

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Rebuilding Together **FILE #** 16-047-663
 2. **APPLICANT:** Rebuilding Together **HEARING DATE:** June 30, 2016
 3. **TYPE OF APPLICATION:** Nonconforming Use Permit - Reestablishment
 4. **LOCATION:** 417 Clarence St, SW corner at Wilson
 5. **PIN & LEGAL DESCRIPTION:** 342922320007; Joys East End Add N 54 Ft Of Lots 1 And Lot 2 Blk 1
 6. **PLANNING DISTRICT:** 4
 7. **ZONING CODE REFERENCE:** §62.109(e) **PRESENT ZONING:** RM3
 8. **STAFF REPORT DATE:** June 22, 2016 **BY:** Bill Dermody
 9. **DATE RECEIVED:** June 15, 2016 **60-DAY DEADLINE FOR ACTION:** August 14, 2016
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- A. **PURPOSE:** Reestablishment of nonconforming use for a duplex
- B. **PARCEL SIZE:** 108' (Wilson) x 54' (Clarence) = 5,832 sq. ft.
- C. **EXISTING LAND USE:** Vacant
- D. **SURROUNDING LAND USE:**
 - North: Office/flex (T3)
 - South/East: MnDOT right-of-way (RM3/R4)
 - West: Single-family (RM3) with apartments farther west (RM3)
- E. **ZONING CODE CITATION:** §62.109(e) lists the conditions under which the Planning Commission may grant a permit to reestablish a nonconforming use.
- F. **HISTORY/DISCUSSION:** The subject site was rezoned along with the adjacent single-family residential properties from RM2 to RM3 as part of the 246-property Gold Line Zoning Study in October 2015. A single-family residence occupied the subject site until it was demolished in 2014.
- G. **DISTRICT COUNCIL RECOMMENDATION:** As of this writing, the District 4 Council has not provided a recommendation.
- H. **FINDINGS:**
 1. The application requests reestablishment of nonconforming use for a duplex at 417 Clarence Avenue. It would accommodate an existing duplex structure proposed to be moved from 1256 Wilson Avenue, where an apartment building is intended to be constructed.
 2. Section 62.109(e) states: *When a legal nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of more than one (1) year, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
 - (1) *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.* This finding is met. At less than 6,000 square feet, the vacant site is too small to accommodate new multifamily residential construction. Zoning Code §66.231(c) requires a minimum lot size of 9,000 square feet for a multifamily residential use.
 - (2) *The proposed use is equally appropriate or more appropriate to the district than the previous legal nonconforming use.* This finding is met. The proposed duplex use and the previous single-family use are both permitted in the RM2 district and have similar effects on the area's residential density.

- (3) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare. This finding is met.*
- (4) *The proposed use is consistent with the comprehensive plan. This finding is met. The Gold Line Station Area Plans, adopted in 2015 as an addendum to the Comprehensive Plan, designate the site as part of the Etna Station Area's Primary Transit-Oriented Development Zone, where additional residential density is encouraged. The addition of a duplex to this small site is an effective way to implement the plan's TOD Zone designation.*
- (5) *A notarized petition of at least two-thirds of the owners of the described parcels of real estate within one hundred (100) feet of the subject property has been submitted stating their support for the use. This finding is met. The petition is sufficient: 5 parcels eligible; 4 parcels required; 4 parcels signed.*

- I. **STAFF RECOMMENDATION:** Based on the findings above, staff recommends approval of the reestablishment of nonconforming use for a duplex.



NONCONFORMING USE PERMIT APPLICATION
 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 #: 16-047663
 Fee: 700⁰⁰
 Tentative Hearing Date: 6-30-16

PD=4

342922320007

APPLICANT

Name Rebuilding Together Twin Cities Email k.greiner@RebuildingTogether-TwinCities.org
 Address 1050 SE 33rd Ave
 City Saint Paul St. MN Zip 55414 Daytime Phone 651-776-4273
 Name of Owner (if different) _____
 Contact Person (if different) Kathryn Greiner Phone 651-776-4273

PROPERTY LOCATION

Address/Location 417 Clarence Ave, Saint Paul, MN
 Legal Description The north 54ft of Lots 1+2, Block
Jay's East End Add. Current Zoning RM3
 (attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Nonconforming Use Permit under provisions of Chapter 62, Section 109 of the Zoning Code:

The permit is for: Establishment of legal nonconforming use status for use in existence at least 10 years (para. a)
 Change of nonconforming use (para. c)
 Expansion or relocation of nonconforming use (para. d)
 Reestablishment of a nonconforming use vacant for more than one year (para. e)

SUPPORTING INFORMATION: Supply the information that is applicable to your type of permit.

