

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Beacon North I **FILE #:** 17-042-435
 2. **APPLICANT:** IAF Beacon I LLC **HEARING DATE:** June 8, 2017
 3. **TYPE OF APPLICATION:** Rezoning
 4. **LOCATION:** 777 Forest St, west side of Forest/south edge of the Railroad ROW
 5. **PIN & LEGAL DESCRIPTION:** A portion of 282922330058; See file for legal description.
 6. **PLANNING DISTRICT:** 4 **EXISTING ZONING:** I1
 7. **ZONING CODE REFERENCE:** §61.801(b)
 8. **STAFF REPORT DATE:** June 1, 2017 **BY:** Bill Dermody
 9. **DATE RECEIVED:** May 23, 2017 **60-DAY DEADLINE FOR ACTION:** July 22, 2017
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- A. **PURPOSE:** Rezone a portion of a larger parcel from I1 light industrial to I2 general industrial to facilitate its addition to the abutting railroad ROW.
- B. **PARCEL SIZE:** Larger parcel: 285,495 sq. ft.
- C. **EXISTING LAND USE:** Vacant
- D. **SURROUNDING LAND USE:** Railroad to the north, industrial to the south and southwest, vacant to the east and west.
- E. **ZONING CODE CITATION:** §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** The subject parcel's buildings were recently removed in preparation for redevelopment. It is also pursuing an adjustment of common boundary to move a small sliver of land along its northern edge to the railroad right-of-way, which requires that the zoning be changed to match. The site and all the surrounding land south of the railroad tracks were zoned I2 in 1975. Later, the subject site and other land to its south and west were rezoned to I1 as part of a larger Phalen Corridor rezoning.
- G. **DISTRICT COUNCIL RECOMMENDATION:** As of this writing, District 4 has not provided a recommendation.
- H. **FINDINGS:**
 1. The application requests rezoning of a small portion of 777 Forest Street N. from I1 to I2 to facilitate its addition to the abutting railroad right-of-way.
 2. The proposed zoning is consistent with the way this area has developed. The area contains industrial uses and vacant land zoned I1 and I2.
 3. The proposed zoning is consistent with the Comprehensive Plan, which in Figure LU-B designates the site as being in the Industrial future land use category.
 4. The proposed zoning is compatible with the surrounding industrial uses.
 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 rezoning to I2 does not constitute spot zoning – it is the same zoning of the northern parcel to which it will be attached.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning of a portion of 777 Forest Street N. from I1 light industrial to I2 general industrial.



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

Zoning Office Use Only
 File #: 17-042435
 Fee: 1260.00
 Tentative Hearing Date: 6-8-17

AD-4

282922330058

APPLICANT

Property Owner: IAF Beacon I LLC
 Address: 332 Minnesota St, Ste W 2300
 City: St Paul St. MN Zip 55101 Daytime Phone 651-294-2441
 Contact Person (if different) _____ Phone _____

PROPERTY LOCATION

Address/Location: 277 N. Forest St.
 Legal Description: Attached
 Current Zoning: I-1
 (attach additional sheet if necessary)

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;
IAF Beacon I, LLC, owner of land proposed for rezoning, hereby petitions you to
 rezone the above described property from a I-1 zoning district to a I-2 zoning
 district, for the purpose of: Conformity with adjoining RR land.

(attach additional sheets if necessary)

