

ZONING COMMITTEE STAFF REPORT

FILE NAME: Village on Rivoli

FILE #: 18-075-276

APPLICANT: Dayton's Bluff Neighborhood Housing Services

HEARING DATE: July 19, 2018

TYPE OF APPLICATION: Conditional Use Permit & Variance

LOCATION: 660 Rivoli Street, et al., terminus of Rivoli Street south of Mt. Ida and west of Otsego

PIN & LEGAL DESCRIPTION: Portions of Blocks 7 & 9, Warren Winslows Addition, as described for Parcel B in the proposed Lot Split Survey included with the application; See file.

PLANNING DISTRICT: 5

PRESENT ZONING: R4/RT1

ZONING CODE REFERENCE: §§ 65.130, 63.110(a), 66.230, 61.501; 61.601; 61.202(b)

STAFF REPORT DATE: July 12, 2018

BY: Bill Dermody

DATE RECEIVED: June 15, 2018

60 DAY DEADLINE FOR ACTION: August 14, 2018

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- A. **PURPOSE:** Conditional use permit for a 26-home cluster development with variances of minimum building width (22 ft. required, 7 homes with 16 ft. width), garages exceeding 60% of building width and placed in front of the homes, and primary entrances not in front third of the homes.
- B. **PARCEL SIZE:** 3.5 acres
- C. **EXISTING LAND USE:** Vacant
- D. **SURROUNDING LAND USE:**
Single-family and duplex residential to the north and east (R4, RT1), multi-family residential to the south (R4), and vacant (RT1) and railroad (I1) to the west.
- E. **ZONING CODE CITATION:** §65.130 provides standards for cluster developments; §63.110(a) provides design standards regarding building entrances; §63.501(b)(4) provides dimensional limits for garages facing the street; §61.501 lists general requirements for all conditional uses; §61.501 lists required findings for variances; §61.202(b) authorizes the planning commission to grant variances when related to permits.
- F. **PARKING:** Zoning Code § 63.207 requires a minimum of 39 off-street parking spaces for the proposed 26 single-family residences. In addition to providing the required off-street parking spaces, the development is also proposed to have several on-street parking spaces for visitor use.
- G. **HISTORY/DISCUSSION:** The site was rezoned from RM2 to R4 and RT1 in 1994 as part of a larger zoning study associated with the concurrent Railroad Island Small Area Plan. A lot split is being concurrently processed for the site that removes a portion of its largest parcel extending south to Lafayette Road from the portion intended for this development.
- H. **DISTRICT COUNCIL RECOMMENDATION:** As of this writing, the District 5 Council has not provided a recommendation.
- I. **FINDINGS:**
1. The application requests conditional use permit (CUP) approval for a 26-home cluster development with variances of minimum building width (22 ft. required, 7 homes with 16 ft. width), garages exceeding 60% of building width and placed in front of the homes, and primary entrances not in front third of the homes. A private ring road is proposed to provide access to 24 of the homes, with the other two homes fronting Otsego Street to the east. Seventeen (17) of the homes are oriented toward a central common green area, with garages rather than building entrances facing the street, a situation requiring a

- variance. Seven (7) other homes on the site's north side are proposed to be prefabricated modular homes, which requires a variance for building width. The two (2) homes fronting Otsego Street require a variance to allow street-facing garages to exceed 60% of the principal structure's width.
2. The vacant subject site contains steep topography, with a total elevation difference of 49 feet from the highest to lowest points, including a bluffline demarcating the site's north and central portions from the rest of the site.
 3. §65.130 lists six findings that cluster developments must meet:
 - (a) *Applications for cluster development shall include site plans, including landscaping and elevations and other information the planning commission may request.* This finding is met via the application materials provided.
 - (b) *No unit shall intrude on the vertical airspace of any other unit.* This finding is met. No units are above any other units.
 - (c) *The parcel shall have a minimum frontage of 80 feet on an improved street and meet the lot area required per unit in the zoning district. Individual lots within a cluster development may have less than the required lot area for the zoning district provided such reductions are compensated for by an equivalent amount of property owned in common elsewhere in the cluster development. Lot area shall not include areas designated as public or private streets.* This finding is met. The subject site has 328 feet of frontage along Otsego Street. The total lot area and common area, minus streets, is 130,080 square feet, which is 5,003 square feet per home, exceeding the minimum lot area for single-family homes in R4 and RT1 of 5,000 square feet.
 - (d) *Structures shall conform to the dimensional standards for height, lot coverage, and setbacks for the zoning district. Required yards within a cluster development may be reduced or eliminated provided required yards are maintained along the periphery of the cluster development.* This finding can be met if the associated variances are approved, as addressed below. All other dimensional standards will be met.
 - (e) *The design shall be compatible with the surrounding neighborhood.* This finding is met. The proposed single-family homes are compatible with the surrounding residential neighborhood to the north and east.
 - (f) *Individual lots, buildings, street and parking areas shall be designed and situated to minimize alteration of the natural features and topography.* This finding is met. The site design works with the natural topography, including the bluffline.
 4. §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 use is in substantial compliance with the Comprehensive Plan, which in Figure LU-B designates the site as Established Neighborhood, and the Railroad Island Area Plan Summary (a Comprehensive Plan addendum), which encourages new housing production generally and specifically calls for new owner-occupied housing on Rivoli Bluff.
 - (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. With two homes accessed via Otsego Street and 24 via a new private street connected to Rivoli Street, the use provides adequate ingress and egress.
 - (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 use enhances the surrounding character of development and presents no danger to public health, safety or 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 does not impede development or improvement of surrounding property.
 - (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 due to the variances required, as addressed below.
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.* This finding is met. The variance to allow 16'-wide homes on seven (7) lots furthers the general purpose of the Zoning Code to provide housing choice and housing affordability, while not conflicting with other general purposes. The variances to allow front-facing garages to exceed 60% of the principal structure's width and to not have the primary home entrances facing the street are in harmony with the general purposes of the Zoning Code, including the design standards' intent to promote a welcoming pedestrian and neighborhood-friendly environment which in this case is provided along the common green area rather than the typical street-fronting orientation.
 - (b) *The variance is consistent with the comprehensive plan.* This finding is met. The Comprehensive Plan's Housing Chapter calls for the production of new housing units affordable to low- and moderate-income households, which is furthered by the proposed variances. The building width variance, in particular, allows for a much more cost-efficient modular construction method. Also, the variances allow for the residential housing provision that is specifically promoted at this location – on a topographically difficult site – by the Railroad Island Small Area Plan.
 - (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 site's topography presents a practical difficulty. The proposed single-family cluster use, layout, and design are reasonable.
 - (d) *The plight of the landowner is due to circumstances unique to the property not created by the landowner.* This finding is met. The topography is a unique circumstance not created by the landowner.
 - (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 proposed single-family homes are permitted uses in the R4 zoning district, and the open space proposed for the site's RT1 portion is also a permitted use.
 - (f) *The variance will not alter the essential character of the surrounding area.* This finding is met. The variances will not alter the area's essential character.
- J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for a 26-home cluster development with variances of minimum building width (22 ft. required, 7 homes with 16 ft. width), garages exceeding 60% of building width and placed in front of the homes, and primary entrances not in front third of the

homes, 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) 266-6589

Zoning office use only	
File #	18-075-276
Permit #	
Parcel #	

PD=4

Tent. 7-19-18

APPLICANT

Name	Dayton's Bluff Neighborhood Housing Services		
Address	823 East 7th Street		
City	Saint Paul	St. MN	Zip 55106
Daytime Phone	651-774-2704		
Name of Owner (if different)	Housing and Redevelopment Authority of St. Paul		
Contact Person (if different)	Sarah Zorn	Phone	651-266-6570

PROPERTY LOCATION

Address / Location	660 Rivoli Street
Legal Description	See attached survey
Current Zoning	R4 and RT1
(attach additional sheet if necessary)	

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of Chapter 61, Section 501, Paragraph a - e of the Zoning Code.

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

See attached site plan and narrative.

Required site plan is attached

Applicant's Signature *J. Eukel* Date 5-29-18 City Agent *pd*

6-18-18

Cluster Development – Village on Rivoli Dayton’s Bluff Neighborhood Housing Services

Intent.

DBNHS is making application for approval of a Cluster Development plan for the Village on Rivoli site as identified on the map below.

The current zoning for the Village on Rivoli area is mostly R4 with a single parcel on the NE corner of the site zoned RT1. This is a residential zoning classification with a minimum lot size of 5,000 square feet. The surrounding neighborhood is mostly zoned R4, with some RT1 zoning nearby. The size of the parcel of the cluster development is 153,038 sf or 3.5 acres.

Per Table 66.221, Chapter 66 of the Zoning Code, a Cluster development is an allowed Conditional Use in an R4 and RT1 District. The primary use of the area will be for 26 single-family, owner-occupied new housing units with commonly owned property being used for private lanes, storm water management, common recreation elements and community agriculture/gardens. The use of the area will therefor remain residential.

The current ownership of the Village on Rivoli area is by the City of Saint Paul Housing and Redevelopment Authority (HRA) and Dayton’s Bluff Neighborhood Housing Services (DBNHS).



Approval of a Conditional Use Permit requires the following to be true.

Sec. 61.501. - Conditional use permit, general standards.

