

Summit Hill Association

District 16 Planning Council
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Patricia James, Principle Planner
St. Paul Planning Commission
1400 City Hall Annex
25 W. 4th St.
St. Paul, MN 55102

RE: Proposed amendments to Chapter 62, Nonconforming Lots, Uses and Structures, and Chapter 64 - Signs, of the St. Paul Zoning Code

Dear Members of the Planning Commission:

On behalf of the Summit Hill Association/District 16 Planning Council, I am writing to let you know that the SHA Board of Directors met at its monthly public meeting on Thursday, April 12, 2012 and discussed the recommendation of our Zoning & Land Use Committee regarding the upcoming April 20, 2012 Planning Commission public hearing. We understand that the focus of the hearing will be on proposed amendments to Chapter 62, Nonconforming Lots, Uses and Structures, and Chapter 64 - Signs, of the Zoning Code. The Summit Hill Association appreciates the effort being made by the Planning Commission to both inform, in a timely fashion, and elicit comments from the St. Paul District Council citizen participation organizations on possible amendments to these chapters.

The SHA Zoning & Land Use Committee (ZLU) held a public hearing on the proposed amendments on April 11, 2012. At that hearing, there was little concern raised about proposed changes suggested to:

1. Bring the City's zoning regulations into compliance with changes to Minnesota Statutes, Section 462.357.
2. Correct minor errors, clarify language, and incorporate zoning administrator interpretations and court decisions into the text of the code.
3. Amend Chapter 64 to reflect the new state statutes and court decisions and to eliminate repetitive language.

There was however, a strong concern on the Committee about the impact and possible unintended consequences in the effort to "Identify options for changing the consent petition requirement for establishing and reestablishing nonconforming use permits."

In particular, the ZLU Committee felt that the current city zoning process requiring the petitioning of property owners within 100 feet of a site where either a Non-Conforming Use (NCUP) would be established or reestablished is necessary and appropriate. If the petitioning requirement was either eliminated or changed, the local community near the specific property/building would lose a valuable tool with respect to process.

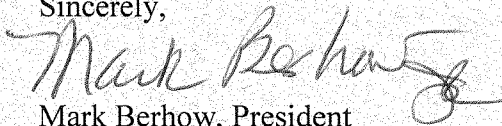
We speak from recent experience with this petitioning process regarding the future development of the old Wilder Bush Memorial Children's Home site at 180 S. Grotto. To date, there have been several development proposals brought forward by potential developers. Some proposals would have had a negative impact on the nearby community in terms of increased traffic, on-street parking pressure and noise. If it hadn't been for the NCUP petitioning process, local neighbors would likely not have been able to get the potential developers to sit down with residents to discuss the project, impacts and possible solutions to the benefit of all parties.

Given these concerns, the SHA ZLU Committee on a 3-2 vote, recommended that Option #1 (No Change) for the Re-establishment and Establishment of a Non-Conforming Use be supported by SHA and forwarded to the St. Paul Planning Commission Staff for the April 20, 2012 hearing.

At the April 12, 2012 SHA Board meeting, the SHA ZLU Committee recommendation was reviewed and additional discussion was held on the matter. After full discussion, a motion was made, seconded and unanimously approved (14-0) that the SHA Board of Directors supports Option #1 (No Change) for the Re-establishment and Establishment of a Non-Conforming Use and recommends such to the St. Paul Planning Commission.

If you have any questions about this recommendation, you may contact Jeff Roy, Executive Director at the SHA office 651-222-1222.

Sincerely,



Mark Berhow, President
Summit Hill Association/District 16 Planning Council

cc: Dave Thune, Ward 2 Councilmember
Grand Avenue Business Association – Sue Evens, Exec. Director