

ZONING COMMITTEE STAFF REPORT

FILE NAME: 83 Douglas Rezoning **FILE #:** 21-309-362
APPLICANT: Laurel Gamm & Charles Stephens **HEARING DATE:** December 9, 2021
TYPE OF APPLICATION: Rezoning
LOCATION: 83 Douglas Street, between Harrison Avenue and Sturgis Street
PIN & LEGAL DESCRIPTION: 01.28.23.42.0065; Geo. Benz' Subdivision lots 4 and lot 5
PLANNING DISTRICT: 9 **EXISTING ZONING:** R4
ZONING CODE REFERENCE: §61.801(b)
STAFF REPORT DATE: December 3, 2021 **BY:** Michael Wade
DATE RECEIVED: October 8, 2021 **60-DAY DEADLINE FOR ACTION:** December 7, 2021
DATE CONTINUANCE REQUESTED: October 29, 2021 **NEW DEADLINE:** February 3, 2022

- A. **PURPOSE:** Rezone from R4 one-family residential to RT2 townhouse residential.
- B. **PARCEL SIZE:** The property has 80 feet of frontage on Douglas St.; half of the property extends 90 feet from Douglas to an alley turnabout; the other half extends almost 150 feet from Douglas to the side yard of a duplex property on Sturgis St. for a total of 9,888 square feet.
- C. **EXISTING LAND USE:** Vacant (no structures)
- D. **SURROUNDING LAND USE:**
North: One- to four-family homes in R4, with RT1 and T1 to the northeast and northwest
East: Multi-family residences and Salvation Army in T1 and a large parking lot zoned B2
South: One- to four-family homes on large and narrow lots in RT1 and R4, and mixed-use two- and three-story main-street-style brick buildings along 7th St W in B2.
West: Single-family homes with two- to four-unit residences scattered in mostly R4 zoning, with RT1 immediately adjacent and in the northwest; one four-unit RT2 property.
- E. **ZONING CODE CITATION:** § 61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** Except for an electrical permit pulled in 1994, building permit records begin in 1998 with a demolition permit, since which time the parcel has been vacant. The site was rezoned from RT2 to R4 in 2011 as part of the District 9 Residential Zoning Study (Zoning File # 11-142-735) after adoption of a new District 9 Plan recommended by the West Seventh/Fort Road Federation in 2010. The rezoning study was requested by the district council in the District 9 Area Plan's key strategy "Study rezoning the area of District 9 bounded by Grand Avenue to the North, Interstate 35E to the Northwest, Smith Avenue to the East, Shepard Road to the Southeast and Grace Street to the South to assess the impact of the conversion of single family homes to multi-family residences and consider downzoning with the intent to prevent future conversions of single-family homes and require deconversion of homes designed as single-family when the property has been vacant for 365 days."
757 properties were rezoned, the vast majority changing from RT2 to R4. Many other were rezoned from RM2 to R4, RT1, or RT2; or from RT2 to RT1. The rationale in the staff report is that "R4 zoning reflects the current land use of predominantly single-family homes, and

makes sense given the area's many small lots, lack of alleys, and narrow roadways." It acknowledges that "Forty-four (44) duplexes/triplex properties would become nonconforming under the proposed R4 zoning." Exceptions to R4 zoning were made for parcels that were currently being used for multifamily housing, parcels containing original duplexes or in areas where three or more duplexes, triplexes, or multifamily properties were clustered together, parcels with larger multifamily housing, parcels close to West 7th and along Smith north of West 7th, parcels that were split zoned, and railroad parcels. According to the Planning Commission minutes from August 5, 2011, Commissioners supported the rezoning in order to preserve family-sized housing from conversion, set the by-right dimensional standards to avoid duplex/triplex conversions that may violate other zoning dimensional standards, avoid higher population density on some smaller parcels and streets, and avoid duplex or triplex conversions that would violate the Minnesota Residential Code or otherwise result in low quality structures. According to the staff report, the number of duplexes and triplexes in the study area has "dramatically decreased over the last 25 years (down from 163 duplexes and triplexes in 1986 to 90 in 2011- a 45 percent decrease). In recent years at least, there have not been many conversions of single-family homes to duplexes/triplexes.; there are only eleven duplexes/triplexes now that were single-family houses in 1986."

