



## Legislation Text

**File #:** Ord 13-36, **Version:** 2

Amending Chapter 66 of the Saint Paul Legislative Code pertaining to RM2 Multifamily Residential density and dimensional standards and amending the Saint Paul zoning map, pertaining to properties along Grand Avenue from Cretin Avenue to just east of Fairview Avenue.

### STATEMENT OF FINDINGS BY THE COUNCIL

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

#### SECTION 1

~~WHEREAS, the Council of the City of Saint Paul, in August 2012, enacted Ordinance 12-53, an interim ordinance prohibiting any multifamily development greater than 40 feet high along West Grand Avenue between Cretin and Fairview Avenues for a period of one year, and requesting that the Saint Paul Planning Commission study whether the current RM2 multiple-family residential zoning and B2 business districts best further the Comprehensive Plan's land use objectives along this stretch of Grand Avenue; and~~

~~WHEREAS, the Council subsequently expanded the West Grand Zoning Study Area to include B2 parcels along Grand Avenue immediately east of Fairview Avenue; and~~

~~WHEREAS, the Planning Commission has drafted zoning text and map amendments pertaining to the West Grand Zoning Study Area both to further the Comprehensive Plan's land use objectives and to address concerns expressed by residents of one-family dwellings immediately across the alleys north and south of Grand due to unique circumstances in the study area regarding the potential impact of and high demand for new student-oriented large-unit apartment buildings across an alley from one-family zoning districts; and~~

~~WHEREAS, the Planning Commission conducted a public hearing on draft West Grand Zoning Study text and map amendments on April 19, 2013, and revised the draft amendments based on the oral and written testimony received at the public hearing and the recommendations of its Neighborhood Planning Committee; and~~

~~WHEREAS, the Planning Commission with Resolution 13-26 recommended to the City Council and Mayor certain changes to RM2 multi-family residential development standards for properties within the study area and rezoning of certain properties to the T2 traditional neighborhood designation and forwarded its recommendations to the City Council along with a May 14, 2013 memorandum from its Neighborhood Planning Committee containing their recommendations and rationale for the proposed zoning map and text amendments; and~~

~~WHEREAS, the Land Use Chapter of the Comprehensive Plan identifies the commercial node at Grand and Fairview as the west end of a "Mixed Use Corridor," Grand Avenue west of the commercial node at Fairview as a "Residential Corridor," and residential areas north and south of Grand Avenue as "Established Neighborhoods;" and~~

~~WHEREAS, Strategy 1 of the Land Use Chapter of the Comprehensive Plan, to target growth to areas where there will be compact mixed-use communities where housing, employment, amenities, and transit can work~~

synergistically to serve the needs of people who live and work there, states that its "core goal" is "higher density development;" and

WHEREAS, Strategy 1 of the Land Use Chapter of the Comprehensive Plan directs "new, higher density development to...Residential and Mixed Use Corridors and 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

WHEREAS, Strategy 1 of the Land Use Chapter 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 and Mixed Use Corridors"; and

WHEREAS, while RM2 zoning is consistent with the density of existing multi-family uses along Grand Avenue, the height, impact, and design of new large (3- and 4-bedroom) unit apartment buildings along Grand Avenue in the study area was identified as a concern for the residents of one-family dwellings immediately across the alleys north and south of Grand; and

WHEREAS, informed by the West Grand Zoning Study and the findings therein of the Planning Commission, the Council finds that reducing the maximum allowed building height, increasing the lot area requirements for large-unit development, and adding design standards both furthers the goals and objectives of the Land Use Chapter of the Comprehensive Plan and addresses concerns expressed by residents of one-family dwellings immediately across the alleys north and south of Grand due to unique circumstances in the study area regarding the potential impact of and high demand for new student-oriented, large-unit apartment buildings across an alley from one-family zoning districts;

Statement of Legislative Intent and Purpose for Enacting Amendments to Leg. Code § 66.231 and § 60.303:

In August 2012, the City Council enacted interim Ordinance no. 12-53 prohibiting multifamily development greater than 40 feet high along Grand Avenue between Cretin and Fairview pending the completion of a study of the RM2 multiple-family and B2 business zoning classifications along this stretch of Grand Avenue. The purpose of the study was to determine whether the said classifications furthered the land use objectives of the City's Comprehensive Plan. The zoning study, labeled the West Grand Zoning Study, was subsequently expanded in Resolution 13-8 to include B2 parcels along Grand Avenue immediately east of Fairview Avenue.

Pursuant to Ordinance 12-53, the City's Planning Commission, utilizing City zoning staff, commenced its study of the area. On March 8, 2013, the Planning Commission released its initial West Grand Zoning Study report and recommendations for public comment. On April 19, 2013, the Planning Commission conducted a duly noticed public hearing on the zoning study and its recommendations. Following the public hearing, the Commission's Neighborhood Planning Committee met on April 24, 2013, and on May 8, 2013, to discuss the testimony and comments received during the April 19, 2013, hearing and to make any revisions to the zoning study and its recommendations in light of the public hearing testimony and comments.

On May 14, 2013, the Neighborhood Planning Committee, based upon its review of the zoning staff's study and the April 19, 2013, public hearing testimony, submitted a final West Grand Zoning Study report to the Planning Commission in which specific recommendations to amend the zoning code based upon the West Grand Zoning Study were made.

