

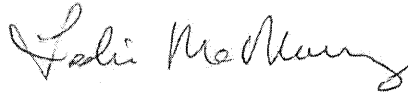
# PAYNE PHALEN DISTRICT FIVE PLANNING COUNCIL

STRONG  SAFE  WELCOMING  CONNECTED  NEIGHBORHOODS

December 2010

To: Legislative Hearing Officer  
Department of Safety and Inspections, City of Saint Paul

From: Payne Phalen District Five Planning Council  
Leslie McMurray, Executive Director / Lead Organizer



Re: 1414 Arcade Street, Application for Second Hand Dealer – Motor Vehicle License. Best Buy Auto Sales LLC, doing business as Best Buy Auto Sales, Charles Belcher, Owner 651-230-1145

The Payne Phalen District Five Planning Council's Committee for Planning and Economic Development (CPED) approved the Application for Second Hand Dealer – Motor Vehicle License at 1414 Arcade Street with the following added conditions.

# 9 should add " A covered trash dumpster should be located at the back of the lot".

#10 should require a maximum of 15 spots but with only 11 slotted for cars for sale" .

#18 should add "no test driving on residential streets".

A motion to approve passed by divided vote. A copy of the meeting minutes is attached for further reference to the discussion points raised in the meeting.

Please do not hesitate to contact me if you have questions about this license application. I will be out of town and can be reached by cell phone at 651-366-7300.

Thank you.

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Community Planning and Economic Development Committee (CPED)  
DRAFT MINUTES NOVEMBER CPED

Tuesday, November 9, 2010

6:30 p.m.

722 Payne Avenue, Saint Paul

CHAIR: David Syers [Cped@paynephalen.org](mailto:Cped@paynephalen.org)

1. All participants were welcomed and a round of introductions was convened by Chair Al Oertwig. (NOTE: CPED CHAIR – David Syers had an excused absence – President Al Oertwig facilitated this CPED Meeting).
2. A motion to approve the Agenda with changes in the order of business and to approve the October CPED Minutes was made by Cheryl Peterson. Seconded by Ryan Kapaun. Passed by vote. The Agenda was modified with Item #5 being pulled, and Item #7 was moved to Item #3.
3. Mike Nelson, Land Acquisition Manager for Habitat for Humanity (HFH) presented on upcoming Habitat Rehab and New construction projects in District 5. Habitat for Humanity is seeking District Five support for specific rehab of HRA owned properties and support for new construction on additional HRA owned vacant properties. HFH proposes 2 rehabs and 2 new construction opportunities on HRA owned property in District 5. These parcels are slated for 2011 production. The identified rehabs are 748 Jenks and 798 Geranium. Proposed new construction sites were 595 and 967 Edgerton. Mike Nelson of Habitat passed around specs related to the scope of work for the rehabs, elevations and plans for the new construction sites. He hopes to secure CPED endorsement for the projects. He is working with PED – Neighborhood Stabilization Program (NSP) and local ESNDP housing committee members who endorse the plan. Discussion points included:
  - The property on Rose Avenue that was recently rehabbed is deemed a great success by neighbors. HFH is doing great work in the neighborhood.
  - Cheryl Peterson noted that when choosing exterior materials – that she found the combination of the natural wood railings coupled with composite materials was unattractive. McMurray simply noted that similar views have come up in past D5 community meetings – whether the property was a HFH home or not. So the opinion is shared by others and has been voiced before.
  - The great success of HFH with the Jimmy and Roslyn Carter Project was reviewed. Ted Hecht was thanked for his leadership and members of CPED noted their appreciation to HFH for working closely with the Payne Phalen community in the process. There was praise offered for the rehab and construction that HFH is doing to restore affordable, quality housing to the neighborhood.

**Action: Ryan Kapaun moved that CPED write a letter of support for the rehab of vacant properties at 798 and 748 Jenks and for new construction at 595 and 967 Edgerton. Ted Hecht seconded. The motion passed by vote.**

4. 1445 Arcade Street Application, ID #20060003581, / Auto Repair Garage, Second Hand Dealer – Motor Vehicle, and Second Hand Dealer – Motor Vehicle Parts licenses, Hassan R. doing business as GO AUTO SALES

The owner mentioned he has lived 15 years on the East Side of Saint Paul and that they have taken over Amigos. They are aware of the past complaints and are committed to being responsible business owners that improve the area. They have agreed to the same conditions as were placed on the past license. They are doing less repair and more sales. They have better quality cars than were on the lot in the past and selling tires is not their niche. Al Oertwig mentioned landscaping of the zones of the parcel which buffer the south and west boundaries. They

are in agreement to maintain and improve this landscaping. Trash dumpsters are kept out of sight behind the building per the site plan. Some questions were asked about their business and answered. Mr. Oertwig and Staff drew CPED's attention to a letter of opposition to the license based on the view that too many auto related businesses existed on Arcade Street. Another e-mail that was received noted issues of poorly buffered landscaping and storage violations with the past owner.

Ryan Kapaun moved to have CPED indicate support in a letter for GO Auto Sales with the following recommended conditions.

1. Hours of operation would be 9:00 – 6:00 PM Monday through Saturday.
2. No parking or storage of parts on any non-paved surface.
3. No test driving will occur on residential streets.

Cheryl Peterson seconded. The Motion passed by vote.

5. 1414 Arcade Street, Application for Second Hand Dealer – Motor Vehicle License. Best Buy Auto Sales LLC, doing business as Best Buy Auto Sales, Charles Belcher, Owner 651-230-1145

Mr. Belcher introduced himself and noted he aimed to run a strong business at 1414 Arcade. He used to be in the landlord business where he "learned a lot". He has been into the car business for two years. He has made interior improvements to the office at 1414 Arcade and has repainted some parts of the business.

