

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** People Incorporated **FILE #:** 15-036-555
 2. **APPLICANT:** Franciscan Sisters of Perpetual Adoration **HEARING DATE:** June 11, 2015
 3. **TYPE OF APPLICATION:** Rezoning
 4. **LOCATION:** 1784 LaCrosse Ave, SE corner at White Bear Avenue
 5. **PIN & LEGAL DESCRIPTION:** 262922230132; Hazel Park Division 2, Blk 3, Lots 13-15
 6. **PLANNING DISTRICT:** 2 **EXISTING ZONING:** R4
 7. **ZONING CODE REFERENCE:** §61.801(b)
 8. **STAFF REPORT DATE:** June 3, 2015 **BY:** Bill Dermody
 9. **DATE RECEIVED:** May 18, 2015 **60-DAY DEADLINE FOR ACTION:** July 17, 2015
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- A. **PURPOSE:** Rezone from R4 One Family Residential to RT2 Townhouse Residential
- B. **PARCEL SIZE:** 125 feet (White Bear) x 116 feet (LaCrosse), totaling 14,532 square feet
- C. **EXISTING LAND USE:** Residential- convent
- D. **SURROUNDING LAND USE:**
 - North: School (R4)
 - West: Office (OS), residential and school (RT1)
 - South & East: Residential (R4)
- 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 R4 since 1975. The building was constructed for a convent use in 1962. An application for a conditional use permit to allow a licensed human service community residential facility has also been filed.
- G. **DISTRICT COUNCIL RECOMMENDATION:** As of this writing, District 2 has not provided a recommendation regarding the application.
- H. **FINDINGS:**
 1. The application requests rezoning of a 14,532 square foot property at the southeast corner of LaCrosse Avenue and White Bear Avenue from R4 to RT2.
 2. The proposed zoning is consistent with the way this area has developed. Land along White Bear Avenue contains a mix of uses including a variety of residential intensities. The proposed RT2 zoning is consistent with the land use pattern along White Bear Avenue.
 3. The proposed zoning is consistent with the Comprehensive Plan, which designates the site as part of a Mixed Use Corridor in Figure LU-B, Generalized Land Uses. Mixed Use Corridors are to occur at densities that support transit. The proposed rezoning increases the permitted residential density.
 4. The proposed zoning is compatible with the surrounding uses, including mixed uses along White Bear Avenue and single-family residential to the east and southeast.
 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 rezoning is not “spot zoning” and is compatible with the surrounding uses.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from R4 One Family Residential to RT2 Townhouse Residential.



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 #: _____
 Fee: _____
 Tentative Hearing Date:

APPLICANT

Property Owner Franciscan Sisters of Perpetual Adoration
 Address 912 Market St.
 City La Crosse St. WI Zip 54601 Daytime Phone 608-791-5284
 Name of Owner (if different) _____
 Contact Person (if different) JOSEPH CONLIN - MANAGER Phone 651-239-8102

PROPERTY LOCATION

Address/Location 1784 LACROSSE AVE., ST. PAUL, MN 55119
 Legal Description LOT 13 BLOCK 3 HAZEL PARK DIVISION 2 ID 262922230132
 Current Zoning R4
 (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 Statutes,
Franciscan Sisters of Perpetual Adoration, by Susan Ernster, FSPA, owner of land proposed for rezoning, hereby petitions you to
 rezone the above described property from a R4 zoning district to a RT2 zoning
 district, for the purpose of:

The applicant has requested rezoning the of existing zoned R4 district, existing structure. The purposed rezoned RT2 district
 community residential facility with a C.U.P. for a MN Dept. Human Services licensed CRF purposing to serve sixteen (16)
 facility residents for the Diane Ahrens Crisis Residence. The residence provides short-term residential mental health crisis
 stabilization services adult men and women with a diagnosed mental illness. The existing two story and basement building,
 built in 1962, as a convent of the Blessed Sacrament Parish, is to facilitate permitted nonresidential structures that will have
 very similar in character to the previous use.

