

city of saint paul
planning commission resolution
file number _____
date _____

WHEREAS, Turk Trust et al, File # 17-015-513, has applied for a rezoning from B2 Community Business to T3 Traditional Neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, for property located at 246-286 Snelling Ave S, Parcel Identification Numbers (PINs) 10.28.23.22.0164, 10.28.23.22.0164, 10.28.23.22.0165, 10.28.23.22.0166, 10.28.23.22.0167, 10.28.23.22.0168, and 10.28.23.22.0169, legally described as Sylvan Park Addition to the City of Saint Paul, Lots 1-10, Block 4; and

WHEREAS, the Zoning Committee of the Planning Commission, on April 13, 2017, 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. LeCesse Development has a purchase agreement for all properties proposed for rezoning. They are proposing a mixed use building that would cover nearly the entirety of the properties.
2. The proposed zoning is consistent with the way this area has developed. The surrounding area and subject property is currently characterized by a mix of commercial and residential uses. The subject property is currently occupied by commercial buildings. Two lots at the southern end of the Snelling face of the block on which the subject property is located were recently redeveloped into a new, one-story commercial building. The two lots were previously occupied by a former service station and a single family residence. Two-story buildings with first floor commercial space and second story residential units occupy the northeast and southwest corners of the intersection of St. Clair and Snelling Avenues, and several multistory commercial buildings occupy the St. Clair block face just east of the subject property. Single family homes are located to the east of the subject property across the north-south alley that bisects the block on which the subject property is located. There are also single family homes across Snelling Avenue and south of the mixed use building at the corner with St. Clair, although these homes are oriented toward the intersecting residential streets rather than Snelling Avenue. The campus of Macalester College occupies the northwest corner of the intersection of Snelling and St. Clair Avenues. The subject property is currently zoned B2, which allows for a range of commercial uses. The proposed T3 traditional

moved by _____
seconded by _____
in favor _____
against _____

neighborhood zoning allows a similar range of commercial uses, along with a range of residential uses. The stated intent of the T3 district is to “provide for higher-density pedestrian- and transit-oriented mixed-use development”. In addition to larger sites that can accommodate new mixed-use neighborhoods, it is also intended for use on “smaller sites in an existing mixed-use neighborhood center” which include “a mix of uses, including residential, commercial, civic and open spaces” and a “mix of housing types” within “a reasonable walking distance”. The subject property is also located on the A Line BRT, a high-frequency transit line with off-board ticketing. There is an A Line station on the north side of St. Clair Avenue.

3. The proposed zoning is consistent with the Comprehensive Plan. The future land use map of the Saint Paul Comprehensive Plan (2010) identifies Snelling Avenue and the portion of St Clair Avenue including the subject property and properties immediately to the east as a Mixed-Use Corridor. Mixed-Use Corridors are intended to accommodate a mix of commercial, residential, civic, and institutional uses, with residential units at densities of 30-150 units per acre. Policy LU 1.2 of the Macalester-Groveland Community Plan (2016) expresses a strategy to "maintain and/or establish zoning that encourages higher-density (taller) development at the intersection of mixed-use corridors and lower-density (shorter) development at mid-block of mixed-use corridors."
4. The proposed zoning is compatible with surrounding commercial and residential uses. The proposed zoning will allow mixed use development in an area that is already characterized by a similar mix of commercial and residential uses. The proposed zoning would allow for greater density of development as measured by building height and floor area ratio (FAR). The current B2 zoning allows a maximum FAR of 2.0 and a height of 30 feet, with greater height allowed with increased setbacks. The proposed T3 zone allows a maximum FAR of 3.0 and a height of 55' for mixed use buildings, with greater height allowed by a CUP or with additional setbacks from side and rear property lines. However, allowed building heights are reduced to 25' at the property line where T3-zoned properties abut RL, R1-R4, and RT1-RT2 zoning districts (in this case the subject property abuts properties zoned R4 single family). Allowed height at the property line in these situations can be increased with approval of a conditional use permit (CUP) by the Planning Commission.
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 zoning would not constitute spot zoning. Although no T3 zoning exists in the immediate proximity of the subject property, it is used elsewhere along Mixed Use Corridors and the existing B2 and the proposed T3 district are reasonably similar in terms of the range of uses and intensity of development allowed.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Turk Trust et al for a rezoning from B2 Community Business to T3 Traditional Neighborhood for property at 246-286 Snelling Ave S be approved.