

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** More 4 A Buck **FILE #** 14-308-882
  2. **APPLICANT:** Don Buckrey **HEARING DATE:** July 31, 2014
  3. **TYPE OF APPLICATION:** Nonconforming Use Permit - Change
  4. **LOCATION:** 1176 Dale St N, between Maryland and Geranium
  5. **PIN & LEGAL DESCRIPTION:** 252923220068, Como Prospect Addition Lots 23 - Lot 29 Blk 1
  6. **PLANNING DISTRICT:** 6 **PRESENT ZONING:** T2
  7. **ZONING CODE REFERENCE:** §62.109(c)
  8. **STAFF REPORT DATE:** July 24, 2014; revised Aug. 21, 2014 **BY:** Jake Reilly
  9. **DATE RECEIVED:** July 15, 2014 **60-DAY DEADLINE FOR ACTION:** September 13, 2014
- 

- A. **PURPOSE:** Change of nonconforming use permit for auto repair and outdoor auto sales
- B. **PARCEL SIZE:** Irregularly shaped parcel with 197 feet of frontage on Dale x ~125 feet deep, for a total of 19,895 square feet.
- C. **EXISTING LAND USE:** Auto repair and outdoor auto sales (T2)
- D. **SURROUNDING LAND USE:**
  - North: Mixed commercial/residential (T2)
  - East: Commercial & Railroad right-of-way (T2)
  - South: Mixed commercial/residential (T2 & RM2)
  - West: Single-family residential (R4)
- E. **ZONING CODE CITATION:** §62.109(c) authorizes the planning commission to allow a nonconforming use to change to another use permitted in the district in which the existing nonconforming use is first allowed, or a use permitted in a district that is more restrictive than the district in which the existing nonconforming use is first allowed, or permit another, related nonconforming use at the same location upon making certain findings (see Section H below).
- F. **HISTORY/DISCUSSION:** The site originally had a building constructed in 1908 for an ice company and a building permit record suggests that a building was constructed in 1926. Other permits for electrical and plumbing work were pulled between 1930 and 1947. The property has been an auto repair business since 1955, making it legally nonconforming. In April 1998, the planning commission denied an application for a special condition use permit to allow used car sales, based on the finding that the lot area was not great enough. Following the purchase of contiguous parcels, the planning commission approved a special condition use permit for outdoor auto sales, with conditions, in October 1999. At that time the lot was zoned B3. Since then, the property and surrounding properties have been rezoned T2 as part of the Loeb Lake Small Area Plan (2006). Since 2003, 12 complaints have been filed with the Department of Safety and Inspections (DSI) of those complaints; the majority is related to general upkeep of the property (failure to remove snow from the sidewalk and tall grass and weeds, for example). In July 2009, a complaint was filed for violation of license conditions and was listed as resolved in September 2009, following a visit by the inspector who found that the property was compliant with conditions listed on the permit. Since August 2013, three complaints have been filed. In August 2013, and February 2014, complaints were filed suggesting that the business was spray painting cars at night, outdoors, without a spray paint booth. At that time the inspector resolved the complaint after a visit to the business failed to find any evidence of painting operations. In January 2014, a complaint alleges that two businesses are operating out of the property, including a separate auto glass sales business (North Star Auto Glass). There is no zoning record of the auto glass business being permitted. That complaint has been forwarded to the City Attorney's Office for adverse action. A search of the Minnesota Business and Lien System for the North Star Auto Glass LLC comes up with an "inactive" status with an address of 1176 Dale Street N. The business was to be renewed in Dec. 2012 and was not, and the Office of the Secretary of State of

Minnesota began processing an administrative termination of the LLC in Feb. 2013. The auto glass business appears to operate an active web site that states that it is located at 1176 Dale Street N. and there is a sign on the building at that address for North Star Auto Glass with a phone number that matches the one listed on the web site. In addition, a DSI inspector observed used tires being sold on the property, which was later resolved.

- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 6 Council recommended denial of the change in nonconforming use, with a recommendation that the applicant be required to meet the existing conditions for at least 18 months without complaints or adverse action, prior to any changes being granted.

H. **FINDINGS:**

1. The applicant, Don Buckrey of More 4 A Buck, has applied for a change of nonconforming use permit to change the mix and layout of auto repair and outdoor auto sales at 1176 North Dale Street from what is specified in conditions of the existing conditional use permit for the site. The existing special condition use permit approved in 1999 specifies a total of 50 parking spaces with 35 parking spaces for for-sale cars on the north side of the building, six parking spaces for cars awaiting repair or pick-up or employee parking on the east side of the building, and eight spaces for customer and employee parking on the south side of the building, including one handicapped space. It also specifies that no cars shall be parked on the Dale Street frontage of the site, except the seven cars in the first row of for-sale cars in the north lot. The applicant proposes to change the use and layout of parking spaces (totaling 45) on the site to be as follows:
  - a) Seven (7) spaces for customers and employees on the south side of the building and three (3) spaces for customers and employees at the southeast corner of the building;
  - b) Four (4) spaces for customer parking to the north of the building;
  - c) Ten (10) spaces for vehicles for sale (including seven (7) spaces along the Dale Street frontage); and
  - d) Twenty-one (21) spaces for cars waiting for repair on the northeast corner of the lot.
2. Section 62.109(c) states: *The planning commission may allow a nonconforming use to change to another use permitted in the district in which the existing nonconforming use is first allowed, or a use permitted in a district that is more restrictive than the district in which the existing nonconforming use is first allowed, or permit another, related nonconforming use at the same location if the commission makes the following findings:*
  - a. *The proposed use is equally appropriate or more appropriate to the neighborhood than the existing nonconforming use.* This finding is met. The existing use is auto repair and outdoor auto sales. The proposed use is auto repair and outdoor auto sales. Both the auto repair and the outdoor auto sales are auto-oriented uses first permitted as conditional uses in the B3 General Business District, which is what this property was zoned through 2010. The neighborhood has a mix of uses, including other auto-related uses, commercial uses, railroad right of way and single family homes across Dale Street. The auto repair use has been in place since 1955. The outdoor auto sales use has been in place since 1999.
  - b. *The traffic generated by the proposed use is similar to that generated by the existing nonconforming use.* This finding is met. The the proposed change to the existing nonconforming use is related to the number of cars and where they are parked on the lot. The applicant states that the number of cars will be reduced from 50 to 45, and the layout of the spaces for cars will change.
  - c. *The use 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 is met. The proposed use is complementary to the existing use and will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.

