

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Holiday Stationstores **FILE #** 15-185-423
 2. **APPLICANT:** Holiday Companies **HEARING DATE:** December 29, 2015
 3. **TYPE OF APPLICATION:** Conditional Use Permit
 4. **LOCATION:** 1608 Rice St, SE corner at Wheelock Parkway
 5. **PIN & LEGAL DESCRIPTION:** 192922220113, Merrills Division of Rice stre Subj To Wheelock Pkwy Vac Alley Accruing & Fol Lots 7, 8, 9 & All Of Lots 12 Thru Lot 24 Blk 5
 6. **PLANNING DISTRICT:** 6 **PRESENT ZONING:** B2
 7. **ZONING CODE REFERENCE:** §65.703; §61.501, §61.503(d)
 8. **STAFF REPORT DATE:** December 22, 2015 **BY:** Jamie Radel
 9. **DATE RECEIVED:** December 11, 2015 **60-DAY DEADLINE FOR ACTION:** February 9, 2016
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- A. **PURPOSE:** Conditional use permit for replacement of the auto convenience market building.
- B. **PARCEL SIZE:** 60,531 sq. ft. (1.39 acres)
- C. **EXISTING LAND USE:** Gas station and convenience store
- D. **SURROUNDING LAND USE:**
 - North: Mix of commercial, multifamily residential, and single-family residential
 - East: Single-family residential
 - South: Commercial and multifamily residential
 - West: Commercial and multifamily residential
- E. **ZONING CODE CITATION:** §61.503(d) requires that when a building with a conditional use is torn down a new conditional use permit is required; §61.501 lists general conditions that must be met by all conditional uses; and § 65.703 lists specific conditions for an auto convenience market.
- F. **HISTORY/DISCUSSION:** There are three previous zoning cases concerning this property. Two of the cases are from 1989 and involve an application to rezone the property from R-4 and B-3 to B-2 to allow the construction of a 15,000 sq. ft. retail shopping area as well as a special conditional use permit (SCUP) application to allow a convenience store with gas pumps; the rezoning and SCUP were approved; however, the development never moved forward. The third case was from 1994 involved an application for a SCUP for an auto convenience market (the former Kwik Trip), which was approved by the Planning Commission with two conditions: 1. the applicant obtain site plan approval from the Planning Administrator, and 2) sidewalks be installed along both Wheelock Parkway and Rice Street.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 6 Planning Council's Land Use Task Force does not object to this project.
- H. **FINDINGS:**
 1. The applicant is requesting a new conditional use permit for an auto convenience store at 1608 Rice Street. There is currently an approximately 3,000 sq. ft. convenience store on this site, and the applicant is seeking a new CUP in order to remove and replace this store with a new 5,678- sq. ft. store. The convenience market currently operates as a 24-hour business and will continue those hours with the store.
 2. §65.702 lists the standards that all auto convenience markets must satisfy:
 - (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 condition is met. The applicant is not proposing to move or replace and driveways, curbs, sidewalks, pump islands. The existing facilities comply with current city specifications.

- (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 condition can be met subject to the applicant installing an obscuring wall or fence along the eastern property line where the subject property adjoins residentially zoned properties. The submitted landscape plan shows that there is greater than a 10-foot buffer adjacent to the residentially zoned properties, and indicates that additional shrubbery will be planned to improve and extend the existing vegetative buffer. However, the plan does not identify the installation of an obscuring wall or fence.
 - (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 condition is met. The submitted site plan does not indicate area for accessory sales of goods or equipment. The applicant was made aware of this condition, and has agreed to not allow for such sales in the required setback, parking or maneuvering space, or substituted for required landscaping.
 - (d) *The zoning lot on which it is located shall be at least twelve thousand (12,000) sq. ft. in area.* This condition is met. The area of the zoning lot is 60,531 sq. ft.
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 Land Use Plan element of the Comprehensive Plan designates this parcel as “Mixed Use Corridor” in Figure LU-B, Generalized 2030 Land Uses. This future land use category allows for the mix of two or more uses within buildings or in close proximity to each other. This use is adjacent to a mix of residential and commercial uses. As the applicant is seeking to enlarge an existing auto convenience store use by tearing down an existing store and building a new store and upgrading the appearance of the site, Land Use Policy 5.1 of the District 6 Plan supports this application. It states: “Encourage existing auto related businesses to upgrade the appearance of their buildings and properties; discourage the growth of new auto related businesses.”
 - (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The current ingress and egress is adequate, and the proposed plan does not change any of the ingresses or egresses onto public streets.
 - (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 can be met subject to the applicant complying with the city’s property maintenance requirements. During the site visit, significant litter was observed in the existing vegetative buffer area and litter originating from the site was seen blowing onto adjoining and adjacent properties. The applicant shall keep the site litter free in order in order to preserve the existing character and ensure the general public health, safety, and welfare.
 - (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 larger convenience store will not impede the normal and orderly development and improvement of the surrounding properties.
 - (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 subject to the applicant decreasing the number of offstreet parking spaces to twenty-four (24) spaces and providing one (1) secure bicycle parking space.

