CITY OF SAINT PAUL

DEPARTMENT OF SAFETY AND INSPECTIONS
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Board of Zoning Appeals

Staff Report

TYPE OF APPLICATION:	**Major Variance FILE #: 24-077286**
APPLICANT:	**GB Realty Acquisitions, LLC c/o McClay-Alton, PLLP**
HEARING DATE:	**September 30, 2024**
LOCATION:	**287 6th Street East**
LEGAL DESCRIPTION:	**WHITNEY AND SMITHS ADDITION SUBJ TO 6TH ST; VAC STS ACCRUING IN DOC ...ADD, LOTS 3,4, 5 & LOT 6 BLK 5**
PLANNING DISTRICT:	**17**
PRESENT ZONING:	**B5, HPC: Lowertown Historic District (National & Local), Sign: SSD-DT Downtown**
ZONING CODE REFERENCE:	**§ 65.785**
DATE RECEIVED:	**September 6, 2024**
REPORT DATE:	**September 27, 2024**
DEADLINE FOR ACTION:	**November 4, 2024 BY: David Eide**

A. **PURPOSE:** The applicant is proposing to convert a portion of the building into a rental storage facility. The zoning code states that rental storage facilities in the B5 central business district must be located within a mixed-use building and cannot exceed fifteen (15) percent of the gross floor area of the building. The applicant is proposing to convert eighty five (85) percent of the gross floor area into rental storage, for a variance of seventy (70) percent.

B. **SITE AND AREA CONDITIONS:** This is a 0.73-acre parcel property located on the north side of 6th Street East between Wall and Broadway Streets. A six-story brick building built in 1906-07 as a warehouse for the John H. Allen Company occupies the northern portion of the parcel, with two off-street parking facilities fronting Sixth Street to the south of the building.

Surrounding Land Use:
North: Auto convenience market (B5)
East: Right-of-way/Outdoor sports/entertainment (B5)
South: Commercial parking facility (B5)
West: Commercial parking facility/Mixed-use (B5)

C. **ZONING CODE CITATION:**
Sec. 65.785 - Storage facility, rental.
Standards and conditions in B4—B5 business districts:

The facility shall be located within a mixed-use building, shall not exceed fifteen (15) percent of the gross floor area of the building, and shall not be located on the first floor (except for access) or skyway level.

D. **FINDINGS:**

1. *The variance is in harmony with the general purposes and intent of the zoning code.*

   The applicant is proposing to convert a portion of the building into a rental storage facility. The zoning code states that rental storage facilities in the B5 central business district must be located within a mixed-use building and cannot exceed fifteen (15) percent of the gross floor area of the building. The applicant is proposing to convert eighty five (85) percent of the gross floor area into rental storage, for a variance of seventy (70) percent.

   The intent of the B5 central business-service district is to provide for wholesaling, restricted manufacturing and other business uses which are needed in proximity to the central business district and require central location to permit serving of the entire city.

   The conversion of the building to 85% rental storage conflicts with the intent and purpose of the zoning code to encourage a compatible mix of land uses, at densities that support transit, that reflect the scale, character and urban design of Saint Paul's existing traditional neighborhoods. **This finding is not met.**

2. *The variance is consistent with the comprehensive plan.*

   The 2040 Saint Paul Comprehensive Plan Policy LU-26 supports office and commercial development that takes advantage of Downtown's position as the office Center of the East Metro, that maximizes jobs, business, and tax base growth; and meets the needs of a dynamic region. Policy LU-25 encourages strengthening Downtown as a residential neighborhood that provides services and amenities for people of all ages.

   The Saint Paul Downtown Development Strategy, an addendum to the Saint Paul Comprehensive Plan, states that new development will emphasize a mix of uses to animate and populate downtown streets throughout the day and night. It states that existing spaces downtown will be flexible to accommodate changing needs, such as surplus office space being converted to classrooms, or conversion of commercial space to housing. Strategy 4.5 supports increasing the amount of life-cycle housing downtown through conversions of existing vacant office buildings as appropriate. Strategy 4.11 encourages a mix of uses in new housing development.

   This building is located within the Lowertown neighborhood. The Greater Lowertown Master Plan Goal 7.2 supports continuing the renovation of buildings for housing. The applicant is correct that this same plan encourages investing in amenities that sustain values for all residents, and the rental storage component could be a part of the new proposed use at

15% of the gross floor area.

The Comprehensive Plan promotes job-creating and residential uses downtown. The zoning code permits 15% of the gross floor area of the building to be rental storage as an amenity for tenants of the building and the neighborhood. Conversion of up to 15% of the gross floor area for rental storage would ensure that the building uses remain mixed, and would be consistent with the Comprehensive Plan, however, the proposed 85% would not. **This finding is not met**.

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.*

   The property owner states that the high window placement on the exterior walls, lack of windows along the north façade, and deep floor plates in the building create difficulties in repurposing the building for residential or office uses. However, the building has been mixed-use for many years, and the zoning code permits up to 15% of the gross floor area to be rental storage. The property owner can allocate the space with permitted uses that would create vibrancy and align with the intent and purpose of the B5 central business zoning district. **This finding is not met.**

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

   The plight of the landowner is self-created because 15% of the gross floor area could be utilized for rental storage and the remaining space for other permitted uses. **This finding is not met.**

5. *The variance will not permit any use that is not allowed in the zoning district where the affected land is located.*

   Rental storage is a permitted use in the B5 central business district. Granting the zoning variance would not permit an unallowed use. **This finding is met.**

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

   The exterior of the building would remain unchanged, and any exterior modifications would require heritage preservation approval. **This finding is met.**

E. **DISTRICT COUNCIL RECOMMENDATION:** Staff received a letter from District 17 – Capitol River Council supporting the requested variance.

F. **CORRESPONDENCE:** Staff received three letters supporting the request and four letters opposed to the request.

G. **STAFF RECOMMENDATION:** Based on findings 1 through 4, staff recommend denial of the requested variance.