

ZONING COMMITTEE STAFF REPORT

FILE NAME: 597 E 7th Street Rezoning

FILE #: 22-026-981

APPLICANT: Nimco Ltd.

HEARING DATE: February 24, 2022

TYPE OF APPLICATION: Rezoning

LOCATION: 597 7th St E, NE corner at Payne Avenue

PIN & LEGAL DESCRIPTION: 32-29-22-24-0173; BRUNSONS ADD PART B1&ALL B2-12
SUBJ TO ESMT; ALL OF VAC ST ADJ & THAT PT OF LOTS 1 THRU 4 BLK 12 WHICH LIES
NWLY OF 7TH ST E

PLANNING DISTRICT: 5

EXISTING ZONING: I1

ZONING CODE REFERENCE: § 65.221(3)(a); § 61.801(b)

STAFF REPORT DATE: February 17, 2022

BY: Bill Dermody

DATE RECEIVED: February 7, 2022

60-DAY DEADLINE FOR ACTION: April 2, 2022

-
- A. **PURPOSE:** Rezone from I1 light industrial to T2 traditional neighborhood.
 - B. **PARCEL SIZE:** 24,079 square feet
 - C. **EXISTING LAND USE:** Commercial (vacant building)
 - D. **SURROUNDING LAND USE:** Vacant/forthcoming multifamily residential (T2) to the north, Swede Hollow Park (RM2) to the east, Swede Hollow Park and Bruce Vento trailhead (I1) to the south, fire station and commercial (I1) to the west.
 - E. **ZONING CODE CITATION:** § 65.221(3)(a) requires day care uses in industrial districts to be accessory to a principal use allowed in the district. § 61.801(b) provides for changes to the zoning of property initiated by the property owner.
 - F. **HISTORY/DISCUSSION:** The site has been zoned I1 light industrial since 1975. In December 2021, the Board of Zoning Appeals denied a variance application to allow a day care at this site that is not accessory to a principal use allowed in the I1 district.
 - G. **DISTRICT COUNCIL RECOMMENDATION:** As of this writing, the District 5 Payne Phalen Community Council has not provided a recommendation.
 - H. **FINDINGS:**
 1. The application requests rezoning of 597 7th Street East from I1 light industrial to T2 traditional neighborhood.
 2. The proposed zoning is consistent with the way this area has developed. T2 is a mixed-use zoning district that is consistent with the mix of commercial, institutional, and residential uses along Payne Avenue.
 3. The proposed zoning is consistent with the Comprehensive Plan. The Comprehensive Plan in Map LU-2 2040 Land Use designates the site as part of an Urban Neighborhood and the Payne/East 7th Street Neighborhood Node. The T2 district is designed for use in potential pedestrian nodes, such as the Payne/E. 7th node.
 4. The proposed zoning is compatible with the planned residential uses to the north, the commercial uses to the west, Swede Hollow Park and Bruce Vento trailhead to the east and south, and the mix of uses along Payne Avenue.
 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 is consistent with surrounding uses and does not create an island of nonconformity.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from I1 light industrial to T2 traditional neighborhood at 597 E 7th Street.



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 # 22-026-981
Fee Paid \$
Received By / Date
Tentative Hearing Date 2-24-22

PD=5
#322922 240173

APPLICANT

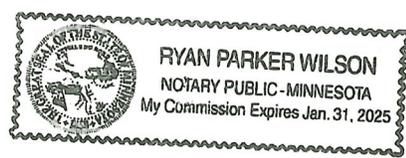
Property Owner(s) Nimco Ltd.
Address 597 East 7th Street City St Paul State MN Zip
Email Keyfabdin@gmail.com Phone 612 817 0050
Contact Person (if different) John Anderson Email John@jdadesign.com
Address 901 4th street N City Hopkins State Mn Zip 55343
(Attach additional sheet if necessary to include all of the owners of at least 67% of the area of the property to be rezoned.)

