

city of saint paul  
planning commission resolution

file number 24-6

date March 29, 2024

WHEREAS, Project for Pride and Living, File # 24-016-929, has applied to rezone from B3 general business to T3 traditional neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 892 7th Street E, Parcel Identification Number (PIN) 28.29.22.33.0062, legally described as Lot 1, Block 1, Beacon Bluff Business Center South and

WHEREAS, the Zoning Committee of the Planning Commission, on March 21, 2024, 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 Applicant requests a rezoning from B3 general business to T3 traditional neighborhood to develop the subject parcel to create a mixed-use residential/commercial building. The development would include at least 60 units of affordable housing – some of which will be much needed larger three- and four-bedroom apartments. The proposed ground floor commercial space would provide services in need by the community, such as childcare, a clinic, and a food hall incubator. The T3 zoning district’s dimensional standards and design guidelines are more flexible and suitable for mixed-use developments.
2. § 66.431 allows a maximum building height of 30 feet in the B3 district. § 66.330 allows a maximum building height of 55 feet in the T3 district, which can be increased to 90 feet if a conditional use permit is obtained. The proposed development is expected to be 53 feet and 8 inches tall.
3. The proposed T3 zoning is consistent with the Comprehensive Plan. The 2040 Comprehensive Plan designates the future land use of this parcel as Mixed Use:

*“The main distinguishing characteristic is a balance of jobs and housing within walking distance of one another. Historically, these areas developed in easily-accessible locations, and they will continue to be the most dynamic areas of Saint Paul.”*

The intent of the T3 zoning district is to provide for *“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...”* This is reflected in the allowable uses in the T3 district, which permits most residential and commercial uses, but not drive-through sales and services. Mixed-use residential/commercial buildings are permitted in B3,

moved by Taghioff

seconded by \_\_\_\_\_

in favor Unanimous

against \_\_\_\_\_

but drive-through sales and services are also permitted uses, and most automotive services are conditional uses. The T3 district is more consistent with the future land use of this parcel, while the B3 district is focused more on providing a diversity of commercial uses along major thoroughfares.

The site is located along the 74 bus route and within walking distance of many other bus routes that connect to the Green Line and Downtown Saint Paul. The site is also within walking distance of a proposed station for the future Purple BRT Line.

The subject parcel is also within the East 7<sup>th</sup> Street – Arcade Neighborhood Node. Neighborhood Nodes are designated for “locations planned for higher-density, mixed-use development.” The proposed T3 zoning allows for higher density development, which is consistent with the Neighborhood Node designation.

The following policies apply:

**2040 Comprehensive Plan:**

**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-6.** Foster equitable and sustainable economic growth by:

- proactively directing new development to high-priority geographies, such as Neighborhood Nodes;
- building and expanding neighborhood economic and cultural assets through the development of the local micro-economies of our Neighborhood Nodes;

**Dayton’s Bluff District Plan (2009):**

**C1.** Prepare a zoning study of existing commercial districts within District 4 to determine if the Traditional Neighborhood District is appropriate, particularly to promote mixed use development in these areas.

Prior to 2009, many of the parcels along East 7th Street within Dayton’s Bluff were zoned B2 or B3. Since then, many of the B2 and B3 districts have been rezoned to T2 for the flexibilities in allowable uses and dimensional standards (Attachment 3). While a zoning study was not conducted, it’s clear that the B districts were found to be too restrictive for the way this commercial corridor would develop.

4. 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 the subject parcel abuts multiple parcels zoned T2. There are few uses that are permitted in T3 but not T2. However, those uses that are not permitted in T2 are permitted in I1, which also abuts the subject parcel. The proposed rezoning will not result in a change of allowable uses in the area.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Port Authority of Saint Paul for rezoning from B3 general business to T3 traditional neighborhood for property at 892 7th Street E be approved.