



**CITY OF SAINT PAUL**  
*Melvin Carter, Mayor*

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**Date:** March 5, 2021  
**To:** Zoning Committee of the Saint Paul Planning Commission  
**From:** Mike Richardson, City Planner  
**Subject:** Second Update on Zoning Case 21-225115, James and Lexington Apartments

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On February 11, 2021, the Zoning Committee considered zoning case number 21-225115, a conditional use permit application to increase building height and an application for yard variances around all four sides of a proposed multi-family building in an RM2 district at 1074-1096 James Avenue.

Following the close of the public hearing the Committee discussed the application, the staff report, and the testimony received and, based upon its discussion, the Committee moved to lay the matter over to its February 25, 2021 meeting. The purpose of the layover was to allow staff to engage with the Applicant to further discuss information provided during the hearing which might lead to changes in the project's design and to give any Committee member who might have more detailed questions about the project an opportunity to discuss those questions with staff. Because that engagement continued through the February 25 meeting, the Zoning Committee laid over the application once more to the March 11 meeting and the public hearing was reopened to consider testimony related only to changes to the project as described below.

The Applicant and staff have discussed the project multiple times since the February 11 Zoning Committee meeting. A summary of changes are as follows:

1. The Applicant agreed to reorient the building so that its front yard now faces Lexington Parkway instead of James Avenue. Reorientation will change the building's yard designations and therefore the required yard setbacks. A 25' minimum setback will now apply to the Lexington side of the building but the variance on the James side will be reduced.
2. The Applicant and staff worked to determine more precise height measurements, which reduced the height request and dependent side-yard setback requirements.
3. The Applicant has shifted the building to the eastern property line to increase the setback distance on Lexington Parkway.
4. Staff has revised its report and some recommendation based upon changes brought about by the building's reorientation, shift to the east, and updated measurements. See page 2 showing how findings are organized in the updated staff report.

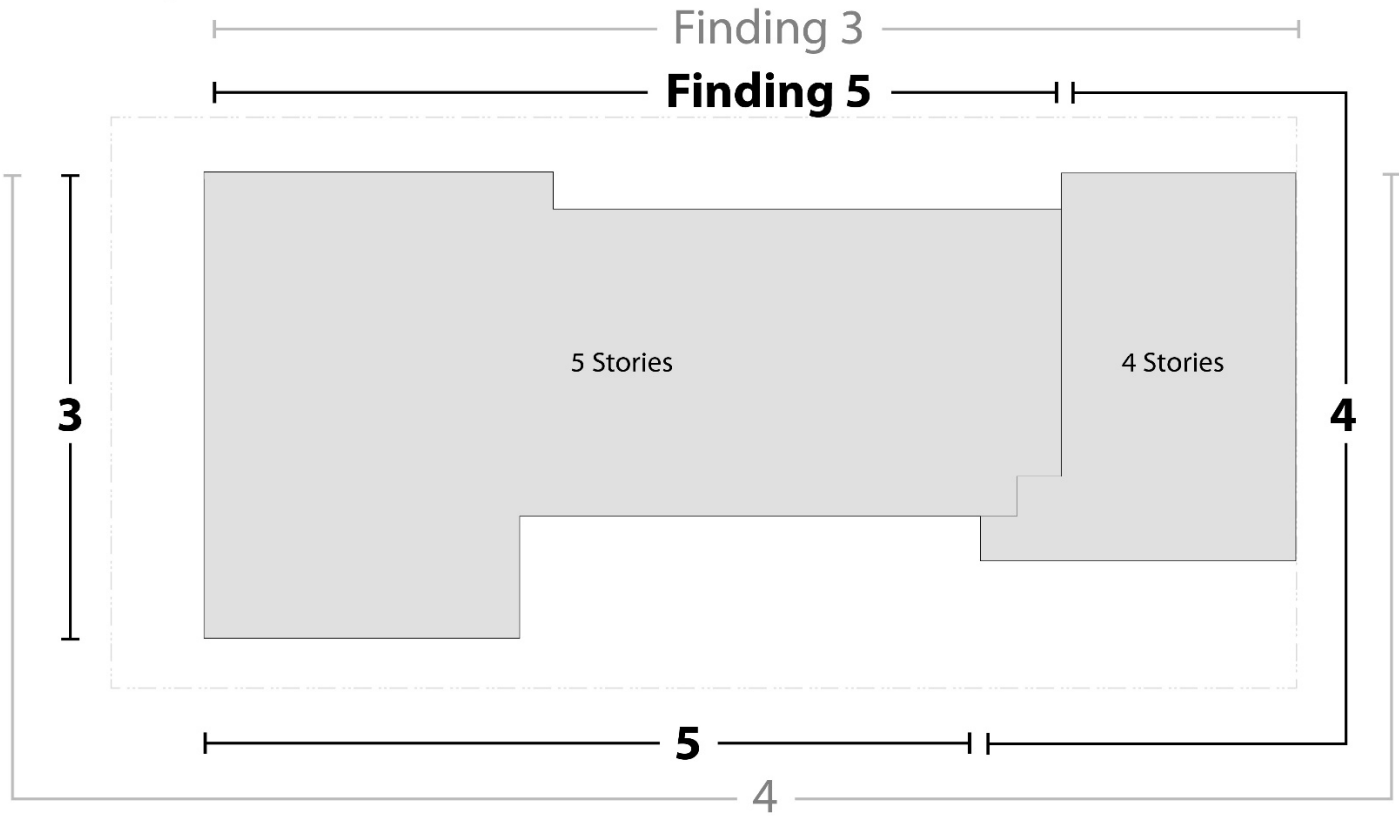
Because there was a change to the setback variances requested, public notice was sent for the March 11, 2021 meeting.

cc:  
Nicolle Goodman, PED Director  
Luis Pereira, Planning Director  
Chet Funk, Aleph Management

