

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. Autorepair 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 incompliance 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 autorepair 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.

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

(651)) 266-6583			
	Name Ebisso Uka			
	(must have ownership or leasehold interest	t in the property, contingent include	d)	,
APPLICANT	Address 86 Rapp Farm Place	_{City} St. Paul	State MN	_{Zip} 55127
	Address 86 Rapp Farm Place Email euka@rvtusinc.com	Phone 651-338-4	673	
	Name of Owner (if different)			
	Contact Person (if different)			
	Address			
	Address/Location 1033 Thomas Ave	St Paul MN 55104	1144	
PROPERTY	PIN(s) & Legal Description 352923		12220074	_
NFO	(attach additional	i sneet ii necessary)		
		Lot Area	Current Zonir	ng
			West Address Williams	
TYPE OF PE	RMIT: Application is hereby made for a Co	nditional Use Permit under r	provisions of Zonir	ar Code
	Section(s) Sec. 65.705 (b)	for the	a following use or	ournose,
Auto Repai	ir and Maintenances			

SUPPORTIN	G INFORMATION: Explain how the use will use the use the use the use the use will use the us	Il meet all of the applicable s	tandards and con	ditions for the use.
needed and h	now it meets the requirements for modification	on of special conditions in Zo	n, explain why the oning Code § 61.5	Modification is
Attach addition	onal sheets if necessary.	·	ů ů	
		,		
Required	site plan is attached			
P	religious institution you may have certain rights unc	der RLUIPA, Please check this bo	ox if you identify as a	religious institution.
	1 _	and the by		
Applicant's	Signature		019	/1.p



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

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COMMERCIAL AUTO REPAIR SHOP/OFFICE

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

COMMERCIAL AUTO REPAIR SHOP/OFFICE

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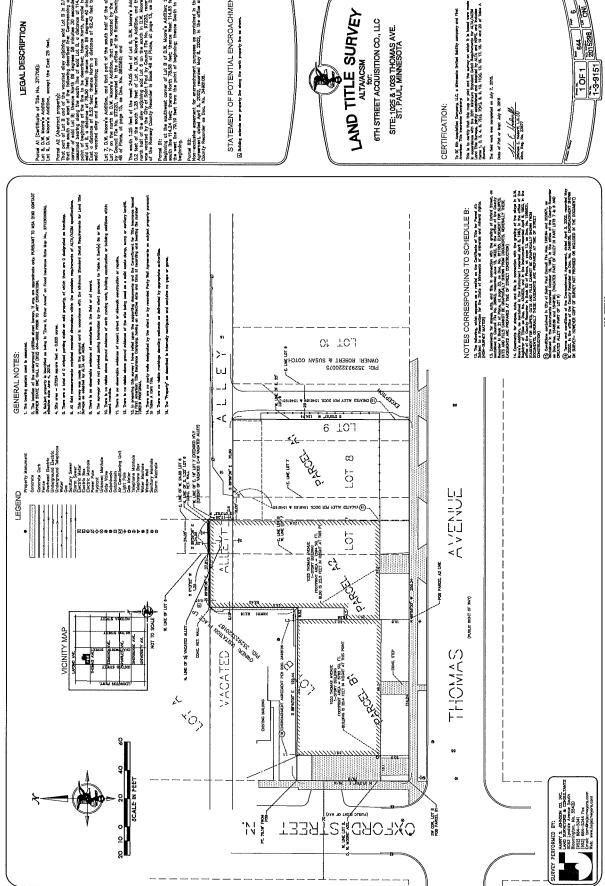
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1025-1033 THOMAS AVE. ST. PAUL, MN 55411

