

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Rift Valley Transportation **FILE #** 17-014-925
 2. **APPLICANT:** Rift Valley Transportation **HEARING DATE:** March 16, 2017
 3. **TYPE OF APPLICATION:** Determination of Similar Use
 4. **LOCATION:** 1025 and 1033 Thomas Ave, NE corner at Oxford
 5. **PIN & LEGAL DESCRIPTION:** 35.29.23.22.0074 & 35.39.23.22.018; see file for legal description
 6. **PLANNING DISTRICT:** 7 **EXISTING ZONING:** B3
 7. **ZONING CODE REFERENCE:** § 61.106
 8. **STAFF REPORT DATE:** February 28, 2017 **BY:** Tony Johnson
 9. **DATE RECEIVED:** February 27, 2017 **60-DAY DEADLINE FOR ACTION:** April 28, 2017
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- A. **PURPOSE:** Determination of similar use for office, parking, and light maintenance for a passenger van transportation company.
- B. **PARCEL SIZE:** 27,442 sq. ft.; 255 Ft. frontage on Thomas & 78.58 ft. frontage on Oxford
- C. **EXISTING LAND USE:** passenger van transportation company
- D. **SURROUNDING LAND USE:**
 - North: Multifamily Residential (RM2)
 - East: One-Family Residential (RM2)
 - South: One- & Two-Family Residential (RM2)
 - West: Mixed Use Residential and Commercial (B3)
- E. **ZONING CODE CITATION:** § 61.106 authorizes the Planning Commission to make similar use determinations when a specific use is not listed in the zoning code.
- F. **PARKING:** Zoning Code § 63.207 requires 1 off-street parking space per 400 sq. ft. GFA for office space, and 1 off-street parking space per 400 sq. ft. GFA for auto repair plus 1 space per auto service stall. The office is 2,039 sq. ft. and auto repair area is 3,721 sq. ft. with no stalls. The previous use, the sign business, required 1 space per 1000 sq. ft. GFA. Per zoning code § 63.204, when any existing use within a structure changes to a new use which requires more off-street parking spaces than the existing use as determined by section 63.207, then the additional required off-street parking spaces must be provided. The sign manufacturing use required 13 off street parking spaces. The office and auto repair portion of Rift Valley Transportation requires 14 off-street parking spaces. The accessory storage shed is being used for parking vehicles and would therefore not have any required parking. One additional off street parking space would need to be added for the change of use. The applicant is proposing to construct a surface parking lot with 23 new off-street parking spaces for employee parking.
- G. **HISTORY/DISCUSSION:** The main brick structure at the subject property was originally constructed as creamery in 1919. When the first zoning code was enacted in 1922, the portion of the property with the main structure was zoned light industrial and the portion of the property with the accessory storage shed was zoned commercial. When a new zoning code was adopted in 1975, both parcels of the subject property were rezoned to B3. Prior to the property being purchased by the applicant it was a sign business, a permitted use in the B3 zoning district under the general use category *limited production and processing*. In August of 2016 the property was purchased by Rift Valley Transportation and has been home to the business since that time. In October, 2016, the property was inspected for a Certificate of Occupancy, at which time the question of whether this use is permitted in the B3 zoning district was raised.
- H. **DISTRICT COUNCIL RECOMMENDATION:** No District 7 comment at the time of this report.

I. FINDINGS:

1. Rift Valley Transportation is a privately owned and operated transportation company that provides transportation services to several Minnesota school districts, medical insurance companies, non-profit social service agencies, and other privately owned companies. The company was established in 2005 and moved to 1033 Thomas in 2016. According to the applicant, the subject property is ideal for their growing business because it is large enough to accommodate their growing fleet of vehicles within the enclosed accessory structure and the main brick building has space available for light maintenance of the vehicles.
2. Zoning Code § 61.106, *Similar use determination*, provides that the planning commission may determine if a use is similar to other uses permitted in a district when a use is not specifically listed in the zoning code, and that the Planning Commission shall make the following findings in making a similar use determination.

(a) *That the use is similar in character to one (1) or more of the principal uses permitted.*

This finding is met. There are four main components to the van transportation business: an office, parking of vehicles, light maintenance of vehicles, and transportation of people. A number of uses permitted in the B3 zoning district are similar in character to the individual components of the proposed use, with similar potential off site impact.

The office component of the business is a permitted use in a B3 zoning district.