(attach additional sheets if necessary)

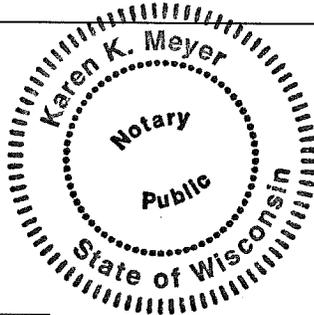
Attachments as required: Site Plan Consent Petition Affidavit

Subscribed and sworn to before me

this 18th day
 of May, 2015

Karen K. Meyer
 Notary Public

My Commission expires: September 25, 2016

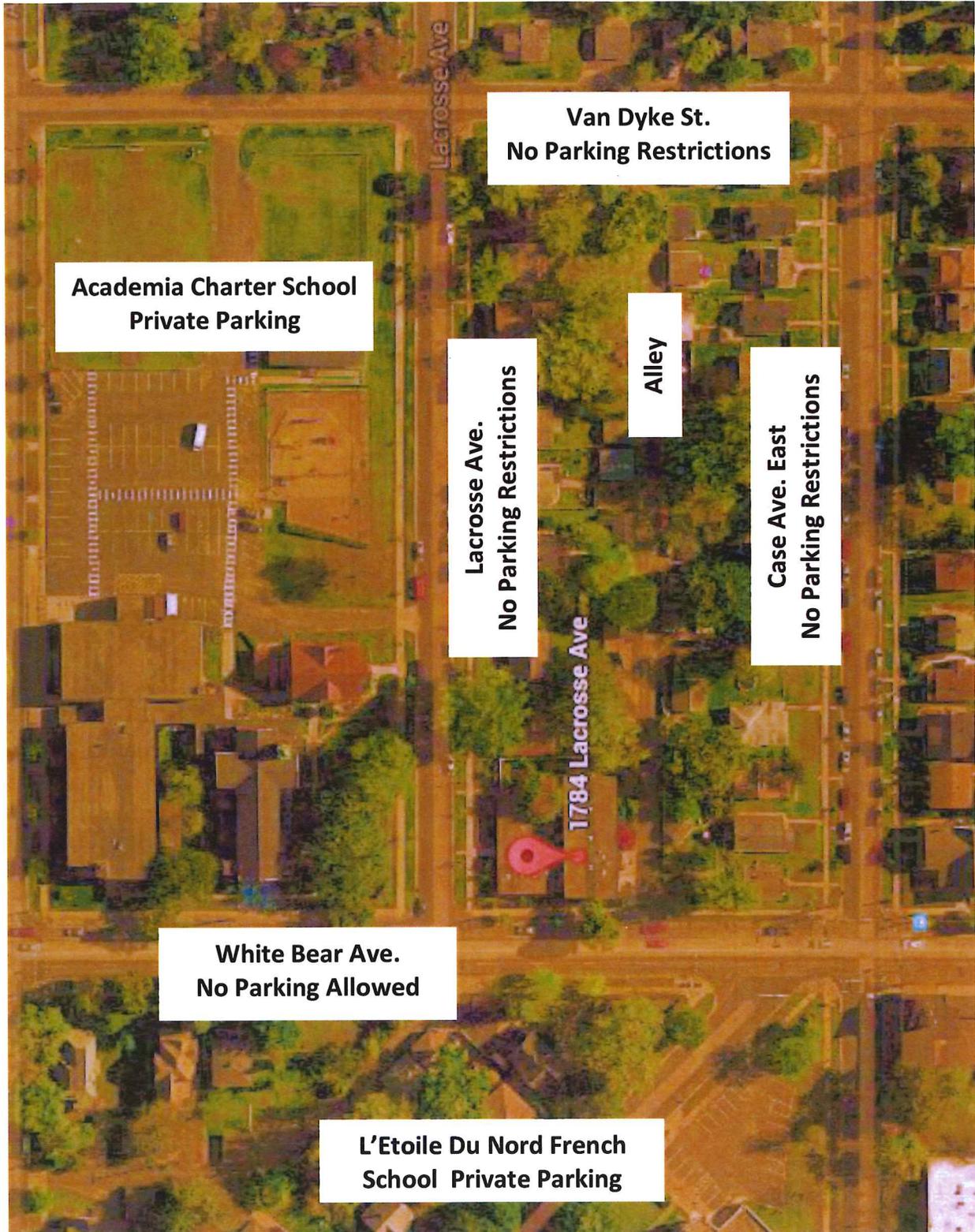


By: Susan Ernster, FSPA
 Fee owner of property

Title: Treasurer / CFO

Parking Map

1784 Lacrosse Ave., St. Paul, MN

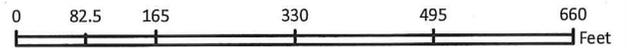
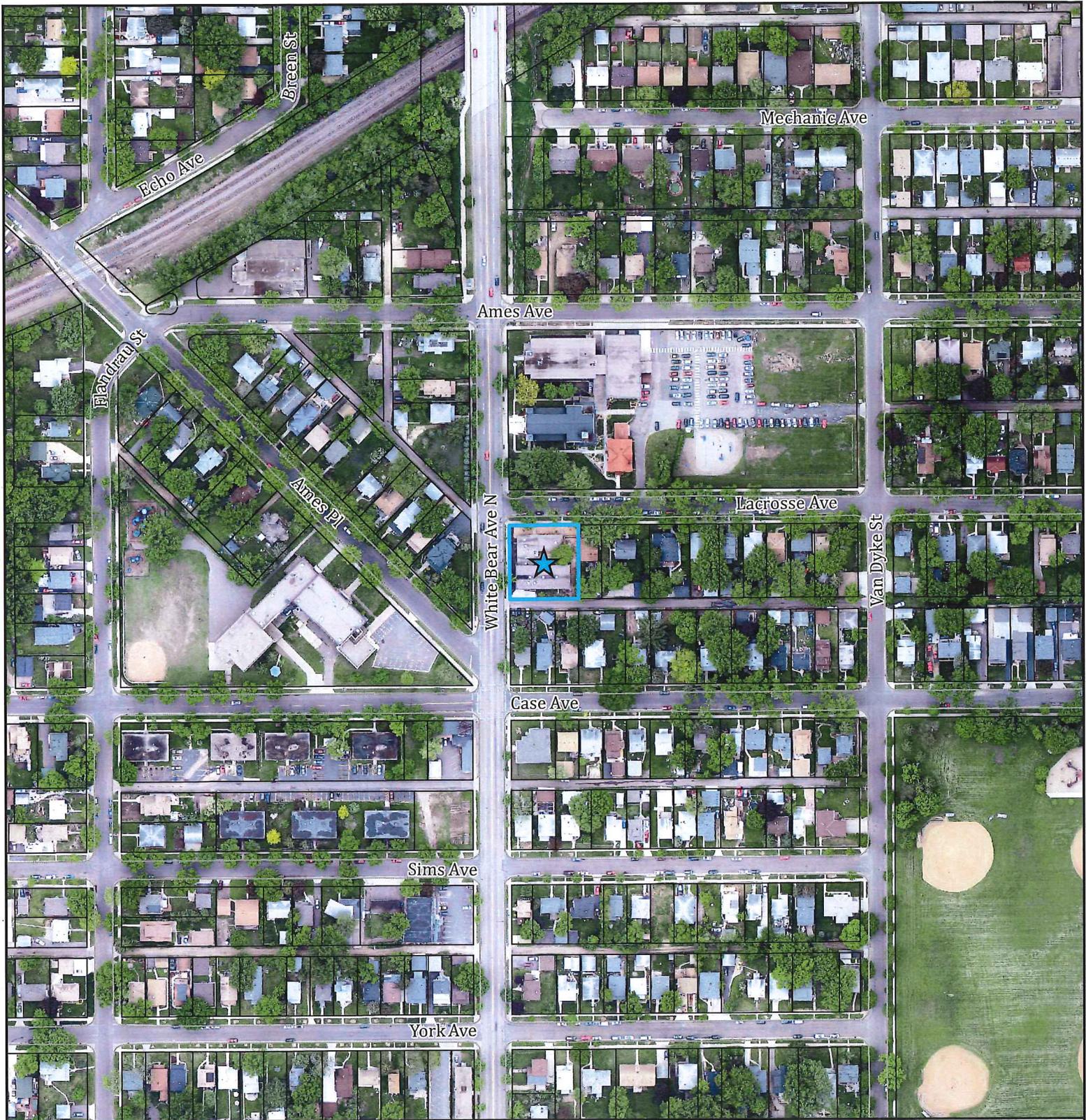


Dubruiel, Paul (CI-StPaul)

From: dan@nalcbranch28.com
Sent: Wednesday, June 03, 2015 1:51 PM
To: Dubruiel, Paul (CI-StPaul)
Subject: re-zoning

Paul my name is Dan Garhofer and i live at 1759 Ames place and my garage faces Lacrosse and White Bear Avenue my family opposes this rezoning. i have four kids that regularly uses the sidewalk and street. I feel this business will add to safety of kids that use the schools in the neighborhood. I am not saying this is a bad business but when it gets re-zoned the floodgates are open for problems forever. so please do not allow for the re-zoning of the Lacrosse Parcel.