Parking maximum: §63.207(c) limits the maximum number of offstreet parking spaces to 170% of the minimum requirement. The minimum number of spaces required for a 5,678 sq. ft. auto convenience store is fourteen and the maximum number of spaces is twenty-

four spaces. The submitted site plan shows twenty-six spaces. Two must be eliminated to be compliant with the parking maximum requirement.

Bicycle parking: §63.210(a)(1) requires "...one (1) secure bicycle parking space for every twenty (20) motor vehicle parking spaces..." With 24 vehicular parking spaces, the applicant shall provide one (1) secure bicycle parking space located on site in accordance with §63.210(c).

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for replacement of the auto convenience market building 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. Install an obscuring fence or wall along the eastern property line where the parcel adjoins residentially zoned properties.
 3. Complying with city property maintenance requirements related to garbage and litter.
 4. Eliminate two (2) motor vehicle offstreet parking spaces shown on the submitted site plan.
 5. Provide one (1) secure bicycle parking space located in accordance with §63.210(c).



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

PD=6

DEC 10 2015

#60531

Zoning Office Use Only
 File #: 15-185423
 Fee: 1000.00
 Tentative Hearing Date: 12-29-15

#192922220113

APPLICANT

Name Casey Beaton Email casey.beaton@holidaycompanies.com
 Address 4567 American Blvd W.
 City Bloomington State MN Zip 55437 Daytime Phone 952-83-8694
 Name of Owner (if different) Holiday Stationstores
 Contact Person (if different) _____ Phone _____

PROPERTY LOCATION

Address/Location 1608 Rice Street
 Legal Description LOTS 7,8, AND 9, EXCEPT THOSE PARTS TAKEN FOR WHEELOCK PARKWAY, AND
LOTS 21,22,23, AND 24, ALL IN BLOCK 5, MERRILL'S DIVISION OF RICE STREET... Current Zoning B2 /C-GROCERY/CONVENIENCE STORE
 (attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of Chapter 61, Section 503, Paragraph D, 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.

The current property is contained within a B2 zoning district and holds an auto convenience market. The proposal is to demolish the existing building structure and build a new auto convenience market. The use of the property will not change. The lot area is approximately 61,000 square feet. The comprehensive plan LU-B Future Land Uses designates the site as part of a Mixed-Use Corridor and an auto convenience market is a necessary service for those living and working in the area. The auto convenience market will not supply auto repair services or auto storage. All outdoor accessory sale of goods will comply with setback requirements and any additional permitting of such. Construction and maintenance of the site and facility will be in accordance with city specifications and shall be submitted for full site and building plan review.

Required Site Plan is attached

Applicant's Signature Casey Beaton Digitally signed by Casey Beaton DN: cn=Casey Beaton, o=Holiday Companies, Inc., ou=Engineering, email=casey.beaton@holidaycompanies.com, c=US Date: 2015.12.10 12:38:16 -0600 Date 2015-12-10 City Agent [Signature]
 12-10-15 Rev 9/4/14

ARCHITECTURAL CONSORTIUM L.L.C.
 801 North Third Street, Suite 200
 Minneapolis, MN 55407
 Tel: 612.465.4800
 Fax: 612.465.8800

INSITES
 1500 Walnut Street, Suite 100
 Minneapolis, MN 55407
 Tel: 612.338.1311
 Fax: 612.338.1312

I hereby certify that the design, specifications, or drawings prepared by me or under my direct supervision, and that I am a duly licensed professional engineer, architect, or landscape architect in the State of Minnesota.
 PROJECT NUMBER: _____
 PROJECT NAME: _____
 DATE: _____

PROJECT NUMBER: _____
 DRAWN BY: _____
 CHECKED BY: _____
 DATE: _____
 TASK: REVISION / ISSUE: _____

Holiday
STATIONSTORE
 #0167
 ST. PAUL, MN

THE DESIGN, SPECIFICATIONS, AND DRAWINGS FOR THIS PROJECT SHALL BE OBJECTED TO HOLIDAY COMPANIES PROJECT MANAGER:
JAKE BAUER
 1500 WALNUT STREET, SUITE 100
 MINNEAPOLIS, MN 55407
 (612) 338-1311
 jbaue@hvacgroup.com

