ZONING COMMITTEE STAFF REPORT

1. FILE NAME: 337 W 7th / 366-372 Smith CUP & Variances
2. APPLICANT: Northland Real Estate
3. TYPE OF APPLICATION: Conditional Use Permit
4. LOCATION: 337 7th St W, 366 Smith Ave N, and 372 Smith Ave N; Block bounded by Smith Ave., 7th St., Leech St., and Grand Ave.
5. PIN & LEGAL DESCRIPTION: 012823410021; 012823410012; 012823410011; EWING & CHUTES SUB OF L6-7B1&L EX ST LOTS 2,3 AND LOT 4 BLK 2; Lot 10 Block 2 of SAMUEL LEECHE’S ADDITION N 1/2 OF LOT 10 BLK 2; Lot 10 Block 2 of SAMUEL LEECHE’S ADDITION N 1/2 OF LOT 10 BLK 2
6. PLANNING DISTRICT: 9
7. ZONING CODE REFERENCE: §61.501, §61.601, §63.401, §66.331
8. STAFF REPORT DATE: December 3, 2019
9. DATE RECEIVED: November 21, 2019

A. PURPOSE: Conditional use permit for a maximum building height of 75 feet, variance to increase the maximum floor area ratio (FAR) from 3.0 to 3.44, and a variance to reduce the required number of loading spaces for proposed retail use from 1 to 0.

B. PARCEL SIZE: 26,995 sf. (all three parcels, including alley); 80’ of frontage on 7th, 78’ of frontage on Smith

C. EXISTING LAND USE: Commercial

D. SURROUNDING LAND USE:
   North: Commercial (T2/B3);
   East: Multifamily (RM2);
   West: Residential/Commercial (T1);
   South: Commercial/Office (T2)

E. ZONING CODE CITATION: §61.501 lists general conditions that must be met by all conditional uses. §61.601 provides for variances from the strict enforcement of the provisions of the code if specific required findings are made. §63.401 regulates loading space for commercial uses. §66.331 limits the floor area ratio (FAR) in T3 zones to 3.0 and provides for the proposed 75 foot building height with a conditional use permit.

F. PARKING: Zoning Code §63.207 requires a minimum of 1 space per 1—2 room unit, 1.5 spaces per 3—4 room unit, and 2 spaces per unit with 5 or more rooms. Commercial uses require one space per 400 square feet. Zoning Code § 66.342 allows for residential parking in T3 districts to be reduced by 25%. The project proposes 94 vehicular parking spaces (90 required) and 70 bicycle parking spaces (68 required) within the building. The required parking includes reductions for residential uses in T3 (25% or 41 space), bicycle parking (10% or 17 space), shared vehicle parking (10% or 17 space), and shared parking (1 space).

G. HISTORY/DISCUSSION: There is no zoning history for this site. There is a concurrent application to rezone this site from T2 to T3 (ZF# 19-103-464). The existing public alleyway is in the process of being vacated.

H. DISTRICT COUNCIL RECOMMENDATION: The District 9 Council recommended approval of the conditional use permit and variances.

I. FINDINGS:
   1. Zoning Code §66.331(g) provides that a building height up to 90 feet may be permitted with a conditional use permit. The application is to allow a 75ft. tall (6-story), mixed-use development with 153 residential units and 2,500 square feet of retail fronting W 7th Street.
   2. Zoning Code §61.501 lists five standards that all conditional uses must satisfy:
(a) The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council. This condition is met. The proposed development is consistent with the 2030 Comprehensive Plan for the reasons listed in the application. The proposed development is also consistent with the 2040 Comprehensive Plan. This location is identified as Mixed-Use and a Neighborhood Node. The following policies are particularly applicable:

- **Policy LU-1.** Encourage transit-supportive density and direct the majority of growth to areas with the highest existing or planned transit capacity.
- **Policy LU-30.** Focus growth at Neighborhood Nodes using the following principles:
  1. Increase density toward the center of the node and transition in scale to surrounding land uses.
  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-31.** 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 H-16.** Increase housing choice across the city to support economically diverse neighborhoods by pursuing policies and practices that maximize housing and locational choices for residents of all income levels.

The use is also supported by the following policies from the District 9 Area Plan:

- **12.** Promote those stretches of West 7th between key nodes as the appropriate location for higher-density residential use, in order to add diversity to the housing stock while preserving the traditional neighborhood fabric and supporting existing and future transit investment.
- **16.** Support “nodes” of retail businesses at the intersections of West 7th and Kellogg, Smith, St. Clair, Jefferson, Randolph, and Montreal/Lexington, rather than a continuous strip of retail throughout the length of West 7th.

