

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** 623-629 WHITALL ST. **FILE #:** 18-079-298
 2. **APPLICANT:** Saint Paul HRA **HEARING DATE:** August 2, 2018
 3. **TYPE OF APPLICATION:** Rezoning
 4. **LOCATION:** 623 and 629 Whitall St.
 5. **PIN & LEGAL DESCRIPTION:** 29.29.22.42.0212 and 29.29.22.42.0211; Stinson's Subdivision of Block 36 of Arlington Hills Addition, Lots 27 and 28
 6. **PLANNING DISTRICT:** 5 **EXISTING ZONING:** RT2
 7. **ZONING CODE REFERENCE:** §61.801(b)
 8. **STAFF REPORT DATE:** July 26, 2018 **BY:** Alena DeGrado
 9. **DATE RECEIVED:** July 2, 2018 **60-DAY DEADLINE FOR ACTION:** August 31, 2018
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- A. **PURPOSE:** Rezone from RT2 Townhouse to T2 Traditional Neighborhood.
- B. **PARCEL SIZE:** Two adjoining parcels totaling 9,582 sq.ft.
- C. **EXISTING LAND USE:** Vacant
- D. **SURROUNDING LAND USE:** Two family residential to the west, single family residential and mixed-use commercial/residential to the north, retail/commercial to the east, and multifamily to the south.
- E. **ZONING CODE CITATION:** §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** In 1922 both parcels were zoned as a Light Industry District. In 1975 the parcels were rezoned to RM2 Medium Density Multiple Family (lot 27) and B3 General Business (lot 28). Between 1994 and 1997 a zoning study was completed for the area, which resulted in the rezoning of both lots to RT2 Townhouse, while properties along Payne Avenue became T2 Traditional Neighborhood. While the existing land use map shows retail/commercial for lot 28, the storage facility that once existed has been gone since November 2017.
- G. **PARKING:** T2 Traditional Neighborhood zoning allows for a variety of uses that have different parking requirements. The parking requirements for future development will be determined and met as a part of site plan review.
- H. **DISTRICT COUNCIL RECOMMENDATION:** As of this writing, the Payne Phalen District 5 Council has not provided a recommendation.
- I. **FINDINGS:**
 1. The application requests rezoning of the two parcels at 623 and 629 Whitall St. from RT2 Residential Townhouse District to T2 Traditional Neighborhood District.
 2. The proposed zoning is consistent with the way this area has developed. T2 zoning exists adjacent to the north, south and east of the parcels, as well as on the western portion of the block along Edgerton St. The proposed zoning would bring all the HRA owned parcels (623-629 Whitall St. and 845-851 Payne Ave.) under the same zoning, which would allow for the parcels to be combined and prepared for resale for private development. The proposed zoning is consistent with the existing pattern of development.

3. The proposed zoning is consistent with the Comprehensive Plan, which designates Payne Avenue as a Mixed Use Corridor and the surrounding neighborhood as Established Neighborhoods. The proposed zoning allows for a .45 acre contiguous development with a Payne Avenue frontage.
4. The proposed zoning is compatible with the surrounding mix of uses, including multifamily to the south, townhomes to the west, single family and mixed-use to the north, and retail/commercial to the east.
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 zoning does not constitute spot zoning. It creates a larger contiguous area of T2 zoning.
6. The petition for rezoning was found to be sufficient on July 2, 2018: 46 parcels eligible; 31 parcels required; 32 parcels signed.

J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from RT2 townhouse to T2 traditional neighborhood at 623 and 629 Whittall St.



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 #: 18-079298
 Fee: _____
 Tentative Hearing Date: 8-2-18

PD=5
 # 292922420212 (629)
 # 29 29 22 42 0211 (623)

APPLICANT

Property Owner(s) City of Saint Paul Housing and Redevelopment Authority
 Address 25 W. 4th Street, Suite 1300
 City Saint Paul State MN Zip 55102 Phone _____
 Contact Person Rick Howden Phone 651-266-6612
 Email rick.howden@ci.stpaul.mn.us
 (Attach additional sheet if necessary to include all of the owners of at least 67% of the area of the property to be rezoned.)

PROPERTY LOCATION

Address/Location 623 Whitall Street (PIN 292922420211), 629 Whitall Street (PIN 292922420212)
 Legal Description 623 Whitall: Stinsons Sub Of B36 Arlington Lot 27 Blk 36
629 Whitall: Stinsons Sub Of B36 Arlington Lot 28 Blk 36 Current Zoning RT2
 (Attach additional sheet if necessary.)

