

## ZONING COMMITTEE STAFF REPORT

**FILE NAME:** 1477-1485 Minnehaha Ave. E.

**FILE #:** 17-083-216

**APPLICANT:** Twin City Concrete Products Co.

**HEARING DATE:** October 12, 2017

**TYPE OF APPLICATION:** Rezoning

**LOCATION:** 1477-1485 Minnehaha Ave E, NW corner at Barclay

**PINS & LEGAL DESCRIPTION:** 272922340117, 272922340118, & 272922340119; Lots 1-3, Block 13, Denslows Rearrangement Etc.

**PLANNING DISTRICT:** 2

**EXISTING ZONING:** VP

**ZONING CODE REFERENCE:** §61.801(b)

**STAFF REPORT DATE:** October 5, 2017

**BY:** Bill Dermody

**DATE RECEIVED:** September 26, 2017

**60-DAY DEADLINE FOR ACTION:** November 25, 2017

- 
- A. **PURPOSE:** Rezone from VP vehicular parking to T2 traditional neighborhood.
  - B. **PARCEL SIZE:** 17,423 sq. ft.
  - C. **EXISTING LAND USE:** Vacant
  - D. **SURROUNDING LAND USE:** School to the south (T1), industrial and vacant to the east (VP), multi-family residential to the west (RM2), vacant immediately north (RM1), and a mix of single-family and duplex residential to the northwest and northeast (RM1). One block west at the intersection with Birmingham Street are a gas station and a post office (B3/B1).
  - E. **ZONING CODE CITATION:** §61.801(b) provides for changes to the zoning of property initiated by the property owner.
  - F. **HISTORY/DISCUSSION:** The site has been zoned for parking (then P-1, now VP) since 1975 for use by the Cemstone construction truck fleet operations located across the street to the south. Cemstone closed their operations in 2015 in conjunction with a sale of their main property to the school which subsequently rezoned to T1 Traditional Neighborhood and developed on that site.
  - G. **PARKING:** The proposed rezoning to T2 Traditional Neighborhood District would allow for a range of commercial and residential uses whose parking requirements would be determined at the time of development. The application materials indicate that the planned use is an adult care home for up to 30 persons, which according to Zoning Code § 63.207 would require 10 off-street parking spaces.
  - H. **DISTRICT COUNCIL RECOMMENDATION:** As of this writing, District 2 has not provided a recommendation.
  - I. **FINDINGS:**
    - 1. The application requests rezoning from VP Vehicular Parking District to T2 Traditional Neighborhood District at 1477-1485 Minnehaha Ave. E.
    - 2. The proposed zoning is consistent with the way this area has developed. The area contains commercial and multi-family uses along Minnehaha Avenue with residential uses to the north. The T2 district is intended to foster and support compact, pedestrian-oriented commercial and residential development that, in turn, can support and increase transit usage. The proposed zoning continues the existing pattern of uses.

3. The proposed zoning is consistent with the Comprehensive Plan. The Comprehensive Plan's Land Use Chapter designates the site as Industrial and an Opportunity Site in Figure LU-B and as an Employment District in Figure LU-F. The Industrial designation is described as primarily manufacturing and/or processing of products, potentially including light or heavy industrial land uses, large warehouse facilities, and/or utilities. The Opportunity Site designation call for redevelopment to mixed uses (such as those permitted in the T2 zoning district) and/or an employment center (Strategies LU-1.54 & LU-2.7). The proposed zoning essentially extends the redevelopment of this area that was started by the school to the south away from industrial and associated uses to a mix of uses under the guidance of the Opportunity Site designation.
4. The proposed zoning is compatible with the surrounding mix of uses, providing a transition from the more intense commercial and multi-family uses along Minnehaha Avenue to the lower-density residential to the north.
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." Rather, it permits uses consistent with surrounding uses.

J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from VP vehicular parking to T2 traditional neighborhood.

