ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Victoria Park - Phase 2 **FILE #** 14-349-037
2. **APPLICANT:** Chase Real Estate **HEARING DATE:** December 11, 2014
3. **TYPE OF APPLICATION:** Conditional Use Permit
4. **LOCATION:** 1101 Shepard Road, SW corner of Otto and Shepard Road
5. **PIN & LEGAL DESCRIPTION:** 142823120023, Registered Land Survey 598 Tract A
6. **PLANNING DISTRICT:** 9 **PRESENT ZONING:** T3M, RC4
7. **ZONING CODE REFERENCE:** §66.331(l); §61.501; §68.244; §68.400
8. **STAFF REPORT DATE:** December 3, 2014 **BY:** Lucy Thompson
9. **DATE RECEIVED:** November 24, 2014 **60-DAY DEADLINE FOR ACTION:** January 23, 2015

A. **PURPOSE:** Conditional use permit for a 73-foot building height

B. **PARCEL SIZE:** 243,065 sq. ft. (5.58 acres)

C. **EXISTING LAND USE:** vacant

D. **SURROUNDING LAND USE:**

North: Low-density (mostly single-family) residential

East: Mississippi River

South: Shepard Road, Mississippi River

West: Multi-family residential, Nova Classical Academy (Victoria Park Urban Village)

E. **ZONING CODE CITATION:** §66.331(l) allows for a maximum building height of 75 ft. with a conditional use permit in the Victoria Park Urban Village; §61.501 lists general conditions that must be met by all conditional uses. §68.244 states that conditional uses in the RC4 District shall be those of the underlying district, subject to the standards specified in §68.400.

F. **HISTORY/DISCUSSION:** The *Victoria Park Master Plan* was first adopted by the City Council in April 2005. It was amended in April 2007 and August 2011 to respond to individual development proposals and reflect the agreement with Exxon to create a large park area within the urban village.

G. **DISTRICT COUNCIL RECOMMENDATION:** The District 9 Council (W. 7th/Fort Road Federation) has not taken a position as of the date of this staff report. The applicant will be presenting the CUP request to the Federation Board on December 8, 2014.

H. **FINDINGS:**

1. Chase Real Estate has applied for a conditional use permit to construct a 194-unit, multi-family building at a height of 72' 10 ¾ " in the Victoria Park Urban Village. The building, Victoria Park Apartments Phase 2, is proposed to be a 5-story building over one level of underground parking.

2. The site is zoned T3M and is covered by the *Victoria Park Master Plan*, adopted in 2005 and amended in 2007 and 2011. The Master Plan shows the future use of this site as mixed residential, in a condominium building type with a common entry, balconies and large window openings, predominantly brick exterior materials and a vertical orientation. The *Master Plan* indicates that a maximum building height of 120' is acceptable at this location, although the *Master Plan* clearly states that not all of the maximum building heights are permitted as-of-right, and that some of them will require conditional use permits and variances.

3. Sec. 66.331(l) states that: "*In developments for which there was a signed, approved redevelopment agreement with the housing and redevelopment authority of the city as of March 17, 2004, a maximum height of seventy-five (75) feet may be permitted with a conditional use permit.*" This clause refers to Victoria Park.

4. The site is also located in the RC-4 Urban Diversified River Corridor Overlay District. There are no overlay height restrictions in the RC4 District. The project as proposed meets the River Corridor Standards and Criteria in §68.400.

5. §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. The development of this site for medium-density multi-family housing is consistent with the St. Paul Comprehensive Plan (2010), the *Victoria Park Master Plan* (2005-2011) and the *District 9 Area Plan Summary* (2009/2013). In the Comprehensive Plan, Victoria Park Urban Village is classified as a Neighborhood Center along a Mixed-Use Corridor in the 2030 Land Use Plan. The *Victoria Park Master Plan* shows the future use of this site as mixed residential, in a condominium building type with a common entry, balconies and large window openings, predominantly brick exterior materials and a vertical orientation. The *Master Plan* indicates that a maximum building height of 120' is acceptable at this location. The *District 9 Area Plan Summary* identifies Victoria Park as a key site for major housing development.

   b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. As part of the redevelopment of the site, the City will construct Stewart Avenue south of Otto Avenue. Stewart Avenue will provide access to both Victoria Park Apartments Phase 2 and the southern half of Victoria Park. Stewart Avenue will be built to City street standards.

   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. Medium-density housing is an appropriate use at this location – at the intersection of a major arterial and a collector street – and will be a good addition to the residential, institutional and commercial uses already in the Victoria Park Urban Village.

