ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** 981 UNIVERSITY AVE W **FILE #** 21-216-956
2. **APPLICANT:** 981 U LLC **HEARING DATE:** February 11, 2021
3. **TYPE OF APPLICATION:** Conditional Use Permit
4. **LOCATION:** 981 University Ave W, NW corner at Chatsworth Street
5. **PIN & LEGAL DESCRIPTION:** 35.29.23.23.0200; Lots 14-16 & E 8 ft. of Lot 13, Block 2, University Subdivision of Lots 1, 2, 3 & 8, Hyde Park
6. **PLANNING DISTRICT:** 7 **PRESENT ZONING:** T2
7. **ZONING CODE REFERENCE:** § 66.331(f), § 61.501
8. **STAFF REPORT DATE:** February 4, 2021 **BY:** Emma Siegworth
9. **DATE RECEIVED:** January 20, 2021 **60-DAY DEADLINE FOR ACTION:** March 21, 2021

A. **PURPOSE:** Conditional use permit for 42' 9" building height.

B. **PARCEL SIZE:** The parcel has approximately 122 feet of frontage on University Avenue, 122 feet of frontage on Chatsworth Street, and an area of approximately 14,844 sq. feet.

C. **EXISTING LAND USE:** Vacant commercial – bar

D. **SURROUNDING LAND USE:**

North: Parking lot (T2)

East: Mixed use (T2)

South: Commercial/office (T2)

West: Commercial (T2)

E. **ZONING CODE CITATION:** § 66.331(f) provides for a maximum building height of 45 feet with a conditional use permit in T2. § 61.501 lists general conditions that must be met by all conditional uses.

F. **PARKING**: The proposed use is located within ¼ mile of University Avenue and within the Lexington Station Area. Zoning Code § 63.207(b) reduces parking requirements by 100% in traditional neighborhood districts within ¼ mile of University Avenue. The existing development has 23 parking spaces and 21 parking spaces are proposed.

G. **HISTORY/DISCUSSION:** The property was rezoned from I1 to T2 with the Central Corridor Traditional Neighborhood (CCTN) Zoning Study. The property has been at least two different bars since at least the 1990s. A parklet between the parking lot and sidewalk along University Avenue was added to the parking lot in 2017.

H. **DISTRICT COUNCIL RECOMMENDATION:** The District 7 Council has not made a recommendation as of the date of this staff report.

I. **FINDINGS:**

1. The applicant owns the property at 981 University Avenue. The property is occupied by a vacant bar, the former Johnny Baby's. The existing building is set to the southeast corner of the lot, along the south and east lot lines. The existing 23-space surface parking lot is located to the west of the building, with vehicular access from University Avenue and the rear alley to the north. A parklet with a seating and landscaping is located adjacent to the parking lot along University Avenue.

The applicant intends to renovate the existing building and add an addition to develop a three-story office building. The main pedestrian entrance to the building will be a new covered entry to University Avenue. Vehicular access to the site will remain from the existing curb cut along University Avenue and from the rear alley located off Chatsworth

Street. The existing parklet and landscaping between the parking lot and University Avenue is proposed to remain.

2. The T2 dimensional standards in § 66.331 allow a building height up to 35' by right for a nonresidential building. § 66.331(f) provides that a building height up to 45' may be permitted with a conditional use permit. The highest projected height for the proposed building is 42' 9". Staff recommends and the applicant agrees that a maximum height of 44' for the conditional use permit would provide flexibility as the flat roof design is refined.

3. § 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 proposed development is consistent with the 2040 Comprehensive Plan. The site is located approximately 0.2 miles from the Lexington Green Line LRT Station and is identified as a Mixed-Use Corridor and within the Lexington Station Area Neighborhood Node. The Neighborhood Node designation is based on locations planned for higher density. Policy LU-1 of the Land Use Plan states, "Encourage transit-supportive density and direct the majority of growth to areas with the highest existing or planned transit capacity." Policy LU-30 states, "Focus growth at Neighborhood Nodes using the following principles: (1) Increase density toward the center of the node and transition in scale to surrounding land uses, (2) Prioritize pedestrian-friendly urban design and infrastructure that emphasizes pedestrian safety, (3) Cluster neighborhood amenities to create a vibrant critical mass, (4) Improve access to jobs by prioritizing development with high job density." The proposed three-story office use introduces transit-supportive density near to the Lexington Green Line Station and includes pedestrian-friendly urban design with a prominent covered front entry and parklet between the parking lot and sidewalk.

   The proposed development is consistent with the Lexington Station Area Plan and is consistent with the scale called for in Section 4.3.1 Built Form: "Along the north side of the Avenue, new development or expansion of existing buildings should be predominantly low-to mid-rise in scale up to 3 commercial stories in height or 3 residential stories above one story of first floor retail." Section 4.3.2 Land Use & Development Pattern states, "A broad mix of uses should be concentrated along the Avenue, where they afford an easy connection to public transit, and benefit from the visibility and profile of being located on a major transportation corridor." The proposed office use is three stories and benefits from the easy connection to the Green Line and visibility of being located on the major transportation corridor of University Avenue.

   The proposed development is consistent with the District 7/Frogtown Neighborhood Plan, the Frogtown Small Area Plan (SMAPL). Goal 8 of the plan states "a mix of businesses will fulfill the needs or residents and contribute to meaningful employment in the area…" Land Use policy L9 states "Support the development and rehabilitation of commercial, mixed use, and multifamily residential uses along arterial and collector streets that are served by public transit." Economic Vitality policy EV3 states, "Develop a community process of working with responsible entities to determine how underutilized commercial property can be restored to productive uses." The proposed office use is located along an arterial well served by

public transit and transforms an underutilized, vacant property into an employment opportunity that will contribute to the mix of businesses in the area.

(b) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met. Vehicular access is provided with the existing curb cut off University Avenue. Egress to University Avenue is right-turn only. Vehicular access is also located off the rear alley, located off Chatsworth Street. The intersection of Chatsworth Street and University Avenue is a signalized intersection, which regulates traffic flow.

(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. University Avenue is a major arterial that serves about 15,000 vehicles per day and is served by the Green Line LRT and Route 16 bus route. The proposed office use will not be detrimental to the existing character of development in the immediate neighborhood. The proposed use is in keeping with the character of the surrounding two-story buildings and is an appropriate use in the mixed-use corridor, which calls for high density development along thoroughfares served by public transit.

(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 proposed office use is consistent with and complementary to existing development in the area. The proposed use will not prevent future development that is consistent with the Comprehensive Plan and existing zoning.

(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. The use conforms to applicable regulations of the T2 traditional neighborhood district.

J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of a conditional use permit for a building height of 44 feet at 981 W University Avenue 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) 266-6583

Zoning Office Use Only
File # _____
Fee Paid $ _____
Received By / Date _____
Tentative Hearing Date _____

APPLICANT

Name 981 U LLC
(must have ownership or leasehold interest in the property, contingent included)
Address 2550 University Avenue West City Saint Paul State MN Zip 55114
Email max@suntide.com Phone 651 746-4595
Name of Owner (if different) _____ Email _____
Contact Person (if different) Max Currie Email max@suntide.com
Address 2550 University Avenue West City Saint Paul State MN 55114 Zip _____

PROPERTY INFO

Address/Location 981 University Avenue West
PIN(s) & Legal Description 352923230200
(attach additional sheet if necessary)
_____ Lot Area 0.34 Current Zoning T2

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of Zoning Code Section(s) 66.331 F for the following use or purpose:
Application of an increase in allowable height

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

I am requesting a CUP for an increase in height from T2 zoning allowed 35' to the proposed building height of 42'9". Please see the plans that are included for clarification. The use is office.
Thanks

