

**AGENDA  
ZONING COMMITTEE  
OF THE SAINT PAUL PLANNING COMMISSION  
Thursday, November 21, 2013 3:30 P.M.  
City Council Chambers, Room #300  
Third Floor City Hall - Saint Paul, Minnesota**

**NOTE:** The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

**APPROVAL OF NOVEMBER 7, 2013, ZONING COMMITTEE MINUTES**

**SITE PLAN REVIEW** – List of current applications (Tom Beach, 651-266-9086)

**NEW BUSINESS**

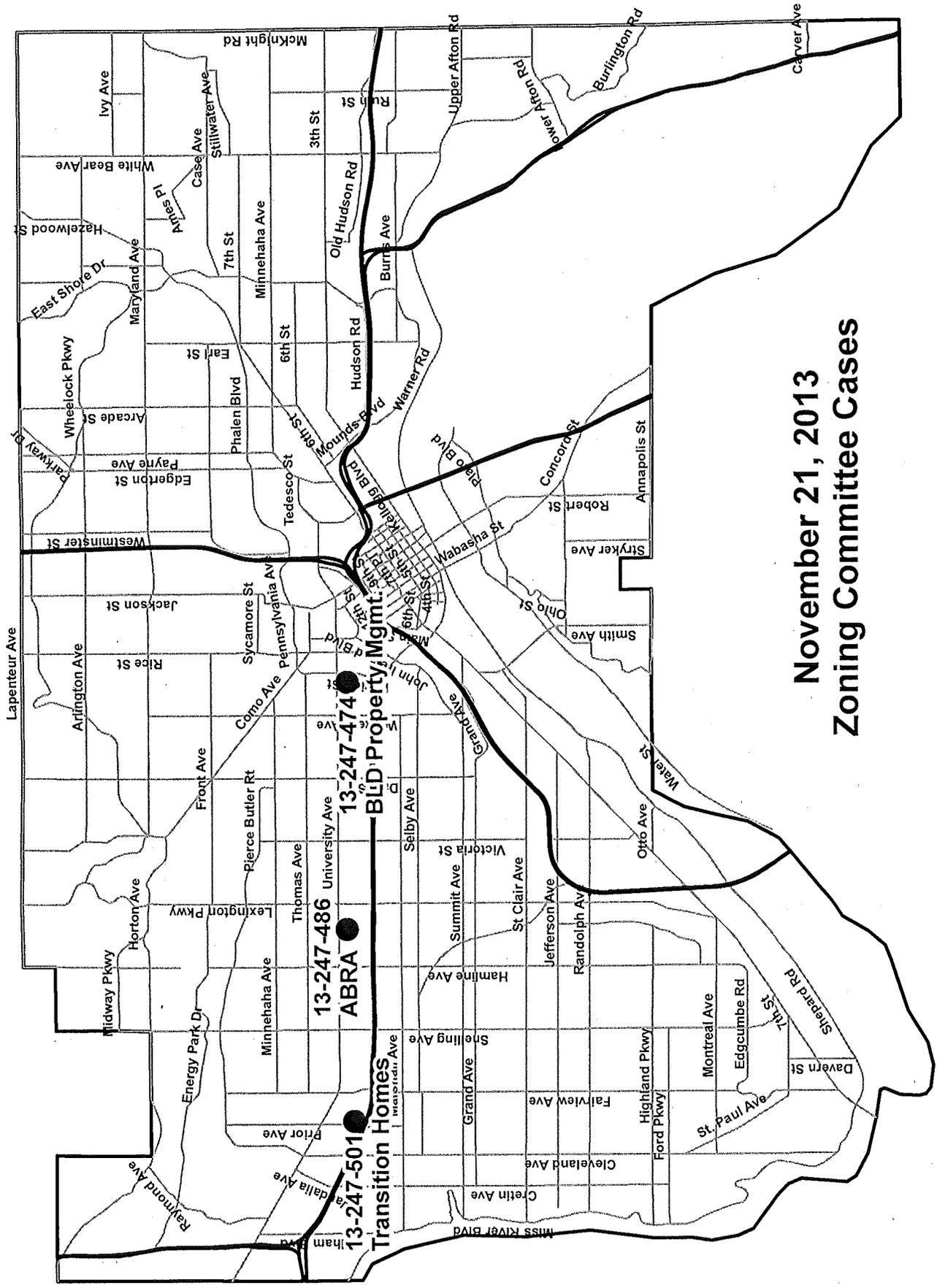
- 1      13-247-486   ABRA Auto Body & Glass**  
Conditional use permit for an auto body shop  
1190 University Ave W, between Griggs and Dunlap  
T4  
Jake Reilly      651-266-6618
  
- 2      13-247-501   Transition Homes Corporation**  
Conditional use permit for transitional housing facility with modifications of the permitted  
number of residents (25 currently permitted, 31 proposed)  
1956 Feronia Ave, SE corner at Prior  
OS  
Jake Reilly      651-266-6618
  
- 3      13-247-474   BLD Property Management**  
Establishment of legal nonconforming use status as an administrative office  
260 Aurora Ave, between Galtier and Marion  
RT2  
Hilary Holmes 651-266-6612

**ADJOURNMENT**

Information on agenda items being considered by the Zoning Committee can be found online at [www.stpaul.gov/ped](http://www.stpaul.gov/ped), then Planning, then Zoning Committee.

**ZONING COMMITTEE MEMBERS:** Call Samantha Langer at 266-6550 if you are unable to attend the meeting.

**APPLICANT:** You or your designated representative must attend this meeting to answer any questions that the committee may have.



# November 21, 2013 Zoning Committee Cases

13-247-474  
BLVD Property Mgmt.

13-247-486  
ABRA

13-247-501  
Transition Homes

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** ABRA Auto Body & Glass **FILE #** 13-247-486
  2. **APPLICANT:** Abway LLC **HEARING DATE:** November 21, 2013
  3. **TYPE OF APPLICATION:** Conditional Use Permit
  4. **LOCATION:** 1190 University Ave W, between Griggs and Dunlap
  5. **PIN & LEGAL DESCRIPTION:** 342923410051, Midway Industrial Division Subj To Esmt & Vac St Accruing & Fol; Part Of Lots 2,9,10, & Lot 11 Blk 1 & Part Of Lot A Blk 1 E Of Ext Cl Of Lot 4 & Part Of Lots 4,5 & Lot 6 Blk 2 All Lying Nly And Wly Of A Line Beg At Nw Cor Of S 200 Ft Of Blk 2 Th E 264 Ft
  6. **PLANNING DISTRICT:** 13 **PRESENT ZONING:** T4
  7. **ZONING CODE REFERENCE:** §65.701; §61.501
  8. **STAFF REPORT DATE:** November 13, 2013 **BY:** Jake Reilly
  9. **DATE RECEIVED:** November 4, 2013 **60-DAY DEADLINE FOR ACTION:** January 3, 2014
- 

- A. **PURPOSE:** Conditional use permit for an auto body shop
- B. **PARCEL SIZE:** Irregular parcel; 105,817 sq. ft. with approximately 170 feet of frontage along University Avenue
- C. **EXISTING LAND USE:** Auto body repair
- D. **SURROUNDING LAND USE:**
  - North: Commercial uses (B3)
  - East: Health and Fitness club (B3)
  - South: Parking and medical office (B3, OS)
  - West: Office (B3)
- E. **ZONING CODE CITATION:** §65.701 lists standards and conditions for auto body shops; §61.501 lists general conditions that must be met by all conditional uses
- F. **HISTORY/DISCUSSION:** In 1987 an application for a conditional use permit for a new car dealership (ZF#10180) was approved. In 1994 an application for a determination of similar use to determine if an auto body shop operating separately from the auto dealership at this site would be permitted in the B3 zoning district (ZF#94-087) was withdrawn after discussion with staff, when it was determined that auto body repair in leased space within an auto dealership in the B3 zoning district can be operated only as an accessory use to the dealership. In the letter withdrawing the application, the applicant (Midway Chevrolet/Hyundai Suzuki) stated that an auto body shop would only be operated as an accessory use to the dealership, and that a condition of the lease would be that if the dealership ceases to operate at this location the auto "body shop accessory use will also be terminated." In March of 2007 an application for a determination of similar use was made to determine whether the auto body shop is similar to an auto repair shop. The Zoning Administrator found that the "auto body shop was not similar to an auto repair shop or any other use permitted in a B3 zoning district." A public hearing on an application for establishment of legal nonconforming use status (Z.F. # 07-142-815) was held before the Zoning Committee of the Planning Commission on September 27, 2007. The application was subsequently withdrawn by the applicant, and an application for an interim use permit was made and approved by the City Council (Z.F. # 07-184-825) in November 2007. The interim use permit was extended by City Council in December 2012. In August 2013, the City Council made amendments to the zoning code to allow auto body shops to operate in T4 zoning districts with a conditional use permit.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 13 Council had not made a recommendation at the time this staff report was prepared.
- H. **FINDINGS:**
  1. In August 2013 the City Council amended the zoning code to allow for auto body shops in T4 zoning districts with a conditional use permit. Pursuant to that action, Abway LLC has come

forward to apply for a conditional use permit for an auto body shop in a T4 zoning district at 1190 University Avenue.

2. §65.701 *Auto body shop* lists three standards that auto body shops must comply with:
  - a) *A ten (10) foot buffer area with screen planting and an obscuring wall or fence (not including cyclone fence with vinyl slats) shall be required along any property line adjoining a residential zoning district.* This condition is met. Abway LLC intends to install a 10-foot screening fence on the portion of the property used by ABRA Auto Body and Glass, as shown on the attached site plan.
  - b) *All repair work shall be done within an enclosed building. All vehicles awaiting repair shall be stored in an enclosed building or within an area enclosed by a wall or fence (not including cyclone fence with vinyl slats) that provides an opaque screen. There shall be no exterior storage of parts or merchandise.* This condition is met. The applicant states that all service and repair activities will occur within the building and there will be no outside storage of parts or merchandise.
  - c) *All trash shall be stored within an enclosed obscuring wall or fence, shall not exceed the height of the wall or fence, and shall be removed from the lot by licensed waste disposers at least once per week.* This condition is met. The trash storage area will be maintained within the fenced area as shown on the attached site plan.
3. §61.501 lists five standards that all conditional uses must satisfy:
  - 1) *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 city's Comprehensive Plan (2010) seeks to provide land for jobs. ABRA provides jobs to neighborhood residents. In addition, the Comprehensive Plan Land Use Chapter identifies University Avenue as a mixed-use corridor. Land Use Policy 1.24 supports a mix of uses on mixed-use corridors.
  - 2) *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 the site. The use is not changing and operations on the site are not expected to increase, leaving traffic patterns to the site the same as the current condition.
  - 3) *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 existing character of development in the immediate neighborhood is one of mixed use service and retail. ABRA provides a needed service to the community and is an existing use. The facility complies with all local, state and federal regulations regarding noise and pollution and will not endanger the public health, safety and general welfare.
  - 4) *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. This use is a continuation of an existing use and will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
  - 5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met.
- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for an auto body shop 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 #	13-247-486
Fee	1,000.00
Tentative Hearing Date	11-21-13

APPLICANT

Name Ronald Fiscus, PlanScape Partners  
 Address 333 N. Washington Ave., #337  
 City Minneapolis St. MN Zip 55401 Daytime Phone 612-349-9898  
 Name of Owner (if different) ABWAY, LLC / Krebsbach Properties  
 Contact Person (if different) \_\_\_\_\_ Phone \_\_\_\_\_

PROPERTY LOCATION

Address / Location 1190 W. UNIVERSITY AVE., ST. PAUL  
 Legal Description SEE ATTACHED  
 Current Zoning T4  
 (attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of Chapter III, Section 61.3, Paragraph (b)(3) 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 NARRATIVE

RECEIVED  
 OCT 31 2013  
 Per \_\_\_\_\_

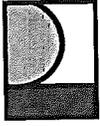
Required site plan is attached

Applicant's Signature Ronald Fiscus Date 10/30/13 City Agent \_\_\_\_\_

LEGAL DESCRIPTION – ABRA AUTO BODY & GLASS, 1190 W. UNIVERSITY AVE., ST. PAUL, MN

MIDWAY INDUSTRIAL DIVISION SUBJ TO ESMT & VAC ST ACCRUING & FOL; PART OF LOTS 2,9,10, & LOT 11 BLK 1 & PART OF LOT A BLK 1 E OF EXT CL OF LOT 4 & PART OF LOTS 4,5 & LOT 6 BLK 2 ALL LYING NLY AND WLY OF A LINE BEG AT NW COR OF S 200 FT OF BLK 2 TH E 264 FT, PIN 342923410051





## PlanScape Partners

*Innovative solutions, lasting relationships.*

October 30, 2013

Mr. Jake Reilly  
City of St. Paul  
Department of Planning and Economic Development  
25 West Fourth Street  
City Hall Annex, 1400  
St. Paul, MN 55102

RE: Application for Conditional Use Permit, ABRA Auto Body & Glass, 1190 W. University Ave.

Dear Jake:

The ABRA Auto Body & Glass facility in the Midway neighborhood, St. Paul, MN, has operated at 1190 W. University Ave. for many years. The building is owned by Krebsbach Properties and is leased by Abway, L.L.C. The property is located in the T4 zoning district. ABRA was previously permitted as an accessory use to the Midway Chevrolet auto dealership. With the departure of Midway Chevrolet from the neighborhood, ABRA lost its accessory use status and has been operating as an "interim use" in compliance with Minnesota Statutes Chapter 462.3597.

Recently, the City of St. Paul has amended the requirements of its T4 zoning district, allowing auto body repair as a conditional use. At this time, ABRA wishes to apply for approval of a conditional use permit (CUP) which would allow ABRA to continue to serve the neighborhood in compliance with requirements that would be applied to the use by the St. Paul City Council.

ABRA Auto Body & Glass has maintained a strong management philosophy that requires a "good neighbor" policy and a positive corporate presence in the neighborhoods in which they operate. According to St. Paul's zoning enforcement staff, there have been no violations of zoning requirements from ABRA's operations.

