

FILE
14-199046

Tilley, Corinne (CI-StPaul)

From: Sally Koering Zimney <skzimney@gmail.com>
Sent: Wednesday, April 23, 2014 10:07
To: Tilley, Corinne (CI-StPaul); #CI-StPaul_Ward3
Cc: azimney@gmail.com
Subject: Hamline/Bayard Business concern

Hello Corinne and Chris,

I am writing as a resident on Bayard Ave - and share the concerns of my neighbors about the business that might go in on the south east corner of Bayard and Hamline. We have heard that the zoning doesn't allow for a business like that - and want to voice our support for continuing to keep it that way.

I'm not sure what the space is zoned for - can you enlighten us on that? What are the options for that space, if not a business?

Thanks so much!
Sally Zimney

--

Sally Koering Zimney

www.sandyandallyproductions.com

www.thismovedme.com

www.thecabingarden.com

Sent with Sparrow

FILE
14-199046

Tilley, Corinne (CI-StPaul)

From: Msn <haelder@msn.com>
Sent: Wednesday, April 23, 2014 09:23
To: Tilley, Corinne (CI-StPaul)
Subject: Fwd: Neighborhood News - Pay Day Lender
Attachments: Getten Letter 2.pdf; Getten Letter (1).pdf

Dear Ms. Tilley,
I have just been made aware that a pay day lender will be situated a block away from our home, in a residential area. This is extremely concerning to say the very least. We have many young children in this neighborhood running around playing as it is currently relatively safe to allow for that. If you allow this business and the clientele it attracts to move into our neighborhood, we lose that sense of safety.

There are many other empty locations/pads in even Highland Village or the Midway area that are more suitable for this type of business. Why would there even be a consideration to move it in a residential area? Additionally, the neighborhood parking is extremely limited; adding this will only exasperate the problem.

Please don't allow this to happen! If the company does appeal, please do everything you can to strike down the appeal. We need to feel our community is, and will continue to be, safe; allowing the business to move in that location completely shatters that feeling.

Respectfully,

Heike Elder
1273 Scheffer Ave
St. Paul, MN 55116

Dear Neighbors,

It came to our attention that a pay day lender purchased the property on the SE corner of Hamline and Bayard. Pay day lending is a very strictly licensed and zoned business use...for good reason. The property is not zoned for such a use.

We contacted our City Council representative - Chris Tolbert (651) 266-8630 / ward3@ci.stpaul.mn.us, and his aide, Libby Kantner, shared the following in her March 14, 2014 correspondence:

"Thank you for bringing this issue to our attention!

I called over to the Zoning department to investigate the permissible uses on that property. The area is zoned as a R4 (residential), however that property was grandfathered in as a C-Office so it is a legal non-conforming property. But, Getten

36

Credit Company, from what we know about it is an alternative financial office. This is not admissible in C-Office or R4 zoning. It would need to be at least 150 feet away from any residential properties and be in a Business district. Long story short- Getten Credit Company is not going in there (unless they are using that space just as offices).

FILE
14-199046

Alternative financial offices need to apply for permits through the state. When they do that, the state checks with the city to confirm that it works out. Curiously, at this time no permit has been filed with the state. My guess is that the Gettens don't know the zoning law. I will work with DSI to reach out to them before they move forward with their project."

Dan followed up last week and unfortunately the issue had fallen between the cracks and did not get elevated to the zoning department. Libby has since done so and Corinne Tilley with City of Saint Paul zoning 651-266-9085 / corinne.tilley@ci.stpaul.mn.us has sent Getten a letter stating they must cease operation immediately and bring the property into compliance within 30 days. The letter from zoning is attached in two files and will explain things more fully.

The concern is that they have the option of appealing the zoning of the property and if they prevail would be able to operate from that location. If the neighborhood wants to ensure this type of business is not able to operate we would all be well served to contact both zoning and Chris Tolbert's office.

If there is sufficient interest, we would be happy to organize a meeting with Chris Tolbert to discuss the issue.

