

ZONING VARIANCE APPLICATION

<u>To Board of Zoning Appeals</u> Dept. of Safety & Inspections Zoning Section 375 Jackson St., Suite 220 Saint Paul, MN 55101-1806 (651) 266-9008 <u>To Planning Commission</u> Dept. of Planning & Econ. Dev.

Zoning Section 1400 City Hall Annex, 25 W 4th St. Saint Paul, MN 55102-1634 (651) 266-6583 Zoning Office Use Only File # 23-035038

Fee Paid \$ 856.00

Received By / Date D. Eide - 4/24/2023

Tentative Hearing Date 5/15/2023

	Name 2285 Hampden LLC (c/o Thomas Nelson, Exeter Management LLC)							
APPLICANT	(must have ownership or leaseho	ded)						
	Address 2303 Wycliff St, Suite W200	City St Paul	State MN	Zip ⁵⁵¹¹⁴				
	Email thomasmnelson@mac.com	Phone ^{612.805.93}	869					
	Name of Owner (if different)	En	nail					
	Contact Person (if different)	Er	nail					
	Address	City	State	Zip				

PROPERTY INFO

 Address / Location
 2285 Hampden Ave, St Paul, MN 55114

 PIN(s) & Legal Description
 292923420153 (attach additional sheet if necessary)

 See attached Survey
 Lot Area 1.72 Acres
 Current Zoning

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 <u>1) 65.143(b) and 2) 66.531(c)</u> . State the requirement and variance requested. <u>1) Increase the</u> percentage of residential uses on the first floor; and 2) Reduce Front Yard Setback for portion of property from 25' to 9'. SHEETS ATTACHED via email to: DSI-ZoningReview@stpaul.gov and david.eide@stpaul.gov

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.

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

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

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

Thomas M. Nelson

□ 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 April 24, 2023





April 24, 2023

City of Saint Paul Department of Safety & Inspections Board of Zoning and Appeals VIA EMAIL: DSI-ZoningReview@stpaul.gov

RE: 2285 Hampden LLC (the "Owner") 2285 Hampden Ave, Saint Paul MN (the "Site")

Background:

Owner, in conjunction with its affiliate, Exeter Management LLC ("Exeter"), is seeking to build five (5) stories and approximately 150 units of affordable housing with 2,470 square feet of first floor commercial space on the 1.7-acre Site. The zoning is I-1, Light Industrial, which allows for residential uses subject to 80% of the first floor being allowable non-residential use(s). The Owner is seeking variances for reduction of the percentage of first floor non-residential use from 80% to 6.5% and reduction of the front yard setback from 25' to 9' for approximately 50% of the front facade, consistent with neighboring buildings.

Owner has met with the District-12 Saint Anthony Park Community Council ("SAPCC") to discuss the concept of adding affordable housing and improving walkability in the transitioning neighborhood which was met favorably. Owner will also seek written support for the specific variance requests contained herein.

The Site is ideally situated for continuation of the area's market driven growth in harmony with the 2040 Saint Paul Comprehensive Plan (the "Comp Plan") and local area plans that encourage high density residential development focused around access to transit, walkability and housing choice.

In addition to the Comp Plan, the Site is guided by a variety of local groups and area plans including the SAPCC, the Creative Enterprise Zone and the West Midway Industrial Area Plan. It is also across the street from the neighborhood guided by the transit-oriented Raymond Station Area Plan.

The Site is centrally located between Minneapolis and Saint Paul and within ½ mile of multiple transportation options including the Raymond Avenue LRT, multiple bus routes on University and Raymond Avenues and The Grand Round bicycle trail. It is also a ¼ mile from both Hampden and South Saint Anthony neighborhood parks and within ½ mile of the University and Raymond commercial area. The neighborhood has seen substantial development and adaptive re-use for residential and commercial uses over the last decade.

Owner purchased the Site in 2017 with the intention of re-developing for commercial use, however pre-covid marketing efforts to attract interest were challenging and became even more difficult during and after the pandemic. The requested variance would allow a long-vacant and underutilized site to be repurposed for its highest and best use in response to the reality of changing market conditions, the needs of the community and guidance from comprehensive and local area land use planning.

Yours truly, EXETER MANAGEMENT LLC



PROPOSED FINDINGS FOR ZONING APPLICATION VARIANCE REQUEST 1 OF 2 2285 HAMPDEN AVE WEST, SAINT PAUL MN

Variance to Increase Residential Uses of Ground Floor Supporting Information Reducing minimum non-residential principal use from 80% to 6.5%

