

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Salvation Army ARC **FILE #** 15-014-014
 2. **APPLICANT:** The Salvation Army Adult Rehabilitation Center **HEARING DATE:** March 19, 2015
 3. **TYPE OF APPLICATION:** Conditional Use Permit
 4. **LOCATION:** 1905 Suburban Ave, NE corner of Burns and Suburban
 5. **PIN & LEGAL DESCRIPTION:** 35.29.22.34.0001; RLS 274 Subj to Rds, Tract B
 6. **PLANNING DISTRICT:** 1 **PRESENT ZONING:** T2
 7. **ZONING CODE REFERENCE:** § 65.513; § 61.501
 8. **STAFF REPORT DATE:** March 12, 2015 **BY:** Bill Dermody
 9. **DATE RECEIVED:** February 27, 2015 **60-DAY DEADLINE FOR ACTION:** April 28, 2015
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- A. **PURPOSE:** Conditional use permit for drive-through donation drop-off
- B. **PARCEL SIZE:** 2.6 acres
- C. **EXISTING LAND USE:** C-Retail
- D. **SURROUNDING LAND USE:**
Interstate 94 to the north; commercial uses (T2, B3) to the east, south, and west
- E. **ZONING CODE CITATION:** § 65.513 lists standards and conditions for drive-through services; §61.501 lists general conditions that must be met by all conditional uses.
- F. **HISTORY/DISCUSSION:** The site was rezoned from B3 to T2 in about 2005 as part of a larger rezoning. The site was zoned Commercial prior to 1975.
- G. **DISTRICT COUNCIL RECOMMENDATION:** At the time of this writing, the District 1 Council has not provided input on the application.
- H. **FINDINGS:**
 1. The application requests approval of a conditional use permit to allow for a drive-through to accommodate drop-off donations.
 2. The subject site is zoned T2 and contains two buildings. The drive-through is proposed to be located on the northern building's north side, facing I-94. No service window is proposed. Rather, an addition will be constructed with overhead doors to allow for customers to enter the building to unload donations.
 3. § 65.513 lists standards and conditions for drive-through services, including for such uses in T2 districts (f, g):
 - a) *Drive-through lanes and service windows shall be located to the side or rear of buildings, shall not be located between the principal structure and a public street, and shall be at least 60 feet from the closest point of any residentially zoned property.* This condition is met. The proposed drive-through lanes are located in the building's rear and are approximately 250' from the nearest residentially zoned property.
 - b) *Points of vehicular ingress and egress shall be located at least 60 feet from the intersection of two streets and at least 60 feet from abutting residentially zoned property.* This condition is met. Ingress and egress is provided via existing driveways along Suburban Avenue. The driveways are located more than 60 feet from the nearest residentially zoned property (a Ramsey County pond to the southwest). The driveways are also located more than 60 feet from the intersection of two streets, which is the intersection of Burns and Suburban Avenues on the south side of Suburban.
 - c) *Speaker box sounds from the drive-through lane shall not be plainly audible so as to unreasonably disturb the peace and quiet of abutting residential property.* This condition is met. No speaker box is proposed. Also, the drive-through is adjacent to Interstate 94.
 - d) *A six-foot buffer area with screen planting and an obscuring wall or fence shall be required along any property line adjoining an existing residence or residentially zoned property.* This condition is met. The property does not adjoin an existing residence or residentially zoned property.

