ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** 1720 E. 7th Firehouse **FILE #:** 14-092-306
2. **APPLICANT**: Office of Real Estate, City Of St Paul **HEARING DATE:** February 27, 2014
3. **TYPE OF APPLICATION:** Rezoning
4. **LOCATION:** 1720 7th St E, SE corner at Flandrau
5. **PIN & LEGAL DESCRIPTION:** 272922440011; Kuhls 2nd Addition Lot 14 And Lot 15 Blk 1
6. **PLANNING DISTRICT:** 2 **EXISTING ZONING:** B1
7. **ZONING CODE REFERENCE:** §61.801(b)
8. **STAFF REPORT DATE:** February 14, 2014 **BY:** Bill Dermody
9. **DATE RECEIVED:** January 30, 2014 **60-DAY DEADLINE FOR ACTION:** March 31, 2014

A. **PURPOSE:** Rezone from B1 Local Business to T1 Traditional Neighborhood.

B. **PARCEL SIZE:** 118' (Flandrau) x 80' (7^{th}), totaling 9,440 square feet

C. **EXISTING LAND USE:** Vacant office/storage building

D. **SURROUNDING LAND USE:** Single-family residential to the east, south, and northeast (mostly zoned R4, except the abutting residence to the east and the residence immediately south of that are zoned B1); multi-family residential to the north (RM2); and commercial to the west on the intersection's southwest and northwest corners (B1).

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 has been zoned B1 since 1975. The building has recently been used by the City for storage and office space. It was previously occupied by the Salvation Army and was originally constructed as a fire station, which relocated operations in 1970.

G. **DISTRICT COUNCIL RECOMMENDATION:** As of the date of this staff report, District 2 has not provided input regarding the application.

H. **FINDINGS:**

1. The application requests rezoning from B1 Local Business to T1 Traditional Neighborhood.
2. The proposed rezoning to T1 is to provide for reuse of the former fire station as a residence, which is a reasonable reuse of the building that is not permitted under the current B1 zoning. The proposed T1 zoning allows a range of reasonable uses for the building, including the proposed residential use.
3. The proposed zoning is consistent with the way this area has developed, which includes commercial and multi-family residential uses at this intersection, surrounded by other residential uses.
4. The proposed zoning is consistent with the Comprehensive Plan. The site is within a Residential Corridor that runs through an Established Neighborhood, according to Figure LU-H in the Comp Plan's Land Use Chapter. Land Use Strategy 1.1 calls for guiding the development of housing in Residential Corridors consistent with the prevailing character and overall density of the area. The District 2 Area Plan contains no provisions specific to this proposal.

5. The proposed zoning is compatible with the surrounding land uses, including the neighborhood commercial uses to the west, the multi-family to the north, and the single-family residential in other directions.
6. 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 T1 zoning is not "spot zoning" because the T1 uses are consistent with the surrounding B1, RM2, and R4 districts and uses.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from B1 Local Business to T1 Traditional Neighborhood.

Subject site from 7th Street

Subject site from Flandrau Street

Subject site from alley, facing northwest

Looking west from subject site down 7th Street

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=2

Zoning Office Use Only
File #: 14-092306
Fee: 1200 00
Tentative Hearing Date: 2-27-14

#272922440011

APPLICANT

Property Owner City of St Paul- OFS/ Real Estate
Address 25 W 4th Street Suite 1000
City St Paul St. MN Zip 55102 Daytime Phone
Name of Owner (if different) City of St. Paul - Fire & Safety Services
Contact Person (if different) Barbara Morin RE/Design Grp Phone 651-266-9163

PROPERTY LOCATION

Address/Location 1720 Seventh Street East, St Paul, MN 55108
Legal Description Lots 14 & 15 Block 1 Kuhl's Addition
Current Zoning B-1
(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 462.357(5) of Minnesota Statues,

City of St Paul-OFS Real Estate (Barb Morin), owner of land proposed for rezoning, hereby petitions you to rezone the above described property from a B-1 zoning district to a T-1 zoning district, for the purpose of:

