argyle Street
St Paul, MN 55103

Attachments: Common Ground Essay
History and Place Matter Poem

Common Ground Sought to Save Historic Landmark

History and Place Matter:

Immigrant Values Built St. Andrew's—Courage, Sacrifice and Hope endure

From the beginning, the Twin Cities German Immersion School never engaged with the Como community as they made plans to expand their school and embark on a building plan that if approved, would forever change the fabric of this small residential and historic neighborhood. Although the School has been in the Como neighborhood since 2013, neighbors only recently learned that the school had been planning for some time to tear down the former St Andrew's Church, a beloved Como Landmark and community anchor. School leaders did not ask for or hear input from neighbors as they formulated their plan for a new building and demolition of an old one.

At recent District 10 Land Use Meeting (Dec 5, 2018) when residents met to vote on three new building variances (Lot Size, Building Height, Parking) proposed by German School in order to build new building, the architect stated she had created 23 drawings/plans before arriving at the one shared at the meeting. Really? When was any of that process shared with the people who live in immediate neighborhood and community at large? We were not involved or given a chance for input. Yet Ten Square, a National Education Organization that does facility/real estate and financial planning with charter schools, was at the table from the beginning (along with German Immersion School leadership and architect.) Residents were intentionally left out.

The variances voted on Dec 5 are needed to build a new building. If there is no new building, they are not needed. Their approval masks the unnecessary destruction of an iconic, historic community landmark to make way for a new building that doesn't fit the neighborhood. The proposed building is mediocre according to Tom Fisher, Director of U of MN Design Center; he spoke against School's Plan at October community forum. Others have voiced concern neighbors were left out of the design process.

Instead, a different architectural plan is still possible, one that brings neighbors and school together to work with architects as part of a design charette— to create a new design that keeps a landmark standing but with changes. The goal would be an adaptive re-use architectural plan that is green, one that respects the building's history & place in the community, and meets the school's needs for students and learning. The possibilities outweigh the problems. We just haven't gotten to the best solution yet.

We are in the current situation (which has become more tense and heated) because of the German Immersion School's unwillingness to involve and work together with neighbors on a win-win outcome. They have blocked most efforts by neighbors to collaborate. **Against all odds, we have persisted.**

The St. Andrew's Church building is historic. It's a cultural landmark and a mainstay of St Paul's Como Park neighborhood. Together we can prevent demolition of this beautiful building and community anchor. History and Place matter. Courage, sacrifice and hope of immigrants built this landmark—their values and lessons endure. They are embedded in this Como/Warrendale Neighborhood Landmark.

Will you help us as we work toward a new and better solution?

History and Place Matter

Courage, sacrifice and hope—
their great gift to us.
Immigrants built church and community
in Como neighborhood, their new Homeland.
(We remember them.)

Their hands and persistence offered
free labor one day a month,
brick by brick, tile by tile,
neighbors and visionary architect worked side by side.
(We remember them.)

Hungarian, Irish, Italian, German, Slovakian—
Gubasta, Connolly, Forliti, Warner, Hausler;
other names lost through the years.
Fruits of their labor and vision remain.
(We remember them.)

St Andrew's stands today
a symbol of their legacy and more,
an enduring community anchor,
(We remember them.)

Courage, sacrifice and hope
These values endure—their gift to us.
Not forgotten, even as time moves on.
(We remember them.)

A beautiful landmark continues to remind us
of those who built St Andrew's.
Working together despite differences—
their legacy hard to live up to
unless we find a way to bridge
these confounding invisible walls.
(We remember them.)

-Mary Burnison

December 13, 2018

As a member of the Como /Warrendale community, I am writing to request your opposition to the proposed three variances required for the proposed expansion at the Twin Cities German Immersion Site. We oppose these variances because of the irreversible impact that they will do to our neighborhood. We seek you to protect the character of the unique community that is Warrendale and we need your support.

VARIANCE 1: HEIGHT VARIANCE

The requested variance for height is small but it carries with it a disproportionate impact.

- The proposed variance does not meet requirement (n) from section 60.103 of the zoning code "to prevent the overcrowding of land and undue congestion of population." In comparison to other schools in the area, TCGIS supports significantly more students on a significantly smaller site. Once completed, the expansion plans to support roughly twice the number of students per unit area of any elementary school located in any Established Neighborhood in Saint Paul. Please also take into consideration that this site is adjacent to thirteen residences.
- The proposed variance does not meet requirement (n) to prevent the overcrowding of land and undue congestion of population. In comparison to other schools in the area, TCGIS supports significantly more students on a significantly smaller site. Once completed, the expansion plans to support roughly twice the number of students per unit area of any elementary school located in any Established Neighborhood in Saint Paul. We should also take into consideration that this site is adjacent to thirteen residences.
- The landowner's problem is due to the desire to expand staff and student populations while maintaining lot size, class size, and playground size. They also plan to increase the number of classes and amount of green space while constructing a new gymnasium. These are choices, not circumstances unique to the property.
- The Warrendale neighborhood is a residential and historic neighborhood. Even though the fate of the former Church of Saint Andrew's does not depend solely on the granting of this variance request, the interdependency of the two cannot be dismissed. This structure is a neighborhood landmark and part of the essential character of the surrounding area.

VARIANCE 2 – BUILDING COVERAGE VARIANCE

The former Church of Saint Andrew's is a neighborhood landmark.

- The former church of Saint Andrew's has been a defining landmark of the neighborhood since 1927 and the scale of the structure relative to surrounding properties has established its role in defining neighborhood character. The proposed variance enables the demolition of this building and replacement of the structure with new construction of comparable scale. Such a move would irrefutably alter the historic character of the Warrendale neighborhood.
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- The property owner can use the property in a reasonable manner without the variance. The property is currently being used as a school.

VARIANCE 3: PARKING

There has been a school in our neighborhood since 1920. We value the important contribution that a school brings to our neighborhood, but we also respect and value our heritage.

- The proposed variance does not meet requirement (g) of section 60.103 of the zoning code "to lessen congestion on the public streets by providing off-street parking of motor vehicles and for off-street loading and unloading of commercial vehicles." A variance request of 37 cars is an extraordinary request. For comparison, the entire capacity of the north side of Van Slyke Ave. is 23 cars. All the plans presented so far that might manage parking are flawed. The closest parking spaces at the Como Pool lot are 1,200 ft. away from the nearest door; the closest parking spaces on Jessamine Avenue is 800 ft. away from the nearest door.
- The proposed variance is not in agreement with Land Use section 1.5 of the Comprehensive Plan which states the city should maintain the character of Established Neighborhoods. The Warrendale neighborhood is zoned R4 and defined by the Comprehensive Plan as an Established Neighborhood of medium density. Warrendale is a residential and historic neighborhood.
- The Warrendale neighborhood is a residential and historic neighborhood. For years now, the neighborhood has addressed issues with the impact of the school on the surrounding area through the District Council. The relationship between the school and the neighborhood has suffered because of the current size of the school. If granted, this variance would stipulate that roughly three dozen cars will be required to park an uncomfortable distance away or to seek out street parking in the area adjacent to the school. This requirement can only exacerbate current difficulties.
- Even if the TCGIS' traffic study indicates ample on-street parking in Warrendale, on street parking cannot be used as a substitute for off street parking. Data also exists indicating the need for parking control in the local nearest the school building. Without a forceful, practical and permanent plan for parking enforcement, this request to dismiss the need for required parking is impractical.

Please consider the impact to the residential and historic neighborhood of Warrendale and reject these variance requests.

Sincerely,

Michael J. Connolly

993 Chatsworth St. N

St. Paul, MN 55103

612-272-0464

Zoning Board Committee
City of St. Paul Planning Commission
Via Email

As a member of the Warrendale community, I am writing to request your opposition to the proposed three variances required for the proposed expansion at the Twin Cities German Immersion Site. We oppose these variances because of the irreversible impact that they will do to our neighborhood. We seek you to protect the character of the unique community that is Warrendale and we need your support.

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Please consider the impact to the residential and historic neighborhood of Warrendale and reject these variance requests.

Sincerely,

Ronald Greene

1015 Van Slyke Ave

Saint Paul, Minnesota 55103

Langer, Samantha (CI-StPaul)

From: K Anderson <krislanderson@gmail.com>
Sent: Thursday, December 13, 2018 12:00 PM
To: Williams, Josh (CI-StPaul); Anderson, Tia (CI-StPaul)
Cc: Kevin Anderson
Subject: Letter opposing Zoning File No. #18-126865

I have sent a separate email which includes a link to my written opposition of Zoning File No. #18-126865 in which the Twin Cities German Immersion School (TCGIS) requests a variance for off-street parking requirements. Please share this document with all city officials and committee and board members who are reviewing the variance request.

If you do not receive the separate email or have difficulty accessing document, please let me know at KrisL.Anderson@gmail.com

Sincerely

Kris Anderson

Kris Anderson
1029 Van Slyke Ave.
Saint Paul, MN 55103

City of Saint Paul Department of Planning and Economic Development
Attn: Josh Williams
Josh.Williams@ci.stpaul.mn.us
Tia.Anderson@ci.stpaul.mn.us

Subject: Zoning File No. #18-126865

December 13th, 2018

Save Historic Saint Andrews (SHSA) is an organization of neighbors, friends, former parishioners and teachers at Saint Andrews and other allies of the Twin Cities German Immersion School (TCGIS). SHSA acknowledges the value of TCGIS and believes the school to be a positive addition to the neighborhood. SHSA congratulates the school on their success. However, given the confined conditions of the school's location and the proximity of neighbors who share the block and adjacent streets, the school's impact on the neighborhood and its residential character are impossible to ignore.

As specified by Minnesota Statute 462.357 Official Controls: Zoning Ordinanceⁱ and clarified by the League of Minnesota Citiesⁱⁱ, there are legal criteria which must be satisfied in order for a variance request to be approved. "A variance once issued is a property right that 'runs with the land' so it attaches to and benefits the land and is not limited to a particular landowner. A variance is typically filed with the county recorder. Even if the property is sold to another person, the variance applies." Because of the permanence of variances and the number of neighbors affected, this is a very serious matter.

In the matter of the zoning file #18-126865 by the Twin Cities German Immersion School to allow a deficit of 37 off-street parking spots at their 1031 Como Avenue location SHSA request that the City deny this variance on the grounds that it fails to satisfy five of the six code requirements derived from Minnesota Statute which must be *all* be met in order for a variance to be granted.ⁱⁱⁱ Please find below details and supporting documentation for the case that these findings are not met.

The neighborhood rejects any request by TCGIS to use arrangements for off-site parking as justification to grant the variance on the basis that 1) this option is not specified in the Zoning Code, 2) there is no way to make this a legal requirement, 3) the arrangement would be unenforceable leaving the neighborhood no recourse should the school fail to make such arrangement immediately or in the future, or should the school fail to use the off-site parking in a way which prevents them from continuing to monopolize neighborhood parking, and 4) the school has repeatedly stated that their staff may choose to park on the public streets rather than using the offsite parking and that the school has little or no power to enforce off-site staff parking.^{iv} I cite variance request #18-035099 for 617 Laurel Avenue in which the Saint Paul Board of Zoning Appeals, as discussed at the BZA meeting on 5/21/2018, for these same reasons refused an earlier proposal by the applicant for an off-site parking arrangement as justification for approving the variance request for these reasons.^v Given that a variance is permanent once granted, the City should not grant this permanent parking variance on the basis of temporary and theoretical off-site parking arrangements.

Sincerely,
Kris Anderson

FINDINGS:

1. *The variance is in harmony with the general purposes and intent of the zoning code.*

TCGIS is in an area zoned R4.^{vi} Sec. 66.212. - Intent, R1 - R4 one-family residential districts specifies that *“these districts are not intended for more intensive uses”*.^{vii} The school has chosen to restrict parking along their frontage, so it is not available to the neighborhood nor for daily TCGIS staff parking^{viii}. The entire burden of the variance request for 37 vehicles will be borne by TCGIS’ neighbors. In practical terms, 37 vehicles represent 100% monopolization of multiple block faces. That does not consider the shared use of street parking by others, including parents of school students, school visitors, neighbors, neighbors’ guests, nor the natural inclination of most drivers to park in a way that does not maximize use of the available space. If these factors are considered, the impact of 37 vehicles from TCGIS is even more widespread. By any measure, this is “intensive use”.

While schools are an allowed use, Sec. 66.212 also specifies that the intent of R4 is for “*low density*” usage. It is not typical for an elementary or middle school such as TCGIS to have absolutely no school street frontage available for parking, nor is it typical for a school to monopolize 37 neighborhood street parking spots. Other elementary and middle schools, including Chelsea Heights and Como Elementary, in the area occupy a full block with generous off-street parking and parking available on their street frontage.^{ix} It is not reasonable to expect that degree of parking pressure from one neighbor or entity and for it to persist all day every day during the entire school year. The problem could be year-round if the school follows thru with plans it is considering to add summer school. This directly contradicts the code’s specified intention for “low density” usage.

Sec 66.212 also specifically allows “civic and institutional uses, public services and utilities that *serve the residents in the districts*”. TCGIS students come from approximately 50 ZIP codes in the metro area. For the 2017-2018 school year, only 14 of those students were from District 10. The vast majority of the students attending TCGIS do not live in District 10. Many of the students are not even St. Paul residents. The intent of the code clearly supports district residents and not institutions which primarily serve people from outside of the affected neighborhood, from outside of District 10. The variance requested will cause hardship for residents for the convenience of commuters from outside of the district, and this is absolutely not in harmony with the intent of the zoning code.

The proposed variance does not meet requirement (g) of section 60.103 “to lessen congestion on the public streets by providing off-street parking of motor vehicles and for off-street loading and unloading of commercial vehicles.” A variance request of 37 cars is an extraordinary request. For comparison, the entire capacity of the north side of Van Slyke Ave. is 23 cars. All the plans presented so far that might manage parking are flawed. The closest parking spaces at the Como Pool lot are 1,200 ft. away from the nearest door; the closest parking spaces on Jessamine Avenue is 800 ft. away from the nearest door.

The proposed variance does not meet requirement (n) of section 60.103 “to prevent the overcrowding of land and undue congestion of population.” In comparison to other schools in the area, TCGIS supports significantly more students on a significantly smaller site. Once completed, the expansion plans to support roughly twice the number of students per unit area of any elementary school located in any Established Neighborhood in Saint Paul. We should also take into consideration that this site is adjacent to thirteen residences. This is overcrowding and undue congestion. The requested variance does not satisfy Finding One.

This finding is *not met*.

2. *The variance is consistent with the comprehensive plan.*

The proposed variance is not in agreement with Land Use section 1.5 of the Comprehensive Plan which states the city should maintain the character of Established Neighborhoods. The Warrendale neighborhood is zoned R4 and defined by the Comprehensive Plan as an Established Neighborhood of medium density. Warrendale is a residential and historic neighborhood. Granting this variance request will negatively impact that character in multiple ways, in turn violating the Comprehensive Plan.

The proposed variance is not in agreement with Goal 1.12 of the Comprehensive Plan which states that the City should "Prioritize the retention of designated historic resources (or those determined eligible for historic designation) over demolition when evaluating planning and development projects that require or request City action, involvement, or funding." On November 5th, the Heritage Preservation Commission determined the former church of Saint Andrew's is eligible for historic designation. Since the current site plan is the source of this variance request and the proposed building cannot be constructed without demolition of the former Church of Saint Andrew's, this variance would be in violation of this requirement from the Comprehensive plan.

This finding is *not met*.

3. *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.*

There is no practical difficulty for TCGIS to provide off-street parking. The site already has two parking lots. Both lots were originally designed and installed by TCGIS as part of their initial occupation of the site in 2013. Increases in staff numbers since this initial occupation are the underlying reason that additional parking is now required and necessitates this variance request. Growth which exceeds the normal physical capacity limitations of the site is not a practical difficulty preventing reasonable use.

Sometimes landowners insist that they deserve a variance because they have already incurred substantial costs or argue they will not receive expected revenue without the variance. State statute specifically notes that economic considerations alone cannot create practical difficulties.

TCGIS has repeatedly and publicly argued that their plans to expand are financially necessary.^x Other alternatives which would not require a parking variance were rejected by TCGIS due to financial concerns.^{xi} The school has no right guaranteed under City Code to expand indefinitely on this site, and many alternatives are available to the school. The neighborhood should not be required to bear the burden of TCGIS' inability to provide the amount of off-street parking legally required because they refuse to pursue other alternatives more suitable to the natural limitations and capacity of their site. The neighborhood should not be forced to accept the requested variance due to TCGIS' financial restrictions.

This finding is *not met*.

4. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

TCGIS has been aware of the City's parking requirements, as specified by Sec. 63.207. - Parking requirements by use^{xii}, since before their initial occupation of the site in 2013. Their initial Bond Proposal indicated 55 staff members, which would require 55 parking spots.^{xiii} The 2012-2013 Annual Report submitted by the TCGIS Board of Directors to the Minnesota Department of Education reports 42 staff members.^{xiv} The 2013 TCGIS site plan submitted to the city included 33 parking spots^{xv}. Not coincidentally, the school staff counts reported by TCGIS in the site plan which they submitted to the City were adjusted downward from both the Bond Proposal and the TCGIS Annual Report to the Minnesota Department of Education to 32 staff members. The TCGIS 2013 Site Plan clearly demonstrates the school's awareness of the required number of off-street parking spots for their site and that the required number is based on the number of employees.

The TCGIS 2016-2017 Annual Report specifies 82 staff members.^{xvi} Given the inconsistency in staffing numbers historically provided by TCGIS, SHSA requests that the City of St. Paul independently verifies current staffing numbers provided by TCGIS to confirm the exact count required for this variance arising out of the school's proposed expansion project.

No special circumstances or unique physical characteristics of the location prevent TCGIS from including off street parking on their site. In fact, their site plan calls for removing 7 spots from the site.^{xvii} All sites have some practical limit to the number of off-street parking spots that can physically fit on the site. It is only the school's desire to expand and their refusal to pursue alternative sites that has caused them to exceed the normal physical limitations of their chosen location. The circumstances preventing the school from meeting this code requirement are created entirely by the landowner, TCGIS themselves.

This finding is not met.

5. *The variance will not permit any use that is not allowed in the zoning district where the affected land is located.*

A school is a permitted use in the R4 residential zoning district. This finding is met.

6. *The variance will not alter the essential character of the surrounding area.*

If this parking variance is granted, the 'essential character' of the Warrendale neighborhood would be irreversibly and negatively altered as follows, in violation of both State Statute 462.357 and the city Code Requirements:

The Warrendale neighborhood a quiet residential area. For decades preceding the arrival of TCGIS parking and traffic had seldom been an issue except for rare occasions when large events spilled over onto our streets. When school is not in session, there is plentiful and available street parking^{xviii} and the traffic is calm. The addition of 37 vehicles all day every day during the school year would completely change this character by monopolizing much of the available street parking in the area. To illustrate the scale of the issue the north side of Van Slyke Avenue, which is the longest block face adjacent to the school, has a capacity of 23 legally parked vehicles.^{xix} The addition of this number of school staff vehicles parking on neighborhood streets and the resulting scarcity of available parking completely changes the character of the neighborhood.

The impact of capacity or near-capacity street parking also affects traffic flow and congestion in the neighborhood. School parking and traffic frequently block public Right of Way and safe access

to residences.^{xx} Pedestrian safety is compromised by the number of parked cars due to the related increase in traffic and obscured sight lines.^{xxi} These problems are virtually non-existent when school is not in session.

In the five years since TCGIC opened on Como Avenue, neighbors have tried repeatedly to work with the school to share street parking and address traffic issues, but without consistent or lasting results.^{xxii}

The need for this variance request arises out of TCGIS plans to demolish the historic St. Andrews church building. Loss of this building will permanently and irrevocably alter the character of the neighborhood. The American Institute of Architects (AIA) state that St. Andrews is "One of St. Paul's best Period Revival churches."^{xxiii} The St. Andrews church was designed by first-class architect and citizen Charles A. Hausler, who has six (6) buildings on the National Register and was St. Paul's first City architect. He has designed numerous other public buildings, schools, churches and office buildings. Mr. Hausler also was a state representative for sixteen years.^{xxiv}

Testifying to the importance of this structure to the City are a petition with approximately 700 signatures and well over 100 lawn signs expressing concern about the proposed demolition and requesting additional research and consideration. A significant and meaningful number of neighbors do not want this change to the essential character of the Warrendale neighborhood. Expansion of TCGIS, including this variance request, creates a new divisiveness in Warrendale/Como neighborhood.

This finding is not met.

REQUEST FOR DENIAL

While the neighborhood values the presence of the Twin Cities German Immersion School and celebrates their success, we oppose any attempts by the school to expand. Schools are a permitted use in Zone R4, but this provision must be weighed in consideration of the low-density and low-intensity requirements also specified in the Zoning Code and also in consideration of the character of the neighborhood. Granting a variance for this large number of cars in a residential zone is unprecedented going back as far back as recorded by the available online minutes and results reports for the Planning Commission and the Board of Zoning Appeals.^{xxv}

The school's own success has created a situation in which the institution is too large and too dense for the neighborhood. Given the school's economic justification for this expansion plan and their history of unwillingness or inability to address parking issues since their occupation of this site, the SHSA request urgently that the City does not exacerbate the existing problems by approving this request to put 37 vehicles onto the neighborhood streets.

Minnesota Statute 462.357

<https://www.revisor.mn.gov/statutes/cite/462.357>

Minnesota Statute 462.375, subd. 6 specifies that:

- “Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan.”.
- “... The plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties.”