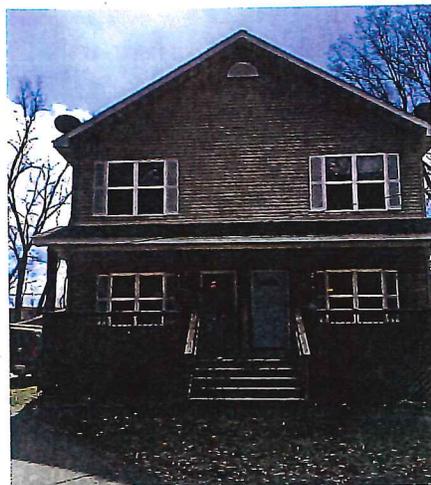
Present/Past Use Duplex removed within past two years. Now vacant lot.
 Proposed Use Duplex to be operated by the Minnesota Assistance Council for Veterans (MAC-V)
 MAC-V will operate this duplex as housing for veteran families in crisis and provide supportive services to the families.

eK
 13884
 700⁰⁰

Attach additional sheets if necessary

Attachments as required Site Plan Consent Petition Affidavit
 Applicant's Signature [Signature] Date 6/9/16 City Agent pdd

Rev 9/4/14
 6-9-16



Minnesota Assistance Council for Veterans

(MACV) is a 501 (c)(3) nonprofit organization that has provided critical intervention assistance to homeless or in crisis veterans and their families since 1990. In 2015, MACV comprehensively served over 1,950 veterans and their families throughout Minnesota with their mission to provide assistance throughout Minnesota to positively motivated veterans and their families who are homeless or experiencing other life crises. MACV accomplishes this mission by providing services directly and in collaboration with other service agencies. MACV's services are offered with the belief that all veterans can achieve self-sufficiency if given the support and tools they need in a positive, veteran-focused environment.

When immediate independent housing is not an option for veterans, MACV offers 57 units of transitional housing in multiple Minnesota communities. Veterans may reside in the community-based housing for up to two years, although many veterans move to independent housing sooner. While in the housing, residents live with fellow veterans who provide them peer support, and they also work with MACV case managers to overcome their housing, employment, and legal barriers. This critical housing program gives homeless veterans support to again become productive members of the community, knowledge that the community cares, and confidence to once again find success. It is intended to give back to veterans the way of life they fought to preserve.

Project Description:

Move a two-story, 15-year-old duplex at 1254 Wilson Ave. in Saint Paul to a vacant lot at 417 Clarence Ave in Saint Paul. This move will save the building from demolition due to land redevelopment and give MACV a facility to use for housing veteran families in crisis. Currently, each unit has two bedrooms plus one and a half bathrooms. The new basement will include the addition of two bedrooms, a bathroom and laundry room to each unit and accommodate larger families, a growing need identified by MACV.

Project Partners:

Rebuilding Together Twin Cities transforms the lives of low-income homeowners by improving the safety and health of their homes and revitalizing our communities. We provide critical home repairs for homeowners in need, particularly older adults, individuals living with disabilities, families with children, and active and retired members of the armed services. This service ensures that these homeowners live independently in safe and healthy homes.

The **BATC Foundation** is a nonprofit organization composed of BATC members and supporters. The BATC Foundation taps the talents and resources of the Association's member builders, remodelers, suppliers and volunteers to support our communities and to help Twin Cities residents and families in need. We build homes, provide remodeling and repair, as well as offer scholarships for young people entering the construction industry. Stable and quality housing not only helps our families, but provides a much needed base for further economic growth within the Twin Cities area.

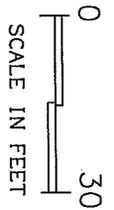
FOR Wall Companies

CERTIFICATE OF SURVEY SITE PLAN

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Randy L. Kurth, L.L.S. No. 202270
Russell J. Kurth, L.L.S. No. 16113

Note: This is not a total boundary survey.
Survey done for site planning purposes.
Total lot area = 5832 sq. ft.
Total building = 1024 sq. ft.
Porches-Steps = 250 sq. ft.
Sidewalks = 135 sq. ft.
Total parking = 540 sq. ft.

