ZONING COMMITTEE STAFF REPORT

1. FILE NAME: Evergreen Recovery FILE #: 17-042-160

2. APPLICANT: Evergreen Recovery HEARING DATE: June 8, 2017

3. TYPE OF APPLICATION: Conditional Use Permit & Variance

4. LOCATION: 203 Robie Street E, NE corner at Ada

5. PIN & LEGAL DESCRIPTION: 08-28-22-24-0025, Lots 11 and 12, Block 2, Blocks 1, 2 and 3 of Prospect Plateau

6. PLANNING DISTRICT: 3 PRESENT ZONING: RT1

7. **ZONING CODE REFERENCE:** §§ 65.161, 61.501, 61.601, 61.202(b)

8. **STAFF REPORT DATE:** June 5, 2017 **BY:** Jake Reilly

9. DATE RECEIVED: May 23, 2017 60 DAY DEADLINE FOR ACTION: July 22, 2017

A. PURPOSE: Variance and conditional use permit for supportive housing for 16 residents

B. PARCEL SIZE: 90 feet (Robie Street) x 126 feet (Ada Street), totaling 11,325 sq. feet

C. EXISTING LAND USE: Single Family Dwelling

D. SURROUNDING LAND USE:

North: Single- and multi-family housing (RT1, RM1, RM2)

East: One- and two-family housing (RT1)

South: Institutional and residential (RT1)

West: Park and community center (RT1, RM1, T2)

- E. **ZONING CODE CITATIONS:** § 65.161 lists requirements for supportive housing. § 61.501 lists general requirements for all conditional uses. § 61.202(b) authorizes the Planning Commission to act as the Board of Zoning Appeals and grant variances when related to permits granted by the Planning Commission when considered by the Planning Commission at the same public hearing. § 61.601 establishes requirements for granting variances.
- F. **HISTORY/DISCUSSION:** The house at 203 Robie Street was built in 1955 as the rectory for the church across the street, which at the time was Holy Family Maronite Catholic Church (now called St. Gabriel Eritrean Orthodox Church). The house was used as a rectory until its sale to a private party in 2014.
- G. **PARKING INFORMATION:** Zoning Code § 63.207 requires 1.5 off-street parking spaces per four adult residents in supportive housing facilities. The property currently has a 2-car garage. The applicant, Evergreen Recovery, is proposing to add a 20 ft. by 40 ft. parking pad off of the alley to accommodate 4 additional cars for a total of 6 off-street parking spaces, which would meet the minimum of 6 off-street parking spaces required by the Zoning Code for the proposed use.
- H. **DISTRICT COUNCIL RECOMMENDATION:** District 3 had not made a recommendation at the time this report was completed.

I. FINDINGS:

- 1. The applicant proposes to use the former rectory building as a human service-licensed supportive housing facility for 16 residents and a resident manager. Zoning Code § 65.161 defines a supportive housing facility as "one main building, or portion thereof, on one zoning lot where persons with mental illness, chemical dependency, physical or mental handicaps, and/or persons who have experienced homelessness reside and wherein counseling, training, support groups, and/or similar services are provided to the residents." The building will have laundry facilities, two living rooms, a dining room, a kitchen, and a staff office.
- 2. The RT1 two-family residential district allows a supportive housing facility serving six (6) or fewer residents as a permitted use; there is no provision in RT1 for a supportive housing facility with more than six residents. Evergreen Recovery has applied for a variance for the facility to have 16 facility residents and a resident manager.

