



CITY OF SAINT PAUL  
*Melvin Carter, Mayor*

25 West Fourth Street, Ste. 1400  
Saint Paul, MN 55102

Telephone: 651-266-6700  
Facsimile: 651-266-6549

## MEMORANDUM

Date: May 2, 2018

To: Comprehensive and Neighborhood Planning Committee

From: Kady Dadlez, 651/266-6619

Re: **West Marshall Avenue Zoning Study**

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## BACKGROUND AND SUMMARY

The West Marshall Avenue Zoning Study was initiated by Saint Paul City Council resolution 17-1713 on October 18, 2017, attached, to identify an overall vision for the study area in response to increasing development interest. This interest is due in part to the area's location near the University of St. Thomas and Concordia University, demand for housing in general, and availability of transit service on Marshall and its proximity to the A Line on Snelling and the Green Line along University Avenue. The professional soccer stadium under construction in the neighborhood appears to be spurring development as well. The West Marshall Study area was identified as parcels with frontage along Marshall Avenue between Mississippi River Boulevard and Hamline Avenue.

In addition to initiating this zoning study the City Council also adopted an interim ordinance, sometimes referred to as a moratorium, for any land within the study area between Wilder and Wheeler avenues prohibiting the issuance or approval of zoning and building permits, plat approvals or lot splits, until the expiration of twelve months following the effective date of the interim ordinance or until an earlier time that the city council has taken action on the recommendations contained in the study. The desire for City Council action to occur on the study recommendations prior to the moratorium expiring means there is a short time line for completion of the study and community engagement about the study's recommendations.

The study's primary recommendations are two-fold. First, is to maintain Marshall as an appropriate place for a range of housing options including apartments. The study recommends addressing concerns about future multifamily residential development. It also recommends providing some protection from demolition of properties determined eligible for local or National Register designation or those that are contributing to a potential historic district. Second, is to adopt traditional neighborhood zoning along the avenue including at some commercial intersections and in the industrial area east of Snelling so future development takes on a more traditional urban form and allows for a mix of uses.

### Historic Survey

A survey of historic resources is currently underway that includes part of the the zoning study area (see attached map). The survey area includes properties fronting on Marshall between Cleveland and Fairview. Completion of the historic survey is anticipated by fall 2018. Any recommended districts or designations of individual properties will be considered after

completion of the survey. Adoption of historic districts or designation of properties can take up to four months to complete. This process would involve meetings with the neighborhood, Heritage Preservation Commission, and Planning Commission before submittal to the State Historic Preservation Office and final adoption by the City Council.

#### Transit Service

Metro Transit operates Routes 21 and 53 along Marshall with stops about every other block between the Otis and Snelling where the routes turn north to University Avenue. Route 63 runs north-south along Cretin Avenue with a stop at Marshall. Route 87 runs north-south along Cleveland Avenue with a stop at Marshall. Route 134 runs north-south along Cleveland with a stop at Marshall. The A Line bus rapid transit (BRT) runs north-south along Snelling Avenue.

Metro Transit is beginning preliminary planning for BRT service on Route 21 with anticipated stations at Otis, Cretin, Cleveland, Fairview, and Fry. The anticipated timeline for BRT implementation is 2022 at the earliest. It is anticipated that some Route 21 service will continue to serve local stops along Marshall, but how frequently it would operate is yet to be determined.

#### Citywide RM Zoning Study

Planning staff is considering zoning code amendments in a citywide RM Zoning Study to look at how multiple family zoning district regulations (RM1, RM2, RM3) might be amended to impose traditional neighborhood zoning design standards in all RM zones, among other recommendations. The purpose of possible amendments would be to intensify the potential use of RM zoned property and encourage development to be more pedestrian and transit-oriented.

### **COMMUNITY PROCESS AND CONCERNS**

Planning staff worked with the Union Park District Council early in the study process to engage residents, property owners, and other stakeholders. A community meeting to discuss the study was held in February 2018 to help interested parties understand the purpose of the study, the potential changes to zoning, and how the changes might shape future development in the study area. The meeting also provided a forum in which members of the community could identify areas of concern and provide other feedback on potential zoning changes. Concerns and comments voiced at meeting in February are summarized below.

#### Density, Height, and Character

While there seemed to be general support, though not unanimous, for the type of medium density multifamily residential development allowed under existing RM2 zoning, there was agreement that the height and scale of development potentially allowed under existing RM2 zoning is not consistent with the character of surrounding development. Some reminded attendees that apartments are residential uses just as are single family homes. Many felt that the RM2 stretch between Wilder and Wheeler bridges the character of residential development on either side of it but that development of five stories is just too tall. No structures in this stretch are more than three stories. Most felt three stories allows for increased density and is appropriate but that four and especially five stories is just too tall to be in character with existing neighborhood development.

Residents felt the recently approved five-story apartment building at the northeast corner of Marshall and Moore, which took advantage of various bonuses to increase height and density, is an example of development not in character with existing development. Concern about the loss of homes to new development was also expressed, especially homes with historic value that add character to the neighborhood. Concern about the number of bedrooms per apartment unit also was expressed, suggesting a limit of two or three bedrooms but not four since that was more likely to be targeted to students. Support for Grand Avenue-style development was voiced as was the multifamily buildings at East River Road that work well and are visually pleasing

because of the way they blend in with the bluff. Attendees supported that type of development along Marshall and traditional neighborhood zoning in certain areas to allow a mix of residential and commercial uses.

There was a suggestion to consider higher density residential zoning for the residential stretch near Snelling currently zoned RT1, two-family, since it is closer to Snelling and the transit amenities offered with connection to A Line along Snelling Avenue and Green Line to the north at University Avenue.

#### Design Standards

Given that most were supportive of medium density multifamily uses but not development they felt was out of scale with existing structures, some suggested applying design standards including height limitations for new residential development. There was also interest in design standards for the commercial areas to make them architecturally and visually beautiful.

#### Cleveland Intersection

There was a suggestion to consider rezoning the northwest corner at Cleveland to a traditional neighborhood district to allow mixed-use development there. The lots are single family and duplex homes in an R3 single family zone and reportedly occupied by students. The east side of the intersection is commercially zoned and used and the southwest corner is zoned for multifamily use, RM2, and is occupied by apartment buildings and single family homes.

#### Student Housing

Many attendees felt that much of the development pressure in the neighborhood was caused by demand for housing for students due to an inadequate supply of housing on campus at the University of St. Thomas. They believe students should be on campus in housing designed for them and not in run down one and two-family homes throughout the neighborhood. Nor should students be in off campus apartment buildings like the one approved for the northeast corner of Marshall and Moore, which residents feel amounts to a dormitory, not an apartment building in the traditional sense.

#### Industrial Area East of Snelling

Many saw this as an opportunity area though no specifics were suggested.

#### Parking and Traffic Congestion

Greater density of commercial and residential development means more people and often more cars and demand for on-street parking. Attendees acknowledged that the reason to locate higher density uses along transit corridors is to lessen the need for cars and to support transit ridership. Some felt shared parking arrangements should be considered for commercial areas.

A second community meeting was held on April 23, 2018 to present preliminary study recommendations and proposed zoning changes and to receive input and comments. The West Marshall Avenue Neighborhood Group created its own maps showing its recommended zoning changes. These maps are attached at the end of this study memo along with the group's presentation at the April meeting and a narrative regarding student housing.

The neighborhood group understands the city's need to increase density to provide more housing and supports increased density in some areas as well as a move toward traditional neighborhood zoning, especially west of Cretin, Cleveland to Wilder, and east of Snelling. They believe this balanced approach strives to preserve the existing character and density of development in the stretch between Wilder and Wheeler to retain the mix of housing options and the scale of existing development. In this stretch they propose adjustments to current zoning to reflect existing land uses.

## **APPLICABLE PLANS**

The 2010 Saint Paul Comprehensive Plan (comprehensive plan) is the guide for current and future land use and zoning decisions. It includes the Union Park Community Plan, adopted in November 2016. An update to the comprehensive plan, required every ten years, is currently underway and anticipated to be adopted by the end of 2018. The draft update informs the analysis and recommendations in this study. The planning horizon for the update is the year 2040.

