

Dear Chris:

I'm writing to urge you to support the appeal of the development proposal at 411 and 417 Lexington Parkway North. There are three reasons why the City Council should let this project go forward.

Legal Issues

Simply put, the proposal meets every finding in the zoning code. This is a site plan application, which puts the highest possible burden on the City if it wants to legally deny the development. In my opinion, there are no legal findings to support such a denial.

To make matters worse, the Planning Commission did not follow proper procedures in denying this site plan application. Multiple Commissioners, both at the ZC and in the full Commission meetings, cited affordability as grounds for voting against the application, despite the fact that the City Attorney informed the group that affordability is not a legal finding in this case. Furthermore, when making their decisions, many Commissioners cited public comments received outside of the legal public comment period, either in personal communication, via email after public comments were closed, or over phone calls made to members of the Commission. (I also received these calls and emails, though I tried hard to ignore them.)

I do not think that the discussions at the Planning Commission took place according to the legal findings set in the St. Paul Zoning Code or by the Planning Commission bylaws. I hope that the City Council is more careful about the city's legal obligations.

Market-rate housing

In spite of the legal issues in this case, the Planning Commission discussion centered on the issue of affordability. Specifically, there was a disagreement over the impact market-rate housing has on housing affordability in St. Paul. This is an important discussion about a difficult issue that can be counterintuitive.

Recent housing studies show that market-rate projects like this, at worst, have a neutral impact on surrounding housing. In most cases, projects like the one proposed alleviate pressure on the housing market and lower prices, especially when lots of new market-rate housing is built. For this reason, market-rate projects like this one can actually help affordability.

For decades, we have been failing to build enough housing in St. Paul to keep up with increasing demand. There has been no market-rate housing built on University Avenue between South St. Anthony Park and downtown in my lifetime. This shortage is true in many parts of the city, leading to across-the-board pressure on the existing housing stock and raising prices for everyone.

Without massive changes to how we fund and regulate housing in US cities, we need to build market-rate housing in order to keep prices down. Failing to do this will make housing affordability worse for everyone in the city, rich and poor alike. This is why, in my opinion, this market-rate proposal will help affordability in St. Paul and in Frogtown, not harm it.

This vacant lot has been for sale for over ten years, right next to a light-rail station. If the city had approved this project when it was first brought forward — with a grant from the Met Council — it would

have provided greater community amenities, and have been built in time to house hundreds of people during a deadly pandemic. The longer we wait to approve market-rate projects on sites like this, the more we turn our backs on people in St. Paul who are looking for decent places to live.

City Guidance

In my opinion, the worst outcome of this debate was the negativity of the community conversation. Part of the problem is that the city does not have affordable housing or Inclusionary Zoning guidelines on the books that would help guide these kinds of discussions. If we had completed our Inclusionary Zoning study, it would have helped Commissioners and members of the public evaluate these kinds of market-rate proposals with a eye toward what levels of affordability are possible in the current environment.

For example, if St. Paul had Minneapolis's ordinance, with over half of its units at or below 60% AMI, this project would easily meet its requirements. Striking this balance is not easy. As the struggles of Portland, Oregon have shown, it's hard to correctly set requirements for a Inclusionary Zoning policy that increases the overall supply of homes in a city. This is why St. Paul should complete its market study, to ensure that any Inclusionary Zoning and affordable housing discussions take place with everyone having the best information available. I urge the Council to fund this study as soon as you can.

In short, you should support this appeal because it's a legal application that meets every requirement in the zoning code. On top of that, this project will help affordability in St. Paul and in the surrounding community. The proposed building fills a vacant lot next to a light rail station, meeting long-standing community goals around affordable housing and transit-oriented development. Finally, this situation points to the work we have to do as a city to find solutions to the ongoing housing crisis. To solve this crisis, we need to build more subsidized and market-rate housing in all parts of St. Paul.

Supporting this appeal, and completing the Inclusionary Zoning study, are a good start toward reaching our housing goals. I urge your support.

yrs,
Bill Lindeke

See also:

More on housing in Frogtown <https://streets.mn/2021/02/15/three-ways-of-looking-at-the-lexington-and-university-development-debate/>

Market-rate housing studies: <https://www.lewis.ucla.edu/research/market-rate-development-impacts/>

Challenges of Inclusionary Zoning in Portland: <https://cityobservatory.org/inclusionary-zoning-portlands-wile-e-coyote-moment-has-arrived/>

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