



City Council Memorandum

To: Mayor Hicks and City Councilmembers
From: John Hinzman, Community Development Director
Date: December 5, 2016
Item: Adopt Ordinance Amendment: Rezone Property from R-2 to RMU – 313 Ramsey Street

Council Action Requested:

Consider adoption of the attached ordinance amendment to rezone 313 Ramsey Street from R-2 Medium Density Residence to RMU – Residential Mixed Use. Rezoning property from residential to commercial requires a two-thirds majority vote of all members of the governing body. Five votes for the action are required to adopt the ordinance.

Background Information:

Harold D. Hoban, property owner has petitioned for the rezoning request. Mr. Hoban plans to sell the building to Jenni Deal and Meighan Reichstadt, operators of Adele Salon. Adele proposes to relocate their existing two chair beauty salon to the first floor of the building, with the second floor remaining as a single residential unit. The building was constructed in 1865 and historically operated as a mixed use building with commercial on the first floor and residential on the second. Over the past 30+ years, the building has been primarily residential.

History:

Rescission of Denial Vote - City Council Meeting – November 7, 2016 – The City Council voted 7-0 to rescind the Council action of October 17, 2016 denying the request to rezone property. The Council further directed the Planning Committee of City Council to hold a meeting to further review the request. During the meeting the prospective property owner David Deal spoke in support of the rezoning. No other comments from the public were heard.

Denial of Rezoning - City Council Meeting – October 17, 2016 – The Council voted 7-0 to deny the request to rezone property and directed staff to prepare findings of fact to support the denial action. During the public hearing neighboring property owner Janette Yandrasits spoke in opposition to the request.

Approval of Rezoning – Planning Commission Meeting – September 26, 2016 – The Planning Commission voted 7-0 to approve the request to rezone property. During the public hearing no one spoke for or against the action.

Financial Impact:

N\A

Advisory Commission Discussion:

The Planning Commission voted 7-0 to recommend approve at the September 26, 2016 meeting. No one spoke for or against the request during the public hearing.

Council Committee Discussion:

The Planning Committee of City Council (Chair Alongi, Braucks, and Vaughan) voted 2-1 (Alongi nay) to recommend approval of the rezoning at the November 30, 2016 Planning Committee Meeting. Notice of the Committee Meeting was mailed to all property owners within 350 feet of the subject property. Staff did not receive any comments and no neighboring residents were in attendance for the meeting. Please see the attached Planning Committee Staff Memo and Meeting Summary for further information.

Attachments:

- Ordinance Amendment
- Meeting Summary – Planning Committee – November 30, 2016
- Staff Report – Planning Committee – November 30, 2016
- Staff Report – Planning Commission - September 26, 2016

ORDINANCE NO. 2016-_____, THIRD SERIES

**AN ORDINANCE OF THE CITY OF HASTINGS, MINNESOTA AMENDING SECTION 155.01,
ZONING CODE OF THE CITY CODE HAVING TO DO WITH:**

OFFICIAL ZONING MAP

BE IT ORDAINED by the City Council of the City of Hastings that property located at 313 Ramsey Street, legally described as the North 22' of Lot 5 and the North 22' of the West 21' of Lot 6, Block 18, Town of Hastings Blocks 1 thru 99, Dakota County, Minnesota is hereby rezoned from R-2, Residential Medium-Density to RMU, Residential Mixed Use.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and approval and publication, as required by law and/or charter.

ADOPTED by the Hastings City Council on this 5th day of December, 2016.

Paul J. Hicks, Mayor

ATTEST:

Julie Flaten, City Clerk

I HEREBY CERTIFY that the above is a true and correct copy of an ordinance presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 5th day of December, 2016, as disclosed by the records of the City of Hastings on file and of record in the office.

Julie Flaten, City Clerk

(SEAL)

This instrument drafted by:
City of Hastings (JJF)
101 4th St. East
Hastings, MN 55033

MEETING SUMMARY

Planning Committee of the City Council November 30, 2016 – 7:30am Hastings City Hall Volunteer Room

Planning Committee Members Present: Chair Alongi, Braucks, and Vaughan

Staff Present: City Administrator Mesko Lee, Community Development Director Hinzman, and City Planner Fortney

Others Present: Harold D. Hoban - current property owner; Meighan Reichstadt, Jenni Deal, and David Deal – prospective property owner representatives.

1. Rezoning Request – 313 Ramsey Street

Community Development Director Hinzman provided a summary of the Staff Report sent to Committee Members to rezone the property from R-2 Medium Density Residence to RMU – Residential Mixed Use to accommodate conversion of the first floor into a two chair beauty salon.

