

## ZONING COMMITTEE STAFF REPORT

**FILE NAME:** 897 Saint Paul Avenue Rezoning

**FILE #:** 23-048-206

**APPLICANT:** 897 LLC, Highland Investments LLC

**HEARING DATE:** June 29, 2023

**TYPE OF APPLICATION:** Rezoning

**LOCATION:** 897 Saint Paul Ave, northwest corner at Saunders Ave

**PIN & LEGAL DESCRIPTION:** 16.28.23.23.0026; Midway Highland Park, Lots 21 & 22, Block 2

**PLANNING DISTRICT:** 15

**EXISTING ZONING:** OS

**ZONING CODE REFERENCE:** § 66.400, § 66.300, § 61.801(b)

**STAFF REPORT DATE:** June 29, 2023

**BY:** Spencer Miller-Johnson

**DATE RECEIVED:** May 31, 2023

**60-DAY DEADLINE FOR ACTION:** July 29, 2023

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- A. **PURPOSE:** Rezone from OS office-service to T2 traditional neighborhood.
- B. **PARCEL SIZE:** This corner lot has approximately 100 feet of frontage on Saint Paul Avenue, 100 feet of frontage on Saunders Avenue, and a total lot area of 10,018 square feet.
- C. **EXISTING LAND USE:** The property is occupied by a one-story office building and a surface parking area behind the building with 10 stalls.
- D. **SURROUNDING LAND USE:** North & West: multi-unit buildings (100 units in 10 buildings) in a RM2 medium-density multiple-family residential district. South: multi-unit building (20 units) in RM2 across Saunders Avenue. East: single-family houses in RM2 across Saint Paul Avenue.
- E. **ZONING CODE CITATIONS:** § 66.400 provides the standards for Business Districts. § 66.300 provides the standards for Traditional Neighborhood Districts. § 61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** There is no notable zoning history for this site.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The Highland District Council had not taken a position on the rezoning at the time the staff report was drafted.
- H. **FINDINGS:**
1. The applicant owns the property on Saint Paul Avenue and requests to rezone it from OS to T2. The applicant plans to operate a local franchise of a national 24-hour fitness company.
  2. *The proposed zoning is consistent with the way this area has developed.* The property is currently used as an office building. Saint Paul Avenue is a minor arterial street and a bus route (87), where the commercial and residential uses permitted in the T2 district are appropriate. T2 is compatible with the residential uses in the surrounding RM2 districts, which are permitted uses in T2. This site is approximately 300 feet from the boundary of the *Ford Site (Highland Bridge) Zoning and Public Realm Master Plan*. T2 is compatible with the Highland Bridge development, including anticipated development in the closest F district, the F6 gateway district.  
  
Sec. 66.313 states that the T2 district is designed for use in existing or potential pedestrian and transit nodes. Its intent is to foster and support compact, pedestrian-oriented commercial and residential development that, in turn, can support and increase transit usage. It encourages, but does not require, a variety of uses and housing types, with careful attention to the amount and placement of parking and transitions to residential neighborhoods. Health/sports clubs are a permitted use in T2. It is reasonable for the property to be rezoned to T2 given the compatibility of the surrounding multi-family residential uses and Highland Bridge development with the transitional scale and mix of land uses allowed in T2.
  3. *The proposed zoning is consistent with the Comprehensive Plan.* The future land use designation for this site is Urban Neighborhood. Urban Neighborhoods are defined as:

*“primarily residential areas with a range of housing types. Single-family homes and duplexes are most common, although multi-family housing predominates along arterial and collector streets, particularly those with transit. Multi-family housing, schools, neighborhood parks, religious institutions and cemeteries may also be scattered throughout Urban Neighborhoods. **Limited neighborhood-serving commercial may also be present, typically at intersections of arterial and/or collector streets.**”*

Saint Paul Avenue is a minor arterial street with portions served by transit and generally characterized as pedestrian friendly. T2 zoning on a corner lot would allow an appropriate mix of uses and scale, consistent with adjacent RM2 contexts. Commercial buildings are common at corners in the city’s urban neighborhoods. Supporting Policy LU-36 states:

***Comprehensive Plan Policy LU-36. Promote neighborhood-serving commercial businesses within Urban Neighborhoods that are compatible with the character and scale of the existing residential development.***

