

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Victoria Park II **FILE #:** 11-238-977
 2. **APPLICANT:** Saint Paul Housing & Redevelopment Authority **HEARING DATE:** June 30, 2011
 3. **TYPE OF APPLICATION:** Rezoning
 4. **LOCATION:** 852 Hathaway Street; area bounded by 35E, Shepard Rd, Otto, and Adrian St.
 5. **PIN & LEGAL DESCRIPTION:** 142823120011; Section 14 Town 28 Range 23 Ex C M St P & P Rr 100 Ft R/w, The Fol; Lots 1 Thru 5 & Lots 7 & 8 Blk 2 J N Rogers' 2nd Add & Beg On L 500 Ft Swly & Par To Swly L Riverside Add No.2 At Low Water L Miss Riv Th Nwly On Sd Par L To Pt Int With N L Of S 600 Ft O
 6. **PLANNING DISTRICT:** 9 **EXISTING ZONING:** I3
 7. **ZONING CODE REFERENCE:** §61.801(b)
 8. **STAFF REPORT DATE:** June 20, 2011 **BY:** Lucy Thompson
 9. **DATE RECEIVED:** June 9, 2011 **60-DAY DEADLINE FOR ACTION:** August 8, 2011
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- A. **PURPOSE:** Rezoning from I3 Restricted Industrial to T3M Traditional Neighborhood (Master Plan), T3 Traditional Neighborhood and I1 Light Industrial
- B. **PARCEL SIZE:** 2,337,619 (53.6 acres)
- C. **EXISTING LAND USE:** Vacant
- D. **SURROUNDING LAND USE:**
 - North: Commercial (Mississippi Market)
 - East: Multi-family residential and graduated care facility (Sholom)
 - South: Mississippi River
 - West: Crosby Lake Business Center (office/industrial park)
- E. **ZONING CODE CITATION:** §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** The *Victoria Park Master Plan* was first adopted in April 2005, concurrent with rezoning of approximately half of the urban village to T3M.
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 9 has not taken a position on the rezoning as of the date of this staff report.
- H. **FINDINGS:**
 1. The Saint Paul Housing and Redevelopment Authority is requesting the rezoning of five (5) parcels to complete T3M zoning for the Victoria Park Urban Village (covered by the *Victoria Park Master Plan*) and to connect the new park in the Victoria Park Urban Village to the Mississippi River. The subject parcels include two parcels owned by the Saint Paul Housing and Redevelopment Authority, one parcel owned by Texaco but in the process of being purchased by the City, and two parcels owned by the Soo Line Railroad. One of the railroad parcels (PIN #142823120027) will be split-zoned between T3M and I1, so that it is zoned the same as adjacent land.
 2. The proposed zoning is consistent with the way this area has developed. T3M zoning is consistent with development that has occurred to-date in the Victoria Park Urban Village, which is predominantly medium-density residential with some commercial (and zoned T3M). T3M is the appropriate zone for the proposed park. The T3 parcel will be used for park purposes consistent with the remainder of the future park (zoned T3M), and the I1 parcel will allow the railroad right-of-way to have the same zoning classification as the adjacent industrial land.

3. The proposed zoning is consistent with the Comprehensive Plan. The Parks and Recreation chapter contains the following relevant strategies:
 - 2.2 Ensure attractive, functional and engaging four-season public spaces.
 - 2.4 Design parks and facilities for appropriate community gathering or festival opportunities based on park location, size and function.
 - 4.4 Provide activities and programming for alternative, emerging recreation trends, particularly those that meet the recreational needs of youth.

