

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Schumacher Rezone **FILE #:** 19-076-718
  2. **APPLICANT:** Joseph and Nancy Schumacher **HEARING DATE:** September 12, 2019
  3. **TYPE OF APPLICATION:** Rezoning
  4. **LOCATION:** 330 Prior Avenue North, east side between Carroll and Roblyn
  5. **PIN & LEGAL DESCRIPTION:** 33.29.23.33.0004; the south 75 feet of the west 1/2 of Lot 5 and the south 75 feet of Lot 6 Block 15; Merriam Park
  6. **PLANNING DISTRICT:** 13 **EXISTING ZONING:** OS
  7. **ZONING CODE REFERENCE:** § 61.801(b)
  8. **STAFF REPORT DATE:** September 5, 2019 **BY:** Kady Dadlez
  9. **DATE RECEIVED:** August 21, 2019 **60-DAY DEADLINE FOR ACTION:** October 19, 2019
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- A. **PURPOSE:** Rezone property from an office service district (OS) to a two-family residential district (RT1).
- B. **PARCEL SIZE:** The property has 75 feet of frontage on Prior Avenue and is 75 feet in depth for a lot area of about 5,625 square feet.
- C. **EXISTING LAND USE:** A former church structure converted to a residential structure.
- D. **SURROUNDING LAND USE:**
  - North:** Nonconforming commercial building in an RT1 zone.
  - South:** Residential uses in an RT1 zone.
  - East:** Residential uses, including a multifamily structure, in an RT1 zone.
  - West:** School and recreation center sports fields in an RT1 zone.
- E. **ZONING CODE CITATION:** § 61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** The property was rezoned from RT1 to OS1 in 2001 to allow a purification center, which is similar to a sauna. A basement unit was converted to accommodate the purification center and the applicant continued to live upstairs and operate a home occupation wood working business.
- G. **PARKING:** Zoning Code § 63.207 requires a minimum of one off-street parking space for a single family home. One space is provided in a carport area and two spaces are provided in the garage accessible from the alley.
- H. **DISTRICT COUNCIL RECOMMENDATION:** The Union Park Community Council, District 13, had not commented on the rezoning application at the time the staff report was drafted.
- I. **FINDINGS:**
  1. The applicant owns the property and resides in the home on site. The structure was previously used for both commercial and residential purposes from early 2000s to 2008 but is now being used entirely for residential purposes. The applicant states that the intent is to rezone the property for residential use and operate a wood working home occupation at the property.
  2. The proposed zoning is consistent with the way the area has developed and with the intent of the RT1 zoning district, which is to provide for an environment of predominantly low density one- and two-family dwellings along with civic and institutional uses and public services and utilities that serve the residents in the district. All the property

surrounding the site is zoned RT1, though there are nonconforming commercial and residential uses nearby.

3. The proposed zoning is consistent with the Comprehensive Plan. The Land Use chapter of the Comprehensive Plan identifies the site as Established Neighborhood, which is described as a residential area with a range of housing types and where single family homes and duplexes predominate. Objective LU2 of the Union Park Community Plan calls for preserving the well-kept, traditional feel and scale of the neighborhood and strategy LU2.1 of the plan calls for maintaining and establishing zoning that preserves lower density, single-family homes and duplexes outside of mixed-use corridors.
  4. The proposed zoning is compatible with the surrounding one and two-family residential uses, institutional uses, and recreation uses. This stretch of Prior Avenue is designated a collector street and carries about 5,000 cars per day.
- J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the petition to rezone property at 330 Prior Avenue North from an office service district (OS) to a two-family residential district (RT1).



**REZONING APPLICATION**

Department of Planning and Economic Development  
Zoning Section  
1400 City Hall Annex, 25 West Fourth Street  
Saint Paul, MN 55102-1634  
(651) 266-6583

Zoning Office Use Only	
File #	<u>19-076718</u>
Fee Paid \$	<u>1260<sup>00</sup></u>
Received By / Date	<u>8-21-19</u>
Tentative Hearing Date	<u>September 12</u>

**APPLICANT**

Property Owner(s) Joseph and Nancy Schumacher  
 Address 330 Prior Ave. No. City Saint Paul State MN Zip 55104  
 Email njschumacher@earthlink.net Phone 612-490-1646  
 Contact Person (if different) \_\_\_\_\_ Email \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
*(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 INFO**

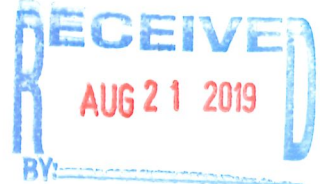
Address/Location 330 Prior Avenue No., St. Paul, MN 55104  
 PIN(s) & Legal Description 332923330004 Block 15 Lot 5 Subdivision Cd 0 2358  
*(Attach additional sheet if necessary.)*  
Merriam Park, S 75 FT of W  
 \_\_\_\_\_ Lot Area 75' X 75' Current Zoning OS

