

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permits and Site Plan Review
BZZ-3550

Date: June 11, 2007

Applicant: Borton Volvo and Enterprise Rent-A-Car

Address of Property: 5504 Lyndale Avenue South

Project Name: Enterprise Rent-A-Car and Volvo

Contact Person and Phone: Richard Mendlik with Enterprise Rent-A-Car, (612) 746-3946

Planning Staff and Phone: Hilary Dvorak, (612) 673-2639

Date Application Deemed Complete: May 18, 2007

End of 60-Day Decision Period: July 17, 2007

End of 120-Day Decision Period: Not applicable for this application

Ward: 13 **Neighborhood Organization:** Kenny Neighborhood Association

Existing Zoning: C2, Neighborhood Corridor Commercial District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 36

Legal Description: Not applicable for this application

Proposed Use: Automobile rental facility and new automobile sales lot

Concurrent Review:

Conditional use permit: for an automobile rental facility

Conditional use permit: for new automobile sales

Site plan review

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits and Chapter 530, Site Plan Review

Background: Up until December of 2006 the subject property was occupied by Sinclair gas station. Since the closing of the gas station the underground pumps have been removed and the property owner, now Borton Volvo, has been using the site to display new automobiles. To utilize this site for automobile sales a conditional use permit is required.

Located at 615 West 53rd Street, just two blocks north of this site, is Enterprise Rent-A-Car. Enterprise Rent-A-Car and Volvo have decided to share a single facility by relocating the automobile rental company from its current location to the subject site. Automobile rental facilities also require a conditional use permit.

The former gas station building, which has a small office area and three service bays, will remain on the site. The existing building will undergo minor changes in appearance and will be occupied by employees of Enterprise Rent-A-Car. The service bays will be utilized for car washing and detailing purposes. Volvo employees will not utilize the building for office purposes as their main sales building is located just across the street from the site.

On the site Volvo will occupy 14 parking spaces to display new automobiles. Enterprise will utilize the remaining six parking spaces for those vehicles that are being leased to customers. Employees will utilize a parking area that is located towards the back of the building. In addition to the two conditional use permits that are required for this project automobile services uses, which both automobile sales and automobile rental are, require site plan review.

In September of 2001, when this site was occupied by the Sinclair gas station, it went through site plan review (BZZ-284). The Planning Commission approved the application subject to six conditions of approval. After reviewing the approved site plan it appears that all of the conditions of approval were met except that the majority of the required landscaping has died since it was originally planted.

CONDITIONAL USE PERMIT - for an automobile rental facility

Findings as Required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Department – Planning Division has analyzed the application and from the findings above concludes that:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The Planning Division does not believe that changing the use of the site from a gas station to an automobile rental facility will be detrimental to or endanger the public health, safety, comfort or general welfare.

2. The conditional use 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 Planning Division does not believe that an automobile rental facility would be injurious to the use and enjoyment of other property in the vicinity or impede the normal or orderly development and improvement of surrounding property. The site has been occupied by a gas station since 1959. Changing the use of the site to an automobile rental facility should have less off-site impacts than a gas

station. There will not be any flammable or hazardous materials dispensed at the site anymore and there should be less traffic coming and going from the site on a daily basis.

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

The applicant will be working closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

As for vehicular access, there are currently four access points leading into the site. Two are located along Lyndale Avenue South and the other two are located along West 55th Street. The applicant is proposing to close the two vehicle access point nearest the intersection of the two streets. Although this project has not yet been reviewed at a Preliminary Development Review meeting, closing these two curbs cuts would be in compliance with the requirements of Public Works.

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

The parking requirement for an automobile rental facility is one space per every 300 square feet of gross floor area. The building is approximately 1,830 square feet which requires six parking spaces. Enterprise will utilize six of the 20 striped parking spaces on the site for those vehicles that are being leased to customers. Employees will utilize a parking area that is located towards the back of the building.

