

February 14, 2012

RE: File # 12-000964

Dear City Council members,

We would like to express our support of the variances that were granted by the Council for the proposed parking lot at 1170 Selby Ave for Pizza Luce.

Pizza Luce has been a good neighbor to us and have always responded when we approach them with issues or concerns. Many neighbors have expressed concerns about customer parking and we see that Pizza Luce is again trying to be a good neighbor by finding a way to provide additional off-street parking.

We are glad to have them in the neighborhood hope that you will deny this appeal. We would much rather see the lot at 1170 Selby be put to use and be improved with new fencing and lighting than have it sit as a vacant lot.

Thank you.

Sincerely,
Ellen and David Tzeutschler
1192 Dayton Ave
St Paul MN 55104



Downtown Minneapolis
119 North 4th Street

Uptown Minneapolis
3200 Lyndale Avenue South

Seward Minneapolis
2200 East Avenue Franklin

St. Paul
1183 Selby Avenue

Duluth
11 East Superior Street

Hopkins
210 North Blake Road

February 13, 2012

Dear Councilmember Carter:

I am writing in regard to the hearing on the appeal for the variances that have been approved by the Board of Zoning Appeals for a proposed parking lot on a vacant property that we purchased at 1170 Selby Avenue.

Pizza Lucé has operated at 1183 Selby Avenue for the past 5 years. We have a vibrant successful business that is a neighborhood meeting and gathering space and a place of employment for 60 people most of whom are St. Paul residents and some of whom live in the LexHam neighborhood. When we purchased the building in 2006 it was a former print shop that had been closed for 5 years and was showing signs of neglect. We invested more than \$1 million in the building and received all of the parking variances we needed to succeed.

We have a history of working collaboratively with the neighborhood. We began meeting with neighbors as soon as we signed the purchase agreement in early 2006, discussing how we could be a positive addition to the neighborhood. In the five years since opening, we have continued to participate in the neighborhood by donating food to events such as national night out parties and district council events, by responding to calls from neighbors, participating in Grand Old Days and other community events and by serving as a gathering spot for the community. Our neighbors are our customers and we work very hard to please them.

One issue that we have discussed with neighbors over the years is the pressure on parking in LexHam particularly on Selby, Griggs, Dunlap and Dayton Avenues. Our neighborhood is a dense mixed use/residential neighborhood with a college, a high school and a commercial zone. As a result parking can be difficult a certain times of the day and/days of the week. To help this situation, we bought 1170 Selby, a blighted commercial property as part of a bank owned auction in late 2010 with the goal of using this space to expand off-street parking in the neighborhood. To us this lot would work great for this purpose; it was already zoned for commercial use (including as a parking lot), it contained a single story derelict commercial building with no basement that would be relatively easy to remove and there was already a small parking lot on the site.

We started the process to develop the lot at the end of 2010 but hit a bump when we found out we would need variances for the setbacks and the City wasn't granting variances due to a

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decision by the Minnesota Supreme Court that challenged local authority to grant building code variances under current State law. We tabled this project and didn't come back to it until October of 2011 at which time we contacted the adjoining neighbors about our proposed site plan and intention to build a parking lot. At the end of November our architect met with the City about the lot and we went through the regulatory process to get our site plan approved including requesting two variances for setbacks.

We had several meetings with the adjacent residential property owners about the lot. We discussed the site plan which included screening fences, decorative plantings and a variety of other elements that made it more attractive than what was there and sought to minimize the visual impact of parking. We added features to mitigate the impact on these close neighbors including an 8 ft fence on the south property line and fence protection on the west property line. As part of the project, we will rebuild the driveway/ curb cut for both 1170 Selby and our neighbor next door to create a clear separation between the lot's driveway and the driveway of the house next door.

Throughout this project, we have followed the processes of the City and the District Council. Because this is a commercial property and requires no zoning changes, we believed this was a non-controversial request. Once Planning was satisfied with our request for appeal they sent it through their appeal process. The request was approved by the Union Park Community Council Land use Committee at their regular meeting in December and then the variances were approved by the Board of Zoning appeals at their regular meeting on December 27, 2011. A neighbor appealed that decision on January 3, 2012 and the City Council will need to either uphold the decision of the Board of Zoning Appeals or deny the set back variances.

Since the appeal was filed, we participated in a community meeting that generated a number of suggestions to address neighborhood concerns. We have agreed to implement or are already supportive of some of the things raised by the neighbors. We changed one parking space into an area dedicated for turning around to provide cars an opportunity to leave the lot facing out. We will ensure this space remains vacant by using a tow company to monitor the lot, communicating with our customers and monitoring this lot with a remote camera at our location. Some community members were concerned that adding more off-street parking is promoting the use to cars. As an employer and community citizen we support alternative modes of transportation—we have prominent bike racks in front of our establishment and provide an employee bike rack. We offer our employees a pre-tax savings account for reimbursing costs related to transit/biking. We participate and support many bike related endeavors like the annual Bike to Work week in May, we offer discounts to the Midtown Greenway Patrol and a gathering space to meet after their shifts, we advertise in the several metro area bike maps. Because we are acting in good faith with the neighborhood, the District Council passed a resolution supporting the BZA and opposing the appeal before you today. That vote passed with 14 yes, 2 abstentions and 6 no votes.

We are proposing a good project that will clean up a blighted property and put it to good use helping alleviate parking congestion in our neighborhood, thus we humbly request that you vote to deny the appeal before you.

