



ZONING VARIANCE APPLICATION

To Board of Zoning Appeals

Dept. of Safety & Inspections
Zoning Section
375 Jackson St., Suite 220
Saint Paul, MN 55101-1806
(651) 266-9008

To Planning Commission

Dept. of Planning & Econ. Dev.
Zoning Section
1400 City Hall Annex, 25 W 4th St.
Saint Paul, MN 55102-1634
(651) 266-6583

Zoning Office Use Only

File # 23-035038

Fee Paid \$ 856.00

Received By / Date D. Eide - 4/24/2023

Tentative Hearing Date 5/15/2023

APPLICANT

Name 2285 Hampden LLC (c/o Thomas Nelson, Exeter Management LLC)

(must have ownership or leasehold interest in the property, contingent included)

Address 2303 Wycliff St, Suite W200 City St Paul State MN Zip 55114

Email thomasmnelson@mac.com Phone 612.805.9369

Name of Owner (if different) _____ Email _____

Contact Person (if different) _____ Email _____

Address _____ City _____ State _____ Zip _____

PROPERTY INFO

Address / Location 2285 Hampden Ave, St Paul, MN 55114

PIN(s) & Legal Description 292923420153
(attach additional sheet if necessary)

See attached Survey Lot Area 1.72 Acres Current Zoning L1

VARIANCE REQUEST: Application is hereby made to the Board of Zoning Appeals (or to the Planning Commission with another zoning application) for variance from the following section(s) of the Zoning Code 1) 65.143(b) and 2) 66.531(c). State the requirement and variance requested. 1) Increase the percentage of residential uses on the first floor; and 2) Reduce Front Yard Setback for portion of property from 25' to 9'. SHEETS ATTACHED via email to: DSI-ZoningReview@stpaul.gov and david.eide@stpaul.gov

SUPPORTING INFORMATION: Explain or demonstrate the following. Attach additional sheets if necessary.

1. Practical difficulties in complying with the provision of the code from which a variance is requested, and that the property would be used in a reasonable manner not permitted by the provision.

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

3. The variance will not permit any use that is not allowed in the zoning district in which the property is located.

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

☐ Required site plan is attached

☐ If you are a religious institution you may have certain rights under RLUIPA. Please check this box if you identify as a religious institution.

Applicant's Signature Thomas M. Nelson Date April 24, 2023

April 24, 2023

City of Saint Paul
Department of Safety & Inspections
Board of Zoning and Appeals
VIA EMAIL: DSI-ZoningReview@stpaul.gov

RE: 2285 Hampden LLC (the "Owner")
2285 Hampden Ave, Saint Paul MN (the "Site")

Background:

Owner, in conjunction with its affiliate, Exeter Management LLC ("Exeter"), is seeking to build five (5) stories and approximately 150 units of affordable housing with 2,470 square feet of first floor commercial space on the 1.7-acre Site. The zoning is I-1, Light Industrial, which allows for residential uses subject to 80% of the first floor being allowable non-residential use(s). The Owner is seeking variances for reduction of the percentage of first floor non-residential use from 80% to 6.5% and reduction of the front yard setback from 25' to 9' for approximately 50% of the front facade, consistent with neighboring buildings.

Owner has met with the District-12 Saint Anthony Park Community Council ("SAPCC") to discuss the concept of adding affordable housing and improving walkability in the transitioning neighborhood which was met favorably. Owner will also seek written support for the specific variance requests contained herein.

The Site is ideally situated for continuation of the area's market driven growth in harmony with the 2040 Saint Paul Comprehensive Plan (the "Comp Plan") and local area plans that encourage high density residential development focused around access to transit, walkability and housing choice.

In addition to the Comp Plan, the Site is guided by a variety of local groups and area plans including the SAPCC, the Creative Enterprise Zone and the West Midway Industrial Area Plan. It is also across the street from the neighborhood guided by the transit-oriented Raymond Station Area Plan.

The Site is centrally located between Minneapolis and Saint Paul and within ½ mile of multiple transportation options including the Raymond Avenue LRT, multiple bus routes on University and Raymond Avenues and The Grand Round bicycle trail. It is also a ¼ mile from both Hampden and South Saint Anthony neighborhood parks and within ½ mile of the University and Raymond commercial area. The neighborhood has seen substantial development and adaptive re-use for residential and commercial uses over the last decade.

Owner purchased the Site in 2017 with the intention of re-developing for commercial use, however pre-covid marketing efforts to attract interest were challenging and became even more difficult during and after the pandemic. The requested variance would allow a long-vacant and underutilized site to be repurposed for its highest and best use in response to the reality of changing market conditions, the needs of the community and guidance from comprehensive and local area land use planning.

