

city of saint paul
planning commission resolution
file number 14-16
date March 7, 2014

WHEREAS, Office of Real Estate, City of St. Paul, File # 14-092-306, has applied for a rezoning from B1 Local Business to T1 Traditional Neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 1720 7th St E, Parcel Identification Number (PIN) 272922440011, legally described as Kuhls 2nd Addition Lots 14 And Lot 15 Blk 1; and

WHEREAS, the Zoning Committee of the Planning Commission, on February 27, 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 B1 Local Business to T1 Traditional Neighborhood.
2. The proposed rezoning to T1 is to provide for reuse of the former fire station as a residence, which is a reasonable reuse of the building that is not permitted under the current B1 zoning. The proposed T1 zoning allows a range of reasonable uses for the building, including the proposed residential use.
3. The proposed zoning is consistent with the way this area has developed, which includes commercial and multi-family residential uses at this intersection, surrounded by other residential uses.
4. The proposed zoning is consistent with the Comprehensive Plan. The site is within a Residential Corridor that runs through an Established Neighborhood, according to Figure LU-H in the Comp Plan's Land Use Chapter. Land Use Strategy 1.1 calls for guiding the development of housing in Residential Corridors consistent with the prevailing character and overall density of the area. The District 2 Area Plan contains no provisions specific to this proposal.
5. The proposed zoning is compatible with the surrounding land uses, including the neighborhood commercial uses to the west, the multi-family to the north, and the single-family residential in other directions.
6. 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 T1 zoning is not "spot zoning" because the T1 uses are consistent with the surrounding B1, RM2, and R4 districts and uses.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of the Office of Real Estate, City of St. Paul, for a rezoning from B1 Local Business to T1 Traditional Neighborhood for property at 1720 7th St E be approved.

moved by Reveal
seconded by _____
in favor Unanimous
against _____