

**Appeal**  
**City of Saint Paul Planning Commission Resolution**  
**File Number: Velmeir Companies, File # 03 383303**  
**Submitted March 15, 2004**

University UNITED, on behalf of its member organizations and businesspeople, is appealing the decision of the St. Paul Planning Commission to approve the site plan of the Velmeir Companies for the establishment of a drugstore on property located at 1581 University Avenue W. University UNITED believes the Commission erred in its interpretation of a number of relevant portions of the city's adopted comprehensive plan. The response, below, follows the format of the original Planning Commission Resolution:

***1. The city's adopted comprehensive plan and development or project plans for sub-areas of the city.***

***a. The intersection of University Avenue and Snelling Avenue is identified as a "Pedestrian Neighborhood Commercial Center". Section 5.2.3 (Page 27) says that design guidelines should include, among other things:***

**Windows to the sidewalk.** This building, as proposed, does not have transparent windows at eye-level (which is the presumed intent of this requirement), to allow for safety and visual interest. The absence of windows is also clearly in contradiction to the city policy of supporting Crime Prevention Through Environmental Design (CPTED) guidelines.

**Architecture that respects neighborhood context.** The proposed building, is a suburban style, single story building, without doors or transparent windows on the commercial corridor, and is clearly out of place and not in keeping with the neighborhood context.

***b. Section 5.5.2 (Page 32) says that "The City will encourage more housing and jobs to locate along high service bus routes."*** CVS states that it would employ 20 to 30 people. Transit-Oriented Development Guidelines, as promulgated by the Metropolitan Council and adopted by University UNITED, recommend a job density of 100 per acre. This site is approximately an acre. The 20 to 30 jobs created are approximately 70% to 80% fewer than the number that should be located on an acre at this critical intersection. As a point of comparison, Spruce Tree Center, across the street, has approximate 350 to 375 employees. In addition, because the building is only one story, with a minimal FAR of .29, the project does not capitalize on the opportunity for a mix of uses, including housing, as part of a multi-story project.

***c. Section 5.6 (page 32) says that ... "primary business entrances should be oriented to the sidewalk"***

The legal address for this project is 1581 University Avenue. However, the entrance is located off the rear parking lot - clearly not in conformance to this requirement.

***d. Section 6.3.2 (page 40) says that “development [on the University Avenue Corridor] should contribute through density and site design to the ridership base for public transportation on University Avenue”. (Answered below)***

***The Transportation Plan***

***e. Policy 42 (page 24) says that “the City should use its land use and development regulatory powers to reinforce major transit destinations and significant transfer points as central neighborhood places, where appropriate. Likewise, when transitways – busways or LRT are built, the City should work with planning and implementing agencies to ensure that they are designed to support human scale, social fabric, and neighborhood identity.”***

There is nothing in the proposed building that contributes to the goal of reinforcing University Avenue as a transit corridor, or this “significant transfer point” as “a place of human scale supporting social fabric and neighborhood”. Rather than providing an attractive entranceway and storefront greeting riders at the busiest transit stop on the busiest transit route in the entire system, this building presents a blank wall, making pedestrians and transit customers walk around to the rear. If this project were to be built, it would significantly set back the long-term development goals for the corridor by setting an inappropriate precedent. Because of its prominent location, it is critically important to insure that it conforms to the spirit and letter of the City’s development goals.

***Applicable ordinances of the City of St. Paul***

***The site plan requires that a public alley that runs through the property be vacated.***

It is difficult to imagine that the City Council would approve the vacating of this alley to further the development of a project that is so clearly at variance with the expressed goals of the community as demonstrated in numerous planning studies, and adopted as policy by the City.

***Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets, including traffic circulation features, the locations and design of entrances and exits and parking within the site.***

This corner, as previous noted, is a major transfer point. CVS is proposing a two-way drive-through, immediately adjacent to the bus stop, that will be used by automobiles and delivery trucks. This presents a safety problem, as many bus riders often need to run to catch their bus.

