

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Viet Tran **FILE #** 17-031-406
 2. **APPLICANT:** Viet Xuan Tran **HEARING DATE:** May 11, 2017
 3. **TYPE OF APPLICATION:** Conditional Use Permit
 4. **LOCATION:** 584 Stryker Ave, between Stevens and King
 5. **PIN & LEGAL DESCRIPTION:** 07.28.22.14.0110, West St Paul Blks 100 Thru171, Lots 3 and 4, Blk 104
 6. **PLANNING DISTRICT:** 3 **PRESENT ZONING:** B3
 7. **ZONING CODE REFERENCE:** § 65.705; § 61.501
 8. **STAFF REPORT DATE:** May 4, 2017 **BY:** Jake Reilly
 9. **DATE RECEIVED:** April 21, 2017 **60-DAY DEADLINE FOR ACTION:** June 20, 2017
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- A. **PURPOSE:** Conditional use permit for auto repair garage with existing auto body shop.
- B. **PARCEL SIZE:** 100 ft. (Stryker) x 151 ft. = 15,100 square feet
- C. **EXISTING LAND USE:** auto body shop (unoccupied)
- D. **SURROUNDING LAND USE:**
 - North: Mixed commercial and multi-family residential (zoned RM2)
 - East: Two-family residential (zoned RT1)
 - South: Mixed commercial and multi-family residential (zoned RM2)
 - West: Mixed commercial and multi-family residential (zoned RM2)
- E. **ZONING CODE CITATION:** § 65.705 lists standards and conditions for auto repair stations. §61.501 lists general conditions that must be met by all conditional uses.
- F. **HISTORY/DISCUSSION:** This property was built in 1946 as an auto repair/auto body shop. The property is an existing nonconforming use as an auto body shop (first allowed in IT districts). The property had an auto sales license at one time. That license is no longer active. The property has been vacant since May 31, 2016, less than 365 days. The applicant has applied for the required licenses from the Department of Safety and Inspections.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 3 Council had not commented at the time the staff report was prepared.
- H. **FINDINGS:**
 1. The applicant, Viet Xuan Tran, is a certified automotive mechanic and is purchasing the existing auto body repair shop out of foreclosure with the intent to open an auto body repair and auto repair shop. The purchase is contingent upon license and permit approvals. The applicant states that fifty percent of the work will be auto body repair and fifty percent will be auto repair. The applicant states he is not renewing the auto sales license
 2. § 65.705 lists the standards and conditions that must be met for auto repair stations:
 - (a) *The minimum lot area shall be fifteen thousand (15,000) square feet.* This condition is met. The lot area is 15,100 square feet.
 - (b) *A ten-foot landscaped buffer with screen planting and an obscuring fence shall be required along any property line adjoining an existing residence or adjoining land zoned residential.* This condition is met. The property is surrounded by screen planting and an obscuring fence.
 - (c) *All repair work shall be done within an enclosed building.* This condition is met. The applicant states that all repair work will be conducted within the existing garage on site. The applicant

states that there is sufficient space for the auto body work and the auto repair work to be done in different portions of the structures on the property.

(d) *There shall be no outside storage.* This condition is met. The applicant has stated there will be no outside storage.

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. Stryker is defined as a mixed-use corridor in the Saint Paul Comprehensive Plan (2010). This use is an existing use in the corridor and provides services to the neighborhood. The Stryker George Precinct Plan has as an objective, "Promote the reuse and rehabilitation of vacant structures" which the applicant intends to do with this property.

(b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The way the business is located on the site there is ample room in the driveway and with the existing curb cut to allow vehicles to access the work areas from the street, without disrupting street traffic and without using the street for vehicle storage or maneuvering.

(c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The auto repair use is considered less intense than the previous auto body shop, and the applicant has proposed business hours of 8 a.m. to 7 p.m.

(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 auto repair use will not preclude other uses allowed in the B3 zoning district.