Parking of vehicles associated for the business is similar to numerous uses permitted in the B3 zoning district that use vehicles as part of their business operations. Unlike many of these uses where vehicles associated with the business are parked outside, the subject property has a large accessory shed that has the capacity to store all of the transportation vehicles within an enclosed structure, thereby lessening the visual impact on neighboring properties. The zoning code recognizes the distinction between vehicles being stored in enclosed structure as opposed to being stored outside with auto sales and rental uses. For example, outdoor auto sales and rental is a conditional use in a B3 subject to a number of conditions, whereas, indoor auto sales are a permitted use with no supplemental standards. This suggests that storage of vehicles indoors is a large enough distinction between the two uses to mitigate potential impact on neighboring properties. In this respect, the proposed use is similar to indoor auto sales, which is permitted outright in a B3 zoning district. As a part of the site plan submitted with this application, the applicant is proposing to develop an outdoor accessory parking lot that will be used for employee parking, in addition to the existing off street parking available in the enclosed structures that is used for parking company vehicles. Adding this supplemental parking lot will allow employees to park on site rather than on adjacent streets.

Light maintenance of the company vehicles is similar but less intensive than auto repair, which is a conditional use in the B3 zoning district. The light maintenance conducted on site is limited to minor upkeep on their fleet of vehicles; more extensive repairs are done at another location. It would be possible for auto repair, if it were to be a principal use at this site, to comply with all the applicable development standards in § 65.705 for auto repair. Light maintenance of the company vehicles for the business has less potential off site impact than an auto repair business open to the general public, a principal use permitted at this location.

The transportation component of the business is similar to package delivery services, a permitted use in B3. Like package delivery services, all of the trips from of Rift Valley Transportation are prearranged, and have comparable off site impact from vehicular trips to and from the site. The business is also similar to a package delivery services regarding the limited size of the vehicles associated with the business operations. The

package delivery service definition in Zoning Code § 65.530 states that the size of vehicles is *primarily single axle straight trucks or smaller* vehicles, similar in to the type III school buses that are used for Rift Valley Transportations business operations.

The transportation component of the business has less impact on surrounding property that a bus passenger station, a permitted use in the B3 district.

(b) *That the traffic generated on such use is similar to one (1) or more of the principal uses permitted. This finding is met.* About 70% of the business's current contracts are derived from driving students to school. Traffic generated by the van transportation company for this is similar to a school, a permitted use in B3. The remaining 30% of their contracts are with medical insurance companies, non-profit social service agencies, and other privately owned companies. The traffic patterns generated by contracts with these types of businesses are often on an appointment basis, similar to traffic patterns of service businesses with a showroom or workshop, a permitted use in B3. *Service business with showroom or workshop* is defined in § 65.534 as including such things as contractors (electrical, heating, air conditioning, mechanical, painter, plumber, etc.) that send out service vans on an appointment basis.

(c) *That the use is not first permitted in a less restrictive zoning district. This finding is met.* Although there are some aspects of the business that are similar to transportation uses first permitted in I1, the business is substantially different from these regarding the limited size of vehicles, all trips being pre-arranged, and indoor parking of vehicles.

The vehicles used for the business operations are limited to Type III school buses which are defined by Minnesota State Statute 169.011 Subd. 71 (h). Type III school buses are restricted to passenger cars, station wagons, vans, SUV's and buses having a maximum manufacturer's rated seating capacity of ten or fewer people, including the driver, and a gross vehicle weight rating of 10,000 pounds or less.

The company's drivers typically leave for their pre-arranged routes in the morning and don't return to their vehicles to the business until their route is done in the evening. Because all of the routes are prearranged, there is less of an impact on neighboring properties compared to other transportation uses in less restrictive districts, where drivers may be coming and going from the site throughout the day.

The business at 1033 Thomas parks its entire fleet of vehicles within an enclosed structure, lessening impact on neighboring properties.

(d) *That the use is consistent with the comprehensive plan. This finding is met.* Strategy 2.2 of the land use chapter calls for the redevelopment of outmoded and non-productive sites so they can sustain existing industries and attract emerging industries to Saint Paul. Because of the design and location of the buildings, reuse for most other uses permitted in the B3 zoning district would be unfeasible. The industrial design of the buildings is ideal for the passenger van transportation business because there is space for light maintenance and indoor parking for all company vehicles. The use is also consistent with strategy ED2 in the District 7 neighborhood plan, which calls for encouraging companies that locate in the community to hire directly from the community. According to the materials submitted by the applicant, one of the benefits of the site is that it provides opportunity for neighborhood residents to find a job right outside their door.

