

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** The Waters Senior Living **FILE #** 13-260-295
  2. **APPLICANT:** The Waters Senior Living **HEARING DATE:** January 16, 2014
  3. **TYPE OF APPLICATION:** Conditional Use Permit
  4. **LOCATION:** 678 Snelling Ave S, between Scheffer and Eleanor
  5. **PIN & LEGAL DESCRIPTION:** 10-28-23-33-0105, Macarthur E 190 Ft of W 240 Ft of Part Bet Eleanor Ave and Mac Arthur of SW 1/4 of Sec 10 T 28 R 23 and in SD Mac Arthur W 190 Ft of Lot 9 and all of Lot 8
  6. **PLANNING DISTRICT:** 15 **PRESENT ZONING:** B3
  7. **ZONING CODE REFERENCE:** §61.501; §66.331
  8. **STAFF REPORT DATE:** January 7, 2014 **BY:** Merritt Clapp-Smith
  9. **DATE RECEIVED:** December 20, 2013 **60-DAY DEADLINE FOR ACTION:** February 18, 2014
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- A. **PURPOSE:** Conditional use permit for fourteen (14) inches of additional building height (46 feet, 2 inches total) above the permitted forty five (45) feet for a residential building in a T3 zoning district.
- B. **PARCEL SIZE:** 40,580 sq. ft.
- C. **EXISTING LAND USE:** Funeral home (B3)
- D. **SURROUNDING LAND USE:**
  - North: Commercial (B3)
  - East: Single-family residential (R4)
  - South: Church (R4)
  - West: Commercial (B3)
- E. **ZONING CODE CITATION:** §66.331(g) states that a maximum height of ninety (90) feet may be permitted [in a T3 district] with a conditional use permit; §61.501 lists general conditions that must be met by all conditional uses.
- F. **HISTORY/DISCUSSION:** The Waters Senior Living has a purchase agreement to buy and redevelop the Bradshaw Funeral Home (built in 1962) site at 678 Snelling Avenue South into a 4-story senior living facility with 80 units. To enable the project to proceed as proposed, they have applied for:
  - (1) Rezoning (#13-253-015) from B3 to T3 (rezoning to be heard by City Council on Feb. 5, 2014).
  - (2) Conditional Use Permit (#13-260-295) for fourteen (14) inches of additional building height (46 feet, 2 inches total) above the permitted forty five (45) feet for a residential building in a T3 district.
  - (3) Variances for a driveway setback from the adjacent single-family residential to allow construction of a drive lane from Eleanor to the underground parking garage, and for a reduction to the minimum required green space per unit for an assisted living project in a traditional neighborhood district.
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 15 submitted a resolution of support for the property rezoning and the project in mid-December 2013.
- H. **FINDINGS:**
  1. §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 project as proposed is consistent with the Comprehensive Plan. The Land Use Plan map identifies this section of Snelling Avenue as a "Mixed Use Corridor" appropriate for a range of uses at densities of 30-150 units per acre. This project proposes 80 units on 0.93 acres or about 75 units/acre. In addition, the Housing Chapter, Figure H-K, identifies this area of Snelling Avenue as an "opportunity area for potential new housing".*

- b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The property will have driveway access off of Eleanor Street, a safe distance away from the Snelling intersection where primary ingress and egress will not conflict with the high traffic volumes of Snelling Avenue. A small drop off and pick up area, recessed into the boulevard in front of the Snelling Avenue building entrance, will provide a convenient location for quick stops and reduce visitor traffic to the Eleanor driveway.
- 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 proposed project is consistent with the mixed residential and commercial character of Snelling Avenue South and with the allowed scale of development in the RM2 district which is interspersed along Snelling Avenue within a ½ mile of the site.
- 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. An assisted living development is a good fit for the neighborhood and will provide a new, well-designed building that fits in with nearby uses and brings new residents and visitors to the area.
- e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* The project has applied for two variances for driveway setback and total green space (#13-253-080) and for rezoning to T3 traditional neighborhood (#13-253-013). Regarding all other applicable regulations, this condition is met.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends that the Conditional Use Permit to allow a building of forty six (46) feet two (2) inches in height -- fourteen (14) inches above the permitted height of forty five (45) feet -- be approved subject to the following additional conditions:
1. The property is rezoned from B3 to T3.
  2. 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.

