

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Face to Face Health and Counseling Service Inc **FILE #** 14-337613
 2. **APPLICANT:** Face To Face Health and Counseling Service Inc **HEARING DATE:** November 6, 2014
 3. **TYPE OF APPLICATION:** Rezoning
 4. **LOCATION:** 798 Rose Ave E, between Arcade and Wiede
 5. **PIN & LEGAL DESCRIPTION:** 292922110224; Lot 5 Oak Ville Park Subd and Adjacent To Alley Opened Per Doc #3310105
 6. **PLANNING DISTRICT:** 5 **EXISTING ZONING:** RT1
 7. **ZONING CODE REFERENCE:** §61.801(b)
 8. **STAFF REPORT DATE:** October 29, 2014 **BY:** Leila Tripp
 9. **DATE RECEIVED:** October 14, 2014 **60-DAY DEADLINE FOR ACTION:** December 13, 2014
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- A. **PURPOSE:** Rezone from RT1 Two Family Residential to T2 Traditional Neighborhood.
- B. **PARCEL SIZE:** 4,879 square feet
- C. **EXISTING LAND USE:** Vacant lot
- D. **SURROUNDING LAND USE:** Commercial to the east and southeast (T2) along Arcade St., parking to the south (VP), commercial to the northeast (B2) along Arcade St., and residential (RT1) to the west.
- E. **ZONING CODE CITATION:** §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** In 2002, a building permit was approved for a single family dwelling that was never constructed. The site has been vacant since at least 1991.
- G. **DISTRICT COUNCIL RECOMMENDATION:** As of the date of this staff report, District 5 Council has not provided a recommendation.
- H. **FINDINGS:**
 1. The applicant requests rezoning from RT1 Two Family Residential to T2 Traditional Neighborhood to construct a garage for accessory storage.
 2. The proposed zoning is consistent with the way this area has developed. Adjacent properties along Arcade St and Rose Ave are zoned T2 and B2 and have developed with a mix of retail and commercial development in this area.
 3. The proposed zoning is consistent with the Comprehensive Plan, which designates the area along Arcade Street as a Mixed-Use Corridor. Land Use Strategy 1.24 calls for a mix of uses on Mixed-Use Corridors.
 4. The proposed T2 zoning allows a range of neighborhood-scale uses that are compatible with the surrounding residential and commercial 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 T2 zoning is not "spot zoning" because the T2 uses are consistent with the surrounding residential and commercial zoning designations and uses.
 6. The petition for rezoning was found to be sufficient on October 13, 2014: 19 parcels eligible; 13 parcels required; 13 parcels signed.
- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from RT1 Two Family Residential to T2 Traditional Neighborhood.



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 #: _____

Fee: _____

Tentative Hearing Date: ~~10/23/14~~

PD=5
 11-06-14 292211 0092

APPLICANT

Property Owner Face to Face Health and Counseling Service, Inc.
 Address 1165 Arcade St.
 City St. Paul St. _____ Zip 55106 Daytime Phone 651 772-5556
 Contact Person (if different) Lynda V. Bennett Phone 651 772-5556
Executive Director

PROPERTY LOCATION

Address/Location 798 Rose Ave E.
 Legal Description Lot 5 Block 18, Oak Ville Park
PIN: 29-29-22-11-0092 CT Current Zoning RT1
 (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,

Face to Face Health & Counseling Service, Inc., owner of land proposed for rezoning, hereby petitions you to rezone the above described property from a RT1 zoning district to a T2 zoning district, for the purpose of:

Construction of a garage for storage.

(attach additional sheets if necessary)