Much of the company's expansion in the Twin Cities and in other communities has occurred as a result of the strong relationships it has developed, being the referral repair facility of choice among the insurance industry. Some 80% of ABRA's business comes from this relationship. Most vehicles to be repaired are driven to the site. No "totaled" vehicles are allowed to be delivered to the site. As vehicles are evaluated, if a car is determined to have been totaled, it is immediately removed to an auto recycling facility.

Most customers visit the site by appointment. Customarily, vehicles first arrive at the site for an evaluation and estimate and are drivable. Following that visit, repairs are scheduled. A vehicle's customary stay for repair is three to five days. Seven to eight vehicles arrive for repair each day and seven to eight leave with repairs complete. Most of the vehicles repaired at ABRA facilities are 0-5 years old.

Ample parking exists on the site. Fifty-two parking stalls for customers exist in the lot in front of the building. In addition, 20 stalls for staff are located on site, east of the building. An area

333 N. Washington Ave.  
Suite 337  
Minneapolis, MN 55401  
phone 612.349.9898

2351 S. Lake View Dr.  
Suite A8  
Clear Lake, IA 50428  
phone 641.357.6344

fax 612.349.9897  
[www.planscapepartners.com](http://www.planscapepartners.com)

surrounded by a security fence is located south of the building in which vehicles awaiting repair are located. The CUP requirements as they relate to auto body repair in the T4 district, require that a fence be constructed providing an opaque screening of the portion of the site that will be used to store damaged vehicles awaiting repair. A fence meeting this requirement is shown on the site plan that is submitted with this application. The trash storage area will also be maintained within this fence enclosure. It should be noted that a portion of the overall site in the southwest corner, fronting on Griggs Street, is not leased by ABRA and is used by others. Several used vehicles are stored there, but don't constitute vehicles awaiting repair for ABRA. It is not intended that this area would be screened by the opaque vinyl fence as noted on the proposed site plan.

Also in compliance with the new conditional use regulations in the T4 district, the service and repair activities maintained on the site will all occur within the building.

Improvements to the site appearance were completed at the time of the interim use zoning approval. Landscaping was improved and continues in good condition. No further landscaping improvements are proposed.

ABRA consistently adheres to strict waste disposal standards, minimizing impacts to the environment.

Abway, LLC, respectfully requests favorable consideration of this CUP proposal since it appropriately addresses each of the five criteria for approval established in the CUP requirements of the St. Paul zoning ordinance.:

1. *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.* The T4 zoning district in which the property is located now allows auto body repair facilities as conditional uses. The change in the zoning text was approved by the City Council with the stated intent to allow ABRA to continue to operate in this location because it provides a valuable service to the neighborhood and maintains a good operation. This satisfies the test that the use conforms to the zoning regulations that apply to auto body shops in the T4 zoning district.

2. *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* The existing entrance has served the site adequately for many years. The low volumes of traffic that characterize auto body repair facilities and the fact that no changes to the operation are proposed assure that there will be no impact to traffic congestion in the neighborhood.

3. *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.* ABRA provides great head-of-household jobs in the neighborhood, provides a needed service and is well managed. Its operation assures compliance with local, state and federal requirements for the control of noise, odors and other discharges. The City staff's and City Council's statements in support of ABRA in the text change of the T4 zoning district provide evidence of the perception that ABRA's continued operation on this site will not be detrimental to development or the public health, safety and general welfare.

4. *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* Much discussion has been held over the past several years about the need to provide excellent jobs in this neighborhood and to have sites and uses that accommodate future changes in the development style. The site

configuration, the location of ABRA's building on the site and the desire of the property owner to encourage further development of the site assure that ABRA's location will not impede development. ABRA has demonstrated its ability to participate in and complement redevelopment efforts through its participation in such efforts in the American Boulevard corridor in Bloomington, MN, its location as part of the Stapleton airport redevelopment project in Denver, CO, and its location in the Buckhead neighborhood in Atlanta, GA.

5. *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* ABRA has demonstrated its ability and commitment to adhere to applicable city, state and federal regulations. It will continue to do so.

Great neighborhood support has been exhibited for ABRA's continued operation in this location. In the previous considerations by the City, 100% of the surrounding property owners signed consent forms supporting approval of the ABRA's proposal. A letter of strong support was received from the Midway Chamber of Commerce. University United registered an opinion of no objection to the proposal, and the District Council 13 Land Use Committee recommended its approval.

Thank you for your consideration of this CUP proposal. We hope this proposal will be approved to allow ABRA to continue to provide great jobs in the neighborhood and maintain a well-run, successful business on this property.

If you have any questions about anything related to the request, please contact me at (612) 349-9898 or at [rfiscus@planscapepartners.com](mailto:rfiscus@planscapepartners.com).

Sincerely,

PLANSCAPE PARTNERS

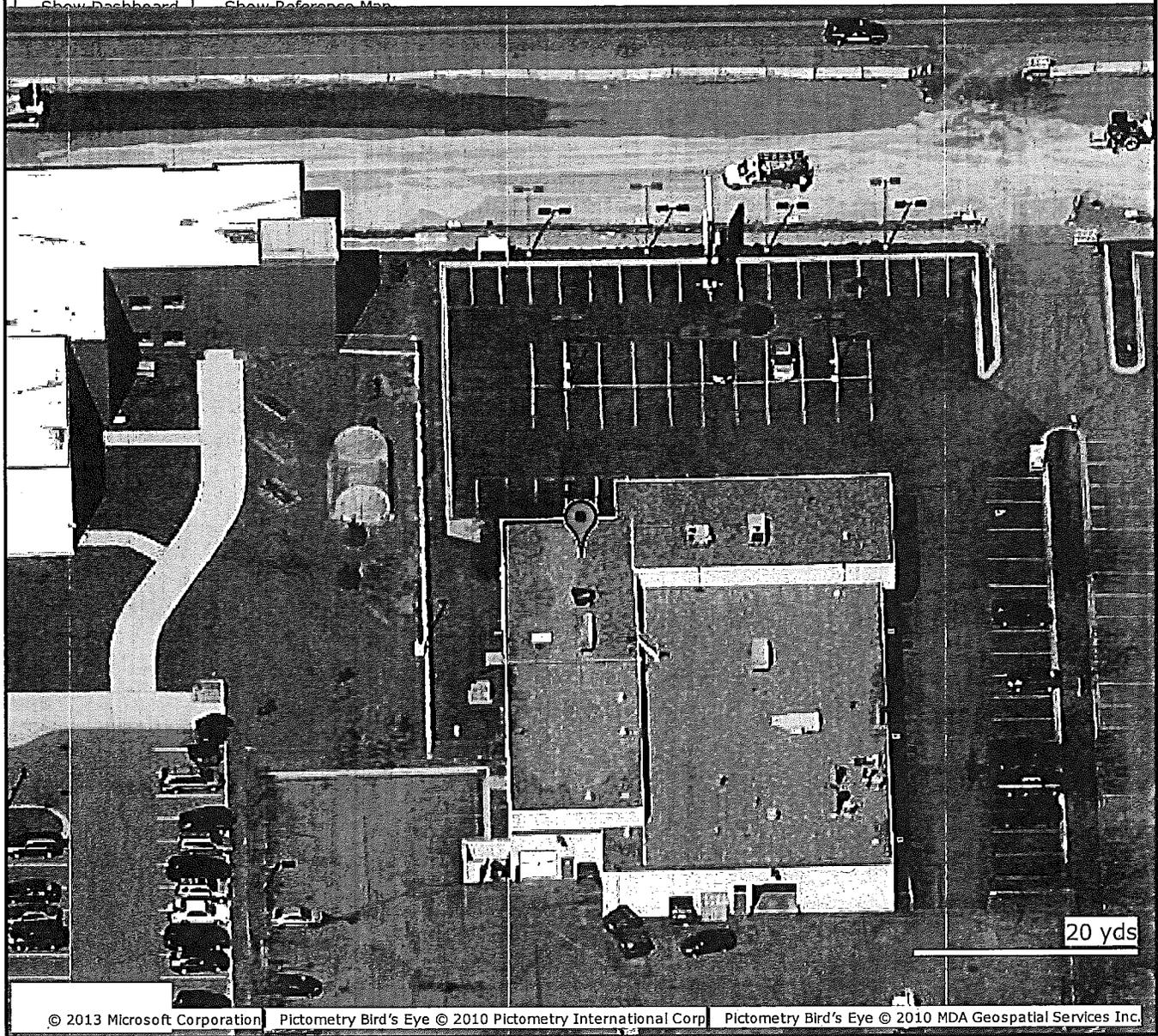


Ronald L. Fiscus

# GISmo Oblique Photography

Images courtesy of: Microsoft® Virtual Earth™ 2006

Show Dashboard Show Reference Map



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## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Transition Homes Corporation **FILE #** 13-247-501
  2. **APPLICANT:** Transition Homes Corporation **HEARING DATE:** November 21, 2013
  3. **TYPE OF APPLICATION:** Conditional Use Permit
  4. **LOCATION:** 1956 Feronia Ave, SE corner at Prior
  5. **PIN & LEGAL DESCRIPTION:** 332923310106, Union Park Lot 1
  6. **PLANNING DISTRICT:** 13 **PRESENT ZONING:** OS
  7. **ZONING CODE REFERENCE:** § 65.159; § 61.501; § 61.502
  8. **STAFF REPORT DATE:** November 13, 2013 **BY:** Jake Reilly
  9. **DATE RECEIVED:** November 4, 2013 **60-DAY DEADLINE FOR ACTION:** January 3, 2014
- 

- A. **PURPOSE:** Conditional use permit for transitional housing facility with modifications of the permitted number of residents (25 currently permitted, 31 proposed)
- B. **PARCEL SIZE:** Irregularly shaped triangular lot 188 ft. x 125 ft. x 185 ft. totaling ~ 12197 sq. ft.
- C. **EXISTING LAND USE:** Transitional housing facility
- D. **SURROUNDING LAND USE:**
  - North: Commercial/light industrial (T3)
  - East: Residential (RM2)
  - South: Railroad right-of-way (RM2)
  - West: Industrial (I1)
- E. **ZONING CODE CITATION:** §65.159 lists standards and conditions for transitional housing facilities; §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:** In 2000 the property was rezoned from RM2 Multiple family to OS Office-Service (Z. F. 99-178-460) in order to establish a mixed office-residential use. That use was not established. In 2003 the building became a Category 3 vacant building. A site plan for the parking lot of the property, which was to be a residential use, was approved in 2005, but a use was not established. A conditional use permit with modification of the number of residents was approved in 2012 for 25 residents (16 permitted).
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 13 Council recommended approval.
- H. **FINDINGS:**
  1. Transition Homes Corporation established a transitional housing facility for 25 residents at the property in 2012. At this time, the corporation wishes to add an additional six beds bringing the total population to 31. This requires a conditional use permit with modification to permit more than the current allowed number of residents.
  2. §65.159, *Transitional housing facility*, defines transitional housing and lists five standards that these facilities must satisfy:
    - a) *In residential, traditional neighborhood and OS – B2 business districts, a conditional use permit is required for facilities serving more than four (4) adult facility residents and minor children in their care.* This condition is met. The applicant has applied for a conditional use permit.
    - b) *In RL – RT2 residential districts, the facility shall be a minimum distance of one thousand three hundred twenty (1,320) feet from any other transitional housing facility...This condition does not apply. The property is zoned OS.*
    - c) *Except in B4-B5 business districts, the facility shall not be located in a planning district in which one (1) percent or more of the population lives in licensed community residential facilities, emergency housing facilities, shelters for battered persons...overnight shelters and/or transitional housing facilities... This condition is met. The total population of District 13*

in 2010 was 18,405. One percent is 184 residents. Existing facilities in the community, including the 25 residents in this facility currently have 119 residents. This is 65 residents fewer than 1 percent of the district population. This facility proposes six additional residents, leaving a balance of 59 available spaces in the planning district.

- d) *...In RT2 residential, traditional neighborhood, OS-B3 business and IR-I2 industrial districts, the facility shall serve sixteen (16) or fewer adult facility residents and minor children in their care.* This condition is not met under the applicant's proposal. The applicant proposes 30 program residents and one facility manager for a total of 31 residents. The applicant has asked for a modification of this requirement. The existing conditional use permit modified this requirement to permit 25 residents.
  - e) *In RL-RT2 residential districts, the facility shall not be located in a two-family or multi-family dwelling unless to occupies the entire structure.* This condition does not apply. The property is zoned OS.
  - f) *In residential districts, facilities serving seventeen (17) or more facility residents shall have a minimum lot area of five thousand (5,000) square feet plus one thousand (1,000) square feet for each guest room in excess of two (2) guest rooms.* This condition does not apply. The property is not located in a residential district.
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 use is in compliance with the housing chapter of the Saint Paul Comprehensive Plan, which seeks to increase housing choices across the city to support economically diverse neighborhoods and, in Strategy 3, seeks to ensure the availability of affordable housing across the city, which includes transitional housing facilities. Specifically, Strategy 3.4 states that the city will "assist in the preservation and production of homeless and supportive housing." 3.4(f) states that the city will "encourage non-city funding sources to continue to provide resources for supportive and homeless housing."
  - b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. There are two curb cuts into and out of the property's parking lot area. The parking lot has 14 spaces, including four in a garage. The use is not anticipated to generate a lot of traffic, in part because those living in transitional housing typically do not own vehicles. According to the applicant, staff will use four of the spaces.
  - 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 neighborhood is a mix of residential and industrial land uses. OS is intended to serve as a transitional use between the more intensive uses of land such as commercial districts and light industrial districts and less intensive uses of land such as residential.
  - 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 use is not out of character with the surrounding uses. The neighborhood is a mix of residential and industrial land uses.
  - 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. The use conforms to the applicable regulations of the OS district.
4. The planning commission may approve modifications of special conditions when specific criteria of §61.502 are met: *strict application of such special conditions would unreasonably limit or prevent otherwise lawful use of a piece of property or an existing structure and would result in exceptional undue hardship to the owner of such property or structure; provided, that such modification will not impair the intent and purpose of such special condition and is consistent with health, morals and general welfare of the community and is consistent with reasonable enjoyment of adjacent property.* This finding is met. The applicant states that with the current configuration

and 25 residents, often large areas of the house go unused, allowing for isolation of residents, which is counter to the program requirements and goals. Making better use of the internal space and offering more rooms for residents better meets program goals and better serves the community, according to the applicant. In addition, the additional revenue provided by six additional residents will provide funding for a new, evidence-based, long-term recovery strategy called "Change for Life." Rezoning the facility would permit more residents but the site would have to get a variance for lot area. The intent of the code is to locate larger facilities in residential districts. This property is zoned OS, but was previously zoned RM2, has had previous multiple family uses, and is proximate to a multiple family district. This use is consistent with past uses and the adjacent district and is thus consistent with the health, morals and general welfare of the community and is consistent with reasonable enjoyment of adjacent property.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of a conditional use permit for a transitional housing facility for 30 residents and 1 program manager at 1956 Feronia.



