



## Legislation Text

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**File #:** Ord 12-2, **Version:** 1

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Memorializing City Council action granting the application of MGM Properties LLC to rezone portions of 1105, 1111, 1117, 1121, and 1125 California Avenue West from R4 One-Family Residential to B2 Community Business and to amend Saint Paul Legislative Code Chapter 60 pertaining to the Saint Paul zoning map to reflect the same. (Public Hearing held December 21, 2011.)

WHEREAS, Pursuant to Minn. Stat. § 462.357 and Leg. Code § 61.800, MGM Properties LLC duly petitioned to rezone from R4 One-Family Residential to B2 Community Business; certain portions of those properties commonly known as

(1) *Torrens property*: 1105, 1111, 1117, 1121, and 1125 California Ave W, legally described as approximately the northerly 35.5 feet of those properties commonly known as 1125 California (Lot 22), 1121 California (Lot 23), Part of 1111 California (Lot 25), and part of 1105 California (Lots 27 and 28) and, more specifically, the parts of Lots 22, 23, 25, 27 and 28, Block 1, CLIFTON DALE, Ramsey County, Minnesota lying northerly of a line described as beginning at a point on the west line of Lot 22, said Block 1, distant 86.63 feet northerly of the southwest corner of said Lot 22; thence easterly to a point on the east line of Lot 28, said Block 1, distant 87.01 feet northerly of the southeast corner of said Lot 28 and there terminating.

(2) *Abstract property*: the approximate northerly 35.5 feet of those properties commonly known as 1117 California (Lot 24), and Part of 1111 California (W ½ Lot 26) and Part of 1105 California (E ½ Lot 26), and, more specifically, the parts of Lots 24 and 26, Block 1, CLIFTON DALE, Ramsey County, Minnesota lying northerly of a line described as beginning at a point on the west line of Lot 22, said Block 1, distant 86.63 feet northerly of the southwest corner of said Lot 22; thence easterly to a point on the east line of Lot 28, said Block 1, distant 87.01 feet northerly of the southeast corner of said Lot 28 and there terminating; and

WHEREAS, on November 2, 2011, the Planning Division certified the petition as having been consented to by at least 67 percent of the owners of the area to be rezoned and having been consented to by at least two-thirds of the owners of the property situated within 100 feet of the total contiguous property within one year preceding the date of the petition; and

WHEREAS, on November 22, 2011, the Planning Commission's Zoning Committee duly held a public hearing for the purpose of considering the rezoning petition, and pursuant to Admin. Code §107.03, submitted its recommendation to the Commission for approval; and

WHEREAS, on December 2, 2011, the Planning Commission considered the rezoning petition and moved to recommend its approval to the City Council; and

WHEREAS, on November 10, 2011, notice of public hearing before the City Council on the said petition was duly published in the official newspaper of the City and written notice of the public hearing were duly mailed to each owner of affected property and property situated wholly or partly within 350 feet of the property to be rezoned; and

WHEREAS, on December 21, 2011, the City Council conducted a public hearing at which all interested parties were given an opportunity to be heard, and the Council, having considered all the facts and recommendations concerning the petition, does hereby undertake the following:

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN

Section 1.

That the zoning map of the City of Saint Paul, incorporated by reference under Leg. Code § 60.303, is hereby further amended by rezoning the following described properties from R4 to B2 Community Business:

(1) *Torrens property*: the properties commonly known as 1105, 1111, 1117, 1121, and 1125 California Ave W, legally described as approximately the northerly 35.5 feet of those properties commonly known as 1125 California (Lot 22), 1121 California (Lot 23), Part of 1111 California (Lot 25), and part of 1105 California (Lots 27 and 28) and, more specifically, the parts of Lots 22, 23, 25, 27 and 28, Block 1, CLIFTON DALE, Ramsey County, Minnesota lying northerly of a line described as beginning at a point on the west line of Lot 22, said Block 1, distant 86.63 feet northerly of the southwest corner of said Lot 22; thence easterly to a point on the east line of Lot 28, said Block 1, distant 87.01 feet northerly of the southeast corner of said Lot 28 and there terminating.

(2) *Abstract property*: the approximate northerly 35.5 feet of the properties commonly known as 1117 California (Lot 24), and Part of 1111 California (W ½ Lot 26) and Part of 1105 California (E ½ Lot 26), and, more specifically, the parts of Lots 24 and 26, Block 1, CLIFTON DALE, Ramsey County, Minnesota lying northerly of a line described as beginning at a point on the west line of Lot 22, said Block 1, distant 86.63 feet northerly of the southwest corner of said Lot 22; thence easterly to a point on the east line of Lot 28, said Block 1, distant 87.01 feet northerly of the southeast corner of said Lot 28 and there terminating; and

Section 2.

This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication.