



## Legislation Text

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**File #:** RES 20-897, **Version:** 1

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Memorializing the City Council's decision to deny the appeal by Meri and Don Hauge from an administrative decision to approve Luther Seminary's site plan for the expansion of an existing surface parking lot located on the Luther campus proximate to 1465 Branston Street.

WHEREAS, on September 22, 2019, Luther Seminary ("Luther"), under DSI Zoning File No. 19-015-088, duly applied to the Zoning Administrator ("Administrator") for site plan review and approval of various improvements proposed for Luther's South Campus which is commonly known as 2375 Como Ave./1490 Fulham St. and legally described as St Anthony Park North Vac Alley Adj And Fol; Lots 1 Thru Lot 7 & Lots 11 Thru Lot 16 Blk 11. 202923420126, Mann's Addition To St. Anthony Ex Como Ave And Ex That Pt Of Lots 1 & 2 Blk 1 That Lies N Of A L Drawn 53.99 Ft S Of And Par With N L Of Sd Lot 1 And E Of A L Drawn 132.98 Ft W Of And Par With E L Of Sd Lot 1 And Ex Pt Of Blks 1 & 2 And Vac Branston St. [PIN No. 202923130118]; and

WHEREAS, one of Luther's proposed projects included the demolition of two existing garages and the rehabilitation of an existing surface parking lot located on that portion of the Luther campus proximate to 1465 Branston Street, south of Hendon Ave ("Branston St. Lot") in order to increase the number of surface parking spaces on the lot; and

WHEREAS, Luther's site plan application was duly reviewed by the Administrator who, on November 26, 2019, gave its final approval to the application which included Luther's plans for the Branston St. Lot; and

WHEREAS, on December 4, 2019, Meri and Don Hauge ("Appellants"), under Planning Commission File No. 9-106-417 and pursuant to Leg. Code § 61.701, duly filed an appeal from the Administrator's November 26, 2019 decision as it pertained to the approval of Luther's Branston St. Lot plans alleging that Luther's Lot plans should have been disapproved due to the safety of pedestrians and vehicular traffic on Branston Street and requested a hearing before the Planning Commission ("Commission") for the purposes of reviewing the Administrator's decision regarding the said Lot; and

WHEREAS, on January 16, 2020, the Commission's Zoning Committee, pursuant to Leg. Code § 61.303, duly conducted a public hearing at which the Appellants and all persons present were given an opportunity to be heard and, following the close of the public hearing and based upon all the reports and evidence presented to the Committee, as substantially reflected in the record minutes, moved on a 5 to 1 vote to recommend to the Commission that Appellant's appeal be denied for the reasons set forth in the staff report dated January 10, 2020; and

WHEREAS, on January 24, 2020, the Zoning Committee's Chair reported its recommendation to deny the Appellants appeal and, following the Chair's report and the Commission's deliberations on the matter, the Commission, on a 12 -1 vote moved to deny the said appeal for the reasons stated by the Zoning Committee and uphold the Administrator's approval of Luther's site plan for campus improvements at 2375 Como Ave./1490 Fulham St., including the expansion of the 1465 Branston St. parking lot at, is hereby denied for the following reasons, as set forth in Planning Commission Resolution No. 20-02 which itself is hereby incorporated by reference into this Resolution:

1. *The city's adopted comprehensive plan and development or project plans for sub-areas of the city.*

The site plan meets this finding, as there is no change to the campus condition or operation resulting from the site improvements.

