

city of saint paul
planning commission resolution
file number
date

WHEREAS, City of Saint Paul, Real Estate Division, File # 21-237-397, has applied for a conditional use permit for multi-use community recreation center, with modification of conditions to permit parking in the minimum front yard and principal access to be from Lawson Street and variance for parking front setback (25' minimum, 7' proposed) under the provisions of §§ 61.501, 61.502, 61.601, 63.312, & 65.235 of the Saint Paul Legislative Code on property located at 1025 Rice Street, Parcel Identification Number (PIN) 25.29.23.14.0144, legally described as DAWSON AND RICE'S ADDITION, TO W 1/2 OF VAC WOODBRIDGE ST ACCRUING & E 1/2 OF VAC ALLEY ACCRUING & FOL; S 30 FT OF LOT 2 AND ALL OF LOTS 1,4 & LOT 5 BLK 3 & E 1/2 OF VAC WOODBRIDGE ST ACCRUING TO BLK 2 AND VAC ALLEYS IN BLKS 1 & 2 & VAC ALBEMARLE ST BETWEEN BLKS 1 AND 2; and

WHEREAS, the Zoning Committee of the Planning Commission, on March 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 is proposing to construct a three-level multi-use community recreation center on a site with existing ballfields on Rice Street between Lawson Avenue and Cook Avenue. The project is proposing 22 parking spaces and 12 bicycle parking spaces. A curb cut on Lawson Avenue will provide access to the new parking lot. There will be pedestrian access to the new building on Lawson Avenue, and pedestrian access to the new fields on Cook Avenue and Lawson Avenue. The new center will include recreation spaces, fitness spaces for strength training and yoga, staff offices, community meeting rooms, a community kitchen, and a teen center. The project will also provide new amenities for Fritz Clark Park such as a multi-purpose soccer, football, baseball, and softball field, basketball court, outdoor playground, and water feature.
2. A community recreation center requires a conditional use permit in the RT1 zoning district and must meet the following special standards and conditions for noncommercial recreation centers listed in Zoning Code § 65.235:
 - (a) *The proposed site for any of the uses permitted herein shall have at least one (1) property line abutting a major thoroughfare (in definition), and the site shall be so planned as to provide principal access directly to said major thoroughfare. This*

moved by _____

seconded by _____

in favor _____

against _____

condition is not met. Access to the proposed parking lot is from Lawson Avenue, which is not classified as a major thoroughfare but is designated as a local street. The main entrance to the community recreation center building also faces Lawson. Requested modification of this condition is addressed in finding 3 below.

- (b) *All yards shall be landscaped in trees, shrubs and grass. All such landscaping shall be maintained in a healthy condition. There shall be no parking or structures permitted in these minimum yards, except required entrance drives and those walls used to obscure the use from abutting residential districts.* Variance of the minimum front yard setback for the proposed parking lot is addressed in finding 5 below. Modification of this condition for proposed parking in the minimum required front yard is addressed in finding 3 below. Landscaping is planned around the parking lot, new community center, and as a buffer in between the parking lot and new multipurpose field.
- (c) *Whenever a swimming pool is constructed under this subparagraph, said pool area shall be provided with a protective fence, six (6) feet in height, and entry shall be provided by means of a controlled gate.* No swimming pool is proposed, so this standard does not apply.

3. Zoning Code § 61.502 provides *that the Planning Commission, after public hearing, may modify special conditions when strict application of such special conditions would unreasonably limit or prevent otherwise lawful use of a piece of property and would result in exceptional undue hardship to the owner of such property; provided that such modification will not impair the intent and purpose of such special condition and is consistent with the health, morals and general welfare of the community and is consistent with reasonable enjoyment of adjacent property.*

Principal access on a major thoroughfare would result in a new curb cut on Rice Street which is not desirable by the Public Works Department or consistent with Policy T-12 of the Comprehensive Plan, which states new developments should minimize driveway curb cuts if the site can be reasonably accessed by side streets. The North End Community Center can be adequately accessed by a side street on Lawson Avenue. Providing a new curb cut on Rice Street would be in direct conflict with direction from a city department placing undue hardship on the applicant. Additionally, there is pedestrian access on the corner of the Rice Street. Access to the parking lot on Lawson Street will not impair the health and the welfare of the community. A curb cut on Rice street would make it unsafe for pedestrians by creating conflicts with vehicles on a busy corridor. It is safer and healthier for pedestrians for vehicles to access the community center on Lawson Avenue. Given the direction from the Public Works Department, the concern of stopping traffic mid-block on a busy corridor, grade challenges, and future programming of the park, the proposed community recreation center is designed with the Lawson Avenue side as the front yard. The current design of the site results in five parking spaces in the required front yard. Allowing parking in a required front yard will not impair the health and safety of the community, as it allows the greatest use of green spaces on the site and of the multipurpose community center. Additionally, providing the front of the building on Lawson Avenue improves connections to adjacent property, namely Rice Street Library. There would be an undue burden on the applicant if the project was to meet the required front setback as it would impact size of the multipurpose field and limit future programming on the site.

