

**Department of Community Planning and Economic Development—Planning Division**  
**Amendments to the Existing Conditional Use Permit**  
**BZZ-3025**

**Hearing Date:** 6/12/06

**Applicant:** Broadway Resource Recovery, LLC, 111 22<sup>nd</sup> Ave. N. Mpls., MN 55411

**Address of Property:** 111 22<sup>nd</sup> Ave. N. Mpls., MN 55411.

**Contact Person and Phone:** Kathleen Osborne, Foth and Van Dyke (voice: 651-452-4396, fax: 651-452-4347, email: kosborne@foth.com)

**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](mailto:michael.orange@ci.minneapolis.mn.us)

**Date Application Deemed Complete:** 5/18/06

**End of 60-Day Decision Period:** 7/17/06

**End of 120-Day Decision Period:** Not applicable for this application

**Ward:** 3      **Neighborhood Organization:** Hawthorne Community Council

**Existing Zoning:**

- I2, Medium Industrial District
- Mississippi River Overlay District

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

**Zoning Plate number:** 13

**Proposed Use:** Application by Broadway Resource Recovery, LLC to double the through-put capacity from 300 tons per day to 600 tons per day by adding a second shift at the existing construction and demolition debris recycling facility located at 111 22 Ave. N.

**Prior approvals:**

- BZZ-291 (approved 10/9/01): Site plan review, conditional use permit
- BZZ-2291 (approved 5/9/05): Amendments to the existing site plan review approval and the existing conditional use permit to increase the height from 35 ft. to 36 ft.

**Concurrent Review:** Amendment to the existing conditional use permit (BZZ-2291).

**Applicable zoning code provisions:** Recycling facilities are conditional uses per Table 550-1.

<p><b>Attention:</b> If you want help translating this information, call - <b>Hmong</b> - Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800; <b>Spanish</b> - Atención. Si desea recibir asistencia gratuita para traducir esta información, llama 612-673-2700; <b>Somali</b> - Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac 612-673-3500</p>
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## **BACKGROUND**

The following is based on the applicant's description: The facility accepts construction and demolition (C&D) materials for recycling and is housed in a newly constructed 34,840 square foot building. The materials that are recovered may include scrap metal, clean wood, cardboard, concrete, asphalt, carpet, and gypsum. The materials are sorted using new recycling system equipment and recyclables are sent to the appropriate recycler for further processing. The remaining unprocessable materials are sent to an appropriate disposal facility. The plant currently operates with one shift of workers. Under the current CUP permit, the facility can accept up to 300 tons of waste per day. The facility is permitted to operate Monday through Friday from 7:00 a.m. to 7:00 p.m. and on Saturday from 7:00 a.m. to 5:00 p.m. The applicant is proposing to extend the hours of operation and eventually be open from 6:00 a.m. to 10:00 p.m. Monday through Friday. The additional hours will be staffed utilizing two shifts of workers at the plant each day. The first shift would start at 6:00 a.m. and work until 2:00 p.m., and the second shift would start at 2:00 p.m. and work until 10:00 p.m. The Zoning Code regulates the hours a facility is open to the public, not operating hours. The project creates approximately 17 additional jobs.

The applicant has yet to complete the site improvements required for the site plan review approval (BZZ-2291 approved 5/9/05). Not all of the landscaping and paving are installed. When these improvements are in place, the project will be in full compliance with the Zoning Code.

**Neighborhood response:** The applicant sent notice of the project to the neighborhood group on 5/15/06 however, Planning staff have had no response from the group.

## **CONDITIONAL USE PERMIT**

### **Findings as Required by the Minneapolis Zoning Code for the Conditional Use Permit for the Use:**

The Community Planning and Economic Development Department – 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 site and area has been used for medium industrial purposes for many years. Three blocks and the I-94 trench separate the site from the closest residential uses. Broadway Resource Recovery has been operating on the site since 2001. Consistent with the Specific Development Standard for recycling facilities, all operations will be in enclosed buildings and there will be no outdoor storage, sorting or processing of materials per Section 536.20. This will also minimize noise and litter. The recycling facility will continue to not accept any hazardous waste materials.

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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 and area has a very long history as an industrial area. The truck and container storage area will be internal to the site. The existing and proposed fences and landscaping will completely enclosed and screen the buildings and parking areas. An operational expansion of the existing completely enclosed recycling operation would be compatible with the other industrial uses in the area.

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

The plan approval and site inspection processes have ensured that the project includes an approved stormwater management plan and adequate utility service and driveways consistent with all pertinent regulations.

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

**Traffic:** The proposed operational expansion by adding a second shift will double the through-put capacity of the plant and will increase truck traffic in the area by an additional 80 truck trips to and from the facility each day (additional 31 trucks entering and 31 trucks exiting). The remaining 18 trucks trips are due to three transfer trailers entering and exiting the site three times each day. Peak traffic times occur during the morning hours. The transfer building is located on the south side of the property. When trucks enter the site, they are able to form a line extending from the building to the entrance. There is sufficient space (approximately 350 feet) to queue several trucks without disrupting traffic on surrounding roads. The applicant provided the following table that compares currently permitted conditions and the proposed conditions.

