

ZONING COMMITTEE STAFF REPORT

FILE NAME: SRPB Strategic Housing

FILE # 18-117-397

APPLICANT: Schafer Richardson, LLC

HEARING DATE: December 6, 2018

TYPE OF APPLICATION: Conditional Use Permit

LOCATION: 848 Payne Ave, NE corner Payne and Whitall

PINS & LEGAL DESCRIPTION: 292922420263, 292922420346, 292922420247, 292922420238, 292922420246, 292922420349; Lots 25-41, Charles Weide's Subdivision of Block 37 of Arlington Hills Addition

PLANNING DISTRICT: 5

PRESENT ZONING: T2

ZONING CODE REFERENCE: § 66.331; § 61.501

STAFF REPORT DATE: November 29, 2018

BY: Bill Dermody

DATE RECEIVED: October 23, 2018

60-DAY DEADLINE FOR ACTION: December 22, 2018

- A. **PURPOSE:** Conditional use permit (CUP) for building height: 37 ft. allowed by right with stepbacks; 47 ft. proposed with CUP and stepbacks.
- B. **PARCEL SIZE:** 1.49 acres
- C. **EXISTING LAND USE:** Temporary parking lot (along northern edge) and vacant/undeveloped
- D. **SURROUNDING LAND USE:** Commercial and mixed commercial/residential along Payne Avenue to the north and south, temporary parking lot to the west across Payne Avenue, and parkland to the east.
- E. **ZONING CODE CITATION:** § 66.331 establishes the maximum building height in the T2 Traditional Neighborhood district, including a provision for a conditional use permit for additional height; § 61.501 lists general conditions that must be met by all conditional uses.
- F. **PARKING:** Zoning Code § 63.207 requires a total of 123 off-street parking spaces for the proposed 5,650 sq. ft. of commercial uses and 99 studio and one-bedroom dwelling units, less any reductions related to bicycle parking and the T2 zoning district. No variances are requested related to parking.
- G. **HISTORY/DISCUSSION:** The site and the surrounding area along Payne Ave were rezoned to T2 Traditional Neighborhood in 2004. The site received an interim use permit approval in 2014 to allow its northern portion to be used for temporary parking to support area businesses. The site has been otherwise vacant since 2007. The proposed project recently received conditional site plan review approval, including a condition requiring that approval of the subject application be obtained to permit the height.
- H. **DISTRICT COUNCIL RECOMMENDATION:** The Payne Phalen Community Council recommends approval of the application.
- I. **FINDINGS:**
1. The application requests conditional use permit approval to permit a 47'-high mixed-use residential and commercial building that is set back 2' from the rear and north side property lines, and more than 30' from the south property line.
 2. § 61.501 lists five standards that all conditional uses must satisfy:
 - (a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The additional height is in substantial compliance with the Comprehensive Plan, including Figure LU-B which designates the site as part of a Mixed Use Corridor, Strategies LU-1.23 and LU-1.25 that encourage residential density here, and Strategy LU-1.24 that encourages a mix of uses.
 - (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The project uses a shared driveway to the south to access Payne Avenue, which has been approved by Public Works Traffic Engineering as part of site plan review.

- (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 project and its additional height are not detrimental to the existing character of development along this mixed-use street. The project's design, in accordance with the T2 design standards, will benefit the Payne Avenue streetscape.
- (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 takes advantage of a shared driveway to its south and maintains Aguirre Street to the north for access both to businesses and, potentially, for future bicycle/pedestrian connections to the east.
- (e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. All applicable district regulations will be abided by, as confirmed through site plan review. No variances are requested.

- J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit (CUP) for building height of 47', 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 #: 18-117397
 Fee: _____
 Tentative Hearing Date: 11-20-18

PD=5
#292922420263

APPLICANT

Name Schafer Richardson, LLC c/o Katie Anthony Email kanthony@sr-re.com
 Address 900 N Third Street
 City Minneapolis State MN Zip 55401 Daytime Phone 612.305.7084
 Name of Owner (if different) SRPB Strategic Housing or affiliate
 Contact Person (if different) same Phone _____

PROPERTY LOCATION

Address/Location 848 Payne Avenue
 Legal Description See attached sheet
 Current Zoning T2 - Traditional Neighborhood
 (attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of
 Chapter 66, Section 331, Paragraph _____, 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 sheet