T2 zoning supports walkability with pedestrian friendly design standards. It supports mixed-use development by allowing a wider variety of land uses than OS. This expanded variety of commercial uses promotes opportunities for business diversity and neighborhood-serving commercial services. The proposed T2 district is also supported by the following 2040 *Comprehensive Plan* and *Highland Park District 15 Plan* policies:

***Comprehensive Plan Policy LU-5. Encourage flexible building design to ensure ongoing functionality and viability, and to respond to new market opportunities.***

***Comprehensive Plan Policy LU-6. Foster equitable and sustainable economic growth by facilitating business creation, attraction, retention and expansion.***

***Comprehensive Plan Policy LU-7. Use land use and zoning flexibility to respond to social, economic, technological, market and environmental changes, conditions and opportunities.***

***Highland Park District 15 Plan Policy LU2. Encourage a mix of retail and service businesses that meet daily needs close to where people live.***

4. *The proposed zoning is compatible with surrounding uses.* Saint Paul Avenue and Saunders Avenue have potential for a mix of commercial and housing uses in the future. The ongoing development of Highland Bridge (300 feet away) and anticipated growth in the neighborhood node at Highland Village (1,000 feet away) will continue to increase activity and vibrancy in the area. Multi-family housing types surround the site on three sides, with single-family houses on the east side across Saint Paul Avenue. T2 zoning would allow development on a similar scale to what is already allowed in the surrounding RM2 districts and would add flexible land use allowances over the long term, including single-family, duplex, and multi-family uses and pedestrian-oriented commercial 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 lot is currently zoned OS, a limited commercial zoning district, and is surrounded by residential zoning. The proposed change to a T2 district better supports the City Council adopted policy goals for mixed-use pedestrian-oriented areas and can help ensure commercial viability while being compatible with the surrounding neighborhood. The nexus between the intent of the T2 district and the adopted future land use policy for this site suggests that T2 would not be considered spot zoning.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from OS office-service to T2 traditional neighborhood at 897 Saint Paul Avenue.



# 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 #	_____
Fee Paid \$	_____
Received By / Date	_____
Tentative Hearing Date	_____

## APPLICANT

Property Owner(s)	897 LLC			
Address	10296 182nd St W	City	Lakeville	State MN Zip 55044
Email	bbonjean@bonjeancompanies.com		Phone	_____
Contact Person (if different)	Adam Widder		Email	adam.widder@kw.com
Address	2260 Arthur St	City	Roseville	State MN Zip 55113

*(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	897 Saint Paul Ave, Saint Paul, MN 55119		
PIN(s) & Legal Description	162823230026		
<i>(Attach additional sheet if necessary.)</i>			
MIDWAY HIGHLAND PARK LOTS 21 AND LOT 22 BLK 2			
Lot Area	0.2296	Current Zoning	OS

TO THE HONORABLE MAYOR AND CITY COUNCIL:

Pursuant to Saint Paul Zoning Code § 61.801 and Minnesota Statutes § 462.357, 897 LLC, Highland Investments LLC

owner(s) of land proposed for rezoning, hereby petition(s) to rezone the above described property from a OS zoning district to a T2 zoning district, for the purpose of:

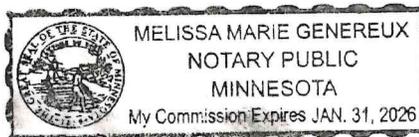
Property will have a locally operated national franchise, remodeling the property to a 24-hour fitness facility. Facility will be using the franchise's new design style and amenities, geared towards all users.

