

ZONING COMMITTEE STAFF REPORT

FILE NAME: 869 Arkwright Rezoning

FILE #: 23-004-582

APPLICANT: William Janicke

HEARING DATE: February 9, 2023

TYPE OF APPLICATION: Rezoning

LOCATION: 869 Arkwright Street, NW corner at Cayuga

PIN & LEGAL DESCRIPTION: 29.29.22.32.0142; Lots 13 - 14, Block 8, Edmund Rice's Fourth Addition

PLANNING DISTRICT: 5

EXISTING ZONING: RT1

ZONING CODE REFERENCE: § 61.801(b)

STAFF REPORT DATE: February 2, 2023

BY: Bill Dermody

DATE RECEIVED: January 11, 2023

60-DAY DEADLINE FOR ACTION: March 11, 2023

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- A. **PURPOSE:** Rezone from RT1 two-family residential to RT2 townhouse residential.
 - B. **PARCEL SIZE:** 8,520 square feet
 - C. **EXISTING LAND USE:** Duplex residential
 - D. **SURROUNDING LAND USE:** Single-family residential to the north and east (RT1), multifamily residential to the west (RT1), and office/undeveloped to the south (I1)
 - 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 RT1 two-family residential since 1975.
 - 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 from RT1 two-family residential to RT2 townhouse residential.
 2. The proposed zoning is consistent with the way this area has developed. The RT2 zoning would be consistent with the adjacent mix of uses and densities, especially on a larger corner lot.
 3. The proposed zoning is consistent with the Comprehensive Plan. The Comprehensive Plan's 2040 land use designation for the site is Urban Neighborhood, which calls for medium-density housing such as permitted in the RT2 district. Intensification of this site within ½ mile of a planned Purple Line bus rapid transit station is supported by Comprehensive Plan Policy LU-1: "Encourage transit-supportive density and direct the majority of growth to areas with the highest existing or planned transit capacity"
 4. The proposed zoning is compatible with the surrounding mix of office, multifamily, and other residential 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 RT2 zoning does not represent spot zoning. Rather, it is compatible and consistent with surrounding multifamily, office, and single-family residential uses.
 - I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from RT1 two-family residential to RT2 townhouse residential at 869 Arkwright 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 # _____
Fee Paid \$ 1260.00
Received By / Date _____
Tentative Hearing Date _____

PD=5

APPLICANT

Property Owner(s) William JANICKE
Address 869 ARKWRIGHT ST City SAINT PAUL State MN Zip 55130
Email Will.Janicke@gmail.com Phone 605-931-0148
Contact Person (if different) _____ Email _____
Address _____ City _____ State _____ Zip _____
(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 869 ARKWRIGHT ST, SAINT PAUL
PIN(s) & Legal Description 292922320142
(Attach additional sheet if necessary.)
EDMUND RICE FOURTH ADDITION LOTS 13 & 14 BK 18
Lot Area 8520 FT² Current Zoning RT 1

TO THE HONORABLE MAYOR AND CITY COUNCIL:

Pursuant to Saint Paul Zoning Code § 61.801 and Minnesota Statutes § 462.357, William JANICKE

owner(s) of land proposed for rezoning, hereby petition(s) to rezone the above described property from a
RT1 zoning district to a RT2 zoning district, for the purpose of:

Attach additional sheets if necessary. Attachments as required: ☐ Site Plan ☐ Consent Petition ☐ Affidavit

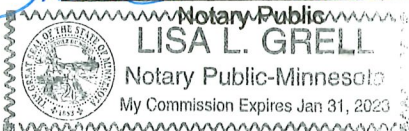
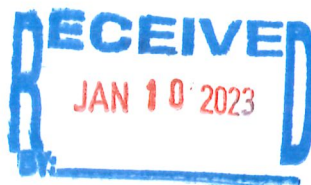
☐ If you are a religious institution you may have certain rights under RLUIPA. Please check this box if you identify as a religious institution.

