



CITY OF SAINT PAUL  
*Melvin Carter, Mayor*

375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

August 13, 2021

MUSC Holdings, LLC  
Minnesota United Soccer Club, LLC  
4150 Olson Memorial Highway, Suite 300  
Golden Valley, MN 55422

Re: Midway Shopping Center

To MUSC Holdings, LLC:

In response to your July 27, 2021 Determination of Similar Use (DSU) request under Sec. 61.106 of the Saint Paul Zoning Code, this letter serves as the City's Statement of Clarification relating to existing accessory parking areas for the Big Top Liquor and Midway Shopping Center buildings.

Included in your request was a map of the Midway Shopping Center "Superblock." The map shows Allianz Field, McDonalds, the now vacant Midway Shopping Center and Big Top Liquor buildings and a "satellite" building to the Midway Shopping Center. City records show that the Big Top Liquor is subject to a demolition order. Your application indicated that demolition permits for the main Midway Shopping Center are in process on your end. City records note that demolition orders for the Midway Shopping Center Building are also working through the City's processes.

Accessory parking areas are typically removed at the same time the principal building the parking area served is demolished. The existing parking areas west and south of Big Top building and west and south of the main Midway Shopping Center are accessory to those two buildings and would therefore be ordered to be removed at approximately the same time the buildings are demolished.

However, you have requested to have the accessory parking areas to these buildings remain so that their use could shift to become off-street accessory parking areas for Allianz Field and the Midway Shopping Center "satellite" building that will not be demolished.

Neither Allianz Field nor the Midway Shopping Center "satellite" building are residential uses. Accordingly, the City's parking standards for non-residential uses apply to this request. Zoning Code Sec. 63.304(b) provides in relevant part that the location of off-street parking for non-residential uses shall be: "(b) In . . . the same zoning district as the principal use . . . [and] this parking shall be located within three hundred (300) feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot."

Based upon my review of the provided site map I have determined:

- (1) Zoning Code Sec. 63.304(b)'s district standard is met: the subject parking lots are in the same T4M zoning district as the principal use buildings they will serve.
- (2) Zoning Code Sec. 63.304(b)'s distance standard is met: the nearest point of the subject parking lots are within 300 feet of the nearest point of the buildings they will serve.

Based upon meeting these standards, I have determined that the request to allow the existing accessory parking areas to remain for use for Allianz Field and the Midway Shopping Center “satellite” building is a reasonable request as the parking areas are not changing in nature; they will simply serve a different principal use.

This determination also meets the findings required under Zoning Code Sec. 61.106:

*(a) That the use is similar in character to one (1) or more of the principal uses permitted.*

Allianz Field is a permitted use and the shift in use of the existing accessory parking areas to a different permitted use, will be similar in character to their historic use as accessory parking lots to a retail use.

*(b) That the traffic generated on such use is similar to one (1) or more of the principal uses permitted.*

Provided the parking lot maintains the same number of parking spaces, the traffic generated as an accessory use to Allianz Field will be reasonably similar to the traffic generated by the previous retail use.

*(c) That the use is not first permitted in a less restrictive zoning district.*

New surface parking is generally inconsistent with the T4M Master Plan specifically applicable to this area. However, provided the area is redeveloped in a manner consistent with the T4M zoning applicable to this area, temporary reuse of an existing accessory parking area to serve a different principal use located on a separate zoning lot development is a reasonable request, provided the accessory surface parking is removed after a reasonable period of time if it is not earlier replaced by development consistent with the applicable T4M zoning district.

*(d) That the use is consistent with the Comprehensive Plan.*

Providing accessory parking to support an existing business is consistent with Policy LU-6 of the Comprehensive Plan which calls for fostering equitable and sustainable economic growth by facilitating business retention and expansion.

Although the historical use of the subject lots as “accessory parking” will not change, the lots are intended to serve as accessory parking to Allianz Field as the principle use. I therefore find that the subject lots constitute new off-street parking facilities for Allianz Field. Under Zoning Code Sec. 63.202, the lots require an approved site plan. As a condition of this determination, please submit for review a site plan for these accessory parking facilities that meets the requirements of Zoning Code Sec’s 61.402 and 63.302(a-e).

As noted above, establishing new surface parking lots is generally inconsistent with the adopted master plan but allowing existing parking to remain for a reasonable period of time pending future development is a reasonable request, provided the surface parking is removed at the expiration of that period of time if not replaced by development. My determination is therefore subject to the following additional conditions to correspond to with the applicable T4M zoning district:

- No new parking spaces shall be added or created on any of the subject lots.

- The new accessory surface parking areas may remain as temporary parking for no more than 5 years after the buildings are demolished.
- A form of security agreement, acceptable to the Zoning Administrator, in an amount equal to the estimated cost of removing the subject surface parking areas after the 5-year time limit expires shall be filed with the zoning administrator not later than the date an approved site plan for the lots is issued.
- The shopping center signs along University Avenue between the Big Top and Jimmy John's buildings and the sign at the southeast corner of University and Snelling Ave no longer serve the previous principal use and, pursuant to Zoning Code Sec. 64.205, shall be removed before the site plan required above can be approved.

Based on the above findings, it is my determination that the shift in use of the subject surface parking lots to serve as temporary accessory parking lots to Allianz Field is no different in use than the original use of the subject lots as accessory to the Big Top Liquor and the main Midway Shopping Center buildings provided that all required city code requirement as well as the conditions stated herein are met, which must be verified at the time of the required site plan review.

Sincerely,



Yaya Diatta  
Zoning Administrator  
651-266-9081

cc: Ricardo Cervantes, DSI Director  
Peter W. Warner, City Attorney Office  
Kady Dadlez, City Planner  
Snelling Midway Redevelopment, LLC

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