☒ Required site plan is attached

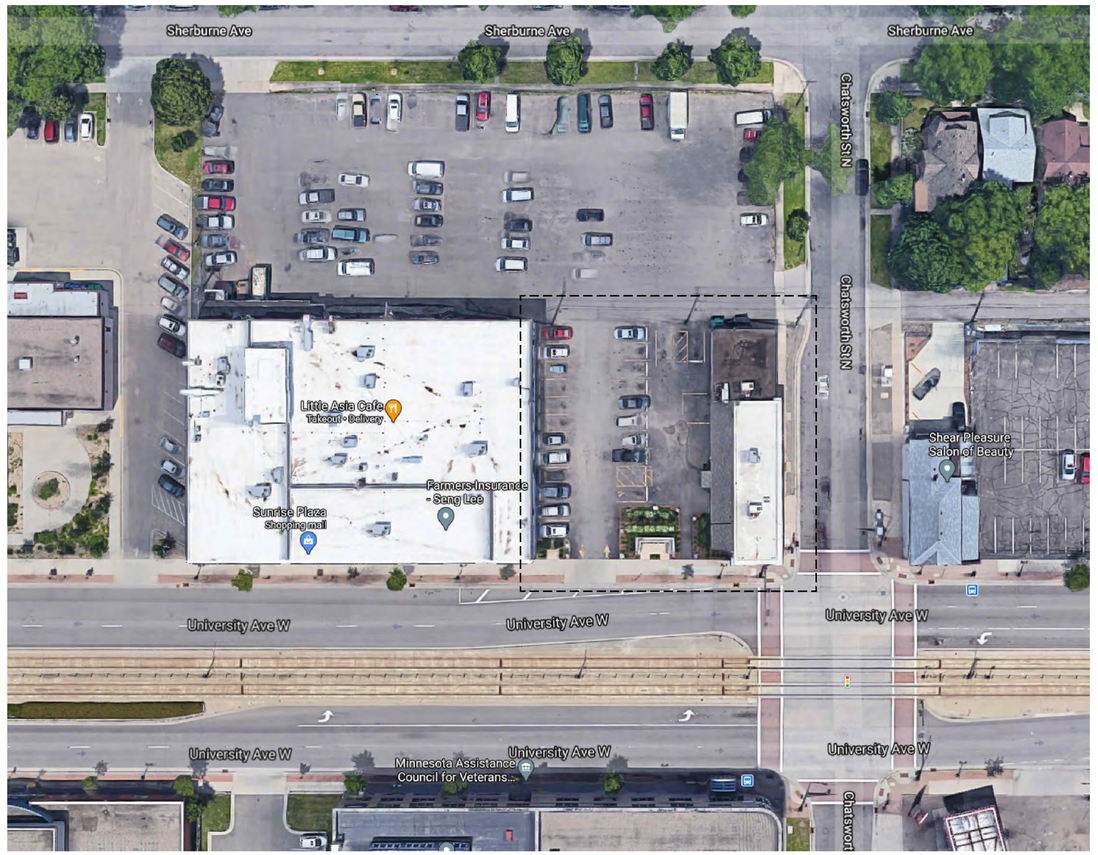
☐ If you are a religious institution you may have certain rights under RLUIPA. Please check this box if you identify as a religious institution.

Applicant's Signature Max Currie **Date** 1/12/2021

Rev 7.4.2019

981 University Avenue
St. Paul, MN

3 EXISTING SITE PHOTOS
NO SCALE



2 EXISTING SITE PLAN
NO SCALE

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Sheet Information

Date	January 28, 2021
Scale	As Noted
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Title
Cover Sheet

Site Plan Review

Sheet
A001

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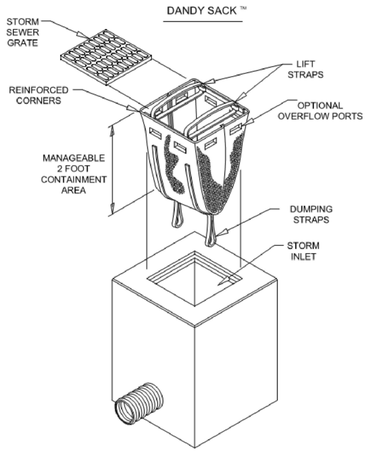
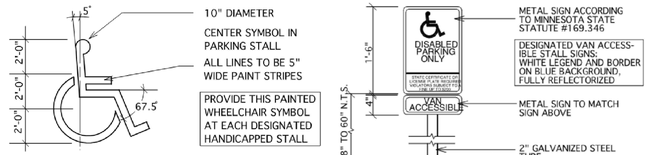
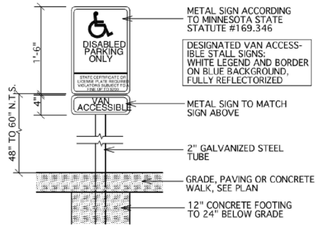


1C STORM WATER CONTROL

NO SCALE



HANDICAPPED SYMBOL
Scale: 1/4" = 1'-0"



HANDICAPPED SIGN DETAIL
Scale: 1" = 1'-0"

1B HANDICAP SYMBOLS

NO SCALE

SITE PLAN GENERAL NOTES

A. THE EXISTING SITE DRAINAGE AND GRADING IS TO REMAIN UNCHANGED

B. ONSITE UTILITIES ARE TO REMAIN WITH THE EXCEPTION OF THE ADDITION OF A FIRE RISER ON THE UNIVERSITY AVENUE SIDE AS SHOWN ON A100

C. EXISTING LANDSCAPING IS TO REMAIN.

D. EXISTING SITE LIGHTING IS TO REMAIN

E. PUBLIC WORKS - TRANSPORTATION PLANNING

- INSPECTION CONTACT: The developer shall contact the Right of Way inspector Dick Rohland, 651-485-1688 (one week prior to beginning work) to discuss traffic control, pedestrian safety and coordination of all work in the public right of way. Note: If a one week notice is not provided to the City, any resulting delays shall be the sole responsibility of the Contractor.

CITY OF ST. PAUL PERMIT REQUIREMENTS

ORDERING OBSTRUCTION AND EXCAVATION PERMITS: Contact Public Works Right of Way Service Desk at (651) 266-6151.
It is strongly recommended that contractors call for cost estimates prior to bidding to obtain accurate cost estimates.

- OBSTRUCTION PERMITS: The contractor must obtain an Obstruction Permit if construction (including silt fences) will block City streets, sidewalks or alleys, or if driving over curbs.

- EXCAVATION PERMITS: All digging in the public right of way requires an Excavation Permit. If the proposed building is close to the right of way, and excavating into the right of way is needed to facilitate construction, contact the utility inspector.

- FAILURE TO SECURE PERMITS: Failure to secure Obstruction Permits or Excavation Permits will result in a double-permit fee and other fees required under City of St. Paul Legislative Codes.

F. PUBLIC WORKS - SIDEWALKS

- CONSTRUCTION IN RIGHT OF WAY: All work on curbs, driveways, and sidewalks within the public right of way must be done to City Standards and Specifications by a contractor licensed to work in the City right-of-way under a permit from Public Works Sidewalk Section (651-266-6108). Sidewalk grades must be carried across driveways.

