ZONING COMMITTEE STAFF REPORT

FILE NAME: Rivoli Bluff
APPLICANT: City of St. Paul HRA
TYPE OF APPLICATION: Rezoning
LOCATION: 659 Otsego St.
PIN & LEGAL DESCRIPTION: 32.29.22.22.0050; Lots 10 - 11, Block 9, Warren & Winslow's Addition
PLANNING DISTRICT: 5
ZONING CODE REFERENCE: § 61.801(b)
STAFF REPORT DATE: July 10, 2019
DATE RECEIVED: June 21, 2019

FILE #: 19-054-653
HEARING DATE: July 18, 2019
EXISTING ZONING: RT1 / R4
BY: Bill Dermody

60-DAY DEADLINE FOR ACTION: August 20, 2019

A. PURPOSE: Rezone from RT1 two-family residential portion of the parcel to R4 one-family residential.

B. PARCEL SIZE: 11,487 sq. ft.

C. EXISTING LAND USE: Vacant

D. SURROUNDING LAND USE: Single-family and duplex residential to the north and east (R4, RT1), vacant to the south and west (R4), and multi-family residential farther south (R4).

E. ZONING CODE CITATION: §61.801(b) provides for changes to the zoning of property initiated by the property owner.

F. HISTORY/DISCUSSION: In June 2019, a preliminary plat was approved to accommodate a 26-home residential development on 3.5 acres, including the subject site, conditional on the existing RT1/R4 split zoning being converted to a single zoning district prior to final plat approval. In July 2018, the larger 3.5-acre site received conditional use permit approval for a cluster development.

G. DISTRICT COUNCIL RECOMMENDATION: As of this writing, District 5 has not provided a recommendation.

I. FINDINGS:

1. The application requests rezoning of the RT1 Two-Family Residential District portion of the split-zoned property to R4 one-family residential district to match the rest of the planned 3.5-acre residential development's zoning. Split-zoning is discouraged by the Zoning Code.

2. The proposed zoning is consistent with the Comprehensive Plan, which in Figure LU-B designates the site as Established Neighborhood, and the Railcad Island Area Plan Summary (a Comprehensive Plan addendum), which calls for new owner-occupied housing on Rivoli Bluff.

3. The proposed zoning is compatible with the surrounding residential land uses, the way this area has developed, and proposed redevelopment of the site.

4. 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."

J. STAFF RECOMMENDATION: Based on the above findings, staff recommends approval of the rezoning from RT1 two-family residential to R4 one-family residential.
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

APPLICANT

Property Owner(s) St. Paul Housing Redevelopment Authority
Address
City St. Paul State MN Zip Phone
Contact Person Sarah Zern Gary Finelli Phone 651-262-9636
Email gary@newhus
(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 0 Osseo Street
Legal Description Lot 11, Block 9, Warren & Winslows Addition
Current Zoning RT 1
(Attach additional sheet if necessary.)

TO THE HONORABLE MAYOR AND CITY COUNCIL:

Pursuant to Saint Paul Zoning Ordinance § 61.801 and Minnesota Statues § 462.357, __________

owner(s) of land proposed for rezoning, hereby petition(s) to rezone the above described property from a

RT-1 zoning district to a R4 zoning district, for the purpose of:

(Attach additional sheets if necessary.)

Attachments as required: ☐ Site Plan ☐ Consent Petition ☐ Affidavit

Subscribed and sworn to before me

Date June 21, 2019

By: [Signature]
Title: Executive Director

Notary Public

5/3/2016
FILE #19-054653 | AERIAL MAP
Application of Housing Redevelopment Auth.

Application Type: Rezone
Application Date: June 21, 2019
Planning District: 5

Subject Parcel Outlined in Blue
Application of Housing Redevelopment Auth.

Application Type: Rezone
Application Date: June 21, 2019
Planning District: 5

Subject Parcel Outlined in Blue

- Farmstead
- Seasonal/Vacation
- Single Family Detached
- Manufactured Housing Park
- Single Family Attached
- Multifamily
- Office
- Retail and Other Commercial
- Mixed Use Residential
- Mixed Use Industrial
- Mixed Use Commercial and Other
- Industrial and Utility
- Extractive
- Institutional
- Park, Recreational or Preserve
- Golf Course
- Major Highway
- Railway
- Airport
- Agricultural
- Undeveloped
- Water
FILE #19-054653 | ZONING MAP

Application of Housing Redevelopment Auth.

Application Type: Rezone
Application Date: June 21, 2019
Planning District: 5

Subject Parcel Outlined in Blue

RL  One-Family Large Lot
R1  One-Family
R2  One-Family
R3  One-Family
R4  One-Family
RT1 Two-Family
RT2 Townhouse
RM1 Multiple-Family
RM2 Multiple-Family
RM3 Multiple-Family
T1  Traditional Neighborhood
T2  Traditional Neighborhood
T3  Traditional Neighborhood
T3M T3 with Master Plan
T4  Traditional Neighborhood
T4M T4 with Master Plan
T5 Transitional Neighborhood
T6 Transitional Neighborhood
T7 Transitional Neighborhood
T8 Transitional Neighborhood
BC Community Business (converted)
B1 Local Business
B2 Community Business
B3 General Business
B4 Central Business
B5 Central Business Service
B6 Business
I1 Light Industrial
I2 General Industrial
I3 Restricted Industrial
F1 River Residential
F2 Residential Low
F3 Residential Mid
F4 Residential High
F5 Business
F6 Gateway
VP Vehicular Parking
PD Planned Development
CA Capitol Area Jurisdiction

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 map or engineering work that should be used as such. Data source: City of Saint Paul, Ramsey County, Metropolitan Council, State of Minnesota.