

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Goodwill 1221 University Avenue **FILE #:** 13-260-424
  2. **APPLICANT:** The Driessen Group LLC **HEARING DATE:** January 30, 2014
  3. **TYPE OF APPLICATION:** Conditional Use Permit & Variance
  4. **LOCATION:** 1221 University Ave W, NW corner at Griggs
  5. **PIN & LEGAL DESCRIPTION:** 342923130105, Syndicate No 5 Addition Ex W 25 Ft Lot 24  
And All Of Lots 25 Thru Lot 30 Blk 32
  6. **PLANNING DISTRICT:** 11 **PRESENT ZONING:** T2
  7. **ZONING CODE REFERENCE:** § 65.513, § 61.501; 61.502; 61.601; 61.202(b)
  8. **STAFF REPORT DATE:** January 23, 2014 **BY:** Anton Jerve
  9. **DATE RECEIVED:** December 23, 2013 **60 DAY DEADLINE FOR ACTION:** February 21, 2014
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- A. **PURPOSE:** Conditional use permit for 1) retail/service establishment of more than 15,000 sq. ft., and for 2) drive-through service, with modifications of condition to allow drive-through service and ingress/egress within 60 ft. of residential property, and variances for 1) off-street parking with more than 60 ft. of frontage, and 2) building setback 7.5 ft. from the alley centerline (13 ft. required).
- B. **PARCEL SIZE:** 45,790 sq. ft.
- C. **EXISTING LAND USE:** Vacant commercial (former auto sales)
- D. **SURROUNDING LAND USE:**
  - North: Single-family, duplex, and multi-family housing (R4)
  - East: Retail commercial (T2)
  - South: Office commercial, School (T4)
  - West: Retail commercial (T2)
- E. **ZONING CODE CITATION:** §65.513 lists conditions for drive-through services; §61.501 lists general requirements for all conditional uses; §61.502 provides for modification of special conditions by the Planning Commission; §61.202(b) authorizes the planning commission to grant variances when related to permits, using the required findings of MN Stat. 462.357, Subd. 6.
- F. **HISTORY/DISCUSSION:** The property is currently vacant and was previously used for auto sales and associated auto uses. Auto oriented uses had been established on the property since at least 1938. The site has been vacant for approximately eight years.
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 11, Hamline Midway Coalition, considers the nature of the project to be auto-oriented and for that reason believes it is not consistent with the comprehensive plan and recommends denial of the conditional use permits and variances.
- H. **FINDINGS:**
  1. The site is located within the Hamline Station Area on the north side of University, west of Griggs. The intersection of University/Griggs is signalized and Griggs will be improved as a bike boulevard this year. The applicant, Goodwill, is proposing a two-story, mixed-use building with retail (20,000sf), donations processing (5,000sf) and office uses (3,500sf). The site will have a 0.7 FAR, which exceeds the minimum of 0.5 FAR. The retail will be split on the two floors with processing on the first floor and office on the second floor. A drive through service door will be located along the rear of the building in an enclosed structure to receive donations. Cars using the drive through will enter from the parking lot and exit at the alley. It is anticipated that the drive through will service 4-

10 cars per hour, based on the average of other metro-area sites. The drive-through service will close approximately one hour before the retail closing time. There will be no provisions for after-hours donations and furniture will not be accepted at this site. The parking lot will be accessed from University Avenue and have two curb cuts along that street. The parking lot will have 50 spaces. Elsewhere in the city the requirement would be 83 spaces, however T2 districts within station areas have no parking requirement. Delivery and service vehicles access the site from University Avenue. Semi-trailers will be dropped off at the loading dock area 2-3 times per week and will be removed once they are full to go to an off-site processing facility.

2. §65.513. lists seven conditions that drive-through sales and services must satisfy in T2 Zoning Districts:
  - (a) Drive-through lanes and service windows shall be located to the side or rear of buildings, shall not be located between the principal structure and a public street, and shall be at least sixty (60) feet from the closest point of any residentially zoned property or property occupied with a one-, two-, or multiple-family dwelling. This condition is not met. The applicant is requesting a modification of this condition to allow the drive through use the alley for egress. The alley is shared with residentially zoned properties to the north.
  - (b) Points of vehicular ingress and egress shall be located at least sixty (60) feet from the intersection of two streets and at least sixty (60) feet from abutting residentially zoned property. This condition is not met. The applicant is requesting a modification of this condition to allow the drive through use to be 15 feet from a residentially zoned property.
  - (c) Speaker box sounds from the drive-through lane shall not be plainly audible so as to unreasonably disturb the peace and quiet of abutting residential property. This condition is met. There will be no speaker box for the drive through-use.
  - (d) A six-foot buffer area with screen planting and an obscuring wall or fence shall be required along any property line adjoining an existing residence or residentially zoned property. This condition is met. There are no adjoining residentially zoned properties.
  - (e) Stacking spaces shall be provided for each drive-through lane. Banks, credit unions, and fast-food restaurants shall provide a minimum of four (4) stacking spaces per drive-through lane. Stacking spaces for all other uses shall be determined by the zoning administrator. This condition is met. There are six (6) stacking spaces for the drive-through. The drive-through is estimated to handle an average of four (4) to ten (10) cars per hour.

Additional conditions in the T2 traditional neighborhood district:

- (f) There shall be no more than one (1) drive-through lane and no more than two (2) drive-through service windows, with the exception of banks, which may have no more than three (3) drive-through lanes. This condition is met. There is one drive-through service door.
- (g) The number of curb cuts shall be minimized. In light rail station areas, there shall generally be no more than one (1) curb cut on a block face per drive-through. Drive-through sales and services are prohibited along the entire length of block faces adjacent to light rail transit station platforms. This condition is met. The project is not adjacent to light rail transit station platform. There are two curb cuts along University and none along Griggs. One of the curb-cuts is used for the drive through and the other will be used for parking ingress/egress.

3. §61.502 states that the planning commission, after public hearing, may modify any or all special conditions: *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 standard is met. Strict application of the conditions for the 60 foot separation from residentially zoned property would require the drive-through service to be proximate to the front door where donation traffic would be more likely to be in conflict with pedestrian traffic. Zoning allows for a drive through service use at this location and the Comprehensive Plan allows for commercial use of this alley. Furthermore, intent of the conditions is to buffer residences from drive-through uses and in this case the buffering is achieved by facts that the drive-through will be used for donation drop-offs rather than sales and it will be in an enclosed structure.

