

## ZONING COMMITTEE STAFF REPORT

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|---|---|
| 1. <b>FILE NAME:</b> New Plan Learning  | <b>FILE #:</b> 15-033-859                       |
| 2. <b>APPLICANT:</b> 169 Jenks LLC  | <b>HEARING DATE:</b> May 28, 2015               |
| 3. <b>TYPE OF APPLICATION:</b> Rezoning   |   |
| 4. <b>LOCATION:</b> 169 Jenks Ave, east of Agate between Lawson and Case  |   |
| 5. <b>PIN &amp; LEGAL DESCRIPTION:</b> 302922130141; Soo Line Plat Number 5 vac alley in and Blk 1 in Deer Park Div and vac alley accruing and fol a 15 ft tract of land lying between Lots 8 and Lot 9 and Lots 6 thru Lot 10 Blk 1 In Elbra Div and in sd Soo Line Plat Number 5 vac st and alley accruing and the fol; the W 95.8 ft of Lot A lying S of ext N L of Lawson St and N of ext S L of Jenks St |   |
| 6. <b>PLANNING DISTRICT:</b> 6  | <b>EXISTING ZONING:</b> I2                      |
| 7. <b>ZONING CODE REFERENCE:</b> §61.801(b)   |   |
| 8. <b>STAFF REPORT DATE:</b> May 21, 2015   | <b>BY:</b> Jamie Radel                          |
| 9. <b>DATE RECEIVED:</b> May 8, 2015  | <b>60-DAY DEADLINE FOR ACTION:</b> July 7, 2015 |
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- A. **PURPOSE:** Rezone from I1 Light Industrial, I2 General Industrial, and VP Vehicular Parking to T1 Traditional Neighborhood.
- B. **PARCEL SIZE:** 187,979 sq. ft. (4.3 acres)
- C. **EXISTING LAND USE:** This parcel is currently primarily used as a school.
- D. **SURROUNDING LAND USE:**  
North: Multifamily and duplex residential  
East: Trillium Park  
South: Industrial  
West: One- and two-family residential
- E. **ZONING CODE CITATION:** §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** As far back as 1975, this site has had a mix of zoning designations that included residential (RT1), industrial (I2), and parking districts (P1). At some point since 1975, the area at the southeast corner of Jenks and Agate was rezoned from I2 to I1 and a small area at the corner of Case and Agate was rezoned from RT-1 to I1. In 2014, the Saint Paul Planning Commission granted New Plan Learning a conditional use permit to for a school (K-12) on the area of the parcel zoned I2 general industrial (14-186591).
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 6 has not provided a recommendation at the writing of this staff report.
- H. **FINDINGS:**
1. The applicant is seeking rezoning to T1 traditional neighborhood of the portion currently zoned VP vehicular parking of this parcel to allow for the construction of a new gymnasium for the school. The current VP zoning only allows for the use of that area as a parking lot. In addition, they are seeking to rezone the remaining portions of the parcel that are currently zoned I1 light industrial and I2 general industrial to T1 traditional neighborhood to allow for better overall use of this property.

2. The proposed zoning is consistent with the way this area has developed. T1 traditional neighborhood zoning provides for reasonable use and reuse of the existing buildings built as industrial builds on this site, and allows for a transition between residential neighborhoods and more intense commercial or industrial uses. This area has developed with sharp transition between residential and the more intense industrial uses, and the T1 district would provide a more graded transition.
  3. The proposed T1 zoning is consistent with the Comprehensive Plan. This parcel is guided as Established Neighborhood under the Comprehensive Plan. The T1 traditional neighborhood district reinforces the uses identified in that future land use category.
  4. The proposed T1 allows residential, office, commercial, and very limited production and processing (specifically agriculture) that are compatible with the surrounding residential, park, and industrial 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."* This rezoning from I1 light industrial, I2 general industrial, and VP vehicular parking to T1 traditional neighborhood is not spot zoning as it allows for the uses in the adjacent residentially zoned districts as well as some office and commercial uses allowable in the industrial districts. The T1 district will serve as a transition between the residential uses and the more intense industrial uses.
- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning of this parcel from I1 light industrial, I2 general industrial, and VP vehicular parking to T1 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

Zoning Office Use Only  
 File #: 15-033859  
 Fee: 1200.00  
 Tentative Hearing Date:  
5-28-15

