

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Hlee and May Xiong **FILE #** 16-103-741
 2. **APPLICANT:** May Xiong/Hlee Xiong Moua **HEARING DATE:** December 22, 2016
 3. **TYPE OF APPLICATION:** Conditional Use Permit
 4. **LOCATION:** 1475 Ames Ave, NE corner, Barclay and Ames
 5. **PIN & LEGAL DESCRIPTION:** 272922240009, 272922240010, & 272922240011; Lots 7-9, Block 1, Ames Out Lots
 6. **PLANNING DISTRICT:** 2 **PRESENT ZONING:** R2
 7. **ZONING CODE REFERENCE:** §61.501, §65.151
 8. **STAFF REPORT DATE:** December 15, 2016 **BY:** Bill Dermody
 9. **DATE RECEIVED:** December 2, 2016 **60-DAY DEADLINE FOR ACTION:** January 31, 2017
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- A. **PURPOSE:** Conditional use permit for a 40 unit assisted living and memory care facility
- B. **PARCEL SIZE:** 90,604 square feet
- C. **EXISTING LAND USE:** Vacant
- D. **SURROUNDING LAND USE:** Vacant to the northwest (R2/RM2); adult care home to the north (RM1); single-family residential to the east, west, and south (R2).
- E. **ZONING CODE CITATION:** §61.501 lists general conditions that must be met by all conditional uses; §65.151 provides a definition and lists standards and conditions for adult care homes.
- F. **HISTORY/DISCUSSION:** The site has been zoned R2 since 1975. There is no recent zoning history for the site.
- G. **DISTRICT COUNCIL RECOMMENDATION:** As of this writing, the District 2 Council has not provided a recommendation.
- H. **FINDINGS:**
 1. The application requests conditional use permit approval to allow a 40-unit adult care home (assisted living and memory care) to be constructed on the subject site.
 2. An accompanying application requests rezoning from R2 to RM2. The rezoning application must be approved to allow the subject application to be considered.
 3. §61.501 lists five standards that all conditional uses must satisfy:
 - (a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The application is consistent with the Comprehensive Plan. The Comprehensive Plan's Land Use Chapter designates the adjacent Phalen Village as a Neighborhood Center in Figure LU-H, Generalized 2030 Land Uses, and the area around the subject site as an Established Neighborhood. The Comprehensive Plan's Housing Chapter Strategy H1.1 states: "Increase housing choices across the city to support economically diverse neighborhoods." Though there is a major concentration of apartment housing to the north, the proposed adult care home allows for a senior living option that is in shorter supply.
 - (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The proposed vehicular access for deliveries on Barclay Street and for other vehicles on Ames Avenue is sufficient.
 - (c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The use is not detrimental to the existing character, which includes a 42-unit adult care home abutting to the north and multi-family residential uses adjacent in the same direction.
 - (d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use does not impede any adjacent development or improvement.

(e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition will be met if the rezoning to RM2 is approved. No variances are requested. Conformance with district regulations is anticipated and will be confirmed through site plan review.

4. §65.151 lists five standards and conditions required for adult care homes:

(a) *In residential and T1 traditional neighborhood districts, the facility shall have a minimum lot area of 5,000 square feet plus 1,000 square feet for each guest room in excess of four (4) guest rooms. In T2-T4 traditional neighborhood districts, the density shall be regulated as for multifamily uses.* This condition is met. The minimum lot size is 41,000 square feet, whereas 90,604 square feet is the size of the subject site.

(b) *In traditional neighborhood development districts, a facility located within a predominantly residential or mixed use area shall have direct access to a collector or higher classification street.* This condition is met. The facility is not located in a traditional neighborhood district.

(c) *In traditional neighborhood development districts, the site shall contain a minimum of 150 square feet of outdoor community space per resident, consisting of seating areas, yards and/or gardens. Public parks or plazas within 300 feet of the site may be used to meet this requirement.* This condition is met. The facility is not located in a traditional neighborhood district.

(d) *In RL-RT1 residential districts, the facility shall serve six (6) or fewer facility residents. In RT2-RM1 residential, T1 traditional neighborhood and OS-B2 business districts, the facility shall serve 16 or fewer facility residents.* This condition will be met if the rezoning to RM2 is approved.

(e) *In residential and T1 traditional neighborhood districts, a conditional use permit is required for facilities serving seven (7) or more facility residents.* This condition is met by the subject application.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for a 40-unit adult care home subject to the following additional condition:

1. The rezoning of the site to RM2 is approved.



CONDITIONAL 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 # 16-103745
Fee 300.00
Preliminary Hearing Date 12-22-16

PD = 2

27-29-22-24-0009

APPLICANT

Name Hlee M. Xiong -0010
 Address 515 20th St. N.E. -0011
 City Rochester St. Mn Zip 55906 Daytime Phone _____
 Name of Owner (if different) _____
 Contact Person (if different) Cy Thao Phone 651-208-1985

PROPERTY LOCATION

Address / Location 0 Ames Ave (corner of Ames + Barclay)
 Legal Description 1. S 150 FT PAR TO AMES AVE OF FOL; EX W 70.275 FT AS MEAS ON N1 OF SD; Lot 8 + All of Lot 9 BLK 1 Current Zoning R 2
 (attach additional sheet if necessary)
2. S 150 FT PAR TO AMES AVE OF FOL; Lot 7 + The W 70.275 FT AS MEAS ON N1 OF SD RD OF Lot 8 BLK 1 3. EX S 150 FT PAR TO AMES AVE; lots 7, 8 + 9 BLK 1

TYPE OF PERMIT:

Application is hereby made for a Conditional Use Permit under provisions of Chapter _____, Section _____, Paragraph _____ of the Zoning Code.

SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

Need conditional use permit to allow Assisted Living. Plan to build 40 units of Assisted Living + memory care units.