Thank you,

Dan and Tracie Smith

651.698.4199

37

Tilley, Corinne (CI-StPaul)

FILE
14-198046

From: Kathy Carruth <hdc@visi.com>
Sent: Tuesday, April 22, 2014 09:49
To: Tilley, Corinne (CI-StPaul)
Cc: Amy Salmela
Subject: Fwd: Pay Day Lender Attempting to Operate in Highland w/ Improper Zoning
Attachments: Getten Letter 2.pdf; Getten Letter (1).pdf

Corinne,

Please see the email below from concerned neighbors regarding Getten Credit on Bayard and Hamline.

I wanted to ask if DSI (either licensing or Zoning) has heard back from Getten, ie. an appeal of the decision or a rezone?

Thank you for any information you can give.

Kathy

Kathy Carruth
Executive Director
Highland District Council
651.695.4005
hdc@visi.com
www.highlanddistrictcouncil.org
Like Us On Facebook! Highland District Council

----- Original Message -----

Subject: Pay Day Lender Attempting to Operate in Highland w/ Improper Zoning

Date: Mon, 21 Apr 2014 22:01:35 -0500

From: TRACIE DANIEL SMITH <dan_tracie_smith@msn.com>

To: hdc@visi.com <hdc@visi.com>

Ms. Carruth:

It came to our attention that a pay day lender purchased the property on the SE corner of Hamline and Bayard. Pay day lending is a very strictly licensed and zoned business use...for good reason. The property is not zoned for such a use. We have sent out this information through the Randolph Hamline "Nextdoor" platform as well as to our block. If there is sufficient interest from neighbors we have offered to organize a meeting with Chris Tolbert to discuss the issue. We wanted also for HDC to be aware. Details as follows...

We contacted our City Council representative - Chris Tolbert (651) 266-8630 / ward3@ci.stpaul.mn.us, and his aide, Libby Kantner, shared the following in her March 14, 2014 correspondence:

"Thank you for bringing this issue to our attention!"

38

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I called over to the Zoning department to investigate the permissible uses on that property. The area is zoned as a R4 (residential), however that property was grandfathered in as a C-Office so it is a legal non-conforming property. But, Getten Credit Company, from what we know about it is an alternative financial office. This is not admissible in C-Office or R4 zoning. It would need to be at least 150 feet away from any residential properties and be in a Business district. Long story short- Getten Credit Company is not going in there (unless they are using that space just as offices).

Alternative financial offices need to apply for permits through the state. When they do that, the state checks with the city to confirm that it works out. Curiously, at this time no permit has been filed with the state. My guess is that the Gettens don't know the zoning law. I will work with DSI to reach out to them before they move forward with their project."

We followed up last week and unfortunately the issue had fallen between the cracks and did not get elevated to the zoning department. Libby has since done so and Corinne Tilley with City of Saint Paul zoning 651-266-9085 / corinne.tilley@ci.stpaul.mn.us has sent Getten a letter stating they must cease operation immediately and bring the property into compliance within 30 days. The letter from zoning is attached in two files and will explain things more fully.

The concern is that they have the option of appealing the zoning of the property and if they prevail would be able to operate from that location.

We have sent out this information through the Randolph Hamline "Nextdoor" platform as well as to our block. If there is sufficient interest from neighbors we have offered to organize a meeting with Chris Tolbert to discuss the issue. We wanted also for HDC to be aware.

Thank you,

Dan and Tracie Smith

651.698.4199

39

FILE
14-199046

May 22, 2014

Dear Highland District Council:

I am writing in regards to a recent development in my neighborhood that deeply concerns both my husband and me. My name is Jenny Merthan and I have lived at 617 Hamline Avenue South for the past fifteen years. Getten Credit has purchased and is now conducting business at 1338 Bayard Avenue. This concerns us for a number of reasons.

Our neighborhood is a residential neighborhood and not an appropriate or legal location for Getten Credit to operate its business. Because Getten Credit is a licensed Regulated Loan Company under state law this qualifies them as an alternative financial establishment under the City zoning code and therefore not permissible in a R4 zone.

