

city of saint paul
planning commission resolution
file number
date

WHEREAS, Samir Abumayyaleh, File # 20-048-857, has applied for a conditional use permit for an 85 foot building height under the provisions of § 66.331(g) and § 61.501 of the Saint Paul Legislative Code, on property located at 1880 Old Hudson Road, Parcel Identification Number (PIN) 35.29.22.32.0087, legally described as Chen’s Addition, Lot 2, Block 1; and

WHEREAS, the Zoning Committee of the Planning Commission, on July 30, 2020, held a public hearing on said application pursuant to the requirements of § 61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The application requests conditional use permit approval for a new 85’-high, U-shaped building at 1880 Old Hudson Road, on the site’s currently vacant western portion.
2. § 66.331(g) requires that structures be stepped back one (1) foot from all setback lines for every two and one-half (2½) feet of height over seventy-five (75) feet. For the proposed 85’-high building this is equivalent to an additional 4’ beyond the setbacks lines. The proposed setbacks of 15’-7” in the front, 10’-6” on the relevant side (west side), and 48’-7” in the rear meet this requirement for additional stepping back from the setback lines.
3. § 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 conformance with the Comprehensive Plan and applicable subarea plans. The 2030 Comprehensive Plan designates the site as part of a Mixed Use Corridor and a Neighborhood Center, which encourage the land use intensity that comes with the proposed additional height. Likewise, the District 1 Plan (2016) calls for high-density uses along the planned Gold Line BRT corridor and concentrating activity near transit stations, such as is proposed. The Gold Line Station Area Plans (2015, amended 2019) call for high-intensity transit-oriented development here, which includes consideration of heights greater than five stories, depending on context. The site’s context is conducive to taller buildings.
 - (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. Adequate ingress and egress are provided via an internal driveway to Old Hudson Road.

moved by _____

seconded by _____

in favor _____

against _____

- (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 additional height at this location adjacent to a planned bus rapid transit station and up against the interstate, plus near 3-story and 7-story residential uses, will not be detrimental to the area's existing character nor endanger the public health, safety or general welfare. The provided shadow study does not show a significant negative impact to sunlight availability on surrounding properties.
- (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 proposed additional height does not impede the surrounding property's development and improvement. The shadow impact on the vacant RM2-zoned parcel to the northeast is minimal – is only an impact near sundown/sunrise in December, according to the provided shadow study.
- (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. No variances are being requested.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission under the authority of the City's Legislative Code, that the application of Samir Abumayyaleh for a conditional use permit for an 85 foot building height at 1880 Old Hudson Road is hereby approved subject to the following 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.