

city of saint paul  
planning commission resolution  
file number  
date

WHEREAS, Urban Roots MN, File # 21-294-388, has applied for a conditional use permit for agriculture under the provisions of § 65.771 and § 61.501 of the Saint Paul Legislative Code on property located at 364 Minnehaha Avenue E, Parcel Identification Number (PIN) 32.29.22.22.0133, legally described as Lots 1 – 6 and 11 – 16, Block 2, Warren & Winslow’s Addition; and

WHEREAS, the Zoning Committee of the Planning Commission, on September 9, 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 application requests approval for expanded agriculture use at 364 Minnehaha Avenue E, a vacant/undeveloped area accessed via a gravel driveway from the nearby western terminus of Minnehaha Avenue. The proposed use includes gardens, orchards, bee hives, a hoop house, and storage sheds. It had previously occupied less than 1 acre, and is now proposed to occupy 2+ acres.
2. Zoning Code § 65.771 lists standards for agricultural uses:
  - a. *Approval of a site plan showing the location of all growing plots, sheds, structures, and fencing, with contact information for a site manager. A soil lead test showing that lead levels are less than one hundred (100) parts per million shall be submitted to the zoning administrator with the site plan or raised planting beds with soil barriers and clean, imported soil will be required. This standard can be met through site plan review.*
  - b. *In residential, traditional neighborhood, and business districts, an agriculture use having an area greater than one (1) acre requires a conditional use permit. This standard is met through this application, if approved.*
  - c. *The use shall be subject to the minimum property maintenance standards (chapter 34) and noise regulations (chapter 293) of the city. This standard will be met.*
  - d. *Keeping of any animals other than bees is prohibited, except residents of the property may keep animals, subject to city permit requirements. This standard is met. No animals other than bees are proposed.*

moved by \_\_\_\_\_  
seconded by \_\_\_\_\_  
in favor \_\_\_\_\_  
against \_\_\_\_\_

- e. *The use shall be conducted in a manner that controls odor, dust, erosion, lighting, and noise and is in compliance with city standards so as not to create a nuisance. This requirement may be enforced through the provisions in chapter 45 for nuisance abatement. This standard will be met.*
  - f. *Any tools, equipment, and material shall be stored and concealed within an enclosed, secured structure. This standard can be met. Storage sheds are proposed for this purpose.*
  - g. *When an agriculture use has been discontinued, the property shall be restored with grass or planted ground cover to control erosion, dust, and mud. All structures accessory to the agriculture use shall be removed. This requirement may be enforced through the provisions in chapter 45 for nuisance abatement. This standard can be met.*
3. Zoning Code § 61.501 lists five standards that all conditional uses must satisfy:
- (a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council. This condition is met. The Comprehensive Plan in Map LU-2 2040 Land Use designates the site as Urban Neighborhood, which allows for the use.*
  - (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met. The proposed use provides adequate ingress and egress via the gravel driveway connected to Minnehaha Avenue.*
  - (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 agriculture use will not be detrimental to the area if conducted consistent with city nuisance 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. This area, which is on a hillside adjacent to a railway, can be used for agriculture uses without impeding the normal and orderly development and improvement of surrounding property.*
  - (e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located. This condition is met. RT1 regulations will be abided by.*

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Urban Roots MN for a conditional use permit for agriculture at 364 Minnehaha Avenue E is hereby approved 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. A soil lead test showing that lead levels are less than one hundred (100) parts per million shall be submitted to the Zoning Administrator with the site plan.
2. Any tools, equipment, and material must be stored and concealed within an enclosed, secured structure.
3. When an agriculture use has been discontinued, the property shall be restored with grass or planted ground cover to control erosion, dust, and mud. All structures accessory to the agriculture use shall be removed.