Yours truly,
EXETER MANAGEMENT LLC

PROPOSED FINDINGS FOR ZONING APPLICATION VARIANCE REQUEST 1 OF 2
2285 HAMPDEN AVE WEST, SAINT PAUL MN

Variance to Increase Residential Uses of Ground Floor Supporting Information
Reducing minimum non-residential principal use from 80% to 6.5%

1. *Practical difficulties in complying with the provision of the code from which a variance is requested, and that the property would be used in a reasonable matter not permitted by the provision.*
 - a. The demand for commercial space post-pandemic is limited, and at this specific site location has proven non-existent over an extensive seven (7) year marketing period. Adding more new commercial space to a site that has demonstrated no demand would be impractical. Residential use, however, which is allowed by code and exists directly across the street, will add housing choice and improve the pedestrian nature in this transitioning neighborhood. A more appropriate amount of first level commercial space dictated by the reality of market conditions will be retained and be consistent with precedent variances in the area. The site is ideally suited for a multifamily residential project with its proximity to neighborhood parks, the Green Line and University Avenue. The variance request is in harmony with the general purpose and intent of the zoning code.
2. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*
 - a. The plight of the landowner is not a consideration of this requested variance to increase the residential uses at the ground floor. The variance request is guided by the highest and best use of the site as a residential dominated development, as allowed by code, with modest commercial uses on the ground floor so as not to have a continuation of the vacant (dark) commercial space that currently exists and negatively impacts the larger neighborhood.
3. *The variance will not permit any use that is not allowed in the zoning district in which the property is located.*
 - a. The variance will not permit any use that is not allowed in the zoning district and is in harmony with the fundamental goals of the *Saint Paul 2040 Comprehensive Plan's Land Use* section. See Appendix C, page 70:

Appendix C - Figure LU-7: Summary of Policies Organized by Goal

Goal	Policies
1. Economic and population growth focused around transit.	LU-1; LU-22; LU-35; LU-55
2. Neighborhood Nodes that support daily needs within walking distance.	LU-23; LU-30; LU-31; LU-32; LU-33
3. Equitably-distributed community amenities, access to employment and housing choice.	LU-3; LU-16; LU-19; LU-20; LU-34; LU-36; LU-37; LU-42
4. Strong connections to the Mississippi River, parks and trails.	LU-21; LU-40; LU-41; LU-49
5. Infrastructure for all ages and abilities.	LU-38; LU-39; LU-54
6. Equitable, adaptable and sustainable land use and development patterns and processes.	LU-5; LU-7; LU-8; LU-12; LU-13; LU-14; LU-15; LU-17; LU-27; LU-29; LU-43; LU-47; LU-48; LU-50; LU-51; LU-52; LU-56; LU-60; LU-61
7. Quality full-time jobs and livable wages.	LU-2; LU-6; LU-24; LU-26; LU-44; LU-45; LU-46; LU-53; LU-57; LU-58; LU-59
8. People-centered urban design.	LU-4; LU-9; LU-10; LU-11; LU-18; LU-25; LU-28

- b. The variance is also consistent with the intention of the *West Midway Industrial Area Plan* which supports conversion of industrial uses in the area if dictated by market conditions, provided they are high-density and proximate to regional transportation. See paragraph PI-1, page 18 of the *West Midway Industrial Area Plan* below:

“PI-1 Retain and Protect Current Industrial Land from Conversions to Non-Industrial Uses:

It is vital to protect the industrial economy in a way that balances competing land uses while preserving industrial business growth. There will be instances when the market dictates that conversion from industrial to another use is optimal. Such conversions should be considered carefully.

- a. The City should only convert industrially zoned lands to non- industrial uses only in circumstances where development will be high density (either jobs or residential) and proximate to regional transportation.”

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

- a. The proposed variance is in keeping with the essential character of the neighborhood. It would not alter, but move in alignment with the transitioning, mixed-use area, as well as in alignment with the long-term goals of the City and neighborhood to bring additional housing choice and improved public pedestrian-oriented streetscapes adjacent to the major transit lines.

