

ZONING COMMITTEE STAFF REPORT

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| 1. FILE NAME: St. Paws | FILE # 16-064-802 |
| 2. APPLICANT: Thomas Dunn | HEARING DATE: August 25, 2016 |
| 3. TYPE OF APPLICATION: Determination of Similar Use | |
| 4. LOCATION: 1920 University Ave W, between Prior and Lynnhurst Ave. W. | |
| 5. PIN & LEGAL DESCRIPTION: 33.29.23.24.0032; Union Park, NWly 12 ft. of NEly 15 Ft of Lot 151 and all of Lots 160 and 161 | |
| 6. PLANNING DISTRICT: 13 | EXISTING ZONING: T3 |
| 7. ZONING CODE REFERENCE: § 61.106, § 66.300 | |
| 8. STAFF REPORT DATE: August 18, 2016 | BY: Jacquelyn Kramer |
| 9. DATE RECEIVED: August 2, 2016 | 60-DAY DEADLINE FOR ACTION: October 1, 2016 |
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- A. **PURPOSE:** Determination whether indoor dog day care and overnight boarding is similar to other T3 traditional neighborhood district uses.
- B. **PARCEL SIZE:** 11,325 sq. ft. (.26 acres)
- C. **EXISTING LAND USE:** Dog day care and overnight boarding
- D. **SURROUNDING LAND USE:** The site is surrounded by a mix of retail, office, residential, and institutional uses along University Avenue as well as across the alley from the site along Oakley Avenue.
- E. **ZONING CODE CITATION:** § 61.106 authorizes the Zoning Administrator and the Planning Commission to make similar use determinations when a specific use is not listed in the Zoning Code, subject to required findings. § 66.300 identifies the intent and permitted principal uses in the T1-T4 traditional neighborhood zoning districts.

F. HISTORY/DISCUSSION:

Animal daycare is not specifically listed in the Zoning Code. Under the provisions of § 61.106 the Zoning Administrator issued a statement of clarification (attached) on February 7, 2007, that animal daycare for dogs and cats is similar to other uses permitted in the IT, I1 and I2 zoning districts, subject to the condition that in IT and I1 the entire operation must be within a completely enclosed building. The statement of clarification says that animal daycare in more restrictive zoning districts must be reviewed by the Planning Commission on a case by case basis to determine if it is similar to other uses permitted in the district. The Zoning Administrator also determined that daycare for up to three dogs and cats is permitted as a home occupation.

On May 18, 2007, the Planning Commission determined that dog day care with a fenced-in outdoor relief area is similar to other uses permitted in the B5 central business-service district subject to conditions for a fenced-in outdoor relief area, prompt and proper disposal of waste, and that there is no overnight boarding (Planning Commission Resolution # 07-36 attached).

On May 10, 2016, in response to a complaint received by the Dept. of Safety and Inspections about an illegal business, an inspection was conducted at 1920 University Avenue. The inspector found a dog day care business operating in the building.

G. **DISTRICT COUNCIL RECOMMENDATION:** The District 13 Council has not provided written comments on this application at the time of this report.

H. **FINDINGS:**

1. The application requests that indoor dog day care and overnight boarding be determined to be similar to uses allowed in the T3 traditional neighborhood zoning district. The applicant intends to use the property for a dog grooming, day care and overnight boarding business with 6 individual kennels and 2 rooms of "family style" kennels.

2. § 61.106 states that *when a specific use is not listed in the zoning code, ... any person proposing such use may file an application for the planning commission shall determine if a use is or is not similar to other uses permitted in each district. The ... planning commission shall make the following findings in determining one use is similar to another:*

(a) *That the use is similar in character to one (1) or more of the principal uses permitted.* This finding is not met. The dog day care and overnight boarding activities that take place inside the building are similar in character to child daycare and service businesses permitted in the T3 district. The applicant has taken steps to modify the building to limit impacts to adjacent buildings. The determination of similar use application states: "All the company's activities, apart from dog walking, shall all take place inside the building... The applicant plans to install noise deadening rubber floors and noise absorption panels. All waste shall be disposed of off-site on a daily basis. No waste shall enter the sanitary sewer system." However, the business utilizes nearby Iris Park for off-site animal relief, which has the potential for significant negative impacts on the maintenance and appearance of the park above and beyond the impacts typically found with other T3 uses.

(b) *That the traffic generated on such use is similar to one (1) or more of the principal uses permitted.* This finding is met. Traffic generated by dog day care and overnight boarding would be similar to child day care and other service businesses permitted in the T3 district.

(c) *That the use is not first permitted in a less restrictive zoning district.* This finding is met. Animal daycare and overnight boarding is not listed in the zoning code.

(d) *That the use is consistent with the comprehensive plan.* This finding is met. The proposed use is consistent with Objectives 5.1.1 and 5.2.1 of the Land Use chapter of the City's Comprehensive Plan. Objective 5.1.1 indicates that "good neighborhoods" have "a mixture of land uses." Objective 5.2.1 calls for compatible "mixed uses... in separate buildings in close proximity." The addition of dog day care and overnight boarding in this neighborhood will offer new services to residents.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends a denial of determination that indoor dog day care and overnight boarding is similar to other T3 Traditional Neighborhood district uses.



DETERMINATION OF SIMILAR USE 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 # 16-064802
Fee: 700.00
Tentative Hearing Date: 8-25-16

PD-13

332923240032

APPLICANT

Name Tom DUNN
Address 1920 UNIVERSITY AVE WEST
City ST. PAUL St. MN Zip 55104 Daytime Phone 952) 887-2000
Name of Owner (if different) _____
Contact Person (if different) MAGGIE DUNN Phone 952 356 5368

PROPERTY LOCATION

Address / Location 1920 UNIVERSITY AVE WEST
Legal Description _____
Current Zoning T3
(attach additional sheet if necessary)

REQUEST: Application is hereby made under provisions of Chapter 64, Section 300, Paragraph (G) of the Zoning Code for a Determination of Similar Use.

Current Use VACANT
Proposed Use DOG DAY CARE / BOARDING + GROOMING

SUPPORTING INFORMATION: Provide the following information (attach additional sheets if necessary).