   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 applicant has been working with staff from the Saint Pail Department of Parks and Recreation to connect the development site to the new Victoria Park.

   e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. Multi-family housing is a permitted use in the T3M district.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of a conditional use permit for a 73-foot building height, 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 # 14-349037
Fee: 2380.00
Tentative Hearing Date: 12-11-14

PD=9

142823120028

APPLICANT

Name JOE MCELWAIN, DEVELOPMENT MGR, CHASE REAL ESTATE
Address 2140 COUNTY RD 42 WEST
City BURNSVILLE St. MN Zip 55337 Daytime Phone 952-898-5600
Name of Owner (if different) ANDY CHASE ~~HP~~ ~~CITY~~ HRA
Contact Person (if different) _____ Phone _____

PROPERTY LOCATION

Address / Location CORNER OF OTTO AVE & SUBURBAN ROAD, ST. PAUL 55102
Legal Description (ATTACHED)
Current Zoning T3M
(attach additional sheet if necessary) "VICTORIA PARK APARTMENTS - PHASE II"

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of

Sec. 66.331 Chapter _____, Section _____, 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.

(NARRATIVE & DRAWINGS ATTACHED.)

☑ Required site plan is attached

Applicant's Signature _____ Date 11/20/2014 City Agent pdd 11/20/14

City of St. Paul – Dep't of Planning and Economic Development - Zoning

Victoria Park – Phase 2 (Conditional Use Permit)

~~11/20/2014~~ Revised 11/24/2014

Applying for allowance of height between 45'-75'.

The Victoria Park neighborhood zoning as-of-right maximum building height for a multi-family structure is 45'. Zoning code specifically states that a building height of 45'-75' is allowed with a conditional use permit. The Victoria Park Master Plan of this specific building location is for multi-family structures and has been approved (by way of a CUP) for housing up to 120' in height along the bluff line that is within the River Corridor Overlay District. Ongoing design meetings have taken place with CPED, City Parks & Recreation and the St. Paul Riverfront Corporation with this current design as submitted today.

Project Summary:
The proposed project (currently unnamed) described as 'Victoria Park Apartments Phase 2' is located at the corner of Otto Avenue and Shepard Road along the bluff line of the Mississippi River corridor. The project is part of the *Victoria Park Master Plan* and is the second phase to accompany 215 apartments recently completed on adjacent parcels. Phase 2 also anchors Parks and Rec's future *Victoria Park* green space and outdoor amenities that will provide 35 acres of green space, athletic fields, walking baths, bike trail connections, river access and more.

The multi-family housing project will be a 5-story wood project containing 194 apartment units over a single level concrete sub-grade parking garage. Garage parking and on-grade site parking will accommodate a 1.65 ratio of parking stalls to units. Two primary 'front-doors' to the first floor lobby and amenity spaces will be provided. For walkers, transit-users and bike riders, the entry at the building corner off of Otto Avenue will be best utilized. The other primary entry faces the parking lot; of which is screened from the neighborhood and behind the building. Tenants and visitors will primarily enter the building thru this location. In all, tenants will have five or more ways to exit and enter the building to gain access to Otto, Stewart, sidewalks and the future park's trails. Two public paths will surround the building to connect the entire area with the future Victoria Park green spaces and trail systems. The extension of Steward Road Ave will provide a park like entry with a tree boulevard to the area.

Building Height.
Three corners of the building have 2-story apartment unit 'lofts' - having a 2-story volume of space – for a total of five unit lofts. Please refer to attached perspective views. The height of the building as measured per zoning code (from top of highest roof down to average grade height) is **72-10 ¾"**. Grade elevations were taken incrementally around

the building to calculate this average grade elevation of **782'-9"** (see attached plan). This conditional use request for increased height will meet the Victoria Park master plan and provide additional density and housing options to this growing neighborhood. The corner lofts will provide vertical elements in the design and capture surrounding views; making for a river-oriented project set along the bluff line.

Conditional Use Permit General Standards.
Victoria Park Phase 2 meets the following:

*(a) Compliance with the **Saint Paul Comprehensive Plan:***

- Redevelopment of underutilized sites (a previously contaminated site).
- Target growth in higher density neighborhoods
- Target properties near transit corridors
    - The adjacent West 7th Bus routes and future Streetcar Line.
- Pedestrian scaled environment:
    - Walk-out apartments along Otto
    - Two main building entries off of Otto and Steward.
    - Numerous connections to sidewalks and trails from building
    - 5-story building promotes for a more urban, dense neighborhood
- Connection to recreation (Victoria Park)
    - Outdoor courtyard deck will promote more outdoor activities for tenants, and will connect with park system.
- Reduce water pollutants:
    - Two water treatment swales that break up the parking lot will be landscaped and filter the water before reaching the storm sewer system. Collaboration with the City Water mgmt. team, as well as Parks and Rec, and Capital City Watershed has been ongoing.

(b) Adequate ingress and egress to minimize traffic congestion in the public streets.

