

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Holiday Companies **FILE #** 15-155-228
 2. **APPLICANT:** Holiday Companies **HEARING DATE:** September 24, 2015
 3. **TYPE OF APPLICATION:** Conditional Use Permit
 4. **LOCATION:** 1770 Old Hudson Road, SW corner at White Bear Avenue
 5. **PIN & LEGAL DESCRIPTION:** 342922440001, Section 34 Town 29 Range 22 Part Sly Of Old Hudson Rd And Nly Of Hwy 392 (Interstate 94) And W Of White Bear Ave Of E 196 00/100 Ft Of Se 1/4 Of Sec 34 Tn 29 Rn 22
 6. **PLANNING DISTRICT:** 1 **PRESENT ZONING:** B3/WB White Bear Avenue Overlay
 7. **ZONING CODE REFERENCE:** §61.501; §61.503; §61.803; §65.702
 8. **STAFF REPORT DATE:** September 15, 2015 **BY:** Bill Dermody
 9. **DATE RECEIVED:** August 31, 2015 **60-DAY DEADLINE FOR ACTION:** October 30, 2015
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- A. **PURPOSE:** Conditional use permit for auto convenience market (gas station) with car wash
- B. **PARCEL SIZE:** 32,002 sq. ft. (0.73 acres)
- C. **EXISTING LAND USE:** Auto convenience market with accessory car wash
- D. **SURROUNDING LAND USE:**
 - North: Super America gas station
 - East: Walgreens
 - South: I-94
 - West: Retail, multi-tenant
- E. **ZONING CODE CITATION:** §61.501 lists general conditions that must be met by all conditional uses; §61.503 states that tear down and reconstruction of buildings containing a conditional use requires a new conditional use permit; §61.803 addresses the timing of permits and approvals for properties that are the subject of pending zoning amendments; §65.702 lists the standards and conditions for an auto convenience market use.
- F. **HISTORY/DISCUSSION:** The property was rezoned from "A" residential to "C" commercial in 1964, and has contained a gas station since 1966. The 1975 citywide rezoning changed the property's classification from "C" commercial to B2 community business district. In 1999, the property was rezoned from B2 to B3 for the purpose of adding the accessory car wash use. In 2001, the WB White Bear Avenue Overlay District was added to the property, which includes requirements for fencing and landscaping along the White Bear Avenue frontage. The auto convenience market and car wash uses were reestablished via a conditional use permit in 2009 after the site had been vacant for more than 1 year. The 2009 conditional use permit included conditions restricting 2 of the site's 3 driveways to right-out-only exit lane configurations, though those conditions have not been implemented. In August 2015, the Planning Commission recommended rezoning the property from B3 to T2 as part of the Gold Line Station Areas Zoning Study – the rezoning is scheduled to be considered for City Council adoption on October 14.
- G. **DISTRICT COUNCIL RECOMMENDATION:** As of this writing, the District 1 Council has not provided a recommendation.
- H. **FINDINGS:**
 1. The application requests conditional use permit approval for a reconstructed auto convenience market (gas station) with accessory car wash.
 2. The current use is also an auto convenience market with accessory car wash. A new conditional use permit is required, per §61.503, because the buildings containing the uses are proposed to be torn down and replaced with new buildings.
 3. The subject site has been recommended by the Planning Commission to the Mayor and City Council for rezoning to T2 as part of the Gold Line Station Areas Zoning Study. However, per §61.803, applications for zoning approvals, such as this conditional use permit application or the associated site plan review application, filed and accepted as complete prior to the effective date

of any rezoning of the property are to be evaluated under the current existing zoning district regulations. The effective date for rezoning to T2, if approved, is anticipated to be in November 2015.