J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of a determination of similar use for office, parking, and light maintenance for a passenger van transportation company in the B3 general business district subject to the following conditions:

1. Final plans approved by the Zoning Administrator for this use shall be in substantial

- compliance with the plans submitted as part of this application.
2. The structures shall be brought into compliance with applicable building code and fire code standards.
 3. 1033 Thomas Ave, PIN 35.29.23.22.0074 and 1025 Thomas Ave, PIN 35.39.23.22.0186 shall be combined into one lot.
 4. The transportation services offered shall be limited to prearranged trips with schools, medical insurance companies, nonprofit social services, and other privately owned companies.
 5. The vehicles associated with the business shall be limited to those having a manufacturers seating capacity of ten (10) or fewer people, and a gross vehicle rating of 10,000 pounds or less.
 6. All vehicles utilized as a part of the business operations shall be stored in an enclosed structure.
 7. The exterior lot shall be reserved for employee and visitor parking.
 8. Light maintenance of vehicles on the site shall be limited to light maintenance of vehicles used exclusively for the business. No general vehicle repair or body work shall occur on the premises
 9. No vehicle maintenance may occur on the exterior of the lot or in the public right-of-way. All vehicle maintenance activity must occur within an enclosed building.



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 # 17-014925
Fee: 700
Tentative Hearing Date: 3-16-17

PD=7
352923220198

APPLICANT

Name RIFT VALLEY TRANSPORTATION, INC
Address 1033 THOMAS AVE
City ST. PAUL St. MN Zip 55104 Daytime Phone 651-338-4673
Name of Owner (if different) ELI3SD URS
Contact Person (if different) ELI3SD URS Phone 651-338-4678

PROPERTY LOCATION

Address / Location 1033 THOMAS AVE ST. PAUL, MN 55104
Legal Description _____
Current Zoning B3
(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 PREVIOUS USE SITE COMPANY
Proposed Use _____

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

SEE BUSINESS PLAN

Is the use similar in character to one or more of the principal uses permitted in the zoning district?

SEE BUSINESS PLAN

Is the traffic that the use will generate similar to traffic generated by one or more permitted uses?

SEE BUSINESS PLAN

Is the use already permitted in a less restrictive zoning district?

SEE BUSINESS PLAN

ck
8756
700⁰⁰

Required site plan is attached.

Applicant's Signature [Signature] Date 2/10/17 City Agent [Signature]

add
2/10/17

Business Operation Plan at 1033 Thomas Ave St. Paul MN 55104

A) Executive Summary

Rift Valley Transportation, Inc. is a privately owned and operated transportation company located in St, Paul, Minnesota. It was established in December 2005 and started its operation with one Van and one driver with a vision to be one of the best transportation providers in the Twin Cities Metro Area. Currently, the company is working with several Minnesota School Districts, Medical Insurance companies, non-profit social service agencies and other privately owned companies. As a result of its relentless effort to materialize its vision, the company has built such a huge reputation of reliability and dependability from its customers and stakeholders over the past 10 years of its operation. Today, there is a great demand for the service of the company, particularly from the school districts in the area.

In addition to the service it provides to students and medical customers, the company played a significant role in opening job opportunity for many job seekers. Over the past three years alone, more than 200 people were hired and worked in this company. The experience they gained with us gave many of them the opportunity to be a CDL drivers with other big transportation companies. Currently there are more than fifty part time drivers, three full time and three part-time office staffs working in the company.

The company purchased the property at 1033 Thomas Ave St. Paul MN 55104 in August 2016 for the purpose of operation site for the company business. As the company provides transportation service to special education needs and homeless students and people who are going for medical appointments in the Twin Cities Metro Area, the property is intended to be used as office space, parking space and light maintenance space for company vehicle. The building has three office spaces, one open area, one kitchen, two restrooms on the front side of the first floor and a workshop at the backside on the first floor. It has one unfinished staff break room, one mini

meeting room, one restroom, and one store on the basement. There is metal building attached to the brick building for company vehicles parking.

This business plan is prepared for the purpose of giving necessary information regarding the operation plan of Rift Valley Transportation, Inc. to the City of St Paul with special focus to the usage of the building at 1033 Thomas Ave. St Paul MN 55104. In this operation plan paper, the importance of purchasing the property, the reason to choose this site, the usage plan of the building, improvement plan of the building, Operation system of the company, future growth plan, size and type of vehicles are presented.