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

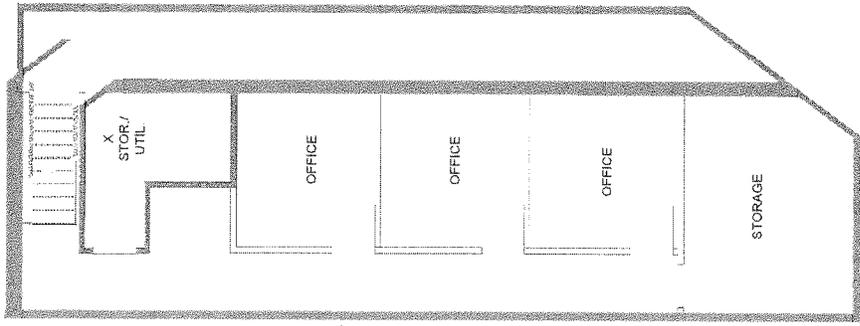
Date May 25 2023

Melissa Genereux  
Notary Public



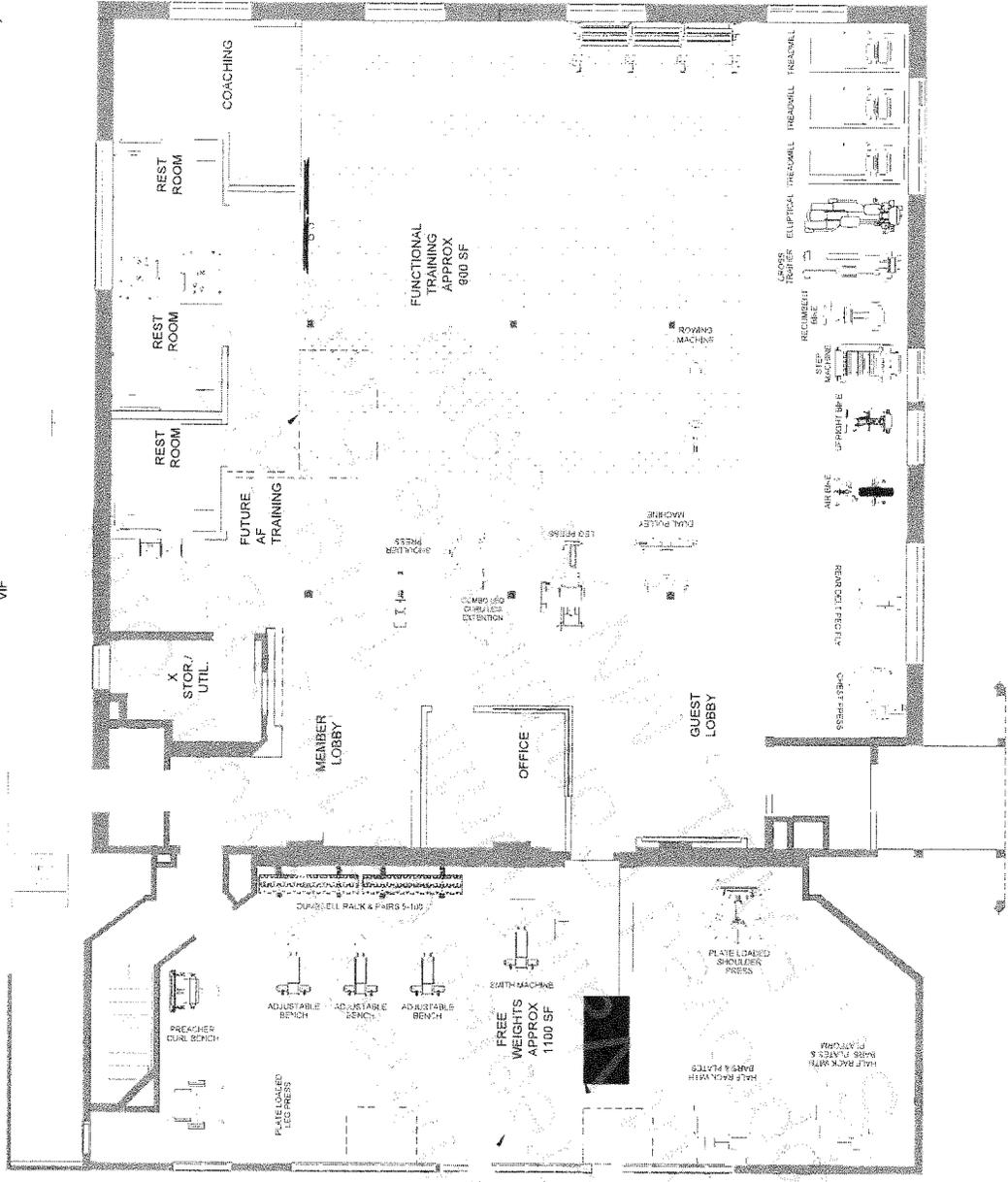
By: [Signature]  
Fee owner of property  
Title: Owner / CEO

