

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** MGM (1102 Larpenteur) **FILE #** 11-296-310
 2. **APPLICANT:** MGM Properties Llc **HEARING DATE:** November 22, 2011
 3. **TYPE OF APPLICATION:** Rezoning - Consent
 4. **LOCATION:** the approximately northerly 35 feet of 1105, 1111, 1117, 1121 and 1125 California Avenue W, between Lexington and Dunlap
 5. **PIN & LEGAL DESCRIPTION:** 222923110054, 222923110055, 222923110056, 222923110057, and 222923110058. Full legal descriptions are in the file.
 6. **PLANNING DISTRICT:** 10 **EXISTING ZONING:** R4
 7. **ZONING CODE REFERENCE:** § 66.414; §61.801(b)
 8. **STAFF REPORT DATE:** November 16, 2011 **BY:** Penelope Simison
 9. **DATE RECEIVED:** October 24, 2011 **60-DAY DEADLINE FOR ACTION:** December 23, 2011
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- A. **PURPOSE:** Rezoning from R4 One-Family Residential to B2 Community Business.
- B. **PARCEL SIZE:** 48,519 s.f.
- C. **EXISTING LAND USE:** Single family residential uses
- D. **SURROUNDING LAND USE:**
 - North: Commercial retail (B2 community business district)
 - East: Residential (R3 single family residential district)
 - South: Residential (R4 single family residential district)
 - West: Commercial retail (B2 community business district)
- E. **ZONING CODE CITATION:** § 66.414 provides for the intent of the B2 community business district; §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** The California parcels have been zoned and developed as single family residential uses. In 2008, a Lexington/Larpenteur design workshop was held to discuss a vision and development guidelines in the event either corner of Lexington and Larpenteur was proposed for redevelopment. (The north side of the Lexington/Larpenteur intersection is in the City of Roseville.) The workshop recommendations and the recommendations from the community ad hoc committee were not adopted.
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 10 had not submitted a letter at the time the staff report was prepared.
- H. **FINDINGS:**
 1. The applicant proposes to construct and maintain a 14,820 s.f. Walgreens pharmacy and general merchandise store on the southwest corner of Lexington Parkway and Larpenteur Avenue, with 47 surface parking spaces on the west and south sides of the building. The development site would be 48,519 s.f., comprised of two existing commercial parcels fronting on Larpenteur; the north portions of Lots 22 through 28 of Block 1, Clifton Dale, fronting on the north side of California Avenue; and the east-west alley from Lexington Parkway between Larpenteur and California. The application for rezoning applies to the north portion of Lots 22 through 28, varying from 35.4 feet at the western end to 35.71 feet at the eastern end. These lots are currently developed with single family houses. The remainder of the California parcels would be reconfigured, resulting in four parcels, each with a minimum of 5,000 s.f. One house on California would be demolished and garages for the remaining four parcels would be reconstructed with access off of California; currently their access is off the east-west alley. The applicant has also requested the vacation of the alley and an

adjustment of common boundaries (ZF# 11-296-711) to create the larger commercial property and the reconfigured residential lots. Once the alley is vacated and the commercial site is developed, a T-turnaround would be constructed for parcels on the western end of the block.