The Land Use chapter contains the following relevant strategies (Victoria Park is identified as a proposed Neighborhood Center, and W. 7th is identified as a Mixed-Use Corridor):

- 1.2 Permit high-density residential development in Neighborhood Centers, Mixed-Use Corridors, the Central Corridor and Downtown.
 - 1.14 Plan for growth in Neighborhood Centers.
 - 1.17 Promote a place, amenity or activity that serves as a community focus and emphasizes the special identity of individual Neighborhood Centers.
 - 1.23 Guide development along Mixed-Use Corridors.
 - 1.24 Support a mix of uses on Mixed-Use Corridors.
4. The proposed zoning is compatible with the remainder of the zoning in the Victoria Park Urban Village, as well as with the zoning along W. 7th Street. From the time the *Victoria Park Master Plan* was adopted in 2005, concurrent with rezoning approximately half of the urban village to T3M, it has always been the intent of the community, Planning Commission and City Council to rezone the other (approximately) half of the urban village to T3M.
 5. The T3 zone has a minimum FAR requirement of .5. PED staff and the Zoning Administrator agree that it was never the intention of the Zoning Code to require parks in any TN zone to comply with the minimum FAR requirement. A minor text amendment will be forwarded to the Planning Commission and City Council subsequent to this rezoning application to exempt public parks from the FAR requirement in all TN zones. In the meantime, and for the purposes of this rezoning and future development of the park in the urban village, the Zoning Administrator has determined that it is reasonable to interpret the code as it was intended, not to require parks in TN zones to meet the minimum FAR requirement.
- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from I3 Restricted Industrial to T3M Traditional Neighborhood (Master Plan), T3 Traditional Neighborhood and I1 Light Industrial.

RECEIVED

JUN 09 2011



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

Per _____

Zoning office use only

File # 11-238977

Fee: _____

Tentative Hearing Date:

6-30-11

APPLICANT

Property Owner Saint Paul Housing Redevelopment Authority
Address 25 W. 4th Street
City Saint Paul St. MN Zip 55102 Daytime Phone 651.266.6578
Contact Person (if different) Lucy Thompson Phone _____

PROPERTY LOCATION

Address / Location W. 7th/10th - Victoria Park Urban Village
Legal Description see attached for PINS
Current Zoning I3
(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,

Saint Paul HRA, owner of land proposed for rezoning, hereby petitions you to
rezone the above described property from an I3 restricted Industrial zoning district to a T3M (Traditional Neigh. with Master Plan), T3 and I1 Light Industrial
zoning district, for the purpose of:

see attachments.

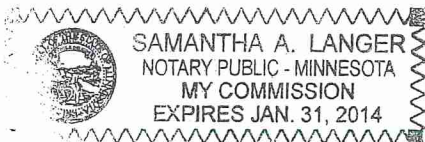
(attach additional sheets if necessary)

Attachments as required: Site Plan Consent Petition Affidavit

Subscribed and sworn to before me
this 9th day
of June, 20 11.

By: Lucy Thompson for HRA
Fee Owner of Property
Title: _____

Samantha Langer
Notary Public



ATTACHMENT TO VICTORIA PARK REZONING APPLICATION

BACKGROUND

The *Victoria Park Master Plan* was first adopted by the Saint Paul City Council in April 2005 (later amended in April 2007), along with rezoning of approximately half of the Victoria Park Urban Village to T3M. The *Victoria Park Master Plan* lays out a vision of a pedestrian-friendly, transit-oriented community that provides a range of housing choices and prices; a new neighborhood park; a system of connected neighborhood streets for bicycles, pedestrians and cars; and an improved connection to the Mississippi River. While rezoning the other half of the urban village was postponed pending resolution of a lawsuit with the then-owner, Exxon Mobil, the Master Plan as adopted included the entire urban village. The lawsuit was settled in 2009, and restricts future use of the formerly-Exxon land to park purposes only.

REZONING APPLICATION

The purpose of the rezoning application is to complete T3M zoning for the area covered in the *Victoria Park Master Plan* (the Victoria Park Urban Village), and to rezone an additional parcel to T3 that will connect the new park in the Victoria Park Urban Village to the Mississippi River. The subject parcels include two parcels owned by the Saint Paul Housing and Redevelopment Authority, a parcel owned by Texaco but in the process of being purchased by the City, and two parcels owned by the railroads. One of the railroad parcels (PIN #142823120027) will be split-zoned between T3M and I1, since some of the land adjacent to the right-of-way will continue to be zoned I1. The attached chart and maps show the parcels being recommended for rezoning.