On May 17, 2013, the Planning Commission considered the West Grand Zoning Study and the recommendations contained therein and, in its Resolution no. 13-26, the Planning Commission recommended that the Council amend the zoning code by adding new development standards for all RM2 properties within the study area and rezoning certain properties within the study area to the T2 traditional neighborhood

designation as noted below, respectively, in Sections 2 and 3 of this ordinance.

The Council finds that the May 14, 2013, West Grand Zoning Study sets forth an extensive rationale for the recommended amendments to the zoning code relative to the area studied. The Council finds this rationale persuasive. Accordingly, the West Grand Zoning Study shall be hereby incorporated by reference into this ordinance for the specific purpose of articulating the Council's reasons and rationale for enacting the recommended amendments set forth below under Sections 2 and 3 of this ordinance in addition to any other reasons the Council might articulate on the record in adopting this ordinance.

In particular, the Council finds that the Study's recommendations to amend the zoning code and rezone certain parcels relative to the study area strike a reasonable balance between the Comprehensive Plan's land use objectives for this area and the reasonable concerns expressed by the residents of one-family zoning districts whose dwellings abut or are immediately adjacent to the alleys running across the north and south boundaries of the study area, given circumstances that appear to be unique to the West Grand Zoning Study area regarding the potential impacts from high demand for new, large-unit apartment buildings which are "student-oriented" in design.

The Council further finds that amending the zoning regulations for parcels within the study area as well as rezoning certain parcels therein strikes a reasonable balance in recognition of the fact that the Comprehensive Plan's Land Use Chapter specifically identifies the commercial node at Grand and Fairview as the west end of a "Mixed Use Corridor," that Grand Avenue west of the Grand/Fairview commercial node is identified as a "Residential Corridor," and that the residential areas north and south of Grand Avenue are identified as "Established Neighborhoods."

The Council further finds that the amendments proposed under the West Grand Zoning Study are consistent with the objectives of the land use descriptions under Strategy 1 of the Land Use Chapter which is intended to target growth to areas where there will be compact mixed-use communities where housing, employment, amenities, and transit can work synergistically to serve the needs of people who live and work there. Strategy 1 states that its "core goal" is "higher density development," and the Council finds that the proposed zoning amendments are reasonably balanced in light of Strategy 1's goal of directing "new, higher density development to...Residential and Mixed Use Corridors," which specifically intends for development to take place "at densities greater than currently found in the community," yet recognizes "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." Thus Strategy 1 of the Land Use Chapter specifically provides that "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 and Mixed Use Corridors."

Therefore, based upon the West Grand Zoning Study, the Council finds that while RM2 zoning is consistent with the density of existing multi-family uses along Grand Avenue, the height, impact, and design of new large (3- and 4-bedroom) unit apartment buildings along Grand Avenue in the study area was identified as a concern for the residents of one-family dwellings immediately across the alleys north and south of Grand and, informed by the West Grand Zoning Study and the findings in Planning Commission Resolution No. 13-26, which shall also be incorporated herein by reference for the specific purpose of articulating the Council's reasons and rationale for enacting the recommended amendments set forth below under Sections 2 and 3 of this ordinance, in addition to any other reasons the Council might articulate on the record in adopting this ordinance, the Council finds that reducing the maximum allowed building height, increasing the lot area requirements for large-unit development, and adding design standards further the goals and objectives of the Land Use Chapter of the Comprehensive Plan and addresses concerns expressed by residents of one-family dwellings immediately across the alleys north and south of Grand due to unique circumstances in the study area regarding the potential impacts from high demand for new, large-unit apartment buildings which are "student-oriented" in design.

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

~~SECTION 1~~

**SECTION 2**

~~That the Zoning Map of Saint Paul, incorporated by reference in Leg. Code § 60.303, is hereby amended as follows:~~

~~[Insert West Grand Zoning Map Amendments Table]~~

That the density and dimensional standards set forth under Legislative Code § 66.231 are hereby amended by adding a new section "(k)" to its Table and to its Notes to read as follows:

**Sec. 66.231. Density and dimensional standards table.**

...

**Table 66.231. Residential District Dimensional Standards**

[Insert Amended Table 66.231 Residential District Dimensional Standards]

Notes to table 66.231, residential district dimensional standards:

...

(k) For property along Grand Avenue between Fairview Avenue and Cretin Avenue, between lines defined by the parallel alleys immediately north and south of Grand Avenue:

- (1) Building height shall be limited to four (4) stories and forty (40) feet;
- (2) The minimum lot size for units with three (3) bedrooms shall be one thousand seven hundred (1700) square feet per unit, and the minimum lot size for units with four (4) or more bedrooms shall be one thousand nine hundred (1900) square feet per unit;
- (3) Minimum side setbacks for multiple-family residential dwellings shall be nine (9) feet; and
- (4) The T2 design standards in Sec. 66.343 shall apply.

~~SECTION 2~~

**SECTION 3**

~~Legislative Code Chapter 66, Section 66.231, is hereby amended as follows:~~

~~Sec. 66.231. Density and dimensional standards table.~~

...

Table 66.231. Residential District Dimensional Standards

[Insert Amended Table 66.231 Residential District Dimensional Standards]

Notes to table 66.231, residential district dimensional standards:

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~~(3) Minimum side setbacks for multiple family residential dwellings shall be nine (9) feet; and~~

~~(4) The T2 design standards in Sec. 66.343 shall apply.~~

That the Zoning Map of Saint Paul, incorporated by reference in Leg. Code § 60.303, is hereby amended as follows:

[Insert West Grand Zoning Map Amendments Table]

SECTION 3

SECTION 4

This ordinance shall become effective thirty (30) days after its passage, approval and publication.