



CPED STAFF REPORT

Prepared for the City Planning Commission

CPC Agenda Item #3
May 19, 2014
BZZ-6521

LAND USE APPLICATION SUMMARY

Property Location: 3959 28th Avenue South aka 2800 East 40th Street
Project Name: Jim Hamilton Custom Woodworking
Prepared By: [Janelle Widmeier](#), Senior City Planner, (612) 673-3156
Applicant: Laura and James Hamilton
Project Contact: Laura and James Hamilton
Request: To allow limited production and processing of wood furniture and cabinets in the existing building.

Required Applications:

Conditional Use Permit	To allow limited production and processing of wood furniture and cabinets.
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SITE DATA

Existing Zoning	CI Neighborhood Commercial District
Lot Area	4,760 square feet / 0.11 acres
Ward(s)	12
Neighborhood(s)	Standish Ericsson Neighborhood Association
Designated Future Land Use	Urban Neighborhood
Land Use Features	Not applicable
Small Area Plan(s)	Not applicable

Date Application Deemed Complete	April 15, 2014	Date Extension Letter Sent	Not Applicable
End of 60-Day Decision Period	June 14, 2014	End of 120-Day Decision Period	Not Applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The site is located at the northeast corner of the 28th Avenue South and 40th Street East intersection. A one-story building exists on the site. It was previously occupied by an office use.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. Roosevelt High School, Roosevelt Community Library and a place of assembly are located on the south side of the 28th Avenue South and 40th Street East intersection. The other surrounding properties are low density residential.

PROJECT DESCRIPTION. The applicant is proposing to establish a limited production and processing use, specifically wood furniture and cabinets, in the existing building located at the property of 3959 28th Avenue South. The first floor of the building will be used for an office and a workshop. A limited production and processing use is a conditional use in the CI district. Upon approval of the conditional use permit, the action must be recorded with Hennepin County as required by state law.

PUBLIC COMMENTS. As of the writing of this report, correspondence from the neighborhood group has not been received. Any correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

ANALYSIS

CONDITIONAL USE PERMIT

The Department of Community Planning and Economic Development has analyzed the application to allow limited production and processing of wood furniture and cabinets based on the following [findings](#):

1. *The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.*

Establishment of the proposed use on the site would not prove detrimental to public health, safety, comfort or general welfare provided the development complies with all applicable building codes, life safety ordinances, environmental ordinances, as well as Public Works Department standards.

2. *The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.*

Surrounding uses include Roosevelt High School, Roosevelt Community Library, a place of assembly, and low density residential uses. The proposed use should have little effect on surrounding properties. The office will be located at the front of the building to maintain the existing storefront. Typical wood workers tools will be used in the production process that should not be audible from outside the building. The applicant does not use a sprayer to finish projects; therefore odors should also not be an issue. The proposed use is an activity that is consistent and compatible with retail sales and services uses and will produce minimal off-site impacts due to its limited nature and scale.

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

The site is served by existing infrastructure. Vehicle access is from 40th Street East. In 2006, the Public Works Department reviewed the site for appropriate drainage and stormwater management as well as to ensure the safety of the position and design of improvements in or over the public right of way.

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

The minimum parking requirement is 4 spaces. The applicant will park a van on the site. There are 6 spaces in the parking lot, which is sufficient to meet parking demands for this use and to minimize traffic congestion in the public streets.

5. *The conditional use is consistent with the applicable policies of the comprehensive plan.*

The proposed development would be consistent with the following policies of *The Minneapolis Plan for Sustainable Growth*:

Land Use Policy 1.6: Recognize that market conditions and neighborhood traditions significantly influence the viability of businesses in areas of the city not designated as commercial corridors and districts.

1.6.1 Allow for retention of existing commercial uses and zoning districts in designated Urban Neighborhood areas, to the extent they are consistent with other city goals and do not adversely impact surrounding areas.

6. *The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

The use will conform to the applicable regulations of the district in which it is located upon the approval of the conditional use permit with the recommended conditions of approval.

Off-street Parking and Loading – Meets requirements

- The first floor of the building is 1,812 square feet in area. The basement would be used for storage. The minimum vehicle parking requirement is equal to 1 space per 300 sq. ft. of GFA up to 4,000 sq. ft., but not more than 4 spaces. The maximum parking requirement is equal to 1 space per 200 sq. ft. of GFA up to 4,000 sq. ft. Six vehicle parking spaces will be provided, including one accessible space (the accessible space needs to be at least 16 feet wide). Although bicycle parking is required for the proposed use, the building existed before the minimum bicycle parking requirements were established. Therefore grandfather rights exist for this requirement. It is not expected that there will be a high demand for bicycle parking for this use.

Table 1. Vehicle Parking Requirements Per Use (Chapter 541)

	Minimum Parking Requirement	Applicable Reductions	Total Minimum Requirement	Maximum Parking Allowed	Proposed
Limited production and processing	4	---	4	9	6

Table 2. Bicycle Parking and Loading Requirements (Chapter 541)

	Minimum Bicycle Parking	Minimum Short-Term	Minimum Long-Term	Proposed	Loading Requirement	Proposed
Limited production and processing	2	--	Not less than 50%	0	Low	Parking space in excess of minimum requirement

Yard Requirements – Meets requirements with conditions of approval

- Front: A front yard is required adjacent to 28th Avenue South. The building encroaches into the front yard, but is grandfathered. No changes are proposed in the front yard.

