ZONING COMMITTEE STAFF REPORT

FILE NAME: 25 George St. E Rezoning **FILE #:** 24-096-153

APPLICANT: Tong Thanh Nguyen **HEARING DATE:** December 19, 2024

TYPE OF APPLICATION: Rezone

LOCATION: 25 George St E, Between Humboldt Ave and Gorman Ave

PIN & LEGAL DESCRIPTION: 08-28-22-23-0179; Lots 6 & 7 except the west 50 ft and east 50 ft, Block 86, West St. Paul Subdivision

PLANNING DISTRICT: 3 **PRESENT ZONING:** B1

ZONING CODE REFERENCE: § 61.801(b)

STAFF REPORT DATE: December 11, 2024 **BY:** Chris Hong

DATE RECEIVED: November 18, 2024 **60 DAY DEADLINE FOR ACTION:** January 16, 2025

A. **PURPOSE:** Rezone from B1 local business to H1 residential district.

B. **PARCEL SIZE:** 5,227 sq. ft.

C. **EXISTING LAND USE:** Detached garage

D. **SURROUNDING LAND USE:**

North: Nursing home (RM2)

East: Mixed residential/commercial (B1), residential (H1)

South: Residential (H1)

West: Residential, library, more residential (H1 and H2)

E. **ZONING CODE CITATION:** § 61.801(b) provides for changes to the zoning of property initiated by the property owner. § 66.421 lists all permitted and conditional uses in the OS – B5 business districts.

F. **HISTORY/DISCUSSION:** In 2004, the parcel located at 21 George St E was split to create two lots, including a western parcel with a house on it and the subject parcel with a garage on it. Later that year, the owners who requested the lot split applied for three variances in order to build a duplex on the subject parcel. Their application was denied.

G. **DISTRICT COUNCIL RECOMMENDATION:** The West Side Community Organization neither supports nor opposes the rezoning.

H. **FINDINGS:**

1. The Applicant requests a rezoning from B1 local business to H1 residential in order to build a single-family home. The B1 zoning district does not permit residential dwellings except for mixed residential/commercial developments .

2. The proposed H1 zoning is consistent with the way this area has developed. The area west, south, and east of the subject parcel is predominantly made up of single-family homes. The area north of the subject parcel is also residential but of varying densities. Higher-density residential and commercial uses have typically developed along streets that are served by transit such as Stryker Ave, Wabasha St, and Cesar Chavez St.

3. The proposed H1 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."* The intent of the H1 district is to provide for a *"variety of housing options"* and the permitted uses in H1 are largely residential.

The site is located within the outer edge of two neighborhood nodes. The H1 zoning district would allow for relatively lower residential density compared to center of the nodes.

The following policies apply:

2040 Comprehensive Plan:

Policy LU-7. Use land use and zoning flexibility to respond to social, economic, technological, market and environmental changes, conditions and opportunities.

Policy LU-8. Ensure that zoning and infrastructure support environmentally and economically efficient, resilient land use development.

Policy LU-30. Focus growth at Neighborhood Nodes using the following principles:

- Increase density toward the center of the node and transition in scale to surrounding land uses.

West Side Community Plan (2013):

LU1. Support land use that balances the housing, commercial, industrial, ecological, agricultural and green space needs of the community

4. The proposed H1 zoning is compatible with surrounding uses. The subject parcel is located between the commercial corridors along Stryker Ave and Cesar Chavez St, which is almost entirely residential.

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 surrounding neighborhood is almost exclusively residential. The site abuts a large area zoned H1. The proposed rezoning will not result in a change of allowable uses in the area.

I. STAFF RECOMMENDATION: Based on the above findings, staff recommends **approval** of the rezoning from B1 local business to H1 residential at 25 George Street E.

