



Abundant housing, low-carbon transportation, and sustainable land use
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07/6/2024

Public Hearing Testimony to the Saint Paul City Council

RE: East Grand Avenue Overlay zero District Zoning Study & Proposed Amendments

President Jalali & Members of the City Council,

Sustain Saint Paul is a volunteer-led, grass-roots organization that champions abundant housing, low-carbon transportation, and sustainable land use in Saint Paul. We submit this testimony on behalf of the Board, members and advocates that make up our organization.

Revisions to the East Grand Avenue Overlay District (EGAOD) are long overdue, and we urge the Council to pass the PED staff proposal expeditiously, with some amendments. We applaud PED staff for the excellent work and support the clear intent of the EGAOD Study, which is to remove barriers to economic development along the corridor and enable development that will support small businesses, activate the public realm and enhance the pedestrian experience.

We strongly support most key provisions of the current proposal. Namely:

- Use of primary zoning to determine height and minimum setbacks
- Provisions aimed at street activation and pedestrian experience
- Permitting buildings up to 40' in height without front and side yard step backs

Proposed Changes: This support notwithstanding, we urge the Council to adopt two changes

- Make the 40' height threshold for step backs consistent on all sides
- Cap Step Backs at 10'

Proposed Text Amendment

PED Staff Draft	Sustain Saint Paul Draft
Stepbacks, All portions of a building above a height of forty (40) feet must be stepped back from the minimum front or side street setback lines a distance equal to the additional height...	Stepbacks, All portions of a building above a height of forty (40) feet must be stepped back from the minimum front or side street setback lines a distance equal to the lessor of its additional height or ten (10) feet
...Buildings must be no more than thirty (30) feet high along property lines abutting RL-H2 lots at an alley; buildings may exceed this thirty (30) foot height limit if stepped back from rear property lines a distance equal to the additional height	...Buildings must be no more than thirty (30) feet high along property lines abutting RL-H2 lots at an alley; buildings may exceed this thirty (30) foot height limit if stepped back from rear property lines a distance equal to the additional height

Rationale

1. Height Threshold Requiring Step Backs

For front and side yards, the PED staff proposal applies a 1' step back for every additional 1' in height above 40' for front and side yards. The step back requirement kicks in at just 30' for rear yards. Sustain Saint Paul opposes treating Step Backs differently on rear yards on the basis of neighborhood **precedent, practicality** and **principle**.

Precedent: The 30' height threshold for rear yard step backs is architecturally inconsistent with the East end of the Overlay's existing building stock, and would prohibit new buildings of similar massing/scale to the older buildings on the corridor that define its character.

The appendix (attached at bottom) includes examples of existing apartment buildings on the corridor that do not conform to the proposed step back requirements, and would be prohibited if a developer were to propose building them under the updated EGAOD requirements.

Practicality: Practically speaking, this requirement will:

- Increase the number variance requests;
- Reduce the amount of housing that can be added to Grand;
- Increase the overall cost per unit and cost per square foot of new development;
- Increase the rents required of occupants (fewer units over which to spread fixed costs);
- Reduce the range of incomes / business types that can afford new units on Grand;
- Reduce the likelihood of small scale, single lot projects conducive to the kind of small local business occupancy Grand Avenue is known for; and
- Decrease the likelihood of larger developments like Kenton House, which are an important part of the overall effort to revitalize, activate and add density to Grand.

The step back requirements as proposed will unintentionally prohibit small or single-lot infill development.

A typical story being 11-12' in height, the current proposal will result in a required rear yard step back for any building over 2 stories. Given the high value of land on Grand Avenue, single parcel / small-scale developments are not economically viable with a step back at 2 stories.

Take the 3-story development on a 65' wide lot pictured below as an example. Without stepbacks, the building could contain ~12 residential units. Given current land, construction and financing conditions, the project — recently built in Minneapolis by a small-scale local developer — would lose 17% of its units and would be economically unviable.