- d. *The use is consistent with the comprehensive plan.* This finding can be met. The use is consistent with Saint Paul Comprehensive Plan (2010) strategy LU-1.7, "Permit neighborhood serving commercial businesses compatible with the character of Established Neighborhoods." This use is located within an "established neighborhood" and provides a service to the community. It is also located within a "mixed-use corridor" and as such meets strategy LU-1.24, "Support a mix of uses on Mixed-Use Corridors." It is also may be consistent with the District 6 Plan (2010) strategy LU-5.1, "Encourage existing auto related businesses to upgrade the appearance of their buildings and properties," if the applicant fulfills his intent to provide additional fencing around the property. In the 2006 Loeb Lake Small Area Plan, Commercial Strategy 3 states, "The northeast corner is occupied by an auto repair shop. Redevelopment of this corner is unlikely in the near future due to the small parcel size and recent investments to improve the building. The plan encourages the property owner to improve the appearance of the building and the lot with the possibility of grants or low-interest loans. In the long-term, the site could be developed into general commercial or a mix of commercial and housing." Also in that plan, Commercial Strategy 6 states, "The study area, and the North End to a larger extent, has high number of automobile oriented uses. The plan encourages existing, viable auto businesses to stay, upgrade their appearance, and continue to serve the neighborhood, but discourages the growth of new auto businesses." If the applicant fulfills his intent to provide additional fencing around the property and maintain the building in good repair, this condition is met.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the change of nonconforming use permit for auto repair and outdoor auto sales subject to the following condition(s):

1. The building and the businesses in it must be approved to operate and/or licensed by all appropriate federal, state and local government offices.
2. The building shall be painted and maintained in good condition
3. Parking areas and driveways shall be paved with a permanent, durable, and dustless surface, and striped for the parking as proposed, according to an approved site plan. Driveways and maneuvering lanes measuring at least 20 feet wide shall be maintained on the site. The following parking spaces (totaling 45) shall be striped and no cars shall be parked outside of the striped areas:
  - a) Seven (7) spaces for customers and employees on the south side of the building and three (3) spaces for customers and employees at the southeast corner of the building;
  - b) Four (4) spaces for customer parking to the north of the building;
  - c) Ten (10) spaces for vehicles for sale on the northwest corner of the lot, including seven (7) spaces along the Dale Street sidewalk (there shall be no other cars parked along the Dale Street frontage of the property); and
  - d) Twenty-one (21) spaces for cars waiting for repair on the northeast corner of the lot.
4. All vehicles parked for sale outdoors on the lot must be completely assembled with no parts missing. All vehicles awaiting repair parked outdoors on the lot must not have major parts missing (including, but not limited to: wheels, doors, bumpers, body panels etc.) and must be repaired or moved within 72 hours of receipt.

5. Vehicle salvage is not permitted.
6. Sale of used auto parts is not permitted.
7. Applicant must comply with all federal, state, and local laws.
8. No auto body repair or auto body spray painting is permitted.
9. There shall be no outdoor storage of vehicle parts, partially-assembled vehicles, trash, tires, oil, vehicle hoists, or similar items.
10. Trash will be stored in the covered dumpster shown on the approved site plan.
11. No repair of vehicles will take place outside of a covered and walled structure, or in the public right-of-way.
12. A decorative fence and a four-foot wide landscaped area with screening landscape material shall be installed along the Dale Street frontage of the property. Fencing generally shall consist of durable materials (aluminum or wrought iron) no taller than six feet, and shall be maintained regularly. Fencing along the Dale Street frontage may not be higher than four feet and may not consist of cyclone or chain link fence. Fencing along the north and east sides of the property may be a standard cyclone or chain link fence with no "privacy strips."
13. Vehicles intended for sale must at all times be clearly marked with easily identifiable signage designating them as for-sale vehicles.
14. A site plan must be submitted to and approved by the Zoning Administrator for this use, in substantial compliance with the plan submitted and approved as part of this application, including the parking lot striping and required decorative fence and landscaping.
15. All required improvements must be completed prior to the change of use and no later than six months from the date of approval of this permit and the conditions of this permit must be maintained for a minimum of 18 months with no complaints or adverse actions filed or the use must cease.



**NONCONFORMING 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 #: \_\_\_\_\_

Fee: 700.00

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

7-31-14

**APPLICANT**

Name Don Buckrey MORE4ABUCK INC

Address 1176 DALE ST

City ST Paul St. MN Zip 55117 Daytime Phone 612-554-8634

Name of Owner (if different) \_\_\_\_\_

Contact Person (if different) \_\_\_\_\_ Phone \_\_\_\_\_

**PROPERTY LOCATION**

Address/Location 1176 DALE ST ST PAUL MN 55117

Legal Description COMO PROSPECT Addition Lots 23 thru Lot 29

Block 1 Current Zoning T2

(attach additional sheet if necessary)

**TYPE OF PERMIT:** Application is hereby made for a Nonconforming Use Permit under provisions of Chapter 62, Section 109 of the Zoning Code:

- The permit is for: ☐ Establishment of legal nonconforming use status for use in existence at least 10 years (para. a)  
☒ Change of nonconforming use (para. c)  
☐ Expansion or relocation of nonconforming use (para. d)  
☐ Reestablishment of a nonconforming use vacant for more than one year (para. e)

