

**CITY OF WEST ST. PAUL, MN
NOTICE OF PUBLIC HEARING**

The listed items below will be a Public Hearing at the Planning Commission Meeting Tuesday, December 15, 2020 at 6:30 pm and a Public Hearing at the City Council Meeting Monday, January 11, 2021 at 6:30 p.m.:

PC Case 20-17 – Conditional use permit to allow a medical clinic in a B3 – General business district at 1700 Livingston Ave. – Sutton Outpatient Services

If you have any questions regarding the hearing item listed above, please contact Melissa Sonnek, City Planner at (651) 552-4134.

For Informational Purposes Only – Not for Publication

Shirley Buecksler
City Clerk

Published: December 5, 2020 (Planning Commission)
December 27, 2020 (City Council)
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December 21, 2020 (City Council)
Municipal Center



City Hall
1616 Humboldt Avenue
West St. Paul, MN 55118
651-552-4190
www.wspmn.gov

CONDITIONAL USE PERMIT APPLICATION

Filing Fee: \$275
Escrow Amount: \$400 (Residential)
\$800 (Commercial)
TOTAL FEES: \$1075.00

Office Use Only	
Case No:	PC20-17
Date Received:	11/12/2020
Receipt #	2020-1590
60 Day Date:	01/11/2021 - Extended 03/12/21

Street Address of Parcel: 1700 Livingston, Avenue, Suite 120, West St. Paul, MN 55118

Name of Applicant: Robert Sutton, Sutton Outpatient Svcs Phone # 651-387-4629

Address of Applicant: 532 Rolling Hills Place
Eagan, MN 55121 Email: Robert@suttonoutpatientservices.com

Name of Owner: William Dunnigan, Triple Nine Investments Phone # 651-983-4891

Address of Owner: 168 Griggs Street
St. Paul, MN 55104 Email: twincityrental@gmail.com

Legal/PID # 42-02000-54-016

Present Zoning: Commercial Preferred

Proposed Use of Parcel: Education, outreach and outpatient behavior health treatment services

Zoning Section Authorizing CUP: 153.141 (I)

What will be the effect of the proposed use on the health, safety, and welfare of the occupants of the surrounding parcels? _____

There should be little or no affect as classes and treatment are limited to 16-20 clients per class/group.

What will be the effect on existing and anticipated traffic conditions, including parking facilities and adjacent streets? _____

Little affect on local traffic as the center will consist of educational classes and treatment up to 20 clients.

What will be the effect of the proposed use on the Comprehensive Plan? _____

The services we offer are urgently needed to help with known chemical health issues in the community

EXHIBITS REQUIRED

N/A

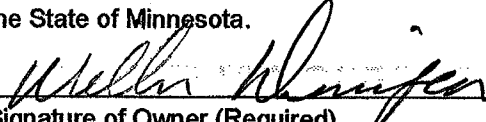
A. An electronic copy as well as four (4) 22x34 and twenty (20) 11x17 paper copies, of a map or plat showing the property on which the Conditional Use Permit is requested, and all parcel within 150 feet of the boundaries of the subject parcel.

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:

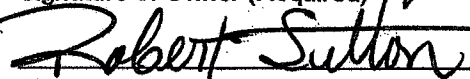
- a. Proposed and existing topography and drainage.
- b. A complete plan prepared and signed by a registered Civil Engineer, Architect, and/or Landscape Architect showing:
 - i. The parking layout, access provisions, structure locations, landscaping, drainage, trees, and shrubbery including types, locations, 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, and
 - 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)

651-983-4891
Phone Number


Signature of Applicant (If different)

651-387-4629
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 City Planner 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.



Sutton Outpatient Services
SOS

October 7, 2020

Melissa Sonnek
Planning Commissioner
1616 Humboldt Avenue
West St. Paul, MN 55118

Dear Commissioner Sonnek;

I am writing today to introduce myself as the sole proprietor of a minority owned business. It is my plan to open an outpatient substance use treatment center located at 1700 Livingston Avenue in West St. Paul, offering chemical health treatment and assessments, as well as Driving with Care classes. It is my understanding that this business model is not yet represented in West St. Paul, and our services are greatly needed to help serve residents who are struggling with using mood altering substance and addiction leading to disorderly behavior, driving while intoxicated and civil disobedience within the city and in the surrounding communities. It has been shown since the start of the Covid-19 Pandemic that individuals, family's employees, and communities at large have been negatively affected by this crisis.

Alcoholism, illicit drug usage/abuse, untreated mental illness and/or declining mental health has become more prominent. While maladaptive method used by these members of our community to cope with these difficult times is causing more harm to their families, neighbors, and the community at large.

The research I conducted, including a conversation with Officer Jesse Mettner of the West St Paul Police Department, revealed that he and other officers are tasked with addressing the mental health crisis within the community. Officer Mettner also indicated that while the number of individuals driving while intoxicated remains steady, there is an increase in the number of individuals driving under the influence of drugs. This has resulted in homelessness, shoplifting, burglaries, and domestic abuse which will continue to increase without additional substance use treatment and educational services being offered to the City of West St Paul, the surrounding communities, and the Dakota County Department of Corrections.

