

city of saint paul
planning commission resolution
file number
date

WHEREAS, Neil Ollarvez, File # 21-257-179, has applied for a conditional use permit for a motor vehicle salvage operation under the provisions of § 61.501 and § 65.843 of the Saint Paul Legislative Code on property located at 240 Sycamore Street W, Parcel Identification Number (PIN) 25.29.23.44.0019, legally described as Lot 2, Block 1, Apex Addition; and

WHEREAS, the Zoning Committee of the Planning Commission, on May 20, 2021, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of § 61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant is proposing to operate a motor vehicle salvage operation. The site is surrounded by industrial uses to the north, west and east. The BNSF Railway is to the south of the site. The site plan submitted by the applicants demonstrates that the site is completely fenced in with space for a car reception area, salvage vehicle processing, a work area, a cargo and loading ramp, parking, and a small office area.
2. A motor vehicle salvage operation requires a conditional use permit in the I2 zoning district and must meet the special standards and conditions listed in § 65.843. § 65.843 states that motor vehicle salvage operation must meet the standards and conditions for an outdoor recycling and processing center listed in in § 65.846.
 - (a) *Outdoor processing, salvaging and storage of the materials and motor vehicles shall be at least three hundred (300) feet from a residential or traditional neighborhood district boundary. The area used for the outdoor processing, salvaging and storage shall be behind an obscuring wall, fence, structure, or landscaped buffer at least eight (8) feet high providing for reasonable operation of the business.* This condition is met. The current site is located within an industrial area and there are no residential or traditional neighborhood districts within 300 feet of the site. The area used for outdoor processing, salvaging and storage is behind a structure and an eight (8) foot tall obscuring fence.
 - (b) *There shall be no outdoor open burning on the site. The use of cutting torches, furnaces and other equipment which produce a flame shall not be construed to constitute open burning.* This condition is met. There is no outdoor burning on the site and the applicant does not own any materials that would produce a flame.

moved by _____
seconded by _____
in favor _____
against _____

(c) *There shall be no stacking of material above the height of the obscuring structure, wall or fence, except that material set back three hundred (300) feet from the nearest residential zoning district may be stacked one (1) foot higher than the obscuring structure, wall or fence for every additional five (5) feet the material is set back from the nearest residential zoning district, up to a maximum of sixty (60) feet.* This condition met. The site is located more than 600 feet from the nearest residential district (RT1) and none of the materials on the site are stacked above the height of the fence.

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 2040 Comprehensive Plan identifies this site as an industrial use in the Future Land Use map. The use is supported by *Policy LU-6. (1) Foster equitable and sustainable economic growth by facilitating business creation, attraction, retention and expansion.* The applicant is seeking to grow its current business by obtaining a motor vehicle salvage operation license. The site is surrounded by industrial uses and the future use will continue to be industrial.

(b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The site has a rolling gate to bring cars and trucks into the site. The site is located on Sycamore Street, which is classified as a local street and also designated as an industrial truck zone by Saint Paul Public Works Department.

(c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The proposed use is compatible with the industrial uses that surround the site. This site is more than 600 feet away from the nearest residential use to the north. Additionally, if the conditional use permit is approved, the applicant must still apply for a motor vehicle salvage operator license, which has several requirements including keeping the property clean and free of vermin, noise, and fire hazards. As part of Saint Paul's motor vehicle salvage operator license the applicant must also apply for other licenses such as a Ramsey County Hazardous Waste licensure which regulates disposal of hazardous waste. Additionally, the applicant must receive a DSI Fire Inspection Certificate of Occupancy (C of O) inspection approval. For a Fire C of O to be issued, the building must demonstrate that is in compliance with applicable fire, building, and other codes.

(d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The proposed use, a motor vehicle salvage operation, is consistent with the development pattern in the area. The surrounding uses are also industrial and auto-oriented.

(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.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Neil Ollarvez for a conditional use permit for a motor vehicle salvage operation at 240 Sycamore Street W is hereby approved 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; and
2. The applicant must comply will all state, county, and city licensure requirements to ensure that the property does not pose any environmental and/or public health hazards.