- Extension of Stewart Avenue will provide access to the site's rear parking lot and underground garage door. Steward is far enough from Shepard Road for safe turning. The 2-way street will be wide enough for overflow neighborhood and parks parallel parking.

(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.

- The project improves the neighborhood by redeveloping an underutilized site and meets the vision of the Victoria Park Master Plan.

(d) The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district

- " see above"

(e) The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

- " see above"

Compatible with **Victoria Park Neighborhood Master Plan:**

- "Urban Village" and supports the plan for medium to high density redevelopment of the Koch Mobil site.
- Building heights between 2-10 stories.
- Site Specific per plan: (See Plate 7B): Balconies and large windows to identify units; having brick as the primary building material, with a vertical orientation. Heights may be up to 120' at this location along the river bluff.
- Improved pedestrian streetscape and connection along Otto Avenue.
- Future bike-path to be installed on Otto. (Bike parking along Otto).
- Walkable with garage and private parking facing away from the street and behind the building.
- Connection to the River and trail system via our collaboration with Parks and Rec in their future Victoria Park plan.
- Building façades frame public spaces and relate to the street.
- Residential structures should have minimal setbacks and landscaping should plan an integral role in defining public.
- Storm water management.

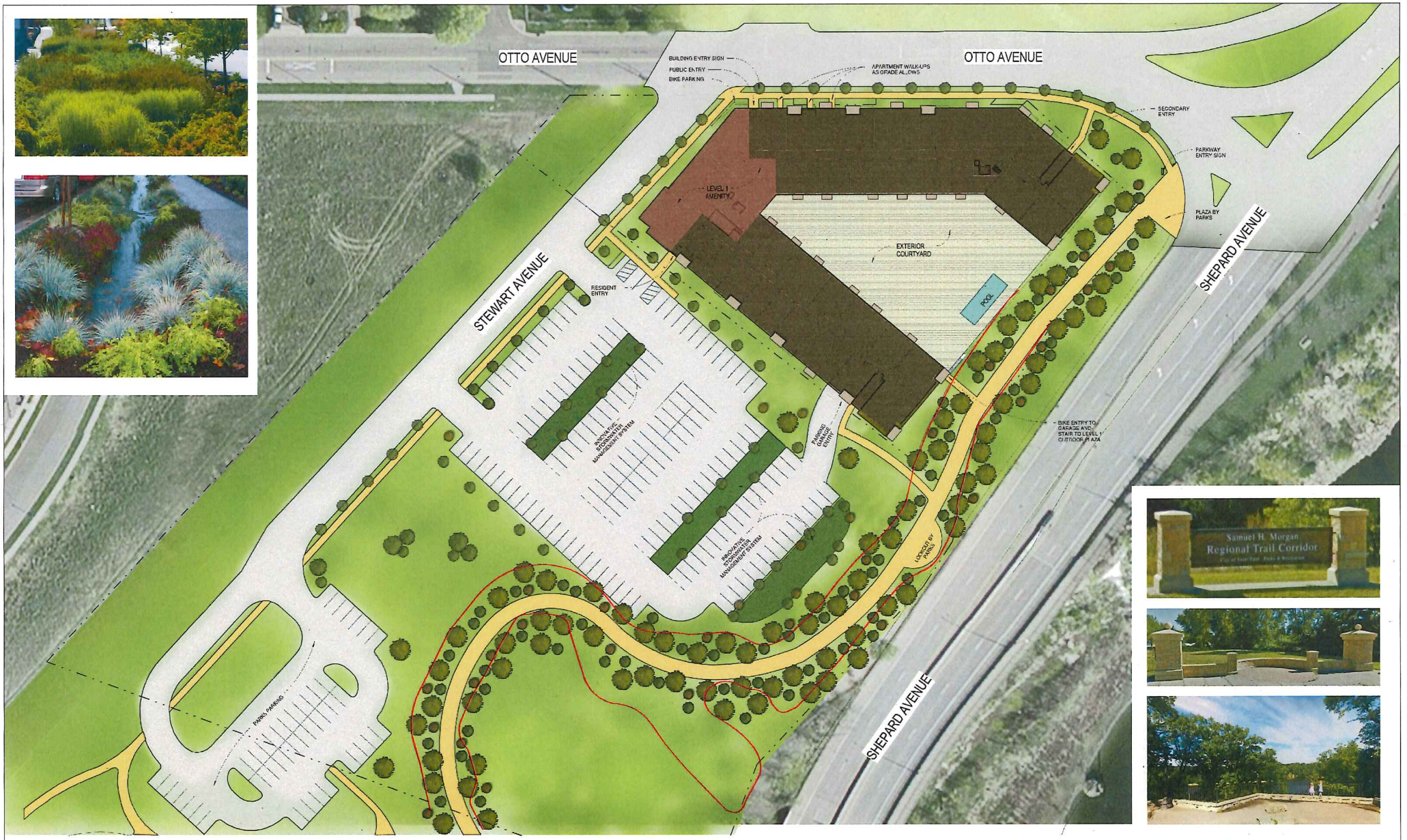
Additional compatibility:

Compatible with the goals of the River Overlay District 'RC4' designation:

RC4 Intent: "*It is intended that the lands and waters in this district be used and developed to maintain the present diversity of commercial, industrial, residential and public uses of the lands, including the existing transportation use of the river; to protect historical sites and areas, natural scenic and environmental resources; and to expand public access to and enjoyment of the river*"

*Re-submitted 11/24/2014 to Lucy Thompson, Principal City Planner, Saint Paul.

Joe McElwain
Development Manager
Chase Real Estate

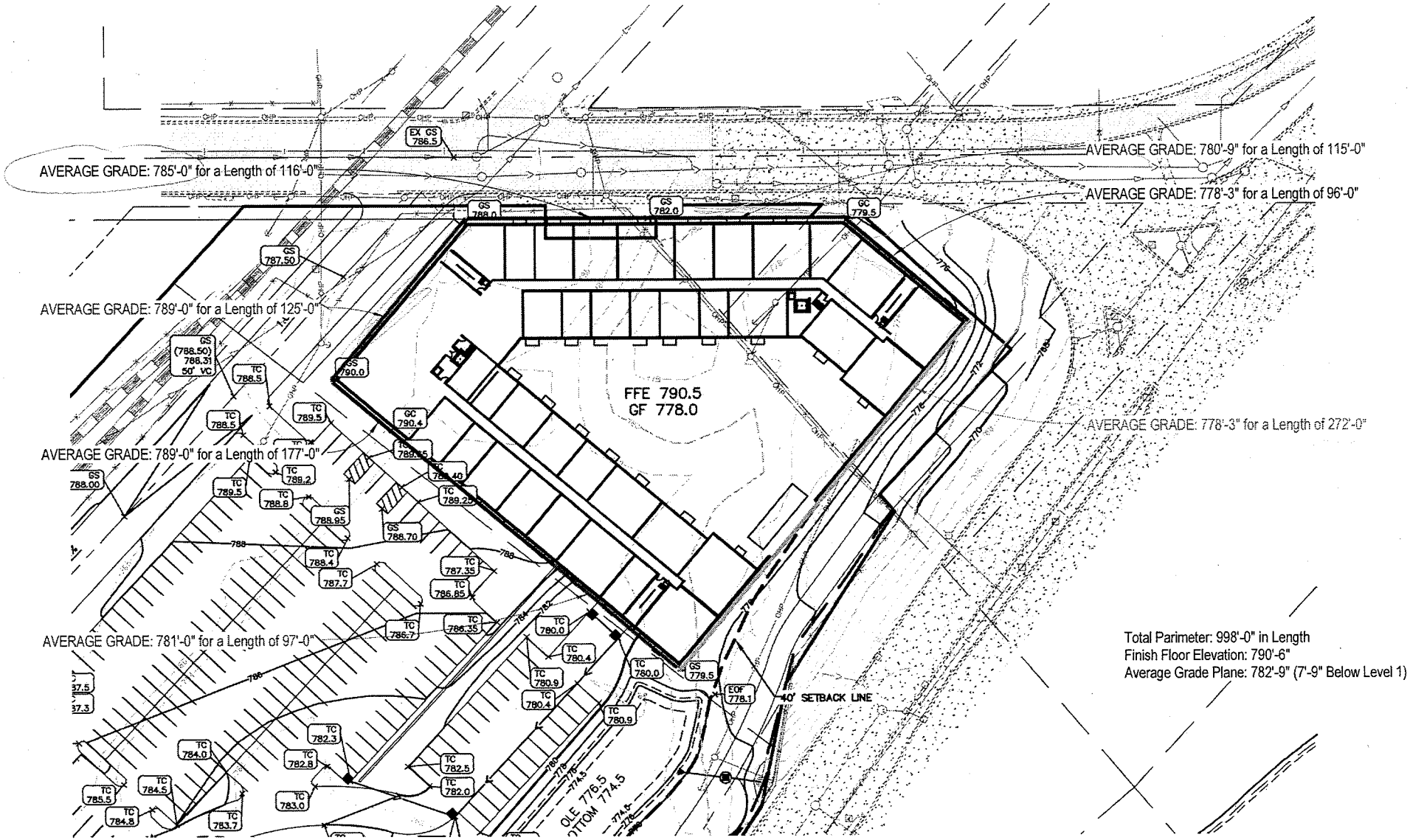


kaas wilson architects

ST. PAUL, MN

12/2/14 COLOR SITE PLAN

VICTORIA PARK PHASE II



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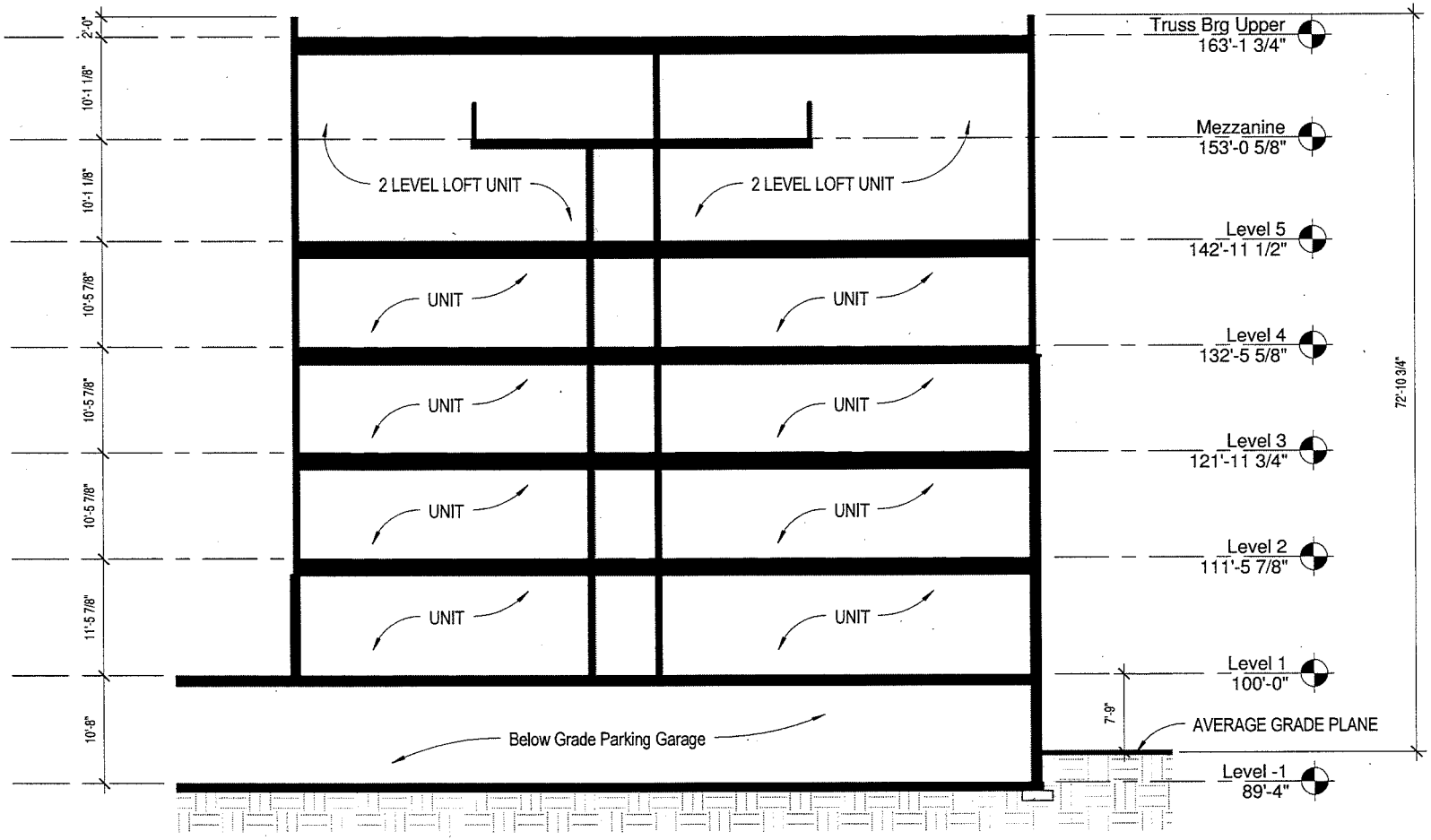
VICTORIA PARK PHASE II

ST. PAUL, MN

CUP Exhibit 1

Average Grade Plane Plan Diagram



1 Typical Section at Loft Unit
3/32" = 1'-0"

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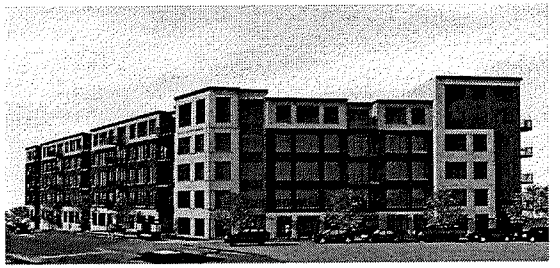
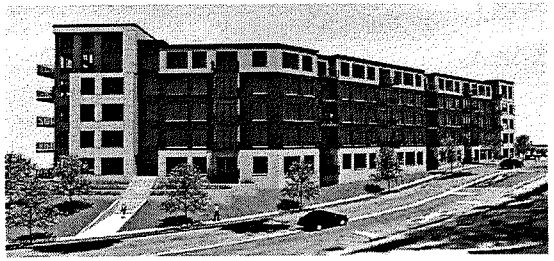
VICTORIA PARK PHASE II

ST. PAUL, MN

CUP Exhibit 2

Building Height Diagram





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VICTORIA PARK PHASE II

ST. PAUL, MN

CUP Exhibit 4

Perspectives

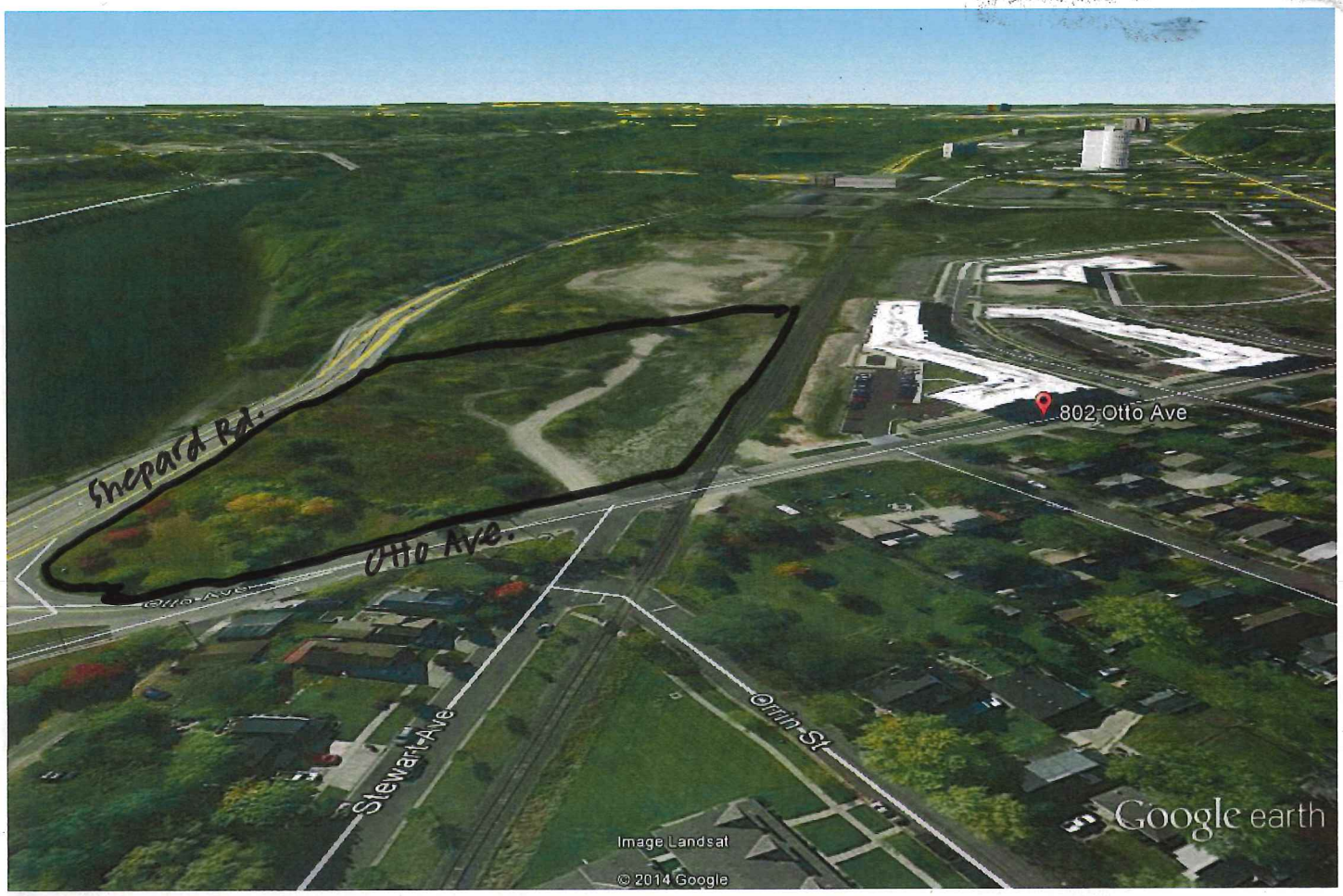
Google earth

feet 1000

meters 500

Google earth

feet 700
meters 200



Google earth

feet 200
meters 70

0 82.5 165 330 495 660 Feet

