

**Department of Community Planning and Economic Development—Planning Division
Conditional Use Permit and Open Storage Variance
BZZ-2010**

Date: 11/8/04 (continued from the 10/25/04 hearing)

Applicant: Don Beaupre, Beaupre Aerial Equipment, 701 N. Second St., Mpls., MN 55401, 612-328-0384

Address of Property: 2400 Minnehaha Ave. S., Minneapolis, MN

Project Name: Beaupre Aerial

Contact Person and Phone: Same as applicant

Staff Contact Person and Phone: J. Michael Orange, Principal Planner. Phone: 612-673-2347; facsimile: 673-2728; TDD: 673-2157; e-mail: michael.orange@ci.minneapolis.mn.us

Date Application Deemed Complete: 9/28/04

End of 60-Day Decision Period: 11/27/04

End of 120-Day Decision Period: N/A

Ward: 9 **Neighborhood Organization:** Seward Neighborhood Group

Existing Zoning: I1, Light Industrial District

Zoning Plate Number: 21

Proposed Use: The applicant proposes to purchase the existing building and move his construction equipment rental business to 2400 Minnehaha Ave. S.

Prior approvals: None

Concurrent Review:

- Conditional use application for an industrial machinery and equipment rental company per Table 550-1.
- Variance to allow outdoor storage of industrial machinery and equipment per 525.520 (26).

**If you need more information or have special needs, please call the
Minneapolis Planning Department at 612-673-2597.**

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Background: The applicant proposes to purchase the existing building and move his construction equipment rental business to 2400 Minnehaha Ave. S. The building includes 19,500 sq. ft. of warehouse space and 4,000 sq. ft. of office space for the business (refer to Attachment 7).

The Seward Neighborhood group voted to support the project (Attachment 5). A neighbor of the site expressed concerns regarding off-site glare, traffic, and idling trucks (Attachment 6).

CONDITIONAL USE PERMIT

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:

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

The current site is an industrial use in the midst of an industrial district. The applicant's business will involve truck traffic to and from the site but it will be of a volume comparable to the other industrial uses in the area. The surrounding streets, including the truck routes, have sufficient capacity to handle the traffic to be generated by the use. The only fumes and noise from the business will be that associated with truck movements, which is expected to be comparable to the other industrial uses in the area.

Most of the equipment will be stored inside the warehouse. Only boom lifts and similar equipment (refer to photos) will be stored outside in the storage yard. The conditions of approval require that all equipment stored outside will be in the fully down position to avoid unsightly booms and extended high above the ground. The view of the outdoor storage of the boom lift trucks will be screened by the warehouse and by a neighboring building to the south. The open ends on the storage yard face industrial properties to the east and west. The conditions of approval require the applicant to provide screening of the storage area from views from Minnehaha Ave. Screening shall comply with the provisions of 550.280 (e) (1) which requires a yard at least 5-foot wide (which exists on the site currently) and screening not less than 6 feet in height and not less than 95% opaque along the public street or sidewalk. This will apply to the gate as well. Consistent with 541.360, the parking lot, which has more than 10 spaces, will be screened and landscaped from the sidewalk along Minnehaha Ave. The lighting on the site includes full-cutoff fixtures that will limit both on-site and off-site glare.

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 new construction equipment rental business will be compatible with the commercial and industrial uses in the area. The project will have no adverse impacts on surrounding uses.

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

Adequate access roads, parking, and drainage is already on site. There is sufficient parking on site for customers and employees. Access is via Minnehaha Ave., a truck route.

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

Refer to the above response.

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

Applicable policies of the *Minneapolis Plan*:

a. The *Minneapolis Plan* (adopted by the City Council in 2000):

Policy 2.1: Minneapolis will support the existing economic base by providing adequate land and infrastructure to make city sites attractive to businesses willing to invest in high job density and low impact, light industrial activity.

Implementation Steps (selected):

- 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.
- Promote light industrial uses as the preferred use of industrial land, but discourage warehouse or distribution uses in areas where truck traffic will negatively impact residential neighborhoods.
- Continue to protect a healthy physical environment that is attractive for private investment and compatible with neighborhoods.

Policy 9.8: Minneapolis will prioritize growth in light industrial land uses to increase the tax base and create jobs for city residents.

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.
- Promote light industrial uses as the preferred use of industrial land, but discourage warehouse or distribution uses in areas where truck traffic will negatively impact residential neighborhoods.

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- b. Petition’s Consistency with City Plans and Policies:** The following describes how the petition relates to the above plans and policies and the Zoning Code:

Consistent with the above goals and implementation steps, the project will provide a light industrial use that has minimal off-site impacts in an appropriately located light industrial area.

- 6. And does in all other respects conform to the applicable regulations of the district in which it is located.**

VARIANCE: Outdoor storage variance per 525.520 (26)

Findings as Required by the Minneapolis Zoning Code:

The Board of Adjustment and Planning Commission shall not vary the regulations of the zoning code, unless it makes each of the following findings based upon the evidence presented to it in each specific case:

- 1. The property cannot be put to a reasonable use under the conditions allowed by the official controls and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

The site is vacant and zoned I1, Light Industrial District. Other light industrial uses and certain commercial uses allowed in the I1 District could also locate on the site. The applicant states that the need for outdoor storage of construction equipment stems primarily from the limited amount of indoor storage space in the warehouse building. The applicant will limit outdoor storage to boom lifts and similar equipment.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

The existing warehouse has limited storage capacity for the business and the prior industrial uses have used the outdoor storage area. As stated above, the conditions of approval require the applicant to provide a yard at least 5-feet wide (which exists on the site currently) and screening of the storage area from views from Minnehaha Ave. with a 6-foot high opaque fence.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

As stated above, this is an existing storage yard. The proposed project will have no adverse impacts on the surrounding area in terms of traffic, congestion, access, fumes and noise, views

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and aesthetics, and lighting. The project will be compatible with the surrounding uses.

4. **The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

Refer to the above comment and the findings for the conditional use permit.

RECOMMENDATIONS

Conditional Use Permit: The Community Planning and Economic Development Department—City Planning Division recommends that the City Planning Commission **approve** the conditional use permit for the project at 2400 Minnehaha Ave. to the 11/8/04 Planning Commission hearing subject to following conditions:

1. The applicant shall only store boom lift and similar equipment in the storage yard.
2. The applicant shall keep all boom lifts and similar equipment in the fully down position in the storage yard.
3. The applicant shall provide three-foot high screening of the parking area along Minnehaha Ave.
4. The applicant shall provide 6-foot high screening that is at least 95% opaque for the storage yard and gate on the Minnehaha Ave. side of the storage yard.

Outdoor storage variance: The Community Planning and Economic Development Department—City Planning Division recommends that the City Planning Commission **approve** the variance to allow outdoor storage for the project at 2400 Minnehaha Ave. to the 11/8/04 Planning Commission hearing subject to following conditions:

1. The applicant shall only store boom lift and similar equipment in the storage yard.
2. The applicant shall keep all boom lifts and similar equipment in the fully down position in the storage yard.
3. The applicant shall provide three-foot high screening of the parking area along Minnehaha Ave.
4. The applicant shall provide 6-foot high screening that is at least 95% opaque for the storage yard and gate on the Minnehaha Ave. side of the storage yard.

Attachments:

1. Zoning and lot lines in the area
2. Aerial photo
3. Site plan/survey
4. Photos
5. Neighborhood response
6. Letter from neighbor
7. Information from the applicant
8. Data sheet