

Regarding: Request to Rezone - 1708 Selby Ave, St Paul

Applicant: Selby Flats LLC

File # 21-310-795

This information is written by: Louise Jacobs, 1707 Hague Ave

I moved to my present home on Hague Avenue just a few years ago after living in Iowa for years. My home is located directly behind 1708 Selby Ave, the subject property of the rezoning request. My home is situated on an unusual lot only about 40 feet wide and 110 feet deep. None of the properties on Hague Ave (at least in the block between Aldine and Herschel Ave) have deeper yards than 110 feet. So my back door is just 25 feet away from the back property line of 1708 Selby. The original depth of the lots on Hague and Selby were reduced when Selby Ave was widened some years ago. In addition, there is no alley between the properties.

Since I have lived at 1707 Hague Ave there has always been a renovation carpenter shop behind my property located at 1708 Selby Ave property for which rezoning is requested. I understand from neighbors and one of the carpenters himself that the business has been located there for years. I observed in just the few years I have been here the workers associated with carpenter business doing work on neighborhood residences, and thereby living out the goals of the Comprehensive plans in its business relationship to the neighborhood. The business has been a great neighbor and apparently before the carpentry business there have been other businesses at that location which also served useful the neighborhood.

I, like many of the neighbors, have walked frequently in my residential neighborhood which to me consists the residential area between and including Selby Ave. and Summit Ave in fact I am referring to part of a larger defined neighborhood. The area I am particularly describing borders near to Grand Ave on the south, Snelling Ave to the east, and to Fairview Ave on the west, and to Selby Ave on the north. Thus there are businesses in all directions with the primary hubs being Snelling Ave (which has the larger presence) and Grand Ave which has the longest commercial area but with a more traditionally historical structure. These areas are within a walkable distance.

The businesses on Selby Ave, just west of Snelling Ave are smaller shops including gift shops, a heating business, restaurants, Hair Saloon, therapist, massage business, some office business, furniture refinishing and upholstery business, car towing, Urban Farm, and antique and furniture shops at Selby and Fairview. No business or housing unit dominates over others; there are no 5 story buildings. None are more than 2 story. This blend of business and housing is exactly what the Comprehensive plans aspire to preserve and to create.

While Planning and Zoning states that Selby Ave had a cable car line long ago and therefore is a transportation node ripe for density. It clearly did not

include all of Selby Ave. And what may have existed 80 years ago does not reflect reality now. Selby Ave tapers off from the intensity and density of Snelling Ave west until it actually takes a jog to the south (the jog goes approximately 1 block south) at the intersection of Fairview Ave and Selby Ave. After the jog Selby continues west many blocks until it passes St. Thomas and ends just 1 block west of St. Thomas where it deadens into Riverwood. After the jog Selby Ave narrows to a size such as Hague Ave. Selby Ave west of Fairview Ave is not a node of transportation now by any stretch of the imagination nor is the area from west of Snelling to Fairview. The diversity that exists there is that of a traditional business/housing mix just as the Comprehensive plans seeks to preserve and to encourage.

The residential neighborhood I live in has more diversity than one usually finds in an area. There is income and wealth diversity in the neighborhood. For example there are very expensive homes along Summit Ave and then progressively smaller homes in the blocks closer to Selby Ave. Summit Ave has a significance to St Paul unlike almost any other street or boulevard. In fact, every one in every state with whom I have discussed St. Paul knows about Summit Ave. In some ways the streets between Summit Ave and Selby Ave provide some stabilization of the neighborhood and protection of Summit Ave's glory while demonstrating another kind of diversity (housing from single dwelling ownership to rental (primarily four plexus but some apartments). Despite the diversity of housing and income no building towers above other buildings and definitely no 5 story buildings.

And the diversity is also evidenced in the range of occupations, and of race and cultural backgrounds including asian, Japanese, African-American, and more all in this neighborhood. Everything about the neighborhood is different than a suburban area and is partly why residents choose to live here, that is, the character of the neighborhood. The very thing that is supposed to be the focus on zoning change requests.

The major form of exercise in the neighborhood is walking and children know other children over several blocks. But we also walk to the book store on Snelling Ave or the hardware store on Grand Ave, the hair saloon or Urban Farm on Selby Ave. And when friends visit me from Iowa, we go to gift and antique stores on Selby Ave. I can even walk to my dentist on Ashland and Snelling Avenues.