LANDSCAPE PLAN

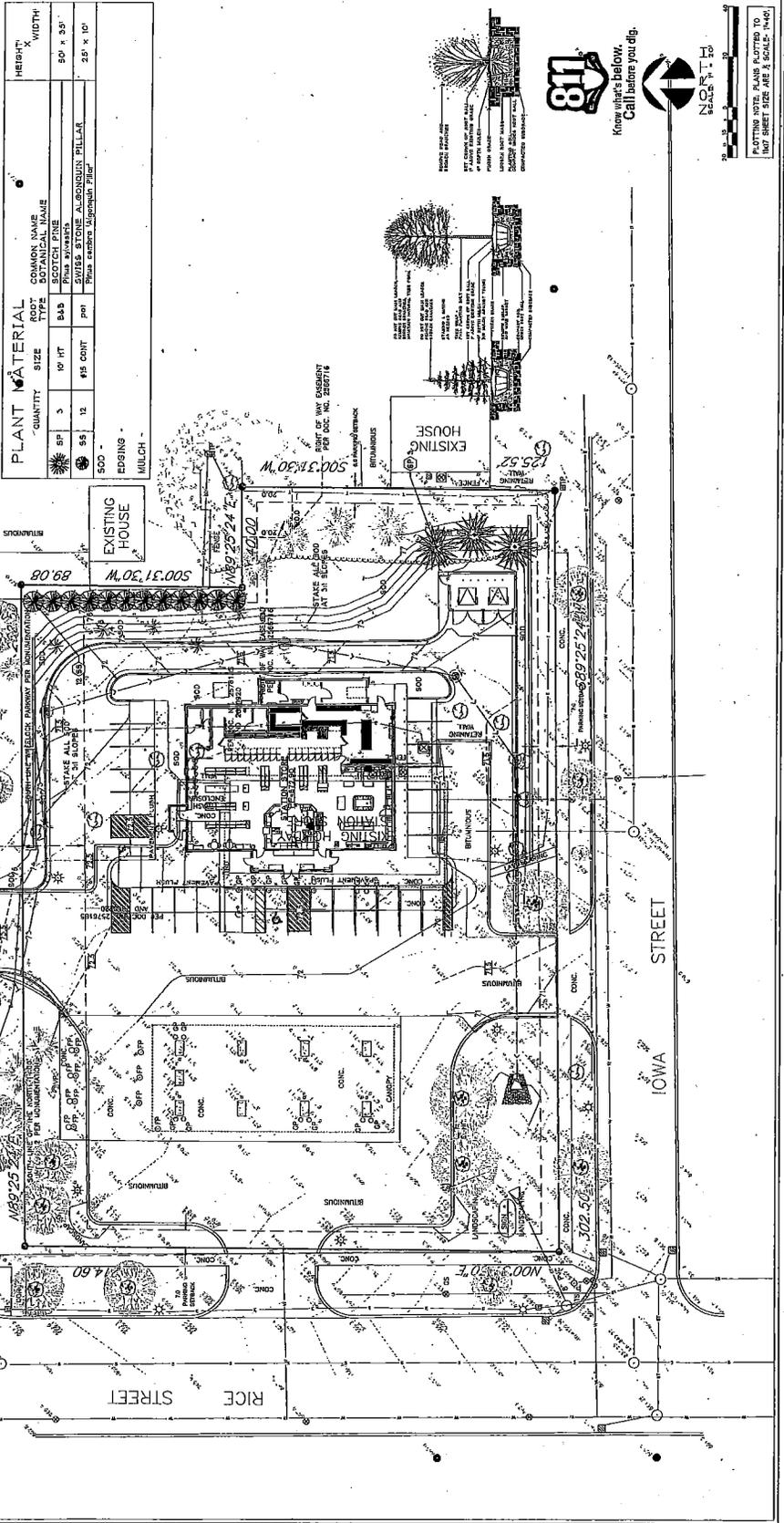
L1

NOTES:
 1. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FOR PLANTING IN ALL SOIL.
 2. LANDSCAPE CONTRACTOR SHALL VERIFY ALL UTILITIES WHICH MAY AFFECT HIS WORK.
 3. LANDSCAPE CONTRACTOR SHALL COORDINATE HIS WORK WITH OTHERS AT SITE AND COMPLETE HIS WORK PER OWNERS CONSTRUCTION SCHEDULE.
 4. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE CONTRACTOR'S SPECIFICATIONS AND ACCEPTANCE BY OWNER WITH ONE TIME REPLACEMENT IF APPROPRIATE.
 5. ALL PLANTING SHALL BE DONE WITH ONE TIME REPLACEMENT IF APPROPRIATE.
 6. REPLACEMENT SHALL BE CLEAN FREE OF STONES, WEEDS, AND OTHER UNDESIRABLE DEBRIS.
 7. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE CONTRACTOR'S SPECIFICATIONS AND ACCEPTANCE BY OWNER WITH ONE TIME REPLACEMENT IF APPROPRIATE.
 8. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE CONTRACTOR'S SPECIFICATIONS AND ACCEPTANCE BY OWNER WITH ONE TIME REPLACEMENT IF APPROPRIATE.
 9. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE CONTRACTOR'S SPECIFICATIONS AND ACCEPTANCE BY OWNER WITH ONE TIME REPLACEMENT IF APPROPRIATE.
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PLANT MATERIAL

QUANTITY	SIZE	COMMON NAME	ROOT TYPE	BOTANICAL NAME	HEIGHT	WIDTH
3	10' HT	B&B	B&B	SCOTCH PINE	50' ± 3.3'	
12	#5 CONT	per	per	SWISS STONE ALBODQUIN PILLAR	25' ± 10'	

500 MULCH



811
 Know what's below.
 Call before you dig.

NORTH
 SCALE 1" = 10'

PLOTTING NOTE: PLANS PLOTTED TO 11x17 SHEET SIZE AT SCALE 1/4" = 1'-0"

