



# CITY OF SAINT PAUL

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## Board of Zoning Appeals

### Staff Report

**TYPE OF APPLICATION:** Major Variance      **FILE #:** 24-095781

**APPLICANT:** Ryan Companies US, Inc. (Sean Ryan)

**HEARING DATE:** December 9, 2024

**LOCATION:** 2200 Ford Parkway (Highland Bridge Block 2B)

**LEGAL DESCRIPTION:** NORTHERN HIGHLAND BRIDGE LOT 2 BLK 1

**PLANNING DISTRICT:** 15

**PRESENT ZONING:** F5, Green Infra District, Sign: SSD-HV Highland Village

**ZONING CODE REFERENCE:** § 66.931, § 66.945(c): Ford Site Zoning and Public Realm Master Plan Design Requirements G15 & S12

**DATE RECEIVED:** November 18, 2024

**REPORT DATE:** December 7, 2024

**120 DAY DEADLINE:** March 17, 2025      **BY:** David Eide

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- A. **PURPOSE:** The applicant is proposing to construct a mixed-use development on this vacant property in the F5 Business Mixed Zoning District. The development consists of three single-story commercial buildings and a four-story 97 dwelling unit mixed-use building, all of which surround structured off-street parking. Thirteen variances are requested. 1.) A floor area ratio (FAR) minimum of 2.0 is required; 1.0 is proposed, for a variance of 1.0. 2-4.) A building height minimum of 40 feet is required; Retail buildings B and C are proposed to be 15 feet tall each, and retail building D, 12 feet tall, for variances of 25 feet and 28 feet respectively. 5.) A maximum lot coverage of 70% is permitted; 80% is proposed, for a variance of 10%. 6-7.) The Ford Site Zoning and Public Realm Master Plan Design Standard G15 requires at least 30% of the area of the ground floor along addressed sides of the building and sides that face open space to consist of windows and doors or openings; 20% is proposed on the north side of the mixed-use building and 25% is proposed on the north side of retail building D, for variances of 10% and 5% respectively. 8-13.) The Ford Site Zoning and Public Realm Master Plan Design Standard S12 requires the bottom 12 feet of portions of the ground floor along urban center frontage not dedicated to residential units to be a minimum of 65% transparent glazing; 40% is proposed on the north side of the mixed-use building, 55% on the north side of Retail building B, 55% on the north side of Retail building C, 50% on the north side of Retail building D, 45% on the southeast side of the mixed-use building, and 45% on the south side of the mixed-use building; for variances of 25%, 10%, 10%, 15%, 20%, and 20% respectively.

**B. SITE AND AREA CONDITIONS:** This is a new 2.18-acre property on the south side of Ford Parkway between Mount Curve Boulevard and Cretin Avenue South. It is Block 2B of the Highland Bridge (Ford) redevelopment site. Hillcrest Avenue provides vehicular access on the southern side of the site. A civic square is proposed to the east of this property and a pedestrian easement occupies the southeastern side of this property, providing access between the civic square and the portion of Hillcrest that is private.

Surrounding Land Use:

North: Commercial (T2)

East: Proposed Civic Square (F5)

South: Civic Plaza (F5)

West: Vacant – Future Mixed-Use or Commercial (F5)

The full Highland Bridge development plan: <https://www.stpaul.gov/departments/planning-and-economic-development/planning/ford-site-highland-bridge>

**C. ZONING CODE CITATION:**

**Sec. 66.931. Ford district dimensional standards table.**

Table 66.931, Ford district dimensional standards, sets forth density and dimensional standards that are specific to Ford districts. These standards are in addition to the provisions of chapter 63, regulations of general applicability. Where an existing building does not conform to the following requirements, the building may be expanded without fully meeting the requirements as long as the expansion does not increase the nonconformity.

Table 66.931. Ford District Dimensional Standards

Building Type by Zoning District (a)	Floor Area Ratio Min.—Max(j)	Lot Width Min. (feet)	Building Width Max. (feet)	Building Height (feet)		Max. Lot Coverage by Buildings(f)	Building Setbacks (feet)(g)	
				Min.	Max.		ROW(h) Min.—Max.	Interior Min.
<b>F5 business mixed</b>								
Nonresidential or mixed	2.0 - 4.0	n/a	500	40	65 (e)	70%	5 - 15	6 (i)

Min.— Minimum Max.— Maximum ROW— Public Right-of-Way n/a—not applicable

Notes to table 66.931, Ford district dimensional standards:

(e) Building height may exceed sixty-five (65) feet, to a maximum of seventy-five (75) feet, with a minimum ten (10) foot stepback from all minimum setback lines for all portions of the building above a height of thirty (30) feet, except for corner elements and portions of the building facing the civic square identified in the Ford Site Zoning and Public Realm Master Plan, Chapter 8.

