



CHURCH OF THE
REDEEMER

www.OFTheRedeemer.org

Williams, Josh (CI-StPaul)

From: Kevin Anderson <kwanderson1956@gmail.com>
Sent: Monday, December 10, 2018 3:01 PM
To: Williams, Josh (CI-StPaul)
Subject: Church of the Redeemer
Attachments: image001.jpg

Josh,

Attached is a photo from the time when the Church of the Redeemer occupied the former Church of Saint Andrew's. This goes to the comment that I heard Dan Edgerton state the church had been vacant for years. Even those of us that live here in the neighborhood don't always know the details.

Kevin

Williams, Josh (CI-StPaul)

From: Kevin Anderson <kwanderson1956@gmail.com>
Sent: Monday, December 10, 2018 2:53 PM
To: Williams, Josh (CI-StPaul)
Subject: Six Findings
Attachments: Six Findings Applied to TCGIS Variances 12_05_2018.pdf

Josh,

Attached, please find a .pdf of the document that I mentioned in my voicemail message. I was able to read the one that applies to the Lot Coverage variance at the Land Use Meeting on Dec. 5th. I did not read the others. Most if not all of the arguments against Lot Coverage are the same as the ones against Height, so I didn't go over that during the discussion on the Height variance. By the time we got to the Parking variance, I could see I was wasting my time. People came in the door with their minds made up.

I have a presentation to the District Council on Tuesday of next week and I will be using these arguments at that time. I will have slides with background information showing data substantiating my conclusions. I want to also share that with you, but I'm making a few tweaks yet. As I said in my voice message I don't want you to be surprised by any of this.

By the way, I've discussed these with Tom Beach and he asked me to say hello for him.

Thanks,

Josh

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From: Kevin Anderson <kwanderson1956@gmail.com>
Sent: Tuesday, December 11, 2018 12:44 PM
To: Williams, Josh (CI-StPaul)
Subject: Updated St. Andrew's Memo

Josh,

I read through the updated Memo on St. Andrew's and the recommendation for the Comprehensive and Neighborhood Planning Committee. I have a couple of questions:

I was surprised that you did not reference LU 1.5

"Established Neighborhoods

Established Neighborhoods are characterized almost entirely by single-family houses and duplexes, as well as scattered small-scale multi-family housing. Commercial areas at the intersections of arterial or collector streets provide goods and services for residents of the immediate neighborhood. There is medium density housing along Residential Corridors that run through Established Neighborhoods.

1.5 Identify residential areas where single-family, duplex housing, and small multi-family housing predominate as Established Neighborhoods (see Figure LU-B).

The City should maintain the character of Established Neighborhoods."

I believe that your argument citing the importance of historic properties and referencing the importance of this particular structure as a landmark of the neighborhood supports this very nicely.

"Historic properties can help define the character of their neighborhoods, creating a strong sense of place, enhance the quality of life of residents, and serve as a catalyst for investment in surrounding properties. While some of the residential properties surrounding St. Andrew's Church predate the building, it has been a defining landmark of the neighborhood since 1927, and the scale of the church relative to the surrounding properties has reinforced this role in defining neighborhood identity."

I was also surprised not to find a reference to Policy HP-12

"Policy HP-12. Prioritize the retention of designated/listed historic and cultural resources(or those determined to be eligible for designation) over demolition when evaluating projects that require or request City action, involvement or funding, or those of related development authorities."

It seems to me that Policy HP-12 is one of the least ambiguous statements that I have anywhere in the Comprehensive Plan. This policy in particular almost seems focused on the current status of the situation with St. Andrew's since it is not yet designated or listed but it has been determined to be eligible for designation.

Again, my goal is to keep you informed of my thoughts so that you can be aware of what I am seeing before I address the District Council or the Planning Commission. If you have advice for me, please feel free to share that and please keep these thoughts in mind during the discussions tomorrow and Friday at the Comprehensive and Neighborhood Planning Committee and the Planning Commission.

Thanks and I will see you again tomorrow,

Kevin

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Dec. 5th, 2018

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Finding Five: The variance will not permit any use that is not allowed in the zoning district where the affected land is located.

Schools, grades K-12 are a permitted use in R4 residential zoned districts. The proposed variance satisfies Finding Five

Finding Six: The variance will not alter the essential character of the surrounding area.

The Warrendale neighborhood is a residential and historic neighborhood. Even though the fate of the former Church of Saint Andrew's does not depend solely on the granting of this variance request, the interdependency of the two cannot be dismissed. Many long-term residents of this neighborhood can argue more eloquently and vehemently on this subject than I can. This is a topic with strong emotional ties on both sides of the discussion and both sides need to be heard. Suffice it to say, that a significant portion of our neighborhood believe that the loss of this structure would significantly alter the essential character of the surrounding area. Based upon the recent determination of eligibility for historic designation it seems fair to state that this structure is a neighborhood landmark and part of the essential character of the surrounding area. I must conclude that the proposed variance fails to satisfy Finding Six.