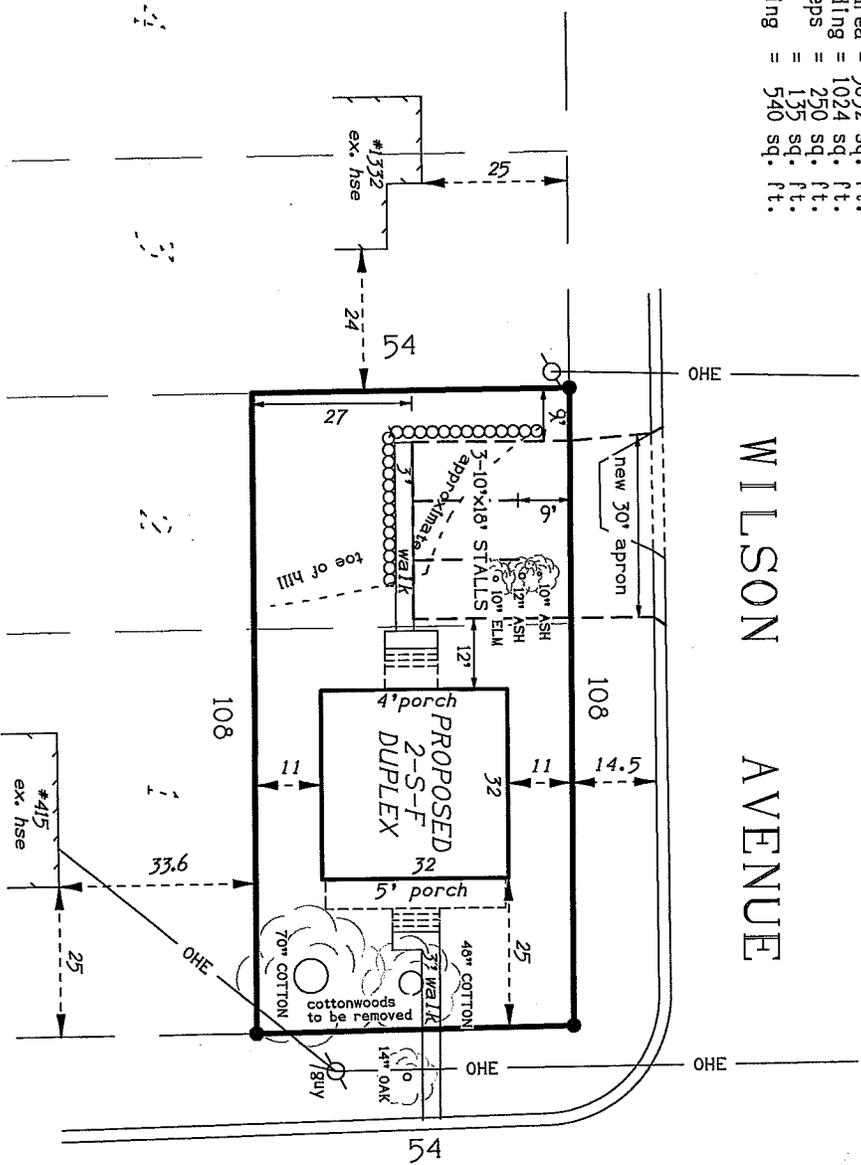


rev. 5-26-16 (moved hse & parking)
rev. 6-1-16 (front sidewalk)