Attachments as required: Site Plan Consent Petition Affidavit

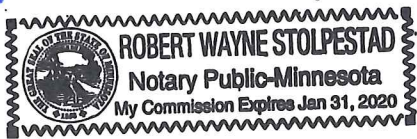
Subscribed and sworn to before me

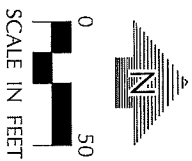
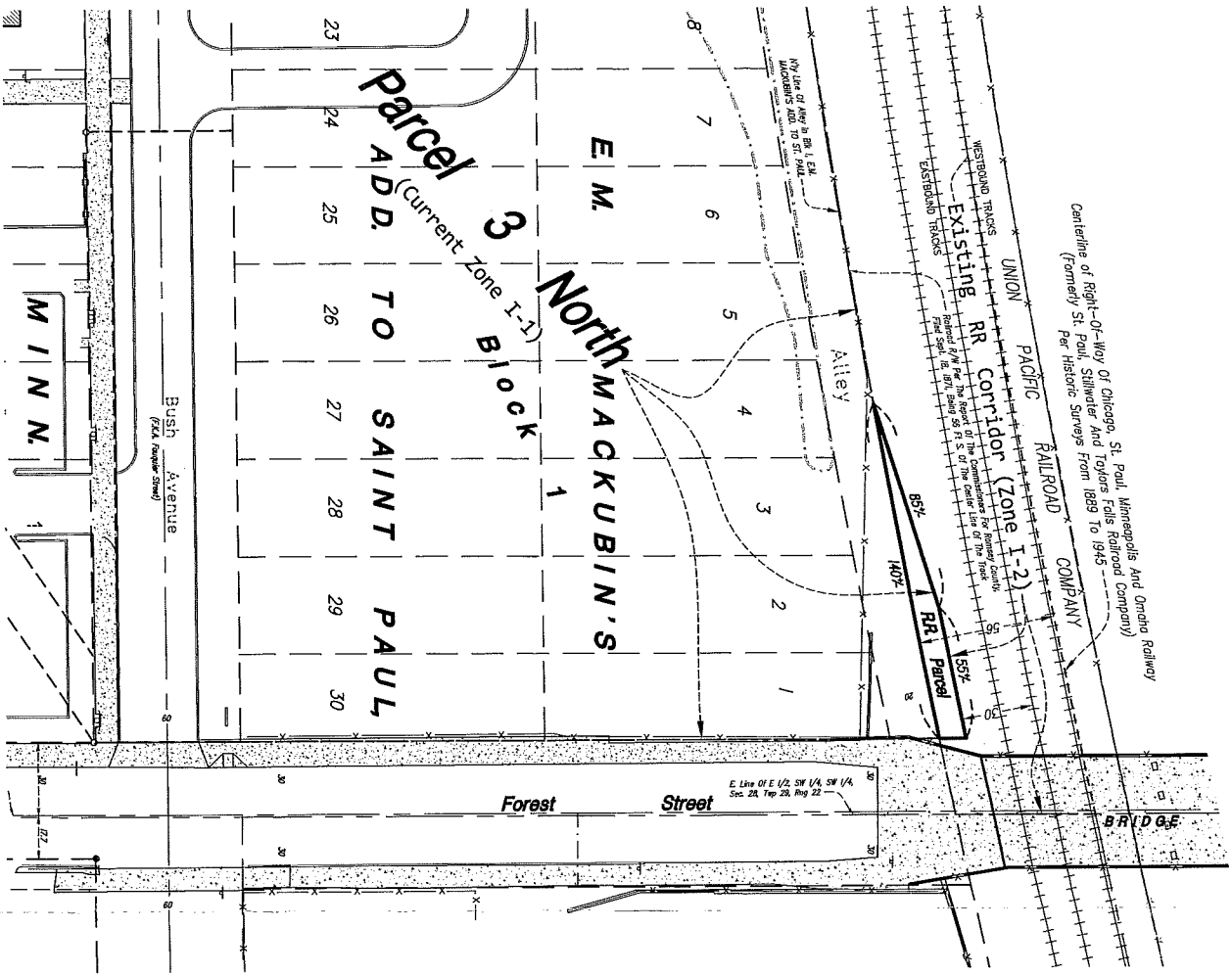
this 19th day