**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

*Rec'd  
10/30/13*

Zoning office use only	
File #	<u>13-247-501</u>
Fee	<u>800.00</u>
Tentative Hearing Date	<u>11/21</u>

APPLICANT

Name MICHAEL MUGAAS  
 Address 1450 N. WILLOW DR  
 City MEDINA St. MN Zip 55356 Daytime Phone 612-819-7207  
 Name of Owner (if different) \_\_\_\_\_  
 Contact Person (if different) \_\_\_\_\_ Phone \_\_\_\_\_

PROPERTY LOCATION

Address / Location 1956 FERONIA AVENUE  
 Legal Description \_\_\_\_\_  
 \_\_\_\_\_ Current Zoning \_\_\_\_\_  
 (attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of Chapter 61, Section 61.503, Paragraph f 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*

Required site plan is attached

Applicant's Signature *[Signature]* Date 10-29-2013 City Agent \_\_\_\_\_

## Conditional Use Permit Application Supplement

The length of resident stay is 90 days.

In zoning district OS1, a conditional use permit is required for a transitional housing facility with residents exceeding 4 residents, and up to 16 without a variance. We are also requesting a variance of 15 to accommodate 30 program residents, plus one facility manager, who will reside on the premises, for a total of 31 residents.

There is no minimum distance requirement for transitional housing in the OS1 zoning district.

This facility is licensed by the City of St. Paul for Boarding and Lodging, as well as Ramsey County Human Services for Group Residential Housing.

This will not be considered a medical facility.

This facility will not be licensed by the Department of Health

This facility currently has 14 parking spaces including the 4 car garage. The typical GRH resident does not have a car, since residents have difficulty qualifying for this program, once certain asset levels are exceeded. Staff will require up to 4 parking spaces.

Ingress and egress to street is shown on the supplement A-1.

Please contact Michael Mugaas at 612-819-7207 or email [mikem@transtions.pro](mailto:mikem@transtions.pro) with any additional questions.

## Group Residential Housing Facility/ Transitions' Foundation Program

Transition Homes Corporation is seeking a conditional use permit to occupy 1956 Feronia Avenue. This facility provides Group Residential Housing (board and lodging) for adult me age 18 years or older who are chemically dependent and/ or have a co-occurring mental illness and chemical dependency. This facility currently has a permit for 25 residents. We are seeking a conditional use permit for an occupancy limit of 31.

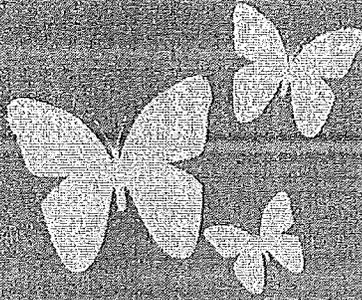
### Benefit of new CUP: Stronger Program

One of the challenges we see is that the GRH resident is not properly prepared to be self-sufficient after leaving our program. We feel we can improve the chances of success with the addition of a new program called Change for Life, an evidence-based, individualized, person-centered program offering leader guided, peer supported small groups focused on living and coping skills to sustain long-term recovery. Clients will develop and strengthen skills to manage the day-to-day challenges of life. Change for Life reinforces positive behaviors and provides on-going motivational support, enhancing a client's recovery and overall quality of life. Topics include: employment challenges, personal motivation, self-care, stress management, social reengagement, emotional stability, relapse prevention and much more.

Transitions has acquired additional space in the building next door at 366 Prior Avenue. This space will reduce the amount of group room space required at 1956 Feronia Avenue. By converting one group room we can create 2 additional bedrooms, accommodating 2 beds each. Additionally we would like to move our third floor laundry to two little used utility rooms on the second and third floors, providing space for 2 additional beds.

The renovations will provide several program benefits.

1. Currently we have large spaces that go often unused. In a facility that has nearly 12,000 square feet, these rooms become areas for potential isolation which can be dangerous for those in early recovery.
2. The additional revenue will provide funding for the Change for Life programming, which will help to make one of the best facilities of its kind, even better. Giving our program participants a more comprehensive program will increase their chances of success after moving on to a more independent living setting, and reduce the amount of times we are providing services to the same client.



# CHANGE for LIFE

Part of Transitions Treatment  
Services & Recovery Programs



## Transitions

Developing Essential Skills for  
Lifelong Recovery



# Change for Life?

*Change for Life* is a six-week, person-centered series offering leader guided, peer supported small groups focused on living and coping skills to sustain long-term recovery. Clients will develop and strengthen skills to manage the day-to-day challenges of life. *Change for Life* reinforces positive behaviors and provides on-going motivational support, enhancing a client's recovery and quality of life. Topics in the series include:

Transitions offers a full range of services for individuals who are recovering from drug and alcohol addiction. Our programs provide structure and support to strengthen personal recovery skills in the dimensions of home, health, purpose and community. We foster safe, caring environments where individuals learn and practice new recovery skills and implement changes that support a substance-free lifestyle. Our primary goal is to help individuals develop living skills necessary to maintain an emotional, vocational, social, physical and spiritual balance in recovery.

- **Looking For Work**
- **Making Decisions**
- **Managing Money**
- **Refusal Skills**
- **Values and Personal Responsibility**
- **Hygiene and Self-Care**



651-493-6658 | [transitions.pro](http://transitions.pro)

# Change for Life

## Continuing Care for Successful Recovery

Transitions now offers *Change for Life*, a continuing care program to support persons recovering from substance use disorders. *Change for Life* is a response to the increasing need for longer term, individualized treatment options to sustain successful recovery.

*Change for Life* is an evidence-based, individualized, person-centered program offering leader guided, peer supported small groups focused on living and coping skills to sustain long-term recovery. Meeting once or twice a week as needed, clients will develop and strengthen skills to manage the day-to-day challenges of life. *Change for Life* reinforces positive behaviors and provides on-going motivational support, enhancing a client's recovery and overall quality of life. Topics include: employment challenges, personal motivation, self-care, stress management, social reengagement, emotional stability, relapse prevention and much more.

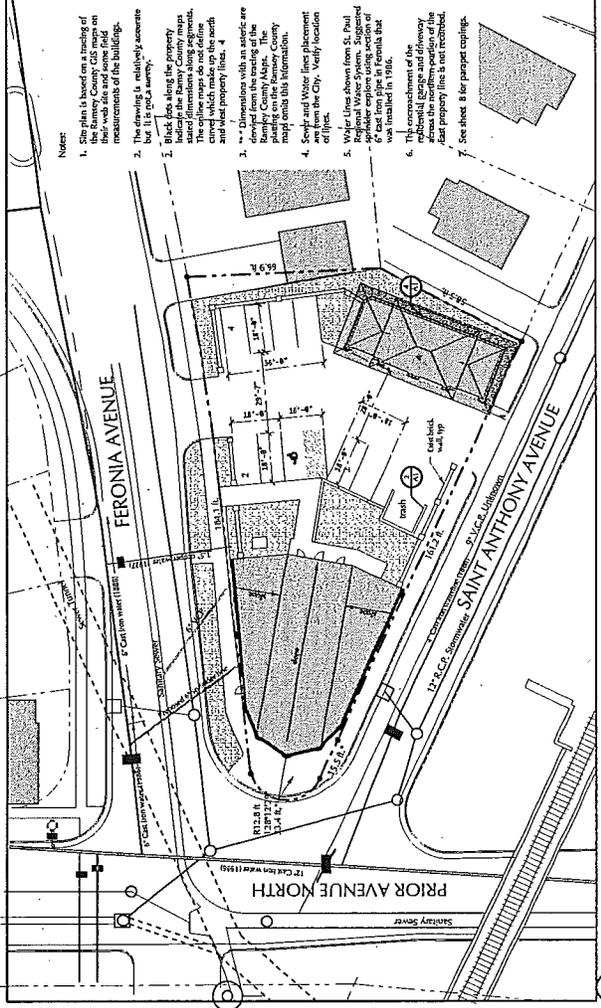
Continuing care for substance use disorders is very important because of the nature of addiction. Addiction is a chronic disease characterized by relapse. Most people leaving acute care settings are precariously perched somewhere between continued recovery and relapse. Recovering addicts not receiving some form of clinical support are at an extremely high risk for relapse. Continuing care increases the probability of sustained recovery.

*Change for Life* helps keep the newly sober alcoholic/addict engaged in recovery activities, which reduces probability of relapse. Additionally, continued reinforcement of behavioral change is necessary for sustained benefit. While there is no predetermined length of treatment, research has shown that the longer the engagement in some level of continuing care, the better the treatment outcomes. Many people drop out of the continuum of care prematurely, greatly increasing their risk for relapse.

It is crucial to keep in mind that addiction is a chronic disease. Like any other chronic disease, it is characterized by occasional relapses, and the client's recovery from it partly depends on the client's own lifestyle changes and everyday choices. For many, a one-time acute care treatment episode is simply not sufficient to maintain sobriety over the course of a life. Unfortunately, "treatment", more often than not, involves multiple acute care therapeutic episodes coinciding with the client's multiple attempts at recovery.

*Change for Life* can help break the cycle of relapse and multiple treatment episodes. In this continuum of care, the client remains engaged in an appropriate level and type of treatment, the relapse cycle can be interrupted, and personal long-term recovery goals can be accomplished.

# SITE PLAN



### PROJECT SUMMARY

Scale: None = 1" = 0'

#### ZONING INFORMATION

City: St. Paul  
 District: OS, Community Business District  
 Zoning: OS-2  
 Address: 12345 Saint Anthony Avenue  
 City: St. Paul, MN 55102

Traditional Housing for Up to 25 People - Conditional Use Permit - approved Apr. 15, 2012  
 Zoning Use: OS-2  
 Conditional Use Permit - approved Apr. 15, 2012

Use: Traditional Housing for Up to 25 People  
 Total Lot Area: 10,000 sq. ft.  
 Total Lot Setback Coverage: 75%  
 Total Lot Setback: 4,000 sq. ft.  
 Total Lot Coverage: 6,000 sq. ft.

### Code Information

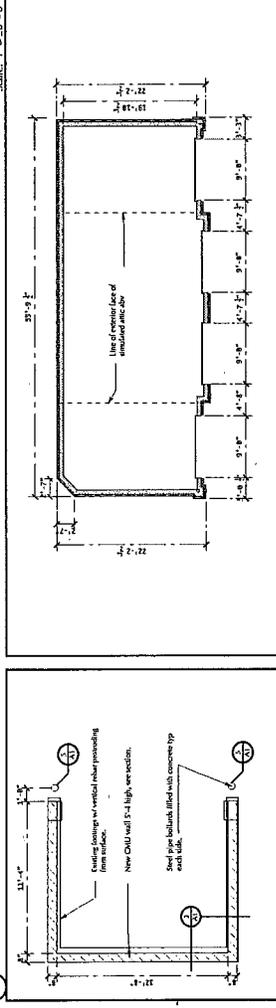
Scale: None

Code Information / Site Plan, Details  
 A-1 Demolition Plan, Notes & Details  
 A-2 First Floor Plan, Elevator Shaft Details  
 A-3 2nd Floor Plan, Door Types  
 A-4 3rd Floor Plan, Room Finish Schedule  
 A-5 Stairs and Elevator Shafts  
 A-6 Building Elevations, Roof Details, Roof Details  
 A-7 Reflected ceiling plans  
 A-8 Interior Elevations  
 A-9 Outline Specifications  
 A-10 Outline Specifications

**Remolding and Adaptive Reuse of The Crosby Block**  
 by Transition Homes Saint Paul, Minnesota  
 195 Feronia Avenue Saint Paul, Minnesota  
 The Crosby Block  
 Remolding and Adaptive Reuse of

Carlsen & Frank Architects  
 254 5th Avenue  
 Minneapolis 55402  
 Phone: 612-338-7100  
 Email: carlsenfrank.com

Peer Carlson  
 May 1, 2012  
 Date  
 15392  
 Registration Number



### Summary of Work

The work is intended to provide a detailed site plan and building details for the proposed project. The drawings are based on the information provided by the client and are intended to be used for informational purposes only. The drawings are not intended to be used for construction purposes.

**Summary of Work**  
 The work is intended to provide a detailed site plan and building details for the proposed project. The drawings are based on the information provided by the client and are intended to be used for informational purposes only. The drawings are not intended to be used for construction purposes.

