

city of saint paul  
planning commission resolution  
21-216-956  
February 19, 2021

WHEREAS, 981 U LLC, File # 21-216-956, has applied for a Conditional use permit for 42' 9" building height under the provisions of § 66.331(f) and § 61.501 of the Saint Paul Legislative Code on property located at 981 University Ave W, Parcel Identification Number (PIN) 352923230200, legally described as Lots 14-16 & E 8 ft. of Lot 13, Block 2, University Subdivision of Lots 1, 2, 3 & 8, Hyde Park; and

WHEREAS, the Zoning Committee of the Planning Commission, on February 11, 2021, 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 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 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*

moved by \_\_\_\_\_

seconded by \_\_\_\_\_

in favor \_\_\_\_\_

against \_\_\_\_\_

*approved by the city council. This condition is met.* The proposed development, *including the proposed height*, 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 *with the proposed height* 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 *with the proposed height* 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, *including the proposed height*, will not be detrimental to the existing character of development in the immediate neighborhood. The proposed use *with the proposed height* 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, *including the proposed height*, is consistent with and complementary to existing development in the area. The proposed use *with the proposed height* 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.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of 981 U LLC for a Conditional use permit for 44' building height at 981 University Ave W is hereby approved, 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.