B) Importance of Purchasing the property

Rift valley Transportation has been providing transportation service in the rental building located at 1821 University Ave. W, St Paul MN 55104. Lack of sufficient parking and maintenance spaces were the two main problems that forced the company to look for a property that can fulfill these demands. The company tried to assess other properties in about 10 miles radius from the central location of its operation site. The company found the property at 1033 Thomas Ave St Paul MN 55104 gives the opportunity to accommodate all the needs of the company. Then this property was purchased in August 2016 to be used mainly for office, Parking and maintenance site of the company. One of the main reasons to purchase this property is the opportunity it gives us to use for light maintenance purpose. Driving company vehicles for every single light maintenance was the main problem crippling the growth of the company. This building has enough space to do light maintenance services for company vehicles. This maintenance garage is planned to do light maintenances like oil change, brake services, and head light change, wiper and the like changes solely for company vehicles or repairs or maintenances done in house . For the other major repairs we work with other companies certified to do this work. Our current contractors we use for major maintenances are, Greenling Auto services located at 1695 University Ave, West St Paul MN 55104 phone Number 651-644-4905 and Awash Auto Repair and Towing 5103 University Ave NE Columbia Heights MN 55421 phone Number 651-786-9174

C) Reasons to choose this site:

1. This site was chosen for its proximity to almost all of our customers so that we can provide timely service. Since more than 70% of our customers are students from Saint Paul Public School, the location is the perfect place for our service. As we are very close to most of the Saint Paul Public Schools that we serve, we can easily send backup drivers in the case of emergency and other problems.
2. In addition to its strategic location, the building has the capacity to accommodate our vehicles for the next 5-10 years. It has a small workshop for light maintenance that will significantly reduce our maintenance cost.
3. This location also gives us an opportunity to attract many people to join our company since the area has large population size. It is also an opportunity for the neighborhood to find job opportunity just outside their door.

D) Building Usage

The property has three main divisions, mainly, Bricks building, Metal building and East side fenced lot.

1. The Bricks Building

The Bricks building has 3 parts. The upper level part is used for offices occupied by the President & CEO of the company, the Human Resource Manager and the Operation Manager of the company. The wide space at the entrance is shared between the dispatcher, and billing workers. The lower part of the bricks building is used for employee coffee break room and mini meeting room. The backside of the bricks building is majorly used for light maintenance space. Since this part of the building has enough space, it is also used for parking space. This part has the capacity to accommodate about 10 vehicles.

2. The metal building

The metal building which is attached to the bricks building is used for parking space for company vehicles. It has the capacity to accommodate 30 vehicles.

3. East side Fenced lot and Thomas Ave, Side parking space

Outside of the building has a fenced parking lot that can accommodate about 30 vehicles. Currently the fenced parking lot is used by the drivers and we are planning to pave this outside parking space and it will be done as soon as site plan completed in the next 6 month time. This fenced parking lot has a shade from the East side which needs to be maintained in the coming spring season and planned to be used for company vehicles parking space. In addition to the fenced parking space, there is a space for parking on the Thomas Ave side of the building. Although we are waiting for the architect to determine the number of vehicles that can be parked in this lot, we estimate that it can accommodate about 8 vehicles.

C) Planned improvement to the property

- 1) Improvement for the Office used by the president and CEO of the company was completed 3 weeks ago.
- 2) The lower level of the bricks building is under maintenance and will be completed in the next 4 weeks.
- 3) The damaged roof on the part of the outer parking lot will be improved in the next 2 month time or as soon as winter weather gone.
- 4) The pavement will be done to the outer parking lot with in the next 6 month time or as soon as winter weather gone.

At this time all electrical systems, plumbing, heating and cooling units and all other mechanical systems are operational and we do not see any significant maintenance need in the near future.

E) About the Operation of the company

We operate business as **package delivery**. Some of the school districts do the route themselves and send the route information to our office. We give orientation to drivers on this pre arranged route information so that they handle the route themselves. As the routes for drivers are pre arranged, the drivers are not expected to come to base or office frequently. Most drivers come to base to pick up vehicles in the morning and return vehicles in the evening at the end of their shift. Some drivers come to base only once a week to get updates on their routes.

F) Future plan of Growth

Over the last 10 years the company has worked hard and, thus built such a huge reputation of reliability and dependability from its customers and stakeholders. Today, a number of school districts and insurance companies express their greatest satisfaction with the service of this company and are encouraging the company to double its intake capacity. Currently there are more than fifty part time drivers, three full time and three part-time office staffs working in the company. This company provides transportation service for more than 300 customer everyday including medical transportation service. In regard to its future development plan, we like to focus more on quality service rather than increasing the size. Although the demand for this service is increasing from time to time, the shortage of dependable drivers is one of the major challenges of this industry. As most of the experienced drivers go for CDL and drive the yellow Bus, the turnover is very high. As a result, we like to keep the current size with very minor change for the next 5 years.