Since the proposed height variance fails to satisfy five out of the six findings, the only objective decision for this committee can be to recommend that this variance be denied.

Height Variance:

Review of the Six Findings when determining the viability of a variance is the standardized, objective process used to determine the impact of building decisions on the surrounding community. It is mandated by state statute 467.357. All six findings must be met for a variance to be granted.

The requested variance for height is small but it carries with it a disproportionate impact.

Finding One: The variance must be in harmony with the general purposes and intent of the zoning code.

The proposed variance does not meet requirement (n) to prevent the overcrowding of land and undue congestion of population. In comparison to other schools in the area, TCGIS supports significantly more students on a significantly smaller site. Once completed, the expansion plans to support roughly twice the number of students per unit area of any elementary school located in any Established Neighborhood in Saint Paul. We should also take into consideration that this site is adjacent to thirteen residences. This is overcrowding and undue congestion. The requested variance does not satisfy Finding One.

Finding Two: The variance must be consistent with the Comprehensive Plan.

The proposed variance is not in agreement with Goal 1.12 which states that the City should “Prioritize the retention of designated historic resources (or those determined eligible for historic designation) over demolition when evaluating planning and development projects that require or request City action, involvement, or funding.” On November 5th, the Heritage Preservation Commission determined the former church of Saint Andrew’s is eligible for historic designation. Since the current site plan is the source of this variance request and the proposed building cannot be constructed without demolition of the former Church of Saint Andrew’s, this variance would be in violation of the Comprehensive plan. The requested variance does not satisfy Finding Two.

Finding Three: The applicant has established that there are practical difficulties in complying with the provision...

“Practical difficulties” is a legal standard. It is a three-factor test. The first test determines if the property owner can use the property in a reasonable manner without the variance. The proposed variance fails this test. The property is currently being used as a school with two parking lots. The second test determines if the landowner’s problem is due to physical characteristics unique to this particular property. Again, the proposed variance fails this test. The final test determines if the variance if granted, will alter the essential character of the locality. The League of Minnesota Cities states that factor should be determined by considering whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. Again, I will not be able to provide a background analysis this evening, but it can be demonstrated that the proposed variance also fails this test. The proposed variance does not satisfy Finding Three.

Finding Four: The plight of the landowner is due to circumstances unique to the property not created by the landowner.

The need for this variance has been created due to expanded staff and student populations coupled with choices to maintain lot size, class size, and playground size while increasing the number of

classes and green space. These are choices, not circumstances unique to the property. The proposed variance fails to satisfy Finding Four.

Finding Five: The variance will not permit any use that is not allowed in the zoning district where the affected land is located.

Schools, grades K-12 are a permitted use in R4 residential zoned districts. The proposed variance satisfies Finding Five

Finding Six: The variance will not alter the essential character of the surrounding area.

The Warrendale neighborhood is a residential and historic neighborhood. Even though the fate of the former Church of Saint Andrew's does not depend solely on the granting of this variance request, the interdependency of the two cannot be dismissed. Many long-term residents of this neighborhood can argue more eloquently and vehemently on this subject than I can. This is a topic with strong emotional ties on both sides of the discussion and both sides need to be heard. Suffice it to say, that a significant portion of our neighborhood believe that the loss of this structure would significantly alter the essential character of the surrounding area. Based upon the recent determination of eligibility for historic designation it seems fair to state that this structure is a neighborhood landmark and part of the essential character of the surrounding area. I must conclude that the proposed variance fails to satisfy Finding Six.

Since the proposed lot coverage variance fails to satisfy five out of the six findings, the only objective decision for this committee can be to recommend that this variance be denied.

Review of the Six Findings as Applied to the Variances Requested by Twin Cities German Immersion School

Kevin Anderson for Friends of Warrendale - Save Historic Saint Andrew's
Dec. 5th, 2018

Parking Variance:

Review of the Six Findings when determining the viability of a variance is the standardized, objective process used to determine the impact of building decisions on the surrounding community. It is mandated by state statute 467.357. All six findings must be met for a variance to be granted.

Finding One: The variance must be in harmony with the general purposes and intent of the zoning code.

The proposed variance does not meet requirement (g) to lessen congestion on the public streets by providing off-street parking of motor vehicles and for off-street loading and unloading of commercial vehicles. A variance request of 37 cars is an extraordinary request. For comparison, the entire capacity of the north side of Van Slyke Ave. is 23 cars. All the plans presented so far that might manage parking are flawed. The requested variance does not satisfy Finding One.

Finding Two: The variance must be consistent with the Comprehensive Plan.

