ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** 2525 W 7th Coffee Shop Drive-Thru

FILE # 19-097-759

2. APPLICANT: Paster Properties

HEARING DATE: November 21, 2019

- 3. **TYPE OF APPLICATION:** Conditional Use Permit
- 4. **LOCATION:** 2525 7th St W
- 5. PIN & LEGAL DESCRIPTION: 21.28.23.14.0001, SECTION 21 TOWN 28 RANGE 23 EX WIDENED 7TH ST BEG AT INTERSECTION OF ORIGINAL NWLY L OF 7TH ST WITH E L OF DAVERN ST TH N 150 FT TH NELY PAR WITH 7TH ST 185 FT TH S 150 FT TH SWLY 185 FT TO BEG BEING IN E 1/2 OF NE 1/4 OF SEC 21 TN 28 RN 23

6. **PLANNING DISTRICT:** 15

PRESENT ZONING: B2

BY: Emma Siegworth

- 7. **ZONING CODE REFERENCE:** § 65.513; § 61.501
- 8. **STAFF REPORT DATE:** November 13, 2019
- 9. **DATE RECEIVED:** October 31, 2019 **60-DAY DEADLINE FOR ACTION:** December 30, 2019
- A. **PURPOSE:** Conditional use permit for coffee shop drive-through sales.
- B. PARCEL SIZE: Approximately 22,651 square feet.
- C. **EXISTING LAND USE:** Auto convenience market.
- D. SURROUNDING LAND USE:

North: Sibley Plaza shopping center in a B2 Community Business district.

East: Sibley Manor Apartments in a T3 Traditional Neighborhood district.

South: An auto convenience market and a restaurant in a T3 Traditional Neighborhood district.

West: Single family homes in a R3 One-Family Residential district and a restaurant in a T2 Traditional Neighborhood district.

- E. **ZONING CODE CITATION:** § 65.513 permits drive-through sales and service with a conditional use permit; § 61.501 lists general conditions that must be met by all conditional uses
- F. **PARKING**: Zoning Code § 63.207 establishes minimum parking requirements by use. The coffee shop use requires 5 parking spaces based on the gross floor area of 2,200 square feet (1 space per 400 square feet). 15 spaces (including 2 ADA stalls) are proposed.
- G. **HISTORY/DISCUSSION:** There are no previous zoning cases for this parcel.
- H. **DISTRICT COUNCIL RECOMMENDATION:** The Highland District Council supports the conditional use permit request with conditions.
- I. FINDINGS:
 - 1. The site is currently an existing auto convenience market and has a history of this use. Located at the northeast corner of the West 7th Street and Davern Street intersection, the site is currently accessed by four driveways directly on West 7th Street and Davern Street. The applicant intends to demolish the existing structures on the site and construct a free-standing coffee shop with a proposed drive-through. The four existing driveways are proposed to be removed and the site will be accessed through the Sibley Plaza parking lot. The coffee shop building is proposed to be constructed at the corner of West 7th Street and Davern Street with a patio and bicycle parking that connects to the existing sidewalks on both streets. Landscaping is planned around the patio and between the building and sidewalk.

The proposed parking lot and drive-through are located at the east side of the building. The parking lot includes fifteen parking spaces. The drive-through lane provides fourteen stacking spaces and additional stacking is provided within the Sibley Plaza parking lot. Pedestrian pathways and crosswalks are proposed throughout the parking lot to allow for pedestrians to safely cross the parking lot and drive-through lane to access the building. A landscaped buffer with ornamental fencing is planned to separate the proposed drive-through lane from the sidewalk along West 7th Street.

