

Dear Councilmember Jalali,

I am a Ward 4 resident and am contacting you today to deny the conditional use permit for the proposed demo and rebuilding of the Taco Bell on Snelling Avenue. With the site just a couple blocks from the Snelling Avenue LRT station, the city must support a more walkable environment through denser development on the site.

Thank you,

Aaron Keniski

September 15, 2020

Members of the Saint Paul City Council
City of Saint Paul
3rd floor City Hall
15 Kellogg Blvd. W.
Saint Paul, MN 55102

This letter is sent in support of Border Foods, Inc. effort to rebuild the existing Taco Bell restaurant located at 565 Snelling Ave. N. (APC 20-6). The Midway Chamber believes property improvements, which include replacing a 47-year old building, reducing the parking spaces, adding landscaping and moving the drive-through ordering area further from residential property, will enhance the development and reduce noise into the neighborhood. The project will enhance and update the look of the building and create a more welcoming tone.

The Midway Chamber believes the renovations will significantly upgrade and update the property, and tie in with our mission: Building a Stronger Midway. Projects which upgrade existing developments will also help spur additional redevelopment in the surrounding area. It is also important to note there already exists a drive-thru and this project would provide improvements in a section of Snelling we hope to see additional positive development.

It is our hope the City Council will approve the findings of the Planning Commission and grant a CUP.

Sincerely,

A handwritten signature in blue ink that reads "Chad Kulas". The signature is written in a cursive, slightly slanted style.

Chad Kulas
Executive Director
Midway Chamber of Commerce

September 14, 2020

Re: File 20-066-196 Taco Bell Drive-Thru Appeal

Dear Councilmember Jalali for Ward 4, Councilmember and President Brendmoen, and Councilmembers Prince, Thao, Tolbert, Noecker, and Yang:

We live near the Taco Bell in question and wrote a longer response to the application for a new Conditional Use Permit (CUP) in July, before the Zoning Committee hearing on the matter. We hope you all can read the many letters sent to the Zoning Committee that strongly urged denial of the CUP with a realistic request that if approved, the CUP have hours of operation no later than midnight during the week and 1am on weekends. The neighborhood input was consistent on these points.

We want to repeat that we feel the current application is disingenuous: the current building was not badly damaged in the rioting this past May. We watched it happen. What's more, Taco Bell is up and running for breakfast, lunch, and dinner as we type this to you. Therefore it cannot be said that the building absolutely needs to be replaced due to damage.

The fact is, Border Foods has come to the City several times in the past few years with tweaked site plans, hoping to get one approved that does not require reduced hours of operation. Its old 1973 permit did not include any hours conditions, though council minutes said the business would close at 11pm. The lack of actual hours conditions has allowed hours now extending to 4am, including the busy after-bar-closing period. When one permit was granted with a closing time of 1am on weekends a couple of years ago, Border chose to walk away from that permit, withdrawing its application and continuing to operate in its old building. Border tried again in January of this year, withdrawing before a final decision was made because city staff recommended denial of the permit. Border just keeps trying and hoping to "sneak in," and the post-George Floyd unrest, COVID-19, and City budget shortfalls this year have given it courage to try once again to get exactly what it wants.

In fact, the hours that Planner Joshua Williams proposed — 2am during the week and 3am on weekends — were, he admitted after one of the recent hearings, fairly arbitrary and chosen because "the applicant would agree to them." (Well, that's not what conditions are for, from what we understand. Conditions help mitigate a business' impacts.) *We therefore plead with the Council to recognize the close proximity of this Taco Bell to neighbors on Edmund and Charles Avenue and soon the tenants of the expanded Kimball Court low-income housing complex. This is a mixed-use area, and an all-night fast-food drive-through restaurant is not compatible with the residential properties within just a few feet of it. The speakerbox is loud, and customers in boom cars and with revving engines are loud.*

Hours of operation for fast-food restaurants with drive-throughs vary in this city as elsewhere, but here in the Midway and along Snelling we find:

* Arby's on University Avenue closes at 10pm during the week and 11pm on weekends;

- * Arby's on Snelling in Highland Park closes at 10pm daily;
- * Culver's on University Avenue closes at 10pm daily;
- * Wendy's on University Avenue closes at 11pm during the week and 12midnight on weekends;
- * McDonald's on University Avenue now closes at 12midnight.

