

MINUTES OF THE MEETING OF THE BOARD OF ZONING APPEALS
CITY COUNCIL CHAMBERS, 330 CITY HALL
ST PAUL, MINNESOTA, FEBRUARY 13, 2017

PRESENT: Mmes. Bogen and Trout-Oertel; Messrs. Miller, Rangel Morales and Saylor of the Board of Zoning Appeals; Mr. Warner, City Attorney; Mr. Westenhofer, Ms. Lane and Ms. Crippen of the Department of Safety and Inspections.

ABSENT: Katrice Albert*

*Excused

RECUSED: Kara Younkin Viswanathan

The meeting was chaired by Gloria Bogen, Acting Chair.

Nate Golin (#16-067184) 1023 Osceola Avenue: Two variances in order to construct an addition onto Linwood Elementary School building: 1) A building footprint occupying a maximum of 35% of the lot or 28,451 square feet is allowed, the proposed building would occupy 39.5 % or 32,109 square feet of the lot for a variance of 4.5% or 3,658 square feet. 2) A building height of 30 feet is allowed, the proposed addition, at three stories, would be constructed to match the height of the existing classroom spaces of 47 feet for a height variance of 17 feet.

Mr. Westenhofer showed slides of the site and reviewed the staff report with a recommendation for approval, subject to the following conditions: 1) The proposed building addition is constructed as shown on the plans submitted with this application. 2) The site development complies with the mitigation plan to complete a traffic study documenting existing traffic volumes and planned operations at the school. 3) Archival photographic documentation must be obtained for the existing building prior to any demolition activities, which must be completed and submitted to the State Historic Preservation Office (SHPO) on a Minnesota Architecture-History Form for the site. 4) The finished building be consistent with the design submitted to SHPO by the project proposer's representatives on January 10, 2017.

On Friday when the packet was sent out twenty-seven letters and e-mails had been received in support the variance request and thirteen in opposition to the requested variances. Staff also received petitions with 1100 in support and 463 in opposition to the variance requests. Since then staff has received more letters, e-mails and petitions which are in the handouts to the Board.

One letter was received from District 16 regarding the variance request, however, the date on the letter is September 7, and September 14, 2016 we do not have a current letter from then dated either January or February 2017.

Ms. Bogen stated that before we start some ground rules, so we do not lose quorum, which could happen if this goes on too long. If you sent in written comments we appreciate them but please do not read them because we already have them, just summarize them do not read the whole thing out loud again. If you are going to speak do not repeat what other people have already stated because we will know it is an issue already. We will limit the speaker time for both those for and against to no more than 90 seconds for each one, that should be sufficient and we will be keeping track. She would also appreciate it if everyone is quiet and not talking among themselves or making comments while people are speaking, so we can hear the speakers. Also no demonstrations or applause or anything like that.

Mr. Westenhofer addressed Ms. Bogen, madam chair just to let you know staff has just arrived from Planning and Economic Development in case there are questions about the EAW (Environmental

Assessment Worksheet).

Ms. Bogen asked of the Board had any questions of staff, hearing none she called the applicants forward.

The applicant **NATE GOLIN- U + B Architecture, for SAINT PAUL PUBLIC SCHOOLS 2609** Aldrich Avenue, was present with Tom Parent, Facilities Director for St. Paul Public Schools, 1930 Como Avenue. Mr. Parent stated in the interest of time he will not restate what is in the variance application. The changes proposed for the lower campus stem from a 30 month Facility Master Planning (FMP) process that the district just completed this previous year. Which sought to align schools across the City to make sure that we had rigorous programing, social emotional skills built in to the supports of our schools and to look at us as a system and how do we target investment as a school district to make sure that we are relevant for generations of learners to come. As a public entity of the City of St. Paul we have a rich history of meeting the academic, social and developmental goals of all of our kids. The work resulting from the FMP is a major step for us in using community input to be sure that our building and programs meet the needs of learners. Many of the issues that we have contended with in the proposed development of this building are inherent in the longevity and our continued need to meet kids where they are both academically and socially. For example ninety-two years ago when this building was constructed the Linwood lower building, we could not anticipate that the school district would be the primary source of nutritional intake for the majority of our kids. The FMP really is a major step for us and gave us the language that talked about how do we, as the school district create food as a positive contributor to a student's stage to create the social connection to help our kids to stay grounded and to help our kids be ready for learning in the afternoon. We offer free breakfast for 100% of our students and free lunch for 72% of our students. It really gave us the language to understand that the combined "Gymacafatorium" as we like to call it, at the lower Linwood Monroe lower building really does not meet our functional needs. That is just one way we have used to FMP to create the language for our development as we build. Mr. Parent stated that he really appreciates the amount of engagement we have had from parents, educators, students and neighbors to make sure that this is a design that is respectful to all the factors that come into making sure that we are relevant for the next generation. The conversations have not always been easy but we believe that we have a much stronger project as a result of the conversation with the Summit-Hill Association. We look forward to continued engagement with the community at large to make sure that the improvements that we make and that the buildings and grounds of Linwood Monroe Lower are really seen as making the school district and by extension the city a vibrant destination for families.

Ms. Bogen asked Mr. Golin for any comments. Mr. Golin stated that he would just add a couple of things just to highlight a couple of points about the school. The Linwood Monroe Arts Plus program is a two school program. The site we are looking at 1023 Osceola is really their lower school program. The upper school is at 810 Alice Avenue in the West 7th District in Saint Paul. The FAP process is really about assessing all of the schools in the district. These two were specifically identified. The jostling in the programs that we're doing, and the issues of classroom parity apply to both schools. Realistically, when we are looking at this variance, this variance applies to both schools. So, when we look at this, we have to keep in mind that this is a two-school program, and that the program at the lower school for some reason falters and it effects the upper school as well. I think if you look at the documents that were sent out, or were just handed out a few moments ago, pages 3 through 4 of that document show the existing floorplans for the lower school on the left-hand side, and then the proposed floor plans on the right-hand side. The way that you read the diagram is pretty simple. If it's red, it's bad, it basically says that doesn't meet the current education assessment guidelines for those spaces in the school. If green it means that we're meeting the standards, and yellow means we're improving yet it still doesn't meet the standards. So you can kind of see the first through third floor for the Linwood School, if you look at page 6, it's a

similar set of diagrams for the Upper School. So, I think a lot of the same issues that we're encountering at the Linwood School are items that we are dealing with at the Upper School as well.

Questions for the applicant.

Ms. Trout-Oertel: Was the program accommodated when you first put this magnet school in this building? In other words, has it always been undersized?

Tom Parent of SPPS stated, that all of the work in upper stories master plan is built upon the strong school/strong community strategic plan of the school district which was adopted in 2011 and then evolved in 2014. We have historically struggled in this building to meet the needs. For example, last week I was speaking with an educator who was part of the open road learning program in the 80's and 90's when it was in this building. It was a K through 12 program at that time. To hear this educator talked about, the challenges that they faced in the 80's and 90's talking about how to adequately need the needs of their students, how to have proper opportunities for food preparation and service and gym class in the combined space. This is a building with history, and I think as the evolution of how we educate has changed, it has created some systemic problems with being able to function at the school well. So, to look at this, we looked recently with the Summit Hill Association just at the enrollment at the school over time. We've had 500+ kids in this building for a good chunk of its history and we're not proposing to be anywhere close to that going forward. But it really speaks to how the differences in how we educate kids as well as the need to meet a diversity of student needs, be they physical or educational disabilities, be they language learning – that comes with a very spatial component to it, and our job is to do the FMP to make sure that we are aligned to fill that need. So, the short answer is that strong school/strong community program did allow for the program to fit, but we see the need to improve and see the need to really better meet the needs of students of Linwood Monroe through improvements that have been put before you.

Ms. Trout-Oertel: I think it's clear that the school does need improvement. I question whether you can stretch the site to fit your desire. Have you looked at other campus because there are so many throughout the city for this particular magnet school.

