

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Fleetwood Motors **FILE #** 14-344-764
 2. **APPLICANT:** Fleetwood Motors **HEARING DATE:** December 23, 2014
 3. **TYPE OF APPLICATION:** Conditional Use Permit
 4. **LOCATION:** 550 Como Ave, SW corner at Burgess Street
 5. **PIN & LEGAL DESCRIPTION:** 252923320144, Foundry Addition Lots 6,7 & Lot 8 Blk 6
 6. **PLANNING DISTRICT:** 6 **PRESENT ZONING:** IT
 7. **ZONING CODE REFERENCE:** §65.706; §61.501, §61.502
 8. **STAFF REPORT DATE:** December 18, 2014 **BY:** Josh Williams
 9. **DATE RECEIVED:** November 10, 2014 **60-DAY DEADLINE FOR ACTION:** January 9, 2015
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- A. **PURPOSE:** Conditional use permit for outdoor used automobile sales
- B. **PARCEL SIZE:** 16,664
- C. **EXISTING LAND USE:** Commercial
- D. **SURROUNDING LAND USE:**
 - North: Residential/Industrial
 - East: Residential/Commercial
 - South: Industrial
 - West: Residential/Commercial
- E. **ZONING CODE CITATION:** §65.706 lists standards and conditions for outdoor automobile sales and rental; §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:** Concurrent with this application, the owner of the property has submitted an application to rezone the property from IT (transitional industrial) to B3 (general business). Outdoor automobile sales are not allowed in the IT district and are a conditional use in the B3 district.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 6 Council has recommended approval the application for a conditional use permit for outdoor used auto sales.
- H. **FINDINGS:**
 1. §65.706 lists four standards that outdoor automobiles sales lots must meet in the B3 district:
 - 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 standard is met. The applicant has submitted a site plan which shows layout of vehicles for sale, employee and customer parking, and adequate drive lanes. The lot where vehicles sales and employee and customer parking will take place is already paved. However, sales and parking areas are not striped at this time. Striping of the lot consistent with the site plan should be a condition of approval.
 - b) *Vehicular access to the outdoor sales area shall be at least sixty (60) feet from the intersection of any two (2) streets.* This standard can be met. The curb cut by which the sales area and parking are accessed is located 55 feet from the intersection of Burgess Street and Como Avenue. The applicant has agreed to move the curb cut southeasterly to a distance of 60 feet from the intersection, but has requested that the necessary construction be delayed until the 2015 construction season. A deadline for moving the curb cut should be a condition of approval.
 - c) *No repair or refinishing shall be done on the lot unless conducted within a completely enclosed building.* This standard can be met. The applicant has indicated no intent to conduct repair or refinishing activities on the site. A prohibition on outdoor repairs or refinishing of vehicles on site should be a condition of approval.

d) *Except in the IT transitional industrial district, the minimum lot area shall be fifteen thousand (15,000) square feet.* This condition is met; the lot area is over 15,000 square feet.

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. The Future Land Use map of the comprehensive plan identifies the stretch of Como Avenue on which the property is located as a Mixed-Use Corridor. Policy LU1.46 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 subject property, consistent with both of these policies.

b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition can be met, provided the curb cut for access to the property is relocated to a distance of at least 60 feet from the intersection of Burgess and Como. The applicant is proposing storage of no more than 8 vehicles in the sales area at any one time. The volume of traffic generated by an operation of this size can be adequately handled by the relocated curb cut. A limit of 8 vehicles for display and sale on the site at any given time, to be arranged consistent with the submitted site plan, should be a condition of approval, as should relocation of the curb cut to a distance of at least 60 feet from the nearest intersection.

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 proposed use is consistent with the existing character of development in the area, which is a mix of residential, commercial, and industrial. It will not endanger the public health, safety, or general welfare.

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 zoning of the surrounding area is primarily industrial and traditional neighborhood, with a small area of multifamily residential on Burgess Street to the west. The use will occupy an existing building and paved lot, and, if limited to no more than 8 vehicles for sale at any given time, will be of a scale generally compatible with normal and orderly development and improvement of the surrounding properties. A limit of 8 vehicles for display and sale on the site at any given time, to be arranged consistent with the submitted site plan, should be a condition of approval.

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, subject to the conditions of approval below.

