

MINUTES OF THE ZONING COMMITTEE
Thursday, January 14, 2021 - 3:30 p.m.

PRESENT: Baker, Edgerton, Grill, Hood, Lindeke, Rangel Morales, and Syed
EXCUSED: DeJoy
STAFF: Tia Anderson, Ashley Skarda, Samantha Langer, Luis Pereira, Allan Torstenson,
and Peter Warner

The meeting was chaired by Commissioner Baker. He stated that the chair of the Planning Commission had determined that due to the COVID-19 pandemic it is neither practical nor prudent for the Zoning Committee to meet in person, and therefore the meeting was being conducted remotely, with all members of the Zoning Committee attending the meeting remotely. The public is also able to join the meeting remotely and can speak during the public hearing portion or submit comments by noon on the day before the meeting.

LEXINGTON STATION APARTMENTS - 20-102-273 - Site Plan for a new, 6-story, mixed-use development with 288 residential units, ground floor commercial and amenity space, and structured parking at 411 and 417 Lexington Pkwy N.

Ashley Skarda presented the staff report with a recommendation of approval with conditions for the site plan. District 13 had not responded, and there was 1 letter in support, and 10 letters in opposition.

In response to Commissioner Grill, Ms. Skarda said that the 2008 Lexington Station Area Plan calls for a connection of Fuller Avenue, which stops at this property and no public right of way picks up until before Snelling where the public right of way loops around the stadium. During meetings with the County, Parks, and other city departments where they were discussing the site plan and each parties' jurisdiction, it was decided that since there has been no action on the part of the City to move forward on a Fuller extension in 10 years since the Station Area Plan was adopted and in the absence of any effort to do so the private property the owner would be free to undertake this development.

In response to Commissioner Syed, Ms. Skarda said that she did not hear back from Union Park District Council since the full application had been received. She did receive correspondence from a few members of Frogtown Neighborhood Association, Lexington-Hamline Community Council, and other surrounding groups.

Dean Novolis, DJR Architecture, 333 Washington Avenue, Minneapolis, provided a quick oversight of the project. The building is a S-shape design, and it is a modular project. Modular projects allow for more affordability and over 50 of the units are at 60% AMI. They worked hard to get an affordability component into the project. The bike lane has been incorporated into the design and runs along the north side of the project if the Station Area Plan bike path is ever completed. The project is the appropriate density and will provide a lot of housing that is needed in the area.

Michael Kuntz, DJR Architecture, 333 Washington Avenue, Minneapolis, said they are trying to make it affordable by creating small units and using the modular construction. They have a number of different unit types including a 4-bedroom unit that is a co-living concept that share a kitchen and living area.

Mr. Novalis added there are efficiencies all the way up to the 4-bedrooms. They have also included 9-foot ceilings and large windows that really helps add to quality of life. There are also amenities including two recreational areas and work study rooms.

Chris Osmundson, Director of Development, Alatus, 800 S. 8th St, Minneapolis, said this is a 288-unit facility and it is entirely privately financed and is a market rate development with 254 structured parking stalls that are on grade and below grade. There is approximately 3,000 square feet of retail area that is integrated into the lobby. While there are securitized entry ways for guests and residents there is also the ability to have a public gathering space with a coffee shop or deli or other retail shop. The site has been vacant for 12 years and there have been two previous proposals on the site that have fell through. The connection with Fuller has not been enacted at this point either. They are not requesting any variances and the development is entirely of right. They will have a 12-foot enhanced pedestrian walkway as well as a 16 foot and 2-inch boulevard on Lexington Parkway corridor that are envisioned for future conditions. They have had numerous discussions with Parks and Recreation and Public Works about how this would work. They want to accommodate any future conditions whether that is a connection through and to Fuller or coming west to east via Allianz Field. They have added the ability to have interior circulation to the building for trash and move ins. There should not be any congestion on Lexington Parkway. They have added a porte-cochere to minimize any confusion for drop-offs or deliveries. He said this is a good location with the proximity of an affordable grocer, Aldi, located to the north and it is adjacent to the Midway Peace Park. He said the modular construction will enhance the delivery of this project and more units will come online more quickly. They will be installing a solar array that will be responsible for 55% of the electricity consumption increasing the sustainability. They will be installing a variable refrigerant heating and cooling system. It is a centralized heating and cooling system that is entirely electrically derived, but for when temperatures are extremely cold and as a result of that the system pumps gas as opposed to water through the building and results in utility bill reductions of approximately 30% and increases sustainability when paired with the solar array system. Mr. Osmundson said that with the 288 units they are scheduled to have 155 at or below 60% Area Median Income (AMI) rental rates as established in 2020, which is significant for a privately financed unsubsidized project. There are 15 co-living units with four beds each. Each tenant effectively has 425 square feet of private space and share kitchen facilities. They will be in the range from \$800-\$950 which is 50-55% AMI. Over 50% of the units will be affordable to some level even though they are not seeking any subsidy and he thinks that works well with the 2040 Comprehensive Plan and the plans for equity, growth, density, and sustainability. He said that co-living suites are 1700 square feet in total and each bedroom is 425 square feet. The studio and efficiency units are 450 to 600 square feet.

