

city of saint paul
planning commission resolution
file number 13-02
date January 25, 2013

WHEREAS, Saint Paul Parks and Recreation, File # 12-222-925, has applied for a Rezoning from R4 One-Family Residential to T2 Traditional Neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 1564 Lafond Ave, Parcel Identification Number (PIN) 342923220204, legally described as Hamline Syndicate Add No2 Alley In Blk And Lots 1 Thru Lot 20 Blk 4; and

WHEREAS, the Zoning Committee of the Planning Commission, on January 17, 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. This application is to rezone the property at 1564 Lafond Ave. from R4 (One-family Residential) to T2 (Traditional Neighborhood) to permit the business uses proposed by Mosaic on a Stick in the building. The rest of the site will continue to be used as a park and the City will continue to own the property.
2. The proposed zoning is consistent with the way this area has developed and with the historical zoning of the properties. The T2 zoning district permits a varied mix of residential and commercial uses. Snelling Avenue is a major commercial and transportation corridor. There are mixed residential and commercial uses both to the north and south of the parcel. §66.313 states the intent of the T2 Traditional Neighborhood District, which is to encourage a variety of uses and housing types, with careful attention to the amount and placement of parking and transitions to adjacent residential neighborhoods. Mosaic will utilize the existing parking internal to the park.
3. The proposed zoning is consistent with the 2030 St. Paul Comprehensive Plan, Land Use policy 1.24, *Support a mix of uses on Mixed-Use Corridors*. Snelling Avenue is identified as a mixed-use corridor in the 2030 Comprehensive Plan, adopted in 2010. The Hamline Midway Community Plan has several pertinent supporting strategies including:
 - o HMC shall work with the City to make best use of City resources and to seek public-private partnerships for use of City-owned buildings within the Hamline Midway neighborhood, the Hamline Library, the Griggs and Hancock Recreation Centers, and the Hamline Park building.
 - o HMC shall continue to encourage public art within the neighborhood and within new development or redevelopment and shall seek opportunities to collaborate with artists to identify opportunities for public art and to discuss issues that may inform the artist's work.

moved by Nelson
seconded by _____
in favor Unanimous
against _____

4. The proposed zoning is compatible with surrounding uses, which are mixed-use residential, single- and multi-family residences, and institutional. T2 permits both residential and neighborhood oriented commercial uses, consistent with the area's existing mix of uses.
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.*" Approval of this proposal would not result in spot zoning as the area to the south of the property is currently zoned T2. This proposal would extend the existing T2 district north along a mixed-use commercial corridor.
6. The petition for rezoning was found to be sufficient on December 26, 2012: 17 parcels eligible; 12 parcels required; 12 parcels signed.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to City Council that the application of Saint Paul Parks and Recreation for a Rezoning from R4 One-Family Residential to T2 Traditional Neighborhood for property at 1564 Lafond Ave be approved.