

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** MN Farmhouse Fraternity **FILE #:** 15-180-927
 2. **APPLICANT:** MN Farmhouse Assn. **HEARING DATE:** December 10, 2015
 3. **TYPE OF APPLICATION:** Conditional Use Permit & Variances
 4. **LOCATION:** 1505 Cleveland Ave N, between Dudley and Hendon
 5. **PIN & LEGAL DESCRIPTION:** 202923140070, St Anthony Park North Lots 3 And Lot 4 Blk 1
 6. **PLANNING DISTRICT:** 12 **PRESENT ZONING:** RM1
 7. **ZONING CODE REFERENCE:** § 65.191; § 61.503; § 61.501; § 61.601; § 61.202(b)
 8. **STAFF REPORT DATE:** December 3, 2015 **BY:** Anton Jerve
 9. **DATE RECEIVED:** November 23, 2015 **60 DAY DEADLINE FOR ACTION:** January 22, 2016
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- A. **PURPOSE:** Conditional use permit for off-campus fraternity with variances for lot coverage (35% permitted, 38% proposed), and building height (40 ft. permitted, 45 ft. proposed)
- B. **PARCEL SIZE:** 15,000 sq. ft. (100ft of frontage on Cleveland)
- C. **EXISTING LAND USE:** R-Rooming/Boarding House
- D. **SURROUNDING LAND USE:**
 - North: Water tower (RM1)
 - East: University of MN (Falcon Heights)
 - South: Multifamily (RM1)
 - West: Single family (R3)
- E. **ZONING CODE CITATION:** §65.191 lists standards and conditions for a fraternity; § 61.503 lists changes requiring a new permit; §61.501 lists general requirements for all conditional uses; §61.601 lists general requirements for all variances; §61.202(b) authorizes the planning commission to grant variances when related to permits.
- F. **HISTORY/DISCUSSION:** The Farmhouse Fraternity has operated at this location since at least 1963, prior to a fraternity being required to have a conditional use permit.
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 12 recommends approval of the application.
- H. **FINDINGS:**
 1. MN Farmhouse Fraternity is seeking a conditional use permit to rebuild their fraternity building located on site. A conditional use permit is required when a building containing a conditional use is torn down and a new building is constructed. The new building replaces the outdated structure and will house the same number of residents. The building is proposed to be three stories and approximately 45 feet tall along the Cleveland Avenue facade. Residences will be located on the second and third floors and supporting facilities will be located on the first floor and basement.
 2. §65.191 lists three standards that fraternity uses must satisfy:
 - (a) In residential and TN1 traditional neighborhood districts, a conditional use permit is required for off-campus fraternities and sororities. The Minnesota Farmhouse Fraternity Association has applied for a conditional use permit for this off-campus fraternity.
 - (b) The use must be within two hundred fifty (250) feet of the campus boundary as established in the conditional use permit for the institution it serves. In RL—R4 residential districts, the use shall be on the campus. This condition is met. The use is 66 feet from the University of Minnesota campus boundary.
 - (c) If it is outside of the campus boundary, the use must be located in an existing structure designed and built as a one- or two-family dwelling or new structure that meets the height, density and setback requirements for a two-family dwelling. This condition is met subject to the following variances for height (Finding 4) and lot coverage (Finding 5).

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 use is consistent with the following policies from the *Comprehensive Plan*:

1.40 Promote the development of housing that provides choices for people of all ages, including singles and young couples, families, empty-nesters, and seniors.

1.42 Promote the development of housing in mixed-use neighborhoods that supports walking and the use of public transportation.

The use is consistent with the following policies from the *District 12 St. Anthony Park Community Plan*:

Range of Housing Choices. *Increase the range of housing types and affordability within the District to encourage a greater diversity of households and to be an affordable community for all people throughout their life and changing lifestyle needs.*

60. Coordinate with the St. Anthony Park Community Council to develop a proposal for an appropriate mix of housing options in identified areas for a range of housing meeting the needs of empty nesters, independent seniors, and young families. Promote life cycle housing in new residential development. This may include an affordability and housing needs study.

- (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The fraternity will continue to use the existing access from the alley.
- (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 is existing and thus part of the existing character of the neighborhood, consistent with this location on an arterial street across from the University of Minnesota.
- (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. This application was triggered by reinvestment to an existing use and will contribute to the improvement of the surrounding area.
- (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 subject to the following variances for height (Finding 4) and lot coverage (Finding 5).
4. For the requested height variance §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 height variance is in harmony with the purpose intent and purposes listed in §60.103, included those pertaining to aesthetics and adequate provision of light and air.

- (b) *The variance is consistent with the comprehensive plan.* This finding is a met as established in Finding 3(a). The height variance does not alter the consistency with the Comprehensive 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. Because this is an existing use that meets the conditions required for a fraternity, it would be impractical to find another location for the use that would meet all zoning requirements. The applicant is replacing and upgrading the existing program of the fraternity. Although the building meets the three story standard for the site, it exceeds the height requirement because of the taller floors. The building is designed to have 10 foot floor to ceiling heights on the second and third floors to allow for lofted beds which creates more usable space within the resident's rooms. The first floor is designed for 11 foot floor to ceiling height to be proportionate to the large communal living spaces. The higher ceiling heights allow the building to meet market expectations and help to ensure the long-term viability of the building.
 - (d) *The plight of the landowner is due to circumstances unique to the property not created by the landowner.* This finding is met. Existing topography of the site, lot coverage standards, market expectations and industry practices all contribute to the need for a height variance.
 - (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 use is allowed in the district with a conditional use permit. The proposed project meets the requirements for the conditional use permit.
 - (f) *The variance will not alter the essential character of the surrounding area.* This finding is met. The pitched roof line will lessen the impact of the height to the immediate neighbor to the south. Other buildings on the block are 2-3 stories with pitched roofs. Immediately to the north is a water tower approximately 106 feet tall.
5. For the requested lot coverage variance, §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 lot coverage variance is in harmony with the intent and purposes listed in §60.103, including those pertaining to aesthetics, adequate light and air, overcrowding of land, and congestion of population.
 - (b) *The variance is consistent with the comprehensive plan.* This finding is a met as established in Finding 3(a). The lot coverage variance does not alter the consistency with the Comprehensive 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 not met. The applicant has established that there are practical difficulties with reducing the interior space to allow for the programmed space to function, however there are not similar difficulties established for the exterior space, particularly for the porch on the north side of the building.
 - (d) *The plight of the landowner is due to circumstances unique to the property not created by the landowner.* This finding is not met. The building could be built with a

smaller porch which would bring the lot coverage in compliance with the zoning regulations. While the proposed large open porch is an architectural amenity that would provide visual porosity and break up the massing of the building, there is nothing unique to the property which requires a porch. The landowner has established the benefits to having this semi-public transition space along the public right of way; however this does not account for the size of the porch, nor the portion of the porch not adjacent to public right of way.

