

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Frogtown Farm Inc. **FILE #** 15-154-022
  2. **APPLICANT:** Frogtown Farm Inc **HEARING DATE:** September 24, 2015
  3. **TYPE OF APPLICATION:** Conditional Use Permit
  4. **LOCATION:** 946 Minnehaha Ave W, between Chatsworth and Victoria
  5. **PIN & LEGAL DESCRIPTION:** 352923210179, Section 35 Town 29 Range 23 Parts Of W 1/2 Of Ne 1/4 Of Ne 1/4 Of Nw 1/4 & E 1/2 Of Nw 1/4 Of Ne 1/4 Of Nw 1/4 Lying N Of The N Line Of Vacated Blair Ave (subj To Rd) In Sec 35 Tn 29 Rn 23
  6. **PLANNING DISTRICT:** 7 **PRESENT ZONING:** RM2
  7. **ZONING CODE REFERENCE:** §65.771, §61.501
  8. **STAFF REPORT DATE:** September 9, 2015 **BY:** Anton Jerve
  9. **DATE RECEIVED:** August 26, 2015 **60-DAY DEADLINE FOR ACTION:** October 25, 2015
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- A. **PURPOSE:** Conditional Use Permit for a five acre agriculture use
- B. **PARCEL SIZE:** 382,448
- C. **EXISTING LAND USE:** M-Vacant Land
- D. **SURROUNDING LAND USE:**
  - North: B2/RM3 (Commercial/Multi-family)
  - East: RM2 (Single Family/Multi-family)
  - South: T1 (Multi-family/Office)
  - West: I1/RM2 (Industrial/Multi-family)
- E. **ZONING CODE CITATION:** §65.771 lists the conditions for agricultural uses; §61.501 lists general conditions that must be met by all conditional uses
- F. **HISTORY/DISCUSSION:** The site was formerly owned by the Wilder Foundation and used as an office campus. The site was located in an area identified as service area coverage gap in the Comprehensive Plan. The Parks Department acquired the property to increase park space in the neighborhood and provide space for Frogtown Farm, which had been searching for a permanent location in the Frogtown Neighborhood.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 7 Council has recommended approval of this application.
- H. **FINDINGS:**
  1. Applicant, Frogtown Farm is Inc. seeking a Conditional Use Permit for agriculture. Planting areas and general building footprints have been identified on the site plan. The applicant is developing a farm management plan concurrently with this application, which may refine building locations.
  2. §65.771 lists seven standards that agricultural uses must satisfy:
    - (a) *Approval of a site plan showing the location of all growing plots, sheds, structures, and fencing, with contact information for a site manager. A soil lead test showing that lead levels are less than one hundred (100) parts per million shall be submitted to the zoning administrator with the site plan or raised planting beds with soil barriers and clean, imported soil will be required.* This finding is met. The applicant has provided a site plan and soil test results. Soil for the planting area has been imported and found to be well below the 100 parts per million threshold for lead. The applicant's farm management plan may necessitate minor alterations to the site plan, such as identifying the location for a shed, fence or similar structure.
    - (b) *In residential, traditional neighborhood, and business districts, an agriculture use having an area greater than one (1) acre requires a conditional use permit.* This finding is met. The use is approximately five acres.

- (c) *The use shall be subject to the minimum property maintenance standards (chapter 34) and noise regulations (chapter 293) of the city.* This finding is met. This requirement is repeated in the lease agreement with the Parks Department.
  - (d) *Keeping of any animals other than bees is prohibited, except residents of the property may keep animals, subject to city permit requirements.* This finding is met. The use will not have animals and is aware that bee keeping will require a permit. This requirement is repeated in the lease agreement with the Parks Department.
  - (e) *The use shall be conducted in a manner that controls odor, dust, erosion, lighting, and noise and is in compliance with city standards so as not to create a nuisance. This requirement may be enforced through the provisions in chapter 45 for nuisance abatement.* This finding is met. This requirement is repeated in the lease agreement with the Parks Department.
  - (f) *Any tools, equipment, and material shall be stored and concealed within an enclosed, secured structure.* This finding is met. There are currently no tools, equipment, or material stored on site. Frogtown Farm is currently in the process of developing a farm management plan. If the completed management plan recommends storage on site, the site plan will be revised to include any storage structures. This requirement is repeated in the lease agreement with the Parks Department.
  - (g) *When an agriculture use has been discontinued, the property shall be restored with grass or planted ground cover to control erosion, dust, and mud. All structures accessory to the agriculture use shall be removed. This requirement may be enforced through the provisions in chapter 45 for nuisance abatement.* This finding is met. This requirement is repeated in the lease agreement with the Parks Department.
3. §61.501 lists five standards that all conditional uses must satisfy:
- (a) *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 use is supported by the following policy from the Parks Chapter of the Comprehensive Plan (2010):
    - 4.3. Meet changing recreation needs. [...]
    - d. *Increase access to community gardens by expanding the community garden program and leveraging partnerships; [...]*
  - (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. There will be five off-street parking spaces for the use accessed via Minnehaha. On-street parking will be available along Minnehaha. There is no parking required by the use.
  - (c) *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 use is planned to be an amenity that will benefit the immediate neighborhood.
  - (d) *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 was planned and designed to be a part of the new park. It will not impede permitted development on surrounding properties.
  - (e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met, as cited in Finding 2, above.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the Conditional use permit for a five acre agriculture use, subject to the following additional condition:

1. Final site plans shall be revised to include any storage structures and any other modifications recommended by the applicant's farm management plan and approved as part of site plan review.

**CONDITIONAL USE PERMIT APPLICATION**

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 # 15-154022

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

Tentative Hearing Date: \_\_\_\_\_

PD-7

9-3-15

352923210179

**APPLICANT**Name Kathleen Anglo on behalf of Frogtown Farm, Inc. - Eartha Bell, Executive DirectorAddress 941 Lafond Ave.City Saint Paul St. MN Zip 55104 Daytime Phone 651.212.5383Name of Owner (if different) City of Saint PaulContact Person (if different) Kathleen Anglo Phone 651.266.6368**PROPERTY  
LOCATION**Address / Location 946 Minnehaha AvenueLegal Description (see attached sheet)Current Zoning RM2

(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of

Chapter \_\_\_\_\_, Section 65, Paragraph 771 of the Zoning Code.

**SUPPORTING INFORMATION:** Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

The application is being submitted for an agricultural use of greater than 1 acre. The City of Saint Paul purchased 12.7 acres of land at 946 Minnehaha Avenue in 2012 with the purpose of creating a park and farm. The City has entered in to a lease agreement to lease 5 acres of the property to Frogtown Farm, Inc., a 501(3)c non-profit organization to program and manage an urban farm on the site. The site is currently zoned RM2. The extent, location, and intensity of use will be in compliance with the comprehensive plan. Ingress and egress for the site is provided from Minnehaha Avenue. The use is not detrimental to the existing character of the development since the site was designed with the intention of use as a park and farm. The use will not impede the normal development of the surrounding property.

☒ Required site plan is attachedApplicant's Signature [Signature] Date 8.21.2015City Agent [Signature]

8-24-15



CITY OF SAINT PAUL  
Mayor Christopher B. Coleman

400 City Hall Annex  
25 West 4<sup>th</sup> Street  
Saint Paul, Minnesota 55102  
[www.stpaul.gov/parks](http://www.stpaul.gov/parks)

