

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit and Site Plan Review
BZZ - 5332

Date: October 17, 2011

Applicant: MN Central School Bus

Address of Property: 900 and 936 East Hennepin Avenue

Project Name: MN Central School Bus

Contact Person and Phone: Tom Oswald, (651) 430-3311

Planning Staff and Phone: Shanna Sether, (612) 673-2307

Date Application Deemed Complete: September 23, 2011

End of 60-Day Decision Period: November 21, 2011

Ward: 3 **Neighborhood Organization:** Southeast Como Improvement Association, adjacent to Marcy-Holmes and Beltrami

Existing Zoning: I2 Medium Industrial District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 15

Legal Description: Not applicable for this application

Proposed Use: New bus garage and maintenance facility

Concurrent Review:

- Conditional use permit to allow for a bus garage and maintenance facility
- Site plan review for a transportation use

Applicable zoning code provisions: Chapter 525, Article VII Conditional Use Permits, Chapter 530 Site Plan Review and Chapter 550 Industrial Districts

Background: The subject properties are addressed as 900 and 936 East Hennepin Avenue and are approximately 187,000 sq. ft. (4.3 acres). The site consists of three existing buildings with multiple additions, approximately 43,500 sq. ft. in area total. The previous use of the property was Arrowhead Contracting, a contractor's yard and vehicle storage facility. The applicant is proposing to allow for a new bus garage and maintenance facility, which is a conditional use in the I2 District. The applicant is currently operating the proposed use on site with the permission of the Zoning Administrator.

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The proposal includes the on-site storage of 65-75 school buses, most of which will be parked outdoors. The applicant has stated that there will be some light fleet maintenance of the school buses, including some break repairs, tire changes and light bulb replacement. The buses will be plugged in at night, so as to avoid idling engines in the cooler months of the year. The applicant is also proposing some interior remodeling of the existing building to allow for a new office area and garage doors to allow for the parking of some school buses inside of the structure. Finally, the applicant is proposing to install new fuel tanks at the south end of the site, adjacent to the Burlington Northern Railroad property, to allow for on-site fueling of the school buses.

In addition to the conditional use permit, the zoning code identifies bus garage and maintenance facility as a transportation use; therefore, the proposed use is subject to site plan review. The subject property completed Preliminary Development Review in 2008 to allow for the demolition of a large warehouse building to provide additional on-site parking. It appears as though many of the site plan improvements have been completed, however, some of the landscaped area and trees proposed have not been provided.

Staff has received a letter of support for the proposed project from the Marcy-Holmes Neighborhood Association. Staff will forward additional comments, if any are received, at the City Planning Commission meeting.

CONDITIONAL USE PERMIT: to allow for a towing service

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.

The property owner has provided an environmental history of the site, a description of testing of the site and a summary of the remediation that occurred at the site recently. This work has been overseen by the Minnesota Pollution Control Agency. In addition, staff has received complaints from an adjacent business owner regarding the proposed use. On such issue related to diesel fuel spills, which occurred while refueling the school buses on-site with a mobile refueling truck. The Environmental Services Department is overseeing all clean-up of the site. Further, the applicant has stated that with the addition of the new fuel tanks, the issue with fuel spills will be mitigated.

Another issue mentioned was the honking of horns for each of the buses while reversing on-site. This is problematic given the site's close proximity to residential uses. The applicant has provided a statement that busses will be backed into each of their parking spaces after the afternoon routes to avoid back-up beeping early in the morning. Staff has also discussed this with the applicant and he has stated that additional staff on the lot directing traffic will ensure that the honking of horns will not occur during the early morning hours.

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The establishment of a new bus garage and maintenance facility in the I2 Medium Industrial District will not prove detrimental to public health, safety, comfort or general welfare provided the development complies with all conditions of approval as well as applicable building codes and life safety ordinances.