The Future Land Use Map in the current comprehensive plan identifies Marshall Avenue as a residential corridor from Mississippi River Boulevard to Fry Street, mixed-use corridor at the Snelling Avenue intersection, and industrial and institutional east of Snelling to Hamline Avenue. Residential corridors accommodate primarily residential uses at densities of 4 to 30 units per acre. The residential corridor designation can include single-family housing and still achieve the overall density range of 4 – 30 units per acre defined for this category. Mixed-use corridors are identified in the comprehensive plan along major thoroughfares that are (or could be) served by public transit. They generally accommodate a mix of residential commercial, institutional, and smaller scale industrial uses, along with open space, with residential development at densities of 30 to 150 units per acre. Established neighborhoods is the land use designation north and south of the study area and defined as predominately residential areas with a range of housing types. Single family houses and duplexes predominate, although there may be smaller scale multifamily housing scattered within these neighborhoods. It also includes scattered neighborhood-serving commercial, service, and institutional uses at the juncture of arterial and collector streets.

Since Saint Paul is in the process of updating its comprehensive plan, including the land use plan and future land use map, these drafts were consulted during this study to assess how the vision for Marshall relates to proposed land use policies and designations. The draft comprehensive plan update replaces the residential corridor designation of Marshall Avenue west of Snelling with an urban neighborhood designation. A summary of existing and proposed land use categories in the study area along with proposed draft policies is attached. This includes background information on neighborhood nodes, a new designation that replaces neighborhood centers, in the draft land use plan. The mixed-use area at Snelling and the industrial and institutional designations east of Snelling remain in the update, though with adjusted boundaries and inclusion of some mixed-use in place of industrial uses.

The applicable neighborhood plan is the Union Park Community Plan. Key objectives and strategies related to this study are excerpted here:

- LU1.1 Maintain and establish zoning that encourages compact development in commercial areas and in mixed-use corridors; specifically, initiate and support zoning studies and adjustments, especially along Snelling Avenue and Marshall Avenue east of Snelling, to encourage more traditional neighborhood, mixed-use zoning where appropriate.
- LU2.2 Encourage the continued use and rehabilitation of existing structures, districts, and landscapes to preserve the historic character of residential and commercial districts.
- LU2.3 Ensure that new development fits within the character and scale of adjacent neighborhoods.
- LU3.2 Explore opportunities to increase density levels and promote new development along key corridors that support transit-oriented development, including along Snelling Avenue and Marshall Avenue between Snelling and Hamline Avenues, and on mixed-use transit routes, while maintaining the historic human scale of the neighborhood.

- H1.1 Support multi-unit mixed-use development in mixed-use corridors that can accommodate higher density levels, while minimizing impacts on adjacent lower density areas, and discourage multi-unit housing and retail uses that are incompatible with single-family residential areas.
- H2.2 Encourage rehabilitation of existing housing stock.
- H2.2a New residential construction shall be consistent with the character of the surrounding homes, while minimizing impact on the neighborhood.
- HP2. Identify, evaluate, designate, and preserve historic resources in the District.

## EXISTING LAND USE AND ZONING

This zoning study assesses current land use and zoning of property having frontage along Marshall Avenue from Mississippi River Boulevard to Hamline Avenue, a stretch of about two miles or 22 blocks. Marshall Avenue is identified as an A-Minor Arterial roadway in the City's Comprehensive Plan. It features one vehicle travel lane in each direction, striped bike lanes in each direction, parking on both sides of the street, and raised and landscaped or striped medians, except at turn lanes. Signalized intersections are at Otis, Cretin, Cleveland, Prior, Fairview, Snelling, and Hamline. The average daily traffic from 2008 varies along the avenue with between 13,000 and 18,000 vehicles west of Snelling and 9,000 east of Snelling.

The current zoning in the study area generally reflects the existing underlying land uses along Marshall. The stretch between Wilder and Wheeler has many one and two-family homes amid multifamily uses in an RM2 multifamily zone. Likewise, the segment between Wheeler and Fry is primarily one and two-family homes in an RT1 two-family zone. Overall, 56 percent of parcels in the study area are single family residential uses, 12 percent are two to three-family, 13 percent are multifamily, 10 percent are commercial, 1 percent are industrial, 3 percent are mixed-use/multiple uses, and 3 percent are institutional uses.

### Existing Land Use Inventory

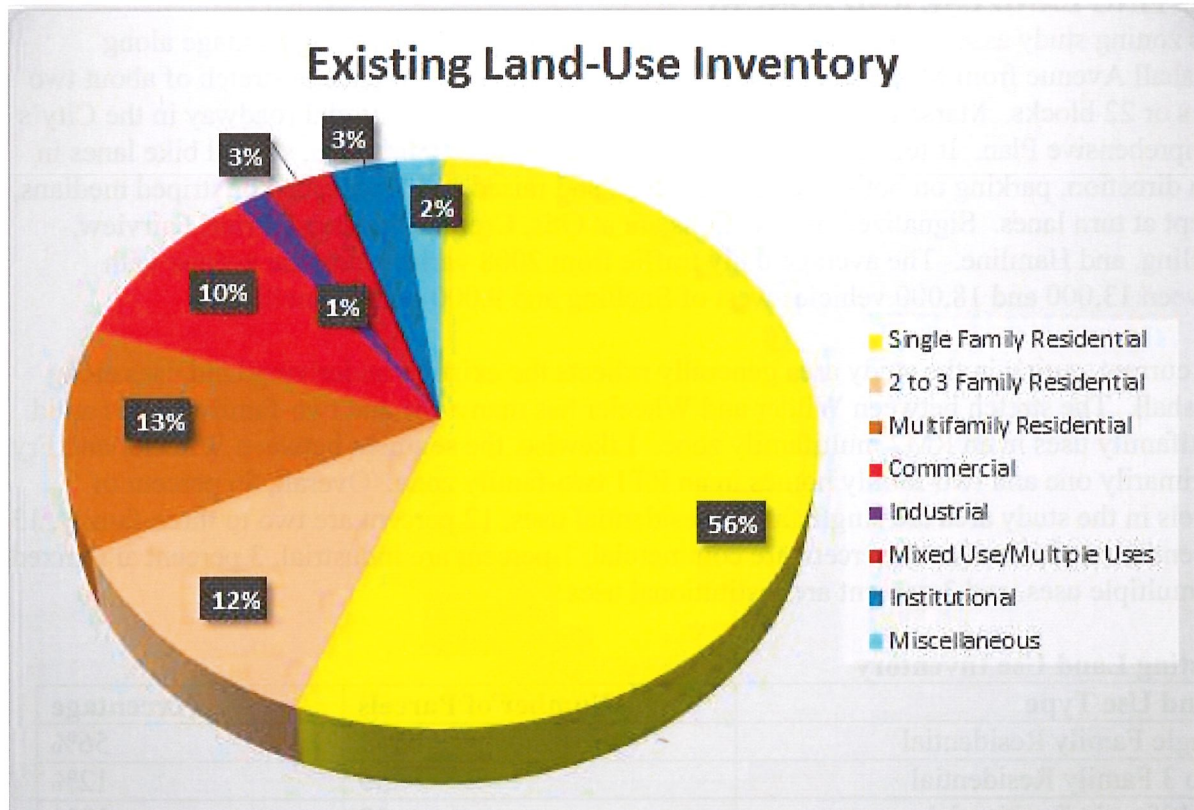
Land Use Type	Number of Parcels	Percentage
Single Family Residential	141	56%
2 to 3 Family Residential	30	12%
Multifamily Residential	32	13%
Commercial (includes golf course)	25	10%
Industrial	4	1%
Mixed-Use/Multiple Uses	8	3%
Institutional	8	3%
Miscellaneous	5	2%

The majority of the study area west of Snelling is in residential use in a variety of single family, duplex, and multifamily zoning districts. Slightly more than half of the parcels are in single family use and an additional 25 percent are parcels with two or more dwelling units. There are several areas zoned RM2 that allow multifamily uses including a six block stretch from Wilder to Wheeler. There are several three-story apartment buildings in this stretch as well as single family homes, duplexes, and triplexes. While RM2 zoning permits higher density residential uses, many of the parcels are too small for redevelopment for multifamily uses without assembly of multiple parcels due to the 9,000 square foot minimum lot size requirement for three or more dwelling units. The six block stretch contains a number of larger homes, many designed by prominent architects at the turn of the last century. These homes could be lost to redevelopment if there is a willing seller. The historic resources survey underway will determine if there are any structures potentially eligible for local or National Register designation. The four block stretch of RT1 zoned property from Wheeler to Fry has several nonconforming apartment buildings but



is mostly one and two-family homes. Many of the lots are less than 6,000 square feet, the minimum lot size required to establish duplexes.