- e) *Stacking spaces shall be provided for each drive-through lane. Banks, credit unions, and fast-food restaurants shall provide a minimum of four (4) stacking spaces per drive-through lane. Stacking spaces for all other uses shall be determined by the zoning administrator. This condition is met. Adequate stacking is provided for the use.*
 - f) *There shall be no more than one (1) drive-through lane and no more than two (2) drive-through service windows, with the exception of banks, which may have no more than three (3) drive-through lanes. This condition is met. One drive-through lane and no drive-through windows are proposed.*
 - g) *The number of curb cuts shall be minimized. In light rail station areas, there shall generally be no more than one (1) curb cut on a block face per drive-through. Drive-through sales and services are prohibited along the entire length of block faces adjacent to light rail transit station platforms. This condition is met. No new curb cuts are proposed.*
4. § 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 Comprehensive Plan in Figure LU-B designates the site as part of both a Neighborhood Center and a Mixed Use Corridor, which call for a variety of commercial uses such as proposed. The District 1 Plan contains no provisions specific to this application. The Sun Ray-Suburban Area Plan calls for locating convenience drive-throughs to the side or rear of buildings.*
 - b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met. Existing driveways to Suburban Avenue are sufficient for the proposed 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 proposed use will not be detrimental to the area's existing retail character.*
 - 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 proposed drive-through located behind the northern building will not impede the normal and orderly development of surrounding property.*
 - 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. Besides the drive-through, the proposed use conforms with T2 permitted uses and dimensional regulations.*

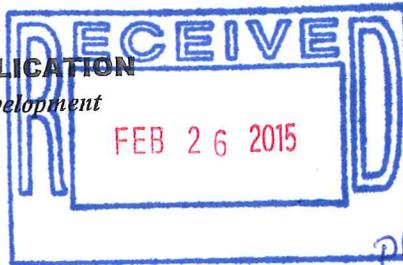
I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for drive-through donation drop-off subject to the following additional condition(s):

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 #: 15-014014
Fee: 800.00
Tentative Hearing Date: 3-19-15
352922340001

APPLICANT

Name PAUL DAHL - WCL ASSOCIATES, INC.
Address 4931 W. 35th ST., SUITE 200
City ST. LOUIS PARK St. MN Zip 55416 Daytime Phone 952-512-9551
Name of Owner (if different) THE SALVATION ARMY ARC
Contact Person (if different) TOM CANFIELD Phone 612-328-2124

PROPERTY LOCATION

Address / Location 1907 SUBURBAN AVENUE, ST. PAUL, MN
Legal Description TRACT B, REGISTERED LAND SURVEY NO. 214, RAMSEY COUNTY, MN. TORREN'S PROPERTY, Current Zoning T2
(attach additional sheet if necessary) TORREN'S CERTIFICATE NO. 312464

TYPE OF PERMIT:

Application is hereby made for a Conditional Use Permit under provisions of Chapter 65, Section 513, Paragraph A-G 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.

ALSO ATTACH ARE:

AGREEMENT BETWEEN CURRENT OWNER OF THE PROPERTY AT 1907 SUBURBAN AVE., MN & INVESTMENTS AND THE SALVATION ARMY, WHO WILL BE PURCHASING THE PROPERTY.

ONE SET OF 11x17 SITEPLAN, FLOOR PLAN & ELEVATION DOCUMENTS FOR THE ADDITION TO THE EXISTING BUILDING.

Required site plan is attached

Applicant's Signature [Signature] Date 2.24.15 City Agent [Signature]
pdd 2-27-15



The Salvation Army
1907 Suburban Avenue
St. Paul, MN
Conditional Use Permit Application Supporting Information

Description of Proposed Use:

The Salvation Army will use this building for donation drop-off and retail sales. The building will generally be used as is, with the exception of modifying the interior as required for updated restrooms, a retail sales area and receiving/stock area. The building doesn't currently have an area for the public to drop off donations, therefore the drop-off area will be provided by an addition to the building, at the rear. The addition will be approximately twenty four feet four inches (24'-4") by thirty feet 8 inches (30'-8") with a fourteen (14) foot wide overhead door on each end. This will allow the public to drive through the building and drop-off their donations internally.

The requested Conditional Use Permit is for the use of a drive-through addition. The current zoning is T2 which allows general retail and drive-through sales and services, but requires a conditional use permit for the drive-through.

I have included with this submittal a site plan showing the location and access for the new drive-through drop-off addition, a floor plan of the existing building with the new addition and the proposed elevations showing the new addition.

Sec. 61.501. - Conditional use permit, general standards.