4. §61.501 lists five standards that all conditional uses must satisfy:

(a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. The use meets several policies from the Hamline Station Area Plan, adopted as part of the Comprehensive Plan. Including the following policies:

4.2.2.a) *A mix of uses should be concentrated along the edges of the Avenue where they benefit from an easy connection to public transit, and the visibility and profile of being located on a major transportation corridor.*

4.2.2.c) *Buildings should be massed so that they are able to frame all public sides of a development block.*

With the exception of the surface parking exceeding sixty (60) feet of frontage, which is addressed below in Finding 4, the Plan clearly supports the form, use and density of the proposed project. The proposed development would use significant landscaped buffers, including trellises and benches, along the parking lot frontage to frame the public side of the development. Because of these factors the plan in substantial compliance with the Station Area Plan.

(a) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The use will have two curb-cuts on University Avenue for automobile traffic and deliveries. Cars exiting the drive-through will use the alley. The applicant has completed a traffic study for the project for the site plan approval process which indicates no significant traffic impacts.

(b) *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 project will bring uses allowed in the district and activity to a location that has been vacant for approximately eight years. The configuration of the parking, loading, and drive-through allows for adequate screening along the alley.

(c) *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 allowed in the district and currently exists along the University Avenue corridor and will not impede the development of permitted uses on

surrounding properties.

- (d) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met subject to variances for off-street parking with more than 60 feet of frontage and building setback of less than 13 feet from the alley centerline. The proposed use will have 199 feet of surface parking frontage along University Avenue. The drive through area for the donation drop-off will have a covered structure which will be set back seven and one-half feet from the alley. This structure will be 30 feet long. The rest of the building will be set back over 16 feet from the rear property line.
5. MN Stat. 462.357, Subd. 6 was amended to establish new grounds for variance approvals effective May 6, 2011. Required findings for a variance for placement of parking consistent with the amended law are as follows:
- (a) *The variance is in harmony with the general purposes and intent of the zoning code.* This finding is met. The variance is in harmony particularly with the following purposes from Sec. 60.103 of the code:
- (g) *To lessen congestion in the public streets by providing for off-street parking of motor vehicles and for off-street loading and unloading of commercial vehicles;*
- (l) *To conserve and improve property values;*
- (a) *The variance is consistent with the comprehensive plan.* This finding is met. The following are relevant policies from the Hamline Station Area Plan:
- 4.2.2.f) *Where parking lots create gaps in the street frontage they should be adequately landscaped along the street frontage.*
- 4.5.e) *Encourage better utilization and design of existing parking lots, and share the use and cost of parking.*
- 4.5.g) *Where alternative parking solutions are not available, surface parking fronting onto University Avenue should be limited to a maximum of 60 feet in width (for the provision of two parking aisles and one drive aisle) and utilize landscape buffers along the Avenue to minimize the visual impact on the pedestrian environment.*
- Although this lot exceeds the frontage limit recommended in the Hamline Station Area Plan (policy 4.5.g), the site is located outside the Mobility Enhancement Zone indicated on Figure 5.2 (Hamline Station Area Plan, p. 43) and the street frontage along the parking lot is not identified as a Priority Active Frontage area on Figure 4.1 (Hamline Station Area Plan, p.25). Because the parking frontage is located outside both of these areas, and is meeting or exceeding other design requirements it is generally in compliance with the Comprehensive Plan.
- (b) *The applicant has established that there are practical difficulties in complying with the provision, in that the property owner proposes to use the property in a reasonable manner not permitted by the provision. Economic considerations alone do not constitute practical difficulties.* This finding is met. The depth of the parcel (121 feet), the buildings loading needs, and internal circulation and organization of the uses make it impractical to develop this project in a way that would comply with the provision.
- (c) *The plight of the landowner is due to circumstances unique to the property not created by the landowner.* This finding is met. To allow for screening from residential uses across the alley and allow for delivery circulation necessitates consolidating the surface parking adjacent to the building.

- (d) *The variance will not permit any use that is not allowed in the zoning district where the affected land is located.* This finding is met. The use, retail and office, is consistent with what is allowed in the district.
  - (e) *The variance will not alter the essential character of the surrounding area.* This finding is met. The existing use is surface parking of a similar scale.
6. MN Stat. 462.357, Subd. 6 was amended to establish new grounds for variance approvals effective May 6, 2011. Required findings for a variance for building set-back consistent with the amended law are as follows:
- (a) *The variance is in harmony with the general purposes and intent of the zoning code.* This finding is met. The variance is in harmony particularly with the following purposes from Sec. 60.103 of the code:
    - (i) *To encourage a compatible mix of land uses, at densities that support transit, that reflect the scale, character and urban design of Saint Paul's existing traditional neighborhoods;*
    - (l) *To conserve and improve property values;*
  - (b) *The variance is consistent with the comprehensive plan.* This finding is met. The following are relevant policies from the Hamline Station Area Plan:
    - 4.2.3.a) *Alleys in the station area should be preserved as public right-of-way in order to maintain access for businesses and development along University Avenue and to increase automobile and pedestrian circulation.*
    - 4.2.3.b) *[...]Alleys shared between commercial and residential uses should focus on buffering commercial traffic and noise.*

The variance allows for screening commercial uses from residential uses beyond what is required by zoning.

- (c) *The applicant has established that there are practical difficulties in complying with the provision, in that the property owner proposes to use the property in a reasonable manner not permitted by the provision. Economic considerations alone do not constitute practical difficulties.* This finding is met. To comply with the rear setback the drive through would either have to be open to the alley, or the building would have to be decreased in size to allow for an additional 7.5 feet, which would reduce the usable floor area of the building.
- (d) *The plight of the landowner is due to circumstances unique to the property not created by the landowner.* This finding is met. The variance is for the enclosure of the drive-through along the alley. This enclosure is not required by the zoning code, but was requested by the neighbors across the alley to screen the drive through activities.
- (e) *The variance will not permit any use that is not allowed in the zoning district where the affected land is located.* This finding is met. The use, drive-through service structure for donations, is allowed in the district.
- (f) *The variance will not alter the essential character of the surrounding area.* This finding is met. The alley is currently used for commercial and residential access. Commercial access from this property will be limited to drive-through egress. The alley will remain the substantially unchanged due to the fact that it is currently constrained by utilities and public stormwater infrastructure.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of a conditional use permit for retail/service establishment of more than 15,000 sq. ft., and for drive-through service, with modification of conditions to allow drive-through service and ingress/egress within 60 ft. of residential property, and variances for 1) off-street parking with more than 60 ft. of frontage, and 2) building setback 7.5 ft. from the alley centerline (13 ft. required) subject to the following additional conditions:
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.
  1. The hours of operation of the drive-through service door shall be limited to 9:00 a.m. to 8:00 p.m. on Mondays – Fridays, 9:00 a.m. to 5:00 p.m. on Saturdays, and 11:00 a.m. to 5:00 p.m. on Sundays.
  2. A trash removal plan for the site and adjacent alley shall be submitted to and approved by the Zoning Administrator.