15'-1" VIF



57'-10" VIF

81'-10" VIF

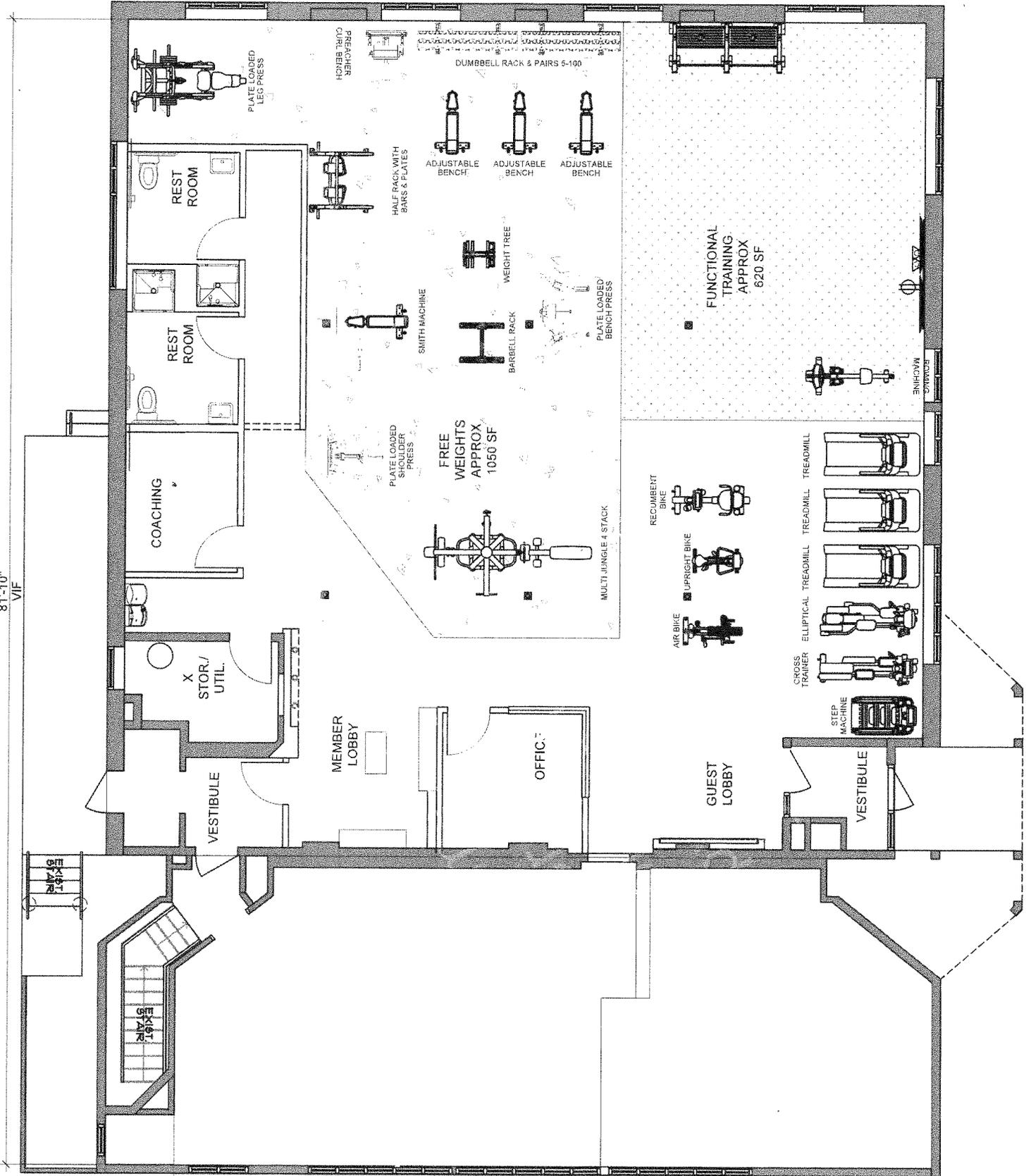


SLAB RAISED 12"-14"