**SUPPORTING INFORMATION:** Supply the information that is applicable to your type of permit.

Present/Past Use \_\_\_\_\_

Proposed Use \_\_\_\_\_

Attach additional sheets if necessary

Attachments as required ☐ Site Plan

☐ Consent Petition

☐ Affidavit

Applicant's Signature Don Buckrey

Date 7/17/14 City Agent add 7-17-14

## **CHANGES TO 1999 SCUP**

### **CONDITION #2**

**35 SPACES ON THE NORTH SIDE OF THE BUILDING, 6 SPACES FOR REPAIR, AND 8 SPACES FOR EMPLOYEE PARKING NEEDS TO BE CHANGED.**

### **CUSTOMER/EMPLOYEE PARKING**

#### **7 PARKING SPACES ON SOUTH SIDE OF BUILDING**

- **Because of the garage door on the south side of the building we can only fit 7 cars instead of 8 cars**

#### **3 PARKING SPACES ON SOUTH EAST CORNER OF BUILDING**

- **The fenced in area which holds the tires, oil, filters, etc. contained 3 parking spots. This was enclosed per code. There are only 3 parking spaces left on the east side of the building These 10 spaces including one handicap will be for employees and customers.**

### **2<sup>ND</sup> ROW IN NORTH PARKING LOT**

#### **4 SPACES FOR CUSTOMER PARKING**

- **Because we eliminated 4 customer spaces on the other side of the building I need them to be added to the north parking lot. We need this for people who leave their car and pick it up after work.**

#### **3 SPACES FOR VEHICLES FOR SALE**

- Because of space limitations we will only have 10 cars for-sale instead of 35 vehicles. 7 cars on Dale Str. and 3 cars in the second row.

**CONDITION # 3 ALL VEHICLES PARKED OUTSIDE MUST BE COMPLETELY ASSEMBLED WITH NO PARTS MISSING. THIS CONDITION WILL PERTAIN TO THE FRONT TWO ROWS OF THE NORTH LOT.**

**21 SPACES FOR CARS WAITING FOR REPAIR**

**LIGHTLY DAMAGED VEHICLES: (LAST 3 ROWS)**

**I buy vehicles from insurance auctions. (IAAI & COPART)**

**Most of the time I am able to drive these vehicles from the Auction to the lot. If not we have them towed. Replacement parts are bought from Cerifit, Dealerships, or auto part yards.**

**We will bring the vehicles inside to fix the damage and**

**Replace the bolt on parts. Currently, painting and body work is**

**Done in Mora or at MACCO. I will have less than ten lightly**

**Damaged vehicles on sight at one time. Customers vehicles**

**which are not quick fixes will also be stored in the north lot**

**behind the newly covered area. This area will have a 6'**

**chain link fence around it with colored slats in it. There will be**

**no disassembly of vehicles outside. We have no outside**

**storage.**

**CONDITION #6 LANDSCAPING: 1 WOOD POST CHANGED TO ALUMINUM. BOLLARD CHAIN CHANGED TO FLOWER BED.**

**84' OF BLACK ALUMINUM 54" HIGH FENCING**

- We need to replace the 2' high wooden fence with something that will not allow thieves to walk onto the property with their jacks and saws to cut converters out of cars. A black aluminum 54" fence will also look better than the existing fence.

**179' OF 6' HIGH CHAIN LINK FENCE WITH YARD GARD**

- Yard guard strips will add security and beauty to the property.
- 2 20' X 6' HIGH GATES INSTALL THE MIDDLE AND EASTSIDE OF THE NORTH LOT.
- 1 20' X 4' HIGH GATE INSTALLED AT THE SOUTH WEST AREA OF THE NORTH LOT.
- THESE GATES WILL HAVE CHAIN AND LOCK SYSTEM

**FLOWER BED 2' X 25' ALONG DALE STREET ONE FOOT HIGH**

- The small chained area does not protect the customers in the winter time. They could slip off the curb. A wooden flower bed adds security in the winter months and beauty in the summer months.

**NORTH PARKING LOT ASPHALT**

- Our site plan shows grass in the north parking lot and it has never been there.

**CONDITION #11 VEHICLES INTENDED FOR SALE. CARS PARKED IN THE FRONT ROW AND THE FOUR SPOTS IN THE SECOND ROW NEED TO HAVE FOR SALE SIGNS IN THEM.**

**I WOULD ALSO LIKE TO APPLY FOR AN AUTO BODY LICENSE.  
PAINTING WILL BE DONE OFF SIGHT.**

**CITY OF SAINT PAUL, MINNESOTA  
SPECIAL CONDITION USE PERMIT**

ZONING FILE NO: 99-260  
APPLICANT: Auto Care System, Inc.  
PURPOSE: Special Condition Use Permit to allow for outdoor sales of used cars.  
LOCATION: 1176 - 1188 N. Dale; between Maryland and Geranium  
LEGAL DESCRIPTION: COMO PROSPECT ADDITION LOTS 23, 24, 25, 26, 27, 28 AND 29, BLK 1  
ZONING COMMITTEE ACTION: Approval with conditions  
PLANNING COMMISSION ACTION: Approval with conditions

**CONDITIONS OF THIS PERMIT:**

1. The building shall be painted and maintained in good condition.
2. Parking areas and driveways shall be paved with a permanent, durable and dustless surface according to an approved site plan. The following parking spaces shall be striped and no cars shall be parked outside of the striped areas: 35 spaces - For sale cars on the north side of the building. 6 spaces - For cars awaiting repair or pick-up or employee parking on the east side of the building. 8 spaces - For customer and employee parking on the south side of the building, including one handicapped space. There shall be no cars parked on the Dale Street frontage of the site except the seven cars in the first row of for-sale cars in the north lot. Driveways and maneuvering lanes measuring at least 20 feet wide shall be maintained on the site.
3. All cars parked on the lot shall be fully assembled with no parts missing.
4. Landscaping/screening shall be installed as follows: 1) A wooden post and beam fence shall be installed on the Dale Street frontage of the car sales area with four feet of landscaping, as required in an approved site plan, in front of the fence. 2) A bollard and chain barrier shall be installed between the two driveways. 3) Landscaping, as required in an approved site plan, shall be installed between the southern drive/parking area and the railroad right of way.
5. Lighting on the site shall conform to the standards outlined in Section 62.110 of the zoning code.
6. Site improvements shall be completed by June 30, 2000.

