

**AGENDA
ZONING COMMITTEE
OF THE SAINT PAUL PLANNING COMMISSION
Thursday, May 9, 2013 3:30 P.M.
City Council Chambers, Room #300
Third Floor City Hall - Saint Paul, Minnesota**

NOTE: The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

APPROVAL OF APRIL 25, 2013, ZONING COMMITTEE MINUTES

SITE PLAN REVIEW – List of current applications (Tom Beach, 651-266-9086)

OLD BUSINESS

- 1 13-170-946 Icy Cup Farmers Market**
Conditional use permit for outdoor sales
63 George St W, NE corner at Stryker
B3
Kate Reilly 651-266-6618

NEW BUSINESS

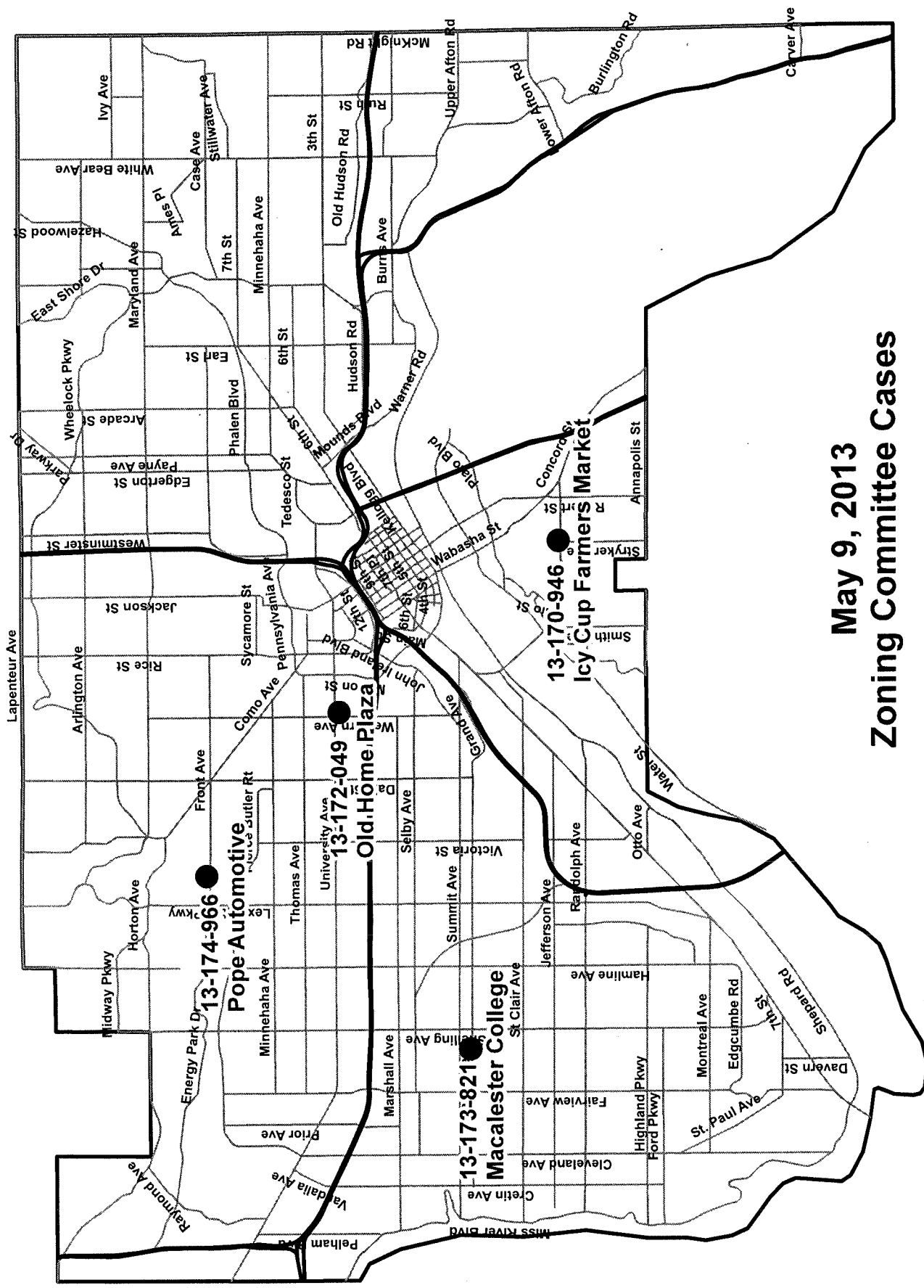
- 2 13-174-966 Pope Automotive**
Establishment of nonconforming use as vehicle parking accessory to auto repair garage
at 991 Front Avenue, with variance of paving requirement
977 Chatsworth St N, between Front and Hatch
R4
Bill Dermody 651-266-6617
- 3 13-173-821 Macalester College shared parking**
Conditional use permit for shared commercial parking in an institutional parking lot
1655 Grand Avenue, between Cambridge and Macalester
R3
Josh Williams 651-266-6659
- 4 13-172-049 Old Home Plaza**
Conditional use permit to allow a maximum height of 45 feet for new construction
370 University Ave W, SE corner at Western
T2
Hilary Holmes 651-266-6612

ADJOURNMENT

Information on agenda items being considered by the Zoning Committee can be found online at www.stpaul.gov/ped, then Planning, then Zoning Committee.

ZONING COMMITTEE MEMBERS: Call Samantha Langer at 266-6550 if you are unable to attend the meeting.

APPLICANT: You or your designated representative must attend this meeting to answer any questions that the committee may have.



May 9, 2013
Zoning Committee Cases

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Icy Cup Farmers Market
 2. **APPLICANT:** Pompeyo Sanchez
 3. **TYPE OF APPLICATION:** Conditional Use Permit
 4. **LOCATION:** 63 George St W, NE corner at Stryker
 5. **PIN & LEGAL DESCRIPTION:** 072822140031, West St Paul Blks 1 Thru 99 S 30 Ft Of W 90 Ft Lot 4 & W 90 Ft Of Lot 5 Blk 84
 6. **PLANNING DISTRICT:** 3
 7. **ZONING CODE REFERENCE:** § 65.525; § 61.501; § 61.502
 8. **STAFF REPORT DATE:** April 19, 2013 amended 04/25/2013 and 05/02/2013
 9. **DATE RECEIVED:** April 4, 2013
- FILE # 13-170-946**
HEARING DATE: April 25, 2013
PRESENT ZONING: B3
BY: Kate Reilly
60-DAY DEADLINE FOR ACTION: June 3, 2013
-

- A. **PURPOSE:** Conditional use permit for outdoor sales
- B. **PARCEL SIZE:** 80 ft (Stryker) x 90 ft, totaling 7,200 sq. ft.
- C. **EXISTING LAND USE:** C-Restaurant-Fast Food (Zoned B3 – general business)
- D. **SURROUNDING LAND USE:**
 - North: Residential (Zoned RT1 – Two-family)
 - East: Residential (Zoned RT1)
 - South: Commercial (Zoned B3)
 - West: Residential (Zoned RT1)
- E. **ZONING CODE CITATION:** §65.525 lists standards and conditions for outdoor commercial uses not otherwise allowed in the district; §61.501 lists general conditions that must be met by all conditional uses; §61.502 authorizes the planning commission to modify any or all special conditions after making specified findings.
- F. **HISTORY/DISCUSSION:** This property received a permit as a Dairy Queen in 1962 (Z.F. #208427). In 2013 the establishment re-opened as Icy Cup.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 3 Council presented their recommendation for approval at the April 25, 2013 Zoning Committee meeting.
- H. **FINDINGS:**
 1. The applicant is seeking a conditional use permit for outdoor uses, commercial at 63 W. George Street to allow a farmers market. According to the application, the market will operate every Saturday from 9 a.m. to noon from June to September. Vendors will be allowed to set up beginning at 8 a.m. and will have until 1 p.m. to tear down the market. The market will primarily sell fruits and vegetables. Some specialty vendors may sell meat, honey, and baked goods and will follow all Saint Paul licensing and health codes.
 2. §65.525 lists standards and conditions for outdoor commercial uses not otherwise allowed in the district. It states: *the use shall not conflict with off-street parking, off-street loading and the system of pedestrian flow. The planning commission, in determining that the use is harmonious with adjacent uses, shall require the submission of a site plan including a floor plan and all uses within three hundred (300) feet of the boundary of said site superimposed on said site plan.*

This finding is met. The use will not conflict with off-street parking, off-street loading and the system of pedestrian flow. Vendors will load and unload prior to the market's opening and will park in on-street spaces. The system of pedestrian flow will not be disturbed because the sidewalks will not be used for the market and internal flow of pedestrians will be maintained. In addition, the building requires two off-street spaces. The property currently has 10 off-street spaces. Six off-street spaces will be used for the farmers market/outdoor sales use and three, including one handicapped space, will be available to patrons of the Icy Cup use and the market. The applicant has provided two site plan options. The applicant/owner of the property is proposing two site plans one with and one without an arbor that is proposed to be constructed

in the parking lot in the near future. The first site plan outlines 10 eight x eight tents for vendors to the rear of the lot, adjacent to the store. The second site plan outlines 10 eight x eight tents for vendors adjacent to the store to the front of the lot and partially under the proposed arbor. In both situations required parking for vehicles on the site will be maintained.