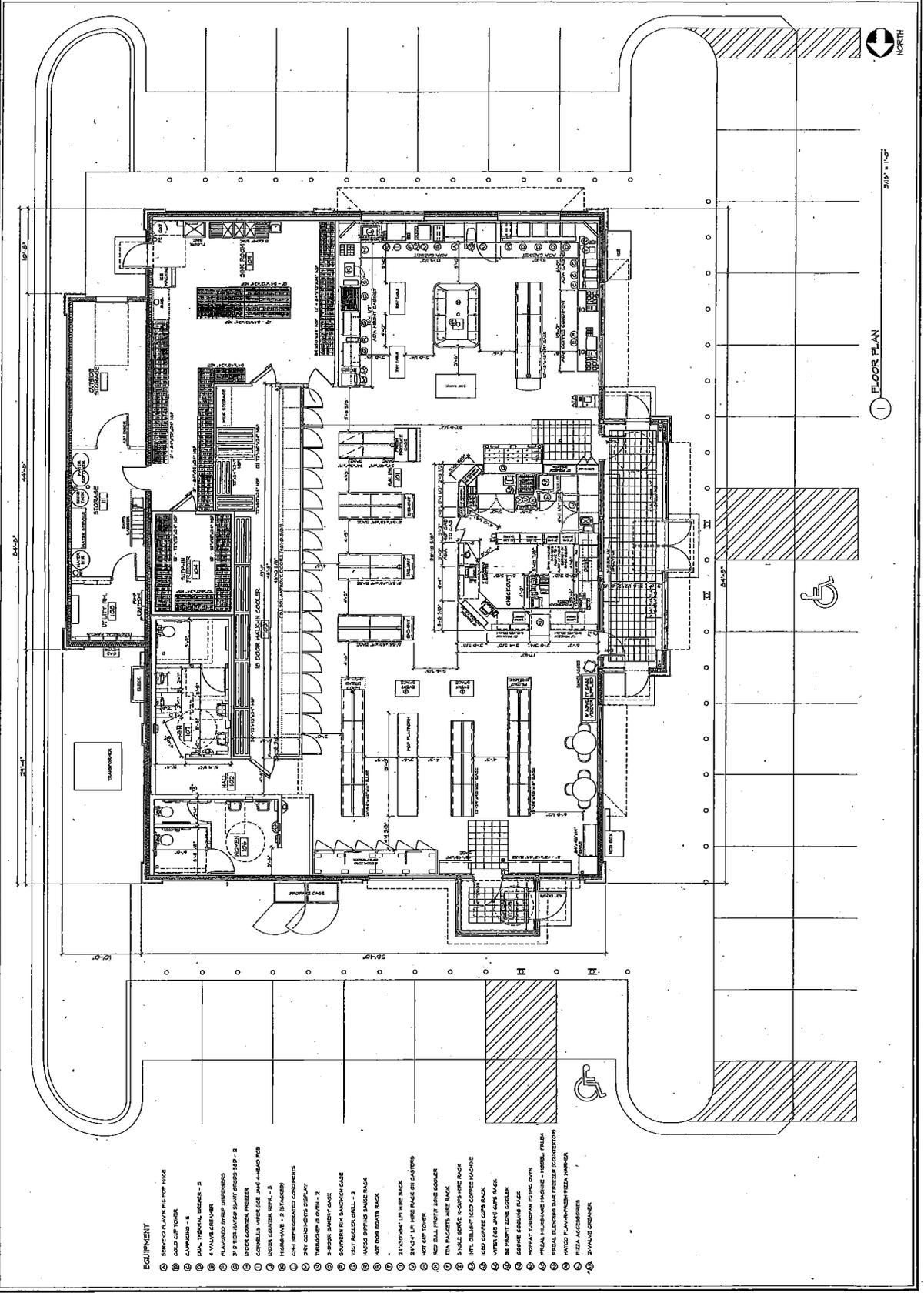


PROJECT NUMBER:	15-000-001
OWNER BY:	HL
DESIGNED BY:	JA
DRAWN BY:	DATE:
DATE:	12-11-15
CITY SUBMITAL:	

ALL QUESTIONS RELATED TO BIDDING AND CONTRACT ADMINISTRATION SHOULD BE REFERRED TO THE ARCHITECT. PROJECT MAILING ADDRESS:
JAKE BAUER
4551 AMERICAN BLVD. WEST
ST. PAUL, MN 55125
(612) 552-1818 (FAX)
jba@architecturalconsortium.com

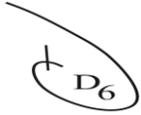
FLOOR PLAN

A1



EQUIPMENT

- ⑥ SERVICE BLANKETS FOR HISS
- ⑥ CASH REGISTER
- ⑥ CASHIER - 1
- ⑥ DUAL THERMAL BROWNS - 5
- ⑥ 4 VALVE GREASER
- ⑥ 3\"/>



District 6 Planning Council

171 Front Avenue
Saint Paul, MN 55117
651-488-4485 fax: 651-488-0343
district6ed@dist6pc.org

December 18, 2015

Zoning Committee of the Planning Commission
15 West Kellogg BLVD
Saint Paul, MN 55102

RE: Conditional Use Permit for replacement of an auto convenience market at 1608 Rice Street

District 6 Planning Council has no objection to the issuance of a conditional use permit to allow the existing Holiday Store be demolished and a new market built. The property lies within a B2 zoning district and will not change the use of the property since it is currently used as an auto convenience store.

Thank-you for your consideration of District 6 Planning Council's recommendation to allow the issuance of the permit.

