

LICENSE HEARING MINUTES
TransPark, 43 Water Street East
Thursday, February 3, 2011, 2:00 p.m.
330 City Hall, 15 Kellogg Boulevard West
Nhia Vang, Deputy Legislative Hearing Officer

The hearing was called to order at 2:00 p.m.

Staff Present: Jeff Fischbach, Department of Safety and Inspections (DSI)

Applicant: Stephen Meyer, President, TransPark

Others Present: Gjerry Berquist, 46 Prospect Boulevard

TransPark: Parking Lot

Ms. Vang stated that this was an informal legislative hearing for a license application. This particular license required a Class N notification which means the neighborhood was notified and people had the chance to voice their concerns; the City received one letter of concern. There were three possible results from this hearing: 1) she may recommend that the City Council issue this license without any conditions; 2) she may recommend that the City Council issue this license with agreed upon conditions; or 3) she may recommend that the City Council not issue this license but refer it to the city attorney to take an adverse action on the application, which could involve review by an administrative law judge. The applicant will be required to sign a Conditions Affidavit demonstrating the understanding of the conditions.

DSI staff will explain their review of the application and give their recommendation. Ms. Vang will then ask the applicant to talk about the business plan. At the end of the hearing, she will make a recommendation for the City Council to consider. Her recommendation will be on the Consent Agenda; the City Council is the final authority on whether the license is approved or denied.

Mr. Fischbach stated that DSI recommended approval with the following conditions:

July 2, 2010 Conditional Use Permit (10-502292) for a temporary parking lot with variances from general and off-street parking requirements and TN design standards and conditions are approved subject to the following conditions:

1. Four (4) secure bicycle parking spaces shall be provided as per §63.210.
2. The conditional use permit shall expire upon termination of the Temporary Parking Operation and Management Agreement or in two years, whichever occurs first.

Additional License Condition:

3. The licensee shall have the address and a copy of the parking lot license posted in a conspicuous place at the pay box serving the parking lot.

Mr. Meyer stated that the Housing and Redevelopment Authority (HRA) owned the property and it had been used as a staging area for a housing construction development by Sherman & Associates. When the construction project was halted, people started using the gravel area for parking at no cost; approximately 75 to 80 cars were parking there per day. He had approached Gary Grabko, PED, and suggested TransPark enter into a management agreement with the HRA to operate a parking lot on the empty parcel wherein they would generate revenue by collecting parking fees and

would take care of the upkeep of the area such as removing trash, weeds and snow. He then went before the Zoning Committee of the Planning Commission for a conditional use permit, which was granted, and began operating the lot in July 2010. A copy of the Zoning Committee Minutes from the June 24, 2010 meeting are attached and made a part of this record. He explained the operation as being a pay box with a charge of \$1.75 per day, or \$32 per month, where parkers write down their license plate, put their money in an envelope and drop it in the box; the HRA's portion of the proceeds was 60 percent. Currently, the lot was under capacity with approximately 30 parkers and 80 parking spaces available; they also charged parking for special events at Harriet Island. TransPark also had licenses to manage approximately 12 other lots in St. Paul which were either leased or there were management agreements to operate the lots.

Mr. Berquist referred to the letter he submitted in opposition to the license application; said letter is attached and made a part of this record. He said that he was on the board for the West Side Citizens Organization (WSCO) and on the Riverfront and Development Committee; however, he was appearing on his own behalf and not that of the board. He referred to the West Side Flats Master Plan which was a 40-acre study of the area and went block by block on what could be developed in each area. This location was designated for housing and Sherman & Associates had plans to build a 175-unit apartment building once it was economically feasible. He did not believe anyone would want to look out their window to view a parking lot and found it insulting that the HRA would agree to allow a parking lot since there already was an abundance of parking lots and this area was designated as green space in the master plan. Mr. Berquist also took issue with the fact that the licensee did not meet with the district council to discuss his plans, that guidelines were not followed for the environmental impact from vehicles and storm runoff, and he did not believe strict adherence would be enforced when the parking management agreement expired. It was his opinion that the city could have put up barricades to keep people from parking in this area rather than allowing it to be a paid parking lot.

Mr. Fischbach explained that this matter did go before the Planning Commission and the Zoning Committee for a public hearing and the conditional use permit will expire in July 2012. He said he could understand the concern for the use of the property for parking; however, in order for this use to continue, another public hearing at the Zoning Committee would be required. He explained that any decision made by the Planning Commission is appealable to the City Council and since this matter has to do with zoning and use of the land, DSI was the inappropriate venue as they did not have the authority over land use. He also pointed out that the HRA was actually the applicant and should have been responsible for meeting with the district council concerning plans for the use of the property.

Ms. Vang read into the record the letter received from WSCO dated February 1, 2011 (with attached letter dated June 3, 2010) which was received after the license application response deadline. Said copy is attached and made a part of this record. Ms. Vang stated that she will recommend to the City Council that they approve the license with the conditions proposed by DSI.

The hearing adjourned at 2:40 p.m.

The Conditions Affidavit was submitted on December 31, 2010.