

OCT 04 2024



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. Dev.
Zoning Section
1400 City Hall Annex, 25 W 4th St.
Saint Paul, MN 55102-1634
(651) 266-6583

Zoning Office Use Only
File # 24-086457
Fee Paid \$ 589.00
Received By / Date D. Eide - 10/4/2024
Tentative Hearing Date 10/28/2024

APPLICANT

Name Ruben A. Benegas, Benegas Properties, LLC.
(must have ownership or leasehold interest in the property, contingent included)
Address 1728 Ashland Avenue City St. Paul State MN Zip 55104
Email rbenegas@hotmail.com Phone 612-875-5531
Name of Owner (if different) Email
Contact Person (if different) Email
Address City State Zip

PROPERTY INFO

Address / Location 1963 Grand Avenue
PIN(s) & Legal Description 042823320178
(attach additional sheet if necessary)
Lot Area 23,867 SF Current Zoning RM2

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. 66.231.
Density and dimensional standards table. State the requirement and variance requested.
We are requesting a variance for the building height maximum of 50'-0". Note (k) on table 66.231 limits the project to be 40'-0" or four stories and a FAR increase to 2.27.

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 October 7, 2024



October 7, 2024

St. Paul Board of Zoning Appeals  
Dept of Safety & Inspections Zoning Section  
375 Jackson St., Suite 220  
St. Paul, MN 55101-1806

**RE: Variance Request Letter  
Grand Row Multi-Family  
1963 Grand Ave  
Mohagen Hansen Project #22221**

### **1. Building Height**

During the survey process, the rear (north) property line is the centerline of the alley and includes a 10'-0" alley easement. During the Site Plan Review process, staff requested we use the alley easement line and have a rear building setback 9'-0" off this line. We have modified the building footprint to the 9'-0" set back; in doing so we lost some units and are requesting a variance for building height of 50'-0" in-lieu of 40'-0". The 5<sup>th</sup> floor would be used for units lost in the re-sized building footprint.

#### **The following are practical difficulties in complying with this provision:**

**Inefficient Land Utilization:** Our proposal seeks to maximize the efficient use of available land resources within the designated zoning area. By allowing for increased building height. We can optimize the development potential of the property without encroaching on the neighboring parcels or contributing to urban sprawl. This approach aligns with the principles of smart growth and sustainable urban planning, promoting densification and efficient land use patterns.

**Financial Viability of the project:** Under the 40-foot restriction, the financial viability of the project would be threatened. Approving this variance would increase the number of market rate and affordable housing units available to the community.

**Limited access to develop affordable units:** Under the 40-foot restriction, we would be limited in the number of affordable units available to the community.

#### **The plight of the landlord is due to circumstances unique to the property not created by the landowner:**

The two adjacent apartment buildings of this site are built at a lower elevation, closer to the street level. This property is higher in elevation which creates a more complex development. With this site being in the area along Grand Avenue between Fairview Avenue and Cretin Avenue, we are limited to 40'-0"

#### **The variance will not permit any use that is not allowed in the zoning district in which the property is located:**

This development will be strictly multi-family residential which will include market rate and affordable housing with underground parking.

**The variance will not alter the essential character of surround area:**

The three homes currently on the property are in poor condition and rental properties, the site is also between two existing apartment buildings. Development of the Grand Row project will enhance the essential character of the area. Great care has been taken in building design to match the features of other buildings on the Grand Avenue Corridor to reflect the aesthetic of the early 1900's with the modern amenities such as elevator, underground parking and resident fitness and community rooms. These features are not visible from the street and therefore maintain the overall character of the greater Macalester Groveland community, multi-family design standards and traditional neighborhood districts.

Based on the Project Market Area, this project will have 75% of the demand for rental housing in the PMA will be generated for the surrounding area and the remaining demand (25%) would come from outside the area. This project location is most likely to draw young to mid-age professional singles and couples, along with students attending the University of St. Thomas. This project will also include on-site underground parking.

**Variance Request:**

The current plans show the updated rear set back and include the 50'-0" building height. This allows for safer entry and exiting of the underground parking garage at the alley. The side setbacks are at 10'-0" (code is 9'-0") and the front is based on block average is currently shown at 19'-0".