of May, 2017

[Signature]
 Notary Public

By: [Signature]
 Fee owner of property
 Title: Chief executive manager





R.R. Parcel - To Be Rezoned From I-1 to I-2

That part of the Southwest Quarter of the Southwest Quarter of Section 28, Township 29 North, Range 22 West, Ramsey County, Minnesota, bounded and described as follows: Beginning at a point on the West line of Forest Street, distant 56 feet Southerly, measured radially, from the center line of the main track of the St. Paul, Stillwater and Taylor Falls Railroad Company (later the Chicago, St. Paul, Minneapolis and Omaha Railway Company, now the Chicago and North Western Transportation Company), as said main track center line was originally located and established across said Section 28, and being now the general location of the most Northerly or Westbound main track of said Transportation Company; thence Westerly parallel with said original main track center line, said parallel line being also the Northerly line of the alley in Block 1 in E. M. Mackubin's Addition to St. Paul, a distance of 140 feet, more or less, to a point distant 9 feet Southeasterly, measured radially, from the center line of the Chicago and North Western Transportation Company (formerly Chicago, St. Paul, Minneapolis and Omaha Railway Company) spur or yard track ICC No. 133, as said yard track is now located; thence Northeasterly parallel with said yard track center line a distance of 85 feet, more or less, to a point distant 30 feet Southeasterly, measured radially, from the center line of the most Southerly or Eastbound main track of the Chicago, St. Paul, Minneapolis and Omaha Railway Company, as said main track is now located; thence Easterly parallel with said last described main track center line a distance of 55 feet, more or less, to a point on the west line of said Forest Street; thence Southerly along said West line of Forest Street a distance of 13 feet, more or less, to the point of beginning.

CAD/QUANTITY
 Checked by: [Signature]
 Date: 5/16/17
 Drawing No.: 09AWING 858

PROFESSIONAL SEAL
 I, the undersigned, being a duly qualified and licensed Professional Engineer in the State of Minnesota, do hereby certify that I am the author of the design and drawings herein shown, and that I am a duly Licensed Professional Engineer in the State of Minnesota, License No. 5416.