(b) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met. Traffic egress/ingress is located off Smith Avenue, which has lower traffic than West 7th Street and has signalized intersections at either end of the block, which regulate traffic flow.

(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. There are similarly-scaled uses in close proximity to the site including:

- The use abuts a new hotel of a similar scale (100 rooms and 5 stories);
- RM2 zoning directly across West 7th Street allows for 50 ft. height;
- B5 zoning, 220 ft. north of the site along Smith allows for unlimited height; and
- Irvine Park Towers, which is 600 ft. west of the site along West 7th Street is a 15-story tall primarily residential, mixed-use building.

Additionally, there are other small-scaled commercial uses on Leech Street and West 7th Street that would be compatible. The use will not endanger public health, safety or general welfare.
The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. This condition is met. The use is consistent with the general scale of development of the area, which has evolved over time but has consistently remained many uses and scales close together. Higher density uses have generally been concentrated along West 7th Street and Smith Avenue (north of West 7th Street). The site’s proximity to transit, and downtown and hospital jobs make it an appropriate location for multifamily housing.

The use shall, in all other respects, conform to the applicable regulations of the district in which it is located. This condition may be met subject to approval of variances for FAR and loading space.

3. Zoning Code §66.331 limits the floor area ratio (FAR) in T3 zones to 3.0. The application requests a variance to allow a FAR of 3.44. Zoning Code §63.401 requires one 500 sf. loading space for 1,401-20,000 sf. of commercial space. The application requests a variance to reduce the loading space requirement from 1 to 0. §61.601 of the Zoning Code states that the planning commission shall have the power to grant variances from the strict enforcement of the provisions of the code upon a finding that:

The variances are in harmony with the general purposes and intent of the zoning code. This finding is met. The intent of the T3 zoning district is to provide for higher-density pedestrian- and transit-oriented mixed-use development and development on sites large enough to support a mix of uses including residential, commercial, civic and open space uses in close proximity to one another. A variance from the maximum FAR to allow greater density in this area is in harmony with the purpose and intent of the zoning code. A variance from the loading space requirement will allow for more space to be dedicated to pedestrian-scaled retail and fewer curb-cuts that would disrupt the pedestrian environment.

The variances are consistent with the comprehensive plan. This finding is met. As noted in finding 3.a. the proposed mixed-use building is consistent with the 2030 Comprehensive Plan, which calls for increased density along Mixed-Use Corridors, and with the 2040 Comprehensive Plan, which calls for increasing density in Mixed Use areas, Neighborhood Nodes and along transit corridors. Related specifically to the loading space and in addition to the policies identified in the application, the variance is supported by following policies from the 2040 Compressive Plan:

- Policy LU-14. Reduce the amount of land devoted to off-street parking in order to use land more efficiently, accommodate increases in density on valuable urban land, and promote the use of transit and other non-car mobility modes.
- Policy LU-15. Ensure that stand-alone parking uses are limited, and that structured parking is mixed-use and/or convertible to other uses.

The applicant has established that there are practical difficulties in complying with the provisions, that the property owner proposes to use the property in a reasonable manner not permitted by the provisions. Economic considerations alone do not constitute practical difficulties. This finding is met. The Comprehensive Plan and the District 9 Plan support higher-density mixed-use at this location. Providing a mixed-use building at the scale envisioned in the Comprehensive Plan requires more floor area than would be needed for a single-use building. The long, narrow shape of the parcel also provides fewer options for building configuration and site design. Providing a 500sf. loading space equal to 20% of a 2,500sf. commercial space on what is an already tight design would be impractical and could create other undesired consequences such as additional curb-cuts that may conflict with pedestrians, or higher commercial rents that may limit access to local businesses. It is reasonable that 2,500sf. commercial space could be serviced by smaller vehicles within the structured parking or by larger delivery vehicles from West 7th Street.
(d) **The plight of the landowner is due to circumstances unique to the property not created by the landowner.** This finding is met. Generally, a project on a property that is zoned T3, where increased height and density are encouraged by the Comprehensive Plan, can apply for a CUP to allow for additional height but there is no corresponding provision in the Zoning Code to account for the corresponding likelihood of a FAR increase. Because the commercial area is close to the smallest required to provide a loading space, it is disproportionately affected by the requirement. Furthermore, Zoning Code §66.342 allows on-street parking to meet parking requirements in T3 districts to support the district’s pedestrian-oriented intent. However, this provision does not include loading spaces, which can be equally vital in reducing the need for space dedicated to off-street parking and deliveries. Additionally, District 9 has expressed a desire to have a local business in the commercial space. Dedicating more area to the commercial use will increase cost and likely increase rents reducing the pool of potential local tenants.