In addition to these concerns, attached are excerpts from other City Plans that are relevant. Among these are the recommendations of the recently adopted TOD Plan for the Snelling and Lexington nodes. These call for a:

***“Signature building built at the corner [northwest corner of Snelling and University] that supports the style of the area (2-3 stories at the street, possibly more if upper levels are stepped back from adjacent streets”.***

Finally, during the Planning Commission Public Hearing, representatives of the Velmeir Companies stated that CVS was unable to modify their prototype store sufficiently to address our concerns. This is patently false. The CVS webpage, itself, directly states they can modify their prototype to accommodate urban locations. In addition, we presented pictures of recently built CVS stores from around the country that would meet our concerns.

We are not asking anything of CVS that they have not built in some other city.

## **Excerpts of Various City Plans Relevant to CVS Proposal**

### **St. Paul City Comprehensive Plan, 1999, Excerpts from the Summary**

University Avenue Corridor/ Midway. Continued investment in the Midway Corridor will support its strong potential for business development as a readily accessible area between the downtowns of Minneapolis and Saint Paul.

University Avenue should continue to be developed as both a transit corridor and a mixed-use business street, serving city and neighborhood needs. The Land Use and Transportation chapters support:

- Redevelopment at key sites that are identified in the Land Use chapter,
- Higher density of households and employment along the corridor that require and support better transit,
- Redesign and redevelopment to make the auto-oriented regional shopping area comfortable for pedestrians and to enhance storefront, pedestrian-oriented commercial centers along the avenue, and
- Establishment of the “central corridor” (of which University Avenue is a spine) as the top priority for the development of transitways, busways and/or LRT in the region.

### **Development Principles for University Avenue, 1999, Excerpts**

(These are an Advisory Supplement to city ordinances and standards)

#### ***A. Principles for the Entire Length of the Avenue:***

4. Buildings should be oriented to University Avenue and aligned with the street where consistent with use, lot size and configuration to support the goal of an urban and aesthetically pleasing streetscape.
7. Buildings on University Avenue should have attractive pedestrian connections to the avenue.
17. To ensure that University Avenue is as pedestrian friendly as possible, developments should minimize or reduce curb cuts where possible, and share curb cuts for adjacent parking areas should be encouraged.

#### ***C. Principles for Neighborhood Shopping Nodes***

3. Buildings should be built up close to the sidewalk unless there is a demonstrated pedestrian design amenity, such as abundant greenery and trees. Canopies and other façade articulation can also address the goal of having an aesthetically pleasing street scape.
5. Multi-story and mixed use buildings are strongly encouraged, with building height and mass compatible with adjacent commercial and residential areas.
6. Buildings need to have windows onto the street and toward parking lots so that people can see in and out of retail and service businesses. As a guideline, at least 40 percent of the front façade of new or reconstructed buildings should be devoted to windows and doors.

### **From University Avenue Transit-Oriented Development Framework: Snelling and Lexington Areas (2003):**

“The northwest corner of Snelling and University is also available for new development. Community goals for the new development include:

- Signature building built at the corner of a scale that supports the style of the area (2-3 stories at the street, possibly more if upper levels are stepped back from adjacent streets;”

### **From City of St. Paul Transportation Plan, a chapter of the City Comprehensive Plan, list of policies:**

4. The City should guide land use and development of the city in ways that reduce trips and promote use of alternative modes of travel.
42. The City should use its land use and development regulatory powers to reinforce major transit destinations and significant transfer points as central neighborhood places, where appropriate. Likewise, when transitways – busyways or LRT – are built, the City should work with planning and implementing agencies to ensure that they are designed to support human scale, social fabric, and neighborhood identity.”

March 15, 2004

Tom Beach  
Office of License, Inspections and Environmental Protection  
300 Lowery Professional Building  
350 St. Peter Street Suite 300  
Saint Paul, MN 55102

Re: Velmeir Companies File # 03 383303

Dear Tom,

We are appealing the decision of the Planning Commission to approve the proposed plans for the CVS Pharmacy at 1581 University Avenue. Enclosed are the reasons for our appeal, and a check for \$410.

Please advise us as to the next steps.

Thank you for your consideration.

Sincerely,

Brian McMahon