4. Zoning Code § 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 2040 Comprehensive Plan identifies the site as a recreation and community center in the Parks, Recreation, and Open Space

chapter. Additionally, the site is located in the Metropolitan Council Areas of Concentrated Poverty (ACP50)-which are census tracts where at least half of the residents are people of color and at least 40% of the residents live below 185% of the federal poverty line. The investment in the recreation center and in an area of the City identified in ACP50 is consistent with *Policy PR-1 to Ensure equitable access to Parks and Recreation programs, resources and amenities* and with *Policy PR-5 Prioritize investment in physical assets of community centers, play areas, pools, and other amenities to ensure that common minimum standards are met.*

The project site is located in area identified as Urban Neighborhood in the Land Use Plan chapter of the Comprehensive Plan. Urban Neighborhoods are primarily residential with a variety of housing types, schools, neighborhood parks, religious institutions, and cemeteries with scattered neighborhood serving commercial. The multi-use community center is directly north of the Rice Street Library, west of neighborhood serving commercial, south of single-family homes, and east of an elementary school. A conditional use permit for a recreation facility would be consistent with the identified community and recreation centers in the Parks, Recreation, and Open Space chapter in the Comprehensive Plan and uses identified in the Urban Neighborhood. The project is also consistent with *Policy PR3 Improvements at parks and recreation centers* in the North End District 6 Plan.

- b. *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The project is providing a new curb cut on Lawson Avenue to access the parking lot and pedestrian entrances to the building on the corner of Lawson Avenue and Rice Street. Gates on Cook Avenue, from the parking lot facing Lawson Avenue, and between Lawson Avenue and Cook Avenue provide pedestrian access to the new multipurpose field. Additionally, there will be bicycle parking on the site, and it is located on the 62 bus route.
 - 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 recreation center will add to neighborhood character and increase access to public health resources through new recreational fields and new community services such as the teen center.
 - 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 recreation center is consistent with past use as ballfields and complementary to existing land uses in the neighborhood. The proposed recreation center 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 can be met subject to approval of the setback variance for parking, modification of the condition for no parking in the minimum required front yard, and modification of the condition for principal access directly to a major thoroughfare.
5. Zoning Code § 63.312 Setback for parking lots states that parking spaces shall not be in a required front yard, which is 25 feet in the RT1 zoning district. The proposed community recreation center is designed with the Lawson Avenue side as the front yard, and with 5 of the new parking spaces set back 7 feet from the front lot line Zoning Code § 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. Allowing the proposed 7 foot front setback for five of the parking allows the greatest use of green spaces on the site, provides for convenient access to the parking lot, and will not impair the health, safety, and general welfare of the community. Additionally, the parking lot on Lawson Avenue is proposed to be well landscaped, is facing the side yards of low-density residential and is not adjacent to any residential properties, consistent with protecting the aesthetics of the community.

- (b) *The variance is consistent with the comprehensive plan.* This finding is met. As noted in finding 2.a. the use itself is consistent with Policy *PR-1 to encourage equitable access of parks facilities* and *PR-5 to prioritize investment in physical assets such as community centers*. The variance for the parking setback to allow for more programmable area is consistent with the Comprehensive Plan and the purpose and intent of the Zoning Code.
- (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 variance is necessary to increase the amount of programmable space for the community. Additionally, due to the size, grade, and orientation, and future uses on the site, Lawson Avenue is the best location for the parking lot. Without the variance the parking lot would impact the multipurpose field and move other park green space closer to the street from the interior of the park.
- (d) *The plight of the landowner is due to circumstances unique to the property not created by the landowner.* This finding is met. For more than 50 years the site was a recreational use (ballfields). A 25 foot setback would impede on the ability to program for the new multi-use community center.
- (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. The use — a recreation facility— is conditionally permitted in the RT1 District. If the conditional use permit is approved, it will be consistent with RT1 zoning.
- (f) *The variance will not alter the essential character of the surrounding area.* This finding is met. The use is conditionally permitted in the existing zoning district and is consistent with surrounding development. The proposed multi-use community center is consistent with the type of development the Comprehensive Plan supports.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of City of Saint Paul's Real Estate Division for a conditional use permit for multi-use community recreation center, with modification of conditions to permit parking in the minimum front yard and principal access to be from Lawson Street and variance for parking front setback (25' minimum, 7' proposed) at 1025 Rice Street is hereby approved, subject the following conditions:

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.