- **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 matter not permitted by the provision.
 - a. The demand for commercial space post-pandemic is limited, and at this specific site location has proven non-existent over an extensive seven (7) year marketing period. Adding more new commercial space to a site that has demonstrated no demand would be impractical. Residential use, however, which is allowed by code and exists directly across the street, will add housing choice and improve the pedestrian nature in this transitioning neighborhood. A more appropriate amount of first level commercial space dictated by the reality of market conditions will be retained and be consistent with precedent variances in the area. The site is ideally suited for a multifamily residential project with its proximity to neighborhood parks, the Green Line and University Avenue. The variance request is in harmony with the general purpose and intent of the zoning code.
- **2.** The plight of the landowner is due to circumstances unique to the property not created by the landowner.
 - a. The plight of the landowner is not a consideration of this requested variance to increase the residential uses at the ground floor. The variance request is guided by the highest and best use of the site as a residential dominated development, as allowed by code, with modest commercial uses on the ground floor so as not to have a continuation of the vacant (dark) commercial space that currently exists and negatively impacts the larger neighborhood.
- **3.** The variance will not permit any use that is not allowed in the zoning district in which the property is located.
 - a. The variance will not permit any use that is not allowed in the zoning district and is in harmony with the fundamental goals of the *Saint Paul 2040 Comprehensive Plan's Land Use* section. See Appendix C, page 70:





Appendix C - Figure LU-7: Summary of Policies Organized by Goal

Goal	Policies
1. Economic and population growth focused around transit.	LU-1; LU-22; LU-35; LU-55
 Neighborhood Nodes that support daily needs within walking distance. 	LU-23; LU-30; LU-31; LU-32; LU-33
3. Equitably-distributed community amenities, access to employment and housing choice.	LU-3; LU-16; LU-19; LU-20; LU-34; LU-36; LU-37; LU-42
4. Strong connections to the Mississippi River, parks and trails.	LU-21; LU-40; LU-41; LU-49
5. Infrastructure for all ages and abilities.	LU-38; LU-39; LU-54
6. Equitable, adaptable and sustainable land use and development patterns and processes.	LU-5; LU-7; LU-8; LU-12; LU-13; LU-14; LU-15; LU-17; LU-27; LU-29; LU-43; LU-47; LU-48; LU-50; LU-51; LU-52; LU-56; LU-60; LU-61
7. Quality full-time jobs and livable wages.	LU-2; LU-6; LU-24; LU-26; LU-44; LU-45; LU-46; LU-53; LU-57; LU-58; LU-59
8. People-centered urban design.	LU-4; LU-9; LU-10; LU-11; LU-18; LU-25; LU-28

b. The variance is also consistent with the intention of the *West Midway Industrial Area Plan* which supports conversion of industrial uses in the area if dictated by market conditions, provided they are high-density and proximate to regional transportation. See paragraph PI-1, page 18 of the *West Midway Industrial Area Plan* below:

"PI-1 Retain and Protect Current Industrial Land from Conversions to Non-Industrial Uses: It is vital to protect the industrial economy in a way that balances competing land uses while preserving industrial business growth. There will be instances when the market dictates that conversion from industrial to another use is optimal. Such conversions should be considered carefully.

a. The City should only convert industrially zoned lands to non- industrial uses only in circumstances where development will be high density (either jobs or residential) and proximate to regional transportation."

- 4. The variance will not alter the essential character of the surrounding area.
 - a. The proposed variance is in keeping with the essential character of the neighborhood. It would not alter, but move in alignment with the transitioning, mixed-use area, as well as in alignment with the long-term goals of the City and neighborhood to bring additional housing choice and improved public pedestrian-oriented streetscapes adjacent to the major transit lines.



PROPOSED FINDINGS FOR ZONING APPLICATION VARIANCE REQUEST 2 OF 2 2285 HAMPDEN AVE WEST, SAINT PAUL MN

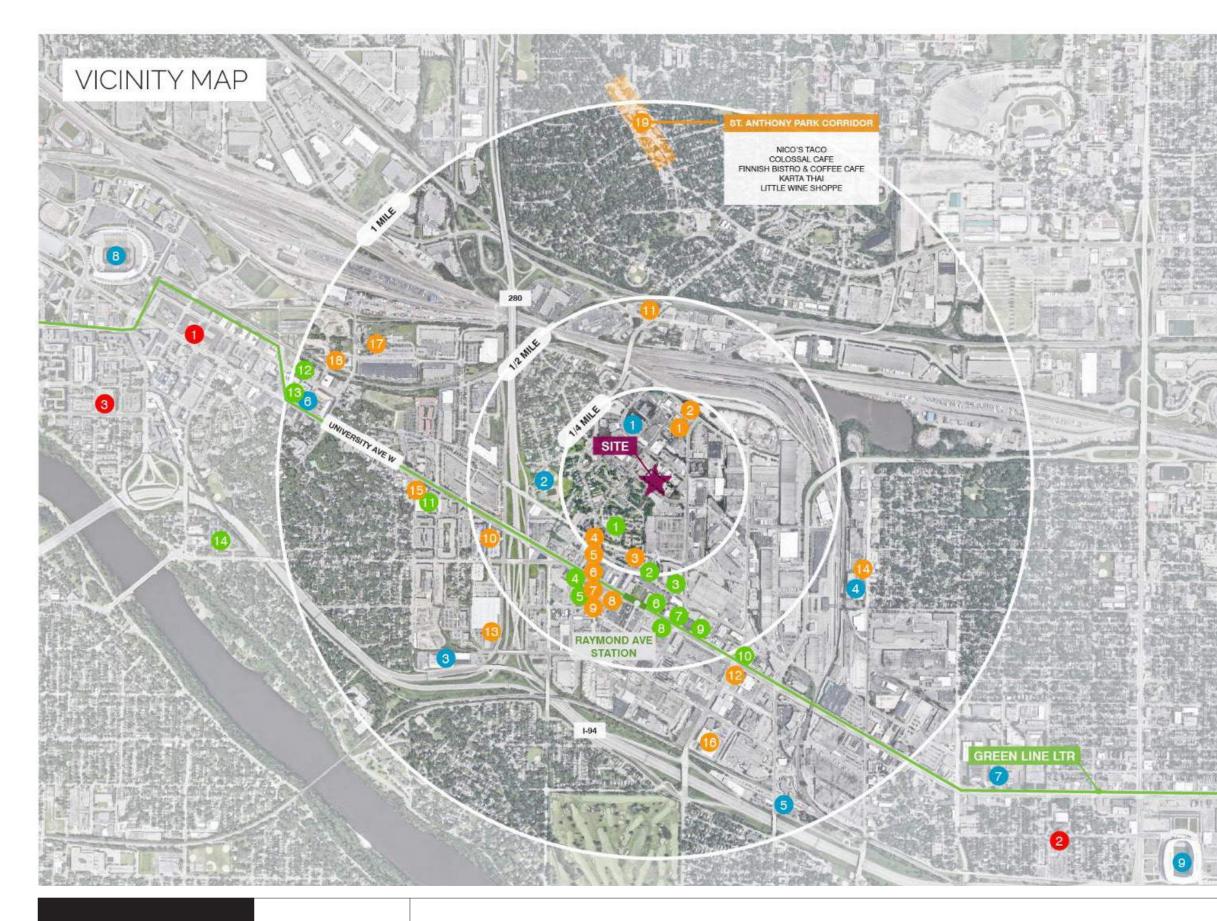
Variance to Reduce the required Front Yard from 25' to 9' (due to RM-2 zoning district across Hampden Ave)