2. The proposed zoning is consistent with the way this area has developed. The Lexington/Larpenteur intersection has been developed with retail commercial uses and the parcels fronting on California have been developed with single family residential uses. These uses reflect the 1975 Zoning Code maps and the versions that preceded it, which depict commercial uses along Larpenteur and residential uses on California. The extension of the commercial district southward from Larpenteur is consistent with the manner in which the area has been developed.
 3. The proposed zoning is consistent with the Comprehensive Plan. The area, including both the Lexington/Larpenteur intersection and the residential neighborhoods to the south, is designated as an Established Neighborhood in the Comprehensive Plan. Established Neighborhoods are characterized by single family housing and commercial areas at the intersection of arterial and collector streets that serve adjacent residential neighborhoods. Policy 1.7 of the Land Use Plan states: "Permit neighborhood serving commercial businesses compatible with the character of Established Neighbohoods." The summary of the District 10 Como Plan update, adopted in 2007, states the "District 10 Community Council aims to maintain and promote businesses that serve neighborhood residents and visitors. In particular, the community seeks to develop and improve commercial nodes along major points of entry into the neighborhood, including . . . along Larpenteur Avenue."
 4. The proposed zoning is compatible with the existing commercial uses along Larpentur. The proposed zoning would extend the commercial district southward from Larpenteur by approximately 30 feet. The residential uses along California, south of the commercial district, would remain, with the parcels reconfigured to comply with the requirements of the R4 single family residential district.
 5. The petition for rezoning was found to be sufficient on November 2, 2011: 25 parcels eligible; 17 parcels required; 17 parcels signed.
- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from R4 One-Family Residential to B2 Community Business for the approximately northerly 35 feet of the parcels fronting on California Avenue, as described in the legal descriptions in the file.

RECEIVED

NOV 01 2011

Per _____

11-22-11



PETITION TO AMEND THE ZONING CODE

Department of Planning and Economic Development
Zoning Section
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1634
(651) 266-6589



APPLICANT

Property Owner MGM Properties, LLC
Address 1124 Larpentour Ave W.
City St Paul St. MN Zip 55113 Daytime Phone 657-487-1006
Contact Person (if different) Phone

PROPERTY LOCATION

Address / Location
Legal Description
Current Zoning
(attach additional sheet if necessary)

TO THE HONORABLE MAYOR AND CITY COUNCIL:

Pursuant to Section 61.800 of the Saint Paul Zoning Ordinance and to Section 462.357(5) of Minnesota Statutes,
MGM Properties, LLC, owner of land proposed for rezoning, hereby petitions you to
rezone the above described property from a R4 zoning district to a B2
zoning district, for the purpose of:

TO BE ATTACHED W/ LEGAL DESCRIPTION.

THE REDEVELOPMENT OF THE PROPERTY TO A COMMERCIAL USE
AND THE ASSOCIATED PARKING.



Dana Mudgett signature

(attach additional sheets if necessary)

Attachments as required: [X] Site Plan

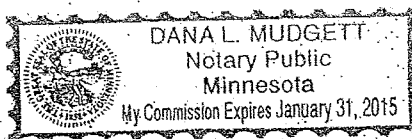
[] Consent Petition

[X] Affidavit

Subscribed and sworn to before me
this 20th day
of October, 2011.

By: [Signature] Fee Owner of Property
Title: member

Dana Mudgett
Notary Public



pd @ 12:00
10-24-2011
Page 1 of

ZONING PETITION SUFFICIENCY CHECK SHEET

REZONING

SCUP

NCUP

FIRST SUBMITTED

RESUBMITTED

DATE PETITION SUBMITTED:

10-24-11

DATE PETITION RESUBMITTED: _____

DATE OFFICIALLY RECEIVED:

11-2-11

DATE OFFICIALLY RECEIVED: _____

PARCELS ELIGIBLE: _____

25

PARCELS ELIGIBLE: _____

PARCELS REQUIRED: _____

17

PARCELS REQUIRED: _____

PARCELS SIGNED: _____

17

PARCELS SIGNED: _____

CHECKED BY: _____

Paul Dubruel

DATE: _____

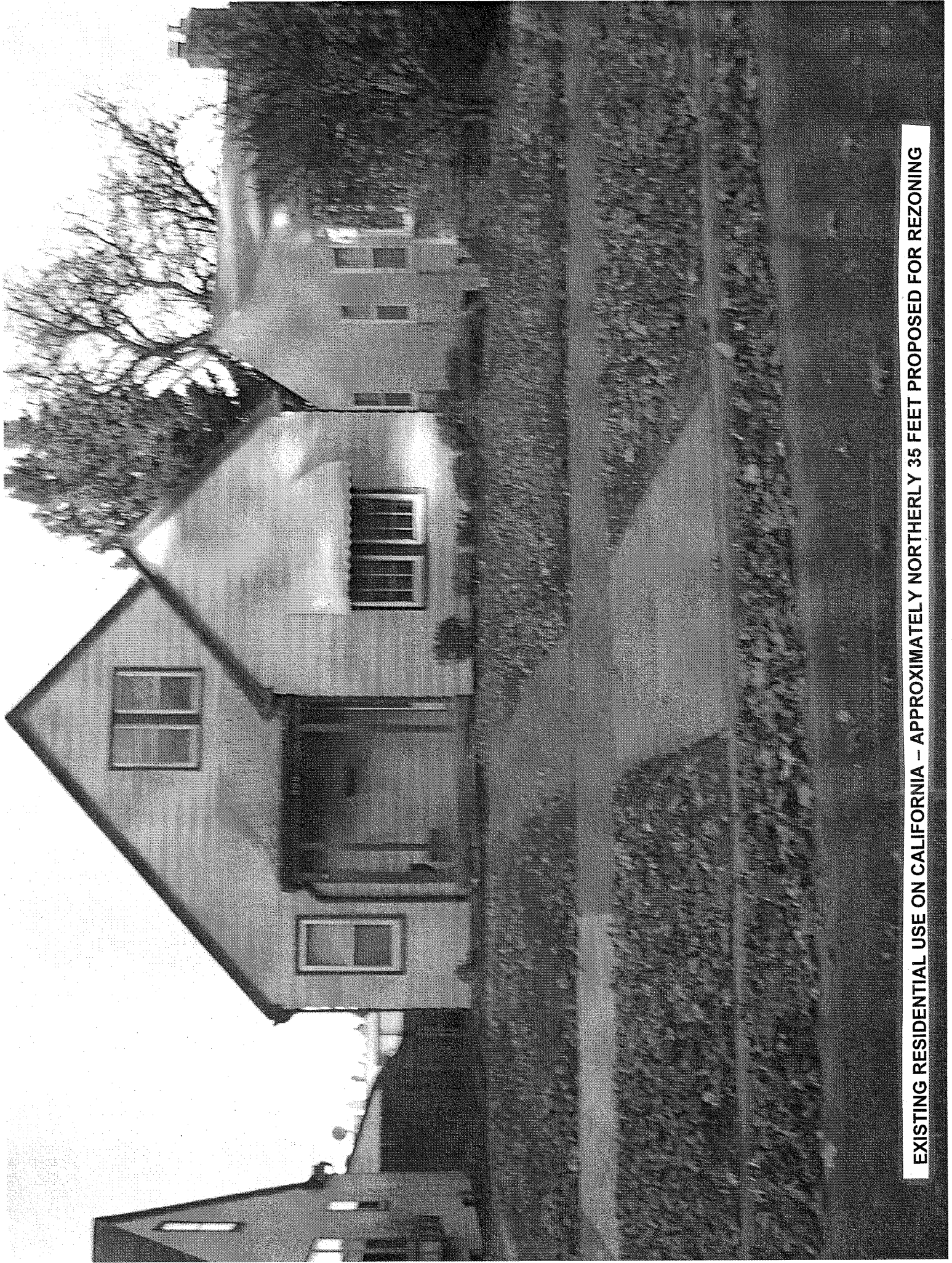
11-2-11



EXISTING RESIDENTIAL USE ON CALIFORNIA - APPROXIMATELY NORTHERLY 35 FEET PROPOSED FOR REZONING



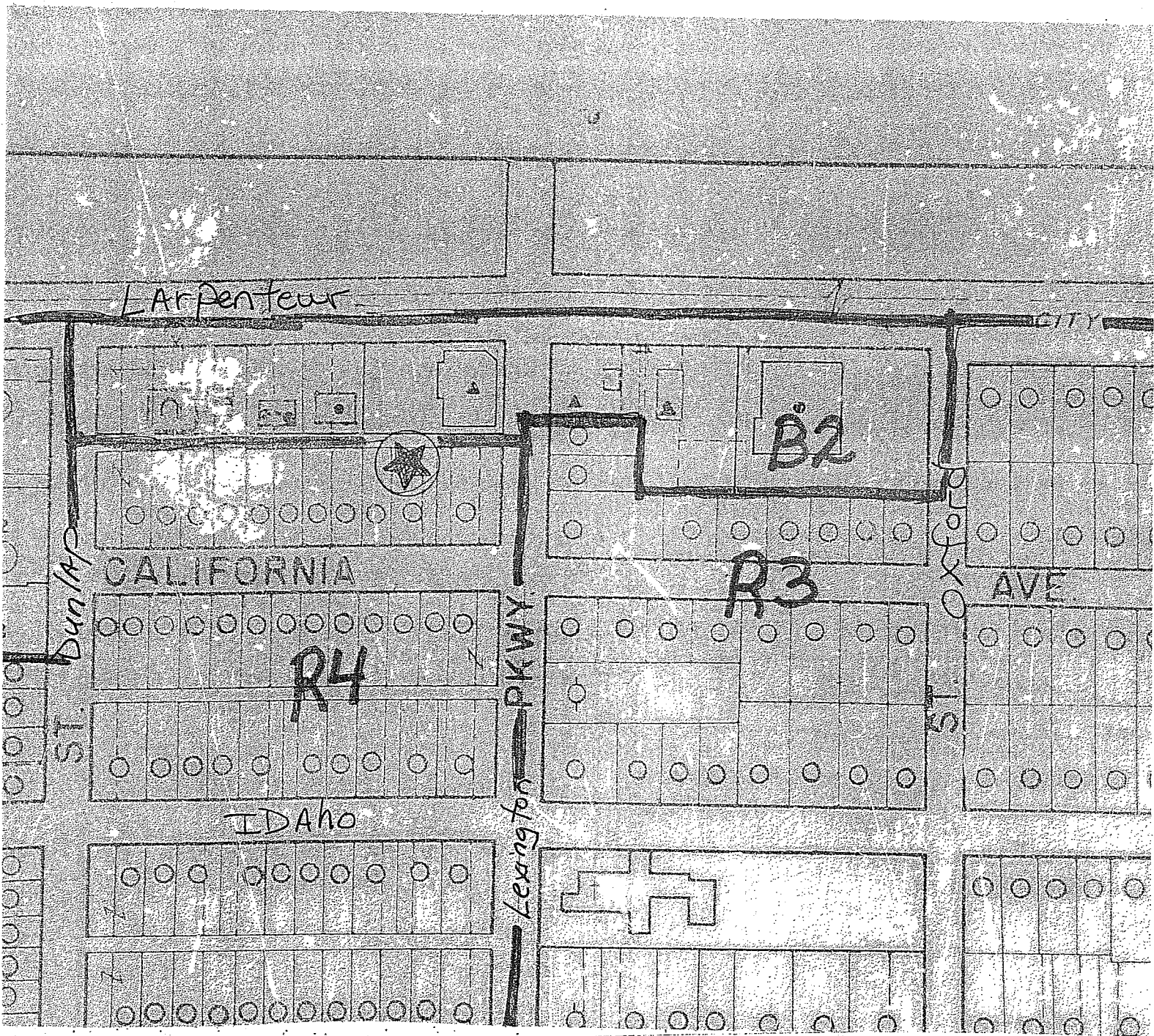
EXISTING RESIDENTIAL USE ON CALIFORNIA - APPROXIMATELY NORTHERLY 35 FEET PROPOSED FOR REZONING



EXISTING RESIDENTIAL USE ON CALIFORNIA – APPROXIMATELY NORTHERLY 35 FEET PROPOSED FOR REZONING



GARAGES TO BE REMOVED TO ENLARGE COMMERCIAL PROPERTY TO ALLOW PROPOSED DEVELOPMENT



APPLICANT MGM
 PURPOSE REZ R4 → B2
 FILE # 11-296310 DATE 11-3-11
 PLNG. DIST 10 Land Use Map # 3
 SCALE 1" = 100' Zoning Map # 2

LEGEND

- zoning district boundary
- subject property
- one family
- two family
- multiple family
- commercial
- industrial
- vacant

north