NOV 30 2016

Required site plan is attached

Applicant's Signature

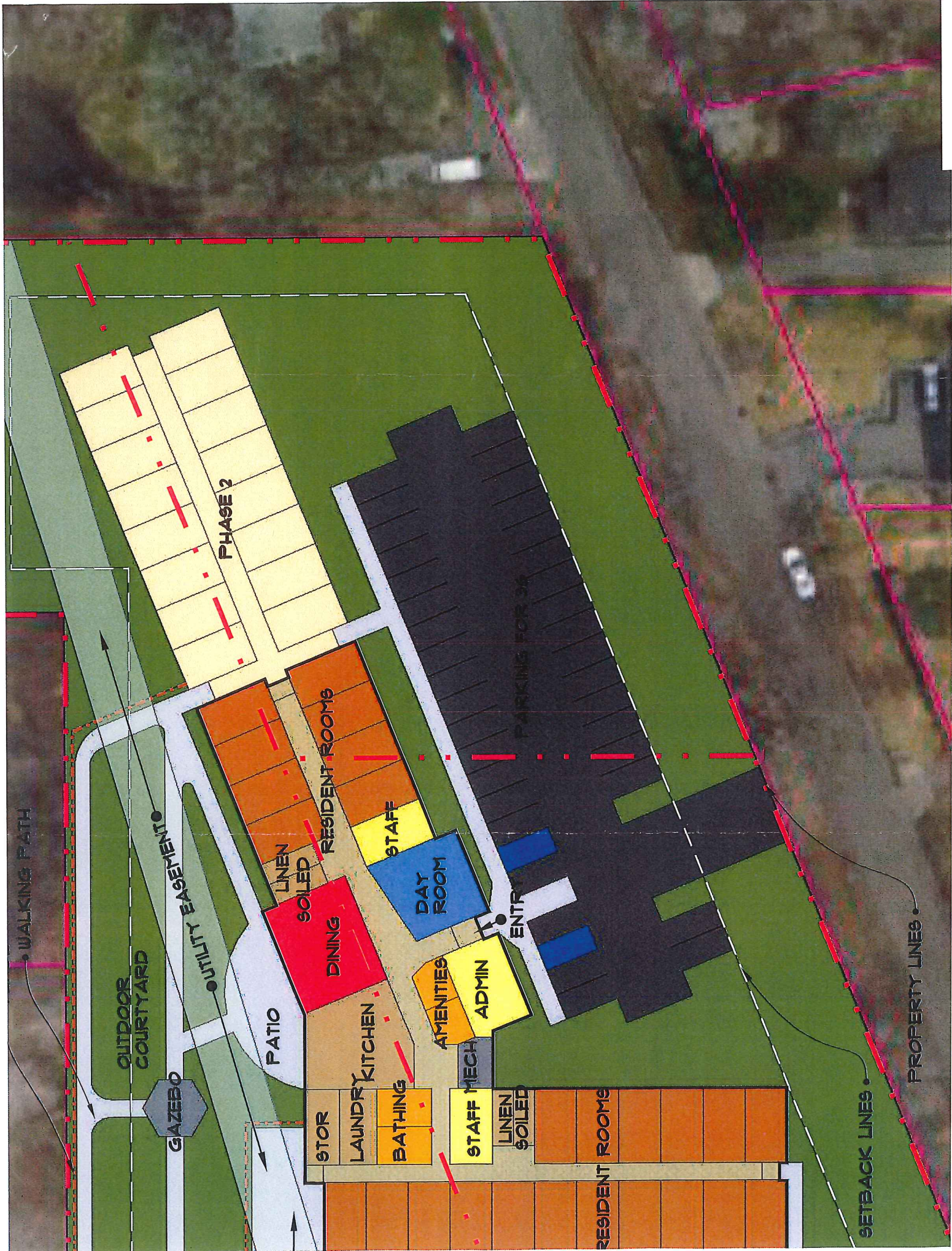
Hlee Xiong
Mary Xiong

Date

11/16/2016

City Agent

pd 11/16/16



WALKING PATH

