

city of saint paul
planning commission resolution

file number 13-50

date November 15, 2013

WHEREAS, Cottagewood Group, File # 13-243-575, has applied to rezone from R3 One Family Residential to RM2 Multi Family Residential under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 1388 Prior Ave S, Parcel Identification Number (PIN) 212823240127, legally described as Fairview South Addition Ex E 120 Ft The S 130 Ft Of Fol Blks 3 And 4 Also Vac Sedan St Adj And All N And S Alleys Adj Sd Blks 3 And Blk 4; and

WHEREAS, the Zoning Committee of the Planning Commission, on November 7, 2013, 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 applicant proposes to rezone the property from single-family (R3) to multi-family (RM2) to allow the reuse and expansion of an existing building (formerly a convent) to an assisted living and memory care facility, which is a conditional use in the RM2 district. The use is consistent with the intent of the RM2 district as defined in Section 66.216, "...to provide for more extensive areas of multiple-family residential development and a variety of congregated living arrangements..."
2. The proposed zoning is consistent with the way this area has developed. There is a mix of single and multi-family development in the area of two to four stories in height.
3. The proposed zoning is consistent with the Comprehensive Plan. Strategy 2.18 in the Housing Chapter, which advocates to "Support the expansion of housing choices for seniors," specifically states, "Support rezonings for senior housing development..." and "Provide flexibility for the reuse and/or physical adaptation of existing single-family and multi-family buildings for senior housing."
4. The proposed use is compatible with the Highlands on Graham multi-family apartment complex across the street.
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 RM2 zoning for this property is consistent with the RM2 zoning of the 2.6 acre Highland on Graham property across the street.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Cottagewood Group to Rezone from R3 One Family .

moved by Nelson

seconded by _____

in favor Unanimous

against _____