

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Metric Auto Parts **FILE #:** 17-077-911
  2. **APPLICANT:** Michael A Mohrlant **HEARING DATE:** September 28, 2017
  3. **TYPE OF APPLICATION:** Rezoning - Consent
  4. **LOCATION:** 550 Smith Ave S, E side between George and Stevens
  5. **PIN & LEGAL DESCRIPTION:** 072822230150; Lienaus Re arrangement Ofblo Subj To Hwy; The N 1/2 Of Lot 17 And All Of Lots 18 Thru 24 Blk 18
  6. **PLANNING DISTRICT:** 3 **EXISTING ZONING:** RM2
  7. **ZONING CODE REFERENCE:** §61.801(b)
  8. **STAFF REPORT DATE:** September 21, 2017 **BY:** Jake Reilly
  9. **DATE RECEIVED:** September 8, 2017 **60-DAY DEADLINE FOR ACTION:** November 7, 2017
- 

- A. **PURPOSE:** Rezone lot 18 and the north ½ of lot 17, Block 18, Lienaeus Rearrangement of blocks 17 and 18, Oliviers' Addition from RM2 multiple family to B2 community business.
- B. **PARCEL SIZE:** Irregular parcel, 168 ft (Smith) x 88ft totaling approx. 21,562 square feet.
- C. **EXISTING LAND USE:** Commercial - Retail
- D. **SURROUNDING LAND USE:** Mix of one and two family homes (zoned RM2)
- E. **ZONING CODE CITATION:** §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** According to historical zoning records, a site plan for Metric Auto Parts was approved on May 19, 1989 (ZF#1643) for Metric Auto Parts. In April 1965 an application was made and subsequently withdrawn to rezone the property from "C" Residential to "B" Residential. The zoning map from the 1975 Saint Paul Zoning Code shows the property as being in a B-3 zoning district. In 1984 a 40-acre study and small area plan for Smith Avenue resulted in the property being rezoned to B2 community business. According to Ramsey County property records, the building was built in 1965.
- G. **PARKING:** Zoning Code § 63.207 requires a minimum of 19 parking spaces - one per 400 square feet of gross floor area. The GFA of the structure is 7,632 square feet. At this time, the site does not have striped parking spaces.
- H. **DISTRICT COUNCIL RECOMMENDATION:** District 3 had not provided a recommendation at the time this staff report was prepared.
- I. **FINDINGS:**
  1. This is a split-zoned parcel. The southernmost 5,000 square feet of the 21,665 square foot parcel is zoned RM2, the rest of the parcel is zoned B2. The applicant is applying for a rezoning of that area in order that the entire parcel be zoned B2 – Community Business.
  2. The proposed zoning is consistent with the way this area has developed. This condition is met. The lot is split-zoned. B2 community business districts are intended to serve the needs of a consumer population larger than that served by the "local business district."
  3. The proposed zoning is consistent with the Comprehensive Plan. The citywide Comprehensive Plan (2010) calls Smith Avenue a "Mixed Use Corridor." The Smith Avenue Plan (2011) calls for the mix of uses along Smith Avenue to be maintained.

4. The proposed zoning is compatible with surrounding uses, in that it cleans up a split-zoned tax parcel, and does not change the mix of uses in the surrounding area.
5. The petition for rezoning was found to be sufficient on September 7, 2017: 21 parcels eligible; 14 parcels required; 15 parcels signed.

J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning of lot 18 and the north ½ of lot 17, Block 18, Lienaeaus Rearrangement of blocks 17 and 18, Oliviers' Addition from RM2 multiple family to B2 community business.



**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

Zoning Office Use Only

File #: 17-077911

Fee: \_\_\_\_\_

Tentative Hearing Date: 9-28-17

*PD-3*

*# 072822230150*

**APPLICANT**

Property Owner(s) METRIC AUTO PARTS - MICHAEL MOHRJANT  
 Address 550 S. SMITH AVE  
 City ST PAUL State MN Zip 55107 Phone 651-222-7810  
 Contact Person CHUCK REPKE Phone 651-214-8664  
 Email CHUCKREPKE@AOL.COM

(Attach additional sheet if necessary to include all of the owners of at least 67% of the area of the property to be rezoned.)

