

## ZONING COMMITTEE STAFF REPORT

**FILE NAME:** Salvation Army

**FILE #:** 18-070-330

**APPLICANT:** Salvation Army

**HEARING DATE:** July 5, 2018

**TYPE OF APPLICATION:** Rezoning

**LOCATION:** 618-626 Lawson Ave E, between Payne Avenue and Edgerton Street

**PIN & LEGAL DESCRIPTION:** 292922130138; Arlington Hills Add B4045 49 Lot 6 Blk 15

**PLANNING DISTRICT:** 5

**EXISTING ZONING:** RT1

**ZONING CODE REFERENCE:** §61.801(b)

**STAFF REPORT DATE:** June 28, 2018

**BY:** Bill Dermody

**DATE RECEIVED:** June 6, 2018

**60-DAY DEADLINE FOR ACTION:**

- 
- A. **PURPOSE:** Rezone three parcels from RT1 two-family residential to B2 community business.
  - B. **PARCEL SIZE:** Three adjoining parcels totaling 120 ft (Lawson) x 120 ft = 14,375 sq ft
  - C. **EXISTING LAND USE:** Institutional (east parcel) and vacant (west parcels)
  - D. **SURROUNDING LAND USE:** Commercial and institutional (B2) along the Payne Avenue corridor to the east, parking (VP) to the north, single-family and duplex residential to the west and northwest (RT1), and multi-family residential to the south (RM3).
  - E. **ZONING CODE CITATION:** §61.801(b) provides for changes to the zoning of property initiated by the property owner.
  - F. **HISTORY/DISCUSSION:** The subject parcels have been zoned RT1 Two-Family Residential District since 1975, and the neighboring Payne Avenue corridor has been zoned B2 Community Business since the same time. In the 1990s, the Salvation Army expanded their building at 1019 Payne Avenue into the eastern subject parcel at 626 Lawson Avenue, in apparent violation of the RT1 zoning. In 2013 and 2015, single-family residences were demolished on the other two subject parcels at 618 and 622 Lawson Avenue.
  - G. **PARKING:** With a mix of community center and office space, it is not clear what the Zoning Code parking requirement will be for any building expansion planned under the rezoning. However, the parking requirements will need to be met through site plan review. Also, the subject case is for a rezoning to B2, which would permit a variety of uses with differing parking requirements.
  - H. **DISTRICT COUNCIL RECOMMENDATION:** As of this writing, the Payne Phalen District 5 Council has not provided a recommendation.
  - I. **FINDINGS:**
    - 1. The application requests rezoning of three parcels at 618, 622, and 626 Lawson Ave E from RT1 Two-Family Residential District to B2 Community Business District. The 626 Lawson Ave E parcel contains a portion of the Salvation Army building, addressed as 1019 Payne Ave, that would be made legal by the rezoning. The other two parcels are the location for a planned building expansion.
    - 2. The proposed zoning is consistent with the way this area has developed. Payne Avenue is fronted by commercial and residential uses of varying lot depths. The proposed zoning is consistent with the existing pattern of development.

3. The proposed zoning is consistent with the Comprehensive Plan, which designates Payne Avenue as a Mixed Use Corridor. The proposed zoning allows for a contiguous development with a Payne Avenue frontage.
  4. The proposed zoning is compatible with the surrounding mix of uses, including institutional along Payne Avenue and parking for institutional uses directly to the north.
  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 zoning does not constitute spot zoning.
  6. The petition for rezoning was found to be sufficient on June 14, 2018: 30 parcels eligible; 20 parcels required; 20 parcels signed.
- J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from RT1 two-family residential to B2 community business at 618-626 Lawson Avenue E.



**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 #: 18-070330  
 Fee: \_\_\_\_\_  
 Tentative Hearing Date:  
7-5-18

PO = 5

# 292922130138 (618)  
 # 292922130137 (622)  
 # 292922130136 (626)

**APPLICANT**

Property Owner The Salvation Army  
 Address 2445 Prior Avenue  
 City Roseville St. MN Zip 55113 Daytime Phone 651-746-3422  
 Name of Owner (if different) \_\_\_\_\_  
 Contact Person (if different) Chris Osowski Phone 651-746-3422

**PROPERTY LOCATION**

Address/Location 618, 622, 626 Lawson Avenue East  
 Legal Description Lots 4, 5, and 6 Block 15 Arlington Hills Addition to Saint Paul  
 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,

The Salvation Army, owner of land proposed for rezoning, hereby petitions you to rezone the above described property from a RT1 zoning district to a B2 zoning district, for the purpose of:

In order to comply with code for The Salvation Army's after school program, The Salvation Army is required to expand its community center at 1019 Payne Avenue to include additional restrooms. In order to allow expansion, the parcels needs to be rezoned from residential to a B2 Community Business Zoning District.

