

## ZONING COMMITTEE STAFF REPORT

**FILE NAME:** R2C LLC / Joseph R. Yearly

**FILE #:** 17-052-150

**APPLICANT:** R2C LLC

**HEARING DATE:** July 6, 2017

**TYPE OF APPLICATION:** Rezoning

**LOCATION:** 1051 Arkwright Street, SW corner at Cook

**PIN & LEGAL DESCRIPTION:** 29.29.22.23.0052; Hendrickson's Addition, E 1.2 ft. of S 32.1 ft. of Lot 4 and all of Lots 1, 2, and 3

**PLANNING DISTRICT:** 5

**EXISTING ZONING:** B2

**ZONING CODE REFERENCE:** § 61.801(b); § 65.143(a)

**STAFF REPORT DATE:** June 28, 2017

**BY:** Bill Dermody

**DATE RECEIVED:** June 20, 2017

**60-DAY DEADLINE FOR ACTION:** August 19, 2017

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- A. **PURPOSE:** Rezone from B2 community business to T2 traditional neighborhood.
- B. **PARCEL SIZE:** 87 feet (Cook) x 80 feet (Arkwright) = 6,969 square feet
- C. **EXISTING LAND USE:** Vacant building
- D. **SURROUNDING LAND USE:** Multi-family residential to the south (RT2), office across Arkwright to the east (B2), and single-family residential to the west and across Cook to the north (R4).
- E. **ZONING CODE CITATION:** § 61.801(b) provides for changes to the zoning of property initiated by the property owner. § 65.143(a) limits residential uses in B1-B3 business and IT industrial districts to no more than 50% of the first floor.
- F. **HISTORY/DISCUSSION:** The existing 2-story building was mixed residential and commercial (law office) until becoming vacant in 2015 or 2016. It has been zoned B2 since 1975.
- G. **DISTRICT COUNCIL RECOMMENDATION:** As of this writing, District 5 has not provided a recommendation.
- H. **FINDINGS:**
1. The application requests rezoning from B2 community business district to T2 traditional neighborhood district. The rezoning would allow more than 50% of the first floor to be for residential uses. The existing building and proposed use would be consistent with T2 dimensional standards.
  2. The proposed zoning is consistent with the way this area has developed. There have been a mix of residential and commercial uses in the area, including commercial uses on the subject site and across the street to the east.
  3. The proposed zoning is consistent with the Comprehensive Plan. The Comprehensive Plan, in Figure LU-B, designates the site as part of an Established Neighborhood, which allows for scattered multi-family housing and neighborhood-serving commercial uses. The intent of T2 is to foster and support compact, pedestrian-oriented commercial and residential development.
  4. The proposed zoning is compatible with the surrounding business and residential uses, including offices to the east, multi-family residential to the south, and other surrounding residential.

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 T2 zoning does not constitute "spot zoning." The uses permitted in the T2 zoning district are consistent with the surrounding mix of permitted uses.
- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from B2 community business to T2 traditional neighborhood at 1051 Arkwright Street.

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

PD=5
Zoning Office Use Only
File #: 17-052150
Fee:
#292922230052

APPLICANT

Property Owner R2C LLC / JOSEPH R. YEARY
Address 13572 PARTRIDGE CIRCLE NW
City ANDOVER State MN Zip 55304 Daytime Phone 651 888 1864

PROPERTY LOCATION

Address/Location 1051 ARKWRIGHT ST, ST PAUL MN 55130
Legal Description E 1 2/10 FT OF S 32 1/10 FT OF LOT 4 AND ALL

TO THE HONORABLE MAYOR AND CITY COUNCIL: OF LOTS 1 2 AND LOT 3

Pursuant to Section 61.800 of the Saint Paul Zoning Ordinance and to Section 462.357(5) of Minnesota Statutes, R2C LLC / JOSEPH R. YEARY, owner of land proposed for rezoning, hereby petitions you to rezone the above described property from a B2 zoning district to a T2 zoning district, for the purpose of:

MULTI-FAMILY DWELLING. PLAN IS TO CONSTRUCT FOUR (4), APPROXIMATELY 1,000 SQ FT APARTMENTS-TWO (2) ON EACH FLOOR; MAIN AND SECOND FLOORS.

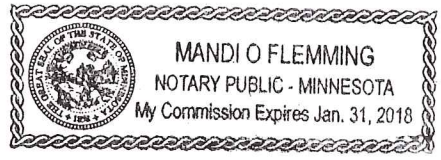
(Attach additional sheets if necessary)

Attachments as required: [ ] Site Plan [ ] Consent Petition [ ] Affidavit

Subscribed and sworn to before me

Date June 6 2017
Mandi Flemming
Notary Public

By: [Signature]
Fee owner of property R2C LLC



**From:**

Joseph R. Yeary "Randy"  
R2C LLC, Chief Manager  
13527 Partridge Circle NW  
Andover, MN 55304  
Ph: 651.888.1864  
Em: randyyeary@gmail.com

1051 Arkwright St, St Paul, MN 55130 is a 6,000+ sq ft, 2-story building. Previously a law firm occupied the first floor and basement while a 2,000+ sq ft apartment was on the 2<sup>nd</sup> floor. It is currently gutted down to the studs (2 x 4 wood construction). All electrical, plumbing, insulation, and drywall have been removed from the property. There are several windows that need to be replaced due to vandalism. The building is already laid out to allow for a private entrance into each individual apartment unit.

My plan is to construct four (4), 1,000 sq ft, 3-bedroom apartments in the building on the main floor and 2<sup>nd</sup> floor and laundry and storage lockers in the basement.

Some of the existing, non-load bearing walls will need to be removed and reconstructed to accommodate the new layout for each apartment.


My estimate on total build out time from start to finish is approximately 120 days.

I am enclosing some additional information which shows the physical structure as well as the current "planned" layout of the apartments.

Please contact me by email or phone should you have any immediate questions. I can assure you once this project is completed I will have taken an "eyesore" of the community to a condition far exceeding any expectations.

Sincerely,

  
Joseph R. Yeary

City, State, or Zip 

1051 Arkwright St, Saint Paul, MN 55130



## 1051 Arkwright St, Saint Paul, MN 55130

Studio · 2 baths · 6,231 sqft

Edit home facts for a more accurate Zestimate.

Sold on 12/28/16

Zestimate®: \$383,683

Est. Refi Payment  
\$1,435/mo

*Note: This property is not currently for sale or for rent. The description below may be from a previous listing.*

Directions: 35E to Maryland Ave, east to Arkwright St, south to buildi

### Facts and Features



**Type**  
Single Family



**Year Built**  
1911



**Heating**  
No Data



**Cooling**  
No Data



**Parking**  
2 spaces



**Lot**  
6,969 sqft

#### INTERIOR FEATURES

##### Bedrooms

Beds: Studio

##### Other Interior Features

Room count: 8

##### Flooring

Floor size: 6,231 sqft

#### SPACES AND AMENITIES

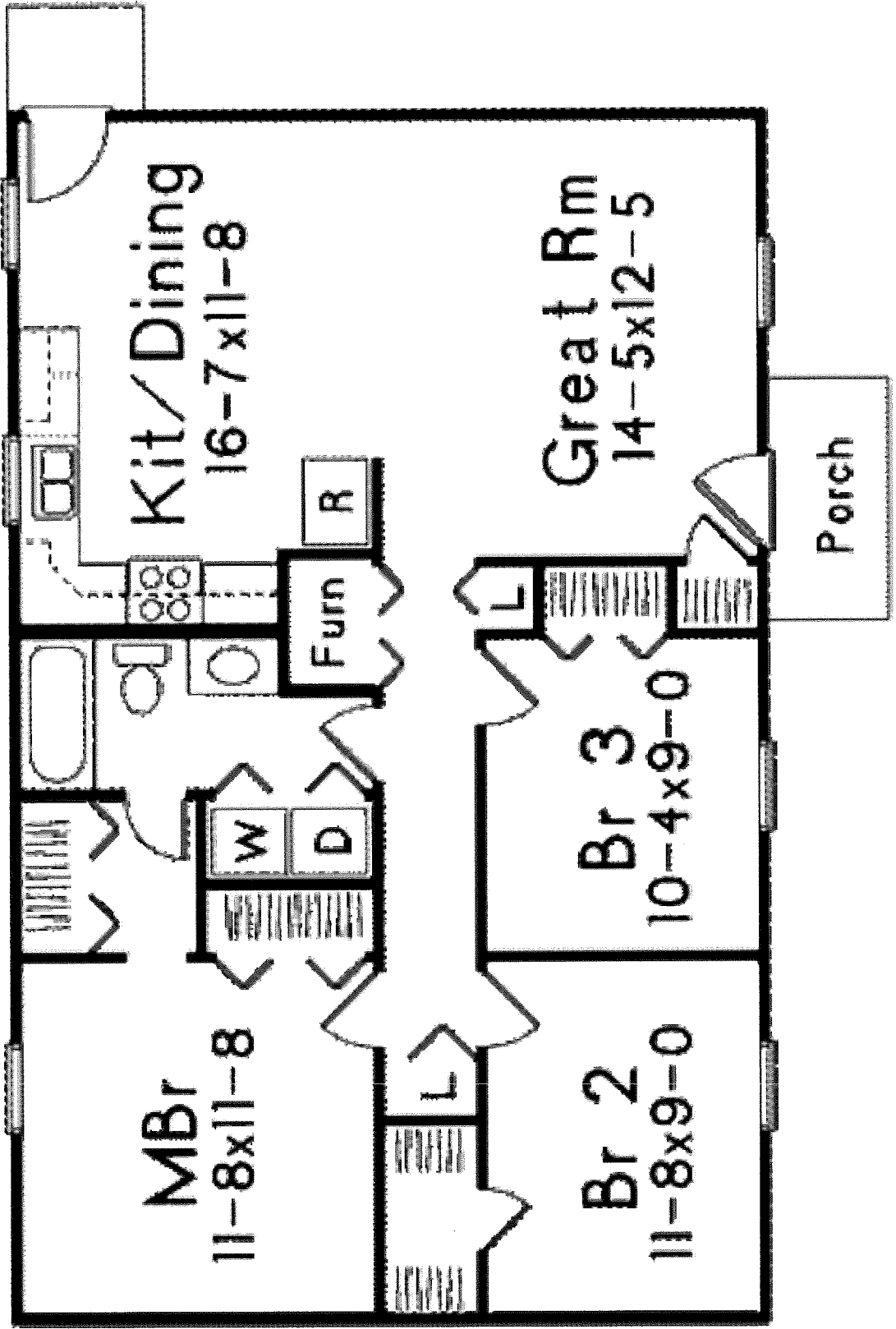
##### Size

Unit count: 1

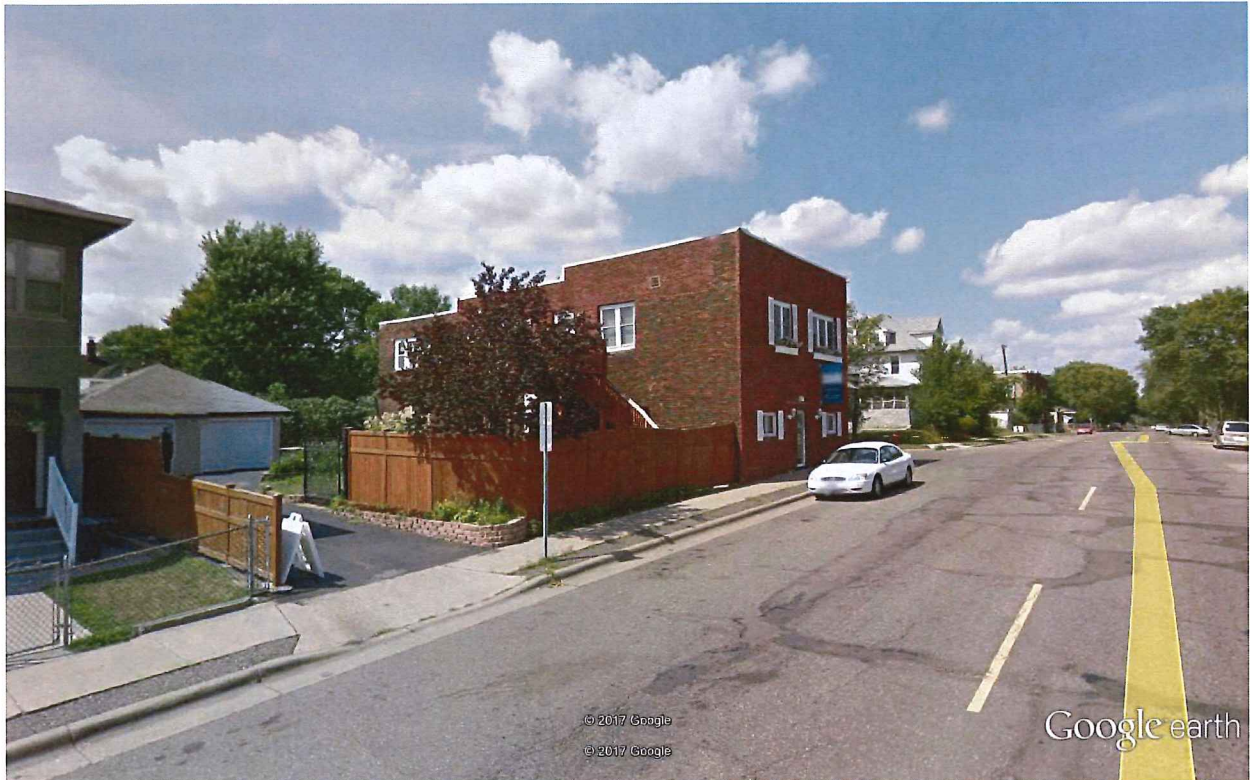
#### CONSTRUCTION

## Zestimate Details

40'-0"



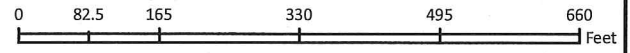
25'-0"



View looking north on Arkwright toward subject site (red building)



