

ZONING COMMITTEE STAFF REPORT

FILE NAME: 560 Randolph Ave.

FILE # 25-005-778

APPELLANT: Julia McColley, West 7th/Fort Road Federation

HEARING DATE: February 13, 2025

TYPE OF APPLICATION: Appeal of a Determination of Similar Use

LOCATION: 560 Randolph Ave

PIN & LEGAL DESCRIPTION: 122823320016; SECTION 12 TOWN 28 RANGE 23 A 24,300 MOL

SQ FT LEASE LOCATED ON ...GOVT LOT 4 IN SEC 12 TN 28 RN 23

PLANNING DISTRICT: 9

EXISTING ZONING: I1

ZONING CODE REFERENCE: §61.106, §61.202, §61.701(b-c)

STAFF REPORT DATE: January 23, 2025

BY: Farhan Omar

DATE RECEIVED: Application for Statement of Clarification received December 16, 2024; appeal received January 16, 2025

60-DAY DEADLINE FOR ACTION: February 14, 2025 (extended to April 15, 2025)

- A. **PURPOSE:** Appeal of Zoning Administrator's Statement of Clarification that a proposed solid waste truck dispatch center and maintenance facility is similar in use to a public works yard or maintenance facility.
- B. **PARCEL SIZE:** 4.27 acres
- C. **EXISTING LAND USE:** Outdoor storage (I1 Light Industrial)
- D. **SURROUNDING LAND USE:**
Industrial uses to the west (I1), the Union Pacific Railroad company is to the south and east (I1), and to the north lies vacant lots (T2) and more industrial uses (IT).
- E. **ZONING CODE CITATION:** §61.106 authorizes the Zoning Administrator to issue a Statement of Clarification finding any specific use not listed in the Zoning Code to be substantially similar (or not) to a use regulated by the Zoning Code. Specific findings must be made in determining one use is similar to another. §61.202(a) designates the Planning Commission as the board to review similar use determinations. §61.701(b-c) establishes that Zoning Administrator similar use determinations may be appealed to the Planning Commission.
- F. **HISTORY/DISCUSSION:** On January 10, 2025, the Zoning Administrator's Office in the Department of Safety and Inspections (DSI) issued a Statement of Clarification determining that FCC Environmental Services' proposed use of 560 Randolph Avenue as a truck dispatch and maintenance facility is similar in character and impact to a public works yard or maintenance facility, a permitted principal use in the I1 Light Industrial zoning district (File #24-102-442). FCC's operations include vehicle dispatch, fleet maintenance, fueling, and administrative functions for a 36-truck fleet serving 66,500 residential units in Saint Paul. The determination was based on the similarity of the proposed use to public works facilities, expected traffic impacts consistent with the site's historical use and land uses allowed in a light industrial district, compliance with zoning requirements, and alignment with the City of Saint Paul's 2040 Comprehensive Plan.
- G. **APPELLANT:** West 7th/Fort Road Federation.
- H. **FINDINGS:**
1. On January 16, 2025, Julia McColley on behalf of the West 7th/Fort Road Federation district council, filed an appeal of the zoning administrator's statement of clarification. The appeal challenges the determination that FCC Environmental Services' proposed use of the property at 560 Randolph Avenue

as a truck dispatch yard and maintenance facility is similar in character and impact to a public works yard or maintenance facility.

2. Zoning Code § 61.106 states: When a specific use is not listed in the zoning code, the zoning administrator shall issue a statement of clarification, finding that the use is or is not substantially similar in character and impact to another use regulated by the zoning code. Zoning Code § 61.701(b) provides that the Planning Commission shall have the power to hear and decide appeals of zoning administrator's similar use determination where it is alleged by the appellant that there is an error in any fact, procedure or finding made by the Zoning Administrator. In their appeal, the appellant contends that the determination of similar use must be reevaluated because it is inconsistent with the required findings of § 61.106. *Similar use determination.* for determining if one use is similar to another:

(a) That the use is similar in character to one (1) or more of the principal uses permitted.

This finding remains met. While the appellant asserts that the proposed use diverges in character and purpose from a public works yard or maintenance facility, the city finds that FCC's operations—vehicle dispatch, fleet maintenance, fueling, and administrative functions—are operationally similar to the functions of a public works yard. While the zoning code does not provide a specific definition of a public works yard or maintenance facility, such facilities are commonly characterized by their operational functions. FCC's proposed use, with its focus on logistical coordination, fleet maintenance, and administrative support, aligns closely with these operational characteristics.

Additionally, the proximity of the site to T2 and T3 traditional neighborhood districts does not preclude its use as an industrial facility. The zoning code explicitly recognizes that transitional areas between industrial and residential zones may exist, provided impacts remain confined to the industrial district. FCC's operations, which include a defined traffic management plan and containment of external effects, are consistent with the intent of the I1 district.

(b) That the traffic generated on such use is similar to one (1) or more of the principal uses permitted.

This finding remains met. The appellant's comparison of the proposed traffic to prior intermittent tow yard operations fails to account for the functional difference between occasional use and permitted industrial operations. The proposed traffic flow—36 garbage trucks with potential expansion to 80—reflects routine industrial activity consistent with the scale of a public works yard or maintenance facility, a permitted use in the I1 district.

The city acknowledges the appellant's concerns regarding pedestrian and cyclist safety. However, the property's existing infrastructure and FCC's operational plans, including traffic scheduling and the use of designated parking areas, are designed to address these concerns. Additionally, the proposed traffic patterns are consistent with the property's historical use as a trucking-related facility. Claims of adverse impacts on the neighborhood remain speculative and are not supported by concrete evidence of safety violations or disruptions. Furthermore, as this project will undergo the city's site plan review process, these factors will be reviewed by the respective city departments to ensure compliance with all current city ordinances and regulations.

The city notes that planned pedestrian improvements along Randolph Avenue will enhance multimodal accessibility without precluding industrial uses allowed by zoning.

