

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** River Road II Investments LLC **FILE #:** 14-319-307
 2. **APPLICANT:** River Road II Investments LLC **HEARING DATE:** August 28, 2014
 3. **TYPE OF APPLICATION:** Conditional Use Permit & Variance
 4. **LOCATION:** 1925 Norfolk Ave
 5. **PIN & LEGAL DESCRIPTION:** 212823240135, Daverns Burren Addition to St That Part Of Lots 1 Thru 22 Blk 7 And Vac Alleys Lying Sly Of The Fol Desc Line Com At The Se Cor Of Sd Lot 22 Then N Along E L Of Sd St 84.20 Ft Tot He Pt Of Beg Of Line To Be Desc Then W 105.20 Ft Then N 34.48 Ft Then W 50.0
 6. **PLANNING DISTRICT:** 15 **PRESENT ZONING:** RM2
 7. **ZONING CODE REFERENCE:** §65.180; §65.182; §61.501; §61.202(b); §66.231; §66.232; §63.312
 8. **STAFF REPORT DATE:** August 20, 2014 **BY:** Michelle Beaulieu
 9. **DATE RECEIVED:** August 7, 2014 **60 DAY DEADLINE FOR ACTION:** October 6, 2014
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- A. **PURPOSE:** Conditional use permit for a 69-unit assisted living/memory care facility, with front yard setback, lot size and lot coverage variances.
- B. **PARCEL SIZE:** 115,434 sq. ft. (258 ft. on South Prior Avenue by 447 ft. on Norfolk Avenue)
- C. **EXISTING LAND USE:** S-Community Residential Facility
- D. **SURROUNDING LAND USE:**
 - North: RM2 Multi-family
 - East: R3 Single-family
 - South: R3 Single-family and institutional
 - West: R2 Single-family and surface parking
- E. **ZONING CODE CITATION:** §65.180 refers to §65.182 for standards and conditions related to assisted living facilities; §61.501 lists general conditions that must be met by all conditional uses; §61.202(b) authorizes the planning commission to grant variances when related to permits, using the required findings of MN Stat. 462.357, Subd. 6.; §63.312 states that off-street parking spaces shall not be within a required front yard; §66.231 lists the density and dimensional standards for residential uses; §66.232 sets the maximum lot coverage for residential districts at thirty-five (35) percent.
- F. **HISTORY/DISCUSSION:** The subject site contains the existing St. Mary's Home Skilled Nursing Facility was built in 1936, and added onto in 1956 and 1968. The facility was licensed for 110 occupants. The former owners vacated the facility in 2010, rather than to bring the property up to code, which was deemed to be financially prohibitive.

The subject site also contains a duplex at 1903 Norfolk Avenue, which has been used as office space since St. Mary's nursing facility closed. Prior to 2010 it had also been used as a group home.

Highland on Graham (at 1920 Graham Avenue) is a 72-unit independent living senior apartment complex that was completed in 2002 as part of a campus of buildings along with St. Mary's nursing home. Highland on Graham is under the same ownership as the nursing home and proposed new project. Highland on Graham is comprised of two buildings, each of which is directly connected to the existing nursing home at 1925 Norfolk, and includes 46 underground parking stalls. To build Highland on Graham, the previous owners split the lot east-west across the block bounded by Norfolk Avenue on the south, Prior Avenue S on the west, Graham Avenue on the north, and an alley on the east. During that lot-split process, a

deed restriction was placed on both properties, which requires the owners at the time and any future owners to treat the two lots as a single zoning lot. The density of housing built on the north property (Highland on Graham at 1920 Graham Avenue), the existing 72-unit independent senior apartments, would have required a lot size variance were the two properties not treated as a single zoning lot.

River Road II Investments purchased the entire property, including St. Mary's nursing facility, the detached duplex, and the attached 72-unit Highland on Graham independent senior apartment buildings, in May 2013.

G. DISTRICT COUNCIL RECOMMENDATION: The District 15 Community Development Committee passed a resolution supporting this project and the conditional use permit and variances requested. The District Council will be submitting a letter to the Zoning Committee before the hearing on August 28th.

H. FINDINGS:

1. River Road II Investments proposes a 69-unit assisted living and memory care facility, demolishing both the existing nursing home and the duplex on the property, and maintaining the direct physical connection to the independent living Highland on Graham senior apartments. The new facility will consist of 53 assisted living units and 16 units of memory care housing, as well as community facilities including central dining and a chapel. The memory care units will not be full dwelling units and are treated as nursing home rooms as defined in the zoning code. As shown on site plans submitted with this application, the project also includes 46 off-street parking stalls in an underground garage, and six off-street parking stalls on a surface parking lot. The original narrative in the application stated that there would be 47 underground parking stalls, but this was changed to 46 to accommodate a mechanical room. The attached site plan shows the correct number of parking stalls.
2. Assisted living facilities require a conditional use permit in RM2 districts. The applicant is also applying for three variances for front yard setback, lot size, and lot coverage. The proposed building would have less variance from the front yard setback and lot coverage standards than the existing St. Mary's nursing facility has. Assisted living units with full kitchens are considered dwelling units while the former nursing home rooms (without full kitchens) were not considered dwelling units, and so the nursing home did not require a lot-size variance.

Conditional Use Findings

3. §65.180 *Assisted living*, refers to §65.182 *Nursing home*, for standards and conditions. There is one standard that applies:

(a) *The yard requirements for multiple-family uses in the district apply.*

This condition can be met provided the Planning Commission approves a variance from this section for the front yard setback.

The proposed project meets the side yard setback requirement. The side yard setback is required to be half the height of the proposed building, in this case 24' from the property line. The proposed building would have a setback of 41' from Prior Avenue, and the proposed parking lot would have a setback of 28'-7" from the alley.

The proposed project meets the rear yard setback requirement, insofar as there is no rear yard setback requirement due to the nature of the zoning lot. There is a requirement for 18' between two buildings in §56.231. With the exception of the link between the proposed building and the existing independent living senior apartments, the narrowest distance between the buildings is 21'.

The proposed project does not meet the front yard setback requirement, and the applicant is applying for a variance to this requirement. The required front yard setback in RM2 is 25'. The proposed building would have a 10' setback, and the proposed surface parking lot, which is not permitted in a required front yard, would have a 5' setback.

4. §61.501 lists five standards that all conditional uses must satisfy:

- (a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. This project replaces an old nursing home facility that is out of compliance with the building code, with a modern assisted living and memory care building. It meets Comprehensive Plan Housing Strategy 1.1 *Increase housing choices across the city to support economically diverse neighborhoods* and Strategy 2.18 *Support the expansion of housing choices for seniors.*
- (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. Ingress and egress to the 46-stall underground parking lot and six-stall surface parking lot will be via the alley. The code requires one space per three residents for assisted living use, or 23 spaces. The additional spaces will minimize congestion in the public streets.
- (c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The use as an assisted living facility is similar in use to the previous use as a nursing home, which is listed on the same line of the use table for residential districts and has the same conditions. The assisted living facility will not be detrimental to the existing character of the immediate neighborhood and it will not endanger the public health, safety, and general welfare.
- (d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use is similar to the previous use and will not impede the normal and orderly development and improvement of the surrounding property.
- (e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition can be met provided the Planning Commission approves three variances:

§66.231 requires a front yard setback of 25'. §63.312 states that off-street parking spaces shall not be within a required front yard. The proposed facility does not meet this standard. The proposed six-stall surface parking lot is set back 5' from the front lot line, requiring a variance of 20'.

§66.231 sets a lot size minimum of 1,500 square feet per unit. The proposed facility does not meet this standard. The zoning lot area is a total of 115,434 square feet. §66.231(c) allows an increase of three hundred (300) square feet per underground parking space. There are 46 existing underground parking stalls, and 46 proposed underground parking stalls. These 92 underground stalls allow a lot size bonus of 27,600 square feet, bringing the total lot area with credits to 143,034 square feet. At one unit per 1,500 square feet, 95 units are permitted. There are 72 dwelling units at Highland on Graham. The proposed 16 memory care units for this project are not considered dwelling units as they will not have full kitchens. The proposal is for 53 assisted living units that will have full kitchens. This is a total of 125 dwelling units, 30 units over the permitted number. The proposal requires a variance.

§66.232 allows for principal structures to cover up to 35% of a zoning lot. The proposed facility does not meet this standard. The proposed project, with the existing facilities, brings the coverage on this zoning lot to 53%.

§66.231 sets a maximum height in RM2 of five stories or 50'. The proposed facility meets this standard at four stories and 48'. It also requires side setbacks of ½ the building height, and a rear setback of 25'. Each of these standards is met (see finding three).

