



## Legislation Text

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**File #:** RES 17-1164, **Version:** 1

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Memorializing City Council action denying an application to rezone property located at 246-268 Snelling Avenue South from B2 Community Business to T3 Traditional Neighborhood.

WHEREAS, Pursuant to Minnesota Statutes § 462.357 and Legislative Code § 61.800, Turk Trust et. al., in Zoning File No. 17-015-513, duly applied to rezone property commonly known at 246-268 Snelling Avenue South from B2 Community Business to T3 Traditional Neighborhood; and

WHEREAS, the said application was accepted by planning division staff on February 23, 2017, as having been consented to by at least 67 percent of the owners of the said area to be rezoned; and

WHEREAS, on April 3, 2017, notice of a public hearing to be held before the Planning Commission's Zoning Committee was duly published in the City's official newspaper; and

WHEREAS, on April 13, 2017, pursuant to Administrative Code § 107.03, the Zoning Committee duly conducted a public hearing on the application and all persons present were afforded an opportunity to be heard and, upon the close of the hearing, submitted a recommendation to the Planning Commission to approve the application; and

WHEREAS, on April 21, 2017, the Planning Commission considered the application and the recommendation of the Zoning Committee and thereupon moved to submit a recommendation to the City Council to approve the application; and

WHEREAS, on May 5, 2017, notice of a public hearing before the City Council regarding the petition was mailed to each owner of affected property and property situated wholly or partly within 350 feet of the subject property and on May 8, 2017, notice of the public hearing before the City Council was published in the City's official newspaper; and

WHEREAS, on May 17, 2017, City Council duly conducted a public hearing on the application at which all interested parties were given an opportunity to be heard; and

WHEREAS, the City Council, following the close of the public hearing, noted that the application would best be evaluated in light of the ongoing Snelling Avenue South Zoning Study and moved to continue deliberation on the application to June 21, 2017; and

WHEREAS, June 21, 2017 the Council took up the matter again and upon further deliberation, the Council found that the Planning Commission's recommendation to approve the rezoning application for the said properties was not consistent with the zoning requested by the petitioners based upon the following:

1. A portion of the property applied for rezoning to T3 directly abuts existing R4 single-family residential uses, separated only by a residential alley
2. Similar developments which abut single family residential uses are zoned T2
3. T2 zoning provides a more gradual transition between low density single-family R residential uses and higher density mixed-used residential and commercial development allowed under T3 zoning

WHEREAS, the City Council having considered all the records and testimony and based upon the conclusions above, hereby finds that the application to rezone the subject property from B2 Community Business to T3 Traditional Neighborhood would conflict with the R4 uses which immediately abut the subject property; NOW, THEREFORE,

BE IT RESOLVED, for all the reasons stated above, the application of Turk Trust et. al., to rezone property at 246-268 Snelling Avenue South from B2 Community Business to T3 Traditional Neighborhood is hereby denied.