

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** August Ventures LLC **FILE #:** 14-342-289
 2. **APPLICANT:** August Ventures, LLC **HEARING DATE:** November 25, 2014
 3. **TYPE OF APPLICATION:** Rezoning - Consent
 4. **LOCATION:** 999 Hudson Road, between Cypress and Earl
 5. **PIN & LEGAL DESCRIPTION:** 33.29.22.31.0090-0091; Scotten's Subdivision Block 71, Lots 16 and 17, Lyman Dayton's Addition to St. Paul
 6. **PLANNING DISTRICT:** 4 **EXISTING ZONING:** RT1
 7. **ZONING CODE REFERENCE:** §66.421; §61.801(b)
 8. **STAFF REPORT DATE:** November 12, 2014 **BY:** Jake Reilly
 9. **DATE RECEIVED:** October 30, 2014 **60-DAY DEADLINE FOR ACTION:** December 29, 2014
-
-

- A. **PURPOSE:** Rezone from RT1 Two-Family to B1 Local Business.
- B. **PARCEL SIZE:** Two lots of approximately 80 ft (Hudson) by 125 ft, totaling approximately 11,000 square feet
- C. **EXISTING LAND USE:** Mixed commercial/residential
- D. **SURROUNDING LAND USE:** The property has RT1-zoned one- and two-family homes on three sides and is along Interstate Highway 94 right of way. There is a node of B2 (community business) four lots to the east.
- E. **ZONING CODE CITATION:** §66.421 establishes the list of uses permitted in Business districts; §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** The property has a commercial building on it which has been used as a self-serve laundry for more than 30 years. There is at least one dwelling unit on the upper level. It is a legal non-conforming use.
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 4 had not provided a recommendation at the time this staff report was prepared.
- H. **FINDINGS:**
 1. The applicant wishes to rezone the property from RT-1 two-family residential to B1 Local Business in order to make the use and structure a conforming use in B1 for use as a self-serve laundry and apartment unit.
 2. The proposed zoning is consistent with the way this area has developed along Hudson Road. The business is immediately adjacent to other land zoned for commercial uses.
 3. The proposed zoning is consistent with the Comprehensive Plan. These lots are proximate to the proposed Earl Street Station for the proposed Gateway Corridor rapid transit line which may run along Hudson Road. The District 4 Plan Summary (2009) calls for the reuse, rather than demolition, of existing commercial buildings (Strategy C3) as well as foster neighborhood-scale commercial (Strategy C8.2).
 4. The proposed zoning is compatible with the zoning on the east half of the block face, which is B2 Community Business. The intent of B1 Local Business zoning is to provide uses that are necessary to satisfy the basic convenience needs of residents, like that of a self-service laundry facility.

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.”* This is not a case of spot zoning.
 6. The petition for rezoning was found to be sufficient on October 30, 2014: 11 parcels eligible; 8 parcels required; 10 parcels signed.
- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the application of August Ventures LLC for rezoning 999-1003 Hudson Road from RT1 Two-Family to B1 Local Business.



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 #: 14-342289
 Fee: 1200
 Tentative Hearing Date:
11-25-14

PD= 4

332922310090
 332922310091

APPLICANT

Property Owner JOSEPH SULLIVAN
 Address 5021 VERNON AVE, SUITE 202
 City EDINA St. MN Zip 55436 Daytime Phone 612-719-9999
 Name of Owner (if different) _____
 Contact Person (if different) BOB KESSLER Phone 651-501-7815

PROPERTY LOCATION

Address/Location 999 AND 1003 HUDSON ROAD
 Legal Description SCOTTEN'S SUBDIVISION, BLOCK 71, LYMAN DAYTON'S ADDITIONAL TO ST. PAUL, LOTS 16 AND 17, BLOCK 91
 Current Zoning RT-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,

JOSEPH SULLIVAN, owner of land proposed for rezoning, hereby petitions you to rezone the above described property from a RT-1 zoning district to a B-1 zoning

district, for the purpose of: RENOVATING THE CURRENT LAUNDROMAT AND DWELLING UNIT UPSTAIRS. THE PROPERTY HAS BEEN USED AS A LAUNDROMAT FOR MORE THAN 30 YEARS; BUT IT IS CONSIDERED A NON-CONFORMING USE. REZONING TO THE PROPER B-1 CATEGORY IS NECESSARY TO OBTAIN FINANCINGS FOR THE COST OF THE RENOVATION. A DRAWING OF THE PROPOSED EXTERIOR RENOVATION IS ATTACHED.

(attach additional sheets if necessary)

Attachments as required: Site Plan Consent Petition Affidavit

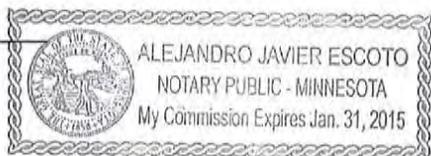
[Signature]
 By: _____
 Fee owner of property

Title: Chief mpr

Subscribed and sworn to before me

this 17th day
 of October, 2014

[Signature]
 Notary Public



pdd
 10-21-14



I'm trying for the same subtle green that is on the existing window frames upstairs.