QUALITY CONTROL
 Checked by: [Signature]
 Date: 08-2-17

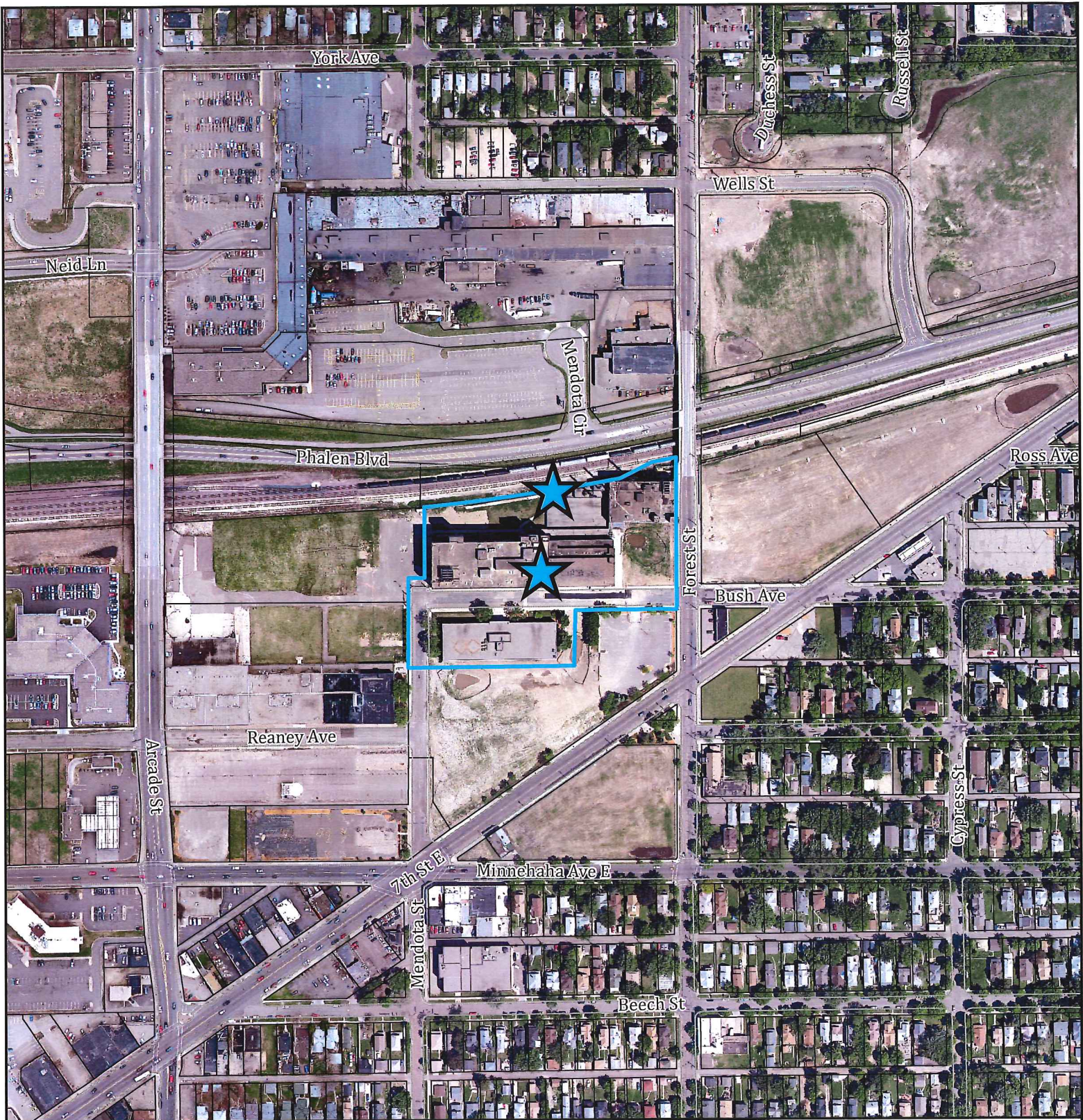
PROJECT INFO
 Project Name: RR Parcel
 Project No.: 08-2-17
 Drawn By: [Signature]
 Field Crew: [Signature]

BEACON BLUFF
 Parcel 3 North

LOUCK
 PLANNING
 LANDSCAPE ARCHITECTURE
 ENVIRONMENT
 7200 Hendrick-Lum, Suite 1
 Maple Grove, MN 55127
 www.louckinc.com

