



## Legislation Text

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**File #:** RES 24-747, **Version:** 1

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Memorializing the denial of the application of Mortho LLC to rezone property at 1984 Marshall Avenue from RM1 multiple-family residential to RM2 multiple-family residential.  
WHEREAS, Pursuant to Minn. Stat. § 462.357 and Leg. Code § 61.800, Stephen Moriarty of Mortho LLC, in Zoning File 24-017-011, duly petitioned to rezone property commonly known as 1984 Marshall Avenue, [PIN 04.28.23.22.0012] and legally described as Lot 1, Block 5, Merriam Park Second Addition, from RM1 multiple-family residential to RM2 multiple-family residential; and

WHEREAS, on March 21, 2024, pursuant to Admin. Code § 107.03 the Planning Commission's Zoning Committee duly conducted a public hearing for the purpose of considering the said rezoning petition, and based upon all the files and the recommendation of staff, moved to recommend to the Planning Commission that the rezoning petition be denied; and

WHEREAS, the Action Minutes for the March 29, 2024, Saint Paul Planning Commission states in error, in Paragraph V., that the rezoning passed 12-2 (Holst, Hood) on a roll call vote; and

WHEREAS, the video record for the March 29, 2024, Planning Commission meeting, which is available on the Planning Commission's City of Saint Paul website, correctly reflects that the Planning Commission voted on a motion to adopt the Zoning Committee's recommendation to deny the staff recommendation to rezone 1984 Marshall Ave. from RM1 multiple family to RM2 multiple family, and

WHEREAS, notice of public hearing before the City Council on the said rezoning petition was duly published in the official newspaper of the City, notices of the public hearing were duly mailed to each owner of affected property and property situated wholly or partly within 350 feet of the property sought to be rezoned; and

WHEREAS, on April 17, 2024, a public hearing before the City Council was conducted at which all interested parties were given an opportunity to be heard and, upon the close of the public hearing the matter was laid over until May 1, 2024; and

On May 1, 2024, the Council, having considered all the facts and the recommendation of the Planning Commission regarding the said rezoning petition, as substantially set forth in Planning Commission Resolution No. 24-5, the report of Planning Commission staff dated March 14, 2024; DOES HEREBY

RESOLVE, that the application of Mortho LLC to rezone property commonly known as 1984 Marshall Avenue from RM1 multiple-family residential to RM2 multiple-family residential is hereby denied; AND, BE IT

FINALLY RESOLVED, that the reasoning and recommendations set forth in Planning Commission Resolution No. 24-5 and the report of Planning Commission staff dated March 14, 2024, are hereby incorporated herein

by reference into this memorialization resolution and are hereby adopted by the City Council as its formal statement of its legislative rationale for denying the rezoning of the said property.