

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** St. Paul Port Authority (Beacon Bluff North) **FILE #:** 11-297-833
 2. **APPLICANT:** Port Authority of the City Of St Paul **HEARING DATE:** November 22, 2011
 3. **TYPE OF APPLICATION:** Rezoning-Council
 4. **LOCATION:** Areas north of Wells St. between Forest and Russell
 5. **PIN & LEGAL DESCRIPTION:** all or portions of existing PINs 282922310116, 282922310134, 282922310135, 282922310128, 282922310085, 282922310084; see file for legal descriptions
 6. **PLANNING DISTRICT:** 5 **EXISTING ZONING:** VP, I1, RM2
 7. **ZONING CODE REFERENCE:** §61.801(b), §69.508(i)
 8. **STAFF REPORT DATE:** November 8, 2011 **BY:** Patricia James
 9. **DATE RECEIVED:** November 2, 2011 **60-DAY DEADLINE FOR ACTION:** January 1, 2012
-

- A. **PURPOSE:** Rezoning from VP Vehicular Parking to I1 Light Industrial; from RM2 Medium Density Multiple-Family Residential to R4 One-Family Residential; and from I1 Light Industrial to R4 One-Family Residential.
- B. **PARCEL SIZE:** Three irregular parcels; total lot area affected by rezoning is approximately 49,000 sq. ft.
- C. **EXISTING LAND USE:** Parking lot, and vacant land
- D. **SURROUNDING LAND USE:**
 - North: Mixed density residential (RM2, R4)
 - East: Beacon Bluff industrial area (I1)
 - West: Low density residential (R4)
 - South: Beacon Bluff industrial area (I1)
- E. **ZONING CODE CITATION:** § 61.801(b) provides for changes to the zoning of property initiated by the property owner; § 69.508(i) prohibits creating lots that result in split zoning classifications.
- F. **HISTORY/DISCUSSION:** The site includes a parking lot and portions of the former 3M industrial campus. The Port Authority has purchased the site for redevelopment. They are in the process of replatting the property (Z. F. 10-918-220), which necessitates rezoning some of the land to correct split zoning of some of the new parcels.
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 5 had not commented at the time this staff report was prepared.
- H. **FINDINGS:**
 1. The Saint Paul Port Authority has acquired former 3M properties north of Phalen Boulevard and east of Forest Street and is in the process of replatting the property to create sites more suitable for development. A portion of the property (generally within proposed Outlot C on the preliminary plat) is currently zoned VP Vehicular Parking, which does not permit any use other than parking of passenger vehicles. The Port Authority is requesting the rezoning of this property to I1 Light Industrial. A portion of this parcel will be dedicated as right-of-way for a Duchess Street cul-de-sac. The remainder of this parcel will be used for stormwater management. The Duchess right-of-way to the south will be vacated and Wells Street will be extended as a loop road that connects with Phalen Boulevard.
 2. The proposed plat creates two other outlots that will be transferred to adjoining property owners for private use. The Port Authority is proposing to rezone these

outlots to match the zoning of their respective adjoining lots, consistent with Sec. 69.508(i). Proposed Outlot D would be rezoned from the current RM2 multiple family classification to R4 single-family zoning. Proposed Outlot E would be rezoned from I1 Industrial to R4 single family. Approval of the plat and the zoning changes will be coordinated by scheduling both public hearings at the same City Council meeting.