**STAFF FINDINGS LOCATION DIAGRAM**

2/11 Staff Report

3/11 Staff Report



## ZONING COMMITTEE STAFF REPORT

**FILE NAME:** James Avenue Apartments

**FILE #:** 21-225-115

**APPLICANTS:** Chet D Funk, Erich Leidel, Nathan Jameson      **HEARING DATE:** February 11, 2021; Laid over to March 11, 2021

**TYPE OF APPLICATION:** Conditional Use Permit & Variances

**LOCATION:** 1074 - 1096 James Ave, between Lexington Parkway and Interstate 35E

**PIN & LEGAL DESCRIPTION:** 11-28-23-23-0070, -0071, -0072, -0073, -0074, and -0075  
Michael & Robertson's Addition, Block 14, Lots 7 - 12

**PLANNING DISTRICT:** 14

**PRESENT ZONING:** RM2

**ZONING CODE REFERENCE:** §§ 61.501; 61.601; 66.231

**STAFF REPORT DATE:** February 4, 2021; *Updated March 5 & 11, 2021* **BY:** Mike Richardson

**DATE RECEIVED:** January 22, 2021 accepted      **60-DAY DEADLINE:** March 22, 2021  
(*Extended to May 20, 2021*)

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- A. **PURPOSE:** Conditional use permit for 65' 8" building height. Variances for front yard setback (25' minimum, 18 ft. proposed), rear yard setback (11' 9 1/2" minimum, 0' proposed), and side yard setbacks (north: 16' 10" minimum for tall portion, 10' proposed; 11' 9 1/2" minimum for short portion, 10' proposed; south: 16' 10" minimum, 10' proposed).
  - B. **PARCEL SIZE:** The application applies to six parcels bounded by Lexington Parkway to the west, James Avenue to the north, an Interstate 35E offramp to the east, and an alley to the south. The combined dimensions are approximately 240' by 112' deep, for a total area of approximately 26,880 square feet, or 0.62 acres.
  - C. **EXISTING LAND USE:** The current use on each of the six parcels is a one-family dwelling.
  - D. **SURROUNDING LAND USE:** West: one-family dwellings. North: a duplex and two one-family dwellings. East: Interstate 35E. South: multi-family and three one-family dwellings.
  - E. **ZONING CODE CITATION:** § 66.231 establishes dimensional standards for residential zoning districts. § 66.231(j) provides for a maximum building height of 75 feet with a conditional use permit in the RM2 district. § 61.501 lists general requirements for all conditional uses. § 61.601 authorizes the planning commission to grant variances subject to certain findings being met.
  - F. **PARKING:** Zoning Code § 63.207 requires a minimum of 94 parking spaces for the proposed new apartment building based on the unit count and reduction for bicycle parking; 95 are provided.
  - G. **HISTORY/DISCUSSION:** In June 2020 the applicants applied to rezone the subject six parcels from R4 to RM2. On July 24, 2020, the Planning Commission recommended approval of the rezoning and requested that site plan review for development on this property come to the Planning Commission for a public hearing and approval (Resolution 20-33). The City Council adopted Ordinance 20-27 approving the rezoning on September 2, 2020. On February 11, 2021, the Zoning Committee held a public hearing on this case and decided to lay it over twice until their March 11 meeting to allow the applicant and staff to work together to alleviate outstanding issues. The two main changes that emerged from those discussions were to reorient the building so that Lexington is the front and shift the building to the east property line to add front yard setback area along Lexington Parkway.

H. **DISTRICT COUNCIL RECOMMENDATION:** The Housing and Land Use Committee of the Macalester Groveland Community Council (District 14) voted to support the proposed building height and rear (south alley) variance at their January 27, 2021 meeting. While the plan presented as part of this application does not differ substantially from that discussed at District 14, side yard (west and east) setback variances were not discussed.

I. **FINDINGS:**

1. The six subject parcels were rezoned from R4 to RM2 in September of 2020. The applicants are proposing to demolish the six single family homes and build a five-story apartment building with structured parking. The project would take advantage of the recent RM zoning district text amendments and provide that at least at least ten (10) percent of new dwelling units are affordable at sixty (60) percent of the area median income for at least fifteen (15) years to allow a 0.5 increase in floor area ratio maximum.
2. § 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 not met. The future land use designation for this parcel is Urban Neighborhood and while the proposed density is high for that category, it is consistent with multi-family housing predominating along arterial and collector streets (note that the 2040 Comprehensive Plan was adopted on November 18, 2020 and resulted in a change to the future land use designation of the property from Mixed-Use Corridor as defined in the 2030 Comprehensive Plan to Urban Neighborhood). There are numerous policies in the 2040 Comprehensive Plan that support a higher-density multi-family development in this location, such as policy LU-1 for transit-supportive density near good bus service on Randolph and Lexington, policies LU-8 and LU-14 for efficient land use (the proposed building has two levels of underground parking), and policy LU-35 for multi-family housing along arterial streets (Lexington and Randolph). This is also a location where residents can meet many of their daily needs within walking distance to neighborhood retail and services at Randolph and Lexington and to the west along Randolph, and multi-family development here would support local businesses. However, Comprehensive Plan policy LU-34 addresses the need to providing a diversity of housing options “compatible with the general scale of Urban Neighborhoods.” While the proposed height is less than Montcalm Apartments (RM3 zoning district) on the west side of Lexington just south of Randolph, it is significantly greater than the general scale of other buildings in the immediate vicinity, especially to the north. This contrast is exacerbated by the requested variances that would allow the building to be constructed closer to the lot lines and adjacent single-family development.

Guidance in the Macalester Groveland (District 14) Community Plan is similar in that it encourages multi-unit development in mixed-use corridors (H2.5, LU1.2), but concerning height identifies a need for sensitivity to scale of the context in policies H1.5 and LU3.2, the latter of which calls for design standards that preserve “the traditional aesthetic appearance and appeal of the neighborhood with appropriate scale and mass to the surrounding buildings.”

- b. *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The proposed height itself will not impact traffic congestion or ingress or egress issues. However, circulation and traffic will be considered as part of the site plan review and approval process.

