

October 25, 2020

Mayor Melvin Carter  
Saint Paul City Council  
City Hall – 15 West Kellogg Blvd.  
Saint Paul, MN 55102

Dear Mayor Carter and Members of City Council,

**Re: BZA File 20-069819; Sullivan Property Investment LLC  
Appeal of Variances**

This letter is in support of the Appeal of William Garman Hargens and Mary Missy Staples Thompson of the above-referenced Zoning Code Variances for redevelopment on the rear portion of the property at 542 Portland Avenue.

I urge you to grant the Appeal and reverse the Board of Zoning Appeal's approval of the Applicant's variances on substantive grounds.

I submit that the Applicant did not satisfy all of the six required findings, which is required under Code Section 61.601 and Minnesota Statute 462.357. Specifically, I submit that:

1. The variances are inconsistent with the general purposes and intent of the Zoning Code in that this new development would not provide increased housing choice along with housing affordability. However, this development could provide one, two, or three smaller new units without the variances, possibly more affordable.
2. The variances are inconsistent with the 2040 Comprehensive Plan. One of the Core Values of the Comp Plan addresses growth and prosperity through density, but specifically supports well-designed development that responds to its neighborhood context, which this does not. The new triplex would result in an overdevelopment of the lot which already has an existing triplex. This lot was created to have one principal building which fronts on Portland Avenue. That is the context, the historic context, and its current, contemporary, and modern context. The back yard was intended to be a backyard for the principal building. Any additional building should respect that use and its relationship to neighboring properties.
3. There are no practical difficulties in complying with the provisions of the Zoning Code. The Applicant just wants to build an overly large building that exceeds the Zoning Code requirements. The Applicant could design a smaller building that does comply, and meet the requirements of the Historic District designation.
4. The plight of the landowner is due to circumstances created by the landowner, and are not circumstances unique to the property. This finding relates to physical

characteristics. There is no slope that cannot be built on, there are no rock outcroppings, there is no creek running down the middle of the lot. It is a flat, normal lot, with sufficient space to build a conforming, smaller second building with appropriate usable yard space for existing and new residents.

5. The Variances WILL alter the essential character of the surrounding area. As stated before, this new development is just too big, too dense, and would overpower its context not only in its physical size but also in the additional on-site parking required for the new residents.

As a city planner/urban designer with over 45 years of experience, including serving as Director of Planning and Economic Development for the City of Saint Paul, Heritage Conservation Officer for Vancouver BC, Main Street Project Manager for the Haymarket District in Lincoln, NE, and long-time member of the Preservation Alliance of Minnesota (now Rethos), I ask that you grant this Appeal. I believe it is possible to design a contextual infill building on this lot, one that is a good neighbor – and this proposed development is not that building.

Sincerely,



Dan Cornejo  
Principal

Copies to:

Zoning Administrator – Dept. of Safety and Inspections

Matthew Graybar – Dept. of Safety and Inspections

William Garman Hargens (via e-mail)

Mary Missy Staples Thompson (via e-mail)