(c) That the use is not first permitted in a less restrictive zoning district.

This finding remains met. The proposed use is not first allowed in a less restrictive zoning district. The I1 Light Industrial zoning district is the appropriate classification for uses similar to public works yards or maintenance facilities. The appellant's request to reconsider the site's zoning or conduct a rezoning study is outside the scope of this determination, which only evaluates the proposed use under current zoning. Rezoning considerations must follow separate processes initiated by the city or community stakeholders, and the city has received no formal rezoning applications for this property.

(d) That the use is consistent with the Comprehensive Plan.

This finding remains met. The 2040 Saint Paul Comprehensive Plan identifies the site's future land use as Industrial. The site's I1 Light Industrial zoning is consistent with that designation, and thus uses that are otherwise permitted in the I1 district are consistent with the Comprehensive Plan.

The appellant cites several small-area and corridor plans as evidence of incompatibility; however, these plans do not supersede the Comprehensive Plan's designation of the site for industrial uses. The four Comprehensive Plan addenda that address this site's future land use foresee residential as a possible long-term use. However, two of those plans, the Brewery/Ran-View Plan Summary and the Great River Passage Master Plan, acknowledge that industrial uses will continue for some time.

The appellant's claim regarding incompatibility with plans such as the Mississippi River Corridor Plan and the Great River Passage Plan overlooks the current industrial zoning designation of this site. While these plans envision long-term redevelopment opportunities for the area, the site is presently governed by its I1 zoning, which allows the proposed use. The City also notes that no rezoning or other amendments have been initiated to alter the site's industrial designation. The City further notes that the proposed use does not preclude future redevelopment in alignment with long-term community goals. Industrial uses can coexist with transitional development strategies while preserving land for future re-evaluation.

The 2040 Saint Paul Comprehensive Plan is the most recently adopted policy document and governs any applicable area plans. The Minnesota Court of Appeals has held that the 2040 Comprehensive Plan controls over small-area plans if they are in conflict (*ex. Rel. Neighbors for East Bank Livability v. City of Minneapolis*, 915 N.w.2d 505, 511, Minn. App. 2018).

In conclusion, any use permitted in the I1 Light Industrial district is consistent with the Comprehensive Plan.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends denial of the appeal of the zoning administrator's Statement of Clarification (File #24-102-442) that FCC Environmental Service's proposed solid waste truck dispatch center and maintenance facility is similar to a public works yard or maintenance facility at 560 Randolph Avenue.

Attachments:

1. December 16, 2024, Request for Statement of Clarification
2. January 10, 2025, Approved Statement of Clarification
3. January 16, 2025, Appeal application
4. Comprehensive Plan Summary Memo from PED
5. Public Comment Letters
6. Maps



FCC Environmental Services, LLC

12/16/2024

Yaya Diatta
City of Saint Paul
Department of Safety and Inspections
375 Jackson Street, Suite 220
Saint Paul, MN 55101

Dear Yaya Diatta,

FCC Environmental Services (FCC) is requesting a Statement of Clarification to operate a waste dispatch center located at 560 Randolph Avenue in St. Paul. FCC was awarded a Solid Waste Collection Services contract by the City of St. Paul. This property was acquired due to its convenient location, lot size, and the fact that the previous owners had used this for many years for companies related to trucking and maintenance repairs. This is similar to our intended use as the main operational dispatch and maintenance center dedicated to providing these very important services to the City.

FCC is a globally established solid waste services company that serves over 12 million of americans over 35 cities in 7 States. We currently operate in California, Florida, Texas, Nebraska, North Carolina, Iowa and have been recently entrusted with the opportunity to expand our operation to the City of St. Paul, MN. FCC has been dedicated to providing dependable waste collection services, while finding new ways to decrease our carbon footprint. We've managed to achieve this goal by moving towards CNG fueled vehicles to reduce our greenhouse gas emissions and streamlining our operations to limit our truck traffic and reduce congestion in the cities in which we operate.

This location will be used as the main dispatch center for our 36-truck fleet. From here we will serve 66,500 residential units in the city. We have made a substantial investment to make sure we provide an exceptional service to the citizens. Our management and dispatch team will occupy the existing office building located in the center of the property. We intend to repurpose the existing truck maintenance facility to service our fleet of vehicles for standard maintenance and conduct monthly inspections. To aid in our effort to keep the unnecessary truck traffic to a minimum, we are proposing the installation of CNG (compressed natural gas) fueling equipment and dispensing system on the western side of the property. As this property has been previously used by multiple trucking companies and FCC will be the only company occupying the property, we do not expect an impactful increase in traffic.

It is our understanding that our proposed operations are not permitted under the current assigned use for at the 560 Randolph Ave. location. Based on several coordination efforts with the city, we believe we fall under the existing use of **the Public Works Yard or Maintenance Facility (Sec. 66.521)** which is permitted to operate in our assigned Industrial zoning. Our proposed services and intended applications are not only outlined in the description, and there are also existing facilities that are currently functioning under this usage. The Public Works Yard for the City of St. Paul, found at 891 Dale St., includes facilities such as employee offices, fueling dispensing equipment, fleet parking, and a maintenance garage, which

FCC Environmental Services LLC
460 Wildwood Forest Dr, Suite 100
Spring, TX 77380 United States

corresponds to the proposed use of this the Randolph property by FCC. We also wish to highlight that the operations occurring at this location are dedicated solely to provide an important public utility service for the residents of St. Paul.

We are currently creating a site plan to accommodate the changes required to the site, which will include some landscaping, paved drive paths leading to the fueling area and employee parking and truck parking, improvements to the aprons to prevent dirt tracking onto the public roadways and ensuring all stormwater requirements are met with the addition of impervious material to the property. The CNG plan set is being finalized in preparation to submit to the city for review and approval as this will be the only new addition that will be constructed onsite, excluding the general site upgrades requested by the city to meet the actual city codes.