3. §61.501 lists five standards that all conditional uses must satisfy:

- (1) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The West Side Community Plan in Urban Agriculture objective #1 seeks to "promote locally grown food to address food security issues on the West Side." This farmers market would provide locally grown food to the neighborhood.
- (2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. Vehicular access to and from the site will be from the George Street side of the property in one scenario and on the Stryker side in the other scenario. There are three parking spaces, including one handicapped space, for the patrons of the market and the Icy Cup establishment in both scenarios. For both scenarios, this will provide adequate ingress and egress and will minimize traffic congestion in the public streets.
- (3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The existing character of development in this area is general business uses (zoned B3) and one- and two-family homes (zoned RT1). A farmers market will not be detrimental to the existing character or endanger the public health, safety and general welfare; rather it will add value to the neighborhood by providing access to healthy food.
- (4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use is seasonal, on Saturday mornings, and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
- (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The use is a conditional use in the B3 district.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for outdoor sales subject to the following additional condition:

1. Final plans approved by City staff for this use shall be in substantial compliance with the plans submitted and approved as part of this application.
2. There will be adequate trash collection facilities provided and there will be no debris left on the boulevard.
3. Vendors must follow all licensing and health codes established by the City of Saint Paul.
4. The market will be limited to 9 a.m. to noon on Saturdays. Vendors are to arrive at the site no earlier than 8 a.m. and depart the site no later than 1 p.m.

The owner of Icy Cup at 63 George St W, a B3 commercial property, is seeking a Conditional Use Permit for "outdoor sales" to allow a Farmer's Market as outlined in Sec. 65.525. of the City of St. Paul Zoning Code. Weather permitting the West Side Farmers' Market will operate every Saturday from 9:00 a.m. to Noon from June to September. Vendors will be allowed to set up beginning at 8:00 a.m. and will be given until 1:00 p.m. to pack away their materials. The market will include up to ten 8 foot by 8 foot vendor stalls and have a mix of neighborhood gardeners and small scale farmers. The market will primarily sell fruits and vegetables. Some specialty vendors will sell a range of meat, honey, and baked goods and will follow all St. Paul licensing and health codes. A bucket of warm water with a spigot and soap will be available on site. The market will meet all the standards and conditions for outdoor commercial uses not otherwise allowed in the district.

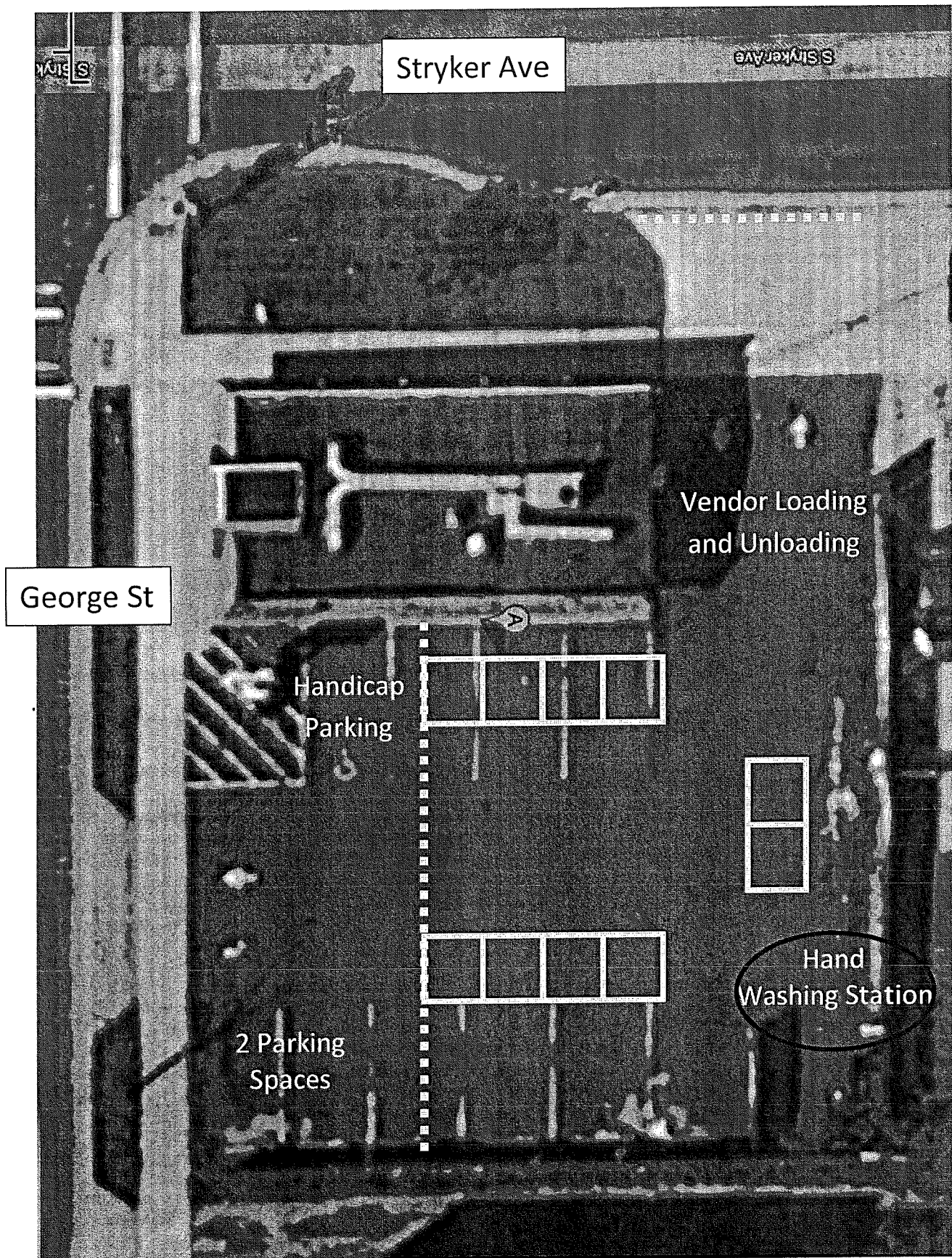
There are currently plans to build an arbor on the property to provide a shaded seating area. In our application you will find two site plans. If and when the arbor is built, the market will operate based on site plan B. Some vendors will be moved under the proposed arbor structure on market days. The small yellow squares represent vendor stalls and the yellow dotted lines represent temporary barricades used during market hours to block traffic. These will include cones, folding barricades, and caution tape.

Vendors will load and unload their materials in the hour before and after the opening and closing of the market and then park their vehicles in on street spaces. Pedestrian flow will not be impeded as the front of vendor stalls will face away from the sidewalk and will be setback from the public way. The market is harmonious with adjacent uses, which include B3 commercial and RT1 residential. This market will be a value added to the neighborhood. It will increase access to healthy foods, stimulate local economic growth, and provide a needed community space. It accomplishes objectives for promoting local food access and farmer's markets as outlined in the 10 year West Side Community Plan, which was recently adopted by the City Council as an addendum to the City of St. Paul Comprehensive Plan.

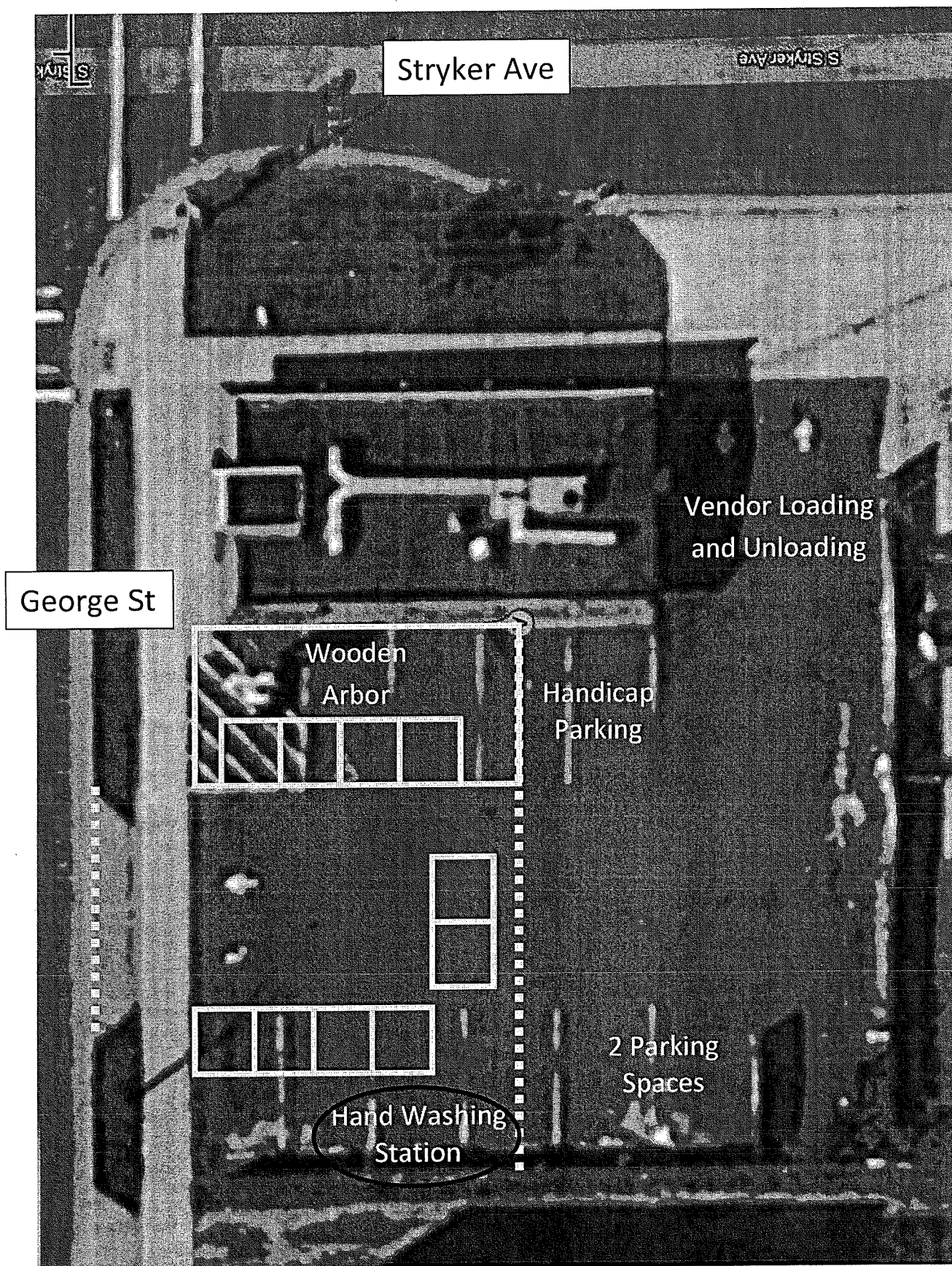
The market director is Eleonore Wesslerle. She can be contacted at 651-293-1708 and at eleonore@wsco.org.

