



HOUSING AND LAND USE COMMITTEE MEETING

Wednesday, April 27, 2022 | 6:30pm

Visit www.macgrove.org/participate for Meeting ID # and password

Please note: this meeting is being held remotely online via Zoom and will be recorded.

Present: Alexa Golemo (Staff), Mike Moore (Chair), Meg Arnosti (Secretary), Jack Fei, Art Punyko, Patty Hartmann, Roopali Phadke (Guest), Nora Ptacek, James Wilkinson (Guest), Cathy Plessner, Elizabeth Wefel, Wendy Merrell, Deb Burns, Tim Schmidt, Dave Pasiuk, Kady Dadlez (City Staff), Kate Ostaffe (Guest), Regina Purins, Evan Hall, Gene Johnson, Emme Sugnet (Guest), Ross Gregerson, Cindy Radtke, Kensey Lipstreuer, Kathy McGuire, Marc Manderscheid, Zak Yudhishtu, Nora Ptacek, Saura Jost

MINUTES

Moved to approve minutes by Dave P., seconded by Wendy, passes 17-0 with 1 abstention.

Roopali Phadke. To celebrate Groveland Elementary's 100 year anniversary, they are planning to build an outdoor space on the Sargent Avenue side as a quieter outdoor alternative to the two noisy playgrounds. They would like to name it "Nellie's Place" to honor Nellie Francis, who lived on Sargent Avenue, graduated from St. Paul Public Schools and faced discrimination. Her family's story is the basis of the play, "Not in Our Neighborhood." They are looking for the best way to move forward with the name. This will be an amphitheater for 30-35 students, built into the sloping hill, with an ADA accessible path. Trees will be planted to replace those lost in Groveland Park. The space will be used as a classroom, for family events, and as a performance space. They have a preliminary design and an \$80,000 budget and are in the fundraising stage. The need to raise half from school fundraising and half from grants. She notes that 100 years ago in 1921, when Groveland was built, there was another global pandemic. A place to be outside is more important than ever.

Jack Fei: In which seasons could this space be used? What will happen to the space in winter? What is the maintenance?

Roopali: Like the ice rink, we expect it to be used heavily at certain times of year, and less at other times. It will be easy to mow and the plantings will be low-maintenance. They plan to have the path shoveled in wintertime so the space can be used.

Cindy Radke suggests making sure the sound will carry to the audience if it is a classroom setting.

Cathy Plessner is very happy about the name Nellie's Place.

James Wilkinson wonders if they have discussed the naming with NAACP or other African American organizations.

Jack: Is there anything you need from us?

Roopali: We want the community to know about it. It does not need a permit. We will apply for a Star Grant for the May 10 deadline and we hope to get a letter of support from the Council.

Cindy Radke: Reconnect Rondo is looking to put plaques around the city. Maybe connect with that community as well.

All MGCC meetings are online through Zoom at this time. Visit www.macgrove.org/participate/ to receive the Meeting ID # and password for this meeting. All times are approximate. Agenda is subject to change due to additions or deletions. All meetings of the Macalester-Groveland Community Council are open to the public and residents are invited to attend. As of January 2021, MGCC public meetings are recorded and posted at www.macgrove.org. For more information about the Macalester-Groveland Community Council or its committees, please call 651-695-4000 or visit www.macgrove.org.



Evan Hall thinks it is a great project. He suggests that the drawings should make the location clearer, identify the species of the trees and mark the ADA accessible path. He hopes they get the Star grant. Elizabeth Wefel used to chair the Star board. She would love to see the HLU recommend this project. She suggests also talking with our City Council person. Roopali will follow through.

Art suggests putting the seating capacity in the drawing.

Marc Manderscheid: Seems like an excellent opportunity to make use of land that is not used much at all. Could we go ahead and recommend this tonight? Makes a motion, Cindy seconds.

Heather: Can we request updates as the project moves along? Alexa will stay in touch with Roopali.

Mike: It will be fun to see it when it is complete. Wendy: Let's have a meeting in it!

Motion to approve the use of this land at Groveland Elementary as an outdoor classroom (Marc M., Cindy R.).

Passes unanimously 19-0.

