ZONING COMMITTEE STAFF REPORT

1. FILE NAME: Archdiocese of Saint Paul and Minneapolis

FILE #: 15-168-310

2. APPLICANT: Diocese of St Paul

HEARING DATE: November 5, 2015

3. TYPE OF APPLICATION: Rezoning - Consent

4. LOCATION: 328 Kellogg Blvd W, between College Avenue and Mulberry Street

5. PIN & LEGAL DESCRIPTION: 062822220090; Irvine's Enlargement Of Rice and Irvine's Addition to the Town of St. Paul Taylors Place Also Known As Block 59 Dayton And Irvine's Add To St Paul & In Sd Irvine's Enlargement Lots 18,19 & 20 Blk 59

6. PLANNING DISTRICT: 17

EXISTING ZONING: RM2

7. **ZONING CODE REFERENCE:** §61.801(b)

8. STAFF REPORT DATE: October 28, 2015

BY: Lucy Thompson

9. DATE RECEIVED: October 9, 2015

60-DAY DEADLINE FOR ACTION: December 8, 2015

A. PURPOSE: Rezone from RM2 Multiple Family to T1Traditional Neighborhood.

B. PARCEL SIZE: 75,492 sq. ft.C. EXISTING LAND USE: Office

D. SURROUNDING LAND USE:

North: Minnesota History Center

East: Kellogg Boulevard/ 35E

South: Multi-family residential

West: Multi-family residential

- E. **ZONING CODE CITATION:** §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** The parcel is zoned RM2 and currently used for administrative offices of the Archdiocese of St. Paul and Minneapolis. The current office use is considered an accessory to the Cathedral and is therefore permitted in RM2. The Archdiocese is selling this property, so the office use will no longer be considered accessory to the Cathedral. A rezoning to T1 is being requested to keep the office use legal, as potential buyers have expressed an interest in retaining the building for office use. No exterior changes to the building are being proposed.
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 17 (CapitolRiver Council) supports the rezoning request by action of its Board of Directors on October 21, 2015.

H. FINDINGS:

- The Archdiocese of St. Paul and Minneapolis is requesting a rezoning of 328 Kellogg Boulevard from RM2 to T1 in order to allow office use to continue on the site once the Archdiocese sells the property. The Minnesota History Center has expressed interest in buying the building and using it for administrative offices. T1 zoning is the most restrictive zoning district that allows office use, while being sensitive to the surrounding multi-family residential uses.
- 2. The proposed zoning is consistent with the way this area has developed. One of the stated intents of the T1 traditional neighborhood district is to serve as a transitional use of land along major thoroughfares, between commercial or industrial districts and

residential districts or other less intensive uses. The area surrounding 328 Kellogg Boulevard has been a mixed-use, predominantly institutional neighborhood for decades. Kellogg Boulevard is a major thoroughfare connecting the site to I-94 and downtown, and the current (and desired future) use of the subject parcel is an appropriate transition between downtown, adjacent multi-family uses and the residential neighborhoods west of Summit Avenue.

- 3. The proposed zoning is consistent with the Comprehensive Plan. The Land Use chapter of the Saint Paul Comprehensive Plan identifies this area as a major institutional employment district. Rezoning to T1 to allow continued use of offices for the Minnesota History Center is consistent with the Comprehensive Plan.
- 4. The proposed zoning is compatible with surrounding uses and zoning. The parcel is surrounded by multi-family residential uses zoned RM2 and RT2, and is adjacent to a mixed-use parcel zoned T2. Kellogg Boulevard, John Ireland Drive and 35E border the site, with the Minnesota History Center directly across Kellogg Boulevard. Saint Paul College and the Cathedral are also neighbors.
- 5. The petition for rezoning was found to be sufficient on October 15, 2015: 25 parcels eligible; 17 parcels required; 20 parcels signed.
- STAFF RECOMMENDATION: Based on the above findings, staff recommends approval of the rezoning of 328 Kellogg Boulevard from RM2 Multiple Family to T1Traditional Neighborhood.