## APPLICANT

Property Owner New Plan learning  
 Address 2250 E. Devon Avenue, suite 239  
 City Des Plaines St. IL Zip 60018 Daytime Phone 954-940-1902  
 Name of Owner (if different) MURAT ARABACI  
 Contact Person (if different) UNAL COBAN Phone 954-940-1902

## PROPERTY LOCATION

Address/Location 169 Jenks Avenue  
 Legal Description see attached survey  
 Current Zoning Vehicular Parking (VP)  
 (attach additional sheet if necessary)

## TO THE HONORABLE MAYOR AND CITY COUNCIL:

Pursuant to Section 61.800 of the Saint Paul Zoning Ordinance and to Section 462.957(5) of Minnesota Statutes,

New Plan Learning, owner of land proposed for rezoning, hereby petitions you to  
Vehicular Parking, General  
 rezone the above described property from a Industrial, and Light zoning district to a Traditional zoning  
industrial Neighborhood

### district, for the purpose of:

Project consists of a single story, multi-use space added to an existing two story K-8 school. Estimated building addition area 6,500 s.f. Property currently contains multiple zoning classifications, Residential Two Family (RT1), General Industrial (I2), Vehicular Parking (VP), and Light Industrial (I1). Area where addition is proposed is zoned Vehicular Parking (VP). Zoning classification does not allow for any use other than vehicular parking. Applicant requests change in zoning classification for areas not currently zoned Residential Two Family (RT1). Area classified as Vehicular Parking (VP) change to Traditional Neighborhood (T1). Area classified as General Industrial (I2) change to Traditional Neighborhood (T1), Area classified as Light Industrial (I1), change to Traditional Neighborhood (T1), Reclassification of zoned areas would allow multi-use addition.  
 (attach additional sheets if necessary)

