



Attention Planning Commission Members:

On behalf of Union Park District Council, regarding the **rezoning request from RM1 to RM2 for 1984 Marshall Ave (Zoning File #: 24-017-011)**:

**February 29th**, Union Park District Council received an early notification public announcement as required by the City's Early Notification Policy in an encrypted format that was not universally accessible to the public.

**March 7th**, Union Park District Council requested "all information in a file that is universally distributable, such as a PDF and/or web link"

**March 8th**, Union Park District Council was informed that "a more substantial file will be forwarded to you from me [Paul Dubruiel] when completed, for your review."

**March 11th**, a universally accessible format (PDF) was provided to Union Park District Council directly. As far as we were able to ascertain, the public did not receive a universally accessible file as required by law through the City's Early Notification System.

**March 20th**: Union Park District Council still has not received an updated public announcement according to the City's Early Notification System in a universally accessible form through the subscription available to the community at large.

Union Park District Council asks this matter be delayed until proper public notification has been provided to the community at large. The City is required to provide no less than 7 days notice to the public; an encrypted format does not meet this requirement. We ask the date of notice be amended on the form to accurately reflect the date of which universally accessible notification is provided to the public.

Regarding the access provided directly to Union Park District Council, District Council Board and Committee for Land Use and Economic Development (hereinafter 'CLUED') members engaged with time limitations due to the inaccessibility of the file format with the following outcomes:

1. Steven Moriarty came to our committee and stated that the city advised him to pursue a zoning change to RM2 rather than seek a variance within the current zoning of RM1 which would be sufficient for the project he verbally described to us.

2. Steven Moriarty did not provide renderings or plans of the proposed development, nor did he provide written documentation of the proposed RM2 zoning change on the property in question.

3. CLUED members narrowly voted to support the RM2 zoning change based on a verbal description of the project proposed.

4. Comments received from community members at CLUED, as well as written letters emailed to UPDC, stated unanimous opposition to the RM2 zoning change. This community feedback is consistent with results Union Park District Council obtained from the community during the deep engagement study in cooperation with the city in the West Marshall Ave Zoning Study of 2018.

5. Stephen Moriarty stated during the CLUED committee meeting he has no personal preference between RM2 or remaining RM1 and possibly utilizing variances for his project. He decided to pursue the RM2 zoning change upon the advisement of a city planning official as it would be an easier path forward. Union Park District Council is concerned by the presumptive reliance on city official statements by Mr. Moriarty before proper vetting, notification to the community, and analysis of the rezoning request could be conducted. Union Park District Council is also concerned that the recommendation of the city seeks an excessive allowance in proportion to the project described with permanent impact on the character of a community.

6. While all of the attending community and written submissions oppose the RM2 variance change, Union Park District Council did receive community feedback that is amiable and even supportive of the same project should it be a simple variance request within the current zoning of RM1.

With the aforementioned reasons, Union Park District Council requests this matter be delayed in order that the entire Union Park District Council Board of Directors have the opportunity to explore this rezoning request.

We ask Stephen Moriarty be offered the opportunity to seek an RM1 variance without further cost incurred should he learn the project he proposed can gain both broader community support and a more substantial ratio of support from the CLUED committee.

We caution the city from advising developers to pursue projects in a manner directly contradictory with a known position of the local community, especially when such information is provided in the form of a year long study.


We also request all planning staff to reach out to us prior to submitting staff recommendations so that submitted studies can be discovered and any other information that they may be unaware of prior to determining their recommendation.

Should Stephen Moriarity remain in pursuit of the RM2 rezoning request, Union Park District Council asks for a minimum of 30 days allowance to accomplish engagement in light of the magnitude that such a change on Marshall Ave in Union Park would accomplish.

If neither a delay is provided or in the event Mr. Moriarty is not offered the opportunity to pursue an RM1 with variance, the Union Park District Council opposes Stephen Moriarty's RM2 rezoning request for the 1984 Marshall Ave property in question.

Thank you,

Sarah Dvorak, Union Park District Council President

**From:** City of Saint Paul [cityofsaintpaul@public.govdelivery.com](mailto:cityofsaintpaul@public.govdelivery.com)   
**Subject:** 1984 Marshall Ave. zoning application early notification  
**Date:** February 29, 2024 at 2:12 PM  
**To:** [info@unionparkdc.org](mailto:info@unionparkdc.org)

The Planning Division of the Saint Paul Department of Planning and Economic Development (PED) has received the attached zoning application for consideration by the Saint Paul City Council. This information is being forwarded to you as required by the City's Early Notification Policy.