According to the 2009 City of Saint Paul Comprehensive Plan for land use, policy 1.5 (page 9) states that "The City should maintain the character of Established Neighborhoods" and if Getten Credit is permitted to remain at 1338 Bayard Avenue that will be in direct conflict with this policy among others. The land use plan also speaks to commercial areas in residential neighborhoods and it clearly states that they are at the intersections of arterial or collector streets and that *they provide goods and services for residents of the immediate neighborhood*. None of this applies to Getten Credit.

Having attended the May 20th meeting of the Highland District Council it appears that rather than appeal the zoning for 1338 Bayard Avenue Mr. Getten wants to re-characterize his business and argue that it is not the alternative financial establishment that it indeed is. Based on the actions of Getten Credit up to this point, it appears that they believe it is easier to beg for forgiveness than it is to ask for permission. I am adamantly opposed to any type of B3 business being located in a residential zone.

Furthermore, I find it difficult to believe that in spite of having been notified in 2009-2010 of their status as an alternative financial establishment that Getten Credit was unaware of the zoning requirements for their business. Neighborhoods should not have to suffer due to a business' lack of following proper legal procedures.

I would hope that the City of Saint Paul upholds its own zoning regulations and policies in this matter. Thank you for your time and consideration.

Sincerely,

Jenny & Bob Merthan

40

Tilley, Corinne (CI-StPaul)

From: Vinge, Maynard (CI-StPaul)
Sent: Friday, May 23, 2014 12:04
To: *CI-StPaul_Mayor
Cc: Tilley, Corinne (CI-StPaul)
Subject: RE: credit business

Hi Chai,

Corinne Tilley (Zoning) has been working with this issue and the appeal. So I'm sending this to her.

From: *CI-StPaul_Mayor
Sent: Friday, May 23, 2014 9:44 AM
To: Vinge, Maynard (CI-StPaul)
Subject: credit business
Importance: High

Maynard

Is this DSI issue or more of CAO/PED issue?...

Thanks

Chai

From: noreply@civicplus.com [<mailto:noreply@civicplus.com>]
Sent: Thursday, May 22, 2014 8:51 PM
To: *CI-StPaul_Mayor
Subject: Online Form Submittal: Contact Mayor Coleman

If you are having problems viewing this HTML email, click to view a [Text version](#).

Contact Mayor Coleman

Please use the following form to contact Mayor Christopher B. Coleman with your comments and concerns.

Full Name*

Jenny Merthan

Street Address*

617 Hamline Ave. Soputh

City*

Saint Paul

State*

MN

Zip Code*
55116

FILE
14-199046

Email Address*
hpmerthan@msn.com

Message Details

Subject
Getten Credit

Your Comment*

May 22, 2014 Dear Mayor Coleman: I am writing in regards to a recent development in my neighborhood that deeply concerns both my husband and me. My name is Jenny Merthan and I have lived at 617 Hamline Avenue South for the past fifteen years. Getten Credit has purchased and is now conducting business at 1338 Bayard Avenue. This concerns us for a number of reasons. Our neighborhood is a residential neighborhood and not an appropriate or legal location for Getten Credit to operate its business. Because Getten Credit is a licensed Regulated Loan Company under state law this qualifies them as an alternative financial establishment under the City zoning code and therefore not permissible in a R4 zone. According to the 2009 City of Saint Paul Comprehensive Plan for land use, policy 1.5 (page 9) states that "The City should maintain the character of Established Neighborhoods" and if Getten Credit is permitted to remain at 1338 Bayard Avenue that will be in direct conflict with this policy among others. The land use plan also speaks to commercial areas in residential neighborhoods and it clearly states that they are at the intersections of arterial or collector streets and that they provide goods and services for residents of the immediate neighborhood. None of this applies to Getten Credit. Having attended the May 20th meeting of the Highland District Council it appears that rather than appeal the zoning for 1338 Bayard Avenue Mr. Getten wants to re-characterize his business and argue that it is not the alternative financial establishment that it indeed is. Based on the actions of Getten Credit up to this point, it appears that they believe it is easier to beg for forgiveness than it is to ask for permission. I am adamantly opposed to any type of B3 business being located in a residential zone. Furthermore, I find it difficult to believe that in spite of having been notified in 2009-2010 of their status as an alternative financial establishment that Getten Credit was unaware of the zoning requirements for their business. Neighborhoods should not have to suffer due to a business' lack of following proper legal procedures. I would hope that the City of Saint Paul upholds its own zoning regulations and policies in this matter. Thank you for your time and consideration. Sincerely, Jenny & Bob Merthan

The following form was submitted via your website: Contact Mayor Coleman

Please use the following form to contact Mayor Christopher B. Coleman with your comments and concerns.