CODES AND 2015 MINNESOT 1341 MIN ACCES	ODES AND REGULATIONS 2015 MINNESOTA STATE BUILDING CODE 1941 MIN ACCESSIBILITY CODE	
SITE DATA: CLASS: B-3 27,225 SQUARE	SITE DATA: CLASS: B-3 77,225 SQUARE FEET OR .825 ACRES	
CODE ITEM REFERENCE	CODE REQUIREMENT	ACTUAL BUILDING DESIGN
OCCUPANCY CHAPTER 3	GROUP: B BUSINESS SECTION 304.1	GROUP: B BUSINESS SECTION 304.1
		* OFFICE SPACE
		• TRAINING/CONFERENCE
	GROUP: S-1 MODERATE HAZARD STORAGE SECTION 311.2	GROUP: S-1 MODERATE HAZARD STORAGE SECTION 311.2
	GROUP: S-2 LOW HAZARD STORAGE	GROUP; S-2 LOW HAZARD STORAGE
	SECTION 311.3	* GARAGE STORAGE
CONSTRUCTION TYPE , SECTION 6022	TYPE V-B NON-SPRINKLERED (NON-RATED)	TYPE V-B (NON-RATE) NON-SPRINKLERED
SEPARATED OCCUPANCIES SECTION NOSA	SEPARATED OCCUPANCIES GROUP B (MOST RESTRICTIVE) SECTION 508.3.2	SEPARATED OCCUPANCIES GROUP B (MOST RESTRICTIVE) SECTION 508.3.2
ALLOWABLE	400	BRICK BUILDING : 23'-6" METAL, BUILDING : 23'-0" +/-
ALLOWABLE PLOOR ANEA PER STORY TABLE SOS	ALLOWABLE AREA (1,2) A ₂ = [A ₁ + [A ₁ + 1, t] = [9,000+ [9,000 + 0,32] = 9,000 SF. + 2,880 SF. = 11,880 SF.	BRICK BUILDING: 5,760 SF. METAL BUILDING: 7,228 SF. TOTAL : 12,288 SF.
	EQUATION 5-2 1, a [FP - 0.25] W20 = [246,607 - 0.25] 30:30 = [.57 - 0.25] 1 1, a 0.32 OR 32% INCREASE	SEE SHEET A1 FOR OCCUPANCY LOAD GALCULATION
NON-SEPARAT	NON-SEPARATED OCCUPANCIES: SECTION 508.3.3	
282	S-170 B : 2-HR. S-2 70 B : 2-HR. S-1 70 S-2 : 0-HR.	
EXTTRAVEL 1 S-1: 20 S-2: 20 B: 20	r TRAVEL DISTANCE 200-9" 200-0" 200-0"	
SECTION 1824 FIRST WALLS	TABLE 706.4 FIRE WALLS FIRE-RESISTANCE RATINGS, TYPE V CONSTRUCTION	MOST RESTRICTIVE GROUP: B PROVIDED: 2 HOUR FIRE WALL
SECTION 250	TABLE 2902.1	PROVIDED 2 MEN AND WOMEN TOILET AND ONE UNISEX TOILET
205 IN ACCESSIBILITY CODE SECTION IISJI	CHANGE OF OCCUPANOY TO ENTIRE BULIDNG TO THE MAX. EXTEND TECHNICALLY FEASIBLE	TITS TECHNICALLY METERIALE TO COMPLY WITH NEW CONSTRUCTION CENTERLA FOR A PORNICED ACCESSIBLE TO ACCESSIBLE ACCESSIBLE TO ACCESS



1 AERIAL MAP



LEGAL DESCRIPTION

Porcel A1 (Certificate of Title No. 371708); Lot B. D.W. Moore's Addition Lot B. D.W. Moore's Addition, except the East 25 feet.

The such 1.25 feet of the west 24.05 feet of Lot 6, D.W. Moore's Addition, and the seat O.Z deet of the such 1.25 feet of Lot A.D.W. Moore's Addition, and their part of the north held of the aley objeting add Lot 6 on the such in D.W. Moore's Addition, that north held of the aley objeting add Lot 6 on the such in D.W. Moore's Addition, that was vested and for the 10 of Lot 7, D.W. Moore's Addition, and that part of the exulth half of the alley adjoining said List 7 on the moth in N.W. Moore's addition, that was vecated by the City of Soint Prad To Cound File No. 97220, recorded in the office of the Romesy County Recorder in Book 46 of Plans, at page 15, on Doe, No. 80605615, and

Percel Bi: Beginning of the southwest corner of Lot B of D.W. Moore's Addition; themse East on the sealth line 14.424 feet; themse Noth' 74.55 feet themse West 114.55 feet to a point on the west line 75.19 feet from the point of beginning; themse South to the point of beginning.

Percel B2.

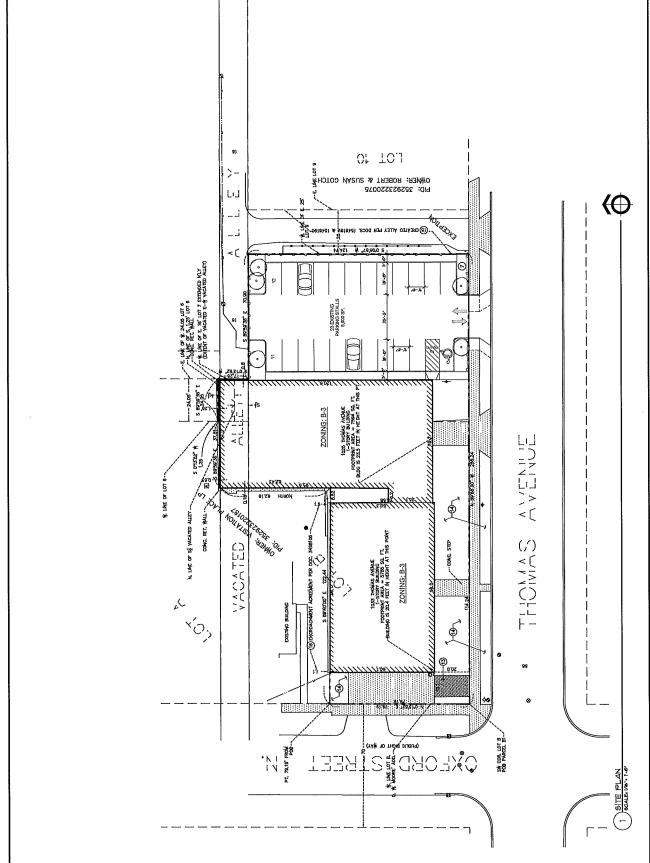
We receible element for entrootiment purposes as contained in the Encrootimes developed to the Controotime of Agreement Lebad April 5, 2002, recorded May B, 2002, in the office of the Romery County Recorder as Doc. No. 3490100;

STATEMENT OF POTENTIAL ENCROACHMENTS: In Balleds actuals over property the terreth property the terreth.