Therefore, the hours requested by us and others living near the Taco Bell on Snelling — no closing time later than 1am — seem more than reasonable, and we hope you agree if you feel you must approve the permit

But the reasons to outright deny the permit are compelling and too many to list. A few are:

- * Mr. Williams admitted that he was not sure the distance of the new building per the permit application is actually 61 feet from the nearest residential property. He did the measurements himself. If it does not meet current code for the distance requirement (at least 60 feet), it would be very expensive for Border to have to tear down the new structure and either start over or even just shut down.
- * The business is not grandfathered in, and the fact that it has been there for a long time means nothing — if its current building is aging out of usefulness after multiple owners over some four decades, that is proof that fair profit has been extracted from it. A new permit is not a right. In fact, the old permit did not refer to a drive-through window, so it's possible a drive-through has never been conducted on the site legally, and this could be challenged at great cost to both St. Paul and Border Foods.
- * Taco Bell has a Cantina model store for walkable urban areas that might work well in this location, and Border Foods should be encouraged to try that model in Saint Paul rather than continue to try to impose a suburban-style, large-footprint operation on a small urban lot. Or it should move to a more suitable location elsewhere, such as near Allianz Field.
- * Official plans for LRT station areas in St. Paul do not include auto-centric businesses. This is a most auto-centric business. Drive-through fast-food restaurants handle much more traffic, with many more cars entering and exiting their lots per hour, than do drive-through lanes at banks and pharmacies.
- * Taco Bell at Snelling as run by Border Foods has not been a good neighbor and cannot be expected to suddenly become one. We have tried to call when the speakerbox is too loud, and much of the time, no one answers the phone. In the past month Taco Bell re-opened, the noise was excessive for the first week or so, and employees claimed in one message recorded by us that they had "no idea" how to adjust the volume. This suggests management did not feel it was an important aspect of their training — no "best behavior" even as their CUP application was pending — despite a history of problems with

noise complaints. (We also collect snow plowing money for the block on which Taco Bell sits, and Taco Bell does not contribute to the \$600 yearly fee, even though many of its customers heading north turn right on Charles after exiting the drive-through lane, then right into our alley running parallel to Snelling, and continue to Thomas to turn left/northbound onto Snelling.)

We love St. Paul. We love the Midway (and “Downtown Midway” where we live). We want to see the plans and visions for this part of the City become reality, and even with the setbacks of this year, we know they can and will. With climate change upon us, we know cities are going to point the way forward.

Thank you.

Sincerely,
Mark and Kristine (Kay) Vesley

There’s one other important thing we’d really like Councilmember Jalali to be aware of if she isn’t already, and that is that the Planning Commission to overturn the decision of the Zoning Committee happened very strangely. The commissioner who made the motion did so almost immediately after it was introduced, and the way he worded it allowed for no discussion of conditions.

We feel the Chair probably had ways of tabling the issue or some other “tool” in Robert’s Rules of Order to make sure ample and fair discussion of the issue and of public comment took place, especially when one commissioner commented that such discussion **should** take place. We hope you and Councilmember Jalali can take time before the hearing tomorrow to listen to the recording of the beginning of the Planning Commission hearing on this file.

Thanks,

Kristine Vesley

Hi Mitra,

I hope you consider denying the conditional use permit requested by Border Foods for the Taco Bell on North Snelling. The HMC talked about this at length and provided suggestions for how Border Foods could be a better neighbor, but it seems Border Foods isn't willing to make concessions.

A drive thru late night fast food joint does little to support the goals of our community. I hope you support HMC's appeal and do not support Border Foods request.