- ☐ Is the use similar in character to one or more of the principal uses permitted in the zoning district?
- ☐ Is the traffic that the use will generate similar to traffic generated by one or more permitted uses?
- ☐ Is the use already permitted in a less restrictive zoning district?
- ☐ Required site plan is attached.

Applicant's Signature

Tom Dunn

Date

8/1/16

City Agent

add 8/1/16

Maggie Dunn

Maggiedunn01 @ gmail.com

APPLICATION FOR SIMILAR USE DETERMINATION



1920 UNIVERSITY AVENUE WEST

SAINT PAUL, MN

651-644-PAWS (7297)

www: Stpaws.dog

DETERMINATION OF SIMILAR USE APPLICATION

Applicant: Maggie Dunn

1920 University Avenue West

St. Paul, MN 55104

651-644-PAWS (7297)

www.stpaws.dog

Property Owner: Tom Dunn

Contact Person: Maggie Dunn

Request: Application is hereby made under the provisions of the Zoning Code for a Determination of Similar Use.

It is a pleasure to introduce St. Paws Dog Daycare, Boarding, and (soon to be) Grooming! The business opened in early February at 1920 University with full neighborhood support and has been going great ever since. On the next several pages, please find the business plan, floor plan and site plan which was distributed to the Union Park Neighborhood Association and to all the neighbors of the Property. We are thankful and pleased that one hundred percent of the neighbors, in addition to the Neighborhood Association, are as excited about the business opening as the Founder. Please find the letter of support from the Neighborhood Association in addition to the neighbor's signatures showing their support.

First and foremost, we are passionate about dogs, and the quality of life of all living things. It is strange to some, but having a canine companion can have a huge, deeply positive impact on a human. On one level or another, all dogs are therapy dogs. As the population density becomes more urban, people have less options in developing such relationships while providing an exceptional quality of life to their canine friends without the services of such a business as St. Paws. We have worked with dogs for over a decade; we know how to work with dogs (specifically in large groups) in a way that has a genuinely healthy impact on these animals. The business meshes well with the goals of Transit Oriented Development by expanding the breadth and scope of services being offered to high density populations. Please visit our web site, or better yet, stop in for a tour!

INTRODUCING

SAINT PAWS DOGGIE DAY CARE, LLC

952-356-5368

Please call with Questions

Saint Paws Doggie Day Care intends to open, hopefully, around the beginning of November, 2015. The business will be fully licensed and insured and will be located at 1920 University Avenue West, one block west of the light rail station at Fairview and University. The building offers two-foot thick brick exterior walls, high ceilings and 4,000 square feet. The business will only provide doggie day care, boarding and limited retail. The build-out is going to be Class A.

The company shall be based on leveraging the skills and expertise of the founder Maggie Dunn. After years supervising an animal shelter in northern Wisconsin, Maggie wants to create a family oriented, nurturing environment for dogs. Maggie will also be the general manager. Operating hours will be from 6:00 a.m. to 8 p.m, seven days a week.

There are no capital improvements needed inside the space aside from the installation of the flooring and kennel construction. The business will have three free reserved customer parking spaces directly in front of the door. Additional parking is available at 9 Oakley for both employees and customers. The company will have between 8 - 12 employees, but, at the most, only 3 - 4 on site at any one time.

The space is laid out perfectly. It is fully heated, vented and air conditioned with two-five ton roof top units. There will be two playgrounds: a small playground for about ten dogs and a large playground for about 20 dogs. Please see the attached floor plan.

The space is equipped with a fully handicap accessible unisex bathroom, along with another small bathroom and a janitor's closet. The front office will remain an office, while the two offices on the east wall will be converted to 'family' kennels. The large office in back will contain six permanent kennels. The entry will host limited retail inventory.

All the company's activities, apart from dog walking, shall all take place inside the building. No noise shall escape the interior of the building. Noise deadening rubber floors and noise absorption panels will be installed. All waste shall be disposed of off-site on a daily basis. No waste shall enter the sanitary sewer system. The cleanliness and neighborliness of the facility are the utmost goals.

The company will compete by offering a more cozy and inviting space, conveniently located and moderately priced. Signage will be placed on the pylon sign out front, plus on the side of the parking lot wall plus on the top of the store front to the space.

The use should be determined to be similar to past and surrounding uses. 1920 University, as recently as 1999, was used as a garment manufacturing facility. At its height, Abigail Uniforms, employed as many as forty people. It dissolved with the demise and passing of the founder and owner. The remodeling and restoration of the property to its historical look was given a 'Uni' Award upon completion in 2003. Prior to Abigail Uniforms it was the home of Murphy Trucking, who maintained their fleet of trucks at the site. Prior to that it was a Good Year Tire manufacturing facility. They actually melted down rubber in the building and manufactured tires. The property has been an industrial building since birth. So, it is perfectly suited for the needs of St. Paws, as it is large and well-ventilated. We were mistaken in thinking we need not apply for any applications because it was built as an industrial building. Though now that we know better we are happy to work with you and do whatever is best for St. Paws.

As far as other uses surrounding the property, next door to the west is a (human) daycare center. They are happy with having St. Paws share an adjoining wall. Noise transference is minimal thanks to 2 ft. thick brick walls, and there is no outside area. Two doors down to the west is a commercial space that has been vacant for more than fifteen years. Then, next door moving west, is the stellar historic business: Twin City Saw. Then we have the admirable non-profit Habitat for Humanity which is kitty-corner from Menards and across from the Tracks Bar & Grill and hotel.

Across the street we have a new apartment building for at risk youth being built next door to a strip mall anchored by a liquor store. Then there's the seemingly struggling Eritrean center, the Ramsey County Mental Health Center (which occupies one floor of an otherwise vacant five story office building with real estate taxes in excess of \$200,000 a year). Right next door to the subject to the east, is Second Harvest Food Shelf. Moving further east along University Avenue are dated storefronts with a couple of longtime owners (Laughlin's and St. Paul Fire and Safety) and then Iris Park.