Variance requests are for the 50'-0" building height and FAR increase from 2.25 to 2.27.

Should you have any questions or require additional information, please contact me at 612-875-5531

Sincerely,



Ruben A. Bengas  
Benagas Properties, LLC

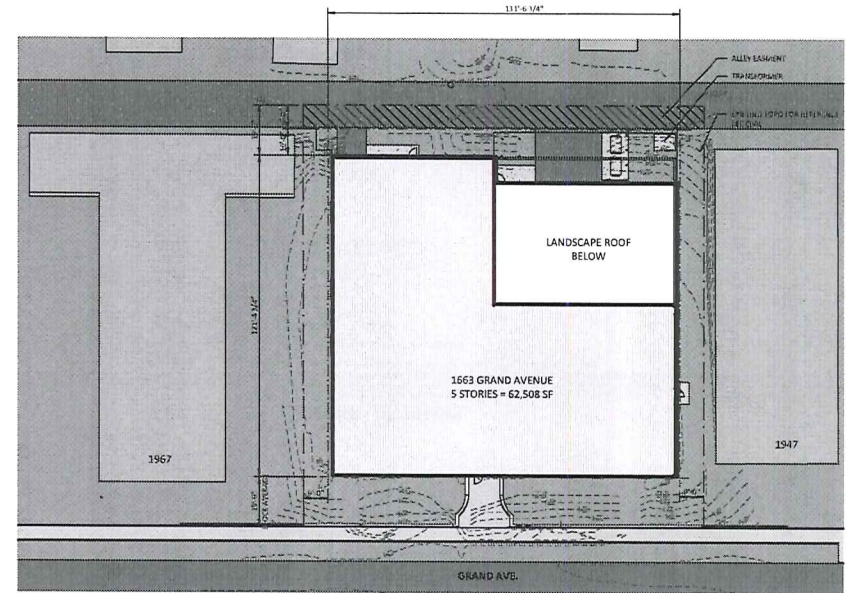


**PROJECT TEAM**

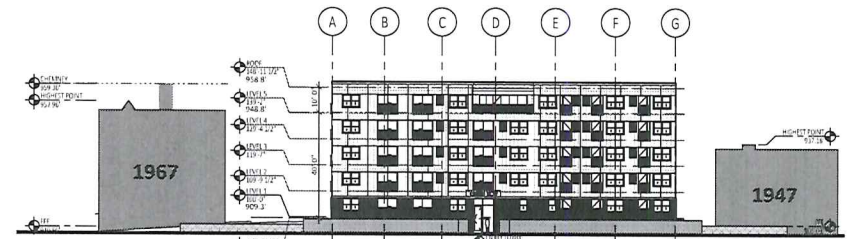
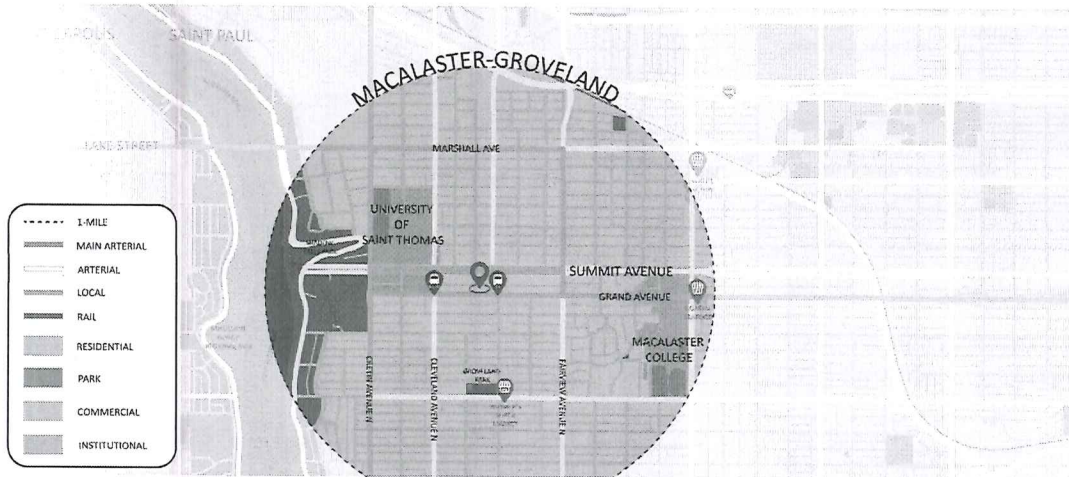
DEVELOPER/OWNER	CIVIL ENGINEER
<p>RENEGAS PROPERTIES, LLC 1728 ASHLAND AVE. ST. PAUL, MN 55114</p> <p>RUBEN A. RENE GAS 612.875.2531 rreagas@repmail.com</p> <p>MICHELLE RENE GAS 651.868.5999 mreagas18@gmail.com</p>	<p>WESTWOOD 12701 WHITEWATER DRIVE, SUITE 300 MINNETONKA, MN 55343</p> <p>JEFF WESTENDORF, PROJECT MANAGER 952.897.3722 jw@westwoodps.com</p> <p>GRETECH SCHROEDER, P.C. LEEP AP SENIOR PROJECT ENGINEER 952.906.7480 gretchen.schroeder@westwoodps.com</p>
ARCHITECT	
<p>MOHAGEN HANSEN ARCHITECTURE   INTERIORS 1306 TWINE DAKS CENTER DRIVE, SUITE 100 WACOTA, MN 55391</p> <p>SCOTT HAYES, PROJECT MANAGER 952.426.7441 shayes@mohagenhansen.com</p> <p>MAKE SILVESTRI, DESIGNER 952.426.7442 msilvestri@mohagenhansen.com</p>	