- (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 use is allowed in the district with a conditional use permit. It meets the requirements for the conditional use permit.
- (f) *The variance will not alter the essential character of the surrounding area.* This finding is met. The additional lot coverage (3%) will not be obvious from Cleveland Avenue. The additional coverage is to allow a large open porch that would provide visual porosity and break up the massing of the building.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for an off-campus fraternity with a variance for building height (40 ft. permitted, 45 ft. proposed) and denial of the requested variance for lot coverage (35% permitted, 38% proposed), subject to the following additional conditions:
 - 1. Final site plans approved by the Zoning Administrator for this use meeting lot coverage requirements and otherwise be in substantial compliance with the plans 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 #: 15-180927
 Fee: 800.00
 Tentative Hearing Date:
12 10 15
20292314 0070

APPLICANT

Name Joel Reiman, MN Farmhouse Assn Pres Email jdreiman55@gmail.com
 Address 1404 2nd Street NW
 City Austin State MN Zip 55912 Daytime Phone 507-226-6289
 Name of Owner (if different) MINNESOTA FARMHOUSE ASSN INC
 Contact Person (if different) JAY BEYER-KROPUENSKE Phone 651-343-9956

PROPERTY LOCATION

Address/Location 1505 CLEVELAND AVE N, SAINT PAUL, MN 55108
 Legal Description ST ANTHONY PARK NORTH LOTS 3 AND LOT 4 BLK 1
 Current Zoning RM1 / R-Rooming/Boarding
 (attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of
 Chapter 65, Section 65, Paragraph 191, 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.

The Minnesota FarmHouse Fraternity association as operated the FarmHouse Fraternity Chapter House at 1505 North Cleveland Avenue, Saint Paul MN since 1962. We are now needing to replace the current structure to better serve our members attending the University of Minnesota. Our current housing facility is outdated and needs to be replaced with a more modern energy efficient structure. We will not be changing the operation of the facility it will still be a residential house facility for our fraternity members.

Our new structure also complies with Sec. 61.501. - Conditional use permit, general standards.
 Before the planning commission may grant approval of a conditional use, the commission shall find that:
 (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.
 (b)The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.
 (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.
 (d)The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
 (e)The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

Required Site Plan is attached

Applicant's Signature

Date

11-17-15

City Agent

add 11-19-15



APPLICATION FOR ZONING VARIANCE
 Department of Safety and Inspections
 375 Jackson
 Suite 220
 Saint Paul, MN 55101-1806
 (651) 266-9099

Zoning Office Use Only
 File #: 15-180927
 Fee: 300.00
 Tentative Hearing Date: 12-10-15
 Section(s) _____
 City Agent _____

APPLICANT

Name Joel Reiman, MN Farmhouse Assn Pres
 Address 1404 2nd Street NW
 City Austin State MN Zip 55912 Daytime Phone 507-226-6289
 Email jdreiman55@gmail.com
 Name of Owner (if different) MINNESOTA FARMHOUSE ASSN INC
 Contact Person (if different) JAY BEYER-KROPUENSKE Phone 651-343-9956

PROPERTY LOCATION

Address/Location 1505 CLEVELAND AVE N, SAINT PAUL, MN 55108
 Legal Description ST ANTHONY PARK NORTH LOTS 3 AND LOT 4 BLK 1
(attach additional sheet if necessary)
 Lot Size .3700 Acres Present Zoning RM1 Present use Fraternity
 Proposed Use Fraternity - Student Housing

Variance(s) requested:

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

Requested Variances under Division 3, -66.230 Residential District Density and Dimensional Standards - RM1

Front Yard Setback: Moving the structure forward on the lot will allow for better planning of sidewalk and parking in the rear of the property. The average of the structures on the block is 14.8 we propose a setback of 12ft

Lot Coverage: Increasing the lot coverage to 6,000 sqft instead of 5,600 sqft is requested for the following reasons:

- a) The first floor requires a certain amount of space for the functional needs and can probably not be reduced enough to meet the required lot coverage.
- b) The porch is an important design feature for the FarmHouse. It allows for a semi-public transition between the public street and the building. It is a useful outdoor space in keeping with the intent and purpose of the zoning code and it relates to pedestrians and the street. It helps make the street pedestrian friendly and so aids in crime prevention.
- c) A larger porch on the north side of the house along the water tower property in much more welcoming as a focal point as an entrance to the neighborhood and is supported by surrounding neighbors.

Building Height: A variance for building height from 40' to 45' is required due to the following:

- a) Contours of the site and the variation in elevation contribute to the required height of the building.
- b) Higher spaces are required in the living areas because of the size of the rooms and higher ceiling height is required in 2nd & 3rd floor sleeping rooms because bunk beds are to be used in the rooms and a minimum 9'-0" ceiling height is required. In addition, basement spaces have rooms that require natural daylight and grade should allow for this with area ways.
- c) The water tower creates a problem with drainage from that site to the FarmHouse site. Grade must be raised along the front and north sides of the FarmHouse to keep the water away from the house and this increases the difference in elevation from NE to SW corners of the site.
- d) A gabled roof also fits in the neighborhood better and welcomed by the surrounding neighbors.

Attachments as required: Site Plan Attachments Pro Forma

Applicant's Signature _____

Date 11-17-15

add 11/19/15

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- d) A gabled roof also fits in the neighborhood better and is welcomed by the surrounding neighbors.

The work is to construct a new fraternity house for FarmHouse Fraternity at the University of Minnesota St. Paul campus at 1505 Cleveland Avenue. The structure to the north is a water tower owned by the City of St. Paul. The structure to the south is an apartment house.

The house as proposed is a three story structure with a gross building area of 18,490 square feet including a basement.

Lot Coverage

Zoning (low-density multiple-family residential) RM-1
In residential and TN1 traditional neighborhood districts, conditional use permit is req'd for off-campus dormitories. New structure must meet height, density and setback requirements for a two-family dwelling.

Lot Area (including 1/2 of alley), .37 acres 16,000 s.f.

Allowed Lot Coverage Principal Structure 35%

Allowed Principal Structure Coverage (inc. porch) 5,600 s.f.

Building Coverage 4,612 s.f.

Porch 1,090 s.f.

Covered Terrace 284 s.f.