There is a residential 4-plex directly behind the property and the owner and tenants are, graciously, all in support. Surrounding the 4-plex across the alley are all Industrial properties in the T3 Zoning, with an office building on the east corner across from Iris Park.

St. Paws fits in well with our surroundings as it generates no more traffic than our neighbors. Our customers come and go quickly as they drop-off and pick-up their dogs. We are quite similar to the human daycare in fact, except one big difference that we care for dogs rather than humans. Grooming is allowed in a T3 zoning, which will be a major part of

St. Paws as we grow, train groomers, and acquire the necessary equipment. St. Paws, after the year of change and growth, will be grooming (allowed) with an added bonus of daycare & boarding. We need your help in order to keep daycare & boarding. Our goal and reason for St. Paws is to provide well-rounded care for our dogs. We believe in, and dedicate our lives to providing for these animals in hopes of creating a better quality of life. I believe that spreads through their dogs and helps their families as well.

As yet no permanent exterior signs have been installed. We had the idea that we would apply for the permit once our permanent signs have been placed. This is why we did not apply for a sign permit. Please excuse this over-sight and allow us to file that with you now.

Prior to opening the business we received the unanimous support of the neighborhood organization, who are really excited (see their attached letter of support). We also received the support of 100% of the neighbors with the majority signing a letter of consent indicating their support (see attachment). All the neighbors were provided with a copy of the business plan, floor plan and site plan (attached). We then went to city offices to apply for our certificate of occupancy in November 2015, and were told to contact the area inspector, which we did.

All improvements were done under permit and were inspected and approved. A bathroom was converted to a janitor's closet; otherwise other improvements were just painting, cleaning, floor coverings, and kennel construction. The inspector did ask for a couple of specific items, such as a cover for the electrical panel and a panic bar on the back door. Both of which have been installed (see attached photos).

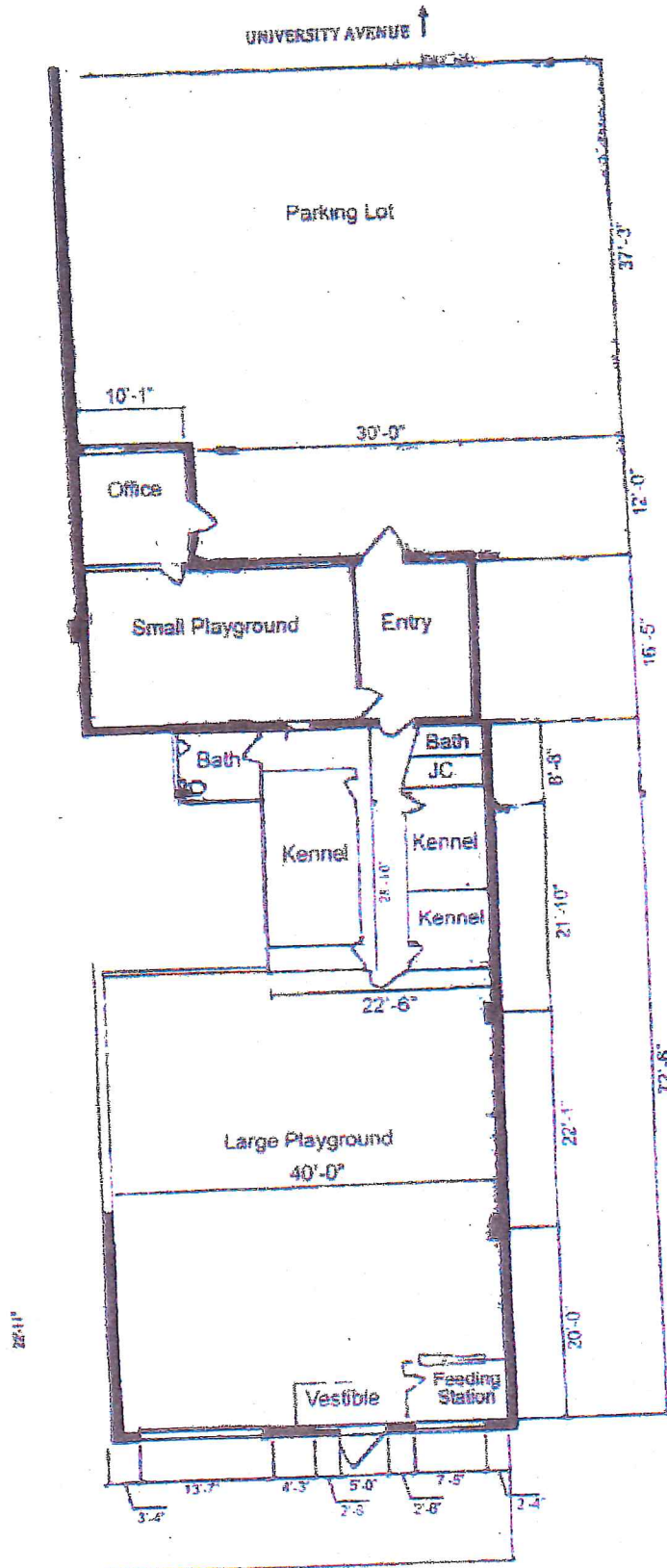
The business meshes admirably with the goals of Transit Oriented Development by contributing to the mix of goods and services needed to be offered locally in high density areas, thus reducing the demand for cars. In fact, some new apartment, condo developments and neighborhood developments incorporate Dog Parks as a modern amenity, which is essentially St. Paws.

As mentioned, the business has been warmly received by everyone and has already had a beneficial impact on the neighborhood. We have received an overwhelmingly enthusiastic welcome, not only from all the neighbors, but from customers and the community. It is truly a joy, and we are deeply grateful. We are so happy to contribute to our community. The dogs are regularly walked around Iris Park, to the delight of the neighbors.

Many elderly and disabled from surrounding assisted living homes stop in for visits to see the dogs, and to watch them play.

In conclusion, we ask you to join us, our neighbors, neighborhood association, and our customers in supporting this most precious business. We are prepared to work with you, and take each step necessary for St. Paws to be a positive, responsible, and successful business. Thank you for your time and consideration.

