

Dear Councilman Stark,

I am writing to ask that the decision of the Planning Commission on May 18, 2012, to approve the site plan for this building, be overturned. My neighbors and I filed an appeal which I believe gives a sound legal basis for why the existing site plan should be denied. Today, I would like to highlight a few points.

First, I respectfully disagree with those who contend the site plan meets Zoning Code requirements. In fact it violates the technical measurements in the Code – it violates height, setback, parking, and density requirements.

In addition, it violates other mandatory provisions - it unreasonably affects adjacent properties.

Under the Zoning Code, the City must consider if a development would unreasonably affect adjacent properties.

This proposed private dorm would unreasonably affect my property and the Planning Commission erred in not finding it would.

My house is across the alley from the proposed project. Even if I count the 25 feet the City erroneously counted as a setback, this dorm, with 80 undergraduate students, would be a mere 40 feet from my backyard.

When I tell colleagues and friends about the proposal, they universally respond, “I wouldn’t want to live next to that;” “I wouldn’t buy next to that”; or “I’d move”. To me, this is evidence that if I try to sell my property, practically no single family homeowner will be interested in the house and, therefore, my pool of potential buyers has been drastically reduced. This is a direct, economic, unreasonable effect.

As my husband and I testified at prior hearings, the development would tower over our property and severely limit our ability to enjoy our house. Currently, there are two 35 ft. high homes behind us. The proposal calls for a 50 ft. high, 70 ft. wide building that is substantially closer to our home. Please look at the drawings in the neighborhood appeal document showing the contrast. The neighbors are astounded that our City can honestly support the Commission Finding relating to “The arrangement of buildings, uses and facilities of the proposed development in order to assure abutting property and/or its occupants will not be unreasonably affected.” Where there once were 12 people, now there will be 80 students, noise, more/higher windows facing our backyard and bedrooms, light from windows, trash and other nuisances.

Nearly 100 neighbors on Lincoln and Goodrich between Cretin and Cleveland have signed a petition stating this building doesn’t fit and would adversely affect the neighborhood. These signatures are from people who live nearby and live with neighborhood/student issues nearly every day. I ask you to consider which opinion is better supported - 100 people who live here or the 13 Commissioners who approved the site plan. I ask you to reverse their decision.

Asking for a modification to the site plan is smart and reasonable city planning, not “asking to have it both ways”

Some have said that neighbors are asking to have it both ways when asking to deny the site plan as is and to have the student rental ordinance. These people misunderstand.

- First, each request is, on its own merits, the right thing to do. I support the student rental ordinance and hope you will also. Many state that the proposed ordinance needs a complementary plan with respect to student housing and where density should go – we agree. However, increasing density by incorporating large “dorms” in neighborhoods is just a bad solution. I urge you to evaluate the apartment appeal on its own merits and deny the existing site plan.
- Second, these people are not correct in what the neighbors have asked for. NO neighbor has asked the City to forbid development on these lots. NO neighbor has opposed a reasonable increase in density or students. We only ask the City to deny the plan AS IS and to ask the developer to modify it. We ask for compromise and balance. The neighbors are willing to accept more students and density on those lots, while the developer has shown a “my way or the highway” mentality. Since his presentation at the 3/28/2012 Mac-Groveland Land Use Committee, the developer has made no attempt to accommodate neighborhood concerns beyond moving 5 windows from the west to the east façade (and not voluntarily, but only as a condition for the permit).

Below are some ideas to, I hope, spur discussion and creative problem-solving by the City so that both interests are met. The Zoning Code and Comprehensive Plan demand the City undergo this exercise thoroughly, protecting both development and existing neighborhoods. (ss. 60.108 and 61.107)

- Reduce the height to 3-4 stories in keeping with the neighborhood and City planning documents
- Have a 3-story building with surface parking
  - Could this be configured to have 40 residents, allowing him to increase his renters more than 3-fold?
- Request a proportion of the units be designed for a broader rental audience (families), with some bedrooms big enough to hold a queen-sized bed and have closets.
- The developer has torn down a house and replaced it with a triplex nearby; why not consider this here? Or a fourplex?
- Ask the developer to have a mix of classes of students – graduate, seniors, juniors, sophomores and freshmen. If the units are appealing to more than freshmen and sophomores, as he states, he should be able to achieve this and it could help reduce quality of life issues.

As I testified, I believe there is a configuration that would work, but the Commission didn't work hard enough to find it; instead, they ignored their duty, under the Zoning Code (s. 60.103):

- “To promote and to protect the public health, safety, morals, aesthetics, economic viability and general welfare of the community;
- To implement the policies of the comprehensive plan;

- To ensure adequate light, air, privacy and convenience of access to property;
- To encourage a compatible mix of land uses at densities that support transit, that reflect the scale, character and urban design of Saint Paul's existing traditional neighborhoods;
- To conserve and improve property values;
- To protect all areas of the city from harmful encroachment by incompatible uses;..."

I have faith in the City Council's ability to work with all parties and find a solution. We are not opposing all development or increased density. Please recommend something reasonable. Cramming 20 houses-worth of students onto a 120 ft. x 150 ft. lot adjacent to a family neighborhood is not.

Sincerely,

Rina Cooper  
2129 Lincoln

Cc:

Tom Beach  
Melvin Carter  
Dave Thune  
Chris Tolbert  
Amy Brendmoen  
Dan Bostrom  
President Kathy Lantry  
Samantha Henningson