4. Ramsey County is currently in the design phase for a construction project on White Bear Avenue that will impact the site. The applicant has coordinated with Ramsey County in producing the site plan contained in the application materials. Coordination of the subject application and Ramsey County's project are also being addressed via the City's site plan review process.
5. §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 Future Land Uses designates the site as part of a Mixed Use Corridor, which calls for supporting a mix of uses, balancing objectives including supporting transit use and walking, and promoting conditions that support those who live and work along Mixed-Use Corridors, including frequent transit service, vibrant business districts, and a range of housing choices. A gas station and car wash are necessary services that support those who live and work in the area. Though a gas station and car wash are not uses that support transit use and walking due to the high traffic turnover, there are several reasons that the use at this location is in substantial compliance with the Mixed-Use Corridor designation: (1) granting the conditional use permit adds to the vibrancy of the business district by allowing investment; (2) this location abutting I-94 at one of only two full access interchanges on Saint Paul's East Side is very economically attractive for a gas station use, both now and in the foreseeable future, while having lesser negative impacts on pedestrians than locations farther from I-94 or White Bear Avenue; (3) though a multi-story building would be more transit-supportive than the single-story building proposed and could accommodate a gas station/car wash use on the ground floor, residential uses on the upper floors are unlikely to be successful adjacent to a gas station (even if life-safety issues can be resolved), retail uses rarely succeed on upper floors outside of a central business district, and office uses are not anticipated to be in demand over the coming decades in this area according to the market study recently conducted by the Gateway Corridor Commission; (4) this location is on the opposite side of White Bear Avenue from both a planned bus rapid transit (BRT) station and a population concentration in the form of apartment complexes, which allows pedestrians generated from those uses to navigate much of the area, including the White Bear Avenue bridge over I-94, without walking past the subject site; and (5) the site plan in the application materials includes removal of 1 of the site's 3 access driveways and installation of a fence and shrubs along White Bear Avenue in order to improve traffic function and improve the pedestrian environment. In short, given that a gas station use is an inevitable part of a vibrant business district in this area, the subject site with the proposed site plan is perhaps the best way to accommodate the use in order to further the Mixed Use Corridor objective of a pedestrian-supportive environment.

The District 1 Plan Summary contains no provisions specific to the application.

The Sun Ray-Suburban Small Area Plan encourages businesses attractive to pass-by highway traffic, such as the proposed gas station and car wash uses, to take advantage of the I-94/White Bear intersection, thus concentrating vehicular traffic where the infrastructure can best accommodate it. It also calls for minimizing the number of curb cuts.

- (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The use provides direct access to Old Hudson Road and White Bear Avenue. The proposed site plan eliminates 1 of the 2 access driveways on Old Hudson Road in order to improve the impact on traffic congestion on this street.
- (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 the same as the existing use, except that that it will modestly

improve the pedestrian environment on adjacent sidewalks and will improve the site's aesthetics with new buildings that take CPTED (Crime Prevention Through Environmental Design) concepts into account as required through site plan review.

- (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 use is the same as the existing use, and therefore will not impede the development and improvement 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. Provided that the application is approved, the use will conform to all applicable regulations in the B3 zoning district. No variances are requested.
6. §65.702 lists the standards and conditions for an auto convenience market use in the B3 district:
- (a) *The construction and maintenance of all driveways, curbs, sidewalks, pump islands or other facilities shall be in accordance with current city specifications. Such specifications shall be developed by the planning administrator, traffic engineer and city fire marshal, and shall be approved by the planning commission, and filed with the city clerk.* This condition will be met through the site plan review and approval process.
 - (b) *A ten-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 subject site does not adjoin any residentially zoned property or existing residences.
 - (c) *Outdoor accessory sales of goods or equipment shall not be located in a required setback, parking or maneuvering space, or substituted for required landscaping.* This condition is met. No such outdoor items are shown on the site plan submitted.
 - (d) *The zoning lot on which it is located shall be at least twelve thousand (12,000) square feet in area.* This condition is met. The zoning lot is more than 32,000 square feet in area.
- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for auto service station (gas station) with car wash subject to the following additional condition:
- 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, including removal of one existing curb cut along Old Hudson Road and installation of fencing and landscaping along White Bear Avenue.



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

RECEIVED
 AUG 31 2015
 BY: _____

Zoning Office Use Only
 File #: 15-155228
 Fee: 800.00
 Tentative Hearing Date: 9-24-15

PD=1
 # 34292240001

APPLICANT

Name Jacob Bauer Email jake.bauer@holidaycompanies.com
 Address 4567 American Blvd W.
 City Bloomington State MN Zip 55437 Daytime Phone 952-830-8839
 Name of Owner (if different) Mike Fuhr
 Contact Person (if different) _____ Phone _____

PROPERTY LOCATION

Address/Location 1770 Old Hudson Road
 Legal Description Part Sly Of Old Hudson Rd And Nly Of Hwy 392 And W Of White Bear Ave Of
E 196 00/100 Ft Of Se 1/4 Of Sec 34 Tn 29 Rn 22 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 703, 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.