3. The proposed zoning is consistent with the way this area has developed. The area has developed as a mix of industrial and residential use, with the industrial uses at a lower grade than the residential. The proposed rezoning retains this pattern.
4. The proposed zoning is consistent with the following policies in the Land Use Chapter of the Comprehensive Plan:
 - 2.15 Redevelop underutilized or vacant land in railroad corridors.
 - 2.2 Promote the redevelopment of outmoded and non-productive sites and buildings so they can sustain existing industries and attract emerging industries to Saint Paul....
 - 2.4 Focus the growth of employment centers in Downtown, the Central Corridor, industrial corridors, and on larger tracts of land, where there is infrastructure capacity and where redevelopment as employment centers... could occur.
5. The proposed zoning is compatible with the zoning classifications of the adjacent property and will promote efficient use of land in this area. The industrially zoned areas nearest the residential areas will be used for stormwater management, providing a buffer between the industrial and residential uses.
6. 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 creates an island of nonconforming use within a larger zoned district, and which dramatically reduce the value for uses specified in the zoning ordinance of either the rezoned plot or abutting property.*" The proposed zoning changes are not spot zoning since they reinforce the existing pattern of zoning classifications and do not establish use classifications that are inconsistent with surrounding uses.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezonings as follows:

1. That Lots 19, 20, 39 and 40, Block 2 and Lots 18, 19 and 20, Block 3, all in Auditor's Subdivision Number 7, St. Paul Minn, Ramsey County, Minnesota, together with adjoining streets that would accrue thereto by virtue of the vacation thereof, be rezoned from VP Vehicular Parking to I1 Light Industrial;
2. That proposed Outlot D, described as: Those parts of Lots 17 and 18, Block 2, Auditor's Subdivision Number 7, St. Paul Minn, Ramsey County, Minnesota, lying northerly of the following described line:

Commencing at the southwest corner of said Lot 18; Block 2; thence northerly, along the west line of said Lot 18, Block 2, a distance of 39.03 feet, to the point of beginning of the line to be described; thence deflecting to the right 88 degrees 08 minutes 19 seconds a distance of 160.0 feet and there terminating,

together with adjoining streets that would accrue thereto by virtue of the vacation thereof, be rezoned from RM2 Medium Density Multiple-Family Residential to R4 One-Family Residential; and

3. That proposed Outlot E, described as: That part of Lot 17, Block 1, Auditor's Subdivision Number 7, St. Paul Minn., Ramsey County, Minnesota, lying northerly of the following described line:

Beginning at the northwest corner of said Lot 17; thence southerly, along the west line of said Lot 17, on an assumed bearing of South 0 degrees 03 minutes, 25 seconds West, a distance of 19.50 feet, to the point of beginning of the line to be described; thence North 89 degrees 01 minutes 33 seconds East 104.01 feet, more or less, to the east line of said Lot 17 and there terminating,

together with adjoining streets that would accrue thereto by virtue of the vacation thereof, be rezoned from I1 Light Industrial 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

878 Forest

Zoning office use only
File # 11-297833
Fee: _____
Tentative Hearing Date:
11-22-11

PD=5

282922310116

APPLICANT

Property Owner Port Authority of the City of Saint Paul
Address 345 St. Peter Street, Suite 1900
City St. Paul St. MN Zip 55102 Daytime Phone _____
Contact Person (if different) Monte M. Hilleman Phone 651 204-6237

PROPERTY

Address/Location _____
Parcel One: Future Outlot C, Beacon Bluff Business Center North, and part of future Lot 1, Block 2, Beacon Bluff Business Center North.
Parcel Two: Future Outlot E, Beacon Bluff Business Center North, and adjoining part of Russell Street.
Parcel Three: Future Outlot D, Beacon Bluff Business Center North, and adjoining part of Russell Street.
Legal Description See Attached

LOCATION

Current Zoning Parcel One, VP
Parcel Two, I-1
Parcel Three, RM-2

TO THE HONORABLE MAYOR AND CITY COUNCIL

Pursuant to Section 61.800 of the Saint Paul Zoning Ordinance and to Section 462.357(5) of Minnesota Statutes, the Port Authority of the City of Saint Paul, owner of land proposed for rezoning, hereby petitions you to rezone the above described Parcel One from VP zoning district to I-1 zoning district
Parcel Two from I-1 zoning district to R-4 zoning district
Parcel Three from RM-2 zoning district to R-4 zoning district

The above rezoning has been proposed by Department of Planning & Economic Development as a condition to approval of the final Plat of Beacon Bluff Business Center North

