

city of saint paul
planning commission resolution
file number _____
date _____

WHEREAS, JSK Limited Partnership, file # 17-011-166, has applied for a rezoning from RM2 multiple family, T1 traditional neighborhood and OS office service to T2 traditional neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, for property located at 33, 39, and 45 Syndicate St. S., Parcel Identification Numbers (PINs) 03.28.23.42.0013, 03.28.23.42.0014, and 03.28.23.42.0015, legally described as Lots 29-30 and the E 20 ft. of Lot 28, Block 2, Stinson's Boulevard; and

WHEREAS, the Zoning Committee of the Planning Commission, on March 2, 2017, 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, At Home Apartments, is proposing to build a new 26-unit multi-use building at the northwest corner of Grand Avenue and Syndicate Street. The building would contain structured parking, liner retail, office space, and residential units. The project would require demolition of three single-family houses on three contiguous parcels. Each parcel is a distinct zoning district, none of which would be suitable for the proposed project. Therefore, rezoning is requested. The applicant has also applied for a conditional use permit (File # 17-010842) to allow a total building height of 43 feet.
2. The proposed zoning is consistent with the way this area has developed. The intent of the T2 zoning district is "designed for use in existing or potential pedestrian and transit nodes. Its intent is to foster and support compact, pedestrian-oriented commercial and residential development that, in, turn, can support and increase transit usage. It encourages, but does not require, a variety of uses and housing types, with careful attention to the amount and placement of parking and transitions to adjacent residential neighborhoods." This section of the Grand Avenue corridor is within a Mixed Use Corridor as defined by the Comprehensive plan. It is characterized by a variety of housing and commercial development at a higher density than nearby Established Neighborhoods and is served by Metro Transit bus route 63. The three parcels to be rezoned currently allow uses similar to those that would be allowed within the proposed T2 district.

moved by _____
seconded by _____
in favor _____
against _____

3. The proposed zoning is consistent with the Comprehensive Plan. The site is located within a Mixed Use Corridor as identified in the Comprehensive Plan. Mixed Use Corridors call for higher density (30-150 units/acre) development where two or more of the following uses should occur: residential, commercial retail and offices, small-scale industry, institutional, and open space. Uses may be within a building or in buildings within close proximity. Land Use Policy 1.24 reads: "Support a mix of uses on Mixed-Use Corridors." Land Use Policy 1.25 reads: "Promote the development of more intensive housing on Mixed-Use Corridors where supported by zoning that permits mixed-use and multi-family residential development. The development is also in compliance with the District 14 Macalester-Groveland Community Plan. Strategy H2.5 reads: "Support multi-unit mixed-use development in the following corridors: Snelling Avenue, Grand Avenue, St. Clair Avenue, and Randolph Avenue." Strategy LU.1 reads: "Support land use that preserves Macalester-Groveland as a connected, walkable, mixed-use, sustainable neighborhood with a pedestrian oriented, human-scale streetscape". The proposed building cuts into the hill to allow improved pedestrian access at sidewalk level and allows space for activity in the front yard space between the building face and the sidewalk due to a ten foot setback.
4. The proposed zoning is compatible with the surrounding uses. The uses within the area are compatible with the proposed T2 zoning and are generally characterized by a mix of multifamily residential, retail, restaurants, and institutional uses. Apartment buildings of similar scale are located immediately to the west and south of the project. Kowalski's Market is located immediately to the east. The property to the north is and occupied by Mount Zion Temple and is classified as an institutional use.
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 proposed change in zoning would not result in spot zoning due to the similarities in use and scale allowed in the adjacent RM2 and B2 zoning districts.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of JSK Limited Partnership for a rezoning from RM2 multiple family, T1 traditional neighborhood and OS office service to T2 traditional neighborhood for property at 33, 39, and 45 Syndicate St. S., legally described as Lots 29-30 and the E 20 ft. of Lot 28, Block 2, Stinson's Boulevard, be approved.

city of saint paul
planning commission resolution
file number _____
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WHEREAS, At Home Apartments LLC, File # 17-010-842, has applied for a conditional use permit to permit a 43 ft. high mixed-use building under the provisions of § 66.331(f) of the Saint Paul Legislative Code, on property located at 33, 39, and 45 Syndicate St. S., Parcel Identification Number (PINs) 03.28.23.42.0013, 03.28.23.42.0014, and 03.28.23.42.0015, legally described as Lots 29-30 and the E 20 ft. of Lot 28, Block 2, Stinson's Boulevard; and

WHEREAS, the Zoning Committee of the Planning Commission, on March 2, 2017, 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, At Home Apartments, is proposing to build a new multi-use building at the northwest corner of Grand Avenue and Syndicate Street. The building would contain structured parking, liner retail, office space, and 26 residential units. The project would require demolition of three single family houses on three contiguous parcels. Each parcel is a different zoning district and requires rezoning, which is currently ongoing under file #17-011166. The applicant has proposed to rezone to T2. They are requesting a conditional use permit to allow a total building height of 43 feet. The CUP application requests an additional 7 feet of height on the west side of the building and an additional 14 feet on the north due to the adjacency of an R2 zoning district. Note (e) in Table 66.331 allows for an increase in height with a corresponding increase in the setback. There is also a requirement for building heights to be lower when they abut low density residential districts (RL-RT2). The intent is to prevent negative impacts of reduced light and air to those areas of low density residential development. However, the institutional use and siting of the Mount Zion Temple structure within an R2 district does not fit the scenario for which that note was intended. The height of the south and east sides of the building would be allowed as-of-right.
2. §61.501 lists five standards that all conditional uses must satisfy:
 - (a) The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council. This condition is met. The site is located within a Mixed Use Corridor as identified in the Comprehensive Plan. Mixed Use Corridors call for higher density (30-150 units/acre) development where two or more of the following uses should occur: residential, commercial retail and offices, small scale industry, institutional, and open space. Uses may be within a building or in buildings within

moved by _____

seconded by _____

in favor _____

against _____

close Proximity. Land Use Policy 1.24 reads: "Support a mix of uses on Mixed-Use Corridors." Land Use Policy 1.25 reads: "Promote the development of more intensive housing on Mixed-Use Corridors where supported by zoning that permits mixed-use and multi-family residential development.

The development is in compliance with the District 14 Macalester-Groveland Community Plan. Strategy H2.5 reads: "Support multi-unit mixed-use development in the following corridors: Snelling Avenue, Grand Avenue, St. Clair Avenue, and Randolph Avenue." Strategy LU.1 reads: "Support land use that preserves Macalester-Groveland as a connected, walkable, mixed-use, sustainable neighborhood with a pedestrian-oriented, human-scale streetscape." The proposed building cuts into the hill to allow improved pedestrian access at sidewalk level and allows space for activity in the front yard space between the building face and the sidewalk due to the setback.

- (b) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met. There are two proposed points of vehicular ingress/egress, one on Syndicate and one on the alley to the north. Left and right turning movements into the alley allow traffic to flow to Hamline Avenue to the west, as well as to Syndicate to the east.
- (c) The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare. This condition is met. The uses of residential, office, and retail proposed for this project are consistent with those in the surrounding area. The scale of the development is also consistent, with the overall roofline matching with the apartment building to the west and the width approximating the apartments on the block.
- (d) The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. This condition is met. Considering the designation of this site as being within a mixed-use corridor and the surrounding zoning districts, normal and orderly development and improvement of surrounding property will not be impeded.
- (e) The use shall, in all other respects, conform to the applicable regulations of the district in which it is located. This condition is met. The uses of multi-family residential, office, and retail are allowed in T2 zoning districts.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of At Home Apartments LLC for a conditional use permit to permit a 43 ft. high mixed-use building at 33, 39, and 45 Syndicate St. S., legally described as Lots 29-30 and the E 20 ft. of Lot 28, Block 2, Stinson's Boulevard, is hereby approved with the following conditions.

1. Final plans approved by the Zoning Administrator for this use shall be in substantial compliance with the plan submitted and approved as part of this application.
2. City Council approval of the requested rezoning to T2.

