

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Integrity Auto Sales **FILE #** 15-144-494
  2. **APPLICANT:** Integrity Auto Sales **HEARING DATE:** August 27, 2015
  3. **TYPE OF APPLICATION:** Conditional Use Permit
  4. **LOCATION:** 501 Maryland Ave W, NW corner at MacKubin
  5. **PIN & LEGAL DESCRIPTION:** 242923330139, Cottage Homes subj to ave & easement; the E 140 ft lying Sly of BN Ry r/w of Lot 38
  6. **PLANNING DISTRICT:** 6 **PRESENT ZONING:** B3
  7. **ZONING CODE REFERENCE:** §65.706; §61.501
  8. **STAFF REPORT DATE:** August 20, 2015 **BY:** Jamie Radel
  9. **DATE RECEIVED:** July 29, 2015 **60-DAY DEADLINE FOR ACTION:** October 11, 2015
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- A. **PURPOSE:** Conditional use permit for outdoor auto sales and minor repair of vehicles for sale
- B. **PARCEL SIZE:** 0.72 acres (31,357 sq. ft.)
- C. **EXISTING LAND USE:**
- D. **SURROUNDING LAND USE:**
  - North: Railroad right of way
  - East: Light industrial business
  - South: Marydale Park
  - West: Light industrial business
- E. **ZONING CODE CITATION:** §65.706 lists standards and conditions for outdoor auto sales and rentals; §61.501 lists general conditions that must be met by all conditional uses.
- F. **HISTORY/DISCUSSION:** According to Ramsey County Property Records, this building was built in 1948 and has been zoned B3 general business since 1975. The site would be shared with Municipal Commercial Sewer Service.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 6 Council has not provided a letter at the writing of this report.
- H. **FINDINGS:**
  1. The applicant is seeking to locate a used car brokerage service at the subject property. Based on identified customer needs (make, model, price range, etc), Integrity Auto would seek out a car for the buyer, make any needed repairs, and sell this car to their customer. The applicant has stated that there will be no advertising banners, signs, or flags, and cars will not be marked "for sale" general sales. Customers coming to the site would be by appointment only. Hours of operation for the business would be between 9:00 a.m. and 9:00 p.m. Monday through Friday, and 9:00 a.m. and 6:00 p.m. Saturday and Sunday.
  2. § 65.706 lists the following standards and conditions for outdoor auto sales and rental:
    - (a) *A site plan shall be submitted showing the layout of the vehicles for sale or rent, employee parking, and customer parking. The lot or area shall be provided with a permanent, durable and dustless surface, and shall be graded and drained so as to dispose of all surface water accumulated within the area.* This requirement is met subject to patching and maintenance of the asphalt parking lot. The submitted site plan indicates layout of for-sale vehicle, customer, and employee parking. This is an existing parking lot and a photo submitted by the applicant shows that there are no existing drainage issues.
    - (b) *Vehicular access to the outdoor sales area shall be at least sixty feet from the intersection of any two streets.* This requirement is met. The vehicular access to the outdoor sales area is more than 60 feet from an intersection.
    - (c) *No repair or refinishing shall be done on the lot unless conducted within a completely enclosed building.* This requirement is met subject to no auto refinishing being undertaken at this site. The applicant stated all automobile repairs will occur within an enclosed building. In the narrative submitted with the application, the applicant indicated their intention to

undertake minor auto body prep work as part of their business model. However, refinishing (auto body repair) of cars is not allowed in the B3 general business zoning district, and they have agreed not undertake this work at this site.

- (d) *The minimum lot area shall be 15,000 sq. ft.* This requirement is met. This lot is 31,357 sq. ft. in area.
- (e) *In the case of pawnbrokers, the business shall...* This condition does not apply. The proposed business is not a pawnbroker.

