

city of saint paul
planning commission resolution
file number 11-51
date July 8, 2011

WHEREAS, the Saint Paul Department of Planning and Economic Development, File # 11-239-001, has applied for a major modification of the *Victoria Park Master Plan* under the provisions of §66.345(c)(2) of the Saint Paul Legislative Code, on property located at 852 Hathaway St, Parcel Identification Numbers (PIN) 142823120011 and 142823210033, 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; and J N Rogers Second Addition Lot 6 Blk 2; 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 *Victoria Park Master Plan* was first adopted by the Saint Paul City Council in April 2005, along with rezoning approximately half of the Victoria Park Urban Village to T3M. The *Victoria Park Master Plan* lays out a vision of a pedestrian-friendly, transit-oriented community that provides a range of housing choices and prices; a new neighborhood park; a system of connected neighborhood streets for bicycles, pedestrians and cars; and an improved connection to the Mississippi River.
2. Rezoning of the remaining half of the urban village to T3M was delayed pending resolution of a lawsuit filed by the then-owner, Exxon Mobil. The lawsuit was settled in 2009, and the subsequent settlement restricts future use of the formerly-Exxon land to park purposes only. The Master Plan, however, shows the formerly-Exxon land developed with a range of housing types and a small central green.
3. Sec. 66.344(c) notes that major modifications to an approved master plan may be initiated by the City Council, Planning Commission, or any person having an ownership or leasehold interest in property that is the subject of the proposed modification. Major modifications are defined as changes of 10% or more in land area designated in a specific category; creation of a new public street or removal of a public street segment; removal of a park or open space area; or addition or removal of an entire block. Major modifications may be approved by City Council resolution following Planning Commission review, public hearing and recommendation.

moved by Kramer
seconded by _____
in favor 18 with 1 abstention (Wickiser)
against _____

4. Based on the land use restrictions for the formerly-Exxon land, which will allow only park use of the approximately 37 acres, as well as a proposal by Nova Academy to build a charter school across the street from the new park, the following major modifications to the *Victoria Park Master Plan* are required:
 - a. a change in future land use from residential to park, including the removal of several streets that had been master-planned (but not built) to serve proposed residential development (Exxon settlement);
 - b. a change in future land use from residential to institutional (Nova Academy); and
 - c. removal of a one-block segment of Mercer Street and a one-block segment of Madson Street that had been master-planned (but not built) to serve proposed residential development (Nova Academy).
5. In addition, staff is recommending some minor text changes to explain and support the evolution of the urban village over time, as the realities of a market downturn and legal settlement play out.
6. These master plan modifications are being advanced at the same time as, but separately from, an application to rezone the undeveloped half of the Victoria Park Urban Village from I3 to T3M. By recommendation of the City Attorney's Office, the rezoning and master plan modifications are proceeding concurrently.
7. The proposed modifications are consistent with the Comprehensive Plan. The Land Use chapter contains the following relevant strategies (Victoria Park is identified as a proposed Neighborhood Center, and W. 7th 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.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.
8. The proposed modifications are consistent with the core design and planning principles of the *Victoria Park Master Plan*, including providing a central public green as an important gathering place for the neighborhood, and maintaining access to the Mississippi River and Sam Morgan Regional Trail.
9. The proposed modifications are consistent with development in the rest of the Victoria Park Urban Village and other adjacent parcels. The proposed park will serve residential development in both the urban village and the larger neighborhood. The charter school is an appropriate addition to the land use mix in the Victoria Park Urban Village.
10. The proposed modifications are consistent with the intent of the T3 Traditional Neighborhood district, including a mix of residential, commercial, civic and open space uses in close proximity to one another; a system of interconnected streets and paths;

and a system of open space resources and amenities.

11. The removal of one block of planned Madson Street and construction of a building within the original right-of-way will impact views of the river valley from existing development in the urban village.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to City Council that the application of the City of Saint Paul Department of Planning & Economic Development for the following major modifications of the *Victoria Park Master Plan* for property at and adjacent to 852 Hathaway Street be approved:

1. a change in future land use from residential to park, including the removal of several streets that had been master-planned (but not built) to serve proposed residential development (Exxon settlement);
2. a change in future land use from residential to institutional (Nova Academy);
3. removal of a one-block segment of Mercer Street and a one-block segment of Madson Street that had been master-planned (but not built) to serve proposed residential development (Nova Academy); and
4. minor text changes to explain and support the evolution of the urban village over time; and

BE IT FURTHER RESOLVED, that the Planning Commission recommends that HRA staff and Nova Academy work to achieve a design for the Nova project that reflects a view corridor through the site along the original planned right-of-way of Madson Street.