

MINUTES OF THE ZONING COMMITTEE
Thursday, February 15, 2018 - 3:30 p.m.
City Council Chambers, 3rd Floor
City Hall and Court House
15 West Kellogg Boulevard

PRESENT: Baker, DeJoy, Eckman, Edgerton, Fredson, Lindeke, Ochs, and Reveal
STAFF: Kady Dadlez, Cherie Englund, Allan Torstenson, and Peter Warner

The meeting was chaired by Commissioner Edgerton.

KTJ 298 LLC - 18-024-461 - Rezone from R3 one-family residential to RM2 multiple family residential at 1891 Norfolk Ave. (between Prior and Sue) and 1413 Sue Street (SW corner at Graham).

Kady Dadlez presented the staff report with a recommendation of approval for the rezoning. She stated District 15 recommended approval, and there were no letters in support, and 1 letter in opposition.

Commissioner Ochs noted a typo on the "applicant" line of the staff report. He asked why there isn't sufficient parking for the existing development and said there should be storm water management for the new surface parking lot.

Ms. Dadlez said the existing development meets the off-street parking requirement of 54 parking spaces, but the actual operation is demanding more parking than what is required.

Commissioner Lindeke asked if the City measures on-street parking usage, how much on-street parking is available during the day, and if houses in the area have garages.

Ms. Dadlez said the City did not measure on-street parking use and availability. Neighbors have complained about use of on-street parking by the facility, which rents parking from a neighboring church but doesn't want to rely on it. She was unsure about garages.

Commissioner Reveal asked about the parking requirements for the site. Ms. Dadlez said they have 78 assisted living units and 73 independent living units. Assisted living requires one parking space per three residents and there can be more than one resident per unit, so that parking requirement can fluctuate. Independent living requires 0.33 parking space per unit. The approximate off-street parking requirement is 54 spaces and they have 86. All 86 spaces are being used by residents, leaving no parking for employees or visitors. The maximum number of surface parking spaces is 170 percent of the required minimum, which limits the number of surface spaces to 92 and they are proposing 52 surface parking spaces.

In response to a question by Commissioner Reveal, Ms. Dadlez said she believed the existing home on the NW corner of Norfolk and Sue Avenues is owned by the person who resides there.

The applicant, Michelle Riedel, 400 Water St., Excelsior said that all of their underground parking spaces are leased by their residents. Other residents, staff, visitors, and vendors use on-street parking. Because parking in front of their houses is important for area residents, the facility leases parking from the church to alleviate parking problems. Some people do not have driveways or garages, and they receive numerous complaints from neighbors about parking. She said that 1885 Norfolk is owned by the resident that lives there and she has paid a deposit to move in to the Highlands of St. Paul facility, but has not determined what she would like to do with her house.

In response to a question by Commissioner Reveal, Ms. Riedel said that they receive complaints about day and evening usage of on-street parking.

Shannon Rusk with Oppidan, 400 Water St., Excelsior, said they have 151 apartments and 140 of them are occupied, putting pressure on the neighborhood for use of on street parking. She said the proposed parking lot will be safer for employees, residents and visitors.

Commissioner Ochs said he applauds the applicants for being good neighbors by addressing parking concerns. He said that parking lot design, landscaping and infiltration of storm water runoff should be addressed as part of site plan review.

In response to a question by Commissioner Lindeke, Ms. Rusk said they were told that a Travel Demand Management Plan (TDMP) is not required for this proposal, and will work with staff to determine if it's necessary. Ms. Dadlez said she met with the applicants and Tia Anderson at the Department of Safety and Inspections, and the need for a TDMP will be determined through site plan review process. Ms. Rusk said that it may be possible to update a previous TDMP.

In response to a question by Chair Edgerton, Ms. Rusk said that there is currently ornamental fencing along the perimeter of the property at 1885 Norfolk. She likes landscaping to fit into the residential community, which will be worked out during the site plan review process.

In response to a question from Commissioner Lindeke, Ms. Riedel said that residents pay extra for underground parking spaces and they are all leased.

No one spoke in favor or opposition and the public hearing was closed.

Commissioner Reveal moved approval of the rezoning. Commissioner Ochs seconded the motion.

Commissioner Lindeke said he will vote against the motion based on findings 2 and 3. He said he opposes the loss of housing for car storage, and for sustainability reasons they should try to come up with an alternative solution such as increasing parking lease rates and reviewing on-street parking demand. He said the proposal is not consistent in the way the area developed or with the comprehensive plan.

Commissioner Fredson made a motion to reopen the public hearing to ask if the applicant would be interested in purchasing 1885 Norfolk if the owner decides sell the property. Commissioner Reveal seconded the motion. The motion passed by a vote of 8-0-0.

In response to the question by Commissioner Fredson, Ms. Riedel said she thinks it would be good for them to buy it. The homeowner is moving into the Highlands of St. Paul facility this spring, and they plan to meet with her again then. She noted that of the two houses they own, one will be vacant in March and the other tenant will vacate the property once they are given notice.

The public hearing was closed.

Commissioner Ochs asked about the relevance of 1885 Norfolk ownership. Commissioner Fredson said it could be awkward to sell a single family house all by itself at the corner. Commissioner Ochs said he shares the concern but sees a need to address parking and thinks high density housing is a reasonable exchange.

Commissioner Baker asked about the Travel Demand Management Plan (TDMP). Ms. Dadlez said the possible need for a TDMP was raised during a meeting she and Tia Anderson had with the applicants. They need to review what had been done previously for the Highlands of Saint Paul. If the property is rezoned and they move forward with the parking lot, the site plan review process requires review and input by many City departments including public works, and a TDMP would be required if needed. Commissioner Baker said he would like to have this information before deciding on the rezoning.

In response to a question by Chair Edgerton, Ms. Dadlez said the applicant has not applied for a site plan review yet. The use cannot be established without the proper zoning. In response to a question by Commissioner Eckman, Ms. Dadlez said setbacks will be determined during the site plan review process.

Commissioner Eckman asked if this is consistent with preserving naturally occurring affordable housing and maintaining existing housing. Ms. Dadlez said that from a zoning and land use perspective the rezoning request is consistent with the way the area has developed and with the comprehensive plan. Sometimes there are conflicting policies, but on balance the request is consistent with the comprehensive plan.

Commissioner Lindeke noted that the rezoning is for a parking lot. Ms. Dadlez said the proposal is to rezone to RM2, which is a multiple family zoning district. The immediate intent is to provide off-street parking to serve the existing multi-family development. In the future it could be used for additional multi-family residential development.

Commissioner Fredson said there will be site plan review for the parking lot. Peter Warner said that conditions can't be placed on a rezoning, but the Planning Commission could review the site plan and place conditions on site plan approval. Commissioner DeJoy commented that approval of the rezoning doesn't approve the parking.

Commissioner Lindeke said he would vote in support of the rezoning.


The motion passed by a vote of 8-0-0.

Adopted Yeas - 8 Nays - 0 Abstained - 0

Drafted by:


Cherie Englund
Recording Secretary

Submitted by:


Kady Dadlez
City Planner

Approved by:

Dan Edgerton
Chair