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 Land Use Plan element of the Comprehensive Plan designates this parcel as "Industrial" in Figure LU-B, Generalized 2030 Land Uses. This future land use category allows for "primarily manufacturing and/or the processing of products; could include light or heavy industrial land uses, large warehouse facilities and/or utilities." The District 6 Plan Land Use Policy 5.1 states: "Encourage existing auto related businesses to upgrade the appearance of their buildings and properties; discourage the growth of new auto related businesses." While the District Council's plan states to "discourage" this type of use, by applying the zoning code as written, the City is not actively encouraging the growth of this use.
- (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. There is adequate ingress and egress to this site for this 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. Outdoor auto sales will not be detrimental to public health, safety, and general welfare of the neighborhood. This is a predominately light industrial area at this time.
- (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 outdoor auto sales uses will not impeded the normal and orderly development and improvement of the surrounding properties for uses permitted in the district.
- (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. This use is proposed in an existing building.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the Conditional use permit for outdoor auto sales and minor repair of vehicles for sale 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.
- 2. The number of cars for sale shall not exceed five cars.
- 3. A minimum of three parking spaces for customers and employee parking shall be provided.
- 4. The asphalt surface in the parking area for this use shall be patched in areas in a current state of disrepair, and maintained in accordance with city property maintenance standards.
- 5. All parking spaces shall be striped.
- 6. Auto repair shall be limited to that to supporting the car sales business and not function as a separate use.
- 7. Auto body work shall not occur on the premises.
- 8. The hours of operation shall be between 9:00 a.m. and 9:00 p.m. Monday through Friday and 9:00 a.m. and 6:00 p.m. Saturday and Sunday.



**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) 266-4389

Permit No.                       
Date                       
Applicant                       
Address                     

AS-6 8-27-15  
#242923330139

**APPLICANT**

Name Integrity Auto Sales  
Address 501 Maryland Ave W.  
City St. Paul St. MN Zip 55117 Daytime Phone 612-607-2383  
Name of Owner (if different) Steven Richard Bartlett  
Contact Person (if different) Joe or Andrea Bartlett Phone 651-703-1388

**PROPERTY LOCATION**

Address / Location 501 Maryland Ave. W., St. Paul, MN 55117  
Legal Description Lot 38  
Current Zoning B3  
(attach additional sheet if necessary)

**TYPE OF PERMIT:**

Application is hereby made for a Conditional Use Permit under provisions of  
Chapter 65, section 706, Paragraph                      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 61.582 of the Zoning Code. Attach additional sheets if necessary. See Attached papers.

☒ Required site plan is attached

Applicant's Signature [Signature]

Date 7-15 City Agent [Signature]

7-27-15  
pd



Integrity Auto sales LLC  
501 Maryland Ave W. Suite B  
Saint Paul, MN 55117  
651-703-1388

Conditional Use Permit Application:

Integrity Auto Sales seeks to obtain a conditional use permit for outdoor used car sales with parking for 5 for sale vehicles and 3 customer/employee spaces (8 total parking spaces). The business would also like allowance for minor autobody prep without painting and minor auto repair. We will be reconditioning vehicles held for re-sale and are not doing repairs for the public. All repairs will be conducted in a fully enclosed building already permitted as an auto repair garage.

Site Plan:

Integrity Auto Sales Leases the west portion of the building at 501 Maryland Ave West as well as the west parking lot (see attached site plan and photos). The owner of the building, Jay Lavelle, maintains the east portion of the building and parking lots to the east and north of the building for his business needs (See attached Site Plan and photos).

Business Plan:

Used car dealers are notorious for unethical sales practices and negatively impacting the community. The city and community are inherently cautious and untrusting as a result. Integrity Auto Sales has a unique business model designed to address and solve concerns the city and community have voiced when considering to allow the startup of other auto related businesses. This plan effectively satisfies the car buying needs of its customers without imposing harmful effects on the community. Integrity Auto Sales is a new small business that will operate by appointment only and sales are pre-arranged. This is an auto finding service that matches cars to specific individuals. The business focuses on referrals and word of mouth, instead of the traditional outdoor display lot. At the proposed location there will be no banners, signs, flags or "for sale" vehicles displayed where they can be viewed by the public from the adjoining streets. Our goal is to provide a unique car buying service that is enjoyable and satisfies customers needs with a quality product while maintaining honor and integrity. We select the best used vehicles to maintain a high quality of inventory. Each vehicle is inspected by a ASE certified mechanic making every report available to our customers. Every customer will have complete knowledge of the vehicles condition prior to purchase. At this time we do not offer financing since we are a new start-up business but we will work to establish a relationship with banks so we can make this option available in the future. We will provide a professional, friendly and personal experience for the buyer. We will follow up and ensure customer satisfaction. We rely on our customers for an excellent reference to other car buyers. The more we provide a quality product with a high quality sales experience; the more successful we'll be. Integrity Auto Sales will work hard to build an excellent working relationship with other businesses, the city and community, and our customers.