PROPERTY INFO

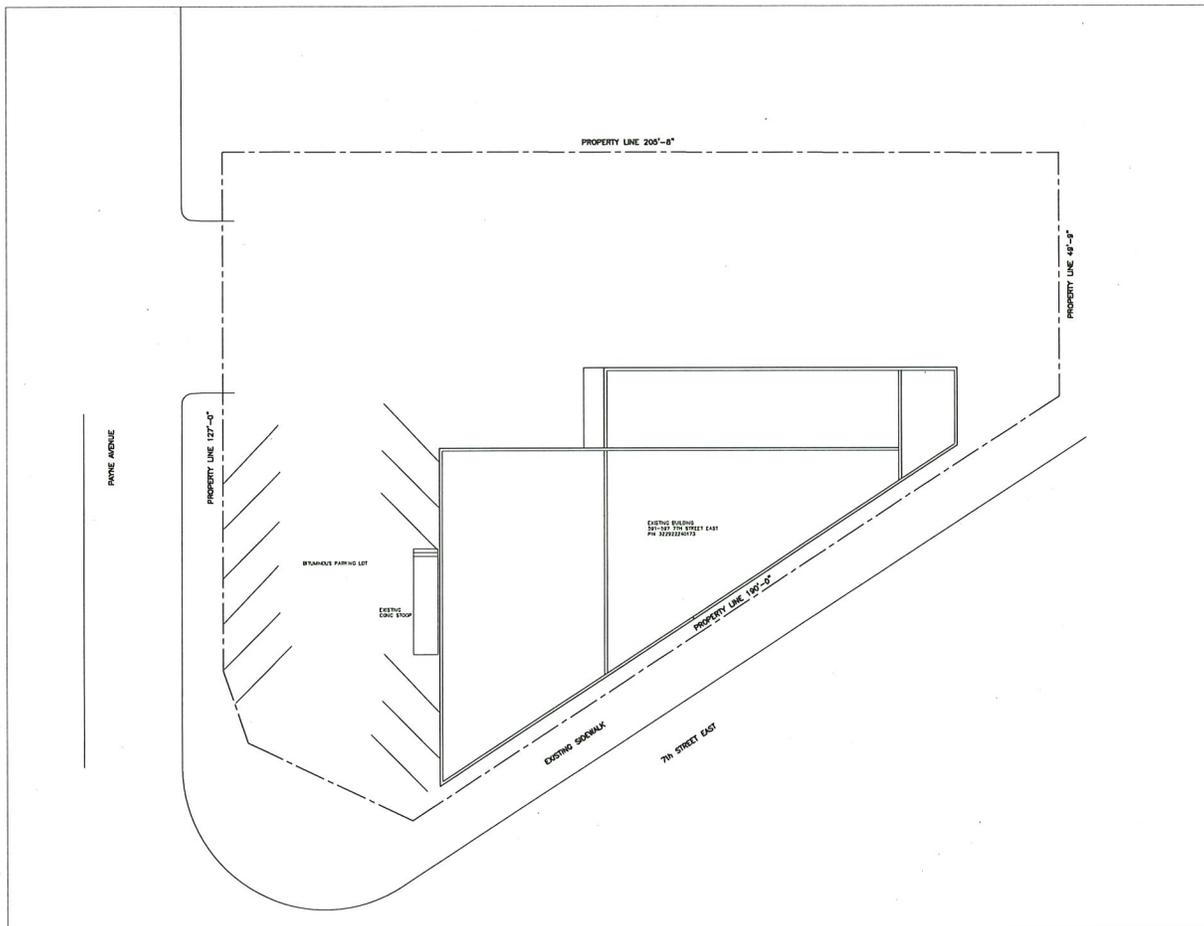
Address/Location 597 eat 7th Street
PIN(s) & Legal Description 322922240173 & BRUNSONS ADD PART B1&ALL B2-12
(Attach additional sheet if necessary.)
Lot Area .55 ac Current Zoning I-1

TO THE HONORABLE MAYOR AND CITY COUNCIL:
Pursuant to Saint Paul Zoning Code § 61.801 and Minnesota Statutes § 462.357, Keyf Abdi
owner(s) of land proposed for rezoning, hereby petition(s) to rezone the above described property from a
I-1 zoning district to a T-2 zoning district, for the purpose of:
Interior tenant Improvement to create a Day Care facility.
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 2/2 20 22
Notary Public



By: Keyf Abdi
Fee owner of property
Title: owner



Minnesota License #15143
Telephone: 612.277.2255
www.jdaarchitect.com
jda@jdaarch.com

CONSULTANTS

7th Street
Child Care

597 East 7th Street
St. Paul, Min

CERTIFICATE OF
PLANNING AND ZONING BOARD RESOLUTION APPROVING PROPOSED
BY ME, AS UNDER MY SEAL, APPROVED AND MADE AS A MAP
ARCHITECTS
with the State of Minnesota

Project No. 2021-001

Date: 11/05/2021

ALL INFORMATION
IS UNCLASSIFIED

DATE: 11/05/2021

BY: JDA

FOR: JDA

ISSUED FOR:
Zoning Variance

DATE: November 5, 2021

DRAWN BY: CLP/JDA

CHECKED BY: JDA

SHEET TITLE
SITE PLAN

SHEET NUMBER
S1.0

JDA DESIGN ARCHITECTS

CONSULTANTS

7th Street
 Child Care

597 East 7th Street
 St. Paul, Mn

CERTIFICATION
 I hereby certify that the author or project architect
 of the design of this document is a
REGISTERED ARCHITECT
 under the laws of the State of Minnesota.

Signature: *[Signature]* Date: _____

Title: *[Title]*

REVISION HISTORY:

Revision	Description

ISSUED FOR:
 Zoning Variance

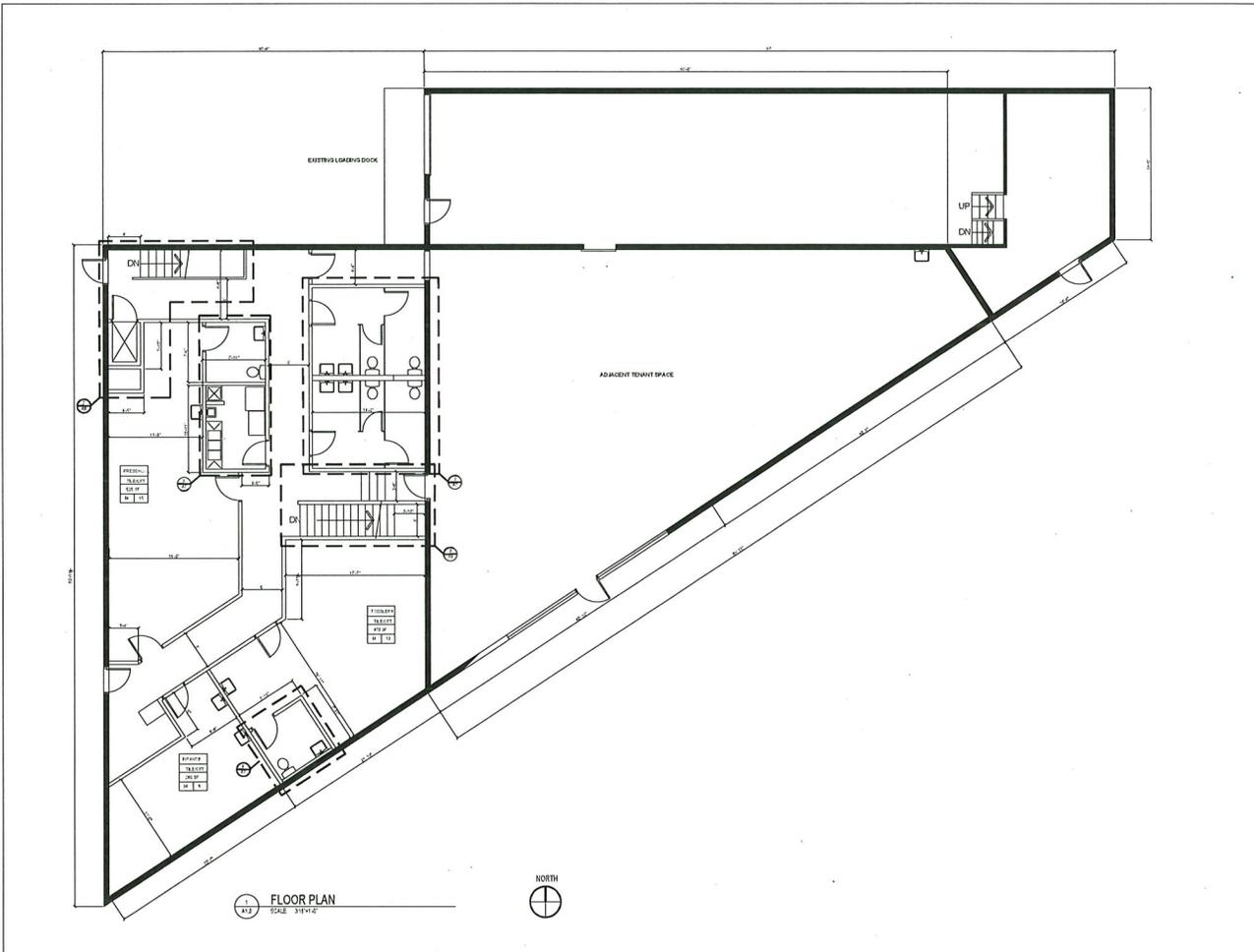
ISSUE DATE:
 November 9, 2021

DRAWN BY: CLP / JDA CHECKED BY: JDA

SHEET TYPE:
**EXISTING PLAN
 FLOOR PLAN**

DISTINGUISH:

A1.0



CITY OF ST PAUL - ASSESSMENT Owners Report

PID: 32-29-22-24-0173

Property Address: 591 7TH ST E 55130-2419

Nimco Ltd
C/O Keyf Abdi
2701 14th Ave
Minneapolis MN 55407-1126

Owner
Taxpayer

SUBJ TO ESMT; ALL OF VAC ST ADJ & THAT PT OF LOTS 1 THRU 4 BLK 12 WHICH LIES NWLY OF 7TH ST E



Woodward Ave
Payne Ave

7th St E



FILE #22-026-981 Aerial Map
Application of Nimco Ltd.