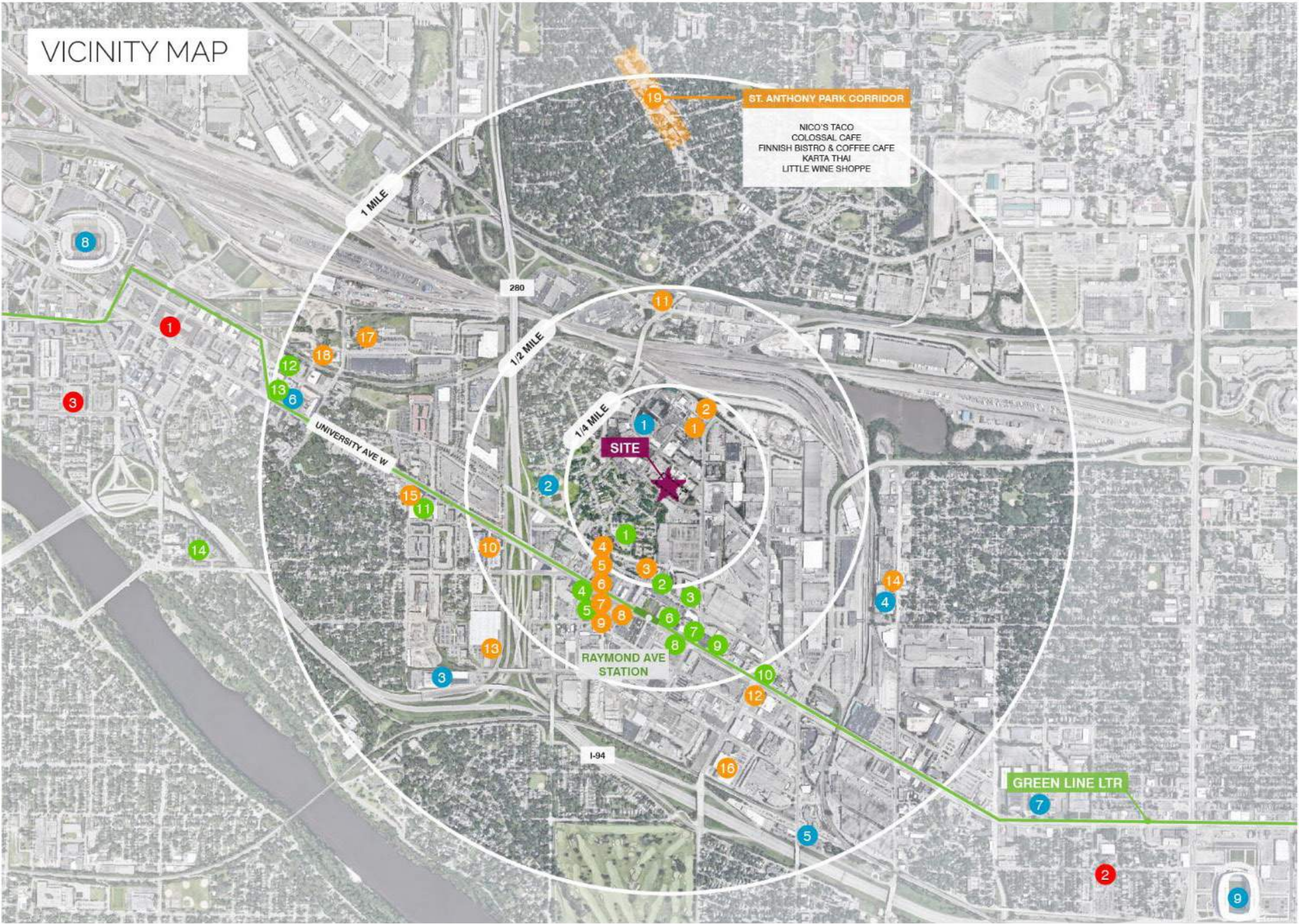
PROPOSED FINDINGS FOR ZONING APPLICATION VARIANCE REQUEST 2 OF 2
2285 HAMPDEN AVE WEST, SAINT PAUL MN

Variance to Reduce the required Front Yard from 25' to 9'
(due to RM-2 zoning district across Hampden Ave)

1. *Practical difficulties in complying with the provisions of the code from which a variance is requested, and that the property would be used in a reasonable manner not permitted by the provision.*
 - a. The site is located in an I-1 zoning district where no front yard building setback is required unless the property is across from RM-2 zoning, as is the case here, then the front yard setback requirement is 25'. Approximately 50% of the front yard building façade will be within the requirement because of the two courtyards that are open to the front yard public right of way. The variance request for 9' for the balance of the front façade would make it consistent with the existing structures to the west and using CPTED (crime prevention through environmental design) to create a safer public experience along Hampden Ave. The variance is in harmony with the general purpose and intent of the zoning code.
 - b. The West Midway Industrial Area Plan notes this stretch of Hampden Avenue is a "Vulnerable Land Use Edge" calling for improved buffering as a "key tool" in reducing residential/industrial conflicts (see pages 30 and 36, item SD 1-20). The project placement on the site would improve buffering with approximately 50% of the front yard setback greater than the minimum of 25' and the balance at 9' with enhanced landscaping and a pedestrian sidewalk.
 - c. The density of the proposed development is approximately 88 DU/Acre which is consistent with the goals of the Comp Plan and the local area plans that call for high density residential development proximate to regional transportation. In order to achieve the density, the 5-story project requires elevators and, therefore, a connected floorplate to allow for accessibility.
2. The plight of the landowner is due to circumstances unique to the property not created by the landowner.
 - a. The plight of the landowner is not a consideration of this requested variance to reduce portions of the front yard. The variance request is guided by the highest and best use of the