(e) **The variances will not permit any use that is not allowed in the zoning district where the affected land is located.** This finding is met. The proposed mixed-use building and future uses are allowed in the T3 zoning district.

(f) **The variances will not alter the essential character of the surrounding area.** This finding is met. The proposed mixed-use building is consistent with the development in the surrounding area and the type of development the 2030 Comprehensive Plan and 2040 Comprehensive Plan supports.

J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for a maximum building height of 75 feet, a variance to increase the maximum floor area ratio (FAR) from 3.0 to 3.44, and a variance to reduce the required number of loading spaces for proposed retail use from 1 to 0, subject to the following additional conditions:

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.
2. Rezoning of the lot from T2 to T3 is approved by the Saint Paul City Council.
3. The alley vacation is approved by the Saint Paul City Council.
CONCEPTUAL 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) 266-6583

Name: Brian Farrell - Northland Real Estate Group LLC

Address: 4324 W. Lake Harriet Pkwy, City: Minneapolis, State: MN, Zip: 55410

Email: brian@northlandregroup.com, Phone: (612) 850-8443

Name of Owner (if different): Bonfe Properties LLP

Contact Person (if different): Aron Johnson - DJR Architecture

Address: 333 Washington Ave. N., Suite 210, City: Minneapolis, State: MN, Zip: 55401

PROPERTY INFO

Address/Location: 337 7th Street W., 366 & 372 Smith Avenue N.

PIN(s) & Legal Description: See Attachment

Lot Area: 25,348 sf or 0.582 acres

Current Zoning: T2

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of Zoning Code

Section(s): Sec. 66.331

for the following use or purpose:

Increase the allowable height from 55 feet to 75 feet

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

See attached Description of C.U.P.

☑ Required site plan is attached

☐ If you are a religious institution you may have certain rights under RHIPA. Please check this box if you identify as a religious institution.

Applicant’s Signature: [Signature]

Date: 11/15/19

Rev 7.4.2019
RE: The following is a description of the proposed use in regard to the Conditional Use Permit for Height for the proposed 337 West 7th project:

The height limit in a T3 district is 55 feet for a mixed-use building. The proposed height of the project is 75 feet to the top of the roof deck. The building is stepped back 10 feet on both the north and south side yards. See sectional images below and included preliminary design package.

The additional height of 20 feet will be used for residential purposes and allow a retail space on the 7th Street West side of the building possible. The project is proposing to build two levels of parking above ground in with the intent of minimizing construction costs (shoring, excavation, foundation etc.) that burden the end user or tenants. Geotechnical studies suggest that bedrock is present at shallow depths under the adjacent existing surface parking lots which may prevent the possibility of underground parking. The additional height will allow the project to avoid these issues and place parking on the first and second floor above ground concealed from the public view and add retail on West 7th for a mixed-use building as encouraged in the Comprehensive Plan and the District Council (Fort Road Federation).
November 21, 2019

RE: The following are the findings under Article V. 61.500 for the **Conditional Use Permit for Height** for the proposed 337 West 7th project:

The height limit in a T3 district is 55 feet for a mixed-use building. The proposed height of the project is 75 feet to the top of the roof deck. The proposed height meets the following criteria for a Conditional Use Permit.

**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 city council.**

Allowing a C.U.P. for height to 75 feet for concentrating density near thoroughfares and transit are highly consistent with the City's land use plans. The LU-B and LU-J plans of the 2030 Comprehensive plan designate this site as Mixed-Use Corridor. The LU-F plan also designates a major institutional employment center in near proximity to the site location. The added height with the C.U.P. is intended to serve this employment center. Figure H-K (map) of the Comprehensive plan designates this site as a “opportunity area for potential new housing”, in which the proposed rezoning is consistent with. The proposed C.U.P. is also consistent with the following policies of the 2030 Comprehensive plan:

- **LU Policy 1.2 Permit high density residential development in Neighborhood Centers, Mixed-Use Corridors, the Central Corridor, and Downtown.**

- **LU Policy 1.21 Balance the following objectives for Mixed-Use Corridors through the density and scale of development: accommodating growth, supporting transit use and walking, providing a range of housing types, and providing housing at densities that support transit.**

- **LU Policy 1.24 Support a mix of uses on Mixed-Use Corridors.**

- **LU Policy 1.25 Promote the development of more intensive housing on Mixed-Use Corridors where supported by zoning that permits mixed-use and multifamily residential development.**

- **LU Policy 1.28 Promote conditions that support those who live and work along Mixed-Use Corridors, including frequent transit service, vibrant business districts, and a range of housing choices.**

- **H Policy 1.1. Increase housing choices across the city to support economically diverse neighborhoods.**

II Policy 1.3. Revitalize the city by developing land-efficient housing.