200<sup>00</sup> 1-16-14



**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 # 13-260295  
Fee: \_\_\_\_\_  
Tentative Hearing Date:  
1-16-14

PD=15

**APPLICANT**

Name The Waters Senior Living (contact: Jay Jensen)  
Address 1600 Hopkins Crossroad  
City Hopkins St. MN Zip 55306 Daytime Phone (952) 358-5100  
Name of Owner (if different) Bradshaw Funeral Group  
Contact Person (if different) Jim Bradshaw Phone \_\_\_\_\_

**PROPERTY LOCATION**

Address / Location 678 Snelling Ave. S.  
Legal Description See submitted survey.  
Current Zoning B3, under consideration for rezone to T3  
(attach additional sheet if necessary)

**TYPE OF PERMIT:** Application is hereby made for a Conditional Use Permit under provisions of Chapter 66, Section (Division) 3, Paragraph Table 66.331, footnote (e) 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.

Please see the attached narrative.

Required site plan is attached

Applicant's Signature [Signature] Date 12/18/13 City Agent [Signature]  
add 12-20-13

## CONDITIONAL USE PERMIT APPLICATION NARRATIVE

The Waters of Highland Park

12.20.2013

Section 61.501 general standards for a Conditional Use Permit:

1) The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan.

*The proposed rezoning to T3 and the proposed use for this site are in compliance with the Saint Paul Comprehensive Plan.*

2) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.

*The proposed project has been reviewed with city staff and the driveway has been located to provide adequate ingress and egress from the site, and maximizes both pedestrian and vehicular safety by locating this drive access away from Snelling Avenue. A summary of traffic findings has also been provided to city staff, and states that the majority of trips generated by this project will utilize Snelling Avenue, which has capacity to handle these trips with no changes, and that there will be very little utilization of the residential side streets by trips generated by the proposed project.*

3) 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 proposed project will reinforce the mixed commercial and residential nature of the Snelling Avenue corridor, and does not endanger public health, safety, and welfare.*

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

*The proposed project will not impede the development of surrounding property for uses permitted in the district.*

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

*The proposed project conforms to the applicable regulations of the district in which it is seeking rezoning (T3), with the exception of height (for which this CUP is sought – see below), and the variances sought for resident green space and driveway location.*

Section 61.502 allows for the modification of special conditions:

The CUP applied for herein is sought to address the maximum height allowed for in a multifamily use within a T3 zoning. The height of the proposed building, from average grade to roof deck (flat roof) is 46'-2", exceeding the height limit for a multifamily use within a T3 zoning by 1'-2". As the proposed building height is less than 2' over what is allowed for a multifamily use and still considerably less than the 55' limit allowed for a mixed-use building in the T3 zoning, staff has not required that a shadow study be provided. The height of the building is based on a nominal 9' ceiling height for each floor in the "house" portion of the building, which is a common ceiling height for the homes in the area, and is a reasonable expectation for residents that may consider living at The Waters of Highland Park.

All setback requirements for a multifamily use within the T3 zoning are either met or exceeded.

Project Name:  
**678 Snelling  
 Avenue South**

Client:  
**The Waters Senior Living, LLC**  
 1400 Highland Avenue  
 Minneapolis, MN 55405

Professional Engineer:  
**LOUGENS  
 ASSOCIATES**  
 Planning & Civil Engineering • Land Surveying  
 7200 Hennepin Avenue, Suite 300  
 Minneapolis, MN 55425  
 Phone: (612) 434-4500  
 Fax: (612) 434-4505  
 Email: info@lougens.com

Professional Surveyor:  
**LOUGENS ASSOCIATES**  
 7200 Hennepin Avenue, Suite 300  
 Minneapolis, MN 55425  
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DESCRIPTION OF PROPERTY CURVES  
 (Per Schedule A of the referenced Title Commitment)

Lot 8 and the Westerly 150 feet of Lot 9, MacArthur, Ramsey County, Minnesota.