Font Yard Setback Variance Findings

5. MN Stat. 462.357, Subd. 6 was amended to establish new grounds for variance approvals effective May 6, 2011. Required findings for a variance consistent with the amended law are as follows:
 - (a) *The variance is in harmony with the general purposes and intent of the zoning code.* This finding is met. The applicant is seeking a 20' front yard setback variance. The intent of the code is to provide adequate open space, light and air to the subject property and to not overcrowd the site. The existing St. Mary's nursing facility has a front yard setback of 3' from the lot line at the closest point. The majority of the building is set back the required 25' from the lot line. The building is set back 10' at the closest point to the lot line, which is an increase of 7' from the existing building. The surface parking lot at a 5' setback is still set back further than the existing building. The variance is in harmony with the general purposes and intent of the zoning code.
 - (b) *The variance is consistent with the comprehensive plan.* This finding is met. The Comprehensive Plan's Land Use Strategy 3 is to *Promote Aesthetics and Development Standards*. Strategy 3.1 specifically calls for the utilization of citywide design standards to "achieve a high quality pedestrian-scaled urban environment" (LU 32). The requested variance permits the construction of a surface parking lot on the side of the structure off the drive lane into the underground garage, consolidating vehicular traffic to these two facilities and separating it from pedestrian traffic. The requested variance also permits the property owner to maintain the existing service drive between the existing independent living facility and the proposed assisted living and memory care facility, separating delivery vehicular traffic from pedestrian access to the building as well. The variance is consistent with the comprehensive plan.
 - (c) *The applicant has established that there are practical difficulties in complying with the provision, that the property owner proposes to use the property in a reasonable manner not permitted by the provision. Economic considerations alone do not constitute practical difficulties.* This finding is met. The new development is on the same zoning lot as an existing building. There is a service drive between the proposed building and the existing. To maintain this drive, and to provide for the "residential-style" assisted living facility with larger unit dimensions, a building width of approximately 65' must be maintained. The proposed surface parking is constrained to the far end of the property, and to maintain adequate spacing from the existing garage to the north of the proposed lot, and to provide convenient guest parking, the facility requires a front yard setback variance.
 - (d) *The plight of the landowner is due to circumstances unique to the property not created by the landowner.* This finding is met. The existing Highland on Graham buildings and service drive were built by the previous owners. The reduced setback for the proposed building and surface parking lot is necessary to accommodate the existing dimensions of the property.

- (e) *The variance will not permit any use that is not allowed in the zoning district where the affected land is located.* This finding is met. The front yard setback variance is required to permit the construction of a wider building to accommodate the assisted living units which are larger than the old nursing home units. The parking facility will provide surface parking easily accessible to visitors and maintain separation between the surface parking and the existing garage structure.

The assisted living facility is similar to other senior housing uses, which have the same conditions in the district and the same parking requirements (nursing home, boarding care home, hospice, and housing for the elderly). This use is also similar to other multi-family residential uses permitted in the RM2 district. It is unlikely that this facility would be able to be used for any use that is inconsistent with the RM2 district.

- (f) *The variance will not alter the essential character of the surrounding area.* This finding is met. There is an existing nursing facility on the property and an existing senior independent living apartment building adjacent to the proposed new construction. The surrounding area is predominantly single family with institutional and multiple family uses as well. The variance will not alter the essential character of the surrounding area.

Lot Size Variance Findings

6. MN Stat. 462.357, Subd. 6 was amended to establish new grounds for variance approvals effective May 6, 2011. Required findings for a variance consistent with the amended law are as follows:

- (a) *The variance is in harmony with the general purposes and intent of the zoning code.* This finding is met. The applicant is seeking a lot size variance to accommodate a higher density of dwelling units on the property. The existing facility is a nursing home with 110 beds. These rooms are not considered dwelling units, and the facility is out of compliance with the building code, which is why the original owners allowed the facility to become vacant. The proposed facility will replace the 110 bed facility with 53 units of assisted living and 16 units of memory care. The 16 memory care units are also not considered dwelling units as they will not have full kitchens. The 53 units of assisted living will contain full kitchens, and are therefore considered dwelling units.

The zoning lot includes the existing senior independent living apartments to the north. There are 72 units in that project as well as 46 underground garage stalls. The existing zoning lot, at 115,434 square feet with 46 underground stalls, allows a total of 86 dwelling units. The proposed project includes 46 additional underground parking stalls, which increases the permitted density by 9 units for the zoning parcel. The proposed use requires 1 parking stall per 3 units. The intent of the code is to permit higher density when underground parking facilities are included in a project. The proposed lot size variance is in harmony with the general purposes and intent of the zoning code.

- (b) *The variance is consistent with the comprehensive plan.* This finding is met. The core goal of the Comprehensive Plan's Land Use Strategy 1 is higher density development, to "contribute to the goal of creating a vibrant, economically strong community that is environmentally sustainable," including as "infill development in Established Neighborhoods" (pg LU-8). This variance is consistent with the Comprehensive Plan.
- (c) *The applicant has established that there are practical difficulties in complying with the provision, that the property owner proposes to use the property in a reasonable*

- manner not permitted by the provision. Economic considerations alone do not constitute practical difficulties.* This finding is met. The previous owners determined that it would be cost-prohibitive to bring the existing nursing home facility up to City code. It was allowed to become vacant under the previous owners. The property owner proposes, rather than to update an outdated building, to replace it with an assisted living and memory care facility which is listed in the same line of uses in the City zoning code. This is a reasonable change in use. The practical difficulties with complying with the lot size provision are created by the existing structure and the other buildings on the zoning lot.
- (d) *The plight of the landowner is due to circumstances unique to the property not created by the landowner.* This finding is met. When the senior apartments were constructed, the entire block was considered as one zoning lot to allow the density of dwellings in that project.
 - (e) *The variance will not permit any use that is not allowed in the zoning district where the affected land is located.* This finding is met. The assisted living facility is similar to other senior housing uses, which have the same conditions in the district and the same parking requirements (nursing home, boarding care home, hospice, and housing for the elderly). This use is also similar to other multi-family residential uses permitted in the RM2 district. It is unlikely that this facility would be able to be used for any use that is inconsistent with the RM2 district.
 - (f) *The variance will not alter the essential character of the surrounding area.* This finding is met. There is an existing nursing facility on the property and an existing senior independent living apartment building adjacent to the proposed new construction. The density of residents in this facility will be lower than the number of residents in the existing nursing home facility, which has 110 beds. Furthermore the facility will provide underground parking and a surface lot for visitors where there was none. The surrounding area is predominantly single family with institutional and multiple family uses as well. This variance will not alter the essential character of the surrounding area.

Lot Coverage Variance Findings

7. MN Stat. 462.357, Subd. 6 was amended to establish new grounds for variance approvals effective May 6, 2011. Required findings for a variance consistent with the amended law are as follows:
 - (a) *The variance is in harmony with the general purposes and intent of the zoning code.* This finding is met. The zoning lot in question has and lot coverage of 55%. After removing the duplex and St. Mary's nursing facility and constructing the proposed assisted living facility and memory care building, the lot coverage would be 53%. In residential districts, principal structure shall not cover more than 35% of any zoning lot. This variance is in harmony with the general purposes and intent of the zoning code as it reduces the existing lot coverage variance of the zoning lot.
 - (b) *The variance is consistent with the comprehensive plan.* This finding is met. The core goal of the Comprehensive Plan's Land Use Strategy 1 is higher density development, to "contribute to the goal of creating a vibrant, economically strong community that is environmentally sustainable," including as "infill development in Established Neighborhoods" (pg. LU-8). This variance is consistent with the Comprehensive Plan.
 - (c) *The applicant has established that there are practical difficulties in complying with the provision, that the property owner proposes to use the property in a reasonable*

manner not permitted by the provision. Economic considerations alone do not constitute practical difficulties. This finding is met. The existing lot coverage percentage is higher than that of the proposed project. The proposed use is reasonable considering the existing practical difficulties of the existing structure and zoning lot.

(d) *The plight of the landowner is due to circumstances unique to the property not created by the landowner.* This finding is met. The existing structures on the zoning lot have a greater lot coverage percentage than do the buildings in the proposed project. In order to accommodate the number of assisted living and memory care units to make this project feasible, a lot coverage variance is required. The circumstances of the property were not created by the landowner.

(e) *The variance will not permit any use that is not allowed in the zoning district where the affected land is located.* This finding is met. The assisted living facility is similar to other senior housing uses, which have the same conditions in the district and the same parking requirements (nursing home, boarding care home, hospice, and housing for the elderly). This use is also similar to other multi-family residential uses permitted in the RM2 district. It is unlikely that this facility would be able to be used for any use that is inconsistent with the RM2 district.

(f) *The variance will not alter the essential character of the surrounding area.* This finding is met. There is an existing nursing facility on the property and an existing senior independent living apartment building adjacent to the proposed new construction. The lot coverage percentage is currently higher than that of the proposed project. Furthermore the facility will provide underground parking and a surface lot for visitors where there was none. The surrounding area is predominantly single family with institutional and multiple family uses as well. This variance will not alter the essential character of the surrounding area.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for a 69-unit assisted living/memory care facility, with front yard setback, lot size and lot coverage variances, subject to the following additional condition:

1. Final plans approved by the Zoning Administrator for this use shall be in substantial compliance with the plan submitted and approved as part of this application.