The concerns raised by the Commissioners to multi-family zoning in the general study area do not apply to this property in particular. The property is vacant, so maintaining the current R4 zoning would not serve to preserve any existing family-sized housing stock or prevent substandard conversion or low-quality structures. The parcel is almost 10,000 square feet, has alley access, and is extremely close to West 7th Street, relieving concerns about adequate infrastructure, right of way, or transit access.

G. **DISTRICT COUNCIL RECOMMENDATION:** District 9 has not made a recommendation on this application.

H. **FINDINGS:**

1. The applicant proposes to rezone the property to RT2. A land use under consideration by the applicant is housing for veterans at risk of homelessness using multiple small prefabricated single-family homes. Four units on permanent foundations would be built on the property, sourced through the company YardHomes and financed through a YardHomes / MAC-V (Minnesota Assistance Council for Veterans) partnership, wherein the applicant would own the property for ten to fifteen years, YardHomes would own the dwellings, and MAC-V would pay YardHomes and the applicant monthly to house veterans on a short-term basis. At the end of a set term, ownership of the dwellings would transfer to the applicant. While operated by MAC-V, the property would not be used to provide services to the applicants, differentiating it from a supportive housing land use. Neither a detailed site plan nor building plans or elevations are available at this time. Draft site plans shared with staff indicate variances may be necessary under the current zoning code, including for building width and rear setback. This land use – housing for veterans – has followed other ideas, including a pair of small duplexes with parking.
2. **The proposed zoning is consistent with the way this area has developed.** Per § 66.214, the RT2 townhouse district is "intended to provide for a variety of housing needs and to serve as zones of transition between one- and two-family residential districts and multiple-family residential districts and business districts." Further, RT2 "provides for housing that has many of the amenities of single-family dwellings arranged in a low-density, multiple-family pattern." Existing housing in the area is a mix of one- to four-unit residences, and this property neighbors mixed-use, commercial, and institutional uses, making a neighborhood-scale infill housing land use appropriate. The

institutional use to the northeast is the St. Paul West 7th Street Salvation Army, which provides food, financial, and community services to people in need. 7th Street W to the south of the property has a variety of small businesses, residences, non-profit organizations, and parking lots, with only one commercial building on 7th Street W extending to a third story.

- 3. The proposed zoning to allow neighborhood-scale infill housing is consistent with the Comprehensive Plan.** In the Future Land Use Map, this property is designated Urban Neighborhood, and is directly adjacent to the Mixed Use-designated West Seventh Street corridor, an important transit corridor served by the 54 and 74 bus routes. Urban Neighborhoods are “primarily residential areas with a range of housing types... [where] multi-family housing predominates along arterial and collector streets, particularly those with transit.” Urban Neighborhood Policy LU-34 reads, “Provide for medium-density housing that diversifies housing options, such as townhouses, courtyard apartments and smaller multi-family developments, compatible with the general scale of Urban Neighborhoods.” Policy LU-35 reads, “Provide for multi-family housing along arterial and collector streets, and in employment centers to facilitate walking and leverage the use of public transportation.” The applicant’s intent to establish small homes harmonizes with Policy H-49, “Consider amendments to the zoning code to permit smaller single-family houses and duplexes to facilitate the creation of small-home development types, such as pocket neighborhoods and cottage communities” and the Comprehensive Plan’s value of “Missing Middle” housing types.

Concerning the intent of housing homeless veterans, Policy H-37 reads, “Encourage the development of affordable housing in areas well-served by transit and/or in proximity to employment centers” while Policy H-18 read, “Foster the preservation and production of deeply affordable rental housing (housing affordable to those at 30% or less of AML), supportive housing and housing for people experiencing homelessness.”

