

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** District 2 Mobile Food Trucks **FILE #** 19-051-492
  2. **APPLICANT:** Saint Paul HRA **HEARING DATE:** July 2, 2019
  3. **TYPE OF APPLICATION:** Conditional Use Permit
  4. **LOCATION:** 1560 White Bear Ave N, between Iowa Avenue and Hoyt Avenue
  5. **PIN & LEGAL DESCRIPTION:** 23.29.22.22.0052, Hillcrest Center Plat 2, except W 100 Ft of S 171 Ft and Ex W 240 Ft of N 78 Ft, Lot 1, Block 8
  6. **PLANNING DISTRICT:** 2 **PRESENT ZONING:** B2
  7. **ZONING CODE REFERENCE:** §65.525; §61.501
  8. **STAFF REPORT DATE:** June 27, 2019 **BY:** Tony Johnson
  9. **DATE RECEIVED:** June 17, 2019 **60-DAY DEADLINE FOR ACTION:** August 16, 2019
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- A. **PURPOSE:** Conditional use permit for up to 10 mobile food units
- B. **PARCEL SIZE:** 350 x 270 = 94,500. (270 ft. of Frontage on White Bear Avenue and Gary Place, 350 ft. of Frontage on Iowa Ave E and Hoyt Avenue East.)
- C. **EXISTING LAND USE:** Vacant
- D. **SURROUNDING LAND USE:**
  - North: Commercial (B2)
  - East: Residential and Vacant (R3 and VP)
  - South: Commercial (B2)
  - West: Commercial (B2)
- E. **ZONING CODE CITATION:** §65.525 list the standards for outdoor commercial uses; §61.501 lists general conditions that must be met by all conditional uses.
- F. **PARKING:** Zoning Code § 63.207 requires a minimum of 0 spaces for outdoor commercial uses.
- G. **HISTORY/DISCUSSION:** The last use of the property was Hafner's bar, restaurant, and bowling and another 1 story retail building. In 2002 the site was acquired by the HRA and in 2003 the structures were demolished and the site has been vacant since that time. In 2015, food trucks started using the lot as a gathering space. In 2015 food trucks were not a permitted use in the B2 zoning district. Prior to 2016, outdoor commercial uses were only permitted in the B3 zoning district as a conditional use. In 2016 the outdoor commercial uses provision of the zoning code was amended to permit up to 10% of the lot, or 1000 sq. ft., whichever is less, of outdoor commercial uses by right in the B2-B5, T2-T4, and IT-I2 zoning districts. Outdoor commercial uses are allowed to exceed the maximum size limit with conditional use permit approval. The applicant now wishes to have up to 10 food trucks on the lot necessitating this application for a conditional use permit, because the area of the food trucks exceeds the 1000 sq. ft. of outdoor sales area that is permitted by right on this zoning lot.
- H. **DISTRICT COUNCIL RECOMMENDATION:** The District 2 Council has not made a recommendation at the time of this staff report.
- I. **FINDINGS:**
  1. The applicant is applying to establish a principal outdoor commercial use with 10 food trucks.
  2. §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 subject parcel is located in area defined by the 2030 comprehensive plan as a mixed use corridor and a neighborhood center. The proposed use is consistent with policy LU 1.24 which calls for supporting a mix of uses on mixed use corridors.

- (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met.* The subject parcel has four curb cuts that provide ingress and egress from the site. Two of the curb cuts will provide ingress and egress for the food trucks and the remaining two curb cuts will provide ingress and egress for accessory off street parking. The ingress and egress from the site will sufficiently serve the proposed use.
- (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.* Food trucks have utilized this lot since 2015 and have served to activate this otherwise vacant lot without significant issues. The slight intensification of this existing use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, and general 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 food trucks on this lot will not impede the orderly development and improvement of 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.* The proposed use will comply with the standards and conditions for outdoor commercial uses, provided the conditional use permit is approved by the planning commission.

