



APPLICATION FOR APPEAL
 Department of Planning and Economic Development
 Zoning Section
 1400 City Hall Annex
 25 West Fourth Street
 Saint Paul, MN 55102-1634
 (651) 266-6589

Zoning Office Use Only
 File #: 12-106811
 Fee: \$440
 Tentative Hearing Date: TO BE SCHEDULED

PD-5

APPELLANT

Name Payne Phalen District Five Planning Council
 Address 506 Kenway Road Suite 130
 City St. Paul St. MN Zip 55130 Daytime Phone 651-774-5234

PROPERTY LOCATION

Zoning File Name #12-091-208
 Address / Location 1093 EDGERTON St. Paul, MN
 #12-091-208 Pastor Irene Stockett - Conditional use permit for transitional housing for up to 6 residents, including the owner, with modification to exceed planning district density standard by 2 residents. 1093 Edgerton Street between Jessamine and Magnolia.

TYPE OF APPEAL

- Planning Commission**, under provision of Chapter 61, Section 701, Paragraph c of the Zoning Code, of a decision made by the Planning Administrator or Zoning Administrator
- OR
- City Council**, under provision of Chapter 61, Section 702, Paragraph a of the Zoning Code, of a decision made by the Planning Commission

Date of decision: SEPT 7, 20 12 File Number: 12-091-208

GROUND FORS APPEAL: Explain why you feel there has been an error in any requirement, permit, decision or refusal made by an administrative official, or an error in fact, procedure or finding made by the Planning

The Payne Phalen District Five Planning Council submits an appeal based upon alternative findings of fact.

Transitional Housing standards:

1. Contradictory information has been provided by the applicant regarding the population to be served.
2. Except in B4-B5 business districts, the facility shall not be located in a planning district in which one (1) percent or more of the population lives in licensed community residential facilities, emergency housing facilities, shelters for battered persons with more than four (4) residents.

CUP Standards:

The District Council does not agree with staff findings of fact for (b), (c), and (d) and does not agree that this facility meets the specific criteria of 61.502 to allow for a modification. No hardship is created by the existing code and no unreasonable limitation on the use of the property exists. The existing code should be upheld.

Handwritten notes:
 \$440⁰⁰
 Pd.
 9-17-12
 11983

Appellant's Signature Lodi McMurray Date 9/17/12 City Agent [Signature]

CITY OF SAINT PAUL, MINNESOTA
(Conditional Use Permit)

ZONING FILE NO: 12-091-208
APPLICANT: Irene Stockett
PURPOSE: Conditional Use Permit for transitional housing for up to five facility residents and a resident owner/manager, with modification to exceed the planning district density standard by 2 residents.
LOCATION: 1093 Edgerton St
LEGAL DESCRIPTION: PIN 292922210145, Lanbergs Re arrangement Of B13 Lot 3
ZONING COMMITTEE ACTION: Recommended approval with conditions on August 30, 2012
PLANNING COMMISSION ACTION: Approved with conditions on September 7, 2012

CONDITIONS OF THIS PERMIT:

Conditions specified in Sec. 65.159 and the following additional conditions:

1. All deficiencies in the April 26, 2012 Code Compliance report issued by the Department of Safety and Inspections are corrected;
2. A certificate of occupancy is issued for the property;
3. The owner and/or manager of the facility continues to live on the premises.

APPROVED BY: Barbara Wencil, Commission Chairperson

I, the undersigned Secretary to the Zoning Committee of the Planning Commission for City of Saint Paul, Minnesota, do hereby certify that I have compared the foregoing copy with the original record in my office; and find the same to be a true and correct copy of said original and of the whole thereof, as based on minutes of the Saint Paul Planning Commission meeting held on September 7, 2012, and on record in the Saint Paul Planning Office, 25 West Fourth Street, Saint Paul, Minnesota.

This permit will expire two years from the date of approval if the use herein permitted is not established, subject to administrative extension not to exceed one year (§ 61.105). If one of the following occurs, the use herein permitted shall automatically expire: the use is established but subsequently is discontinued for 365 days or is replaced by another use, the lot area is reduced, or as otherwise provided in § 61.505.

The decision to grant this permit by the Planning Commission is an administrative action subject to appeal to the City Council. Anyone affected by this action may appeal this decision by filing the appropriate application and fee at the Zoning Office, 1400 City Hall Annex, 25 West Fourth Street. **Any such appeal must be filed within 10 calendar days of the date of the Planning Commission's decision.**

Violation of the conditions of this permit may result in its revocation.

