



# CITY OF WEST ST. PAUL

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972

MUNICIPAL CENTER 651-552-4100  
PARKS/RECREATION 651-552-4150  
FAX 651-552-4190

POLICE 651-552-4200  
FIRE 651-552-4176  
TDD 651-552-4222

## CONDITIONAL USE PERMIT APPLICATION

Filing Fee: \$275.00

(OFFICE USE ONLY)

Escrow Amount: \$400.00 (residential)  
\$800.00 (commercial)

CASE NO. 16-15  
DATE RECEIVED 9/23/16  
RECEIPT # \_\_\_\_\_  
60 DAY DATE 11/22/16

TOTAL FEES 1075<sup>00</sup>

1. STREET ADDRESS OF PARCEL 1906 Livingston Avenue, West St. Paul, MN 55118

2. NAME OF APPLICANT The Povolny Group, Inc. Phone # 651-643-0866

3. ADDRESS OF APPLICANT 1906 Livingston Avenue, West St. Paul, MN 55118  
Email jim@povolnygroup.com

4. NAME OF OWNER Debco Leasing, LLC Phone # 651-247-9052

5. ADDRESS OF OWNER 1012 35th Avenue NE, Great Falls, MT, 59404  
Email deb@archetone.com

6. LEGAL/PID # 42 14101 01 016

7. PRESENT ZONING Office

8. PROPOSED USE OF PARCEL Office

9. ZONING SECTION AUTHORIZING CUP \_\_\_\_\_

10. WHAT WILL BE THE EFFECT OF THE PROPOSED USE ON THE HEALTH, SAFETY, & WELFARE OF THE OCCUPANTS IN THE SURROUNDING PARCELS? No changes in any of the named potential impacts on the property or surrounding parcels

11. WHAT WILL BE THE EFFECT ON EXISTING AND ANTICIPATED TRAFFIC CONDITIONS, INCLUDING PARKING FACILITIES ON ADJACENT STREETS? No changes to any current or future street traffic, parking conditions for the site or street.

12. WHAT WILL BE THE EFFECT OF THE PROPOSED USE ON THE COMPREHENSIVE PLAN?

**EXHIBITS REQUIRED**

- A. An electronic copy as well as four (4) 22x34 and twenty (20) 11x17 paper copies, of a map or plat showing the property on which the Conditional Use Permit is requested, and all parcel within 150 feet of the boundaries of the subject parcel.
- B. An electronic copy as well as four (4) 22x34 and twenty (20) 11x17 paper copies in sets and folded plans, showing application information as follows:
  - a. Proposed and existing topography and drainage.
  - b. A complete plan prepared and signed by a registered Civil Engineer, Architect, and/or Landscape Architect showing:
    - i. The parking layout, access provisions, structure locations, landscaping, drainage, trees and shrubbery including types and locations, and sizes.
    - ii. Any fences, walls, or other screening, including height and type of material.
    - iii. All lighting provisions, including type, location, and lumens affecting the surrounding parcels and streets.
    - iv. Curb type and location on site.
    - v. Proposed plans for sidewalk to service, parking, recreation and service areas within the site.

**ACKNOWLEDGE AND SIGNATURE**

The undersigned hereby represents upon all penalties of law, for the purpose of inducing the City of West St Paul to take action herein requested, that all statements herein are true and that all work herein mentioned will be done in accordance with the Ordinances and all Codes of the City of West St Paul and the State of Minnesota.

  
Signature of Owner (Required)

651-643-0866  
Phone Number

\_\_\_\_\_  
Signature of Applicant (If different)

\_\_\_\_\_  
Phone Number

**NOTE: All Materials relevant to this Application must be filed on or before the dates listed on Operating Procedures for Applicants page. The Planning Commission holds its regular meeting at 7:00pm on the third Tuesday of each month.**

**LAPSE OF CONDITIONAL USE PERMIT:**

An approved Conditional Use Permit shall lapse and become null and void six months following the date on which the Conditional Use Permit was approved, unless prior to the expiration of six months a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the subject site, or a Certificate of Occupancy is issued by the Building Official. A Conditional Use Permit may be renewed once for a period of one year by the City Council.