Committee Members discussed the following:

- **Parking** – Method of calculation for the proposed use and effect of parking on the neighborhood. The property does not currently meet parking requirements; the proposed change to commercial use would not increase the number of required spaces. Concern expressed on the impact of parking on the adjacent neighborhoods.
- **Comments by Neighbors** – Letters in support from current customers of the salon who live in the neighborhood were presented. Comments by other neighboring building owners in support of the rezoning were discussed along with comments questioning the rezoning by neighboring residents.
- **Salon Operation** – Number of chairs (2) and possibility of future expansion. State licensing places limits on the number of chairs of a salon. Future uses beyond a salon would be required to meet parking requirements.
- **Planned Uses** – Future uses identified in the Comprehensive Plan and other planning documents. The area between 2nd and 4th Streets has been consistently identified for commercial or mixed use within planning documents.
- **Geographic Expansion of Commercial Uses** – Possibilities of commercial uses expanding further south from downtown in to residential neighborhoods. Commercial or mixed use development is not planned south of 4th Street.
- **Downtown Revitalization** – Providing or expanding loans or grants to assist with the continued use of historic buildings.

ACTION: Motion by Vaughan, second by Braucks to recommend approval of the rezoning and further examination of an update to the Heart of Hastings Plan and its effect on areas adjacent to 2nd Street. The Committee voted 2-1 (Alongi voting nay) to adopt the motion. The rezoning request will be placed on the December 5, 2016 City Council for action.

Meeting Adjourned at 8:30am

Meeting Summary transcribed by John Hinzman



*Planning Committee of City Council
Memorandum*

To: Chair Alongi, Braucks, and Vaughan
From: John Hinzman, Community Development Director
Date: November 30, 2016
Item: Request to Rezone Property from R-2 to RMU – 313 Ramsey Street

Committee Action Requested:

Discuss and recommend action pertaining to the proposed rezoning of 313 Ramsey Street from R-2 Medium Density Residence to RMU Residential Mixed Use.

Background Information:

Harold D. Hoban, property owner has petitioned for the rezoning request. Mr. Hoban plans to sell the building to Jenni Deal and Meighan Reichstadt, operators of Adele Salon. Adele proposes to relocate their existing two chair beauty salon to the first floor of the building, with the second floor remaining as a single residential unit. The building was constructed in 1865 and historically operated as a mixed use building with commercial on the first floor and residential on the second. Over the past 30+ years, the building has been primarily residential.

Notice of the Committee Meeting has been mailed to all property owners within 350 feet (similar to the original public hearing request)

History:

Rescission of Denial Vote - City Council Meeting – November 7, 2016 – The City Council voted 7-0 to rescind the Council action of October 17, 2016 denying the request to rezone property. The Council further directed the Planning Committee of City Council to hold a meeting to further review the request. During the meeting the prospective property owner David Deal spoke in support of the rezoning. No other comments from the public were heard.

Denial of Rezoning - City Council Meeting – October 17, 2016 – The Council voted 7-0 to deny the request to rezone property and directed staff to prepare findings of fact to support the denial action. During the public hearing neighboring property owner Janette Yandrasits spoke in opposition to the request.

Approval of Rezoning – Planning Commission Meeting – September 26, 2016 – The Planning Commission voted 7-0 to approve the request to rezone property. During the public hearing no one spoke for or against the action.

Additional Review:

Based upon Council discussion, the following information is presented to supplement the September 26, 2016 Staff Memo:

City Plans – City Plans identify the following for the subject property:

- **Comprehensive Plan** - The 2030 Comprehensive Plan (completed in 2008) designates the property for “Mixed Use Development”. Commercial, office, and high density housing are anticipated within the Mixed Use Designation.
- **Heart of Hastings Neighborhood Plan** – The 2003 Heart of Hastings Plan designates the property as “Residential Mixed Use”. Higher density residential with limited neighborhood-oriented retail are anticipated within the Residential Mixed Use Designation.
- **Heart of Hastings Design Guidelines** - Ramsey Street is designated as a “Downtown” Street type in the 2003 Original Hastings Design Guidelines. The guidelines identify the Street type as accessing primarily commercial with some residential properties. Downtown Street type will feel much like one would expect a traditional, small town downtown to feel.
- **Zoning** – The 1956 and 1970 Zoning Maps both identify the property for Commercial Zoning. Sometime between 1970 and the late 1990’s it appears the property was rezoned from Commercial to Residential.