Attachments as required: Site Plan Consent Petition Affidavit

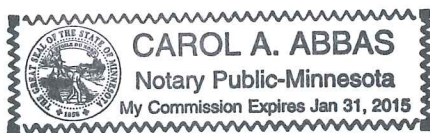
Subscribed and sworn to before me

this 2nd day of November ~~October~~, 2011

Carol A. Abbas
Notary Public

Port Authority of the City of Saint Paul

By: [Signature]
Louis F. Jambois
Title: President



ATTACHMENT

LEGAL DESCRIPTION

PARCEL ONE (FUTURE OUTLOT C, AND A SLIVER OF FUTURE LOT 1, BLOCK 2, BEACON BLUFF BUSINESS CENTER NORTH)

Lots 19, 20, 39 and 40, Block 2 and Lots 18, 19 and 20, Block 3, all in Auditor's Subdivision Number 7, St. Paul Minn., Ramsey County, Minnesota, together with adjoining streets that would accrue thereto by virtue of the vacation thereof.

PARCEL TWO (FUTURE OUTLOT E, BEACON BLUFF BUSINESS CENTER NORTH)

That part of Lot 17, Block 1, Auditor's Subdivision Number 7, St. Paul Minn., Ramsey County, Minnesota, lying northerly of the following described line:

Beginning at the northwest corner of said Lot 17; thence southerly, along the west line of said Lot 17, on an assumed bearing of South 0 degrees 03 minutes 25 seconds West, a distance of 19.50 feet, to the point of beginning of the line to be described; thence North 89 degrees 01 minutes 33 seconds East 104.01 feet, more or less, to the east line of said Lot 17 and there terminating,

together with adjoining streets that would accrue thereto by virtue of the vacation thereof.

PARCEL THREE (FUTURE OUTLOT D, BEACON BLUFF BUSINESS CENTER NORTH)

Those parts of Lots 17 and 18, Block 2, Auditor's Subdivision Number 7, St. Paul Minn., Ramsey County, Minnesota, lying northerly of the following described line:

Commencing at the southwest corner of said Lot 18; Block 2; thence northerly, along the west line of said Lot 18, Block 2, a distance of 39.03 feet, to the point of beginning of the line to be described; thence deflecting to the right 88 degrees 08 minutes 19 seconds a distance of 160.0 feet and there terminating,

together with adjoining streets that would accrue thereto by virtue of the vacation thereof.