G) Size and Types of Vehicles

The size and type of the vehicles are **SINGLE REAR AXLE STRAIGHT TUCKS OR SMALLER VEHICLES**. They are categorized as type III school bus vehicles. These vehicles are van and small cars that accommodate up to 6 passengers. We have about 37 vehicles at this time and we do not have a plan to make a major change to this size over the next 5 years.

H) Organizational Structure of the Company

The company has well established organizational structure. The President and CEO of the company is mandated a role of providing leadership to the company with special focus on planning, organizing and coaching the business of the company. The Operation Manager is mandated to coordinate the day to day operation of the company business. The Human Resource Manager is responsible for hiring, training and overseeing compliance to company policy and procedures. The Company has three additional part time office staff: Dispatcher, and two billing workers.

I) Job Opportunity

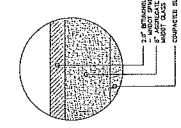
The company has opened job opportunity for more than 200 hundred people over the past three years alone. Many struggling individuals come to our company and we give them training on driving. Their experience with our company gives them an opportunity for commercial driving license and most of them are yellow bus school drivers at this time. We continue to hire drivers and this a good opportunity for the community around our office.



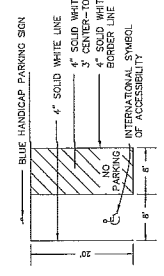
SCALE: 1" = 10'

NOTES:

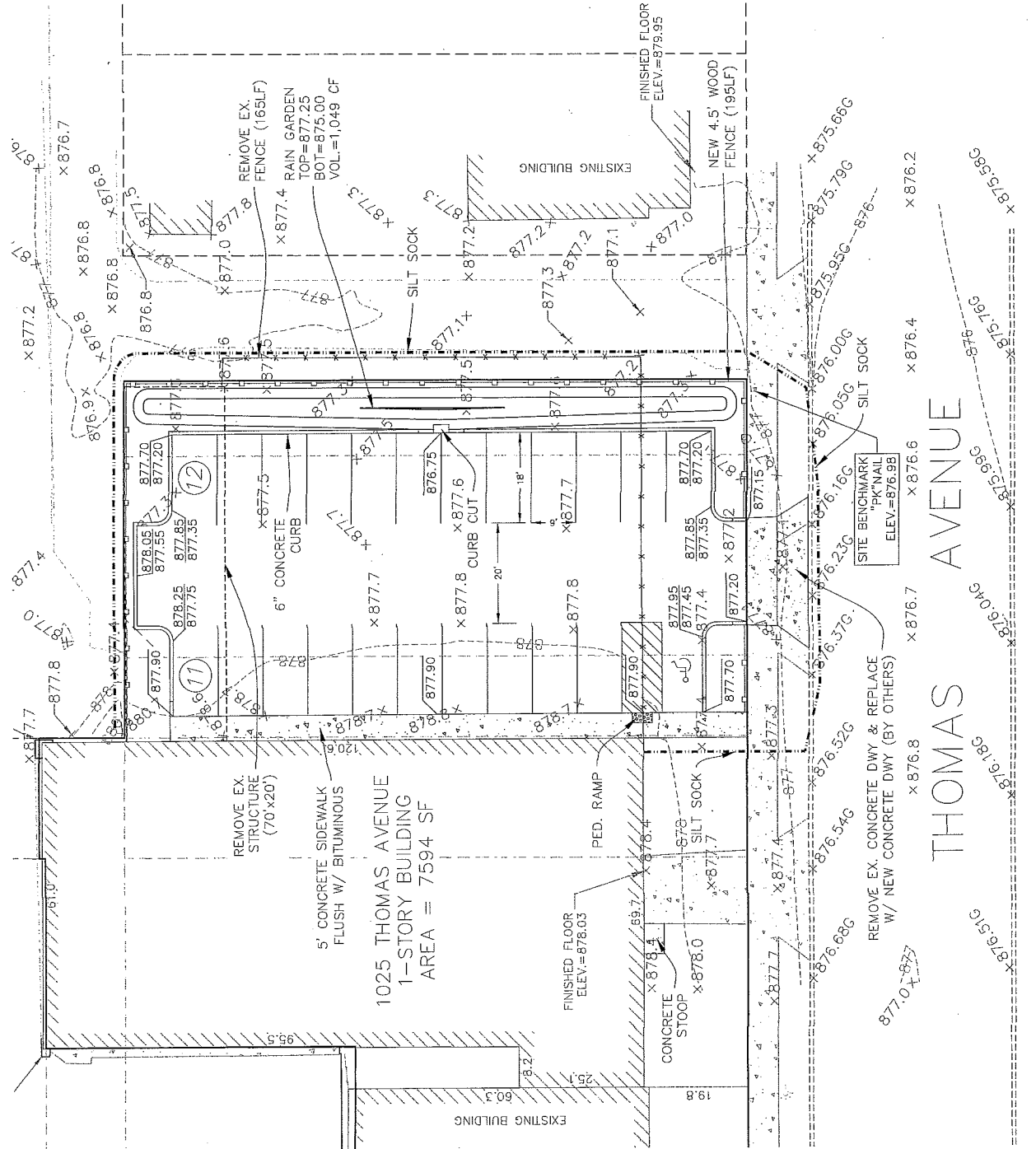
1. BASE PLAN USED IS A SURVEY PREPARED BY HARRY S. JOHNSON CO. INC.
2. ALL EXISTING UTILITY LOCATIONS AND ELEVATIONS SHOWN ARE ON THE CONTRACTOR'S RESPONSIBILITY. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS AND ELEVATIONS PRIOR TO CONSTRUCTION. CONTACT UTILITY COMPANIES VIA GOPHER STATE ONE-CALL ONLINE OR BY CALLING 811 OR 1-800-252-1166.
3. ALL CONSTRUCTION SHALL CONFORM TO THE MOST RESTRICTIVE OF THE PROJECT SPECIFICATIONS, THE STANDARD SPECIFICATIONS OF THE CITY OF ST. PAUL, AND THE STANDARD SPECIFICATIONS OF MINNAPLANS.
4. THE FOLLOWING SEQUENCE SHALL BE FOLLOWED FOR THE EROSION CONTROL PLAN:
 - A. INSTALL SILT SOCK AS SHOWN ON THE PLANS.
 - B. PERFORM SITE REMOVALS, GRADING, EXCAVATION AND EMBANKMENT, WHICH ALL DISTURBED AREAS OUTSIDE OF PROPOSED PAVEMENT AREAS WITHIN 72 HOURS OF THIS DATE.
 - C. INSTALL CONCRETE FLATWORK AND BITUMINOUS PAVEMENT SECTION.
 - D. FINE GRADE SITE AND RESTORE GREEN AREAS PER LANDSCAPE PLAN.
5. CONTRACTOR SHALL MAINTAIN ALL ADJACENT STREETS; KEEPING THEM CLEAN AND SWEEPED OF ALL DIRT AND DEBRIS DURING CONSTRUCTION.



PAVEMENT SECTION
NO SCALE



6" CONCRETE CURB
NO SCALE



REVIEW PLAN
NOT FOR CONSTRUCTION

THOMAS AVENUE

ZF # 17-014-925



Frogtown Neighborhood Association (District 7)

501 North Dale • Saint Paul, MN • 55103
651-239-8699 • www.frogtownmn.org

March 9, 2017

City of Saint Paul
Zoning Committee
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55103

Dear Zoning Committee Members,

I am writing to register The Frogtown Neighborhood Association's strong support for the Rift Valley's expansion at their new site; 1033 Thomas Avenue. Their business is an asset to our community and being able to maintain their own fleet of vehicles on site will make them a stronger competitor in the field. We want to support that self-sustaining urge at any level we can.

The FNA Board voted unanimously to support their request for Determination of similar use at our monthly meeting, held Monday, March 6th. Please free to call me with any questions related to our position on this request.

Very Sincerely,

Caty Royce
Executive Director
Frogtown Neighborhood Association

Date: March 09, 2017
File #: 17 - 014925
Folder Name: Rift Valley Transportation
PIN: 352923220074