- = IRON MONUMENT SET
- = IRON MONUMENT FOUND
- ⊗ = SPIKE SET
- ⊘ = POSSIBLE WALL

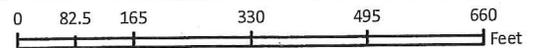
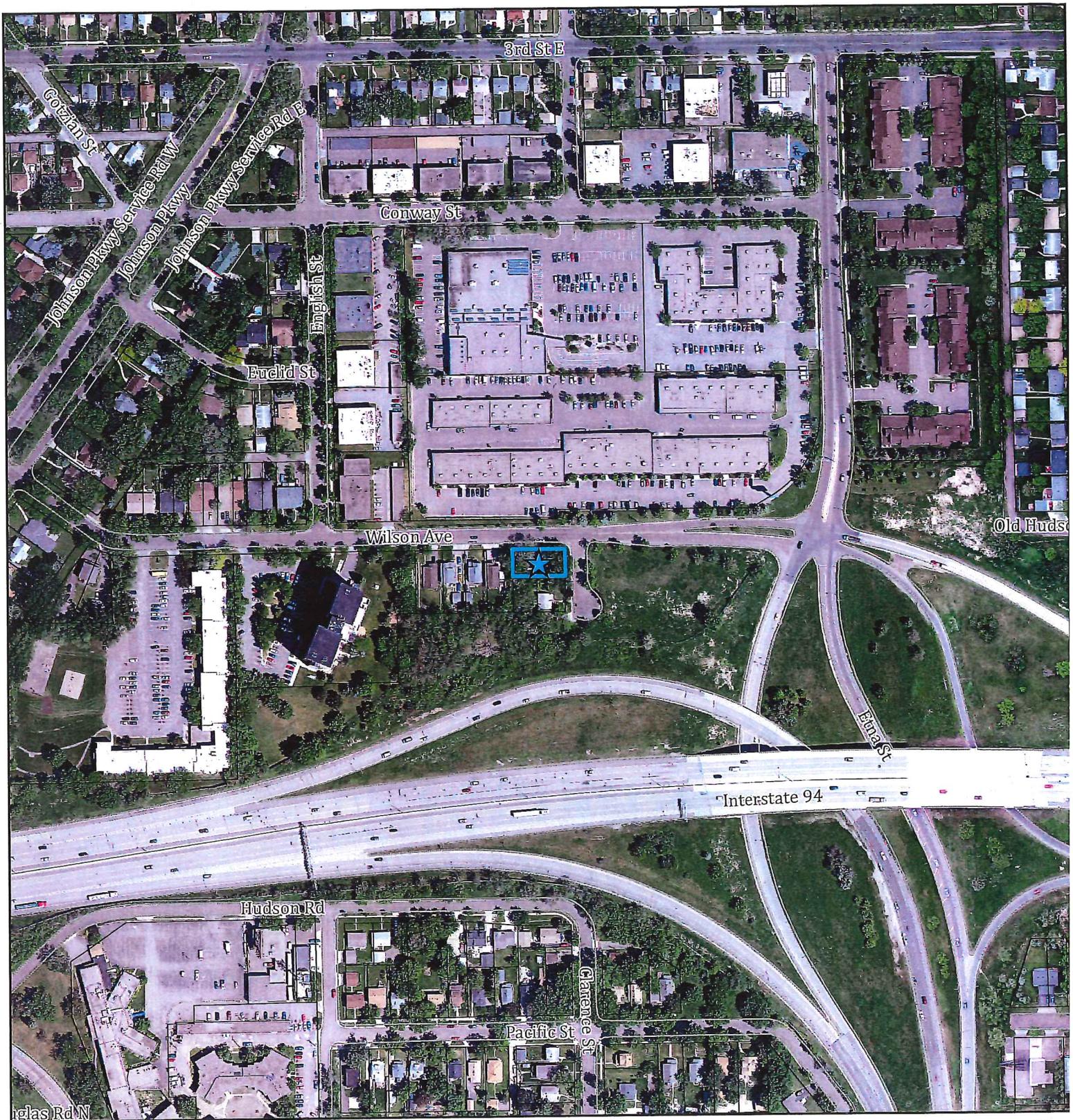
KURTH SURVEYING, INC.
4002 JEFFERSON ST. N.E.
COLUMBIA HEIGHTS, MN 55421
PHONE (763) 788-9769 FAX (763) 788-7602
E-MAIL: KURTHSURVEY@AOL.COM

DATE May 25, 2016



PROPERTY DESCRIPTION

The north 54 feet of Lots 1 and 2, Block JOY'S EAST ADD., Ramsey County, MN.



