

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit and Site Plan Review
BZZ-3925

Date: February 25, 2008

Applicant: Jeff McElmury

Addresses of Property: 331 Ulysses Street Northeast

Project Name: Madina Auto Service

Contact Person and Phone: Jeff McElmury

Planning Staff and Phone: Brad Ellis, (612) 673-3239

Date Application Deemed Complete: January 30, 2008

End of 60-Day Decision Period: March 31, 2008

Ward: 01 **Neighborhood Organization:** Southeast Como Improvement Association

Existing Zoning: I1 Light Industrial District

Zoning Plate Number: 15

Legal Description: Not applicable for this application

Proposed Use: Establishment of a Major Automobile Repair

Concurrent Review:

- **Conditional Use Permit** for Major Automobile Repair in the I1 Light Industrial District.
- **Site Plan Review**

Applicable zoning code provisions: Chapter 530 Site Plan Review, Chapter 536 Specific Development Standards, and Chapter 541 Off-Street Parking and Loading

Background: The applicant is proposing to establish a Major Auto Repair in an existing building located at 331 Ulysses Street Northeast. The building is currently vacant. The proposed auto repair business is currently operating as a Minor Auto Repair in South Minneapolis, and the owner wishes to relocate and expand his business. A Major Auto Repair Use requires a conditional permit and triggers a site plan review per table 530-1 of the Minneapolis Zoning Ordinance, as well as the Preliminary Development Review (PDR) process headed by Minneapolis Development Review. The project has been through PDR. The PDR Report is attached.

As of writing this staff report, staff has spoken with the neighborhood organization, but has not received any correspondence. The neighborhood group is concerned with the use becoming a junkyard littered with abandoned vehicles, pollution from the use, and proper disposal of oil and other contaminants. Staff will forward additional comments, if any, at the City Planning Commission meeting.

CONDITIONAL USE PERMIT – for Major Automobile Repair

Findings as required by the Minneapolis Zoning Code:

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.

The relocation and conversion of an existing minor automobile repair to a major automobile repair on an industrial site near a community corridor (Hennepin Avenue East) will not be detrimental to or endanger the public health, safety, comfort or general welfare. The propose site is surrounded by industrial zoning, across Ulysses Street Northeast from Interstate 35W, and has access to Hennepin Avenue East.

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 subject property is just off a community corridor in an industrial district. The use and the traffic generated from the use should not have a significant impact on the industrial properties surrounding it nor on the residential zoned properties located over 300 feet to the south on the other side of Hennepin Avenue East. The proposed 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.

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

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

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

The proposed use requires twenty (20) parking stalls, and twenty-two (22) parking stalls including one (1) handicapped accessible parking stall will be provided. The subject site has sufficient maneuvering area for vehicles and loading. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.

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

The proposed use appears to be in conformance with the Minneapolis Comprehensive Plan. Staff is not aware of any applicable development plans or objectives approved by the City Council for this specific area, beyond the Comprehensive Plan, that would be in direct conflict with the proposed development. The property is not located in an Industrial Employment District.

The Minneapolis Plan identifies Hennepin Avenue East from 6th Street to the Mississippi River as a Community Corridor. The reuse of this existing industrial building in an industrial district conforms to the following applicable policies and relevant implementation steps of the Minneapolis Plan:

4.4 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.

Relevant Implementation Steps

Provide for a range of commercial districts that provide the services required by the residents and businesses.

Encourage the economic vitality of the city's commercial districts while maintaining compatibility with the surrounding areas.

Since the property is over 300 feet from the nearest residentially-zoned properties and is surrounded by industrial, it is compatible with the surrounding areas.

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

Relevant 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.

The expansion would allow the business owner to hire additional employees for the added business, and would allow the City to retain an existing business.

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.

There are two aspects of the site which do not meet zoning standards. The existing fencing is chain link with slats, and slats in chain link are a prohibited fence material per section 535.430(2) of the zoning code. In addition, there are abandoned signs on the roof which must be removed per section 109.80 of the Minneapolis Ordinances. Provided the applicant removes the slats and the abandoned signs, and is granted alternative compliance for fencing on the site plan approved by the City Planning Commission

Department of Community Planning and Economic Development – Planning Division
BZZ-3925

as outlined below under site plan review, this conditional use will conform to the applicable regulations of the I1 Light Industrial District in which it is located. Major Automobile Repair is subject to the following specific development standards from Chapter 536 of the zoning code:

Automobile repair, major.

- (1) All vehicles waiting for repair or pick-up shall be stored on the site within an enclosed building or in parking spaces in compliance with Chapter 541, Off-Street Parking and Loading.
- (2) Except in the I3 District, all repairs shall be performed within a completely enclosed building.
- (3) All vehicles parked or stored on-site shall display a current license plate with a current license tab. Outside storage of automotive parts or storage of junk vehicles shall be prohibited.
- (4) The sale of vehicles shall be prohibited.
- (5) 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.
- (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.
- (7) In the I1, Light Industrial District, the use shall be located at least three hundred (300) feet from a residence or office residence district.
- (8) Unattended, automated dispensing of gasoline or other engine fuel shall be prohibited.