### Code Information

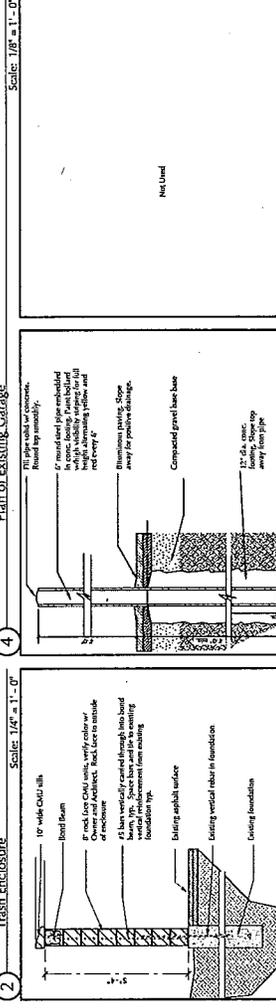
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Code Information / Site Plan, Details  
 A-1 Demolition Plan, Notes & Details  
 A-2 First Floor Plan, Elevator Shaft Details  
 A-3 2nd Floor Plan, Door Types  
 A-4 3rd Floor Plan, Room Finish Schedule  
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**The Crosby Block**  
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 195 Feronia Avenue Saint Paul, Minnesota  
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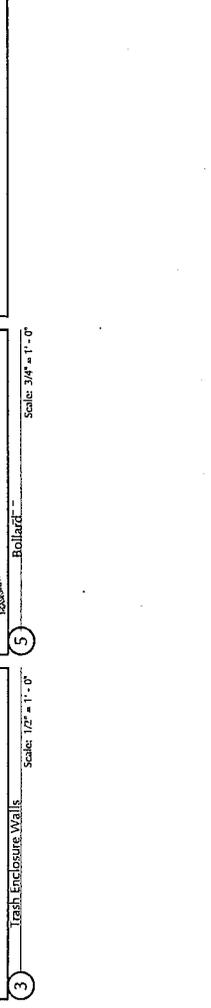
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Code Information / Site Plan, Details  
 A-1 Demolition Plan, Notes & Details  
 A-2 First Floor Plan, Elevator Shaft Details  
 A-3 2nd Floor Plan, Door Types  
 A-4 3rd Floor Plan, Room Finish Schedule  
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**The Crosby Block**  
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 195 Feronia Avenue Saint Paul, Minnesota  
 The Crosby Block  
 Remolding and Adaptive Reuse of

Carlsen & Frank Architects  
 254 5th Avenue  
 Minneapolis 55402  
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 Email: carlsenfrank.com

Peer Carlson  
 May 1, 2012  
 Date  
 15392  
 Registration Number



### Code Information

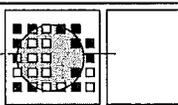
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Code Information / Site Plan, Details  
 A-1 Demolition Plan, Notes & Details  
 A-2 First Floor Plan, Elevator Shaft Details  
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 A-4 3rd Floor Plan, Room Finish Schedule  
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 A-7 Reflected ceiling plans  
 A-8 Interior Elevations  
 A-9 Outline Specifications  
 A-10 Outline Specifications

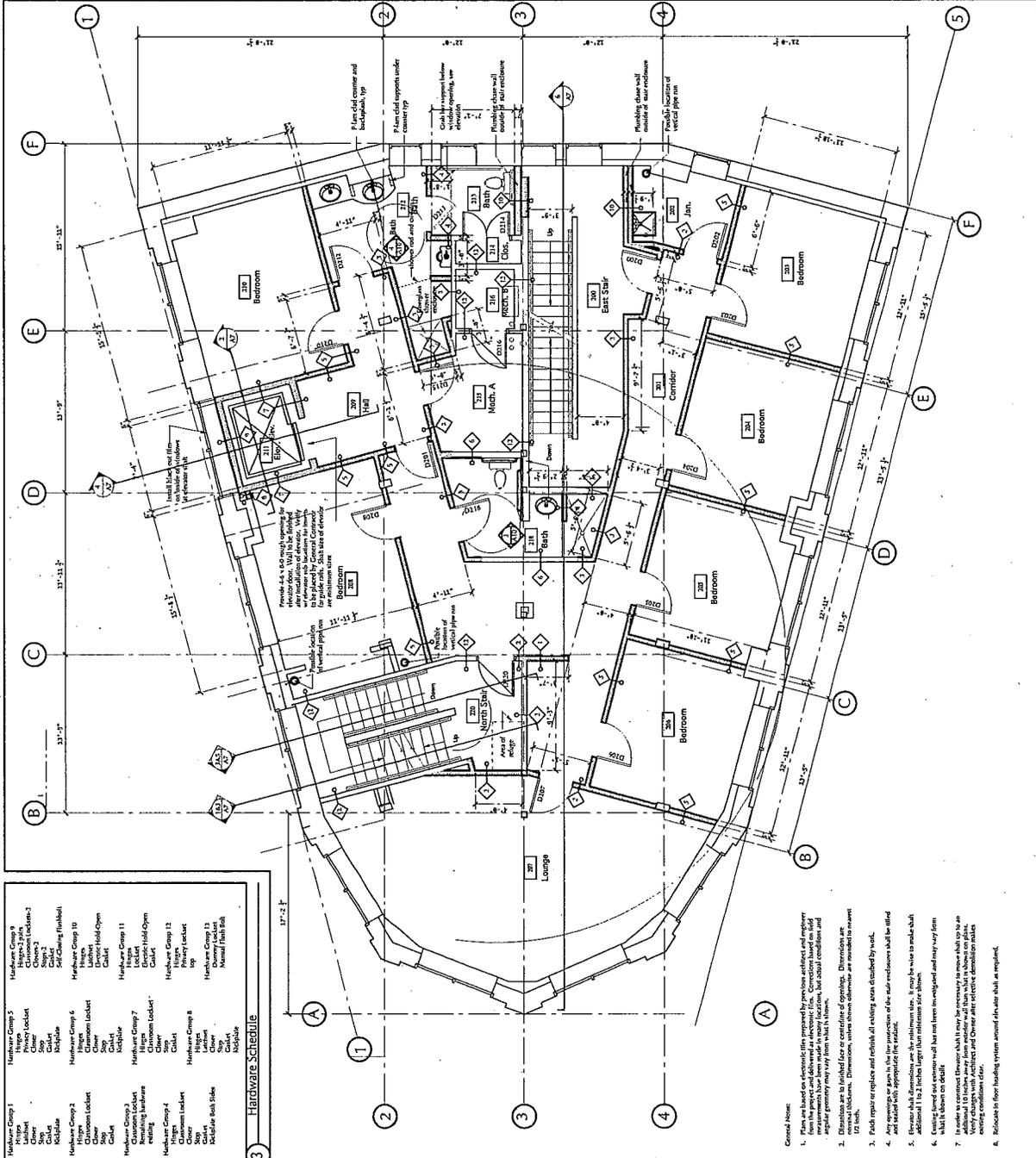
**The Crosby Block**  
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 195 Feronia Avenue Saint Paul, Minnesota  
 The Crosby Block  
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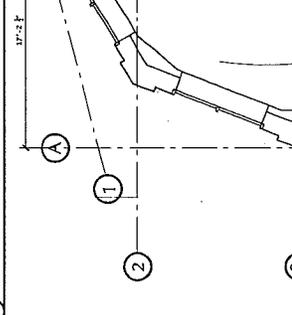
EXISTING



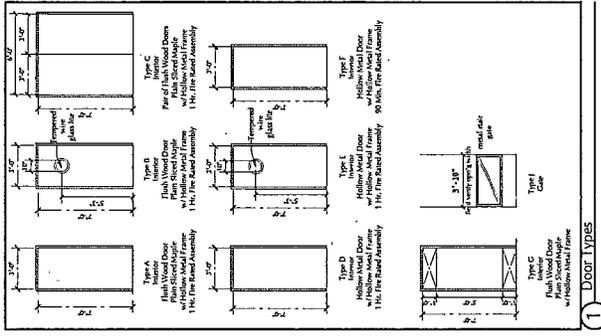
Scale: 1/8" = 1'-0"  
 Plan of Second Floor

**Hardware Schedule**

Hardware Group	Description
Hardware Group 1	Lockset, Lever, Knob, Pull, etc.
Hardware Group 2	Lockset, Lever, Knob, Pull, etc.
Hardware Group 3	Lockset, Lever, Knob, Pull, etc.
Hardware Group 4	Lockset, Lever, Knob, Pull, etc.
Hardware Group 5	Lockset, Lever, Knob, Pull, etc.
Hardware Group 6	Lockset, Lever, Knob, Pull, etc.
Hardware Group 7	Lockset, Lever, Knob, Pull, etc.
Hardware Group 8	Lockset, Lever, Knob, Pull, etc.
Hardware Group 9	Lockset, Lever, Knob, Pull, etc.
Hardware Group 10	Lockset, Lever, Knob, Pull, etc.
Hardware Group 11	Lockset, Lever, Knob, Pull, etc.
Hardware Group 12	Lockset, Lever, Knob, Pull, etc.
Hardware Group 13	Lockset, Lever, Knob, Pull, etc.
Hardware Group 14	Lockset, Lever, Knob, Pull, etc.
Hardware Group 15	Lockset, Lever, Knob, Pull, etc.



- General Notes:**
1. Refer to the hardware schedule for the location of the hardware. Hardware shall be installed in the locations shown, unless otherwise noted. Hardware shall be installed in the locations shown, unless otherwise noted.
  2. Hardware shall be installed in the locations shown, unless otherwise noted. Hardware shall be installed in the locations shown, unless otherwise noted.
  3. Hardware shall be installed in the locations shown, unless otherwise noted. Hardware shall be installed in the locations shown, unless otherwise noted.
  4. Hardware shall be installed in the locations shown, unless otherwise noted. Hardware shall be installed in the locations shown, unless otherwise noted.
  5. Hardware shall be installed in the locations shown, unless otherwise noted. Hardware shall be installed in the locations shown, unless otherwise noted.
  6. Hardware shall be installed in the locations shown, unless otherwise noted. Hardware shall be installed in the locations shown, unless otherwise noted.
  7. Hardware shall be installed in the locations shown, unless otherwise noted. Hardware shall be installed in the locations shown, unless otherwise noted.
  8. Hardware shall be installed in the locations shown, unless otherwise noted. Hardware shall be installed in the locations shown, unless otherwise noted.



**DOOR SCHEDULE**

Number	Room	Door Type	Frame	Hardware
0101	0101	0101	0101	0101
0102	0102	0102	0102	0102
0103	0103	0103	0103	0103
0104	0104	0104	0104	0104
0105	0105	0105	0105	0105
0106	0106	0106	0106	0106
0107	0107	0107	0107	0107
0108	0108	0108	0108	0108
0109	0109	0109	0109	0109
0110	0110	0110	0110	0110
0111	0111	0111	0111	0111
0112	0112	0112	0112	0112
0113	0113	0113	0113	0113
0114	0114	0114	0114	0114
0115	0115	0115	0115	0115
0116	0116	0116	0116	0116
0117	0117	0117	0117	0117
0118	0118	0118	0118	0118
0119	0119	0119	0119	0119
0120	0120	0120	0120	0120
0121	0121	0121	0121	0121
0122	0122	0122	0122	0122
0123	0123	0123	0123	0123
0124	0124	0124	0124	0124
0125	0125	0125	0125	0125
0126	0126	0126	0126	0126
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0128	0128	0128	0128	0128
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0130	0130	0130	0130	0130
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0132	0132	0132	0132	0132
0133	0133	0133	0133	0133
0134	0134	0134	0134	0134
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0137	0137	0137	0137	0137
0138	0138	0138	0138	0138
0139	0139	0139	0139	0139
0140	0140	0140	0140	0140
0141	0141	0141	0141	0141
0142	0142	0142	0142	0142
0143	0143	0143	0143	0143
0144	0144	0144	0144	0144
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0146	0146	0146	0146	0146
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0164	0164	0164	0164	0164
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0166	0166	0166	0166	0166
0167	0167	0167	0167	0167
0168	0168	0168	0168	0168
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0178	0178	0178	0178	0178
0179	0179	0179	0179	0179
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0182	0182	0182	0182	0182
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0192	0192	0192	0192	0192
0193	0193	0193	0193	0193
0194	0194	0194	0194	0194
0195	0195	0195	0195	0195
0196	0196	0196	0196	0196
0197	0197	0197	0197	0197
0198	0198	0198	0198	0198
0199	0199	0199	0199	0199
0200	0200	0200	0200	0200

No Scale

PROPOSED

**Carlsen & Frank Architects**  
254 Park Avenue  
Minneapolis, MN 55402  
Tel: 612.337.4274  
www.carlsenfrank.com

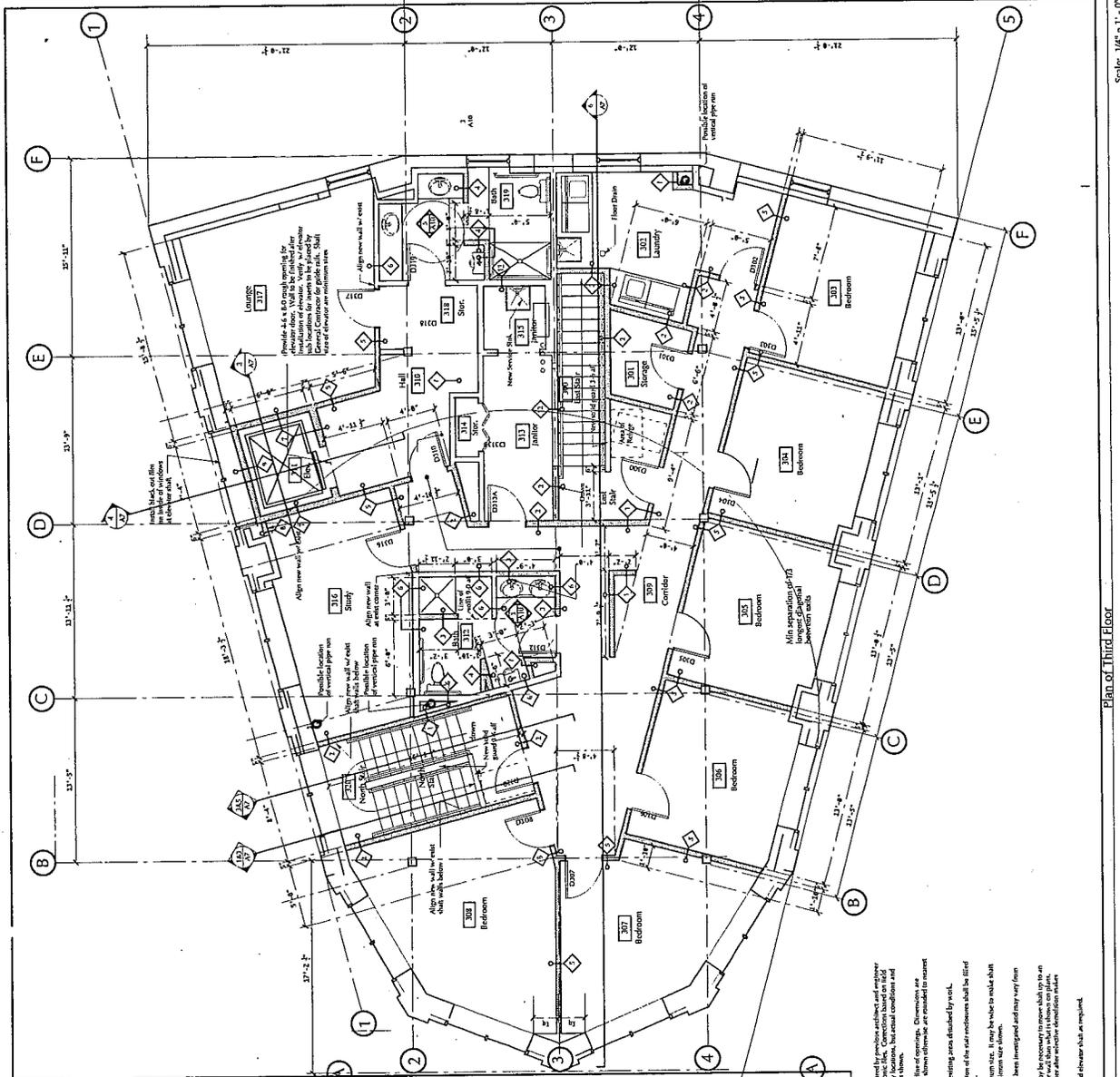
**The Crosby Block**  
Remodeling and Adaptive Reuse of  
1956 Fenwick Avenue, Saint Paul, Minnesota

I hereby certify that  
this plan, specification or report  
was prepared by me or under  
my direct supervision and that  
I am a duly registered  
architect in the State of  
Minnesota.

Feier Calum  
Architect  
May 1, 2012  
1397  
1397  
1397

Drawn By: PJC  
Checked By: PJC  
Date: May 1, 2012  
Revisions:  
#1  
#2  
#3  
#4

Construction  
Sheet No.  
**A-6**



Scale: 1/4" = 1'-0"  
Plan of Third Floor

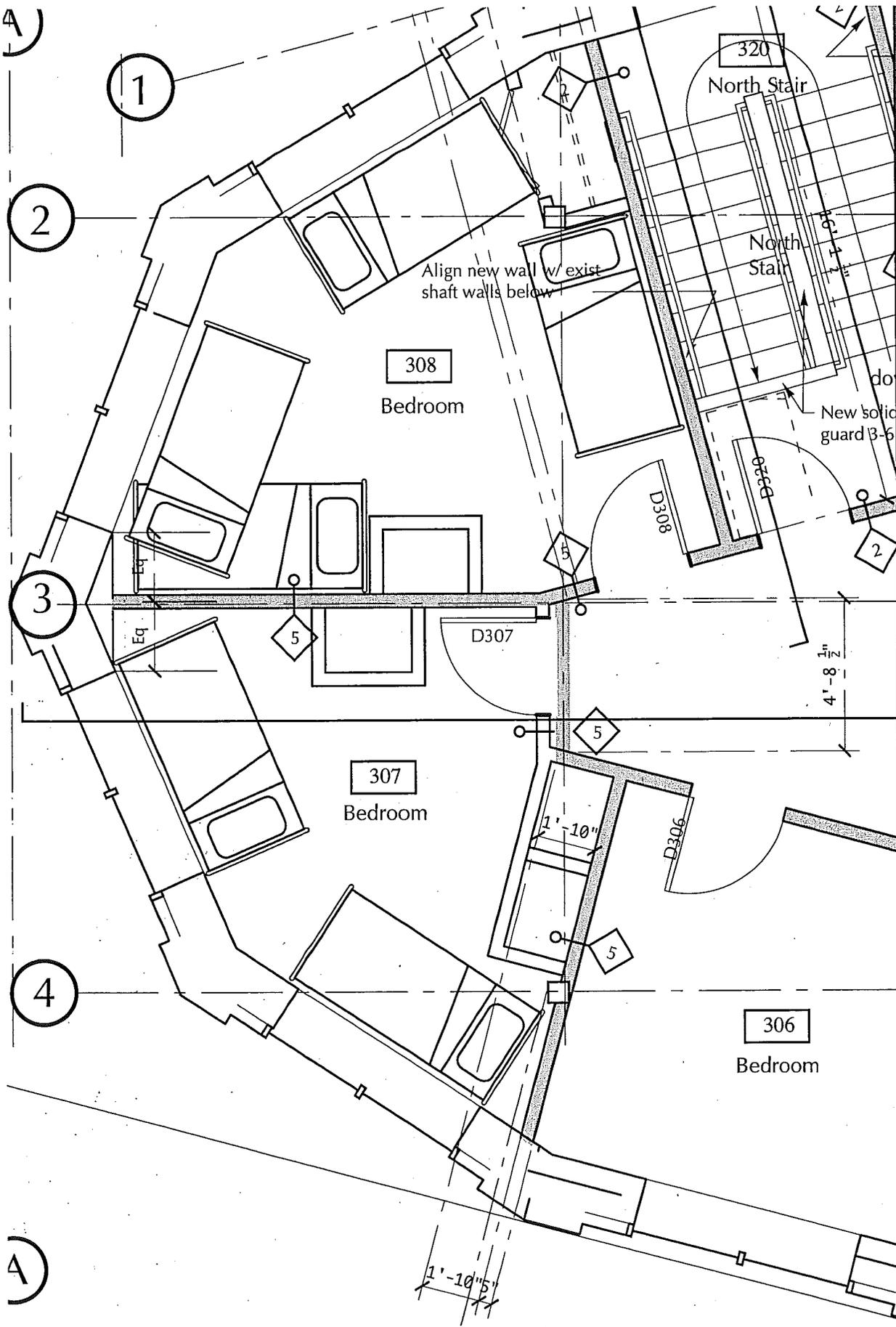
Room No.	Room Name	FLOOR	WALL	CEILING	FINISH	NOTES
301	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.
302	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.
303	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.
304	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.
305	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.
306	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.
307	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.
308	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.
309	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.
310	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.
311	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.
312	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.
313	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.
314	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.
315	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.
316	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.
317	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.
318	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.
319	Bed Room	Carpet	Paint	Paint	Paint	See RFP for spec. for carpeting locations.

- General Notes**
- Plan is based on electronic files provided by previous architect and engineer from the project and delivered as electronic files. Construction based on field measurements. All dimensions are in feet and inches. All dimensions are rounded to nearest 1/8" unless otherwise noted.
  - Dimensions are to finished face or centerline of opening. Dimensions are to nearest millimeter. Dimensions, unless otherwise noted, are rounded to nearest 1/8" unless otherwise noted.
  - Finish repair or replace and install all existing work damaged by work.
  - Existing work to be removed shall be removed to the next finish surface and shall be replaced with appropriate finish material.
  - Excavate shall dimensions are the minimum size. It may be larger to accommodate additional 1 to 2 inches larger than minimum size shown.
  - Existing framed exterior wall has not been investigated and may vary from actual. Investigate and report on condition of existing exterior wall. If an existing exterior wall is to be removed, it shall be removed in a manner which complies with applicable codes and standards. Investigate and report on condition of existing exterior wall. If an existing exterior wall is to be removed, it shall be removed in a manner which complies with applicable codes and standards.
  - Indicate in room heading system round checker shall as required.

**Room Finish Schedule**

Room No.	Room Name	FLOOR	WALL	CEILING	FINISH
301	Bed Room	Carpet	Paint	Paint	Paint
302	Bed Room	Carpet	Paint	Paint	Paint
303	Bed Room	Carpet	Paint	Paint	Paint
304	Bed Room	Carpet	Paint	Paint	Paint
305	Bed Room	Carpet	Paint	Paint	Paint
306	Bed Room	Carpet	Paint	Paint	Paint
307	Bed Room	Carpet	Paint	Paint	Paint
308	Bed Room	Carpet	Paint	Paint	Paint
309	Bed Room	Carpet	Paint	Paint	Paint
310	Bed Room	Carpet	Paint	Paint	Paint
311	Bed Room	Carpet	Paint	Paint	Paint
312	Bed Room	Carpet	Paint	Paint	Paint
313	Bed Room	Carpet	Paint	Paint	Paint
314	Bed Room	Carpet	Paint	Paint	Paint
315	Bed Room	Carpet	Paint	Paint	Paint
316	Bed Room	Carpet	Paint	Paint	Paint
317	Bed Room	Carpet	Paint	Paint	Paint
318	Bed Room	Carpet	Paint	Paint	Paint
319	Bed Room	Carpet	Paint	Paint	Paint

PROPOSED



**Study of Closets on 2nd Floor, Partial Plan of A-5**

**Carlson & Frank Architects**  
 524 Selby Avenue  
 Saint Paul, Minnesota 55102  
 Phone 227-4576

**Crosby Block Remodeling**  
 1956 Feronia Avenue  
 Saint Paul, Minnesota

DATE: August 8, 2012  
 Revised  
 SCALE 1/4" = 1'-0"

Supplemental Drawing Sheet no. AS-08

Square footage comparisons to other Group Residential Housing Facilities				
GRH Facility	Address	# of residents	Total Square Footage	Square Feet per Resident
Arrigoni House	255 Summit Avenue	28	6660	237.857142857143
Green House	680 Greenbrier Street	22	6868	312.181818181818
Hart House	550 Galtier Street	24	6980	290.833333333333
Emma Norton	670 North Robert Street	45	23251	516.688888888889
<b>Transitions/ Foundation</b>	<b>1956 Feronia Avenue</b>	<b>31</b>	<b>11000</b>	<b>354.838709677419</b>
<b>All information taken from Ramsey County Tax records</b>				

# Current Budget

GRH Proposal Budget					
Revenue			Projected Revenue		
Detail/ Revenue	# of Beds 24	Rates	Monthly-vac & uncollectable incl.	Annual estimated	
Average	22	1356	\$29,832.00	357,984.00	
			0	0	
			Total GRH Revenue	357,984.00	
Expense					
Program Manager		Troy Mc	2250	GRH Program Manager/ on site	
Admin Apportioned		Brittney	972.22		
Diversity Manager/Tech		Mike Bi	2447		
Chef		Leray T	2500		
Health Care Contribution			315		
Nurse			600	Medication Management	
Lawn Care/ Snow			450		
transport			853		
Maintenance			1200		
Maintenance/cleaning			1042		
Payroll Tax/ Work Comp			1076		
General Liability			585		
DSI license fee			50	Annual Fee	
Lease or P&I			8700		
Real Estate Tax			976.33		
Insurance/property				Included above in General Liability	
pest			80		
fire			50		
drug test			100		
Water			850		
Electricity/gas			1960		
Trash			150		
Elevator Maintenance			100		
Phone/Net/Cable			440		
Resident Bad Debt			462		
Food / Grocery/ Supplies			3600		
Accounting			0		
Storm Sewer			75		
Total			31883.55	\$382,602.60	(\$24,618.60)

# Proposed Budget

GRH Proposal Budget	30 Program Beds+1 RM	Rates	Monthly-Revenue	Annual estimated
Revenue	# of Beds 27	1356	\$36,612.00	439,344.00
Revenue on Daily Average				0
Average				439,344.00
Total GRH Revenue				
Expense				
Program Manager		Troy Mock	2500	GRH Program Manager/ on site
Admin Apportioned		Brittney Stewart	1050	
Diversity Manager/Tech		Mike Blair	2500	
Chef		Leray Taylor	2800	
Health Care Benefits/Contribution			415	
Life Skills Tech/Counselor		Counselor	2250	
Nurse			600	Medication Management
Lawn Care/ Snow			450	
transport			853	
Maintenance			1200	
Maintenance/cleaning			1230	
Payroll Tax/ Work Comp			1076	
General Liability			585	
DSI license fee			50	Annual Fee
Lease or P&I/ Steve Clingan			8700	
Real Estate Tax/2015			2000	
Insurance				Included in GL
pest			80	
fire			50	
drug test			100	
Water			850	
Electricity/gas			1960	
Trash			150	
Elevator Maintenance			100	
Phone/Net/Cable			365	
Resident Bad Debt			462	
Food / Grocery/ Supplies			3900	
Accounting			0	
Storm Sewer			75	
Total			36351	
Annual Expense				\$436,212.00
Net Profit				\$3,132.00



**UNION  
PARK**

UNION PARK DISTRICT COUNCIL

1570 Concordia Avenue, Suite LL100, Saint Paul, MN 55104

p 651-645-6887 | f 651-917-9991 | e info@unionparkdc.org | w www.unionparkdc.org

November 13, 2013

Jake Reilly, City Planner  
Dept. of Planning & Economic Development  
25 W 4th Street  
St. Paul, MN 55102

RE: Group Housing Facility/Transitions' Foundation Program

Dear Jake:

On November 12, 2013 the Union Park District Council Land Use Committee voted to support Transitions' Foundations Program request to expend their current facilities by six beds and expand programing.

Transitions' Foundation Programs has a positive history in the community. The expansion of beds and programs will not cause any undue burden to the community. Instead we anticipate they will continue their successful work in developing lifelong skills that support lifelong recovery.

