

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit
BZZ-4343

Date: April 6, 2009

Applicant: Bob Spight

Address of Property: 4652 Lyndale Avenue North

Project Name: Acorn Mini Storage

Contact Person and Phone: Bob Spight, (763) 512-7720

Planning Staff and Phone: Janelle Widmeier, (612) 673-3156

Date Application Deemed Complete: March 6, 2009

End of 60-Day Decision Period: May 5, 2009

Ward: 4

Neighborhood Organization: Camden Industrial Area (adjacent to Lind-Bohanon)

Existing Zoning: I2, Medium Industrial District, SH Shoreland Overlay District, and MR, Mississippi River Critical Overlay District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 2

Legal Description: Not applicable for this application

Proposed Use: Truck rental

Concurrent Review: Conditional use permit to allow truck rental.

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

Background: Bob Spight, on behalf of Acorn Mini Storage, is proposing to establish truck rental at the property of 4652 Lyndale Avenue North. The proposal is to provide one U-haul truck at this existing self-service storage facility. When not in use, the truck would be parked at the southeast corner of the site adjacent to I-94. In the I2 district, a conditional use permit is required for truck rental. Upon approval of a conditional use permit, the action must be recorded with Hennepin County as required by state law. The area that the site is located in is not represented by a neighborhood group. As of the

writing of this report, staff has not received any correspondence from the adjacent neighborhood group. Staff will forward comments, if any are received, at the City Planning Commission meeting.

CONDITIONAL USE PERMIT

Findings as required by the Minneapolis Zoning Code for the conditional use permit:

The Community Planning and Economic Development Planning Division has analyzed the application and from the findings below concludes that the establishment, maintenance, or operation of the proposed conditional use:

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

Existing security measures include a perimeter fence with gates restricting access, security cameras, and building-mounted lighting. The truck would be located within the secured area of the site. The establishment of truck rental should not prove detrimental to public health, safety, comfort or general welfare provided the development complies with all applicable building codes and life safety ordinances as well as Public Works Department standards.

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.

The site is adjacent to industrial properties and I-94. Residential uses are located across the street. The truck would be parked on the east side of the site, which is not near any residences. The proposed use should have little effect on surrounding properties.

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

Utilities and access roads are existing and adequate.

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

Public parking for the self-service storage is located adjacent to Lyndale Avenue. The truck would be parked in the secure area of the site. With the limited number of trucks proposed to be rented, the use should have little effect on traffic in the area. If trucks are added, the minimum parking requirements for self-service storage and truck rental must remain in compliance.

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

Adjacent to the site, Lyndale Avenue is designated as a commercial corridor by *The Minneapolis Plan*. (In the update of the comprehensive plan, *The Minneapolis Plan for Sustainable Growth*, Lyndale Avenue will be designated as a community corridor and the future land use designation

of the site will be transitional industrial.) According to the principles and polices outlined in the plan, the following apply to this proposal:

- 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.

Applicable Implementation Steps

Support a mix of uses on Commercial Corridors--such as retail sales, office, institutional, higher density residential (including Major Housing Sites where designated), and clean low-impact light industrial--where compatible with the existing and desired character of the street.

Ensure that commercial uses do not negatively impact nearby residential areas.

- 9.25 Minneapolis will establish industrial districts to provide locations for industrial land uses, while ensuring that new industrial development is compatible with its surroundings.

- 9.26 Minneapolis will prioritize growth in light industrial land uses to increase the tax base and create jobs for city residents.

Staff comment: The site is located in the I2 Medium Industrial District. Industrial uses and I-94 are adjacent to the site. Residential uses are located across the street from the site. The storage of the truck when it is not in use would be on the east side of the site adjacent to the highway. The proposed use should be consistent with these goals of the comprehensive plan.

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.

Some existing conditions on the site are not in compliance with zoning requirements.

The existing fence adjacent to the south property line is chain link with slats. Slats are a fencing material that is prohibited by the zoning code. Removal of the slats is required. The existing fence located adjacent to Lyndale Avenue is decorative metal. Portions of this fence have sustained damage. Fences are required to be kept in good repair. Staff is recommending that these requirements be met.

Parking lots of 4 spaces or more are subject to the landscaping, screening and curbing requirements in the zoning code. Specifically, these requirements are as follows:

- A landscaped yard at least 7 feet in width is required between a parking area and public street. A 7 foot wide yard could be provided without interfering with the required drive aisle for the parking spaces adjacent to the building. Installation of a landscaped yard will prevent water from draining across the boulevard. If a public sidewalk were installed in the public right-of-way, stormwater from the parking area is not allowed to drain across a public walkway except through a curb cut for vehicle access.
- A 3 foot high screen that is not less than 60 percent opaque, such as a hedge, is required between the parking area and a public street.
- At least one canopy tree is required for every 25 linear feet of street frontage. The parking area fronts the entire width of the property's street frontage (approximately 150

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feet), therefore at least 6 trees are required.

- All parking lots and driveways are required to be designed with discontinuous curbing to provide on-site retention and filtration of stormwater. If the grading of the paving allows, discontinuous curbing along the landscaped yard needs to be installed. If retention and filtration is not practical, 6 inch by 6 inch continuous concrete curbing will need to be installed.

Staff is recommending that the parking area be brought into compliance with these requirements. These improvements also require review by the Public Works Department at a Preliminary Development Review meeting.

The site would conform to the applicable regulations of the district in which it is located upon the approval of the conditional use permit and the implementation of the recommended conditions of approval.

RECOMMENDATION

Recommendation of the Department of Community Planning and Economic Development – Planning Division:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit to allow truck rental at the property of 4652 Lyndale Avenue North, subject to the following conditions:

- 1) The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.
- 2) The fence adjacent to Lyndale Avenue shall be repaired and slats in the chain link fence shall be removed as required by sections 535.410 and 535.430 of the zoning code.
- 3) Landscaping, screening, and curbing shall be installed in the parking area as required by sections 541.360, 530.170, and 530.230 of the zoning code.
- 4) CPED Planning staff review and approval of the final site and landscaping plans.
- 5) All site improvements shall be completed by April 6, 2010, unless extended by the Zoning Administrator, or the permit may be revoked for noncompliance.

Attachments:

1. Applicant statement of use/findings
2. Zoning map
3. Plans
4. Photos