

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** HRA (619 - 627 Wells) **FILE #:** 14-325-680
 2. **APPLICANT:** Housing & Redevelopment Authority (HRA) **HEARING DATE:** September 25, 2014
 3. **TYPE OF APPLICATION:** Rezoning - Consent
 4. **LOCATION:** 619-627 Wells St, between Edgerton and Payne Avenue
 5. **PIN & LEGAL DESCRIPTION:** 292922420187; Lots 26-28 of Block 35, Chas Weide's Subdivision of Arlington Hills Addition
 6. **PLANNING DISTRICT:** 5 **EXISTING ZONING:** R4
 7. **ZONING CODE REFERENCE:** §61.801(b)
 8. **STAFF REPORT DATE:** September 17, 2014 **BY:** Bill Dermody
 9. **DATE RECEIVED:** September 4, 2014 **60-DAY DEADLINE FOR ACTION:** November 3, 2014
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- A. **PURPOSE:** Rezone from R4 One-family residential to T2 Traditional Neighborhood.
- B. **PARCEL SIZE:** 15,000 square feet
- C. **EXISTING LAND USE:** Vacant
- D. **SURROUNDING LAND USE:** Residential to the south and west (RT2, R4), commercial to the east along Payne Avenue (B2, T2), and parking to the northwest (VP)
- E. **ZONING CODE CITATION:** §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** The property was rezoned from RM2 to R4 as part of a larger rezoning after 1975.
- G. **DISTRICT COUNCIL RECOMMENDATION:** Payne Phalen District 5 Planning Council recommends approval of the application.
- H. **FINDINGS:**
 1. The application requests rezoning from R4 to T2 in order to allow a parking lot that will be an accessory use to nearby businesses along Payne Avenue.
 2. The proposed zoning is consistent with the way this area has developed. Adjacent properties along Payne Avenue are zoned B2 and T2, and have varying lot depths. Rezoning to T2 is consistent with the established land use pattern.
 3. The proposed zoning is consistent with the Comprehensive Plan, which designates the area along Payne Avenue as a Mixed Use Corridor. The proposed rezoning supports the more intense commercial and residential uses envisioned for the Mixed Use Corridor and, in the near-term, promotes an active streetscape along Payne Avenue by placing parking behind the buildings facing Payne Avenue.
 4. The proposed T2 zoning allows a range of neighborhood-scale residential and commercial uses that are compatible with the surrounding residential and commercial uses.
 5. Court rulings have determined that "spot zoning" is illegal in Minnesota. Minnesota courts have stated that this term "*applies to zoning changes, typically limited to small plots of land, which establish a use classification inconsistent with the surrounding uses and create an island of nonconforming use within a larger zoned property.*" The

proposed T2 zoning is not "spot zoning" because the T2 uses are consistent with the surrounding residential and commercial zoning designations and uses.

6. The petition for rezoning was found to be sufficient on August 28, 2014: 21 parcels eligible; 14 parcels required; 15 parcels signed.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from R4 One-family residential to T2 Traditional Neighborhood.



PETITION TO AMEND THE ZONING CODE
 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 = 5
 Ward = 6
 Zm = 10
 #29292242 0187
 0186
 0185
 0184

Zoning Office Use Only
 File #: 14-325680
 Fee: 0
 Tentative Hearing Date: 9-25-14

APPLICANT

Property Owner Housing & Redevelopment Authority of the City of Saint Paul
 Address 1300 City Hall Annex 25 W. 4th Street
 City Saint Paul St. MN Zip 55102 Daytime Phone 651-266-6685
 Contact Person (if different) Dan Bayers Phone 651-266-6685

PROPERTY LOCATION

Address/Location 619, 621, 623, 627 Wells Street
 Legal Description W 1/2 lot 26, E 1/2 lot 26, Lot 27, Lot 28
Block 35 Chas Weide's Subdivision Current Zoning R4
 (attach additional sheet if necessary) of Block 35 of Arlington Hills Addition to Saint Paul

TO THE HONORABLE MAYOR AND CITY COUNCIL:

Pursuant to Section 61.800 of the Saint Paul Zoning Ordinance and to Section 462.357(5) of Minnesota Statutes,

Housing and Redevelopment Authority, owner of land proposed for rezoning, hereby petitions you to rezone the above described property from a R4 zoning district to a T2 zoning district, for the purpose of: off street parking lot

(attach additional sheets if necessary)