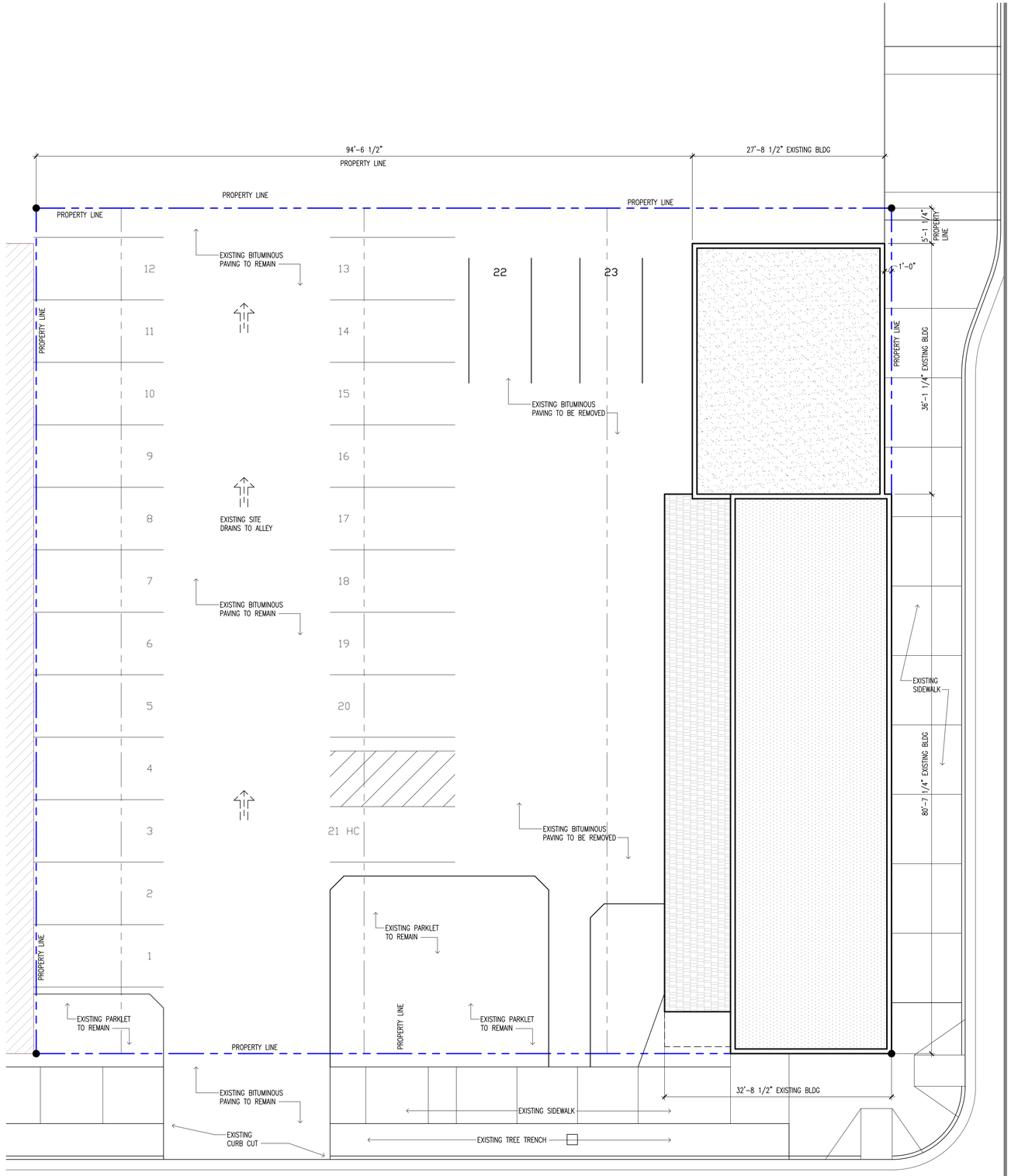
- RIGHT OF WAY RESTORATION: Restoration of asphalt and concrete pavements are performed by the Public Works Street Maintenance Division. The contractor is responsible for payment to the City for the cost of these restorations. The contractor shall contact Public Works Street Maintenance to set up a work order prior to beginning any removals in the street at 651-266-9700. Procedures and unit costs are found in Street Maintenance's "General Requirements - All Restorations" and are available at the permit office.

G. FIRE

- Contractor to maintain access to the fire department connection for fire department personnel at all times during the construction period.

1A GENERAL NOTES

NO SCALE



2 EXISTING SITE PLAN

1/8" = 1'-0"

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Sheet Information

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Existing Conditions

Site Plan Review

Sheet

A002

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PROJECT SCOPE

SUNTIDE COMMERCIAL REALTY, INC. WILL BE RENOVATING THE EXISTING 3,553 SF BUILDING AND ADDING AN ADDITION OF 3,384 GROSS SQUARE FEET AT 981 UNIVERSITY AVENUE, ST. PAUL, MINNESOTA.

THE EXISTING PARKING LOT AND ASSOCIATED SITE DRAINING WILL REMAIN.

THE EXISTING FOUNDATION WILL REMAIN AND NEW POURED CONCRETE FOUNDATIONS WILL BE ADDED TO THE WEST OF THE EXISTING.

THE EXTERIOR WILL METAL PANEL WILL BE USED THROUGHOUT.

APPLICABLE CODES – 2020 MINNESOTA STATE BUILDING CODE INCORPORATING THE FOLLOWING:

2018 INTERNATIONAL BUILDING CODE	(2020 MINNESOTA STATE BUILDING CODE)
2018 INTERNATIONAL FIRE CODE	(2020 MINNESOTA STATE FIRE CODE)
2018 UNIFORM PLUMBING CODE	(2015 MINNESOTA STATE PLUMBING CODE)
2018 INTERNATIONAL MECHANICAL CODE	(2020 MINNESOTA STATE MECHANICAL CODE)
2018 INTERNATIONAL FUEL GAS CODE	(2020 MINNESOTA STATE FUEL CODE)
2018 INTERNATIONAL ENERGY CONSERVATION CODE	(2020 MINNESOTA STATE ENERGY CODE)
2018 INTERNATIONAL EXISTING BUILDING CODE	(2020 MN STATE CONSERVATION CODE EXISTING BLDG)
2018 IBC CHAPTER 11	(2020 MINNESOTA STATE ACCESSIBILITY CODE)
2020 NATIONAL ELECTRICAL CODE	
2015 IBC CHAPTER 30	(2015 MINNESOTA ELEVATOR & DEVICE CODE)
2018 NFPA 101 LIFE SAFETY CODE	

BUILDING OCCUPANCY - CHAPTER 3

SECTION 304.1: GENERAL OFFICE SPACES ARE CLASSIFIED AS GROUP B BUSINESS OCCUPANCY.
SECTION 311.3 STORAGE AREA CLASSIFIED AS GROUP S-2

GENERAL BUILDING HEIGHTS AND AREAS – CHAPTER 5

TABLE 504.1 BUILDING HEIGHT AND NUMBER OF STORIES:

PER TABLE 504.3
ALLOWABLE HEIGHT ABOVE GRADE PLANE = 60 FEET
CALCULATED FROM CONST TYPE VB – SPRINKLED – OCCUPANCY B AND S
HEIGHT INDICATED = 41'-11"

PER TABLE 504.4
ALLOWABLE NUMBER OF STORIES ABOVE GRADE PLANE = 3 STORIES
CALCULATED FROM CONST TYPE VB – SPRINKLED – OCCUPANCY B
TOTAL NEW STORIES = 3 STORIES

PER TABLE 506.2
ALLOWABLE AREA FACTOR = 36,000 SF
CALCULATE FROM CONST TYPE VB – SI
NEW GROSS BUILDING AREA = 25,714 SF

LOWER LEVEL	7,043 GROSS SF
STREET LEVEL	6,937 GROSS SF
SECOND LEVEL	6,937 GROSS SF
THIRD LEVEL	6,937 GROSS SF

TYPES OF CONSTRUCTION- CHAPTER 6

EXISTING BUILDING CONSTRUCTION TYPE: V-B SPRINKLED

TYPE V-B CONSTRUCTION TYPE FIRE RESISTANT REQUIREMENTS – FROM TABLE 601

STRUCTURAL FRAME	0 HOURS
BEARING WALLS – INTERIOR	0 HOURS
NONBEARING WALLS – INTERIOR	0 HOURS
FLOOR CONSTRUCTION	0 HOURS

INTERIOR FINISHES - CHAPTER 8

SECTION 803 WALL AND CEILING FINISHES:
TABLE 803.13 INTERIOR WALL AND CEILING FINISH REQUIREMENTS BY OCCUPANCY
BUSINESS GROUP (B) SPRINKLED
ROOMS AND ENCLOSED SPACES:
CLASS C = FLAME SPREAD 76-200; SMOKE DEVELOPED 0-450

BUILDING EGRESS - CHAPTER 10

BUILDING OCCUPANT LOAD – FROM TABLE 1004.5
BUSINESS AREAS WITH AN OCCUPANT LOAD FACTOR OF 150 GROSS SQUARE FEET PER OCCUPANT.
STORAGE AREAS WITH AN OCCUPANT LOAD FACTOR OF 300 GROSS SQUARE FEET PER OCCUPANT.