Thank you.

Site Plan A

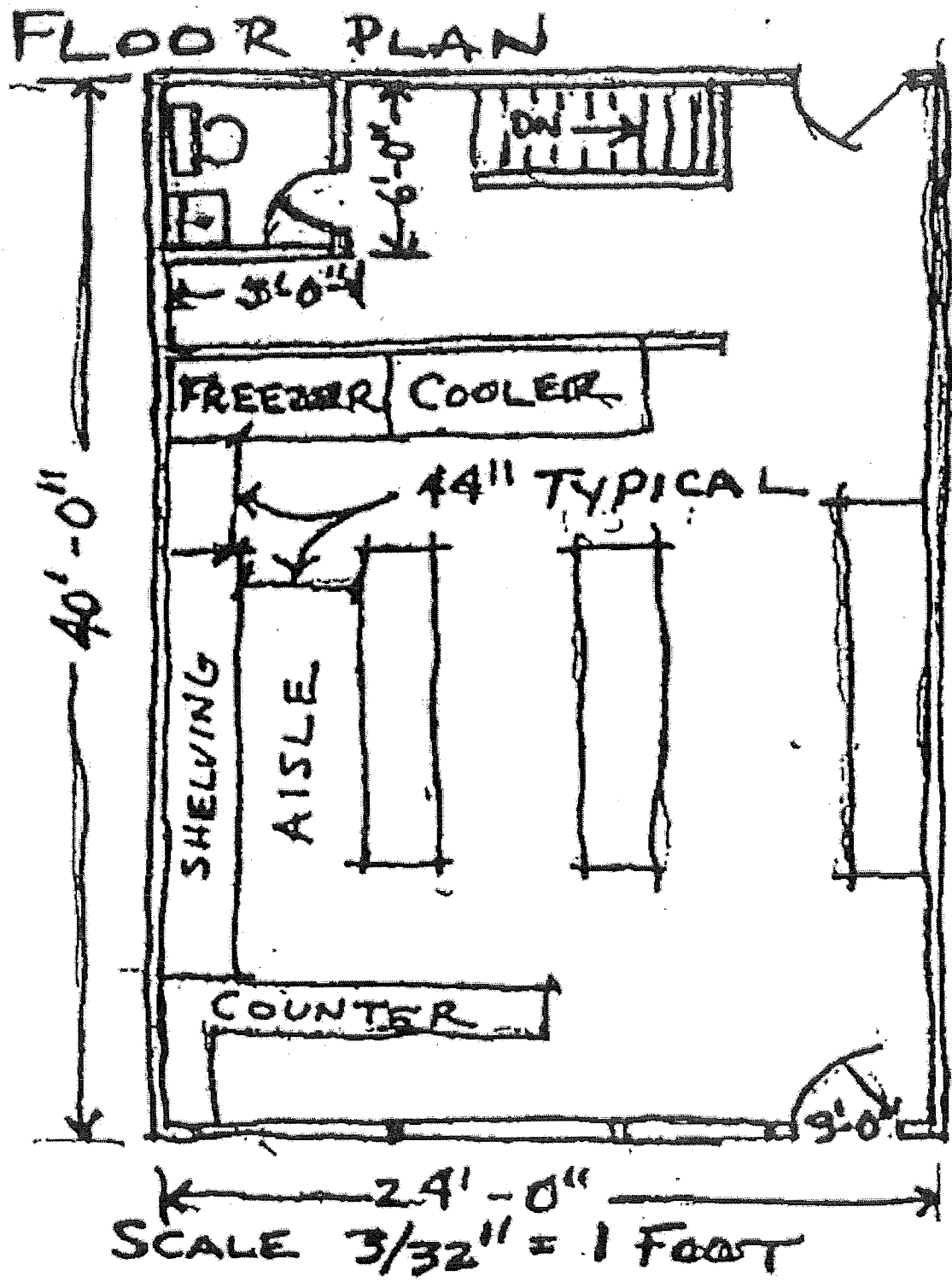


Site Plan B



Floor Plan

Gross floor area of the business: 832 sq ft



13-170-946

APRIL 18, 13

TO WHOM IT MAY CONCERN,
TO THE CONDITIONAL USE PERMIT
FOR OUTDOOR SALES AT 63 W
GEORGE ST - ST PAUL.

WE AT OUR HOME AT
548 HALL AVE - 1 BLOCK AWAY
FROM THIS BUSINESS DO NOT
CONCERN

THE PAST BUSINESS THE
DAIRY QUEEN LEFT OUR NEIGHBORHOOD
WITH TRASH & LATENT TRAFFIC
& A LOT OF PEOPLE COMING AND
GOING & LEAVING TRASH BEHIND -

ALSO THERE IS NO PARKING
THERE - SO PARKING WOULD OVER
FLOW TO OUR BLOCKS -
THAT'S NO USE PERMIT

FROM US - THANK YOU

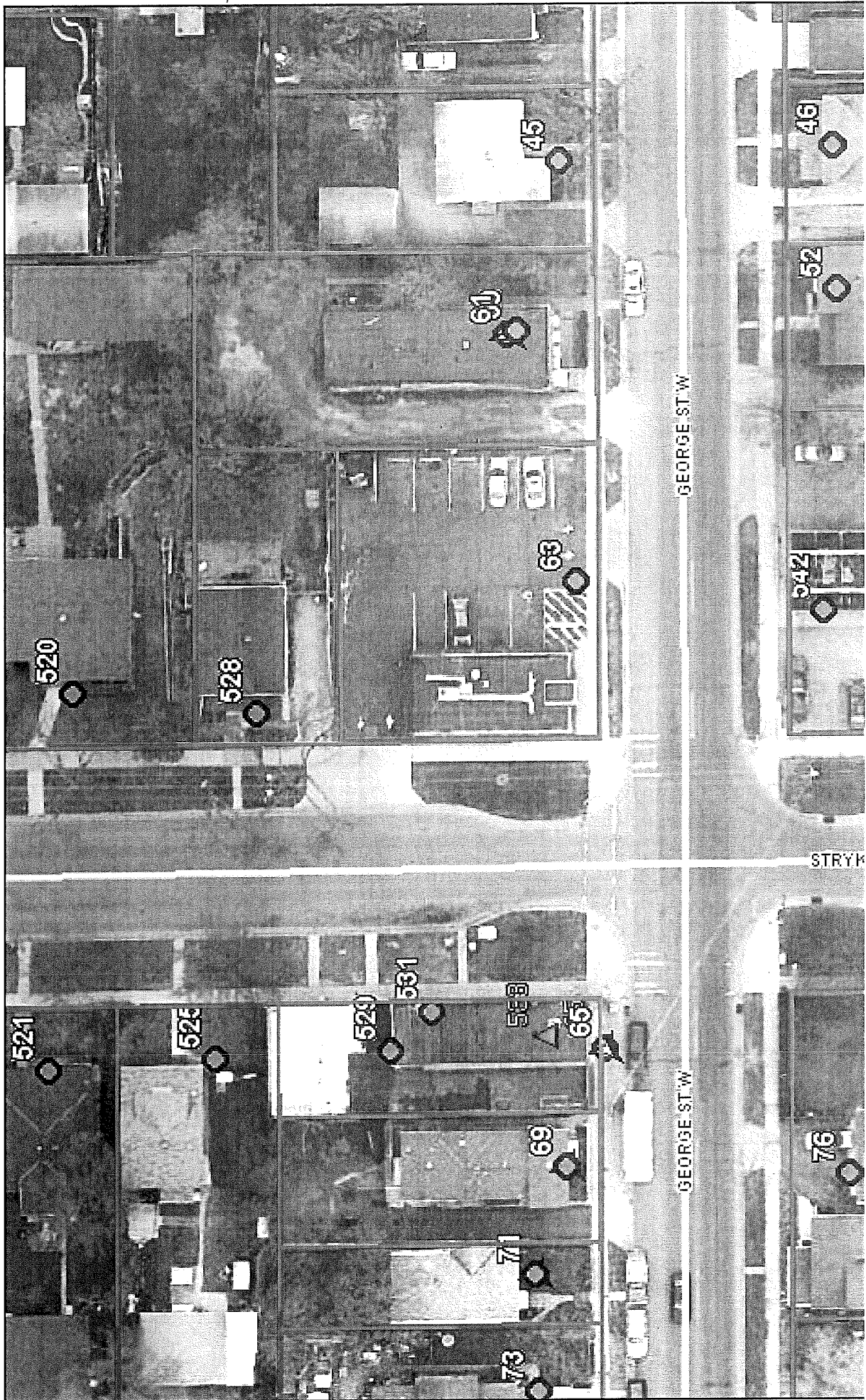
DAVID & JOAN JOHNSON
548 HALL AVE -
CORNER OF HALL & W. GEORGE -

