

city of saint paul
planning commission resolution
file number _____
date _____

WHEREAS, Hunt Electric Real Estate LLC, File # 16-053-108, has applied for a rezoning from I1 Light Industrial to T3 Traditional Neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 2300 Territorial Road, Parcel Identification Number (PIN) 292923430052, legally described as Hewitts Out Lots Subj To Esmt A 2o Ft Spur R/w Across Lots 21 22 And 23 The Cl Of Which Passes Thru A Pt On Swly L Of And 45 2/1o Ft Nwly From Se Cor Of Lot 23 Th Nwly On 2o Deg Curve 178 4/1o Ft Th Nly And Tangent Thereto 91 Ft Th Nely On 19 Deg Curve 59; and

WHEREAS, the Zoning Committee of the Planning Commission, on July 28, 2016, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of § 61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant is proposing to rezone the property in order to build a multifamily project with approximately 216 affordable units on the site.
2. The proposed zoning is consistent with the way this area has developed. This finding is met. The site is within 400' of the Raymond Station of the Green Line LRT. The area has historically had a mix of uses in close proximity and after the development of the Green Line the area has becoming more transit-oriented with the addition of higher density housing.
3. The proposed zoning is consistent with the Comprehensive Plan. This finding is met. The property is within the Raymond Station Area and the "Area of Change" within the station area. The Area of Change denotes "*parcels where change is welcome and should be encouraged, whether through gradual infill, intensification or comprehensive redevelopment.*" The property is identified as being in the "Extending the South St. Anthony Neighborhood Character Area" which "*should further act as a transitional area that improves the relationship between the mixed-use corridor to the south, employment uses to the northeast, and the predominantly residential neighborhood of South Saint Anthony Park*

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located to the northwest.” Furthermore, Policy 4.4.2.a) states, “Land use within this Character Area should be predominantly residential.”

4. The proposed zoning is compatible with surrounding uses. This finding is met. There is another multifamily project being developed on the same block to the west and existing multifamily to the south. The T3 zoning provides for mixed-use which makes it an appropriate transition zone between the residential to the south and west and the industrial/warehouse uses to the north and east. The site is currently among the properties closest to a Green Line station not zoned for mixed-use, so the proposed zoning makes it more compatible with the close proximity to the LRT.

5. Court rulings have determined that “spot zoning” is illegal in Minnesota. Minnesota courts have stated that this term *“applies to zoning changes, typically limited to small plots of land, which establish a use classification inconsistent with the surrounding uses and create an island of nonconforming use within a larger zoned property.”* This rezoning would not be considered spot zoning because the remainder of the block and the block immediately to the south is currently zoned T3.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Hunt Electric Real Estate LLC for a rezoning from I1 Light Industrial to T3 Traditional Neighborhood for property at 2300 Territorial Road be approved.

St. Anthony Park Community Council (SAPCC)
2395 University Ave W Suite 300E
St. Paul, MN 55114



July 26, 2016

Patrick Ostrom
Dominium
2905 Northwest Blvd. Suite 150
Plymouth, MN 55441

Dear Patrick,

It is my pleasure to write a letter of support for the proposal by representatives of your organization to rezone the current Hunt Electric site at 2300 Territorial Rd. from industrial to a T3 zoning classification. The St. Anthony Park Community Council (SAPCC) Board of Directors is excited to see over 200 affordable housing units join our neighborhood. After a meeting between Dominium representatives and members of the Land Use Committee to discuss the site proposal, the Board passed the following resolution in support of that request:

Based on the information we have received in this email and a previous July 15 email and plans from Owen Metz, and on the previous decision by the Land Use Committee, I move that we approve Dominion's request to change the zoning for the 'Hunt Electric' site to T3, and to send a letter to that effect as soon as possible to appropriate City officials.

Over the last several weeks, developers from Dominium have worked with our organization to shape plans for the proposed building at this site. The Board is excited to continue this collaboration to finalize site plans. The Board looks forward to considering a letter of support regarding a conditional use permit for a height variance as this collaboration continues. After further conversation over building design with the representatives from Land Use, the Board will take a vote on whether to support that request.

Sincerely,

A handwritten signature in black ink, appearing to read "Suyapa Miranda".