462.357 OFFICIAL CONTROLS: ZONING ORDINANCE.

Subdivision 1. Authority for zoning. For the purpose of promoting the public health, safety, morals, and general welfare, a municipality may by ordinance regulate on the earth's surface, in the air space above the surface, and in subsurface areas, the location, height, width, bulk, type of foundation, number of stories, size of buildings and other structures, the percentage of lot which may be occupied, the size of yards and other open spaces, the density and distribution of population, the uses of buildings and structures for trade, industry, residence, recreation, public activities, or other purposes, and the uses of land for trade, industry, residence, recreation, agriculture, forestry, soil conservation, water supply conservation, conservation of shorelands, as defined in sections 103F.201 to 103F.221, access to direct sunlight for solar energy systems as defined in section 216C.06, flood control or other purposes, and may establish standards and procedures regulating such uses. To accomplish these purposes, official controls may include provision for purchase of development rights by the governing body in the form of conservation easements under chapter 84C in areas where the governing body considers preservation desirable and the transfer of development rights from those areas to areas the governing body considers more appropriate for development. No regulation may prohibit earth sheltered construction as defined in section 216C.06, subdivision 14, relocated residential buildings, or manufactured homes built in conformance with sections 327.31 to 327.35 that comply with all other zoning ordinances promulgated pursuant to this section. The regulations may divide the surface, above surface, and subsurface areas of the municipality into districts or zones of suitable numbers, shape, and area. The regulations shall be uniform for each class or kind of buildings, structures, or land and for each class or kind of use throughout such district, but the regulations in one district may differ from those in other districts. The ordinance embodying these regulations shall be known as the zoning ordinance and shall consist of text and maps. A city may by ordinance extend the application of its zoning regulations to unincorporated territory located within two miles of its limits in any direction, but not in a county or town which has adopted zoning regulations; provided that where two or more noncontiguous municipalities have boundaries less than four miles apart, each is authorized to control the zoning of land on its side of a line equidistant between the two noncontiguous municipalities unless a town or county in the affected area has adopted zoning regulations. Any city may thereafter enforce such regulations in the area to the same extent as if such property were situated within its corporate limits, until the county or town board adopts a comprehensive zoning regulation which includes the area.

Subd. 1a. Certain zoning ordinances. A municipality must not enact, amend, or enforce a zoning ordinance that has the effect of altering the existing density, lot-size requirements, or manufactured home setback requirements in any manufactured home park constructed before January 1, 1993, if the manufactured home park, when constructed, complied with the then existing density, lot-size and setback requirements.

Subd. 1b. Conditional uses. A manufactured home park, as defined in section 327.14, subdivision 3, is a conditional use in a zoning district that allows the construction or placement of a building used or intended to be used by two or more families.

Subd. 1c. Amortization prohibited. Except as otherwise provided in this subdivision, a municipality must not enact, amend, or enforce an ordinance providing for the elimination or termination of a use by amortization which use was lawful at the time of its inception. This subdivision does not apply to adults-only bookstores, adults-only theaters, or similar adults-only businesses, as defined by ordinance.

Subd. 1d. Nuisance. Subdivision 1c does not prohibit a municipality from enforcing an ordinance providing for the prevention or abatement of nuisances, as defined in section 561.01, or eliminating a use determined to be a public nuisance, as defined in section 617.81, subdivision 2, paragraph (a), clauses (i) to (ix), without payment of compensation.

Subd. 1a. **Nonconformities.** (a) Except as otherwise provided by law, any nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of an additional control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion, unless:

(1) the nonconformity or occupancy is discontinued for a period of more than one year; or

(2) any nonconforming use is destroyed by fire or other peril to the extent of greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, and no building permit has been applied for within 180 days of when the property is damaged. In this case, a municipality may impose reasonable conditions upon a zoning or building permit in order to mitigate any newly created impact on adjacent property or water body. When a nonconforming structure in the shoreland district with less than 50 percent of the required setback from the water is destroyed by fire or other peril to greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, the structure setback may be increased if practicable and reasonable conditions are placed upon a zoning or building permit to mitigate created impacts on the adjacent property or water body.

(b) Any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy. A municipality may, by ordinance, permit an expansion or impose upon nonconformities reasonable regulations to prevent and abate nuisances and to protect the public health, welfare, or safety. This subdivision does not prohibit a municipality from enforcing an ordinance that applies to adults-only bookstores, adults-only theaters, or similar adults-only businesses, as defined by ordinance.

(c) Notwithstanding paragraph (a), a municipality shall regulate the repair, replacement, maintenance, improvement, or expansion of nonconforming uses and structures in floodplain areas to the extent necessary to maintain eligibility in the National Flood Insurance Program and not increase flood damage potential or increase the degree of obstruction to flood flows in the floodway.

(d) Paragraphs (d) to (j) apply to shoreland lots of record in the office of the county recorder on the date of adoption of local shoreland controls that do not meet the requirements for lot size or lot width. A municipality shall regulate the use of nonconforming lots of record and the repair, replacement, maintenance, improvement, or expansion of nonconforming uses and structures in shoreland areas according to paragraphs (d) to (j).

(e) A nonconforming single lot of record located within a shoreland area may be allowed as a building site without variances from lot size requirements, provided that:

(1) all structure and septic system setback distance requirements can be met;

(2) a Type 1 sewage treatment system consistent with Minnesota Rules, chapter 7080, can be installed or the lot is connected to a public sewer; and

(3) the impervious surface coverage does not exceed 25 percent of the lot.

(f) In a group of two or more contiguous lots of record under a common ownership, an individual lot must be considered as a separate parcel of land for the purpose of sale or development, if it meets the following requirements:

(1) the lot must be at least 66 percent of the dimensional standard for lot width and lot size for the shoreland classification consistent with Minnesota Rules, chapter 6120;

(2) the lot must be connected to a public sewer, if available, or must be suitable for the installation of a Type 1 sewage treatment system consistent with Minnesota Rules, chapter 7080, and local government controls;

(3) impervious surface coverage must not exceed 25 percent of each lot; and

(4) development of the lot must be consistent with an adopted comprehensive plan.

(g) A lot subject to paragraph (f) not meeting the requirements of paragraph (f) must be combined with the one or more contiguous lots so they equal one or more conforming lots as much as possible.

(h) Notwithstanding paragraph (f), contiguous nonconforming lots of record in shoreland areas under a common ownership must be able to be sold or purchased individually if each lot contained a habitable residential dwelling at the time the lots came under common ownership and the lots are suitable for, or served by, a sewage treatment system consistent with the requirements of section 115.55 and Minnesota Rules, chapter 7080, or connected to a public sewer.

(i) In evaluating all variances, zoning and building permit applications, or conditional use requests, the zoning authority shall require the property owner to address, when appropriate, storm water runoff management, reducing impervious surfaces, increasing siltback, restoration of wetlands, vegetative buffers, sewage treatment and water supply capabilities, and other conservation-designed actions.

(j) A portion of a conforming lot may be separated from an existing parcel as long as the remainder of the existing parcel meets the lot size and sewage treatment requirements of the zoning district for a new lot and the newly created parcel is combined with an adjacent parcel.

Subd. 1f. Substandard structures. Notwithstanding subdivision 1a, Minnesota Rules, parts 6105.0351 to 6105.0359, may allow for the continuation and improvement of substandard structures, as defined in Minnesota Rules, part 6105.0354, subpart 30, in the Lower Saint Croix National Scenic Riverway.

Subd. 1g. Feedlot zoning controls. (a) A municipality proposing to adopt a new feedlot zoning control or to amend an existing feedlot zoning control must notify the Pollution Control Agency and commissioner of agriculture at the beginning of the process, no later than the date notice is given of the first hearing proposing to adopt or amend a zoning control pertaining to address feedlots.

(b) Prior to final approval of a feedlot zoning control, the governing body of a municipality may submit a copy of the proposed zoning control to the Pollution Control Agency and to the commissioner of agriculture and request review, comment, and recommendations on the environmental and agricultural effects from specific provisions in the ordinance.

(c) The agencies' response to the municipality may include:

(1) any recommendations for improvements in the ordinance; and

(2) the legal, social, economic, or scientific justification for each recommendation under clause (1).

(d) At the request of the municipality's governing body, the municipality must prepare a report on the economic effects from specific provisions in the ordinance. Economic analysis must state whether the ordinance will affect the local economy and describe the kinds of businesses affected and the projected impact the proposal will have on those businesses. To assist the municipality, the commissioner of agriculture, in cooperation with the Department of Employment and Economic Development, must develop a template for measuring local economic effects and make it available to the municipality. The report must be submitted

to the commissioners of employment and economic development and agriculture along with the proposed ordinance.

(c) A local ordinance that contains a setback for new feedlots from existing residences must also provide for a new residence setback from existing feedlots located in areas zoned agricultural at the same distances and conditions specified in the setback for new feedlots, unless the new residence is built to replace an existing residence. A municipality may grant a variance from this requirement under section 462.358, subdivision 6.

Subd. 1h. Comprehensive plans in greater Minnesota; open spaces. When adopting or updating a comprehensive plan in a municipality located within a county that is not a greater than 80 percent area, as defined in section 103G.005, subdivision 10b, and that is located outside the metropolitan area, as defined by section 473.121, subdivision 2, the municipality shall consider adopting goals and objectives for the preservation of agricultural, forest, wildlife, and open space land and the minimization of development in sensitive shoreland areas. Within three years of updating the comprehensive plan, the municipality shall consider adopting ordinances as part of the municipality's official controls that encourage the implementation of the goals and objectives.

Subd. 2. General requirements. (a) At any time after the adoption of a land use plan for the municipality, the planning agency, for the purpose of carrying out the policies and goals of the land use plan, may prepare a proposed zoning ordinance and submit it to the governing body with its recommendations for adoption.

(b) Subject to the requirements of subdivisions 3, 4, and 5, the governing body may adopt and amend a zoning ordinance by a majority vote of all its members. The adoption or amendment of any portion of a zoning ordinance which changes all or part of the existing classification of a zoning district from residential to either commercial or industrial requires a two-thirds majority vote of all members of the governing body.

(c) The land use plan must provide guidelines for the timing and sequence of the adoption of official controls to ensure planned, orderly, and staged development and redevelopment consistent with the land use plan.

Subd. 3. Public hearings. No zoning ordinance or amendment thereto shall be adopted until a public hearing has been held thereon by the planning agency or by the governing body. A notice of the time, place and purpose of the hearing shall be published in the official newspaper of the municipality at least ten days prior to the day of the hearing. When an amendment involves changes in district boundaries affecting an area of five acres or less, a similar notice shall be mailed at least ten days before the day of the hearing to each owner of affected property and property situated wholly or partly within 350 feet of the property to which the amendment relates. For the purpose of giving mailed notice, the person responsible for mailing the notice may use any appropriate records to determine the names and addresses of owners. A copy of the notice and a list of the owners and addresses to which the notice was sent shall be attested to by the responsible person and shall be made a part of the records of the proceedings. The failure to give mailed notice to individual property owners, or defects in the notice shall not invalidate the proceedings, provided a bona fide attempt to comply with this subdivision has been made.

Subd. 4. Amendments. An amendment to a zoning ordinance may be initiated by the governing body, the planning agency, or by petition of affected property owners as defined in the zoning ordinance. An amendment not initiated by the planning agency shall be referred to the planning agency, if there is one, for study and report and may not be acted upon by the governing body until it has received the recommendation of the planning agency on the proposed amendment or until 60 days have elapsed from the date of reference of the amendment without a report by the planning agency.

Subd. 5. **Amendment; certain cities of the first class.** The provisions of this subdivision apply to the adoption or amendment of any portion of a zoning ordinance which changes all or part of the existing classification of a zoning district from residential to either commercial or industrial of a property located in a city of the first class, except a city of the first class in which a different process is provided through the operation of the city's home rule charter. In a city to which this subdivision applies, amendments to a zoning ordinance shall be made in conformance with this section but only after there shall have been filed in the office of the city clerk a written consent of the owners of two-thirds of the several descriptions of real estate situate within 100 feet of the total contiguous descriptions of real estate held by the same owner or any party purchasing any such contiguous property within one year preceding the request, and after the affirmative vote in favor thereof by a majority of the members of the governing body of any such city. The governing body of such city may, by a two-thirds vote of its members, after hearing, adopt a new zoning ordinance without such written consent whenever the planning commission or planning board of such city shall have made a survey of the whole area of the city or of an area of not less than 40 acres, within which the new ordinance or the amendments or alterations of the existing ordinance would take effect when adopted, and shall have considered whether the number of descriptions of real estate affected by such changes and alterations renders the obtaining of such written consent impractical, and such planning commission or planning board shall report in writing as to whether in its opinion the proposals of the governing body in any case are reasonably related to the overall needs of the community, to existing land use, or to a plan for future land use, and shall have conducted a public hearing on such proposed ordinance, changes or alterations, of which hearing published notice shall have been given in a daily newspaper of general circulation at least once each week for three successive weeks prior to such hearing, which notice shall state the time, place and purpose of such hearing, and shall have reported to the governing body of the city its findings and recommendations in writing.

Subd. 6. **Appeals and adjustments.** Appeals to the board of appeals and adjustments may be taken by any affected person upon compliance with any reasonable conditions imposed by the zoning ordinance. The board of appeals and adjustments has the following powers with respect to the zoning ordinance:

(1) To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative officer in the enforcement of the zoning ordinance.

(2) To hear requests for variances from the requirements of the zoning ordinance including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variances shall be granted for earth sheltered construction as defined in section 216C.06, subdivision 14, when in harmony with the ordinance. The board of appeals and adjustments or the governing body as the case may be, may not permit as a variance any use that is not allowed under the zoning ordinance for property in the zone where the affected person's land is located. The board or governing body as the case may be, may permit as a variance the temporary use of a one family dwelling as a two family dwelling. The board or governing body as the case may be may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

Subd. 6a. Normal residential surroundings for persons with disabilities. It is the policy of this state that persons with disabilities should not be excluded by municipal zoning ordinances or other land use regulations from the benefits of normal residential surroundings. For purposes of subdivisions 6a through 9, "person" has the meaning given in section 245A.02, subdivision 11.

Subd. 7. Permitted single family use. A state licensed residential facility or a housing with services establishment registered under chapter 144D serving six or fewer persons, a licensed day care facility serving 12 or fewer persons, and a group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve 14 or fewer children shall be considered a permitted single family residential use of property for the purposes of zoning, except that a residential facility whose primary purpose is to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses shall not be considered a permitted use.

Subd. 8. Permitted multifamily use. Except as otherwise provided in subdivision 7 or in any town, municipal or county zoning regulation as authorized by this subdivision, a state licensed residential facility serving from 7 through 16 persons or a licensed day care facility serving from 13 through 16 persons shall be considered a permitted multifamily residential use of property for purposes of zoning. A township, municipal or county zoning authority may require a conditional use or special use permit in order to assure proper maintenance and operation of a facility, provided that no conditions shall be imposed on the facility which are more restrictive than those imposed on other conditional uses or special uses of residential property in the same zones, unless the additional conditions are necessary to protect the health and safety of the residents of the residential facility. Nothing herein shall be construed to exclude or prohibit residential or day care facilities from single family zones if otherwise permitted by a local zoning regulation.

Subd. 9. Development goals and objectives. In adopting official controls after July 1, 2008, in a municipality outside the metropolitan area, as defined by section 473.121, subdivision 2, the municipality shall consider restricting new residential, commercial, and industrial development so that the new development takes place in areas subject to the following goals and objectives:

- (1) minimizing the fragmentation and development of agricultural, forest, wildlife, and open space lands, including consideration of appropriate minimum lot sizes;
- (2) minimizing further development in sensitive shoreland areas;
- (3) minimizing development near wildlife management areas, scientific and natural areas, and nature centers;
- (4) identification of areas of preference for higher density, including consideration of existing and necessary water and wastewater services, infrastructure, other services, and to the extent feasible, encouraging full development of areas previously zoned for nonagricultural uses;
- (5) encouraging development close to places of employment, shopping centers, schools, mass transit, and other public and private service centers;
- (6) identification of areas where other developments are appropriate; and
- (7) other goals and objectives a municipality may identify.

History: 1965 c 670 s 7; 1969 c 259 s 1; 1973 c 123 art 5 s 7; 1973 c 379 s 4; 1973 c 539 s 1; 1973 c 559 s 1,2; 1975 c 60 s 2; 1978 c 786 s 14,15; Ex1979 c 2 s 42,43; 1981 c 356 s 248; 1982 c 490 s 2; 1983 c 507 s 22; 1984 c 617 s 6-8; 1985 c 62 s 3; 1985 c 194 s 23; 1986 c 444; 1987 c 333 s 22; 1989 c 82 s 2;

1990 c 391 art 8 s 47; 1990 c 568 art 2 s 66,67; 1994 c 473 s 3; 1995 c 224 s 95; 1997 c 113 s 20; 1997 c 200 art 4 s 5; 1997 c 202 art 4 s 11; 1997 c 316 s 138; 1999 c 96 s 3,4; 1999 c 211 s 1; 2001 c 174 s 1; 2001 c 207 s 13,14; 2002 c 366 s 6; 2004 c 258 s 2; 2005 c 56 s 1; 18p2005 c 1 art 1 s 92; art 2 s 146; 2007 c 140 art 12 s 1d; 2008 c 297 art 1 s 60,61; 2009 c 149 s 3; 2011 c 19 s 2

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ⁱⁱ **League of Minnesota Cities Land Use Variances Information Memo**
<https://www.lmc.org/media/document/1/landusevariances.pdf>

The League of Minnesota Cities clarifies Minnesota Statute regarding Land Use Variances. Variances

are:

- “only permitted when they are in harmony with the general purposes and intent of the ordinance, and when the terms of the variance are consistent with the comprehensive plan.”
- “...The landowner’s problem is due to circumstances unique to the property not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner.”
- And that “...the variance, if granted, will not alter the essential character of the locality. Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area.”
- “Sometimes landowners insist that they deserve a variance because they have already incurred substantial costs or argue they will not receive expected revenue without the variance. State statute specifically notes that economic considerations alone cannot create practical difficulties.”



INFORMATION MEMO

Land Use Variances

Learn about variances as a way cities may allow an exception to part of their zoning ordinance. Review who may grant a variance and how to follow and document the required legal standard of "practical difficulties" (before 2011 called "undue hardship"). Links to a model ordinance and forms for use with this law.

RELEVANT LINKS:

[Minn. Stat. § 462.357, subd. 6.](#)

[Minn. Stat. § 462.357, subd. 6.](#)

[Minn. Stat. § 462.357, subd. 6.](#)

I. What is a variance

A variance is a way that a city may allow an exception to part of a zoning ordinance. It is a permitted departure from strict enforcement of the ordinance as applied to a particular piece of property. A variance is generally for a dimensional standard (such as setbacks or height limits). A variance allows the landowner to break a dimensional zoning rule that would otherwise apply.

Sometimes a landowner will seek a variance to allow a particular use of their property that would otherwise not be permissible under the zoning ordinance. Such variances are often termed "use variances" as opposed to "area variances" from dimensional standards. Use variances are not generally allowed in Minnesota—state law prohibits a city from permitting by variance any use that is not permitted under the ordinance for the zoning district where the property is located.

II. Granting a variance

Minnesota law provides that requests for variances are heard by a body called the board of adjustment and appeals; in many smaller communities, the planning commission or even the city council may serve that function. A variance decision is generally appealable to the city council.

A variance may be granted if enforcement of a zoning ordinance provision as applied to a particular piece of property would cause the landowner "practical difficulties." For the variance to be granted, the applicant must satisfy the statutory three-factor test for practical difficulties. If the applicant does not meet all three factors of the statutory test, then a variance should not be granted. Also, variances are only permitted when they are in harmony with the general purposes and intent of the ordinance, and when the terms of the variance are consistent with the comprehensive plan.

This material is provided as general information and is not a substitute for legal advice. Consult your attorney for advice concerning specific situations.

RELEVANT LINKS:

III. Legal standards

When considering a variance application, a city exercises so-called “quasi-judicial” authority. This means that the city’s role is limited to applying the legal standard of practical difficulties to the facts presented by the application. The city acts like a judge in evaluating the facts against the legal standard. If the applicant meets the standard, then the variance may be granted. In contrast, when the city writes the rules in zoning ordinance, the city is exercising “legislative” authority and has much broader discretion.

A. Practical difficulties

“Practical difficulties” is a legal standard set forth in law that cities must apply when considering applications for variances. It is a three-factor test and applies to all requests for variances. To constitute practical difficulties, all three factors of the test must be satisfied.

1. Reasonableness

The first factor is that the property owner proposes to use the property in a reasonable manner. This factor means that the landowner would like to use the property in a particular reasonable way but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance. For example, if the variance application is for a building too close to a lot line or does not meet the required setback, the focus of the first factor is whether the request to place a building there is reasonable.

2. Uniqueness

The second factor is that the landowner’s problem is due to circumstances unique to the property not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property, such as sloping topography or other natural features like wetlands or trees.

RELEVANT LINKS:

2011 Minn. Laws, ch. 19,
amending Minn. Stat. §
462.357, subd. 6.

*Krummenacher v. City of
Minnetonka*, 783 N.W.2d 721
(Minn. June 24, 2010).

Minn. Stat. § 462.357 subd.
6.
Minn. Stat. § 394.27, subd. 7.

See Section I, *What Is a
variance*.

See Section IV-A, *Harmony
with other land use controls*.

3. Essential character

The third factor is that the variance, if granted, will not alter the essential character of the locality. Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. For example, when thinking about the variance for an encroachment into a setback, the focus is how the particular building will look closer to a lot line and if that fits in with the character of the area.

B. Undue hardship

“Undue hardship” was the name of the three-factor test prior to a May 2011 change of law. After a long and contentious session working to restore city variance authority, the final version of HF 52 supported by the League and allies was passed unanimously by the Legislature. On May 5, Gov. Dayton signed the new law. It was effective on May 6, the day following the governor’s approval. Presumably it applies to pending applications, as the general rule is that cities are to apply the law at the time of the decision, rather than at the time of application.

The 2011 law restores municipal variance authority in response to a Minnesota Supreme Court case, *Krummenacher v. City of Minnetonka*. It also provides consistent statutory language between city land use planning statutes and county variance authority, and clarifies that conditions may be imposed on granting of variances if those conditions are directly related to, and bear a rough proportionality to, the impact created by the variance.

In *Krummenacher*, the Minnesota Supreme Court narrowly interpreted the statutory definition of “undue hardship” and held that the “reasonable use” prong of the “undue hardship” test is not whether the proposed use is reasonable, but rather whether there is a reasonable use in the absence of the variance. The new law changes that factor back to the “reasonable manner” understanding that had been used by some lower courts prior to the *Krummenacher* ruling.