CONDITIONAL USE PERMIT APPLICATION

Department of Planning and Economic Development
Zoning Section
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1634
(651) 266-6589

Zoning office use only
File # 14-319307
Fee: _____
Tentative Hearing Date: 8-28-14

PD = 15
ward = 3
212823240135

APPLICANT

Name James Kelly River Road II Investments c/o Kelly Bros. Investments
Address 9 7th Place W ZM=30
City St. Paul St. MN Zip 55102 Daytime Phone (651) 225-1915
Name of Owner (if different) _____
Contact Person (if different) _____ Phone _____

PROPERTY LOCATION

Address / Location 1925 Norfolk Ave. W., & 1910 Graham Ave. W., St. Paul, MN 5511
Legal Description See Attachment 1
Current Zoning RM2
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of Chapter 66, Section 221, Paragraph _____ of the Zoning Code.

SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

See Attachment 2

Required site plan is attached

Applicant's Signature [Signature] Date 8.7.14 City Agent [Signature]
8-7-14



APPLICATION FOR ZONING VARIANCE
 Department of Safety and Inspections
 375 Jackson Street
 Suite 220
 Saint Paul, MN 55101-1806
 General: 651-266-9008
 Fax: (651) 266-9099

Zoning office use only
 File Number: _____
 Fee: \$ _____
 Tentative Hearing Date: _____
 Section(s) _____
 City agent _____

APPLICANT

Name James Kelly Company River Road II Investments
 Address 9 7th Place W
 City St. Paul St. MN Zip 55102 Daytime Phone (651) 225-1915
 Property Interest of Applicant (owner, contract purchaser, etc) Owner
 Name of Owner (if different) _____ Phone _____

PROPERTY INFORMATION


Address / Location 1925 Norfolk Ave. W., & 1910 Graham Avenue W., St. Paul, MN 55116
 Legal Description See Attachment 1
 (attach additional sheet if necessary)
 Lot Size 2.65 acres Present Zoning RM2 Present Use Vacated Nursing Home
 Proposed Use Assisted Living/Memory Care Facility

Variance[s] requested: Density, Front Yard Setback, Lot Coverage Ratio

Supporting Information: Supply the necessary information that is applicable to your variance request, provide details regarding the project, and explain why a variance is needed. Duplex/triplex conversions may require a pro forma to be submitted. Attach additional sheets if necessary.

See Attachment 2

Attachments as required: Site Plan Attachments Pro Forma

Applicant's Signature 

Date 8.7.14

Attachment 1 – Legal Description

Parcel A: (St. Mary's Home)

That part of Lots 1 through 22, Block 7, Davern's Burren Addition to St. Paul, Minnesota, together with those parts of the vacated North-South and East-West alleys as accrued to said Lots by reason of the vacations thereof.

Lying South of the following described line:

Commencing at the Southeast corner of said Lot 22; thence North 0 degrees 26 minutes 44 seconds East along the East line of said Lot 22 a distance of 84.20 feet to the beginning of the line to be described; thence West a distance of 105.20 feet; thence North a distance of 34.48 feet; thence West a distance of 50.02 feet; thence North a distance of 50.43 feet; thence North 89 degrees 41 minutes 50 seconds West a distance of 163.00 feet; thence South a distance of 69.55 feet; thence West a distance of 128.66 feet to the West line of said Block 7 and there terminating.

A portion of which is registered land and is described as:

That part of Lots 20, 21, 22 Davern's Burren Addition and that part of the South half of the adjoining East-West alley, vacated, lying between extensions across said alley of the West line of said Lot 20 and the most Easterly line of said Lot 22.

Lying South of the following described line:

Commencing at the Southeast corner of said Lot 22; thence North 0 degrees 26 minutes 44 seconds East along the East line said Lot 22 a distance of 84.20 feet to the beginning of the line to be described; thence West a distance of 105.20 feet; thence North a distance of 34.48 feet; thence West a distance of 50.02 feet; thence North a distance of 50.43 feet; thence North 89 degrees 41 minutes 50 seconds West a distance of 163.00 feet; thence South a distance of 69.55 feet; thence West a distance of 128.66 feet to the West line of said Block 7 and there terminating.

Abstract/Torrens Property/Certificate No. 371143 (covers additional property)

Parcel B: (Highlands on Graham)

Lots 26, 27 and 28, Block 7, Davern's Burren Addition to St. Paul, Ramsey County, Minnesota.

Conditional Use Permit - Attachment 2

We respectfully request your consideration to issue a **Conditional Use Permit** to allow for the demolition and replacement of the vacant St. Mary's Home Skilled Nursing Facility with a new contemporary assisted living facility.

Background

The physically and functionally obsolescent St. Mary's Home was originally built in **1936** (78 years old) and added onto in 1956 and 1968. The three- and one-half story facility was licensed for **110 occupants** (beds). St. Mary's Homes was vacated by the former owners, *Franciscan Health & Housing Services*, in 2012 after the costs to bring the facility up to code were determined to be unfeasible. Shortly thereafter the state licensed beds were sold, thus rendering the facility incapable of caring for the frailest elderly.

River Road II Investments purchased the existing St. Mary's Home and the attached **72-unit Highland on Graham** independent senior apartment project in May 2013. Since the purchase, the current management has increased occupancy at Highland on Graham from **30%** to over **90%**.

Proposed Project

The proposed new assisted living facility will consist of **69 units** including 53 units of assisted living and 16 units of memory care housing. The new building will be designed with a more residential intent than the existing institutional design, and will include a commercial kitchen, central dining (three meals served per day), a chapel and various other amenity spaces for residents to enjoy in addition to wellness and health care assistance. The new building will be four stories in height and will be built atop an underground parking garage with **47 parking stalls**. Additionally there will be six off-street surface parking stalls for visitors to the facility. Similar to the existing structure, the new building will be physically connected to the existing Highland on Graham senior housing building providing a full continuum of housing options for area seniors at the present location (see attached Site Plan). The proposed new structure will have a footprint of **19,901 square feet** compared to the **20,275 square feet** footprint for the portion of the existing St. Mary's building's that will be razed, resulting in slightly less site coverage (53% vs. 54%) than the existing facility. Furthermore, an adjacent single-family home (with an approximate footprint of 1,200 square feet) that had been used as a group home and health care offices by the Franciscans will also be removed to provide access to the new building's underground parking garage, off-street parking and additional green space acting as a buffer to the remaining single-family homes east of the site. Overall, the amount of additional open space on the site will increase by nearly 1,575 square feet under the proposed development concept.

Prior to the recent purchase, St. Mary's Home was classified as an exempt property generating **no taxes**. Under the current ownership, the vacant St. Mary's Home will have a total tax bill of \$9,938 in 2014. In comparison, the occupied Highland on Graham will pay **\$172,122** in taxes and assessments this year.

	Existing St. Mary's Home	Proposed Assisted Living Facility
Units/Beds	110	69
Footprint	20,275	19,901
Off-Street Parking Stalls	0	53*
Annual Taxes paid	\$9,938	\$160,000 +/-

* Includes 47 underground and six surface stalls

Conformance & Standards Variance Request

Based on the site's current RM2 Zoning code (Sec. 66.221 Principal Uses) assisted living housing is a permitted use with a Conditional Use Permit.

The proposed concept does conform to the following standards under the RM2 Zoning:

- **Maximum Height;** the maximum height requirement is 5 Stories and 50 feet. The proposed four-story structure will not exceed 48 feet in height (midway point from peak to low point of roof).
- **Side Yard Setbacks;** City standards require side yard setbacks to be ½ the distance of the height of the proposed building or in this case 24' from the property line. As shown on the attached site plan the proposed building would be set back more than 41' from the Prior Avenue on the west side of the building and 120' from the alley on the east side the building.
- **Rear Yard Setback;** for this site there will be no rear yard setback requirements, however City code 56.231 (i) does state a need for an 18' minimum distance between two buildings. With the exception of the link connecting the proposed and existing buildings, the narrowest distance between the two buildings do not exceed this minimum distance with the narrowest distance being over 21' from the existing building.
- **Parking Requirements;** the proposed project exceeds the parking requirements for Assisted Living housing (or 23 stalls at 1 stall per 3 residents), the project will have 53 garage/off-street parking stalls for 69 units.

The proposed project does not conform to the following standards under the RM2 Zoning:

- **Density/Lot Size Minimum (per unit);** based on Table 66.231 in the City code for lot size minimum (per unit) and allowing for credits for parking within a multifamily structure, the maximum number of units allowed for the entire site (parcels A & B) is 96 units. The proposed development will require a variance to allow for an additional 29 units. These 29 units are needed for the project to be economically feasible to development and operate.
- **Front Yard Setback;** 55% of the proposed project will exceed the minimum front yard setback of 25' and overall the average setback for the front of building will be set back approximately 28' from the property line along Norfolk Avenue.
- **Lot Coverage;** the proposed development will exceed the City's standard residential lot coverage ratio of 35%. However, the current lot coverage ratio of the existing buildings on the site is currently 55% and will be reduced to 53% with the proposed development.

