



CommonBond
COMMUNITIES

Tia Anderson

City of St. Paul, Department of Safety and Inspections

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St. Paul, MN 55101

VIA EMAIL: Tia.Anderson@ci.stpaul.mn.us

Ms. Anderson,

The City Council meeting on August 5th does not allow CommonBond to present to the Council on our requested variance appeal for 830 Cretin Ave, or Lot 2 Block 3 at Highland Bridge. Please accept these comments as testimony regarding the circumstances and conditions surrounding the open space variance request, and demonstrate that the BZA erred in their findings when they denied this variance on the basis of Finding 3 - 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.

The Master Plan requires that 25% of a site qualify as open space and our site plan includes 16%. While our open space coverage will improve due to our intended compliance with the tree canopy coverage for the property, the variance is still needed in order to construct the first senior affordable housing development at Highland Bridge. The variance will allow the property to meet the affordability goals and unit production outlined in the City's Redevelopment Agreement. The BZA erred in not acknowledging several practical difficulties affiliated with the proposal. In the case of Lot 2 Block 3, the lot dimensions, urban design guidelines, street frontages, site grading, and underlying bedrock conditions directly impact the proposed project's ability to achieve the open space requirements. Without the requested variance, the development will need to reduce the unit count in the building and fall short of affordable rental production outlined in the Redevelopment Agreement.

Both the Highland District Council and City Staff Recommended approval of the variance request but it was denied by the BZA. Approving this appeal will allow the best-use design scenario to proceed. The current design utilizes the Master Plan urban design guidelines and meets the production goals of the Redevelopment Agreement. The approval is critical to the viability of the project, and due to the errors in the BZA's decision illustrated in our appeal application and attached here, CommonBond requests the Council adopt the original staff report recommending approval of the open space variance for 830 Cretin Ave.

Sincerely,

Justin Eilers, Senior Project Manager

Enclosures

CommonBond's proposed development is a 60 unit affordable senior apartment in which all units will be affordable to households at 30% Area Median Income (AMI) or below. It is a permitted use in the F5 Zoning Business Mixed Use District at Highland Bridge. The overall site plan upon which the Redevelopment Agreement was based, after extensive community engagement, is reflected below.

