

MINUTES OF THE ZONING COMMITTEE
Thursday, April 26, 2012 - 3:30 p.m.
City Council Chambers, 3rd Floor
City Hall and Court House
15 West Kellogg Boulevard

PRESENT: Nelson, Perrus, Reveal, Spaulding, Wencil, and Wickiser
ABSENT: Merrigan (excused)
STAFF: Tom Beach, Samantha Langer, Allan Torstenson, and Peter Warner

The meeting was chaired by Commissioner Nelson.

Grand Finn student apartments - 12-037-383 - Site plan review for a new 20-unit apartment building (5 story building with underground parking) at 2124 - 2130 Grand Avenue.

Tom Beach presented the staff report with a recommendation of approval with conditions for the site plan review. Tom Beach also stated District 14 made no formal recommendation, and there were 0 letters in support, and 11 letters in opposition.

Upon inquiry from the Commissioners, Mr. Beach confirmed that the use is permitted and the proposed building meets zoning code requirements, as listed in Attachment A, of the staff report. Regarding finding H4, Mr. Beach explained that the Department of Public Works and the Department of Safety and Inspection will be responsible for determining if the basement level will be affected by a perched water table. Mr. Beach showed a plan submitted by the applicant demonstrating the staging of construction. He explained they will be relocating some of the windows on the south side facing the alley so they face Finn Street, so a few less windows will be overlooking the neighboring properties. Mr. Beach stated as far as he knows the parcel has been zoned RM2 since the mid 1970's.

Paul Holmes, Pope Architects, 1295 Bandana Blvd., Saint Paul, explained they conducted a soil investigation last November, and the ground water was located just below the finished floor elevation, in the lower level of the basement. Once construction begins, the general contractor will have to see what ground water is present and put a plan together with the City to deal with what is found. Regarding the parking lane closure on Finn Street during construction, it will only be during the major excavation of the site. Once the precast deck is completed for the underground parking, staging for the construction of the building will be done on site and not in the street. As suggested by the City, Mr. Holmes confirmed that they are relocating some of the windows to face Finn Street to allow more privacy for neighbors. Further amendments have been made to the site plan at the City's and neighbors suggestions; creating an accessible entrance off of Grand Avenue instead of off of the alley that includes stairs available at the west and east end, and a plaza area. A fence surrounds the green roof on top of the parking garage to keep people off the roof and prevent them from congregating outside

Upon questions from the Commissioners, Mr. Holmes stated they have no objection to the five conditions listed in the staff report. Mr. Holmes stated the green roof above the parking garage has certain structural and root depth limitations, making it difficult to have more substantive vegetation for the purpose of shielding the property. Mr. Holmes explained the approach to designing the building with five stories, and it would not be feasible from a financial perspective to reduce it to four stories. Architecturally they have done what they can to flatten the building

visually. He also noted the building will shade Grand Avenue and not the properties located to the south across the alley. There is a twenty five foot set back for the above grade portion of the building; 21 feet on top of the green roof, and 4 feet between the green roof and the property line. Mr. Holmes explained that because of the challenges of constructing the underground parking, a low wall will be constructed around the green roof, so that the garage could be elevated in order to meet requirements. He stated they will adjust the grade between their property line and the wall on the west side in order to minimize the height. Mr. Holmes explained the plans for stormwater drainage. He talked about the layout of the underground parking: there is a mix of full size spaces (9' wide) and compact spaces (8' wide) plus 2 handicapped accessible parking spaces in the parking garage. Where there are columns, they would extend 6"-9" into the parking space.

No one spoke in support.

Cheryl Fogarty, 2166 Lincoln Avenue, Saint Paul, spoke in opposition. Ms. Fogarty presented a petition signed by 97 people who are opposed to this construction for the following reasons; at five stories, it does not fit the neighborhood, with 80 renters, it will significantly increase traffic and parking issues, and it does not promote a balanced mix of residents. If it is approved the residents ask that the City will stipulate there will be no building variances allowed during or after construction. She also stated that the plan is not consistent with the Macalester Groveland Community Plan. Ms. Fogarty believes that the 97 people who signed the petition represent more than fifty percent of the neighborhood.

Rena Cooper, 2129 Lincoln Avenue, Saint Paul, presented three main reasons she is opposed to this development; it is not consistent with Comprehensive Plan or the Macalester Groveland Plan, it does not alleviate housing and student problems, and the car and pedestrian traffic issues with the increased population. In regards to the increased density, the plan was to involve the neighbors in any plans for the neighborhood, in order to discuss any issues that may arise. Ms. Cooper stated her opposition would be a little less if it wasn't focused on student housing.

Joel Clemmer, Macalester Groveland Community Council, 2154 Fairmount Avenue, Saint Paul, spoke in opposition. Mr. Clemmer stated that the proposed development does not meet the following requirements of the Macalester Groveland Community Plan; Land Use, to retain and improve upon the residential quality of the community, and to encourage mixed use housing with commercial uses on the first floor; Housing, to diversify housing to meet the needs of all income levels and maintain the single family character; Urban Design, encourage mixed use development of two to three story buildings.

