## **ZONING COMMITTEE STAFF REPORT**

1. FILE NAME: O'Gara's Mixed Use Development FILE # 18-066-193

2. **APPLICANT:** Dan O'Gara **HEARING DATE:** June 21, 2018

3. **TYPE OF APPLICATION:** Conditional Use Permit

4. LOCATION: 164 Snelling and 1551-1559 Hague Avenue, NE corner of Snelling and Hague

5. **PIN & LEGAL DESCRIPTION:** 03.28.23.22.0159; Ex the N. 72.10 ft. Lots 10-12, & Lots13-23, Block D, Blocks E & D Boulevard Addition

6. **PLANNING DISTRICT:** 13 **PRESENT ZONING:** RT1 and T2

7. **ZONING CODE REFERENCE:** §§ 66.331(g) and 61.501

8. **STAFF REPORT DATE:** June 13, 2018 **BY:** Kady Dadlez

9. **DATE RECEIVED:** May 21, 2018 **60-DAY DEADLINE FOR ACTION:** July 19, 2018

A. PURPOSE: Conditional use permit for a building height up to 62 feet.

- B. **PARCEL SIZE:** The irregularly shaped development site has approximately 230 feet of frontage on Snelling, 200 feet of frontage on Hague, and 100 feet of frontage on Selby Avenue for a total lot area of 53,465 square feet.
- C. **EXISTING LAND USE:** The property along Snelling and Selby Avenues is occupied by commercial buildings that provide space for O'Gara's restaurant and bar on street level with apartments above and surface parking to serve the uses. The three properties on Hague Avenue are occupied by single family homes.

## D. SURROUNDING LAND USE:

North: Mixed use building with grocery store at street level and apartments above in a T3 zone.

East: Commercial building with a mix of restaurant, retail, and service uses at street level and apartments above in a T2 zone and residential uses in an RM2 zone.

South: Commercial and residential uses in a T2 zone along Snelling and residential uses along Hague in an RT1 zone.

West: A variety of commercial uses in a T2 zone.

- E. **ZONING CODE CITATION:** § 66.331(g), part of the dimensional standards for traditional neighborhood districts, provides for additional height with a conditional use permit. § 61.501 lists general standards for conditional use permits.
- F. PARKING: Zoning Code § 63.207 requires a minimum of 213 off-street parking spaces: 181 spaces for the 163 residential units and 32 spaces for the restaurant and co-working uses for a total of 213 spaces. However, Zoning Code § 66.342 states that the minimum amount of parking required for residential uses specified in § 63.207 may be reduced by 25 percent in T3 and T4 traditional districts. Therefore, under T3 zoning the proposed use requires a minimum of 168 parking spaces: 136 spaces for residential use and 32 for commercial uses. The applicant plans to provide 190 off-street parking spaces: 158 spaces for residential uses and 32 spaces for the restaurant and co-working spaces. In addition to the 190 spaces, the applicant plans to provide 15 "tandem" or "stacked" parking spaces for residential uses for a total of 205 spaces on site; the tandem spaces do not count towards meeting minimum parking requirements. Zoning Code §66.342 allows on-street parking located along the frontage of a property to be used to meet parking requirements for the property. The applicant is not proposing to use on-street spaces to meet the minimum parking requirement.
- G. **HISTORY/DISCUSSION:** O'Gara's restaurant and bar has been located at the corner of Selby and Snelling Avenues for more than 70 years.
- H. **DISTRICT COUNCIL RECOMMENDATION:** The Union Park District Council had not taken a position on the conditional use permit application at the time the staff report was drafted.

## I. FINDINGS:

1. The applicant owns the property and is petitioning to rezone it from RT1 and T2 to T3 and obtain a conditional use permit (CUP). The applicant is working with a developer to create a mixed use development that includes market rate apartments and a new, smaller, O'Gara's restaurant and bar at the corner of Selby and Snelling. In addition, office/co-working space is

planned on the first floor in the portion of the building fronting along Snelling Avenue. The proposed design includes a five-story building with 163 apartment units plus amenity space, 4,116 square feet of retail space for the new restaurant, and 205 parking stalls. Three affordable apartment units (at 60 percent AMI) are planned for the building. Off-street parking for the retail space will be in an exterior structured lot that is accessed off of Snelling Avenue. Residential parking, accessed off of Hague Avenue, will be in two areas, one level of below grade parking and one level of parking located behind the townhome units fronting on Hague Avenue. Stormwater management improvements are incorporated into the design; currently there is no active management on site. Construction is anticipated to being in fall 2018.

- 2. The applicant requests a conditional use permit to allow a building height of up to 62'. The tallest projected height is 60'2" but the applicant requests the 62' to provide some flexibility as plans proceed in case minor adjustments are needed. T3 dimensional standards limit the height of mixed use buildings to 55 feet and allow additional height by right with larger setbacks from side and rear property lines.
  - Under T3 zoning the portion of the building along Snelling Avenue has a 0' setback and is allowed to be 55' by right; a CUP is needed for the additional height proposed along that frontage to allow a projected height of 59'5". The same situation applies for the frontage along Selby Avenue, 0' setback and a projected building height of 58'3".

Where the building abuts commercially zoned land along Hague Avenue and there is a 0' setback, a CUP is needed for the additional height above 55'; 60'2" is projected. Where the building abuts residentially zoned land along Hague Avenue and the setback of the first floor ranges from 3' to 5' a CUP may not be needed for the upper floors because the building massing is stepped back 34.5', allowing a building height of 58'8" by right. Where the building abuts residentially zoned land to the south across Hague and the setback is 0', a CUP is needed for the additional of height above 25' to allow the projected 57'3" building height here. Along the eastern boundary abutting residentially zoned land where the setback is 36 feet, a CUP may not be needed because the proposed building height here, approximately 57'3", can be achieved by right with the proposed setback. A graphic depicting building heights and setbacks is attached to the staff report.

