

ZONING COMMITTEE STAFF REPORT

FILE NAME: Zamzam

FILE # 17-072-067

APPLICANT: Zamzam Inc.

HEARING DATE: September 14, 2017

TYPE OF APPLICATION: Conditional Use Permit

LOCATION: 1543-1571 Maryland Ave E, northeast corner at Hazelwood

PIN & LEGAL DESCRIPTION: 222922430040, 222922430041, & 222922430042; The S 173 feet of the W 392 feet of the SW ¼ of SW ¼ of SE ¼ of Section 22 Township 29 Range 22, subject to street dedications and easements

PLANNING DISTRICT: 2

PRESENT ZONING: B1

ZONING CODE REFERENCE: §61.501, §65.702

STAFF REPORT DATE: September 7, 2017

BY: Bill Dermody

DATE RECEIVED: August 21, 2017

60-DAY DEADLINE FOR ACTION: October 20, 2017

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- A. **PURPOSE:** Conditional use permit for an auto convenience market.
- B. **PARCEL SIZE:** 362 ft. (Maryland) x 140 ft. (Hazelwood) = 1.2 acres
- C. **EXISTING LAND USE:** Retail businesses (convenience store and laundromat; west portion) and vacant land/community garden (east portion)
- D. **SURROUNDING LAND USE:** Multi-family residential to the north and south, cemetery to the west, and trail/park to the east with a water utility building beyond.
- E. **ZONING CODE CITATION:** §61.501 lists general conditions that must be met by all conditional uses; §65.702 establishes standards and conditions for an auto convenience market.
- F. **PARKING:** Zoning Code § 63.207 requires a minimum of 1 parking space per 400 square feet for auto convenience market and general retail. The site plan submitted for site plan review provides 32 spaces for 11,915 sq. ft. of gross floor area, which exceeds the minimum 30 spaces.
- G. **HISTORY/DISCUSSION:** In 2010, the vacant portion of the site was rezoned from RM1 Low-Density, Low-Rise Multiple Family Residential District to B1 Local Business District in order to allow for an expansion of the existing commercial building to accommodate additional businesses – that expansion was never constructed. The vacant portion of the site previously contained a single-family house and a duplex that were demolished in 2008. The vacant portion of the site was rezoned from RM2 Medium-Density, Low-Rise Multiple Family Residential District to RM1 some time between 1975 and 2010. The portion of the site containing a retail business has been zoned B1 since 1975.
- H. **DISTRICT COUNCIL RECOMMENDATION:** As of this writing, the District 2 Council has not provided a recommendation.
- I. **FINDINGS:**
1. The application requests conditional use permit approval for an auto convenience market on approximately 1.2 acres at the northeast corner of Maryland Avenue E. and Hazelwood Street. An auto convenience market is a "place where gasoline...(is) retailed directly to the public on the premises in combination with the retailing of items typically found in a convenience market or supermarket."
 2. The site is currently zoned B1 Local Business. It must be rezoned to B2 Community Business District in order to allow consideration of this conditional use permit. Therefore, any approval of the conditional use permit should be conditional on the approval of the accompanying rezoning application.
 3. §65.702 establishes standards and conditions for an auto convenience market:
 - (a) *The construction and maintenance of all driveways, curbs, sidewalks, pump islands or other facilities shall be in accordance with current city specifications. Such specifications shall be developed by the planning administrator, traffic engineer and city fire marshal, and shall be approved by the planning commission, and filed with the city clerk. This finding will be met through site plan review.*
 - (b) *A ten-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 finding will be met through site plan review.*

- (c) *Outdoor accessory sales of goods or equipment shall not be located in a required setback, parking or maneuvering space, or substituted for required landscaping.* This finding can be met. Its compliance is an ongoing required condition of operation.
- (d) *There shall be no exterior storage. Space for accessory outdoor sales of goods or equipment shall be limited to 200 square feet.* This finding can be met. Its compliance is an ongoing required condition of operation.
- (e) *The zoning lot on which it is located shall be at least 12,000 square feet in area.* This finding is met. The zoning lot is approximately 1.2 acres in area.

