

From: [Sonja Mason](#)
To: [Maki, Taina \(CI-StPaul\)](#)
Cc: [*CI-StPaul Contact-Council](#)
Subject: Opposition to Rezoning 695 Grand [resent email]
Date: Wednesday, August 4, 2021 6:09:07 PM

Dear Councilmember Noecker:

We are resending this email that contains the March 8, 2021 resolution passed by our board of directors in opposition to the rezoning, variances and CUP for the 695 Grand/Dixies. It is included below.

While this email was originally intended to convey that opposition as public comment, it has become necessary to add commentary on the process itself, which seems designed to inhibit rather than encourage meaningful participation by the electorate. This email is directed to your assistant, after receiving a notice that you are out of town. There was also a small orthographical mistake in the copied email — contact-council@ci.stpaul.mn.us instead of contact.council@ci.stpaul.mn.us—which further illustrates the problem with public comment when there is no public hearing allowed. It is far too easy to have emails ignored, bounced back, or otherwise not read.

Your office informed several neighbors who wrote in to you via email that they should direct their public comment to Ms. Butler, at the email address in the forwarded email below. As you can read below, she informed us that she was not the correct person to receive public comment for the planning commission. Several other neighbors received similar replies that Ms. Butler does not handle public comment. We are extremely concerned that this led to public comment not making it to the public comment folder. Further, the Planning Commission website does not include a record of the public comment received. Please advise.

In general, the division of this project into separate applications and the ever shifting list of addresses to whom to send comments (or not to send comments) has created excessive barriers to public participation. Digital participation via MS Teams is technologically difficult and the 2 minute time limits make it impossible to delve into the complex details of this application. Now, the City council meeting will not even offer that — there will be no live public comment offered for the city council hearing on the rezoning of 695 Grand/Dixies.

Ms. Noecker, we implore you as our elected representative to vote against the rezoning and put a stop to this damaging project and its incredibly flawed process.

SAINT ALBANS ROW CONDOMINIUM ASSOCIATION

----- Forwarded message -----

From: **Butler, Sonja (CI-StPaul)** <sonja.butler@ci.stpaul.mn.us>
Date: Mon, Jul 12, 2021 at 9:38 AM
Subject: RE: OPPOSITION TO 695 GRAND / DIXIES CUP REZONING AND VARIANCES
To: St Albans Row Condo Association <sarca55105@gmail.com>

Please do not send written comments/testimony regarding the Zoning Committee public hearing on July 15th I only handle Planning Commission meetings I am the Planning Commission secretary. These emails should be sent to PED-ZoningCommitteeSecretary@ci.stpaul.mn.us I have forwarded this email to that address. Thank you.

From: St Albans Row Condo Association <sarca55105@gmail.com>
Sent: Saturday, July 10, 2021 5:00 PM
To: Butler, Sonja (CI-StPaul) <sonja.butler@ci.stpaul.mn.us>
Subject: OPPOSITION TO 695 GRAND / DIXIES CUP REZONING AND VARIANCES

Think Before You Click: This email originated outside our organization.

Members of the Planning Commission and City Council:

Members of our Association participated in early "community outreach" activities with this developer for 695 Grand/Dixies via Zoom. Overwhelmingly, the concerns expressed by the community centered on the out of scale, overly large size, height, and bulk of the proposal, and the resultant negative effects caused by the size and intensity on the historic character, traffic and parking, sunlight, pedestrian safety, and quality of life. Not one of our main concerns was addressed in a meaningful manner. In fact, on June 3rd, 2021 the developer submitted a revised proposal **that was even taller than the original**. What is the a plight of landowner that requires 9, 10 and 15 foot ceilings?

Below is the text of the letter sent March 8, 2021 that was passed by unanimous consent of all owners. The concerns expressed in March are only greater now.

We are the owners of the seven condominium units that make up the St. Albans Row Condominium Association. These condos are located at 21-27 St. Albans Street South. They are on the west side of St. Albans directly north of the narrow alley that separates them from the parking lot at 695 Grand Avenue. This historic building was built in 1892. It was designed by famed architect Clarence Johnston and has been featured in many publications and a PBS special on Johnston because of its beautiful and unique features. We have worked hard over the years at significant cost to preserve and maintain this building not only for our use but also for the next generation.

We write because we are concerned that the proposed development plans for the

“Dixie’s” site will damage the look and feel of our beautiful neighborhood. We recognize that 695 Grand has favorable potential for development and we do not want to stand in the way of projects that may benefit our neighborhood. Our concerns center on three main issues: height and massing, proximity to the alley, and parking/traffic flow.

The present proposal is for a five story building that would come within 8 feet of the alley and would completely fill the lot except for a patio on Grand. As proposed, this structure would be significantly higher and larger than anything else in the neighborhood, block sunlight, reduce our property values, and create unsolvable traffic and parking problems. It would also violate existing zoning requirements that limit height to three stories and require distance between the back of a building and the alley. The proposed structure is too high and the footprint is too large. The St. Albans block between Summit and Grand already has one of the highest densities in the city.

The scale of the proposed project would destroy much of the beauty and charm of this street that so many people enjoy. We urge all who will have a role in making decisions regarding this project to not allow the present push for development to destroy the efforts of all of those before us to preserve this unique and beautiful neighborhood. Thoughtful and careful development that respects the present character of the neighborhood is welcome. We firmly request that a revised design proposal be developed that would conform with existing zoning code requirements.

Board of Directors

SAINT ALBANS ROW CONDOMINIUM ASSOCIATION
21-27 SAINT ALBANS STREET SOUTH | SAINT PAUL MINNESOTA 55105

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,

Sonja Mason
21 Saint Albans St. S.

*Resident and voter in Ward 2
Small business person & property owner in Wards 1 & 6
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-Variations-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/>