**PROPERTY LOCATION**

Address/Location 550 S. SMITH AVE, ST PAUL, MN 55107  
 Legal Description SUBJ TO HWY; THEN 1/2 OF LOT 17 AND ALL OF LOTS 18 THRU 24 BIK 18  
 Current Zoning RM 2

(Attach additional sheet if necessary.)

TO THE HONORABLE MAYOR AND CITY COUNCIL:

Pursuant to Saint Paul Zoning Ordinance § 61.801 and Minnesota Statutes § 462.357, MICHAEL MOHRJANT - METRIC AUTO PARTS

owner(s) of land proposed for rezoning, hereby petition(s) to rezone the above described property from a RM 2 zoning district to a B2 zoning district, for the purpose of:

- EXPANDING THE PARKING LOT TO THE SOUTH -

THE SOUTHERN MOST PART OF OUR PROPERTY IS ZONED RM 2  
 THE REST OF THE PROPERTY IS ALREADY ZONE B2  
 THIS WILL MAKE ALL OF THE PROPERTY B2 AND ALLOW US  
 TO PAVE AND PARK ON THAT PORTION OF THE PROPERTY

(Attach additional sheets if necessary.)

Attachments as required:  Site Plan  Consent Petition  Affidavit

Subscribed and sworn to before me

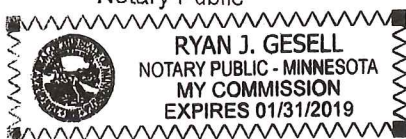
Date 8-16 - 20 17

[Signature]  
 Notary Public

**RECEIVED**  
**AUG 29 2017**  
 BY: \_\_\_\_\_

By: [Signature]  
 Fee owner of property

Title: OWNER





555 MN-149

550 S Smith



Image capture: Jul 2016 © 2017 Google United States

St Paul, Minnesota

Street View - Jul 2016



### Rezoning

We are looking to rezone the grassy area on the right

From RM 2 (residential) to B2 (business)

The buildings and the paved area is already zoned B2

This would make all of the property B 2

and allow us to pave and park on the lot

ZONING PETITION SUFFICIENCY CHECK SHEET

REZONING

SCUP

NCUP

FIRST SUBMITTED

RESUBMITTED

DATE PETITION SUBMITTED: 8-29-17

DATE PETITION RESUBMITTED: 9-5-17

DATE OFFICIALLY RECEIVED: \_\_\_\_\_

DATE OFFICIALLY RECEIVED: 9-7-17

PARCELS ELIGIBLE: 21

PARCELS ELIGIBLE: 21

PARCELS REQUIRED: 14

PARCELS REQUIRED: 14

PARCELS SIGNED: \_\_\_\_\_

PARCELS SIGNED: 15

CHECKED BY: Paul Dubouiel

DATE: 9-7-17

# CITY OF SAINT PAUL

## 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 METRIC AUTO PARTS - MICHAEL MORILANT,  
(name of petitioner)  
to rezone the property located at 550 S. SMITH AVE,  
from a RM2 zoning district to a B2 zoning district and
2. A copy of sections 66.400 through 66.445, inclusive of the Saint Paul Zoning Code.

