

city of saint paul
planning commission resolution
file number 11-87
date October 28, 2011

WHEREAS, Wulff Family Mortuary, File # 11-281-220, has applied for a Rezoning of 1755 Nevada and 1756 Nebraska from R4 Single-Family Residential to VP Vehicular Parking under the provisions of § 61.801(b) of the Saint Paul Legislative Code, property described as R. F. MARVIN'S ADDITION TO ST PAUL E 4 FT OF LOT 7 AND SUBJ TO ALLEY OVER SE COR LOT 6 BLK 1, PIN 222922140040 (1756 Nebraska) and R. F. MARVIN'S ADDITION TO ST PAUL LOT 25 BLK 1, PIN 222922140056 (1755 Nevada); and

WHEREAS, the Zoning Committee of the Planning Commission, on October 20, 2011, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with 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 applicant proposes to construct 24 parking spaces on two parcels, one fronting on Nebraska and the other fronting on Nevada, to serve the funeral home business at 1485 White Bear Avenue. The applicant proposes a front yard setback of 5 feet, on both Nebraska and Nevada. The side yard setback, adjacent to the westerly property line and the R4 district, varies between 21.3 feet and 25.7 feet. Within the side yard setback, the applicant proposes to install landscaping and trees, as well as four shoe-box lights, 18 feet in height, to illuminate the parking facility. A six-foot fence would be erected along the westerly property line.
2. The proposed zoning is consistent with the way this area has developed. Businesses on White Bear historically have provided on-site parking for patrons. The applicant proposes to provide 24 on-site parking spaces on two parcels immediately west of its building, adjacent to the alley between Nebraska and Nevada. The parking would serve its business at 1485 White Bear Avenue.
3. The proposed zoning is consistent with the Comprehensive Plan. White Bear Avenue is classified as an A-minor arterial in the Transportation Plan and as a Mixed-Use Corridor in the Land Use Plan. Mixed-Use Corridors are defined as arterial streets that include vibrant businesses providing goods and services for the community. In addition, the Land Use Plan encourages the enhancement of commercial areas by making them vital and attractive, including changes to existing auto-oriented commercial buildings and areas to minimize impacts on pedestrians. The proposed parking would reduce the incidence of patrons of the funeral home from parking elsewhere and possibly crossing White Bear to access the building.

moved by Kramer
seconded by _____
in favor Unanimous
against _____

Moreover, the District 2 Greater East Side District Plan (adopted June 24, 2009) includes an Economic strategy intended to encourage assistance to existing businesses and a Transportation strategy that supports parking measures along White Bear that make the street more hospitable for pedestrians. The proposal is also consistent with the intent of the VP vehicular parking district; specifically, "the establishment of off-street parking facilities to be used solely for off-street parking of private passenger vehicles as a use incidental to a principal use. The district will serve a use district which has developed without adequate off-street parking."

4. The proposed zoning is compatible with surrounding uses. Both sides of the White Bear frontage for several blocks on either side of the funeral home, with the exception of the largely residential block immediately to the south between Arlington and Nevada, are developed with business uses that provide on-site parking for patrons.
5. The proposed project is compatible with the dimensional standards for an off-street vehicular parking facility, as outlined in Section 66.703 provided the Planning Commission approves a variance of Sec. 66.703(c):
 - (a) *Lot size.* The lot size conforms to the standard. The two parcels comprising the off-street parking proposed by the applicant total 10,328 s.f., which exceeds the minimum required area of 4,000 s.f. feet. In addition, each of the two parcels conforms to the requirement of a minimum width of 40 feet.
 - (b) *Height of structures.* Not applicable.
 - (c) *Yard setbacks.* The proposed front yard setback does not meet the standard. . The applicant proposes a front yard setback of five feet along both Nebraska and Nevada. The minimum front yard setback in the VP district is four feet, unless the minimum front yard setback of the adjoining district is larger. The adjoining R4 district has a required front yard setback of 25 feet. The applicant is seeking a variance from the required setback.
6. The proposed project is compatible with the required conditions for an off-street vehicular parking facility, as outlined in Section 66.704:
 - (a) *The parking facility shall be accessory to...one or more businesses....* The parking facility is proposed as an accessory use for the funeral home business located at 1485 White Bear Avenue.
 - (b) *The parking facility shall be used solely for the parking of private passenger vehicles and shall not be used as an off-street loading area.* The facility complies with this condition.
 - (c) *No commercial repair work or service work of any kind, nor or the sale and display of goods shall be conducted in the parking facility.* The applicant agrees to this condition.
 - (d) *No signs of any kind, other than signs designating entrances, exits, and conditions of use, shall be maintained on the parking facility.* The facility complies with this condition.
 - (e) *No building, other than a shelter for attendants, shall be erected upon the premises unless specifically approved by the planning administrator during site plan review.* No building is proposed.
 - (f) *The site plan submitted by the applicant conforms to parking requirements as set forth in Section 63.200 and all standards set forth in Section 63.300.* The site plan will be reviewed by City staff to ensure conformance with these code sections.

7. The petition for rezoning was found to be sufficient on September 21, 2011: 19 parcels eligible; 13 parcels required; 14 parcels signed.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission, recommends to City Council, that the application of Wulff Family Mortuary for a Rezoning of 1755 Nevada and 1756 Nebraska from R4 Single-Family Residential to VP Vehicular Parking for property at 1485 White Bear Ave N be approved..

DRAFT

Saint Paul Planning Commission
City Hall Conference Center
15 Kellogg Boulevard West

Minutes October 28, 2011

A meeting of the Planning Commission of the City of Saint Paul was held Friday, October 28, 2011 at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. Halverson, Perrus, Porter, Thao, Wang, Wencil; and Messrs. Commers, Connolly, Fernandez, Gelgelu, Kramer, Nelson, Ochs, Oliver, Schertler, Spaulding, Ward, and Wickiser.

Commissioners Absent: Mmes. *Merrigan, and *Reveal
*Excused

Also Present: Donna Drummond, Planning Director; Emily Erickson, Department of Public Works; Patricia James, Christina Morrison, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes October 14, 2011.

MOTION: *Commissioner Thao moved approval of the minutes of October 14, 2011. Commissioner Gelgelu seconded the motion. The motion carried unanimously on a voice vote.*

II. Chair's Announcements

Chair Commers announced that the Planning Commission's annual holiday party is approaching and Commission Thao has volunteered to lead planning for it. He encouraged other interested commissioners to let her know if they could help.