2. *Applicable ordinances of the City of Saint Paul.* The site plan meets this finding. The site plan meets the standards, specifically for parking requirements and parking facility standards and design.
  - § 63.207 - Parking requirements by use: The proposed surface parking lot at 1465 Branston Street includes 19 off-street parking spaces (17 standard and 2 accessible spaces). The amount of off-street parking required per Zoning Code is a minimum of one parking space per every 2 employees and one space per every 3 full-time students not on campus or one space for every 3 part-time students, whichever is greater, plus required parking for other uses. Per Sec. 65.220. - College, university, seminary, or similar institution of higher learning standards and conditions, to determine compliance with parking requirements, the institution must file an annual report with the planning administrator stating the number of employees, staff and students associated with the institution. With the March 22, 2019, CUP amendment, staff confirmed that there is no change to the parking requirements for the seminary as a result of the boundary adjustment and proposed development plans.
  - § 63.314. - Landscaping. For any parking facility, landscaping shall be provided to buffer the facility from adjacent properties and from the public right-of-way; reduce the visual glare and heat effects of large expanses of pavement; and provide areas for the retention and absorption of stormwater runoff. Required perimeter landscaping, screening from the right-of-way, and tree plantings are included in the parking lot design.
3. *Preservation of unique geologic, geographic or historically significant characteristics of the city and environmentally sensitive areas.* The site plan meets this finding. The proposed use is typical of the intent of a R3 single- family residential Zoning District, which allows for civic and institutional uses along with single-family dwellings. 1465 Branston Street is not designated as having historical or environmental significance nor inventoried by Heritage Preservation.
4. *Protection of adjacent and neighboring properties through reasonable provision for such matters as surface water drainage, sound and sight buffers, preservation of views, light and air, and those aspects of design which may have substantial effects on neighboring land uses.* The site plan meets this finding. The adjoining dwellings to the north and south of the parking lot proposed at 1465 Branston St are part of the Luther Seminary campus. The existing two, three-stall garages and six surface parking spaces will be replaced with a 19-space parking lot. The type of use will remain the same, and Luther Seminary will continue to operate the parking area as an allowed accessory use to the seminary. The parking lot will be buffered by perimeter landscaping and trees with a minimum setback of 12.7' from Branston Street. Stormwater from the site will be managed through permeable surfaces and surface run-off will be captured and piped to an underground infiltration system located under the Branston Street parking lot.
5. *The arrangement of buildings, uses and facilities of the proposed development in order to assure abutting property and/or its occupants will not be unreasonably affected.* The type of use as accessory off-street parking to the campus will remain the same as it is today. The new, expanded parking lot will be buffered by perimeter landscaping and trees with a minimum setback of 12.7' from Branston Street. All outdoor lighting shall be shielded to reduce glare and shall be so arranged as to reflect lights away from all adjacent residential districts or adjacent residences and not exceed maximum footcandle requirements. Public sidewalks impacted by construction will be replaced on Branston St and internal campus sidewalks and green space will connect the proposed parking lot and public sidewalk to the campus.
6. *Creation of energy-conserving design through landscaping and location, orientation and elevation of*

*structures.* The site plan meets this finding. The proposed parking lot is located within the approved CUP campus boundary, replacing two, three-stall garages and six surface parking spaces at the site. Required perimeter landscaping, screening from the right-of-way, and tree plantings are proposed, including a minimum 12.7' landscaped area along Branston Street.

7. *Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets, including traffic circulation features, the locations and design of entrances and exits and parking areas within the site.* The site plan meets this finding. Branston Street south of Hendon Ave dead-ends just south of the parking lot, and is a one-way loop around Hendon Triangle, which is City of Saint Paul Parks' land. The south Hendon Triangle features a small, public play area with equipment and benches on .23 acres. Branston Street south of Hendon Ave is 33' wide platted right-of-way with one lane of traffic, parking lane, boulevard, and sidewalk.

On residential streets the speed limit is not posted unless it is non-standard. The appellant is requesting big alert and speed signs, though standard residential speed limits apply on Branston Street. The City is evaluating lowering speed limits for all residential streets, with a goal to implement changes by mid-2020. Southbound Branston St is currently signed "dead end," which may be a deterrent for some drivers. Nevertheless, one-way northbound traffic on the east side of Hendon Triangle is facilitated by a turn-around at the end of southbound Branston St or with a wide vehicular turning movement.

On-street parking is unrestricted on southbound Branston St, while one-hour and permit- only parking exists on northbound Branston St. The appellant recommends on-street parking restrictions for the southbound Branston St, which may be pursued by the adjoining property owners through the existing Public Works residential permit parking petition process. Public Works Transportation Planning and Safety staff did not deem restrictions to on-street parking to be warranted as part of the site plan review.