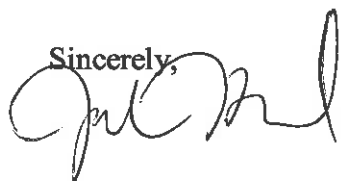
We further believe you should deny the appeal before you because it is based on inaccurate or irrelevant information. Inaccuracies in the appeal include:

- An inaccurate representation of the number of striped spaces in the current lot alongside the restaurant—the parking variance granted on our property in 2006 requires us to have eight parking spaces on that property. We do- in fact- have eight spaces on that property.
- The addition of the new parking spaces will have no impact on our previous parking variance. We will still be required to have eight spaces at 1183 Selby.
- The appeal references our earlier plan to rezone our property immediately to the west of our restaurant for use as parking. That request was denied and is not germane to this request for a set back variance.
- The appeal argues that the lot at 1170 Selby cannot accommodate the 10 proposed parking spaces under the code. According to Mr. Beach with the City of Saint Paul, the code does –in fact- allow this configuration with the setback variances as approved by the BZA.
- The appeal does not seem to understand that the ‘Comprehensive Plan’ cited in the BZA’s approval is the city’s comprehensive plan and not Pizza Lucé’s plan.
- Finally, the appeal accuses the city and the Union Park District Council with deliberately seeking to circumvent community input. In fact the process met all of the requirements of community input. When members of the community indicated that they were not satisfied with the level of input, the community council created additional opportunities for community input that was productive and informative. Pizza Lucé incorporated some of these ideas in our plans.

In conclusion, Pizza Lucé- with the help of the Union Park District Council and the Lexington Hamline Community Council- has created a parking lot design:

- That will reduce on-street parking by patrons of our restaurant
- That promotes both pedestrian and driver safety,
- That will clean up a previously unoccupied bank-owned blighted property
- That is within the commercial zoning on the property
- That, after an extensive public input process has earned the support of the Board of the Union Park District Council
- With a design that has been accepted by the immediate neighbors to the west and to the east.

Thank you for considering our request.

Sincerely,


JJ Haywood
CEO
Pizza Lucé

Dear Councilmember Carter -

I understand that the St. Paul City Council will be taking up the request for variances from Pizza Luce for the proposed parking lot on Selby Avenue this Wednesday. I live at 1121 Hague Avenue - about a block and a half to the east and one block to the south of Pizza Luce.

I attended the community meeting on January 31 and know that some of my neighbors are opposed to the approval of the variances and thus the parking lot. At that same meeting, I heard comments by staff of and consultants for Pizza Luce regarding their efforts to respond to neighborhood concerns. I also heard support for the variances, with safety conditions suggested, from my neighbors.

Below is the message I sent to the Union Park District Council later the evening of January 31. I understand that the variance requests have been approved by Union Park and that Pizza Luce has continued to work closely with the neighbors immediately to the west of the lot.

I am unable to attend the Council meeting on Wednesday, February 15, but I want you and your colleagues on the City Council to be aware of my support of Pizza Luce's request. Pizza Luce has responded to the concerns expressed by neighbors, particularly those to the immediate west of the lot, carefully and considerately. At this point, it is prudent to move forward and allow Pizza Luce to develop the proposed parking lot. It is my hope that the Council will approve the request for variances.

Sincerely,

Kathy Mann Arnott

1121 Hague Avenue, St. Paul, MN 55104

651-225-4447

----- Forwarded message -----

From: **Kathy Mann Arnott** <klmannarnott@gmail.com>

Date: Tue, Jan 31, 2012 at 10:03 PM

Subject: Pizza Luce proposed parking lot

To: anne@unionparkdc.org

Cc: Margaret Jones <margaretjones1181@gmail.com>, LHCC-Director <lexham@lexham.org>, sarah@unionparkdc.org

Good evening Anne -

I attended the meeting this evening regarding the variance request by Pizza Luce to construct a parking lot at 1170 Selby. I write to express my support for the necessary variances. Pizza Luce has been a significant, positive addition to our neighborhood. As a proud city dweller, I am encouraged by the development and growth of small businesses in my neighborhood. I *value* having Pizza Luce within a five minute walk of my home. In fact, I would welcome the addition of a coffee shop, bakery, neighborhood grocer, dry cleaner, etc. nearby.

When Pizza Luce announced plans to build a restaurant on Selby Avenue, I was delighted. I knew then, as I know now, that having small businesses in my neighborhood

is good for the economic growth of my community. And Pizza Luce has proven to be a good neighbor in Lex-Ham on macro- and micro-levels. Tonight I heard that Pizza Luce's immediate neighbors have been more than satisfied by the responsiveness and attentiveness Pizza Luce has given to their comments and concerns. I also know that Pizza Luce has been a good neighbor to the Lex-Ham Community Council - contributing gift certificates to community events, spaghetti sauce to our annual spaghetti dinner and much more. Pizza Luce has created an attractive addition to Selby Avenue with their clean and dynamic store front, plantings, pink dinosaur and more.

The creation of more off-street parking can only assist our neighborhood. The plans as proposed by Pizza Luce are thoughtful and have considered the immediate neighbors. Consideration to fence height, greening, lighting, etc. has been done in meaningful conversation with the immediate neighbors. I sense a receptiveness by the Pizza Luce representatives to safety improvements as proposed by the meeting attendees.

I hope that Union Park will add their support to the variance request made by Pizza Luce to the city. I wholeheartedly endorse their requests and firmly believe that their track record as a good neighbor will continue as they move forward on the construction of the new parking lot.

Sincerely,

Kathy Mann Arnott
[651-470-3383](tel:651-470-3383)