



Legislation Text

File #: RES PH 18-176, **Version:** 1

Granting an interim use permit to MUSC Holdings, LLC for temporary surface parking lots at 400 Snelling Avenue North.

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 #18-088-762, duly applied to the Saint Paul City Council for an interim use permit to allow temporary parking lots at 400 Snelling Avenue North from November 15, 2018 to November 15, 2023.; and

WHEREAS, the subject property is located in the T4M traditional neighborhood master plan zone, which permits off-street parking on the development site, restricts surface parking, and calls for buildings where the temporary surface parking lots are proposed; 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 until such time as structured parking in permanent buildings are constructed or five years from the date of establishment of the temporary parking lots, whichever occurs first; and

WHEREAS, a public hearing was held by the City Council on August 15, 2018, 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, and pursuant to Legislative Code § 61.104, the Council of the City of Saint Paul does hereby

RESOLVE that the interim use permit requested by MUSC Holdings, LLC for temporary surface parking lots on property located at 400 Snelling Avenue North 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, which the Council hereby adopts as its own and incorporates the same into this resolution; and be it

FURTHER RESOLVED, that the temporary parking lots 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 permit shall be in effect from November 15, 2018 through November 15, 2023.
2. The applicant shall maintain the rain water gardens in working order including routinely providing litter and weed control for the duration of the permit.
3. If one or both of the temporary parking lots is not replaced by permanent development that is consistent with the master plan by the time the interim use permit expires the parking lot improvements shall be removed and planted with grass. 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 the rain water gardens in working order including routinely providing litter and weed control for the duration of the permit.
4. Handicapped parking spaces required by building code for the soccer stadium shall be placed near the main entrances of the stadium.
5. The temporary parking lots and all other site improvements must be constructed as shown on the approved Site Plan, SPR File #16-042321 - Amended site plan approval of plan set ASI 12.9 Revision #57 dated 06-06-18. This includes all paving, grading, driveways, utilities, storm water management facilities, landscaping, and lighting.

AND BE IT FINALLY RESOLVED, that the City Clerk shall mail a copy of this resolution to MUSC Holdings, LLC, Ward 1, the Zoning Administrator, the Planning Administrator, and the Director of the Department of Safety and Inspections.