

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Baker East Partners **FILE #:** 18-036955
  2. **APPLICANT:** Baker East Partners **HEARING DATE:** March 29, 2018
  3. **TYPE OF APPLICATION:** Rezoning
  4. **LOCATION:** 821 Raymond Ave, and 2421 Territorial Road, NW corner of Raymond and Territorial Road
  5. **PIN & LEGAL DESCRIPTION:** 292923340002; Lot 8 of AUDITOR'S SUBDIVISION NO. 4 VAC ST ACCRUING & FOL; BEG AT SE COR LOT 9 BLK 4 SD AUD SUB TH NWLY ON NE L OF TERRITORIAL RD 323.82FT TH NELY TO SE COR LOT 20 BLK 79 ST ANTHONY PARK TH E ON NL OF VAC ELLIS AVE TO SW COR LOT 19 SD BLK 79 TH NW ON EL ALLEY TO L 38.5FT SLY OF & PAR TO NL SD LOT 19 TH ELY TO WL RAYMOND AVE TH SLY ON SD WL TO BEG BEING PART OF LOT 19 BLK 79 ST ANTHONY PK & IN SD AUD SUB NO 4 PART OF LOTS 8 & LOT 9; and 292923340070; Lot 13 Block 1 of BAKER WEST TOWNHOMES LOT 13 BLK 1
  6. **PLANNING DISTRICT:** 12 **EXISTING ZONING:** B2
  7. **ZONING CODE REFERENCE:** § 66.314; §61.801(b)
  8. **STAFF REPORT DATE:** March 21, 2008 **BY:** Anton Jerve
  9. **DATE RECEIVED:** March 8, 2018 **60-DAY DEADLINE FOR ACTION:** May 12, 2018
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- A. **PURPOSE:** Rezone from B2 community business and VP vehicular parking to T3 traditional neighborhood.
- B. **PARCEL SIZE:** 74,052 sf on an irregular lot with frontage on Raymond and Territorial.
- C. **EXISTING LAND USE:** Commercial/office and parking lot.
- D. **SURROUNDING LAND USE:** North: Single-family residential (R4)  
East: Multifamily residential (RM3)  
South: Commercial (T3)  
West: Townhomes (RM2)
- E. **ZONING CODE CITATION:** § 66.314 defines the intent of the T3 traditional neighborhood zoning district; §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** The site was formerly the campus of the old Baker School. It was rezoned from RM2 to B2 in 1981 (ZF: 8846) to allow for the adaptive reuse of the building.
- G. **PARKING:** Zoning Code § 63.207 requires a minimum of zero spaces for T districts within a quarter of a mile from a transit station.
- H. **DISTRICT COUNCIL RECOMMENDATION:** District 12 had not commented by the time of this report.
- I. **FINDINGS:**
  1. The applicant is seeking to rezone the property to allow for additional use flexibility, eventual infill development, and to be consistent with the vision of the Raymond Station Area Plan.
  2. The proposed zoning is consistent with the way this area has developed. The existing building was built as a school in 1890 as the surrounding area developed. It was

rezoned in 1981 to allow for the adaptive reuse of the building to fit in with the commercial character of the area. With the introduction of the Green Line the development character of the area has changed again to be a mixed-use, transit-oriented area. The proposed zoning is an appropriate as described in the intent statement (§ 66.314):

*The T3 traditional neighborhood district provides for higher-density pedestrian- and transit-oriented mixed-use development. It is designed for development or redevelopment of land on sites large enough to support:*

*(a) A mix of uses, including residential, commercial, civic and open space uses in close proximity to one another;*

*(b) A mix of housing styles, types, and sizes to accommodate households of varying sizes, ages and incomes;*

*(c) A system of interconnected streets and paths that offer multiple routes for motorists, pedestrians and bicyclists, and are connected to existing and future streets;*

*(d) A system of open space resources and amenities; and incorporation of environmental features into the design of the neighborhood.*

*The T3 district is also intended for smaller sites in an existing mixed-use neighborhood center where some of the above elements already exist, or in an area identified in the comprehensive plan as a potential "urban village" site. The above elements may be found within the T3 district or adjacent to it; the intent is that all would be present within a reasonable walking distance*

