

INTERIM USE PERMIT STAFF REPORT

FILE NAME: Temporary Emergency Housing at Luther Seminary **FILE #** 20-091-134
APPLICANT: Ramsey County **HEARING DATE:** December 2, 2020
TYPE OF APPLICATION: Interim Use Permit
LOCATION: 2329 Hendon Street, between Como Avenue and Fulham Street
PIN & LEGAL DESCRIPTION: 20.29.23.24.0071, LUTHER NORTHWESTERN, ADDITION THAT PT OF LOT 1 BLK 1 LYING NELY AND SELY OF FOL DESC L BEG AT SLY COR OF SD LOT 1 SD COR IS COMMON WITH SW COR OF LOT 2 BLK 1 TH N 32 DEG 23 MIN 03 SEC E ASSUMED BEARING ALONG NWLY L OF SD LOT 2 AND NELY EXT A DIST OF 510.63
PLANNING DISTRICT: 12 **PRESENT ZONING:** T1
STATE STATUTE REFERENCE: Minn. State Statute § 462.3597
STAFF REPORT DATE: November 18, 2020 **BY:** Bill Dermody
DATE RECEIVED: November 4, 2020 **60-DAY DEADLINE FOR ACTION:** January 3, 2020

- A. **PURPOSE:** Interim use permit for temporary emergency housing facility
- B. **PARCEL SIZE:** 8.5 acres
- C. **EXISTING LAND USE:** Institutional (unoccupied dormitory on a seminary campus)
- D. **SURROUNDING LAND USE:** One-family and duplex residential to the south (RT1), and institutional (seminary campus) to the west, east, and north (T1).
- E. **STATE STATUTE CITATION:** Minnesota State Statute §462.3597 provides for interim uses and includes required findings for establishing an interim use.
- F. **PARKING:** Zoning Code § 63.207 requires a minimum of 1.5 parking spaces for every 4 adult emergency housing facility residents.
- G. **HISTORY/DISCUSSION:** None.
- H. **DISTRICT COUNCIL RECOMMENDATION:** As of this writing, the District 12 Council has not provided a recommendation.
- I. **FINDINGS:**
1. The application requests interim use permit approval for a temporary emergency housing facility in the vacant Stub Hall dormitory at 2329 Hendon Street on the Luther Seminary Campus. The dormitory building, which occupies approximately 30,000 s.f. of the larger 8.5-acre parcel, is proposed to be used for emergency housing to meet temporary need created by the COVID-19 pandemic.
 2. The facility will serve women and couples experiencing homelessness in the pandemic, by referral only.
 3. Minnesota State Statute §462.3597, Interim Uses, defines interim uses, gives authority to governing bodies to allow them, and specifies the required findings for establishing an interim use. Sec. 462.3597, Subd. 1 defines an interim use as “a temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it.” Minnesota State Statute §462.3597, Subd. 2, Authority, allows for conditions to be set on interim uses. The governing body may grant permission for an interim use of property if:
 - a. *The use conforms to the zoning regulations.* This requirement is met. The subject site is zoned T1, which permits an emergency housing facility as a conditional use.
 - b. *The date or event that will terminate the use can be identified with certainty.* This requirement is met. The use will not be needed after the COVID-19 pandemic.
 - c. *Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future.* This requirement is met. The property can easily be

reverted to a dormitory use as part of the Luther Seminary Campus. No significant interior modifications are planned.

- d. *The user agrees to any conditions that the governing body deems appropriate for permission of the use.* This requirement is met. The applicant has agreed to abide by any such conditions.

4. The applicant requests waiver of the application fee.

J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the interim use permit for temporary emergency housing facility subject to the following additional conditions:

1. The interim use will terminate within 90 days after the City of Saint Paul and State of Minnesota states of emergency pertaining to COVID-10 have expired.
2. Occupancy must be approved by the Department of Safety and Inspections (DSI). Occupancy must abide by and comply with any standards or conditions imposed by DSI, and those same standards and conditions are incorporated by reference as standards/conditions of the interim use permit.