Total Lot Coverage Proposed (increase of 7%) 6,000 s.f.

Height & Setback

Maximum Height, Req'd 3 stories, 40'
Proposed 3 stories, 45'

Front Yard Setback, Req'd 25' or average on block, average on block is 14'-8"
Front Yard Setback Proposed 12'-0"

Side Yard Setback, Req'd 9'
Proposed South (existing building setback is 8') 10'
Proposed North 29'-4"

Rear Yard Setback, Req'd min. 1/2 bldg. hgt. but no less than 25'
Proposed 25'-4"

Parking Requirements

Req'd Parking for Fraternity 9 spaces

Provided Parking 9 spaces

No. of Residents 45

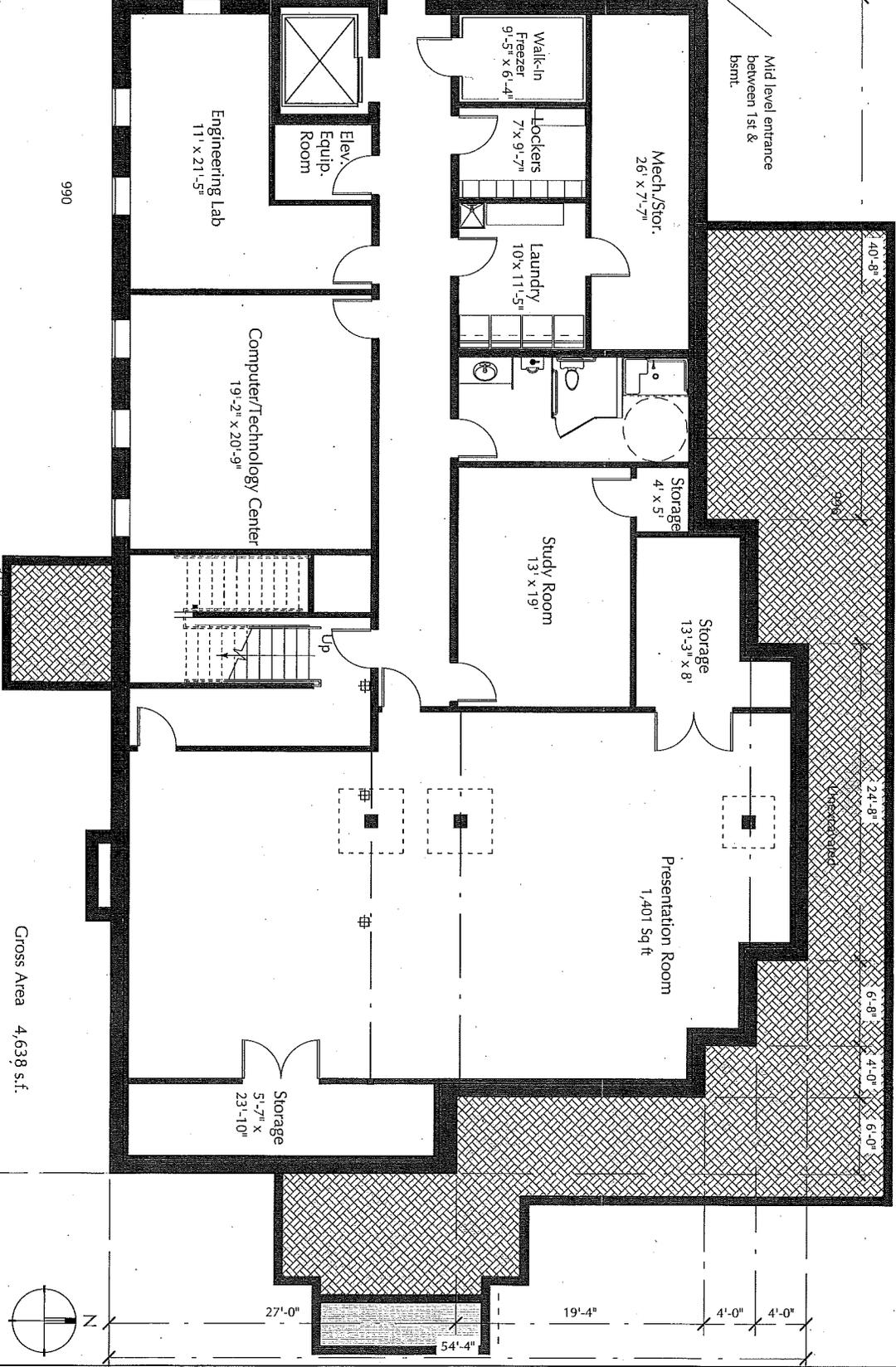
Bicycle parking spaces to be provided 4

Variance will req'd for height. Conditional use permit req'd for fraternity use. Site Plan, Zoning Committee and Planning Commission reviews required.

988 grade @ SE corner of site

990

990

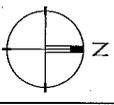


992.16
Mid level entrance between 1st & bsmt.

Elev. along north prop. line of site approx. 996'

line of porch & covered terrace above

Gross Area 4,638 s.f.



