

From: Rachel Callanan [<mailto:rachelcallanan@yahoo.com>]

Sent: Wednesday, January 02, 2019 10:38 PM

To: Mitra Jalali Nelson; Mitra Nelson; Privratsky, Matt (CI-StPaul); #CI-StPaul_Ward4

Cc: Lisa Natchek; Nicholas Slade

Subject: Jan. 3 Hearing re: Rezoning of 1819 Marshall Ave. from T1 to T2

Hello Council Member Nelson,

First, when I told my 22 year old son I was reaching out to you about a zoning issue he said--"Oh, she was really funny on Wrong About Everything--that's important! She's great!" He's a very serious devotee of WAE.

Anyway...

I am reaching out to loop you into a small but significant zoning change that is being proposed literally in my back yard. I live in a single family home at 1812 Iglehart Ave. The non-St. Paul resident landlord/business owner of 1819 Marshall is seeking an upzoning for his property from T1 to T2. My house is across the alley. While it seems like a minor change, it is significant in that much wider commercial uses would be allowed under the T2 zoning--such as a bar or restaurant as opposed to an insurance office or chiropractor's office which is allowed under T1. He says it is not his intention to use the property for anything but residential, but wants to upzone to T2 so he can make one of his 10 units legal. I am fully supportive of the additional unit of housing--although with the improvements, this is clearly no longer affordable housing for low or even moderate income tenants. (He told me that he purchased the building for \$1 million and has put \$500,000 into it. This raises an interesting question--if landlords are seeking special treatment, couldn't the city consider requiring some affordability in exchange? This owner has a [multi-million dollar portfolio](#)--he could afford to make a few of these 10 units on Marshall Ave. affordable to low-income tenants.)

I attended the Union Park District Council meeting tonight to try to persuade them to submit a letter in opposition to the upzoning to T2 to the St. Paul Planning Commission Zoning Committee. However, they voted 10-8 in favor of submitting a letter of support. I have reached out to the Zoning Committee--see my correspondence below. That committee will hear this issue on Jan. 3rd. There are alternative options to make the 10th housing unit "legal" within the power of the planning commission or other city decision making bodies:1) a variance could be granted, 2) the Planning Commission could grant a "Determination of Similar Use," or 3) a nonconforming use permit could be granted. These other options would be supported by me and other neighbors, but the T2 zoning is not appropriate for this parcel. In the end, any concession the city gives to this business owner should require affordability for low or moderate income residents. The residents who resided there before the new owner made the improvements were low-income and were displaced.

My request is that when this comes before the Planning Commission Zoning Committee and then the full Council, that the alternatives be proposed instead of a full jump to upzoning the property to T2. As I said, I am fully supportive of the housing use (preferably affordable) which is appropriate for this parcel.

Thank you for your consideration.

Warm regards,
Rachel Callanan
1812 Iglehart Ave.
St. Paul, MN 55104

----- Forwarded Message -----

From: Rachel Callanan <rachelcallanan@yahoo.com>

To: cedrick.baker@gmail.com <cedrick.baker@gmail.com>; adejoy@esndc.org <adejoy@esndc.org>; Dan.edgerton@stantec.com <Dan.edgerton@stantec.com>; krisfredson@gmail.com <krisfredson@gmail.com>; blindeke@gmail.com <blindeke@gmail.com>; christopher.james.ochs@gmail.com <christopher.james.ochs@gmail.com>; ecr@trios-llc.com <ecr@trios-llc.com>

Cc: Nicholas Slade <nicholas.slade@gmail.com>; Lisa Natchek <lmnatchek@gmail.com>; david@unionparkdc.org <david@unionparkdc.org>; Dadlez Kady (CI-StPaul) <kady.dadlez@ci.stpaul.mn.us>

Sent: Wednesday, January 2, 2019, 1:18:57 PM CST

Subject: Rezoning of 1819 Marshall Ave. from T1 to T2

Dear Zoning Committee,

I am contacting you in regards to the zoning change proposed for 1819 Marshall Ave. The property is currently zoned T1 and the property owner seeks to change the zoning of the parcel to T2.

My husband, Nicholas Slade, and I object to this change. We completely support the new owner in his desire to maximize the multi-family housing use of his property—the stated reason for seeking this zoning change is to make an additional rental housing unit “legal”. As long-time social justice and affordable housing advocates, we fully support the desire to add to the quality and affordable housing stock in Merriam Park. Unfortunately, the housing that is the subject of this development is not affordable for low-income people, but that is another subject for another day. For now, I focus my comments on two issues:

1) Rezoning from T1 to T2 is overkill when the same goal could be achieved for the property owner through a zoning variance to allow the additional housing unit to be “legal”.

Our concern with the move to rezone the property from T1 to T2 is that the same goal could be achieved through a zoning variance. This property was recently rezoned from multi-family housing to T1 as part of the Marshall Rezoning Plan. That change allowed for more expansive commercial uses and my husband and I both attended community meetings and submitted written comments objecting to the upzoning to T1 at that time. Our argument was, and remains, that this intersection is not and has not been a commercial or retail area and allowing a commercial use would significantly impact the adjacent residential homes. Our home is across the alley from 1819 Marshall at 1812 Iglehart Ave.

This current proposal to rezone the property to T2 would make it even more likely that more intensive commercial uses of the property could be on the horizon. Rezoning the property in this way leapfrogs over the months of process that went into the Marshall Rezoning Plan. My husband and I would support a zoning variance to allow for the additional housing unit, but object to the more extensive change to T2.

For background on our investment and commitment to being Merriam Park residents: we purchased the property at 1812 Iglehart in April 2018. We moved here to be close to work and fix up the property to be our home for the next 20-30 years. We have been investing our life savings into fixing up this property—new roof, new boiler, rehabbing the exterior, etc. We are middle-income so are doing much of the work ourselves. Our goal is to be here through our retirement and into our old age. We are invested in the property for the long haul! The prospect of a higher impact commercial use of the property right behind our house would greatly impact our plans to enjoy our back yard, sleep with the windows open, have our grandkids play in the yard someday, etc.

The current property owner does not plan to utilize the T2 zoning for commercial use but rather simply wants the ability to use his 10th unit legally. This could be achieved with a zoning variance while at the same time giving the neighbors what we want, peace of mind that there will not be a high-impact

commercial use outside our backyards in the future. A T2 zoning change could be discussed in the future if the possible BRT goes in and if it were determined, after a thorough community engagement process, that the T2 zoning change is warranted. As it stands—the upzoning to T2 goes far beyond what the owner wants to do with the property and is against neighboring property owners' wishes.

A zoning variance is a reasonable and appropriate solution to support the owner's additional housing unit while being responsive to the adjacent property owners' concerns.

I hope that you understand our perspective and are willing to work with us to come up with a solution that works for all of us. It is my desire that the Zoning Committee recommend against a rezoning of the property at 1819 Marshall and instead recommend that the property owner seek a zoning variance to allow for the additional housing unit. At a minimum, no recommendation should be made to the City Council until all options are assessed and all neighbors directly impacted are engaged in the community process.

2) The community engagement process was not effective in notifying the neighbors with the greatest stake in the proposed zoning change.

The first information we had about this proposed zoning change was a postcard we received Dec. 27th notifying us of the St. Paul Planning Commission meeting on Jan. 3rd. Luckily I was in town and was able to notify my next door neighbors, who were out of town at the time. There was no communication from the Union Park District Council about this change and no outreach attempted to the property owners that would be most greatly impacted by this change. I was particularly surprised that the Union Park District Council and its committees would take a position on such a significant rezoning of a property without attempting to contact the adjacent and nearby property owners. I was in contact with Lucas Miller about the lack of community engagement in this process and he offered some ideas for how I can be more involved with the outreach and engagement process. I will take him up on these opportunities to help improve the communication between the District Council and community members as these important changes are being considered in the future. It does not fix the lack of communication on this particular proposal, but I would hope that moving forward there is a significant effort made to contact the property owners when a major change like this is going to be proposed that will greatly impact the property owner's use and enjoyment of their property. The Zoning Committee should be aware that the Union Park District Council did not fully engage or inform the neighboring property owners. I plan to attend their meeting tonight to explain our concerns about the rezoning of 1819 Marshall to T2.