We acknowledge that we are aware of all of the uses permitted in a B2 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

METRIC AUTO PARTS to a B2 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 PIN #	RECORD OWNER	SIGNATURE	DATE
550 S. SMITH AVE	MICHAEL A MORILANT	Michael A. Morilant	8-9-17
566 S. SMITH AVE	GARY PFLUGER		
572 S. SMITH AVE	NICHOLAS A TILLEMANS	<del>Elizabeth H Tillemans</del>	8-12-17
" "	ELIZABETH H TILLEMANS	<del>Elizabeth H Tillemans</del>	
569 S. SMITH AVE	MYKOLA ANASTASIEVSKY	Cheryl McKellar	8-12-17
555 S. SMITH AVE	DENNIS D. GRAKS	Dennis D. Graks	8-15-17
551 S. SMITH AVE	REBECCA J. GRAKS	Joan Abbott	8-15-17
547 S. SMITH AVE	DOROTHY A. NEIHART	D. Neihart	8-15-17
543 S. SMITH AVE	BENJAMIN T GREEN	Benjamin T Green	8/19/17
" "	JENNIFER S GREENE	Jennifer S Greene	
539 S. SMITH AVE	STEPHEN E COLLINS	Stephen Collins	8/12/17
" " " "	JACQUELINE A ELLINGSON		

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.

# CITY OF SAINT PAUL

## CONSENT OF ADJOINING PROPERTY OWNERS FOR A REZONING


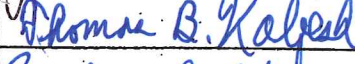

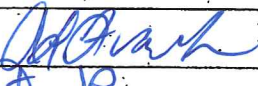

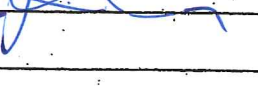
We, the undersigned, owners of the property within 100 feet of the total contiguous description of real estate owned, purchased, or sold by THE PETITIONER within one year preceding the date of this petition acknowledge that we have been presented with the following:

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We acknowledge that we are aware of all of the uses permitted in a B 2 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

METRIC AUTO PARTS MICHAEL MOHLANT to a B 2 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 PIN #	RECORD OWNER	SIGNATURE	DATE
536 S. SMITH AVE	SUSAN J DONAHUE		8/15/17
547 MANOMIN AVE	THOMAS B KABESH		8-19-17
553 MANOMIN AVE	BEVERLY A MANDERFELD		8-12-17
555 MANOMIN AVE	SUSAN U HUBBARD		
" " "	JACOB MASON		
561 MANOMIN AVE	ABIGAIL L FRANKLIN		8/15/17
565 MANOMIN AVE	PATRICIA H VANYO		8/15/17
569 MANOMIN AVE	KERRIE A SAMAYDA		8-15-17
	JOSE H SAMAYDA		
51			

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## CITY OF SAINT PAUL

### CONSENT OF ADJOINING PROPERTY OWNERS FOR A REZONING

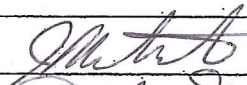
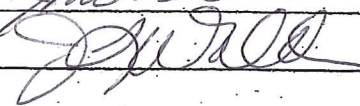
We, the undersigned, owners of the property within 100 feet of the total contiguous description of real estate owned, purchased, or sold by THE PETITIONER within one year preceding the date of this petition acknowledge that we have been presented with the following:

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METRIC AUTO PARTS MICHAEL MOHLANT to a B2 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 PIN #	RECORD OWNER	SIGNATURE	DATE
<u>559 S. SMITH AVE</u>	<u>JASON MARTINETTO</u>		<u>8/24/17</u>
	<u>JENNIFER WALDEN</u>		<u>8/24/2017</u>

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# CITY OF SAINT PAUL

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METRIC AUTO PARTS MICHAEL MOHLANT to a B2 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 PIN #	RECORD OWNER	SIGNATURE	DATE
<u>568 S. SMITH AVE</u>	<u>JOHN STARR</u>	<u>[Signature]</u>	<u>8-15-17</u>
* ADDNL. NOTE: HAVING A NEW BUILDING ON AN EMPTY LOT WOULD LOOK MUCH NICER, AND ADD TO THE CORNER'S APPEARANCE. THANKS FOR IMPROVING THE NEIGHBORHOOD. PLEASE DO SOMETHING WITH OLD PARTS STORE PROPERTY, ONE BLOCK TO THE NORTH, IN CONJUNCTION WITH THIS PROJECT.			
		<u>THANKS</u>	

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Good Luck hope you get approved!!!