(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. The use complies with the requirements listed in the B3 zoning district.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for an auto repair garage with an existing auto body shop at 584 Stryker Avenue 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 hours of operation of the business shall be no earlier than 7 a.m. and no later than 7 p.m.



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=3

Zoning office use only
File #: 17-031406
Fee: 840.00
Tentative Hearing Date:
5-11-17

#072822140110

APPLICANT

Name VIET XUAN TRAN
Address 972 MENDOTA STREET
City ST Paul St. MN Zip 55106 Daytime Phone 651 214-0559
Name of Owner (if different) _____
Contact Person (if different) _____ Phone _____

PROPERTY LOCATION

Address / Location 584 STRYKER AVE ST Paul MN 55107
Legal Description LOTS 3 and LOTS 4 BLK 104
Current Zoning R3
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of Chapter 65, Section 705, 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.

I am requesting an auto repair permit.

CK 4415
840⁰¹

Required site plan is attached

Applicant's Signature [Signature] Date 04/19/17 City Agent [Signature]
4-19-17

Viet Xuan Tran
972 Mendota Street
St Paul, MN 55106
651 214-0559

April 19, 2017

To whom it may concern:

RE: Existing Business located at 584 Stryker Ave. St Paul, MN 55107

The business referenced has an auto body repair license. The property itself is also conducive to auto repair operations. Historically, this location was built for, and has had auto repair services for most of its existence. I am requesting an **auto repair** license.

In order to make this business more viable, I would be doing auto repairs separate from the auto body repair aspect. These services would entail, oil changes, brake jobs, mechanical part repair or replacement and such activities. The percentage of these additional repairs would probably be about 50% of the business, with the auto body repair doing the other 50%. This license would in no way change the character or purpose of the existing structure.

There would be no cars awaiting repairs or being picked up parked on surrounding streets. There would be no exterior storage of inoperative vehicles or storage of parts. Tires, oil and batteries will be stored in accordance with Ramsey County hazardous waste regulations. Trash will be stored inside or in a covered container. No vehicles with major body parts missing will be parked on the lot. All repair work will be done within the building. There is adequate driveway space to ensure vehicles leaving premise will egress street in a forward position. Anticipated business hours will be 8 am to no later than 7pm.

This additional license should not increase customer traffic. The previous business had an auto sales license which I am not requesting or renewing.

There is adequate off-street parking, a number of overhead doors, and space indoors to handle the vehicles being repaired. I would not anticipate any on-street parking issues.

Sincerely:

Viet Xuan Tran

Viet Xuan Tran
972 Mendota Street
St Paul, MN 55106
651 214-0559

April 19, 2017

To whom it may concern:

RE: Existing Business located at 584 Stryker Ave. St Paul, MN 55107

The conditional use permit request for an auto repair license at the property referenced will change neither the physical appearance nor the structural aspect of the property. Historically, this business and building has been in this location since it was built in 1946. It has pre-existed almost all the surrounding structures in the area.

This business will not have any detrimental effect on the surrounding neighborhood. The business has an auto body repair license in effect. Adding a mechanical repair aspect to the business will not change the overall ambiance of the property. Rather, the addition of an auto repair service would provide the surrounding area with a needed service, giving the residents another option.

The property has been vacant for some time. Having empty property is never a positive for a neighborhood and in many cases becomes a negative attraction.

I am familiar with the requirements for storing and disposal of hazardous materials and will follow those guidelines in this location. The trash will be stored in a dumpster located in the back, fenced lot. It will not be visible from the front. The front of the property on Stryker Avenue has a continuous driveway across the property. This allows vehicles to ingress and egress the business without causing a disruption of traffic on the street.

I came to the United States 19 years ago. I am a naturalized citizen. I completed an auto repair program and am certified. I have my LLC certification. Purchasing this business is my American dream. My wife and I are putting all our financial resources into the purchase and operation of this business. The purchase is contingent on my getting the license for auto repairs. I will be a good neighbor and a positive member of the area.