APPROVED BY: Gladys Morton, Commission Chairperson

I, the undersigned Secretary to the Zoning Committee of the Planning Commission for City of Saint Paul, Minnesota, do hereby certify that I have compared the foregoing copy with the original record in my office; and find the same to be a true and correct copy of said original and of the whole thereof, as based on minutes of the Saint Paul Planning Commission meeting held on October 14, 1999, and on record in the Saint Paul Planning Office, 25 West Fourth Street, Saint Paul, Minnesota.

**This permit will expire one year from the date of approval if the use herein permitted is not established.**

The decision to grant this permit by the Planning Commission is an administrative action subject to appeal to the City Council. Anyone affected by this action may appeal this decision by filing the appropriate application and fee at the Zoning Office, 1400 City Hall Annex, 25 West Fourth Street. **Any such appeal must be filed within 15 calendar days of the mailing date noted below.**

**Violation of the conditions of this permit may result in its revocation.**

*Carol A. Martineau*

Carol A. Martineau  
Secretary to the Saint Paul  
Zoning Committee

Copies to:	Applicant	Auto Care System, Inc.
	File No.	99-260
	Zoning Administrator	Wendy Lane
	License Inspector	Christine Rozek
	District Council	6

**Mailed: October 29, 1999**

History 1

DEPARTMENT OF SAFETY AND INSPECTIONS  
Ricardo X. Cervantes, Director



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

January 7, 2013

Mr. Donald Buckrey  
More4abuck Inc  
7035 Dupre Road  
Centerville MN 55038

RE: Letter received by DSI Zoning on December 19, 2012 regarding 1176 Dale Street North

Dear Mr. Buckrey,

You have submitted a letter and revised site plan to DSI Zoning for review. You are requesting to revise the approved site plan dated 10/27/1999. I have attached a copy of these documents for your reference.

DSI Zoning has reviewed your request and here are our comments.

1176 Dale Street North is located in the T2 traditional neighborhood zoning district. The property and its current use as an auto repair garage and second hand auto sales are legal nonconforming uses in this zoning district.

According to your submitted letter and revised site plan, you are proposing to:

- Display 16 vehicles for sale along Dale Street North (labeled Zone B). It appears that vehicles #18 and #19 are parked within a maneuvering lane and you are proposing to park 9 vehicles for-sale along Dale Street. Submit a revised site plan that is drawn to scale and fully dimensioned to show the dimensions of the parking spaces and that there is maneuvering room between the building and the parked vehicles #18 and #19. (I have attached information to help you with minimum parking standards and design.) Note: When revising the site plan, take into account the Conditional Use Permit 99-260 (attached for your reference) condition #2 that specifically states "There shall be no cars parked on the Dale Street frontage of the building, except the seven (7) cars in the first row of for-sale cars in the north lot. Driveways and maneuvering lanes measuring at least 20' wide shall be maintained on the site." A proposed change to a condition of the Conditional Use Permit will require a formal review by the Planning Commission.
- Designate an area in the northeast corner of the lot for cars waiting to be fixed (Zone A). Submit a revised site plan that is drawn to scale and fully dimensioned to show the dimensions of the parking spaces and 20' maneuvering lanes within this Zone. (I have attached information to help you with minimum parking standards and design.) Note: When revising the site plan, take into account the Conditional Use Permit 99-260 condition #2 that specifically states "6 spaces- For cars awaiting repair or pick-up-or employee parking on the east side of the building. Driveways and maneuvering lanes measuring at least 20' wide shall be maintained on the site." A proposed change to a condition of the Conditional Use Permit will require a formal review by the Planning Commission. In addition to the Conditional Use Permit, your business license also

lists conditions (attached for your reference), specifically condition #4 that states "Vehicle parts, partially disassembled vehicles, tires, oil, vehicle hoists or similar items will not be stored outdoors." The approved site plan dated 10/27/1999 indicates 6 parking spaces on the east side of the building. According to your revised site plan and the existing conditions at the site, it appears that an enclosed outdoor storage area and dumpster have replaced the 3 of the 6 parking spaces on the east side of the building. Be aware that outdoor storage is not permitted in the T2 zoning district. Submit a revised site plan that shows how you would meet code requirements. A proposed change to a condition of your business license may require a formal review by a Legislative Hearing Officer.

- Provide 10 customer and employee parking spaces on the south side of the building. Submit a revised site plan that is drawn to scale and fully dimensioned to show the dimensions of the parking spaces, 20' maneuvering lanes, and accessible parking space(s). (I have attached an information sheet on accessible parking spaces for your reference.) Note: When revising the site plan, take into account the Conditional Use Permit 99-260 condition #2 that specifically states "8 spaces- For customer and employee parking on the south side of the building, including one handicapped space. Driveways and maneuvering lanes measuring at least 20' wide shall be maintained on the site." A proposed change to a condition of the Conditional Use Permit will require a formal review by the Planning Commission.

- Install a 6' high aluminum fence along Dale Street. Submit a detail of the proposed fence. Note: When revising the site plan, take into account the Conditional Use Permit 99-260 condition #4 that specifically states "Landscaping/screening shall be installed as follows: 1) A wooden post and beam fence shall be installed on the Dale Street frontage of the car sales area with four feet of landscaping, as required in an approved site plan, in front of the fence." A proposed change to a condition of the Conditional Use Permit will require a formal review by the Planning Commission.