Tom Parent: Members of the Board. Judge Schumacher is here, and I will certainly give him the opportunity to speak if he wants as well. When strong school/strong community was implemented in 2011, it really was looking at achievement, alignment, and sustainability. Census track by census track, how was the school district understanding what makes viable programming, how to make sure we have connected K through 12 pathways, and how we do it in a way that is going to be successful and sustainable. So, as we look at that option, as we look at what comes out of the FMP, it really is built upon the knowledge that can move, understanding the district as a whole. We now have a comprehensive view of the district courtesy of the facilities master plan, to know that we don't have excess space in the district. We have one open building within all our 72, and we're in the process of selling that. To shuffle around programming, that I know there is a desire to treat this as a game of Tetris, is remarkably disruptive to the learning processes of our program. And so we take that on very seriously. And there was large community input and community involvement at multiple stages of the strategic plan for strong school/strong community because of the magnitude of doing things like switching 6th grade from elementary school to middle school. The systemic impacts of those kinds of decisions are enormous, and so for us to validate that this is not just about finding a different, bigger home, this is about understanding what makes the program successful, makes it operationally sufficient, makes it academically strong, to have the appropriate amount of educators and support staff for the program, are really all part of the calculus that makes it clear that the split campus solutions for Linwood Monroe between these two

buildings is the appropriate one going forward.

Ms. Trout-Oertel: I understand why you would like the preschool in this building, it is pretty obvious but why is it necessary to move the 4th grade from the upper campus?

Tom Parent: I know there are several parents here who are hoping to address the board, and I'd be willing to bet that one or two of them can speak more immediately to some of the benefits of that. What the research tells us is that alignment from early childhood through 3rd grade are critical indicators of a student's success. What we hear from our educators who talk about the value of a K to 8 program, is the longevity of relationships. The more time students have with their peers, and with the staff of a building, the stronger the community is, the stronger the academic output is, the more people feel connected to the school. Now, 3rd grade is a hard year to have a transition. I have heard some parents speak to the transitions their students go through, going from the lower campus to the upper campus, at the 3rd grade. Developmentally, an additional year together, in the consistency of that early childhood setting, really has positive benefits for those students. As you look at this, there is the academic conversation around the duration of those relationships. There's also the operational question of making sure we have critical mass and efficiency of our programming, to make sure that we've got support staff, the PLL teachers, the Special Education teachers, the guidance counselors, those pieces that come with the size of program that makes sure we have choice and support available for our students. So again, that's all part of that conversation.

Ms. Trout-Oertel: Well, you don't have 3rd grade at the upper campus now?

Tom Parent: That's correct. Right now they're making the switch from 3rd grade to 4th grade. 4th grade is at the upper campus currently.

Ms. Trout-Oertel: Right. So the switch comes after 3rd grade?

Tom Parent: Yes that is correct. I'm sorry, that was imprecise language. Making the transition from 3rd to 4th instead of 4th to 5th.

Mr. Rangel Morales: I certainly understand what you are arguing and I'll take your word on the research, but then why not 5th grade? Why not 6th grade? Why not put it all together? I mean, it just seems like a lot of the concerns that we had the opportunity to read was that there's this decision to move pre K and that makes sense, but then 4th grade and 5th grade - where do you draw the line?

Tom Parent: Boardmembers. Commissioner Morales. We looked at that. When we started the FMP there were a few programs that didn't follow our more traditional models. Pre K through 5th grade at elementary school, 6th grade through middle school, and we have our Farnsworth Aero Space program as well as our Linwood Monroe Arts Plus program which are both K-8 programs with split campuses. Again, we wanted to have a little more alignment for some of the more traditional elementary, middle school splits. So we studied both The Farnsworth Campus and the Linwood Monroe Campus. Could we get pre K through 5th at the lower campus, 6th through 8th at the upper? We could not. That gets into the equity of experience conversation. We want to make sure that, as we make these adjustments, we are being mindful of how that fits within the greater context of the district. I've shared with folks throughout this process, as we look at this some gross measurement of instructional space or gross area per student, we're at a spot now where we know that Linwood Monroe lower kids are at 50% less building area than the rest of the elementary schools in our city. By making the changes and having the grade re-alignment we think can get back to equity. We think we can get to parity. We can get it to where they are spot-on

for the district average. Again, one measure out of a thousand, but a way for us to understand what change we need to make.

One of the reasons we didn't go with 6th grade at the lower campus at Linwood or Farnsworth, both campuses are staying non-traditional grade delineations, was because of what the sites could handle. We felt that to add that 5th grade back into the lower campus really was challenging for the site. Logistically, it created some issues for us, that we couldn't meaningfully make sure that we had equity among schools in the district.

Mr. Rangel Morales: Did the district looking at the possibility of building on Monroe, maybe switching out. It seems like you are keeping a smaller section in Monroe, is that accurate? Less grades in Monroe than in the new expansion?

Tom Parent: Correct. It will go from Pre K through grades 4 through 8, is grades 5 through 8.

Mr. Rangel Morales: One thing that really stood out in the comments is that this particular school seems to be the smallest area site of all the Saint Paul Public Schools, and in terms of trying to accommodate for that, did the district look into an alternative in building in another school, or building on the Monroe side instead of this one?

Tom Parent: Commissioner Mr. Rangel Morales. Linwood Monroe lower is not technically the smallest site within Saint Paul Public Schools; the second smallest, I will grant you that. But it's hardly unique. One of the slides that we've shared with Summit Hill and others is that, just the challenges of an urban school district, MBE has guidelines about how many acres an elementary schools should have, how many acres a middle school should have. With 68 academic programs here in the City of Saint Paul, we have 4 that meet those guidelines. There's a different context that comes with being an urban school district when the City has grown around us. So there are challenges to creating a program on an existing site. We understand that there are significant impediments and compromises we are asking of our program staff as well as our neighborhood to make sure that we have lively outdoor space activities for school and community alike. So, to answer the question have we looked at the question of expanding grades, it's a challenging question to answer because it ties into grade-to-grade articulation, what is the growth opportunity for the site. We had this at Farnsworth when we looked at this, where it created an influx of students who didn't have grounding in the aerospace program that they offered, which potentially weakened the strength of that programing. Being mindful of how this fits with not just the growth and development of our student's academic programming, and the rigor that comes with the continuity of that, really helped steer us toward having that longevity of relationship at the lower campus. It really was a long-term benefit to the students. Again, for us, this is far from being simply about capacity of enrollment; this is about strength of relationships, and even for the broader needs of the school district.

Mr. Golin: Board Members. That is really about how the elementary program drives some of these variances specifically. So when we look at it and feed off some of the comments that were made by the Commissioners, there doesn't seem to be any argument about the logic of bringing Pre K to this site.

On page 3 of the handout you received is the 1st floor plan for the proposed project. This floor plan is what is really driving our lot-coverage variance, for the 38.5%. What I want to make critical here is that the first floor plan of any elementary school, there's a lot of demands on that 1st floor plan, mostly because of the grade levels that are accommodated and the services that need to be provided on that 1st floor. You can see the Pre K classrooms, the K classrooms, there are also Special Ed classrooms that are specific to little kids. One of the reasons it is very important that we have those classrooms on the 1st

floor is that they are little kids. We don't want them interacting with the larger kids in the stairwells, and so it is industry standard best practice that Pre K and kindergarten students are always on the 1st floor, so they're not interacting with older kids in some of those circulation zones. There's the gym and auditorium which are existing construction, the cafeteria, again, something which is best practice to keep on the 1st floor for easy access to all students. On the bottom left-hand side, which is the south-west side of the building, are administrative offices. Given the security requirements day-to-day, the drop off and pick up, that admin area really needs to be at the front door of the building at the first floor. When we look at the comments here about the grade levels and how they affect the variances, specifically the lot-coverage variance, this is completely independent of 4th grade or not, this is specifically driven by the program that's here and needs to be accommodated for Pre K and K.