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

1	Zoning Office Use Only
	File #: 15-168310
17	Fee: 1450.00
D= 1	Tentative Hearing Date:
1 -	11-5-15

(651) 26	56-6589			
	Property Owner ARCHDIOCESE OF ST. PAUL & MINNEAPOUS			
APPLICANT	Address 328 KELLOGIGN BWD W			
	City SAINT PAUL St. MN Zip 55102 Daytime Phone 651 - 291 - 4404			
	Name of Owner (if different) THOMAS MERZIENS (Archdiocese CFO)			
	Contact Person (if different) <u>JERZEMY STRIFFLER</u> Phone <u>GR-720-1096</u>			
1				
PROPERTY LOCATION	Address/Location 378 KELLOGG BUD W., SAINT PAUL, MN 55107			
2000	Legal Description SEE ATTACHED			
	Current Zoning TZ M Z			
	(attach additional sheet if necessary)			
TO THE HONORA	BLE MAYOR AND CITY COUNCIL:			
Pursuant to Section	n 61.800 of the Saint Paul Zoning Ordinance and to Section 462.357(5) of Minnesota Statues,			
ARCHDIOCESE	OF ST. PAUL & MINNEAPOUS, owner of land proposed for rezoning, hereby petitions you to			
	described property from a 72 zoning district to a 71 zoning			
district, for the purp	pose of:			
	SEE ATTACHED			
(attach additional s	cheets if necessary)			
Attachments as rec	quired: Site Plan Consent Petition Affidavit			
Subscribed and sworn to before me				
7 1	By:			
this	<u> </u>			
of October	Title: C FO			
Rich !	Porter Notary Public State of Minnesota			
Notary P	wblic My Commission Expires January 31, 2020			

APPLICATION FOR REZONING

Property Owner: Archdiocese of St. Paul and Minneapolis

Address: 226 Summit Avenue, St. Paul, MN 55102

Contact Person: Thomas Mertens

Property Location

Address/Location: 328 West Kellogg Boulevard, St. Paul, MN 55102

Legal Description: Taylors Place Also Known As Block 59 Dayton And Irvines Add To St Paul & In

Sd Irvines Enlargement Lots 18, 19 & 20 Blk 59

Current Zoning: RM2

Rezoning from RM2 to T1

SUPPORTING INFORMATION

Include aerial photo, street views, zoning map

BACKGROUND

328 West Kellogg Boulevard was built in 1914. It served as the Cathedral school building until 1979. It is now used to house administrative offices of the Archdiocese of St. Paul and Minneapolis.

The building is 2 stories and has a basement, and the total gross floor area is 63,388. The parcel is 77,100 square feet. There is a parking lot on the property that has 129 parking spaces.

This property is currently zoned RM2 (medium density low rise multiple family residential district). The current office use is considered an accessory to the Cathedral and therefore is permitted in this residential district. The Archdiocese is selling this property so it, therefore, will no longer be considered an accessory use. To keep the office use conforming, a rezoning to T1 (traditional neighborhood district) is being requested. No exterior changes to the building are being proposed.

FINDINGS

The rezoning of this property to T1 will allow for the continued office use once the building is sold. T1 zoning is the most restrictive zoning district that allows office use.

compatibility with land use and zoning of property within the general area:

A zoning classification of T1 is compatible with the land use and zoning of the general area. This property is in an area bounded by multiple family residential that is zoned RM2 and RT2, open space, and Highways 35E and 94. 328 Kellogg is on the edge of the Capitol area and is also in an institutional land use area that transitions to neighborhoods west of Summit Avenue. Continued office use in this area is appropriate. The restrictive nature of the T1 classification is appropriate for this property because there are multifamily residential uses nearby.

