

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** City of St. Paul (745 White Bear Ave) **FILE #:** 11-143-721
 2. **APPLICANT:** City of Saint Paul **HEARING DATE:** June 30, 2011
 3. **TYPE OF APPLICATION:** Rezoning-Council
 4. **LOCATION:** 745 White Bear Ave N,
 5. **PIN & LEGAL DESCRIPTION:** 272922440072; Kuhls 2nd Addition E 6 Ft Of Lot 2 And All Of Lot 1 Blk 4
 6. **PLANNING DISTRICT:** 2 **EXISTING ZONING:** OS
 7. **ZONING CODE REFERENCE:** §61.801(b); § 66.414
 8. **STAFF REPORT DATE:** May 31, 2011 **BY:** Matt Wolff
 9. **DATE RECEIVED:** May 18, 2011 **60-DAY DEADLINE FOR ACTION:** July 17, 2011
-

- A. **PURPOSE:** Rezoning from OS Office-Service to B2 Community Business.
- B. **PARCEL SIZE:** 40 feet (White Bear Avenue) by 120 feet (Reaney Avenue) with an area of 5842 square feet.
- C. **EXISTING LAND USE:** Vacant
- D. **SURROUNDING LAND USE:**
 - North: One-Family residential (R4)
 - East: One-Family residential (R4) and Community Business (B2)
 - South: Community Business (B2) and One-Family residential (R3)
 - West: One-Family residential (R4)
- E. **ZONING CODE CITATION:** § 66.414 establishes the intent of the B2 district; §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** The property was rezoned from "A" Residence to Commercial in 1950 to build a medical and dental clinic (File # 2139). In 2005, the property was razed by the owner and demolished for "White Bear widening" (Folder # 04 097507). The property remains vacant.
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 2 had not commented at the time this report was prepared.
- H. **FINDINGS:**
 1. The City of St. Paul is proposing to sell the 745 White Bear Avenue parcel to Nicole Cherry. Ms. Cherry, the owner of the Cherry Pit Bar at 735 White Bear Avenue, intends to use the parcel as supplemental parking for the Cherry Pit Bar. The parcel is currently zoned Office Service (OS). Since the parking lot would be an accessory use to the bar and is not permitted in a more restrictive zone, the City of St. Paul has applied to rezone the property B2. An alley runs between 745 White Bear Avenue and 735 White Bear Avenue.
 2. The proposed zoning (B2) is consistent with the way the area developed. Although immediately adjacent to properties with single-family residential zoning to the north, west and east, all four corners of the intersection of Minnehaha and White Bear Avenue to the south are commercial, as well as many properties farther north along the White Bear Avenue corridor. The proposed B2 zoning also permits future re-use of the property for other commercial purposes.
 3. The proposed zoning is consistent with the Comprehensive Plan. The Land Use Chapter identifies White Bear Avenue between Case and Minnehaha as a mixed-use corridor. The 2001 White Bear Avenue Small Area Plan encourages providing additional off-street parking for businesses.

4. The proposed zoning is compatible with the surrounding uses. The properties directly south and to the east are zoned B2. The lot is below grade.
5. Rezoning the property to B2 would not be considered spot zoning because it does not establish a use classification that is inconsistent with the surrounding uses. There is a B2 commercial district adjacent to the property to the south and another one along the east side of White Bear Avenue a few blocks to the north.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning of 475 White Bear Avenue from OS Office Service to B2 Commercial.

\$12.00



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

266-6583 Paul

Online Fee Use Only	
11-143721	
1200.00	
Alternative Hearing Date	6-16-11

DD=2

272922440072

APPLICANT

Property Owner Ricardo Cherry Cherry Pie Bar + Grill
 Address 735 White Bear Ave
 City St Paul St. MN Zip 55106 Daytime Phone 651-408-5752
 Contact Person (if different) _____ Phone _____

PROPERTY LOCATION

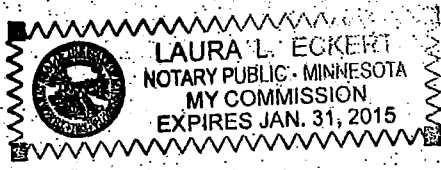
Address / Location 745 White Bear Ave (Kwik 2nd ASH 400)
 Legal Description St Paul MN 55106 (E 6' of lot 2 ALL 10 BLOCK 4 LOT 1)
 Current Zoning OS
 (attach additional sheet if necessary)

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, _____, owner of land proposed for rezoning, hereby petitions you to rezone the above described property from a OS zoning district to a B2 zoning district, for the purpose of:

PARKING LOT

(attach additional sheets if necessary)



OK 3024 add 5/18/11

Attachments as required: Site Plan Consent Petition Affidavit

Subscribed and sworn to before me this May 18th day of May, 2011.