When we look at the height variance, if you look at page 5, you can see where we have 4th grade on the floorplan. You can see that the 3rd grade classrooms are on the 3rd floor as well, so regardless of whether 4th grade is at the facility or not, the variances for height that we would be asking for would likely be the same. There would be some reduction in the mass of the building, but the variances that we would be asking for would be largely unchanged by any change as far as the 4th grade program.

Ms Trout-Oertel: I suppose moving everything to the upper floors is problematic mainly because of the outdoor space. Here is this huge building and you're not utilizing it and won't be, and maybe there is some part of the building that could be demolished to make playground space for the younger children, you don't want them crossing the street. Can you address why that is impossible to do.

Tom Parent: Board Member. I'd love to ask a clarifying questions. We have full utilization of the Monroe building, the upper campus building, and I think what Sean has in the packet shows the appropriateness of space, again, some things we're hoping to make better as part of the improvements tracking on the same timeline as the lower campus. Page 6, so there is some realignment of space so that we can have that full K 8 program that can have the right space for enrollment and uses that we expect them to have. I want to clarify that there is no expected underutilization of either campus, be it lower or upper. There are some goofy things that come with the upper building. There is an auto shop in there that is untraditional for a K 8 program but is part of the long history of that building and which we use as District Life Programming, so it is not necessarily attached just to the Linwood Monroe program. So, if we do this work in a coordinated fashion across the K 8 program, this is really about aligning spaces for all kids in those grade levels within that program. And also I want to highlight a little bit around the role of Linwood Monroe as part of the school district because it is a part of our K 12 creative arts pathway. This is to the FMP looking at how all of the creative and the performing arts in schools within the City, how the students move from grade to grade, what makes a successful program, do we have the right basic transition grade like 6th grade or 9th grade, to make sure that we've got successful programming throughout. So as we talk about this being more than just assets and enrollment, it is looking at this in terms of strength of programing, beyond just this one individual program, to the full K 12 path.

Mr. Rangel Morales: I'm looking at the proposed plan on page 6 for the Monroe Upper School, and what would happen to the school. I'm trying to find out what is happens to all the additional space. I mean, are classrooms going to get smaller at Monroe, what's going to happen with that additional space? I can see what's going to happen with the red. Overall, with the school moving Pre K, is there additional room at the upper school, and does that mean that space will be better utilized in some way, or does that mean there's just going to be more kids up there?

Tom Patent: I would like to invite Principle Brian Bass forward, who can speak to that issue more fully and more in tune with strength and offerings of the programing that comes with those upper grades 6-8.

The opportunity to have alignment of the space at the upper campus to meet the needs of those slightly bigger kids and what could really come from taking a bunch of spaces that are not fully meeting out needs and aligning them to how we believe we are educating kids today and what it takes to offer those right spaces.

Brian Bass, 6917 Gleason Road, Edina, Principal of Linwood Monroe: Essentially what's happening programmatically at both campuses in terms of the facility upgrade is that we are now designing 2 facilities to support the programming that is here as opposed to taking programming and stuffing it into a 1922 building. We're saying we have developmentally and cognitively delayed and physically impaired site at both campuses. So then what are the considerations that we need to make to make sure students who are in those programs are experiencing the most inclusive learning experience possible. And so, that takes space that takes square footage. And currently we do not provide the ideal standard for being able to support those learning spaces within a grade-level corridor. What you'll see in the plan is that we have these grade-level corridors. This is very common design in new construction and new design for middle schools as well as elementary schools at the grade-level islands or pods or houses. We are also a language academy site for students that are new to the country so now we are having learning spaces within that grade-level island that support very easy access to being able to have direct instruction from a grade-level teacher, can be with main-stream peers, and also have small-group spaces adjacent to those classrooms for students who need more direct service than they would receive in the classroom. The design of the grade-level communities are taking more square footage than we currently have because they can. In the existing building there isn't the space for those without moving the programs to the lower campus.

Ms. Younkin Viswanathan: Can you speak a little bit about transportation? That's one of those things that was a concern for the neighborhood, and it sounds like you cascade the busses, you go to both campuses and maybe you're going to split them? Does that result in a reduction of bus traffic? Or maybe less traffic coming through?

Brian Bass: They are currently split, and this was our first year, it took several years to get that to happen. That is a beautiful scenario to have the routes split in terms of the student's experience of having to pick up at one campus, pause, go up the hill, and for those on the busses from the upper campus going up the hill to the lower campus and having to wait another 20 minutes and sometimes 25 minutes. This was not a good scenario for middle school children who've been inside a school facility, even with recess access, they are ready to move their bodies and get off that bus as soon as possible.

Ms. Younkin Viswanathan: So this is the first year you've done this?

Brian Bass: Right

Ms. Younkin Viswanathan: So before this process, that wasn't true?

Brian Bass: Correct. That took the number of busses that serve both sites down from 16 to 9. So, a very significant impact on the bus traffic. It's much more efficient, that we're at each site in the morning from approximately 9:15 to 9:30 and then we're done, with the exception of inclement weather. In the afternoon it's about 10 minutes, from 3:55 to 4:05 and on those days when the busses are delayed by traffic, they're out by about 4:15. So, you're talking about a total impact in the community of about 15 minutes in the morning, and anywhere from 10 to 20 minutes in the afternoon between 4:55 and 4:15.

Ms. Younkin Viswanathan: Do you have any idea about what percentage of your students are picked up

by their parents? Does the percentage between Pre K and 4th Grade dramatically increase the vehicle traffic?

Brian Bass: I don't know what the standard would be for "dramatic", but I know that we have a number of students that are accessing our bus transportation program in the Pre K program, but I don't have the exact number and do not want to speak on that without accurate numbers.

Tom Parent: Some of these accurate numbers will come out of our traffic study that is required as a part of our Site Plan Review process.

Brian Bass: One other comment that I would have coming back to the comments about Monroe's site plan, and I would point you to page 6 in the handout I gave you, and to follow up on some more technical details on what Principal Bass mentioned, if you look on the left-hand side which shows existing construction you'll note along the perimeter of the building, really where the classrooms are, the south side, there's the 8th grade classrooms shown in red. On the 2nd and 3rd floors you see similar areas, classrooms with access to natural light on those sides, lining the perimeter of the building. The average, I believe, square footage of those classrooms is around 650 square feet. The standards would recommend that those would 850 square feet to meet the minimum requirements. When you look on the right-hand side, we're taking 4 of the 650 square foot classrooms, and making 3 classrooms out of them so we have classrooms that meet the standards. We want them to be on the perimeter where they have access to natural light, and this is where a lot of the space in Monroe is going. We're taking these substandard classrooms and making them standard size classrooms. When we do that, we're not left over with a lot of extra space. Being an art school, there's a lot of arts programming, a lot of big spaces in the middle and a little on the north side as well. We're utilizing those spaces without direct natural light as a part of the arts program for the school. Again, just more technical details on how the program will work in the new space.

Mr. Rangel Morales: Just then to clarify both of your comments, the space that's being opened up by moving Pre K and 4th grade over will be used essentially for making nonconforming classrooms bigger, and for these alternative spaces the principal was talking about. Is that an accurate statement?

Brian Bass: Yes

Mr. Rangel Morales: I have a lot of concerns, I thought that idea behind moving Pre K and 4 was that more students would actually be put into Monroe. Is that an accurate statement?

Brian Bass: That's inaccurate.

Mr. Rangel Morales: So you expect the class, the actual students that would attend Monroe, to remain relatively the same, with bigger facilities?

Brian Bass: With the exception of Middle School, currently the Saint Paul Federation of Teachers has a contract with the district that caps middle school class size at 35 students, and 35 students in some of our classrooms is really tight. So we would more comfortably meet the 35 that is a part of that contract. So we could potentially stretch a little bit in middle school, but we would still maintain 3 sections per grade, kindergarten through 5th grade.

Mr. Rangel Morales: But nothing along the lines of maybe 150 to 200 students?

Brian Bass: No

Ms. Trout-Oertel: Do you see the magnet school program as growing? Shrinking? Is it going to be here in 10 years?