Sincerely:

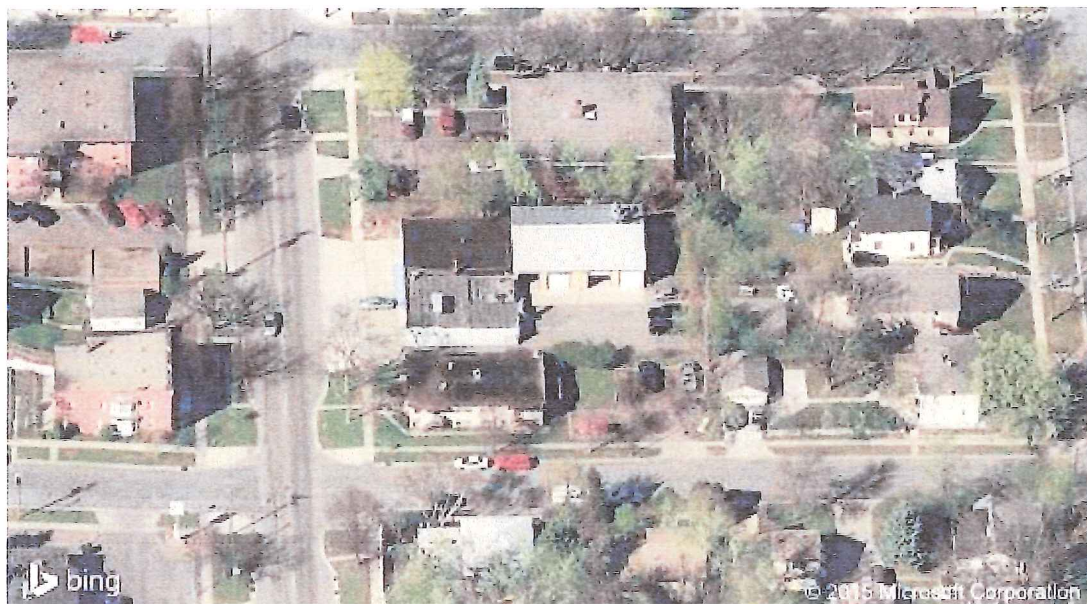
Viet Xuan Tran

584 Stryker Avenue St. Paul, MN 55107

Description

Bank Owned, former auto repair shop offering 6,272 SF with open shop, 5 bays, 7 drive in doors, paint booth, prep room , three phase power, compressor, 150 amps in front of the building plus 100 amps in the rear addition, small office and fenced outdoor storage in the rear of the property.

