

city of saint paul  
planning commission resolution  
file number 17-42  
date July 14, 2017

WHEREAS, R2C LLC / Joseph R. Yeary, in File # 17-052-150, has applied to rezone from B2 community business to T2 traditional neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 1051 Arkwright Street, Parcel Identification Number (PIN) 29.29.22.23.0052, legally described as Hendrickson’s Addition, E 1.2 ft. of S 32.1 ft. of Lot 4 and all of Lots 1, 2, and 3; and

WHEREAS, the Zoning Committee of the Planning Commission, on July 6, 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. The application requests rezoning from B2 community business district to T2 traditional neighborhood district. The rezoning would allow more than 50% of the first floor to be for residential uses. The existing building and proposed use would be consistent with T2 dimensional standards.
2. The proposed zoning is consistent with the way this area has developed. There have been a mix of residential and commercial uses in the area, including commercial uses on the subject site and across the street to the east.
3. The proposed zoning is consistent with the Comprehensive Plan. The Comprehensive Plan, in Figure LU-B, designates the site as part of an Established Neighborhood, which allows for scattered multi-family housing and neighborhood-serving commercial uses. The intent of T2 is to foster and support compact, pedestrian-oriented commercial and residential development.
4. The proposed zoning is compatible with the surrounding business and residential uses, including offices to the east, multi-family residential to the south, and other surrounding residential.
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 T2 zoning does not constitute “spot zoning.” The uses permitted in the T2 zoning district are consistent with the surrounding mix of permitted uses.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of R2C LLC/Joseph R. Yeary to rezone from B2 community business to T2 traditional neighborhood for property at 1051 Arkwright Street be approved.

moved by Edgerton  
seconded by \_\_\_\_\_  
in favor Unanimous  
against \_\_\_\_\_