Thanks,

Jimmy Shoemaker

Hi Mitra,

I'm reaching out to express my concerns about the CUP for the Taco Bell drive-thru on Snelling and Thomas Avenue. I think this is a poor use of urban land, especially considering the millions of dollars in transit investments that we've made in this neighborhood. I might like eating Taco Bell, but let's be honest, they already make plenty of money giving people diabetes and heart disease. Why should the City of Saint Paul prop up the fast food industry by encouraging car dependency and all the associated ills (pollution and sedentarism to name a few)?

People+planet>profits.

Please let me know if you have any questions / concerns / contrarian takes (much appreciated!).

Thank you!

Sean Indrelie

Councils Member Jalali and Tolbert -

Just thought I would share some thoughts with you on the Snelling Ave Taco Bell CUP for its drive-thru... well, I'm against it. In fact, I'm against any drive-thru's in Saint Paul. Drive-thru's are contrary to nearly every major goal this city has adopted over the last 5 years - especially meaningful plans such as the 2040 Comprehensive and Climate Action and Resiliency Plan (CARP) which both highlight walkability, accessibility, and reductions in carbon emissions as part and parcel to making Saint Paul more environmentally responsible and "livable".

Drive-thru's are notoriously bad planning and conflict with pedestrian safety. It's especially demoralizing that we'd allow one in such a transit and pedestrian heavy corridor as Snelling and University where the Green Line and A Line converge. This area has the opportunity to be a highlight in Saint Paul's transit portfolio. Promoting car traffic - and idling cars at that - is ridiculous and contrary to the vision of this city.

Additionally - Midway is teetering on an economic fault line right now. A lot of small and particularly POC-owned businesses have been substantially impacted by both COVID and the uprising this summer after the murder of George Floyd by members of the MPD. These local businesses depend on the foot and transit traffic that supplies this area. By encouraging driving in this corridor, there is the potential to direct further harm on those businesses and give an unfair advantage to a corporation. Is that the model we want to develop for Saint Paul? I don't think it is.

In summary- drive-thru's are bad for our city. All cities. They shouldn't be allowed in any part of the Saint Paul let alone the Midway area. We want to lift up and promote transit, pedestrians and cyclists, and small businesses - not throw yet another roadblock - literally made of cars - in their way.

Thank you,

Robert Wales

1727 Race St W

Saint Paul, MN 55116

Councilmember Jalali & Mr. Williams:

I ask that you deny the drive thru conditional use permit that has been requested by the Taco Bell located at the intersection of Edmund & Snelling Avenues.

Permitting the site to be redeveloped with a drive-thru so close to the Green Line and aBRT service is inconsistent with a range of Green Line plans, city wide plans and goals. It presents safety issues, increased pollution concerns and works against hard fought efforts to make the area more walkable and liveable. We need to work together to build a healthier and more equitable community, not put in place barriers for the convenience of a few.

Granting this CUP will have a negative impact on equity, livability, public health, climate change, and the kind of transit oriented development envisioned when investments in the Green Line and aBRT were made.

Please vote to deny this CUP and in doing so help us build towards a better future.

Thank you,

Kathleen Fischer

Hi,

I just read the article about why drive thrus are bad for the city. I disagree. The exaggerated claims are not significant enough to stop businesses from legally operating a tasty business. If they feel so strongly, why don't they put it to a referendum in the city? I suspect that they know they will loose by a very large margine – people love drive thrus!! Keep them legal.

Thanks, Pat

Dear Councilmember Jalali & Mr. Williams,

I am writing to ask that you deny the drive thru conditional use permit requested by the Taco Bell located at the intersection of Edmund & Snelling Avenues.

Permitting the site to be redeveloped with a drive-thru so close to the Green Line and aBRT service is inconsistent with a range of Green Line plans, city wide plans and goals.

The drive thru at this location reduces walkability, threatens pedestrian and bike safety, and will continue to promote higher levels of air pollution from automobiles directly next to a low-income housing complex. The equity and health impacts of this last point alone should be enough to deny the CUP.

