

**June 1, 2021**

**To: St. Paul Zoning Commission**

**From: John Belpedio, resident 520 Payne Avenue, St. Paul, MN 55130**

I am writing to the Commissioners regarding change of zoning and multiple variance requests by JO Companies, LLC regarding the property located at 520 Payne Avenue. My name is John Belpedio, resident at 536 Payne Avenue. There are multiple reasons not to move ahead with a residential high density housing complex at this location. A change in zoning should not be issued.

Mr. Opara has proposed a high density apartment building on a marginal piece of property originally zoned for light industrial business. The 520 property is situated on the Swede Hollow bluff, across Payne Avenue from a very busy Fire Station; close to the busy intersection of Payne and Seventh Street. This property is wholly inadequate to house the proposed high density apartment complex. You have the opportunity to follow the rules and guidelines outlined in city ordinance. Making changes requires responsible stewardship. Actions you take will have ripple effects for generations of people.

There are multiple reasons to deny the request to rezone this property. The continual noise of the Fire Station across the street; the lack of adequate playground and access to educational facilities for youth residents; the consideration of low flying aircraft from Holman Field; the proximity of the proposed apartment to the Minnesota Music Cafe Nightclub; insufficient parking for the number of units being proposed; and the dangerous entrance and egress off of Payne avenue for motorists, to name just a few reasons for opposition.

**I would like to propose a few questions that need to be addressed before a building receives a change in zoning:**

**Environmental Impact.** What measures will be taken to mitigate the environmental impact of lot runoff and surface water into the fragile Swede Hollow preserve? Has the builder completed an environmental impact assessment that would include soil boring; a mitigation plan for the Swede Hollow bluff; and construction of a rain garden to absorb and reduce surface water runoff into the Hollow?

**Youth residents.** How will the builder accommodate the health and safety needs of the youngest residents? There is not a local park within one-mile of the property. What is the plan to provide safety for young people who will enter and exit on Payne Avenue, one of the busiest streets in the city?

**Parking.** What are the plans to accommodate parking for residents and guests in the 520 apartment complex? There is minimal on street parking on Payne and the adjacent side streets. On site surface parking and underground parking proposed by the builder will be inadequate for the number of units proposed.

**Density of the project.** The 520 proposal does not meet the regulations set by the city of St Paul for housing density according to buildable space. The entire lot is .97 acres and the buildable area is far less due to the set-back from the Hollow and the set back from Payne Avenue. The proposed 62 units in a four story building is not acceptable. This building proposal would be much better suited for a larger lot without the restrictions of this particular lot. I would ask that the commission follow its own rules for occupancy density as outlined in this document:

<https://www.stpaul.gov/sites/default/files/Media%20Root/Planning%20%26%20Economic%20Development/RMZoningStudy%20PC%2002-07-20.pdf>

The residents of Swede Hollow and the broader community of Railroad Island understand the need for affordable and sustainable housing for St. Paul residents. While JO Companies, LLC has met on several occasions with local residents; the builder has failed to answer questions that will have a lasting impact on the local health and safety, environment and sustainable safety of the current residents. I would wholeheartedly oppose the change of zoning and subsequent request for variances to accommodate this housing project. It is the wrong proposal on the wrong site. Please consider the impact of the project to the local community.

Thank you for asking the right questions and demanding answers prior to granting any changes.

**John Belpedio**  
**536 Payne Avenue**  
**St. Paul, MN 55130**  
**763-496-8044**

**From:** [Michael McDonald](#)  
**To:** [Langer, Samantha \(CI-StPaul\)](#)  
**Subject:** 520 Payne  
**Date:** Tuesday, June 1, 2021 2:57:32 PM

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**Think Before You Click:** This email originated **outside** our organization.

Dear Robin and all District 5 Board Members,

I attended the virtual meeting the evening of Tuesday, May 25th regarding Lot 520 on Payne Avenue. I live in the Brownstones on Swede Hollow; the building immediately to the north of 520. Our brownstone community has vested interests in what is being proposed and built on that lot. Please know, we have no objections to the lot being developed. Our concern is a culmination of what the structure is, how it impacts the community and if it has any ill potential on our Swede Hollow environment.