Before the planning commission may grant approval of a conditional use, the commission shall find that:

(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.

I have sent the site plan, floor plan and elevation documents to Betsy Leach, Executive Director / Community Organizer of District 1 Community Council for review by her board, so that we could get their input with regards to how our project fits with the Comprehensive Plan for the Sun Ray-Suburban Small Area Plan, prior to submitting the documents for Zoning and Planning review and approval. She presented the documents to her board on Monday February 23rd. She said the Board was very supportive and there was only one question raised. That question was with regards to safety issues with access to the area behind the building and if this area would have security cameras to help deter after hour activity? Response to this is that the existing building has always had access to the north side of the building and as far we know, there have not been any problems, but the TSA does plan to have a security camera system and will have cameras on the north side drop off area.

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

There are two (2) existing ingress and egress access points from Suburban Avenue for this property, which will be more than sufficient for this type of use. Both access points have stacking space for a minimum of 4 – 5 vehicles on site. Suburban Avenue is single lane traffic in both the east and west directions. It is divided by a center turn lane, used for both directions, which helps prevent traffic congestion. The drive-through drop-off addition is located at the rear of the building such that it will not affect ingress and egress of the site.

(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 businesses adjacent to the Salvation Army are Slumberland Clearance Center to the east and Pawn America to the west. Across Suburban Avenue are other retail businesses and fast food establishments. To the north is Interstate Highway 94. The Salvation Army use, of retail sales and donation drop-off, meet the requirements of the T2 District and is similar in use to all surrounding businesses, which are all retail sales and therefore is not detrimental to the existing character nor does any part of their operation of the business endanger the public health, safety and general welfare in any way.

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

The existing building will be used for retail sales which is similar to what it is currently used for, retail sales and a beauty school. The use is completely self-contained within the existing property and will not impede surrounding development.

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

The retail use conforms to all T2 regulations. The retail sales and the drive-through drop-off are allowed within the T2 District, once the drive-through is approved for conditional use.

Sec. 65.513. - Drive-through sales and services, primary and accessory.

Standards and conditions:

(a) Drive-through lanes and service windows shall be located to the side or rear of buildings, shall not be located between the principal structure and a public street, and shall be at least sixty (60) feet from the closest point of any residentially zoned property or property occupied with a one-, two-, or multiple-family dwelling.

The new drive-through drop-off addition will be constructed at the rear of the building. Its location will not be between the principal structure and the public street and will be greater than sixty (60) feet from the closest point of any residentially zoned property.

(b) Points of vehicular ingress and egress shall be located at least sixty (60) feet from the intersection of two streets and at least sixty (60) feet from abutting residentially zoned property.

The new drive-through drop-off addition will be constructed at the rear of the building which is greater than sixty (60) feet from the intersection of two streets and greater than sixty (60) feet from abutting residentially zoned property.

(c) Speaker box sounds from the drive-through lane shall not be plainly audible so as to unreasonably disturb the peace and quiet of abutting residential property.

There are no speaker boxes used with this drive-through drop-off. The drop-off of donations is inside the addition.

(d) A six-foot buffer area with screen planting and an obscuring wall or fence shall be required along any property line adjoining an existing residence or residentially zoned property.

This property does not adjoin an existing residence or residentially zoned property, therefore a buffer area with screen planting is not required.

(e) Stacking spaces shall be provided for each drive-through lane. Banks, credit unions, and fast-food restaurants shall provide a minimum of four (4) stacking spaces per drive-through lane. Stacking spaces for all other uses shall be determined by the zoning administrator.

The location of the drive-through drop-off provides a minimum of twelve (12) stacking spaces at the side and back of building.

Additional conditions in the T2 traditional neighborhood district:

(f) There shall be no more than one (1) drive-through lane and no more than two (2) drive-through service windows, with the exception of banks, which may have no more than three (3) drive-through lanes.

The drive-through drop-off addition has one (1) drive-through lane, which goes through the building addition to drop off donations internally.

