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September 12, 2021  
Ward 2 Councilmember Noecker  
City of Saint Paul  
25 West Fourth Street  
Saint Paul, MN 55102

APC 21-2, Appeal of 695 Grand Avenue Variances and CUP

Dear Council Member Noecker,

I moved to Saint Paul in 1971 and have chosen to live here ever since, with the exception of a brief retirement in Florida; brief because we soon moved back to Saint Paul. Saint Paul is where my husband grew up and where we choose to live, despite the high residential property taxes. We choose to live here because Saint Paul is a livable community due to the neighborhood plans and city codes. But we are mobile, we have options and we could easily find a less expensive place to live.

As Executive Director of the Summit Hill Association for more than ten years, I administered the detailed, thoughtful process of creating the Neighborhood Plan and the East Grand Avenue Overlay District. Both plans are still the law of the City. Both plans are what make the Summit Hill Neighborhood a successful business district and a desirable place to live. Both plans are exactly what make Mr. Kenefick's property at 695 Grand Avenue valuable.

You previously received a letter from me detailing how the process of "approval" was flawed. I offer a brief recap of the 695 Grand Avenue Proposal process:

- Three members of the SHA Board of Directors worked closely with the developers prior to the first public hearing, and were introduced as members of the development team.
- The Summit Hill Association did not represent the community when considering the proposal
- The SHA Zoning and Land Use Committee did not vote on the proposal
- Of 21 members of the SHA board of directors, only 9 were in support of the proposal
- The city planner assigned to the project admitted that this was the first staff report she had ever prepared, and admitted that she was not familiar with the Grand Avenue Overlay District.

- The discussions among the Zoning Board and the Planning Commission were lead by an SHA member of the development team

You and your City Council colleagues have already approved the request to rezone 695 Grand Avenue from B2 to T3, despite the fact that:

- 695 Grand Avenue violates the letter and intent of T3 zoning.
- Rezoning 695 Grand Avenue to T3 clearly constitutes spot zoning. Court rulings have determined that spot zoning is illegal in Minnesota.

It is a myth that the Summit Hill neighborhood grew up around the Grand Avenue business district. In fact, it is the opposite. Grand Avenue does not depend *solely* upon the patronage of the residents of neighborhood. It is a destination. The Grand Avenue businesses that are successful are those whose owners are committed to the neighborhood and who have grown within the confines of the neighborhood plans and city codes. Like the Red Balloon and Cooks of Crocus Hill whose landscaping is beautiful and inviting. And Café Latté, whose owner Peter Quinn, personally sweeps the entire intersection of Grand and Victoria in the morning.

Mr. Kenefick has clearly stated that his project is based upon economic conditions, his arranged financing and his stakeholder needs. *According to the Minnesota Supreme Court, economic considerations are not allowable conditions for allowing variances.* Am I not a stakeholder in this decision? Are the more than 400 people in the community who have expressed reasonable opposition to this project not stakeholders?

I urge you to lead the discussion of APC 21-2, 695 Grand Avenue, to the result of denial of all the variances and the CUP, and allow Mr. Kenefick to build his project within the confines of the neighborhood plans and city codes. If Mr. Kenefick is as dedicated to the neighborhood as he says he is, he will leave a legacy.

*Best Regards,  
Chris Trost*