- **Interior side:** An interior side yard of 5 feet is required adjacent to the north lot line. The building and parking encroach into the side yard, but are grandfathered. The site plan shows that unscreened refuse storage is located behind the building in the required yard. Refuse containers are not a permitted obstruction. The applicant will have an approximately 5 foot wide by 3.5 foot deep by 4 foot tall refuse container. It will need to be located outside of the required yard.

Refuse Screening – Meets requirements with conditions of approval

- Refuse and recycling storage containers are required to be enclosed on all four sides by screening compatible with the principal structure not less than two feet higher than the refuse container or must be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. The applicant will have an approximately 5 foot wide by 3.5 foot deep by 4 foot tall container. No screening is proposed. It will need to be screened.

Signs – Meets requirements

- The applicant will be changing the copy on the awning.
- Signs are subject to Chapters [531](#) and [543](#) of the Zoning Code. All new signs are required to meet the requirements of Chapter 543 of the zoning code. Separate permits are required from the Zoning Office for any proposed signage.

Specific Standards – Meets requirements

- Limited production and processing uses are subject to the standards of Chapter [548](#).
- Wood furniture and cabinets is first allowed in the II district and is an allowed limited production and processing use.
- The proposed workshop would occupy 966 square feet of the building.
- The main entrance would open to an office approximately 480 square feet in area.

Parking Lot Landscaping, Screening and Curbing – Meets requirements

- Parking lots are subject to the landscaping and screening requirements of Chapters [530](#) and [541](#) of the zoning code.
- In 2006, a site plan was administratively approved for a 272 square foot rear addition to the building. No improvements were required at that time. A decorative metal fence is located on the east and south sides of the parking area. A 6-foot tall, solid wood fence is located on the north side of the parking area providing screening for the adjacent residence. Due to the narrow width of the lot, requiring landscaped yards would eliminate required parking. Therefore, full compliance with the landscaping and screening requirements is practically and economically infeasible. The existing fencing maintains the existing street face, provides separation from the public sidewalk, and visually enhances the property, which is consistent with the ordinance.

Fencing – Meets requirements

- Fences must comply with Chapter [535](#) of the zoning code. The existing fencing around the parking area complies with the applicable fence requirements.

RECOMMENDATIONS

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit to allow limited production and processing of wood furniture and cabinets in the existing building for the property located at 3959 28th Avenue South, 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 two years of approval.
2. The refuse container storage location shall not be located in a required yard and shall be screened as required by section 535.80 of the zoning code.

ATTACHMENTS

1. Written description and findings submitted by applicant
2. Zoning map
3. Plans (please note that the plans contain some references to the previous use, Multiply Communications)
4. Photos

April 7, 2014

Dear Resident,

My name is Jim Hamilton and my wife, Laura, and I are in the process of buying the current Multiply building at the corner of 40th St. and 28th Avenue S (3959 28th Ave S).

I have been a self-employed, custom woodworker for over 20 years and am buying this building for my business. I make freestanding and built-in furniture; like tables, shelving, desks and kitchen cabinets. I work alone, building furniture in whole or in part in my workshop and often installing it in people's homes. You can see my work at www.jimhamiltonwoodworking.com.

Laura and I moved to the city from Chanhassen in the fall of 2012 and I have been looking for a place to work that is near our home and is a part of the community. The building at 3959 28th Ave S is zoned C-1 and is designated for commercial (business) use. My intended use, furniture making, is a permitted use but requires that I receive a conditional use permit from the City of Minneapolis. In order to obtain this permit, I need to notify you and others in the neighborhood of my plans, so you have the opportunity to ask questions and I can address any concerns.

The current owner has completed a lot of work on the building and surrounding lot and I do not intend to make any significant changes. I will keep the building and grounds in great condition to preserve what has already been done. I have one work vehicle, a van that I will park in the parking lot.

The front of the building will continue to look the same and will continue to be used as office space. My workshop will be in the back on the 1st floor and will not be visible from the street. I use typical woodworker's tools like electric saws and drills that are at a noise level of approximately 80-100 decibels (db) inside the building, generating no significant noise outside. For comparison purposes, a hairdryer is typically 80-95 db inside the home, but generates no significant outdoor noise. I finish my work with stain or paint. Since my projects are small, I do this work by hand with a paintbrush. I do not use a sprayer. I follow the recommendations of the paint manufacturer, much as you would, to ensure safe handling. I take all unused paint and stains to the recycling center.

Your support and the support of the neighborhood are important to me, not just to receive the permit approval, but beyond. I look forward to being a positive member of the community. If you have any questions or would like to discuss this with me, please call me.

