

city of saint paul
planning commission resolution

file number 21-09

date March 5, 2021

WHEREAS, Miley H R Separate Prop Trust, File # 21-226-435, has applied to rezone from RT2 townhouse residential to RM2 multiple-family residential under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 1164 7th Street W, Parcel Identification Number (PIN) 11-28-23-42-0207, legally described as Lots 3, 4 and 18, Block 12, Rearrangement of Block 12 Clarks Addition; and

WHEREAS, the Zoning Committee of the Planning Commission, on February 25, 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 allow future multifamily redevelopment. It is anticipated to include 10-14 market rate one-bedroom units.
2. The proposed zoning is consistent with the way this area has developed. The area is a mix of commercial and residential uses, which has evolved over time with higher density housing and a mix of uses generally concentrated along West 7th Street.
3. The proposed zoning is consistent with the Comprehensive Plan. The proposed rezoning is consistent with the 2040 Comprehensive Plan. This location is identified as Mixed-Use in the Future Land Use Map. Mixed-Use areas are defined as:

Mixed-Use areas are primarily along thoroughfares well-served by transit. 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. These areas are vital for the ongoing growth and economic development of the city by providing the highest densities outside of downtown.

The following policies are particularly applicable:

- *Policy LU-1. Encourage transit-supportive density and direct the majority of growth to areas with the highest existing or planned transit capacity.*
- *Policy H-16. Increase housing choice across the city to support economically diverse neighborhoods by pursuing policies and practices that maximize housing and locational choices for residents of all income levels.*
- *Policy H-46. Support the development of new housing, particularly in areas identified as Mixed Use, Urban Neighborhoods, and/or in areas with the highest existing or*

moved by Rangel Morales

seconded by _____

in favor Unanimous

against _____

planned transit service, to meet market demand for living in walkable, transit-accessible, urban neighborhoods.

4. The proposed zoning is compatible with surrounding uses. The use is adjacent to mixed use and a church. The use would provide a transition between higher density on West 7th Street and medium density residential to the southeast.
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 rezoning would not be spot zoning. There are several RM2 zoning districts proximate to the site with frontage on West 7th Street. The intent of the RM2 zoning district is:

The RM2 medium-density multiple-family residential district is designed for multiple-family residential and supportive, complementary uses. Its intent is to foster and support pedestrian- and transit-oriented residential development and provide for infill housing to meet a variety of housing needs.

This intent is consistent with the 2040 Comprehensive Plan, as described in Finding 3.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Miley H R Separate Prop Trust for rezoning from RT2 townhouse residential to RM2 multiple-family residential for property at 1164 7th Street W be approved.