Suyapa Miranda
Executive Director

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WHEREAS, Open Cities Health Center Inc, File # 16-053-250, has applied for a rezoning from RT1 Two Family Residential to B2 Community Business under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 127 Front Ave, Parcel Identification Number (PIN) 302922230124, legally described as Lots 7 & Lot 8 Blk 2 of Dores Addition; and

WHEREAS, the Zoning Committee of the Planning Commission, on July 28, 2016, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of § 61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant is seeking to rezone the RT1 portion of the parcel to B2 in order to construct additional off-street parking to serve the existing HealthEast Clinic on the adjacent parcel to the west.
2. The proposed zoning is consistent with the way this area has developed. The proposed rezoning to B2 provides for needed off-street parking for the adjacent health clinic.
3. The proposed zoning is consistent with the Comprehensive Plan. This parcel is guided as part of a Mixed Use Corridor in Figure LU-L of the Land Use Plan.
4. The proposed B2 zoning is compatible with the surrounding zoning and uses. The parcel is currently split-zoned RT1 Two-Family Residential and B2 Community Business. There is abutting commercial land use and zoning to the west and south.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Open Cities Health Center Inc for a rezoning from RT1 Two Family Residential to B2 Community Business for property at 127 Front Avenue be approved.

moved by _____
seconded by _____
in favor _____
against _____

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Open Cities Health Center Inc. **FILE #:** 16-053-250
 2. **APPLICANT:** Open Cities Health Center Inc. **HEARING DATE:** July 28, 2016
 3. **TYPE OF APPLICATION:** Rezoning
 4. **LOCATION:** 127 Front Ave, Between Rice Street and Park Street
 5. **PIN & LEGAL DESCRIPTION:** 30.29.22.23.0124; Dores Addition to St. Paul, S 80 Ft of Lot 16 Aud Sub No 17 & In Sd Dores Add, Lots 7 & Lot 8 Blk 2
 6. **PLANNING DISTRICT:** 6 **EXISTING ZONING:** RT1 & B2
 7. **ZONING CODE REFERENCE:** § 61.801(b)
 8. **STAFF REPORT DATE:** July 20, 2016 **BY:** Jacquelyn Kramer
 9. **DATE RECEIVED:** June 30, 2016 **60-DAY DEADLINE FOR ACTION:** August 29, 2016
-

- A. **PURPOSE:** Rezone from RT1 Two-Family Residential to B2 Community Business
- B. **PARCEL SIZE:** 12,196 sq. ft. (.3 acres)
- C. **EXISTING LAND USE:** Vacant
- D. **SURROUNDING LAND USE:** North : one-family residential; West: office; South: retail and other commercial; East: one-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:** Since 1975 the RT1 portion of the parcel has had this zoning classification. The other portion of the parcel was zoned B3 from 1975 through 2005, when it was changed to the current B2 zoning as recommended in the Rice Street Small Area Plan and zoning study.
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 6 Planning Council has submitted a letter in support of the rezoning.
- H. **FINDINGS:**
 1. The parcel is currently split-zoned RT1 Two-Family Residential and B2 Community Business. The applicant is seeking to rezone the RT1 portion of the parcel to B2 in order to construct additional off-street parking to serve the existing HealthEast Clinic on the adjacent parcel to the west. The applicant provided a site plan showing the proposed parking lot.
 2. The proposed zoning is consistent with the way this area has developed. The proposed rezoning to B2 provides for needed off-street parking for the adjacent health clinic.
 3. The proposed zoning is consistent with the Comprehensive Plan. This parcel is guided as part of a Mixed Use Corridor in Figure LU-L of the Land Use Plan.
 4. The proposed B2 zoning is compatible with the surrounding zoning and uses. The parcel is currently split-zoned RT1 Two-Family Residential and B2 Community Business. There is abutting commercial land use and zoning to the west and south.
 5. The petition for rezoning was found to be sufficient on June 30, 2016: 14 parcels eligible; 10 parcels required; 10 parcels signed.
- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the proposed rezoning of the RT1 portion of 127 Front Avenue to B2 Community Business.

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WHEREAS, MUSC Holdings, LLC, File #16-057-512, has applied for a variance of minimum Floor Area Ratio for a soccer stadium (1.0 FAR required; 0.19 FAR proposed), and variance to allow surface parking on a separate lot that may not be shared with another use under the provisions of §61.202(b); §61.601; §66.331(d); and §66.342(b)(3) of the Saint Paul Legislative Code, on property located at 400 Snelling Avenue North, Parcel Identification Number (PIN) 342923320003, legally described as Section 34, Town 29, Range 23, subject to Highway 392 and with easement in Document 1356037, and except the north 697 38/100 feet of part south of University Avenue the west 820 35/100 feet of part of west 1/2 of southwest 1/4 northerly of St. Anthony Avenue and east of Snelling Avenue in Section 34, Township 29, Range 23; and