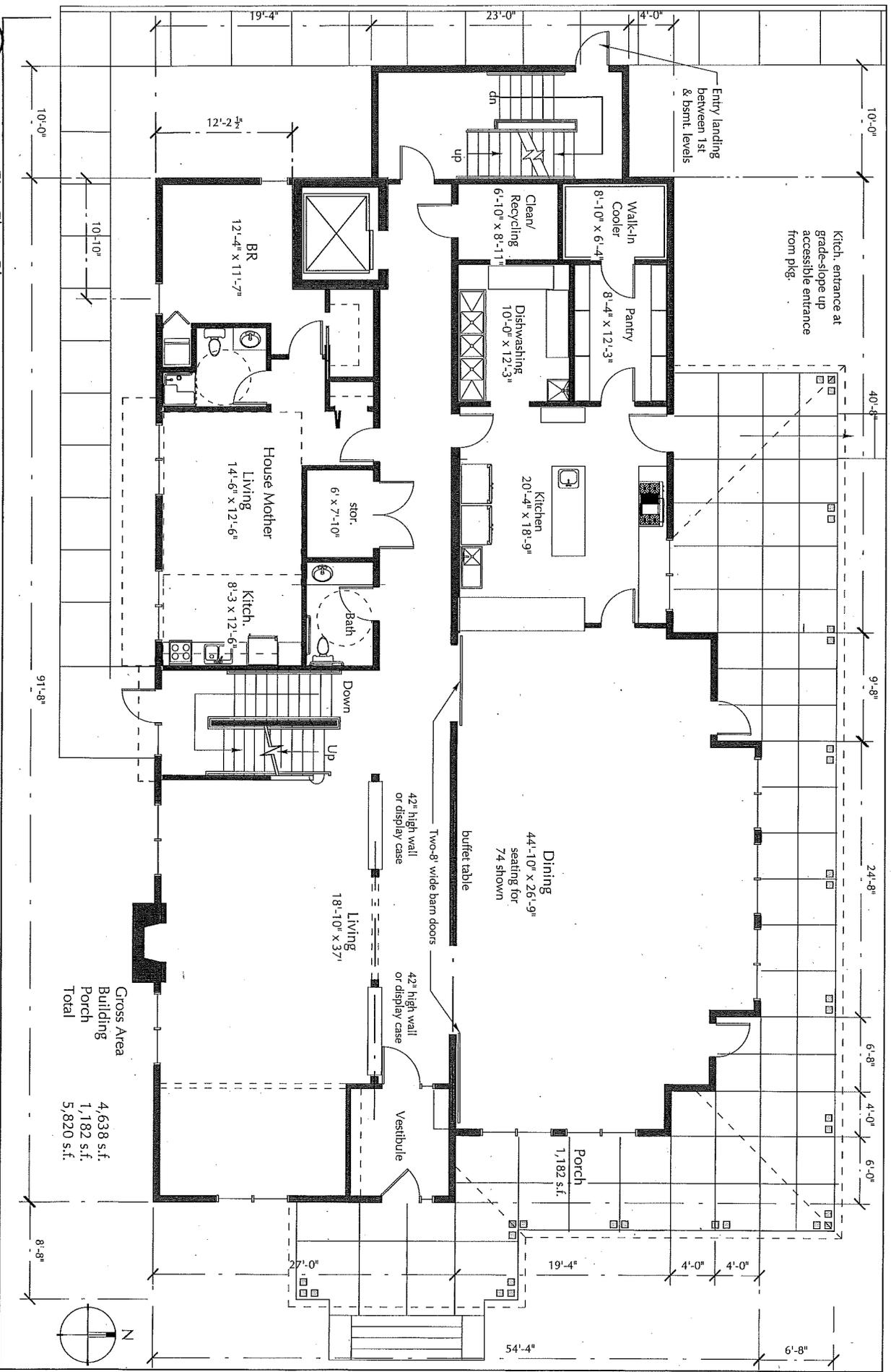
Scheme B-10 Basement Floor Plan

Carlsen & Frank Architects
 524 Selby Ave. Saint Paul, MN 55102
 651 227-4576 www.carlsenfrank.com

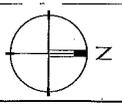
FarmHouse Fraternity
 1505 Cleveland Ave.
 Saint Paul, MN 55108
 651 646-3196 www.minnesotaffh.org

Drawn by: SAJ
 S.A.F.
 Checked: S.A.F.
 Date: 7/12/15
 Revisions:
 #1 8/17/15
 #2 8/25/15
 #4 10/29/15
 #5 11/18/15

Sheet No. **A-2**



Gross Area	4,638 s.f.
Building	1,182 s.f.
Porch	1,182 s.f.
Total	5,820 s.f.



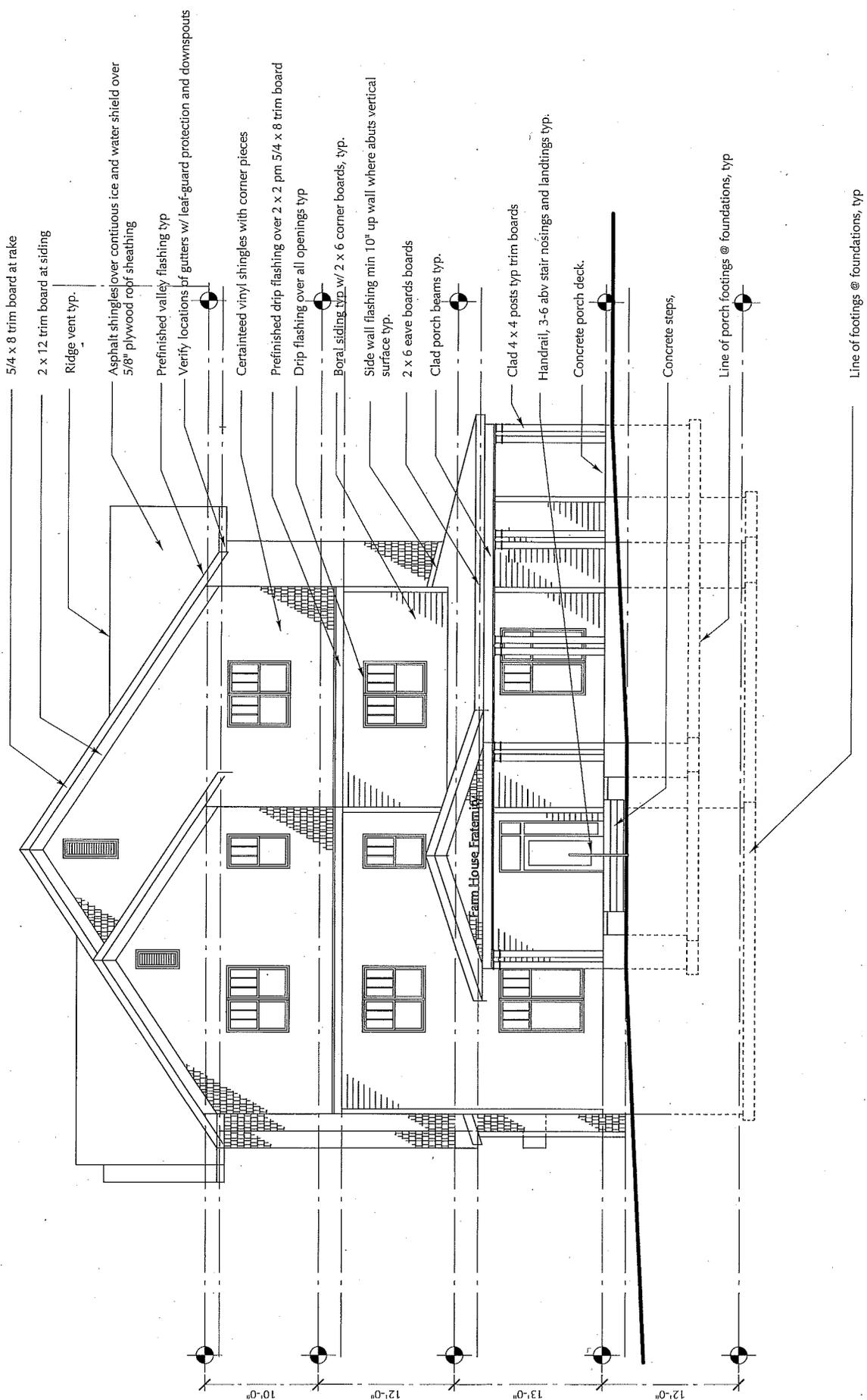
1/8"=1'-0"