Please do not hesitate to contact us if you would like further insights into the day-to-day operations of FCC Environmental, wish to discuss the intended layout of the site, or seek more detailed information about any of the buildings and systems we intend to operate at our facility.

Thank you for your department's openness to collaborate on finding a solution that allows FCC meet its contractual commitments and we are excited about the opportunity to work together for the benefit of the community. Please submit all your communications to Andrea Rodriguez, Director of Engineering, at andrea.rodriguez@fccenvironmental.com

Sincerely,

A handwritten signature in blue ink, appearing to read 'AR', is positioned above the typed name of the sender.

Andrea Rodriguez
Director of Engineering
FCC Environmental Services



January 10, 2025

To: Andrea Rodriguez
FCC Environmental Services
460 Willwood Forest Dr. Ste. 100
Spring, TX 77380

Re: Statement of Clarification – 560 Randolph Ave. – #24-102442

Ms. Rodriguez,

In response to your request dated December 16, 2024, for a Determination of Similar Use (DSU) as specified under Sec. 61.106 of the Saint Paul Zoning Code, this letter serves as our Statement of Clarification. The proposed facility at 560 Randolph Ave. is intended to be used as a truck dispatching yard and maintenance facility. This property is in a I1 Light Industrial zoning district. Permitted uses in this district include facilities such as public works yards and maintenance facilities as outlined in Sec. 66.521.

In the documentation provided, you describe FCC's intended operations as a dispatch and maintenance center supporting a 36-truck fleet serving 66,500 residential units within the city. The property's existing infrastructure includes an office building, a truck maintenance facility, and ample lot space for parking and vehicle movement. The planned modifications include installing compressed natural gas (CNG) fueling equipment, updating site landscaping, and enhancing stormwater management systems.

The intended use involves administrative functions, vehicle dispatch, fleet maintenance, and CNG refueling, which mirror the operations typically associated with a public works yard or maintenance facility. A comparable facility would be the City of Saint Paul Public Works Yard at 891 Dale Street, which operates with similar components, including employee offices and parking, fleet parking, fueling stations, and a maintenance garage.



Your request is for us to determine that the proposed truck dispatch and maintenance facility, a use not listed in the zoning code, is similar in character to a public works yard or maintenance facility, a use listed under Sec. 66.521 of the zoning code. Legislative code Section 61.106 permits an individual to request a statement of clarification when a specific use is not listed in the zoning code. Under this provision, the zoning administrator shall issue a statement of clarification finding that the use is or is not substantially similar in character and impact to a use that is listed in the zoning code based on certain required findings. The findings are as follows:

Our determination is based on the information you provided, on the fact that the proposed use meets the following four required conditions:

(a) That the use is similar in character to one (1) or more of the principal uses permitted.

The proposed operations, including vehicle dispatch, fleet maintenance, fueling, and administrative functions, align closely with the functions of a public works yard or maintenance facility, a permitted use in the I1 Light Industrial zoning district.

(b) That the traffic generated on such use is like one (1) or more of the principal uses permitted.

FCC's proposed operations are expected to generate traffic patterns like those of a public works yard or maintenance facility. Given that the property was previously used by trucking-related businesses, the anticipated traffic impact, including scheduled vehicle dispatch and return, is consistent with historical usage and is appropriate for the site.

(c) That the use is not first permitted in a less restrictive zoning district.

There is no category in the zoning code that describes this type of use but the use that it's most similar to (public works yard or maintenance facility) is not first permitted in a less restrictive zoning district.

(d) That the use is consistent with the Comprehensive Plan.

FCC's operations align with the City of Saint Paul's 2040 Comprehensive Plan goals, such as Policy LU-8. Ensuring that zoning and infrastructure support environmentally and economically efficient, resilient land use development and



Policy LU-45. Support and encourage development that maximizes tax base, job creation, and/or job retention.

Based on the findings above, the City of Saint Paul's Department of Safety and Inspections has determined that the proposed use of the property at 560 Randolph Avenue by FCC Environmental Services for a truck dispatch yard and maintenance facility is similar in character and impact to a public works yard or maintenance facility, a permitted principal use within the I1 Light Industrial zoning district. This determination is subject to compliance with all relevant permits, code requirements, and licensing regulations.

Please provide the additional required documentation to start the site plan review process.

An appeal may be taken by any person, firm or corporation, or by any office, department, board or bureau affected by a decision of the planning or zoning administrator within ten (10) days after the date of the decision. The appeal shall specify the grounds of the appeal. The planning or zoning administrator shall forthwith transmit to the board or commission all of the papers constituting the record upon which the action appealed from was taken. An administrative appeal shall stay all proceedings, including criminal proceedings, in furtherance of the action appealed from unless the zoning administrator certifies to the board or commission, after notice of appeal has been filed, that by reason of facts stated in the certificate a stay would cause imminent peril to life or property, in which case the proceedings shall not be stayed otherwise than by a restraining order granted by a court of competent jurisdiction.

Sincerely,

Yaya Diatta
Zoning Administrator
651-266-9081

c: West Seventh Street / Fort Road Federation District Council

JAN 16 2025



Application for a Zoning Appeal

To/From BZA
Zoning Section
Dept. of Safety & Inspections
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
(651) 266-9008

To/From Planning Commission
Zoning Section
Dept. of Planning & Econ. Dev.
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1634
(651) 266-6589

Zoning office use only

File # 25-005778
Fee 547
Tentative hearing date:

Appellant Information

Name Julia McColley
On behalf of West 7th/Fort Road Federation
Address 395 Superior Street
City St. Paul State MN Zip 55102 Daytime phone 651-298-5599
Email julia@fortroadfederation.org

Property Location

Project Name FCC Environmental Services dispatch and maintenance center
Address 560 Randolph Avenue, Saint Paul, MN 55102

Type of Appeal: Application is hereby made for an appeal to the:

- Planning Commission**, under the provision of Chapter 61, Section 701, Paragraph C of the Zoning Code, of a decision made by the Planning Administrator or Zoning Administrator on January 10, 2025.
(date of decision)
- Board of Zoning Appeals (BZA)**, under the provisions of Chapter 61, Section 701, Paragraph C of the Zoning Code, to appeal a decision made by the Zoning Administrator on _____.
(date of decision)
- City Council**, under the provision of Chapter 61, Section 702, Paragraph A of the Zoning Code, of a decision made by the Planning Commission or the Board of Zoning Appeals (BZA). _____
(file number)

Grounds of Appeal: Explain why you feel there has been an error in any requirement, permit, decision or refusal made by an administrative official, or an error in fact, finding, or procedure made by the Planning Commission or BZA.