III. Planning Director's Announcements

Donna Drummond reported that the Hamline, Western and Victoria Station Area Plans were adopted by City Council. This concludes the station area planning for the Central Corridor LRT. The City Council also adopted the Solar Energy Systems Zoning Code Amendments.

IV. Zoning Committee

STAFF SITE PLAN REVIEW – List of current applications. *(Tom Beach, 651/266-9086)*

One item came before the staff Site Plan Review Committee on Tuesday, October 25, 2011:

- Saint Paul Eye Clinic, parking lot reconstruction at 1099 Grand Avenue.

One item to come before the staff Site Plan Review Committee on Tuesday, November 1, 2011:

- Kendall's Hardware, new construction at 840 Payne Avenue.

NEW BUSINESS

311-282-542 Catholic Charities – Modification of Conditional Use Permit for overnight shelter (ZF# 10-939-012) to extend the months of operation. 215 Old 6th Street, NE corner at Main. (Luis Pereira, 651/266-6591).

MOTION: Commissioner Kramer moved the Zoning Committee's recommendation to approve the modification of conditional use permit subject to additional conditions. The motion carried unanimously on a voice vote.

#11-282-365 Fort Road Coffee Company – Rezoning from B1 Local Business to T2 Traditional Neighborhood. 1518 Randolph Avenue, SE corner at Saratoga. (Sarah Zorn, 651/266-6570)

MOTION: Commissioner Kramer moved the Zoning Committee's recommendation to approve the rezoning. The motion carried unanimously on a voice vote.

#11-281-220 Wulff Family Mortuary – Rezoning of 1755 Nevada and 1756 Nebraska from R4 Single-Family Residential to VP Vehicular Parking. 1485 White Bear Avenue N, Between White Bear Avenue and Flandrau Street. (Penelope Simison, 651/266-6554)

Commissioner Kramer said that the committee recommends approval of the rezoning with the understanding that the issues that were raised in opposition will be addressed during the laid over variance case but the committee felt that the rezoning was an appropriate extension for the purposes of parking.

Commissioner Nelson said that he was the dissenting vote on the matter because it seemed there could be a more comprehensive solution by relocating the alley and consolidating a parcel. This would eliminate the need for a parking lot to access a public alley with 24 cars backing out of that alley, but perhaps some of these issues can be addressed as part of site plan review. So he will be switching his vote to recommend approval of the VP Vehicular Parking.

MOTION: Commissioner Kramer moved the Zoning Committee's recommendation to approve the rezoning. The motion carried unanimous on a voice vote.

#11-285-730 Wulff Funeral Home – Variance of VP front yard setback requirement for 1756 Nebraska and 1755 Nevada. 1485 White Bear Avenue N, between White Bear Avenue and Flandrau. (Penelope Simison, 651/266-6554)

Commissioner Kramer reported that the Zoning Committee laid this case over to the November 22, 2011 meeting.

Commissioner Kramer announced the items on the agenda for the next Zoning Committee meeting on Thursday, November 10, 2011.

MINUTES OF THE ZONING COMMITTEE
Thursday, October 20, 2011 - 3:30 p.m.
City Council Chambers, 3rd Floor
City Hall and Court House
15 West Kellogg Boulevard

PRESENT: Commers, Kramer, Nelson, Perrus, Spaulding, Wencil, and Wickiser
EXCUSED: Fernandez
STAFF: Penelope Simison, Samantha Langer, Patricia James, and Peter Warner

The meeting was chaired by Commissioner Kramer.

Wulff Family Mortuary - 11-281-220 - Rezoning of 1755 Nevada and 1756 Nebraska from R4 Single-Family Residential to VP Vehicular Parking, 1485 White Bear Ave N, between White Bear Avenue and Flandrau Street

Penelope Simison presented the staff report with a recommendation of approval for the Rezoning. Penelope Simison also stated District 2 recommended approval, and there were 2 letters in support, and 2 letters in opposition.

Upon inquiry from the Commissioners, Ms. Simison explained the layout plan. The row of 24 parking spaces on the two subject parcels, adjacent to the public alley, would have a five-foot front yard setback on both the Nevada and Nebraska frontages. The applicant proposes to install trees along the side yard setback adjacent to the westerly property line, four shoebox lights, and a six foot high wood fence along the westerly property line. She confirmed that the main access to the parking spaces would be off Nebraska or Nevada. Ms. Simison explained that staff does not have a square footage number of the existing funeral home building but that staff did a rough calculation and determined that the site is deficient in required parking spaces.

Dan Christenson, 1485 White Bear Avenue, Saint Paul, stated he has had a chance to look at the letters submitted by the neighbors, and has had a chance to speak with some of them. One issue raised was snow removal; currently the funeral home plows snow into the vacant lot adjacent to the alley but removes it prior to snow melt. They would like to turn the vacant lot into a parking lot for safety reasons for pedestrians. Currently people have to either cross White Bear Avenue or walk a long distance to the funeral home.

Michael Spielmann, 1485 White Bear Avenue, Saint Paul, stated the lot does not have curbing. City Code requires that there be concrete stop blocks. They would add those to the west end of the parking lot, and the lot would be paved. Because of the slope of the parcel and the drainage, it would be difficult to make the melting snow to completely go away from the neighbor's lot because it will naturally flow to the west. Mr. Spielmann read a statement (attached) submitted with the zoning packet.

Upon questions from the Commissioners, Mr. Christenson explained they would replace the existing wire fences and hedge with a six foot wooden fence. They would maintain both sides of the new fence. He wants to run the fence right along the property line or, possibly, just inside the funeral home property.

Upon inquiry from the Commissioners, Ms. Simison confirmed the alley is City owned. Mr. Christenson explained the movement of traffic in the alley. Mr. Spielman explained that it would

be extremely difficult and costly to treat the stormwater on site. Mr. Christenson explained their plans for snow removal. They would plow all snow into the proposed lot, and then remove it completely from site within one to two days. They would plow snow from the alley too. Mr. Christensen explained they can add additional landscaping but in the past neighbors have not been receptive to proposals for landscaping in the side yard. Mr. Spielman stated the City Code requirement for paving of a VP zoned lot is concrete or bituminous pavement.

At questions from the Commissioners, Ms. James explained that the code states it has to be paved and it is Site Plan Review staff's responsibility to decide what materials are acceptable. Mr. Christenson stated the parking lot would be black top with striping for parking. Mr. Christenson stated he will submit square footage calculations of the building.

The public hearing was closed.

No one spoke in support or opposition.

Commissioner Barbara Wencil moved approval of the Rezoning. Commissioner David Wickiser seconded the motion.