- 3. Zoning Code § 65.161 lists standards and conditions for the establishment of supportive housing facilities:
 - (a) The facility shall be a minimum distance of one thousand three hundred twenty (1,320) feet from any other of the following congregate living facilities with more than four adult residents, except in B5-B5 business districts where it shall be at least 600 feet from any other such facility: supportive housing facility, licensed correctional community residential facility, emergency housing facility, shelter for battered persons, or overnight shelter. This condition is met. The facility is at least 1,320 feet from any such facility; the nearest is 1,775 feet away.
 - (b) In RL-RT1 residential districts, the facility shall serve six or fewer facility residents. In RT2 residential, traditional neighborhood, OS-B3 business and IT-I2 industrial districts, the facility shall serve 16 or fewer facility residents. This condition is not met. The facility is located in an RT1 residential district and may serve six or fewer facility residents. Evergreen Recovery has applied for a variance to serve 16 facility residents and a resident manager.
 - (c) In residential and T1 traditional neighborhood districts, a conditional use permit is required for facilities serving seven or more facility residents. This condition can be met. Evergreen Recovery has applied for a conditional use permit because the site is in the RT1 residential district.
 - (d) In residential and T1 traditional neighborhood districts, facilities serving 17 or more facility residents shall have a minimum lot area of 5,000 square feet plus 1,000 square feet for each guest room in excess of six guest rooms. In T2-T4 traditional neighborhood districts, the density shall be regulated as for multifamily uses. This condition is met. The lot area is 11,325 square feet. The house currently has six bedrooms and the applicant is proposing to add a seventh bedroom by adding a basement egress window to convert a former basement "heating room" into a bedroom.
- 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. Goal 3.4 of the Housing Chapter in the Saint Paul Comprehensive Plan calls for increased locational choice and distribution of supportive housing facilities. Goal UA1.3 of the West Side Community Organization addendum to the Saint Paul Comprehensive Plan calls for an increase in the number of backyard gardens in the West Side district. The applicant may consider creating a garden in order to increase compliance with the plan.
 - (b) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met. The property currently has a 2-car garage with a driveway to Ada Street. The applicant is proposing to add a 20 ft. by 40 ft. parking pad off of the alley to accommodate 4 additional cars for a total of 6 off-street parking spaces (which would meet the minimum of 6 off-street parking spaces required by the Zoning Code for the proposed use), and residents are not expected to have cars.
 - (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 use is similar in anticipated traffic and noise impact to the site's previous uses, consistent with the residential/institutional character of development in the area, and will not endanger the public health safety, and general welfare.
 - (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 use is consistent with allowed uses in the district, and will not impede investment in surrounding

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 not met. Evergreen Recovery has applied for a variance of the standard in Zoning Code § 65.161(b) limiting supportive housing facilities in the RT1 zoning district to no more than six facility residents.
- 5. Section 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. The purpose of the provision in Zoning Code § 65.101(b) limiting supportive housing facilities in the RT1 two-family residential district to no more than six facility residents is to be in harmony with the RT1 district intent stated in Zoning Code § 66.213 for the RT1 district to provide an environment of predominantly low density one- and two-family dwellings along with civic and institutional uses. For this large house on a double lot, this finding can be met subject to the condition that occupancy of the house is limited to no more than twelve (12) facility residents and one resident manager, double the six facility residents allowed by Zoning Code § 65.101(b).
 - (b) The variance is consistent with the comprehensive plan. This variance is consistent with Goal 3.4 of the Housing Chapter in the Saint Paul Comprehensive Plan that calls for increased locational choice and distribution of supportive housing facilities. It is also consistent with goal H1 of the West Side Community Organization addendum to the Comprehensive Plan, which calls for a range of housing options on the West Side.
 - (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. Limiting use of this 4100 square foot house to six facility residents is impractical. It would be reasonable to allow up to two facility residents per bedroom (including the proposed additional basement bedroom) plus the resident manager in a seventh bedroom, double the six facility residents allowed by Zoning Code § 65.101(b) in the RT1 residential district, for this house on a double lot that is roughly twice the size of a more typical one-family house. This finding can be met subject to the condition that occupancy of the house is limited to no more than 12 facility residents and one resident manager.
 - (d) The plight of the landowner is due to circumstances unique to the property not created by the landowner. This finding is met. This large house on a double lot was built for a unique purpose that it no longer serves.
 - (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 variance will not permit any use that is not allowed in the RT1 zoning district where the affected land is located.
 - (f) The variance will not alter the essential character of the surrounding area. This finding is met. The use is consistent with past uses.
- J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of a variance and conditional use permit for a supportive housing for twelve (12) facility residents and a resident manager subject to the following additional conditions:
 - 1. No more than twelve (12) facility residents and one resident manager shall reside in the facility.
 - 2. A paved parking pad for three (3) cars must be added off of the alley.
 - 3. 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.