Reilly, Kate (CI-StPaul)

From: Steven Fischbach <Sfisch141@rocketmail.com>
Sent: Sunday, April 21, 2013 7:21 PM
To: Reilly, Kate (CI-StPaul)
Subject: 13-170-946: Conditional use permit for outdoor sales

Kate,
I have concerns about the conditional use permit for outdoor sales at the property at 63 George Street west. There is already no parking available. I am the owner at 69 George street West and I am unable to park outside my building since the space is always filled. Is it possible for me to request a "Private Parking sign" for one space directly outside of 69 George street west? Quite often, there are cars parked in my driveway that are going to the business at 63 George. Please advise.

Steven Fischbach
612-210-9064



ZONING COMMITTEE STAFF REPORT

- | | |
|---|--|
| 1. FILE NAME: Pope Automotive | FILE # 13-174-966 |
| 2. APPLICANT: Justin Pope | HEARING DATE: May 9, 2013 |
| 3. TYPE OF APPLICATION: NCUP - Establishment | |
| 4. LOCATION: 977 Chatsworth St N, between Front and Hatch | |
| 5. PIN & LEGAL DESCRIPTION: 262923230141, Como Park Second Addition Lot 10 Blk 1 | |
| 6. PLANNING DISTRICT: 6 | PRESENT ZONING: R4 |
| 7. ZONING CODE REFERENCE: Sec. 62.109(b), 61.202(b), 63.316 | |
| 8. STAFF REPORT DATE: May 2, 2013 | BY: Bill Dermody |
| 9. DATE RECEIVED: April 12, 2013 | 60-DAY DEADLINE FOR ACTION: June 11, 2013 |
-

- A. **PURPOSE:** Establishment of nonconforming use as vehicle parking accessory to auto repair garage at 991 Front Avenue, with variance of paving requirement
- B. **PARCEL SIZE:** 25' (Chatsworth) x 126' (alley), totaling 3,150 sq. ft.
- C. **EXISTING LAND USE:** P-Parking Lot
- D. **SURROUNDING LAND USE:** Generally surrounded in all directions by single-family residential (R4 & RT1), except the associated auto repair and adjacent house across the alley to the southwest (B2) and a vacant gas station to the southeast along Front Avenue (B2).
- E. **ZONING CODE CITATION:** §62.109(b) lists the conditions under which the Planning Commission may grant a permit to establish legal nonconforming use status for a parking lot. §61.202(b) authorizes the planning commission to grant variances when related to permits, using the required findings of MN Stat. 462.357, Subd. 6.
- F. **HISTORY/DISCUSSION:** The parking lot in question has long been associated with the nearby auto repair business, currently called "Dave's Automotive", located across the alley. Aerial photographs back to 1985 appear to show the parking use (see attachments). Dave's Automotive is located on the back portion of what was once a contiguous lot that included the house just to its southwest. All vehicular access to both the business and the subject site is via the alley, which is paved. The subject site is unpaved and is mostly covered in rock and compacted sand. The subject site also contains a power pole, a dumpster, and a storage building painted to match the main auto repair building. The business is transitioning ownership and will be known as "Pope Automotive".
- The auto repair garage at 991 Front Avenue has approximately 1,120 square feet of gross floor area and 2 auto service stalls. The Zoning Code requires (in §63.207) that an auto repair station provides 1 parking space per 400 square feet gross floor area plus 1 space per auto service stall, which equates to 5 spaces for this business. The business has a tandem set of two (2) parking spaces adjacent to its main building and has used several more on the subject site without legal approval. Only 1 of the tandem spaces counts toward Zoning Code requirements, so without the parking spaces across the alley the business would be nonconforming as to parking.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 6 Council recommends approval of the establishment of nonconforming use permit and denial of the variance from paving requirements. Please see attached letter.
- H. **FINDINGS:**
1. The application requests establishment of a nonconforming use (parking lot) and a variance from the requirement to pave the site. The application includes a site plan with nine (9) 9' x 18' parking spaces, a 25' x 22' area along Chatsworth that will contain a visual screen, a 4'-wide strip north of the parking spaces that will contain a visual screen, and the dumpster moved within the storage building (labeled jointly as "dumpster" on the site plan). The site plan does not show a boat or a pile of dirt that currently exist on the property because they are proposed to be removed.
 2. Section 62.109(b) of the Zoning Code provides that the Planning Commission may grant legal nonconforming use status to allow the use of land without completely enclosed buildings as a parking lot to serve abutting property in OS-B5 Business and IR-I1 industrial districts if the commission makes six findings. The findings and the applicant's ability to meet them are as follows:

- (a) *The commercial or industrial parking lot has been paved, maintained and used for commercial or industrial parking for at least ten (10) consecutive years prior to the date of the application.* This finding is not met. Aerial photographs indicate the site has been used for a parking lot since at least 1985. However, the site is not paved and there is no evidence that it was previously paved. Site inspection has revealed that the westernmost seven (7) proposed spaces are primarily rock and compacted sand, with a small amount (~5%) of exposed dirt. The easternmost spaces have substantially more exposed dirt due to winter snowplowing activities. Therefore, the westernmost spaces are closer to meeting this finding.
 - (b) *The parking lot occupies a legally subdivided parcel that is too small for development and has not been owned by a different adjoining property owner for at least ten (10) years prior to the date of the application.* This finding is met. The approximately 25' x 126' lot is too small to be developed for uses allowed in the R4 district. The owner testifies that he has owned the property since the 1980s, and there is no evidence to the contrary.
 - (c) *The parking lot is to serve abutting commercially or industrially zoned property.* This finding is met. The parking lot is to serve the abutting commercial use to the south at 991 Front Ave., which is zoned B2.
 - (d) *The parking lot will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding could be met if landscaping is provided in order to create visual screening. The fact that the use is existing and has received neighbor support indicates that the use is not detrimental to the surrounding area.
 - (e) *The parking lot is consistent with the comprehensive plan.* This finding is met. The Comprehensive Plan designates the site as an Established Neighborhood, as shown in the Generalized 2030 Future Land Use Map (Figure LU-B). The Comprehensive Plan states, "Established Neighborhoods are residential areas of predominately single-family housing and adjacent neighborhood-serving commercial uses. These are areas of stability where the existing character will be essentially maintained." The District 6 Plan does not contain any provisions specific to the site or surrounding area.
 - (f) *A notarized petition of two-thirds of the property owners within one hundred (100) feet of the property has been submitted stating their support for the parking lot.* This finding is met. The petition information is as follows: 17 parcels eligible; 12 parcels required; 12 parcels signed.
3. The application requests a variance from the requirement in §63.316 for paving of off-street parking: "All parking spaces, driveways and off-street parking facilities shall be paved with standard or pervious asphalt or concrete, or with brick, concrete or stone pavers, or material comparable to the adjacent street surfacing..." MN Stat. 462.357, Subd. 6 was amended to establish new grounds for variance approvals effective May 6, 2011. Required findings for a variance consistent with the amended law are as follows:
- (a) *The variance is in harmony with the general purposes and intent of the zoning code.* This finding could be met if the two (2) easternmost proposed parking spaces are eliminated from the plan. The remaining spaces are compacted in a manner similar to asphalt, with very limited dust and mud anticipated compared to a dirt lot.
 - (b) *The variance is consistent with the comprehensive plan.* This finding is met. The Comprehensive Plan calls for neighborhood-serving businesses in the Established Neighborhoods that are compatible with existing character. The unpaved lot is existing and is therefore part of the existing character. Also, it has demonstrated compatibility with the surrounding character as evidenced by neighbor support.
 - (c) *The applicant has established that there are practical difficulties in complying with the provision and that the property owner proposes to use the property in a reasonable manner not permitted by the provision. Economic considerations alone do not constitute practical difficulties.* This finding is not met. The lot has no practical difficulties that prevent it from being paved.
 - (d) *The plight of the landowner is due to circumstances unique to the property not created by the*

landowner. This finding is not met. The property has no unique circumstances that prevent it from being paved.

(e) *The variance will not permit any use that is not allowed in the zoning district where the affected land is located. This finding is met if the associated Establishment of Nonconforming Use Permit is approved.*

(f) *The variance will not alter the essential character of the surrounding area. This finding is met. The unpaved lot is existing.*

- I. **STAFF RECOMMENDATIONS:** Based on Finding 2(a), staff recommends denial of the establishment of legal nonconforming use for vehicle parking accessory to an auto repair garage at 991 Front Avenue, and based on Findings 3(c) and 3(d), staff recommends denial of the variance from the paving requirements specified in §63.316.