CITY OF SAINT PAUL

CONSENT OF ADJOINING PROPERTY OWNERS FOR A REZONING

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- 1. A copy of the petition of METRIC AUTO PARTS - MICHAEL MOHLANT (name of petitioner) to rezone the property located at 550 S. SMITH AVE from a RM2 zoning district to a B2 zoning district and 2. A copy of sections 66.400 through 66.445, inclusive of the Saint Paul Zoning Code.

We acknowledge that we are aware of all of the uses permitted in a B2 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

METRIC AUTO PARTS MICHAEL MOHLANT to a B2 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.

Table with 4 columns: ADDRESS OR PIN #, RECORD OWNER, SIGNATURE, DATE. Row 1: 541 MANOMIN AVE, 1664 CONCORDIA LLC, [Signature], 8-12-17

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.

CITY OF SAINT PAUL

RECEIVED  
SEP - 5 2017  
BY: \_\_\_\_\_

CONSENT OF ADJOINING PROPERTY OWNERS FOR A  
REZONING

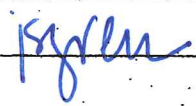
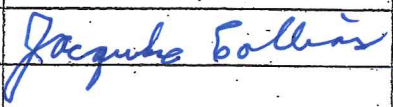

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METRIC AUTOPARTS MICHAEL MOHLANT to a B 2 zoning district.  
(name of petitioner)

We consent to the approval of this rezoning as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN #	RECORD OWNER	SIGNATURE	DATE
543 S. SMITH	JENNIFER S. GREEN		9/2/17
539 S SMITH	JACQUELINE A ELLINGSON		9.2.17
569 MANOMIN	KERRIE H SAMAYOA		9/2/17

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.

CITY OF SAINT PAUL

RECEIVED  
SEP - 5 2017  
BY: \_\_\_\_\_

AFFIDAVIT OF PERSON CIRCULATING CONSENT  
PETITION FOR A REZONING

STATE OF MINNESOTA)

:SS

COUNTY OF RAMSEY)

Charles J. Repke, being first duly sworn, deposes and states that he/she is the person who circulated the consent petition consisting of 1 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.

[Handwritten Signature]

NAME

165 McNeal ST PAUL MN 55102

ADDRESS

651-214-8665

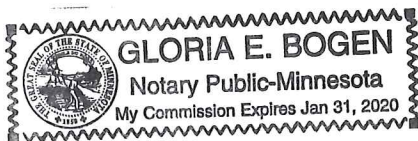
TELEPHONE NUMBER

Subscribed and sworn to before me this

3 day of Sept, 20  .

[Handwritten Signature]

NOTARY PUBLIC



CITY OF SAINT PAUL

AFFIDAVIT OF PERSON CIRCULATING CONSENT  
PETITION FOR A REZONING

STATE OF MINNESOTA)

:SS

COUNTY OF RAMSEY)

CHARLES JARVIS REPKE

, being first duly sworn, deposes and states that he/she is the person who circulated the consent petition consisting of 6 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.

*Charles J. Repke*  
NAME

165 McBoal, St Paul, MN  
ADDRESS

651-214-8665  
TELEPHONE NUMBER

Subscribed and sworn to before me this

29 day of August, 20 17.

*[Signature]*  
NOTARY PUBLIC



CITY OF SAINT PAUL

AFFIDAVIT OF PERSON CIRCULATING CONSENT  
PETITION FOR A REZONING

STATE OF MINNESOTA)

:SS

COUNTY OF RAMSEY)

CHARLES William REPKET, being first duly sworn, deposes and states that he/she is the person who circulated the consent petition consisting of 6 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.