APPLICATION FOR ZONING VARIANCE

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	Zoning	office	use	only
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File number	- 00
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Tentative he	earing date:
Section(s):_	
City agent _	odd
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AP	PL	JC/	ANT

Name Daviz Backus	Company Evergreen Recovery
Address 1400 Energy Paril Dr. 5	
City St. Paul State W Zip	55108 Daytime Phone 651-468-1397
Property interest of applicant (owner, contract purchaser,	, etc.) lease
Name of owner (if different)	
Property interest of applicant (owner, contract purchaser	

PROPERTY

Address/Location 203 Robie 5+. E St. Paul MN 55107
Legal description Prospect Plateau Blocks 1, 2, 3 lot 1,1812 block 2 (attach additional sheet if necessary)
Lot size 90 x 127 11,43050 Present Zoning RT1 Present Use 5 in Ste family home
Proposed Use 5upportive living with special Services

Variancel	61	requested:
variance	SI	requested:

Supporting Information: Supply the necessary information that is applicable to your variance request, provide details regarding the project, explain why a variance is needed. Duplex/triplex conversions may require a pro forma to be submitted. Attach additional sheets if necessary.

See attached.

Pdd 8-22-17 315 CK 3057

Attachments as required:

Site Plan

Attachments

Pro Forma

Applicant's signature

Date 5-22-17

SAINT PAUL

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

PD-3

- 17 - \7 City Agent <u>/</u>

Zoning office use only

File 17 - 042 100

File 840.00

Lentative Hearing Date

6-8-17

(651) 266	5-6589	· · · · · · · · · · · · · · · · · · ·	6-8-17
	•	# 0	82822240025
	Name Evergreen Rewv	ery-Dave Backus	
	Address 1400 Energy Pa	ril Dr. Swite 21	•
APPLICANT		Zip <u>55 lo</u> 8 Daytime F	Phone 651-468-1303
	Name of Owner (if different) 50/m		
- 3 8	Contact Person (if different)	TWO I	Phone
- a			
	Address / Location 203 Robie	St E St. Paul, M	N 55107
PROPERTY	Legal Description Prospect Plate	ean Blocks 1,2 and 3,	10+11 and 10+12
LOCATION	block a PIO# 08-28-22		Zoning RT
	(attach additional sheet if necessary)	
TYPE OF PERMIT	Γ: Application is hereby made for a	Conditional Use Permit under	arovicions of
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	Chapter O , Section	, Paragraph of the 2	Zoning Code.
If you are request the modification	FORMATION: Explain how the use will ting modification of any special condities its needed and how it meets the require the Zoning Code. Attach additional s	ions or standards for a condition ements for modification of spec	nal use, explain why
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☑ Required site	plan is attached	,	
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Applicant's Signature

David M. Backus 1400 Energy Park Drive Suite 21 St. Paul MN, 55108 651-468-1303

a. 203 Robie St. E St. Paul, MN 55107 Prospect Plateau, Blocks 1,2 and 3 Lot 11 and lot 12, Block 2 PID# 08-28-22-0025

b. Evergreen Recovery seeks to use the property in question as supportive living for individuals participating in our outpatient chemical health program. Individuals can be expected to reside in the house for 3-4 months per stay, and a maximum of 16 clients can be expected to reside in the house at any given time. Client's residing in the house will be supervised 24 hours a day as required by law. This property fits all legal requirements for the proposed purpose; however, a variance is being requested to allow for an increase in capacity (from 6 to 16) in order to accommodate the overwhelming need for additional supportive living in the community.

c. This type of supportive living residence is allowed in the RT-1 district, and the zoning code allows for 6 or fewer clients. However, due to the overwhelming need for additional supportive living resources in the community, a variance is being requested to increase the capacity to 16 individuals. This property meets the square footage, and parking requirements to accommodate this increased number of residents. This is a double-lot, corner property, bordering the Paul Wellston Center, which offers a variety of community-based programs including community health, family center, food support program, adult education and youth leadership programs.

The home will have a total of 9 off-street parking spaces, which will accommodate all staff and client parking. Clients do not typically have vehicles, and as such, it is estimated that most of this parking will remain vacant, and nearby traffic will be affected minimally, if at all.

The property is large enough, and will have adequate staffing to ensure that the occupancy of this residence will have minimal impact on the surrounding neighborhood. These resident's of this facility will be individuals seeking to improve their lives, and will be active participants in a nearby chemical health program. Client's will be under 24 hour supervision while in the residence, and as a condition on staying in the residence, will be required to attend a Evergreen Recovery's outpatient chemical health program. This property is located in a relatively business-oriented area, with many restaurants, parking lots, apartment buildings,

and a church nearby. It is not likely this residence will impact the existing character of the immediate neighborhood, or endanger the public health, safety, and general welfare.