This application is for property located in the area represented by the Union Park District Council, an independent organization that provides advisory recommendations to the City about a variety of issues. They may choose to discuss this item at a neighborhood meeting and provide a recommendation to the City Council. Please contact Union Park District Council at 651-645-6887 or [leah@unionparkdc.org](mailto:leah@unionparkdc.org) if you are interested in participating in the neighborhood review process.

**Please note that this application has not yet been reviewed for completeness and it may therefore be returned to the applicant for additional information.**

You will receive further notification from the Planning Division when a public hearing on the application has been scheduled.

Contact [paul.dubruiel@ci.stpaul.mn.us](mailto:paul.dubruiel@ci.stpaul.mn.us) with questions.

- [1984\\_marshall\\_ens\\_2-29-24.msg](#)



**SAINT PAUL**  
MINNESOTA

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This email was sent to [info@unionparkdc.org](mailto:info@unionparkdc.org) using govDelivery Communications Cloud on behalf of: City of St. Paul · 707 17th St, Suite 4000 · Denver, CO 80202



1984\_marshall\_  
ens\_2-...24.msg

**From:** Paul Dubruiel paul.dubruiel@ci.stpaul.mn.us   
**Subject:** RE: Information needed re: 1984 Marshall Ave re-zoning application  
**Date:** March 8, 2024 at 9:55 AM  
**To:** Leah Timberlake Sullivan leah@unionparkdc.org  
**Cc:** Chris Hong Chris.Hong@ci.stpaul.mn.us

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3-8-24

Re: Comments

Ms. Sullivan,

You may direct questions and comments in writing to the assigned planner, Ms. Chris Hong, 651-266-6572, [chris.hong@ci.stpaul.mn.us](mailto:chris.hong@ci.stpaul.mn.us) or send them to me to be forwarded to the assigned planner.

Zoning Committee (public hearing) is scheduled for March 21, 2024 , and City Council (public hearing) to be scheduled.

A more substantial file will be forwarded to you from me when completed, for your review.

**Paul Dubruiel**  
Planning Tech  
Pronouns: He/Him  
Planning & Economic Development  
25 W 4<sup>th</sup> Street, Suite 1400  
Saint Paul, MN 55102  
P: 651 266-6583  
[paul.dubruiel@ci.stpaul.mn.us](mailto:paul.dubruiel@ci.stpaul.mn.us)  
[www.StPaul.gov](http://www.StPaul.gov)



**SAINT PAUL**  
MINNESOTA

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**From:** Leah Timberlake Sullivan <leah@unionparkdc.org>  
**Sent:** Friday, March 8, 2024 12:00 AM  
**To:** Paul Dubruiel <paul.dubruiel@ci.stpaul.mn.us>  
**Cc:** Dean Cummings <deanpcummings@gmail.com>; The Morrows <mcmorrow@comcast.net>  
**Subject:** Information needed re: 1984 Marshall Ave re-zoning application

**Think Before You Click: This email originated outside our organization.**

Hi Paul,

I received the notice regarding the 1984 Marshall Ave re-zoning application from Mortho LLC. I am wondering if you can provide me with necessary information regarding when/how the public can offer comments to this.

This is a very large change to the block being proposed and I am receiving communication from the local community. I need to know how to direct them to engage in this matter.

Can you please provide me with all information in a file that is universally distributable, such as PDF and/or web links?

I appreciate your attention to this. Feel free to let me know if you need any clarification about my request.

Thanks,  
Leah

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**Leah Timberlake Sullivan**  
**Executive Director**  
**Union Park District Council**  
1821 University Ave W | Saint Paul, MN 55104  
651-645-6887 | [unionparkdc.org](http://unionparkdc.org)

*"Many Neighborhoods, One Community"*



Leah Timberlake Sullivan <leah@unionparkdc.org>

## 1984 Marshall ZF #24-017-011 FW: Message from "PE-14Copier"

3 messages

**Paul Dubruiel** <paul.dubruiel@ci.stpaul.mn.us> Mon, Mar 11, 2024 at 9:26 AM  
To: Paul Sawyer <Paul.Sawyer@ci.stpaul.mn.us>, "leah@unionparkdc.org" <leah@unionparkdc.org>, \*CI-StPaul\_CC-Ward4 <CC-Ward4@ci.stpaul.mn.us>  
Cc: Samantha Langer <samantha.langer@ci.stpaul.mn.us>, Chris Hong <Chris.Hong@ci.stpaul.mn.us>

Re: 1984 Marshall rezoning documentation

-----Original Message-----

From: [PE-14Copier@ci.stpaul.mn.us](mailto:PE-14Copier@ci.stpaul.mn.us) <[PE-14Copier@ci.stpaul.mn.us](mailto:PE-14Copier@ci.stpaul.mn.us)>  
Sent: Monday, March 11, 2024 9:00 AM  
To: Paul Dubruiel <[paul.dubruiel@ci.stpaul.mn.us](mailto:paul.dubruiel@ci.stpaul.mn.us)>  
Subject: Message from "PE-14Copier"

This E-mail was sent from "PE-14Copier" (MP C6503).