From: [Richardson, Mike \(CI-StPaul\)](#)
To: [susan Broadribb](#)
Cc: [Englund, Cherie \(CI-StPaul\)](#)
Subject: RE: File Number 17-010-842
Date: Thursday, March 02, 2017 8:58:12 AM

Hello Ms. Broadribb,

Thank you very much for your comment. We will include it with the packet for the Committee's consideration.

Regards,



Mike Richardson
City Planner

Planning & Economic Development
25 W. 4th St., Suite 1300
Saint Paul, MN 55102
P: 651-266-6621
mike.richardson@ci.stpaul.mn.us

The Most Livable
City in America



Making Saint Paul the Most Livable City in America

From: [susan Broadribb \[mailto:susanbroadribb@gmail.com\]](mailto:susanbroadribb@gmail.com)
Sent: Wednesday, March 01, 2017 4:31 PM
To: Richardson, Mike (CI-StPaul)
Subject: File Number 17-010-842-

I am a property owner and resident on Lincoln Ave just off Syndicate. A petition was in my mailbox yesterday detailing a proposed rezoning change to accommodate a residential/commercial building on the NW corner of Grand and Syndicate. I am totally opposed to this project. This intersection is already very congested and dangerous to pedestrians. Also, from the drawing shown in the Villager the building does not at all fit in with the ambiance of the neighborhood.

I am surprised that the neighborhood property owners in the area were not notified by the city as we were when Kowalski's asked for zoning permission to sell liquor in their renovated store.

Susan Broadribb
1258 Lincoln Ave

PETITION

Date: _____

File Name: At Home Apartments

File Number: 17-010-842

Property Address: 33-45 Syndicate St. S.,
NW corner of Syndicate and Grand Ave

To: St. Paul Planning Commission Zoning Committee
Mike Richardson 651 266 6621 mike.richardson@ci.stpaul.mn.us

District Councilman is Chris Tolbert 651 695 4000 for questions

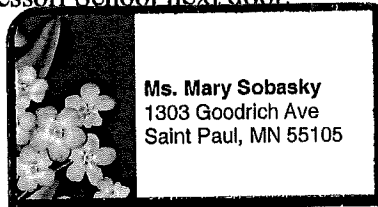
We, the undersigned owners and residents of property affected by the requested zoning change described in the referenced file, do hereby protest against the stated purpose: Conditional use permit to permit a 43 ft. high mixed-use building. Demolition of three existing houses on Syndicate across from Kowalski's and replace them with 43 ft. high 26 apartments with retail space on first floor complex.

The reasons for our petition against this building project are as follows:

- Parking capacity
- Noise disturbance
- Congested intersection/ already high traffic flow
- Kowalski's major construction project just completed, months of living in construction zone, closed roads, noise pollution
- Creates a more dangerous intersection for pedestrians and vehicles
- Grand and Syndicate intersection is already over congested and dangerous from the remodel and additions to the Kowalski's Grocery Store, Synagogue and Montessori School next door

Your name:

Your address:



To mail this use the following address:
City of St. Paul
Planning and Economic Development
1400 City Hall Annex
25 West Fourth Street
St. Paul, MN. 55102

*This corner is already
~~already~~ very dangerous
corner for pedestrians and
patrons of businesses in
the area. Bad location
for more apartments -
Mary Sobasky*

Breaking ground

demolition before construction.



**ST PAUL PLANNING COMMISSION
ZONING COMMITTEE**
Public Hearing Notice

CITY OF SAINT PAUL
Dept. of Planning and
Economic Development
Phone: (651) 266-6589
Fax: (651) 266-6549

File #: 17-010-842
Purpose: Conditional use permit to permit a 43 ft. high mixed-use building
Property Address: 33-45 Syndicate St. S., NW corner of Syndicate and Grand (Kotowski's Grocery)
File Name: At Home Apartments
Hearing Date: Thursday, March 2, 2017, at 3:30 p.m.

