

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Cash-N-Pawn **FILE #** 14-316-218
 2. **APPLICANT:** Cash-N-Pawn International LTD **HEARING DATE:** August 28, 2014
 3. **TYPE OF APPLICATION:** NUP - Expansion/Relocation
 4. **LOCATION:** 490 University Ave W, SE corner of University Avenue and Mackubin
 5. **PIN & LEGAL DESCRIPTION:** 362923310134; Mackubin And Marshalls additi Ex Ave; Lots 13,14 And Lot 15 Blk 2
 6. **PLANNING DISTRICT:** 8
 7. **ZONING CODE REFERENCE:** Sec. 62.109(d) **PRESENT ZONING:** T2
 8. **STAFF REPORT DATE:** August 21, 2014, Revised 9-4-14 **BY:** Hilary Holmes
 9. **DATE RECEIVED:** August 5, 2014 **60-DAY DEADLINE FOR ACTION:** October 4, 2014
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- A. **PURPOSE:** Expansion of a nonconforming use for a pawn shop
- B. **PARCEL SIZE:** 10,663 sq. ft. (~124 ft width, University Avenue side x ~90 ft length)
- C. **EXISTING LAND USE:** C-Laundromat
- D. **SURROUNDING LAND USE:**
 - North: Commercial and single-family residential (T2, R4)
 - East: Commercial (T2)
 - South: Single-family residential (T2, RM1)
 - West: Commercial (T2, T3)
- E. **ZONING CODE CITATION:** Sec. 62.109(d) lists the conditions under which the Planning Commission may grant a permit to expand or relocate a legal nonconforming use.
- F. **HISTORY/DISCUSSION:** The pawn shop has occupied the current space since 1994. The laundromat use occupied the other half of the building from 1997 until 2009. The owner of the property, Purple Dog Holding, LLC, submitted remodel plans and an application for a building permit through the Department of Safety and Inspections in March 2014. These plans have not been approved and are on hold pending the decision on this application for expansion of a nonconforming use.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 8 Council had not made a recommendation at the time this staff report was written.
- H. **FINDINGS:**
 1. The applicant, Cash-N-Pawn International Ltd, has applied for an expansion of a nonconforming use for a pawn shop at 490 University Avenue. The building that the pawn shop occupies has two retail spaces, one of which the pawn shop occupies. The adjacent retail space was previously occupied by a laundromat and is currently vacant. The pawn shop intends to use this space for storage for the existing retail use.
 2. Section 62.109(d) *Expansion or relocation of nonconforming use states that the planning commission may permit the expansion or relocation of a legal nonconforming use if the commission makes the following findings:*
 1. *In residential districts, the expansion or relocation will not result in an increase in the number of dwelling units.* The pawn shop is located in a T2 traditional neighborhood district. This finding does not apply.
 2. *For expansion of a structure, the expansion will meet the yard, height and percentage of lot coverage requirements of the district.* The application does not propose expansion of the building structure. This finding does not apply.
 3. *The appearance of the expansion or relocation will be compatible with the adjacent property and neighborhood.* The pawn shop is located on University Avenue, a mixed-use

corridor. Commercial and retail uses are adjacent to the property directly to the east, across Mackubin to the west, and across University Avenue to the north. The pawn shop storage will occupy the commercial space previously used by the laundromat. The windows will have some transparency ~~be transparent and retain views into and out of the interior~~ to maintain an active storefront on University Avenue. There are no exterior changes proposed to the property. The appearance of the expansion will be compatible with the adjacent property and neighborhood. This finding is met.