Attachment 2 -Variance[s] Requested:

We respectfully request your consideration to approve the following variances to allow for the demolition and replacement of the vacant 110-bed St. Mary's Home Skilled Nursing Facility located at 1935 Norfolk Avenue West with a new residential designed 69-unit Assisted Living Facility.

Density/Lot Size Minimum (per unit):

Under Sec. 66.231 of the City of St. Paul's Density and Dimensional Standards, the code states that the maximum density allowed under the sites current RM2 zoning is one dwelling unit per 1,500 square feet of lot area. The Site is comprised of two parcels; Parcel A- 1925 Norfolk Avenue- includes the St. Mary's Home and consists of 1.26 acres and Parcel B – 1910 Graham Avenue contains the neighboring Highland on Graham independent senior apartment building) 1.39 acres. These two parcels total 2.65 acres (115,434 square feet). In addition, the code allows for a credit of 300 square feet of lot area per underground parking stall. The existing Highland on Graham apartment building has 46 underground garage stalls which allows for an addition of 13,800 square feet to the lot area. The proposed assisted living facility will have 47 underground parking stalls, thus, increasing the lot area by another 14,100 square feet for a total of 143,334 square feet, for a total allowable density of 96 units.

Parcels	Address	Acres	SF
Lot A	1925 Norfolk	1.26	54,886 SF
Lot B	1910 Graham	1.39	60,548 SF
Lot Area subtotal		2.65	115,434 SF

Parking Credit (93 under ground stalls)		
300SF/parking stall		<u>27,900 SF</u>
Total lot area (SF) w/ credits		143,334 SF

Density Calculation:		
1 unit/1,500 SF of lot area	=	96 units
(minus) existing/proposed units*	-	<u>125 units</u>
(equals) excess density	=	-29 units

Variance Request for an additional 29 units

The proposed new building will have a total of 69 residential units. However, 16 of these units will be designated for persons with memory care needs and will not contain "kitchens" within the units themselves, and thus according to St. Paul DSI interpretation of dwelling units do not count against the maximum density. The remaining 53 units when combined with the 72 units at Highland on Graham total 125 dwelling units. Thus, the project requests a **variance to allow an additional 29 units** to be developed on said property. For this project to be financially viable for development and long-term operational efficiencies it will need the requested variance of an additional 29 units.

The proposed project's resident base consists of seniors with care assistance needs. It will have less impact on most city services (everything from parking and traffic to water usage) compared to other similarly-sized residential uses. In addition, the proposed new facility will have fewer residents smaller (69 units versus 110 beds), be more residential in character than the existing institutional use there will have fewer numbers of staff and visitors driving to and needing to park at the site compared to the previous use. For all of these reasons we believe the additional 29 units requested is a reasonable request for this redevelopment.

Front Yard Setbacks:

Portions of the proposed project will exceed the minimum front yard setback of 25', however of the 268 linear feet of frontage along Norfolk Avenue, 148 linear feet, or **55% of the building is in compliance** (greater than 25' in distance from the property line) and the **average overall setback for the front of building is setback approximately 28'** from property line fronting Norfolk Avenue. We believe this to be a reasonable request since the neighboring Highland on Graham senior apartment projects does infringe on the 25' setback considerably more (in some cases 10' from the property line). Furthermore, the proposed project be providing 14 parallel parking spots cut into the curb in front of the building along Norfolk Avenue to help alleviate parking in front of the new building encroaching into any drive lanes along Norfolk. (see attached Site Plan).

Lot Coverage:

The proposed development will exceed the City's standard residential lot coverage ratio of 35%, however, the current lot coverage ratio of the existing buildings on the site is currently greater (**55%**) then it will be with the proposed development (**53%**). Furthermore, as part of the development of the new facility an existing single-family residence on the property (with a footprint of approximately 1,250 square feet) will be removed further adding to the amount of open space on the site.

	Sq. Ft.	% of Lot Area
Lot Area (square feet)	= 115,434	100%
Existing Conditions:		
Footprint of existing Highland on Graham	41,533	36%
Footprint of existing St. Mary's Home	+ 20,275	18%
subtotal	= 61,808	54%
existing single-family home	+ 1,250	1%
Total	= 63,058	55%
Proposed Project:		
Footprint of existing Highland on Graham	SF 41,533	36%
Footprint of proposed Assisted Living Facility	+ 19,901	17%
Total	= 61,434	53%

St. Mary's Home Redevelopment

Justification for Front Yard Setbacks. The proposed assisted living development will require a variance for Front Yard setbacks due to the fact the development will need to maintain the service drive to the rear (north) of the building to allow for trash removal, food and other vendor deliveries. Also, contemporary "residential-style" assisted living facilities require a minimum building width of approximately 65 feet in order to accommodate the appropriate unit dimensions (depth) and corridor width for the proposed project maintain a residential character that is both functional and attractive to potential residents. The proposed assisted living development will on average actually have a similar amount of front yard encroaching on the 25' front yard setback as the existing St. Mary's Home that it will replace and significantly less than the Highland on Graham has on its front yard. At its closest point, the proposed new assisted living project will be setback 10 feet off the property line while the existing St. Mary's home has areas only three and four feet from the property line (see existing conditions plan). Furthermore, the proposed development will "open up" the corner of Norfolk and Prior with the building set back nearly 42' off the property line fronting Prior Avenue compared to the existing St. Mary's Home which is only 5 feet off the Prior Avenue property line.

Justification for Density Variance: The proposed assisted living facility's intent is to provide elderly residents of Highland Park with a high quality of life and to extend their independence as long as possible. For this to be achieved contemporary assisted living projects must accommodate for the mental, physical and spiritual wellbeing of their residents and must provide adequate spaces for resident to engage in these various activities. The proposed project will include a commercial-grade kitchen, dining room, areas for worship, socialization and physical and recreational activities. In addition, spaces must also be present to allow for the staff to provide the wellness and health care services that these residents require (i.e. areas for medical charts, examination rooms, nurses stations, tub rooms, staff offices, etc.). All of these required amenities come with a price tag both in terms of the costs to construct and for continued operations. Thus in order to for the facility to be financially viable and to provide resident with housing options and services in an affordable manner these costs need to be spread across enough units to justify the development and house enough residents so that it can justify the amount of staffing required to provide quality care.

Comp Plan: The proposed development not only fits within the framework of the City's Comprehensive plan but also District 15's -Highland Park Neighborhood Plan by addressing the following key component: "welcome residents from a broad spectrum of age groups and income levels with new housing units that are high quality as well affordable."

Franciscon, Health & Housing Services, Senior Housing

St. Paul, Minnesota.

HUD Project No. 092-35624

TUSH B MONTGOMERY ARCHITECTS

LANDSCAPE PLAN

Drawn By: RMC
Project Architect: DLP, CSK
Checked By: GRT, TL
Date: AUGUST 6, 2001
Revision: 1