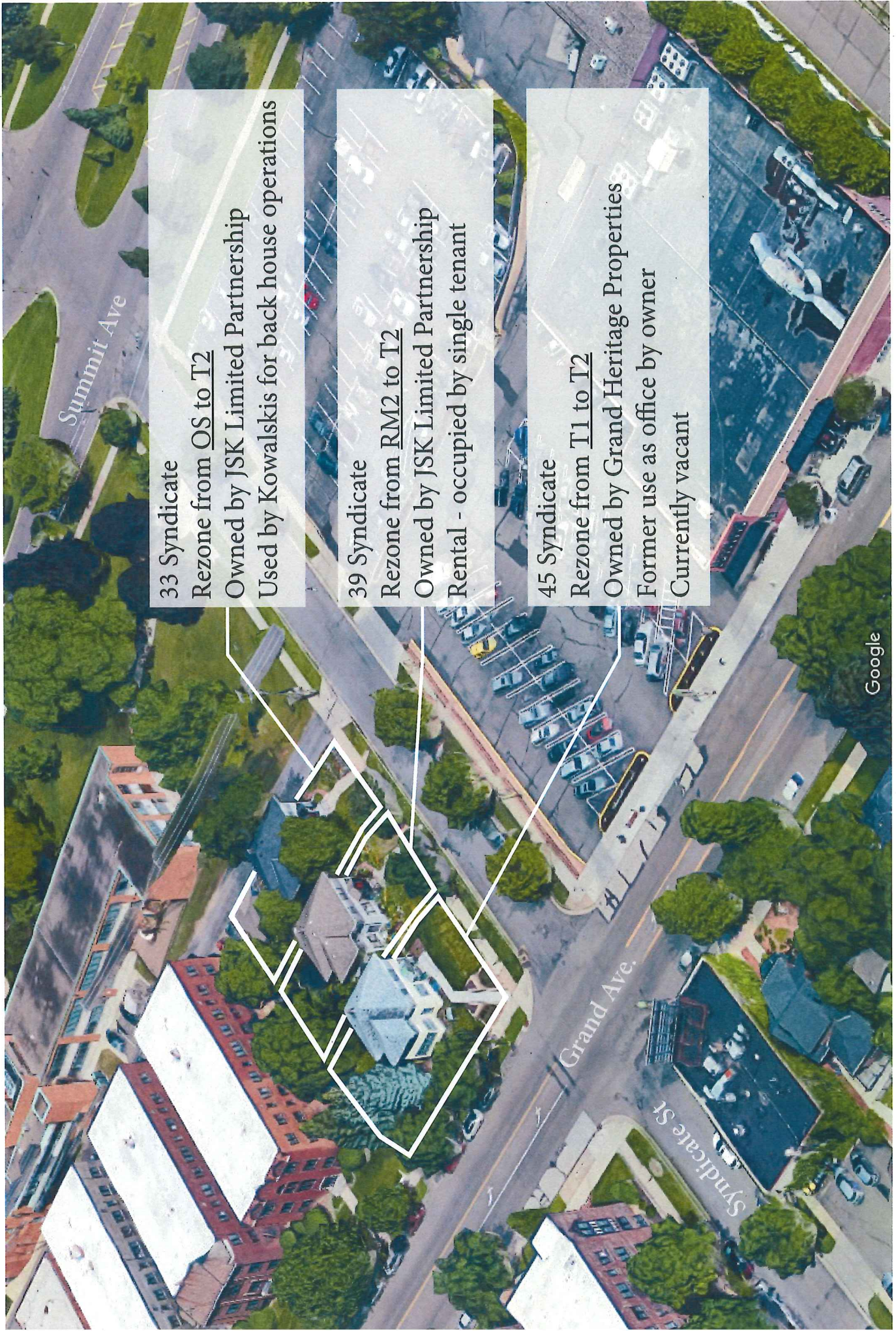
You may send written comments to the Zoning Committee at the address listed on the reverse side of this card. Please call 651-266-6621, or e-mail mike.richardson@ci.stpaul.mn.us, or call your District Council representative at 651-695-4000, if you have any questions.

Location of Hearing:
City Council Chambers
Room 300, Third Floor
City Hall / Court House
15 West Kellogg Blvd.