Evergreen recovery does not foresee any circumstances in which the operation of this residence would impede any further development and improvement of the surrounding property. The use of this property will conform to the applicable regulations of the district in which it is located.

David M. Backus 1400 Energy Park Drive Suite 21 St. Paul MN, 55108 651-468-1303

203 Robie St. E St. Paul, MN 55107 Prospect Plateau, Blocks 1,2 and 3 Lot 11 and lot 12, Block 2 PID# 08-28-22-0025

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2. See above.

- 3. Supportive living facilities are allowed in the RT1 district but only up to 6 residents. Evergreen Recovery provides houseing and chemical dependency treament to individuals seeking to improve there lives. Due to the overwhelming need for client beds Evergreen Recovery is requesting an exception to the zoning code to allow us to better serve the needs of our current and future clients.
- 4. See attached letter from homeowner.
- 5. Supportive living facilities are allowed in RT1 district.
- 6. This property is located in a relatively business-oriented area, with many restaurants, parking lots, apartment buildings, and a church nearby. It is not likely this residence will impact the existing character of the immediate neighborhood, or endanger the public health, safety, and general welfare.

May 17, 2017

To Whom it May Concern,

My name is George Younes and I am the property owner of 203 Robie Street East (PID 08-28-22-24-0025). I am writing this letter in support for the variance application being submitted to turn this home into a supportive living facility.

Understandably, this home is an entirely unique property in the neighborhood. Close to 5,000 sq feet, it must be the biggest home around it for many blocks. The property was built for the Church across the street by Art Nasseff, the brother of John Nasseff, who has donated generously to numerous causes for the city of St. Paul, such as the Nasseff Heart Center. I attended the same church and come from the same cultural background as these great men. When it came time to sell the property, I felt captivated by the beauty, quality, and size of the property. My hope was to eventually try and continue the use of the home for something that can serve the community. I now feel that opportunity has come.

Renting a home of this size in an area where no homes around are like it, can be financially burdensome. The rents, therefore, are under value for the caliber and size of this home when just used as a single family home. The area has commercial businesses, schools, parks, apartments, and the Wellstone Center is right across the street. Naturally, renting this property where the tenant is able to take advantage of the size, space and surroundings of this home, will attract a much more suitable rental use and income for the quality and uniqueness of this home. The quality of the home is there, the size and space of the home is clearly there, the neighborhood surroundings supporting a variance is there, and the willingness of the applicant and owner is there. The last piece of the puzzle to make it all happen, is an approved variance.

I am therefore willing to work with the city and the applicant to produce and strong and well-maintained supportive living facility. I would invite the city to share its support with this project, and give permission for the variance to allow the potential good work we all have here the opportunity to grow.