My understanding is that the Zoning Committee will be addressing this issue at your meeting Jan. 3rd. I plan to attend and would appreciate time to address the Committee.

Thank you.

Sincerely,

Rachel Callanan and Nicholas Slade (I am speaking on behalf of my husband as he is currently deployed to Kuwait as a member of the Minnesota National Guard so is unable to attend the meetings and engage in this discussion.)

1812 Iglehart Ave.

St. Paul, MN 55104

From: Lisa Natchek [<mailto:lmnatchek@gmail.com>]

Sent: Sunday, December 30, 2018 8:35 PM

To: #CI-StPaul_Ward4; cedrick.baker@gmail.com; adejoy@esndc.org; Dan.edgerton@stantec.com; krisfredson@gmail.com; blindeke@gmail.com; christopher.james.ochs@gmail.com; ecr@trios-llc.com

Subject: Rezoning of 1819 Marshall

Hello Mitra and St Paul Zoning Committee,

I am writing in regards to the proposed zoning change 1819 Marshall. While the change from T1 to T2 seems fairly minor, I have some concerns as to the future impact on the neighborhood. I do not have any issues with the building at 1819 Marshall, but I feel that granting a variance would be a better option in this case.

Allowing a full zoning change would set a precedent for other buildings in the area and could lead to more drastic changes being requested down the line. A huge reason as to why my husband and I chose to buy a house in this location was the overall feel of the neighborhood-- older buildings, quieter area, with a small mix of local businesses within walking distance. The incoming Dunkin Donuts and the disaster that is the Starbucks drive-thru are already minor annoyances, but they're far enough away from our house (and I understand that Snelling will always be primarily commercial). We also already have had noise issues with some of the nearby student rentals. This is the sort of thing I do not want to see more of in the neighborhood. An influx in student-friendly rentals especially can negatively impact housing values and the people it will hurt the most are homeowners in the area. This is especially concerning to my husband and me since we have been investing quite a bit into our home as we work to bring it from an out-dated and mostly ignored property to a updated and charming piece of the neighborhood. Our vision for the neighborhood consists of primarily single-family homes, well-maintained parks, easy (and safe) walk-ability, and some small clusters of local businesses. I understand there is already a mix of rental properties in the neighborhood, but my concern is that it could become much more predominant. Student-friendly housing especially has a reputation for being less well kept, and younger residents are more likely to be noisy. I'm speaking in generalities of course, but I've already seen (and heard) evidence of both these things near my home and have no desire to see this area become a stereotypically college neighborhood (such as Uptown or DInkytown in Minneapolis). I'm 10+ years past that stage of my life and have been enjoying the current feel of our neighborhood.

Far more pressing issues (to me and my husband at least) are the lack of medians between the sidewalks and road along Fairview, and the north-bound section Fairview that increases to 2 lanes. The road could easily be narrowed to a single lane on each side (plus turn left turn lane) while adding a wider median between the sidewalks and road. This ultimately increases pedestrian safety because it makes the sidewalks easier to shovel (right now plows push snow onto the sidewalks and residents don't have anywhere to go with the snow they're shoveling) and reduces the traffic along Fairview since there is a clear acceleration zone happening right after Marshall (also dangerous to cars pulling out of nearby alleys).

When voting, please consider the precedent a zoning change could set and the long-term impact it could have on the neighborhood. I urge to vote against the zoning change and instead consider granting a variance for this specific location.

Thank you for your consideration,

Lisa Natchek

1816 Iglehart Ave

Dear Council Members,

Below is the email I sent to the Planning Commission about this issue. I reiterate my concerns and request that the council not adopt this change and request that staff work with the property owner and nearby neighbors to identify alternatives to the upzoning proposed. The alternatives available include: 1) a variance, 2) the Planning Commission could grant a "Determination of Similar Use," or 3) a nonconforming use permit could be granted.

These alternatives have not been fully discussed and explored by the Union Park District Council or city staff.