The intent of the T1 traditional neighborhood district: "The T1 traditional neighborhood district is intended to provide for compact, pedestrian-oriented mixed-use areas of limited size, with a variety of residential, office and service uses that primarily serve neighborhood needs. It is also intended to serve as a transitional use of land along major thoroughfares, between commercial or industrial districts and residential districts or other less intensive land uses."

suitability of the property for the uses permitted under the existing zoning classification

328 Kellogg has been able to operate as an office space because it is considered an accessory use to the Archdiocese. Once this property is sold it will no longer be eligible for that status. Its existing zoning of RM2 will no longer be appropriate because the office use could exist in that zoning only with a conditional use permit for reuse of a large structure. Because this property was used as a school in the past and could be used for such in the future, it is not eligible for a conditional use permit. The traditional neighborhood district, T1, is the most restrictive zoning available that allows office use.

the trend of development in the area of the property in question

328 Kellogg is located amidst institutional, multifamily residential, and major streets and highways. The area is a transition from downtown and the Capitol to the traditional neighborhoods that continue to the south and west. The intensity of use in this area and the proximity to downtown makes continued office use in this location make sense.

consistency with the comprehensive plan and other plans for the area

Office use at 328 Kellogg is compatible with the comprehensive plan. The long history of the Cathedral School in this location and its construction by Paul Steenberg Construction Company (which also built Northrop Auditorium on the University of Minnesota campus) lends historic significance to this property. It sits between the Cathedral and downtown. Reusing the building as it exists supports the historic character of this area.

PARKING

The existing surface parking lot at 328 Kellogg has 129 spaces. Under T1 zoning, parking is required at 1 space/400 square feet of office space for new uses. This would require 158 spots at 328 Kellogg. The building has been determined to be legally nonconforming for the number of parking spaces it has. The change from offices for the church to general office use does not impact this status. 328 Kellogg will remain legally nonconforming with regard to parking. (See attached letter from St. Paul Zoning). Furthermore, there is additional on-street parking available along College Avenue and Old Kellogg Boulevard.

Archdiocese Petition

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date petition submitted: 10-7-15	DATE PETITION RESUBMITTED:
DATE OFFICIALLY RECEIVED: 10-14-15	DATE OFFICIALLY RECEIVED:
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PARCELS REQUIRED:/	PARCELS REQUIRED:
PARCELS SIGNED: 20	
PARCELS SIGNED:	PARCELS SIGNED:
CHECKED BY: Paul Dubrune (DATE: 10-14-15

CONSENT OF ADJOINING PROPERTY OWNERS FOR A **REZONING**

We, the undersigned, owners of the property within 100 feet of the total contiguous description of real estate owned, purchased, or sold by THE PETITIONER within one year preceding the date of this petition acknowledge that we have been presented with the following:

1.	A copy of the petition		OF ST. PHULE MUNN	Ethrolis,
		(name of petition	oner)	1420
	to rezone the proper	ty located at 328 Wes	ST KELLOGG BOULE	,
	from a RMZ	zoning district to a <u>T.1</u>	zoning district.	
2.	A copy of sections	66.317 through 66.33	, inclusive of the Saint Paul Z	oning Code; and
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		f the property in the petition of		ning. We hereby
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1. A copy of the petition of ARCHDIOCESE OF ST. PAUL & MINNEAPOLIS,

	to rezone the proper	(name of petition ty located at 328 WES	ner)	TROULEVARED
		zoning district to a T.1		
	2. A copy of sections _ acknowledge that we are aware that any of these t	aware of all of the uses permitt uses can be established upon Cif the property in the petition of;	_, inclusive of the Sa ed in aty Council approval o	zoning district and we are
	ARCHDICCESE OF ST.	PAUL & MINNEAPOLIS f petitioner)	to az	oning district.
	We consent to the apprepresentative.	roval of this rezoning as it wa	as explained to us b	y the applicant or his/her
9-4th St	ADDRESS OR P.I.N. # W. 22-27-6002	RECORDOWNER State of MN DOT	SIGNATURE SIGNATURE	DATE 10/6/15
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	1.	A copy of the petition	n of ARCH	DIOCESE	OF S	T. PAUL	MINNI	EAROUS
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NOTE: This petition shall not be considered as officially filed until the lapse of seven (7) working days after it is received by the Planning Division. Any signator of this petition may

withdraw his/her name therefrom by written request within that time.