4. *Off-street parking is provided for the expansion or relocation that meets the requirements of article 63.200 for new uses.* There is no minimum parking requirement within one-quarter mile of University Avenue. This finding is met.
 5. *Rezoning the property would result in a "spot" zoning or a zoning inappropriate to surrounding land use.* Rezoning this property would result in spot zoning. This finding is met.
 6. *After the expansion or relocation, the use will not result in an increase in noise, vibration, glare, dust, or smoke; be detrimental to the existing character of development in the immediate neighborhood; or endanger the public health, safety, or general welfare.* University Avenue is an historic commercial corridor that is home to a mix of residential, commercial, retail, office, small-scale industry, institutional, and open space uses. The pawn shop will maintain an active storefront along the entire façade along University Avenue with some transparency in the ~~transparent windows and views into and out of the interior~~. Expansion of the pawn shop use into the adjacent laundromat space will not be detrimental to the existing character of development. The expansion will not endanger the public health, safety, or general welfare. This finding is met.
 7. *The use is consistent with the comprehensive plan.* The Comprehensive Plan Land Use Chapter defines (LU 1.20) Mixed Use Corridors as primary thoroughfares in the city that include areas where two or more of the following uses could be located: residential, commercial, retail, office, small scale industry, institutional, and open space. These uses may be within a building or in buildings that are in close proximity to each other. University Avenue is identified as a Mixed Use Corridor (LU-B). The Western Station Area Plan (2010) addresses the mixed-use commercial activity along this stretch of University Avenue (4.1.2). The retail use is consistent with the Comprehensive Plan. This finding is met.
 8. *A notarized petition of at least 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 expansion or relocation.* This finding is met. The petition was found sufficient on August 5th, 2014: 8 parcels eligible; 6 parcels required; 6 parcels signed.
- I. **STAFF RECOMMENDATION:** Based on the findings above, staff recommends approval of the expansion of a nonconforming use for a pawn shop subject to the following 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.
 2. The windows fronting University Avenue shall maintain views into and out of the interior and shall not be blocked by, including, but not limited to, racking, signage (temporary or otherwise), decals, paint or additional tinting.



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

Zoning Office Use Only
 File #: 14-316218
 Fee: _____
 Tentative Hearing Date: 8-28-14

PD: 8

3629233/0134

APPLICANT

Name Cash-N-Pawn International, Ltd.
 Address 1901 Capital Parkway
 City Austin St. TX Zip 78746 Daytime Phone _____
 Name of Owner (if different) Purple Dog Holdings, LLC
 Contact Person (if different) Ann Steingraeber, Winthrop & Weinstine Phone 612-604-6531

PROPERTY LOCATION

Address/Location 490 University Avenue, St. Paul, MN 55103
 Legal Description See attached Exhibit A
 Current Zoning T2
 (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: Establishment of legal nonconforming use status for use in existence at least 10 years (para. a)
 Change of nonconforming use (para. c)
 Expansion or relocation of nonconforming use (para. d)
 Reestablishment of a nonconforming use vacant for more than one year (para. e)

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

Present/Past Use Pawn Shop and Laundry Business
 Proposed Use Pawn Shop and Storage

Attach additional sheets if necessary.

The western portion of 490 University Avenue was formerly used as a laundry business. The applicant operates the Max It Pawn Store in the Eastern portion of 490 University Avenue and would like to use the former laundry portion of the building for storage.

Attachments as required Site Plan Consent Petition Affidavit

Applicant's Signature [Signature] Date 7/11/14 City Agent pdd
 Revised 11/18/13 By: Allen Bryant, General Counsel 7-29-14
CK

EXHIBIT A
Legal Description of the Premises

Lots 12 to 15, inclusive, Block 2, Mackubin and Marshall's Addition to St. Paul, according to the recorded plat thereof on file and of record in the office of the County Recorder in and for the County of Ramsey, State of Minnesota.

David Russell Searl
Architect

4055 International Plaza, Suite # 100
Fort Worth, Texas 76109-4800
817-737-8678
817-737-9536 FAX

September 4, 2014

RE: Max It Pawn
490 University Ave
St Paul, MN

To Whom It May Concern:

In connection with the application for expansion of the nonconforming use at 490 University Avenue, I understand that the City of Saint Paul Zoning Committee has proposed redesigning Max It Pawn to create an active storefront along University Avenue. Specifically, the Zoning Committee proposed remodeling the retail portion of the store to encompass the entire front façade of the building along the windows, and designing a new storage area in the back of the building. While we have considered this design option and want to cooperate with the City in the store's design, the purpose of this letter is to inform the Zoning Committee that remodeling the store would be cost prohibitive. By way of background, the typical cost of a complete store remodel is typically \$325,000, and that amount is already above the budget we have for this project. Further, there are several items that could add an additional \$40,000-\$60,000 to this project if we were to remodel the store as the Zoning Committee proposed. Those items include demolition of the existing concrete curbs in the former Laundromat space, relocation of the toilet rooms, lead and asbestos abatement from currently encapsulated materials, and potential environmental remediation due to the property's previous use as a Laundromat.