I have never lived in a neighborhood before that has so many little libraries for adults and children. And while living in Iowa, I never experienced such a demonstration of people's love of yard signs, and not just political ones during election cycles. The current dominant yard sign continues to be "Black Lives Matter" signs with some variations such as Black,Lives Matter, Science is Real, Women Rights are Human rights and so on. Although my neighbors will soon

have our sign about the concerning plans for development on Selby Ave.

I have taken time to provide information about my neighborhood because there is not one fact about the neighborhood in the Plan and Zoning report despite the requirement in many of the planning and zoning policies that “the character of the area is to be considered.”

Isn't that astounding that Planing and Zoning would not have even one little tiny fact about the neighborhood?!

I have raised procedural issues of due process about reports and hearings that are totally one-sided (see records of the Committee and Commission hearings, and failures to meet the minimum requirements of due process, but in the interest of brevity, I will not repeat those concerns but simply refer you to the records from those hearings.

Unfortunately, the Plan and Zoning report which was presented to the Committee, the Commission, and presumably to the City Council only includes information about policies (sometimes not even applicable to the current situation) that favor the Selby Flats LLC. The author of the staff report calls them “findings of facts” but there are no facts to be “found”; not one fact was reported about the neighborhood, not one additional fact was provided about the proposed development project. And when questioned about matters such as the nearest five story building, the staff could not accurately report. And no one provided the information that other than Whole Foods and O’Gara buildings there is no other five story building with west or east until near Western and Selby Avenues and even then very few five story buildings. Please drive Selby Avenue and see what I say is accurate....not one building 5 stories high in the miles east of Snelling Ave or west of Snelling Ave.

This is the first legal matter I have been involved in since I retired just before moving to St Paul. Early on in my legal career I did serve as a legal adviser to a Plan and Zoning Board and as part of my job filed legal actions and/or defended the Board’s actions in court. Though it has been a long time since I worked in the Plan and Zoning area I see major differences in the approach here and as a result I must ask.

Why do St Paul’s planning and zoning and related Committees and Commissions fail to follow the policies set out in the Comprehensive Plans which seems quite extraordinarily good?

Why are the residents in this neighborhood being treated so poorly? For example, not being given adequate notice, not listened to, not heard, having to do research that should have been done by P&Z staff?

While the current general cultural understanding and focus in the larger society has been for equal and fair treatment (and rightly so), the residents and business owners have received unfair and disparate treatment. Such are

additional examples of due process violations have been raised in the previous hearings. Again I refer you to the records made at the previous hearings.

So even without proper notice, when I asked (as a sample) 31 residents in this neighborhood about the proposed rezoning and development plan, 30 immediately said “No” and signed a petition. When the rest of this neighborhood finds out, do you think that as a miracle for Selby Flats LLC that they will say Oh! a 5 story building is needed and will “fit in perfectly”. Clearly a five story building does not belong in the area proposed. There are other ways to achieve a higher density than currently exists though there is a lot of density in the neighborhood. But when increasing the density it can be done in a manner which is consistent with the character of a neighborhood. The character does matter and it says so in the cities policies and plans.

On a historical note but one that could guide us, remember St. Paul has a terrible history of ignoring the concerns and needs of residents and destroying neighborhoods without working with the neighborhoods. **The choice still seems to be to force change *on* the neighborhoods instead of working on change *with* the neighbors? Wouldn't it be great if we could learn from history?**

Finally why has Jon Schwartzman been so emboldened that he feels so assured as to state in the Committee hearing that “he can do anything he wants”? You can imagine the speculation about why he is able to say that and to generally act without regard to general rules of applications and planning and zoning responsibilities and how he can ignore all pertinent policies he wishes even as to environmental concern at this time in history when no one should remain ignorant of the need for action now. Any building Selby Flats LLC builds will have a lasting effect beyond 2050. And no one should be able to do exactly what they want when it is detrimental to the neighbors. The time for that kind is on its way out and should be eliminated from the rezoning process.

Neighbors want to work with Selby Flats LLC to develop a good plan for all. I think we all can agree that it is pretty difficult to work with someone who brags about being able to “do anything he wants” but I do believe that common goals can be developed. But it is in its best interest of all to work **with** the neighbors also.

Therefore, the rezoning application should be denied (all possibilities for development and preserving a small business consistent with the Comprehensive plans should be considered in the planning stage). And Selby Flats LLC should return to UPDC to develop a real plan and work with the neighborhood in developing such a plan.