A small area plan for the West 7th Corridor is currently being studied but not adopted and no further information about that plan has been available to the applicant or the general public.

The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.

The proposed site currently has one curb cut on Leech Street at the intersection of 7th Street West. This curb cut is currently used for vehicles to access the existing auto shop. The project is proposing that this curb cut will be closed and vehicular ingress/egress to the project is proposed off of Smith Avenue. Closing the curb cut on Leech will reduce congestion and potential collisions because the existing curb cut is in very close proximity to the intersection of 7th Street West. The height requested by this C.U.P. will not affect the ingress and egress of vehicular traffic.

The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.

The site is adjacent to two recent developments (2015 & 2017). Both developments have built surface parking lots adjacent to the site. The general purposes of height limits are to maintain access to light and air for surrounding properties, to preserve important views and to mitigate shadowing – particularly of residential properties and significant public spaces. Since this site borders two new surface parking lots access to light is preserved and the project will not be detrimental to adjacent development or endanger the public health, safety and general welfare.

The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The added height to 75 feet will not impede any development or improvements to surrounding properties. The building to the north (Residence Inn, 2017) is 55 feet tall and separated by a surface parking lot, where the added height will not impede the adjacent property from adding solar to the roof.

The use shall, in all other, conform to the applicable regulations of the district in which it is located.

The added height in all other aspects will conform to the regulations of the district. The project has was introduced to the Fort Road Federation Transportation & Land Use Committee on November 6, 2019 and the Fort Road District Council on November 11, 2019. Both groups supported the project and the request for a C.U.P. for additional height.
ZONING VARIANCE APPLICATION

To Board of Zoning Appeals
Dept. of Safety & Inspections
Zoning Section
375 Jackson St., Suite 220
Saint Paul, MN 55101-1806
(651) 266-9008

To Planning Commission
Dept. of Planning & Econ. Devt.
Zoning Section
1400 City Hall Annex, 25 W 4th St.
Saint Paul, MN 55102-1634
(651) 266-6583

Name: Brian Farrell - Northland Real Estate Group LLC
(must have ownership or leasehold interest in the property, contingent included)
Address: 4324 W. Lake Harriet Pkwy City: Minneapolis State: MN Zip: 55410
Email: brian@northlandregroup.com Phone: (612) 850-8443
Name of Owner (if different): Bonfe Properties LLP Email: tom.bonfe@gmail.com
Contact Person (if different): Aron Johnson - DJR Architecture Email: ajohnson@djr-inc.com

PROPERTY INFO
Address / Location: 337 7th Street W., 366 & 372 Smith Avenue N.
PIN(s) & Legal Description: See Attached
Lot Area: 25,348 sf or .582 acres
Current Zoning: T2

VARIANCE REQUEST: Application is hereby made to the Board of Zoning Appeals (or to the Planning Commission with another zoning application) for variance from the following section(s) of the Zoning Code Table 66.331

State the requirement and variance requested.
Variance to increase FAR under the T3 designation for a mixed use development from 3.0 to 3.44.

SUPPORTING INFORMATION: Explain or demonstrate the following. Attach additional sheets if necessary.
1. Practical difficulties in complying with the provision of the code from which a variance is requested, and that the property would be used in a reasonable manner not permitted by the provision.

See Attached

2. The plight of the landowner is due to circumstances unique to the property not created by the landowner.

See Attached

3. The variance will not permit any use that is not allowed in the zoning district in which the property is located.

See Attached

4. The variance will not alter the essential character of the surrounding area.

See Attached

☑ Required site plan is attached
☐ If you are a religious institution you may have certain rights under RLUIPA. Please check this box if you identify as a religious institution.

Applicant's Signature: [Signature]
Date: 11/19/19

Rev 7.4.2019
November 21, 2019

RE: The following are the findings for a variance to increase FAR from 3.0 (79,764 SF) to 3.44 (91,641 SF) for the proposed 337 West 7th project:

The project proposes a vacation of an existing alley for the whole block. The portion of the alley that is being vacated with ownership transferred to the project is being factored into the site area for the purposes of calculating FAR.

