

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** BleuAnt Designs LLC (rezone) **FILE #:** 15-134-693
 2. **APPLICANT:** BleuAnt Designs, LLC **HEARING DATE:** July 16, 2015
 3. **TYPE OF APPLICATION:** Rezoning
 4. **LOCATION:** 1174 Grand Ave,
 5. **PIN & LEGAL DESCRIPTION:** 032823410039; Manson and Simontons addition W 1/2 of Lot 3 and all of Lot 4 Blk 3
 6. **PLANNING DISTRICT:** 16 **EXISTING ZONING:** BC
 7. **ZONING CODE REFERENCE:** § 61.801(b)
 8. **STAFF REPORT DATE:** July 8, 2015 **BY:** Jamie Radel
 9. **DATE RECEIVED:** June 29, 2015 **60-DAY DEADLINE FOR ACTION:** August 28, 2015
-

- A. **PURPOSE:** Rezone from BC community business (converted) district to the RM2 multiple family district
- B. **PARCEL SIZE:** 9,000 sq. ft. (0.2 acres)
- C. **EXISTING LAND USE:** Duplex
- D. **SURROUNDING LAND USE:**
 - North: Funeral home
 - East: Multi-family residential
 - South: A duplex and single-family residential
 - West: Multi-family residential
- E. **ZONING CODE CITATION:** §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** This property was originally zoned Commercial District in 1922 and kept that designation until a major update of the zoning code took place in 1975 at which time it was rezoned to B2 community business. In the early 1980s, this property was rezoned to B2-C, which was renamed BC community business (converted). Unlike many one- or two-family residential structures zoned BC along Grand Avenue, this particular structure was never converted to a business use.
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 16 has not provided a recommendation at the writing of this staff report.
- H. **FINDINGS:**
 1. The applicant is seeking to rezone the subject property from the BC community business converted district to the RM2 multiple family residential district in order to develop a new multi-family residential building on this site. This parcel is currently zoned BC, which does allow for the use of the parcel for multi-family housing at levels consistent with what is being proposed for this site. Rezoning of this property is needed as the intent of the BC district, as stated in § 66.413 Intent, BC community business (converted) district, is "...expressly for *existing* residential structures in commercial areas..." Therefore, the proposal to demolish the existing duplex and construct a *new* multi-family family building would not meet the intent of the BC district.

2. The proposed zoning is consistent with the way this area has developed. Grand Avenue has a mix of residential and commercial properties that are zoned BC community business converted, B2 community business, B3 general business, and RM2 multiple-family within the general vicinity of this property. Two parcels to the immediate east and two parcel to immediate west of the subject parcel are zoned RM2, and each has a 2.5-story multifamily structure.
 3. The proposed zoning is consistent with the Comprehensive Plan and District 16 Plan. Grand Avenue is guided as a Mixed Use Corridor in the Future Land Use map of the Comprehensive Plan, and several policies within the Land Use Chapter support increasing density along these corridors. Policy 1.2 of the Land Use chapter supports the development of high density residential within Mixed-Use Corridors that accommodate between 30 to 150 dwelling units per acre, and with the proposed eight units on a 0.2-acre lot or 40-units per acre, this proposal falls within the targeted densities. In addition Policy 1.25 states: "Promote the development of more intensive housing on Mixed-Use Corridors where supported by zoning that permits mixed-use and multi-family residents." Policy 1.26 states: "Permit residential development at densities contemplated in Policy 1.2." The Housing Chapter of the Comprehensive Plan provides further guidance in Policy 2.17(c), which states: "Encourage the development of attached single-family and neighborhood-sensitive multi-family infill housing at appropriate locations as identified in the Land Use Plan and small area plans to increase housing choice." The District 16 Plan generally supports this rezoning. G4 Commercial and Housing Mix states: "Retain B2-C [now named BC]... and residential zoning on Grand Avenue. Discourage rezoning of residential uses on Grand Avenue to more intensive uses." In this case the rezoning of this property from BC to RM2 retains nearly identical residential regulation on the property. BC district refers back to the RM2 lot coverage and lot size per unit requirement.
 4. The proposed zoning is compatible with surrounding uses. To the east and west of this parcel are multifamily buildings currently zoned RM2, to the north is a funeral home zoned B3, and to the south are single-family and duplex residential uses zoned RT1.
- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of rezoning from the BC community business (converted) district to the RM2 multiple family district at 1174 Grand Avenue.

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** BleuAnt (variance) **FILE #:** 15-134-770
 2. **APPLICANT:** BleuAnt Designs, LLC **HEARING DATE:** July 16, 2015
 3. **TYPE OF APPLICATION:** PC Variance
 4. **LOCATION:** 1174 Grand Ave, between Dunlap and Ayd Mill Road
 5. **PIN & LEGAL DESCRIPTION:** 032823410039, Manson and Simontons addition W 1/2 Of Lot 3 and all of Lot 4 Blk 3
 6. **PLANNING DISTRICT:** 16 **PRESENT ZONING:** BC
 7. **ZONING CODE REFERENCE:** § 61.202(b), § 66.231; § 66.232
 8. **STAFF REPORT DATE:** July 9, 2015 **BY:** Jamie Radel
 9. **DATE RECEIVED:** June 29, 2015 **60 DAY DEADLINE FOR ACTION:** August 28, 2015
-

- A. **PURPOSE:** Variance of side-, rear-, and front-yard setbacks and lot coverage requirements
- B. **PARCEL SIZE:** 9,000 sq. ft. (0.20 acres)
- C. **EXISTING LAND USE:** Duplex
- D. **SURROUNDING LAND USE:**
 - North: Funeral home
 - East: Multi-family residential
 - South: A duplex and single-family residential
 - West: Multifamily residential
- E. **ZONING CODE CITATION:** § 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; § 66.231 sets the dimensional standards for residential zoning districts; and § 66.232 states the maximum lot coverage for the principal structure in residential districts.
- F. **HISTORY/DISCUSSION:** This property was originally zoned Commercial District in 1922 and kept that designation until a major update of the zoning code took place in 1975 at which time it was rezoned to B2 community business. In the early 1980s, this property was rezoned to B2-C, which was renamed BC community business (converted) in 2004. The applicant is seeking to rezone this property from BC to RM2 (file #15-134693).
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 16 has not provided a recommendation at the writing of this staff report.
- H. **FINDINGS:**

1. The applicant, BlueAnt Designs, LLC, is seeking variances to the front, side, and rear yard setback requirements for the RM2 multiple family district and to the lot coverage requirement for residential uses in order to develop a three-story multi-family building that includes up to eight units with eight underground parking spaces and three compact parking spaces in the rear yard.

Front-yard setback: Under § 66.231 the minimum front yard setback for this site is established as the average setback of the existing structures on the block. The City has established that the average setback for this block is 23.4 feet. The applicant is seeking a 3.4-foot (14.5%) variance from this standard to allow the building set back 20 feet from the front property line. According to information provided by the applicant the adjacent properties are set back 20 feet; City records have these properties to be set back

between 20.75 ft. and 23.25 ft. Staff is working to verify these measurements.

Rear-yard setback: Under § 66.231 the minimum rear yard setback is established at 25 feet from the rear property line. The applicant is seeking a 6-foot (24%) variance to allow the building to be built 19 feet from the rear property line.

Side-yard setback: § 66.231 establishes the side-yard setback to be equal to one-half the height of the building. The height of the proposed building is set at 36 feet. The applicant is seeking a 10.5-foot (58%) variance to allow for a 7.5-foot side-yard setback.

Lot coverage: § 66.232 established the maximum lot coverage of a principal structure in a residential district as 35% of the total lot area (lot area includes one-half of the area of the alley). The total lot area is 9,540 sq. ft. (9,000 sq. ft. parcel plus 540 sq. ft. alley allowance). The footprint of the building is 4,995 sq. ft. (111 ft. x 45 ft.), which represents 52.4% of the total lot area. The applicant is seeking a 17.4% variance of the maximum lot coverage.

3. MN Stat. 462.357, Subd. 6 was amended to establish new grounds for variance approvals effective May 6, 2011. The Board of Zoning Appeals and the Planning Commission shall have the power to grant variances from the strict enforcement of the provisions of this code upon a finding that:
 - (a) *The variance is in harmony with the general purposes and intent of the zoning code.* This finding is met. The purpose of the dimensional standards and lot coverage requirements are to ensure that buildings are developed in a way as provide regularity in pattern and spacing, not provide overly dense sites, and to not overly burden adjacent properties with impacts created by the new development. This project is generally consistent in size and form of the multifamily buildings the east and west of the subject site.
 - (b) *The variance is consistent with the comprehensive plan.* This finding is met as the proposed development is supported by the Comprehensive Plan and generally consistent with the District 16 Plan. Grand Avenue is guided as a Mixed Use Corridor in the Future Land Use map of the Comprehensive Plan, and several policies within the Land Use Chapter support increasing density along these corridors. Policy 1.2 of the Land Use chapter supports the development of high density residential within Mixed-Use Corridors that accommodate between 30 to 150 dwelling units per acre, and with the proposed eight units on a 0.2-acre lot or 40-units per acre, this proposal falls within the targeted densities. In addition Policy 1.25 states: "Promote the development of more intensive housing on Mixed-Use Corridors where supported by zoning that permits mixed-use and multi-family residents." Policy 1.26 states: "Permit residential development at densities contemplated in Policy 1.2." The Housing Chapter of the Comprehensive Plan provides further guidance in Policy 2.17(c), which states: "Encourage the development of attached single-family and neighborhood-sensitive multi-family infill housing at appropriate locations as identified in the Land Use Plan and small area plans to increase housing choice." This project is consistent with Policy H7 of the District 16 Plan: "Ensure that the impact of any increased density conforms to zoning and building requirements, and that the City considers the development's adverse impact on existing municipal services including, but not limited to, traffic and parking." Although this project is seeking variances to the RM2 requirements, the density conforms to the zoning standards and the primary impact caused by this increase in density, parking, is being addressed on site.
 - (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 as there are practical difficulties to develop this property in a reasonable manner under the enforcement of the RM2 standards. The size of this site does not allow for development of a multifamily building of similar scale, spacing, and bulk of the four multifamily buildings to the east and west of the property that are also zoned RM2. To allow for a consistent general form between the established buildings and the proposed building while also providing for onsite, underground parking, which the existing buildings do not provide, the variances requested by the applicant are needed to provide reasonable use of this property.