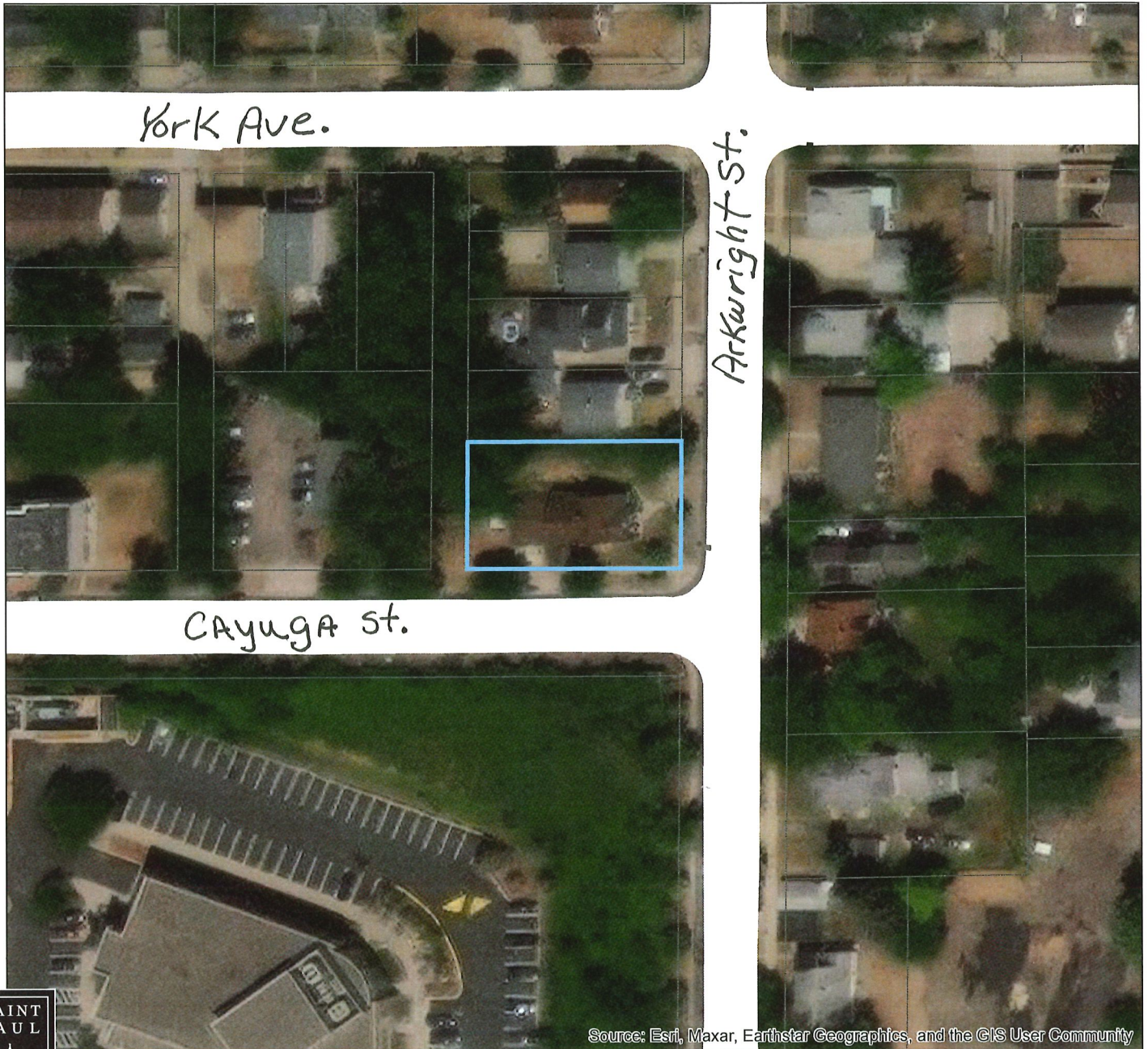
Subscribed and sworn to before me

Date JAN. 6TH 2023

By: William JANICKE
Fee owner of property

Title: _____





Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



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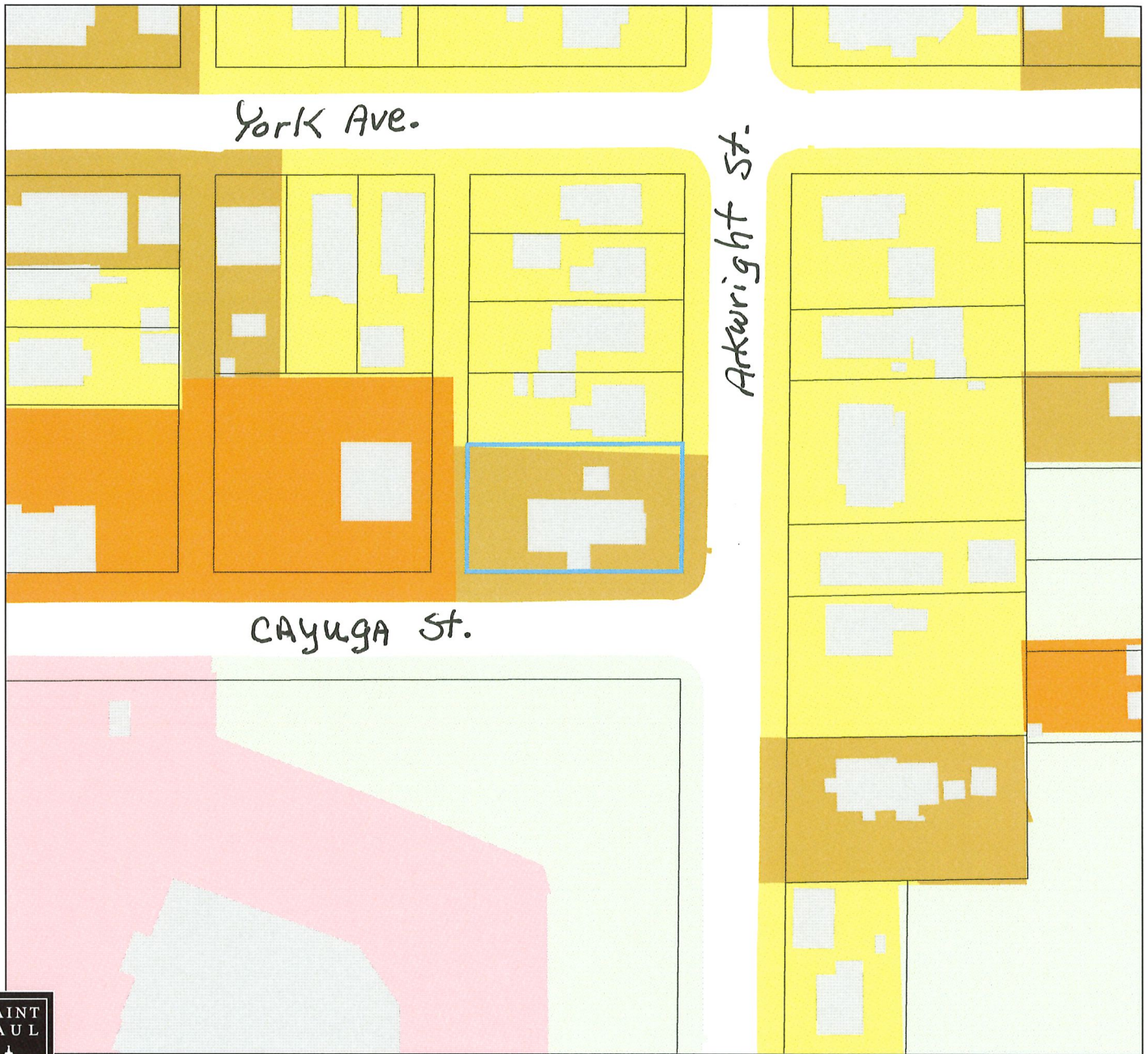