Scan Date: 03.11.2024 09:00:27 (-0500)  
Queries to: [PE-14Copier@ci.stpaul.mn.us](mailto:PE-14Copier@ci.stpaul.mn.us)

 **20240311090027856.pdf**  
3536K

**Leah Timberlake Sullivan** <leah@unionparkdc.org> Mon, Mar 11, 2024 at 9:56 AM  
To: Dean Cummings <deanpcummings@gmail.com>, Mark Morrow <mcmorrow@comcast.net>  
Cc: Sarah Dvorak <sarahd@unionparkdc.org>

--  
**Leah Timberlake Sullivan**  
Executive Director  
Union Park District Council  
[1821 University Ave W | Saint Paul, MN 55104](https://www.unionparkdc.org)  
[651-645-6887](tel:651-645-6887) | [unionparkdc.org](http://unionparkdc.org)

*"Many Neighborhoods, One Community"*

 **20240311090027856.pdf**  
3536K

**Leah Timberlake Sullivan** <leah@unionparkdc.org> Fri, Mar 15, 2024 at 2:12 PM  
To: Paul Nguyen <paul@unionparkdc.org>

----- Forwarded message -----

From: **Paul Dubruiel** <[paul.dubruiel@ci.stpaul.mn.us](mailto:paul.dubruiel@ci.stpaul.mn.us)>

Date: Mon, Mar 11, 2024 at 9:26 AM

Subject: 1984 Marshall ZF #24-017-011 FW: Message from "PE-14Copier"

To: Paul Sawyer <[Paul.Sawyer@ci.stpaul.mn.us](mailto:Paul.Sawyer@ci.stpaul.mn.us)>, [leah@unionparkdc.org](mailto:leah@unionparkdc.org) <[leah@unionparkdc.org](mailto:leah@unionparkdc.org)>, \*CI-StPaul\_CC-Ward4 <[CC-Ward4@ci.stpaul.mn.us](mailto:CC-Ward4@ci.stpaul.mn.us)>

Cc: Samantha Langer <[samantha.langer@ci.stpaul.mn.us](mailto:samantha.langer@ci.stpaul.mn.us)>, Chris Hong <[Chris.Hong@ci.stpaul.mn.us](mailto:Chris.Hong@ci.stpaul.mn.us)>



**20240311090027856.pdf**

3536K





March 14, 2024

City of Saint Paul  
Department of Planning and Economic Development  
Zoning Section

Re: 1984 Marshall Avenue Rezoning Application

To Whom It May Concern:

A member of my congregation has alerted me to the rezoning application of the owner of the above-mentioned property. I write to express my concern.

The lot in question sits directly north of our church, just a few yards across the alley from our sanctuary and chapel. It is the former home of Mary and Arthur Fellows, an organist and organ builder of some note. The pastor who built our current church, Monsignor Corrigan, used to go there for card games with the neighbors.

The Church of Saint Mark has been at 2001 Dayton since practically the founding of Merriam Park (1889) and today remains a vibrant Catholic parish, with around 500 people of all ages coming each Sunday for worship, around 40 children from the neighborhood coming to our preschool during the week, and wide array of community-building and charitable activities taking place on any day of the week.

As the current pastor of this congregation, I oppose the project and respectfully request that the application be denied. The proposed apartment building promises to have a substantial negative impact on our parish. The structure would impede visibility of our church from the street and block daylight from entering our historic stained glass windows in the all-hours adoration chapel located along the alleyway. More importantly, the increased number of residents at the address would likely generate greater noise pollution, distracting those who come to pray in our church and chapel.

**The Church of St. Mark**

*To live and share Christ's call to holiness*  
2001 Dayton Ave. St. Paul, MN 55104  
651-645-5717 | [onestrongfamily.org](http://onestrongfamily.org)

The presence of (most likely) more university students would also increase the risk to our properties in the form of vandalism (our stained-glass windows have been damaged in the past by golf balls coming from our youthful neighbors, for example) and trespassing. Street parking, already precious, would become harder to come by for visitors to our parish.

As an evangelical and charitable institution, whoever lives at the address is welcome to our church and will be the object of our Christian love. However, in our experience, tenants at properties like the one proposed, mostly university students who come and go from the neighborhood, are not interested in integrating into the community nor coming to the parish.