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 Comprehensive Plan, in Figure LU-B, designates the site as part of a Mixed-Use Corridor, which calls in Strategy LU-1.21 for supporting a mix of uses such as the expanded commercial uses requested by this application in this area more heavily characterized by residential uses. Mixed-Use Corridors should also support transit use and walking (Strategy LU-1.24) – the proposed auto-oriented use is not ideal in that respect, but provides necessary commercial products and, if designed well, can have a limited negative impact on the area's walkability. The proposed expanded commercial uses will provide a more active commercial hub at this location adjacent to a bus stop.
- (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. Ingress/egress will be provided via a one-way (exit only) driveway along Hazelwood and a two-way driveway near the property's eastern end along Maryland Avenue, close to where the fuel pumps are proposed to be located. These driveways replace three existing two-way driveways, two of which are closer to the intersection and do not meet normal separation standards.
- (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. Maryland Avenue is a mixed-use corridor with much vehicle traffic and activity. The proposed auto convenience market will not have a significant effect on the existing character. The realignment of vehicular access driveways farther from the intersection, and the elimination of one driveway, will improve pedestrian safety. The site plan review process is involving Crime Prevention Through Environmental Design (CPTED) analysis from the Police Department to ensure that the final site and building design improve upon an existing crime problem at this site.
- (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. There are no adjacent vacant sites. The use will not affect development and improvement of surrounding uses.
- (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. Conformance to applicable regulations will be enforced through site plan review. No variances are requested.

- J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for an auto convenience market, 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.
 2. The site is rezoned to B2 Community Business.
 3. There shall be no exterior storage. Space for any accessory outdoor sales of goods or equipment shall be limited to 200 square feet.
 4. Any outdoor accessory sales of goods or equipment shall not be located in a required setback, parking or maneuvering space, or substituted for required landscaping.



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 # 17-072067

Fee: _____

Permit Hearing Date: 9-14-17

PD=2

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APPLICANT

Name ZAMZAM, INC

Address 1149 97TH AVE N.W COON RAPIDS, MINN 55422

City COON RAPIDS St. MN Zip 55442 Daytime Phone 612-986-7315

Name of Owner (if different) JOHN ABUKHUDEER

Contact Person (if different) GEORGE S. BARR Phone 763-355-0322

PROPERTY LOCATION

Address / Location 1541,1555,1571 maryland ave east

Legal Description Parcel ID: 222922430040 Parcel ID: 222922430041

Parcel ID: 222922430042 Current Zoning B-1

(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of Chapter _____, Section 65.702, Paragraph _____ of the Zoning Code.

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

RE: Auto Convenience Market

Required site plan is attached

Applicant's Signature [Signature] Date 08/17/2017 City Agent [Signature]

Design Group C LLC
Designs to Inspire a New Experience
 14845 Ironwood Ct.
 Eden Prairie, MN 55346
 Phone: 952.251.9980
 Email: edengroup@designgroupc.com

BARR-NELSON CONSTRUCTION SERVICES, INC
 REVIEW SET
 NOT FOR CONSTRUCTION
 11670 61st Avenue N.
 Plymouth, MN 55442
 Phone: 763.355.0322

The Shops at Maryland
 1541 Maryland Ave. E.
 St. Paul, MN 55106

LANDSCAPE PLAN

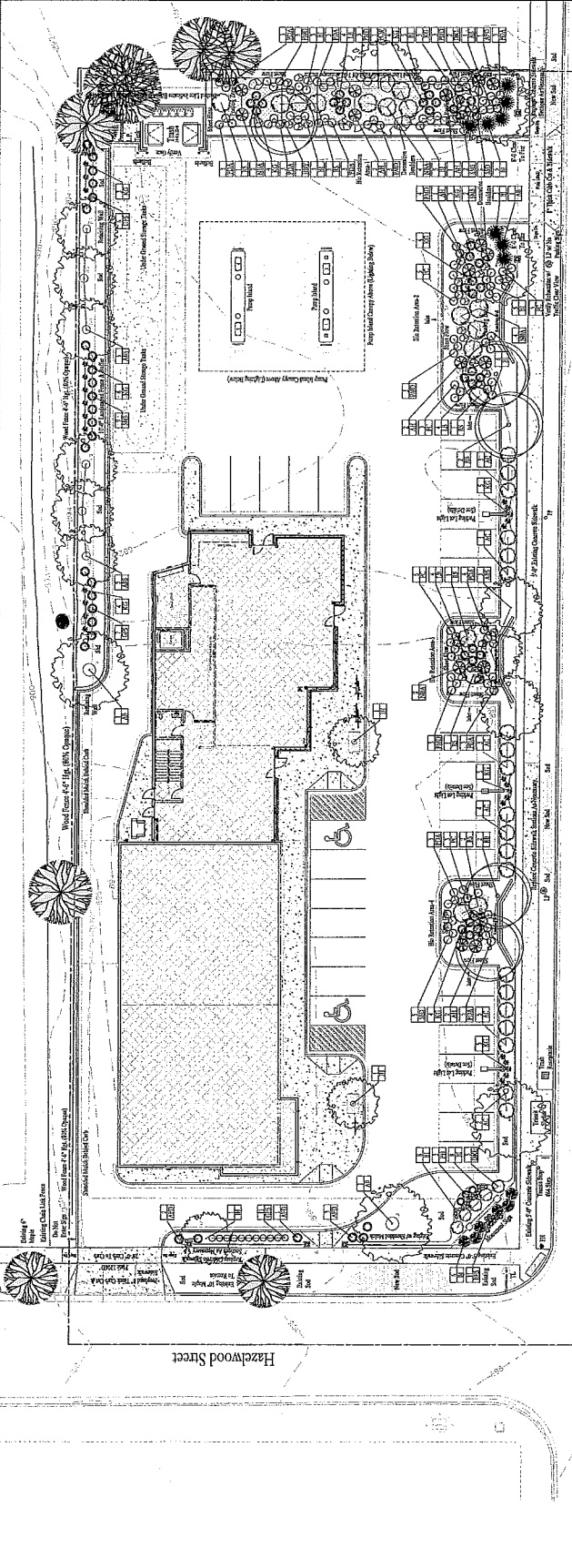
PROJECT MANAGER:
PROJECT TITLE:
DATE:

REVISIONS:

NO.	DATE	DESCRIPTION
01	05-14-17	ISSUED FOR PERMIT
02	05-14-17	ISSUED FOR PERMIT
03	05-14-17	ISSUED FOR PERMIT

COMPILED BY:
DESIGNED BY:
CHECKED BY:
DATE:

L101
 SHEET OF 05



General Landscape Notes:

1. Contractor shall construct together with one (1) "Two" Utilities prior to installation and/or completion of all other work. Contractor shall provide all necessary permits, including but not limited to, utility relocation, and shall be responsible for all costs associated with utility relocation. The location of all utilities shall be verified prior to construction. Contractor shall verify the location and depth of existing utilities. Contractor shall provide all necessary permits, including but not limited to, utility relocation, and shall be responsible for all costs associated with utility relocation.
2. The Contractor shall be responsible for any and all damage that may be caused by the construction of the project. The Contractor shall be responsible for any and all damage that may be caused by the construction of the project.
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Landscape Notes:

1. No planting will be installed until all grading and drainage work has been completed.
2. All plantings shall be installed in accordance with the specifications and quantities listed on the landscape plan.
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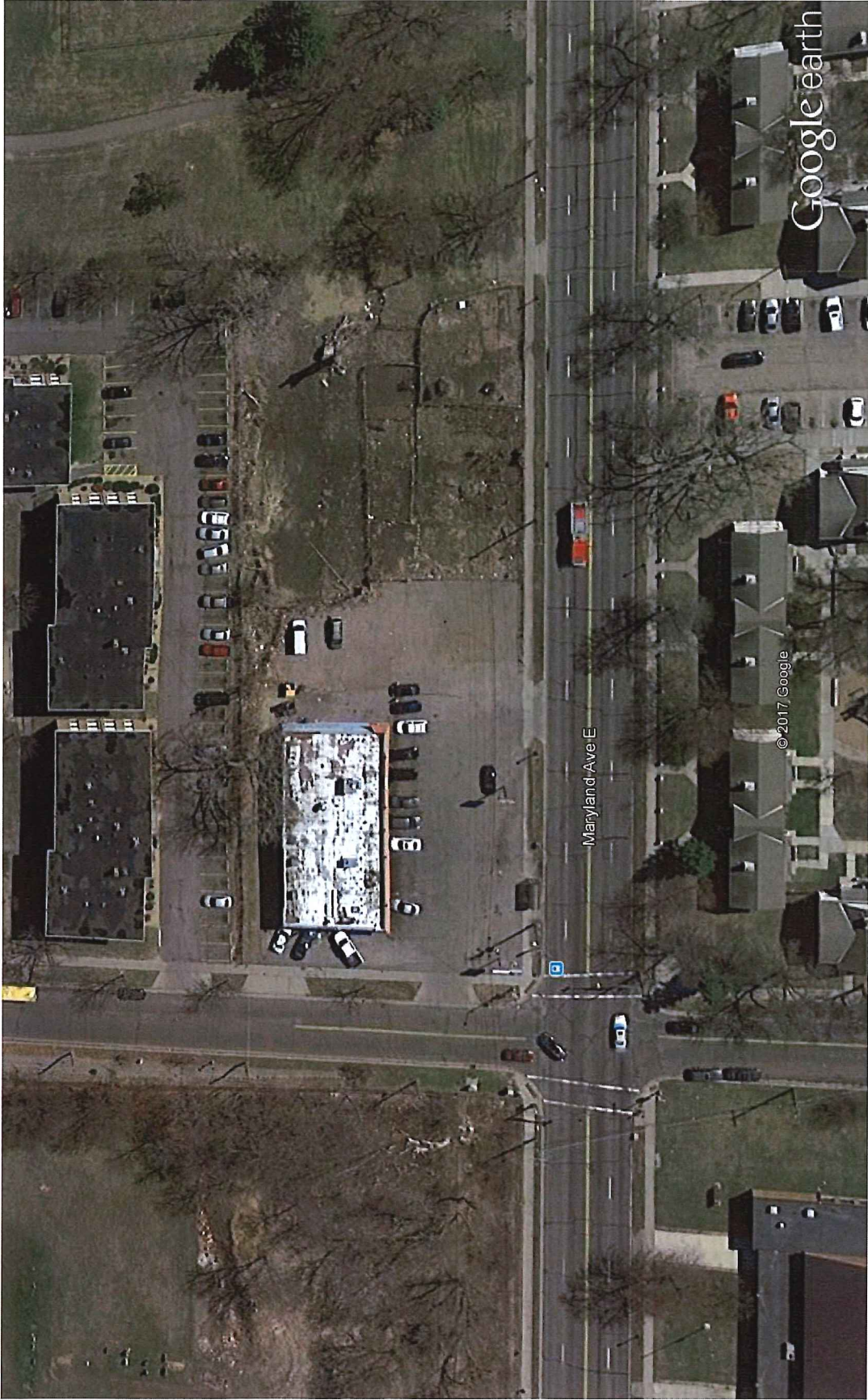
Landscape Material Schedule:

Symbol	Qty	Common Name	Scientific Name	Size	Container	Comments
PL1	1	Planting				
PL2	1	Planting				
PL3	1	Planting				
PL4	1	Planting				
PL5	1	Planting				
PL6	1	Planting				
PL7	1	Planting				
PL8	1	Planting				
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PL100	1	Planting				

Conceptual Landscape Plan
 Scale: 1/8" = 1'-0" (1/4" = 1'-0")