- (d) *The plight of the landowner is due to circumstances unique to the property not created by the landowner.* This finding is met. Due to the size of this parcel, developing any type of multifamily housing consistent in scale, spacing, and bulk to that which is to the east and west of this property and meets current parking requirements would be rendered impossible by strict enforcement of the provisions of the code.
- (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. Multifamily residential is allowed within the RM2 multiple family district, and with eight units this building meets the lot area requirement per unit.
- (f) *The variance will not alter the essential character of the surrounding area.* This finding is met. The proposed development is generally consistent with the scale, spacing, and bulk of the four multifamily buildings to the east and west of this parcel. Additional height and width of this building is primarily driven by the provision of the underground parking. As shown in the plan, the upper six feet of the parking level is above ground level. To maintain the character of the existing buildings, living space on the first floor of this building should match, as closely as possible, those of the adjacent walk-up apartments and perhaps design elements or landscaping can be added to minimize the visual impact of this height. The character of the properties to the south on Lincoln Avenue is substantially different than those of the multifamily builds on Grand Avenue. To minimize the potential loss of privacy, the applicant has indicated a willingness to minimize fenestration on the south side of the proposed building to reduce the ability see into backyards from the upper floors.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the variance of side, rear, and front yard setbacks and lot coverage requirements for the proposed new apartment building at 1174 Grand Avenue subject to the following additional conditions:

1. Approval of the rezoning of this property to the RM2 multiple family district.
2. The height of the building shall not exceed 36 feet.



PETITION TO AMEND THE ZONING CODE
 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 #: _____
 Fee: _____
 Tentative Hearing Date: _____

APPLICANT

Property Owner BleuArt Designs, LLC
 Address 22 Geneva Blvd. #500
 City Brussels St. MN Zip 55306 Daytime Phone 651-321-4909
 Name of Owner (if different) _____
 Contact Person (if different) Ryan Burke Phone 952-484-6547

PROPERTY LOCATION

Address/Location 1174 Grand Ave
 Legal Description Sec. 3, Twp. 28, Range 23, Plat. Mansont & Simonson's
W 1/2 of Lot 3 + All of Lot 4, Blk 3 Current Zoning BC
 (attach additional sheet if necessary)

TO THE HONORABLE MAYOR AND CITY COUNCIL:

Pursuant to Section 61.800 of the Saint Paul Zoning Ordinance and to Section 462.357(5) of Minnesota Statutes,

Ryan Burke, owner of land proposed for rezoning, hereby petitions you to
 rezone the above described property from a BC zoning district to a Rm2 zoning
 district, for the purpose of: To build a multi unit Condo or Apartment building
that will remain consistent with Comprehensive Plan and
coincide with 4 adjacent buildings. This also comes as a request
from Tom Beach in the Zoning Dept.

(attach additional sheets if necessary) * Attachments included

Attachments as required: ☐ Site Plan ☐ Consent Petition ☐ Affidavit

Subscribed and sworn to before me

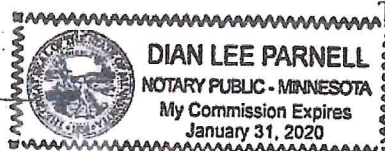
this 21st day

of May, 2015

Dian Lee Parnell
 Notary Public

By: [Signature]
 Fee owner of property

Title: Owner/COO





**Petition to Amend the Zoning Code for:
1174 Grand Avenue, St. Paul MN**

It is our goal to redevelop a condemnable home that sits between 4 large apartment buildings that are currently zoned RM2, into a fresh and appealing building that will be desired by home buyers, as well as the community that makes up Grand Avenue. It will bring a green construction philosophy to the area with its products and design. We will achieve to avoid adding pressure to an already high parking demand by having underground parking and having a design that fits into the streetscape of the existing area.

In multiple meetings with City Officials, Tom Beach, Jamie Radel and Yaya Diatta, they urged us to appeal for rezoning the property to coincide with the 4 adjacent properties. We are looking to change the current zoning of BC to the RM2. This change follows both the 2030 St. Paul Comprehensive Plan, Land Use Policy 1.1 Guide the redevelopment of housing in Established Neighborhoods, Commercial areas within Established Neighborhoods, and in Residential Corridors, as well as the historical development pattern of Grand Avenue and the block.

In addition to the appeal to change the zoning, we are also simultaneously applying for variances to the property should it become RM2. The variances we are looking for further help meet the same Comprehensive Plan and historical development pattern. Please see the attached Variance package for additional details.



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: 15-134770
Fee: \$ _____
Tentative Hearing Date: 7-16-15
Section(s) _____
City agent _____ pdd 6-25-15

D=16

#032873410039

APPLICANT

Name <u>Ryan Burke</u>	Company <u>BleuAnt Designs, LLC</u>
Address <u>22 Geneva Blvd #500</u>	
City <u>Burnsville</u>	St. <u>MN</u> Zip <u>55306</u> Daytime Phone <u>651-321-4909</u>
Property Interest of Applicant (owner, contract purchaser, etc) <u>Owner</u>	
Name of Owner (if different) <u>BleuAnt Designs, LLC</u> Phone <u>952-484-6547</u>	

PROPERTY INFORMATION

Address / Location <u>1174 Grand Ave</u>	
Legal Description <u>Sec. 3, Twp. 28, Range 23, Mason & Simonson Addition</u> (attach additional sheet if necessary) <u>W 1/2 Lot 3, All Lot 4 B1A3</u>	
Lot Size <u>600 x 150</u>	Present Zoning <u>BC</u> Present Use <u>Multi-family</u>
Proposed Use <u>Condos/Apartments</u>	

Variance[s] requested:

Please see attachments included.

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.

Attachments as required:



Site Plan



Attachments



Pro Forma

Applicant's Signature

[Signature]

Date

5/20/15



**Proposed Condo Variances for:
1174 Grand Avenue, St. Paul MN**

After meeting with City Planners, neighbors and other involved local and neighborhood committees, we have taken their concerns, requests and feedback into consideration for this development. The obvious desires and requests were the off street parking and keeping consistent with the historical development patterns of the area and Grand Avenue. We believe that these proposed variances and the proposed building meets and exceeds these most important concerns. Along with these variances, our building will take the materials, designs and appearances of the many historical buildings on Grand as well as the new and fresh buildings into consideration for the final product selections and building exterior design.

It is our goal to redevelop a condemnable home that sits between 4 large apartment buildings into a fresh and appealing building that will be desired by condo buyers, as well as the community that makes up Grand Avenue. We hope to limit the height of this new building so it will fit in and not tower above the neighboring apartment buildings. It will bring a green construction philosophy to the area with its products and design. We will achieve to avoid adding pressure to an already high parking demand by having underground parking and having a design that fits into the streetscape of the existing area.

A- Alley Setback Variance: Change the setback requirements to 19 feet from the alley.

- 1- The current garage on the subject site is at a 5 foot setback.
- 2- The existing alley setback average is 12.5 feet.
- 3- At a 19 foot alley setback we would be 52% further back than the average.

The 19 foot setback from the alley again gives the parking garage the appropriate size and length to enable a proper slope for cars to enter the underground parking. The garage would be large enough for 8 stalls and also allows us to have the trash containers inside.

B- Side Lot Setback Variance: Change setback allowance to 7.5 feet on both sides of the building.

- 1- The Grand Ave side of the block averages 12.75 feet between structures.
- 2- The current building on the subject lot has a 0 foot setback on the West side.
- 3- After our new building has been erect, there will be 17.5 feet of space to the West and 16.5 to the East, 25% more space than the average on the block.

This change in the setback can be reasoned to the historical development pattern of the 4 buildings immediately surrounding the subject site. An allowance of a 7.5 foot setback would follow the actual and visual pattern of these 4 buildings. It would also be increasing the setback currently held by the existing structure on the subject site. With the RM2 zoning, the new structure can be to 5 stories without variances. We would like to avoid going this high, as the other 4 buildings are at 3 livable stories each, and continue the site lines on the block. The change in the setback would allow the building to get the square footage needed for off street, underground parking. The proposed parking ramp would be just wide enough to allow vehicles to enter, park and turn around with this 7.5 foot setback.

C- Street Side Setback Variance: Change the setback requirement to 20 feet.

- 1- The adjacent 4 buildings are setback 20 feet.
- 2- The balance of the buildings are at, or close to, 20 feet as well.

We are requesting this variance to address the City's request to keep the visual aspect of the block in line. This would allow us to keep in that straight visual line while enhancing the current historical development pattern. In addition to the visual effects, this also allows the alley side of the building to be 19 feet off the alley. This was a concern for the neighbors as well.

D- Buildable Foot Print: Increase the buildable foot print to 52%.