- Install a 6' high cyclone fence. Zone A will be surrounded by the 6' high cyclone fence with privacy strips. And gates will be installed in three locations along the north side of the building. Submit a detail of the proposed fence and gates. Include detailed information regarding the lock or security system that you propose to use to secure the gates (chain and lock, keyless entry, lockbox entry, etc.). This information is required by the DSI Fire Inspection staff to ensure the site will be accessible to life/safety personnel.

- Buy lightly damaged vehicles and replace the broken parts with new or used parts. Submit details of the operation of this business model. Include the following information such as, but not limited to: Define a lightly damaged vehicle.

From where will you be purchasing the lightly damaged vehicles?

From where will you obtain and store the new or used parts to replace the broken parts?

Will you use/remove any parts from vehicles on the property to repair other vehicles?

Will the lightly damaged vehicles require auto body repair/painting/ removal of body part and/or replacement of body parts (if so where will the auto body repair and/or painting occur)?

How many lightly damaged vehicles are you proposing to store at the site and where will the vehicles be stored?

What time frame are you proposing to turnaround the lightly damaged vehicles?

How long will the lightly damaged vehicles be stored onsite?

Will the lightly damaged vehicles be towed to your site?

Note: When revising the site plan and your business operations, take into account the Conditional Use Permit 99-260 condition #3 that specifically states "All cars parked on the lot shall be fully assembled with no missing parts." A proposed change to a condition of the Conditional Use Permit will require a formal review by the Planning Commission. In addition to the Conditional Use Permit, your business license also lists conditions, specifically, condition #3 and #10 that states "All vehicles parked outdoors on the lot must be completely assembled with no parts missing. Vehicle salvage is not permitted. No auto body repair or auto body spray painting is allowed." A proposed change to a condition of your business license may require a formal review by a Legislative Hearing Officer.

In addition, you state in your letter that "Zone A will hold movable cars that are ready to be fixed. We will not have dismantled cars in this area." Will the dismantled cars be stored in a different area on the lot? Be aware that as per the Zoning Code and license condition #3, "All vehicles parked outdoors on the lot must be completely assembled with no parts missing. Vehicle salvage is not permitted."

Furthermore, you are inquiring about the possibility of vacating the alley to the east of your property. I have attached a packet of information that will guide you through the vacation process. If you have any questions regarding the vacation process, please contact the Real Estate Division at 651-266-8850.

If you have any additional questions regarding your business license, please contact Kris Schweinler at 651-266-9110 (office) or [kristina.schweinler@ci.stpaul.mn.us](mailto:kristina.schweinler@ci.stpaul.mn.us) (email).

If you have any additional questions regarding zoning, please contact me at 651-266-9085 (office) or [corinne.tilley@ci.stpaul.mn.us](mailto:corinne.tilley@ci.stpaul.mn.us) (email).

Regards,



Corinne A. Tilley  
DSI Inspector for Zoning and Site Plan Review

Enclosures: Letter received by DSI Zoning on 12/19/2012  
Approved site plan dated 10/27/1999  
Parking Lots informational handout  
Special condition use permit #99-260  
License conditions dated 06/04/2010  
Accessible parking spaces informational handout  
Citizens' Guidelines for vacation of public lands

Copy: Christine Rozek, DSI Deputy Director  
Kris Schweinler, DSI Inspector for Licensing  
Kim O'Brien, Ward 5 Legislative Aide  
Kerry Antrim, District 6 Planning Council

City of St. Paul

**COPY** Aug. 16, 2012

RECEIVED IN  
CITY ZONING DEPT  
19 DEC 2012 - 1615

Ms. Corinne Tilly,

I have asked you to come out to the property to discuss my options. You told me to resubmit a better drawing. We have also talked about the site plan that needs to be updated. As I have explained to you, my business is in need of help. People continue to dump garbage in the adjacent alleys. They steal cars, car parts, and other items from the property. One of my business models is to buy lightly damaged cars. I replace broken parts with new or used parts. We need a fenced area to store these cars.

Looking at the attached drawing the yellow area will be a six foot high cyclone fence. The blue area will be a six foot black aluminum square post fence. The red area is wear gates will be installed. The pink area will have privacy strips throughout the fence. Parking spots one through ten will be for customers and employees. Parking spots eleven through twenty six will be for cars that are ready for sale. Zone A will hold movable cars that are ready to be fixed. We will not have dismantled cars in this area.