3. The proposed zoning is consistent with the Comprehensive Plan. The site is within the boundary of the Raymond Station Area Plan. The proposed zoning allows for the transition from residential uses to the north to the mixed use areas to the south, as described in the plan:

#### **4.4 Extending the South Saint Anthony Park Neighborhood**

*As development pressure and land values increase over time, these blocks should evolve as a mid-rise residential extension of the South Saint Anthony Park neighborhood that improves the connectivity of this neighborhood to the Avenue. This area should further act as a transitional area that improves the relationship between the mixed-use corridor to the south, employment uses to the northeast, and the predominantly residential neighborhood of South Saint Anthony Park located to the northwest.*

4. The proposed zoning is compatible with the surrounding commercial and residential land uses. The proposed zoning allows for uses more similar to the surrounding uses than the current B2 zoning.
5. Court rulings have determined that "spot zoning" is illegal in Minnesota. Minnesota courts have stated that this term "applies to zoning changes, typically limited to small plots of land, which establish a use classification inconsistent with the surrounding uses and create an island of nonconforming use within a larger zoned property." This is not spot zoning because the site is adjacent to T3 zoning across Territorial Road.

- J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from B2 community business and VP vehicular parking to T3 traditional 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  
 (651) 266-6589

Zoning Office Use Only  
 File #: 18-036955  
 Fee: \_\_\_\_\_  
 Tentative Hearing Date: 3-29-18

PA=12

# 292923340002  
 292923340070

**APPLICANT**

Property Owner(s) Baker East Partners, LLLP  
 Address 821 Raymond Ave., #400  
 City St. Paul State MN Zip 55114 Phone \_\_\_\_\_  
 Contact Person c/o Brian D. Alton, McClay-Alton Phone 651-290-0301  
 Email brian@mcclay-alton.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 821 Raymond Ave., xxx Territorial Road  
 Legal Description See attached Legal Description  
 Current Zoning B2 and VP  
 (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, \_\_\_\_\_  
Baker East Partners, LLLP  
 owner(s) of land proposed for rezoning, hereby petition(s) to rezone the above described property from a  
B2 and VP zoning district to a T3 zoning district, for the purpose of:

See attached Narrative

(Attach additional sheets if necessary.)

CK 8739  
 1523<sup>00</sup>

Attachments as required:  Site Plan  Consent Petition  Affidavit

Subscribed and sworn to before me

Date March 7 2018

*[Signature]*

Notary Public  
  
 BRIAN D. ALTON  
 Notary Public-Minnesota  
 My Commission Expires Jan 31, 2020

Subscribed and sworn to before me

Date \_\_\_\_\_ 20\_\_\_\_

Notary Public

By: *[Signature]*  
 Fee owner of property

Title: Partner

By: \_\_\_\_\_  
 Fee owner of property

Title: \_\_\_\_\_

### **NARRATIVE DESCRIPTION**

Baker East Partners, LLLP proposes to rezone two parcels at the northwest corner of Raymond Avenue and Territorial Road from B2 and VP to T3. The Baker Court Office Building is located at 821 Raymond Avenue. The adjoining lot on Territorial Road is part of the parking area for Baker Court. With the changes in the area as a result of the Green Line, rezoning the property makes sense.

Things were much different in 1980 when Baker East Partners was formed to buy and rehab the vacant Baker School into an office building. Ronald Ankeny and Duane Kell, the partners, converted the school into professional offices for a variety of tenants, including their architecture firm. The area gradually evolved, and with the Green Line it has changed significantly.