TO THE HONORABLE MAYOR AND CITY COUNCIL:

Pursuant to Saint Paul Zoning Code § 61.801 and Minnesota Statutes § 462.357, Joseph Schumacher and Nancy Schumacher

owner(s) of land proposed for rezoning, hereby petition(s) to rezone the above described property from a OS zoning district to a RT1 zoning district, for the purpose of:

Restoring its original classification to align with use and the neighborhood



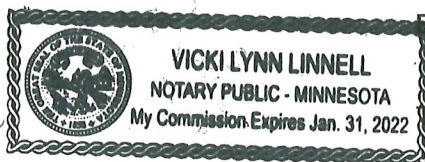
Attach additional sheets if necessary. Attachments as required:  Site Plan  Consent Petition  Affidavit

If you are a religious institution you may have certain rights under RLUIPA. Please check this box if you identify as a religious institution.

Subscribed and sworn to before me

Date August 20 2019

Vicki Lynn Linnell  
Notary Public



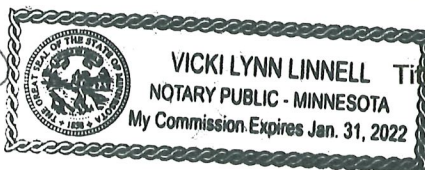
By: Joseph Schumacher  
Fee owner of property

Title: Joseph Schumacher

Subscribed and sworn to before me

Date August 20 2019

Vicki Lynn Linnell  
Notary Public



By: Nancy Schumacher  
Fee owner of property

Title: Nancy Schumacher



330 Prior Avenue North – Rezone OS to RT1



Subject property at 330 Prior Avenue North



Commercial building immediately to the north (nonconforming)