RAMP UP 12" x 18" RECD. BY CODE

54' VIF

81'-10"  
VIF



54'-4"  
VIF



*Existing building looking northwest at the corner of Saint Paul Avenue and Saunders Avenue*



*Existing building looking east from the rear alley*



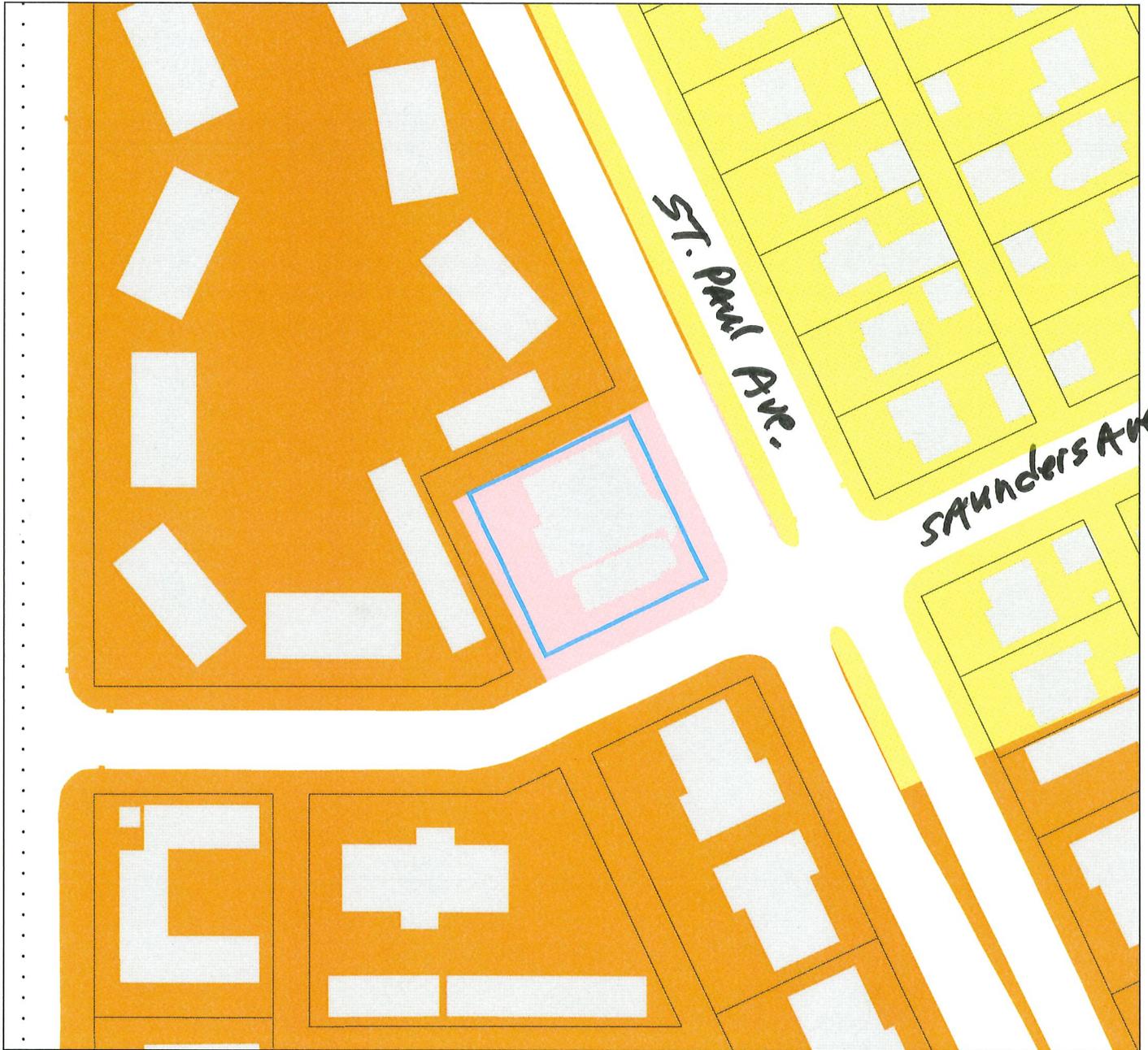
*Surrounding multi-unit buildings to the north and west*