Several questions arose during the meeting on Tuesday that aligned with our community's thoughts/concerns. Specifically: the "tot lot", parking, environmental issue of water run off, child safety, and the noise. An additional concern not discussed (once again) is the Federal Aviation Guidelines which have been overlooked. We as an association and community have had a three years to think and discuss this 520 project. Due to lack of time, our additional questions were not raised, discussed and/or answered at the meeting.

***These are key issues of concern:***

- **Parking** - The proposed plan does not provide enough parking for each unit. Mr. Opara response was "We are only going by what the city of St. Paul zoning states". He also mentioned owners having bicycles versus a vehicle several times throughout the meeting. We are wondering is this an assumption on his part justifying the lack of automobile spaces? Also in question, what about tenant's visitors, where will they park? This entire three block area has very limited parking as is. The small business located across from the Brownstones, uses on street parking in front of our units for their customers due to the newly remodeled street design on this lower section of Payne (which includes a bicycle lane and now no on street parking on the west side of Payne).
- **Tot Lot** - When asked of its location during the meeting Mr. Opara's response: "We will be looking for areas around the neighborhood for children to play". There is no place in this small dense developed (partial industrial area) for young children to play safely.
- **Safety for children - BIG** issue: busy street, busy fire department and restaurant/bar establishment across the street = equals an excess of traffic, serious concerns of school bus transporting children and in addition; no place for children to play. Is the concern for affordable house for so many tenants more important than the child being safe in their setting?
- **Environmental impact** - The Brownstone community have a mandated rain garden (for rain water runoff) that borders our eastern side of the property. The inadequate space for parking at the proposed "The Hollows" dictates their land being consumed with asphalt necessary for each parking space they can eek out. Please explain how they would accommodate the same environmental need of a mandated rain garden? The Hollow's rain water, runoff from their parking lot which contains oils, detergents etc. will go where?
- **Noise** - SPFD Station 4 is the busiest department in the city of St. Paul. The proposed "The Hollows" will be across the street from it. The contractor who built the Brownstones on Swede Hollow (Jim Erchel) WOULD NOT add an additional fourth building across from the fire department due to the noise. I chose to purchase the unit (530 Payne) closest to the fire department. When the trucks and EMTs leave that building, ITS LOUD!!! I frequently cover my ears to protect them

from the extreme decibel level. Now think of the future tenants and their small children being awoken throughout the day and night. And, what about when school is in session, and kids are expected to go to school and learn after being exhausted from being repeatedly awoken during the night. Opara's response to the noise was the needed additional building materials would deflect the noise. Who follows up on this to ensure this is in fact being done?

- **Federal Aviation Guidelines** - When our Brownstone Association Board talked with the Holman Airport director about concerns with a high density area being in close proximity to the airport, he said "We don't want to get involved as we may be sued". The 520 property is situated in what is called *Zone B Flight Path*. These recommendations are provided by the Federal Aviation Association. Their manual provides guidelines regarding construction in the flight path of an airport. The FAA recommended density for any building in Zone B is three people per building, per acre. The Hollows (520 Payne) is being constructed on .97 acres. Johnny Opara's architectural drawings included the old State Supply building; this building/plot of land is not part of The Hollows project. Also, on the projected drawing, Opara showed access from Woodward Street, he does not have access rights.

Robin and Members, to summarize this project, Johnny Opara will be disregarding FAA Guidelines as well as asking for numerous variances from the city of St. Paul. Is this the best way to proceed with construction all while ignoring rules designed for public safety? If this project is built as proposed, it will negatively impact everyone living within The Hollows as well as the business and neighboring homes.

I raise these concerns for your committee so you will understand just what you "Rubber stamped" at Tuesday evening's meeting. If you are an organization that represents the Payne/Phalen community, then please think of ALL who are affected by this decision and be certain this decision benefits current and future residents. By the way, when it was time to "make a motion" to approve or disapprove the project, the woman who made the motion to approve, didn't even know the name of the project! I guess she really did the homework and investigated the whole matter. As a proud member of the Payne/Phalen Community, your lack of knowledge about this project diminished your standing and reputation with our neighbors and our entire association.

Sincerely,  
Michael McDonald, Brownstones on Swede Hollow Board Member