In considering rezoning the future park to T3M, PED staff realized that this would require it to meet a minimum FAR requirement of .05. It was agreed by both PED staff and the Zoning Administrator that it was never the intention of the Zoning Code to require parks in any TN zone to comply with the minimum FAR requirement. Staff will proceed with a minor text amendment, subsequent to this rezoning application, to exempt public parks from the FAR requirement in all TN zones. In the meantime, and for the purposes of this rezoning and future development of the park in the urban village, the Zoning Administrator has determined that it is reasonable to interpret the code as it was intended, not to require parks in TN zones to meet the minimum FAR requirement.

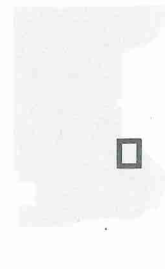
MAJOR MODIFICATIONS TO VICTORIA PARK MASTER PLAN

In addition to the proposed rezoning, significant changes to the *Victoria Park Master Plan* are required to implement the settlement agreement between Exxon Mobil and the City and accommodate future development of a charter school. As noted above, the settlement agreement restricts future use of almost half of the urban village to park. The *Master Plan*, however, shows it being used for a range of housing types and a smaller central green. In addition, Nova Academy, a charter school currently located on two campuses in Saint Paul, is planning to build a new school in the Victoria Park Urban Village, which necessitates modifications to the master plan regarding land use and street alignment. The change in land use is from residential to institutional. The change in street alignment is to close two street segments originally master planned but not built. The master plan modifications are being advanced at the same time as, but separately from, the rezoning application, as they require a Planning Commission public hearing, and recommendation and final adoption by City Council resolution (the rezoning requires City Council adoption by ordinance).

