



## Legislation Details (With Text)

**File #:** Ord 11-74      **Version:** 2

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

**In control:** City Council

**Final action:** 9/14/2011

**Title:** An interim ordinance preserving the status quo of land uses in the District 9 Planning Area for the purpose of augmenting the zoning study undertaken pursuant to Council File Ord 11-5.

**Sponsors:** Dave Thune

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/14/2011	2	Mayor's Office	Signed	
9/14/2011	2	City Council	Adopted	Pass
9/7/2011	2	City Council	Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption	Pass
8/24/2011	2	City Council	Laid Over to Third Reading/Public Hearing	
8/17/2011	2	City Council	Laid Over to Second Reading	

An interim ordinance preserving the status quo of land uses in the District 9 Planning Area for the purpose of augmenting the zoning study undertaken pursuant to Council File Ord 11-5.

An interim ordinance pursuant to Minn. Stat. § 462.355, Subd. 4, to augment the zoning study undertaken pursuant to Council File No. 11-5 and to preserve the status quo within a specified area of the District 9 Planning District pending the completion and report of a zoning study and possible action on that study, including amending the City's official controls regarding zoning classifications for certain parcels of land, in order to facilitate the job and economic development strategies contained in the District 9 Plan addendum to the Comprehensive Plan.

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

#### Section 1

**Statement of Legislative Intent and Findings of the City Council:** The Council of the City of Saint Paul, in Council File No. 11-5, adopted an interim ordinance in response to an unanticipated vacation of a long standing land use on a parcel of land in District 9 which is a significant "gateway parcel" to District 9 as the said parcel abutted lands to the North, which were zoned B5 Central Business Service and T2 Traditional Neighborhood, while the vacated parcel was zoned B3 General Business.

This Council further noted in Ordinance 11-5 that the zoning classification of the subject gateway parcel might not further the objectives contained in the District 9 Area Plan's Job and Economic Development Strategies or the Area Plan's Housing Objectives given the B5 and T2 zoning classifications of the parcels abutting the gateway parcel because it was not anticipated at the time of the adoption of the Area Plan's Land Use Mix in

July 2010 that the use of the gateway parcel would be vacated.

As the zoning study commenced pursuant to Ordinance 11-5 has progressed, it appeared it appeared to the Council that the land use classification for those parcels of land beginning at the intersecting point of the centerlines of the northbound I-35E exit ramp/ Thompson Street/ Grand Avenue right-of-way on the west and proceeding east to the intersecting point with the centerline of the Smith Avenue right-of-way, and situated along the south side of Grand Avenue, are logical extensions of the “gateway” parcels concept into the District 9 Area as described under Ordinance 11-5 because these parcels are zoned B3 General Business just as the original gateway parcels were zoned which prompted the enactment of Ordinance 11-5.

Accordingly, the Council found it necessary to request the planning commission, under Council File No. 11-213, to undertake a zoning study to assess whether the B3 zoning classification for these additional “adjacent gateway parcels” furthered the District 9 Area Plan’s Job and Economic Development Strategies which call for the preservation of businesses and jobs in the District while at the same time complementing the District’s Housing Objectives.

Pursuant to Council File No. 11-213 and for the period in which the said zoning study is underway under this interim ordinance, the City Council desires to maintain the status quo regarding land use for the said adjacent gateway parcels by immediately and temporarily prohibiting the issuance of zoning and building permits or approvals which would permit development of the parcels in the area described herein which would, or could be, inconsistent with the District 9 Area Plan’s Job and Economic Development Strategies and Housing Objectives, until such time as the planning commission’s zoning study of this matter has been completed and the City Council has taken action on the recommendations contained therein.

## Section 2

**Interim Moratorium Imposed During Pendency of Zoning Study, Restrictions on Approval of Zoning and Building Permits:** For the reasons stated under Section 1 of this interim ordinance as well as the reasons stated under Council File No. 11-1213 which shall be incorporated herein by reference, the Council of the City of Saint Paul, based upon the findings noted or adopted in this interim ordinance, and for the general welfare of the public, deems it necessary to prohibit the issuance or approval of any zoning and building permits which would permit development within that area of the District 9 Planning District described in this interim ordinance which would or could be inconsistent with the District 9 Area Plan’s Job and Economic Development Strategies and Housing Objectives, until the expiration of twelve months from the effective date of this interim ordinance or until such earlier time as the Council has taken action on the recommendations contained in the study.

## Section 3

**Interim Ordinance Zoning Study Area Defined:** For the purpose of this interim zoning ordinance the area of the zoning study and the area within Dist. 9 subject to the zoning and building permit approval restrictions established under this interim ordinance, shall be defined as follows: beginning at a point defined as the intersection of the center lines of the of the northbound I-35E exit ramp/ Thompson Street/Grand Avenue right-of-ways on the west and extending easterly to its intersecting point with the Smith Avenue right-of-way; then southerly along the centerline of Smith Avenue to its intersection with the center point of the Forbes Avenue West right of way; then west along the centerline of the Forbes Avenue West right of way to its intersection with the center point of Douglass Street South; then north along the Douglass Street South right of way to its intersection with the center point of Forbes Avenue West; then all the way west along the centerline of the Forbes Avenue West right of way and proceeding to the center point of the of the northbound I-35E exit ramp right of way as if Forbes Avenue right of way extended in a straight line all the way to the to the center point of the of the northbound I-35E exit ramp right of way; then northeasterly along to the center point of the of the northbound I-35E exit ramp right of way to the beginning point at the intersection of the center lines of the of the northbound I-35E exit ramp/ Thompson Street/Grand Avenue right-of-ways.

Section 4.

**Effective Date of Interim Ordinance.** Pursuant to City Charter § 6.11, this ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication. For the purpose of calculating the period in which the regulatory provisions of this interim ordinance are in effect pursuant to Minn. Stat. § 462.355, Subd. 4, the effective period of this interim ordinance shall be as of the effective date of the resolution adopted in Council File No. 11-1213. Upon the effective date of this interim ordinance, the regulatory effect of Council File No. 11-1213 shall expire with no additional action needed by this Council.

Section 5.

**Notice to City Departments and Agencies.** Upon the passage and approval of this interim ordinance, the clerk shall immediately deliver a copy of this interim ordinance to the planning administrator, the zoning administrator, the building official, the planning commission and the board of zoning appeals.