From: Anya Armentrout
To: *CI-StPaul_Contact-Council
Subject: Opposition to Ryan Companies Proposal
Date: Tuesday, February 11, 2025 8:31:36 PM

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Dear Councilmembers,

As a Saint Paul resident concerned with our City's long-term fiscal health, climate resilience, and housing abundance, I urge you to vote against Ryan Companies appeal, and uphold the BZA's decision to deny Ryan Company's 26 Height & FAR variance requests for 0 Cretin Ave & 2200 Ford Parkway.
In all the years of planning and community engagement on the Ford Site, there was never a point where a single story strip mall and surface parking lot was envisioned for this site. Saint Paul doesn't need another low-tax capacity, car dependent strip mall. We need what the Ford Master Plan and zoning of this site calls for: mixed use, transit oriented, high density development that will meaningfully contribute to our City's tax capacity for the long term.
Ryan Companies has stated openly that their proposal is due to rent stabilization, market forces and financing. These issues are real, but they aren't legal justifications for variances. Under Minnesota state law, variances like these can only be approved if the applicant can demonstrate undue hardship related to unique physical characteristics of the property; economic hardships are insufficient.

Even more absurd than these variance requests, is that Ryan has also requested $18 million in TIF public subsidy for this project.

Please stand up for housing, climate resilience, fiscal responsibility and the thousands of hours of staff and resident time that went into creating the Ford Master Plan by denying Ryan's appeal.
Sincerely,
Anya Armentrout

1600 Grand Ave, St Paul MN, 55105

From: Michele Molstead
To: *CI-StPaul_Contact-Council
Subject: Vote against Ryan Companies' appeal
Date: Wednesday, February 12, 2025 9:38:54 AM

You don't often get email from michelemolstead@icloud.com. Learn why this is important

Dear Councilmembers,

I'm a Saint Paul resident. I urge you to vote **against** Ryan Companies' appeal, and to uphold the BZA's decision to deny Ryan Company's 26 Height & FAR variance requests for 0 Cretin Ave & 2200 Ford Parkway.

Why? In all the years of planning and community engagement on the Ford Site, there was never a point where a single story strip mall and surface parking lot was envisioned for this site. Saint Paul doesn't need another low-tax capacity, car-dependent strip mall. We need what the Ford Master Plan and zoning of this site calls for: mixed use, transit-oriented, high-density development that will meaningfully contribute to our City's tax capacity for the long term.

Please stand up for housing, climate resilience, fiscal responsibility and the thousands of hours of staff and resident time that went into creating the Ford Master Plan by denying Ryan's appeal.

Sincerely,
Michele Molstead
702 Holly Avenue

From: Linda Voigt
To: *CI-StPaul_Contact-Council; CouncilHearing (CI-StPaul); #CI-StPaul_Ward1
Subject: Opposition to Ryan Companies Appeal
Date: Wednesday, February 12, 2025 3:29:10 PM

You don't often get email from linda.voigt20@gmail.com. Learn why this is important

Hello,

My name is Linda Voigt, and I'm writing on behalf of myself and my partner Connor Overturf with whom I live with at 1029 Sherburne Ave in Saint Paul's first ward.

We are **staunchly opposed** to the appeal filed by Ryan Companies to build a low density strip mall instead of the high density mixed use development originally zoned there. Living in the Midway-Frogtown neighborhoods, every day I see the human cost of unaffordable housing prices as my neighbors are forced to the streets. Building strip malls not only exacerbates this issue, but also kills the character of the city that we love.

We urge the city council to stand against this appeal on behalf of its citizens and do what's right by them, not disinterested corporations.

Thank you for your time,
Linda Voigt & Connor Overturf

From:	Simon Taghioff
To:	*CI-StPaul_Contact-Council; CouncilHearing (CI-StPaul)
Cc:	Rebecca Noecker
Subject:	Written Testimony, Ford Site Appeals on Today"s Council Agenda (ABZA 25-1 and 25-2)
Date:	Wednesday, February 12, 2025 1:33:10 PM
Attachments:	ABZA 25-1 ABZA 25-2 Taghioff Letter.pdf

Hi,

Please include the attached written testimony in the public record for items ABZA 25-1 and 25-2 for today's City Council meeting at 3.30, which contain rationale for denial of the appeals under criteria (b) and (c).