Regards,
Jim Hamilton
4612 Fremont Ave S.
Minneapolis, MN 55419
612-716-8291
ljhamilton@q.com

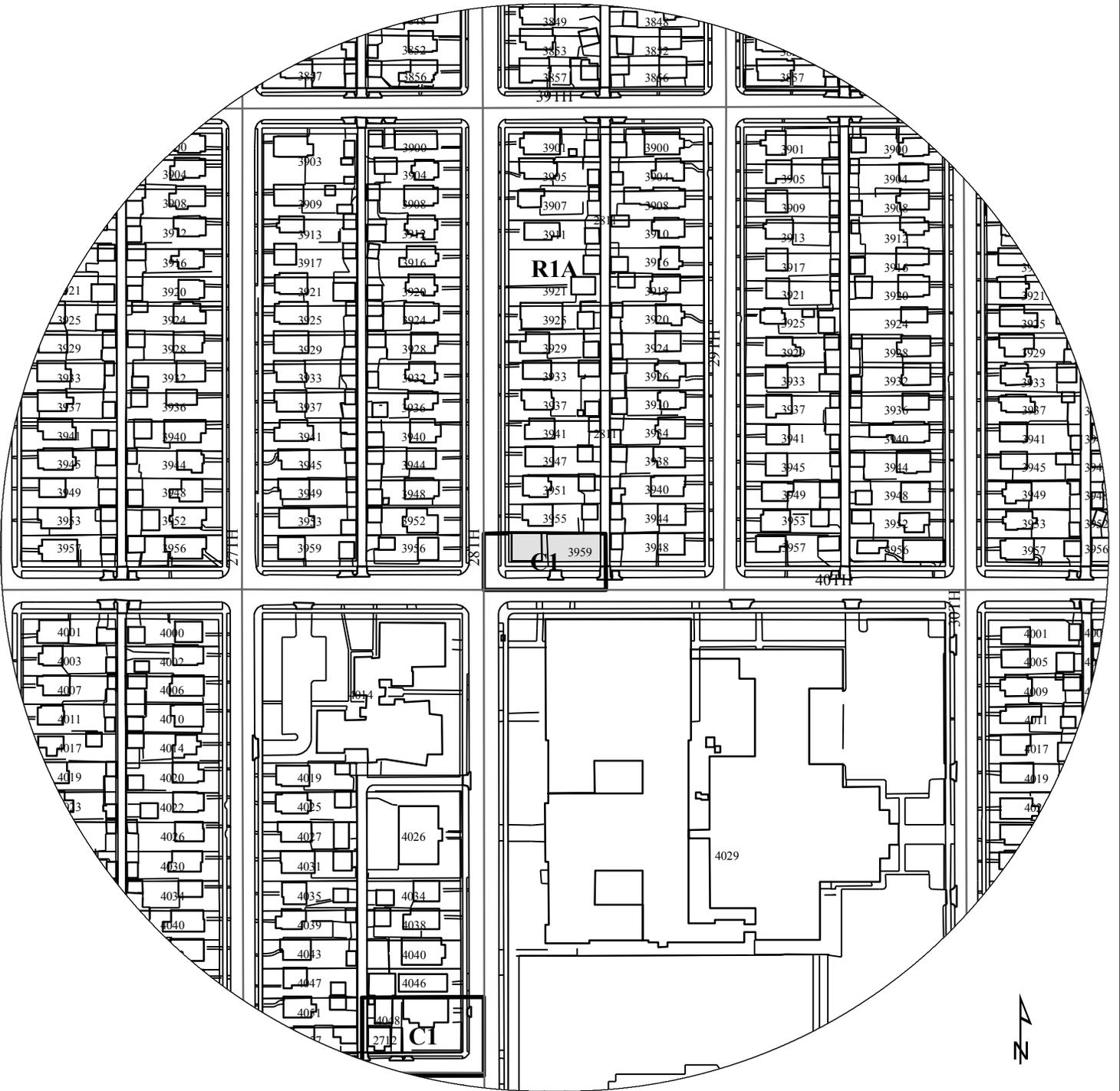
CONDITIONAL USE PERMIT

Statement by Laura and James Hamilton

1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.
2. The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been provided.
4. Adequate measures have been taken to minimize traffic congestion in the public streets.
5. The conditional use is consistent with the applicable policies of the comprehensive plan.
6. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