- 2. Zoning Code § 65.513 permits drive-through sales and services subject to the following conditions:
 - (a) Drive-through lanes and service windows shall be located to the side or rear of buildings, shall not be located between the principal structure and a public street, and shall be at least sixty (60) feet from the closest point of any residentially zoned property or property occupied with a one-, two-, or multiple-family dwelling. This condition is met. The proposed drive-through lane and service window are located on the side of the proposed coffee shop building.
 - (b) Points of vehicular ingress and egress shall be located at least sixty (60) feet from the intersection of two (2) streets and at least sixty (60) feet from abutting residentially zoned property. This condition is met. Points of vehicular ingress and egress to the site are proposed to be within the existing Sibley Plaza and are more than 60 feet from an abutting residentially zones property.
 - (c) Speaker box sounds from the drive-through lane shall not be plainly audible so as to unreasonably disturb the peace and quiet of abutting residential property. This condition is met. Speaker box sounds will not be plainly audible from the abutting residential property located across West 7th Street and Davern Street.
 - (d) A six-foot buffer area with screen planting and an obscuring wall or fence shall be required along any property line adjoining an existing residence or residentially zoned property. This condition is met. The site does not have any property line adjoining an existing residence or residentially zoned property. The applicant proposes a 10-foot landscape buffer with ornamental fencing to separate the drive-through lane from the sidewalk along West 7th Street.
 - (e) Stacking spaces shall be provided for each drive-through lane. Banks, credit unions, and fast-food restaurants shall provide a minimum of four (4) stacking spaces per drive-through lane. Stacking spaces for all other uses shall be determined by the zoning administrator. This condition is met. The proposed drive-through lane provides fourteen stacking spaces. While it is not anticipated that the drive-through queue will exceed the provided stacking spaces, additional queued vehicles would queue in the Sibley Plaza parking lot and would not affect the adjacent streets.
- 3. §61.501 lists five standards that all conditional uses must satisfy:
 - (a) The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council. This condition is met. The proposed use is in substantial compliance with the 2030 Saint Paul Comprehensive Plan, the Highland Park District Plan, and the Shepard Davern Area Plan.

The 2030 Comprehensive Plan identifies the portions of West 7th Street and Davern Street along the site as Mixed-Use Corridors, which are defined as arterial or collector streets with high volumes of vehicular traffic and frequent peak hour transit service. Policy LU1.28 states "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".

The Highland Park District 15 Plan has policies that support pedestrian-friendly design features, such as policy LU1.2: "Work with developers, property owners, neighbors and neighborhood businesses to promote pedestrian-friendly design features such as parking behind buildings, transparent windows at street levels, building frontage on sidewalks, and minimizing conflict points between vehicles and pedestrians."

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The Shepard Davern Area Plan has policies that support neighborhood serving businesses, such as policy LU1: "Attract more neighborhood servicing businesses to the area, to better serve the needs of residents in the area."

(b) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met. The existing site is accessed by four driveways directly to West 7th Street and Davern Street. These driveways are proposed to be removed, which will reduce the number of conflict points within the West 7th Street and Davern Street intersection.

The proposed site will be accessed through the existing Sibley Plaza and will have no direct access to either West 7th Street or Davern Street. The Sibley Plaza parking lot is accessed by a driveway on Davern Street and Sheridan Avenue north of the proposed site, a signalized driveway on West 7th Street and West Maynard Drive, and a driveway on West 7th Street and East Maynard Drive northeast of the proposed site.

A Traffic Impact Analysis report was prepared for the proposed use. Based the vehicle queuing analysis, the southbound approach at the intersection of West 7th Street and Davern Street is expected to have the most site trips added to it. The vehicles queues are anticipated to be longer in the PM peak hour than the AM peak hour and are not anticipated to exceed the storage length by more than one vehicle (25 feet). Based on the capacity analysis, it was determined that no off-site mitigation is necessary to provide acceptable level of service at the study intersections with the addition of the traffic from the proposed use.