Brian Bass: The immediate situation is outstanding. We're at almost capacity in each grade. This is the first time in the 4 years that I've been principal, at the 2 campuses, where we've had a waiting list. We've become more selective, and we're more sought after, not only for our elementary program but for our middle school program as an alternative to "just a middle school". We have a smaller campus that is more personalized and individualized, and we've earned the reputation of being a very inclusive learning community on both campuses, and so currently the enrollment is in the best situation in the 4 years that I have been principal.

Tom Parent: Things will always change within the school district. In the last 20 years, this building has gone through several iterations, from Linwood Park School which was K through 6, to Open Roll Learning which was 8 to 12, through Linwood Monroe Arts Plus. So, your crystal ball is as good as mine, but I will say magnet schools, particularly creative arts schools, are critical within the universe of Saint Paul Public Schools, are critical components of our immigration plan, they are how we meet the needs of students across the City. I will point to the good work that Principal Bass has done, and highlight how this is a case where a school is a spot-on representation of the district as a whole in race, home language and ability. So our ability to have outlets like the creative arts pathway really is an important plus for the school district.

Ms. Trout-Oertel: I could see this magnet school wanting to grow and Linwood is already too small. The problem is not going to go away. There's hope that you have investigated every other opportunity to locate a full program.

Ms. Bogen: Called for people who want to speak in favor of the variances.

Aida Martinez Freeman, 1604 Huron Street, Saint Paul

I am a parent of a 3rd grader at Linwood Monroe Arts Plus, and social justice educator in our community. To attempt to separate zoning regulations from equity, is a dismissal of racial origins. This is part of our history. Improvements in school infrastructure that will directly benefit the children, my child, is inevitably an equity issue. As a parent and as an educator, it has been disheartening to see the level of opposition of this plan. While the intent might not have been, necessarily, to say that my child was not welcome in the community, the impact to me, and other parents of color, has been a different story. These variances are intrinsically tied to the success of my child and of our children. I ask that the Board and our Summit Hill friends, wrap their arms around my child, and around our children. Do the right thing, do the equitable thing. If as adults, and as residents of Saint Paul, we cannot do this, and our children can't count on us to do the right thing, our collective humanity is a stake.

Dennis Grogan, 1265 Wellesley Avenue, Saint Paul

I'm currently in my last semester as a law student at the Mitchell Hamline School of Law where I'm advised by Jim Hilbert. The Linwood School was designed by an architect to meet the educational standards of 1922. We are now 95 years later. Linwood School with its current enrollment has 12% less space than current Minnesota Department of Education standards. In addition to this shortfall in space, Linwood's physical plant does not meet the Federal requirements of the American Disabilities Act passed in 1990, or the Individual's with Disabilities Education Act passed in 1975, in addition to falling far short of the Minnesota Department of Education Standards developed in the 90's. To meet these three sets of

regulations requires an addition, and it requires a 3-story addition. You simply cannot add space to the hallways, classrooms, and bathrooms of the original 3rd floor without providing room for the expansion. So that's the hype that the addition will meet but never exceed the original construction heights. This building addition will cover 38.5% of the building lot. That leaves 61.5% of the building lot open. That's over 48,000 square feet of open space still remaining. That's 8 building lots, 8 of the residential building lots in that neighborhood still open.

Jim Hilbert, Law Professor, Mitchell Hamline School of Law, 875 Summit Avenue, Saint Paul
Madam Chair, Members of the Committee, thank you so much for hearing me. I've been on the executive committee for the Saint Paul NAACP for 6 years. Before that, in private practice, I represented the Minneapolis NAACP in the 90's and 2000's and in all my experience, to my recollection, the NAACP has never been contacted by parents hoping to get our support to get renovations made to a school. So, we were fairly shocked when we heard this was an issue here. We took a tour of this building in December, and to be honest were quite surprised that anybody would not want to immediately and urgently to repair what's happening at this school. The classrooms are too small, as you heard. The building is not ADA compliant. Education, with all due deference to our previous petitioners, education is special. We are not talking about advertising Doritos. This is our future, our democracy. With respect to the zoning issues, and I believe that is what is on the table here, I don't think there is any questions. You had experts here from the school district, from the administration, as well as the fine work of the staff here. Opposition and others are trying to substitute the judgement of these experts with their own concerns. The greater issue, though, is what Ms. Martinez-Freeman talked about, which is the impact the opposition has had on the parents and children of this school. These children are our future, this is our community. We should be having a pancake breakfast fundraiser, not getting in the way of what they need.

Rick Cardenas, 66 East 9th Street #1906, Saint Paul

I'm kind of an ADA lookout guy, but I want to speak affirmatively, Madam Chair, to the Saint Paul School Board in looking forward to meet the needs and ADA law by providing an inclusive physical and social environment for all the persons, the students and the employees and teachers who may be at that school, with or without a disability, and complying with ADA.

Yusef Mgeni, 1084 Laurel Avenue, Saint Paul

Vice President of the Minnesota Dakota Area Conference from the NAACP for the State of Minnesota, North and South Dakota

I'm not here to support strong school/strong community because the NAACP has taken a position in opposition to it. I'm here to support the kids and the parents at Linwood A Plus, and I guess that only goes to show that two things can be true at the same time. There really are 3 issues before you this afternoon. The first, the variance of 38.5% of the site which was explained very eloquently by one of the previous speakers. Second, the request to meet but not exceed the existing height of the building when the remodeling is complete, it will be one building rather than 2 separate buildings that do not complement or support each other physically, esthetically, or visually. And third, wrapped within each of those variance requests, is that of the District to make the buildings compliant with the Americans with Disabilities Act. When we talk about who the intended beneficiaries are, we're talking about price-reduced lunch students, we're talking about students of color, we're talking about ELL language academy students, we're talking about students with cognitive and physical disabilities, and my God, who needs your consideration more than the children in Saint Paul Public Schools that face the most significant challenges. The kids are wrapped by their parents, by the staff, by the administration with love and support, and the opportunity to reach their maximum human potential. It's all we're here to ask for. It's my understanding that this commission has never rejected a carefully thought-through request by the

Saint Paul Public Schools to remodel one of its facilities, and I would ask you to follow that suit here today.

Julie Bogerding July, 1111 Montreal Avenue, Saint Paul

I'm here to read an NAACP statement of support for the Advocates of Linwood Monroe Art Plus. The Saint Paul NAACP issues this statement of support for the Advocates of Linwood Monroe Arts Plus School in their efforts to secure necessary improvements to the school. Education has a special place in our society. The State of Minnesota Constitution singles out education to receive special protection and requires unique obligations by the State to provide adequate education to all students regardless of race, socioeconomic status, language at home, and disability status, including all of the students at Linwood Monroe Arts Plus. Currently the class rooms are too small in this school and out of compliance. Many of the facilities of the building including bathrooms are not accessible to students using wheelchairs. Members of the NAACP Executive Board and Educational Committee recently toured the building and saw for themselves the urgent need for larger classrooms and ADA compliant facilities. The needed improvements are a matter of educational equity so all of our students can have access to an adequate education. The students of LMAP, who are predominantly students of color, deserve to attend a school with sufficiently large classrooms, and the necessary physical accommodations. The Saint Paul NAACP will take whatever steps are available to make that happen. Thank you.

Mary Szondy, 1368 Grand Avenue, Saint Paul, Mother of a 5th grade student

The goal of maintaining high quality schools is a clear priority with the City's comprehensive plan. There is a clear precedent that schools located in residentially zoned areas, whether public or private, will receive reasonable zoning variances when they are requested. This demonstrates a high degree of harmony between these requests, and the purpose and intent of the zoning code. Precedence dictates that both variances requested by LMAP must be granted. Others have been unable to identify a single example where a height or lot-coverage variance was not granted to a school. The City routinely grants similar height and lot-coverage variances to schools, and I have 6 examples here for you. St. Agnes School, 41.3% lot coverage, 38 foot height variance. Community of Peace Academy, 48% lot coverage. Nativity of Our Lord School, 38% lot coverage. Saint Paul City Primary, 40% coverage. Saint Paul Academy upper campus, 35.5% lot coverage, and 50 foot height variance. Saint Anthony Park Elementary, 41.9% lot coverage. The height variance granted to the SPA upper, which is located in the identical R4, is particularly relevant. The request is reasonable and must be granted.

