



## Legislation Text

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**File #:** RES 17-1713, **Version:** 1

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Undertaking a zoning study of land use and land use classifications along Marshall Avenue between Mississippi River Boulevard and Hamline Avenue, and establishing interim zoning regulations pursuant to Minn. Stat. § 462.355, Subd. 4 pending Council action on the zoning study within the study area between Wilder and Wheeler.

WHEREAS, the area of Marshall Avenue between Mississippi River Boulevard on the West and Hamline Avenue on the East is presently experiencing increasing redevelopment interest. While redevelopment interest is welcome, redevelopment that is not consistent with the goals and requirements of the City's Comprehensive Plan would not be in the best interests of the City generally and this area of Marshall Avenue specifically; and

WHEREAS, the potential for incompatible or inconsistent redevelopment activity along this stretch of Marshall raises substantial questions relating to the ability of the City's present official controls to assure compliance with the City's Comprehensive Plans; and

WHEREAS, in light of these increasing redevelopment interests, the Council of the City of Saint Paul hereby requests the planning commission to undertake a zoning study of current land use and land use classifications of that area of Marshall described above which, hereinafter, shall be referred to as the "West Marshall Study Area" or "WMSA"; and

WHEREAS, the Council desires the scope of zoning study to be limited to the those parcels with frontage along Marshall; and

WHEREAS, the said study may lead to the adoption of amendments to the City's comprehensive municipal plan and to its official zoning controls within the West Marshall Study Area; and

WHEREAS, in light of the pending WMSA study, and for the purpose of identifying an overall vision for this pivotal area and the immediate need to preserve the status quo with respect to land use in order to protect the general health, welfare and safety of the public pending the conclusion of the said study, the Council of the City of Saint Paul desires to immediately temporarily prohibit development on any parcel of land or part thereof within that certain portion of the WMSA between Wilder and Wheeler until such time as the WMSA study has been completed and the Council of the City of Saint Paul has taken action on the recommendations contained therein:

NOW, THEREFORE, BE IT RESOLVED, that under separate ordinance adopted pursuant to Minn. Stat. § 462.355, Subd.(4)(a), the Council of the City of Saint Paul will temporarily prohibit for any parcel of land or part thereof within the WMSA between Wilder and Wheeler, the issuance or approval of zoning and building permits, plat approvals or lot splits, until the expiration of twelve months following the effective date of the interim ordinance or until such earlier time as the Council of the City of Saint Paul has taken action on the recommendations contained in the study; AND,

BE IT FURTHER RESOLVED, pending the effective date of the interim ordinance prohibiting any development inconsistent with the pending study and any amendments to the City's zoning code, from the effective date of this resolution following the public hearing required under Minn. Stat. § 462.355, Subd.4 (c)(2), no zoning or building permits, plat approvals or lot splits may be issued or approved within the boundaries of the WMSA

between Wilder and Wheeler, unless specifically exempted as provided under the interim ordinance noted above and until the expiration of twelve months from the effective date of this resolution or until such earlier time as the Council of the City of Saint Paul has taken action on the recommendations contained in the study. However, a proposal to provide residential dwellings, either single family or multi-family, that has been duly submitted to the City in proper form and with payment of any required fees not later than the close of business on the date of the public hearing required under Minn. Stat. § 462.355, Subd.4(c)(2) for this interim ordinance, and where it is further determined that the submitted proposal complies with the requirements, regulations, and performance standards of the zoning and building codes, may be exempt from the regulatory effect of this resolution pending the effective date of the interim ordinance enacted for the WMSA between Wilder and Wheeler. Applications for permits to construct, reconstruct, alter or repair an existing residential dwelling, or accessory structures, within the WMSA between Wilder and Wheeler, which will not result in an increase in the number of dwelling units, are also exempted from the regulatory effect of this resolution. Applications for permits to construct, reconstruct, alter or repair existing institutional or commercial uses are also exempted from the regulatory effect of this resolution.