BASED UPON AN ESTIMATE OF INDIVIDUAL SPACES WITHIN THE BUILDING AND THEIR CORRESPONDING OCCUPANT LOAD FACTORS, THE FLOOR OCCUPANT LOAD IS DETERMINED AS FOLLOWS:

GROSS BUILDING SQUARE FOOTAGE: 25,714 GROSS BUILDING AREA

LOWER LEVEL	7,043 GROSS SF	
STORAGE S-2:	4,903 SF / 300	= 17 OCCUPANTS
STREET LEVEL	6,937 GROSS SF	
BUSINESS GROUP B:	5,402 SF / 150	= 36 OCCUPANTS
SECOND LEVEL	6,937 GROSS SF	
BUSINESS GROUP B:	6,147 SF / 150	= 41 OCCUPANTS
THIRD LEVEL	6,937 GROSS SF	
BUSINESS GROUP B:	5,809 SF / 150	= 39 OCCUPANTS
TOTAL OCCUPANT:	133 OCCUPANTS	

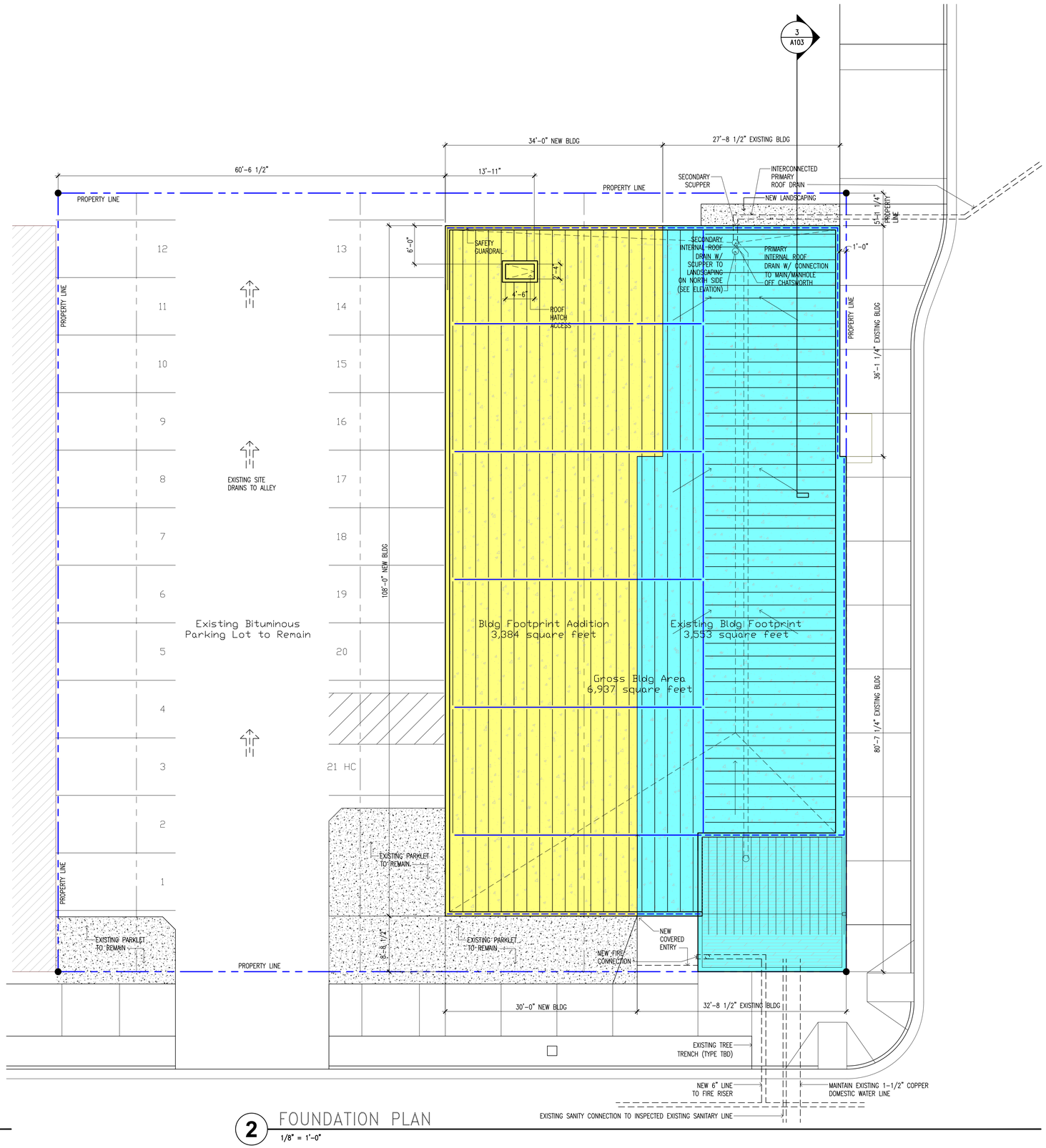
TOTAL EXISTING EGRESS CAPACITY: ONE (1) 72" AND ONE (1) 36"
108" / 0.15 = 720 OCCUPANTS MAXIMUM
PROPOSED DOORS ARE PROVIDED ARE MORE THAN THE 133 TOTAL OCCUPANTS.

COMMON PATH OF TRAVEL – SECTION 1014.3:
FULLY SPRINKLED BUSINESS OCCUPANCY THUS, 100'-0".
COMMON PATH OF TRAVEL DISTANCE WILL NOT BE EXCEEDED.

EXIT TRAVEL DISTANCE – SECTION 1016:
FULLY SPRINKLED BUSINESS OCCUPANCY THUS. 300'-0".
EXIT TRAVEL DISTANCE WILL NOT BE EXCEEDED.

ACCESSIBILITY – CHAPTER 11

ALL ELEMENTS AND SPACES WITHIN THE SCOPE OF THIS PROJECT WILL BE ACCESSIBLE TO PERSONS WITH PHYSICAL DISABILITIES.



1 CODE ANALYSIS

NO SCALE

2 FOUNDATION PLAN

1/8" = 1'-0"