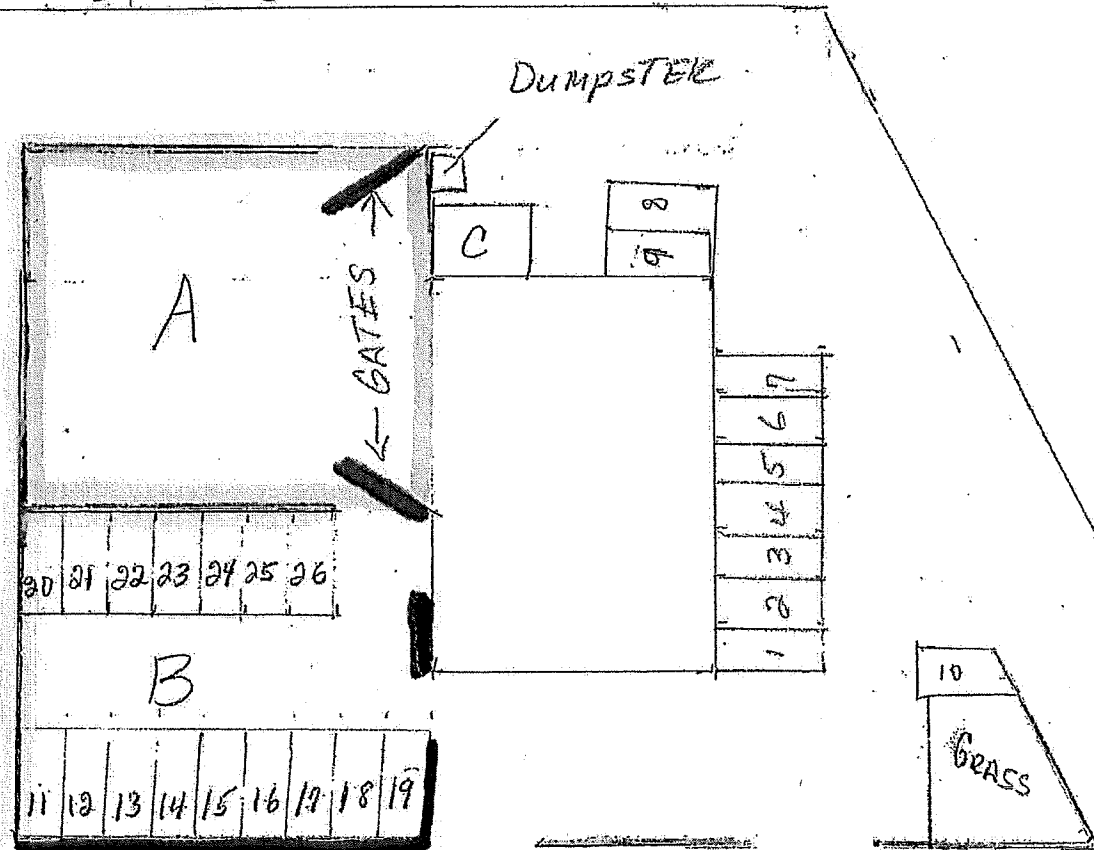
I also mentioned to you about vacating the alleys. I am the only tenant on the corner. The police have told me that if I could close off the east alley it would eliminate most of my problems. Criminals stay away from dead end streets. I was hoping that you could steer me in the right direction.

Thank You,

Don Buckrey More4abuck Inc. 612-554-8634

I

PARKING SPOTS 1-10 EMPLOYEES & CUSTOMERS  
PARKING SPOTS 11-26 CARS FOR SALE ZONE B  
ZONE A CARS WAITING TO BE FIXED  
ZONE A PRIVACY FENCED  
ZONE C STORAGE ENCLOSED



DALE STREET

GATE

6' ALUM  
FENCE

6' CYCLONE  
FENCE

7-10-14

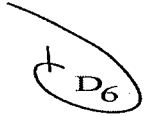
Paul

- a) My conditional changes will FENCE my lot, & allow ME space for cars that need to be REPAIRED.
- b) will not EFFECT TRAFFIC
- c) changes will not EFFECT The neighborhood, health ~~or~~ SAFETY, or general welfare.
- d) IF you allow me to put slats into the fence in the back part of the property IT will help the surrounding properties
- e) The six foot high Fence is common in the city

Sec 61.502

when I applied to buy this property my business plan stated that I was going to buy repairebles which were lighty damaged (most of them Drivable) fix them up AND sell them. All work will be done in doors. I have offer to put up a privacy fence if need on the back portion of the north lot

Don Buckrey  
MORE4 A BUCK  
612-554-8634



District 6 Planning Council

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

July 23, 2014

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

RE: 1176 Dale Street, More 4 A Buck, Change of nonconforming use permit for auto repair and outdoor auto sales

District 6 Planning Council does not support any changes to the nonconforming use, the current use of the property regarding auto repair, sales, or any change in a business plan or the addition of spaces. This property has been in adverse action, the applicant needs to comply with all license conditions and permits for a minimum of eighteen months before any modifications are made.

District 6 Planning Council recommends the applicant install decorative fencing along Dale Street and Maryland Avenue. Although the neighborhood would prefer decorative fencing, on the south and east side of the property District 6 Planning Council has no objections to the installation of a chain link fence without slats. This property is located on the west entryway into the North End and is need of attention.

Thank-you for your consideration of the neighborhood's position and if you have questions, please contact the office at the numbers above.