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

## Subscribed and sworn to before me

this 14th day

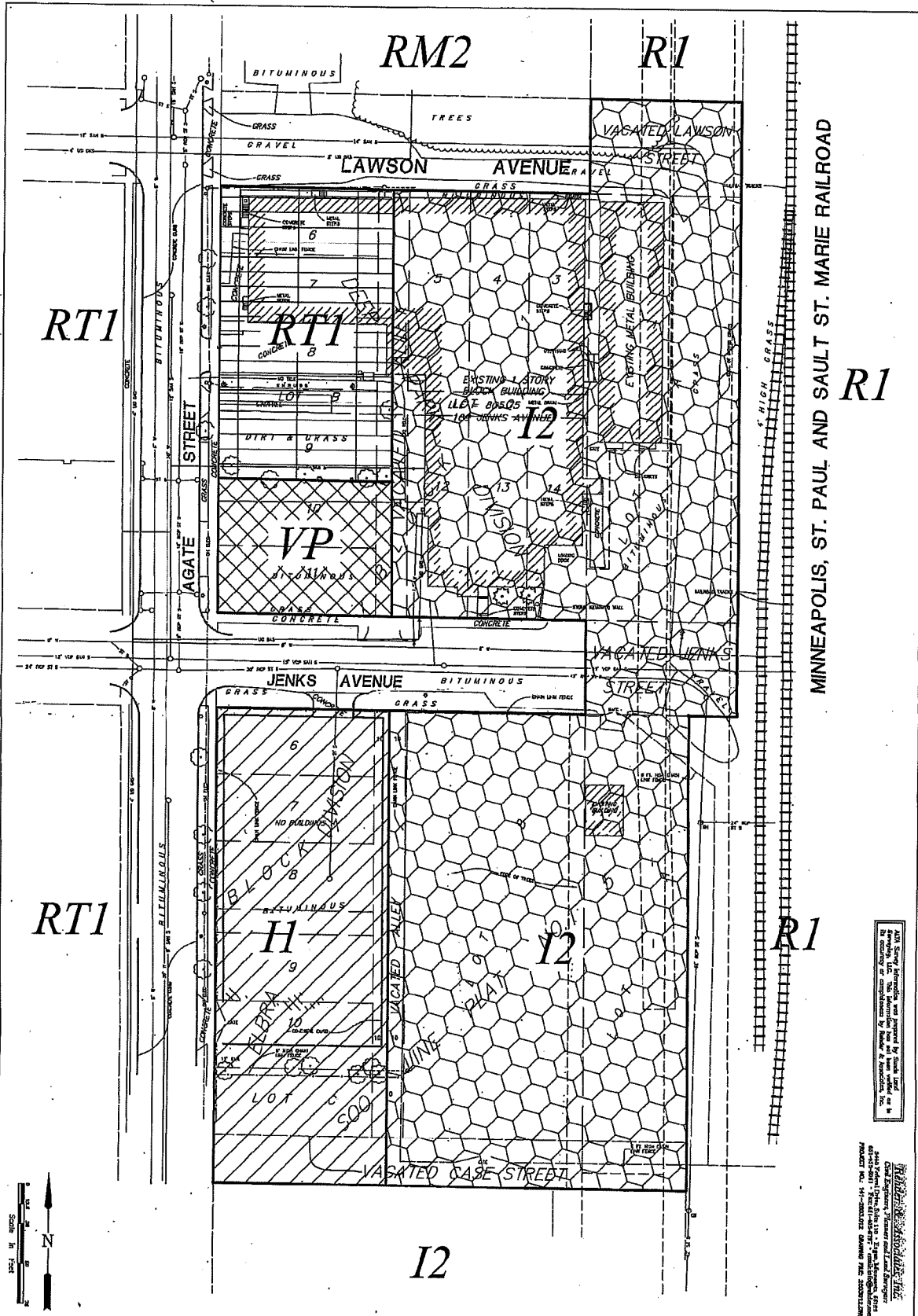
of MAY, 20 15

Notary Public

By: [Signature]  
 Fee owner of property

Title: President

OFFICIAL SEAL  
 ELDAR B KAFAROV  
 Notary Public - State of Illinois  
 My Commission Expires Sep 5, 2018



MINNEAPOLIS, ST. PAUL AND SAULT ST. MARIE RAILROAD

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**RIVERA ARCHITECTS, INC.**  
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C1.0