Our belief is that the neighborhood is benefitted by the preservation of the historic single-family homes, in which families can put down roots and have space to raise their children in a dignified way.

I thank the committee for taking our preference and needs into consideration on this important matter. I regret I am unable to attend the upcoming hearing, but remain happy to provide further testimony to our community's wishes on the issue.

Respectfully,

A handwritten signature in black ink, appearing to read "David Hoffinger", written over a horizontal line.

Rev. David Hoffinger, PES  
Pastor  
Church of Saint Mark  
2001 Dayton Avenue  
Saint Paul, MN 55104

**From:** jimbaxter@q.com  
**Subject:** 1984 Marshall ave  
**Date:** March 20, 2024 at 6:00 PM  
**To:** PED-ZoningCommitteeSecretary@ci.stpaul.mn  
**Cc:** leah@unionparkdc.org

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St Paul Zoning committee personnel,

My name is Jim Baxter and I live and own a home at 1939 Dayton Ave.

I understand 1984 Marshall, at the corner of Marshall and Moore, has a new owner who is proposing to tear down the existing house and build 7 townhomes.

I strongly recommend this request be denied.

My concerns largely center around parking impact to the surrounding neighborhood. Parking would spill over to the St Mark's usual parking activity. Associated parking would then push down to our block which has parking needs now between St Mark's and St Sahag churches which each have expected traffic and parking needs.

I understand other background items include:

- o This looks like spot zoning. It is providing an enhanced economic benefit for one specific investor.
- o The zoning of this property has been recently extensively studied and ratified by the Community and the City
- o There was unprecedented community input and agreement on the zoning status of this property
- o This property is not on a city nor transportation node
- o Since the zoning study was completed in 2018, nine apartment buildings with hundreds of units and bedrooms (375 units, 650 bedrooms) have been added on Marshall Ave between Finn and Pascal. The density of this area is moving from a mix of low and medium density to high density.

Regards,

Jim Baxter

651-206-9511

1939 Dayton Ave

Dear Leah,

Would you please pass on my comments below to the Land Use Committee for their meeting on Monday night? I'm not able to make it to the meeting but I want to send my reaction to the St. Paul Zoning Committee approval to allow 1984 Marshall Avenue to be torn down.

Thank you,  
Catherine Spaeth  
[1879 Carroll Avenue](#)

Dear CLUED Members,

I read in the UPDC newsletter that you will be discussing a zoning request change for [1984 Marshall Avenue.](#) I am distressed that the City of St. Paul continues to approve demolition permits for historic houses on Marshall Avenue. When will it stop? And what is the point of having a zoning code if exceptions are made on a regular basis? Many people in St. Paul government claim to care about affordable housing. But there is precious little in the new construction on Marshall Avenue over the past few years that is affordable. Is there any at all? I put the following questions to the committee:

- Are all of the new apartments along Marshall Avenue full and rented to capacity?
- Will any of the new 7 townhomes proposed be affordable?
- Are the original reasons for zoning parts of Marshall Avenue as RM1 no longer valid?
- Is there anything environmentally responsible about putting a 100-year-old house in the landfill?
- Have developers run out of places in St. Paul to put new construction that doesn't involve tearing down historic houses?

If the committee can't answer "yes" to these questions, there seems to me no reason to change the zoning code.

Please do not vote in favor of this change.

Catherine Spaeth  
[1879 Carroll Avenue](#)

**From:** [Robert Clarksen](#)  
**To:** [\\*Cl-StPaul\\_PED-ZoningCommitteeSecretary](#)  
**Subject:** Re: 1984 Marshall Avenue  
**Date:** Wednesday, March 20, 2024 5:16:22 PM  
**Attachments:** [image.png](#)

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Hello, Just resending this to another Committee Secretary email address as I received an autoreply message. Please share this with Christina Hong who should have received the original message.

Thanks, Robert Clarksen

On Wed, Mar 20, 2024 at 2:55 PM Robert Clarksen <[midwest.urban@gmail.com](mailto:midwest.urban@gmail.com)> wrote:  
Hi Christina,

My wife and two daughters live at 1980 Iglehart Avenue directly across the alley from Marshall Suites, 1975 Marshall, and down one block from the proposed 1984 Marshall Rezoning.

My neighbors will provide you with analysis that corrects a factual error addressed in the PED report you prepared regarding the legacy nature of the RM2 zoning at 1975 Marshall. Marshall Suites is a 6 story building completed 4 years ago that was rezoned PRIOR to the moratorium established as part of the West Marshall Ave Rezoning Study. That site was zoned RM2 before the adoption of the WM study. I emphasize this because your report provides a flawed rationale for the proposed rezoning of 1984 Marshall that relies on a nonexistent precedent established by the Marshall Avenue Rezoning study. Unfortunately that isnt how it actually worked - but I will leave that analysis to you and others.