Thank you for your consideration.

Sincerely,

Rachel Callanan
1812 Iglehart Ave.

Dear St. Paul Planning Commission, (Unfortunately the only list of commissioners I could find online did not include emails for all commissioners. I have cc'd staff here in hopes that they will be able to get this correspondence in the hands of all commissioners before the meeting where this will be considered.)

I am contacting you in regards to the zoning change proposed for 1819 Marshall Ave that I believe is scheduled to come before you on Friday Jan. 11th. The property is currently zoned T1 and the property owner seeks to change the zoning of the parcel to T2.

My husband, Nicholas Slade, and I object to this change. We completely support the new owner in his desire to maximize the multi-family housing use of his property—the stated reason for seeking this zoning change is to make an additional rental housing unit “legal”. As long-time social justice and affordable housing advocates, we fully support the desire to add to the quality and affordable housing stock in Merriam Park. Unfortunately, the housing that is the subject of this development is not affordable for low-income people, but that is another subject for another day. For now, I focus my comments on two issues:

1) Rezoning from T1 to T2 is overkill when the same goal could be achieved for the property owner through a zoning variance, a Determination of Similar Use, or a nonconforming use permit to allow the additional housing unit to be “legal”.

Our concern with the move to rezone the property from T1 to T2 is that the same goal could be achieved through a zoning variance, determination of similar use, or nonconforming use permit. This property was recently rezoned from multi-family housing to T1 as part of the Marshall Rezoning Plan. That change allowed for more

expansive commercial uses and my husband and I both attended community meetings and submitted written comments objecting to the upzoning to T1 at that time. Our argument was, and remains, that this intersection is not and has not been a commercial or retail area and allowing a higher impact commercial use would significantly impact the adjacent residential homes. Our home is across the alley from 1819 Marshall at 1812 Iglehart Ave.

This current proposal to rezone the property to T2 would make it even more likely that more intensive commercial uses of the property could be on the horizon. Rezoning the property in this way leapfrogs over the months of process that went into the Marshall Rezoning Plan and final adoption of the Plan with this parcel zoned as T1. My husband and I would support a zoning variance, determination of similar use, or nonconforming use permit to allow for the additional housing unit, but object to the more extensive change to T2.

For background on our investment and commitment to being Merriam Park residents: we purchased the property at 1812 Iglehart in April 2018. We moved here to be close to work and fix up the property to be our home for the next 20-30 years. We have been investing our life savings into fixing up this property—new roof, new boiler, rehabbing the exterior, etc. We are middle-income so are doing much of the work ourselves. Our goal is to be here through our retirement and into our old age. We are invested in the property for the long haul! The prospect of a higher impact commercial use of the property right behind our house would greatly impact our plans to enjoy our back yard, sleep with the windows open, have our grandkids play in the yard someday, etc.

The current property owner does not plan to utilize the T2 zoning for commercial use but rather simply wants the ability to use his 10th unit legally. This could be achieved with a zoning variance, determination of similar use, or nonconforming use permit while at the same time giving the neighbors what we want, peace of mind that there will not be a high-impact commercial use outside our backyards in the future. A T2 zoning change could be discussed in the future if the possible BRT goes in and if it were determined, after a thorough community engagement process, that the T2 zoning change is warranted. As it stands—the upzoning to T2 goes far beyond what the owner wants to do with the property and is against neighboring property owners' wishes.

There are alternative options to make the 10th housing unit "legal" within the power of the planning commission or other city decision making bodies: 1) a variance could be granted, 2) the Planning Commission could grant a "Determination of Similar Use," or 3) a nonconforming use permit could be granted. These other options would be supported by me and other neighbors, but the T2 zoning is not appropriate for this parcel.

I hope that you understand our perspective and are willing to work with us to come up with a solution that works for all of us. It is my desire that the Planning Commission recommend against a rezoning of the property at 1819 Marshall and instead recommend that the property owner seek a zoning variance,

a Determination of Similar Use, or a nonconforming use permit to allow for the additional housing unit. At a minimum, no recommendation should be made to the City Council until all options are assessed and all neighbors directly impacted are engaged in the community process.