- 3. Zoning Code §61.501 lists five standards that all conditional uses must satisfy:
  - (a) The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council. This condition is met. The property is located in a mixed use corridor, a primary thoroughfare in the city that is served by public transit, including bus rapid transit on Snelling and high frequency bus service on Selby. Land Use Policy 1.23 states, "Guide development along mixed use corridors. The City should recognize community circumstances and preferences as stated in City adopted summaries of small area plans and district plans, while still providing additional housing opportunities at densities that support transit." Land Use Policy 1.25 states, "Promote the development of more intensive housing on mixed use corridors where supported by zoning that permits mixed use and multi-family residential development." Land Use Policy 1.26 states, "Permit residential development at densities of 30-150 units per acre." The proposed development is about 133 units per acre, a density that supports transit.

Policies of the Union Park Community Plan include: LU1.1 "Maintain and establish zoning that encourages compact development in commercial areas and in mixed-use corridors"; LU2.3, "Ensure that new development fits within the character and scale of adjacent neighborhoods"; H1.1 "Support multi-unit mixed-use development in mixed-use corridors that can accommodate higher density levels, while minimizing impacts on adjacent lower density areas, and discourage multi-unit housing and retail uses that are incompatible with single-family residential areas"; and H1.3 "Support housing development designed to promote pedestrian, bicycle, and public transit activity". The proposed development is

designed to promote pedestrian, bicycle, and public transit activity at a location that can accommodate higher densities. It is separated from adjacent RT1 two-family residential areas by a street to the south and a large setback to the east, minimizing impact on these areas.

The additional building height proposed allows for increased density on the site, which is supported by the comprehensive plan. This is a large site along a primary thoroughfare served by transit. The brick accents on the building exterior near the corner of Selby and Snelling evoke a sense of the brick exterior of the existing building and restaurant and help to break up the massing of the structure as do door and window openings at street level and balconies and railings on upper levels. Much of the building mass of the upper floors along Hague is setback where an outdoor amenity area is planned.

(b) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met. The developer is working with Public Works staff and a Union Park task force of area neighbors to address transit, traffic, and pedestrian safety concerns as plans for the site progress. A travel demand management plan (TDMP) and traffic impact study are required as part of the site plan review process. MnDOT is also involved in traffic discussions because Snelling is a state highway. Minnesota Moves, formerly known as Transit for Livable Communities is also reviewing the plans.

Public Works is considering installation of medians in the center of Snelling Avenue to separate north and southbound traffic lanes. The developer is coordinating with Public Works to ensure that ingress and egress will be adequate if medians are constructed as this would prevent southbound left turns to the site either from Snelling or at Hague. Off-street parking for the retail space will be in an exterior structured lot that is accessed off of Snelling Avenue. Residential parking, accessed off of Hague Avenue, will be in two areas, one level of below grade parking and one level of parking located behind the townhome units on the ground floor. The developer plans to provide at least 22 secure bicycle spaces and manage on-site one shared vehicle for residents and neighbors.

An existing curb cut along Selby Avenue that provides access to a space that functions like and alley between O'Gara's building and Neighborhood Café but is privately owned property will remain. Plans for use of the space are still being discussed and may include an outdoor patio for both restaurants with a gate along the Selby sidewalk. The space may also provide access for delivery, waste, and recycling vehicles, which would likely enter on Snelling and exit on Selby. Access for emergency vehicles will be from street frontages.

- (c) The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare. This condition is met. The Selby and Snelling area is a thriving urban neighborhood along two arterial streets. Snelling carries 30,000 to 40,000+ vehicles per day and Selby about 14,000. Public transit that serves the site is designed to accommodate higher density; it is served by the A Line BRT and regular bus service, with close proximity to the Green Line at University Avenue. The proposed mixed use development is in keeping with the character of development and is an appropriate use for the mixed use corridor that calls for high density development along thoroughfares served by public transit. Streetscape improvements including additional plantings between the road and sidewalk are planned to create a safer, more visually interesting pedestrian experience.
- (d) The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. This condition is met. The proposed use will not prevent future development that is consistent with the Comprehensive Plan and existing zoning. A shadow study was submitted as part of the

Zoning Committee Staff Report, Zoning File #18-066-193 June 13, 2018 Page 4 of 4

- conditional use permit application to help assess the impact of the additional height of the building.
- (e) The use shall, in all other respects, conform to the applicable regulations of the district in which it is located. Subject to the proposed rezoning of property from RT1 and T2 to T3, the use will conform to all other applicable T3 district regulations.
- J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for a building height up to 62 feet, subject to the following additional conditions:
  - 1. Rezoning of the site from RT1 and T2 to T3.
  - 2. Final plans approved by the Zoning Administrator for this use as part of the site plan review process, including a travel demand management plan and traffic impact study approved by the Department of Public Works, shall be in substantial compliance with the plan submitted and approved as part of this application.

## CONDITIONAL USE PERMIT APPLICATION

Department of Planning and Economic Development Zoning Section 1400 City Hall Annex 25 West Fourth Street Saint Paul. MN 55102-1634 (651) 266-6589

PD =13	Zoning Office Use Only File #: 8-06693
20021-18	Fee:

<b>APPI</b>	IC.	TMA

Name Daniel J. O'Gara	Email dan@ogaras.com
Address 1579 Boardwalk	Court
City Mendota Heights State M	N
Name of Owner (if different)	
Contact Person (if different)	Phone
Address/Location 164 Snelling	Avenue North and 1551, 1557 and 1559 Hague Avenue

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Addiess/Location	
Legal Description See attached	
	Current Zoning T2, RT1, RT1, RT1
(attach additional sheet if necessary)	

TYPE OF PERMIT:	Application is hereby made for a Conditional Use Permit under provisions of				
	Chapter 66 , S	Section 66.331	, Paragraph	, of the Zoning Code.	

SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

Per Table 66.331 - Traditional Neighborhood District Dimensional Standards, a mixed use development in a T3 zoning district may have a maximum building height of 55 feet without a Conditional Use Permit. A maximum height of 90 feet is allowed with a Conditional Use Permit. We are requesting a CUP to construct a building with a maximum height of 62 feet.

Also per Section 66.331, structures shall be no more than 25 feet high along side and rear property lines abutting RL-RT2 residential districts. Some of the properties across Hague are zoned as RT1, and we are not setting back the building along this property line. The property

to the east on Hague is also zoned RT1, but we are so building height we are proposing per code requirement construct a building up to 62 feet in height along these	nts. We are requesting a CUP to
Required Site Plan is attached	C16950(
Applicant's Signature du de	Date 5/17/18 City Agent Rev 9/4/14



May 21, 2018

Kady Dadlez
Senior City Planner
City of St. Paul – Planning and Economic Development
25 West Fourth Street
St. Paul, Minnesota 55102

RE: O'Gara's Mixed-Use Project

**Rezoning and Conditional Use Permit Submittal** 

Dear Ms. Dadlez:

Ryan Companies is pleased to submit the following applications for the O'Gara's Mixed Use project located at 164 Snelling Avenue North:

- Rezoning
- Conditional Use Permit for Building Height

The project description, community benefits, parcel addresses within development and project data/zoning summary are summarized below.

#### **Project Description**

The O'Gara's Mixed Use project proposes to add new housing options to the flourishing Union Park neighborhood while revitalizing the brand and facilities of one of St. Paul's longest standing family owned establishments. The site is located along Snelling Avenue, with frontage along both Selby and Hague Avenues. The properties that make up the site consist of the existing O'Gara's restaurant and parking lot and three single family homes currently owned by the O'Gara family. The proposed design includes 163 apartment units plus amenity spaces, 4,116 square feet of retail space and 205 parking stalls split amongst the uses.

O'Gara's has anchored the corner of Snelling and Selby for over 70 years, and we intend to keep it that way. The retail space is being designed specifically for O'Gara's, and the family has been heavily involved in neighborhood outreach over the past several months. They envision a smaller space with the same feel as their current home, which will be retained by salvaging many interior décor elements and incorporating them into the new space. The exterior design of this prominent corner also carries through the rich masonry character of the original building at street level to retain a beautiful, pedestrian friendly environment. As the building turns the corner onto Hague, the exterior design responds to the quieter, smaller scale urban context with a simple, neutral material palette and massing setbacks.

Ryan Companies 533 South Third Street, Suite 100 Minneapolis, Minnesota 55415

ph: 612-492-4000 ryancompanies.com





## **Community Benefits**



- Replacing an underutilized lot with surface parking in order to add new housing options on an active TOD corridor
- Voluntarily providing 3 affordable housing units to lower income neighbors
- Creating workforce opportunities and diverting landfill waste by engaging with Better Futures MN
- Adding stormwater management improvements to a site that currently has no active management
- Creating a significant construction opportunity for our area's union workforce
- Activating streetscape, including repurposing the current unsightly alley in between O'Gara's and Neighborhood Café and adding plantings between the road and sidewalk to create a safer, more visually interesting experience
- Increasing tax base for the City, County, and Schools
- Working with the City of St. Paul to implement a curb design along Snelling Avenue to fit into future median expansion planning
- Car sharing program for neighbors and residents

#### Parcel Addresses within Development

- 164 Snelling Avenue North (PID: 032823220159)
- 1559 Hague Avenue (PID: 032823220125)
- 1557 Hague Avenue (PID: 032823220126)
- 1551 Hague Avenue (PID: 032823220127)

## **Project Data/Zoning Summary**

- Existing Zoning Designations
  - 164 Snelling Avenue North: T2
  - o 1551, 1557 and 1559 Hague Avenue: RT1
- Proposed Zoning Designation: T3
- Building Type within T3 Zoning District: Mixed Use
- Proposed Uses
  - o Mixed residential and commercial use: Permitted
  - o Professional office (coworking space): Permitted
  - o Bar: Permitted
    - No CUP required because proposed bar is less than 5,000 SF in floor area
- New Parcel Area = 53,465 SF
- Gross Floor Area = 138,880 SF
- Floor Area = 134,265 SF
- FAR = 2.51
- Maximum Building Height = 62 feet

Ryan Companies 533 South Third Street, Suite 100 Minneapolis, Minnesota 55415



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- Submitting a CUP to go above 55 feet, specifically to a maximum height of 62 feet
- Building Height Along Side and Rear Property Lines Abutting RL-RT2
  - We are requesting a CUP to go above the 25 foot height limit for the stretch of building frontage along Hague Avenue that is across from the 4 lots zoned RT1. These lots are on the opposite (south) side of the street from our development. We have a zero foot setback along the Hague property line. Our building will have a maximum height of 62 feet along this frontage.
  - The property adjacent to the east of our property is zoned RT1 as well. Our building design meets the criteria for building height along a property line abutting RT1 by setting back the building from the property line. We have 2 height tiers on the east side of the building (see the South Elevation on Sheet A301).
    - Level 1 has a height of 18 feet, which is less than the 25 foot height restriction.
    - The roof will have a maximum height of 60 feet. The east end of the roof is about 36 feet from the RT1 property line.

