

## HOUSING AND LAND USE COMMITTEE MEETING

Wednesday, March 23<sup>rd</sup>, 2022 | 6:30pm

**Attendees:** Tom Dietsche, Ann Dolan, Alexa Golemo (Staff), Jack Fei, Ross Gregerson, Evan Hall, Patty Hartmann, Dawn Huffman, Gary Huffman, Heather Huffman, Kensey Lipstreuer, Kathryn McGuire, Wendy Merrell (Secretary), Alyssa Mitchell (Staff), Mike Moore (Chair), Zuza Pakula, Dave Pasiuk, Catherine Plessner, Regina Purins, Cindy Radtke, Tim Schmidt, Elizabeth Wefel

**Guests:** Anna Barton, Deb Burns, Shawn Devine, Sara O'Brien, Dave Wickiser, James Wilkinson, Chris

### MINUTES

- I. Welcome & Introductions
- II. There were no additions or deletions of the agenda items
- III. The February 2022 HLU meeting minutes were approved.
  - Tom made the motion
  - Catherine seconded
- IV. **1303 Randolph Avenue, Variance Applicant for a Non-Conforming Lot created by a Lot Split, Shawn Devine & Dave Wickiser**

#### **Request:**

Application for a non-conforming lot (Parcel A) with a lot width of 36.53 feet, for a total variance request of 3.47 feet or 8.7%, created by a lot split. The minimum lot width requirement for R4 zoning is 40 feet. (*Note: This variance calculation has not been verified by city staff.*)

See [Appendix A: Zoning Code SEC. 66.231-Density and dimensional standards table](#)

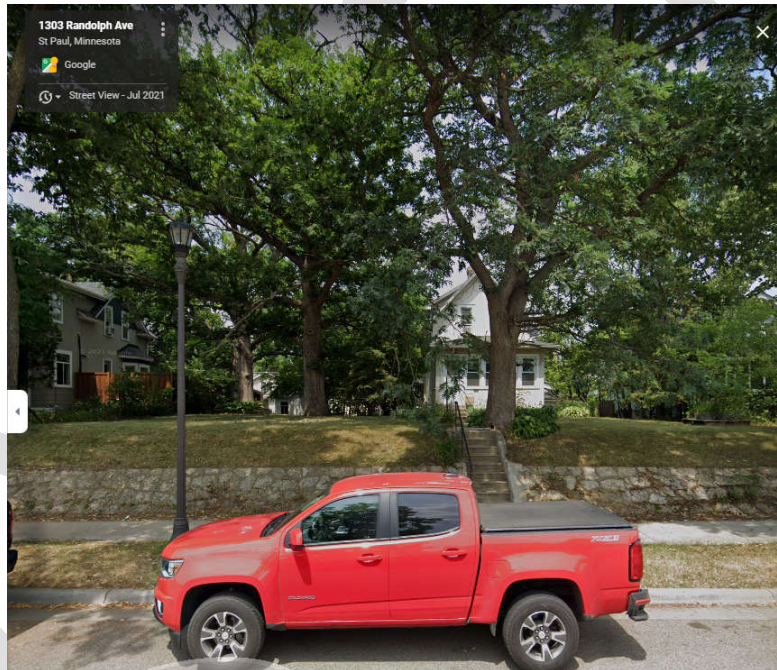
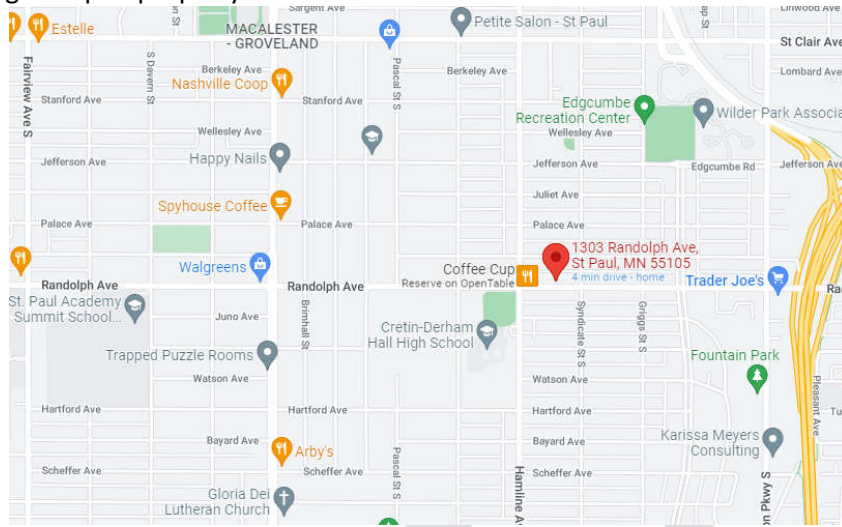
#### **Documentation Provided by Shawn Devine and Dave Wickiser:**