Required Site Plan is attached

Applicant's Signature Katie Anthony Date 10/11/18 City Agent pdd
 10-23-18 Rev 9/4/14

Supporting Information for Conditional Use Permit for 848 Payne Avenue

The project at 848 Payne Avenue (Project) is seeking a Conditional Use Permit for maximum building height in a T2 district. Per Section 66.331 of the zoning code, the maximum height for a multifamily building in a T2 district is 35' with 45' allowed with a Conditional Use Permit. Furthermore, the zoning code allows multifamily buildings in a T2 zone to exceed the maximum height if set back from side and rear setback lines a distance equal to additional height. The proposed height of the Project is approximately 47'. The building is set back from the side and rear setback lines a minimum of 2', which meets the guidelines in Section 66-331 when the Conditional Use Permit is applied.

The Conditional Use Permit is required in order to build a mixed-use building at 4-stories. The Phalen Corridor Development Strategy states three objectives including more jobs, a stronger tax base, and livable neighborhoods. The Project meets these objectives by redeveloping a vacant site along a key commercial corridor, adding medium density in a mixed use building to include nearly 6,000-sf of commercial space and 99 units of housing.

The Conditional Use Permit for height will not adversely impact the neighboring properties as noted in the city zoning code in section 61.501:

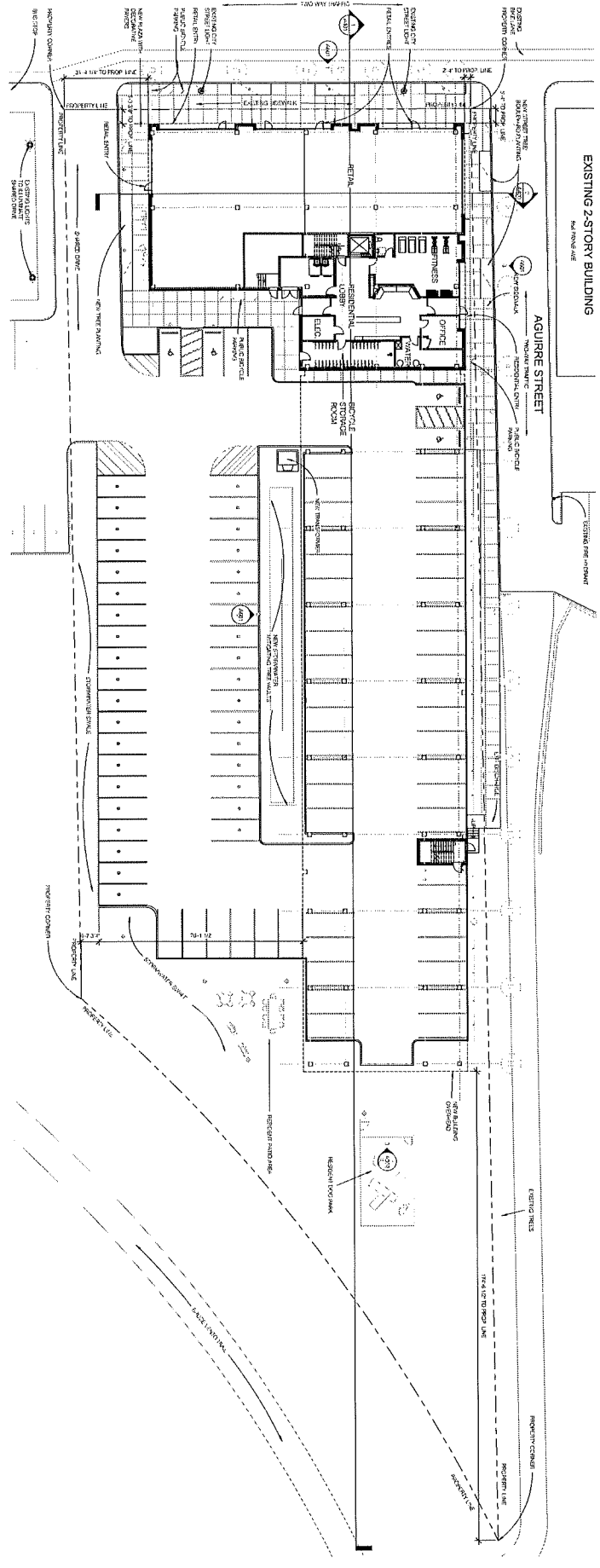
- (a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.*
 - The property is located along a designated mixed-use corridor on Payne Ave., which calls for commercial and retail uses served by public transit. The Phalen Corridor Development Strategy states three key objectives including more jobs, a stronger tax base, and livable neighborhoods. The mixed-use nature of the Project will add jobs to the Corridor and create a more livable and walkable neighborhood; redeveloping this vacant site will inherently create a stronger tax base for the City and the area.

