

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** 1219 St. Clair Rezoning **FILE #:** 21-242-472
 2. **APPLICANT:** Hovda Properties LLC **HEARING DATE:** March 25, 2021
 3. **TYPE OF APPLICATION:** Rezoning
 4. **LOCATION:** 1219 St Clair Ave, NE corner at Griggs Street
 5. **PIN & LEGAL DESCRIPTION:** 03-28-23-44-0119; Lots 14 and 15, Block 6, St. Clair St. & Short Line Addition
 6. **PLANNING DISTRICT:** 14 **EXISTING ZONING:** B1
 7. **ZONING CODE REFERENCE:** § 61.801(b)
 8. **STAFF REPORT DATE:** March 19, 2021 **BY:** Mike Richardson
 9. **DATE RECEIVED:** March 5, 2021 **60-DAY DEADLINE FOR ACTION:** May 2, 2021
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- A. **PURPOSE:** Rezone from B1 local business to T3 traditional neighborhood.
- B. **PARCEL SIZE:** 12,000 square feet
- C. **EXISTING LAND USE:** The site is currently vacant.
- D. **SURROUNDING LAND USE:** North: Single-family residential; East: Vacant, billboards; South: Vacant, billboards; West: Multiple-family residential.
- 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 had been used as an electrical substation since 1937 and the building was demolished in winter of 2018-2019. No significant zoning history identified.
- G. **PARKING:** Zoning Code § 63.207 requires minimum parking based on use. Any future change in use would need to meet applicable parking requirements.
- H. **DISTRICT COUNCIL RECOMMENDATION:** District 14 has not made a recommendation at the time of this report.
- I. **FINDINGS:**
 1. The applicant is under contract to purchase the subject parcel and requesting a rezoning from B1 local business to T3 traditional neighborhood in order to construct a mixed-use residential and commercial building.
 2. The proposed zoning is consistent with the way this area has developed. The Saint Clair Avenue corridor has a mix of residential densities and occasional commercial development occurring mostly at intersections. A change to T3 zoning would allow a similar mix to continue and would be consistent with the intent of the T3 traditional neighborhood district, which is to provide for “higher-density pedestrian- and transit-oriented mixed-use development. It is designed for development or redevelopment of land on sites large enough to support:
 - (a) A mix of uses, including residential, commercial, civic and open space uses in close proximity to one another;
 - (b) A mix of housing styles, types and sizes to accommodate households of varying sizes, ages and incomes;

(c) A system of interconnected streets and paths that offer multiple routes for motorists, pedestrians and bicyclists, and are connected to existing and future streets;

(d) A system of open space resources and amenities; and incorporation of environmental features into the design of the neighborhood.

The T3 district is also intended for smaller sites in an existing mixed-use neighborhood center where some of the above elements already exist, or in an area identified in the comprehensive plan as a potential "urban village" site. The above elements may be found within the T3 district or adjacent to it; the intent is that all would be present within a reasonable walking distance." The site is along bus route 70, a quarter mile from the 84 bus route, and just over a half-mile from the Snelling and Saint Clair Neighborhood Node. It is also less than a block from the newly-constructed Ayd Mill trail.

3. The proposed zoning is consistent with the Comprehensive Plan. The 2040 Comprehensive Plan designates the future land use of this parcel as Urban Neighborhood: "Urban Neighborhoods are primarily residential areas with a range of housing types. Single family homes and duplexes are most common, although multifamily housing predominates along arterial and collector streets, particularly those with transit." Saint Clair Avenue is designated as a collector street. The following policies apply:

Policy LU-1. Encourage transit-supportive density and direct the majority of growth to areas with the highest existing or planned transit capacity.

Policy LU-14. Reduce the amount of land devoted to off-street parking in order to use land more efficiently, accommodate increases in density on valuable urban land, and promote the use of transit and other non-car mobility modes.

Policy LU-34. Provide for medium-density housing that diversifies housing options, such as townhouses, courtyard apartments and smaller multi-family developments, compatible with the general scale of Urban Neighborhoods.

Policy LU-35. Provide for multi-family housing along arterial and collector streets, and in employment centers to facilitate walking and leverage the use of public transportation.

Macalester-Groveland (D14) Community Plan

Rezoning to the T3 zoning district is supported by the following policies:

H2.5 Support multi-unit mixed-use development in the following corridors: Snelling Avenue, Grand Avenue, St. Clair Avenue, and Randolph Avenue.

LU1.1 Maintain and/or establish zoning that encourages compact development along mixed-use corridors that incorporates a mix of uses (commercial, residential, office, intergenerational housing, etc.).