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FILE NAME: IAF

Aerial

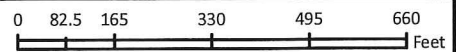
APPLICATION TYPE: Rezone

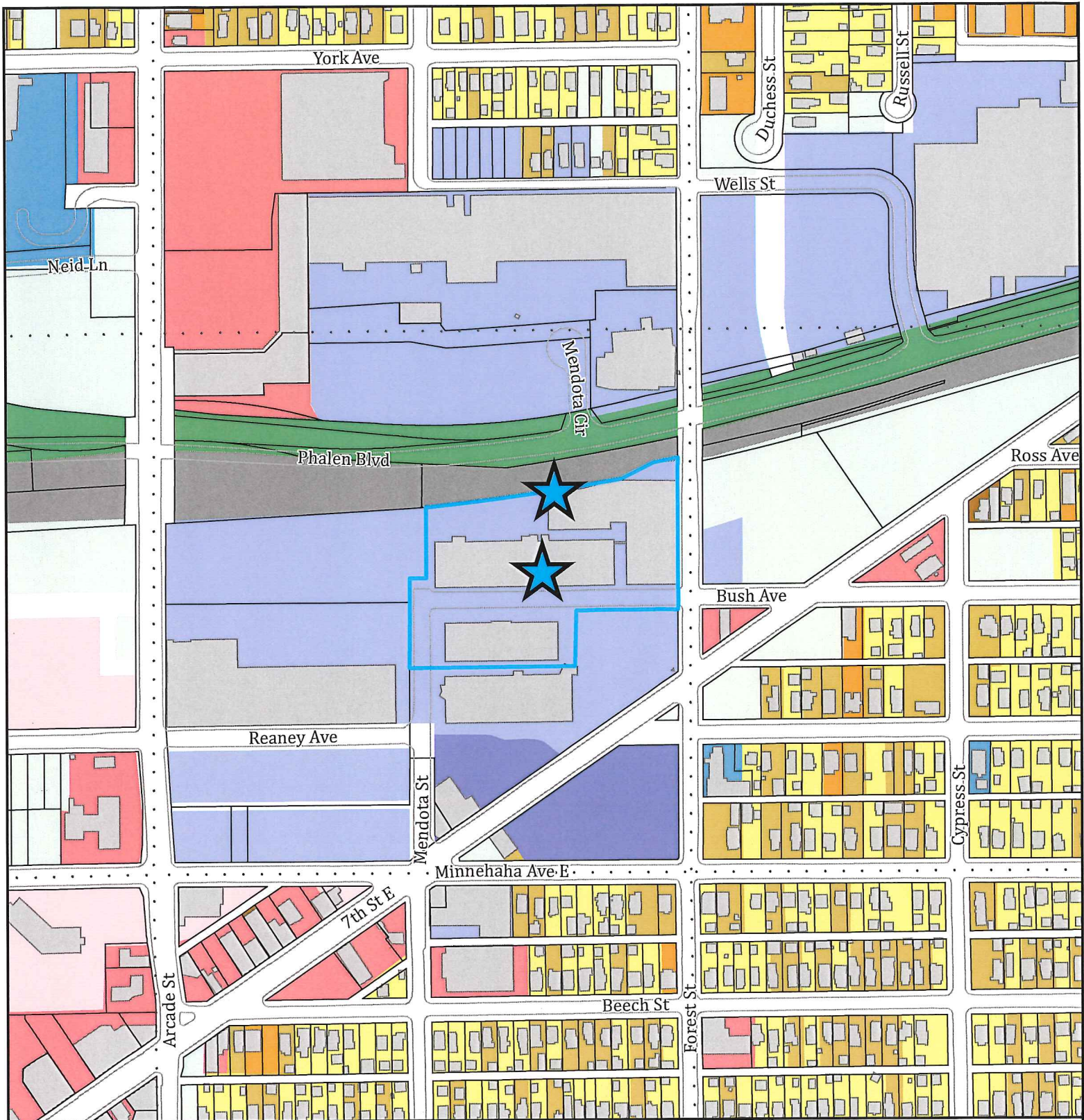
 Subject Parcels

FILE #: 17-042435 DATE: 5/24/2017

PLANNING DISTRICT: 4

ZONING PANEL: 11





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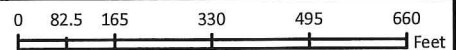
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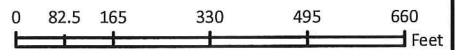
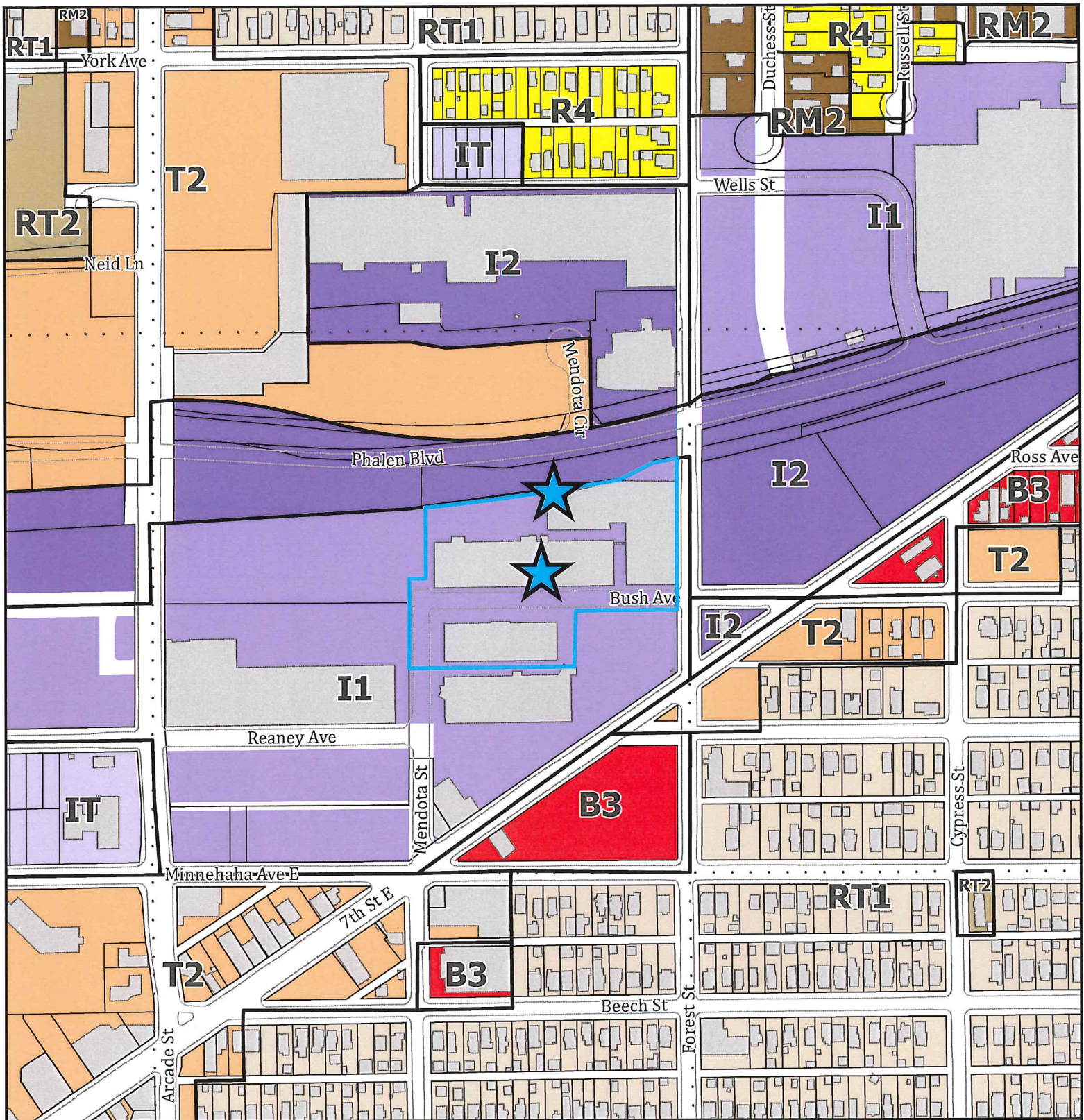
PLANNING DISTRICT: 4

ZONING PANEL: 11

Land Use

- Single Family Detached
- Single Family Attached
- Multifamily
- Office
- Retail and Other Commercial
- Mixed Use Residential
- Mixed Use Industrial
- Industrial and Utility
- Institutional
- Park, Recreational or Preserve
- Railway
- Undeveloped
- Subject Parcels
- Section Lines





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APPLICATION TYPE: Rezone

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PLANNING DISTRICT: 4

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Zoning

Subject Parcels

Section Lines

R4 One-Family

RT1 Two-Family

RT2 Townhouse

RM2 Multiple-Family

T2 Traditional Neighborhood

B3 General Business

IT Transitional Industrial

I1 Light Industrial

I2 General Industrial