(f) Portions of a parking structure that are less than one (1) story above grade, as defined in Section 60.208, and serve as amenity space shall be excluded from lot coverage by buildings in lot coverage calculations. A building that provides Functional Green Roof Area that faces the right-of-way, civic areas, central stormwater feature, and/or city parks as specified in the Ford Site Zoning and Public Realm Master Plan, can receive a one (1) percent lot coverage bonus for every one (1) percent of Functional Green Roof provided, up to a five (5) percent lot coverage

bonus.

(j) Civic and institutional buildings are exempt from the minimum FAR requirement.

**Sec. 66.945. - Ford district general development standards.**

(c) Site plans and other development proposals within the Ford zoning districts shall be consistent with the standards and requirements described in the Ford Site Zoning and Public Realm Master Plan unless the applicant can demonstrate that there are circumstances unique to the property that make compliance impractical or unreasonable.

**Ford Site Zoning and Public Realm Master Plan**

5.2 Site-wide Design Standards

Building Standards

G15. For new Live/Work, Mixed Residential and Commercial, Civic and Institutional, and Commercial & Employment buildings, windows and doors or openings shall comprise at least fifty (50) percent of the length and at least thirty (30) percent of the area of the ground floor along addressed sides of the building and sides that face open space.

**Ford Site Zoning and Public Realm Master Plan**

Urban Center Frontage Standards

*See page 80 of the Ford Site Zoning and Public Realm Master Plan for a map depicting where these frontages are located.*

S12. The building face shall include a minimum of 65% transparent glazing in the bottom 12 feet of the building for portions of the ground floor not dedicated to residential units. See Urban Center/Residential for additional requirements for portions of the ground floor dedicated to residential units.

**D. FINDINGS:**

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

The applicant is proposing to construct a mixed-use development on this vacant property in the F5 Business Mixed Zoning District. The development consists of three single-story commercial buildings and a four-story 97 dwelling unit mixed-use building, all of which surround structured off-street parking. Thirteen variances are requested. 1.) A floor area ratio (FAR) minimum of 2.0 is required; 1.0 is proposed, for a variance of 1.0. 2-4.) A building height minimum of 40 feet is required; Retail buildings B and C are proposed to be 15 feet tall each, and retail building D, 12 feet tall, for variances of 25 feet and 28 feet respectively. 5.) A maximum lot coverage of 70% is permitted; 80% is proposed, for a variance of 10%. 6-7.) The Ford Site Zoning and Public Realm Master Plan Design Standard G15 requires at least 30% of the area of the ground floor along addressed sides of the building and sides that face open space to consist of windows and doors or openings; 20% is proposed on the north side of the mixed-use building and 25% is proposed on the north side of retail building D, for variances of 10% and 5% respectively. 8-13.) The Ford Site Zoning and Public Realm Master Plan Design Standard S12 requires the bottom 12 feet of portions of the ground floor along urban center frontage not dedicated to residential units to be a minimum of 65% transparent glazing; 40% is proposed on the north side of the mixed-use building, 55% on the north side of Retail building B, 55% on the north side of Retail building C, 50% on the north side of Retail building D, 45% on the southeast side of the mixed-use building, and 45% on the south side of the mixed-use building; for variances of 25%, 10%, 10%, 15%, 20%, and 20%

respectively.

The proposed mixed-use development with commercial space and 97 dwelling units is consistent with the purpose and intent of the F5 to provides for a variety of multi-family residential, retail, dining, office and service establishments, with buildings oriented to public rights-of-way, and ground floor activity that transitions between outdoor public spaces and indoor uses. The proposed mixed-use development with the requested variances is consistent with the purpose and intent of Section 60.103 of the zoning code to promote and to protect the public health, safety, morals, aesthetics, economic viability, and general welfare of the community. **This finding is met for all the requested variances.**

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

The 2040 Comprehensive Plan’s Land Use chapter’s general city-wide goals are to increase density and land use diversity at Neighborhood Nodes, focus investment along transit corridors and promote high-quality urban design. Highland Bridge/Ford Site is identified as a Mixed-Use area and Opportunity Site, as well as a Neighborhood Node, which is intended to provide denser concentrations of development. The proposed development is consistent with Land Use policies including:

- LU-5. Encourage flexible building design to ensure ongoing functionality and viability, and to respond to new market opportunities.
- LU-7. Use land use and zoning flexibility to respond to social, economic, technological, market and environmental changes, conditions and opportunities.
- LU-29 to ensure that building massing, height, scale and design transition to those permitted in adjoining districts.

The proposed development is consistent with the guiding principles set forth in the Ford Site Zoning and Public Realm Master Plan to create jobs and increase the tax base, and the Master Plan general design guidelines meant to promote aesthetics and design standards.