5. The conditional use is consistent with the applicable policies of the comprehensive plan.

The site is located on Lyndale Avenue South which is a designated Community Corridor. In addition, the site is located one block south of the designated West 54th Street and Lyndale Avenue South Neighborhood Commercial Node. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Coordinate land use and transportation planning on designated Community Corridors through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets (Policy 9.27).
- Support the continued presence of small-scale retail sales and commercial services along Community Corridors (Implementation Step for Policy 9.27).
- Ensure that commercial uses to not negatively impact nearby residential areas (Implementation Step for Policy 9.27).

The Planning Division believes that the proposed development is in conformance with the policies of *The Minneapolis Plan*. The site has been occupied by a gas station since 1959. Changing the use of the site to an automobile rental facility should have less off-site impacts than a gas station. There will not be any flammable or hazardous materials dispensed at the site anymore and there should be less traffic coming and going from the site on a daily basis.

In January of 2006 the Minneapolis City Council adopted the *South Lyndale Corridor Master Plan*. In the plan this site is identified as high-density housing on the future land use map. The rezoning study that follows the small area planning process is currently underway. On the proposed rezoning map this site is identified to be rezoned to R5, Multiple-family District. It is anticipated that the rezoning study will be presented to the Planning Commission in August of this year.

6. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

With the approval of the conditional use permits and site plan review this development will meet the applicable regulations of the C2 zoning district.

CONDITIONAL USE PERMIT - for new automobile sales

Findings as Required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Department – Planning Division has analyzed the application and from the findings above concludes that:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The Planning Division does not believe that changing the use of the site from a gas station to a new automobile sales facility will be detrimental to or endanger the public health, safety, comfort or general welfare.

2. The conditional use 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 Planning Division does not believe that a new automobile sales facility would be injurious to the use and enjoyment of other property in the vicinity or impede the normal or orderly development and improvement of surrounding property. The site has been occupied by a gas station since 1959. Changing the use of the site to a new automobile sales facility should have less off-site impacts than a gas station. There will not be any flammable or hazardous materials dispensed at the site anymore and there should be less traffic coming and going from the site on a daily basis.

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

The applicant will be working closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

As for vehicular access, there are currently four access points leading into the site. Two are located along Lyndale Avenue South and the other two are located along West 55th Street. The applicant is proposing to close the two vehicle access point nearest the intersection of the two streets. Although this project has not yet been reviewed at a Preliminary Development Review meeting, closing these two curbs cuts would be in compliance with the requirements of Public Works.

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

The parking requirement for a new automobile sales facility is one space per 300 square feet of gross floor area in excess of 4,000 square feet (minimum of four spaces) plus one space per every 2,000 square feet of outdoor sales area plus two spaces per every service bay. The office portion of the building is approximately 660 square feet, there are three wash bays on the site and the 14 outdoor parking spaces where the new cars will be displayed occupies approximately 2,268 square feet.

Although technically a new automobile sales facility would require 10 parking spaces for the office portion and the three wash bays the building is not being included in the parking calculation for the new automobile sales use on the site as it will be primarily used by the automobile rental facility not the new automobile sales facility. With approximately 2,268 square feet of outdoor sales area the parking requirement for the new automobile sales facility is one space. However, because all uses over 100 square feet require a minimum of four parking spaces the parking requirement for the new automobile sales facility is four spaces.

As drawn, the site plan does not provide any parking spaces for the new automobile sales facility. However, there is room on the site plan to add one additional parking space next to the accessible space on the north side of the building. The Planning Division is recommending that one additional parking space be added in order for the use to meet its parking requirement on site. The remaining three parking spaces are being provided across the street where their main sales building is located.

5. The conditional use is consistent with the applicable policies of the comprehensive plan.

The site is located on Lyndale Avenue South which is a designated Community Corridor. In addition, the site is located one block south of the designated West 54th Street and Lyndale Avenue South Neighborhood Commercial Node. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Coordinate land use and transportation planning on designated Community Corridors through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets (Policy 9.27).
- Support the continued presence of small-scale retail sales and commercial services along Community Corridors (Implementation Step for Policy 9.27).
- Ensure that commercial uses do not negatively impact nearby residential areas (Implementation Step for Policy 9.27).