Residential uses to the south across the alley



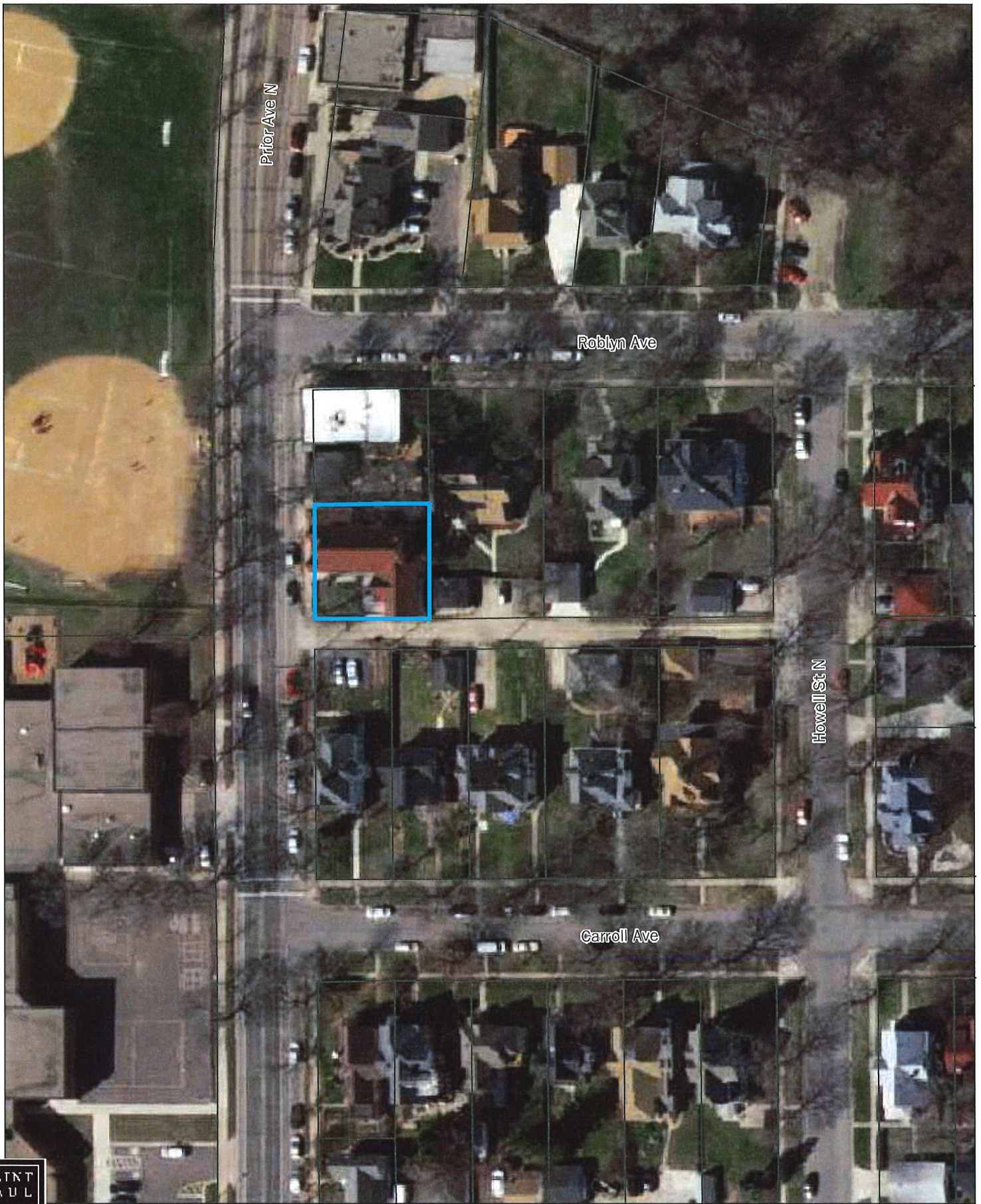


School and Recreation uses to the west



Residential use to the east – fronts on Roblyn and abuts the subject property's backyard





Prior Ave N

Roblyn Ave

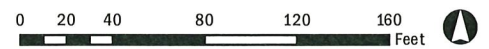
Howell St N

Carroll Ave



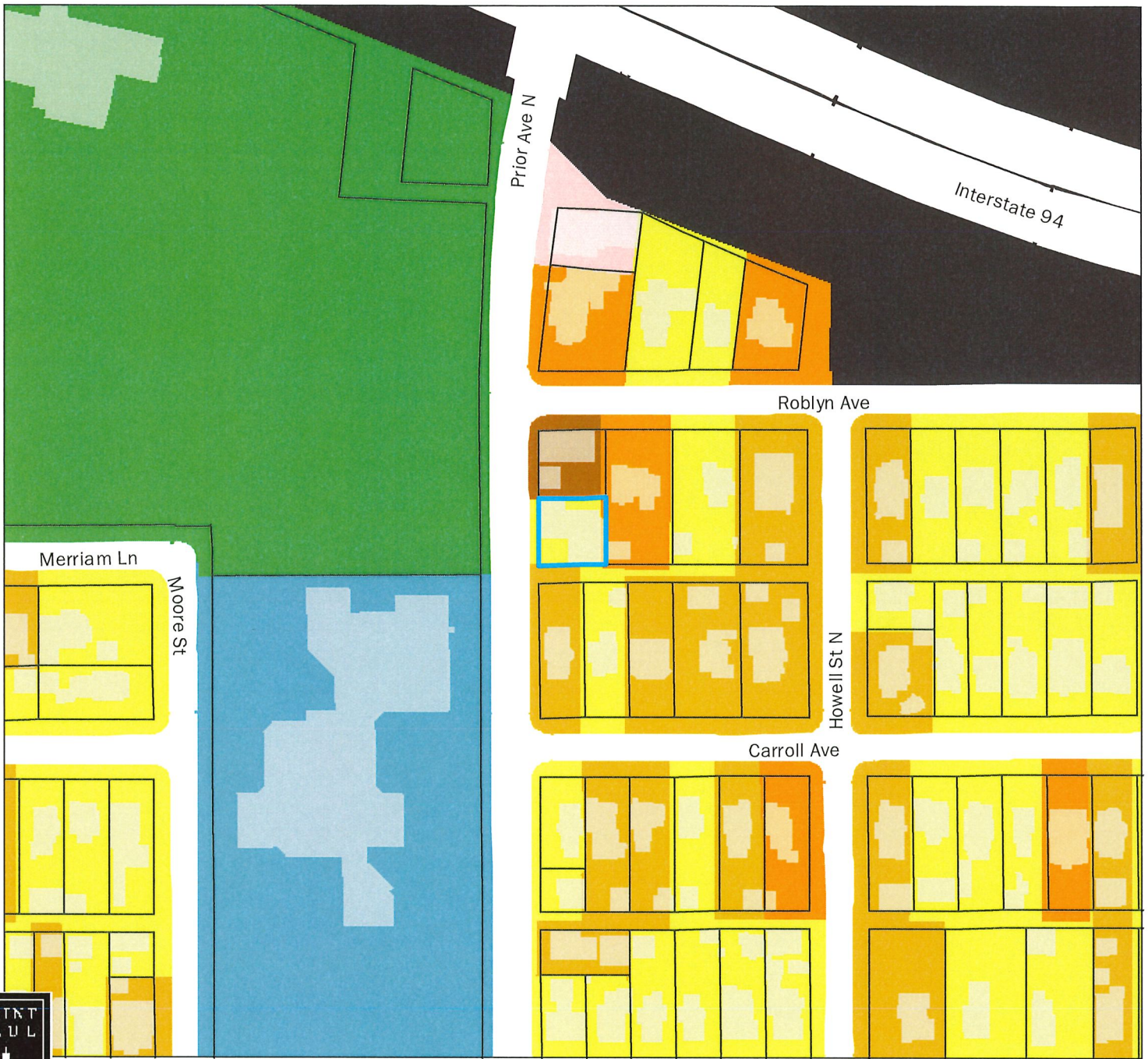
FILE #19-076718 | AERIAL 2 MAP  
**Application of Schumacher**