Sincerely,

*Bernadette Chlebeck*

Bernadette Chlebeck  
UPDC Executive Director

Cc: Michael Mugaas , Executive Director  
Transitions 1956 Feronia Ave St. Paul MN 55104

## Dubruiel, Paul (CI-StPaul)

---

**From:** Matthew Robinson <mattmsp@mac.com>  
**Sent:** Monday, November 04, 2013 9:52 AM  
**To:** Dubruiel, Paul (CI-StPaul)  
**Subject:** Input

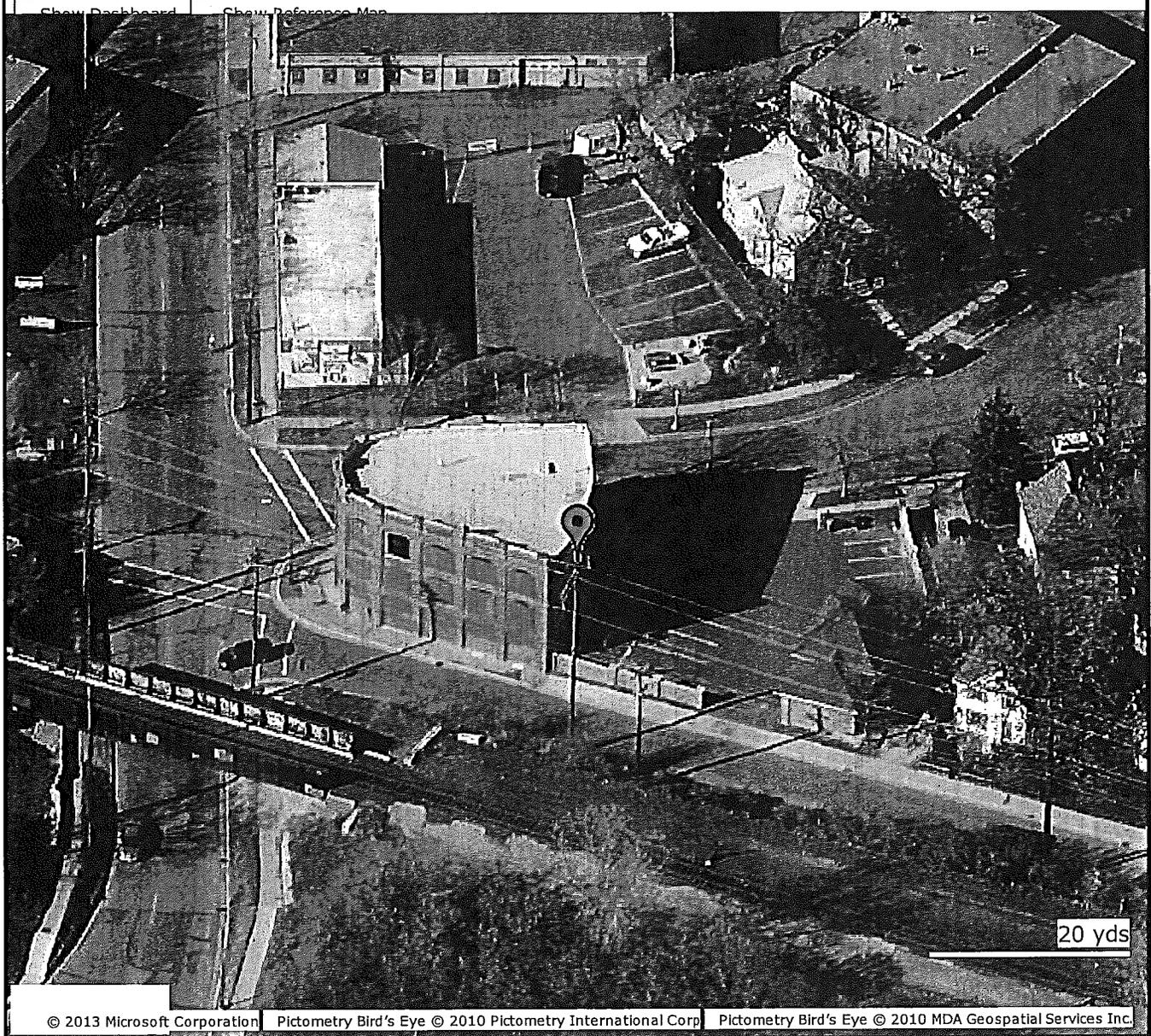
After having a women OD on heroin across the street at an unofficial sober house, followed by the police pursuing a drunk resident from the same house the following week, I think we already have enough sober houses in Union Park. I'm sure the retirees at the Presbyterian Residence will appreciate it as well. Since that is an assisted living home doesn't that preclude said use due to distance?

Matt Robinson  
1883 Iglehart Avenue  
Saint Paul, MN 55104

612-802-3269

# GISmo Oblique Photography

Images courtesy of: Microsoft® Virtual Earth™ 2006



20 yds

© 2013 Microsoft Corporation | Pictometry Bird's Eye © 2010 Pictometry International Corp | Pictometry Bird's Eye © 2010 MDA Geospatial Services Inc



APPLICANT Transition Homes Corp  
 PURPOSE Conditional Use Permit  
 FILE # 13-247501 DATE 11-6-13  
 PLNG. DIST. 13 Land Use Map # 17  
 Zoning Map # 13  
 SCALE 1" = 400'

- LEGEND
- zoning district boundary
  - subject property
  - one family
  - two family
  - multiple family
  - commercial
  - industrial
  - vacant



11 AVE

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** BLD Property Management **FILE #** 13-247-474
  2. **APPLICANT:** BLD Property Management **HEARING DATE:** November 21, 2013
  3. **TYPE OF APPLICATION:** NUP - Establishment
  4. **LOCATION:** 260 Aurora Ave, Southeast corner at Galtier
  5. **PIN & LEGAL DESCRIPTION:** PID 36-29-23-41-0030, Florence Addition to St. Paul, W 1/2 of Lot 10 and all of Lot 11, Blk 3
  6. **PLANNING DISTRICT:** 8 **PRESENT ZONING:** RT2
  7. **ZONING CODE REFERENCE:** Sec. 62.109(a)
  8. **STAFF REPORT DATE:** November 13, 2013, (revised November 18, 2013) **BY:** Hilary Holmes
  9. **DATE RECEIVED:** November 4, 2013 **60-DAY DEADLINE FOR ACTION:** January 3, 2014
- 

- A. **PURPOSE:** Establishment of legal nonconforming use status as an administrative office.
- B. **PARCEL SIZE:** 6815 sq. feet (56 ft. frontage on Aurora, 121.69 ft. frontage on Galtier)
- C. **EXISTING LAND USE:** Administrative Office
- D. **SURROUNDING LAND USE:**  
North: Single family residential (RT2),  
Commercial (T3); South: Single family and multifamily residential (RT2, RM2);  
East: Single and multifamily residential, surface parking (T3);  
West: Institutional/Single family residential (RT2)
- E. **ZONING CODE CITATION:** §62.109(a) lists the conditions under which the Planning Commission may grant a permit to establish legal nonconforming use status.
- F. **HISTORY/DISCUSSION:** The property at 260 Aurora was purchased by the applicant, Louis Henry, in 1995. Mr. Henry and his attorney communicated with city staff in Licensing, Inspections and Environmental Protection (LIEP) in September 1995 regarding the use of the residential property as an office for a small franchise of McDonald's restaurants that are owned by Mr. Henry's company, BLD Property Management (Franchise Food Systems of Minnesota). The proposed office use at that time included administrative functions, staff meetings and training. At that time Mr. Henry and his attorney were informed by city staff that the office use was not a permitted use in the residential zoning district. No applications were submitted for a non-conforming use permit or rezoning, and the house remained zoned RT2. In October 2013 City fire inspectors visited the property to conduct an inspection of the property as a residential rental property, at which time they discovered that the house was in use as an administrative office with no residential use. For tax purposes, Ramsey County records have the property class listed as residential non-homesteaded.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 8 Council had not made a recommendation at the time this report was prepared.
- H. **FINDINGS:**
  1. The applicant, BLD Property Management, has applied for a permit to establish legal nonconforming use status for an administrative office at 260 Aurora Avenue.
  2. Section 62.109(a) of the zoning code provides that the Planning Commission may grant legal nonconforming use status to uses or structures if the commission makes the following findings. The findings and the applicant's ability to meet them are as follows:
    - (1) *The use or a nonconforming use of similar or greater intensity permitted in the same zoning district or in a less restrictive zoning district has been in existence continuously for a period of at least ten (10) years prior to the date of the application.* Franchise Food Systems of Minnesota has conducted business at this address since at least 2001. This applicant has

provided invoices dated 2001 and 2002 that are billed to this address as evidence. This finding is met.

- (2) *The off-street parking is adequate to serve the use.* There are two parking spaces available in a garage with access off of the alley, as well as a surface parking lot owned by McDonald's located at the NW corner of Aurora and Marion that serves this use. This finding is met.
- (3) *Hardship would result if the use were discontinued.* Use of the property for residential and/or other uses permitted in the RT2 district provide for reasonable use of the property. This finding is not met.
- (4) *Rezoning the property would result in "spot" zoning or a zoning inappropriate to surrounding land uses.* Rezoning this property, which is on a residential street and surrounded by residential zoning, would be spot zoning. This finding is met.
- (5) *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.* The use has not changed the exterior character of the property and will not be detrimental to the existing character of the area, nor will it endanger the public health, safety, or general welfare. This finding is met.
- (6) *The use is consistent with the comprehensive plan.* The Generalized 2030 Land Uses Map (Figures LU-B and LU-L) in the Land Use chapter of the Comprehensive Plan shows this property on the edge of a mixed use corridor (where a mix of uses is supported) and an established neighborhood (where the prevailing character is to be supported). The city-wide Land Use Plan and Generalized 2030 Land Uses Map refer to adopted small area plans and district plans for more specific guidance for development in areas where they apply. Central Corridor LRT Station Area Plans were adopted with a primary aim of managing and influencing change along the corridor. Areas of change and areas of stability were identified and refined through the station area planning process. The Rice Station Area Plan (adopted in 2008) shows the property at 260 Aurora in an area of stability, where significant change should be prohibited, with an emphasis instead on preserving and strengthening the integrity and character of the residential neighborhood. Change of the house at 260 Aurora to office use is not consistent with this. This finding is not met.
- (7) *A notarized petition of two-thirds of the owners of the described parcels of real estate within one hundred (100) feet of the subject property has been submitted stating their support for the use.* The petition was found sufficient on November 7, 2013: 15 parcels eligible; 10 parcels required; 10 parcels signed. This finding is met.

- I. **STAFF RECOMMENDATION:** Based on findings 3 and 6, staff recommends denial of the application for establishment of legal nonconforming use status as an administrative office at 260 Aurora Avenue.



**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

**RECEIVED**  
 OCT 29 2013  
 Per \_\_\_\_\_

Zoning Office Use Only  
 File #: 13-247-474  
 Fee: 700.00  
 Tentative Hearing Date:  
11-21-2013

**APPLICANT**

Name BLD Property Mgmt  
 Address 260 Aurora Ave  
 City ST Paul St. MN Zip 55103 Daytime Phone 651-224-2000  
 Name of Owner (if different) Louis and Brend Henry  
 Contact Person (if different) Linda Buchal Phone 651-224-2000  
Cell 651-335-9826

**PROPERTY LOCATION**

Address/Location 260 Aurora Ave (PID 36-29-23-41-0030)  
 Legal Description Florence Addition to ST Paul W 1/2 of lot 10 & all of Lot 11 Blk 3 1 Current Zoning Residential class B  
 (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:  Change from one nonconforming use to another (para. c)  
 Re-establishment of a nonconforming use vacant for more than one year (para. e)  
 Establishment of legal nonconforming use status for use in existence at least 10 years (para. a)  
 Enlargement of a nonconforming use (para. d)

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

Present/Past Use Business management office  
 Proposed Use \_\_\_\_\_  
 Attach additional sheets if necessary

Attachments as required  Site Plan  Consent Petition  Affidavit

**RECEIVED**  
 OCT 29 2013  
 Per \_\_\_\_\_

Applicant's Signature [Signature] Date 11/28/2013 City Agent \_\_\_\_\_

Response to Bullet point on the Nonconforming Use Permit

1. The use of 260 Aurora Ave does occur within an existing structure. All of the functions of this office are done solely on its property and doesn't interfere with any of the neighbors or adjacent healthcare business across the street.
2. The use of the property has been in existence continuously for the past 15 years. This can be shown by various forms from invoices paid, talking to the neighbors, talking to long term employees who have been at this location for the same period.
3. The off street parking is adequate. The office Employees Park at the McDonald's at 471 Marion St. which is a ½ block away so they don't interfere with neighborhood parking.
4. Extreme hardship would be devastating if the current use was not permitted. The operating entity owns and operates 2 McDonald's restaurants along University Avenue which has been crippled over the last 3 years by Lite Rail construction which has forced many other businesses to close. Having to find commercial office space that is not needed is simply an expense that we can't afford after having the 3 worse years our history. Small businesses also have unknown healthcare costs over the next years that are hard to put a financial figure on.
5. We are not asking for re-zoning, just a non-conforming use permit.
6. The use is no way detrimental to the existing character of development in the immediate neighborhood or endangers the public health, safety, or general welfare. It's our opinion that us being here enriches the neighborhood. There have been many foreclosures, vacant homes, and deteriorating properties in the Frog Town neighborhood over the last couple of years. Us being here and maintaining our property as we have been helps the area, not hurt it.
7. The use is consistent with the comprehensive plan, to continue using the property at 260 Aurora as our business office.
8. We have 11 property owners that have willing signed the petition for us to obtain the non-conforming use permit and continue as we have for the past 15 years.

