

city of saint paul
planning commission resolution
file number _____
date _____

WHEREAS, Northern Metal Recycling, File # 21-312-227, has applied for a conditional use permit for an outdoor recycling processing center under the provisions of § 65.846 and § 61.501 of the Saint Paul Legislative Code on property located at 551 Barge Channel Road, Parcel Identification Numbers (PIN) 09.28.22.32.0064, legally described as Registered Land Survey 563 Tract A, and 09.28.22.32.0008, legally described as, Lot 1 Block 66 of THE W ST PAUL RE&IMP SYND 6NELY 1/2 OF VAC ALLEY ADJ AND FOL PART SWLY OF C R I AND P RY 100 FT R/W ACROSS BLK 66 OF LOTS 1 AND LOT 2 BLK 66, and 09.28.22.32.0009, legally described as Lot 3 Block 66 of THE W ST PAUL RE&IMP SYND 6 AND IMP SYNDICATE ADD NO. 6 VAC ALLEY & NELY 1/2 OF VAC ROBIE ST & SELY 1/2 OF VAC ARTHUR ST ACCRUING & FOL; LOTS 3 THRU LOT 13 BLK 66; and

WHEREAS, the Zoning Committee of the Planning Commission, on November 4, 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 proposed project is a concrete pad, surrounded on three sides by an 8' enclosure consisting of concrete walls topped with an obscuring fence, with dedicated stormwater drainage and storage. The stormwater will be held in an aboveground tank with secondary containment and will be pumped periodically by a contractor for proper off-site disposal. The pad will be elevated on fill to above the Regulatory Flood Plain Elevation (RFPE) and does not require a CUP for floodplain location. In 2011, a site plan was approved for the subject property for outdoor storage, including of metals. When the current project was proposed by the applicant, the zoning administrator determined that a conditional use permit for outdoor recycling processing was needed.
2. § 65.846 lists standards and conditions for outdoor recycling processing centers:
 - (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.* The project as proposed meets this standard. The proposed pad and enclosure are approximately 800' from the nearest residential zone. Final approval of plans substantially similar to those submitted with the conditional use permit and site plan applications in regard to the pad and enclosure to be used for recycling operations should be a condition of approval.

moved by _____

seconded by _____

in favor _____

against _____

- (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 standard can be met. A prohibition on outdoor open burning on the site should be a condition of approval.
 - (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 standard can be met. The required limits on the height of stacked materials should be a condition of approval.
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 future land use map in the Comprehensive Plan designates the area of the project for continued industrial uses.
 - (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The proposed project will provide for more efficient and safe operations for current activities. The project will not increase, and may reduce, the amount of truck traffic to and from the site.
 - (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 consistent with existing industrial development in the area and will not endanger the health, safety, or general welfare of the public. Because the use is located in the flood fringe (FF) district, submission to the Department of Safety and Inspections of an approved flood response plan to ensure access to the use for removal of materials and/or accumulated stormwater as needed during times of flooding should be a condition of approval.
 - (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 will not impede further development of allowed industrial uses in the surrounding area.
 - (e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* Subject to site plan approval, 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 Northern Metal Recycling for a conditional use permit for an outdoor recycling processing center at 551 Barge Channel Road 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 in general, and with regard in particular to the location and configuration of the concrete pad and enclosure.
2. Acceptance by the zoning administrator of a flood response plan ensuring access to remove materials and/or accumulated stormwater as needed during times of flooding.
3. No open burning shall take place on the site.
4. 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.