ST. PAUL PORT AUTHORITY
1801 East Basin
345 St. Peter Street
St. Paul, MN 55102



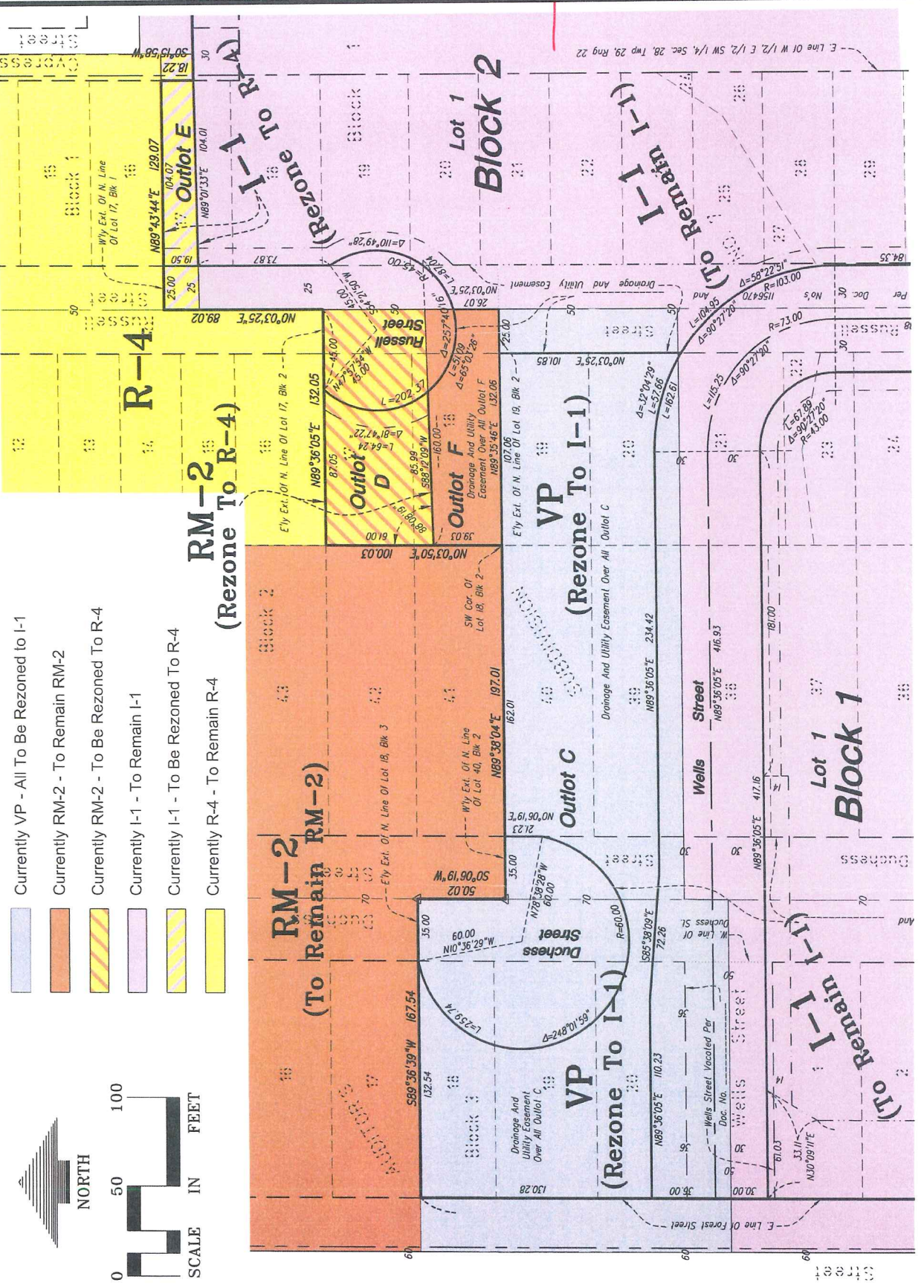
LOUCKS
ASSOCIATES
PROFESSIONAL SERVICES

QUALITY CONTROL
BILL
DATE

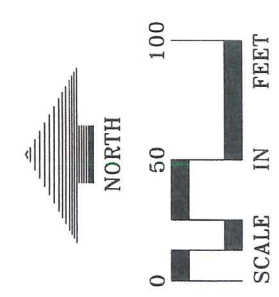
EXISTING & PROPOSED ZONING

08-244

Sheet 1 of 2



- Currently VP - All To Be Rezoned to I-1
- Currently RM-2 - To Remain RM-2
- Currently RM-2 - To Be Rezoned To R-4
- Currently I-1 - To Remain I-1
- Currently I-1 - To Be Rezoned To R-4
- Currently R-4 - To Remain R-4