With much sincere thanks,

George Younes

A&M Rentals, LLC

Robie St

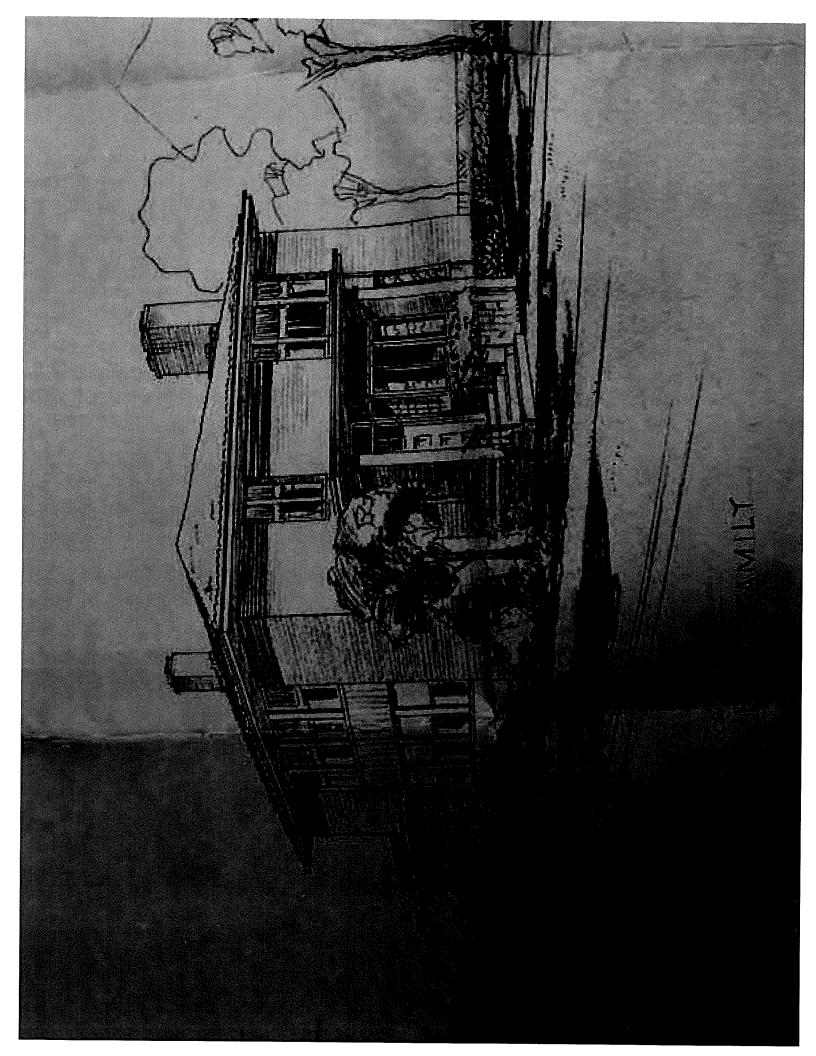
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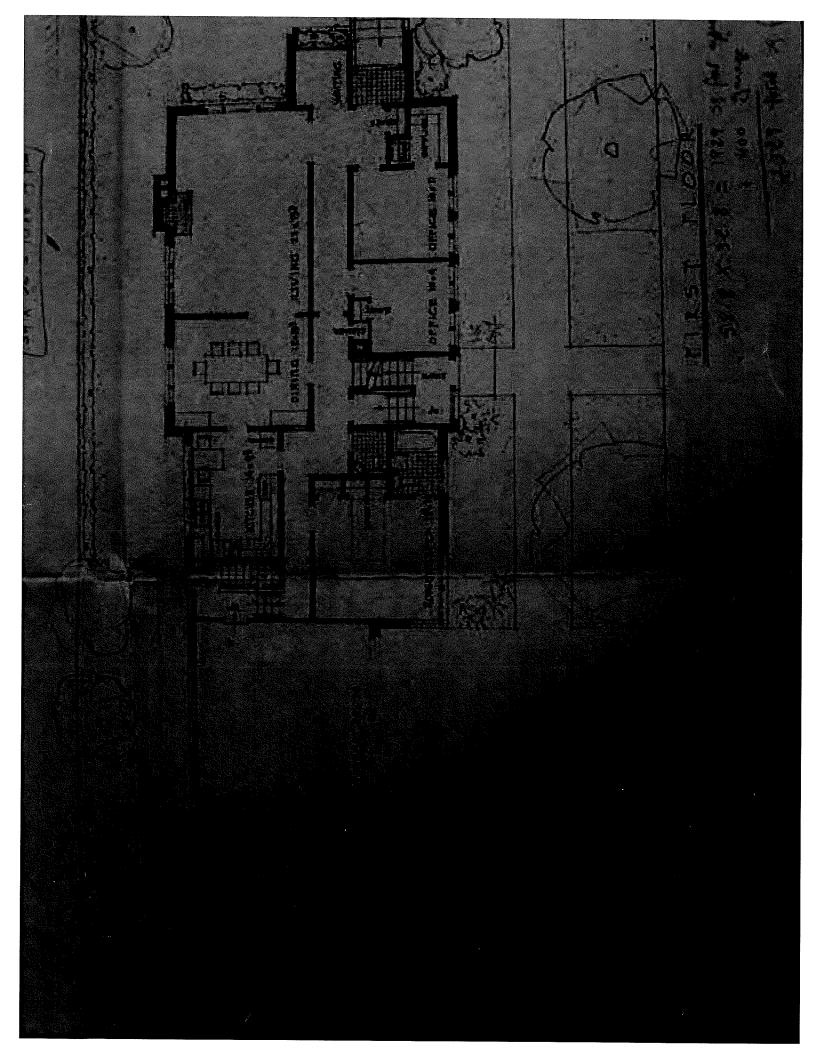
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