

ZONING COMMITTEE STAFF REPORT

FILE NAME: 0 St. Clair Rezoning

FILE #: 23-100-276

APPLICANT: Hovda Properties LLC

HEARING DATE: November 30, 2023

TYPE OF APPLICATION: Rezone

LOCATION: 0 St. Clair Avenue between Griggs Street and Ayd Mill Road

PIN & LEGAL DESCRIPTION: 03.28.23.44.0120; Lot 13, Blk6 St. Clair St. and Shortline Addition

PLANNING DISTRICT: 14

PRESENT ZONING: B1

ZONING CODE REFERENCE: § 61.801(b)

STAFF REPORT DATE: November 22, 2023

BY: Chris Hong

DATE RECEIVED: November 9, 2023

60 DAY DEADLINE FOR ACTION: January 7, 2024

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- A. **PURPOSE:** Rezone from B1 local business to T3 traditional neighborhood.
- B. **PARCEL SIZE:** 6,098 sq. ft.
- C. **EXISTING LAND USE:** One billboard structure with three faces.
- D. **SURROUNDING LAND USE:**
North: Single family home (H1)
East: Ayd Mill Road ramp (B1), railroad (RM2)
South: Vacant commercial land (H1)
West: Vacant commercial land (H1)
- E. **ZONING CODE CITATION:** § 61.801(b) provides for changes to the zoning of property initiated by the property owner. § 66.331 sets forth density and dimensional standards that are specific to traditional neighborhood districts
- F. **HISTORY/DISCUSSION:** All historical zoning records indicate that this site has been vacant, containing one or more billboards. In 2021, the abutting parcel at 1219 St. Clair Avenue was rezoned from B1 local business to T3 traditional neighborhood with the intention to build a mixed-use residential and commercial building, however, the project was never constructed.
- G. **DISTRICT COUNCIL RECOMMENDATION:** As of the date of publication, the Macalester-Groveland Community Council has not made a recommendation.
- H. **FINDINGS:**
1. The Applicant is under contract to purchase the subject parcel and requests a rezoning from B1 local business to T3 traditional neighborhood in order to combine it with the parcel at 1219 St. Clair Avenue and construct a mixed-use residential and commercial building.
 2. The proposed T3 zoning is consistent with the way this area has developed. The Saint Clair Avenue corridor contains a mix of residential densities and occasional commercial development occurring mostly at intersections. T3 zoning would allow a similar mix of uses to continue and would be consistent with the intent of the T3 traditional neighborhood district of 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 existing mixed-use neighborhood centers 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, just over a half-mile from the Snelling and Saint Clair Neighborhood Node, and 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 commercial land to the south and west. The proposed zoning is compatible with the single-family homes 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 (f) 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. Buildings heights greater than 45 feet may be permitted with a conditional use permit. The Applicant submitted a preliminary site plan that shows a building height of 49.5 feet. If this is still the case in the final site plan, the project would be evaluated based on the conditional use permit 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. The parcel that abuts to the west of the subject parcel was rezoned from B1 to T3 in 2021.
6. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from B1 local business to T3 traditional neighborhood at 0 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 # _____
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 0 St. Clair Ave.
PIN(s) & Legal Description 032823440120 Lot 13, Block 6, St. Clair St. Clair &
(Attach additional sheet if necessary.)
Short Line Addition to the City of St. Paul Plat 2
_____ Lot Area .14 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 the _____,

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 vacant lot with advertising signs and adjacent lots, site of former electrical
power substation, for an intended mixed use residential and commercial building.

See Attachment.

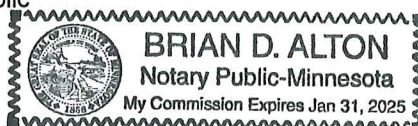
Attach additional sheets if necessary. Attachments as required: ☒ Site Plan ☐ Consent Petition ☐ Affidavit

☐ 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 9 2023

Notary Public



By: David J. Hovda
Hovda Properties, LLC

Title: Manager

David Hovda, Hovda Properties, LLC, seeks to rezone a vacant lot containing outdoor advertising signs to T3 in order to build a mixed use building on the lot and adjacent lots at 1219 St. Clair.

The rezoning of the two lots at 1219 St. Clair from B1 to T3 was approved in 2021. This application is to match the zoning of the three lots.

The anticipated new building will have some commercial space at the street level, underground/lower level parking and apartments above. Concept drawings accompany this rezoning application to illustrate a possible building.

The rezoning will result in the existing sign structure and signs to be removed. The building will have one sign face on the East side. This will result in the reduction of the total area of signs by 42%.