(a) The variance is in harmony with the general purposes and intent of the zoning code.
   The general purpose of the FAR limit is to limit buildings from obstructing light and air and limit urban density to align with a district intent. Currently the proposed parcels are bordered by two surface parking lots of relatively new developments (2015 & 2017). Due to the location and size of the adjacent surface parking lots, light and air would not be obstructed for the neighboring properties. The density proposed by the additional FAR would not deviate from the zoning codes intent of the T3 designation, as stated below:

   The T3 traditional neighborhood district provides for higher-density pedestrian- and transit-oriented mixed-use development. It is designed for development or redevelopment of land on sites large enough to support:
   - A mix of uses, including residential, commercial, civic and open space uses in close proximity to one another;
   - A mix of housing styles, types and sizes to accommodate households of varying sizes, ages and incomes;
   - A system of interconnected streets and paths that offer multiple routes for motorists, pedestrians and bicyclists, and are connected to existing and future streets;
   - A system of open space resources and amenities; and incorporation of environmental features into the design of the neighborhood.

   The proposed project would be in harmony with this intent by providing a mix of uses, mix of unit types & sizes and a large amount of secured bicycle storage for to support multi-modal transportation of the district. Due to the location and narrow size of the subject site, opportunities for open space are limited.

(b) The variance is consistent with the comprehensive plan.
   The increase in FAR will allow for concentrating density near thoroughfares and transit which is highly consistent with the City's land use plans. The LU-B and LU-J plans of the 2030 Comprehensive plan designate this site as Mixed-Use Corridor. The LU-F plan also designates a
major institutional employment center in near proximity to the site location. The added density is intended to serve this employment center. Figure H-K (map) of the Comprehensive plan designates this site as a “opportunity area for potential new housing”, in which the proposed rezoning is consistent with. The proposed FAR increase is also consistent with the following policies of the 2030 Comprehensive plan:

LU Policy 1.2 Permit high density residential development in Neighborhood Centers, Mixed-Use Corridors, the Central Corridor, and Downtown.

LU Policy 1.21 Balance the following objectives for Mixed-Use Corridors through the density and scale of development: accommodating growth, supporting transit use and walking, providing a range of housing types, and providing housing at densities that support transit.

LU Policy 1.24 Support a mix of uses on Mixed-Use Corridors.

LU Policy 1.25 Promote the development of more intensive housing on Mixed-Use Corridors where supported by zoning that permits mixed-use and multifamily residential development.

LU Policy 1.28 Promote conditions that support those who live and work along Mixed-Use Corridors, including frequent transit service, vibrant business districts, and a range of housing choices.

H Policy 1.1. Increase housing choices across the city to support economically diverse neighborhoods.


H Policy 1.3. Revitalize the city by developing land-efficient housing.

A small area plan for the West 7th Corridor is currently being studied but not adopted and no further information about that plan has been available to the applicant or the general public.

(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.

Practical difficulties exist with delivering the type of development that is desired by the existing comprehensive plan and of the interests and character of the neighborhood. The inclusion of retail along West 7th Street for a mixed-use development is the desired land use for the site, which is encouraged by the mixed-use corridor designation in the comprehensive plan. Including a retail space with the components that accompany a retail use, such as, added parking, higher ceilings and back of house spaces contribute to a higher density. Furthermore, the placement of a retail space in a project is placed by default of the most desirable location for retail which affects the efficiency of other components. Lastly, practical difficulties exist in providing enough density to support the retail space desired by the comprehensive plan and better ensure the success of the retail component.
(d) The plight of the landowner is due to circumstances unique to the property not created by the landowner. The designation of a mixed-use corridor or inclusion of retail as written in the comprehensive plan is not created by the landowner. The properties location and unique urban context are circumstances that determine the chosen land use and need for additional FAR.

(e) The variance will not permit any use that is not allowed in the zoning district where the affected land is located. Both the multi-family and retail uses are permitted uses in this designation per St. Paul zoning code.

(f) The variance will not alter the essential character of the surrounding area. The variance for additional FAR will not alter the essential character of the Fort Road Federation neighborhood. The intention of the increase in FAR is to build upon and expand the existing character of the neighborhood, which is known for its vibrancy and accessibility to public transit.