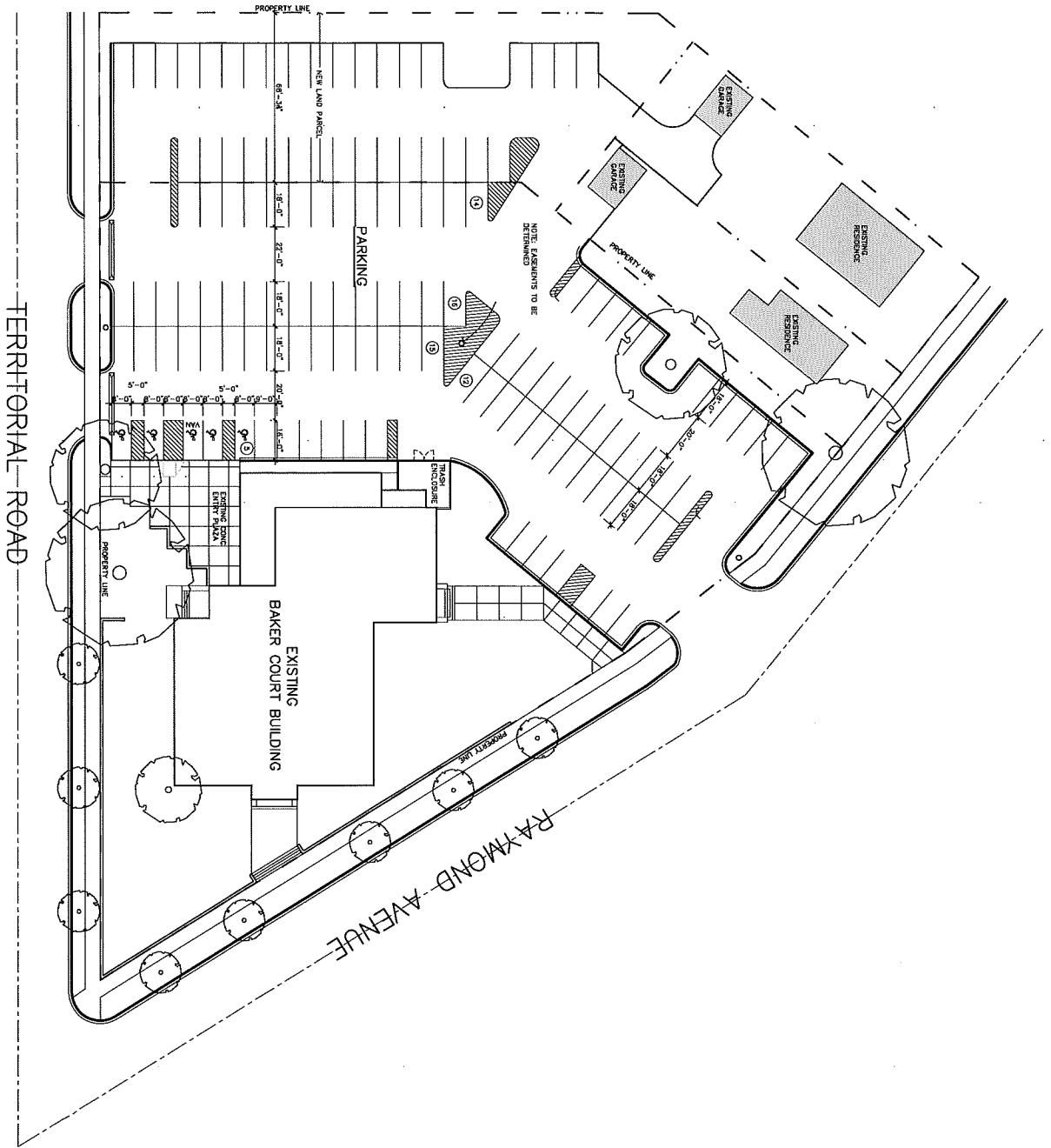
The current zoning is no longer the best zoning classification to guide future use of the property. VP zoning is not consistent with an area around a light rail station where parking requirements have been reduced or eliminated. The Baker Court building and surrounding parking area is within the Raymond Station Area. T3 zoning is a better zoning classification for the property.

The Raymond Station Area Plan supports rezoning the property.

The Raymond Station Area requires a flexible and permissive land use strategy that emphasizes connectivity, design performance and transit-supportive qualities, including a broad mix of uses, flexibility of regulation over time, active first level uses, and shared parking solutions.

T3 would be the sort of flexible and permissive land use strategy that emphasizes connectivity, design performance and transit-supportive qualities. Rezoning the property is consistent with the Comprehensive Plan and the District 12 St. Anthony Park Community Plan.

There are no changes planned for either the Baker Court building or the parking lot. As the area around Raymond Station continues to change, T3 zoning will be best for guiding change in the future.