FILE NAME: Chase Real Estate

APPLICATION TYPE: Conditional Use Permit

FILE #: 14-349037 DATE: 11/25/2014

PLANNING DISTRICT: 9

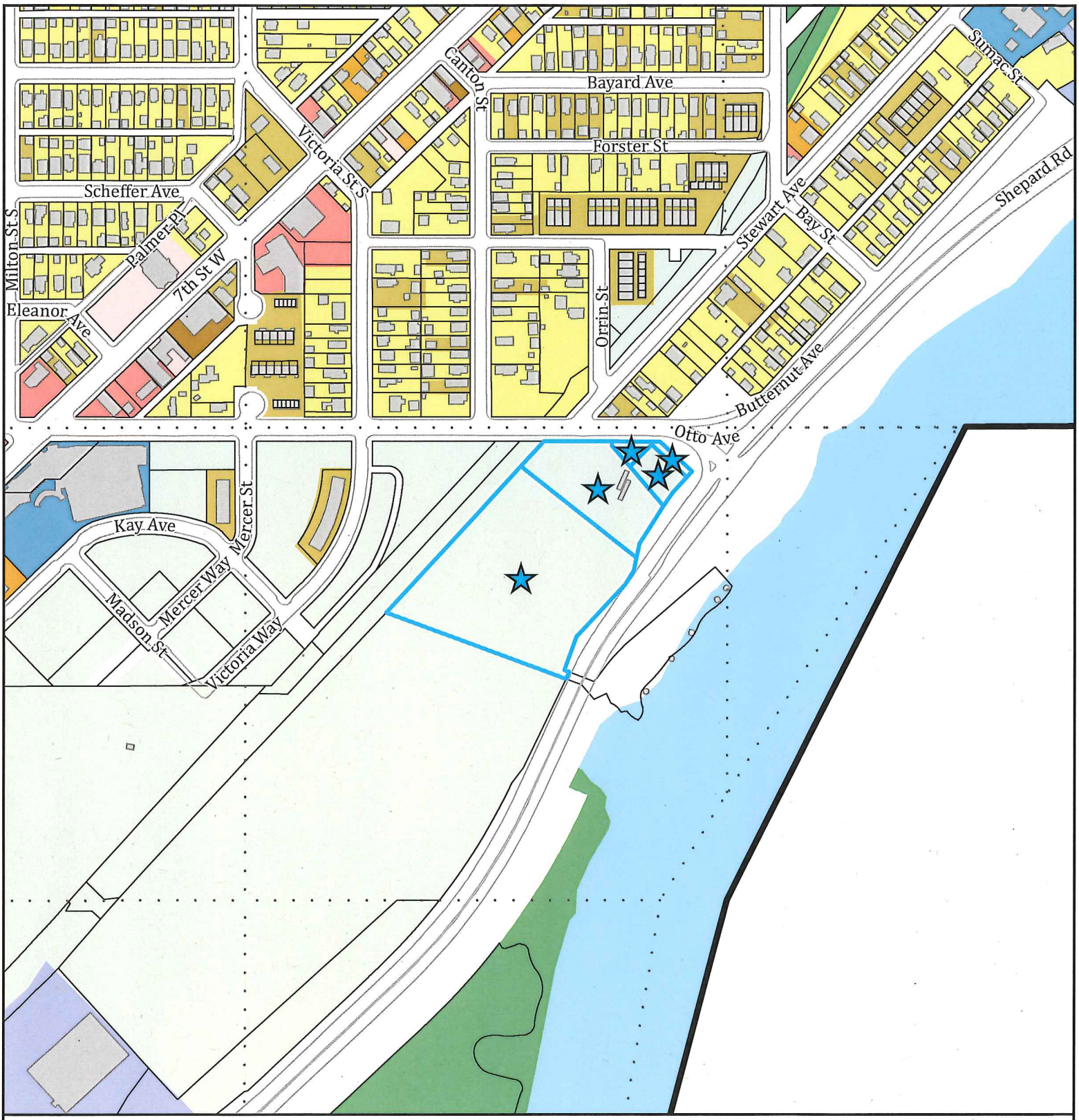
ZONING PANEL: 27

Aerial

Subject Parcels

N W E S

Saint Paul Department of Planning and Economic Development and Ramsey County



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FILE NAME: Chase Real Estate

