ZONING COMMITTEE STAFF REPORT

FILE NAME: 704 E Larpenteur Rezoning **FILE #:** 23-030-202

APPLICANT: Minnesota Assistance Council for Veterans **HEARING DATE:** May 4, 2023

TYPE OF APPLICATION: Rezoning

LOCATION: 704 Larpenteur Ave E, SE corner at Greenbrier Street

PIN & LEGAL DESCRIPTION: 20.29.22.11.0013; W 20.64 ft. of Lot 6 & all of Lot 7, Block 1, Budde's Addition

PLANNING DISTRICT: 5 **EXISTING ZONING:** R3

ZONING CODE REFERENCE: § 61.801(b)

STAFF REPORT DATE: April 20, 2023 **BY:** Bill Dermody

DATE RECEIVED: April 13, 2023 **60-DAY DEADLINE FOR ACTION:** June 11, 2023

A. **PURPOSE:** Rezone from R3 one family residential to RT2 townhouse residential.

B. **PARCEL SIZE:** 7,405 square feet

C. **EXISTING LAND USE:** Duplex (former emergency shelter for youth)

D. **SURROUNDING LAND USE:** Multifamily to the north (Maplewood), duplex/emergency shelter for youth to the east (R3), and single-family residential to the south and west (R3)

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 site has been zoned R3 one family residential since 1975. A conditional use permit was approved in 1980 to allow up to 10 emergency shelter residents at the subject site, and another 10 in the duplex structure next door to the east.

G. **DISTRICT COUNCIL RECOMMENDATION:** As of this writing, the Payne Phalen (District 5) Community Council has not provided a recommendation.

H. **FINDINGS:**

1. The application requests rezoning from R3 one family residential to RT2 townhouse residential. The rezoning would allow consideration of an accompanying conditional use permit for supportive housing.
2. The proposed zoning is consistent with the way this area has developed. The RT2 townhouse residential district is typical for this location along an arterial street and across the street from multifamily residential uses.
3. The proposed zoning is consistent with the Comprehensive Plan, which in Map LU-2 designates the site's future land use as Urban Neighborhood. Per Comp Plan Policies LU-34 and LU-35, Urban Neighborhoods should provide for medium-density housing options and multifamily housing, especially along arterial street corridors like Larpenteur Avenue – policies that are furthered by the proposed rezoning to RT2.
4. The proposed zoning is compatible with the surrounding residential uses, including the multifamily residential across the street.
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 rezoning is not spot zoning. Rather, the proposed use classification is consistent with surrounding uses and does not create an island of nonconforming use.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from R3 one family residential to RT2 townhouse residential.

RECEIVED
APR 13 2023

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) Minnesota Assitance Council for Veterans
Address 1000 University Ave W Suite 10 City St. Paul State MN Zip 55104
Email jlovald@mac-v.org Phone 612-503-5151
Contact Person (if different) Jon Lovald Email jlovald@mac-v.org
Address 1000 University Ave W Suite 10 City St. Paul State MN Zip 55104
(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 704 Larpenteur Ave, St. Paul, MN 55117
PIN(s) & Legal Description The West 1.92 of Lot4, Block 1 Budde's Addition
(Attach additional sheet if necessary.)

Lots 5,6, and 7, Block 1, Budde's Addition Lot Area 8,000sq ft Current Zoning R3

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 R3 zoning district to a RT2 zoning district, for the purpose of:

MACV requests the City of St. Paul approve Rezoning 704 Larpenteur will support the Conditional Use Permit allowing the building to be into converted into 10 units of supportive housing which exceeds current R3 zoning restrictions for single family residents. Previous use of 704 was Emergency Shelter for youth. Planned future use of 704 will be to provide housing to Veterans living in Minnesota who are in need of affordable housing. Modifications to the exterior of the building will be limited to adding exterior entrances to the 5 units of Accessible units on the ground level. The interior of the building will be deconstructed to determine structural integrity to support current survey plans to create the 10 total units of housing. MACV is a nonprofit organization that will own this building into perpetuity and residents living at 704 will be permanent residents.

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.

