

MINUTES OF THE ZONING COMMITTEE
Thursday, January 30, 2020 - 3:30 p.m.
City Council Chambers, 3rd Floor
City Hall and Court House
15 West Kellogg Boulevard

PRESENT: DeJoy, Edgerton, and Grill
EXCUSED: Baker, Lindeke, Ochs, and Rangel Morales
STAFF: Michael Wade, Samantha Langer, Allan Torstenson, and Peter Warner

The meeting was chaired by Commissioner Edgerton.

Glen Brown-Lowe - 20-002-999 - Rezone from RT1 two-family residential to RM2 multiple-family residential, 197 Baker St E, between Oakdale Avenue and Mount Hope Avenue

Glen Brown-Lowe – 20-003-092 – Lot area variance to convert a duplex to a triplex (9000 sq. ft. required; lot is 6534 sq. ft.), 197 Baker St E, between Oakdale Avenue and Mount Hope Avenue

Michael Wade presented the staff report with a recommendation of denial for both the rezoning and the lot area variance. He said District 3 made no recommendation, and there were 0 letters in support, and 1 letter in opposition.

Glen Brown-Lowe, 197 E. Baker Street, Saint Paul, MN said this has been an educational tool for him. Throughout the process he has seen the severity of why it would be denied. He still takes the stance that his request is consistent with the 2040 Comprehensive Plan and where the City is headed.

Marcos R. Varela, 193 E. Baker Street, Saint Paul, spoke in opposition. Mr. Varela said he fully agrees with the staff report. He doesn't believe that the criteria have been met for this property to be rezoned. Most of the properties in the area are currently single-family or duplex homes. Mr. Varela submitted a petition with 22 signatures of homeowners in the area that do not want to see this type of facility built in their neighborhood. He said the duplex is very small to begin with and the changes that will be made to the third apartment in the basement will be very small. He has lived in his home for 40 years and has seen several different landlords and tenants at this property. The bottom basement, which the applicant is proposing to turn into a unit, has been used for storage in the past. Some residents have overwhelmed that storage area and a lot of the material made its way to the yard. These types of things should not be allowed to exist. Parking in the area has also been an issue with many visitors at the property and introducing another apartment to the building will cause problems. This property is not a good candidate for 2040 recommendations of the City. There are other properties that qualify much better than this property. This is just under 6,000 square feet. A family will not move into this unit and that is the goal, they would like to see long term residents in their neighborhood.

Leticia Cardenas, 204 Baker Street E, Saint Paul, spoke in opposition. She is opposed to adding more rental into the building. In the last year they have had an increase of people who are already renting. There has been a lot more noise on the street for people going in and out of the building. She has owned her property for 10 years and recently there has been a lot more litter. Her concern about adding more people into that the property is that there will be more

activity, more carelessness of the properties in the area, and adding people who aren't going to be staying long term and building their community.

Jennifer Varela, 238 Baker Street E, Saint Paul, spoke in opposition. She said she has been in her home for 22 years and she is concerned about the higher traffic. She is a voting member on West Side Community Organizations (WSCO) Land Use Committee and she was not aware of this property being talked about and she has requested them to implement a process change so they are aware of what properties are requesting changes. She is concerned about the transitory nature of rentals in their neighborhood. She would like to see long term rentals and homeownership. She would like to see people staying and building the community. She is also concerned about who may move into this unit.

In response to Commissioner DeJoy, she said she doesn't recall getting a notice for this property from WSCO. She said it was probably posted, but she would like to see more details on properties that will be on their agendas, and is working with them on the process of notification.

Margaret Cardenas, 205 E Morton Street, Saint Paul, spoke in opposition. Ms. Cardenas said her main concern is that they have fourteen different rental buildings within their two-block area and it already feels like there is a lot of people and cars. To increase that number of rentals is concerning.

Arnulfo Flores, 231 E. Baker Street, Saint Paul, spoke in opposition. This doesn't meet the square footage and it shouldn't be accepted. He commends the applicant on wanting to build a duplex in the neighborhood. The west side is very open to people coming into the neighborhood. There are a lot of rental properties already on the west side. He is in favor of single-family homes being built in the neighborhood and they don't need any more rentals in their immediate area.

The applicant responded to testimony. Mr. Brown-Lowe said he bought the property in October 2018. He bought the property with a tenant that he had to evict. He wasn't aware of the litter and trash problem and he will address it. He would like to turn the units into condos, and he was going to move into the third basement apartment.

In response to Commissioners, Mr. Brown-Lowe said he poured a foundation for a garage in the back yard. He is fixing things as he sees fit. He said the unit that he is proposing in the basement can be revisited because it meets the square footage without a bedroom. He wasn't aware of the litter problem. He said he takes care of the property. He currently lives at the property.

No one spoke in support. The public hearing was closed.

Commissioner Edgerton said he would be supportive of the rezoning, but has more difficulty with supporting the variance. The rezoning is consistent with the way the area has developed. There is compatibility with immediate surrounding uses. Immediately adjacent to the north is RM2 zoning. There is also a four-plex 2 or 3 units away. In his judgement he would support the rezoning and would base it on changing it from inconsistent to consistent with surrounding uses.

He has difficulty with supporting the lot size variance because the applicant has not demonstrated that there are practical difficulties or unique circumstances in maintaining the property as a duplex. He said he understands the neighbor's concerns about more density.

Commissioner DeJoy said it is obvious that this community gets along with each other. These are not unusual concerns when there is an increase of density. She understands why the applicant viewed this as consistent with the new Comprehensive Plan because they talk a lot about diverse housing and higher density. In her opinion, this is more in a neighborhood that is set back from a commercial corridor and isn't on a transit line. She believes there are issues with outside storage, parking and traffic.

In response to Commissioner DeJoy, Mr. Wade stated that they would still need to go through this process if the applicant were to make the proposed unit an efficiency.

Commissioner Grill said it is one of their goals to increase density in small incremental ways and this seems to be the type of increase that is compatible with the Comprehensive Plan. She is struggling with finding approval for the variance.

Commissioner DeJoy moved denial of the rezoning. Motion failed for lack of a second.

Commissioner Grill moved to approve the rezoning, stating that Findings 3 and 5 can be met. The proposed zoning is consistent with how the area has developed and is compatible with the surrounding uses. Motion failed for lack of a second.

Chair Edgerton stated that the Zoning Committee will forward the application to the Planning Commission with no recommendation.

Commissioner DeJoy moved denial of the lot area variance. Commissioner Grill seconded the motion.

The motion passed by a vote of 3-0-0.

Adopted Yeas - 3 Nays - 0 Abstained - 0

Drafted by: Submitted by: Approved by:

Samantha Langer
Recording Secretary

Michael Wade
City Planner

Dan Edgerton
Chair