

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** New Plan Learning Inc **FILE #** 14-186-591
 2. **APPLICANT:** New Plan Learning Inc **HEARING DATE:** March 27, 2014
 3. **TYPE OF APPLICATION:** Conditional Use Permit
 4. **LOCATION:** 169, 175, and 176 Jenks Ave, between Lawson and Case
 5. **PIN & LEGAL DESCRIPTION:** 302922130062, 302922130122, and 302922130115, Deer Park Division Ex Lot 9 and Ex W 1/2 of vac alley adj sd Lot 9 vac alley in and Blk 1 and Soo Line Plat Number 5 vac sts accruing & fol: the W 95.8 ft lying S of ext N L of Lawson St & N of ex S L of Jenks St of Lot A and the W 65.3 ft of Lot A that adjoins Lot B & all of Lot B & Lot C
 6. **PLANNING DISTRICT:** 6 **PRESENT ZONING:** I2
 7. **ZONING CODE REFERENCE:** §65.212; §61.501, §61.502
 8. **STAFF REPORT DATE:** March 20, 2014 **BY:** Jamie Radel
 9. **DATE RECEIVED:** March 6, 2014 **60-DAY DEADLINE FOR ACTION:** May 5, 2014
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- A. **PURPOSE:** Conditional use permit for a school at 169 - 176 Jenks Avenue.
- B. **PARCEL SIZE:** 3.64 acres (158,558 square feet)
- C. **EXISTING LAND USE:**
- D. **SURROUNDING LAND USE:**
 - North: Multi-family residential (RM2)
 - East: Parkland (Trillium Park) (R1)
 - South: Industrial (I2)
 - West: Residential (RT1)
- E. **ZONING CODE CITATION:** §65.212 provides development standards for schools, grades K-12; §61.501 lists general conditions that must be met by all conditional uses.
- F. **HISTORY/DISCUSSION:** These parcels have been used for a variety of light industrial uses over the years. Most recently it was occupied by a tool and die manufacturer. In 1983, K. J. Johnson Construction, Inc. applied for and received a variance of parking requirements and location of replacement parking for a portion of the site.
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 6 Council has not commented on this project as of the writing of this report.
- H. **FINDINGS:**
 1. §65.212 identifies the development standards for schools, K-12, which require that the school offer courses in general education and that it shall not be run for profit. These standards are met. The application is proposing to locate a charter school that focuses on math and science for grades K - 8, and will offer a full range of general education classes. The applicant has indicated that the school will not operate for profit.
 2. §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. This application is consistent with the District 6 Plan. This area is guided as Established Neighborhood in the Comprehensive Plan, and a school is consistent with that future land use category.*
 - b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met. This site has two parking lots one of which will be used to stage buses during student drop off and pick up. Each of these parking lots has two entrances/exits that would allow for efficient movement of buses from the city street through the site without causing back up onto the city streets.*
 - 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 school will not be detrimental to the existing character of the*

development in the immediate neighborhood or endanger the public health, safety, or general welfare. As proposed, this use will serve as a transition from the industrial uses to the south and the residential uses to the north and west of the facility. The school will be located in the existing building at the northern portion of the site, which is adjacent the multi-family buildings to the north and across Agate Street from the single-family and two-family homes to the west. The southern portion of the site will include a parking lot, as it does today, and an undeveloped area.

- 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 school use will not impact the orderly development or improvement of the surrounding properties. The proposed school will be housed within an existing building. All the neighboring properties are currently developed. The applicant is aware that they are proposing to locate a school adjacent to an active industrial area that is guided in the City's Comprehensive Plan as industrial into the future and has I2 zoning.
- 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. The proposed school will conform to the applicable regulations of the zoning districts within which it is located.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the Conditional use permit for education facility subject to the following additional condition(s):

1. Final plans approved by the Zoning Administrator for this use shall be in substantial compliance with the plan submitted and approved as part of this application.

**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 # 14-186591Fee: 1200.00

Tentative Hearing Date:

3-27-14

PDG

APPLICANTName New Plan Learning, Inc.Address 2250 E. Devon Ave. Ste. 239City Des Plaines St. IL Zip 60018 Daytime Phone 847-376-8404Name of Owner (if different) Modernistic, Inc.Contact Person (if different) Kairat Mavlyankulov Phone 312-752-0075**PROPERTY
LOCATION**Address / Location 169 Jenks Ave. St. Paul, MN 55130

Legal Description _____

Current Zoning _____

(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of
Chapter 66, Section 521, Paragraph Table 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.

See attached narrative.

RECEIVED

MAR 06 2014

Per _____

☒ Required site plan has been submitted.

Applicant's Signature

Date

3/5/14

City Agent

3/6/14

CONDITIONAL USE PERMIT APPLICATION NARRATIVE

New Plan Learning, Inc.

Introduction

New Plan Learning, Inc., (the “Applicant”) is making application for a CUP to make internal improvements at the property located at 169 Jenks Ave., Saint Paul, MN (the “Property”) and for the operation of a charter school on the Property by a separate entity. The Applicant has previously submitted to the City site plans in both hard and electronic formats. The Property historically has been used for various light industrial uses, such as sign fabrication. It has been vacant at times with occasional temporary uses. The surrounding neighborhood has been transitioning from industrial to residential uses and zoning. The land to the east of the Property is planned and is currently under construction as Trout Brook Nature Center. Currently, the Property has the following zoning classifications: I1, I2, RT1 and VP. Portions of the existing building are located within the I2 and RT1 zones. The Applicant is not proposing to make any external site modifications. The proposed use as presented is allowed on the Property with a CUP pursuant to City Code §66.521.