- 1. Practical difficulties in complying with the provisions 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.
 - a. The site is located in an I-1 zoning district where no front yard building setback is required unless the property is across from RM-2 zoning, as is the case here, then the front yard setback requirement is 25'. Approximately 50% of the front yard building façade will be within the requirement because of the two courtyards that are open to the front yard public right of way. The variance request for 9' for the balance of the front façade would make it consistent with the existing structures to the west and using CPTED (crime prevention through environmental design) to create a safer public experience along Hampden Ave. The variance is in harmony with the general purpose and intent of the zoning code.
 - b. The West Midway Industrial Area Plan notes this stretch of Hampden Avenue is a "Vulnerable Land Use Edge" calling for improved buffering as a "key tool" in reducing residential/industrial conflicts (see pages 30 and 36, item SD 1-20). The project placement on the site would improve buffering with approximately 50% of the front yard setback greater than the minimum of 25' and the balance at 9' with enhanced landscaping and a pedestrian sidewalk.
 - c. The density of the proposed development is approximately 88 DU/Acre which is consistent with the goals of the Comp Plan and the local area plans that call for high density residential development proximate to regional transportation. In order to achieve the density, the 5-story project requires elevators and, therefore, a connected floorplate to allow for accessibility.
- 2. The plight of the landowner is due to circumstances unique to the property not created by the landowner.
 - a. The plight of the landowner is not a consideration of this requested variance to reduce portions of the front yard. The variance request is guided by the highest and best use of the



site as a residential dominated development, allowed by code, with modest commercial uses on the ground floor so as not to have vacant (dark) commercial space that negatively impacts the larger neighborhood.

- 3. The variance will not permit any use that is not allowed in the zoning district in which the property is located.
 - a. The proposed variance will not permit any use that it not allowed in the zoning district.
- 4. The variance will not alter the essential character of the surrounding area.
 - a. The proposed variance is in keeping with the essential character of the neighborhood. It would not alter, but move in alignment with the transitioning, mixed-use area, as well as in alignment with the long-term goals of the City and neighborhood to bring additional housing choice and improved public pedestrian-oriented streetscapes adjacent to the major transit lines as previously noted.



EXETER

2285 Hampden

SAINT PAUL, MN / 04.21.2023 / 20-0572

Restaurants

1.	Urban Growler Brewing Company	0.17
2.	Bang Brewing Company	0.20
3.	Dogwood Coffee Bar	
4.	Foxy Falafel	
5.	Keys Cafe & Bakery	
6.	Workhorse Coffee Bar	
7.	The Naughty Greek	0.32
8.	Cafe Biaggio	
9.	Dual Citizen Brewing Company	0.35
10.	Egg & 1	
	Pho 79	
12.	The Dubliner	0.57
	The Lab Taproom	
14.	Blackstack Brewing	0.60
	Hodges Bend	
	Lake Monster Brewing Company	
17.	Surly	0.82
18.	Malcom Yards Market	0.92
	St. Anthony Park Corridor	
Ana	artment Buildings	

1 400	a trifferit Buildinge	
1.	Seal Hi-Rise	0.18
2.	The Ray	
3.	Union Flats Apartments	
4.	C&E Lofts	
5.	C&E Flats	0.35
6.	Carleton Artists Lofts	
7.	The Lyric	0.38
8.	Platform	
9,	2225 University Ave	0.41
	U.S Bank Re-Development	
11.	2700 University Ave	0.62
	Green on 4th	
13.	The Link	0.99
	22 on the River	