Samantha Langer
Secretary to the Saint Paul
Zoning Committee

Copies to:
Applicant Pastor Irene Stockett
File No. 12-091-208
License Inspector Christine Rozek
District Council 5

Mailed: September 7, 2012

PAYNE PHALEN DISTRICT FIVE PLANNING COUNCIL

STRONG  SAFE  WELCOMING  CONNECTED  NEIGHBORHOODS

August 23, 2012

Chair Nelson and Members of the Zoning Committee
Zoning Committee of the Saint Paul Planning Commission
City Council Chambers, Room #300
Third Floor City Hall Saint Paul, Minnesota

**Re: 1093 Edgerton Street, Applicant, Pastor Irene Stockett.
Conditional Use Permit for transitional housing for up to 6 residents, including the owner, with
modification to exceed planning district density standard by 2 residents.**

Dear Chair Nelson and Members of the Zoning Committee:

The Payne Phalen District Five Planning Council Community Planning and Economic Development Committee (CPED) met on August 8th, 2012. The above referenced matter affecting 1093 Edgerton was on the agenda.

The neighborhood surrounding this address was notified of the meeting and three residents came to give input on the issue. The applicant had offered prior notice to CPED that she could not attend the meeting due to her work schedule. No alternative representative was sent to the meeting.

Discussion of the application, supporting materials and neighborhood input raised several issues.

- The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.

This application requests a modification to exceed the density standard for district transitional housing. Other Saint Paul districts are far below their established caps for transitional housing density. Payne Phalen is close to capacity.

- The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.

On-street parking is congested and the house is situated on a hill. There is not enough room for a parking pad to accommodate parking for six adults.

- The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.

506 KENNY ROAD, SUITE 130, SAINT PAUL, MINNESOTA 55130-4554

TEL # (651) 774-5234  FAX # (651) 774-9745

E-MAIL: DISTRICT5@PAYNEPHALEN.ORG

WWW.PAYNEPHALEN.ORG

This transitional housing seems ill-suited to this environment. This specific area of Payne Phalen experiences stresses that affect quality of life in the neighborhood including vacant housing, nuisance crime, and illegal drug trafficking and other quality of life crimes.

- The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

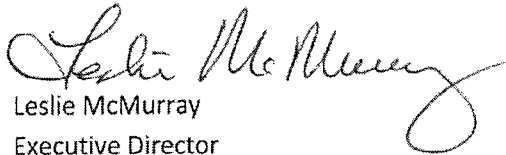
To exceed the density cap in Payne Phalen does not improve the neighborhood.

- The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

Some concerns were voiced regarding the applicant's readiness to manage the property which is currently a Category 2 vacant house. Meeting participants cited the quality of the materials submitted, the applicant's past history of applying for similar permits, and financial sustainability. There was concern voiced regarding the relative permanency of a CUP at this location if the proposed project did not succeed.

The CPED Committee passed a motion to deny the Conditional Use Permit application and the modification to exceed the planning district density cap.

On behalf of the District Five CPED Committee:


Leslie McMurray
Executive Director

Payne Phalen District Five Planning Council
Organizing Strong, Safe, Welcoming, Connected Neighborhoods

Leslie McMurray

Executive Director / Lead Organizer



506 Kenny Road, Suite 130
Saint Paul, MN 55130-4554

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LeslieMcMurray@paynephalen.org
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CITY OF ST PAUL
Owners Report

PID: 29-29-22-21-0145

Property Address: 1093 EDGERTON ST 55130-3750

Eh Pooled 1210 Lp

Po Box 14525

Austin TX 78761-4525

Owner

Taxpayer

LANBERGS RE-ARRANGEMENT OF BLK 13 BEAUPRE & KELLY'S ADDITION LOT 3


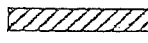








LEGEND



APPLICANT Payne Phalen Dist 5
 PURPOSE Appeal of 12-09/208
 FILE # 12-106811 DATE 9-18-12
 PLNG. DIST. 5 Land Use Map # 13+5
 SCALE 1" = 400' Zoning Map # 4

LEGEND

-  zoning district boundary
-  subject property
-  one family
-  two family
-  multiple family
-  commercial
-  industrial
-  vacant

