

city of saint paul  
planning commission resolution  
file number 14-64  
date October 3, 2014

WHEREAS, Housing & Redevelopment Authority (HRA), file # 14-325-680, has applied for a rezoning from R4 One-family Residential to T2 Traditional Neighborhood under the provisions of §61.801(b) of the Saint Paul Legislative Code, on property located at 619-627 Wells St, Parcel Identification Number (PIN) 292922420187, legally described as Lots 26-28 of Block 35, Chas Weide's Subdivision of Arlington Hills Addition; and

WHEREAS, the Zoning Committee of the Planning Commission, on September 25, 2014, 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 from R4 to T2 in order to allow a parking lot that will be an accessory use to nearby businesses along Payne Avenue.
2. The proposed zoning is consistent with the way this area has developed. Adjacent properties along Payne Avenue are zoned B2 and T2, and have varying lot depths. Rezoning to T2 is consistent with the established land use pattern.
3. The proposed zoning is consistent with the Comprehensive Plan, which designates the area along Payne Avenue as a Mixed Use Corridor. The proposed rezoning supports the more intense commercial and residential uses, envisioned for the Mixed Use Corridor, and in the near-term promote an active streetscape along Payne Avenue by placing parking behind the buildings facing Payne Avenue.
4. The proposed T2 zoning allows a range of neighborhood-scale residential and commercial uses that are compatible with the surrounding residential and commercial 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 T2 zoning is not "spot zoning" because the T2 uses are consistent with the surrounding residential and commercial zoning designations and uses.
6. The petition for rezoning was found to be sufficient on August 28, 2014: 21 parcels eligible; 14 parcels required; 15 parcels signed.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of the Housing & Redevelopment Authority (HRA) for a rezoning from R4 One-family Residential to T2 Traditional Neighborhood for property at 627 Wells Street be approved.

moved by Nelson  
seconded by \_\_\_\_\_  
in favor 17-0 with 1 abstention (DeJoy)  
against \_\_\_\_\_