:

Full Name: Jenny Merthan

Street Address: 617 Hamline Ave. Soputh

City: Saint Paul

42

FILE
14-199046

State: MN

Zip Code: 55116

Email Address: hpmerthan@msn.com

Message Details:

Subject: Getten Credit

Your Comment: May 22, 2014

Dear Mayor Coleman:

I am writing in regards to a recent development in my neighborhood that deeply concerns both my husband and me. My name is Jenny Merthan and I have lived at 617 Hamline Avenue South for the past fifteen years. Getten Credit has purchased and is now conducting business at 1338 Bayard Avenue. This concerns us for a number of reasons.

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Having attended the May 20th meeting of the Highland District Council it appears that rather than appeal the zoning for 1338 Bayard Avenue Mr. Getten wants to re-characterize his business and argue that it is not the alternative financial establishment that it indeed is. Based on the actions of Getten Credit up to this point, it appears that they believe it is easier to beg for forgiveness than it is to ask for permission. I am adamantly opposed to any type of B3 business being located in a residential zone.

Furthermore, I find it difficult to believe that in spite of having been notified in 2009-2010 of their status as an alternative financial establishment that Getten Credit was unaware of the zoning requirements for their business. Neighborhoods should not have to suffer due to a business' lack of following proper legal procedures.

I would hope that the City of Saint Paul upholds its own zoning regulations and policies in this matter. Thank you for your time and consideration.

Sincerely,

Jenny & Bob Merthan

Additional Information:

Form Submitted on: 5/22/2014 8:51:01 PM

Submitted from IP Address: 69.180.172.85

Referrer Page: <http://www.stpaul.gov/FormCenter/Mayor-Forms-2-2/Contact-Mayor-Coleman-37-37>

Form Address: <http://www.stpaul.gov/FormCenter/Mayor-Forms-2/Contact-Mayor-Coleman-37>

43

FILE
14-199046

Hello Kathy,

We live at 1372 Bayard Avenue and would like to express to you that we are among those neighbors who have concerns about the zoning non-compliance issues—at both the district and city levels-- at 1338 Bayard Avenue. We are grateful that you and the HDC will take time to review and to help resolve the matter in a just and fair manner, ensuring that zoning requirements are met for the purposes they are intended, now and in the future.

Sincerely,

Caroline and Matt Kaker

1372 Bayard Avenue

44

FILE
14-299046

May 22, 2014

Dear Board of Zoning:

I am writing in regards to a recent development in my neighborhood that deeply concerns both my husband and me. My name is Jenny Merthan and I have lived at 617 Hamline Avenue South for the past fifteen years. Getten Credit has purchased and is now conducting business at 1338 Bayard Avenue. This concerns us for a number of reasons.

Our neighborhood is a residential neighborhood and not an appropriate or legal location for Getten Credit to operate its business. Because Getten Credit is a licensed Regulated Loan Company under state law this qualifies them as an alternative financial establishment under the City zoning code and therefore not permissible in a R4 zone.

According to the 2009 City of Saint Paul Comprehensive Plan for land use, policy 1.5 (page 9) states that "The City should maintain the character of Established Neighborhoods" and if Getten Credit is permitted to remain at 1338 Bayard Avenue that will be in direct conflict with this policy among others. The land use plan also speaks to commercial areas in residential neighborhoods and it clearly states that they are at the intersections of arterial or collector streets and that *they provide goods and services for residents of the immediate neighborhood*. None of this applies to Getten Credit.

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I would hope that the City of Saint Paul upholds its own zoning regulations and policies in this matter. Thank you for your time and consideration.