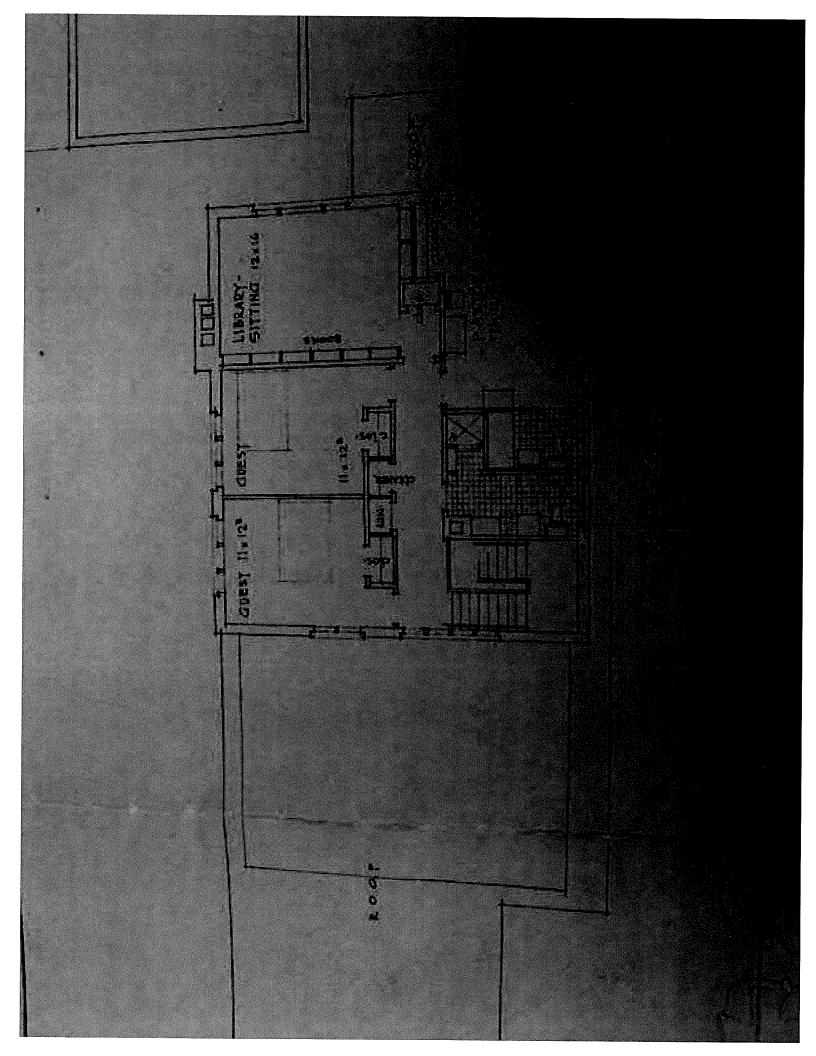
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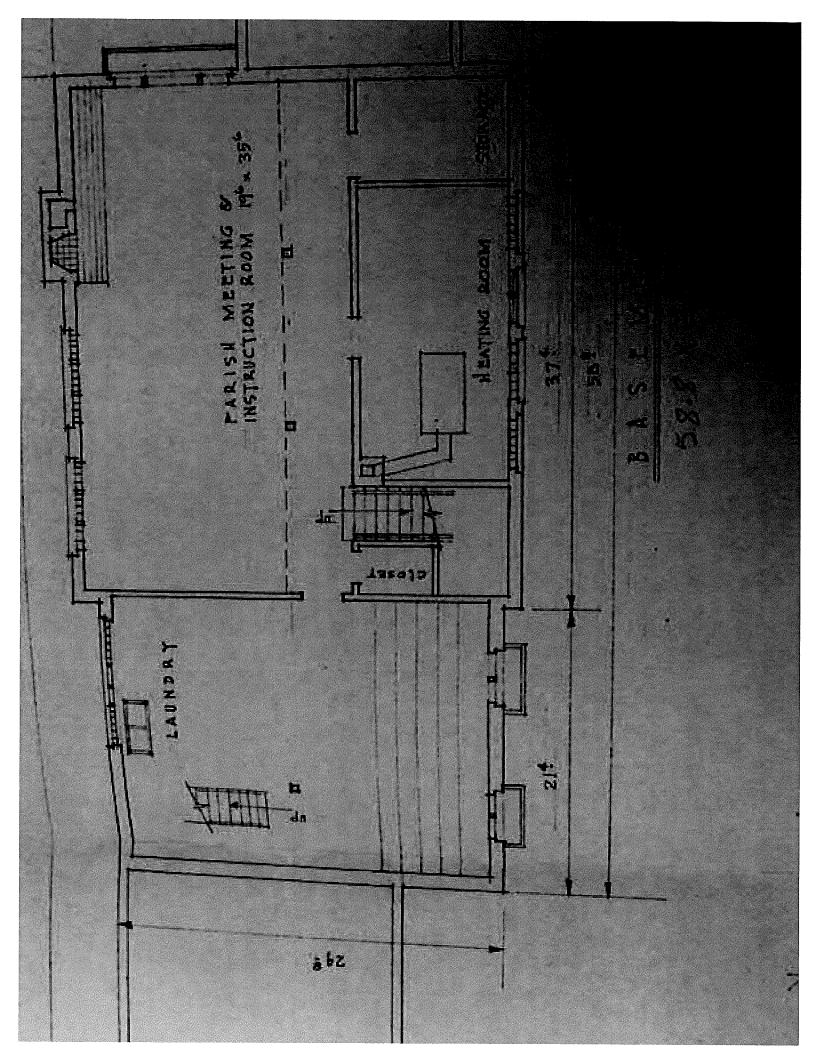
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From: Nancia Santine < nanciasantine@hotmail.com >