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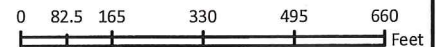
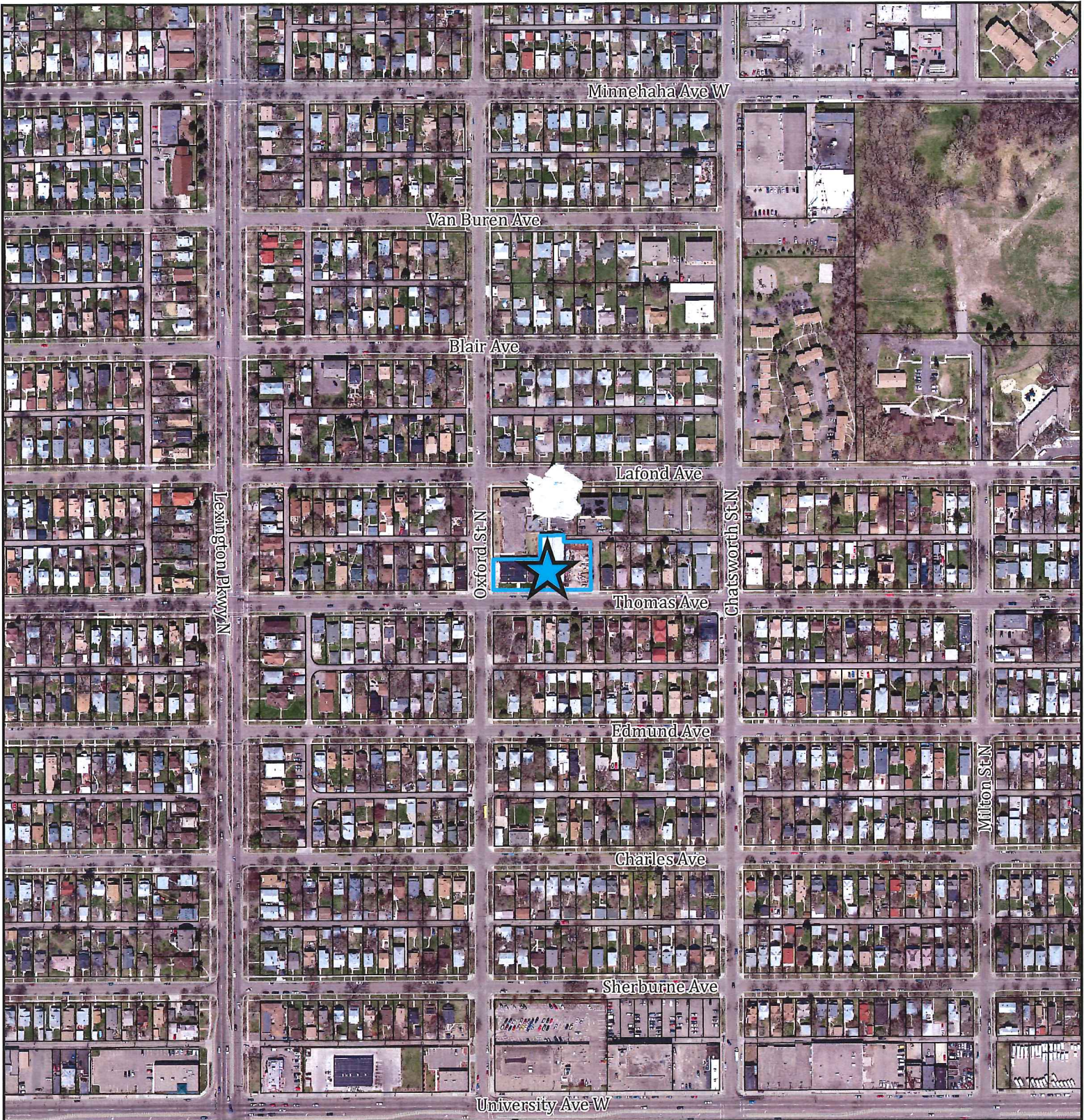


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FILE NAME: Rift Valley Transportation