Brian Singer, 253 Duke Street, Saint Paul, Parent of 2 children at LMAP

I understand that there are 6 criteria that must be met to grant the variance. I would like to speak directly to the 3rd and 4th requirements. Number 3 is the applicant has established that there are practical difficulties in complying. I believe that the applicant has clearly established more than just practical difficulties complying. Actually, it is virtually impossible to comply. The zoning code in this residential district is designed for residences, not schools. In addition, the building was built in 1922, before the zoning code even existed. Trying to maintain an adequate school which, in part means conforming to externally defined expectations and standards, all the while following zoning standards that are designed for private houses, is impossible in this case. I believe that even the architectural plans, as proposed by the opponents of the current plan, would have required 3 variances themselves. So clearly, the needs of the students and the school require variances in every scenario. Point number 4, that the plight of the landowner is due to circumstances unique to the property, not created by the landowner. It's really quite simple actually – the applicant is a school and therefore must meet all manner of external expectations, which range from best practices to outright mandates. Thus, indeed, the plight of the landowner was not created by the landowner.

Chris Wells, 1420 Fairmount Avenue, Saint Paul

I'd like to speak to the 6th requirement for requesting a variance, namely that it will not alter the essential character of the surrounding areas. I have 4 quick points. We were told 3 minutes coming on, so they're adjusting on the fly. Number 1. There is a 40% coverage requirement for house plus garage in this district. We're looking at a 38.5% for the school. So even compared to the surrounding properties, that cover a combined 40% for structures, this is entirely reasonable. We're also talking about 2,849 square feet above what's there now. That is miniscule on an 80,000 square foot lot. Number 2. There is another school 2 blocks away that is exactly the same height, Saint Paul Academy. It together with the existing building which has been there since 1922 established the expected height for this neighborhood. This is clearly not going to change anything. And it's not just Saint Paul Academy. There are non-conforming tall structures everywhere in this neighborhood. I have a hand out for you. There are two 40+ foot tall buildings on the same block. And finally, the Heritage Preservation Commission of the City of Saint Paul, and the Minnesota Historical Preservation Office both approve, on historical grounds, the design, the mass, the scale of this building. This is an incredibly well-vetted request. There is nothing about it that has not already been considered.

Marianne Milligan, 1420 Fairmount Avenue, Saint Paul

I just wanted to check the records about the petition. I submitted a letter last week that I initially wrote in September when I thought this meeting was going to be in September, and had gathered some signatures through e-mail and Facebook, and then when everything got postponed, I was able to go to various events at the school and got more signatures from parents including often through translators, and I don't think it's included in the numbers, because we have an online petition in addition to our signatures, so I think there's the 1,100 total in favor of the project. Looking between the two there are about 300 signatures on my letter that are not part of that petition. I think the overall number of in favor on the petition should be more like 1,400. I think you mentioned a 400 number earlier, and I don't know if that's my petition, or if it went in the wrong category. That's all. Thank you.

Al Levin, 3303 38th Avenue South, Minneapolis, Assistant Principal at Linwood Monroe Arts Plus Madam Chair and Members of the Board, let's make no mistake, this expansion project at Linwood Monroe Arts Plus is about the kids we serve. Recently one of our white parents was stopped on the sidewalk by a neighbor and asked if she sends her kids to Linwood Monroe. When she responded affirmatively, she was told that the school was full of bad kids. Last week I gave a tour to a neighbor who stated that she was neutral, but that many of the neighbors were against the expansion because (1) the size of the building on the small lot was packed with too many kids and (2) the social and emotional needs of the students they serve. So, those student's social and emotional needs, students with whom our neighbors have never had the privilege of meeting. This makes me think of a quote by Edwardo Bonito Silva, an American political sociologist and professor of sociology at Duke University, "The new racism works in mysterious ways and is quite effective in maintaining white privilege. For example, instead of saying what they used to say during the Jim Crow era, that they don't want us as neighbors, they say now days, I am concerned about crime, property values and schools", or in this case, the social and emotional needs of the students. Our aim in expanding our school is strictly aligned with our mission of an inclusive arts integrated learning community. We have, I would argue, an arts program second to none, not despite our student population, but because of our student population. 80% of our physical classroom sizes are below the MDE recommended standard sizes. We were built in 1922 for the student's needs of 1922. Times have changed, regulations have changed, and the learning needs of our children have changed.

Stephanie Hubbard, 2745 Highland Avenue North, Oakdale
Music Therapist for both Linwood and Monroe campuses, serving students with developmental and

cognitive needs. I have worked for the district for 6 years, I have worked at Linwood Monroe for 3 years and as an itinerant staff person for the district, Linwood Monroe, of all the 6 buildings I work in is the most committed to inclusion. That being said, the commitment that we have it is great, but the building constraints do not allow us to do everything we need to do and everything that we want to do to include our students with developmental and cognitive disabilities, and to include our non-English speaking students. For one example that applies to my classroom specifically, I have a student who needs medical care during my class. She misses 15 to 20 minutes of every music therapy session with her peers because she has to go down the elevator, down the hall, down another hall to the nurse's office every day. Every day she misses 15 to 20 minutes of my group with her peers. That's unacceptable. These building changes would allow her to miss less class, she might even be able to get care in the classroom. That makes a big difference to me, that allows her to be connected to her peers more often, and it allows us to be in alignment with our commitment to our students. Thank you.

Amy Brisben, 1214 James Avenue, Saint Paul

Over 10 years ago I started the adoption process, and now I'm the lucky Mom of the incredible child who happens to be right there. Additional training was required for the adoption of a child of color so that we could carry out the number 1 job of all good parents, be an advocate for our child. Children of color require more protection from micro and macro aggressions, intentional or unintentional. I come here in the spirit of advocacy for my child, and for all children at Linwood Monroe. I assume as good Minnesotans we are all appalled by the equity gap, by the violence against Adma Dhama (sp?) at Applebee's, and the tragedy of Philando Castile. As products of a racist and classist society, the most important work that we can do is to ask ourselves when and if we might be part of the problem. Please let me be clear. I am not up here to state that the opponents of the proposed variances have racist or privileged intent. Regardless of their intentions, it is the outcome of their actions that is racist and classist. They deny the needs of a school of with children of a demographic that overall is less white, and lower in socio-economics. As an advocate for my son, for everyone at Linwood Monroe and the Saint Paul community, I must chose to call them out. I entreat these steadfast opponents to look in the mirror and ask themselves, how do you want to be perceived? I want to tell them that they would do very well in mending the strife that this conflict has caused this community by changing their stance. I want to thank the Board of Zoning Appeals for their time.

Jeffrey Reach, 810 Osceola Avenue, Resident of Summit Hill, business owner, children at both upper and lower campuses of Linwood Monroe

I stand before you in support of the expansion of Linwood Monroe lower campus. Over the last 10 months, I have been witness to a community coming together, and a neighborhood being torn apart. The fight has unified a diverse and far-reaching group of people who support equal opportunity and public education, and who are asking for their children's school to be brought in compliance with laws and best practices to be done so all children at the school, regardless of where they call home, will have the same opportunities as all children in Saint Paul. This school, while not the official community school, is at the center of Summit Hill and has been since 1922, which is likely longer than any of the people in this room have lived there. During that time, Linwood, in one iteration or another, has been a place where neighbors play, kids learn, and parents meet. The school has been, and continues to be, open to all who wish to attend which is, sadly, very few from the surrounding neighborhood. The playgrounds, one of which was built just last year by a group of over 100 people, including those from Toro and the Minnesota Vikings, are open to all. As a neighbor and parent I support the expansion of the school because when the school does well, the neighborhood does well. As a neighbor and parent, I support the expansion of the school because the children who attend are, and will continue to be, part of this community. And as a neighbor and parent, I support the expansion of the school because doing so represents the kind of neighborhood in which I want to live and raise children, one based on diversity and

inclusion. Please support this school expansion. It's the just thing to do. It will help all of Saint Paul and, by extension, the world. That may sound melodramatic, but if you look at the demographics in Linwood, see beyond the edges of Summit Hill, imagine how the changes will affect others. Thank you for your time.