Attachments

1. Application materials (statement, site plan, etc.)
2. Consent petition
3. District 6 correspondence
4. City business license conditions
5. Aerial photographs
6. Vicinity maps

NONCONFORMING USE PERMIT APPLICATION

Application to establish a legal nonconforming use of the property located at 977 Chatsworth Street Saint Paul MN 55103 - Parcel ID # 262923230141.

The above stated property has been used for vehicle parking by Dave's Auto Service located at 991 Front Avenue Saint Paul MN 55103 (across the alley) since 1979. Currently the Property is zoned R4. I propose continued use of this lot for vehicle parking. I have obtained the required signatures of all neighbors within 100 feet of the property. The exceptions are as follows

985 Chatsworth – Rental property and the owners live off site.

988 Argyle – Rental Property - house is currently vacant and owners contact information is unavailable

992 Hatch Ave – David Ross passed away and house is currently vacant.

All of the other neighbors supported continued vehicle parking at 977 Chatsworth.

Hardship would result if vehicle parking was not allowed as multiple vehicles are serviced daily, and space is limited at 991 Front Avenue.

I do not believe the continued use of this lot for parking will be detrimental to the existing character of the immediate neighborhood. The lot is Class 5 and stays plowed during the winter. Neighbors with limited parking are welcome to park on the lot during snow emergencies, family gatherings ect.

NONCONFORMING USE PERMIT APPLICATION

To establish legal nonconforming commercial parking use of the property located at 977 Chatsworth Street Saint Paul MN 55103 - parcel ID #262923230141

b1 ● b)

(1) The property has been used for vehicle parking by Dave's Auto service (abutting property 991 Front Avenue) since it opened in 1979. I have provided two aerial photographs dated 9/1/00 and 8/29/00 that although blurry, show that vehicle parking was taking place for at least ten years. The lot is paved with class 5 and I propose a variance to keep the existing parking lot class 5. While circulating the petition I had I chance to speak with almost all of the neighbors - nobody I spoke with had any issues with the continued use for parking, and a few mentioned they preferred the class 5 over a paved black and yellow parking lot. My personal opinion is that the class 5 is more aesthetically on par with the immediate surrounding neighborhood than would an asphalt parking lot.

b2 ●

(2) The property is currently zoned R4 and legally subdivided, however the lot dimensions are 126' x 25' and with current setbacks is too small for residential development.

b3 ●

(3) I have attached a zoning map showing the repair shop (991 Front Ave) zoned B2 and abutting the proposed parking lot (977 Chatsworth) zoned R4

b4 ●

(4) As the parking lot has been in its current form and use since 1979, I do not believe that continued use as a parking lot will be detrimental to the existing character of the immediate neighborhood. Additionally the immediate neighbors with limited parking are welcome to park their vehicles on the lot during snow emergencies, family gatherings ect. I have attached an additional map highlighting the parking lot which will be continually plowed and the two alleys which I will plow as well on a good will basis.

(5) After reviewing Saint Paul's Comprehensive plan to Promote Aesthetics Standards, Provide Land for Jobs, and to hit employment goals set for 2030, I believe the use of this lot for parking is consistent with the comprehensive plan. I can further touch on more topics as necessary.

(6) A notarized petition has been included with the application.

b1

97 TerraServer - Aerial Photos & Satellite Imagery - The Leader in Online Imagery - Aerial Photos & Satellite Imagery

File Edit View History Bookmarks Tools Help

97 Inbox (1787) - Yahoo! Mail

www.terra-server.com/view.asp?c=93.142112&c=93.142112&pr=4326&mp=0.5&soft=jax

Google

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Location

Imagery

Topos

Print

Email

Link

Q Imagery Search FREE!

Enter As Much Info As Possible

Country: United States

Street: 991 front ave

City/Place:

State: MN Zip: 55103

Search

Imagery Information

Imagery Date: 9/1/2000

Resolution: 1 meters

Provider: Globexplorer

Zoom Level: 0.5 meters

Location Information

Latitude: N 44° 58' 13.9"

Longitude: W 93° 8' 31.6"

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The 2013 XV Crosstrek

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La Crosse, WI

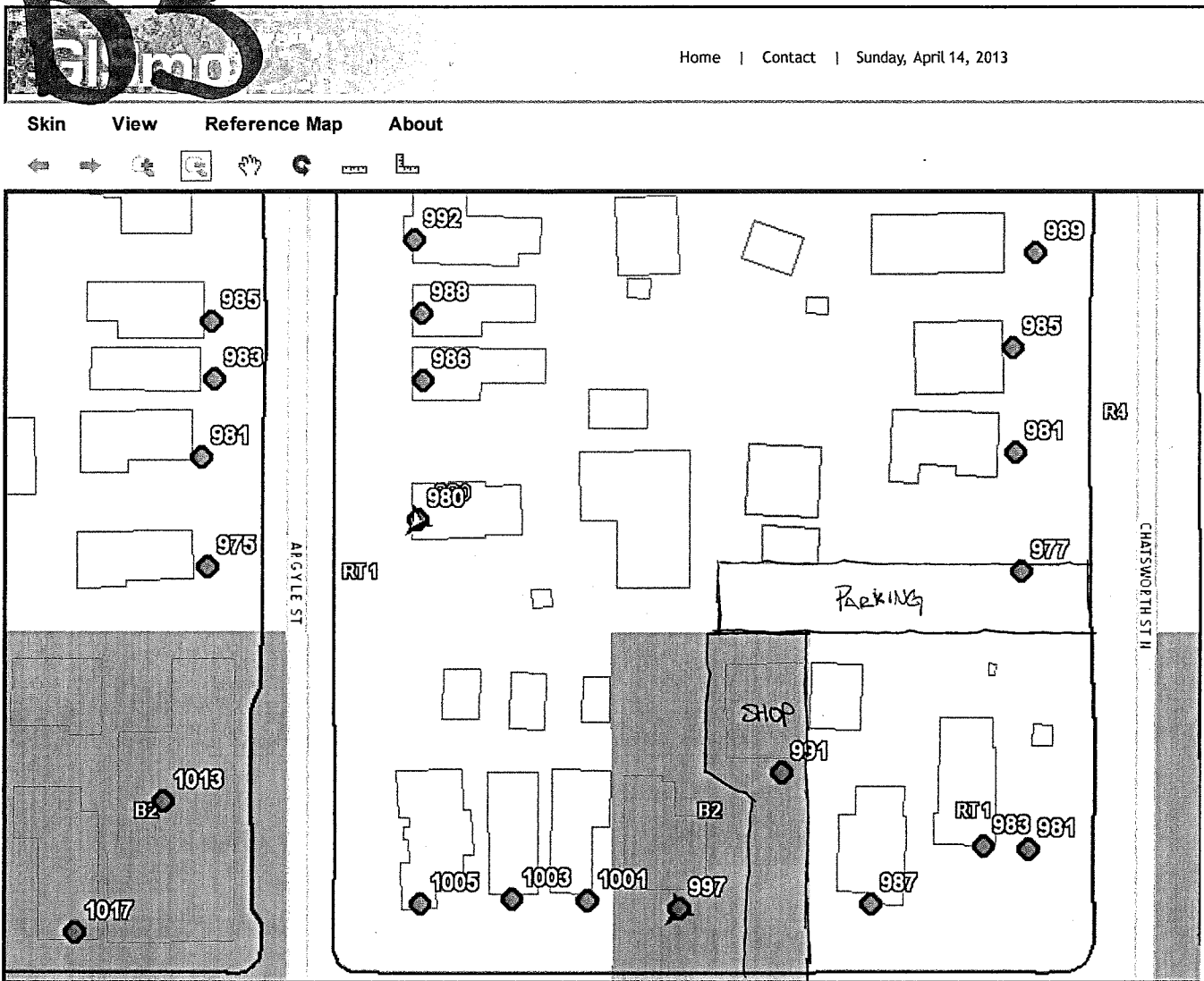
Prints & Posters

File Downloads

Select	Size	Paper	Layout	Price
Preview	0	11 x 14"	Glossy	\$25
Preview	0	16 x 20"	Glossy	\$45
Preview	0	18 x 24"	Glossy	\$65

Select	Size	Download	Price
Preview	1500 x 1500px	Image Only - JPG	\$5
Preview	2000 x 2000px	Image Only - JPG	\$5
Preview	2500 x 2500px	Image Only - JPG	\$5

9-1-2000



* PROPERTY LINES APPROXIMATE

RECEIVED

APR 16 2013

CITY OF SAINT PAUL

Per _____

CONSENT OF ADJOINING PROPERTY OWNERS FOR A NONCONFORMING USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property acknowledge that we have been presented with the following:

A copy of the application of Justin R. Pope
(name of applicant)

to establish an area for vehicle parking
(proposed use)

located at 977 Chatsworth
(address of property)

requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

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

977 CHATS WORTH ADDRESS OR PIN	DAVE URBAN RECORD OWNER	<u>Dave Urban</u> SIGNATURE	4-16-2013 DATE
997 FRONT AVE	Richard M. Gee	<u>Richard M. Gee</u>	2-13-13
1001 FRONT AVE	Greg Brick	<u>Greg Brick</u>	2-11-13
1003 FRONT AVE	Crystal Thiede	<u>Crystal Thiede</u>	3-14-13
987 FRONT AVE	Lori VanBeusekom	<u>Lori VanBeusekom</u>	4-4-13
983 FRONT AVE	Luanne Castro	<u>Luanne Castro</u>	2-11-13
985 CHATS WORTH	HEATHER LINEN	<u>Heather Linen</u>	2-14-13
986 CHATS WORTH	Steven Petersen	<u>Steven Petersen</u>	3-28-13
981 CHATS WORTH	PAT FINN	<u>PAT FINN</u>	3-27-13
985 CHATS WORTH			
989 CHATS WORTH	Sean M. Deauz	<u>Sean M. Deauz</u>	2-11-13
980 ARGYLE	Karen Paulsen	<u>Karen Paulsen</u>	2-11-13
986 ARGYLE	JAY CILKOR	<u>JAY CILKOR</u>	2-11-13
988 ARGYLE	VACANT	<u>VACANT!</u>	

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

977 CHATS WORTH FRONT CHRIS WALKER Chris Walker 3-8-13

992 HATCH AVE DAVID ROSS PASSED AWAY - VACANT

992 CHATS WORTH SERHANE OTHMAN SERHANE OTHMAN 02/11/13

CITY OF SAINT PAUL

AFFIDAVIT OF PERSON CIRCULATING PETITION

RECEIVED

APR 16 2013

STATE OF MINNESOTA)

:SS

Per _____

COUNTY OF RAMSEY)

Justin R. Pope, being first duly sworn, deposes and states that he/she is the person who circulated the consent petition consisting of 3 pages; that affiant is informed and believes that the parties described on the consent petition are the 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 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; that the consent petition was signed by each said owner; and that the signatures are the true and correct signatures of each and all of the parties so described.

4/16/13

Justin R. Pope

Justin R. Pope

JUSTIN R. POPE

NAME

991 FRONT AVE ST. PAUL MN 55103

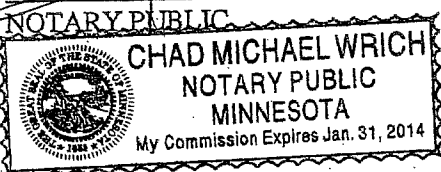
ADDRESS

651-587-7500

TELEPHONE NUMBER

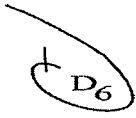
Subscribed and sworn to before me this
11 day of February, 2013.

Laura L. Eckert



Subscribed and
Sworn to before me
this 16 day of
April 2013.

10-01



District 6 Planning Council

171 Front Avenue
Saint Paul, MN 55117
651-488-4485 fax: 651-488-0343
district6ed@dist6pc.org

April 24, 2013

Zoning Committee of the Planning Commission
15 West Kellogg BLVD
Saint Paul, MN 55102

RE: Zoning File #13-174966

At its April 23, 2013 Land Use Task Force meeting the members met with the applicant, Justin Pope regarding the establishment of a legal non-conforming use permit at 991 Front Avenue. The permit is necessary to allow for vehicle parking.

The applicant will use the property as it has been used as a previous business since 1979. The proposed use of the property would not be detrimental to the existing character of the immediate neighborhood. The applicant has met the petition requirements and has obtained a license at this location.

The District 6 Planning Council's Land Use Task Force recommends approval of the establishment of a legal non-conforming use permit and the site plan. The Task Force also recommends denial of a variance to use class 5 gravel and is of the opinion the applicant paves the parking area. Thank-you for your consideration and if you have questions, please contact the office at the numbers above.

Regards,

Jeff Martens

Jeff Martens
Land Use Chairman

Cc: Ward 5



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Department of Safety & Inspections

Ricardo X. Cervantes, Director

375 Jackson Street, Suite 220

Saint Paul, MN 55101-1806

Web Site Address: www.stpaul.gov/dsi

Telephone: 651-266-8989

Facsimile: 651-266-9124

I agree to the following conditions being placed on the following license(s):

License #: 20130000652
Type of Business: Auto Repair Garage
Applied for by: POPE AUTOMOTIVE LLC
Doing Business As: POPE AUTOMOTIVE
at: 991 FRONT AVE
ST PAUL MN 55103

Conditions are as follows:

1. All customer and employee vehicles must be parked in accordance with the approved site plan on file with the Department of Safety and Inspections (DSI) dated 03/04/2013.
2. A maximum of two (2) vehicles may be parked outdoors on the property at any time.
3. There shall be no use by this business (e.g., parking of vehicles, storage, etc.) of the property across the alley (to the northeast of this property) which has an address of 977 Chatsworth (parcel identification # 262923230141) unless prior written authorization is obtained from the Department of Safety and Inspections (DSI).
4. There shall be no exterior storage of vehicle parts, tires, oil or any other similar materials associated with the business. Trash will be stored in a covered dumpster. Storage of vehicle fluids, batteries, etc. shall be in accordance with the Ramsey County Hazardous Waste regulations.
5. At no time shall customer and/or employee vehicles be parked in the driveway or in the public right of way (e.g., street, alley, sidewalk, boulevard, etc.). This includes, but is not limited to vehicles awaiting repair, and/or that have been repaired and are awaiting pick-up by the owner of the vehicle.
6. The storage of vehicles for the purpose of salvaging parts is expressly forbidden. All vehicles parked outdoors must appear to be completely assembled with no major body parts missing. Vehicle salvage is not permitted.
7. No auto repair of vehicles may occur on the exterior of the lot or in the public right-of-way (e.g., street, alley, sidewalk, boulevard, etc.). All repair work must occur within an enclosed building.
8. Auto body repair and/or auto body spray painting is not permitted.
9. Customer vehicles may not be parked longer than ten (10) days on the premises. It shall be the responsibility of the licensee to ensure that any vehicle not claimed by its owner is removed from the lot as permitted by law.
10. Vehicle sales is not permitted.
11. The vehicle bay doors to the building shall remain closed when the business is open and/or repair work is taking place to reduce noise which may affect neighboring property owners.
12. Licensee must comply with all federal, state and local laws.