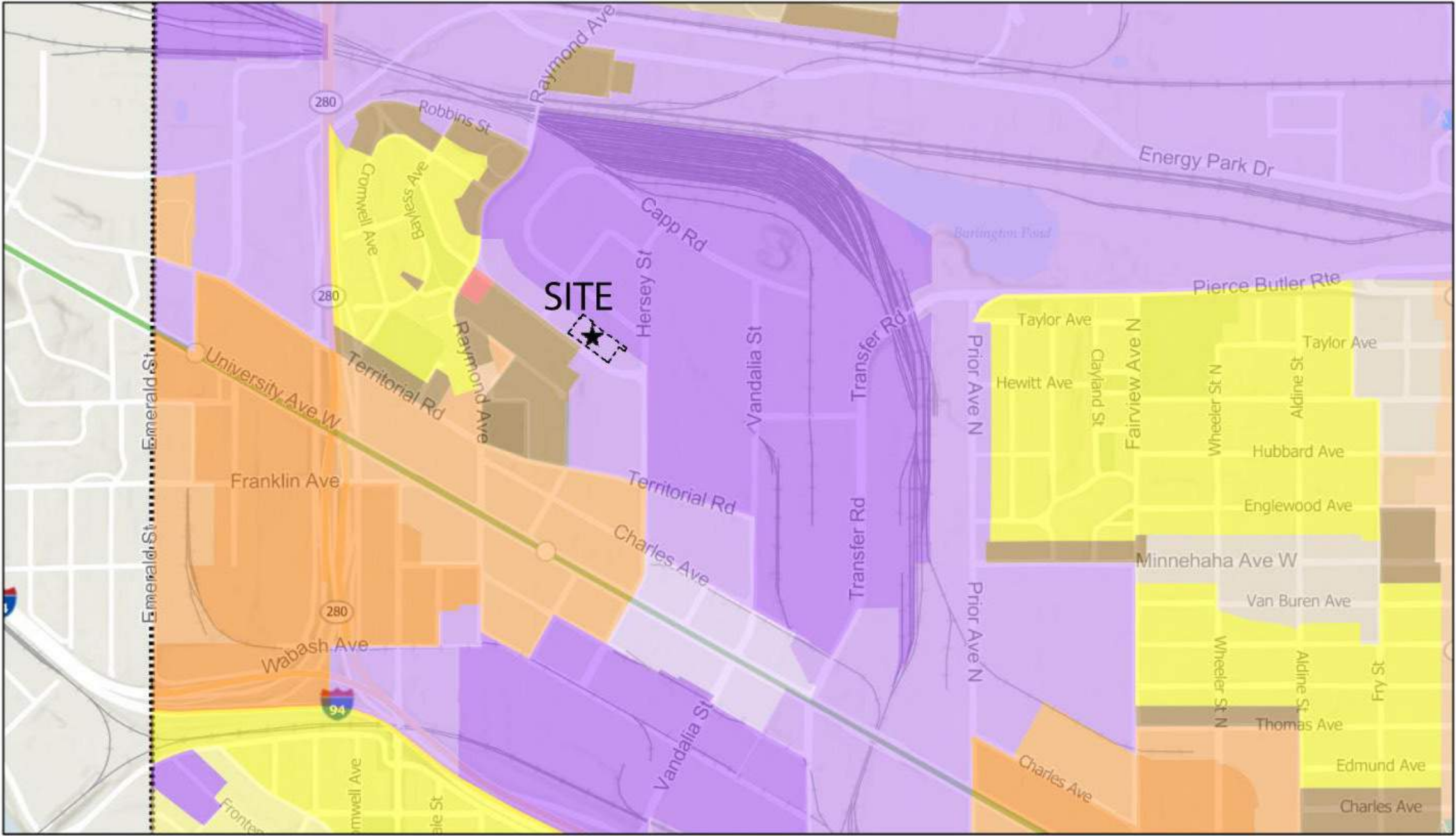
site as a residential dominated development, allowed by code, with modest commercial uses on the ground floor so as not to have vacant (dark) commercial space that negatively impacts the larger neighborhood.

3. The variance will not permit any use that is not allowed in the zoning district in which the property is located.
 - a. The proposed variance will not permit any use that it not allowed in the zoning district.
4. The variance will not alter the essential character of the surrounding area.
 - a. The proposed variance is in keeping with the essential character of the neighborhood. It would not alter, but move in alignment with the transitioning, mixed-use area, as well as in alignment with the long-term goals of the City and neighborhood to bring additional housing choice and improved public pedestrian-oriented streetscapes adjacent to the major transit lines as previously noted.



