



February 17, 2021

## EARLY NOTIFICATION SYSTEM (ENS) NOTICE BOARD OF ZONING APPEALS (BZA) – PUBLIC HEARING

**Purpose:** The Department of Safety and Inspections received the attached variance application. This application has not been reviewed for completeness and additional variances may be required to complete this project. No additional ENS will be sent after this application has been reviewed. If you would like more information regarding this project, please contact [matthew.graybar@ci.stpaul.mn.us](mailto:matthew.graybar@ci.stpaul.mn.us) or [stephan.suon@ci.stpaul.mn.us](mailto:stephan.suon@ci.stpaul.mn.us).

**Property Address:** 235 Cleveland Ave. S.

**Date of Hearing:** Monday, March 8, 2021

**Time:** 3:00 p.m.

**Location:** 15 Kellogg Boulevard West (Room 330 – Courthouse)

**NOTE TO COMMISSIONERS AND MEMBERS OF THE PUBLIC:** The Chairperson of the BZA has determined that it is not practical nor prudent for the BZA to meet in-person 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 hearing by telephone or other electronic means.

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 Council Chambers, Room 330, at 15 W. Kellogg Boulevard.

Members of the public may monitor this hearing remotely at:

1. Online hearing: [Click here to join the hearing](#)
2. Join by phone: (612) 315-7905, Conference ID: 936 868 838#

This property is located in the area represented by the Macalester Groveland Community Council, 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 hearing and provide a recommendation to the BZA. Please contact the Macalester Groveland Community Council at (651) 695-4000 or at [alexa@macgrove.org](mailto:alexa@macgrove.org) if you are interested in participating in the neighborhood review process.

Public comment can be submitted to [matthew.graybar@ci.stpaul.mn.us](mailto:matthew.graybar@ci.stpaul.mn.us) or [stephan.suon@ci.stpaul.mn.us](mailto:stephan.suon@ci.stpaul.mn.us). Any comments and materials submitted by 2:00 p.m. on March 5 will be provided to the BZA for their review. You must include your name and 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. on March 5 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. Dev.  
Zoning Section  
1400 City Hall Annex, 25 W 4<sup>th</sup> St.  
Saint Paul, MN 55102-1634  
(651) 266-6583

### Zoning Office Use Only

File # \_\_\_\_\_  
Fee Paid \$ \_\_\_\_\_  
Received By / Date 02/16/2021  
Tentative Hearing Date 03/08/2021

### APPLICANT

Name WEB Developments, LLC

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

Address 6101 W. Old Shakopee Rd #385231 City Bloomington State MN Zip 55438

Email jeremy.exley@gmail.com Phone 952-484-2776

Name of Owner (if different) \_\_\_\_\_ Email \_\_\_\_\_

Contact Person (if different) \_\_\_\_\_ Email \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

### PROPERTY INFO

Address / Location 235 Cleveland Ave S St. Paul, MN 55105

PIN(s) & Legal Description 052823440103 Lot 11 & 12 of SCHOONMAKER AND HUNT'S, AD  
*(attach additional sheet if necessary)*

Lot Area 0.28 Current Zoning B2

**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 66.431 FAR,  
66.431 Height & 63.200 Required Parking. State the requirement and variance requested. \_\_\_\_\_  
66.431 FAR 2.8 versus 2.0; 66.431 Height of 54.8' versus 40' & 63.200 Required Parking 24 versus 36.9

**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.

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 Jeremy Exley Date 02/16/2021

## **Supporting information – 235 Cleveland Ave Variance Request**

### **Property Information:**

**PID: 052823440103**

**Lots 11 & 12 of SCHOONMAKER AND HUNT'S ADDITION**

### **Additional Information:**

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

The applicant is proposing to demolish an existing one-story commercial building that is operating as a dry cleaner and was previously a gas station. The site is currently enrolled in the MPCA Superfund Program and identified as a contaminated site. In the process of demolition, the applicant is proposing to enroll in a Brownfield Program for site cleanup through the MPCA removing contamination in the earth from the previous use and providing a clean site. After site cleanup a 5-story mixed use commercial/ residential development is proposed. There will be 2 commercial spaces with a total of 2,600 square feet. There will be 23 residential units between 1 bedroom plus a den and 2 bedrooms plus a den designed for empty nesters and retirees. Variances for Parking, Height and FAR are requested.