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Site Plan
Utility Plan

Site Plan Review

Sheet

A003

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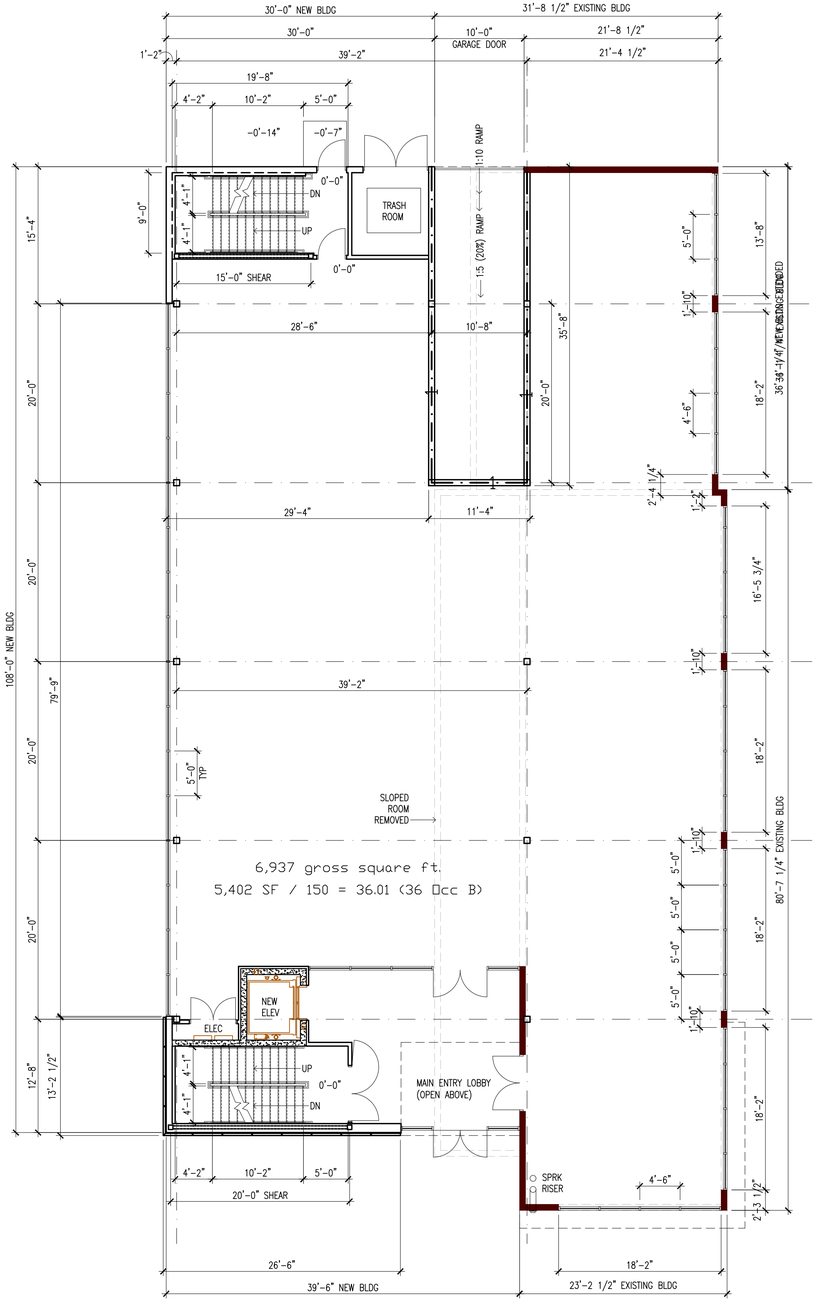
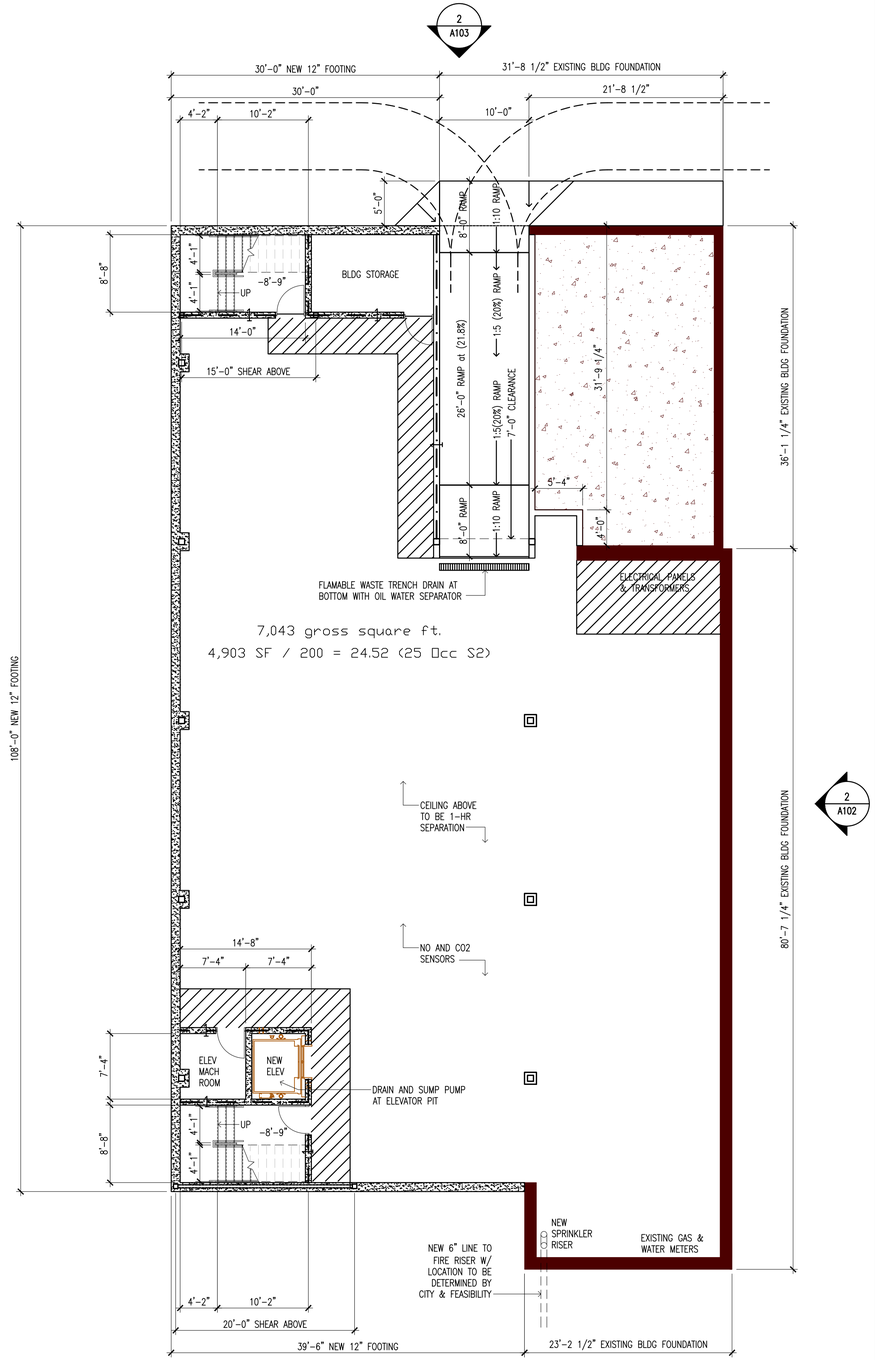


2 GROUND LEVEL PLAN

1/8" = 1'-0"

4 A102



1 LOWER LEVEL PLAN

1/8" = 1'-0"

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Lower Level and Ground Level Plans