In response to Commissioner Baker, Mr. Osmundson said that there are 15 co-living units in the project. Each of the co-living suites have 4 bedrooms and each bedroom is 425 square feet that includes a bathroom, shower, vanity, and closet and has a convertible living space. The studio and efficiency units run larger. They have made accommodations within the amenity spaces to make sure they are utilizing the area for people who are living in smaller spaces.

In response to Commissioner Lindeke, Mr. Osmundson said originally the bike lane would cross at Fuller across Lexington and would need to be a controlled intersection that was envisioned to

essentially cross at Lexington travel northbound along Lexington Parkway N and take a left at the private ingress and go around the north side of the building and then go out the private egress on the west side out to Dunlap and continue on. In an effort to make sure they were addressing future conditions that were tentative on the bike lane, and it was not labeled on the site plan, it was more of a discussion by Public Works. They were in a tough spot as to what should be included on the site plan.

Mr. Kuntz said that the intent of the bike path was to bring the bikes that come across Fuller to the 12-foot-wide bike/pedestrian path along Lexington Parkway. The plan is to let bikes share that path with pedestrians. When you get to the northeast corner of the site you can continue along Lexington or you can take a left and go along the north side of the building. There is a porte-cochere where the bike lane would cut across. There is a bike plan that is in the works.

In response to Commissioner Syed, Mr. Osmundson said the rental rates being offered at the entire property are below market. Rent studies for the LRT or some of the apartment properties that were brought up in some of the public comment letters received are dramatically less than that. This is a privately-financed project with no subsidy and it is market rate. They do not have the requirements that a low-income housing tax credit project would, in which they would receive subsidy from the City or State. They are electing to operate these with the affordable rental rates he mentioned earlier. When he referred to Area Median Incomes, that is a tax credit discussion and is derived for the sixteen-county metro area and that was where that statistic came from and it is a value that takes income and looks that if 30% of your income were used for housing how much could you afford so that you are not rent overburdened.

In response to Commissioner Rangel Morales, Mr. Osmundson said it is \$2 per square foot for profit on the project. He said their development team has made every effort without any form of subsidy to self-impose these requirements so that residents in this neighborhood and the greater region can live here.

Chair Baker explained the reasoning for questions surrounding affordability issue and also stated the meeting chat function is not to provide information that goes to the applicant. It is to communicate between Committee and staff members. It is not to provide commentary or perspective on the Zoning agenda items.

Mauricio Ochoa, 1239 Thomas Avenue, spoke in support. He said after listening to the presentation what really stood out to him was the phrase vacant land that is a pile of ice or parking for the State Fair. He is glad that they are getting a development that increases the density around transit nodes and developing this neighborhood node into something more urban and higher density. We are able to do this without displacing anyone because it is vacant land. He thinks there is a lot of work that needs to be done on the site plan like the west side does not have any sidewalks and the entire west wall is a solid brick wall, but overall, he is in favor.