OUTDOOR COURTYARD

GAZEBO

UTILITY EASEMENT

PHASE 2

PATIO

STOR

LAUNDRY

BATHING

STAFF MECH

AMENITIES

ADMIN

DAY ROOM

DINING

SOILED LINEN

RESIDENT ROOMS

STAFF

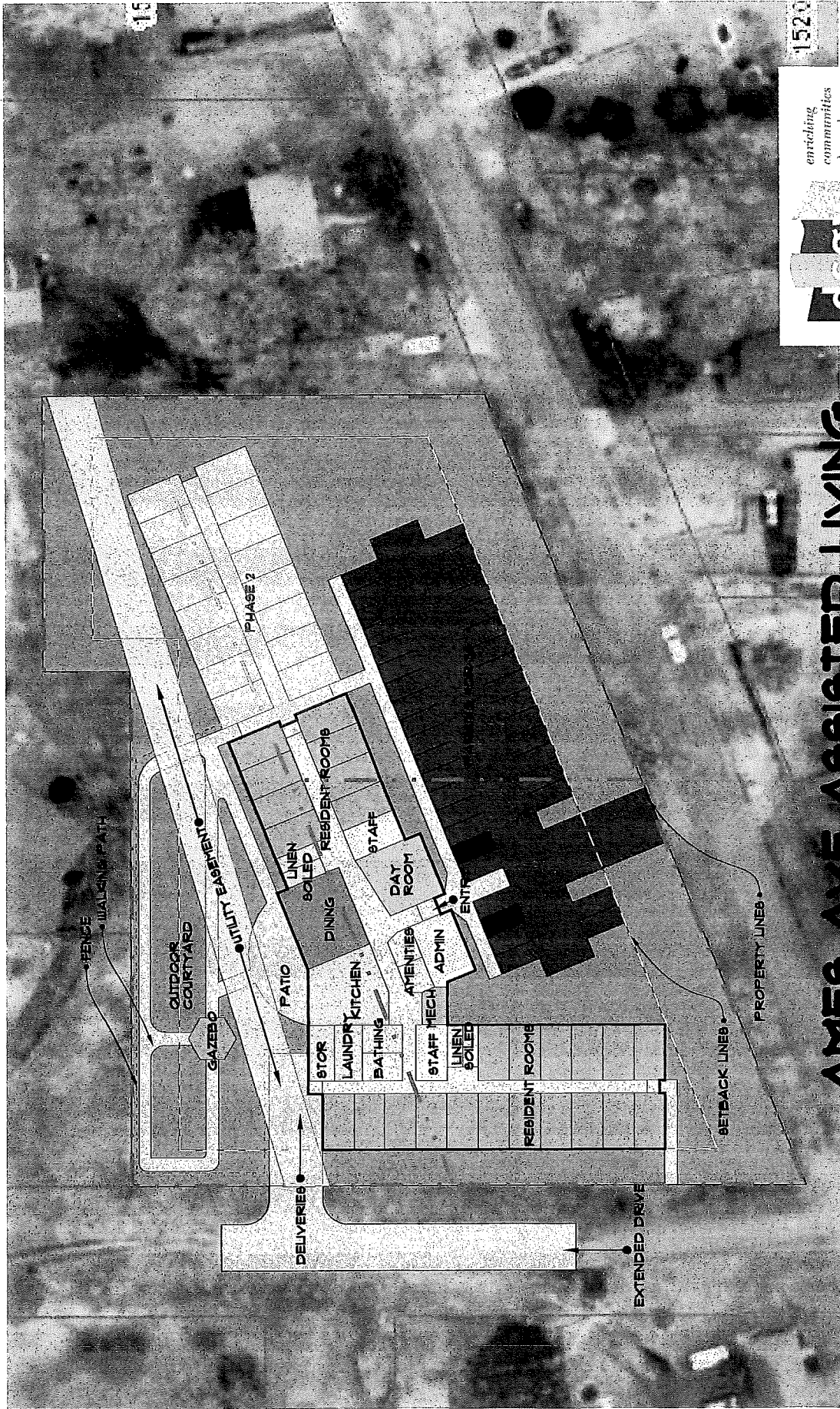
RESIDENT ROOMS

PARKING FOR DAY

ENTRY

SETBACK LINES

PROPERTY LINES

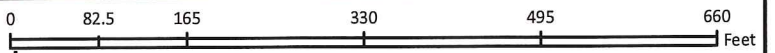
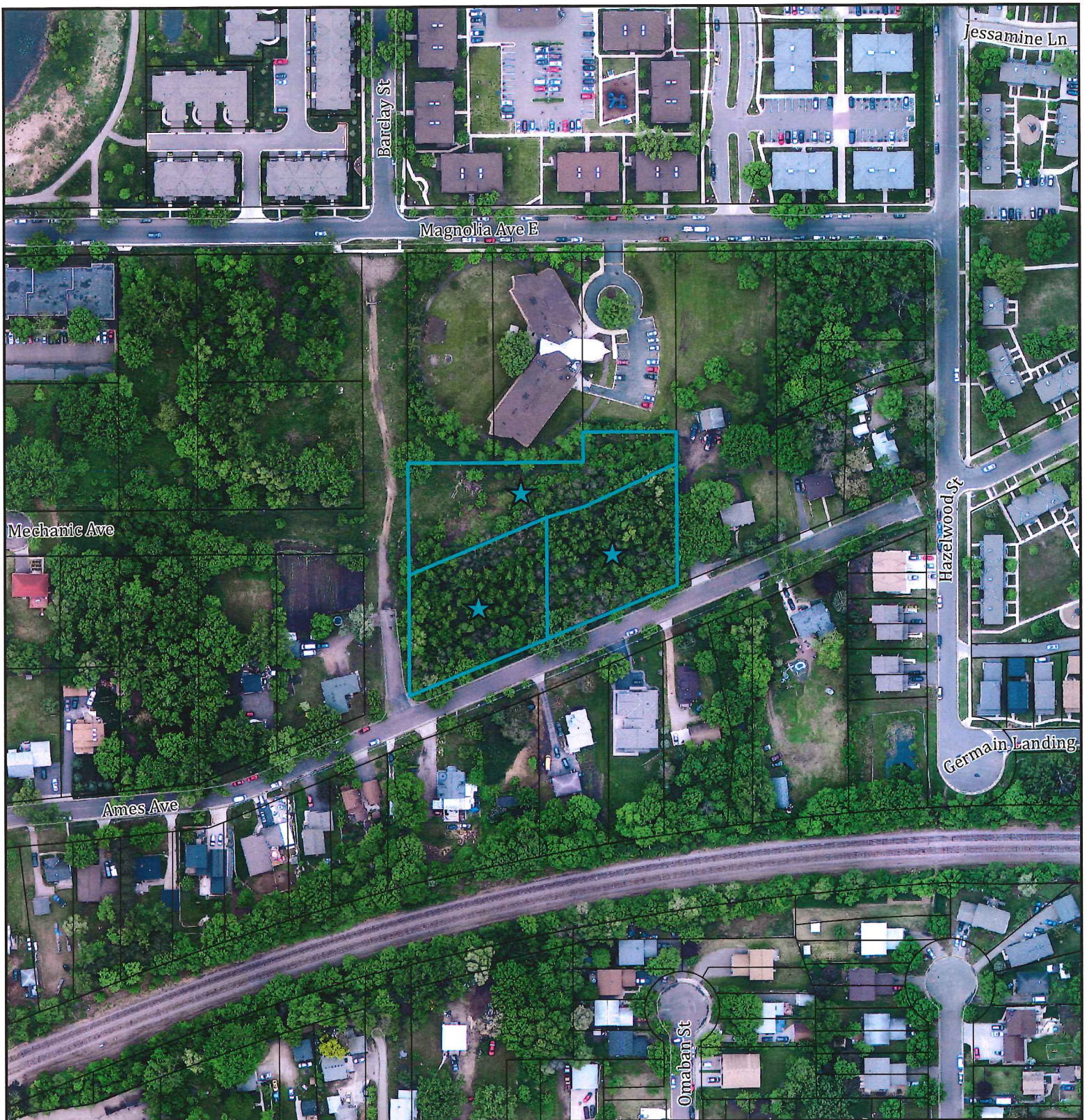