Site Plan Review

Sheet

A100

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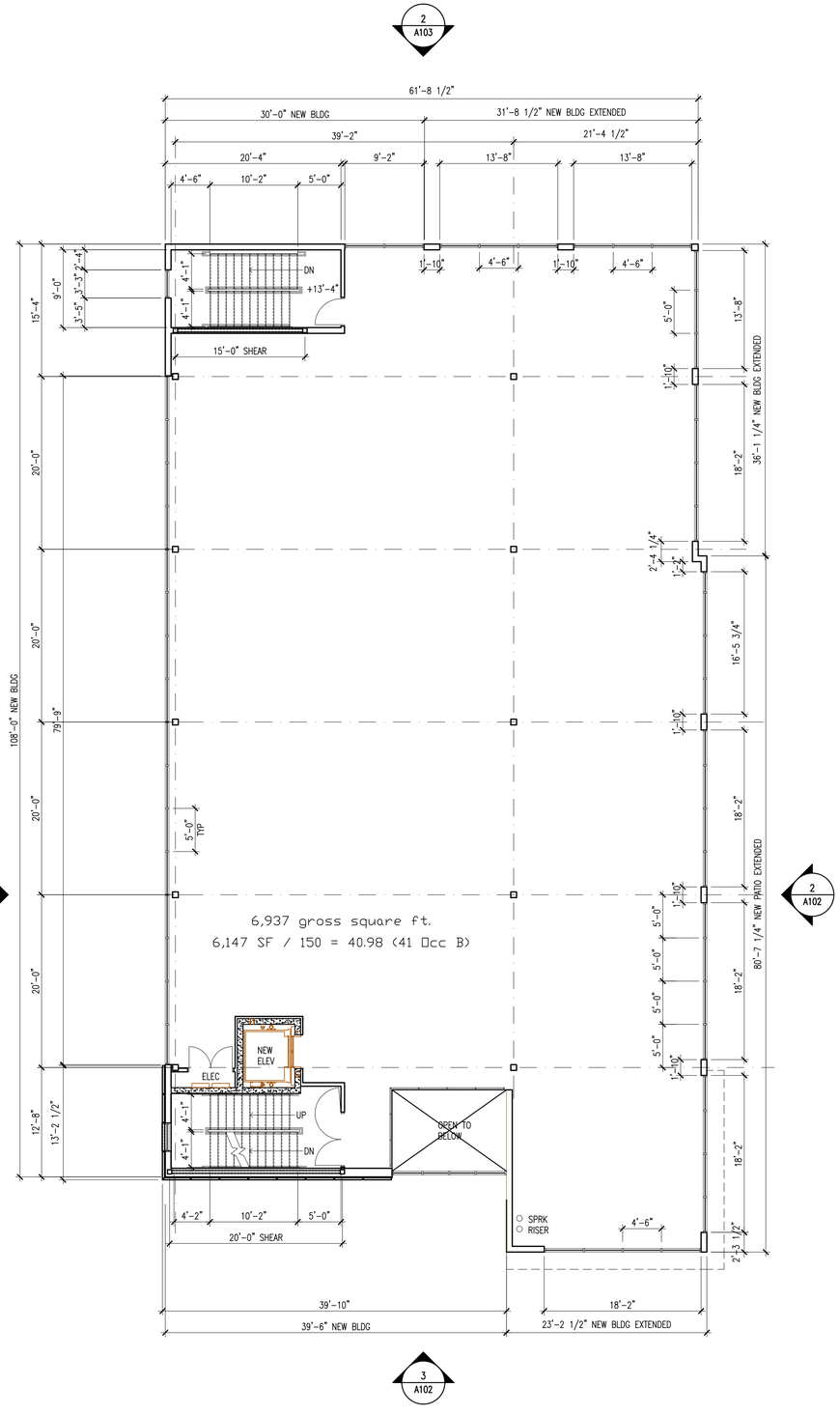
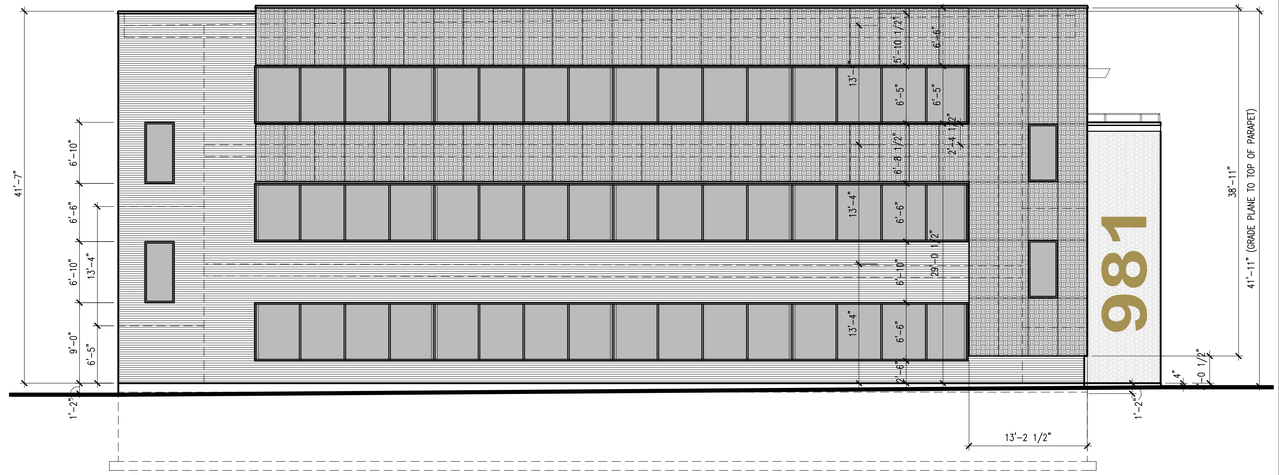
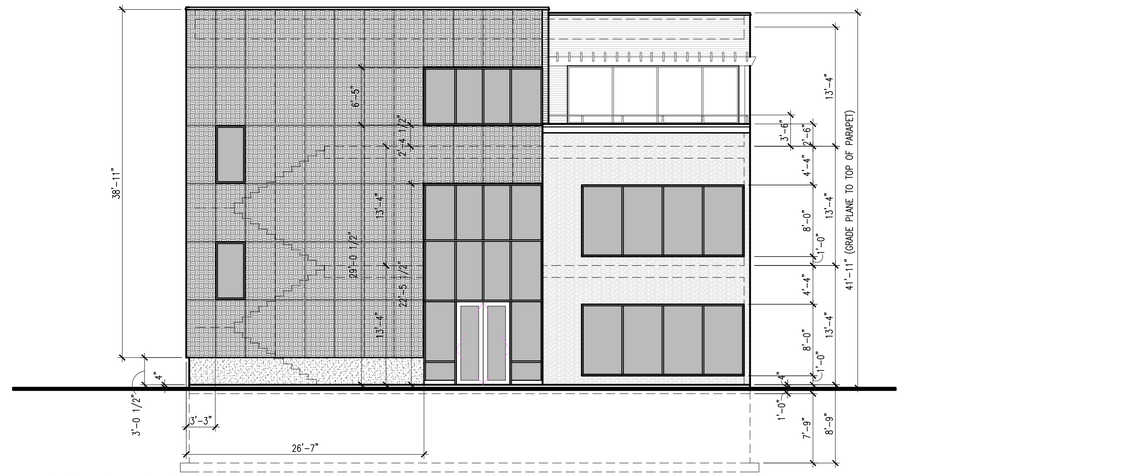


1 SECOND LEVEL PLAN
1/8" = 1'-0"



4 WEST ELEVATION
1/8" = 1'-0"



3 SOUTH ELEVATION
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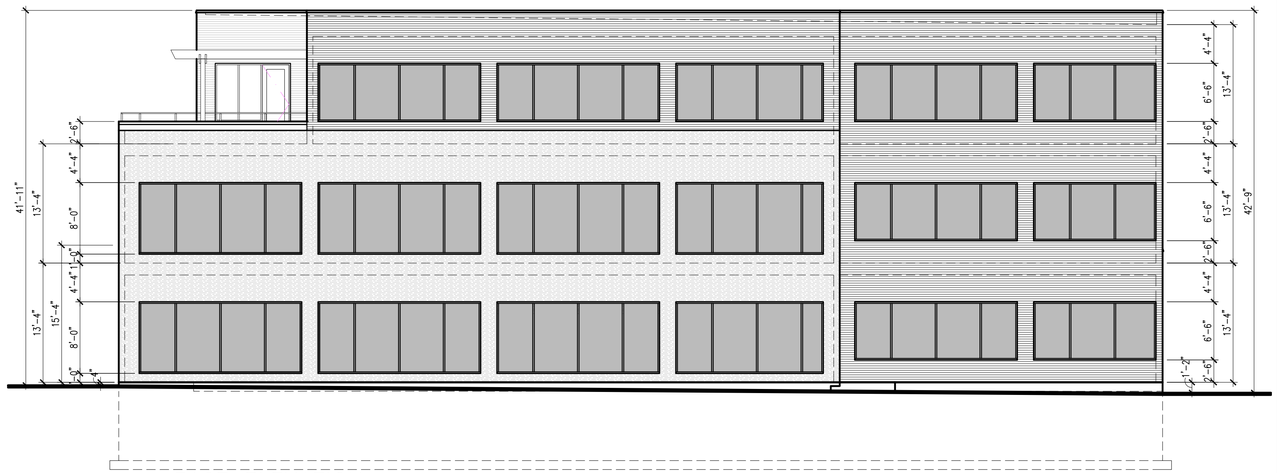

2 EAST ELEVATION
1/8" = 1'-0"

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Second Level Plan and Elevations

