

city of saint paul  
planning commission resolution  
file number 23-24  
date August 4, 2023

WHEREAS, York Avenue Land Development LLC, File # 23-059-798, has applied to rezone 1500 York Avenue from R4 one-family residential to RM2 multiple-family residential and rezone 1510 York Avenue from a combination of R4 & RM2 to all RM2 under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 1500 York Avenue, Parcel Identification Number (PIN) 27.29.22.31.0077 and 1510 York Avenue, PIN 27.29-22-31-0144 legally described jointly as Ex. S 148.5 ft., Lot 15; N ½ Lot 16; & Ex. W 60 ft. of N 200 ft., N ½ Lot 17; Block 2, Cruickshank’s Garden Lots; and

WHEREAS, the Zoning Committee of the Planning Commission, on July 27, 2023, 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 requests rezoning the R4 one-family residential portions of 1500-1510 York Avenue to RM2 multiple-family residential so the entire parcels are zoned RM2.
2. The proposed RM2 multiple-family zoning is consistent with the way this area has developed, including the existing multi-family residential to the west and south, and single-family and duplex residential to the east.
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. Urban Neighborhoods are primarily residential areas with a range of housing types, including scattered concentrations of multifamily residential such as permitted under the proposed zoning.
4. The proposed zoning is compatible with the multifamily residential to the west and other surrounding residential uses.
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 zoning does not constitute spot zoning because the use classification is consistent with surrounding uses.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of York Avenue Land Development LLC for rezoning 1500 York from R4 one-family residential to RM2 multiple-family residential and rezoning 1510 York from a combination of R4 & RM2 to all RM2. for property at 1500 York Ave be approved.

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