

city of saint paul
planning commission resolution
file number 23-35
date December 8, 2023

WHEREAS, Clear Channel Outdoor LLC (Hovda Properties, LLC), File # 23-100-276, has applied to rezone from B1 local business to T3 traditional neighborhood under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property located at 0 St Clair Avenue, Parcel Identification Number (PIN) 03.28.23.44.0120, legally described as Lot 13, Block 6, St. Clair Street and Shortline Addition; and

WHEREAS, the Zoning Committee of the Planning Commission, on November 30, 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 Applicant is under contract to purchase the subject parcel and requests a rezoning from B1 local business to T3 traditional neighborhood in order to combine it with the parcel at 1219 St. Clair Avenue and construct a mixed-use residential and commercial building.
2. The proposed T3 zoning is consistent with the way this area has developed. The Saint Clair Avenue corridor contains a mix of residential densities and occasional commercial development occurring mostly at intersections. T3 zoning would allow a similar mix of uses to continue and would be consistent with the intent of the T3 traditional neighborhood district of higher-density pedestrian- and transit-oriented mixed-use development. It is designed for development or redevelopment of land on sites large enough to support:
 - a. A mix of uses, including residential, commercial, civic and open space uses in close proximity to one another;
 - b. A mix of housing styles, types and sizes to accommodate households of varying sizes, ages and incomes;
 - c. A system of interconnected streets and paths that offer multiple routes for motorists, pedestrians and bicyclists, and are connected to existing and future streets;
 - d. A system of open space resources and amenities; and incorporation of environmental features into the design of the neighborhood.

The T3 district is also intended for smaller sites in existing mixed-use neighborhood centers where some of the above elements already exist, or in an area identified in the comprehensive plan as a potential "urban village" site. The above elements may be found within the T3 district or adjacent to it; the intent is that all would be present within a reasonable walking distance." The site is along bus route 70, a quarter mile from the 84 bus route, just over a half-mile from the Snelling and Saint Clair Neighborhood Node,

moved by Reilly
seconded by _____
in favor Unanimous
against _____

and less than a block from the newly-constructed Ayd Mill Trail.

3. The proposed 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 primarily residential areas with a range of housing types. Single family homes and duplexes are most common, although multifamily housing predominates along arterial and collector streets, particularly those with transit." Saint Clair Avenue is designated as a collector street. The following policies apply:

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

Policy LU-14. Reduce the amount of land devoted to off-street parking in order to use land more efficiently, accommodate increases in density on valuable urban land, and promote the use of transit and other non-car mobility modes.

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.

Macalester-Groveland (D14) Community Plan

Rezoning to the T3 zoning district is supported by the following policies:

H2.5 Support multi-unit mixed-use development in the following corridors: Snelling Avenue, Grand Avenue, St. Clair Avenue, and Randolph Avenue.

LU1.1 Maintain and/or establish zoning that encourages compact development along mixed-use corridors that incorporates a mix of uses (commercial, residential, office, intergenerational housing, etc.).

LU1.2 Maintain and/or establish zoning that encourages higher-density (taller) development at the intersection of mixed-use corridors and lower-density (shorter) development at mid-block of mixed-use corridors.

4. The proposed zoning is compatible with the surrounding uses. A multi-family or mixed-use building is generally compatible with the vacant commercial land to the south and west. The proposed zoning is compatible with the single-family homes to the north. T3 district dimensional standards or the conditional use permit process would address height compatibility with the R4 property to the north. Note (f) in Table 66.331 establishes a 25' height limit along side and rear property lines abutting RL-RT2 residential districts, with height increases allowed further from the setback line at a one-to-one ratio. Buildings heights greater than 45 feet may be permitted with a conditional use permit. The Applicant submitted a preliminary site plan that shows a building height of 49.5 feet. If this is still the case in the final site plan, the project would be evaluated based on the conditional use permit standards in § 61.501.
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."* Rezoning to T3 would not be considered spot zoning because of the interspersed commercial at intersections along Saint Clair Avenue and the allowed residential density is similar to that allowed in the RM2 zoning district that abuts the parcel to the east and dominates this section of the Saint Clair corridor. The parcel that abuts to the west of the subject parcel was rezoned from B1 to T3 in 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission recommends to the City Council that the application of Clear Channel Outdoor LLC (Hovda Properties LLC) to rezone from B1 local business to T3 traditional neighborhood for property at 0 St Clair Avenue be approved.