city of saint paul
planning commission resolution
file number 25-1
date January 10, 2025

WHEREAS, Tong Thanh Nguyen, File # 24-096-153, has applied to rezone from B1 local business to H1 residential district under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 25 George Street E, Parcel Identification Number (PIN) 08.28.22.23.0179, legally described as Lots 6 & 7 except the west 50 feet and east 50 feet, Block 86, West St. Paul Subdivision; and

WHEREAS, the Zoning Committee of the Planning Commission, on December 19, 2024, 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 requests a rezoning from B1 local business to H1 residential in order to build a single-family home. The B1 zoning district does not permit residential dwellings except for mixed residential/commercial developments.
2. The proposed H1 zoning is consistent with the way this area has developed. The area west, south, and east of the subject parcel is predominantly made up of single-family homes. The area north of the subject parcel is also residential but of varying densities. Higher-density residential and commercial uses have typically developed along streets that are served by transit such as Stryker Ave, Wabasha St, and Cesar Chavez St.
3. The proposed H1 zoning is consistent with the Comprehensive Plan. The 2040 Comprehensive Plan designates the future land use of this parcel as Urban Neighborhood. *"Urban Neighborhoods are primarily residential areas with a range of housing types."* The intent of the H1 district is to provide for a *"variety of housing options"* and the permitted uses in H1 are largely residential.

   The site is located within the outer edge of two neighborhood nodes. The H1 zoning district would allow for relatively lower residential density compared to center of the nodes.

   The following policies apply:

   2040 Comprehensive Plan:

   Policy LU-7. Use land use and zoning flexibility to respond to social, economic,

moved by Taghioff
seconded by _____
in favor Unanimous
against _____

technological, market and environmental changes, conditions and opportunities.

Policy LU-8. Ensure that zoning and infrastructure support environmentally and economically efficient, resilient land use development.

Policy LU-30. Focus growth at Neighborhood Nodes using the following principles:

- Increase density toward the center of the node and transition in scale to surrounding land uses.

West Side Community Plan (2013):

LU1. Support land use that balances the housing, commercial, industrial, ecological, agricultural and green space needs of the community

4. The proposed H1 zoning is compatible with surrounding uses. The subject parcel is located between the commercial corridors along Stryker Ave and Cesar Chavez St, which is almost entirely residential.

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 surrounding neighborhood is almost exclusively residential. The site abuts a large area zoned H1. The proposed rezoning will not result in a change of allowable uses in the area.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Tong Thanh Nguyen for rezoning from B1 local business to H1 residential district for property at 25 George Street E be approved.