Application Type: Rezone  
Application Date: August 21, 2019  
Planning District: 13



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 #19-076718 | LAND USE MAP**  
**Application of Schumacher**

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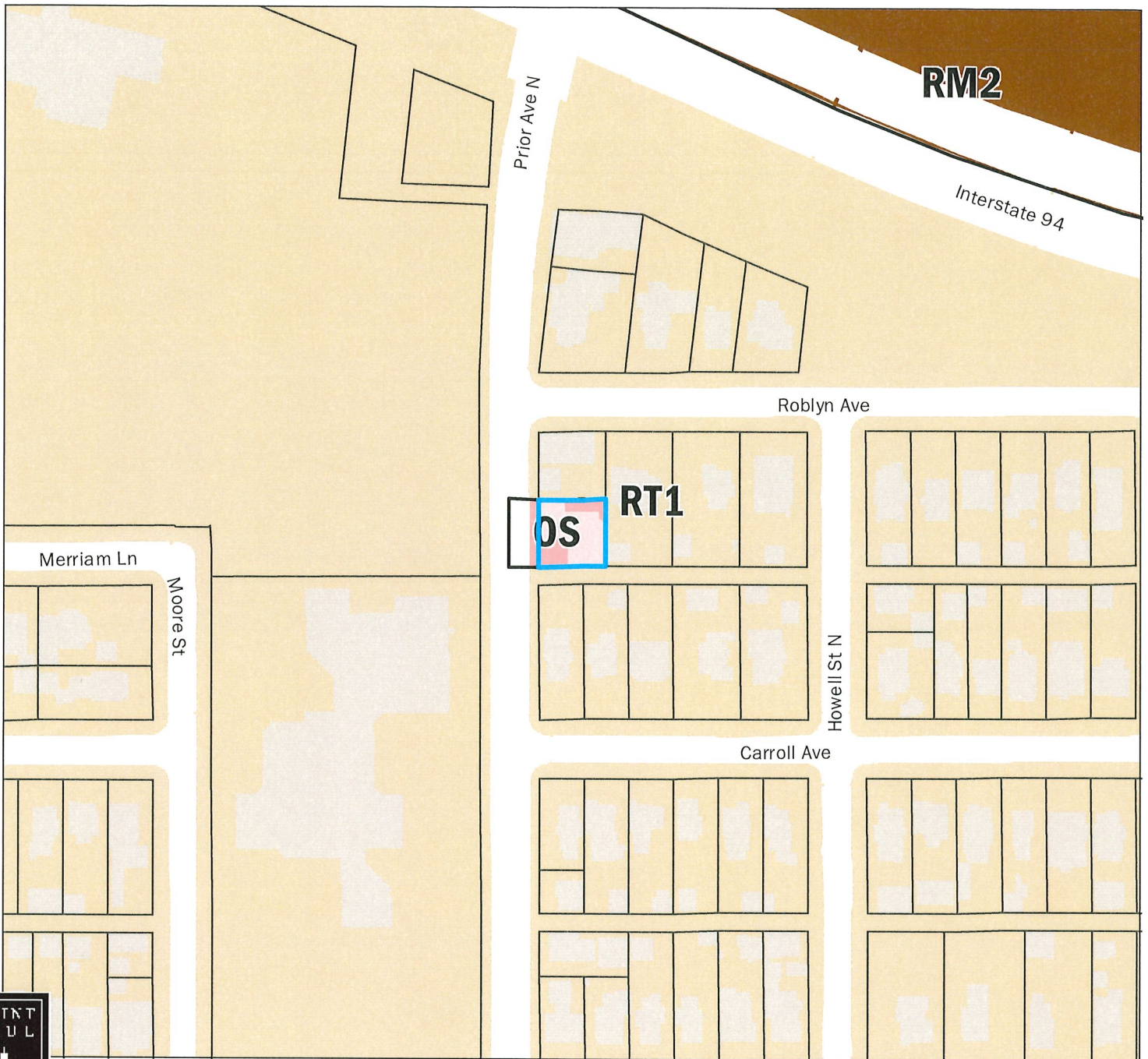


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**Subject Parcel(s) Outlined in Blue**

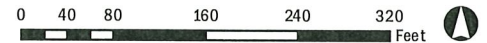
- |                           |                                |                                |              |
|---------------------------|--------------------------------|--------------------------------|--------------|
| Farmstead                 | Office                         | Extractive                     | 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                        |              |





FILE #19-076718 | ZONING MAP  
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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