- a. *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any subarea plans which were approved by the City Council. **The comprehensive plan shows housing as being the best use for the area thereby meeting the requirement of 66.802 (2) that the Cluster Development shall be consistent with the comprehensive plan. The Development is also consistent with the Railroad Island Small Area Plan and the Railroad Island Master Plan, both of which show housing as being planned for the area.***
- b. *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. **A private drive lane has been design to provide ingress and egress to the site. The private lane will be accessed from the end of Rivoli Street which connects to both Minnehaha Avenue and Mt Ida Street, providing at least two public streets by which to access the site.***
- 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. **The existing character of the immediate neighborhood is made up of single-family homes approximately 1500 – 2200 square feet in size. The village on Rivoli site will consist of single-family homes of approximately 1000 – 1800 sf in size, more or less the same size.***
- d. *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. **The design of the Cluster Development as submitted is “harmonious with the general surrounding uses”. We have used the flexibility built into the cluster development requirements to design a development that clearly provides more than adequate safeguards and standards for public health, safety, convenience, and general welfare.***
- e. *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located. **As outlined below, the uses proposed conform to all applicable regulations of the R4 and RT1 districts with two (2) exceptions for which we are requesting variances. There is a possible third exception required as explained in 65.130.d below.***

Sec. 65.130. – Cluster Development

The total area for which the Cluster Development Conditional Use Permit is being requested is 153,038 square feet (sf) or approximately 3.5 acres. The Cluster Development area is identified as Parcel B in the survey attached to this application. The legal description of the parcel is also described in the attached survey. There are six conditions that have to be met for approval of a Cluster Development, which is defined as “the arrangement of two (2) or more dwelling units, either attached or detached, as part of a single development that may include more than one (1) principal dwelling unit on a zoning lot.”

The conditions are:

- a) *Cluster development applications must include site plans, building plans & elevations, landscape plans and other information the Planning Commission may request.*
Required plans are attached to this application.
- b) *No unit shall intrude on the vertical airspace of any other unit. **None of the units do so.***
- c) *The parcel shall have a minimum frontage of eighty (80) feet on an improved street and meet the lot area required per unit in the zoning district. Individual lots within a cluster development may have less than the required lot area for the zoning district provided such reductions are compensated for by an equivalent amount of property owned in common elsewhere in the cluster development. Lot area shall not include areas designated as public or private streets. **The Cluster Development parcel has 328 lineal feet of frontage along Otsego Street, exceeding the minimum of 80' needed for a Cluster Development. Removing the private drive area (approx. 22,958 sf) from the total area of 153,038 sf leaves a total area of 130,080 sf. With the 26 units being proposed for the development, that is an average lot size of 5,003 sf, thereby meeting the 5,000 sf minimum lot size requirement of the current R4 and RT1 zoning.***
- d) *Structures shall conform to the dimensional standards for height, lot coverage, and setbacks for the zoning district. Required yards within a cluster development may be reduced or eliminated provided required yards are maintained along the periphery of the cluster development. **All dimensional standards for height, lot coverage and setbacks for the R4 and RT1 zoning district are met as shown on the attached site plan. There are only three design standards that are not met. The first is the minimum building width of 22' as defined in Section 66.233 of the Zoning Code for the seven (7) "A" units on the north boundary of the site. We are requesting a variance from this minimum building width requirement for these seven (7) houses.***

The second design standard not met is for the two houses on Otsego Street on the east boundary of the site which have garages facing the street that exceed 60% of the front elevation of the house. We are requesting a variance for these two homes as well.

The third design standard not strictly met is that the houses do not meet the design standard defined below in Sec. 63.110. The houses do meet the following parts of the standards:

- (a) **Primary entrances of all of the houses are in the front 1/3 of the structure,**
- (b) **The entrances are delineated by roof overhangs, recessed entries and landscaping,**
- (c) **The entrances do have direct pedestrian connections to the street and**

(d) Main entrances are located off of a front porch and courtyard.

However, because the “front” of a house is not defined in the Zoning Code, there is room for different interpretations of where the “front” of some of our houses are. The pocket neighborhood concept that we are proposing is designed so there is a common front yard that all residents share and use with the entry to each home accessed from the common front yard area. This pocket neighborhood idea was not anticipated by the City Zoning Code, so there is no clear definition of the front of a house in this situation.

Since there is not agreement on where the “front” of the B and C model houses are, we are also requesting a variance for the location of the primary entrance of the house. The variance requests are attached to this narrative.

Sec. 63.110. – Building design standards.

- (a) A primary entrance of principal structures shall be located within the front third of the structure; be delineated with elements such as roof overhangs, recessed entries, landscaping, or similar design features; and have a direct pedestrian connection to the street. In addition, for one- and two-family dwellings, a primary entrance shall either: 1) face an improved abutting street; or 2) be located off of a front porch, foyer, courtyard, or similar architectural feature, and set back at least eight (8) feet from the side lot line.
- e) *The design shall be compatible with the surrounding neighborhood. The design is compatible with the surrounding neighborhoods. The Railroad Island Task Force, made up of local neighbors, is supportive of the plan.*
- f) *Individual lots, buildings, street and parking areas shall be designed and situated to minimize alteration of the natural features and topography. The entire site has been designed to minimize alterations of the natural features and topography. Our site plan takes advantage of the views and other natural features of the site, including several large Burr Oak trees, while minimizing disturbance of the same.*

The Cluster Development parcel has 328 lineal feet of frontage along Otsego Street, exceeding the minimum of 80’ needed for a Cluster Development as defined in 66.130. Most of the the property is currently not platted for individual, single family lots. The required replatting of the land will be concurrent with the Cluster Development process.

An optional pre-application sketch plan review was held with Tia Anderson, Bill Dermody, Angie Wiese and other City staff to discuss general site layout, fire access, and other general development issues. There was also discussion about the process for proceeding with the development. Later, a meeting was held with Tia Anderson, Anca Sima and other City engineering and water utility staff to discuss specific layout issues.

At both of these meetings, a site location map showing the relationship of the proposed planned development to surrounding uses and streets and a sketch plan of the proposed planned development were presented. The sketch plan included;

1. dimensions of the parcel and of individual lots included in the Cluster Development,

2. description of outstanding physical characteristics of the property,
3. proposed uses,
4. residential densities, and
5. traffic circulation patterns and off-street parking within the development.

SITE DESIGN

The Village on Rivoli site is unique in the City of Saint Paul. The site was home to railroad switching yards and repair facilities in the 1800's. Some houses were built on parts of the site in the late 1800's and early 1900's and a few of them remain today. For most of the last 40 years or so, the site was used as a street sweepings dump site by the City of Saint Paul and as a casual dumping site by others. The site has beautiful views of the Mississippi River valley, downtown Saint Paul, the cathedral and the Capital. It is within a mile of downtown Saint Paul and within walking distance of 1,000's of jobs at the DNR, MPCA, Regions Hospital, MN Dept. of Labor & Industry the Saint Paul Police Dept., Williams Hill, Beacon Bluff and the new medical facilities along Phalen Boulevard..

The site is in the Railroad Island neighborhood of Saint Paul, one of the oldest and poorest neighborhoods in the Metro area. It is a part of Railroad Island, but is also somewhat separated from the neighborhood because of changes in grade and the fact that it is at the very edge of the neighborhood. The site has a change of grade of nearly 80 feet from the top of the site to the bottom of the site and has no public infrastructure serving the interior of the site.

Starting in 2004, DBNHS, the City of Saint Paul and the Railroad Island Task force worked together to develop site plan ideas that would take advantage of the many positive qualities of the neighborhood and the physical characteristics of the site. Working together, we have developed a site plan that takes advantage of the views and other positive qualities of the site while effectively dealing with the limitations relative to steep grades and lack of infrastructure. Starting in 2007, DBNHS worked with the City of Saint Paul and the MPCA remediating the site and doing soil correction work on the site to make it developable.

The unique qualities of the site allow us to take a different approach to the design of the neighborhood. A conventional approach to neighborhood design, with houses on 40' lots facing an extended Rivoli Street, would have allowed only 9-10 new houses. Instead, we turned the houses around so the front doors are all facing a common green space of which each of the residents will share ownership. The common green is oriented to provide views of the Capital, the Cathedral and downtown Saint Paul. The common green area will also serve as utility R.O.W. for sewer and water utility connections to existing infrastructure.

The site design is similar to the Milwaukee Avenue Historic District houses in the Seward neighborhood of Minneapolis, but the Village on Rivoli will have a more open quality because of the expansive views of downtown. The orientation of the houses allow us to design houses with attached garages (most buyers want attached garages) and use a private drive to access the garages instead of a public street. This approach also leaves land

available for the design of a narrower footprint house (1000 sf or so) along the northeast boundary of the site where the A units are located.

The design approach allows us to reach a higher density in the areas of the site that can be most easily connected to existing infrastructure. In recent years, this type of neighborhood design, known as a “pocket neighborhood”, has become quite popular along the west coast. Because of their popularity and quality of life they represent, the pocket neighborhood concept has spread throughout the U.S.



Danielson Grove, a pocket neighborhood in Kirkland, WA outside of Seattle



Milwaukee Avenue Historic District houses in South Minneapolis

The site plan has widespread support from the Railroad Island Task Force and the City of Saint Paul. In fact, the City submitted the Village on Rivoli site to the Metropolitan Council for LCDA funding twice, first in 2007 and then in 2016. The City was awarded LCDA funding in 2007 but it had to be turned down because of the Great Recession. The City re-submitted for LCDA funding in 2016 and was awarded \$975,000 for infrastructure work.

However, by turning the traditional street design idea around and creating a public green

area that the houses face (instead of a street) we are able to increase the density while still meeting the 5,000 sf minimum lot size requirement of the R4 zoning. We are also able to use the public green for storm water management and for an easement in which we will place the sewer and water services to each of the houses, saving considerable infrastructure costs. The common green area thus becomes a unifying element of the design of the site, giving residents a common green space that they share with neighbors, while also being used for necessary infrastructure.

We are also using the setback areas between houses more creatively than is typical. In most urban neighborhoods, the 5-6' setback area between houses becomes a "no-man's land" of 10'-15' that is not useable for anything other than landscaping. We are maintaining a minimum 11' between buildings to meet the intent of the zoning code setback requirements. The minimum 11' area between homes will, however, be a part of an outlot that will be owned and managed by the Common Interest Community's (CIC) Association that will be created to manage the commonly owned property.