**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 # 13-260424  
Fee: 1000.00

Tentative Hearing Date:

*PD*: H 1-16-13  
# 342923130105  
# 342923130104

**APPLICANT**

Name The Driessen Group, LLC  
Address c/o Brian D. Alton, McClay-Alton, PLLP, 951 Grand Avenue  
City St. Paul St. MN Zip 55105 Daytime Phone 651-290-0301  
Name of Owner (if different) Whitaker Buick Company  
Contact Person (if different) \_\_\_\_\_ Phone \_\_\_\_\_

**PROPERTY LOCATION**

Address / Location 1221 University Avenue, St. Paul, MN 55104  
Legal Description East 20 feet of Lot 21, and all of Lots 22 through 30, Block 32, Syndicate No. 5 Addition Current Zoning T2  
*(attach additional sheet if necessary)*

**TYPE OF PERMIT:**

Application is hereby made for a Conditional Use Permit under provisions of Chapter 65, Section 510, Paragraph \_\_\_\_\_ of the Zoning Code.  
Chapter 65, Section 513, Paragraph \_\_\_\_\_ of the Zoning Code

**SUPPORTING INFORMATION:** Explain how the use will meet all of the application 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.

Section 65.510 More than 15,000 sf of floor area in T2 district  
Section 65.513 Drive through sales and service  
Section 61.502 Modification of Condition that points of vehicular ingress and egress be located at least 60 feet from abutting residentially zoned property

See Attachment.

Applicant's signature

*Brian D. Alton*

Date 12/20/13 City Agent

BRIAN D. ALTON FOR THE DRIESSEN GROUP, LLC

*pd*  
12-23-13

## Conditional Use Permit

### Commercial retail use greater than 15,000 SF in T2 District and Drive through facility for donation center

1. *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable sub-area plans which were approved by the city council.*

The proposed retail use with a drive through donation drop off center will be in substantial compliance with the Saint Paul Comprehensive Plan and is consistent with the retail redevelopment goals for the Central Corridor. The donation drop off center will be located at the back of the building, fully screened from University Avenue, completely enclosed and separated from the alley.

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

The proposed plan provides adequate ingress and egress to minimize congestion. A right in, right out access on University is used with donation traffic directed to a donation center located on the north side which will exit to Griggs Street.

The location of the donation center at the back of the building and design of the site provides stacking space for 6 cars independent of the main parking lot and alley. This will prevent conflicts with ingress and egress off the main parking lot. The drive lane to the donation center is completely separated from the alley to prevent any potential conflict with adjacent residential properties.

In response to comments at the preliminary site plan review meeting the site plan has been revised to reduce the access to and from the alley. A second curb cut has been added so that large trucks can enter from, and exit to, University Avenue. There are only 2-3 truck deliveries per week. But in order to not overuse the alley, the flow through the parking lot has been modified.

The site plan minimizes the disruption to the residential areas to the North, while using the alley to support the officially adopted policies of the City. The alley is intended to be used for some limited access to parking and servicing. In order to be consistent with the comprehensive plan and station area plans, the alley access should not be too restrictive.

In anticipation of the LRT, the City engaged in a significant planning process. There was a community based task force that prepared the *Central Corridor Development Strategy*. It is a vision and strategy for how University Avenue should grow and change in response to the LRT. Throughout the Strategy, the use of alleys for business is supported and encouraged. In Section 3.3 alone there are at least seven references to commercial use of alleys. The use of alleys to "provide access to parking and servicing" is encouraged in order to achieve "transit-supportive access, circulation and parking."

The *Transit-Oriented Development Guidebook for the Central Corridor* (November 2011) is a "guide [for] business and property owners, developers, and those interested in the future of the Central Corridor." The Hamline Station Area is positioned well "for an expansion of retail uses that can take advantage of the existing large areas of surface parking." It stresses that "alleys allow efficient access for deliveries, services and parking." Alley use should be "maximized."

*Mitigating the Loss of Parking in the Central Corridor* (April 2009) is a PED staff report by the Parking Solutions Team. It emphasizes that alleys "can be used as an "access point to businesses or their parking" and "provide additional access to parking and deliveries."

Sec. 65.513(g) provides that in light rail station areas, there shall generally be no more than one curb cut on a block face per drive-through. The location of the donation drop off lane to the rear of the building (out of site from University Avenue) and the need for trucks to circulate in and out of the lot support an exception from the general rule.

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.*

The proposed building will be predominately retail with large window areas and lights provided on all sides of the building. The size of the building is consistent with the buildings in surrounding area. The active use will improve the existing character of the neighborhood and not endanger public health, safety or general welfare. The landscaping and bicycle racks will encourage pedestrian and bicycle use and enhance the LRT.

Because there is no other category that would suit this specific use, the donation center has been determined to be within the definition of a Drive Through. It will function as a service drive and not at all be like a drive-thru typical to a bank or fast food business. There will significantly less traffic.

The donation center will provide an orderly traffic flow, separate from parking and alley, sufficient stacking space and exit. It will provide a use of the alley as encouraged by the Development Strategy and as such will not be detrimental to the existing character or endanger public health, safety and general welfare.

Modification of the condition that points of vehicular ingress and egress be located at least 60 feet from abutting residentially zoned property will not impair the intent and purpose of the special condition and is consistent with health, morals and general welfare of the community and is consistent with reasonable enjoyment of adjacent property. The donation center will be enclosed so as to minimize any impact on the neighbors across the alley.

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

The building and site design proposed for the redevelopment of this site as a retail store will support many of the initiatives of the Hamline Station Area plan, and as such not impede the normal and orderly development of the surrounding properties.

