



Legislation Text

File #: RES PH 23-229, **Version:** 1

Granting the extension of an existing interim use permit issued to MUSC Holdings, LLC for temporary surface parking lots on property 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 #23-064-122, duly applied to the Saint Paul City Council for an extension of the existing interim use permit approved in RES PH 18-176, Zoning File #18-088-762, to allow temporary surface parking lots at 400 Snelling Avenue North, from November 15, 2023 to November 15, 2028; 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 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, permanent buildings with structured parking have not been constructed on the redevelopment site, due to the pandemic and economic downturn, and the existing interim use permit allowing the temporary surface parking terminates on November 15, 2023 and an application for the extension of the permit for an additional five years to November 15, 2028 has been requested; 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 City 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 to extend the interim use permit by MUSC Holdings, LLC for temporary surface parking lots for an additional five year, on property located at 400 Snelling Avenue North, is hereby granted

based upon the following finding and subject to certain conditions as follows:

1. The City 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 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 City Council pursuant to Legislative Code § 61.108:

1. The permit shall be in effect from November 15, 2023 through November 23, 2028.
2. If one or both of the temporary parking lots 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. 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.
3. 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.
4. 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 MUSC Holdings, LLC, Ward 1, the Zoning Administrator, the Planning Administrator, and the Director of the Department of Safety and Inspections.