Ian Buck, 514 Thomas Avenue W, spoke in support. He said this is a very positive development for making the area more walkable friendly. He appreciates the thought they put into encouraging residents who will live there to use bicycling as a form of transportation. He would encourage the developers to think carefully of the nature of the bike route that they are planning on creating that takes bicyclists from Fuller to Griggs to the west. Currently it gets them around

the north side of the building, but he thinks people could use additional signage and pathways to get down south on the other side of the building to the point that they could continue traveling west in the alleyway.

David Talarico, 420 Lexington Parkway N. said he is in favor of this project but has a question. He would like to know where visitors will park and if it will be on Lexington Parkway N could the City consider a lit pedestrian crossway.

Andrew Singer, 2103 Berkley spoke in opposition. He said he is Co-Chair of the Saint Paul Bicycle Coalition. He referred to the 2015 Saint Paul Bicycle Plan, and specifically, he pointed to the City's Bike Plan Website, Figure 4 Facility Type, where it shows an extension of Fuller Avenue all the way to Shields Avenue. The City may not have acted on this, just as it may not have acted on the 2008 Lexington Station Area Plan, but they are in City planning documents. To say that this project is in coherence with the Comprehensive Plan is not entirely accurate. The City required various things of this plan including that the developer would pay for some type of crossing aid to and from Fuller Avenue to get over to this building. There is nothing about a bike lane on the northern side on the site plan. Where they have located the sidewalk connection to Fuller is not well thought out because there is a southbound left turn lane onto Fuller which means that anyone in that crosswalk will potentially be in jeopardy of being hit by turning vehicles. If the crossing area had been located at the southern part of Fuller Avenue that turn lane could have been eliminated and there could have been a safer crossing. There was not a lot of thought or engineering in terms of bike or pedestrians in this project. He is not totally opposed to this project, but they could have put a bike lane through the alley that could connect to Dunlap and then through Peace Park to Griggs.

Debra Mitchell, said she is representing Aurora Saint Anthony Neighborhood Development Corporation located at 360 University Street, Saint Paul. She is speaking on behalf of many community members that have contacted her organization who are opposed to this development. The height of the building is too tall, and it will create shadows and impact the neighbors. This is not affordable housing; it is at 60% AMI and not 30% AMI which represents the neighborhood. The site is sitting next to Wilder that serves the poor and the needy and many of people who go to that building will not be able to live in that building because of the affordability. She is also on the Summit University Planning Council and they have not heard from the developer on any information or feedback.

Jens Werner, Executive Director, Summit University Planning Council, 627 Selby Avenue spoke in opposition. She said this site is located directly on the border of Summit University and the Union Park Districts. The closest residential area to this district is Rondo and these community members will be impacted the most by this project. They need an opportunity to hear from the developer since the last time we heard from them was in October 2019. This project is inconsistent with the Lexington Station Area Plan and the Saint Paul Bike Plan. She said several community members that were going to testify had to log off and since this project lacks community input and engagement over substantial issues, she requests that this be laid over. The Lexington Area Plan states, "large parcels should be subdivided in order to reestablish the block grid." When this was developed, they did not want the large space that is there to close off the community. This project is being built on two parcels of land. The bike plan is a huge issue and deserves a community forum. The intent is not just to create a path for bicyclists, it is

intended to create an east to west route through the community where currently neighbors only have Saint Anthony as an option. Their elders who live in Carty Heights next to this site have to take their wheelchairs into the street in the winter to access the shopping on Midway. This is why an east west route is absolutely essential.

Joseph Stinar, said he owns 402, 408, 414 Lexington Parkway with his wife and he said they are really not opposed to the development, but they do have a major concern with the traffic egress of adding 288 units plus the commercial to one outlet onto Lexington Parkway. He said there is no crosswalk at Fuller going across at Lexington and there is no curb cut on the other side of Lexington.

Matt Jarvi, 1095 Stinson, Saint Paul, spoke in opposition. He represents multiple youth organizations around the area. Over years of research, he has heard about this plan and how these new high-rise buildings work. They say affordable housing, but there is trick knowledge going on because it has to do with relative income rate in a vast radius that goes beyond its immediate neighborhood. As its not going to displace anybody outright, but over time it will. There may only be a few affordable housing units that people in the neighborhood at their income rate can afford; it is not really representative of its immediate environment. That will cause problems later on and that is why he opposes this development.