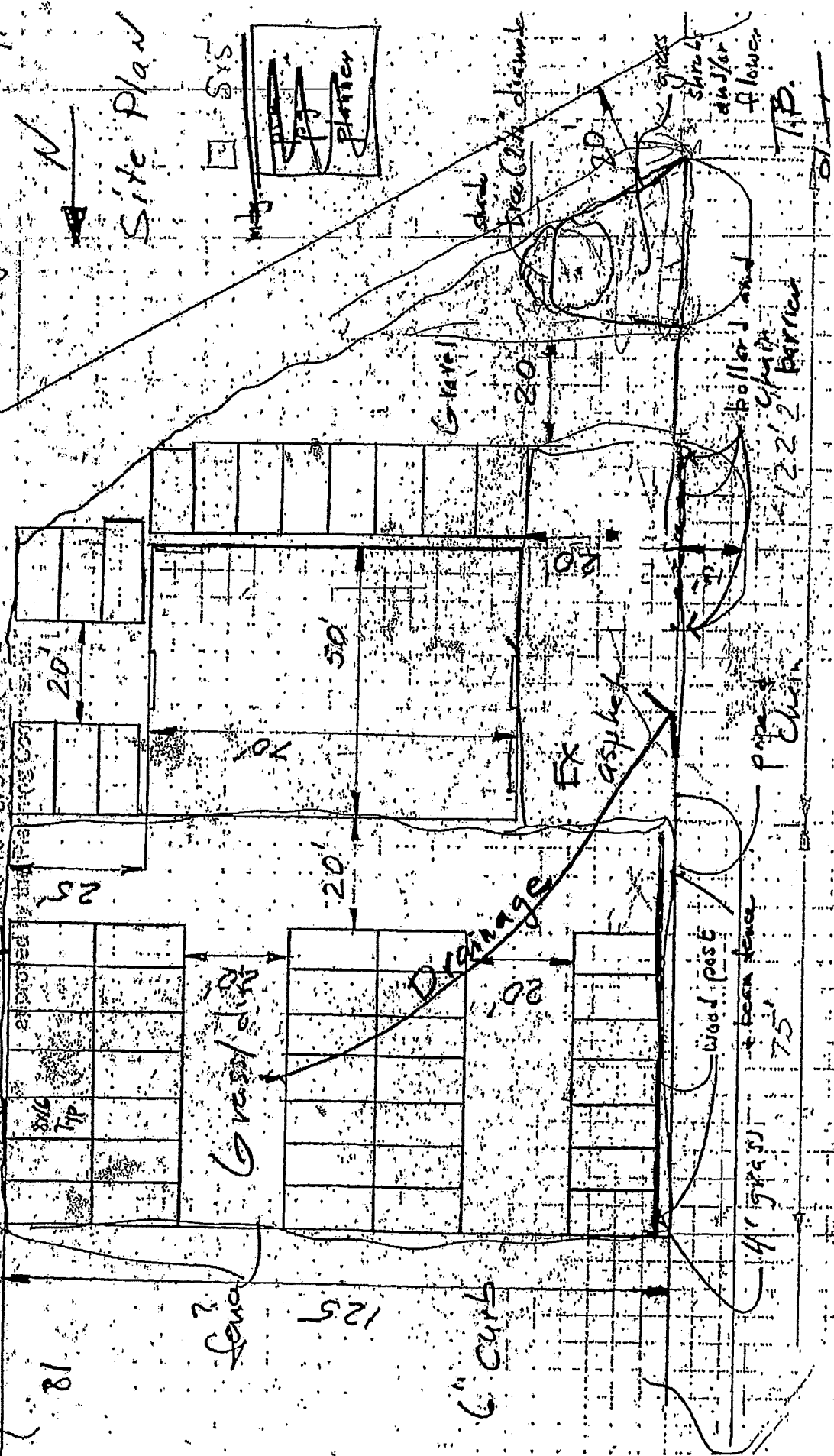
Regards,

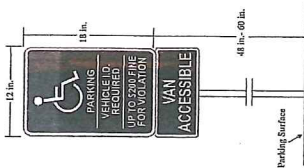
*Jeff Martens*

Jeff Martens  
Land Use Task Force Chairman  
Board of Director's Vice Chairman

Cc: Ward 5

Auto Cape Systems  
1176 Dale St  
By: [Signature] Date: 10/27/99  
File # [Blank] Any additional info from this file



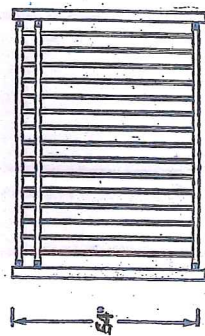


1341.0202, Subpart 4, ADAAG 4.04.2:  
 Accessible parking spaces shall be:  
 1. Located on the same level as the parking area.  
 2. Located adjacent to the parking area.  
 3. Located adjacent to the parking area.  
 4. Located adjacent to the parking area.  
 5. Located adjacent to the parking area.  
 6. Located adjacent to the parking area.  
 7. Located adjacent to the parking area.  
 8. Located adjacent to the parking area.  
 9. Located adjacent to the parking area.  
 10. Located adjacent to the parking area.