Elizabeth Wright, 1023 Osceola Avenue, K-3 Arts Specialist, Linwood lower campus
I'm also going to be speaking on behalf of the Saint Paul Federation of Teachers. My other cap is what I am called Mama Bear because I tell my students I rent them, they're mine for the day, I teach them the best that I can, and I give them back to their families. Our school is unique in that it has academic rigor along with the reason for living. And although the arts may not be everyone's reason to live, but it does balance out the rigor of the academics. The Saint Paul Federation of Teachers believes that all students deserve a high quality, inclusive learning environment no matter who they are, where they live or where they go to school. This has unfortunately not necessarily been the case at the lower campus of Linwood Monroe Arts Plus. But we feel fortunate that there is a plan in place that can possibly change that. It's a plan that our members at Linwood, teachers and paraprofessionals, who are in front of students every day, and know what the learning needs are for each and every student support, and we've each had our input on this. This is a plan that parents from around the City who send their children to Linwood need and want for their student, and as a union we've always felt that these people should have the most say in what happens at their school, parents and teachers and people who know the students best. Our members are concerned that too many outside interests have had influence on our school, telling teachers and families what should happen at our school, rather than asking or talking with us about it.

Wade Carlson, 136 S Oxford Street

The main reason I've come to speak in support of the variances is that my daughter works at Linwood. She's a teacher's aide in a K through 3 special education class. There isn't a day that my daughter Ella doesn't come home and talk about how these kids are shoe-horned into this school. They've got this one gym that serves as a cafeteria and a gym. In cold weather, or inclement weather kids don't get any recreation time because the gym is used as a cafeteria. I can't get into all the technicalities, I'm just here to support you guys granting the variance because in my opinion, it's the right thing to do for the kids.

Claudia ?, 2081 Village Lane

I am the one who takes care of my students who have special needs. What we are all here for is to ask you is not for us, is not for the neighbors, but we're asking it for the children, for the children who will take care of us tomorrow, for the children who will take care of you tomorrow, for the children who will take care of your City, your State, and your Nation. And if you do not do this for the children, nobody will. Look around your happy home, look at the diversity you have behind, nobody else have it around the world, but you do. We are here for the children, not for the neighbors, not for anybody else, for the children. Thank you.

People speaking in opposition:

Denise Aldrich, 1053 Linwood Avenue, Saint Paul

I submitted a letter this morning, and my husband also submitted a letter. We are both in opposition to the proposed zoning variance for several reasons. I would like to state, after listening to the members of the school community, how disheartening it is to hear how they have interpreted the actions of myself and other people in the neighborhood who are opposed to this zoning variance. I fully support having the school in compliance with ADA regulations, I fully support expansion of the class size. I do not support the way the School District proposes having this done. My children attend Randolph Heights Elementary School. There's capacity at our school, there's capacity at the campus, there's capacity at the second

campus of the Linwood Monroe School. When I first heard about this proposal I thought, oh, maybe there's no capacity at the elementary schools in the city. They can have more kids come to our school, or they can build another building at our school. But that doesn't seem to be the case. I haven't heard that there's a lack of school space, but the school district has decided, arbitrarily in my opinion, that one school plan needs to fit all schools. Unfortunately, this campus is a small campus, and it's unrealistic to expect it to accommodate programming for the number of students that meet current guidelines for education and ADA requirements on its physical footprint. To my view, this is a situation where item #4 applies - they're trying to cram an unreasonable program onto the lot.

Phillip Walkberg, 1089 Fairmont Avenue, Saint Paul
Chair of the Summit Hill Association Zoning and Land Use Committee

We have heard this a number of times in front of our committee and our full board, and we previously made a recommendation on a previous application on September 14. We did have a full board vote last Thursday evening which was an 11 to 7 vote to uphold the previous recommendation to deny the 2 variance requests that were made based on the same grounds that were previously made. Our previous statement does hold forth with this new application. This has been a very difficult thing for our neighborhood and as this process moved forward, we want to thank you the Board of Zoning Appeals for your time, and we want as a district council to reach out to our neighborhoods, the school district, and the rest of the City to help repair the damage that's been done to our community based on what's occurred here, and we hope that everyone is able to move forward in a productive manner after this. Thank you.

Jeff Warkus, 1043 Goodrich Avenue

I'm opposed to the expansion because, although I think it's important to help the students, I think that the negative effects on the neighborhood would be detrimental; Me and my friends, we go there and spend four nights a week there in the summer, and 2 or 3 nights a week in the fall and spring, so we really spend a lot of time there and although it might sound selfish, I think expending the campus would be a poor decision.

Nancy O'Brien Wagner, 1049 Linwood Avenue, Coach at the Linwood Neighborhood Friends Group
I think you have our document in front of you that goes through all the variances and all the reasons we're opposed to granting the variances. I just want to talk briefly about a few items I don't believe are in the packet. A graph that shows the lot acreage, so the blue portion is Linwood School, and right now Linwood has about 30% of the actual space, Monroe actually has 70% of the space between the two campuses. SPPS likes to talk about them as banded. Right now the population of Linwood is about 300, the population of Monroe is about 522, so right now Linwood has about 37%. That's why people are telling you that it's crowded. That's right, it is proportionately crowded. What they're proposing is to put 465 students on this site, and increase Monroe, he wasn't very clear about that, the enrollment at Monroe will go up to about 557 so then we'll have about 45% of the school at a location that has only about 30% of the property. I think you guys have got this, but I want to point out again the height restrictions they're asking for a 17 foot variance which sounds like, oh, maybe that's reasonable. 30 foot is what the neighborhood zoning is for all these neighborhoods. Right now the existing building does have some sections that go above. What they are proposing is to continue a new section that is 47 feet by the official account, but actually it is 52 feet because they are counting to the top of the roof surface, not to the top of the parapet. But actually it's 61 feet when you add on the penthouse structures. Thank you.

Nolan Wagner, 1049 Linwood Avenue,

Dear Zoning, I have a letter for you. As a kid I have countless cherished memories of playing at this wonderful playground, and learned how to ride a bike, and play baseball there. I love this playground and I always have. Knowing that this playground will be torn down makes me deeply emotional. I do not

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want this playground destroyed. I want to protest. This has always been a place made to spark fun and imagination. I hope this place will be saved for my kids and maybe my grandkids. Sincerely, Nolan

Jason Goldberg, 1052 Fairmont Avenue

I think there will be many folks talking about the facts here, and the zoning code. I want to start out saying that we all love our children, I have 2 beautiful boys, 8 and 10, and they're enrolled in a magnet school in Saint Paul that's very diverse, not like Linwood Monroe, but it's another school we love. And I love diversity, and I love the fact that we have this diversity in our neighborhood and I love that we are talking about issues that affect kids in the Linwood Monroe School. I think all we're saying in opposition here is that we want to make sure that the community is involved, and that we've addressed everything in a reasonable way, in a win-win situation for everybody. We love that we have this green area for my kids and other kids in the neighborhood to play with, and we acknowledge that there need to be improvements to the school. It just needs to be done in an open fashion and I think both sides can come to a conclusion in this matter that will satisfy everybody but will still maintain the character of the neighborhood and not create a huge wall, a huge mass on Oxford Street, and I ask you to deny the variances.