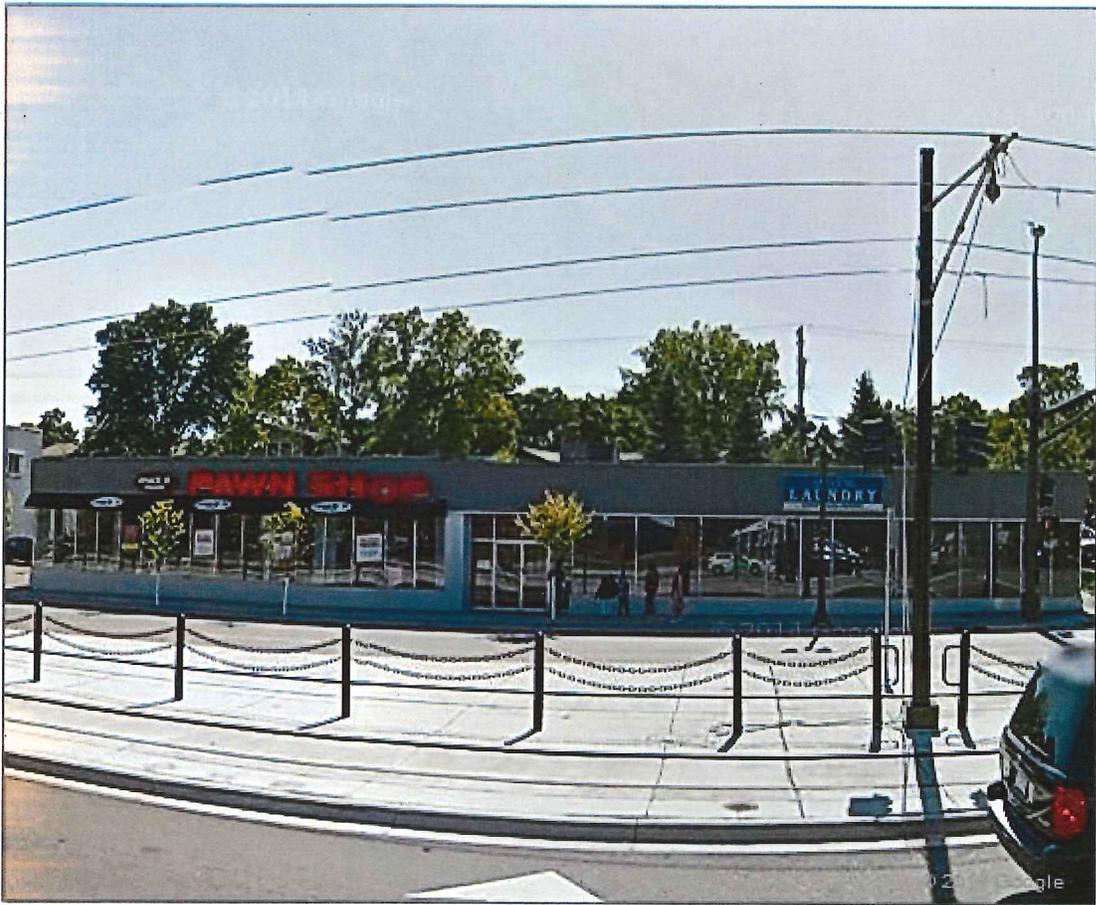
As the Zoning Committee is aware, the applicant's goal is to expand its storage area and maintain an attractive, active storefront along University Avenue. Thus, the applicant has asked the City planning staff to consider two alternative designs that will meet the objectives of both the store and the City of Saint Paul. I understand that the zoning staff will discuss these two proposals at your meeting on September 11th, but in sum, they are (1) incorporating window displays with transparent window glass or (2) installing new windows that utilize both spandrel glass and transparent glass. Both of these proposals will shield the collateral stored inside the building while maintaining an attractive storefront. In connection with the new proposals, we have prepared several drawings to assist the Zoning Committee with its review, and the zoning staff will share these drawings with you at your meeting.

Thank you for taking the time to consider these revised design proposals. Should the Zoning Committee have any further questions, we are available to assist.

Sincerely,



John Franz
Project Manager

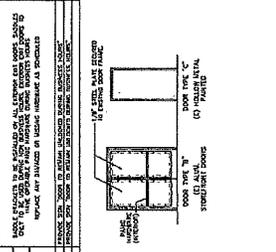


↑
Current pawn shop
(Eastern portion of building)

↑
Proposed storage area
(Western portion of building)