The Association documents will allow the home owner to the west side of each outlot area to use the entire 11'-16' area between the homes. In this way, the entire 11'-16' area can be used as outdoor living space. This allows an entry to each house from the front of the house (the façade facing the common green) and a side door that opens to a courtyard that becomes a private, outdoor living space for each house. The front entry opens to a front porch area on the front of the house. The front porch also connects to the side courtyard area to create a large useable outdoor space.

Variations required

Based on our reading of the zoning code and as described above, we are requesting three variances for the plan as developed. The first variance is for the seven (7) 16' wide homes designed for the north side of the site. The second variance is for the two homes along Otsego Street on the east boundary of the site. The third variance is to clarify where the front of the B and C units so that the Section 63.110 of the Zoning Code is clearly met.

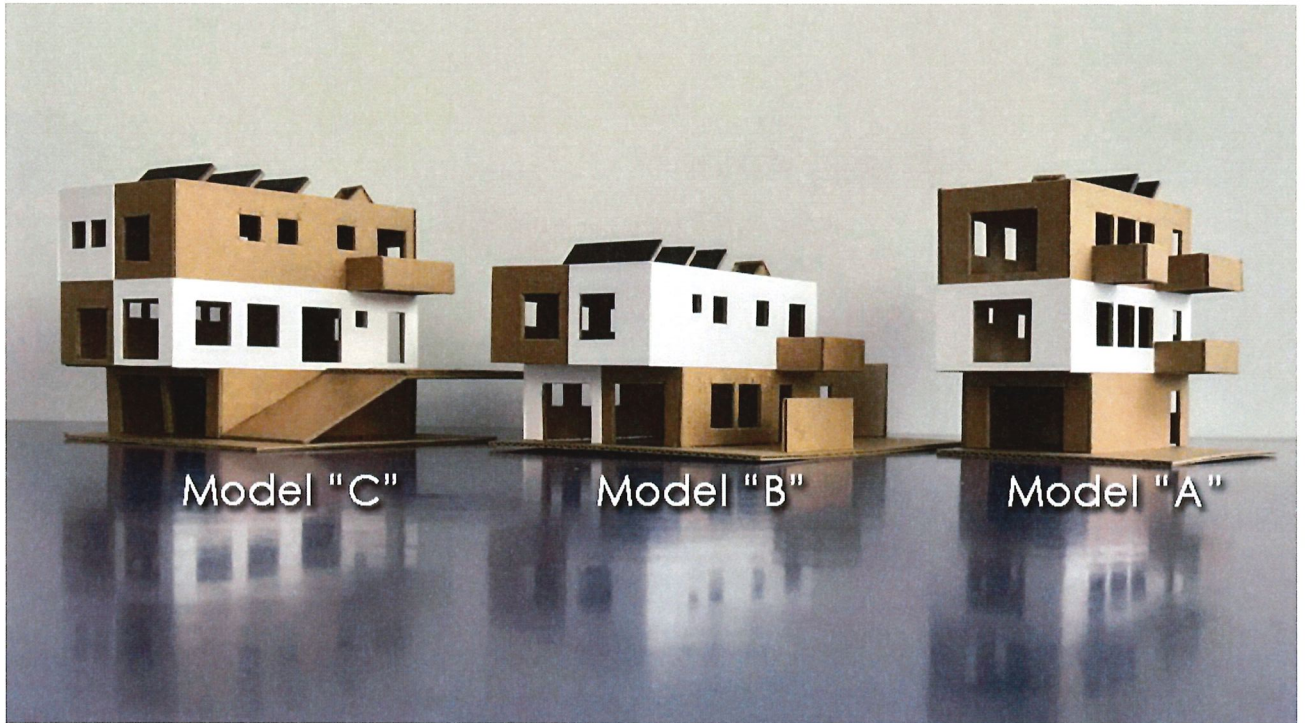
Summary

The Cluster Development is of sufficient size, composition and arrangement that its construction, marketing and operation make it feasible as a complete unit without dependence upon any subsequent unit;

The proposed development will not create an excessive burden on parks, schools, streets, or other public facilities and utilities which serve or are proposed serve the Cluster Development. The proposed development is consistent with the reasonable enjoyment of neighboring property.

Housing styles

Six different housing styles are proposed for the Village on Rivoli. Three of the models are shown below and are designed by noted MN architect David Salmela. They are what Salmela terms progressive designs for new urban housing.

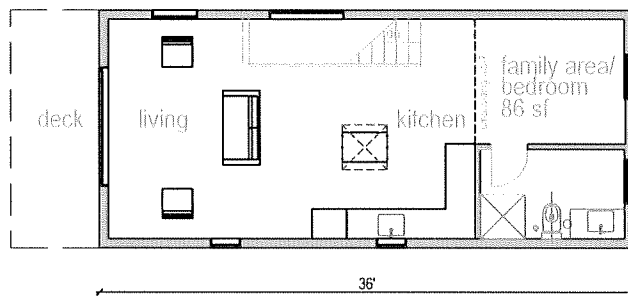


The homes will be designed by renowned MN Architect David Salmela and will be built modularly. In other words, the majority of the above grade portions of the house will be built in a factory. The individual modules are then transported to the site and placed on foundations that are built on site. The modular process allows us to build more quickly, with significantly less waste and to a higher level of quality than conventionally built homes.

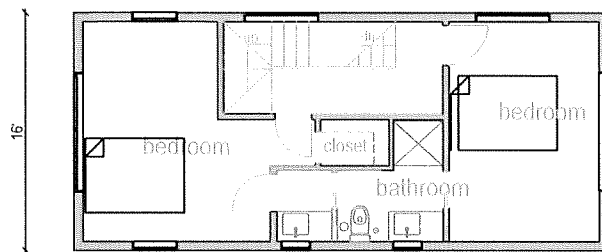
The modular process allows us to build modules up to 16' in width. The development of a 16' wide house, similar to Model "A" in the photo above, allows us to build a high quality, beautifully designed home at a significantly lower cost than conventional construction. The 16' width, allows us to build the entire home inside of the factory, saving considerable time and money spent on site. The work actually done on site is limited to the foundation, landscaping, utility connections, mechanical connections inside of the building and touch up sheet rock and painting inside.



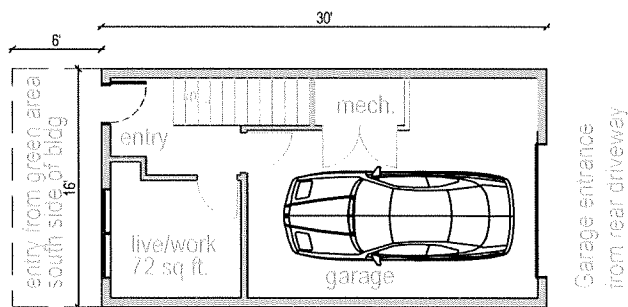
The "A" unit plan is a 16' wide home with a single car garage at grade and two living levels above. The bedrooms are on the 2nd floor and the kitchen/living/dining areas are on the third floor to take advantage of the views of downtown St. Paul and the Mississippi River valley. The total living area of the home is approximately 1,126 sq. ft. and will have 2 bedrooms, 2 bathrooms, living/dining and kitchen area with 2 outdoor deck living areas. The plan is intended to meet a market need for new housing under \$200,000. The 16' wide home is very economical to build



