

city of saint paul
planning commission resolution
file number: 25-4
date: January 10, 2025

WHEREAS, East Mall Associates and Wengler Family Limited Partnership, File # 24-097-753, have applied to rezone from B2 community business (PIN 02-28-23-42-0125) and BC (PIN 02-28-23-42-0126) community business (converted) to T3 traditional neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 841-857 Grand Avenue, legally described as Lots 15-19 and west 25 feet of Lot 20, Block 18, Summit Park Addition; and

WHEREAS, the Zoning Committee of the Planning Commission, on December 19, 2024, 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 owns the properties on Grand Avenue and requests to rezone them from B2 and BC to T3. The applicant plans to sell the properties for development of a mixed-use project on the site in the future.
2. *The proposed zoning is consistent with the way this area has developed.* This finding is met. The properties are currently used for commercial and residential uses. The site is in a mixed-use area along Grand Avenue that includes a mix of commercial and residential uses with varying housing types and sizes. Grand Avenue is a high frequency bus corridor (bus route 63), where the commercial and residential uses permitted in the T3 district are appropriate. T3 allows residential and commercial uses, so it is compatible with the residential uses in the adjacent RM2 district and commercial uses in the adjacent B2 districts.
3. *The proposed zoning is consistent with the Comprehensive Plan.* This finding is met. The future land use designation for this site is Mixed-Use and it is located in the center of a Neighborhood Node. The 2040 Comprehensive Plan states that:

"Mixed-Use areas are primarily along thoroughfares well-served by transit. The main distinguishing characteristic is a balance of jobs and housing within walking distance of one another. Historically, these areas developed in easily accessible locations, and they will continue to be the most dynamic areas of Saint Paul. These areas are vital for the ongoing growth and economic development of the city by providing the highest densities outside of downtown."

moved by: Taghioff
seconded by
in favor: Unanimous
against

"Neighborhood Nodes are compact, mixed-use areas that provide shops, services, neighborhood-scale civic and institutional uses, recreational facilities and employment close to residences. They may be neighborhood centers, transit station areas or urban villages, and have often developed adjacent to street car stops... Neighborhood Nodes are denser concentrations of development relative to the adjacent future land use categories."

T3 zoning on a corner lot would allow an appropriate mix of uses and scale, consistent with the walkable context of Grand Avenue. The proposed T3 zoning would allow redevelopment to a mixed-use project, supported by Policies LU-27, LU-30, and LU-31:

"Provide for land use change and rezoning of land adjacent to Mixed-Use areas to allow for commercial redevelopment and/or expansion fronting arterial and collector streets."

"Focus growth at Neighborhood Nodes using the following principles: increase density toward the center of the node and transition in scale to surrounding land uses, prioritize pedestrian-friendly urban design and infrastructure that emphasizes pedestrian safety..."

"Invest in Neighborhood Nodes to achieve development that enables people to meet their daily needs within walking distance and improves equitable access to amenities, retail and services."

Grand Avenue is a high frequency transit corridor and one of Saint Paul's key pedestrian-oriented areas. The Transportation Plan designates the roadway as an arterial street.

Transit-supportive density is anticipated along arterial streets, supported by Policy LU-1:

"Encourage transit-supportive density and direct the majority of growth to areas with the highest existing or planned transit capacity."

The existing site could be utilized more efficiently. The site currently has a one-story commercial building, a house with commercial and residential uses, and two surface parking lots. The proposed T3 zoning allows for higher-density, mixed-use development in an area that is highly walkable, bikeable, and well-served by transit, with a more efficient use of the land, supported by Policy LU-14:

"Reduce the amount of land devoted to off-street parking in order to use land more efficiently, accommodate increases in density on valuable urban land, and promote the use of transit and other non-car mobility modes."

T3 zoning allows for the development of new housing in a mixed-use area to allow more residents to live in the walkable, transit-accessible, urban neighborhood along Grand Avenue, supported by Policy H-46:

"Support the development of new housing, particularly in areas identified as Mixed Use, Urban Neighborhoods, and/or in areas with the highest existing or planned transit service, to meet market demand for living in walkable, transit-accessible, urban neighborhoods."

The proposed T3 zoning is generally consistent with the 2006 Summit Hill/District 16 Neighborhood Plan. Policy G1 Corridor Continuity states, *"Maintain Grand Avenue as a continuous neighborhood retail and residential corridor and contain commercial uses and accessory parking within existing boundaries."* The proposed zoning allows for Grand Avenue to be maintained as a continuous retail and residential corridor with an active mixed-use commercial and residential building. The proposed development provides continuous street frontage at the corner of Grand Avenue and Victoria Street. One policy (G4 Commercial and Housing Mix) relates to the retention of BC zoning and discouraging rezonings of residential uses to more intensive uses; however, the proposed T3 zoning still allows residential uses mixed with commercial uses.

4. *The proposed zoning is compatible with surrounding uses.* This finding is met. This area of Grand Avenue includes retail, restaurants, service businesses, and a mix of housing types with a range densities. The mix of commercial and residential uses permitted in the T3 district are compatible with the range of uses surrounding the site. T3 zoning includes the same traditional neighborhood design standards that apply to surrounding properties within the EG East Grand Avenue Overlay District.

Sec. 66.314 states that the T3 district is intended for use in higher-density pedestrian- and transit-oriented areas. It is designed for development or redevelopment of land on sites that are large enough to support a mix of uses and housing types with multimodal connections and open spaces. It is also intended for smaller sites in existing mixed-use neighborhood centers where a mix of uses, multimodal connections, and open spaces are within a reasonable walking distance.

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 is not spot zoning. The site is currently zoned B2 and BC, community business districts surrounded by other community business and residential districts. The proposed T3 zoning provides for a mix of uses that are consistent with the mix of commercial and residential uses (at a range of densities) along Grand Avenue in this vicinity.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of East Mall Associates and Wengler Family Limited Partnership for rezoning from B2 community business (PIN 02-28-23-42-0125) and BC (PIN 02-28-23-42-0126) community business (converted) to T3 traditional neighborhood for properties at 841-857 Grand Avenue be approved.