The partially commercial corner at Cretin and the commercial block between Cleveland and Wilder offer a mix of retail, service, and auto uses in various zoning districts. A few of the commercial buildings on the south side of the avenue are two stories with commercial on the main level and residential uses above. The intersection at Snelling is a mix of residential, office, auto, retail, restaurant, and utility uses in various zoning districts. Many of the properties at this intersection were rezoned as part of the South Snelling Avenue Zoning Study in 2017.



The intersection at Snelling and property to the east to Hamline is primarily a mix of commercially and industrially zoned land with some areas designated as institutional and occupied by Concordia University campus and its facilities.

### GENERAL ZONING ANALYSIS

While the recommended zoning changes are primarily geared to allow increased intensity of residential development they also include a height limit in the Wilder to Wheeler stretch to ensure development is in keeping with the character of existing development in the area. Recommended zoning changes regarding commercial properties is to move toward traditional neighborhood districts to allow a mix of residential and commercial uses and to achieve a more traditional urban form over time.

Traditional neighborhood zoning districts are intended to foster the growth and development of mixed-use, transit oriented development. In contrast to the higher-density residential and commercial zoning districts that largely segregate commercial and residential uses into different districts, traditional neighborhood zoning districts allow a range of both commercial and residential uses in the same district. Allowing a wider range of uses at key locations and intersections along the avenue will result in a future land use pattern that is more organic and market driven, and will allow commercial and residential development in areas that may only be one or the other under the current zoning.

Traditional neighborhood districts also differ from other zoning districts in that they include extensive design standards, and have provisions that push building mass towards the street. The traditional neighborhood district design standards regulate building features such as finish materials, window openings, the placement of doors, and the placement of parking. In reviewing new development in traditional neighborhood districts, there is a strong emphasis on ensuring that the design of new development helps contribute to a pedestrian friendly streetscape and corridor. Provisions in these zoning districts also take into account how new development interacts with lower density residential zoning districts, by having a maximum height of 25 ft. at property lines that abut these districts. Structures can exceed this height limit if stepped back from the property lines a distance equal to the additional height, or with a conditional use permit from the Planning Commission after notification of neighboring property owners and a public hearing.

Due to the traditional neighborhood design standards, some existing commercial structures will become nonconforming in terms of their design, orientation on lot, and placement of parking if the proposed zoning changes are adopted. The nonconforming status of the commercial structures will not prohibit the reuse of buildings for conforming uses; nonconforming buildings may be expanded or altered, and lot improvements may be made, so long as they do not increase the nonconformity.

Under RM2 zoning the minimum lot size per dwelling unit is 1,500 square feet, and there is also a minimum lot size of 9,000 square feet for three or more dwelling units. T1 has a minimum lot size per dwelling unit of 1,700 square feet. In T2 and T3 zones, nonresidential and multifamily density is determined by floor area ratio (the total floor area of all buildings or structures on a zoning lot divided by the area the lot).

## **REZONING RECOMMENDATIONS**

Existing land use, zoning, and recommended zoning changes are discussed below. The discussion is organized around roughly one-half mile segments of Marshall Avenue from Mississippi River Boulevard to Hamline Avenue. Preliminary recommendations were presented to the Comprehensive and Neighborhood Planning Committee on April 18, 2018. Since that time staff met with neighborhood residents to get their feedback on the recommendations and to hear their thoughts and ideas. The following recommendations reflect input from the community and have changed somewhat from what was presented previously.

### **Marshall Avenue - Mississippi River to Wilder (see Maps 1-2)**

This area from the river to Cleveland is characterized largely by residential uses that include single family homes in R3 on the north side and a mix of single family homes in R4 and apartment buildings in RM2 on the south side. The north side also includes Town & Country Club in an R3 single family zone. Existing uses in this stretch are consistent with the comprehensive plan residential corridor designation and provision for scattered neighborhood-serving commercial, service, and institutional uses in established neighborhoods. There are several commercial uses on the south side of the avenue including an office building in an OS zone, and at the Cretin intersection a mix of retail, restaurant, and gas and service station uses in T2 and B2 zones.

The stretch between Cleveland and Wilder is zoned entirely for commercial uses on both sides of the street. Uses include an auto convenience market, laundromat, tanning salon, retail, service, restaurant, bakery, salon, and ice cream shop as well as residential uses on the second floor of the building on the southeast corner. The north side is zoned B3 while the south side is a mix of T2 and B2 zones.

**Preliminary staff recommendation:**

- *Rezone* the south side of Marshall from the river to Cretin from a mix of RM2, T2, OS, and B2 to all T2. Existing uses are permitted in the T2 district, and it would allow for the possibility of mixed use buildings. T2 design standards would help create a more traditional urban form when properties are redeveloped. The city has typically been rezoning OS parcels to T1 or T2 during zoning studies and it is appropriate to do so in this case.
- *Maintain* the B2 zoning at the southeast corner at Cretin for the existing auto service station use. Given the location of existing gas pumps on site, traditional neighborhood zoning and its design standards would make complying with the standards very difficult for future improvements to the auto service use.
- *Rezone* the R4 on the south side and most of the R3 on the north side between Cretin and Cleveland to RT1 to allow for the possibility of some duplexes. The stretch is along a transit route, near transit at Cretin and Cleveland, and in close proximity to the University of St. Thomas. Most of the existing parcels on the south side have about 40 feet of frontage, the width required for a single family home; 50 feet of frontage is required for a duplex.

Neighborhood Node at Marshall and Cleveland

The Marshall-Cleveland intersection is identified as a neighborhood node in the draft comprehensive plan update and is an area where mixed-use zoning categories may be more appropriate to achieve comprehensive plan goals than existing commercial and residential zoning that separate land uses. Existing commercial uses in the Cleveland-Wilder stretch are permitted uses and would also be allowed under T2 and T3 districts (though an auto convenience market would require a conditional use permit). Rezoning the properties on the south side of the street from B2 to T2 and on the north side from B3 to T3 offer the opportunity for a mix of residential and commercial uses and provide design standards for future development noted in the discussion under the General Zoning Analysis section of this study. Development on the south side of the street already has a traditional urban form with buildings at the property line, while development on the north side of the street has buildings setback with parking in front. Rezoning to a traditional neighborhood district would require future development to assume a traditional urban form.

- *Rezone* from RM2 to T1 the six parcels at the southwest corner at Cleveland that includes a mix of apartment buildings, duplex, and single family homes.
- *Rezone* from B2 to T2 the parcels on the south side of Marshall from Cleveland to Wilder. Parcels in the middle of the block are already zoned T2. Existing development already has traditional urban form, which T2 zoning and accompanying design standards will require any future development to maintain. Existing uses are permitted under both zones.
- *Rezone* the north side between Cleveland and Wilder from B3 to T3 except the northeast corner at Cleveland where the auto convenience store is located. The traditional neighborhood design standards will require future development to assume the traditional urban form already present on the south side of the street. T3 zoning would provide for the density that would make redevelopment of the site more possible.
- *Rezone* five parcels at the northwest corner at Cleveland from R3 to T1. Five lots are proposed to be generally consistent with the stretch of T1 zoning proposed for the southwest corner. T1 would permit the existing residential uses and also permit intensification of uses at the neighborhood node. T1 traditional neighborhood zoning allows mixed-use development and has design standards that call for a traditional urban form for commercial buildings to create a street presence and hold the corner, similar to



much of the development along Grand Avenue. The existing R3 single family zoning does not allow for greater density or a mix of uses and requires a large front yard setback.