APPLICATION TYPE: Conditional Use Permit

FILE #: 14-349037 DATE: 11/25/2014

PLANNING DISTRICT: 9

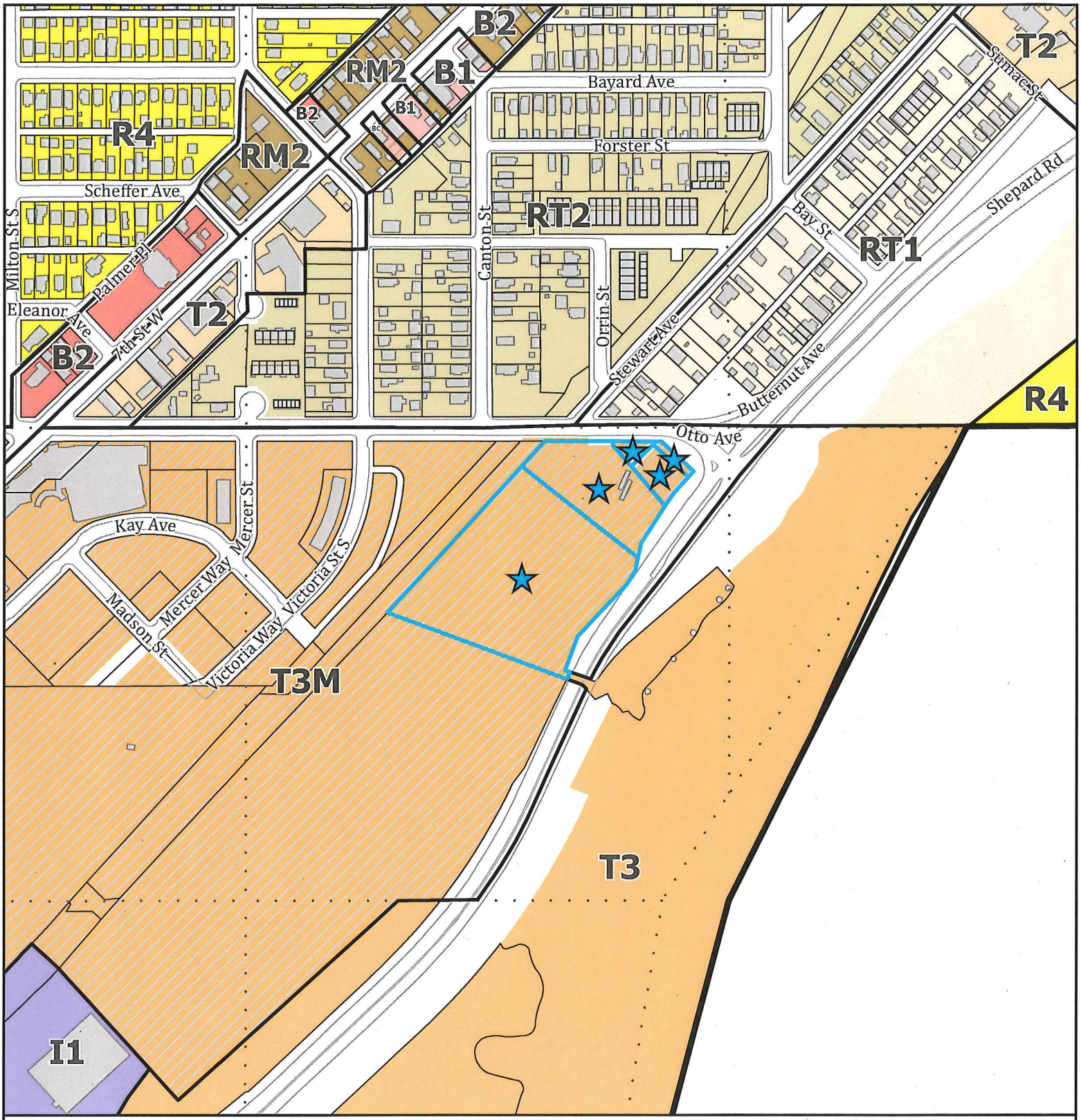
ZONING PANEL: 27

Land Use

- Single Family Detached
- Single Family Attached
- Multifamily
- Office
- Retail and Other Commercial
- Mixed Use Residential
- Industrial and Utility
- Institutional
- Park, Recreational or Preserve
- Undeveloped
- Water
- Subject Parcels
- Section Lines

N W E S

Saint Paul Department of Planning and Economic Development and Ramsey County



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APPLICATION TYPE: Conditional Use Permit

FILE #: 14-349037 DATE: 11/25/2014

PLANNING DISTRICT: 9

ZONING PANEL: 27

Saint Paul Department of Planning and Economic Development and Ramsey County

0 82.5 165 330 495 660 Feet

Zoning

- R4 One-Family
- RT1 Two-Family
- RT2 Townhouse
- RM2 Multiple-Family
- T2 Traditional Neighborhood
- T3 Traditional Neighborhood
- T3M T3 with Master Plan
- B1 Local Business
- BC Community Business (converted)
- B2 Community Business
- I1 Light Industrial
- Subject Parcels
- Section Lines

N W E S