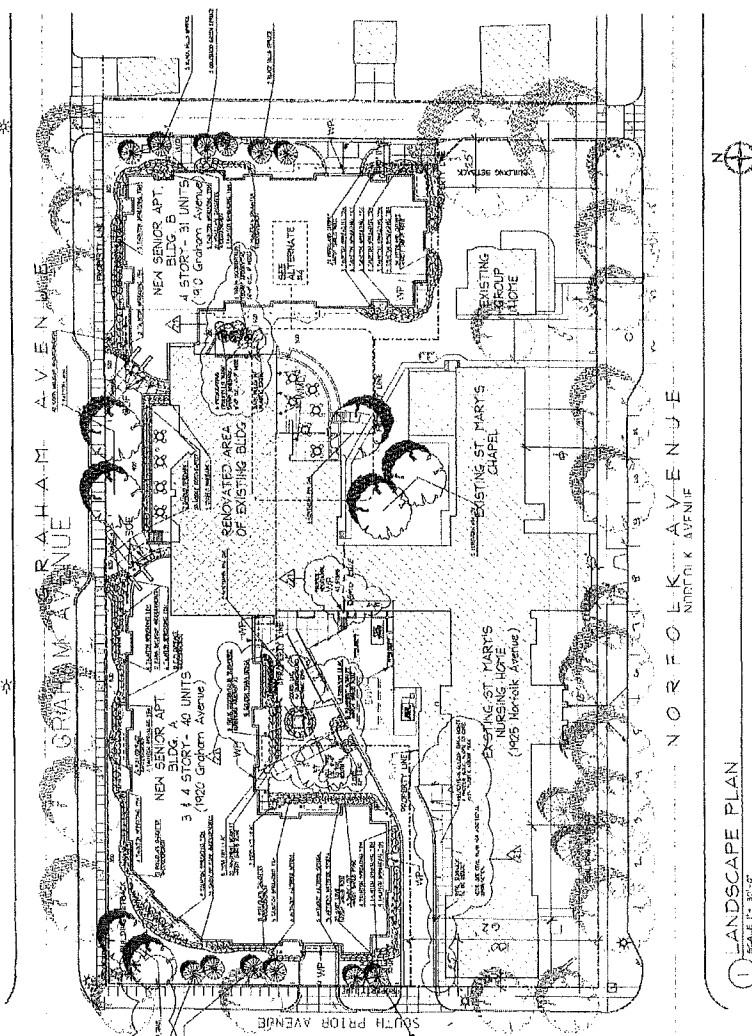
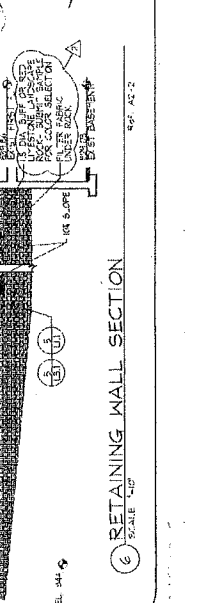
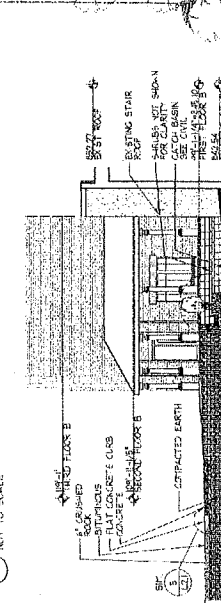
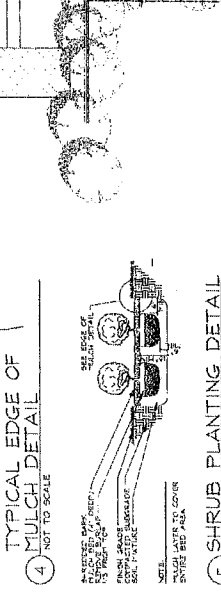
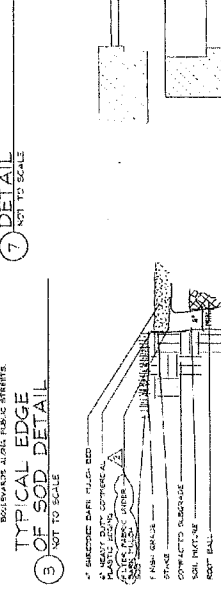
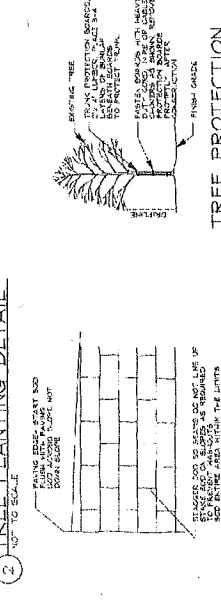
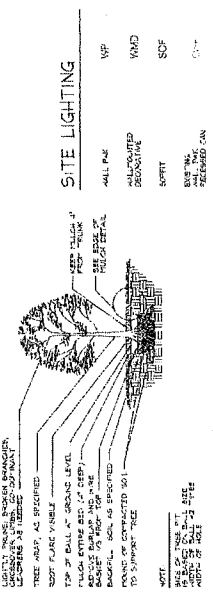
REVISIONS
1. ADDITION #2
2. ADDITION #3
3. ADDITION #4
4. ADDITION #5

Project No. 092-35624

PLANT LIST	REVISIONS	DATE	BY	REASON
1. CONIFEROUS TREES 2. DECIDUOUS TREES 3. SHRUBS 4. PERENNIALS 5. ANNUALS	1. Added 2. Deleted 3. Added 4. Deleted 5. Added	8/6/01	RMC	REVISED

LANDSCAPING NOTES:

1. LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANTING MATERIAL AND A PERIOD OF 1 YEAR FROM THE DATE OF PLANTING. PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF THE DATE OF THE CONTRACT.
2. ALL PLANTING SHALL BE INSTALLED WITHIN 45 DAYS OF THE DATE OF THE CONTRACT.
3. ALL PLANTING SHALL BE INSTALLED WITHIN 45 DAYS OF THE DATE OF THE CONTRACT.
4. ALL PLANTING SHALL BE INSTALLED WITHIN 45 DAYS OF THE DATE OF THE CONTRACT.
5. ALL PLANTING SHALL BE INSTALLED WITHIN 45 DAYS OF THE DATE OF THE CONTRACT.
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9. ALL PLANTING SHALL BE INSTALLED WITHIN 45 DAYS OF THE DATE OF THE CONTRACT.
10. ALL PLANTING SHALL BE INSTALLED WITHIN 45 DAYS OF THE DATE OF THE CONTRACT.



PLAN SHOWING EXISTING NURSING HOME SETBACKS

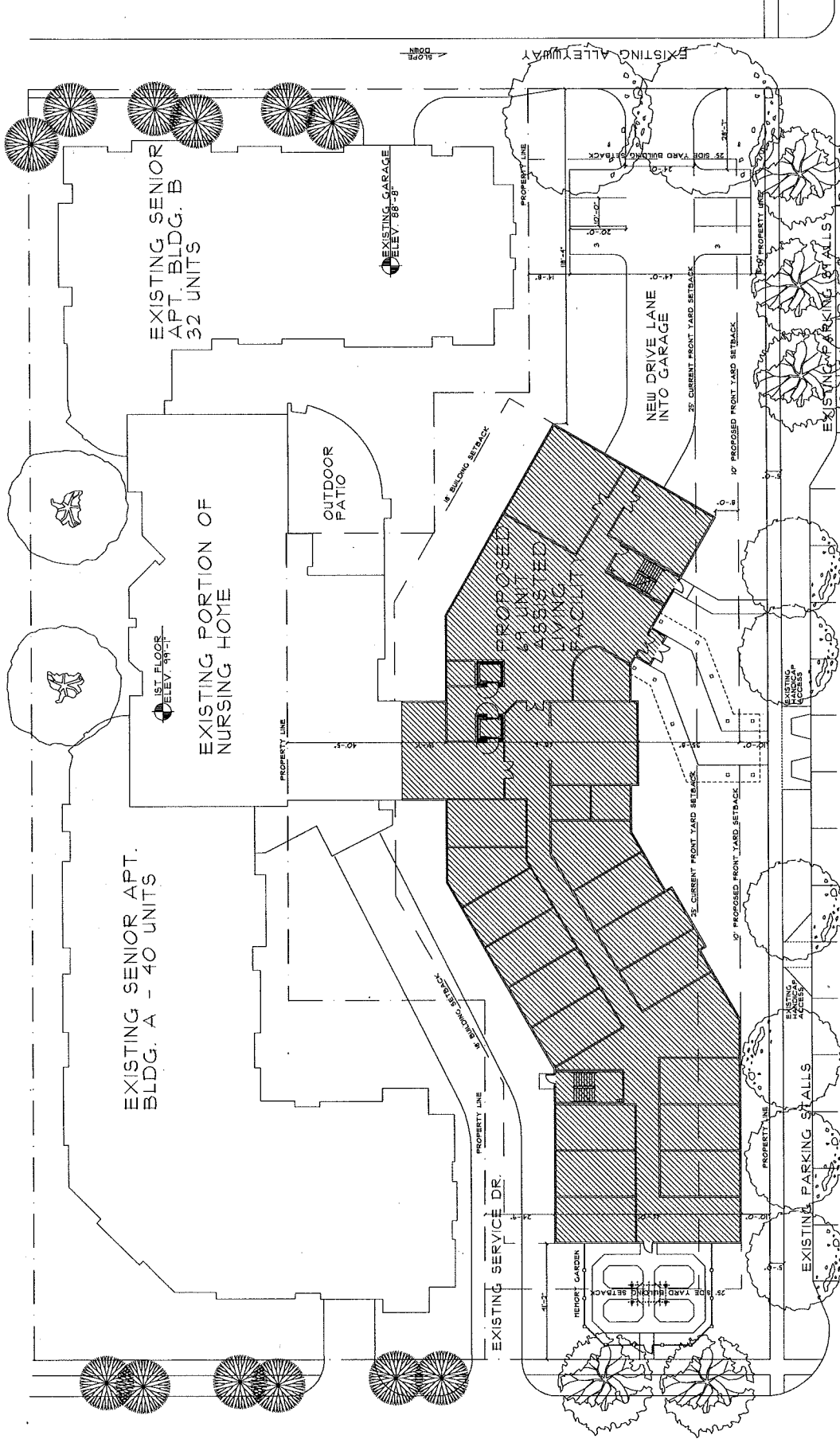
GRAHAM AVENUE

EXISTING SENIOR APT.
BLDG. A - 40 UNITS

EXISTING PORTION OF
NURSING HOME

EXISTING SENIOR
APT. BLDG. B
32 UNITS

SOUTH TOWN AVE NUUM



EXISTING SERVICE DR.