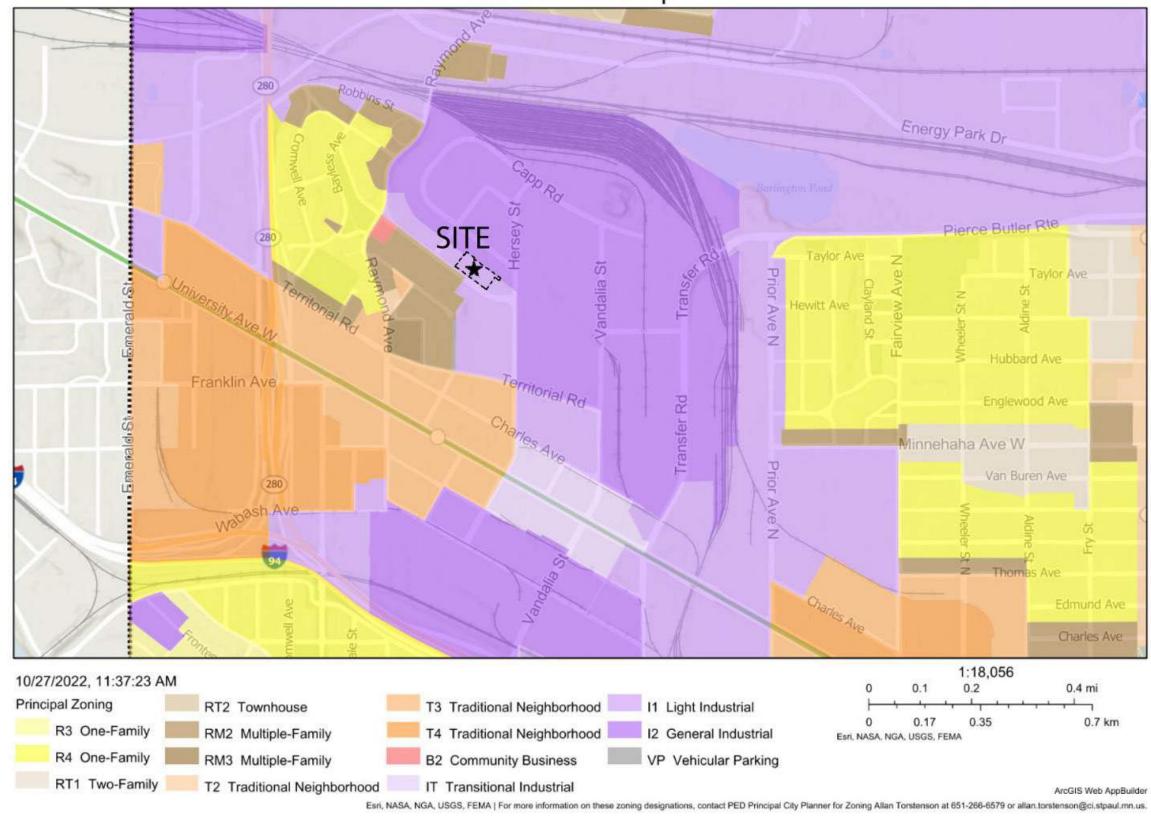
Health

1	Const 1	
1.	MN Health Fairview Children's Clinic	1.31
2.	MN Health Fairview Midway Campus	1.46
З.	MN Health Fairview Primary Care	1.52

Other

Ju	i iligi	
1.	Skybox St. Paul0.1	1
2.	South St.Anthony Recreation Center0.2	9
3.	Vertical Endeavors0.7	4
4.	Can Can Wonderland0.8	0
	CrossFit St.Paul0.9	
6.	Fresh Thyme Farmers Market 0.9	9
7.	St. Paul Midway YMCA 1.2	4
8.	TCF Bank Stadium 1.6	3
9.	Allianz Field 1.7	3

