

city of saint paul
planning commission resolution
file number 16-47
date August 19, 2016

WHEREAS, Phalenview Real Estate LLC, Zoning File # 16-060-576, has applied for a rezoning from RT1 two-family residential to RM2 multiple family residential under the provisions of Zoning Code § 61.801(b), for property located at 419 Whitall Street, Parcel Identification Number (PIN) 29.29.22.32.0195, legally described as Edmund Rice's First Addition, Lots 2, 3 & 4, Block 6 and Edmund Rice's Fourth Addition, Lot 12, Block 7; and

WHEREAS, the Zoning Committee of the Planning Commission, on August 11, 2016, 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 Zoning Code § 61.303; 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 proposal is to rezone from RT1 Two-Family Residential to RM2 Multiple-Family Residential to allow for development of multi-family housing on a vacant lot.
2. The proposed zoning is consistent with the way this area has develop, which includes a mix of residential uses to the north, and more intense, more recent office development along Phalen Boulevard to the south.
3. The proposed zoning is consistent with the Comprehensive Plan and is compatible with the Phalen Corridor Development Strategy residential strategy of "constructing new homes with neighborhood compatible designs on infill lots throughout the area" and "develop new medium density sites."
4. The proposed zoning is consistent with the surrounding uses, including a mix of one-family, duplex, and multi-family residential to the north, and the medical office campus to the south.
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 rezoning to RM2 is not spot zoning. RM2 allows residential uses that are consistent with the surrounding residential uses to the north as well as the more intense medical office campus to the south.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Phalenview Real Estate LLC for a rezoning from RT1 two-family residential to RM2 multiple family residential for property at 419 Whitall Street be approved.

moved by Nelson
seconded by _____
in favor Unanimous
against _____