**DEVELOPMENT SUMMARY**

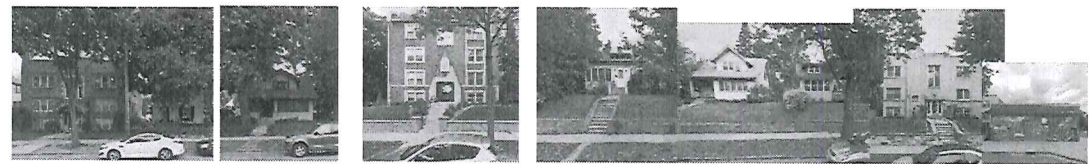
<p><b>ADDRESS</b> 1963 GRAND AVENUE</p> <p><b>ZONING</b> • RM2 • BUILDING HEIGHT TO BE (4) STORIES OR 40' 0" MAX IN HEIGHT FROM AVERAGE EXISTING GRADE. 50'-0" VARIANCE BEING APPLIED FOR FRONT SET BACKS. 10'-0" TO ALIGN WITH NEIGHBORING BUILDINGS. • BLOCK AVERAGE 19'-0" (10'-0" PER ZONING CODE) • WEST SET BACK: 10'-0" (9'-0" PER ZONING CODE) • EAST SET BACK: 10'-0" (9'-0" PER ZONING CODE) • REAR SET BACK: 9'-0" (9'-0" PER ZONING CODE)</p> <p><b>LOT AREA</b> 23,867 SF / 0.548 ACRES, UNCHANGED</p> <p><b>BUILDING FOOT PRINT</b> 15,000 SF</p> <p><b>FAR</b> 2.27 (2.35 PER ZONING CODE)</p>	<p><b>UNIT MIX</b> (29) STUDIOS (73) 1 BR/1BQDM (10) 2 BED/2BQDM <b>TOTAL: 72 UNITS</b></p> <p><b>PARKING GUIDELINES</b> • 2.5 SPACE PER UNIT MAX • 2 SPACES PROVIDED FOR 2 BED'S • 1 SPACE PROVIDED FOR STUDIOS AND 1 BED'S</p> <p><b>PARKING PROVIDED</b> (40) FULL SIZE STALLS (4 ADA STALL INCLUDED) (18) COMPACT STALLS <b>TOTAL: 64 PARKING STALLS</b></p> <p><b>BIKE PARKING</b> 77 UNITS + 3 SPACE PER 3 UNITS = 26 TOTAL SPACES</p>
<p><b>MULTI-FAMILY BUILDING</b> 5 STORY WITH 42 LEVELS OF PARKING BELOW</p> <ul style="list-style-type: none"> <li>• GARAGE, P1 AND P2 PARKING, MECHANICAL, TRASH, AND BIKE STORAGE</li> <li>• LEVEL 3: 34 UNITS AND FITNESS SPACE, LOBBY, MAIL AND PACKAGE ROOM</li> <li>• LEVELS 2, 3, &amp; 4: 20 UNITS</li> <li>• LEVEL 5: 15 UNITS AND PARTY SPACE</li> </ul>	