Attachments as required: Site Plan Consent Petition Affidavit

Subscribed and sworn to before me

this 28 day

of August, 2014

Jean M. Florhaug
 Notary Public

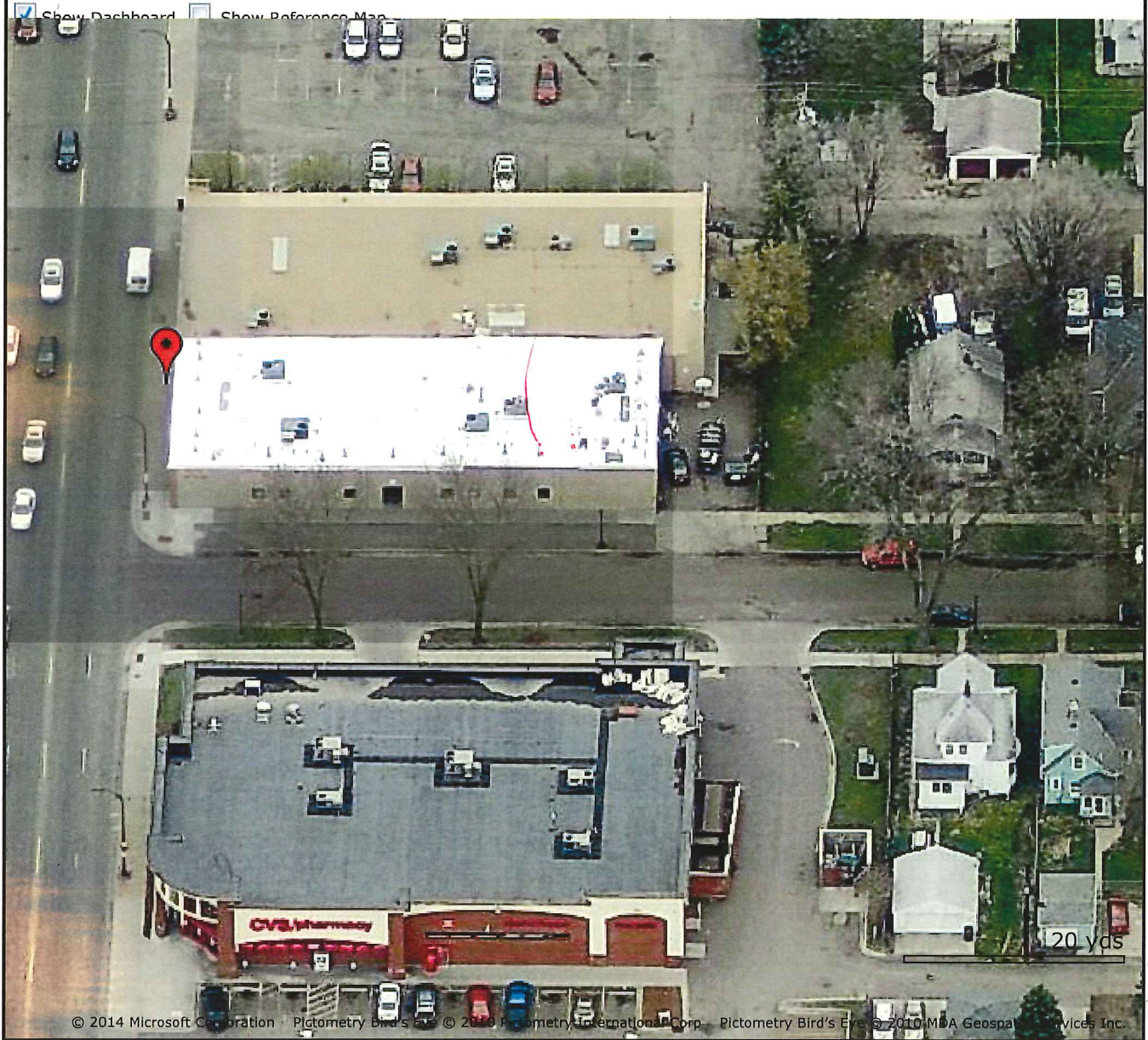


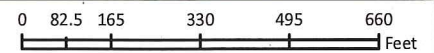
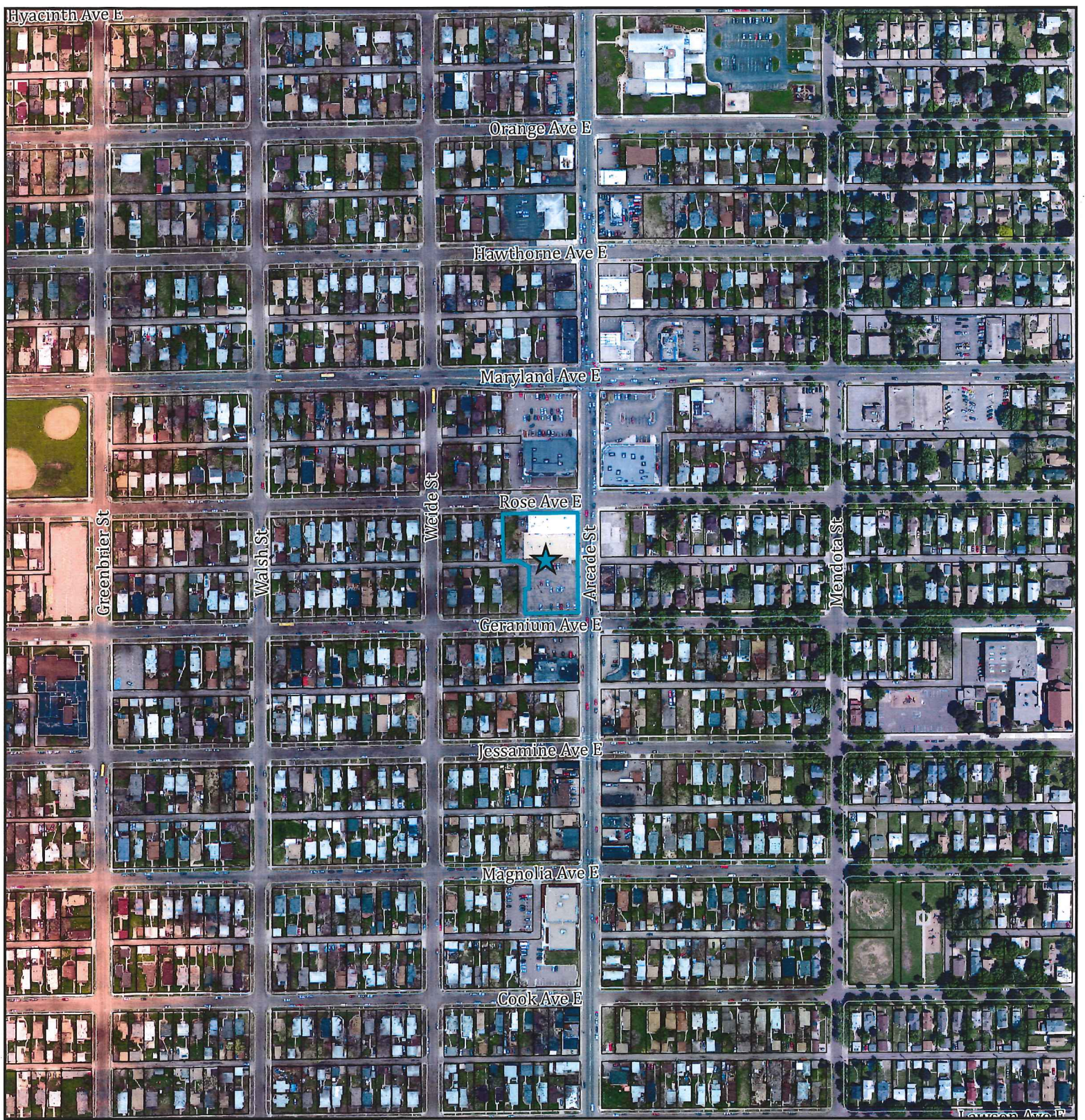
By: Lynda V. Bennett
 Fee owner of property

Title: Executive Director

GISmo Oblique Photography

Images courtesy of: Microsoft® Virtual Earth™ 2006

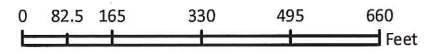




APPLICANT: Face to Face
 APPLICATION TYPE: Rezone
 FILE #: 14-337613 DATE: 10/29/2014
 PLANNING DISTRICT: 5
 ZONING PANEL: 5