After further discussion pertaining to the parking requirements in relation to the size of the building, stormwater runoff, and the lack of a site plan, the motion passed by a vote of 6-1-0. Commissioner Nelson stated he is concerned about VP zones. He would like to see a consolidated zoning for the entire Wulff Funeral Home site.

Adopted Yeas - 6 Nays - 1 (Nelson) Abstained - 0

Drafted by:

Submitted by:

Approved by:

Samantha Langer
Recording Secretary

Penelope Simison
Zoning Section

Richard Kramer
Chair



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

*25 West Fourth Street
Saint Paul, MN 55102*

*Telephone: 651-266-6700
Facsimile: 651-228-3220*

November 1, 2011

Mr. Dan Christenson
Wulff Family Mortuary
1485 White Bear Ave.
St. Paul, MN 55106

RE: Zoning File # 11-281-220, Wulff Family Mortuary

Dear Mr. Christenson:

On September 13, 2011, you applied to rezone property at 1755 Nevada and 1756 Nebraska. After a public hearing by the Saint Paul Planning Commission's Zoning Committee on October 20, 2011, the Commission voted on October 28, 2011 to recommend approval of your request.

The Planning Commission's recommendation is being forwarded to the City Council for its action. Minnesota Statutes 15.99 requires that all city action on zoning applications be completed within 60 days of the date the application is made, but allows the City to extend this period for an additional 60 days (total of 120 days). In order to accommodate the City Council public hearing on your rezoning, which is also required by state law, the City of Saint Paul is hereby extending the deadline for action from November 12, 2011, to January 11, 2012. The City Council public hearing on this rezoning has been scheduled for December 7, 2011.

Please contact me at 651-266-6554 or penelope.simison@ci.stpaul.mn.us if you have questions.

Sincerely,

Penelope Simison
Principal City Planner

cc: File # 11-281-220
Zoning Administrator
License Inspector
District 2 Community Council

DISTRICT 2 COMMUNITY COUNCIL

1365 Prosperity Ave
Saint Paul, MN 55106-2108
Phone: (651) 774-2220
Fax: (651) 774-2135

To: Paul Dubruiel

From: District 2 Community Council

Regarding: 1755 Nevada and 1756 Nebraska

At the District 2 Community Council meeting on September 21, 2011 the District 2 Community Council voted unanimously with 1 abstention to support the request to rezone the properties at 1755 Nevada Ave. E and at 1756 Nebraska Ave. E from R-4 residential to VP Parking.

The District Council also supports the variance for a front yard setback at 1756 Nebraska and 1755 Nevada

Please let me know if you have any further questions or concerns.

Lisa Heilman, Community Organizer

Penelope Simison - Wulff Funeral Home Parking Lot Proposal

From: <JOHNALTSTA@aol.com>
To: <penelope.simison@ci.stpaul.mn.us>, <danny.christensen@dignitymemorial.com>
Date: 10/14/2011 8:35 AM
Subject: Wulff Funeral Home Parking Lot Proposal

My name is John Altstatt and I am the son of Elaine Altstatt who owns the property directly adjacent to the proposed parking lot at Wulff Funeral Home. My mother is 95 years old and I have a Durable Power of Attorney to assist my mother in managing her affairs. In regards to the proposed parking lot, my mother has two main concerns.

① In the past she has had problems with water in her basement because the funeral home hasn't removed the snow in a timely fashion and has banked the snow right next to her property. This hasn't been a problem with the current owners, but it is still a concern with the lot being black-topped. Where is the run-off and snow melt being directed?

② Her second concern deals with the placement, quality, appearance, and ongoing maintenance of a proposed six foot wooden fence running along the property line. Who will be responsible for removal of the current hedge and ongoing maintenance of the proposed fence?

I appreciate your assistance in getting this information to the Planning and Zoning Board. If you need additional information, please contact me at 218-763-2528 or email to johnaltsta@aol.com.

Penelope Simison - Rezoning for Wulff Family Mortuary

From: Tyson batton <tybatton@gmail.com>
To: <penelope.simison@ci.stpaul.mn.us>
Date: 10/19/2011 8:45 PM
Subject: Rezoning for Wulff Family Mortuary

Dear Ms. Simison,

① I am a concerned neighbor of Wulff Family Mortuary and I am writing to express why I am against the funeral home adding to their parking lot. I am very concerned about whether the residents will have access to the alley from both directions like we do now. In the winter, my wife and I are only able to get into the garage if we enter the alley from the east (taking the side alley entering from either Nevada or Nebraska). My wife and I do not want the alley to only have access from Flandrau and I'm sure that most if not all of our neighbors feel the same way. Will we still have access to our alley from both directions (Flandrau AND Nevada or Nebraska)?

② The next issue is where is the funeral home going to put their snow in the winter? In the past, they have piled the snow on the lots they are now planning to turn into parking lots. They have also pushed snow into our alley and into the street (Nevada) to try and leave it to the neighbors to have to clear the snow from the alley and the city to clear the street. Since the lots are now going to be zoned commercial, it is my understanding it is illegal to pile the snow in the parking lot of a commercial property. So, do they have a plan for snow removal? One that does not involve pushing the snow in our alley or street or piling it in their lot? Who will enforce this?

③ Another concern is what will this rezoning do to my property value and property taxes? I live two houses in from the funeral home, on the same side of the street.

④ Finally, I'd like to end by saying while it is very frustrating to come home from work and have nowhere to park because a wake or other event at Wulff, I'm not convinced that adding 24 spaces will solve the street parking problem. I believe that Wulff will start holding larger funerals and ultimately the residents will not benefit in any way.

Thank you for your consideration,
Tyson Batton
651-399-6521

Penelope Simison - Wulff Rezoning Request

From: "Laura L. Marquardt" <lmarqu@earthlink.net>
To: <penelope.simison@ci.stpaul.mn.us>
Date: 10/13/2011 8:32 PM
Subject: Wulff Rezoning Request

① I wanted to let you know that I am in support of the rezoning request for Wulff funeral home. They are a well established business in the area and a good neighbor. They have a tremendous need for level, off-street parking, especially handicapped parking. Families attending funerals have enough stress, they don't need to worry about someone falling in the winter getting to their car a block away.

Please let me know if you have any questions.

Laura L. Marquardt
1721 Nevada Ave E
St. Paul, MN 55106

Penelope Simison - file 11-281-220

From: "Robert Hobday" <hobd@juno.com>
To: <penelope.simison@ci.stpaul.mn.us>
Date: 10/26/2011 9:28 PM
Subject: file 11-281-220

Re: rezoning of 1755 Nevada & 1756 Nebraska to allow parking.

We are for allowing this rezoning!

