

Community Planning and Economic Development Department – Planning Division
Conditional Use Permit Application
BZZ-1884

Date: August 23, 2004

Applicant: Crystal Lake Cemetery

Address of Property: 3816 Penn Avenue North

Contact Person and Phone: Tom Anderson – Manager Crystal Lake Cemetery 612-521-7619

Planning Staff and Phone: Jim Voll 612-673-3887

Date Application Deemed Complete: July 26, 2004

End of 60-Day Decision Period: September 24, 2004

Ward: 4 **Neighborhood Organization:** Camden

Existing Zoning: R1 Single Family Residential

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 3

Legal Description: Not applicable for this application.

Existing Use: Cemetery.

Proposed Use: Mausoleum.

Concurrent Review: Conditional use permit to allow a 33 foot by 23 foot mausoleum.

Applicable Zoning Code Provisions: Section 525.300-370 Conditional Use Permits.

Background: Crystal Lake Cemetery plans to build a 33 foot by 23 foot (16 feet high) mausoleum near the existing mausoleums in the cemetery. This requires a conditional use permit.

A conditional use permit (C-864) and a rezoning (P-672) to allow a mortuary was approved in 1985. A conditional use permit (C-985) to allow a crematory within the cemetery's chapel was approved in 1986. A conditional use permit (C-1220) to allow a crematory accessory to the cemetery's chapel was approved in 1989. A conditional use permit (C-1430) to allow a 16 foot by 18 foot mausoleum/crypt with the possibility of three more similar crypts in the future was approved in 1992 with conditions.

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A conditional use permit (BZZ-55) to allow the modification of a previous conditional use permit (C-1430) to allow a 72 square foot artwork feature to remain on top of an existing mausoleum and a variance to allow a new screen fence and wrought iron type fencing (that replaced the chain link fencing) in the front and corner yard setbacks to a height of six (6) feet was approved on June 4, 2001. A conditional use permit (BZZ-519) to allow a 24 foot by 49 foot (16 feet high) mausoleum was approved on March 18, 2002.

Findings as required by the Minneapolis Zoning Code:

The Minneapolis City Planning Department 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 mausoleum is 33 feet by 23 feet (16 feet tall) and is located near three other mausoleums. The addition of a mausoleum in the interior of a large cemetery should not have any negative impacts on surrounding properties.

- 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 mausoleum will be located inside an existing cemetery. The three existing mausoleums it will be located next to have had little noticeable impact on surrounding properties and the addition should not change this condition.

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

All utilities and access roads are existing and adequate. The modification to the mausoleum will not affect drainage.

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

The modification should not increase traffic in the area. There is adequate parking in the cemetery along the private drives. Staff has received calls from neighbors that parking on the public streets has increased recently with the change in ownership of the cemetery. In general, the cemetery should encourage parking on the cemetery grounds rather than on the public streets. However, the city can not prohibit persons from parking on public streets.

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

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In general *The Minneapolis Plan* does not speak to cemeteries. However, Policy 9.15 of the plan states “Minneapolis will protect residential areas from the negative impacts of nonresidential uses by providing appropriate transitions between different land uses.” The proposed mausoleum is a significant distance inside the cemetery that it should be in compliance with this goal of the 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.**

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 conditional use permit application to allow a new mausoleum for Crystal Lake Cemetery located at 3816 Penn Avenue North subject to the following conditions:

- 1) Compliance with the conditions of approval for previously approved conditional use permits.
- 2) The applicant develop a plan to encourage parking on the cemetery grounds rather than along the public streets.

Attachments:

1. Letter from applicant.
2. Zoning map.
3. Site plan.
4. Elevations and building plans.
5. Photos.