PETITION TO AMEND THE ZONING CODE



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

Hearing 10/12/17

Zoning Office Use Only

File #: \_\_\_\_\_

Fee: \_\_\_\_\_

PD-2

# 272922340117-019

APPLICANT

Property Owner Twin City Concrete Products Co. and Gemstone Products Company

Address 2025 Centre Pointe Blvd, Suite 300

City Mendota Heights State MN Zip 55120 Daytime Phone 651-686-4215

PROPERTY LOCATION

Address/Location Northwest corner of Minnehaha Ave and Barclay Street in St. Paul, MN

Legal Description 272922340119, 272922340118, 272922340117  
See attached for legal description.

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, JB Vang Partners, Inc., owner of land proposed for rezoning, hereby petitions you to rezone the above described property from a Vehicular Parking (VP) zoning district to a T2 Trad. Neigh. zoning district, for the purpose of:

The current Fee Owner of the property has a legally binding Purchase Agreement to sell the property to Chao and Doua Yang. JB Vang Partners is serving as the Owner's Representative to Chao and Doua. Please contact Justin Fincher at JB Vang regarding any questions/comments to this application: JFINCHER@JBVANG.COM, 651-925-6423

JB Vang Partners is proposing to construct an Adult Care House facility at the property. Per preliminary conversations with DSI City Planners, it has been recommended to rezone from Vehicular Parking (VP) to Traditional Neighborhood (T2). Adult Care House facilities are a permitted use under the T2 district. The project is proposing 25-30 adult care units with secured outdoor green space, and off-street parking.

(Attach additional sheets if necessary)

Attachments as required: ☐ Site Plan ☐ Consent Petition ☐ Affidavit

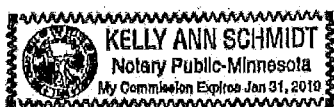
Subscribed and sworn to before me

Date September 13 2017

Kelly Ann Schmidt

Notary Public

By: [Signature]  
Fee owner of property



1465 MINNEHAHA AVE E  
ST. PAUL, MN 55106

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

PRELIMINARY NOT  
FOR CONSTRUCTION  
9/8/2017 8:36:41 AM

Sheet  
Title: SITE PLAN  
Sheet  
Number: A1.0



MINNEHAHA  
MEMORY  
CARE

1465 MINNEHAHA AVE E  
ST. PAUL, MN 55106

project # 017602-00  
date: 9/18/2017 B27:13 AM  
drawn by: AUTICA  
checked by: CHICOTT