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

PD = 3

Zoning Office Use Only
File # 24-096-153
Fee Paid $ _____
Received By / Date _____
Tentative Hearing Date _____

APPLICANT

Property Owner(s) Tong Thanh Nguyen & Khanh Ngoc Hoang
Address 1317 ARKWRIGHT ST. City ST. PAUL State MN Zip 55130
Email K-hoang@mail.com Phone 651-324-4302
Contact Person (if different) N/A Email _____
Address Same City _____ State _____ Zip _____
(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 0 GEORGE ST. E. ST. PAUL 55107
PIN(s) & Legal Description 08.28.22.23.0179
(Attach additional sheet if necessary.)
_____
_____ Lot Area _____ Current Zoning B1

TO THE HONORABLE MAYOR AND CITY COUNCIL:
Pursuant to Saint Paul Zoning Code § 61.801 and Minnesota Statues § 462.357, _____,
owner(s) of land proposed for rezoning, hereby petition(s) to rezone the above described property from a
B1 zoning district to a H1 zoning district, for the purpose of:
- Single Family House building

RECEIVED
NOV 18 2024
BY:

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 November 12, 2024
Notary Public

ANNE ELIZABETH MICKELSON
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2027

By: Khanh Hoang
Fee owner of property
Title: Owner

Subscribed and sworn to before me
Date November 12, 2024
Notary Public

ANNE ELIZABETH MICKELSON
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2027

By: _____
Fee owner of property
Title: Owner

Rev 8.5.2019

WEST SIDE
community organization

209 Page Street West, St. Paul, MN, 55107
www.wsco.org

December 6, 2024

Tong Thanh Nguyen
Khanh Ngoe Hoang
1347 Arkwright Street
Saint Paul, Minnesota 55130

Re: ZF #24-096-153 Application for rezoning of 25 George Street East from B1 to H1

Dear Property Owners:

The City of Saint Paul forwarded your application for rezoning of 25 George Street East to the West Side Community Organization (WSCO) as part of the City's review of the request.

Our District Council (WSCO) referred the request to its Land Use Circle (LUC) for comment. The LUC has voted a no-position on this application, neither to support or oppose the request at this time.

However, members of the LUC strongly advise that as property owners, you communicate your request and the reasons for your requested rezoning to the neighbors of the property, who have the greatest interest in ensuring that any change does not adversely affect their neighborhood and our community.

As it appears you do not currently reside at the impacted address, you may not feel the effects of your proposed request. Maintaining a healthy active engaged community is a cornerstone of the work of WSCO and we hope that your interest and intention for the property is in keeping with the aims of WSCO. Additionally, maintaining open and active communication with neighbors to the property is a benefit to your future management of the property.

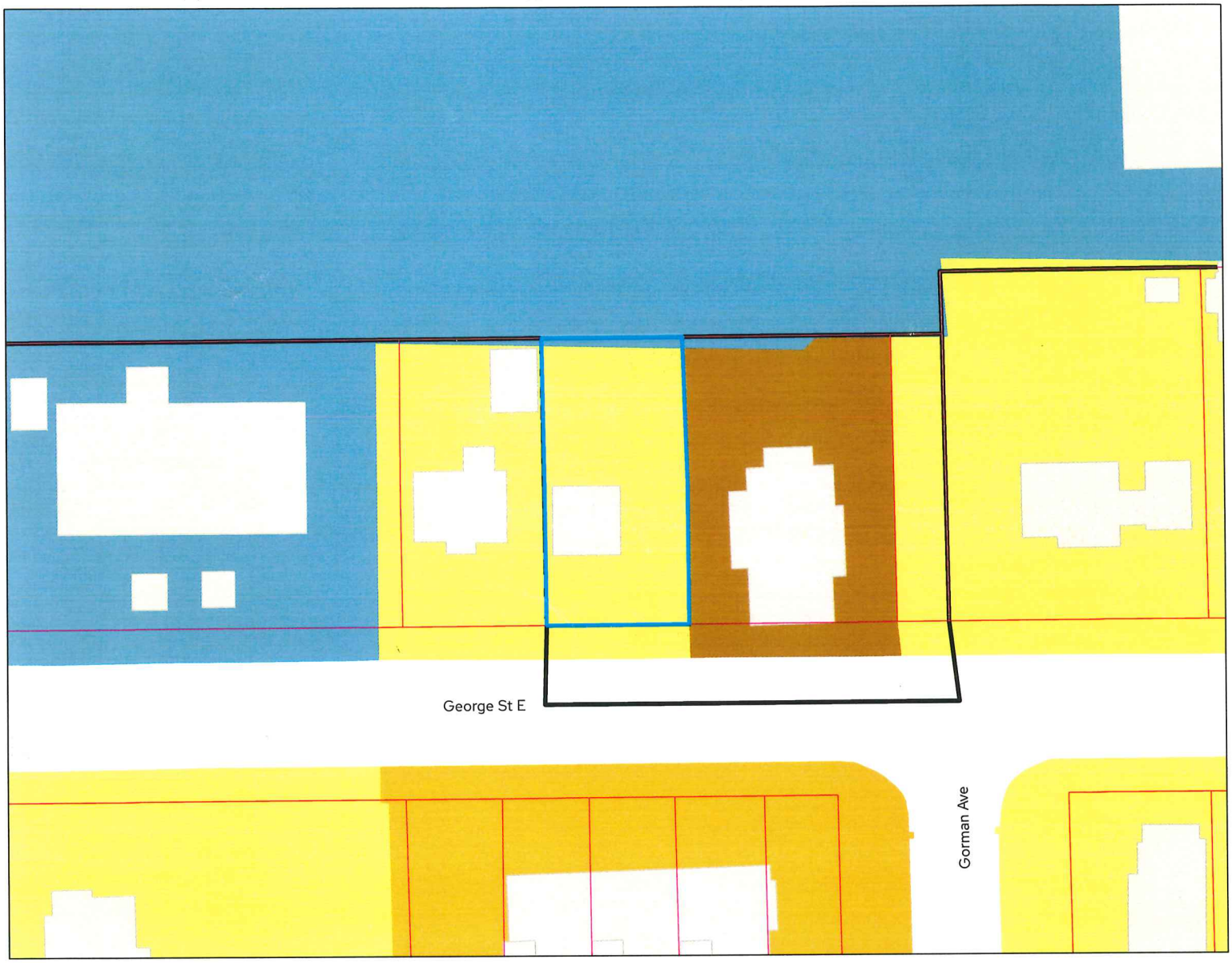
Sincerely,

WSCO LUC

Tong Thanh Nguyen

Land use map

application number: 24-096153 ▪ type: Rezone ▪ date: 11/25/2024 ▪ planning district: 3



Single Family Residential
- Farmstead
- Seasonal/Vacation
- Single Family Detached
- Manufactured Housing Park

Multifamily Residential
- Single Family Attached
- Multifamily

Commercial
- Office
- Retail and Other Commercial

Mixed Use
- Mixed Use Residential
- Mixed Use Industrial
- Mixed Use Commercial and Other