Wulff Mortuary has always been a good neighbor. They have tried to alleviate periodic parking congestion resulting from their normal business activity. They are also helpful and considerate of their neighbors in keeping the area clean and in snow removal.

Robert & Sue Hobday
1469 White Bear Ave.N.
St. Paul, MN 55106

60-Year-Old Mom Looks 27

Mom Reveals Free Wrinkle Trick That Has Angered Doctors!
ConsumerLifestyles.org

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Wulff Family Mortuary **FILE #:** 11-281-220
 2. **APPLICANT:** Service Corporation International **HEARING DATE:** October 20, 2011
 3. **TYPE OF APPLICATION:** Rezoning - Consent
 4. **LOCATION:** 1756 Nebraska Avenue and 1755 Nevada Avenue, between White Bear Avenue and Flandrau Street
 5. **PIN & LEGAL DESCRIPTION:** 222922140040, R. F. MARVIN'S ADDITION TO ST PAUL E 4 FT OF LOT 7 AND SUBJ TO ALLEY OVER SE COR LOT 6 BLK 1 (1756 Nebraska); 222922140056, R. F. MARVIN'S ADDITION TO ST PAUL LOT 25 BLK 1 (1755 Nevada)
 6. **PLANNING DISTRICT:** 2 **EXISTING ZONING:** R4
 7. **ZONING CODE REFERENCE:** § 66.701; §61.801(b)
 8. **STAFF REPORT DATE:** October 11, 2011 **BY:** Penelope Simison
 9. **DATE RECEIVED:** September 13, 2011 **60-DAY DEADLINE FOR ACTION:** November 12, 2011
-

- A. **PURPOSE:** Rezoning of 1755 Nevada and 1756 Nebraska from R4 Single-Family Residential to VP Vehicular Parking.
- B. **PARCEL SIZE:** 10,328 s.f. 1755 Nevada parcel is 40 feet by 124 feet; 1756 Nebraska is approximately 46 ft. by 124 ft.
- C. **EXISTING LAND USE:** Vacant land.
- D. **SURROUNDING LAND USE:**
 - North: Residential (R4 single family district)
 - East: Funeral home business (B3 general business district)
 - South: Residential (R4 single family district)
 - West: Residential (R4 single family district)
- E. **ZONING CODE CITATION:** § 66.701 provides for the intent of the VP vehicle parking district; §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** The applicant, Wulff Funeral Home, has been located at 1485 White Bear Avenue, in the B3 general business district since 1964. The funeral home acquired the two residential parcels adjacent to the alley that lies between Nevada and Nebraska, at the rear of its property, shortly thereafter and has used them since to provide additional parking for funeral home activities. The property owner was cited 2010 for creating a parking facility without zoning and site plan approval and without proper building permits and was ordered to cease use of the vacant lots. (August 3, 2010, letter from DSI attached) There are 32 existing parking spaces on funeral home property.
- G. **DISTRICT COUNCIL RECOMMENDATION:** District 2 had not submitted comments at the time the staff report was prepared.
- H. **FINDINGS:**
 1. The applicant proposes to construct 24 parking spaces on two parcels, one fronting on Nebraska and the other fronting on Nevada, to serve the funeral home business at 1485 White Bear Avenue. The applicant proposes a front yard setback of 5 feet, on both Nebraska and Nevada. The side yard setback, adjacent to the westerly property line and the R4 district, varies between 21.3 feet and 25.7 feet. Within the side yard setback, the applicant proposes to install landscaping and trees, as well as four shoe-box lights, 18 feet in height, to illuminate the parking facility. A six-foot fence would be erected along the westerly property line.
 2. The proposed zoning is consistent with the way this area has developed. Businesses on White Bear historically have provided on-site parking for patrons. The applicant proposes to provide

24 on-site parking spaces on two parcels immediately west of its building, adjacent to the alley between Nebraska and Nevada. The parking would serve its business at 1485 White Bear Avenue.

3. The proposed zoning is consistent with the Comprehensive Plan. White Bear Avenue is classified as an A-minor arterial in the Transportation Plan and as a Mixed-Use Corridor in the Land Use Plan. Mixed-Use Corridors are defined as arterial streets that include vibrant businesses providing goods and services for the community. In addition, the Land Use Plan encourages the enhancement of commercial areas by making them vital and attractive, including changes to existing auto-oriented commercial buildings and areas to minimize impacts on pedestrians. The proposed parking would reduce the incidence of patrons of the funeral home from parking elsewhere and possibly crossing White Bear to access the building. Moreover, the District 2 Greater East Side District Plan (adopted June 24, 2009) includes an Economic strategy intended to encourage assistance to existing businesses and a Transportation strategy that supports parking measures along White Bear that make the street more hospitable for pedestrians. The proposal is also consistent with the intent of the VP vehicular parking district; specifically, "the establishment of off-street parking facilities to be used solely for off-street parking of private passenger vehicles as a use incidental to a principal use. The district will serve a use district which has developed without adequate off-street parking."
4. The proposed zoning is compatible with surrounding uses. Both sides of the White Bear frontage for several blocks on either side of the funeral home, with the exception of the largely residential block immediately to the south between Arlington and Nevada, are developed with business uses that provide on-site parking for patrons.
5. The proposed project is compatible with the dimensional standards for an off-street vehicular parking facility, as outlined in Section 66.703 provided the Planning Commission approves a variance of Sec. 66.703(c):
 - (a) *Lot size.* The lot size conforms to the standard. The two parcels comprising the off-street parking proposed by the applicant total 10,328 s.f., which exceeds the minimum required area of 4,000 s.f. feet. In addition, each of the two parcels conforms to the requirement of a minimum width of 40 feet.
 - (b) *Height of structures.* Not applicable.
 - (c) *Yard setbacks.* The proposed front yard setback does not meet the standard. . The applicant proposes a front yard setback of five feet along both Nebraska and Nevada. The minimum front yard setback in the VP district is four feet, unless the minimum front yard setback of the adjoining district is larger. The adjoining R4 district has a required front yard setback of 25 feet. The applicant is seeking a variance from the required setback.
6. The proposed project is compatible with the required conditions for an off-street vehicular parking facility, as outlined in Section 66.704:
 - (a) *The parking facility shall be accessory to...one or more businesses....* The parking facility is proposed as an accessory use for the funeral home business located at 1485 White Bear Avenue.
 - (b) *The parking facility shall be used solely for the parking of private passenger vehicles and shall not be used as an off-street loading area.* The facility complies with this condition.
 - (c) *No commercial repair work or service work of any kind, nor or the sale and display of goods shall be conducted in the parking facility.* The applicant agrees to this condition.
 - (d) *No signs of any kind, other than signs designating entrances, exits, and conditions of use, shall be maintained on the parking facility.* The facility complies with this condition.