REFERENCE SITE PLAN



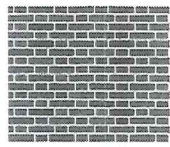
ELEVATION SOUTH - SITE CONTEXT



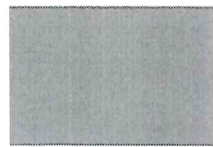
GRAND AVE STREET VIEW







UTILITY BRICK - BLACK, FLEMISH BOND



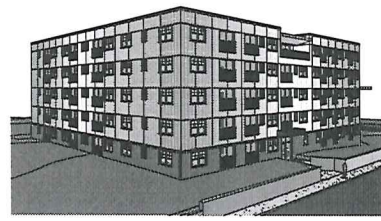
FIBER CEMENT SIDING - CERACLAD CREATIV, CUSTOM COLOR HOMBRE, WHITE TO TERRACOTTA



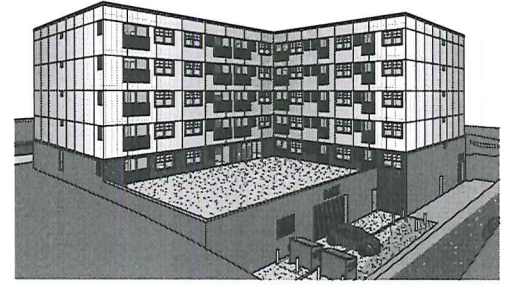
ACCENT FINISH - BRASS



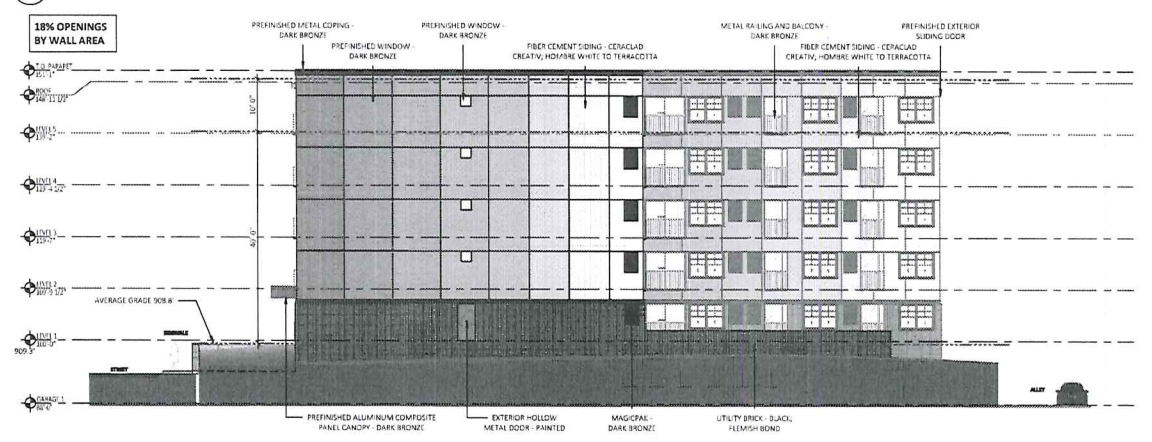
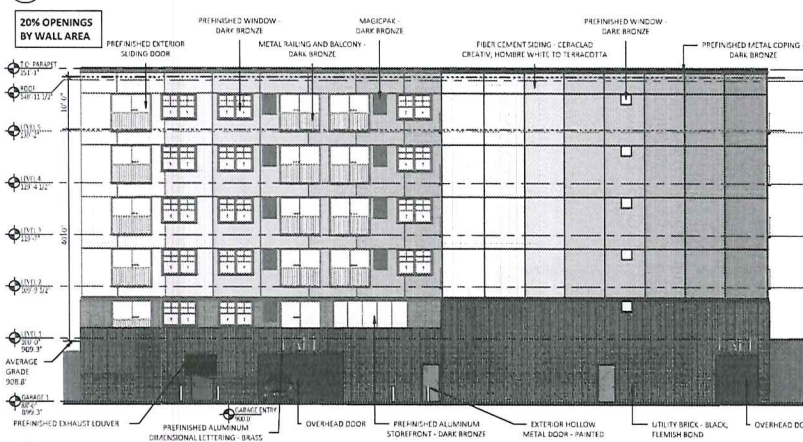
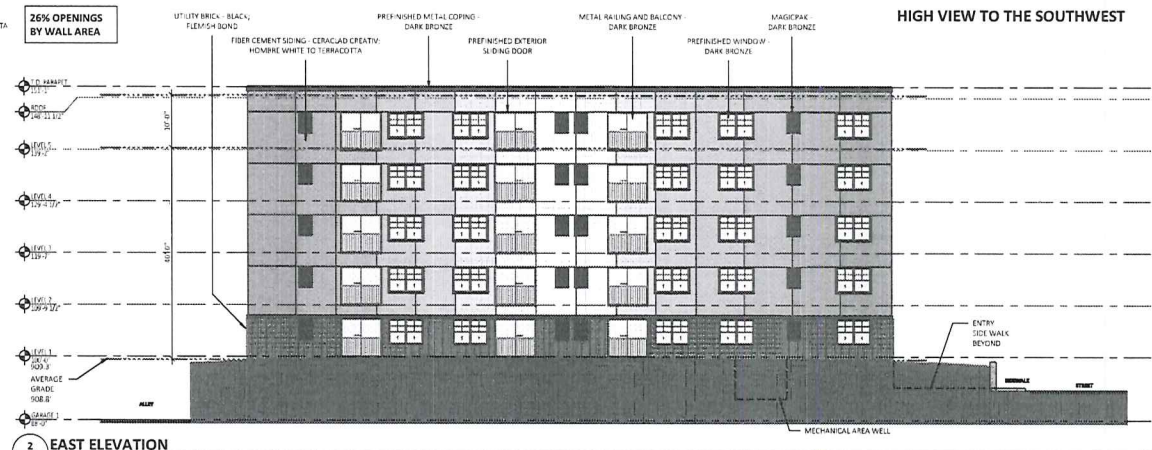
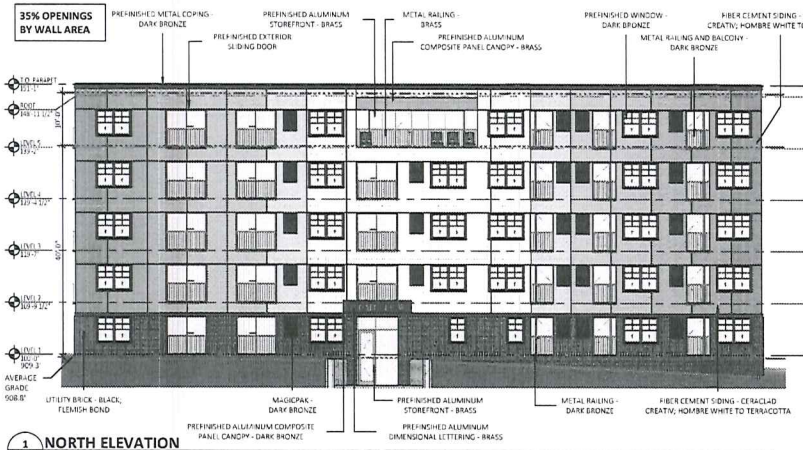
PRIMARY VINYL AND ALUMINUM FINISH - DARK BRONZE