Sent: Friday, June 2, 2017 5:47 PM

To: Reilly, Jake (CI-StPaul)

Subject: 203 Robie St. E., NE corner at Ada

As discussed I am against the request for Variance for supportive housing for 16 residents. This use to be a Priest residence for the church across the street from there. In all the years of being in this neighborhood we never experienced requests like this

if memory serves I think there is a residence on the other side of the Wellstone Center. The person who bought this property has not maintained it very well, the grounds are not kept, trash all over, loud dogs and strange people. Now this is suppose to be

a decent neighborhood with a lot of children and also a Senior High Rise on the next block and not to mention Housing Project across from that. Now don't you think we have enough in our neighborhood? Our family has been on East Winifred since 1971

I just feel this is not a proper place for this it should be somewhere else. I also feel if someone is in treatment they do not need to

be around somewhere they are not wanted oh and not to mention you have a bar just a block away and a liquor store also.

Bottom line I am totally against this, the neighborhood just has enough here on the lower West Side which the City of St Paul

needs to address the betterment of our area in better ways.

Will see you at the meeting on the 8th.

Sincerely;

Nancia Santine 234 E Winifred St St Paul, MN 55107 651-458-8088 Sent from Outlook

Paul D. City & St Charl Zoneing Concerning graperty at 203 E Robico the owner has not level there le bought it to rent out but it didn't work so now he found a new way to make many by having 16 people from a recovery home. There is no way it should happen there is no forking except on the street no thank you we say no way take it someplace close, this is a neighborhood with alst of som . Children that Catch Their bus infront of this Play & get droped of there also also & retired scopped live around here myself included læm 83 grapung and live in my home sence 1965 ocross the street from 2035 Robie roused my 5 Children here & some to many homes they have signed with me we do not want think in our neighborhood we know the would Change the scape of the neighborhood for many year's not aday or awell so we say no

May Yang 209 Winifred St. E. St. Paul, MN 55/107 Les 1-334-6475 Don't want it in the neighborhood. W. Dessica Lsage 203 Robre ST.E. 651 888 2904 tare a 3 per old 203 Robie St & Dont Wart it in neighborhood 612-644-4956 651-887-2904 Have grandson in home 4. Lisa Isaac 203 Robie St 6. 651-888-2904 grandson in home

NO. UDDB P. 4

that st. Paul, mr 55-107 (651)387-4952 469 Ada St. Part 651-222-0646 216 E. WINIFRED ST ST PAUL MA- 53107 651 298 86 16 VancouA 222 Winfred st Past Chanty Voil Saint Paul, MM 0122240528 286 E wisi fred . Soint Paul MN Kids on Block Manua Junten 234 G. W. M. JARD 651-458-8088 Nang WELDON - 234 E. WINIGHED St John Dugger 651-458-8088 651-900-5777 2 to winsyld

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Numa Olad Nove 260- Winifred St East Mn 55107 - 612-442-0448 We Lont want, Thay