*Surrounding multi-unit building to the south*



*Surrounding single-family houses to the east*



File #23-048-206 Existing Land Use

**Application of 897 LLC**

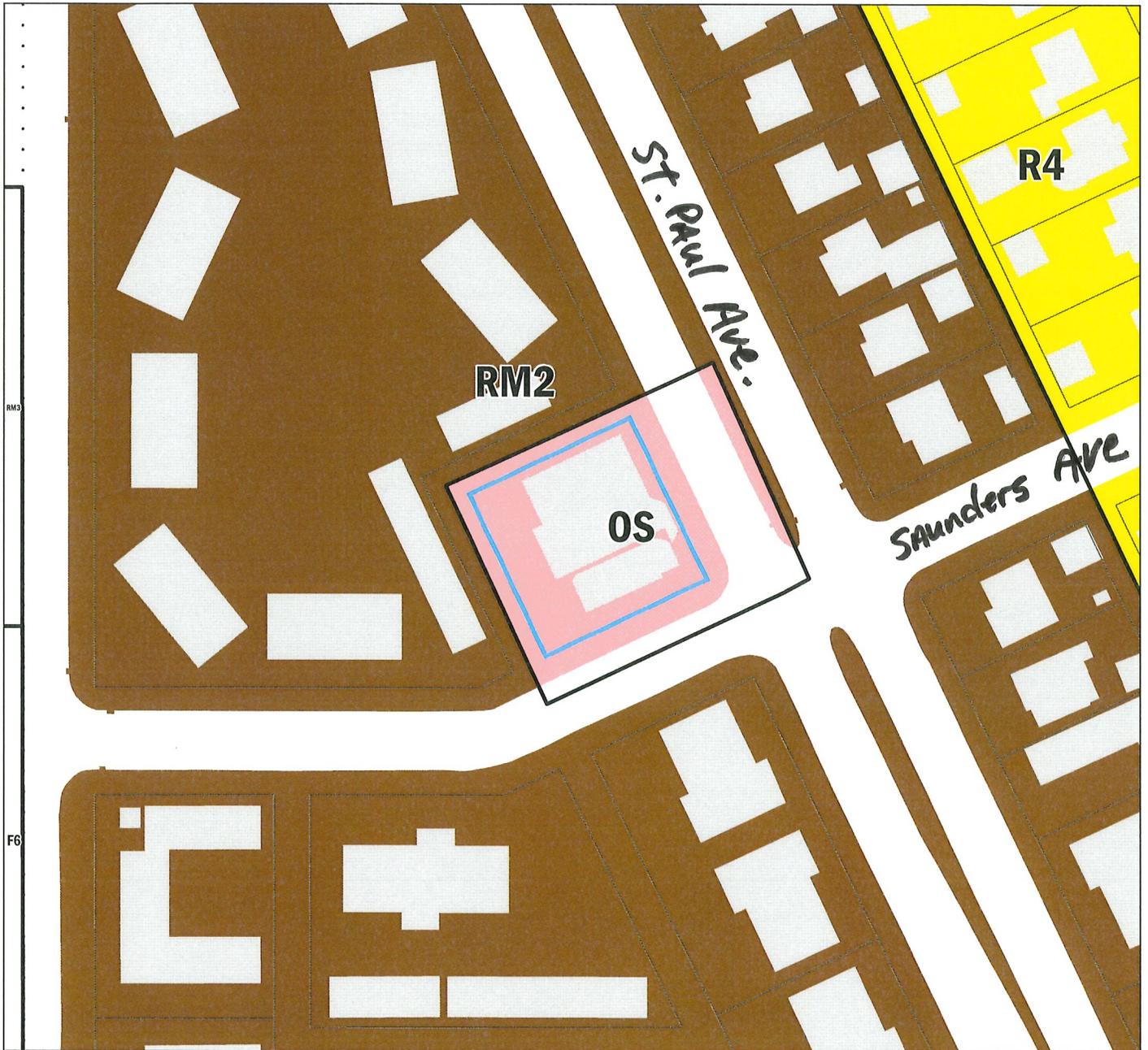
Application Type: Rezone  
 Application Date: May 31, 2023  
 Planning District: 15



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)         | Multifamily                 | Mixed Use Commercial and Other | Major Highway |
| ParcelPoly                | Single Family Attached      | 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         |