CK 9511
1200 00

(attach additional sheets if necessary)

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

Subscribed and sworn to before me

this 30th **day**

of January, **20** 14

JUAN A. ORTIZ
NOTARY PUBLIC - MINNESOTA
MY COMMISSION EXPIRES JAN. 31, 2015

Notary Public

By: Barbara H Morin
Fee owner of property

Title: Interior Designer
OFS/RE/Design Grp

ORIGINAL

November 25th, 2013

City of Saint Paul
Attn: Jennifer Tomkins of Contract & Analysis Services
15 W Kellogg Blvd.
Room 280
Saint Paul, MN 55102

Sub: Property located at: 1720 East Seventh Street, Saint Paul, Minnesota 55108.
Tax Parcel ID: 27.29.22.24.0011

Dear Board Members,
Thank you for the opportunity to submit a request for proposal.

The following are the basic terms upon which I would be prepared to purchase the property. The terms are, however, negotiable and will be incorporated into a formal agreement (the "Agreement") to be negotiated. The basic terms are as follows:
Purchaser: Mr. Brian Kjellberg
Vendor: Current owner of the Property, City of Saint Paul.
Property: 1720 East Seventh Street, Saint Paul, Minnesota 55108, free and clear of all liens, charges and encumbrances at Closing.

Terms of Proposal:
Purchase Offer: $75,000
$5,000 Earnest money
$70,000 Balance due at closing
I should be able to close within two weeks of notification.
Since the property is currently zoned B-1, I am unable to obtain any financial backing from a bank, as I am not a business but a private individual.

Plan for Use of the Property:
I plan to use the property as my primary residence.
I am a disabled veteran, having served 10 years in the military. I feel that this property will allow me to live in better comfort than I do currently. I have been gainfully employed at Andersen Corporation for almost 11 years. I am a Chief Boiler Technician. As for my qualifications; I also have a degree in Facility Technology with HVAC. I also plan on having a residential elevator installed in the future to make the building ADA compliant.
I plan on using local businesses and vendors for as much as the work as I can.
When complete I expect to have over $300,000 invested into this property.