1. See [Appendix B: Zoning Variance Application](#)
2. See [Appendix C: Draft 1303 Randolph](#)

#### **Introduction of Shawn Devine & Dave Wickiser**

- Both long term St. Paul residents
- Shawn recently moved out of St. Paul
- Own the property
- The house that is currently on the property was built in 1913
  - It is a rental property
  - No plans on changing that
- They
  - Currently have no plans on building on the “new” split plot
  - May sell the new lot to another developer in the future

- Google map of property



- “New” lot would be 36.5 feet instead of 40 feet
- 3.5 foot variance requested

**Discussion:**

Tom Dietsche:

- What is the setback for the existing house?
- Answer: 4-5 feet

Catherine Plessner

- There has already been 2 properties that have been done before
- Almost mandatory if the old houses are to be saved.

Comment: Shawn Devine & Dave Wickiser

- A survey was pulled and the set back is 3.2 feet at 1299 Randolph

- Between 1303 and 1299 it is 22 feet
- Between the “new” parcel and 1311 would be 16.2 feet
- This is not affecting the character of the neighborhood

Anne Barton

- Would it still be zoned residential if it is split?
- Comment: Dave W:
  - A zoning change has been proposed in St. Paul
  - It could have a 4-plex built on each lot if the standing house is taken down
  - By keeping the house it is a smaller lot so a single home would be built
- Comment: Shawn D
  - Currently it is zoned R4, if the lot is split and if sold it would be a R4

Regina Purins:

- Are Shawn and Dave developers?
- Comment Dave W:
  - The first preference is to get the variance
  - The second preference would be to tear down the current house
  - The third preference would be to sell
  - No future plans to sell the lot

Cindy Radtke:

- Wanted clear request?
- Comment: Dave/Shawn
  - A variance of 3.5 feet.
  - The typical lot is 40 by 120 in the city

Heather Huffman

- Is Dave or Shawn currently the occupant of the property?
- Comment: Dave W
  - No, renters are currently residing on the property
- How long is the current lease?
- Comment: Dave W
  - No plans on stopping the lease
- Do they have a buyer or developer in mind?
- Comment: Dave W
  - No
- Is the goal to sell both properties?
- Comment: Dave W
  - No. Looking at keeping the renter and the new parcel
- Have they discussed the plans with the neighbors?
- Comment: Dave W
  - No. They haven't gotten that far.
- Comment: Alexa
  - Flyers were passed out in the neighborhood
  - The public still has the ability to comment
- Simply distributing flyers in the neighborhood is different than being more assertive.
- More concrete input from the neighbors is necessary
- All green space must be protected for climate change
- Would like specific outcomes for the property instead of possibilities
- Can this be postponed

- Comment Dave W
  - It is more concrete for the BZA

Mike Moore

- The intent of the property isn't taken into consideration for the variance approval/rejection

James Wilkinson

- A 4-plex would be greener than the single home
- The city is looking for density so that would be a plus for the 4-plex

Sara O'Brien neighbor of 1303 Randolph-her husband was visible but did not speak

- Would need to take down 4 big trees in order to build a house on the new parcel
- Would like the committee to reconsider
- The measurement should be verified as it is 16 feet to the lot line
- The new "house" would be on top of the neighbors

Kathryn McGuire

- A similar request came up a year and a half ago
- It was on Mt Curve and the request was to split the lot
- It didn't pass
- 2 lots bring more money than 1 lot
- To take down the house and build a duplex would be a better plan
- Comment: Shawn D
  - A variance would not be needed if the current house was removed and the land split into 2 lots

Anne Barton

- Sad of the development in St Paul
- Would be against this

Jack Fei

- He understands the reason that Shawn and Dave would like the property split and the variance given but what would the benefit to the neighborhood be?
- Comment: Dave W
  - He was 9 years in the planning area in St Paul
  - Has renovated home in St Paul
  - The city and neighborhood would benefit
    - Reducing the housing shortage
    - Proposing the lease dense plan for the parcel
    - Most of the city and Ramsey County is non-profit so this would increase the tax basis

