

city of saint paul
planning commission resolution

file number 12-09

date February 10, 2012

WHEREAS, the Saint Paul Port Authority, File #12-004-413, has applied for a rezoning from I2 General Industrial to I1 Light Industrial under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 900 Bush Ave, Parcel Identification Number (PIN) 282922330053, legally described as E M Mackubins Addition Vac Streets & Alley Accruing And Fol, lots 1 Thru Lot 29 Blk 2; 881 Bush, PIN 282922330037, legally described as E M Mackubins Addition Vac Alley & Sts Accruing & Chic Nw Ry Deed No.83419 & In Sd E.M. Mackubins Add All Of Blk 1; 847 Bush, PIN 282922330035, legally described as Hills Addition Vac Alley & Sts Accruing & Lots 1 Thru Lot 15 Blk 1; 860 Bush, PIN 282922330052, legally described as Hills Addition Vac Streets & Alley Accruing And Fol, all Of Blk 2; and 840 Reaney Ave, PIN 282922330047, legally described as Hills Addition Subj To St, Vac Alley And St Accruing And Fol, lots 1 Thru Lot 15 Blk 3; and

WHEREAS, the Zoning Committee of the Planning Commission, on February 2, 2012, 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 Saint Paul Port Authority seeks a rezoning from I2 to I1 to support the redevelopment of the Beacon Bluff Business Center at the former 3M plant. The Beacon Bluff site development concepts, as endorsed by a Community Advisory Committee in December 2009, include light industrial and office uses on the portions of the property where rezoning is requested.
2. The proposed zoning is consistent with the way this area has developed. The area has long had a variety of light and general industrial uses, including the former 3M main plant on this site, the Hamm's Brewery to the west along Minnehaha Avenue, and the Globe site further East on East 7th Street, zoned I2 and IR, respectively. E. 7th Street has long been home to commercial and mixed use development, which included a former bank on the edge of the 3M site property, at the corner of E. 7th Street and Mendota (within an area currently zoned I1, just outside of the area proposed for rezoning).
3. The proposed zoning is consistent with the Comprehensive Plan. Policy 1.54 of the Land Use Chapter of the Comprehensive Plan lists the former 3M site as an opportunity site for future development, including for mixed use development or as an employment center. The proposed I1 zoning will support the development of the site as an employment center.
4. The proposed zoning is compatible with the surrounding uses, including the industrial uses on the north side of Phalen Boulevard, HealthEast Medical Transportation and the M&H gas

moved by Perrus

seconded by _____

in favor Unanimous

against _____

station on Arcade Street, and the mixed use/commercial properties that back up to Minnehaha Ave.

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 creates 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 rezoning is not "spot zoning," as it would permit the entire two blocks between Arcade, Minnehaha, E. 7th Street, Forest Street, and Phalen Boulevard to be developed with consistent, I1 uses.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission, recommends to City Council, that the application of the Port Authority for a rezoning from I2 General Industrial to I1 Light Industrial for property at 900 Bush Ave, 881 Bush Ave, 847 Bush Ave, 860 Bush Ave, and 840 Reaney Ave be approved.

Saint Paul Planning Commission

City Hall Conference Center Room 40

15 Kellogg Boulevard West

Action Minutes

February 10, 2012

8:30 - 11:00 a.m.

I. Approval of minutes of January 27, 2012.

MOTION: *Commissioner Thao moved approval of the minutes of January 27, 2012. Commissioner Nelson seconded the motion. The motion carried unanimously on a voice vote.*

II. Chairs Announcements

III. Planning Director's Announcements

IV. PUBLIC HEARING: Parkland Dedication Amendments – Item from the Comprehensive Planning Committee. (Allan Torstenson, 651/266-6579)

MOTION: *Commissioner Merrigan moved to close the public hearing, leave the record open for written testimony until 4:30 p.m. on Monday, February 13, 2012, and to refer the matter back to the Comprehensive Planning Committee for review and recommendation. Commissioner Lindeke seconded the motion. The motion carried unanimously on a voice vote.*

V. Zoning Committee

STAFF SITE PLAN REVIEW – List of current applications. (Tom Beach, 651/266-9086)

One item came before the Site Plan Review Committee on Tuesday, February 7, 2012:

- Cretin-Derham Hall Field Improvements, new 116,450 Sq. Ft. synthetic turf field at 550 South Albert Street.