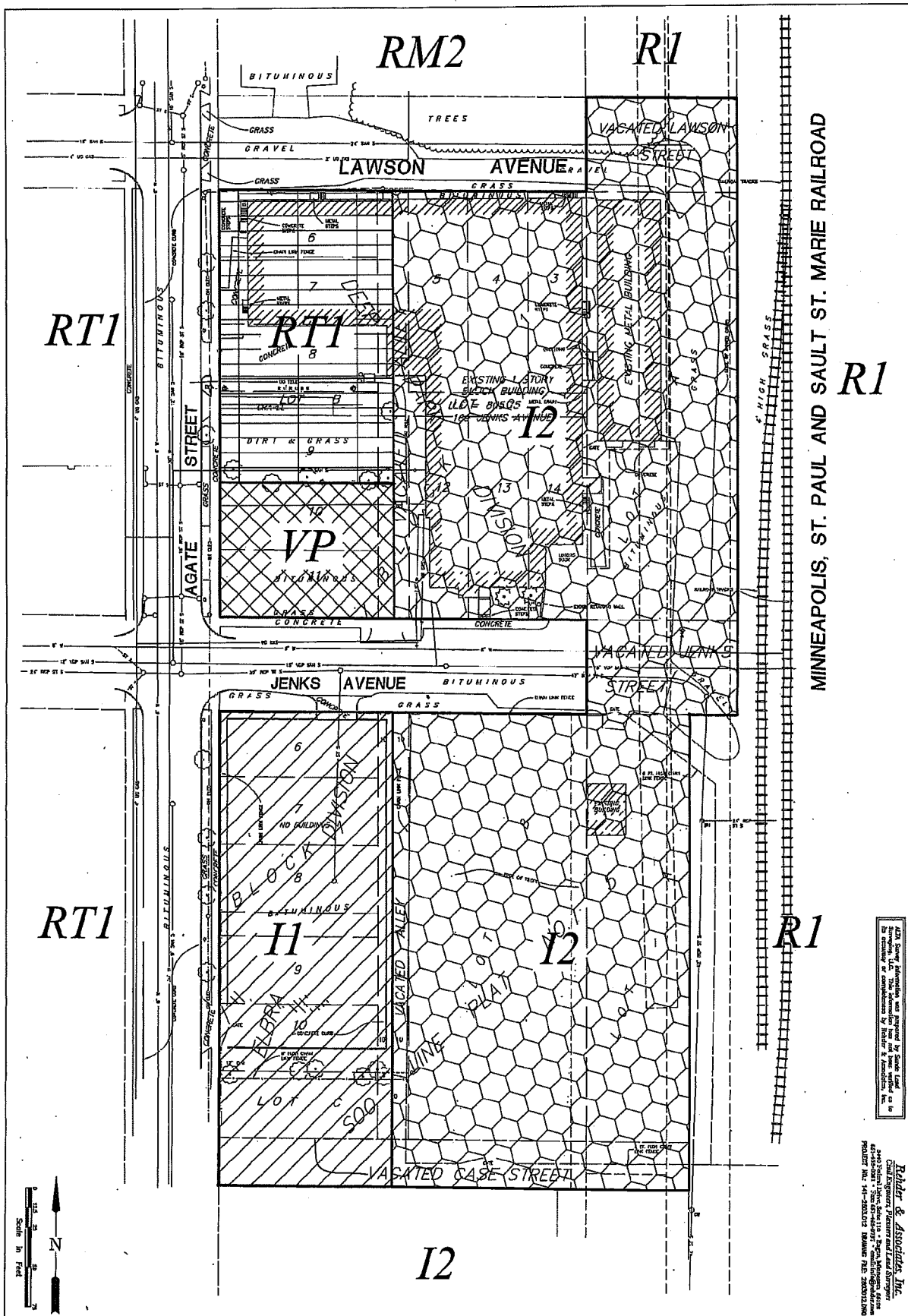
EXISTING ZONING EXHIBIT

MINNESOTA MATH AND SCIENCE  
 ACADEMY - PHASE 3

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60 scale



MINNEAPOLIS, ST. PAUL AND SAULT ST. MARIE RAILROAD

R1

R1

ALL Survey, Engineering and Planning by State Land  
 Survey and Engineering, Inc. is a  
 registered professional engineering firm  
 in Minnesota. It is licensed by the  
 State of Minnesota, Department of  
 Transportation, to perform all  
 engineering and planning work  
 in accordance with the Minnesota  
 Engineering and Planning Act.

**Rivera & Associates, Inc.**  
 2400 Exchange Avenue, Suite 110, St. Paul, MN 55105  
 612-292-2115 • Fax: 612-292-2116 • Email: info@rivera-associates.com  
 PROJECT NO. 141-2000017 MINNAPOLIS RAILROAD R12 2000/11/06

