

**Department of Community Planning and Economic Development – Planning  
Division**

Conditional Use Permit

BZZ-2091

**Date:** December 13, 2004

**Applicant:** Mr. Maxwell Aforno, Cashwell Incorporated/ Summit Health Care, 540 N. Fairview Avenue, Suite 347, Saint Paul, MN 55104, (612)282-1392

**Address of Property:** 3018 Lake Street East

**Project Name:** Cashwell Incorporated

**Contact Person and Phone:** Mr. Maxwell Aforno, Cashwell Incorporated/ Summit Health Care, 540 N. Fairview Avenue, Suite 347, Saint Paul, MN 55104, (612)282-1392

**Planning Staff and Phone:** Becca Farrar, (612)673-3594

**Date Application Deemed Complete:** November 3, 2004

**End of 60-Day Decision Period:** January 1, 2005

**End of 120-Day Decision Period:** Not applicable

**Ward: 9 Neighborhood Organization:** Longfellow Community Council

**Existing Zoning:** C2 (Neighborhood Corridor Commercial) District

**Proposed Zoning:** Not applicable for this application

**Zoning Plate Number:** 27

**Lot area:** 2,622 square feet or .06 acres

**Legal Description:** Not applicable for this application

**Proposed Use:** Currency exchange within an existing building.

**Concurrent Review:**

- Conditional Use Permit for a currency exchange in the C2 (Neighborhood Corridor Commercial) District.

**Applicable zoning code provisions:** Chapter 525: Article VII Conditional Use Permits

**Background:** The applicant proposes to locate a currency exchange in the building located on the property at 3018 Lake Street East. The property is zoned C2 which allows currency exchange businesses with a conditional use permit as long as the use is located at least 1000 feet from all existing currency exchanges, secondhand goods stores, pawnshops and missions; in addition to meeting all other specific development standards located in Chapter 536 relating to currency exchange.

According to the applicant, the proposed location is not within 1000 feet of any other existing currency exchange, secondhand goods stores, pawnshops or mission. The closest such business is the Cash and Pawn which is located on the corner of 28<sup>th</sup> and Lake Street. According to the plat map for the area, the eastern boundary of the subject site is located 1,046 feet from the western boundary of the lot on which Cash and Pawn is located.

The subject property was most recently utilized as divinity school by the property owner, Theophilus Divinity School. The building was constructed in 1949 and was extensively remodeled about nine years ago. The remodeling included new windows, updated plumbing and electrical, new heating and air conditioning and all surface coverings were replaced. Additionally, a new roof was installed on the building in 2003. After the remodeling was completed the first floor of the building was utilized as a hair salon and the second floor was utilized as an apartment. The Theophilus Divinity School acquired the building in 1997 and has utilized the first floor as classroom and instruction space and the upstairs as office and conference space.

The building takes up the majority of the property. There is no off-street parking for the building on site, and no curb cuts onto the property. The required parking for the current uses has been grandfathered. There is on street 30 minute parking located directly in front of the building on Lake Street. The building exterior may eventually be painted, but the existing large picture window will remain as is without the use of bars, chains or similar security devices that are visible from a public street or sidewalk. The applicant proposes to locate a new wall sign on the façade of the building. The signage will require a separate permit and must conform to the requirements of Chapter 543.

The applicant is considering relocating another office type use into the building, however according to the applicant this will not occur until after the currency exchange relocates into the building. The applicant will need to work with the Zoning and Licensing office to address any issues related to a change of use within the building.

The applicant is relocating the Cashwell, Inc. business from 2446 University Avenue in Saint Paul. Staff did contact the Saint Paul Police Department for police report information for the property. That information has been attached for reference. The majority of the complaints were related to fraud and forgery.

Staff has not received a formal letter from the applicable neighborhood association, the Longfellow Community Council.

**CONDITIONAL USE PERMIT -**

**Required Findings for the Conditional Use Permit:**

- 1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

The use is relatively small in scale and is located along a Commercial Corridor. The applicant proposes to relocate his business to the proposed location from Saint Paul. The Saint Paul police incidents associated with the business have been attached for reference and primarily include forgery and fraud. A currency exchange should not be detrimental to the public health, safety and general welfare in this general commercial and low-density residential area.

- 2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

Given that the use is relatively small in scale and the location along Lake Street is generally non-residential in nature, utilizing a portion of the building for a currency exchange should not impede development of surrounding properties and should not affect the use and enjoyment of other properties in the area. The proposed currency exchange would provide a different type of service that is not currently found in the immediate vicinity.

- 3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**

Utilities, access roads, drainage and other facilities would likely not be affected by a currency exchange.

- 4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.**

The scale of the use is such that congestion of the public streets would not be substantially affected. The business will operate under the permissible hours of the C2 district.

- 5. Is consistent with the applicable policies of the comprehensive plan.**

The site is located along a Commercial Corridor near an Activity Center. Some of the applicable characteristics of Commercial Corridors include: streets having high traffic volumes, streets having a mix of uses with commercial uses dominating, a mix of uses commonly occurs within some of the structures.

*Relevant Policy: 4.3* Minneapolis will support development in Commercial Corridors where it enhances the street’s character, improves its ability to accommodate automobile traffic and foster pedestrian movement, and expands the range of goods and services offered.

*Relevant Policy: 4.3* Minneapolis will continue to provide a wide range of goods and services for city residents, to promote employment opportunities, to encourage the use and adaptive reuse of existing commercial buildings, and to maintain and improve compatibility with surrounding areas.

**6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.**

The establishment of a currency exchange is subject to the provisions of Chapter 525, Administration and Enforcement, and the following:

**(1) The use shall be located at least one thousand (1,000) feet from all existing currency exchanges, secondhand goods stores, pawnshops and missions.**

According to the information that the applicant submitted, there are no other currency exchanges, secondhand good stores, pawnshops or missions located within 1,000 feet of the property.

**(2) Back-lighted signs, back-lighted awnings, portable signs, temporary signs and freestanding signs shall be prohibited.**

The applicant is proposing a new 12 square foot wall sign on site. The signage will require a separate permit and must conform to the requirements of Chapter 543. The sign that the applicant is requesting appears to be permitted.

**(3) The window and door area of any existing first floor facade that faces a public street or sidewalk shall not be reduced, nor shall changes be made to such windows or doors that block views into the building at eye level.**

The applicant is not proposing to reduce the area of windows or doors nor is the applicant proposing to make changes to the windows that would block views into the building.

**(4) For new construction, at least thirty (30) percent of the first floor facade that faces a public street or sidewalk shall be windows or doors of clear or lightly tinted glass that allow views into and out of the building at eye level.**

The building is existing.

**(5) The use of bars, chains or similar security devices that are visible from a public street or sidewalk shall be prohibited.**

The applicant has indicated that bars, chains or similar security devices will not be used.

**(6) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.**

The applicant has indicated that he will comply with this requirement.

**Recommendation of the Community Planning and Economic Development Department – Planning Division for the conditional use permit:**

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission **approve** the application for a conditional use permit for a currency exchange for property located at 3018 Lake Street East subject to the following conditions:

1. The use is subject to the specific development standards for a currency exchange, found in Section 536 of the Zoning Ordinance.
2. Cashwell, Inc. shall be limited to the hours of operation permitted under the C2 zoning district requirements and shall not be extended without a conditional use permit.
3. The Planning Division shall review and approve the final sign plan prior to sign permits being issued by the Inspections Department.

**Attachments:**

1. Statement of use
2. Findings
3. Correspondence & Police reports
4. Zoning map
5. Plans
6. Photos