

city of saint paul
planning commission resolution
file number 20-25
date May 29, 2020

WHEREAS, 978 Front LLC, File # 20-031-121, has applied to rezone from B2 community business to T2 traditional neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 978 Front Avenue, Parcel Identification Number (PIN) 26.29.23.32.0001, legally described as Lots 1 – 2, Block 1, Como Park Addition; and

WHEREAS, the Zoning Committee of the Planning Commission, on May 21, 2020, held a public hearing on said application pursuant to 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 seeking rezoning to allow more flexible use of the subject property. Specifically, the applicant wants to be able to potentially use the existing first floor commercial space for a residential use. Under the current B2 zoning, at least half of the first floor is required to be used for a commercial purpose.
2. The proposed zoning is consistent with the way this area has developed. Front Avenue was historically a street car line, and developed with a fine-grained mix of uses, which is reflected in the current zoning along Front Avenue. The proposed zoning is consistent with this existing mix of uses. The intent of the T2 traditional neighborhood district is to “foster and support compact, pedestrian-oriented commercial and residential development” and encourage “a variety of uses and housing types”. (§ 66.313).
3. The proposed zoning is consistent with the Comprehensive Plan. Policy 1.24 of the Land Use Chapter of the 2030 Saint Paul Comprehensive Plan states that the City should “Support a mix of use on Mixed-Use Corridors”. The proposed zoning will increase the range of allowed uses of the subject property, and the portion of Front Avenue where the subject property is located is designated as a Mixed-Use Corridor. Policy HLU 1.5 of the District 10 Como Community Plan calls for a small area plan for the Como/Front/Dale intersection and for Front Avenue between Dale and Lexington, where the subject property is located. The policy states that among the purposes of the study should be to identify commercial and residential redevelopment opportunities.
4. The proposed zoning is compatible with the surrounding existing land uses. The area is a mix of low-density multifamily residential and commercial uses. A cemetery is located to the east of the subject property.

moved by Edgerton
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.”* The proposed zoning is not “spot zoning”. The proposed zoning allows for a similar type and intensity of land uses as the current B2 zoning. The block face on which the property is located is approximately half B2 zoning currently.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of 978 Front LLC for rezoning from B2 community business to T2 traditional neighborhood for property at 978 Front Avenue be approved.