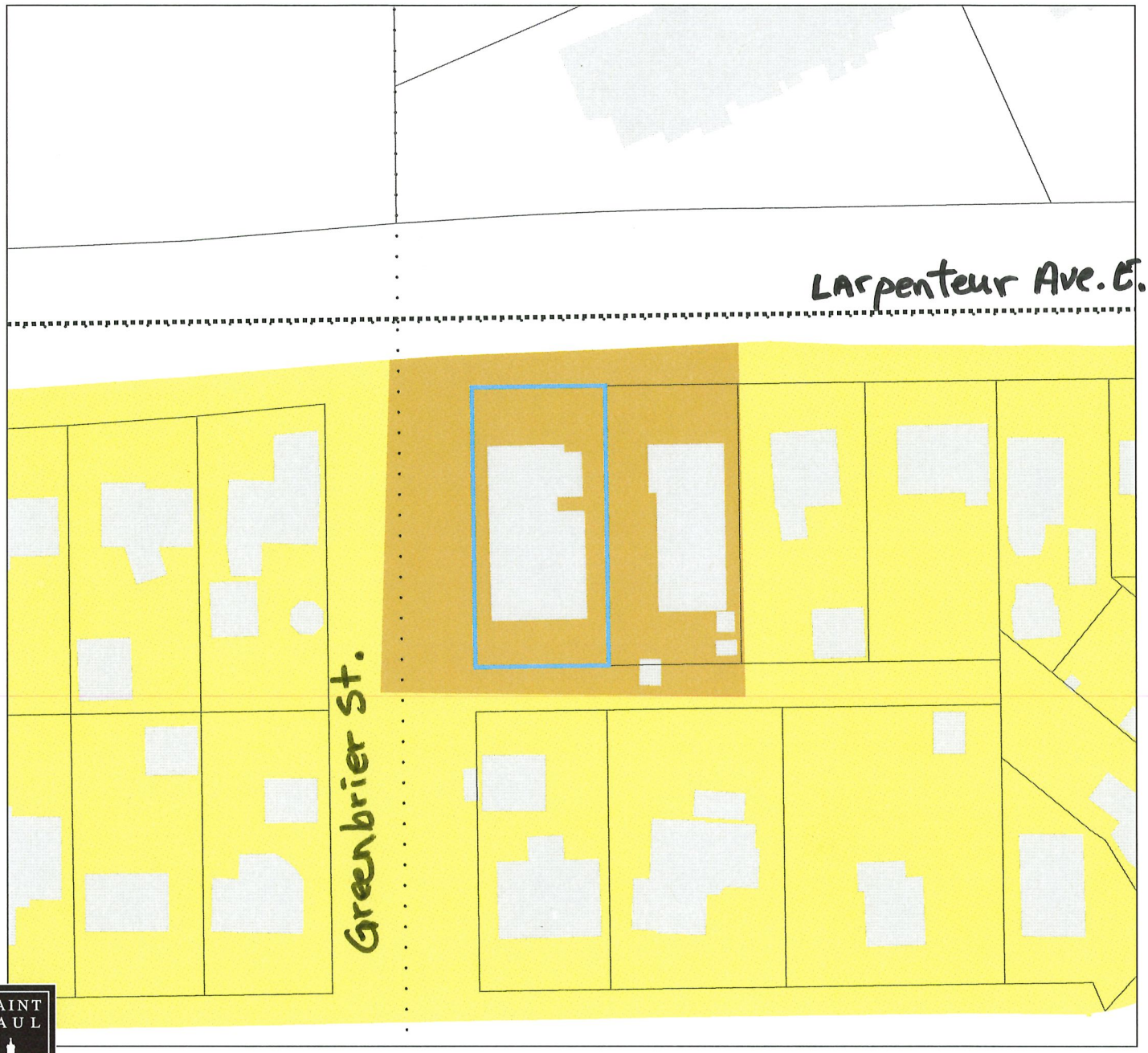
Subscribed and sworn to before me
Date April 12th 2023