Mailed: February 17, 2017

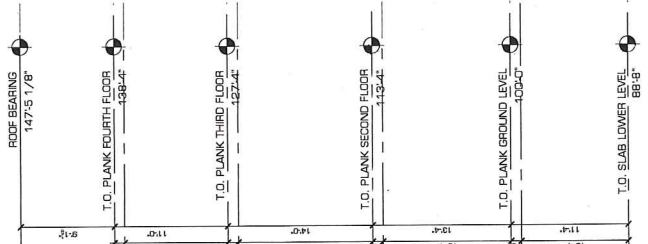
Ward 3, Tabert

"3" Homes across from Kowalski's on Syndicate - to be torn down to construct "26" Apts. and Retail spaces. Over congestion and Pedestrian Safety (fatalities) are already an issue!



**GRAND &
SYNDICATE**

St. Paul, MN
FEB 27, 2017



SOUTH ELEVATION

at home
APARTMENTS

**GRAND &
SYNDICATE**

St. Paul, MN
FEB 27, 2017

METAL SIDING

STONE



EAST ELEVATION

at home
APARTMENTS

**GRAND &
SYNDICATE**

St. Paul, MN
FEB 27, 2017

STONE

LAP SIDING

METAL SIDING



NORTH ELEVATION

at home
APARTMENTS

**GRAND &
SYNDICATE**

St. Paul, MN
FEB 27, 2017

LAP SIDING

METAL SIDING

STONE



WEST ELEVATION

at home
APARTMENTS



Collage | architects

city of saint paul
planning commission resolution
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WHEREAS, Porchua Xiong, File # 17-009-938, has applied for a rezoning from B3 general business to T2 traditional neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, for property located at 1024 Ross Avenue, Parcel Identification Number (PIN) 28-29-22-34-0019, legally described as W 12 1/2 ft. of Lot 7 and E 25 ft. of Lot 8, Block 13, Terry's Addition; and

WHEREAS, the Zoning Committee of the Planning Commission, on March 2, 2017, 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 seeks to rezone the property from B3 to T2 in order to accommodate a multi-family (five unit) residential use. The applicant will be combining the office and residential units on the ground level of the structure to create one, two-bedroom/two-bathroom residential use.
2. The proposed T2 zoning is more compatible and consistent with the existing use on the site than the current B3 zoning. A multifamily dwelling is a permitted use in T2 and not in B3. B3 districts do not allow strictly residential uses. Traditional neighborhood districts are intended to foster the development and growth of compact, pedestrian-oriented urban villages. All four districts are intended to encourage a compatible mix of commercial and residential uses within buildings, sites and blocks; new development in proximity to major transit streets and corridors; and additional choices in housing. The T2 traditional neighborhood district is designed for use in existing or potential pedestrian and transit nodes. Its intent is to foster and support compact, pedestrian-oriented commercial and residential development that, in turn, can support and increase transit usage. It encourages, but does not require, a variety of uses and housing types, with careful attention to the amount and placement of parking and transitions to adjacent residential neighborhoods. This property is located adjacent to other T2 zoned districts, and is located on a transit corridor.

moved by _____
seconded by _____
in favor _____
against _____

3. The proposed T2 zoning is consistent with the Comprehensive Plan. This property falls within a "Corridor" designation in the Land Use Chapter of the 2010 Comprehensive Plan. Policy 1.24 of the Land Use Plan states the City should "*promote the development of more intensive housing on Corridors where supported by zoning that permits mixed use and multifamily residential development.*" The proposed zoning is also consistent with the 2012 Near East Side Roadmap which seeks to improve the environment along and adjacent to East 7th Street, specifically on the south side of E. 7th Street east of Forest, "*by filling vacant and under-utilized spaces with new, stand-alone multifamily housing, live-work opportunities, and additional small small-scale commercial-industrial uses.*"
4. The proposed rezoning to T2 Traditional Neighborhood is compatible with the surrounding residential, mixed residential-commercial, commercial, and institutional uses. These include single-family detached homes, duplexes, small multifamily properties, mixed use and commercial/retail buildings, and a church.
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.*" A rezoning to T2 would not constitute "spot zoning", in this case because T2 is more consistent with the surrounding uses than the current B3 zoning. The residential uses on this site and block are not permitted uses under B3 zoning. The commercial uses permitted in T2 are largely permitted in B3 zoning as well (a district that allows more intense and commercial uses than T2). In addition, this property is very near a large T2 zoning district created following adoption of the 2012 Near East Side Roadmap and related 40-acre zoning study.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application for rezoning from B3 general business to T2 traditional neighborhood for property at 1024 Ross Avenue be approved.