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

1. Layout of a maximum of 8 vehicles for display and sale at any one time, and of customer parking, employee parking, and drive lanes must be consistent with the site plan submitted by the applicant.
2. The sales lot and parking areas must be striped consistent with the site plan no later than May 15, 2015.
3. A curb cut located at least 60 feet from the nearest intersection and consistent with City of Saint Paul standards for commercial uses must be constructed no later than July 31, 2015.
4. Any portion of the existing curb cut and apron less than 60 site from the nearest intersection shall be removed and replaced with curb, boulevard planting, and sidewalk matching the adjacent cross-sections.
5. Outdoor repair or refinishing of vehicles on site is prohibited.



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 # 14-344764

Fee 700.00

Tentative Hearing Date 12-11-14

APPLICANT

Name HEETWOOD MOTORS

Address 550 Como Ave

City ST PAUL St. MN Zip 55103 Daytime Phone 952-452-2723

Name of Owner (if different) Phillip Smith

Contact Person (if different) (SAME) Phone _____

PROPERTY LOCATION

Address / Location 550 Como Ave

Legal Description SEE ATTACHED

Current Zoning IT

(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of Chapter 61, Section 501, 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 61.502 of the Zoning Code. Attach additional sheets if necessary. to BE Modified

Bx 61.502 to allow 6 months to BE IN COMPLIANCE with 65.706(b)

Required site plan is attached

Applicant's Signature Phillip Smith Date 9-30-14 City Agent add 10-1-14

11/5/14 JCS

Fleetwood Motor LLC/ O'Gorman Zoning Change Request & Conditional Use Permit Application for 550 Como

Applicant Plan

The applicant is a lifelong St. Paul resident and 17 year Frog town homeowner seeks to establish his outdoor sales/used automobile business for up to 12 vehicles and up to 4 customer parking spots at 550 Como Ave.

Business Plan

Fleetwood Motor is owned by Phillip Smith with over 30 years of Automotive is establishing said business at the subject property where it leases the front office of the structure and the entire adjacent paved lot and property.

On said property there will be no auto prep work, no automotive garage, no mechanic or body work. Fleetwood Motor will hire up to an initial 3 sales staff including the owner , with operating hours of 9-6 Monday –Friday and 9-4 on Saturdays. With normal business hours and a small number of vehicles for sale at any one time, Fleetwood will strive to sale quality automobiles as it secures the financing for all its customers.

With automobile outdoor companies growing on Como Avenue, including directly across the street from the site, Fleetwood Motor seeks to develop a niche of quality automobile sales in a neighborhood friendly and supportive environment for the average working families of St. Paul.