ArcGIS Web Map



2285 Hampden

EXETER

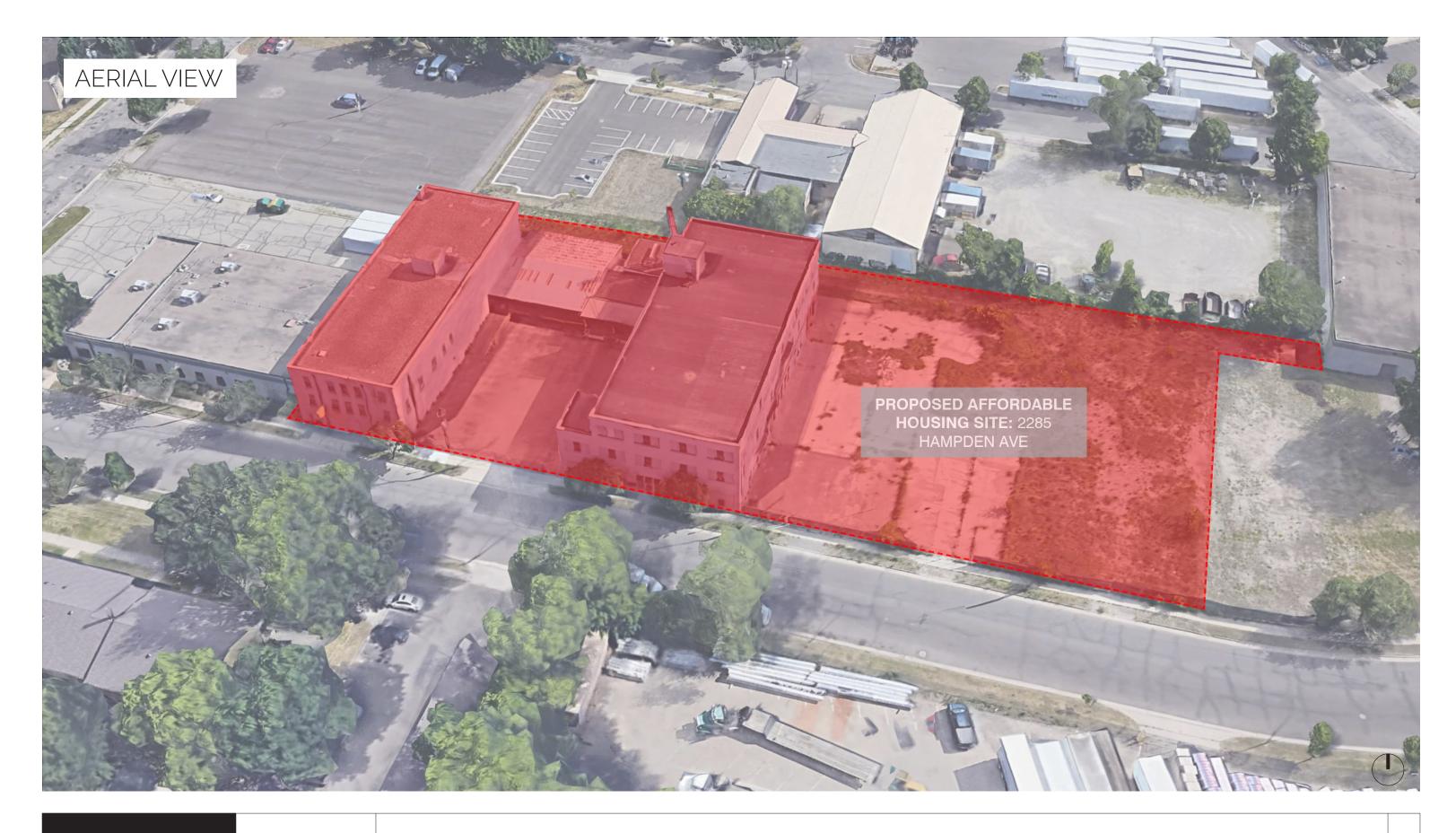
URBANWORKS







2285 Hampden





2285 Hampden





2285 Hampden

F	60'	30'	0'	
5		_	1	





2285 Hampden



URBANWORKS X EXETER



2285 Hampden



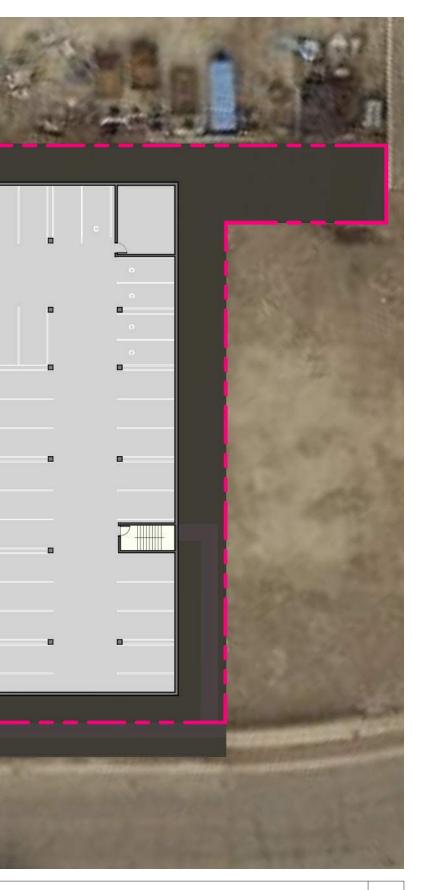
SUBLEVEL . Π. -----

HAMPDEN AVENUE W

URBANWORKS X EXETER



2285 Hampden



0'	15'	30'	8

DEVELOPMENT SUMMARY: Exeter - 2285 Hampden

	TOTAL		PARKI	NG		COMMERCIAL			RESIDENT	IAL		
DESCRIPTION	Gross SF	Parking GSF	Structured Parking	Surface Parking	Total Parking	Commercial GSF	Residential GSF	Amenity	NLSF	Efficiency	Residential Parking	Residential Units
 S1 Sublevel Parking 1 Lobby / Parking / Units 2 Units / Amenity 3 Units 4 Units 5 Units 	38,023 37,354 37,354 37,354 37,354 37,354 37,354 224,793 Gross SF	37,249 8,800 46,049 Parking GSF	- 111 26 137 Structured Parking	15 15 Surface Parking	- 111 41 152 Total Parking	2,470 2,470 Commercial GSF	- 774 26,084 37,354 37,354 37,354 37,354 37,354 176,274 Residential GSF	5,653 5,653 Amenity	15,936 29,136 29,136 29,136 29,136 132,481 NLSF	61% 78% 78% 78% 78% 75% Efficiency	- 111 41 152 Residential Parking	18 33 33 33 33 33 150 Residential Units
METRICS									RESIDENTIA	LMIX		