Telephone: 651-266-6400  
Facsimile: 651-292-7311

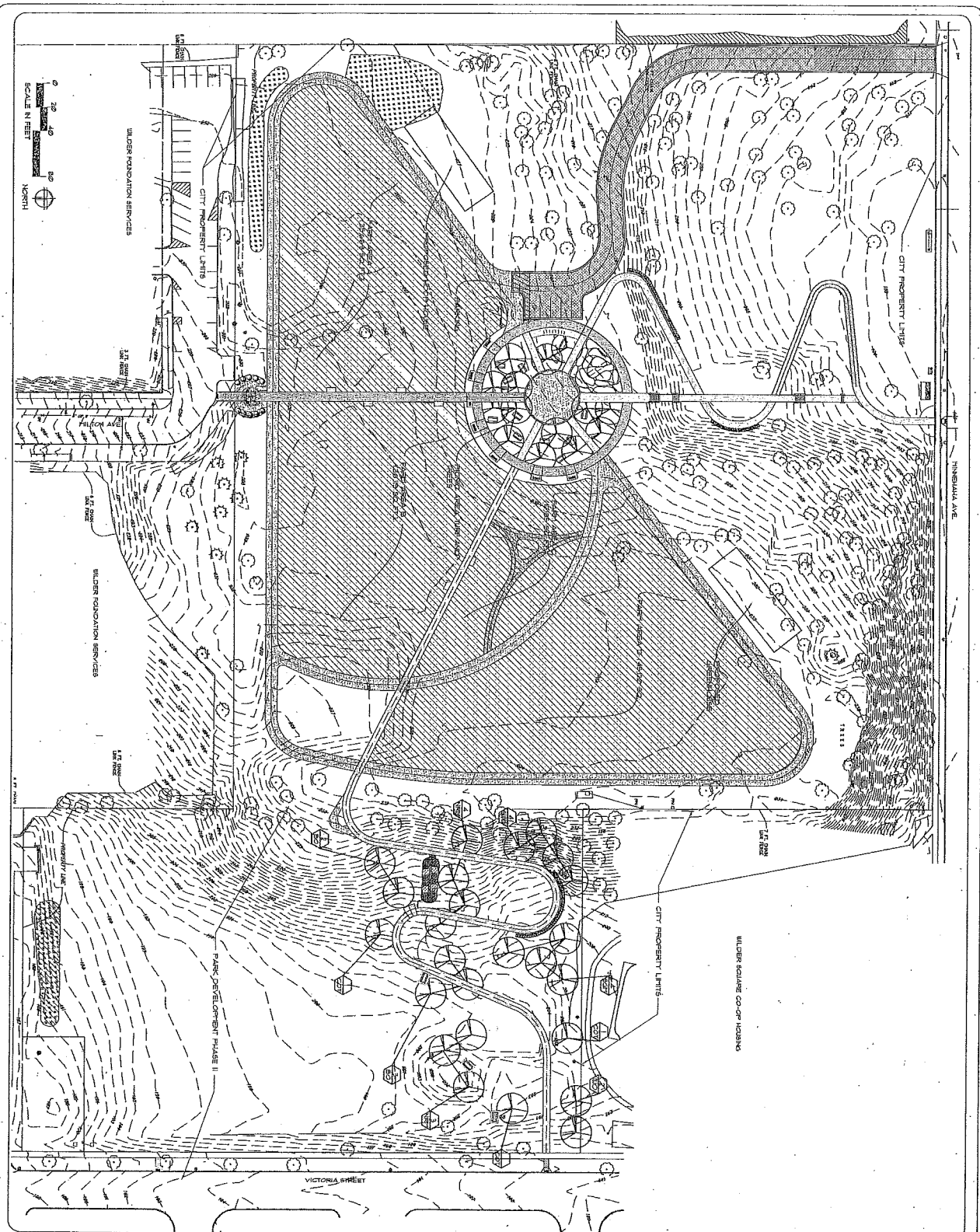
Frogtown Park and Farm  
Conditional Use Permit Application  
September 3, 2015

Standards and conditions:

1. Approval of a **site plan** showing the location of all growing plots, sheds, structures, and fencing, with contact information for a site manager. A **soil lead test** showing that lead levels are less than one hundred (100) parts per million shall be submitted to the zoning administrator with the site plan or raised planting beds with soil barriers and clean, imported soil will be required.
  - a. Site Plan and soil tests have been submitted.
2. In residential, traditional neighborhood, and business districts, an agriculture use having an area greater than one (1) acre requires a conditional use permit.
3. The use shall be subject to the minimum property maintenance standards (chapter 34) and noise regulations (chapter 293) of the city.
  - a. Frogtown Farm is aware of these provisions as they are included in the lease agreement with the City. (lease agreement attached)
4. Keeping of any animals other than bees is prohibited, except residents of the property may keep animals, subject to city permit requirements.
  - a. Frogtown Farm is aware of these provisions as they are included in the lease agreement with the City.
5. The use shall be conducted in a manner that controls odor, dust, erosion, lighting, and noise and is in compliance with city standards so as not to create a nuisance. This requirement may be enforced through the provisions in chapter 45 for nuisance abatement.
  - a. Frogtown Farm is aware of these provisions as they are included in the lease agreement with the City.
6. Any tools, equipment, and material shall be stored and concealed within an enclosed, secured structure.
  - a. Frogtown Farm is aware of these provisions as they are included in the lease agreement with the City.
7. When an agriculture use has been discontinued, the property shall be restored with grass or planted ground cover to control erosion, dust, and mud. All structures accessory to the agriculture use shall be removed. This requirement may be enforced through the provisions in chapter 45 for nuisance abatement.
  - a. Frogtown Farm is aware of these provisions as they are included in the lease agreement with the City.