Based on the number of bedrooms in each unit and the size of the commercial space 40.9 off-street parking spaces are required. The proposed site plan indicates there will be bicycle parking which allows for the reduction of 10% or four parking spaces pursuant to Sec.63.207(b), bringing the total of number of required spaces to 36.9, the applicant is requesting a variance to provide 24 parking spaces. One for each residential unit plus an extra. Each parking space will have the space and electrical to add a vehicle lift to provide 2 parking spaces for each unit. There will be bicycle storage at the front of each parking space as well as electrical capacity for charging electric vehicles. This is a variance of 12.9 parking spaces. Current parking reduction efforts by the city indicate a reduction of commercial and residential parking spaces which would align with what the applicant is proposing.

The zoning code 66.431 states that the height of the building should not exceed 30 feet. Note (a) allows for additional height if the building is stepped back from all property lines. The applicant has stepped the building in 10' from all property lines on the second floor. This allows the building height maximum to increase to 40'. The applicant is proposing a building height of 54.8' so a variance of 14.8' is requested. This is to accommodate 9' ceilings on all residential floors. To the south is St. Clair Ave and across the street is a commercial building. To the north is the alley and a church. To the east is Cleveland Ave and an open baseball field at Groveland Elementary. To the west is a commercial building housing Regina's Candies which is zoned B2. There are no windows on the east side of Regina's Candies and it is built with 0' setback on each side. The Mac Groveland Community Plan section LU1.2 encourages taller developments at commercial nodes to increase density.

The maximum FAR in the B2 district is 2.0 versus a proposed building FAR of 2.8. An FAR of 2.8 would be allowed in T2 zoning and is reasonable on a commercial node to allow for the Brownfield site cleanup and redevelopment.

The B2 community business district is intended to serve the needs of a consumer population larger than that served by the "local business district," and is generally characterized by a cluster of establishments generating large volumes of vehicular and pedestrian traffic. Mixed commercial and residential use is permitted in B2. The applicant will provide the same amount of commercial space and ideally two different types of commercial businesses within this development. The applicant will also create 23 residential units aimed at providing alternative housing for residents as they look to stay in the neighborhood. Off street parking is provided to keep cars off the street.

This property is located on a commercial node at the corner of Cleveland and St. Clair Avenues, near high frequency bus lines. 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.
- To promote the conservation of energy and the utilization of renewable energy resources;
- To conserve and improve property values

**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 St. Clair 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 mixed-use building increases the density on this property from a single commercial building to 2 commercial spaces and 23 residential 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 B2 along the St. Clair Avenue mixed-use corridor and this development is consistent with this Neighborhood Plan to increase height and density.

**1. 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.**

Due to significant demolition and site cleanup expenses a building is proposed that is slightly larger than allowed. This is a reasonable proposal and fits with the city and neighborhood comprehensive plans.

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. This building meets the required setbacks.

The FAR is proposed at 2.8 versus the permitted 2.0. This is reasonable with setbacks and when compared to the 3.0 allowed within T2.

In order to provide parking along with commercial space fewer than required parking spaces are proposed. It is cost prohibitive to provide underground parking. The parking proposed is reasonable.

Rezoning to T2 would solve the parking and FAR variance requests leaving only the height which would require a CUP. The variances applied for are a reasonable alternative to rezoning to T2.

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

The proposed development requires demolition and site cleanup of the contamination at the existing site, a circumstance unique to the property not created by the land owner.

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

The proposed mixed-use development is an allowed use in the B2, community business district.

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

This type of development aligns with the Mac Groveland Community Plan and will not alter its essential character of the neighborhood.