**FEES**

- 1. The fees to be paid by each applicant for each zoning request shall be as prescribed by the City Council. Fees shall be payable at the time applications are filed with the Zoning Administrator and are not refundable unless the application is withdrawn prior to being sent for legal publication and notice. There shall be no fee in the case of applications filed in the public interest by the City Council or by the Planning Commission. Fees shall include application fee, filing fees, consultant, legal, planning, and engineering fees.
- 2. Applicants shall deposit with the City, together with the application filing fees, the sums required by Council resolution toward prepayment of the Consultants and Attorney's expenses and all costs to be billed and charged to the City. The prepayment amounts shall be a credit toward all reasonable fees and expenses charged by the Consultants to the City in the investigation report and recommendation to the City Council concerning the application. All reasonable expenses and fees in excess of the deposit, shall be paid by the applicant to the City within 30 days of final action on the matter by the City. If not paid within 30 days, the account shall be deemed delinquent. If the fees and expenses incurred by the City from the Consultants are less than the amount of deposit, such excess shall be returned to the applicant upon final action by the City in said manner.

August 26, 2016

Mr. Ben Boike,  
1616 Humboldt Avenue  
West St. Paul, MN 55118

RE: Conditional Use Permit Application  
Company Profile and Usage of new Garage Intent

Mr. Boike,

The Povolny Group, Inc. is a Service Disabled Veteran Owned Small Business doing General Construction work primarily for the Federal Government and State of MN. We have 7 office staff in the office building with a staff of field personnel at sites around the country. The current office space is sufficient for our use with possible staffing expansion of 2 into the future as our business grows. The installation of additional onsite storage for materials and equipment will provide more efficiency of operational considerations and separation of materials from the office staff.

The intent to construct a storage garage for use by The Povolny Group is to store construction materials, equipment and trailers on site. Currently, we are storing some of these items off site due to recent theft attempts that have caused damage to a truck and an enclosed trailer in the unsecured rear parking area. The intent is to store materials and equipment in a separate building from the office use. The goal of developing this garage is to eliminate any future issues with theft or burglary damage to these items by keeping them in a secured area, provide an environmentally controlled storage space, and maintain a clean and safe environment for staff and workers without congestion and consolidation of items into one location.

We have more than adequate parking spaces on the site right now totaling 17 spaces. The new plan totals 18 spaces. The current design rotates the seven current stalls facing North to be re-aligned along the East edge of the current lot. These noted parking stalls are in line with one of the Overhead Garage Doors. There are three overhead doors total facing South. These spaces will not interrupt the intent of the parking locations or the intent of the use of the garage. We will be able to coordinate and control access into the garage space during normal business hours as these spaces will typically not be used by staff. The need to access the garage space is very limited and does not impact parking of vehicles in front of the garage. We can move a vehicle that may block usage of this one overhead door at any time without disruption of our staff. There are two overhead doors that are not impacted by parking that will allow for more extensive use of the garage area.

The construction materials for the garage space will complement the current office building. We will use standard 6" wood framing materials, plywood sheathing with water barrier and 6" siding, hard board or vinyl. Roofing will be shingles to match the current office building. Any disturbed asphaltic pavement will be patched to match the existing. We intend to expand parking by construction of a

retaining wall along the SW corner to provide additional parking spaces and utilize additional portion of the property that is currently unusable. The retaining wall system will be engineered and submitted with the building permit for the project. The parking expansion is limited to less than 10% of the overall parking surfaces.

There is an unusual hardship encumbrance at this property due to the aggressive grade changes along the East property line. There is a significant amount of property that cannot be built on due to these grade changes. The hill removes any potential for additional parking expansion without extensive costs to create retaining walls in excess of 20' high

We seek the approval of Staff for the Conditional Use Permit for additional garage space. We are requesting garage space of 1,800 SF with dimension of 30X 60. The structure is consistent with Zoning and will not impact any access issue, site lines for neighboring property and is in the back of the lot across from the shopping center alley.

Contact me if you have any additional questions or concerns.

Sincerely,

A handwritten signature in cursive script that reads "James M. Povolny".

James M. Povolny  
President