1920 UNIVERSITY AVENUE WEST
FLOOR PLAN



**CONSENT OF PROPERTY OWNERS
FOR SAINT PAWS DOGGIE DAY CARE AT
1920 UNIVERSITY AVE WEST**

WE, the undersigned, owners of the property within 100' feet of the subject property, acknowledge that we have been presented with the following:

A copy of the summary of the business plan along with all relevant site plans and building diagrams of Saint Paws Doggie Day Care to establish a Dog Day Care business at 1920 University Avenue West.

We consent, support and encourage the approval of the proposed use as a Dog Day Care and associated uses at the subject property.

Address or Pin	Record Owner	Signature	Date
<u>1926 University</u>	<u>15 Oakley &</u>	<u>[Signature]</u>	<u>10/7/15</u>
<u>1910-1912 Univ.</u>	<u>Cheryl Pharis</u>	<u>[Signature]</u>	<u>10-12-15</u>
<u>1930 University</u>			

19 Oakley

1900 University
504 Prior &
Oakley Parking

ROGER WYLAND

[Signature] 10/7/15

9 Oakley

TOM DUNN

[Signature] 10/7/15

[Signature]

BETH FRIEND 10/7/15

• 501 Lynhurst

1919 University

1935 University

1885 University

Resident Neighbors

Tenant

Signature

Date

1922 University

Saint Paul Learning Center

19 Oakley #1

19 Oakley #2

Melissa Marengo

[Signature] 10/13/15

19 Oakley #3

19 Oakley #4

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<u>1926 University</u> <u>15 Oakley &</u> <u>1910-1912 Univ.</u>	<u>Janet Molin</u>	<u>Janet mol</u>	<u>10-18-15</u>
<u>1930 University</u>	_____	_____	_____
<u>19 Oakley</u>	_____	_____	_____
<u>1900 University</u> <u>504 Prior &</u> <u>Oakley Parking</u>	_____	_____	_____
<u>9 Oakley</u>	_____	_____	_____
<u>501 Lynhurst</u>	_____	_____	_____
<u>1919 University</u>	_____	_____	_____
<u>1935 University</u>	_____	_____	_____
<u>1885 University</u>	_____	_____	_____

Resident Neighbors	Tenant	Signature	Date
<u>1922 University</u>	<u>Saint Paul Learning Center</u>	_____	_____
<u>19 Oakley #1</u>	_____	_____	_____
<u>19 Oakley #2</u>	_____	_____	_____
<u>19 Oakley #3</u>	_____	_____	_____
<u>19 Oakley #4</u>	_____	_____	_____

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<u>1926 University</u> <u>15 Oakley &</u> <u>1910-1912 Univ.</u>	<u>M. W. Haugh</u>	<u>[Signature]</u>	<u>10/7/15</u>

<u>1930 University</u>	<u>Cheryl Phans</u>	<u>[Signature]</u>	<u>10-12-15</u>
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19 Oakley

<u>1900 University</u> <u>504 Prior &</u> <u>Oakley Parking</u>	<u>ROGER WYLAND</u>	<u>[Signature]</u>	<u>10/7/15</u>
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<u>9 Oakley</u>	<u>TOM DUNN</u>	<u>[Signature]</u>	<u>10/7/15</u>
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• 501 Lynhurst

<u>1919 University</u>	_____	_____	_____
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<u>1935 University</u>	_____	_____	_____
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<u>1885 University</u>	_____	_____	_____
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Resident Neighbors	Tenant	Signature	Date
<u>1922 University</u>	<u>Saint Paul Learning Center</u>	<u>[Signature]</u>	<u>10/19/2015</u>

<u>19 Oakley #1</u>	_____	_____	_____
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<u>19 Oakley #2</u>	<u>Melissa Mancuso</u>	<u>[Signature]</u>	<u>10/13/15</u>
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<u>19 Oakley #3</u>	_____	_____	_____
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<u>19 Oakley #4</u>	_____	_____	_____
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FOR SAINT PAWS DOGGIE DAY CARE AT
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<u>1910-1912 Univ.</u>	_____	_____	_____
<u>1930 University</u>	_____	_____	_____
<u>19 Oakley</u>	_____	_____	_____
<u>1900 University</u>	_____	_____	_____
<u>504 Prior &</u>	Prior Properties, LLC		
<u>Oakley Parking</u>	_____	_____	_____
<u>9 Oakley</u>	_____	_____	_____
<u>501 Lynhurst</u>	_____	_____	_____
<u>1919 University</u>	_____	_____	_____
<u>1935 University</u>	_____	_____	_____
<u>1885 University</u>	_____	_____	_____

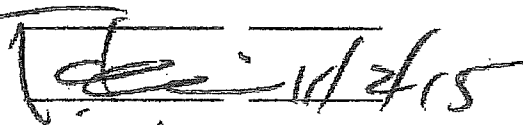
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<u>1922 University</u>	Saint Paul Learning Center	_____	_____
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<u>19 Oakley #3</u>	_____	_____	_____
<u>19 Oakley #4</u>	_____	_____	_____

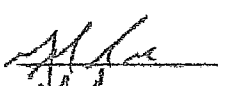
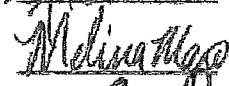
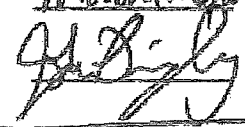
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<u>1910-1912 Univ.</u>	_____	_____	_____
<u>1930 University</u>	_____	_____	_____
<u>19 Oakley</u>	Thomas Tulien		11/2/15
<u>1900 University</u>	_____	_____	_____
<u>504 Prior &</u>	_____	_____	_____
<u>Oakley Parking</u>	_____	_____	_____
<u>9 Oakley</u>	_____	_____	_____
<u>501 Lynhurst</u>	_____	_____	_____
<u>1919 University</u>	_____	_____	_____
<u>1935 University</u>	_____	_____	_____
<u>1885 University</u>	_____	_____	_____

