



CITY OF SAINT PAUL

DEPARTMENT OF SAFETY AND
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Board of Zoning Appeals

Staff Report

TYPE OF APPLICATION: Major Variance **FILE #**19-026900
APPLICANT: MCR Property Holdings LLC
HEARING DATE: June 3, 2019
LOCATION: 2150 Grand Avenue
LEGAL DESCRIPTION: SUMMIT WOOD LOT 38
PLANNING DISTRICT: 14
PRESENT ZONING: RM2; Sign-Grand
ZONING CODE REFERENCE: 66.231(c)
REPORT DATE: April 12, 2019 **BY:** Jerome Benner II
DATE RECEIVED: March 20, 2019 **DEADLINE FOR ACTION:** July 17, 2019

A. PURPOSE: The applicant is proposing to construct a multi-family development consisting of four, four-bedroom units. The following variances are being requested. 1) The zoning code requires a minimum lot size of 9,000 square feet for developments consisting of three or more dwelling units; the existing lot size is 6,388 square feet for a variance request of 2,612 square feet. 2) Off-street parking must be a minimum of 4' from any lot line. A setback of 0' is proposed in rear yard along the alley and 2' from the west property line for a variance request of 4' and 2' respectively.

B. SITE AND AREA CONDITIONS: This is a 40' x 149.7' lot with access to a detached, two-car garage in the rear yard.

Surrounding Land Use: This area consists predominately of multi-family dwellings with some low-density, one- and two-family dwellings.

C. BACKGROUND:

Sec. 66.231(c) Residential District Dimensional Standards. No multiple-family dwelling shall be built, nor shall additional dwelling units be added to an existing building to create three (3) or more dwelling units, on a lot that is less than nine thousand (9,000) square feet in area.

63.312 Setback. Off-street parking spaces shall not be within a required front or side yard and shall be a minimum of four (4) feet from any lot line.

D. FINDINGS:

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

The applicant is proposing to demolish an existing single-family dwelling and construct a multi-family development consisting of four bedrooms in each unit with two bathrooms.

Based on the number of bedrooms in each unit, eight off-street parking spaces are required. The proposed site plan indicates there will be bicycle parking which allows for the reduction of one parking space pursuant to Sec.63.207(b), bringing the total of number of required spaces to seven, which will be provided in the rear yard.

The zoning code states that no multiple-family dwelling shall be built, nor shall additional dwelling units be added to an existing building to create three (3) or more dwelling units, on a lot that is less than nine thousand (9,000) square feet in area.

The existing lot size is 6,388 square feet and does not have sufficient lot area to meet the requirement, resulting in the requested variance.

The zoning code requires a minimum setback of 4' from any lot line; a setback of 0' is proposed in rear yard along the alley and 2' from the west property line for a variance request of 4' and 2' respectively.

The RM2 medium-density multiple-family residential district is intended to provide for more extensive areas of multiple-family residential development as well as uses that serve the needs of the multiple-family residential districts. It is intended to provide for comprehensive development of multiple-family uses and a balance of population concentration near major thoroughfares, transit, and related facilities.

This property is located within ¼ mile of a commercial node at the corner of Cleveland and Grand Avenues, near high frequency bus lines, and the University of St. Thomas Campus. The proposed development meets the intent of the zoning district and is harmony with the general purposes and intent Sec. 60.103 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
- to provide housing choice and housing affordability;
- to lessen congestion in the public streets by providing for off-street parking of motor vehicles.

This finding is met for all requested variances.

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

The Housing Section H2.5 of the Macalester-Groveland Community Plan, an addendum to the Comprehensive Plan, supports multi-unit development on the Grand Avenue corridor and promotes a range of housing types and affordability to meet the needs of all people throughout their life and changing lifestyle needs. The proposed multi-unit building increases the density on this property from a one-family dwelling to four units.

Furthermore, the Land Use Section LU1.2 calls for the maintenance of zoning that encourages compact development along mixed-use corridors. This property is zoned RM2 along the Grand Avenue mixed-use corridor and this development is consistent with this neighborhood Plan. This finding is met for all 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.*

Generally, the RM2, medium-density zoning district requires 1,500 square feet of lot area per unit, however, no multiple-family dwelling shall be built, nor shall additional dwelling units be added to an existing building to create three (3) or more dwelling units, on a lot that is less than nine thousand (9,000) square feet in area.

The primary reason for the 9,000 square foot requirement is to ensure that multi-family buildings are proportional to the size of the lot and can accommodate additional parking. The proposed development meets all setbacks, lot coverage, and the required number of off-street parking spaces with a building footprint of only 21% of the lot.

The only use that could be permitted without any variances would be a single-family dwelling, which would not be suitable due to the large apartment buildings on the abutting parcels that could dwarf a single-family dwelling. It is difficult to construct a building that fits with the existing built environment and the intent of the zoning district when the size of the lot does not permit a suitable use.

The purpose of providing setbacks is to ensure buildings are not impeding on the abutting properties, that there is adequate access to light and air, and any accessory uses such as parking, is proposed within reason.

The proposed building meets the required setback of 9', however, the parking lot would have a setback of 2' from the side property line and 0' setback along in rear yard.

In order to provide adequate maneuvering of vehicles, a 20' drive width aisle is required, which subsequently lessens required setbacks. Furthermore, the two abutting lots have large off-street parking structures which would be aligned with the parking lot proposed for this site. A parking lot next to structured parking is reasonable and would not negatively impact adjacent properties. There is an alley between the parking lot and the abutting residential properties, which, in turn, serves as a buffer between the residential uses, meeting the intent of the 4' rear yard setback.

This finding is met for all requested variances.

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

The proposed development meets the 1,500 square feet of lot area per unit requirement, which indicates that the property is of a sufficient size based on the number of units, but does not have additional lot area required, a circumstance unique to the property not created by the land owner. It is a unique circumstance to this property that a building cannot be developed that aligns with the nearby residential structures.

This finding is met for all requested variances.

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

The proposed development is an allowed use in the RM2, multi-family residential zoning district. This finding is met for all requested variances.

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

There are two apartment buildings on either side of this lot and the proposed use will not alter the essential character of the neighborhood. This finding is met for all requested variances.

E. **DISTRICT COUNCIL RECOMMENDATION:** District 14, Macalester Groveland Community Council has provided a letter of support.

F. **CORRESPONDENCE:** Staff received two letters letter of opposition from the property owners at 2128 Lincoln Avenue.

G. **STAFF RECOMMENDATION:** Based on findings 1 through 6, staff recommends approval of the requested variances.