Sheet No. A-3

Scheme B-10
Ground
Floor Plan

Carlsen & Frank Architects
524 Selby Ave. Saint Paul, MN 55102
651 227-4576 www.carlsenfrank.com

FarmHouse Fraternity
1505 Cleveland Ave.
Saint Paul, MN 55108
651 646-3196 www.minnesotafh.org



Drawn by:
PSC
Checked: SAF
Date: 9/23/15
Revisions:
#1

North Elevation

Carlsen & Frank Architects
524 Selby Ave. Saint Paul, MN 55102
651 227-4576 www.carlsenfrank.com

Farmhouse Fraternity
1505 Cleveland Ave.
Saint Paul, MN 55108
651 646-3196 www.minnesotafh.org



12'-0" 13'-0" 12'-0" 10'-0"

FarmHouse Fraternity
1505 Cleveland Ave.
Saint Paul, MN 55108
651 646-3196 www.mhnesofath.org

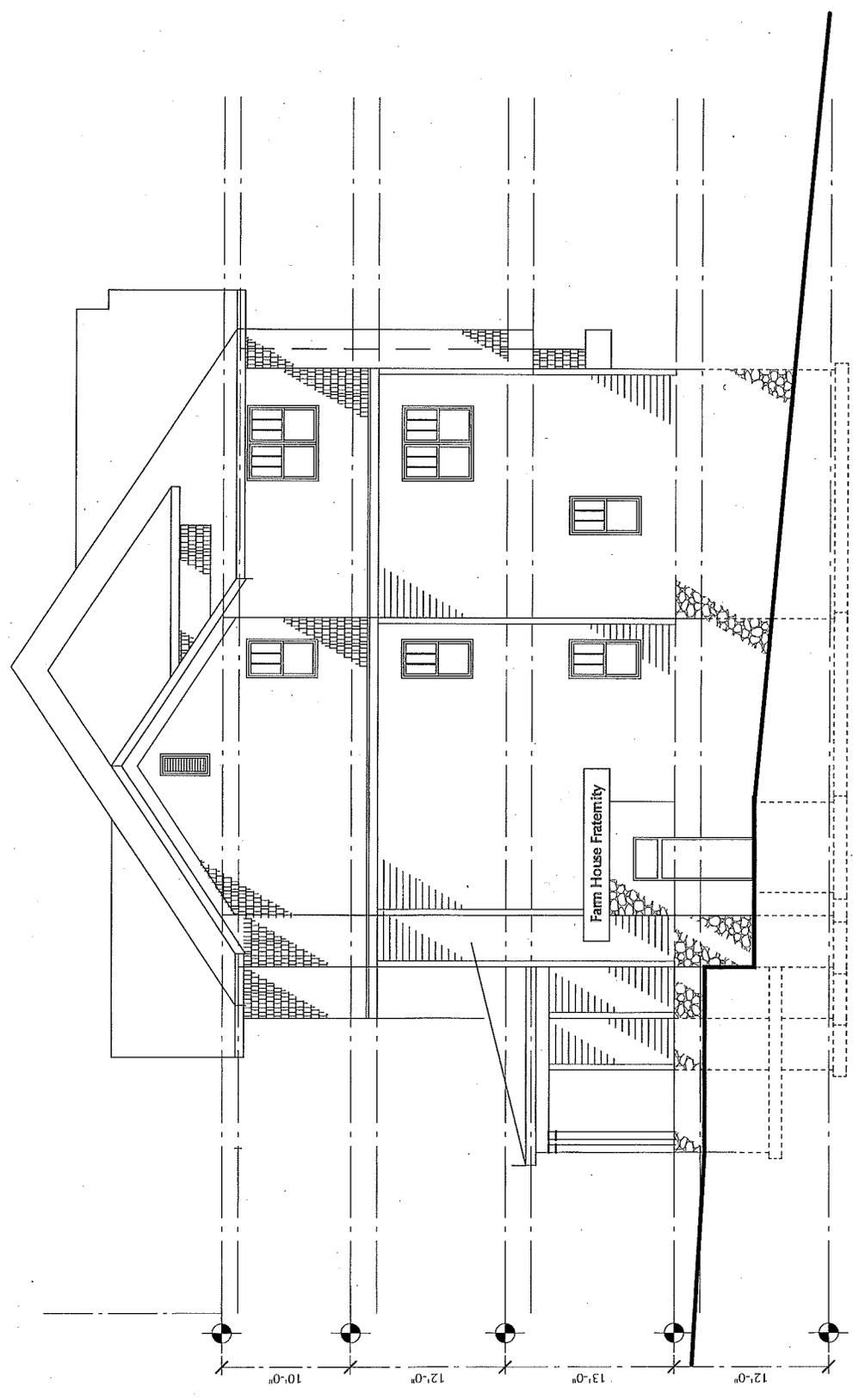


Carlsen & Frank Architects
524 Selby Ave. Saint Paul, MN 55102
651 227-4576 www.carlsenfrank.com