LU1.2 Maintain and/or establish zoning that encourages higher-density (taller) development at the intersection of mixed-use corridors and lower-density (shorter) development at mid-block of mixed-use corridors.

4. The proposed zoning is compatible with the surrounding uses. A multi-family or mixed-use building is generally compatible with the vacant parcels to the east and south. Both are currently used for billboards and there may some obstruction of the billboard on the east depending on the siting of the building. The applicant has been in communication with the property owner to the east to come to address the issue. The proposed zoning is compatible with the multi-family use to the west and the single family to the north. T3 district dimensional standards or the conditional use permit process would address

height compatibility with the R4 property to the north. Note (e) in Table 66.331 establishes a 25' height limit along side and rear property lines abutting RL-RT2 residential districts, with height increases allowed further from the setback line at a one-to-one ratio. In the event an applicant applied for a conditional use permit, the project would be evaluated based on the standards in § 61.501.

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.”* Rezoning to T3 would not be considered spot zoning because of the interspersed commercial at intersections along Saint Clair Avenue and the allowed residential density is similar to that allowed in the RM2 zoning district that abuts the parcel to the east and dominates this section of the Saint Clair corridor.
- J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from B1 local business to T3 traditional neighborhood at 1219 St Clair Avenue.



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 # 21-242-472
Fee Paid \$ _____
Received By / Date _____
Tentative Hearing Date _____

APPLICANT

Property Owner(s) Hovda Properties, LLC c/o David Hovda
Address 1746 Eleanor Ave. City St. Paul State MN Zip 55116
Email djhovda@comcast.net Phone 612-581-6956
Contact Person (if different) Brian D. Alton Email brian@mcclay-alton.com
Address 951 Grand Avenue City St. Paul State MN Zip 55105
(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 1219 St. Clair
PIN(s) & Legal Description PID 03-28-23-44-0119 Lots 14 and 15, Block 6, St. Clair St.
(Attach additional sheet if necessary.)
& Short Line Addition to the City of St. Paul Plat 2
Lot Area .28 acres Current Zoning B1

TO THE HONORABLE MAYOR AND CITY COUNCIL:

Pursuant to Saint Paul Zoning Code § 61.801 and Minnesota Statutes § 462.357, Hovda Properties, LLC
contract purchaser, with the consent of Northern States Power Company

owner(s) of land proposed for rezoning, hereby petition(s) to rezone the above described property from a
B1 zoning district to a T3 zoning district, for the purpose of:

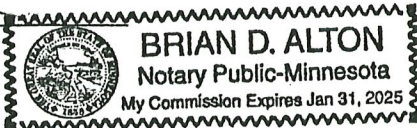
redevelopment of the former site of electrical power substation for an intended mixed use
residential and commercial building.

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 March 4, 2021

[Signature]
Notary Public



By: *[Signature]*
Fee owner of property
Hovda Properties, LLC
Title: MANAGER

To: Department of Planning and Economic Development,
Zoning Section, CITY OF SAINT PAUL

RE: Lots 14 and 15, Block 6, St. Clair St. & Short Line Addition to the City of
St. Paul Plat 2

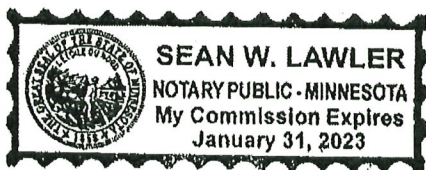
The undersigned owner of the property located at 1219 St. Clair Avenue, St. Paul,
Minnesota hereby consents to the rezoning application, attached hereto, dated March 4,
2021 filed by Hovda Properties, LLC, for a rezoning from a B1 district to a T3 district.

NORTHERN STATES POWER COMPANY,
a Minnesota corporation

Brian Sullivan
By: Brian Sullivan
Its: Senior Sitey & Land Rights
Agent

Subscribed and sworn to before me
on March 4, 2021.