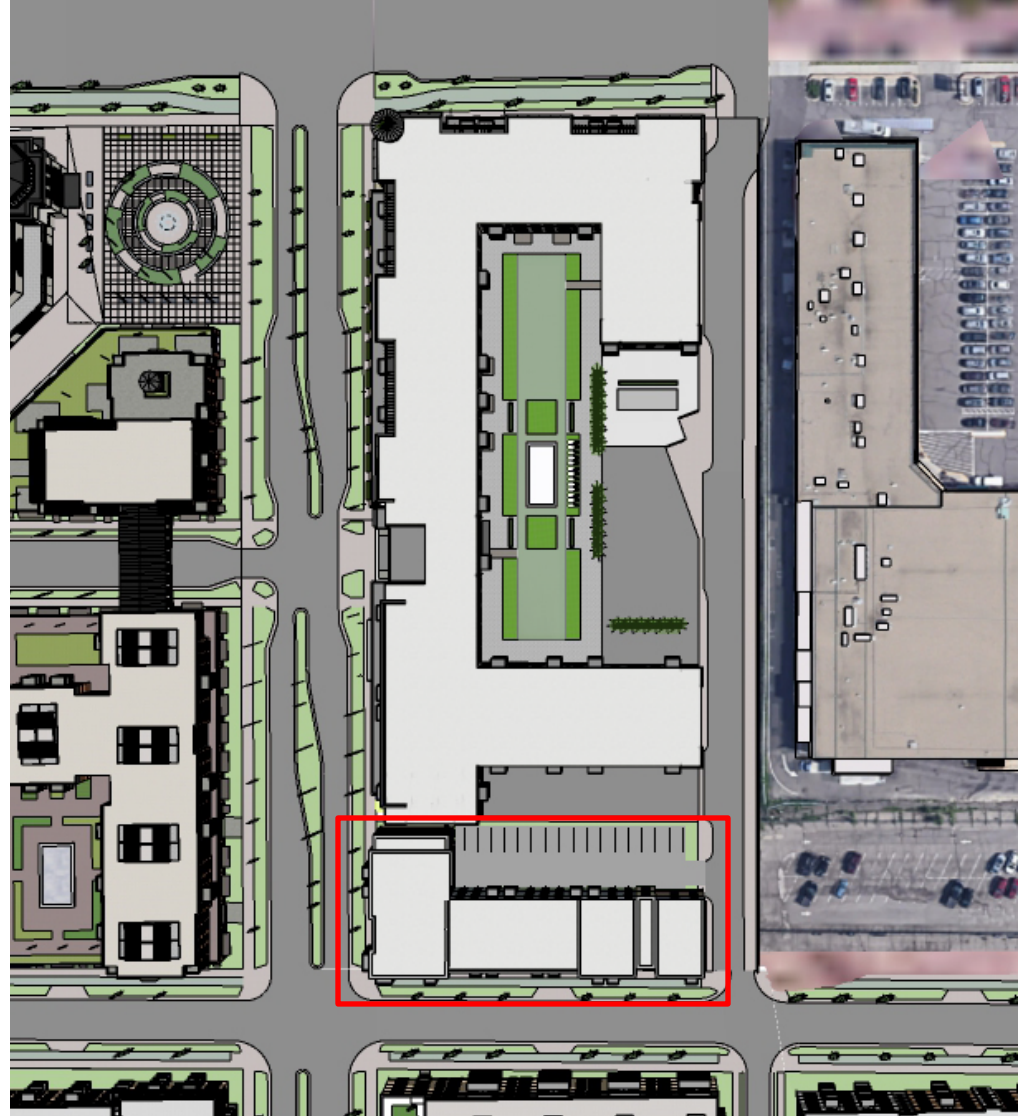


Site context images for 830 Cretin Avenue in relation to all of Block 3. CommonBond's proposed development is outlined in red.

Original

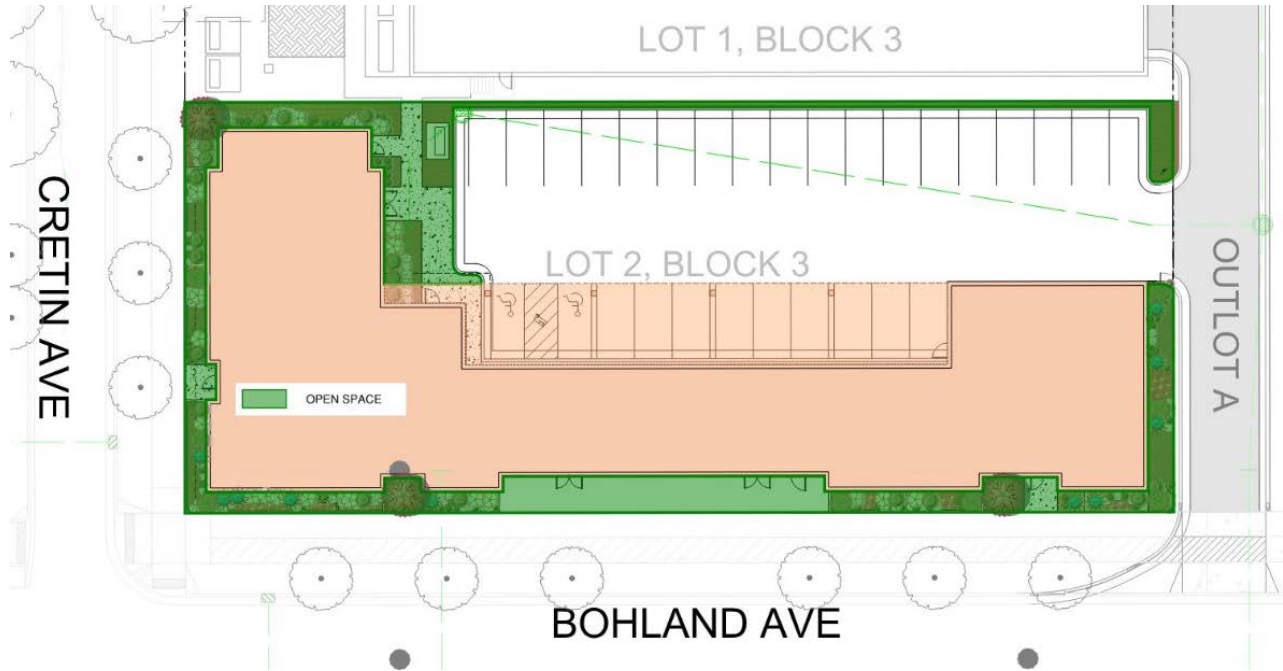


Proposed



VARIANCE – OPEN SPACE

The minimum open space requirement in the F5 zoning district for a multi-family medium building is 25% per the Ford Site Master Plan. CommonBond's original request was a variance of 9% with a 16% open space proposed. Both the Highland District Council and City Staff Recommended approval of the variance request but it was denied by the BZA under Finding 3 – 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.