3rd floor level



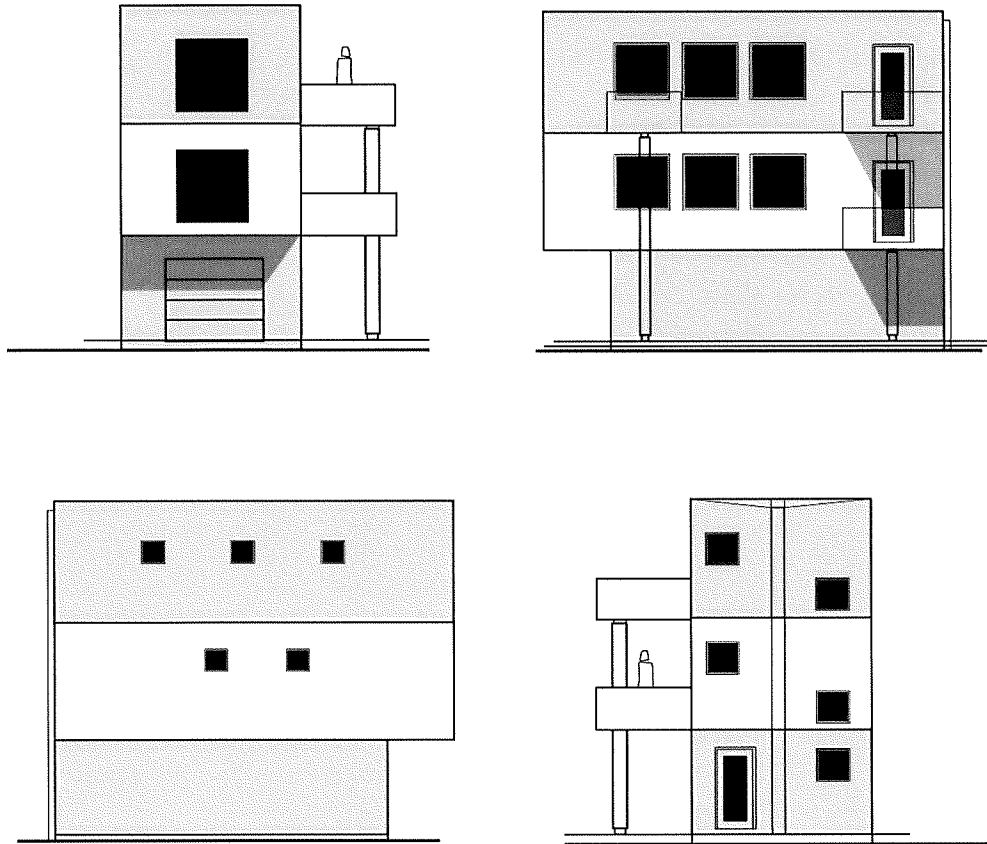
2nd floor level



grade entrance level

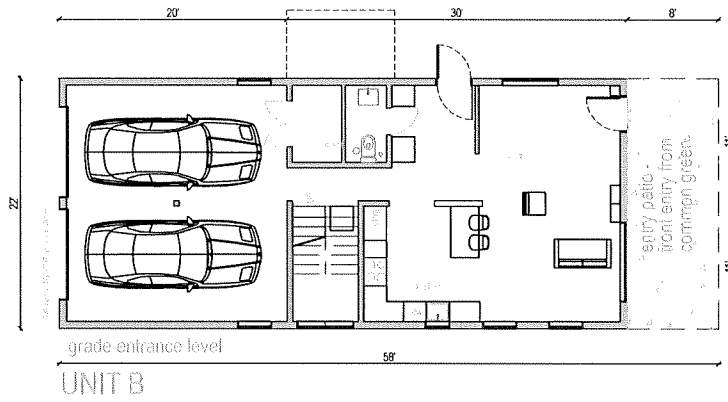
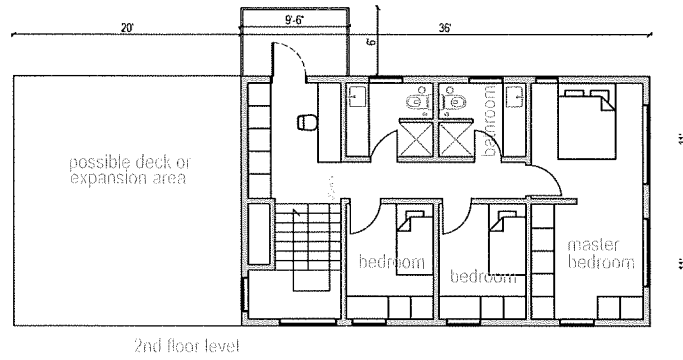
UNIT A - option 1

A units

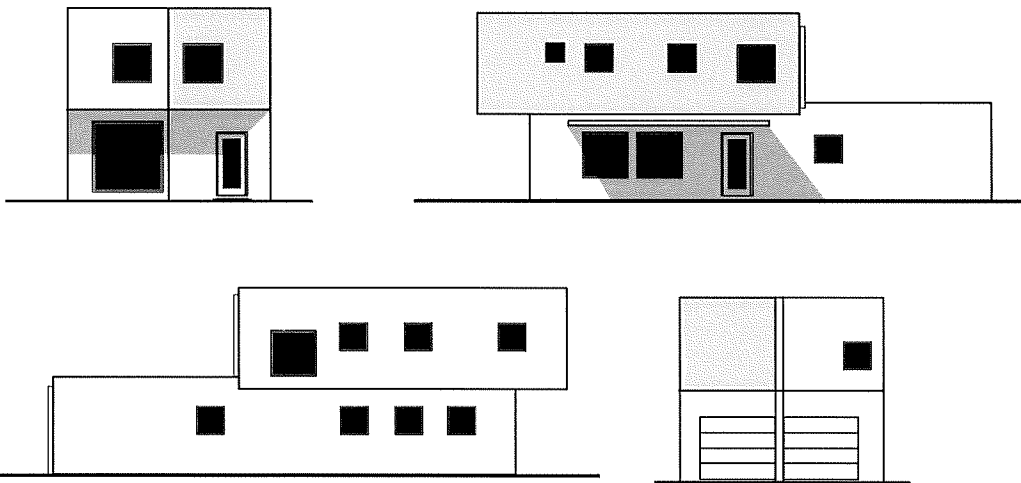


Salmela
architect

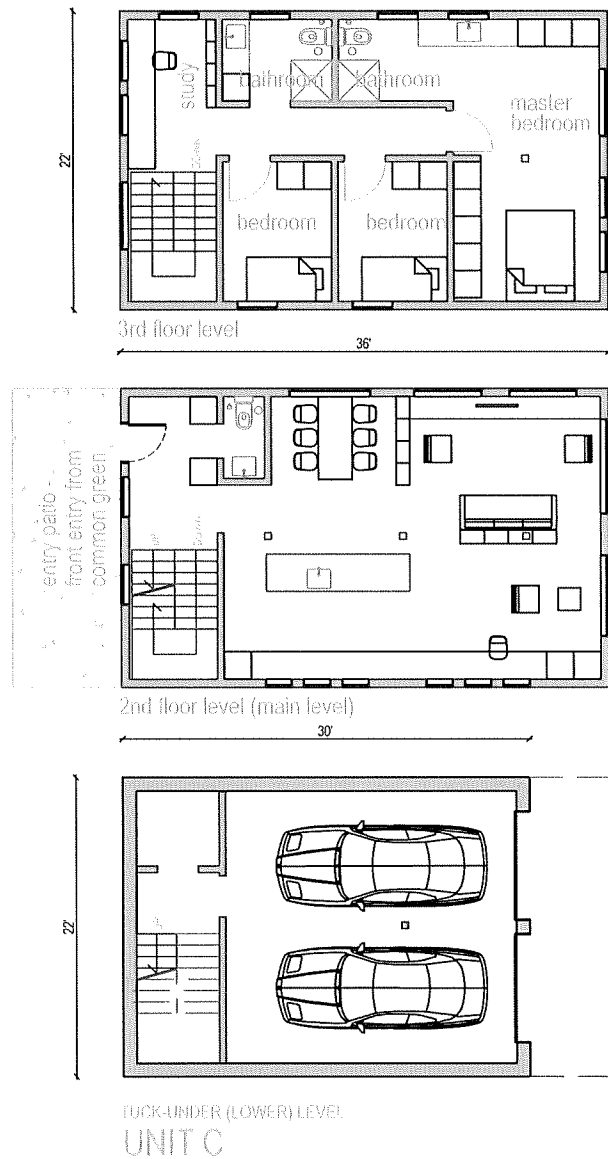
The “B” unit below is a 22’ wide by 56’ deep home with approximately 1,450 sq. ft. of finished living area. The home has a 2-car attached garage and outdoor living space to the side and front of the home. The B unit has 3 bedrooms, 2.5 bathrooms and combined living/dining/ kitchen area. The B unit also has the potential to expand above the attached garage area for another 440 sq. ft. for a potential living area of 1,890 sq. ft.



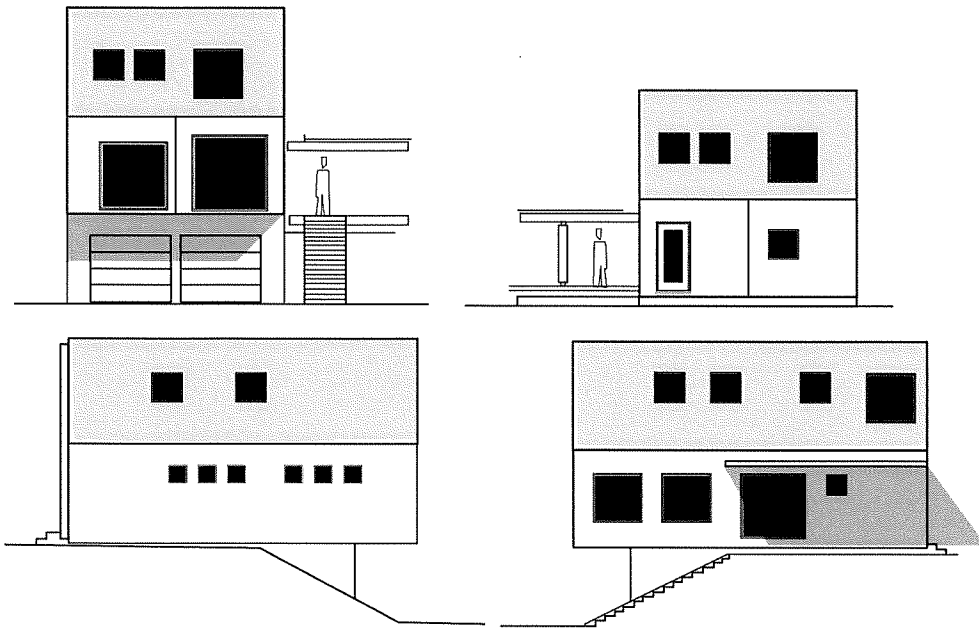
B UNITS



The "C" unit below is 24' wide by 36' deep with approximately 1,700 sq. ft. of finished living area. The home has an a 2-car attached garage on the lower, walkout level. The home has 3 bedrooms, 2.5 bathrooms and combined living/dining/ kitchen areas. The C unit also has outdoor living area to the front and side of the home.