(g) The number of curb cuts shall be minimized. In light rail station areas, there shall generally be no more than one (1) curb cut on a block face per drive-through. Drive-through sales and services are prohibited along the entire length of block faces adjacent to light rail transit station platforms.

There will be no new curb cuts added for this drive-through addition. There are currently two (2) existing curb cuts to access the parking area shared by both existing buildings.

THIS IS THE AGREEMENT BETWEEN THE CURRENT OWNER M&J INVESTMENTS AND THE SALVATION ARMY. THE SALVATION ARMY IS GOING TO PURCHASE THE PROPERTY AT 1907 SUBURBAN AVE. FROM M&J INVESTMENTS.

AMENDMENT TO
COMMERCIAL PURCHASE AGREEMENT

THIS AMENDMENT ("Amendment") is made to that certain Commercial Purchase Agreement ("Purchase Agreement") dated December 17, 2014, by and between M & J Investments of Minnesota, Inc., a Minnesota corporation, as Seller, and The Salvation Army, an Illinois corporation, as Buyer. As used herein, capitalized terms shall have the same meanings as ascribed to them in the Purchase Agreement.

The Purchase Agreement is amended as follows:

1. The last sentence of the first paragraph of Section 16 is deleted and replaced with the following:

Buyer has obtained such survey at a cost of \$3,500. Seller will pay half the cost of the survey.
2. Section 24(c) and (d) of the Purchase Agreement are hereby amended by extending until ninety (90) days following the date of this Amendment as set forth below, within which Seller shall:
 - (a) Accomplish the lot split contemplated by Section 24(c); and
 - (b) Buyer and Seller shall negotiate a mutually acceptable Reciprocal Easement Agreement as contemplated by Section 24(d).
3. With respect to the lot split, it is acknowledged that the Property and the adjacent property at 1915 Suburban Avenue shall be split into two separate parcels and each of the parcels created will have some frontage on Suburban Avenue. It is further acknowledged that the REA will include the rights of each Buyer and Seller to use existing driving areas for ingress to and egress from the Property and the adjacent property at 1915 Suburban Avenue.
4. The date of this Amendment to Commercial Purchase Agreement shall be January 21, 2015.
5. In all other respects, the Purchase Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the date set forth above.