The 2011 law renamed the municipal variance standard from “undue hardship” to “practical difficulties,” but otherwise retained the familiar three-factor test of (1) reasonableness, (2) uniqueness, and (3) essential character. Also included is a sentence new to city variance authority that was already in the county statutes.

RELEVANT LINKS:

[Issuance of Variances, LMC model ordinance.](#)

[Variance Application, LMC model form.](#)
[Adopting Findings of Fact, LMC model resolution.](#)

[Minn. Stat. § 462.357, subd. 6.](#)

[See LMC information memo, *Taking the Mystery out of Findings of Fact*.](#)

[Minn. Stat. § 462.357, subd. 6.](#)

C. City ordinances

Some cities may have ordinance provisions that codified the old statutory language, or that have their own set of standards. For those cities, the question may be whether you have to first amend your zoning code before processing variances under the new standard. A credible argument can be made that the statutory language pre-empts inconsistent local ordinance provisions. Under a pre-emption theory, cities could apply the new law immediately without necessarily amending their ordinance first. In any regard, it would be best practice for cities to revisit their ordinance provisions and consider adopting language that mirrors the new statute.

The models linked at the left reflect the 2011 variance legislation. While they may contain provisions that could serve as models in drafting your own documents, your city attorney would need to review prior to council action to tailor to your city's needs. Your city may have different ordinance requirements that need to be accommodated.

IV. Other considerations

A. Harmony with other land use controls

The 2011 law also provides that: "Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the terms of the variance are consistent with the comprehensive plan." This is in addition to the three-factor practical difficulties test. So a city evaluating a variance application should make findings as to:

- Is the variance in *harmony with* the purposes and intent of the ordinance?
- Is the variance *consistent with* the *comprehensive plan*?
- Does the proposal put property to use in a *reasonable manner*?
- Are there *unique circumstances* to the property not created by the landowner?
- Will the variance, if granted, alter the *essential character* of the locality?

B. Economic factors

Sometimes landowners insist that they deserve a variance because they have already incurred substantial costs or argue they will not receive expected revenue without the variance. State statute specifically notes that economic considerations alone cannot create practical difficulties. Rather, practical difficulties exist only when the three statutory factors are met.

RELEVANT LINKS:

Minn. Stat. § 462.357, subd.
6

C. Neighborhood opinion

Neighborhood opinion alone is not a valid basis for granting or denying a variance request. While city officials may feel their decision should reflect the overall will of the residents, the task in considering a variance request is limited to evaluating how the variance application meets the statutory practical difficulties factors. Residents can often provide important facts that may help the city in addressing these factors, but unsubstantiated opinions and reactions to a request do not form a legitimate basis for a variance decision. If neighborhood opinion is a significant basis for the variance decision, the decision could be overturned by a court.

D. Conditions

A city may impose a condition when it grants a variance so long as the condition is directly related and bears a rough proportionality to the impact created by the variance. For instance, if a variance is granted to exceed an otherwise applicable height limit, any conditions attached should presumably relate to mitigating the effect of excess height.

V. Variance procedural issues**A. Public hearings**

Minnesota statute does not clearly require a public hearing before a variance is granted or denied, but many practitioners and attorneys agree that the best practice is to hold public hearings on all variance requests. A public hearing allows the city to establish a record and elicit facts to help determine if the application meets the practical difficulties factors.

B. Past practices

While past practice may be instructive, it cannot replace the need for analysis of all three of the practical difficulties factors for each and every variance request. In evaluating a variance request, cities are not generally bound by decisions made for prior variance requests. If a city finds that it is issuing many variances to a particular zoning standard, the city should consider the possibility of amending the ordinance to change the standard.

RELEVANT LINKS:

[Minn. Stat. § 15.99.](#)

[Minn. Stat. § 15.99, subd. 2.](#)

[See LMC information memo, *Taking the Mystery out of Findings of Fact*.](#)

[Minn. Stat. § 15.99, subd. 2.](#)

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C. Time limit

A written request for a variance is subject to Minnesota's 60-day rule and must be approved or denied within 60 days of the time it is submitted to the city. A city may extend the time period for an additional 60 days, but only if it does so in writing before expiration of the initial 60-day period. Under the 60-day rule, failure to approve or deny a request within the statutory time period is deemed an approval.

D. Documentation

Whatever the decision, a city should create a record that will support it. In the case of a variance denial, the 60-day rule requires that the reasons for the denial be put in writing. Even when the variance is approved, the city should consider a written statement explaining the decision. The written statement should explain the variance decision, address each of the three practical difficulties factors and list the relevant facts and conclusions as to each factor.

If a variance is denied, the 60-day rule requires a written statement of the reasons for denial be provided to the applicant within the statutory time period. While meeting minutes may document the reasons for denial, usually a separate written statement will need to be provided to the applicant in order to meet the statutory deadline. A separate written statement is advisable even for a variance approval, although meeting minutes could serve as adequate documentation, provided they include detail about the decision factors and not just a record indicating an approval motion passed.

VI. Variances once granted

A variance once issued is a property right that "runs with the land" so it attaches to and benefits the land and is not limited to a particular landowner. A variance is typically filed with the county recorder. Even if the property is sold to another person, the variance applies.

VII. Further assistance

If you have questions about how your city should approach variances under this statute, you should discuss it with your city attorney. You may also contact League staff.

<https://www.stpaul.gov/departments/safety-inspections/zoning/zoning-variances>

According to the zoning code, the City must make the following six Code Requirement findings before they can grant a variance.

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Zoning Variances

General Information

Zoning variances are exceptions from regulations that are in the zoning code and are made for a specific case. The Board of Zoning Appeals (BZA) has the authority to grant zoning variances. The seven member Board, appointed by the Mayor with the consent of the City Council, is comprised of private citizens who live in Saint Paul.

The BZA holds a public hearing before deciding on each case. There are two types of variances cases - minor and major. Minor variances are for single family additions, garages, fences and pools; all other variances are major variances. The [Citizen Participation District Council \(https://www.stpaul.gov/residents/live-saint-paul/neighborhoods/district-councils\)](#) for the area is notified by mail at least 10 days prior to the public hearing as well as all property owners within 350 feet of the subject property for major variances and within 100 feet for minor variances. Anyone may testify at the hearing or send in written comments either in support or opposition to the request. A zoning staff report is given for each case, including a recommendation for approval or denial, a copy of which is sent to the applicant prior to the hearing.

The Board of Zoning Appeals will conduct a public hearing within 4 weeks of the application's submission. By [State Law 15.99 \(https://www.revisor.leg.state.mn.us/statutes/?id=15.99\)](#), a decision is required on zoning-related requests within 60 days of submission or automatic approval will be given. An extension of 60 days may be given, provided the applicant is given written

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notice. The Board of Zoning Appeals holds public hearings every other Monday. The hearings start at 3:00 p.m. in Room 330 of the City Hall/ Courthouse. It is essential that the applicant or their representative attend the hearing.

Application Requirements

You must submit an application that includes the following:

- A completed [Application Packet](https://www.stpaul.gov/sites/default/files/Media%20Root/Safety%20%26%20Inspections/BZA%20APP%202018.pdf) (<https://www.stpaul.gov/sites/default/files/Media%20Root/Safety%20%26%20Inspections/BZA%20APP%202018.pdf>)
- A Site Plan, drawn to scale
- The required filing fee

Appeal

Any affected party may appeal the decision of the Board of Zoning Appeals to the City Council within 10 days of the date of the decision.

Code Requirements

According to the zoning code, the BZA must make the following findings before they can grant a variance:

- The variance is in harmony with the general purposes and intent of the zoning code.
- The variance is consistent with the comprehensive plan.
- 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.
- The plight of the landowner is due to circumstances unique to the property not created by the landowner.
- The variance will not permit any use that is not allowed in the zoning district where the affected land is located.
- The variance will not alter the essential character of the surrounding area. In granting a variance, the board or commission shall make written findings stating the grounds upon which the variance is justified. Inadequate access to direct sunlight for solar energy systems constitutes a practical difficulty in the third bullet point above.

In granting a variance, the BZA may attach reasonable conditions to their approval. The BZA does not have the authority to allow a use that is not otherwise permitted in the zoning district.

[inspections/licenses/short-term-rental-host\)](#)

[Dog License \(/departments/safety-inspections/animal-control-information/dog-license\)](#)

[Building Information & Applications \(/departments/safety-inspections/construction-inspections/building/building-information-applications\)](#)

News

[5/17/18 - Saint Paul Department of Safety and Inspections announces the temporary closure of the RiverCentre Ramp \(/news/saint-paul-department-safety-and-inspections-announces-temporary-closure-rivercentre-ramp\)](#)

[4/1/17 - Zoning Code Fees Increase - April, 2017 \(/news/zoning-code-fees-increase-april-2017\)](#)

[2/17/16 - Safety & Inspections Plumbing Permit Policy Change \(/news/safety-inspections-plumbing-permit-policy-change\)](#)

[More News \(/news/?field_department_tid=786\)](#)

Zoning Variance Fees & Inspections

A zoning staff person will visit the site and take slides to be shown at the public hearing. If the variance is granted, an inspection by the Building Inspector is made as part of the building permit for the project. A zoning inspector will verify that any conditions attached to the approval are met. Call 651-266-9008 to reach a Zoning Inspector.

Description	Amount
Major Variance For single family dwelling or duplex	\$547.00
For a multi-family residential use	\$589.00
For a commercial, industrial or institutional use	\$856.00
Sign Variance	\$547.00
Minor Variance	\$442.00
(Single family addition or garage)	

Checks should be made payable to the City of Saint Paul. Visa, Mastercard, Discover, and American Express are also accepted. When a zoning application is submitted for a development that has been built or started without the required city permits, a late fee will be assessed. The late fee is double the filing fee.

Expiration/Renewal

A zoning variance is valid for two years unless a building permit is obtained within the time frame and construction is proceeding according to the terms of the permit. The zoning administrator may grant an extension not to exceed one additional year.



15 Kellogg Blvd. West | Saint Paul, MN 55102 | General Information: 651-266-8989

[Home \(/\)](#)

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<http://www.stpaul.gov/departments/safety-inspections/zoning/zoning-variances&langpair=en|es&hl=en&le=UTF8>



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-
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 - | Photo Credits (/photo-credits)

^{iv} The position of TCGIS to the public regarding their monopolization of neighborhood street parking

has been to consistently ignore the fact that their on-site off-street parking is grossly inadequate compared to the number of school staff as specified by city code. Their position has been that their staff is free to use public street parking and that they have little or no control to influence their staff to do otherwise.

10/3/2018 - District 10 Land Use Meeting

Audio recording of meeting available upon request from Kevin Anderson

Gael Braddock, representing TCGIS, stated that in the event that TCGIS did arrange for offsite parking that school staff could choose to use public street parking rather than use TCGIS offsite parking.

8/8/2018 – Email from TCGIS Gael Braddock to District 10 Land Use Committee Chair Maggie Zimmerman

A copy of this email is included in another section of this document's endnotes.

TCGIC Representative Gael Braddock stated to District 10 Land Use Chair Maggie Zimmerman, "we cannot guarantee that parking on Van Slyke will completely cease, as this is a public street on which parking is not prohibited."

4/11/2017 – Email from TCGIS Director Ted Anderson to neighbor Kevin Anderson

A copy of this email is included in another section of this document's endnotes.

In response to a request for the school to share neighborhood parking rather than monopolize the majority of parking on a daily basis Mr. Anderson replied that "it would be hard to keep people from using all the legal parking available."

v Board of Zoning Appeals meeting 5/21/2018 Agenda

<https://www.stpaul.gov/sites/default/files/Media%20Root/Safety%20%26%20Inspections/MAY%2021%20AGEND-POST.pdf>

Variance Request #18-035099

Applicant: Hupp Holdings III LLC

Location: 617 Laurel Avenue

TCGIS neighbor, Kris Anderson, attended the meeting. Board discussion of variance request #18-035099 stated that in the previous/original application, the owner proposed the possibility of arranging for off-site parking. The board was concerned about whether that arrangement would be binding, enforceable, or if it was even legally allowed as an option for approving a variance. The Board questioned whether such an agreement could be tied to a building as a requirement.

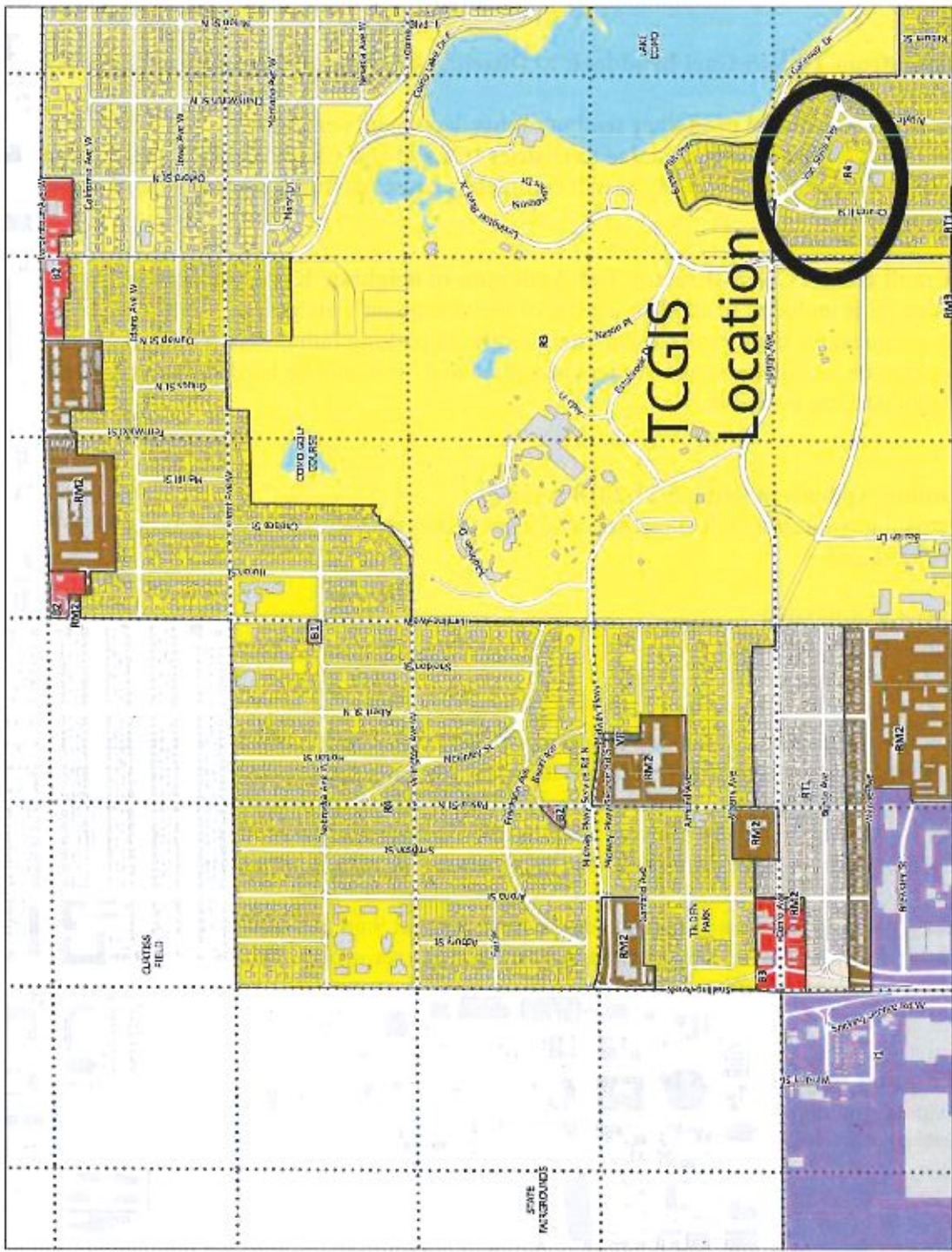
Board Member Joyce Maddox stated that she drove by the site at 9am and traffic was very busy. It is likely that nearby development will make the traffic problems even worse. 6 Units is too dense and likely to increase traffic problems.

vi Saint Paul Zoning Map – TCGIS Is Zoned R4 One-Family

<https://www.stpaul.gov/departments/safety-inspections/zoning>

https://www.stpaul.gov/sites/default/files/Media%20Root/Safety%20%26%20Inspections/dsi.zoning.panels2016_0.pdf

SAINT PAUL ZONING DISTRICTS



- Section Line
- Water
- RL One-Family Large Lot
- R1 One-Family
- R2 One-Family
- R3 One-Family
- R4 One-Family
- RT1 Two-Family
- RT2 Townhouse
- RM1 Multiple-Family
- RM2 Multiple-Family
- RM3 Multiple-Family
- T1 Traditional Neighborhood
- T2 Traditional Neighborhood
- T3 Traditional Neighborhood
- T3M T3 with Master Plan
- T4 Traditional Neighborhood
- OS Office-Service
- B1 Local Business
- BC Community Business (converted)
- B2 Community Business
- B3 General Business
- B4 Central Business
- B5 Central Business Service
- IT Traditional Industrial
- ITM IT with Master Plan
- I1 Light Industrial
- I2 General Industrial
- I3 Restricted Industrial
- YP Vocational Parking
- PD Planned Development
- CA Capital Area Jurisdiction



PANEL 2

ZONING LAST UPDATED MAY 2, 2016

vii **Sec. 66.212. - Intent, R1—R4 one-family residential districts**

https://library.municode.com/mn/st._paul/codes/code_of_ordinances?nodeId=PTIILECO__TITVIII_ZO_CO_CH66_ZOCOONDIUSDEDIST__ARTII66.200.REDI_DIV166.210.IN_S66.212INR40MTREDI

Sec. 66.212. - Intent, R1—R4 one-family residential districts.

The R1—R4 one-family residential districts provide for an environment of predominantly *low-density*, one-family dwellings along with civic and institutional uses, public services and utilities that *serve the residents in the districts*. Because of their residential nature, *these districts are not intended for more intensive uses* such as small conference centers, private retreat centers and reception houses.

viii **TCGIS Restricted Parking Photos**

TCGIS has designated the entirety of their street frontages on Como Avenue, Van Slyke Avenue, and also frontages for 1042 and 1048 Van Slyke Avenue, as restricted for Passenger Loading from 7:30am-9am and 2:30pm – 5pm. Because of both morning and afternoon parking restrictions, no all day parking spots are available for TCGIS staff or neighbors.



TCGIS - 1028 Van Slyke E to West TCGIS - 1028 Van Slyke E to West

TCGIS - 1028 Van Slyke E to West

TCGIS - 1042/1048 Van Slyke



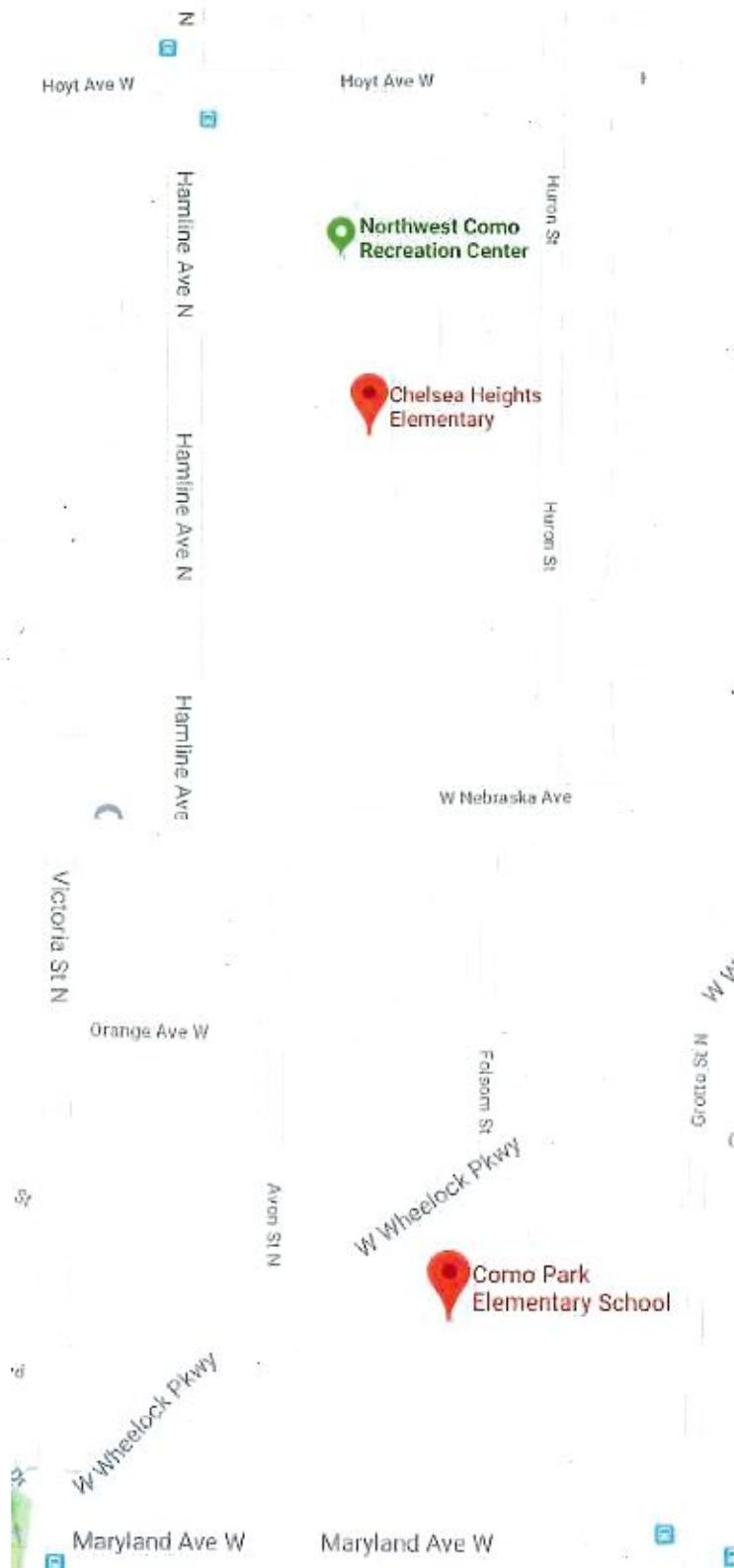
TCGIS - 1031 Como Ave W to East TCGIS - 1031 Como Ave W to East

TCGIS - 1031 Como Ave W to East

TCGIS - 1031 Como Ave W to East

TCGIS has designated the entirety of their street frontages on Como Avenue, Van Slyke Avenue, and also frontages for 1042 and 1048 Van Slyke Avenue, as restricted for Passenger Loading from 7:30am-9am and 2:30pm - 5pm. Because of both morning and afternoon parking restrictions, no all day parking spots are available for TCGIS staff or neighbors.