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 surrounding area is fully developed. The new bus garage and maintenance located in an existing industrial area should not impede on the normal or orderly development of surrounding property in the area. The property owner has made a number of site improvements including new screening, landscaping and surfacing, which will reduce the off-site impacts of the use in the vicinity.

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

The site is well served by existing infrastructure. There are two curb cuts along East Hennepin Avenue where buses enter and exit the site. The applicant has stated that the bus routes are timed so that the traffic on Hennepin Avenue East will not create traffic back-ups or safety concerns. Most of the bus routes begin in the morning from 6 a.m. to 9 a.m. and then in the afternoon from 1:30 p.m. to 5:30 p.m. The site was reviewed by Public Works in 2008 and there is an approved site plan on file.

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

The specific off-street parking requirements for the proposed use is 1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft. excluding service bays (minimum of 4 spaces) + 1 space per 2 service bays. The floor area devoted to office space is 3,900 square feet and there are 6 service bays. Therefore, the minimum parking requirement is 16 spaces. There are 68 off-street parking spaces available on the east parking lot. There are two curb cuts along East Hennepin Avenue where buses enter and exit the site. The applicant has stated that the bus routes are timed so that the traffic on Hennepin Avenue East will not create traffic back-ups or safety concerns. Most of the bus routes operate from 6 a.m. to 9 a.m. and then in the afternoon from 1:30 p.m. to 5:30 p.m. The site was reviewed by Public Works in 2008 and there is an approved site plan on file.

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

The subject property's existing land use classification is light industrial, the proposed use is generally considered to be a light industrial use. The property is designated Transitional Industrial on the future land use map of the comprehensive plan. Industrial areas located outside of Industrial Employment Districts will be labeled "transitional" since they may eventually evolve to other uses compatible with surrounding development. Although they may remain industrial for some time, they will not have the same level of policy protection as areas within industrial districts. In addition, East Hennepin Avenue is a community corridor. Community corridors are generally residential with intermittent commercial uses clustered at intersections in

nodes. Commercial uses, generally small-scale retail sales and services, serving the immediate neighborhood.

a. According to the principles and polices outlined in *The Minneapolis Plan for Sustainable Growth*, the following policies are relevant to the rezoning:

Policy 1.2: Ensure appropriate transitions between uses with different size, scale, and intensity.

1.2.1 Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area.

1.2.2 Ensure that lighting and signage associated with non-residential uses do not create negative impacts for residential properties.

1.2.3 Lessen the negative impacts of non-residential uses on residential areas through controls on noise, odors, and hours open to the public.

Policy 1.9: Through attention to the mix and intensity of land uses and transit service, the City will support development along Community Corridors that enhances residential livability and pedestrian access.

1.9.1 Support the continued presence of existing small-scale retail sales and commercial services along Community Corridors.

1.9.2 Support new small-scale retail sales and services, commercial services, and mixed uses where Community Corridors intersect with Neighborhood Commercial Nodes.

1.9.3 Discourage uses that diminish the transit and pedestrian oriented character of Community Corridors, such as automobile services and drive-through facilities.

1.9.4 Discourage the conversion of existing residential uses to commercial uses outside of Neighborhood Commercial Nodes.

1.9.5 Encourage the development of low- to medium-density housing on Community Corridors to serve as a transition to surrounding low-density residential areas.

1.9.6 Promote more intensive residential development along Community Corridors near intersections with Neighborhood Commercial Nodes and other locations where it is compatible with existing character.

Policy 4.2: Promote business start-ups, retention and expansion to bolster the existing economic base.

4.2.1 Promote access to the resources and information necessary for successful operation of healthy businesses.

4.2.2 Continue to link businesses with organizations that provide technical assistance and best practice models within the city.

4.2.3 Continue to assist businesses in identifying appropriate locations within the city.

4.2.4 Assist in site assembly for strategic commercial and industrial properties where appropriate.

4.2.5 Encourage small business opportunities, such as appropriate home occupations and business incubators, in order to promote individual entrepreneurs and business formation.

