

**DRAFT**

**MINUTES OF THE ZONING COMMITTEE  
Thursday, December 12, 2013 - 3:30 p.m.  
City Council Chambers, 3rd Floor  
City Hall and Court House  
15 West Kellogg Boulevard**

PRESENT: Merrigan, Nelson, Perrus, Reveal, Spaulding, and Wencil  
EXCUSED: Wickiser  
STAFF: Merritt Clapp-Smith, Samantha Langer, Allan Torstenson, and Peter Warner

The meeting was chaired by Commissioner Nelson.

**The Waters Senior Living - 13-253-015 - Rezone from B3 general business to T3 traditional neighborhood, 658 Snelling Ave S, between Scheffer and Eleanor**

**The Waters Senior Living – 13-253-080 – Variance for driveway setback at 658 Snelling Ave S, between Scheffer and Eleanor**

Merritt Clapp-Smith presented the staff reports with a recommendation of approval for the rezoning and variance. She stated District 15 submitted a resolution recommending approval and there were no letters in opposition.

At questions from the Commissioners, Ms. Clapp-Smith confirmed that no comment was received from the adjacent residential property at 1559 Eleanor Avenue.

Commissioner Nelson asked about green space requirements and the mixed use classification. Ms. Clapp-Smith submitted a revised copy of pertinent project information (see attached). She stated that a nursing home or assisted living facility, in a traditional neighborhood district, requires a minimum of 150 square feet of green space per resident. This property can have up to 90 residents and would need 13,500 square feet for green space. In regards to the mixed use classification, when the applicant described the concept for the facility to the Department of Safety and Inspection (DSI) staff, the applicant described the project as an assisted living facility with a fitness and wellness center that can be used by non-residents. DSI determined it was a mixed use classification because it was publicly accessible. Ms. Clapp-Smith added that the facility will meet all parking standards.

The applicant, Jay Jensen, 1600 Hopkins Crossroads, Minnetonka, MN, stated that they have several properties in the area and they are excited to build in Saint Paul. The Waters Senior Living incorporates new ideas in assisted living and believes that well-being is the key to thriving. They strive to meet neighborhood concerns and be a part of the community. They have taken many suggestions from the District Council including a lighter color for the building and adding an easement to the parking lot. Mr. Jensen explained that they revised the number of units to 80; 50 assisted living and 20 memory care units. He explained that they are currently working with the Public Works department to create a curb cut to allow ambulances to access the building off of Snelling Avenue. Regarding the mixed use, they are focused on connecting with the surrounding neighborhood. They pair up with area churches and senior groups and invite them to use the wellness center and participate in their programming. Mr. Jensen also mentioned that garbage containers will be kept in the parking area underneath the building and brought out on garbage pickup days. They will have two small delivery trucks per day for food service. They would like to open in spring 2015.

Upon inquiry from the Commissioners, Mr. Jensen stated the facility would be for private pay residents. Mr. Jensen provided more information regarding the access for emergency vehicles; they would use the proposed pull out lane in the public boulevard along Snelling. The public sidewalk would remain intact.

The architect, Mindy Michael, 2104 4<sup>th</sup> Avenue S., Suite B, Minneapolis, MN explained that the building is ten feet back from the property line on Snelling Avenue. The setback on the east side of the building is approximately 28 feet.

Chair Nelson asked about the mix of different types of units. Mr. Jensen stated there are a total of 50 assisted living units; 30 one bedrooms units, 15 one bedrooms with a den, and 5 two bedroom units. There are 20 memory care units and 10 enhanced care units. He estimates the total population to be 90 residents.

Upon inquiry about the mixed use component, Mr. Jensen stated the use of the wellness facility by non residents would not include a fee. It would be by invite through various churches and senior groups that are located within the area. On occasion, the bistro would be open to these visitors. The wellness center and kitchen would be staffed by The Waters employees and possibly a few volunteers.

Commissioner Reveal asked if the project is not approved as a mixed use, does it impact the design. Ms. Michael stated it would trigger a potential variance for the building height.

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

There was further discussion on the mixed use classification by the Commissioners. Commissioners stated there was no clear secondary use, and they were concerned with the different design standards that would be allowable if the classification is mixed use. There is no justification to listing it as a mixed use facility based on other community groups being able to use the wellness center. Commissioner Merrigan stated that it is a stretch to classify it mixed use and possibly sets a dangerous precedent for the city's definition of what is considered mixed use.

Commissioner Elizabeth Reveal moved approval of the rezoning. Commissioner Barbara Wencil seconded the motion. The motion passed by a vote of 6-0-0.

Adopted                      Yeas - 6              Nays - 0              Abstained - 0

Commissioner Paula Merrigan moved to lay over the variance for a driveway setback to January 2, 2014, to further review the mixed use classification and to see if any other variances will be needed for the project. Commissioner Barbara Wencil seconded the motion. The motion passed by a vote of 6-0-0.

Adopted                      Yeas-6              Nays-0              Abstained-0

Drafted by:

Submitted by:

Approved by:

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Samantha Langer  
Recording Secretary

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Merritt Clapp-Smith  
Zoning Section

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Gaius Nelson  
Chair