Beauty Salon Zoning – Staff examined options for accommodating the proposed use of a two chair first floor beauty salon, including:

- **Home Occupation Permit** – The proposal could be accommodated as a Type II Home Occupation permit; however the owner of the business would need to live on site and alterations to the exterior of the structure that change the residential appearance would be prohibited. The proposed property owners do not plan to live on site, and seek to restore the first floor commercial façade.
- **Neighborhood Commercial** – Neighborhood Commercial is a permitted use within the existing R-2 Zoning District (subject to Site Plan Review). Neighborhood Commercial is intended for residential structures located along major roadways, places limitations on exterior alterations, and requires all parking to be off street. The proposed use is not on a major roadway and some parking would be accommodated on street.
- **Rezone to RMU** – The Residential Mixed Use District (RMU) was developed upon completion of the Heart of Hastings Plan in 2003 and is intended as a transitional zoning district between the commercial districts of Downtown and the purely residential districts to the south. Commercial activities located on the first floor

and comprising 50% or less of the building are permitted within the RMU District. The abutting Mississippi Terrace Senior Housing Building is zoned RMU.

- **Commercial Rezoning** – The C-3 – Community Regional Commerce Zoning District abuts the site to the west. A rezoning to C-3 would be consistent with the mixed use designation of the Comprehensive Plan. The rezoning would extend commercial zoning to east side of Ramsey Street and could lead to future commercial use of the entire structure.

Parking – Future use of the building is constrained by the lack of parking; most commercial uses for the site would not meet minimum parking standards. Existing parking is deemed lawfully existing\non-conforming. The existing use of the building as a two unit residential structure does not meet current parking requirements (Four spaces are required, two are provided). Since the use and structure predate the current zoning code, parking is acceptable; however future intensification of parking needs beyond the current amount would require a variance to the parking standards. **The proposed change in use of the lower level unit into a two chair salon would not lead to an increase in required parking and is acceptable; however future conversion of the lower level commercial space into general retail, office, or restaurant use would lead to an increase in required parking and exceed the level grandfathered in.**

Attachments:

- Staff report – Planning Commission September 26, 2016

Planning Commission Memorandum

To: Planning Commission
From: Justin Fortney, City Planner
Date: September 26, 2016
Item: Rezoning - 2016-37 – Harold Hoban – 313 Ramsey Street

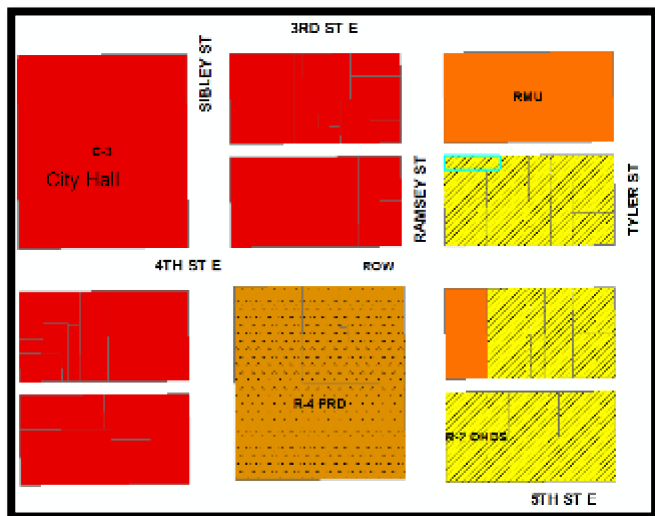
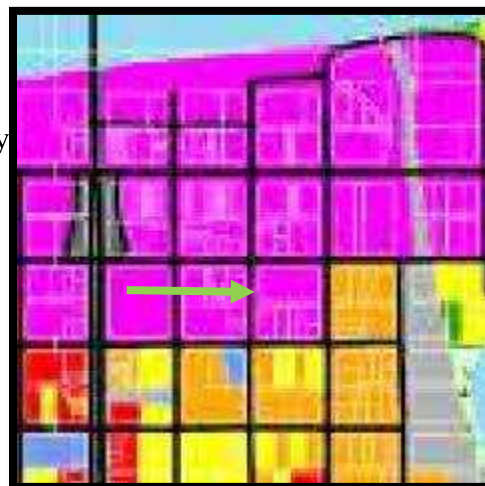
Planning Commission Action Requested: The Planning Commission is asked to hold a public hearing and review the proposed action to rezone property from R-2, Medium Density Residence to RMU, Residential Mixed Use and make a recommendation to the City Council.

