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**Subject:** ZF#21-269-061 695 Grand CUP and variances  
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City of Saint Paul:

I'm writing today in opposition to the 695 Grand Ave (ZF#21-269-061) CUP and variance requests.

Though this is not my main point, I could be in opposition because, thought Saint Paul might need more affordable housing units for families, there is no evidence that it needs more market-rate units, particularly given the large number of vacant units still available in nearby properties such as "The Grove," "The Harper," and the soon to open "Pivot," "Liffey," and other properties. While affordable (under \$300,000) homes are being torn down weekly in the city to be replaced with larger, far more expensive homes (ironically also needing variances), these new construction apartments struggle for occupancy, with vacancy rates at or near 50% (even given the fact that in several of the aforementioned properties, it appears that a number of the units have been converted to short-term rental units). Since developers admit at community meetings that these are, at best, "medium term" investments slated to be sold to a REIT within 5-7 years, this is perhaps not surprising.

Nor am I necessarily writing due to my skepticism that the developer will be renting to "retirees and empty-nesters from the neighborhood" as indicated in community meetings, since we know that it is impractical if not illegal to restrict in that manner.

Nor am I even writing, as past president of SARPA, to indicate my concern about the issues a building of this scale would place on the adjacent (across the alley) historic district, especially since it appears that, at the recent commission meeting, the planner indicated there was "no room on the staff report" for these issues.

No, my main point is about variances themselves. It is a long-held tenet of planning that variances, which allow the applicant to depart from standard planning rules, were devised to alleviate "unnecessary hardship." Often these were established to address a site that, after zoning code had been established, were rendered unbuildable due to the code (for example a strangely shaped or sized lot due to lot splits). In a city like Saint Paul, in which all lots are generally buildable in some way — and particularly on an already built lot — variances should thus be rare and unusual.

A commonly held misconception in relation to this is that financial hardship justifies a variance. As succinctly stated in *The Practice of Local Government Planning* (So, Getzels, et al, 1988) "the variance is supposed to alleviate a hardship that is inherent in a piece of land, not a hardship created by the owner's error in paying too much for the parcel."

In this particular case, the developer has admitted in several community meetings that the size and scale of the building could be reduced, but that he is unwilling to do so because he needs to maximize the number of units and the project's profit.

There is no reason that this developer should be granted several variances that could be construed to create adverse effects (including but not limited to loss of light and air on adjacent properties, complicated parking issues) on nearby households, thereby potentially decreasing the value of established properties, simply to allow him greater profit from the development. This is antithetical to the concept of city planning as a whole, and I call on the city to uphold these principles. As called upon by the majority of neighbors, a (slightly) smaller scale, mixed-use development would easily address these concerns, need no variances, and still allow the developer a reasonable profit.

Sincerely,

Elizabeth Gladhill

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