GATES (3)  
 30' CHAIN LINK FENCE 6' HIGH  
 LOCKING AND LATCHES 4' CHAINS

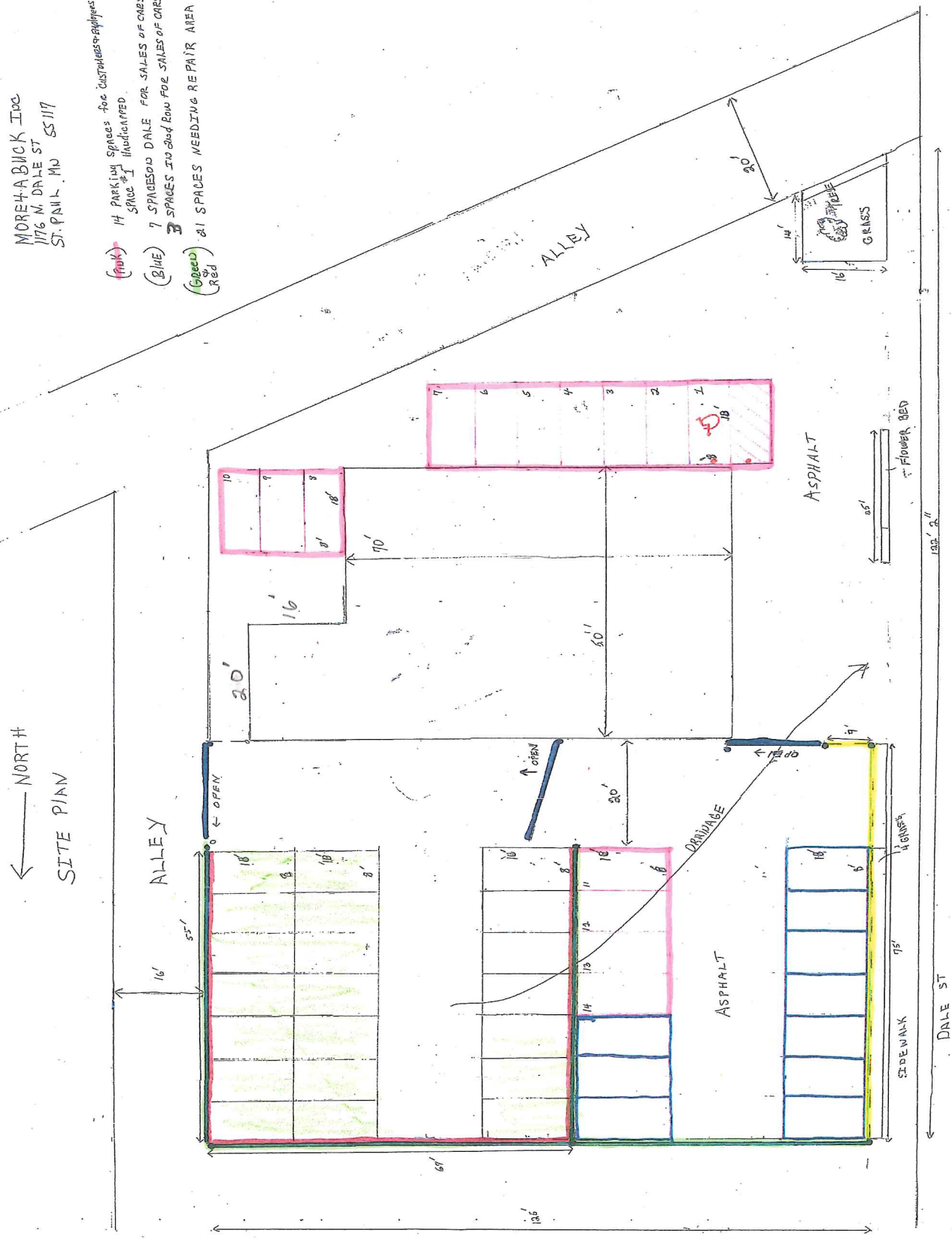


(GREEN) 6' CHAIN LINK FENCE  
 (GREEN) will have green  
 YARD GARD  
 55' on EAST SIDE  
 55' on NORTH SIDE  
 55' on TOWER BUILDING



54" BLACK ALUMINUM FENCE (GREEN)  
 75' on DALE ST 9' Along DRIVEWAY

NORTH  
 SITE PLAN



MORET-A-BUCK INC  
 1176 N. DALE ST  
 ST. PAUL, MN 55117

(PINK) 14 PARKING SPACES FOR CUSTOMERS & EMPLOYEES  
 SPACE #1 HIGHLIGHTED  
 (BLUE) 7 SPACES DALE FOR SALES OF CAR  
 (GREEN) 3 SPACES TO BE USED FOR SALES OF CAR  
 (RED) 21 SPACES NEEDING REPAIR AREA

2003

814  
± 9.4 x ±



2008

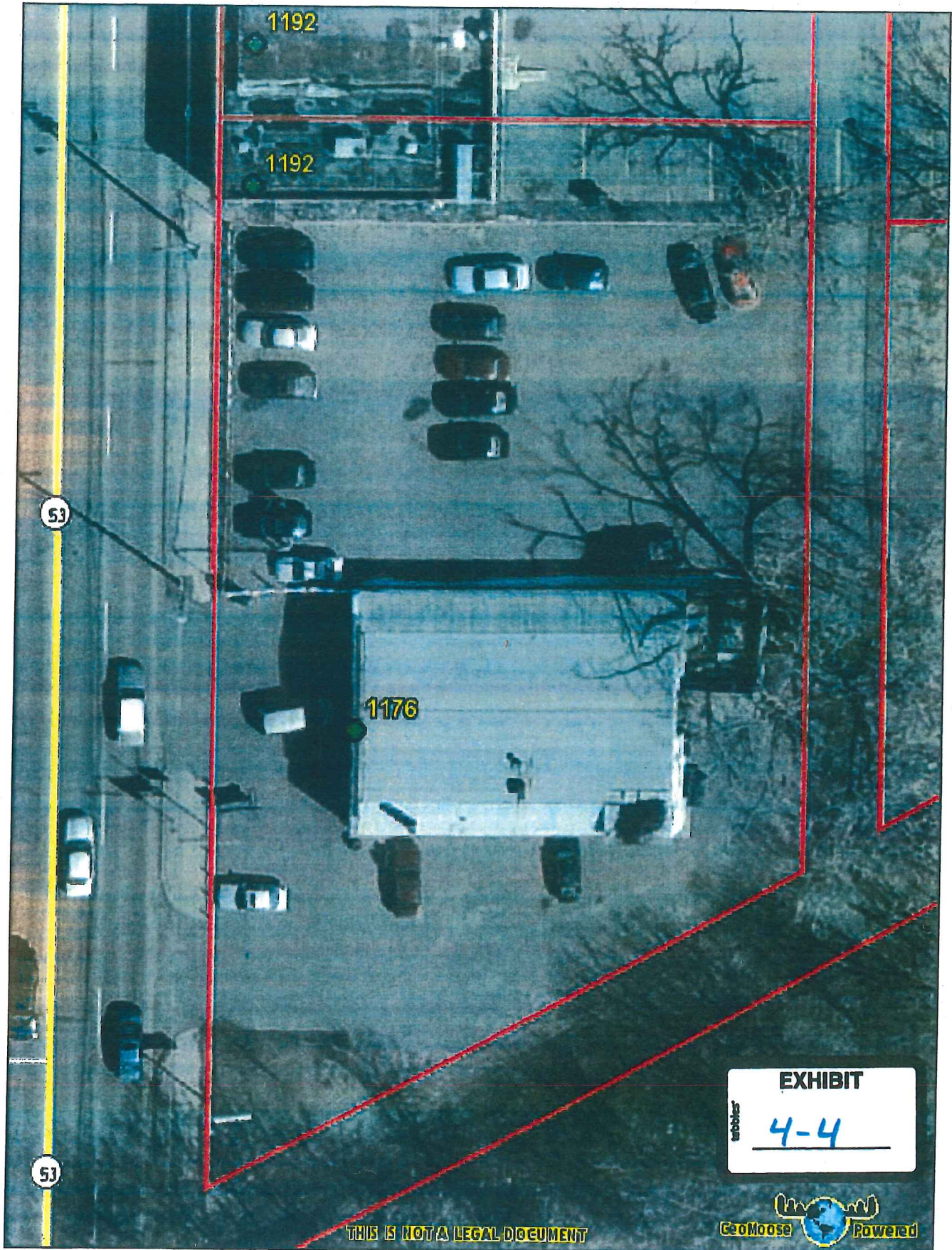


EXHIBIT  
4-4

THIS IS NOT A LEGAL DOCUMENT