3. §61.501 list the standards and conditions that outdoor commercial uses must satisfy:

Standards and conditions for outdoor commercial uses that are not in the public right-of-way:

- (a) *The use shall not conflict with required off-street parking, off-street loading and the system of pedestrian flow, and shall not obstruct building ingress and egress. This condition is met.* The proposed location of the food trucks will not conflict with required off-street parking, off-street loading and the system of pedestrian flow, and will not obstruct building ingress and egress.
- (b) *For commercial outdoor uses that occupy more than ten (10) percent of the zoning lot or one thousand (1,000) square feet, whichever is less, the following apply:*
  - (1) Except in the I2 industrial district, a conditional use permit is required. This condition is met.
  - (2) Approval of a site plan showing the location and layout of outdoor commercial uses on the site. This condition is met. A site plan has been submitted in conjunction with this application.
  - (3) Provide the zoning administrator with written contact information for the person responsible for coordinating the outdoor sales and activities and update the zoning administrator in writing within thirty (30) days should any contact information change. This condition is met. Contact information for the person coordinating the outdoor sales has been submitted with this application.
- (c) *The area shall be kept free of litter. Donated items or materials shall not be left outside of donation drop-off boxes. This condition is met.* The property is owned by the HRA and is leased for the food truck use. The lease agreement stipulates that the lessee is responsible for rubbish removal from the site.

J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the conditional use permit for up to 10 mobile food units.



**CONDITIONAL USE PERMIT APPLICATION**

Department of Planning and Economic Development  
Zoning Section  
1400 City Hall Annex  
25 West Fourth Street  
Saint Paul, MN 55102-1634  
(651) 266-6589

Zoning office use only  
File # 19-051492  
Fee 1260.00  
Permit Hearing Date: 7-2-19

PD = 2

#232922220052

APPLICANT

Name Housing + Redevelopment Authority of the City of Saint Paul  
Address 1400 City Hall Annex 25 W 4th Street  
City ST. PAUL St. MN Zip 55102 Daytime Phone \_\_\_\_\_  
Name of Owner (if different) \_\_\_\_\_  
Contact Person (if different) DONNA CORBO Phone (651)266-8542

PROPERTY LOCATION

Address / Location SEE ATTACHED.  
Legal Description \_\_\_\_\_  
Current Zoning B2  
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of Chapter 65, Section 525, 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.

SEE ATTACHED.

- 1. NARRATIVE
- 2. SITE PLAN

Required site plan is attached

Applicant's Signature Donna Corbo Date 6/13/19 City Agent [Signature]  
By: [Signature] 6-13-19  
Executive Director

## Narrative Attachment for 1560-1590 White Bear Avenue North CUP Application

The site is a vacant block zoned B2 and owned by the Housing and Redevelopment Authority (HRA) of Saint Paul. The site has been used for years as a gathering area for food trucks ("mobile food unit" per Code language) and managed by the North East Neighborhoods Development Corporation (NENDC) through agreement with the HRA. Food trucks are considered a commercial outdoor use and are allowed on the site, but require a conditional use permit if the total square footage of the use exceeds 1,000 square feet, or approximately 4-5 trucks. This application is submitted to allow more food trucks to use the site.

The use will meet all applicable standards and conditions as described below.

*(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.*

The use is supported by the 2030 Comprehensive Plan:

1. The site is located in a Mixed-Use Corridor
  - a. 1.24 Support a mix of uses on Mixed-Use Corridors.
  - a. 1.28 Promote conditions that support those who live and work along Mixed-Use Corridors, including frequent transit service, vibrant business districts, and a range of housing choices.
2. The site is part of an area established as a Neighborhood Center
  - a. LU 1.15 Promote Neighborhood Centers as compact, mixed-use communities that provide services and employment close to residences.
  - b. LU 1.17 Promote a place, amenity, or activity that serves as a community focus and emphasizes the special identity of individual Neighborhood Centers.

The use is in compliance with the White Bear Avenue Small Area Plan.

*(b) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.*

There are existing curb cuts on Iowa Avenue E and Hoyt Avenue E that draw vehicular traffic off White Bear Avenue and provide access the lot. There are no curb cuts on White Bear Avenue itself. This arrangement, shown on the attached plan, has been used successfully while the food trucks have been operating on the site.

*(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.*

The use allows a vacant lot to function in a way that adds vitality to this segment of White Bear Avenue and provides an economic benefit to the food truck operators. This particular commercial outdoor use does not endanger public health, safety and general welfare.

*(d) The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*

The presence of food trucks will not impede development or improvement of surrounding property.

*(e) The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

The use shall conform with the requirements of the zoning district and the standards found in Section 65.525, including providing a site plan showing the location and layout of the outdoor commercial use (attached), providing contact info for the person coordinating the activity, and keeping the area free of litter.