**It should also address the general conditions for a CUP:**

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.
  - a. An urban farm within a City park is an applicable use as shown in the parks chapter of the comprehensive plan, Strategy 4.1: Meet changing recreation needs, sub-strategy d. "Increase access to community gardens by expanding the community garden program and leveraging partnerships".
2. The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.
  - a. Ingress and egress is provided off Minnehaha Avenue.
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.
  - a. The site, once purchased by the City, was specifically designed and developed for use as a park and farm. The immediate neighborhood will not be adversely affected due to this use or endanger the health, safety and welfare of the public. The neighborhood has been a strong proponent of this use!
4. The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
  - a. The use of the site as an urban farm will not impede development or improvements of the surrounding property. The 5 acres of the park that will be used as the farm is buffered on the north and east from the adjacent neighbors by park property. The adjacent property owner to the west is buffered by a steep wooded slope. The adjacent property owner to the south is the Wilder Foundation. They have been supportive on the development of the site as a park and farm.
5. The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.
  - a. The use is wholly within a city park, which is an allowed use in this zoning district. The City has a lease agreement with the operators of the farm and requires the operators to conform to all applicable regulations.



- LEGEND**
- EXISTING CONTOURS
  - EXISTING DECIDUOUS TREES
  - PROPOSED TREES
  - PROPOSED SHRUBS
  - PLANT AREAS

OF 1 SHEETS

**Frogtown Park and Farm**  
946 Minnehaha Ave. West

**CUP SITE PLAN**

REVISIONS:



DEPARTMENT OF PARKS & RECREATION  
400 CITY HALL ANNEX  
25 WEST FOURTH STREET  
ST. PAUL, MINNESOTA 55102

JOB NO. 132-07-218  
DRAWN BY: SGP/AL  
DATE: 06/20/2018

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision, and that I am a duly Licensed Landscape Architect under the laws of the State of Minnesota.  
Nathaniel W. Angelo  
Date: 06/20/2018 Reg. No. 43242



## Frogtown Neighborhood Association (District 7)

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685 Minnehaha Avenue West • Saint Paul, MN • 55104  
Tel: 651-789-7481 • Fax: 651-789-7482 • [www.frogtownmn.org](http://www.frogtownmn.org)

September 9, 2015

City of Saint Paul

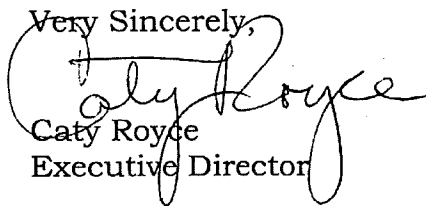
Dear Zoning Committee,

I am writing in support of Frogtown Park & Farm's conditional use permit for the 5.5-acre urban farm at 946 Minnehaha Avenue West. Frogtown Neighborhood Association has been an important partner in building community support for and engagement with the new farm, including helping to lead the process for community input into the design of the farm layout and organizational structure that will run the farm.

The Frogtown Neighborhood Association believes the farm will bring economic, social and health benefits to the neighborhood by increasing access to local, fresh, healthy food, as well as training and community events.

Please feel free to contact me with any questions or for additional support.