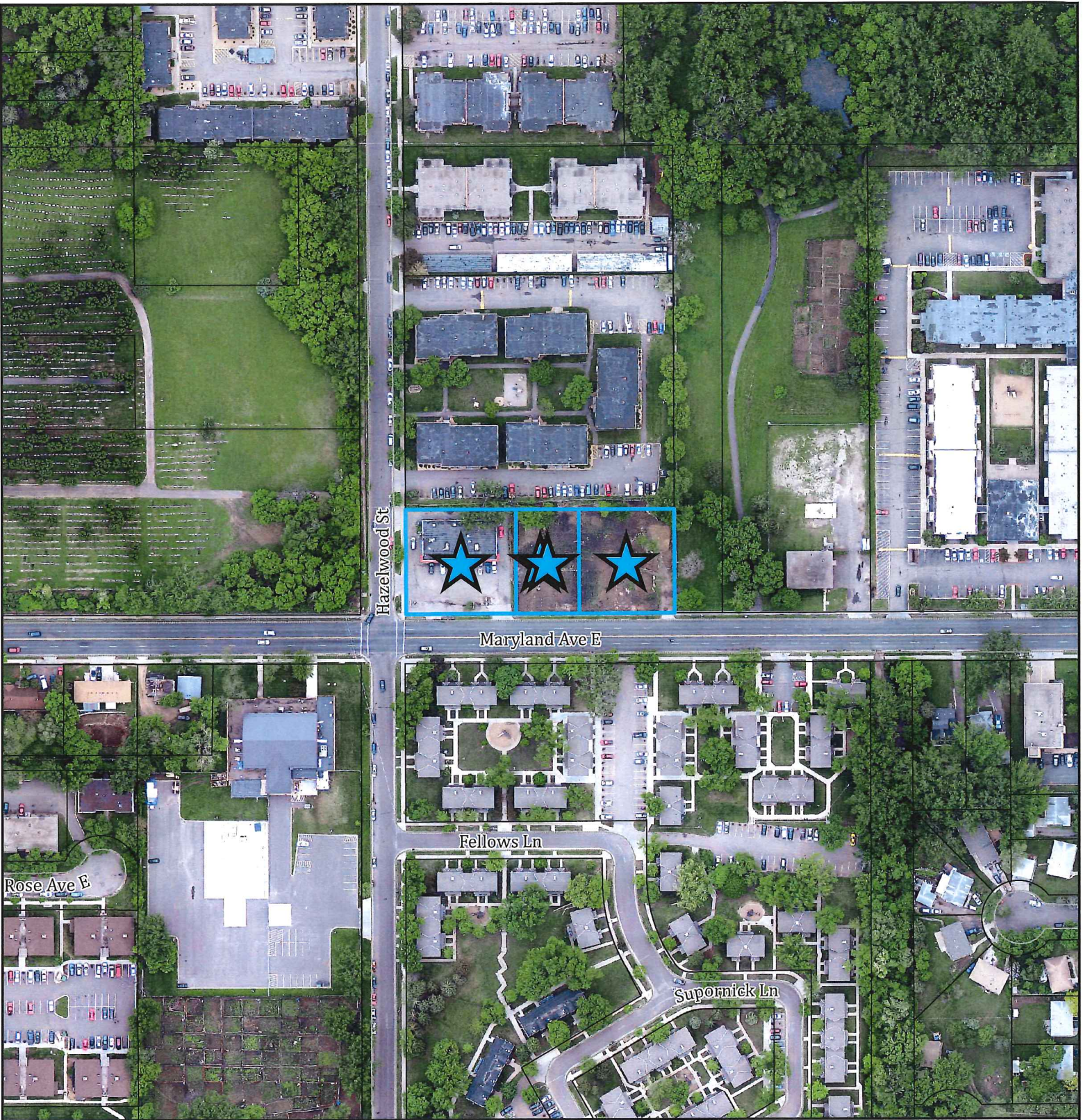
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PL100	1	Planting				



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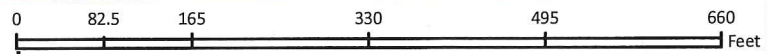
Hazelwood St