City Code §61.501 General Standards for a Conditional Use Permit

1. *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan.*

Upon review by the Applicant the proposed use is in substantial compliance with the Saint Paul Comprehensive Plan. The proposed use is more consistent with the transition of the neighborhood as less of the surrounding area is zoned and used for industrial.

2. *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.*

The Property has historically been utilized for light industrial and had the traffic normally associated with such use. Ingress and egress to the Property parking is via Jenks Avenue and is not proposed to change. The traffic for the proposed use would be that associated with a charter school. The highest volume of traffic is associated before and after school hours. The location of the parking and Jenks Avenue provides adequate ingress and egress to the Property. It is anticipated that there will be a low number of parent drop-offs and pick-ups. Bus drop-off is anticipated to be along Agate Street and will accommodate 5 to 6 buses. Agate Street services only the immediate area as most streets dead end. One street to the west is Jackson Street North which is a main road providing access to Maryland 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.*

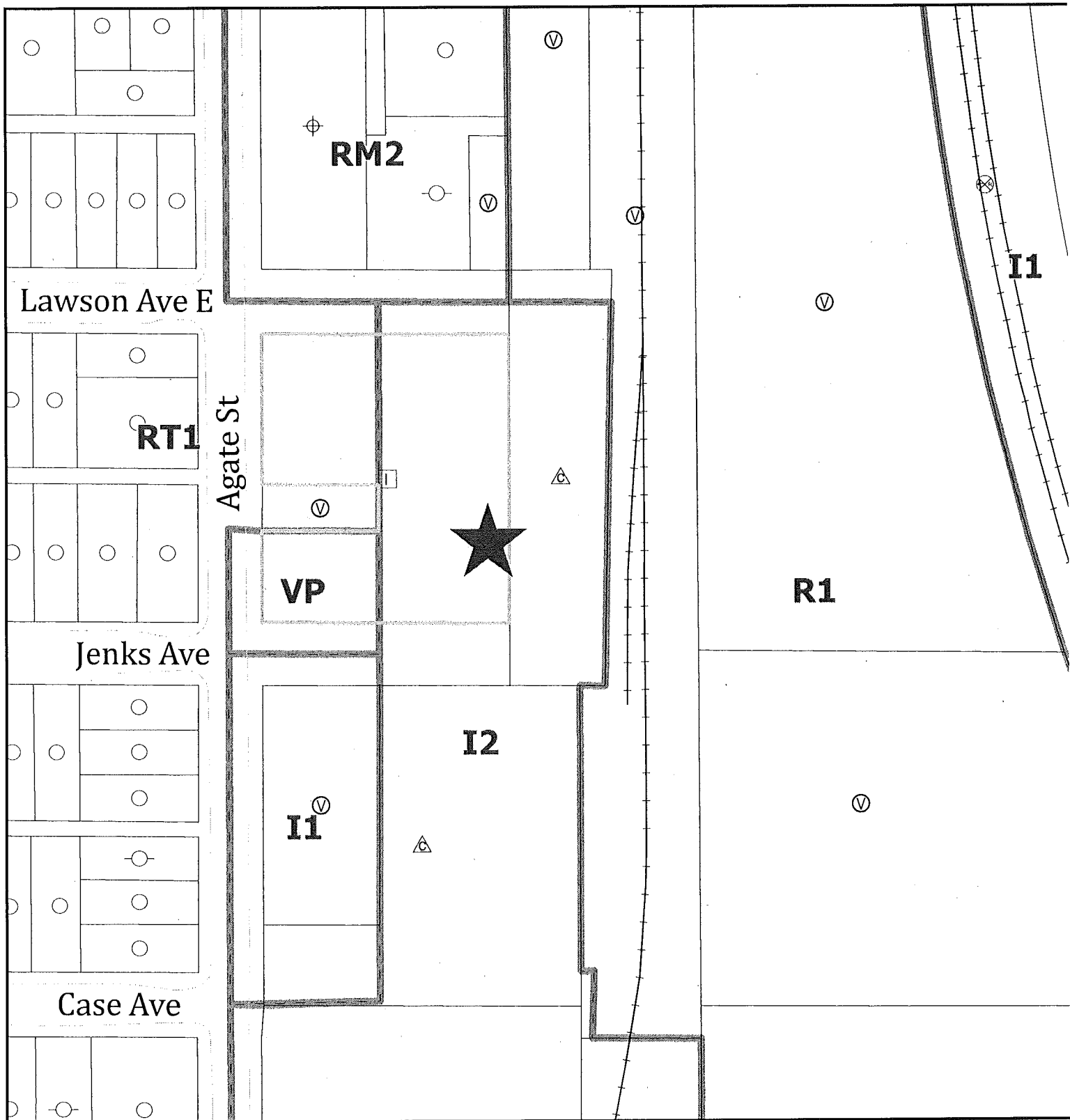
The neighborhood has been transitioning from Industrial to a residential use. Surrounding the Property to the west and north are residential neighborhoods and to the east is the Trout Brooks Natures Center, which is currently under construction. The charter school is a natural addition to the immediate neighborhood and does not endanger the public health, safety and general welfare.

4. *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*

The proposed project will not impede the development 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.*

The proposed project will conform to the applicable regulations that are allowed in the district and the immediate area.



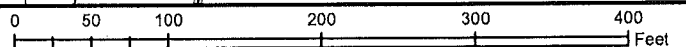
APPLICANT New Plan Learning Inc

APPLICATION TYPE Conditional Use Permit

FILE # 14-186591 DATE 3/13/2014

PLANING DISTRICT 6

ZONING MAP # 10



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|--|----------------------|--|--------------------------|
| | Commercial & Office | | Residential One Family |
| | Industrial & Utility | | Residential Two Family |
| | Institutional | | Residential Three Family |
| | Vacant/Undeveloped | | Multifamily |

Saint Paul Department of Planning and Economic Development
Ramsey County