Charles W Repket Jr  
NAME

154 W WINIFRED ST. PAUL, MN  
ADDRESS

651-214-8664  
TELEPHONE NUMBER

Subscribed and sworn to before me this

29 day of August, 2017.

[Signature]  
NOTARY PUBLIC



CITY OF SAINT PAUL

AFFIDAVIT OF PETITIONER FOR A REZONING

STATE OF MINNESOTA)

:SS

COUNTY OF RAMSEY.)

The petitioner, MICHAEL A MORRLANT, being first duly sworn, deposes and states that the consent petition contains signatures of the owners of at least two-thirds (2/3) of all eligible properties within 100 feet of the subject property described in the petition and all property contiguous to the subject property that was owned, purchased, or sold by the petitioner within one (1) year preceding the date of the petition; petitioner is informed that the consent petition must contain signatures from each and all owners of jointly-owned property in order to constitute consent from that property, and that failure to obtain consent from each and all owners could invalidate the consent petition; petitioner believes that the consent petition was signed by each of said owners and that the signatures are the true and correct signatures of each and all of the parties so described.

Michael A. Morrlant

NAME

550 S. SMITH AVE, ST PAUL, MN

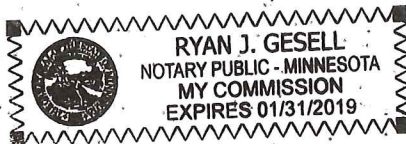
ADDRESS

651-222-7810

TELEPHONE NUMBER

Subscribed and sworn to before me this  
28 day of August, 2017.

Ryan J. Gezell  
NOTARY PUBLIC



## Zoning Petition List

As requested, attached is a list of all property owners within 100 feet of the property which you are requesting a zoning application. As a condition of your application, you are required to submit with your application a consent petition signed by a minimum two-thirds of all the property owners within 100 feet on the attached list.

Only persons listed as "fee owner" or "homesteader" are eligible to sign your petition. Persons listed as "taxpayer" are not eligible to sign your petition since they do not have full ownership of the property. A property owner may sign the petition as many times as they are listed as an owner within 100 feet.

Also attached are the petition form, affidavit, and application materials.

21

Total properties are within 100 feet of the property for zoning action and eligible to sign your petition.

14

Total signatures are required for a minimum two-thirds consent and a sufficient petition to proceed with your zoning application.