WHEREAS, the Zoning Committee of the Planning Commission, on July 28, 2016, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing, as substantially reflected in the minutes, made the following findings of fact:

1. The applicant proposes to construct a 20,000 seat Major League Soccer (MLS) stadium which will be home to the Minnesota United MLS soccer team, along with streets, open spaces, and two surface parking lots. A permanent surface parking lot with about 116 spaces is proposed at the southeast corner of the project site. A temporary surface parking lot with about 220 spaces is proposed west stadium along Snelling Avenue. The stadium will have retail space associated with team merchandising. In addition to stadium food service, the stadium may include a craft brewer with taproom. The soccer stadium development site will occupy the southern half of the Snelling-Midway Redevelopment Site. This site is included in the Snelling-Midway Redevelopment Site Master Plan and will be designated T4M (Master Plan) upon approval of the master plan by the City Council.

Stadium: The applicant states that floor area ratio is not a useful measure for the stadium due to the open air nature of the structure. When calculating the floor area ratio only the enclosed area is used; the open air portion of the stadium above the soccer pitch is excluded from the

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in favor _____
against _____

calculation. The floor area ratio calculation views the stadium structure like a donut with a large hole in the center. The stadium architect calculated the floor area ratio as follows:
 $108,570/555,850 = 0.195$ (108,570 square feet of enclosed space on the main concourse, club, and suite levels divided by 555,850 square feet of lot area, 12.76 acres).

Parking Lot: The applicant states that the proposed surface parking lot at the southeast corner of the site will serve the stadium and the retail space associated with team merchandising. The ultimate programming for the lot is not known, other than for use during stadium events. They add that shared use of the surface lot is logical. However, their programming design is not far enough along to include other uses in the stadium that might share the use. Further, future arrangements may be made to allow uses developed in subsequent phases of the Snelling-Midway master plan redevelopment to share the parking in the surface lot.

2. The Planning Commission recommended approval of the Snelling-Midway master plan, stadium site plan, and zoning clarification amendment at its meeting on July 8, 2016 after conducting a public hearing on these items on June 10, 2016. The staff report for the stadium site plan was prepared in early June. As project plans developed, staff subsequently identified the need for variance of the minimum floor area ratio requirement for the stadium and a variance of the Traditional Neighborhood standards regarding location of a surface parking facility associated with the stadium use. As noted, in §61.202(b) the Planning Commission may act as the Board of Zoning Appeals and grant variances. Since the variances needed were not identified and a subject of the Planning Commission public hearing on June 10, 2016, a separate public hearing for the variances is required.

3. Section §61.601 states that 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 variances are in harmony with the general purposes and intent of the zoning code.* This finding is met. The variances are in keeping with the general purpose and intent of the zoning code.

Stadium: The concept of floor area ratio is a way of addressing the intensity of use of property. Applying the concept of floor area ratio is not a useful measurement in the case of an open air stadium. By its nature, the stadium has limited enclosed area for calculation of floor area ratio but is nonetheless a robust structure regarding massing and intensity of use which is the desired objective of the master plan for this area.

Parking Lot: The proposed parking lot at the southeast corner of the site is the only surface lot in the master plan. It will serve the stadium and the retail space associated with team merchandising. The applicant states that it is logical for there to be shared use of the lot in the future and anticipates discussions to that end once the programming design is finalized. However, the programming design is not far enough along at this stage; hence the need for the variance at this time.

- b) *The variances are consistent with the comprehensive plan.* This finding is met. The proposed stadium and surface parking lot at the southeast corner of the site are included in the Snelling-Midway Redevelopment Site Master Plan and are consistent with the comprehensive plan, including the Snelling Station Area Plan.
- c) *The applicant has established that there are practical difficulties in complying with the provisions; that the property owner proposes to use the property in a reasonable manner not permitted by the provisions. Economic considerations alone do not constitute practical difficulties.* This finding is met. The proposed stadium development and off-street parking lot are reasonable uses of the property.

Stadium: The uniqueness of the stadium structure makes compliance impractical. The floor area ratio calculation for an open air stadium leaves out much of the area of the stadium since it is not covered, making it difficult to achieve the minimum 1.0 FAR. The minimum floor area ratio requirement in the Traditional Neighborhood District relates to achieving a traditional urban form. The proposed stadium is a unique structure with a design that presents practical difficulties in meeting the provision.

Parking Lot: The programming design for the stadium is not as far along as the structural design. The applicant believes that shared use of the surface parking lot is logical and anticipates the lot will be shared in the future. A variance is needed at this time to allow construction plans to proceed.

- d) *The plight of the landowner is due to circumstances unique to the property not created by the landowner.* This finding is met. The stadium, future mixed use developments, and introduction of public streets and open space anticipated with the master plan for the area, and the uniquely large site adjacent to a freeway, present unique challenges for the redevelopment of the site that are circumstance 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.

Stadium: The master plan for this area and the proposed zoning amendment for outdoor sports and entertainment, if approved by the City Council, permit an outdoor sports stadium on the property.

Parking Lot: A surface parking facility at this site is a permitted use in the T4 zoning district where the property is located. The requested variances will not permit any use that is not allowed in the zoning district.

- f) *The variances will not alter the essential character of the surrounding area.* This finding is met. The variances will allow the urban village envisioned in the Snelling Station Area Plan and the vision for the Snelling-Midway Redevelopment Site Master Plan to proceed.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of MUSC Holdings, LLC for a variance of minimum Floor Area Ratio for a soccer stadium (1.0 FAR required; 0.19 FAR proposed), and variance to allow surface parking on a separate lot that may not be shared with another use at 400 Snelling Avenue North is hereby approved, subject to the following conditions:

1. Final plans approved by the Zoning Administrator for this use shall be in substantial compliance with the site plan submitted dated July 22, 2016 and approved as part of this application.
2. The surface parking lot at the southeast corner of the site shall become a shared use facility as programming design for the stadium is finalized and/or subsequent phases of the master plan development proceed.
3. Landscaping for the surface parking lot at the southeast corner of the site shall be consistent with Snelling-Midway Redevelopment Site Master Plan and Design Guidelines.

ME 24-25-0102/174

WARNING:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.



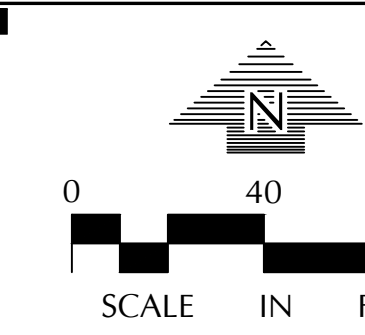
CALL BEFORE YOU DIG!

Gopher State One Call

TWIN CITY AREA: 651-454-0002
TOLL FREE: 1-800-252-1166

BENCHMARK

TOP NUT OF FIRE HYDRANT 370 FEET SOUTH OF THE INTERSECTION OF UNIVERSITY AVENUE AND SNELLING AVENUE ON THE EAST SIDE OF SNELLING
TNH ELEVATION = 228.15
ELEVATIONS SHOWN ARE BASED ON CITY OF ST. PAUL DATUM.
CONVERSION FACTOR TO 1929 NGVD, ADD 694.10.