Rezoning to RT2 also contributes to the current District 9 Area Plan goal to “Maintain existing housing stock while developing new housing to meet the diversity of households’ needs.” The Plan goes on to state that the “Housing stock, both new and refurbished, should continue to provide a mix of incomes with affordable places to live. Additions to the housing stock should take place near transit.” Key Strategy for housing number 12 promotes “those stretches of West 7th between key nodes as the appropriate location for higher-density residential use, in order to add diversity to the housing stock while preserving the traditional neighborhood fabric and supporting existing and future transit investment. Key Strategy for public transit number 67 promotes “new development that will fully utilize existing transit services”. Additionally, the RT2 zone conforms to priority action number 1., “Maintain the character of existing residential areas by keeping zoning appropriate to residential neighborhoods.”

- 4. The proposed zoning is compatible with surrounding uses.** This parcel is surrounded by one-family and two-family homes with multi-family (3+) buildings scattered through the neighborhood. One block south, 7th Ave W is lined with two- and three-story mixed-use properties with commercial on the bottom floor and residential units above. Small multi-family lies directly to the east, with a parking lot and large Salvation Army a little bit further. An RT2 zoning here would strengthen the transition from the Salvation Army and multi-family to the east to the duplex and single-family area to the west.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezone the property at 83 Douglas Street from R4 one-family residential to RT2 townhouse residential.

PETITION TO AMEND THE ZONING CODE



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: _____

APPLICANT

Property Owner Charles Stephens and Laurel Gamm
Address 151 Goodrich Ave
City St Paul State MN Zip 55102 Daytime Phone 612-597-4370

PROPERTY LOCATION

Address/Location 83 Douglas St, St Paul
Legal Description Vacant lot, approx 8,959 sq ft

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, Charles Stephens and Laurel Gamm, owner of land proposed for rezoning, hereby petitions you to rezone the above described property from a R-4 zoning district to a RT-2 zoning district, for the purpose of:

Undertaking a multi-family type housing development

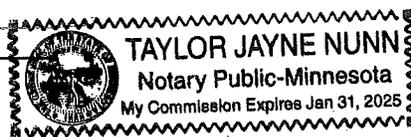
(Attach additional sheets if necessary)

