INTERIM USE PERMIT STAFF REPORT

FILE NAME: 420 Roy Street **FILE #**24-088-519
APPLICANT: Model Cities of St. Paul **CITY COUNCIL HEARING DATE:** December 11, 2024
TYPE OF APPLICATION: Interim Use Permit
LOCATION: 420 Roy Street (east side between St. Anthony and Shields Avenues)
PIN & LEGAL DESCRIPTION: PIN 33.29.23.41.0131; Lots 22 thru 30, Block 1, Milham Park
PLANNING DISTRICT: 13 **PRESENT ZONING:** RM2
STATE STATUTE REFERENCE: Minnesota State Statute § 462.3597
STAFF REPORT DATE: November 27, 2024 **BY:** Kady Dadlez
DATE RECEIVED: October 22, 2024 **60-DAY DEADLINE FOR ACTION:** December 20, 2024

A. **PURPOSE:** Interim use permit to operate an overnight shelter for up to 64 adults.
B. **PARCEL SIZE:** The property has 360 feet of frontage along Roy Street and is about 126 feet in depth for a lot area of about 48,350 square feet (1.11 acres).
C. **EXISTING LAND USE:** Church, accessory overnight shelter for up to 25 adults, accessory surface parking.
D. **SURROUNDING LAND USE:**
   North: Church and mixed-use building in RM2 and T3 districts.
   East: Mixed-use building in a T3 district.
   South: Low density residential uses in an RM2 district.
   West: Low density residential use in an RM2 district.
E. **STATE STATUTE CITATION:** Minnesota State Statute § 462.3597 provides for interim uses and includes required findings for establishing a temporary use of property.
F. **HISTORY/DISCUSSION:** The older building on the property, the one located at the southeast corner of Roy and Shields, was used by Ramsey County to operate a warming space from December 2023 through March 2024. The space provided seating, blankets, light snacks, and beverages (such as coffee and cocoa) and warming supplies (such as mittens and hats). The space was open from 9 p.m. to 8 a.m. on a drop-in basis for families and youth aged 14-24, but did not include sleeping facilities and did not require Planning Commission or City Council approval. Since November 12, 2024, Model Cities has been operating an overnight shelter on the site for 25 adult women, which is permitted as an accessory use to the church.
G. **DISTRICT COUNCIL RECOMMENDATION:** The Union Park District Council had not taken a position on the interim use permit application at the time the staff report was drafted.
H. **FINDINGS:**
   1. Ramsey County ("County") currently has an overnight shelter at 160 Kellogg Boulevard in the Ramsey County Government Center Building. Model Cities ("Vendor") operates the shelter for the County. The County intends to sell the 160 Kellogg Boulevard property. The County therefore began a search for a new location for the overnight shelter. The Central Baptist Church site ("Site") was selected as the new site for the County's overnight shelter as the Vendor already operates an overnight shelter at the Site. The Vendor has apparently entered into a lease (two-year lease with an option to renew for a third year) with the Site to operate the overnight shelter in the site's older building located at the southeast corner of Roy and Shields Avenues. The Vendor began operating the Safe Space overnight shelter on November 12, 2024, for 25 adult women. Zoning Code Sec. 65.910(p) permits an overnight shelter for up to 25 adults, and minor children in their care, accessory to a religious institution. The interim use permit is needed to be able to accommodate an additional 39 shelter guests.

The shelter will operate year-round and serve up to 64 adults as follows:

- Up to 25 women to occupy space on the first floor.
- Up to 39 men to occupy space on the second floor.
- The hours of operation will be 10 p.m. to 9 a.m.
- Shelter guests must be unaccompanied (with no children or other dependents with them) and at least 18 years of age.
- All shelter guests must have a reservation each night; this requirement ensures guests are guaranteed a bed as long as they arrive at the designated opening time of 10 p.m. each night.
- The County's Shelter Entry and Diversion team will book the shelter reservations for the Vendor.
- Shelter guests will have access to a sleeping space, restrooms, and a shower. The Vendor provides basic personal hygiene items and clothing necessities.
- No meals will be provided, though bagged lunches will be provided to guests 2-3 times per week. On days when bagged lunches are not provided the Vendor may provide guests with refreshments such as breakfast bars, coffee, and cocoa between 6 a.m. and 9 a.m. as guests leave the shelter.
- The County will provide a shuttle in the evening for guests coming from downtown and a shuttle to return guests downtown in the morning.
- Once shelter guests enter the building and are checked-in they may not leave until the morning.
- The Vendor will provide on-site security during shelter hours of operation beginning at 8 p.m. and through 10 a.m. daily.
- Access to the shelter space will be from the door at the north end of the building along Shields Avenue.
- Daily janitorial services and laundering of linens and bedding will be provided during daytime hours.
- Trash along Roy Street and Shields Avenue will be removed four days per week.

2. Minnesota State Statute § 462.3597, Interim Uses, defines interim uses, gives authority to governing bodies to allow them, and specifies the required findings for establishing an interim use. Minnesota State Statute § 462.3597, Subd. 1, Definition, defines an interim use as "a temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it." Minnesota Statute § 462.3597, Subd. 2, Authority, allows for conditions to be set on interim uses. The governing body may grant permission for an interim use of property if:
   a. ***The use conforms to the zoning regulations***. This requirement is met. A "reuse of large structure" is a use permitted in the RM2 zoning district with a conditional use permit, Zoning Code Sec. 66.221. A "reuse of large structure" is defined in pertinent part as "(c)onversion or reuse of . . . permitted nonresidential structures such as churches and schools.", Zoning Code Sec. 65.132. The proposed location of the overnight shelter Site is within a permitted nonresidential structure on the church campus.
   b. ***The date or event that will terminate the use can be identified with certainty***. This requirement is met. The period of time for which the interim use permit is requested by the applicant is through the term of the two-year lease and including the option to renew the lease for a third year. The date the lease ends, including the additional year, is August 31, 2027.

c. ***Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future.*** This requirement is met. The use is on private property and no public use of the property is planned. Any minor interior work to accommodate the use will not impose additional costs on the public if the public were to take the property in the future.

d. ***The user agrees to any conditions that the governing body deems appropriate for permission of the use.*** This requirement is met. The applicant states that it agrees to the conditions the City Council deems appropriate for permission of the use.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the interim use permit to operate an overnight shelter for up to 64 adults at 420 Roy Street (southeast corner of Roy Street and Shields Avenue), subject to the following conditions:

1. The interim use permit will terminate on or before August 31, 2027.

2. Occupancy must be approved by the Department of Safety and Inspections (DSI). Occupancy must abide by and comply with any standards or conditions imposed by DSI and that those same standards and conditions are incorporated by reference as standards and conditions of the interim use permit.

3. All representations made by the Vendor in its Safe Space Shelter Operations Plan shall be incorporated as part of the approval of the interim use permit. These include, per the operations plan, but are not limited to: 1) admittance to the shelter must be by reservation only; 2) security must be on site during shelter hours of operation, including two hours prior to opening; 3) daily shuttle transportation must be provided from and to downtown Saint Paul; and 4) trash must be removed along Roy Street and Shields Avenue four times per week.