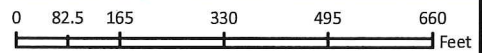
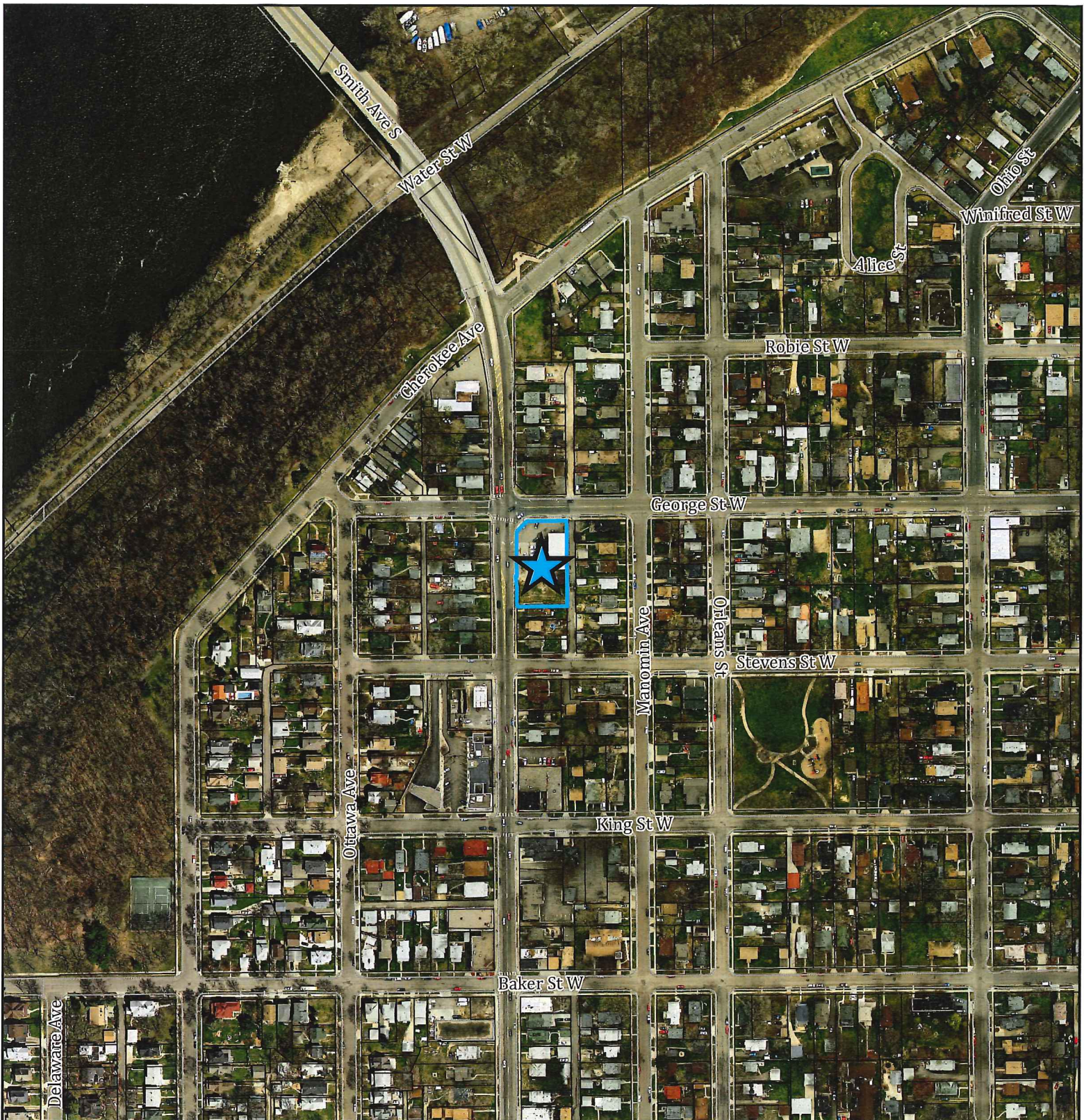
Please return this list along with the original petition form, affidavit, application and any additional supporting information and material that is part of your application.

- \* Rezoning petitions must be received and held in the Zoning office 7 working days prior to any application cut-off date.

If you have questions about this list or any questions regarding this process, please call the Zoning office at 266-6589.