Kady Dadlez: City Planner. Petition Requirement Zoning Study.

See slides for more detail. The City is reviewing language that may result in unnecessary hurdles.

Petitions are required in certain circumstances of nonconforming use or conditional use permits. This requirement was added 1975-1986. A waiver of petitions was applied during the pandemic but expired in March. Petitions give neighbors some control over land use, but gathering signatures can be very difficult.

The rationale for amending or eliminating the requirement is that checks and balances are already in place, and other findings in the zoning code must still be met. Requiring a petition results in delays, and there is the hurdle of getting signatures. People may not sign petitions due to racism or competition.

Among the reasons not to amend are that petitions enable property owners some control over land uses and force applicants to talk with neighbors. Some ideas for amending include reducing the percentage of signatures needed or only requiring owner-occupied properties. However, these ideas do not address nonresponsive owners, trouble with reaching condominium owners, racist or competitive motives not to sign.

Staff believes it should be eliminated, not amended. This proposal was released on April 1 and is open for comment.

Art: In favor of streamlining. Early notification should have a timeline, e.g. 30 day minimum notice to avoid last-minute requests.

Zak: Appreciates the analysis that unelected neighbors may gain undue influence with petitions.

Kady: One example is that the Commodore restaurant on Western wanted to apply for a nonconforming use permit but could not get the signatures.

Regina's gut reaction is why can't it be limited to owner-occupied homes? Does not like the idea of homeowners being left out of the process. At least give homeowners a chance to respond.

Cindy sees the problems with petitions. But improving the community voice is important. Would want to work to codify more public opinion, requirement to go to the Community Council, etc.



Heather: Would like people to come to the District Council, since meeting dates are publicly available. Is not comfortable eliminating their input. Recognizes the difficulty of getting signatures and seeks other solutions.

Elizabeth: The petition process is complicated, but owners should be given notice and a chance to participate. Notes that condo owners are also homeowners.

Jack: 60 days is set by state law. Is in favor of anything that simplifies. Notes that any condition that requires a petition would also require a variance and he is in favor of eliminating the petition requirements.

Marc: The city is going too far. For example, 2139 Goodrich is a duplex built in 1920 in the middle of an R3 neighborhood. A developer proposed to turn a 4-bedroom building into 12 bedroom building. There is still a place for the petition requirements. It would require developers to go to people and talk to them. Suggests retaining the petition requirement in R1-R4 Zoning districts but eliminating it in other instances.

Kady: May 13 is the public hearing. It is open for comments until 4:30 on Monday, May 16.

Evan Hall: nonconforming use has to go through a similar process as a variance, correct?

Kady. Variances go to the board of zoning appeals, whereas nonconforming use permits go to Planning.

Regina: What if homeowners cannot attend a public meeting? The only way they could voice an opinion would be through the petition.

Kady: testimony can be provided in person or in writing.

Zak makes a motion that the Committee recommend approval of eliminating the petition requirement.

Jack seconds.

Art: Suggests a friendly amendment to the motion to codify a 30-day notice of application to District Council. Zak accepts.

Marc suggests a friendly amendment to eliminate the petition requirement for all zones except R1-R4 (residential) districts. Heather seconds Marc's amendment. Zak rejects the amendment.

Elizabeth is opposed to Marc's amendment, as it fundamentally changes Zak's motion.

Regina: Supports Marc's amendment.

Nora is not in favor of Marc's amendment. Anti-renter and racist attitudes could still prevail.

Motion to amend the original motion to include language excluding R1 – R4 zoning from the elimination of the petition requirements (Marc M., Heather H).

Vote: 9 aye, 10 nay. Marc's amendment fails.

Motion to approve eliminating the petition requirements for non-conforming use and conditional use applications as stated in the Zoning Study of Consent Petition Requirements for Certain Zoning Applications, with the addition of a requirement for 30-day notice to the district council (Zak Y., Jack F).

Original motion by Zak: 12 aye, 7 nay. Motion passes.

Several against the amendment say that the City should see the division of votes.



Alexa: Regarding the rent stabilization taskforce, the board recommends that we create a rent stabilization working group instead. Send Alexa an email if interested. Board elections close tomorrow.

Meeting adjourned.