

city of saint paul
planning commission resolution
file number 18-19
date April 6, 2018

WHEREAS, Baker East Partners, File # 18-036-955, has applied to rezone from B2 community business and VP vehicular parking to T3 traditional neighborhood under the provisions of §61.801(b) of the Saint Paul Legislative Code, on property located at 821 Raymond Avenue and 2421 Territorial Road, Parcel Identification Numbers (PIN) 292923340002 and 292923340070, legally described as Lot 8 of AUDITOR'S SUBDIVISION NO. 4 VAC ST ACCRUING & FOL; BEG AT SE COR LOT 9 BLK 4 SD AUD SUB TH NWLY ON NE L OF TERRITORIAL RD 323.82FT TH NELY TO SE COR LOT 20 BLK 79 ST ANTHONY PARK TH E ON NL OF VAC ELLIS AVE TO SW COR LOT 19 SD BLK 79 TH NW ON EL ALLEY TO L 38.5FT SLY OF & PAR TO NL SD LOT 19 TH ELY TO WL RAYMOND AVE TH SLY ON SD WL TO BEG BEING PART OF LOT 19 BLK 79 ST ANTHONY PK & IN SD AUD SUB NO 4 PART OF LOTS 8 & LOT 9; and; Lot 13 Block 1 of BAKER WEST TOWNHOMES LOT 13 BLK 1; and

WHEREAS, the Zoning Committee of the Planning Commission, on March 29, 2018, 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 is seeking to rezone the property to allow for additional use flexibility, eventual infill development, and to be consistent with the vision of the Raymond Station Area Plan.
2. The proposed zoning is consistent with the way this area has developed. The existing building was built as a school in 1890 as the surrounding area developed. It was rezoned in 1981 to allow for the adaptive reuse of the building to fit in with the commercial character of the area. With the introduction of the Green Line the development character of the area has changed again to be a mixed-use, transit-oriented area. The proposed zoning is an appropriate as described in the intent statement (§ 66.314):

The T3 traditional neighborhood district provides for higher-density pedestrian- and transit-oriented mixed-use development. It is designed for development or redevelopment of land on sites large enough to support:

- (a) *A mix of uses, including residential, commercial, civic and open space uses in close proximity to one another;*

moved by Edgerton
seconded by _____
in favor Unanimous
against _____

- (b) *A mix of housing styles, types, and sizes to accommodate households of varying sizes, ages and incomes;*
- (c) *A system of interconnected streets and paths that offer multiple routes for motorists, pedestrians and bicyclists, and are connected to existing and future streets;*
- (d) *A system of open space resources and amenities; and incorporation of environmental features into the design of the neighborhood.*

The T3 district is also intended for smaller sites in an existing mixed-use neighborhood center where some of the above elements already exist, or in an area identified in the comprehensive plan as a potential "urban village" site. The above elements may be found within the T3 district or adjacent to it; the intent is that all would be present within a reasonable walking distance

3. The proposed zoning is consistent with the Comprehensive Plan. The site is within the boundary of the Raymond Station Area Plan. The proposed zoning allows for the transition from residential uses to the north to the mixed use areas to the south, as described in the plan:

4.4 Extending the South Saint Anthony Park Neighborhood

As development pressure and land values increase over time, these blocks should evolve as a mid-rise residential extension of the South Saint Anthony Park neighborhood that improves the connectivity of this neighborhood to the Avenue. This area should further act as a transitional area that improves the relationship between the mixed-use corridor to the south, employment uses to the northeast, and the predominantly residential neighborhood of South Saint Anthony Park located to the northwest.

4. The proposed zoning is compatible with the surrounding commercial and residential land uses. The proposed zoning allows for uses more similar to the surrounding uses than the current 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.*" This is not spot zoning because the site is adjacent to T3 zoning across Territorial Road.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Baker East Partners to rezone from B2 community business and VP vehicular parking to T3 traditional neighborhood for property at 821 Raymond Avenue and 2421 Territorial Road be approved.