C1.0

EXISTING ZONING EXHIBIT

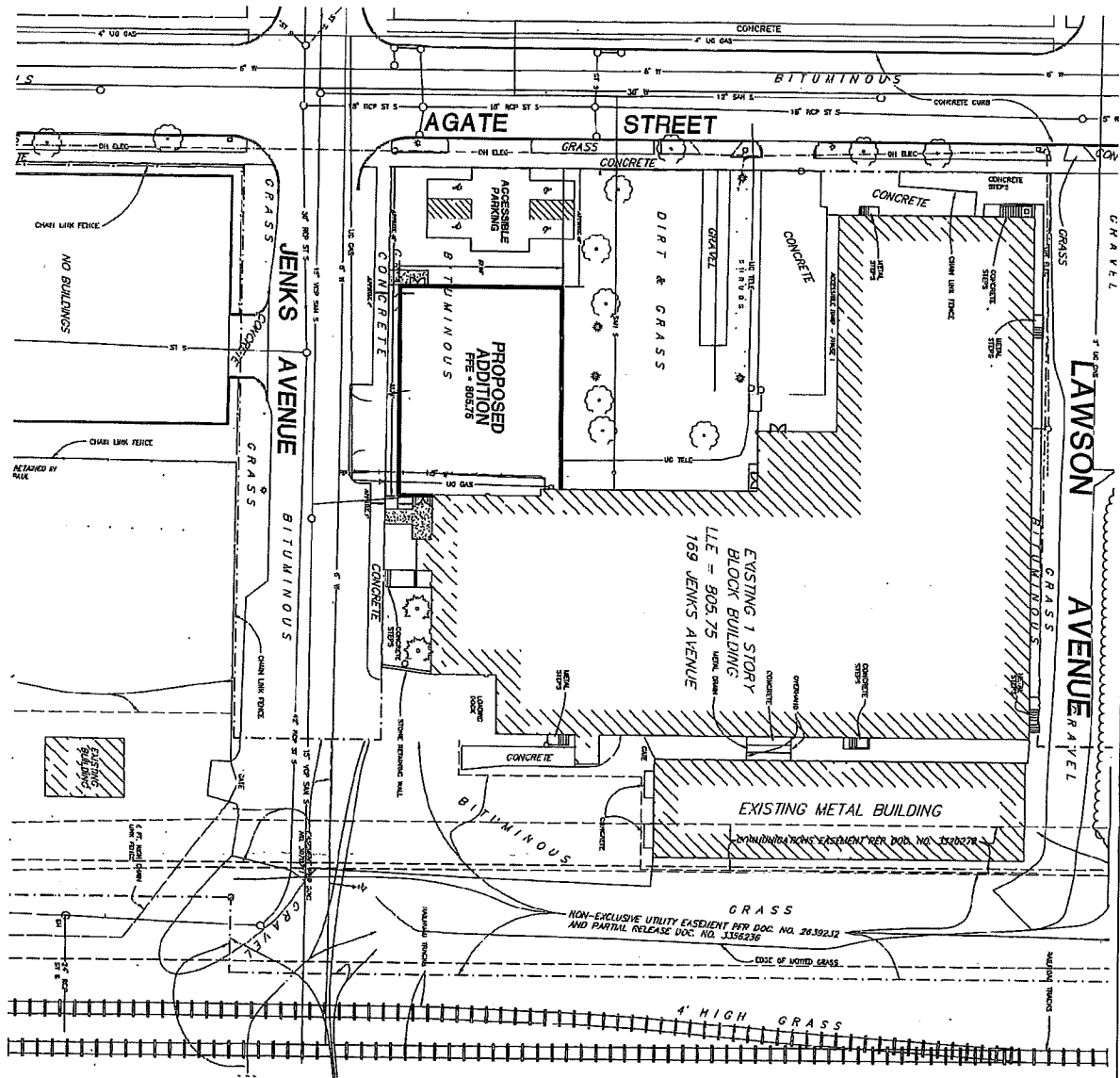
24-11  
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MINNESOTA MATH AND SCIENCE  
 ACADEMY - PHASE 3

**RIVERA ARCHITECTS INC**  
 775 Fairwood Avenue  
 St. Paul, Minnesota 55105  
 612-292-2115 • Fax: 612-292-2116 • Email: info@rivera-architects.com  
 Architecture Planning Interiors



I hereby certify that the above information is  
 true and correct to the best of my knowledge  
 and belief, and that I am a duly licensed  
 professional engineer in the State of Minnesota.



ALL SHOWN INFORMATION was prepared by the State of Minnesota and is to be used for informational purposes only. It is not to be used for any other purpose without the express written consent of the State of Minnesota.

**Ridder & Associates, Inc.**  
Civil Engineer, Planner and Land Surveyor  
2010 Ridder Avenue, Suite 100  
St. Paul, Minnesota 55105  
651-444-1111  
PROJECT NO. 14-000000 DRAWING NO. 2007012400

**RIVERA ARCHITECTS INC**  
775 Edmore Avenue  
St. Paul, Minnesota 55105  
651-222-1215 [and@riverarchitects.com](mailto:and@riverarchitects.com)  
Architecture Planning Interiors

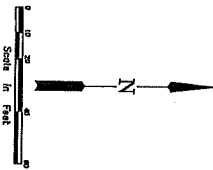


# MINNESOTA MATH AND SCIENCE ACADEMY - PHASE 3

VARIANCE APPLICATION SITE PLAN

## LEGEND

- PROPOSED STL. W/UT BRIDGES
- PROPOSED CONCRETE
- PROPOSED ELEVATION
- EXISTING ELEVATION
- ST. FENCE
- RAIL PROXIMITY SPACE
- BOUNDARY/NEW/BLACK LINE
- EXISTING INTERSECTION
- EXISTING SHADOW STUDY
- EXISTING STAKE STUDY
- EXISTING BOUNDARY LINE



C1.0





## 169 Jenks Avenue

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Northeast corner of Jenks Avenue and Agate Street