I see the Zoning committee meets tomorrow and the full Planning Commission meets on 3/29 to consider this project. The purpose of my message is to explain why I believe the 1984 Marshall Ave rezoning should be denied. There are a few reasons for this, but essentially, like 1975 Marshall, I think the proposed plan for 1984 is ill conceived and overdone. Here are a few reasons why:

1) The design of a series of townhouses facing a side street is an atypical intrusion upon the traditional development patterns of Saint Paul. The project has been designed this way to maximize the number of units that can be stuffed into this parcel. The design crams an oversized building on a parcel that wasnt set up for this style of development. The poor design results in the building encroaching on Marshall and Moore, disrupting the prevailing setback - a primary element of the pattern of historic development along the Avenue. Approval of the rezoning and construction of the project will disrupt and destroy the character of Marshall Avenue. As simple and atrocious looking as it may be, even Marshall Suites was planned to respect the prevailing front setback along the Marshall Avenue street frontage. The CPC and the comprehensive plan purport to protect the character of the neighborhood or at least not disrupt it. If the CPC values implementation of the comp plan as the "neighborhood character" reference in Item H (3) (2) of the report suggests, the appropriate conclusion is to reject this project as a poorly designed concept that is inconsistent with the design and character of St Pauls neighborhoods, broadly speaking. Starbucks on Snelling was another poorly designed project just down the street. I believe a more thoughtfully considered site plan could provide both additional density and protect neighborhood character. The proposed rezoning is unnecessary to achieve that goal.

2) The implication this project is consistent with the comp plan because it happens to be on a BRT line is completely fantastic, and should be irrelevant because the plans for the BRT were well documented when 1984 Marshall was downzoned to RM1. Furthermore, the 21 bus has served Marshall for many years as an existing high frequency corridor. The relative increase in bus service on Marshall due to BRT is not really novel or noteworthy. Marshall has always been a frequent service transit corridor - the addition of BRT on this stretch of the route is not significant enough to justify a rezoning that is not necessary to add residential density without disrupting the character of the street in a context

sensitive manner. Additionally, in its discussion of the comp plan consistency, the City fails to identify the extent of the neighborhood node - in my opinion the Node ends at Wilder street. To suggest otherwise would also imply the anticipated creep of the commercial district - and this should not be the intent of the plan.

3) The Setbacks in RM2 are 9 feet and 25. If this rezoning gets approved, the next request will be setback variances, which are completely the result of the applicants interest and do not reflect a practical difficulty that is not solely a financial consideration.

## Sec. 394.27 MN Statutes



MN Revisor's Office (.gov)

<https://www.revisor.mn.gov/statutes/cite>

Variances may be granted when the applicant for the variance **establishes that there are practical difficulties in complying with the official control**

The variances that will be necessary if the rezoning is approved are completely avoidable of the design concept does not push the envelope of what is reasonable - there is no adequate justification for these variances and there is no need to rezone the property to add density. These are regulatory changes needed to overbuild the site! The proposed building is 32 feet forward of the adjacent apartment building, and about 6 feet from the Moore Street side. Clearly, a paltry attempt at creating backyards has been made by providing 11 feet on the West side of the proposed building, the implication is this will be the outdoor gathering space for future residents. This arrangement is inconsistent with the pattern of development on the block and throughout the City.

The City has conveniently decoupled this analysis from consideration of the rezoning and the site plan review. The piecemeal siloed approach to the projects review by multiple committees undermines a coherent, holistic, and comprehensive consideration of all aspects of one project. The siloed authority is antithetical to a comprehensive analysis of the regulatory framework, and provides a venue where likely impacts on the community may be left on the table or worse, ignored.

Nonetheless, the applicant could add several units to increase density and build a multiple unit project that does not require variances, but the flawed nature of the project evaluation process set forth by St Paul PED is unlikely to lead to that result. More likely, the rezoning will be approved and then the applicant will claim the need for variances that are obvious looking at this plan which would otherwise be avoidable. The flawed process creates an environment where this project overreaches the desire for density set out in the comp plan regardless of the costs and impacts of the development.

Again, see #1.

**Finally, I will conclude with a bit of an editorial based on our experience living next to Marshall Suites:**

My wife and I are land use and transportation planning professionals with 40 years combined experience. We talked about the 1984 Marshall project in the context of our experience with the Marshall Suites development across the alley from our home. We were always open to have more density on the property across the alley, but we wanted to be thoughtful with the design of the building and the site. We thought the building was too tall and the impacts to the immediate community would be borne upon the other properties in an unfair and completely avoidable way. We now experience this

with the parties in the side yard that are the result of the orientation of Marshall Suites, which are an ongoing distraction. Loud yelling and urination in view of our kitchen window are commonplace. While 1984 is also a corner lot like 1975 Marshall, and it is appropriate for additional density, I believe the existing home can be replaced with a 4-6 unit structure that has more in common with the building next door especially in terms of its orientation and yards.

