

city of saint paul
planning commission resolution

file number 20-45

date October 16, 2020

WHEREAS, Ebisso Uka, File # 20-073-203, has applied for a conditional use permit for auto repair with modification of a ten-foot landscaped buffer requirement under the provisions of § 65.705, § 61.501, and § 61.502 of the Saint Paul Legislative Code, on property located at 1033 Thomas Avenue, Parcel Identification Number (PIN) 35.29.23.22.0188, legally described as D. W. MOORE'S ADDITION SUBJ TO PARTY WALL AGREEMENT; THE FOL, ALL OF VAC ALLEY ADJ & PART OF LOT B LYING S & E OF FOL DESC LINE COM AT SW COR OF LOT B TH N ON WL LOT B 79.19 FT TO POB TH E PAR TO SL SD LOT 123.17 FT TH N 62.43 FT TO NL OF VAC ALLEY & THER; and

WHEREAS, the Zoning Committee of the Planning Commission, on October 8, 2020, held a public hearing on said application pursuant to the requirements of § 61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The subject property is currently a van transportation company, Rift Valley Transportation. Auto-repair of the fleet vehicles was previously approved as part of a determination of similar use approval when the use was established. The van transportation company has outgrown the site. The applicant wishes to continue auto repair for the general public at the subject location, necessitating this application for a conditional use permit.
2. Zoning Code § 65.705 lists the following standards and conditions 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 27,442 sq. ft.
 - (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. The applicant is requesting a modification of this standard as detailed in Finding 4 below.
 - (c) All repair work shall be done within an enclosed building. This condition is met. Outdoor space for auto repair is not proposed.
 - (d) There shall be no outside storage. This condition is met. Outdoor storage is not proposed.
 - (e) In the IT transitional industrial district this use shall be limited to parcels within one-quarter (¼) mile of University Avenue, and all vehicles awaiting repair or pick up shall be stored on the site within enclosed buildings or defined parking spaces in compliance with section 63.301. This condition is met. The site is zoned B3.
3. § 61.501 lists five standards that all conditional uses must satisfy:

moved by Edgerton

seconded by _____

in favor 13

against 2 (Lindeke, Perryman)

- (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 property is located in an area defined by the 2030 comprehensive plan as an established neighborhood and it is in an area defined by the 2040 comprehensive plan as an urban neighborhood. Although these comprehensive plan land use designations are primarily residential in nature, neighborhood serving commercial uses are appropriate in both the 2030 and 2040 general land use designations. Policy LU-36 of the 2040 comprehensive plan calls for promoting neighborhood serving commercial businesses within Urban Neighborhoods that are compatible with the character and scale of the existing residential development.
 - (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met.* There are two curb cuts providing vehicular ingress and egress from the site; one curb-cut and service door accesses the service bays for the proposed auto-repair bays and one curb-cut provides ingress and egress for an accessory parking lot. The ingress and egress is adequate to serve the proposed auto repair 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.* Auto repair is a component of the existing van transportation use. The continuation of just the auto-repair component 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 establishment of an auto-repair business in an existing structure will not impede the normal or orderly development 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 provided the modification of the landscaped buffer requirement is granted.*
4. The planning commission may approve modification of special conditions when specific criteria in § 61.502 are met: *strict application of such special conditions would unreasonably limit or prevent otherwise lawful use of a piece of property or an existing structure and would result in exceptional undue hardship to the owner of such property or structure; provided, that such modification will not impair the intent and purpose of such special condition and is consistent with health, morals and general welfare of the community and is consistent with reasonable enjoyment of adjacent property. This finding is met.* There is an existing landscape buffer and obscuring fence around the accessory parking lot, which was constructed when Rift Valley Transportation was originally established at the site. In addition to this existing buffer, the accessory parking lot is also buffered by an alleyway between the parking lot and the adjacent residential uses. The existing structures have a legally nonconforming zero-foot setback on the northern property line adjoining multiple family residential uses, and it would not be possible to meet the 10' foot landscape buffer requirement, without removing a portion of the buildings. The existing buildings are fixed a site constraint, and the strict application of this provision in the code would result in an undue hardship for the applicant.
- NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Ebisso Uka for a conditional use permit for auto repair with modification of a ten-foot landscaped buffer requirement at 1033 Thomas Avenue is hereby approved, 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. Vehicles awaiting repair, or that have been repaired and are awaiting pick-up, shall be stored on-site.



