

city of saint paul  
planning commission resolution

file number 11-50

date July 8, 2011

**WHEREAS**, the Saint Paul Housing and Redevelopment Authority, File # 11-238-977, has applied for a Rezoning from I3 Restricted Industrial to T3M Traditional Neighborhood (Master Plan), T3 Traditional Neighborhood and I1 Light Industrial under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 852 Hathaway St, Parcel Identification Numbers (PIN) 142823120011, 142823130003, 142823240003, 142823210033, 142823120027 (partial) and 142823240010, legally described as Section 14 Town 28 Range 23 Ex C M St P & P Rr 100 Ft R/w, The Fol; Lots 1 Thru 5 & Lots 7 & 8 Blk 2 J N Rogers' 2nd Add & Beg On L 500 Ft Swly & Par To Swly L Riverside Add No.2 At Low Water L Miss Riv Th Nwly On Sd Par L To Pt Int With N L Of S 600 Ft O; Section 14 Town 28 Range 23 The N 780 Ft Of Govt Lot 2 Lying Ely Of A L Desc As Beg At Intersection Of S L Of N 780 Ft & Sely Line Of Crosby Lake Business Park 2nd Add Th N 31 Deg 55 Min 46 Sec Ne 103.61 Ft; Mol Th N 51 Deg 26 Min 12 Sec Ne 213.58 Ft; Th N 29 Deg 55 Min 17 Sec Ne 91; Section 14 Town 28 Range 23 A 7300 Sq Ft Mol Lease Located Under Ry Bridge No L-1604 On A 100 Ft Ry R/w Across The Nw 1/4 Of Sec 14 Tn 28 Rn 23; J N Rogers Second Addition Lot 6 Blk 2; and the portion of PIN#142823120027 (Section 14 Town 28 Range 23 Ex 53500 Sq Ft Lease No.24589 & Ex Lease 24637; Subj To Rd Esmt, A 100 Ft Ry R/W Across West End Addn Reg Land Survey No.330 Govt Lots 1 & 2 And In Ne 1/4 Of Nw 1/4 The Cl Desc As Beg On N Line Of Sd Govt Lot 1 Dist 112.37 Ft) lying easterly of the eastern right-of-way line of Montreal Way extended; and Section 14 Town 28 Range 23 Beg At The Sw Cor Of Govt Lot 2 Thence 290 Ft E From Sw Cor Of Govt Lot 2 Th Nwly At Ra 535.85 Ft To Cl Of Sd R/w Including A Triangular Piece Lying Sly Of The Sely Cor Of Lot 2 Blk 1 Crosby Lake Business Park 2nd Add & Ex That; and

**WHEREAS**, the Zoning Committee of the Planning Commission, on June 30, 2011, 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 Housing and Redevelopment Authority is requesting the rezoning of five (5) parcels to complete T3M zoning for the Victoria Park Urban Village (covered by the *Victoria Park Master Plan*) and to connect the new park in the Victoria Park Urban Village to the Mississippi River. The subject parcels include two parcels owned by the Saint Paul Housing and Redevelopment Authority, one parcel owned by Texaco but in the process of being purchased by the City, and two parcels owned by the Soo Line Railroad. One of the railroad parcels (PIN #142823120027) will be split-zoned between T3M and I1, so that it is zoned the same as adjacent land.

moved by Kramer

seconded by \_\_\_\_\_

in favor Unanimous

against \_\_\_\_\_

2. The proposed zoning is consistent with the way this area has developed. T3M zoning is consistent with development that has occurred to-date in the Victoria Park Urban Village, which is predominantly medium-density residential with some commercial (and zoned T3M). T3M is the appropriate zone for the proposed park. The T3 parcel will be used for park purposes consistent with the remainder of the future park (zoned T3M), and the I1 parcel will allow the railroad right-of-way to have the same zoning classification as the adjacent industrial land.
3. The proposed zoning is consistent with the Comprehensive Plan. The Parks and Recreation chapter contains the following relevant strategies:
  - 2.2 Ensure attractive, functional and engaging four-season public spaces.
  - 2.4 Design parks and facilities for appropriate community gathering or festival opportunities based on park location, size and function.
  - 4.4 Provide activities and programming for alternative, emerging recreation trends, particularly those that meet the recreational needs of youth.The Land Use chapter contains the following relevant strategies (Victoria Park is identified as a proposed Neighborhood Center, and W. 7<sup>th</sup> is identified as a Mixed-Use Corridor):
  - 1.2 Permit high-density residential development in Neighborhood Centers, Mixed-Use Corridors, the Central Corridor and Downtown.
  - 1.14 Plan for growth in Neighborhood Centers.
  - 1.17 Promote a place, amenity or activity that serves as a community focus and emphasizes the special identity of individual Neighborhood Centers.
  - 1.23 Guide development along Mixed-Use Corridors.
  - 1.24 Support a mix of uses on Mixed-Use Corridors.
4. The proposed zoning is compatible with the remainder of the zoning in the Victoria Park Urban Village, as well as with the zoning along W. 7<sup>th</sup> Street. From the time the *Victoria Park Master Plan* was adopted in 2005, concurrent with rezoning approximately half of the urban village to T3M, it has always been the intent of the community, Planning Commission and City Council to rezone the other (approximately) half of the urban village to T3M.
5. The T3 zone has a minimum FAR requirement of .5. PED staff and the Zoning Administrator agree that it was never the intention of the Zoning Code to require parks in any TN zone to comply with the minimum FAR requirement. A minor text amendment will be forwarded to the Planning Commission and City Council subsequent to this rezoning application to exempt public parks from the FAR requirement in all TN zones. In the meantime, and for the purposes of this rezoning and future development of the park in the urban village, the Zoning Administrator has determined that it is reasonable to interpret the code as it was intended, not to require parks in TN zones to meet the minimum FAR requirement.

**NOW, THEREFORE, BE IT RESOLVED**, that the Saint Paul Planning Commission recommends to the City Council that the application of the Saint Paul Housing and Redevelopment Authority for a Rezoning from I3 Restricted Industrial to T3M Traditional Neighborhood (Master Plan), T3 Traditional Neighborhood and I1 Light Industrial for property at and adjacent to 852 Hathaway Street be approved.