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1. A copy of the petition	n of ARCHDIOCE	se of	ST. PAUL &	MINN	EAPOUS,
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1. A copy of the petition of ARCHDIOCESE OF ST. PAUL & MINNEAPOLIS, (name of petitioner)

to rezone the property located at 328 WEST KELLOGIG BOULEVARD

	from a RM2	zoning district to a <u>T1</u>	zoning district.	
	2. A copy of sections 66.3(2 through 66.331 , inclusive of the Saint Paul Zoning Code; and acknowledge that we are aware of all of the uses permitted in a 71 zoning district and we are aware that any of these uses can be established upon City Council approval of the rezoning. We hereby consent to the rezoning of the property in the petition of;			
	ARCHDIOCESE OF ST	PAUL & MINNEAPOUS f petitioner)	to a T1 zoning distr	ict.
	We consent to the apprepresentative.	oval of this rezoning as it wa	as explained to us by the app	licant or his/her
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We rep	consent to the appresentative.	roval of this rezoni	ng as it wa	s explained to us b	y the app	licant or his/her
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1. A copy of the petitio	n of ARCHDIOCESE		MINNEAPOLIS
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We consent to the apprerepresentative.	oval of this rezoning as it w	as explained to us by	the applicant or his/her
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CONSENT OF ADJOINING PROPERTY OWNERS FOR A REZONING

We, the undersigned, owners of the property within 100 feet of the total contiguous description of real estate owned, purchased, or sold by THE PETITIONER within one year preceding the date of this petition acknowledge that we have been presented with the following:

1. A copy of the petition of ARCHDIOCESE OF ST. PAUL & MINNEAPOUS

(name of petitioner)

to rezone the property located at 328 WEST KELLOGG BOULEVARD

	from a RM2	zoning district to a	zoning district.	
	acknowledge that we are aware that any of these	through 66.333 aware of all of the uses permittuses can be established upon Ci of the property in the petition of;	ed in a zoning of the rezo	district and we are
	ARCHDIOCESE OF ST. (Name o	PAUL & MINNEAPOLIS f petitioner)	to a T1 zoning dist	rict.
	We consent to the apprepresentative.	roval of this rezoning as it wa	as explained to us by the app	olicant or his/her
	ADDRESS OR P.I.N. #	RECORD OWNER	SIGNATURE	DATE
62	College Ave. W	RECORDOWNER Leitch Katherni Elisie John M. Leitch	Katherine Elise &	Elleh 9-29-15
162	Collège Ave. W.	John M. Leitch	John m. Je	til 9-29-15
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NOTE: This petition shall not be considered as officially filed until the lapse of seven (7) working days after it is received by the Planning Division. Any signator of this petition may

withdraw his/her name therefrom by written request within that time.

CONSENT OF ADJOINING PROPERTY OWNERS FOR A REZONING

We, the undersigned, owners of the property within 100 feet of the total contiguous description of real estate owned, purchased, or sold by THE PETITIONER within one year preceding the date of this petition acknowledge that we have been presented with the following:

1. A copy of the petition	on oi MRCHI			E laccion	ETTOUS	_,
to rezone the prope	rty located at	(name of petition 328 WES	oner) ST KELLOGG	BOULE	VAIZD	
						_,
from a RM2	zoning district	to a 1.1_	zoning district.			
2. A copy of sections	66.31Z thr	ough 66.331	, inclusive of the S	aint Paul Z	oning Code; and	l
acknowledge that we are	e aware of all of	the uses permitt	ed in a T1	zoning c	listrict and we ar	e
aware that any of these consent to the rezoning of				of the rezo	ning. We hereb	У
0,		•				
ARCHDIOCESE OF ST.	PAUL & MIN	NEAPOLIS	to a	zoning distr	rict.	
(Name C	of petitioner)					
We consent to the app	roval of this r	ezoning as it wa	as explained to us	by the app	licant or his/he	r
representative.	Ī		Ī		DATE 9/30/	ul
ADDRESS OR P.I.N. #		D OWNER	SIGNATUR		DATE	
06-28-22-22	-0029	SHAPON!	BILERRIT		9/30/1	-
		NOW	multores	In	7 //	
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110000						
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CONSENT OF ADJOINING PROPERTY OWNERS FOR A REZONING

We, the undersigned, owners of the property within 100 feet of the total contiguous description of real estate owned, purchased, or sold by THE PETITIONER within one year preceding the date of this petition acknowledge that we have been presented with the following:

1. A copy of the p	petition of ARCHDIOCESE	OF ST. PAUL & MINA	JEAPOLIS,
	name of peti property located at 328 WE	tioner)	
		*	,
from a 12M	2 zoning district to a T.1	zoning district.	
acknowledge that value aware that any of t	tions <u>66.317</u> through <u>66.35</u> we are aware of all of the uses permithese uses can be established upon ning of the property in the petition	itted in a <u>T 1</u> zoning of City Council approval of the rezo	district and we are
	ST. PAUL & MINNEAPOLIS	to a <u>T1</u> zoning dist	rict.
(Na	ame of petitioner)		
We consent to the representative.	approval of this rezoning as it	was explained to us by the app	olicant or his/her
ADDRESS OR P.I.N.	# RECORD OWNER	SIGNATURE	DATE /
06-28-22-22-	RECORDOWNER Lawrence J England CO28 Elizabeth A England	Kewina Length of English	9/30/15 9-30-2015
	Elizabeth rengiona	Charles a majera	9-70-2015
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		, , , , , , , , , , , , , , , , , , ,	
es Marion :			
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CONSENT OF ADJOINING PROPERTY OWNERS FOR A REZONING

We, the undersigned, owners of the property within 100 feet of the total contiguous description of real estate owned, purchased, or sold by THE PETITIONER within one year preceding the date of this petition acknowledge that we have been presented with the following:

acknowledge that we are aware of all of the uses permitted in a	1. A copy of the petition		ST. PAUL & MINNEA	Pouls,
from azoning district to azoning district. 2. A copy of sections through, inclusive of the Saint Paul Zoning Code; and acknowledge that we are aware of all of the uses permitted in a zoning district and we are aware that any of these uses can be established upon City Council approval of the rezoning. We hereby consent to the rezoning of the property in the petition of; Azchtowcese of St. Paul & Minneapous to a		` 1	,	
2. A copy of sections 66.312 through 66.331, inclusive of the Saint Paul Zoning Code; and acknowledge that we are aware of all of the uses permitted in a 11 zoning district and we are aware that any of these uses can be established upon City Council approval of the rezoning. We hereby consent to the rezoning of the property in the petition of; Archtocoese of St. Paul & MINNEAPOUS to a 11 zoning district. (Name of petitioner) We consent to the approval of this rezoning as it was explained to us by the applicant or his/her representative. ADDRESS OR P.I.N. # RECORD OWNER SIGNATURE DATE	to rezone the proper	ty located at 328 west	KELLOGIGH BOULEVARD	,
aware that any of these uses can be established upon City Council approval of the rezoning. We hereby consent to the rezoning of the property in the petition of; AZCHDIOCESE OF ST. PAUL & MINNEAPOUS to a 11 zoning district. (Name of petitioner) We consent to the approval of this rezoning as it was explained to us by the applicant or his/her representative. ADDRESS OR P.I.N. # RECORD OWNER SIGNATURE DATE	from a ZM2	zoning district to a	_zoning district.	
(Name of petitioner) We consent to the approval of this rezoning as it was explained to us by the applicant or his/her representative. ADDRESS OR P.I.N. # RECORD OWNER SIGNATURE DATE	aware that any of these u	uses can be established upon	City Council approval of the rezo	oning Code; and listrict and we are ning. We hereby
ADDRESS OR P.I.N. # RECORD OWNER SIGNATURE DATE	Archbiocese of ST. (Name o	f petitioner)	to a zoning distr	rict.
0/25/5		roval of this rezoning as it	was explained to us by the app	licant or his/her
06-28-22-22-0090 DIOCESE OF ST. PAUL 9/25/15	ADDRESS OR P.I.N. #	RECORD OWNER	SIGNATURE	DATE
	06-28-22-22-0090	DIOCESE OF ST. PAUL	M	9/25/15
			V	

CONSENT OF ADJOINING PROPERTY OWNERS FOR A REZONING

We, the undersigned, owners of the property within 100 feet of the total contiguous description of real estate owned, purchased, or sold by THE PETITIONER within one year preceding the date of this petition acknowledge that we have been presented with the following:

1. A copy of the petition of ARCHDIOCESE OF ST. PAUL & MINNEAPOLIS,	
(name of petitioner) to rezone the property located at 328 WEST KELLOGG BOULEVARD,	
from a <u>ZMZ</u> zoning district to a <u>T.1</u> zoning district.	
2. A copy of sections <u>66.317</u> through <u>66.331</u> , inclusive of the Saint Paul Zoning Code; and acknowledge that we are aware of all of the uses permitted in a <u>7 1</u> zoning district and we are aware that any of these uses can be established upon City Council approval of the rezoning. We hereby consent to the rezoning of the property in the petition of;	
ARCHDIOCESE OF ST. PAUL & MINNEAFOLIS to a T1 zoning district. (Name of petitioner)	
We consent to the approval of this rezoning as it was explained to us by the applicant or his/her representative.	
ADDRESS OR P.I.N. # RECORD OWNER SIGNATURE DATE	
01-28-23-11-0033 Schroeder Prop II of the Charge of 10-6-15	_
01-29-23-11-0055 Schroeder Prop LL (School 0 2 /0-6-13	b
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AFFIDAVIT OF PERSON CIRCULATING CONSENT PETITION FOR A REZONING

:SS	•
COUNTY OF RAMSEY)	
the person who circulated the consent petition consend believes the parties described on the consent pedescribed immediately before each name, and that petition is an owner of property within 100 feet of and all properties contiguous to the subject propert petitioner within one (1) year preceding the date of signed by each said owner; and the signatures are to of the parties so described.	etition are owners of the parcels of real estate each of the parties described on the consent the subject property described in the petition y that was owned, purchased or sold by the the petition; that the consent petition was
	JEREMY STRIFFLER NAME
	2703 IST AVE S., MINNEAPOLIS, MN 55408-ADDRESS
	G17 - 770 - 1096 TELEPHONE NUMBER
Subscribed and sworn to before me this	

DEBORAH S JANICULA
NOTARY PUBLIC
MINNESOTA

NOTARY PUBLIC

STATE OF MINNESOTA)

My Commission Expires Jan. 31, 2020

AFFIDAVIT OF PERSON CIRCULATING CONSENT PETITION FOR A REZONING

:SS
COUNTY OF RAMSEY)
The land of the person who circulated the consent petition consisting of be pages; that affiant is informed and believes the parties described on the consent petition are owners of the parcels of real estate described immediately before each name, and that each of the parties described on the consent petition is an owner of property within 100 feet of the subject property described in the petition and all properties contiguous to the subject property that was owned, purchased or sold by the petitioner within one (1) year preceding the date of the petition; that the consent petition was signed by each said owner; and the signatures are the true and correct signatures of each and all of the parties so described.
Julia Paulsen Mulli- NAME 4900 Harriet Avenue Minneape
ADDRESS 55419
LIQ-824-8958 TELEPHONE NUMBER

NOTARY PUBLIC

DEBORAH S JANICULA

NOTARY PUBLIC

MINNESOTA

Commission Expires Jan. 31, 2020

Subscribed and sworn to before me this _____ day of _____ to _____ . 20 / 5

STATE OF MINNESOTA)

AFFIDAVIT OF PETITIONER FOR A REZONING

:SS

COUNTY OF RAMSEY)	
The petitioner, THOMAS J. MERTHUS that the consent petition contains signatures of the eligible properties within 100 feet of the subject p property contiguous to the subject property that w within one (1) year preceding the date of the petitipetition must contain signatures from each and all constitute consent from that property and that fails could invalidate the consent petition; petitioner be each of said owners and that the signatures are the the parties so described.	roperty described in the petition and all as owned, purchased, or sold by the petitioner ion; petitioner is informed that the consent owners of jointly-owned property in order to ure to obtain consent from each and all owners elieves that the consent petition was signed by
	NAME
	328 KELLOGG BLUD W ST PAUL, ADDRESS MN 5510
	LS1-291-4404 TELEPHONE NUMBER
Subscribed and sworn to before me this	

NOTARY PUBLIC

STATE OF MINNESOTA)

RUTH E. PORTER Notary Public State of Minnesota My Commission Expires January 31, 2020