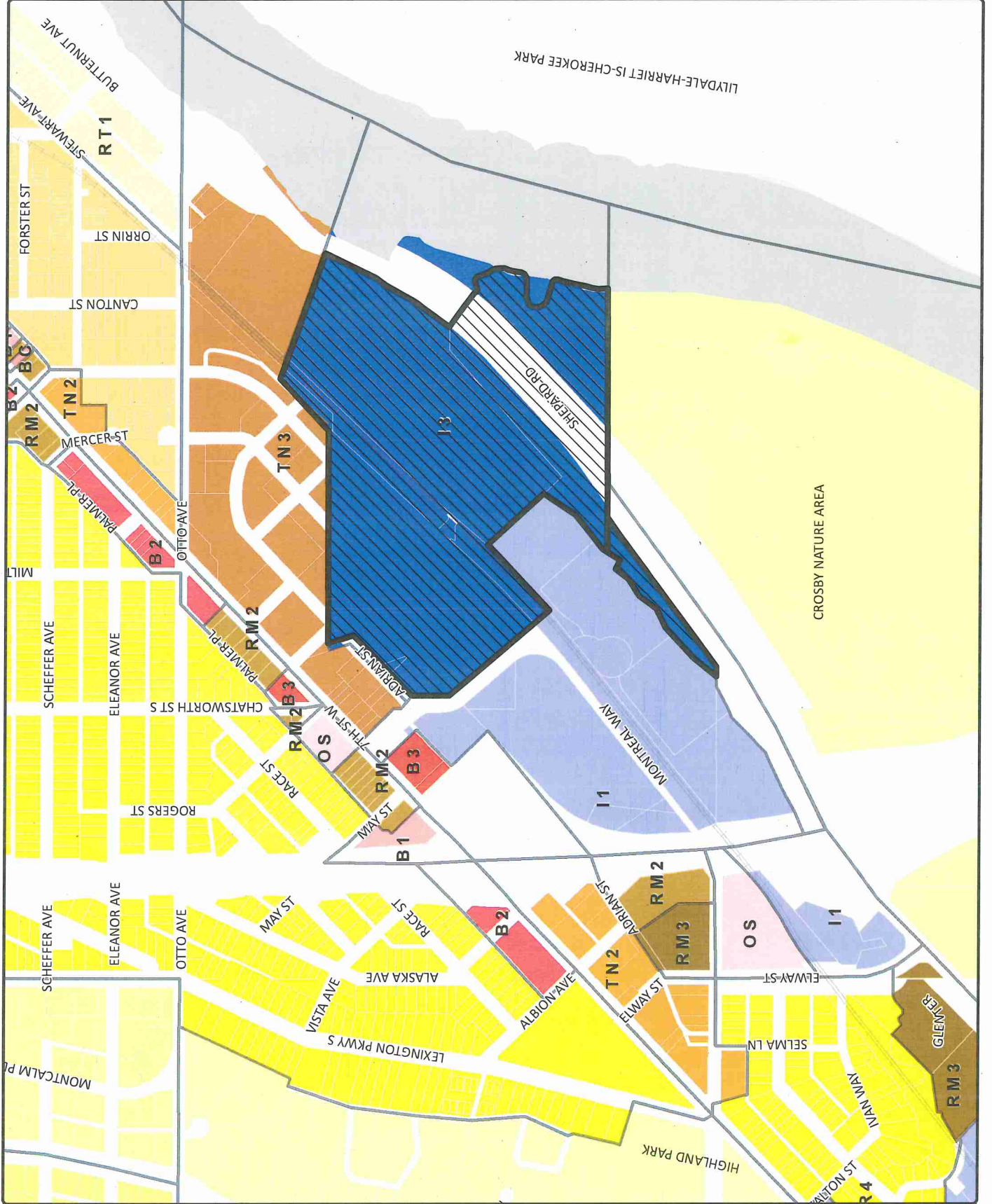
Victoria Park Current Zoning

SAINT PAUL ZONING DISTRICTS

- RL One-Family Large Lot
- R1 One-Family
- R2 One-Family
- R3 One-Family
- R4 One-Family
- RT1 Two-Family
- RT2 Townhouse
- RM1 Multiple-Family
- RM2 Multiple-Family
- RM3 Multiple-Family
- TN1 Traditional Neighborhood
- TN2 Traditional Neighborhood
- TN3 Traditional Neighborhood
- TN3M TN3 with Master Plan
- OS Office-Service
- B1 Local Business
- B2 Community Business (converted)
- B3 Community Business
- B4 General Business
- B5 Central Business
- IR Light Industrial Restricted
- I1 Light Industrial
- I2 General Industrial
- I3 Restricted Industrial
- VP Vehicular Parking
- PD Planned Development
- CA Capitol Area Jurisdiction
- Water
- Nova Academy Proposed Site