Statute 61.501 five standards that all conditional uses must satisfy

*a.) The extent, location and intensity of the use will be in substantial compliance with the St. Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.*

The future Land Use map of the Comprehensive Plan identifies the proposed area located as a Mixed-Use Corridor. Policy LU 1.46 is to encourage the expansion of compact commercial areas in...mixed use corridors. Policy LU1.48 is to support compatible Mixed-Use within single buildings. The conditional use permit will allow both; the existing business, and a new business to operate from the property, consistent with both these policies.

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

Access to the display lot is compliant with the minimum distance of sixty feet from any nearby intersection which provides adequate ingress and egress. The few vehicles (3/8) held for resale at any given time, limits the amount of traffic generated by Integrity Auto Sales. The business operates by appointment only, and will also install vinyl privacy strips in the existing 6' chain link fence to conceal operations from the surrounding community. This will reduce lot traffic. The volume of traffic generated by this type of operation can be sustained by the existing curb cuts and will minimize traffic congestion in the neighboring 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.*

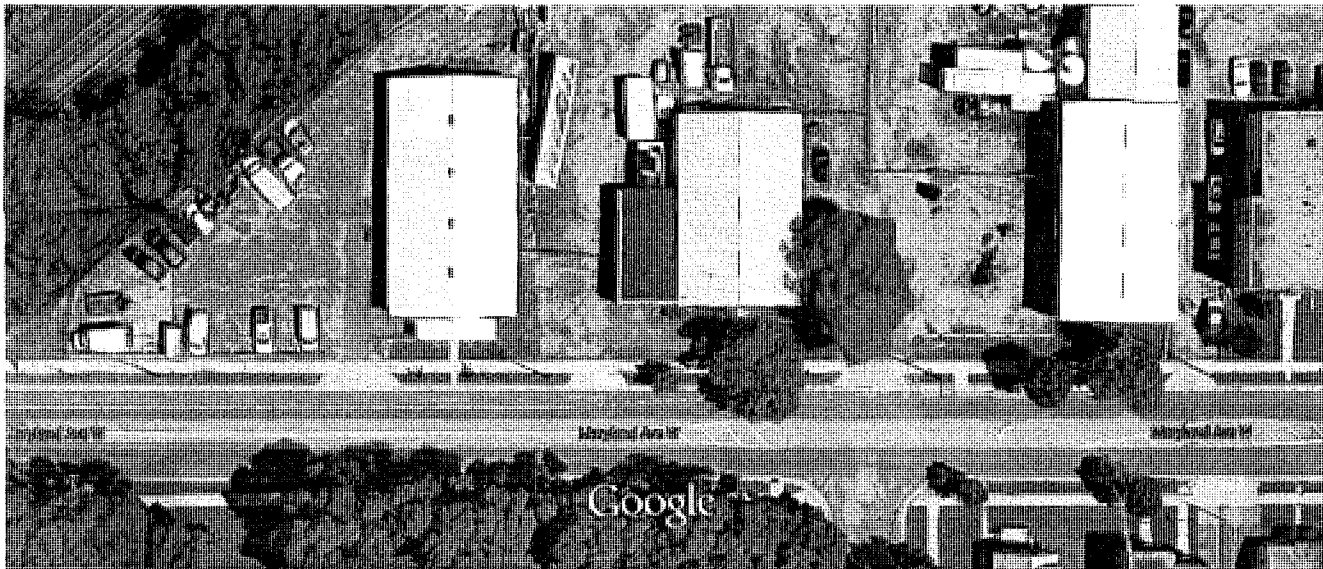
The proposed use is consistent with the existing character of development, in the immediate neighborhood; which, includes a mix of residential, commercial, and industrial uses. (See attachment "C") Integrity Auto Sales proposed land use will not endanger the public health, safety, or general welfare. The applicant will provide vinyl privacy strips to the existing 6' chainlink fence which will provide visual screening.