Restaurants		
1.	Urban Growler Brewing Company	0.17
2.	Bang Brewing Company	0.20
3.	Dogwood Coffee Bar	0.22
4.	Foxy Falafel	0.23
5.	Keys Cafe & Bakery	0.28
6.	Workhorse Coffee Bar	0.30
7.	The Naughty Greek	0.32
8.	Cafe Biaggio	0.33
9.	Dual Citizen Brewing Company	0.35
10.	Egg & I	0.46
11.	Pho 79	0.48
12.	The Dubliner	0.57
13.	The Lab Taproom	0.59
14.	Blackstack Brewing	0.60
15.	Hodges Bend	0.63
16.	Lake Monster Brewing Company	0.73
17.	Surly	0.82
18.	Malcom Yards Market	0.92
19.	St. Anthony Park Corridor	0.97
Apartment Buildings		
1.	Seal Hi-Rise	0.18
2.	The Ray	0.25
3.	Union Flats Apartments	0.30
4.	C&E Lofts	0.32
5.	C&E Flats	0.35
6.	Carleton Artists Lofts	0.35
7.	The Lyric	0.38
8.	Platform	0.41
9.	2225 University Ave	0.41
10.	U.S Bank Re-Development	0.55
11.	2700 University Ave	0.62
12.	Green on 4th	0.97
13.	The Link	0.99
14.	22 on the River	1.26
Health		
1.	MN Health Fairview Children's Clinic	1.31
2.	MN Health Fairview Midway Campus	1.46
3.	MN Health Fairview Primary Care	1.52
Other		
1.	Skybox St. Paul	0.11
2.	South St. Anthony Recreation Center	0.29
3.	Vertical Endeavors	0.74
4.	Can Can Wonderland	0.80
5.	CrossFit St. Paul	0.95
6.	Fresh Thyme Farmers Market	0.99
7.	St. Paul Midway YMCA	1.24
8.	TCF Bank Stadium	1.63
9.	Allianz Field	1.73

ArcGIS Web Map



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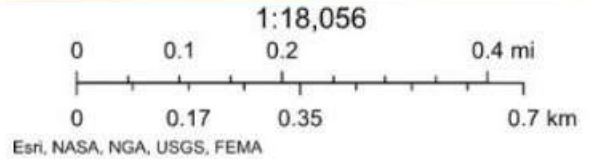
Principal Zoning

- R3 One-Family
- R4 One-Family
- RT1 Two-Family

- RT2 Townhouse
- RM2 Multiple-Family
- RM3 Multiple-Family
- T2 Traditional Neighborhood

- T3 Traditional Neighborhood
- T4 Traditional Neighborhood
- B2 Community Business
- IT Transitional Industrial

- I1 Light Industrial
- I2 General Industrial
- VP Vehicular Parking



Esri, NASA, NGA, USGS, FEMA | For more information on these zoning designations, contact PED Principal City Planner for Zoning Allan Torstenson at 651-266-6579 or allan.torstenson@ci.stpaul.mn.us.