Notary Public

RYAN LYNN RUDISILL
Notary Public-Minnesota
My Commission Expires Jan 31, 2027

By: _____
Fee owner of property
Title: COO

Rev 8.5.2019



SAINT PAUL

File #23-030-202 Existing Land Use

Application of Minnesota Assitance

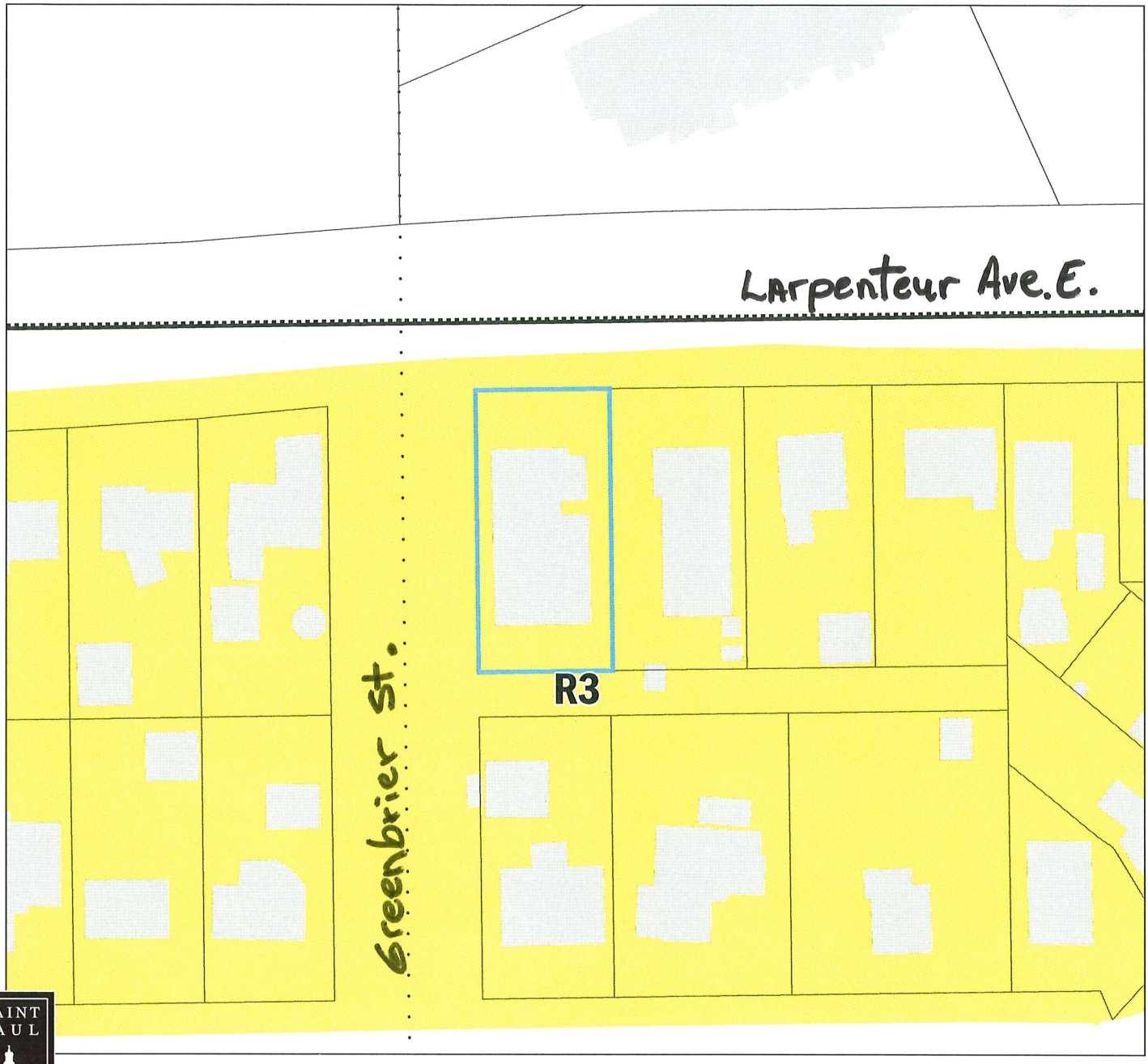
Application Type: Rezone
Application Date: April 13, 2023
Planning District: 5

0 15 30 60 90 120 Feet

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.

Subject Parcel(s) Outlined in Blue

- Subject Parcel(s)
- ParcelPoly
- Farmstead
- Seasonal/Vacation
- Single Family Detached
- Manufactured Housing Park
- Single Family Attached
- Multifamily
- Office
- Retail and Other Commercial
- Mixed Use Residential
- Mixed Use Industrial
- Mixed Use Commercial and Other
- Industrial and Utility
- Extractive
- Institutional
- Park, Recreational or Preserve
- Golf Course
- Major Highway
- Railway
- Airport
- Agricultural
- Undeveloped
- Water