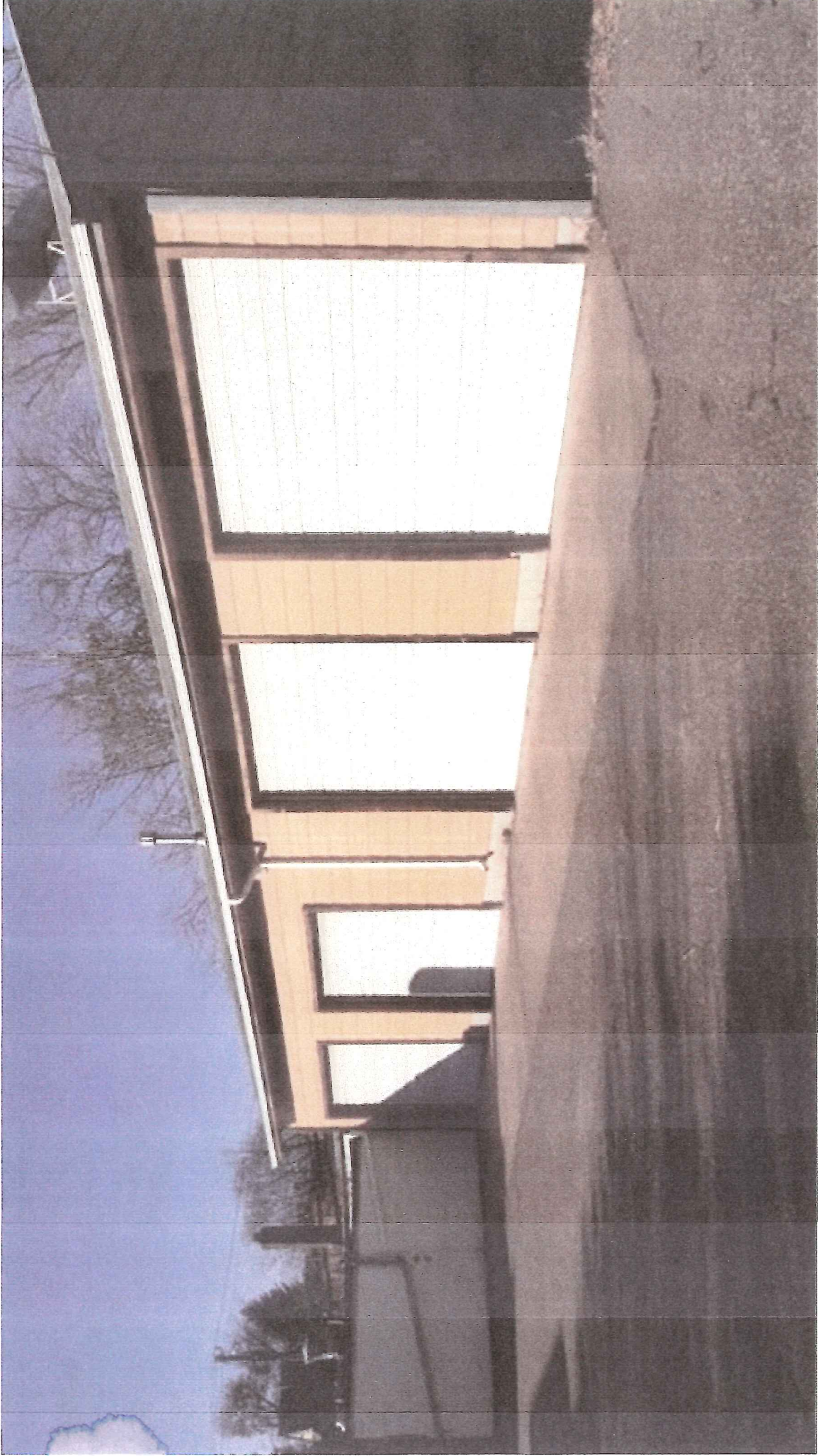
The rear addition was built about 1971.