NAME OF APPLICANT

WARD



PROPERTY ADDRESS
3959 28th Ave S

FILE NUMBER
BZZ-6521

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

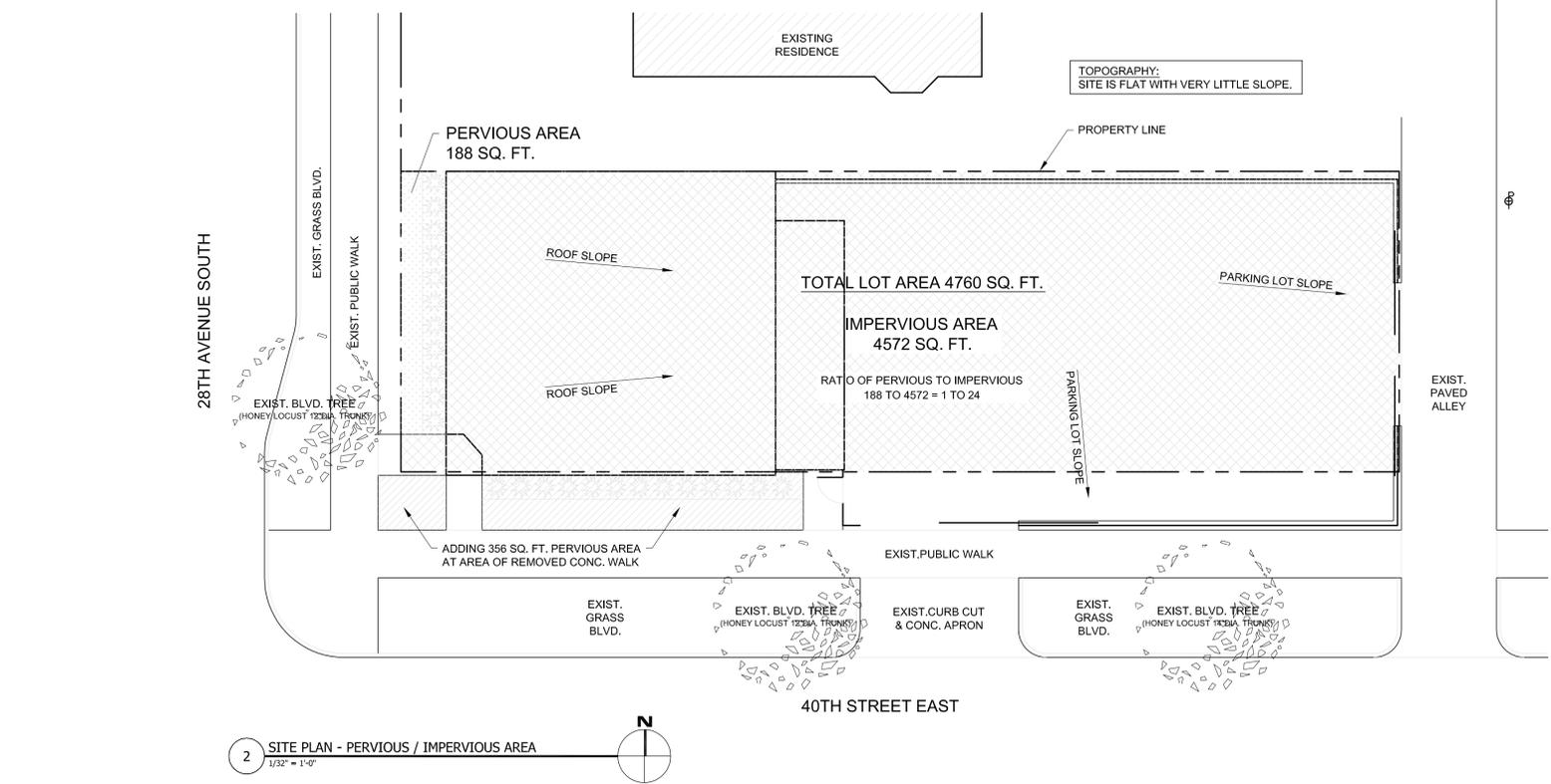
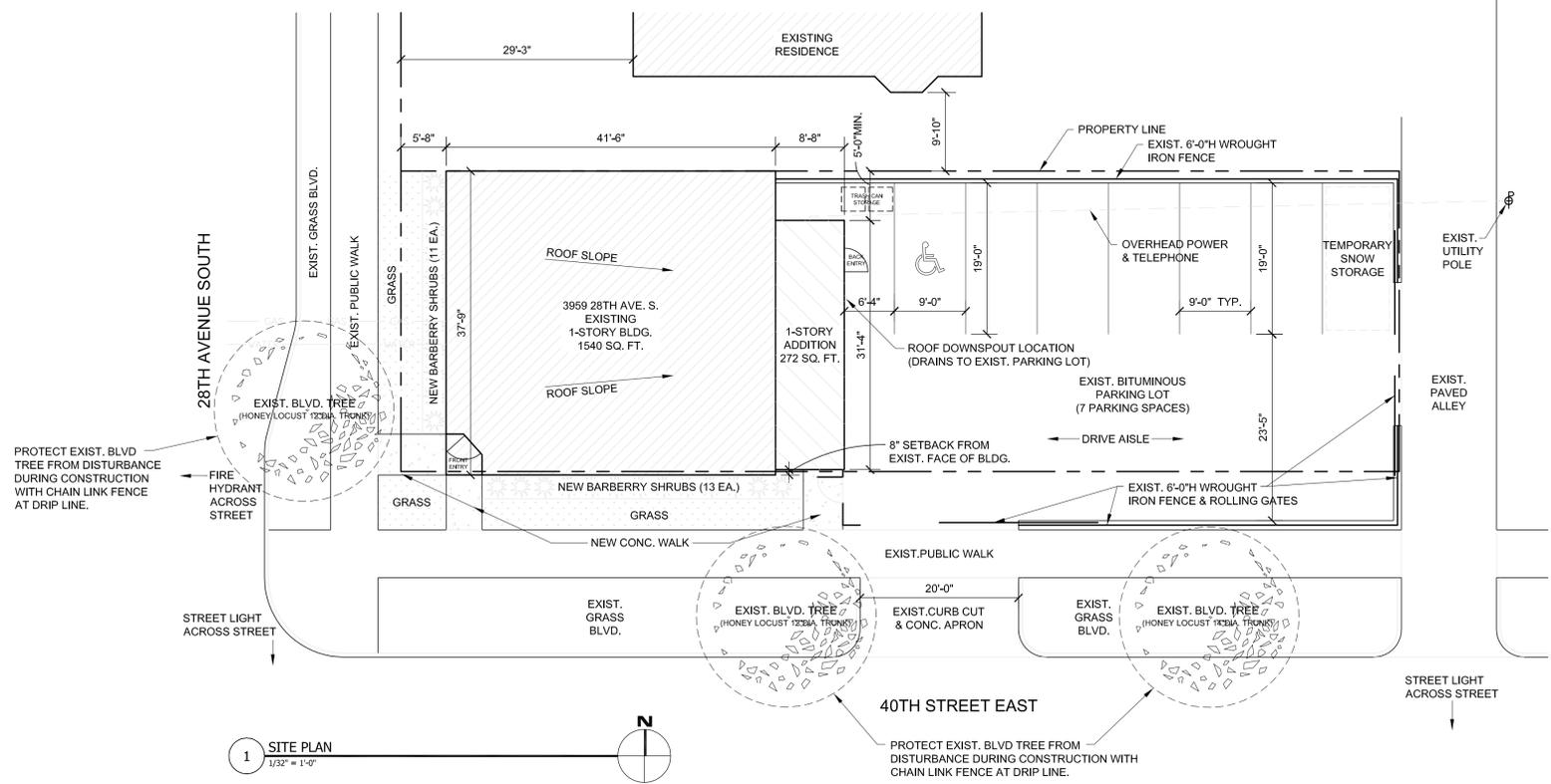
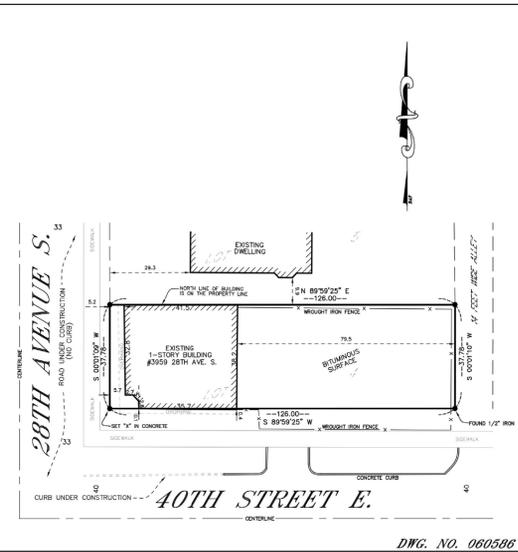
Richard D. Sutton - License No. 17186 Date