Regards,

Jeff Martens

Jeff Martens
Chair, Land use Task Force

Cc: Ward 5

*Representing Saint Paul's North End Neighborhood
AA-ADA-EEO Employer*

1608 Rice Street



Subject Property - front



Subject Property - rear

1608 Rice Street



North of subject property



North of subject property

1608 Rice Street



South of subject property



South of subject property

1608 Rice Street



East of subject property



East of subject property

1608 Rice Street



West of subject property

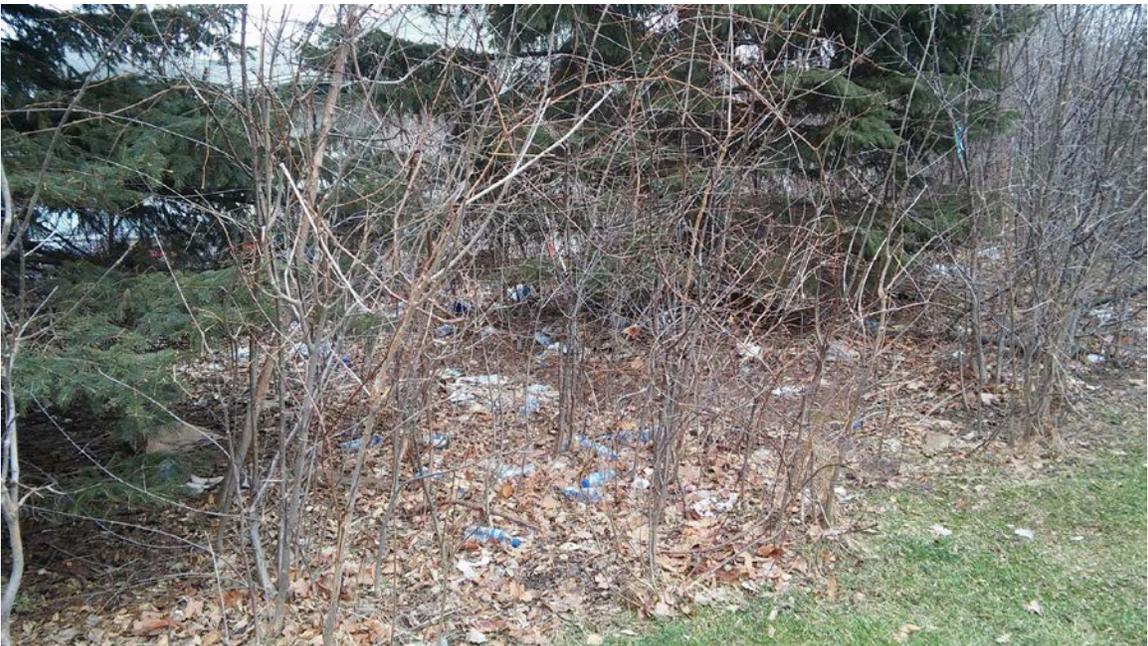


West of subject property

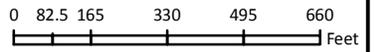
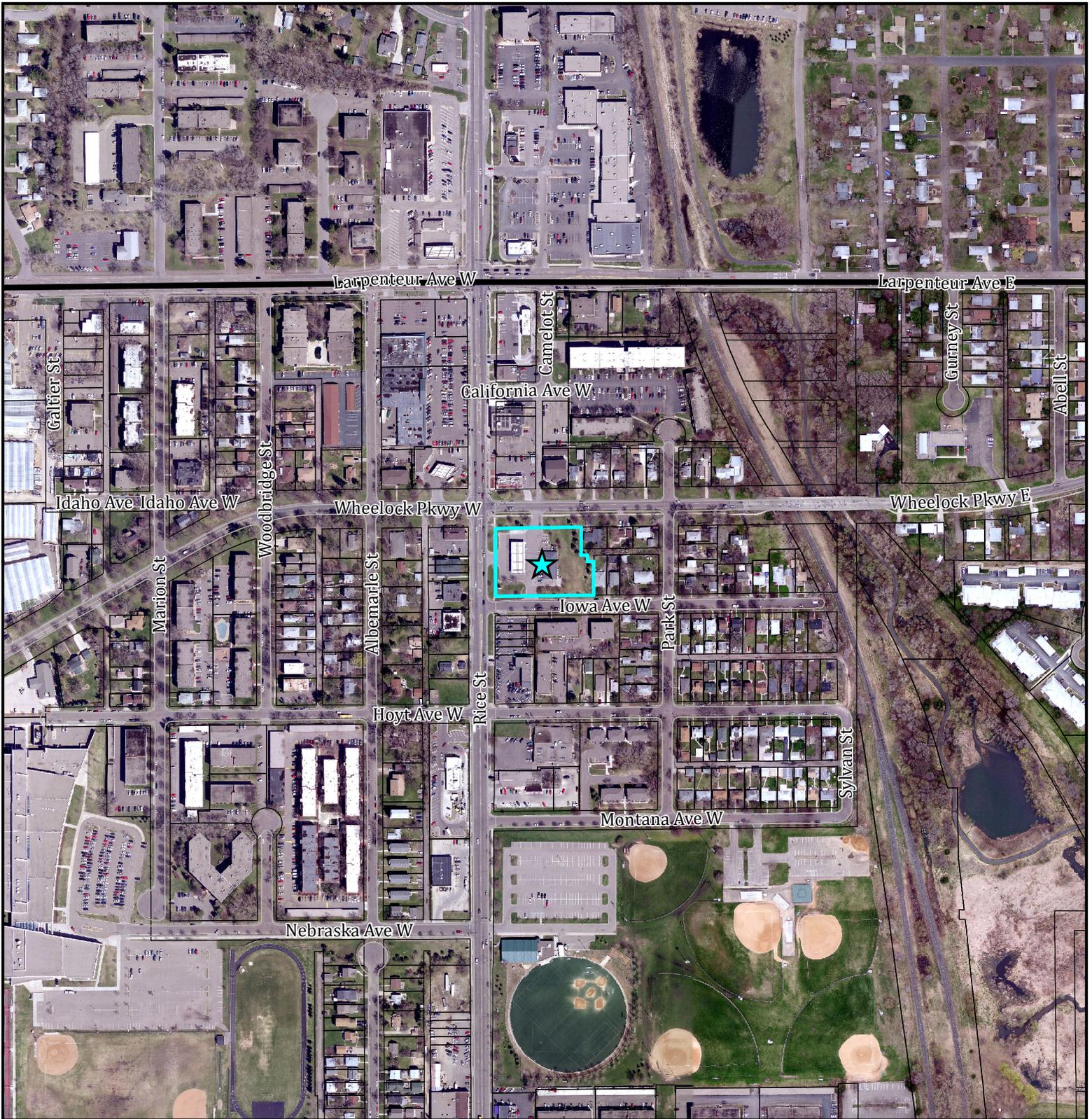
1608 Rice Street