The current property is contained within a B3 zoning district and holds an auto service station and car wash. The proposal is to demolish the existing structures and build a new auto service station and car wash. The use of the property will not change. The lot area is approximately 32,000 square feet and does not adjoin any residences or residentially zoned property. The auto service station will not supply auto repair services or auto storage. All outdoor accessory sale of goods will comply with setback requirements and any additional permitting of such. Construction and maintenance of the site and facility will be in accordance with city specifications and shall be submitted for full site and building plan review. The carwash will be constructed with automatic overhead doors to close when not in operation. All entrance and exit drive lanes for the car wash are at least 30 feet from all public intersections.

Required Site Plan is attached

Applicant's Signature [Signature] Date 8/27/15 City Agent [Signature]



STATIONSTORE #XXXX

Saint Paul, MN

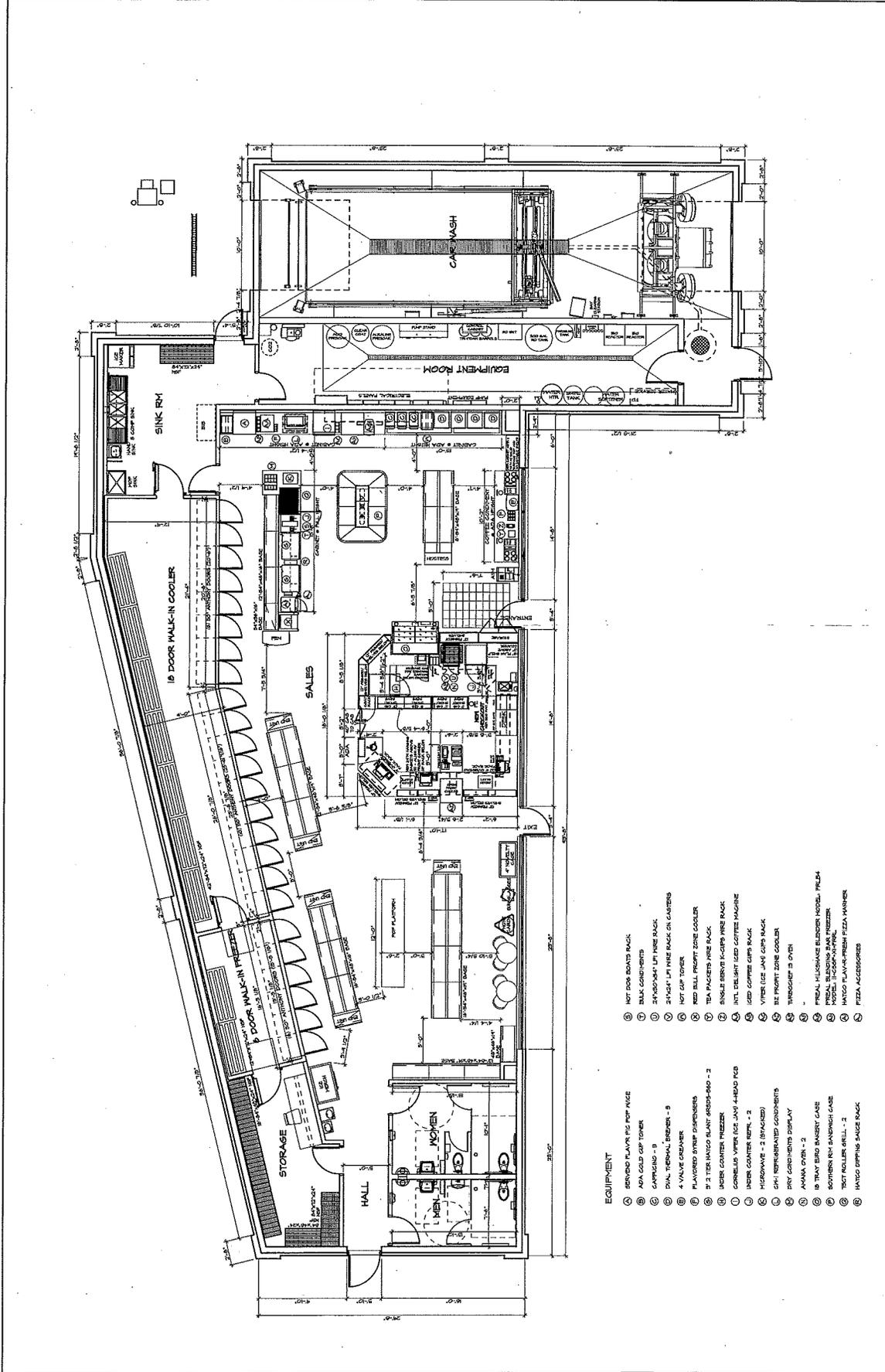
PROPOSED
FIXTURE PLAN
OPTION 9

SCALE: 3/32" = 1'-0"

ALL WORK TO BE INSTALLED BY
A LICENSED CONTRACTOR. THE
OWNER SHALL BE RESPONSIBLE FOR
OBTAINING ALL NECESSARY
PERMITS AND INSURANCE.
THIS PLAN IS NOT TO BE USED
FOR ANY OTHER PROJECT.
DATE: 10/15/10

DATE	BY	NO.	DESCRIPTION
10/15/10	JMP	001	ISSUE FOR PERMITTING
10/15/10	JMP	002	ISSUE FOR PERMITTING
10/15/10	JMP	003	ISSUE FOR PERMITTING
10/15/10	JMP	004	ISSUE FOR PERMITTING
10/15/10	JMP	005	ISSUE FOR PERMITTING
10/15/10	JMP	006	ISSUE FOR PERMITTING
10/15/10	JMP	007	ISSUE FOR PERMITTING
10/15/10	JMP	008	ISSUE FOR PERMITTING
10/15/10	JMP	009	ISSUE FOR PERMITTING
10/15/10	JMP	010	ISSUE FOR PERMITTING

CEILING HEIGHT	11'-0"
CEILING COLOR	PLATINUM
C-STORE (SF)	3,989.74
CREAM (SF)	1,506.81
SALES (SF)	2,496.88

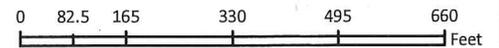
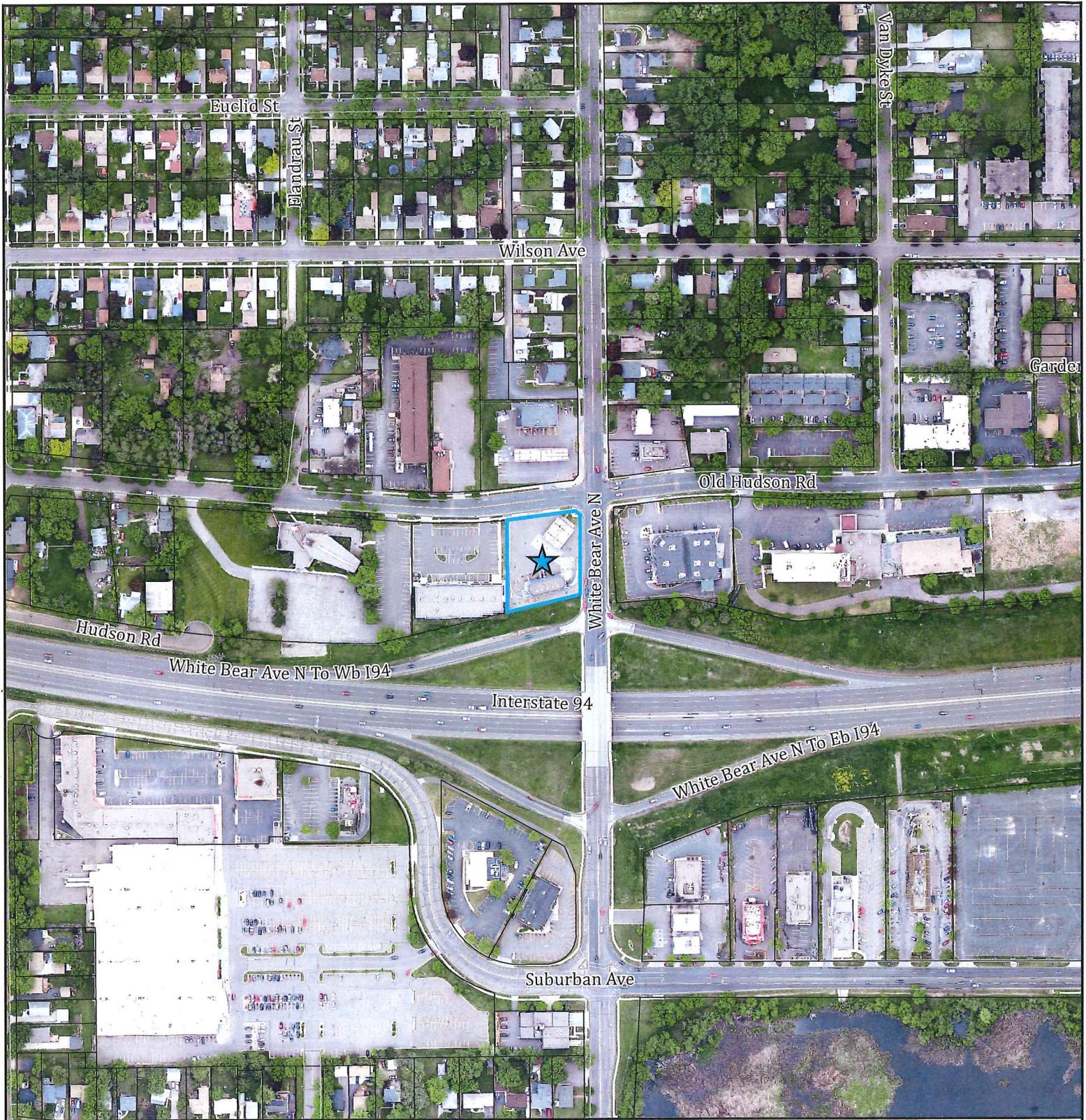


