

MINUTES OF THE ZONING COMMITTEE
Tuesday, July 2, 2019 - 3:30 p.m.
City Council Chambers, 3rd Floor
City Hall and Court House
15 West Kellogg Boulevard

PRESENT: DeJoy, Edgerton, Grill, Lindeke
EXCUSED: Baker, Ochs, and Rangel Morales, and Reveal
STAFF: Tony Johnson, Samantha Langer, Allan Torstenson, and Peter Warner

The meeting was chaired by Commissioner Edgerton.

District 2 Mobile Food Trucks - 19-051-492 - Conditional use permit for up to 10 mobile food units, 1560 - 1590 White Bear Ave N, between Iowa Avenue and Hoyt Avenue

Tony Johnson presented the staff report with a recommendation of approval for the conditional use permit. He said District 2 recommended approval, and there were no letters in support or opposition.

In response to Commissioner DeJoy, Mr. Johnson said he isn't sure how the food trucks will be vetted for the site. The site is owned by the Saint Paul Housing and Redevelopment Authority (HRA). The HRA will have a lease with North East Neighborhoods Development Corporation (NENDC) and Chuck Repke will be the coordinator of the food trucks.

In response to Commissioner Grill, Mr. Johnson said there were four at the site and now there will be ten.

In response to Commissioner Lindeke, Mr. Johnson wasn't sure if they would be providing tables at the site and other basic services. He said that one of the standards of the commercial use is that the area be kept free of litter.

Beau Ku Vang, NENDC, 1321 White Bear Avenue, Saint Paul, MN, said that they have been operating the food trucks for the last five years and now needs a conditional use permit for 1560–1590 White Bear Avenue for up to 10 mobile food units. Food trucks turn in their license from the Minnesota Department of Health and insurance to NENDC. They will also be collecting applications and submitting them to the City.

In response to Commissioner DeJoy, Ms. Vang said that currently they have each food truck clean up after themselves. They haven't had any issues in the past five years.

Lisa Theis, Program Director, District 2 Community Council, 1365 Prosperity Avenue, Saint Paul, MN, said that at the District 2 Community Board voted unanimously to support this application at their June 19 meeting. Currently the trucks are parked along the street and it can be a hazard. They are concerned about the safety of the pedestrians, bicyclist, and vehicles on this street. It is a great decision to move it back onto the site.

No one spoke in opposition. The public hearing was closed.

In response to Commissioner Lindeke, Mr. Johnson said that this is a potential redevelopment site. There is an option to cancel the lease if a redevelopment proposal comes in.

Commissioner Lindeke said that he was very excited for this and is hoping to see more of a permanent site for food trucks with tables, trash cans and electric hookups provided. It would be great to see it pioneered on the East side.

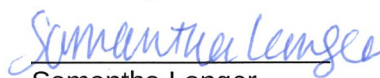
Commissioner DeJoy said this is an under-utilized site and it has been cleared for development for many years. It is a great opportunity for micro entrepreneurs to get started in business.

Commissioner Anne DeJoy moved approval of the conditional use permit. Commissioner Kristine Grill seconded the motion.

The motion passed by a vote of 4-0-0.

Adopted Yeas - 4 Nays - 0 Abstained - 0

Drafted by:



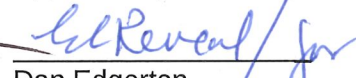
Samantha Langer
Recording Secretary

Submitted by:



Tony Johnson
City Planner

Approved by:



Dan Edgerton
Chair

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The meeting was chaired by Commissioner Edgerton.

Andrew Newby - 19-051-380 - Establishment of legal nonconforming status as a 3-family dwelling, 1614 Hewitt Ave, between Snelling Avenue and Fry Street

Josh Williams presented the staff report with a recommendation of approval with conditions for the establishment of nonconforming use permit. He said District 11 recommended approval, and there were no additional letters in support or opposition.

In response to Commissioner Grill, Mr. Williams said that the Duplex and Triplex Conversion Guidelines was created by both the Board of Zoning Appeals and Planning Commission, but he wasn't sure of the process.

Mr. Torstenson said the guideline was something that the Planning Commission requested and it was drafted by staff to be reviewed and adopted by the Board of Zoning Appeals and the Planning Commission. He agreed that it is due for a review and it should be mentioned at the next Planning Commission meeting.

Commissioner Edgerton said that this reinforces the idea of rezoning larger areas to address nonconforming uses.

The applicant, Andrew Newby, 2096 Randolph Avenue, Saint Paul, MN, said that he purchased the triplex in August 2018 and was provided with three leases by the previous owner. The Truth In Sale of Housing (TISH) report mentioned three units and although there was a mention of a duplex on the TISH report he proceeded to close with that information. They had a fire inspection in 2019 and the Fire Inspectors flagged it and that has brought him to this point. He said that they reviewed the property for safety compliance. He has received the support of the neighborhood and District Council. As he was talking with neighbors he heard that it was owner occupied and he established a living unit on the third floor and at some time he moved out and they converted it. The mechanical information within the third unit seems to match the permits as far as he can tell. It seems the work was permitted, but he knows they will have to go through a permit review.

No one spoke in support or opposition. The public hearing was closed.

Commissioner Kristine Grill moved approval with conditions of the establishment of nonconforming use permit. Commissioner William Lindeke seconded the motion.

In response to Commissioner DeJoy, Mr. Williams said there is a pending Certificate of Occupancy that means a Fire Inspector has been in the property and there aren't any major concerns.

Commissioner Edgerton stated that this approval is conditioned on meeting Fire Code requirements.

The motion passed by a vote of 4-0-0.

Adopted Yeas - 4 Nays - 0 Abstained - 0

Drafted by:	Submitted by:	Approved by:
 Samantha Langer Recording Secretary	 Josh Williams City Planner	 Dan Edgerton Chair