EXISTING ALLEYWAY

PROPOSED BUILDING:
69 UNIT ASSISTED LIVING FACILITY
 SHEET INDEX

NORFOLK AVENUE

SCALE: 1/4" = 1'-0"
PROPERTY LINE

19,901 S.F.
ALF BUILDING FOOTPRINT:
94,409 S.F.
ALF ACCUMULATIVE S.F.:
44 UNDERGROUND PARKING STALLS

- EXISTING SITE PLAN**
- ARCHITECTURAL:**
- A1 SITE PLAN
 - A2 BASEMENT & FIRST FLOOR PLANS
 - A3 SECOND & THIRD FLOOR PLANS
 - A4 FOURTH FLOOR PLAN
 - A5 EXTERIOR ELEVATIONS

PROPOSED 69 UNIT ASSISTED LIVING FACILITY
 S. PAUL, MN
 19,901 S.F. ALF BUILDING FOOTPRINT
 94,409 S.F. ALF ACCUMULATIVE S.F.
 44 UNDERGROUND PARKING STALLS
 SCALE: 1/4" = 1'-0"
 PROPERTY LINE

PROPOSED
 69 UNIT
 ST. PAUL APT.
 ST. PAUL, MN

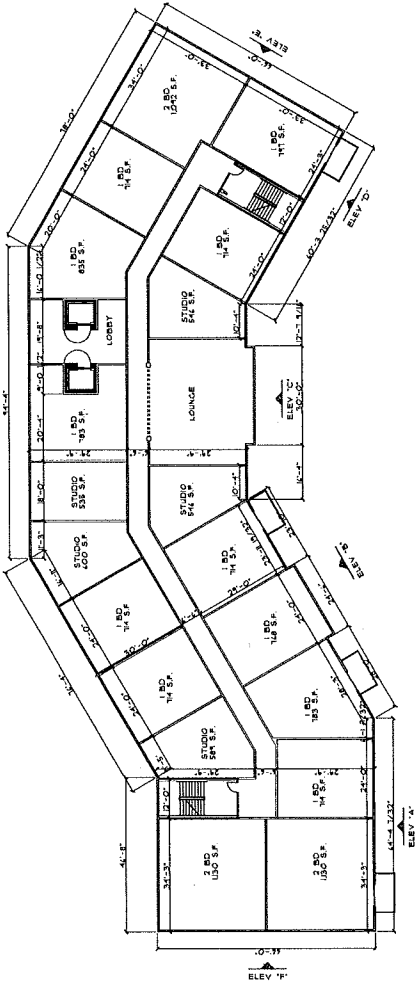
ARCHITECT
 CLIF CARP
 1100 WEST WASHINGTON ST.
 ST. PAUL, MN 55102

DRAWING NO.
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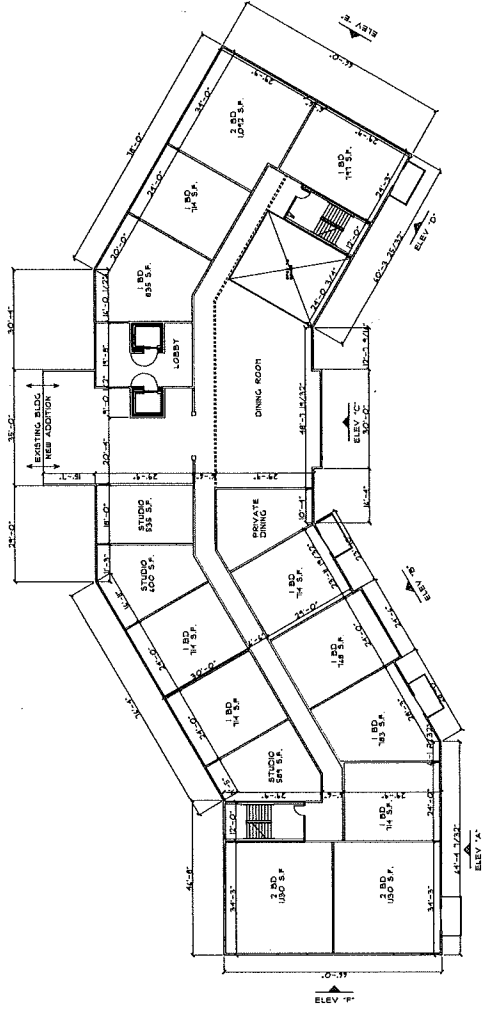
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 AS

DATE
 10-10-68

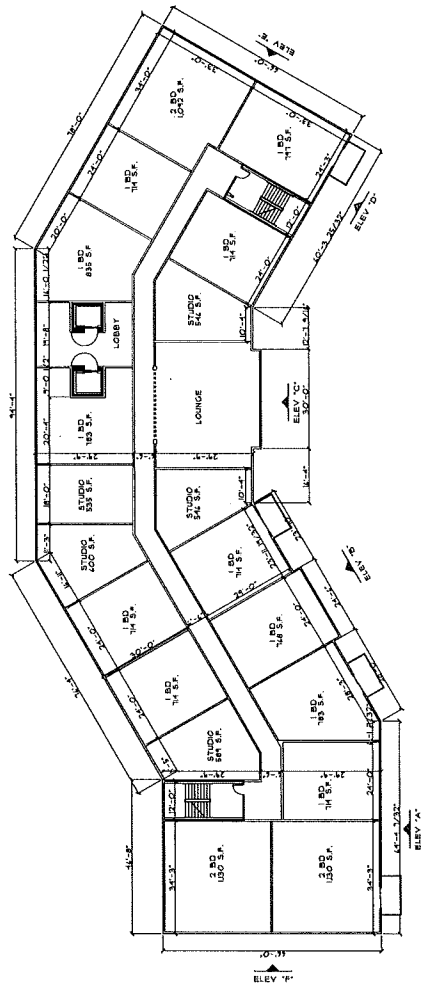
PHOTO 90-00-1 (PL 1009) COM. 1



TOTAL BUILDING THIS FLOOR	
NET AREA	10,000 S.F.
GROSS AREA	10,000 S.F.
STUDIO	1,079 S.F.
LOUNGE	1,000 S.F.
1 BR.	233 S.F.
2 BR.	240 S.F.
3 BR.	130 S.F.
TOTAL	10,000 S.F.

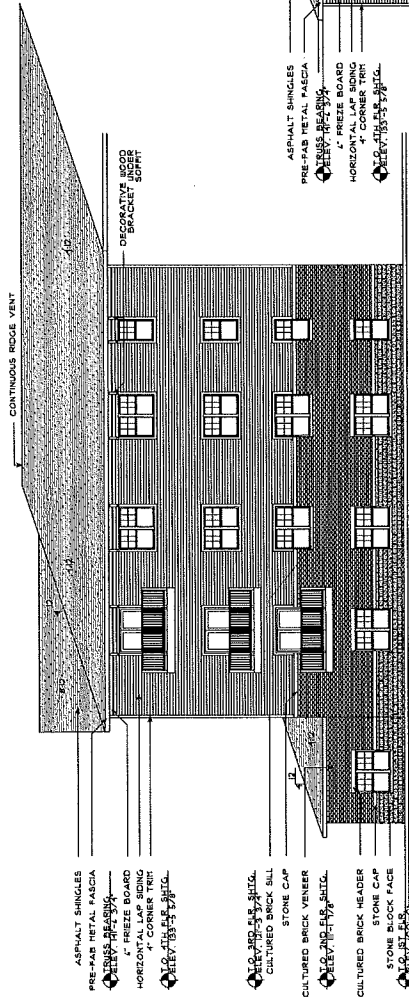


SECOND FLOOR PLAN
SCALE 1/2" = 1'-0"



UNIT TYPE	AREA (SQ. FT.)	NO. OF UNITS	TOTAL AREA (SQ. FT.)
1 BD	714	10	7140
2 BD	1325	2	2650
STUDIO	647	4	2588
LOUNGE	-	1	-
LOBBY	-	1	-
TOTAL		18	12378

FOURTH FLOOR PLAN
SCALE: 1/8" = 1'-0"

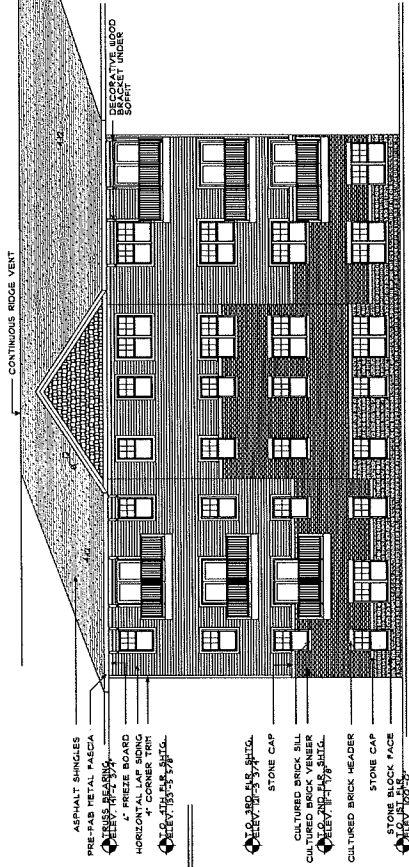


- ASPHALT SHINGLES
- PRE-FAB METAL FASCIA
- TRUSS BRACING
- 1" FREEZE BOARD
- HORIZONTAL LAP SIDING
- ELEV. 10'-0" @ 10'-0"