- 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 not met. The proposed project would not endanger health, safety, or general welfare. However, the additional height, especially where that height would be located on the lot with the requested variances, would be detrimental to the existing character of the much lower-scale development in the immediate neighborhood. The project does not respond to this adjacent lower scale but rather proposes to increase height and build it closer to adjacent development than is allowed by right.
  - 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 project would not impede development of neighboring properties.
  - 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 subject to variances considered as part of this application.
3. Zoning Code § 66.231 requires a minimum front yard setback of 25 feet in the RM2 district. The application proposes a setback of 18 feet from Lexington Parkway. § 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 variance is in harmony with the general purposes and intent of the zoning code.* This finding is met. The proposed 18-foot front yard setback along Lexington Parkway is in harmony with the general purposes and intent of the zoning code “to promote and to protect the public health, ... aesthetics ... and general welfare of the community...” An 18-foot front yard setback would allow light, air, privacy and access to surrounding properties. The variance would not conflict with the intent of the RM2 zoning district: “[t]he RM2 medium-density multiple-family residential district is designed for multiple-family residential and supportive, complementary uses. Its intent is to foster and support pedestrian- and transit-oriented residential development and provide for infill housing to meet a variety of housing needs.” The 30’ alley to the east is significantly wider than the standard alley width of 20’. The western 15’ (approximate) of the right of way is turf and trees that appears similar to private rear yards in most other cases. It may be possible to vacate a portion of the alley, which would allow a shift of the building to the east which would reduce or eliminate the need for a front yard setback variance.
  - b. *The variance is consistent with the comprehensive plan.* This finding is met. Compatibility with scale per LU-34 is met due to its location on Lexington Parkway and Randolph Avenue corridors and the RM2 zoning district on the south side of the block, all of which have a variety of scales and setbacks consistent with the proposal. The building is built into the hill, reducing the effective height of the west facade.
  - c. *The applicant has established that there are practical difficulties in complying with the provision; that the property owner proposes to use the property in a reasonable manner not permitted by the provision. Economic considerations alone do not constitute practical difficulties.* This finding is met. The applicant has demonstrated that due to the space needed to meet minimum parking requirements, the footprint of the lower levels cannot be reduced to meet the setback requirement and the building has been shifted as far to the east as possible to maximize the front yard setback on Lexington Parkway. The property owner proposes to use the property in a reasonable manner as a multiple-family apartment building.

- d. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.* This finding is not met. The applicant cites steep slopes on both axes and the jog on James Avenue as circumstances unique to the property and not created by the property owner. Both of those conditions are present, but the applicant has not demonstrated a relationship between a significant slope and a need to vary from the provision of the zoning code for a 25' front yard setback from Lexington Parkway.
  - 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. Multiple-family residential is a permitted use in the RM2 multiple family zoning district and the proposed variance does not impact that use.
  - f. *The variance will not alter the essential character of the surrounding area.* This finding is met. There is a range of building types, scales, and setback distances in the surrounding area. An 18' setback from Lexington Parkway would increase the existing setback distance by approximately 10'. The building on the south side of the block is built to the Lexington Parkway right-of-way line.
4. Zoning Code § 66.231 requires minimum rear and side yard setbacks of 9' in the RM2 district. § 66.231(k) requires that for portions of a building over 50' in height, the minimum side and rear setbacks shall be 9' plus half the building height over 50'. § 60.203, in the definition of *building height*, states that where a building is located on sloping terrain the height is measured from the average grade at the building wall. 11' 9 1/2" minimum side and rear yard setbacks are required for the 4-story eastern portion of the building. The application proposes a 0' rear (east) setback and a 10' north side setback for the 4-story eastern portion of the building. A variance for the south side of the 4-story portion of the building is not required. § 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 variance is in harmony with the general purposes and intent of the zoning code.* This finding is met. The east facade faces an alley and interstate off ramp, and the building is stepped down one floor to help mitigate any impact from a building on this sloping site. The variance is also mitigated by the significant distance to the nearest buildings to the north, and there are no buildings between the site and Interstate 35E to the east. In addition, the 30' alley to the east is significantly wider than the standard alley width of 20'. The western 15' (approximate) of the right of way is turf and trees that appears similar to private rear yards in most other cases. It may be possible to vacate a portion of the alley, which would allow a shifting of the building to the east and/or larger rear and front yards. The proposed variances of the rear and side yard setbacks would not conflict with the general intent of the zoning code, nor would it conflict with the intent of the RM2 zoning district: "[t]he RM2 medium-density multiple-family residential district is designed for multiple-family residential and supportive, complementary uses. Its intent is to foster and support pedestrian- and transit-oriented residential development and provide for infill housing to meet a variety of housing needs."