Attachments as required: ☐ Site Plan ☒ Consent Petition ☒ Affidavit

Subscribed and sworn to before me

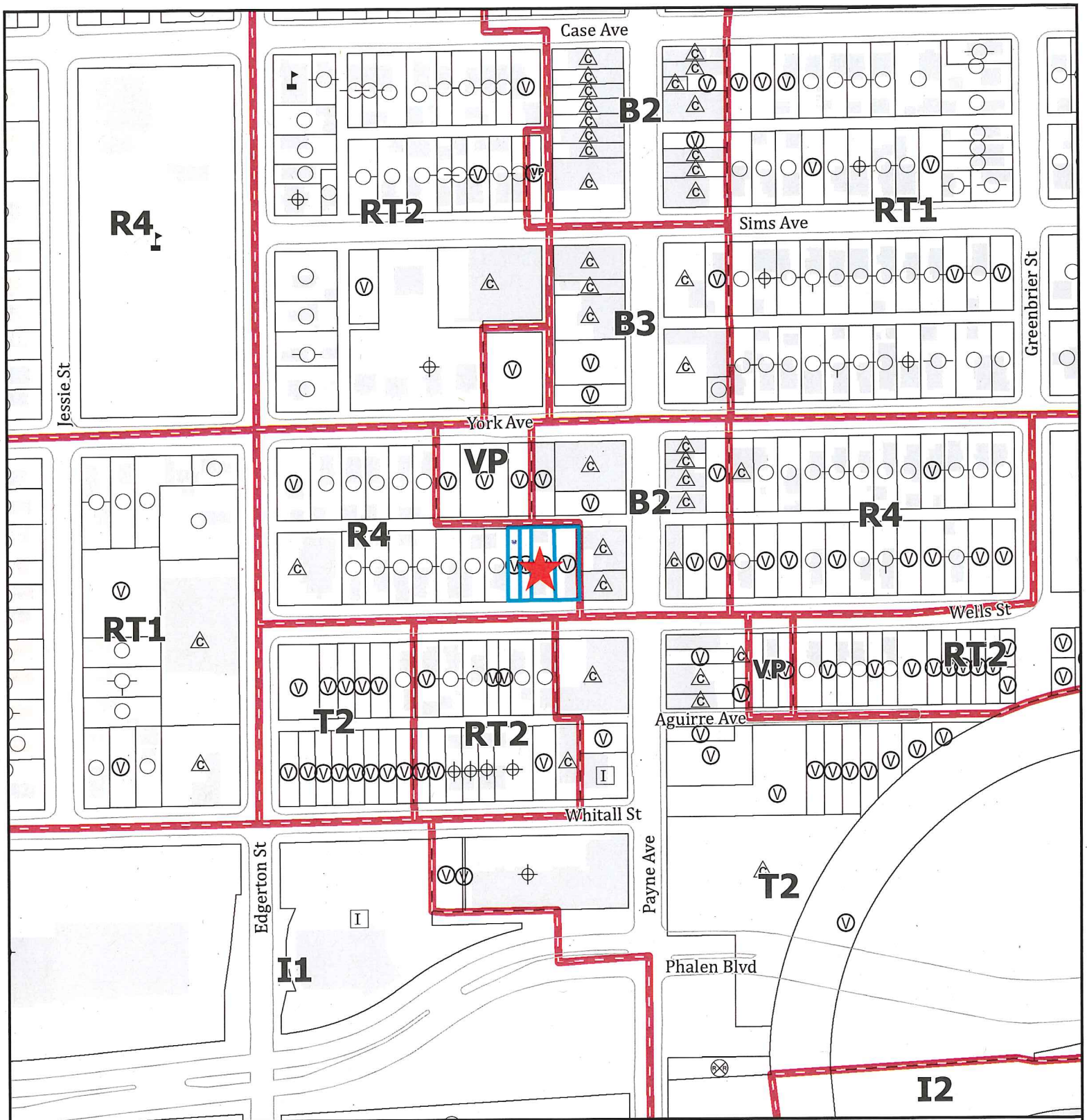
this 15 day
 of July, 2014



LAURA L. ECKERT
 NOTARY PUBLIC - MINNESOTA
 MY COMMISSION
 EXPIRES JAN. 31, 2015

Notary Public

By: Kris Sadler
 Fee owner of property
 Title: Director



APPLICANT: Housing and Development Authority

APPLICATION TYPE: Rezoning R4 to T2