**Marshall Avenue - Wilder to Wheeler (see Map 4)**

This segment in the center of the study area is subject to an interim ordinance, also referred to as a moratorium, prohibiting development for one year, until October 2018, or until completion of this study and City Council action on its recommendations. The existing land use and zoning in this stretch follow the land use designation in the comprehensive plan, residential corridor. The entire segment is zoned RM2, multiple-family, and is characterized by a mix of single family to medium density multiple-family residential uses. One and two-family residences and apartment buildings of up to three-stories make up the area in addition to institutional uses that include a church, parish gymnasium and auditorium building, and library. Charles Thompson Memorial Hall, a social club for the deaf, is located at the southwest corner at Fairview. This stretch of Marshall has been zoned to allow single family to apartment uses since 1922 (zoned "C" residence district from 1922 to adoption of the current zoning code in 1975). Marshall was a street car line for many years.

There are likely historically significant houses that we should work to preserve, and the historic survey currently underway will make recommendations on potential districts or individual historic designations. There are also houses that are not historically significant where replacing them with new multifamily would be appropriate. The recommendations of the historic survey will not be available to inform specific zoning recommendations in this study since results of the survey will not be in hand until the fall. However, recommendations can be based on possible outcomes of the survey related to potential historic districts or individual property determinations.

In January 2018 plans were approved to allow construction of a five story multifamily building at the northeast corner at Moore. The project involved demolition of two houses. While the development met the regulations and standards for the RM2 zoning district, and took advantage of various bonuses to increase the height and density, many area residents believed the development was not in keeping with development in the surrounding area due to its height, density, and number of future residents, and were also concerned that the building would house mostly college students. There is a strong desire to preserve the character of the avenue with a mix of one, two, and three-family homes and apartment buildings of two and three stories.

The comprehensive plan supports new housing by increasing density in areas zoned for such uses. This allows dwelling units to be added to the housing stock to accommodate the city's growing population and to support transit use along transit corridors. At the same time, there is a desire to preserve the character of existing neighborhoods. The Union Park Community Plan acknowledges this by stating that the plan's goal is to find a balance to preserve desirable assets and neighborhood character while evolving to meet present and future needs, desiring to preserve peaceful, walkable, urban neighborhoods.

Ninety-five percent of the parcels along this portion of Marshall Avenue are residential: 55 percent of parcels are single family; 20 percent are two to three-family; and 20 percent are multifamily providing 175 dwelling units. Five percent of parcels are institutional or miscellaneous uses. A minimum lot size of 9,000 square feet is needed to establish three or more dwelling units in an RM2 district. There are three lots with one to two-family uses on the south side of the street with lot size over 9,000 square feet and three such lots on the north side of the street. There are several triplexes in this stretch, though none are on lots of 9,000 square feet or more.

**Preliminary staff recommendation:**

- *Rezone* from RM2 to RT1, with the consent of the property owner, parcels with one and two-family homes in the Wilder to Fairview stretch that are determined eligible or contributing to a potential historic district based on the outcome of the historic survey. This rezoning would limit the use of the structure to a use consistent with the structure and prevent use of the property for multifamily uses. Property zoned RT1 would need to be rezoned to a multifamily zone to allow higher density development. If any of the properties are designated or contributing to a historic district, this would offer some protection from demolition since it would require a public hearing and affirmative decision by the Heritage Preservation Commission.
- *Maintain* existing RM2 zoning, except as noted above, and amend Section 66.231(k) of the zoning code as noted below with new language underlined to include the area within the moratorium boundary. Doing so would limit height of structures to four stories or forty feet (instead of five stories or 50 feet), set larger minimum lot sizes for units with three and four bedrooms, and provide traditional neighborhood design standards.

Proposed language for Section 66.231(k): new language underlined

For property along Grand Avenue between Fairview Avenue and Cretin Avenue, between lines defined by the parallel alleys immediately north and south of Grand Avenue and for property along Marshall Avenue between Wilder Street and Wheeler Street, between lines defined by the parallel alleys immediately north and south of Marshall Avenue: (1) Building height shall be limited to four (4) stories and forty (40) feet; (2) The minimum lot size for units with three (3) bedrooms shall be one thousand seven hundred (1,700) square feet per unit, and the minimum lot size for units with four (4) or more bedrooms shall be one thousand nine hundred (1,900) square feet per unit; and (3) The T2 design standards in section 66.343 shall apply.

**Marshall Avenue - Wheeler to Asbury (see Maps 5-6)**

The existing land use and zoning in this stretch follow the land use designation in the comprehensive plan, residential corridor. The western portion of this segment of the study area is characterized mostly by low density residential uses in an RT1 zone. There is a mix of one and two-family homes and a few two-story apartment buildings with garden level apartments. While much of the segment is zoned to allow duplexes, many of the lot sizes are less than the 6,000 square feet minimum for a duplex and many are less than the 5,000 square feet minimum for a single family home. This means that many of the houses are nonconforming as to the size of the lot. The eastern stretch of this segment is focused at the Snelling intersection and includes a mix of uses including single family homes, an apartment building, office space, retail space, auto repair and auto body shop, billboards, railroad tracks and bridge over the avenue, and an electric transformer station. The intersection is within the proposed neighborhood node at Selby and Snelling that is in the draft land use map in the update to the comprehensive plan. The proximity of this segment to the A Line BRT along Snelling and easy connections to the Green Line at University Avenue make this an ideal location for higher density residential development to support transit use.

**Preliminary staff recommendation:**

- *Rezone* the two northeast parcels and the one southeast corner parcels at Wheeler from RT1 to RM2 to be consistent with existing use. Two of the lots are occupied by four and six-unit buildings and the third is a large lot at the corner.
- *Rezone* the southwest corner at Pierce from RT1 to RM1 where there is an existing ten-unit building.
- *Rezone* the three parcels at the southwest corner at Fry from RT1 to RM1 where there are two, four- and ten-unit buildings.

- *Rezone* the north side between Fry and the T3 district from RM2 to T2. Staff recommends that the Planning Commission amend the study boundary to include the parcel north of the alley abutting the railroad right of way to rezone that property to T2 as well.

Note: The neighborhood group recommends rezoning property in this stretch to make the zoning more consistent with existing land use. Planning staff is open to considering some changes to the staff recommendation for this area. They are too complicated to include in the study at this time. Planning staff will discuss this at the committee meeting May 2<sup>nd</sup>.

### **Marshall Avenue - Asbury to Hamline (see Maps 8-9)**

This portion of the study area is zoned industrial except for Concordia University's property on the south side between Albert and Hamline, which is zoned RT1. Uses between Asbury and Pascal include office space, painting contractor's shop, single family homes, retail space (currently vacant but planned for improvements in 2018), surface parking, taxi dispatching, maintenance and storage, and self-storage. The industrially zoned area on the north side of the street between Asbury and Pascal is a half-block deep and is adjacent to one and two-family residential uses to the north in an RT1 zone. There has been interest in residential and mixed-use development in the area. Uses east of Pascal Street include industrial, office, school, university (including ball fields, surface parking, and storage utility buildings), veterinarian clinic, auto sales including parts, and auto convenience market uses.

This stretch is guided for industrial and institutional uses in the current comprehensive plan. The draft update to the comprehensive plan guides this stretch for mixed-use from Snelling to Pascal, and industrial, mixed-use, and civic and institutional uses from Pascal to Hamline. Given the change between the current and proposed 2040 land use in this stretch it is appropriate to consider rezoning some of the property in this stretch as part of the this zoning study.