SITE LEGEND

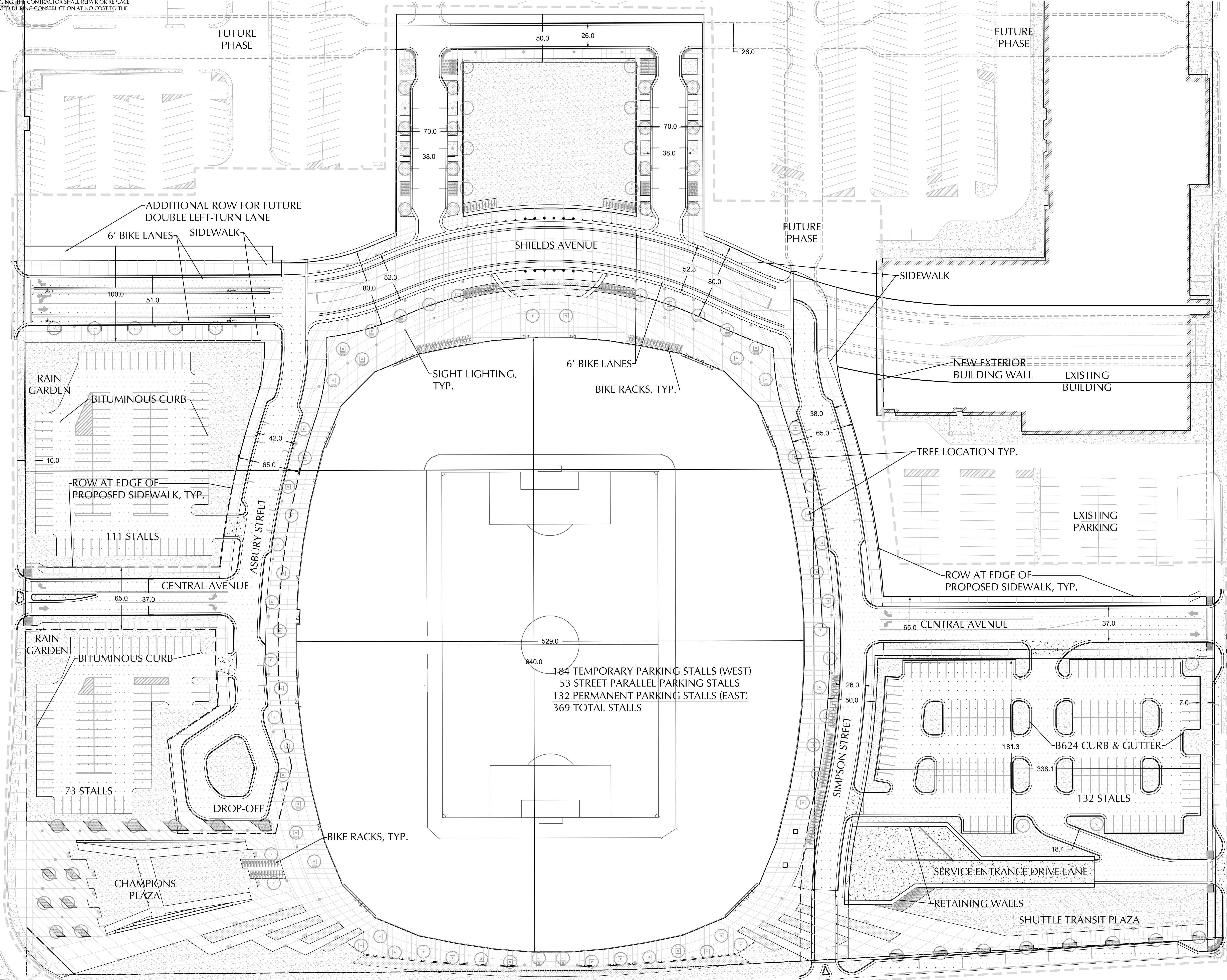
- CONCRETE SURFACE
- GREEN/OPEN SPACE
- BITUMINOUS PAVEMENT
- LIMITS OF CONSTRUCTION
- SPECIALTY PAVEMENT

pruce Tree Ave.

Shields Ave.

Snelling Ave.

Pascal St. N.



184 TEMPORARY PARKING STALLS (WEST)
53 STREET PARALLEL PARKING STALLS
132 PERMANENT PARKING STALLS (EAST)
369 TOTAL STALLS

POPULOUS

POPULOUS
Architecture, Planning, Interiors, Programming
4800 Main Street, Suite 300
Kansas City, Missouri 64112
816-701-2100

STRUCTURAL ENGINEER
WALTER P. MOORE
3200 MAIN STREET, TENTH FLOOR
KANSAS CITY, MO 64105
816-701-2100

MERFP ENGINEER
ME ENGINEERS
10055 W 43RD AVENUE
WHEAT RIDGE, COLORADO 80033
303-421-6655

AUDIOVISUAL
WJWW, INC.
4801 SPRING VALLEY RD. STE #113
DALLAS, TX 75244
972-966-7330

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7200 HEMLOCK LANE, SUITE 300
MAPLE GROVE, MN 55369
763-424-5505

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101 LONGWATER CIRCLE, SUITE 203
NORWELL, MA 02061
781-878-3500

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320 CONSULTANTS, INC.
13 WINDING BRANCH RD
HAWTHORN WOODS, IL 60047
224-717-1555

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MINNESOTA MLS STADIUM
SAINT PAUL, MINNESOTA

FOR REFERENCE ONLY - NOT FOR CONSTRUCTION

RECONCILED SCHEMATIC DESIGN JULY 22, 2016

| REVISIONS | | |
|-----------|---------|-----------------------------|
| NO. | DATE | DESCRIPTION |
| 1 | 7-1-16 | PRELIMINARY CITY SUBMITTAL |
| 2 | 7-22-16 | RECONCILED SCHEMATIC DESIGN |

I hereby certify that this plan, specification or report 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.

Jeffrey A. Shogren - PE
License No. 19624
Date 07-22-16

Loecks Project No. 16028A
Project Lead JAS
Drawn By TRG
Checked By JAS
Review Date 07-22-16

PROJECT NO. 16028A
ISSUED DATE 07/22/16
ISSUED BY LOUCKS

SHEET TITLE

OVERALL SITE PLAN

DISCIPLINE - CATEGORY - SUB CATEGORY - SHEET

C2-2

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