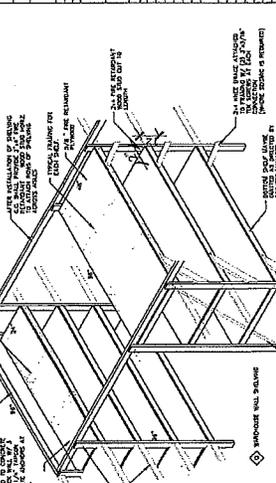
PRELIMINARY FOR REVIEW ONLY 9-3-14

EXISTING CONDITIONS TO REMAIN AND NEW AND REVISIONS TO BE SHOWN IN THIS DRAWING. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE. ALL MATERIALS AND FINISHES TO BE AS SHOWN IN THE SPECIFICATIONS. ALL WORK TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS. ALL WORK TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MANUFACTURER'S INSTRUCTIONS. ALL WORK TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND ALL APPLICABLE REGULATIONS. ALL WORK TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) AND ALL APPLICABLE REGULATIONS. ALL WORK TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF PLUMBERS AND PIPEFITTERS (IAPDF) AND ALL APPLICABLE REGULATIONS. ALL WORK TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ASSOCIATION OF ELECTRICAL ENGINEERS (IAEE) AND ALL APPLICABLE REGULATIONS. 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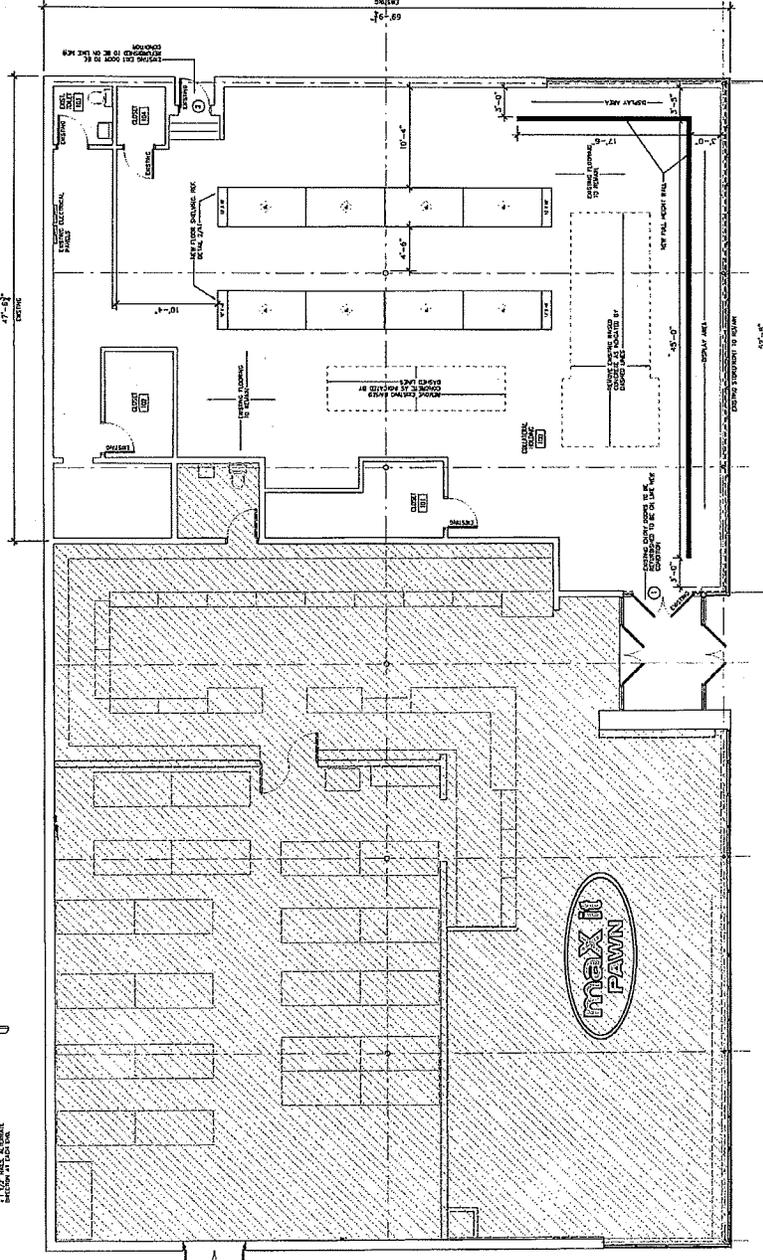
DOOR SCHEDULE

MARK	SIZE (HxW)	MATL	TYPE	FRAME	HW SET
1	3'-0" x 7'-0"	1/2" GLASS	SLIP	ALUMINUM	SLIP
2	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP
3	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP
4	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP
5	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP
6	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP
7	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP
8	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP
9	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP
10	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP
11	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP
12	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP
13	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP
14	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP
15	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP
16	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP
17	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP
18	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP
19	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP
20	3'-0" x 7'-0"	SOLID	SLIP	ALUMINUM	SLIP