And

The Easterly 190 feet of the Westerly 240 feet of that part Vino North of Eleanor Street of the South 412.5 feet of the Southwest Quarter of the Southwest Quarter of Section 10, Township 28, Range 23, Ramsey County, Minnesota.

Torrens Property  
 Torrens Certificate No. 282725

**ALTA/ACSM OPTIONAL TABLE A NOTES**  
 (The following items refer to Table A optional survey responsibilities and specifications)

3 This property is contained in unprinted Flood Insurance Rate Map, Community Panel No. 27128009G (no special flood hazard areas).

4 The Gross land area is 41,376 +/- square feet or 0.94 +/- acres.

7(a) Exterior dimensions of the buildings are shown at ground level.

9 The number of parking stalls on this site are as follows: 28 Regular + 2 Handicap = 30 Total Parking Stalls.

11(D) We have shown buried structures and utilities on and/or serving the site to the best of our ability, subject to the following restrictions:

1) Utility operations do not constitute a response to locate requests through the Gopher State One-Call service for those utilities that are not shown on the One-Call map. The utility owner is responsible for locating their own utilities. If a utility is not shown on the One-Call map, it may not be located since most utilities are not shown on the One-Call map. A utility owner is responsible for locating their own utilities. If a utility is not shown on the One-Call map, it may not be located since most utilities are not shown on the One-Call map.

2) Show and locate conditions during winter months may obscure otherwise visible evidence of a buried structure or utility.

3) Maps provided by operators, either along with a field location or in lieu of such a location, are very often inaccurate.

4) **EXTREME CAUTION MUST BE EXERCISED BEFORE AN EXCAVATION TAKES PLACE ON OR NEAR THIS PROPERTY.**

5) **ALTA/ACSM IN ADVANCE TO 1501454002.**

6) Per Gopher State One-Call Ticket No. 132702569, the following utilities and municipalities were notified:  
 City of Minneapolis (612) 522-8141  
 CenturyLink (602) 255-4237  
 St. Paul Water Utility (651) 265-6930  
 Xcel Energy (651) 225-2427

The property depicted on this map and the easements of record shown hereon are the same as the property and the easements described in the Commitment for Insurance issued by Commercial Partners Title, LLC as agent for Street & the Guaranty Company, File No. 31847, dated September 24, 2011.

1) The following remains reference items in Schedule B of the herein referenced Title Commitment:

a) Item no. 8.1 - 18 are not survey related items.

**CERTIFICATION**

To The Waters Senior Living, LLC, The Bradshaw Group, Inc., a Minnesota corporation, Commercial Partners Title, LLC and Street & the Guaranty Company.

This is to certify that this map and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS in 2011, and includes items 1 - 4, 7, 8, 9 and 11(D) of Table A thereof. The field work was completed on October 17, 2013.