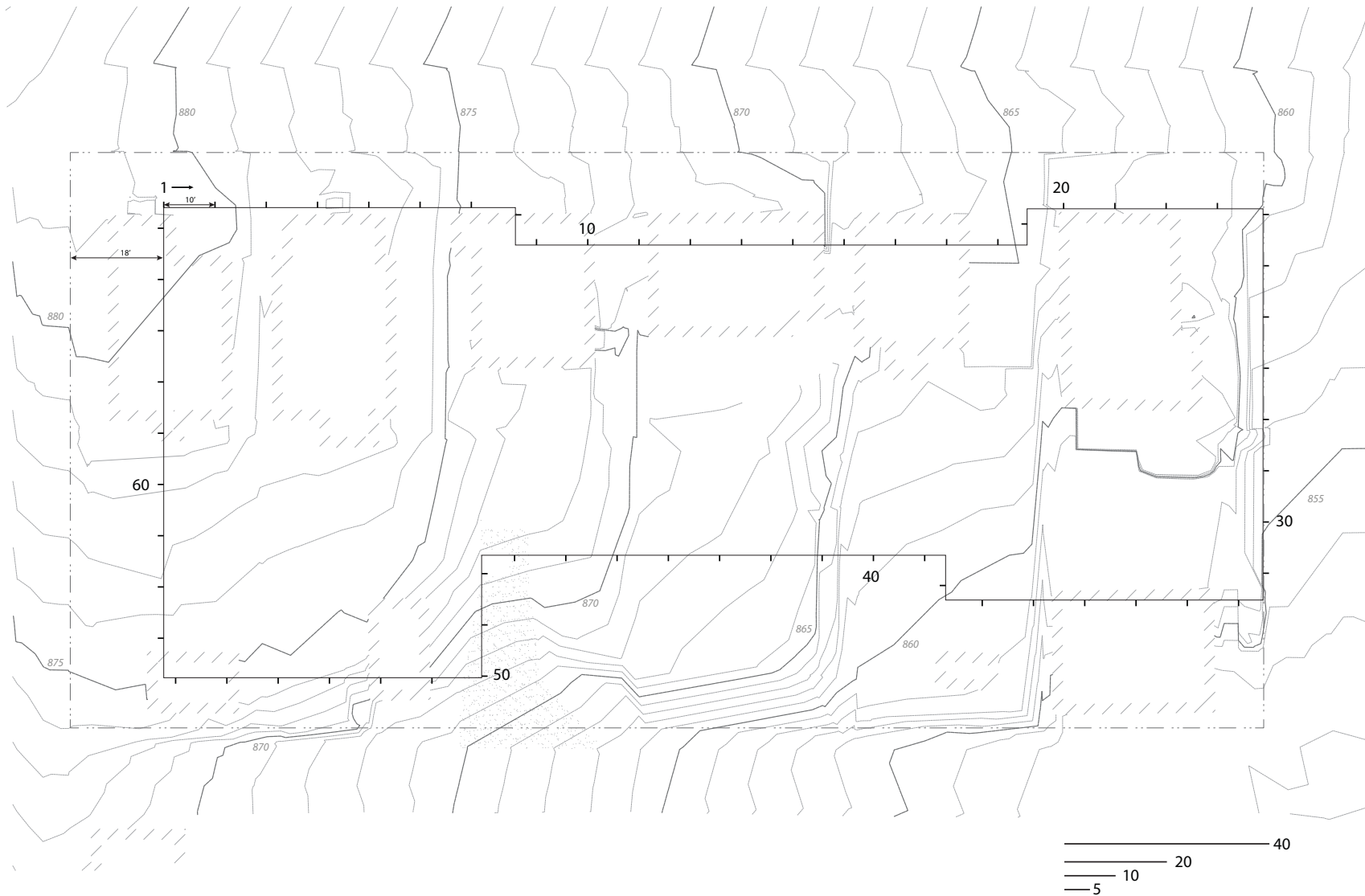
- b. *The variance is consistent with the comprehensive plan.* This finding is met. The building and variances are consistent with policy LU-5 to “encourage flexible building design to ensure ongoing functionality and viability, and respond to new market opportunities.” These relatively small variances help provide for a full 4<sup>th</sup> floor and enough additional density to subsidize the provision of some affordable dwelling units in the building, consistent with Housing Chapter Policy H-16 which calls for an increase in housing choice across the city to support economically diverse neighborhoods and H-31 supporting the development of new affordable housing units throughout the city.
- c. *The applicant has established that there are practical difficulties in complying with the provision; that the property owner proposes to use the property in a reasonable manner not permitted by the provision. Economic considerations alone do not constitute practical difficulties.* This finding is met. The proposed 4-story eastern portion of the building is a reasonable use of the property. The substantial slope of the property, measurement of building height from the average grade, and increased setback requirements based on the resulting greater measured building height creates practical difficulties. The applicant has also demonstrated that compressing the footprint of the building is not possible due to minimum requirements for parking stall count and dimensions.
- d. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.* This finding is met. The east side of the property is unique in that it is adjacent to a series of significant rights-of-way, including an alley that is 10' wider than the standard alley width, with a street and MnDOT right-of-way beyond that. The alley ROW along the east side of the property, between the property and the street, is located where the rear yard would more normally be. Vacation of a portion of the ROW is likely to be pursued. With alley vacation, it would be possible to reduce or eliminate the need for a rear setback variance.
- 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. Multiple-family residential is a permitted use in the RM2 multiple family zoning district and the proposed variance does not impact that use.
- f. *The variance will not alter the essential character of the surrounding area.* This finding is met. The proposed rear and side yard setback variances for the 4-story eastern portion of the building that is stepped down one floor from the rest of the building and faces an alley and interstate off ramp would not alter the essential character of the surrounding area.

5. Zoning Code § 66.231 requires minimum side yard setbacks of 9' in the RM2 district. § 66.231(k) requires that for portions of a building over 50' in height, minimum side setbacks shall be 9' plus half the building height over 50'. § 60.203, in the definition of *building height*, states that where a building is located on sloping terrain the height is measured from the average grade at the building wall. 16' 10" minimum side yard setbacks are required for the 5-story portion of the building, the roof deck of which is 65' 8" above average grade at the building wall. The application proposes 10' side setbacks for the 5-story portion of the building. § 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:
- The variance is in harmony with the general purposes and intent of the zoning code.* This finding is met. The roof surface is about 53' above grade at the west end of the building; a side setback requirement based on that (rather than height above average grade for the entire building) would be 10' 6". The impact of a variance to permit 10' side setbacks for the 5-story portion of the building is mitigated by the significant distances to the nearest buildings to the north and south, which are separated from the site by a street on the north and an alley on the south. The wall of the central part of the building (where the grade is lower) is set back further to about 16' from the north property line and 33' from the south; this is within one foot of the setback required based on the height of the building above average grade for the north and is set back further than is required in the middle of the south side of the building. This articulation in the middle of the 5-story part of the building mitigates the impact of the variance.
  - The variance is consistent with the comprehensive plan.* This finding is met. The building and variances are consistent with policy LU-5 to "encourage flexible building design to ensure ongoing functionality and viability, and respond to new market opportunities." The variance provides for a fifth floor and enough additional density to subsidize the provision of some affordable dwelling units in the building, consistent with Housing Chapter Policy H-16 which calls for an increase in housing choice across the city to support economically diverse neighborhoods and H-31 supporting the development of new affordable housing units throughout the city.
  - The applicant has established that there are practical difficulties in complying with the provision; that the property owner proposes to use the property in a reasonable manner not permitted by the provision. Economic considerations alone do not constitute practical difficulties.* This finding is met. The proposed 5-story portion of the building, which is just slightly more than 50' above grade at the west end of the building and is set back about 16' from the north property line in the central part of the building where the grade is lower, is a reasonable use of the property. The substantial slope of the property, measurement of building height from the average grade of the entire building, and increased setback requirements based on the resulting greater measured building height creates practical difficulties.
  - The plight of the landowner is due to circumstances unique to the property not created by the landowner.* This finding is met. The steep slope and 20-foot grade change over the length of the proposed building are circumstances unique to the property.
  - 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. Multiple-family residential is a permitted use in the RM2 multiple family zoning district and the proposed variance does not impact that use.