Louis and Brenda Henry  
Property Owners  
260 Aurora Ave  
St. Paul, MN 55103

# INVOICE



## Business Credit

11100 Wayzata Boulevard, Suite 801  
Minnetonka, MN 55305  
800/844-9467

FRANCHISE FOOD SYSTEMS OF MINN  
260 AURORA AVENUE  
SAINT PAUL, MN 55103

DATE OF INVOICE: 01/12/2001  
INVOICE NUMBER: [REDACTED]

PAYMENTS ARE DUE ON DUE DATE. LATE CHARGE WILL BE ASSESSED IF PAYMENT IS NOT RECEIVED BY 5TH DAY PAST DUE DATE.

CONTRACT NO.	DESCRIPTION	CONTRACT/PAYMENT	SALES/USE TAX	LATE CHARGES	TOTAL DUE
0004224-001	DATE DUE 02/01/01	237.41	16.62		254.03
0004241-001	DATE DUE 02/01/01	276.35	19.34		295.69
<b>TOTAL DUE</b>					<b>549.72</b>

IF THERE IS A CHANGE IN INVOICING ADDRESS OR EQUIPMENT LOCATION PLEASE COMPLETE REVERSE SIDE.

RETURN THIS PORTION WITH CHECK PAYABLE TO

INVOICE NO. [REDACTED]

CONTRACT NO. [REDACTED]

TOTAL DUE

DATE DUE 02/01/01

254.03

DATE DUE 02/01/01

295.6

This is an informational invoice. DO NOT PAY THIS INVOICE. We will ACH your account on the due date for the total amount due.,

FRANCHISE FOOD SYSTEMS OF MINN  
260 AURORA AVENUE  
SAINT PAUL, MN 55103

**RETURN THIS PORTION**

TOTAL DUE 549.7

# INVOICE



11100 Wayzata Boulevard, Suite 801  
 Minnetonka, MN 55305  
 800/844-9467

ATTN: A/P  
 Franchise Food Systems of Minn  
 260 Aurora Avenue  
 SAINT PAUL, MN 55103

DATE OF INVOICE: 01/29/2002  
 INVOICE NUMBER: 144943

PAYMENTS ARE DUE ON DUE DATE. LATE  
 CHARGE WILL BE ASSESSED IF PAYMENT IS  
 NOT RECEIVED BY 5TH DAY PAST DUE DATE.

CONTRACT NO.	DESCRIPTION	CONTRACT/PAYMENT	SALES/USE TAX	LATE CHARGES	TOTAL DUE
[REDACTED]	Kitchen Equipment				
	H&K and Kopco				
	DATE DUE 03/01/02	654.65			654.65
	DATE DUE 02/01/02	654.65			654.65
<b>TOTAL DUE</b>					<b>1,309.30</b>

IF THERE IS A CHANCE IN INVOICING ADDRESS OR  
 EQUIPMENT LOCATION PLEASE COMPLETE REVERSE SIDE.

ZONING PETITION SUFFICIENCY CHECK SHEET

REZONING

SCUP

NCUP

FIRST SUBMITTED

RESUBMITTED

DATE PETITION SUBMITTED: 10-29-13

DATE PETITION RESUBMITTED: \_\_\_\_\_

DATE OFFICIALLY RECEIVED: \_\_\_\_\_

DATE OFFICIALLY RECEIVED: \_\_\_\_\_

PARCELS ELIGIBLE: 15

PARCELS ELIGIBLE: \_\_\_\_\_

PARCELS REQUIRED: 10

PARCELS REQUIRED: \_\_\_\_\_

PARCELS SIGNED: 10

PARCELS SIGNED: \_\_\_\_\_

CHECKED BY: Paul Dubraiel

DATE: 11-7-13

Att

**CITY OF SAINT PAUL**

**CONSENT OF ADJOINING PROPERTY OWNERS FOR A  
NONCONFORMING USE PERMIT**

We, the undersigned, owners of the property within 100 feet of the subject property acknowledge that we have been presented with the following:

A copy of the application of BLO Properties McDonalds  
(name of applicant)

to establish a office of administration  
(proposed use)

located at 260 Aurora Ave ST Paul, MN 55103  
(address of property)

requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
253 Fuller NE	Debra Masly	Debra Masly	10/22/2013
247 Fuller Ave	Melba R. Cyria	Melba R. Cyria	10/22/13
263 Aurora Ave	Eugen Beal	Eugen Beal	10-22-13
259 Fuller AV	James & Sally Jacques	Sally Jacques	10-22-13
261 AURORA	LAURA L PERDUE	Laura L Perdue	22OCT 2013
244 AURORA AVE	Thai King	Thai King	10-22-13
248 Aurora Ave	Joetta Schlabach	Joetta Schlabach	10-22-13
254 Aurora Ave	Paula Hutchinson	Paula Hutchinson	10-23-13
243 Fuller AVE	Wendy Lindquist	Wendy Lindquist	10/23/13
245 Fuller AVE	Wendy Lindquist	Wendy Lindquist	10/23/13
4456 ALTIER ST	Tom Thibault	Tom Thibault	10-25-13

**NOTE:** All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

CITY OF SAINT PAUL

AFFIDAVIT OF PETITIONER FOR A CONDITIONAL  
USE PERMIT OR A NONCONFORMING USE  
PERMIT

STATE OF MINNESOTA)

SS

COUNTY OF RAMSEY)

The petitioner, Louis C. Henry, being first duly sworn, deposes and states that the consent petitioner is informed and believes the parties described on the consent petition are owners of the parcels of real estate described immediately before each name; each of the parties described on the consent petition is an owner of property within 100 feet of the subject property described in the petition; the consent petition contains signatures of owners of at least two-thirds (2/3) of all eligible properties within 100 feet of the subject property described in the petition; and the consent petition was signed by each said owner and the signatures are the true and correct signatures of each and all of the parties so described.

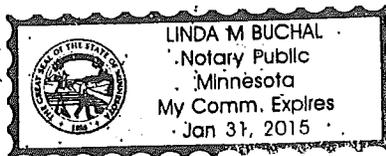
Louis C. Henry  
NAME

2220 Kenwood Court  
ADDRESS Maplewood MN 55117

651-335-9026 (cell)  
TELEPHONE NUMBER

Subscribed and sworn to before me this

28 day of Oct, 2013



Linda M Buchal  
NOTARY PUBLIC

# CITY OF SAINT PAUL

## AFFIDAVIT OF PERSON CIRCULATING PETITION

STATE OF MINNESOTA)

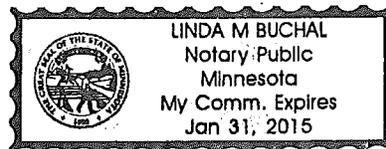
:SS

COUNTY OF RAMSEY )

Shereda SCOTT, being first duly sworn, deposes and states that he/she is the person who circulated the consent petition consisting of 1 pages; that affiant is informed and believes that the parties described on the consent petition are the owners of the parcels of real estate described immediately before each name, and that each of the parties described on the consent petition is an owner of property within 100 feet of the subject property described in the petition and all property contiguous to the subject property that was owned, purchased or sold by the petitioner within one (1) year preceding the date of the petition; that the consent petition was signed by each said owner; and that the signatures are the true and correct signatures of each and all of the parties so described.

Shereda SCOTT  
NAME  
1996 County Rd D #303  
ADDRESS Maplewood MN 55109  
651-587-2103  
TELEPHONE-NUMBER

Subscribed and sworn to before me this  
28 day of October, 2013.



Linda M Buchal  
NOTARY PUBLIC

## Holmes, Hilary (CI-StPaul)

---

**From:** Laura Perdue <perdu002@umn.edu>  
**Sent:** Tuesday, November 12, 2013 12:54 PM  
**To:** Holmes, Hilary (CI-StPaul)  
**Subject:** File # 13-247-474

Ms Holmes,

I am a homeowner in the neighborhood of the address listed for the zoning meeting on Thursday 21 November. In fact, the address is 260 Aurora Avenue and I live across the street at 261. Please accommodate the Mc Donald's office in whatever way is best for them. They have been consistently great neighbors (sidewalk shoveling, yard maintenance) and are a friendly group. In short, no complaints of any type. I hope we can keep great neighbors happy!

Thanks for your time on this.

Laura L Perdue  
261 Aurora Avenue  
Saint Paul, MN 55103  
651-224-8308

File

OFFICE OF LICENSE, INSPECTIONS AND ENVIRONMENTAL PROTECTION

Robert Kessler, Director



CITY OF SAINT PAUL

Norm Coleman, Mayor

LOWRY PROFESSIONAL

BUILDING

Suite 300

350 St. Peter Street

Saint Paul, Minnesota 55102-1510

Telephone: 612-266-9090

Facsimile: 612-266-9099

612-266-9124

September 27, 1995

Louis C. Henry  
Franchise Food Systems of Minnesota, Inc.  
471 Marion Ave S.  
St. Paul, Mn. 55103

RE: 260 Aurora Ave.

Dear Mr. Henry:

Thank you for your letter of September 23 regarding your proposed office use at the referenced address. First of all, let me assure you that Mayor Coleman and all of us in city government, are working to provide a safe, clean, attractive environment for business and residents in St. Paul.

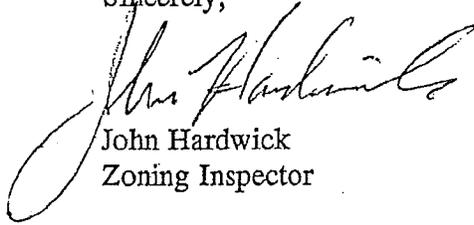
The referenced property is located in an RT-2, townhouse residential, zoning district. As noted in the information sheet, home businesses are allowed in residential districts provided that they meet certain conditions and that they don't change the residential character of the neighborhood. Your proposed use, as explained to me by Mr. Ritter, is a use that is more appropriate in a commercial or office zoning district. Although Mr. Ritter does not mention it in his letter to you, I did point out to him that there are some alternatives. First, you may consider rezoning the property for office use. As you pointed out in your letter, it is adjacent to several businesses. I referred Mr. Ritter to Kady Dadlez, 266-6582, in our planning office for information on the rezoning process. I also referred Mr. Ritter to the business development division of PED, 266-6655. They may be able to assist you in finding a suitable alternative location for your office.

Mayor Coleman has formed a Business Review Council, made up of members of the business community, city staff and community residents, to review regulations affecting businesses. If there is a specific regulatory issue you think needs to be addressed you are welcome to bring it to the attention of the council by contacting Robert Kessler, Director of LIEP, who also serves as staff to the council.

Once again let me assure you that the City of St. Paul welcomes business and industry and we are committed to making St. Paul a great place to live and do business.

If you have any questions concerning this matter you may contact me at 266-9082.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Hardwick". The signature is written in dark ink and is positioned above the printed name and title.

John Hardwick  
Zoning Inspector

cc: Mayor Coleman  
Robert Kessler



FRANCHISE FOOD SYSTEMS OF MINNESOTA, INC.  
471 Marion Ave. S.  
St. Paul, MN 55103  
(612) 224-7535  
FAX (612) 224-1696

September 23, 1995

Mayor Norm Coleman  
City of St. Paul  
390 City Hall  
St. Paul, MN 55102

Dear Mayor Coleman,

A while back I discussed with you that the city and business should be able to work together for the betterment of the total St. Paul community. As a businessman and a member of the private industry of St. Paul, the community is very important to me. I sometimes feel that in some instances the city government really works against business and the community as a whole. The following is a case and point. I am considering having a private office in the community basically to have a place to do paperwork, payroll and a place to meet with my store managers. I wanted to purchase a VACANT house behind the Marion Store at 260 Aurora. We know what has happened to some vacant homes in these neighborhoods. They have been boarded up and some are turned into crack houses. It is important to me to invest in the community. I didn't feel zoning would be a problem because in the first three blocks of Aurora are a large nursing home, a parking lot, an apartment, a chiropractic office and a union trade's building. We were initially told it may be a possibility of getting a home occupation residence use permit if someone involved in the business resided there, which could have been met. I have attached a copy of the guide lines. It appears that we are being turned down because I may occasionally have the store managers over for a meeting or orientations which may include 3 to 5 people. There are houses on Aurora where 10 to 15 people are living in a single dwelling. Mayor, take a look at the area you can see that property is deteriorating, many houses are in disrepair, houses are For Sale and some houses in the area were torn down. I became interested in a vacant house because Minneapolis has been trying to get businesses and individuals to invest in vacant houses in that city. I felt it was good idea. Even though I operate stores in Minneapolis, I wanted to be in St. Paul, It would be real easy to go to White Bear Lake, Maplewood or Roseville. I felt it was important to make a statement in the inner city.

In dealing with city government there seems to be very little flexibility. History has shown us what happens when property is vacant and the neighborhood deteriorate. In the long run it cost the city more.

#7494  
471 Marion Ave. S.  
St. Paul, MN 55103  
(612) 224-7535

#7563  
2400 Nicollet Ave. S.  
Minneapolis, MN 55404  
(612) 870-9706

#3483  
Midway Shopping Center  
1468 University Ave.  
St. Paul, MN 55103  
(612) 647-1777

#3525  
2213 University Ave.  
St. Paul, MN 55114  
(612) 644-8333

#7063  
4435 Lyndale Avenue North  
Minneapolis, MN 55412  
(612) 521-7122

Mayor, you have always been extremely fair, progressive and we have been friends. I wanted you to know how I felt because you have always had the greater good of St. Paul at hand. This is a great city with so much potential. I feel that business is viewed by some in city government as a necessary evil. This is unfortunate we should be able to work together as a team. I feel real disheartened by the process. Even though I may have to office in Minneapolis my heart is in St. Paul. Thanks for listening.

Best Regards,

Louis C. Henry

Enclosure

cc: Zoning and Planning Administrator

RITTER & FENSKE, LTD.