See attached.

(Attach additional information as needed.)

Appellant's signature Date 1/16/25 City agent MG



West 7th / Fort Road Federation

395 Superior Street

Saint Paul, MN 55102

651.298.5599

www.FortRoadFederation.org

West 7th/Fort Road Federation

395 Superior Street

Saint Paul, MN 55102

651-298-5599

julia@fortroadfederation.org

January 16, 2025

City of Saint Paul Department of Safety and Inspections

Zoning Section, Attention: Yaya Diatta, Zoning Administrator

375 Jackson Street, Suite 220

Saint Paul, MN 55102

Subject: Appeal of Determination of Similar Use for 560 Randolph Avenue – #24-102442

Dear Mr. Diatta,

On behalf of the West 7th/Fort Road Federation, I am writing to formally appeal the Statement of Clarification issued on January 10, 2025, regarding the proposed use of 560 Randolph Avenue by FCC Environmental Services as a truck dispatch, refueling, and maintenance facility.

The following points address each of the four required conditions outlined in the Statement of Clarification:

(a) That the use is similar in character to one (1) or more of the principal uses permitted.

The proposed facility's operations (vehicle dispatch, fleet maintenance, fueling, and administrative functions) may superficially resemble a public works yard or maintenance facility, but they fundamentally diverge in character and purpose. Unlike public works facilities, which prioritize municipal service delivery, FCC's private operations would generate environmental and operational impacts inconsistent with the community-oriented vision for this site, as outlined in the **Mississippi River Corridor Plan** (Pg. 57) and **Great River Passage Plan** (Pg. 67). These plans emphasize mixed-use, river-oriented redevelopment to enhance neighborhood connectivity and public access to the riverfront, objectives entirely at odds with industrial-scale truck operations.

The FCC site, zoned I1 Light Industrial, is surrounded by T2 and T3 zoning districts, as well as a small area of Transitional Industrial zoning. This context underscores the incompatibility of the proposed use with its surroundings. The daily operation of 36 to 80 garbage trucks entering and exiting the site would result in significant external impacts, including increased noise and traffic congestion. These impacts directly conflict with the intent of I1 zoning as defined in Sec. 66.512,

which is to accommodate industrial operations whose external effects are limited to the district and do not negatively impact surrounding areas. The proximity of the site to traditional neighborhood districts further exacerbates these issues.

Additionally, the proposed operation diverges from the manufacturing and production focus intended for I1 zoning. Instead, it introduces a fleet-based logistical hub with far greater traffic and external impacts than typical light industrial uses, making it fundamentally inconsistent with the character and purpose of the district.

(b) That the traffic generated on such use is like one (1) or more of the principal uses permitted.

The proposed facility's traffic patterns are incompatible with the area's evolving residential and mixed-use character. The **2040 Comprehensive Plan** prioritizes pedestrian-friendly design and transit-supportive density in Neighborhood Nodes like Randolph-W. 7th/Schmidt (Policy LU-30). Additionally, the **Saint Paul Pedestrian Plan** (Pg. 68) identifies this area as a priority for walking investments, while the **Saint Paul Bike Plan** (Pg. 9) proposes dedicated bike paths along Randolph Avenue.

The claim that the proposed traffic will be consistent with historical use is inaccurate. While the site previously functioned as a tow yard, its operations involved only 4–6 tow trucks operating intermittently. In contrast, the proposed facility's traffic patterns for 36 trucks (with potential expansion to 80) represent a drastic increase in scale and impact. The daily operations of a large truck fleet servicing the entire city—combined with fueling and maintenance activities—would generate significantly more traffic congestion, noise, and wear on local infrastructure than the previous use.

The introduction of heavy vehicle traffic also raises substantial safety concerns for pedestrians and cyclists. Such operations would conflict with the city's stated multimodal transportation goals, undermining efforts to create a safer and more accessible environment for non-motorized road users. This increased truck activity is at odds with the city's broader vision for neighborhood connectivity and investment in pedestrian- and bike-friendly infrastructure.

(c) That the use is not first permitted in a less restrictive zoning district.

While the I1 Light Industrial zoning district permits uses similar to public works yards, the DSU overlooks the site's unique location within a key Neighborhood Node and its potential for redevelopment aligned with community priorities. The **D9 Area Plan** (Pg. 9) and **Fort Road Development Plan** emphasize mixed-use development and green space integration, which are better suited to this location's role as a gateway to the West 7th corridor and Mississippi River. Assigning the proposed use to this site disregards these established planning frameworks.

(d) That the use is consistent with the Comprehensive Plan.

The determination that the proposed use aligns with the **2040 Comprehensive Plan** is flawed. Policy LU-46 of the Saint Paul 2040 Comprehensive Plan states:

“Retain and protect current industrial land from conversions to residential or institutional uses unless guided otherwise in a City of Saint Paul adopted plan.”

While Policy LU-46 advocates for retaining industrial land, the site in question is explicitly guided toward alternative uses by several city-adopted plans. These plans, addenda to the 2040 Comprehensive Plan—including the Great River Passage Plan, the Mississippi River Corridor Plan, and the Fort Road Development Plan—consistently identify 560 Randolph Avenue as a critical site for redevelopment with mixed-use housing or river-oriented projects that enhance public access and neighborhood connectivity.