Respectfully,



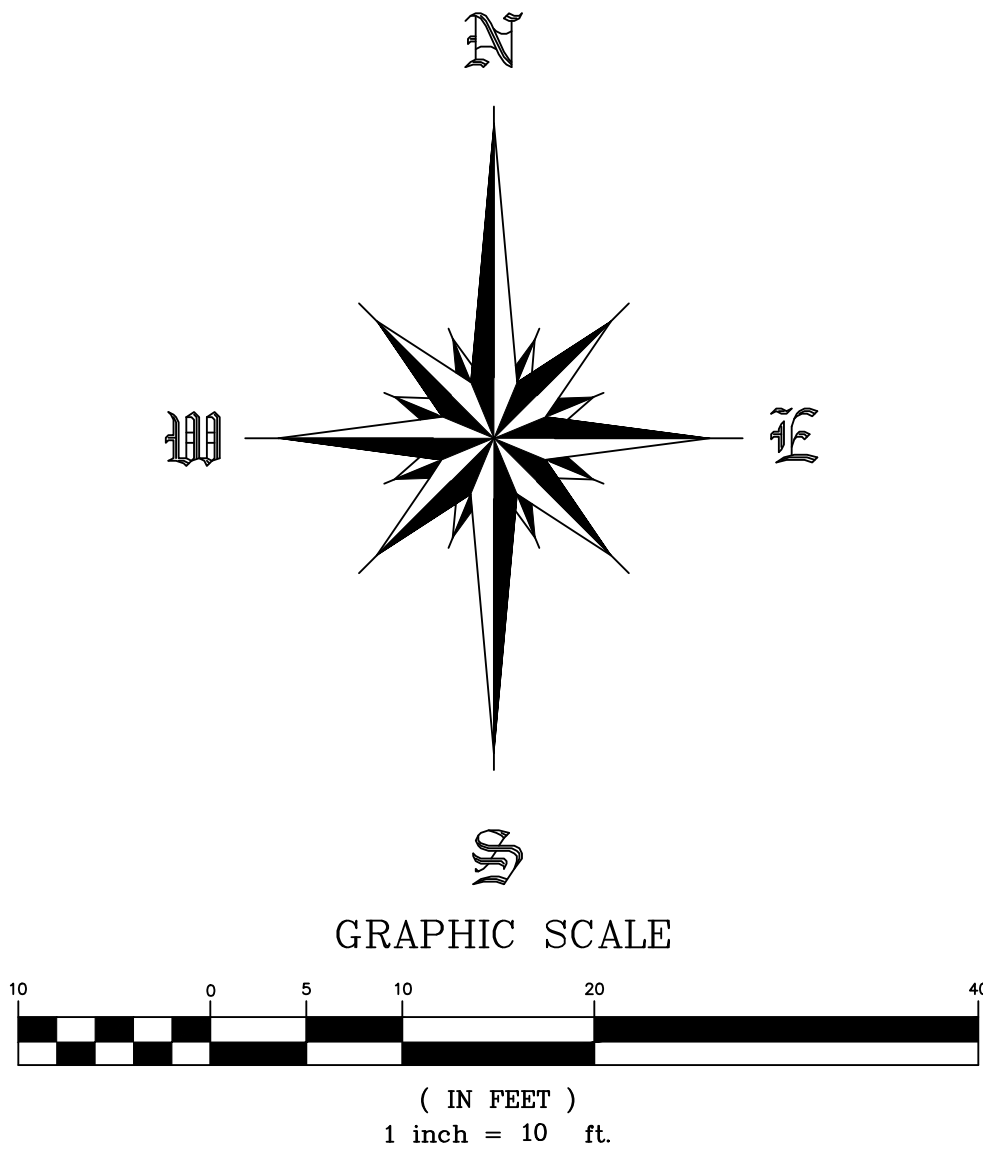
02/16/2021

Jeremy Exley  
WEB Developments, LLC  
952-484-2776  
Jeremy.Exley@gmail.com

CERTIFICATE OF SURVEY  
SCHOONMAKER AND

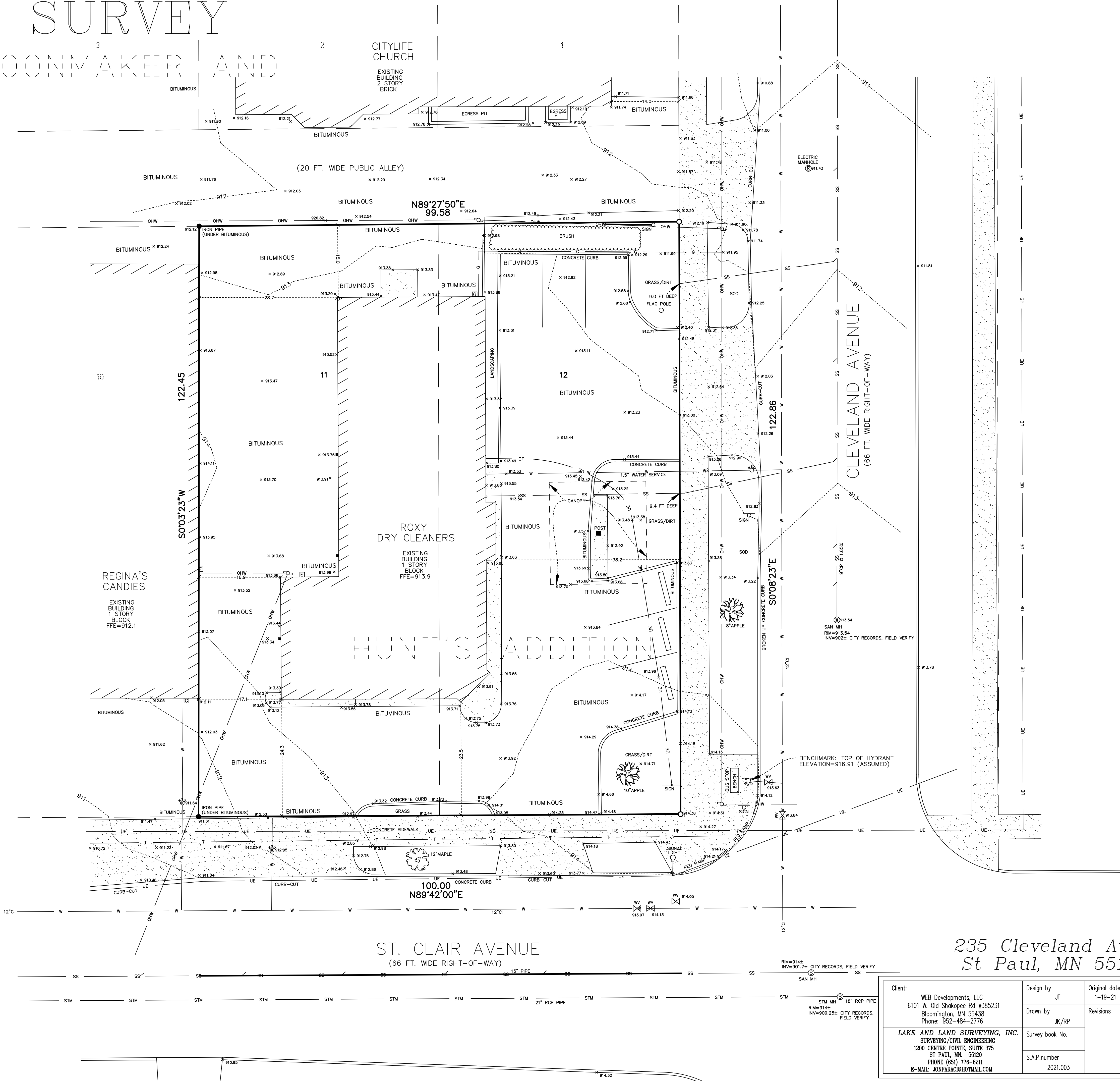
Legal Description: (Tax Description)  
Lots 11 and 12, SCHOONMAKER AND HUNT'S ADDITION,  
Ramsey County, Minnesota.

DUE TO WINTER CONDITIONS, AT THE TIME THE SURVEY WORK WAS PERFORMED, SOME  
FEATURES SHOWN ON THE GRAPHICS MAY DIFFER FROM THOSE FOUND IN THE FIELD.