Background Information:

The property owner is selling the property to a buyer that will operate the ground floor as a commercial two chair salon and will operate the second floor as residential. This is the way the building operated many years ago until the ground floor was converted to residential. The ground floor will be converted back to commercial. Parking for the site is currently deficient, but grandfathered for uses with similar parking needs. The proposed uses have nearly the same parking requirements as a duplex.

Comprehensive Plan Classification

The 2030 Comprehensive Plan designates the property and surrounding ones as mixed use.



Zoning Classification

The subject property is zoned R-2, Medium Density Residence. Generally, only single family homes and duplexes on larger lots are allowed in this district. The properties across Ramsey Street are zoned C-3, which is a more intense zoning district than RMU.

Adjacent Zoning and Land Use

The following land uses about the property:

<u>Direction</u>	<u>Existing Use</u>	<u>Zoning</u>	<u>Comp Plan</u>
North	Mississippi Terrace - Senior	RMU	Mixed Use
East	Triplex	R-2	Mixed Use
West	Residential	C-3	Mixed Use

South Residential R-2 Mixed Use

R-2 -Permitted uses

- (1) One-family detached dwellings;
- (2) Public parks, playgrounds, country clubs, athletic fields, and other recreational uses of a non-commercial nature;
- (3) Churches, libraries, and public and parochial schools;
- (4) Home occupations, pursuant to § 155.07.
- (5) Cluster developments ...
- (6) Accessory uses if incidental to the foregoing principal uses such as private garages and sheds; and
- (7) Residential care facility - independent.
- (8) Fire stations and cemetery;
- (9) Two-family/multiple-family dwellings, including both new construction and conversions of existing single-family dwellings;
- (10) Bed and Breakfasts (subject to conditions)

Uses by special permit.

- (1) Residential care facilities, dependent and semi-independent, subject to the conditions listed at § 155.07.
- (2) Neighborhood commercial (subject to conditions)
- (3) Towers are regulated by § 155.07. (Prior Code, § 10.12) Penalty, see § 10.99

RMU - Uses permitted.

- (1) Multiple-family dwellings;
- (2) Library, public and private schools, and similar uses of a public service nature;
- (3) Accessory uses incidental to the foregoing principal uses including, but not limited to, garages, and recreational facilities;
- (4) Home occupations in accordance with § 155.07;
- (5) Planned residential developments in accordance with § 155.07; and
- (6) Commercial activities are permitted but limited to the first floor of the building, and shall not exceed 50% of the entire structure.

Uses by special permit.

- (1) Multiple-family dwellings greater than 40 feet in height as measured by the International Building Code; and