- The **Great River Passage Plan**, adopted in 2013, highlights 560 Randolph as a river-oriented redevelopment opportunity (p. 27). It describes the site as integral to the Island Station vision (p. 67), stating: *“Utilize redevelopment to link the West 7th Street corridor to the river. Redevelopment of Island Station and the ADM site will provide a major missing piece to provide public access to and along the river between downtown and the Valley reach. Green connections between the peninsula and Shepard Road extend to the neighborhoods and to the West 7th Street business district. Enhanced streetscapes support redevelopment opportunities and pedestrian-friendly neighborhood expansion along Randolph Avenue.”*
- The **Mississippi River Corridor Plan**, adopted in 2002, identifies the site as part of a broader vision for urban redevelopment, emphasizing river access and connections to the surrounding neighborhood.
- The **Fort Road Development Plan**, adopted in 2005, prioritizes this location for creating public green spaces and integrating pedestrian-friendly streetscapes along Randolph Avenue.

Through the adoption of these small area plans and other city plans, this property and the surrounding area were intended to be rezoned to reflect the vision of the community and the city. The fact that this site remains zoned industrial today is an oversight—one that the community intends to address quickly and urgently.

In addition, LU-2, LU-30, and LU-32 emphasize the importance of higher-density mixed-use development, enhanced pedestrian access, and public green spaces in Neighborhood Nodes. Located within the Randolph-W. 7th/Schmidt Neighborhood Node, this area is designated for growth that emphasizes pedestrian-friendly infrastructure and clustered neighborhood amenities. The industrial nature of the proposed use directly contradicts these objectives.

Additionally, the **Parks, Recreation, and Open Space Chapter** (Pg. 116) prioritizes improved connections between neighborhoods and the Mississippi River. The proposed facility not only fails to meet these objectives but actively contradicts them by introducing industrial operations that isolate the site from its surroundings and degrade environmental quality.

Request for Action

Given these significant discrepancies and the potential adverse impacts of the proposed use, we respectfully request the following actions:

- **Reconsideration of the Determination of Similar Use:** Reevaluate the determination for 560 Randolph Avenue in light of the inconsistencies outlined in this appeal and the site's alignment with key city plans.
- **Public Hearing:** Request that the Zoning Committee holds a public hearing for the determination of similar use, and makes a recommendation to the Planning Commission for a final vote.
- **Rezoning Study:** Initiate a rezoning study for 560 Randolph Avenue and surrounding areas with the intention to align zoning with community and City vision outlined in the aforementioned adopted City plans.

We believe these steps are crucial to aligning the development of 560 Randolph Avenue with the vision of the City of Saint Paul and the West 7th/Fort Road Federation for sustainable, equitable, and community-focused growth.

Thank you for your attention to this appeal. The Fort Road Federation remains committed to advocating for development that reflects our community's values and aligns with city planning goals.

Sincerely,



Julia McColley
Executive Director
West 7th/Fort Road Federation

CC: Councilmember Rebecca Noecker

Deputy Mayor Jaime Tincher

Nicolle Newton, Director of Planning and Economic Development

Sean Kershaw, Director of Public Works



February 20, 2025

TO: Farhan Omar, DSI Zoning Inspector III

FROM: Bill Dermody, Current Planning Manager, PED

SUBJECT: Comprehensive Plan Summary for 560 Randolph Avenue- updated 2/14/2025

Introduction

The following document summarizes the Comprehensive Plan policy guidance with regard to the proposed solid waste truck dispatch center and maintenance facility at 560 Randolph Avenue, including historical context. The intent is to inform further evaluation of whether “the use is consistent with the comprehensive plan,” as required in making a similar use determination per Zoning Code Section 61.106.

Comprehensive Plan Guidance

There are six plans in effect that apply to the subject site’s land use and were adopted as part of Saint Paul’s Comprehensive Plan.

Brewery/Ran-View Plan Summary (2000)

The Brewery Ran View Plan Summary was adopted as an addendum to the Comprehensive Plan in 2000. (The Comprehensive Plan in effect at the time was the 2020 Saint Paul Comprehensive Plan.) With regard to this site and the other land in the 25-acre triangle bounded by Drake, Randolph, and Shepard: “The plan recommends that the site eventually should be redeveloped with a mix of residential and commercial/office uses, but acknowledges that soil contamination and current uses on the site mean that redevelopment is unlikely to happen in the near term. As development pressure builds, however, the plan recommends a site-specific neighborhood-based planning process be undertaken. Pending the clean-up of the site, interim uses consistent with the current zoning of the property will be permitted.”

Zoning Implementation

In 2000, as a follow-up to the Brewery/Ran-View 40-Acre Zoning Study, several dozen properties were rezoned (Ordinance 00-993). Many of the rezonings were from I2 General Industrial District to various residential districts. The subject site was not rezoned.

Mississippi River Corridor Plan (2002)

The Mississippi River Corridor Plan was adopted as a chapter of the 2020 Comprehensive Plan in 2002. It emphasizes connecting to the river, including the statement that “New neighborhoods are part of creating connections to the river. In strategic River Corridor locations, following adopted design principles, new

urban villages should be established.” The subject site and surrounding 25-acre triangle is identified as a “study area” as opposed to other sites along the river corridor that are designated for industrial, commercial, housing, or redevelopment. Policy 6.4.1 states: “In strategic river corridor locations adjacent to existing neighborhoods, the City supports redeveloping vacant and underused industrial land sites as new mixed-use urban village neighborhoods that help reconnect the city to the river.” It is unclear whether Policy 6.4.1 applies to the subject site. The subject site is not included among the list of strategic locations with the highest potential for neighborhood development: Shepard Davern, Koch Mobil, Upper Landing, and West Side Flats. On the other hand, the plan provides suggested design guidelines for the subject site and those four other strategic locations, which infers similar status. Taken on the whole, the plan seems to indicate that the subject site needs more study, but if it is redeveloped, it should be a mixed-use urban village that follows similar design guidelines as the higher development potential locations.