Application Type: Rezon
Application Date: February 2, 2022
Planning District: 5

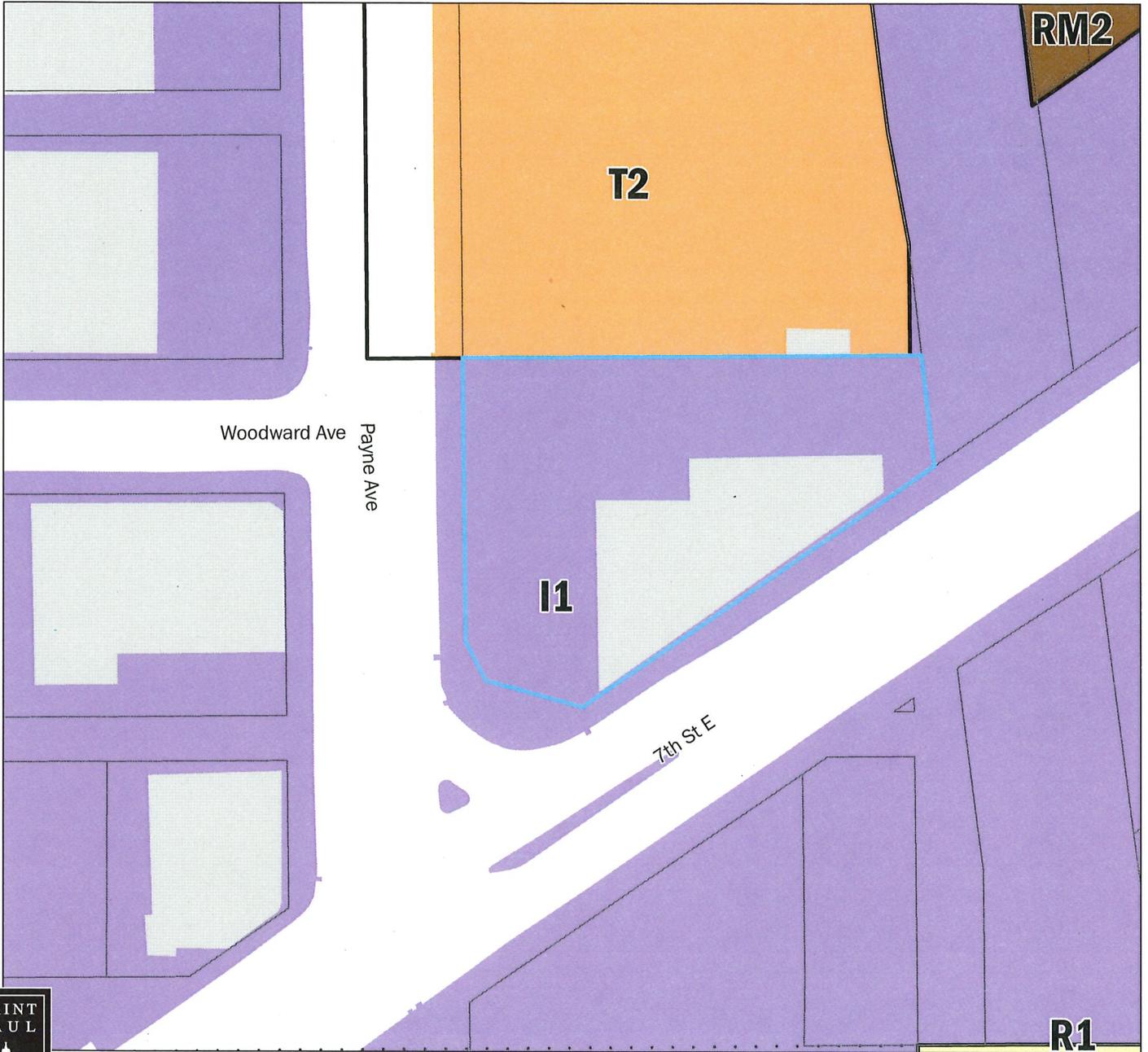


This document was prepared by the Saint Paul Planning and Economic Development Department and is intended to be used for reference and illustrative purposes only. This drawing is not a legally recorded plan, survey, official tax map or engineering schematic and is not intended to be used as such. Data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

Subject Parcel(s) Outlined in Blue

- Subject Parcel(s)
- ParcelPoly
- RGB**
- Red: Band_1
- Green: Band_2
- Blue: Band_3