Attachments as required: Site Plan Consent Petition Affidavit

Subscribed and sworn to before me

Date October 3rd 2021

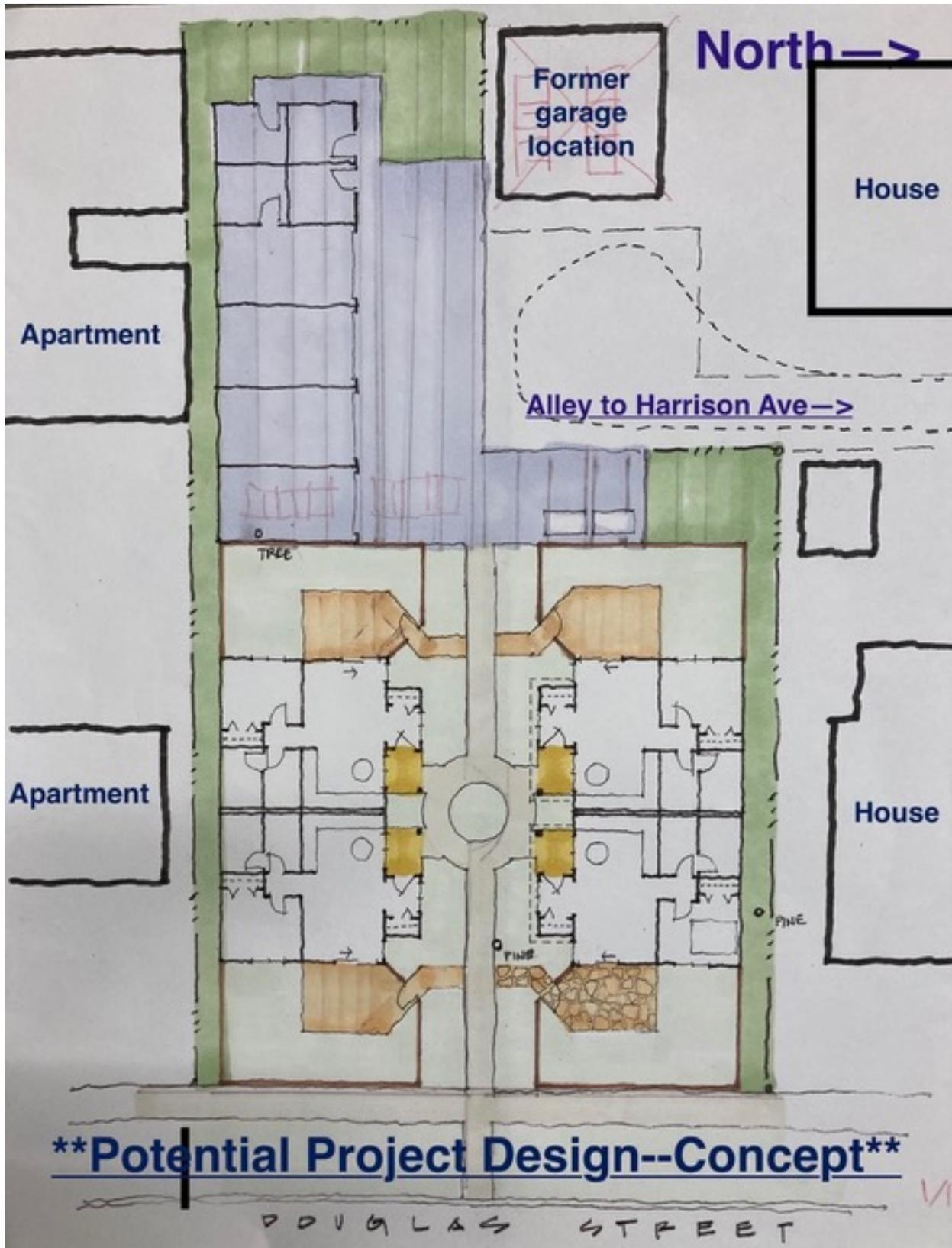
Jayne Nunn
Notary Public



By: Charles Stephens

Fee owner of property

Laurel Gamm

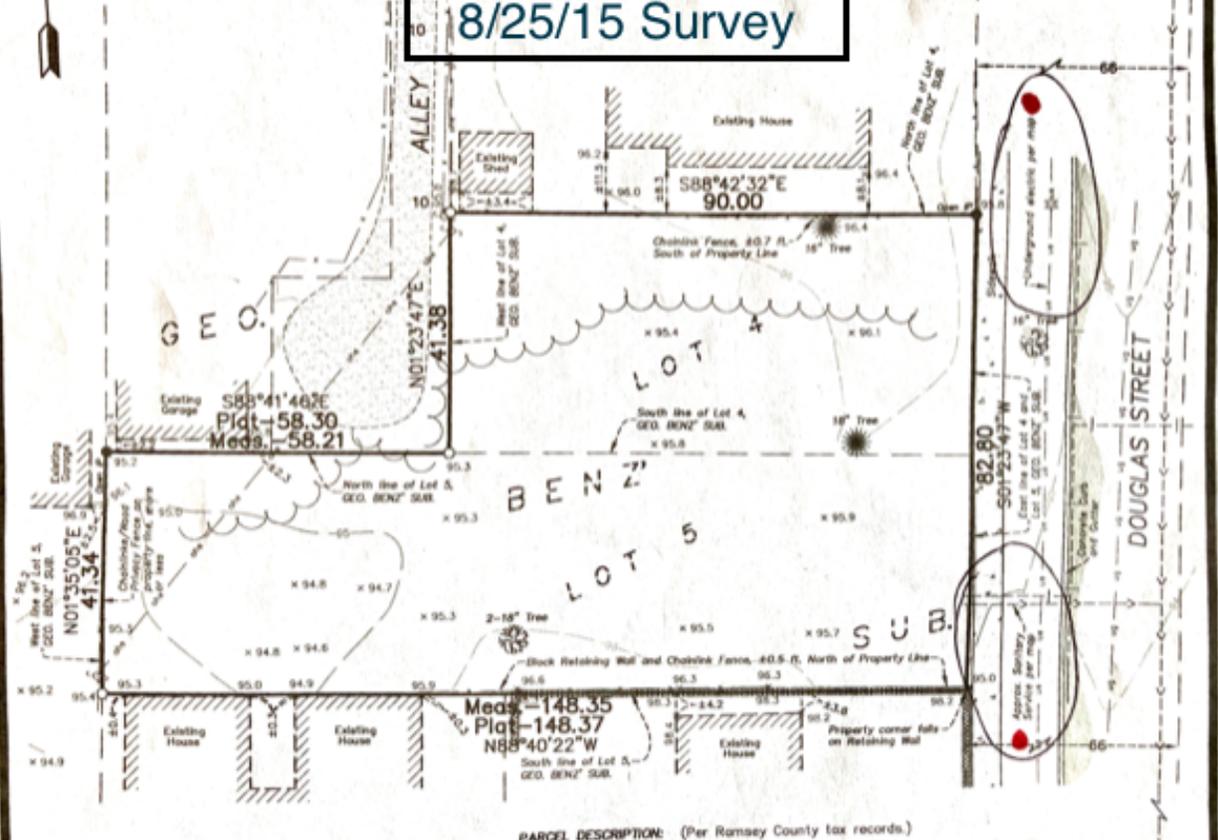


Existing Conditions for: CHRISTOPHER RIESER

Sec. 1, Twp. 28, Rge. 23
RM-94.2

Property Address:
83 Douglas Street, St. Paul, MN 55102

8/25/15 Survey



PARCEL DESCRIPTION: (Per Ramsey County tax records.)

From: [Jennifer Gehlhar](#)
To: [*CI-StPaul_PED-ZoningCommitteeSecretary](#)
Subject: Public Testimony for 83 Douglas rezoning request
Date: Monday, October 25, 2021 7:01:44 PM

Hello, I'm the homeowner at 295 Sturgis Street, St Paul, MN 55102, my name is Jennifer Gehlhar, and I'd like to provide the following testimony for 21-309-362, 83 Douglas Rezoning, 83 Douglas St, Between Harrison Ave and Sturgis Street, R4, District Council 9, Ward 2 (Michael Wade, 651.266.8703) scheduled for the Nov 4 Zoning Committee of the Saint Paul Planning Commission:

10 neighbors and I met with the owner of 83 Douglas, Charles Stephens, and his proposed investment partner Minnesota Assistance Council for Veterans (MAC-V, rep David Nguyen, DNGUYEN@MAC-V.ORG 1.833.222.MACV x6228). As discussed on site with them, there is a solution that will allow Charles to achieve his philanthropy and investment goals while the neighborhood maintains a feeling of safety and housing security—and it will NOT require re-zoning. I'm surprised Charles has continued with his rezoning request after that meeting. As a neighbor and a mother with a young family in an area close to The Salvation Army, United ER, and other resources that already bring in a considerable amount of mentally unstable and addicted unknown people to our streets (as well as the associated disturbed behavior, violence, verbal abuse, theft, and property damage), I don't want to see an increase in uncertainty this close to my house, including any forms of public housing, transient housing, shared dwellings, rehab-type facilities, or multi-family housing, especially in place of where there is a current one-family residential designation (this area from Douglas to Harrison and from W7 to Forbes generally would like to remain one-family dwellings—we're already plagued with absentee landlords and slumlords who illegally convert one-family residential houses into multi-housing properties (often with unsafe basement and attic rentals, and 5 or more rentals in a single house, without background checking tenants, etc).

I'm proposing the owner, Charles, and his philanthropy partner, MAC-V, achieve their goals of helping vets in need without creating a multi-housing property and to minimize the rotation of tenants as much as possible for the safety and security and well-being of an already stressed neighborhood. In discussion with David Nguyen at MAC-V organization this is possible. They have built single-family dwellings and placed single-families in those dwellings for longer time periods (e.g., a year). That is the solution we need here, not re-zoning to invite in yet more density. This would mean a one-dwelling house would have a single-family "occupant" at any single time.

