

city of saint paul
planning commission resolution
file number 9
date February 21, 2025

WHEREAS, West 7th/Fort Road Federation, File # 25-005-778, has applied for an appeal of the Zoning Administrator's decision to issue a Statement of Clarification that a proposed solid waste truck dispatch center and maintenance facility is similar to a public works yard or maintenance facility under the provisions of § 61.106, § 61.202, and § 61.701(b-c) of the Saint Paul Legislative Code on property located at 560 Randolph Avenue, Parcel Identification Number (PIN) 12.28.23.32.0016, legally described as Section 12, Town 28, Range 23 A, 24,300 MOL square feet lease located on ...Govt. Lot 4 in Section 12 TN 28 RN 23; and

WHEREAS, the Zoning Committee of the Planning Commission, on February 13, 2025, 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. 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:

moved by Taghioff
seconded by _____
in favor Unanimous
against _____

(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.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of West 7th/Fort Road Federation for an appeal of the Zoning Administrator's decision to issue a Statement of Clarification that a proposed solid waste truck dispatch center and maintenance facility is similar to a public works yard or maintenance facility at 560 Randolph Avenue is hereby denied.