The proposed drive-through lane provides fourteen on-site stacking spaces without affecting the Sibley Plaza parking lot. The Traffic Impact Analysis report includes a reference to a technical memorandum dated May 17, 2018 that summarized observations at a site in Saint Paul that is similar to the proposed site. Observations indicated the drive-through had a maximum queue of twelve vehicles and an average queue of seven vehicles during the Friday AM peak hour. The drive-through queue at the proposed site is not anticipated to exceed the fourteen stacking spaces provided. If the stacking capacity becomes insufficient, the additional queued vehicles would queue in the Sibley Plaza parking lot and would not affect Davern Street, which is located approximately 150 feet to the west.

- (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 proposed use is a neighborhood-serving use that is in keeping with the commercial character of Sibley Plaza and adjacent businesses. It will not endanger the public health, safety, and general welfare. The proposed site will promote a pedestrian-friendly environment by removing the existing driveways onto West 7th Street and Davern Street, and providing sidewalk connections, bicycle racks, and a patio at the intersection of West 7th Street and Davern Street.
- (d) The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. This condition is met. The proposed use will not impede the development of the surrounding property. The proposed site and Sibley Plaza are owned by the same entity and an access agreement will be established prior to the coffee shop opening.
- (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 conforms to all applicable regulations.

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- J. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of a conditional use permit for coffee shop drive-through sales at 2525 W 7th Street subject to the following additional condition:
 - 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.

SAINT PAUL AAAA

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) 266-6583

Zoning Office Use Only					
File# 19-097-759					
Fee Paid \$ <u>840</u>					
Received By / Date 10/31/2019					
Tentative Hearing Date					

(001)				W		
	Name Paster Properties c/o Mike Sturdivant					
ADDLIGANT	(must have ownership or leasehold interest in th			And the second s		
APPLICANT	Address 5320 West 23rd Street, Suite 205	City _ St. Louis Park	State _ ^{MN}	Zip <u>55416</u>		
	Email msturdivant@pasterprop.com					
	Name of Owner (if different)	Email				
	Contact Person (if different)					
	Address	City	_ State	Zip		
	Address/Location 2525 7th St. W, St. Paul, MN 58	5116				
PROPERTY	PIN(s) & Legal Description Please see the attached survey for the legal description. PIN: 212823140001					
INFO	(attach additional sheet if necessary)					
	·	Lot Area _ ^{0.53 ac}	_ Current Zonin	g <u>B2</u>		
TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of Zoning Code						
Section(s) 65.5 513 for the following use or purpose:						
Proposed Coffe	Proposed Coffee Shop with a Drive-Thru					
SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions for the use.						
If you are requesting modification of any standards or conditions for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Zoning Code § 61.502.						
Attach additional sheets if necessary.						
See the Attached Memorandum regarding the proposed coffee shop and drive-through.						
MECEIV						
	1 REC'D					
		OCT 3				
			1 11			
■ Required site plan is attached						
☐ If you are a religious institution you may have certain rights under RLUIPA. Please check this box if you identify as a religious institution.						
10:51:12						
Applicant's S	Signature		Date			



MEMORANDUM

To:

Kady Dadlez

City of St. Paul - Senior City Planner

From:

Brandon Elegert, P.E.

Kimley-Horn and Associates, Inc.

Date:

October 31, 2019

Subject:

Conditional Use Permit - Drive-Thru

Paster Properties is proposing to construct an approximately ±2,200 square foot free-standing coffee shop with a proposed drive-thru. The site is located at the northeast corner of West 7th Street and Davern Street. Currently, the Site is an existing gas station with four curb cuts directly on West 7th Street and Davern Street. The proposed site will be accessed through the existing Sibley Plaza shopping center and will have no direct access to either West 7th Street or Davern Street. The Site will also consist of parking, landscaping, and required stormwater management. Below is a summary of the required General Standards per City Code Section 61.501 for a Conditional Use Permit.