Granting this CUP will have a negative impact on equity, livability, public health, climate change, and the kind of transit oriented development envisioned when investments in the Green Line and aBRT were made.

[This article by Bill Lindeke](#) articulates these issues well and I encourage you to consider it before making your decision.

Kind Regards,

Cody Fischer

Address: 1995 Grand Ave St Paul, MN 55105

Mobile: 507-213-0730

Hello Councilmembers Mitra Jalali and Josh Williams,

I am writing to let you know that as a Como Park resident I oppose the permitting of a drive thru at the Taco Bell near Snelling and University. I frequent that intersection via public transportation and believe that our community will benefit from making the businesses near our city's major public transit hub cater to pedestrians more than drivers.

Thanks for your time,

Dan Luedke

Dear Mr. Williams and Ms. Jalali,

Today I read that the Planning Commission gave a conditional use permit to Taco Bell for a drive-thru at their store on Snelling Avenue, a couple blocks north of University Avenue.

For many reasons, I am strongly opposed to drive-thrus. They waste space that has to be created for queuing vehicles. By increasing the number of driveways and entering/exiting motor vehicles, they greatly increase the risk to pedestrians and cyclists of being hit by cars. They're ugly and anti-urban. And they encourage driving.

To examine these four ideas, it's instructive to look at the Starbucks drive-thru at Snelling and Marshall Avenues. It also received a Conditional Use permit that it never should have gotten. People who live nearby or have to use the sidewalks and the bike lane on Marshall Avenue are paying the price. Almost from the day it opened, there were problems with queuing vehicles backing up, across the sidewalk, across the bike lane and into the street, sometimes, all the way back to the intersection and around the corner onto Snelling Avenue. COVID-19 and people's desire to avoid entering business establishments has only made this worse. It used to be backed up just at rush hours but now it can happen at any time of the day. Because it was blocking the intersection, the city forced Starbucks to come up with a mitigation plan and it had to create an entire loop in it's back lot to accommodate queuing cars-- a huge waste of space.

Even this hasn't completely solved the queuing problem.

Then there's safety. An attorney who lived in the area shot videos of cars doing the most insane maneuvers to get into or out of the drive-thru.

These included turning across on-coming traffic on Marshall (across a double-yellow line), or illegally turning left at the exit across Marshall in order to go westbound. When Public Works put up protective poles in the middle of Marshall to try and prevent these maneuvers, drivers mowed them down ...or would go the wrong way on Marshall (into oncoming traffic) to get around the poles. Poles preventing the bike lane from being blocked were similarly mowed down. There have been several car crashes. Worst of all, most of these drivers are just looking out for other cars, not pedestrians or cyclists. As a result, two people have been hit by cars-- a lobbyist on Snelling and a kid on her bike on Marshall ...and this drive thru hasn't been around very long. It's simply not worth someone getting severely injured or dying so that lazy people can get a coffee drink or a taco without having to exit their cars. There is overwhelming data on the danger of driveways in urban areas. Saint Paul should be trying to eliminate as many as possible, not add more of them by permitting drive-thrus. The city passed a "Complete Streets" plan and claims to subscribe to the idea of "Vision Zero"-- getting towards zero pedestrian deaths. Adding more driveways and drive-thrus runs completely contrary to this.

Drive-thrus were created in and for the suburbs, where housing density is so low that no one can walk to any of their destinations. Drive-thrus and big parking lots helped to create the modern suburban strip mall in the 1950s and 60s. University Avenue and parts of Snelling were allowed to become blighted, automobile-oriented strip malls after World War 2, with block upon block of surface parking lots, drive-thru restaurants and big-box shopping malls. It helped make these avenues into the blighted, dangerous eye sores they are today. We built The Green Line light rail and the A-Line rapid bus in part to tame auto-oriented development, and promote denser, more pedestrian-oriented development. But if Saint Paul keeps giving permits for drive-thrus, it defeats the purpose of transit and actually prevents urban infill and better land use.