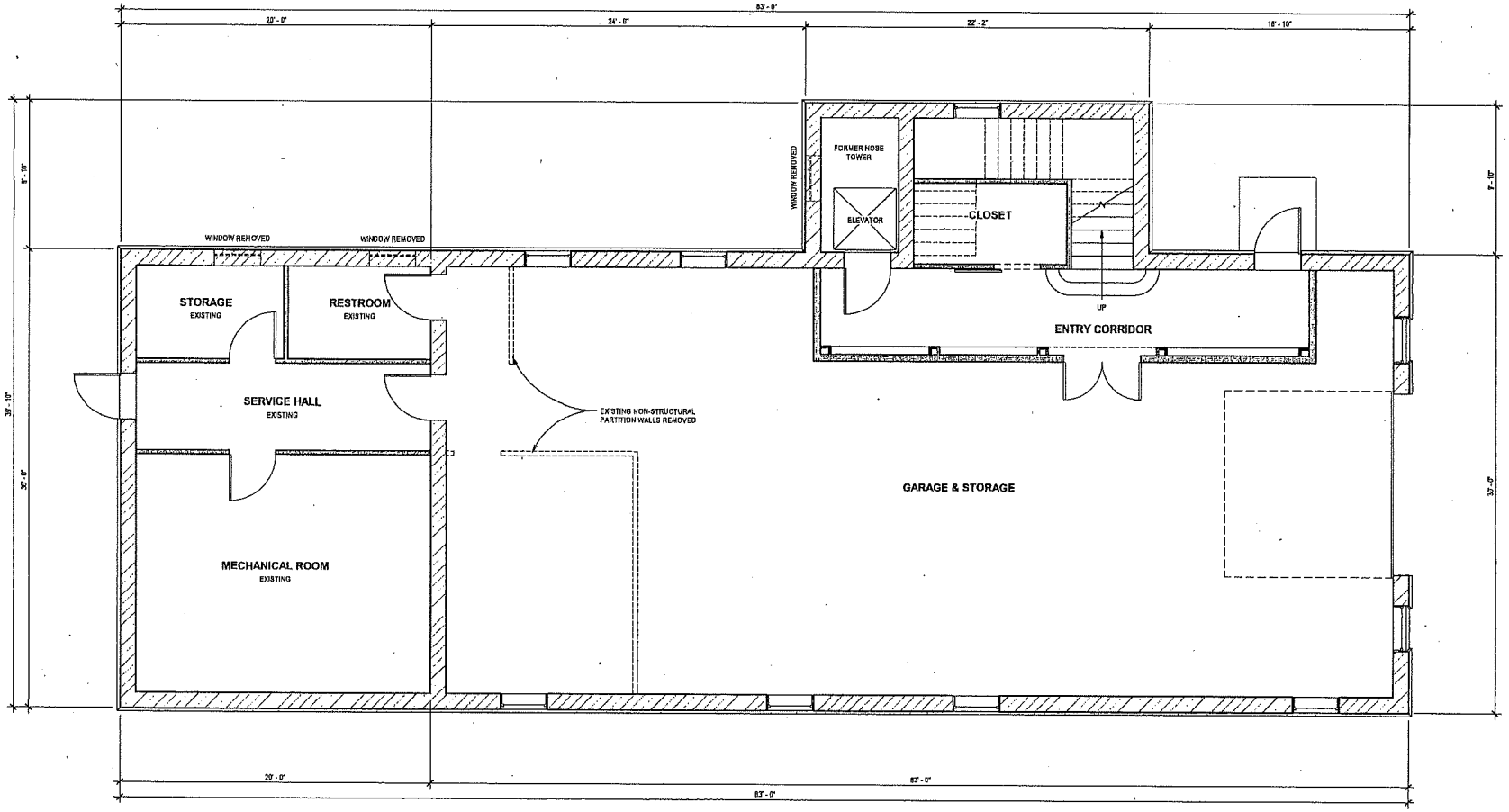
Financial Plan:
I have $75,000 available for the purchase of the property.
I request that the property be rezoned from the current B-1 zoning to a single family residential zone at closing. I can pay the $1200 fee but ask that I don't have to wait for 90 days to get it approved. The sooner I can get it rezoned, the quicker I can get more funding for remodeling.
Once the property is rezoned to residential, I can take a bank loan out on it. I also plan on selling my current residence to obtain additional funds to remodel the fire station as well once I am able to claim as residence.

Completeness and Depth of Proposal:
I acknowledge the receipt of the addendum dated November 20th, 2013.
If I have forgotten to include or you request clarity on any information contained in here, Please do not hesitate to contact me at your convenience.

Additional Points:
This letter of intent clearly states the major terms of the agreement that the Purchaser is prepared to move forward with. This letter of intent is in no way a legally binding agreement between the Purchaser and the Vendor, and is completely conditional depending upon the transaction.