ATTORNEYS AT LAW

461 UNIVERSITY AVENUE

SAINT PAUL, MINNESOTA 55103

JEROME A. RITTER

JEFFREY J. FENSKE

(612) 222-6700

FAX 222-1263

September 22, 1995

Mr. Louis Henry  
471 Marion Street  
St. Paul, MN 55103

Re: 260 Aurora  
Our File No. 3844-1

Dear Mr. Henry:

I am enclosing for your information a copy of the information sheet I received from the City of St. Paul setting forth the criteria utilized by the city to evaluate whether or not a business fits within the "owner/occupied" exception to the zoning regulations. After receiving this material from the City of St. Paul I spoke with John Hardwick relative to your intended use of the 260 Aurora property. I explained to Mr. Hardwick the premises would be utilized primarily for the purpose of handling administrative functions such as processing payroll and handling other administrative functions. I did indicate that occasionally meetings would take place with various store managers present. Such meetings would have from three to five people involved. I also indicated you intended to conduct employee orientation on the premises from time to time. Such orientation would involve the viewing of video tapes and training materials provided by the McDonald's Corporation. Orientation sessions would probably have only two or three employees attending at a time. I also pointed out that off street parking is available on the subject premises and that if additional parking were required you have a parking lot available at Marion and University. I assured the City of St. Paul that the present street parking situation would not be further burdened with your intended use of 260 Aurora. You certainly have ample parking available at the east end of the block where the subject premises is located.

Mr. Hardwick indicated to me that utilization of the property for the purpose of meetings with management and orientation sessions as described above would not be included within the criteria which are acceptable to the City of St. Paul. It would certainly appear after my conversation with Mr. Hardwick that the City of St. Paul would not permit you to utilize 260 Aurora as you have proposed.

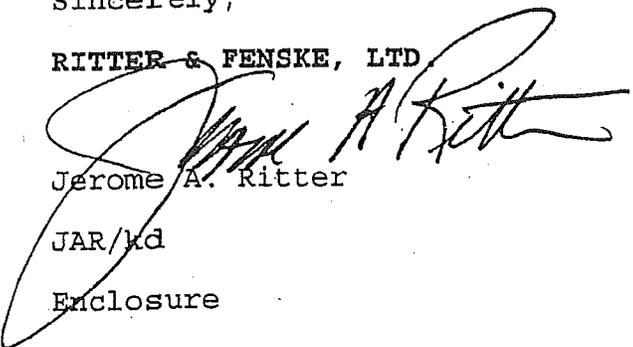
I will continue to explore other potential sites or properties. I will continue to work with the understanding that you would prefer to have

Mr. Louis Henry  
September 22, 1995  
Page 2

an administrative office located within the City of St. Paul and as close to your Marion Street store as possible. I will also keep you advised regarding any potential properties located outside the City of St. Paul.

Sincerely,

RITTER & FENSKE, LTD.

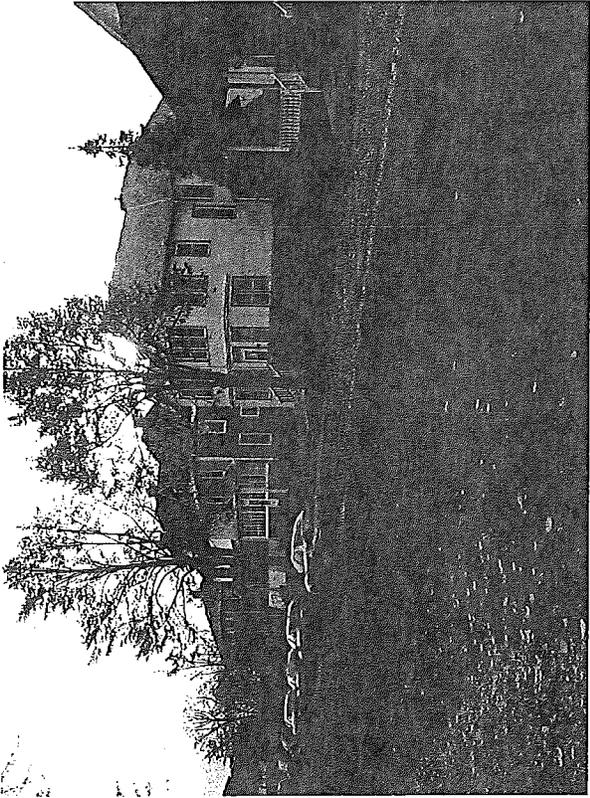


Jerome A. Ritter

JAR/kd

Enclosure

260 AURORA AVENUE



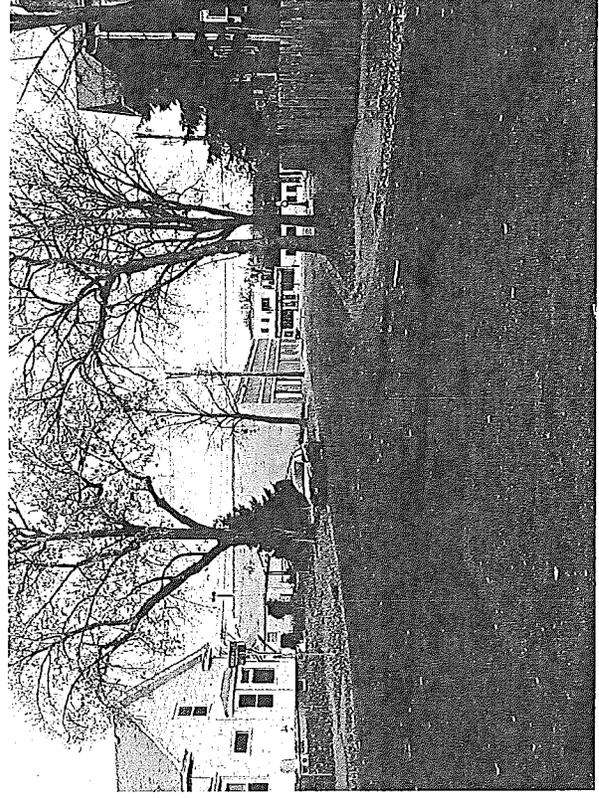
Looking Southeast down Aurora at Galtier



Looking West down Aurora at Galtier



Looking Northeast down Aurora at Galtier



Looking North on Galtier from Aurora

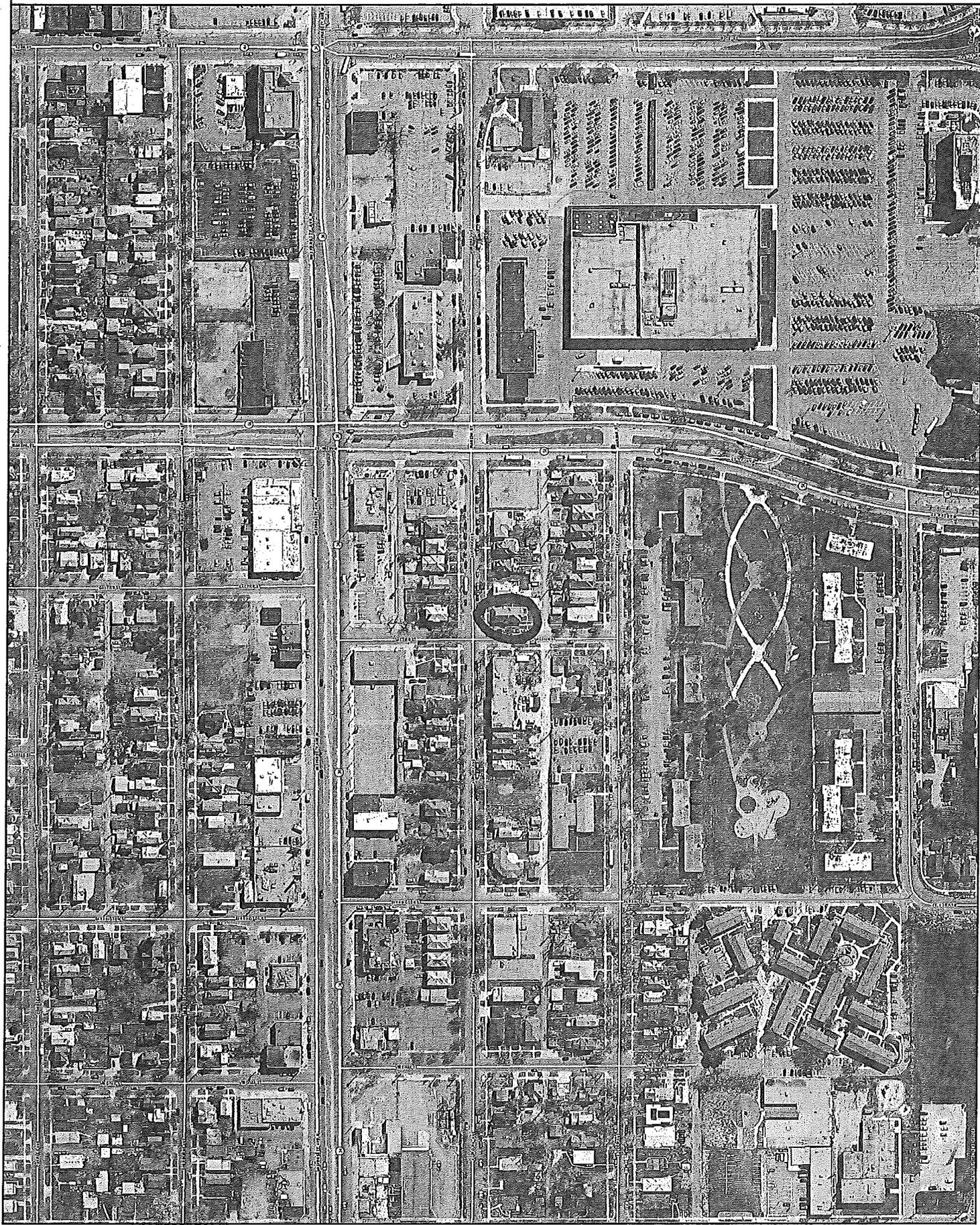
# GISmo Oblique Photography

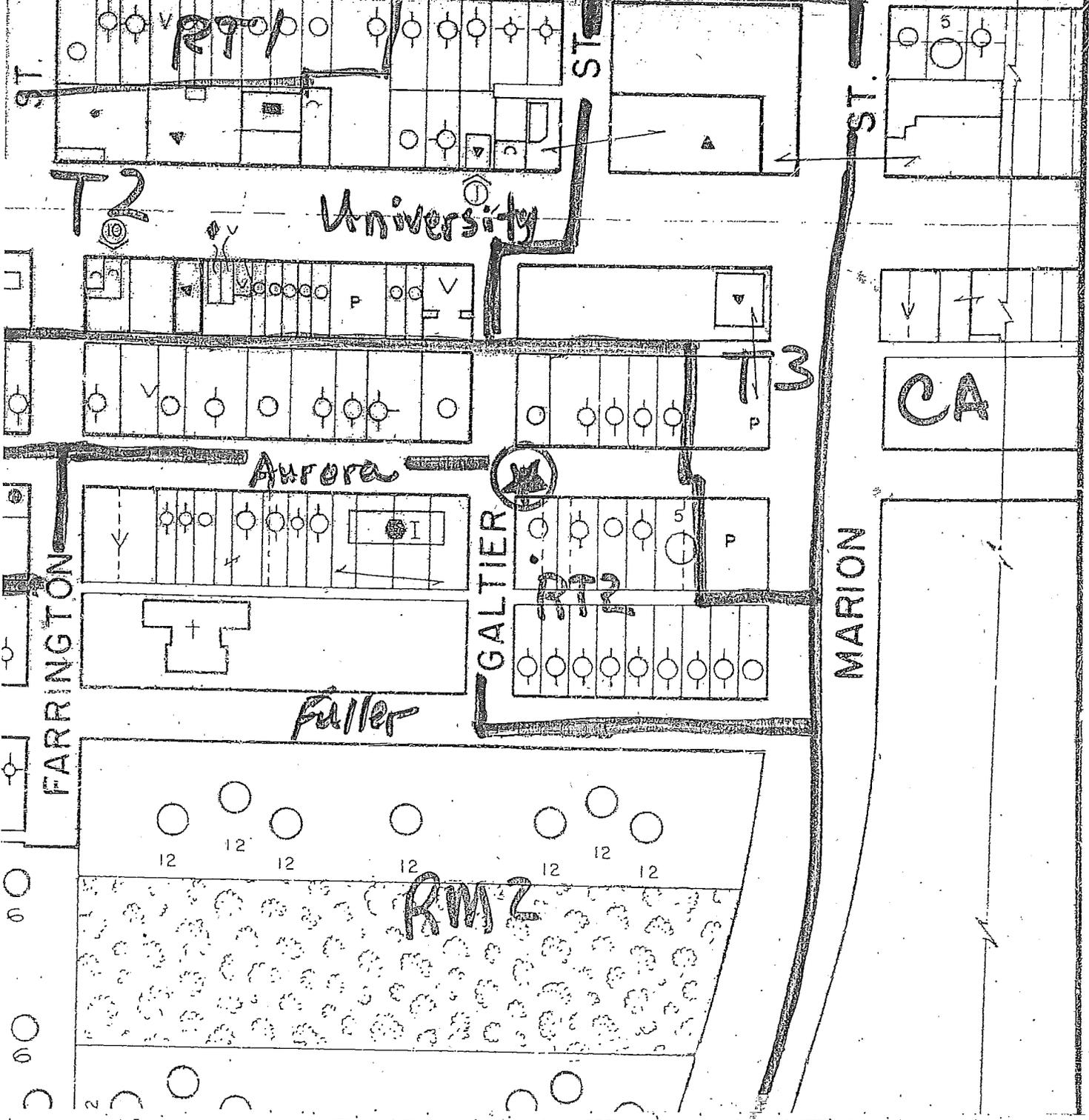
Images courtesy of: Microsoft® Virtual Earth™ 2006

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PROPERTY  
BOUNDARY  
ASPHALT DRIVE  
CONCRETE DRIVE  
PAVEMENT





APPLICANT BLD Property Management  
 PURPOSE NCUP - Establishment  
 FILE # 13-247474 DATE 11-7-13  
 PLNG. DIST. 8 Land Use Map # 20  
 SOA 1:400' Zoning Map # 15

LEGEND

zoning district boundary

subject property

one family

two family

multiple family

commercial

industrial

vacant