Other density concerns here are parking! There is a long established parking concern in this neighborhood and with the massive complex just built on Grand/Smith as well as several businesses opening nearby recently and in the near future, there simply must be off-street parking for this 83 Douglas property. The property is not large enough to have a multi-unit dwelling and garages. It could function as a one-family residential dwelling with a single-family garage, I think.

In addition to the 10 or so neighbors' concerns of transient housing expressed at the onsite meeting with David and Charles, there was an overwhelming agreed concern of rezoning from one-family residential to townhouse or and multi-housing designation at this location. The proposed plan is that MAC-V would use the property for 10 to 15 years to transiently house distressed and/or homeless vets (swapping out "tenants" every 6 to 12 months). Neighbors are concerned about the lack of onsite supervision and long-term use of property after MAC-V is done using it when it reverts to sole use by Charles. One concern would be that the property after heavy use and in disrepair would become a multi-housing nightmare under the care of Charles or some other absentee investor landlord.

To this concern, the rep David from MAC-V said they have other options: particularly of note they have built single-family dwellings to house single families. This arrangement long-term would still benefit the owner Charles, who would get a free house built on the site in exchange for letting MAC-V place vets in

that house for 10 to 15 years (still on a transient basis but not multiple people at a time and more likely focused on families). Charles could still sell that property in 10 to 15 years to a single-family buyer (as opposed to it attracting investor/landlords). This is the preferred compromise the neighborhood and myself included would like to see and it does NOT require rezoning, we don't think. Ideally, I don't want transient housing at all, that is why this would be a compromise. I'm opposed to rezoning and making this small property a multi-housing function. I'd prefer to see a single-family dwelling built and sold to a homesteading family. Charles does not want to invest in building a single-family house to then sell but he bought a property that is zoned for and surrounded by single-family dwellings in a neighborhood attempting to establish safety and security with housing stability. I understand he wants the biggest potential profit that can be squeaked out of this tiny property as an investor also, but these types of investment goals on the fringes of single-dwelling neighborhoods threaten to further destabilize and encroach on the single-dwelling neighborhoods.

Furthermore, I'm disappointed that the Fort Road Federation is mentioned at all on this. I don't know if anyone on that board has really even reviewed this or considered the implications/consequences of rezoning this one property. It is completely inappropriate. They certainly didn't reach out to anyone in the surrounding area who would be most impacted.

Thanks for the consideration,
Jennifer Gehlhar
295 Sturgis Street,
St Paul, MN 55102

From: [brandon flesher](#)
To: [*CI-StPaul_PED-ZoningCommitteeSecretary](#)
Cc: [Tracey Poletes](#)
Subject: Concerning ZF#21-309-362, 83 Douglas Rezoning
Date: Sunday, October 31, 2021 7:15:41 PM

Hello,

This email is in opposition to the proposed rezoning of property located at 83 Douglas Street from R4 one-family to RT2 townhouse residential. My opposition is for the potential worsening of an already stressed parking situation for residents in the area. Rezoning to RT2 will allow for a denser occupation thereby adding more parking requirements for the property. Not ideal in my opinion as a resident in the area. It's hard enough already to find a parking spot, let alone a parking spot for a guest or two as it is, without adding to the already present congestion.

Thank You
Brandon Flesher
239 Goodrich Avenue
Saint Paul, MN 55102
Sent from my iPad

The property at 83 Douglas Street is a residential lot that has been vacant since 1992. The immediate neighborhood is varied, with both single family homes and multi-unit buildings adjacent to the property, and is within one block of a busy commercial corridor.

My wife and I bought the property in June, 2018 with the hope of creating affordable housing units. Working with an architect a year ago, we developed an initial concept for 4 one-bedroom units of about 550 square feet each. The lot is an adequate size to allow communal and individual outdoor spaces, as well as off-street parking.

Up to now, building costs and a desire to have assistance in managing residents have been factors holding us back. The Y-HELP program, a collaboration between the Minnesota Assistance Council for Veterans (MACV) and Yard Homes, Inc. offers a solution.

Yard Homes are high quality Minnesota-made pre-fabricated modular homes, that allow some flexibility in design, so the homes will fit in with the neighborhood. Our plan is for four of these individual small homes on the property, each with adjacent outdoor space.