The Planning Division believes that the proposed development is in conformance with the policies of *The Minneapolis Plan*. The site has been occupied by a gas station since 1959. Changing the use of the

site to a new automobile sales facility should have less off-site impacts than a gas station. There will not be any flammable or hazardous materials dispensed at the site anymore and there should be less traffic coming and going from the site on a daily basis.

In January of 2006 the Minneapolis City Council adopted the *South Lyndale Corridor Master Plan*. In the plan this site is identified as high-density housing on the future land use map. The rezoning study that follows the small area planning process is currently underway. On the proposed rezoning map this site is identified to be rezoned to R5, Multiple-family District. It is anticipated that the rezoning study will be presented to the Planning Commission in August of this year.

6. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

With the approval of the conditional use permits and site plan review this development will meet the applicable regulations of the C2 zoning district.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code:

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**
- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)**

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND DESIGN:

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.**
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.**
- The area between the building and the lot line shall include amenities.**
- The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.**
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.**
- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.**

- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances and windows:
 - Residential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - Nonresidential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
 - d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
 - e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.
 - Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.
- Minimum window area shall be measured as indicated in section 530.120 of the zoning code.
- The form and pitch of roof lines shall be similar to surrounding buildings.

- **Parking Garages:** The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. At least thirty (30) percent of the first floor building wall that faces a public street, public sidewalk or public pathway shall be occupied by active uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

PLANNING DEPARTMENT RESPONSE:

- The building associated with this site plan review application is existing. Besides minor cosmetic changes to the building no major changes are being proposed. The building is set back from the property lines, the entrance is not directly connected to the public sidewalk but there are windows along three sides of the building where people can see in and out.
- The site is located on a corner lot which requires that both walls abutting the streets be located within eight feet of the property line except where a greater yard is required by the zoning ordinance. The existing building is setback more than eight feet from both Lyndale Avenue South and West 55th Street.
- The area in between the building and the property lines will be used for landscaping and vehicle display.
- The principal entrance to the building is oriented towards Lyndale Avenue South.
- The majority of the on-site parking associated with this development is located between the building and the property lines. There is a parking area located towards the back of the building that employees will utilize.
- The exterior materials of the structure include painted metal and glass. All four sides of the building will be painted to match one another.
- The back side of the building is over 25 feet in length and void of windows, entries, recesses or projections, or other architectural elements. This is an existing condition of the building.
- At least 30 percent of the first floor of the building facing both Lyndale Avenue South and West 55th Street are required to be windows. According to the submitted drawings there is 24 percent windows along the Lyndale Avenue South side of the building and 38 percent windows along the West 55th Street side of the building. This is an existing condition of the building.
- The windows in the building are vertical in nature.
- The roof line of the building is flat.

ACCESS AND CIRCULATION:

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.150 (b) related to alley access.**
- **Site plans shall minimize the use of impervious surfaces.**

PLANNING DEPARTMENT RESPONSE:

- The entrance to the building is not connected to the public sidewalk via a walkway. To get to the walkway one has to walk through the parking area. This is an existing condition of the site that would be impractical to rectify.
- No transit shelters are proposed as part of this development.
- There are currently four access points leading into the site. Two are located along Lyndale Avenue South and the other two are located along West 55th Street. The applicant is proposing to close the two vehicle access point nearest the intersection of the two streets. Although this project has not yet been reviewed at a Preliminary Development Review meeting closing these two curbs cuts would be in compliance with the requirements of Public Works.
- There are no public alleys adjacent to the site.
- There is no maximum impervious surface requirement in the C2 zoning district. Twenty percent of the site, minus the building, is required to be green space. According to the applicant's landscaping plan 21 percent of the site not occupied by the building is green space.