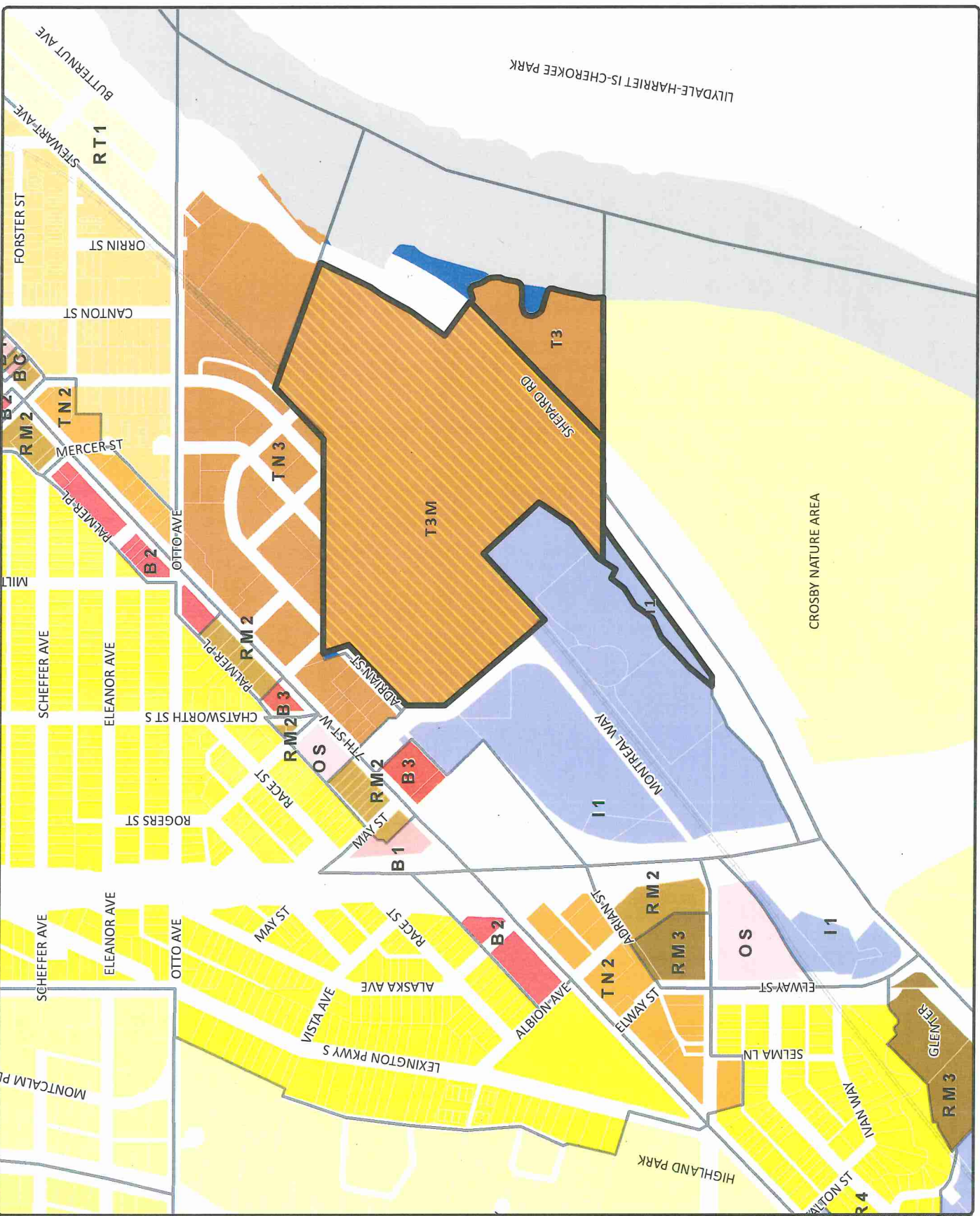


0 330 660 Feet



Victoria Park Proposed Zoning

- SAINT PAUL ZONING DISTRICTS**
- RL One-Family Large Lot
 - R1 One-Family
 - R2 One-Family
 - R3 One-Family
 - R4 One-Family
 - RT1 One-Family
 - RT1 Two-Family
 - RT2 Townhouse
 - RM1 Multiple-Family
 - RM2 Multiple-Family
 - RM3 Multiple-Family
 - TN1 Traditional Neighborhood
 - TN2 Traditional Neighborhood
 - TN3 Traditional Neighborhood
 - TN3M TN3 with Master Plan
 - OS Office-Service
 - B1 Local Business
 - BC Community Business (converted)
 - B2 Community Business
 - B3 General Business
 - B4 Central Business
 - B5 Central Business Service
 - IR Light Industrial Restricted
 - I1 Light Industrial
 - I2 General Industrial
 - I3 Restricted Industrial
 - VP Vehicular Parking
 - PD Planned Development
 - CA Capitol Area Jurisdiction
 - Water
- Proposed Zoning**
- I1
 - T3
 - T3M





