

**Department of Community Planning and Economic Development**  
Conditional Use Permit  
BZZ-5914

**Date:** February 19, 2013

**Applicant:** A New Star Taxi

**Address of Property:** 1300-14 Lake Street East

**Project Name:** A New Star Taxi Service

**Contact Person and Phone:** Dana Paucar, (612) 724-0444

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

**Date Application Deemed Complete:** January 24, 2013

**End of 60-Day Decision Period:** March 25, 2013

**Ward:** 9      **Neighborhood Organization:** Midtown Phillips, adjacent to Powderhorn Park

**Existing Zoning:** C4 General Commercial District

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

**Zoning Plate Number:** 26

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

**Proposed Use:** Dispatch office for a taxicab service

**Concurrent Review:** Conditional use permit to allow a taxicab service.

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

**Background:** Dana Paucar of A New Star Taxi has proposed move their current dispatch office for a taxicab service at New York Plaza at 1300 East Lake Street. The subject property is approximately 45,465 square feet and the existing land use is a shopping center. Previous land use approvals include a conditional use permit to allow for a shopping center and variance to reduce the required parking by fifteen spaces in 2006. Additional variances were granted in 2007 for parking lot design and to reduce the required parking by five spaces. The proposed taxicab service is located in the west building addition, which had previously been occupied by Van Dealer Auto, a used automobile sales use that occupied this portion of the building until 2009.

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The proposed use is classified as a taxicab service, a conditional use in the C4 General Commercial District, but will operate primarily as a dispatch office. The dispatch office will be located within the existing building and will operate 24-hours per day. The office will also have general office hours for the public and for drivers to complete paperwork and collect weekly fees from 8am to 4pm, seven days per week. Commercial vehicles and taxicabs will not be parked overnight on-site and will not be repaired on the premises. Upon approval of a conditional use permit, 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 either of the neighborhood associations. 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:**

The Community Planning and Economic Development Department 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 applicant has indicated the use of the office is for 24-hour dispatch service and other general office duties. Vehicles would not be parked overnight or repaired at the property. The establishment of a taxicab service should not prove detrimental to public health, safety, comfort or general welfare.

- 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 office and commercial properties along East Lake Street. The adjacent properties to the north are residential. The applicant has indicated vehicles would not be parked overnight or repaired at the property. The dispatch office will operate 24-hours per day and would have open office hours to the public from 8am to 4pm. 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. Public Works reviewed and approved the site plan and civil engineering plans for the subject property in 2009.

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

The parking requirement for a taxicab service is one space per 500 square feet of gross floor area in excess of 4,000 square feet excluding service bays (minimum of four spaces) plus one space per two service bays. The minimum required parking for a use that is less than 1,000 square feet is zero. Therefore, the minimum parking requirement for the proposed taxicab service is zero. The subject property is an existing shopping center. The required parking for all the uses in the building is 30 spaces. There are 62 spaces provided on-site in a parking lot north of the building along 13<sup>th</sup> Avenue South and west of building along Lake Street East.

<u>Use</u>	<u>Square Footage</u>	<u>Parking Requirement</u>	<u>Required Parking</u>
Proposed taxicab service	450 sqft	1 space per 500 square feet of gross floor area in excess of 4,000 square feet excluding service bays (minimum of 4 spaces) plus 1 space per 2 service bays)	0 spaces
Existing New York Latin Restaurant	1,920 sqft	1 space per 500 sqft, up to 2,000 sqft + 1 space per 300 sqft in excess of 2,000 sqft	4 spaces
Existing Grocery	2,190 sqft	1 per 300 sqft, in excess of 4,000 sqft (minimum of 4 spaces)	4 spaces
New Development Achievement Center	3,865 sqft	1 space per 500 sqft of GFA + 2 drop off spaces	8 + 2 drop off spaces
Existing Offices	6,110 sqft	1 per 300 sqft, in excess of 4,000 sqft (minimum of 4 spaces)	7 spaces
Existing Warehouse	2,095 sqft sales 7,750 sqft warehouse	1 space per 500 sq. ft. of GFA of office, sales, or display area in excess of 4,000 sq. ft. (minimum of 4 spaces) + 1 space per 3,000 sq. ft. of GFA of warehousing up to 30,000 sq. ft. + 1 space per 5,000 sq. ft. GFA of warehousing over 30,000 sq. ft. or for any outdoor storage, sales, or display	7 spaces
<b><u>Total Required Parking</u></b>		<b><u>Total Provided Parking</u></b>	
30 spaces		62 spaces	

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

The future land use of the site is designated as Urban Neighborhood by *The Minneapolis Plan for Sustainable Growth* and is located on Lake Street East, a commercial corridor. Staff has found the following applicable policies in comprehensive plan that are consistent with the proposed development:

**Policy 1.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan. (Land Use chapter)**

1.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

**Policy 1.10: Support development along Commercial Corridors that enhances the street's character, fosters pedestrian movement, expands the range of goods and services available, and improves the ability to accommodate automobile traffic. (Land Use chapter)**

1.10.1 Support a mix of uses – such as retail sales, office, institutional, high-density residential and clean low impact light industrial – where compatible with the existing and desired character.

1.10.2 Encourage commercial development, including active uses on the ground floor, where Commercial Corridors intersect with other designated corridors.

1.10.3 Discourage uses that diminish the transit and pedestrian character of Commercial Corridors, such as some automobile services and drive-through facilities, where Commercial Corridors intersect other designated corridors.

**Policy 4.2: Promote business start-ups, retention and expansion to bolster the existing economic base. (Economic Development chapter).**

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

*Staff comment:* Staff finds that the proposed use is consistent with the above policies of the Comprehensive Plan. The proposed use is classified as a taxicab service, but will operate primarily as a dispatch office. The dispatch office will be located within the existing building and will operate 24-hours per day. The office will also have general office hours for drivers and the public from 8am to 4pm, seven days per week. Vehicles will not be parked on-site overnight and will not be repaired on the premises.

**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 use is required to comply with zoning code requirements. This includes design and maintenance of the parking and loading areas, such as landscaping and screening required in Chapter 530 of the zoning code. The site plan has been reviewed and approved by city staff and has not been fully implemented. Zoning Enforcement has been working with the property owner and has given them a deadline of June 1, 2013, to bring the site plan into compliance. With site plan compliance, the use would conform to the applicable regulations of the district in which it is located upon the approval of the conditional use permit.

**RECOMMENDATION**

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit to allow a taxicab service located at 1300-14 Lake Street East in the C4 General Commercial District, subject to the following conditions:

1. The Community Planning and Economic Development staff shall review and approve the final floor plans.
2. All site improvements shall be completed by June 1, 2013, unless extended by the Zoning Administrator or the permit may be revoked for non-compliance.
3. There shall be no parking of commercial vehicles outdoors, overnight.
4. 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 two year of approval.

**Attachments:**

1. Written descriptions and findings submitted by the applicant
2. Letter sent to the neighborhood associations and Council Member Schiff
3. Zoning map
4. Future land use map
5. Site plan
6. Landscaping plan
7. Photos