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Permitted Conditions vs. Proposed Conditions

	Permitted Conditions	Proposed Conditions	Change	% Change
Gross Floor Area (sq. ft.)	34,840	No change	None	None
Through-put capacity (tons per Recovery Rate)	300	600	300	100%
Jobs (FTE <sup>1</sup> )	17 to 19	34 to 41	17	100%
Truck access to/from site	22 <sup>nd</sup> Ave.	No change	None	None
Truck trips on 22 <sup>nd</sup> Avenue	96	176	80	83%
Truck trips on West Broadway	None	No change	None	None
Total truck trips	96	176	80	83%
Hours open to the public	7:00am to 7:00pm Mon.-Fri. & 7:00am to 5:00pm on Sat.	6:00am to 10:00pm Mon. – Fri. & 7:00am to 5:00pm on Sat.	20 additional hours per week between Mon. and Fri. No change on Sat.	29%
Sunday operations	No Sunday operations	No Sunday operations	None	None

<sup>1</sup> FTE = Full Time Equivalent

Currently all traffic accesses the site via 22<sup>nd</sup> Avenue North. Most trucks exit Interstate 94 at the Broadway exit. Truck trips will increase on 22<sup>nd</sup> Ave. N. from 96 to 176 trips per average day. This is an increase of 80 trips (an 83% increase). However, since access to the site is via West Broadway, 2<sup>nd</sup> St. N., and 22<sup>nd</sup> Ave. N., all of which are truck routes, the impact of additional traffic should be minimal when compared to existing levels of activity. The following table submitted by the applicant shows the percentage increase in truck traffic on access roads:

Traffic Volume Increase	
Road	Increase in Daily Traffic (%)
West Broadway	Less than 1.0%
21 <sup>st</sup> Avenue East	unknown
22 <sup>nd</sup> Avenue East	5.0%
2 <sup>nd</sup> Street North	2.4%
Washington Avenue	1.2%
Interstate 94	Less than 1.0%

Issues related with increased traffic volumes include dust, noise, and litter. Dust will continue to be controlled using mister equipment inside the processing building. The facility will take precautions to control road dust. Noise due to increased truck volumes

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will be minimal, and all truck traffic will occur between the hours of 6:00 a.m. and 10:00 p.m.

Attachment 4 is a letter from Public Works staff. The staff concluded the following:

- We concur with the percentage increase to local traffic estimated in the proposal (it may actually be slightly less).
- There is sufficient space on the property for trucks to queue up (off the ROW).
- The existing transportation infrastructure can accommodate the predominant movements.

In conclusion, we do not object to this proposed expansion.

**Bus and bike:** Transit service is available one and ½ blocks to the west at Washington and Broadway, but not in the immediate vicinity. The City’s bicycle plan includes striped bike lanes on both sides of 22<sup>nd</sup> Ave. N. on the north side of the site.

**Parking:** The site contains ample room for parking for employees and visitors. The Zoning Code requires 32 spaces. Space for 32 vehicles, including two handicapped stalls, are provided.

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

**a. The *Minneapolis Plan* (adopted by the City in 2000):** The following policies are most relevant to the project:

- “Minneapolis will establish industrial districts to provide locations for industrial land uses engaged in production, processing, assembly, manufacturing, packaging, wholesaling, warehousing or distribution of goods and materials. Regulations for the industrial districts will promote compatible industrial uses.”
- “Establish districts to provide clean, attractive locations for low impact and technology-based light industrial uses, research and development, and similar activities which produce little or no noise, odor, vibration, glare or other objectionable influences, and which have little or no adverse effect on surrounding properties.”

**b. Other plans and policies:**

The City uses several other plans and policies to guide decision making and evaluate proposals including the following:

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- (1) **The “Minneapolis-Saint Paul Urban CO2 Reduction Plan” (approved by the City Council 12/17/93)**

The plan encourages resource and energy conservation and recycling.

- (2) **City of Minneapolis Goals**

Goal 6: Preserve, enhance and create a sustainable natural and historic environment city-wide.

- (3) **“Above the Falls: A Master Plan for the Upper River in Minneapolis,” adopted by the City Council and Mayor, 2000)**

This plan provides a thirty-year vision for the redevelopment of the Upper River portion of the Mississippi. The land use plan map designates the area of the site for “Light Industrial/Business Park.”

- c. **Project Consistency with City Plans and Policies:** The project is consistent with all of the above plans, goals and policies. As a recycling facility, it will encourage the conservation of materials and energy.

- 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 applicant has yet to complete the site improvements required for the site plan review approval (BZZ-2291 approved 5/9/05). Not all of the landscaping and paving are installed. When these improvements are in place, the project will be in full compliance with the Zoning Code.

## **RECOMMENDATION**

**Recommendation of the Community Planning and Economic Development Department – Planning Division for the proposed amendment to the existing conditional use permit for the Broadway Resource Recovery to permit an operational expansion of the existing recycling facility located at 111 22<sup>nd</sup> Ave. N.:**

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the proposed amendment to the existing conditional use permit for the Broadway Resource Recovery to permit an operational expansion of the existing recycling facility located at 111 22<sup>nd</sup> Ave. N., subject to the following condition:

1. The applicant shall complete the site improvements required for the site plan review approval (BZZ-2291 approved 5/9/05) no later than 7/28/06.

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**Attachments:**

1. Zoning and lot lines in the area
2. Information from the applicant
3. Site plan
4. Letter from Public Works staff
5. Photos
6. Letter from the Minnesota Pollution Control Agency