Rachel Westermeyer, West Summit Neighborhood Advisory Committee (WSNAC), 1935 Summit Avenue, Saint Paul, spoke in opposition. She stated she is on the Traffic, Parking and Student Behavior and Safety Committee. She stated that this development took her completely by surprise, and was not discussed with the residents. Her two main concerns are parking and the size of the building. She explained the limited street parking currently in the area. Ms. Westermeyer suggested that to alleviate parking issues, other options for transportation and parking be added in the lease agreement.

Nancy Wacker, 2153 Lincoln Avenue, Saint Paul, spoke in opposition. She is very concerned with parking problems, traffic issues and the height and density of the project. The neighborhood was very surprised that this plan was presented so soon and without neighborhood involvement. Ms. Wacker stated that if the project goes forward she asks that no variances be granted before, during, or after construction.

Pete Cooper, 2129 Lincoln Avenue, Saint Paul, spoke in opposition. This project will have a negative impact on the neighborhood in terms of traffic, noise, parking problems, privacy, and livability of the area. Mr. Cooper referred to the University of Saint Thomas conditional use permit (UST CUP) in 2004 regarding building standards on the north side of Grand; stating that the height of transition housing should be limited to four stories or 40 feet high. This building will be five stories and 50 feet high which greatly reduces the privacy of his home. Mr. Cooper presented drawings representing the difference in height between the proposed building and existing homes.

The applicant, Graham Merry, 2124-2130 Grand Avenue, Saint Paul, stated he recognizes that this is a significant change to the neighborhood. This is a neighborhood that faces many challenges, and most significant is there is too much demand for housing and not enough supply to match. He has worked and invested to develop a plan that meets all City requirements and minimizes the impact on neighbors as much as he feasibly can within the scope of the development. Mr. Merry stated he cannot speak to the UST CUP of forty foot height, but pointed out he is not building on the campus. He designed the building with underground parking to minimize the impact on neighbors. He also changed the exit from the alley to Finn Street to minimize cars and traffic in the alley. There will not be any spaces dedicated to outdoor gatherings to minimize noise, and be respectful of the neighbors. The building will have onsite management. Mr. Merry explained that when he mentioned up to sixty cars may be at the site, this was a prediction only. This location has transit available and is within walking distance to the campus, which may reduce the number of automobiles. Mr. Merry stated he is researching the possibility to add parking restrictions to leases. It is not financially feasible to reduce the height or number of units. He believes this is a great location for increased density due to the location on a transit route, it is near campus, and the zoning is appropriate. Mr. Merry stated he will strive to work with the residents on any challenges or concerns. This project came together quickly, and he met with the District Council as soon as he had plans.

Upon inquiry from the Commissioners, Mr. Merry explained they briefly considered mixed use, but the zoning for the property requires residential only. They want to avoid applying for variances for the project. In regard to other parking solutions, he is open to having surface parking, but he thought the underground parking would be more acceptable to the neighbors. Mr. Merry explained that there is limited access to the green roof above the parking garage to avoid people gathering outside. A fence is around the area and the access gate will be locked. The landscaping plan is a mixture of rock, mulch, shrubs, and flowers limiting an open area for tenants to congregate. There is also an on-site supervisor who can enforce the area. Mr. Merry stated they have not attempted to bend any rules or maximize the zoning. Their goal has been to meet all zoning requirements. Mr. Merry explained it isn't feasible to lower the underground parking because the ramp would become too steep. He stated that the date on the drawings is an error, and should be 2012 not 2011.

Paul Holmes explained that the length of the ramp to the basement parking is ninety feet from the sidewalk to where the ramp lands at basement elevation. The pitch of the ramp varies: it is 2% across the public sidewalk, then 5% for the next fifteen feet after that so there is a flat space for cars to surface and enter traffic onto Finn Street. Then the pitch is 10%. They will be installing a heating system to avoid snow and ice in the winter.

The public hearing was closed.

There was further discussion pertaining to the development meeting the requirements of the Comprehensive Plan and Macalester Groveland Community Plan, Sewer and stormwater standards, setbacks from the property line, and the size of parking spaces in the garage.

Commissioner Nelson stated he would like to receive more information on the covered parking area, and the dimensions of parking spaces, as well as determine the impact of bike and pedestrian traffic.

Commissioner Wencil moved denial of the site plan review based upon findings H2, H3, and H5 not being met. Commissioner Spaulding seconded the motion.

After further discussion, Commissioner Wencil withdrew her motion.

Commissioner Elizabeth Reveal moved to lay over of the site plan review to May 10, 2012, in order to obtain more information about different parking options, if zoning issues were contemplated when the Macalester Groveland Plan was being created, and if the five story building is allowed according to this plan, and time to review the traffic study, and receive more clarification from Public Works on stormwater issues. Commissioner Bob Spaulding seconded the motion.

The public hearing was reopened.

The motion passed by a vote of 5-0-0. Commissioner Perrus left the meeting before the vote.

Adopted Yeas - 5 Nays - 0 Abstained - 0

Drafted by:

Submitted by:

Approved by:

Samantha Langer
Recording Secretary

Tom Beach
Zoning Section

Gaius Nelson
Chair