Note the expanses of each schools' street frontage available for parking by the school without monopolizing street frontage of nearby residential neighbors.



https://www.legis.org/uploads/6/6/1/3/66130259/tcgis_listening_session_-_facilities_-_02.26.18.pptx.pdf

TCGIS Facilities Committee on 4/9/2018 held an open meeting to make a presentation about their expansion plans. The slides were presented at the meeting and made publicly available on their website. The following are excerpts, but the full document is available at the link specified above.

BONDING & GROWTH

- *As the School grows, the difference between lease payments and bond payments may continue to grow.*
 - *Increased enrollment means that we will earn more lease aid and will pay additional costs, but the bond payments will remain the same.*
- *The School's growth may support a new bond issuance.*
 - *A new bond issuance would be used to replace the Aula with a modern gym, cafeteria, and additional classrooms.*
 - *The new bonds would be paid for with the increased lease aid, plus savings from avoiding Aula maintenance.*
- *The critical issue is student growth projections.*
 - *Because new bond payments would rely on increased enrollment, it is important to be conservative in preparing these projections.*

OTHER OPTIONS?

- *Is it possible to build and keep the Aula?*
 - *Keeping the Aula and building would consume precious playground space and/or parking spaces.*
 - *Even under more aggressive enrollment growth projections, the school cannot support the projected maintenance costs and additional bonds.*
- *What if we don't build at all?*
 - *At three sections per grade, programming at the school will likely suffer from lack of classroom space and the financial burden of the Aula.*
- *What if we don't have three sections per grade?*
 - *A student population built on two sections per grade is not sufficient to make the bond payments and maintain the school building and Aula.*

^{xi} TCGIS Board Meeting 7/30/2018

<https://www.youtube.com/watch?v=5MpP0RpY4fM>

The TCGIS School Board made it clear to the neighborhood during their Board Meeting 7/30/2018 that their expansion project, and therefore the need for a parking variance, is financially motivated.

Nic Ludwig – TCGIS Board Member and Facilities Committee Chair (51:30): “Another thing that we have to kinda understand is if we sell our building there’s a real cost in having to rebond to build a larger facility at CLS because it only holds 16 classrooms right now ...we need more than 30...and so to sell and pay off the current bonds...rebond for that additional amount of money, and those are considerable bonding expenses, and because we’re 5 years into a bond payment schedule right now there is an additional 5 years before prepayment penalty ends, and so those are real costs...also that we have to consider... and those costs along with maintaining that facility and our current facility are clearly something that TCGIS can’t absorb or can’t weather and so that’s kinda the basis of our conversations...”

Nic Ludwig (1:13:42): “Yes So the current budget of remodeling this space here is \$6 million. If you look at what the total bonds are we have outstanding that we would need to build over there at roughly about \$200 a square foot we need about 8000 sq. ft. that’s about \$16 million...ah...so factor in needing that amount of money we would need to build plus the cost of acquiring the property ...ah...we received a kind of an estimate from a developer that we had been working with and the most that we could bond for and that is based off the number of students that we would have at our school...ah...projecting that we would have at our school ...is about \$15.2 million so we’re short to pull off a project at that scope in one movement.”

Stephanie Forsland – TCGIS Board Member (1:52:36): “Grants are insufficient for the adaptive reuse that most structures like this would require so that’s not really a viable option either, especially when we’re looking at the fact that to do so would bankrupt the school and we as a board cannot make that decision.”

Kelly Laudon – TCGIS Board Member and former board Chair (2:09:04): “While we appreciate the historic building here, we are, at the end of the day, fiduciaries of this school as board members, and we have an obligation, as much as we would like to just ignore what the financial restrictions are, but our limitations are in terms of budgetary restraints. We have to act in good faith as fiduciaries for the actual absolute best interest of the school...we cannot make it our mission to keep a historic building. That is not the reason we receive the funds that we receive and its not a good use of the funds for our students and at the end of the day what we are charged with by the state and by the election to this board is to act in the best interest of the school using the funds for which they were given. And so for me that is what propels me to the decision that we cannot use our funds to preserve a historic building.

TCGIS has also made the financial justification for their expansion clear in press statements.

The Daily Caller 8/1/2018

<http://dailycaller.com/2018/08/01/st-paul-historic-church-school/>

A complete copy of the article is included below this excerpt.

However, the Twin Cities German Immersion School Board chair and father of two students, Sam Walling, said otherwise. The board considered purchasing another site, the Central Lutheran School, located about a mile away. Walling said it posed “an unacceptable amount of risk,” because it increased annual operating costs by around \$170,000.

Star Tribune 8/6/2018

<http://www.startribune.com/st-paul-parochial-school-announces-closing/490169111/>

A complete copy of the article is included below this excerpt.

For months, Twin Cities German Immersion School, a charter school that has seen explosive growth, studied the possibility of using Central Lutheran as part of a two-campus system, but it decided that plan was too expensive. Instead, the board voted last week to tear down the former St. Andrew's Catholic Church building and replace it with a new addition.

City Pages 8/7/2018

<http://www.citypages.com/news/german-immersion-school-board-votes-to-demolish-old-st-andrews-church/490187151>

A complete copy of the article is included below this excerpt.

The board voted to demolish the church 6-1. The finances just didn't make sense, Executive Director Ted Anderson says. Like St. Andrew's, Central Lutheran is an old building, in need of upkeep and repair. He estimated the extra costs at \$170,000 a year: affordable for a year or two, but after that, a worm in the school's budget surplus. "It just became clear in late July that the numbers weren't adding up," he says.



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GERMAN SCHOOL VOTES TO DEMOLISH HISTORIC CHURCH IN MINNESOTA

<http://dailycaller.com/2018/08/01/st-paul-historic-church-school/>

Page 1 of 7

Kyle Perisic | Contributor 5:43 PM 08/01/2018



The Twin Cities German Immersion School Board voted 6-1 in favor of demolishing a historic church and building a new wing of the school in St. Paul, Minnesota, Monday.

The school board voted to add the new wing to accommodate for growing class sizes, but opponents to the decision say they didn't consider all possibilities.

Save Historic St. Andrew's, a group to preserve the building, says it will continue its fight to preserve the church, which was built in 1927, the St. Paul Pioneer Press reported Tuesday.

The local Catholic Church was decommissioned in 2010. The German Immersion School moved into the church in 2013. **(RELATED: WaPo Opinion Writer Says Catholic Church Has A Gay Priest Problem)**

The group will "continue on doing

what we think is right," one group member, Anna Mosser, said **according to** the Pioneer Press.

"I respect that [the school board feels] they're doing what's best for the school, but I feel like their vision of what's best for the school is very rigid. They haven't really considered all the options," Mosser said.

However, the Twin Cities German Immersion School Board chair and father of two students, Sam Walling, said otherwise. The board considered purchasing another site, the Central Lutheran School, located about a mile away.

Walling said it posed "an unacceptable amount of risk," because it increased annual operating costs by around \$170,000.

It was an "extremely difficult" decision to demolish St. Andrew's Church for board members to make, Walling said. "We needed to approach it from the perspective of what's really best for our families and for our staff," he added.



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The school hopes to open the new wing in January 2020.

Follow Kyle on Twitter
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1054

Declining enrollment, financial pressures cited in recent fundraising effort

By Anthony Lonetree (<http://www.starlinehome.com/anthony-lonetree/70645318/>) Sign Title
AUGUST 6, 2018 — 10:23 PM

Central Lutheran School, which for 50 years has educated children in St. Paul's Midway and Progress neighbourhoods, has suspended operations and will not be open in the fall, the principal announced last weekend.

The move follows an emotional week during which the nearby Twin Cities German Lutheran School decided against purchasing the building, and a last-ditch bid by other interested parties to save it did not come together.

But Central Lutheran's work — dwelling commitment, in particular — inspires those of parochial schools locally and nationally.

A separate effort to save the school via a GoFundMe page seeking \$450,000 raised just \$70,531 after its launch this spring.

The school noted then that while it once relied totally on tuition for funding, now about 80 percent of students received some form of financial aid, and that more than half qualified for free or reduced-price lunches.

In a Facebook post on Saturday, Principal Elizabeth Weyner wrote that the school board voted unanimously Friday night to suspend operations after investors were unable to submit show purchase agreements by a deadline set for that day.

"This sudden turn of events, when everything was looking so optimistic, leaves us all sad, shaken, angry and maybe even questioning God's will," she wrote. "This is normal. It will take time for this to sink in and it will take more time as we go on to see the good our Heavenly Father has planned for each of us."

Many families wrote of having sent multiple generations of children to the school, which traces its history to the beginnings of St. Stephen's Lutheran Church in Proctorville in 1890. Central Lutheran became an interparish school in 1942 and began operating at its current site at 775 Lexington Parkway N. in the Midway area in 1951.

The school served students in preschool through eighth grade, and adopted as its mission to "make Christ's disciples of our students and to equip them with the fundamental knowledge and skills for responsible citizenship in the community and the world."

In addition to Christian teachings, the school had offered music, art, physical education and STEM programs.

The school noted in a fundraising video that it has attracted immigrant children from Britain, Laos, Ethiopia and Myanmar.

Wegner wrote in her Facebook post to family and community members that the school would keep them updated about a farewell gathering and that it planned to send them information about other schools.

According to data collected from private schools by the St. Paul School District, nonpublic enrollment in the city fell from 11,064 in 1995-96 to 7,455 in 2015-16, a 33 percent decline. The data did not include breakdowns for individual schools or school types.

Charter school enrollment in St. Paul during the same 30-year period jumped from 300 to about 9,800 students, the district said.



<http://www.cnn.com/US/stories/economy/07/10/union.sigs.sig.html>

For months, Twin Cities German Immersion School, a charter school that has seen explosive growth, studied the possibility of using Central Lutheran as part of a two-campus system, but it decided that plan was too expensive. Instead, the board voted last week to tear down the former St. Andrew's Catholic Church building and replace it with a new addition.

alonestree@startribune.com 612-673-1109

German Immersion school board votes to demolish old St. Andrew's Church

Tuesday, August 7, 2018 by
Hannah Jones
in
News



A charter school voted to raze the old St. Andrews church building, much to the neighborhood's distress.
Save Historic St. Andrews

When Marietta McCullough looks at the old St. Andrew's Church building in St. Paul's Como Park, she sees her time there as a student. She remembers days on the playground and ice cream socials. She remembers parishioners who are no longer alive. She remembers an era when church, she says, had more of a gravitational pull – a community importance.

St. Andrew's, at 1051 Como Avenue in St. Paul, hasn't had a congregation since 2011, when the diocese shut it down. It got a second life as a makeshift gym and cafeteria for the adjoining public charter, Twin Cities German Immersion School. Even if it's not her church anymore, McCullough loves that building, which was built in 1927. She adores its bright orange tiles and its three bell towers. She prays to its eponymous saint.

But soon, St. Andrew's will be torn to the ground. German Immersion's running out of room. Its ranks have swollen from 330 in 2013 by more than 200 students, and it's expecting 600 by 2021.

Last year, school leaders converted a computer lab into a classroom and had the younger kids take gym in the basement. Scheduling and space is getting to be a hassle, and St. Andrew's columns, corners, and deafening acoustics had already made it a subpar gym. So, after months of deliberation, they decided to raze the old church last spring.

This prompted outcry from McCullough and her neighbors. The church was a historical gem and the heart of the neighborhood, they insisted – whether people worshipped there or not. They rallied, circulated petitions and yard signs, and begged leadership to find another solution. The Save Historic St. Andrew's group was born, and the fight was on.

The following struggle

<http://www.citypages.com/news/in-como-park-a-battle-to-save-st-andrews-church-from-a-schools-bulldozing/6842023/1>

pitted neighbors against neighbors – one side accused of short-shrifting innocent children, the other accused of destroying the neighborhood's heritage. School leadership said they sympathized with neighbors' sentimental connections, but insisted there was no other option. Their hands were tied.

St. Andrew's fate was staid in late May, when a last-minute option opened up. Central Lutheran School, about a mile south from the site, was struggling with finances and offering to sell. If German Immersion could move its middle school grades to the new site and keep the grade school kids in the current building, perhaps it could manage its space issues until a newer, bigger building could be found.

There it was, when they needed it most: a Hail Mary pass.

"It was a sudden opportunity that seemed to make so much sense," neighbor Anna Mosser says. Central Lutheran had fields, playgrounds, plenty of room – what more could German Immersion want?

But when the board called a special meeting on July 30, the bubble burst. The board voted to demolish the church 6-1. The finances just didn't make sense, Executive Director Ted Anderson says. Like St. Andrew's, Central Lutheran is an old building, in need of upkeep and repair. He estimated the extra costs at \$170,000 a year: affordable for a year or two, but after that, a worm in the school's budget surplus.

"It just became clear in late July that the numbers weren't adding up," he says.

It was settled. Construction – and destruction – would take place next summer. If the neighbors liked, leaders said, they could be part of the design process. Perhaps they could pay tribute to old St. Andrew's.

There wasn't a lot of debate or discussion after the decision was handed down. A few Save St. Andrew's folks got up and left early. By then, everyone had already said what there was to say.

Mosser wasn't surprised, she says. She believes the school has been blowing off its neighbors the whole time, failing to engage them about the future of the building and include them in the solutions.

"The school is only accountable to itself, in a sense," she says. "They have no acknowledgement of who the architect was, what neighborhood they're in, who lives here, and [the church's] history. They have no accountability to their neighbors."

Nic Ludvig, the chair of the school's facilities committee, doesn't think that's fair. After all, they'd delayed getting funding for construction while investigating the Central Lutheran option. Besides, razing the church building has been a topic at school board meetings for months.

"If you weren't paying attention back in October 2017, then yeah, you might have missed it," he says. "I guess we're a little frustrated that they still try to pin that on us."

And it's not like they're the real bad guys, Anderson says. The diocese was the one that closed the church in the first place.

"All we're trying to do is serve and educate these Minnesota kids," he says.

Unlike Mosser, McCullough was honestly taken aback. She really thought the neighborhood and the school had found an amicable solution, and Save St. Andrew's had received a groundswell of support. There are hundreds of people involved, she says, and countless orange yard signs posted for the cause: "Respect our history, engage our community."

"We had been led to believe that that would all be taken into consideration," she says.

McCullough was a grade school teacher. She knows how involved and all-consuming those years are to parents. But in a couple of years, she says, the parents involved in the school expansion will move on from German Immersion. Their children will join other schools, immerse themselves in other things. The neighborhood struggle will shrink into their rearview mirrors, and they will cease to care about it.

But the church will still be gone.

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^{xii} **Sec. 63.207. - Parking requirements by use.**

https://library.municode.com/mn/st._paul/codes/code_of_ordinances?nodeId=PTIILECO_TITVIII_ZO_CH63ZOCOEGGEAP_ARTII63.200.PARE_S63.206RUCOREPA

Sec. 63.207. – Parking requirements by use specifies the off-street parking minimum required. “The minimum number of off-street parking spaces by type of use shall be determined in accordance with table 63.207, minimum required off-street parking by use.” The table indicates that Elementary/middle/junior high school require 1 space per employee.

Sec. 63.207. - Parking requirements by use.

- (a) *Off-street parking minimum.* The minimum number of off-street parking spaces by type of use shall be determined in accordance with table 63.207, minimum required off-street parking by use.
- (b) *Off-street parking reductions.* The minimum number of off-street parking spaces as determined in Section 63.207(a) shall be reduced by one hundred (100) percent in traditional neighborhood districts when more than fifty (50) percent of both the building and the parcel are within one-quarter (¼) mile of University Avenue, and may also be reduced for:
 - 1. Shared parking, as described in section 63.206(d);
 - 2. Bicycle parking, as described in section 63.210(b);
 - 3. Shared vehicle parking, as described in section 63.211.

Such reduction does not change the requirements of paragraphs (c) and (d) below when minimum parking is exceeded, nor does it change the maximum number of off-street parking spaces permitted for the use.

- (c) *Off-street parking maximum.* Surface parking facilities with more than fifteen (15) spaces that exceed the specified off-street parking minimum for food and beverage uses by more than two hundred (200) percent, or by more than one hundred (100) percent in light rail station areas, or that exceed the specified minimum for all other uses by more than seventy (70) percent, or by more than forty (40) percent in light rail station areas, shall not be created unless a conditional use permit is approved based on demonstration of need (including in a TDM plan for surface parking facilities with more than fifty (50) spaces in light rail station areas). As an alternative, parking spaces over the maximum may be provided in a structured parking facility.
- (d) *Condition when minimum parking exceeded.* When the minimum required parking as determined in Section 63.207(a) is greater than ten (10) spaces and is exceeded through the provision of additional surface parking, supplemental stormwater landscaping shall be provided as required in Section 63.319(b).

Table 63.207 Minimum Required Off-Street Parking By Use

Land Use	Minimum Number of Parking Spaces
<i>Residential Uses</i>	
One- and two-family dwelling unit	1.5 spaces per unit
Dwelling unit on Irvine Avenue	2 spaces per unit plus 1 guest parking area per unit (see section 63.312)
Multiple-family dwelling unit	1 space per 1–2 room unit, 1.5 spaces per 3–4 room unit, and 2 spaces per unit with 5 or more rooms. For the purpose of this requirement: efficiency unit = 1 room, one bedroom unit = 2 rooms,

	two bedroom unit = 3 rooms, three bedroom unit = 4 rooms, four bedroom unit = 5 rooms, and so on. A den, library, or other extra room shall count as a room; kitchen, dining and sanitary facilities shall not
Housing for the elderly	0.33 space per unit
Live-work dwelling unit	2 spaces per unit
Emergency housing facility, licensed correctional community residential facility, overnight shelter, shelter for battered persons, sober house, supportive housing facility	1.5 spaces per every 4 adult facility residents
Roominghouse	1 space per 3 occupancy units
Adult care home	1 space per every 3 residents
Dormitory, fraternity, sorority	1 space per every 3 residents
<i>Civic and Institutional Uses</i>	
Educational Facilities	
Day care	1 space per employee
Elementary/middle/junior high school	1 space per employee
Senior high school	1 space per employee, and 1 space per 10 students
College, university, seminary, technical college, trade school, business school, arts school, dance school	1 space per every 2 employees and 1 per every 3 full-time students not on campus or 1 for every 3 part-time students, whichever is greater, plus required parking for other uses
Social, cultural and recreational facilities	
Golf course	4 spaces per hole
Museum	1 space per 500 sq. ft. GFA

Non-commercial recreation, multi-use community center	1 space per 1,000 sq. ft. GFA
Public library	1 space per 500 sq. ft. GFA
Religious Institutions	
Church, chapel, synagogue, place of worship	1 space per 250 sq. ft. GFA in the main unit of worship
Convent, monastery, religious retreat	1 space per every 3 residents
<i>Public Services and Utilities</i>	
Utility building or public service building or yard	1 space per employee
<i>Commercial Uses</i>	
Offices	
Office (including, but not limited to: administrative, financial, insurance, professional, real estate, and sales offices)	1 space per 400 sq. ft. GFA
Photographic studio	1 space per 400 sq. ft. GFA
Medical facilities	
Hospital	1 space per 2 beds
Medical or dental clinic, medical laboratory	1 space per 400 sq. ft. GFA
Veterinary clinic/hospital	1 space per 400 sq. ft. GFA
Retail sales and services	
General retail, service business, bank, credit union, building materials center, business sales and services, convenience market, currency exchange, dry cleaning, commercial laundry, food and related goods sales, food shelf, furniture/appliance store, gun shop, shooting gallery, liquor store, lumber yard, massage center, pawn shop, photocopying, repair shop, self-service laundromat, supermarket, tattoo shop, tobacco shop	1 space per 400 sq. ft. GFA up to 30,000 sq. ft. GFA, plus 1 space for each additional 800 sq. ft. GFA over 30,000 sq. ft. GFA
Greenhouse, garden center	1 space per 400 sq. ft. GFA plus 1 space per

	1,000 sq. ft. outdoor sales or display area
Mortuary, funeral home	1 space per 150 sq. ft. GFA
Multiuse center	1 space per 400 sq. ft. GFA up to 30,000 sq ft GFA, plus 1 space for each additional 800 sq ft GFA over 30,000 sq. ft. GFA. Required parking for uses defined as a "bar" or establishment with entertainment license class C shall be calculated independently according to Table 63.207.
Package delivery service	1 space per 500 sq. ft. GFA
Post office	1 space per 500 sq. ft. GFA
Service business with showroom or workshop	1 space per 900 sq. ft. GFA
Food and Beverages	
Bar	1 space per 150 sq. ft. GFA
Brew on premises store	1 space per 900 sq. ft. GFA
Catering	1 space per 900 sq. ft. GFA
Restaurant, coffee shop, tea house, deli, taproom	1 space per 400 sq. ft. GFA
Establishment with entertainment license class C	1 space per 75 sq. ft.
Lodging	
Bed and breakfast residence	1 space per dwelling unit and 0.5 space per guest room
Hotel, inn, motel	1 space per 3 occupancy units plus required parking for bars, restaurants, assembly rooms
Commercial Recreation and Entertainment	
Basketball, volleyball court	6 spaces per court

Bowling, bocce ball center, billiard hall	2 spaces per lane, 1 space per table plus required parking for other uses
Dance hall, bingo hall, assembly halls without fixed seats, exhibition hall, reception hall	1 space per 200 sq. ft. GFA
Electronic game room	1 space per 400 sq. ft. GFA
Golf, driving range	1 space per 15 feet of driving line
Golf, miniature	1 space per hole
Health/sports club (including, but not limited to: yoga, martial arts, and dance studios)	1 space per 400 sq. ft. GFA
Marina	1 space per 2 slips
Roller rink, ice-skating rink	1 space per 300 sq. ft. GFA
Stadium, sports arena	1 space per 4 seats or 8 feet of benches
Swimming club	1 space per 400 sq. ft. GFA
Tennis, racquetball, handball courts/club	2 spaces per court or lane, 1 space per 300 sq. ft. GFA plus required parking for other uses
Theater, auditorium, assembly hall with fixed seats, concert hall	1 space per 4 seats
Automobile Services	
Automobile convenience market	1 space per 400 sq. ft. GFA
Automobile repair station, service station, body shop, specialty store	1 space per 400 sq. ft. GFA plus 1 space per auto service stall
Auto repair accessory to auto sales	1 space per auto service stall
Automobile sales and rental	1 space per 400 sq. ft. GFA plus 1 space per 5,000 sq. ft. of outdoor sales
Car wash	1 space per 2 employees

Limited Production, Processing and Storage	
Limited production and processing	1 space per 1,000 sq. ft. GFA or 1 space per 2,000 sq. ft. GFA if more than 50% of production floor space is occupied by automated machinery
Warehousing, storage	1 space per 5,000 sq. ft. GFA
Wholesale establishment	1 space per 1,500 sq. ft. GFA
Industrial Uses	
Industrial, manufacturing	1 space per 1,000 sq. ft. GFA or 1 space per 2,000 sq. ft. GFA if more than 50% of production floor space is occupied by automated machinery
Research, development and testing laboratory	1 space per 575 sq. ft. GFA
Sheltered workshop	1 space per employee plus 1 for each 25 program participants

(C.F. No. 08-640, § 2, 7-9-08; C.F. No. 10-403, § 1, 6-16-10; Ord No. 11-27, § 1, 4-20-11; Ord No. 12-26, § 1, 5-23-12; Ord 13-57, § 1, 12-4-13; Ord 16-5, § 1, 4-13-16; Ord 17-38, § 1, 10-25-17)

viii **TCGIS 2013 Bond Proposal**

Housing and Redevelopment Authority of the City of Saint Paul, Minnesota Report to the Commissioners Date: April 10, 2013. Regarding Resolution Authorizing the Issuance of Revenue Bonds for the Twin Cities German Immersion School Project under Minnesota Statutes Sections 469.152 through 469.1651 and Approving Related Documents.