MACV has been working with Veterans throughout the state for over 30 years to ensure stable housing. MACV works with their clients to find the right people who are ready and able to live independently in the neighborhood and offers on-going case management to ensure their success. Financing comes through HUD-VASH, a collaborative program between HUD and the VA which combines HUD housing vouchers with VA supportive services to help Veterans find and sustain permanent housing. While some residents may transition to other places over the course of a few months, others will be welcome to live there over the longer term.

Request for Continuance

Date _____

Jake Reilly, Chair
Zoning Committee
City of Saint Paul
1400 City Hall Annex
Saint Paul, MN 55102

Re: Zoning File # _____

Dear Mr. Reilly:

I am the applicant or the applicant's duly appointed representative for this zoning file.

I request a continuance of the public hearing on the application in this zoning file, which is presently scheduled before the Zoning Committee on _____.

I understand that a continuance of the public hearing before the Zoning Committee means that the decision of the Planning Commission on this application, which is presently scheduled for _____ also ~~be~~ **be** ~~contih~~ **contin** ued.

I request that the Zoning Committee continue the public hearing for this zoning file to _____, I understand that the Planning Commission would then be scheduled to make their decision on _____.

I am aware of and understand the statutory requirements found in Minn. Statue § 15.99 (1995) requiring the City of Saint Paul to approve or deny this application within sixty days of its submission. I desire to extend the sixty-day period for a City decision under Minn. Stat. §15.99 by _____ days to _____, to accommodate the continuance I am requesting.

Sincerely,

Signature of applicant or
applicant's duly appointed
representative

Printed name of applicant or
applicant's duly appointed
representative



Harrison Ave



Sturgis St



7th St W



Douglas St

Mcboal St



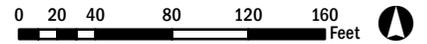
FILE #21-309-362 Aerial Map

Application of Charles Stephens & Laurel

Application Type: Rezone
Application Date: October 7, 2021
Planning District: 9

Subject Parcel(s) Outlined in Blue

-  Subject Parcel(s)
-  ParcelPoly

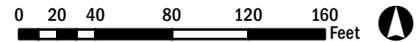


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FILE #21-309-362 Existing Land Use
Application of Charles Stephens & Laurel