ArcGIS Web AppBuilder

AERIAL VIEW



AERIAL VIEW



SITE

BRADFORD STREET

WYCLIFF STREET

HAMPDEN AVENUE W

HERSEY STREET

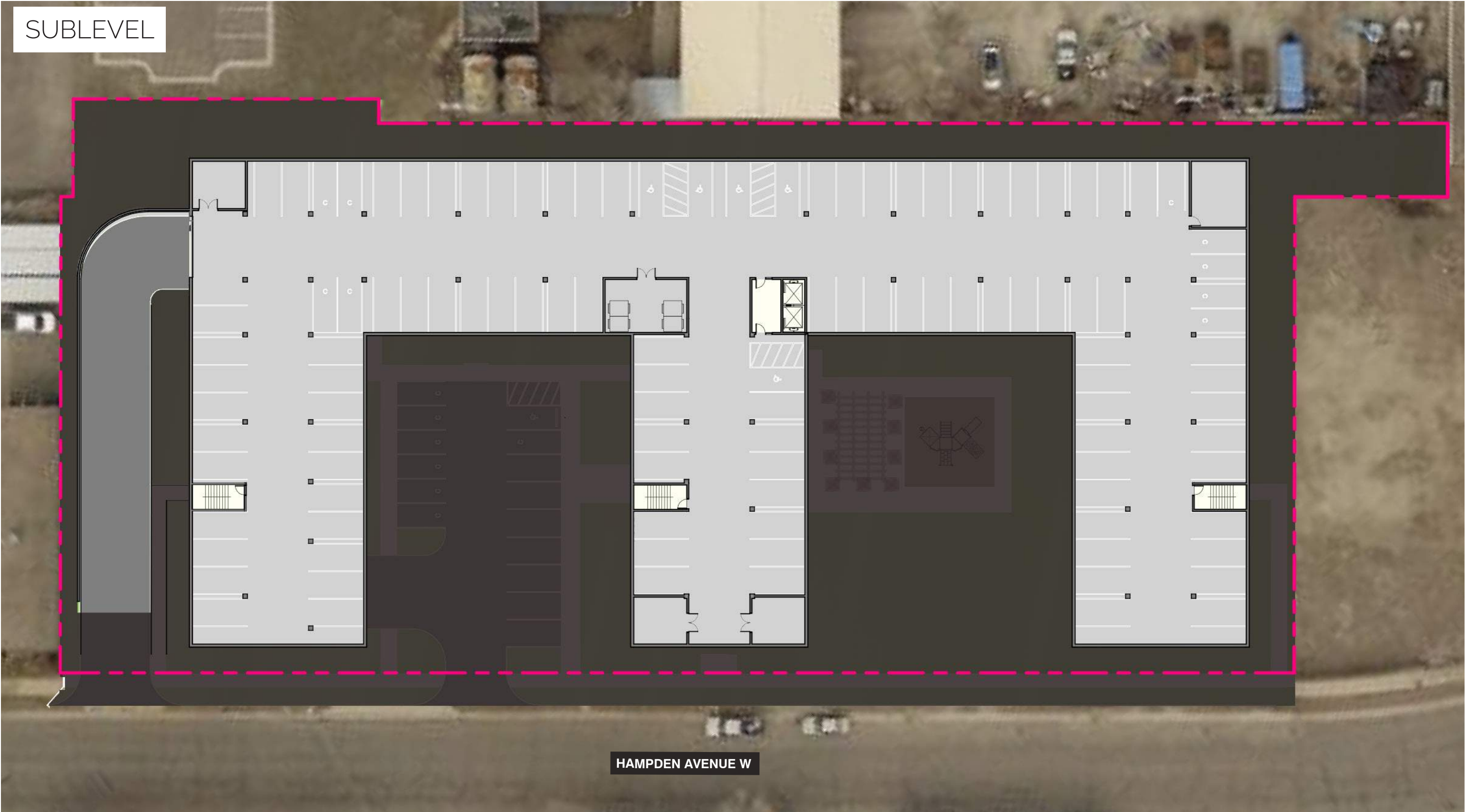
LEVEL 1



LEVELS 2-5



SUBLEVEL



DEVELOPMENT SUMMARY: Exeter - 2285 Hampden

Updated 2023-04-10

DESCRIPTION	TOTAL	PARKING				COMMERCIAL	RESIDENTIAL					
	Gross SF	Parking GSF	Structured Parking	Surface Parking	Total Parking	Commercial GSF	Residential GSF	Amenity	NLSF	Efficiency	Residential Parking	Residential Units
S1 Sublevel Parking	38,023	37,249	111	-	111	-	774	-	-	-	111	-
1 Lobby / Parking / Units	37,354	8,800	26	15	41	2,470	26,084	5,653	15,936	61%	41	18
2 Units / Amenity	37,354						37,354		29,136	78%		33
3 Units	37,354						37,354		29,136	78%		33
4 Units	37,354						37,354		29,136	78%		33
5 Units	37,354						37,354		29,136	78%		33
	224,793 Gross SF	46,049 Parking GSF	137 Structured Parking	15 Surface Parking	152 Total Parking	2,470 Commercial GSF	176,274 Residential GSF	5,653 Amenity	132,481 NLSF	75% Efficiency	152 Residential Parking	150 Residential Units

METRICS

Site SF	74,255	SF
Site Acreage	1.70	Acres
Dwelling Units	150	DU
Dwelling Unit per Acre	88	DU/Acre
Residential Parking Ratio Per Unit	1.01	Stalls/Unit
Residential Parking Ratio Per Bedroom	0.54	Stalls/Bed
FAR	2.41	

RESIDENTIAL MIX					
Unit Type	Mix	Qty	Total Beds	Avg Unit NLSF	Total NLSF
Studio	6%	9	9	520	4,680
1 BR	21%	32	32	650	18,751
2 BR	58%	87	174	950	82,650
3 BR	15%	22	66	1,200	26,400
	100%	150	281	895	132,481

