

city of saint paul
planning commission resolution
file number 12-03
date January 13, 2012

WHEREAS, Marquette Apartments LLC, File # 11-307-389, has applied for a Rezoning from RM2 Medium-Density Residential to T2 Traditional Neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 204-208 Western Ave N, Parcel Identification Number (PIN) 012823120032, legally described as Dayton And Irvines Addition S 1/2 Of Lot 5 And Ex E 10 5/10 Ft S 1/2 Of Lot 6 Blk 80; and 208 Western Ave N, and PIN 012823120031, legally described as Dayton And Irvine's Addition N 1/2 Of Lot 5 And Ex E 10 5/10 Ft N 1/2 Of Lot 6 Blk 80; and

WHEREAS, the Zoning Committee of the Planning Commission, on December 22 and January 5, 2012, 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. This application is to rezone the properties at 204 and 208 Western Avenue N from RM2 (multi-family) to T2 (traditional neighborhood) in order to permit commercial uses on the ground floor of the properties.
2. The applicant needs to rezone the properties in order to put commercial uses in the ground floor commercial space because the previous nonconforming use (beauty salon) was replaced by a conforming use (College of Visual Arts). The zoning code states that a nonconforming use can not be resumed if replaced by a conforming use.
3. The proposed zoning is consistent with the way this area has developed. The T2 zoning district permits a variety of residential and commercial uses. T2 zoning is designed for use in existing or potential pedestrian and transit nodes. §66.313 states the intent of the T2 traditional neighborhood district, which is to encourage a variety of uses and housing types, with careful attention to the amount and placement of parking and transitions to adjacent residential neighborhoods. The area surrounding it features a variety of residential and commercial uses; the proposed zoning is consistent with the way this area has developed and with the historical zoning of the properties.
4. The proposed zoning is consistent with the 2030 Comprehensive Plan, Land Use Policy 1.24, *Support a mix of uses on Mixed-Use Corridors*. Selby Avenue is identified as a mixed-use corridor in the 2030 Comprehensive Plan, adopted in 2010. Selby is one block south of the site, and the Selby/Western node is mixed use in character. It is also consistent with the District 8 Plan Summary adopted in 2009, specifically Economic Development Policy 20, Encourage development that responds to the purchasing demands of neighborhood residents.

moved by Kramer
seconded by _____
in favor Unanimous
against _____

5. The proposed zoning is compatible with surrounding uses, which are multi-family residential and B2 community business. T2 permits both residential and neighborhood-oriented commercial uses, consistent with the existing mix of uses in the area.
6. The petition for rezoning was found to be sufficient on November 29, 2011: 65 parcels eligible; 44 parcels required; 44 parcels signed.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission, recommends to City Council, that the application of Marquette Apartments LLC for a Rezoning from RM2 Medium-Density Residential to T2 Traditional Neighborhood for property at 204 and 208 Western Ave N be approved.