**SUPPLEMENT TO**

Attachment to Application for Conditional Use Permit  
Property address: 1221 University Avenue, St. Paul, MN  
**January 20, 2014**

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

The retail use of over 15,000 SF with the drive through donation drop off center will in all other respects conform to the applicable regulations of this district.

McCLAY • ALTON, P.L.L.P.  
951 Grand Avenue  
St. Paul, MN 55105  
651-290-0301



**APPLICATION FOR ZONING VARIANCE**

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 number: \_\_\_\_\_  
Fee: \$ 300  
Tentative Hearing Date: 1-16-13  
Section(s): \_\_\_\_\_  
City agent pdd 12/23/13

**APPLICANT**

Name \_\_\_\_\_ Company The Driessen Group, LLC  
Address c/o Brian D. Alton, McClay-Alton, PLLP, 951 Grand Avenue  
City St. Paul State MN Zip 55105 Daytime Phone 651-290-0301  
Property interest of applicant (owner, contract purchaser, etc) contract purchaser  
Name of owner (if different) Whitaker Buick Company

**PROPERTY**

Address/Location 1221 University Avenue, St. Paul, MN 55104  
Legal Description East 20 feet of Lot 21, and all of Lots 22 through 30, Block 32, Syndicate No. 5 Addition  
*(attach additional sheet if necessary)*  
Lot size 1.06 acres Present zoning T2 Present Use Vacant

**Variance[s] requested:**

- Section 66.341(b)(2) Surface parking occupying more than 60 feet of lot frontage.
- Section 66.331(k) Set back less than 13 feet from centerline of adjoining alley. 13" required, 7.5" proposed, for a variance of 5.5", along a 32" portion of the alley.

**Supporting Information:** Supply the necessary information that is applicable to your variance request, provide details regarding the project, explain why a variance is needed. Duplex/triplex conversions may require a pro forma to be submitted. Attach additional sheets if necessary.

See attachments.

Applicant's signature [Signature] Date: 12/20/13  
Brian D. Alton for THE DRIESSEN GROUP, LLC pdd 12/23/13

## Variance Request

### Parking of more than 60' of street frontage in T2 District

and

### Reduction of alley setback requirement

1. *The variance is in harmony with the general purposes and intent of the zoning code.*

The variance is consistent with the general purposes and intent of the zoning code as described in Section 60.103. The variance will promote the health, safety, economic viability and general welfare of the community. The variance will promote a compatible mix of land uses, at densities that support transit, that reflect the scale, character and urban design of Saint Paul's existing traditional neighborhoods. If the variance is granted, the project will be in full compliance with the zoning code.

2. *The variance is consistent with the comprehensive plan.*

The variance is consistent with the following comprehensive plan citations:

- 1.24 Support a mix of uses on Mixed-Use Corridors
- 1.50 Facilitate the redevelopment of commercial areas where existing buildings are no longer considered functional to accommodate viable retail and businesses
- 2.14 Promote the development of employment opportunities consistent with the Central Corridor Development Strategy

In addition the variance supports the planning initiatives of the Hamline Station Area Plan, and is consistent with the predominantly retail character of the station area. The new store provides for redevelopment of vacant property along the LRT, and will help to strengthen retail offerings on University Avenue.

This particular site is specifically mentioned in the Lexington Station Area Plan as a place that "contribute[s] to the neglect, sterility, and lack of architectural character that residents have come to associate with this part of University Avenue."

The site plan and building design also improve the pedestrian experience on University Avenue by providing landscaped street frontage, clear curb cuts with delineated driveways, designated planted areas with pedestrian seating and lighting, along with an articulated building storefront with the entry oriented to the sidewalk on University Avenue.

The proposed site plan also preserves the alley as a public right-of-way and enhances the alley through plantings and the creation of a defined border/edge with clearly delineated access to the site.

3. *The applicant has established that there are practical difficulties in complying with the provision, that the property owner proposes to use the property in a reasonable manner not permitted by the provision. (Economic considerations alone do not constitute practical difficulties.*

### **PRACTICAL DIFFICULTIES**

#### **Parking of more than 60' of street frontage in T2 District**

Practical difficulties in developing the site relate to the long and narrow dimensions of the site (121' x 379'). The most challenging is the 121' depth.

It is impractical to build a store with parking in the rear. Deducting the required setback from University (4') and allowing 56' and a 4' setback for a parking lot which might be located behind the building would allow only 57' of depth for a building. The proposed building is a two story 33,300 SF building for a Goodwill store with retail & support areas on the first floor and retail & office areas on the second floor. To comply with the requirement would result in a building of 57' x 339'. This would not be a practical dimension for a two story building with this program of uses.

#### **Reduction of alley setback requirement**

There are practical difficulties in developing the site in compliance with the alley setback requirement due to the dimensions of the site. To comply with the setback would require reducing the width and size of the proposed building by approximately 3,200 SF (approximately 10% of the building area). The donation center is located in the best location of the site to allow for stacking and to also provide screen from University Avenue. The enclosed donation center will also help screen donation activities and noise from adjacent neighbors.

The applicant hosted two meetings for neighbors in the area to view and comment upon the proposed development. Approximately 30-40 neighbors attended the meetings. The applicant personally knocked on the door of all of the houses on Sherburne North of the alley and talked to several of them. The plans presented showed a drive lane for donations that had a canopy over the area by the door. The enclosure for the drop off location was designed in part to accommodate the desire of the neighbors to have that area be enclosed. The effort to comply with this request resulted in the request for the variance and created a practical difficulty. The original design did not require a variance.

The practical difficulties also relate to the problem of designing the drop off location in a way that screens the drop off area in order to minimize any possibility of noise or other disruption.

Operational issues also create practical difficulties. Goodwill is a non-profit organization that relies on donations to fund the programs that it runs. The covered drop off will facilitate the donations for this unique use.

The existing building on the property has a significant portion that has no alley setback. The new building will reduce the area without setback.

### **REASONABLE USE**

The proposed two-story building on the corner, with adjacent parking and a donation center along the alley is a reasonable use of the property. The building and the landscaping screen the parking from the street and provide a much improved streetscape with an enhanced pedestrian experience along University Avenue.

4. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

The irregular – long and narrow – shape of the lot is a circumstance not created by the landowner.