- (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.*
 - The project will utilize an existing curb cut and shared access drive to access the property, and the residential use will be complimentary to the adjacent retail hardware store in terms of traffic demand.

- (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.*
 - By redeveloping a vacant site with a project of the appropriate scale, the project will bring more vibrancy and people, adding to the eyes on the street. The retail uses are appropriate and consistent with the other retail uses along Payne Ave. The lighting and activity on the site will improve the safety on the site.

- (d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*
 - The property, surrounded by existing functioning parcels along Payne, will not impede their operation as it maintains Aguirre St. and improves the pedestrian access on the south side of the street. The hardware store parcel to the south can remain functional and successful. To the east, the parcel abuts the bike trail, and the project location allows for a future connection to the bike trail from the Aguirre St. should the city elect to make a connection.

- (e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*
 - The project, located in the T2 zoning district, is meant to foster the development and growth of compact, pedestrian-oriented urban villages. By providing the mix of retail and residential uses, the project complies. Adequate parking is provided to meet the needs of the residential and retail uses, and bicycle parking is provided for multi-modal transportation.



EXISTING 2-STORY BUILDING

AQUARRE STREET

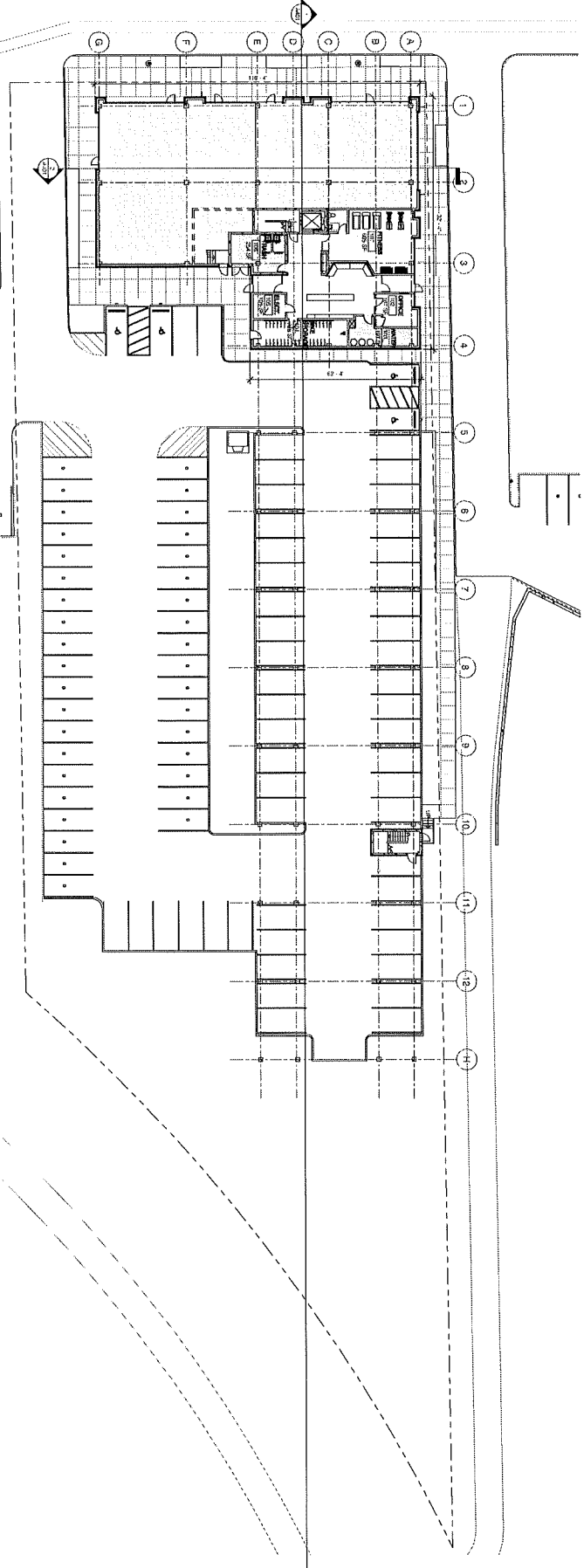
TESTING FOR FIBERGLASS

CONCRETE DRIVE

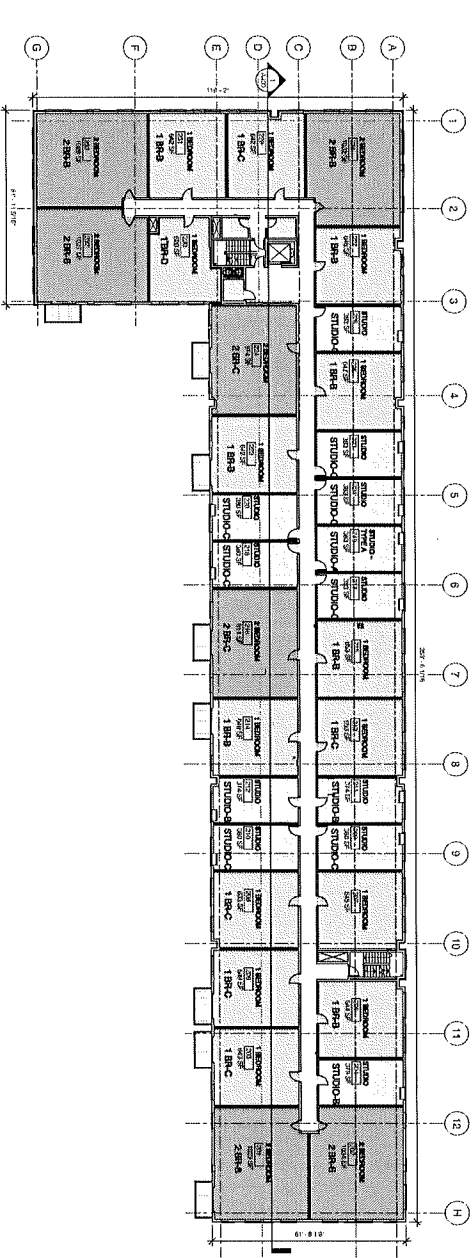
ASPHALT DRIVE

PROGRESSIVE CORNER

1 A101.0 - LEVEL 1 PLAN - OVERALL



2 A102.0 - LEVELS 2-4 PLAN - OVERALL



GENERAL NOTES:

1. DIMENSIONS OF ROOMS SHALL BE TO INTERIOR FINISHES UNLESS OTHERWISE NOTED.
2. DIMENSIONS OF WALLS SHALL BE TO CENTERLINE OF WALL UNLESS OTHERWISE NOTED.
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KEYNOTES:

- Schafer
- Richardson

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848 PAYNE

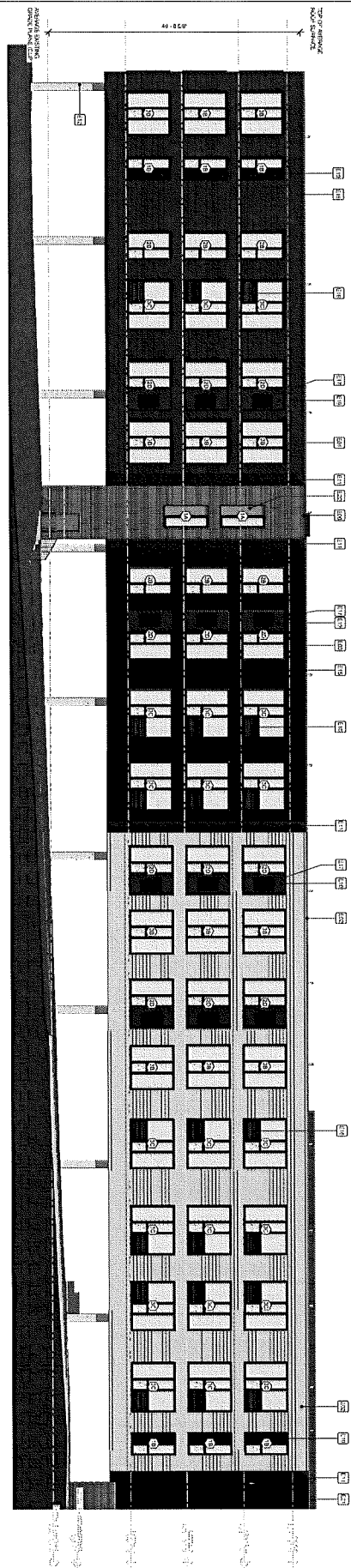
516 Payne A-2

PRELIMINARY
NOT FOR
CONSTRUCTION

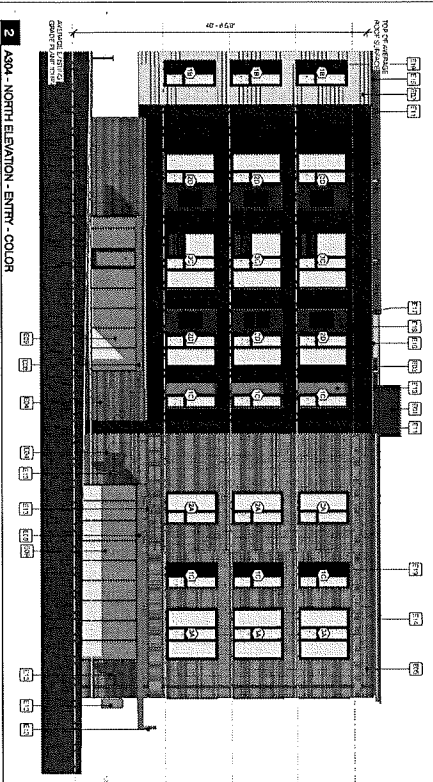
DATE: 11/14/17
PROJECT #:
DRAWN BY:
CHECKED BY:

LEVELS 1 & 2
PLAN - OVERALL

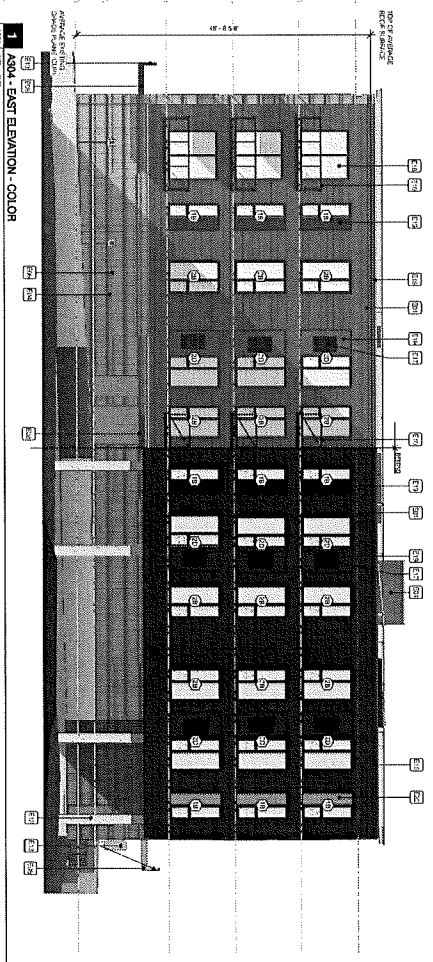
A101.0



3 404 - NORTH ELEVATION - PARKING - COLOR
 SCALE: 1/8" = 1'-0"



2 404 - NORTH ELEVATION - ENTRY - COLOR
 SCALE: 1/8" = 1'-0"



1 404 - EAST ELEVATION - COLOR
 SCALE: 1/8" = 1'-0"

■ Schafer
 ■ Richardson
 848 PAYNE

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PRELIMINARY
 NOT FOR
 CONSTRUCTION

BUILDING COLOR
 ELEVATIONS

A304



Payne-Phalen

COMMUNITY COUNCIL

567 Payne Avenue, St. Paul MN 55130 www.paynephalen.org 651-774-5234 district5@paynephalen.org

November 28, 2018

Zoning Committee
Saint Paul Planning Commission
25 West 4th Street, 1400 City Hall Annex
St. Paul, MN 55102

VIA EMAIL

RE: Conditional Use Permit 844-856 Payne Ave.
File # 18-117-397

Dear Zoning Committee Members:

I am writing to you on behalf of the Board of Directors of the Payne-Phalen Community Council. The Board of Directors met in regular session last night - Tuesday, November 27, 2018 - at the Arlington Hills Community Center. On the agenda was the Conditional Use Permit Application to allow a structure of 47 feet in height at 844-856 Payne Avenue. The Applicant, Katie Anthony, Senior Project Manager with Schafer Richardson attended the meeting and made a presentation to the Board. The proposal for the project was explained and questions were addressed.