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

Zoning of the surrounding properties are primarily industrial, commercial and residential. The proposed business will not adjoin any of the surrounding residential properties. The use will occupy an existing building already permitted as an autorepair garage. The existing lot is paved and will be limited to no more than five vehicles for sale at any given time. The proposed use will be a scale compatible with normal and orderly development, and improvement of the surrounding properties.

*e.) The use shall, in all other respects, conform to the applicable regulations of the District in which it is located.*

The proposed use and site plan conform or can conform to all applicable regulations in the B3 district. 501 Maryland Ave has a lot that is greater than the minimum lot area requirement of 15,000 sq.ft. for the proposed use. The parking lot has existing blacktop and is graded to dispose of surface water where the "for sale" vehicles, customer vehicles and employee vehicles will be parked. Vehicular access to the outdoor sales area is at least 60' from the intersection at Maryland and Mackubin. If granted approval for outdoor auto sales there is a fully enclosed repair garage onsite for repair and refinishing to be performed. There will be no outdoor storage of any auto parts or damaged vehicles and all trash will be enclosed in the 6' privacy fence and will be removed at least once per week. There is a 10' buffer area between the vehicle display/storage area and Maryland avenue that will be landscaped and vinyl installed in the existing 6' chain link fence to conceal the proposed operation from the surrounding community.



44°58'43.7"N 93°07'03.4"W

- | - Lot 37 -  | - Lot 38 -   | - Lot 39 -   |
|---|--|--|
| - Cabinet Refinishing Business.   | - Existing Business.   | - East Neighboring Lot. 495 Maryland   |
| - Industrial, Commercial Uses.  | - Municipal SEWER Service.   | - "IceMan Industries"  |
| - Outdoor storage already exists  | - Auto Repair garage permit  | - Repair Garage Permit Commercial and Industrial Use.  |
| - Refinishing Shop, Spray Painting Permit.  | - outdoor storage of vehicles already exists.  | - outdoor storage of vehicles already exist.   |
| - Business has been in this location for many, many years at this location with no plans to move. | - existing business has operated at this location for over 25 yrs and plans to be here another 25 yrs. | - Business has been at this location for many, many years and plans to stay for many more years. |

\*As shown the proposed business site is surrounded by industrial and commercial uses, and proposed land use is consistent with surrounding properties.



- 501 Maryland Ave W. Suite 2. Proposed location for Integrity Auto Sales.

• Office and garage shown below with proposed parking lot. The front lot before the chain link fence to be used for 2-3 customer spaces. The rear lot behind the fence to be used for no more than 5 "for sale" parking spaces, 2 employee spaces.