Policy 4.4: Remove site contamination as a barrier to private investment and redevelopment.

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- 4.4.1 Continue to coordinate pollution cleanup and land readying activities in order to provide clean and competitive sites.
- 4.4.2 Encourage federal, state and metropolitan support for pollution cleanup and land readying activities.
- 4.4.3 Establish a priorities hierarchy for contaminated sites that reflects the City's business plan.

Staff comment: The surrounding area is developed with a mix of industrial uses and the existing land use is industrial. However, residential uses are located within close proximity. Staff believes that the applicants proposed changes and implementation of the site plan improvements will most likely mitigate potential conflicts with other uses, shall they change in the near future. Minnesota Central School Bus is a new business to Minneapolis; they are also located in Princeton, St. Anthony Hayfield and Stillwater. The property owner continues to monitor the site contamination and the soil contamination and vapor impact remediation of the site have been effectively and property addressed with their MPCA-approved Response Action Plan. The proposed use is generally consistent with these goals of *The Minneapolis Plan for Sustainable Growth*.

b. Consistency with plans:

This property is not located within a study area governed by additional small area or master plans.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located, with the approval of this conditional use permit.

The use of the site for a bus garage and maintenance facility will conform to the applicable regulations of the district in which it is located upon the approval of the conditional use permit and site plan review.

Required Findings for Site Plan Review

SITE PLAN REVIEW

Findings as required by the Minneapolis Zoning Code for the 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 the 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.**

- **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, windows, and active functions:**
 - **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.**
- g. **In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.**

Minimum window area shall be measured as indicated in section 530.120 of the zoning code.

- **Ground floor active functions:**

Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.

- **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. In addition to compliance with minimum window requirements, principal and accessory parking garages shall comply with provisions requiring active functions on the ground floor. In the downtown districts, the more restrictive parking garage provisions of Chapter 549, Downtown Districts, shall apply.**

Conformance with above requirements:

The building is located up to the property line nearest Hennepin Avenue East. There is another building on a property not owned by the applicant between the existing structure and Hennepin Avenue East.

There are two overhead doors facing northwest towards Hennepin Avenue East that access the bus maintenance and storage building. There are no plans for new construction on the subject property.

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The on-site accessory parking lot for employees is located to interior of the site. The buses will be stored within the principal building or located behind an opaque fence.

The building exists and there are no proposals to add or construct an addition to the existing building. The existing building shows insufficient architectural detail and amounts of windows to avoid large blank walls, exceeding twenty-five (25) feet in length along the south façade of the building.

The exterior materials of the structure are vertical metal siding. The building exists and there are no proposals to add or construct an addition to the existing building.

The principal entrances are not clearly defined. Staff is recommending that the applicant use a combination of lighting and signage, where appropriate, to identify the building entrances.

There are no building additions proposed; therefore applicant is not required to provide a minimum of glazing facing the public street.

The existing roof is a flat. The proposed roof line appears to be visually consistent with other structures in the area

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 530.140 (b).**
- **Site plans shall minimize the use of impervious surfaces.**

Conformance with above requirements:

The applicant has provided paved areas connecting the principal entrances to the adjacent public sidewalk.

There are no transit shelters within the proposed development; however, there are east and westbound Metro Transit stops at Hennepin Avenue East and Pierce Street NE.

There are two existing curb cuts where the buses enter and exit from the site. There is one additional curb cut on the east side of the property that accesses the employee parking area.

The site plan shows no change in the impervious surface. Staff is recommending that the applicant come into compliance with the previously approved plan, which will further decrease the impervious surface on the site.