<https://stpaul.legistar.com/View.ashx?M=1&ID=2403678&GUID=3BF8C287-B2A9-483F-8171-B05E38AD13A8>

The report states on page 5 that the project will “provide opportunities for an additional 25 new full-time jobs due to increasing student enrollment (added to the existing 30 jobs resulting in total full-time employment of 55).”

**HOUSING AND REDEVELOPMENT AUTHORITY
OF THE CITY OF SAINT PAUL, MINNESOTA**

REPORT TO THE COMMISSIONERS

DATE: April 10, 2013

**REGARDING: RESOLUTION AUTHORIZING THE ISSUANCE OF REVENUE BONDS
FOR THE TWIN CITIES GERMAN IMMERSION SCHOOL PROJECT
UNDER MINNESOTA STATUTES, SECTIONS 469.152 THROUGH
469.1651 AND APPROVING RELATED DOCUMENTS**

District 6, Ward 5

Requested Board Action

Approval for the HRA to issue conduit lease revenue bonds for Education Properties TCGIS, LLC (the "Borrower"), in an amount not to exceed \$10,000,000. The specific actions being requested of the HRA Board are as follows:

- Authorization of the issuance, sale, and delivery of one or more series of revenue bonds to be designated Charter School Lease Revenue Bonds (Twin Cities German Immersion School Project), Series 2013 (the "Bonds");
- Approval of documents, including Bond Purchase Agreement, Indenture of Trust, and Loan Agreement all in substantially final form and on file with the HRA;
- Appoint Wells Fargo as Trustee and Paying Agent;
- Authorize Kennedy & Graven, Chartered as bond counsel; and
- Consent to distribution of Official Statement.

Background

The Twin Cities German Immersion Charter School, a Minnesota Charter School, (the "School") was founded in 2005 with Kindergarten and Grade 1 and expanded to 8th grade during the current year; they will graduate the first 8th grade class in June. The current enrollment is 322 students; they anticipate 366 students in the fall of 2013, growing to over 500 by the 2017-2018 school year.

The School currently leases space in the three-story building at 1745 University Avenue; their lease expires on June 30, 2013, and they plan to move to a new location and expand. The proceeds of the Bonds will finance the acquisition, renovation, construction and equipping of

Page 1 of 6

their new facility (the "School Facility"), which is an existing school building located at 1028-1030 Van Slyke Avenue and an existing church building located at 1031 Como Avenue. They plan to construct an addition to the existing buildings as well. The School Facility will be owned by the Borrower and leased to and operated by the School. The three-story existing school building of approximately 29,400 sf will be used for classroom and administrative space; the two-story rectory will be demolished for parking; and the former 11,000 sf church sanctuary will be redeveloped as a cafeteria, gym, auditorium, and ancillary classroom space. The new addition of approximately 20,180 sf will connect the two existing buildings, and house additional classrooms and administrative space.

Renovation and new construction will begin as soon as possible in May. The existing school building and church will be ready for occupancy this fall, and the new addition will be completed by late November, 2013.

District 6 has been involved in community meetings with School Board members, and supports the project.

The School Facility is in an area zoned R-4 (one-family residential), and K-12 schools are a permitted use. An application has been made for vacation of the alley between the two parcels. The construction of the proposed addition and new parking lot would be required to go through the City's Site Plan Review process, and may require application for variances.

See **Attachment B** for a Map/Address of the Property, and **Attachment C** for a demographic profile of District 6, the Saint Paul Planning District in which the School Facility is located.

No businesses will be displaced, and no land acquisition took place as a result of eminent domain.

The HRA held a public hearing on March 27, 2013 and adopted a resolution providing preliminary approval of the Project and issuance of the bonds.

Budget Action

This is a conduit bond issue. The Bonds shall not constitute an indebtedness, liability, general or moral obligation, or pledge of the faith or credit or taxing power of the HRA, City of Saint Paul, or any agency or political subdivision thereof, and shall not constitute indebtedness of any of the foregoing within the meaning of any constitutional, statutory, or charter provision, nor be a charge against their respective general assets, credit or taxing powers, and do not grant the owners or holders of the Bonds any right to have the HRA, City of Saint Paul or any agency or political subdivision thereof to levy any taxes or appropriate any funds for the payment of the principal thereof or interest thereon. Principal and interest on the Bonds are payable solely out of the revenues and other sources pledged to the payment thereof as described in the bond documents.

Future Action

No future action needed.

Financing Structure

Piper Jaffray & Company will underwrite the bond financing. An application for a credit rating has been made to Standard & Poor's and is anticipated to be received in early April. The Bonds will be sold as fixed rate, tax-exempt and taxable bonds and will mature as follows:

- \$8,200,000 - Series 2013A (Tax-Exempt), Final Maturity: July 1, 2044
 - Estimated Average Interest Rate: 5.05%
- \$220,000 - Series 2013B (Taxable), Final Maturity: July 1, 2017
 - Estimated Average Interest Rate: 5.00%

Annual debt service of approximately \$560,000 is projected based on the estimated rates assuming a rating in the BB category.

The Bonds will be sold on a negotiated sale basis to the institutional and accredited investor marketplace in minimum bond denominations consistent with PED's conduit bond policy which will depend on the rating (minimum bond denominations of \$5,000 for a bond rating in the BBB category and \$25,000 for a bond rating in the BB category). The total estimated cost of the project is \$8,420,000 as shown below:

Uses:	
Acquisition	\$2,297,600
Construction/Sitework	2,323,422
Reconstruction/rehabilitation	2,000,000
SAC/WAC	30,000
Equipment	15,000
Architect's Fee	241,740
Engineer's Fee	67,100
Miscellaneous Soft Costs	120,713
Development Consultant Fees	189,441
Debt Service Reserve	562,700
Underwriter Discount	147,350
Cost of Issuance	215,000
Capitalized Interest	209,934
Total Uses:	\$8,420,000
Sources:	
Series 2013A Bonds	\$8,200,000
Series 2013B Bonds (Taxable)	220,000
Total Sources	\$8,420,000

The financing team includes Piper Jaffray & Company as underwriter, Kennedy & Graven as bond counsel, and Wells Fargo as Trustee.

PED Credit Committee Review

The PED Credit Committee reviewed the proposal for conduit bonds on March 18, 2013, and found it to be consistent with PED's conduit bond policy.

Compliance

The Borrower has acknowledged receiving City/HRA compliance documents specifying that the following compliance requirements are applicable to this project:

- Vendor Outreach Program, Chapter 84.01.
- Affirmative Action, Chapter 183.04 applies to both the contractor and the borrower.
- Little Davis-Bacon Labor Standards applies to the construction work.

Green/Sustainable Development

The Borrower and School are committed to implementing sustainable design policies and practices to the greatest extent possible. The School has commissioned a Sustainability

Committee that is working with the design team. They are completing energy modeling with the Weidt Group through Xcel Energy's Energy Design Assistance Program and have separated the renovation and new construction components to address sustainable design. They have a grant application into the Capitol Region Watershed District Stewardship Program. They are working toward Sustainable Building 2030/Architecture 2030 goals for energy; and LEED criteria for water conservation, material and resource flow, and zero-waste goals focused on recycling and composting stations. The building design will follow Healthy Schools design standards for daylight, ventilation, and radon testing.

Environmental Impact Disclosure

N/A

Historic Preservation

N/A

Public Purpose/Comprehensive Plan Conformance

The North End-South Como District 6 Plan vision calls for residents to have “improved access to services and to parks, schools, jobs, and institutions they value” (pg.3). Maintaining this site as an educational facility will help assure that residents have good access to schools.

Saint Paul Comprehensive Plan strategy LU 1.55: Collaborate with public and private elementary and secondary schools in conjunction with construction or major remodeling.

Saint Paul Comprehensive Plan strategy LU 1.58: Collaborate with school organizations to promote neighborhood improvement in conjunction with school construction or major remodeling.

Furthermore, this project will create construction jobs and provide opportunities for an additional 25 new full-time jobs due to increasing student enrollment (added to the existing 30 jobs resulting in total full-time employment of 55).

Recommendation:

HRA Executive Director recommends approval of the Resolution, included as Attachment A, which provides final authorization for the issuance of up to \$10,000,000 in conduit lease revenue bonds, for the Twin Cities German Immersion Charter School Project and authorizes execution of related documents.

Sponsored by: Commissioner Brendmoen

Staff: Jenny Wolfe, 266-6680

Attachments

Attachment A – Resolution
Attachment B – Map/Address of Project
Attachment C – Census Facts

^{xiv} **Twin Cities German Immersion School 2012-2013 Annual Report**

Available by request from the Twin Cities German Immersion School. Excerpt of section 6 - Staffing. The report indicates 42 staff members. This is significantly higher than the 32 staff members which was reported to the city on the TCGIS 2013 Site Plan.



2012-2013 Annual Report
District 4152-07

Respectfully submitted by the Board of Directors
to the Minnesota Department of Education
the Twin Cities German Immersion School Community

6. Staffing

Successful immersion education depends upon recruiting highly qualified teachers who also possess native or near-native ability in the German language. In addition, maintaining a German language presence on a school wide-basis requires that most – if not all – staff have some proficiency in German, so that bilingual communication with the children continues outside of the classrooms. It remains an ongoing challenge to find teachers and staff who are proficient in German, are trained in their areas of specialty, are fully licensed or able to be licensed in Minnesota, and who are eligible to work in the United States.

We have successfully hired teachers both locally and through a partnership with the Student Teacher Exchange program at the Checkpoint Charlie Foundation, which provides guest teachers for up to three years. Please note the trend that Minnesota licensed teachers who have committed more than three (3) years to TCGIS tend to stay longer, while non-MN licensed German teachers from overseas (designated as Community Expert) tend to stay two (2) years or less due to their tenure benefits in Germany. The new director is using this data to work on bringing German teachers over on the H1-b license to mitigate this turnover. Table 3 summarizes the composition of staff members at TCGIS for the 2012-2013 school year.

Table 3: TCGIS Staff Composition

Staff Name	File Folder Number (If Teacher)	Assignment	Years Employed by the School	Not Returning 2013-2014
Bailey, Sarah	N/A	Business Manager (7/1-2012-Feb 1, 2013)	2	X
Berres, Stefanie	N/A	.8 Information Systems Administrator	7	
Brenner, Regina	466835	1st grade	2	X
Bindert, Carolin	456303	3rd grade teacher	3	
Carlson, Paul	N/A	Classroom Instructional Assistant	2	
Davis, Amy	436202	Special Education	2	X
Dux, Ginesa	435316	Classroom Instructional Assistant	1	X
Goetzman,	445334	4th Grade/Peaceful	5	

Hunter		Playground Instructor		
Grimm, Susanne	296966	2nd Grade	7	
Groth, Trisha	451393	5th grade	1	X
Hall-Doyle, Jane	430314	Assistant Director/Special Ed. (Jan 2013)	1	
Heindl, Elena	443274	Kindergarten	6	
Helten, Julia	Community Expert	3 rd grade	1	X
Johnson, Susan	318226	.6 Spanish	1	
Jurewicz, Ann	340432	Director	1	
Kaari, Katie	404724	Speech Language	6	
Kalda, Molly	N/A	Office Coordinator	2	
Kile, Anne	411821	Special Education	7	
Kinney, Hannah	N/A	Classroom Instructional Assistant	3	
Koch, Wolfgang	Community Expert	4 th grade	1	
Kocher, Susan	440826	German language (tech and science)	1	
Krug, Anke	Community Expert	1 st Grade	2	
Kulhanek, Kim	N/A	Classroom Instructional Assistant	1	
Lauenstein, Stephanie	446396	5-8 Science	1	
Lenburg, Amy	399046	Art	7	

Maier, Nickolaus	466500	Classroom Instructional Assistant	2	X
Morrissey, Melissa	444717	Middle School Math	2	
Mullan, Jeri	103401	Occupational Therapy	3	
Rosenthal, Mandi	396146	Physical Education	3	
Roth, Alexander	N/A	Business Manager (March 2013)	1	
Roth, Silvia	Community expert	5th grade	1	X
Scholtz, Heidi	341798	English Language Learners	7	
Schulz, Stefanie	Community Expert	Kindergarten	1	X
Schwalbach, Elisa	Community Expert	5th Grade	2	X
Sims, Margaret	N/A	Classroom Instructional Assistant	5	
Solakhau, Valentin	447463	Performing Arts	4	
Stegmann, Denise	448759	Special Education	4	
Stephens, Katie	431693	Middle School English	4	
Stephenson, Scot	397485	2nd Grade	8	
Strobe, Blaine	N/A	Office/Lunch/Tech Coordinator	1	
Suter, Leah Steiner	Community Expert	Kindergarten	1	
Wallace, Michelle	357442	English	6	

Addition of a .5 Assistant Director

As TCGIS continues to grow, the addition in January 2013 of a half time Assistant Director has greatly increased the capacity of the administrative team. The Assistant Director provides a qualified administratively licensed individual to team with the director. The AD coordinates school assessments, manages special education, including 504 plans and Title I, and organizes all aspects of student life, including discipline, school dances and the first ever eighth grade graduation ceremony. The AD provides continuity on campus when the director is absent and offers capacity in managing paperwork and fulfilling on compliance with state mandates.

Successful Partnership with Amity Institute

Additional staffing comes in the form of teaching interns from Germany, Austria or Switzerland. Through a partnership with the Amity Institute, TCGIS contracts with university students who are studying to be teachers and are able to spend five months to a year in an overseas internship. As native German speakers, they also add significantly to the presence of adult native speakers in the school.

In 2012-2013, TCGIS was fortunate to have 31 different interns add their talents to the school as teachers' aids. Of these, two interns were able to stay for the entire year, and one for three-quarters of the year, adding additional stability for both students and supervising teachers. Interns are hosted by school families and contribute 28 hours weekly to the classrooms.

7. Student Achievement Goals for Meeting State Academic Standards

As per TCGIS's literacy plan, students in grades K-3 are assessed at least three times per academic year to determine literacy proficiency. Assessments focus on key literacy indicators determined by our grade-specific achievement goals with instruction concentrated in: phonemic awareness, phonics, fluency, vocabulary development, and reading comprehension. The achievement goals are based on grade level MN ELA Academic Standards. Proficiency is determined by percentage levels of 80% or greater on assessment measures created/implemented by the German/English classroom teachers. Information gathered from these assessments is used in planning targeted group instruction.

In addition, we rely on four key standardized tests identified by our Assessment Committee for summative assessments.

Student Oral Proficiency Assessment

The student oral proficiency assessment (SOPA) measures oral language proficiency for foreign language learners in listening, speaking, grammar and vocabulary. This standardized test is done by trained professionals. There are three levels of proficiency: "novice, intermediate or advanced". The rating scale, developed by the Center of Applied Linguistics, was adapted from the American Council on the Teaching of Foreign Languages proficiency

xv TCGIS 2013 Site Plan

Provided to TCGIS neighbor Kevin Anderson in an email 5/4/2018 from Kim O'Brien, Legislative Aide to Saint Paul City Council President Amy Brendmoen.

Note on page 2 of the Site Plan (labeled "Sheet Number C2") that number of parking stalls required is 1 stall per staff/faculty and that the number of staff/faculty is 32. The Site Plan also specifies that the number of parking stalls provided is 33.



Kevin Anderson <kwanderson1956@gmail.com>

FW: 2013 TCGIS Site Plan

OBrien, Kim (CI-StPaul) <kim.obrien@ci.stpaul.mn.us>
To: Kevin Anderson <kwanderson1956@gmail.com>
Cc: #CI-StPaul_Ward5 <Ward5@ci.stpaul.mn.us>

Fri, May 4, 2018 at 10:06 AM

Hi Kevin,

As requested, we tracked down a copy of the site plan from TCGIS original plan in 2013.

Kim

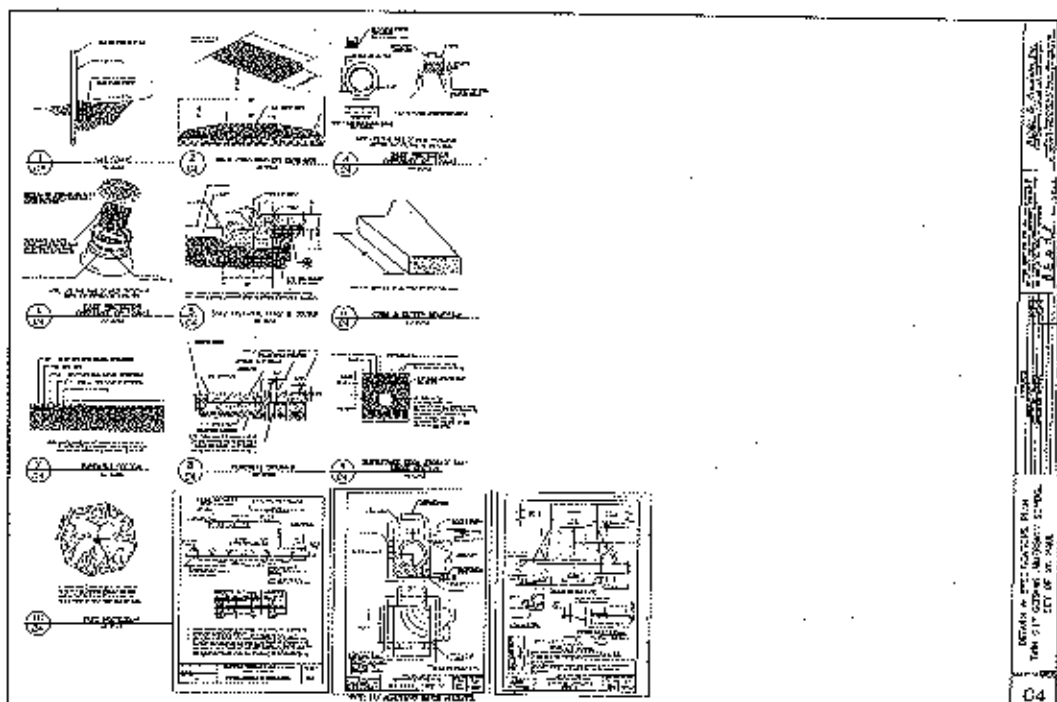
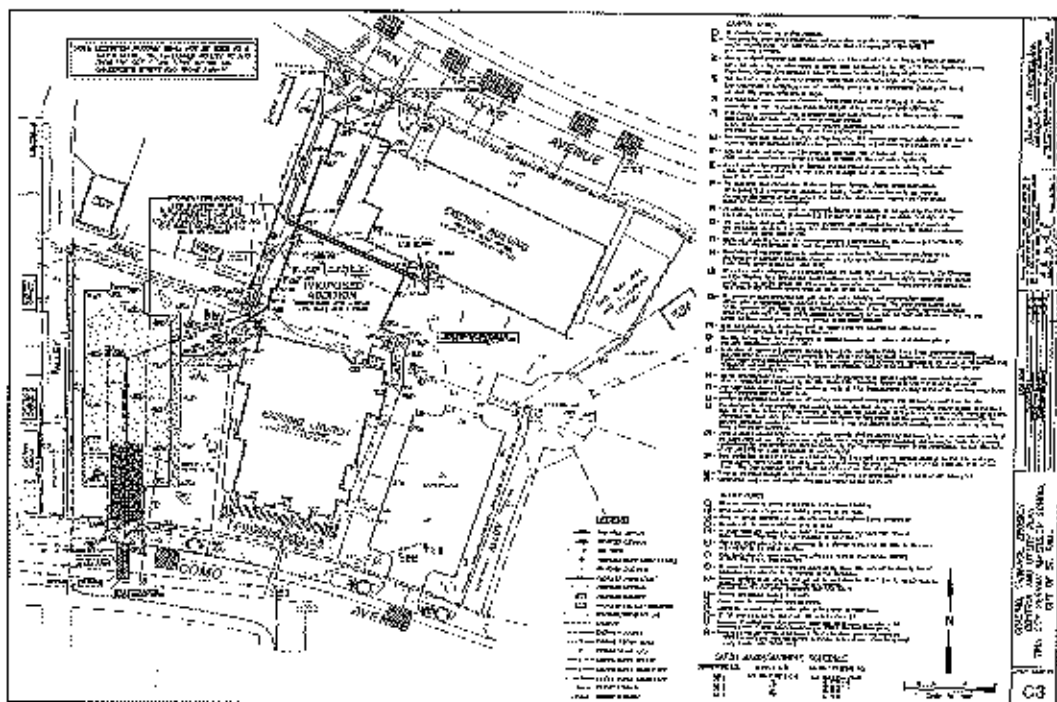
Kim O'Brien