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 # _____
Fee Paid \$ _____
Received By / Date _____
Tentative Hearing Date _____

APPLICANT

Name Ebisso Uka
(must have ownership or leasehold interest in the property, contingent included)

Address 86 Rapp Farm Place City St. Paul State MN Zip 55127

Email euka@rvtusinc.com Phone 651-338-4673

Name of Owner (if different) _____ Email _____

Contact Person (if different) _____ Email _____

Address _____ City _____ State _____ Zip _____

PROPERTY INFO

Address/Location 1033 Thomas Ave St Paul MN 55104

PIN(s) & Legal Description 352923220186 and 352923220074
(attach additional sheet if necessary)


Lot Area _____ Current Zoning _____

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of Zoning Code Section(s) Sec. 65.705 (b) for the following use or purpose:
Auto Repair and Maintenances

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.

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.

Applicant's Signature  Date 9/9/20



Business Operation 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, non-profit social service agencies and other privately owned companies. While the company is providing repairs and maintenances to its fleet, the need for additional services arose from company drivers and also surrounding community.

In addition to the service it provides to student transportation, the company is planning to open Public Auto Repairs and Maintenance services to serve its drivers and the surrounding community and in the mean time, to generate income for the sustainability of the business.

This business plan is prepared for the purpose of giving necessary information regarding the condition and improvement done to this property and requesting to convert the auto repair works initially approved and licensed for company vehicles to general auto repair shop for public is to generate income for the company and to serve the company drivers and surrounding community. On the other hand, to request the city, modification to current licensing conditions to commercial auto repair shop.

A) Importance of Auto Repair

Since the recently purchased building at 45 Empire Drive Saint Paul, MN 55103 has sufficient spaces to store company vehicles as well as repair works, its intended to help company generate income especially during this COVID 19 time when nearly 100 percent students going to be distance learning when our business entirely dependent on students transportation. And also, the auto repair shop is expected to provide services to the company drivers and the surrounding community.



The property has three divisions, **Bricks building**, part of auto repair shop, **Open Vehicles storage and parking lot on the east side**.

1. The Office Building

The Office building has 2 parts. The bricks building on south side and auto repair shop on North side. The auto repair shop has been equipped with **Trench drain, flammable waste trap and air makeup**

2. The Metal building on East side

The metal building is on east side connected to both bricks building and auto repair shop. All necessary improvements done including **Trench drain, flammable waste trap, and Air Make-up system**. Its approved and licensed to store vehicles inside

3. East side Fenced lot

Outside of the building has a fenced parking lot that can accommodate about 23 vehicles. This parking lot is intended for employees and customers parking use.

B) Improvement done to the property

The improvement done to this property is **Trench drain, flammable waste trap, Air Make-up system** and all **electrical systems, plumbing, heating and cooling** units and all other mechanical systems are done and operational.