(g) The application for a historic use variance under title IX, city planning, at section 73.03.1 of this Code, as authorized by Minn. Stats. § 471.193, subd. 3(6), shall be granted only to a property that is a locally designated heritage preservation site and the use variance is the minimum needed to enable the property to be used in a manner that will have the least impact upon its historic character and the character of the surrounding area. N/A – This site is not designated as historic.
ZONING VARIANCE APPLICATION

To Board of Zoning Appeals
Dept. of Safety & Inspections
Zoning Section
375 Jackson St., Suite 220
Saint Paul, MN 55101-1806
(651) 266-9008

To Planning Commission
Dept. of Planning & Econ. Devt.
Zoning Section
1400 City Hall Annex, 25 W 4th St.
Saint Paul, MN 55102-1634
(651) 266-6583

PD = 9
Zoning Office Use Only
File # 19-103475
Fee Paid $PAID (See 19-103464)
Received By / Date 11/21/2019
Tentative Hearing Date 12/12/19

APPLICANT

Name  Brian Farrell - Northland Real Estate Group LLC
(must have ownership or leasehold interest in the property, contingent included)
Address  4324 W. Lake Harriet Pkwy.  City  Minneapolis  State  MN  Zip  55410
Email  brian@northlandregroup.com  Phone  (612) 850-8443
Name of Owner (if different)  Bonfe Properties LLP  Email  tom.bonfe@gmail.com
Contact Person (if different)  Aron Johnson - DJR Architecture  Email  ajohnson@djr-inc.com
Address  333 Washington Ave. N., Suite 210  City  Minneapolis  State  MN  Zip  55401

PROPERTY INFO

Address / Location  337 7th Street W., 366 & 372 Smith Avenue N.
PIN(s) & Legal Description  See Attached
(attach additional sheet if necessary)
Lot Area  25,348 sf or .582 acres
Current Zoning  T2

VARIANCE REQUEST: Application is hereby made to the Board of Zoning Appeals (or to the Planning Commission with another zoning application) for variance from the following section(s) of the Zoning Code  Sec. 63.401
State the requirement and variance requested.

Variance to reduce required number of loading spaces for retail use from 1 to 0.

SUPPORTING INFORMATION: Explain or demonstrate the following. Attach additional sheets if necessary.

1. Practical difficulties in complying with the provision of the code from which a variance is requested, and that the property would be used in a reasonable manner not permitted by the provision.

See Attached

2. The plight of the landowner is due to circumstances unique to the property not created by the landowner.

See Attached

3. The variance will not permit any use that is not allowed in the zoning district in which the property is located.

See Attached

4. The variance will not alter the essential character of the surrounding area.

See Attached

☐ Required site plan is attached
☐ If you are a religious institution you may have certain rights under RLUIPA. Please check this box if you identify as a religious institution.

Applicant's Signature ___________________________ Date ______________

Rev 7.4.2019
November 21, 2019

RE: The following are the findings for a variance to reduce required loading from 1 space to 0 spaces for the proposed 337 West 7th project:

Per Sec. 66.331 of the St. Paul zoning code, one loading space is required for providing a retail use of more than 1,400 SF and less than 20,000 SF. The retail space proposed in this project is 2,500 GSF.

(a) The variance is in harmony with the general purposes and intent of the zoning code.
The retail space proposed is 2,500 GSF. The retail space per definition of “floor area” in the St. Paul zoning code is 2,138 sf, which is 738 sf over the limit for not providing a loading space. The intent of the code is to not require small single tenants to provide a loading area, because the small area would limit receipt and distribution of materials. The 2,138 sf retail space proposed is in harmony of the intent of the code because the space and area imply a small single tenant with limited kinds of tenants base on the overall area.

(b) The variance is consistent with the comprehensive plan.
The variance is consistent with the comprehensive plan because multiple policies are encouraging a retail or mixed-use in this location designated as a “Mixed-use Corridor.” The LU-B and LU-J plans of the 2030 Comprehensive plan designate this site as Mixed-Use Corridor. The proposed reduction of loading spaces will allow a retail or mixed-use to be possible on this site and is consistent with the following policies of the 2030 Comprehensive plan:

LU Policy 1.2 Permit high density residential development in Neighborhood Centers, Mixed-Use Corridors, the Central Corridor, and Downtown.

LU Policy 1.21 Balance the following objectives for Mixed-Use Corridors through the density and scale of development: accommodating growth, supporting transit use and walking, providing a range of housing types, and providing housing at densities that support transit.

LU Policy 1.24 Support a mix of uses on Mixed-Use Corridors.

LU Policy 1.25 Promote the development of more intensive housing on Mixed-Use Corridors where supported by zoning that permits mixed-use and multifamily residential development.
LU Policy 1.28 Promote conditions that support those who live and work along Mixed-Use Corridors, including frequent transit service, vibrant business districts, and a range of housing choices.

A small area plan for the West 7th Corridor is currently being studied but not adopted and no further information about that plan has been available to the applicant or the general public.

(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.