DOOR HARDWARE LEGEND

MARK	DESCRIPTION
1	1/2" ALUMINUM SLIP
2	1/2" ALUMINUM SLIP
3	1/2" ALUMINUM SLIP
4	1/2" ALUMINUM SLIP
5	1/2" ALUMINUM SLIP
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15	1/2" ALUMINUM SLIP
16	1/2" ALUMINUM SLIP
17	1/2" ALUMINUM SLIP
18	1/2" ALUMINUM SLIP
19	1/2" ALUMINUM SLIP
20	1/2" ALUMINUM SLIP



FLOOR PLAN
 SCALE: 1/8" = 1'-0"

- NOTES:**
1. SEE ARCHITECTURAL DRAWING FOR ALL DIMENSIONS AND FINISHES.
 2. SEE ARCHITECTURAL DRAWING FOR ALL DIMENSIONS AND FINISHES.
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 20. SEE ARCHITECTURAL DRAWING FOR ALL DIMENSIONS AND FINISHES.

2 WAREHOUSE SHELVING DETAILS
 SCALE: 1/8" = 1'-0"

David Russell Seart
ARCHITECTURAL FLOOR PLANS, ELEVATIONS, INTERIORS, EXTERIORS, AND LANDSCAPE ARCHITECTURE

EZ PAWN
490 UNIVERSITY AVENUE W.
ST. PAUL, MN 55103

Architect

Project No: 1403-AS
Date: 2-11-14
Drawing No: 1403-AS-01

AS

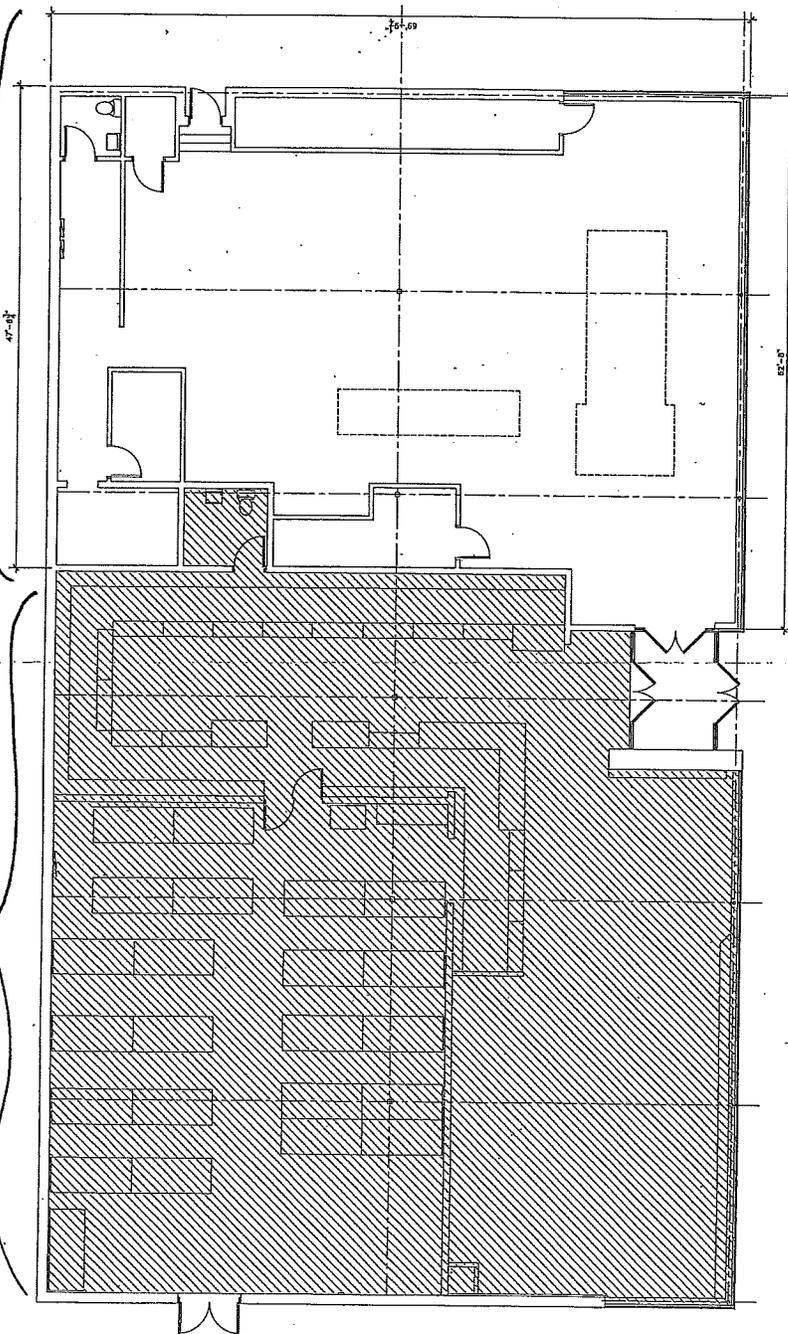
AS-BUILT FLOOR PLAN "FOR REVIEW ONLY" 3-4-14