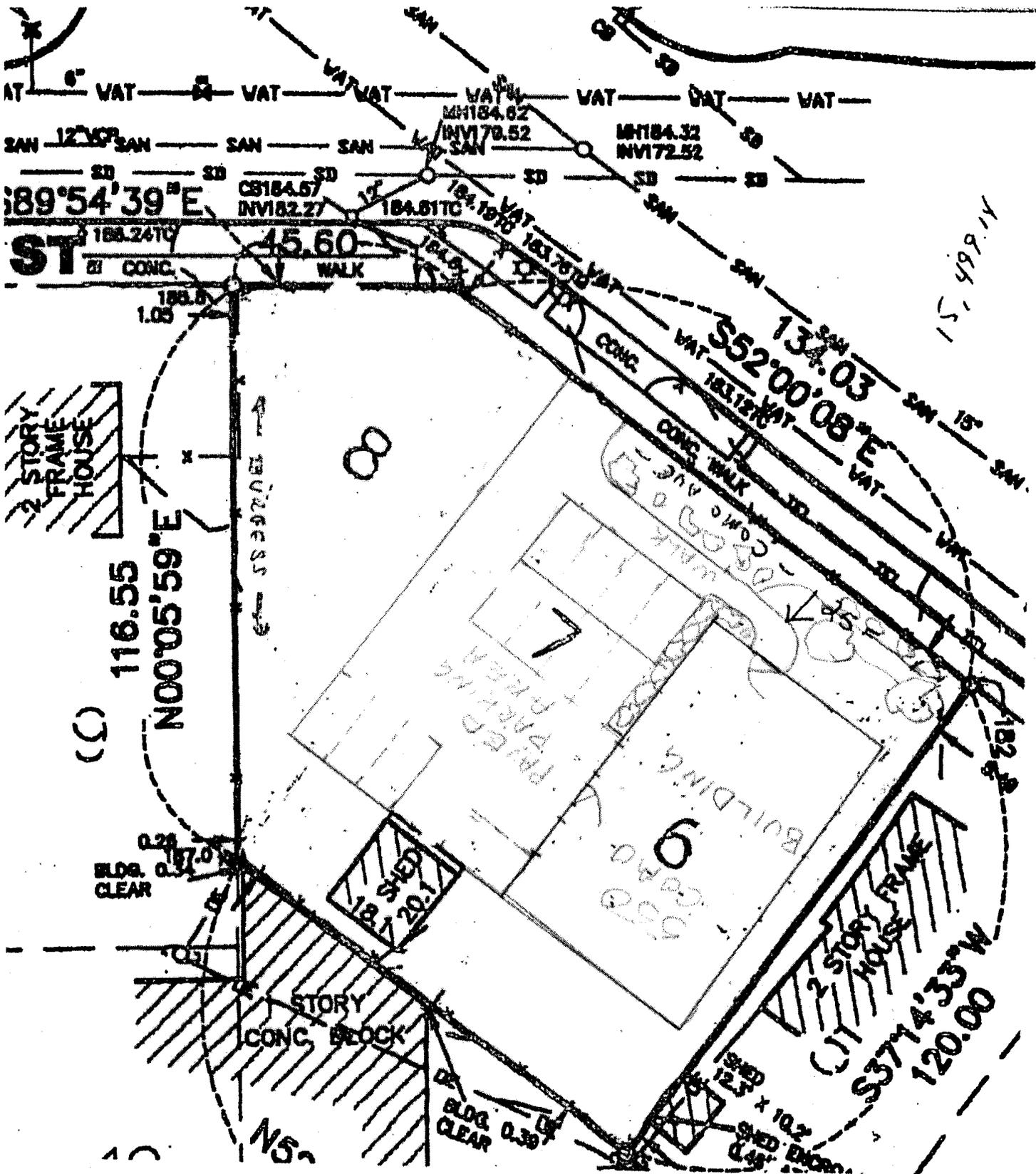
Site

Fleetwood leases the front offices of 550 Como and the entire parking area and outside property therein. (see photos) The fee owner of the property, Frank and Mary O'Gorman maintains the rear for the building for their small business needs.(see attached drawing) and hereby makes application together with Fleetwood for the requested zoning change.

The current paved lot measures approximately 90 feet x 60 feet and will provide sufficient parking for up to 10-12 automobiles on site for sale , up to 4 customer parking spots and up to 3 staff parking stalls consistent with section 63.305 for off street parking requirements (See photos and black topping specs attached)which will allow for adequate maneuvering room.

Having met with zoning and having scheduled a pre-application conference with the Dept of Planning and Economic development, herein find the request from the landowner to change

the zoning of the parcel from IT to B-3 and the lessee Fleetwood is applying as directed by staff for its CUP under sec.61.501,61.504, and section 65.706 (a) and stipulates its compliance therein as noted herein with modification pursuant to 61.502 given the exceptional undue hardship and expense to allow for Fleetwood, as a new start up business, to make the necessary changes to the lot entrance to conform to section 65.706(b) within six months following the approval of the zoning change and CUP herein.