Practical difficulties exist with providing a loading area (10’ x 50’) for the small retail space in proposed in this project. The subject site is very narrow (77’-10”) and has very limited access from the public way. There are two street frontages, one on 7th Street West and one on Smith Avenue. Loading access from 7th Street West is problematic because it would increase congestion on 7th Street west and significantly limit the potential for a retail space to happen from the amount of street frontage it would consume. Providing a separate loading access from Smith Avenue is problematic because it would eliminate the ability to provide parking on multiple floors and meet the parking requirements for the project due to the narrow width of the site. Providing the right amount of parking was highly desired by the neighborhood group for this location. The applicant proposes to use the property in a reasonable manner by managing and coordinating loading within the structure away from the public way. Currently, a 30-minute parking area does exist on 7th Street West adjacent to this site.

(d) The plight of the landowner is due to circumstances unique to the property not created by the landowner.

The narrow dimensions of this parcel that limits opportunities for vehicular access to the site and potential to include retail are unique to this site and are not created by the landowner.

(e) The variance will not permit any use that is not allowed in the zoning district where the affected land is located.

Both the multi-family and retail uses are permitted uses in this designation per St. Paul zoning code.

(f) The variance will not alter the essential character of the surrounding area.

The variance to reduce the loading requirement will not alter the essential character of the Fort Road Federation neighborhood. Reducing the loading requirement will allow retail and a mixed-use development to happen as desired in the comprehensive plan and the surrounding neighborhood.

(g) The application for a historic use variance under title IX, city planning, at section 73.03.1 of this Code, as authorized by Minn. Stats. § 471.193, subd. 3(6), shall be granted only to a property that is a locally designated heritage preservation site and the use variance is the minimum needed to enable the property to be used in a manner that will have the least impact upon its historic character and the character of the surrounding area.

N/A – This site is not designated as historic.
December 2, 2019

Councilmember Noecker
City of Saint Paul
15 Kellogg Blvd. West
310-B City Hall
Saint Paul, MN 55102

Subject: Support for 337 West 7th Street Mixed-Use Building

Dear Councilmember Noecker,

At its November 11, 2019 Board meeting, the West 7th Street / Fort Road Federation (Planning District Council 9) heard a presentation for a mixed-use, 75’ tall apartment building at 337 West 7th Street. After the presentation and discussion, the Board voted to support the requests by Northland Real Estate Group for proposed mixed use building at 337 West 7th Street:

- Rezone the parcel from T2 to T3,
- Building height of 75’;
- Vacating the alley that runs through the proposed site, and
- General support for their development plan for the parcel

The Board vote of support for the above was unanimous, with Federation Board Member, and City Planning Commissioner, Wendy Underwood abstaining.

Smith Avenue is an important bicycle connection to downtown and nearby trails. We encourage a traffic management plan that accounts for vulnerable road users. Specifically, the Fort Road Federation Transportation and Land Use committee recommends restricting left-hand turns in and out of the parking ramp and having a loading and unloading zone in the parking ramp to prevent cars waiting for entry on Smith Avenue. Space for residents moving in and out should also be accounted for. The Board also supports prioritizing local businesses in the retail space.

The Fort Road Federation coordinates participation in advocacy and planning and builds community connections for the residents, businesses, and nonprofit organizations of the West 7th neighborhood so that it is a place where people want to live, work, and play.

Affirmative Action, Equal Opportunity Employer
If you have any questions, please call or email Emily at 651.298.5599 or emily@fortroadfederation.org.

Sincerely,

**Dana DeMaster**

Dana DeMaster
President

CC: Michael S. Margulies, Northland Real Estate Group
    Aron Johnson, DJR Architecture
    Dean Dovolis, DJR Architecture
    Tom Bonfe
    Anton Jerve, City of Saint Paul Dept. of PED
    Debbie Crippen, City of Saint Paul, DSI
ZONING AND BUILDING DATA

Site Area:

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Total w/ Alley: 26,588 | 0.61

Area & Height Data:

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<td><strong>96</strong></td>
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Parking Data: Per Chapter 63

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<th>Stalls</th>
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<td>L.P. Term</td>
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<td>L1</td>
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<td><strong>Total</strong></td>
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<td><strong>88</strong></td>
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Parking Reductions:
- Sec. 6.6.262 T3 Reduction: 25% or 41 stalls
- Sec. 6.3.207 Shared Parking: Comp of 1 stall
- Sec. 6.3.207 Bicycle Parking: 10% or 17 stalls
- Sec. 6.3.207 Shared Vehicle parking: 10% or 17 stalls

Site Applications:
- Rezoning: T2 to T3
- C.U.P. for Height: 55" to 75"
- FAR increase: 3.0 to 3.44
- Loading reduction: 1 stall to 0 stalls
- Alley Vacancy: Vacate alley for whole block