Southeast corner of Jenks Avenue and Agate Street



## 169 Jenks Avenue

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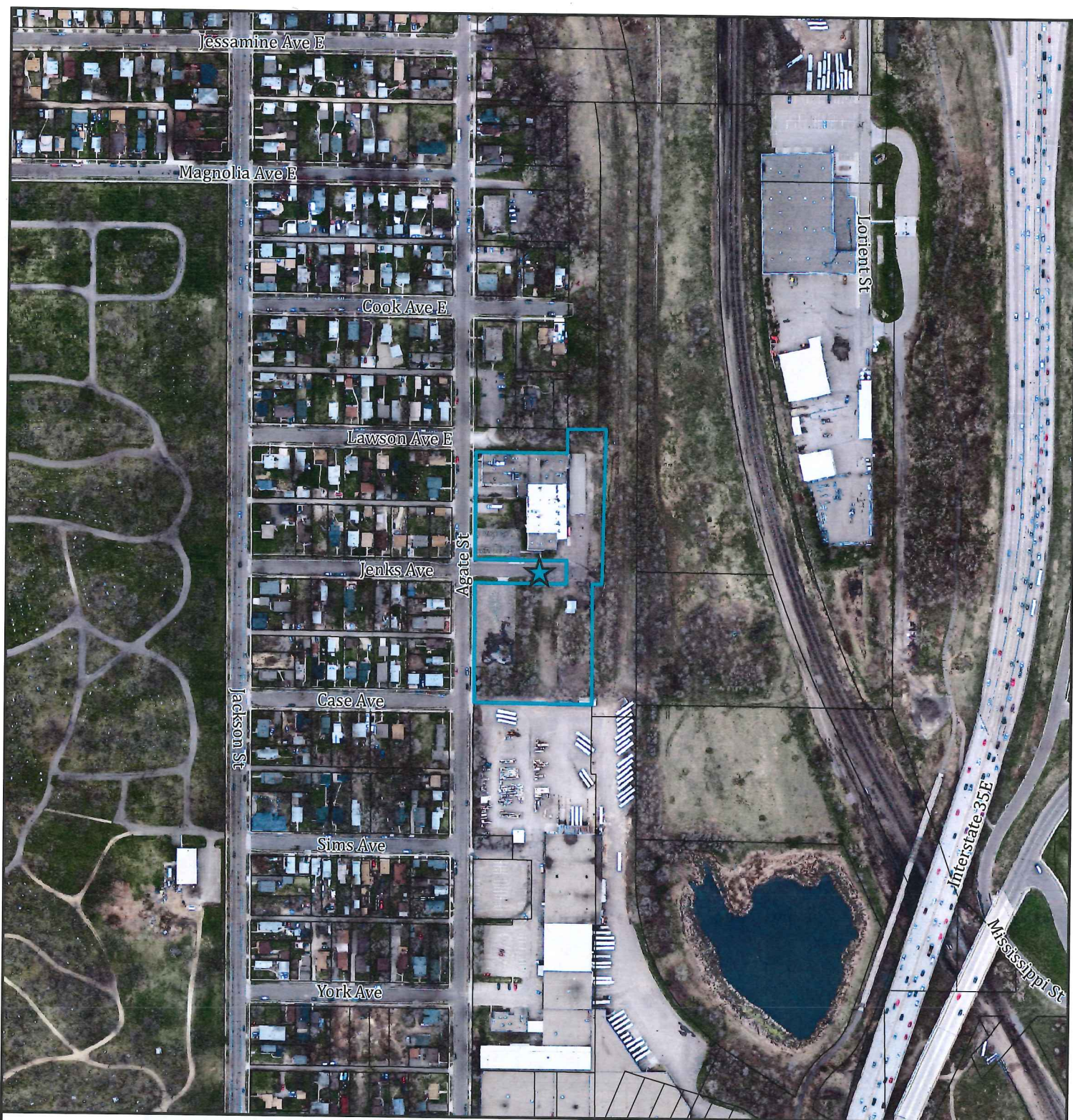