Allowable Height = 
$$25 ft + (36 ft * {}^{1} ft \text{ height} / {}_{1} ft \text{ setback}) = 61 ft$$

- Number of Residential Dwelling Units = 163
  - Number of Affordable Units = 3 at 60% of AMI
- Commercial GFA
  - Bar = 4.116 SF
  - o Office/Coworking Space = 2,000 SF
- Requested Building Information
  - Type of Construction
    - Levels P1 and 1: Type 1A Primary Occupancy R-2 (Multi-Family Residential)
    - Levels 2 5: Type 5A
  - Sprinklers will be provided.



## Off-Street Parking

- The off-street parking provided for different uses is separated. The commercial parking is on an exterior structured lot that is accessed off of Snelling Avenue North. The residential parking is in two areas: one level of below grade parking and one level of parking located behind the town home units on the ground floor. Both residential parking areas are accessed off of Hague Avenue.
- Off-Street Parking Multi-Family

Table 1: Required Multi-Family Parking

· · · · · · · · · · · · · · · · · · ·				
Use	Requirement	# Units	# Stalls Required	
Alcove, Micro, Studio (1 Room)	1 Stall per Unit	70	70	
One Bedroom (2 Room)	1 Stall per Unit	57	57	
Two Bedroom (3 Room)	1.5 Stalls per Unit	36	54	
Total		163	181	

**Table 2: Provided Multi-Family Parking** 

Туре	Level P1	Level 1	Total (per code)
Standard	82	17	99
Compact	24	32	56
Accessible	3	2	5
Total	109	51	160

<sup>\*</sup> These numbers exclude the 15 tandem stalls provided on Level P1.

 Per Section 66.342 of the Zoning Code, the minimum off-street parking requirement may be reduced by up to 25% in a T3 zoning district. We are reducing the parking by less than 25%, so we are compliant.

Required Parking = 181 \* 0.75 = 136





- Off-Street Parking Commercial
  - Required Stalls
    - Bar = 4,116 SF \* 1 stall / 150 SF = 26.97 = 27 stalls
    - Office/Coworking = 2,000 SF \* 1 stall / 400 SF = 5 stalls
  - Provided = 30 stalls
  - Per Section 63.210 of the Zoning Code, bicycle parking may be substituted for up to 10% of the minimum off-street parking requirement by installing 4 secure bicycle racks for each 1 parking stall.
    - 32 stalls \* 10% = 3.2 (round down) = 3 stalls
    - 2 stalls < 3 stalls (10 % reduction)</li>
    - 2 stalls \* 4 spaces/stall = 8 secure bicycle spaces
    - We are providing 4 extra bike racks to achieve this (2 spaces/rack)
    - 11 stalls < 18 stalls (10% reduction)</p>
  - Total Stalls (Provided + Credit) = 32
- Bicycle Parking Residential
  - o Required = 1 secure bicycle space per 14 dwelling units = 163 / 14 = 11.64 = 12
  - We have not confirmed how many secure bicycle spaces will be provided in the residential parking garages, but it will be more than 12.
- Bicycle Parking Commercial
  - o Required = 32 stalls \* 1 secure bicycle stall/20 stalls = 1.6 (disregard fraction) = 1
  - Provided = 10 secure bicycle spaces (5 racks)

Please do not hesitate to contact me with any questions regarding this submittal or if additional information is needed. Electronic copies will be available for download from a Ryan Companies file sharing site.

Sincerely,

Tom Rehwaldt, PE
Civil Engineer
Ryan A+E, Inc.
612-492-4712
thomas.rehwaldt@ryancompanies.com