LANDSCAPING AND SCREENING:

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
- **Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
 - **A decorative fence.**
 - **A masonry wall.**
 - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.**
- **The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.**
- **In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.**
- **All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.**

PLANNING DEPARTMENT RESPONSE:

- The zoning code requires that at least 20 percent of the site not occupied by the building be landscaped. The lot area of the site is 20,414 square feet. The footprint of the building is 1,830 square feet. When you subtract the footprint from the lot size the resulting number is 18,584 square feet. Twenty percent of this number is 3,717 square feet. According to the applicant's landscaping plan there is 3,820 square feet of landscaping on the site or approximately 21 percent of the site not occupied by the building.
- The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space be planted on the site. The tree and shrub requirement for this site is eight and 38 respectfully. Currently there are four evergreen trees and three canopy trees on the site. The applicant is proposing to add one ornamental tree and 58 shrubs to the site. The Planning Division is recommending that five additional canopy trees be planted on the site in order to meet the tree and shrub requirement.
- A seven-foot wide landscaped yard is required between the parking area and the adjacent streets. Along the Lyndale Avenue South side of the parking area the existing landscape area is five feet in width. Three feet of the landscaping is on site and the remaining two feet is in the right-of-way. Along the West 55th Street side of the parking area the existing landscape area is five feet in width. All of this landscape area is on site. This is an existing condition of the site plan. In the area where the two curb cuts are being closed the curbing that defines the existing landscape areas is being continued to form a larger landscape area on the corner of the property (see sheet A3).
- Screening equal to 60 percent opacity is required along both the Lyndale Avenue South and West 55th Street side of the parking area. The applicant is proposing to plant a hedge row of spirea along both sides of the parking area that once grown will screen the parking lot.
- One canopy tree is required to be planted for every 25 linear feet of parking area along both Lyndale Avenue South and West 55th Street. Along Lyndale Avenue South seven trees would be required and along West 55th Street six trees would be required. The applicant is not proposing to plant any canopy trees in these two planting areas.
- In parking lots of 10 spaces or more, no parking space shall be located more than 50 feet from an on-site deciduous tree. Of the 20 parking spaces on the site only four of them are located within 50 feet of an on-site deciduous tree.
- Tree islands in parking lots must have a minimum width of seven feet in any direction. No tree islands are proposed in this parking area.

ADDITIONAL STANDARDS:

- **All parking lots and driveways shall be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch by six (6) inch continuous concrete curb.**
- **To the extent practical, site plans shall minimize the blocking of views of important elements of the city.**
- **To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **To the extent practical, buildings shall be located and arranged to minimize the generation of wind currents at ground level.**

- **Site plans shall include crime prevention design elements as specified in section 530.260 related to:**
 - **Natural surveillance and visibility**
 - **Lighting levels**
 - **Territorial reinforcement and space delineation**
 - **Natural access control**
- **To the extent practical, site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.**

PLANNING DEPARTMENT RESPONSE:

- There is six-inch by six-inch curbing around the perimeter of the parking lot. The parking area is divided into two halves. The north half of the site drains to West 55th Street and the south half drains to Lyndale Avenue South.
- This building should not block views of important elements in the city.
- This building should cast minimal shadows on surrounding properties.
- This building should have minimal wind effects on the surrounding area.
- The Crime Prevention Specialist has not reviewed the project in regards to crime prevention design elements. The site plan complies with crime prevention design elements as the landscaping plan allows for visual observation of the site and the surrounding public realm, there are windows along three sides of the building where people can see in and out and there are lights located underneath the existing canopy and in the southeast and northwest corners of the site.
- This site is neither historically designated nor located in a historic district.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan and Applicable Small Area Plans Adopted by the City Council

ZONING CODE:

- **Use:** Both automobile rental facilities and new automobile sales facilities are conditional uses in the C2 zoning district.
- **Off-Street Parking and Loading:** The parking requirement for an automobile rental facility is one space per every 300 square feet of gross floor area. The building is approximately 1,830 square feet which requires six parking spaces. Enterprise will utilize six of the 20 striped parking spaces on the site for those vehicles that are being leased to customers. Employees will utilize a parking area that is located towards the back of the building.