Design/Build Contractor:
 Mission Construction & Development, Inc.
 2920 28th Ave N
 Suite 170
 Plymouth, MN 55441
 Garry Mannor
 Ph: 763-694-0990
 Fax: 763-694-0020
 MN Lic# BC-20341195

Client / Owner:
 Tony Zosel
 TAZ Properties
 Work: 612-486-5660
 Cell: 612-366-4962

Project Title & Address:
MULTIPLY COMMUNICATIONS
3959 28TH AVENUE SOUTH
MINNEAPOLIS, MINNESOTA 55406

06056 12/28/24 TAZ PROPERTIES
ADVANCE SURVEYING & ENGINEERING CO.
 5305 S. Hwy. No. 101 Minneapolis, MN 55345 Phone (952) 474-7964 Fax (952) 474-8267
 SURVEY FOR: **TAZ PROPERTIES**
 SURVEYED: July, 2006 DRAFTED: July 12, 2006
 LEGAL DESCRIPTION:
 Lot 4, NORDBERG'S ADDITION TO MINNEAPOLIS, Hennepin County, Minnesota.
 SCOPE OF WORK:
 1. Showing the length and direction of boundary lines of the above legal description. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct, and that any matters of record, such as encumbrances, that you wish shown on the survey, have been shown.
 2. Showing the location of existing improvements we deemed important.
 3. Setting new monuments or verifying old monuments to mark the corners of the property.
 STANDARD SYMBOLS & CONVENTIONS:
 * Denotes 1/2" ID pipe with plastic plug bearing State License Number 9235, set, unless otherwise noted.
 I hereby certify that this plan, specification, report or survey was prepared by me or under my direct supervision and that I am a Licensed Professional Engineer and Professional Surveyor under the laws of the State of Minnesota.
 Garry H. Parker P.E. & P.S. No. 9235
 GRAPHIC SCALE
 0 10 20 40
 (IN FEET)