Litter in buffer area



Litter in buffer area



FILE NAME: Holiday Stationstores **Aerial**

 Subject Parcels

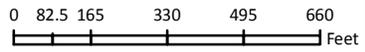
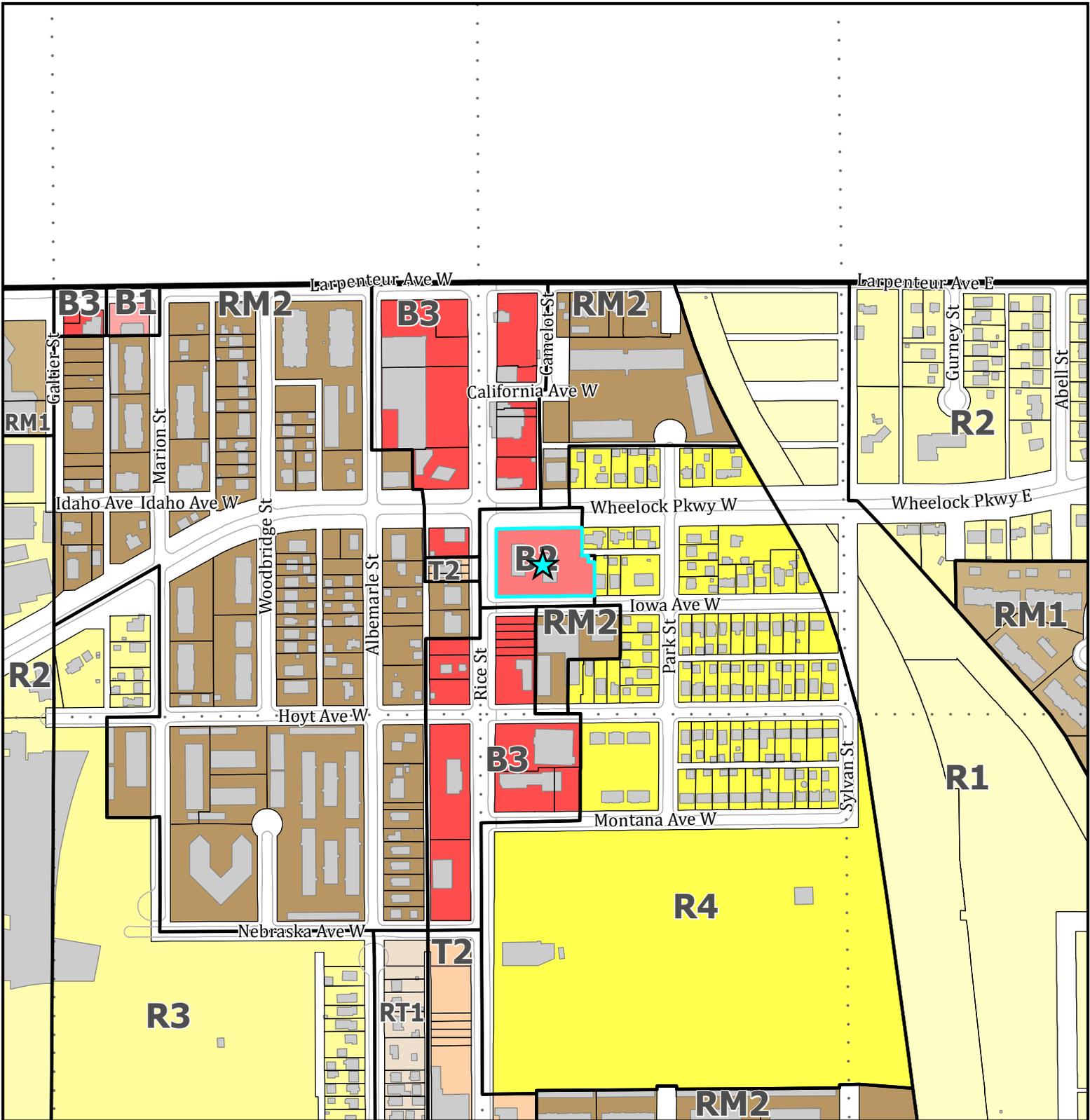
APPLICATION TYPE: CUP