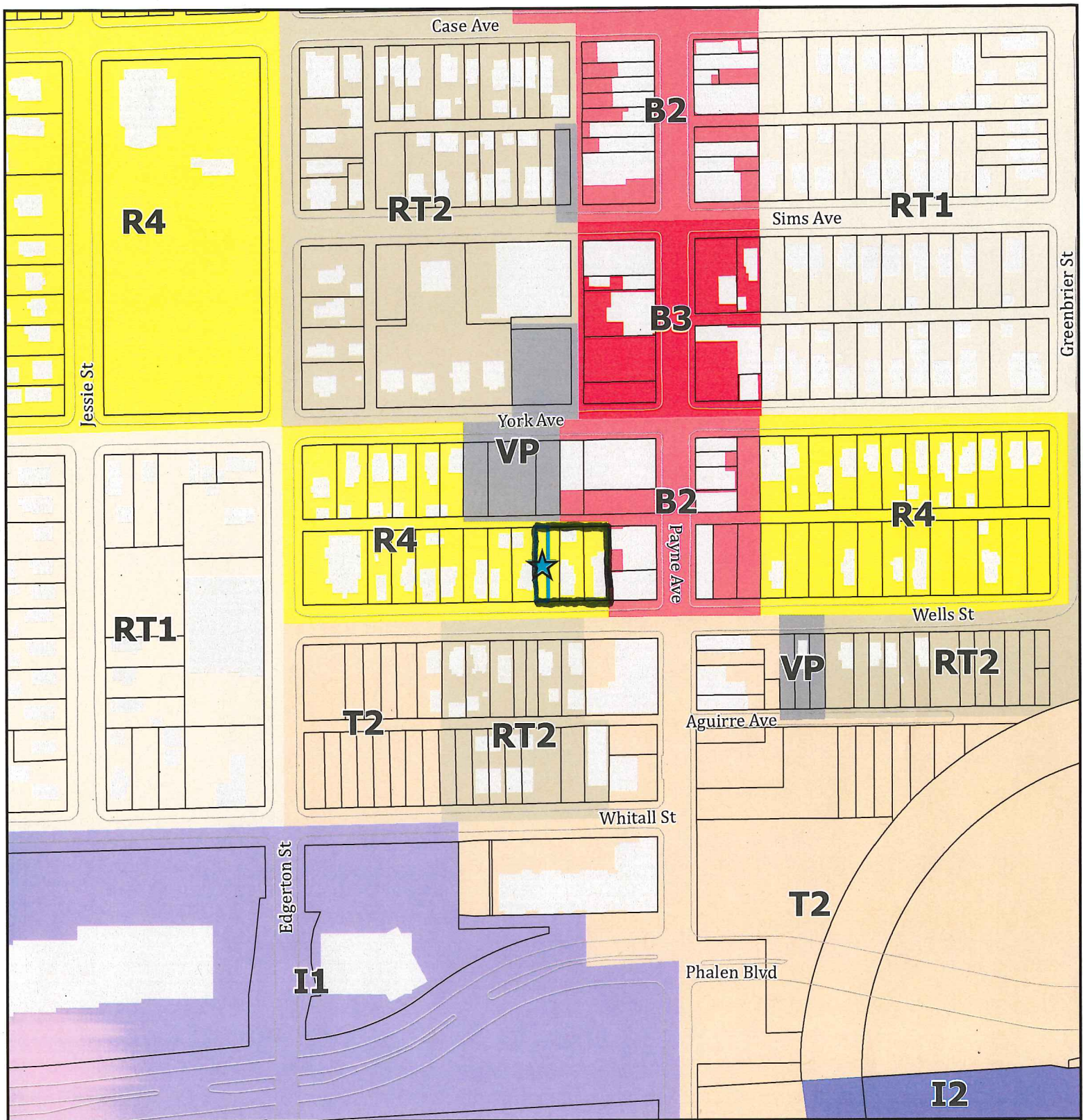
FILE #: 14-325680 DATE: 8/28/2014

PLANNING DISTRICT: 5

ZONING PANEL: 10

- | | | | |
|--|----------------------|--|--------------------------|
| | Commercial & Office | | Residential One Family |
| | Industrial & Utility | | Residential Two Family |
| | Institutional | | Residential Three Family |
| | Vacant/Undeveloped | | Multifamily |