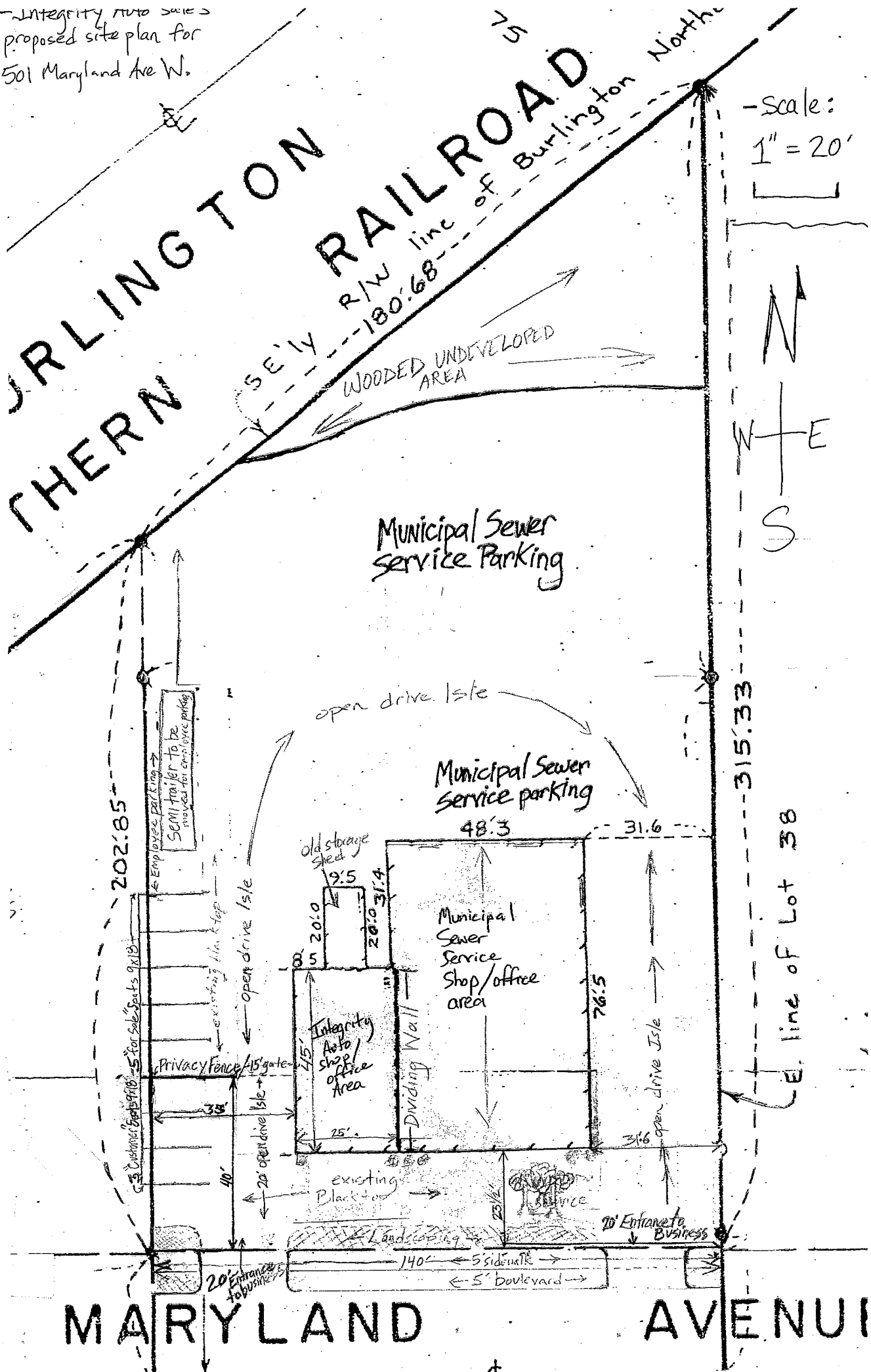


\* Vinyl privacy strips to be installed in fence, "For Sale" parking behind fence.





Integrity Auto Sales  
proposed site plan for  
501 Maryland Ave W.