Finally, allowing more drive-thrus encourages more driving. This worsens urban air-quality, particulate pollution and tire dust (bits of soot, tires and brake disks that cause asthma and other lung illnesses), and climate change. Saint Paul should be DISCOURAGING driving, by making it slower and more expensive and by making the pedestrian environment, public transit and bikeways better. Adding more drive-thrus runs completely contrary to this.

Saint Paul should pass a city statute banning new drive-thrus and phasing out old ones ...and it definitely shouldn't allow Taco Bell to have one.

I'm frustrated that the Planning Commission and the City Council frequently grant variances for these things, sometimes (like in this case) without public input. We're adding another drive-thru at Davern and West

7th-- one of the most hazardous streets for pedestrians (after Snelling and University Avenues) and Caribou is trying to get one at Hamline and Randolph Avenues. Enough is enough. We're a city, not a suburban strip mall. We need to start behaving like one.

Andy Singer
Saint Paul

Hello council member Jalali,

I'm writing in opposition to the planned and approved Taco Bell drive through on Snelling in Midway. What a great opportunity to bring positive, pedestrian-friendly development to the area, not to mention climate change, safety, and other public health concerns. Thank you kindly,

Mark Gudmastad

Ward 4

St. Paul, MN

Please read and take consideration of this matter

I watch drive thru's hold up traffic all over town and it is not good. You gave up University to sports please and that are (where I work) is horrible already. Drive it. And don't hit a pedestrian!

Hi Councilmember Jalali,

I am a Saint Paul resident (1712 Grand Avenue), and I'm emailing in support of the Hamline-Midway coalition's appeal of a conditional use permit allowing a drive-through Taco Bell to be built at the intersection of Snelling and Edmund, as per this

document: <https://www.stpaul.gov/sites/default/files/Media%20Root/Planning%20%26%20Economic%20Development/ZF%2020-047-173%20Taco%20Bell%20Drive%20-%20Thru%20packet.pdf> .

Approving the construction of a drive-through near a major transit corridor will make Saint Paul less walkable, and less liveable. It is not worth reducing the ability of St. Paul citizens to traverse the city on foot to gain another drive through which will increase sound, particulate, and light pollution levels in the city. This article, by Bill Lindeke, lays out even more extensively reasons for opposing the approval of the CUP for the Snelling/Edmund Taco Bell. As he notes, "Snelling Avenue and the Hamline-Midway neighborhood deserve better" <https://streets.mn/2020/08/24/drive-thrus-are-bad-for-cities-and-saint-paul-should-stop-permitting-them/?fbclid=IwAR2-pVOT-E-G3uUcFymtbqRelxtUguFrxbqqM6I0BvON-prA9zTH5bsDIIM>

Sincerely,

- Conor Broderick

Mitra - I am a resident of the neighborhood at 1170 Charles Ave. I am writing because the HMC has formally submitted an appeal regarding the proposed Taco Bell reconstruction on Snelling Ave

The proposal to redevelop the Taco Bell in a single-use, car-oriented manner is not consistent with the vision for this area as developed in many planning exercises over the years.

I was disappointed to hear the Planning Commission chose to grant the conditional use permit to the applicant, and I urge you to reconsider the PC's decision when the matter comes before the City Council.

Thanks,
Nate

Council Member Nelson,

I recently learned that the Planning Commission approved the redevelopment of the Taco Bell drive-thru on Snelling Avenue. I was quite surprised to hear that such an auto-centric development was approved within a 1/4 mile of an LRT station and a BRT station. I am happy to hear that the Hamline Midway Coalition is appealing this decision, and as a resident of the Midway, I hope you consider their request to move away from a car-centric development pattern, to one that is more in line with the multiple planning documents that describe our neighborhood and city as one welcoming to pedestrian and cyclists.

I've attached a document detailing the reasons for my opposition.

Thanks for your consideration!

-mauricio ochoa