

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit and Site Plan Review
BZZ-3079

Date: July 17, 2006

Applicant: Aspen Waste Systems

Address of Property: 2951 Weeks Ave. SE

Project Name: Front addition to an existing office building

Contact Person and Phone: Dennis Chartrand, 612-623-1000

Planning Staff and Phone: Michael Wee, 612-673-5468

Date Application Deemed Complete: June 14, 2006

End of 60-Day Decision Period: August 13, 2006

End of 120-Day Decision Period: Not applicable

Ward: 2 Neighborhood Organization: Como

Existing Zoning: I2 Medium Industrial District

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 16

Legal Description: Not applicable for this application.

Proposed Use: Not applicable for this application.

Concurrent Reviews:

- Amendment to an existing Conditional Use Permit for a new addition to a waste hauling business in an I2 District.
- Site Plan Review.

Appropriate Section(s) of the Zoning Code: Chapter 550 – Industrial Districts for conditional use permit for waste haulers per Table 550-1 and subject to Special Development Standards; and Chapter 530 – Site Plan Review per Table 530-1 for “transportation uses” in an I2 District.

Background: Aspen Waste Systems, Inc. was granted a conditional use permit for its current waste hauler business at 2951 Weeks Ave. SE in July 9, 2001 (BZZ-152). Under that permit, three conditions were attached including prohibition of outdoor storage of materials. The code defines “*outdoor*

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storage” as the outdoor placement or depositing of goods, materials, equipment, stock or supplies. In July 11, 2001, Aspen Waste Systems, Inc. sent a letter to the city to clarify that outdoor storage of materials shall mean storage of “solid waste or other prohibited material,” and excludes storage of empty “roll-off containers.” Empty roll-off containers are currently stored outdoor located on the eastern half of the property. This area is properly fenced but not landscaped. While outdoor storage is permissible in an I2 District, it is still necessary to screen them from street view.

The applicant’s request is to construct a 642 square foot front addition to an existing office building, using the same exterior materials and the same window patterns and sizes as that of the existing building. Front yard will be re-landscaped in the same manner it was landscaped currently. The surrounding properties are zoned I2, therefore, it is not subject to minimum yard requirements.

The current use is an office of a waste hauler company in a property zoned I2. The proposed addition in an I2 zoning district requires an amendment to an existing conditional use permit. A major site plan review was completed when a conditional use permit was approved in July 9, 2001. A major site plan review is again required for the proposed addition in compliance with Section 530.30 of the code.

No comments were received from the neighborhood groups at this time.

CONDITIONAL USE: to allow the construction of a 642 square foot front addition to an existing office building located at 2951 Weeks Avenue SE.

Findings as required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Planning Division has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use to construct a 642 square foot front addition to an existing office building located at 2951 Weeks Avenue SE:

- 1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**
The site has been used for light industrial purposes for many years. The proposed addition will not pose any negative impacts to affect public health, safety, comfort or general welfare.

- 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 surrounding area is fully developed with industrial uses. The proposed addition will not impede the normal or orderly development of surrounding property for uses permitted in the district. The facility has existing screening walls, fences, and landscaping to screen existing outdoor storage of empty roll-off containers located in the eastern half of the property. The applicant stated this outdoor storage is for empty roll-off containers and do not contain waste materials.

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

The site is served by existing infrastructure, and deemed to be adequate for the proposed addition.

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

The proposed addition will have no effect on existing traffic patterns in the surrounding area. No additional parking spaces are anticipated.

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

According to the principles and policies outlined in *The Minneapolis Plan*, the following policy is relevant to the conditional use permit:

2.2 Minneapolis will support the existing economic base by providing adequate land and infrastructure to make city sties attractive to businesses willing to invest in high job density and low impact, light industrial activity.

2.8 Minneapolis will develop the existing economic base by emphasizing business retention and expansion.

Implementation Steps:

Identify appropriate areas for the retention and expansion of existing industry and the development of new industry in specific industrial and business park opportunity areas.

Allow for a limited amount of heavy industrial uses where appropriate, but minimize negative impacts on their surroundings.