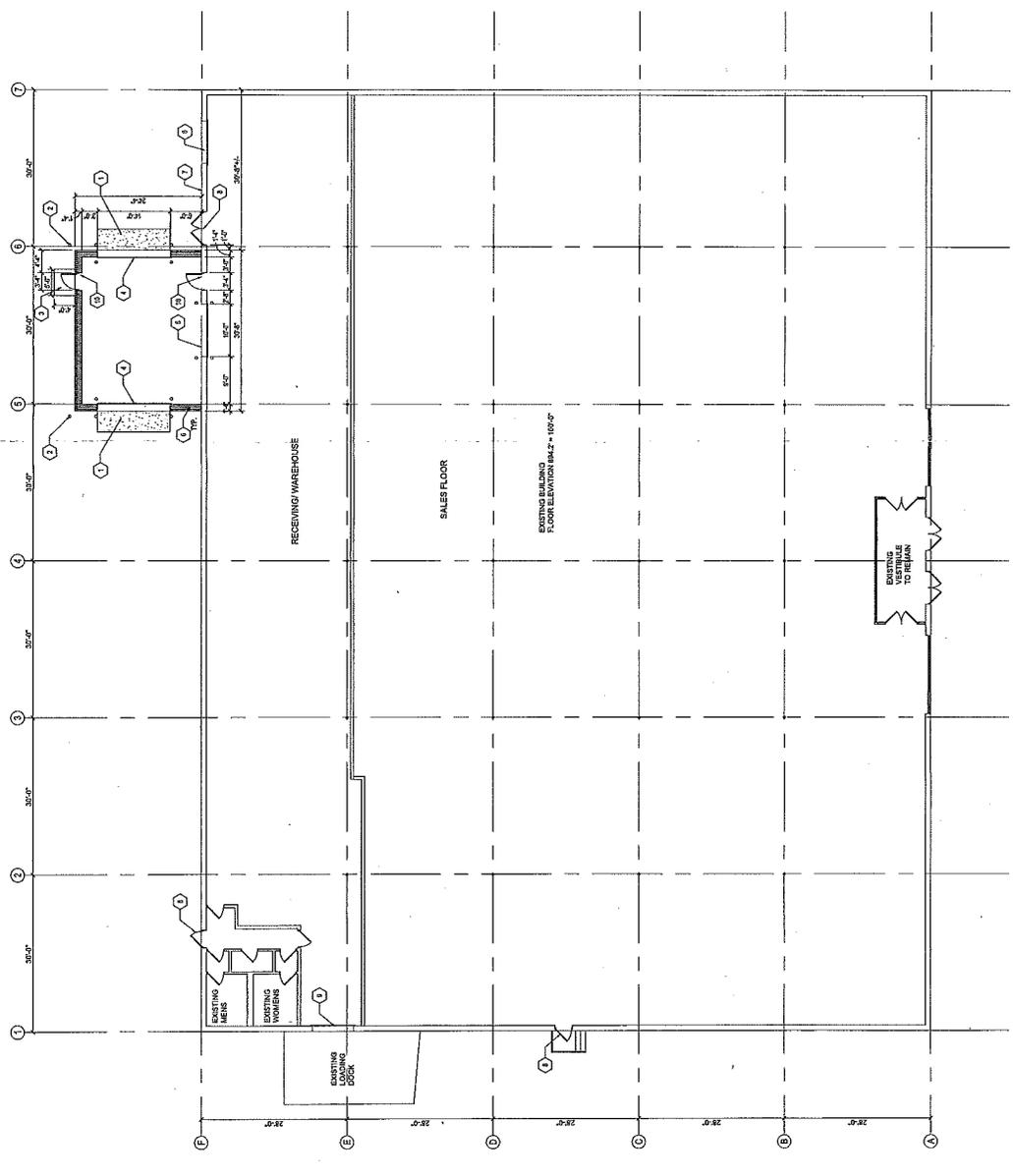
M & J Investments of Minnesota, Inc.
a Minnesota corporation

The Salvation Army,
an Illinois Corporation

By: Chris Gully
Its: Vice President

By: _____
Its: _____

- FLOOR PLAN KEY NOTES**
- 1 CONCRETE LIP ON, 1/4" X WIDTH OF OPENING X 1/2" THICK
 - 2 ROLLERS, TYP. SEE SNA 1.0
 - 3 CONCRETE STOOP WITH FROST FOOTINGS 4" DIA FOUNDATION
 - 4 14" WIDE X 12" HIGH INSULATED OVERHEAD DOOR
 - 5 NEW OPENING IN EXISTING BUILDING WALL, 10'0" X 10'0" INSULATED OVERHEAD DOOR WITH WIND STRIP DOOR.
 - 6 2" X 8" X 12" CONCRETE WALL SECTION 1' DIA
 - 7 EXISTING BUILDING
 - 8 EXISTING DOOR(S) TO REMAIN
 - 9 EXISTING 8" X 14" OVERHEAD DOOR TO REMAIN
 - 10 NEW 12" X 12" X 1" FLUSH HOLLOW METAL DOOR AND FRAME



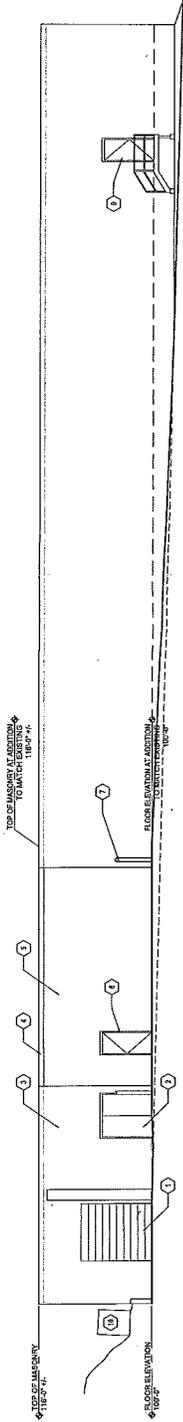
1. I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Kansas.