Aerial

APPLICATION TYPE: DSU

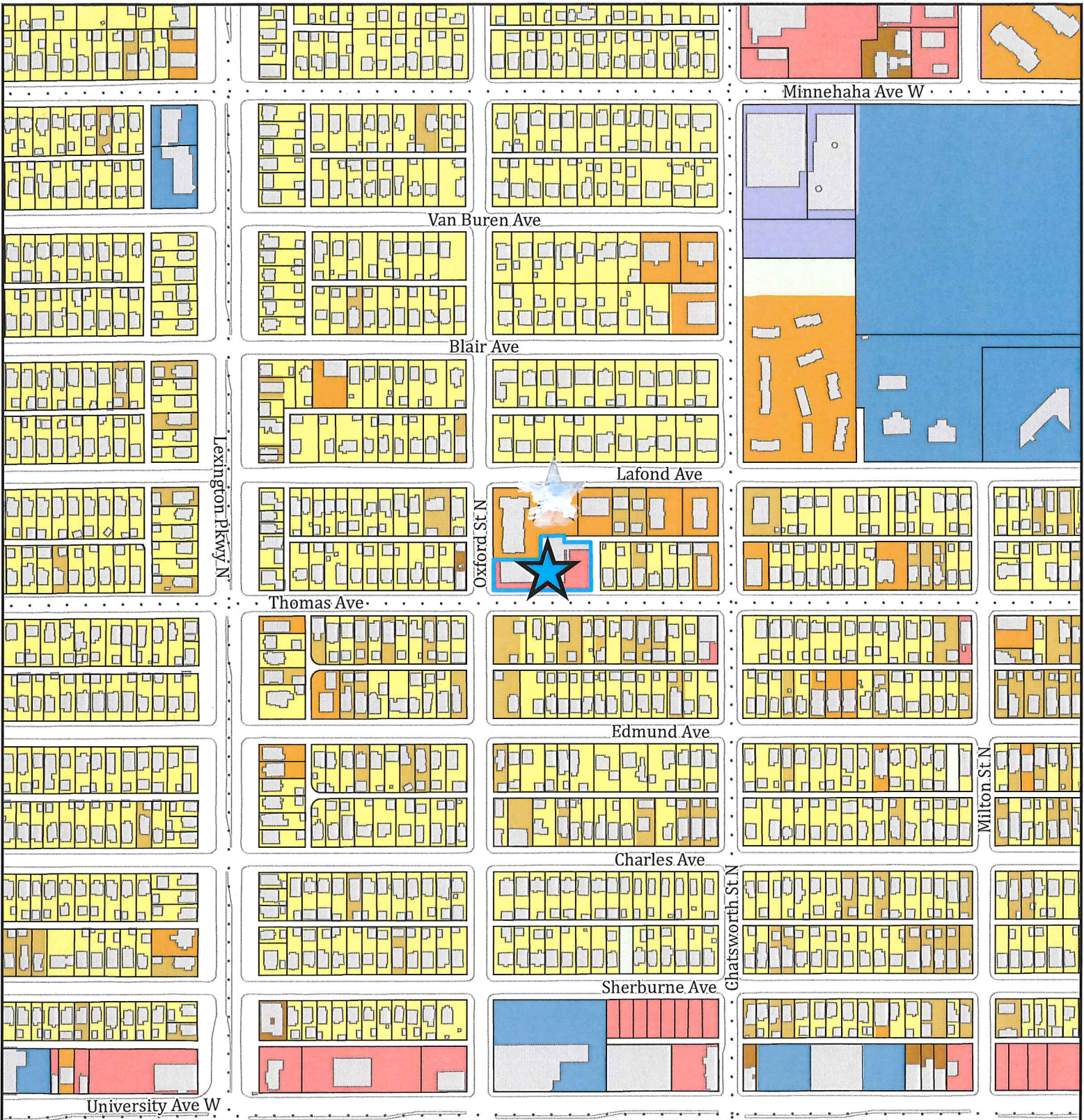
 Subject Parcels

FILE #: 17-014925 DATE: 2/27/2017

PLANNING DISTRICT: 7

ZONING PANEL: 8





FILE NAME: Rift Valley Transportation

APPLICATION TYPE: DSU

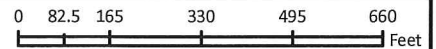
FILE #: 17-014925 DATE: 2/27/2017

PLANNING DISTRICT: 7

ZONING PANEL: 8

Land Use

- Single Family Detached
- Single Family Attached
- Multifamily
- Office
- Retail and Other Commercial
- Mixed Use Residential
- Mixed Use Industrial
- Industrial and Utility
- Institutional
- Undeveloped
- Subject Parcels
- Section Lines





FILE NAME: Rift Valley Transportation

APPLICATION TYPE: DSU

FILE #: 17-014925

DATE: 2/27/2017

PLANNING DISTRICT: 7

ZONING PANEL: 8

Saint Paul Department of Planning and Economic Development and Ramsey County

Zoning

- Subject Parcels
- Section Lines
- R4 One-Family
- RT1 Two-Family
- RM2 Multiple-Family
- RM3 Multiple-Family
- T1 Traditional Neighborhood
- T2 Traditional Neighborhood
- T3 Traditional Neighborhood
- T4 Traditional Neighborhood
- OS Office-Service
- B1 Local Business
- B2 Community Business
- B3 General Business
- I1 Light Industrial

