

city of saint paul
planning commission resolution

file number 17-35

date June 16, 2017

WHEREAS, IAF Beacon I LLC, in File # 17-042-435, has applied to rezone a portion of 777 Forest Street N. to become part of the railroad ROW from I1 light industrial to I2 general industrial under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on a portion of Parcel Identification Number (PIN) 282922330058, legally described as:

That part of the Southwest Quarter of the Southwest Quarter of Section 28, Township 29 North, Range 22 West, Ramsey County, Minnesota, bounded and described as follows: Beginning at a point on the West line of Forest Street, distant 56 feet Southerly, measured radially, from the center line of the main track of the St. Paul, Stillwater and Taylors Falls Railroad Company (later the Chicago, St. Paul, Minneapolis and Omaha Railway Company, now the Chicago and North Western Transportation Company), as said main track center line was originally located and established across said Section 28, and being now the general location of the most Northerly or Westbound main track of said Transportation Company; thence Westerly parallel with said original main track center line, said parallel line being also the Northerly line of the alley in Block 1 in E. M. Mackubin's Addition to St. Paul, a distance of 140 feet, more or less, to a point distant 9 feet Southeasterly, measured radially, from the center line of the Chicago and North Western Transportation Company (formerly Chicago, St. Paul, Minneapolis and Omaha Railway Company) spur or yard track ICC No. 133, as said yard track is now located; thence Northeasterly parallel with said yard track center line a distance of 85 feet, more or less, to a point distant 30 feet Southeasterly, measured radially, from the center line of the most Southerly or Eastbound main track of the Chicago and North Western Transportation Company (formerly the Chicago, St. Paul, Minneapolis and Omaha Railway Company), as said main track is now located; thence Easterly parallel with said last described main track center line a distance of 55 feet, more or less, to a point on the west line of said Forest Street; thence Southerly along said West line of Forest Street a distance of 13 feet, more or less, to the point of beginning; and

WHEREAS, the Zoning Committee of the Planning Commission, on June 8, 2017, 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:

moved by Makarios

seconded by _____

in favor Unanimous

against _____

1. The application requests rezoning of a small portion of 777 Forest Street N. from I1 to I2 to facilitate its addition to the abutting railroad right-of-way.
2. The proposed zoning is consistent with the way this area has developed. The area contains industrial uses and vacant land zoned I1 and I2.
3. The proposed zoning is consistent with the Comprehensive Plan, which in Figure LU-B designates the site as being in the Industrial future land use category.
4. The proposed zoning is compatible with the surrounding industrial 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 rezoning to I2 does not constitute spot zoning – it is the same zoning of the northern parcel to which it will be attached.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of IAF Beacon I LLC to rezone a portion of 777 Forest Street N. to become part of the railroad ROW from I1 light industrial to I2 general industrial be approved.