

city of saint paul
planning commission resolution
file number 16-25
date June 10, 2016

WHEREAS, TZK Corp, File # 16-034-211, has applied for a rezoning of Lot 7, Block 3, Sauer's Addition from B2 Community Business to T2 Traditional Neighborhood under the provisions of §61.801(b) of the Saint Paul Legislative Code, which is a portion of property located at 113 Annapolis St E, Parcel Identification Number (PIN) 082822340150; and

WHEREAS, the Zoning Committee of the Planning Commission, on June 2, 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 application requests rezoning of 113 Annapolis St. E. from B2 to T2.
2. The proposed zoning is consistent with the way this area has developed. The site has residential building with a storefront that was added to the front. There is B2 zoning with a mix of residential and business uses along Robert Street – the proposed zoning serves as a transition between the Robert Street uses and the purely single-family uses farther east.
3. The proposed zoning is consistent with the Comprehensive Plan. The Land Use Chapter, in Figure LU-B, designates the site as an Established Neighborhood, which calls for maintaining the existing residential character. The proposed zoning is more residential than the existing zoning, and improves the transition between the adjacent B2 zoning along Robert Street and the R4 zoning to the east.
4. The proposed zoning is compatible with the surrounding uses such as the senior residential to the south and the mix of uses along Robert Street. It is more compatible with adjacent residential uses to the east than is the existing B2 zoning.
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 rezoning does not constitute spot zoning; the proposed T2 zoning is consistent with the adjoining B2 and R4 zoning districts and serves as a transition between them.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of TZK Corp for a rezoning of Lot 7, Block 3, Sauer's Addition from B2 Community Business to T2 Traditional Neighborhood be approved.

moved by Nelson
seconded by _____
in favor Unanimous
against _____