Signature: _____
 Name: Paul E. Bell
 Registration: _____
 Date: _____

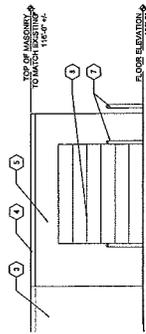
PRINT HISTORY: _____
 DESIGNED BY: _____
 DATE: _____



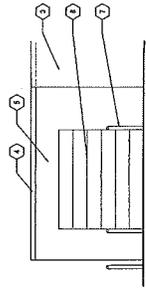
1 FLOOR PLAN
 DATE: 08/27/14



1 NORTH ELEVATION - EXISTING AND ADDITION
Scale: 1/8"=1'-0"



2 EAST ELEVATION OF ADDITION
Scale: 1/8"=1'-0"



3 WEST ELEVATION OF ADDITION
Scale: 1/8"=1'-0"

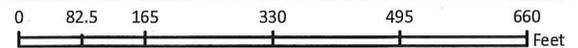
EXTERIOR ELEVATION KEY NOTES

- 1 EXISTING 6'-0" WIDE X 1'-0" HIGH OVERHEAD DOOR
- 2 EXISTING 6'-0" X 7'-0" EXIT DOOR
- 3 EXISTING BRICK BUILDING WITH PREFINISHED CAP FLASHING
- 4 CAP FLASHING TO MATCH EXISTING
- 5 BRICK TO MATCH EXISTING
- 6 3'-0" X 7'-0" EXIT DOOR
- 7 BOLLARDS TYPICAL
- 8 INSULATED OVERHEAD DOOR 14'-0" WIDE X 12'-0" HIGH
- 9 EXISTING EXIT DOOR WITH STEEL STAIR
- 10 EXISTING TRANSFORMER

It is hereby certified that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Illinois.

Signature: _____
Name: Paul E. Smith
Registration: _____
Date: _____

PRINT HISTORY: _____ DATE: _____
DESIGNED BY: _____ DATE: _____
DRAWN BY: _____ DATE: _____
CHECKED BY: _____ DATE: _____
APPROVED BY: _____ DATE: _____