- CULTURED BRICK SILL
- STONE CAP
- CULTURED BRICK VENEER
- ELEV. 10'-0" @ 10'-0"
- CULTURED BRICK HEADER
- STONE CAP
- STONE BLOCK FACE
- ELEV. 10'-0" @ 10'-0"

10'-0" @ 10'-0"

ELEVATION "A"
SCALE 1/8" = 1'-0"

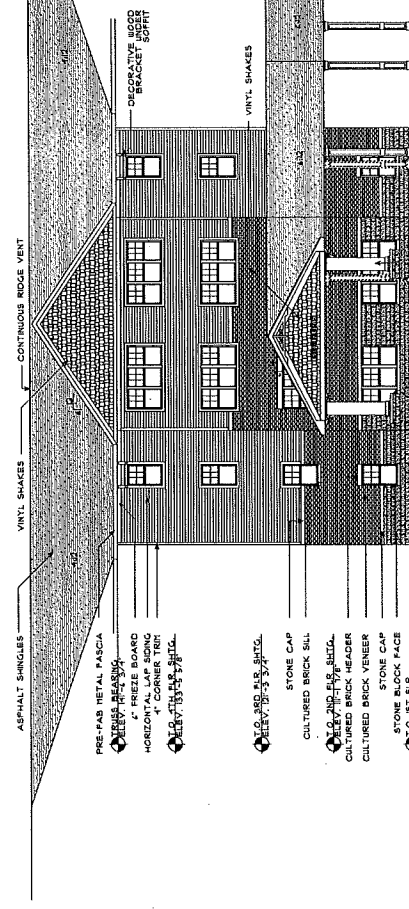


- ASPHALT SHINGLES
- PRE-FAB METAL FASCIA
- TRUSS BRACING
- 1" FREEZE BOARD
- HORIZONTAL LAP SIDING
- 4" CORNER TRIM
- ELEV. 10'-0" @ 10'-0"

- 10'-0" @ 10'-0"
- STONE CAP
- CULTURED BRICK SILL
- CULTURED BRICK VENEER
- PRE-FAB METAL FASCIA
- CULTURED BRICK HEADER
- STONE CAP
- STONE BLOCK FACE
- ELEV. 10'-0" @ 10'-0"

10'-0" @ 10'-0"

ELEVATION "B"
SCALE 1/8" = 1'-0"



- PRE-FAB METAL FASCIA
- TRUSS BRACING
- 1" FREEZE BOARD
- HORIZONTAL LAP SIDING
- 4" CORNER TRIM
- ELEV. 10'-0" @ 10'-0"

- 10'-0" @ 10'-0"
- STONE CAP
- CULTURED BRICK SILL
- PRE-FAB METAL FASCIA
- CULTURED BRICK VENEER
- STONE CAP
- STONE BLOCK FACE
- ELEV. 10'-0" @ 10'-0"

10'-0" @ 10'-0"

ELEVATION "C"
SCALE 1/8" = 1'-0"

Conditions Attached to Lot Split
Approved at 1925 Norfolk, in the block bounded by Graham, Norfolk, Prior and Sue
September 1, 2000

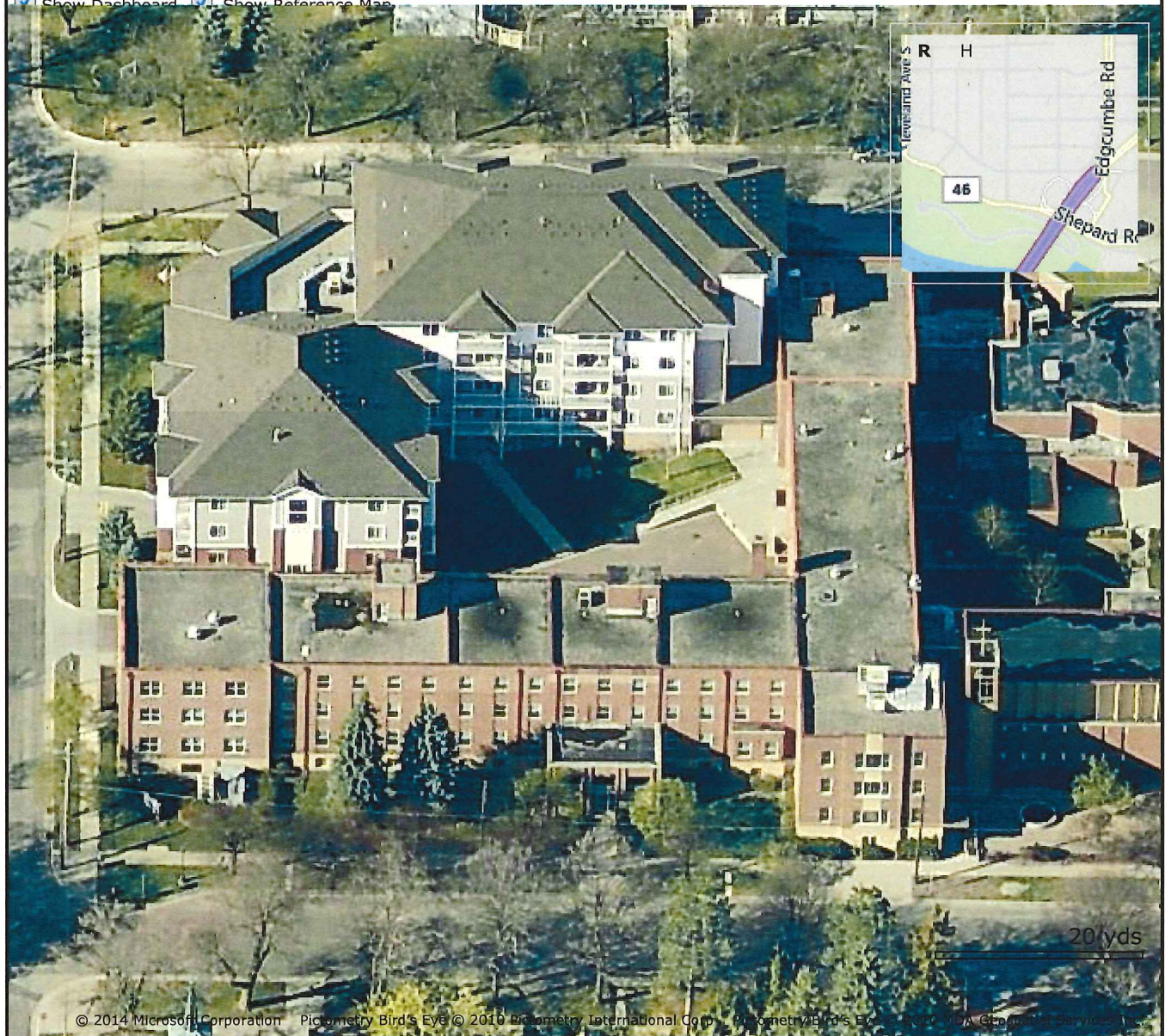
1. Lot coverage Limitation/ applicability of Zoning Code. Franciscan Health Community (FHC) and Franciscan Health and Housing Services (FHHS) agree that the City Council Resolution (Council File #00-44) approving variances for this site, notwithstanding the subsequent administrative lot division, applies to the entire parcel of record at the time of the approval of the said resolution. FHC and FHHS agree that the entire parcel of record at the time of the approval of the Resolution shall, for zoning purposes, be considered a single zoning lot as defined in Saint Paul Legislative Code 60.212, notwithstanding any new lot of record created by the administrative lot division. FHC and FHHS agree the administrative lot division does not constitute a waiver of, nor does it supercede, any state statutes of local ordinances pertaining to zoning. FHC, FHHS or any subsequent owner or lessee of any lot of record created by the administrative lot division shall, notwithstanding the preceding three sentences, have the right to construct, reconstruct or otherwise reconfigure new or existing improvements on the entire parcel so long as such improvements taken together with the improvements existing on the entire parcel of record at the time of the approval of the said resolution, will not exceed the Lot Coverage Variance granted under the Resolution and are otherwise in compliance with applicable provisions of the Saint Paul Legislative Code.

2. Legal Effect. Each parcel created by the administrative lot division is subject to this agreement which constitutes a restrictive covenant which shall run with the land and be binding upon FHC, FHHS, their successors, heirs and assigns.