Priscilla Eckert
5/19/11

By: Ricardo Cherry
Fee Owner of Property
Title: CEO

Jeanne J. Edst
Notary Public

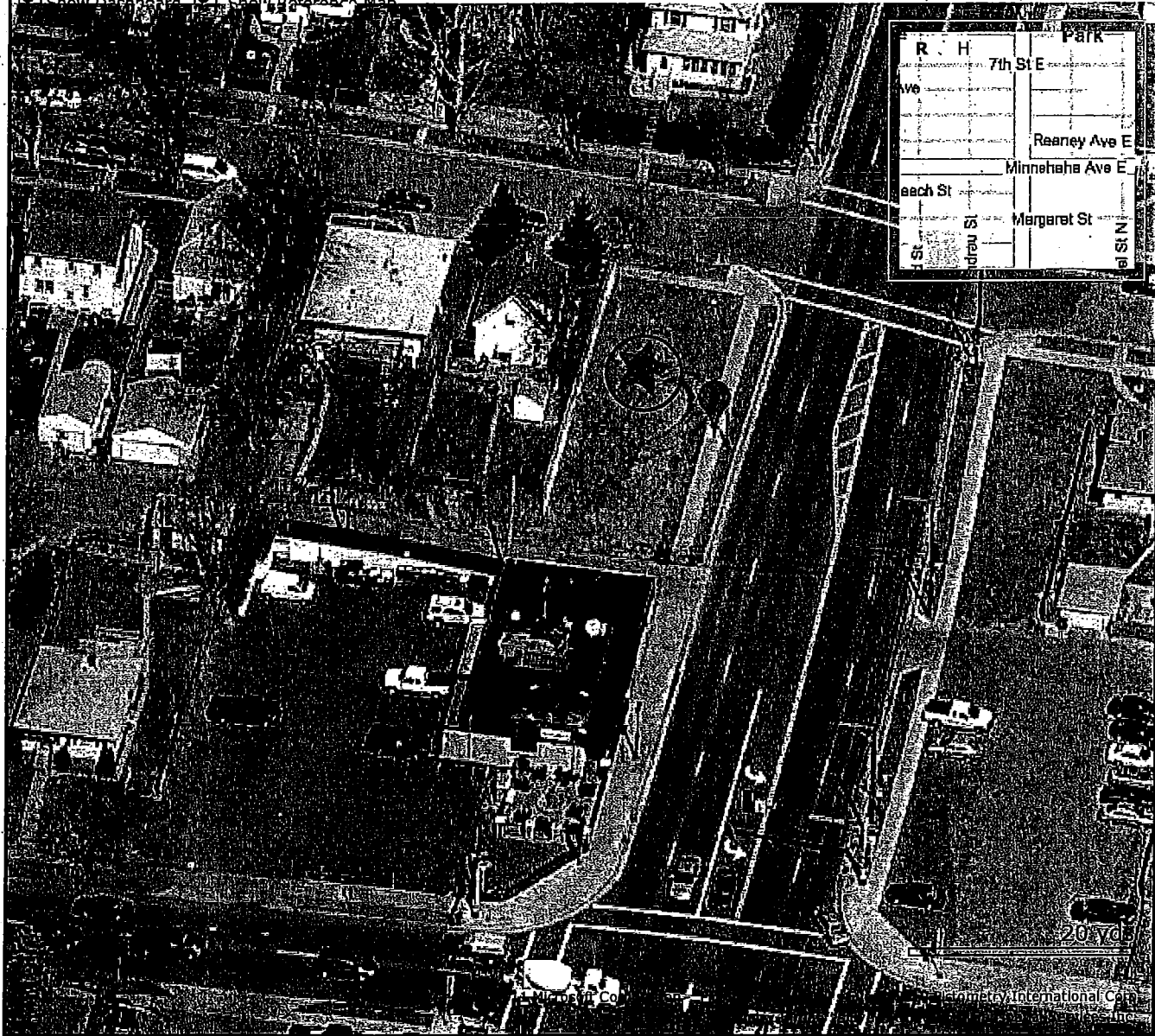
Subscribed and sworn to me on May 19, 2011 Jeanne J. Edst

