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August 15, 2021
City of Saint Paul
Attention: City Clerk
25 West Fourth Street
Saint Paul, MN 55102

Councilmember Thao, Ward 1
Councilmember Noecker, Ward 2
Councilmember Tolbert, Ward 3
Councilmember Jalali, Ward 4
Councilmember Brendemoen, Ward 5
Councilmember Yang, Ward 6
Councilmember Prince, Ward 7

Re: File #21-271-810, 695 Grand Avenue Rezone to T3
File #21-269-061, 695 Grand Avenue CUP and Variances
Explanation of grounds for denial of Rezoning, CUP and Variances

City Clerk and City Council Members:

You received a letter from me written prior to the City Council hearing on August 11, 2021. That letter dealt only with the importance of process, and described why the process starting with the Summit Hill Association and carried through the Planning Commission was flawed. I encouraged you to disregard their recommendation for approval.

The recommendations of the District Council and Planning Commission are only that: a recommendation. It is up to you to make an informed decision, based upon your expertise, according to the law.

Mr. Kenefick has rights associated with ownership of his property. Laws, however, including zoning laws are what make a property valuable and a neighborhood desirable. **Mr. Kenefick's property at 695 Grand Avenue is valuable exactly because of the current zoning laws.** We cannot require Mr. Kenefick to build affordable housing on his property, unless required by law. We cannot require Mr. Kenefick to use specific colors or materials on his property, unless required by law. **You have been elected by your constituents with a mandate to ensure that Mr. Kenefick follows the law.**

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Explanation of grounds for denial of Rezoning, CUP and Variances

When a developer requests a rezoning, it is because his or her proposal meets the requirements of the requested zone. Mr Kenefick has requested rezoning 695 Grand Avenue to a T3 traditional neighborhood district. The key word is ***district***.

T3 is not meant for a small single property, but rather for a site large enough to support four requirements, as found on West Seventh and on the Ford Site. Mr Kenefick's proposal for 695 Grand Avenue does not meet any of the requirements for T3.

Sec. 66.314. - Intent, T3 traditional neighborhood district.

The T3 traditional neighborhood district provides for higher-density pedestrian- and transit-oriented mixed-use development. It is designed for development or redevelopment of land on sites large enough to support:

- (a) A mix of uses, including residential, commercial, ***civic and open space*** uses in close proximity to one another;
- (b) A ***mix of housing styles, types and sizes*** to accommodate households of varying sizes, ages and incomes;
- (c) A ***system of interconnected streets and paths that offer multiple routes for motorists, pedestrians and bicyclists, and are connected to existing and future streets***;
- (d) ***A system of open space resources and amenities; and incorporation of environmental features into the design of the neighborhood.***

Mr. Kenefick has also requested multiple variances and exceptions to the T3 district. In the Saint Paul Zoning Code, there are six requirements for granting a variance, none of which are met by the developer's proposal. Mr. Kenefick's reasons for requesting variances are "financially viable stakeholder needs".

It is not your responsibility to enable Mr. Kenefick and his "stakeholders" financial gain. I urge you to follow the law and the mandate from your constituents to deny Mr. Kenefick's requests for rezoning and for all requested variances and exceptions.

Thank you.