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 shall be landscaped as specified in section 530.150 (a).**

• **Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).**

• **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.**

• **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 530.160 (b).**

• **Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).**

• **The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.**

• **Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.**

• **All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible.**

• **All other areas not governed by sections 530.150, 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 530.220.**

• **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 530.60, as provided in section 530.230.**

The zoning code requires at least 20 percent of the site not occupied by buildings be landscaped. The lot area is 187,000 sq. ft. and the building footprints are 43,500 sq. ft. The lot area minus the building footprints therefore consists of approximately 143,500 sq. ft. At least 20 percent of the net site area (28,700 sq. ft.) must be landscaped and the applicant is providing approximately 12,000 sq. ft., which equals 8.3 percent of the net site area. The site plan was reviewed and approved by Public Works and Planning in 2008. This review consisted primarily of ensuring compliance with landscaping between the parking area and the adjacent public street. The

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applicant is missing some of the landscaped area and a few of the trees. Staff is recommending that the property be landscaped according to the previously approved site plan.

The zoning code requires at least one canopy tree for each 500 sq. ft. and at least one shrub for each 100 sq. ft. of required green space. The tree and shrub requirement for this site is 287 and 1,435 respectively. The applicant has shown 26 deciduous canopy trees and 6 conifers on the property and 32 shrubs. The site plan was reviewed and approved by Public Works and Planning in 2008. The applicant is missing one tree and several shrubs in a landscaped island in the parking lot. Staff believes that the applicant has sufficient space in the existing tree island to provide the additional tree and shrubs.

In addition, not less than one tree shall be provided for each twenty-five feet of parking lot frontage. There is approximately 350 feet of parking lot frontage along East Hennepin Avenue and the applicant is showing 14 canopy trees along East Hennepin Avenue.

A landscaped yard of at least 7 feet wide shall be provided along the public street or sidewalk for outdoor storage in the I2 District. The applicant is providing a 10 ft. landscaped area adjacent to public sidewalk. In addition, the applicant has provided 5 to 10 ft. landscaped yards around the proposed property lines, adjacent to the outdoor bus storage area.

Screening not less than six feet in height and not less than 95% opaque is required along the public street or sidewalk for outdoor storage in the I2 District. The applicant installed a new 6 ft. solid cedar fence along with many of the required site improvements in 2008.

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.

Conformance with above requirements:

The on-site parking for employees and the perimeter of the parking area for buses is curbed according to the approved plan from 2008.

There are no proposed changes to the building. The building does not impede any views of important elements of the city.

There are no proposed changes to the building. The building does not significantly shadow the adjacent streets or properties.

Wind currents should not be major concern.

The site design provides natural surveillance and visibility to allow views into the area with the opening of the front window, based on staff recommendation.

The existing structures are neither historic nor eligible for historic designation.

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 site is zoned I2. A bus garage and maintenance facility is a conditional use in the I2 District.

Parking and Loading:

Minimum automobile parking requirement: The specific off-street parking requirements for the proposed use is 1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft. excluding service bays (minimum of 4 spaces) + 1 space per 2 service bays. The floor area devoted to office space is 3,900 square feet and there are 6 service bays. Therefore, the minimum parking requirement is 7 spaces. There are 68 off-street parking spaces available on the east parking lot.

Maximum automobile parking requirement: The maximum automobile parking for a bus garage and maintenance facility is 1 off-street per 200 sq. ft. of GFA plus 1 space per service bay. The maximum automobile parking for the site would be 26 spaces. The parking lot already exists on the subject property and there is no proposal to change the existing configuration.

Bicycle parking requirement: There is not a bicycle parking requirement for a bus garage and maintenance facility.

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Loading: There is not a minimum loading requirement for a bus garage and maintenance facility.

Maximum Floor Area: The maximum floor area ratio in the I2 District is 2.7. The lot area is 187,000 square feet. The existing structures are 43,500 square feet. The floor area ratio is .233.

Height and Bulk: The maximum building height in the I2 District is limited to four stories or 56 feet, whichever is less. The existing structures are one-story and range from 12 to 29 ft. in height.

Minimum Lot Area: The minimum lot area for a transportation use in the I2 District is 12,000 sq. ft. The minimum lot width for a transportation use in the I2 District is 100 ft. The lot area is 187,000 sq. ft. and approximately 580 ft. wide.