SITE PLAN GENERAL NOTES:

A. REFER TO SURVEY BY ADVANCE SURVEYING & ENGINEERING CO. DATED JULY 12, 2006 (ATTACHED)

B. TRUCK LOADING / UNLOADING WILL BE SMALL PACKAGES VIA DELIVERY VEHICLES ONLY (I.E. FEDEX, UPS, ETC.).

C. SNOW WILL BE REMOVED FROM SITE BY SNOW REMOVAL SERVICE.

D. SEE EXTERIOR ELEVATIONS (A6.1) AND REFLECTED CEILING PLAN (A2.1) FOR BUILDING-MOUNTED EXTERIOR LIGHTING.

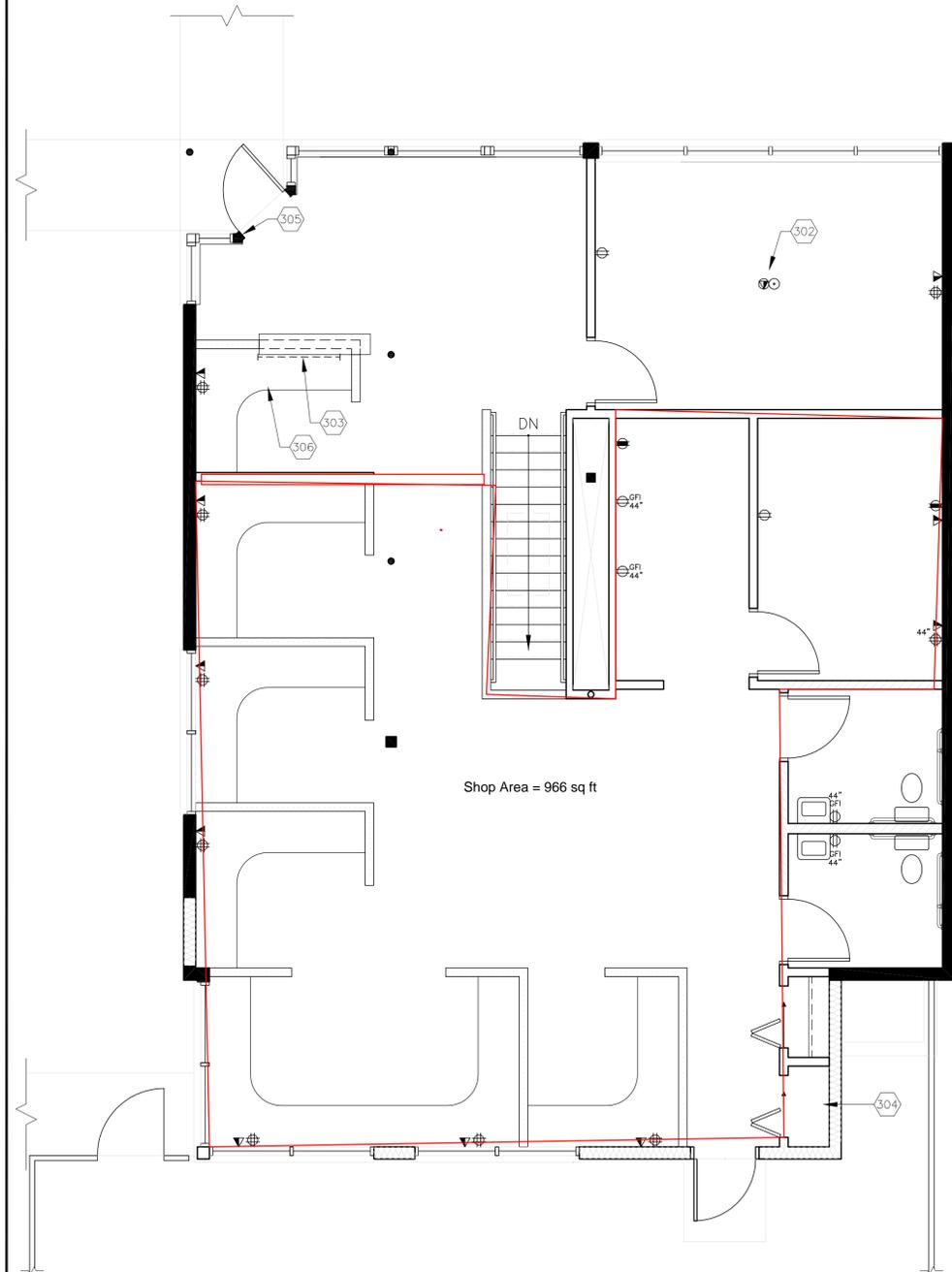
E. LESS THAN 500 SQ. FT. OF SURFACE SOIL WILL BE DISTURBED DURING CONSTRUCTION. APPROX. 430 SQ. FT. WILL BE DISTURBED INCLUDING EXCAVATION AND SIDEWALK CONSTRUCTION.