Site Plan Review

Sheet

A101

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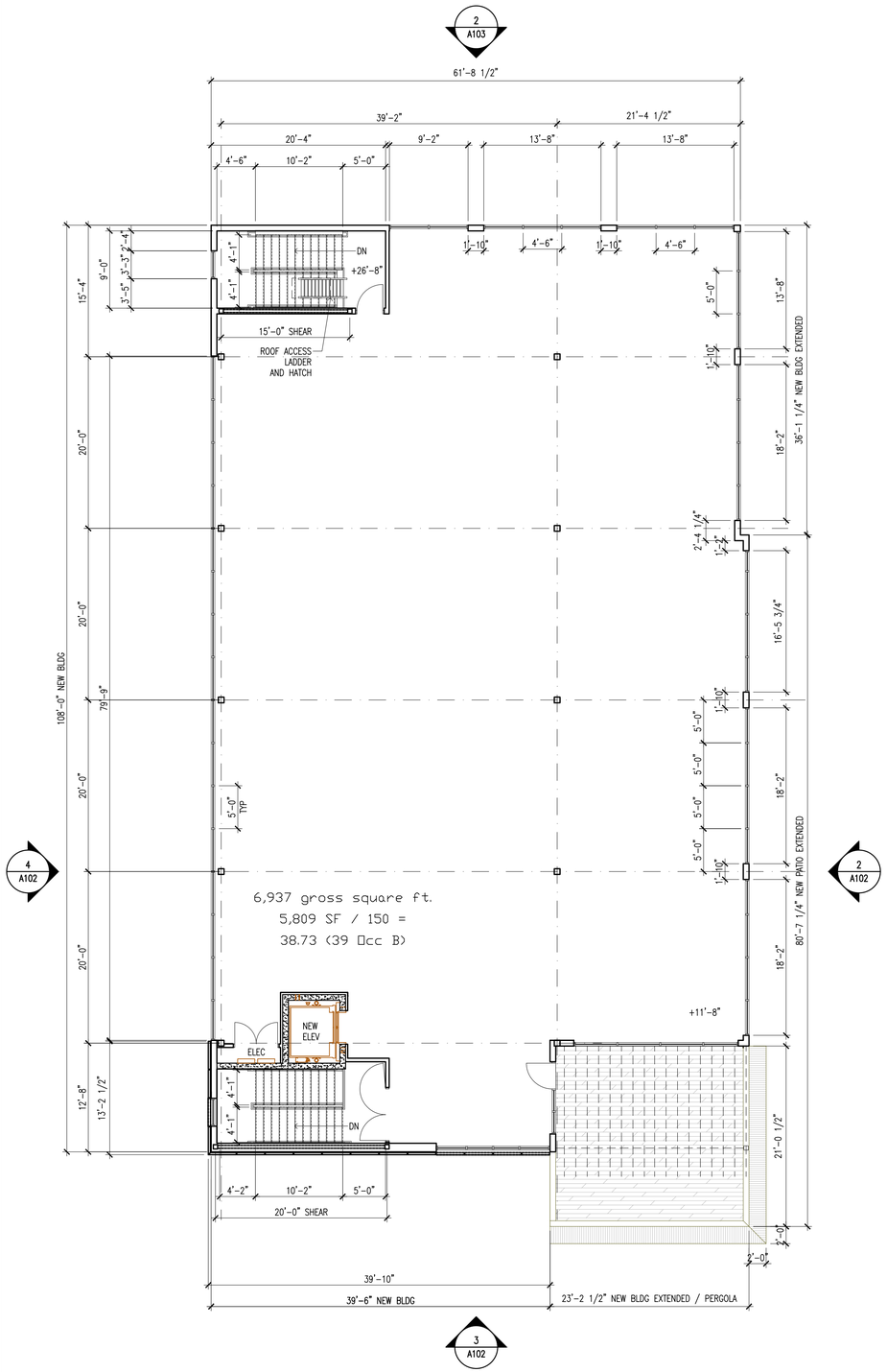
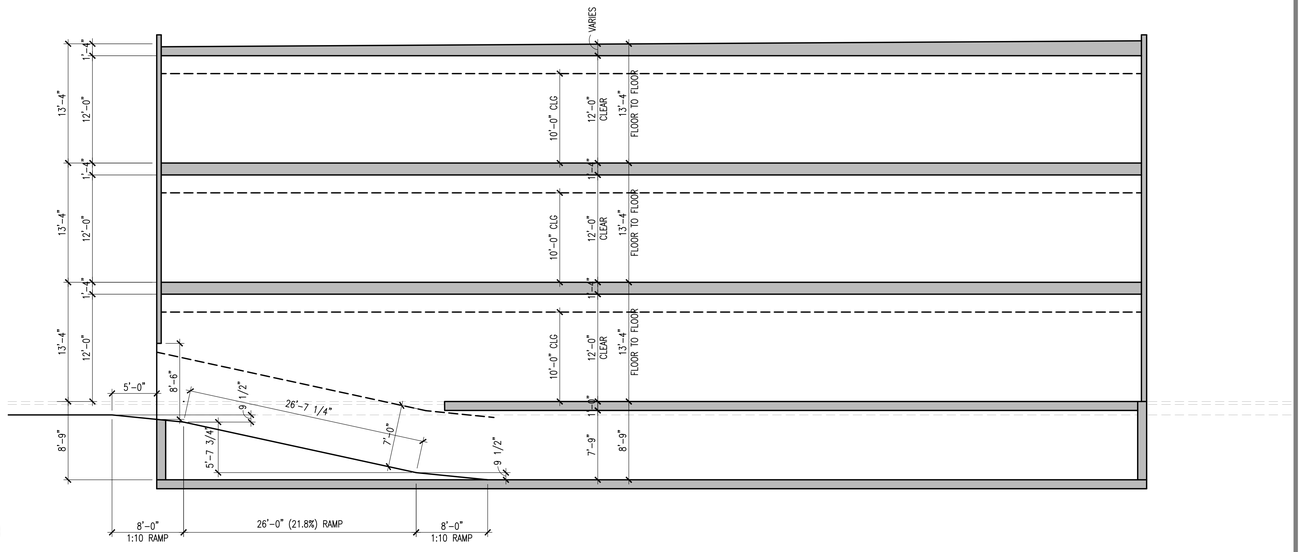


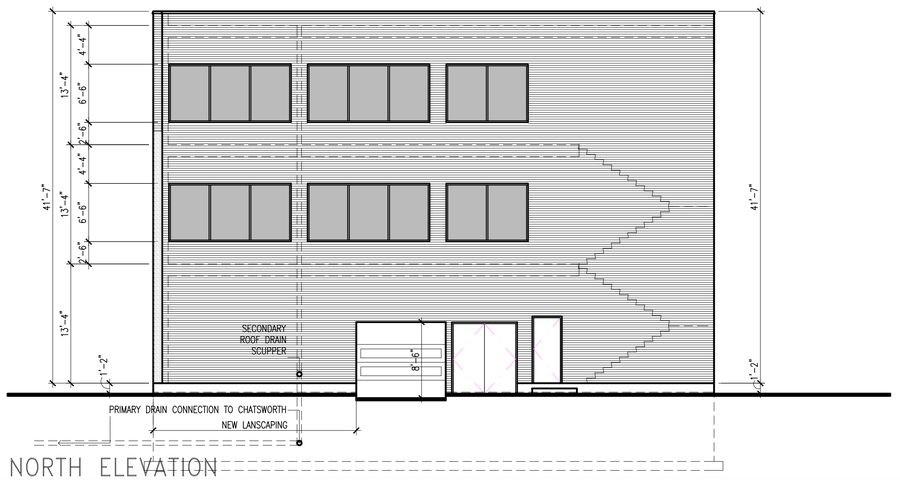
1 THIRD LEVEL PLAN

1/8" = 1'-0"