I understand 50% of all Group Residential Housing (GRH) and government assistance programs in Dakota County are located in West St. Paul or the immediate area, including the Guild Program that houses Adult Assertive Community Treatment (ACT) that offers intensive, non-residential mental health services for persons with serious mental illness. I understand that program is plagued with substance abuse clients who may find it difficult to have their substance abuse issues addressed due to a lack of available



Sutton Outpatient Services

SOS

services in their community, and limited options for transportation to programs outside of their community.

Sutton Outpatient Services will offer an array of services starting with our Driving with Care Program. Our long-term goal is to develop a 245G Program that offers Chemical Dependency Treatment on an Outpatient basis and finally, offering Outpatient services with Lodging. The goal will be to offer all these services within the City of West St. Paul.

I am a Licensed Drug and Alcohol Counselor (LADC) and Clinical Supervisor with over 20 years of experience in the Twin Cities area. As a result, I have a wide range of referral sources including Ramsey, Dakota, and Hennepin Chemical Health Divisions and their corresponding Correctional Agents. I have also cultivated relationships with multiple assessors in various programs that I have worked with over the years. I plan to service approximately 16-25 clients per quarter, with a total of 64 -100 clients annually depending on their needs.

My intention will be to offer educational classes and chemical dependency counseling with a plan to include mental health services at this location in the future. I currently provide community-based education on subjects including, but not limited to, recidivism, drug and alcohol education, and anger management in addition to Driving with Care. I would be happy to meet with you remotely to discuss these services, and how we can work together to assist this underserved population.

Sincerely,

Robert H. Sutton, LADC
Owner/CEO, Sutton Outpatient Services, LLC



November 6, 2020

City Planning Commission
Attn: Melissa Sonnek
1616 Humboldt Avenue
West St. Paul, MN 55118

RE: Conditional Use Permit for 1700 Livingston Avenue, West St. Paul

;Dear Commissioner Sonnek:

Pursuant to the email I received from you on October 26, 2020, I am enclosing the completed CUP application for Sutton Outpatient Services, along with a check in the amount of \$1,075 to cover the filing fee and escrow amount.

As you are aware, we are renting space located on the lower floor of an existing building to operate as a licensed, but non-medical, behavioral health and educational center in West St. Paul at 1700 Livingston Avenue, Ste 120. The outreach, education and outpatient services we provide will include classes, workshops, and group/individual sessions to identify and help address existing chemical and behavioral health issues within the community. As mentioned in our correspondence, the previous tenant provided similar Driving with Care educational classes at this location.

We are renting this space and are not making any structural modifications to this site. Accordingly, we have not enclosed the exhibits required on page 2 of the form.

Please let me know if there is anything else you require to move this request forward.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Sutton", with a long, sweeping horizontal stroke extending to the right.

Robert H. Sutton, LADC
Owner/CEO, Sutton Outpatient Services, LLC

To: **Planning Commission**
From: **Melissa Sonnek, City Planner**
Date: **December 15, 2020**

PC Case 20-17 Conditional Use Permit for a Medical Office at 1700 Livingston Ave – Sutton Outpatient Services

REQUEST:

Rob Sutton, of Sutton Outpatient Services, has requested a Conditional Use Permit (CUP) to allow a Medical Office/Clinic in the B3 – General Business zoning district at 1700 Livingston Ave.

ATTACHMENTS:

Application and Narrative
Notice



EXISTING LAND USES AND ZONING:

	Land Use	Zoning
Subject Property	Commercial <i>(Offices)</i>	B3 – General Business
Properties to North	Commercial <i>(Planet Fitness)</i>	B3 – General Business
Properties to East	Commercial <i>(Talecris Plasma)</i>	B3 – General Business
Properties to South	Commercial <i>(Sola Salon)</i>	B3 – General Business
Properties to West	Residential	R4 – Multiple Family Residential

ANALYSIS:

Zoning Ordinance

Section 153.141 (I), states that no structure or land shall be used for the following uses, except by conditional use permit

- (I) – Dental or medical office or clinic

PROPOSAL:

Sutton Outpatient Services is proposing to open an outpatient substance use treatment and counseling center as well as driving with care classes. This is in an effort to offset the increasing frequency of alcoholism, drug usage/abuse, and untreated/declining mental health being seen in Dakota County and across the Twin Cities metro area.

Hours of Operation

Monday – Friday

- Day Programming – 8:00am to 4:00pm

Maximum of Four Days a Week

- Evening Outpatient Services – 6:00pm – 8:00pm

Employees

Initially, Mr. Sutton would be the only employee. However, if the business grows he would like to hire additional staff, two additional counselors and one support staff member.

Parking

Office buildings that have 6,000 or more sq. ft. of floor area are required to have one parking space per each 250 sq. ft. of floor space.

Parking Breakdown

Total sq. ft. – 14,000 – 1 stall per 250 = 56

Total Required Stalls – 56 existing stalls

This site meets the minimum parking requirement as a whole. The office suite Mr. Sutton is proposing to rent offers 10 parking stalls. Additionally, many of the individuals visiting the space will utilize public transit and/or ride share, most commonly for the day programming.

The building as a whole serves as an office building with a handful of different suites being rented. All of these office related uses would not require an overabundance of parking on site. Therefore, City Staff is comfortable with the parking as it is currently.

STAFF RECOMMENDATION:

Staff recommends the APPROVAL of the Conditional Use Permit to allow a Medical Office in the B3 – General Business District at 1700 Livingston Ave., subject to the following conditions:

1. The applicant shall apply for and obtain all applicable building and sign permits with the City of West St. Paul.