1 EXISTING SITE PLAN & ENTRY PLAZA








FILE NAME: Baker East Partners

Aerial

APPLICATION TYPE: Rezone

 Subject Parcels

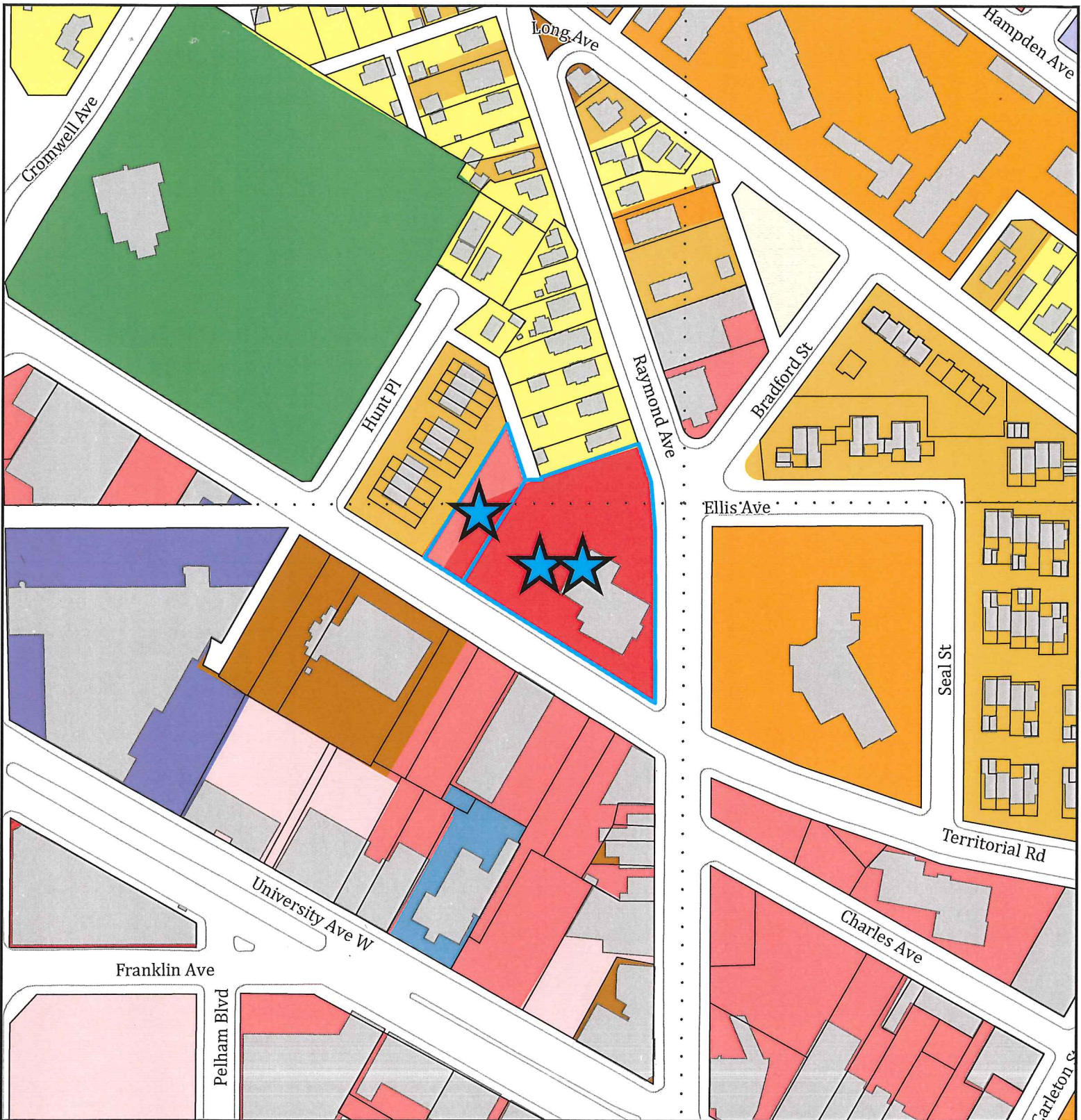
FILE #: 18-036955 DATE: 3/13/2018

PLANNING DISTRICT: 12

ZONING PANEL: 7







FILE NAME: Baker East Partners