ELEVATIONS

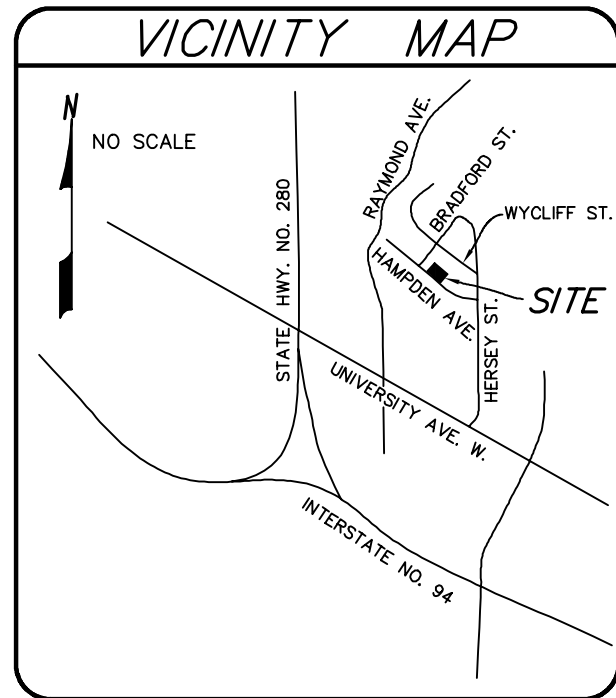


ELEVATIONS









DESCRIPTION OF PROPERTY SURVEYED

(Per Old Republic National Title Insurance Company Commitment for Title Insurance File No. 53517DD#, commitment date November 3, 2019, Issued by Commercial Partners Title, LLC)

Parcel 1:

Southeasterly 4 feet of Lot 4 and all of Lots 5, 6, 7, 8, 9, 10, 11 and 12, Block 73, St. Anthony Park, according to the recorded plat thereof.

Ramsey County, Minnesota
Abstract and Torrens Property

Parcel 2:

The Southwesterly 8 feet of Lots 5 and 6, Block 72, St. Anthony Park, according to the recorded plat thereof, Ramsey County, Minnesota.

AND

All the land known and marked as "Private Railroad Alley" on the plat of St. Anthony Park, according to the recorded plat thereof, Ramsey County, Minnesota, between Blocks 72 and 73, which lies Northwesterly of the Southwesterly extension of the Northwesterly line of Lot 14, said Block 72, and lies Southeasterly of the Southwesterly extension of the Southeasterly line of said Lot 4, Block 72.

Ramsey County, Minnesota
Abstract Property

PLAT RECORDING INFORMATION

The plat of St. Anthony Park was filed of record on April 30, 1885, in Book X of Plats, page 3.

TITLE COMMITMENT

Old Republic National Title Insurance Company Commitment for Title Insurance File No. 53517DD#, commitment date November 3, 2019, Issued by Commercial Partners Title, LLC, was relied upon as to matters of record.

Schedule B Exceptions:

① Exceptions are indicated on survey with circled numbers unless otherwise noted. Items not listed below are standard exceptions and/or are not survey related.

11.) Subject to an easement over and across the Northerly 10 feet in width across said Lot 4 for use of present and future owners of Lots in said Block for Railway switching purposes forever, as set forth in indenture filed July 22, 1903, in Book 419 of Deeds, Page 62, as Document No. 286498, shown as a recital on the Certificate of Title. (Parcel 1) [shown on survey]

12.) Terms and conditions of party wall agreement, as set forth in Memorandum of Agreement dated October 1, 1913, filed June 22, 1914, in Book 67 of Deeds, Page 620, as Document No. 460203, shown as a recital on the Certificate of Title. (Parcel 1) [shown on survey]

13.) Covenants set forth in paragraph 1(b) of Deed of Conveyance of Land for Redevelopment dated December 6, 1974, filed December 11, 1974, in Book 2497, Page 112, as Document No. 1898015. (Parcel 1) [shown on survey]

14.) Minerals and mineral rights reserved by the State of Minnesota as shown in Book 2497, Page 112, as Document No. 1898015. (Parcel 1) [shown on survey]

16.) Sewer easements in favor of the City of St. Paul in track alley between Blocks 72 and 73 as dedicated on the recorded plat of St. Anthony Park. (Parcel 2) [shown on survey]

17.) Restrictions, covenants and conditions, and reservation of mineral rights as contained in Deed Document No. 4665990, which contains no forfeiture provisions. (Parcel 2) [shown on survey]

GENERAL NOTES

1.) Survey coordinate and bearing basis: Ramsey County System (North American Datum of 1983 Coordinates, final adjustment December 17, 1991)

2.) Adjoining ownership information shown hereon was obtained from the Ramsey County Property Tax Information web site.

UTILITY NOTES

1.) Utility information from plans and markings was combined with observed evidence of utilities to develop a view of the underground utilities shown hereon. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, excavation and/or a private utility locate request may be necessary.

2.) Other underground utilities of which we are unaware may exist. Verify all utilities critical to construction or design.