FILE #: 15-185423 DATE: 12/11/2015

PLANNING DISTRICT: 6

ZONING PANEL: 4



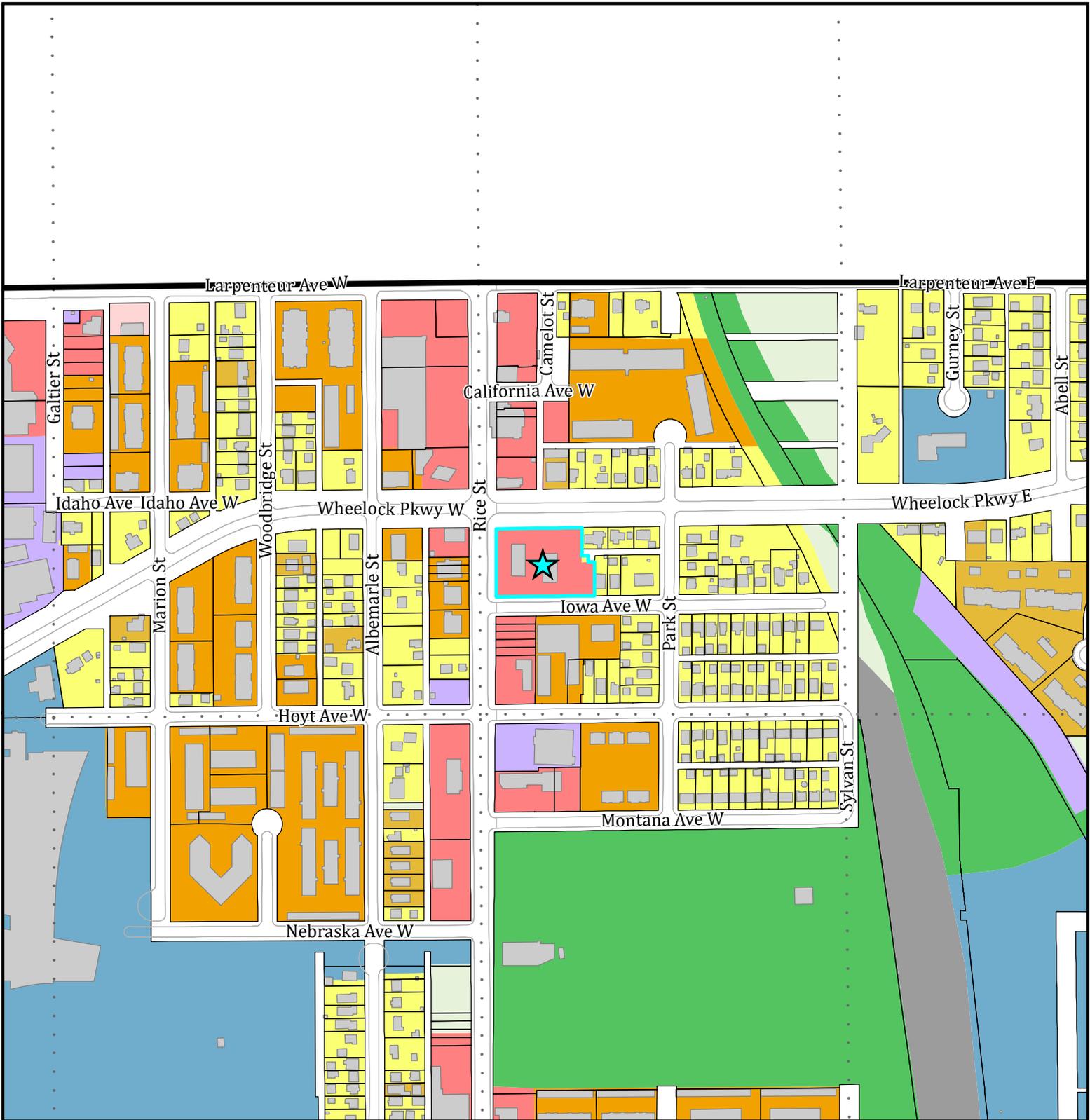


FILE NAME: Holiday Stationstores
 APPLICATION TYPE: CUP
 FILE #: 15-185423 DATE: 12/11/2015
 PLANNING DISTRICT: 6
 ZONING PANEL: 4

Zoning

- R1 One-Family
- R2 One-Family
- R3 One-Family
- R4 One-Family
- RT1 Two-Family
- RM1 Multiple-Family
- RM2 Multiple-Family
- T2 Traditional Neighborhood
- B1 Local Business
- B2 Community Business
- B3 General Business
- Subject Parcels
- Section Lines





FILE NAME: Holiday Stationstores

APPLICATION TYPE: CUP

FILE #: 15-185423 DATE: 12/11/2015

PLANNING DISTRICT: 6

ZONING PANEL: 4

Land Use

- | | |
|---|--|
|  Single Family Detached |  Park, Recreational or Preserve |
|  Single Family Attached |  Railway |
|  Multifamily |  Undeveloped |
|  Office |  Subject Parcels |
|  Retail and Other Commercial |  Section Lines |
|  Industrial and Utility | |
|  Institutional | |