Eastern-most portion of the site



Southern portion of the site





0 82.5 165 330 495 660 Feet

FILE NAME: New Plan Learning

Aerial

APPLICATION TYPE: Rezoning

Subject Parcels

FILE #: 15-033859 DATE: 5/14/2015

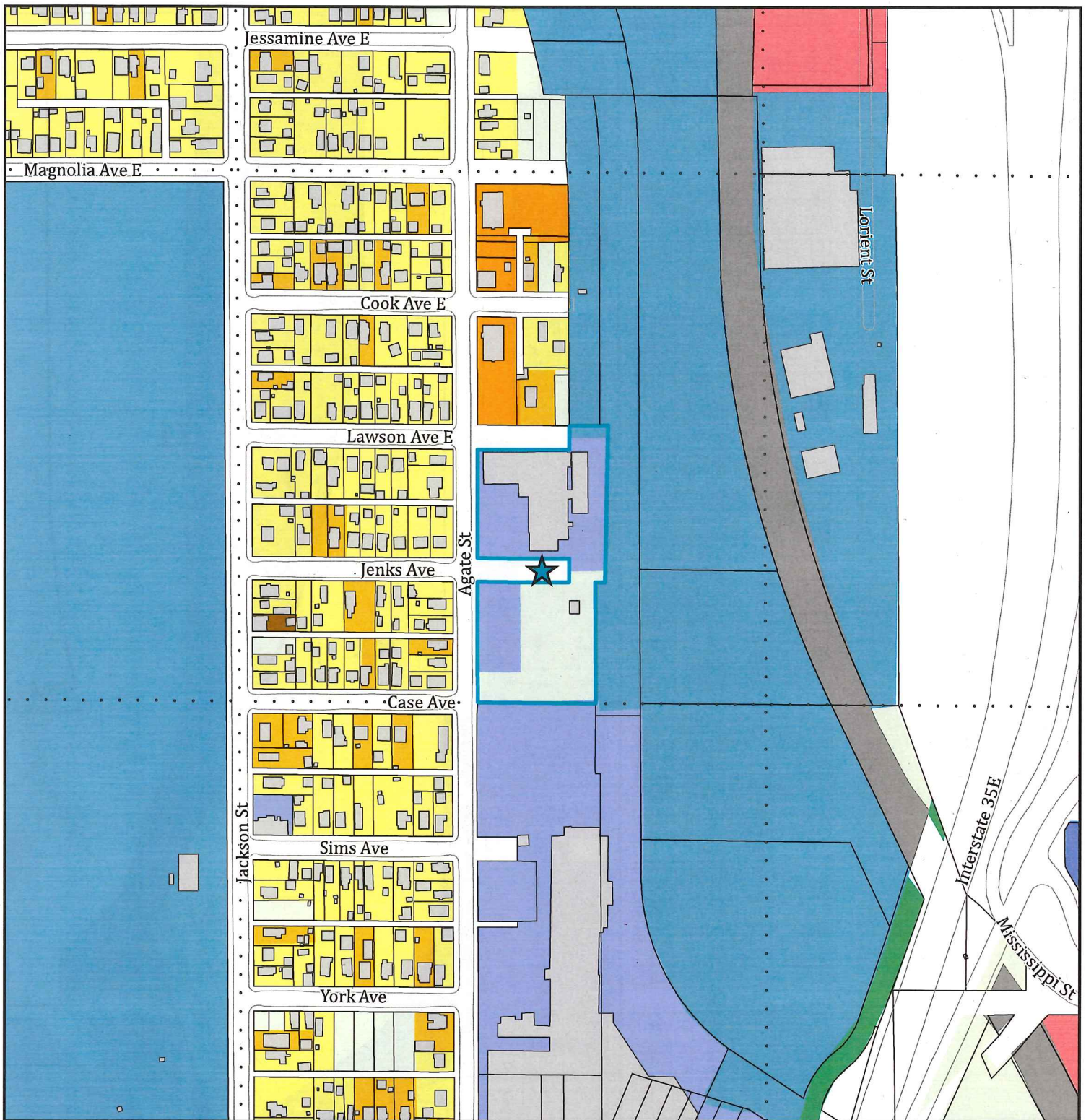
PLANNING DISTRICT: 6

ZONING PANEL: 10

*Saint Paul Department of Planning and Economic Development and Ramsey County*







FILE NAME: New Plan Learning

APPLICATION TYPE: Rezoning

FILE #: 15-033859 DATE: 5/14/2015

PLANNING DISTRICT: 6

ZONING PANEL: 10

#### Land Use

Single Family Detached

Single Family Attached

Multifamily

Retail and Other Commercial