Site SF Site Acreage	74,255 1.70	SF Acres	Unit Type	Mix
Dwelling Units	150	DU	Studio	6%
Dwelling Unit per Acre	88	DU/Acre	1 BR	21%
			2 BR	58%
Residential Parking Ratio Per Unit	1.01	Stalls/Unit	3 BR	15%
Residential Parking Ratio Per Bedroom	0.54	Stalls/Bed		
				100%
FAR	2.41			



2285 Hampden

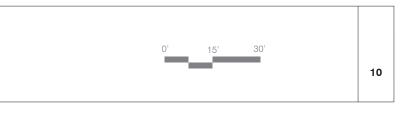
Qty	Total Beds	Avg Unit NLSF	Total NLSF
			-
9	9	520	4,680
32	32	650	18,751
87	174	950	82,650
22	66	1,200	26,400
150	281	895	132,481

ELEVATIONS









ELEVATIONS



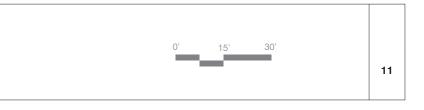


URBANWORKS **Exeter**

2285 Hampden









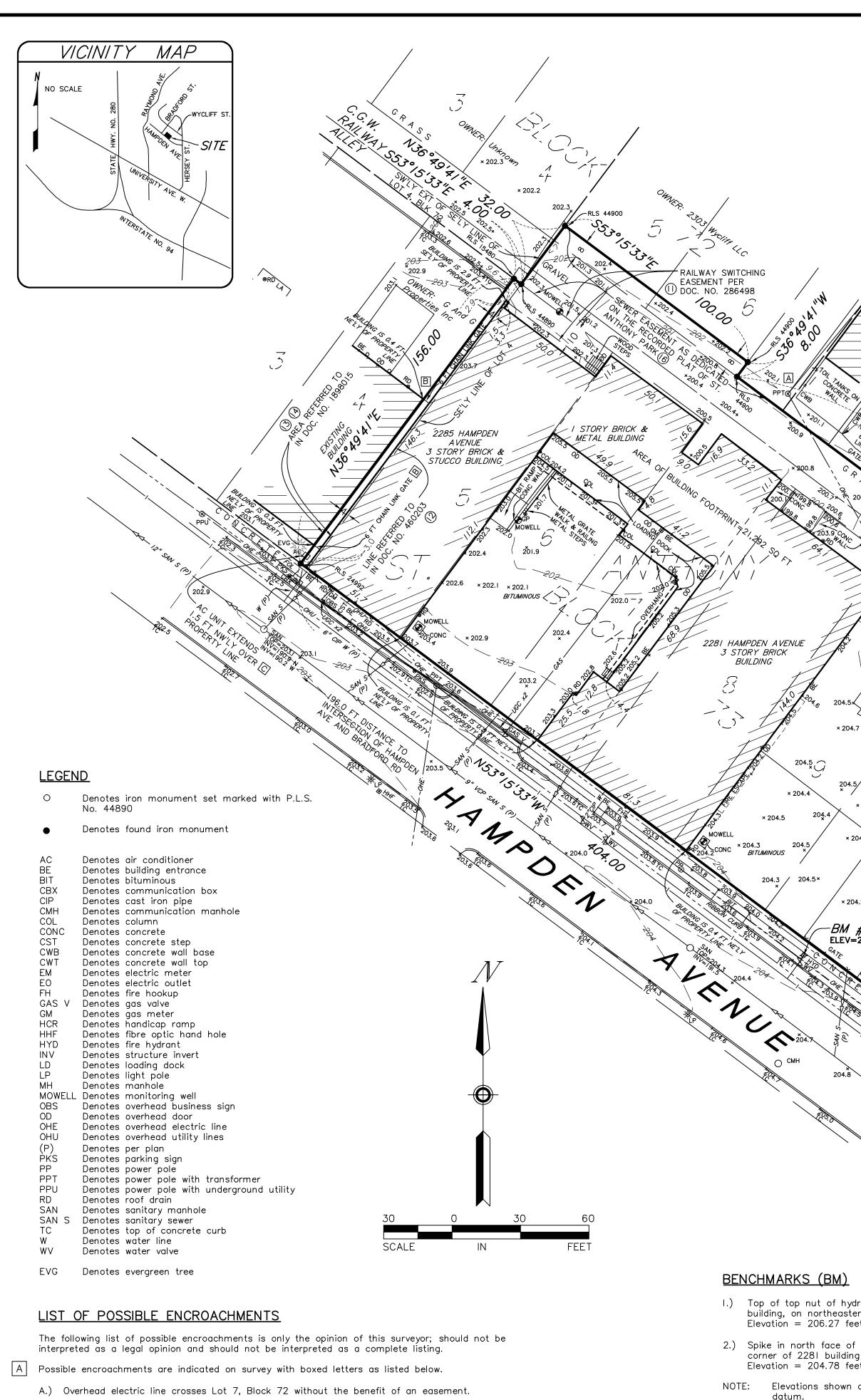


2285 Hampden

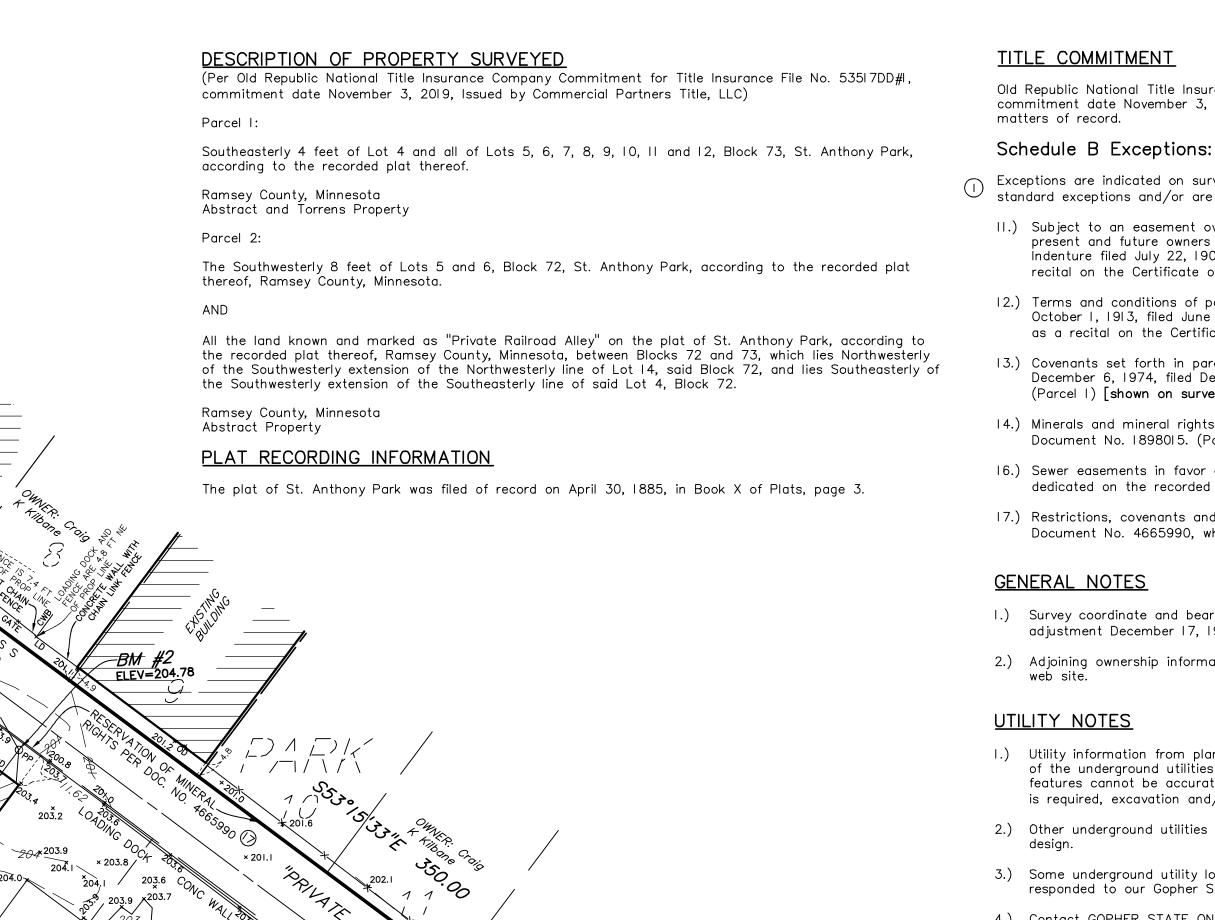




2285 Hampden



- B.) Chain link fence crosses northwesterly property line and southeasterly property corner.
- C.) Air conditioning unit crosses northwest property line.



 $1 \cap$

15.

× 203.5

203.9

× 203.7

 $\cap T$

 $_{-}\cup$ /

nx 204 0/

OWNER: M/M

 $\begin{array}{c} \Gamma^{-} I & I^{-} Z & \Lambda & I^{-} & \Gamma^{-} T & I & \Lambda & \Gamma & I^{-} \\ L & L & I & Z & I^{-} I & Z & I^{-} I & \Gamma^{-} I^{204.4} & C & L & I^{-} I & I & \Lambda \\ \times 204.5 & I & \Gamma^{-} I^{204.4} & C & L & I^{-} I & I & \Lambda \\ \end{array}$

SUBDIVISION

× 204.6

× 205. I

Gagnon //c

FLOOD ZONE NOTE

Website

PARKING

<u>AREA</u>

SURVEYOR'S CERTIFICATION

To 2285 Hampden LLC, a Minnesota limited liability company, Sunrise Banks, its successors and/or assigns as their respective interests may appear, Old Republic National Title Insurance Company and Commercial Partners Title, LLC:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items I, 2, 3, 4, 5, 7(a), 7(b)(I), 8, 9, II and I3 of Table A thereof. The fieldwork was completed on November 21, 2019.

