

**Department of Community Planning and Economic Development – Planning Division**  
**Conditional Use Permit**  
**BZZ-4344**

**Date:** April 6, 2009

**Applicant:** Bob Spight

**Address of Property:** 2547 5<sup>th</sup> Street Northeast

**Project Name:** Acorn Mini Storage

**Contact Person and Phone:** Bob Spight, (763) 512-7720

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

**Date Application Deemed Complete:** March 6, 2009

**End of 60-Day Decision Period:** May 5, 2009

**Ward:** 1

**Neighborhood Organization:** Holland

**Existing Zoning:** I1 Light Industrial District and SH Shoreland Overlay District

**Proposed Zoning:** Not applicable for this application

**Zoning Plate Number:** 9

**Legal Description:** Not applicable for this application

**Proposed Use:** Truck rental

**Concurrent Review:** Conditional use permit to allow truck rental.

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

**Background:** Bob Spight, on behalf of Acorn Mini Storage, is proposing to establish truck rental at the property of 2547 5<sup>th</sup> Street Northeast. The proposal is to provide two U-haul trucks at this existing self-service storage facility. When not in use, the trucks would be parked between two storage buildings. In the I1 district, a conditional use permit is required for truck rental. Upon approval of a conditional use permit, the action must be recorded with Hennepin County as required by state law.

In August of 2006 and August of 2008, administrative site plan reviews were approved by the CPED Planning Division to allow for two new storage buildings. The approvals including conditions of

approval are attached for reference. Please note, the attached site plan is not a copy of the final site plan approved by Planning staff and does not include all improvements required by the previous site plan approvals.

As of the writing of this report, staff has not received any correspondence from the neighborhood group. Staff will forward 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.**

Existing security measures include a perimeter fence with gates restricting access, security cameras, and building-mounted lighting. The trucks would be located within the secured area of the site. The establishment of truck rental should not prove detrimental to public health, safety, comfort or general welfare provided the development complies with all applicable building codes and life safety ordinances as well as Public Works Department standards.

**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 site is adjacent to industrial properties, an active railroad corridor, and a residential property. Residential uses are located across the street as well. The trucks would be parked at the interior of the site, which is not near any residences. The proposed use should have little effect on surrounding properties.

**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.**

Adequate public parking for the self-service storage is provided on the site. The trucks would be parked between two buildings in the interior of the site. The space they would occupy is not needed for required drive aisles or maneuvering of vehicles. With the limited number of trucks proposed to be rented, the use should have little effect on traffic in the area. If trucks are added,

the minimum parking requirements for self-service storage and truck rental must remain in compliance.

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

Adjacent to the southern end of the site, Lowry Avenue is designated as a community corridor by *The Minneapolis Plan*. (In the update of the comprehensive plan, *The Minneapolis Plan for Sustainable Growth*, Lowry Avenue will remain designated as a community corridor and the future land use designation of the site will be transitional industrial.) According to the principles and polices outlined in the plan, the following apply to this proposal:

9.27 Minneapolis will 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.

*Applicable Implementation Step*

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

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 the tax base and create jobs for city residents.

*Staff comment:* The site is located in the I1 Light Industrial District. Primarily industrial uses and a railroad corridor are adjacent to the site. A residential property is adjacent to the site and residential uses are located across the street from the site. The storage of the trucks when not in use would be on the interior of the site between buildings. A privacy fence and landscaping is provided adjacent to 5<sup>th</sup> Street and the adjacent residence and screens the storage use from view. The portion of the site adjacent to Lowry Avenue is used for stormwater retention and was required to be landscaped. The proposed use should be consistent with these goals of the comprehensive 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.**

The site would conform to the applicable regulations of the district in which it is located upon the approval of the conditional use permit and the implementation of the conditions of approval of the previous site plan review approvals. As noted in the attached copy of approval for the site plan review, site improvements are required to be completed by June 12, 2009.

**RECOMMENDATION**

CPED Planning Division Report  
BZZ - 4344

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

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 truck rental at the property of 2547 5<sup>th</sup> 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) Compliance with all other applicable conditions of approval as adopted by the City Planning Commission for the previous land use applications, BZZ-3088 and BZZ-4086.

**Attachments:**

1. Applicant statement of use/findings
2. Zoning map
3. Plans
4. Photos