Date of Plot or Map: October 18, 2013

Richard L. Louens, P.E.  
 Minnesota License No. 28724  
 rlo@lougens.com

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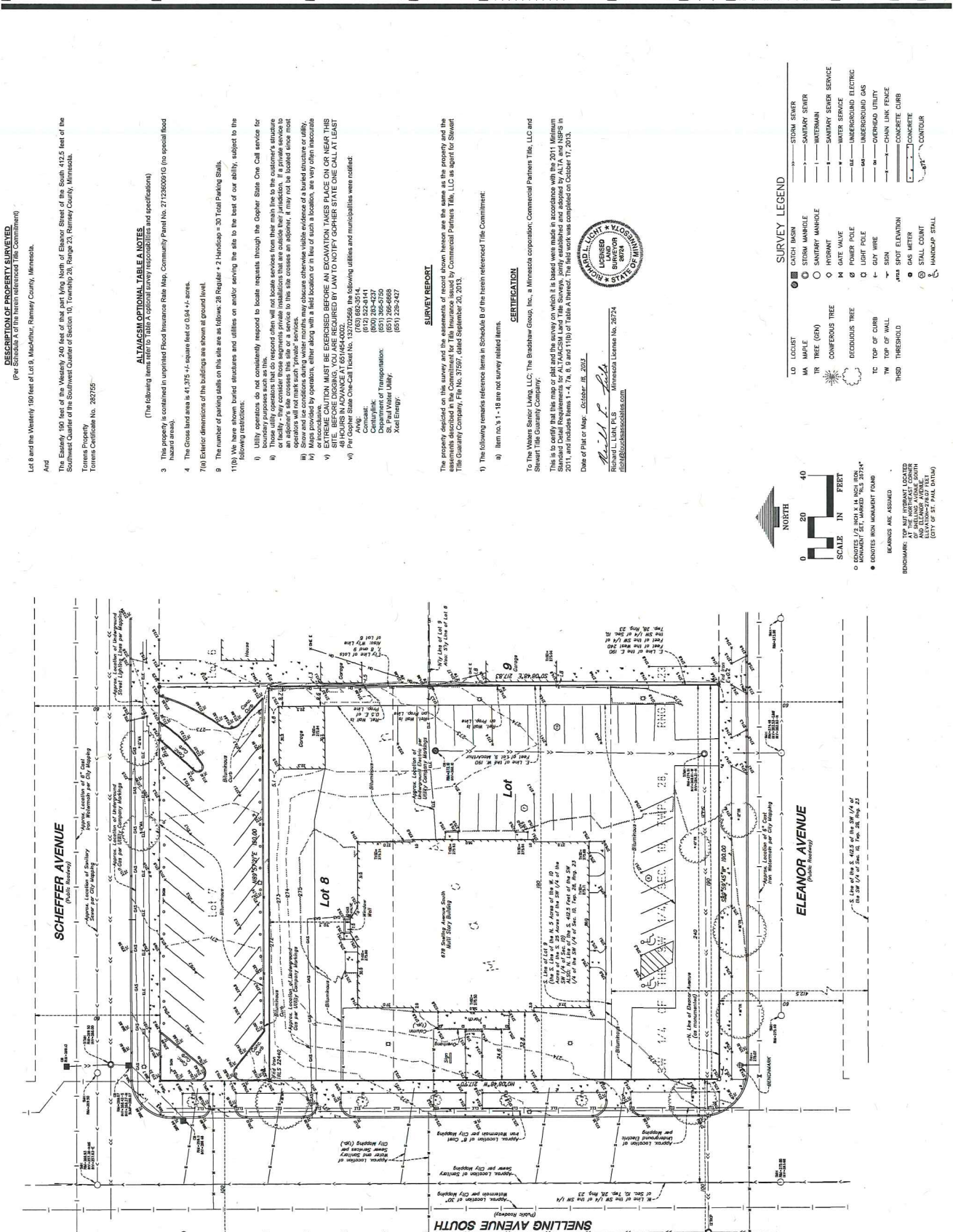
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**ALTA/ACSM Land Title Survey**  
 with Topography

Project No.: 13-449

Sheet No.: 13-449

**SURVEY LEGEND**

- LO LOCUST
- MA MAPLE
- TR TREE (GEN)
- CONFEROUS TREE
- DECIDUOUS TREE
- TC TOP OF CURB
- TW TOP OF WALL
- THSD THRESHOLD
- CATCH BASIN
- STORM SEWER
- SANITARY MANHOLE
- HYDRANT
- GATE VALVE
- POWER POLE
- LIGHT POLE
- OVERHEAD UTILITY
- CHAIN LINK FENCE
- CONCRETE CURB
- GAS METER
- STALL COUNT
- HANDICAP STALL

