

city of saint paul
planning commission resolution
file number 19-37
date July 26, 2019

WHEREAS, Housing and Redevelopment Authority of Saint Paul, file # 19-054-653, has applied to rezone from RT1 two-family residential to R4 one-family residential under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 659 Otsego Street, Parcel Identification Number (PIN) 32.29.22.22.0050, legally described as LOTS 10-11, BLOCK 9, WARREN & WINSLOWS ADDITION; and

WHEREAS, the Zoning Committee of the Planning Commission, on July 18, 2019, 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 of the RT1 Two-Family Residential District portion of the split-zoned property to R4 one-family residential district to match the rest of the planned 3.5-acre residential development's zoning. Split-zoning is discouraged by the Zoning Code.
2. The proposed zoning is consistent with the Comprehensive Plan, which in Figure LU-B designates the site as Established Neighborhood, and the Railroad Island Area Plan Summary (a Comprehensive Plan addendum), which calls for new owner-occupied housing on Rivoli Bluff.
3. The proposed zoning is compatible with the surrounding residential land uses, the way this area has developed, and proposed redevelopment of the site.
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.*" The proposed zoning does not constitute "spot zoning."

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of the Housing and Redevelopment Authority of Saint Paul to rezone from RT1 two-family residential to R4 one-family residential for property at 659 Otsego Street be approved.

moved by Chair Reveal
seconded by _____
in favor Unanimous
against _____