

city of saint paul
planning commission resolution
file number 24-30
date October 11, 2024

WHEREAS, Church of St. Pascal Baylon, File # 24-078-931, has applied to rezone from H2 residential district to RM2 medium-density multiple family residential district under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 470 White Bear Avenue N, Parcel Identification Number (PIN) 35.29.22.32.0072, legally described as vacated street accruing and the following: Lots 10 & 11 of Block 10 of Robert L. Ware’s Eastern Heights, except northern 258 feet, and Lot 10 of Block 4 of Hudson Road Gardens; and

WHEREAS, the Zoning Committee of the Planning Commission, on October 3, 2024, 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 Applicant requests a rezoning from H2 residential to RM2 medium-density multiple-family residential to develop the subject parcel to create a four-story, 53-unit affordable apartment building. The RM2 zoning district’s dimensional standards and design guidelines are more flexible and suitable for multiple-family dwellings.
2. § 66.231 allows a maximum of six dwelling units in the H2 zoning district. In the RM2 zoning district, however, there is no limit to the number of dwelling units provided that the rest of the district’s dimensional standards are met. The proposed development is expected to have 53 dwelling units. § 66.231 also allows a maximum building height of 39 feet in the H2 zoning district and 50 feet in the RM2 zoning district. The proposed development is expected to be four stories (approximately 45 feet). The Applicant is also applying for a conditional use permit for a supportive housing facility serving more than sixteen facility residents.
3. The proposed zoning is consistent with the way this area has developed. The RM2 district’s intent is to “foster and support pedestrian- and transit-oriented residential development and provide for infill housing to meet a variety of housing needs.” The subject parcel is within the White Bear Station Area – less than half a mile from the proposed station. The proposed zoning maintains the primarily residential nature of the neighborhood while allowing for a greater variety in housing.
4. The proposed RM2 zoning is consistent with the Comprehensive Plan. The 2040 Comprehensive Plan designates the future land use of this parcel as Urban Neighborhood. Urban Neighborhoods are defined as:

“primarily residential areas with a range of housing types. Single-family homes and

moved by Taghioff
seconded by _____
in favor 11
against Taghioff, Ortega

duplexes are most common, although multi-family housing predominates along arterial and collector streets, particularly those with transit.”

White Bear Avenue is a minor arterial road within the White Bear Ave station area for the Gold Line. Additionally, the H Line is a planned BRT line that will run partially along White Bear Avenue. The intent of the RM2 zoning district is to “foster and support pedestrian- and transit-oriented residential development and provide for infill housing to meet a variety of housing needs”, which is consistent with urban neighborhoods along major transit lines.

This neighborhood is primarily made up of single-family homes. The proposed zoning would allow for medium-density multi-family housing in an otherwise undeveloped lot. This would help meet the Comprehensive Plan’s and the District Plan’s goals of diversifying the neighborhood’s housing stock.

The following policies apply:

2040 Comprehensive Plan:

Policy LU-34. Provide for medium-density housing that diversifies housing options, such as townhouses, courtyard apartments and smaller multi-family developments, compatible with the general scale of Urban Neighborhoods.

Policy LU-35. Provide for multi-family housing along arterial and collector streets, and in employment centers to facilitate walking and leverage the use of public transportation.

District 1 Community Council Community Plan (2016):

LU2: Diversify the district’s housing stock.

LU2.2 Identify key vacant or underutilized sites for new mixed income housing that would provide residents with access to transit and would support walking and active lifestyle choices.

LU2.3 Encourage the development of medium density multi-family housing along areas identified as Residential Corridors in the Saint Paul Comprehensive Plan.

LU4: Promote redevelopment of vacant and underutilized parcels in ways that benefit the community.

LU8: Improve the built environment, both aesthetically and in terms of safety, including the development of pedestrian and transit-friendly projects.

LU8.1: Apply provisions and design standards for Traditional Neighborhood districts and citywide general design standards, with attention to Floor Area Ratio (FAR), parking lot location, signage, and uses.

H3: Maintain the residential character of District 1 by supporting a mix of neighborhoods, housing types, income levels, and opportunities for residence in the district for all ages and housing needs.

H3.1: Maintain a balance between multi-family and single-family developments in the neighborhood.

H3.3: Support infill development that respects the character of the neighborhood.

H3.5: Increase housing choices across the district to support sustainable, economically diverse neighborhoods.

H3.9: Meet market demand for transit-oriented housing.

H3.12: Encourage larger housing developments to contain a mix of affordable and market-rate units.

5. The proposed zoning is compatible with the surrounding uses. The neighborhood is primarily residential including some apartment buildings in the areas zoned RM2 less than a half mile away.
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.” Much of the surrounding area is zoned H2, the permitted uses of which largely overlap with RM2. Also, the proposed zoning is consistent with the mix of uses and intensities found along White Bear Avenue corridor.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Church of St. Pascal Baylon for rezoning from H2 residential district to RM2 medium-density multiple family residential district for property at 470 White Bear Avenue N be approved.