David Wagner, 1049 Linwood Avenue

The school sits kitty-corner from my house, I see it from just about every room in my house. I'd like to say first off that the community supports the school, and the kids and improvement. By no means do we want to suggest that we are against improvements there. It is clear that the Saint Paul Public Schools desire to create space at this particular campus for 165 more students is their sole reason for asking for the variances. All the other improvements that they want, ADA accessibility, upgrades for classroom sizes, new cafeteria separate from the gym, all of these can be achieved without asking for variances. So that's the most important thing. It is my understanding also that the question of harmony is not just an applicant's consideration, but also needs to be reviewed, in fact primarily needs to be reviewed, from the standpoint of the impact on the surrounding property owners. And it is what is in the interest of homeowners in the neighborhood that needs to be considered by this body. I would also say that the only standard that relates to the condition that relates to harmony is to design a better learning environment. Allowing similar age peer groups together in one building. There is nothing about the property that limits Pre K through 4 from existing at this property. That SPP choses to do so is only their desire to increase the number of students at the smallest campus that creates this problem. Again, this is not an inherent deficiency in the property. (out of time)

Shayne Blackburg, 1052 Fairmont Avenue

I have 2 children that attend Saint Paul magnet school. And the things that I want to talk about are the Pre K program. They're bringing in three classes in the Pre K program. It is morning and afternoon which means that there will be 120 kids. They're hoping that it will turn into a full-day program. Where are these 60 kids, if it's a full-day program, going to find spots? That means that 60 kids are going to have to go someplace else in order to get other kids from other neighborhood to fill the kindergarten in the following year. And if they don't go to a full-day program, that's a 120 kids, and then how many of those kids will not matriculate into kindergarten the following year? And apparently according to this little sign, 1/100th of an acre makes this the smallest school in Saint Paul Public Schools. I don't know why that's important. My kids, every year, they get split up with their friends. They get one or two friends in a year, then move up to the next grade. If you take over half of the playground existing to build a bigger building, that means they will not be able to see their friends the following year if they're not together. Then, they're talking about a continuity of relationships with their peers? That will be lost, they will not be able to see their friends because they can't all fit on the new size playground, because it is the smallest lot. And as a neighbor, living right around the corner, with all the busses there are now, and this happened just 2 months ago, the busses go up to the stop sign. (out of time)

Tim Oppenheim, 1009 Fairmont Avenue, lives in a house on Fairmont, and is a close neighbor of the school

I just want to say that we're asking for the variances to be denied as a first step toward a process that will produce a good plan for this project. It's unfortunate that the neighborhood only learned of this project from the initial mailing made by the Board of Zoning Appeals last February about a year ago, and since that time there have been no meaningful consultations with the School District with anything of substance on the table and I think that process really needs to be adjusted and I would ask that you deny the variance so that we can move forward on a plan that involves consultation with all stakeholders.

Rebecca Pryse 1021 Fairmont Avenue

I live right across from the school. I wasn't planning on speaking, but I want to say a few things. I was a little disheartened to hear from the assistant principal when he talked about people in the neighborhood and people of color. Two of my kids are of color. My kids very much mirror the kids at the school. They are immigrants to this country, they are English language learners, they are not white, they come from a hard life, so I can understand and empathize with a lot of the things that the parents and the school district said about what they want for their kids. But this is about zoning. The building will be out of harmony with the neighborhood, it will be too tall. Overall we need to map it out from across Oxford to Fairmont. It will look really big, and when you look at the other buildings in the neighborhood there are some apartment buildings that they point out but they are nowhere near the size of the current school building. The foot print of the school and height is too much volume.

Lynn Dieuliis, 1033 Fairmont Avenue (right across the street from the playground)

I just want to ask if you folks have all gone out and toured the site at both Linwood and Monroe. Has anybody gone out there and, yeah, have you? Because if you walk the perimeter, and what you're looking at is between Linwood about half to a third of a block. The whole campus fits on there. Yet at Monroe, we're talking about 2 city blocks. There's a huge difference, and when we look at this question for the last year, I keep coming back to what is the logic here? You've got 2 city blocks, and then you have less than a city block. Linwood's going to end up with 6 grade levels, Monroe's going to end up with 4. It really doesn't make sense to me. I would just ask, for those of you that have walked the site, that's good. For those of you who haven't, I want to ask that, before you make this \$22 million decision, that you would do that and see the vast amount of difference between the two sites. Thank you.

Kristin Hickmon, 935 Osceola Avenue

I have submitted written comments and I hadn't planned to speak today, but just listening to the comments, I wanted to add something. I too am disheartened at being called racist and classist because I want the neighborhood that I live in for my kids to be there for them, too. At least, it seems to me that we're mixing apples and oranges to a great extent. We're being told that the only way to provide a quality education for the students who go to the Linwood School is through this plan. We're being asked by the School Board, we're the experts, trust us. And yet, at the same time, the process by which they adopted this plan was not transparent to those of us who live in the neighborhood. Which I think is important. How do you trust the experts when the experts are not transparent on how they reach their conclusions? We in the neighborhood have asked question after question after question over the last several months getting mixed answers and the run around, and that has been extraordinarily frustrating. I think this plan has not been fully vetted, not fully thought through, but rather we've been sold a bill of goods that the only way to help the children in this school is through this plan. I just don't think that the evidence is there for that. Thank you.

Cynthia Truman, 1011 Fairmont Avenue

One of the reasons we live in this neighborhood is that we love the school. It is a vital part of our community. It breaks my heart that other people don't feel welcome in our community. It's important to me that you all feel welcome in our community. I think my neighbors are really good-hearted people. My opposition is strictly that it is too much in such a small space. From where I sit, I listen to the children on the playground every day because I work from home. I walk my dog and I get to see them. Sometimes they come up and they say hi to my dog, and it is a nice, lovely part of my daily interaction. My only opposition is that she feels that this is an equity issue for the children there and the children of the neighborhood both. There's so much more that we can do for the children of the whole community, and I just don't think this has been thought through. And I do hope you feel welcome in our community. Thank you.

Ken Schuman, 1021 Fairmont Avenue,

We're across the street, so we will be in the shade actually 3 months of the year from this building. I wonder if you guys, are you familiar with the Oxford Commons Building. This building is going to be roughly the same size, just three inches shorter by their measures, take away the strip part that actually backs it up from the sidewalk and then take the height part and the mass part and put it right on the sidewalk. So if you can imagine that right in the middle of the neighborhood with 30 feet is the highest on the top floor where it's usually a slanted roof on most houses. We'll be looking up 20, 30 feet to see the top of this building. So, it's just the size. We want something better in that building, we think that there should be, but we just don't think that this is really going to make a difference, it's really going to hurt this neighborhood, and it's going to hurt the people in it. And I would just ask for your help in helping us move forward because I'd like to see where we can actually speak together versus being accused of things and then not being part of the process. So, if somebody could help us with that part, even, that's what I would like to see. Thank you.

Sherry Kadrowski, 1043 Goodrich Avenue,

I have no points to add what my neighbors said, I did want to log my opposition.

Ms. Bogen asked if there were any more attendees wanting to speak in opposition. Seeing none she asked if the applicants can come back, and respond to what has been said.

Nate Golin, U + B Architecture, Minneapolis, and Tom Parent, Saint Paul Public Schools, 1930 Como Avenue

Nate Golin: Just to address some of the comments generally, as one of the neighbors noted, the first variance we submitted for the project happened in March, 2016. If you look at the packet that I handed out earlier, the site plan on page 1 is the site plan that was submitted last year. At that time, as soon as the notification went out for the variance application, which I should highlight the details of that application. We were asking, for this site plan, a lot coverage variance of 44.3%, and building height variance of 20 feet to 50 feet total, and a parking variance for allowing parking in the front yard of the site. At the time that site plan went out it became very clear very quickly that there were a lot of concerns in the neighborhood. The District decided that we would withdraw that variance. Subsequently we held a large community meeting at the school itself which was widely attended by most of the people in this room, where we identified some of the ideas that were the impetus for the project. So at that point we started looking at how we could address some of the concerns in the neighborhood. Following that we had a series of work group meetings in the Summit Hill neighborhood where there were several folks from the neighborhood that volunteered to part of that work group. We also adjusted the floor plan to accommodate some of those concerns. In addition there was an environmental assessment that we were required to complete because the building is in an historic district. That process involved commentary from the public and the neighborhood and from agencies such as SHPO and HPC. Our design was again

modified as a result of that discussion. Which leads us to where we are now. Our lot coverage request has been reduced from 44.3% to 38.5%, reduced by 5.8%. The building height was, more or less, a technicality. Our intention was always to match the height of the existing building, and that intention was validated by SHPO's response to our design, saying it did not have an effect on the scale and mass of the building. We were also able to completely eliminate our parking variance request. More detailed engagement in the neighborhood was included in the application, page number in the staff set, attachment A on page 116. That outlines the engagement we tried to have with the neighborhood engagement.

Some other notes on the amount of the site that is being taken by the building and some of the amenities that are left over, some notes on square footages and sizes. There is the existing playground area that we added last year on the front side of the building. When you include that playground with the new playground that is proposed, we are increasing the playground area by 50% to accommodate the additional students being brought to the site to meet the MDA standards for playground for a facility of this size. The play field area was a primary concern of the neighborhood. The first draft sent out with the variance we had eliminated almost all of the exterior play field area on the site. As we modified the design, we worked hard to reclaim as much of the play field space as we could. We didn't get it all back, obviously a building addition is going to take out a certain amount. But we were able to maintain on the north side, 8,050 square feet of play field area (large enough for a soccer field) and in our opinion is much more efficient than the current play field space. Because we added play ground on the south side of the facility, there was an additional green space, and the teachers decided that would be used as additional play field, so we gained an additional 3,000 square feet of play field on the south side of the site.

Ms. Younkin Viswanathan stated she is recusing herself on this case as she signed one of the petitions, before joining the Board of Zoning Appeals.

Hearing no further testimony, Ms. Bogen closed the public portion of the meeting.

Ms. Trout-Oertel stated that everybody has put so much effort into this project and there have been so many good points brought up on both sides. She did visit this site today, and feels that the program is too ambitious for this size of the property. She noticed when she was at the site that a lot of the play space is compromised because there is a berm around the two sides of the building. She tried to imagine the addition on the site and she thinks that the site is already a bit over crowded. With the addition it will definitely compromise not just the outdoor play spaces but also the neighborhood. There have been points made that the comprehensive plan calls for improving schools. But the comprehensive plan is very comprehensive and it covers so many things, it covers open space, daylight and the architect has done a good job of providing some graphics on pages 164 & 165 of the packet that show the shadowing of those buildings which is quite large.

Ms. Trout-Oertel moved to deny the variance and resolution based on findings 1 through 6. Mr. Rangel Morales seconded the motion to be able to take a vote.

Mr. Warner: If the staff recommendation was to approve and the motion on the floor is to deny, the motion has been seconded, Boardmember need to articulate their reason for denial on the record and each Boardmember who votes in favor of the denial must state for the record their reason for denial is and it can be as simple as stating that join the maker of the motion. Ms. Bogen stated that you need to use the finding numbers 1-6.

Ms. Trout-Oertel: so it is necessary for her to address the findings. Ms. Bogen stated not the language for the findings, but just the number of the finding to base the denial on. Mr. Warner added that we also

need the basis for the denial. The language can be worked out later.

Ms. Trout-Oertel: That the first finding is the general harmony with the comprehensive plan. The zoning code is very specific about lot coverage and height limitations and she feels that those limitations apply to this particular decision.

Mr. Warner: How?

Ms. Trout-Oertel: She thinks that this is a reduction of the open space and she thinks the height of the building is too high for this neighborhood.

Ms. Bogen: Asked if that would be more under finding 6 than finding 1.

Ms. Trout-Oertel: Thinks that often times the Board puts these under multiple findings. The zoning requirements are meant to safeguard open space and access to sunlight in the neighborhood.

Ms. Trout-Oertel: For finding two the variance is consistent with the comprehensive plan, as she stated earlier there are many aspects of the comprehensive plan, although there are parts that support improving our schools there are also portions of the comprehensive plan that protect our neighborhoods.

Ms. Trout-Oertel: For finding three the applicant has established a practical difficulty in complying with the provision. This has been brought out before and she will just reiterate that this situation was created by the applicant wanting to put programming onto the site. By the applicant wanting to increase the activities on the site. It is not that the site cannot be used as a school as it is. A good point has been made that needs have changed an addition could go on the site but it does not need to be so large. In order to make this a handicapped accessible functional school.

Ms. Trout-Oertel: Finding four the plight of the landowner is due to circumstances not created by the landowner. She does not think that there are any things about this site that are unique except that it is small for what is proposed.

Ms. Trout-Oertel: Finding six she thinks that this would be by far one of the tallest buildings in the area and she does not think that it fits into the scale of the neighborhood. Because of its size she thinks it would alter the character of the neighborhood in terms of taking away green space.

Mr. Rangel Morales seconded the motion, which failed on a roll call vote of 1-3(Rangel Morales, Miller, Bogen).

Ms. Bogen: Asked Ms. Trout-Oertel if she is firm in her decision to deny the variances. Or if she might change her vote to approve the variances. If not then this will have to be continued as we do not have 4 votes either for or against this request. Right now it is 3-1 and if we reverse this to approve the variances, the vote it will probably be 3-1 and we would still not have 4 votes either way.

Ms. Trout-Oertel: She is firm in her denial of the request.

Ms. Bogen: Should we still do another motion.

Mr. Warner: If the Board wants to, again the rules of the Board of Zoning Appeals requires 4 votes either for or against to pass a motion. Commissioner Trout-Oertel is not going to change her vote so you could

certainly take a vote to approve and he assumes that would fail also as Ms. Trout-Oertel is not going to change her vote. The other option is the public hearing has been closed, it would be appropriate for a motion to lay the matter over to the next hearing so that hopefully there will be enough commissioners in attendance to make a decision.

Mr. Rangel Morales: Made a motion to continue this case to the next hearing on 2-27-17. Mr. Miller: Seconded the motion, with passed on a voice vote.

Submitted by:

Approved by:

Sean Westenhofer

Thomas Saylor, Secretary

MINUTES OF THE MEETING OF THE BOARD OF ZONING APPEALS
CITY COUNCIL CHAMBERS, 330 CITY HALL
ST PAUL, MINNESOTA, FEBRUARY 27, 2017

Continued from February 13, 2017

PRESENT: Mmes. Albert, Bogen and Younkin Viswanathan; Messrs. Rangel Morales, Miller and Saylor of the Board of Zoning Appeals; Mr. Warner, City Attorney; Mr. Benner II, Sean Westenhofer, Ms. Lane and Ms. Crippen of the Department of Safety and Inspections.

ABSENT: Diane Trout-Ortel*
Excused*

RECUSED: Kara Younkin Viswanathan

The meeting was chaired by Gloria Bogen, Acting Chair.

Nate Golin (#16-067184) 1023 Osceola Avenue: Two variances in order to construct an addition onto Linwood Monroe Arts Plus Lower Campus school building: 1) A building footprint occupying a maximum of 35% of the lot or 28,452 square feet is allowed, the proposed building would occupy 38.5% of the lot or 31,300 square feet for a variance of 3.5% or 2,848 square feet. 2) A building height of 30 feet is allowed, the proposed addition, at three stories, would be constructed to match the height of the existing classroom spaces of 47 feet for a height variance of 17 feet.

The public hearing was closed at the previous hearing.

Ms. Bogen: Partial minutes for the hearing on February 13, 2017 were received by the Boardmembers, her concern is that one of the attending Boardmembers attending today was not here on the 13th and all of the Board discussion was no on the minutes that were received. She is wondering if this creates a problem and this case should be laid over to the next hearing for the full minutes.

Mr. Warner: Yes that would be his advice, the Board needs the complete minutes so that there is a complete record. He would advise the Board to lay this over for two weeks to give staff a chance to complete the minutes.

Ms. Albert moved to continue the case until the complete minutes for this case are available to make a firm decision.

Mr. Rangel Morales seconded the motion, which passed on a voice vote of 5-0.

Submitted by:

Approved by:

Sean Westenhofer

Thomas Saylor, Secretary