FILE NAME: Salvation Army ARC

Aerial

APPLICATION TYPE: Conditional Use Permit

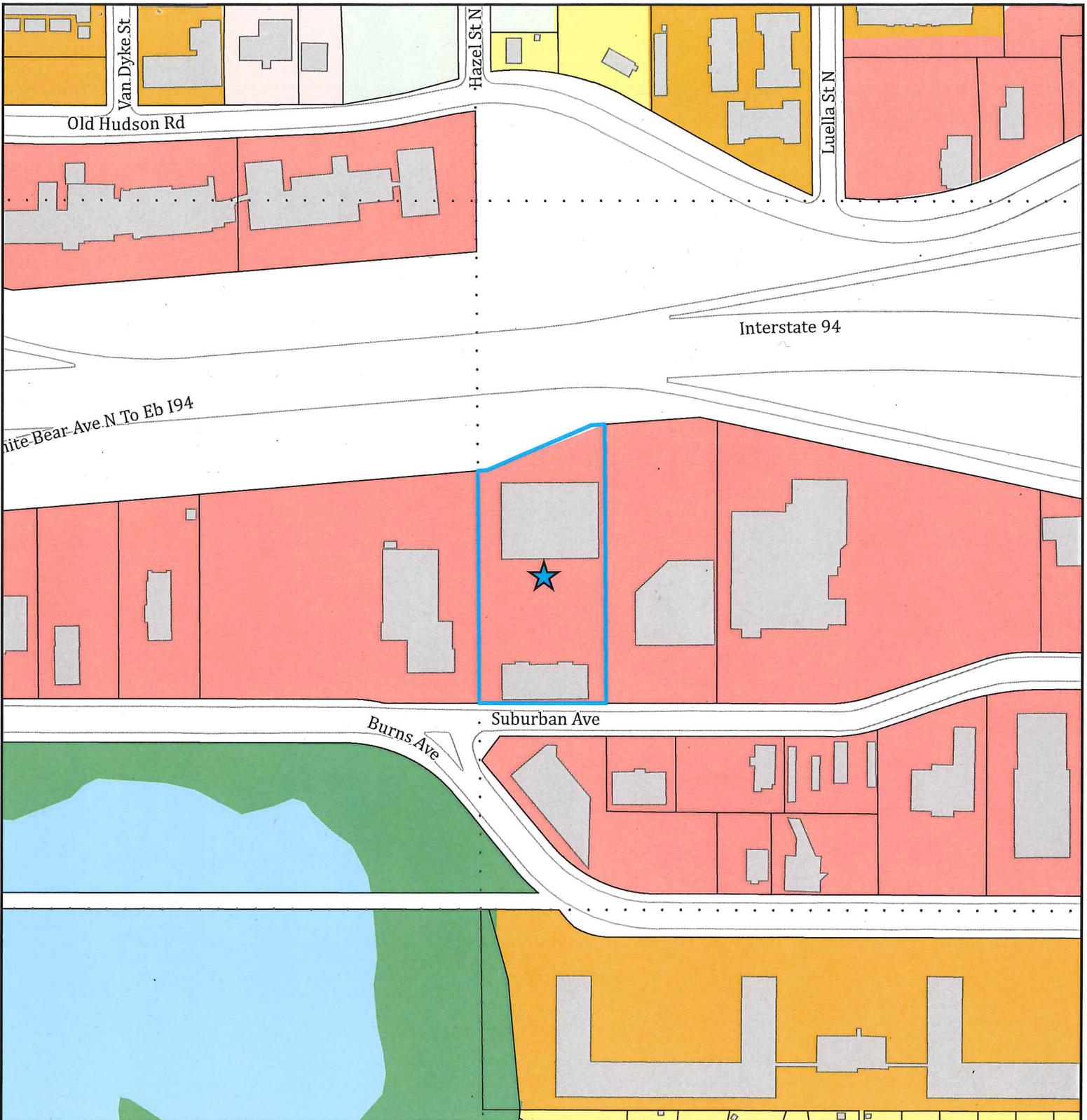
 Subject Parcels

FILE #: 15-014014 DATE: 2/27/2015

PLANNING DISTRICT: 1

ZONING PANEL: 18





FILE NAME: Salvation Army ARC

APPLICATION TYPE: Conditional Use Permit

FILE #: 15-014014 DATE: 2/27/2015

PLANNING DISTRICT: 1

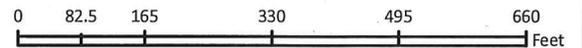
ZONING PANEL: 18

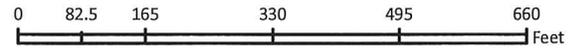
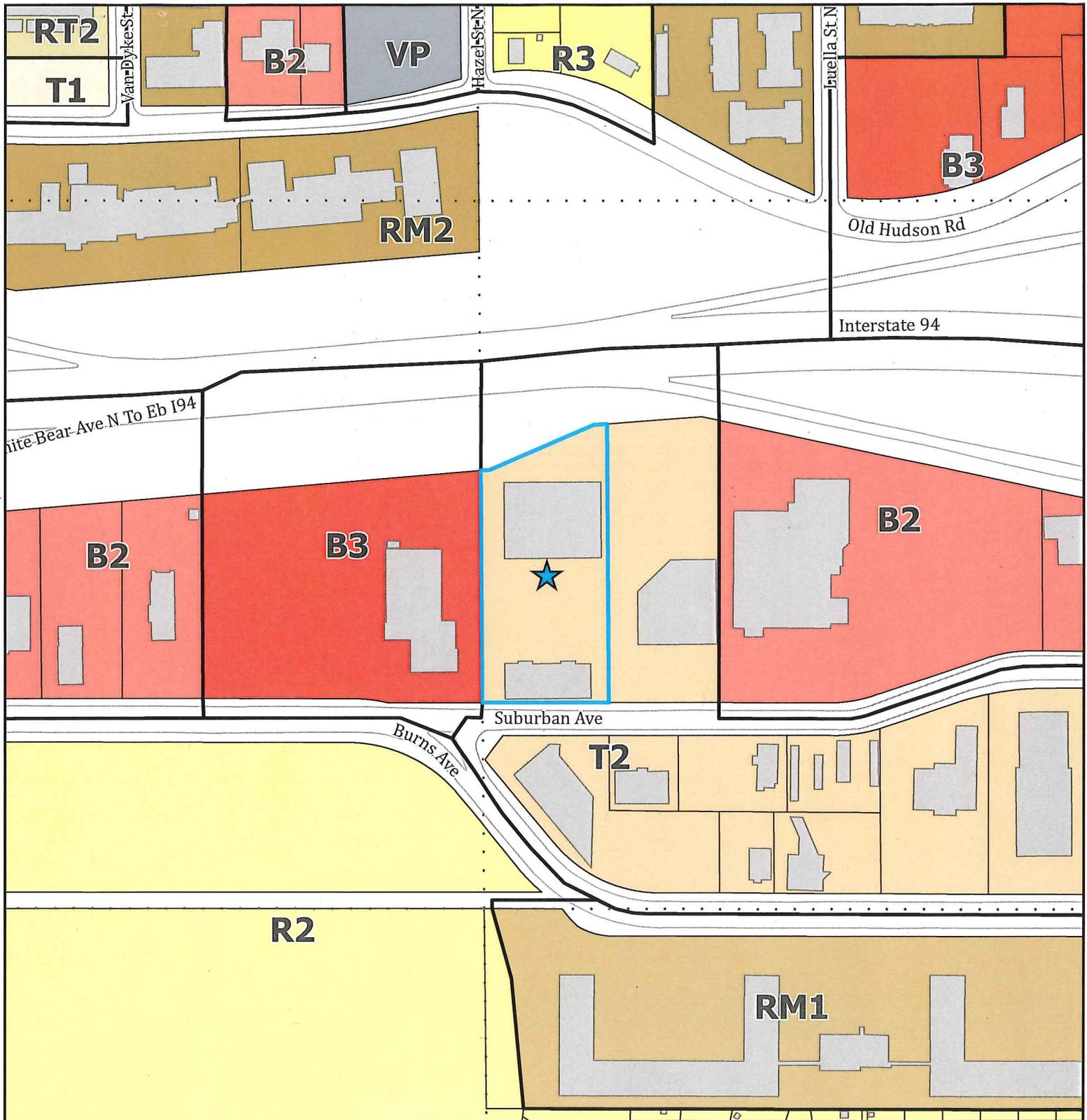
Land Use

- Single Family Detached
- Multifamily
- Office
- Retail and Other Commercial
- Park, Recreational or Preserve
- Undeveloped
- Water

Subject Parcels

Section Lines





FILE NAME: Salvation Army ARC

APPLICATION TYPE: Conditional Use Permit

FILE #: 15-014014 DATE: 2/27/2015

PLANNING DISTRICT: 1

ZONING PANEL: 18

Zoning

- | | |
|-----------------------------|-----------------------|
| R2 One-Family | B2 Community Business |
| R3 One-Family | B3 General Business |
| RT2 Townhouse | VP Vehicular Parking |
| RM1 Multiple-Family | Subject Parcels |
| RM2 Multiple-Family | Section Lines |
| T1 Traditional Neighborhood | |
| T2 Traditional Neighborhood | |