C) Job Opportunity

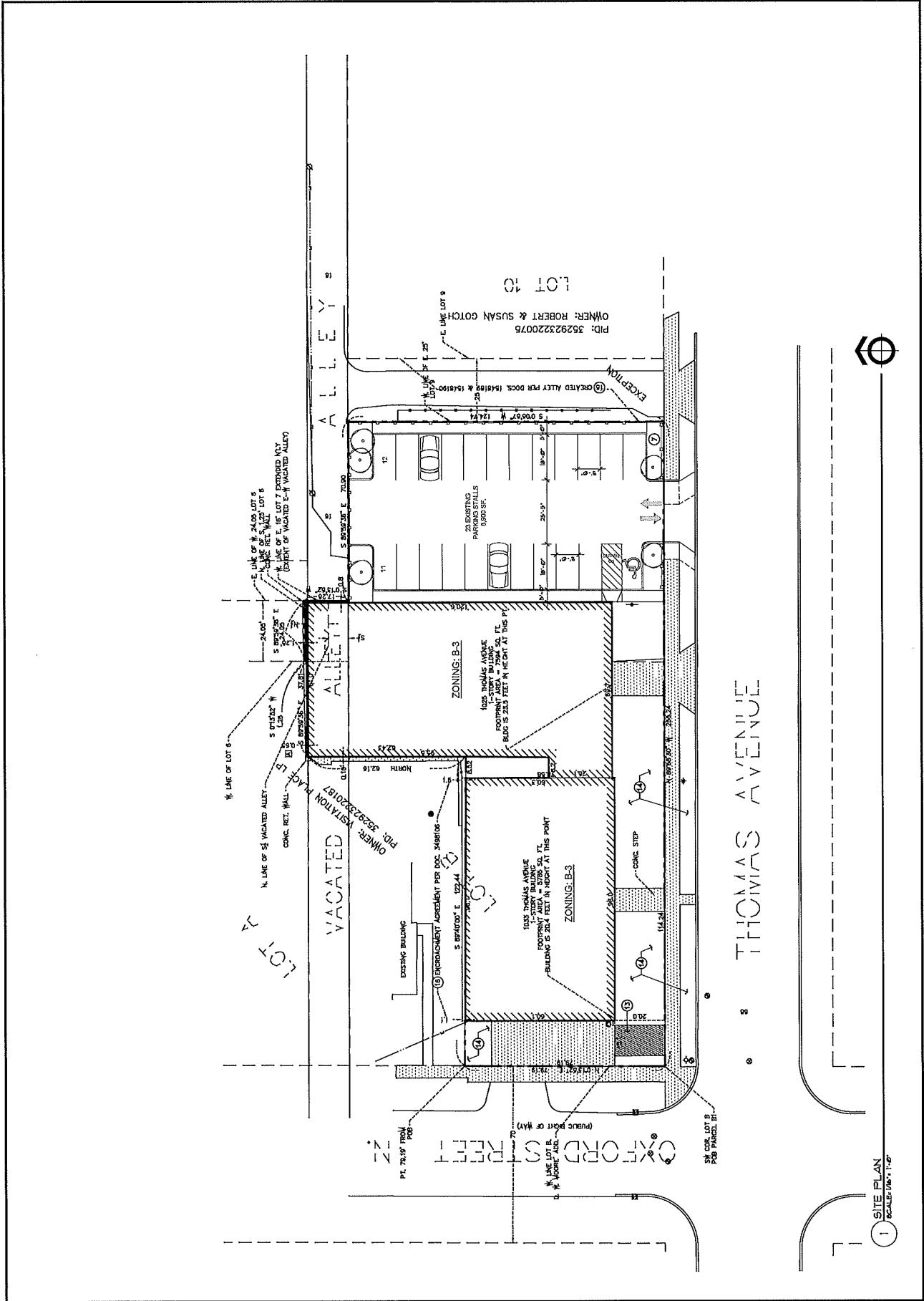
Opening this shop will create job opportunity for about 3-5 employees

1025-1033 THOMAS AVE.
 ST. PAUL, MN 55411

COMMERCIAL AUTO REPAIR SHOP/OFFICE



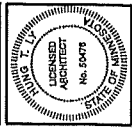
H Architects
 2924 W. St. Germain St.
 St. Cloud, MN 56301
 320-237-7411 | harchitects2008@gmail.com



1 SITE PLAN
 SCALE: 1/8\"

H Architects
 2024 W. St. Cloud, MN 56301
 320-237-7411 | harchitects2000@gmail.com

