

city of saint paul  
planning commission resolution  
file number 23-30  
date September 29, 2023

WHEREAS, Pillai Builders LLC, File # 23-077-798, has applied to rezone from B3 general business to T2 traditional neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 597-605 Front Avenue, Parcel Identification Numbers (PINs) 25-29-23-23-0086, -0087, -0088, legally described as Lots 44-47, Block 14, Como Prospect Addition and

WHEREAS, the Zoning Committee of the Planning Commission, on September 21, 2023, 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 request is to rezone the subject property from B3 general business to T2 traditional neighborhood.
2. The proposed zoning is consistent with the way this area has developed. Current land uses in vicinity of the subject site include a mixture of residential densities and housing types, childcare, educational institutions, and retail and personal services. The proposal to retain development rights for non-residential uses permitted in T2 traditional neighborhood is consistent with historical land use and zoning, as well as how the area has developed over time at this complex intersection. Long term flexibility is provided with the proposed zoning, by allowing for residential infill now that is compatible with surrounding uses but provides for the option to allow for business creation and complimentary uses over time as market conditions change.
3. The proposed zoning is consistent with the Comprehensive Plan. The Future Land Use Plan designates this land area for mixed-use and is a designated Neighborhood Node. Mixed-use areas are primarily along thoroughfares well-served by transit, as is the case for the subject property. The goal is to provide a balance of jobs and housing within walking distance of each other.

The Land Use chapter focuses economic and population growth around transit and Neighborhood Nodes that supports daily needs within walking distance. The Dale-Como-Front intersection is a designated neighborhood node, presently providing certain food services, fuel services, child daycare, and other essential services as described in the discussion. The T2 traditional neighborhood district is designed for use in existing or

moved by Taghioff  
seconded by \_\_\_\_\_  
in favor Unanimous  
against \_\_\_\_\_

potential pedestrian and transit nodes. The flexibility of uses can support compact, pedestrian-oriented commercial and residential development that can benefit from and support transit while allowing for a variety of housing types. The district acknowledges that careful treatment of parking and transitions to adjoining residential districts is important.

Efficient, adaptable and sustainable land use and development patterns and processes are also outlined as goals in the Land Use chapter. Policy LU-6 calls for the City to foster equitable and sustainable economic growth by directing new development to neighborhood nodes. Additional policies guiding the decision include land use and zoning flexibility to respond to social, economic, technological, market and environmental changes, conditions and opportunities as provided in Policy LU-7.

The North End District 6 Plan, addendum to the Comprehensive Plan, provides a vision for residents to have a diverse range of housing options over their lifetime and improved access to services and to parks, schools, jobs, and institutions they value. The site is approximately 350 feet from Crossroads Montessori School at Kent Street - walking distance for children living in homes on this land. Love in Action, LLC, is a daycare presently operating immediately south of the site across Front Avenue, which is supportive to residential use of the subject site.

District 6 Policy LU-4 within calls for mixed use residential development on sections of Rice Street, portions of Dale, and Como Avenue. The Como-Front-Dale design guidelines, previously an addendum to the District Plan, were de-commissioned or considered obsolete and not having any bearing on this case.

4. The proposed zoning is compatible with the surrounding uses. The site is served by an alley on the north which allows for access to off-street parking without disrupting the flow of traffic on Front Street or anticipated impacts to the function of the intersection. The applicant also owns and is constructing additional housing at 600-604 Hatch Avenue just across the alley from the subject site to the north.

Residential uses to the east are also compatible with the proposed zoning. Sections of Front Avenue in the vicinity have historically developed with residential structures on both the north and south side in addition to commercial, retail, civic, and institutional uses.

5. Court rulings have determined that "spot zoning" is illegal in Minnesota. The rezoning proposal would not create an island of nonconforming uses and is therefore not "spot zoning".

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Pillai Builders LLC for rezoning from B3 general business to T2 traditional neighborhood for property at 597-605 Front Avenue be approved.