RECEIVED
AUG 06 2014

Per.

EXPANSION

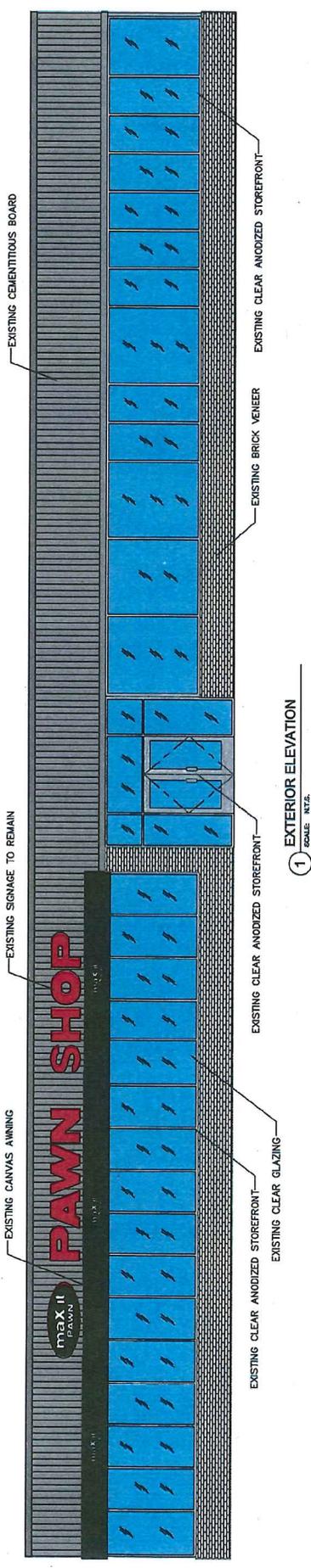
EXISTING RETAIL SPACE



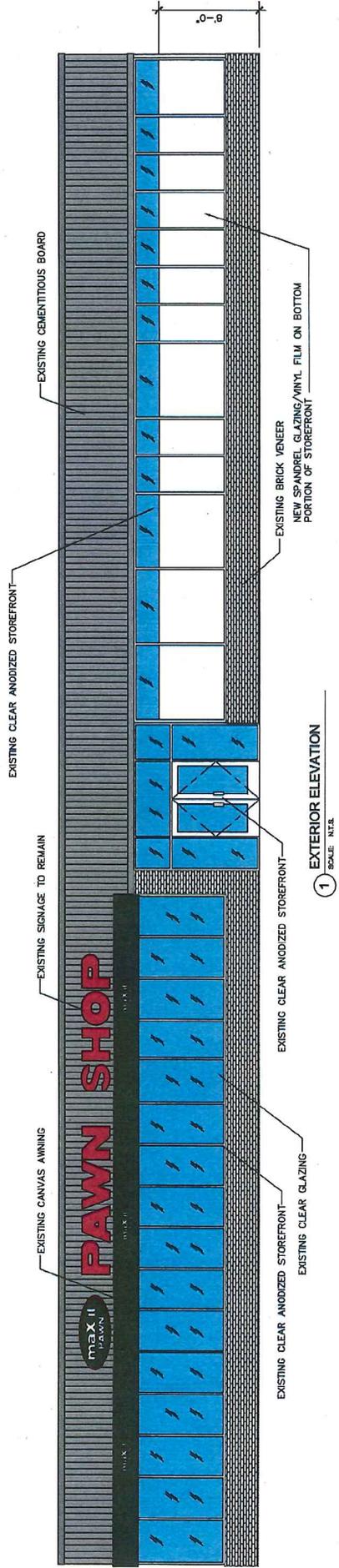
EXISTING FLOOR FINISHES
AS SHOWN ON SHEET 1403-AS-01
NEW FLOOR FINISHES
AS SHOWN ON SHEET 1403-AS-02

FLOOR PLAN
SCALE: 1/8" = 1'-0"

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1 EXTERIOR ELEVATION
SCALE N.T.S.