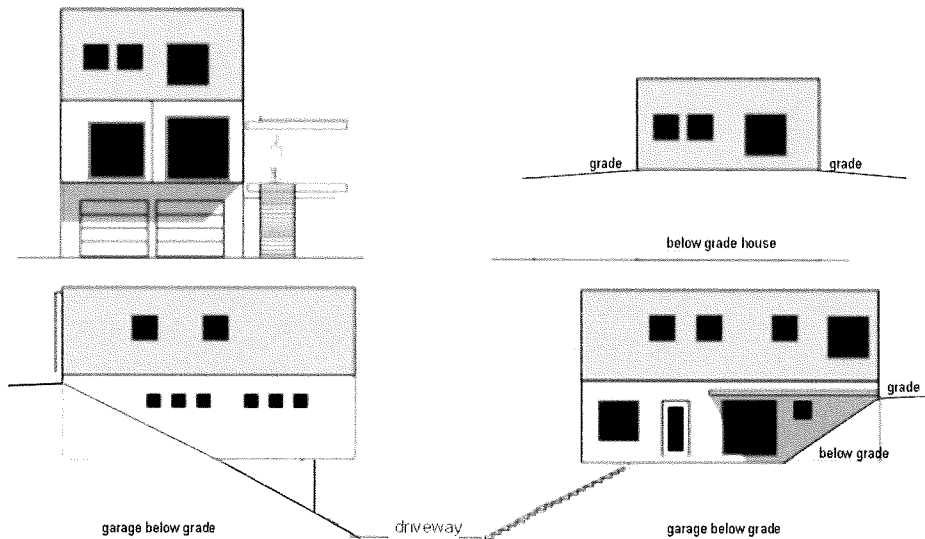


C Units

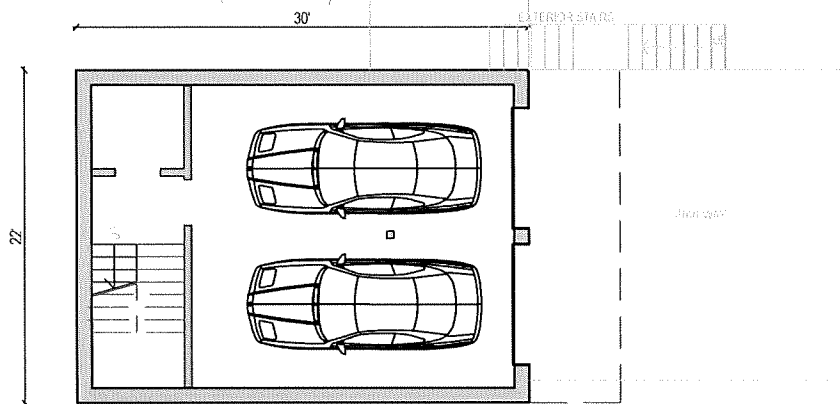
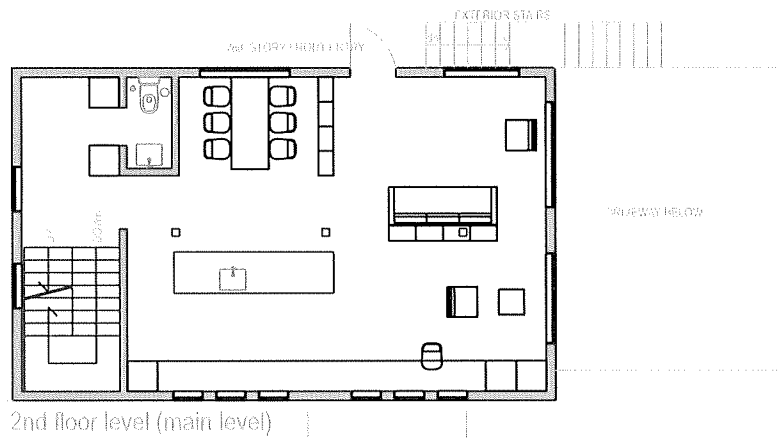
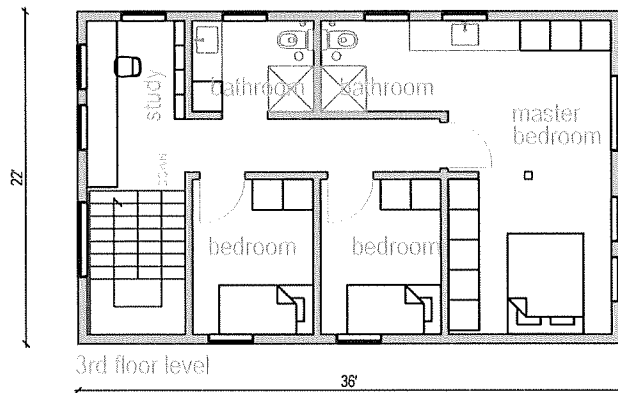


Salmela
architect

C Units MODIFIED FOR OTSEGO STREET



Salmela
architect



UNIT C - OTSEGO STREET

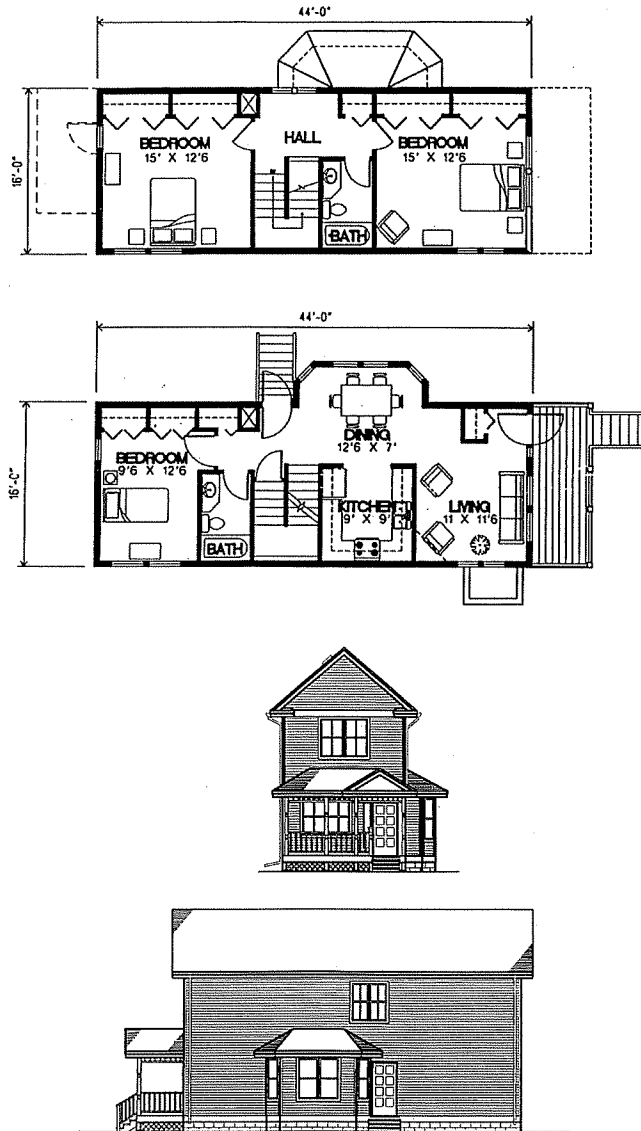
Each of the above plans could be done with a gable roof as well as the flat roofs shown above. Examples of the gable roof design are below and are another option. The gable roof design is more in keeping with the building styles in the neighborhood but is more expensive and creates some challenges in storm water runoff from the roofs. We present the gable roof ideas as an option.



DBNHS recognizes the design characteristics of the A, B and C model homes shown above are distinctly different from the typical housing styles in the neighborhood. While we have received positive feedback about the designs through our pre-marketing efforts, we are not certain how they will be received by the marketplace. For that reason, we are submitting as a part of this ~~Planned Development~~ zoning application house plans that are more typical of the neighborhood. These alternative plans are below.

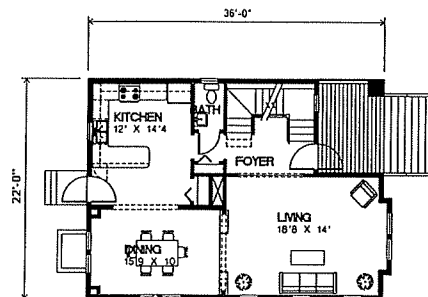
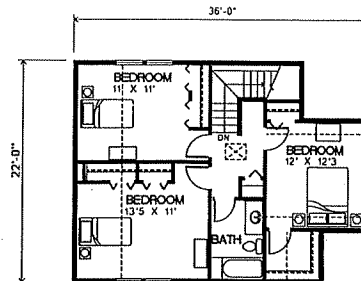
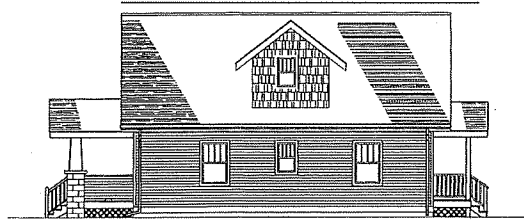
D Model

The "D" model above is presented as an alternative to the A model. This is also a 16' wide home, but has a 4' bay window extension to the side. Similar to the A model, this design will be modified to include a tuck-under garage.



E Model

The “E” model below is presented as an alternative to the B model. This is also a 22’ wide home with 3 bedrooms, 2 bathrooms and a combined living/dining kitchen area. Similar to the B model, this design will be modified to include an attached garage at the rear of the house.





F Model

The “F” model above is presented as an alternative to the C model. This is also a 22’ wide home with 3 bedrooms, 2 bathrooms and a combined living/dining kitchen area. Similar to the C model, this design will be modified to include an attached tuck-under garage at the rear of the house. The floor plan of the F model is very similar to the plan for the E model above .

Site Engineering

The layout and grading of the site is designed to take advantage of the natural grades of the site and to take advantage of the storm water ponds that were built in 2008 to accommodate storm water runoff for the entire area. Drainage patterns are shown on the illustrative site plan in blue arrows. As illustrated, almost all of the storm water from the site will be directed to the storm water ponds on site. These ponds will be redesigned and reconstructed if necessary to accommodate the runoff generated by the proposed development.

Preliminary engineering drawings are presented with this CUP application.



APPLICATION FOR ZONING VARIANCE
 Department of Safety and Inspections
 375 Jackson Street, Suite 220
 Saint Paul, MN 55101
 General DSI Line: 651-266-9008

Zoning office use only
 File no. _____
 Fee _____
 Tentative hearing date:
7-19-18

APPLICANT

Name Jim Erchul Company Dayton's Bluff Neighborhood Housing Service
 Address 823 East Seventh Street
 City Saint Paul St. MN Zip 55106 Daytime phone 651-774-6995
 Property interest of applicant (owner, contract purchaser, etc.) Owner & Designated developer
 Name of owner (if different) City of Saint Paul Housing and Redevelopment Authority

PROPERTY LOCATION

Address 660 Rivoli and surrounding area
 Legal description: See attached CUP application and Survey

 (attach additional sheet if necessary)
 153,038 sf
 Lot size 3.5 acres Present zoning R4 and RT1 Present use vacant land
 Proposed Use new single-family homes

Variance[s] requested:

See attached narrative

Supporting Information: Supply the necessary information that is applicable to your variance request, provide details regarding the project, explain why a variance is needed. Attach additional sheet as necessary. Clearly state how each of the required six findings are met (list them).