**SCALE IN FEET**  
 0 20 40

**NOTICE:** THE BEARINGS AND DISTANCES SHOWN ON THIS MAP WERE OBTAINED FROM THE AIR PHOTO CORNER POINTS AND ELEANOR AVENUE CORNER MONUMENT SET, MARKED "13-28724" (CITY OF ST. PAUL DATUM)

**BEARINGS ARE ASSUMED**

**DATE OF SURVEY:** OCTOBER 17, 2013

**DATE OF PLOT OR MAP:** OCTOBER 18, 2013

**PROFESSOR OF SURVEYING:** RICHARD L. LOUENS, P.E. (MINN. LICENSE NO. 28724)

**PROFESSOR OF CIVIL ENGINEERING:** RICHARD L. LOUENS, P.E. (MINN. LICENSE NO. 28724)



kaas  
wilson  
architects





SNELLING AVENUE - WEST ELEVATION

- CFB PANEL - COLOR 1
- SPEC-BRIK MASONRY
- CFB LAP - COLOR 2
- SPEC-BRIK MASONRY



SOUTH ELEVATION



NORTH ELEVATION

- CFB PANEL - COLOR 1
- SPEC-BRIK MASONRY
- CFB LAP - COLOR 2
- SPEC-BRIK MASONRY



INTERIOR COURTYARD - EAST ELEVATION

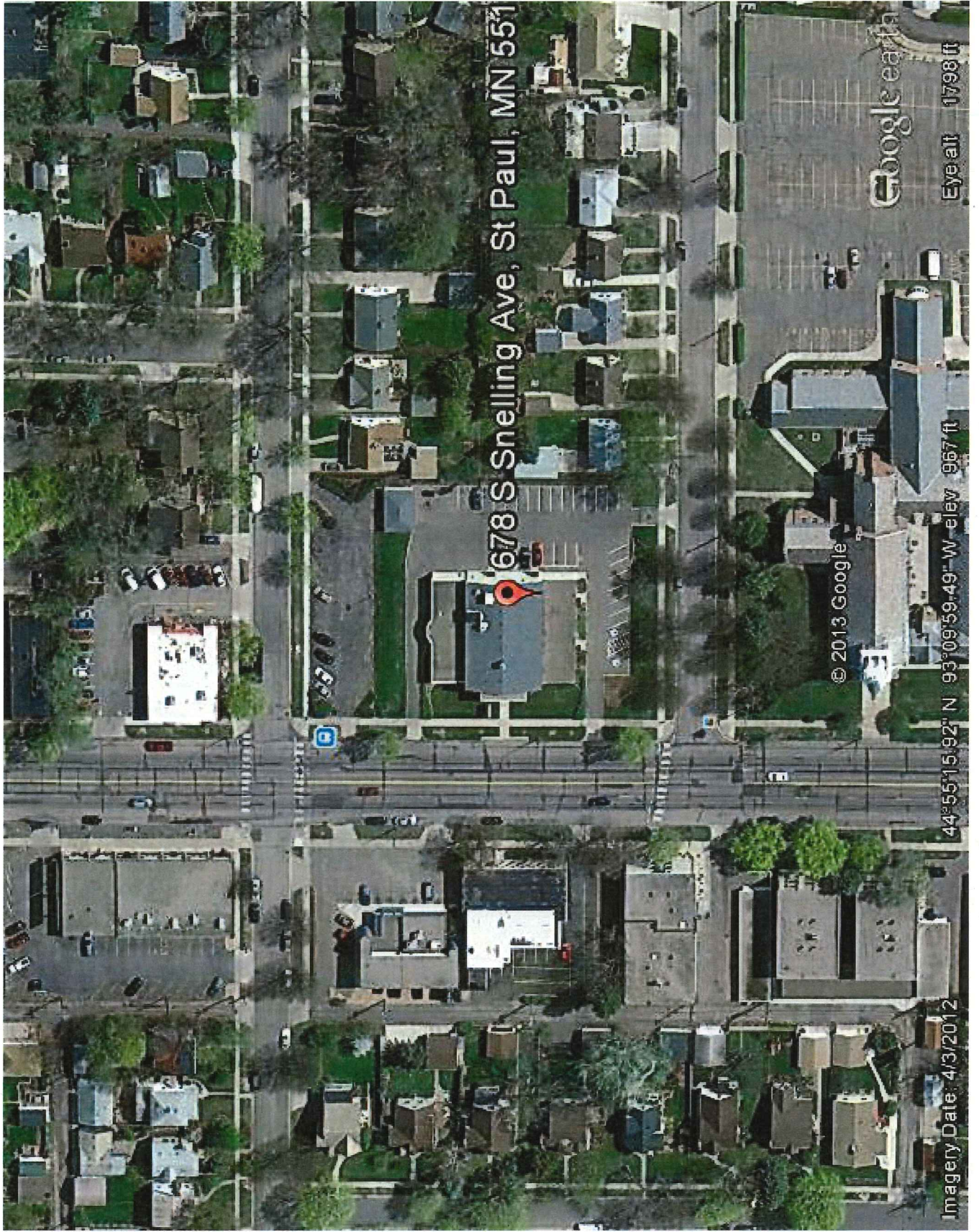


INTERIOR COURTYARD - NORTH ELEVATION

- CFB PANEL - COLOR 1
- SPEC-BRIK MASONRY
- CFB LAP - COLOR 2
- SPEC-BRIK MASONRY



INTERIOR COURTYARD - SOUTH ELEVATION



678 S Snelling Ave, St Paul, MN 55111

© 2013 Google

Google earth

Eye alt 1798 ft