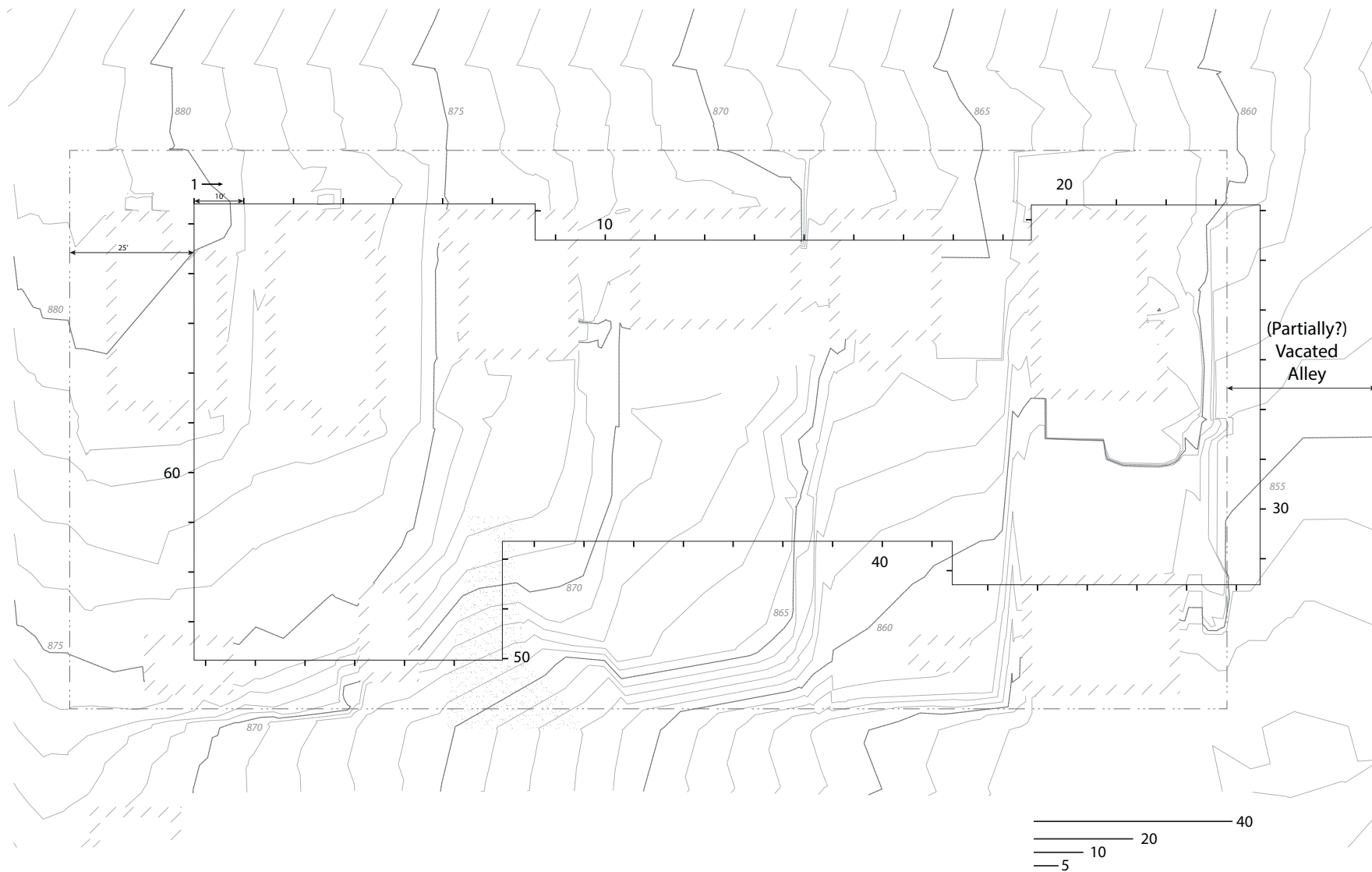


- f. *The variance will not alter the essential character of the surrounding area.* This finding is met. The proposed side yard setback variances for the 5-story portion of the building, which is just slightly more than 50' above grade at the west end of the building, is set back about 16' from the north property line in the central part of the building where the grade is lower and 33' from the south, and is adjacent to RM2 zoning along the Randolph corridor to the south, would not alter the character of the surrounding area.

- J. **STAFF RECOMMENDATION:** Based on findings 2a, 2c, and 3d, staff recommends denial of the conditional use permit for 65' 8" building height and variance for the front yard setback (25' minimum, 18 ft. proposed). Staff recommends approval of variances for rear yard setback (11' 9 1/2" minimum, 0' proposed), and side yard setbacks (north: 16' 10" minimum for tall portion, 10' proposed; 11' 9 1/2" minimum for short portion, 10' proposed; south: 16' 10" minimum, 10' proposed).