### **Preliminary staff recommendation:**

- *Rezone* the I1 stretch on the north and south sides of Marshall between Asbury and Pascal to T3, except for the taxi business at the northwest corner at Pascal Street. It appears existing uses on the north side of the street would be permitted under T3 zoning. Rezoning the south side to T3 would make the existing self-storage business nonconforming.
- *Rezone* the block bounded by Marshall, Hamline, Selby, and Albert from RT1 to T1. Almost all of the block is a single large parcel with frontage on Marshall. A few small lots at the southwest and southeast corners of the block without frontage on Marshall have non-residential land use related to the rest of the block and should be added to the study area so the zoning of the whole block can fit the use. While this block is zoned RT1 two-family residential, there is no residential land use on the block, it is surrounded on two and a half sides by I1 industrial zoning, and RT1 land use and dimensional standards are not a good fit. Staff recommends the Planning Commission amend the study boundary to include these parcels.

**STAFF RECOMMENDATION:** Release the West Marshall Avenue Zoning Study for review and set a public hearing date for June 29, 2018. Staff also recommends the committee recommend adoption of a resolution amending the study area to include the property north of the alley at the northeast corner at Fry Street and to include the entire block bounded by Marshall, Hamline, Selby, and Albert.



# City of Saint Paul

## Signature Copy

**Resolution: RES 17-1713**

City Hall and Court  
House  
15 West Kellogg  
Boulevard  
Phone: 651-266-8560

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**File Number: RES 17-1713**

Undertaking a zoning study of land use and land use classifications along Marshall Avenue between Mississippi River Boulevard and Hamline Avenue, and establishing interim zoning regulations pursuant to Minn. Stat. § 462.355, Subd. 4 pending Council action on the zoning study within the study area between Wilder and Wheeler.

WHEREAS, the area of Marshall Avenue between Mississippi River Boulevard on the West and Hamline Avenue on the East is presently experiencing increasing redevelopment interest. While redevelopment interest is welcome, redevelopment that is not consistent with the goals and requirements of the City's Comprehensive Plan would not be in the best interests of the City generally and this area of Marshall Avenue specifically; and

WHEREAS, the potential for incompatible or inconsistent redevelopment activity along this stretch of Marshall raises substantial questions relating to the ability of the City's present official controls to assure compliance with the City's Comprehensive Plans; and

WHEREAS, in light of these increasing redevelopment interests, the Council of the City of Saint Paul hereby requests the planning commission to undertake a zoning study of current land use and land use classifications of that area of Marshall described above which, hereinafter, shall be referred to as the "West Marshall Study Area" or "WMSA"; and

WHEREAS, the Council desires the scope of zoning study to be limited to the those parcels with frontage along Marshall; and

WHEREAS, the said study may lead to the adoption of amendments to the City's comprehensive municipal plan and to its official zoning controls within the West Marshall Study Area; and

WHEREAS, in light of the pending WMSA study, and for the purpose of identifying an overall vision for this pivotal area and the immediate need to preserve the status quo with respect to land use in order to protect the general health, welfare and safety of the public pending the conclusion of the said study, the Council of the City of Saint Paul desires to immediately temporarily prohibit development on any parcel of land or part thereof within that certain portion of the WMSA between Wilder and Wheeler until such time as the WMSA study has been completed and the Council of the City of Saint Paul has taken action on the recommendations contained therein:

NOW, THEREFORE, BE IT RESOLVED, that under separate ordinance adopted pursuant to Minn. Stat. § 462.355, Subd.(4)(a), the Council of the City of Saint Paul will temporarily prohibit for any parcel of land or part thereof within the WMSA between Wilder and Wheeler, the issuance or approval of zoning and building permits, plat approvals or lot splits, until the expiration of twelve months following the effective date of the interim ordinance or until such earlier time as the Council of the City of Saint Paul has taken action on the recommendations contained in the study; AND,

BE IT FURTHER RESOLVED, pending the effective date of the interim ordinance prohibiting any development inconsistent with the pending study and any amendments to the City's zoning code, from the effective date of this resolution following the public hearing required under Minn. Stat. §

462.355, Subd.4 (c)(2), no zoning or building permits, plat approvals or lot splits may be issued or approved within the boundaries of the WMSA between Wilder and Wheeler, unless specifically exempted as provided under the interim ordinance noted above and until the expiration of twelve months from the effective date of this resolution or until such earlier time as the Council of the City of Saint Paul has taken action on the recommendations contained in the study. However, a proposal to provide residential dwellings, either single family or multi-family, that has been duly submitted to the City in proper form and with payment of any required fees not later than the close of business on the date of the public hearing required under Minn. Stat. § 462.355, Subd.4(c)(2) for this interim ordinance, and where it is further determined that the submitted proposal complies with the requirements, regulations, and performance standards of the zoning and building codes, may be exempt from the regulatory effect of this resolution pending the effective date of the interim ordinance enacted for the WMSA between Wilder and Wheeler. Applications for permits to construct, reconstruct, alter or repair an existing residential dwelling, or accessory structures, within the WMSA between Wilder and Wheeler, which will not result in an increase in the number of dwelling units, are also exempted from the regulatory effect of this resolution. Applications for permits to construct, reconstruct, alter or repair existing institutional or commercial uses are also exempted from the regulatory effect of this resolution.

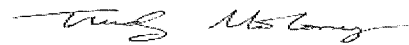
At a meeting of the City Council on 10/18/2017, this Resolution was Passed.

**Yea:** 6 Councilmember Bostrom, Councilmember Brendmoen, Councilmember Tolbert, City Council President Stark, Councilmember Noecker, and Councilmember Prince

**Nay:** 0

**Absent:** 1 Councilmember Thao

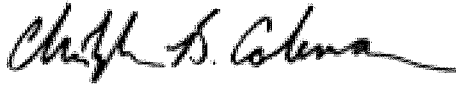
**Vote Attested by**  
**Council Secretary**