The parking requirement for a new automobile sales facility is one space per 300 square feet of gross floor area in excess of 4,000 square feet (minimum of four spaces) plus one space per every 2,000 square feet of outdoor sales area plus two spaces per every service bay. The office portion of the building is approximately 660 square feet, there are three wash bays on the site and the 14 outdoor parking spaces where the new cars will be displayed occupies approximately 2,268 square feet.

Although technically a new automobile sales facility would require 10 parking spaces for the office portion and the three wash bays the building is not being included in the parking calculation for the new automobile sales use on the site as it will be primarily used by the automobile rental facility not the new automobile sales facility. With approximately 2,268 square feet of outdoor sales area the parking requirement for the new automobile sales facility is one space. However, because all uses over 100 square feet require a minimum of four parking spaces the parking requirement for the new automobile sales facility is four spaces.

As drawn, the site plan does not provide any parking spaces for the new automobile sales facility. However, there is room on the site plan to add one additional parking space next to the accessible space on the north side of the building. The Planning Division is recommending that one additional parking space be added in order for the use to meet its parking requirement on site. The remaining three parking spaces are being provided across the street where their main sales building is located.

- **Maximum Floor Area:** The maximum FAR in the C2 zoning district is 1.7. The lot in question is 20,414 square feet in area. The applicant proposes a total of 1,830 square feet of gross floor area, an FAR of .090.
- **Building Height:** Building height in the C2 zoning district is limited to four stories or 56 feet. The existing building is two stories/16 feet in height.
- **Minimum Lot Area:** The minimum lot area for a new automobile sales facility is 12,000 square feet. The lot in question is 20,414 square feet in area.
- **Dwelling Units per Acre:** Not applicable for this application.
- **Yard Requirements:** The front, corner side and south interior side yard setback for this site is zero feet. The rear yard setback requirement for this site is five feet. All of the required setbacks are being met.
- **Specific Development Standards:** Automobile rental and automobile sales are subject to specific development standards:

Automobile rental. Fuel pumps for the purpose of the retail sale and dispensing of fuel to the general public shall be prohibited. If the use includes dispensing of fuel for the automobiles maintained on-site, the use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten (10) feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vaportight fittings to preclude the escape of gas vapors from the fill pipes.

Please note that there are no fuel pumps located on the site.

Automobile sales:

- (1) Fuel pumps for the purpose of the retail sale and dispensing of fuel to the general public shall be prohibited. If the use includes dispensing of fuel for the automobiles maintained on-site, the use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten (10) feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vaportight fittings to preclude the escape of gas vapors from the fill pipes.
- (2) The rental of passenger automobiles shall be prohibited, except as an accessory use.

Please note that there are no fuel pumps located on the site.

- **Hours of Operation:** The hours of operation in the C2 zoning district are 6 am to 10 pm Sunday through Thursday and 6 am to 11 pm Friday and Saturday.
- **Signs:** Signs are subject to the requirements of Chapter 543 of the Zoning Code. In the C2 zoning district there can be 1.5 square feet of signage for every one foot of primary building wall unless there is a freestanding sign on the zoning lot. If there is a freestanding sign on the lot then there can only be one square foot of signage for every one foot of primary building wall. Wall signs are limited to 180 square feet in size. Projecting signs are limited to 16 square feet in size. The maximum height of any sign is 24 feet. Freestanding signs are limited to 80 square feet and can be no taller than 25 feet. The zoning code also limits the number of freestanding signs on a zoning lot to one.

There is an existing 25-foot high freestanding sign on the property that the applicant is proposing to reuse. Besides this, the applicant did not submit any other information about their proposed sign plan.

- **Refuse storage:** The refuse storage containers will be stored inside the building.
- **Lighting:** A lighting plan showing footcandles was not submitted as part of the application materials.