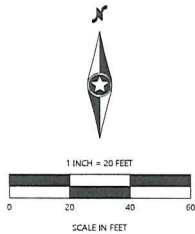
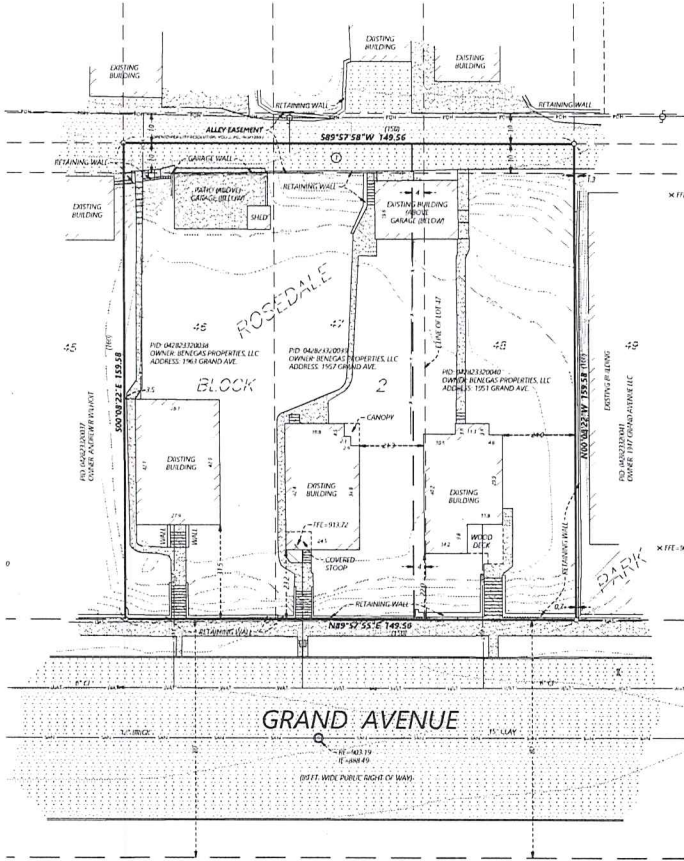
HIGH VIEW TO THE NORTHEAST



HIGH VIEW TO THE SOUTHWEST







**LEGEND**

○	SET MONUMENT - 15.48055	—	GAS LINE
○	SANITARY MANHOLE	—	POWER OVERHEAD
⊗	GATE VALVE	—	SANITARY SEWER
⊕	CURB STOP BOX	—	WATER MAIN
⊖	POWER POLE	—	FENCE LINE
		—	CURB & GUTTER
		—	CONCRETE SURFACE
		—	BITUMINOUS SURFACE

**PROPERTY DESCRIPTION**

The following information was provided in Old Republic National Title Insurance Company File Number 123248-22-08 R-1 which has an effective date of August 19, 2018:

Lot 46, Block 2, Rosedale Park, Ramsey County, Minnesota;

and

The following information was provided in Old Republic National Title Insurance Company File Number 124255-22-09 R-1 which has an effective date of September 18, 2022:

Lot Forty-seven (47), Block Two (2), Rosedale Park, except the Easterly four (4) feet thereof and except that part of said Lot taken for alley, Ramsey County, Minnesota;

and

The following information was provided in Old Republic National Title Insurance Company File Number 123250-22-08 R-1 which has an effective date of August 19, 2022:

Lot 48, Block 2, Rosedale Park, Ramsey County, Minnesota (Torrens)

The East 4 feet of Lot 47, Block 2, Rosedale Park, Ramsey County, Minnesota (Abstract)

**SURVEYOR'S NOTE:** THE PROPERTY DESCRIPTION FOR LOT 47 (EXCEPT THE EASTLY 4 FEET) ERRONEOUSLY INCLUDES AN EXCEPTION FOR THE ALLEY. PER THE CITY OF ST. PAUL PUBLIC WORKS DEPARTMENT, THIS ALLEY WAS OPENED BY RESOLUTION AND IS AN EASEMENT ONLY. WE RECOMMEND REMOVING THE EXCEPT THAT PART... PORTION OF THE DESCRIPTION FROM FUTURE REAL ESTATE TRANSFERS. ANY FUTURE TITLE COMMITMENTS/COUSES SHOULD ALSO INCLUDE REFERENCE TO THE RESOLUTION OPENING THE ALLEY.

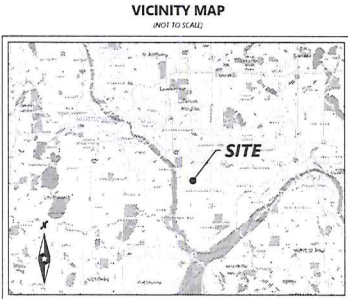
**SCHEDULE B SECTION 2 ITEM NOTES**  
The following notes correspond to the numbering system of Schedule B, Section 2 of the above mentioned title commitment file number 123248-22-08 R-1. Items 1-11 are not survey related and are not addressed herein.