Trudy Moloney

**Date** 10/18/2017

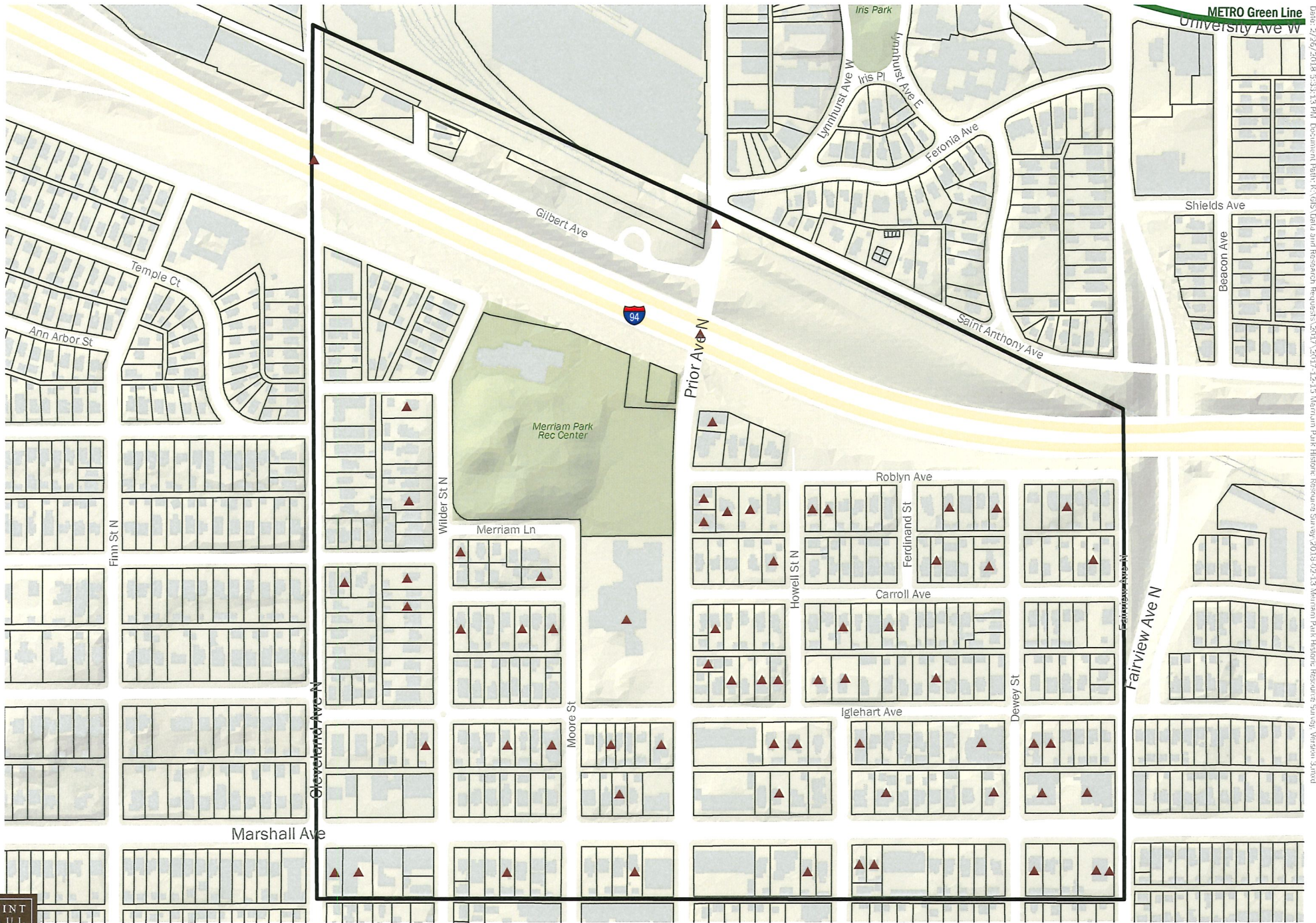
**Approved by the Mayor**



Chris Coleman

**Date** 10/20/2017





Date: 2/26/2018 5:33:13 PM Document Path: K:\GIS\GIS and Research Requests\2017-12-13 Merriam Park Historic Resource Survey 2018-02-13 Merriam Park Historic Resource Survey\_Version 3.mxd



# Potential Merriam Park Historic Resource Survey Area February 26th, 2018

308 land parcels  
77.9 parcelized acres  
65 previous inventories

Potential Merriam Park Historic Resource Inventory Area

Previous Merriam Park Historic Resource Inventories





## **Current Comprehensive Plan: Land Use Categories within the West Marshall Avenue Study Area**

Residential Corridors (4-30 units/acre) Segments of street corridors that run through Established Neighborhoods; predominately characterized by medium density residential uses. Some portions of residential corridors could support additional housing. (From the Mississippi River east to Fry Street)

Established Neighborhoods (3-20 units/acre) Predominately residential areas with a range of housing types. Single family houses and duplexes predominate, although there may be smaller scale multifamily housing scattered within these neighborhoods. Also includes scattered neighborhood-serving commercial, service, and institutional uses at the juncture of arterial and collector streets. (North and south of property fronting on Marshall Avenue from the Mississippi River to Fry Street - not within the scope of the study area)

Mixed Use Corridors (30-150 units/acre) Primary thoroughfares through the city that are served by public transit (or could be in the future). Includes areas where two or more of the following uses are or could be located: residential, commercial, retail, office, small scale industry, institutional, and open space. Uses may be within a building or in buildings that are in close proximity. (From Fry to Asbury)

Industrial Primarily manufacturing and/or the processing of products; could include light or heavy industrial land uses, large warehouse facilities, and/or utilities. (From approximately Snelling to Albert)

Major Institutional Includes all colleges and universities and significant public and nonprofit uses. (From approximately Albert east to Hamline)

## ***Draft Comprehensive Plan Update: Land Use Categories in the West Marshall Avenue Study Area***

Mixed-Use (From approximately Fry east to Pascal, a bit east of Pascal, and at Hamline)

Mixed-Use areas are primarily along thoroughfares well-served by transit. The main distinguishing characteristic is a mix of land uses within the same building or in several buildings within walking distance of each other. Historically, these areas developed in easily-accessible locations and will continue to be the most dynamic areas of the city. These areas are vital for the on-going growth and economic development of the city by providing the highest densities outside of downtown. The following draft policies apply to the Mixed-Use land use category:

- **Policy LU-26.** Provide for land use change and rezoning of land adjacent to Mixed-Use areas to allow for redevelopment fronting arterial and collector streets.
- **Policy LU-27.** Support pedestrian-friendly streetscapes and visual interest through commercial building design.
- **Policy LU-28.** Ensure that building massing, height, scale and design gradually transition to those permitted in adjoining districts.

Neighborhood Nodes (Marshall and Cleveland)

Neighborhood Nodes are compact, mixed-use areas that provide shops, services, neighborhood-scale civic and institutional uses, recreational facilities and employment close to residences. They may be neighborhood centers, transit station areas or urban villages, and have often developed adjacent to major intersections or at former street car stops. Neighborhood Nodes serve a neighborhood's daily needs, including access to food; reduce public infrastructure disparities; improve livability; and accommodate growth. The intent is for Neighborhood Nodes to be denser concentrations of development relative to the adjacent future land use categories. Neighborhood Nodes foster an equitable system of compact, mixed-use and commercial centers across the city to increase access to community services (such as health care) and businesses, and support pedestrian-oriented neighborhoods. Investment in Neighborhood Nodes will tap the economic, cultural and human assets of Saint Paul's diverse neighborhoods, and can foster micro-economies that celebrate those assets. The following draft policies apply to a range of land uses within the Neighborhood Nodes land use category:

- **Policy LU-29.** Focus growth at Neighborhood Nodes using the following principles:
  1. Increase density relative to underlying Future Land Use Map categories.
  2. Prioritize pedestrian-friendly urban design and infrastructure that emphasizes pedestrian safety.
  3. Cluster neighborhood amenities to create a vibrant critical mass.
  4. Improve access to jobs by prioritizing development with high job density.
- **Policy LU-30.** Invest in Neighborhood Nodes to achieve development that enables people to meet their daily needs within walking distance and improves equitable access to amenities, retail and services.
- **Policy LU-31.** Establish or enhance open space close to Neighborhood Nodes, such as public parks, publicly-accessible private open spaces and school playgrounds.
- **Policy LU-32.** Promote amenities that support those who live and work in Neighborhood Nodes, including frequent transit service, vibrant business districts, a range of housing choices, and neighborhood-scale civic and institutional uses such as schools, libraries and recreation facilities.

### Urban Neighborhood (Mississippi River east to Fry)

Urban Neighborhoods are primarily residential areas with a range of housing types. Single-family homes and duplexes are most common, although multi-family housing predominates along arterial and collector streets, particularly those with transit. Multi-family housing, schools, neighborhood parks, religious institutions and cemeteries may also be scattered throughout Urban Neighborhoods. Limited neighborhood-serving commercial may also be present, typically at intersections of arterial and/or collector streets. Urban Neighborhood is the largest land use area in Saint Paul. The following draft policies apply to the Urban Neighborhoods land use category:

- **Policy LU-33.** Encourage medium-density housing that diversifies housing options, such as townhouses, courtyard apartments and smaller multi-family developments, compatible with the general scale of Urban Neighborhoods.
- **Policy LU-34.** Provide for multi-family housing along arterial and collector streets to facilitate walking and leverage the use of public transportation.
- **Policy LU-35.** Promote neighborhood-serving commercial businesses within urban neighborhoods that are compatible with the character and scale of the existing residential development.
- **Policy LU-36.** Facilitate partnerships between public and private institutions for joint use of recreational fields, playgrounds and other community facilities and hubs to economically provide equitable access to services while minimizing reduction of tax base.
- **Policy LU-37.** Direct the location of new secondary schools and post-secondary educational institutions along transit routes and bicycle and pedestrian networks to provide options for students and staff, and decrease traffic congestion in adjacent neighborhoods.
- **Policy LU-38.** Direct the location of new elementary schools to locations with safe pedestrian and bicycling networks.