Zuza Pakula

- Is supporting the variance
- In terms of character, it is not that radical as other places have small lots too

## Motions

### Motion to table consideration of the variance application for 1303 Randolph Avenue

Heather Huffman

Regina Purins seconded

Vote:

- Aye – 7
- Nay – 11

Motion Failed

**Motion to approve the variance request for lot width for the proposed lot split at 1303 Randolph Avenue**

Catherine Plessner

Cindy Radtke seconded

Vote:

- Aye – 8
- Nay – 10

Motion Failed

Wendy Merrell

- asked if the city would be notified that the committee had denied the approval of the 1303 Randolph Ave variance request.

Alexa Golemo

- Normally a denial is not sent to the city
- If the committee wants the city to be notified a Counter Motion must be made.

**Motion to recommend the City of Saint Paul does not approve the variance application for a non-conforming lot variance created by a lot split**

Heather Huffman

Regina Purins seconded

Vote:

- Aye – 10
- Nay - 7

1V. **Zoning Study of Consent Petition Requirements for Certain Zoning Applications**

Alexa Golemo

- Does the Housing and Land Use Committee (HLU) want to weigh in?
- Link to the Zoning Study of Consent Petition Requirements for Certain Zoning Applications
  - <https://www.stpaul.gov/sites/default/files/2022-03/CNPC%20Memo%2003.16.2022%20packet.pdf>

From the Zoning Study of consent Petition Requirements for Certain Zoning Applications documented referenced in the above link.

PURPOSE OF THE STUDY The purpose of this zoning study is to review language in the zoning code requiring consent petitions for some nonconforming and conditional use permit applications that result in unnecessary hurdles to small-scale commercial and residential development and recommend amendments to address this. This study is one of 15 policy/implementation action priorities of the Planning Commission and helps implement 2040 Comprehensive Plan policies that support more housing, increased residential density, a mix of uses, and the opportunity for all residents to build wealth. The study proposes amendments to the required findings in the zoning code for nonconforming and conditional uses that require petitions.

Kathryn McGuire:

- Have other committees discussed this?
- Comment: Alexa Golemo
  - Yes

Mike Moore:

- Suggested on voting to get a sense on the interest level.

Wendy Merrell

- Would someone from St. Paul be presenting and available to answer questions?
- Comment: Alexa Golemo
  - Yes

**Motion to include the zoning Study of Consent Petition Requirements for Certain Zoning Applications at a future HLU Meeting**

Cindy Radtke

Regina Purins seconded

Vote:

- Aye – 14
- Nay – 0
- Abstention - 1

VI. **Saint Paul Rent Stabilization**

Alexa

- How does HLU want to be involved as Rent Stabilization moves forward in Saint Paul?
- Does HLU want to weigh in on any of the current items?
- Some changes are coming
  - Not big changes

Zuza Pakula

- Looked on the website and not sure which changes are being made

Regina Purins

- Would like to be informed

Jack Fei

- It's pretty hard to keep on top of this
- Republicans want to shoot it down in the MN Senate
- Maybe should be a subcommittee
- Article in the MINNPOST
  - See [Appendix D: Article from MINNPOST regarding Rent Control](#)
  - Link to the actual article:
    - [Minnesota Senate committee moves bill to retroactively cancel rent control measures passed by voters in Minneapolis, St. Paul | MinnPost](#)

Evan Hall

- Information isn't clear
- Mayor will allow exemption for large construction
- Hurts the small rent group

Kathryn McGuire

- Agrees that it is hard to keep up on this issue
- The task force is not transparent
- Hard to get information when it isn't available

Mike Moore

- Can they legally amend the ballot?