Notice

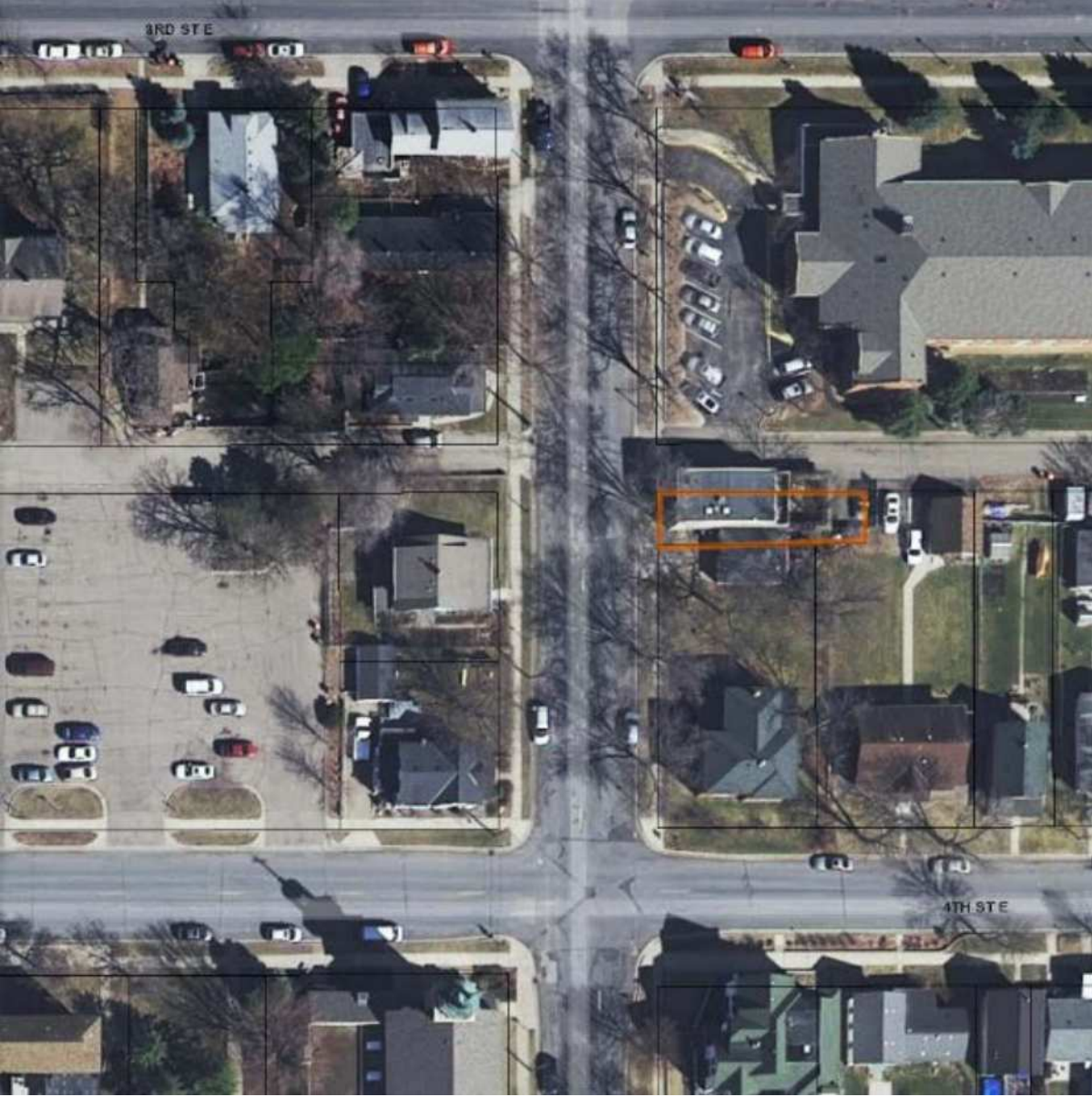
Property owners within 350-feet were notified of the proposed rezoning. Staff has not received any comments.

Recommended Action:

Approval of the rezoning, as is guided by the Comprehensive Plan.

Attachments:

- Aerial photographs



✓

Inbox > **Message Detail****Subject:** Support for Adele Salon**From:** Kelli Tatum <klynntatum@gmail.com> (Add as Preferred Sender)**Date:** Sat, Nov 26, 2016 12:17 pm**To:** adele@adele-salon.com

As a resident of the Hastings historic district, I was thrilled to see a business such as Adele Salon not only want to purchase a building, but purchase an historic building.

Adele Salon is a successful, small local business that understands the need for expanding the downtown merchant district in order to support the riverfront renaissance efforts of growing tourism.

The owners of Adele also understand the reverence in which an historic district must be treated and has the expertise to maintain such a structure as the building they are proposing to purchase.

As a nearby resident, I would be happy to have them in my neighborhood, knowing that they would be respectful and responsible additions.

Kelli Tatum

[Print](#) | [Close Window](#)

Subject: Re:Adele salon?

From: Jody <OREDSED@aol.com>

Date: Sun, Nov 27, 2016 7:29 am

To: adele@adele-salon.com

Hastings City Council

I live in the neighborhood of Adele's salon. I like that they have involved the history of Hastings in their salon and very impressed how they want to restore the history of the building they want to move to. It's a small quiet peaceful neighborhood salon and walking distance is a plus. It's only a 2 chair salon so I do not understand how parking can be a issue. With all the wonderful work the city of Hastings has been doing to restore its history you have someone that wants to restore this building to a small neighborhood salon what a perfect fit.

Jody O'Fallon

Planning Commission Memorandum

To: Planning Commission
From: Justin Fortney, City Planner
Date: September 26, 2016
Item: Rezoning - 2016-37 – Harold Hoban – 313 Ramsey Street