The Board voted to support the permit application.

We appreciate you including this letter in the packet of materials for the upcoming public hearing. And we thank you in advance for taking the position of the Payne-Phalen Community Council into full consideration as you make your decision.

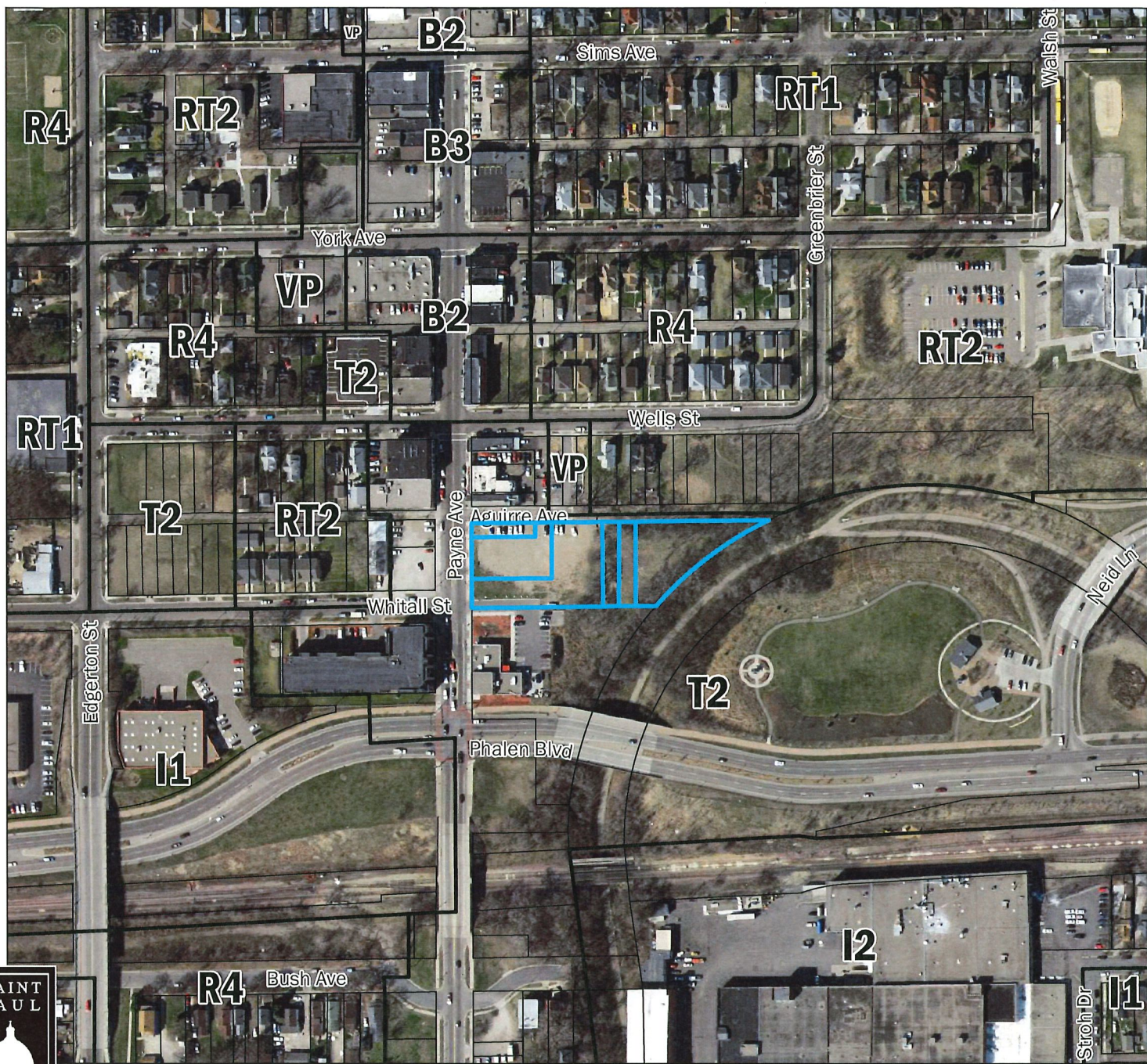
Please feel free to contact me if you have any questions or require further clarification.

