

Saint Paul City Council

June 3, 2015

Agenda Item 17: APC 15-5

Public Hearing to consider the appeal of Friends of the Mississippi River of a Planning Commission decision granting a height variance for the Shepard Development LLC mixed use development at 1465 Davern.



Procedural History

- **February 3, 2015:** Shepard Development LLC application for height variance submitted
- **April 16, 2015:** Planning Commission public hearing held before Zoning Committee
- **April 24, 2015:** Planning Commission approves variance on April 24, 2015 (11-1, 1 abstention)
- **May 4, 2015:** Friends of the Mississippi River appeal of decision received



Context: The Proposed Project

- Building as proposed:
 - 73.5' tall, approx. 219,000 sq. ft.
 - 210 residential units, 812 sq. ft. commercial space
 - Approx. 4 acre development site
- Project proposed has indicated general intent to develop additional buildings in future on the remainder of approx. 21 acres owned in area

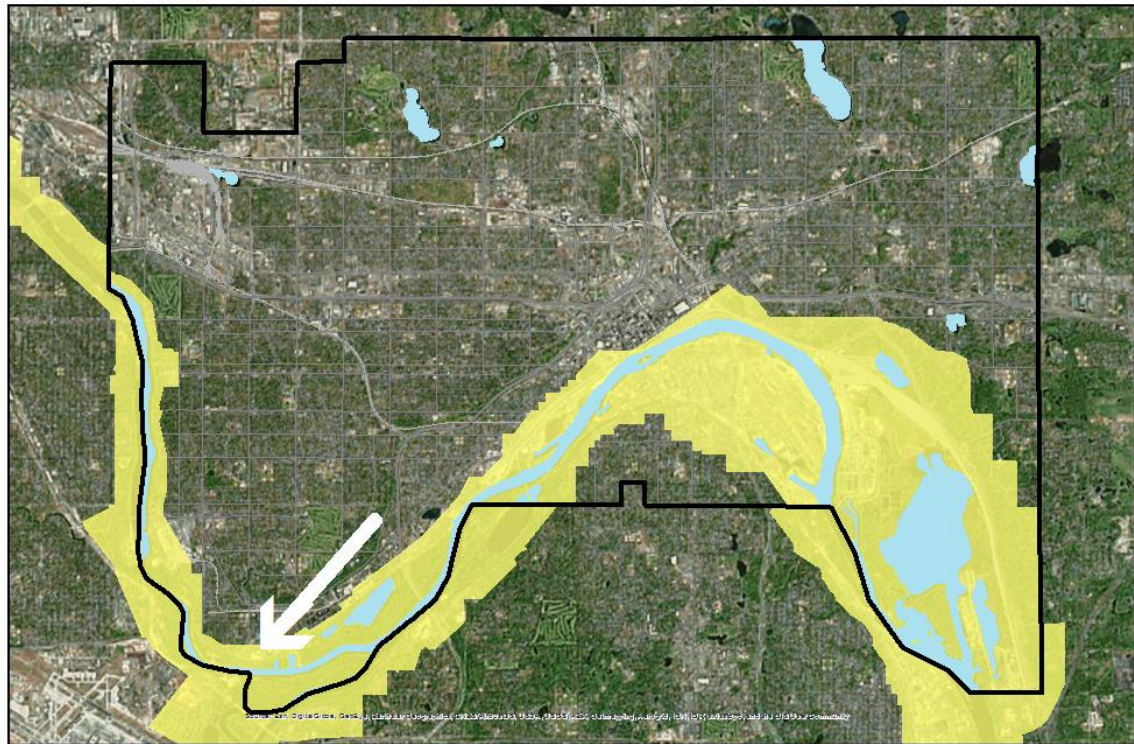


Context: The River Corridor

- The proposed building would be located in the Mississippi River Corridor Critical Area (MRCCA) and the Mississippi River National Recreation Area (co-terminous)
- MRCCA established by Governor's Executive Order 79-19 in 1979 to protect river corridor and manage river corridor development
- Saint Paul adopted river corridor overlay zoning pursuant to Exec. Order 79-19 in 1981.



Context: The River Corridor



Context: Zoning and Plans

- The Mississippi River Corridor Plan (2002) and Shepard-Davern Area Plan (2014) –elements of the Comprehensive Plan—apply to the project area
- Base zoning for the project site is T3 traditional neighborhood
- RC3 river corridor overlay zoning also applies to the project site



Context: Zoning and Plans

- Except in the river corridor, mixed use buildings in the T3 district may be up to 55' tall and up to 90' tall with a conditional use permit (CUP)
- In the RC3 river corridor overlay district, building height is limited to 40'



Context: Zoning and Plans

- The Minnesota Department of Natural Resources is currently developing new state rules for the MRCCA, which include limits on building heights
- Saint Paul will be required to adopt new plans and zoning consistent with the new rules
- The most recent draft of the DNR's MRCCA rules would limit building height on the project site to 65' (higher with a CUP)



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