West Elevation

Drawn by: PSC
Checked: SAF
Date: 9/23/15
Revisions: #1

Sheet No.
A-7

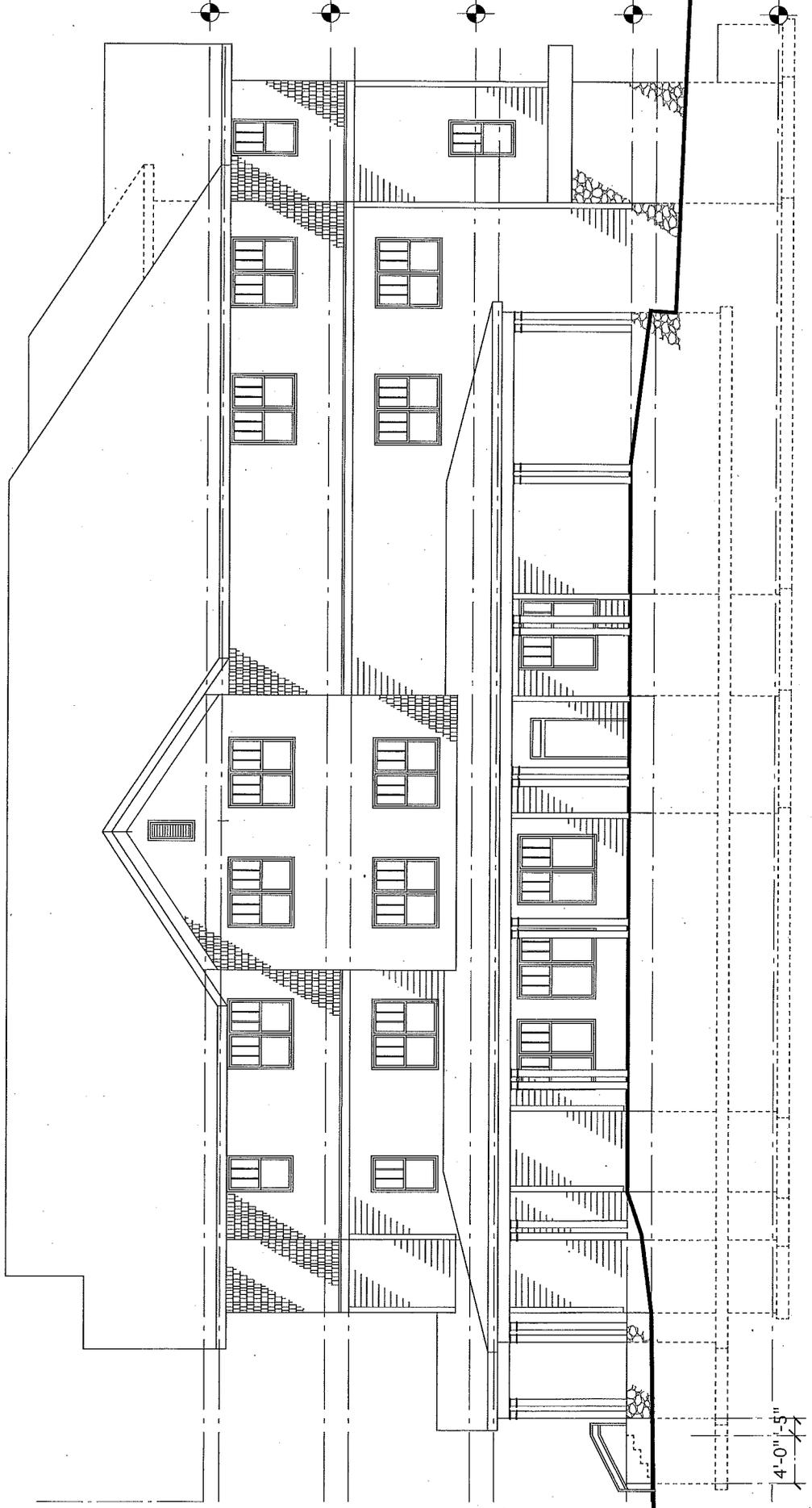


Drawn by: PSC
Checked: SAF
Date: 9/23/15
Revisions:
#1

South Elevation

Carlson & Frank Architects
524 Selby Ave. Saint Paul, MN 55102
651 227-4576 www.carlsonfrank.com

FarmHouse Fraternity
1505 Cleveland Ave.
Saint Paul, MN 55108
651 646-3196 www.mhnesotafh.org



ST. ANTHONY PARK



St. Anthony Park Community Council/ District 12
890 Cromwell Avenue,
Saint Paul, MN 55114
651/649-5992 TEL www.sapcc.org

Jay Beyer-Kropuenske
Construction Committee Chair
MN FarmHouse Association
1550 Grantham Street
St. Paul, MN 55108
jbeyerkropuenske@me.com

November 20, 2015

To whom it may concern:

On behalf of the St. Anthony Park Community Council (SAPCC), it is my pleasure to write a letter of support for FarmHouse Fraternity Association on building plans for their replacement of their member student housing at 1505 North Cleveland Ave, Saint Paul, MN 55108.

On November 12th, 2015 SAPCC Board of Directors passed a unanimous vote resolution in favor of FarmHouse Fraternity Association project. This vote was based on a presentation from the Land Use committee on November 5th, 2015. Land Use moved to support FH project, including the conditional use permit as needed for the presentation on Thursday November 5, 2015. This was the third time that FarmHouse Fraternity presented this project to the SAPCC Land Use Committee. After reviewing and discussing the variances and conditional use permit required for their project the Land Use Committee voted unanimously in favor of offering a letter of support, approving the next steps, architecture and building site plan.

FarmHouse Fraternity Association provided the following information to the Land Use Committee:

Conditional use permit: Our new structure also complies with Sec. 61.501. - Conditional use permit, general standards.

The Minnesota FarmHouse Fraternity association as operated the FarmHouse Fraternity Chapter House at 1505 North Cleveland Avenue, Saint Paul MN since 1962. We now need to replace the current structure to better serve out members attending the University of Minnesota. Our current housing facility is outdated and needs to be replaced with a more modern energy efficient structure. We will not be changing the operation of the facility it will still be a residential house facility for our fraternity members.

Variances: Requested Variances under Division 3. -66.230 Residential District Density and Dimensional Standards - RM1

Front Yard Setback: Moving the structure forward on the lot will allow for better planning of sideway and parking in the rear of the property. The average of the structures on the block is 14.8 we purpose a setback of 12ft

Lot Coverage: Increasing the lot coverage to 6,000 sqft instead of 5,600 sqft is requested for the following reasons:

- a) The first floor requires a certain amount of space for the functional needs and can probably not be reduced enough to meet the required lot coverage.
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- c) A larger porch on the north side of the house along the water tower property in much more welcoming as a focal point as an entrance to the neighborhood and is supported by surrounding neighbors.

Building Height: A variance for building height from 40' to 45' is requires due to the following:

- a) Contours of the site and the variation in elevation contribute to the required height of the building.
- b) Higher spaces are required in the living areas because of the size of the rooms and higher ceiling height is required in 2nd & 3rd floor sleeping rooms because bunk beds are to be used in the rooms and a minimum 9'-0" ceiling height is required. In addition, basement spaces have rooms that require natural daylight and grade should allow for this with area ways.
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- d) A gabled roof also fits in the neighborhood better and welcomed by the surrounding neighbors.

Please feel free to contact us with questions regarding our support for this project.

