

**From:** [Doua Yang](#)  
**To:** [Greg Weiner](#)  
**Subject:** FW: City Council Public Hearing - 1984 Marshall Avenue - Proposed Rezoning  
**Date:** Wednesday, April 17, 2024 11:53:34 AM  
**Attachments:** [West Marshall Ave Apts Built Since 2018 - Daily schedule \(1\).pdf](#)

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**From:** Dean Nelson <deanmnelson09@gmail.com>  
**Sent:** Wednesday, April 17, 2024 11:29 AM  
**To:** Doua Yang <Doua.Yang@ci.stpaul.mn.us>; Kristin Koziol <kristin.koziol@ci.stpaul.mn.us>  
**Cc:** sarah dvorak <sarahdvorak@hotmail.com>; Dean Cummings <deanpcummings@gmail.com>  
**Subject:** City Council Public Hearing - 1984 Marshall Avenue - Proposed Rezoning

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

Good morning Ms. Yang,

It looks like this "West Marshall Avenue Apartment Buildings Built Since 2018" spreadsheet was omitted from the Planning Commission/Zoning Committee letters that were passed along to the City Council. I am including it now, so that my original letter is complete.

Please let me know if you have any questions.

Thank you,  
Dean Nelson  
2000 Marshall Avenue  
Saint Paul, MN 55104  
Phone: 612-500-3674

### New West Marshall Avenue Apartment Buildings Built Since 2018

Address	When Built	Number of Units	Estimated Number of Bedrooms	Number of Stories	Dwellings Demolished
1509 Marshall Ave	2023	60	120	4	2 Single-family Homes
1515-1525 Marshall Ave	2023	24	48	3	Industrial Site
1611 Marshall Ave	2020	8	24	4	2 Single-family Homes
1616 Marshall Ave	Under Construction	98	157 (actual)	6	School Parking Lot
1625 Marshall Ave	2021	15	38 (actual)	4	2 Single-family Homes
1975 Marshall Ave	2018	16	60 (actual)	5	2 Single-family Homes
2063 Marshall Ave	2023	48	48 (actual)	4	2 Single-family Homes
2105 Marshall Ave/ 250 Finn St	2022	75	118 (actual)	3 (2105)/ 4 (250)	4 Single-family Homes
2127 Marshall Ave	2021	30	39 (actual)	4	1 Single-family Home
	<b>11 Buildings</b>	<b>374 Units</b>	<b>652 Bedrooms</b>		<b>15 Single-family Homes Demolished</b>

**From:** [Kristin Koziol](#)  
**To:** [Greg Weiner](#)  
**Subject:** Fw: Proposed 1984 Marshall Avenue Rezoning  
**Date:** Monday, April 29, 2024 9:59:37 AM

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Please attach for PH 24-2

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**From:** Dean Nelson <deanmnelson09@gmail.com>  
**Sent:** Friday, April 26, 2024 12:19 PM  
**To:** Kristin Koziol <kristin.koziol@ci.stpaul.mn.us>; Doua Yang <Doua.Yang@ci.stpaul.mn.us>  
**Cc:** Dean Cummings <deanpcummings@gmail.com>; sarah dvorak <sarahdvorak@hotmail.com>  
**Subject:** Proposed 1984 Marshall Avenue Rezoning

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

Dear City Council President Jalali and Ms. Yang:

Thank you very much for listening to my arguments in opposition to the proposed 1984 Marshall Avenue rezoning at the recent City Council meeting. I appreciate that this matter was laid over for two more weeks to allow additional time to study it.

Many West Marshall Avenue (“WMA”) residents have welcomed the significantly increased multi-family housing density encouraged under the WMA Zoning Ordinance enacted in 2018 (this density already exceeds levels contemplated under the 2040 Comprehensive Plan). I am not against redeveloping 1984 Marshall Avenue to townhomes under the existing RM1 zoning:

1.

In fact, the 1984 Marshall Avenue developer, Mortho LLC, is entirely entitled to maximize housing density in accordance with the new, sweeping revisions made to Saint Paul’s residential zoning code just last year to allow for greater density more broadly, including the new code’s much more expansive RM1 provisions.

2.

Mortho LLC could likely build 5 townhomes on the single 1984 Marshall lot under the recently enacted RM1 code, just not the 7 townhomes in his proposed plans that he is attempting to jam onto this single residential lot, which is only 50 feet wide by 162 feet deep.

3.

I am very concerned that an easy rezoning of 1984 Marshall now from RM1 to RM2 would entirely undermine the integrity and start the “unwinding” of the cohesive, fully vetted WMA zoning plan ratified by the WMA Zoning Ordinance, and it would set

a bad precedent for a potential barrage of ad hoc rezoning applications from myriad Marshall Avenue developers and landowners.

Once again, I greatly appreciate your thoughtful evaluation of the proposed 1984 Marshall Avenue rezoning application. Please let me know if you have any questions.

Sincerely,

Dean M. Nelson

2000 Marshall Avenue

Saint Paul, MN 55104

04/30/2024

Dean Cummings  
1910 Marshall Ave  
Saint Paul MN 55104

Dear City Council 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. Should the landowner receive the zoning change and fail to complete his project, the zoning would remain RM2 and permit a subsequent investor to build a project far beyond the scale recommended for the neighborhood by wide consensus.

**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 nearly yearlong 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. It would be extremely injurious to community relations and the District Council system to discount the level of community input and override and reverse their tremendous work.

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) I believe 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 District Council, The Comprehensive and Neighborhood Planning Committee, The Planning Commission, and the preceding City Council have already made the correct decision regarding the zoning of 1984 Marshall and it requires no change.

#### Chart A

Marshall Ave Address	Units Added	Bedrooms Added	Single Family Homes Removed
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  
1910 Marshall Ave  
Saint Paul MN 55104