Thank you for considering this at short notice.

Simon Taghioff

Feb 12th, 2025

Re: Appeals ABZA 25-1 and ABZA 25-2 (Ford Site)

Dear Council President and Members of the City Council,

I'm writing in my personal capacity, but am also the sitting Chair of the Zoning Committee of the Saint Paul Planning Commission. While these particular variance applications came before the BZA for administrative reasons, my colleagues and I also have extensive experience evaluating and deciding upon variance applications such as these.

The BZA was correct to deny the requested variances. Those variances failed to meet the required standards §61.601(a)-(b) and (c) due to non-conformance with applicable comprehensive plans and a lack of identifiable practical difficulties.

In order to find for the appellant, the City Council is required to evaluate the appeal using the same standards in the zoning code §61.601 that the BZA or Planning Commission would use.

If this appeal had come before us, I am confident we would have reached the same conclusions as the BZA. When making an evaluation under §61.601(b), we are aided not only by the 2040 Comprehensive Plan, but by the Ford Site Master Plan, which lays out a clear vision for this site as a dense, urban, walkable, bikeable, mixed use neighborhood.

Similarly, we would have trouble getting to a finding of 'practical difficulty' under §61.601(c), because such a finding would require us to identify things about the site which justify a departure from the strict application of the zoning code, and those things categorically do not exist for this site, which is a part of a large, vacant, cleared piece of land and where there is on-record testimony from the applicant that their motivation for seeking a variance is primarily financial, despite the existence of such common inconveniences as changes in grade.

I'll discuss both (b) and (c) below:

(b) The variances are impossible to read in a way that is consistent with either the 2040 Comprehensive Plan or the Ford Site Master Plan, as required under §61.601(a)-(b)

Variances are fundamentally about varying the letter of the law while preserving its spirit. The reason we have criteria (a) and (b) is to ensure that approving a variance does not undermine the intent and purpose of the ordinance or the Comprehensive Plan which the ordinance implements.

Ford Site Master Plan

This is especially true for the Ford Site, where the F1-F6 zoning districts directly implement the Ford Site Master Plan. The Master Plan, which is part of the Comprehensive Plan and from which the F5 district is derived, is clear and specific.

The intent of the F1-F6 districts is discussed in **4.4 - Zoning Districts (pp.30-33)**:

> The site shall be developed in a moderately dense, urban manner that reflects the historic pattern of mixed-use urban neighborhoods. Buildings are to be located toward the front of the lot, **ranging in height from two (2) to ten (10) stories**, and occupying much of the available lot area, with remaining space used efficiently for landscaping, small yard or common areas, parking access, and storage or waste facilities. (p.31)

The subsection 'Building Heights' is even more prescriptive:

> In keeping with the general intent for the site to become a vibrant, moderate-density neighborhood, one-story buildings for primary structures are not permitted.

The six 'F' zoning districts coherently support this vision (see p.31). Even the F1 district, the *least* intensive, specifies a minimum building height of 20 feet and a minimum FAR of 0.25. The F5 district, the second most intensive, is intended to concentrate multi-story mixed use development along Ford Parkway, which is why it specifies a minimum height of 40 feet and a minimum FAR of 2.0.

In other words, the minimum building heights specified in the zoning code are essential to the plan's vision. Such a massive departure from the minimum height cannot be read in a way that is consistent with the plan.

2040 Comprehensive Plan

Turning to the **2040 Comprehensive Plan**, it is clear that the vision is for denser, mixed-use development at this location.