West Positioning	
Hash #	Elev.
1	881
2	880.3
3	878.8
4	878.1
5	877.5
6	876.6
7	874.9
8	874.5
9	874
10	872
11	871.5
12	871
13	870.7
14	870.3
15	867.5
16	866.7
17	866
18	865.3
19	864.6
20	862.8
21	862
22	861.6
23	861.2
24	859.5
25	858.4
26	857.7
27	856.9
28	856.1
29	855.7
30	855.2
31	855
32	855
33	856
34	856.5
35	857
36	859
37	859.7
38	860.2
39	860.7
40	861.4
41	864.9
42	866.1
43	867.7
44	868.3
45	869.7
46	871.4
47	871.5
48	871.5
49	869.3
50	867.2
51	869.2
52	871
53	873.8
54	874.4
55	875
56	875.1
57	875.7
58	876.8
59	877.4
60	878.2
61	879.3
62	879.5
63	879.8
64	880.2
65	880.7
AVERAGE: 868.3	



East Positioning	
Hash #	Elev.
1	880.5
2	879
3	878.3
4	877.9
5	877
6	875.1
7	874.6
8	873.8
9	872.1
10	871.7
11	871
12	870.8
13	870.4
14	869
15	867
16	866
17	865.4
18	864.4
19	862.9
20	862.3
21	861.8
22	861.3
23	860.3
24	858.8
25	857.9
26	857.3
27	856.7
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35	858
36	859
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45	868.6
46	870.6
47	871.3
48	871
49	868.8
50	866.6
51	867.5
52	870
53	872.2
54	874.1
55	874.5
56	875
57	875.5
58	876.2
59	877
60	878
61	879.1
62	879.4
63	879.7
64	879.9
65	880.5
AVERAGE: 867.8	



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**March 3, 2021**

## **PROJECT DESCRIPTION**

***The project site is at the south east edge of the Macalester Groveland Neighborhood in Saint Paul. It is located one block north of the Trader Joe's Grocery Store on Randolph and Lexington Avenue, on James Avenue between Lexington and the exit from highway 35E. The proposed project will replace six different properties which are existing today on the south side of James Avenue starting at the south east corner of the Lexington and James Avenue crossing.***

***This project had a CUP and Variance application which was submitted on January 22, 2021 and was discussed at the Zoning Committee meeting that was held on February 11, 2021. In this meeting, the commissioners, staff, the applicant and DJR had a long discussion over the will to have this development approved, and it was decided to delay the decision in meaning to allow staff and the applicant to collaborate and resubmit an application that would recommend an approval of the project. Over the last three weeks, staff, the applicant and the DJR had few discussions over this topic and agreed to revise some of the approaches that were previously taken. The conclusions are described below:***

- ***The front of the building, which was previously James Avenue, would be revised to Lexington Avenue, which would require a twenty-five (25') setback from the Western property line.***
- ***The building would be (pushed) placed on the Eastern property line.***
- ***The average height of the building would be recalculated.***
- ***A new set of variances would be requested along with a revised CUP for height, see below.***

### ***Revised Setback Variances needed:***

- ***North - 16'-10" required - 10'-0" proposed***
- ***South - 16'-10" required - 10'-0" proposed***
- ***East - 11'-9.5" required - 0'-0" proposed***
- ***West - 25'-0" required - 18'-0" proposed***

### ***Revised CUP for height needed:***

- ***Required height 50'-0" - 65'-8" proposed***

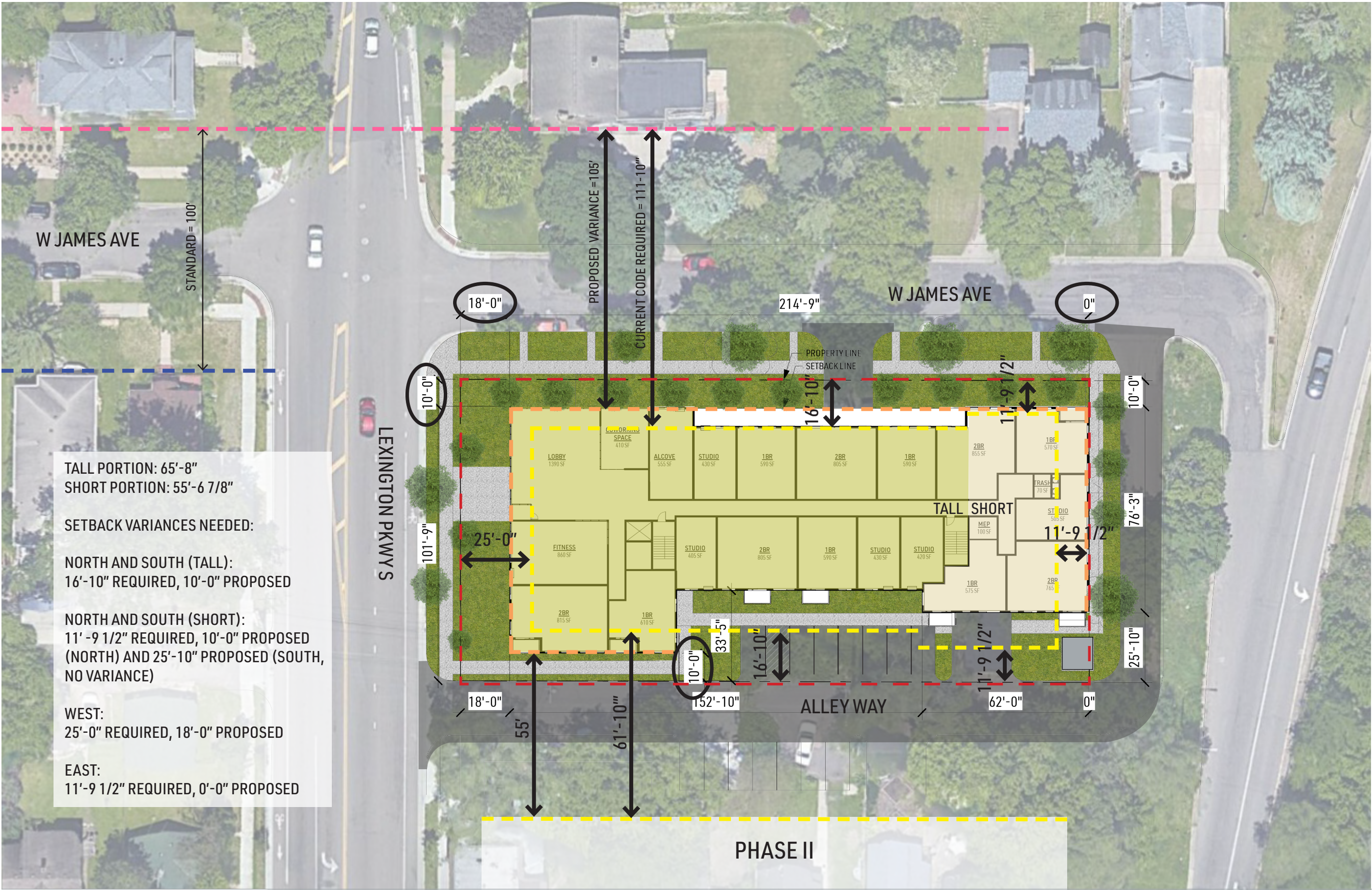
***The proposed building did not change and will have four and a half levels totaling in ninety-one (91) residential units. The first four levels will be all residential units and an additional fifth half level will have thirteen residential units and some common areas. Access to a roof deck that would be a shared common space for the buildings tenants is from the fifth level. There are two additional parking garage levels with two different entries, one from the alleyway and the other from James Avenue. The combined parking total will have eighty-eight (88) covered parking spaces and seven (7) additional surface parking. Large windows will be provided for all units. Landscape improvements will include a sidewalk along James Avenue and the Alleyway as well as the east side of the alley leading back to James Avenue.***

