

city of saint paul  
planning commission resolution

file number 18-23

date April 20, 2018

WHEREAS, LB 842 Ray LLC, File # 18-037-334, has applied to rezone, from T2 traditional neighborhood to T3 traditional neighborhood, under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 2330 Long Avenue, Parcel Identification Number (PIN) 29.29.23.42.0106, legally described as Lots 10 & 11, Block 81, St. Anthony Park; and

WHEREAS, the Zoning Committee of the Planning Commission, on April 12, 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 proposing to rezone the property to T3 to allow for additional height and design flexibility for an eventual housing redevelopment.
2. The proposed zoning is consistent with the way this area has developed. The proposed zoning is 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;*
- (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. The proposed zoning will allow for a higher-density mix of housing adjacent to the transit-oriented Raymond Station Area.*

moved by Edgerton

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

in favor Unanimous

against \_\_\_\_\_

3. The proposed zoning is consistent with the Comprehensive Plan. The use is supported by the following policies in the *District 12 St. Anthony Park Community Plan* adopted in 2008:  
*Range of Housing Choices. Increase the range of housing types and affordability within the District to encourage a greater diversity of households and to be an affordable community for all people throughout their life and changing lifestyle needs.*
  57. *Identify specific parcels of land just outside of the TOD district for the development of market rate and affordable urban style town homes, flats and co-ops (owner and rental).*
  59. *Encourage the redevelopment of existing structures and the building of new structures within the historic TOD district for mixed-use commercial and housing types including apartments, condominiums and loft-style units.*
4. The proposed zoning is compatible with surrounding uses. The proposed zoning allows for development that is compatible in use and scale and with surrounding uses as well as development types that would be allowed in the surrounding 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.*" This is not spot zoning. The proposed use would be allowed under T2 zoning and is compatible with surrounding land uses. The proposed T3 zoning allows for additional design flexibility.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of LB 842 Ray LLC for rezoning from T2 traditional neighborhood to T3 traditional neighborhood for property at 2330 Long Avenue be approved.