

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** East 7th and Bates Senior Apartments **FILE #:** 15-017-145
 2. **APPLICANT:** Housing and Redevelopment Authority **HEARING DATE:** April 2, 2015
 3. **TYPE OF APPLICATION:** Rezoning
 4. **LOCATION:** 720 7th St E, SE corner at Bates
 5. **PIN & LEGAL DESCRIPTION:** 322922130031; Proposed: Lots 1, 2, 3, 4 and 5, AUDITOR'S SUBDIVISION NO. 19, according to the recorded plat thereof, Ramsey County, Minnesota, except the northwesterly 14.00 feet thereof; and Lots 12, 13, 14 and 15, AUDITOR'S SUBDIVISION NO. 72, according to the recorded plat thereof, Ramsey County, Minnesota, and part of Lots 10 and 11, said AUDITOR'S SUBDIVISION NO. 72, lying southwesterly of a line described as commencing at the most northerly earner of Lot 5, said AUDITOR'S SUBDIVISION NO. 72; thence South 55 degrees 32 minutes 00 seconds West, along the northwesterly line of said AUDITOR'S SUBDIVISION NO. 72, a distance of 195.00 feet to the point of beginning of the line to be described; thence South 34 degrees 28 minutes 00 seconds East 210.40 feet to the southeasterly line of said Lot 11 and said line there terminating. Except the southeasterly 13.00 feet of the southwesterly 71.00 feet of Lot 15, AUDITOR'S SUBDIVISION NO. 72, according to the recorded plat thereof, Ramsey County, Minnesota. Parcel D: The southeasterly 13 ft of the southwesterly 71 ft of Lot 15 Auditor's Subdivision No. 72
 6. **PLANNING DISTRICT:** 4 **EXISTING ZONING:** T2
 7. **ZONING CODE REFERENCE:** §61.801(b)
 8. **STAFF REPORT DATE:** March 25, 2015 **BY:** Jake Reilly
 9. **DATE RECEIVED:** March 11, 2015 **60-DAY DEADLINE FOR ACTION:** May 10, 2015
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- A. **PURPOSE:** Rezone a 92.3-square foot area being split off from the main property at 720 e. 7th Street from T2 Traditional Neighborhood to RT1 Two-family Residential to match the parcel to which it will be attached.
- B. **PARCEL SIZE:** The full existing parcel is 69,246 square feet (1.59 acres). The portion to be split off and rezoned is 923 square feet (0.022 acres)
- C. **EXISTING LAND USE:** Vacant
- D. **SURROUNDING LAND USE:** Residential (RT1) to the south along 6th St E, southeast along Bates Avenue, commercial (T2) along 7th St. E to the northeast, and institutional (B2) to the southwest.
- E. **ZONING CODE CITATION:** §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** The previous owner of the parcel was Hospital Linen Service. The site has been vacant since at least 2006. Dominion is developing a 113-unit affordable senior rental apartment complex on the main part of the existing parcel along East 7th Street. An adjustment of common boundary is pending approval for the subject area being split off from 720 E. 7th Street to be attached to the adjoining residential property at 400 Bates Avenue.
- G. **DISTRICT COUNCIL RECOMMENDATION:** As of the date of this staff report, Dayton's Bluff District 4 Community Council has not commented.

H. FINDINGS:

1. The applicant requests rezoning from T2 Traditional Neighborhood to RT1 Two Family Residential to match the zoning of 400 Bates Avenue to which the rezoned area will be attached.
2. The proposed zoning is consistent with the way this area has developed. Adjacent properties along Bates Avenue are zoned RT1.
3. The proposed zoning is consistent with the Comprehensive Plan, which designates the area along 6th St. as an Established Neighborhood. Land Use Strategy 1.5 calls for the City to maintain the character of Established Neighborhoods.
4. The proposed zoning is compatible with the surrounding residential and institutional 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 RT1 zoning is not "spot zoning" because the RT1 uses are consistent with the adjacent residential zoning designations and uses.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval to rezone the 92.3-square-foot area being split off from the parcel from T2 Traditional Neighborhood to RT1 Two-family Residential to match the parcel to which it will be attached.

Change to Developer's Deposit Account

5-210099999-20130

\$1200



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 #: 15-017145
Fee: 1200.00
Tentative Hearing Date: 4-2-15

APPLICANT

Property Owner: Housing and Redevelopment Authority of the City of Saint Paul
Address: 25 Fourth Street Saint Paul, MN 55102
City: Saint Paul St. MN Zip: 55102 Daytime Phone: 651-266-6585
Contact Person (if different): Eduardo Barrera Phone: 651-266-6585

PROPERTY LOCATION

Address/Location: 720 East 7th Street Saint Paul, MN 55106
Legal Description: The southeasterly 13.00 feet of the southwesterly 71.00 feet of Lot 15, AUDITOR'S SUBDIVISION No. 72, according to the recorded plat thereof, Ramsey County, Minnesota.
Current Zoning: T2
(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;
HRA of the City of Saint Paul, owner of land proposed for rezoning, hereby petitions you to
rezone the above described property from a T2 zoning district to a RT1 zoning
district, for the purpose of: Conveying this portion of property to the neighboring parcels on 406 Bates Avenue.