Ryan Kapaun expressed that the District Council understands that the community does not want a concentration of auto-related businesses on Arcade Street. He noted that many problems tend to crop up with auto related businesses that are in close proximity to the residential neighborhood – and this creates a nuisance condition. Mr. Belcher noted he was "something of a perfectionist" and tries to upgrade all properties under his control. "I try to bring things up – better than they were". Mr. Belcher made a comment about putting security cameras on the lot and locking the dumpster to avoid illegal dumping.

Some discussion ensued around parking in relation to the license conditions. Mr. Belcher noted that he had an informal arrangement with the lot north of his that his customers could occasionally park in that lot. Mr. Davis asked if this were a contractual agreement and the answer was no. Some debate about how many spots should be reserved for employees and customers versus cars to be sold was held.

Ryan Kapaun moved to support the business application and Ed Davis seconded.

Ryan noted that his motion included:

- # 9 should add " a covered trash dumpster should be located at the back of the lot".
- #10 should require a maximum of 15 spots but with only 11 slotted for cars for sale"
- #18 should add "no test driving on residential streets".

Andy Noble said he felt the parking use issue was not something that CPED really needed to weigh in on and he characterized the stated issues as revolving around density vs. use. He felt the small business owner should conform to the parking ordinance and business site plan but that further restrictive clauses on the use of the spaces available could be onerous to the small business owner. He asked for a friendly amendment that the focus of the condition should be on the number of allowable cars on the lot. Second by Virginia Rybin. The amendment passed.

The motion passed by vote with two opposed.

Ryan noted that he wanted the language of "No banners, stringers or flags" assigned to the issue of Go Auto Sales. The applicant had left the room. Discussion ensued around CPED's process in making recommendations if the applicant has left the room. Staff suggested that CPED clarify their position, that this be communicated to the applicant and that if there were any conflict it could reasonably be addressed at the Board meeting in time to meet the December 8<sup>th</sup> date. A cell phone call was placed to the applicant which resulted in his commitment

to not have stringed flags which can add to neighborhood litter – but he did want to retain some securely posted advertising banners on Arcade. This was important to the marketing strategy of the business. It was not possible to confirm the exact dimensions or type of banner being discussed in this call. The matter was dropped.

6. Staff noted the work and process of RRITF to identify vacant homes, to tour HRA owned vacant properties and to discuss the merits of each that resulted in recommendations. Endorsement request to CPED by District Five's RRITF for letter to Planning Economic Development regarding recommended disposition of HRA owned properties as identified by the Railroad Island Task Force. Ed Davis inquired about removing the phrase "triplex" from the property of 765 Edgerton. Staff reported on the conversations about this property and why RRITF took the recommendation for duplex or triplex at this property. A motion to approve the RRITF recommendations came from Ryan Kapaun with Buzz Wilson seconding. The motion passed by vote.
7. **334 University Avenue East.** (Formerly Hoeft Appliance) Building owner Park Midway Bank – Joseph Glass(#10-899359) is filing an appeal of the decision of the St. Paul Zoning Administrator to enforce existing ordinance requiring the removal of abandoned business signs for Hoeft Appliance. The issue was discussed and no action was taken at the October CPED meeting. The issue was continued by the Board of Zoning Appeals (BZA) until 11/15/2010. CPED was informed of the owner's potential interest to provide CPED with information. On the basis that the city ordinance was being enforced. CPED determined to not act upon this issue. Ed Davis noted his interest in addressing signage issues in the District.

#### OTHER BUSINESS

- Brief updates on Payne Maryland Project and responses to community interests were discussed. The Project has three tasks that it needs to accomplish (1) Finalize the development agreement, (2) deal with the ROW issue and November 18th Public Works meeting to present plans regarding the Ramsey County Right-of-Way lane expansion at Payne and Maryland, and (3) after these issues are addressed – reach basic consensus on a draft schematic design to share with the community.
- Updates on Parks and Recreation System Plan –Community Meeting was held on the 8<sup>th</sup> with over 150 people attending. District Five "hijacked" the meeting (Buzz Wilson's terminology) and a successful community discussion was held on the potential loss of vital recreational services in an area with many young families. Staff is working on follow up organizing. Residents should be praised for their great efforts to get turnout and to mobilize the community. The current plan is that the Parks Commission will meet to discuss the plan on December 8<sup>th</sup> and a January public hearing at the City Council will follow in early January. A request to slow the approval process is likely from District Five.
- At the November 8<sup>th</sup> meeting, District Five took a public position on the matter – communicating to the Parks Department the range of concerns and making it clear that at this time – the District Council could not endorse the plan as presented. Al Oertwig made clear at the public meeting that the formal Board action had not yet occurred and staff noted that the plan was made public after the previous board meeting. The District Five Planning Council has consistently supported Duluth Case Rec Center as a high priority need in our community and had submitted a successful CIB proposal to have a plan developed. Sometimes it is necessary to act upon precedent and good sense in the organizing process and to exercise leadership. The matter will be discussed at the next Board meeting. It is a fast-moving issue and it is likely that at that time the parameters of the whole issue will have changed. Ryan Kapaun moved that CPED strongly endorse the District Five positions stated in the letter to the Parks Department and this was seconded by Ed Davis. The motion passed with unanimous vote.

Ryan Kapaun moved to adjourn. Second by Rybin. Motion passed by vote. Al Oertwig was thanked for his service as fill-in CPED Chair.

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