



## Legislation Text

**File #:** RES PH 18-340, **Version:** 2

Granting an interim use permit to Ramsey County for an emergency overnight shelter at 160 East Kellogg Boulevard.

WHEREAS, Minnesota State Statutes §462.3597 allows municipalities to permit the temporary use of property as an “interim use” provided the governing body of the municipality finds, following a public hearing conducted in the manner provided under Minn. Stat. §462.3597, Subd. 3, that the interim use meets the following standards specified under Minn. Stat. §462.3597, Subd. 2:

1. The interim use conforms to the municipality’s zoning regulations.
2. The date or event that will terminate the use can be identified with certainty.
3. Permission of the interim use will not impose additional costs on the public if it is necessary for the public to take the property in the future.
4. The user agrees to any conditions that the governing body deems appropriate for permission of the use; and

WHEREAS, pursuant to Minn. Stat. §462.3597, Ramsey County, in PED Zoning File #18-115934, duly applied to the Saint Paul City Council for an Interim Use Permit to allow an emergency overnight shelter at 160 E. Kellogg Boulevard from November 1, 2018 to April 30, 2018, during the hours of 10:00 p.m. - 9:00 a.m.; and

WHEREAS, a public hearing was held on November 7, 2018, pursuant to Leg. Code Sec. 61.303, which fulfils the requirements of Minn. Stat. §462.3597, Subd. 3, at which all interested parties were afforded the opportunity to be heard; and

WHEREAS, based upon all the facts, files and record testimony obtained during said public hearing, as well as the report and recommendations prepared by staff from the Department of Planning and Economic Development, and pursuant to Leg. Code Sec. 61.104, the Council of the City of Saint Paul does hereby

RESOLVE, that the Interim Use Permit requested by Ramsey County for an emergency overnight shelter is hereby granted based upon the following findings and subject to certain conditions as follows:

1. The Council finds that the requested Interim Use Permit meets the requirements of Minn. Stat. §462.3597, Subd. 1-4 as set forth in the report from the staff of the Department of Planning and Economic Development, which the Council hereby adopts as its own and incorporates the same into this resolution; and be it

FURTHER RESOLVED, that the proposed use shall be operated in compliance with the following conditions and that the violation of any of them shall form the basis for revoking this permit by the Council pursuant to Leg. Code Sec. 61.08:

1. The permit shall be in effect from November 1, 2018 through April 30, 2019.
2. The hours of operation shall be 10:00 p.m. to ~~7:00~~ 9:00 a.m.
3. Residents will be referred only by law enforcement, first responders, outreach workers or staff at Higher Ground or the Union Gospel Mission if it is after 10:00 p.m. and there are no other housing options for the night.
4. Final plans approved by the Zoning Administrator for this use shall be in substantial compliance with the plan submitted and approved as part of this application; and be it

FURTHER RESOLVED, that the interim use permit fee is waived; and be it

FURTHER RESOLVED, that the Department of Planning and Economic Development is directed to pursue amending the Zoning Code to permit overnight shelters in the B4 zoning district as a conditional use; and be it

FINALLY RESOLVED, that the City Clerk shall mail a copy of this resolution to Ramsey County, Ward 2, the Zoning Administrator, the Planning Administrator, and the Director of the Department of Safety and Inspections.