File #23-004-582 Aerial Map Application of William Janicke

Application Type: Rezone
Application Date: January 10, 2023
Planning District: 5

Subject Parcel(s) Outlined in Blue

-  Subject Parcel(s)
-  ParcelPoly



File #23-004-582 Existing Land Use Application of William Janicke

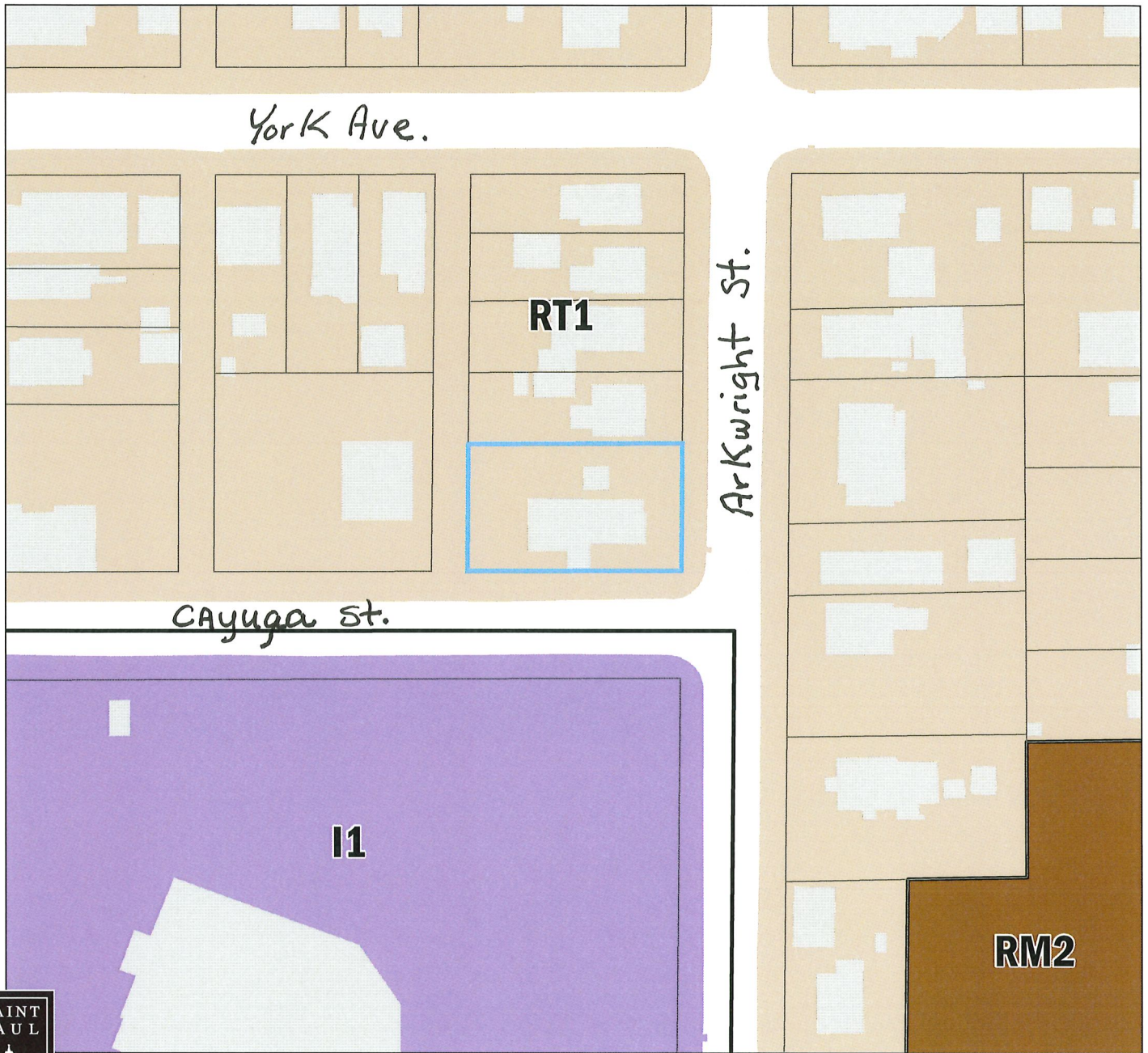
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Subject Parcel(s) Outlined in Blue

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



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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	