Seal
Notary Public



Surveyors Certificate

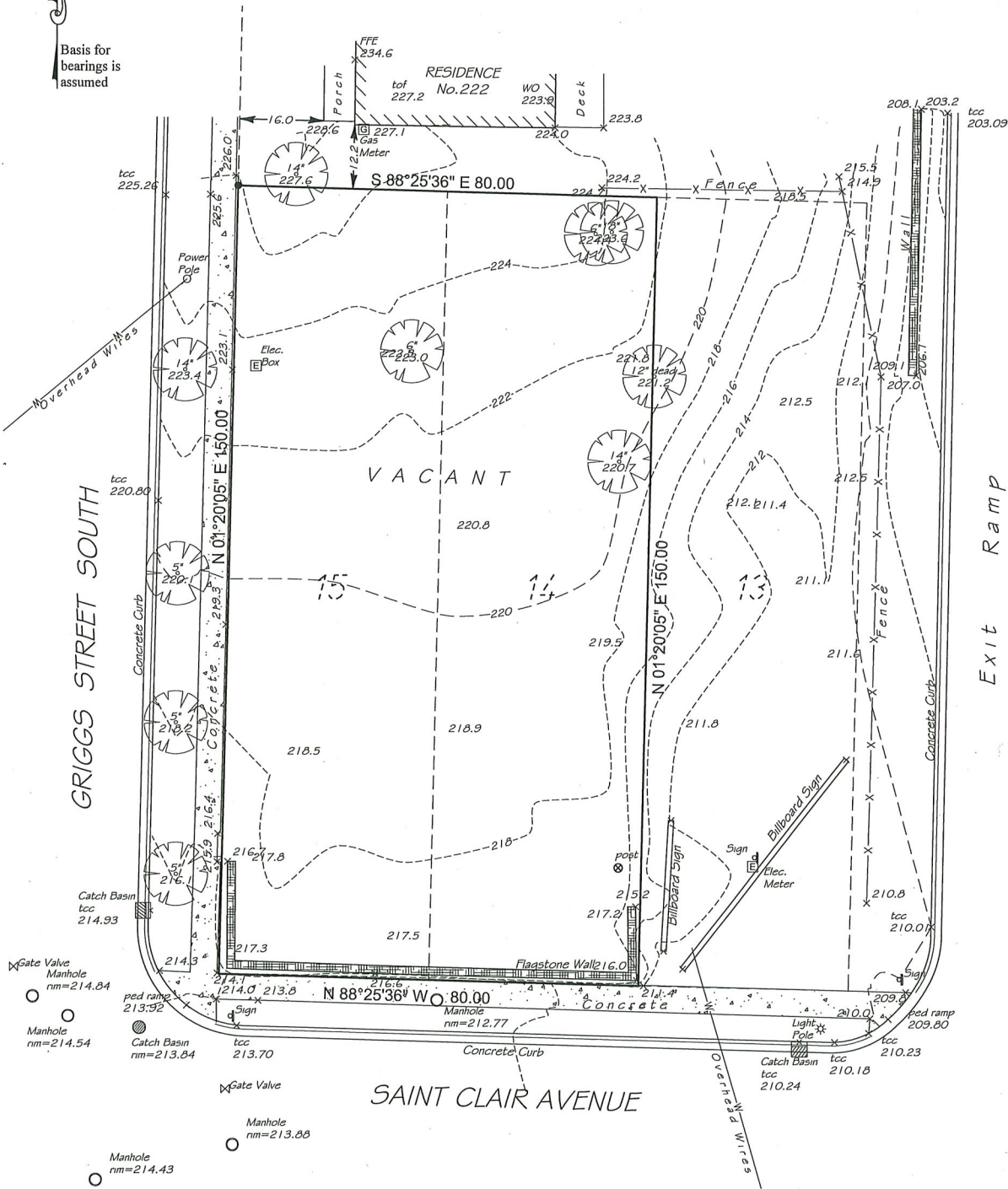
Existing Conditions Survey For:

DAVID HOVDA

Property located in Section
3, Township 28, Range 23,
Ramsey County, Minnesota

- Denotes Found Iron Monument
- Denotes Iron Monument
- - - Denotes Existing Contours
- x000.0 Denotes Existing Elevation

Basis for bearings is assumed



Benchmark:
Top nut of hydrant at NW corner of St. Clair Ave. & Griggs Street.
Elevation = 218.40 feet, City of St. Paul datum.

NOTE: The only easements shown are from plats of record or information provided by client.

Legal Description
Lots 14 and 15, Block 6, ST. CLAIR ST.
& SHORT LINE ADDITION
Ramsey County, Minnesota

Project No. 89392 Scale: 1" = 20'
F.B.No. Drawn By: *GB*
Address: 1219 St. Clair Ave.
St. Paul, MN

I certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota
Surveyed this 17th day of February 2021.