MINNEAPOLIS PLAN:

The site is located on Lyndale Avenue South which is a designated Community Corridor. In addition, the site is located one block south of the designated West 54th Street and Lyndale Avenue South Neighborhood Commercial Node. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Minneapolis will promote design solutions for automobile parking facilities that reflect principles of traditional urban form (Policy 4.12).
- Minneapolis will support urban design standards that emphasize a traditional urban form in commercial areas (Policy 9.11).
- Require storefront transparency to assure both natural surveillance and an inviting pedestrian experience (Implementation Step for Policy 9.11).

- Coordinate land use and transportation planning on designated Community Corridors through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets (Policy 9.27).
- Support the continued presence of small-scale retail sales and commercial services along Community Corridors (Implementation Step for Policy 9.27).

The Planning Division believes that the proposed development is in conformance with the policies of *The Minneapolis Plan*. The applicant is proposing to close two of the curb cuts leading to the site and replace them with additional landscaping that will help screen the parking area from the surrounding uses. The applicant will be making some cosmetic changes to the exterior of the building such as removing some faux brick panels, relocating the entrances to the restrooms from the outside to the inside of the building and repainting all four sides of the building.

In January of 2006 the Minneapolis City Council adopted the *South Lyndale Corridor Master Plan*. In the plan this site is identified as high-density housing on the future land use map. The rezoning study that follows the small area planning process is currently underway. On the proposed rezoning map this site is identified to be rezoned to R5, Multiple-family District. It is anticipated that the rezoning study will be presented to the Planning Commission in August of this year.

ALTERNATIVE COMPLIANCE:

- **The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding any of the following:**
- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**
- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

PLANNING DEPARTMENT RESPONSE:

Not less than one tree shall be provided for each 25 linear feet or fraction thereof of parking or loading area lot frontage:

The applicant is not proposing to plant any additional canopy trees on the site and there are currently none located in the landscape areas along either Lyndale Avenue South or West 55th Street. However, the Planning Division is recommending that the applicant plant five additional canopy trees on the site in order to be in compliance with the tree and shrub requirement of this chapter.

In the boulevard area in the right-of-way there are four existing canopy trees along Lyndale Avenue South and two existing canopy trees along West 55th Street. The Planning Division is recommending that alternative compliance be granted to not require one canopy tree for every 25 linear feet along both Lyndale Avenue South and West 55th Street but that the five canopy trees be dispersed around the site.

In parking lots of ten spaces or more, no parking space shall be located more than fifty feet from the center of an on-site deciduous tree:

Of the 20 parking spaces on the site only four of them are located within 50 feet of an on-site deciduous tree. However, if you were to measure from the canopy trees that are located in the right-of-way every parking space would be located within 50 feet of an on-site canopy tree. The Planning Division is recommending that alternative compliance be granted to allow the measurement to be taken from both the trees on the site and the trees in the right-of-way.

RECOMMENDATIONS

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

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 application for an automobile rental facility located at 5504 Lyndale Avenue South.

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

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 application for new automobile sales located at 5504 Lyndale Avenue South subject to the following conditions:

1. One additional parking space shall be added to the site to accommodate the parking requirement for new automobile sales.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the site plan review:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review for the property located at 5504 Lyndale Avenue South subject to the following conditions:

1. Five canopy trees shall be planted on the site and shall be dispersed around the site.

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2. Any changes to the site plan as a result of Preliminary Development Review may result in another public hearing by the City Planning Commission if the Zoning Administrator deems such changes significant under sections 525.360 and 530.100 of the zoning code.
3. Approval of the final site, landscaping and elevation plans by the Community Planning and Economic Development Department – Planning Division.
4. All site improvements shall be completed by June 11, 2008, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Attachments:

1. Statements of proposed use from Enterprise Rent-A-Car and Volvo
2. Conditional use permit findings
3. Preliminary Development Review report from 2-28-07 meeting
4. May 16, 2007, letter to Council Member Hodges, Kenny Neighborhood Association and Windom Community Council
5. Zoning Map
6. Site plan, landscaping plans, floor plans and elevations
7. Photographs of the site and surrounding area