Very Sincerely,



Caty Royce  
Executive Director





FILE NAME: Frogtown Farm Inc

Aerial

APPLICATION TYPE: Conditional Use Permit

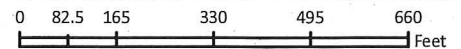
Subject Parcels

FILE #: 15-154022 DATE: 8/26/2015

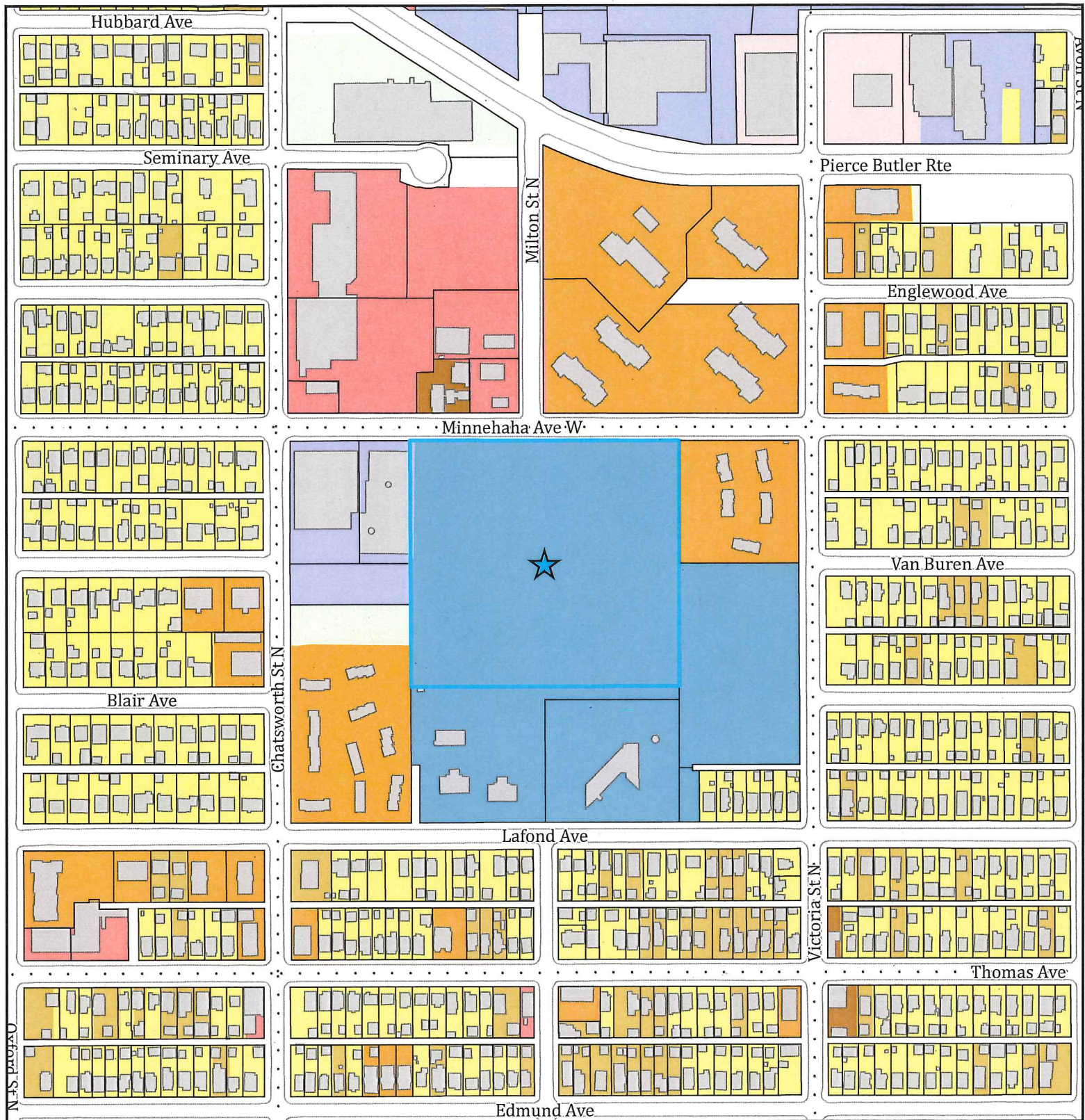
PLANNING DISTRICT: 7

ZONING PANEL: 9

Saint Paul Department of Planning and Economic Development and Ramsey County







FILE NAME: Frogtown Farm Inc

APPLICATION TYPE: Conditional Use Permit

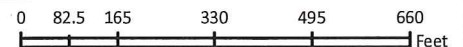
FILE #: 15-154022 DATE: 8/26/2015

PLANNING DISTRICT: 7

ZONING PANEL: 9

#### Land Use

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







FILE NAME: Frogtown Farm Inc

APPLICATION TYPE: Conditional Use Permit

FILE #: 15-154022 DATE: 8/26/2015

PLANNING DISTRICT: 7

ZONING PANEL: 9

### Zoning

- R4 One-Family
- RT1 Two-Family
- RM2 Multiple-Family
- RM3 Multiple-Family
- T1 Traditional Neighborhood
- B1 Local Business
- B2 Community Business
- I1 Light Industrial
- Subject Parcels
- Section Lines

B3 General Business

I1 Light Industrial

Subject Parcels

Section Lines