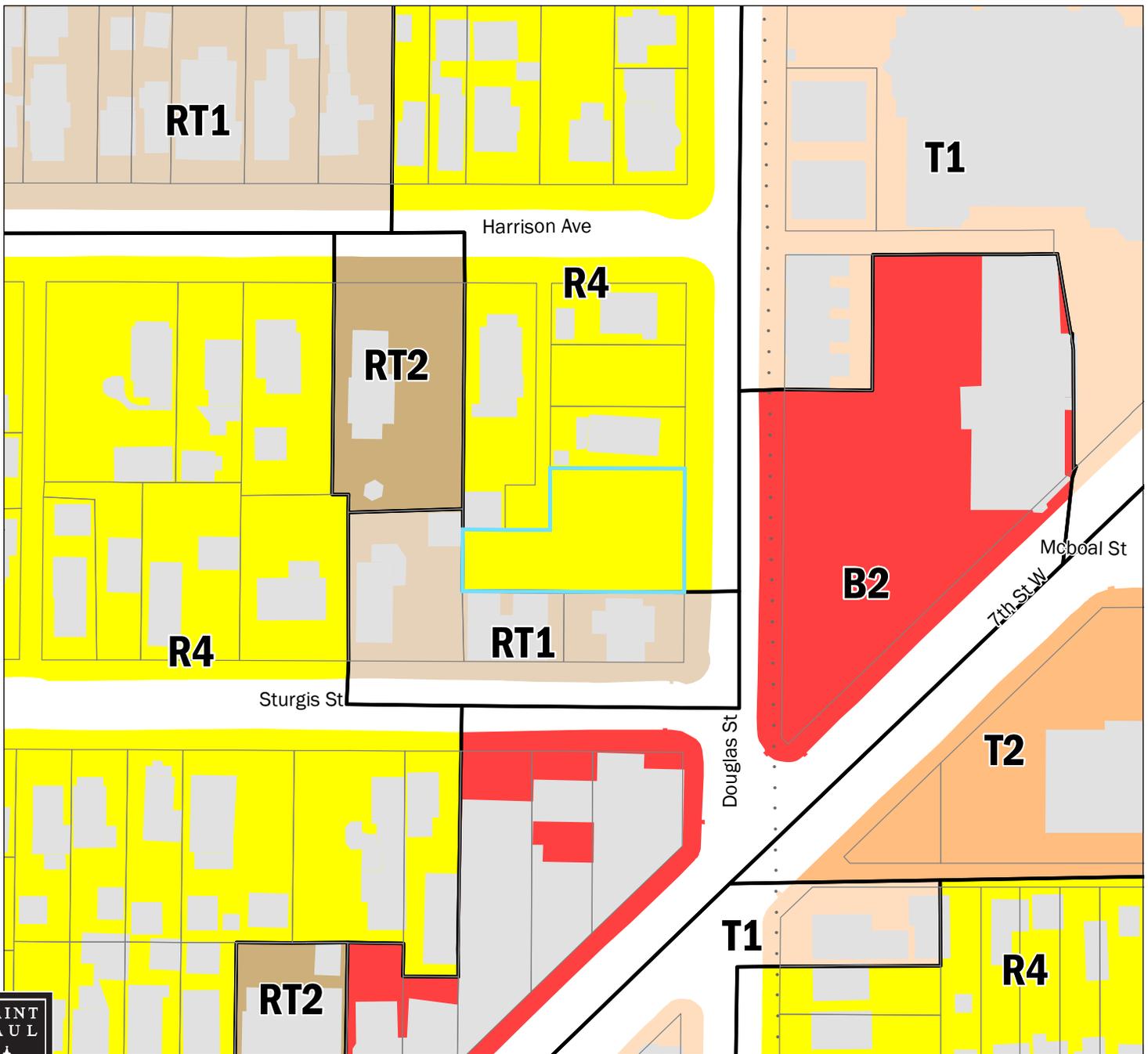
Application Type: Rezone
 Application Date: October 7, 2021
 Planning District: 9



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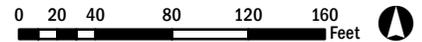
Subject Parcel(s) Outlined in Blue

- | | | | |
|---------------------------|-----------------------------|--------------------------------|---------------|
| Subject Parcel(s) | Single Family Attached | Mixed Use Commercial and Other | Major Highway |
| ParcelPoly | Multifamily | Industrial and Utility | Railway |
| Farmstead | Office | Extractive | Airport |
| Seasonal/Vacation | Retail and Other Commercial | Institutional | Agricultural |
| Single Family Detached | Mixed Use Residential | Park, Recreational or Preserve | Undeveloped |
| Manufactured Housing Park | Mixed Use Industrial | Golf Course | Water |



FILE #21-309-362 Zoning Map
Application of Charles Stephens & Laurel

Application Type: Rezone
 Application Date: October 7, 2021
 Planning District: 9



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Subject Parcel(s) Outlined in Blue

Subject Parcel(s)	RM2 Multiple-Family	BC Community Business (converted)	F1 River Residential
ParcelPoly	RM3 Multiple-Family	B2 Community Business	F2 Residential Low
RL One-Family Large Lot	T1 Traditional Neighborhood	B3 General Business	F3 Residential Mid
R1 One-Family	T2 Traditional Neighborhood	B4 Central Business	F4 Residential High
R2 One-Family	T3 Traditional Neighborhood	B5 Central Business Service	F5 Business
R3 One-Family	T3M T3 with Master Plan	IT Transitional Industrial	F6 Gateway
R4 One-Family	T4 Traditional Neighborhood	ITM IT with Master Plan	VP Vehicular Parking
RT1 Two-Family	T4M T4 with Master Plan	I1 Light Industrial	PD Planned Development
RT2 Townhouse	OS Office-Service	I2 General Industrial	CA Capitol Area Jurisdiction
RM1 Multiple-Family	B1 Local Business	I3 Restricted Industrial	