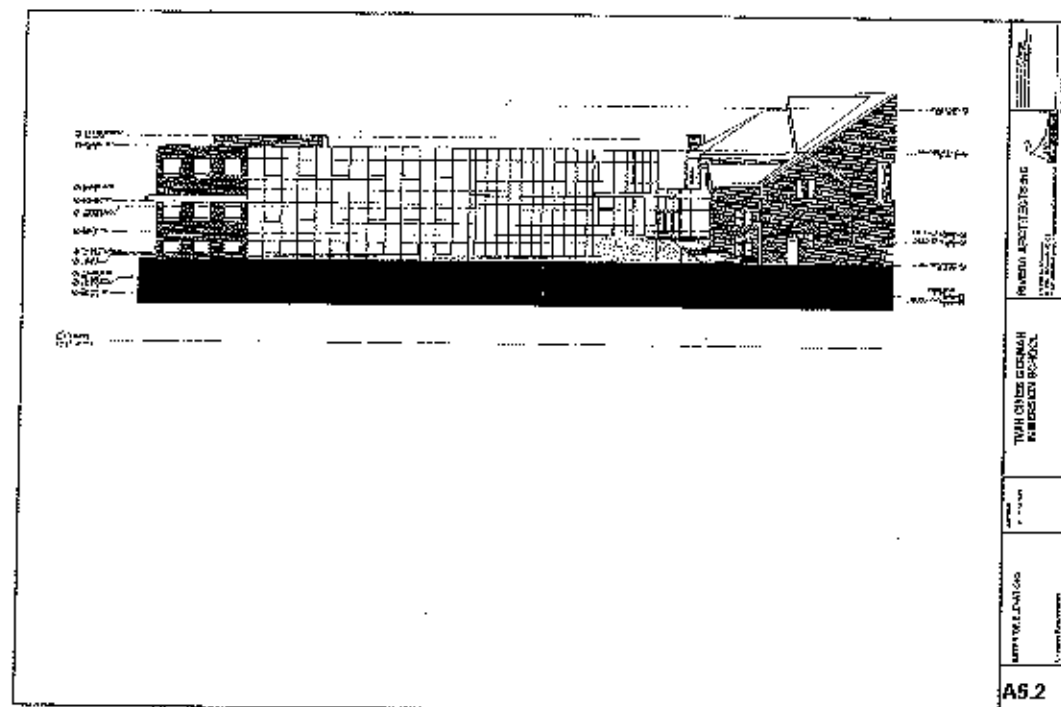
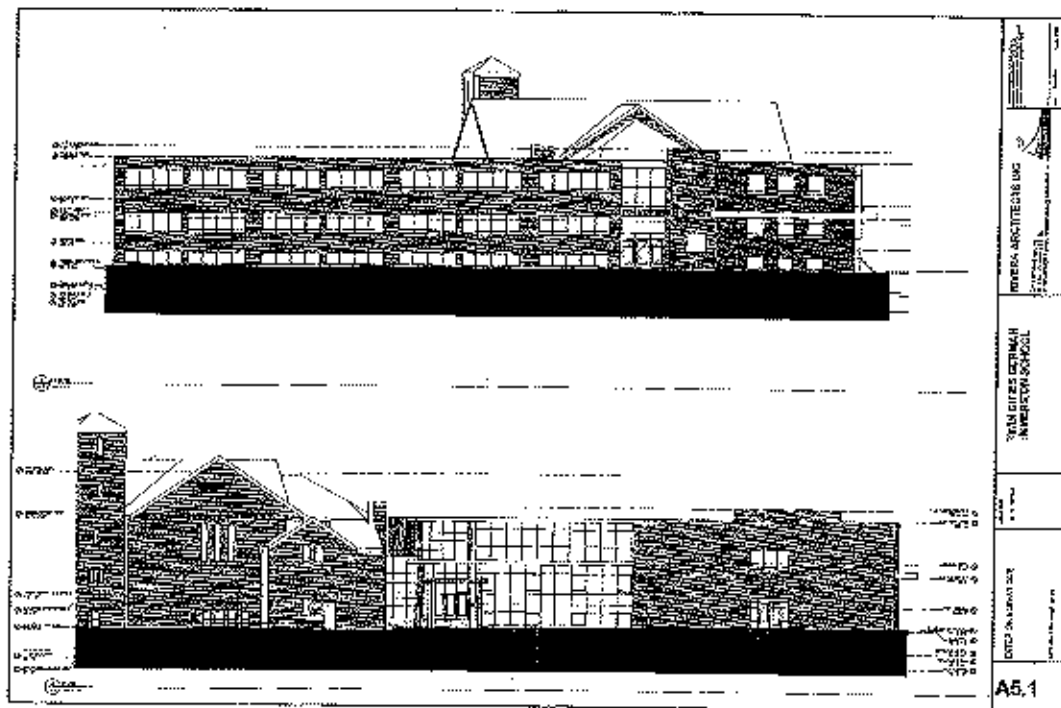
Legislative Aide to Council President Amy Brendmoen

City of Saint Paul, Minnesota

O: 651-266-8651

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https://www.tcgis.org/uploads/6/6/1/3/66130259/2016-2017_tcgis_annual_report.pdf
Excerpt of staffing section. The report indicates 82 staff members.

5. School Management and Administration

After the resignation of Ann Jurewicz in June, 2016, the School welcomed Edward (Ted) Anderson to the Director role for the 2016-17 school year. Additional administrative changes were implemented during the transition period between the Ann Jurewicz's notice of resignation and Ted Anderson's arrival to create a more horizontal leadership structure and provide increased administrative support to our students and instructional employees. Michelle Wallace (File Folder #357442) moved from a Teacher on Special Assignment role as Dean of Students in the 2015-16 school year to a formally administrative role in 2016-17 school year as Director of Student Affairs. Christopher McKay (File Folder #448695) was hired beginning in August of 2016 to oversee the day to day operations of the Special Education Department as Special Education Coordinator. Bettina Haarbusch shifted from her role as Communications Coordinator in the 2015-16 school year to Community Relations Coordinator for the 2016-17 school year. In this role, she coordinated the School's intern program, volunteer program, fundraising efforts, and website. Emily Ruggles Johnson expanded her role from Kinderclub Director to Director of Extracurricular Activities.

Michael Mullins maintained his role as Director of Curriculum & Instruction, Gael Braddock maintained her role as Director of HR & Operations, Jesse Whitney maintained his role as Information Technology Director, and Andreas Nettet maintained role overseeing Buildings & Grounds.

In 2016-17, TCGIS had two full-time Front Office Coordinators: Lauren Kalish, who focused on business & personnel services, and Maja Reyes, who focused on student data and state reporting. Stephanie Guitard was employed as a .75 FTE School Receptionist until October 2016, when she accepted a position as a Kindergarten Education Assistant. Becky Cairns replaced Stephanie Guitard for the remainder of the school year.

At the close of the 2016-17 school year, the position of Director of Student Affairs was cut from the administrative structure; the duties of which were to be redistributed among current administrative staff.

6. Staffing

Successful immersion education depends on recruiting highly qualified teachers who also possess native or near-native ability in the German language. In addition, maintaining a German language presence on a school-wide basis requires that most, if not all, staff have some proficiency in German, so that bilingual communication with the children continues outside of the classrooms. It remains an ongoing challenge to find teachers and staff who are proficient in German, are trained in their areas of specialty, are fully licensed or qualify for full licensure in Minnesota, and who are eligible to work in the United States.

TCGIS has successfully hired teachers locally, through a partnership with the Student Teacher Exchange program at the Checkpoint Charlie Foundation (a program which provides guest teachers for up to three years), and through Die Zentralstelle für das

Auslandsschulwesen. However, it is a trend that non-MN licensed German teachers from overseas (designated as Community Expert) tend to stay two (2) years or fewer due to their tenure benefits in Germany. Furthermore, retaining teachers with more than three (3) years of teaching experience in the charter environment can also be challenging. A lack of traditionally-licensed teachers also feeds into the turnover rate, with teachers pursuing professional opportunities in different educational, or non-educational, settings.

A total of ten teachers resigned at the close of the 2016-17 school year. Three out of the the ten teacher resignations were due to German nationals returning to their home country, two teacher resignations were due to relocating to different US states, two were due to pursuing career opportunities outside of education, two were due to accepting teaching positions in other Minnesota school districts, and one was due to pursuit of a Master's degree in a German university.

The following tables outline the current employees of TCGIS, and those who put in resignations for the 2016-17 school year. Currently, about 81% of all of the school's employees are German speakers (compared to 75% in the 2015-16 school year), and over 90% of instructional employees are fluent in German. The School administration has only one new member, compared to three new members of leadership in the 2015-16 school year. School support staff has remained almost entirely stable, with the addition of a new Food Service Associate and full-time Custodian. The teacher employee group has maintained a turnover rate similar to the 2015-16 school year, about 25%. The School added three new teaching positions, including an additional Technology Integration Specialist, an additional Middle School teacher, and an In-House Substitute. The Education Assistant group has had four staff members move into teaching positions, but experienced only one resignation.

Current TCGIS Employees

Administrative Staff Members

Last Name	First Name	Position
Anderson	Ted	Executive Director
Braddock	Gael	Director of HR & Operations
Haarbusch	Tina	Director of Communication & Outreach
Marquis	Olga	Kinderclub Director
McKay	Christopher	Director of Student Support
Mullins	Mike	Director of Teaching & Learning

Nesset	Andy	Buildings and Grounds Director
Whitney	Jesse	Information Technology Director

School Support Staff

Last Name	First Name	Position
Anderson	Benjamin	Food Service Associate
Cairns	Becky	Administrative Assistant
Kalish	Lauren	Front Office Coordinator
Lehnen	Jennifer	Health Office Associate
Luger	Jim	Custodian
Moreno	Pat	Custodian
Reyes	Maja	Student Records & Reporting Coordinator
Shuster	Sandy	Assistant Food Service Coordinator
Weeding	Alex	Food Service Coordinator

Teachers & Instructional Staff

Last Name	First Name	File Folder (if teacher)	Assignment
Bergman	Ellen	995793	Grade 2 Teacher
Brueske	Julia	995791	Grade 3 Teacher
Carroll	Emma	995640	Art Teacher - Middle School
Cotroneo/Koepke	Emily	502776	Special Education Teacher
Dye	Sarah	479834	Librarian
Fierke	Johanna	477000	Grade 3 Teacher
Garber	Samantha	996271	Kindergarten Teacher
Goetzman	Hunter	445334	Leave of Absence

Gruhl	Barbara	499121	German & Spanish Teacher - Middle School
Hall	Suzanne	479834	Drama Teacher - Grades K-3
Jacobs	Catherine	481785	English Teacher- Middle School
Kaari	Kathryn	404724	Speech Language Pathologist
Kile	Anne	411821	Special Education Teacher
Klarman	Andrew	458664	Grade 4 Teacher
Koch	Wolfgang	997724	Grade 4 Teacher
Krug	Anke	997882	Grade 1 Teacher
Kulhanek	Kim	473465	Grade 1 Teacher
Lauenstein	Stephanie	446396	Science Teacher - Middle School
Lenburg	Amy	399046	Art Teacher- Elementary
Liesner	Fabian	486789	German & Sport Teacher - Middle School
Ludwig	Katja	996281	Special Education Teacher
Lynham	Kristin	477443	Special Education Teacher
Mecklenburg	Carol	254940	School Psychologist
Meinert	Joseph	995790	Grade 4 Teacher
Mekacher	Stephanie	997200	Grade 1 Teacher
Morrissey	Melissa	444717	Math Teacher - Middle School
Neu	Esther	471842	Technology Integration Coordinator
Newell	Kirsten	477135	School Psychologist Intern
Niefers	Jennifer	405382	Kindergarten Teacher
Peterson	Michael	995795	Sport Teacher - Elementary & Recess Coordinator
Prater	Chad	480380	Math Teacher - Middle School
Richmond	Jacob	496662	Sport Teacher - Elementary
Ruggles Johnson	Emily	407524	Kindergarten Teacher
Sanford	Ginger	440677	English Teacher - Elementary
Schlee	Rachael	478312	English Teacher- Grades 4-6
Schneider-Baumeis	Eva	995638	Literacy Specialist

ter			
Scholtz	Heidi	341798	German & Spanish Teacher - Middle School
Simon	Beate	996781	German Teacher- Middle School
Stephenson	Scot	397485	Grade 2 Teacher
Stillwell	Evelyn	482253	Science Teacher- Middle School
Tabisz	Christopher	995764	German Teacher- Middle School
Taufbee	Joshua	491318	Special Education Teacher
Uitto	Gabriele	997197	Leave of Absence
Vanderwyst	Lisa	423031	In-House Substitute Teacher
VanGerpen	Laura	483354	Grade 3 Teacher
VanKoolwijk	Jill	340286	Drama Teacher- Middle School
White	Michael		Technology Integration Specialist
Zinnow	Katrin	997196	Grade 2 Teacher
Zinn	Gesa	996750	Leave of Absence

Education Assistants

Last Name	First Name
Brask	Louise
Clarkson	Emma
Dornemann	Nico
Frenette	Brandon
Gandrud	Eric
Grand	Peter
Macijeski	Nathaniel
Nance	Kevin
Parker	Shelly
Quant	Aviva
Reinke	Sarah

Schmitz	Suzanne
Sierra	Valentina
Singleton	Timothy
Stromquist	Dagmar
Tesdell	Erica

2015-16 TCGIS Resignations/Non-Renewals:

Last Name	First Name	Position
Bledsoe	Wilma	Grade 2 Teacher
Dahl	John	Drama Teacher- Middle School
Fruehling	Beth	Food Service Coordinator
Heindl	Elena	Kindergarten Teacher
Kettenbach	Claudia	German Teacher- Middle School
Kuehl	Urte	Grade 4 Teacher
Lengauer	Alexander	Science Teacher- Middle School
Lidfors	Jeana	Art Teacher- Middle School
Martinson	Kirk	German Teacher- Middle School
Nixon	Susan	Behavior Interventionist
Sims	Margaret	Grade 3 Teacher
Thomas	Eva	Educational Associate
Wallace	Michelle	Director of Student Affairs
Yates	Malcolm	English Teacher- Middle School

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Successful Partnership with Amity Institute and CICD

Additional staffing comes in the form of teaching interns from Germany, Austria or Switzerland. Through a partnership with the Amity Institute and CICD (Center for International Career Development, TCGIS contracts with university students who are studying to be teachers and are able to spend five months to a year in an overseas internship. As native German speakers, they also add significantly to the presence of adult native speakers in the school.

In 2016-2017, TCGIS was fortunate to have 10 different interns add their talents to the school as teachers' aids. Of these, 5 interns were able to stay for the entire year, adding additional stability for both students and supervising teachers. Interns are hosted by school families and contribute 28 hours weekly to the classrooms.

7. Student Achievement Goals for Meeting State Academic Standards

As per TCGIS's literacy plan, students in grades K-3 are assessed at least three times per academic year to determine literacy proficiency. Assessments focus on key literacy indicators determined by our grade-specific achievement goals with instruction concentrated in: phonemic awareness, phonics, fluency, vocabulary development, and reading comprehension. The achievement goals are based on grade level MN ELA academic standards. Proficiency is determined by percentage levels of 80% or greater on assessment measures created/implemented by the German/English classroom teachers. Information gathered from these assessments is used in planning targeted group instruction.

TCGIS made a change from previous years regarding our use of standardized testing in German. TCGIS continues to use the SOPA in grade 2 and in grade 3 the A1 European Reference tests for Das Deutsche Sprachdiplom or DSD. The A2 and B1 levels continue to be implemented in grade 5 and 8 respectively. TCGIS dropped the Stoipewörter-Lesetest in favor of the A1 in 2013-2014.

Student Oral Proficiency Assessment

The student oral proficiency assessment (SOPA) measures oral language proficiency for foreign language learners in listening, speaking, grammar and vocabulary. This standardized test is done by trained professionals. There are three levels of proficiency: "novice, intermediate, or advanced". The rating scale, developed by the Center of Applied Linguistics, was adapted from the American Council on the Teaching of Foreign Languages proficiency guidelines for listening and speaking. The SOPA assesses speaking and listening, focusing on challenging children to produce extended discourse levels. There is no specific grammar and vocabulary assessment.

^{xviii} Typical neighborhood parking during non-school hours. Examples spanning several years.



Typical Van Slyke Parking when school is not in session. 1/30/2014 after school hours.



Typical Van Slyke Parking when school is not in session. 4/17/2014 before school hours.



Typical Van Slyke Parking when school is not in session. 11/30/2016 Thanksgiving Holiday.



Typical Van Slyke Parking when school is not in session. 1/21/2017 Saturday.

^{xix}Parking capacity on the north side of Van Slyke Avenue

Parking capacity on the north side of Van Slyke Avenue was measured to be 23 cars by area resident Kevin Anderson by counting the number of cars parked on the street during the 2018 annual Hmong Freedom Festival. The entire area surrounding the Como Regional Park McMurray Fields during the festival was parked to maximum capacity in the most efficient manner possible.

^{xx} Impact of capacity or near-capacity street parking on traffic flow and congestion



Double Parked School Buses on Van Slyke



School Bus blocking intersection at Como/Argyle. 8/28/2018.



Blocking sidewalk access to street, in spite of plenty of room behind the car to allow access.
12/13/2016



Blocking sidewalk access to street, in spite of plenty of room. 1/4/2017



Blocking sidewalk access to street, in spite of room to allow access. 1/6/2017



Car parked illegally against the direction of traffic.



Car parked illegally against the direction of traffic.



Typical morning traffic.



Jaywalking while using cellphone.



Jaywalking – City Bus Traffic



Jaywalking



Jaywalking – traffic. Three cars passed as this pair crossed.



Double Parking



Running vehicle left unoccupied.



City Bus during pickup time. Van Slyke Street project has narrowed the street since this picture.



Blocking other cars. Less than 1 foot between vehicles.

xxi September 2018 Neighborhood Facebook Posts

Neighborhood Facebook posts describing traffic safety incidents and concerns.

Traffic Safety Concerns – Bob

The screenshot shows a Facebook group interface. The group name is 'Warrendale Neighborhood & Flamingo Friday Group'. The post is by Amy Brandmoen, dated September 12 at 5:09 PM. The post text reads: 'I called the GPPS school bus coordinator this morning to see if they could come look at the Horton, VS. Churchill Intersection and area around the TCGIS to see if we could make some minor route changes to reduce conflict and overlap during drop off and pick up time. Staff will be out in the next few school days to see the scene in person and make some recommendations. I'll let you know what I hear back.' Below the post are several comments. Two comments are highlighted with yellow boxes: one by Lisa Amman and another by Lisa Amman. The first highlighted comment says: 'Lisa Amman Marlen Swenson, this is no joke. I almost got hit a few times crossing Horton from North Churchill to the South Churchill bus stop for my 4 yo'. The second highlighted comment says: 'Lisa Amman Luckily now our bus picks up on Horton on the North side of Churchill. We had too many afternoon bus drop off car scores at that intersection. So now I do parent pickup.' Below this is another comment by Amy Brandmoen: 'Amy Brandmoen I hated having Lars cross Horton in the morning when he went to Chelsea. Between the traffic and the sun in the eyes of on coming cars.' Below that is a comment by Susan Vandenberg: 'Susan Vandenberg Back when our kids were bussing I was able to convince whoever was in charge to both pickup and drop off our kids on north side of Churchill. They hate it because bus has to go around block on one trip to do it, but they agreed it was not safe to cross Horton. (Back then there was no painted crosswalk though)'

Warrendale Neighborhood & Flamingo Friday Group

Group

is Closed Group

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The Artists

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Amy Brandmoen
September 12 at 5:09 PM

I called the GPPS school bus coordinator this morning to see if they could come look at the Horton, VS. Churchill Intersection and area around the TCGIS to see if we could make some minor route changes to reduce conflict and overlap during drop off and pick up time. Staff will be out in the next few school days to see the scene in person and make some recommendations. I'll let you know what I hear back.

Sandra Hibbing Peterson and 6 others
11 Comments · Seen by 44

Like

Comment

Stacey Hanigan Thank you Amy!

Like Reply 6d

Stacey Hanigan I am sure they will but the Como and Churchill Intersection is also an area to look at.

Like Reply 6d

Annagret Theis Thank you so much, Amy!

Like Reply 6d

Carla Solberg Sherman They should figure out a way to reward people for carpooling, too.

Like Reply 6d

Marlen Swenson Maybe tcgis could give a bit too.

Like Reply 6d

Lisa Amman Marlen Swenson, this is no joke. I almost got hit a few times crossing Horton from North Churchill to the South Churchill bus stop for my 4 yo

Like Reply 6d

Lisa Amman Luckily now our bus picks up on Horton on the North side of Churchill.

We had too many afternoon bus drop off car scores at that intersection. So now I do parent pickup.

Like Reply 6d

Amy Brandmoen I hated having Lars cross Horton in the morning when he went to Chelsea. Between the traffic and the sun in the eyes of on coming cars.

Like Reply 6d

Susan Vandenberg Back when our kids were bussing I was able to convince whoever was in charge to both pickup and drop off our kids on north side of Churchill. They hate it because bus has to go around block on one trip to do it, but they agreed it was not safe to cross Horton. (Back then there was no painted crosswalk though)

Like Reply 6d

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Rob Spaulding

Thanks for being proactive Amy! I was going to check in w/ SPPS transport folks but was advised by experience of my SPPS-employed wife to let the early busy weeks pass for them for best chance of being heard. But an ask from Councilmember seems likely to cut through much of that dynamic, so very helpful!