**LEGEND**

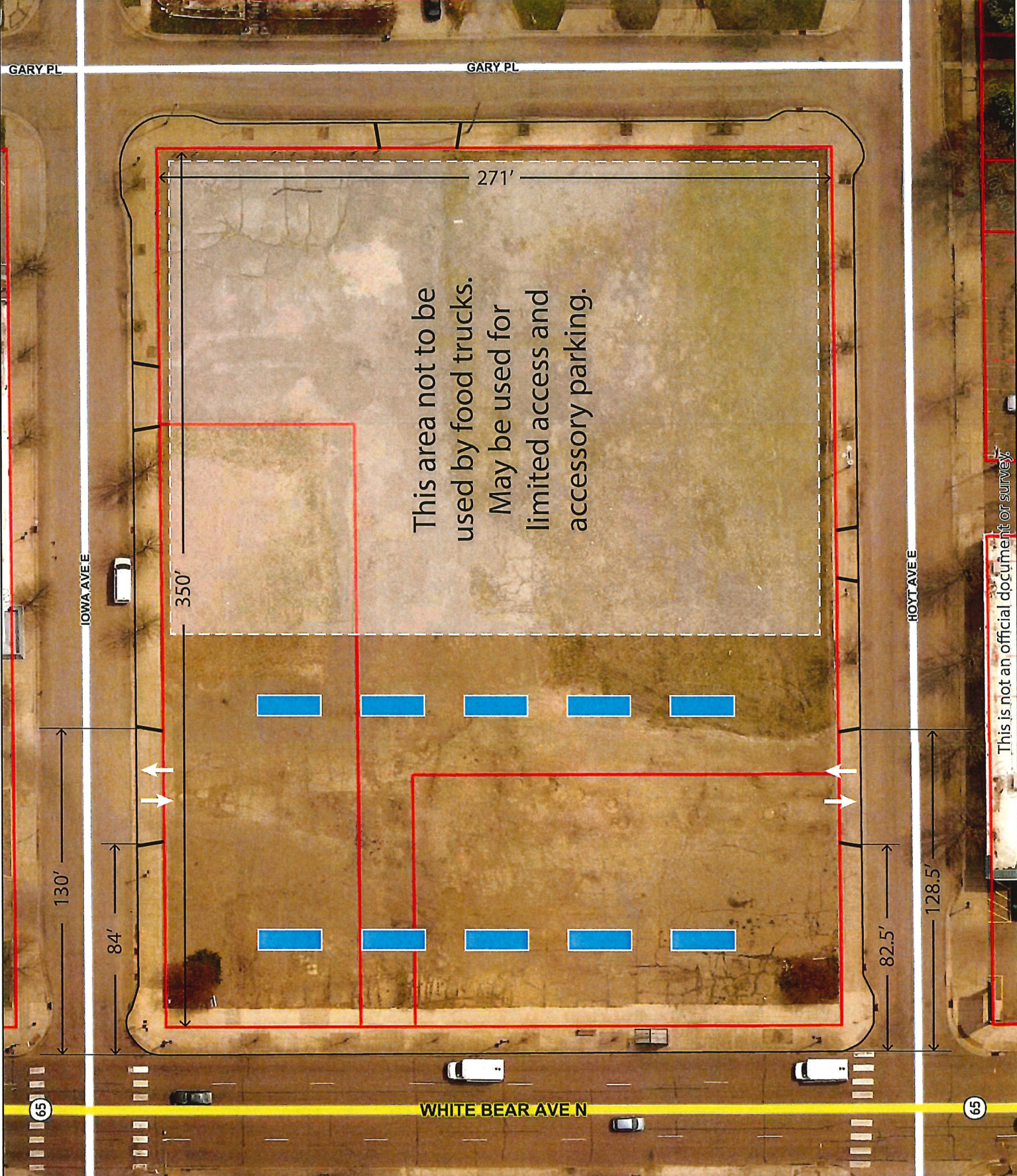
Parcel

Food Truck  
(approx. 25' x 8')

Note: Curb cuts  
are existing and  
relocation is  
not proposed.



Should be 1" when printed.  
Scale 1:610  
(1" ≈ 51')



GARY PL

GARY PL

IOWA AVE E

HOYT AVE E

WHITE BEAR AVE N

This area not to be  
used by food trucks.  
May be used for  
limited access and  
accessory parking.

This is not an official document or survey.

65

65

130'

84'

350'

271'

82.5'

128.5'



## Hafner's Narrative

Sec. 66.421 lists all permitted and conditional uses in the OS—B5 business districts, and notes applicable development standards and conditions. “Mobile food units” are a commercial outdoor use, which requires a conditional use permit if take up more than 1,000 square feet as described in Section 65.525.