Sincerely,

Jenny & Bob Merthan

45

FILE
14-199096

Hi Kathy,

I apologize I cannot be there Tuesday night; it's my daughter's birthday. But, I wanted to pass along my comments if they are useful in the discussion.

My name is Sally Koering Zimney - my family and I live at 1397 Bayard Ave., just a block down from where Getten Credit is currently residing. I share my neighbors' concerns over the zoning issues that their presence brings up. The bottom line for me is that I want to ensure that, in no uncertain terms, a payday lender/adult bookstore/pawn shop could never reside in our neighborhood.

We appreciate all the effort and upgrades that the Getten's have put into the location; and, though we haven't met them before, appreciate that they are neighbors themselves. But in this case, the long-term zoning of the neighborhood takes precedence over familiarity and good intentions.

Thanks so much for your time and effort on this!

Respectfully,

Sally Zimney
1397 Bayard Ave.

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Sally Koering Zimney

www.sandyandallyproductions.com

www.thismovedme.com

www.thecabingarden.com

Sent with Sparrow

46

FILE
14-199096

April 28 and 29th, 2014

Hi Kathy,

FYI – our office received an application from Dennis Getten and Kathryn Getten appealing a decision made by the zoning administrator on Friday, April 25, 2014.

Please contact me if you have any questions.

Corinne Tilley

Good morning Kathy,

I have not yet received an application to appeal and PED has not yet received an application to rezone.

There is no City license required for Getten Credit Co. (a state licensed regulated loan company), only a state license. The state only notifies the city of currency exchange licenses. The state does not notify the city of any other alternative financial institution licenses such as small loan companies, industrial loan and thrifts, or regulated loan companies.

Please don't hesitate to contact me if you have additional questions.

I will let you know if an appeal or rezone application gets filed.

Corinne

Ms. Carruth:

It came to our attention that a pay day lender purchased the property on the SE corner of Hamline and Bayard. Pay day lending is a very strictly licensed and zoned business use...for good reason. The property is not zoned for such a use. We have sent out this information through the Randolph Hamline "Nextdoor" platform as well as to our block. If there is sufficient interest from neighbors we have offered to organize a meeting with Chris Tolbert to discuss the issue. We wanted also for HDC to be aware. Details as follows...

We contacted our City Council representative - Chris Tolbert (651) 266-8630 / ward3@ci.stpaul.mn.us, and his aide, Libby Kantner, shared the following in her March 14, 2014 correspondence:

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47

FILE
14-199096

short- Getten Credit Company is not going in there (unless they are using that space just as offices).

Alternative financial offices need to apply for permits through the state. When they do that, the state checks with the city to confirm that it works out. Curiously, at this time no permit has been filed with the state. My guess is that the Gettens don't know the zoning law. I will work with DSI to reach out to them before they move forward with their project."

We followed up last week and unfortunately the issue had fallen between the cracks and did not get elevated to the zoning department. Libby has since done so and Corinne Tilley with City of Saint Paul zoning 651-266-9085 / corinne.tilley@ci.stpaul.mn.us has sent Getten a letter stating they must cease operation immediately and bring the property into compliance within 30 days. The letter from zoning is attached in two files and will explain things more fully.

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We have sent out this information through the Randolph Hamline "Nextdoor" platform as well as to our block. If there is sufficient interest from neighbors we have offered to organize a meeting with Chris Tolbert to discuss the issue. We wanted also for HDC to be aware.

Thank you,
Dan and Tracie Smith
651.698.4199

Dear Ms. Carruth-

I am a neighbor of the recently relocated Getten Credit located at 1338 Bayard Ave. My wife and I live directly behind the store at 652 Hamline Ave S. We are very concerned about the opening of a 'Pay Day Lender' in our neighborhood.

It has been proven that the addition of these types of businesses are detrimental to the welfare of the communities. These Pay Day Lenders are widely recognized for their predatory lending practices.

Changing the zoning to allow for such a business will have an overall negative effect on our quiet neighborhood. I hope you seriously consider the ramifications before allowing Getten Credit to operate in our residential neighborhood.

Regards,

Jeff & Bekah Metzдорff
652 Hamline Ave S
St Paul MN 55116

48