The key to quality development is how its done. Provide a front and back yard that creates an appropriate environment for residents to gather on the property. The current design repeats the folly of 1975 Marshall by creating a narrow side yard that negatively impacts the quality of life on adjacent parcels. Site the building as buildings have been traditionally sited on residential lots in Saint Paul to preserve the prevailing front yard setback, the experience of walking or driving down Marshall - where all the fronts of the structures align and face the main street. Not like this..

For these reasons I would request that the Zoning Committee deny the request for this rezoning and encourage a better development for this site than what has been proposed..

***Robert Clarksen***

Midwest Urban Planning

Professional Land Use and Development Consulting and Analytics

[Midwest.urban@gmail.com](mailto:Midwest.urban@gmail.com)

612/481-2872

**From:** Dean Nelson <deanmnelson09@gmail.com>

**Subject:** 1984 Marshall Avenue - Proposed Rezoning from RM1 To RM2 - File: ZF# 24-017-011

**Date:** March 19, 2024 at 3:09:19PM CDT

**To:** PED-ZoningCommitteeSecretary@ci.stpaul.mn.us

**Cc:** Chris.Hong@ci.stpaul.mn.us

To City Staff and the Zoning Committee of the Saint Paul Planning Commission:

I am writing to express my strong opposition to the proposed rezoning of 1984 Marshall Avenue from RM1 (lower-density multiple-family housing) to RM2 (medium-density multiple family housing) for the following reasons:

- **It would start the “unwinding” of the thoughtful and fully vetted West Marshall Avenue Zoning Ordinance 18-49 (“Ordinance”), which was enacted a short time ago on October 31, 2018, by setting a precedent for easy future rezoning actions that are isolated and focused only on a benefit to one individual residential property lot (similar to illegal spot zoning even though not a change in use).** The Ordinance codified the West Marshall Zoning Study, started in 2017, which was an effort that involved over a year of substantial community input from renters, single-family homeowners, developers, businesses, and others in at least **27** public hearings and meetings at the Union Park District Council, Zoning Committee, Comprehensive and Neighborhood Planning Committee, Planning Commission, and City Council. A high-level summary of the many input opportunities and actions during this process is attached as Appendix A; a more detailed date-specific summary of the WMA Zoning Study and Ordinance process is available from me upon request.
  - **If the Owner of 1984 Marshall Avenue were willing to pursue a zoning variance for his project rather than a rezoning, it would preserve the zoning in place after many months of community work and enactment of the WMA Zoning Ordinance and be less controversial.**
- **Since the West Marshall Avenue Zoning Study and Ordinance in 2018, WMA has witnessed an immense increase in new multiple-family housing density.** In summary, since 2018, **11** new 3 - 6-story multi-family housing buildings have been constructed along WMA with **374 units** (approximately **652 bedrooms**). One of these (1616 Marshall) still remains under construction. **15 of these properties were formerly single-family homes**, some arguably historic, that were demolished. Having diversity in housing types is critical; however, it seems the balance contemplated under the WMA Zoning Ordinance’s traditional neighborhood zoning, designed to preserve neighborhood character, has tipped substantially towards new multi-story, multiple-family housing in recent years, as virtually no other new dwelling types have been built along West Marshall Avenue. Please see Appendix B for more detail.
- **City staff has completed an extensive analysis of the current housing condition along West Marshall Avenue and of the rationale for this proposed rezoning; however, I respectfully take exception to a couple of points that were made:**
  - **While the 2040 Comprehensive Plan had not yet been enacted in 2018, it was available in draft form at least by March 2018 and was used to inform the West Marshall Avenue Zoning Study and Ordinance.** In other words, the increases in housing density contemplated along WMA in the 2040 Comprehensive Plan were largely accounted for in the WMA Zoning Ordinance.
  - **The corner of Marshall Avenue and Moore Street (where 1984 Marshall Avenue is located) is two full blocks to the east of the corner of Marshall and Cleveland Avenue “Neighborhood**



**Node” mentioned in the Staff Report, with no stoplight controls or businesses, so it is not subject to the higher multi-family housing density that is encouraged (and since 2018, actually built) at the much higher-traffic-volume Marshall/Cleveland Neighborhood Node, which is controlled by a stoplight.** Please refer to 2040 Comprehensive Plan Map LU-2: 2040 Land Use. In summary, there is no retail, civic, or commercial services at the Marshall/Moore intersection, and while there are currently bus stops at this intersection, they will be eliminated this June as part of Metro Transit’s B Line project. A quick drive by these intersections would clarify.