- 1- The current lot size with the alley allowance is approximately 9,540 square feet or 159' x 60'.
- 2- The proposed foot print that would allow the underground parking would be 5,175 square feet or 111' x 45'.

This buildable foot print would allow the off street, underground parking for 8 vehicles. This would also follow closely to the historical development pattern of the existing 4 buildings adjacent to the subject site. The total building square footage of the proposed building would be 4,995, which is less than 10% larger than the average of the four apartment buildings with only surface parking.

E- Code Requirements for findings before a grant of variance:

- 1- The variance is in harmony with the general purposes and intent of the zoning code;

The variances will allow the site to build a structure that complements and compares to the 4 adjacent buildings and will also allow for a parking garage.

2- The variance is consistent with the comprehensive plan;

These variances are consistent with the 2030 St. Paul Comprehensive Plan, Land Use Policy 1.1 Guide the redevelopment of housing in Established Neighborhoods, Commercial areas within Established Neighborhoods, and in Residential Corridors. As shown above, the proposed setback allowances are well within the block averages.

3- 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;

The current setback allowances would not allow a structure to be built that could fit in with the four adjacent buildings or the comprehensive plan. Building a similar building in both use and size to the 4 adjacent apartment buildings will maintain not only the comprehensive plan, but also the visual sight lines of the block and Grand Avenue.

4- The plight of the landowner is due to circumstances unique to the property and not created by the land owner;

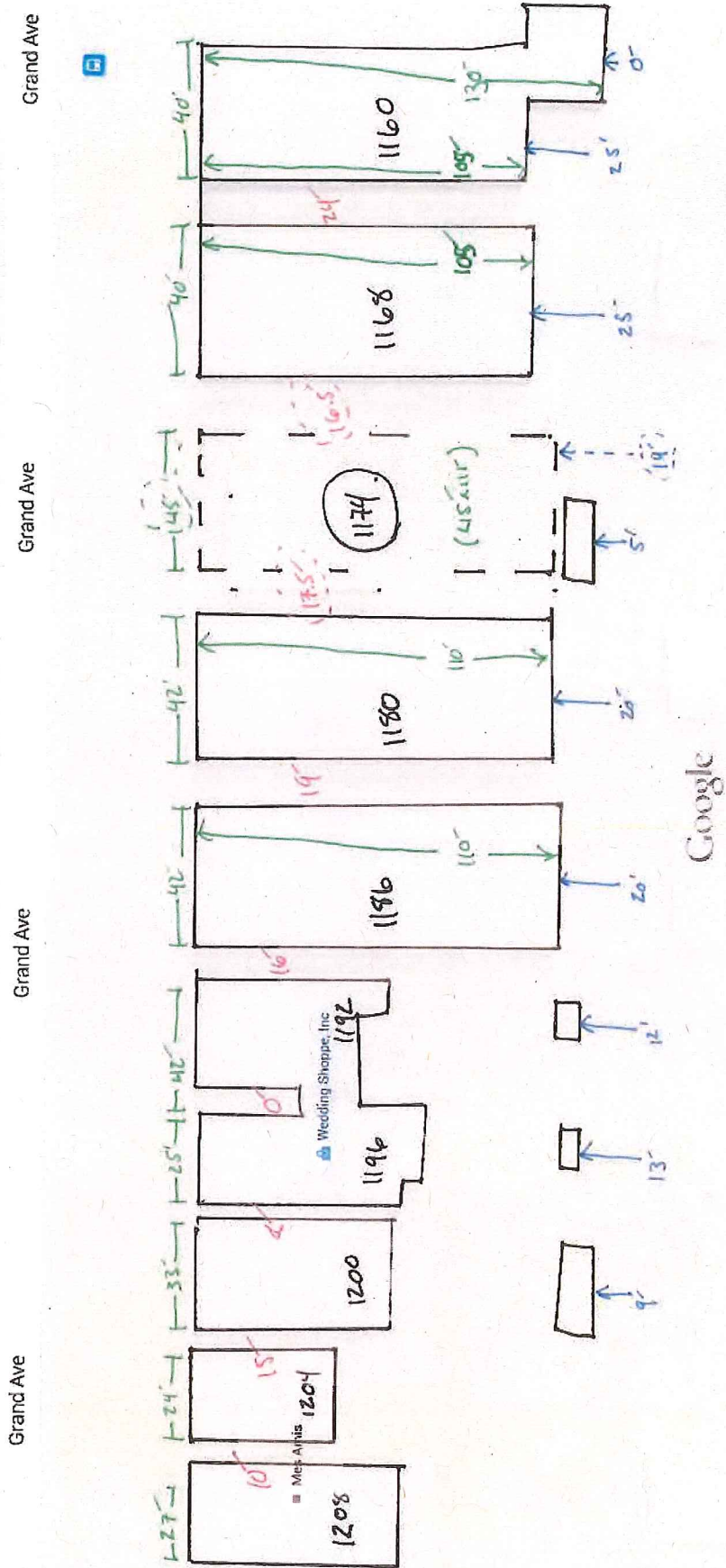
This subject property is set in the middle of 4 apartment buildings that are also zoned RM2. In order to follow the pattern of the block and area, the variances are needed to complete the sightlines and follow the historical development pattern of the block and area.

5- The variance will not permit any use that is not allowed in the zoning district where the affected land is located;

The variance will affect the size of the foundation and not change the use as established in the RM2 zoning code.

6- The variance will not alter the essential character of the surrounding area;

The variances will actually allow the subject property to be built up in order to match the character of the surrounding area.

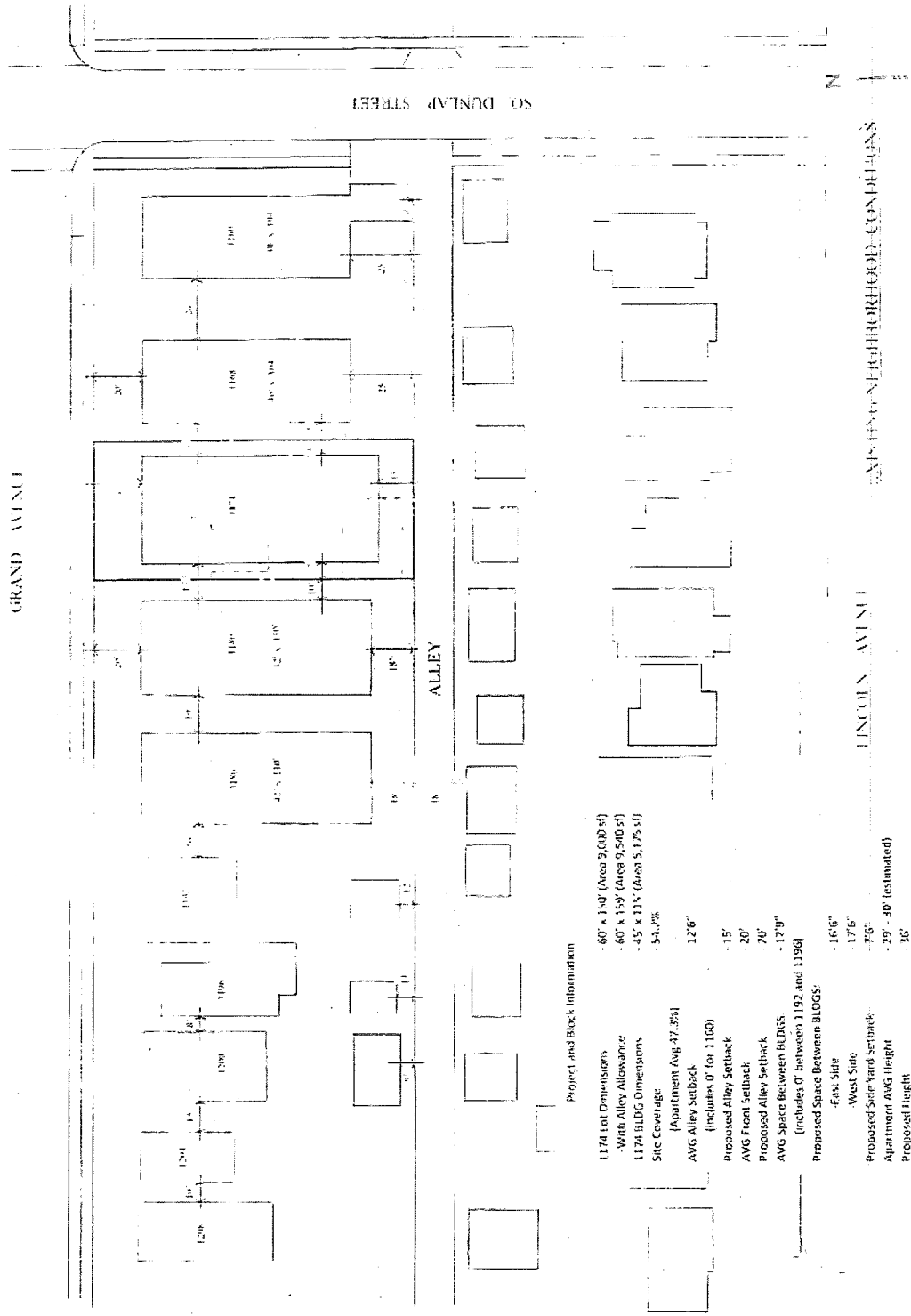


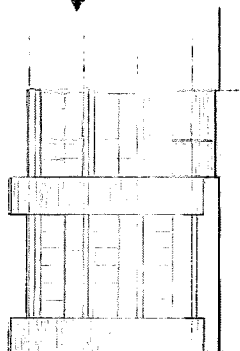
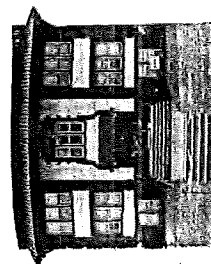
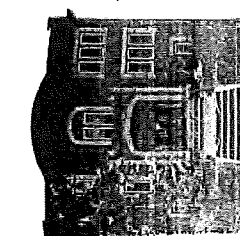
Address + Bldg Footprints