Thank you for your time and consideration,

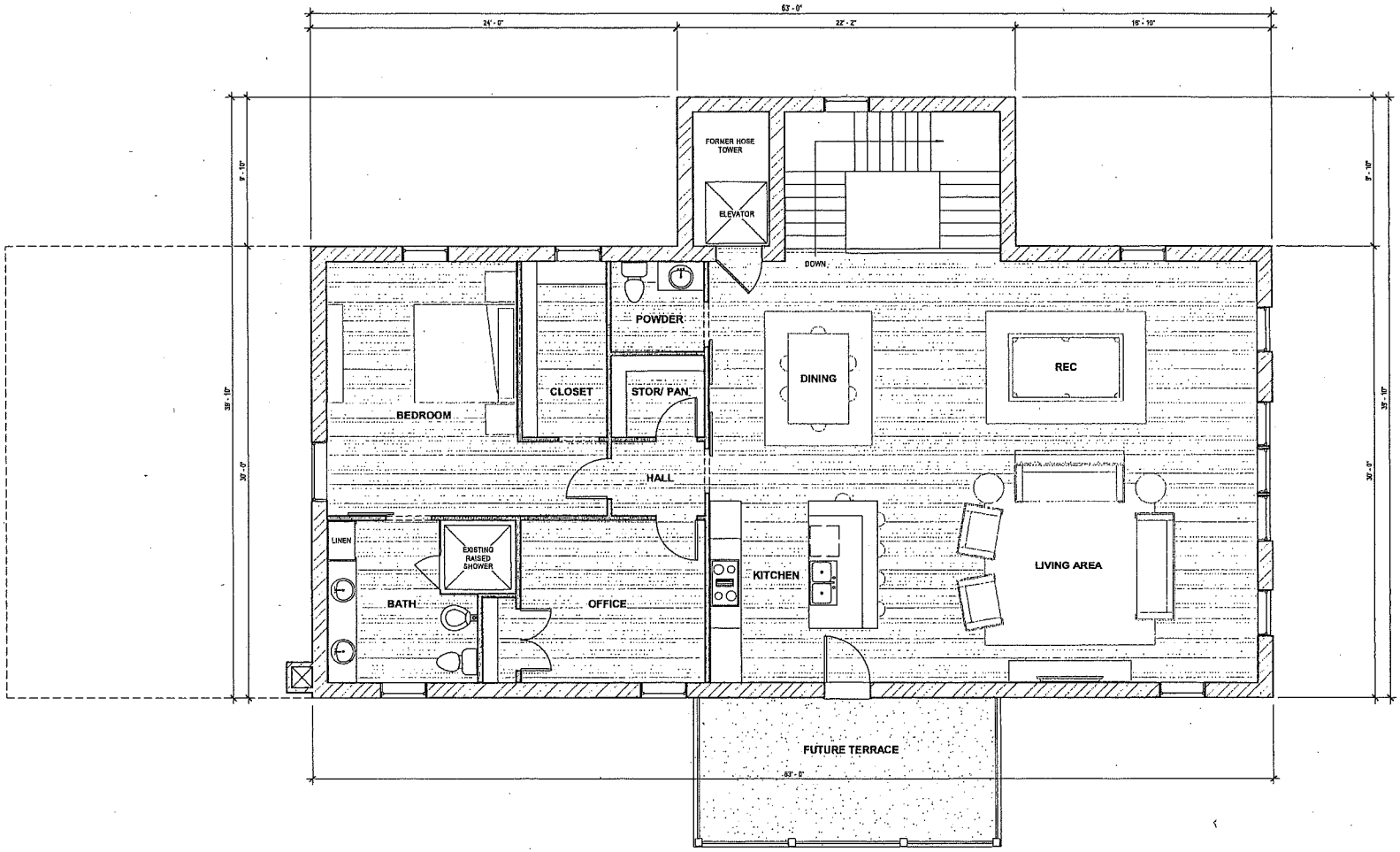
Brian Kjellberg



MAIN LEVEL FLOOR PLAN

2708 SQUARE FEET

Brian Kjellberg



UPPER LEVEL FLOOR PLAN

1890 SQUARE FEET

Brian Kjellberg

RM2
1711
1717
1719
1721
1727
1733
1735
1737
7TH ST E
7TH ST E
1708
1713
1712
1716
B1
1720
1730
1734
1736
1740
FLANDRAU ST
R4
City of Saint Paul, Public Works, Technical Services
THIS IS NOT A LEGAL DOCUMENT
GeoMoose
Powered

1718
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FLANDRAU ST
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GISmo Oblique Photography

