

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit
BZZ – 4493

Date: August 10, 2009

Applicant: Eric Blomquist

Address of Property: 2901-2903 Lyndale Avenue South

Project Name: Seven Eight Studios

Contact Person and Phone: Eric Blomquist, (612) 802-1824

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

Date Application Deemed Complete: July 17, 2009

End of 60-Day Decision Period: September 15, 2009

Ward: 6 **Neighborhood Organization:** Whittier (adjacent to Lowry Hill East)

Existing Zoning: C2 Neighborhood Corridor Commercial District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 24

Legal Description: Not applicable for this application

Proposed Use: Film, video and audio production.

Concurrent Review: Conditional use permit to allow film, video and audio production.

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

Background: The applicant is proposing film, video and audio production located at the property of 2901-2903 Lyndale Avenue South. A one-story building exists on the site. The applicant would share the building with a proposed coffee shop. Surface parking is available for the use behind the building. Film, video and audio production requires a conditional use permit in the C2 district. If the conditional use permit is approved, the action must be recorded with Hennepin County as required by state law. As of the writing of this report, staff has not received any correspondence from the neighborhood group. Staff will forward additional comments, if any are received, at the City Planning Commission meeting.

CONDITIONAL USE PERMIT

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

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

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

Film, video and audio production should not prove detrimental to public health, safety, comfort or general welfare provided the use complies with all applicable building codes and life safety ordinances. The applicant has indicated that sound attenuation construction methods will be applied.

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 use would be located in an existing building. The subject property is adjacent to nonresidential uses. The Midtown Greenway is located north of the site. The nearest residences are located north of the greenway. The applicant has indicated that the use will be soundproofed. The proposed use should have little effect on surrounding properties with proper sound proofing.

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

Utilities and access roads are existing and adequate.

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

The minimum parking requirement for the proposed production use is four spaces. The minimum parking requirement for the proposed restaurant is four spaces. Up to 10 parking spaces including an accessible space can be accommodated on-site. The use should have little effect on traffic.

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

The site is adjacent to Lyndale Avenue, which is designated as a commercial corridor north of Lake Street by *The Minneapolis Plan*. The site is also located in the Lyn-Lake activity center. (In the update of the comprehensive plan, *The Minneapolis Plan for Sustainable Growth*, this section of Lyndale Avenue will remain designated as a commercial corridor, the Lyn-Lake area will remain designated as an activity center, and the future land use designation of the site will be

mixed use.) According to the principles and polices outlined in the plan, the following apply to this proposal:

9.28 Minneapolis will support development in Commercial Corridors where it enhances the street’s character, improves its ability to accommodate automobile traffic and foster pedestrian movement, and expands the range of goods and services offered.

Applicable Implementation Steps

Support a mix of uses on commercial corridors--such as retail sales, office, institutional, higher density residential, and clean low-impact light industrial--where compatible with the existing and desired character of the street.

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

9.31 Minneapolis will identify and support Activity Centers by preserving the mix and intensity of land uses and enhancing the design features of each area that give it a unique and urban character.

Applicable Implementation Step

Ensure that land use regulations support diverse commercial and residential development types that generate activity all day long and into the evening.

The *Midtown Greenway Land Use and Development Plan* was approved by the City Council on February 23, 2007. The plan identifies the subject site as appropriate for commercial/mixed use. The following objective pertains to this project:

- New commercial development should be located in existing commercial nodes and along existing commercial corridors in and near the Greenway to complement and not compete with the vibrant commercial activities already present along Lake Street, and Lagoon and Hennepin avenues.

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.

Film, video and audio production is subject to the following development standard:

Film, video and audio recording. Except in the I3 district, all activity shall be within a completely enclosed building with soundproofing, and sound shall not be audible outside the building.

The use would be fully enclosed and the applicant has indicated that the space will be soundproofed.

Parking lots with four or more spaces are required to have spaces and aisles clearly marked on the pavement. The parking lot is currently unmarked. Spaces will need to be striped to meet the size requirements found in section 541.330 of the zoning code. An accessible space will also need to be provided.

Parking lots with four or more spaces are also subject to the landscaping, screening and curbing

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requirements in the zoning code. For the subject parking lot, a seven foot wide landscaped yard with screening that is six feet in height and 95 percent opaque is required between the parking lot and the greenway, a public pathway. An existing landscaped yard wider than seven feet exists that meets these requirements. Concrete curbing that allows on-site filtration of stormwater is required. Six inch by six inch concrete curbing exists that meets this requirement.

With the soundproofing and striping of the parking lot, the use will conform to the applicable regulations of the zoning district.

RECOMMENDATION

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit to allow film, video and audio production located at the properties of 2901-2903 Lyndale Avenue South, 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. All activity shall be within a completely enclosed building with soundproofing, and sound shall not be audible outside the building.
3. The parking lot shall be striped as required by sections 541.320, 541.330 and 541.400 as required by the zoning code.

Attachments:

1. Applicants statement of use and findings
2. Zoning map
3. Plans
4. Photos