West of site at Forest and Wells



West of site across Forest to the north



West end of Outlot C: VP to I1 zoning change



Outlot C to east



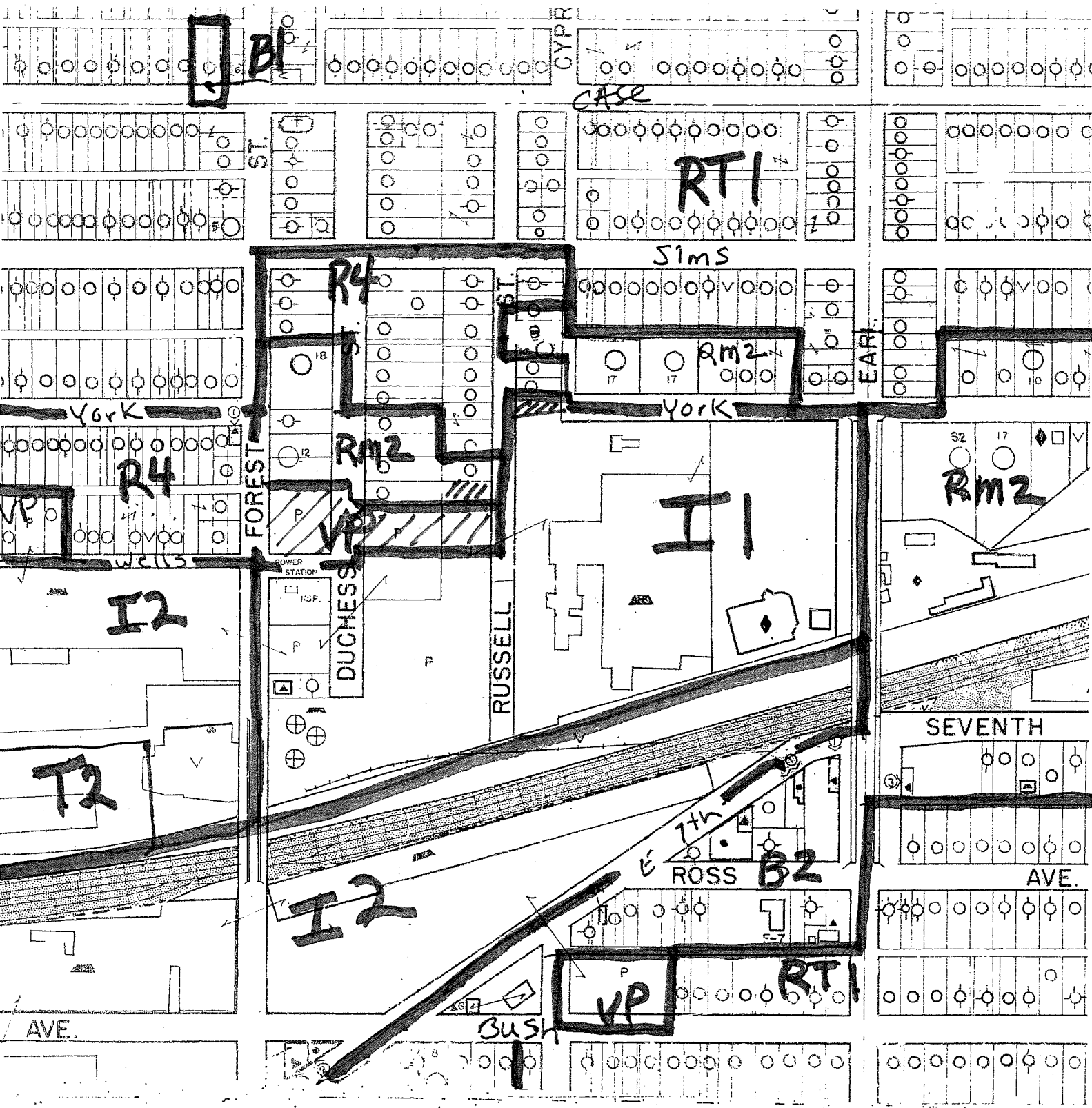
Outlot D, to be rezoned to R4



Parcel to which Outlot D will be attached (893 Russell)



Outlot E, to be rezoned to R4 and property to which it will be attached (906 Russell)



APPLICANT Port Authority
 PURPOSE REzone
 FILE # 11-297833 DATE 11-8-11
 PLNG. DIST 5+4 Land Use Map # 14
 Zoning Map # 11

LEGEND

- zoning district boundary
- subject property
- one family
- two family
- multiple family
- commercial
- industrial
- vacant

PAED
north

~~SCALE 1"=100'~~