

city of saint paul  
planning commission resolution

file number: 16-14

date: April 15, 2016

WHEREAS, the Saint Paul Housing and Redevelopment Authority, File # 16-020-352, has applied for a rezoning from B2 community business to T2 traditional neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 952 Farrington Street, Parcel Identification Number (PIN) 25.29.23.42.0016, legally described as Matz Subdivision of Lot 11 with Lots 3 And Lot 4, Blk 1; and

WHEREAS, the Zoning Committee of the Planning Commission, on April 7, 2016, 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 seeking to rezone this property from B2 community business to T2 traditional neighborhood to allow the development of a single-family house on this site.
2. The proposed zoning is consistent with the way this area has developed. This area has developed as a mixed-use commercial node over time. Rezoning the subject property to T2 traditional neighborhood allows for mixed commercial-residential development that is more consistent with the historic development pattern than the B2 community business district. Between 1922 and 1975, along with all property along Front, this site was zoned "commercial," which allowed a mix of residential and commercial uses.
3. The proposed zoning is consistent with the Comprehensive Plan. The Land Use Plan designates this area as an established neighborhood, which it describes as predominately residential with neighborhood-serving commercial at the intersection of arterials and collectors.
4. The proposed zoning is compatible with a mix of residential, commercial, and office uses. The existing land-use pattern at the intersection of Front and Farrington is mixed commercial and residential. Rezoning this parcel to T2 traditional neighborhood reinforces that established pattern by allowing a wide-range of residential and commercial uses.
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 application of the T2 traditional neighborhood district here is not spot zoning. This district allows most B2 uses, but also allows a wider range of residential uses that are not allowed in B2, including the proposed one-family house. As such, the T2 district is consistent with the zoning applied to the surrounding properties and provides for an appropriate transition between the more commercial node and the residential neighborhood.

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 B2 community business to T2 traditional neighborhood for property at 952 Farrington St be approved.

moved by \_\_\_\_\_ Reveal \_\_\_\_\_

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

in favor \_\_\_\_\_ Unanimous \_\_\_\_\_

against \_\_\_\_\_