Resident Neighbors	Tenant	Signature	Date
<u>1922 University</u>	Saint Paul Learning Center	_____	_____
<u>19 Oakley #1</u>	Michael Lee		10/26/15
<u>19 Oakley #2</u>	Melissa Marengo		10/25/15
<u>19 Oakley #3</u>	John Dinghly		10/23/15
<u>19 Oakley #4</u>	Sam Johnson	_____	_____

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FOR SAINT PAWS DOGGIE DAY CARE AT
1920 UNIVERSITY AVE WEST**

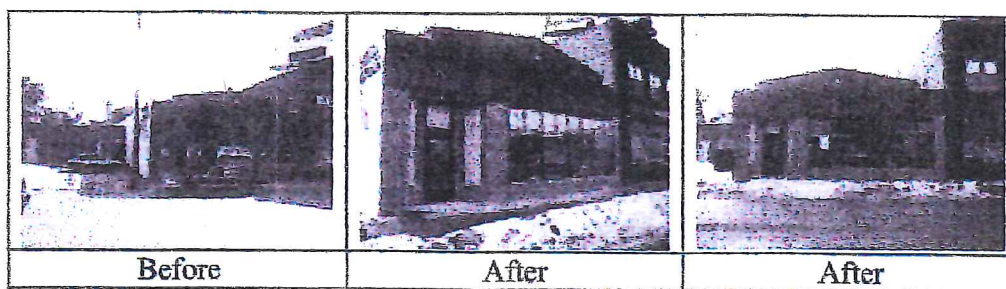
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<u>1900 University</u>	_____	_____	_____
<u>504 Prior &</u>	_____	_____	_____
<u>Oakley Parking</u>	_____	_____	_____
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<u>19 Oakley #3</u>	_____	_____	_____
<u>19 Oakley #4</u>	_____	_____	_____

J. Tebben *[Signature]* 10.22.15



1922 University Avenue, St. Paul

This one-story commercial structure was built in 1914 and has had a succession of occupants reflecting the changing nature of University Avenue. Tom Dunn recently purchased the building, and had to start his renovation by removing over one thousand yards of remnants left by the former occupant, Abigail Uniforms. Dunn then proceeded to virtually rebuild all of the mechanical systems and replace exterior doors and windows. The renovation focused on turning the building from an inward to an outward orientation. Dunn used as his guide a historical photograph dating back to 1937, a time when Murphy Trucking Company had occupied the building. He removed the old storefront that essentially sealed up the front facade, and replaced it with a close replication of its historical appearance.

With its utilitarian style and simple elegance, the building has provided a reassuring note to the streetscape for almost a century. The Awards Panel was impressed by the level of sensitivity and extra effort put into this renovation by the owner.







Dog Daycare

Click below to learn more about St. Paws dog daycare prices and discount packages!

[info here!](#)

Dog Boarding

To find out more about St. Paws boarding rates and packages, click below!

[read more!](#)

Reservations

Make a quick, and easy reservation online by clicking the link below!

[click here!](#)

Register

Register for daycare & boarding in 3 easy steps!

1. Intake Form
2. Vet Records
3. Doggy Interview

[info & forms here!](#)



St. Paws

Dog Daycare & Boarding

MAIN

ABOUT

SERVICES

NEW GUEST

RESERVATIONS



About Us

St Paws is a dog-loving family- owned doggy daycare & boarding facility located on University Ave W in St Paul. Due to our smaller size, our staff is better able to have a personal relationship with your dog and will be more able to cater to his or her needs. St Paws provides a safe and nurturing environment for your dog(s) to engage in proper socialization, exercise, and mind stimulation.

Our facility is equipped with special rubber floors that are sanitary and easy on your dogs joints. We have separated playrooms for dogs of different sizes/temperaments, cozy beds and kennels available for boarding, and lots of toys and play equipment! We are conveniently located next to Iris Park where the dogs will be walked when weather permits, and the Bannfield Pet Hospital in case of emergency.

St Paws is dedicated to providing a loving, intimate, and stimulating environment for your dog when you're working or out of town. To keep your dog's tail wagging when you're away, bring them to St Paws in St Paul.





Our Staff

At St. Paws employees are trained and professional in performing with love. We have to make sure your dog is happy, properly cared for, and receiving everything they need.



Facility

St. Paws has a huge blue field with multiple spaces to run, a walk right next door, and we're always checking on it. It is a happy place with a lot of love. That is easy on your dog, paws and tails!

St Paws

Dog Daycare & Boarding

1920 University Avenue
West, Saint Paul, MN

651-644-PAWS (7297)

stpawsdog@gmail.com

Hours

Monday - Friday: 7-8

Saturday & Sunday: 9-5



Pet of the month!

(wins one free day of daycare!)



Frankie!

We love this charming young man! He is always making us smile, and loves to play!

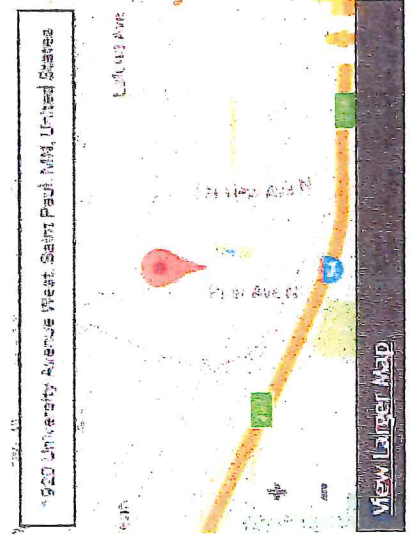
Walks in his Park

at St. Paws your dogs get to enjoy the fresh air on a walk through the park with our trained team. We can help your little friend walk nicely on their leash.

Humane Society

A portion of our proceeds every month is donated to the amazing Humane Society in order to help animals find security, love, and companionship!

Click here to visit
humane.org



St. Paws in St. Paul

Dog Daycare & Boarding

1920 University West
St. Paul, MN 55104

(651) 644-PAWS (7297)

stpawsdog@gmail.com



February 7, 2007

STATEMENT OF CLARIFICATION

ANIMAL DAYCARE

Animal daycare is not specifically listed as a permitted use under the City's Zoning Code. When a use is not specifically listed, the City's Zoning Administrator will make a determination as to where the use fits within the Zoning Code. The Zoning Administrator has determined that an animal daycare (dogs and cats only) commercial use is similar to other uses in the IR, I1, and I2 zoning districts. Within the IR and I1 districts the use would be an indoor use only. The entire operation must be located within a completely enclosed building. Within the I2 district the use may have an accessory outdoor, fenced run/relief area provided the property does not adjoin a property occupied by a residential use. The outdoor run/relief area shall be supervised when any animals are occupying this area.