2/25/2010






FILE NAME: Michael Mohrlant

**Aerial**

APPLICATION TYPE: Rezone

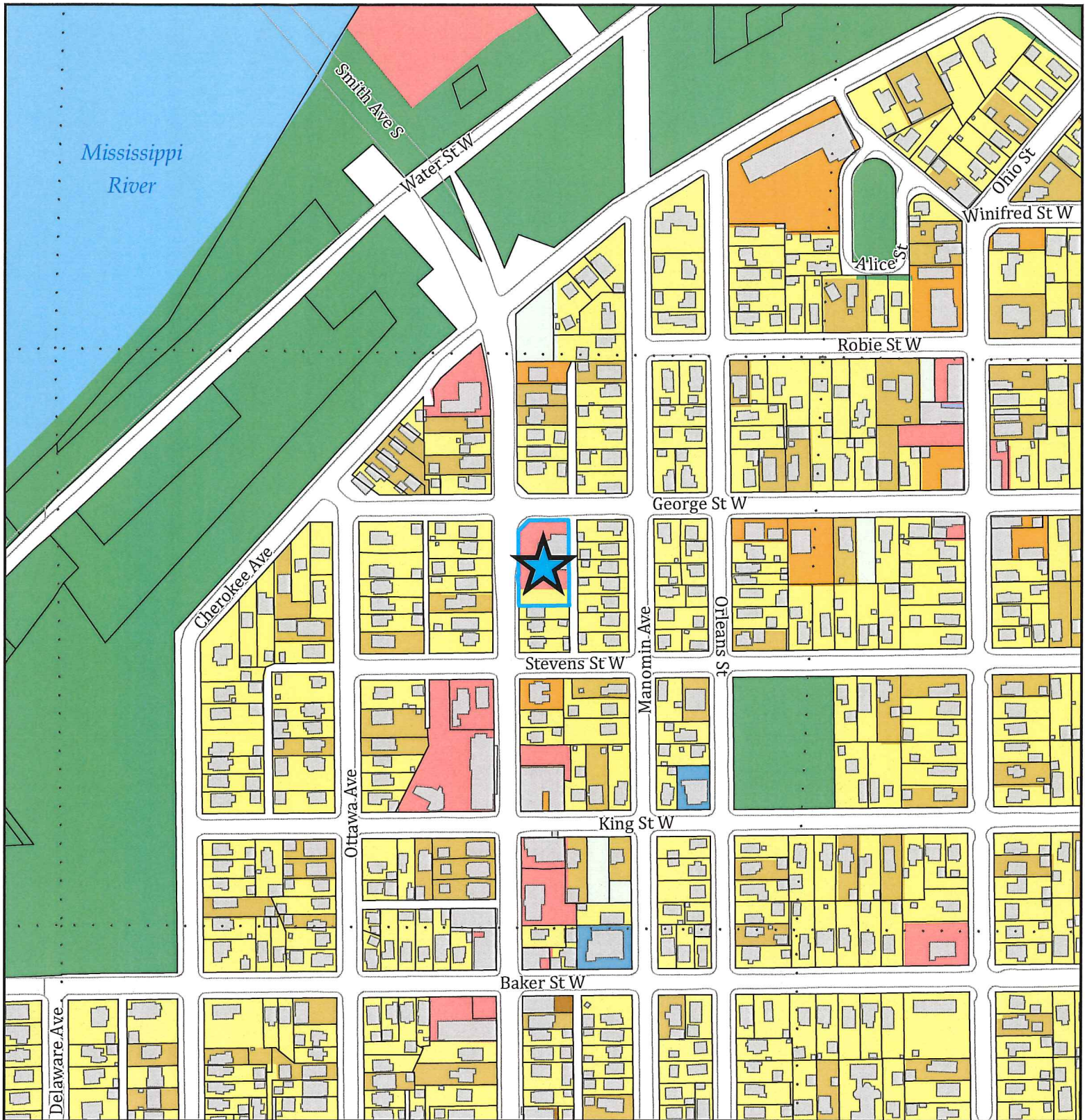
 Subject Parcels

FILE #: 17-077911 DATE: 9/8/2017

PLANNING DISTRICT: 3

ZONING PANEL: 22





FILE NAME: Michael Mohrlant

APPLICATION TYPE: Rezone

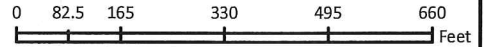
FILE #: 17-077911 DATE: 9/8/2017

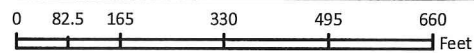
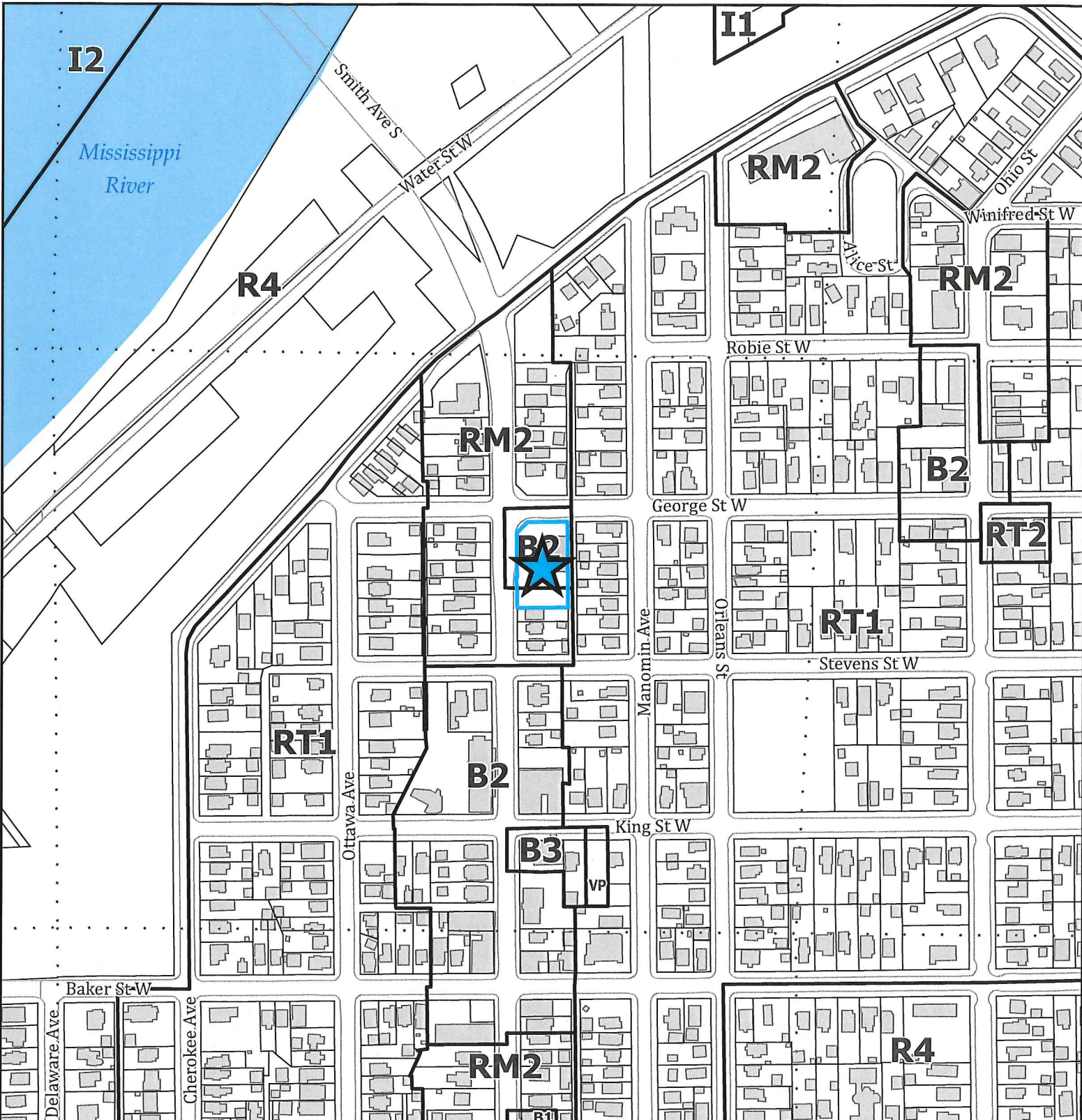
PLANNING DISTRICT: 3

ZONING PANEL: 22

**Land Use**

- Single Family Detached
- Single Family Attached
- Multifamily
- Retail and Other Commercial
- Mixed Use Residential
- Industrial and Utility
- Institutional
- Park, Recreational or Preserve
- Undeveloped
- Water
- Subject Parcels
- Section Lines





FILE NAME: Michael Mohrlant

APPLICATION TYPE: Rezoning

FILE #: 17-077911      DATE: 9/8/2017

PLANNING DISTRICT: 3

ZONING PANEL: 22

**Zoning**

Subject Parcels

· · Section Lines