The Findings made in 2021 for the rezoning of 1219 St. Clair are applicable to this rezoning application. The rezoning is consistent with the 2040 Comprehensive Plan and the Macalester-Groveland (D14) Community Plan.

There is no request for variances, conditional use permit, or approvals other than the rezoning and the land use approvals required to relocate the advertising signs. Site Plan Review will be done at a later date.

ST. CLAIR AVENUE APARTMENTS

1219 ST. CLAIR AVENUE, SAINT PAUL, MN

OWNER
ARCHITECT
CIVIL

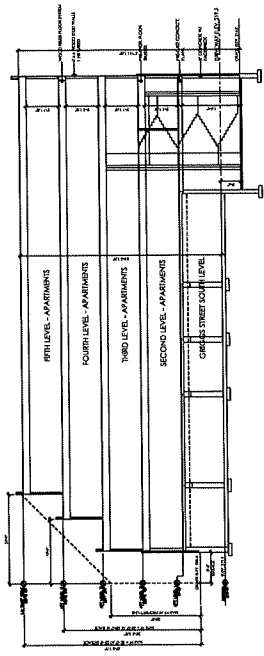
Hendy LLC
Contact: David Hendy
612.881.8854
Contact: Shalee A. Sorlie
651.490.3454
Hendy & Sorlie Consulting Inc.
1200 Hudson Road
St. Paul, MN 55106
Contact: Jon Ford
651.774.6211



SITE & ZONING INFORMATION

ADDRESS: 1219 ST. CLAIR AVENUE ZONING: T3
PERMITTED USE: Mixed Use (SEC. 46.321)
PROPOSED USE: Mixed Use - Commercial & Multi-Family
MAX HEIGHTS: 55' + 12' PER FT OF SETBACK OVER MIN. EAST SOUTH / WEST SIDES
25' + 12' PER FT OF SETBACK OVER MIN. NORTH SIDE - STEPPED
HEIGHT CALCUS: NORTH = 25' + 8'-6" = 33'-6" 25' + 18' = 43'-0" 25' + 25' = 50'-0"
SOUTH = 55' + 7' = 62'-0" SOUTHWEST CORNER = 55'-0" + 5'-0" = 60'-0"
PROPOSED HEIGHTS: NORTH = 27' + 13'-4" AT 8'-6" SETBACK 38' - 3'-5" AT 18'-0" SETBACK 49' - 5' 1/2" AT 25'-0" SETBACK
EAST = 61'-11" 1/2" SOUTH = 61'-11" 1/2" SOUTHWEST CORNER = 18'-10" AT 5'-0" SETBACK / 61'-11" 1/2" AT 12'-10" SETBACK
MINIMUM FRONT SETBACK: 0-10'-0" SOUTH = 7'-0" = South
MINIMUM SIDE SETBACK: 0-4'-0" = East Side 0-4'-0" = West Side
MINIMUM REAR SETBACK: 0-4'-0" = North 8'-4" = North
MINIMUM REAR SETBACK: 17'-5" 5" [17'-5" / 43'-50" = 0.412 Acres]
PROPOSED FAR: Table 46.331 Allowable FAR = 0.5 - 3.0
880 3' (Excluding Covered Parking) / Site Area = 421.38 / 1757 = 2.3
PROPOSED BUILDING AREA PER FLOOR: Studio 2
2nd - Apartment Level 12 Units
3rd - Apartment Level 12 Units
4th - Apartment Level 11 Units
5th - Apartment Level 9 Units
TOTAL 46
PROPOSED TOTAL BUILDING AREA: Studio 2
2nd - Apartment Level 12 Units
3rd - Apartment Level 12 Units
4th - Apartment Level 11 Units
5th - Apartment Level 9 Units
TOTAL 46
PARKING SPACES REQUIRED: NO MINIMUM REQUIREMENT (SEC. 46.321) SEC. 46.321 No visual screening reqd.
On Grade Parking: 1 Space per 3 Units (TABLE 46.321) 44 UNITS = 15 SPACES
20 Spaces - Double Vertical Stack
BICYCLE PARKING: 1 Space per 3 Units (TABLE 46.321) 44 UNITS = 15 SPACES
20 Spaces - Double Vertical Stack

1 SITE & ZONING INFORMATION



2 BUILDING SECTION

NO SCALE

SITE PLAN NOTES & INFORMATION

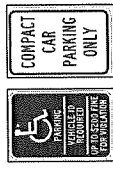
1. Exterior Lighting: Typical exterior wall pack fixture to be Type 3.50 Watt LED with shields. Fixture illumination to meet Zoning Code Sec. 63.116. Lighting to be shielded as to reflect lights away from residential districts and area residences such that lights levels do not exceed 3 foot candles measured at the residence boundary.
2. Contractor to maintain access to the fire department connection for fire department personnel at all times during construction. Visibility of the Fire Dept. Connection must be maintained on the address side of the building.
3. Window wells are to have a drain that connects to the drain tile system for the building. See civil drawings for further information.