• 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 in substantial compliance with the Comprehensive Plan which includes mixed-use designations for the Site. The site will promote a pedestrian friendly environment by removing the existing curb cuts onto West 7th and Davern and also providing sidewalk connections and a patio fronting both 7th and Davern Streets. The site will also be landscaped per City requirements and decrease the impervious area consistent with policy goals of the Comprehensive Plan and Shepard Davern Plan.

The plan has been submitted to the Highland District Council which has provided initial support for the plan. The plan also considers the Shepard Davern Area Plan which calls for commercial development to emphasize a gateway into the City and for encouraging neighborhood serving businesses such as a coffee shop. The site provides a patio at the corner of West 7th and Davern to activate the street corner with a patio and sidewalk connections and will utilize landscaping to accentuate the street frontage and screen the proposed drivethru.

 The use will provide adequate ingress and egress to minimize traffic congestion in the public streets

The existing gas station has four curb cuts directly to West 7th and Davern Streets. The proposed coffee shop will utilize internal access from the Sibley Plaza Shopping Center and



will close the existing access points on West 7th and Davern. This will greatly reduce the number of vehicular and pedestrian conflict points.

The proposed site plan has provided stacking capacity for up to 14 cars. Although not anticipated, if stacking spills out of the site, stacking can occur to the east (approximately 260 feet) and to the west (approximately 180 feet) prior to impacting the public rights-of-way.

• 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 proposed use will not be detrimental to the existing character of the development or endanger the public health, safety, and general welfare. The proposed use will revitalize the parcel and with the addition of a patio at the West 7th and Davern intersection will provide an opportunity to re-activate the pedestrian realm meeting the Neighborhood's and City's objectives for the area.

Sidewalk connections directly from the rights-of-way will be provided so customers entering the cafe from the public right-of-way will not have to cross driveways or drive aisles. Bike racks will also be provided as part of the development.

As previously mentioned four driveways will be closed as part of the development which will greatly reduce conflicts between pedestrians, bicyclists, and automobiles.

- The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
 - The proposed use will not impede the development of the surrounding property. The proposed site and Sibley Plaza Shopping Center are owned by the same entity and an access easement agreement will be agreed upon prior to the coffee shop opening. The proposed development will meet the Comprehensive Plan goal of providing services to the existing neighborhood.
- The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

The use conforms to all other applicable development regulations.

In addition to the requirements of Section 61.501 of the City Code, the City also specifies drive-thru requirements to be met in Section 65.513

 Drive-thru lanes and service windows shall be located to the side or rear of buildings, shall not be located between the principal structure and a public street, and shall be at least sixty (60) feet from the closest point of any residentially zoned property or property occupied with a one, two-, or multiple family dwelling.

The proposed drive-thru lane is located on the side of the proposed building.



- Points of vehicular ingress and egress shall be located at least sixty (60) feet from the intersections of two (2) streets and at least sixty (60) feet from abutting residentially zoned property.
 - Points of ingress/egress will be within the existing Sibley Plaza Shopping Center and are over 60 feet from an abutting residential property.
- Speaker box sounds from the drive-thru lane shall not be plainly audible so as to unreasonably disturb the peace and quiet of abutting residential property.
 - Speaker box sounds will not be plainly audible from abutting residential property.
- A six-foot buffer area with screen planting and an obscuring wall or fence shall be required along any property line adjoining an existing residence or residentially zoned property.
 A 10-foot landscape buffer with fencing is proposed along the West 7th Street right-of-way.
- Stacking spaces shall be provided for each drive-thru lane. Banks, credit unions, and fast-food restaurants shall provide a minimum of four (4) stacking spaces per drive-thru lane.
 Fourteen stacking spaces have been provided within the Site. Additional stacking within the Sibley Plaza Shopping Center parking lot is provided in the event of stacking beyond the property line.

