

From: [Sonja Mason](#)
To: [*CI-StPaul_PED-ZoningCommitteeSecretary](#)
Cc: [*CI-StPaul_Contact-Council](#); [Siegworth, Emma \(CI-StPaul\)](#)
Subject: OPPOSITION to ZF#21-269-061 695 Grand CUP and Variances
Date: Wednesday, July 14, 2021 1:32:14 PM

Re: OPPOSITION ZF#21-269-061 695 Grand/Dixies CUP and Variances

Commissioners, Councilmembers:

I will be brief and to the point: please oppose the application before you for the CUP and Variances for 695 Grand/Dixies. Deny the CUP and deny all the variances.

(1) Please, commissioners, consider that we can add housing in many forms. There is a groundswell of opposition to these types (this scale) of proposals in neighborhoods generally, and to this specific proposal. We need smaller projects that enhance our neighborhoods. **We need middle density projects that are less expensive per square foot and can deliver housing at a middle price point. We need housing that St Paulites can afford. We need to prevent displacement caused by these oversized luxury developments and preserve our naturally occurring affordable housing.** We need compatible scale projects that will support the attributes that residents, businesses and visitors value about our Saint Paul neighborhoods.

(2) The size and scale of this proposal goes against the 2040 Comp Plan which includes many references to “compatibility,” “reasonable transitions,” and “sensitivity” to the scale of the neighborhood (LU-34, LU-36 H-47 LU-29). This project is the opposite of compatible, reasonable, or sensitive in scale. The fact that the staff report relies on referencing a non-conforming incompatible and out-of-scale 1970s tower at 745 Grand is indicative of the shortcomings of the report. The overlay district was put in place to defend against these inappropriate structures —both the suburban-style mid-rise at 745 Grand as well as the current 695 Grand building, a suburban-style grocery built during the same era. Notably, both these structures were allowed during a time when the City said “yes to anything”—are we doomed to repeat the errors of the past, but on an even larger, more damaging scale this time? Please, commissioners, don’t destroy the uniquely urban, **middle scale** of our pre-1940s neighborhoods. This scale of multifamily family housing is also called “Missing Middle,” since it was prohibited many years by many cities (including St Paul), is featured on page 138 of the 2040 Comp Plan. Let’s stop missing it.

(3) The staff report supporting these variances is based largely on a rezoning that is not granted. This is backwards, and I believe illegal. We the public were also told two weeks ago at the rezoning hearing, that we could not comment on the size. Now, the rezoning is being used to support the size we were not allowed to object to at that time. Moreover, city ordinance is very clear that when there is conflict between zoning provisions, the more restrictive rules apply. The East Grand Avenue Overlay is law, and it was put in place to protect the historic scale of Grand Avenue, and the Summit Hill neighborhood it belongs to. **The EG was developed as a manner to preserve the historic and essential character of the neighborhood, in place of involving the more stringent restrictions of the local heritage preservation district, located just across**

the narrow alley. While there are some who believe this overlay needs to be revised, it is current ordinance and it was, in fact, supported by a strong majority (78%) in a recent (Feb-March 2021) survey by the District Council.

The Staff report has several more errors of finding, but I promised to be brief, and, frankly, the amount of time we have between its release (yesterday) and the end of public comment (today) is entirely inadequate. I am hopeful others will articulate further the errors of finding, and I urge you to read those.

(4) Please, commissioners, take the time to review the **impressive work by your fellow commissioner, Jake Reilly.** Please thoroughly read his analysis of the inappropriateness of T3 rezoning, which is all based on how the “3” of Traditional Neighborhood “T3” relates to the scale and size; as well as his observations that hint toward variance standards, "If we were to look at other concepts we consider when making zoning decisions, such as practical difficulties or an unnecessary/undue hardship under the existing zoning, I would not feel comfortable approving it because hardship/practical difficulty situations can not be financial in nature and that is the only concern I have been made aware of through the developer and landowner’s testimony.” The variances are too far beyond what is allowed in the immediate area and will result in damaging adverse impacts. There is no statutory justification for them. The scale is too much.

(5) Please, commissioners, take the time to review the **League of Minnesota Cities** guide to variances, conditional use permits, and zoning. “A variance may be granted if enforcement of a zoning ordinance provision as applied to a particular piece of property would cause the landowner “practical difficulties.” -*League of Minnesota Cities (1)*

There are no practical difficulties caused by this level, relatively large city lot. This application does not pass the "three factor test" outlined by LMC.

Further, the required conditions, both general and specific, are not being met for the CUP. This, too, has been well detailed in public comment, including at least two letters from legal counsel, which I encourage the Commission to review with due care.

"Ensure that growth makes the community better, not just bigger” -*League of Minnesota Cities (4)*

Sincerely,

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St Paul Central Alumna
Mother of two St Paulites
Multifamily Resident*

*Volunteer for many orgs, but only representing myself right now
I have worked, schooled, or lived (at least two) in all seven of St Paul's Wards*

References: League of Minnesota Cities:

- (1) <https://macgrove.org/wp-content/uploads/2019/11/League-of-MN-Cities-Land-Use-Variances-01.11.19.pdf>
- (2) <https://www.lmc.org/news-publications/magazine/sep-oct-2020/lotl-sep20/>
- (3) <https://www.lmc.org/resources/zoning-decisions/>
- (3) https://www.leg.mn.gov/docs/2015/other/150681/PFEISref_1/League%20of%20Minnesota%20Cities%202011.pdf
- (4) <https://www.lmc.org/resources/land-use-conditional-use-permits/>