GISmo Oblique Photography

Images courtesy of: Microsoft® Virtual Earth™ 2006

Show Dashboard Show Reference Map



GISmo Oblique Photography

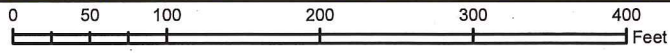
Images courtesy of: Microsoft® Virtual Earth™ 2006

Show Dashboard Show Reference Map





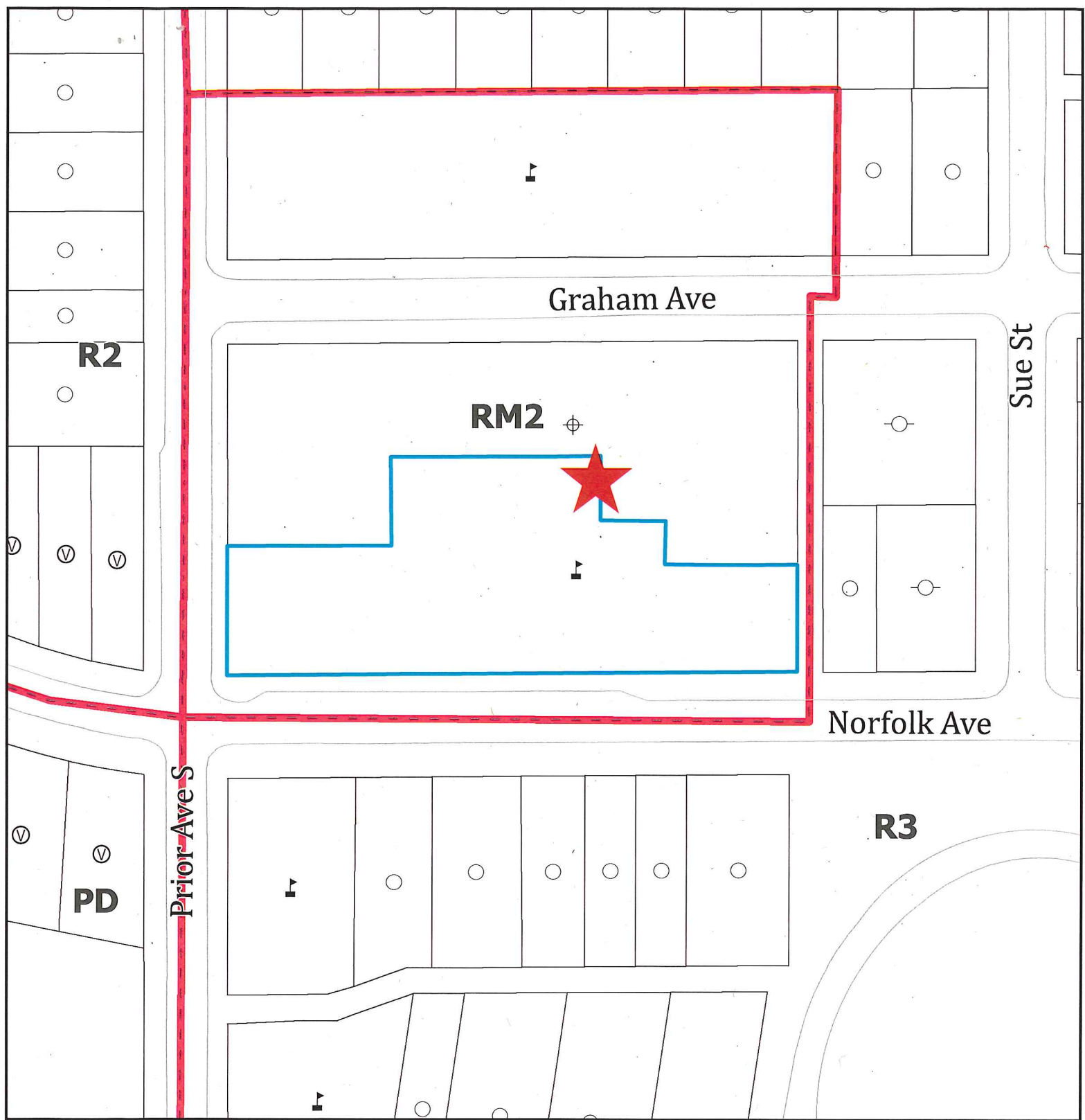
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 APPLICATION TYPE CUP w/variances
 FILE # 14-319307 DATE 8/14/2014
 PLANING DISTRICT 15
 ZONING MAP # 30



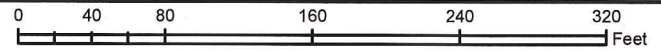
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|----------------------|--------------------------|
| Commercial & Office | Residential One Family |
| Industrial & Utility | Residential Two Family |
| Institutional | Residential Three Family |
| Vacant/Undeveloped | Multifamily |

Saint Paul Department of Planning and Economic Development
Ramsey County





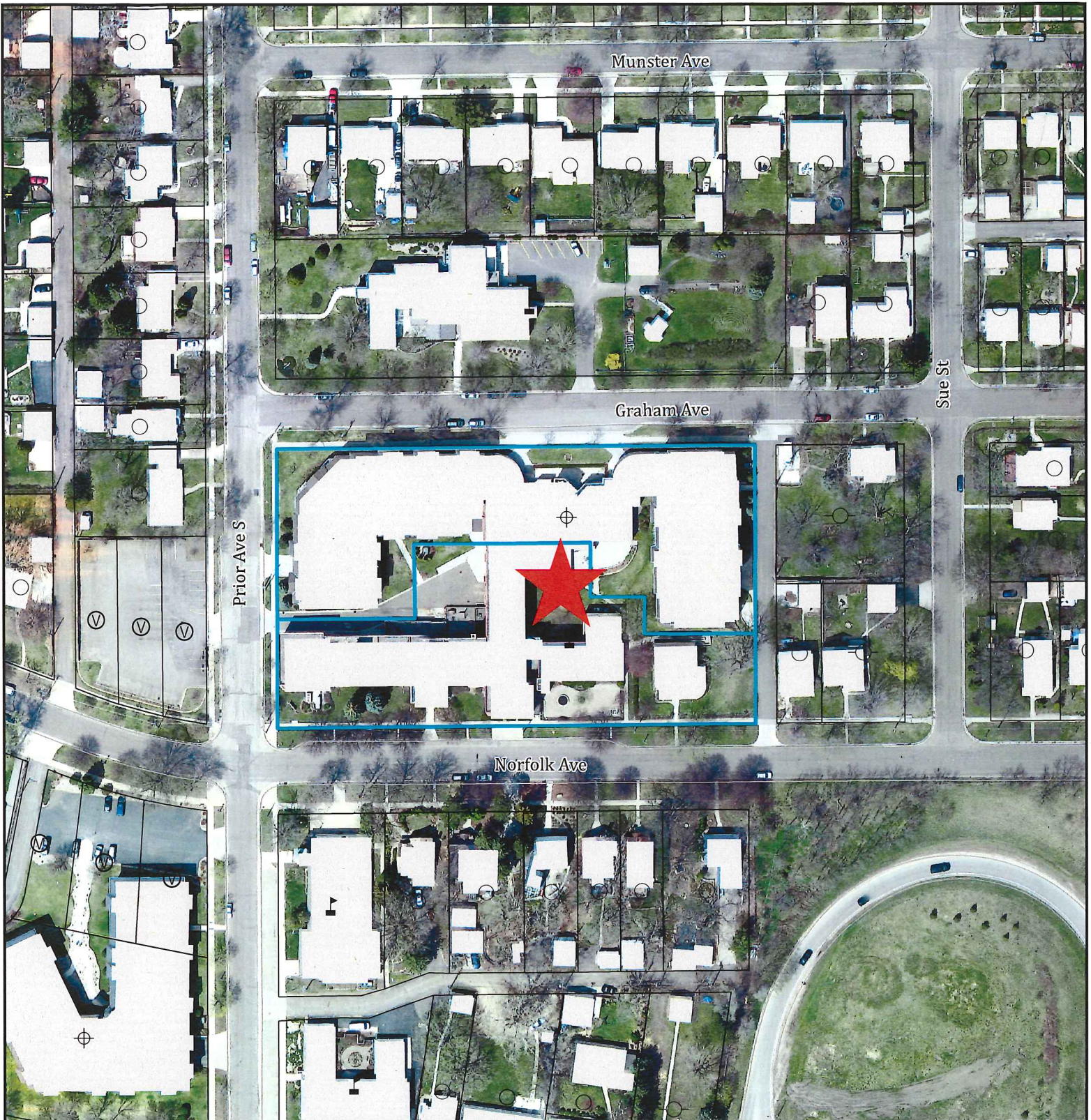
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 APPLICATION TYPE CUP w/variance
 FILE # 14-319307 DATE 8/13/2014
 PLANING DISTRICT 15
 ZONING MAP # 30



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|----------------------|--------------------------|
| Commercial & Office | Residential One Family |
| Industrial & Utility | Residential Two Family |
| Institutional | Residential Three Family |
| Vacant/Undeveloped | Multifamily |

Saint Paul Department of Planning and Economic Development
Ramsey County





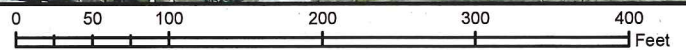
APPLICANT James Kelly River Road II Invest.

APPLICATION TYPE CUP w/variances

FILE # 14-319307 DATE 8/14/2014

PLANING DISTRICT 15

ZONING MAP # 30



- | | | | |
|--|----------------------|--|--------------------------|
| | Commercial & Office | | Residential One Family |
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Saint Paul Department of Planning and Economic Development
Ramsey County