### Industrial (at Pascal)

Industrial land uses are a major source for employment in Saint Paul. They have traditionally been defined as manufacturing, processing, warehousing, transportation of goods and utilities. More contemporary uses, driven by technological advances, include medical tech and small-scale production. The intent is for this land use type to remain adaptable, relevant and supportive of well-paying jobs with low barriers to entry and a growing tax base. The following draft policies apply to the Industrial land use category:

- **Policy LU-41.** Identify and assemble industrial sites within close proximity to logistics networks, including river terminals, rail and other cargo/commodity shipping facilities.
- **Policy LU-42.** Support and encourage brownfield redevelopment that increases tax base, job creation and job retention.
- **Policy LU-43.** Retain and protect current industrial land from conversions to residential or institutional uses unless guided otherwise in a City of Saint Paul adopted plan.
- **Policy LU-44.** Preserve the long-term tax base by evaluating the impact of tax-generating industrial land, as well as compatibility with adjacent land uses and infrastructure.
- **Policy LU-45.** Consolidate surface parking in older industrial districts.

- **Policy LU-46.** Pursue partnerships to improve public open space access along the Mississippi River.
- **Policy LU-47.** Support efforts to convert former industrial buildings to complementary productive uses.
- **Policy LU-48.** Support efforts to combine small parcels in industrial zones in order to allow for uses requiring larger building footprints.
- **Policy LU-49.** Encourage investment in new employment uses, such as medical technology, maker space, and small-scale or custom production.

Civic and Institutional (From Albert east to Hamline south side of street and a bit on the north side)

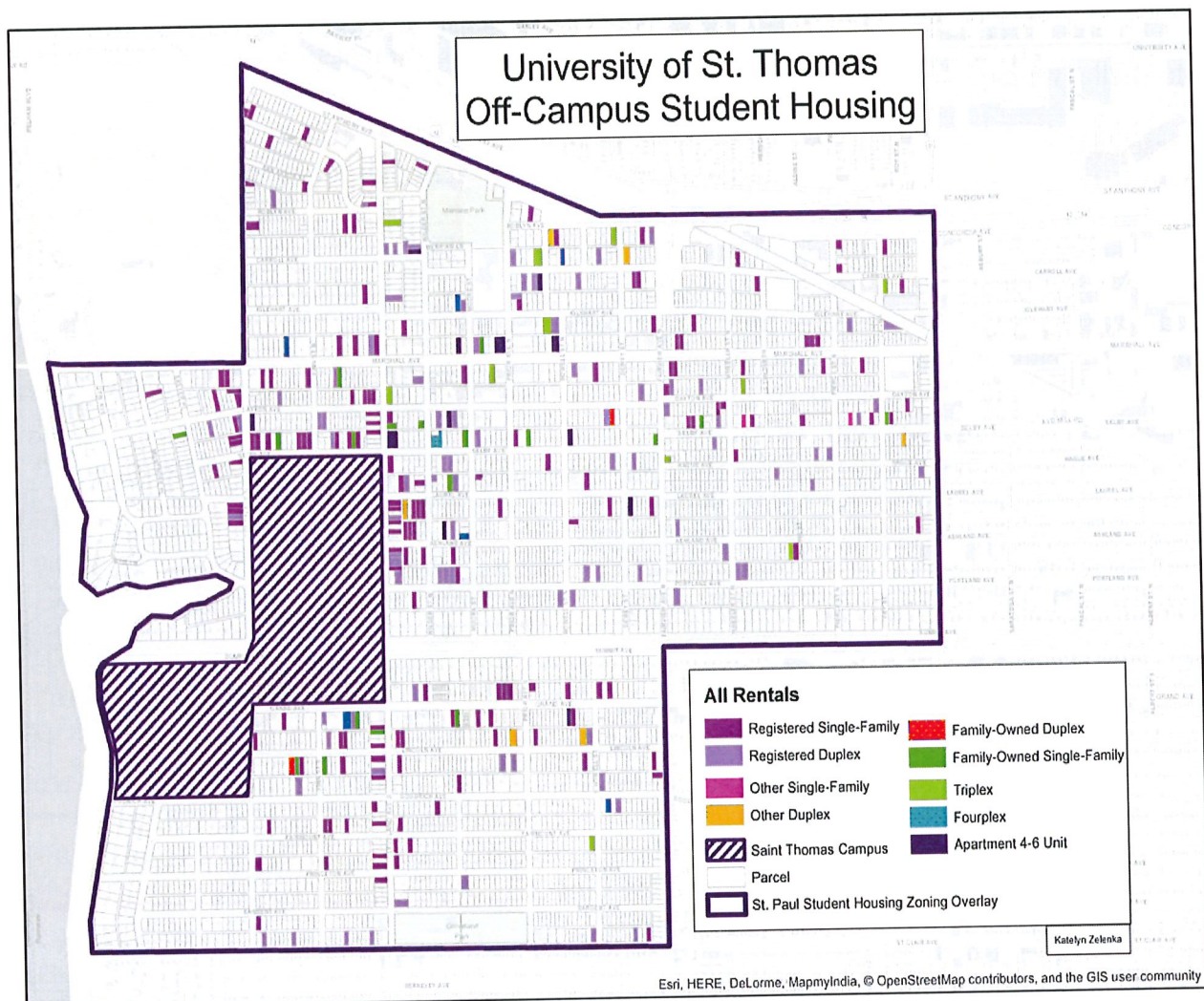
Civic and Institutional land use includes buildings and open space for major institutional campuses. As the host of the State Capitol and many high-quality educational institutions, Saint Paul has great riches in this land use category. It is important to cultivate conditions that allow these uses to thrive, connect to neighborhoods and feed into the local economy. The following draft policies apply to the Civic and Institutional land use category:

- **Policy LU-50.** Pursue partnerships with area colleges and universities that strengthen connections to the community and adjacent neighborhoods; and support workforce development, business creation and innovation, and retention of youth and young professionals.
- **Policy LU-51.** Ensure institutional campuses are compatible with their surrounding neighborhoods by managing parking demand and supply, maintaining institution-owned housing stock, minimizing traffic congestion, and providing for safe pedestrian and bicycle access.
- **Policy LU-52.** Encourage the redevelopment of surface parking lots within the Capitol Area into projects that contribute to the tax base and public realm.

## Student Housing & the West Marshall Avenue Residential Corridor

Smart growth on Marshall Avenue should be welcome. At the same time, extreme **pressure from student housing** brings two negative effects of keen concern to neighbors and, ultimately, the City. First, student housing can eclipse the availability of more affordable housing for other key populations targeted in city planning: a growing workforce and an aging population (senior housing). In this way, it may inhibit, rather than support neighborhood growth. Second, while student housing may be desirable at low densities, at high densities it quickly diminishes the quality of the neighborhoods and, at a well-documented “tipping point,” (see U of St. Thomas’s May 2011 report, *Partnership Feasibility Study: Findings, Conclusions & Recommendations*) leads to lowered reinvestment in housing stock, neighborhood degradation, lower property values, and ultimately lower tax revenue. Recent studies have documented many facts relevant to the Marshall Avenue Zoning Study. *Regulation of student housing density is essential to promoting the City’s Comprehensive Plan by providing affordable housing for workers and also for sustaining the quality of stable, established neighborhoods* (LU2, LU2.1, H2, H3).

The West Marshall Avenue corridor runs through the **City’s Student Overlay District** (Figure 1), established by City Ordinance 12-34. This area notably includes the section of Marshall Avenue under the current development moratorium (Ord. 17-54).



1 Off-campus Students housing in Overlay District.



Also relevant is paragraph [k] of Section 66.231 of the St. Paul Zoning Code, an RM2 zoning district overlay intended to regulate student housing on nearby Grand Avenue (also in the Overlay District). These historical actions reflect the City's policy concerns about the strong pressure on the neighborhood from student housing. However, **this revised RM2 zoning provision has been largely ineffectual** in controlling the unfettered expansion of oversized, out-of-scale off-campus student dormitories.

As of April 2018, the **total number of students** residing in the off-campus Overlay District was 2,164. Given the reported 2017-18 enrollment of 9,878, this means that UST relies on over 20% of its students securing off-campus housing. Student housing extends far beyond just a few blocks off campus (see figure). Marshall Avenue itself hosts at least 32 properties identified as student housing.

In addition, the **pressure for student housing is increasing**, in part because UST continues to increase enrollment without increasing on-campus housing. Student rentals have increased 10% in the last 5 years. Two new commercial dorms on Grand Avenue (housing 136) have opened in recent years and two new dorms planned to accommodate another 93 students are under development—one of them on Marshall Avenue. Historically, most of the pressure has been focused on Grand Avenue. This year, we saw the emergence of a large-scale, high-density property on Marshall Avenue— 61 residents on two City lots.