3.) Some underground utility locations are shown as marked onsite by those utility companies whose locators responded to our Gopher State One Call, ticket numbers 172754146 and 193190661.

4.) Contact GOPHER STATE ONE CALL at 651-454-0002 (800-252-1166) for precise onsite location of utilities prior to any excavation.

FLOOD ZONE NOTE

1.) The subject property appears to lie within Zone X (areas determined to be outside the 0.2% annual chance flood plain) per the National Flood Insurance Program, Flood Insurance Rate Map Community Panel No. 7752480080G, effective date June 4, 2010. This information was obtained from the FEMA Map Service Center Website.

PARKING

There were no designated parking spaces observed on site.

AREA

Gross = 74,624 square feet or 1.713 acres

LEGEND

- Denotes iron monument set marked with P.L.S. No. 44890
- Denotes found iron monument

- AC Denotes air conditioner
- BE Denotes building entrance
- BIT Denotes bituminous
- CBX Denotes communication box
- CIP Denotes cast iron pipe
- CMH Denotes communication manhole
- COL Denotes column
- CONC Denotes concrete
- CST Denotes concrete step
- CWB Denotes concrete wall base
- CWT Denotes concrete wall top
- EM Denotes electric meter
- EO Denotes electric outlet
- FH Denotes fire hookup
- GAS V Denotes gas valve
- GM Denotes gas meter
- HCR Denotes handicap ramp
- HHF Denotes fibre optic hand hole
- HYD Denotes fire hydrant
- INV Denotes structure invert
- LD Denotes loading dock
- LP Denotes light pole
- MH Denotes manhole
- MOWELL Denotes monitoring well
- OBS Denotes overhead business sign
- OD Denotes overhead door
- OHE Denotes overhead electric line
- OHU Denotes overhead utility lines
- (P) Denotes per plan
- PKS Denotes parking sign
- PP Denotes power pole
- PPT Denotes power pole with transformer
- PPU Denotes power pole with underground utility
- RD Denotes roof drain
- SAN Denotes sanitary manhole
- SAN S Denotes sanitary sewer
- TC Denotes top of concrete curb
- W Denotes water line
- WV Denotes water valve

EVG Denotes evergreen tree

LIST OF POSSIBLE ENCROACHMENTS

The following list of possible encroachments is only the opinion of this surveyor; should not be interpreted as a legal opinion and should not be interpreted as a complete listing.

- A) Possible encroachments are indicated on survey with boxed letters as listed below.
- A.) Overhead electric line crosses Lot 7, Block 72 without the benefit of an easement.
 - B.) Chain link fence crosses northwesterly property line and southeasterly property corner.
 - C.) Air conditioning unit crosses northwest property line.

BENCHMARKS (BM)

- 1.) Top of top nut of hydrant southeasterly of 2281 building, on northeasterly side of Hampden Avenue
Elevation = 206.27 feet
- 2.) Spike in north face of power pole near northeast corner of 2281 building
Elevation = 204.78 feet

NOTE: Elevations shown are based on City of St. Paul datum.
Add 694.10 feet to convert to mean sea level datum.

SURVEYOR'S CERTIFICATION

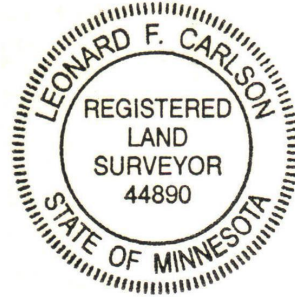
To 2285 Hampden LLC, a Minnesota limited liability company, Sunrise Banks, its successors and/or assigns as their respective interests may appear, Old Republic National Title Insurance Company and Commercial Partners Title, LLC:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 7(a), 7(b)(1), 8, 9, 11 and 13 of Table A thereof. The fieldwork was completed on November 21, 2019.

Dated this 3rd day of December, 2019

SUNDE LAND SURVEYING, LLC.

By: *Leonard F. Carlson*
Leonard F. Carlson, P.L.S. Minn. Lic. No. 44890



Removed/added encroachments and removed MC	MT2	12/05/2019
Revision	By	Date
	MT2	

Drawing Title: ALTA / NSPS LAND TITLE SURVEY FOR: 2285 HAMPDEN LLC 2285 HAMPDEN AVENUE ST. PAUL, MN			
SUNDE LAND SURVEYING		Main Office: 9001 East Bloomington Freeway (35W) • Suite 118 Bloomington, Minnesota 55420-3435 952-881-2455 (Fax: 952-888-9526)	
Project: 2017-177-B		Blk/Pg: 1134/09 Ref. 760/68	Date: 12/3/2019
Township: 29 Range: 23 Section: 29		Sheet: 1 of 1	
File: 2017177B001 R1.dwg			