

To the Saint Paul City Council,

We are writing this letter to express our opposition to the multiple variance requests for 2150 Grand. We are neighbors who live nearby and will be directly impacted by the proposed project.

We want to be clear that we are not opposed to increased density in our neighborhood. We believe there can be a balanced approach that not only considers the need for density, but also the impact and realities to all those who live in the neighborhood. This is exactly why the West Grand Avenue Zoning study was undertaken by the Saint Paul only a few short years ago. It is concerning to us to see a development proposal and staff recommendation that disregard the updated code provisions resulting from this thorough, recent and highly relevant work.

It is important for the City to get this right. This decision will be precedent-setting. This will not be a one-off variance request. We ask you to be thoughtful about increasing density and avoid rezoning by variance.

This developer and others are eyeing properties all along Grand Avenue for redevelopment. There are currently nine houses/duplexes between Cretin and Cleveland and 63 houses/duplexes between Cretin and Fairview. The precedent set for granting multiple variances will result in more oversized buildings on single small lots, overwhelming the neighborhood.

Our neighborhood has experienced a substantial increase in density over the past six years. We have lived through the realities of drastically increasing density within a two-block area of Grand Avenue.

Below we explain why these variances must be denied. We appreciate your time and consideration.

Background

Developer MCR Property Holdings (MCR) wants to build a four-story building on a single-family lot. This is a typical single-family lot you see all over Saint Paul. It's small. The proposed units are each 1,500 sq. ft. and consist of a small living room and kitchen, four bedrooms and two bathrooms.

These would be luxury student apartments. The design essentially precluded the units from being rented to anyone but students because the bedrooms are small and the living spaces are even smaller. This would add 16 students to an already very dense block. There are already five large apartment buildings on the north side of the block, including two large luxury student apartment buildings.

The lot currently has a single-family home that has been rented to University of Saint Thomas (UST) students over the past many years. MCR has owned the property for the past three years. Notably, MCR owns multiple single-family homes in the neighborhood.

MCR is asking for not one, but two variances, in an attempt to squeeze an oversized building on this tiny lot. The request for multiple variances highlights the obvious. This is too much for one lot. The only way to achieve MCR's goals is to ignore multiple provisions of the code by granting multiple variances.

MCR is asking for a lot size variance because the lot is substantially smaller than the code requires to build a four-story building. The lot requirement for this project is 9,000 sq. ft. This small lot is only 6,388 sq. ft. The square footage deficit is staggering.

MCR is also asking for a setback variance. This variance is needed because there is not enough room on the property for required parking. Based on a clear assessment of each unit, there are five rooms under parking calculations, meaning the building must provide eight parking spots. Even after obtaining credit for bike parking, this lot is not large enough to hold seven cars. As a result, MCR needs to encroach into multiple setbacks to squeeze cars onto the lot.

Four-Bedroom Units

At the April 22, 2019 Board of Zoning Appeals (BZA) meeting, MCR claimed, disingenuously, that these units had two-bedrooms each. MCR made this claim by designing the bedrooms to be almost entirely divided by closets, but technically accessible by one door.

The BZA overwhelmingly determined the units were four-bedrooms and delayed a decision in order to consider a separate variance to address parking requirements.

Variances Are Not in Harmony with the General Purposes and Intent of the Zoning Code

Unaffordable Housing

Section 60.103 of the code promotes housing choice and affordability.

This project will increase the cost of rent and will not solve the city's affordable housing challenges. This is contrary to the purpose of the zoning code.

This project does not promote housing choice. There are already four large apartment buildings offering student housing on the block and many more in the neighborhood. There is already enough student housing in the neighborhood. Notably, there is a significant amount of luxury student housing, which many students and renters cannot afford.

The existing house rents for \$3,200 per month to four residents. While this is expensive, living on this property would become more expensive if the variances are granted.

The market rate for four-bedroom units similar to the ones proposed is \$3,600. The building next door is charging \$3,600 per month for its four-bedroom units. This is market rate.

MCR claimed to the BZA that it would consider charging less than market rate. This is absurd. Why would MCR charge less than market rate? A review of the record and the statements made to the BZA shows that MCR fully intends to collect \$3,600 per unit from four students. The BZA criticized MCR for being less than transparent about this. The City should be dubious. MCR will command \$3,600, further increasing the cost for people to live in the location.

Notably, the proposed units are 1,500 sq. ft. The current house is 2,080 sq. ft. MCR is increasing the cost per square foot substantially as well. The existing house could be rented to a family, or another use aside from student housing. The proposed units are small and are mostly bedrooms. These units are essentially functionless to any type of renter who is not a student.

Increased Congestion

The code explicitly states it is designed to prevent the overcrowding of land and undue congestion of population and to lessen congestion in the public streets by providing for off-street parking.

Sixteen students will result in 16 cars. All four current residents of the house own cars. Over the past six years, all four renters owned cars. There are only seven parking spots proposed, meaning nine additional cars on the street. This building will substantially increase congestion. It will also quadruple the amount of people living on a single lot. It is directly contrary to the purpose of the code.

This neighborhood already has a substantial parking problem due to the many large apartment buildings in the area. While the city seeks to reduce reliance on cars, college students are not a group that is willing or able to give up cars because they drive home on weekends and holidays.

Data from the City shows there are about 230 parking permits (permanent decals and guest permits) issued within the two-block stretch of Grand Avenue between Cretin Avenue and Cleveland Avenue. This is just the buildings on Grand Avenue. This shows that students are bringing cars with them, even with all the transit options available. These cars end up parked on the side streets nearby Grand Avenue.

Every time a building is constructed, the parking in the neighborhood becomes worse. Students do not move their cars during parking emergencies. Lincoln Avenue and other streets nearby are not sufficiently plowed. The streets become so narrow that emergency vehicles cannot pass and people with mobility issues and small children are at risk when trying to navigate the snow piles. There are many young families and older people who have to deal with this every year.

Incompatible Mix

The code's purpose is to encourage a compatible mix of land uses, at densities that reflect the scale, character and urban design of Saint Paul's existing traditional neighborhoods.

Also, to conserve and improve property values, to protect all areas of the city from harmful encroachment by incompatible uses, and to ensure adequate light, air, privacy and convenience of access to property.

This project is incompatible with the neighborhood. It is out of scale for the rest of the buildings on a single lot. While there are large buildings nearby, these buildings were building on multiple lots and ***did not require variances***.

The city report and presentation seem to indicate that the entire area of Grand Avenue is commercial and dense housing. This is not the case. The cherry-picked photos hide the reality that many single family and duplexes exist on Grand Avenue nearby. One street south, Lincoln Avenue, is almost entirely single-family homes.

The area is becoming so dense in a single two-block area that the mix of single-family homes and apartment buildings is no longer compatible. There are significant parking issues for all residents. Cars are parked into the alley because there is nowhere to put vehicles.

The charm of this area of Saint Paul is also deteriorating. Charming buildings are being torn down to construct unfortunate-looking stacked apartments. These buildings are constructed cheaply with the idea that students will live in them until they wear out.

Property values of homes nearby are becoming affected because of the congestion, lack of parking, and overconcentration of students within a few blocks.

Water and Climate Issues

The code's purpose is to protect water resources, improve water quality, and promote water conservation

The overarching idea of reducing Saint Paul's carbon footprint by encouraging the use of transit and bikes is good. Increasing density is often discussed as the way to achieve this. When converting a single-family home to a high-density building, there are other implications to consider.

Most of the lot will be paved parking. This removes the permeable surfaces that protect storm surge. This water cannot be absorbed into the ground, resulting in pollution of our waterways, and overwhelming Saint Paul's sewer system.

Without trees, grass and other plants to absorb carbon, this will increase Saint Paul's carbon footprint. Notably, the additional paved parking area will absorb heat, increasing the urban heat island effect.