The 4' setback building required because the T2 zoned property is also along University Avenue is a unique circumstance and contributes to the practical difficulty.

The property is located along the Central Corridor and within close proximity (1/4 mile radius) of the Hamline Station. This location results in additional zoning guidelines in order to comply with the Central Corridor Development Strategy and the Hamline Area Station Plan.

As part of its development strategy, the Central Corridor has the single largest concentration of T2 zoning in the city. T2 is the only land use classification that proposes a maximum length of 60' for street frontage at parking lots.

5. *The variance will not permit any use that is not allowed in the zoning district where the effective land is located.*

The variance will not permit any use that is not allowed in the zoning district where the effective land is located.

6. *The variance will not alter the essential character of the surrounding area.*

The variance is in keeping with the commercial nature of the area and will not alter its essential character. The project facilitates the redevelopment of the surrounding commercial areas by locating a viable commercial use on this property.

The setback variance along the alley is consistent with many buildings along the University Avenue corridor.

McCLAY • ALTON, P.L.L.P.

951 Grand Avenue

St. Paul, MN 55105

651-290-0301

## PROJECT DESCRIPTION

The Driessen Group, LLC proposes to redevelop the long vacant site of Whitaker Buick on the northwest corner of University Avenue and Griggs Street North. The building proposed is a 2-story, 33,000 SF building for Goodwill Easter Seals of Minnesota to be used as a retail store with space for processing and offices. The store will replace the current retail store on Fairview Avenue. That location will be converted to other Goodwill mission uses.

## GOODWILL EASTER SEALS

For 110 years Goodwill Easter Seals of Minnesota has been a leader and innovator in the practice of retail reuse and repurposing. Proceeds from the sale of donated goods in the retail stores provide the main fundraising source for the Goodwill organization's career training and counseling programs worldwide. Goodwill's mission is to assist people with barriers to education, employment and independence in achieving their goals. They provide skills training, job placement and continuing support to help individuals become productive members of the workforce. The store will initially employ 35-40 people, with an anticipation that the numbers of employees will exceed 50. The vast majority of the employees live within the local community and the immediate area.

## SITE DESIGN

The building designed by DJR Architecture, Inc. is located at the corner of University Avenue and Griggs Street North. It is placed on the University setback line as required by the T2 zoning district requirements with parking and loading located to the west. Parking is minimized with only 49 parking spaces provided on site. The parking is screened from University Avenue with landscaping and trellised seating areas. The landscaping will also include rain gardens. A drive lane for access to an inside donation drop off is located on the north side of the building with circulation and queuing for 6 cars. Donations are received inside during store hours.

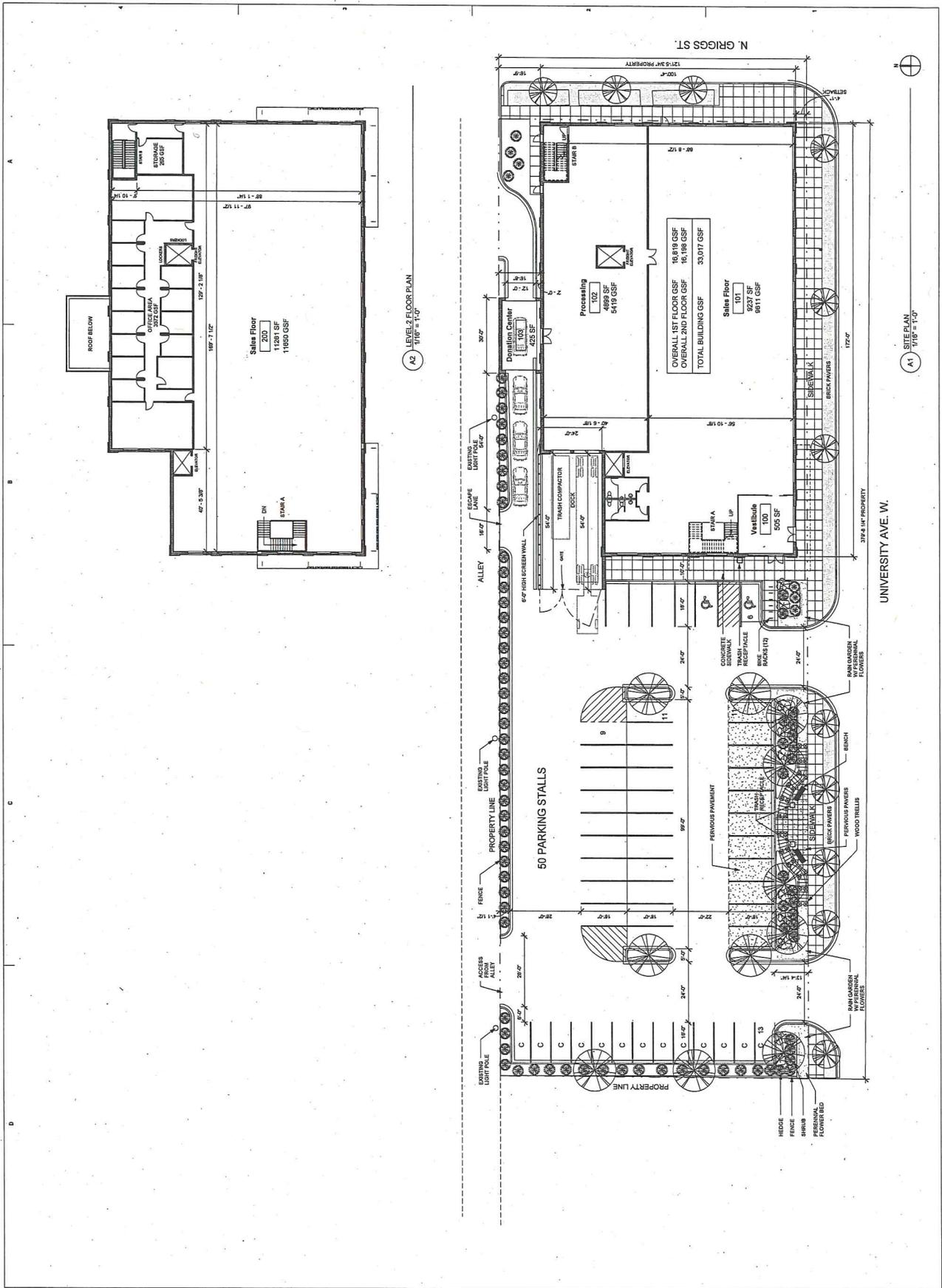
Two dock doors are provided to facilitate operations. One dock is used to park a trailer that is filled with donated goods. When full, it is removed and taken to the facility on University and Fairview and replaced with a new trailer. This operation will occur 2-3 times per week. The other dock space is used for a trash compactor. The dock area is screened from the street by the building and concealed from the parking with fencing.