***Staff, applicant and DJR had conversations about comments were made previously, in meaning to test the possibility of reducing building mass. We found that in meaning to meet minimum parking requirements and driving isle circulation, the size of the parking ramp cannot be reduced.***

***Also as discussed previously, this project will include 10% affordable housing at 60% AMI to take advantage of a code-allowed increase of FAR to 2.75. It also seeks for a front and rear setback variance as well as a Conditional use permit for height in meaning to achieve a more desirable scale of the building that would allow more density to and urban and transit-oriented neighborhood.***

***We would like to note that DJR, the applicant and staff with the assistance of the city of Saint Paul's senior planner, Allan Torstenson, had few long and thorough conversations in regard to this proposal and the Zoning Committee comments and we are excited to move on with the proposed building as we strongly believe that it is supports and enhances the vision of the 2040 Comprehensive Plan.***





VARIANCE REQUESTS

Maintaining legacy setbacks would allow the block to maintain its current spacing properties all the while all maximizing land usage and facilitating the ADA access from the street level to the main entrance of the building.

KEY

- PROPERTY LINE
- RM2 CODE REQUIRED SETBACK
- STANDARD SETBACK
- NORTH SIDE OF JAMES SETBACK
- PROPOSED SETBACK
- PROPOSED TRANSFORMER
- TALL PORTION OF BUILDING (65'-8")
- SHORT PORTION OF BUILDING (55'-6 7/8")



1074-1096 James Avenue

Saint Paul, Ramsey County, Minnesota 55105

DJR Architecture, Inc.