Images courtesy of: Microsoft© Virtual Earth™ 2006

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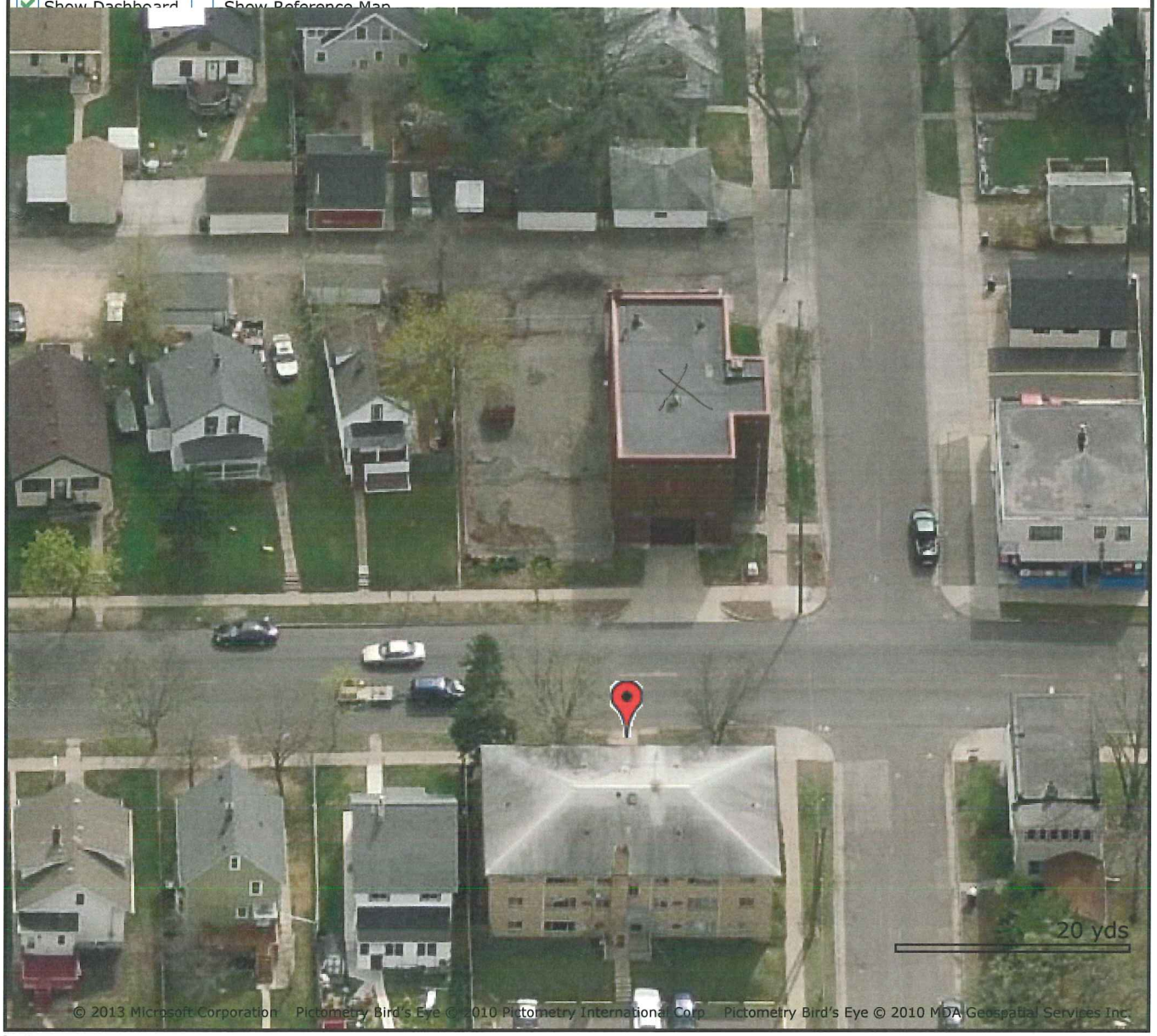
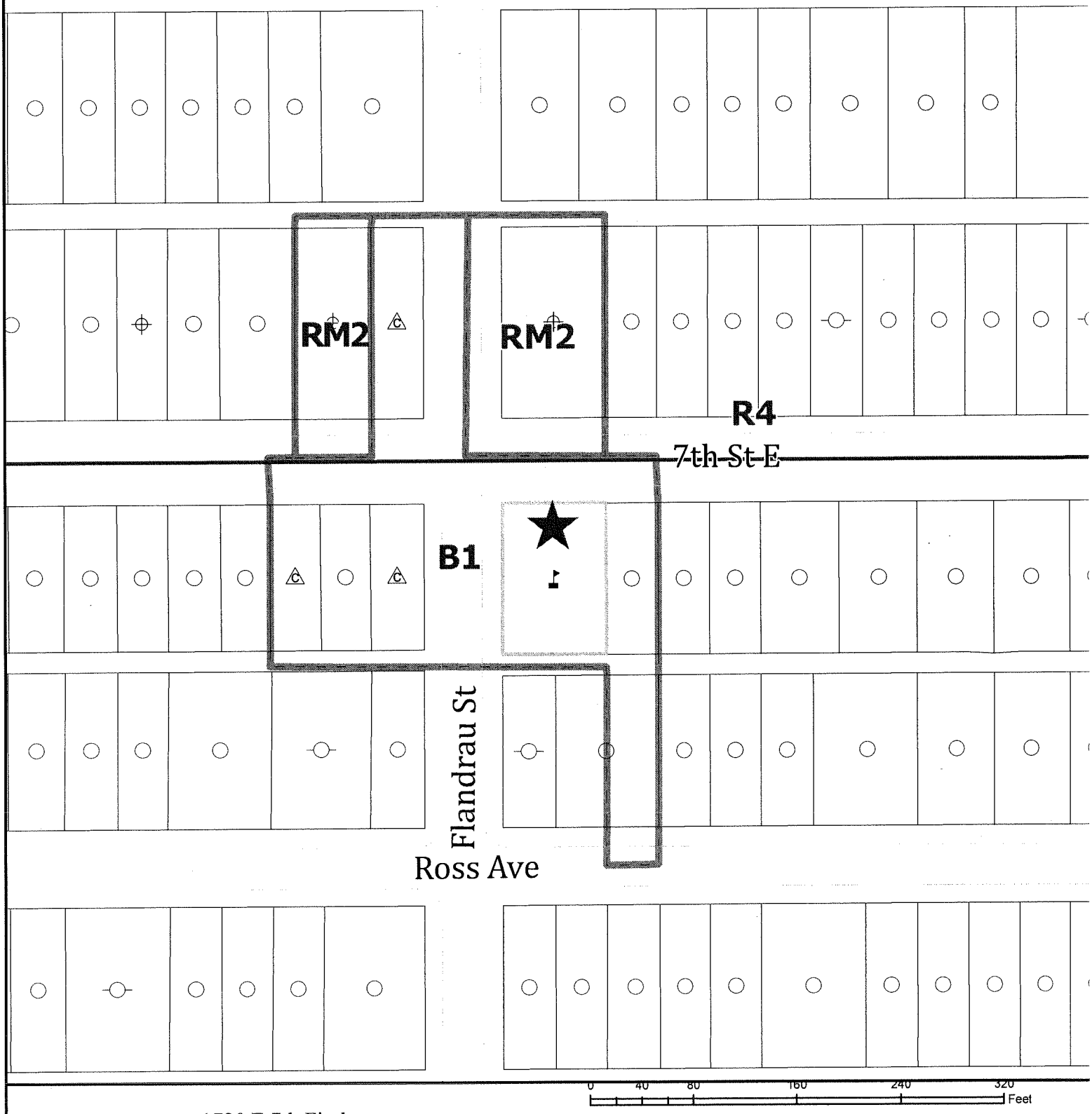