FILE NAME: Rebuilding Together

Aerial

APPLICATION TYPE: Reest. of NCUP

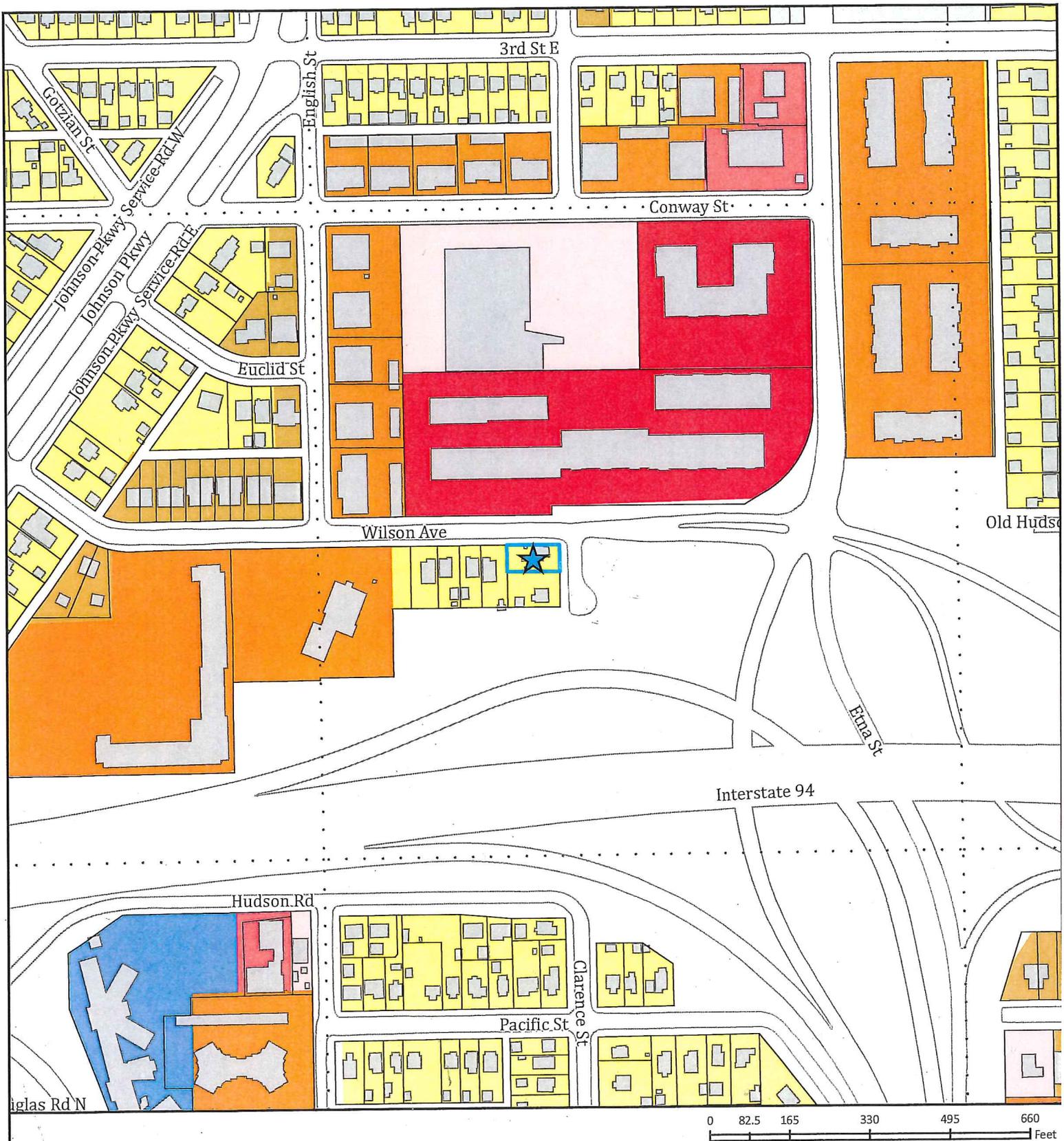
 Subject Parcels

FILE #: 16-047663 DATE: 6/15/2016

PLANNING DISTRICT: 4

ZONING PANEL: 17





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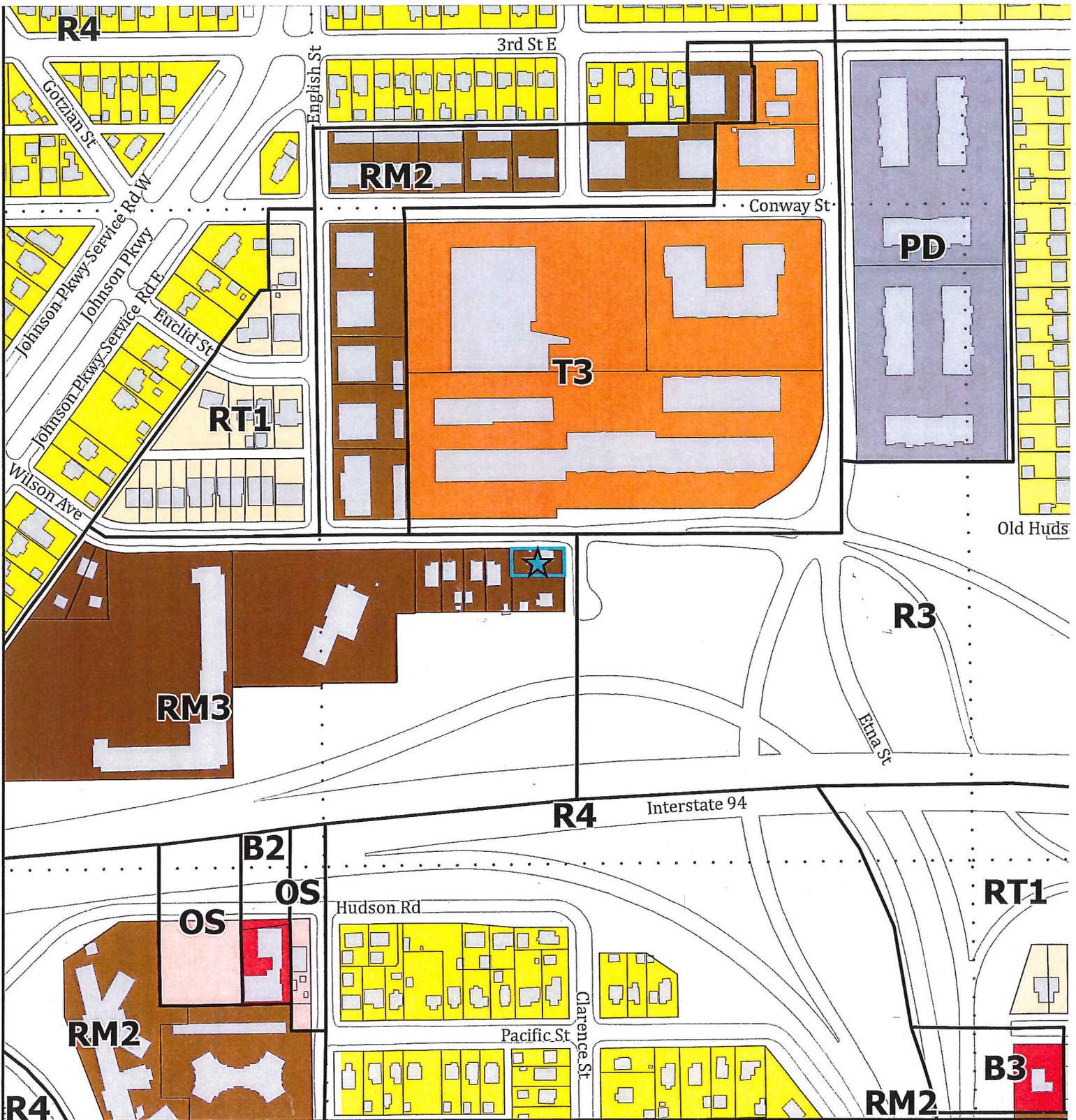
PLANNING DISTRICT: 4

ZONING PANEL: 17

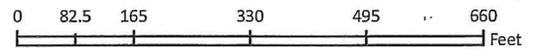
Land Use

- Single Family Detached
- Single Family Attached
- Multifamily
- Office
- Retail and Other Commercial
- Mixed Use Commercial and Other
- Institutional
- Park, Recreational or Preserve
- Undeveloped
- Subject Parcels
- Section Lines





Old Huds



FILE NAME: Rebuilding Together

APPLICATION TYPE: Reest. of NCUP

FILE #: 16-047663 DATE: 6/22/2016

PLANNING DISTRICT: 4

ZONING PANEL: 17

Zoning

- Subject Parcels
- Section Lines
- R3 One-Family
- R4 One-Family
- RT1 Two-Family
- RM2 Multiple-Family
- RM3 Multiple-Family
- T3 Traditional Neighborhood
- OS Office-Service
- B2 Community Business
- B3 General Business
- PD Planned Development