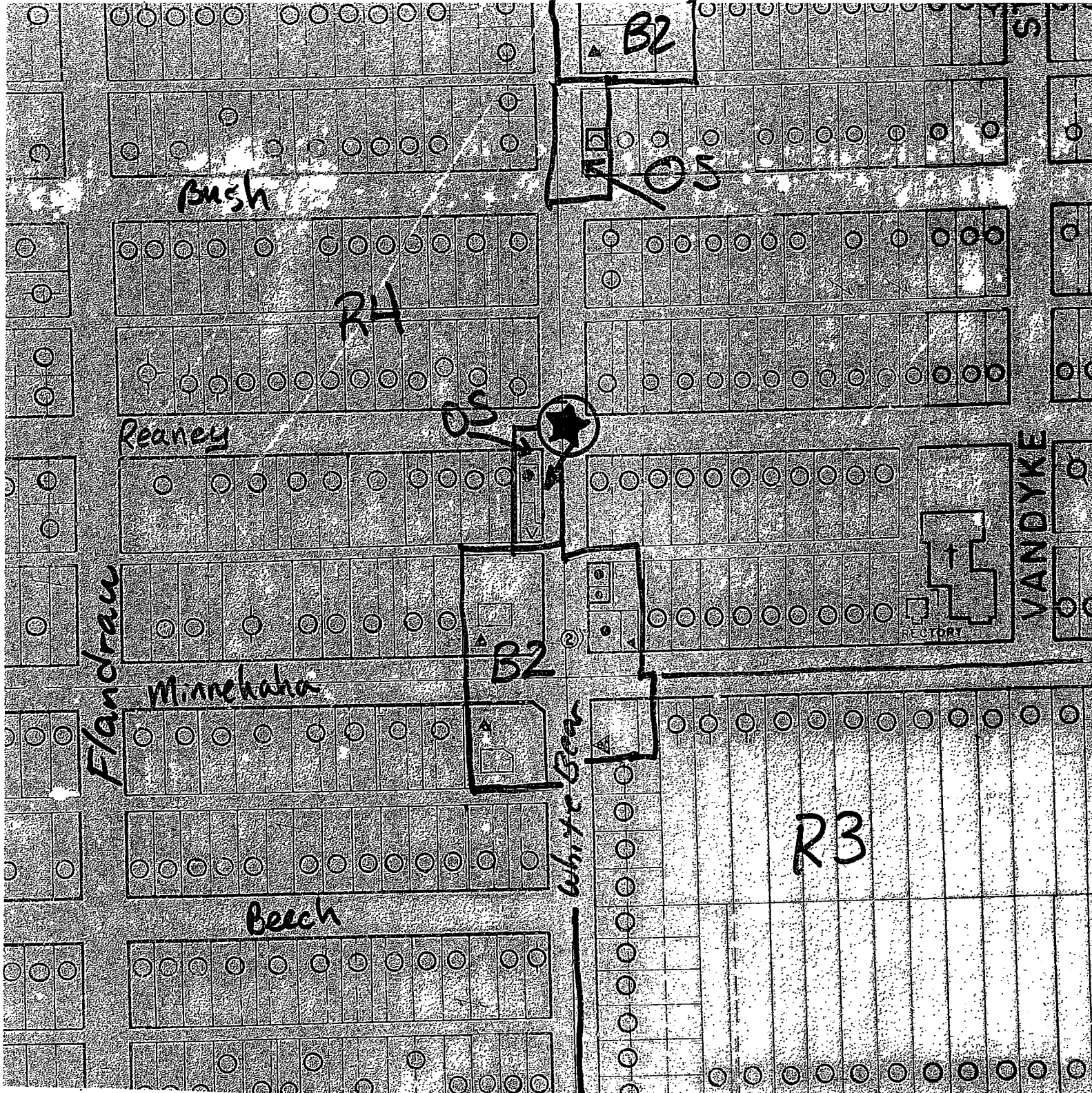


GISmo Oblique Photography

Images courtesy of: Microsoft® Virtual Earth™ 2006

Show Dashboard Show Reference Map





APPLICANT City of St Paul
 PURPOSE REZ OS → B2
 FILE # 11-143721 DATE 5-19-11
 PLNG. DIST. 2 Land Use Map # 15
 Zoning Map # 12

SCALE ~~1" = 400'~~

LEGEND

zoning district boundary

subject property

one family
 two family
 multiple family

commercial
 industrial
 vacant

north

