April 6, 2020

**REVISED EARLY NOTIFICATION SYSTEM PUBLIC HEARING NOTICE**
- **BOARD OF ZONING APPEALS**

**File #:** 20-021371

**Purpose:** This property has an existing affordable senior apartment building that houses 121-units. The applicant is proposing to construct a second principal building on this lot that would accommodate 47 more affordable senior housing units. The following variances are requested: 1.) The zoning code requires a front yard setback of 29.85', 5' is proposed, for a variance of 24.85'.) A minimum lot size of 800 square feet per unit is required, 772 square feet per unit is proposed, for a variance of 28 square feet per unit.

**Property Address:** 160 Western Ave. S.

**Applicant:** Bigos-Winslow Commons LLC
8325 Wayzata Blvd., Ste. 200
Golden Valley, MN 55426-1460

**Date:** Monday, April 13, 2020
**Time:** 3:00 p.m.
**Location:** 15 Kellogg Boulevard West (Room 330 – Courthouse)

This property is located in the area represented by the Fort Road Federation, an independent organization that provides advisory recommendations to the City about a variety of issues. They may choose to discuss this item at a neighborhood meeting and provide a recommendation to the Board of Zoning Appeals. Please contact the Fort Road Federation at 651-298-5599 or E-mail at emily@fortroadfederation.org if you are interested in participating in the neighborhood review process.

**NOTE TO COMMISSIONERS AND MEMBERS OF THE PUBLIC:** The Chairperson of the Board of Zoning Appeals (BZA) has determined that it is not practical nor prudent for the BZA to meet in-person or pursuant to Minnesota Statutes, Section 13D.02. In light of the COVID-19 health pandemic, it is not feasible for any member of BZA to be present at the regular location, and all members of the BZA will attend this meeting by telephone or other electronic means.

*An Equal Opportunity Employer*
It is also not feasible for members of the public to attend the meeting at its regular location due to the health pandemic and emergency. Accordingly, no meeting will be held in City Hall, Room 330, at 15 W. Kellogg Boulevard.

Members of the public may monitor this meeting remotely at:

1. Online meeting: https://meet.ci.stpaul.mn.us/matthew.graybar/4WBRQ0H1

2. Join by Phone – choose one: (651) 267-3988, (651) 266-5758, (651) 266-5767

3. Conference ID: 1241672

Public comment can be submitted to matthew.graybar@ci.stpaul.mn.us. Any comments and materials submitted by 2:00 PM the day before the meeting will be provided to the BZA for their review. You must include your Name and Residential Address for the public record. Please note, due to the COVID-19 health pandemic and its impact of staffing, any comments and materials received after 2:00 p.m. of the day before the public hearing will not be provided to the BZA.
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. Devt.
Zoning Section
1400 City Hall Annex, 25 W 4th St.
Saint Paul, MN 55102-1634
(651) 266-6583

MAR 16 2020

Name  Bigos Management

Address  8325 Wayzata Blvd.

City  Minneapolis  State  MN  Zip  55426

Email  lhedberg@tbigos.com  Phone  763.367.7400

Name of Owner (if different)  Theodore Bigos / Bigos-Winslow Commons, LLC

Contact Person (if different)  Luke Hedberg  Email  lhedberg@tbigos.com

Address  8325 Wayzata Blvd.

City  Minneapolis  State  MN  Zip  55426

PROPERTY INFO

Address / Location  Winslow Commons - 170 Western Ave. S., St. Paul, MN 55102

PIN(s) & Legal Description  012823430214 and 012823430123

Lot Area  2.98 acres  Current Zoning  RM3

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 ______________________________. State the requirement and variance requested.

Density and Setbacks Variances - see attached Narrative for full description

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.

   See attached Narrative

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

   See attached Narrative

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

   See attached Narrative

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

   See attached Narrative

☐ 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  Date 3/16/20

Rev 7.4.2019
March 16, 2020

Zoning Administration
375 Jackson Street, Suite 220
St. Paul, MN 55101

RE: Zoning Variance for Affordable Housing

To whom it may concern:

We (Bigos Management) are proposing an affordable senior apartment building consisting of 47 one-bedroom units in a four (4) story slab on grade building. Our site is zoned as RM3 and our building conforms to this zoning with the exception of the following variance requests:

The zoning variances requests that we are coming to the Board with are for both density and minimum front yard setback. For the practical difficulties in complying with the provisions of the code for which our variances are requested, see below:

- Minimum front yard setback: The current minimum front yard setback at this property is set to 25’. We are proposing a setback of 5’. Maintaining a setback of 25’ would result in us placing the new building too close to the existing building already on the site and would cut off existing driveways to existing parking. A 5’ setback would allow us to maintain existing drives access to existing parking and gives us the ability to add additional parking close to the new building’s entrance. This also allows us to circulate both trash pick-up, move ins, and emergency vehicles to the backside of the building rather than these activities occurring at the street side.

- Density: Current density requirements allow a total of 162 units on this site. The existing building currently has 121 units, which allows us to add 41 units. We are asking to increase this amount by 6 units.

Our intention is to transfer an expiring Section 8 HAP contract from Mears Park Place in St. Paul to this proposed addition at Winslow Commons. The HAP contract at Mears Park Place covers 50 units. Section 8 residents at Mears Park Place will have the option of moving to the new addition at Winslow (moving costs paid by Bigos Management) or staying in their current unit at Mears Park Place with an enhanced voucher. Because of the rent differential between Mears Park Place and our proposed addition at Winslow Commons, HUD will allow us to build 47 units at Winslow. If the number is reduced from 47, HUD will not approve of the transfer as it limits the options for residents at
Mears Park Place. If that happens, the affordable housing development cannot move forward.

Both variances we are asking for are unique to this property and were not created by the property owner. The setback variance is contingent based on the location of the existing building and parking lots. Complying with the 25’ required front setback would place the new building too close the existing and cut off vehicle circulation around the site. The density variance considers the total units of the existing building, putting a cap on the total new affordable units we can build. Building less than the 47 units we are proposing would not be approved by HUD.

These variances will not permit any use that is not allowed in the zoning district in which the property is located. We are not proposing a change in use of the existing building or new proposed building, which both buildings are conforming with the current zoning description of RM3.

These variances will not alter the essential characters of the surrounding area and neighborhood. A neighborhood meeting was held, and support was given to the project. Zoning administrators are to receive a letter of support from the West Seventh/Fort Road Federation prior to the hearing. The proposed new building will be a residential building with the same use as the existing building on site.

Sincerely,

Ted Bigos