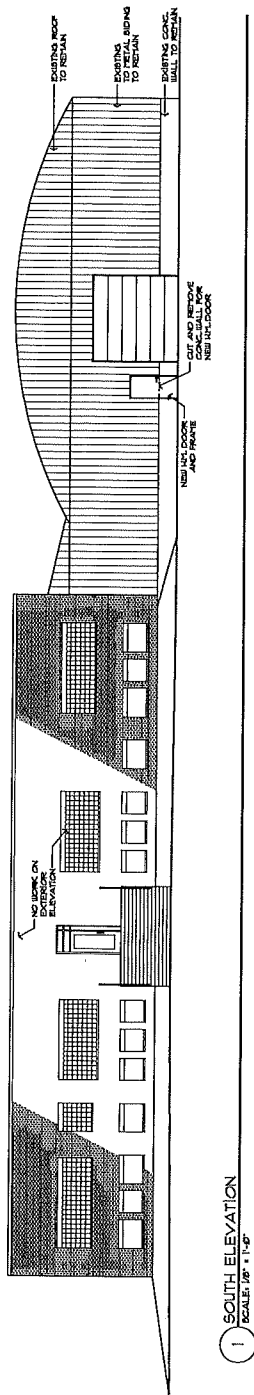
PROJECT NO. 1025-1033 THOMAS AVH
 SHEET TITLE: EXTERIOR ELEVATIONS
 DRAWN BY: [Name]
 DATE: 09-04, 2020



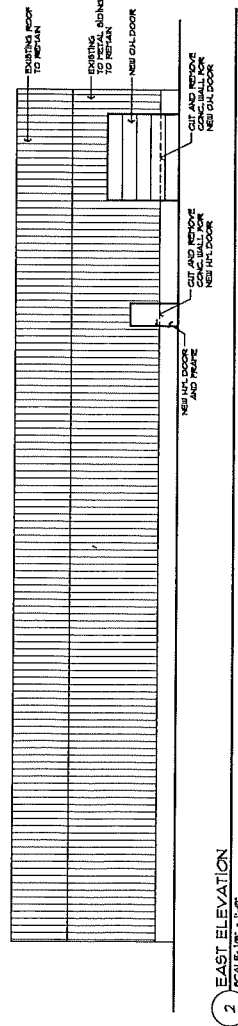
COMMERCIAL AUTO REPAIR SHOP/OFFICE
 1025-1033 THOMAS AVH
 ST. PAUL, MN 55411

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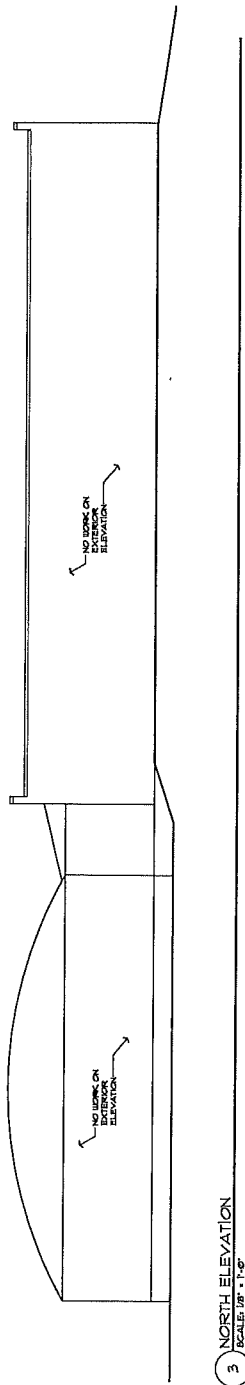
A2



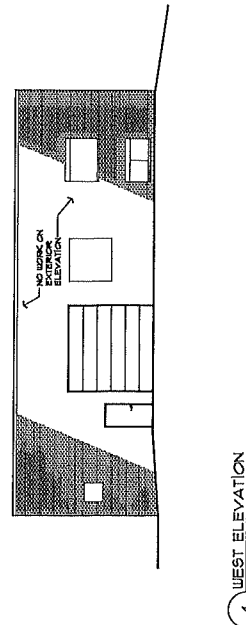
1 SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"



2 EAST ELEVATION
 SCALE: 1/8" = 1'-0"



3 NORTH ELEVATION
 SCALE: 1/8" = 1'-0"



4 WEST ELEVATION
 SCALE: 1/8" = 1'-0"