Dated this 3rd day of December, 2019

SUNDE LAND SURVEYING, LLC. +. Carlson Cleanard Minn. Lic. No. 44890 Leonard F. Carlson, P.L.S.

I.) Top of top nut of hydrant southeasterly of 2281 building, on northeasterly side of Hampden Avenue Elevation = 206.27 feet

203.9 X^{203.7}

2 201.7

203.5

¥203.8

× 204.2

204.3

× 204.4

× 204.3 /

203.

× 204/

204.2 k

IU

× 204.3

× 204.3

204.3[×]

CONCRETE

\$ 203.7

203.9

203.4

× 203.9

× 204.4

× 203.8

203.2

× 204.4

203.8 204.3×

× 204.6

× 204.2

× 204.9 204.3

× 204.2

-BM #I

204.8

ELEV=206.27^{204.2}

× 204.7

204.5/

204.4 /

PAURO

202.8

202.5

× 203.5 /

1 ×294.3

FENCE IS 1.6 FT NE'LY

SAN TOP=204.9 INV=192.9

204.9

204.8

× 204.9

× 204.6

1 ∠

× 204.3

えつ

202.3

UPEN IRUN-

0×204.5 ∠ ∠ ∠

2.) Spike in north face of power pole near northeast Elevation = 204.78 feet

Elevations shown are based on City of St. Paul Add 694.10 feet to convert to mean sea level datum.

Old Republic National Title Insurance Company Commitment for Title Insurance File No. 53517DD#I, commitment date November 3, 2019, Issued by Commercial Partners Title, LLC, was relied upon as to

① Exceptions are indicated on survey with circled numbers unless otherwise noted. Items not listed below are standard exceptions and/or are not survey related.

II.) Subject to an easement over and across the Northerly IO feet in width across said Lot for use of present and future owners of Lots in said Block for Railway switching purposes forever, as set forth in Indenture filed July 22, 1903, in Book 419 of Deeds, Page 62, as Document No. 286498, shown as a recital on the Certificate of Title. (Parcel I) [shown on survey]

12.) Terms and conditions of party wall agreement, as set forth in Memorandum of Agreement dated October I, 1913, filed June 22, 1914, in Book 67 of Deeds, Page 620, as Document No. 460203, shown as a recital on the Certificate of Title. (Parcel I) [shown on survey]

13.) Covenants set forth in paragraph I(b) of Deed of Conveyance of Land for Redevelopment dated December 6, 1974, filed December 11, 1974, in Book 2497, Page 112, as Document No. 1898015. (Parcel I) [shown on survey]

14.) Minerals and mineral rights reserved by the State of Minnesota as shown in Book 2497, Page 112, as Document No. 1898015. (Parcel I) [shown on survey]

16.) Sewer easements in favor of the City of St. Paul in track alley between Blocks 72 and 73 as dedicated on the recorded plat of St. Anthony Park. (Parcel 2) [shown on survey]

17.) Restrictions, covenants and conditions, and reservation of mineral rights as contained in Deed Document No. 4665990, which contains no forfeiture provisions. (Parcel 2) [shown on survey]

I.) Survey coordinate and bearing basis: Ramsey County System (North American Datum of 1983 Coordinates, final adjustment December 17, 1991)

2.) Adjoining ownership information shown hereon was obtained from the Ramsey County Property Tax Information

I.) Utility information from plans and markings was combined with observed evidence of utilities to develop a view of the underground utilities shown hereon. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, excavation and/or a private utility locate request may be necessary.

2.) Other underground utilities of which we are unaware may exist. Verify all utilities critical to construction or

3.) Some underground utility locations are shown as marked onsite by those utility companies whose locators responded to our Gopher State One Call, ticket numbers 172754146 and 193190661.

4.) Contact GOPHER STATE ONE CALL at 651-454-0002 (800-252-1166) for precise onsite location of utilities prior to any excavation.

I.) The subject property appears to lie within Zone X (areas determined to be outside the 0.2% annual chance flood plain) per the National Flood Insurance Program, Flood Insurance Rate Map Community Panel No. 2752480080G, effective date June 4, 2010. This information was obtained from the FEMA Map Service Center

There were no designated parking spaces observed on site.

Gross = 74,624 square feet or 1.713 acres



A Removed/added encroachn	nents and removed MC	MT2	12/05/2019
Revision		By	Date
		MT2	
Drawing Title: ALTA / NSPS LAND TITLE SURVEY FOR: 2285 HAMPDEN AVENUE ST. PAUL, MN			
Main Office: Main Office: 9001 East Bloomington Freeway (35W) • Suite 118 Bloomington, Minnesota 55420–3435 952–881–2455 (Fax: 952–888–9526) www.sunde.com			
Project: 2017–177–B Bk/	Pg:1134/09 Ref. 760/68	Date: 12/3/	/2010
Township:29 Range:23 Section:29		12/3/	2019
File: 2017177B001 R1.dwg		Sheet:	1 of 1