Zoning Implementation

There was no zoning study to implement the Mississippi River Corridor Plan.

Fort Road Development Plan (2005)

The Fort Road Development Plan was adopted as an addendum to the Comprehensive Plan in 2005. (The Comprehensive Plan in effect at the time was the 2020 Saint Paul Comprehensive Plan.) Referring to the larger 25-acre industrial triangle, the plan says: “Consistent with the Brewery Ran-View Small Area Plan, housing with significant open space and related uses is the most desirable use of the site.” The plan stated the following design principles “should guide any master plan for the site:

1. Restore the street grid, extending existing streets into and through the site;
2. Organize street and block development around a central green “spine” – a major street designed as a linear park – connecting West Seventh Street to the river valley;
3. Cluster the tallest buildings at the foot of the slope, toward the river valley, continuing the existing massing of the grain elevators and using the slope to minimize visual intrusion into surrounding; [Note that this policy may be contrary to MRCCA regulations.]
4. Provide multiple views of both the river valley and the city skyline from streets and buildings;
5. Include a full range of moderate- to high-density housing types, including townhouses, multifamily apartments, senior apartments and live-work units;
6. Provide usable open space and connections to regional trail corridors and open space amenities.”

Zoning Implementation

No master plan has been created for the site because the two largest users/owners of the site have not stopped operations or had interest in redeveloping. In 2005, the Fort Road Development Plan Zoning Study rezoned 103 parcels, including rezoning the subject site from I2 General Industrial District to I1 Light Industrial District.

District 9 Area Plan Summary (2010, 2013)

The District 9 Area Plan Summary was adopted as an addendum to the Comprehensive Plan in 2010, a few months after the 2030 Saint Paul Comprehensive Plan was approved by the City Council. The plan says: “Study rezoning the area of District 9 bounded by Randolph Avenue to the North, Shepard Road to the

Southeast, Otto Avenue to the South and West 7th Street to the Northeast [SIC, but probably meant Northwest] to address changing land use patterns.” It identifies the Randolph/Shepard/West 7th Street area as one of several key sites for major housing developments. It also says: “The District is in favor of bringing in new “clean” industries, with the caveat that they operate to improve the environment and meet the employment needs of the community.”

Zoning Implementation

There were three zoning studies conducted in 2010-2012 that were prompted by the District 9 Area Plan Summary, but none of them included this site in its geography.

Great River Passage Master Plan (2013)

The Great River Passage Master Plan was adopted as an addendum to the Comprehensive Plan in 2013. (The Comprehensive Plan in effect at the time was the 2030 Saint Paul Comprehensive Plan.) It presents recommendations for orienting the City toward the Mississippi River and integrating new and enhanced parks and natural areas along all 17 miles of the river through Saint Paul. The plan identifies the subject site as a River-Oriented Redevelopment Opportunity. One of the objectives for such land is to “Redevelop Major Sites, as opportunities arise, in the River Corridor in a Way that Maximizes the Value of their Proximity to the River and Better Connects Neighborhoods to the River.” The associated goal statement is “Promote Redevelopment that Enhances Neighborhood Livability and the Image and Accessibility of the River”, with the explanation that “(t)he industrial past of much of the river valley has left a legacy of relic sites and has limited access to the river in many locations. Coordinated public and private efforts can transform the image of the corridor and enhance the redevelopment potential of vacant and brownfield sites. Redevelopment efforts should enhance the quality of life of City neighborhoods by providing improved access to natural areas and recreation opportunities along the river.” The plan contains a concept for illustrative purposes that shows residential-type buildings on the site as part of a larger development with a new street grid oriented toward the river.

Zoning Implementation

There was no zoning study to implement the Great River Passage Plan. Notably, the Plan suggested a reactive or developer-led approach to redevelopment of sites in the River-Oriented Redevelopment Opportunity classification, in its reference to “vacant and brownfield sites” and redevelopment “as opportunities arise,” rather than proactive phasing out of active industrial uses.

2040 Comprehensive Plan (2020)

The 2040 Comprehensive Plan designates the site’s future land use as Industrial. There is a Neighborhood Node centered on the Randolph/West 7th Street intersection to the west. The geographical extent of Neighborhood Nodes is not specified, so is left to either subsequent small area plans or individual zoning cases for interpretation. The 2040 Comprehensive Plan calls for focusing growth at Neighborhood Nodes using the following principles:

1. Increase density toward the center of the node and transition in scale to surrounding land uses.
2. Prioritize pedestrian-friendly urban design and infrastructure that emphasizes pedestrian safety.
3. Cluster neighborhood amenities to create a vibrant critical mass.
4. Improve access to jobs by prioritizing development with high job density.

Zoning Implementation

There was no zoning study to implement the 2040 Comprehensive Plan.

Plans Historical Timeline

The following graphic shows the timeline for Comprehensive Plans and Comprehensive Plan Addenda that address land use and apply to the subject site.

	Plan	Comprehensive Plan in Place	Zoning Action to Implement
2000	Brewery/Ran-View Plan Summary	2020 Comprehensive Plan*	Brewery/Ran-View 40-Acre Study (ORD 00-993)
2002	Mississippi River Corridor Plan		
2005	Fort Road Development Plan		Fort Road Development Plan Zoning Study (ORD 05-99)
2010, 2013	District 9 Area Plan Summary	2030 Comprehensive Plan*	District 9 Commercial Zoning Study (ORD 11-75), District 9 Residential Zoning Study (ORD 11-76), District 9 Gateway Zoning Study (ORD 12-25)
2013	Great River Passage Plan		
2019	2040 Comprehensive Plan	2040 Comprehensive Plan	

*The 2020 and 2030 Comprehensive Plans were decertified when the successive Comprehensive Plan was adopted.