THIS IS NOT A LEGAL DOCUMENT

City of Saint Paul, Public Works, Technical Services

45

5

55E

55E

5

VICTORIA ST

MERGER WAY

PERLMAN ST

THURSTON ST

ADAMS ST

ROGERS ST

BATES ST

WAYS ST

MIDDLETON AVE

MONTREAL WAY

MONTREAL C

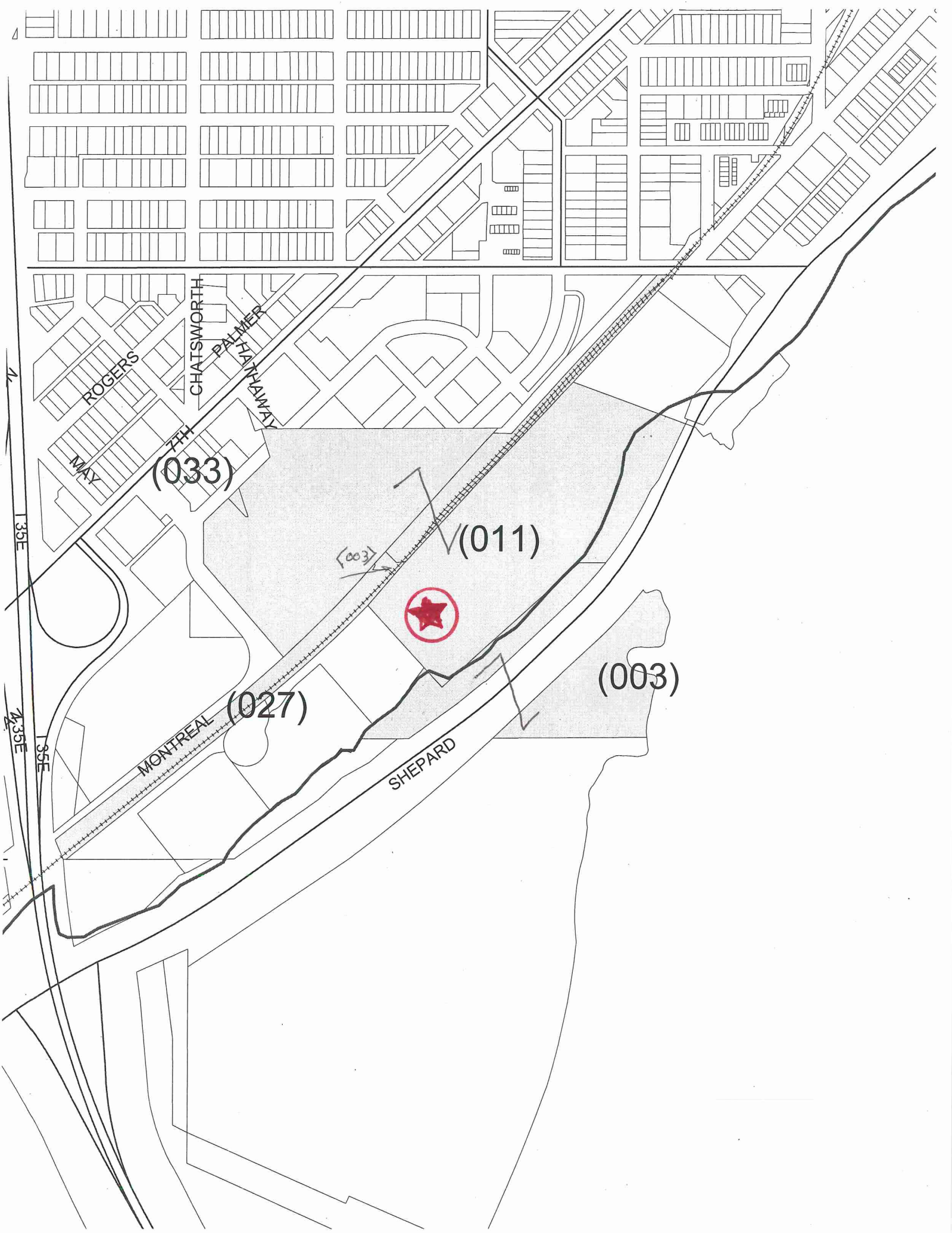
ALASKA AVE

ALBION AVE

MONTREAL AVE

ELWAY ST

SHEPPARD RD



(033)

(011)

(003)



(027)

(003)

