

city of saint paul  
planning commission resolution  
file number 11-96  
date December 2, 2011

WHEREAS, the Saint Paul Port Authority, File # 11-297-833, has applied, under the provisions of § 61.801(b) of the Saint Paul Legislative Code, for Rezoning from VP Vehicular Parking to I1 Industrial; from RM2 Medium Density Multiple-Family Residential to R4 One-Family Residential; and from I1 Industrial to R4 One-Family Residential of areas north of Wells St. between Forest and Russell, all or portions of existing PINs 282922310116, 282922310134, 282922310135, 282922310128, 282922310085, 282922310084, legally described as noted below; and

WHEREAS, the Zoning Committee of the Planning Commission, on November 22, 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 Port Authority has acquired former 3M properties north of Phalen Boulevard and east of Forest Street and is in the process of replatting the property to create sites more suitable for development. A portion of the property (generally within proposed Outlot C on the preliminary plat) is currently zoned VP Vehicular Parking, which does not permit any use other than parking of passenger vehicles. The Port Authority is requesting the rezoning of this property to I1 Light Industrial. A portion of this parcel will be dedicated as right-of-way for a Duchess Street cul-de-sac. The remainder of this parcel will be used for stormwater management. The Duchess right-of-way to the south will be vacated and Wells Street will be extended as a loop road that connects with Phalen Boulevard.
2. The proposed plat creates two other outlots that will be transferred to adjoining property owners for private use. The Port Authority is proposing to rezone these outlots to match the zoning of their respective adjoining lots, consistent with Sec. 69.508(i). Proposed Outlot D would be rezoned from the current RM2 multiple family classification to R4 single-family zoning. Proposed Outlot E would be rezoned from I1 Industrial to R4 single family. Approval of the plat and the zoning changes will be coordinated by scheduling both public hearings at the same City Council meeting.
3. The proposed zoning is consistent with the way this area has developed. The area has developed as a mix of industrial and residential use, with the industrial uses at a lower grade than the residential. The proposed rezoning retains this pattern.

moved by Kramer  
seconded by \_\_\_\_\_  
in favor Unanimous  
against \_\_\_\_\_

4. The proposed zoning is consistent with the following policies in the Land Use Chapter of the Comprehensive Plan:
  - 2.15 Redevelop underutilized or vacant land in railroad corridors.
  - 2.2 Promote the redevelopment of outmoded and non-productive sites and buildings so they can sustain existing industries and attract emerging industries to Saint Paul....
  - 2.4 Focus the growth of employment centers in Downtown, the Central Corridor, industrial corridors, and on larger tracts of land, where there is infrastructure capacity and where redevelopment as employment centers...could occur.
5. The proposed zoning is compatible with the zoning classifications of the adjacent property and will promote efficient use of land in this area. The industrially zoned areas nearest the residential areas will be used for stormwater management, providing a buffer between the industrial and residential uses.
6. 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 zoning changes are not spot zoning since they reinforce the existing pattern of zoning classifications and do not establish use classifications that are inconsistent with surrounding uses.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission, recommends to City Council, that the application of the Saint Paul Port Authority be approved for the rezoning of the following properties:

1. That Lots 19, 20, 39 and 40, Block 2 and Lots 18, 19 and 20, Block 3, all in Auditor's Subdivision Number 7, St. Paul Minn, Ramsey County, Minnesota, together with adjoining streets that would accrue thereto by virtue of the vacation thereof, be rezoned from VP Vehicular Parking to I1 Light Industrial;
2. That proposed Outlot D, described as: Those parts of Lots 17 and 18, Block 2, Auditor's Subdivision Number 7, St. Paul Minn, Ramsey County, Minnesota, lying northerly of the following described line:

Commencing at the southwest corner of said Lot 18; Block 2; thence northerly, along the west line of said Lot 18, Block 2, a distance of 39.03 feet, to the point of beginning of the line to be described; thence deflecting to the right 88 degrees 08 minutes 19 seconds a distance of 160.0 feet and there terminating,

together with adjoining streets that would accrue thereto by virtue of the vacation thereof, be rezoned from RM2 Medium Density Multiple-Family Residential to R4 One-Family Residential; and
3. That proposed Outlot E, described as: That part of Lot 17, Block 1, Auditor's Subdivision Number 7, St. Paul Minn., Ramsey County, Minnesota, lying northerly of the following described line:

Beginning at the northwest corner of said Lot 17; thence southerly, along the west line of said Lot 17, on an assumed bearing of South 0 degrees 03 minutes, 25 seconds West, a distance of 19.50 feet, to the point of beginning of the line to be described; thence North 89 degrees 01 minutes 33 seconds East 104.01 feet, more or less, to the east line of said Lot 17 and there terminating,

together with adjoining streets that would accrue thereto by virtue of the vacation thereof, be rezoned from I1 Light Industrial to R4 One-Family Residential.