BILLBOARD INFORMATION

EXISTING BILLBOARD SIZE 900 SF EAST SIGN 12'-0" x 25'-0" WEST SIGN (A) 12'-0" x 25'-0"
NEW BILLBOARD SIZE 378 SF 10'-6" x 36'-0"
NEW BILLBOARD TO BE MOUNTED ON THE EAST SIDE OF THE BUILDING AND BE IT BY OVERHEAD FIXTURES. NEW BILLBOARD TO BE STATIC MEDIA NOT DIGITAL.

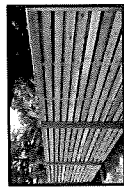
PARKING SIGNAGE

PARKING SIGNAGE TO BE CENTERED AT THE HEAD OF EACH DESIGNATED SPACE

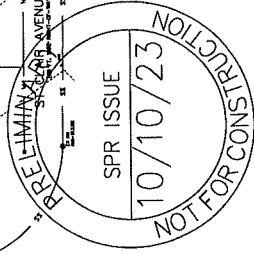
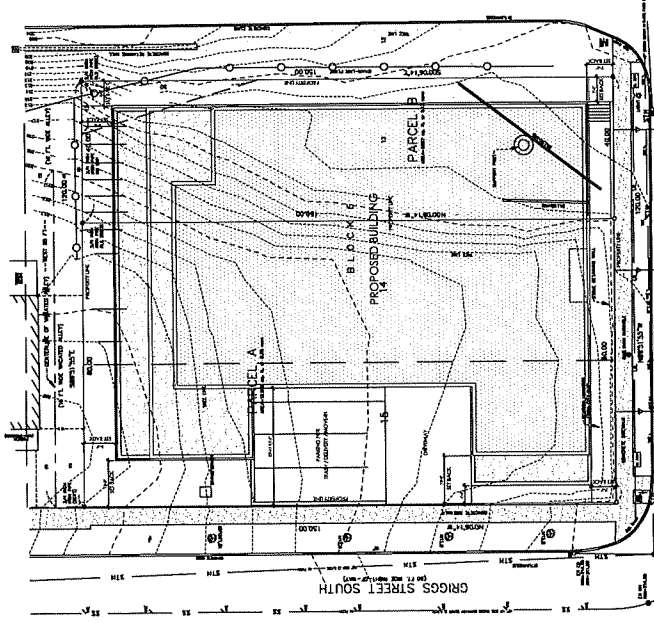


PRIVACY FENCE DETAIL

MATERIAL = CEDAR W/ NATURAL FINISH
4" x 4" POSTS SPACED AT 6' O.C.
1" x 6" HORIZ. SPACED 3" - 4" APART
ON EITHER SIDE OF POSTS



- SEE CIVIL DRAWINGS FOR ALL SITE GRADING & UTILITY INFORMATION
- SEE SHEET A1.0 FOR COVERED PARKING PLAN & BICYCLE STORAGE AREA
- ALL SETBACK DIMENSIONS SHOWN ARE APPROXIMATE - SEE CIVIL FOR ACTUAL DIMENSIONS



4 PROPOSED SITE PLAN

3 SITE NOTES & GENERAL INFORMATION

NO SCALE

St. Clair Apartments

SPR ISSUE
Architectural Site
Plan & Notes

A0.0

OF 8

1219 St. Clair Avenue, Saint Paul, MN

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

RE: Lot 13, Block 6, St. Clair St. & Short Line Addition to the City of St. Paul Plat 2
PID: 032823440120

Clear Channel Outdoor, LLC, a Delaware limited liability company, as successor in interest to Naegele Outdoor Advertising Company, the undersigned owner of the real property located at 0 St. Claire Avenue in the City of St. Paul, Ramsey County, Minnesota legally described above, hereby consents to the rezoning application made by Hovda Properties, LLC, for a rezoning of the above referenced property from a B1 district to a T3 district.

Clear Channel Outdoor, LLC

By: _____

Name: Dan Ballard

Its: Branch President

Subscribed and sworn to before me
on November 14th, 2023.