(attach additional sheets if necessary)

Attachments as required:  Site Plan  Consent Petition  Affidavit

Subscribed and sworn to before me

this 23rd day

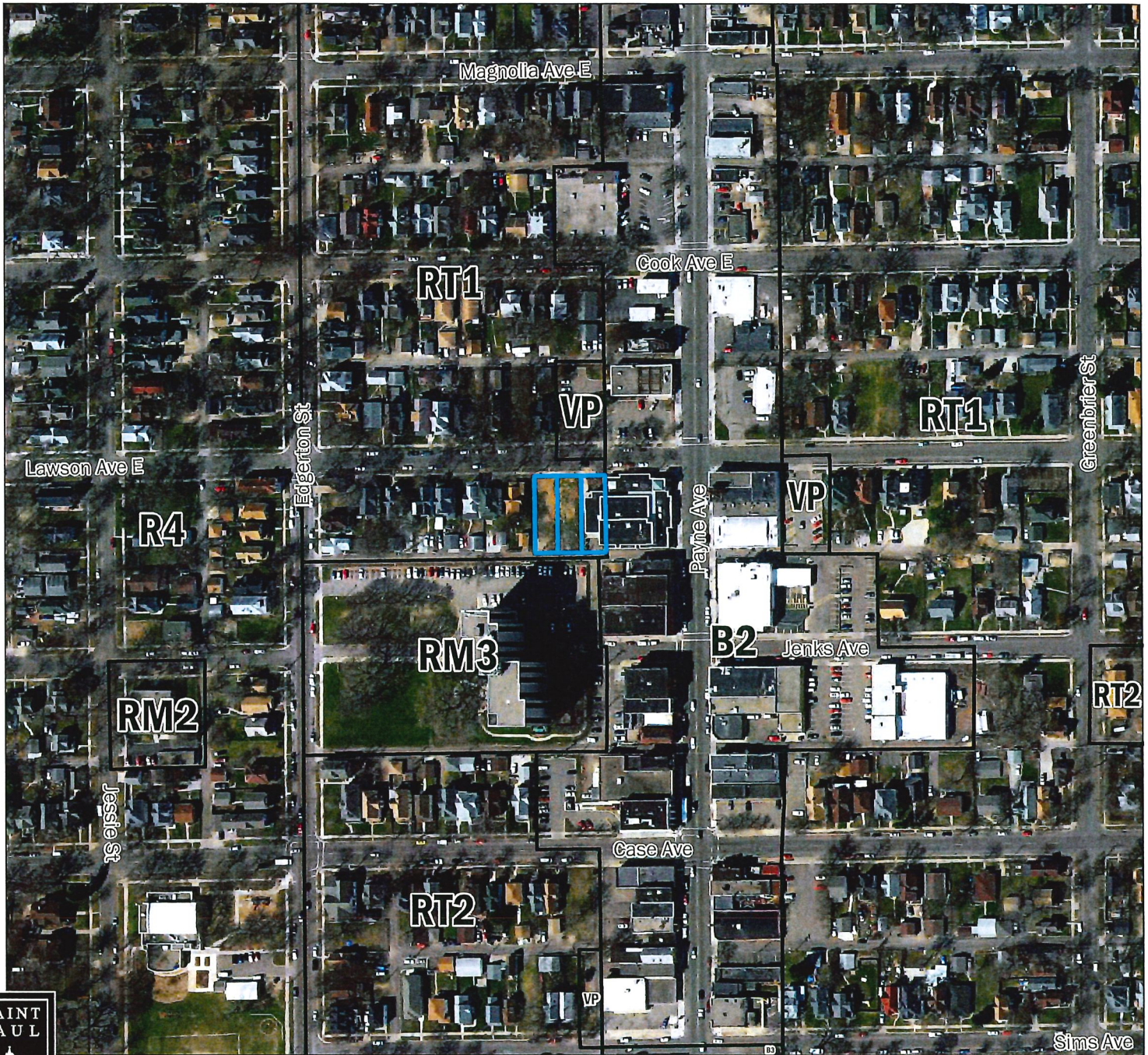
of May, 20 18

Judith M Yttrevold  
 Notary Public



By: [Signature]  
 Fee owner of property

Title: DIVISIONAL COMMANDER