Increasing the rear yard step back height threshold to 40' will ensure 3-story buildings with tall ground floors (typical for commercial space) **are possible** to build without any step back and loss of internal square footage required to support small-site development.

Principle: A more stringent rear step-back requirement is fundamentally inequitable and is not in alignment with the Comprehensive Plan, practice elsewhere in the City, or the intent and scope of the Overlay itself.

The scope of the overlay are parcels abutting Grand Avenue itself, not parcels abutting the rear yards of those parcels. **The purpose** of the overlay is to guide development that is consistent with the corridors' character. The more stringent rear yard step back rule does not accomplish that.

PED Staff, the Planning Commission and Sustain Saint Paul agree that a 40' height step back threshold is strikes the right balance between

- **Preserving Grand Avenue character**
- **Unblocking development**
- **Pedestrian / shopper experience, and**
- **Neighbors on opposite sides of Grand Avenue**

If sufficient for these broad based stakeholder interests, it follows that a 40' height threshold should be sufficient for neighbors across the alley which themselves are not part of the overlay or core to the overlay's purpose.

As a City we have decided that the rear yard setback restrictions in our primary zoning are sufficient to balance the needs of adjoining properties city-wide. Why not adjacent to the Overlay?

We should not be using the Overlay district to give a select group of neighboring property owners adjacent to the district special zoning accommodations based on their personal preferences...especially when those zoning accommodations will negatively impact the economic vibrancy of Grand Avenue, the creation of additional housing and the City's tax base.

2. Capping Step Backs at 10'

An uncapped 1-1 step back requirement above 40' will necessitate "tiered wedding cake" building designs for any structure beyond 5 stories. Such designs are extremely complex, and costly to build in terms of dollars and greenhouse gas emissions.

Achieving code-required fireproofing in a multi-step-back building all-but requires building with concrete (rather than wood)....something which is almost never done because of the extremely high cost.

Capping the required step back at a maximum of 10' strikes the right balance between massing, shading and enabling projects to be built on Grand Avenue without the frequent use of variances.

Sustain Saint Paul urges the City Council to adopt the PED Staff proposal, including our draft amendments, as expeditiously as possible.

Sincerely,

Sustain Saint Paul Board of Directors

Melissa Wenzel, co-chair

Zack Farrell

Luke Hanson, co-chair

Paul Fiesel

Galen Benshoof, treasurer

Chris Smith

Cody Fischer

Karen Allen

Michel Molstead

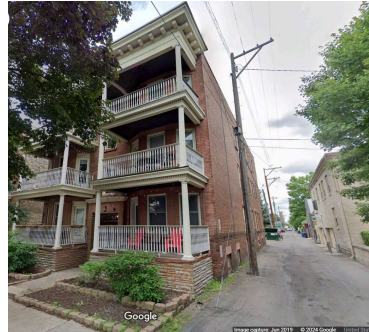
Faith Krogstad

Appendix: Examples of existing Grand Avenue buildings east of Virginia that would be prohibited to build under the current proposed overlay district

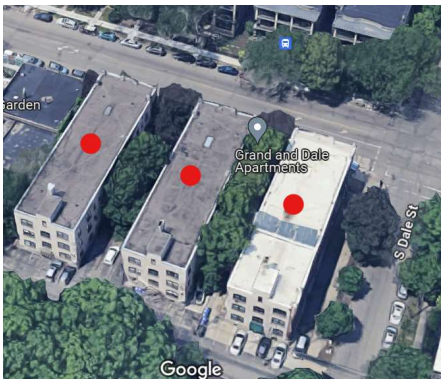
** 51 S Avon St, 3.5 stories (0 setback from alley)*



** 805 Grand Ave, 3.5 stories (0 setback from Alley)*



622, 628, 636 Grand Ave



614 Grand Ave, 3.5 stories



42 St Albans, 3.5 stories, 30 St Albans, 3.5 stories