Chelsea A Landis
Notary Public





File #23-100-276 Aerial Map

Application of Hovda Properties LLC

Application Type: Rezone

Application Date: November 9, 2023

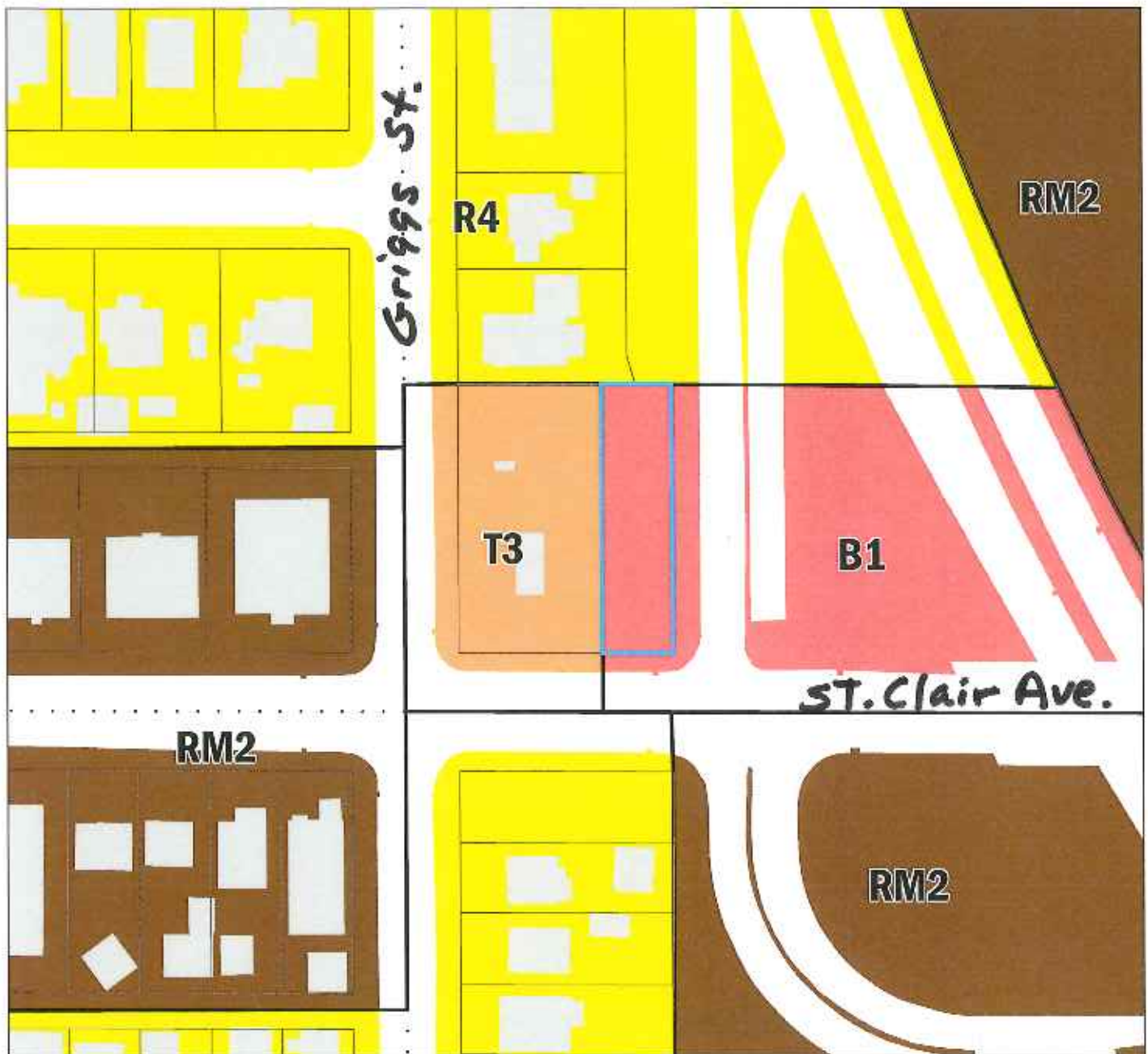
Planning District: 14

Subject Parcel(s) Outlined in Blue

- Subject Parcel(s)
- ParcelPoly



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File #23-100-276 Zoning Map

Application of Hovda Properties LLC

Application Type: Rezone

Application Date: November 9, 2023

Planning District: 14



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Subject Parcel(s) Outlined in Blue

Subject Parcel(s)	RM2 Multiple-Family	BC Community Business (converted)	F1 River Residential
ParcelPoly	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	



File #23-100-276 Existing Land Use

Application of Hovda Properties LLC

Application Type: Rezone

Application Date: November 9, 2023

Planning District: 14



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Subject Parcel(s) Outlined in Blue

Subject Parcel(s)	Single Family Attached	Mixed Use Commercial and Other	Major Highway
ParcelPoly	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