File #23-048-206 Zoning Map  
**Application of 897 LLC**

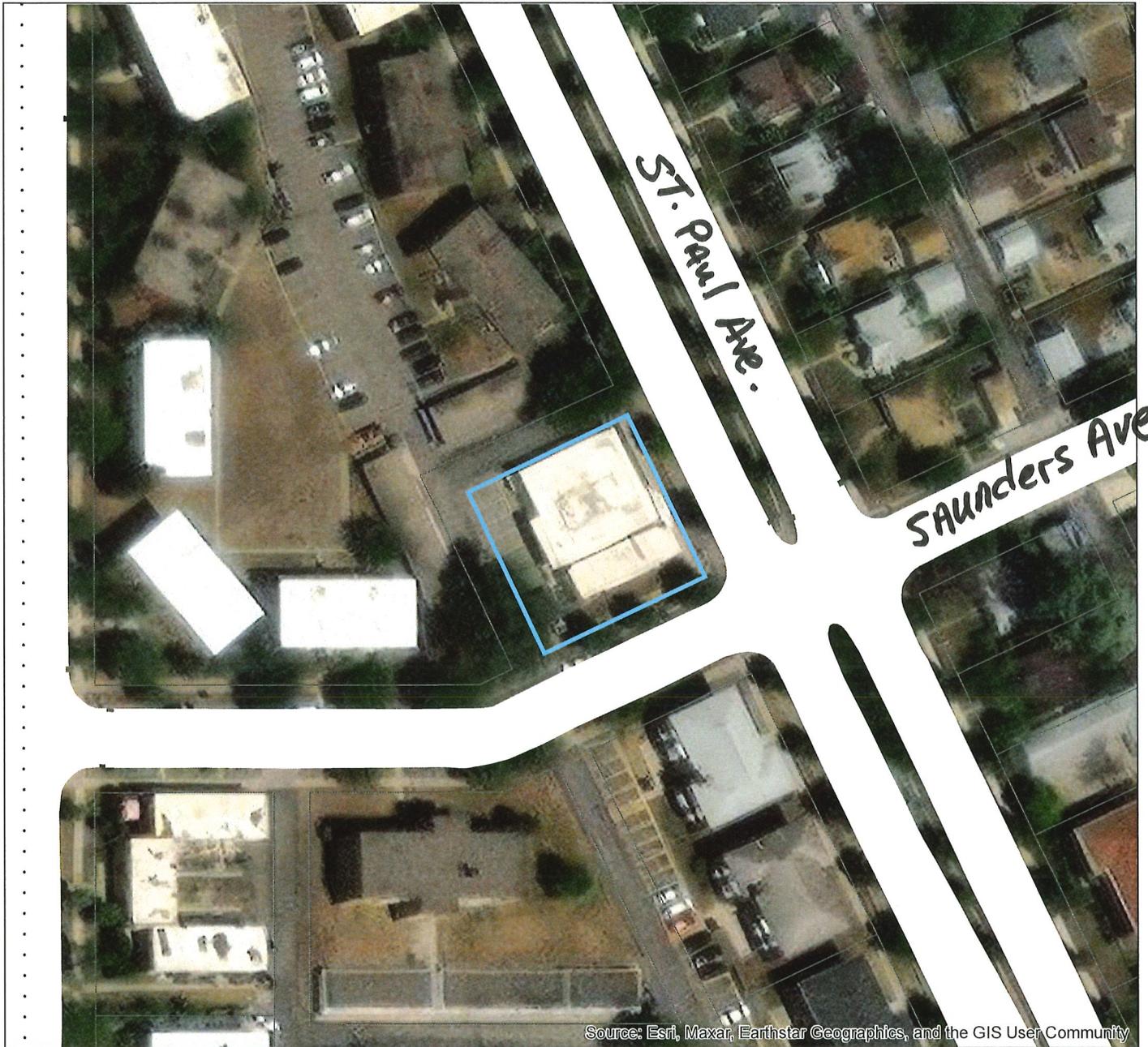
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**Subject Parcel(s) Outlined in Blue**

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 #23-048-206 Aerial Map Application of 897 LLC

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**Subject Parcel(s) Outlined in Blue**

- Subject Parcel(s)
- ParcelPoly



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