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 tax base and create jobs for city residents.

Implementation Steps:

Encourage heavy industry to locate at appropriate sites, such as those that have with immediate freeway access, are distant from natural or cultural amenities, and with no significant residential uses in the immediate vicinity.

Staff Comment: The proposed addition to an existing office building at 2951 Weeks Avenue SE is consistent with the above goals of the Minneapolis 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.

This application is to amend an existing conditional use permit to allow a 642 square foot front addition to an existing office building. Staff feels that supporting this application is reasonable; however, a Preliminary Development Review (PDR) should be required before a building permit may be issued.

SITE PLAN REVIEW

Findings as required by the Minneapolis Zoning Code for the site plan review:

A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review.

Conformance with Chapter 530 of the Zoning Code

BUILDING PLACEMENT AND FAÇADE:

- 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.

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.

The proposed addition will be toward the front of an existing office building. There is no front yard setback requirement for uses in the industrial district provided they are not adjacent to residential or office-residential district. The placement of the proposed addition will reinforce the street wall, maximize natural surveillance and visibility through its four large windows facing the street.

The new addition will be about 45 feet from the front lot line. Existing landscaping in the front yard will be replaced in the same manner as originally approved in July 2001.

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An existing front entrance is located to the side of the building. There is no front entrance facing the street for this new addition. The applicant is requesting an alternative compliance for entrance location. An existing main entrance is presently located in the mid section of the building.

Existing parking spaces are located to the side of the primary structure as previously approved in 2001. No additional parking spaces are anticipated nor requested by the applicant.

The new addition will mimic the existing front elevation with the same amount of windows, which do not meet Section 530.120 window requirements of 30 percent. An alternative compliance will be requested for this matter.

The front elevation is about 50 feet wide with provision of four windows in symmetrical pattern. Total window area is 10.3 percent of the wall area. Code requires 30 percent. An alternative compliance is requested for this matter.

There is no blank wall over 25 feet in length for this proposed addition. The new addition will use painted rock face concrete blocks to match existing exterior materials of the existing office building that was previously approved in July 2001.

The new addition's roof pitch will be the same as that of the existing building. It will use the same exterior materials, color, height and window patterns of the existing structure.

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.**

There is no entrance proposed for the new addition. Existing building entrance is located in the mid section of the building on the eastern side. Walkways are provided from the parking lot but not to the public street.

No transit shelter is proposed for this application. Vehicular access and circulation are properly separated to minimize conflicts with pedestrian traffic. This was approved from the previous conditional use permit in July 2001, and no changes are proposed.

The proposed addition will reduce the pervious surface by approximately 642 square feet.

LANDSCAPING AND SCREENING:

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- 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.

Existing landscaping will be removed to make room for the proposed addition. These landscaping materials will be transplanted in the front yard in the same manner as originally approved. 30 shrubs and 8 trees are existing in the front yard. 19 shrubs will be removed and then transplanted in the front yard. The entire site requires 68 trees and 340 shrubs to comply with code requirements. The approved landscape plan showed 62 trees, 959 shrubs and 236 perennials.

Existing screening walls and chain link fence with slats complied code requirements and had been approved. These will not change and will not be affected by the proposed new addition.

Existing parking and loading facilities complied with code's landscaping requirements except the truck parking located to the north of the existing building which does not have any landscaping. Staff recommends that the applicant provide 6 additional trees in the rear parking area located north of the existing building. In addition, staff is recommending landscaping and screening of existing outdoor storage located in the eastern half of the property. Six (6) canopy trees in two rows are recommended in the area east of the entrance drive and then continue with a single row of another six (6) canopy trees along the south property line per Section 550.280(e)(1) of the zoning code.

ADDITIONAL STANDARDS:

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- **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.**
- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **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.**

Concrete curbs are provided in all parking areas on site. Stormwater drainage is directed to existing catch basins located at various points and away from the adjacent properties. The eastern half of the property is entirely paved with asphalt for outdoor storage of empty roll-on containers. Drainage from this area is also directed to catch basins located in the parking areas.

