ZONING COMMITTEE STAFF REPORT

FILE NAME: Brad Graves
APPLICANT: Brad Graves
TYPE OF APPLICATION: Rezoning
LOCATION: 1035 & 1039-1041 Arkwright St, between Lawson Ave. and Cook Ave.
PIN & LEGAL DESCRIPTION: 292922230078; see file for legal description
PLANNING DISTRICT: 5
EXISTING ZONING: RT2
ZONING CODE REFERENCE: §61.801(b)
STAFF REPORT DATE: December 4, 2019
DATE RECEIVED: November 14, 2019
60-DAY DEADLINE FOR ACTION: January 12, 2020
BY: Bill Dermody

A. PURPOSE: Rezone from RT2 townhouse residential to RM2 multiple family residential

B. PARCEL SIZE: 22,651 sq. ft.

C. EXISTING LAND USE: Multi-family residential (6 units: 4-plex and duplex)

D. SURROUNDING LAND USE: Mixed use commercial/multi-family residential (T2) to the north, commercial to the northeast (B2), and a mix of multi-family/plex/single-family residential and institutional beyond and in other directions (R4, RM2, RT2).

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

F. HISTORY/DISCUSSION: The 4-plex at 1035 Arkwright St. was condemned in 2017 and vacant until mid-2019, when upon inspection it was found to have an illegal fifth unit. According to the Fire Inspector, the fifth unit is located in the basement and will require significant building modifications to be legally occupied if the rezoning is approved.

G. PARKING: The rezoning would allow a range of residential and institutional uses with a range of parking requirements. The applicant has stated that they have two 2-bedroom residential units on the site and four studio apartments, and intend to add a fifth studio. Zoning Code § 63.207 requires a minimum of 1 off-street parking space per studio or one-bedroom residential unit and 1.5 spaces per 2- or 3-bedroom unit, which would equate to a code requirement of 8 parking spaces. There is room behind the buildings for at least 8 parking spaces accessed via the alley.

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 from RT2 townhouse residential to RM2 multiple family residential at 1035-1041 Arkwright Street. The RM2 district is intended to provide for more extensive areas of multiple-family residential development and to provide for comprehensive development of multiple-family uses and a balance of population concentration near major thoroughfares, transit, and related facilities.

2. The proposed zoning is consistent with the way this area has developed and the surrounding uses. There is a range of residential density and a mix of uses along Arkwright Street that is consistent with rezoning this site to RM2.
3. The proposed zoning is consistent with the Comprehensive Plan. The 2030 Comprehensive Plan in Figure LU-B designates the site as part of an Established Neighborhood, which encourages small multi-family developments consistent with the character of the neighborhood and located at intersections on a transit route (Strategy LU 1.8). The subject site is part of an activity node and multi-family concentration focused on Arkwright Street (which features a bus route) and its intersections.

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 rezoning does not constitute “spot zoning” but rather is consistent with the surrounding multi-family and mix of uses.

J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from RT2 townhouse residential to RM2 multiple family residential.
Summary View

- Parcel ID: 29222230078
- Parcel Status: Active
- Property Address: 1035 ARKWRIGHT ST
  ST PAUL, MN 55100-3870
- Sec/Twp/Rng: 29/029/022
- Brief Tax Description: Lot 15 of HOYT'S OUTLOTS & SUB L14-19622-24
  SUBJ. TO ESMT AND EX W 30 FT AND EX E 10 FT OF W 40 FT OF N 30 FT. THE N 87 8/10 FT OF S 219 58/100 FT OF E 330 FT OF LOT 15
  (Note: Not to be used on legal documents)
- Parcel Area: 0.52 Acres
- Parcel Width: 0 Feet
- Parcel Depth: 0 Feet
  (Note: Width and Depth represent buildable area of lot in the case of irregularly shaped lots)
- Tax Classification: 4A-Rental/Residential Non-Homestead 4 or More Unit
- Roll Type: Real Property
- Municipality: ST PAUL
- School District: ISD #625
- Watershed: CAPITAL REGION W/S
- TIF District: 401 M - APARTMENTS 4-6 RENTAL UNITS

Taxpayers

Please refer to disclaimer at bottom of this page

- Type: Owner
- Name: Bradford Newman Graves
- Address: 4893 Lake Ave
  White Bear Lake MN 55110-2831
- Alternate Taxpayer: Al Conard
  Co Nikki Knapp
- Address: 465 Park Ave
  Mahtomedi MN 55115-1640

Current Tax Year

*Information listed is as of yesterday. For specific payoff information contact Property Tax info at 651-266-2000.

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FILE #19-19-101117 | AERIAL MAP

Application of Brad Graves

Application Type: Rezone
Application Date: November 13, 2019
Planning District: 5

Subject Parcel(s) Outlined in Blue