1520

AMES AVE ASSISTED LIVING

NOVEMBER 13, 2016

DEVELOPMENT STUDY



Aerial

 Subject Parcels

FILE NAME: Hlee and May Xiong

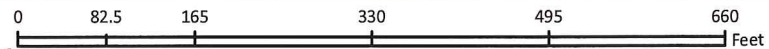
APPLICATION TYPE: Rezone

FILE #: 16-103701 DATE: 12/2/2016

PLANNING DISTRICT: 2

ZONING PANEL: 12





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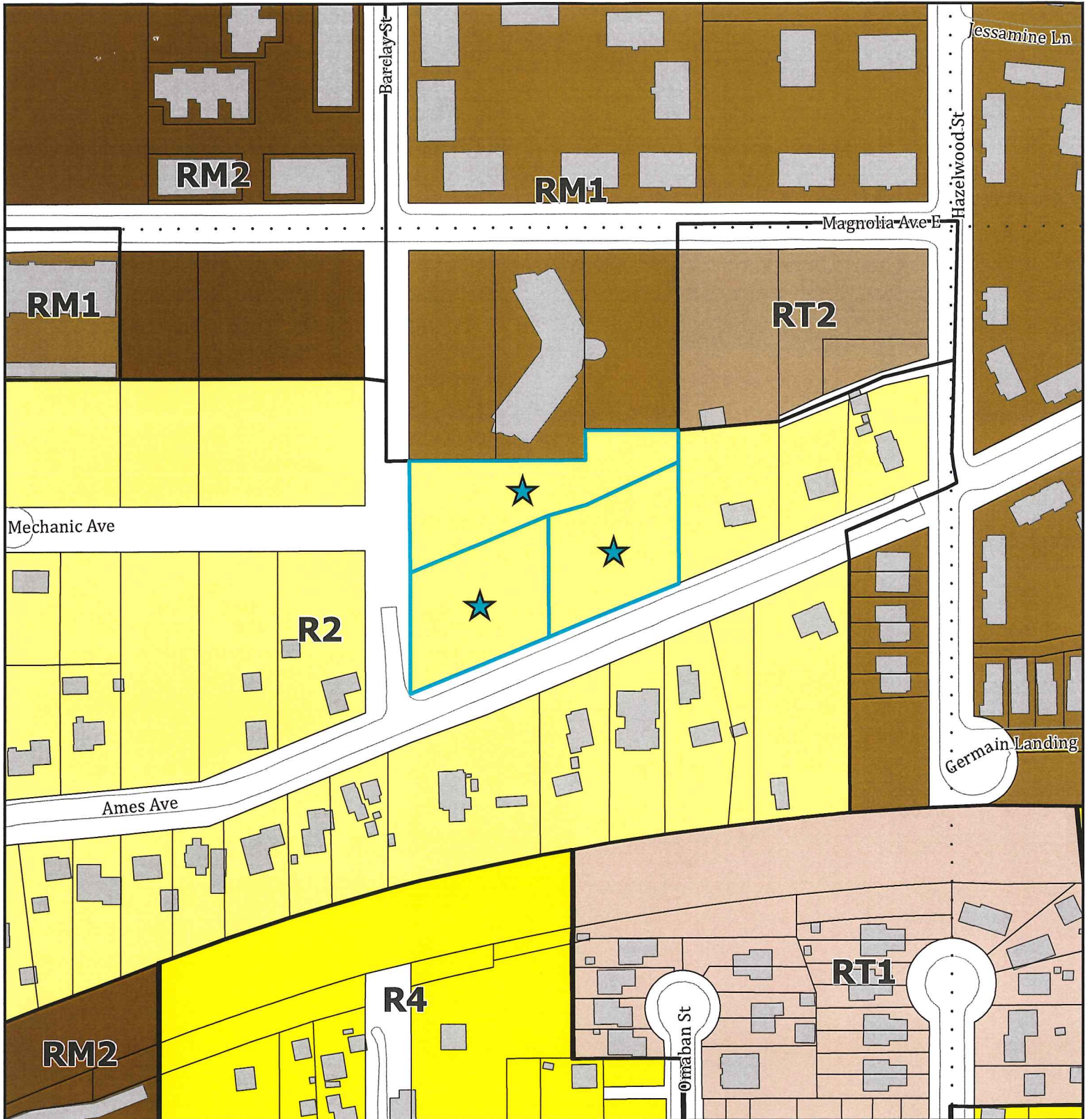
PLANNING DISTRICT: 2

ZONING PANEL: 12

Land Use

- Single Family Detached
- Single Family Attached
- Multifamily
- Park, Recreational or Preserve
- Railway
- Undeveloped
- Subject Parcels
- Section Lines





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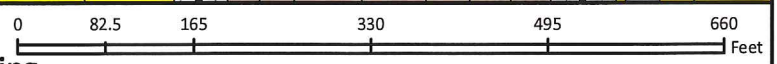
APPLICATION TYPE: Rezoning

FILE #: 16-103701 DATE: 12/2/2016

PLANNING DISTRICT: 2

ZONING PANEL: 12

- Zoning**
- Subject Parcels
 - · Section Lines
 - R2 One-Family
 - R4 One-Family
 - RT1 Two-Family
 - RT2 Townhouse
 - RM1 Multiple-Family
 - RM2 Multiple-Family



Received Wednesday 12/14/16 at 8:46 p.m.:

Hi Bill,

I just got a mail today about the Rezone from R2 one family resident to RM2 multiple family residential and conditional use permit for a 40-Units assisted living and memory care facility.

Property address: 1475 Ames Ave NE corner Barclay and Ames by Hlee and May Xiong.

I won't be able to attend the hearing on Thursday December 22, 2016 at 3:30pm at Courthouse, but I want to write you my concern.

Please stop this construction because we lived for long and very peaceful. I know the the different between one family establish and multiple units in an apartment establish; it will bring multiple issues to our neighbors such as traffic. Since this area is very limited for extension by the railroad that goes a long with the Ames Ave. I very concern about adding another apartment with the previous apartments along the Magnolia Ave E will bring more pollution, traffic and cloudy neighbors to our future. Please immediate stop this construction. Thank you

From : Pang Kou Yang 1460 Ames Ave. St. Paul, MN 55106. Please reach me at [REDACTED]

Thank you.

Pang Yang