These development standards should address most of the concerns raised by the neighborhood organization.

SITE PLAN REVIEW

Required Findings for Site Plan Review

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.

Department of Community Planning and Economic Development – Planning Division
BZZ-3925

- **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.**
 - f. **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.

The applicant has proposed no alterations to the exterior of the existing building. Any additions or alterations to the building must meet the requirements of this section, including parking location and building addition location.

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.

The applicant has provided a walkway from the parking lot to the principal entrance. There is a door directly adjacent to the public sidewalk. However, the main public entrance is blocked by the existing fence. In lieu of requiring pedestrian gate in the existing fence, staff is recommending alternative compliance for an additional fence along the north side of the property.

There are no transit shelters on or immediately adjacent to the site.

The applicant has two existing curb cuts, one directly into the building, the other accessing the parking lot. They are not proposing changes to the existing curb cuts.

There is no access to the platted alley to the rear of the property. There is an existing fence along the east property line.

By adding the required landscaping as outlined below under Landscaping and Screening, the applicant will heavily decrease the amount of impervious surface on the property.

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.

The zoning code requires that a least 20 percent of the site not occupied by buildings be landscaped. Per City records, the lot area of the property is 24,411 square feet and the existing building footprint is 12,972 square feet. The lot area minus the building footprints is approximately 11,439 square feet. At least 20 percent of the net site area (2,288 square feet) must be landscaped and the applicant is providing 2,373 square feet, which equals 20.7 percent of the net site area. The site plan as proposed meets the required landscaping requirements.

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. The requirement for this site is five trees and 23 shrubs. The applicant is proposing five trees and 38 shrubs.

A seven-foot landscaped yard is required along the west side of the property facing Ulysses Street Northeast. The proposed site plan is indicating this, but is measuring to the outside of the curbing, not the inside. Staff is recommending the full seven feet of landscaping be provided.

The applicant is required to provide one (1) tree per 25 feet of parking lot frontage. The parking lot is 58 feet long, requiring two (2) trees. Staff is recommending the applicant relocate at least one of the proposed trees or add additional trees to the landscaping on the parking frontage to meet this requirement. If only one tree is moved, staff is recommending alternative compliance.

All parking spaces are within fifty (50) feet of an on-site deciduous tree.

Screening is required along the west side of the property along Ulysses Street Northeast. There is an existing six-foot high chain link fence with barbed wire on top along the west side of the property. Currently, there are slats in the fencing; chain link with slats is a prohibited fence material. The barbed wire is permitted in this district since the site is over 100 feet from the nearest residence or office residence district. Staff is recommending the slats be removed in accordance with 535.430(2), prohibited fence materials as part of the Conditional Use Permit. The existing fence is in front of rather than behind the required landscaping. In lieu of moving the fence behind the required landscaping, staff is recommending alternative compliance of an additional fence along the north side of the property to protect the newly-installed landscaping from being used as snow storage from the adjacent lot. The applicant is proposing to screen the lot with shrubs/hedging that meet the requirements of 530.160(b).

Turf, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees shall cover all areas that are not paved or landscaped.

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.

The applicant is providing wheel stops rather than six by six inch continuous curbing to provide on-site retention and filtration of stormwater.

No new construction is proposed, so no views would be blocked and shadowing and wind currents would not be affected.

The site plan meets the crime prevention for environmental design standards, if the slats are removed from the existing chain-link fence. This would allow views into and out of the proposed parking lot. Access will be controlled by an existing gate, and the existing fence delineates private from public space. Lighting is provided along the building wall into the parking lot. The site plan has been reviewed by the Police Department as part of the City’s Preliminary Development Review Process, and the Police found that it meets safety requirements.

There are no historic structures on or near the site.

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: The proposed use is a Conditional Use in the I1 Light Industrial District.

Off-Street Parking and Loading: The zoning code requires 20 spaces. The 20 space requirement is broken out as follows:

Six (6) service bays and two (2) lube racks at two (2) spaces per bay/rack = 16 spaces
8,670 square feet of warehousing at one (1) space per 3,000 square feet = 3 spaces
386 square feet of office and office storage at one (1) space per 300 square feet = 1 space
For a total of 20 spaces required.

The applicant proposes 22 spaces, exceeding the requirement by two (2) spaces.

Maximum Floor Area: The maximum FAR in the I1 Light Industrial District is 2.7. The existing building is under the maximum FAR and no addition is proposed.

Building Height: Building height in the I1 Light Industrial District is limited to four (4) stories or 56 feet, whichever is less.

Minimum Lot Area: There are no minimum lot area requirements for Major Automobile Repair in the I1 Light Industrial District.