Sincerely,

A handwritten signature in blue ink that reads "Jack Byers". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Jack Byers
Executive Director

cc. Athena Hollins, Board President
Bill Dermody, St. Paul PED
Katie Anthony, Schafer Richardson



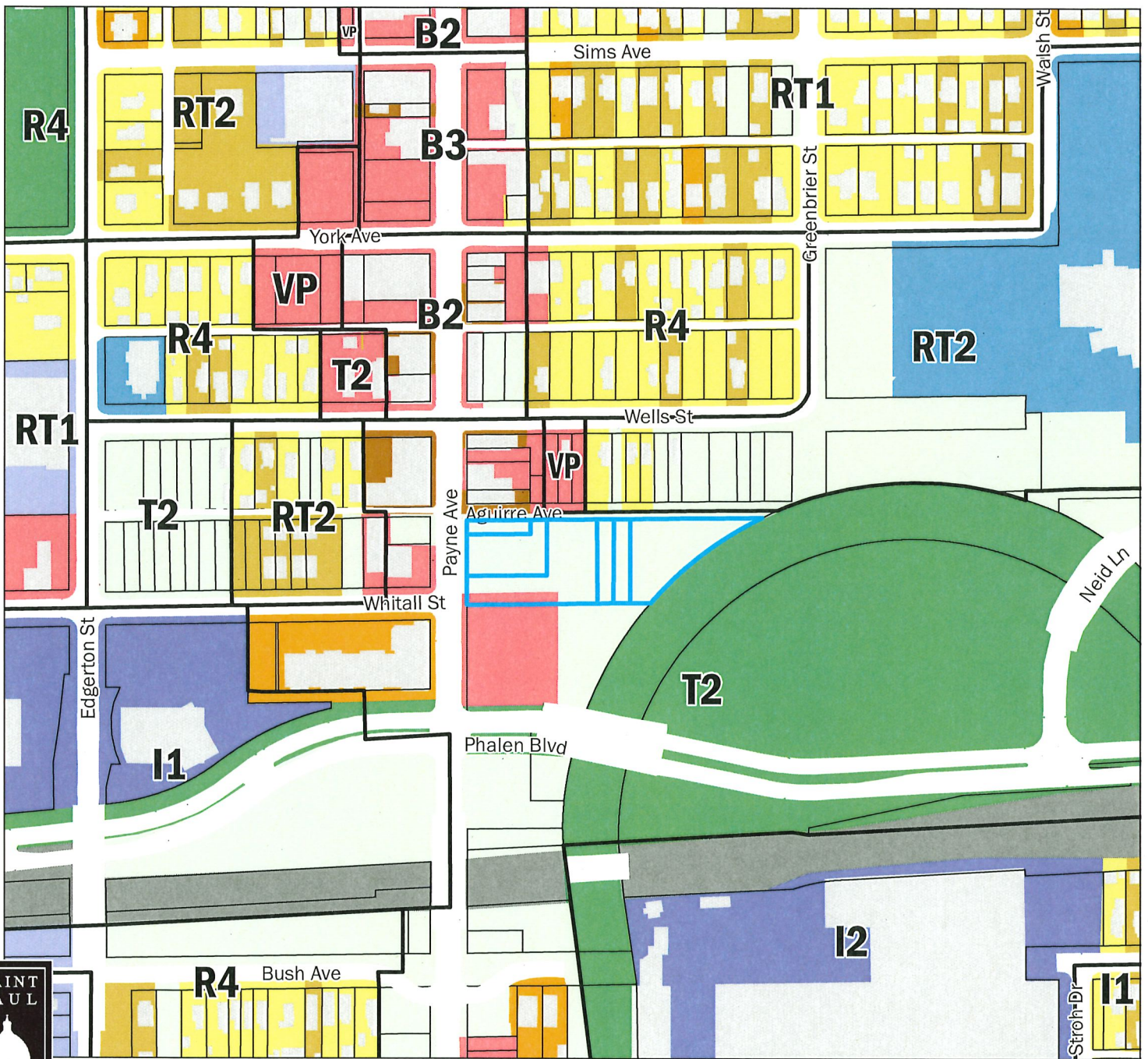
ZONING FILE # 18-117397 | AERIAL MAP
SRPB Strategic Housing

Application Type: Conditional Use Permit
 Application Date: October 23rd, 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.



