

city of saint paul  
planning commission resolution

file number 21-25

date May 14, 2021

WHEREAS, Pillai Builders, File # 21-249-513, has applied to rezone from B1 local business to T2 traditional neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 385 Topping Street, Parcel Identification Number (PIN) 25.29.23.31.0100, legally described as Lots 23 & 24, Block 3, Foundry Addition; and

WHEREAS, the Zoning Committee of the Planning Commission, on May 6, 2021, 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 is to rezone the property to T2 to allow some type of housing.
2. The proposed zoning is consistent with the way this area has developed. The area is a mix of low-density residential and industrial uses along Western Avenue. Topping street is also a mix of industrial and low-density residential. T2 zoning would allow the proposed housing use but also conditionally permits limited processing and repair uses.
3. The proposed zoning is consistent with the Comprehensive Plan. This location is identified as Industrial in the Future Land Use Map. Industrial areas are defined as:

*a major source for employment in Saint Paul and are a significant net positive payer of property taxes, relative to the City services consumed. They have traditionally been defined as manufacturing, processing, warehousing, transportation of goods and utilities. More contemporary uses, driven by technological advances, include medical tech and limited production and processing. The intent is for this land use type to remain adaptable, relevant and supportive of well-paying jobs with low barriers to entry and a growing tax base.*

While the applicant is considering housing, the T2 zoning district also allows for limited production and processing uses, which aligns with the 2040 Comprehensive Plan, Future Land Use category. The proposed rezoning is also consistent with the North End District 6 Plan, in particular policy Land Use policy LU1, which calls for reducing conflicts between industrial and residential uses. T2 is a district that could provide that transition by allowing both industrial and residential uses.

4. The proposed zoning is compatible with surrounding uses. The lot to the west is an industrial use and the rest of the site is surrounding by single family homes. The proposed

moved by Baker

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

in favor Unanimous

against \_\_\_\_\_

use, a duplex or multi-family housing, will provide a nice transition at the corner for Topping and Western Avenue as Western Avenue has more residential uses 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 T2 zoning here would not be considered spot zoning because it permits both residential and commercial uses consistent with the surrounding residential and commercial uses.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Pillai Builders for rezoning from B1 local business to T2 traditional neighborhood for property at 385 Topping Street be approved.