LAND TITLE SURVEY

for: 6TH STREET ACQUISITION CO., LLC SITE: 1025 & 1033 THOMAS AVE. ST. PAUL, MINNESOTA

HAPRY S. JOHNSON CO., INC. ALCH SURVE ISSENSE COUSULTANTS
BLOOMINGTON, INNUSEOTS
BLOOMINGTO



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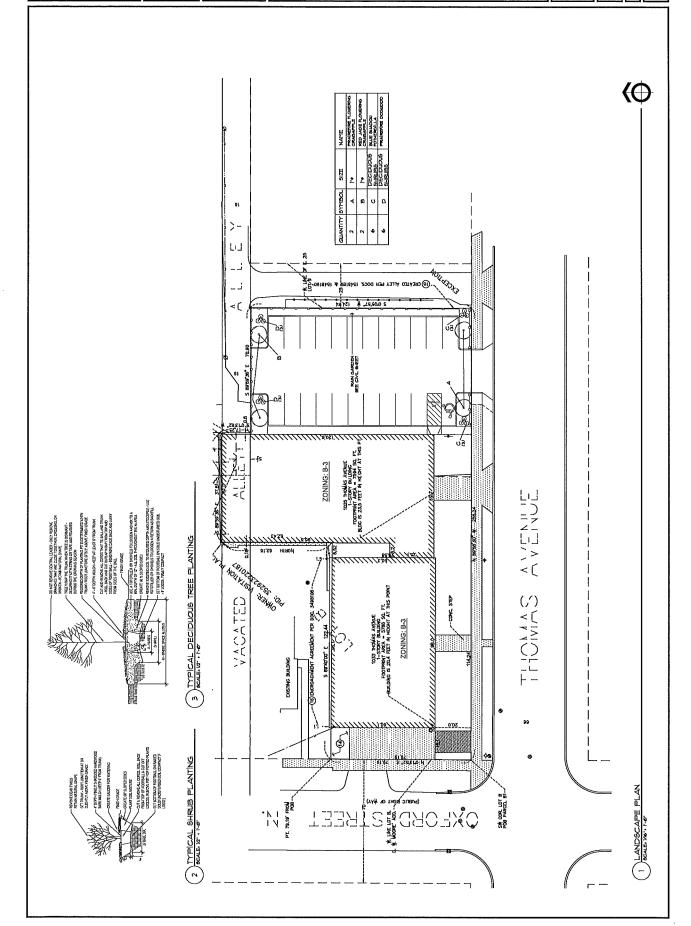
1025-1033 THOMAS AVE, ST. PAUL, MN 55411

BUILDING INTO OFFICHANTO REPAIR SHOP 2017 REMODELING EXISTING ONE STORY

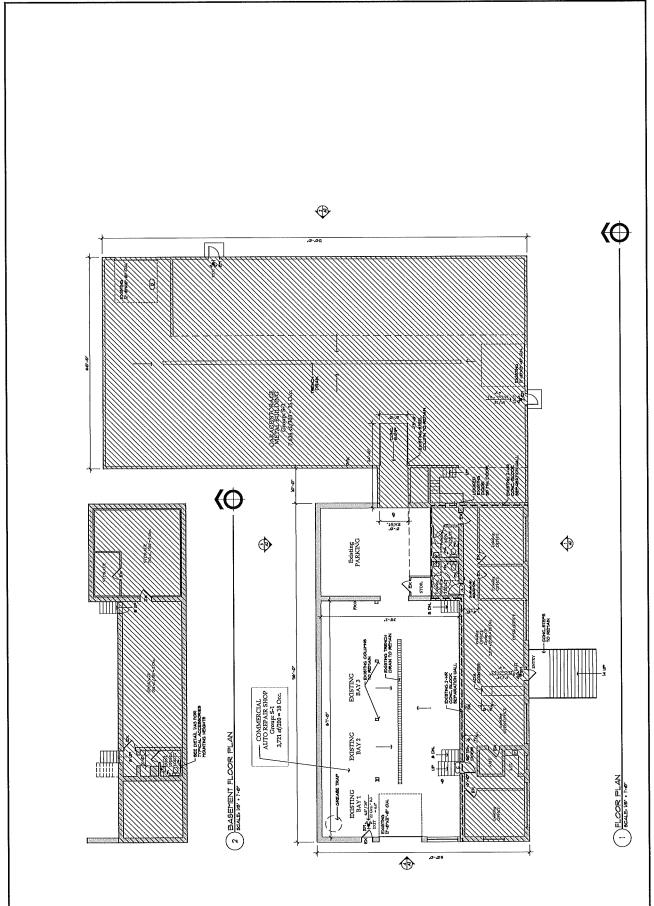
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Architects
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