

city of saint paul
planning commission resolution
file number 16-42
date August 5, 2016

WHEREAS, Hunt Electric Real Estate LLC, File # 16-053-108, has applied for a rezoning from I1 Light Industrial to T3 Traditional Neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 2300 Territorial Road, Parcel Identification Number (PIN) 292923430052, legally described as Hewitts Out Lots Subj To Esmt A 2o Ft Spur R/w Across Lots 21 22 And 23 The Cl Of Which Passes Thru A Pt On Swly L Of And 45 2/1o Ft Nwly From Se Cor Of Lot 23 Th Nwly On 2o Deg Curve 178 4/1o Ft Th Nly And Tangent Thereto 91 Ft Th Nely On 19 Deg Curve 59; and

WHEREAS, the Zoning Committee of the Planning Commission, on July 28, 2016, 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 applicant is proposing to rezone the property in order to build a multifamily project with approximately 216 affordable units on the site.
2. The proposed zoning is consistent with the way this area has developed. This finding is met. The site is within 400' of the Raymond Station of the Green Line LRT. The area has historically had a mix of uses in close proximity and after the development of the Green Line the area has becoming more transit-oriented with the addition of higher density housing.
3. The proposed zoning is consistent with the Comprehensive Plan. This finding is met. The property is within the Raymond Station Area and the "Area of Change" within the station area. The Area of Change denotes "*parcels where change is welcome and should be encouraged, whether through gradual infill, intensification or comprehensive redevelopment.*" The property is identified as being in the "Extending the South St. Anthony Neighborhood Character Area" which "*should further act as a transitional area that improves the relationship between the mixed-use corridor to the south, employment uses to the northeast, and the predominantly residential neighborhood of South Saint Anthony Park*

moved by Nelson
seconded by _____
in favor Unanimous
against _____

located to the northwest.” Furthermore, Policy 4.4.2.a) states, “Land use within this Character Area should be predominantly residential.”

4. The proposed zoning is compatible with surrounding uses. This finding is met. There is another multifamily project being developed on the same block to the west and existing multifamily to the south. The T3 zoning provides for mixed-use which makes it an appropriate transition zone between the residential to the south and west and the industrial/warehouse uses to the north and east. The site is currently among the properties closest to a Green Line station not zoned for mixed-use, so the proposed zoning makes it more compatible with the close proximity to the LRT.

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.”* This rezoning would not be considered spot zoning because the remainder of the block and the block immediately to the south is currently zoned T3.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Hunt Electric Real Estate LLC for a rezoning from I1 Light Industrial to T3 Traditional Neighborhood for property at 2300 Territorial Road be approved.