RECEIVED
MAR - 6 2015
BY: _____

(attach additional sheets if necessary) See attached Survey

Attachments as required: Site Plan Consent Petition Affidavit

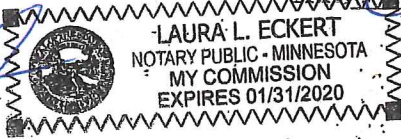
Subscribed and sworn to before me

this 6th day

of March, 2015

Laura L. Eckert
Notary Public

By: [Signature] pg
Title: Executive Director





FILE NAME: East 7th and Bates Senior Apartments

APPLICATION TYPE: Rezone

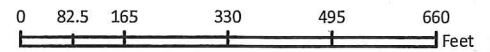
FILE #: 15-017145 DATE: 3/27/2015

PLANNING DISTRICT: 4

ZONING PANEL: 11

Portion of parcel to be split off and rezoned





FILE NAME: East 7th and Bates Senior Apartments **Aerial**

Aerial

APPLICATION TYPE: Rezone

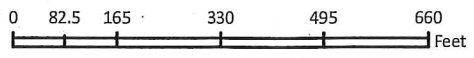
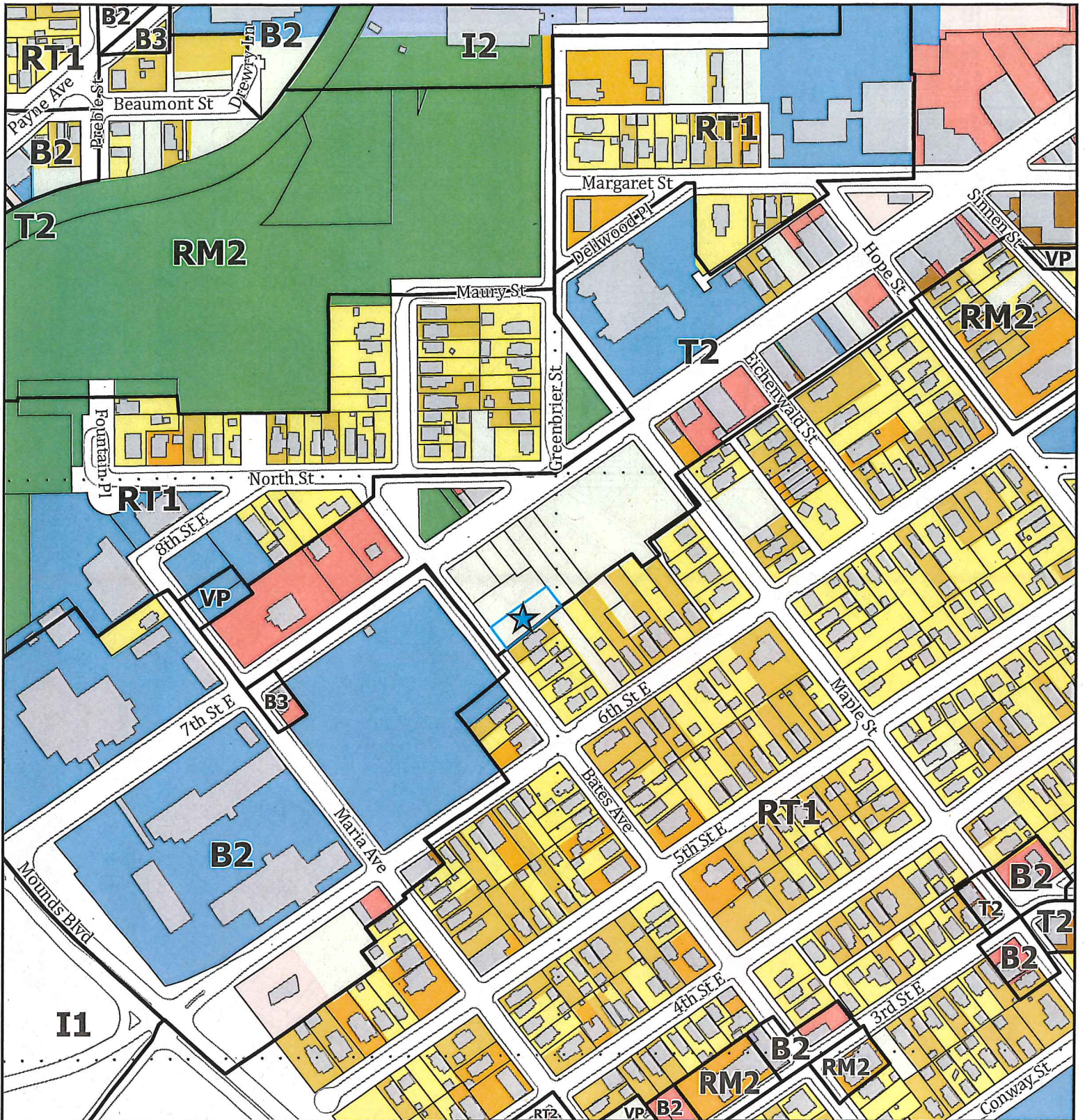
 Subject Parcel