Applicant's signature *J. Erchul* Date 5-29-18 City agent *Add 6-15-18*

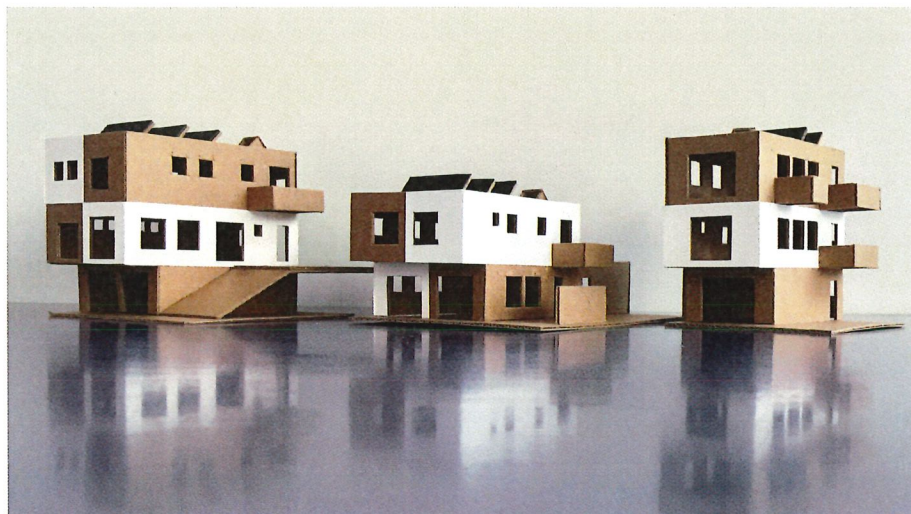
Dayton's Bluff Neighborhood Housing Services Variance request – Village on Rivoli

Variance #1: Dayton's Bluff Neighborhood Housing Services requests a variance from the following Section of the City of Saint Paul zoning code.

- **Sec. 66.233. - Minimum building width.**

In residential districts, the building width on any side of one-family and two-family dwellings shall be at least twenty-two (22) feet, not including entryways or other appurtenances that do not run the full length of the building.

We are requesting the variance so we can build seven (7) 16' wide houses as a part of our 26 single-family home Village on Rivoli pocket neighborhood project. The 16' wide house will allow us to make better use of the Rivoli site and maintain the typical R4 density that is required by our Metropolitan Council Livable Communities Demonstration Account (LCDA) grant, which is providing the funding to install the infrastructure. The LCDA infrastructure grant makes development of the site possible. The 16' wide design will also allow us to build and sell houses for under \$200,000. Drawings of the proposed house are included in the CUP application identified as Unit A. A photo of a model of the house is below. The 16' wide house is the one on the right side of the photo.



Unit A

According to the Zoning Code, there are six conditions that need to be met before a variance can be granted. Below is each of the conditions and our response.

Condition 1. "The variance is in harmony with the general purposes and intent of the zoning code."

Response: Granting the variance will result in a development that is very much in harmony with the zoning code. The area is zoned R-4, with a minimum lot width of 40', minimum lot size of 5,000 square feet and sideyard setbacks of 4'. There are a number of existing houses in the Railroad Island neighborhood narrower than the minimum 22' requirement. These houses were built prior to the

implementation of the 22' minimum width requirements. The 16' wide houses will allow us to take advantage of an unusual and challenging site and maintain a density that is consistent with the Code.

Condition 2: The variance is consistent with the comprehensive plan.

Response: The Comprehensive Plan, along with the Railroad Island Small Area Plan and the Railroad Master Plan identify the Rivoli area for single family homes. DBNHS has worked with the RRI Task Force for many years to develop the overall design for the site, including the 16' wide units.

Condition 3: 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.

Response: The use of a 16' home provides us the opportunity to build high quality, reasonable priced homes to meet a market need for houses at or just under \$200,000. Also, the increased density the seven (7) 16' wide homes provide in a limited area of the site allows us to make reasonable use of the natural characteristics of the rest of the site.

Condition 4: The plight of the landowner is due to circumstances unique to the property not created by the landowner.

Response: The circumstances unique to this property were not created by the landowner. The site has been vacant for years. It was a brownfield site remediated by DBNHS in partnership with the City of Saint Paul at considerable expense.

Condition 5: The variance will not permit any use that is not allowed in the zoning district where the affected land is located.

Response: The variance will not permit a use not allowed in the property's zoning district. In fact, given the issues raised above, one variance or another is required to use the land as currently zoned if the development is to meet the City's goals for the development of new housing on this site that meets the density requirements of the Met Council LCDA grant described above. In all ways, the proposed housing complies with the R4 and RT1 zoning requirements.

Condition 6: The variance will not alter the essential character of the surrounding area.

Response: The variance will not alter the essential character of the surrounding area. In fact, granting the variance will reinforce and enhance the essential character of the neighborhood by allowing the construction of new, high quality single family homes, in an area that was a brownfield that has been vacant for many years because of the constraints of the site. The variance will also allow DBNHS to increase density in a small part of the site in order to preserve the essential character of the meadow, existing trees and other natural parts of the site.

Variance #2: Dayton's Bluff Neighborhood Housing Services requests a variance from the following Section of the City of Saint Paul zoning code.

- **Sec. 63.501 Accessory buildings and uses.**

b. Accessory buildings, structures or uses shall not be erected in or established in a required yard except a rear yard. The following additional standards shall apply to residential parking:

4) Except in the rear yard, garage doors that face a public street shall be no more than nine (9) feet in height and shall not exceed sixty (60) percent of the width of the principal structure facing the same street.

We are requesting the variance so we can build two houses along Otsego Street on parcels that would otherwise be unbuildable because of the lack of a rear alley and steep adjacent slopes.

We are requesting the same variance for the seventeen (17) houses labeled B and C units on the site plan. This variance is required because the City determined the private drive lane, used to access the houses, is a private street. The Zoning Code considers private and public streets to be the same and therefor places the limitations in 63.501.b.4 on our private street. The garages on these 17 homes face this private street so the variance is required.

According to the Zoning Code, there are six conditions that need to be met before a variance can be granted. Below is each of the conditions and our response.

Condition 1: "The variance is in harmony with the general purposes and intent of the zoning code."

Response: Granting of the variance will result in a development that is very much in harmony with the zoning code. The area is zoned R-4, with a minimum lot size of 5,000 square feet and sideyard setbacks of 4'. We are meeting all of those requirements and all of the other design standards for the R4 zoning classification as it relates to a cluster development.

Condition 2: The variance is consistent with the comprehensive plan.

Response: The Comprehensive Plan identifies the Rivoli area for single family homes. Granting a variance to build on these lots meets the City goals for housing and is consistent with the Comp Plan, the RRI Small Area Plan and the RRI Master Plan.

Condition 3: 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.

Response: There is no other way to build housing on the 2 Otsego parcels. The steepness of the slope behind the housing and lack of an alley make it impossible to build without a front facing garage. The house could be made wider so that the garage is less than 60% of the width of the house, but there are practical design considerations which make this less than ideal. Wider houses would potentially encroach on the existing large and old burr oaks on the hillside.

We are requesting the variance for the B and C units so we can take advantage of the location and topography of the site to create a community of homes that share a common space. This type of community, often called a pocket neighborhood, is becoming increasingly popular throughout the country. The open spaces preserve larger contiguous amounts of green space than if each lot had its own private yard and provide common area for people to share. In this site, the pocket neighborhood design also provides a space for the utility connections that currently do not exist. The design also allows us to preserve views of downtown for all residents of the community.

Condition 4: The plight of the landowner is due to circumstances unique to the property not created by the landowner.

Response: The circumstances unique to this property were not created by the landowner. The site has been vacant for years. It was a brownfield site remediated by DBNHS in partnership with the City of Saint Paul at considerable expense.

Condition 5: The variance will not permit any use that is not allowed in the zoning district where the affected land is located.

Response: The variance will not permit a use not allowed in the property's zoning district. In fact, given the issues raised above, one variance or another is required to use the land as currently zoned if the development is to meet the City's goals for the development of new housing on this site. In all ways, the proposed housing complies with the R4 and RT1 zoning requirements and meets the density requirements of the Met Council LCDA grant described above.

Condition 6: The variance will not alter the essential character of the surrounding area.

Response: The variance will not alter the essential character of the surrounding area. In fact, granting the variance will reinforce and enhance the essential character of the neighborhood by allowing the construction of new, high quality single family homes, in an area that was a brownfield site that has been vacant for many years because of the constraints of the site. The variance will also allow DBNHS to increase density in a small part of the site in order to preserve the essential character of the meadow, existing trees and other natural parts of the site.

The variance will also allow DBNHS to create a pocket neighborhood that is becoming popular in other parts of the country here in Saint Paul. These neighborhoods provide affordable, safe and welcoming places for families to live.