- **The Owner of 1984 Marshall Avenue cites 1975 Marshall Avenue (“1975”) located diagonally across the intersection, as a justification for his requested RM2 rezoning:**
  - **1975 is indeed zoned RM2; however, its building permit application was made just hours before a Marshall Avenue new development moratorium was passed by the City Council on October 4, 2017.**
  - **RM2 for this property, therefore, is a legacy zoning designation, which was not affected when the WMA Zoning Ordinance was enacted in 2018.** Without this legacy, 1975 would have been undoubtedly zoned RM1 consistent with the City’s WMA Zoning Ordinance.
  - **Controversy surrounding the immense size and neighborhood impact of the planned 1975 redevelopment was in part what precipitated the WMA Zoning Study.**
  - **1975 Marshall is the only property with RM2 zoning all along West Marshall Avenue.**
- **From 1984 Marshall, dwellings directly across Moore Street to the east and across Marshall to the north are single-family homes, and the property directly to the west is a two-story apartment building with basement units. All are zoned RM1.**
- **The Owner of 1984 Marshall Avenue is entirely permitted to construct a new multiple-family dwelling under the property’s existing RM1 zoning, just not as large as would be permitted under RM2 zoning.**

Thank you very much to City Staff and the Zoning Committee for full consideration of the points I raise in objection to the proposed rezoning of 1984 Marshall Avenue. Incidentally, my home is two properties west of 1984 Marshall Avenue, both on the south side of the Marshall.

Once again, thanks,

Dean M. Nelson

2000 Marshall Avenue

Saint Paul, MN 55104

Phone: 612-500-3674

**From:** [Chris Hong](#)  
**To:** [\\*CI-StPaul\\_PFD-ZoningCommitteeSecretary](#)  
**Subject:** FW: 1984 Marshall Ave - Opposition to proposed rezoning  
**Date:** Thursday, March 21, 2024 11:55:49 AM

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**From:** Lon Stousland <lon.stousland@gmail.com>  
**Sent:** Thursday, March 21, 2024 11:49 AM  
**To:** Chris Hong <Chris.Hong@ci.stpaul.mn.us>  
**Subject:** 1984 Marshall Ave - Opposition to proposed rezoning

**Think Before You Click:** This email originated **outside** our organization.

Hello,

My wife, daughter and I live at 2006 Marshall Avenue and would like to voice my opposition to the proposed rezoning of the nearby 1984 Marshall Avenue parcel from RM1 to RM2 classification.

From October 2017 through October 2018, the Saint Paul City Council enacted resolutions and ordinances to conduct a holistic and overarching study of the West Marshall Avenue zoning where many lots along Marshall Avenue were at that time zoned RM2. After extensive community engagement and public input, the Saint Paul Comprehensive and Neighborhood Planning Committee, Saint Paul Planning Commission, and Saint Paul City Council voted to enact updated zoning that permits higher-density zoning at light-controlled "neighborhood nodes" while downzoning almost all other Marshall Avenue properties from RM2 to RM1 - including 1984 Marshall Ave.

Approval of the proposed upzoning now would set a precedent that the holistic, community-driven outcome of the relatively recent 2018 West Marshall Avenue rezoning process can be undone not by a similar intentional, inclusive process, but by the desires of a singular land-owner. Moreso, upzoning the parcel without requesting or presenting potential development plans to the neighborhood is short-sided and does not reflect a thorough, thoughtful process. Alternately, a presentation could be made outlining the desired physical properties of the proposed development, and considerations could be made for specific variances - this would maintain the Zoning as RM1 while still allowing the potential for added density and development opportunities that do not contradict the previous zoning studies or set a drastic precedent for the neighborhood.

While more housing is needed in the area, and we support densification - we support doing so in a manner where the human scale of the street is preserved. The RM2 zoning would allow for an excessive amount of density for the relatively small residential lot, while the RM1 classification allows for intermittent densification while maintaining the general feel of the streetscape, and allows single family homes to remain without feeling so out of place.

Thank you for your consideration of our comments - we hope that the City Council understands our opposition to the upzoning, but also considers alternative approaches for supporting development in area such as variances or similar approaches.

Thank you,  
Lon Stousland & Mary Myers  
2006 Marshall Avenue, St Paul, MN

03/20/2024

Dear Planning Commission Members:

I am writing to oppose the request to rezone 1984 Marshall Avenue from RM1 to RM2.