Mixed Use Residential

Mixed Use Industrial

Industrial and Utility

Institutional

Park, Recreational or Preserve

Railway

Undeveloped

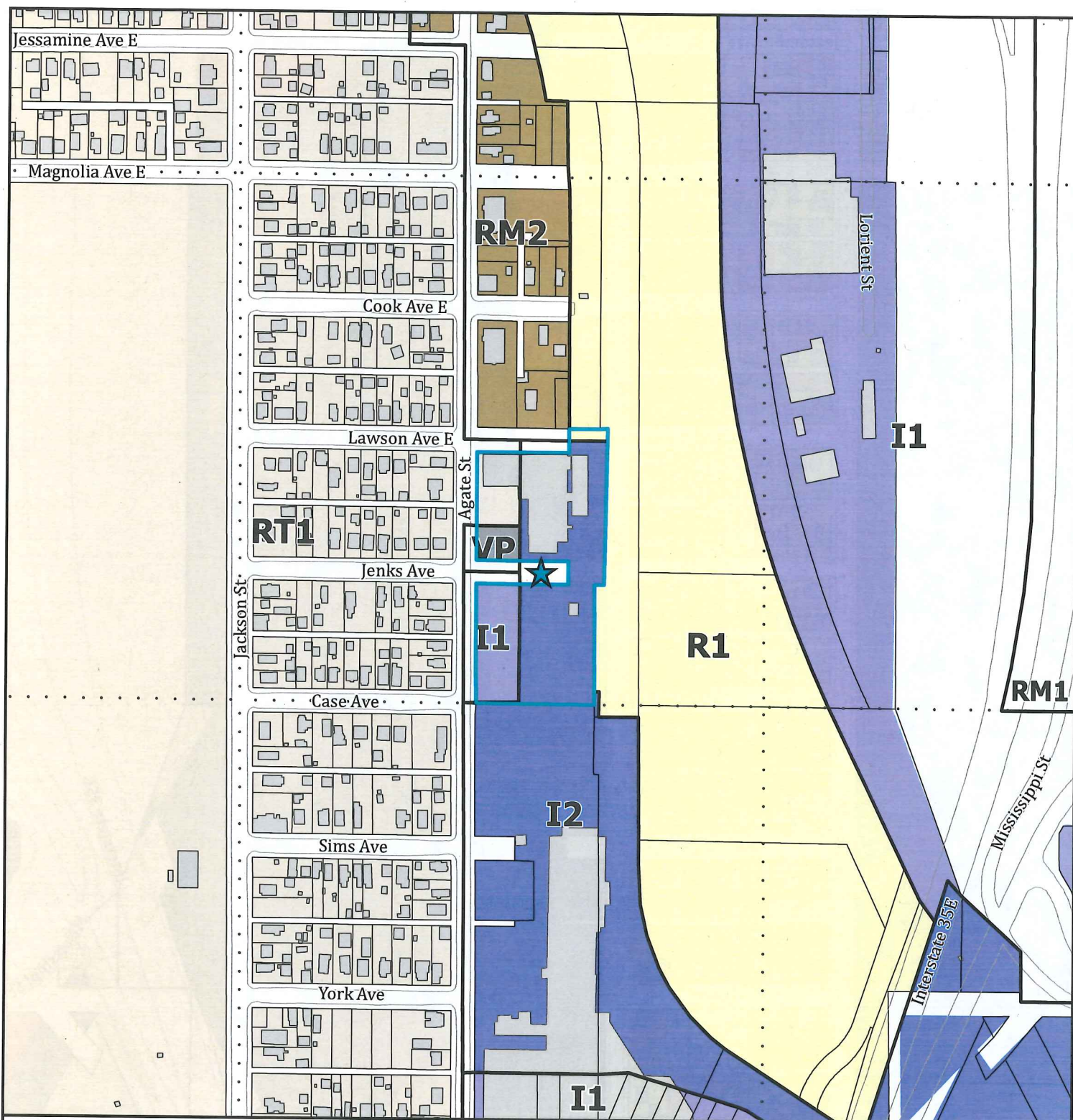
Subject Parcels

Section Lines

0 82.5 165 330 495 660 Feet







FILE NAME: New Plan Learning

APPLICATION TYPE: Rezoning

FILE #: 15-033859

DATE: 5/14/2015

PLANNING DISTRICT: 6

ZONING PANEL: 10

#### Zoning

- R1 One-Family
- RT1 Two-Family
- RM1 Multiple-Family
- RM2 Multiple-Family
- I1 Light Industrial
- I2 General Industrial
- VP Vehicular Parking

- Subject Parcels
- Section Lines

0 82.5 165 330 495 660 Feet