One item to come before the Site Plan Review Committee on Tuesday, February 14, 2012.

- New parking lot for shared use by Nova Academy and Saint Paul Parks located 1455 Victoria Way.

OLD BUSINESS

#11-310-568 Metropolitan State University – Conditional Use Permit for a wind turbine on a freestanding pole 104 feet high. 645 7th Street East between Maria and Mounds. (Kate Reilly, 651/266-6618)

Commissioner Nelson announced that this case has been laid over to the February 16, 2012 Zoning Committee meeting.

NEW BUSINESS

#12-004-413 Port Authority of Saint Paul – Rezoning from I2 General Industrial to I1 Light Industrial. 900 Bush Avenue area bounded by East 7th, Forest, Arcade, and Phalen Blvd.
(Luis Pereira, 651/266-6591)

MOTION: *Commissioner Perrus moved the Zoning Committee’s recommendation to approve the rezoning. The motion carried unanimously on a voice vote.*

#12-004-342 Ann and Dan Blackburn – Re-establishment of nonconforming use as yoga, dance and wellness center. 99 Snelling Avenue North between Laurel and Ashland.
(Sarah Zorn, 651/266-6570)

MOTION: *Commissioner Perrus moved the Zoning Committee’s recommendation to approve the establishment of legal nonconforming use status subject to additional conditions. The motion carried unanimously on a voice vote.*

VI. Comprehensive Planning Committee

VII. Neighborhood Planning Committee

North End-South Como District 6 Plan – Approve resolution recommending to the Mayor and City Council adoption of the plan and approval of the proposed property rezonings.
(Penelope Simison, 651/266-6554)

MOTION: *Commissioner Spaulding moved on behalf of the Neighborhood Planning Committee to approve the resolution recommending that the plan and proposed property rezonings be adopted by the Mayor and City Council. The motion carried unanimously on a voice vote.*

VIII. Transportation Committee

IX. Communications Committee

X. Update on the Saint Paul Design Center – Informational presentation by Patrick Seeb, Saint Paul Riverfront Corporation.