Licensee

Date

3/20/13

GISmo Oblique Photography

Images courtesy of: Microsoft® Virtual Earth™ 2006

☒ Show Dashboard ☐ Show Reference Map



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1985 aerial photo



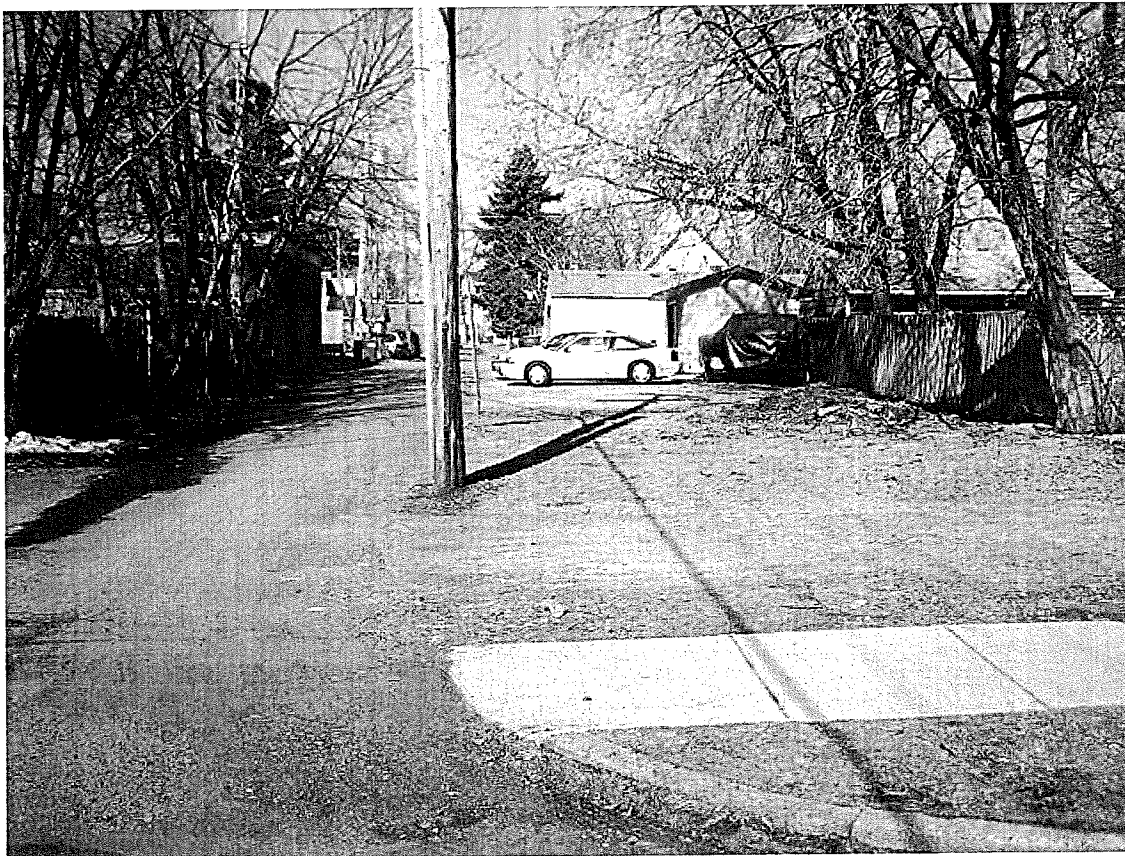
2001 aerial photo



2003 aerial photo



2011 aerial photo



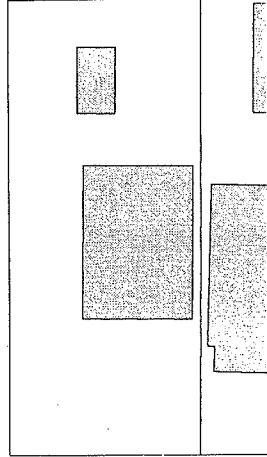
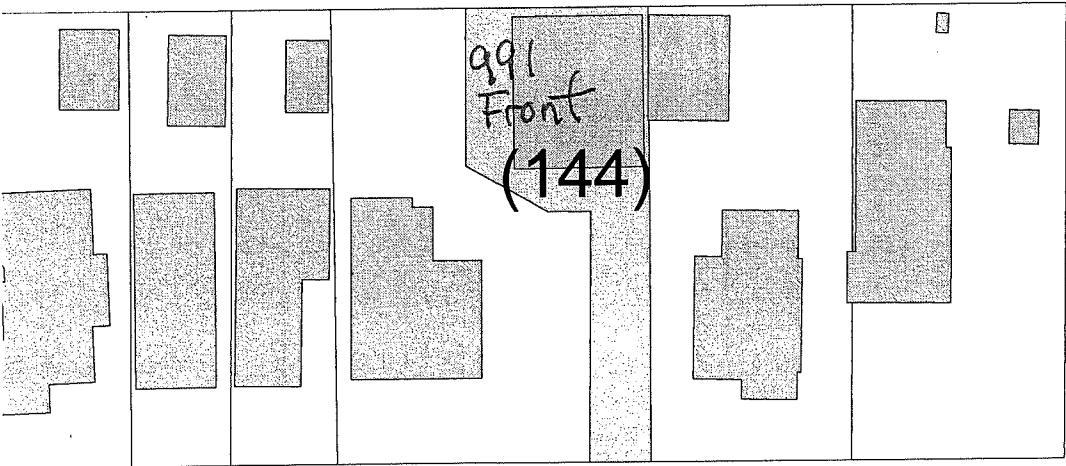
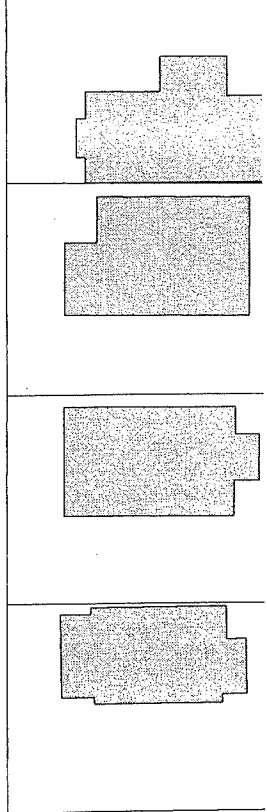
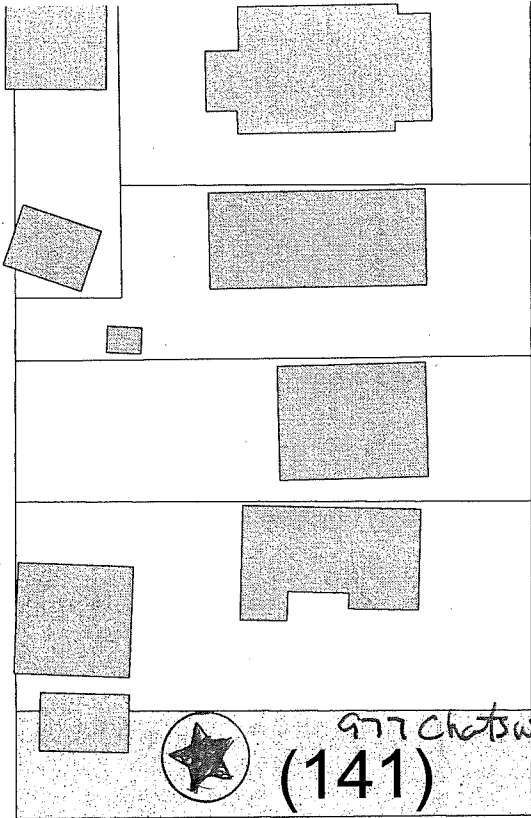
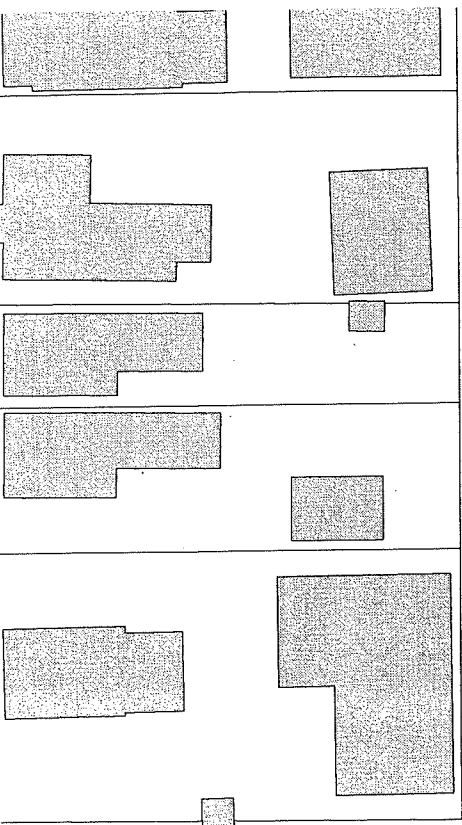
Parking lot, facing west from Chatsworth. Service garage is on the left



Parking lot, facing east

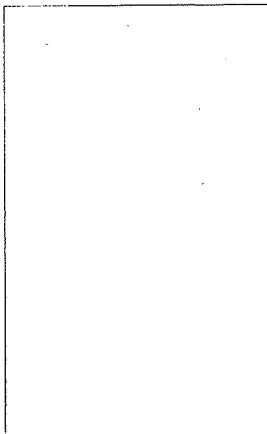
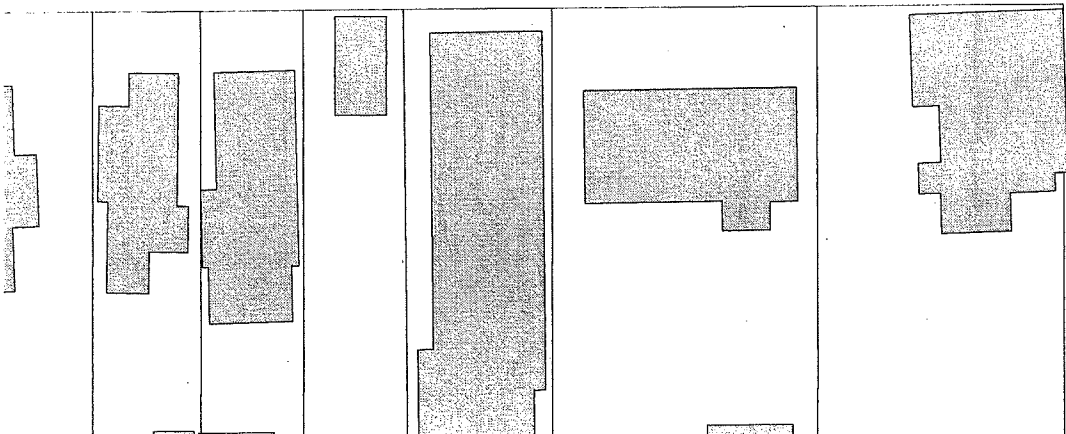


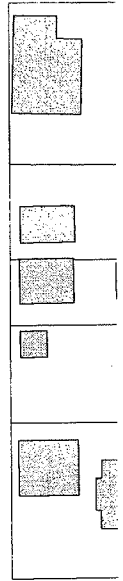
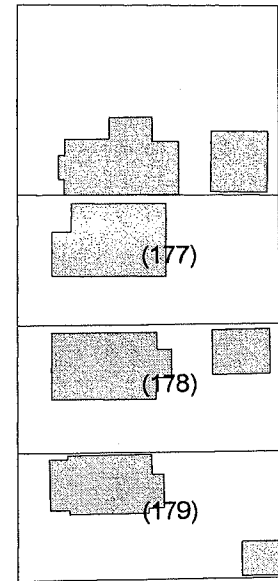
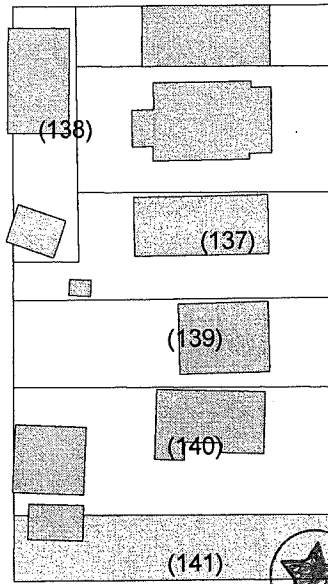
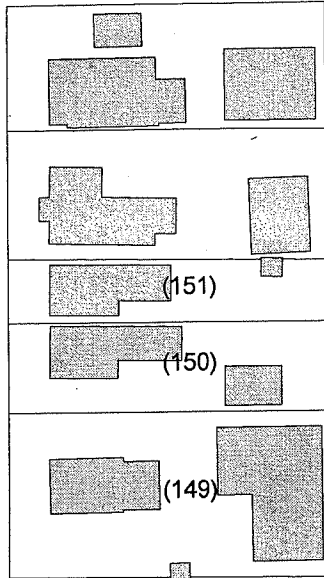
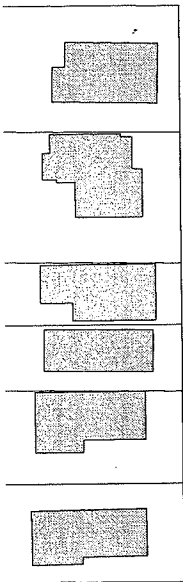
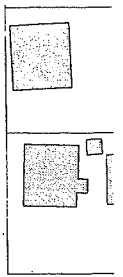
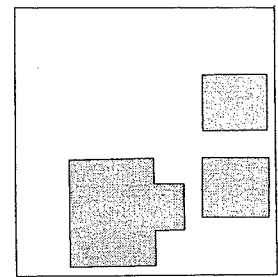
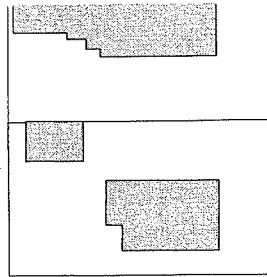
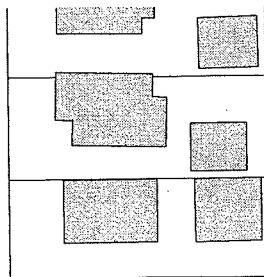
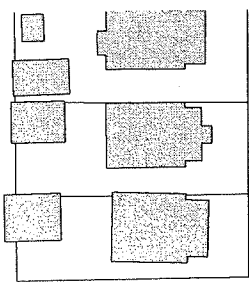
Parking lot, from center facing east



CHATSWORTH

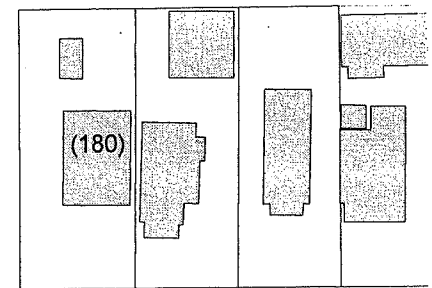
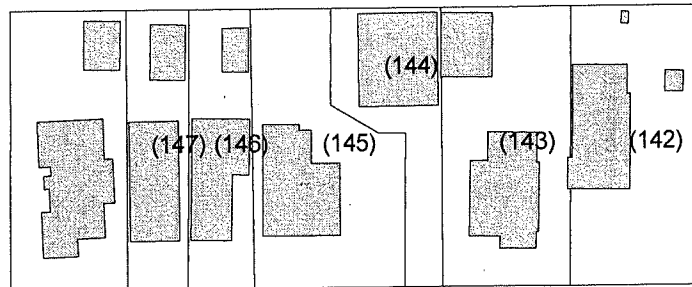
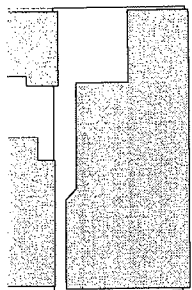
FRONT



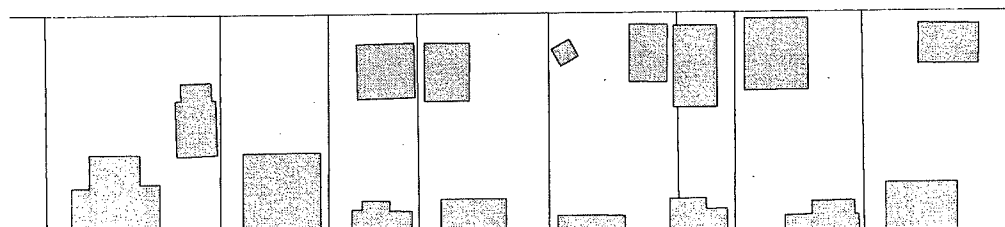
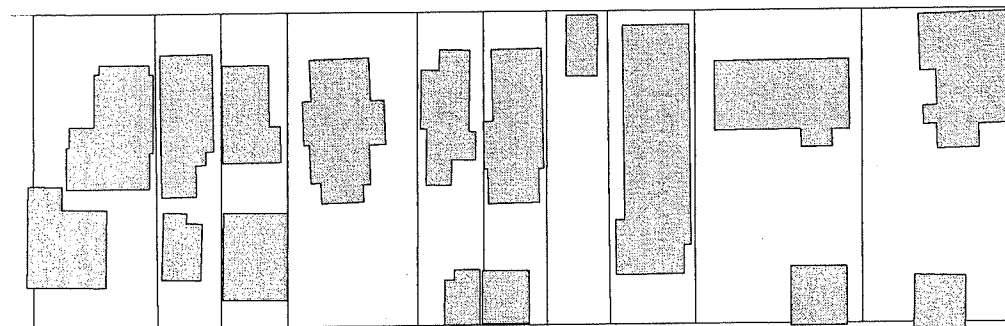


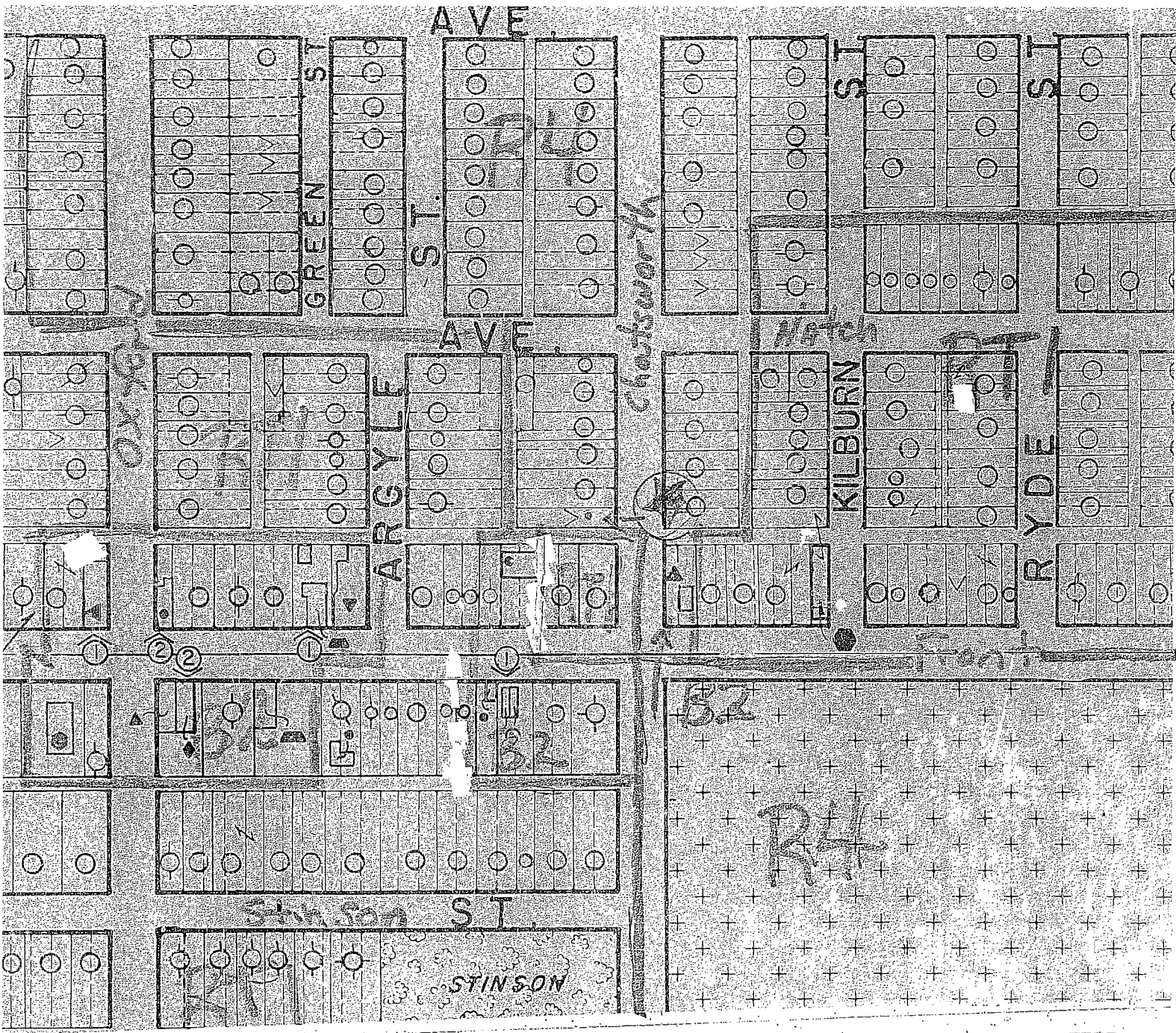
ARGYLE

CHATSWORTH



FRONT





APPLICANT Justin Pope
 PURPOSE EST NCUP
 FILE # 13-174966 DATE 4-17-13
 PLNG. DIST 6 Land Use Map # 11
 SCALE 1" = 400' Zoning Map # 8

LEGEND

zoning district boundary
 subject property

one family two family multiple family	commercial industrial vacant
---	------------------------------------

north