(e) No building, other than a shelter for attendants, shall be erected upon the premises unless specifically approved by the planning administrator during site plan review. No building is proposed.

(f) The site plan submitted by the applicant conforms to parking requirements as set forth in Section 63.200 and all standards set forth in Section 63.300. The site plan will be reviewed by City staff to ensure conformance with these code sections.

7. The petition for rezoning was found to be sufficient on September 21, 2011: 19 parcels eligible; 13 parcels required; 14 parcels signed.

I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the Rezoning of 1755 Nevada and 1756 Nebraska from R4 Single-Family Residential to VP Vehicular Parking.



PETITION TO AMEND THE ZONING CODE

Department of Planning and Economic Development
Zoning Section
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1634
(651) 266-6589

Zoning office use only
File # _____
Fee: _____
Tentative Hearing Date: _____

APPLICANT

Property Owner SERVICE CORPORATION INTERNATIONAL / CATHY LEHMAN-CAHO
Address 1485 WHITE BEAR AVE
City ST. PAUL St. MN Zip 55106 Daytime Phone _____
Contact Person (if different) _____ Phone _____

PROPERTY LOCATION

Address / Location 1755 NEVADA AVE EAST, ST. PAUL, MN
Legal Description 222922140056
Current Zoning R4-Residential
(attach additional sheet if necessary)

TO THE HONORABLE MAYOR AND CITY COUNCIL:

Pursuant to Section 61.800 of the Saint Paul Zoning Ordinance and to Section 462.357(5) of Minnesota Statutes, Cathy Lehman-Caho, owner of land proposed for rezoning, hereby petitions you to rezone the above described property from a R4-Residential zoning district to a VP PARKING zoning district, for the purpose of: PARKING LOT.

RECEIVED
SEP 27 2011
Per _____

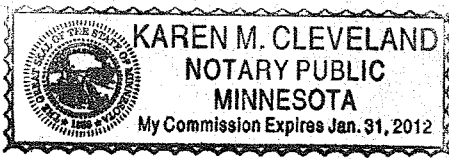
(attach additional sheets if necessary)

Attachments as required: Site Plan Consent Petition Affidavit

Subscribed and sworn to before me
this 3rd day
of June, 2011.

By: Cathy Lehman-Caho
Fee Owner of Property
Title: Pres, MN Aldenwoods, Inc.

Karen M. Cleveland
Notary Public



RECEIVED

SEP 27 2011

Wulff Funeral Home Request for Rezoning Per _____

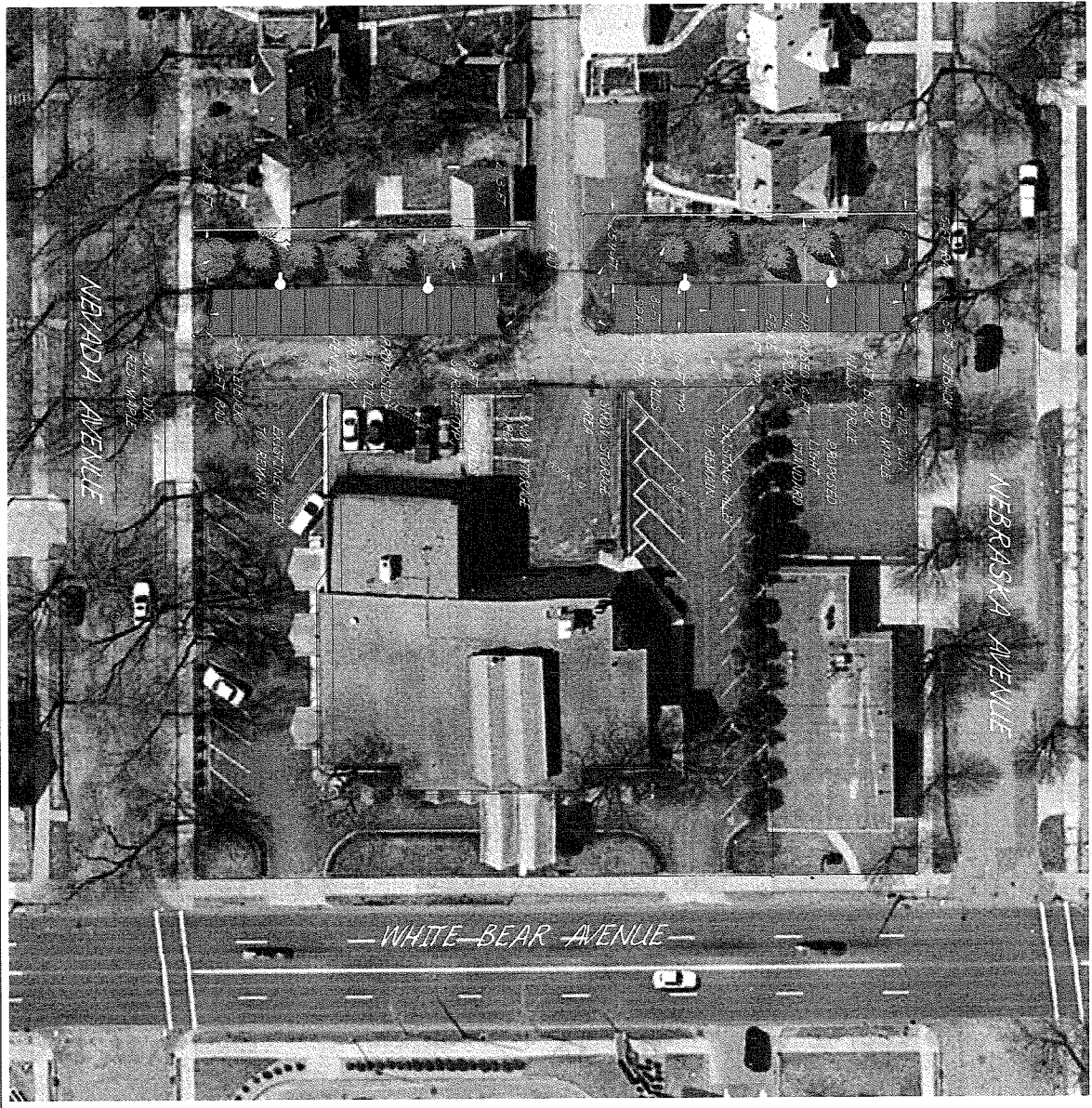
The Wulff Funeral Home is requesting that the City of St. Paul change the zoning designation for the two parcels on the westerly portion of its property at 1485 White Bear Avenue, to achieve the highest and best use for their property and the surrounding neighborhood. Currently these parcels are zoned R4, residential, and it is requested that they are re-zoned to VP, vehicle parking. By zoning VP, it will improve traffic pattern on local streets and White Bear Avenue, vehicle and pedestrian safety, and overall security and safety for the neighborhood.