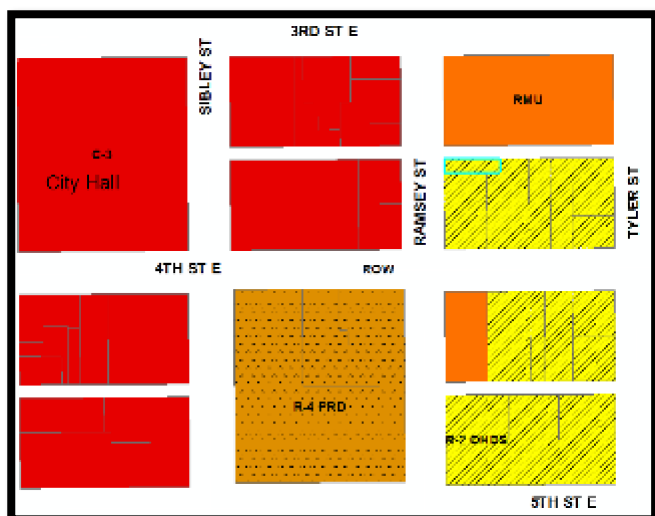
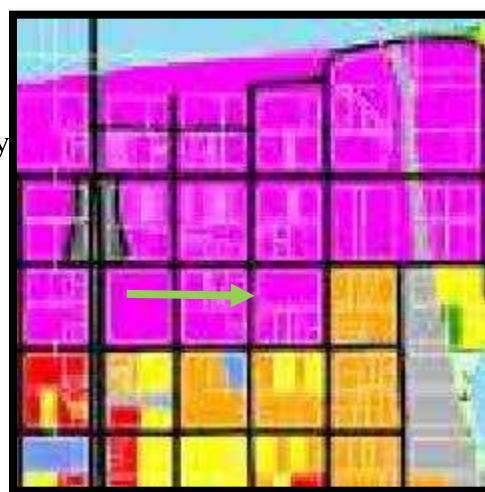
Planning Commission Action Requested: The Planning Commission is asked to hold a public hearing and review the proposed action to rezone property from R-2, Medium Density Residence to RMU, Residential Mixed Use and make a recommendation to the City Council.

Background Information:

The property owner is selling the property to a buyer that will operate the ground floor as a commercial two chair salon and will operate the second floor as residential. This is the way the building operated many years ago until the ground floor was converted to residential. The ground floor will be converted back to commercial. Parking for the site is currently deficient, but grandfathered for uses with similar parking needs. The proposed uses have nearly the same parking requirements as a duplex.

Comprehensive Plan Classification

The 2030 Comprehensive Plan designates the property and surrounding ones as mixed use.



Zoning Classification

The subject property is zoned R-2, Medium Density Residence. Generally, only single family homes and duplexes on larger lots are allowed in this district. The properties across Ramsey Street are zoned C-3, which is a more intense zoning district than RMU.

Adjacent Zoning and Land Use

The following land uses about the property:

Direction	Existing Use	Zoning	Comp Plan
North	Mississippi Terrace - Senior	RMU	Mixed Use
East	Triplex	R-2	Mixed Use

West	Residential	C-3	Mixed Use
South	Residential	R-2	Mixed Use

R-2 -Permitted uses

- (1) One-family detached dwellings;
- (2) Public parks, playgrounds, country clubs, athletic fields, and other recreational uses of a non-commercial nature;
- (3) Churches, libraries, and public and parochial schools;
- (4) Home occupations, pursuant to § 155.07.
- (5) Cluster developments ...
- (6) Accessory uses if incidental to the foregoing principal uses such as private garages and sheds; and
- (7) Residential care facility - independent.
- (8) Fire stations and cemetery;
- (9) Two-family/multiple-family dwellings, including both new construction and conversions of existing single-family dwellings;
- (10) Bed and Breakfasts (subject to conditions)

Uses by special permit.

- (1) Residential care facilities, dependent and semi-independent, subject to the conditions listed at § 155.07.
- (2) Neighborhood commercial (subject to conditions)
- (3) Towers are regulated by § 155.07. (Prior Code, § 10.12) Penalty, see § 10.99

RMU - Uses permitted.

- (1) Multiple-family dwellings;
- (2) Library, public and private schools, and similar uses of a public service nature;
- (3) Accessory uses incidental to the foregoing principal uses including, but not limited to, garages, and recreational facilities;
- (4) Home occupations in accordance with § 155.07;
- (5) Planned residential developments in accordance with § 155.07; and
- (6) Commercial activities are permitted but limited to the first floor of the building, and shall not exceed 50% of the entire structure.

Uses by special permit.

- (1) Multiple-family dwellings greater than 40 feet in height as measured by the International Building Code; and

Notice

Property owners within 350-feet were notified of the proposed rezoning. Staff has not received any comments.

Recommended Action:

Approval of the rezoning, as is guided by the Comprehensive Plan.

Attachments:

- Aerial photographs