- EQUIPMENT**
- 1 SERVING PLAYS PIG PEE
 - 2 ADA GOLD CUP TOWER
 - 3 GRAPING - 8
 - 4 DIAL THERMAL BREWER - 8
 - 5 4 VALVE CRACKER
 - 6 FLAVORED SYRUP DISPENSERS
 - 7 P 3 THE MUGO SLANT 4800A-240 - 2
 - 8 JUCKER COFFEE PRESSER
 - 9 CORNELIUS VITER ICE JAW 4480A PDS
 - 10 JUCKER COFFEE PRESSER - 2
 - 11 HIGONATE - 2 (BRACKETS)
 - 12 SHI REFRIGERATED CONDENSERS
 - 13 BRY CONDENSERS DISPLAY
 - 14 ANANA OYER - 2
 - 15 TRAY BRID BASKET CASE
 - 16 SOUTHERN RM SANDWICH CASE
 - 17 TROT ROLLER SHELL - 2
 - 18 HATECO OFFING SAUCE BACK
 - 19 HOT DOG BOATS BACK
 - 20 BULK CONDENSERS
 - 21 24"X30"X41 LPI WINE BACK
 - 22 24"X30"X41 LPI WINE BACK ON CASTERS
 - 23 HOT CUP TOWER
 - 24 RED BULL FRONT ZONE COOLER
 - 25 TPA PACKERS WINE BACK
 - 26 SINGLE BERTS K-CUPS WINE BACK
 - 27 INTL DELIGHT IGD COFFEE MACHINE
 - 28 IGD COFFEE CUPS BACK
 - 29 VITER ICE JAW CUPS BACK
 - 30 BE FRONT ZONE COOLER
 - 31 THERMOSECT IS OVER
 - 32 FREDAL HILSHAWAZ BLUENOR HODLI PULSA
 - 33 FREDAL BLENDING SAK PRESSER
 - 34 HODLI THROU-ROTOR
 - 35 HATECO THERMOSECT PIZZA MARKER
 - 36 PIZZA ACCESSORIES

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FILE NAME: Holiday Companies

