

city of saint paul
planning commission resolution

file number 22-14

date March 4, 2022

WHEREAS, Nimco Ltd., File # 22-026-981, has applied to rezone from I1 light industrial to T2 traditional neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 597 7th Street E, Parcel Identification Number (PIN) 32.29.22.24.0173, legally described as BRUNSONS ADD PART B1&ALL B2-12 SUBJ TO ESMT; ALL OF VAC ST ADJ & THAT PT OF LOTS 1 THRU 4 BLK 12 WHICH LIES NWLY OF 7TH ST E; and

WHEREAS, the Zoning Committee of the Planning Commission, on February 24, 2022, 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 of 597 7th Street East from I1 light industrial to T2 traditional neighborhood.
2. The proposed zoning is consistent with the way this area has developed. T2 is a mixed-use zoning district that is consistent with the mix of commercial, institutional, and residential uses along Payne Avenue.
3. The proposed zoning is consistent with the Comprehensive Plan. The Comprehensive Plan in Map LU-2 2040 Land Use designates the site as part of an Urban Neighborhood and the Payne/East 7th Street Neighborhood Node. The T2 district is designed for use in potential pedestrian nodes, such as the Payne/E. 7th node.
4. The proposed zoning is compatible with the planned residential uses to the north, the commercial uses to the west, Swede Hollow Park and Bruce Vento trailhead to the east and south, and the mix of uses along Payne Avenue.
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 does not constitute spot zoning. It is consistent with surrounding uses and does not create an island of nonconformity.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Nimco Ltd. to rezone property at 597 7th Street E from I1 light industrial to T2 traditional neighborhood be approved.

moved by Reilly

seconded by _____

in favor Unanimous

against _____