Aerial View from South

337 WEST 7TH ST.
St. Paul, Minnesota
11-29-19
MATERIALS - EXTERIOR MATERIALS AND FIXTURES

**BRI - BRICK**
Vendor/Supplier: Glen Grey or similar
Model: Cool Grey, Molded, Modular
Color: Cool Grey
Use: Podium Material

**CP1 - CEMENTITIOUS PANEL (WHITE)**
Vendor/Supplier: Hardie or similar
Model: 5/16" Panel
Color: to match SW 7566 Westholland White
Use: Field Material

**CP2 - METAL PANEL (LIGHT GRAY)**
Vendor/Supplier: Pac-Clad or similar
Model: Aspyre Artisan Panel
Color: to match SW 6256 Seriers Grey
Use: Field Material

**CP3 - CEMENTITIOUS PANEL (WOOD)**
Vendor/Supplier: Nichiha or Similar
Model: Vintage Wood
Color: Spruce
Use: Accents

**MTL1 - METAL PANEL (CHARCOAL)**
Vendor/Supplier: Pac-Clad or Similar
Model: Flush Panel
Color: to match SW 7069 Iron Ore
Use: Field Material, Trim

**GL1 - LOW-E GLASS**
Vendor/Supplier: Vitro
Model: SN 68, Insulated, Low-E coating
Color: Starphire
Use: All glass

**QNT1 - PRECAST CONCRETE (SLATE)**
Vendor/Supplier: Stoneworks
Model: #1060
Color: Natural Gray
Use: Podium base

**LT1 - WALL LIGHT 1**
Vendor/Supplier: TBD
Model: TBD
Color: 4000K
Use: Podium Sconce

View from West 7th Street looking Northwest

MATERIALS - EXTERIOR MATERIALS AND FIXTURES
11.21.2019
337 WEST 7TH ST.
St. Paul, Minnesota
© 2019 DJR Architecture
## Exterior Material Areas:

<table>
<thead>
<tr>
<th>Material Area</th>
<th>NORTH ELEVATION</th>
<th>SF</th>
<th>PERCENTAGE</th>
</tr>
</thead>
<tbody>
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<td>5,584sf</td>
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</tr>
<tr>
<td>Brick</td>
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<td>Precast Concrete</td>
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<th>OVERALL TOTALS</th>
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<tbody>
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### Legend
- **BR1 - BRICK**
- **CP1 - CEMENTITIOUS PANEL (WHITE)**
- **CP2 - CEMENTITIOUS PANEL (LIGHT GRAY)**
- **CP3 - CEMENTITIOUS PANEL (WOOD)**
- **MTL1 - METAL PANEL (DARK GREY)**
- **GL1 - LOW-E GLASS**
- **CN - PRECAST CONCRETE**
- **LTI - WALL LIGHT**

---

**DJR ARCHITECTURE**

**ELEVATIONS - NORTH & SOUTH**

11.21.2019

337 WEST 7TH ST.
St. Paul, Minnesota
19-005.00
EAST & WEST ELEVATIONS

Exterior Material Areas:

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<tr>
<th>MATERIAL</th>
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WEST ELEVATION
Scale: 1:40

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EAST ELEVATION 1
Scale: 1:40

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EAST ELEVATION 2
Scale: 1:40

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<tr>
<td>CP1 - CEMENTITIOUS PANEL (WHITE)</td>
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<tr>
<td>CP2 - CEMENTITIOUS PANEL (LIGHT GRAY)</td>
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<tr>
<td>CP3 - CEMENTITIOUS PANEL (WOOD)</td>
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</tr>
<tr>
<td>MTL1 - METAL PANEL (DARK GREY)</td>
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<td></td>
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<tr>
<td>GL1 - LOW-E GLASS</td>
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<tr>
<td>CN - PRECAST CONCRETE</td>
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<tr>
<td>LT1 - WALL LIGHT</td>
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ELEVATIONS - EAST & WEST
11.21.2019
337 WEST 7TH ST.
St. Paul, Minnesota
19-066.00

© 2019 DJR Architecture
FILE #19-103464/103675 | AERIAL MAP
Application of Bonfe Properties LLP
Application Type: Rezone/CUP/Variance
Application Date: November 20, 2019
Planning District: 9

Subject Parcel(s) Outlined in Blue
FILE #19-103464/103675 | EXISTING LAND USE MAP

Application of Bonfe Properties LLP

Application Type: Rezone/CUP/Variance
Application Date: November 20, 2019
Planning District: 9

Subject Parcel(s) Outlined in Blue

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