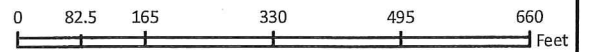
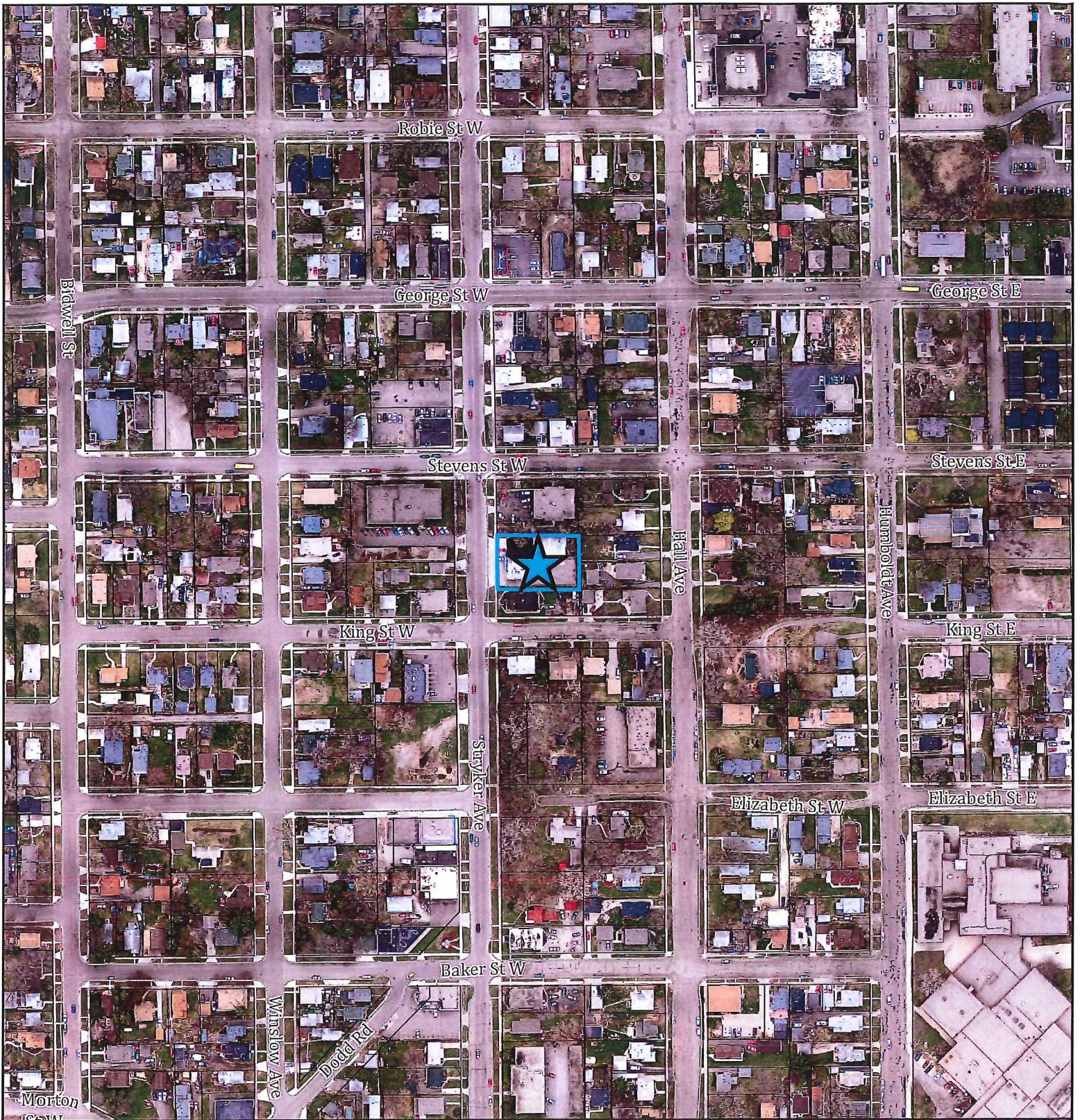


Price	\$425,000	No. Stories	1
Building Size	6,272 SF	Year Built	1946
Price/SF	\$67.76	Lot Size	15,002 SF
Property Type	Retail	APN / Parcel ID	07-28-22-14-0110
Property Sub-type	Vehicle Related	Parking Ratio	0.88 / 1,000 SF
Property Use Type	Vacant/Owner-User		









