

city of saint paul
planning commission resolution

file number 19-32

date June 14, 2019

WHEREAS, Alfred and Carol Sundberg Trustee, file # 19-042-513, has applied to rezone from IT transitional industrial to T3 traditional neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 84 Water Street W, Parcel Identification Number (PIN) 06.28.22.42.0015, legally described as ROBERTSONS ADD TO WEST ST PAUL SUBJ TO ESMTS & RE-ALIGNED WATER ST THE FOL; E 1/2 OF VAC HYDES & W 1/2 OF VAC WALTER ST & W 5 FT OF E 1/2 OF N 83.06 FT OF VAC WALTER ST ALL ACCRUING TO & N 94.95 FT MOL TO 95.17 FT MOL OF LOTS 1 THRU LOT 6 BLK 187; and

WHEREAS, the Zoning Committee of the Planning Commission, on June 6, 2019, 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. This application requests rezoning 84 Water Street West from IT transitional industrial to T3 traditional neighborhood in order to construct a multifamily building.
2. The applicant has contracted with Reuter Walton Development to plan a seven-story, 136-unit apartment building consisting of two floors of parking with 104 stalls beneath five floors of residential units. The current district, IT Transitional Industrial, does not permit residential-only use, though it does permit certain congregate living uses such as supportive housing facilities and adult care homes, as well as mixed residential and commercial use. The proposed T3 traditional neighborhood district allows residential-only use and guides the development toward a more pedestrian-oriented environment.
3. *The proposed zoning is consistent with the way this area has developed.* This finding is met. The intent of T3 traditional neighborhood is to provide for higher-density pedestrian- and transit-oriented mixed-use development. It is intended for large sites that can include residential, commercial, civic and open space uses in close proximity to one another, or for smaller sites that will contribute to the above mix of uses within reasonable walking distance. The ACVR Warehouse adjacent to this property – also known as the FOK Building – is a seventy-five-foot-tall building of mixed residential, artist studio, and storage space. Nearby, the recently-built West Side Flats apartment building at Wabasha Street and Fillmore Avenue, zoned T3M, has established the river's edge as a redeveloping mixed-use zone.

moved by Edgerton

seconded by _____

in favor 9

against 3 (Ochs, Edgerton, Khaled)

T3 would complement the neighboring Harriet Island Park by allowing a mix of uses that may include residential-only. Increased local population through residential-only development – not allowed in IT transitional industrial – is expected to catalyze further retail and transit.

4. *The proposed zoning is consistent with the Comprehensive Plan.* This finding is met. The Future Land Use Map in the 2030 Comprehensive Plan designates this parcel a Mixed-Use Corridor, which Land Use Policy 1.2 indicates should be permitted to contain from 30 to 150 units per acre to achieve a compact urban fabric. “The core goal of Strategy LU-1... is higher density development.” This development will reach a density of 177 units per acre. While higher than the projected Mixed-Use Corridor density, it is lower than the 200 units per acre of the neighboring Downtown, making this site an appropriate transitional site. The site is adjacent to the designated Neighborhood Node at Wabasha Street and Fillmore Avenue, a concentration of uses and transit, which the surrounding Mixed-Use Corridor-designated land is intended to support. The Comprehensive Plan also recognizes the demand for “new housing construction, at a range of income levels...” which should create density around “high amenity areas such as Downtown and the Mississippi River Corridor...”

This parcel is included in the 2003-adopted Harriet Island/District Del Sol Opportunity Site, which calls for the Harriet-Island area to transition from more mixed-use uses near Wabasha to more residential uses moving west along Harriet Island. Strategy LU3 of the West Side Community Plan, adopted 2013, supports “development that maintains the traditional urban form...” The Community Plan also calls for “rental housing options appropriate to a commercial corridor, incorporating a variety of options accessible to all income levels” and to “increase the number of units affordable to people at 30-80% of AMI.”

5. *The proposed zoning is compatible with surrounding uses.* The ACVR Warehouse southeast of this property currently contains residential units, artist studios, and storage space. Northwest of this property is the expansive Harriet Island Park, a recreation-oriented area with water-oriented amenities and events. A half block east is the West Side Flats residential and retail development, along with restaurant and health care facilities.
6. 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.*” Rezoning from IT to T3 would not constitute a spot zoning. T3 is consistent with surrounding IT and T3 zoning and uses, and with nearby Harriet Island Park.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Alfred and Carol Sundberg Trustee for rezoning from IT transitional industrial to T3 traditional neighborhood for property at 84 Water Street W be approved.