Outdoor storage areas shall provide lighting to ensure a level of security in the area. Landscaping lighting where the proposed new addition is located is also strongly recommended for security and aesthetics.

The property is surrounded by industrial uses and there is no problem of headlights shining onto residential properties.

The existing building and the proposed addition will not block views of important elements of the city. It will not cause shadowing on public spaces and adjacent properties. It will not generate wind currents at ground level, either.

The new addition provides 4 large windows facing the street and also windows on side elevations. These windows will serve as natural surveillance and visibility. Lighting in the premise is complete and sufficient. Space delineation is achieved on this site by its landscaping, fence, and screening walls.

Structures on site are not historically significant.

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.

ZONING CODE: The proposed new addition in an I2 District requires an amendment to an existing conditional use permit. As a transportation facility, a major site plan review is also required.

Off-Street Parking and Loading: The zoning code requires one space per 300 square feet of GFA in excess of 4000 square feet excluding service bays plus one space per service bays (Table 541-1). The existing conditional use permit approved in July 9, 2001 provided 52 parking spaces (21 required) in compliance with the code. No additional parking spaces are requested.

Maximum Floor Area: The maximum FAR in the Industrial District is 2.7 for all structures. The property is 180,314 square feet (4.14 acres). Current FAR of 0.06 will not significantly change with the addition of 642 square feet.

Building Height: Building height in the Industrial District is limited to 4 stories or 56 feet, whichever is less. The proposed addition will be 17'4" to the top of the parapet. This is the exact height as the existing one-story office building.

Minimum Lot Area: There is no minimum lot area requirement for uses located in the industrial districts, generally. However, the current use is classified as transportation, of which the minimum lot area required is 12000 square feet. The property has over 180,000 square feet in area.

Yard Requirements:

There are no yard requirements for uses located in the industrial districts unless it adjoins a residential or office-residential district. This property is surrounded by industrial district on four sides.

Specific Development Standards:

Please see the conditional use permit section of this staff report.

Hours of Operation: There is no change of hours of operation with this application.

Signs: No signs are proposed by the applicant.

Refuse storage: There is no change to current refuse storage arrangement on the property.

MINNEAPOLIS PLAN: Please see finding #5 under the Conditional Use Permit section of this report.

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.**

The applicant is requesting an alternative compliance for the front elevation window requirement of 30 percent. The new addition will have four large windows facing the street and another two windows on its side elevations. To be consistent with the window patterns of the existing building, four windows of exact size and type will be installed on the front elevation and side elevations. Landscaping will be provided in front of the new addition.

Section 550.280 of the code allows outdoor storage in I2 District. Further, the code defines “outdoor storage” as the placement or depositing of goods, materials, equipment, stock or supplies. The applicant indicated that the empty roll-off containers stored on the eastern half of the property do not contain any solid waste and these are hauled off for use at various locations for their customers. Fence along the periphery of this area had been installed for appropriate screening. Staff is recommending more trees (see above) to be planted in combination of the existing fence.

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 to allow construction of a 642 square foot front addition to an existing office building located at 2951 Weeks Avenue SE subject to the following conditions:

1. The applicant shall submit a plan for Preliminary Development Review (PDR) approval before a building permit may be issued.
2. No additional parking spaces shall be added as a result of the new office addition.
3. Outdoor storage of empty containers shall be restricted to the eastern half of the property and shall be screened as required by section 550.280(e). Maximum height for outdoor storage shall not exceed the height of the existing primary structure.

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 of an addition to an existing office building located at 2951 Weeks Avenue SE subject to the following conditions:

1. Front yard landscaping shall be replaced in compliance with Section 530.160 of the code.

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2. Additional landscaping of 6 canopy trees shall be installed along the front property line located east of the existing entrance drive on Weeks Avenue.
3. Staff shall review and approve the final site and landscaping plans before building permits may be issued. All improvements shall be completed by July, 2007 (unless extended by the Zoning Administrator) or permits may be revoked for noncompliance.

Attachments:

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