

city of saint paul
planning commission resolution

file number 13-56

date December 20, 2014

WHEREAS, Bradshaw Group Inc., File # 13-253-015, has applied to rezone from B3 general business to T3 traditional neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 678 Snelling Ave S, Parcel Identification Number (PIN) 102823330105, legally described as Macarthur E 190 ft of W 240 ft of Part Bet Eleanor Ave and Mac Arthur of SW 1/4 of Sec 10 T 28 R 23 and in SD Mac Arthur W 190 ft of Lot 9 and all of Lot 8; and

WHEREAS, the Zoning Committee of the Planning Commission held a public hearing on December 12, 2013, 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 Waters Senior Living proposes to build an 80-unit senior assisted living facility at the site. This use is not a permitted under the current B3 zoning. The applicant seeks rezoning to T3 which permits assisted living and is consistent with the project design.
2. The proposed zoning is consistent with the way this area has developed. Snelling Avenue South is an arterial roadway and high frequency transit corridor with a mix of commercial, residential and institutional uses. The scale of development within ½ mile of the site ranges from single-story retail to 3 ½ story residential. T3 zoning permits a range of residential and commercial uses, consistent with the existing development pattern and allows heights up to 55 feet for mixed use projects, which is suitable to the scale and width of this section of Snelling Avenue.
3. The proposed zoning is consistent with the Comprehensive Plan. The Land Use Plan map identifies this section of Snelling Avenue as a "Mixed Use Corridor" appropriate for a range of uses at densities of 30-150 units per acre. This project proposes 80 units on 0.93 acres. In the Housing Chapter, Figure H-K identifies this part of Snelling as an "opportunity area for potential new housing" and Strategy 2.18(b) states "Support rezoning for senior housing development that makes the most use of the City's developable land..."
4. The proposed zoning is compatible with the mix of uses along Snelling Avenue South which includes a variety of multi-family housing.

moved by Nelson

seconded by _____

in favor Unanimous

against _____

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.*" Rezoning to T3 for this site is consistent with the mix of uses in the area and allows for a density and size that is appropriate for this major transportation corridor. It is compatible with the nature and scale of RM2 zoning, which is the predominant district along with B3 on this section of Snelling Ave.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Bradshaw Group Inc. to rezone from B3 general business to T3 traditional neighborhood for property at 678 Snelling Ave South be approved.