Aerial
 Subject Parcels



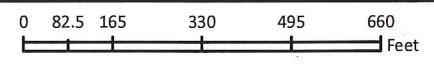
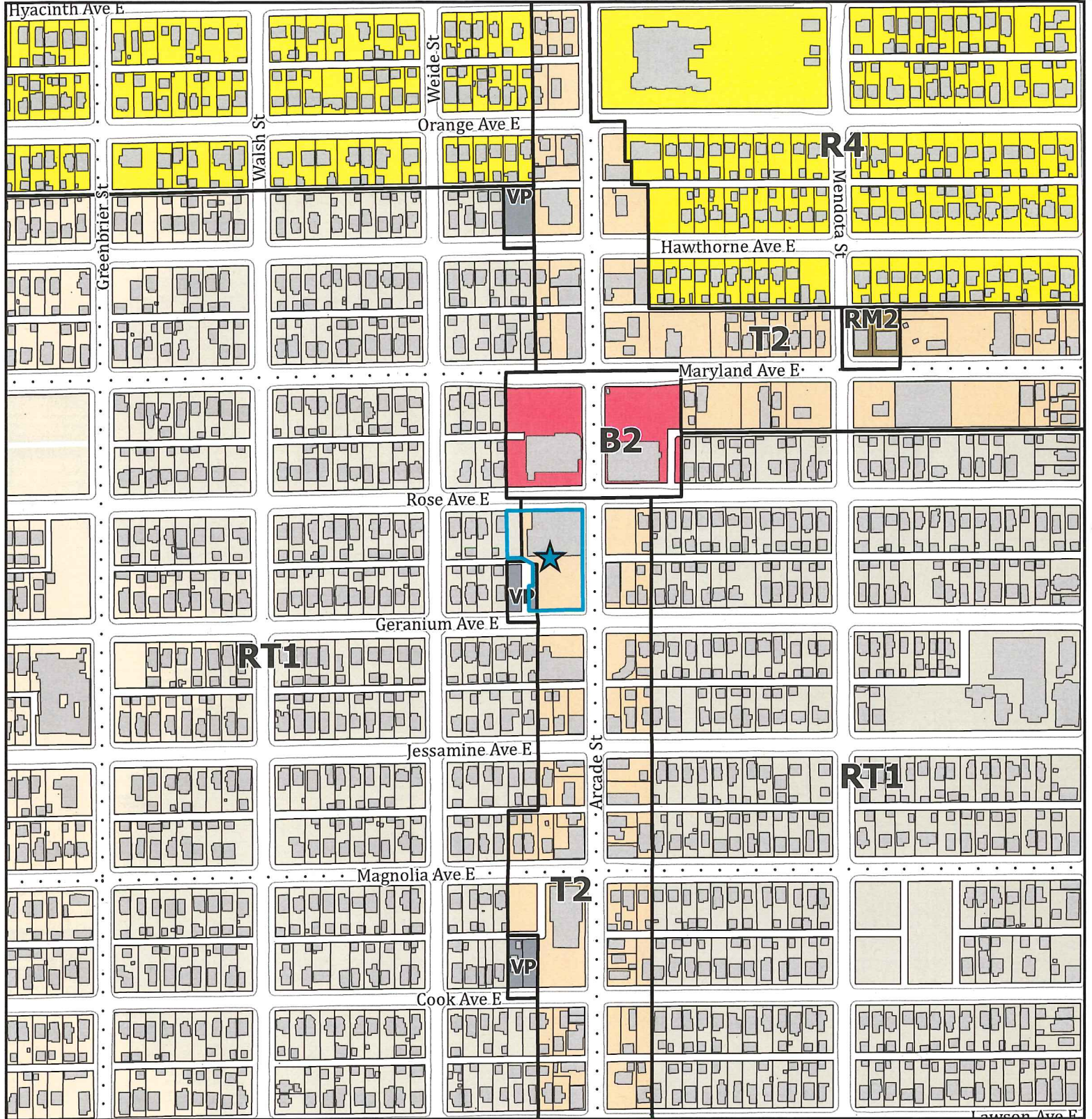


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Land Use

Single Family Detached	Park, Recreational or Preserve
Single Family Attached	Undeveloped
Multifamily	Subject Parcels
Office	Section Lines
Retail and Other Commercial	
Mixed Use Residential	
Institutional	





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Zoning

- R4 One-Family
- RT1 Two-Family
- RM2 Multiple-Family
- T2 Traditional Neighborhood
- B2 Community Business
- VP Vehicular Parking
- Subject Parcels

• • Section Lines