Alley Setbacks (Block Avg = 12.5' with 0' at 1160) (Apartment Avg = 16.25) (Proposed = 19')

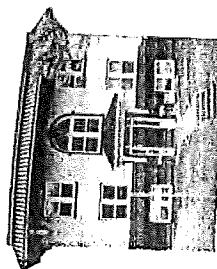
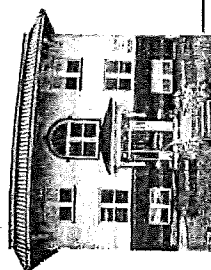
Bldg. Dimensions (Proposed bldg = 45' x 111')

Distance between Bldgs. (Block Avg = 12.75' with 0' between 1196 + 1192)





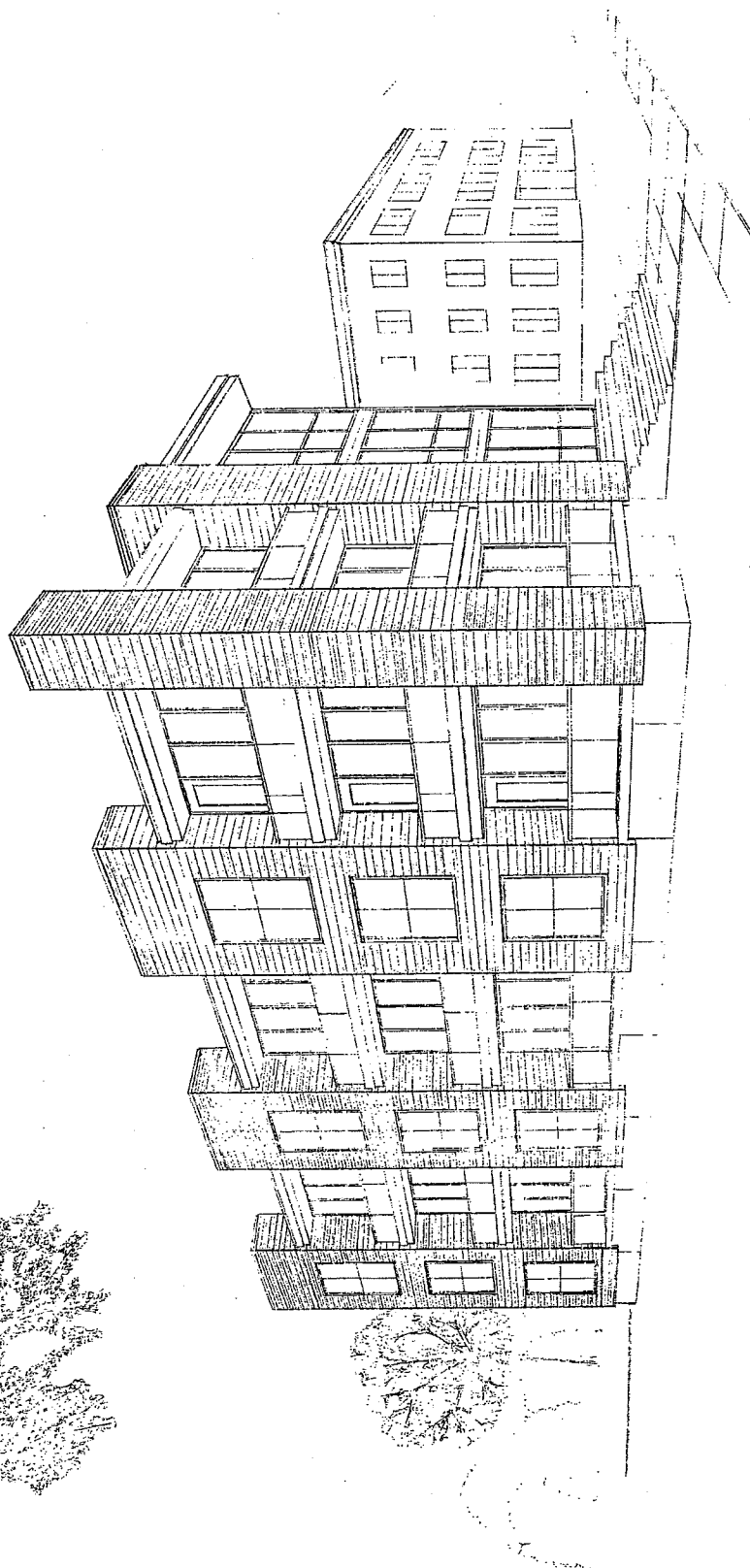
SOUTH ELEVATION



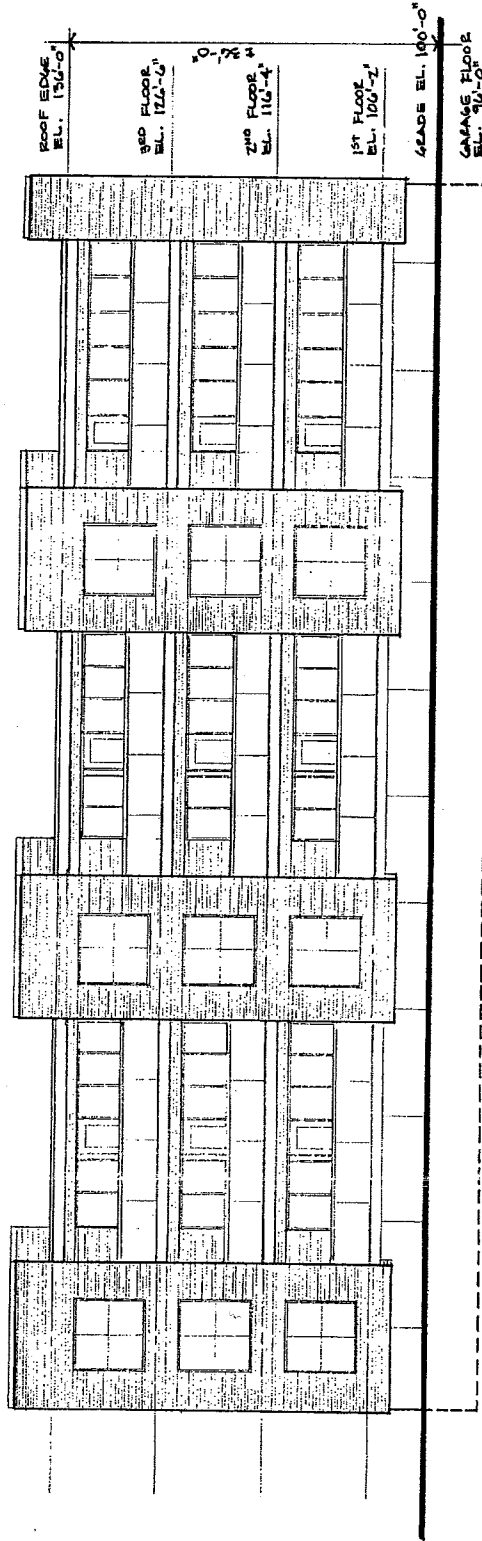
Scaled Concept of new building compared to existing.

Both building heights & widths of all 5 are to scale.

Distance between building is to scale as well.



BUILDING RENDERING

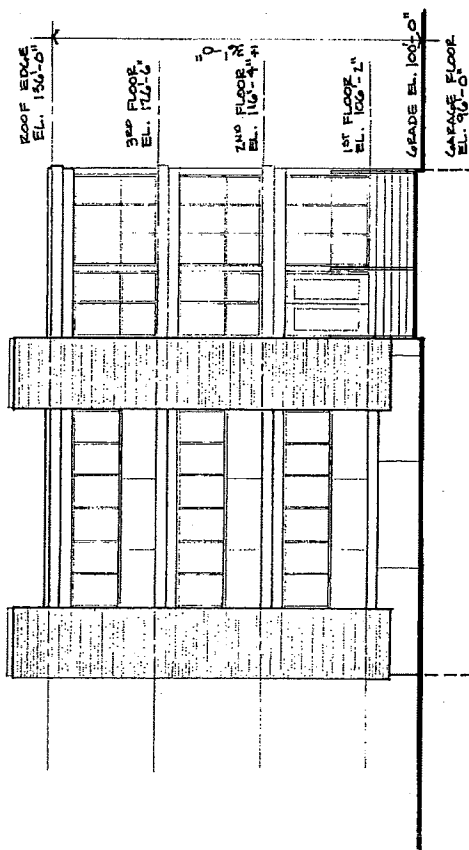


EAST ELEVATION
1/4" = 1'-0"