## BUILDING DESIGN

In compliance with the T2 District Guidelines the building as designed by DJR provides façade articulation with brick pilasters, large vertically oriented, clear glass windows, canopies at corners, awnings and sunscreens at remaining windows. The exterior materials consist of two colors of brick and cast stone at lower level with 3 colors of stucco on the upper level with stepped parapet details. Decorative lighting will also be provided on the lower level pilasters to illuminate sidewalks for pedestrians.

## SUSTAINABLE DESIGN

The building will be designed and constructed to be Energy-Star Certified. This includes energy-star light fixtures and HVAC equipment as well as water use reducing plumbing fixtures. Storm water management will include the use of rain gardens and pervious paving provided in selected areas.



LEVEL 2 FLOOR PLAN  
1/16" = 1'-0"

SITE PLAN  
1/16" = 1'-0"

UNIVERSITY AVE. W.

N. GRIGGS ST.

50 PARKING STALLS

OVERALL 1ST FLOOR GSF 16,919 GSF  
OVERALL 2ND FLOOR GSF 16,189 GSF  
TOTAL BUILDING GSF 33,077 GSF

Sales Floor  
200  
11801 SF  
11800 GSF

Processing  
102  
4899 SF  
5419 GSF

Sales Floor  
101  
9237 SF  
9811 GSF

Ventilator  
100  
505 SF

Distribution Center  
103  
428 SF

Stair A  
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**Goodwill**

St. Paul, Minnesota

December 20, 2013

Southeast Perspective

113-0069



## Goodwill

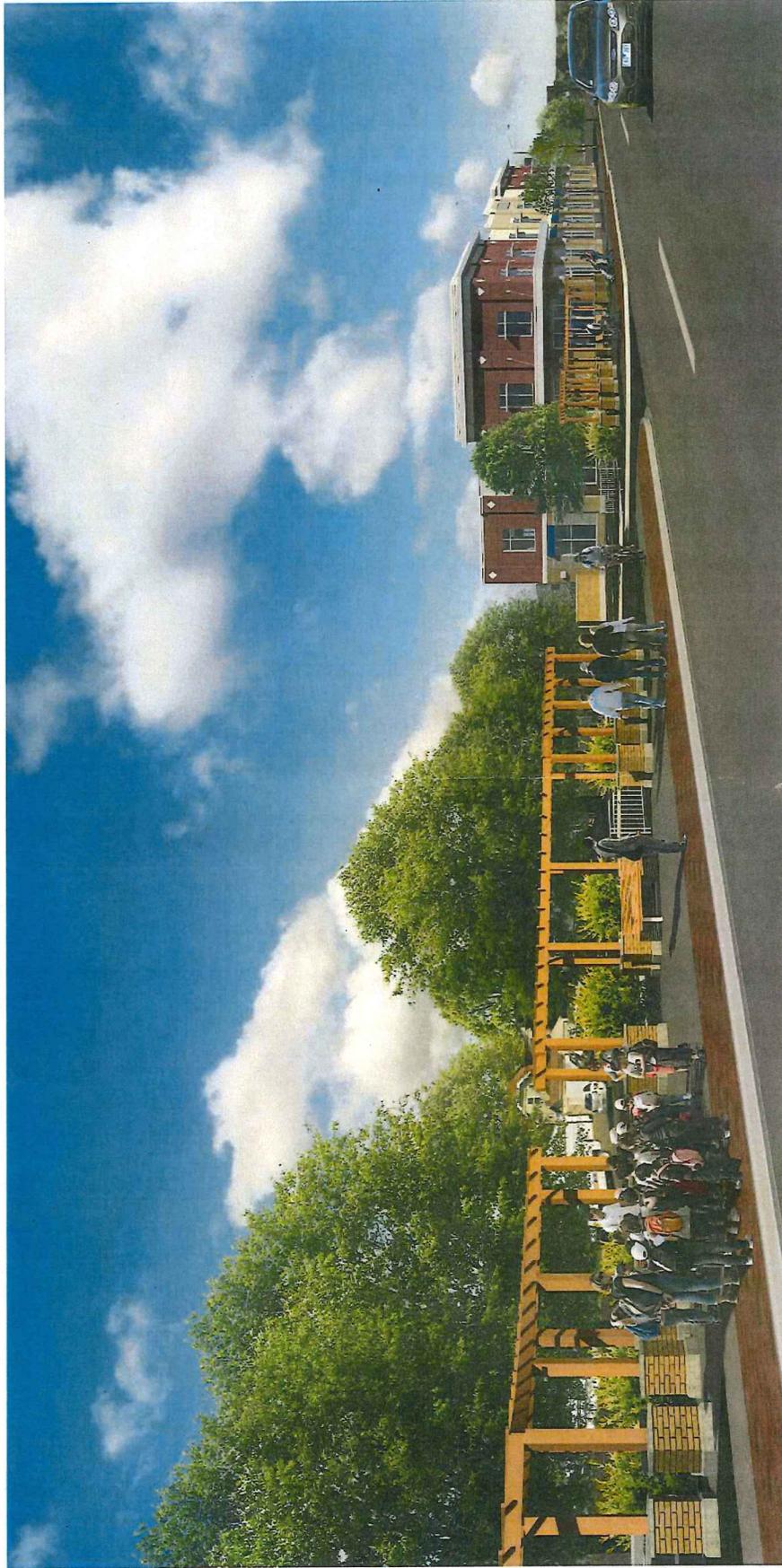
St. Paul, Minnesota

December 20, 2013

Southwest Entry Perspective

113-0069

**DJR**  
ARCHITECTURE INC.



## Goodwill

St. Paul, Minnesota

December 20, 2013

University Avenue Perspective

113-0089

**DJR**  
ARCHITECTURE INC.

## Jerve, Anton (CI-StPaul)

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**From:** Michael Jon Olson <michaeljon@hamlinemidway.org>  
**Sent:** Wednesday, January 22, 2014 11:52 AM  
**To:** Jerve, Anton (CI-StPaul)  
**Cc:** Henningson, Samantha (CI-StPaul); 'scott nelson'  
**Subject:** CUP & Variance Requests for Goodwill Development at 1221 University

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To Whom It Concerns:

Hamline Midway Coalition **OPPOSES** the granting of the Conditional Use Permit and Zoning Variances requested by The Driessen Group, LLC. to allow for the construction of a Goodwill retail outlet at 1221 University Avenue.