2) The community engagement process was not effective in notifying the neighbors with the greatest stake in the proposed zoning change.

The first information we had about this proposed zoning change was a postcard we received Dec. 27th notifying us of the St. Paul Planning Commission meeting on Jan. 3rd. Luckily I was in town and was able to notify my next door neighbors, who were out of town at the time. There was no communication from the Union Park District Council about this change and no outreach attempted to the property owners that would be most greatly impacted by this change. I was particularly surprised that the Union Park District Council and its committees would take a position on such a significant rezoning of a property without attempting to contact the adjacent and nearby property owners. I was in contact with Lucas Miller about the lack of community engagement in this process and he offered some ideas for how I can be more involved with the outreach and engagement process. I will take him up on these opportunities to help improve the communication between the District Council and community members as these important changes are being considered in the future. It does not fix the lack of communication on this particular proposal, but I would hope that moving forward there is a significant effort made to contact the property owners when a major change like this is going to be proposed that will greatly impact the property owner's use and enjoyment of their property. The Planning Commission should be aware that the Union Park District Council did not fully engage or inform the neighboring property owners. I attended their recent meeting tonight to explain our concerns about the rezoning of 1819 Marshall to T2, however, they voted to move the zoning change forward on a deeply divided vote of 8-10. The initial recommendation made by the Union Park Land Use Committee was done without input from the adjacent neighbors and unfortunately, I think that has set this process on something of an automatic trajectory. I hope that you will consider our concerns and work with us to identify a solution that works for all of us.

Thank you.

Sincerely,

Rachel Callanan and Nicholas Slade (I am speaking on behalf of my husband as he is currently deployed to Kuwait as a member of the Minnesota National Guard so is unable to attend the meetings and engage in this discussion. He is cc'd on this email.)

1812 Iglehart Ave.

St. Paul, MN 55104

From: Matthew Surprenant [<mailto:masurprenant@gmail.com>]

Sent: Wednesday, February 20, 2019 7:53 AM

To: Dadlez, Kady (CI-StPaul); info@unionparkdc.org

Subject: Rezone from T1 traditional neighborhood to T2 Traditional neighborhood at 1819 Marshall Ave

Hello Kady,

My name is Matthew Surprenant and I'm a property owner at 1816 Iglehart Ave. Regarding file# 18-132-440 I would like to make a few comments.

My understanding is that this rezone is to accommodate an additional unit at 1819 Marshall Ave, an apartment building that has recently shifted ownership. I have no problem with an additional unit at the apartment building and the new owner has done a good job renovating the building.

However, the sidewalk design on Fairview Avenue is among the worst in the city. There is little to no median between the sidewalk and the Fairview Ave on either side. This creates an impossible situation in the winter where the sidewalk cannot be cleared properly as the plows directly dump all of the street snow onto the sidewalk. In the summer pedestrians are dangerously close to moving traffic just as the speed limit increases. Meanwhile there is a completely unnecessary second lane when traveling north, so there is ample space to reduce the size of the road and add a median between the sidewalk and the road. Essentially this area of the city is very far from pedestrian friendly even though it's a main pedestrian route to a light rail station.

When I look at the intent behind the T2 zone, it says the following:

The T2 traditional neighborhood district is designed for use in existing or potential pedestrian and transit nodes. Its intent is to foster and support compact, **pedestrian-oriented** commercial and residential development that, in turn, can support and increase transit usage. It encourages, but does not require, a variety of uses and housing types, with careful attention to the amount and placement of parking and transitions to adjacent residential neighborhoods. (emphasis added).

There is no way to make this area pedestrian friendly (especially with snow) without addressing the lack of a median. Therefore I don't support or understand any zoning change done on an ad hoc basis for a single parcel like this without addressing the glaring problems related to the sidewalk in this area. If all we are doing is adding an additional unit to an apartment building this can be done with a variance. If we want to rezone to make the area pedestrian oriented more work is needed, and that is work I support.

-Matthew A. Surprenant, J.D.
1816 Iglehart Ave