Wulff Funeral Home is proposing to construct 24 additional parking spaces on the two lots, adjacent to the alley. This would improve traffic patterns by taking vehicles off city streets and into the Wulff Funeral Home parking lots. By increasing the parking spaces, more people would park their cars in the secure well lit lot, which would reduce vehicle-vehicle and vehicle-pedestrian conflicts, improving the safety for all. The pedestrians visiting the funeral home would be able to walk from their vehicles to the building across a well lit parking lot rather than walking in the streets. Fewer cars on the city street during and after a snowfall event would make it easier for plows to clear residential streets and make it easier for local traffic to maneuver during the snow storm. Every effort will be made to create an effective and attractive landscape screening for neighborhood and neighbors to the west of the parking lot.

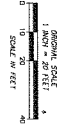
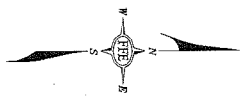
Wulff Funeral Home serves the community, and we strive to maintain the highest integrity, service and safety for our clients. We appreciate anything you can do to assist us with this request.

①

LAYOUT PLAN



CITY PERMIT SET



LEGEND

- PROPERTY BOUNDARY
- PROPOSED PAVEMENT
- PROPOSED 3x6' SIGN ON RED WHT. CURB (SEE PLAN)
- PROPOSED 3x6' SIGN ON BLACK HILLS STRUCTURE (SEE PLAN)

CONSTRUCTION NOTES

- 1) ALL PAINT TO BACK OF CURB.
- 2) ALL DIMENSIONS TO THE FACE OF CURB UNLESS NOTED OTHERWISE.
- 3) PAVEMENT STRIPING TO BE 4" WIDE WHITE PAINTED STRIPE. ACCESSIBLE CURB AND 4" WIDE WHITE PAINTED STRIPE 18" ON CENTER AND 4" WIDE STRIPES TO STALL.

NOTE: THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF ST. PAUL AND THE STATE OF MINNESOTA. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF ST. PAUL AND THE STATE OF MINNESOTA. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF ST. PAUL AND THE STATE OF MINNESOTA.

<p>DATE: 09/12/2011</p> <p>SCALE: AS SHOWN</p>	<p>PROJECT NAME: PARKING LOT EXPANSION ST. PAUL, MN</p>	<p>OWNER ADDRESS: 1485 WHITE BEAR AVENUE ST. PAUL, MN 55108</p>	<p>CLIENT: WULF FUNERAL HOME</p>	<p>DATE: 09/12/2011</p>	<p>DATE: 09/12/2011</p>	<p>DATE: 09/12/2011</p>	<p>DATE: 09/12/2011</p>	<p>DATE: 09/12/2011</p>	<p>DATE: 09/12/2011</p>
	<p>PROJECT NO: C2.1</p>	<p>PROJECT NAME: PARKING LOT EXPANSION ST. PAUL, MN</p>	<p>OWNER ADDRESS: 1485 WHITE BEAR AVENUE ST. PAUL, MN 55108</p>	<p>CLIENT: WULF FUNERAL HOME</p>	<p>DATE: 09/12/2011</p>	<p>DATE: 09/12/2011</p>	<p>DATE: 09/12/2011</p>	<p>DATE: 09/12/2011</p>	<p>DATE: 09/12/2011</p>

Foltz, Freeman, Erickson, Inc.
 LAND PLANNING
 SURVEYING
 ENGINEERING

1240 5TH STREET NORTH LAKE LAKES, MN 55129
 TEL: (612) 935-1100 FAX: (612) 935-0400
 WWW.FFE.COM



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-9090
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

August 3, 2010

Wulff Family Mortuary Inc
c/o Loewen Group Intrntl Inc
50 River Center Blvd E Ste 800
Covington KY 41011-1650

Re: Vacant lots 1756 Nebraska Avenue East (PIN 222922140040) and 1755 Nevada Avenue East (PIN 222922140056)

Dear Property Owner:

It has come to my attention that the aforementioned vacant lots (owned by Wulff Funeral Home Inc) are currently being used for vehicle parking by the customers, visitors and/or employees of Wulff Funeral Home at 1485 White Bear Avenue North. These vacant lots are located behind the funeral home and across the alley.

Please be aware that as a property owner, you are required to maintain your properties in conformance with the provisions of the City of Saint Paul Zoning Code. By changing the use of the vacant lots to parking facilities, you are in violation of the provisions of this code for creating a parking facility without zoning and site plan approval and without proper building permits.

1756 Nebraska Avenue East (PIN 222922140040) and 1755 Nevada Avenue East (PIN 222922140056) vacant lots are located in the R4 one-family residential zoning district. In order to bring these vacant lots into compliance, you should meet the following requirements:

- Parking must cease immediately and the vacant lots properly restored and covered with seed and/or sod.
- In order to use the vacant lots for vehicle parking, you may apply to rezone (with neighborhood petition) the vacant lot from R4 one-family residential zoning district to B2 community business zoning district or VP vehicular parking zoning district. And, you must submit a site plan application for review and approval. You will be given time to bring the site into compliance according to an approved site plan.

Please contact me within fourteen (14) days of receiving this letter to address your options and your plans to bring the site into zoning compliance. For your reference, I have enclosed:

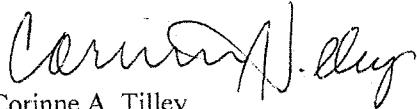
- an application for rezoning
- an application for site plan review

In the meantime, any use of the vacant lots at 1756 Nebraska Avenue East (PIN 222922140040) and 1755 Nevada Avenue East (PIN 222922140056) must cease immediately.

You may appeal this order and obtain a hearing before the Board of Zoning Appeals by filing an Application for Appeal and paying the application fees to the Zoning Administrator within (10) days of the date this order was mailed. The Application for Appeal may be obtained from the Zoning Administrator's Office at 375 Jackson Street, Suite 220, Saint Paul MN 55101-1806.

If you have any questions regarding this matter, please contact me at 651-266-9085 (office) or corinne.tilley@ci.stpaul.mn.us (email).