While HMC believes that this is a worthy project, the nature and scope of the requested CUP and variances demonstrate that this is an auto-oriented development on a site that is prime for transit-oriented development. The variance for parking frontage on University Avenue is particularly problematic.

Given the significant investment in the Green Line LRT, and the zoning that was created to compliment that investment, the era of University Avenue as a corridor of large parking lots and auto-oriented uses ought to be behind us. In this case, the City of Saint Paul can and should adhere to the intent of the zoning code.

Thank you for your consideration.

**Michael Jon Olson**  
Executive Director  
Hamline Midway Coalition/District Council 11  
[michaeljon@hamlinemidway.org](mailto:michaeljon@hamlinemidway.org)  
[www.hamlinemidway.org](http://www.hamlinemidway.org)  
651-494-7682

## **Jerve, Anton (CI-StPaul)**

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**From:** Brian Alton <bdalton951@gmail.com>  
**Sent:** Thursday, January 23, 2014 2:19 PM  
**To:** Jerve, Anton (CI-StPaul)  
**Subject:** 1221 University.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Anton,

The following is in response to the Hamline Midway Coalition opposition to the re-development of the property at 1221 University Avenue for use as a Goodwill store. The Hamline Midway Coalition wants the development to be more transit-oriented.

### **Meeting Intent of T2 Zoning:**

- The proposal complies with the intent of the Zoning code for the T2 district to "foster and support compact, pedestrian oriented commercial and residential development that can in turn support and increase transit usage". It also states that it encourages a variety of uses (which would include medium size retail tenants) with careful attention to the amount and placement of parking and transition to adjacent residential neighborhoods.
- The property is not zoned T3 which calls for higher-density pedestrian- and transit-oriented mixed-use development.
- The proposed project is transit-supportive and exactly fits the kind of half-depth infill site contemplated by the Central Corridor Development Strategy.

**2. Transit-Supportive Adaptations:** The proposal has been carefully designed to be Transit-Supportive. The following features contribute:

- Two story density.
- Windows along the Avenue provide "eyes on the street"
- Building façade articulation.
- Amount of parking is reduced by 60% of normal parking requirement for retailer.
- City projections are for 25% of trips to be non-automotive, i.e. pedestrian, transit, bicycle.
- Good pedestrian connection between the sidewalk and building entrance, and well landscaped in the case where a variance of the parking placement requirement is necessary.
- Pedestrian and transit friendly street scape and screening with trellis, plantings, art, bicycles, etc.
- Keeping Goodwill's Fairview donation lane open reduces donation volume at new store by up to 65-70%.
- Distinct separation from alley.
- Enclosure of the donation lane to minimize impact on neighbors.

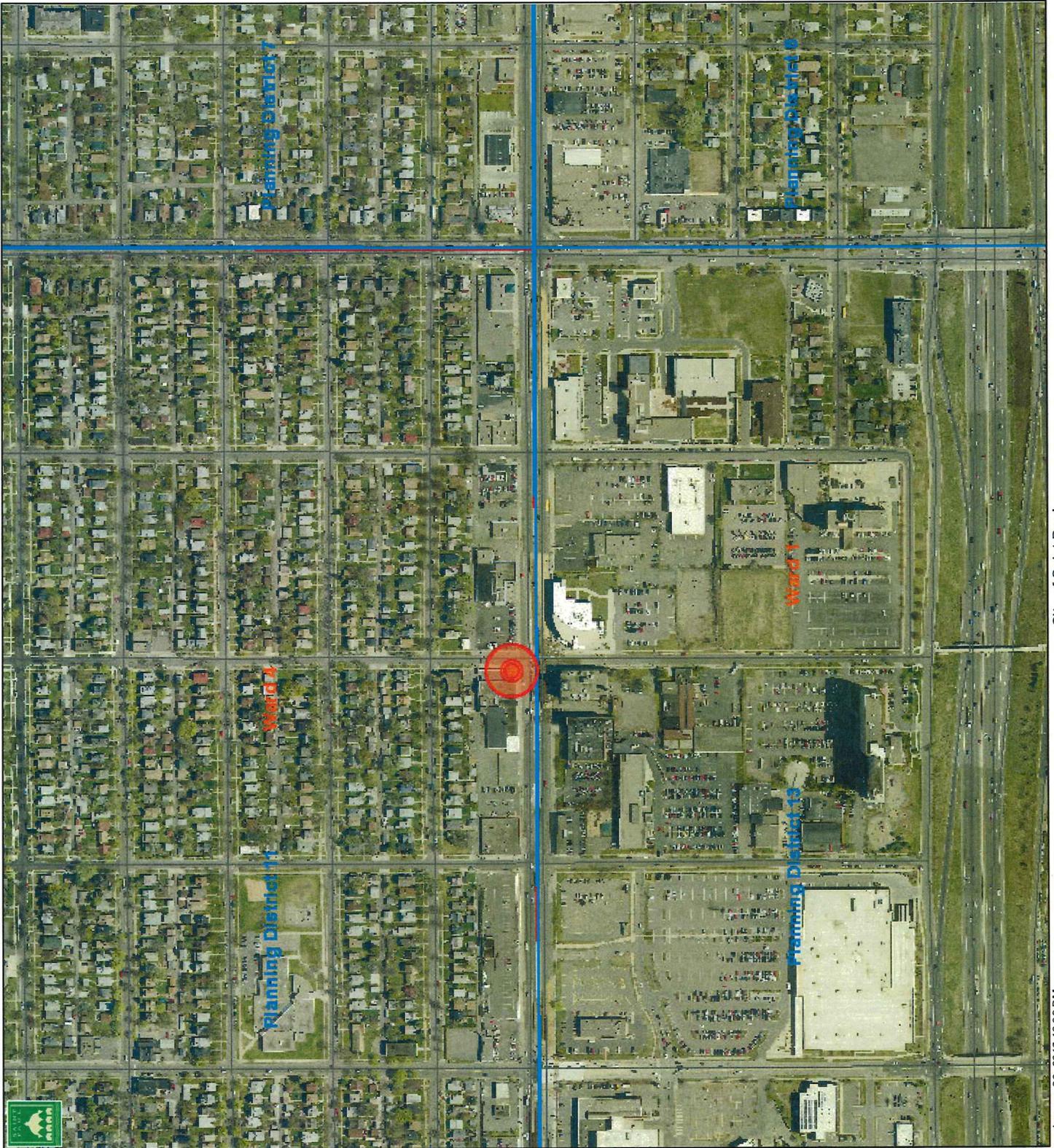
**Neighborhood Engagement:** The developer has made significant effort to be responsive to the neighbors over the past several months.