Phase 1a
5 new houses by DBNHS
scheduled for completion June 2018

Phase 1
7 New houses by
DBNHS - completed
2017

Community
Solar Garden

Storm water pond
Urban Roots
Community Ag area

Community Ag area

Model "B" units (8)

Model "A" units (7)

Model "C" units (9)

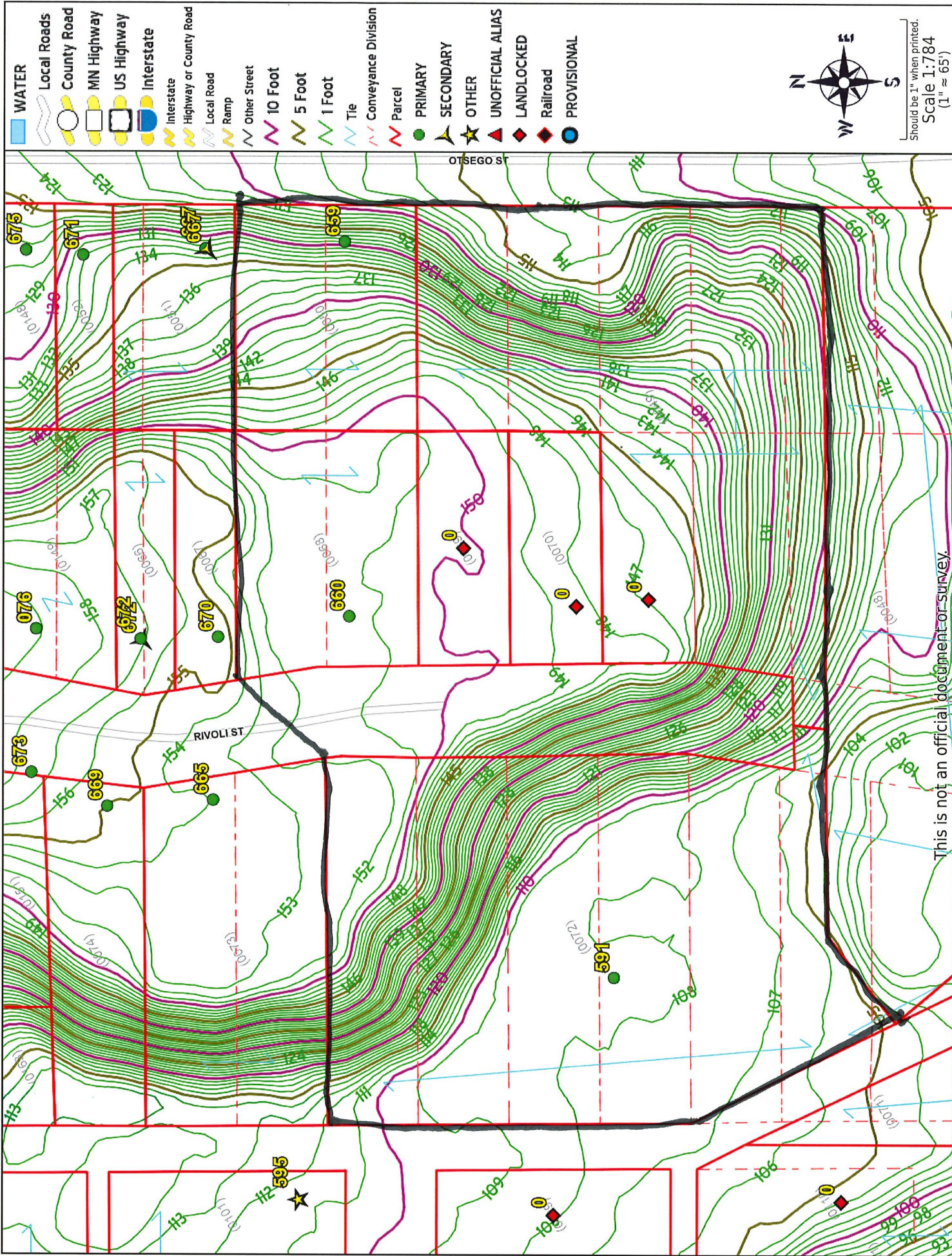
Model "C" units (2)

VILLAGE ON RIVOLI PHASE 2
Preliminary Site Plan - Conditional Use Permit Application

LEGEND

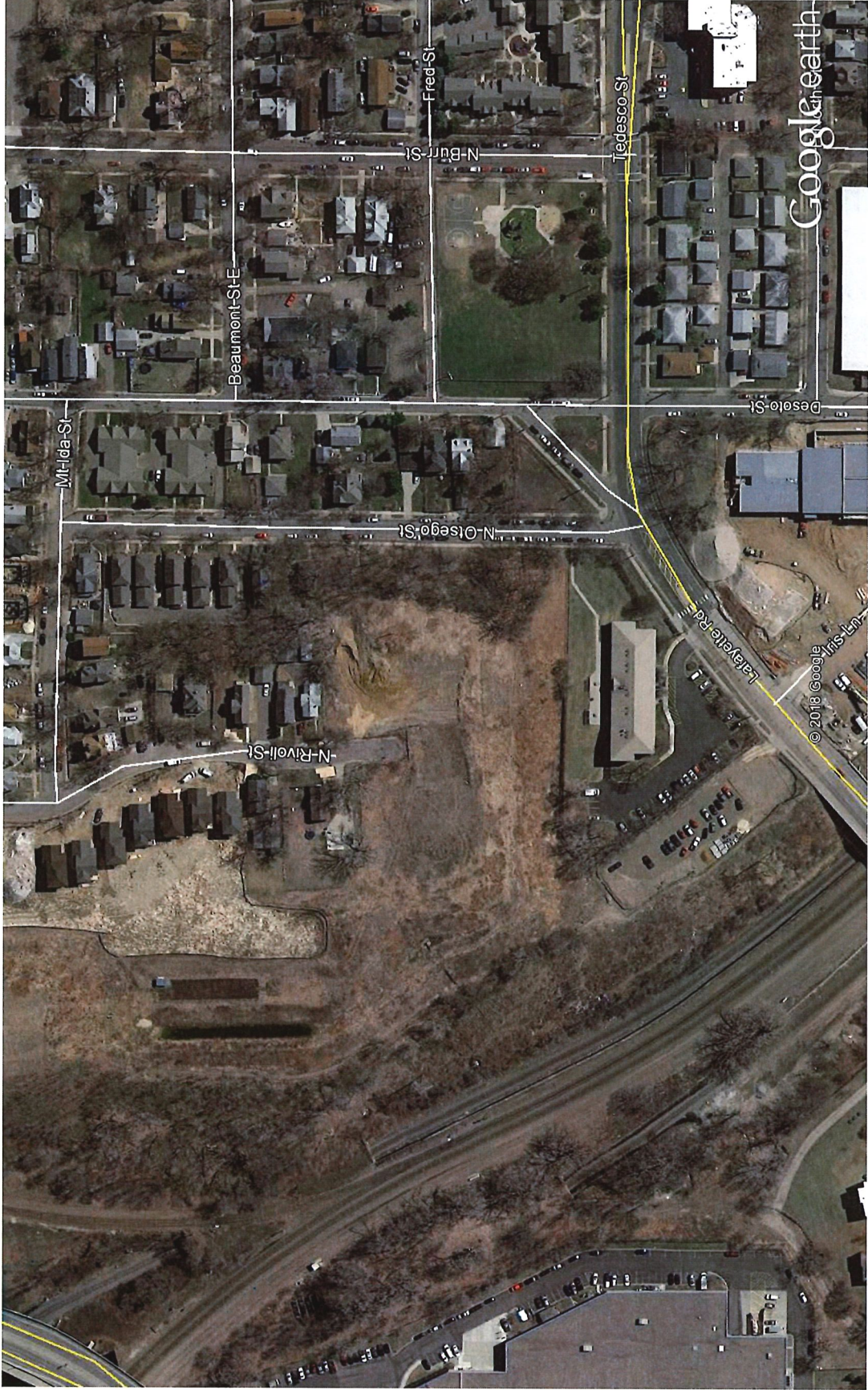
- Proposed drainage
- Extent of associated uses, but not in CUP area
- Storm water pond
- Extent of Conditional Use Area



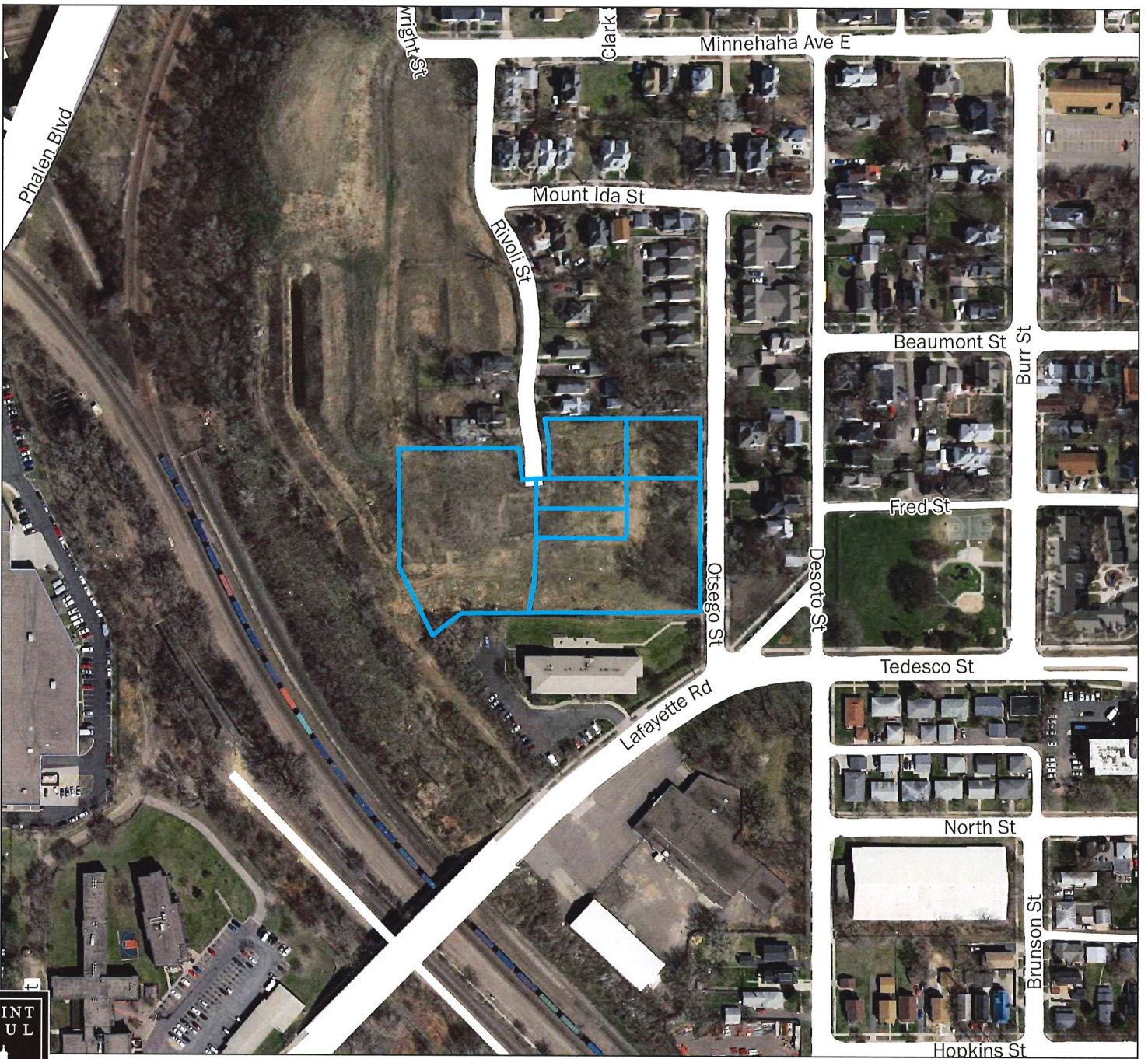


This is not an official document or survey.