HUDSON LAUNDRY
 999 HUDSON ROAD
 1/4" = 1'-0"

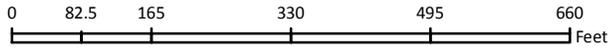
B'
 8-5-14

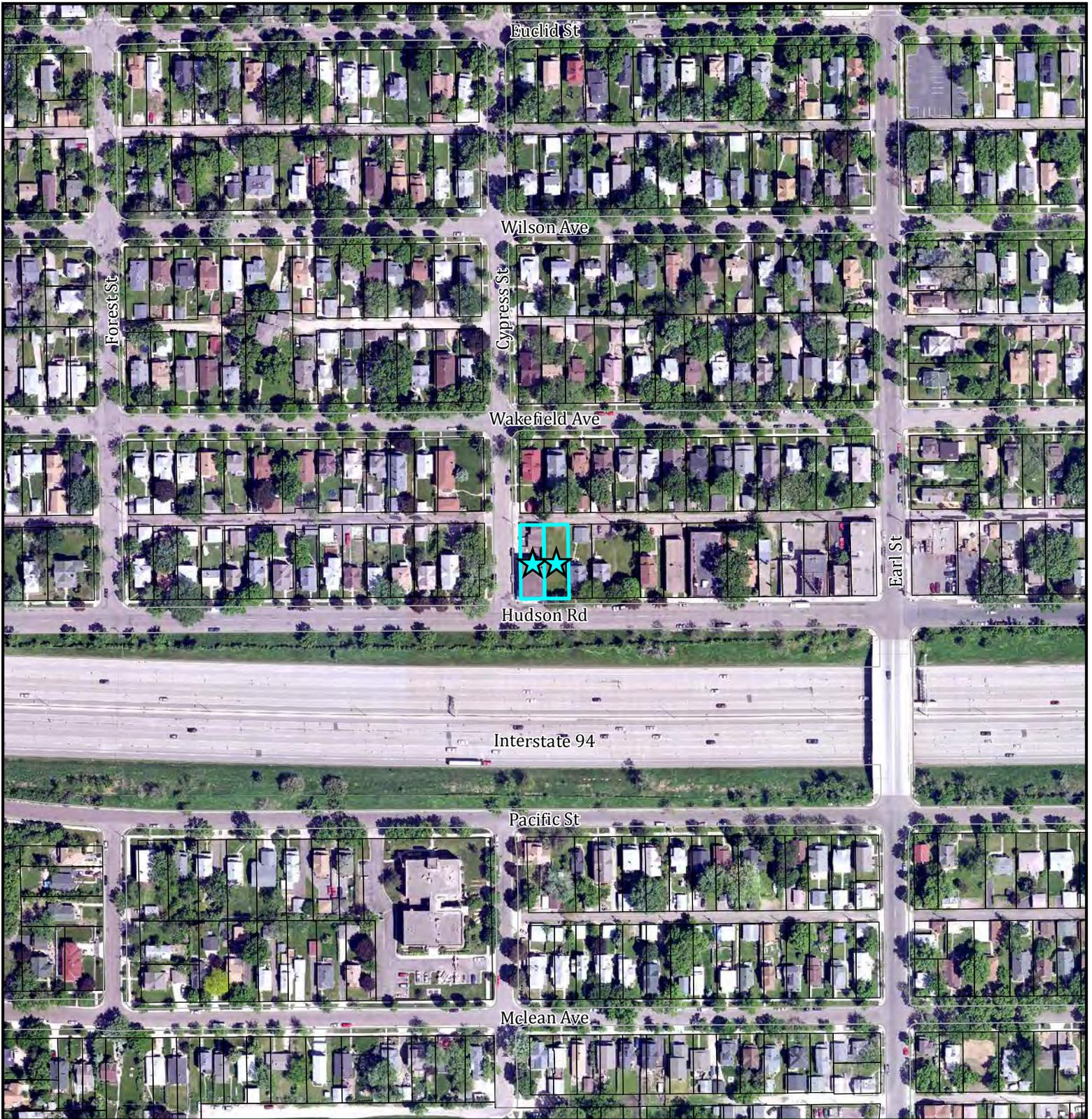


APPLICANT: Joseph Sullivan
 APPLICATION TYPE: Rezone
 FILE #: 14-342289 DATE: 10/30/2014
 PLANNING DISTRICT: 4
 ZONING PANEL: 17

Zoning

- R4 One-Family
- RT1 Two-Family
- RM2 Multiple-Family
- B2 Community Business
- VP Vehicular Parking
- Subject Parcels
- · Section Lines





APPLICANT: Joseph Sullivan

APPLICATION TYPE: Rezone

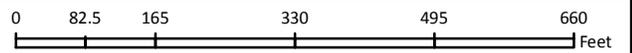
FILE #: 14-342289 DATE: 10/30/2014

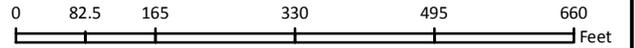
PLANNING DISTRICT: 4

ZONING PANEL: 17

Aerial

 Subject Parcels





APPLICANT: Joseph Sullivan
 APPLICATION TYPE: Rezone
 FILE #: 14-342289 DATE: 10/30/2014
 PLANNING DISTRICT: 4
 ZONING PANEL: 17

Land Use

- Single Family Detached
- Single Family Attached
- Multifamily
- Retail and Other Commercial
- Institutional
- Park, Recreational or Preserve
- Major Highway
- Undeveloped
- Subject Parcels
- Section Lines