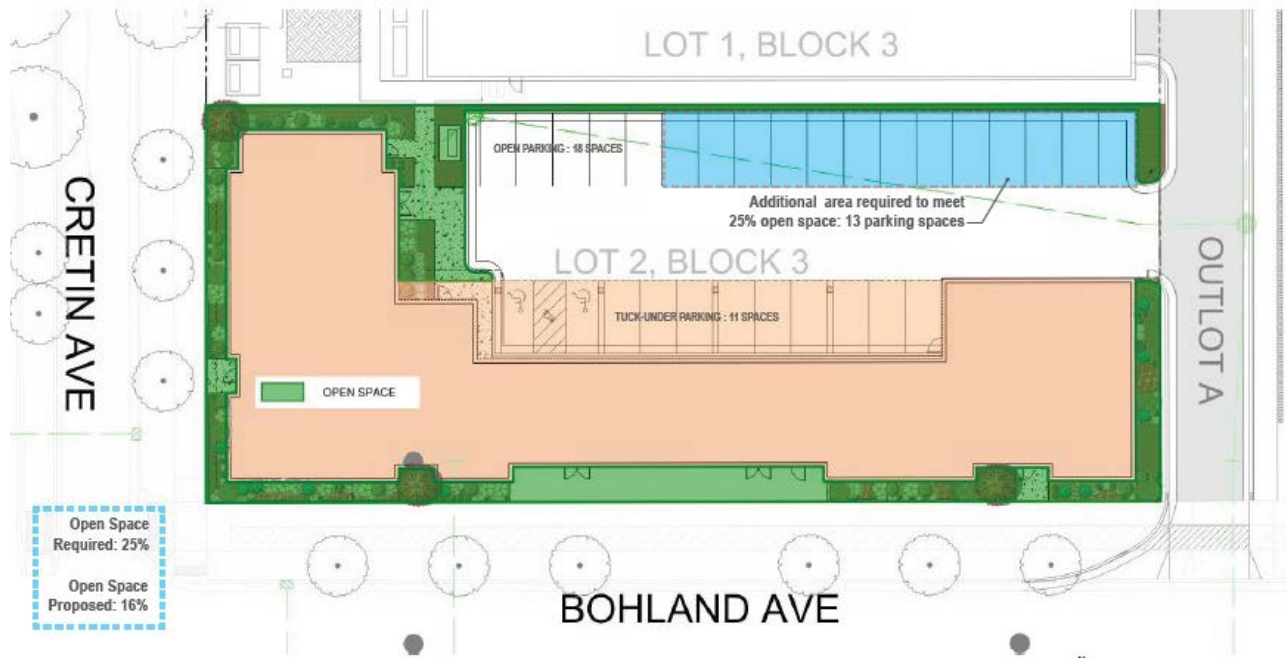


CommonBond intends to comply with the Master Plan's required Tree Canopy Coverage, which will result in additional landscaping and planting along the northern portion of the site. This will increase the percentage of open space used in the City's calculation but not enough coverage to reach 25% as required by the Master Plan.



The BZA erred in its decision to deny the variance due to the following:

- The presence of existing bedrock under the site creates a practical difficulty that was not acknowledged by the BZA (Finding 3). This difficulty, both practical and financial, was not created by the applicant and creates barriers to abiding by the 25% open space coverage and building one level of underground parking. For the site to be in compliance with open space requirements and provide above grade parking the number of stalls would need to reduce parking stalls by 13, which is insufficient to meet the demand of households at the property.