EXISTING CANVAS AWNING

EXISTING SIGNAGE TO REMAIN

EXISTING CLEAR ANODIZED STOREFRONT

EXISTING GENERITIOUS BOARD

max II PAWN

PAWN SHOP

EXISTING BRICK VENEER

NEW SPANDEL GLAZING/MYL FILM ON BOTTOM PORTION OF STOREFRONT

EXISTING CLEAR ANODIZED STOREFRONT

EXISTING CLEAR ANODIZED STOREFRONT

EXISTING CLEAR ANODIZED STOREFRONT

EXISTING CLEAR GLAZING

0-9

1 EXTERIOR ELEVATION

SCALE N.T.S.



1567-1579 Randolph Ave
St Paul, MN 55105 – approximate address
Randolph Ave

Street View - Sep 2013

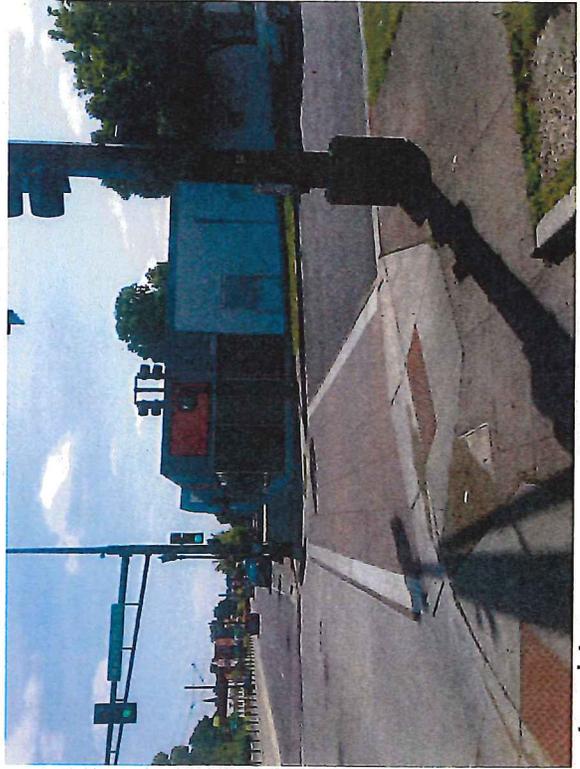


9468957v1

490 University Avenue West



Looking south across University at 490

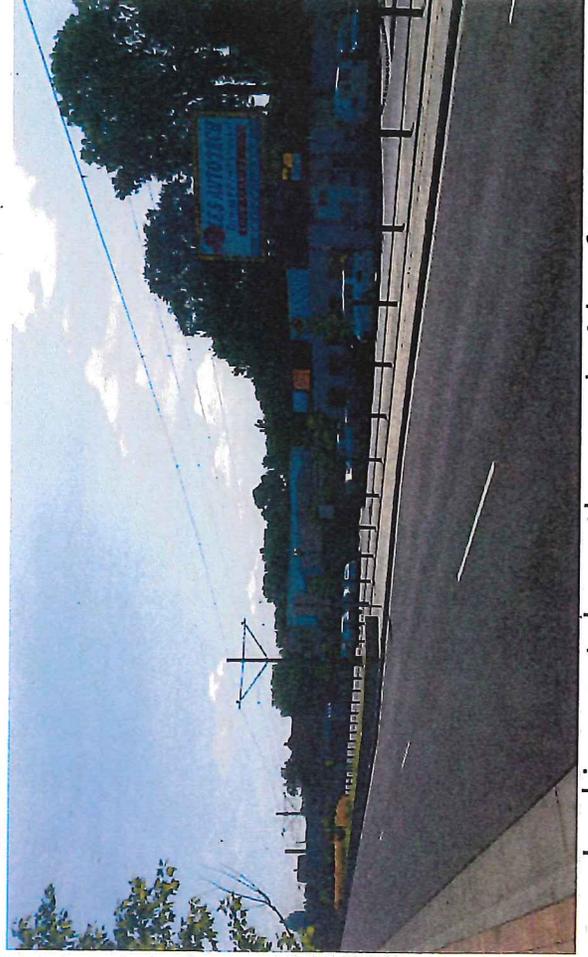