**BKBM** ENGINEERS

AVENUE

SELBY

6 CONCRETE SIDEWALK (TYP.)

COORDINATE PROTECTION -AND POSSIBLE RELOCATION OF TRAFFIC SIGNALS

PRELIMINARY NOT FOR CONSTRUCTION

O'GARA'S MIXED USE

164 SNELLING AVE, ST PAUL, MN 55104

RAMP TO UNDERGROUND PARKING, SEE ARCH

WALL FACE

PROPOSED BUILDING

SUBMITTALS SITE PLAN







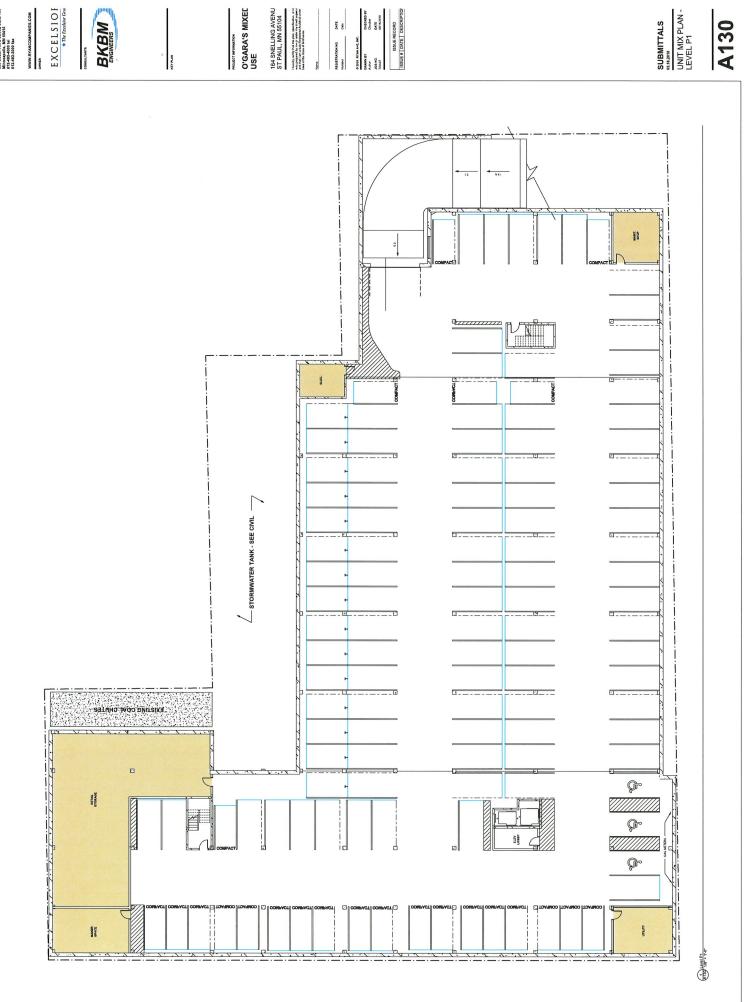


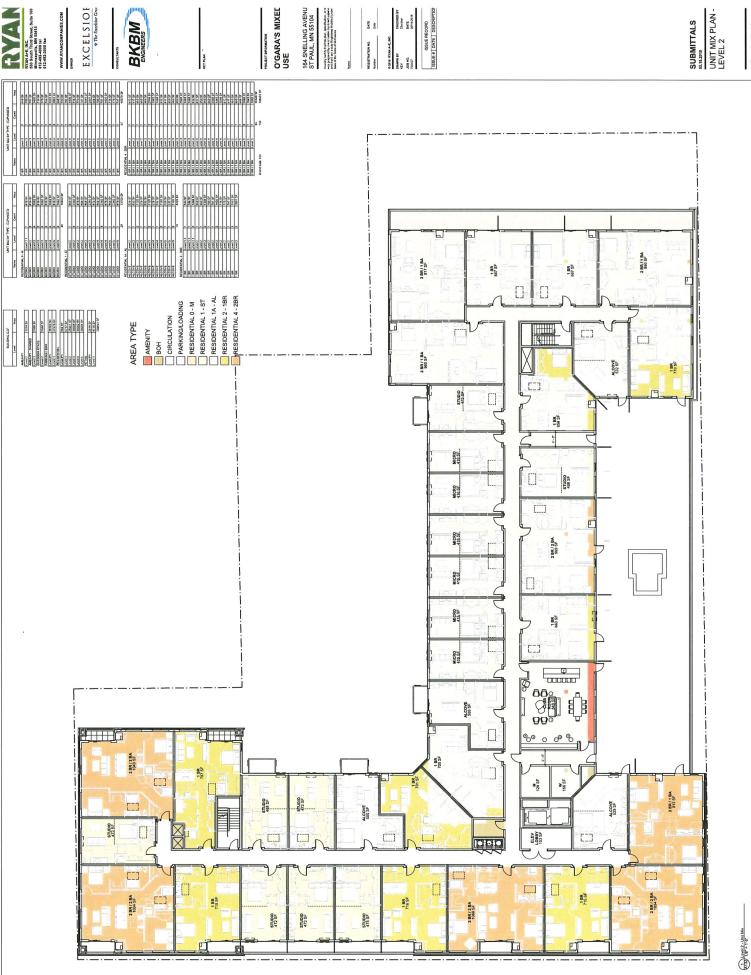


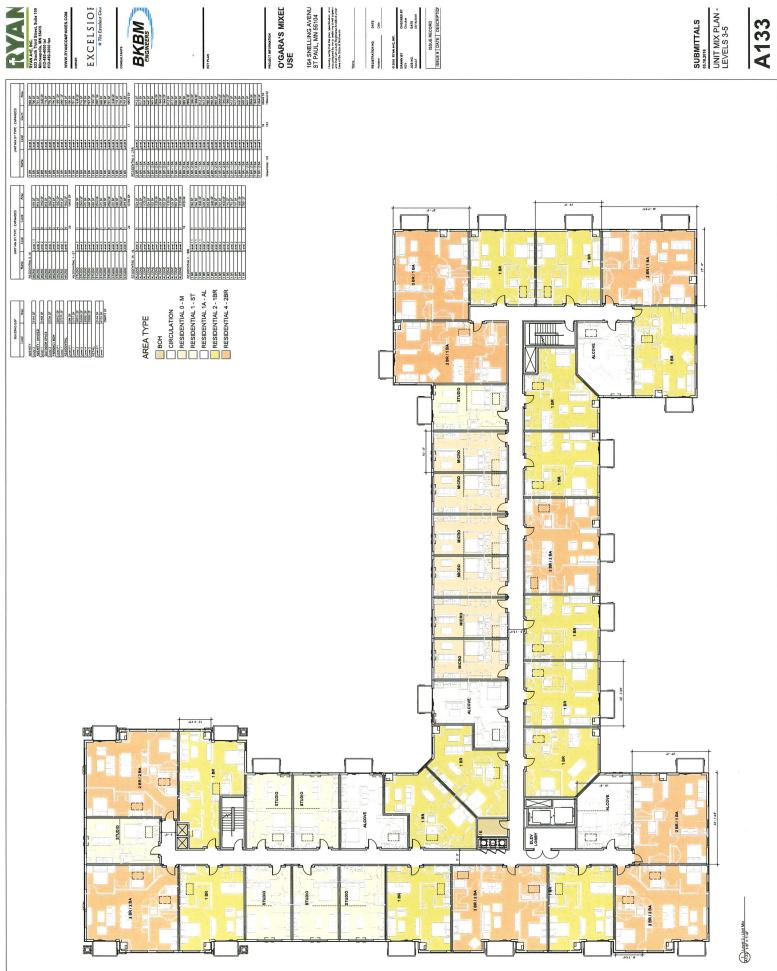




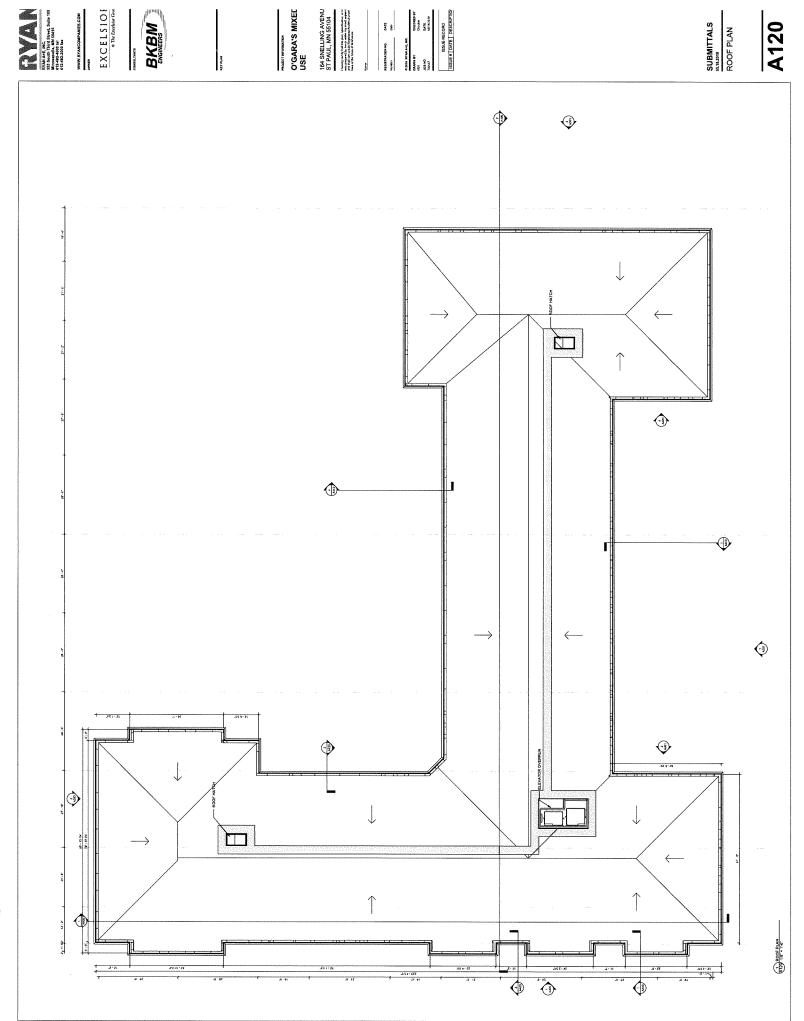




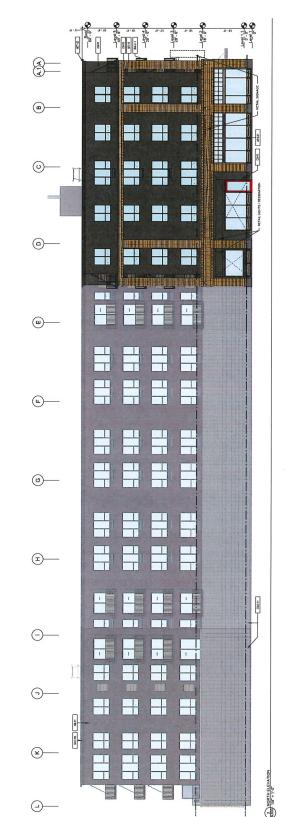




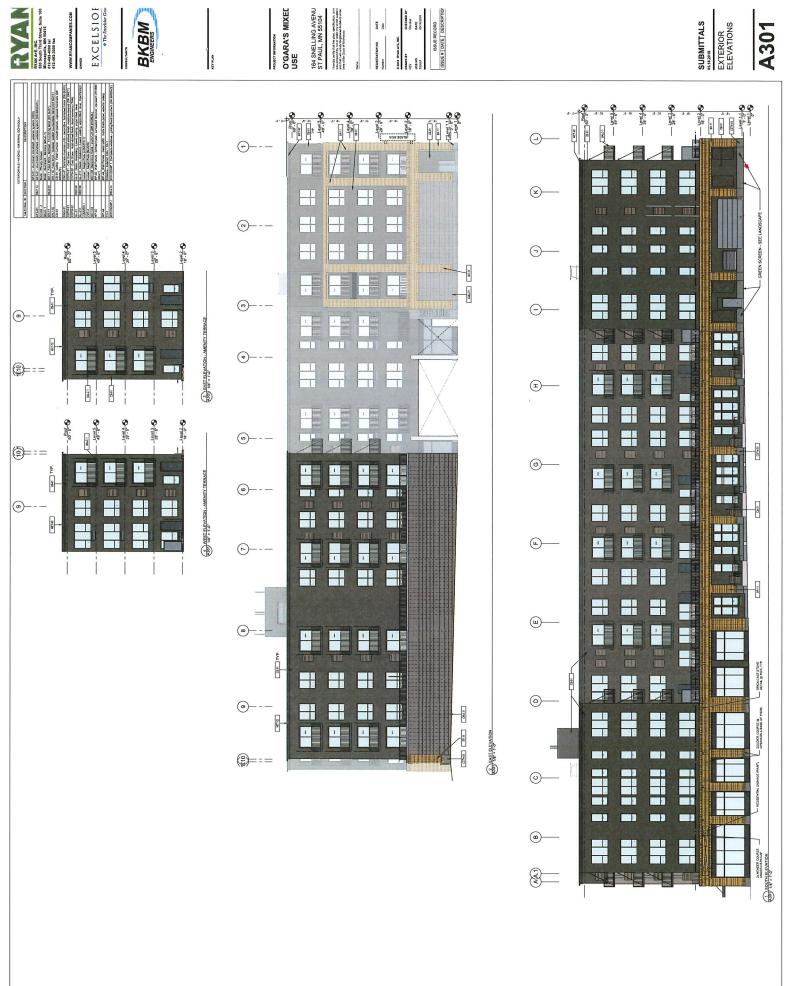
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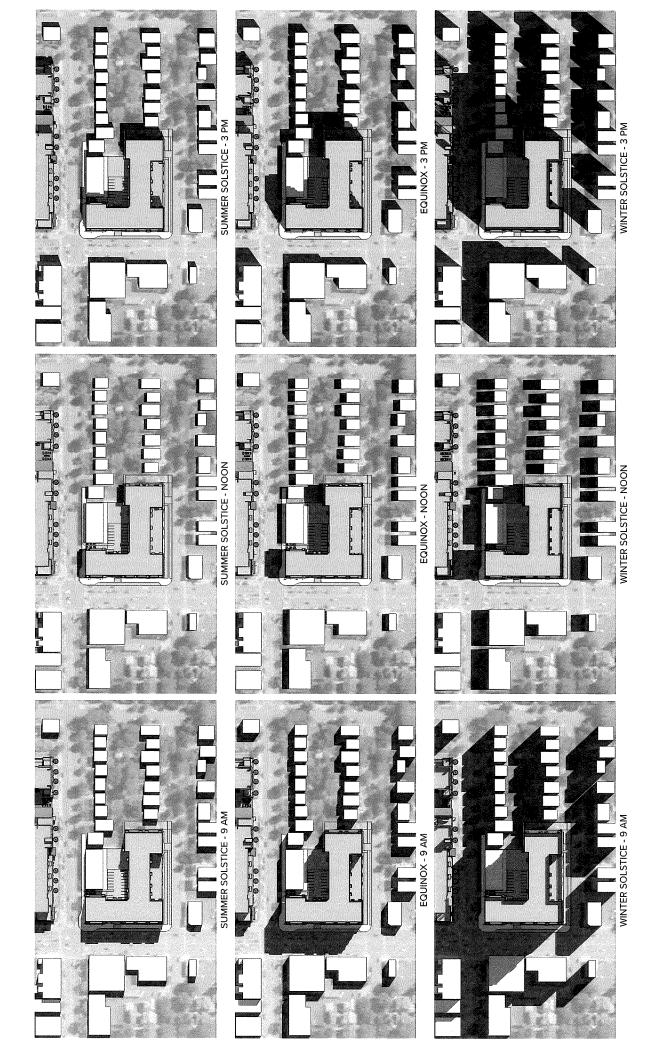