Dwelling Units Per Acre: There are no existing or proposed dwelling units

Yard Requirements: There are no yard requirements

Specific Development Standards: The specific development standards for Major Automobile Repair are as follows:

- (1) All vehicles waiting for repair or pick-up shall be stored on the site within an enclosed building or in parking spaces in compliance with Chapter 541, Off-Street Parking and Loading.
- (2) Except in the I3 District, all repairs shall be performed within a completely enclosed building.
- (3) All vehicles parked or stored on-site shall display a current license plate with a current license tab. Outside storage of automotive parts or storage of junk vehicles shall be prohibited.
- (4) The sale of vehicles shall be prohibited.
- (5) 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.
- (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.

- (7) In the I1, Light Industrial District, the use shall be located at least three hundred (300) feet from a residence or office residence district.
- (8) Unattended, automated dispensing of gasoline or other engine fuel shall be prohibited.

Hours of Operation: In the I1 Light Industrial District, uses may be open to the public during the following hours: Sunday through Thursday from 6:00 a.m. to 10:00 p.m.; Friday and Saturday from 6:00 a.m. to 11:00 p.m.

Signs: Signs are subject to Chapters 109, 531 and 543 of the Minneapolis Ordinances. All new signs are required to meet the requirements of Chapter 543 of the zoning code. The existing roof signage shall be removed in accordance with 109.80 abandoned signs:

109.80. Abandoned signs. Any sign which advertises a commodity, service or entertainment no longer in existence and any sign which directs attention to a business, profession, commodity, service or entertainment no longer in existence at the premises on which such sign is located, shall be deemed abandoned and shall be removed by the owner of the premises on which such sign is located within thirty (30) days of notice so to do from the director of inspections or shall have shown reasonable cause for failure so to do. The removal required by this section shall include all supporting brackets, frames or other structural elements of the abandoned sign.

The applicant has not yet proposed signage for the site.

Refuse storage: The applicant proposes refuse storage inside the existing building.

Lighting: Lighting for the use must comply with Chapters 535 and 541 of the zoning code.

535.590. Lighting. (a) *In general.* No use or structure shall be operated or occupied as to create light or glare in such an amount or to such a degree or intensity as to constitute a hazardous condition, or as to unreasonably interfere with the use and enjoyment of property by any person of normal sensitivities, or otherwise as to create a public nuisance.

(b) *Specific standards.* All uses shall comply with the following standards except as otherwise provided in this section:

- (1) Lighting fixtures shall be effectively shielded and arranged so as not to shine directly on any residential property. Lighting fixtures not of a cutoff type shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb).
- (2) No exterior light source located on a nonresidential property shall be visible from any permitted or conditional residential use.
- (3) Lighting shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual performance or visibility from any permitted or conditional residential use.
- (4) Lighting shall not directly or indirectly cause illumination or glare in excess of one-half (1/2) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or

nonresidential property line nearest the light.

- (5) Lighting shall not create a hazard for vehicular or pedestrian traffic.
- (6) Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.

The applicant has three existing lights illuminating the parking lot.

MINNEAPOLIS PLAN: Please see 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.**

Alternative compliance is requested by the applicant to meet the following standards:

- Along a public street, public sidewalk or public pathway, locate the required landscaped yard outside the required screen unless such screen is highly decorative and is less than sixty (60) percent opaque, such as a wrought iron fence.
- Clear and well-lighted walkways shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site. Such walkways shall be a minimum of four (4) feet in width.
- Not less than one (1) tree shall be provided for each twenty-five (25) linear feet or fraction thereof of parking or loading area lot frontage.

In lieu of requiring the applicant to tear out the existing fence and relocating it behind the required landscaping with an added pedestrian gate and two trees along the parking lot frontage, staff is recommending the applicant add an additional fence along the north property line to help protect the newly-installed landscaping. The fence may be of any required materials or allowed height in I1 Light Industrial District.

RECOMMENDATION:

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 for Major Automobile Repair located at 331 Ulysses Street Northeast, 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. Removal of the prohibited fencing material (slats) from the existing fence.
3. Removal of abandoned roof signs
4. Compliance with the specific development standards for automobile repair minor listed in Chapter 536 of the zoning code.

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

The Community Planning and Economic Development - Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for a newly established Major Automobile Repair use at 331 Ulysses Street Northeast, subject to the following conditions:

1. CPED Planning staff review and approval of the final site and landscaping plans.
2. All site improvements shall be completed by February 25, 2009, unless extended by the Zoning Administrator, or the permit may be revoked for noncompliance.
3. Addition of a new fence along the north property line as alternative compliance for not having the landscaping between the fence and the public sidewalk.

Attachments:

- 1) Statement of use
- 2) Statement of findings
- 3) Zoning map
- 4) Combination site plan and floor plan
- 5) Photos of the site and surrounding area
- 6) PDR Report