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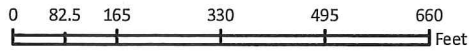
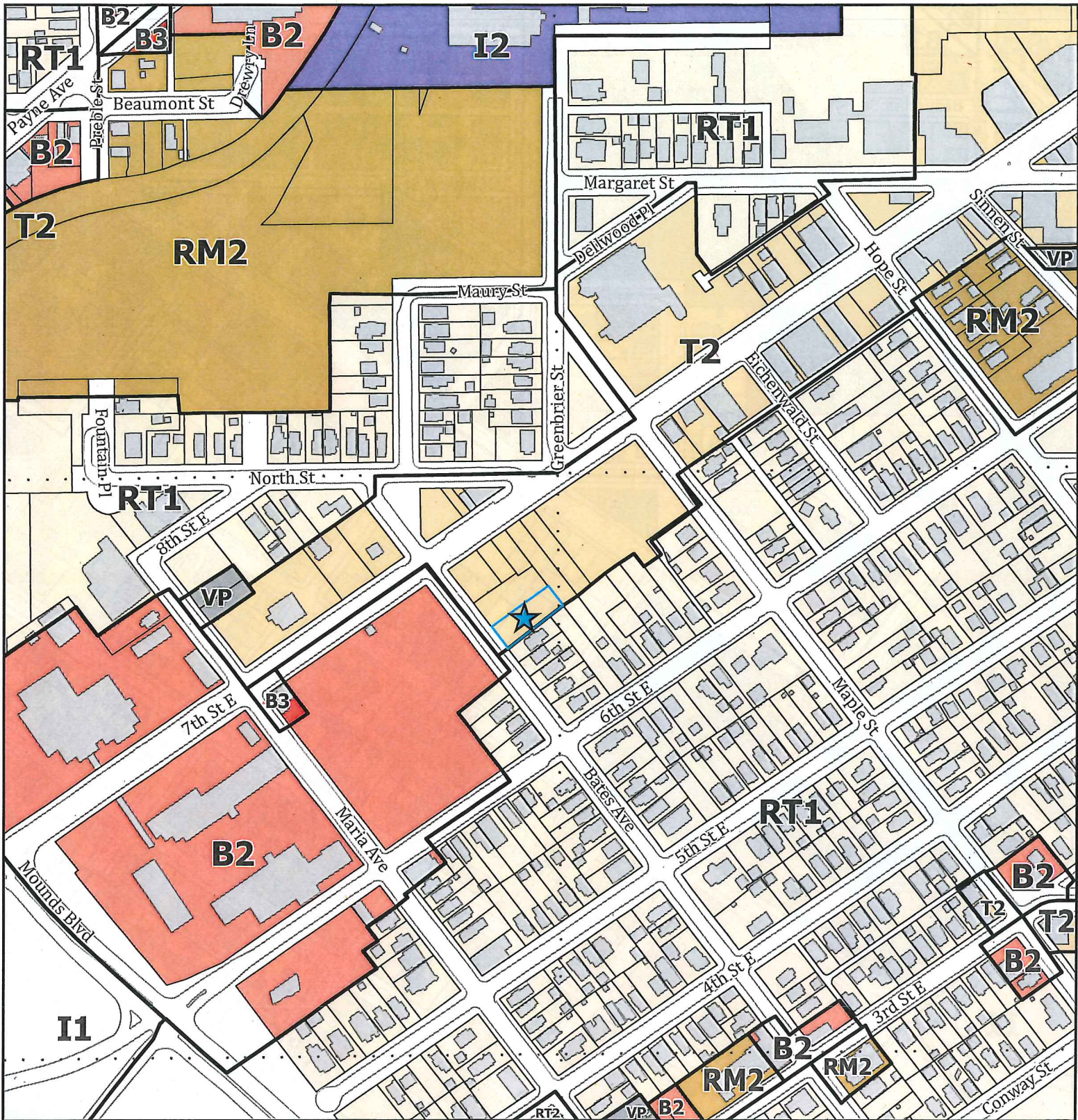
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- Land Use**
- Subject Parcel
 - Section Lines
 - Single Family Detached
 - Single Family Attached
 - Multifamily
 - Office
 - Retail and Other Commercial
 - Mixed Use Residential
 - Industrial and Utility
 - Institutional
 - Park, Recreational or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





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APPLICATION TYPE: Rezone

FILE #: 15-017145 DATE: 3/27/2015

PLANNING DISTRICT: 4

ZONING PANEL: 11

Zoning

Subject Parcel

Section Lines

RT1 Two-Family

RT2 Townhouse

RM2 Multiple-Family

T2 Traditional Neighborhood

B2 Community Business

B3 General Business

I1 Light Industrial

I2 General Industrial

VP Vehicular Parking