ZONING FILE # 18-117397 | LAND USE MAP
SRPB Strategic Housing

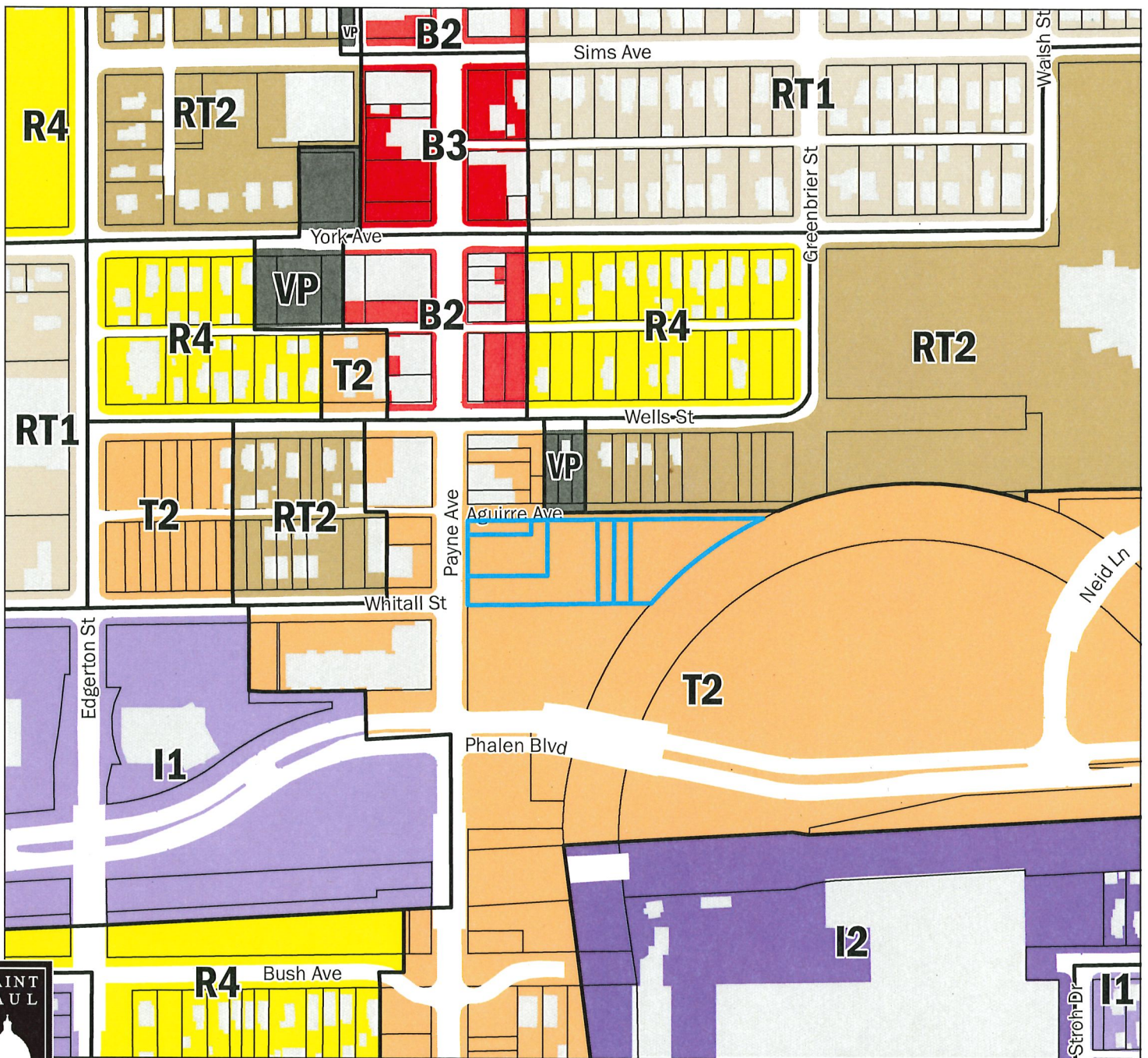
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Subject Parcel(s) Outlined in Blue

Famstead	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	



ZONING FILE # 18-117397 | ZONING MAP
SRPB Strategic Housing

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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