Looking east at 490 University at Mackubin

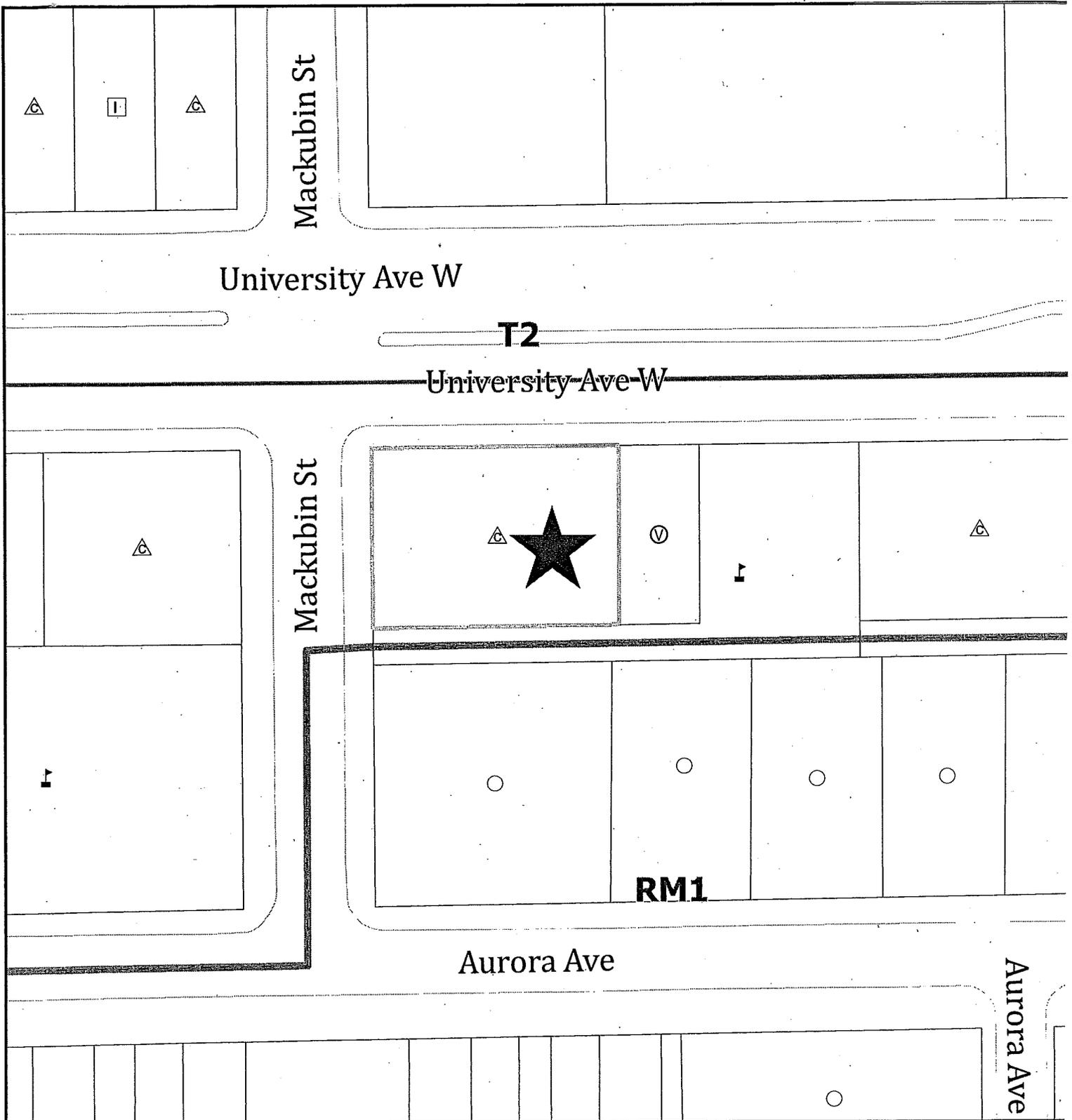
490 University Avenue West



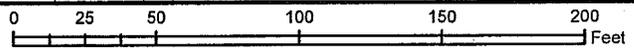
Looking southeast at 490 University at Mackubin



Looking east down the south side of University



APPLICANT Cash-N-Pawn
 APPLICATION TYPE Expansion of NCUP
 FILE # 14-316218 DATE 8/5/2014
 PLANING DISTRICT 8
 ZONING MAP # 15



- | | |
|----------------------|--------------------------|
| Commercial & Office | Residential One Family |
| Industrial & Utility | Residential Two Family |
| Institutional | Residential Three Family |
| Vacant/Undeveloped | Multifamily |