FILE NAME: Viet Tran

Aerial

APPLICATION TYPE: CUP

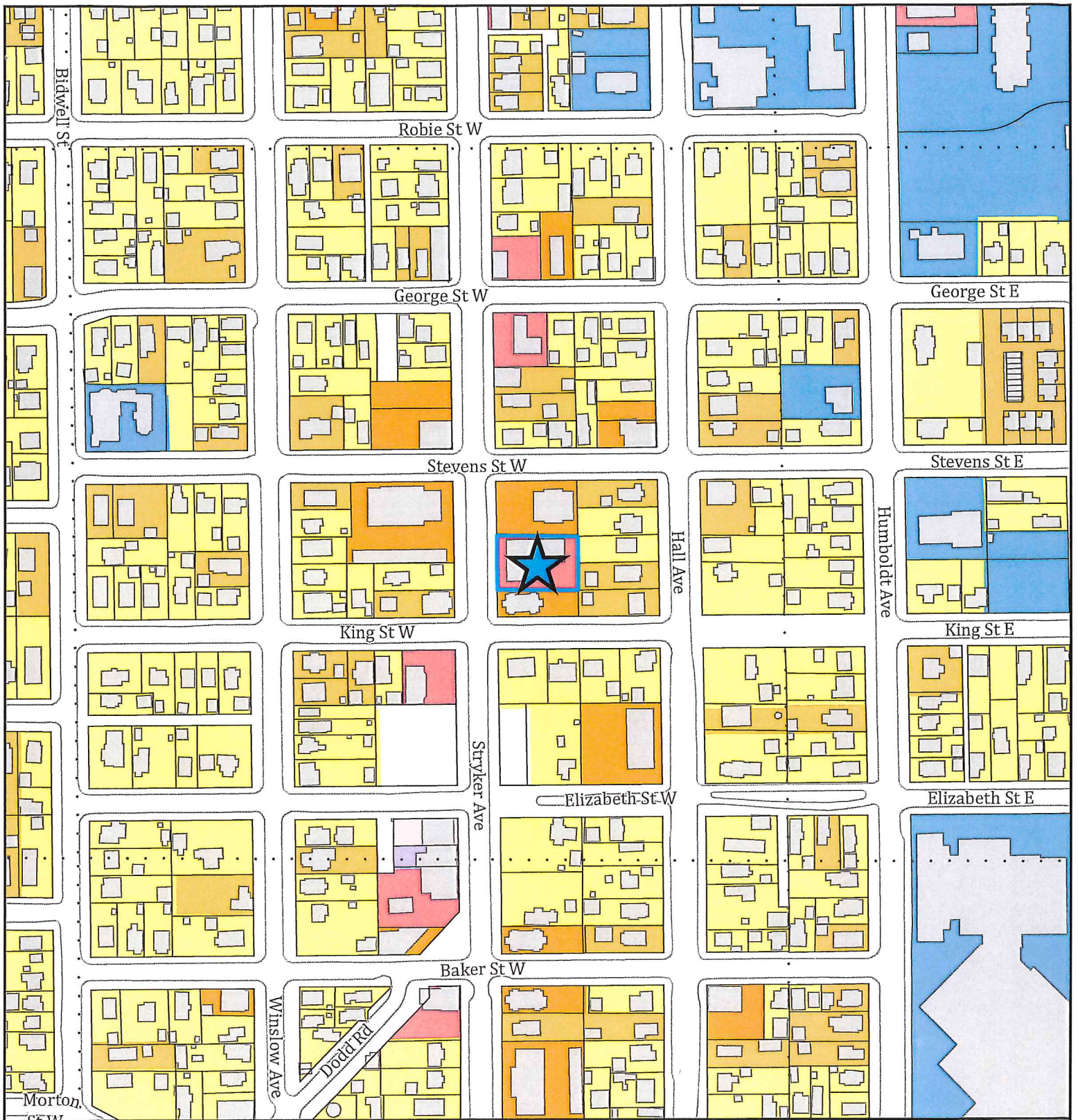
 Subject Parcels

FILE #: 17-031406 DATE: 4/21/2017

PLANNING DISTRICT: 3

ZONING PANEL: 22





FILE NAME: Viet Tran

APPLICATION TYPE: CUP

FILE #: 17-031406

DATE: 4/21/2017

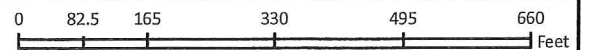
PLANNING DISTRICT: 3

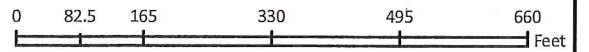
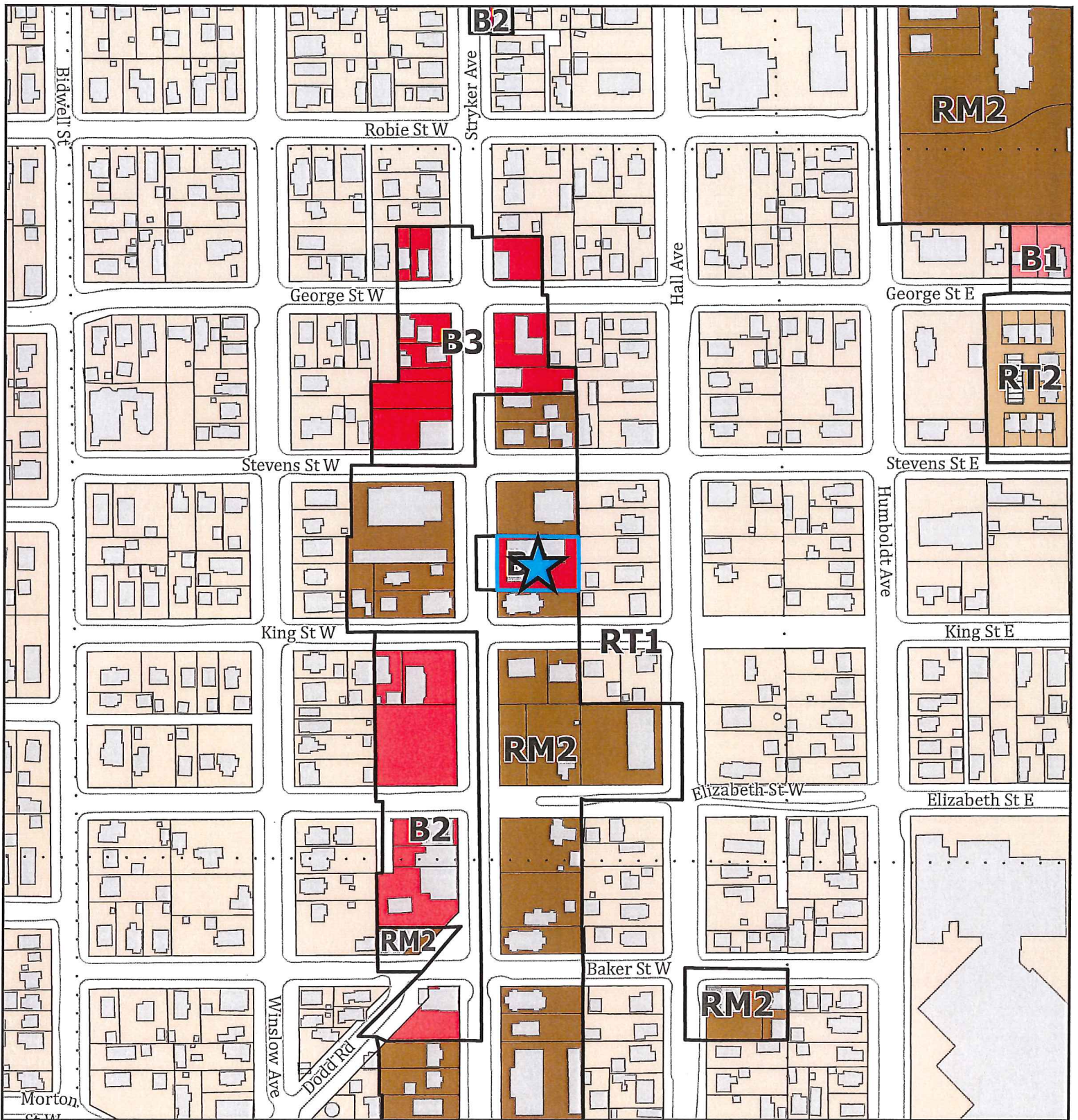
ZONING PANEL: 22

Land Use

- Single Family Detached
- Single Family Attached
- Multifamily
- Office
- Retail and Other Commercial
- Industrial and Utility
- Institutional

- Subject Parcels
- Section Lines





FILE NAME: Viet Tran

APPLICATION TYPE: CUP

FILE #: 17-031406 DATE: 4/21/2017

PLANNING DISTRICT: 3

ZONING PANEL: 22

Zoning

- Subject Parcels
- · · Section Lines
- RT1 Two-Family
- RT2 Townhouse
- RM2 Multiple-Family
- B1 Local Business
- B2 Community Business
- B3 General Business