The following notes correspond to the numbering system of Schedule B, Section 2 of the above mentioned title commitment file number 124255-22-09 R-1. Items 1-15 are not survey related and are not addressed herein.

The following notes correspond to the numbering system of Schedule B, Section 2 of the above mentioned title commitment file number 123250-22-08 R-1. Items 1-13 are not survey related and are not addressed herein.

**TABLE A OPTIONAL ITEM NOTES**

- Property corner markers have been found or placed as shown herein.
- The address of the surveyed property is 1951, 1957 & 1963 Grand Avenue, St. Paul, Minnesota.
- The subject property appears to lie within Zone X according to FEMA Flood Insurance Rate Map Community - Panel Number 27123C0085G (Not Printed) which has an effective date of 6/4/2010.
- The subject property contains 23,867 sq. ft. or 0.548 acres, more or less.
- Elevations and ground contours shown herein are based on the NAVD88 vertical datum relative to MnDOT Benchmark 6215L which has an elevation of 933.63 ft.
- The surveyor has made a good faith effort to show all substantial, above ground, visible, and permanent features observed during the course of the survey.
- The subject property contains no parking stalls.
- (a) There were no site utility plans and/or reports provided by the client.  
(b) A private utility marking request was made by the surveyor (One Call Ticket No. 222710806). The underground utility lines shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned nor do we guarantee the accuracy or completeness of the markings and maps provided.
- Names of adjoining owners are shown according to the Ramsey County GIS Map.
- On the date the field work was completed for this survey, there was no observable evidence of current earth moving work, exterior building construction or building additions.
- The surveyor is not aware of any proposed changes in street right of way lines, and there was no observable evidence of recent street or sidewalk construction or repairs at the time of survey.
- Any plottable offsite easements provided in the Title Insurance Commitment are shown herein.



**GENERAL NOTES**

- Bearings of property lines shown herein are based on the Ramsey County coordinate system, (NAD 83 - 86 Control Adjustment).
- Lengths of lines and distances between features are measured in US Survey Feet OR International Feet.
- Elevations and ground contours shown herein are relative to the NAVD88 vertical datum and are relative to MnDOT Benchmark 6215L which has an elevation of 933.63 ft.

**STATEMENT OF POSSIBLE ENCROACHMENTS**

The following items are items observed by the surveyor which may constitute an encroachment onto/from the subject property and are provided to draw the users attention. The items below may not in fact constitute an encroachment.

- Public Alley crosses subject property, no easement or conveyance documents were provided.

**SURVEYOR'S CERTIFICATION**

To: STP Partners, LLC, a Minnesota limited liability company, Benegas Properties, LLC, Ruben A. Benegas, Affinity Plus Federal Credit Union, its successors and/or assigns, Title Company. This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 5, 8, 9, 11(a), 11(b), 13, 16, 17 and 18 of Table A thereof.

The fieldwork was completed on 10/13/2022.

Date of Map: 10/13/2022

*Chris Ambour*  
 Chris Ambour, LS  
 Minnesota License No. 43955  
 chris.ambour@westwoodps.com

DESIGNED	
CHECKED	CNA
DRAWN	BN
FIELD CREW	IDA
FIELD WORK DATE	10/13/22

REVISIONS	
ADDED SURVEYOR'S NOTE REGARDING ALLEY EASEMENT	4/16/2024

PREPARED FOR:  
**MOHAGEN HANSEN  
 ARCHITECTURAL GROUP**

**1957 GRAND AVENUE**  
 St. Paul, MN

**Westwood**  
 Phone (62) 937-5100 12791 Whittaker Drive, Suite #300  
 Fax (62) 937-5822 Minneapolis, MN 55343  
 Toll-Free (888) 937-5100 westwoodps.com  
 Westwood Professional Services, Inc.

**ALTA/NSPS  
 Land Title &  
 Topographic Survey**

SHEET NUMBER  
 1 OF 1