## 501 Maryland Avenue

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501 Maryland Avenue



501 Maryland Avenue (customer parking area)



## 501 Maryland Avenue

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East of subject property



West of subject property



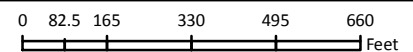
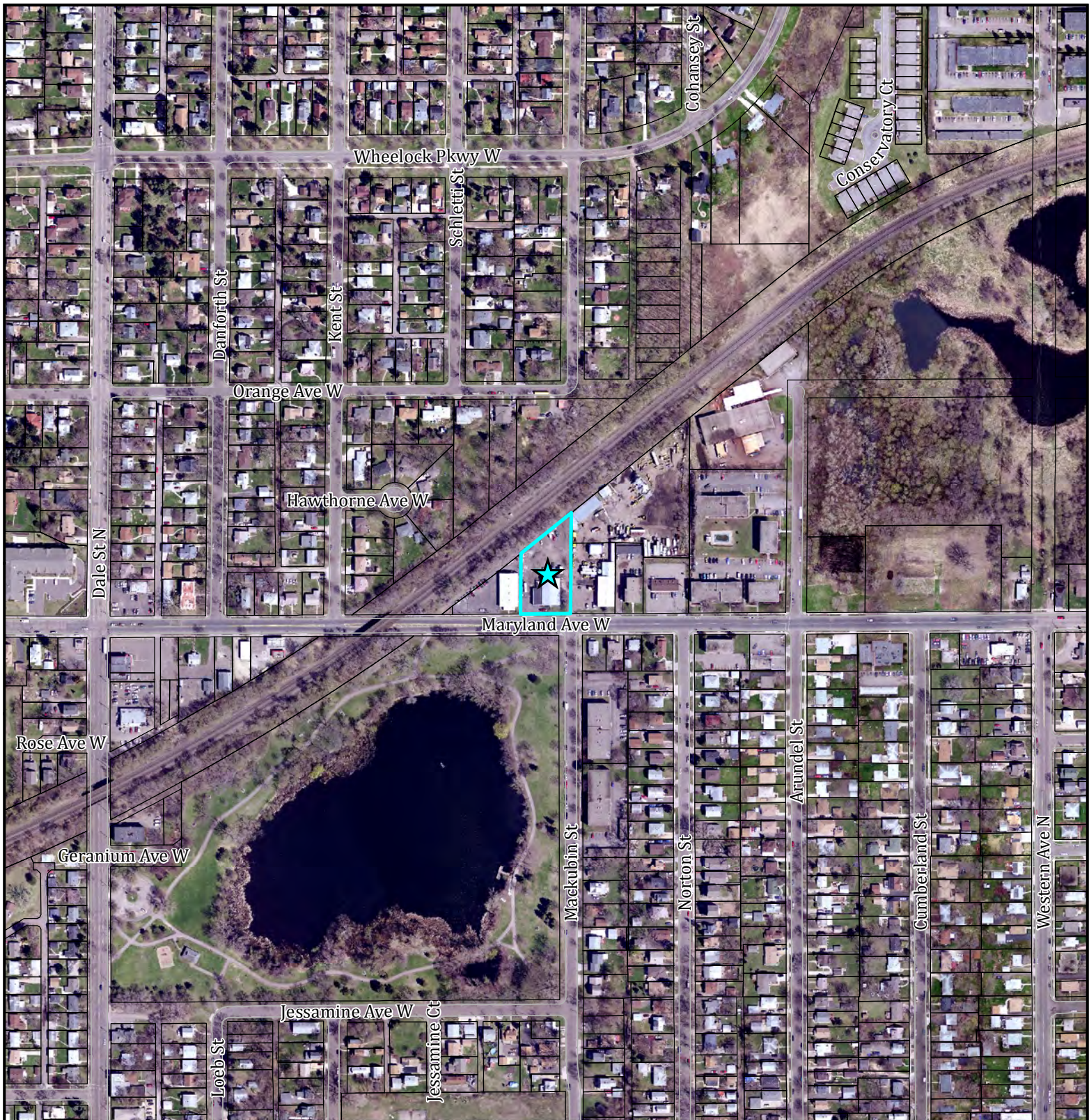
## 501 Maryland Avenue

