

city of saint paul  
planning commission resolution  
file number 21-42  
date September 3, 2021

WHEREAS, the Housing and Redevelopment Authority, File # 21-291-082, has applied to rezone from B2 community business to T2 traditional neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 231 Front Avenue, Parcel Identification Number (PIN) 25.29.23.14.0129, legally described as Lot 4, Block 46, Auerbach & Hand's Addition; and

WHEREAS, the Zoning Committee of the Planning Commission, on August 26, 2021, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of § 61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The application is to rezone the property to T2 to allow for new affordable home ownership
2. The proposed zoning is consistent with the way this area has developed. The area is a mix of low-density residential, commercial, and institutional uses along Front Street. Marion Street is a mix of low density residential. T2 zoning would allow the proposed housing use and is compatible with the surrounding institutional and commercial uses.
3. The proposed zoning is consistent with the Comprehensive Plan. This location is identified as Urban Neighborhood in the Future Land Use Map. Urban Areas are defined as:  
*..primarily residential areas with a range of housing types. Single family homes and duplexes are most common, although multi-family housing predominates along arterial and collector streets, particularly those with transit. Multi-family housing, schools, neighborhood parks, religious institutions and cemeteries may also be scattered throughout Urban Neighborhoods. Limited neighborhood serving commercial may also be present, typically at intersections of arterial and/ or collector streets.*

The proposed use-affordable homeownership-is consistent with the Urban Neighborhood designation. Additionally, the site falls within the Lawson-Rice-Front street Neighborhood Node. There are also several policies within the Housing Chapter of the Comprehensive Plan that support affordable housing ownership:

- Policy H-15. *Accommodate a wide variety of culturally-appropriate housing types throughout the city to support residents at all stages of life and levels of ability*
- Policy H-16. *Increase housing choice across the city to support economically diverse*

moved by Reilly  
seconded by \_\_\_\_\_  
in favor Unanimous  
against \_\_\_\_\_

*neighborhoods by pursuing policies and practices that maximize housing and locational choices for residents of all income levels*

- Policy H-31. *Support the development of new affordable housing units throughout the city*
  - Policy H-33. *Further affordable ownership housing goals in HRA/City-financially-assisted projects by working toward 10 percent of all ownership units being affordable to residents earning 60 percent of AMI and 20 percent of all ownership units being affordable to residents earning 80 percent of AMI*
  - Policy H-34. *Support the development of new affordable ownership opportunities through the Inspiring Communities program, including selling vacant HRA-owned single-family lots and identifying sites appropriate for new ownership housing*
4. The proposed zoning is compatible with the surrounding uses. The lot to the west is a duplex and to the north is a single-family home. To the south is a small grocery store and to the east is a fire station. Providing affordable home ownership on 231 Front Avenue will provide a nice transition to the lower density Marion 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 T2 zoning here would not be considered spot zoning because it permits both residential, commercial, and institutional uses consistent with the surrounding area.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of the Housing and Redevelopment Authority for rezoning from B2 community business to T2 traditional neighborhood for property at 231 Front Ave be approved.