



Legislation Details (With Text)

File #: RES PH 23- 232 **Version:** 1

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Title: Granting an interim use permit to Snelling-Midway Redevelopment, LLC for a temporary surface parking lot at 1566 University Avenue West (temporary address - northeast corner at Snelling and Shields Avenues).

Sponsors: Russel Balenger

Indexes:

Code sections:

Attachments: 1. Staff Report and Recommendation for Interim Use Permit - NEW, 2. Interim Use Permit Application, 3. Block Diagram, 4. Union Park District Council Letters, 5. Hamline-Midway Coalition Recommendation Letter, 6. Zoning Case Maps, 7. St Paul Area Chamber public comment, 8. Midway Chamber public comment, 9. Port Authority public comment, 10. Cub Foods public comment, 11. Greater MSP Partnership public comment

Date	Ver.	Action By	Action	Result
9/21/2023	1	Mayor's Office	Signed	
9/20/2023	1	City Council	Adopted As Amended	Pass

Granting an interim use permit to Snelling-Midway Redevelopment, LLC for a temporary surface parking lot at 1566 University Avenue West (temporary address - northeast corner at Snelling and Shields Avenues). WHEREAS, Minnesota Statute § 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 Minnesota Statute § 462.3597, Subd. 3, that the interim use meets the following standards specified under Minnesota Statute § 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 Minnesota Statute § 462.3597, MUSC Holdings, LLC, in Planning and Economic Development Zoning File #23-066-097, duly applied to the Saint Paul City Council for an interim use permit to allow temporary surface parking at the northeast corner of Snelling and Shields Avenues; and

WHEREAS, the subject property is located in the T4M traditional neighborhood master plan zoning district, which permits off-street parking on the redevelopment site, restricts surface parking, and calls for buildings where the temporary surface parking lots exist; and

WHEREAS, City Council resolution RES PH 16-239 approving the Snelling-Midway Redevelopment Site Master Plan and Design Guidelines contemplated the need for the temporary parking lots on property at 400 Snelling Avenue North, south of the subject property, until such time as structured parking in permanent buildings are constructed, or five years from the date of establishment of the temporary parking lots; and

WHEREAS, though the master plan did not contemplate temporary surface parking at the northeast corner of Snelling and Shields Avenues the way it did for the property west of the stadium at 400 Snelling Avenue North, the applicant finds itself in a similar situation, needing surface parking before structured parking can be constructed and therefore, requesting an interim use permit to allow temporary surface parking to serve the proposed commercial building immediately east of the temporary surface parking lot for a period of five years from completion of the commercial building; and

WHEREAS, a public hearing was held by the City Council on September 20, 2023, pursuant to Legislative Code § 61.303, which fulfills the requirements of Minnesota Statute § 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 recorded testimony obtained during said public hearing, as well as the report and recommendations prepared by staff from the Department of Planning and Economic Development dated September 7, 2023, which the Council hereby adopts as its own and incorporates the same into this resolution, and pursuant to Legislative Code § 61.104, the Council of the City of Saint Paul does hereby

RESOLVE that the request for an interim use permit by Snelling-Midway Redevelopment, LLC for temporary surface parking for five years from the completion of the commercial building immediately to the east, on property located 1566 University Avenue - temporary address, northeast corner of Snelling and Shields Avenue, 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 Minnesota Statute § 462.3597, Subd. 1-4 as set forth in the report from the staff of the Department of Planning and Economic Development; and be it

FURTHER RESOLVED, that the temporary surface parking lot shall be operated in compliance with the following conditions and that the violation of any of them shall form the bases for revoking this permit by the Council pursuant to Legislative Code § 61.108:

1. The temporary surface parking lot permitted by the interim use permit shall be accessory to the commercial building proposed for Block B2 on the United Village Block Diagram submitted with the application. The interim use permit shall terminate five years from the date the certificate of occupancy is issued by the Department of Safety and Inspections for the commercial building.
2. Site plan approval shall be required prior to construction of the parking lot per Legislative Codes and Building Standards. This permit allows the temporary surface parking use. The permit does not grant any variances that may be needed to establish the use.
3. If the temporary surface parking lot is not replaced by permanent development that is consistent with the master plan, or unless another interim use permit extension application is made and granted by the City, by the time the interim use permit expires the parking lot improvements shall be removed under a demolition permit and the site stabilized and restored with turf grass by the applicant, and its successors and assigns. The property shall be mowed and maintained and litter removed regularly until such time as the property is developed in accordance with the master plan. The applicant shall maintain any stormwater BMPs, including rain gardens, in working order including routinely providing litter and weed control.
4. The surface parking area shall be made reasonably available for community events subject to rules created by the applicant, when demand for the parking spaces is low. A conditional use permit may be required to establish certain outdoor uses.
5. The applicant shall assign a contact person responsible for managing cleanliness of the parking lot. The name and contact information of this person, and their successors, shall be provided to the Union Park District Council and the Hamline-Midway Coalition.
6. The applicant shall meet with area district councils at least once a year beginning in 2024 to

provide updates on development plans or proposals for the site, and beginning in February 2025, provide an annual written report to the City Council on the status of development plans and proposals on the site.

FINALLY RESOLVED, that the City Clerk shall mail a copy of this resolution to Snelling-Midway Redevelopment, LLC, Ward 1, the Zoning Administrator, the Planning Administrator, and the Director of the Department of Safety and Inspections.