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South of subject property






FILE NAME: Integrity Auto Sales

**Aerial**

APPLICATION TYPE: Conditional use permit

 Subject Parcels

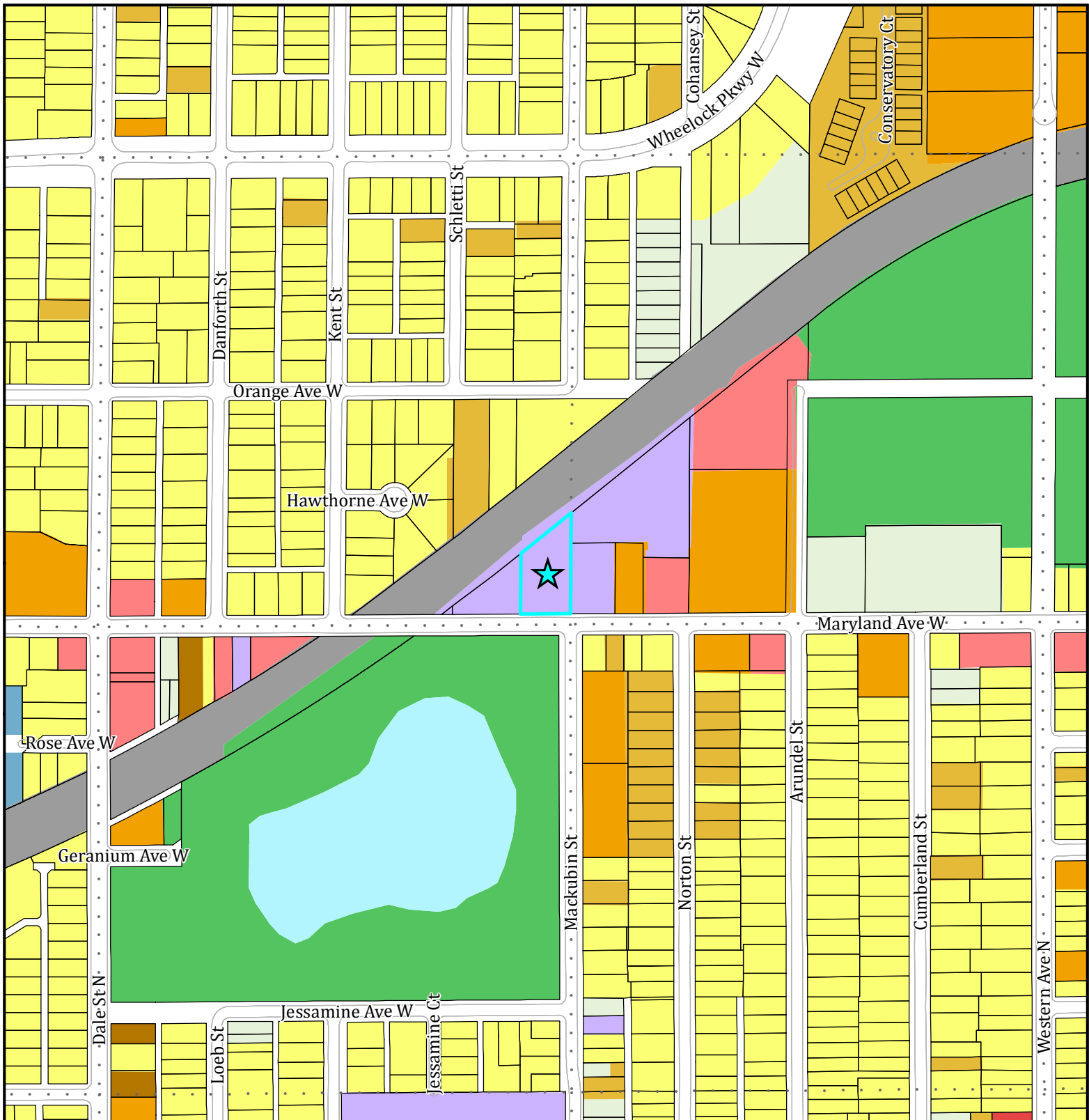
FILE #: 15-144494 DATE: 7/29/2015

PLANNING DISTRICT: 6

ZONING PANEL: 3







FILE NAME: Integrity Auto Sales

APPLICATION TYPE: Conditional use permit

FILE #: 15-144494 DATE: 7/29/2015

PLANNING DISTRICT: 6

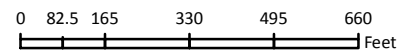
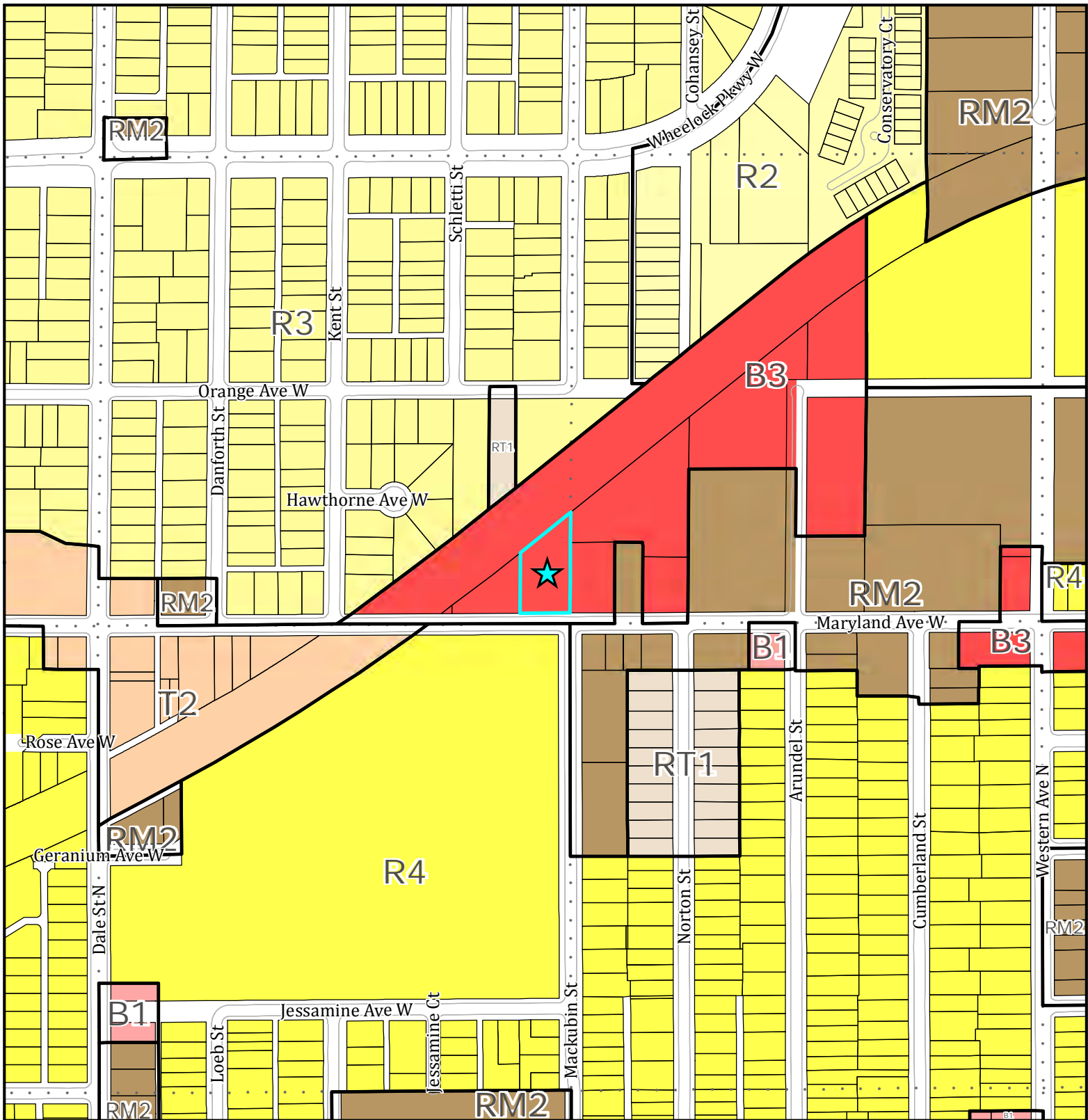
ZONING PANEL: 3

#### Land Use

- |  |  |
|--|--|
| <span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> Single Family Detached      | <span style="display: inline-block; width: 15px; height: 15px; background-color: blue; border: 1px solid black;"></span> Institutional                   |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> Single Family Attached      | <span style="display: inline-block; width: 15px; height: 15px; background-color: green; border: 1px solid black;"></span> Park, Recreational or Preserve |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: brown; border: 1px solid black;"></span> Multifamily                  | <span style="display: inline-block; width: 15px; height: 15px; background-color: grey; border: 1px solid black;"></span> Railway                         |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: pink; border: 1px solid black;"></span> Retail and Other Commercial   | <span style="display: inline-block; width: 15px; height: 15px; background-color: lightgreen; border: 1px solid black;"></span> Undeveloped               |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: darkbrown; border: 1px solid black;"></span> Mixed Use Residential    | <span style="display: inline-block; width: 15px; height: 15px; background-color: lightblue; border: 1px solid black;"></span> Water                      |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: red; border: 1px solid black;"></span> Mixed Use Commercial and Other | <span style="display: inline-block; width: 15px; height: 15px; border: 2px solid cyan;"></span> Subject Parcels  |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: purple; border: 1px solid black;"></span> Industrial and Utility      | <span style="display: inline-block; width: 15px; height: 15px; border-top: 1px dotted black;"></span> Section Lines                                      |







FILE NAME: Integrity Auto Sales

APPLICATION TYPE: Conditional use permit

FILE #: 15-144494 DATE: 7/29/2015

PLANNING DISTRICT: 6

ZONING PANEL: 3

#### Zoning

- R2 One-Family
- R3 One-Family
- R4 One-Family
- RT1 Two-Family
- RM2 Multiple-Family
- T2 Traditional Neighborhood
- B1 Local Business

B3 General Business

Subject Parcels

Section Lines