To clarify, the problem I'm having now is at Como and Churchill in afternoons (we use Discovery Club in mornings). We have to cross Como, and over the years we've experienced more times than we can count, probably approaching a couple dozen times, cars blow through the many flashing lights and outstretched stop arm of my kid's bus. Reasonable to infer based on what I see in the car in many even maybe most cases these are TCGIS parents dropping off or picking up themselves.

I'm open to any way to change SPPS's bus drop off to make it safer - each choice for us would seem to bring problems, but there may be better and worse options and their transport folks could evaluate better. Could move drop off to Churchill and Horton for example, avoiding crossing the street, but then you conflict with parents waiting in the parent pickup line, at bigger and more confused intersection.

Biggest challenge is # of cars coming and going right then in area due to parent pick up at TCGIS. Maybe the corollary biggest challenge is current lack of TCGIS involvement in the conditions their transport system creates at corners of their block. Until that disconnect changes (and maybe it is now) it limits our options to address issues. What I mean specifically when I say that is I've never seen staff anywhere near the either the Como nor Horton corner w/ Churchill (the stop was there when our street was torn up) though school is just 150 feet down the block; I'm hazy on history but I thought there was more expectation staff be out there so not certain what to expect from school. And wholly agreed, crossing guards would be a huge improvement. I'm wired to focus on solutions, but until I sense/see a clear opening for action, I see my role as voicing the need for change, and offering alternatives.

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It is important to note that the neighborhood has reached out repeatedly to TCGIS officials, District 10, and St. Paul City Ward 5 Councilmember Brendmoen to report concerns about school-related issues including parking and traffic since the school's 2013 move to the Como location. The few representative emails included here are a small selection from many communications. Neighbors have attended countless meetings at which the issues were discussed. The problems persist.



Typical Van Slyke parking situation on a school day. 09/17/2013



Typical Van Slyke parking situation on a school day. 11/1/2013



Van Slyke parking situation after Como Monitor article 12/11/2013 quoting TCGIS as having requested staff to leave street parking spots available.



Typical Van Slyke parking situation on a school day. 2/12/2014



Typical Van Slyke parking situation on a school day. 5/9/2014



Typical Van Slyke parking situation on a school day. 11/2/2016 & 11/3/2016



Typical Van Slyke parking situation on a school day. 12/06/2016 & 1/20/2017



Van Slyke Parking Full 4/11/2017. After school requested staff to leave spaces available for residents.



Typical Van Slyke parking situation on a school day. 3/26/2018



Typical Van Slyke parking situation on a school day. 4/26/2018



Typical Van Slyke parking situation on a school day. 4/27/2018
 Neighborhood Parking Concerns to St. Paul Councilmember Amy Brendmoen Oct 2013



K Anderson <krislanderson@gmail.com>

RE: Your inquiry regarding TC German Immersion School Parking Lot and On-Street Parking Concerns

1 message

Sanders, Donna (CI-StPaul) <donna.sanders@ci.stpaul.mn.us>

Tue, Nov 12, 2013 at 4:35 PM

To: K Anderson <krislanderson@gmail.com>

Cc: #CI-StPaul_Ward5 <Ward5@ci.stpaul.mn.us>

Good afternoon Kris,

Thank you for your e-mail (and telephone message) regarding the ongoing parking concerns relative to the TC German Immersion School parking lot and on-street parking conditions.

I had an opportunity to review your concerns with Councilmember Brendmoen this afternoon. She reviewed with me that she is aware that you were in attendance at the community meeting held at the school. She also noted that Twin Cities German Immersion School is looking at a couple of options to address these concerns. And, I see you are also aware of some of these considerations.

Both CM Brendmoen and her legislative aide, Kim O'Brien, will be out-of-town the remainder of this week. May I request that you follow-up with us again next week, and Councilmember Brendmoen will be happy to speak to your concerns. By including the ward5@ci.stpaul.mn.us e-mail address, the councilmember, her aide, and myself (her executive assistant) all will keep current on your communications.

Thanks again for contacting the Ward 5 office.

Best regards,

Donna Sanders

From: K Anderson [mailto:krislanderson@gmail.com]**Sent:** Tuesday, November 12, 2013 1:33 PM**To:** Sanders, Donna (CI-StPaul)**Subject:** Re: Your inquiry regarding TC German Immersion School Parking Lot and On-Street Parking Concerns

I did attend the meeting.

What I heard was this: The parking lot MAY be upgraded from plain dirt to gravel so that it can be used over the winter. I think that option required some kind of permission, and obviously funds and work effort. Thus far, I

9/26/2018

Gmail - RE: Your inquiry regarding TC German Immersion School Parking Lot and On-Street Parking Concerns

haven't seen any work being done. They are also attempting to arrange an agreement with the church on the Como side to use their parking lot. To my knowledge, this lot will NOT accommodate the entire school staff.

They also said that work to complete the permanent parking lot is suspended due to both financial problems and because work can't be done during the winter. So the parking lot will not be completed this year, and maybe not until well into next year. That means months on end of stress on the neighbors while the school remains out of compliance with code and continues to monopolize parking near the school. It is especially painful that this situation will continue thru the winter when snow and plowing even further reduce available parking.

It is a complete mystery to me how the school is allowed to operate for such an extended period out of compliance with city code, which requires parking be provided for every employee. Especially in light of the fact that the hardship is largely borne by the neighbors.

I would like to know what consequences the school is bearing for their lack of compliance, and what real steps they are taking to shift the inconvenience from the neighborhood back to themselves, since they are the cause of the problem.

The school principal was rather glib about the fact that they replaced parking on "our side of the street" with a pick up and drop off area, implying that since it is "their side of the street" they can do as they please.

Would it be an option for the residential side of the street (since that is the precedence being set by the school) to get residential permit parking restrictions temporarily put in place until the school is able to bring themselves into compliance with the city code parking requirements?

Sincerely

Kris Anderson

On Wed, Oct 30, 2013 at 12:08 PM, Sanders, Donna (Cl-StPaul) <donna.sanders@ci.stpaul.mn.us> wrote:

Good morning Kris,

Councilmember Brendmoen encourages you to attend the Community Meeting this evening being held from 6:00-8:00 p.m., at the German Immersion School, in the former church building. The topics of the meeting will include a discussion of Como-Chatsworth Traffic concerns, a discussion of the 2015 RSVP (Residential Street Vitality Program), as well as a representative of the Twin Cities German Immersion School will be present and will be speaking to the issue of their parking lot and your questions related to on-street parking can be addressed at that time.

Councilmember Brendmoen will be present, as well as staff from the Public Works Divisions of Traffic and Lighting and Street Construction.

Best regards,

Donna Sanders

Executive Assistant to

Councilmember Amy Brendmoen

Saint Paul City Council

15 West Kellogg Blvd

https://mail.google.com/mail/u/0/?ui=2&ik=d38a76d1c0&jsver=znJ56LxPaww8.4n.&ui=gmail_fw_180910.14_p2&view=pt&q=o'brien&qq=true&search=query&th=... 2/3

9/26/2018

Gmail - RE: Your inquiry regarding TC German Immersion School Parking Lot and On-Street Parking Concerns

Suite 320-A, City Hall

St Paul MN 55102-1663

651-266-8650

Ward5@ci.stpaul.mn.us

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<http://monitorsaintpaul.com/german-immersions-new-home-unearths-some-parking-challenges/>
[TCGIS Assistant Director Jeff] Horton said TCGIS has been seeking feedback from the Como community members, the school staff, parents of students, the city, the county and the construction project managers. He said that in the short-term, staff will be leaving more open parking places on Van Slyke Ave. Teachers have been instructed to use parking spaces in the Presbyterian Church across the street, the streetcar Station and to spread out a bit more in the neighborhood so as not to negatively impact neighbors and allow them parking in front of their homes. "We understand that home owners need some of those spaces, and we want to respect that need," Horton said. "Our goal is to spread out the parking of our staff, which will not put too much pressure on any one area of home owners."



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Categorized | NEWS

German Immersion's new home 'unearths' some parking challenges

Posted on 11 December 2013 by robwas66



When the Twin Cities German Immersion School (TCGIS) moved to its new location at 1031 Como Ave. and started excavating the soil under its planned parking lot, it ran into problems. The construction project had to be put on hold after elevated levels of metals were detected.

By JAN WILLMS

When the Twin Cities German Immersion School (TCGIS) moved to its new location at 1031 Como Ave. and started excavating the soil under its planned parking lot, it ran into problems.

Some soil was discovered with elevated levels of metals that were above levels determined as safe by the state.

<http://monitor.saintpaul.com/german-immersion-s-new-home-unearths-some-parking-challenges/>

1/3

8/6/2018

German Immersion's new home 'unearths' some parking challenges | Monitor Saint Paul

"The original construction project for the entire school and parking lot were scheduled to be completed by this time," said Assistant Director Jeff Horton, "but the issues with the soil composition in the area have further delayed the parking lot."

The school has had to halt its efforts to create the new parking lot while creating a plan to deal with the unexpected environmental issues.

"Our school is very committed to following environmental best practices," continued Horton. "This can be seen in everything from the green cleaning products we use to our recycling program and now to our parking lot."

Horton said the school is working with the proper authorities to correct the soil problem.

"We do not have a final solution at this time but many parties are working hard on the issue," he said.

TCGIS has applied to Ramsey County for a grant to help with the cleanup costs, which are estimated at more than \$90,000.

"We don't have a definitive answer for when the grant funds will be approved, and we are not allowed to do any parking lot work before the grants have been approved," added Anna Jurewicz, the school's director.

"Once the funds are approved, since it is December, we are now in the difficult position of having to hold off on the work due to cold weather and frozen ground," she said. "The school is terribly sorry for any inconvenience."

Horton said TCGIS has been seeking feedback from the Como community members, the school staff, parents of students, the city, the county and the construction project managers.

He said that in the short-term, staff will be leaving more open parking places on Van Slyke Ave. Teachers have been instructed to use parking spaces in the Presbyterian Church across the street, the streetcar Station and to spread out a bit more in the neighborhood so as not to negatively impact neighbors and allow them parking in front of their homes.

"We understand that home owners need some of those spaces, and we want to respect that need," Horton said. "Our goal is to spread out the parking of our staff, which will not put too much pressure on any one area of home owners."

On its website, the school administration claims it is also exploring putting in a temporary gravel parking lot where the future lot will be. This temporary measure would involve hauling away and properly disposing of any contaminate soil that has been excavated to date, removing existing storm water management equipment from under the future parking lot and installing a new storm water management system.

The school would fill in the existing excavation and put gravel on the site so it can be used temporarily for parking.

Ted Blank, district administrator for District 10 Como Community Council, said the district encourages the school to work with the neighbors to resolve the problem as quickly as possible.

Horton said that the school's administration team will continue to monitor and evaluate this issue as well as seek Como Community feedback.

Horton affirmed that the school is committed to being a positive contributor to the Como community.

"We value their past, current and future input," he said.



8/6/2018

German Immersion's new home 'uncards' some parking challenges | Monitor Saint Paul



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8/7/2018

Gmail · Re: Proposed solution to Van Slyke parking concerns



K Anderson <krislanderson@gmail.com>

Re: Proposed solution to Van Slyke parking concerns

1 message

Ted Anderson <tanderson@tcgis.org>

Tue, Apr 11, 2017 at 10:17 AM

To: Kevin Anderson <kwanderson1956@gmail.com>

Cc: K Anderson <krislanderson@gmail.com>, "Erin M. Dooley" <erin.dooley@spps.org>

Dear Kevin -

Thanks for the feedback. I will try again and see if it sticks better this time.

Ted

2017-04-11 10:01 GMT-05:00 Kevin Anderson <kwanderson1956@gmail.com>:

Good Morning Ted,

I have attached a photo of the current parking situation in front of my house. As you can see, there is no room for most of the residents to park in front of their houses. In fact, I am now parked in front of the school. At 7:45 this morning, there was one resident parked in front of her house (Annette Bleed owns the red Jeep) and she is still parked there. I count fifteen staff vehicles currently parked on Van Slyke. Obviously, Van Slyke residents continue to need your help with this issue. Additionally, as I begin my Spring landscaping projects parking in front of my house will become more of an issue for me.

Thank you,

Kevin Anderson
1035 Van Slyke Ave.

On Thu, Apr 6, 2017 at 11:23 AM, Ted Anderson <tanderson@tcgis.org> wrote:

Hi Kevin -

I look forward to seeing how this works. There seemed to be some openings this morning and I will continue to keep an eye on it.

Enjoy the spring weather!

Ted

2017-04-06 10:14 GMT-05:00 Kevin Anderson <kwanderson1956@gmail.com>:

Mr. Anderson,

Thank you very much for your encouraging response. I understand the concern about parking availability during school gatherings, but I consider this a small issue, not unlike if I hold a dinner party and my guests park in front of the neighboring houses. I believe that my neighbors would also understand and agree.

Thank you again and perhaps we will meet in person at the District 10 meeting on the evening of April 12th.

Regards,

Kevin Anderson

"Quantity is being confused with abundance and wealth with happiness" -Tom Waits

On Tue, Apr 4, 2017 at 1:13 PM, Ted Anderson <tanderson@tcgis.org> wrote:

Dear Mr. Anderson,

https://mail.google.com/mail/u/0/?ui=2&ik=d38a76d1c0&jw=SpEck3ZcmTg.ca.&cbt=gmail_fc_180891.14_p1&view=pt&eq=from%3A%20tanderson%40tcgis.org... 1/4

8/7/2018

Gmail - Re: Proposed solution to Van Slyke parking concerns

Please forgive the delay in response. We had spring break in the middle there and I was away with family.

Thank you for your thoughtful and thorough communication. I will definitely share this with our committee and give it full consideration. I think from a staff level, this is definitely do-able, but am less optimistic about how well this will work with our parent community. On most school days, this seems reasonable, but whenever there is a school gathering, it would be hard to keep people using all the legal parking available. However, that would only be on specific days, known well in advance.

I appreciate your input and look forward to working together as neighbors.

Sincerely,

Ted Anderson

2017-03-24 9:57 GMT-05:00 Kevin Anderson <kwanderson1956@gmail.com>:

Mr. Anderson,

My name is Kevin Anderson. I own the home at 1035 Van Slyke Ave. and I attended the board meeting last night. I am sending this email to let you know that I support the solution to parking issues on Van Slyke Ave, that Kris Anderson (cc'ed above) proposed last night. Her proposal was that TCGIS administration direct staff to leave one spot open per residence on Van Slyke to allow for parking by residents. I believe that this proposal has several significant advantages:

- The proposal would be easy to implement and requires no investment. All that is needed would be direction from TCGIS administration.
- The proposal has been tried in the past and Kris and I agree that it was a vast improvement over the current situation.
- Resident parking in the alley in back of our houses is not always a viable alternative because of the hill. This is particularly an issue for me when I am transporting heavy or bulky materials for my home improvement or landscaping projects. It is also an issue for my neighbors when her mother - who requires a wheel chair - visits during the weekday. This proposal should provide adequate access for residents through the level ground directly in front of our houses.

My one concern with the proposal was if it would provide adequate parking for TCGIS staff. This morning I collected the following data:

- There are currently ten staff vehicles parked on the north side of Van Slyke Ave.
- The proposal to limit one staff vehicle per residence provides for eleven spots. This number is reduced for the bus stop and parking bump out, but allows for two vehicles in front of the vacant lot.
- Both TCGIS lots are full to capacity.
- There are nine empty parking spots in the lot behind the Warrendale Presbyterian Church (almost enough to provide parking for all those on currently on Van Slyke.)

I do plan to monitor these numbers to see if they hold over time.

I realize that parking on Van Slyke Ave. is preferred by many because of the proximity to the north entrance of TCGIS. This entrance is certainly convenient for many with classrooms on the north side of the school. I also believe that TCGIS staff want to be good neighbors and would be willing to change behavior to improve the neighborhood climate. I speak with many of them as I walk our dog in the mornings and afternoons.

Please communicate this within the Administrative Liason Committee on April 12th and I hope that you will support this proposal. Please contact me if you have any questions.

Respectfully,

Kevin Anderson
1035 Van Slyke. 651-488-8415

8/7/2018

Gmail - Re: Proposed solution to Van Slyke parking concerns

--
Ted Anderson
Executive Director
Twin Cities German Immersion School
1031 Como Avenue
Saint Paul, MN 55103
651-492-7106
tanderson@tcgis.org

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--
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8/7/2018

Council - Re: Proposed zoning for Van Slyke parking concerns

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Zimmerman

8/18/2018

Gmail - Pwd: TCGIS-Neighborhood relations from 8/1 Land Use Meeting



K Anderson <krislanderson@gmail.com>

Fwd: TCGIS-Neighborhood relations from 8/1 Land Use Meeting

1 message

Maggie Zimmerman <zimmermanst10@gmail.com>
To: "kris.l.anderson@gmail.com" <kris.l.anderson@gmail.com>

Thu, Aug 9, 2018 at 1:05 PM

Hi Kris,

I received this follow up email from Gael last night. Please take a look and let me know if there are specific things it would be helpful to ask Gael to discuss at the September meeting.

Take care!
Maggie

----- Forwarded message -----

From: Gael Braddock <gbraddock@tcgis.org>
Date: Wed, Aug 8, 2018 at 11:21 PM
Subject: Re: TCGIS-Neighborhood relations from 8/1 Land Use Meeting
To: <zimmermanst10@gmail.com>
CC: Ted Anderson <tanderson@tcgis.org>, District 10 Administrator <district10@district10comopark.org>, <flynnst10@gmail.com>

Dear Maggie,

Thank you for your email, and your continued efforts to facilitate communication between TCGIS and the District 10 Land Use Committee. Please accept my apologies for missing the August meeting; honestly, it just fell off my radar, as I was on a summer vacation that week. It's absolutely my intent to continue to regularly attend D10 Land Use meetings; I think a positive channel of communication between our neighbors and the school was initiated last year, and I'd like to continue to build on that positive approach again this year. The September meeting is on my calendar. Please let me know if there are specific topics you'd like me to come prepared to address.

Regarding the questions from the August meeting, please see below:

- 1 TCGIS intends on honoring the solutions provided last year, although it should be noted that some (ie: a different fence, parking, etc.) may change as we enter the construction project. We will do our best to keep D10 up to date on how these challenges will be addressed during/after construction.
- 2 I will continue to serve as the community liaison for the 2018-19 year.
- 3 Like last year, we will begin communicating drop off/pick up/traffic/parking information to our families in mid-August in our weekly parent communication. The information will also be included in the Family Handbook, and will be available in hard copies at the Back to School Night for families.
- 4 Faculty will use the adjacent parking lots (on West and East side of school), and will be directed to park on Chatsworth, Oxford, and Jessamine street if no parking is available in the lots. We will do our best to communicate parking expectations to families, faculty, and other guests, but we cannot guarantee that parking on VanSlyke will completely cease, as this is a public street on which parking is not prohibited. We also have an agreement with OPC to park in the church lot on specified days.
- 5 We are going to post additional Administrators and Support staff at the bus loading zones and drop off/pick up zones for at least the first 2 weeks of the school year to provide in-person guidance

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and monitor traffic, parking, behavior, etc. until good habits are established. We are revamping our dismissal process with a software program to better control the flow of students exiting the school and the flow of traffic through the pick-up line.

6 In our initial assessment (based on our student safety and conversations with Elizabeth Stiffler), we did not feel that an official Safe Routes to School program was a necessary endeavor to ensure safety for students arriving to and departing from school. I will be contacting Lisa Bender and Jill Chamberlin with the Minnesota Safe Routes to School program to discuss the potential benefits of program implementation at TCGIS.

Regarding the requests that came out of the meeting, please see below:

1. I have emailed our bussing company to ask that busses avoid idling while waiting for students.
2. I have asked our maintenance department to order sandwich boards on which we will put signs indicating where vehicles should line up for drop off/pick up.
3. I will be attending the September D10 Land Use meeting.

Again, my apologies for missing the August meeting. We really do appreciate your support and your ongoing communication with us at the school. Keep me posted on any topics you'd like addressed at the September meeting!

Best,

On Thu, Aug 2, 2018 at 11:25 AM Maggie Zimmerman <zimmermanst10@gmail.com> wrote:

Hi Ted and Gael,

I wanted to touch base after our Land Use meeting last night. I realize TCGIS has a lot going on right now and many folks are likely in and out during the summer, but we had some neighbors show up on Wednesday night looking for reaffirmation from TCGIS about parking and traffic heading into the new school year.

At the most basic level, I'm hoping that we can continue to have Gael or someone from TCGIS attend Land Use meetings once a month as part of maintaining on-going open communication between the school and neighbors. If this isn't possible during the summer, we would want to be able to communicate that to neighbors so they set their expectations accordingly. I think just having that regular visibility at the meetings and being able to have someone from TCGIS to answer questions goes a long way to avoiding future conflicts.

Last July Ted sent the email below to D10 outlining some of the neighborhood issues and solutions. Some pieces - like playground material - aren't relevant anymore. Other pieces, particularly parking and traffic, are still on the minds of those who share the streets around the school.

Here are the questions that came out of our meeting last night:

1. Does TCGIS still intend to honor the solutions they proposed last year?
2. Does TCGIS still intend to have a neighborhood liaison for the 18-19 school year (and will that still be Gael)?
3. What is the plan for communicating drop off and pick up and general traffic/parking expectations to parents ahead of the new school year? There is a hope to have this communicated outside of just the student handbook.
4. What is the parking plan for faculty during the 18-19 school year?
5. Will there be an officer or school official directing traffic during pick up and drop off?
6. What progress has been made in creating a Safe Routes to School plan? This is seen as the major vehicle for introducing new and needed pedestrian crossing to the area given that general foot traffic counts don't tip the city threshold for installation.

Here are the requests that came out of our meeting last night:

1. Remind buses to not idle or double park on the streets
2. Use temporary folding sandwich boards to provide visual cues and guidance about parking/traffic during pick up and drop off times.

8/28/2018

Gmail - Push: TCGIS-Neighborhood relations from 8/1 Land Use Meeting

3. Have TCGIS neighborhood liaison attend Sept 5th Land Use meeting to re-affirm solutions listed in July 2017 email.

Much of the attention over the summer has been on the future expansion of TCGIS, but I expect that when the school year gets going again and the day to day realities take over, we'll start to hear more about some of the more familiar concerns of direct neighbors. We continue to hear a lot about speeding parents and rogue parking and drop offs. Mostly I'm just hopeful we can get in front of some of these things.