View looking southwest from Cook/Arkwright intersection



FILE NAME: R2C LLC

Aerial

APPLICATION TYPE: Rezone

 Subject Parcels

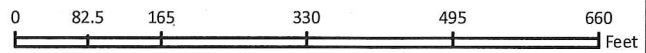
FILE #: 17-052150      DATE: 6/20/2017

PLANNING DISTRICT: 5

ZONING PANEL: 10







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APPLICATION TYPE: Rezone

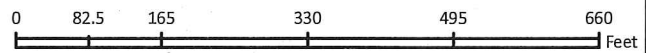
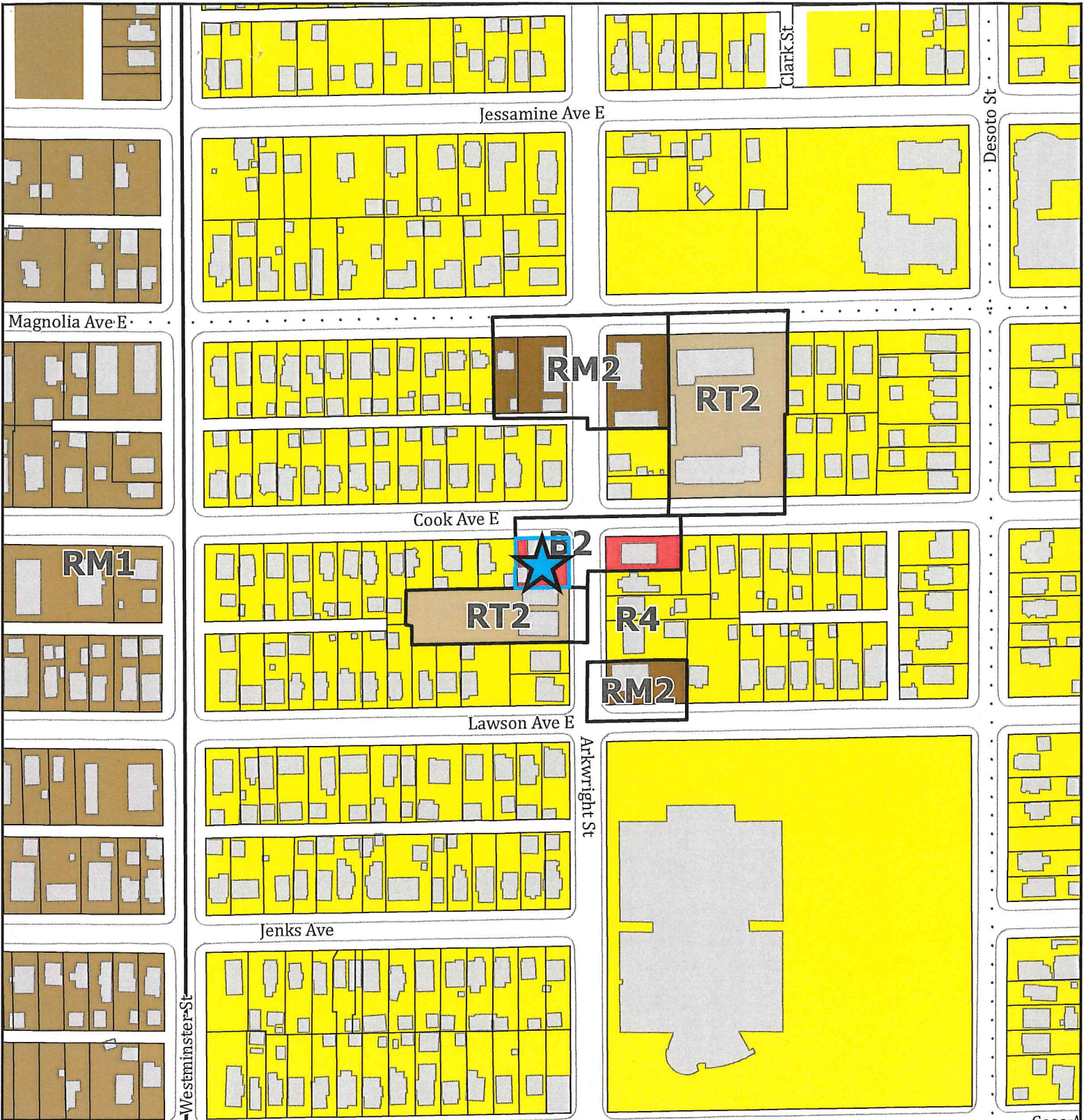
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PLANNING DISTRICT: 5

ZONING PANEL: 10

- Land Use**
- Single Family Detached
  - Single Family Attached
  - Multifamily
  - Office
  - Retail and Other Commercial
  - Institutional
  - Undeveloped
- Subject Parcels
  - Section Lines





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PLANNING DISTRICT: 5

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- Zoning**
- Subject Parcels
  - Section Lines
  - R4 One-Family
  - RT1 Two-Family
  - RT2 Townhouse
  - RM1 Multiple-Family
  - RM2 Multiple-Family
  - B2 Community Business