PROPERTIES



1978 Ford Parkway • Saint Paul MN 55116 • 651.695.4005 • HighlandDistrictCouncil.org

Resolution in Support of a Conditional Use Permit for Starbucks Drive-through located at 2525 West 7th Street

Whereas Paster Properties is seeking to demolish and redevelop the current gas station at 2525 West 7^{th} Street in Saint Paul; and

Whereas the Highland District Council's Community Development Committee held a community meeting on October 15, 2019 with representatives of Paster to discuss its site plan and Conditional Use Permit for a drive-through and advertised and accepted public comment until October 28th; and

Whereas the comments received were mostly positive concerning the addition of the Starbucks, improvements to the gateway of Saint Paul with a new building, a pedestrian friendly corner, and the removal of four existing curb cuts, and

Whereas the drive through will be contained within the Sibley Plaza shopping mall, and will not extend out into the arterial streets; and

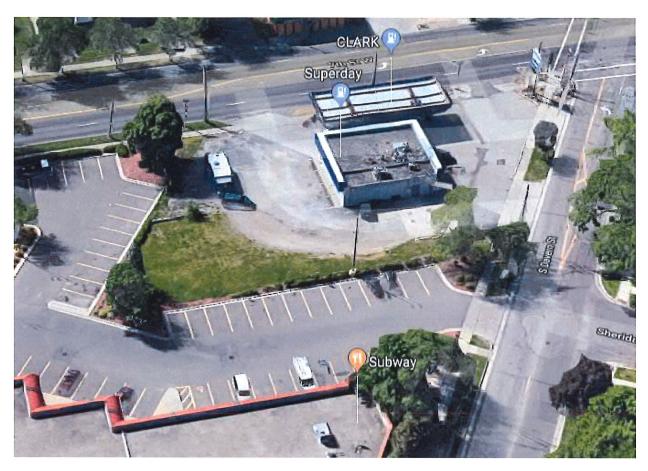
Whereas a few neighbors expressed concern for traffic exiting onto south bound Davern Street during the morning, and suggested mitigation measures be taken to encourage drive through traffic to exit at Maynard and West 7th; and

Whereas Starbucks continues to work with the Highland District Council to ensure the portion of the building that faces West 7th meets the criteria in the Shepard Davern portion of the District 15 Plan: Site Plans for new developments in Neighborhood Centers or Mixed Use Corridors will emphasize high quality exterior building design and contain exterior landscaping and lighting plans that encourage a pedestrian-friendly environment(LU7); and

Whereas Starbucks will improve the landscaping, lighting, walkability, and improved green space on this corner; therefore

Be it resolved that the Highland District Council recommends approval of Paster Properties Conditional Use Permit for a drive-through at 2525 West 7th Street in Saint Paul, with the condition that Starbucks continues to work with the HDC to meet the design criteria of the Shepard Davern plan, and exiting traffic is encouraged to turn right toward the Maynard/ West 7th Street exit, through the use of paint, signage and curb.

Adopted on November 7, 2019 By the Highland District Council Board of Directors



2525 West 7th Street and Sibley Plaza from above (facing south)



Existing auto convenience market at 2525 West 7th Street



2525 West 7th Street driveways to West 7th Street



2525 West 7th Street driveways to West 7th Street and Davern Street



North end of 2525 West 7th Street and Sibley Plaza



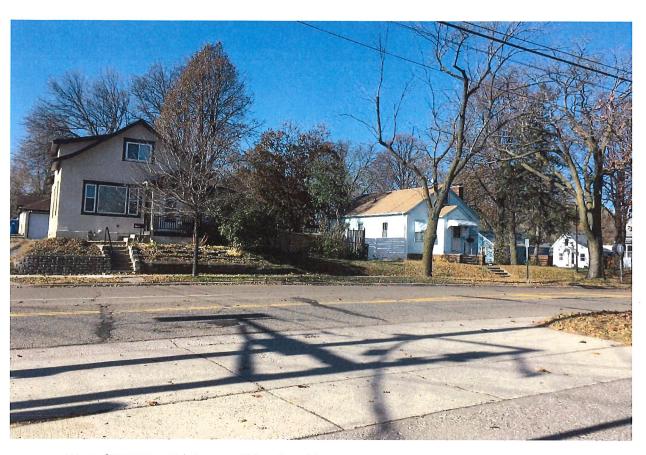
Northeast of 2525 West 7th Street - Sibley Plaza