Animal daycare in a more restrictive zoning district must be reviewed by the Planning Commission on a case by case basis to determine if they are similar in use to other uses in that district.

The Zoning Administrator has also determined that an animal daycare as a Home Occupation is permitted for dogs and cats only, with up to a total of three (3) animals.

There are currently no provisions in the City's Licensing Code for Animal Daycares. We are currently in the process of revising the City's licensing ordinance to include licenses for Animal Daycare (Home location) and Animal Daycare (Commercial location-petition required).

Jeffrey J. Hawkins
LIEP Inspector III

CITY OF SAINT PAUL, MINNESOTA
(Determination of Similar Use)

ZONING FILE NO: 07-064-978

APPLICANT: Lowertown Dogs, Joe Altstatt

PURPOSE: Determination that dog day care is similar to other B5 Central Business-Service District uses

LOCATION: 443 Wall St., between 8th & 7th St.

LEGAL DESCRIPTION: PIN 312922440015, WHITNEY AND SMITHS ADDITION TO ST. PAUL EX SELY 8 FT FOR ALLEY LOT 3 BLK 3

ZONING COMMITTEE ACTION: Recommended approval with condition(s)

PLANNING COMMISSION ACTION: Approved with conditions on May 18, 2007

CONDITIONS OF THIS PERMIT: Conditions specified in Sec. 61.106 and the following additional conditions:

1. The applicant must provide a fenced-in outdoor relief area for the business.
2. The applicant must provide prompt and proper disposal of waste, pursuant to a plan that must be submitted to, reviewed and approved by the Department of Safety and Inspections.
3. There shall be no overnight boarding of animals.

APPROVED BY: Brian Alton, Commission Chairperson

I, the undersigned Secretary to the Zoning Committee of the Planning Commission for City of Saint Paul, Minnesota, do hereby certify that I have compared the foregoing copy with the original record in my office; and find the same to be a true and correct copy of said original and of the whole thereof, as based on minutes of the Saint Paul Planning Commission meeting held on May 18, 2007 and on record in the Saint Paul Planning Office, 25 West Fourth Street, Saint Paul, Minnesota.

This permit will expire two years from the date of approval if the use herein permitted is not established.

The decision to grant this permit by the Planning Commission is an administrative action subject to appeal to the City Council. Anyone affected by this action may appeal this decision by filing the appropriate application and fee at the Zoning Office, 1400 City Hall Annex, 25 West Fourth Street. **Any such appeal must be filed within 10 calendar days of the date of the Planning Commission's decision.**

Violation of the conditions of this permit may result in its revocation.

Carol A. Martineau
Secretary to the Saint Paul
Zoning Committee

Copies to:

Applicant	Lowertown Dogs, Joe Altstatt
File No.	07-064-978
Zoning Administrator	Wendy Lane
License Inspector	Christine Rozek
District Council	17

Mailed: May 18, 2007

city of saint paul
planning commission resolution
file number 07-36
date May 18, 2007

WHEREAS, Joe Altstatt, File # 07-064-978, has applied for a Determination that dog day care is similar to other B5 Central Business-Service District uses under the provisions of '61.106 of the Saint Paul Legislative Code, on property located at 443 Wall St, Parcel Identification Number (PIN) 312922440015, legally described as WHITNEY AND SMITHS ADDITION TO ST. PAUL EX SELY 8 FT FOR ALLEY LOT 3 BLK 3; and

WHEREAS, the Zoning Committee of the Planning Commission, on May 10, 2007, 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/property owner requests that the Planning Commission determine that animal day care is similar to other uses permitted in the B5 Central Business-Service District. The applicant/property owner intends to lease the building to the operators of the business, who plan on using it for a day care, grooming and training facility for dogs. In addition, the business owners intend to use a portion of the adjacent property to the southwest along Wacouta Street for a fenced-in outdoor relief area for the pets (the size of two parking spaces), for which the applicant has received verbal approval from that landowner.
2. ' 61.106 states: "When a specific use is not listed in the zoning code ... any person proposing such use may file an application for the planning commission to determine if a use is or is not similar to other uses permitted in each district. The ... planning commission shall make the following findings in determining one use is similar to another:
 - (a) *That the use is similar in character to one (1) or more of the principal uses permitted.* This finding is met. Animal day care is consistent with the intent of the B5 Central Business-Service District in § 61.106: "*The B5 Central Business-Service District is intended to provide necessary services for the population area which is served by all of the previous business districts. Such service establishments often involve objectionable influences, such as noise from heavy service operations and large volumes of truck traffic, and are thus incompatible with the previous business districts. The district provides for . . . business uses which are needed in proximity to the Central Business District and require central location to permit serving the entire city.*" Animal day care is needed to serve downtown residential uses. Noise associated with the proposed fenced outdoor relief area for the pets is not likely to approach the level of noise created by heavy service operations and large volumes of truck traffic involved with some uses permitted in the B5 district. Uses permitted in the B5 district

moved by Morton
seconded by _____
in favor 17
against 1 (Kramer)

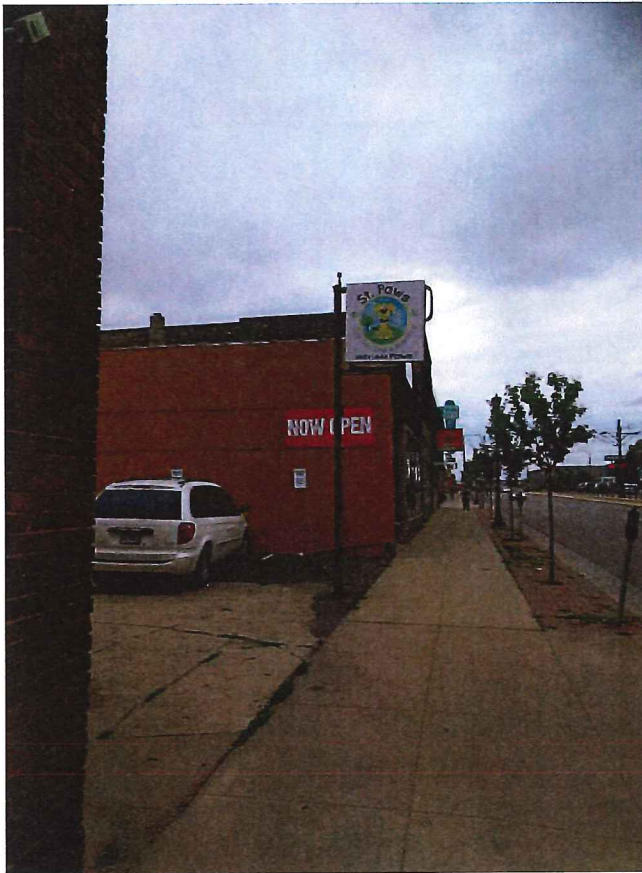
include public utility heating or cooling plant, drive-through sales and services, outdoor restaurant, auto service station, auto repair station, recycling drop-off station, warehousing, and storage. At this particular location the noise from I-94 is likely to drown out much of the pet noise generated by the outdoor relief area.

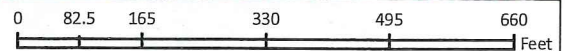
- (b) *That the traffic generated by such use is similar to one (1) or more of the principal uses permitted.* This finding is met. Animal day care in the B5 district will primarily serve the downtown residential market, some pet-owners will walk their pets to the site, and it is not likely to result in much traffic in the area. For pet owners from outside of downtown, the B5 district has a central location and excellent access from arterial streets. The use will generate relatively small amounts of traffic, mostly drop-off and pick-up car traffic during rush hours, similar to day care centers for kids (permitted in the B5 and more restrictive zoning districts). The amount of traffic generated by animal day care is less than many of the uses permitted in the B5 district.
- (c) *That the use is not first permitted in a less restrictive zoning district.* The finding is met. Animal daycare is not listed in the Zoning Code.
- (d) *That the use is consistent with the comprehensive plan.* The proposed use is consistent with Objectives 5.1.1, 5.2.1, and 4.2.2 of the Land Use chapter of the City's Comprehensive Plan. Objective 5.1.1 indicates that "good neighborhoods" have "a mixture of land uses." Objective 5.2.1 calls for compatible "mixed uses... in separate buildings in close proximity." Objective 4.2.2 calls for the continuous evolution of Downtown Saint Paul, including office, retail, government, culture, entertainment, visitor accommodations, and housing. Animal day care is needed to serve the downtown residential market, and is consistent with these Land Use Plan objectives.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Joe Altstatt for a determination that dog day care is similar to other B5 Central Business-Service District uses at 443 Wall St is hereby approved, with the following conditions:

1. The applicant must provide a fenced-in outdoor relief area for the business.
2. The applicant must provide prompt and proper disposal of waste, pursuant to a plan that must be submitted to, reviewed and approved by the Department of Safety and Inspections.
3. There shall be no overnight boarding of animals.

