

# PAYNE PHALEN DISTRICT FIVE PLANNING COUNCIL #42

STRONG  SAFE  WELCOMING  CONNECTED  NEIGHBORHOODS

August 6, 2014

Council President Lantry, Members of the City Council  
A5 Kellogg Boulevard West  
St. Paul, MN 55102

**Re: Public Hearing to consider the appeal of the Payne Phalen District Five Planning Council to a decision of the Planning Commission approving an expansion of the nonconforming use to increase the number of parking stalls for outdoor auto sales at 1265 Arcade Street. (Zoning File #14-297-062)**

Dear President Lantry and Members of the City Council:

The Payne Phalen District Five Planning Council Board of Directors respectfully appeals to the St. Paul City Council the Planning Commission decision (8-7 vote) regarding 1265 Arcade. District Five recommends to the City Council denial of the 1265 Arcade application.

The Planning Council finds that the Planning Commission erred in findings of fact Items 3 and 6.

***#3 the appearance of the expansion or relocation will be compatible with the adjacent property and neighborhood.***

*The Planning Commission projects that this finding is met with full adherence to conditions.*

District Five finds that the surrounding neighborhood has been repeatedly plagued with business owned cars parked on public streets, adding to area congestion and creating a nuisance for surrounding neighborhood housing and businesses. Residents have registered multiple complaints regarding excess cars parking on public streets.

District Five has received six specific complaints from nearby residents who find the business to create a nuisance with cars from the business parked on city streets – particularly on Orange.

***#6 After the expansion or relocation, the use will not result in an increase in noise, vibration, glare, dust or smoke, be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety or general welfare.***

*The Planning Commission states this finding is met.*

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District Five asserts that the business expansion is an incompatible land use that is detrimental to the neighborhood's existing character. District Five references the City Council approved Arcade Street Small Area Plan – Appendix A.

**Excerpt from Arcade Street Small Area Plan**

**“Incompatible land uses.** Most businesses abut single-family residential properties, which limits their ability to expand. In addition, most businesses have insufficient parking and any expansion would likely require additional parking spaces. “

**“Automotive businesses and industrial-type are not compatible with the residential and small business character of the community; these businesses discharge pollutants and store materials outside.”**

The Arcade Street Small Area Plan clearly notes the problems of spillover effect to the neighborhood with both auto sales and auto repair businesses. As in this specific case, District Five hears complaints that auto related businesses establish their business on undersized lots that are too small to cash flow their business. We have repeatedly experienced that the business begins to spill over into the neighborhood – creating nuisances and concern for surrounding businesses and residents. The neighborhood vision for the development of Arcade Street does not include expansion of auto related businesses.

We appreciate the City Council's consideration of the Small Area Plan and needs expressed by the neighborhood.

Sincerely,

Payne Phalen Board of Directors and  
D5 Community Planning & Economic Development Committee