

city of saint paul  
planning commission resolution

file number 14-72

date December 5, 2014

WHEREAS, August Ventures, LLC, File # 14-342-289, has applied for a rezoning from RT1 two-family to B1 Local Business under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 999-1003 Hudson Road, Parcel Identification Number (PIN) 33.29.22.31.0090-0091, legally described as Scotten's Subdivision Block 71, Lots 16 and 17, Lyman Dayton's Addition to St. Paul; and

WHEREAS, the Zoning Committee of the Planning Commission, on November 25, 2014, 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 wishes to rezone the property from RT-1 two-family residential to B1 Local Business in order to make the use and structure a conforming use in B1 for use as a self-serve laundry and apartment unit.
2. The proposed zoning is consistent with the way this area has developed along Hudson Road. The business is immediately adjacent to other land zoned for commercial uses.
3. The proposed zoning is consistent with the Comprehensive Plan. These lots are proximate to the proposed Earl Street Station for the proposed Gateway Corridor rapid transit line which may run along Hudson Road. The District 4 Plan Summary (2009) calls for the reuse, rather than demolition, of existing commercial buildings (Strategy C3) as well as foster neighborhood-scale commercial (Strategy C8.2).
4. The proposed zoning is compatible with the zoning on the east half of the block face, which is B2 Community Business. The intent of B1 Local Business zoning is to provide uses that are necessary to satisfy the basic convenience needs of residents, like that of a self-service laundry facility.
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.*" This is not a case of spot zoning.
6. The petition for rezoning was found to be sufficient on October 30, 2014: 11 parcels eligible; 8 parcels required; 10 parcels signed.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of August Ventures LLC for a rezoning from RT1 Two-Family to B1 Local Business for property at 999-1003 Hudson Road be approved.

moved by Nelson

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

in favor Unanimous

against \_\_\_\_\_