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Date



# O'Gara's Mixed Use Development



164 Snelling – O'Gara's to be rezoned



1559 Hague to be rezoned



Northeast corner Snelling and Selby



Northwest corner of Selby and Snelling



O'Gara's parking lot to be rezoned





Southwest corner Selby and Snelling



West side of Snelling across from development site



Southwest corner of Snelling and Hague



Southeast corner of Snelling and Hague



Homes next door to those to be rezoned



Home of north side of Hague



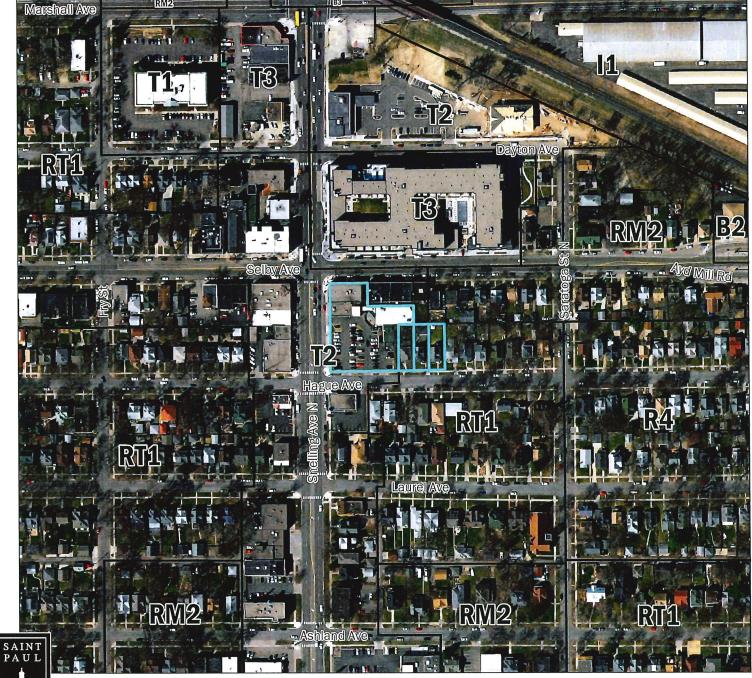
Homes south side of Hague



Homes on south side of Hague



Homes on south side of Hague



FILE #18-066193 | AERIAL MAP
Application of Daniel O'Gara

Application Type: Conditional Use Permit Application Date: May 21st, 2018 Planning District: 13

Subject Parcels Outlined in Blue

680 Feet 170 340 510

This document was prepared by the Saint Paul Planning and Economic Development Department and is intended to be used for reference and illustrative purposes only. This drawing is not a legal recorded plan, survey, official tax map or engineering schematic and is not intended to be used as such. Data sources: City of Saint Paul, Ramsey County, Metropolitan Council, State of Minnesota.