3 SECTION THRU RAMP

1/8" = 1'-0"



2 NORTH ELEVATION

1/8" = 1'-0"

kr design
Architectural Design | Interior Planning | Project Management
4921 Beard Avenue South | Minneapolis MN 55410 | 612.590.1513

981 University Ave
St. Paul, MN

Suntide
Commercial Realty
St. Paul, MN

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Revisions

NUMBER	ISSUE	DATE
06	City Site Plan Review	01/28/21
06	Prelim Review	01/27/21
05	City Site Plan Review	12/18/20
04	Prelim Review	08/12/20
03	Prelim Review	07/30/20
02	Prelim Review	07/09/20
01	Prelim Review	07/07/20

Sheet Information

Date	January 28, 2021
Scale	As Noted
Drawn	KRdesign

Title

Third Level Plan
Elevation & Section

Site Plan Review

Sheet

A102

NOT Issued for Construction

981 University Avenue existing building and parking lot (facing north)

981 University Avenue existing building (facing west)

981 University Avenue existing building and parking lot (facing south)

981 University building and parking lot (facing east)

981 University Avenue parking lot and curb cut to University Avenue

981 University Avenue parklet

North of 981 University Avenue – Parking lot across alley

East of 981 University Avenue – Mixed Use Building – Shear Pleasure hair salon with residential above

South of 981 University Avenue – Office/Commercial Building

West of 981 University Avenue – Multi-Tenant Commercial Building – Sunrise Plaza

FILE #21-216-956 | AERIAL MAP

Application of 981 U LLC

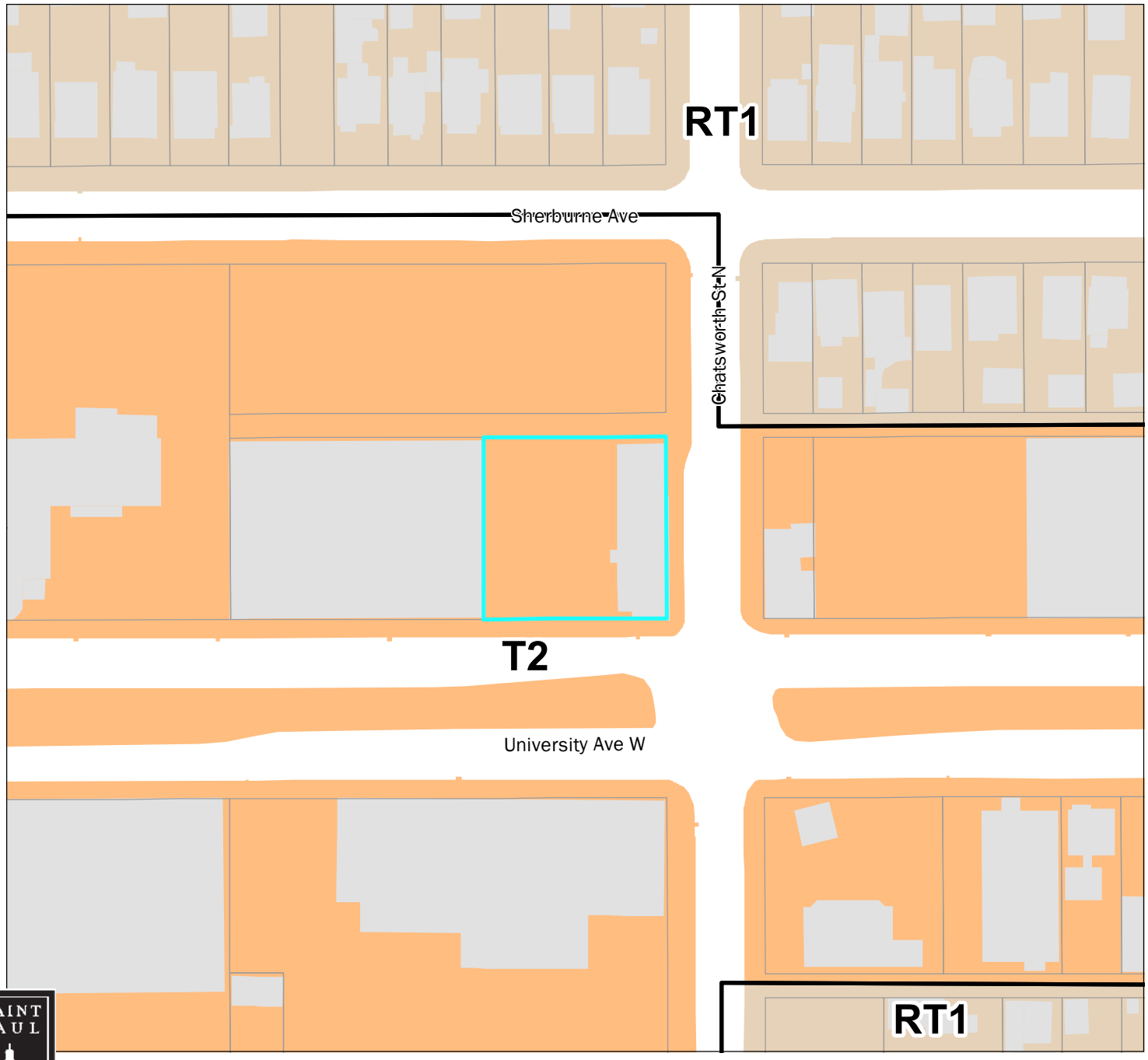
Application Type: CUP
Application Date: January 12, 2021
Planning District: 7

Subject Parcel(s) Outlined in Blue

Parcel Boundary

0 20 40 80 120 160 Feet

This document was prepared by the Saint Paul Planning and Economic Development Department and is intended to be used for reference and illustrative purposes only. This drawing is not a legally recorded plan, survey, official tax map or engineering schematic and is not intended to be used as such. Data sources: City of Saint Paul, Ramsey County, Metropolitan Council, State of Minnesota.



FILE #21-216-956 | ZONING MAP

Application of 981 U LLC

Application Type: CUP
Application Date: January 12, 2021
Planning District: 7

0 20 40 80 120 160 Feet

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Subject Parcel(s) Outlined in Blue

- Parcel Boundary
- RL One-Family Large Lot
- R1 One-Family
- R2 One-Family
- R3 One-Family
- R4 One-Family
- RT1 Two-Family
- RT2 Townhouse
- RM1 Multiple-Family
- RM2 Multiple-Family
- RM3 Multiple-Family
- T1 Traditional Neighborhood
- T2 Traditional Neighborhood
- T3 Traditional Neighborhood
- T3M T3 with Master Plan
- T4 Traditional Neighborhood
- T4M T4 with Master Plan
- OS Office-Service
- B1 Local Business
- BC Community Business (converted)
- B2 Community Business
- B3 General Business
- B4 Central Business
- B5 Central Business Service
- IT Transitional Industrial
- ITM IT with Master Plan
- I1 Light Industrial
- I2 General Industrial
- I3 Restricted Industrial
- F1 River Residential
- F2 Residential Low
- F3 Residential Mid
- F4 Residential High
- F5 Business
- F6 Gateway
- VP Vehicular Parking
- PD Planned Development
- CA Capitol Area Jurisdiction

SAINT PAUL

FILE #21-216-956 | LAND USE MAP

Application of 981 U LLC

Application Type: CUP
Application Date: January 12, 2021
Planning District: 7

0 20 40 80 120 160 Feet

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Subject Parcel(s) Outlined in Blue

- Parcel Boundary
- Farmstead
- Seasonal/Vacation
- Single Family Detached
- Manufactured Housing Park
- Single Family Attached
- Multifamily
- Office
- Retail and Other Commercial
- Mixed Use Residential
- Mixed Use Industrial
- Mixed Use Commercial and Other
- Industrial and Utility
- Extractive
- Institutional
- Park, Recreational or Preserve
- Golf Course
- Major Highway
- Railway
- Airport
- Agricultural
- Undeveloped
- Water