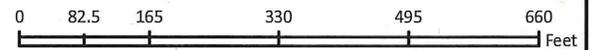
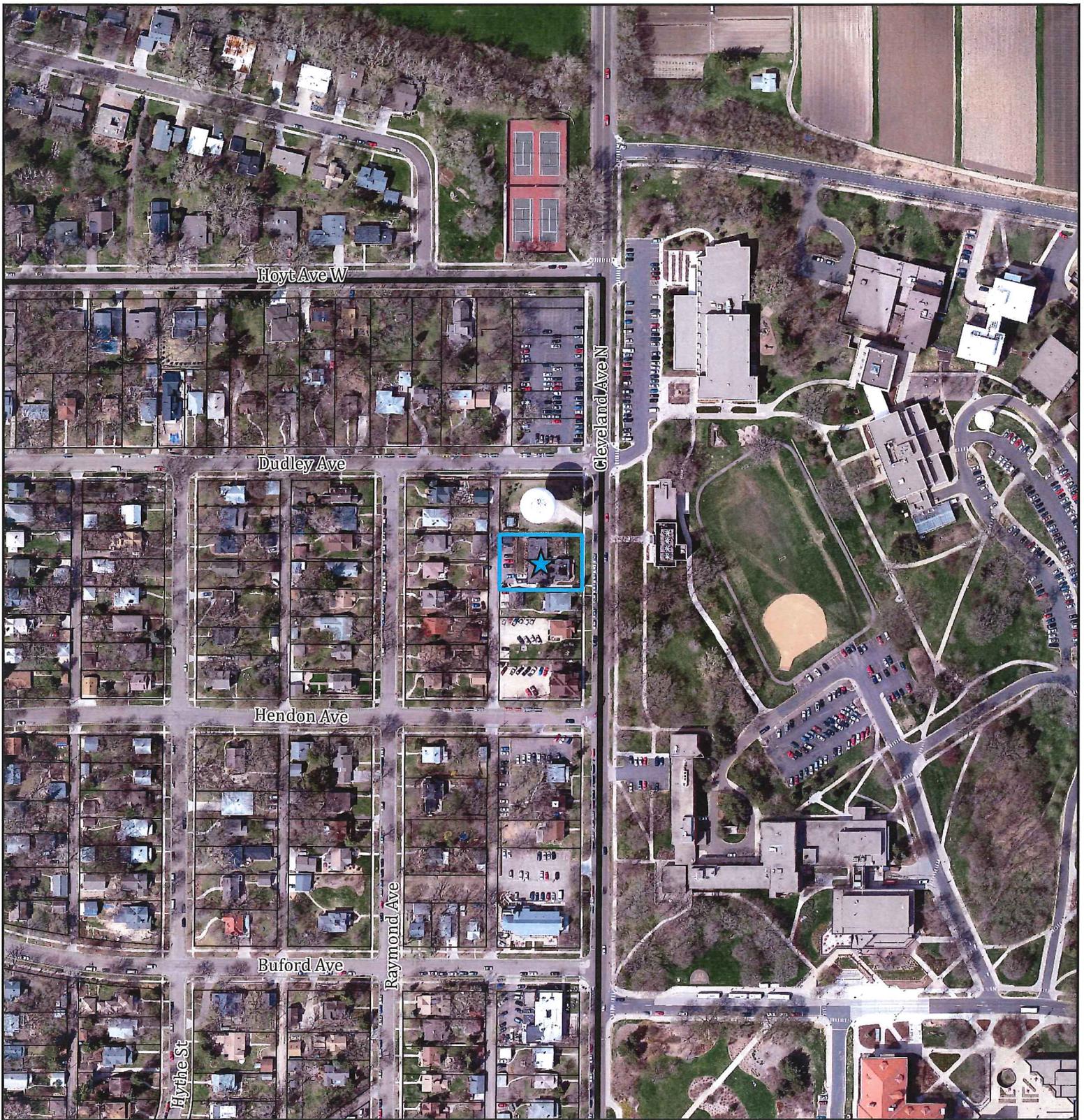
On behalf of the SAPCC, I thank you for your time consideration.

Sincerely,



Suyapa Miranda

Suyapa Miranda, Executive Director
SAPCC: Saint Anthony Park Community Council



FILE NAME: MN Farmhouse Fraternity

Aerial

APPLICATION TYPE: CUP w/variance

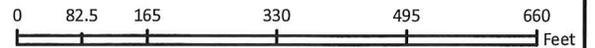
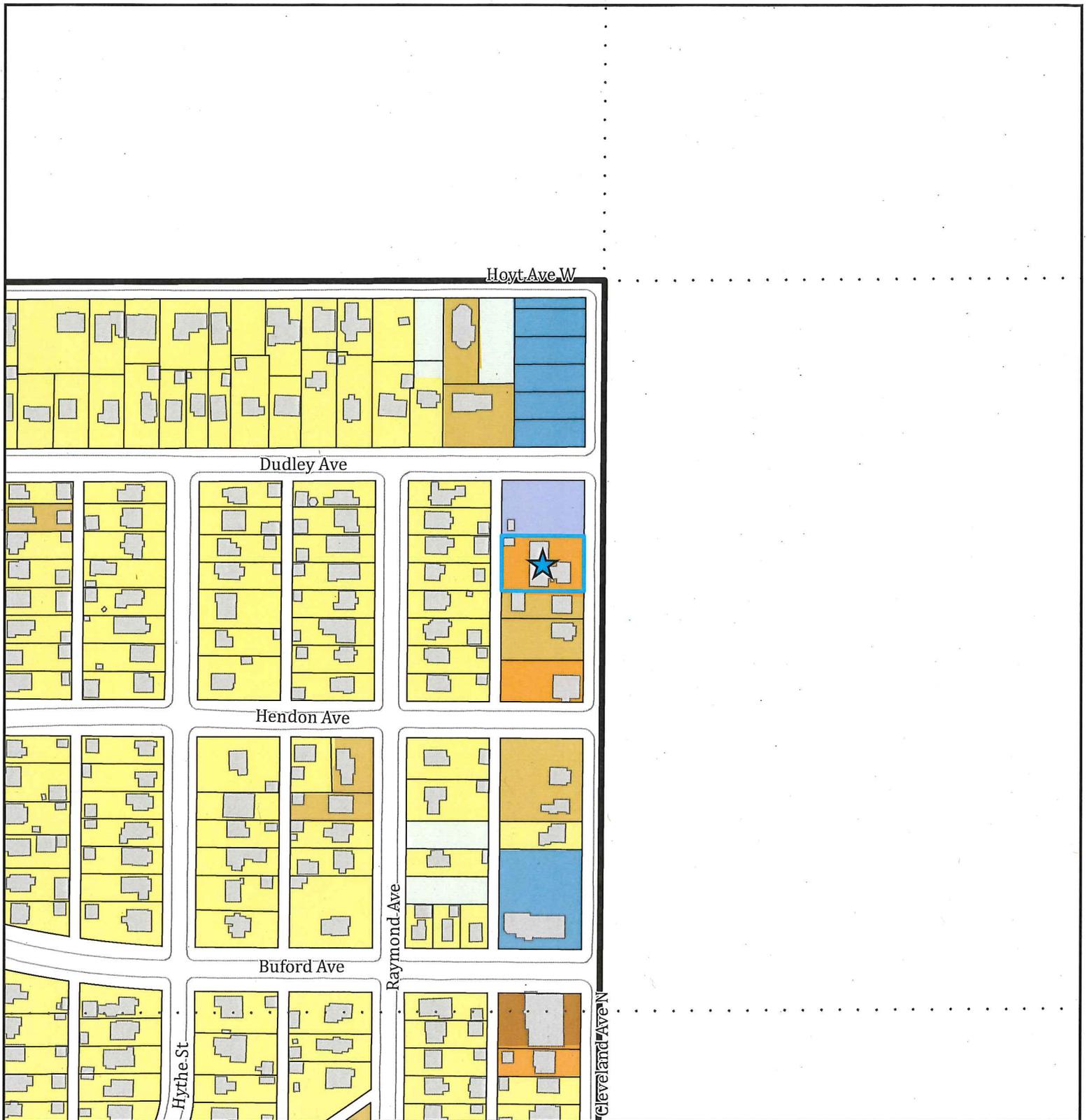
 Subject Parcels