Regards,



Corinne A. Tilley
DSI Inspector – Zoning and Site Plan Review

Enclosures

Copy: Wulff Funeral Home Inc
4710 Kingsway Unit 600
Burnaby BC V5H 4M2

Service Corp & Subsidiaries
c/o Property Tax 9th Floor
PO Box 130548
Houston TX 77219-0548

ZONING PETITION SUFFICIENCY CHECK SHEET

REZONING

CUP

NCUP

FIRST SUBMITTED :

RESUBMITTED

DATE PETITION SUBMITTED: 9-13-11

DATE PETITION RESUBMITTED _____

DATE OFFICIALLY RECEIVED: 9-21-11

DATE OFFICIALLY RECEIVED: _____

PARCELS ELIGIBLE: 19

PARCELS ELIGIBLE: _____

PARCELS REQUIRED: 13

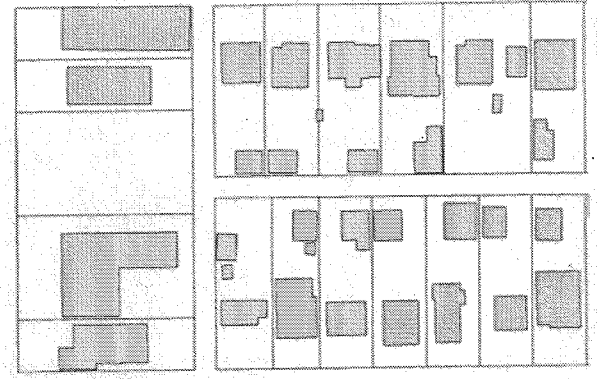
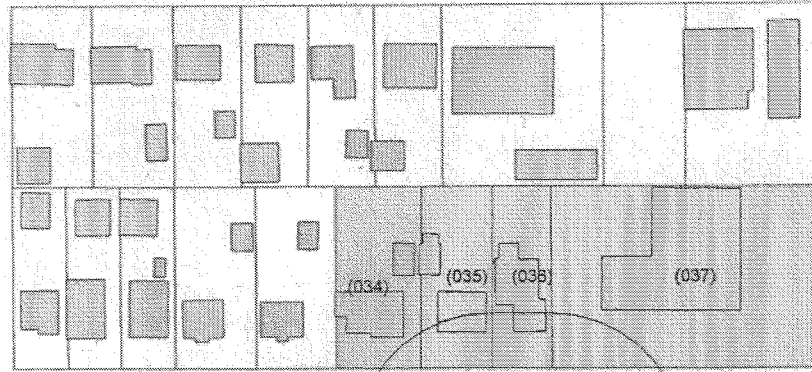
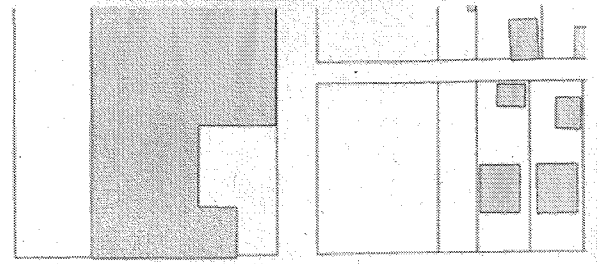
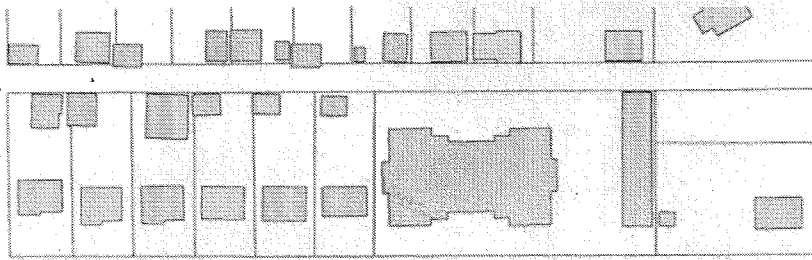
PARCELS REQUIRED: _____