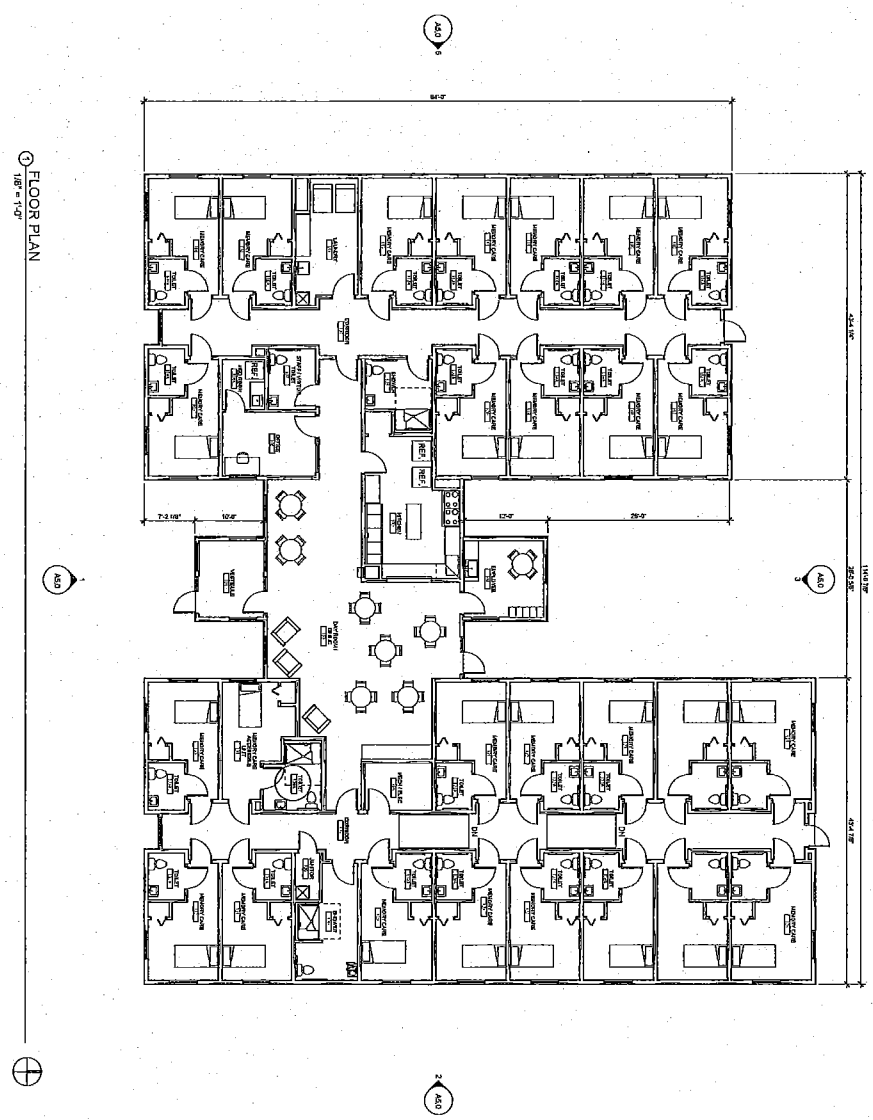
*I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.*

**Signature** \_\_\_\_\_  
**Type/Printed Name** RANDY WACHA  
**License No.** \_\_\_\_\_  
**Exp. M.** 2068  
**Sign date** \_\_\_\_\_ **Issue Date** \_\_\_\_\_

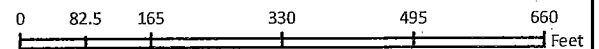
PRELIMINARY NOT  
FOR CONSTRUCTION  
9/8/2017 8:27:11 AM

[illegible]

**FLOOR PLAN**  
about  
100  
about  
2000  
**A2.0**



① FLOOR PLAN  
1/8" = 1'-0"



