



## Legislation Details (With Text)

**File #:** RES 22-1352 **Version:** 1

**Type:** Resolution **Status:** Passed

**In control:** City Council

**Final action:** 9/7/2022

**Title:** Memorializing the denial of the application of House 11 LLC to rezone property at 918 Fifth Street East from RT1 two-family residential to RM1 multiple-family residential.

**Sponsors:** Amy Brendmoen

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/9/2022	1	Mayor's Office	Signed	
9/7/2022	1	City Council	Adopted	Pass

Memorializing the denial of the application of House 11 LLC to rezone property at 918 Fifth Street East from RT1 two-family residential to RM1 multiple-family residential.

WHEREAS, Pursuant to Minn. Stat. § 462.357 and Leg. Code § 61.800, James Faillettaz of House 11 LLC, in Zoning File 22-058-214, duly petitioned to rezone property commonly known as 918 Fifth Street East, [PIN 33.29.22.23.0005] and legally described as Lot 6, Block 95, Daily & Berrisford's Subdivision of Block 95 of Lyman Dayton's Addition, from RT1 two-family residential to RM1 multiple-family residential; and

WHEREAS, on June 30, 2022, 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, on July 8, 2022, the Planning Commission considered the rezoning petition and adopted the Zoning Committee's recommendation that the said rezoning petition be denied and moved the same to the City Council for its consideration; 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 August 3, 2022, 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 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. 22-30, the report of Planning Commission staff dated June 22, 2022; DOES HEREBY

RESOLVE, that the application of House 11 LLC to rezone property commonly known as 918 Fifth Street East from RT1 two-family residential to RM1 multiple-family residential is hereby denied; AND, BE IT

FINALLY RESOLVED, that the reasoning and recommendations set forth in Planning Commission Resolution No. 22-30 and the report of Planning Commission staff dated June 22, 2022, 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.