



Legislation Details (With Text)

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Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 9/12/2018

Title: Granting the application of Summit Center for Arts and Innovation for a historic use variance at 1524 Summit Avenue. (Public hearing held September 5)

Sponsors: Chris Tolbert

Indexes: Historic Use Variance

Code sections: Sec. 73.03.1 - Historic Use Variance applications

Attachments: 1. Planning Commission resolution, 2. HPC resolution, 3. MGCC letter, 4. ZC staff packet (w testimony), 5. draft ZC minutes, 6. draft PC minutes, 7. Applicant Comments on HUV Conditions, 8. Applicant Response to Public Comments, 9. Public Comments- post ZC packet, 10. Public Comments- post Zoning Committee PH, 11. Isabelle Lange letter- post ZC PH, 12. Enestvedt email, 13. Applicant Letter to SCAI neighbors 8-28-2018, 14. Carolyn Will email re 1524 Summit Historic Use Variance, 15. Meister email re 1524 Summit, 16. Schirber email re 1524 Summit

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------|--------------------|--------|
| 9/18/2018 | 2 | Mayor's Office | Signed | |
| 9/12/2018 | 1 | City Council | Adopted As Amended | Pass |
| 9/5/2018 | 1 | City Council | Laid Over | Pass |

Granting the application of Summit Center for Arts and Innovation for a historic use variance at 1524 Summit Avenue. (Public hearing held September 5)

WHEREAS, pursuant to §73.03.1 of the Legislative Code, the Summit Center for Arts and Innovation, in HPC File 18-023 and Zoning File 18-084-109, duly applied for a historic use variance in order to permit the Summit Center for Arts and Innovation, including music and art related education, public programs and events, and spiritual/church related services and receptions, including weddings and memorial services, at 1524 Summit Avenue, Parcel Identification Number (PIN) 032823320071, legally described as Summit View Lots 1 through 4, Block 2; and

WHEREAS, pursuant to §73.03.1 of the Legislative Code, the Heritage Preservation Commission held a public hearing on June 28, 2018 for the purpose of considering the historic use variance application, and having considered the report and recommendation of staff and testimony received, made a recommendation to conditionally approve the application and forwarded the recommendation, application, staff report, and all other materials relative to the application to the Planning Commission; and

WHEREAS, pursuant to §73.03.1 and §61.303 of the Legislative Code, the Zoning Committee held a public hearing on August 2, 2018 for the purpose of considering the historic use variance application, and pursuant to §107.03 of the Administrative Code, submitted its recommendation to the Planning Commission for approval; and

WHEREAS, the Planning Commission considered the historic use variance application at its meeting held on August 10, 2018, and made a recommendation to conditionally approve the application and forwarded the documentation and recommendation of the heritage preservation commission together with its own findings

and recommendation to the City Council; and

WHEREAS, a public hearing before the City Council has been duly conducted at which all interested parties were given an opportunity to be heard; and

WHEREAS, the City Council has considered all the testimony and recommendations concerning the proposed historic use variance.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul City Council hereby approves the historic use variance for the Summit Center for Arts and Innovation at 1524 Summit Avenue, subject to the following conditions:

1. Uses shall be limited to music and art related education and rehearsal, community meetings, programs and events open to the public such as concerts or lectures, and spiritual/church related services and receptions such as for weddings and memorials.

~~2. Outdoor events (in the fenced garden area) shall not include amplification and shall conclude by 9 p.m. with the area vacated by 10 p.m. Indoor events besides receptions shall conclude by 10 p.m. Friday and Saturday and by 9:30 p.m. Sunday through Thursday, with the doors locked one hour later. Indoor reception events shall have the doors locked by 12 midnight on Fridays and Saturdays, and by 10 p.m. on other days. "Events," in the context of this condition, do not include indoor practice/rehearsals that are associated with a music or arts school.~~

Outdoor events:

- : Shall take place only in the fenced garden area
- : Shall not include amplification
- : Shall end by 9:00 p.m. on all days of the week

Indoor events that are not receptions:

- : Shall end by 9:30 p.m., with all attendees having exited the building and the doors locked by 10:30 p.m., Sunday through Thursday
- : Shall end by 10:00 p.m., with all attendees having exited the building and the doors locked by 11:00 p.m., Friday and Saturday

Indoor reception events:

- : Shall end with all attendees having exited the building and the doors locked by 10:00 p.m. Sunday through Thursday
- : Shall end with all attendees having exited the building and the doors locked by 12:00 a.m. Friday and Saturday

3. If parking is determined by the Macalester-Groveland Community Council to be a problem, they may via the Planning Administrator request a parking study. The request will then be referred to the Zoning Committee and Planning Commission, who may require a parking study to inform potential modifications to this historic use variance to ensure that the required findings are being met.

4. By ordinance, the final decision of the City Council shall be valid for a period not longer than two years following the date of the Council's approval unless a City permit(s) is obtained within that time and/or steady progress is being made to establish the use. A use variance shall terminate and any subsequent use of the property or premises shall be in conformance with the property's underlying zoning classification where the use permitted by the historic use variance is destroyed by fire or other peril.