FILE #: 15-180927 DATE: 11/23/2015

PLANNING DISTRICT: 12

ZONING PANEL: 1





FILE NAME: MN Farmhouse Fraternity

APPLICATION TYPE: CUP w/variance

FILE #: 15-180927 DATE: 11/23/2015

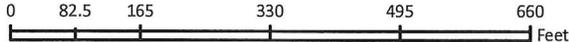
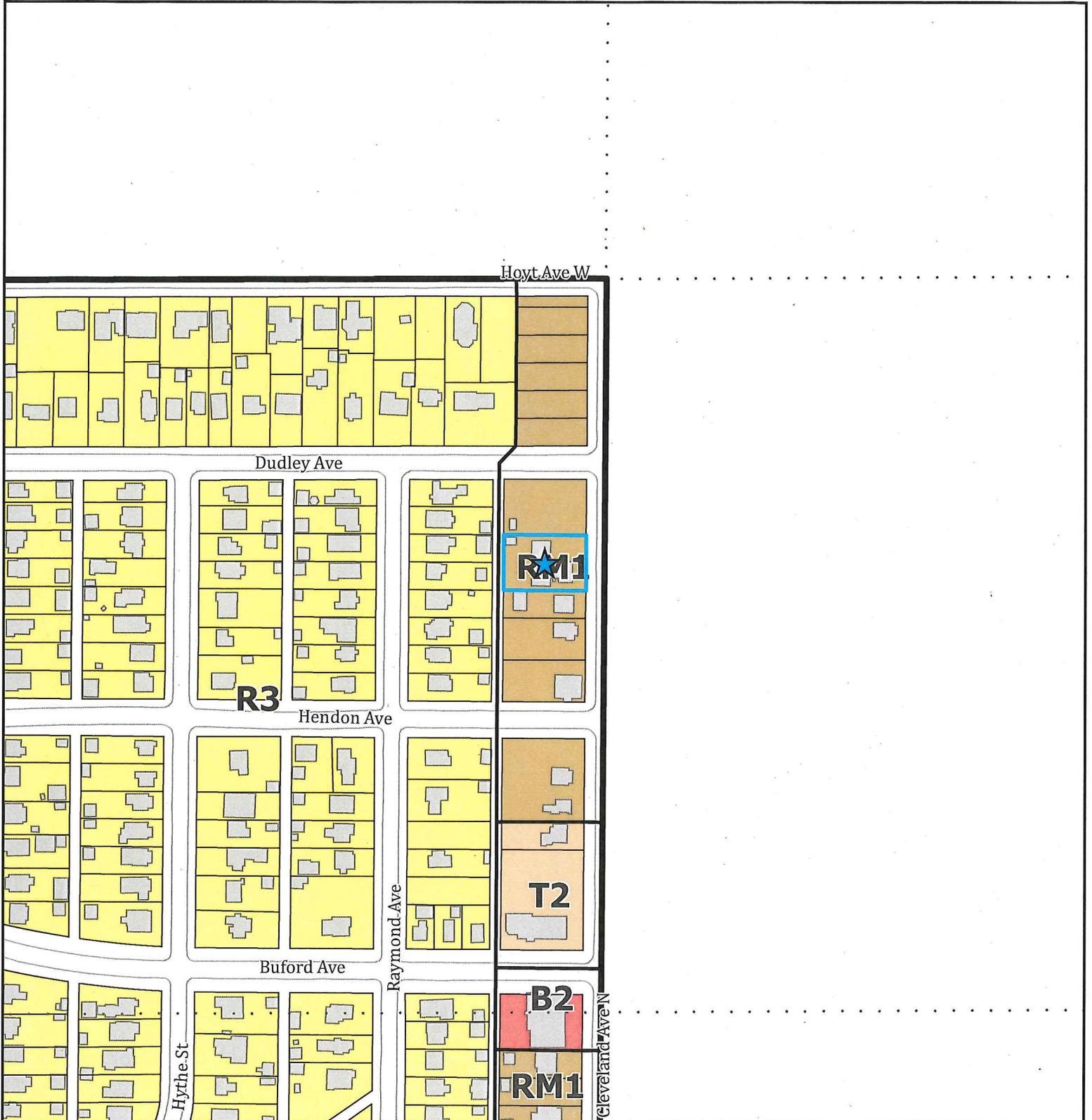
PLANNING DISTRICT: 12

ZONING PANEL: 1

Land Use

- Single Family Detached
 - Single Family Attached
 - Multifamily
 - Mixed Use Residential
 - Industrial and Utility
 - Institutional
 - Undeveloped
- Subject Parcels
- · · Section Lines





FILE NAME: MN Farmhouse Fraternity
 APPLICATION TYPE: CUP w/variance
 FILE #: 15-180927 DATE: 11/23/2015
 PLANNING DISTRICT: 12
 ZONING PANEL: 1

- Zoning**
- R3 One-Family
 - RM1 Multiple-Family
 - T2 Traditional Neighborhood
 - B2 Community Business
 - Subject Parcels
 - Section Lines