APPLICANT: HRA City of St. Paul

APPLICATION TYPE: Rezone from R4 to T2

FILE #: 14-325680 DATE: 9/4/2014

PLANNING DISTRICT: 5

ZONING PANEL: 10

Zoning

R4 One-Family

RT1 Two-Family

RT2 Townhouse

T2 Traditional Neighborhood

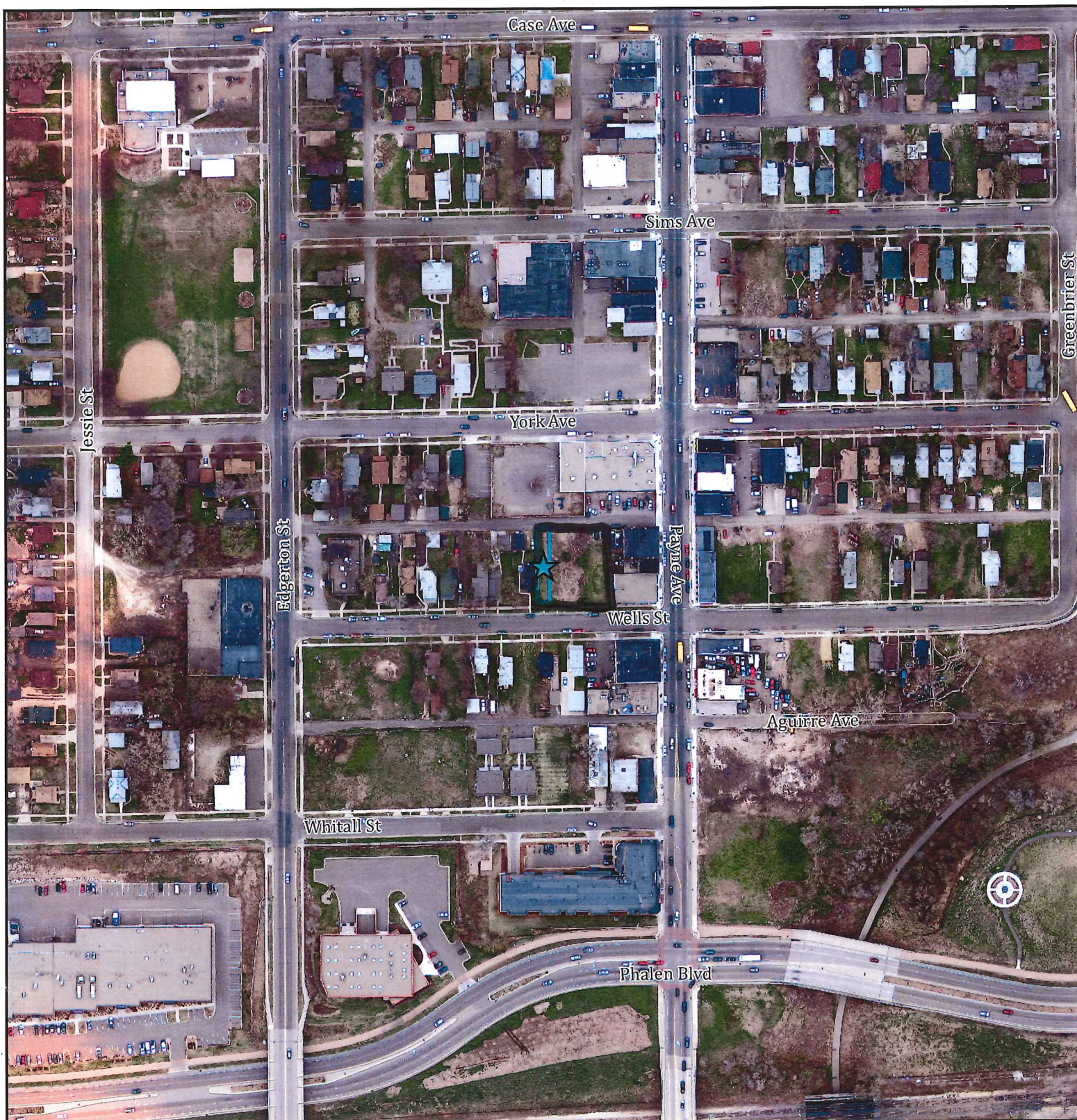
B2 Community Business

B3 General Business

I1 Light Industrial

I2 General Industrial

VP Vehicular Parking



0 82.5 165 330 495 660 Feet

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