Sarah Nichols, 690 Central Avenue, Saint Paul, spoke in opposition. She knows that affordability is not in the scope of what we are looking at today, but because the developer brought it up, she wants to say many of the residents make under \$35,000 per year. This is very outside of the scope of what her neighbors can afford. The last time this was brought to the Summit University District Council was October 2019. This is in a historically black neighborhood so to say that this area does not have anything historic is false. Their Planning Council deserves the opportunity to engage with their residents, specifically about the bike plan.

Mr. Osmundson said that in the Department of Safety and Inspections document that was issued after their official site plan review it was noted that the bike path connection and pedestrian circulation of the area would need to be a joint effort between the developer, the City and County. Lexington Parkway is a county road so effectuating that crossing which certainly needs to be enhanced for the City's ultimate bike plan to be realized is something they are willing to engage in. Right now, they are designing this property to accommodate existing future conditions if that is something that the City and County choose to move forward with. He is aware of the Saint Paul Bicycle Plan that exists, and it does show Fuller Avenue as a through road and it is not and does show this as a minor bike lane and he thinks that can be accommodated, but he is not sure why this has not been done in the prior 12 years that this site has been vacant. They are doing what they can to accommodate it and willing to make site plan improvements to mark it better, but it is a discussion between various components between the City and County. He said that with respect to visitor parking, on the site plan there are two ingress and egress locations for vehicles. The northern most ingress and egress location on the private drive isle is specifically for guest parking with about 15 stalls for visitors of residents or retail tenants. He understands the concerns about height, but this is a T4 urban neighborhood zoning classification and this project fits in that zoning class. In order to provide the necessary density next to transit corridors and grocers and to provide the most people the opportunity to utilize those amenities. They have done the best they can to fit this in with other economic and

community considerations. He said that it is a bit false to say that there has been no community inputs or discussion, while it was in 2019, the substantive materials of the project remain the same. There were at least six community meetings with Union Park District Council. He personally left flyers at homes in the local neighborhood area so that there were attendees. The meetings were hosted at the Wilder facility and they went into various communities and discussed this project. They went to each District Council and met with their Land Use Committees. He understands the traffic concerns. He thinks they have done a reasonable job of balancing the traffic demands. This is a more urban development with 288 units and 254 structured parking stalls. He does not believe they will be inducing any additional traffic. Eventually they would have parking vacancy but for the time being there is parking for individuals. He thinks that adjacent residents will be surprised by the lack of traffic that comes from residential facilities.

The public hearing was closed.

In response to Commissioner Grill, Ms. Anderson said within the zoning code there are 11 Findings for Site Plan Review. It is a function that is delegated from the Planning Commission to city staff. Their role is to bring together reviewers from across City departments as well as other jurisdictions, and in this particular instance, Ramsey County. Typically, it is a staff administered Site Plan Review and that staff decision is appealable to the Planning Commission. The other way that site plans might come before the Planning Commission, as in the instance of this one, where the Planning Commission voted to bring this site plan forward for this body's review and ultimately a decision. It still requires staff across departments to do technical reviews. A lot of the technical aspects of the plan have been reviewed, there are still some things to be worked out and that is part of the recommendation that Ashley has provided in the staff report.

Commissioner Lindeke asked about the Midway Peace Park at Griggs that is also on the Fuller Avenue right of way that is being discussed regarding the Bike Plan. He was wondering if there was accommodation in that project for having an east-west through route and if that is something the City has been doing on parcels that are technically on the right of way.