TO THE HONORABLE MAYOR AND CITY COUNCIL:

Pursuant to Saint Paul Zoning Ordinance § 61.801 and Minnesota Statutes § 462.357, the City of Saint Paul Housing and Redevelopment Authority owner(s) of land proposed for rezoning, hereby petition(s) to rezone the above described property from a RT2 zoning district to a T2 zoning district, for the purpose of:

RECEIVED
 JUN 25 2018
 BY: _____

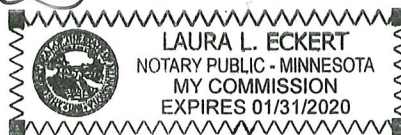
(Attach additional sheets if necessary.)

Attachments as required: Site Plan Consent Petition Affidavit

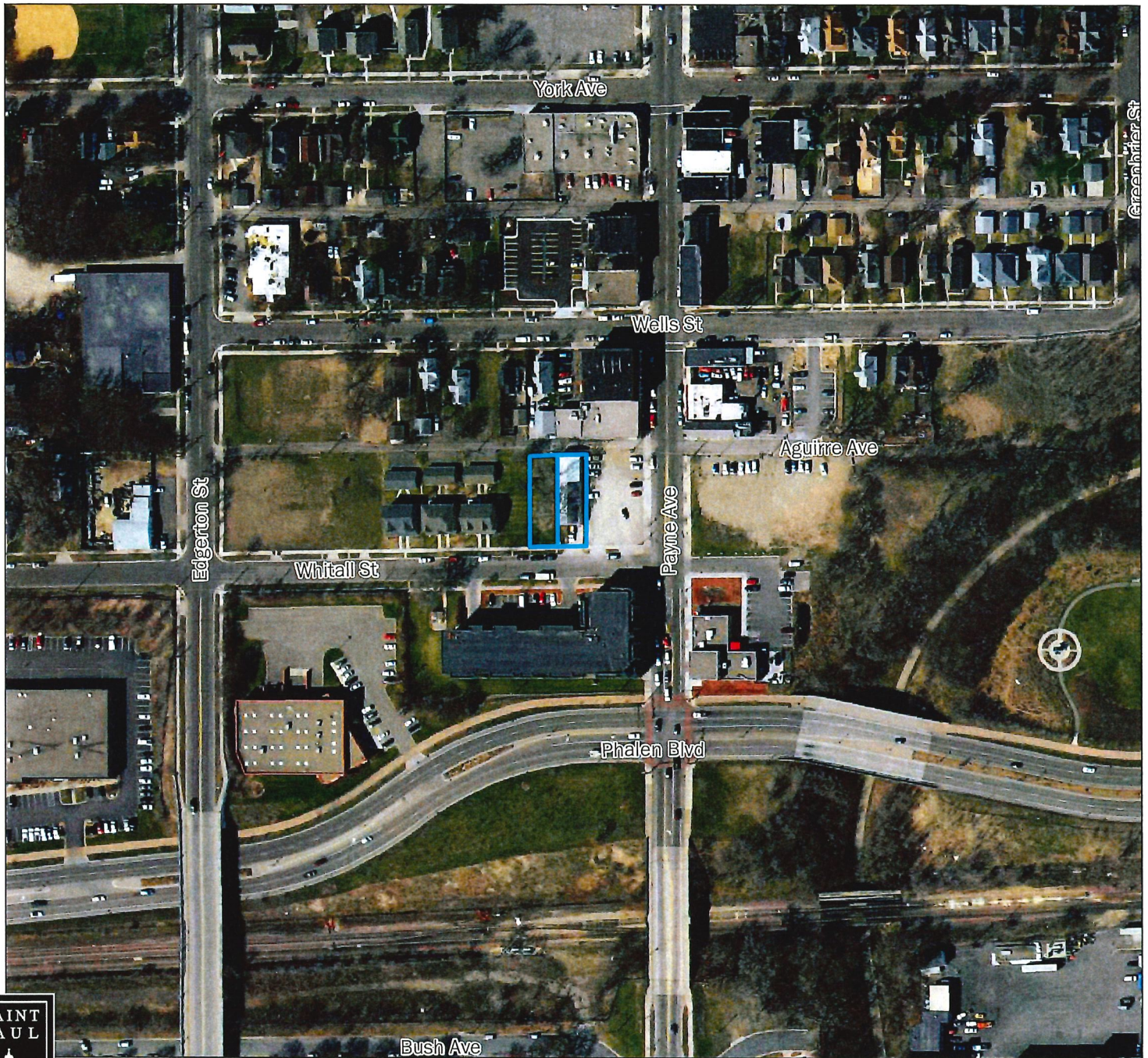
Subscribed and sworn to before me

Date June 19 2020
[Signature]
 Notary Public

By: [Signature]
 Fee owner of property
 Title: Executive Director



5/3/2016



FILE # | AERIAL MAP
Application of the Saint Paul HRA

Application Type: Rezoning
Application Date: June 25th, 2018
Planning District: 5

Subject Parcel(s) Outlined in Blue

This document was prepared by the Saint Paul Planning and Economic Development Department and is intended to be used for reference and illustrative purposes only. This drawing is not a legally recorded plan, survey, official tax map or engineering schematic and is not intended to be used as such. Data sources: City of Saint Paul, Ramsey County, Metropolitan Council, State of Minnesota.