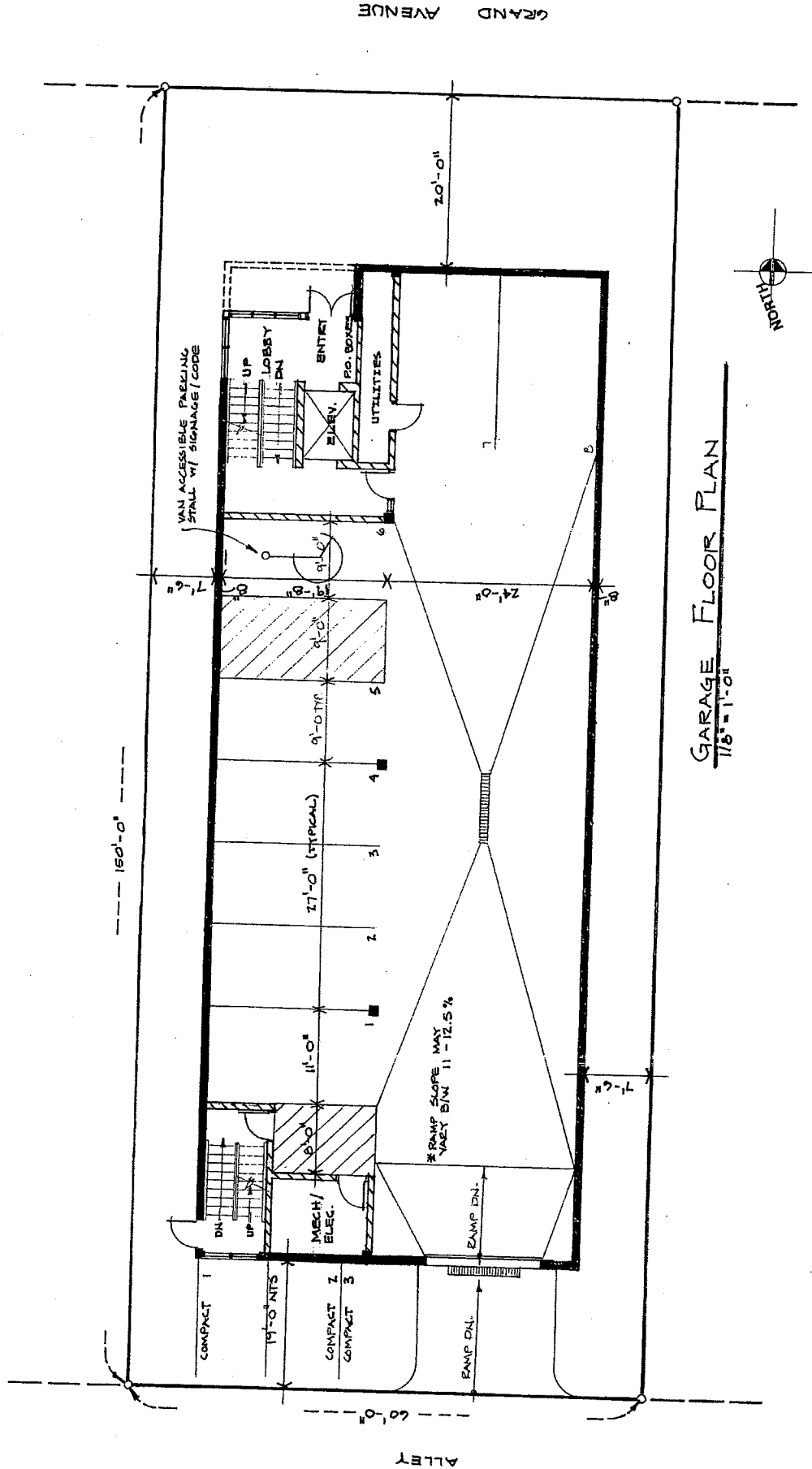
1174 GRAND AVENUE - ST. PAUL, MN
GRAND AVENUE CONDOS

Date: _____
 Rep. No. _____
 I hereby certify that this plan
 was prepared by me or under my
 direct supervision and that I am a
 duly Licensed Professional Architect
 in the State of Minnesota.

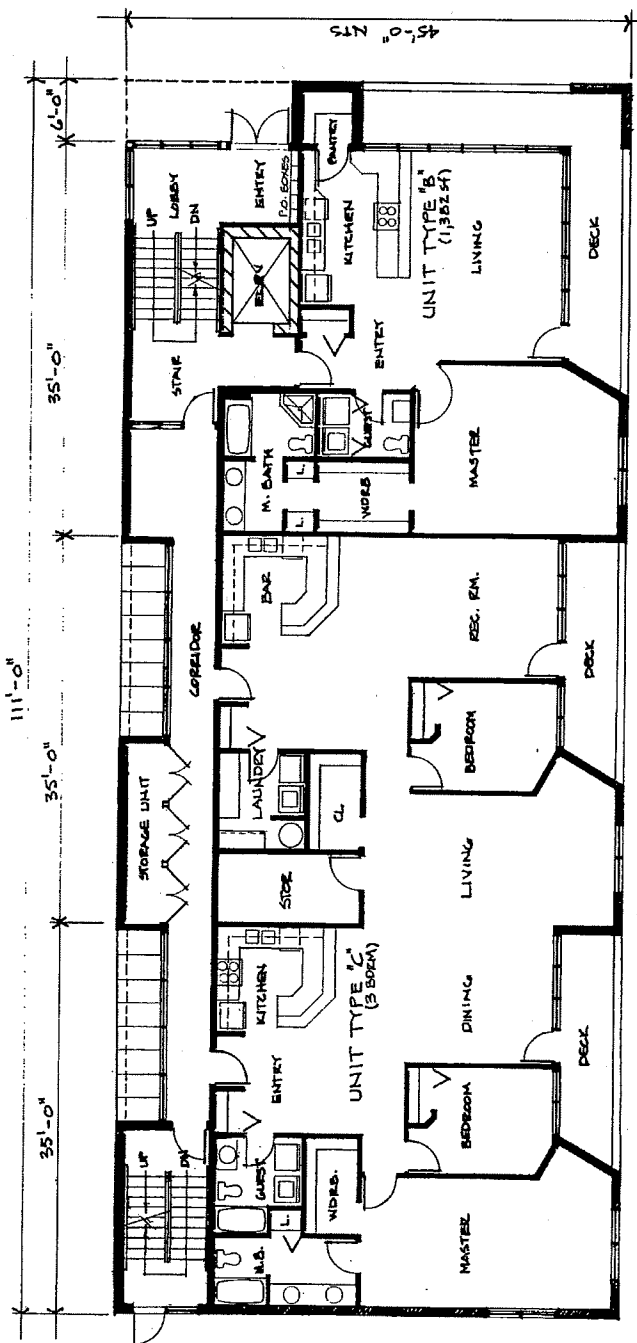
Jamb architects
 P.O. Box 310 Forest Lake, Minnesota 55025
 (612) 670-0358



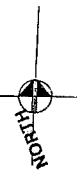
NORTH ELEVATION
 1/4" = 1'-0"

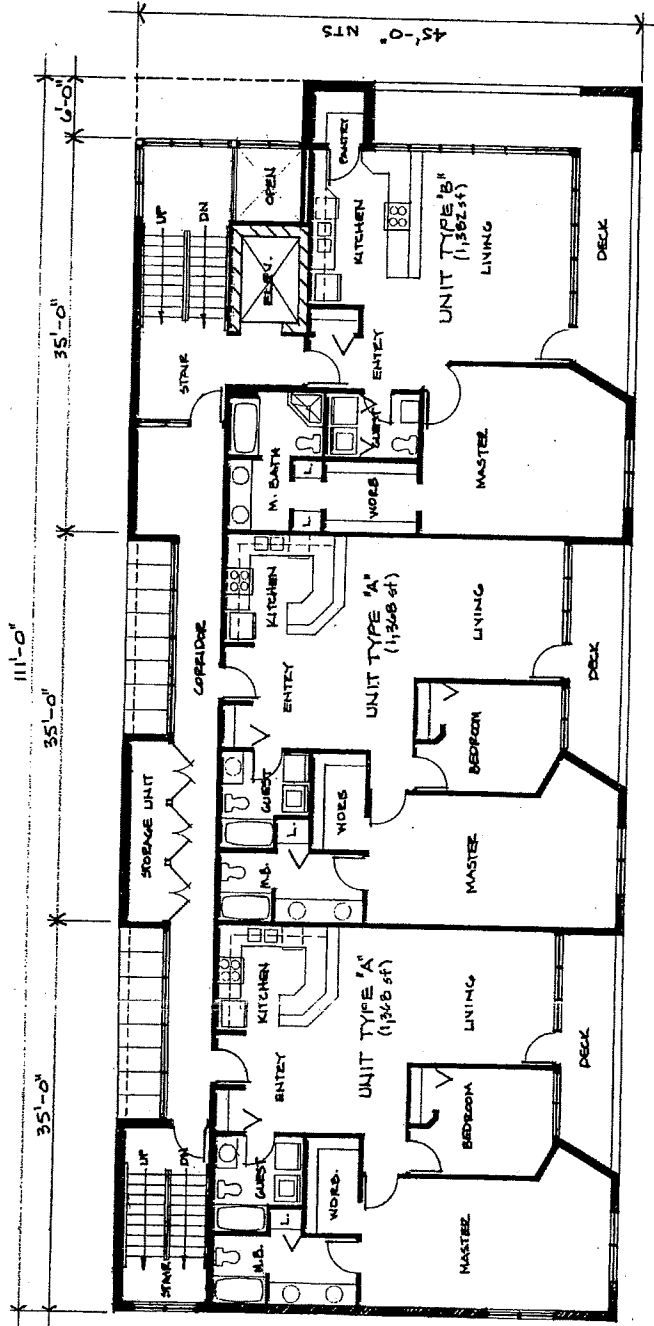


Garage Floor Plan
118'-1'-0"