East of 2525 West 7th Street - Sibley Manor Apartments



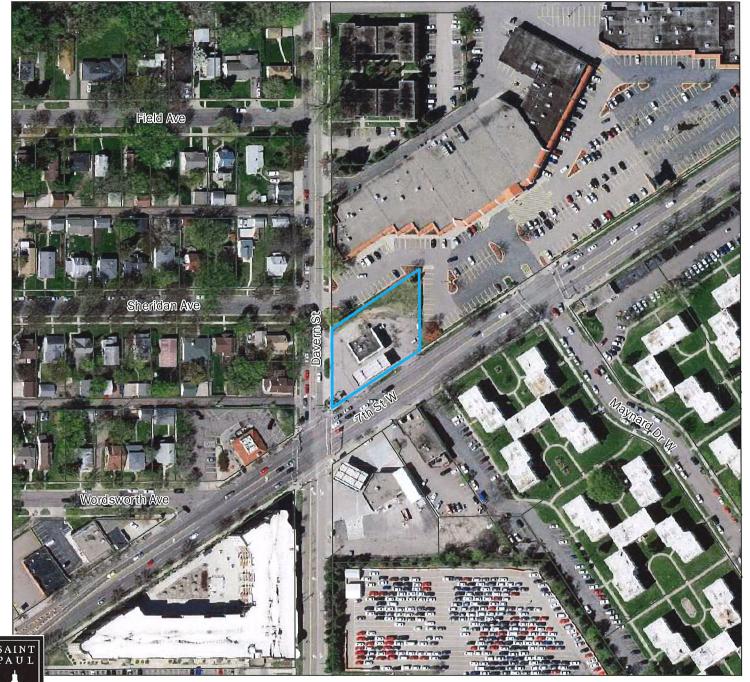
South of 2525 West 7th Street – Auto convenience market and restaurant



West of 2525 West 7th Street – Sibley Plaza driveway to Davern Street and single-family homes



West of 2525 West 7th Street – Restaurant



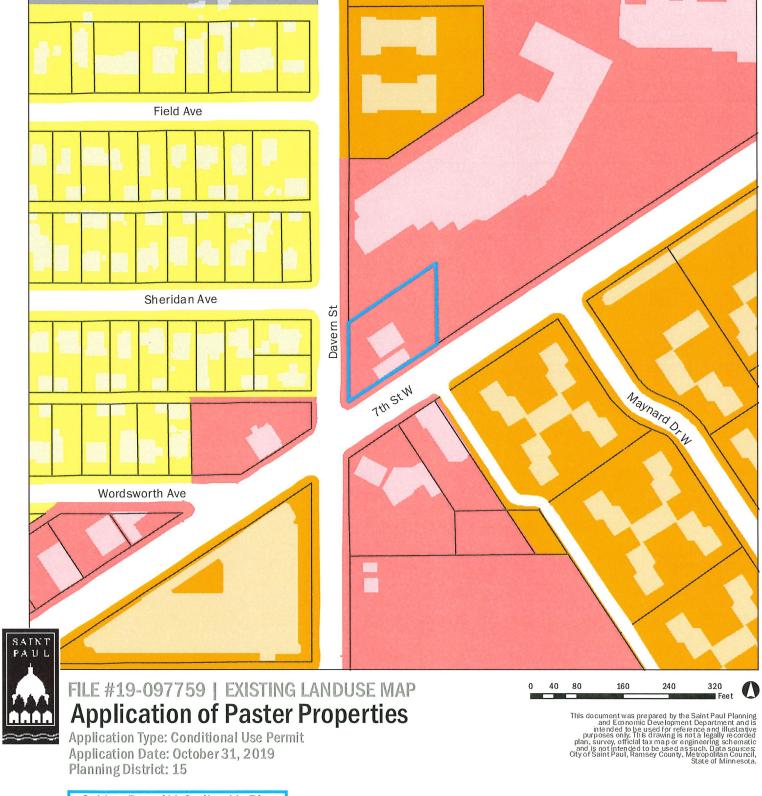
FILE #19-097759 | AERIAL MAP Application of Paster Properties

