Legislation Text

File #: Ord 16-3, **Version:** 2

Granting the application of Jamestown Homes LLLP to rezone their property at 586 Central Avenue W from RM2 Multiple-Family Residential to T2 Traditional Neighborhood and amending Chapter 60 of the Legislative Code pertaining to the Saint Paul zoning map.

WHEREAS, Jamestown Homes LLLP, File # 16-000-819, has applied to rezone from RM2 Multiple Family Residential to T2 Traditional Neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, on property located at 586 Central Avenue W, Parcel Identification Number (PIN) 36.29.23.32.0078, legally described as Mackubin and Marshalls Addition, Lots 1 Thru 14 and Lots 20 thru 30, Block 11; and

WHEREAS, the Zoning Committee of the Planning Commission, on January 28, 2016, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The Twin Cities Housing Development Corporation is planning to make substantial renovations to the interior and exterior of the property. Proposed exterior renovations include play area improvements, new landscaping, adding 4 handicapped parking spaces near 4 units that are being made fully handicap accessible, and reconfiguring the parking lots including making the nonconforming parking setback adjacent to Kent St. conforming. The applicant is seeking a rezoning from RM2 to T2 in order to reduce the amount of surface parking from 89 spaces to 63 spaces. Under RM2 zoning the property currently has a legal nonconforming parking deficiency. Under T2 zoning the minimum parking requirement is eliminated for property within ¼ mile of LRT service on University Avenue, which applies to this property. The applicant has provided information showing that the proposed reduced amount of off-street parking is more than enough to meet the need here.

2. The applicant has submitted an application to split off the vacant northwest portion of the site as a separate lot for future development. Rezoning the parcel to T2 will allow a broader range of land uses and provide for transit-oriented mixed-use development for this site near an LRT station, consistent with surrounding commercial, institutional, and multi-family residential development.

3. The proposed T2 zoning is consistent with the way this area has developed. Dale Street has a mix of commercial, institutional, and residential uses, characteristic of the type of development that is permitted within the T2 traditional neighborhood zoning district. More recently, higher density mixed-used development has occurred at the intersection of University and Dale, which is zoned T3. T2 is also consistent with the RM1 and RM3 zoning and development north and east of the site

4. The proposed zoning is consistent with the Comprehensive Plan, which identifies the majority of the parcel as being within a mixed-use corridor. The proposed zoning is also consistent with the Dale Street Station Area Plan which identifies the subject parcel as being part of the “South Entry”, and “well situated for future residential or small scale employment uses.”

5. The proposed T2 zoning is compatible with the surrounding land uses. There is a mix of residential, commercial, and institutional land uses adjacent to the site. The T2 traditional neighborhood district permits a variety uses similar to those that exist in the area.

6. Court rulings have determined that “spot zoning” is illegal in Minnesota. Minnesota courts have stated that this term *“applies to zoning changes, typically limited to small plots of land, which establish a use classification inconsistent with the surrounding uses and create an island of nonconforming use within a larger zoned property.”* The proposed T2 zoning is not spot zoning because the T2 uses are consistent with the surrounding multifamily residential and commercial zoning designations and uses.

7. The petition for rezoning was found to be sufficient on 12/29/2015: 11 parcels eligible, 8 parcels required, owners of 8 parcels signed.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

Section 1.

That the zoning map of the City of Saint Paul as incorporated by reference in § 60.303 of the Saint Paul Legislative Code, as amended, is hereby further amended as follows:

That the property at 586 Central Avenue W, being more particularly described as: Mackubin and Marshalls Addition, Lots 1 Thru 14 and Lots 20 thru 30, Block 11 be and is hereby rezoned from RM2 to T2.

Section 2.
This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication.