



CITY OF SAINT PAUL
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To: Zoning Committee
From: Hilary Holmes (266-6612)/Jake Reilly (266-6618), City Planners
Date: 08/28/2014
Re: Zoning File #14-316-432 (344 Summit Boutique Hotel)

Background

On August 21, 2014 staff prepared a Staff Report for Zoning File #14-316-432 (344 Summit Boutique Hotel), an application for a Conditional Use Permit for reuse of a large structure, that was submitted to the committee for its review. Since the production of that packet, conversations among staff have continued and the staff report was amended and finalized today, August 28, 2014.

Comprehensive plan consistency

The community has raised some issues about this application's consistency with the comprehensive plan and its addenda and amendments. Those issues primarily appear to revolve around a now-decertified small area plan known as the Summit Avenue Plan (adopted, 1986; decertified, 2009).

The Summit Avenue plan covered the length of Summit Avenue and crossed the boundaries of District Councils 8, 13, 14, and 16. The purpose of the plan was in response to a period of disinvestment in the city in general and a series of conversions and disinvestment along the avenue in particular. Major recommendations included: "protect the residential character" of Summit Avenue through zoning policy and code enforcement; permit bed and breakfasts and home occupations in large homes without undermining the residential desirability of Summit Avenue through careful application of and revisions to the zoning code.

During the 2008-2010 Metropolitan Council-required comprehensive plan update process, the City of Saint Paul was asked to submit to the Metropolitan Council a record of all addendum plans, which includes most of the district and small area plans. In fall 2008, planning staff started the process of evaluating the status of all small area plans older than 10 years (pre-1997), to determine which of these should be recertified, amended, or decertified. Letters were sent to the district councils, identifying which plans within their jurisdiction were past the 10 year mark, and what staff thought might be the appropriate action to take on each plan – recertification, amendment, or decertification.

Following the letters, planning staff spoke with each of the district councils and asked them to review the plans and provide feedback on what action they thought would be appropriate. Each district council determined its own review process and all responded.

On May 22, 2009, the Planning Commission held a public hearing on the status of all small area plans adopted prior to 1997, to determine which plans to recertify, amend, or decertify. Staff noted at the hearing that the proposed list of actions had the support of all the affected District Councils, with one exception – District 16 Planning Council opposed decertification of the Summit Avenue Plan. However, the three other district councils that share the Summit Avenue Plan, all supported the Plan’s decertification. PED staff stated that a second full review of the Summit Ave Plan had been completed by then planning director Larry Soderholm, additional planning staff, and Heritage Preservation staff, who concluded that the plan was largely implemented, with significant improvements having occurred, or that new mechanisms were in place to provide protection and vision for the affected areas. The Planning Commission unanimously forwarded the recommendation to the City Council on June 19, 2009 and the City Council took action on August 5, 2009 to accept that recommendation, thereby decertifying the Summit Avenue Plan.

The adopted Comprehensive Plan documents that apply, therefore, include the city-wide 2010 City of Saint Paul Comprehensive Plan document and the current district and small area plans for District Council 8 (Summit-University) - the Irvine Avenue Plan Summary (2003) and the District 8 Plan Summary (2009). Neither of those smaller, district-specific plans address items specific to this application.

Amendment to the staff report

While the recommendation for denial of both the CUP and the modification of the condition remains, staff has made some changes:

- Finding 4(b) was amended to address the text of the required finding which indicates that the proposed use and plans must be consistent with the comprehensive plan. Language regarding consistency with the intent of the zoning code was removed.
- Finding 4(c) was amended and found to be met, based on the new use being less intensive than the previous use.
- Finding 4(d) was amended to state that the condition can be met subject to the condition that three parking spaces are provided.
- Finding 5(a) was amended to address the text of the required finding which indicates that the proposed use and plans must be consistent with the comprehensive plan. Language regarding consistency with the intent of the zoning code was removed.
- Finding 5(b) was amended to state that the condition is not met with the current layout of structures and driveways on the property, but that it might be possible to provide for vehicles using the driveway to turn around so that they might be traveling forward as they exit the property on to Summit Avenue.
- Finding 5(c) was amended to state that the condition is met because the hotel use is more residential than the previous college use, and therefore the use is not detrimental to the existing character in the immediate area.
- Finding 5(d) was amended to state that the condition is met.

Discussion

Staff from PED, HPC, DSI, and attorneys for those departments have all discussed this issue at length. It is a difficult one to address, and does rely on judgment. PED Zoning Staff has traditionally been conservative in making required findings. Staff prefers to offer the committee as much information as possible to weigh the issues and ultimately come to a recommendation for the full Planning Commission.

If the committee wishes, they might change findings 4(b) and 5(a) to be consistent with the comprehensive plan, on the basis of the two Heritage Preservation Chapter strategies outlined and on the basis of the proposed use being similar to permitted residential uses in character. They might also amend findings 4(d) and 5(b), to be met, subject to conditions, as outlined in the current findings.

Potential conditions to be placed on the use to meet these findings may include the following:

- 1) A minimum of three off-street parking spaces must be provided on the property, subject to approval by the Heritage Preservation Commission.
- 2) The property will not be used as a reception hall, banquet facility or assembly hall.
- 3) The applicant will acquire all necessary and appropriate licenses and permits prior to establishing the use.
- 4) All exterior alterations to the structures and site must be approved by the Heritage Preservation Commission.
- 5) No food or beverage service is to be offered to the general public.
- 6) Provide for changes to the driveway to provide for all non-commercial vehicles to exit forward onto Summit Avenue.
- 7) All commercial vehicles providing delivery or services must be accommodated on site, without blocking travel, parking or bicycle lanes, or the public sidewalk.
- 8) All site work to accommodate conditions for this use must be approved by the appropriate entities and completed before the use is established.

Questions or comments may be directed to Senior City Planner Jake Reilly at jake.reilly@ci.stpaul.mn.us or 651-266-6618.