ImageServices\AerialPhoto2020



**FILE #22-026-981 Zoning Map
Application of Nimco Ltd.**

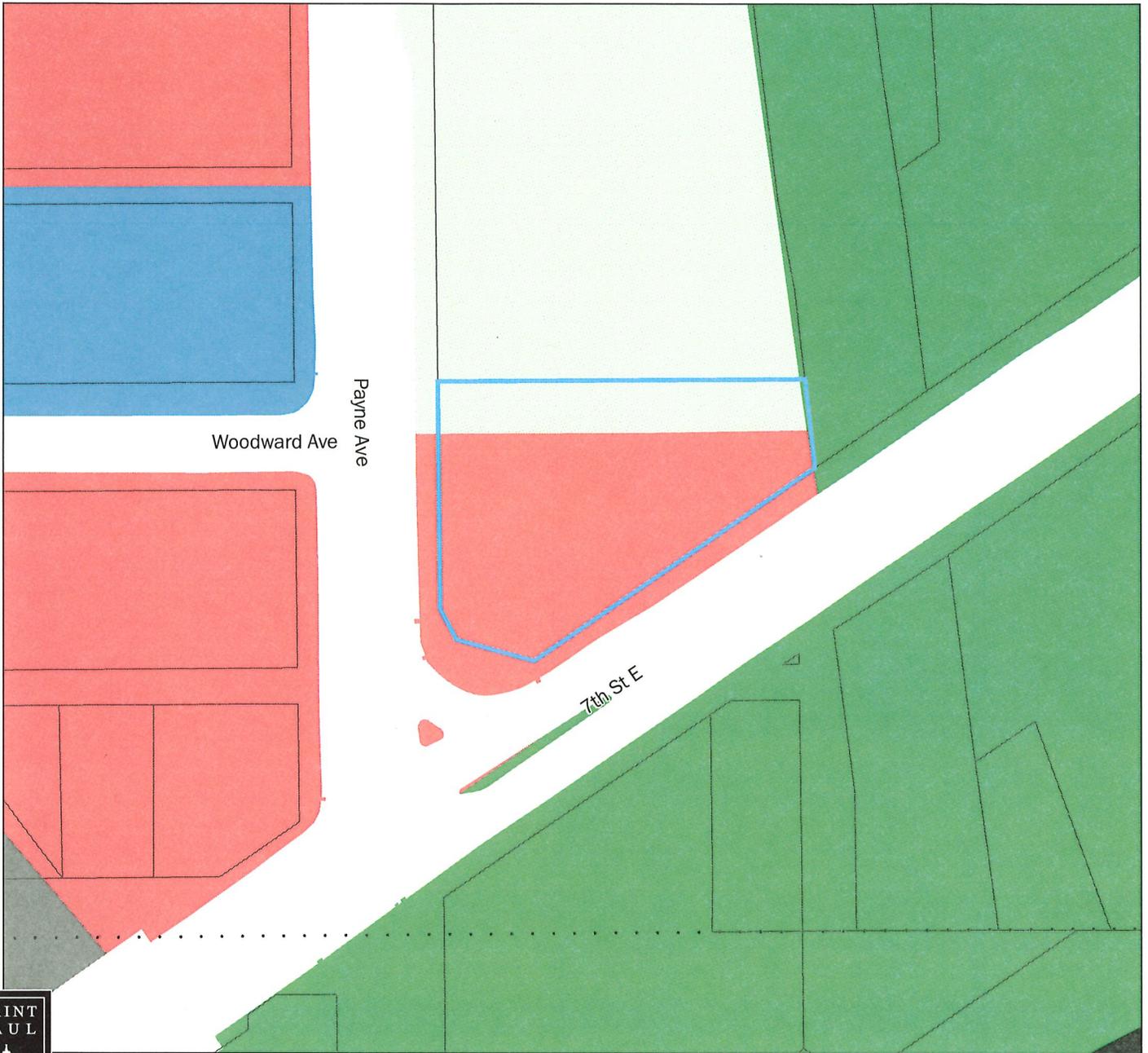
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Subject Parcel(s) Outlined in Blue

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



FILE #22-026-981 Existing Land Use
Application of Nimco Ltd.

Application Type: Rezone
 Application Date: February 2, 2022
 Planning District: 5



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Subject Parcel(s) Outlined in Blue

- | | | | |
|---------------------------|-----------------------------|--------------------------------|---------------|
| Subject Parcel(s) | Single Family Attached | Mixed Use Commercial and Other | Major Highway |
| ParcelPoly | Multifamily | Industrial and Utility | Railway |
| 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 |