Thoughts? Thanks for your continued time and commitment to Como.

Maggie

----- Forwarded message -----

From: Ted Anderson <tanderson@tcgis.org>
Date: Thu, Jul 6, 2017 at 2:47 PM
Subject: TCGIS-Neighborhood relations update
To: District 10 Administrator <district10@district10comopark.org>
Cc: "<board@tcgis.org>" <board@tcgis.org>, Gael Braddock <gbraddock@tcgis.org>

Dear District 10 Council,

It has been both enjoyable and informative to attend your meetings these last months. It is impressive to see how much effort and care go into the behind the scenes decisions!

With the 2016-17 school year behind us, I think it would be appropriate to summarize our current situation with TCGIS and the Warrendale neighborhood.

Parking

Issues:

- Residents on Van Slyke feel that TCGIS-related parking takes away their ability to park in front of their own houses.
- One resident on Argyle has indicated that parents have blocked his driveway at times.
- We have had no other parking related complaints from neighbors.

Solutions:

- We have asked staff to leave at least one space per house open on Van Slyke.
- The above solution worked well, except on days when numerous parents visited the school, something that happened with increasing frequency as the school year neared its end. In 2017-18, we will work harder to inform parents of this informal arrangement.
- TCGIS would also like to notify Warrendalers of dates on which parents will visit school. Facebook would be the easiest option, but we are welcome to suggestions.
- The Orthodox Presbyterian Church has expressed willingness to share parking space with us. We will explore this option.
- TCGIS is currently exploring the viability of using the Como Pool lot. We have contacted the city and are awaiting an official okay.
- TCGIS will encourage parking on Horton and Jessamine in spots that are NOT in front of residences.

NOISE

Issues:

- Residents on Van Slyke and Argyle feel that daily playground noise exceeds acceptable levels.

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- Residents have cited unacceptable decibel levels. TCGIS community members have sound level readings that contradict these findings. The city has yet to weigh in on this. (Michael Kuchta from District 10 has tried to get some movement on this.)

Solutions:

- While Director Anderson has repeatedly reminded staff to intervene when students are unnecessarily loud, particularly when children use the play set nearest to neighbor's property, little if any progress has been made here.
- It was suggested that we move our playset from the east end of the building, which would at least partially mitigate the noise impact on 1010 Van Slyke. Such a move is prohibitively expensive, in the tens of thousands of dollars. Beyond that, moving the set would make it subject to the same safety requirements as new equipment and thus require us to replace it, increasing the cost further.
- We have bids on a new fence, one that would provide visual and some noise protection.

PLAYGROUND

Issues:

- Permeable rubber surface is crumbling and being carried off our property.
- There is a disconnect: Extensive research and communication efforts by the school went out to the parent community prior to installing the current playground surface. One neighbor has voiced serious concerns about the playground surface, its contents and its effect on water run-off. As a new director, I was not here for the playground process and it was very difficult to prioritize closing this communication gap. The surface is designed to allow water permeation, prevent run-off and the whole project was undertaken in cooperation with the Capitol Region Watershed District with the health of Lake Como in mind. The rubber material has been tested and deemed safe both for the lake and for our kids.

Solution:

- TCGIS responded quickly to clean up our mess and will keep a closer eye on this in the future.
- Share all available info from the process for selecting and installing playground surface:
 - [Playground and Rain Garden Proposal: Presentation to School Board](#)
 - [Product information, including lab tests for environmental safety](#)
 - Link to the [manufacturer](#)
- After much persistence, TCGIS and the installer have arranged with the manufacturer to come and fix the crumbling problem. Work will be performed this summer. The same care for environmental safety that went into the installation will be present for the repair. TCGIS will require documentation to that effect.

Neighborhood Communication

Issue:

- TCGIS was not responsive to neighbors' concerns. Neighbors did not feel heard.

Solution:

- TCGIS has designated Director of Operations [Gael Braddock](#) as Neighborhood Liaison. Ms. Braddock will be the go-to person for neighbors' concerns.
- TCGIS has accepted (and appreciated!) District 10 council member Kevin Dahm's invitation to be present at District 10 meetings, particularly the Land Use Committee. The Council can expect to see Mr. Anderson, Ms. Braddock and/or representatives of the TCGIS board regularly at future meetings. We are pleased to take a more present, more vocal and more receptive role in the neighborhood.

8/28/2018

Gmail - Fwd: TCGIS-Neighborhood relations from 8/1 Land Use Meeting

In conclusion, we at TCGIS regret that neighborhood communication and cooperation have been problematic over the past year. We recognize the need for change and hope that our actions will improve the situation for the coming school year.

In addition, we are committed to being an engaged partner going forward, both with the District 10 council and our individual neighbors.

We welcome your feedback and look forward to seeing you at the next meeting -

Sincerely,

Ted Anderson

--
Ted Anderson
Executive Director
Twin Cities German Immersion School
1031 Como Avenue
Saint Paul, MN 55103
651-492-7106
tanderson@tcgis.org

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--
Maggie Zimmerman
Land Use Committee Chair
District 10 Como Community Council



--
Gael Braddock
Dir. of HR & Operations
Twin Cities German Immersion School

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Maggie Zimmerman
Land Use Committee Chair
District 10 Como Community Council

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xxiii **AIA Guide to the Twin Cities**

Millet, Larry. *AIA Guide to the Twin Cities: The Essential Source on the Architecture of Minneapolis and St. Paul*. Minnesota Historical Society Press. May 15, 2007. Print.

xxiv **Architect Charles Hausler**



Meet St. Andrew's Church designer Charles A. Hausler

Posted on 10 December 2018 by Calvin

Hausler was St. Paul's first city architect and drew from a range of styles during a distinguished career

By TESHAM. CHRISTENSEN

St. Andrew's Church was designed by a prolific and creative architect known for his diverse range of styles and high-quality designs.



Charles A. Hausler (*photo right at age 20 provided*) was born in St. Paul and left an indelible imprint on the city he lived in for all but a few years of his life.

"He was a son of St. Paul," observed his granddaughter Jennie Hausler, who resides in Miami, Fla. "A visionary ahead of his time."

Decided to be an architect at age 16

Hausler grew up in the W. Seventh St. neighborhood, the son of a German immigrant. He attended Adams Elementary School, Mechanic Arts High School, and the St. Paul School of Fine Arts. As a boy, he pedaled newspapers.

At 16, he decided to become an architect and began an apprenticeship with Clarence H. Johnston of St. Paul. He then apprenticed with several other major architects in the region including Harry Wild Jones in Minneapolis and Louis Sullivan in Chicago.

His apprenticeship with Sullivan is particularly notable as Sullivan is considered the father of the modern skyscraper and he exerted an important influence on a group of architects who practiced in what became known as the Prairie style, according to a St. Paul Heritage Preservation Commission staff report.

Hausler was drawn back to St. Paul from Chicago and began to practice first with Peter Linhoff and then William Alban. Alban and Hausler designed some notable buildings in St. Paul including St. Anthony Park Methodist Episcopal Church (1911-1912) and Evangelical Lutheran Church of the Reformation (1913), both designed in the Gothic Revival style. The firm also designed the Prairie style Knox Presbyterian Church (1912-14).

In addition to being an architect, Hausler was also a structural engineer, pointed out his granddaughter, J. Hausler.

Named St. Paul's first city architect at age 25

At just 25 years old, Hausler was appointed St. Paul's first city architect (1914).

One of his initial assignments was to serve as the supervising architect for the James J. Hill Reference Library. He also wrote the city's first building code. Later, as a senator, he appointed a council to revise the code and bring it up to modern standards.

During his tenure, numerous municipal facilities were designed in his office, including schools, branch libraries, fire stations, and park buildings.

Hausler designed the William L. Ames School (1915) and the Como Park Elementary School (1916), both classically inspired buildings. He also designed the Randolph Heights School (1916), which features elements from the Mission Revival style.

While her grandfather was a man of great humility who always shared praise with others, he was also "proud of what he did," remarked J. Hausler. During a recent tour of St. Paul schools, J. Hausler looked for where her grandfather had signed his name on the buildings, including the cornerstone at Como Park Elementary and an alcove near the door at Randolph Heights Elementary.



Photo left: St. Paul's first city architect, Charles A. Hausler, designed numerous churches and buildings in St. Paul during his distinguished career, including St. Andrew's Church. He is shown here with his granddaughter, Jannie Hausler, who spoke about her grandfather's contributions to the city of St. Paul and the Warrendale neighborhood during the Heritage Preservation Commission meeting on Nov. 5, 2018. (Photo provided)

Hausler designed three branch libraries for the city, St. Anthony Park, Arlington Hills, and Riverview. The three classically inspired buildings are listed on the National Register of Historic Places. He also designed the Mounds Park Pavilion (1916). Every one of her grandfather's designs were unique and innovative, observed J. Hausler.

In 1915, Hausler hired Clarence "Cap" Wigington as the office's senior draftsman. Wigington was an African-American architect who grew up in Omaha, Neb. Today, Wigington is recognized as the nation's first black municipal architect.

Buildings he designed include the Harriet Island Pavilion, Roy Wilkins Auditorium, and Highland Park Tower. Hausler also appointed a second African American architect named William Godette in 1919.

Plus, her grandfather treated women well, and rather than seclude them to a corner, he welcomed them at the draftsmen table in the middle of the room, pointed out J. Hausler.

Senator 1922-1939

Even while he was employed as city architect, Hausler maintained a private practice. One of his partners was Percy Dwight Bentley, who along with Hausler was also a notable practitioner of the Prairie style. The partnership produced a number of finely crafted Prairie style residences in St. Paul including the Frank and Rosa Seifert House (1914) and the Albert Wunderlich House (1915). Hausler also designed his own house (1917) in the Prairie style.

Innovative features in one home included a dehumidifier and there was an early form of air conditioning in a funeral home he designed.

"He was a man who was way ahead of his time," stated J. Hausler.

Her grandfather always had two jobs, J. Hausler observed. With his German heritage, "he came from a strong work ethic," she said.

Hausler resigned from his position as city architect in 1922 when he was elected to the state legislature. He represented St. Paul in the Senate, starting as a progressive Republican and ending up as a member of the Farmer-Labor party. Hausler left the Minnesota Senate in 1939 to resume his career in architecture full-time and continued working into his 70s.

Important clients

The Catholic Church was a very important client for Hausler. He designed dozens of churches, schools, convents, and rectories for the Catholic Church, which are located in Minnesota, Wisconsin, and North Dakota. His most notable designs include St. Boniface Church (1929) in Minneapolis, St. Joseph's Church (1929) in Owatonna, and St. Mary's Church (1930) in Hague, N.D., which is listed on the National Register and is referred to as "the jewel of the prairie."

Stylistically, these later churches typically featured the Romanesque Revival style, rather than the Gothic style that was common for Hausler's early church designs.

In 1929, Hausler designed the Minnesota Building in downtown St. Paul. The building is considered the first in the Twin Cities to employ the Art Deco style and is listed on the National Register. Hausler was always concerned about fire safety and pushed for the use of concrete materials at the Minnesota Building, stated J. Hausler.

Hausler also designed a new Art Deco style façade for the Minnesota Milk Company Building on University Ave., which is also listed on the National Register.

Hausler's architectural practice extended far beyond St. Paul. He designed schools, churches, and commercial buildings throughout the region. According to H. Allen Brooks, who wrote "The Prairie School: Frank Lloyd Wright and His Midwest Contemporaries," Hausler was "an excellent public relations man and was particularly persuasive with school boards." He designed schools in Minnesota communities that included Tracy, Fulda, Farmington, Buhl, and Greenbush.

Designs as artwork

During his time in the legislature, Hausler continued to practice architecture, and it was during this time that St. Andrew's Church was constructed in 1927. Hausler's design for St. Andrew's draws its inspiration from a variation of the Romanesque style that developed in southern France and northern Italy, which is characterized by complex designs and colorful ornament. At the time of its construction, the building was described as Byzantine, a style that preceded the Romanesque. Design elements in St. Andrew's that reflect this style include the interior spatial arrangement in the form of a Greek cross and the interior groin vaults.

"As a structural engineer, he built this building to last," stated his granddaughter J. Hausler.

He also factored in the characteristics of each community where he designed buildings, she pointed out, and St. Andrew's was no exception. "If they want to demolish this church, I don't think it'd be for the benefit of the community," J. Hausler said. Hausler didn't do anything that was boilerplate. "This church is absolutely gorgeous," said J. Hausler. "You could come back every day for a week, and you'd see something new. He surprises you." She pointed to the six different types of brick used and the other whimsical components designed into the building.

"If you take a look at his other churches, this stands apart," J. Hausler said. She added, "His architectural designs are artwork."

Hausler died in St. Paul on July 12, 1971

^{xxv} **Board of Zoning Appeals Agenda and Results**

<https://www.stpaul.gov/departments/safety-inspections/city-information-complaints/resident-handbook/zoning/bza-appeals>

Planning Commission Meetings and Minutes

<https://www.stpaul.gov/departments/planning-economic-development/planning/planning-commission>

Langer, Samantha (CI-StPaul)

From: Teri Alberico <albe0144@gmail.com>
Sent: Thursday, December 13, 2018 11:59 AM
To: Williams, Josh (CI-StPaul); Anderson, Tia (CI-StPaul)
Subject: to the Saint Paul Planning Commission regarding the variance request by the German Immersion School
Attachments: alberico_Variance Request Public Hearing.docx

Attached is my letter outlining why you must deny the variances requested by German Immersion School that include demolition of the Historic St Andrew's Church Building. The Planning commission has not heard accurate statements from members within the commission who live in the neighborhood.

The push to build is misinformed and flies in the face of the progressive nature of this community. Adaptive reuse is GREEN, adds jobs to the community and economy and reduces waste. This school has NOT investigated adaptive reuse. None of the '23' versions the architect considered included a serious look at adaptive reuse. The no action alternative does not give them the gymnasium they request, but they can use the gym and classrooms at the Mission Orthodox Church.

If their temporary use of Mission Orthodox is allowed as a PERMANENT variance to parking, their current use of Mission Orthodox classrooms after school should be considered. The French Immersion school, a TRUE public school part of the SPPS, used the Mission Orthodox Gymnasium. I believe MO would allow the use but TCGIS and TenSquare, their significant partner, prefer a new bond and building project so TenSquare can stay on the City's dime. What projects won't get done because TCGIS wants this project? If inequities are an issue the planning commission needs to take a look at the school; their diversity might mirror the immediate neighborhood but it does NOT mirror Saint Paul. They have a very low percentage free and reduced price lunch. They are taking state money away from other school districts as are other charter schools taking money from SPPS.

The church building was only vacant when TCGIS entered into an agreement. After the parish spit an anglican church used the structure.

This school has most certainly changed the character of the neighborhood in a negative way. They are the most densely populated school in the area and most students are NOT from Saint Paul. This has resulted in traffic and parking issues which will not be relieved by the allowance of temporary use of parking places over 1/4 mile away. There are not enough parking spaces for a school body of this size. Bike racks will not induce teachers or distant students to ride. There will still be insane traffic, even more so with their stated plans to use the gym for tournaments. The parking variance should NOT be allowed.

This neighborhood was designed to fit in with the character of the park. Since the school moved in the alley was removed and access to the east homes not replaced with a wider alley, and the triangle on the east side at Como, VanSlyke and Chatsworth had to be made into a T because the excess traffic and limited driving skills and impatience of those dropping off students resulted in fender benders. They have been pushing to purchase adjacent lots after they have reduced the property value with significant increases in noise and the construction of a 2-story building that blocks sun and property access.

This school is already has too large a student body for this site. Many parents prefer keeping the census at 2 sections per grade but cannot convince the board or are afraid to voice opposition to the current narrative. The school's finances are in disarray and they are hoping to borrow their way out of debt. Grades are dropping and

they cannot keep staff. A new building will not solve their problems, it will only destroy a unique historic neighborhood anchor and increase their already significant debt load.

They need to reduce their student census, collaborate with additional architects to see what can be done to get the additional space in the church structure. NONE of their alternatives considered keeping the church. This was their intent all along but they never divulged that when they asked for the variance for the alley or all of this opposition would have occurred then. The neighborhood was still reeling from the loss of the church, its flow and schedule. We did not oppose the theft of the alley with no replacement of access in any organized fashion.

Please get the planning commission the true information and stop listening to false narrative and foggy memory!!!

teri alberico
1023 Como Ave
Saint Paul, MN 55103

December 12, 2018

To: Josh Williams, Tia Anderson

As a resident of the Warrendale neighborhood, I am opposed to the variance request. The premise of these variances involve the destruction of a treasured landmark – St. Andrew's. This is an opportunity for the City to consider the impact that TCGIS has had on the immediate community, well-documented in District 10 since 2013.

TCGIS Proposed Parking Variance

- The TCGIS traffic study includes Jessamine, while within the 500-foot distance, staff seldom if ever park there, they park closest to the school. Using those parking spaces inflates the number of available spaces. The 13 residences who live adjacent to TCGIS and those across the street will be impacted.
- The parking variance becomes part of the property with no end date and would be transferable to subsequent property owners.
- Granting a variance for a 37 parking spaces is significant that in part relies on an annual lease and should not be permitted.
- Approval of the parking variance request will not lessen congestion in the public streets by providing for off-street parking of motor vehicles or prevent overcrowding of land and undue congestion of population.
- Proposed parking variance is not in harmony with the general purposes and intent of the zoning code.
- TCGIS plans to reduce the number of off-street parking spaces from 33 to 26. This does not constitute as a practical difficulty.



On Van Slyke, the south side of TCGIS consist of cars in the queue to drop-off and pick-up students. As shown to the right, the north side of Van Slyke – both parking and traffic is tight.

Double-parking for drop-off and pick-ups exacerbate current traffic congestion as noted below.



Maximum capacity for parking on the north side of Van Slyke is 23 cars, allowing approximately 37 more on-street parking does not *“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 south side of VanSlyke is dedicated to the queue.

Traffic patterns from the last 5 years indicate that traffic flow and parking are problems jointly. Parking variance must consider the impact on parking.



TCGIS Proposed Lot Size Variance

The requested variance for lot coverage is a small percent but it carries with it a disproportionate impact. TCGIS is asking for something bigger than what it seems, the destruction of an eligible historic resource, St. Andrew's, altering the essential character of the Warrendale neighborhood.

The variance request is due to expanded staff and student populations coupled with choices to maintain lot size, class size (24), and playground size while increasing the number of classes and green space. These are choices, not circumstances unique to the property, there are no practical difficulties, only those due to choices made by TCGIS. Expanding the lot size means more traffic, more congestion that fails the intent of City code.

In comparison to other schools in the area, TCGIS supports significantly more students on a significantly smaller site (see table below).

School	Size	Student Enrollment
TCGIS	1.78 acres	648 students
Great River School	3.4 acres	422 students
Chelsea Heights Elementary	3.79 acres	469 students
Murray Middle School	4.40 acres	693 students
Como Park Elementary	4.90 acres	508 students
Crossroads Elementary	8.43 acres	332 students

TCGIS— 648 students on 1.78 acres adjacent to 13 residences



Expansion plans to support roughly twice the number of students per unit area of any elementary school located in any Established Neighborhood in St. Paul is overcrowding and undue congestion.



TCGIS Proposed Height Variance

The requested variance for a height variance is a small percent but it carries with it a disproportionate impact. TCGIS is asking for a variance that allows for the destruction of an eligible historic resource, St. Andrew's, altering the essential character of the Warrendale neighborhood. The demolition of St. Andrew's is not consistent with the Comprehensive Plan that the City should *"Prioritize the retention of designated historic resources (or those determined eligible for historic designation) over demolition when evaluating planning and development projects that require or request City action, involvement, or funding."*



Concern exists to the need for mechanicals on the roof, which are generally noisy but not noticeable in commercial districts.



The proposed variance does not meet the requirement to prevent the overcrowding of land and undue congestion of population.

TCGIS has the option for adaptive reuse, TCGIS's need for a variance is not due to physical characteristics unique to this property, it's due to choices made and NOT revealed to the Community until it seemed too late to change. Their planning process did NOT include community voices by design. They knew that the destruction would be unpalatable.

They are wasting school funds amassing a litigation budget for what? To avoid the truth that this is an historic structure? That their planning process was minimal. They are pushing forward primarily because of their ego. They are unwilling and afraid to see the truth that adaptive reuse of the structure is possible. TenSquare, their consultant is the big winner if the City bows to this destructive and unnecessary project as stated. They are fully dictating the

process. Ten Square has done so in many other communities to the detriment of those communities.

The loss of St. Andrew's would significantly alter the essential character of the surrounding area. Based upon the determination of eligibility for historic designation, St. Andrew's is a neighborhood landmark and part of the essential character of the surrounding area.

Respectfully,

Teri Alberico
1023 Como Avenue
St. Paul, MN 55103

Langer, Samantha (CI-StPaul)

From: Sara Cox <sara.cox12@gmail.com>
Sent: Wednesday, December 12, 2018 10:38 PM
To: Williams, Josh (CI-StPaul); Anderson, Tia (CI-StPaul)
Cc: District 10 Administrator; zimmermanstp10@gmail.com
Subject: Twin Cities German Immersion School Zoning Variance Requests

December 12, 2018

To Whom It May Concern:

As residents of the Warrendale neighborhood in Como Park, we are writing to request your opposition to the three proposed variances required for the proposed expansion at the Twin Cities German Immersion School. We have lived at 1152 Churchill Street for over twelve years and share a border with the west parking lot of the school. The simple fact is the school has outgrown our neighborhood. It is landlocked by homes, with little green space, and further growth/expansion directly and negatively impacts those of us who live in the neighborhood. We have two young children, one of whom will be starting Kindergarten through SPPS in the fall. We respect that the school and parents want the best for their children; however, we believe there are other alternatives to meet the needs of the school, while still providing a quality education for the students. This process has felt very rushed over the past eight months and deserves due process in exploring viable alternatives that benefit both the school and the neighborhood.

Please consider the impact to the residential and historic qualities of the Warrendale neighborhood and reject these variance requests.

Sincerely,

Sara & Ryan Cox
1152 Churchill St