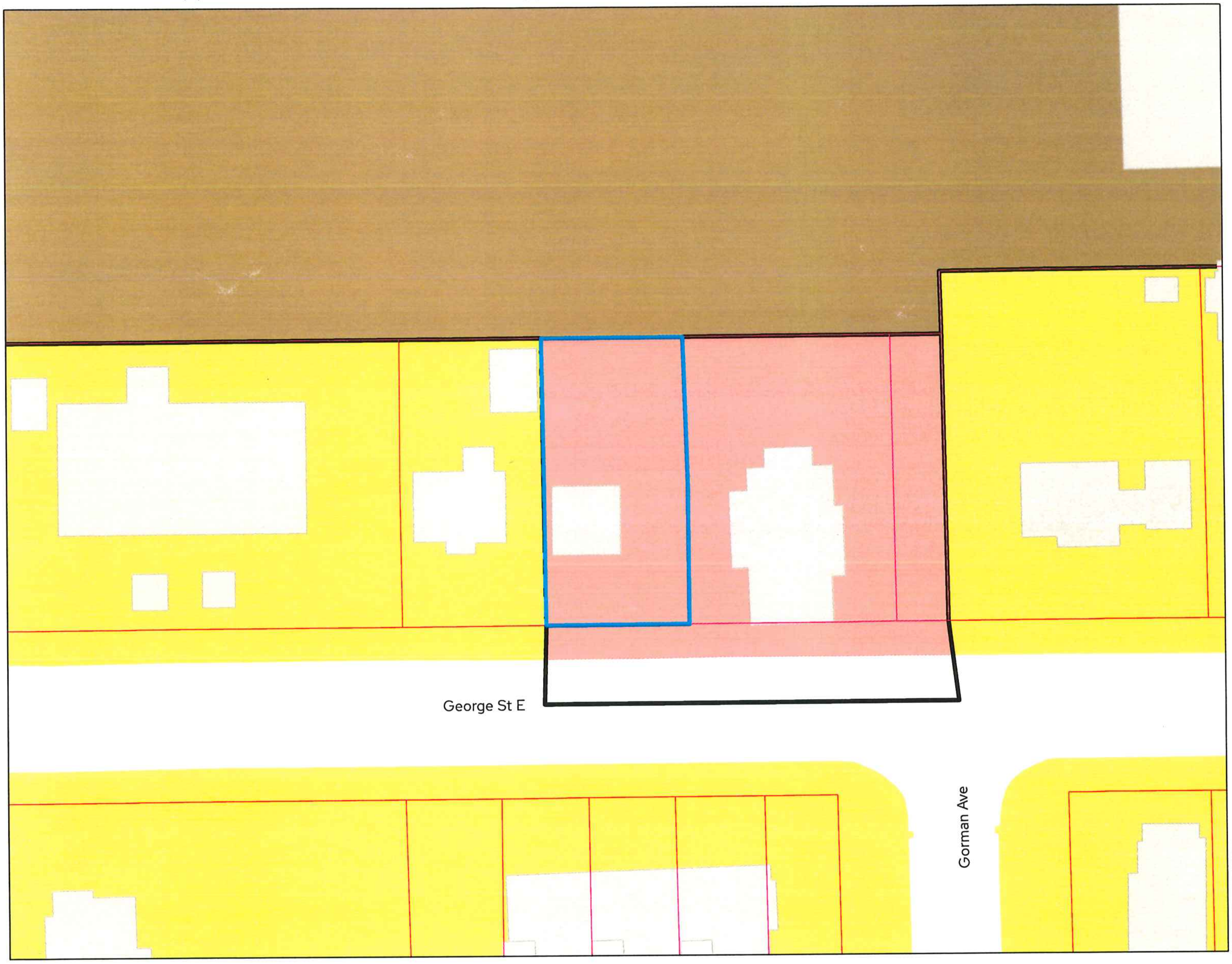
Other Uses
- Industrial and Utility
- Extractive
- Institutional

- Park, Recreational or Preserve
- Golf Course
- Major Highway
- Railway
- Airport
- Agricultural
- Undeveloped
- Water

Tong Thanh Nguyen

Zoning map

application number: 24-096153 ▪ type: Rezone ▪ date: 11/25/2024 ▪ planning district: 3



- **RL** One-Family Large Lot
- **H1** Residential
- **H2** Residential
- **RM1** Multiple-Family
- **RM2** Multiple-Family
- **RM3** Multiple-Family
- **T1** Traditional Neighborhood
- **T2** Traditional Neighborhood
- **T3** Traditional Neighborhood
- **T3M** T3 with Master Plan
- **T4** Traditional Neighborhood
- **T4M** T4 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
- **IT** Transitional Industrial
- **ITM** IT with Master Plan
- **I1** Light Industrial
- **I2** General Industrial
- **I3** Restricted Industrial
- **F1** River Residential
- **F2** Residential Low
- **F3** Residential Mid
- **F4** Residential High
- **F5** Business
- **F6** Gateway
- **VP** Vehicular Parking
- **PD** Planned Development
- **CA** Capitol Area Jurisdiction

Tong Thanh Nguyen

Aerial map

application number: 24-096153 ▪ type: Rezone ▪ date: 11/25/2024 ▪ planning district: 3