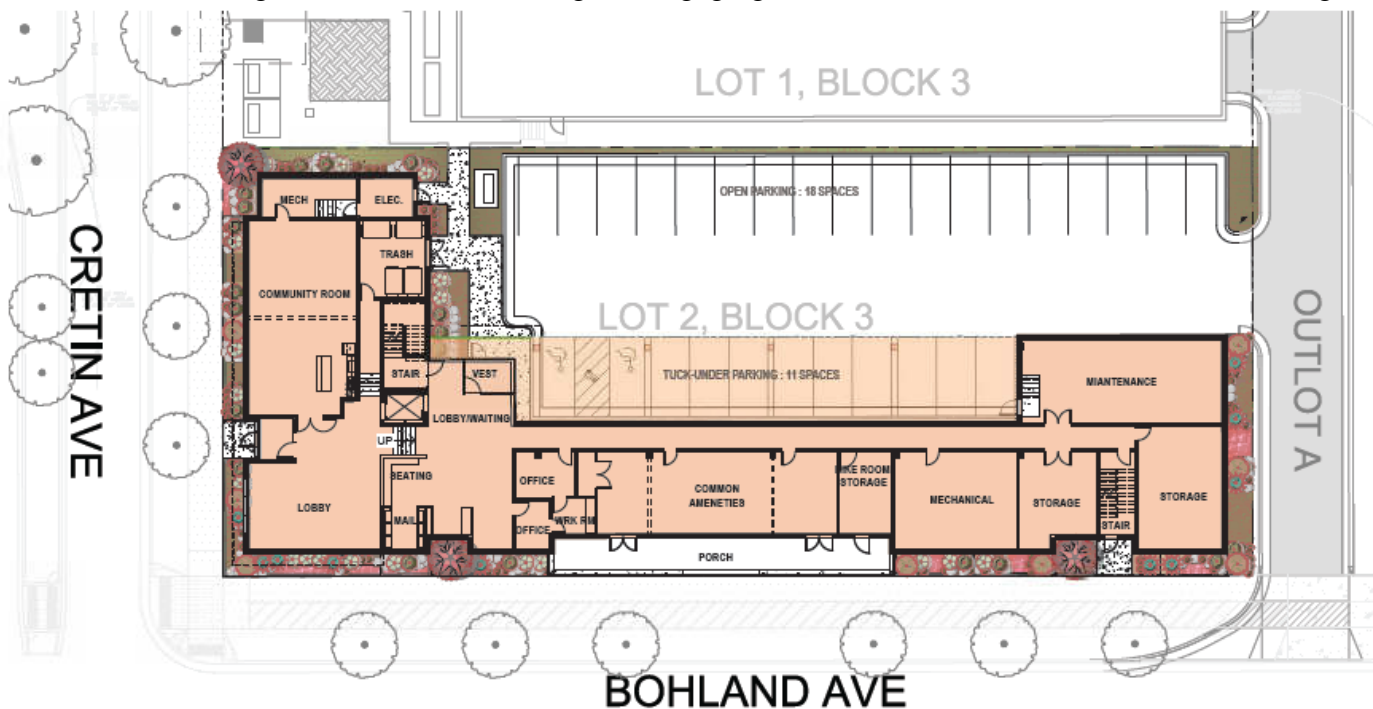


- Not recognizing that Highland Bridge is more restrictive than other zoning areas of the city, with multiple layered density requirements – lot coverage, open space, and FAR creates a practical difficulty (Finding 3). The site plan is in compliance with both FAR and Building Lot Coverage requirements.



The BZA erred in its decision to deny the variance due to the following:

- Not recognizing the manner in which the desired urban design goals within Highland Bridge are constrained by specific lot conditions and consequential impacts of the proposed uses on the specific parcel. In the case of Lot 2 Block 3, the lot dimensions, street frontages, and site grading directly impact the proposed project's ability to achieve the open space requirements (Finding 3). It should be noted that the property slopes approximately 10' from the east side of the site to the west side, thus an underground ramp cannot be constructed to be accessed from the eastern portion of the parcel. Providing structured parking in lieu of the current surface parking design will lead to a solution that actually compromises, rather than enhances, the site and building design.
 - o If the access were placed off Cretin Ave along the western edge of the parcel, which is the lower end of the site, the access point itself would actually need a variance or exception from city engineering staff as the access would be too close to the intersection.
 - o If the access were placed off of Bohland Ave, the access point would cut across the district multi-modal connectivity (boulevard, sidewalk, and bike path) that is planned. Due to the desire for the building to maintain a strong street frontage with minimal setback, the visibility of bikes and pedestrians would be hampered for exiting vehicles resulting in a safety hazard.
 - o In either case, the redesigned building would eliminate first floor amenities, such as the community room and porch area which are currently designed on the first floor, only to be replaced with a parking garage entrance. It would deactivate the walkability of the site, and discourage residents from walking and engaging with the broader urban amenities of the Highland Bridge site.



- The construction of an underground ramp is also an economic hardship to be considered in combination with the previously stated difficulties. This would increase the construction of the building by an estimated **11%**. Due to the fact that the property is restricted to only residents at 30% AMI or below, this cannot be privately financed. This cost increase would need to be **entirely financed by the public sources** from the City of St. Paul or other affordable housing funders.
- **Due to these practical difficulties listed above and the reasonableness of the use proposed, we request the City Council adopt the staff report originally recommending approval of the open space variance for 830 Cretin Ave. This variance was also supported by the Highland District Council.**