Tom Dietsche

- Can't in the first year
- Currently it is only in the MN Senate
- Mayors group won't be done until mid-summer and the rent control goes into effect in May

Alexa Golemo

- City is basically working on administration changes

Heather Huffman

- Is there a cap on property tax? 3.5%?
- If not, the rental owners would be hurt when their property taxes are raised more than 3.5%

Jack Fei

- Has heard nothing about that in the ordinance

**Motion create a HLU Subcommittee to track, report progress and draft recommendation related to St Paul Rent control implementation**

Jack Fei

Tom Dietsche seconded

Change in the motion

Alexa Golemo would call for a task force

**Motion to recommend that the MGCC Board of Directors create a HLU Task Force to track, report progress, and draft a recommendation related to St Paul Rent Stabilization Implementation.**

Jack Fei

Tom Dietsche seconded

Vote:

- Aye – 14
- Nay – 0
- Abstention - 0

- Ord 22-15: <https://stpaul.legistar.com/LegislationDetail.aspx?ID=5521010&GUID=F57B936F-1B57-4AE4-866F-3E9E516D7A23>

Details		Reports					
File #:	Ord 22-15	Version:	1				
Type:	Ordinance	Status:	Final Adoption				
		In control:	<a href="#">City Council</a>				
		Final action:					
Title:	Amending Section 13.02 of the Administrative Code establishing duties in the Department of Safety and Inspections related to rent stabilization.						
Sponsors:	Mitra Jalali						
Attachments:	1. <a href="#">Ord 22-15 - Tamy Aarts</a> , 2. <a href="#">Ord 22-15 - Robert Stolestad-Exeter Management</a> , 3. <a href="#">22-16 Emails received by Ward 7</a> , 4. <a href="#">OSD 22-15 CT Email</a> , 5. <a href="#">Ord 22-15 - Diane J. Peterson</a>						
History (2)	Text	Public Comments (3)					
2 records Group Export							
Date	Ver.	Action By	Action	Result	Action Details	Meeting Details	Video
3/23/2022	1	City Council	Laid Over to Final Adoption	Pass	<a href="#">Action details</a>	<a href="#">Meeting details</a>	<a href="#">Video</a>
3/16/2022	1	City Council	Laid Over to Second Reading		<a href="#">Action details</a>	<a href="#">Meeting details</a>	<a href="#">Video</a>

- Ord 22-16: <https://stpaul.legistar.com/LegislationDetail.aspx?ID=5521256&GUID=21E0C0A8-CCC4-443D-919B-7B1B044E5F401>

Details		Reports					
File #:	Ord 22-16	Version:	2				
Type:	Ordinance	Status:	Second Reading				
		In control:	<a href="#">City Council</a>				
		Final action:					
Title:	Amending Chapter 193A of the Legislative Code to define certain terms contained therein and ensure consistency of language used throughout.						
Sponsors:	Mitra Jalali						
Attachments:	1. <a href="#">Ord 22-16 - Robert Stolestad-Exeter Management</a> , 2. <a href="#">OSD 22-15 CT Email</a> , 3. <a href="#">22-16 Emails received by Ward 7</a> , 4. <a href="#">Ord 22-16 - Diane J. Peterson</a>						
History (2)	Text	Public Comments (0)					
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3/16/2022	1	City Council	Laid Over to Second Reading		<a href="#">Action details</a>	<a href="#">Meeting details</a>	<a href="#">Video</a>

## VII. Updates & Announcements

### Alexa Golemo

- Special meeting will be on Wednesday, March 30<sup>th</sup> about a variance on Woodlawn.
  - It came in the night before this meeting.
  - Too late to send out the information
- Public hearing will be in April
- Flyers will be distributed to the neighbors

### Heather Huffman

- Hopes that better neighbor representation will be available

### Tom Dietsche

- It is a retired couple who wants to add a bedroom and bath to the main floor

### Alexa Golemo

- Please read the Upcoming events as the meeting was at time

### Upcoming Events (sign up at [www.macgrove.org](http://www.macgrove.org))

- St. Thomas Community Meeting: Safety in Our Cities: Saturday, April 2, 10:30 am - 12:00 pm



- Mac-Grove Community Egg Hunt: Saturday, April 9, 1-3 pm at Mattocks Park Help plan Mac-Grove Fest with the Community Building Team: Monday, April 11, 6:30 pm via Zoom
- MGCC Annual Meeting: Thursday, April 21, 6:30 pm via Zoom
- Mac-Grove Community Clean-Up: Saturday, April 23, 9 am - 10:30 am, Grand Avenue and Summit Avenue
- Mac-Grove Little Free Library Tour, May 21 - June 4

#### **MGCC Board Elections**

- Candidate application is available until Thursday, April 14<sup>th</sup> at [www.macgrove.org/boardelections](http://www.macgrove.org/boardelections). Learn more at two board interest sessions on March 23 and March 30<sup>th</sup> via Zoom!

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