The proposed variance is not in agreement with Land Use section 1.5 of the Comprehensive Plan which states the city should maintain the character of Established Neighborhoods. The Warrendale neighborhood is zoned R4 and defined by the Comprehensive Plan as an Established Neighborhood of medium density. My time tonight does not permit me to express in quantitative terms the "character" of this neighborhood, so I will simply state that Warrendale is a residential and historic neighborhood. Granting this variance request will negatively impact that character in multiple ways, in turn violating the Comprehensive Plan. The requested variance does not satisfy Finding Two.

Finding Three: The applicant has established that there are practical difficulties in complying with the provision...

"Practical difficulties" is a legal standard. It is a three-factor test. The first test determines if the property owner can use the property in a reasonable manner without the variance. The proposed variance fails this test. The property is currently being used as a school with two parking lots. The second test determines if the landowner's problem is due to physical characteristics unique to this particular property. Again, the proposed variance fails this test. The final test determines if the variance if granted, will alter the essential character of the locality. The League of Minnesota Cities states that this factor should be determined by considering whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. Again, I will not be able to provide a background analysis this evening, but it can be demonstrated that the proposed variance also fails this test. The proposed variance does not satisfy Finding Three.

Finding Four: The plight of the landowner is due to circumstances unique to the property not created by the landowner.

The need for this variance has been created due to expanded staff and student populations coupled with choices to maintain lot size, class size, and playground size while increasing the number of

classes and green space. These are choices, not circumstances unique to the property. The proposed variance fails to satisfy Finding Four.

Finding Five: The variance will not permit any use that is not allowed in the zoning district where the affected land is located.

Schools, grades K-12 are a permitted use in R4 residential zoned districts. The proposed variance satisfies Finding Five

Finding Six: The variance will not alter the essential character of the surrounding area.

The Warrendale neighborhood is a residential and historic neighborhood. For years now, the neighborhood has addressed issues with the impact of the school on the surrounding area through the District Council. The relationship between the school and the neighborhood has suffered because of the current size of the school. If granted, this variance would stipulate that roughly three dozen cars will be required to park an uncomfortable distance away or to seek out street parking in the surrounding area. This requirement can only exacerbate current difficulties. The proposed variance fails to satisfy Finding Six.

Since the proposed parking variance fails to satisfy five out of the six findings, the only objective decision for this committee can be to recommend that this variance be denied.

Lot Size Variance:

Review of the Six Findings when determining the viability of a variance is the standardized, objective process used to determine the impact of building decisions on the surrounding community. It is mandated by state statute 467.357. All six findings must be met for a variance to be granted.

The requested variance for lot coverage is a small percentage but it carries with it a disproportionate impact.

Finding One: The variance must be in harmony with the general purposes and intent of the zoning code.

The proposed variance does not meet requirement (n) to prevent the overcrowding of land and undue congestion of population. In comparison to other schools in the area, TCGIS supports significantly more students on a significantly smaller site. Once completed, the expansion plans to support roughly twice the number of students per unit area of any elementary school located in any Established Neighborhood in Saint Paul. We should also take into consideration that this site is adjacent to thirteen residences. This is overcrowding and undue congestion. The requested variance does not satisfy Finding One.

Finding Two: The variance must be consistent with the Comprehensive Plan.

The proposed variance is not in agreement with Goal 1.12 which states that the City should “Prioritize the retention of designated historic resources (or those determined eligible for historic designation) over demolition when evaluating planning and development projects that require or request City action, involvement, or funding.” On November 5th, the Heritage Preservation Commission determined the former church of Saint Andrew’s is eligible for historic designation. Since the current site plan is the source of this variance request and the proposed building cannot be constructed without demolition of the former Church of Saint Andrew’s, this variance would be in violation of the Comprehensive plan. The requested variance does not satisfy Finding Two.

Finding Three: The applicant has established that there are practical difficulties in complying with the provision...

“Practical difficulties” is a legal standard. It is a three-factor test. The first test determines if the property owner can use the property in a reasonable manner without the variance. The proposed variance fails this test. The property is currently being used as a school with two parking lots. The second test determines if the landowner’s problem is due to physical characteristics unique to this particular property. Again, the proposed variance fails this test. The final test determines if the variance if granted, will alter the essential character of the locality. The League of Minnesota Cities states that this factor should be determined by considering whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. Again, I will not be able to provide a background analysis this evening, but it can be demonstrated that the proposed variance also fails this test. The proposed variance does not satisfy Finding Three.

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Since the proposed height variance fails to satisfy five out of the six findings, the only objective decision for this committee can be to recommend that this variance be denied.

Height Variance:

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Since the proposed lot coverage variance fails to satisfy five out of the six findings, the only objective decision for this committee can be to recommend that this variance be denied.