- Informal on site meeting with the Hamline Midway Coalition Development Committee.
- Door to door invitation to a meeting for those immediately across alley.
- First neighborhood meeting. 15 -20 guests.
- Second neighborhood meeting to expand radius. 15 – 20 guests again.
- Drawings and design were revised to respond to neighborhood comments.
- Vast majority of those who came were vocally supportive.
- Attended Hamline Midway Coalition Development Committee meeting and received support.
- Did not have the opportunity to make a presentation at Hamline Midway Coalition board meeting.

Regards,  
Brian

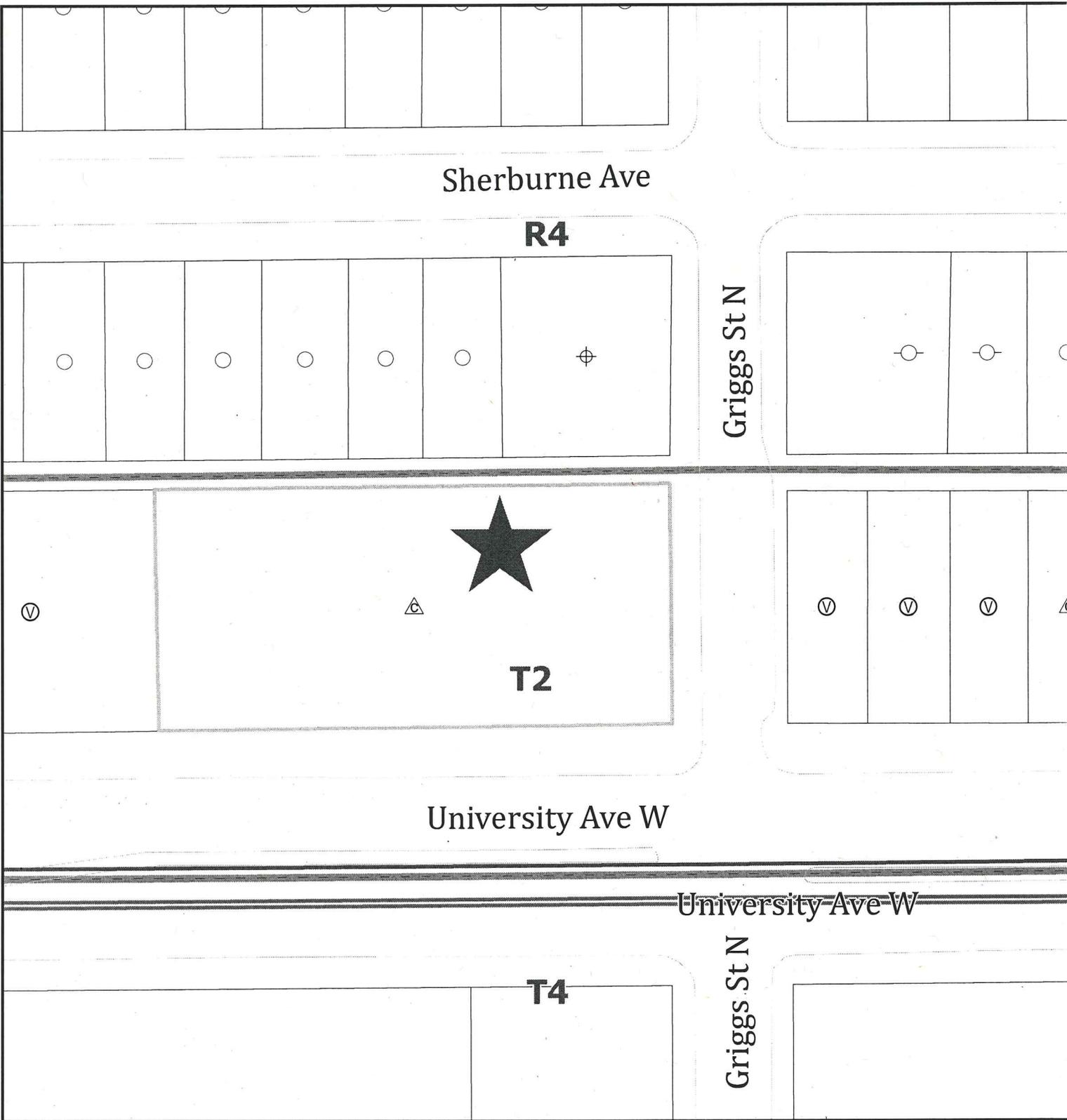
Brian D. Alton  
McClay-Alton, PLLP  
951 Grand Avenue  
St. Paul, MN 55105  
651.290.0301  
[brian@mcclay-alton.com](mailto:brian@mcclay-alton.com)

# Goodwill: 1221 University



- Planning District
- Council Ward
- Street





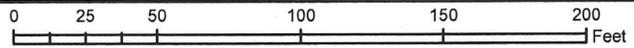
APPLICANT The Driessen Group LLC

APPLICATION TYPE Conditional use permit w/variance

FILE # 13-260424 DATE 1-23-14 1/23/2014

PLANING DISTRICT 11

ZONING MAP # 14



- |   |                      |   |                          |
|---|----------------------|---|--------------------------|
| △ | Commercial & Office  | ○ | Residential One Family   |
| □ | Industrial & Utility | ○ | Residential Two Family   |
| ⚡ | Institutional        | ○ | Residential Three Family |
| ⊙ | Vacant/Undeveloped   | ⊕ | Multifamily              |

Saint Paul Department of Planning and Economic Development  
Ramsey County