APPLICANT 1720 E 7th Firehouse

APPLICATION TYPE Rezone B1 to T1

FILE # 14-092306 DATE 2/3/2014

PLANING DISTRICT 2

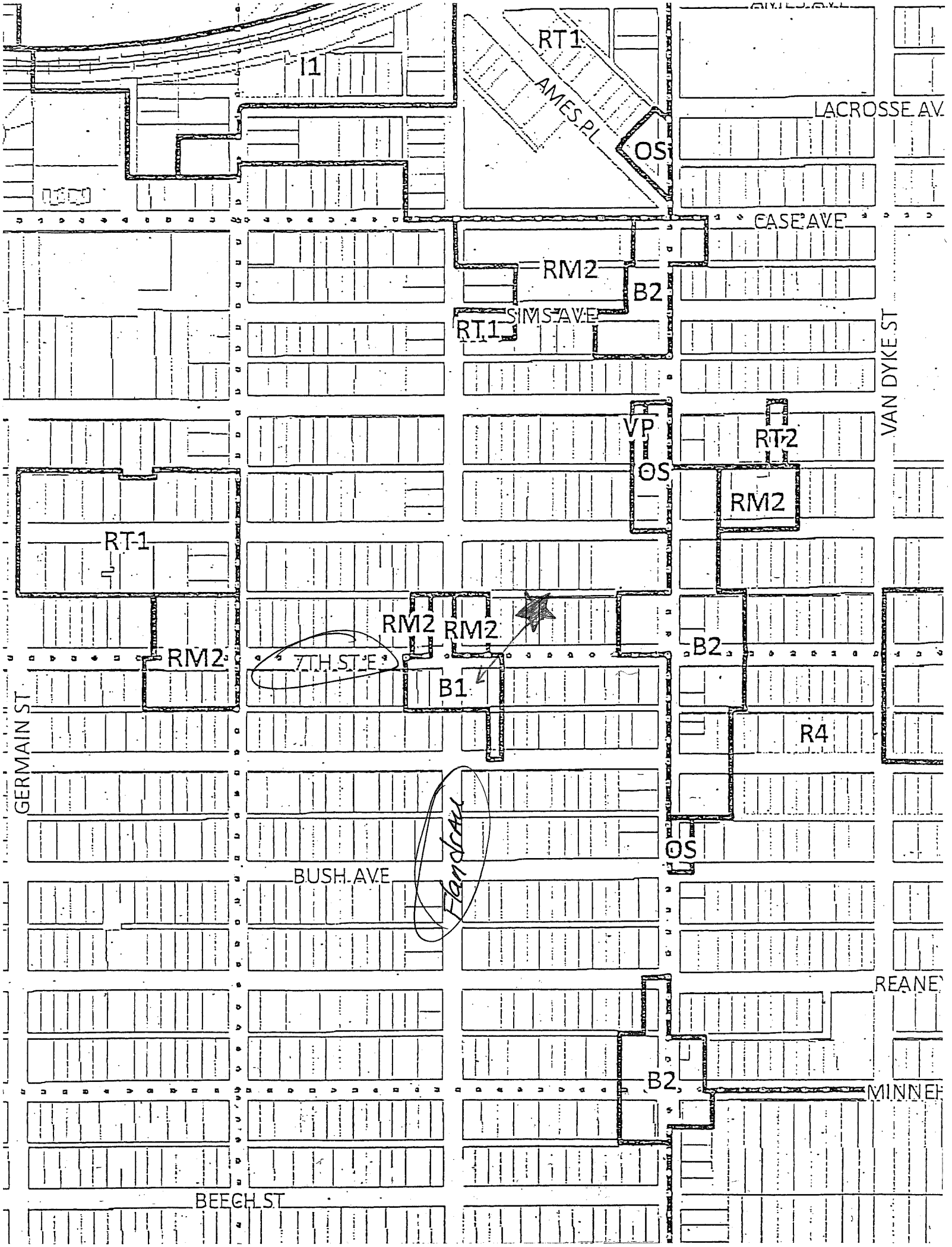
ZONING MAP # Enter # here

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

Saint Paul Department of Planning and Economic Development
Ramsey County

N W E S

STILLWATER AVE
FLANDRAU ST
7TH ST E
(011)
ROSS AVE
BUSH AVE
BUSH AVE


I1
RT1
AMES PL
OS
LACROSSE AV
CASE AVE
RM2
B2
SIMS AVE
RT1
VAN DYKE ST
VP
OS
RT2
RM2
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B1
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GERMAIN ST
R4
OS
BUSH AVE
Flandrau
REANE
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MINNEH
BEECH ST