PARCELS SIGNED: 14

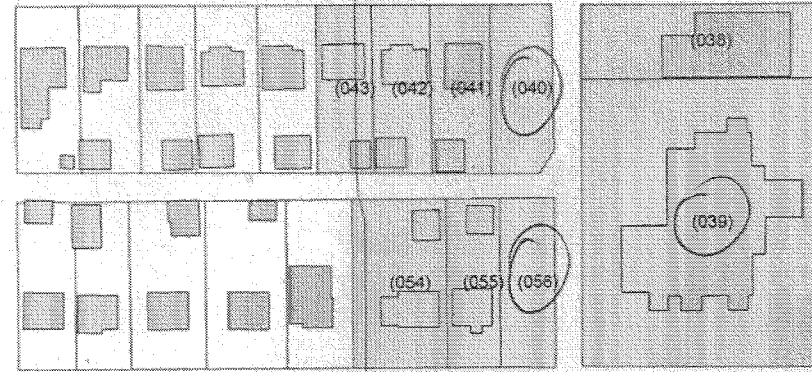
PARCELS SIGNED: _____

CHECKED BY: Paul Dubruiel

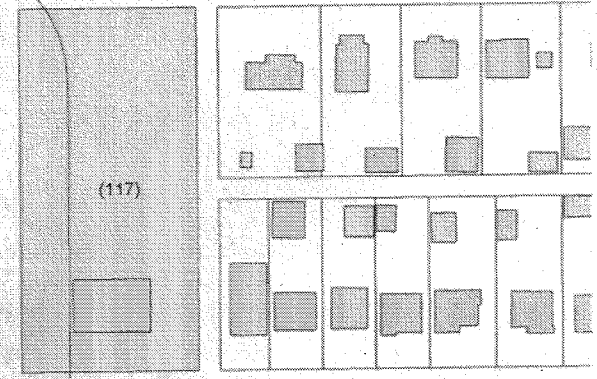
DATE: 9-21-11



NEBRASKA

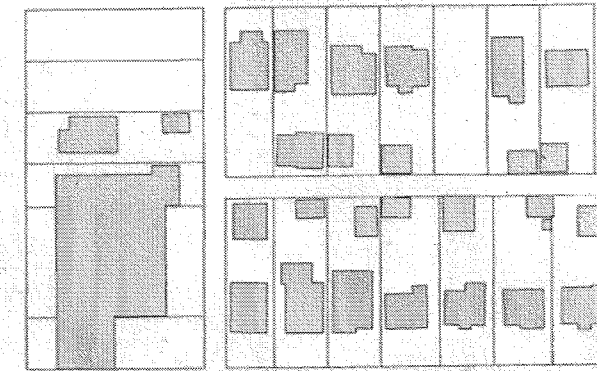
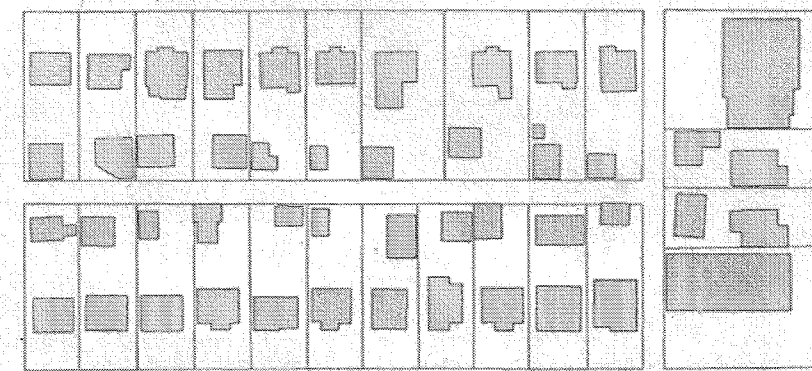
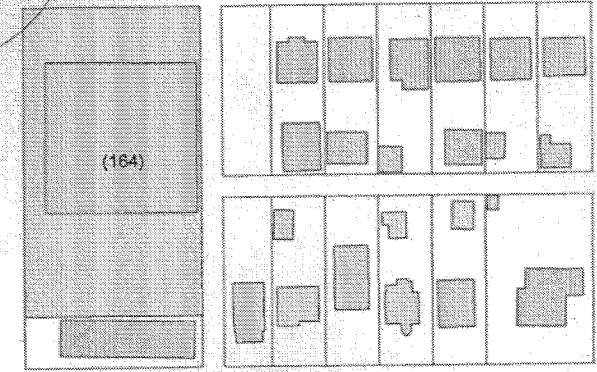


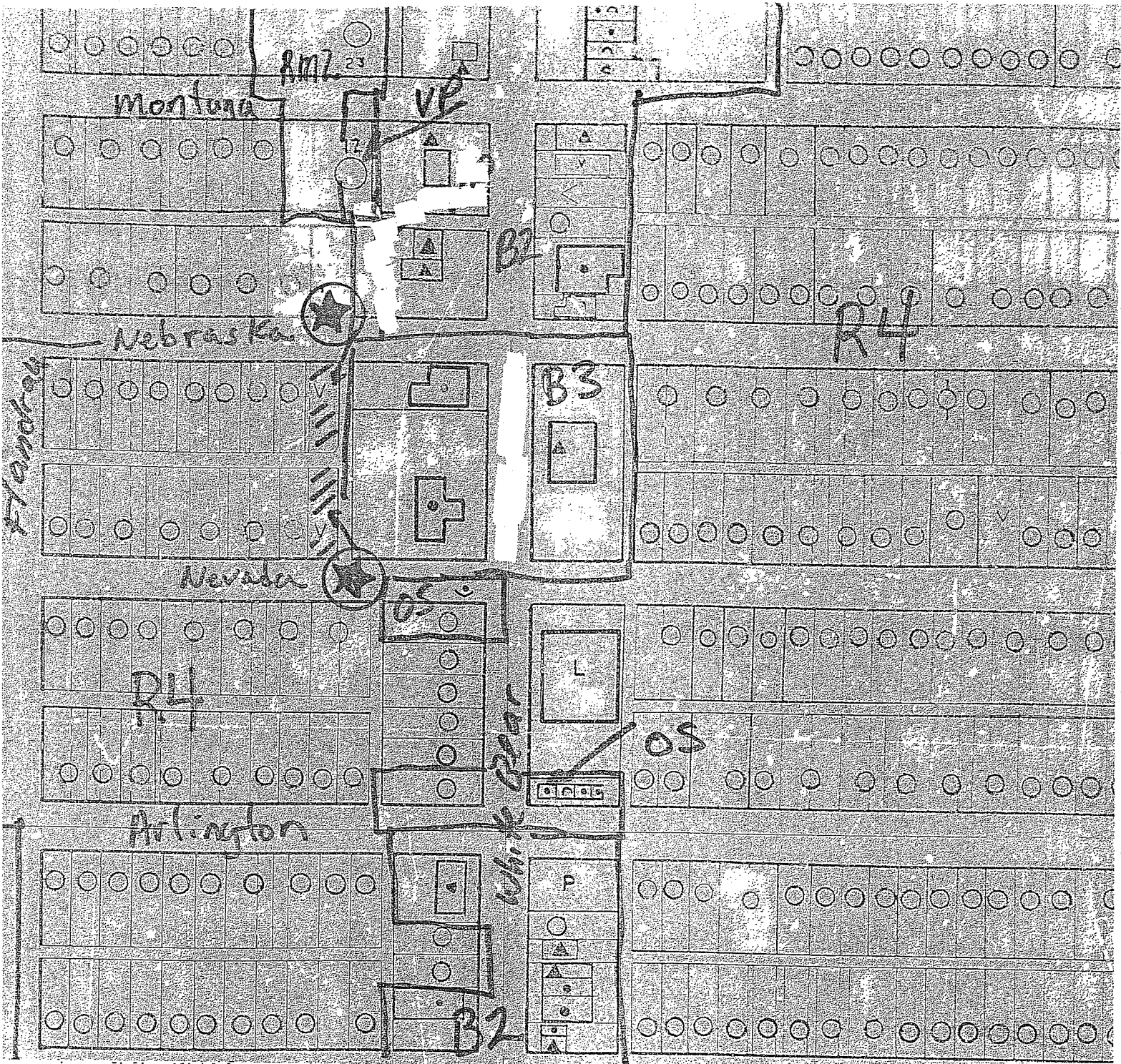
WHITE BEAR



FLANDRAU

NEVADA





APPLICANT Service Corporation Inter.
 PURPOSE REZ R4 → VP
 FILE # 11-281220 DATE 9-27-11
 PLNG. DIST. 2 Land Use Map # 7
 SCALE 1" = 400' Zoning Map # 6

LEGEND

- zoning district boundary
- subject property
- one family
- two family
- multiple family
- commercial
- industrial
- vacant

PED
 PLANNING & ENGINEERING DISTRICTS
 north

NEVADA PARCEL – PROPOSED VARIANCE FROM F FRONT YARD SETBACK

HOUSE ADJACENT TO NEVADA PARCEL

NEBRASKA PARCEL – PROPOSED VARIANCE FROM FRONT YARD SETBACK

HOUSE ADJACENT TO NEBRASKA PARCEL

REAR OF FUNERAL HOME ON WHITE BEAR AVENUE – EXISTING PARKING OFF CITY ALLEY