XI. Task Force/Liaison Reports

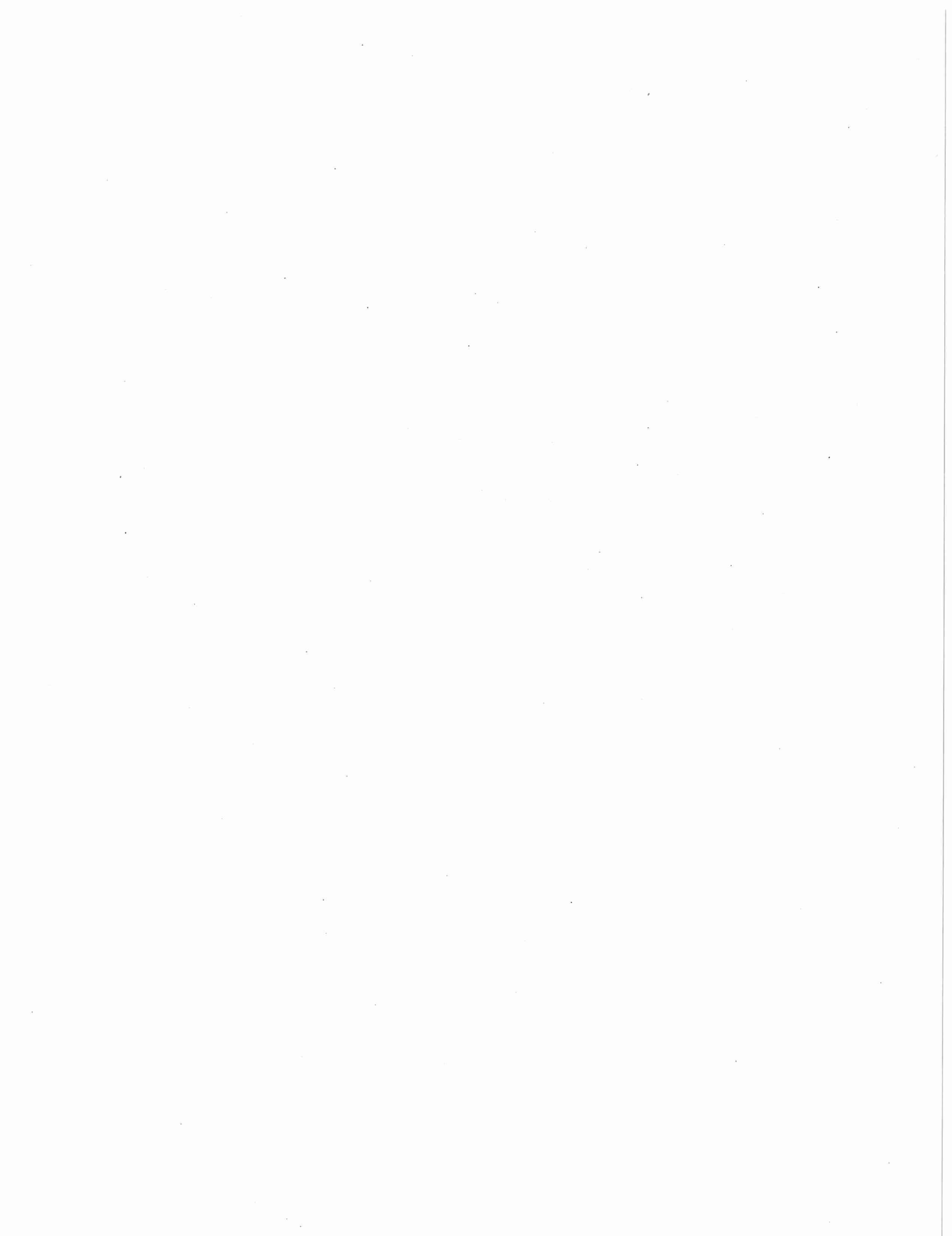
XII. Old Business

XIII. New Business

XIV. Adjournment

Information on agenda items being considered by the Planning Commission and its committees can be found at www.stpaul.gov/ped, click on Planning.

Planning Commission Members: PLEASE call Sonja Butler, 651/266-6573, if unable to attend.



MINUTES OF THE ZONING COMMITTEE
Thursday, February 2, 2012 - 3:30 p.m.
City Council Chambers, 3rd Floor
City Hall and Court House
15 West Kellogg Boulevard

PRESENT: Merrigan, Nelson, Perrus, Reveal, Spaulding, Wencil, and Wickiser

STAFF: Luis Pereira, Samantha Langer, Patricia James, and Peter Warner

The meeting was chaired by Commissioner Perrus.

Port Authority of St. Paul - 12-004-413 - Rezoning from I2 General Industrial to I1 Light Industrial, 900 Bush Ave, area bounded by E 7th, Forest, Arcade, and Phalen Blvd.

Luis Pereira presented the staff report with a recommendation of approval for the rezoning. He noted that the staff report had an error; the Globe site is zoned IR Industrial Restricted and not I2 and I1. Luis Pereira also stated District 4 made no recommendation, and there were 0 letters in support, and 0 letters in opposition.

Representative for Port Authority, Paul McGinley of Loucks Associates, stated he was available for questions.

No one spoke in support or opposition. The public hearing was closed.

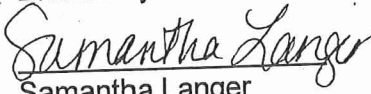
Upon inquiry from the Commissioners, Mr. Pereira explained the proposed development of the area, based upon the Beacon Bluff Community Advisory Committee recommendations. He stated that there is general support for light industrial-office development as land uses; in terms of historic preservation, there are differing opinions in the community about how many buildings should be preserved/reused onsite.

Commissioner David Wickiser moved approval of the rezoning. Commissioner Elizabeth Reveal seconded the motion.

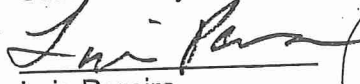
The motion passed by a vote of 5-0-0.

Adopted Yeas - 5 Nays - 0 Abstained - 0

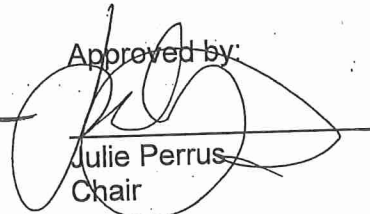
Drafted by:


Samantha Langer
Recording Secretary

Submitted by:


Luis Pereira
Zoning Section

Approved by:


Julie Perrus
Chair