Maryland Ave E

Fellows Ln

Rose Ave E


Supornick Ln



FILE NAME: Zamzam

Aerial

APPLICATION TYPE: CUP

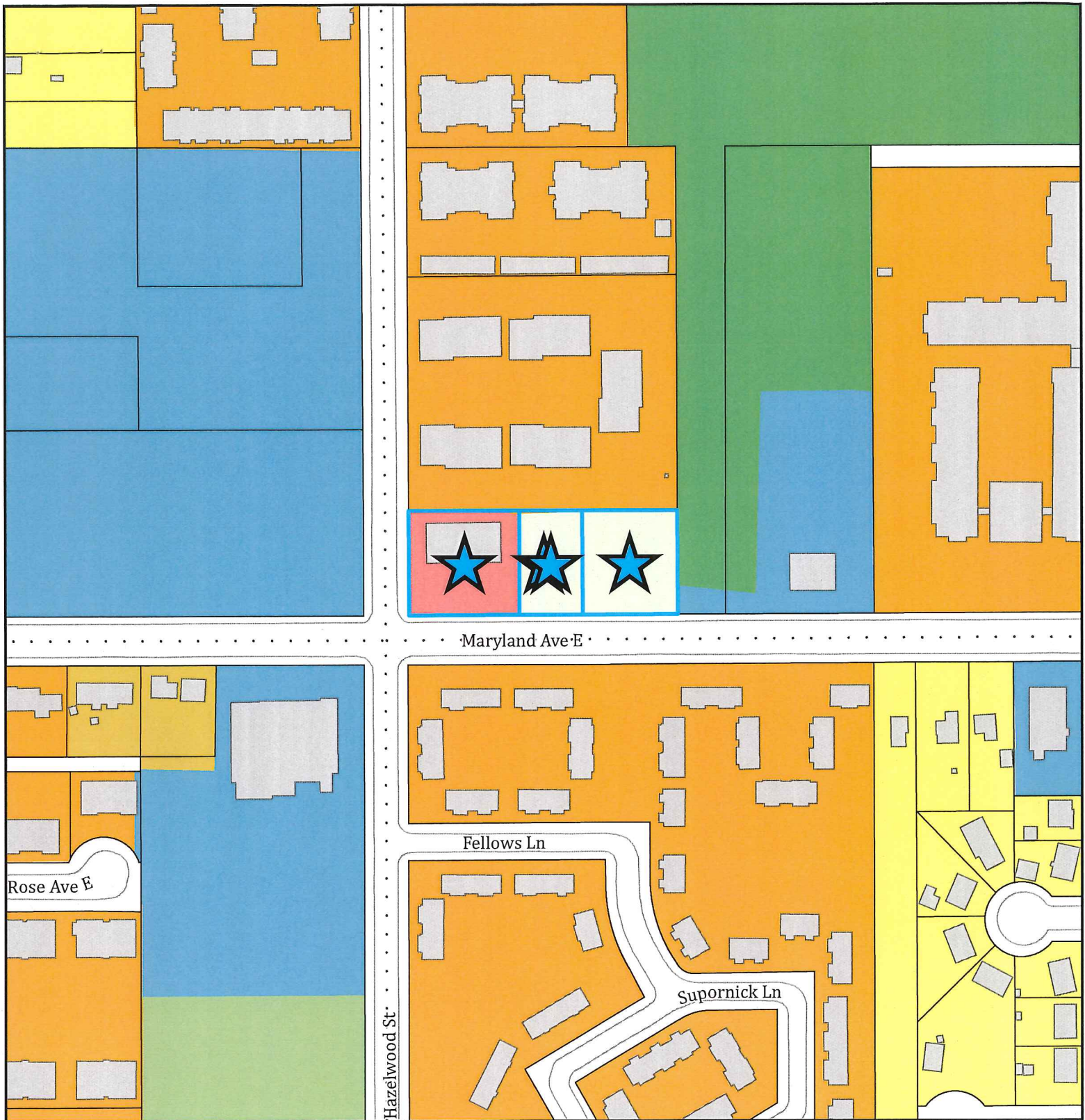
 Subject Parcels

FILE #: 17-072067 DATE: 8/21/2017

PLANNING DISTRICT: 2

ZONING PANEL: 6





FILE NAME: Zamzam

APPLICATION TYPE: CUP

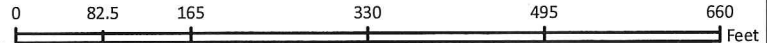
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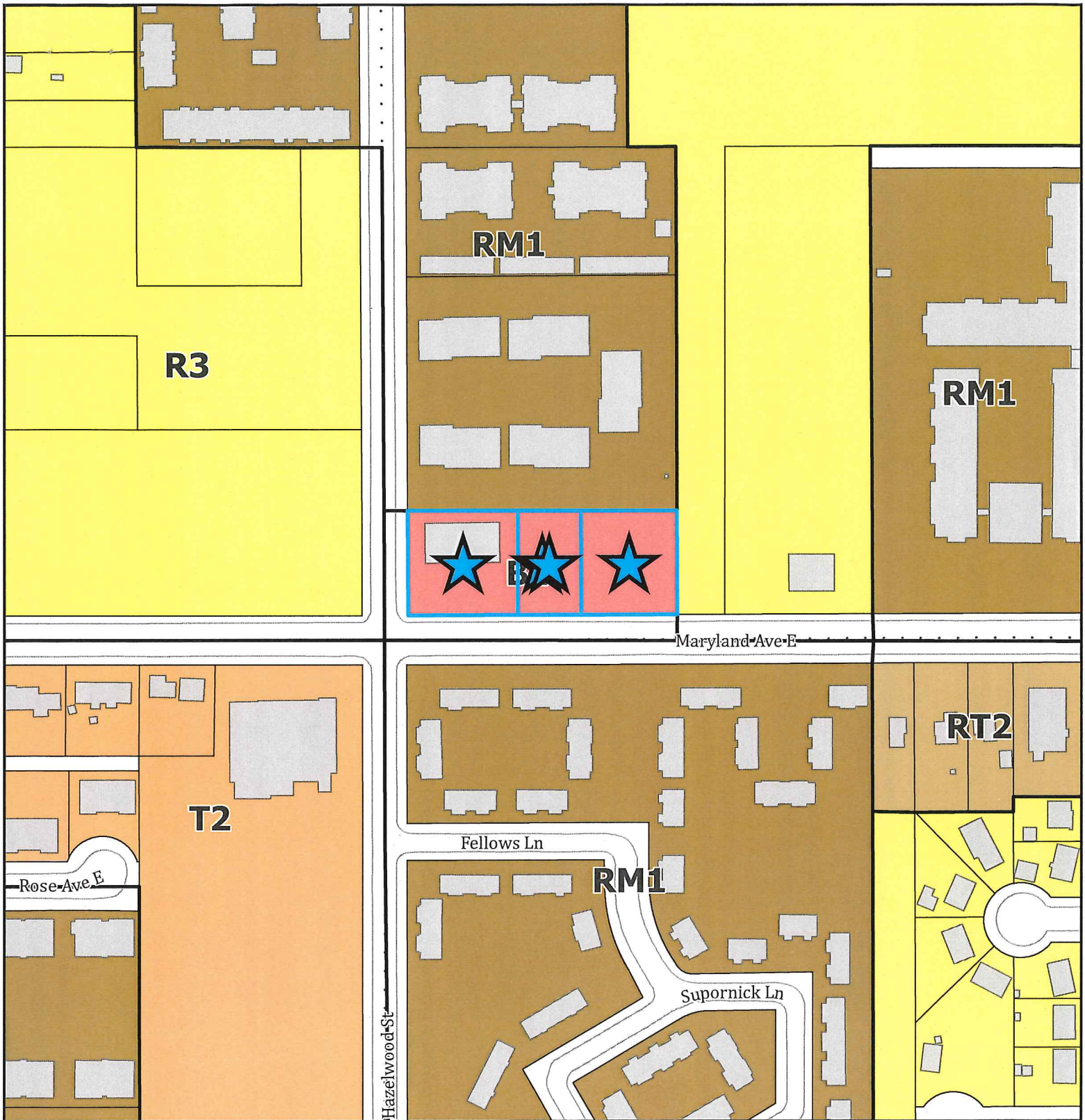
PLANNING DISTRICT: 2

ZONING PANEL: 6

Land Use

- Single Family Detached
- Single Family Attached
- Multifamily
- Retail and Other Commercial
- Institutional
- Park, Recreational or Preserve
- Agricultural
- Undeveloped
- Subject Parcels
- Section Lines





FILE NAME: Zamzam

APPLICATION TYPE: CUP

FILE #: 17-072067 DATE: 8/21/2017

PLANNING DISTRICT: 2

ZONING PANEL: 6

Zoning

- Subject Parcels
- Section Lines
- R3 One-Family
- RT2 Townhouse
- RM1 Multiple-Family
- T2 Traditional Neighborhood
- B1 Local Business