# O'Gara's Mixed Use Development



164 Snelling – O'Gara's to be rezoned



1559 Hague to be rezoned



Northeast corner Snelling and Selby



Northwest corner of Selby and Snelling



O'Gara's parking lot to be rezoned



1557 and 1551 Hague to be rezoned



Southwest corner Selby and Snelling



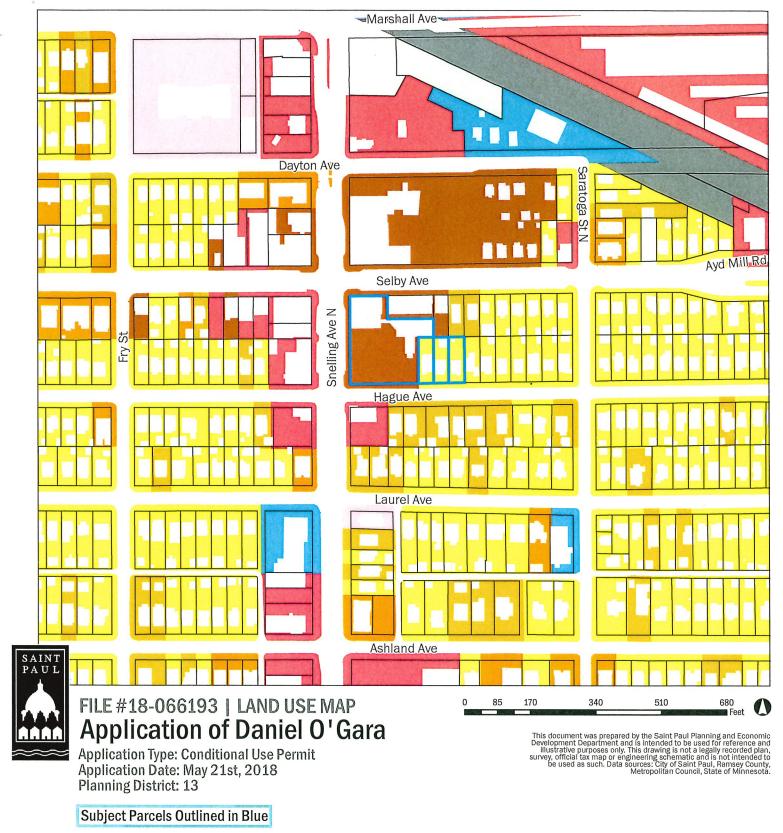
West side of Snelling across from development site



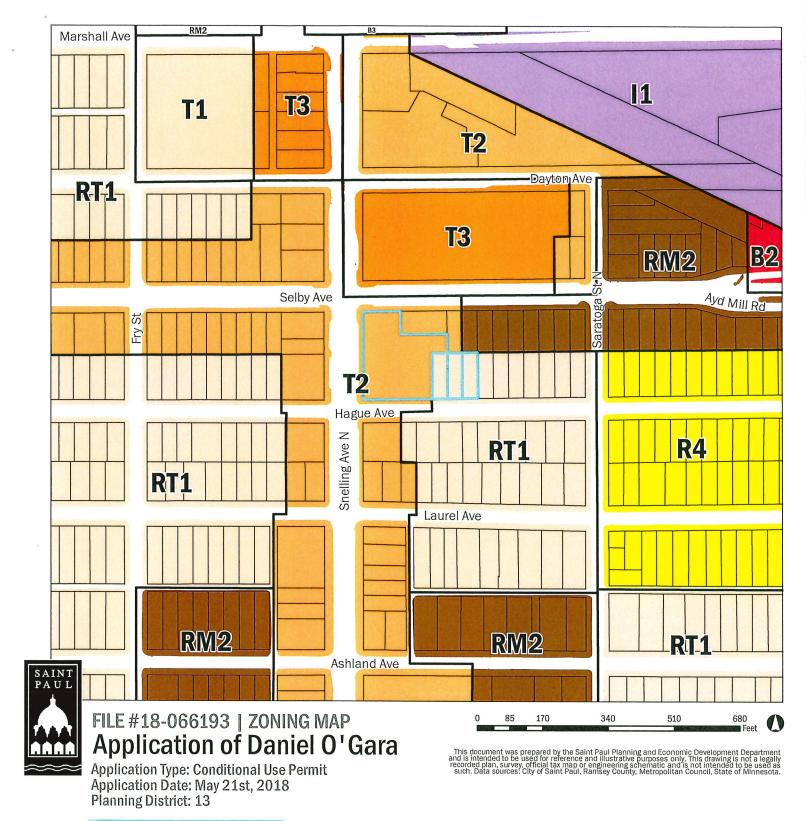
Southwest corner of Snelling and Hague



Southeast corner of Snelling and Hague







Subject Parcels Outlined in Blue

RL One-Family Large Lot RM3 Multiple-Family BC Community Business (converted) 13 Restricted Industrial R1 One-Family T1 Traditional Neighborhood B2 Community Business F1 River Residential R2 One-Family T2 Traditional Neighborhood **B3** General Business F2 Residential Low R3 One-Family T3 Traditional Neighborhood B4 Central Business F3 Residential Mid T3M T3 with Master Plan R4 One-Family **B5** Central Business Service F4 Residential High RT1 Two-Family T4 Traditional Neighborhood IT Transitional Industrial F5 Business RT2 Townhouse T4M T4 with Master Plan // ITM IT with Master Plan F6 Gateway RM1 Multiple-Family OS Office-Service I1 Light Industrial VP Vehicular Parking RM2 Multiple-Family B1 Local Business I2 General Industrial PD Planned Development CA Capitol Area Jurisdiction