MINUTES OF THE ZONING COMMITTEE
Thursday, May 28, 2009 - 3:30 p.m.
City Council Chambers, 3rd Floor
City Hall and Court House
15 West Kellogg Boulevard

PRESENT: Alton, Donnelly-Cohen, Faricy, Gordon, Johnson, Kramer, and Morton

EXCUSED: Margulies

STAFF: Luis Pereira, Patricia James, Samantha Langer, Allan Torstenson and Peter Warner

The meeting was chaired by Commissioner Morton.

Chai Lee - 09-067-951 - Rezoning from B3 General Business to TN2 Traditional Neighborhood, 1024 Ross Ave, between Cypress and Earl

Luis Pereira presented the staff report with a recommendation of approval for the rezoning. Luis Pereira also stated District 4 recommended denial, and there was 1 letter in support, and 2 letters in opposition.

At the questions of the Commissioners, Luis Pereira stated that the only information he had on the fire inspection was included in a letter that was included in the packet. Mr. Pereira also stated he did not know what the last Truth In Sale of Housing report said about the number of units when the property was most recently purchased in 2008. He also clarified that the parcel size discrepancy in the staff report was due to the alley area being included in one of the two measurements indicated.

Allan Torstenson stated that in TN2 there is not a lot width for multi family development.

Upon further questions of the Commissioners, Luis Pereira explained that the STAMP property information included in the packet shows some of the history of the property and that he believes most if not all of it is public information. Mr. Pereira further explained the purpose of the rezoning.

Chai Lee, the applicant, explained that he was not aware of the last Truth in Sale of Housing report. He also stated that a unit in the building was burned and the bank wanted to sell the property as quickly as possible. He also stated that he believes that the term "unfit for living" given by the fire inspection was too harsh and was a hurried decision because the inspector wasn't aware of the building unit.

He explained that his neighbors have no objections to his plans.

At the inquiry of the Commissioners, Mr. Lee explained that the basement unit is at the same level as the street and that there is an egress at the window. He also stated he purchased the property in July 2008, and he was not aware of how many units were allowed in the building. Mr. Lee also stated that he is only interested in having the property be residential.

No one spoke in support.

09-067-951 Zoning Committee Minutes
May 28, 2009
Page 2 of 2

Karin DuPaul, the community organizer for Dayton's Bluff Community Council, stated that they oppose the rezoning and variance.

Chai Lee stated that he was disappointed in the Community Council's decision because they were not very thorough.

Upon question of the commissioners, Chai Lee stated that the square footage of the ground floor/basement space is 1,500 square feet.

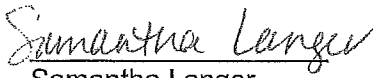
The public hearing was closed.

After further discussion pertaining to the merits of rezoning the property to TN2 versus RM2 zoning, whether or not the TN2 rezoning constitutes spot zoning, the previous site plan approval and the history of the neighborhood, Commissioner Stephen Gordon moved denial of the rezoning. Commissioner Kathi Donnelly-Cohen seconded the motion.

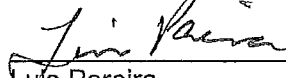
The motion passed by a vote of 5-2-0.

Adopted Yeas - 5 Nays - 2 (Faricy & Kramer) Abstained - 0

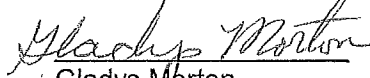
Drafted by:


Samantha Langer
Recording Secretary

Submitted by:


Luis Pereira
Zoning Section

Approved by:


Gladys Morton
Chair

city of saint paul
planning commission resolution
file number 09-36
date June 5, 2009

WHEREAS, Chai Lee, File # 09-067-951, has applied for a rezoning from B3 General Business to TN2 Traditional Neighborhood under the provisions of §61.801(b) of the Saint Paul Legislative Code, on property located at 1024 Ross Avenue, Parcel Identification Number (PIN) 282922340019, legally described as TERRY'S ADDITION TO THE CITY OF ST. PAUL, COUNTY OF RAMSEY, STATE OF MINN. W 12 50/100 FT OF LOT 7 AND E 25 FT OF LOT 8 BLK 13; and