Building within the zoning code will accomplish the goal of increased density. But stacking variance on top of variance not only undercuts the intent of the code, but actually makes our desire to achieve some measure of climate resilience and adaptation harder to achieve.

There are No Practical Difficulties in Complying with the Provision

There is no difficulty complying with the code provisions and therefore no need for multiple variances. These variance requests are driven purely by economics. It is explicitly stated that *economic considerations alone do not constitute practical difficulties*.

The “difficulties” MCR is experiencing is it wants to increase its revenue from the property by 450%. MCR is making \$3,200 per month. It wants to make \$14,400 per month.

The current home is very usable as a student rental. MCR has had no trouble renting the home over the years it has owned it. Further, it has been easily rented to UST students for a decade.

Notably, it could also be used by a family. Macgroveland does not have many single-family homes available for rent. It has plenty of luxury student apartments.

MCR claims that the house’s location makes it undesirable for a family. This is not true. There are multiple families living in single-family homes or duplexes on Grand Avenue within the same two blocks.

This project is asking for more than one variance. If financial interest was not the sole driving force behind the project, then MCR could propose a duplex or a three-story building, thus avoiding a setback variances and parking issues. Instead, MCR is being greedy by pursuing two variances to make the most money possible.

The Property Owner is Proposing to Use the Property in an Unreasonable Manner Not Permitted by the Provision

The proposed use is clearly unreasonable. The fact that multiple variances are required for this project highlights how unreasonable it is. The lot is too small for the building. There is not enough room for parking and other required services.

MCR is asking to encroach into the setbacks designed to protect adjacent property owners, and those who use the common alley spaces.

The plan is to pave every part of the backyard of this small lot for parking. This parking lot will be difficult to navigate, even in the best of weather conditions. Granting the setback variance will create a parking lot that will squeeze in seven cars, with no room for snow, garbage or recycling bins.

In the winter, there isn’t room for garbage and recycling bins because the space is too tight. As you can see from the photos attached, the cars are parked into the alley and often are difficult to navigate around. The refuse bins also end up in the alley. Allowing setback variances will make this worse.

Keep in mind, this block is already very dense. There are already five large apartment buildings. There is a large parking structure on the edge of the west property line of 2150 Grand. There is a large 6-foot fence to the east. There isn't space in the alley to put snow or to maneuver.

Consider other logistics. There will be eight garbage and recycling bins, not four as the drawing indicates. There will be nowhere to put the bins during garbage day unless the cars are moved away. The bins and the cars will end up in the alley, blocking emergency vehicles and neighbors trying to access their property.

The alley on this block already struggles with cars parked into the alley and snow piled in front of neighbor's garage stalls because there is no room left.

The code, and the West Grand Avenue Zoning study that resulted in the current zoning, is underscoring the obvious. The proposed use is unreasonable for one small city lot.

There is no "Plight" of the Landowner

The plight of the landowner is not due to circumstances unique to the property and not created by the landowner.

MCR claims that the larger buildings adjacent to the property create a plight. This is disingenuous. MCR purchased this property three years ago. It was well aware of the surrounding buildings at that time. MCR chose to buy this property because it was a valuable student rental, even without any renovations or construction. If there was a plight, why would MCR pay \$402,000 for the home?

This home is useful as is. It is also very desirable as a rental home in an area without many single-family homes for rent.

Conclusion

As explained in detail above, there are many reasons that the variance requests do not satisfy the requirements to grant a variance.

The variances are not in harmony with the general purposes and intent of the zoning code because they: (1) do not promote housing choice and affordability, (2) cause undo congestion and overcrowding of land use, (3) create an incompatible mix, and (4) cause water and climate issues.

There are no practical difficulties in complying with the zoning code as written. MCR is proposing to use the property in an unreasonable manner not allowed by the zoning code. Finally, there is no plight to the land owner.

MCR's two variance requests must both be denied. We appreciate your time and consideration.

Sincerely,

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