333 Washington Avenue North, Suite 210, Minneapolis, MN 55401

PROJECT

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

RORY L. SYNSTELIEN  
DATE 11-6-2020 LICENSE NO. 44565

QA/QC
FIELD CREW DOOT
DRAWN BY CJ
REVIEWED BY RS
UPDATED BY

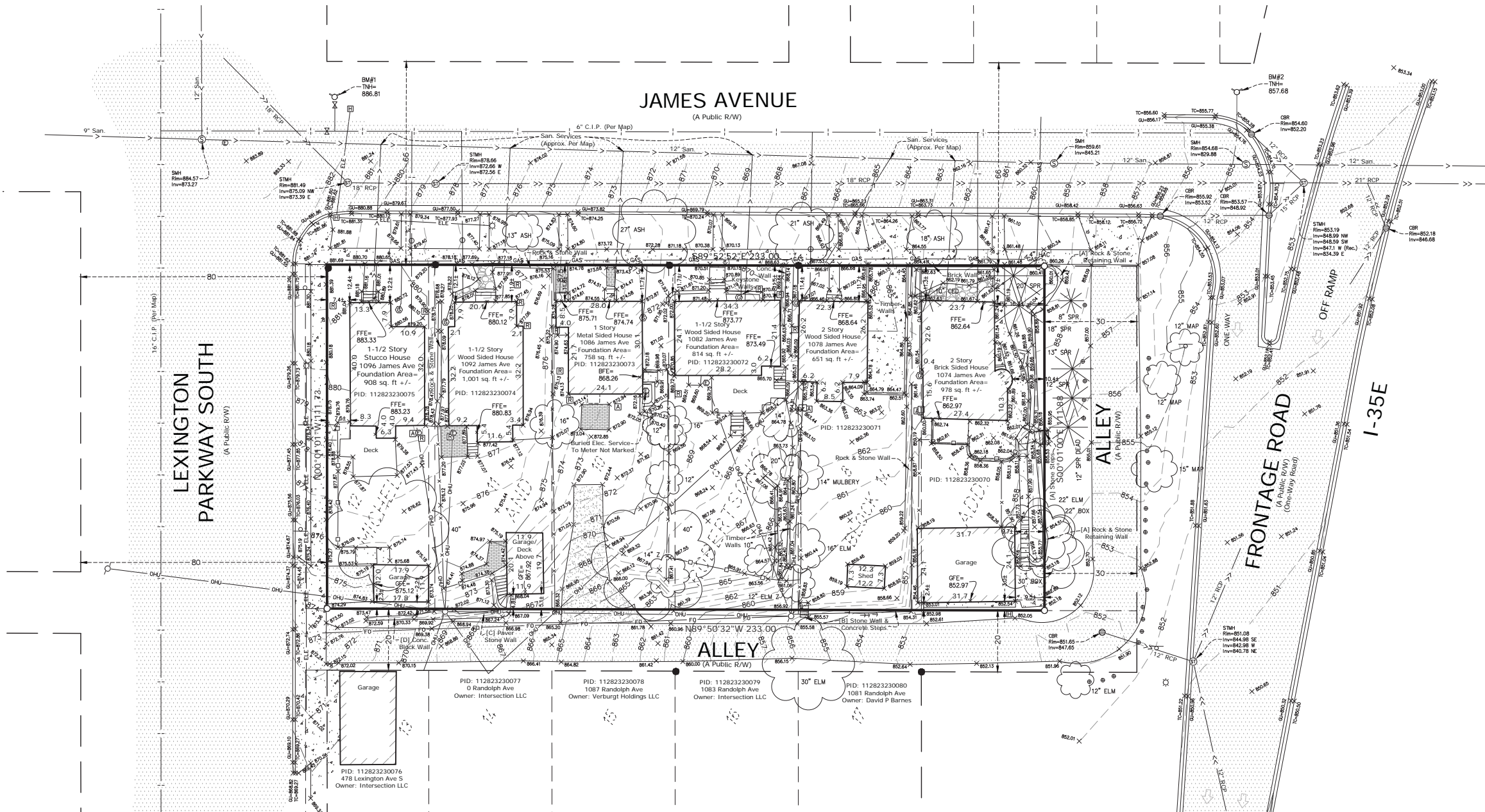


REVISION SUMMARY	
DATE	DESCRIPTION

PROJECT NO. 20310

ALTA/NSPS LAND  
TITLE SURVEY

V1.0



DESCRIPTION OF PROPERTY SURVEYED

Lots 7 through 12, Block 14, MICHEL AND ROBERTSON'S ADD., according to the recorded plat thereof, Ramsey County, Minnesota. Abstract and Torrens Property

ALTA/NSPS Land Title Survey Notes  
(numbered per Table A)

- Bearings are based on the Ramsey County Coordinate System (1986 Adjustment).
- Site Address: 1074, 1078, 1082, 1086, 1092, and 1096 James Avenue, St. Paul, MN 55105.
- This property is contained in Zone X (area determined to be outside the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27123C0092G, effective date of June 6, 2010.
- The Gross land area is 26,051 +/- square feet or 0.598 +/- acres.
- Elevations are based on the NGVD 29 datum. Site Benchmarks are as follows:
  - Top nut of the fire hydrant located at the NE quadrant of the intersection of James Ave and Lexington Pkwy S. Elevation = 886.81.
  - Top nut of the fire hydrant located at the N side of the intersection James Ave and the Frontage Rd. Elevation = 857.68.
- We have not been provided with an official zoning letter/report at the time of this survey. Please note that the general restrictions for the subject property may have been amended through a city process. We could be unaware of such amendments if they are not in a recorded document provided to us. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site.
- We did not observe parking stripes on the subject property.
- We have shown the location of utilities to the best of our ability based on observed evidence together with evidence from the following sources: plans obtained from utility companies, plans provided by client, markings by utility companies and other appropriate sources. We have used this information to develop a view of the underground utilities for this site. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Also, please note that seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property.
- The names of the adjoining owners of the platted lands, as shown hereon, are based on information obtained from the Ramsey County GIS Property Map.

SURVEY REPORT

- This map and report was prepared with the benefit of a Commitment for Title Insurance. The property description may or may not be the current description of record. There may be easements or other matters of record we are unaware of and thus not shown hereon.
- Conflicts such as (but not limited to): encroachments, protrusions, access, occupation, and easements and/or servitudes:
  - Rock and stone retaining wall and stone steps appear to encroach onto the Alley right of way as shown hereon along the east line of 1074 James Avenue.
  - Stone wall and concrete steps appear to encroach onto the Alley right of way as shown hereon along the south line of 1078 James Avenue.
  - Paver stone wall appears to encroach onto the Alley right of way as shown hereon along the south line of 1092 James Avenue.
  - Concrete block wall appears to encroach onto the Alley right of way as shown hereon along the south line of 1096 James Avenue.

ALTA CERTIFICATION

To: Owner; Buyer: Bank; and Title Company:

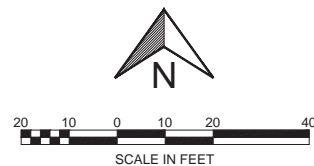
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6, 8, 9, 11, and 13 of Table A thereof. The field work was completed on 11-5-2020.

Dated this 6th day of November, 2020.

Rory L. Synstelién

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Linetype & Symbol Legend

FO	FIBER OPTIC	①	SIGN	□	AIR CONDITIONER
GAS	GASMAIN	②	UTILITY MANHOLE	●	BOLLARD
—	WATERMAIN	③	SANITARY MANHOLE	⊙	ELECTRIC MANHOLE
—	SANITARY SEWER	④	STORM MANHOLE	—	FLAG POLE
—	STORM SEWER	⑤	CATCH BASIN	△	FLARED END SECTION
—	OVERHEAD UTILITIES	⑥	ROOF DRAIN	⊠	GAS VALVE
TEL	TELEPHONE LINE	⑦	TELEPHONE BOX	⊠	HANDICAP SYMBOL
ELE	ELECTRIC LINE	⑧	TELEPHONE MANHOLE	⊠	HYDRANT
CTV	CABLE LINE	⑨	ELECTRIC TRANSFORMER	⊙	WATER MANHOLE
—	CHAINLINK FENCELINE	⑩	TRAFFIC SIGNAL	⊠	WATER VALVE
—	WOODEN FENCELINE	⑪	CABLE TV BOX	⊠	POWER POLE
—	GUARDRAIL	⑫	ELECTRICAL METER	⊠	GUY WIRE
—	CONCRETE SURFACE	⑬	GAS METER	⊠	CONIFEROUS TREE
—	PAVER SURFACE	⑭	FOUND IRON MONUMENT	⊠	DECIDUOUS TREE
—	BITUMINOUS SURFACE	⑮	SET IRON MONUMENT		
—	GRAVEL/LANDSCAPE SURFACE	⑯	CAST IRON MONUMENT		