Photos taken Friday, August 12, 2016





FILE NAME: St. Paws

Aerial

APPLICATION TYPE: DSU

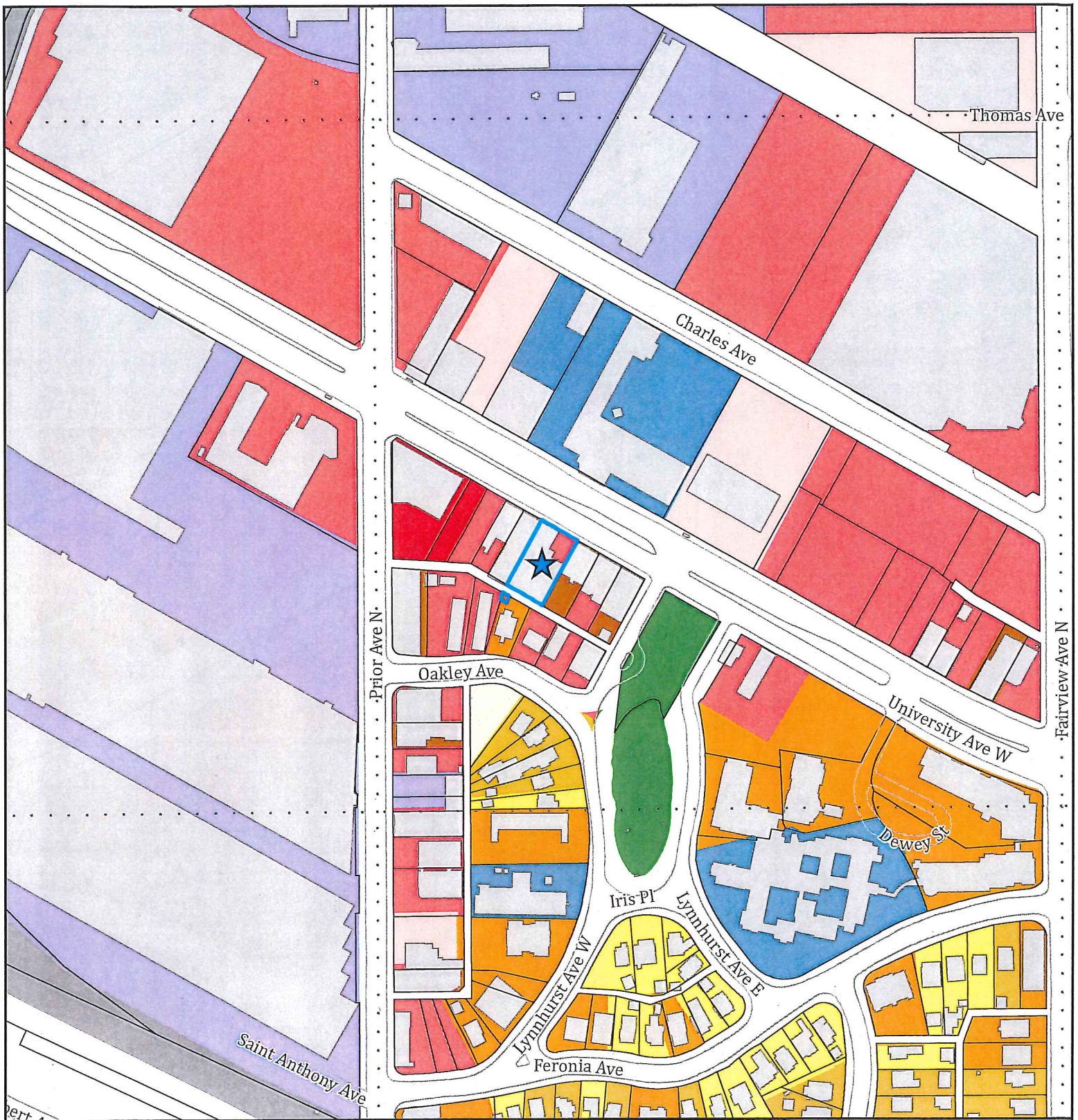
 Subject Parcels

FILE #: 16-064802 DATE: 8/2/2016

PLANNING DISTRICT: 13

ZONING PANEL: 7





FILE NAME: St. Paws

APPLICATION TYPE: DSU

FILE #: 16-064802 DATE: 8/2/2016

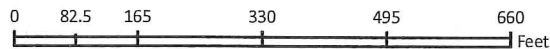
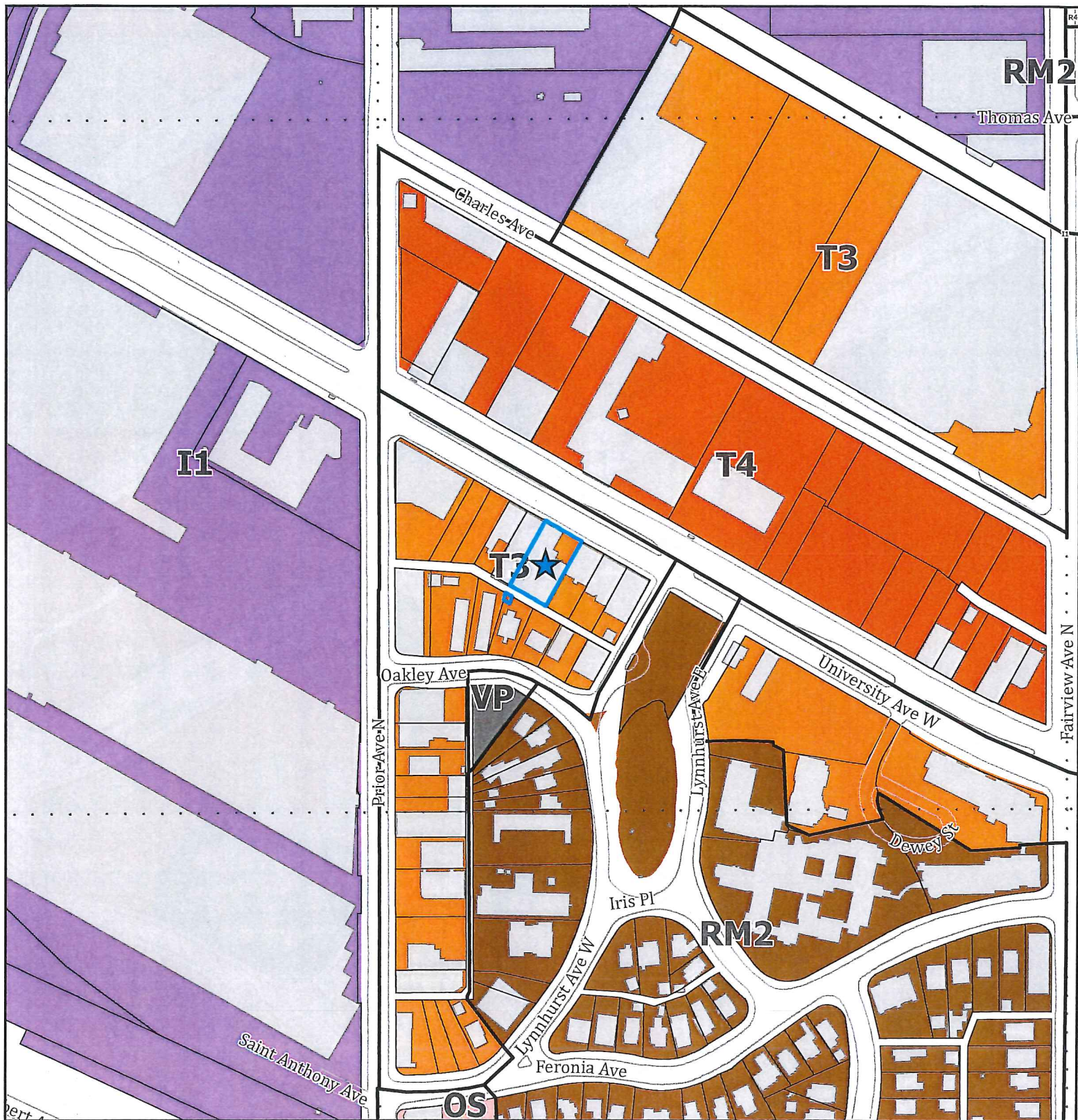
PLANNING DISTRICT: 13

ZONING PANEL: 7

Land Use

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





FILE NAME: St. Paws

APPLICATION TYPE: DSU

FILE #: 16-064802 DATE: 8/2/2016

PLANNING DISTRICT: 13

ZONING PANEL: 7

Saint Paul Department of Planning and Economic Development and Ramsey County

Zoning

Subject Parcels

• • Section Lines

R4 One-Family

RM2 Multiple-Family

T3 Traditional Neighborhood

T4 Traditional Neighborhood

OS Office-Service

I1 Light Industrial

VP Vehicular Parking