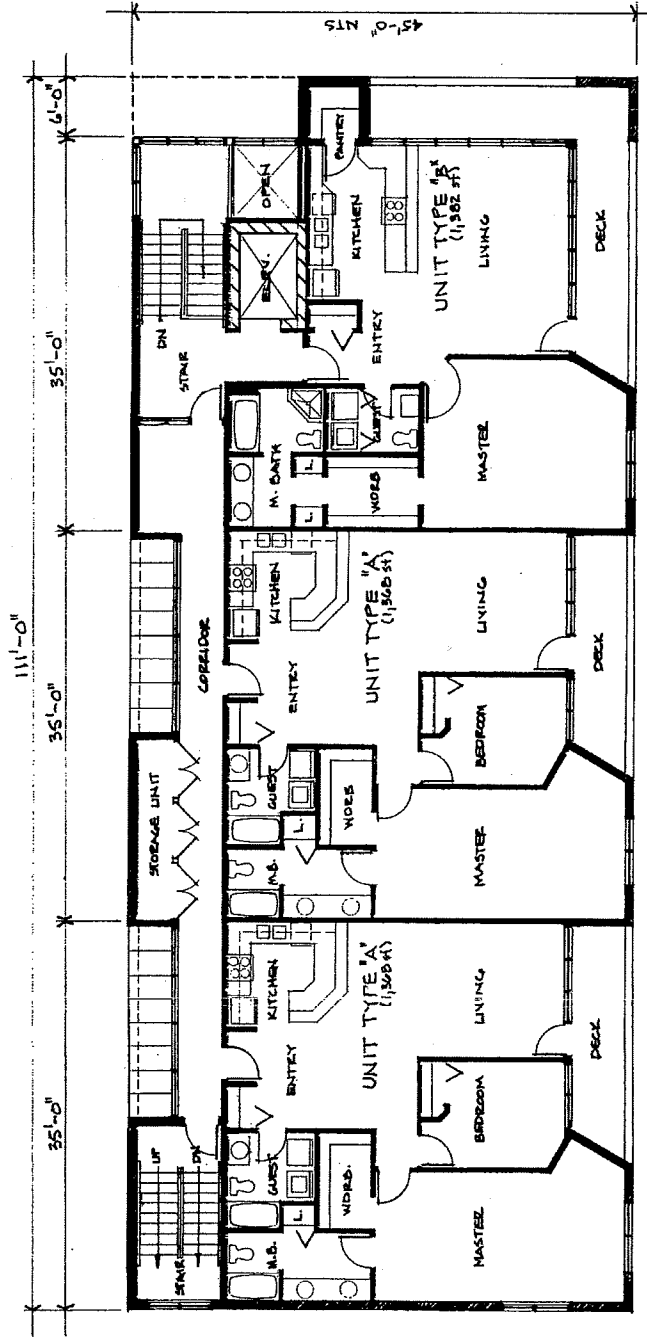
1ST FLOOR PLAN



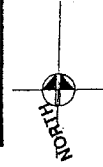


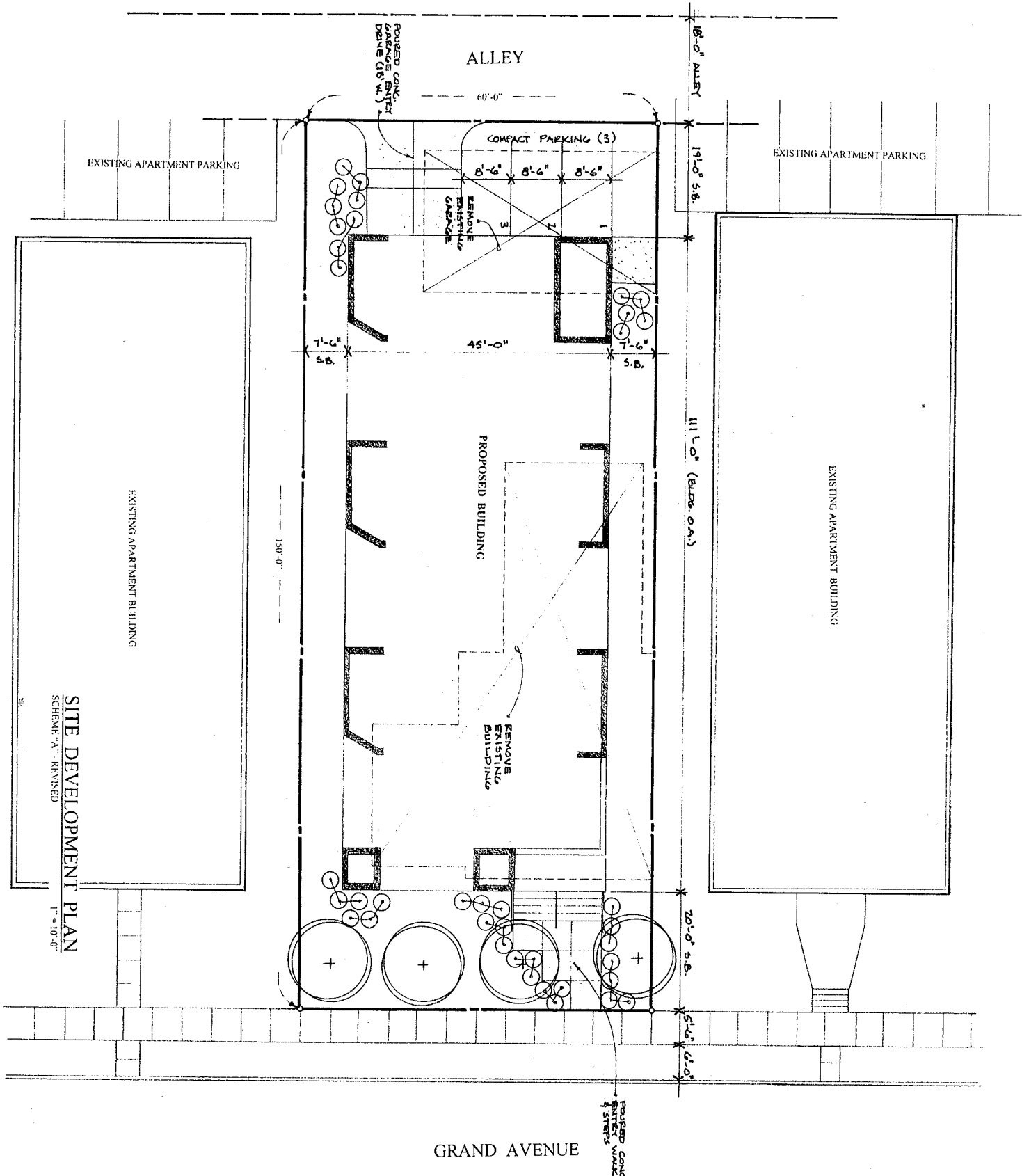
2ND FLOOR PLAN
1/8" = 1'-0"

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly registered professional architect in the State of Minnesota.



3RD FLOOR PLAN
 1/8" = 1'-0"





SITE DEVELOPMENT PLAN
 SCHEME "A" - REVISED
 1" = 10'-0"

GRAND AVENUE CONDOS

1174 GRAND AVENUE • ST. PAUL, MN

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
 Date: 10-30-98 Exp. 10-30-01
 JERRY W. ANDERSON

Jamb architects
 P.O. Box 310 Forest Lake, Minnesota 55025
 (612) 670-0358

Project No.
 01305
 Date: 5/15/15
 Revisions:
 6/10/15
 6/24/15
 Sheet No.
 C1.1



Condo Building Exterior Materials

**UPDATED MEMO IN OPPOSITION TO PROPOSED REZONING AND
VARIANCES FOR 1174 GRAND AVENUE**

ATTN: St. Paul Planning Commission Zoning Committee
CC: Jamie Radel City of St. Paul)
FROM: Below-signed residents
DATE: July 9, 2015

The below signed residents continue their opposition to the application for redevelopment submitted for 1174 Grand Avenue and urge you to vote against it.

The applicants came before this Committee last month with a packet of information aimed at convincing you that their proposed project is in line with current building patterns and sizes on the block. While the applicants have made some small changes in the interim, it remains the case that 1) the applicants have failed to submit critical information regarding the height of their building necessary to accurately evaluate their proposal; 2) the applicants continue to provide inaccurate comparative information regarding dimensions of other structures on the block; and 3) the proposed project is inappropriate for the neighborhood. We ask you to re-read the prior memo submitted by our neighborhood (which remains largely on point) and to consider the additional points made herein when evaluating the applicants' proposal.

Because the applicants continue to refrain from committing to a height for their project, this Committee should vote against their application.

Among the most problematic issues with their application, is that the applicants continue to refrain from committing to a height for their project. Because the applicants have not committed to a building height, we can only speculate that the side setbacks (normally half of the building height) should normally be anywhere between 15 to 25 feet.¹ Under the RM2 zoning applicants are seeking, if proper side setbacks and other requirements are met, some buildings can be built as tall as 50 feet. This means that if they are allowed to have 7.5 foot side setbacks, the applicants are asking for something between 7.5 to 17.5 foot side set-back variances. Without knowing how tall the building is, this Committee cannot know the amount of the side set-back variances the applicants are seeking. Given this critical omission, the Committee must vote against this application.

Moreover, if the applicants are allowed to have seven and a half foot setbacks without any proportionate restriction on height, they could potentially build a 50-foot tall building with 7.5 foot set backs without having to specifically seek a height variance. Even the applicants admit the possibility of a 50-foot tall building in their materials. While they claim they "would like to avoid going that high" they have not made a commitment not to do so, thus we can only assume the worst, especially given the lack of transparency we have encountered to date. **This Committee must hold the applicants to a firm height limit so that it can accurately calculate the size of the proposed side setback variances and so that it can ensure the side-setback to height ratio is enforced. Without that information, the applicants' proposal must be denied.**

¹ This is based on the assumption that the building will be at least 30 feet tall and up to 50 feet tall.