Aerial

APPLICATION TYPE: Conditional Use Permit

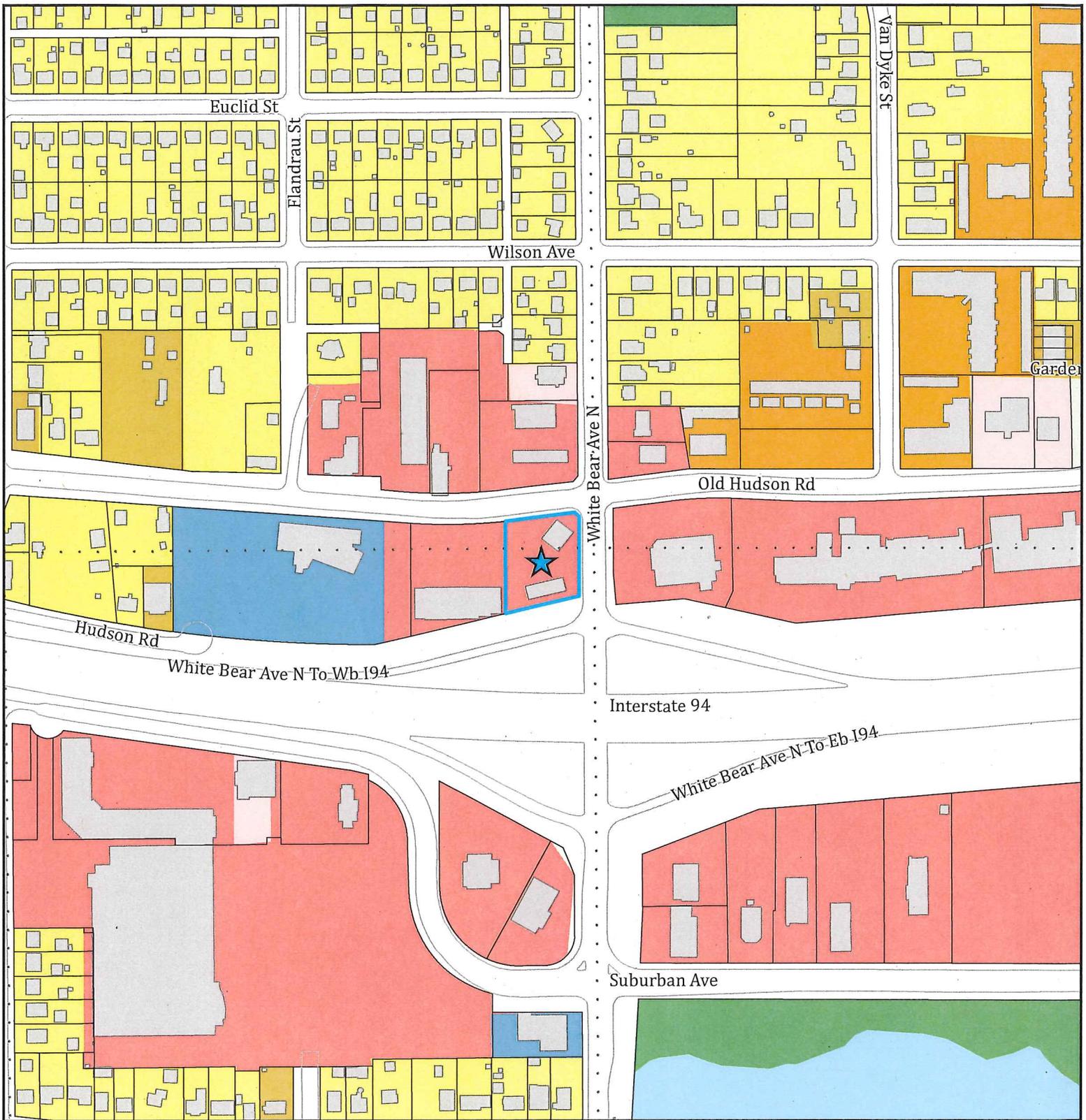
 Subject Parcels

FILE #: 15-155228 DATE: 8/31/2015

PLANNING DISTRICT: 1

ZONING PANEL: 18





FILE NAME: Holiday Companies

APPLICATION TYPE: Conditional Use Permit

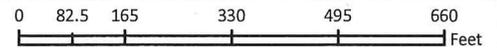
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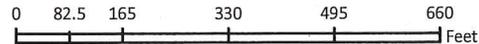
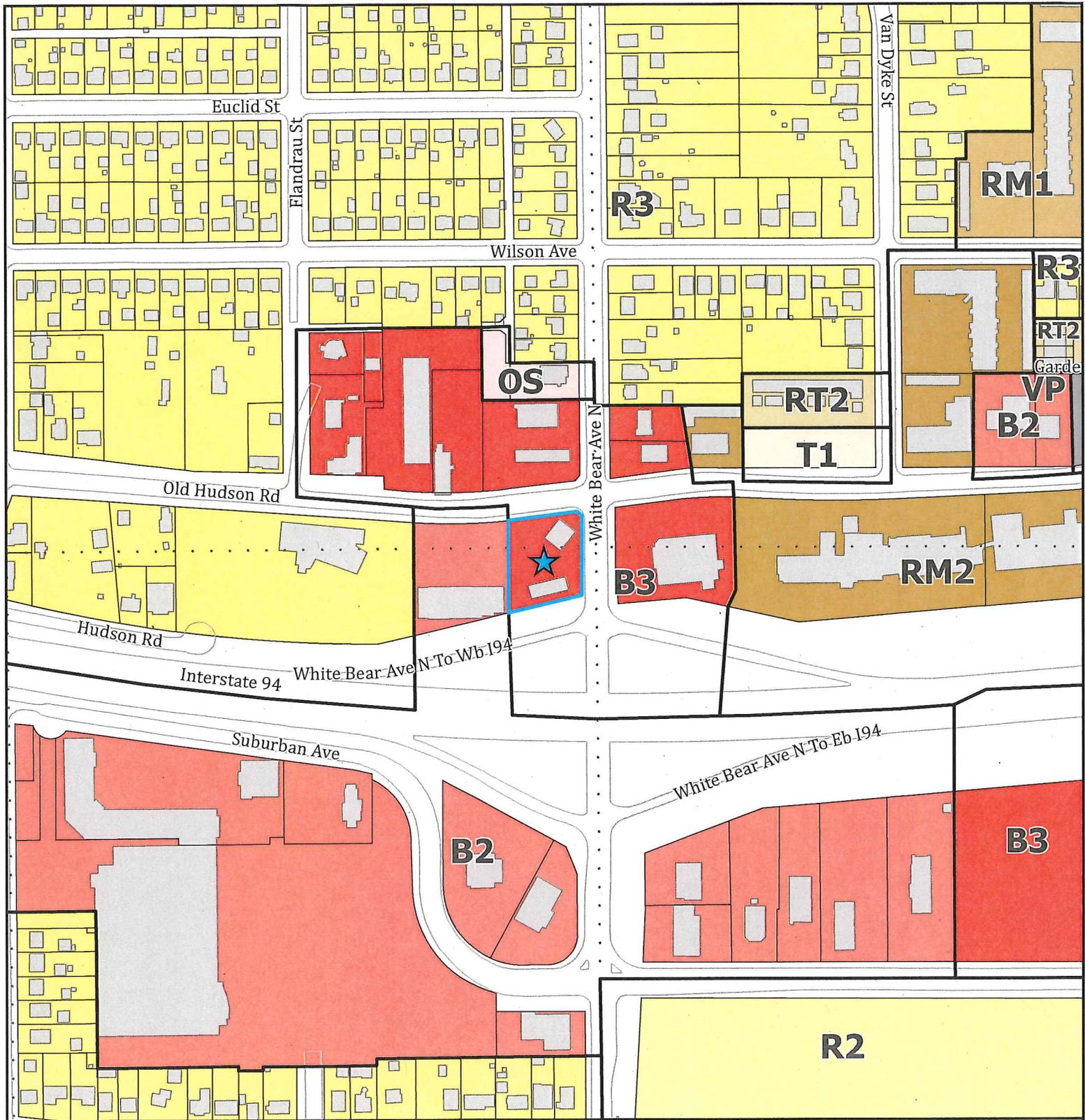
PLANNING DISTRICT: 1

ZONING PANEL: 18

Land Use

- Single Family Detached
- Single Family Attached
- Multifamily
- Office
- Retail and Other Commercial
- Institutional
- Park, Recreational or Preserve
- Undeveloped
- Water
- Subject Parcels
- Section Lines





FILE NAME: Holiday Companies

APPLICATION TYPE: Conditional Use Permit

FILE #: 15-155228

DATE: 8/31/2015

PLANNING DISTRICT: 1

ZONING PANEL: 18

Zoning

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