Sheyla Velazquez.
262 Winifred St. E. 651-338-7268
MN St. Paul 55107

286 Ewintered St Strawly MN 55704-651 707-5529

Shari & Isaich Sytherland 294 Wintfred St. E #2 St. Paul, MN 55707 612 806 3087

> John Rodriguer 793 E Wiviford 57, Paul, MN 55602

Johanna Serranord 317 Robie St & Sount paul MW 35107

I Port want to have a 16 ppl resident sober have or recovery. I den't feel 214 East Robie Street frank by Benito & Selve / Janes 272 Robie St. E. St. Paul Mr 55707 # M Bobbi Anzald: 651-222-6431 1228 E. Robie St. Saint Paul, MN. 55/07 I have a small children. My daughter eatches the bus of the corner of Ada and Robie. I don't feel safe with this house opening. 192-651-703-0076 Sophia something Like Jesus Naranjo Kristina Sanchez, Jose Wis Sampeno 235 Robie St.E. Saint Paul, MN 55107 (651)307-2137

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Alberto Diaz (651) 33.Z-0445 263 E Robre St. St. Pow (MN 55107 UNWanted Because of Small Children

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Thomas appar 210 Robie street east Chain areat Bringthe Proper volve down Kebeca Rivern 215 Cuar Chauer 56 51. Paul MN 55107 210 E Robie 5+ Paul, MN 5510 DURENA VILLAMOR 233 ROBIE ST SAINT PAUL MN 55/07 451- 235-7176 VILLAMOR 010~1510 233 ROBIE ST SAINT PAUL MN 55107 - 651-235-7176

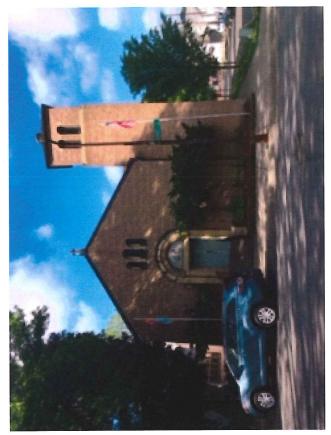
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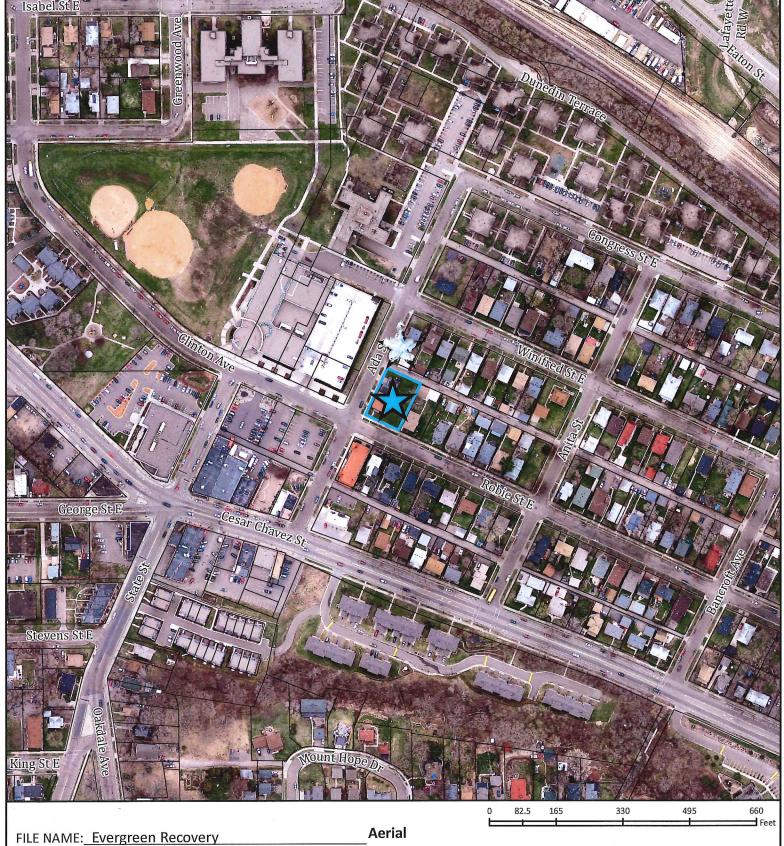












Subject Parcels

APPLICATION TYPE: CUP w/Variance

FILE #: <u>17-042160</u> DATE: <u>5/23/2017</u>

PLANNING DISTRICT: 3

ZONING PANEL: 22

Saint Paul Department of Planning and Economic Development and Ramsey County



