

city of saint paul  
planning commission resolution  
file number 20-08  
date February 7, 2020

WHEREAS, Rondo Center of Diverse Expression, File # 20-004-207, has applied to rezone from RT1 two-family residential to T1 traditional neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 315 Fisk Street, Parcel Identification Number (PIN) 35.29.23.43.0138, and 820 Concordia Avenue, Parcel Identification Number (PIN) 35.29.23.43.0001, legally described as Lots 1 and 18, Block 5, Edwin Deans Second Addition; and

WHEREAS, the Zoning Committee of the Planning Commission, on January 30, 2020, 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. Rondo Center of Diverse Expression is applying to rezone the parcels to T1 in order to construct a museum/office space/gallery at 315 Fisk.
2. The proposed zoning is consistent with the way this area has developed. Before the first zoning code was adopted in 1922, Concordia Ave (Rondo Ave) developed with a mix of housing types and commercial uses. Commercial uses that are first permitted in the T2 zoning district still exist along the corridor today, including a restaurant, a private club, and a funeral home. The proposed T1 zoning district at a corner is consistent with this historic land use pattern.
3. The proposed zoning is consistent with the Comprehensive Plan. The subject parcels are in an area defined by the 2030 comprehensive plan as an established neighborhood. Established neighborhoods are characterized primarily by single family houses, duplexes, and small scale multifamily housing, with scattered commercial uses along arterial and collector streets such as Concordia Avenue. Policy LU 1.7 of the 2030 land use chapter calls for permitting neighborhood serving commercial businesses compatible with the character of established neighborhoods, such as the proposed use. The proposed zoning is also consistent with the 2040 comprehensive plan. Policy LU-6 (6) calls for fostering equitable and sustainable economic growth by encouraging cultural and arts-based businesses and business districts such as Rondo.

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

The proposed zoning district is located in the heart of the historic Rondo neighborhood and mixed-use corridor, and is consistent with this policy. Policy LU-61 calls for lessening the negative impacts of interstate highways by supporting design interventions, such as “land bridges”. The proposed T1 zoning district will allow the development of a commercial/institutional use that will support the future Rondo Land Bridge and this project is intended to be a preliminary project for the larger land bridge project.

The proposed T1 zoning is therefore consistent with this policy. Policy 17. of the district 8 neighborhood plan calls for fostering cultural tourism as an economic driver for business and workforce development. The proposed zoning district will provide a new commercial/institutional land use that will support cultural tourism in the rondo neighborhood. Policy 22 calls for fostering minority business start-ups, retention, and expansions from within the community. The proposed zoning district will enable an expansion of the Rondo Commemorative project and is therefore consistent with this policy.

4. The proposed zoning is compatible with mix of residential uses and commercial uses on corners along Concordia Avenue. The T1 traditional neighborhood district is intended to provide for compact, pedestrian-oriented mixed-use areas of limited size, with a variety of residential, office and service uses that primarily serve neighborhood needs. The proposed zoning is more restrictive than the T2 zoning district where the nearby commercial uses would first be allowed and it would permit residential uses compatible with the scale and mix of nearby residential 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 district, and which dramatically reduce the value for uses specified in the zoning ordinance of either the rezoned plot or abutting property.”* The proposed T1 zoning would not constitute spot zoning. Along Concordia Avenue the commercial uses are first allowed in the T2 zoning district, and the proposed T1 zoning permits uses consistent with this established land use pattern. The range of residential uses permitted in T1 are consistent with the existing mix of housing types in the immediate area. There is a parcel zoned B1 within close proximity to the subject parcels. The B1 zoning district is less restrictive than the T1 zoning district and permits a range of commercial uses that are more intensive than what is permitted in T1.
6. The petition for rezoning was found to be sufficient on January 2, 2020: 13 parcels eligible; 8 parcels required; 8 parcels signed.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Rondo Center of Diverse Expression for rezoning from RT1 two-family residential to T1 traditional neighborhood for property at 315 Fisk Street and 820 Concordia Avenue be approved.