MARSHALL & MOORE APARTMENTS  
SAINT PAUL, MINNESOTA  
SITE PLAN REVIEW  
12/28/2017

These new buildings, in their dormitory-style design criteria, tend to **displace housing opportunities for workers and families**. Note the sample floor plans of the apartments (recently approved) for Marshall and Moore (Figure 2). Three and four small bedrooms are found in apartments from 900 to 1130 SF, with 2 baths and very little other living space. The developer intends to rent space not by the apartment, but by the bedroom—at a cost of \$900/room (or \$3,600 per apartment). These are not spaces designed or priced for workers, families, or senior citizens. The prospect of high profit margins encourages developers to pursue dormitory-style housing in lieu of other forms of housing much needed in the city. Anecdotal reports from local landlords indicate that this style of housing is quickly becoming unattractive even to today's students. Without regulation or careful zoning, there is the strong potential of dormitory-style housing to displace other forms of affordable housing, as exemplified by four recent projects on Grand and Marshall Avenues. **Current RM2 zoning allows for an uninterrupted 6-block swath of buildings of this type on Marshall Avenue**—5 stories in height and (with allowances) up to 175 persons/acre— in

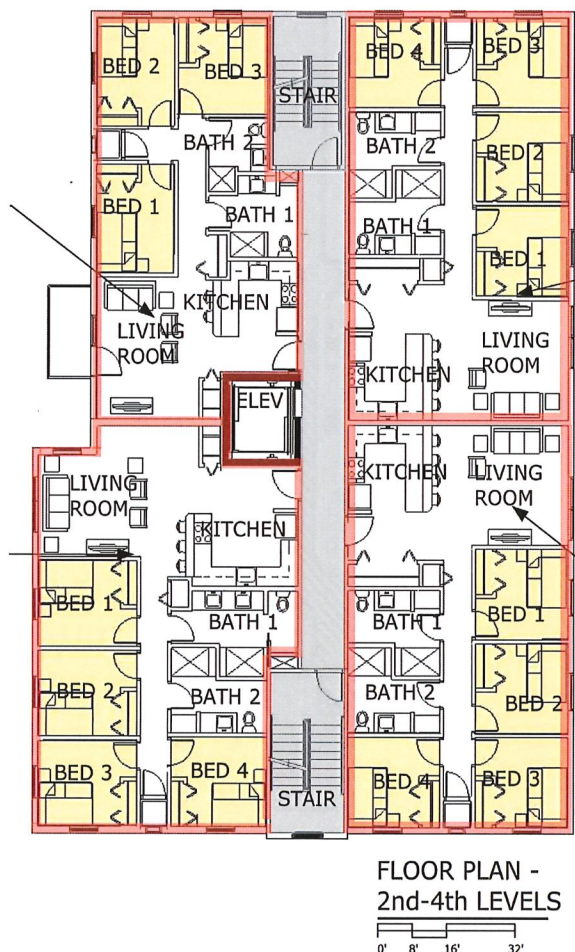


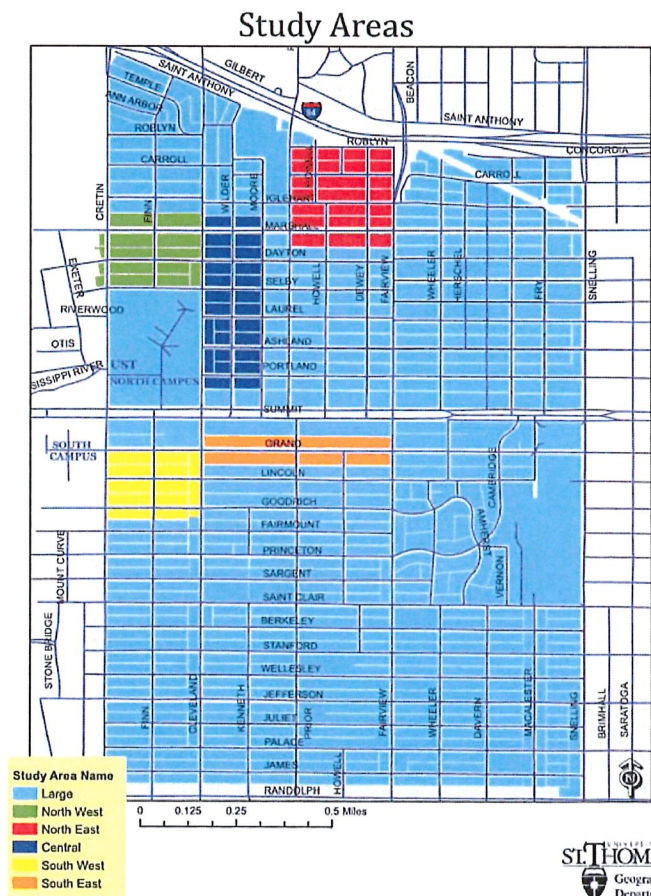
Figure 2. Sample floor plan for apartments promoted as contributing to the City's housing stock, but clearly designed for students.



an area that is now a residential-corridor-style mixture of 2.5-story homes and 3-story apartment buildings.

As a result of the threat of high-density dormitory-style housing, St. Paul adopted an **overlay on Grand Avenue** (paragraph [k] of Section 66.231 of the Zoning Code). But the **effect has been limited**. The plan limits height to 4 stories in RM2 zones and increases per-unit lot acreage for 3- and 4-bedroom apartments. However, **this rule has not been effective in promoting multi-family housing or housing design acceptable to non-students**. With intense profit margins, incentives for high-density student housing remain high. Instead, RM1 zones (3-story limit and 2,000 SF of lot size per unit) seem closer to the balance where profitability shifts to incentivize alternative apartment sizes and designs and encourage other forms of housing attractive to workers, couples and families.

Besides discouraging housing for a growing workforce, the accumulated growth of student housing has other negative effects, is now at a critical point. A key measure of neighborhood health and stability is percentage of homesteaded properties. As noted in the May 2011 UST report, *“an increase to over 30% non-homesteads would generally be considered a ‘tipping point’ for a single family residential neighborhood that could lead to disinvestments and decline.”* The 2011 study, sponsored by UST and the West Summit Neighborhood Advisory Committee (WSNAC), found that *“non-homestead properties grew from 10.6% of the total residential parcels in this area in 2002 to 21.4% in 2009.”* Moreover, in a focus area (see map), *“during the same period, non-homestead parcels grew from 23.9% of the total residential parcels within these focus areas in 2002 to 40.5% in 2009”* (table below). That is, **neighborhood areas that straddle Marshall Avenue Study Area—and include most of the moratorium area and designated WMA Study Area (Res. 17-1582)**



Year	Total Residences	Non-Homestead	%
2002	666	159	23.9%
2009	659	267	40.5%

**mandated by the City Council—have passed the acknowledged tipping point.** Neighbors see this, for example, in the decreased density of families with young children and the increased inavailability of overnight parking.

Partly in reponse to these statistics, the City Council approved a Student Overlay District (Ordinance 12-34, Figure 1). However, as noted above, student housing pressure has continued

to grow in the 6 years since its passage. In addition, **the Student Overlay** applies only to single family home and duplex rentals. It **does not address the problems of new constructions or large multi-family student dwellings**. With their pressures on parking and noise nuisance, these additional (and growing) forms of student housing further threaten the sustainability of the West Marshall Avenue neighborhood. Stronger planning and zoning policies are needed to shape market forces towards positive solutions that align more consistently with the City's 2030 Comprehensive Plan and Union Park District's 2016 Community Plan.

The development and demolition moratorium (Ord. 17-54) and this WMA Zoning Study (Res. 17-1582) are direct consequences, with the explicit **charge to respond to “the potential for incompatible or inconsistent redevelopment activity along this stretch of Marshall” and to resolve “questions relating to the ability of the City’s present official controls to assure compliance with the City’s Comprehensive Plans.”**