



## Legislation Details (With Text)

**File #:** Ord 12-53      **Version:** 3

**Type:** Ordinance      **Status:** Passed

**In control:** City Council

**Final action:** 9/26/2012

**Title:** An interim ordinance pursuant to Minn. Stat. § 462.355, Subd. 4, preserving the status quo regarding multi-family residential development of property along Grand Avenue between Cretin and Fairview pending the completion of a study of the City's official controls.

**Sponsors:** Russ Stark

**Indexes:**

**Code sections:**

**Attachments:** 1. Cooper email supporting Grand Ave housing Study.pdf, 2. Wacker email supporting Grand Ave housing Study.pdf, 3. Fogarty email supporting moratorium.pdf, 4. Bassett email supporting moratorium.pdf, 5. Chapman email supporting moratorium.pdf, 6. Nuessle email supporting moratorium.pdf, 7. Caauwe email opposing moratorium.pdf, 8. Hansen email supporting Grand moratorium.pdf, 9. Ord 12-53 comments.pdf, 10. Revenaugh-MacGregor support of Grand moratorium and study.pdf

Date	Ver.	Action By	Action	Result
10/2/2012	3	Mayor's Office	Signed	
9/26/2012	3	City Council	Adopted	Pass
9/19/2012	3	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption	Pass
9/12/2012	3	City Council	Laid Over to Third Reading/Public Hearing	
9/5/2012	2	City Council	Amended and Laid Over for Second Reading	Pass

An interim ordinance pursuant to Minn. Stat. § 462.355, Subd. 4, preserving the status quo regarding multi-family residential development of property along Grand Avenue between Cretin and Fairview pending the completion of a study of the City's official controls.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES HEREBY ORDAIN:

### Section 1.

Council's statement of findings and legislative intent: The Council of the City of Saint Paul finds that the Land Use Chapter of the City's Comprehensive Plan, the 2030 generalized Land Use Map identifies the west end of Grand Avenue as a "Residential Corridor" which, the Plan explains, is composed of "segments of street corridors that run through Established Neighborhoods, predominantly characterized by medium density residential uses. The Land Use Chapter characterizes Established Neighborhoods as areas with a range of housing types, predominantly single-family houses and duplexes, as well as scattered small scale multi-family housing.

The Council further finds that Strategy 1 of the Land Use Chapter provides for targeting growth at areas where there will be compact mixed-use communities where housing, employment, amenities, and transit can work synergistically to serve the needs of people living and working there. Strategy 1 also states that its "core goal"

is "higher density development" whose purpose is to achieve the 2030 residential growth targets which have been established for the City by the Metropolitan Council.

The Council further finds that Strategy 1 of the Land Use Chapter specifically intends for development to take place "at densities greater than currently found in the community" yet also provides that "higher density development is not an objective sought solely for itself," but to "contribute to the goal of creating a vibrant, economically strong community that is environmentally sustainable; and

The Council also finds that Established Neighborhoods are described in the Land Use Chapter as "areas of stability where the existing character will be essentially maintained" and that Strategy 1 also provides that the "existing zoning standards, as well as new zoning standards and districts, will be used to support the prevailing character of Established Neighborhoods and to allow higher density in . . . Residential Corridors."

Based upon Strategy 1's stated goals, the Council finds that the RM2 Multiple Family zoning classification presently assigned to the majority of parcels along the Residential Corridor at the west end of Grand Avenue, between Cretin and Fairview Avenues, may not further the Comprehensive Plan's stated land use objective of supporting the prevailing character of the Established Neighborhood which abuts the Residential Corridor noted above, with the Plan's stated goal of increasing density in Residential Corridors, as the dimensional standards for RM2 zoned property in the Residential Corridor allow buildings up to 50-feet high in contrast to the dimensional standards for the abutting Established Neighborhood which is zoned R3 which limits building heights to 30-feet.

In addition, the Council finds the RM2 height standard to be more permissive than the height standard condition which regulates University of St. Thomas buildings along Grand between Cretin and Cleveland Avenues under to the University's Conditional Use Permit which was implemented in part as a means of transitioning the scale of the University's buildings into the prevailing character of the surrounding Established Neighborhoods.

The Council also finds that larger dwelling units in apartment buildings designed for student housing may have greater impacts, that density regulations address, than smaller dwelling units; and

The Council finds further that the B2 Community Business zoning classification presently assigned to some of the parcels along Grand Avenue at Cleveland and Fairview may hinder future use development or development density potential along the Grand Avenue "Residential Corridor" in light of the use regulations restricting residential housing developments as well as the dimensional standards imposed on all new development in a B2 district.

Therefore, the Council finds that it is necessary to request the planning commission to undertake a zoning study to assess whether the present RM2 zoning classification and standards along Grand Avenue between Cretin and Fairview Avenues actually furthers the Comprehensive Plan's land use objectives for Residential Corridors and whether B2 zoning remains the best zoning classification within the said area. The Council further desires during the period in which this zoning study is underway that the status-quo regarding land use within the said area be maintained by immediately prohibiting the issuance or approval of any zoning and building permits for development within the area described herein which would or could be inconsistent with any recommendation or regulation adopted in light of the forthcoming zoning study until such time as the planning commission has completed its study of these matters and the Council takes action on any recommendations contained therein.

## Section 2.

Interim ordinance imposed during pendency of zoning study: From the findings above and for the general welfare of the public, the Council of the City of Saint Paul deems it necessary to immediately prohibit the issuance or approval of any zoning and building permit which would permit development more than 40-feet in height within the area described under this interim ordinance, or permit multi-family residential development

with design features similar to that of "dormitory-style" housing within the area described under this interim ordinance, which would or could be inconsistent with any recommendation or regulation adopted in light of the zoning study called for under this interim ordinance, until such time as the planning commission has completed its study of these matters and the Council takes action on any recommendations contained therein, for a period of up to twelve (12) months as provided under Minn. Stat. § 462.355, Subd. (4), or until such earlier time as the Council has taken action on the recommendations contained in the study, it being understood that the effective period of this interim ordinance commenced on August 8, 2012 with the adoption of Council File No. RES 12-1551.

### Section 3.

Interim ordinance boundaries: The boundaries of this interim zoning ordinance's restrictions and the boundaries of study area shall be as follows: from a point beginning at the centerline of the intersection of Grand and Cretin Avenues, then east along Grand Avenue to a point ending at the centerline of the intersection of Grand and Fairview Avenues; the area of the interim ordinance shall be further bounded on the north by the rear lot line of any parcel whose front or side lot line is bounded by Summit Avenue and on the south by the rear lot line of any parcel whose front or side lot line is bounded by Lincoln Avenue, all within the points between Grand and Fairview Avenues; it being understood that the moratorium boundary line on the south, described above as the rear lot line of a lots with front or side lot lines bounded by Lincoln, shall be further defined as if the alley right-of-way on that block defined by Grand, Cleveland, Lincoln and ~~Howell~~ Cretin extended all the way through to the east to Cleveland.

### Section 4.

Interim ordinance exemptions: The Council of the City of Saint Paul hereby exempts from the terms of this interim ordinance those development projects that had received site plan approval prior to August 8, 2012.

### Section 5.

Effective date: This interim ordinance shall take effect and be in force thirty (30) days after its passage, approval, and publication and upon its effective date, the interim zoning regulations initially imposed under Council File No. RES. 12-1551 shall be discharged.