



CITY OF SAINT PAUL  
OFFICE OF THE MAYOR

CHRISTOPHER B. COLEMAN  
Mayor

April 4, 2012

Council President Kathy Lantry  
and Members of the City Council  
310 City Hall  
15 West Kellogg Blvd.  
Saint Paul, MN 55102

Dear Council President Lantry and Councilmembers:

As you know, the City Council recently voted to approve an appeal of a parking variance for Cupcake Restaurant at 949 Grand Avenue granted by the Board of Zoning Appeals brought by the Summit Hill Association and McClay Alton Real Estate, LLC. The council's reversal of the granted variance was based on the findings that the parking variance would not be in harmony with the general purposes and intent of the zoning code, that it would increase congestion in the area, and that there are not unique circumstances not created by the landowner.

I disagree with the council's decision on this matter and I am vetoing the approved resolution. Mr. Kevin Vanderaa, owner of Cupcake Restaurant, has found additional underutilized off-street parking to support his variance. His new plan includes leases for parking at the following locations:

- Four parking spots at the Victoria Avenue and Grand Avenue parking ramp for employees
- Six parking spots at Anderson Cleaners

With the two new bike racks proposed and parking behind the Cupcake building, Cupcake is short six off-street parking spaces. Mr. Vanderaa's new plan shows that he has 10 new parking spaces available. Although not meeting the requirements under the zoning code for "shared parking," these are real parking spaces on nearby lots that are not currently being used to capacity.

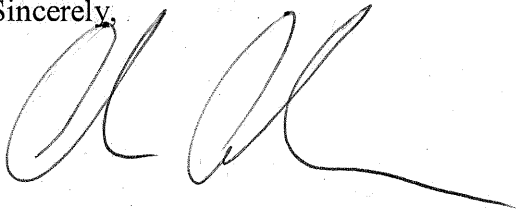
Using parking, a limited resource on Grand Avenue, more wisely by allowing the spaces to be shared among various businesses brings vitality to the neighborhood and provides jobs for area residents. It promotes and protects the economic viability and the general welfare of the community in harmony with the general purposes and intent of the zoning code. By providing 10 more parking spaces for his employees and customers, Mr.

Vanderaa would not increase congestion in the area. This building was originally converted to commercial space prior to the requirement for off-street parking. When the building was destroyed by fire in 2005, it was allowed to be rebuilt under state law without meeting today's parking standards. This was a unique circumstance and not created by the property owner.

Cupcake is a small, independent business that fits into the Grand Avenue business community and neighborhood. I believe the City of Saint Paul has a role in promoting and encouraging small business development in our community and the city should be an active participant in finding solutions. Fundamentally, when a vibrant locally-owned restaurant comes to the city, I believe our message should be that we are open for business. I am confident this strategy will accomplish our shared goals, without creating unnecessary bureaucracy or preventing well-managed businesses from opening their doors in our city.

It is for these reasons I am vetoing Council Resolution No.12-538 and returning it to you.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Coleman', with a long horizontal flourish extending to the right.

Christopher B. Coleman  
Mayor

Cc: Ricardo Cervantes, Department of Safety and Inspections  
Cecile Bedor, Department of Planning and Economic Development