The site plan includes a new, off-street parking lot with 19 parking spaces at 1465 Branston St that replaces two, three-stall garages and an existing 6 space surface parking lot. Based on Traffic Engineering standards and Zoning Ordinance, the size and use of the proposed parking lot did not warrant a traffic memo or study, nor a Travel Demand Management Plan for the campus. The type of use as accessory parking will remain the same, and Luther Seminary will continue to operate the parking area for use by the Seminary's employees, students, and guests. Based on the site plan, Luther Seminary continues to be in compliance with minimum off-street parking requirements and below the parking maximum.

The proposed parking lot adheres to design standards and elements such as parking and driveway dimensions, vehicle maneuvering, a stop sign at the driveway exit, perimeter landscaping, screening from the public right-of-way, and shade tree plantings. Public sidewalks impacted by construction will be replaced on Branston Street. Sidewalks, including driveway crossings, are required to meet ADA standards. Internal campus sidewalks and green space will connect the proposed parking lot and public sidewalk to the campus.

As part of the Site Plan Review, all City staff reviewers signed-off on the site plan as proposed, including department representatives from Parks and Recreation, Department of Safety and Inspections, Public Works Transportation Planning and Safety, and Public Works Street Design and Construction.

8. *The satisfactory availability and capacity of storm and sanitary sewers, including solutions to any drainage problems in the area of the development.* The site plan meets this finding. The utility connections for Water, Sanitary and Storm sewer services are provided. Stormwater from the site will be managed through permeable surfaces and also piped to underground infiltration systems located under the Branston Street parking lot and a landscaped area in the northwest corner of the site. Drainage maps and HydroCAD modeling to meet the City's stormwater run-off rate control

standards were submitted and accepted. The Capitol Region Watershed District has also reviewed the plans and will issue a permit for water quality.

9. *Sufficient landscaping, fences, walls and parking necessary to meet the above objectives.* The site plan meets this finding. Required perimeter landscaping, screening from the right-of-way, and tree plantings are proposed, including a greater than 12.7' landscaped area along Branston Street. Luther Seminary continues to be in compliance with parking requirements. Bicycle parking will be provided in safe and secure areas convenient to the main entrance of the buildings.
10. *Site accessibility in accordance with the provisions of the Americans with Disabilities Act (ADA), including parking spaces, passenger loading zones and accessible routes.* The site plan meets this finding. Required ADA parking is distributed across the campus. The plan proposes 2 accessible parking spaces in the Branston Street parking lot. Required accessible entrances and routes shall be provided per accessibility code. The public sidewalks have accessible crossings.
11. *Provision for erosion and sediment control as specified in the ``Ramsey Erosion Sediment and Control Handbook.'`* The site plan meets this finding. The site plan includes an erosion and sediment control plan that is consistent with this standard.

AND, WHEREAS, on February 3, 2020, Appellants, pursuant to Leg. Code § 61.702(a), duly filed an appeal specific to the Commission's January 24, 2020 decision approving Luther's site plan for the expansion of its 1465 Branston St. parking lot and requested a public hearing before the City Council on the matter; and

WHEREAS, On March 4, 2020, the City Council, having provided the required notice, duly conducted a public hearing on Appellants matter pursuant to Leg. Code § 61.702(b) where all persons interested were afforded an opportunity to be heard and, following the conclusion of the public hearing and having deliberated on the matter, the Council, based upon all the files, records and testimony produced in this matter does hereby

RESOLVE, that the Council of the City of Saint Paul hereby denies Appellants' appeal as the Council finds that Appellants have not demonstrated that the Commission erred in its facts, findings or procedures when it denied Appellants' appeal from the Zoning Administrator's final approval given to Luther's site plan applications on November 29, 2019 which included the site plan for the expansion of Luther's 1465 Branston St. parking lot that is the subject of Appellants' appeal before this Council; and

BE IT FURTHER RESOLVED, in denying the said appeal, that the Council hereby adopts as its own in support of this decision, the facts and findings set forth under Planning Commission Resolution No.20-02; and,

BE IT FINALLY RESOLVED, that the City Clerk shall immediately mail a copy of this Memorialization Resolution to the Appellants, to Luther Seminary, to the Zoning and Planning Administrators and to the Planning Commission.