Analysis & Conclusion

The 2040 Saint Paul Comprehensive Plan identifies the site's future land use as Industrial. The site's I1 Light Industrial zoning is consistent with the Comprehensive Plan's future land use designation. Thus, any use permitted in the I1 Light Industrial district is consistent with the Comprehensive Plan. Accordingly, any use that is otherwise deemed similar to a use permitted in the I1 Light Industrial district is consistent with the Comprehensive Plan.

Four of the Comprehensive Plan addenda that address this site's future land use foresee residential as a possible long-term use. However, two of those plans, the Brewery/Ran-View Plan Summary and the Great River Passage Master Plan, acknowledge that industrial uses will continue for some time. The Great River Passage Master Plan focuses on changing vacant and brownfield sites, not active industrial sites. The Brewery/Ran-View Plan Summary states that, "Pending the clean-up of the site, interim uses consistent with the current zoning of the property will be permitted." The zoning study to implement the Brewery/Ran-View Plan Summary notably left the subject site zoned for industrial uses. Taking the

timeline context into account, industrial uses can be deemed consistent with the Brewery/Ran-View Plan Summary and Great River Passage Master Plan.

The Fort Road Development Plan and the District 9 Area Plan Summary call for residential uses on the site and do not contain timeline caveats as in the other area plans. The Fort Road Development Plan does not call for actively changing the site's land use, but presents principles for residential redevelopment if it happens. The zoning study to implement the Fort Road Development Plan rezoned the subject site from one industrial district to another; it notably did not rezone the site to residential.

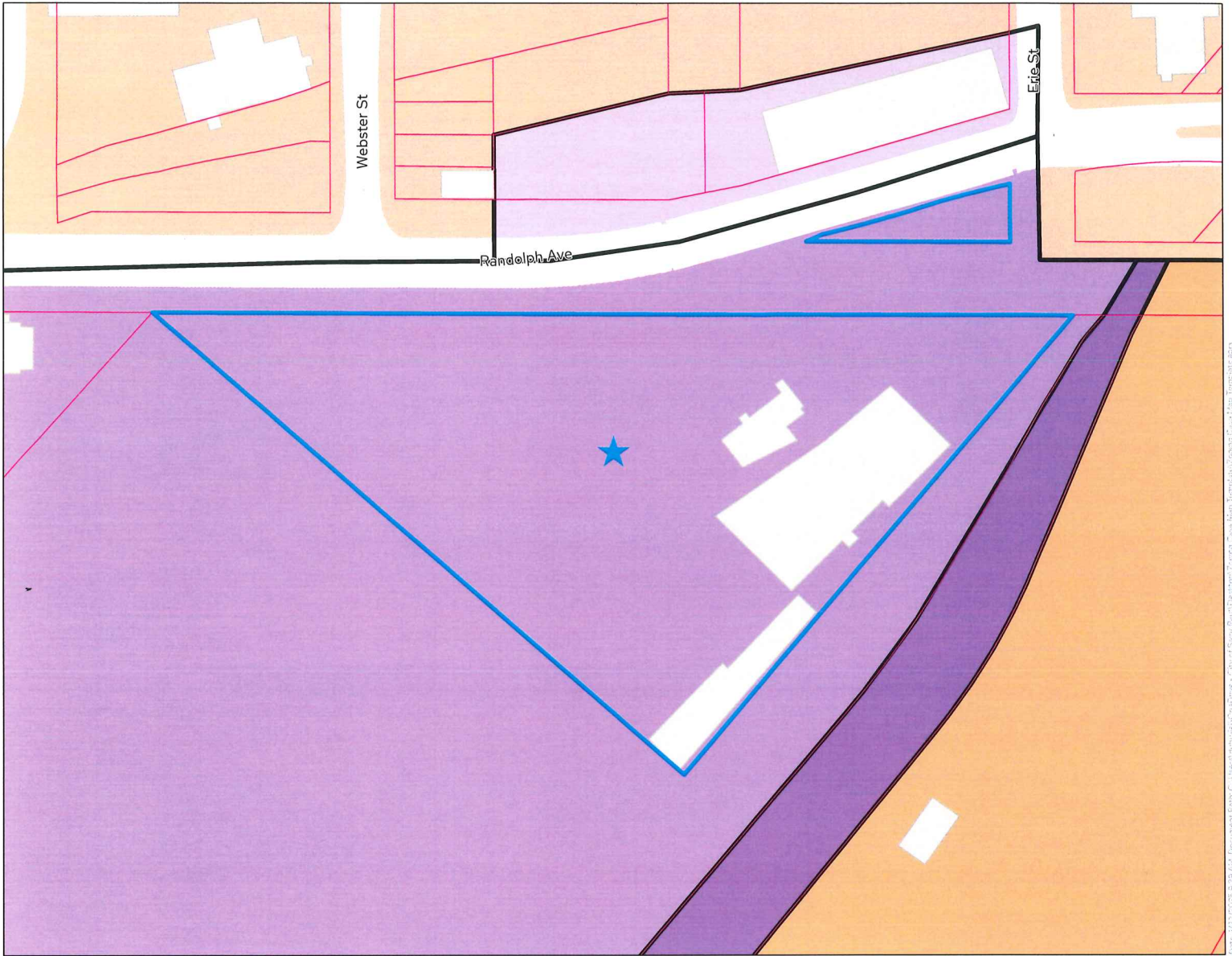
The Mississippi River Corridor Plan, adopted as a Comprehensive Plan chapter, identifies the site for further study without a firm land use outcome.

The 2040 Saint Paul Comprehensive Plan is the most recently adopted policy document and governs any applicable area plans. The Minnesota Court of Appeals has held that the 2040 Comprehensive Plan controls over small-area plans if they are in conflict (*ex. Rel. Neighbors for East Bank Livability v. City of Minneapolis*, 915 N.w.2d 505, 511, Minn. App. 2018).

In conclusion, any use permitted in the I1 Light Industrial district is consistent with the Comprehensive Plan.

