

city of saint paul
planning commission resolution
file number 13-08
date February 22, 2013

WHEREAS, Raymond Condominiums and Lakes & Plains LLC, File # 13-144-945, have applied for a Rezoning from RM2 Medium-Density Multiple-Family Residential and VP Vehicular Parking to T2 Traditional Neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 854-856 Raymond Ave, 842 Raymond (841 Bradford) and 2330 Long Ave., PINs 292923420109 through 292923420115, PIN 292923420047; and PIN 292923420106, legally described as CIC No 596 856 Raymond Condominium Units A through G; St Anthony Park Minnesota, the SEly 20 Ft Of Lot 8 And All Of Lot 9 Blk 81; and St Anthony Park Minnesota, Subj To Street And Alley; Lots 10 & Lot 11 Blk 81 and

WHEREAS, the Zoning Committee of the Planning Commission, on February 14, 2013, 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 applicants are seeking to change the zoning of their properties from RM2 to T2 in order to make the zoning consistent with the current and former uses in the buildings. Rezoning the parking lot from VP to T2 will put it in the same zoning category as the building it serves.
2. The proposed zoning is consistent with the way this area has developed. The immediate area (within 500 feet of these properties) includes a mix of commercial, industrial, and residential uses of varying intensities. The intent of the T2 district, as provided in Sec. 66.313, is to encourage *a variety of uses and housing types, with careful attention to the amount and placement of parking and transitions to adjacent residential neighborhoods*. Changing the zoning to T2 will encourage continuing the existing variety of uses in these buildings and also provides for potential redevelopment of the parking lot for uses consistent with the neighborhood and adjacent property.
3. The proposed zoning is consistent with the Comprehensive Plan. The properties proposed for rezoning are at the boundary of the Raymond-University mixed use corridor and the Raymond Avenue residential corridor as shown on the generalized 2030 land use plan map for the area (LU-L). Mixed Use Corridors include "areas where two or more of the following uses are or could be located: residential, commercial, retail, office, small scale industry, institutional, and open space." Residential Corridors are street corridor segments running through Established Neighborhoods "predominately characterized by medium density residential uses." The Land Use section of the District 12 Plan (2008) states: "[r]edirect land use with appropriate regulatory controls to encourage an integrated mix of industrial, commercial, housing and public amenities, and a larger tax base" and "incorporate appropriate land use changes in the South St. Anthony area that reflect the future introduction of Light Rail Transit to the University Ave corridor and its evolution to a more

moved by Nelson
seconded by _____
in favor Unanimous
against _____

connected residential and commercial area, while respecting the area's industrial base." A proposed addendum to the District 12 Plan includes this area in a "Creative Enterprise Zone" that seeks to "stabilize and advance conditions in which creative enterprises – light industry, artisans and artists -- can thrive in this area." The proposed rezoning is consistent with all of these policies.

4. The proposed T2 Traditional Neighborhood zoning is compatible with the mixed use nature of the area, which includes abutting B2 commercial development and mixed density residential developments in the RM2, RM3, and R4 zoning districts.
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 proposed T2 zoning will permit uses compatible with the existing mix of uses and zoning districts in the immediate area as well as the northern portion of the Raymond/University LRT station area, zoned T3 Traditional Neighborhood, located one block south of these properties. It therefore does not constitute spot zoning.
6. The petition for rezoning was found to be sufficient on January 17, 2013: 26 parcels eligible; 18 parcels required; 18 parcels signed.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Raymond Condominiums and Lakes & Plains LLC for a rezoning of 842 Raymond/841 Bradford and 854-856 Raymond Avenue from RM2 Medium-Density Multiple-Family Residential to T2 Traditional Neighborhood and the rezoning of 2330 Long Avenue from VP Vehicular Parking to T2 Traditional Neighborhood be approved.