1. The plan extensively discusses the Ford Site as an 'Opportunity Site'. The introduction describes them thus: "Opportunity sites – For the first time in decades, several large sites are ready for major redevelopment, including Ford, Snelling Midway, West Side Flats and Hillcrest. These projects will have a **significant impact on Saint Paul's vitality, tax base and livability.**" (p.12, emphasis added). Policies such as LU-2 apply to Opportunity Sites, calling for "…higher-density mixed-use development…" (p.35)
2. The entire site is identified as Mixed-Use (see Future Land Use Map, p.47). Mixed-Use neighborhoods are described as "vital for the ongoing growth and economic

development of the city by providing the highest densities outside of downtown." ('Mixed-Use' land use description, p.39)

3. This development is proximate and part of the Highland Village / Ford Site neighborhood node. Neighborhood nodes also function as a concentrator of development at specific points in the city. Neighborhood nodes are expressly intended to foster walkable, bikeable, pedestrian-centric urban design, emphasizing a mix of amenities, jobs etc. close to home. Density is explicitly called for, both in their description "Neighborhood Nodes are denser concentrations of development relative to the adjacent future land use categories." and in policies such as LU-30 - Focus growth at neighborhood nodes (both p.41).

In other words, even a cursory examination of the planning context makes it clear these variance are plainly at odds with the intent and purpose of both the Ford Site Master Plan, and the 2040 Comprehensive Plan. There is no world in which low density, single story buildings modeled on a suburban, vehicle-oriented 'strip mall' typology are compatible with the stated goal of creating a denser, urban, walkable neighborhood in this part of the city. The variances accordingly do not satisfy the requirements of §61.601(b).

(c) The variances do not present "practical difficulties" sufficient under §61.601(c). Those that exist are primarily economic in nature

The "practical difficulties" requirement is intended to provide relief from the strict application of the zoning code when there is something special or unique about the subject property which means it would not be reasonable to apply the letter of the law. It expressly disqualifies financial considerations alone.

Variances are not intended for sites like these. A large, cleaned up, vacant lot does not present practical difficulties merely because it has (say) a mild slope or irregular shape, and to suggest as much is disingenuous at best. Every site in the city has arguable site-specific challenges such as these. Where sites are large, vacant, and entire districts are under the control of a single master developer, developers have considerable flexibility vs. e.g. a standard infill 40ft city lot., raising the bar for what might qualify as a practical difficulty.

As on-the-record testimony makes clear, Ryan Cos. is applying for the dimensional standard variances for primarily financial reasons, which cannot support a finding of practical difficulties as required under §61.601(c).

While they make a cursory argument towards grade, shape, and water table, it is clear that these are pretextual arguments. It is demonstrably possible to build tall, dense buildings that meet the street and overcome all sorts of geometric and geological adversity, as is readily apparent when walking any city not built on a rigid grid system. If anything, these factors are usually used to justify exceeding height limits, not drastically undercutting them.

Simply put, there is no conceivable practical difficulty related to this piece of land preventing Ryan Co. from developing at a minimum height of 40ft or a minimum FAR of 2.0 (i.e. 50% lot coverage at 40ft height) as required by the zoning code, and the appeal should accordingly be denied.

Address Market Realities or Amend the Comprehensive Plan

Opportunities like the Ford Site are rare. Aligning on a vision for these sites is a process that, as the introduction to the Ford Site Master Plan makes clear, can take a decade or more.

Trying to circumvent this public process by mischaracterizing a major change in vision for this site as a set of 13(!) variance applications is a fundamentally inappropriate use of the regulation, and the fact that the decision not to pursue a comprehensive plan amendment was made administratively here should be subject to further public scrutiny.

The City has two alternative, legal paths forward:

1. Address the underlying commercial realities that prevent Ryan Co. developing at the kind of density the Ford Site Master Plan envisions at this site, so that an appropriately dense, urban, walkable, sustainable development can take place.
2. Admit that the Master Plan vision is untenable, make the case publicly to amend it, and in doing so squander a generational opportunity to prioritize getting ‘something built’ by Ryan.

The choice, as ever, is yours.

Respectfully,

Simon Taghioff

623 Goodrich Avenue, Saint Paul, MN 55105