REVISED & ISSUED FOR PERMIT & CONSTRUCTION	9/18/2006
REVISED & ISSUED FOR PERMIT & CONSTRUCTION	8/9/2006
ISSUED FOR PERMIT	6/9/2006
Description:	By: Key: Date:

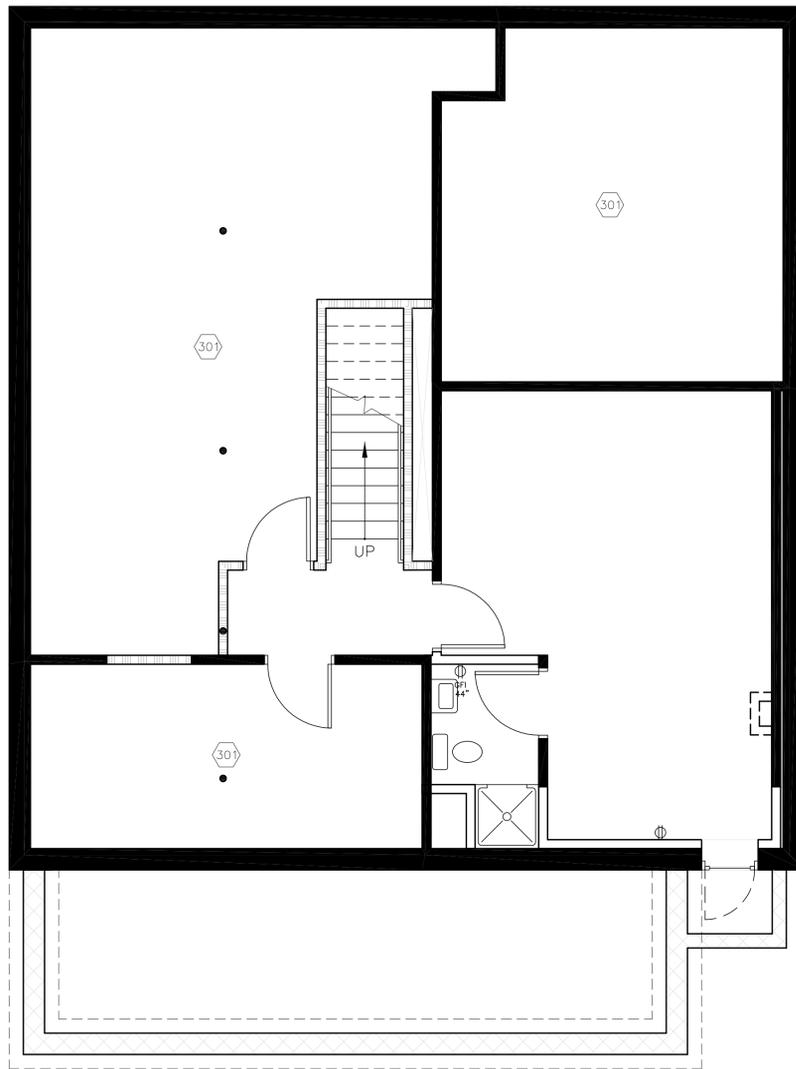
SITE PLAN SURVEY

Sheet Title:
 Proj. No.: 06.01771.00 Scale: AS NOTED
 Date: 8/18/2006 P.M.: shierlinger
 Drawn By: jhanson Checked: rsutton
 Plan North: Sheet No.:

A0.1



1 MAIN FLOOR POWER & COMMUNICATION PLAN
1/4" = 1'-0"



2 LOWER LEVEL POWER & COMMUNICATION PLAN
1/4" = 1'-0"

POWER & COMMUNICATIONS LEGEND	
SYMBOL	DESCRIPTION
	WALL MOUNTED DUPLEX DEVICE. (120V/15A DUPLEX, U.N.O.)
	WALL MOUNTED DEDICATED CIRCUIT (120V/20A DUPLEX, U.N.O.)
	WALL MOUNTED FOURPLEX DEVICE. (120V/20A FOURPLEX, U.N.O.)
	WALL MOUNTED GFIC DUPLEX DEVICE (120V/15A DUPLEX, U.N.O.)
	WALL MOUNTED DATA/PHONE JACK
	KEYNOTE

NELSON
 Nelco Architecture, Inc. - an affiliated company
 The NELSON Upper Midwest Operating Company, LLC
 1201 Marquette Avenue South - Suite 200
 Minneapolis, MN 55403
 Phone: (612) 822-1211
 Fax: (612) 822-1006

Design/Build Contractor:
 Mission Construction & Development, Inc.
 2920 28th Ave N
 Suite 170
 Plymouth, MN 55441
 Garry Mannor
 Ph: 763-694-0990
 Fax: 763-694-0020
 MN Lic# BC-20341195

Client / Owner:
 Tony Zosel
 TAZ Properties
 Work: 612-486-5660
 Cell: 612-366-4962

Project Title & Address:
MULTIPLY COMMUNICATIONS
3959 28TH AVENUE SOUTH
MINNEAPOLIS, MINNESOTA 55406

POWER & COMMUNICATION GENERAL NOTES:

- A. ELECTRICAL WORK SHOWN ON THESE PLANS IS FOR TYPE AND APPROXIMATE LOCATION ONLY. ELECTRICAL DESIGN/ BUILD CONTRACTOR IS RESPONSIBLE FOR ALL CIRCUITING AND FOR PROVIDING ELECTRICAL SYSTEM DESIGN IN CONFORMANCE WITH FEDERAL, STATE AND LOCAL CODES AND REGULATIONS AND BUILDING GUIDELINES, INCLUDING SUBMITTAL DOCUMENTS WITH NECESSARY CALCULATIONS FOR ENERGY USE, ETC.
- B. ALL ELECTRICAL/ DATA JUNCTION BOXES IN ADJACENT ROOMS TO HAVE INSULATION AROUND AND CAULKED TO REDUCE NOISE TRANSMISSION. ELECTRICAL JUNCTION BOX LOCATIONS NOTED ON PLAN ARE TO BE LOCATED IN THE APPROXIMATE LOCATION SHOWN ON PLAN, COORDINATE LOCATIONS WITH MILLWORK AND FURNITURE.
- C. ALL STANDARD ELECTRICAL RECEPTACLES AND SWITCHING DEVICES ARE TO BE WHITE COLORED. SEPARATE CIRCUIT W/ ISOLATED GROUND RECEPTACLES ARE TO BE ORANGE. ALL COVER PLATES TO BE WHITE.
- D. ALL EXISTING AND NEW FLOOR PENETRATIONS AT STRUCTURE ABOVE AND BELOW TO BE FIRE STOPPED, FIREPROOFED AND ACOUSTICALLY SEALED AS REQUIRED BY CODE.
- E. CENTER LINE HEIGHT OF WALL MOUNTED DEVICES TO BE 18" A.F.F., UNLESS NOTED OTHERWISE ON PLAN. ALL HEIGHTS ARE TO CENTER LINE OF JUNCTION BOX.

F. ALL ELECTRICAL RECEPTACLES TO BE 110V/ 120V - 15A UNLESS NOTED OTHERWISE.

G. AT NEW VOICE/ DATA RECEPTACLE LOCATIONS, PROVIDE STANDARD JUNCTION BOX WITH 1" CONDUIT STUBBED TO BELOW FLOOR AND TWO PULL-STRINGS FOR CABLING BY OWNER'S SUPPLIER.

H. ALL PHONE AND DATA CABLING IS TO BE PROVIDED BY OWNER'S CABLING VENDOR, UNDER SEPARATE CONTRACT. VENDOR SHALL OBTAIN NECESSARY PERMITS TO INSTALL CABLING. TENANT AND OWNER'S VENDOR TO COORDINATE INSTALLATION WITH GENERAL CONTRACTOR. DATA JUNCTION BOX LOCATIONS NOTED ARE TO BE PROVIDED BY ELECTRICAL CONTRACTOR IN THE LOCATIONS SHOWN ON PLAN, UNLESS DIMENSIONED OTHERWISE.

I. PROVIDE EXTERIOR DUPLEX OUTLETS AS REQUIRED BY CODE.

J. FIELD COORDINATE LOCATION OF NEW ELECTRICAL SERVICE MAST WITH ARCHITECT PRIOR TO INSTALLATION.

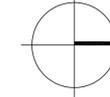
POWER & COMMUNICATION KEYNOTES:

- 301. NO WORK THIS AREA.
- 302. PROVIDE FLUSH FLOOR MOUNTED POKE-THRU WITH FOUR PRE-WIRED 20A DUPLEX OUTLETS AND FOUR KEYSTONE VOICE/DATA CONNECTORS. WALKER WIREMOLD RC4ATCBK, BLACK. COORDINATE CABLING NECESSARY FOR OWNER'S PROJECTOR. COORDINATE LOCATION W/ARCHITECT.
- 303. PROVIDE & INSTALL 4" STRIP FLUORESCENT LIGHT FIXTURE UNDER WORKSURFACE. COORDINATE LOCATION W/ ARCHITECT.
- 304. POSSIBLE ELECTRICAL PANEL LOCATION.
- 305. PROVIDE & INSTALL ELECTRIC STRIKE OPERATED BY BUTTON FROM RECEPTION DESK.
- 306. PROVIDE ELECTRIC STRIKE RELEASE BUTTON UNDER WORK SURFACE, FIELD LOCATE PER OWNER'S DIRECTION.

REVISED & ISSUED FOR PERMIT & CONSTRUCTION	9/18/2006
REVISED & ISSUED FOR PERMIT & CONSTRUCTION	8/9/2006
ISSUED FOR PRICING	6/9/2006
Description:	By: Key: Date:

POWER AND COMMUNICATION PLAN

Proj. No.: 06.01771.00	Scale: AS NOTED
Date: 8/18/2006	P.M.: shieringer
Drawn By: jhanson	Checked: rsutton
Plan North:	Sheet No.:



A3.1

ALL DIMENSIONS AND CONDITIONS MUST BE CHECKED AND VERIFIED ON SITE BY THE CONTRACTOR AND SUB-CONTRACTORS. THE PROJECT MANAGER SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH THE WORK.



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952 897 7713

MULTIPLY X