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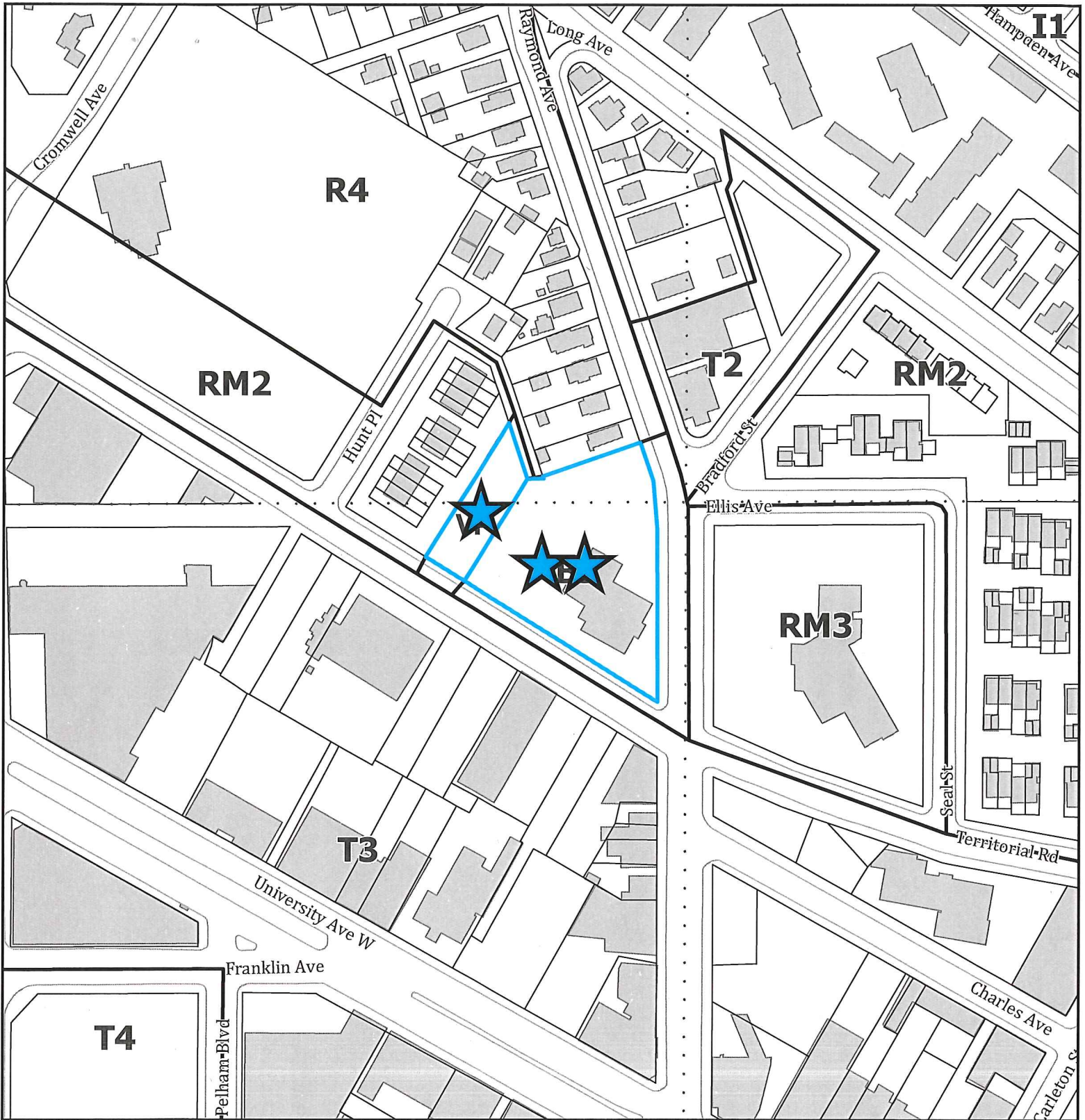
ZONING PANEL: 7

**Land Use**

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







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**Zoning**

- Subject Parcels
- · Section Lines