SAINT PAUL

File #23-030-202 Zoning Map

Application of Minnesota Assitance

Application Type: Rezone
Application Date: April 13, 2023
Planning District: 5

0 15 30 60 90 120 Feet

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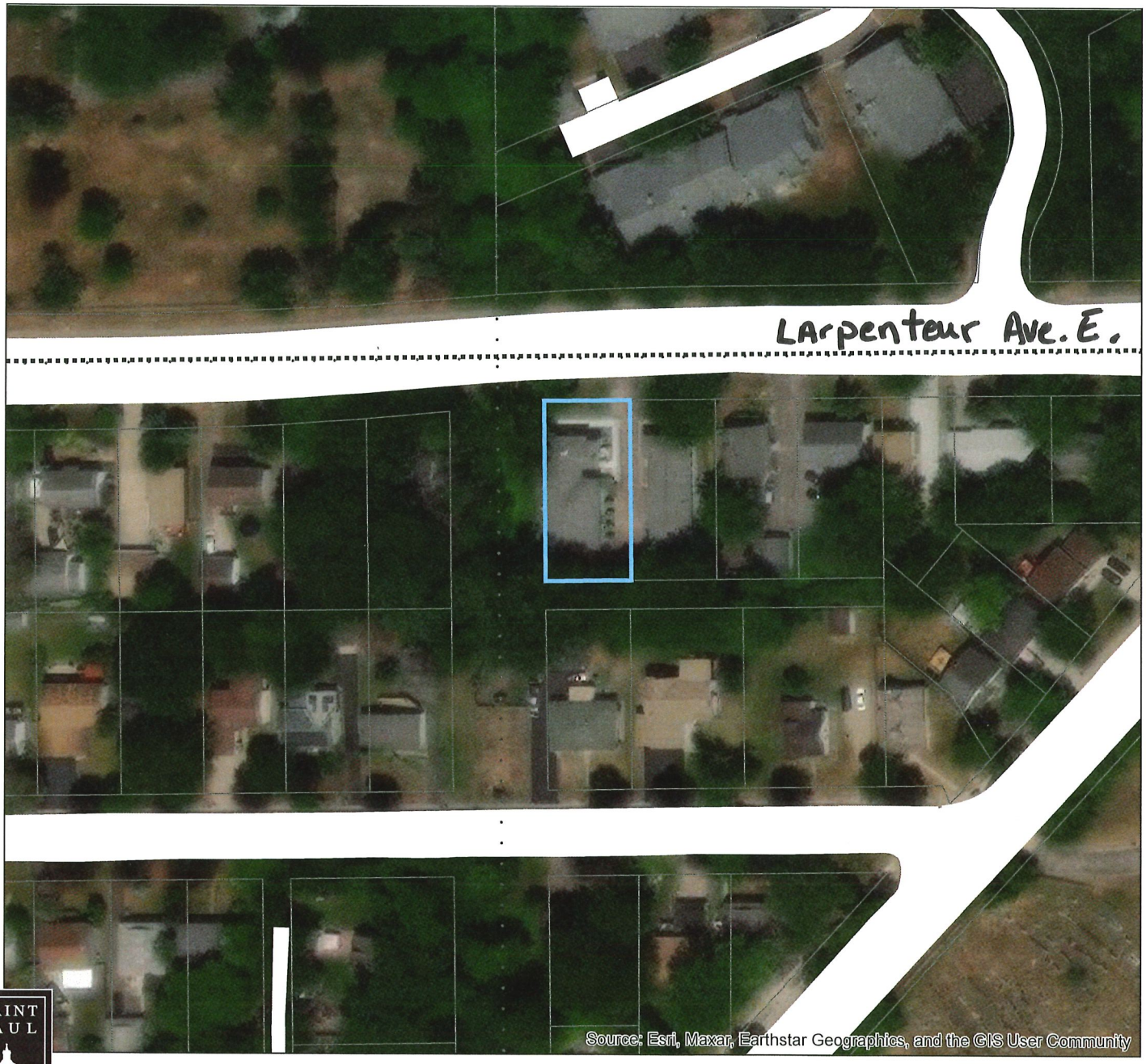
Subject Parcel(s) Outlined in Blue

- Subject Parcel(s)
- ParcelPoly
- RL One-Family Large Lot
- R1 One-Family
- R2 One-Family
- R3 One-Family
- R4 One-Family
- RT1 Two-Family
- RT2 Townhouse
- 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



SAINT PAUL

File #23-030-202 Aerial Map

Application of Minnesota Assitance

Application Type: Rezone
Application Date: April 13, 2023
Planning District: 5

0 25 50 100 150 200 Feet

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Subject Parcel(s) Outlined in Blue

Subject Parcel(s)
ParcelPoly