In response to Commissioner Lindeke, Ms. Anderson said she worked on the Peace Park Site Plan and said that it was certainly an item that came up in that discussion. At that time recognizing that the City has not made a move to acquire land or easements to allow for that pedestrian/bike infrastructure that would be east/west aligned with Fuller. The Midway Peace Park was allowed to go through with its plans, but they were very thoughtful on where they placed infrastructure to allow room in the future. As the City Departments and Ramsey County discussed Fuller Avenue and the east/west pedestrian/bike connections they decided that absent the acquisition of land for the east/west route and detailed development plans for the infrastructure what is proposed here both for north/south route along Lexington Parkway as well as the route for ped/bikes to the north and to the west side of the building was designed with future proofing in mind so that it would not preclude that future public investment in ped/bike infrastructure.

Commissioner Rangel Morales said this is another instance of where the City needs to work on an Inclusionary Zoning Study to apply to the City overall regarding affordability. He asked why the City of Saint Paul is not trying to initiate the addition to the Bike Plan that is incorporated into various City plans. He also asked if it is possible to incorporate language that if traffic does become an issue at the location, with the added tenants and retail shops, that the applicant will be held responsible for mitigating the traffic congestion.

City Attorney, Peter Warner, said that Lexington Parkway is a Ramsey County street. Even if we could compel them to do something he does not know if Ramsey County would agree with it.

Ms. Anderson said that during cross departmental conversations on this plan with each department, Ramsey County had no imminent plans for modification on Lexington Parkway. They did discuss traffic patterns and traffic access, and Public Works and Ramsey County are supportive of the fact that there are no curb cuts on Lexington Parkway and that all of the traffic is being managed within the private development site both through the porte-cochere pickup/drop off area as well as the two structured parking accesses. From the perspective of Public Works and Ramsey County those are positive aspects of the vehicular traffic. She noted that as a condition of approval they are recommending the Traffic Impact Study be accepted by Traffic Engineering.

Luis Pereira, Planning Director, said that this project started out with a concept for a bike/ped lane through the site and it went for a Livable Communities Grant to help fund some improvements through the site. A series of things happened where the grant was not accepted. The newer design that you are seeing now shows bike infrastructure incorporated wrapping around the northern part of the building and an expressed developer commitment to trying to make that better. Regarding the Midway Peace Park, he is fairly certain there was some requirement made of Parks and Recreation for the Midway Peace Park design to have some facility for an east/west path through the site in the future.

Mr. Warner added that the Traffic Engineer should have some recommendations for some mitigation requirements with respect traffic that is generated from this site. It is within the purview of the Committee to add a condition to the site plan that would require the developer to follow the recommendations from the Traffic Engineer based on the study.

Commissioner Lindeke moved approval with conditions of the site plan. Commissioner Grill seconded the motion.

Commissioner Lindeke said there are a lot of concerned community members regarding the housing crisis. We have been tackling the affordability issue for a long time with not much progress being made. He said he agrees with needing the Inclusionary Zoning Study, but this project would most likely meet any criteria that we would have in the Inclusionary Zoning Study. This project seems to be the most affordable market rate project he has seen before the Committee. They have 144 units at 60% AMI or below is a lot for affordable units without subsidy. This property has been a vacant lot for 12 years and the question before the Committee is the site plan correct or not. There are some questions about the Bicycle Plan, but

he does not think they should hold the developer to a standard that is not being done anywhere else. He does not see any reason in the site plan to vote against the development.

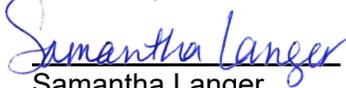
Commissioner Syed said that he is concerned with rent for the neighbors. The neighbors are subsidized and with low incomes and some of them get help from the government. The applicant did not clarify when he said 60% AMI. The neighbors might have to pay more than what they are paying right now, and the value of the homes may go up in the area.

Commissioner Baker said it is incumbent upon the developer to communicate what is going on with the development. This has been a vacant lot for years and he is in favor of the development.

The motion passed by a vote of 5-2-0.

Adopted Yeas - 5 Nays - 2 (Rangel Morales, Syed) Abstained - 0

Drafted by:



Samantha Langer
Recording Secretary

Submitted by:



Ashley Skarda
City Planner

Approved by:



Cedrick Baker (Feb 2, 2021 08:42 CST)

Cedrick Baker
Chair

Lexington Station Apartments minutes AS reviewed

Final Audit Report

2021-02-02

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