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 #: 24-096392**
APPLICANT:	**Ryan Companies US, Inc. (Sean Ryan)**
HEARING DATE:	**December 9, 2024**
LOCATION:	**0 Cretin Avenue South (Highland Bridge Block 2C)**
LEGAL DESCRIPTION:	**NORTHERN HIGHLAND BRIDGE LOT 3 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**
DEADLINE FOR ACTION:	**January 16, 2025 BY: David Eide**

A. **PURPOSE:** The applicant is proposing to construct a commercial building on this vacant property in the F5 Business Mixed District. Six zoning variances are requested: 1.) A floor area ratio (FAR) minimum of 2.0 is required; a FAR of 0.3 is proposed, for a variance of 1.7. 2.) A minimum building height of 40 feet is required; 18 feet is proposed, for a variance of 22 feet. 3.) The Ford Site Zoning and Public Realm Master Plan Design Standard G15 requires 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 to consist of windows and doors or openings for new commercial buildings; 40% of the length and 15% of the area is proposed along the south side, for variances of 10% and 15% respectively. 4-6.) The Ford Site Zoning and Public Realm Master Plan Design Standard S12 requires the bottom 12 feet of portions of the ground floor not dedicated to residential units along urban center frontage to be a minimum of 65% transparent glazing; 50% is proposed for the northern façade, 45% is proposed for the eastern façade, and 25% is proposed for the northwest façade, for variances of 15%, 20%, and 40% respectively.

B. **SITE AND AREA CONDITIONS:** This is a new 0.77-acre property on the west side of Cretin Avenue South between Ford Parkway and private Hillcrest Avenue. Hillcrest Avenue is proposed to provide vehicular access on the southern side of the site. A civic square is proposed to the north of this property and a pedestrian easement occupies the northwestern side of this

property, providing access between the civic square and the portion of Hillcrest that is private.

Surrounding Land Use:
North: Proposed Civic Square (F5)
East: Mixed-Use (F5)
South: Mixed-Use – Senior Housing (F5)
West: Vacant – Proposed Mixed-Use (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.
F5 business mixed								
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 commercial building on this vacant property in the F5 Business Mixed District. Six zoning variances are requested: 1.) A floor area ratio (FAR) minimum of 2.0 is required; a FAR of 0.3 is proposed, for a variance of 1.7. 2.) A minimum building height of 40 feet is required; 18 feet is proposed, for a variance of 22 feet. 3.) The Ford Site Zoning and Public Realm Master Plan Design Standard G15 requires 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 to consist of windows and doors or openings for new commercial buildings; 40% of the length and 15% of the area is proposed along the south side, for variances of 10% and 15% respectively. 4-6.) The Ford Site Zoning and Public Realm Master Plan Design Standard S12 requires the bottom 12 feet of portions of the ground floor not dedicated to residential units along urban center frontage to be a minimum of 65% transparent glazing; 50% is proposed for the northern façade, 45% is proposed for the eastern façade, and 25% is proposed for the northwest façade, for variances of 15%, 20%, and 40% respectively.

The proposed commercial building is consistent with the purpose and intent of the F5 business mixed district to provide for a variety of multi-family residential, retail, dining, office and service establishments, with buildings oriented to public right-of-way, and ground floor activity that transitions between outdoor public spaces and indoor uses. The proposed commercial building 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 the proposed building doesn't meet the required glazing requirement, the amount of glazing proposed will contribute to a vibrant and active space that allows pedestrians to see into the spaces within the building and the activity therein. The variance request from the glazing requirement is consistent with the Ford MP 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.*

   The property is an abnormal shape, with a pedestrian easement across the northwestern side of the site, which provides pedestrian access between the proposed civil square to the north and the civil plaza to the southwest. The property to the north is proposed to be a civil square. The pedestrian easement portion of the site is not usable for construction of the building. These elements created this unique shape that create difficulties to construct a building that complies with the floor area ratio requirement. In addition, when examining this lot with Block 2B and 2D, the FAR is approximately 1.7 FAR, which is close to the allowable FAR for the F5 district. With the development of 2A, the overall development's floor area ratio could increase further. The size, shape of the property, and the shallow bedrock along with the 5-foot grade change across the property create practical difficulties in complying with the floor area ratio requirement.

   Regarding building height, the proposed building provides for building height interest, providing relief from the building to the east, which was granted a building height variance to

be over the maximum and the taller building to the south and the proposed four-story building to the west. The height is similar to the proposed retail buildings on Block 2B. The proposed 18-foot-tall building height is reasonable for this property. The shape, size, and slope on the property are circumstances unique to the property, not created by the landowner.

Ford Site Zoning and Public Realm Master Plan Design Standard G15 requires that "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." The parcel, with essentially four sides that require high-quality design and no "back area" make designing a building with window and doors or opening requirements difficult, given the typical requirements for back of house spaces. The proposed facades are consistent with what is proposed on block 2B. The unique four-sided nature of the property creates practical difficulties in complying with Ford Site Zoning and Public Realm Master Plan Design Standard G15 and S12. **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 unique shape of the property, with four frontages to activate, along with the shallow bedrock and slope on the property are 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 commercial building is permitted use 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 height, and proposed 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.