FILE NAME: 1477-1485 Minnehaha E

Aerial

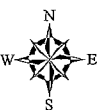
APPLICATION TYPE: Rezone

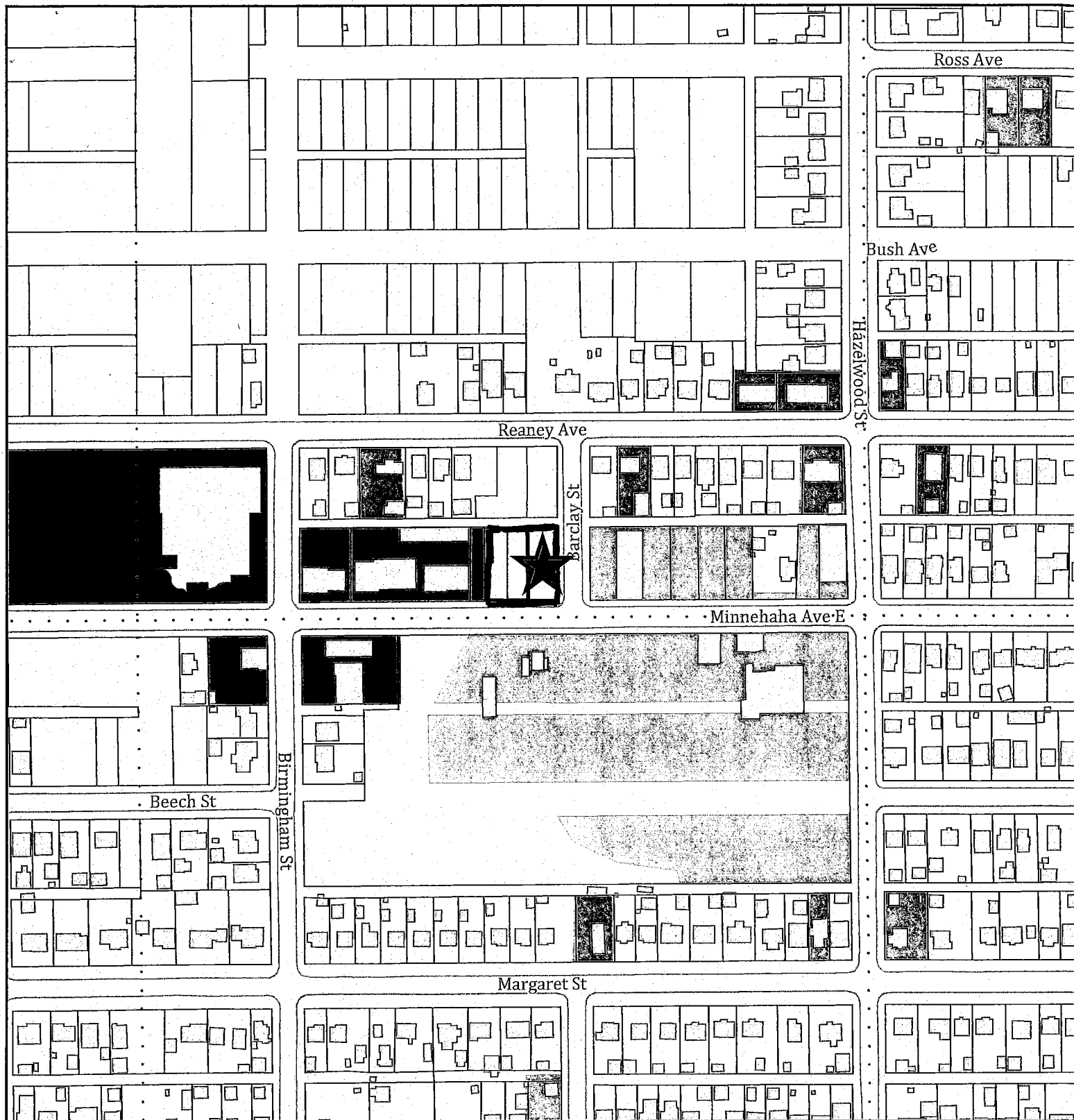
☐ Subject Parcels

FILE #: 17-083216 DATE: 9/26/2017

PLANNING DISTRICT: 2

ZONING PANEL: 12





FILE NAME: 1477-1485 Minnehaha E

APPLICATION TYPE: Rezone

FILE #: 17-083216 DATE: 9/26/2017

PLANNING DISTRICT: 2

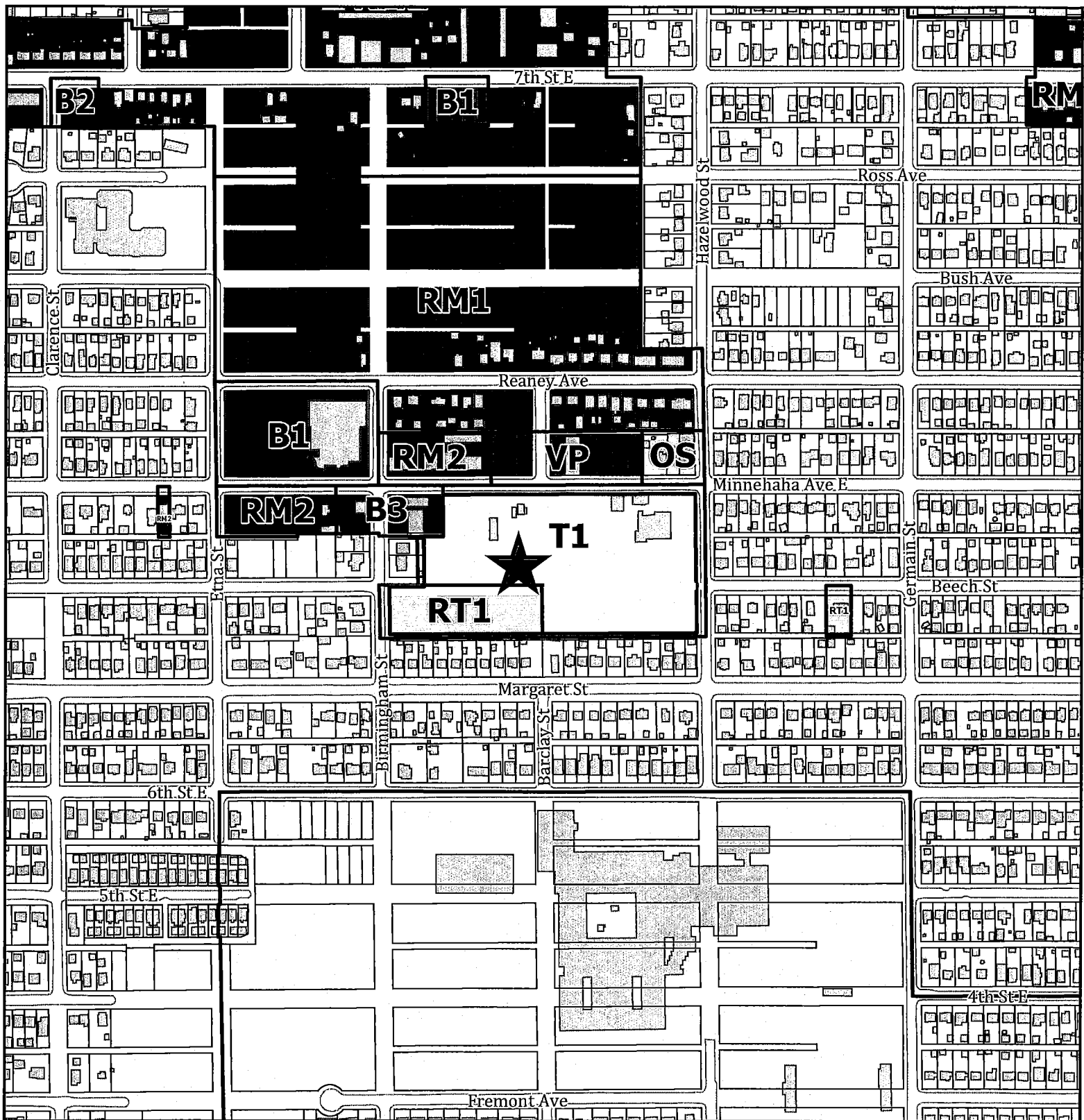
ZONING PANEL: 12

#### Land Use

-  Single Family Detached
-  Single Family Attached
-  Multifamily
-  Retail and Other Commercial
-  Industrial and Utility
-  Institutional
-  Undeveloped

-  Subject Parcels
-  Section Lines





FILE NAME: 1477-1485 Minnehaha Ave E

APPLICATION TYPE: Rezone

FILE #: 17-083216 DATE: 10/5/2017

PLANNING DISTRICT: 2

ZONING PANEL: 12

#### Land Use

- Subject Parcels
- R3 One-Family
- R4 One-Family
- RT1 Two-Family
- RM1 Multiple-Family
- RM2 Multiple-Family
- OS Office-Service
- B1 Local Business
- B2 Community Business

- B3 General Business
- IT Transitional Industrial
- VP Vehicular Parking