— = subject site



More recent aerial (with new homes along Rivoli Street)

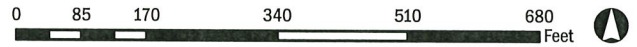


FILE #18-075276 | AERIAL MAP

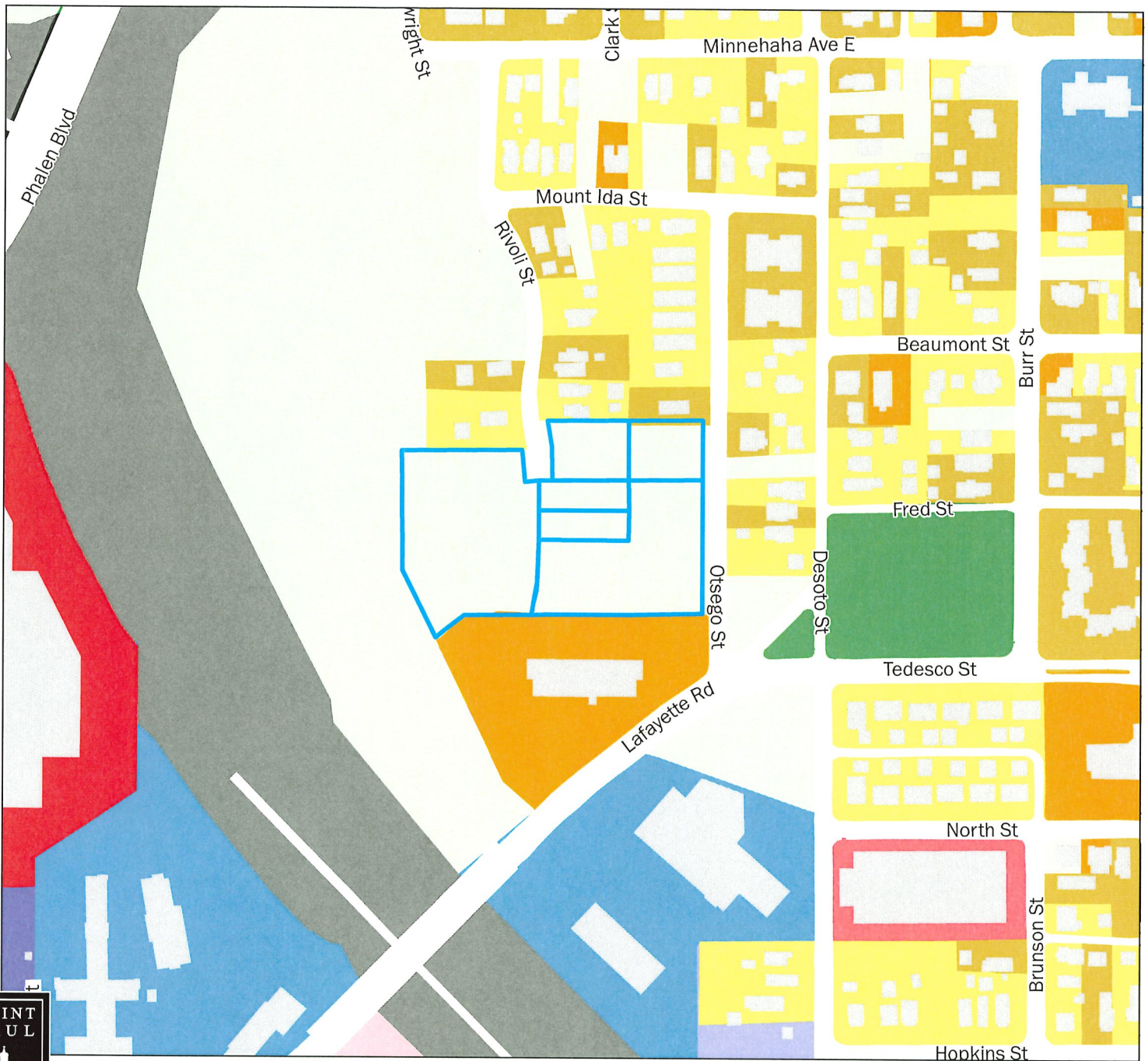
Application of Village on Rivoli

Application Type: Cup W/ Variance
 Application Date: June 16th, 2018
 Planning District: 5

Subject Parcel(s) Outlined in Blue



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 #18-075276 | LAND USE MAP

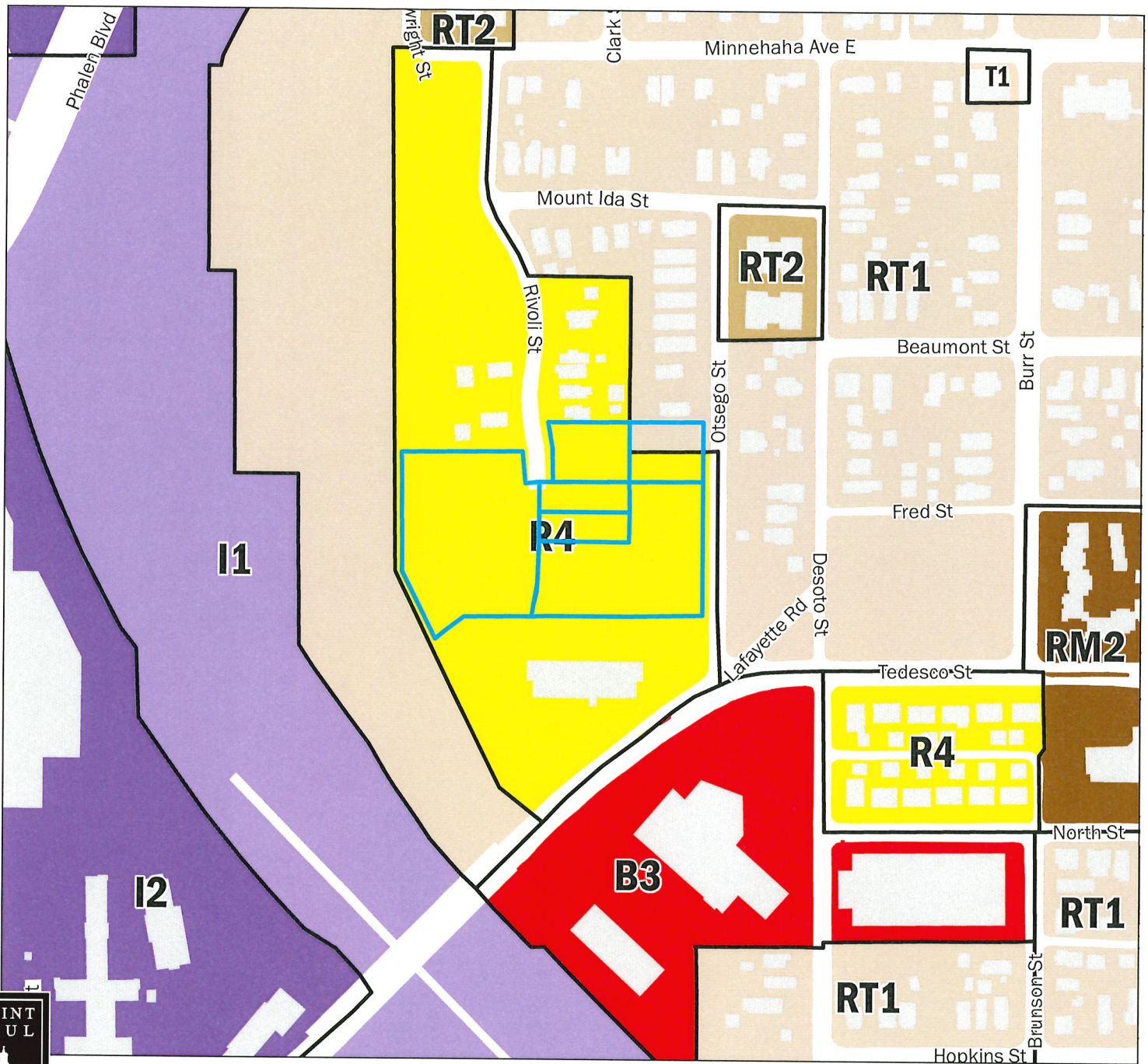
Application of Village on Rivoli

Application Type: Cup W/ Variance
 Application Date: June 16th, 2018
 Planning District: 5

Subject Parcel(s) Outlined in Blue

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

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FILE #18-075276 | ZONING MAP

Application of Village on Rivoli

Application Type: Cup W/ Variance
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Subject Parcel(s) Outlined in Blue

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