44°55'15.92" N 93°09'59.49" W elev 967 ft

Imagery Date: 4/3/2012

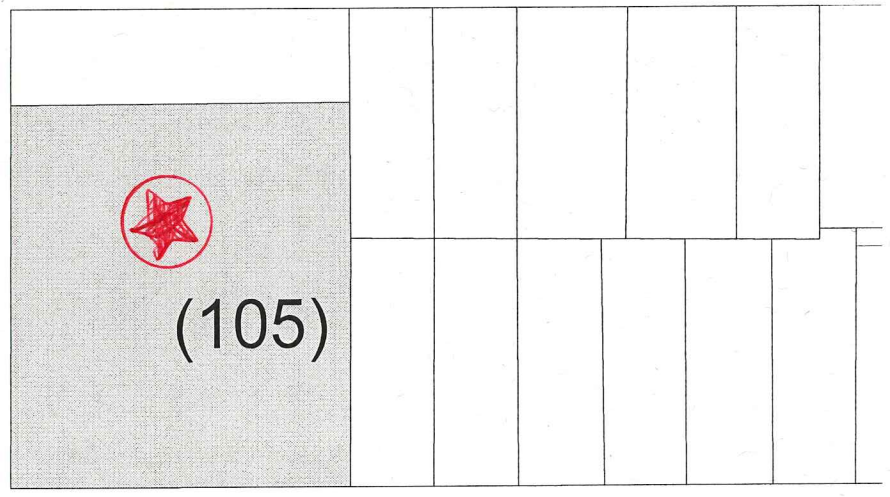


BRIMHALL ST

SCHEFFER AVE

SNELLING AVES

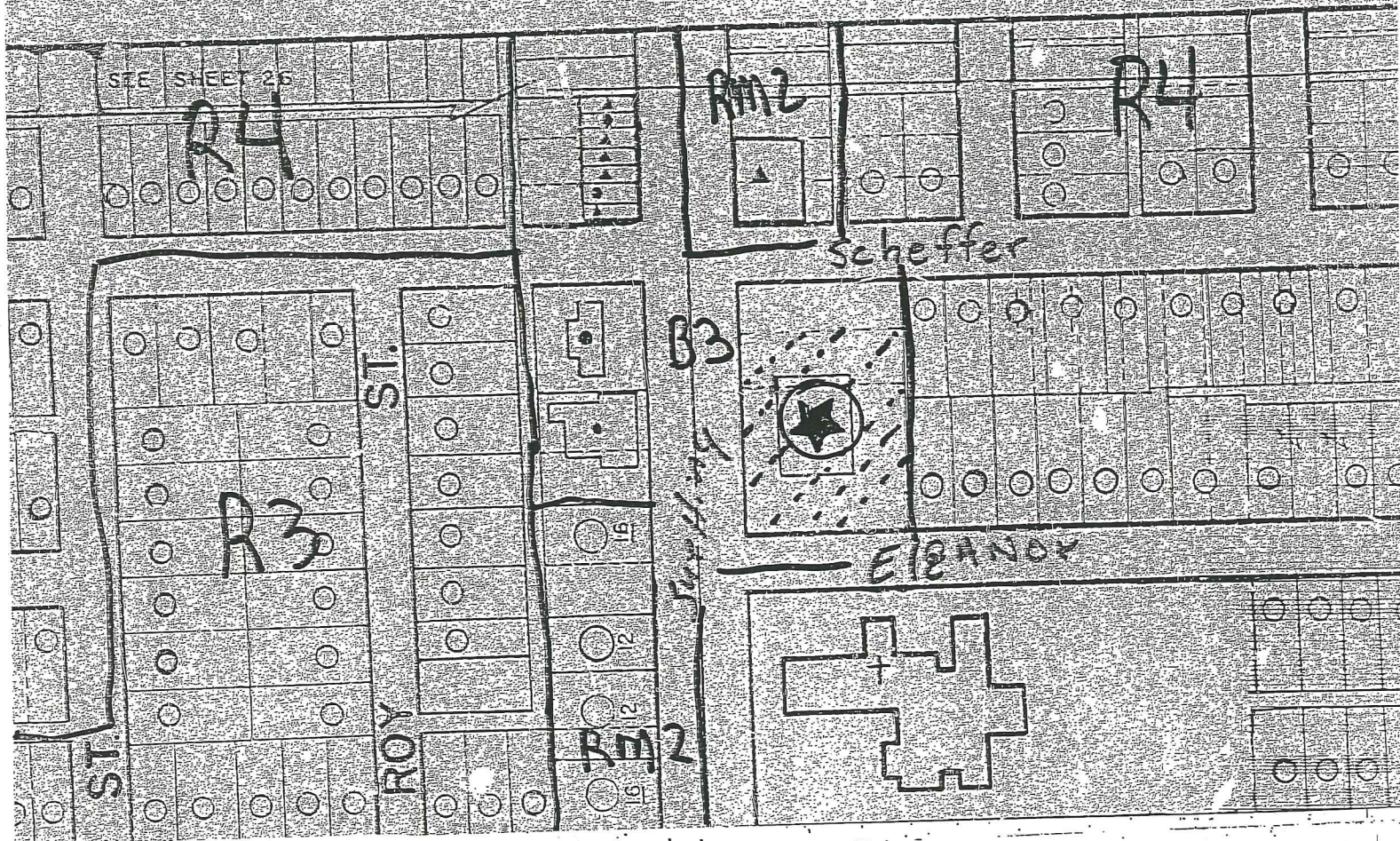
ROOY ST S



(105)

ELEANOR AVE

HIGHLAND F



APPLICANT The Waters Senior Living  
 PURPOSE CUP w/ variance  
 FILE # 13-260295 DATE 12-26-13  
 PLNG. DIST. 15 Land Use Map # 34  
 SCALE 1" = 400' Zoning Map # 20

LEGEND

- zoning district boundary
- subject property
- one family
- two family
- multiple family
- commercial
- industrial
- vacant