### Sec. 65.525. - Outdoor uses, commercial.

Outdoor retail sales and services (principal and accessory), mobile food units, and display of merchandise for sale on the premises, not including outdoor commercial uses otherwise specifically regulated or allowed in the district. Commercial outdoor uses in conjunction with community festivals are regulated under [Chapter 366](#) and are not subject to the requirements of this section.

*Standards and conditions for outdoor commercial uses that are not in the public right-of-way:*

- (a) The use shall not conflict with required off-street parking, off-street loading and the system of pedestrian flow, and shall not obstruct building ingress and egress.
- (b) For commercial outdoor uses that occupy more than ten (10) percent of the zoning lot or one thousand (1,000) square feet, whichever is less, the following apply:
  - (1) Except in the I2 industrial district, a conditional use permit is required.
  - (2) Approval of a site plan showing the location and layout of outdoor commercial uses on the site.
  - (3) Provide the zoning administrator with written contact information for the person responsible for coordinating the outdoor sales and activities and update the zoning administrator in writing within thirty (30) days should any contact information change.
- (c) The area shall be kept free of litter. Donated items or materials shall not be left outside of donation drop-off boxes.

ADDRESS/LOCATION INFO FOR WHITE BEAR AVE CUP

Addresses:

1560 White Bear Ave North (PIN: 232922220052)

Legal Description:

Lot 1 Block 8 of HILLCREST CENTER PLAT 2

EX W 100 FT OF S 171 FT AND EX W 240 FT OF N 78 FT LOT 1 BLK 8

1570 White Bear Ave North (PIN: 232922220051)

Legal Description:

Lot 1 Block 8 of HILLCREST CENTER PLAT 2

W 100 FT OF S 171 FT OF LOT 1 BLK 8

1584 White Bear Ave North (PIN: 232922220050)

Legal Description:

Lot 1 Block 8 of HILLCREST CENTER PLAT 2

W 240 FT OF N 78 FT OF LOT 1 BLK 8

Active Addresses per STAMP:



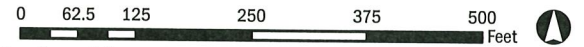




FILE #19-051492 | LAND USE MAP

# Application of Housing Redevelopment Auth.

Application Type: CUP  
 Application Date: June 13, 2019  
 Planning District: 2



This document was prepared by the Saint Paul Planning and Economic Development Department and is intended to be used for reference and illustrative purposes only. This drawing is not a legally recorded plan, survey, official tax map or engineering schematic, and is not intended to be used as such. Data sources: City of Saint Paul, Ramsey County, Metropolitan Council, State of Minnesota.

**Subject Parcel Outlined in Blue**

- |                           |                                |                                |              |
|---------------------------|--------------------------------|--------------------------------|--------------|
| Farmstead                 | Office                         | Extractive                     | Airport      |
| Seasonal/Vacation         | Retail and Other Commercial    | Institutional                  | Agricultural |
| Single Family Detached    | Mixed Use Residential          | Park, Recreational or Preserve | Undeveloped  |
| Manufactured Housing Park | Mixed Use Industrial           | Golf Course                    | Water        |
| Single Family Attached    | Mixed Use Commercial and Other | Major Highway                  |              |
| Multifamily               | Industrial and Utility         | Railway                        |              |