Dan Garhofer
651-387-0050



FILE NAME: People Inc

APPLICATION TYPE: Rezone

FILE #: 15-036555 DATE: 5/18/2015

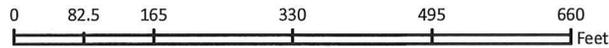
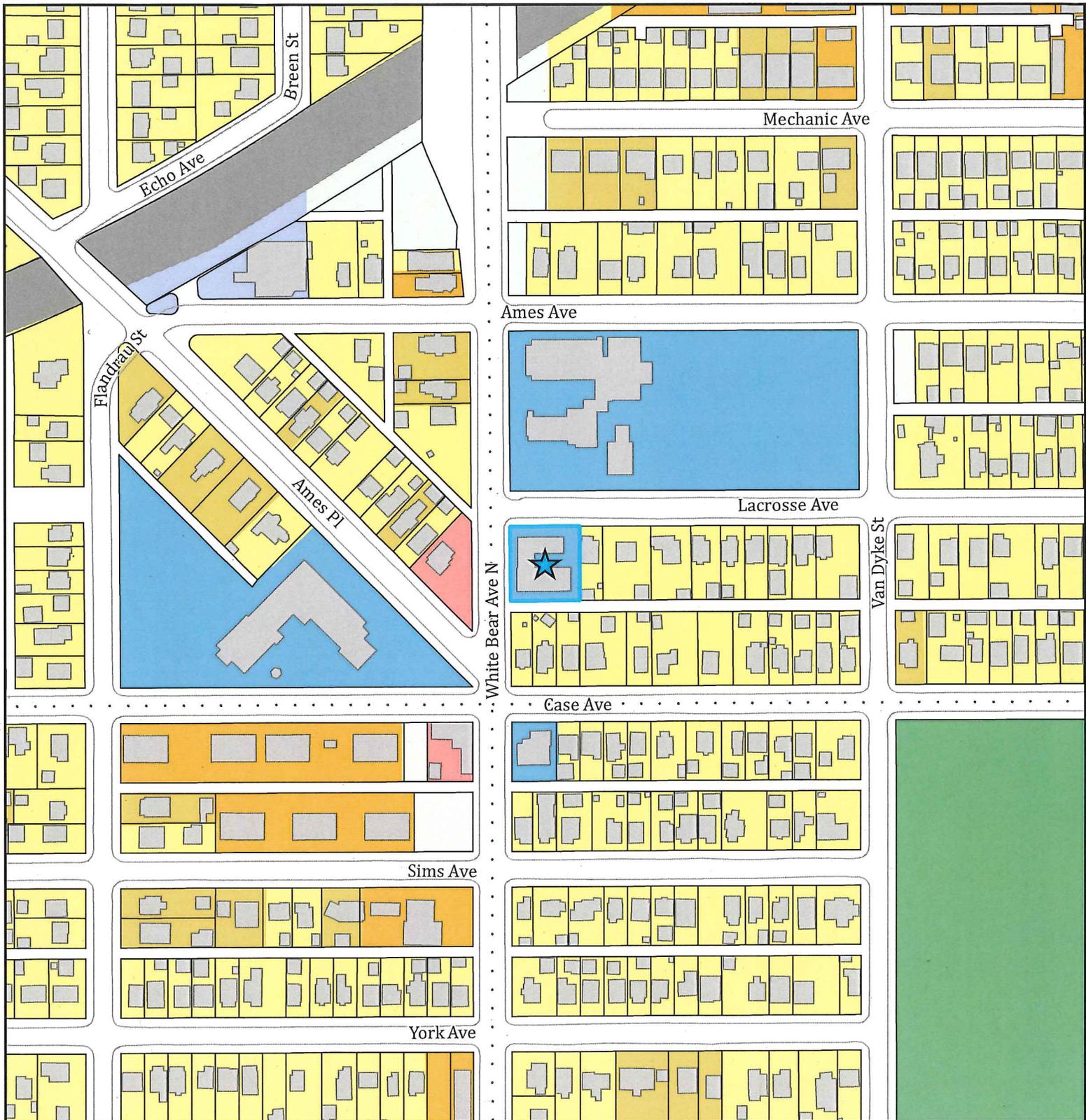
PLANNING DISTRICT: 2

ZONING PANEL: 12

Aerial

 Subject Parcels





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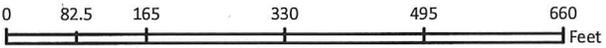
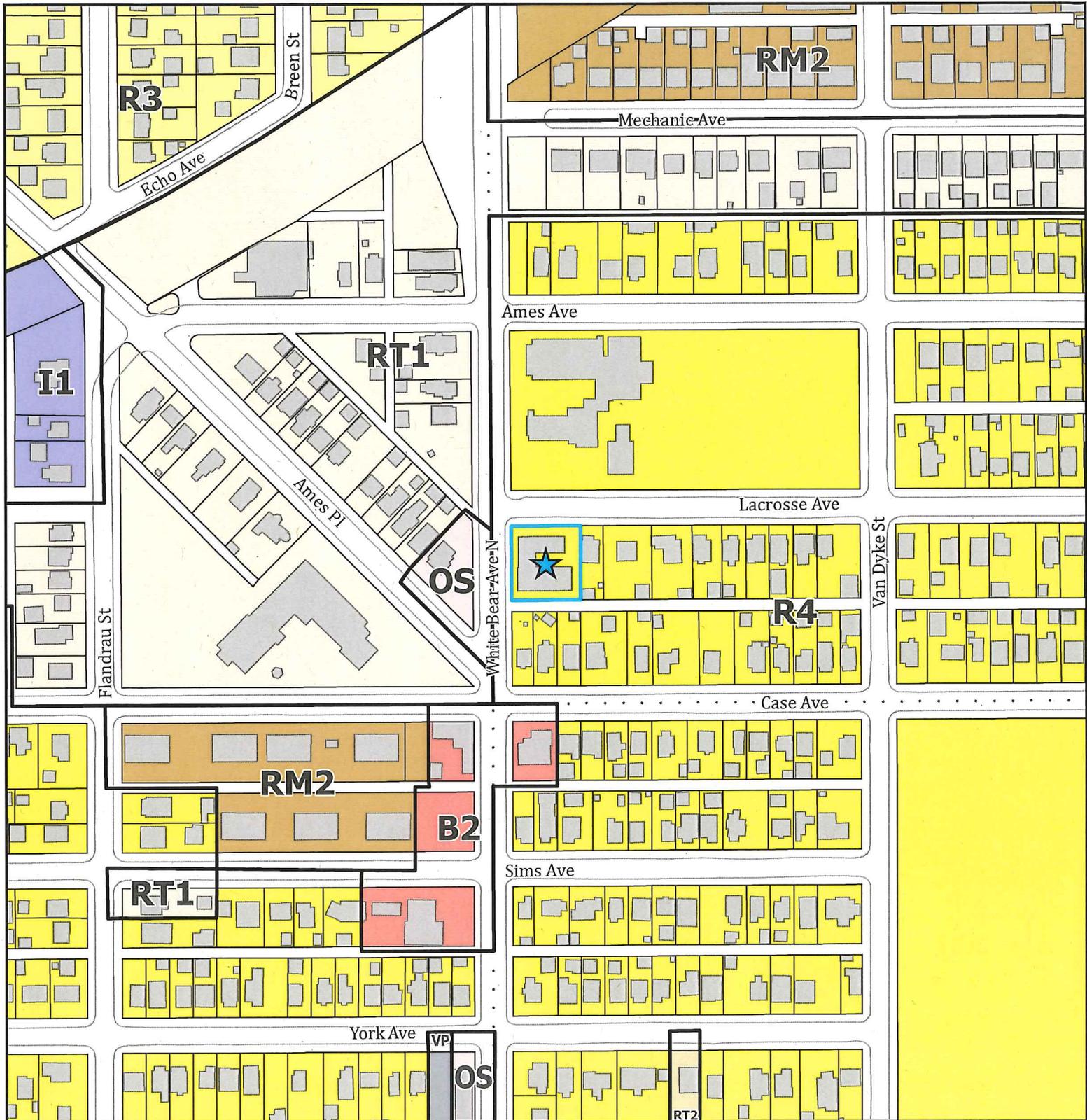
PLANNING DISTRICT: 2

ZONING PANEL: 12

Land Use

- Single Family Detached
- Single Family Attached
- Multifamily
- Retail and Other Commercial
- Industrial and Utility
- Institutional
- Park, Recreational or Preserve
- Railway
- Undeveloped
- Subject Parcels
- Section Lines





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Zoning

- R3 One-Family
- R4 One-Family
- RT1 Two-Family
- RT2 Townhouse
- RM2 Multiple-Family
- OS Office-Service
- B2 Community Business
- I1 Light Industrial
- VP Vehicular Parking
- Subject Parcels
- Section Lines