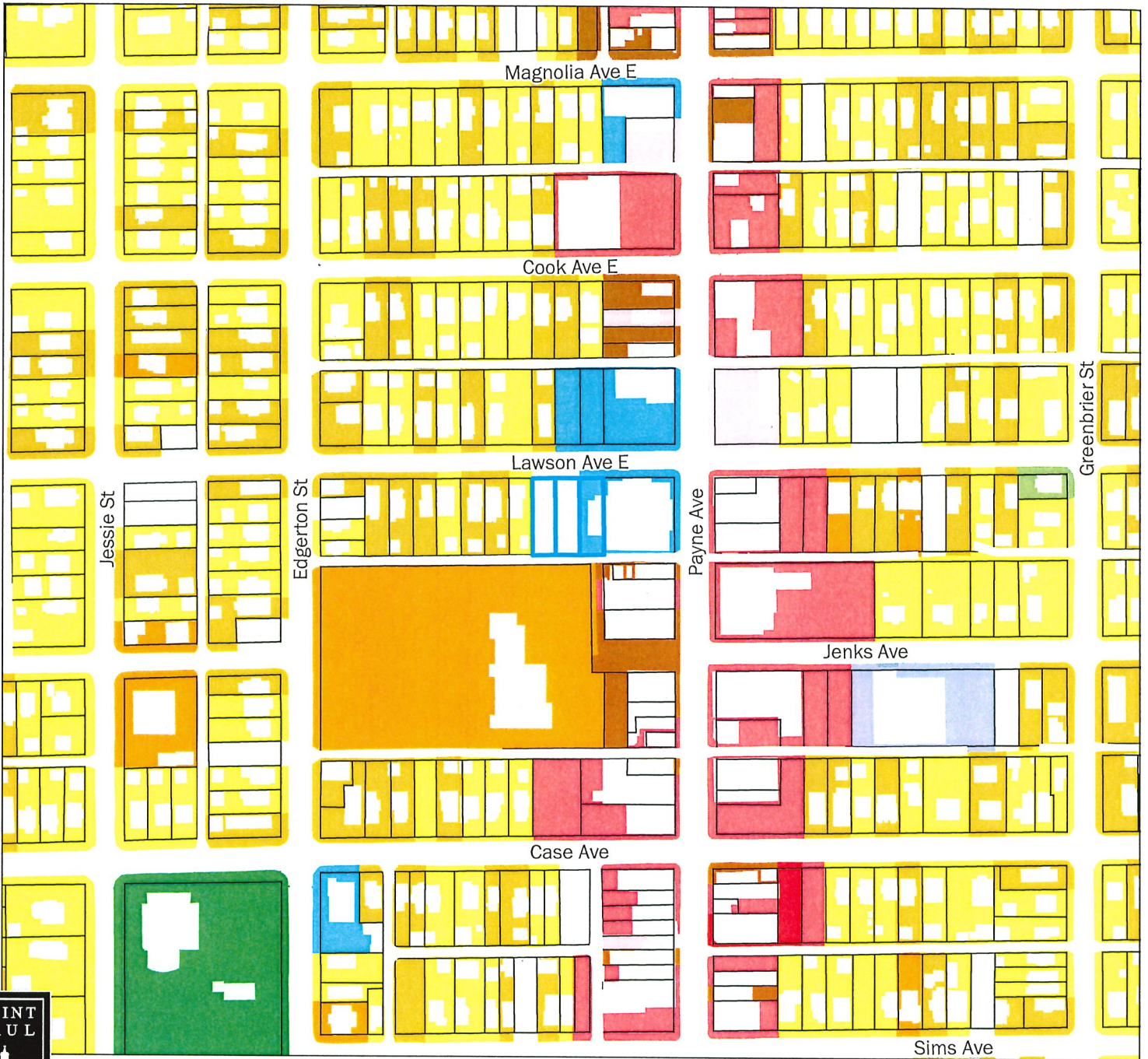
FILE #18-070330 | AERIAL MAP  
**Application of Salvation Army**

Application Type: Rezoning  
 Application Date: June 7th, 2018  
 Planning District: 5

**Subject Parcels Outlined in Blue**



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 #18-070330 | LAND USE MAP  
**Application of Salvation Army**

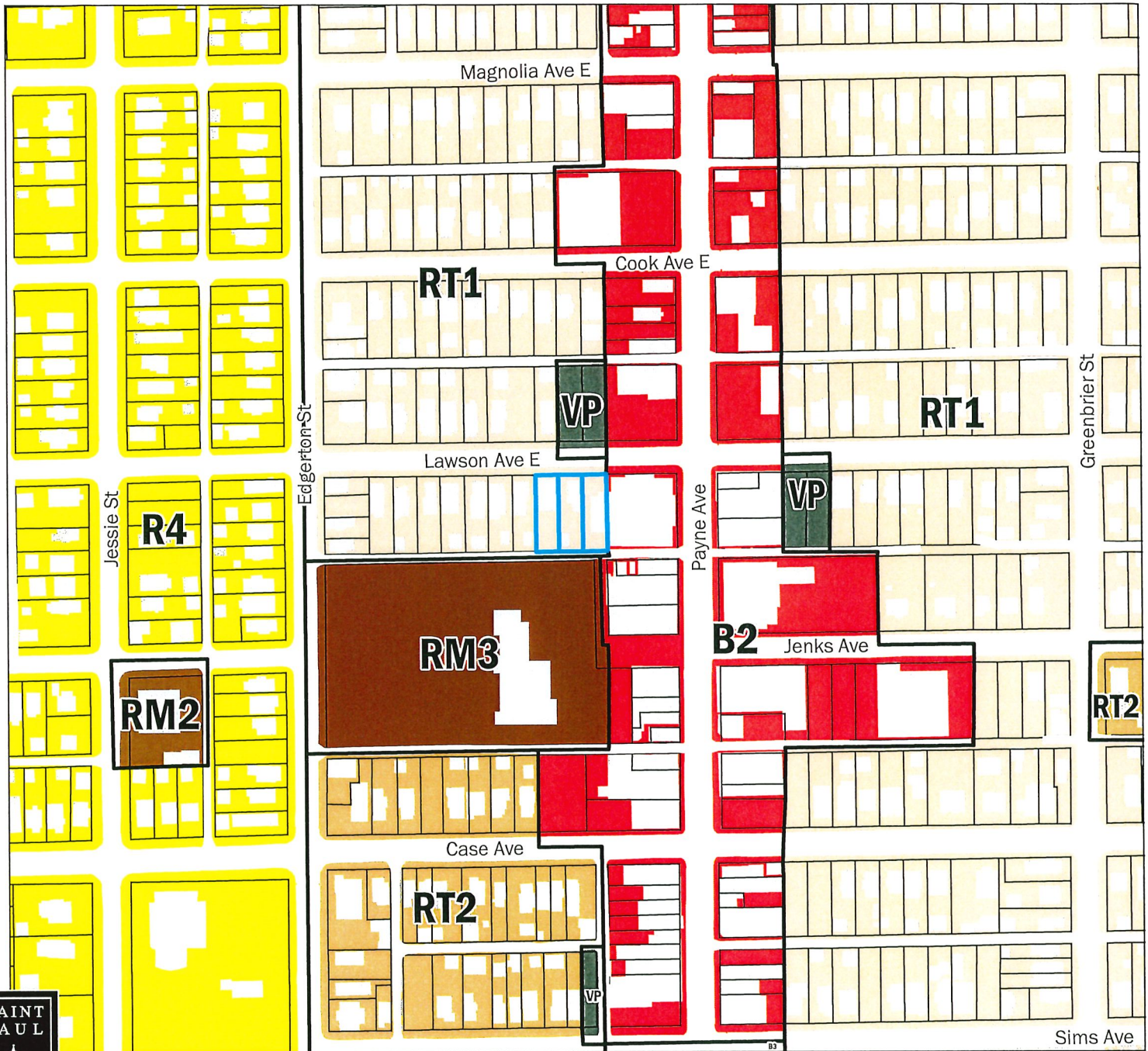
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**Subject Parcels Outlined in Blue**

- |                           |                                |                                |              |
|---------------------------|--------------------------------|--------------------------------|--------------|
| Famstead                  | 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                  |              |
| Multifamily               | Industrial and Utility         | Railway                        |              |



FILE #18-070330 | ZONING MAP  
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**Subject Parcels Outlined in Blue**

RL One-Family Large Lot	RM3 Multiple-Family	BC Community Business (converted)	I3 Restricted Industrial
R1 One-Family	T1 Traditional Neighborhood	B2 Community Business	F1 River Residential
R2 One-Family	T2 Traditional Neighborhood	B3 General Business	F2 Residential Low
R3 One-Family	T3 Traditional Neighborhood	B4 Central Business	F3 Residential Mid
R4 One-Family	T3M T3 with Master Plan	B5 Central Business Service	F4 Residential High
RT1 Two-Family	T4 Traditional Neighborhood	IT Transitional Industrial	F5 Business
RT2 Townhouse	T4M T4 with Master Plan	ITM IT with Master Plan	F6 Gateway
RM1 Multiple-Family	OS Office-Service	I1 Light Industrial	VP Vehicular Parking
RM2 Multiple-Family	B1 Local Business	I2 General Industrial	PD Planned Development
			CA Capitol Area Jurisdiction