135E

135E

ROGERS

CHATSWORTH

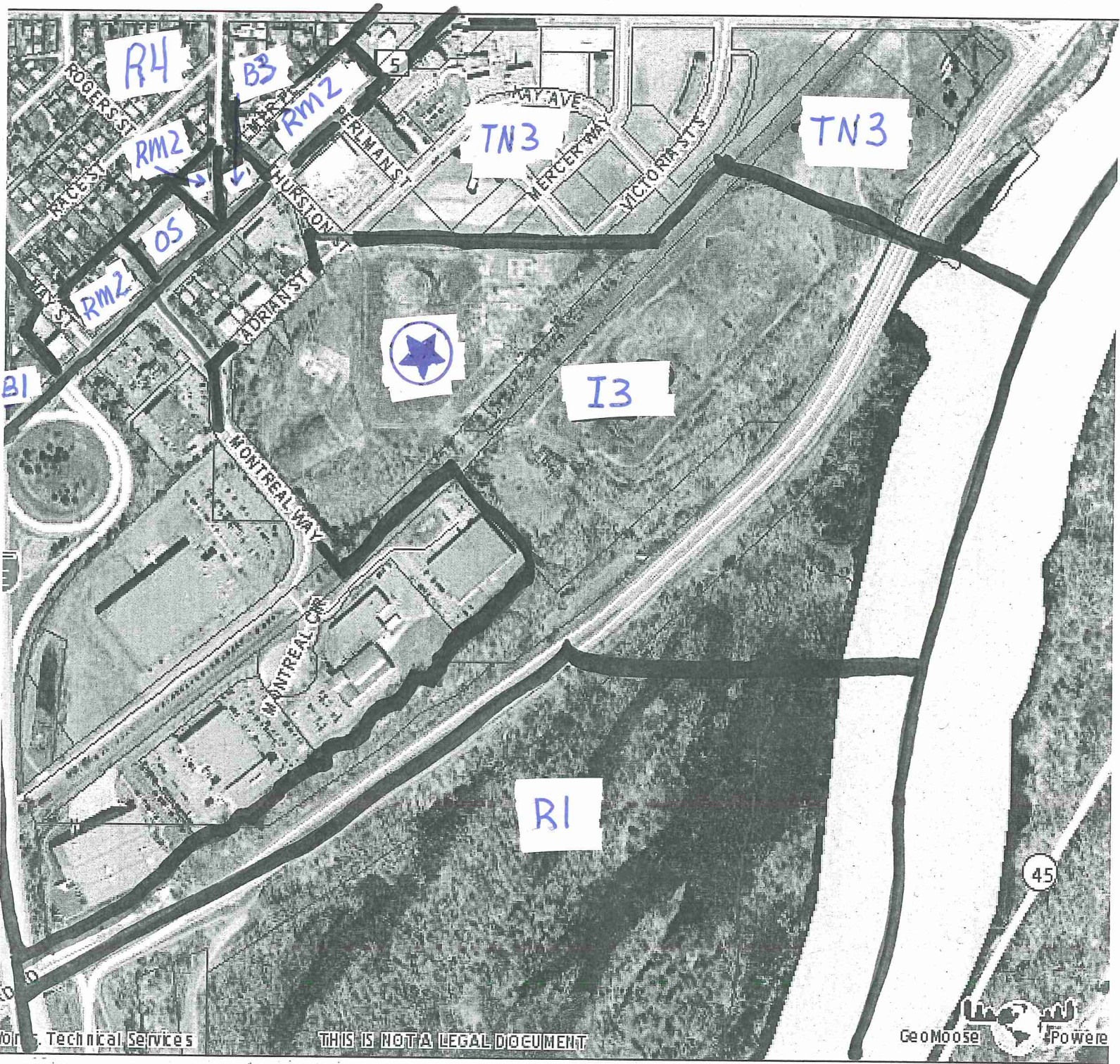
PALMER

HAYWAY

MAY

MONTREAL

SHEPARD



APPLICANT HRA et al
 PURPOSE REZ I3, → T3(m), T3, I1
 FILE # 11-238977 DATE 6-14-11
 PLNG. DIST. 9 MAP # 26+27

SCALE 1" = 400'



LEGEND

- zoning district boundary
- subject property
- one family
- two family
- multiple family
- commercial
- industrial
- vacant