FILE #19-051492 | ZONING MAP

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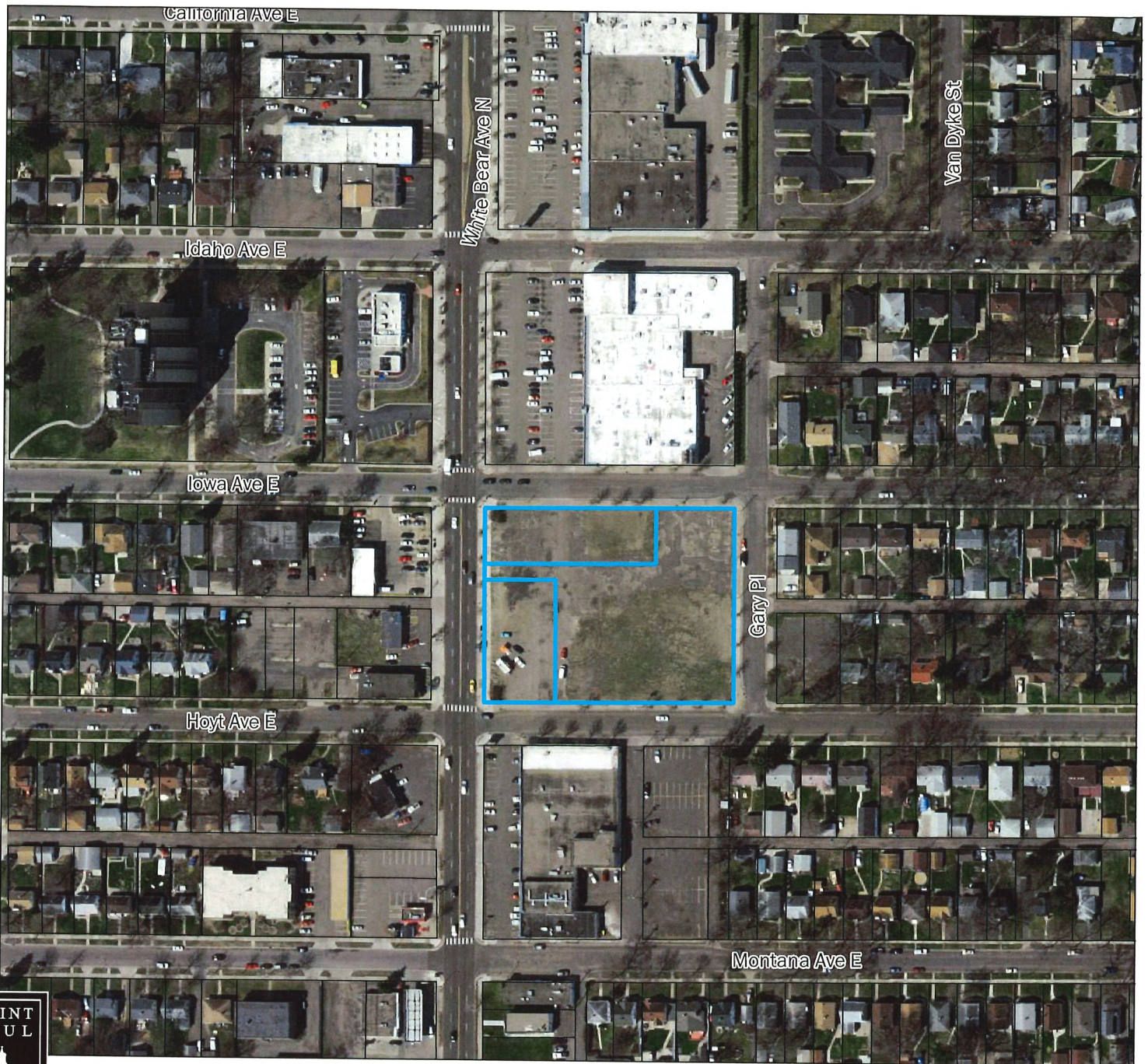


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**Subject Parcel Outlined in Blue**

- |                         |                             |                                   |                              |
|-------------------------|-----------------------------|-----------------------------------|------------------------------|
| RL One-Family Large Lot | RM3 Multiple-Family         | BC Community Business (converted) | I3 Restricted Industrial     |
| R1 One-Family           | T1 Traditional Neighborhood | B2 Community Business             | F1 River Residential         |
| R2 One-Family           | T2 Traditional Neighborhood | B3 General Business               | F2 Residential Low           |
| R3 One-Family           | T3 Traditional Neighborhood | B4 Central Business               | F3 Residential Mid           |
| R4 One-Family           | T3M T3 with Master Plan     | B5 Central Business Service       | F4 Residential High          |
| RT1 Two-Family          | T4 Traditional Neighborhood | IT Transitional Industrial        | F5 Business                  |
| RT2 Townhouse           | T4M T4 with Master Plan     | ITM IT with Master Plan           | F6 Gateway                   |
| RM1 Multiple-Family     | OS Office-Service           | I1 Light Industrial               | VP Vehicular Parking         |
| RM2 Multiple-Family     | B1 Local Business           | I2 General Industrial             | PD Planned Development       |
|                         |                             |                                   | CA Capitol Area Jurisdiction |





FILE #19-051492 | AERIAL MAP

# Application of Housing Redevelopment Auth.

Application Type: CUP  
Application Date: June 13, 2019  
Planning District: 2

**Subject Parcel Outlined in Blue**



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