city of saint paul
planning commission resolution
file number
date

WHEREAS, Stonewood Investments LLC, File # 21-251-165, has applied to rezone from B2 community business to RM2 medium-density multiple-family residential under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 300 Banfil Street, Parcel Identification Number (PIN) 01.28.23.43.0096, legally described as Lot 1, Block 7, Winslow's Addition; and

WHEREAS, the Zoning Committee of the Planning Commission, on April 22, 2021, 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 application is to rezone to RM2 to allow the development of two duplexes on the lot. There is also a variance application (ZF: 21-251-172) related to this property.

2. The proposed zoning is consistent with the way this area has developed. The area is a mix of commercial and residential uses, which has evolved over time with higher density housing and a mix of uses generally concentrated along West 7th Street.

3. The proposed zoning is consistent with the Comprehensive Plan. The proposed rezoning is consistent with the 2040 Comprehensive Plan. This location is identified as Mixed-Use in the Future Land Use Map. Mixed-Use areas are defined as:

    Mixed-Use areas are primarily along thoroughfares well-served by transit. The main distinguishing characteristic is a balance of jobs and housing within walking distance of one another. Historically, these areas developed in easily-accessible locations, and they will continue to be the most dynamic areas of Saint Paul.

    The following policies are particularly applicable:

    *   *Policy LU-1. Encourage transit-supportive density and direct the majority of growth to areas with the highest existing or planned transit capacity.*

    *   *Policy H-16. Increase housing choice across the city to support economically diverse neighborhoods by pursuing policies and practices that maximize housing and locational choices for residents of all income levels.*

    *   *Policy H-46. Support the development of new housing, particularly in areas identified as Mixed Use, Urban Neighborhoods, and/or in areas with the highest existing or*

moved by_____
seconded by _____
in favor _____
against _____

> *planned transit service, to meet market demand for living in walkable, transit-accessible, urban neighborhoods.*

4. The proposed zoning is compatible with surrounding uses. The use is adjacent to mixed-use and single-family residential. The use would provide a transition between higher density on West 7th Street and lower density residential to the southeast.

5. 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 rezoning would not be spot zoning. There are is another RM2 zoning district on the block. The intent of the RM2 zoning district is:

   > *The RM2 medium-density multiple-family residential district is designed for multiple-family residential and supportive, complementary uses. Its intent is to foster and support pedestrian- and transit-oriented residential development and provide for infill housing to meet a variety of housing needs.*

   This intent is consistent with the 2040 Comprehensive Plan, as described in Finding 3.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Stonewood Investments LLC for rezoning from B2 community business to RM2 medium-density multiple-family residential for property at 300 Banfil Street be approved.