The applicants continue to provide inaccurate comparative information regarding dimensions of other structures on the block.

The applicants claim that the footprint of their building will be 8% larger than the average of the four adjacent apartment buildings. This is completely inaccurate. In fact, even relying on the dimensions provided by the applicants (which we have not verified), the adjacent buildings have the following widths and lengths:

1160 Grand: 104' x 40' = 4160 square feet

1168 Grand: 104' x 40' = 4160 square feet

1180 Grand: 110' x 42' = 4620 square feet

1186 Grand: 110' x 43' = 4730 square feet

This means that the average size footprint is 4,417.5 square feet. At 5,175 square feet the footprint of applicants' project is in fact 17.15 % larger than the adjacent buildings, not 8% as the applicants claim.

Moreover, their purported "scaled concept" rendering of the proposed structure and the adjacent apartment buildings is also inaccurate. Again, even assuming the developers' measurements are correct, it is clear the rendering is not representative of how the block will look after the project is complete. For example, the developers claim there is 24 feet between the pair of buildings at 1160 and 1168 Grand and 19 feet between the pair of buildings at 1180 and 1186 Grand. This means that the distance between the eastern pair of buildings is 1.26 times greater than the distance between the western pair. However, in the rendering the developers depict the distance between the eastern pair of buildings as 1.5 centimeters and the distance between the western pair as 1.3 centimeters, thus depicting the ratio of the eastern pair as just 1.15 times the size of the eastern pair. Given that the even the "known" numbers in the purported scale rendering are not accurately depicted, it must be disregarded as at best, sloppy, and at worst, deceitful. At any rate, it cannot be relied upon to give a clear idea of how the proposed building will look in relation to the existing adjacent structures.

Furthermore, the rendering does not show the rear elevation or overhead view which would clearly demonstrate that this project will jut considerably farther towards the alley than the existing adjacent buildings. Moreover, given that the applicants have not committed to a height, or even an upper limit of height for that matter, the purported "scale" rendering can certainly not be relied upon in anyway for a depiction of height

Because, critical information supplied by the applicants is inaccurate, the Committee must vote against the applicants' proposed project.

The proposed project is inappropriate for the neighborhood.

As clearly set forth in our prior memo, what we do know is that the proposed project will be the tallest building on the block and take up the largest foot-print. In this case, in addition to seeking RM2 re-zoning, the applicants are also asking for three significant variances (alley, east side, west side), as well as what amounts to a height variance.² Here are the three key things to keep in mind when evaluating the appropriateness of the applicants' request:

² We do not view the requested front setback variance to allow the proposed building to match the setback of the adjacent buildings as "significant" nor do we oppose that specific request.

- The alley setback the applicants are seeking of just 15 feet are insufficient. The required setback is 25 feet. The building proposed by the applicants would be substantially closer to the alley than any occupied or multistory building. The proposed multi-story structure would be far too close to alley and pose a privacy concern for neighbors on the south side of the alley. It would also add undue burden to an overly busy dead-end alley. The applicants continue to ask you to rely on an average number they calculate using setbacks for the garages behind small non-RM2 properties justify their proposed alley setback. This is misleading and should be completely disregarded.
- Even if the proposed building was comparable in height to the adjacent properties (which we assume it will not be), the side setbacks would be too narrow. While the amount of the setback variance the applicants are seeking is unknown, because the applicants have not provided the height measurement necessary to calculate that amount, we do know that the applicants are proposing that the distances between their project and the adjacent buildings would be just 17.5 feet on the west side (7.5 feet + 9 feet) and 16.5 feet on the east side (7.5 feet + 10 feet). To be clear, the average between the two pairs of existing adjacent apartment buildings is 21.5 feet. These are currently the tallest buildings on the block. To the extent applicants' building would be taller than those buildings (which appears to be their proposal), the setbacks should be wider as is required by city rules, which state that RM2 buildings must have side setbacks equal to half of the building height. The applicants' calculated average of side setbacks on the block including much smaller buildings remains misleading and is in no way appropriately comparative.
- As outlined above, if the applicants are allowed to have seven and a half foot setbacks without any proportionate restriction on height, they would essentially get around the height limitations imposed by the 1:2 side set-back to height ratio required by code and could potentially build a 50 foot tall structure. To maintain the character of the area and the privacy of neighbors living behind the proposed property, height restrictions and setback requirement variances should not be allowed to build a property larger than the existing historical apartment buildings on the block.

To be clear, while we are opposed to the applicants' project, we note that we are not against redevelopment or rezoning *per se*. However, we do not believe rezoning should be allowed to accommodate a structure that cannot be built within the rules allowed for RM2 buildings—or at least within the footprint and height dimensions of existing adjacent buildings.

For the above-articulated reasons, the undersigned urge this Committee to vote against the current application for rezoning and development of 1174 Grand Avenue.

Signed:

- ***Andrew Rorvig & Amanda Karls, 1171 Lincoln Avenue***

- *Lyndon Shirley & Christy Shirley, 1187 Lincoln Avenue*
- *Winnie Moy, 1185 Lincoln Avenue*
- *Margaret Keefe, 1195 Lincoln Avenue*
- *Josh Peltier, 1167 Lincoln Avenue*
- *Steve Hancock & Jill Stedman, 1200 Lincoln Avenue*
- *Mark King & Jonathan Lubin, 1177 Lincoln Avenue*
- *Mark & Bonnie Genereux, 1165 Lincoln Avenue*
- *Andy & Gina McCabe, 1186 Lincoln Avenue*
- *Karyn Wrenshall, 1201 Lincoln Avenue*
- *Carol & Joe Bell, 1196 Lincoln Avenue*
- *Tom & Kristi Kuder, 1176 Lincoln Avenue*
- *Ryan & Laura Willemsen*

1174 Grand Avenue



1174 Grand Avenue (front)



Multifamily buildings to the east of the subject property

1174 Grand Avenue



Multifamily buildings to the west of the subject property



Funeral home to the north of the subject property

1174 Grand Avenue



1174 Grand Avenue (back)



Multifamily buildings to the east of the subject property (rear)

1174 Grand Avenue



Multifamily buildings to the west of the subject property (rear)

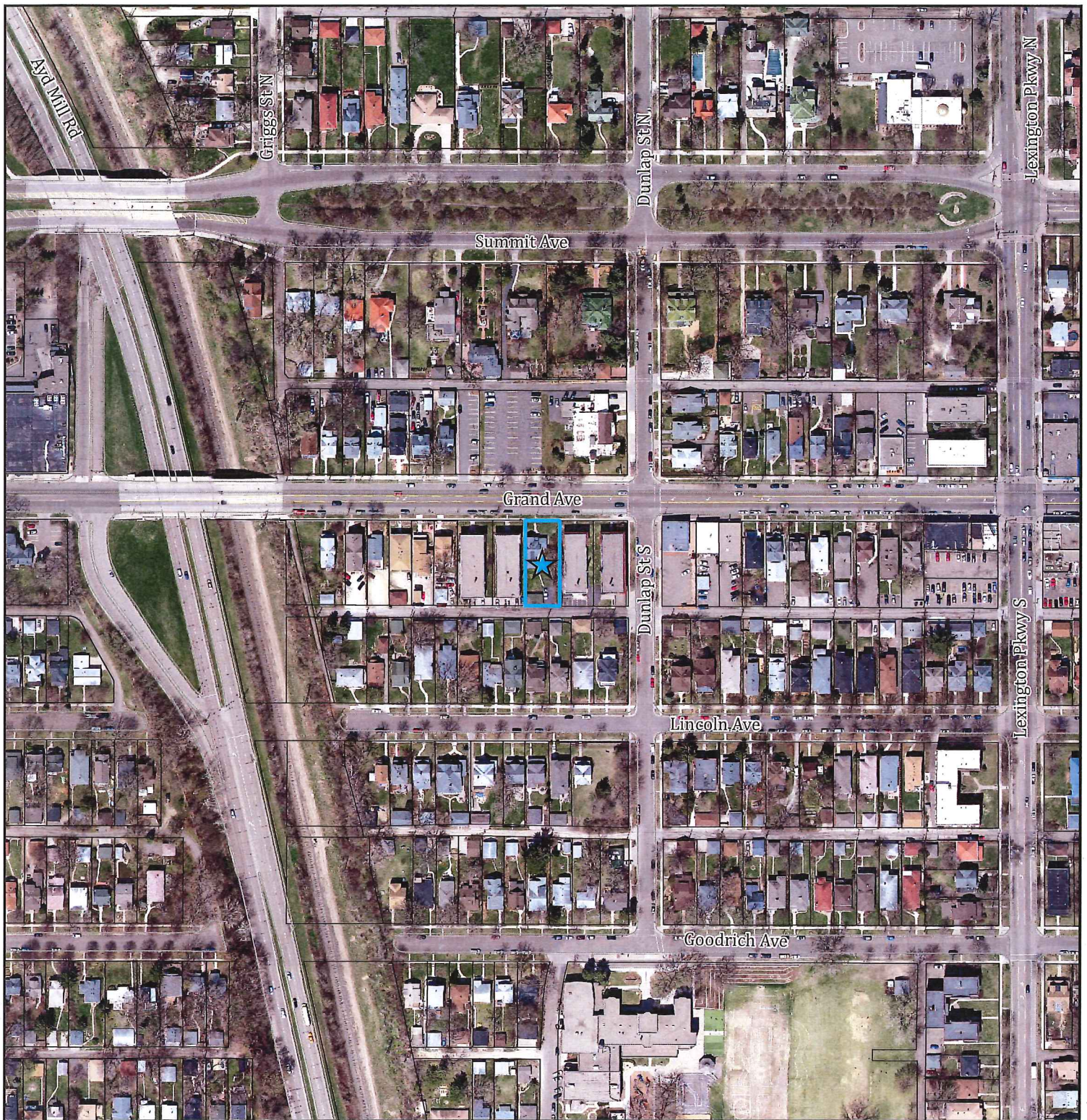


Single family to the south (rear)

1174 Grand Avenue



Single family to the south (rear)



0 82.5 165 330 495 660 Feet

FILE NAME: BleuAnt

Aerial

APPLICATION TYPE: Rezone

 Subject Parcels

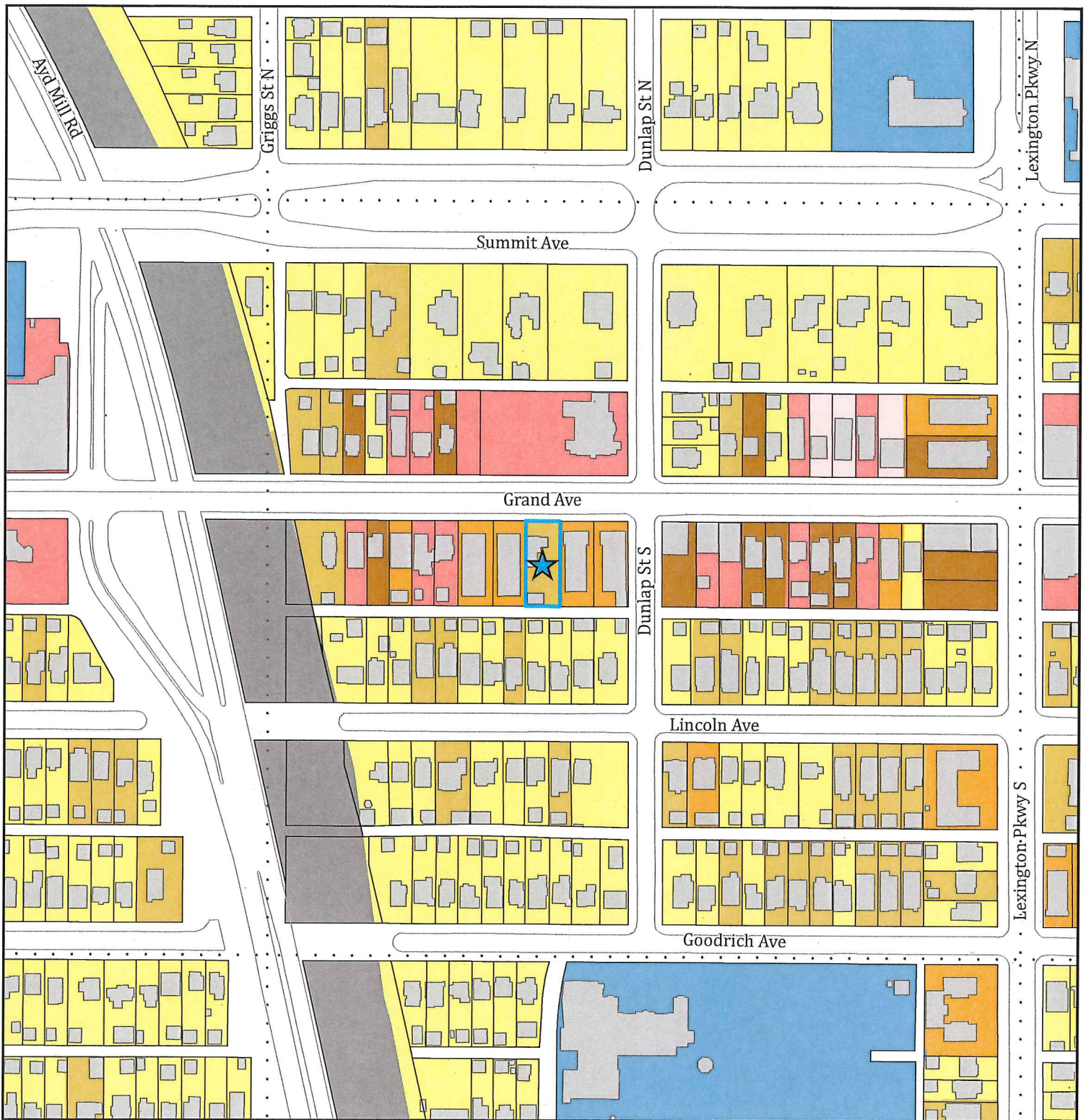
FILE #: 15-134693 DATE: 6/29/2015

PLANNING DISTRICT: 16

ZONING PANEL: 14

Saint Paul Department of Planning and Economic Development and Ramsey County





FILE NAME: BleuAnt

APPLICATION TYPE: Rezone

FILE #: 15-134693 DATE: 6/29/2015

PLANNING DISTRICT: 16

ZONING PANEL: 14

Land Use

Single Family Detached

Single Family Attached

Multifamily

Office

Retail and Other Commercial

Mixed Use Residential

Institutional

Park, Recreational or Preserve

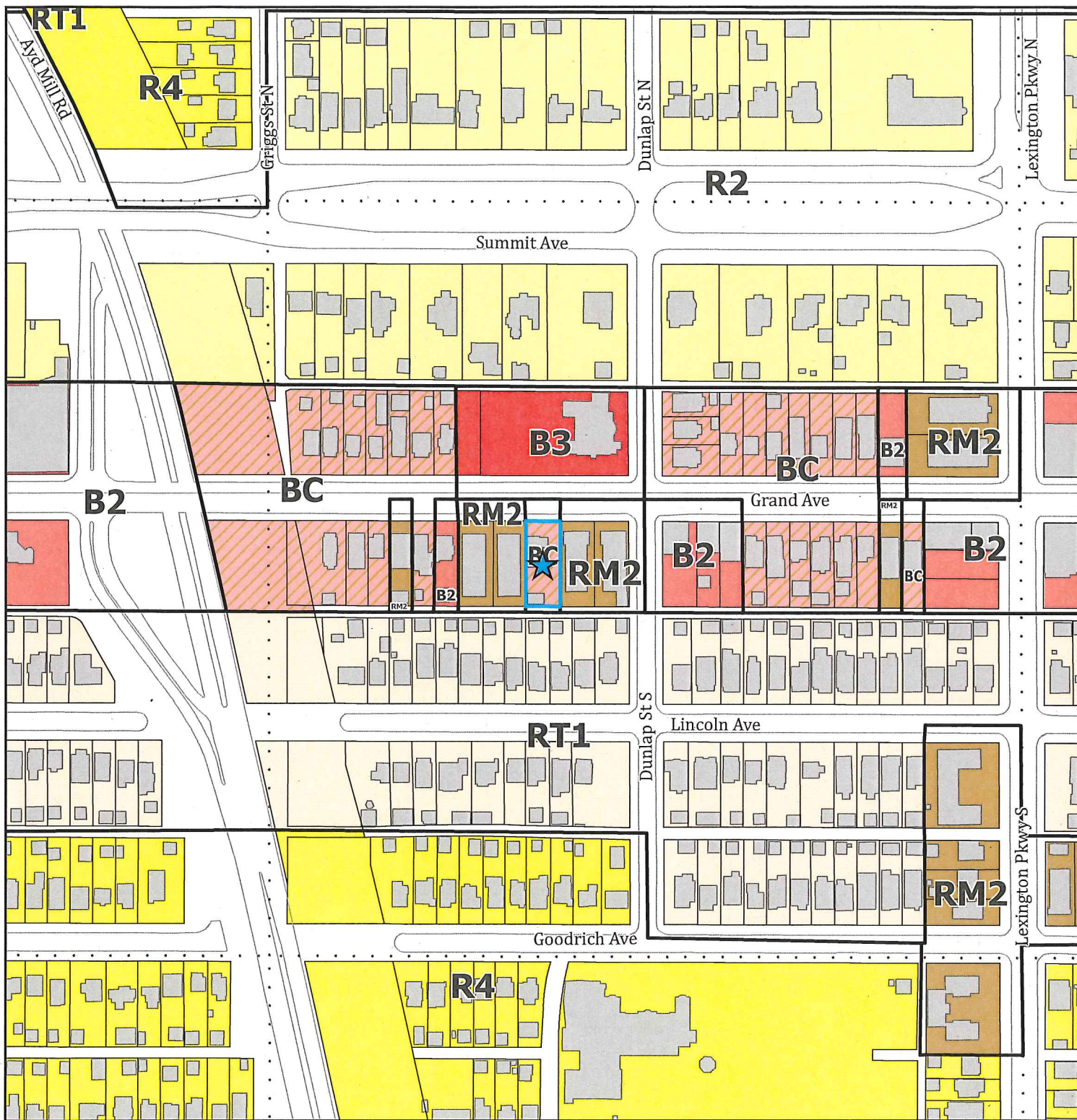
Railway

Subject Parcels

Section Lines

0 82.5 165 330 495 660 Feet





FILE NAME: BleuAnt

APPLICATION TYPE: Rezone

FILE #: 15-134693 DATE: 6/29/2015

PLANNING DISTRICT: 16

ZONING PANEL: 14

Zoning

- R2 One-Family
- R4 One-Family
- RT1 Two-Family
- RM2 Multiple-Family
- BC Community Business (converted)
- B2 Community Business
- B3 General Business

- Subject Parcels
- Section Lines