DEMARC
LAND SURVEYING & ENGINEERING
7601 73rd Avenue North (763) 560-3093
Minneapolis, Minnesota 55428 DemarcInc.com

Signed

Gregory R. Frascy
Gregory R. Frascy, Minn. Reg. No. 24992



Google

Site (looking northwest)



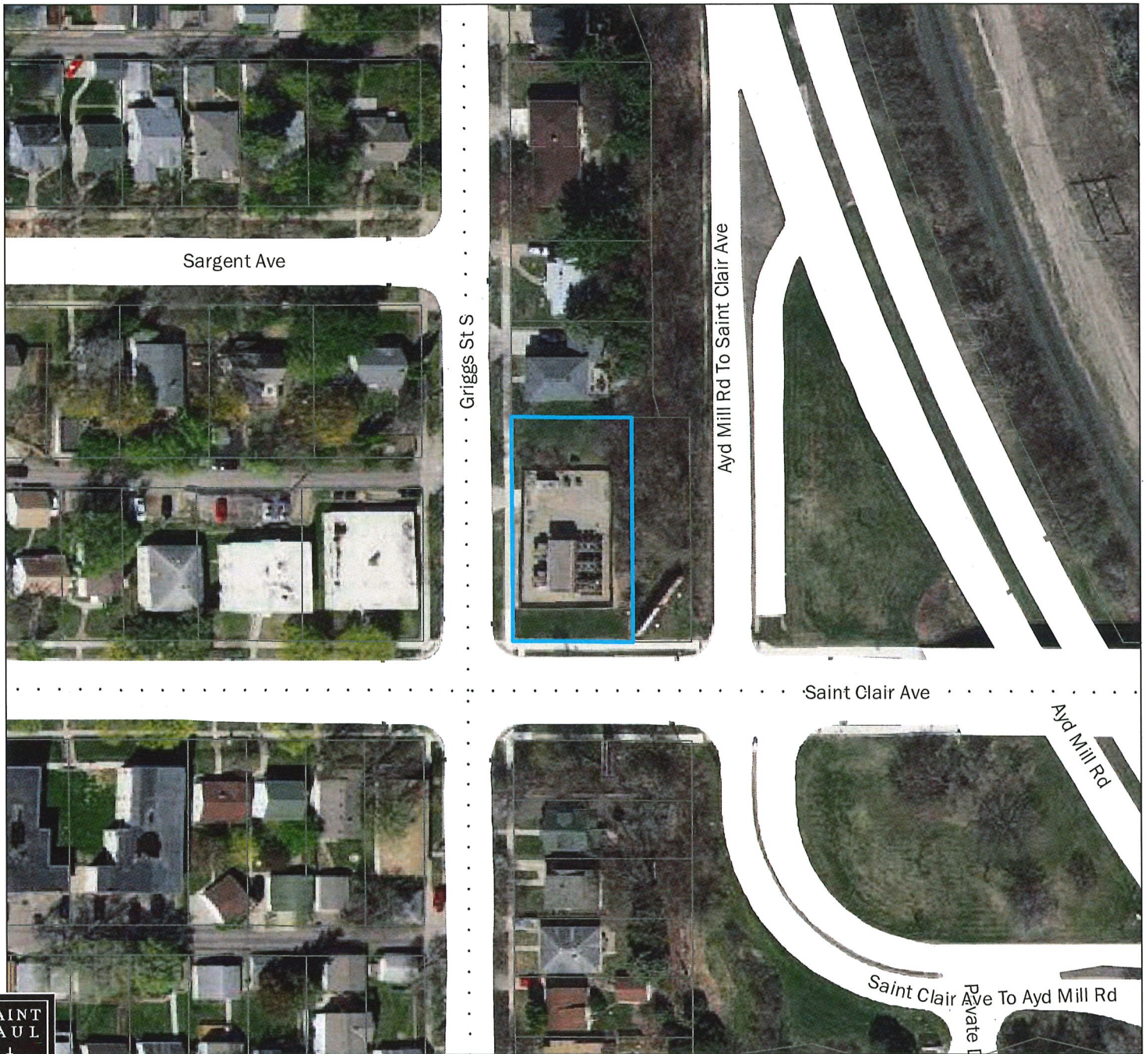
Former use of site (looking northeast)



Looking east on Saint Clair (site in distance on left)



Looking east on Saint Clair (site on left)



FILE #21-242-472 Aerial Map
Application of Hovda Properties LLC

Application Type: Rezone
 Application Date: March 4, 2021
 Planning District: 14

Subject Parcel(s) Outlined in Blue

ParcelPoly on



This document was prepared by the Saint Paul Planning and Economic Development Department and is intended to be used for reference and illustrative purposes only. This drawing is not a legally recorded plan, survey, official tax map or engineering schematic and is not intended to be used as such. Data sources: City of Saint Paul, Ramsey County, Metropolitan Council, State of Minnesota.