Application Type: Conditional Use Permit Application Date: October 31, 2019 Planning District: 15

Subject Parcel(s) Outlined in Blue

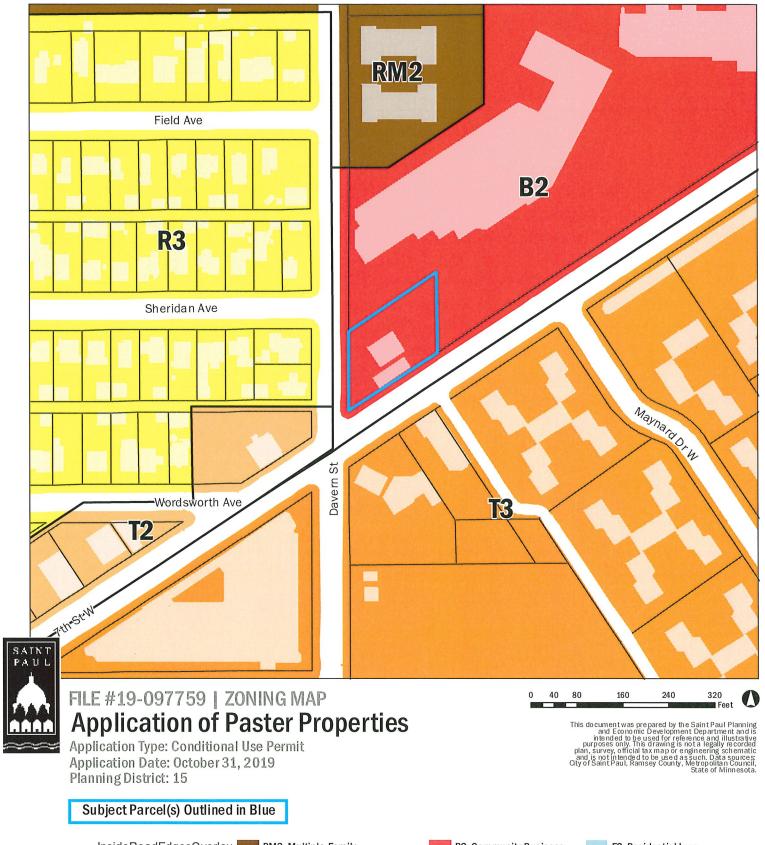
160 240 320 Feet 40

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(s) Outlined in Blue





InsideRoadEdgesOverlay RM3 Multiple-Family **B2** Community Business F2 Residential Low RL One-Family Large Lot T1 Traditional Neighborhood **B3** General Business F3 Residential Mid **B4** Central Business R1 One-Family T2 Traditional Neighborhood F4 Residential High R2 One-Family T3 Traditional Neighborhood B5 Central Business Service F5 Business T3M T3 with Master Plan IT Transitional Industrial R3 One-Family F6 Gateway R4 One-Family T4 Traditional Neighborhood /// ITM IT with Master Plan VP Vehicular Parking RT1 Two-Family T4M T4 with Master Plan I1 Light Industrial PD Planned Development RT2 Townhouse OS Office-Service 12 General Industrial CA Capitol Area Jurisdiction RM1 Multiple-Family **B1** Local Business 13 Restricted Industrial

F1 River Residential

BC Community Business (converted)

RM2 Multiple-Family