WHEREAS, the Zoning Committee of the Planning Commission, on May 28, 2009, 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 existing four-plex on the site is not consistent with the density and design standards of the proposed TN2 zoning.
2. The applicant/current owner has also applied for variances of parking and TN2 lot area requirements to allow a fifth residential unit in unoccupied space on the ground floor.
3. The proposed zoning is consistent with the Comprehensive Plan. This property falls within a "Corridor" designation in the Land Use Chapter of the Comprehensive Plan. Policy 1.24 of the Land Use Plan states the City should "promote the development of more intensive housing on Corridors where supported by zoning that permits mixed use and multifamily residential development." TN2 zoning would allow mixed use and residential development.
4. The proposed rezoning to TN2 Traditional Neighborhood is compatible with the surrounding residential, mixed residential-commercial, commercial, and institutional uses. These include single family detached homes, duplexes, small multifamily properties, mixed use and commercial/retail buildings, and a church.
5. The proposed rezoning of this one small lot to TN2 would create an island of TN2 zoning in the middle of this block of Ross Avenue inconsistent with the existing B3 General Business zoning of the rest of the block.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to City Council that the application of Chai Lee for a rezoning from B3 General Business to TN2 Traditional Neighborhood for property at 1024 Ross Avenue be denied.

moved by Morton
seconded by _____
in favor 11-3 to Deny (Kramer,Smitten,Thao) 2 abstentions (Barrera,Margulies)
against _____

city of saint paul
planning commission resolution
file number _____
date _____

WHEREAS, Budd Sieger et al, File # 17-005-500, has applied for a rezoning from RT1 two-family residential to RT2 townhouse residential under the provisions of § 61.801(b) of the Saint Paul Legislative Code, for property located at 816 - 818 Ashland Ave, Parcel Identification Number (PIN) 02.28.23.13.0059, legally described as Lots 4 & 5, Block 2, Bryant's Addition; and

WHEREAS, the Zoning Committee of the Planning Commission, on March 2, 2017, 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 is seeking to rezone the property from RT1 to RT2 in order to convert the existing duplex into a triplex.
2. The proposed zoning is consistent with the way this area has developed. The immediate area around the subject property has a mix of single family, duplex, triplex, and four unit multi-family uses. While the zoning near the subject property is primarily RT1, there is a parcel zoned RT2 across the street at 825 – 831 Ashland Avenue (a four unit condo) and another parcel zoned RT2 in close proximity to the site at 807 Holly (a triplex). Sometime between 1975 and 1990 these two parcels were rezoned from RT1 to RT2, consistent with their underlying land uses. Another property in the immediate area, at 852 Ashland, is a legally non-conforming 4-plex zoned RT1. The proposed RT2 zoning is compatible with these existing land uses and RT1 and RT2 zoning districts in the immediate area.
3. The proposed zoning is consistent with the Comprehensive Plan. The subject parcel is in an area designated by the land use chapter of the comprehensive plan as an established neighborhood. The smaller scale multifamily housing that would be permitted in the proposed RT2 zoning district is appropriate in established neighborhoods. Strategy 1.8 of the land use chapter encourages the development of town houses and smaller multifamily structures compatible with the character of established neighborhoods. Strategy 1.1 of the housing chapter calls for increasing housing choices across the city to support economically diverse neighborhoods.

moved by _____
seconded by _____
in favor _____
against _____

4. The proposed zoning is compatible with surrounding single family, duplexes, and multifamily land uses in the immediate area. The subject property is a double lot that would permit two additional units under an RT2 zoning designation. The lot size and size of the structure is comparable to the other 3 and 4 family land uses in the area, and RT2 zoning would allow future development on this parcel that is compatible with the surrounding land uses.
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 proposed rezoning of this parcel to RT2 would not constitute spot zoning and would be consistent with the surrounding land uses and zoning districts in the immediate area.
6. The proposed triplex conversion is consistent with the triplex conversion guidelines.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application for rezoning from RT1 two-family residential to RT2 townhouse residential for property at 816 - 818 Ashland Ave be approved.