In the interest of full disclosure; I am co-chair of the Union Park Land Use Committee, but I am writing to express my personal thoughts.

I have read the staff report dated March 14, 2024 and offer the following observations regarding the points as presented:

**H.1.** The landowner has no plight. He very recently purchased this property and had full knowledge of the existing zoning constraints.

**H.2.** The landowner has shared no specific plans, renderings, or sketches with the community regarding these purported FAR assertions.

**H.3.** This specific parcel was, in fact, given more scrutiny as the landowner appeared before the District Council in 2017 to request variances. This ultimately inspired the West Marshall Ave zoning study as the District Council and City realized the zoning on Marshall Avenue had not been reconsidered since 1975.

**H.4.** There will be no transit access at the corner of Marshall and Moore with the rapidly upcoming implementation of the B Line. Marshall and Moore is 2 blocks away from Cleveland and Marshall and it is an overestimation to consider a separate, distinct intersection an integral part of the node of an intersection 2 blocks away. Cleveland and Marshall which is served regularly by one bus line and sporadically by 2 others is not a major transit node. There are no retail, civic, commercial services, traffic semaphores, or even a painted crosswalk at the intersection of Marshall and Moore. It is not a neighborhood node.

**Policy LU-34.** RM2 allows for up to a 5-story building which is not part of the general scale of this neighborhood. The landowner has made general statements about his plans that apparently could be accomplished without permanently changing the zoning. In fact, there is a medium density apartment building adjacent to this parcel zoned as RM1. This really is a question of design and not zoning. RM2 is inappropriate for the neighborhood and as the landowner himself has stated: unnecessary for the landowner's plans. Upzoning this parcel is the city planning version of using a sledge hammer to swat a fly.

**Policy LU-35.** Moore Street is neither an arterial nor collector street as it terminates approximately 100 yards North of Marshall. It is a local street. According to the developer, the majority of the units will be on Moore and not on Marshall.

**H.5.** This re-classification carries hallmarks of spot zoning. The new landowner acquired the property just months ago, is apparently an investment professional with full knowledge of the zoning constraints of the parcel he was acquiring, and is immediately seeking a zoning upgrade specific only to his property.

Between the Mississippi River up to Lexington Ave there is only 1 property that carries an RM2 classification. And this parcel is an anomaly that was grandfathered before the West Marshall Avenue Zoning Study and cannot be used for a sympathetic comparison. If that parcel had not been grandfathered, it would absolutely be classified as RM1. Upzoning 1984 Marshall to RM2 uses a classification inconsistent with the surrounding uses and creates an island of nonconforming use within the larger zoned area that looks like spot zoning to benefit one specific investor.

The zoning of this property has already been examined recently in detail and multiple times. In 2017 the property owner approached the Union Park District Council to request a recommendation for multiple variances to demolish the existing

house and build a 5-story apartment building. This request was rejected after consideration by both Union Park’s Land Use Committee and the Board of Directors. The property owner halted pursuit of this project at this point.

In 2018 a months long zoning study was conducted along Marshall Avenue. Through countless hours of door-knocking, flyering, and community meetings, each property was examined individually, a zoning recommendation was made, and a community consensus reached. The study concluded the correct zoning of this property is RM1. This recommendation was confirmed by both the Comprehensive and Neighborhood Planning Committee and the Planning Commission. Further, this recommendation was confirmed by the City Council. The determination of the proper zoning for this project has been exhaustive.

Eleven apartment buildings with 375 units including 650 bedrooms have been added or are in the process of being added on Marshall Avenue in just the 2km stretch from Finn Street to Pascal Ave in the five years since the completion of the zoning study. Meanwhile, 15 single-family style homes have been removed. (see Chart A below) The density of this area now vastly exceeds the vision of the zoning study and the 2040 plan. It has very rapidly shifted from a balance of low and medium density housing and is on a trajectory towards high density housing. According to the recently retired Director of Neighborhood Relations at the University of St. Thomas, student rental vacancy rates had never been higher than when she left her position.

Thank you for your consideration of the zoning of this property once again so soon after its previous designation. I believe the community, The Comprehensive and Neighborhood Planning Committee, The Planning Commission, and the City Council have already made the correct decision regarding the zoning of 1984 Marshall and it requires no change.

**Chart A**

<b>Marshall Ave Address</b>	<b>Units Added</b>	<b>Bedrooms Added</b>	<b>Single Family Homes Removed</b>
2127	30	39	1
2105	75	118	4
2063	48	48	2
1975	16	64	2
1625	15	38	2
1616	98	157	0
1611	8	16	2
1515	24	48	0
1509	<u>60</u>	<u>120</u>	<u>2</u>
	374	648	15

Dean Cummings  
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