



## Legislation Text

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**File #:** APC 19-2, **Version:** 1

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Public hearing to consider the appeal of Kevin Anderson (on behalf of Friends of Warrendale - Save Historic Saint Andrews LLC) to a procedure of the Planning Commission approving the variances through an improper vote on January 25, 2019, and the decision of the Planning Commission not to reopen the vote on February 8, 2019, for requested variances of maximum lot coverage, maximum height, and minimum off-street parking for a 3-story building addition at 1031 Como Avenue.

See attached Draft PC Resolutions to Deny and Approve, and background information included in the staff report.

Zoning File #: 19-012-422

Appellant: Kevin Anderson (on behalf of Friends of Warredale - Save Historic Saint Andrews LLC)

Address: 1031 Como Ave., between Argyle and Churchill Streets

Applicant: Twin Cities German Immersion School (filed by Rehder and Associates on behalf of the property owner)

Purpose: Appeal of the Planning Commission procedure approving variances through an improper vote on Jan 25, 2019, and decision of the Planning Commission not to reopen the vote on Feb 8, 2019, for variances of maximum lot coverage, maximum building height, and minimum off-street parking for a 3-story building addition at 1031 Como Avenue. (Zoning File # 18-126-865)

On December 20, 2018, the Zoning Committee held a public hearing where all parties were afforded an opportunity to be heard. The decision was laid over to the January 17, 2019, Zoning Committee meeting where staff presented an updated Traffic Impact Study and Site Plan.

Staff Recommendation: Approval with conditions

District Council: Recommended Approval with Conditions

Zoning Committee: Recommended Denial , vote: 5 -1

Support: 23 people spoke, 104 letters received

Opposition: 16 people spoke, 22 letters received

Planning Commission: On January 25, 2019, Approval, vote: 7 - 6 (PC Chair voted twice to break initial 6-6 tie; The City Attorney later opined that this was not a proper vote). On February 8, 2019, motion failed 2 - 9, to re-open the vote on the variances.

**Deadline for Action: March 26, 2019 (extended from Jan. 25, 2019)**

Does this issue fall within the 60 day rule? Yes

If yes, when does the 60 days expire? Jan 25, 2019

Has an extension been granted? Yes

If so, to what date? March 26, 2019

Josh Williams, 651.266.6659, [josh.williams@ci.stpaul.mn.us](mailto:josh.williams@ci.stpaul.mn.us) <<mailto:josh.williams@ci.stpaul.mn.us>>