While some of the proposed development doesn’t meet the required glazing requirements, the amount of glazing proposed will contribute to a vibrant and active space that allows pedestrians to see into the spaces within the buildings and the activity therein. The variance requests from the glazing requirements is consistent with the Ford Site Zoning and Public Realm Master Plan 5.2 Design Standard G16. Windows shall be designed with punched and recessed openings or other window installations that create a strong rhythm of light and shadow. Glass on windows and doors shall be clear or slightly tinted and allow views into and out of the interior. **This finding is met for all the requested variances.**

*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.*

Highland Bridge Block 2B is an atypical shape, with the southeastern lot line angled. This shape creates difficulties in constructing a building with a floor plate that increases the FAR. In addition, the southeast portion is not buildable, due to a pedestrian easement across it that provides access between the civic square and the civic plaza. The floor area ratio is determined by the lot, however, if considered with block 2C and 2D, the floor area ratio

would be 1.7, which is closer to the required minimum of 2.0. Block 2A is not yet built upon, however, it could be a higher density with greater FAR. The applicant is proposing to construct structured parking in the middle of the site. If that structured parking were included in the FAR calculation, then the block would comply with the FAR requirement. The shape of the lot, pedestrian easement, and overall nature of the development with higher density blocks providing a greater average create practical difficulties in complying with the FAR provision for this specific property. The proposed FAR is reasonable given the surrounding context and it is sensible to examine these items from an overall block perspective rather than being parcel specific.

Regarding the height variance requests, the mixed-use building complies with the 40' height minimum. The applicant is proposing to construct three single-story commercial buildings along Ford Parkway. The property is sloped, with Ford Parkway being at a lower elevation. These three buildings, labeled B, C, and D, are proposed to be 15 feet, 15 feet, and 12 feet tall respectively. These buildings are oriented towards Ford Parkway and are at a lower elevation to relate to Ford Parkway better than if they were higher. In addition, creating 40' tall buildings with footprints of these sizes would not be reasonable. The smaller nature of these buildings with pedestrian passageways supports the activation of Ford Parkway, as users of the building will be able to approach from Ford Parkway or the pedestrian cut throughs between the buildings to access from the rear.

Regarding lot coverage, the applicant proposes the buildings to cover 80%, when 70% is the permitted maximum. The parking facility does not count towards the FAR minimum; however, it does count towards the lot coverage maximum. This proposed structured parking sits in the middle of the site between the proposed buildings. The applicant could also create a smaller structure that is taller, however, this structure would likely obstruct pedestrian traffic moving between Ford Parkway and Hillcrest and be more visually prominent than is proposed. The proposed solution is reasonable given the site's grade, shallow bedrock, and perched water table. In addition, if block 2B and 2C were analyzed together, they would be at 63%, which would be in compliance with the requirement.

The Ford Site Zoning and Public Realm Master Plan Design Standard G15 requires at least 30% of the area of the ground floor along addressed sides of the building to be doors/openings. For the mixed-use building (building A), 20% is proposed, and for building D, 25% is proposed. The proposed buildings along Ford Parkway have been designed to allow pedestrian permeability through the site. The applicant is proposing a consistent façade along Ford Parkway that allows for demising the interior spaces. The overall layout of the property, with pedestrian permeability and smaller buildings, created the smaller commercial spaces. This led to the need for non-window space to add demising walls, which creates practical difficulties in complying with the 30% requirement for the north side of the mixed-use building and building D. In addition, a greater amount of the building D façade is exposed due to the slope of the property and necessary accessible ramp, creating access between Ford Parkway and the buildings. The grades on the site create practical difficulties in complying with the provision for that façade.

The Ford Site Zoning and Public Realm Master Plan Design Standard S12 requires the bottom 12 feet of portions of the ground floor along urban center frontage not dedicated to residential units to be a minimum of 65% transparent glazing. The applicant is proposing

traditional storefront facades, with a reasonable amount of glazing, given the small size of the commercial spaces. The proposal creates a consistent façade along urban center frontages, while providing areas to demise the spaces into smaller spaces, should it be necessary. The change in grade throughout the lot led to the smaller building sizes. This is a unique circumstance to the property not created by the landowner. **This finding is met for all the requested variances.**

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

The grades on the property, slope of Ford Parkway, shallow bedrock, and perched water table have driven the design of the development, and accordingly, the requests pertaining to the floor area ratio, building heights, lot coverage maximum and glazing requirements are due to circumstances unique to the property not created by the landowner. **This finding is met for all the requested variances.**

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

A mixed-use development is permitted in the F5 business mixed district. Granting the requests would not permit a use that is not allowed in the zoning district. **This finding is met for all the requested variances.**

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

The Highland Bridge area is planned for several types of uses including office and mixed-use, multi-family residential, congregate living and senior housing, rowhomes, parks and civic spaces. The Ford zoning districts provide a variety of building types, density and dimensional standards throughout the site. This new development, including the proposed Floor Area Ratio, building heights, lot coverage, and proposed window/door openings will not alter the essential character of the neighborhood. **This finding is met for all the requested variances.**

- E. **DISTRICT COUNCIL RECOMMENDATION:** Staff received a resolution from the District 14 – Highland District Council Community Development Committee supporting the requested variances.
- F. **CORRESPONDENCE:** Staff did not receive any correspondence regarding these requests.
- G. **STAFF RECOMMENDATION:** Based on findings 1 through 6, staff recommend approval of the requested variances.