LEGEND

- DENOTES 12 INCH COMMON SPIKE SET WITH WASHER STAMPED RLS 16464 OR AS NOTED.
- DENOTES IRON MONUMENT FOUND SIZE, TYPE, & RLS AS NOTED.
- x xxx.xx DENOTES EXISTING SPOT ELEVATION
- - - - - DENOTES EXISTING GRADE CONTOUR
- - - - - DENOTES UNDERGROUND GAS LINE
- - - - - DENOTES WATER MAIN OR SERVICE
- - - - - DENOTES SANITARY SEWER OR SERVICE
- - - - - DENOTES STORM SEWER
- - - - - DENOTES UNDERGROUND ELECTRIC TELECOMMUNICATION LINE
- - - - - DENOTES WATER SERVICE SHUT-OFF
- - - - - DENOTES ROOF DOWN SPOUT
- - - - - DENOTES WATER MAIN VALVE
- - - - - DENOTES CHAIN-LINK FENCE
- - - - - DENOTES WOOD FENCE
- - - - - DENOTES SIGN
- DENOTES TELECOM MANHOLE
- ⊙ DENOTES STORM SEWER MANHOLE
- ⊙ DENOTES SANITARY SEWER MANHOLE
- ⊙ DENOTES WATER MAIN MANHOLE
- CB □ DENOTES CATCH BASIN
- DENOTES GAS METER
- DENOTES ELECTRIC METER
- DENOTES UTILITY POLE
- - - - - DENOTES OVERHEAD UTILITY WIRES
- ⚡ DENOTES FIRE HYDRANT
- DENOTES CONCRETE SURFACE
- ===== DENOTES EXISTING BLOCK OR STONE RETAINING WALL



SITE ADDRESS: 235 Cleveland Ave S, St Paul, MN 55105  
TOTAL AREA: 12,240 sq. ft. or 0.28 acres  
BASIS OF BEARINGS: Ramsey County

235 Cleveland Ave S  
St Paul, MN 55105

C1

Client: WEB Developments, LLC 6101 W. Old Shakopee Rd #385231 Bloomington, MN 55438 Phone: 952-484-2776	Design by JF	Original date 1-19-21	I certify that this survey, plan or report was prepared by me or under my direct supervision, and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.  Jonathan J. Faraci Date: 1-19-21 Minnesota Reg. No. 16464
	Drawn by JK/RP	Revisions	
LAKE AND LAND SURVEYING, INC. SURVEYING/CIVIL ENGINEERING 1200 CENTRE POINT, SUITE 375 ST. PAUL, MN 55120 PHONE: (651) 776-0211 E-MAIL: JONFARACI@HOTMAIL.COM	Survey book No.		Page title CERTIFICATE OF SURVEY
	S.A.P. number 2021.003		Sheet number of

UNIT /PARKING CALCULATION:

PER FLOOR				
3 Room/2 BR = 1.5 Space / Unit      6 Units Per Floor = 9 Spaces/Flr.				
BLDG. TOTAL	Commercial	2544/400	=	6.4
	Residential	9 (3) + 8	=	35.0
	Total	41.4		
	Reduction	41.4 - 10% =		37.3
PARKING TOTAL: Required 37.3      24 Spaces Provided				
	20 Standard	4 Compact	All Structured	
	Accessible Space	2 Required	(1 on St. Claire Ave)	
BICYCLE: Within Structured Parking Area				
VERIFY: STREET PARKING- ALLOWED WITH B2 ZONING				
REDUCTIONS WITH BUS STOP AT THE CORNER OF THE SITE				

FAR CALCULATION:

TOTAL SITE AREA	13,233 GSF		
BUILDING GSF	Street Level	=	10,716 GSF
	2nd-5th Levels 8,307/Flr	=	33,228 GSF
	Total Bldg.	=	43,944 GSF
BLDG. FAR TOTAL	Street Level Residential,		
	Commercial & Bldg Circ.	=	4,036 GSF
	2nd -5th Flr. Residential	=	33,228 GSF
	Total	=	37,264 GSF

FAR CALCULATION      37,264/ 13233 = 2.8 FAR  
Note - Structured parking not included in the FAR calculation.  
[Total Bldg GSF FAR 3.0 = 39,699]



CONCEPT ISSUE

DATE 02/11/21  
PROJECT NO. 02-39600-21

DRAWING SCALE

REVISIONS		
MARK	DATE	DESCRIPTION

Conceptual Design

235 Cleveland Avenue, Saint Paul, MN

SHEET TITLE  
Conceptual Site Plan

SHEET NUMBER

A1.0

OF 1



