

city of saint paul
planning commission resolution
file number 18-53
date July 13, 2018

WHEREAS, Salvation Army, File # 18-070-330, has applied to rezone from RT1 two-family residential to B2 community business under the provisions of § 61.801(b) of the Saint Paul Legislative Code, at property located at 618-626 Lawson Ave. E., Parcel Identification Number (PINs) 29.29.22.13.0138; 29.29.22.13.0137; 29.29.22.13.0136 legally described as Lots 4-6, Block 15, Arlington Hills Addition; and

WHEREAS, the Zoning Committee of the Planning Commission, on July 5, 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 application requests rezoning of three parcels at 618, 622, and 626 Lawson Ave E from RT1 Two-Family Residential District to B2 Community Business District. The 626 Lawson Ave E parcel contains a portion of the Salvation Army building, addressed as 1019 Payne Ave, that would be made legal by the rezoning. The other two parcels are the location for a planned building expansion.
2. The proposed zoning is consistent with the way this area has developed. Payne Avenue is fronted by commercial and residential uses of varying lot depths. The proposed zoning is consistent with the existing pattern of development.
3. The proposed zoning is consistent with the Comprehensive Plan, which designates Payne Avenue as a Mixed Use Corridor. The proposed zoning allows for a contiguous development with a Payne Avenue frontage.
4. The proposed zoning is compatible with the surrounding mix of uses, including institutional along Payne Avenue and parking for institutional uses directly to the north.
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 zoning does not constitute spot zoning.
6. The petition for rezoning was found to be sufficient on June 14, 2018: 30 parcels eligible; 20 parcels required; 20 parcels signed.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Salvation Army for rezoning from RT1 two-family residential to B2 community business for property at 618-626 Lawson Ave. E. be approved.

moved by Edgerton
seconded by _____
in favor Unanimous
against _____