Dwelling Units per Acre: There are no dwelling units proposed.

Yard Requirements: The subject site is zoned I2 and there are no yard requirements along the all four property lines.

Signs: There are no signs on the subject property currently. The applicant is proposing a 4 ft. by 8 ft. non-illuminated wall sign, approximately 16 ft. in height.

Refuse screening: Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent uses.

Lighting: Lighting proposed for the development shall comply with Chapter 536 Specific Development Standards for the canopy lighting, Chapter 535 and Chapter 541 of the zoning code including:

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) 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.
- (3) Lighting shall not directly or indirectly cause illumination or glare in excess of one-half

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

MINNEAPOLIS PLAN AND RELEVANT SMALL AREA PLANS:

See findings under #5 for the Conditional Use Permit.

Alternative Compliance. The Planning Commission 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, 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 for the following standards:

- Amenities between the front lot line and building: The principal entrances are not clearly defined. Staff is recommending that the applicant use a combination of lighting and signage, where appropriate, to identify the building entrances.
- The zoning code requires at least 20 percent of the site not occupied by buildings be landscaped. The lot area is 187,000 sq. ft. and the building footprints are 43,500 sq. ft. The lot area minus the building footprints therefore consists of approximately 143,500 sq. ft. At least 20 percent of the net site area (28,700 sq. ft.) must be landscaped and the applicant is providing approximately 12,000 sq. ft., which equals 8.3 percent of the net site area. The site plan was reviewed and approved by Public Works and Planning in 2008. The applicant is missing some of the landscaped area and a few of the trees. Staff is recommending that the property be landscaped according to the previously approved site plan.

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- The zoning code requires at least one canopy tree for each 500 sq. ft. and at least one shrub for each 100 sq. ft. of required green space. The tree and shrub requirement for this site is 287 and 1,435 respectively. The applicant has shown 26 deciduous canopy trees and 6 conifers on the property and 32 shrubs. The site plan was reviewed and approved by Public Works and Planning in 2008. The applicant is missing one tree and several shrubs in a landscaped island in the parking lot. Staff believes that the applicant has sufficient space in the existing tree island to provide the additional tree and shrubs.

RECOMMENDATIONS

Recommendation of the Community Planning and Economic Development Department – Planning Division for the Conditional Use Permit:

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 to for a allow a bus garage and maintenance facility located at 900 and 936 Hennepin Avenue East in the I2 Medium Industrial District, 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. The applicant shall provide a management plan detailing the proposed fueling of buses on-site and any fuel spill mitigation.
3. The use shall be operated as to not create noise from honking buses in such an amount or with such recurrence or at such a time of day 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 per section 535.620 of the zoning code.

Recommendation of the Community Planning and Economic Development Department – Planning Division for the Site Plan Review:

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 site plan review to allow a bus garage and maintenance facility located at 900 and 936 Hennepin Avenue East in the I2 Medium Industrial District, subject to the following conditions:

1. CPED Planning staff review and approval of the final site, elevations and landscaping plans.
2. All site improvements shall be completed by October 17, 2012, unless extended by the Zoning Administrator, or the permit may be revoked for noncompliance.
3. At least 12,000 square feet (8 percent of the net lot area) of landscaped area shall be provided on-site and at least 26 deciduous canopy trees and 6 conifers on the property and 32 shrubs shall be

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provided as required by section 530.160 of the zoning code. The applicant is encouraged to plant native grasses and perennials in addition to the required trees and shrubs.

Attachments:

- 1) Written descriptions and findings submitted by the applicant.
- 2) Copies of e-mails sent to all applicable neighborhoods and CM Hofstede explaining the project
- 3) Letter of support from the Marcy-Holmes Neighborhood Association
- 4) Correspondence from neighboring business owner
- 5) Zoning map
- 6) Survey
- 7) Site plan
- 8) Floor plans
- 9) Oblique aerial photos