FILE #21-242-472 Existing Land Use
Application of Hovda Properties LLC

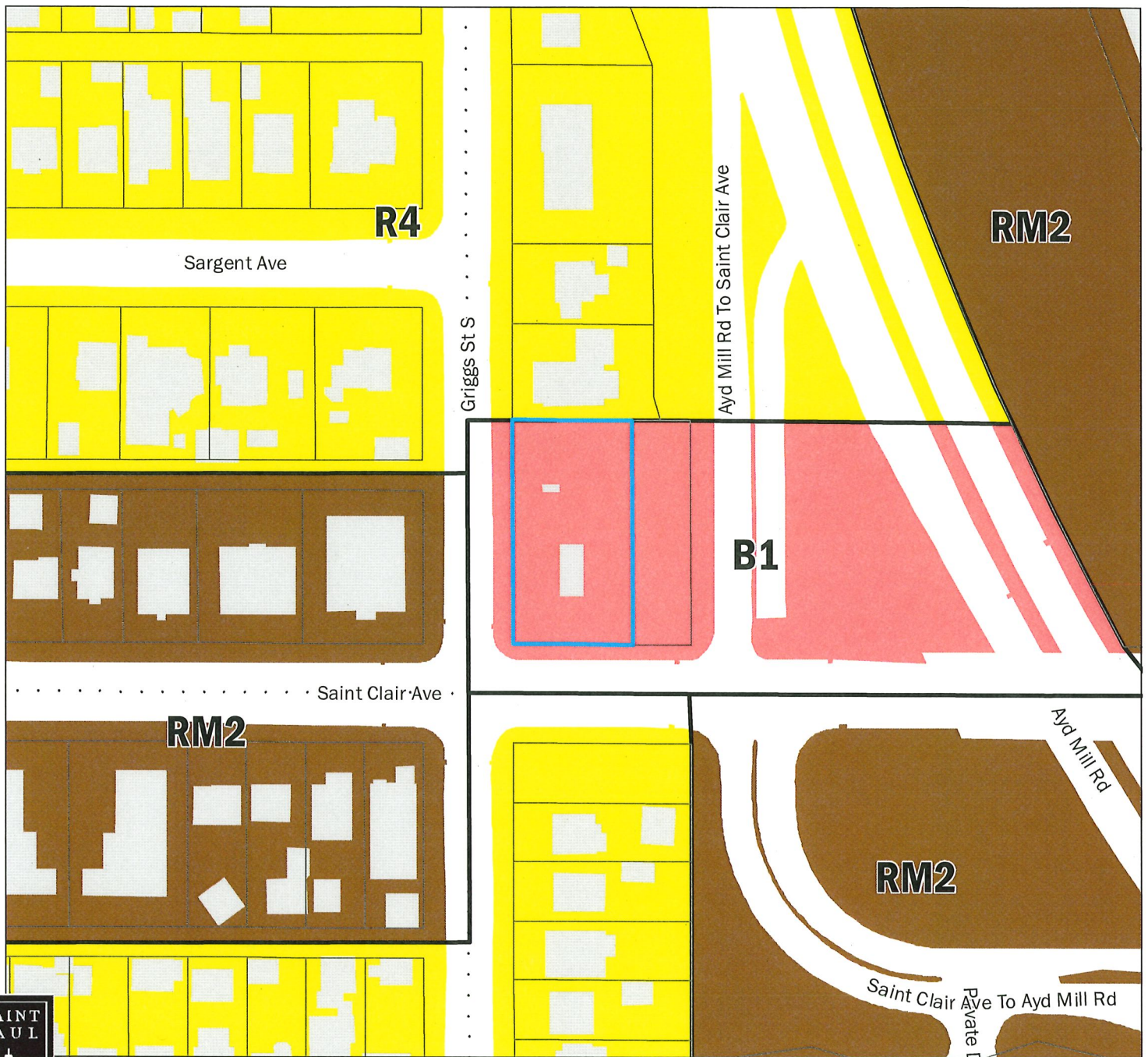
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Subject Parcel(s) Outlined in Blue

- | | | | |
|---------------------------|--------------------------------|--------------------------------|--------------|
| ParcelPoly on | 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 |
| Single Family Attached | Mixed Use Commercial and Other | Major Highway | |



FILE #21-242-472 Zoning Map Application of Hovda Properties LLC

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Subject Parcel(s) Outlined in Blue

- | | | | |
|-------------------------|-----------------------------------|-----------------------------|------------------------------|
| ParcelPoly on | 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 | |
| RM2 Multiple-Family | RC Community Business (converted) | F1 River Residential | |