15-499.14

116.55
 $N00^{\circ}05'59''E$

137.03
 $S52^{\circ}00'08''E$

$S37^{\circ}4'33''W$
 120.00

$189^{\circ}54'39''E$
ST

45.60
WALK

18' SHED
 20.1

18' SHED x 10.2'
12.30
SHED ENDR
0.48

BLDG. CLEAR
 0.26
 187.0

1 STORY
CONC. BLOCK

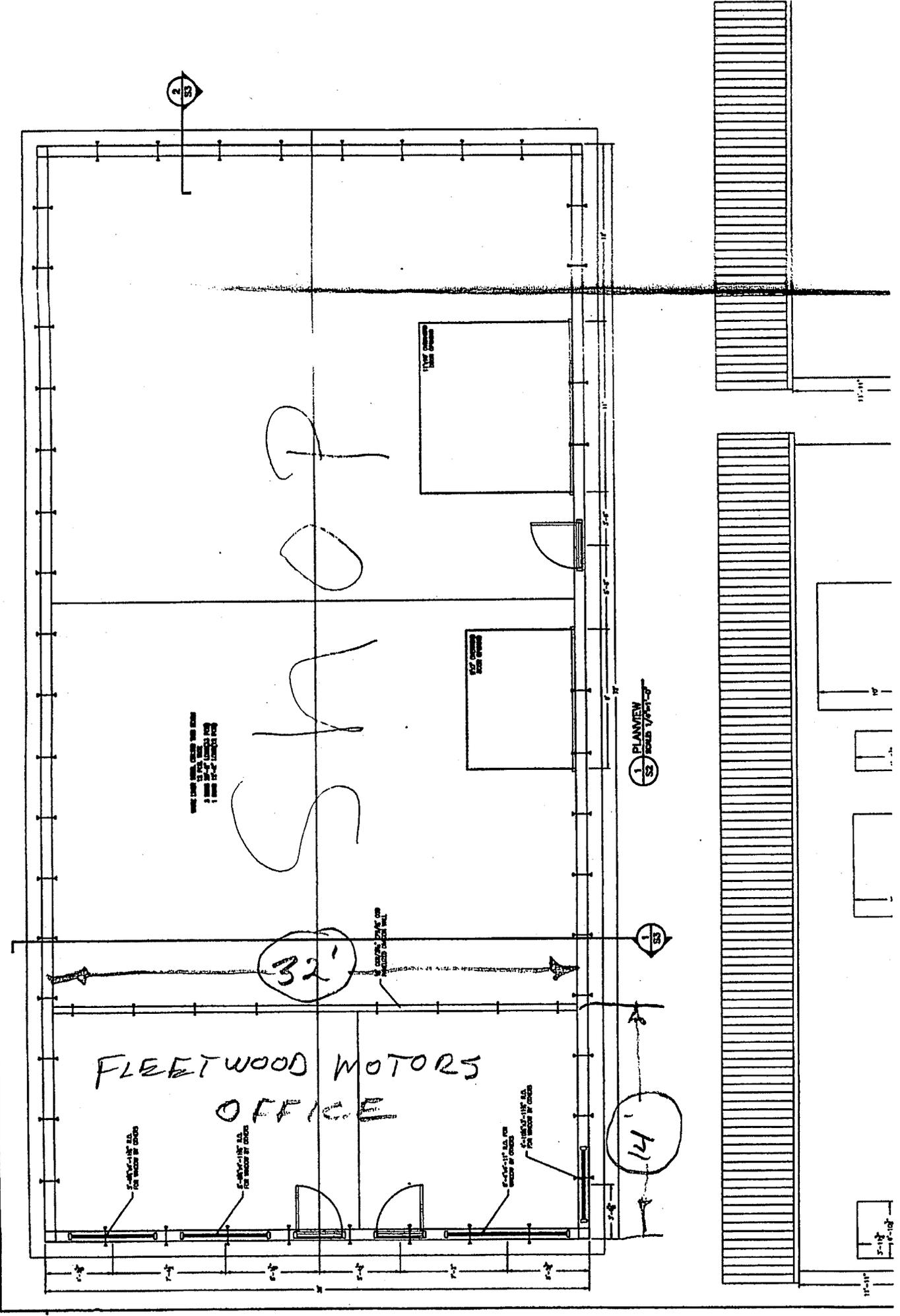
15'

BLDG. CLEAR
 0.30

15'

182.8'

550 COMO



2

1 PLANVIEW
22' 0" x 14' 0" x 11' 0"

32'

1

14'

FLEETWOOD MOTORS
OFFICE

SHOP

NOTE: THIS AREA, UNDER THE SHOP
IS TO BE USED FOR
A 10' x 12' x 12' COUNTER
1 10' x 12' x 12' COUNTER

2' 0" x 12' 0" x 12' 0" ON
EACH SIDE WALL

6'-0" x 12' 0" x 12' 0" ON
EACH SIDE OF OFFICE

6'-0" x 12' 0" x 12' 0" ON
EACH SIDE OF OFFICE

6'-0" x 12' 0" x 12' 0" ON
EACH SIDE OF OFFICE

11'-0" x 12' 0" x 12' 0"



District 6 Planning Council

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

December 15, 2014

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

RE: 550 Como Avenue-Frank and Mary O'Gorman- Fleetwood Motors-Establishment of a Conditional Use Permit to allow for Auto Sales and re-zone from IT to B3

At its Land Use meeting on December 1, 2014 the task force met with the applicant and after discussion District 6 Planning Council recommends approval of a conditional use permit and a rezone of the property to B3 to allow for auto sales with the condition the applicant has an approved site plan.

District 6 does not take rezoning a parcel lightly but in this case, the rezoning to a B3 will result in more consistent zoning in the area.

Thank-you for your consideration and if you have questions, please contact the office.

Regards,

Jeff Martens

Jeff Martens
Land Use Chairman

Cc: Ward 1
Josh Williams

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