FILE # | LAND USE MAP
Application of the Saint Paul HRA

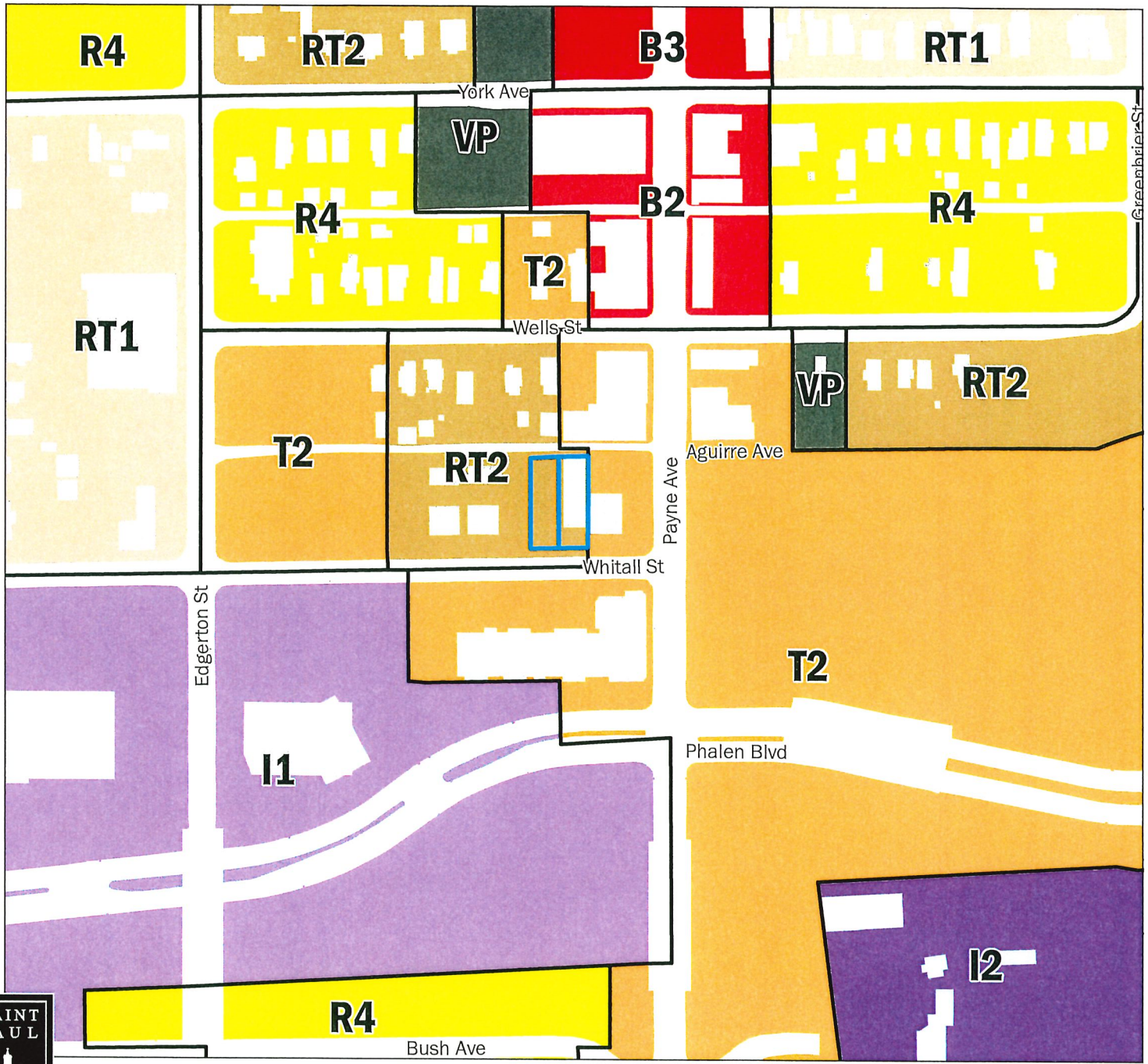
Application Type: Rezoning
 Application Date: June 25th, 2018
 Planning District: 5



Subject Parcel(s) Outlined in Blue

- | | | | |
|---------------------------|--------------------------------|--------------------------------|--------------|
| 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 |
| Single Family Attached | Mixed Use Commercial and Other | Major Highway | |
| Multifamily | Industrial and Utility | Railway | |

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FILE # | ZONING MAP Application of the Saint Paul HRA

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Subject Parcel(s) Outlined in Blue

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