Application of
West Seventh/Fort Road Fed
 Zoning map

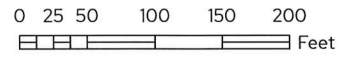
application number: 25-005-778 ▪ type: Appeal ▪ date: 01/23/2025 ▪ planning district: 9



Subject parcel(s) are outlined in blue Other parcels are outlined in pink

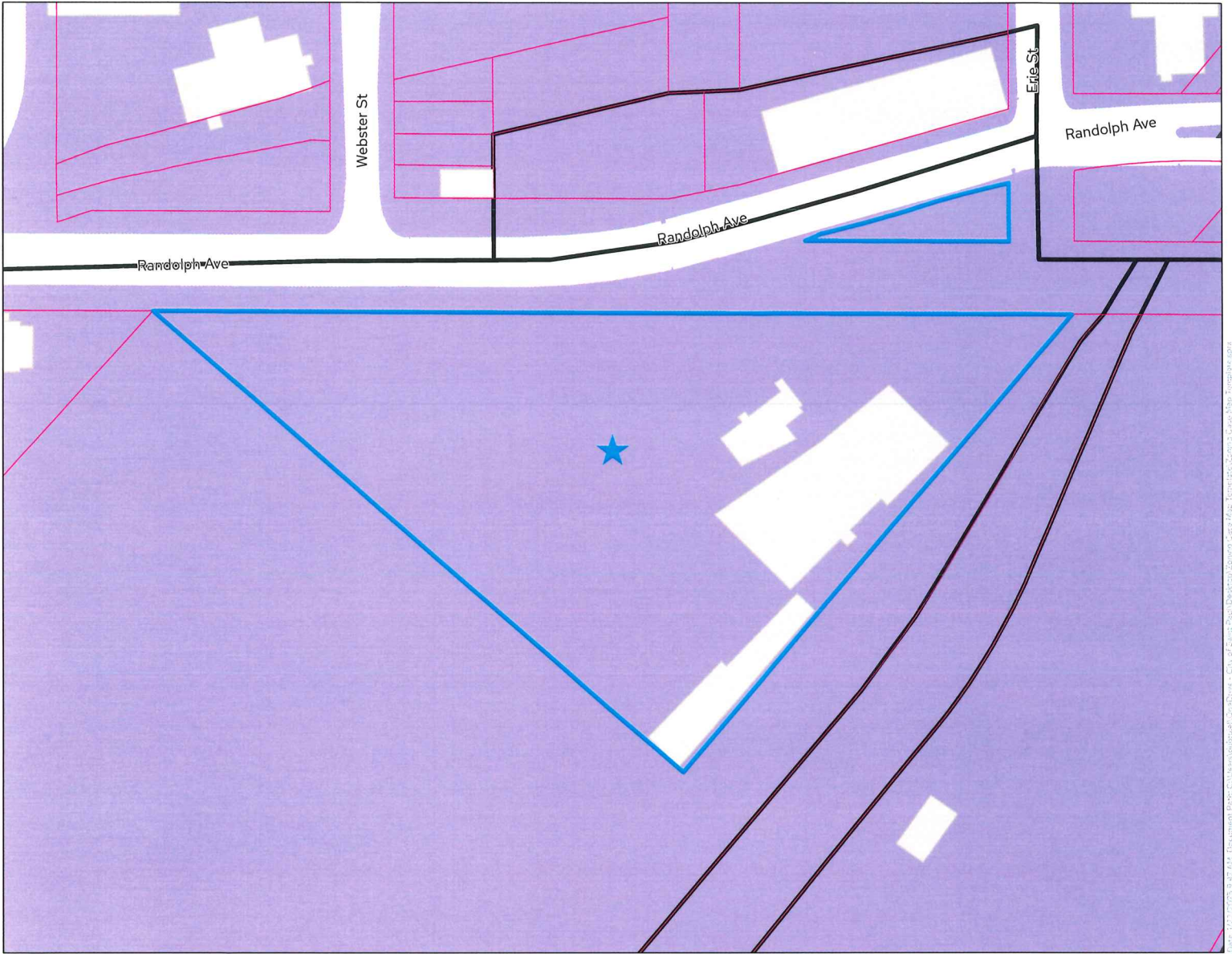
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|--------------------------------|--|------------------------------------|-------------------------------------|
| RL One-Family Large Lot | T1 Traditional Neighborhood | B3 General Business | F1 River Residential |
| H1 Residential | T2 Traditional Neighborhood | B4 Central Business | F2 Residential Low |
| H2 Residential | T3 Traditional Neighborhood | B5 Central Business Service | F3 Residential Mid |
| RM1 Multiple-Family | T3M T3 with Master Plan | IT Transitional Industrial | F4 Residential High |
| RM2 Multiple-Family | T4 Traditional Neighborhood | ITM IT with Master Plan | F5 Business |
| RM3 Multiple-Family | T4M T4 with Master Plan | I1 Light Industrial | F6 Gateway |
| | OS Office-Service | I2 General Industrial | VP Vehicular Parking |
| | B1 Local Business | I3 Restricted Industrial | PD Planned Development |
| | BC Community Business (converted) | | CA Capitol Area Jurisdiction |
| | B2 Community Business | | |

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Application of
West Seventh/Fort Road Fed
 Land use map

application number: 25-005-778 ▪ type: Appeal ▪ date: 01/23/2025 ▪ planning district: 9



Subject parcel(s) are outlined in blue

Other parcels are outlined in pink

Single Family Residential

- Farmstead
- Seasonal/Vacation
- Single Family Detached
- Manufactured Housing Park

Multifamily Residential

- Single Family Attached
- Multifamily

Commercial

- Office
- Retail and Other Commercial

Mixed Use

- Mixed Use Residential
- Mixed Use Industrial
- Mixed Use Commercial and Other

Other Uses

- Industrial and Utility
- Extractive
- Institutional

- Park, Recreational or Preserve
- Golf Course
- Major Highway
- Railway
- Airport
- Agricultural
- Undeveloped
- Water

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