

**Department of Community Planning and Economic Development – Planning  
Division**

Conditional Use Permit, Variances and Major Site Plan Review  
BZZ-2292

**Date:** April 25, 2005

**Applicant:** River Service, 3750 Washington Avenue N., Minneapolis, MN 55412,  
(612) 588-8141

**Address of Property:** 51 34<sup>th</sup> Avenue North

**Project Name:** All Wood Products, LLC

**Contact Person and Phone:** Mr. Steve Spade, All Wood Products, LLC, 551 Barge  
Channel Road, St. Paul, MN 55107, (651) 248-3418

**Planning Staff and Phone:** Becca Farrar, (612)673-3594

**Date Application Deemed Complete:** March 29, 2005

**End of 60-Day Decision Period:** May 28, 2005

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

**Ward: 3     Neighborhood Organization:** McKinley Community

**Existing Zoning:** I2 (Medium Industrial District), MR (Mississippi River) Overlay  
District, SH (Shoreland) Overlay District

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

**Zoning Plate Number:** 4

**Lot area:** 282,400 square feet or 6.48 acres

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

**Proposed Use:** A wood recycling facility.

**Concurrent Review:**

- Conditional Use Permit to allow a wood recycling facility.
- Variance to allow development on an existing zoning lot without street frontage.
- Variance of the surfacing requirements for loading/parking areas.
- Variance to allow the use to be unenclosed.
- Major Site Plan Review.

**Applicable zoning code provisions:** Chapter 525, Article VII, Conditional Use Permits, Chapter 525 Article IX, Variances & Chapter 530 Site Plan Review.

**Background:** The applicant, Steve Spade, on behalf of All Wood Products (AWP) Inc., has submitted several land use applications for a wood recycling facility on the property located at 51 34<sup>th</sup> Avenue North. The property is owned by the City of Minneapolis and is managed/operated by River Services, Inc. AWP, Inc. would occupy approximately 3 acres of property located at the Port of Minneapolis. AWP would share the space with the Corp of Engineers (COE) who would have priority over the use of the property for dredging operations.

AWP, Inc. was established in 1988 as a landscape supply company. The company has since expanded its operation to include mobile tub grinding, demolition grinding, storm debris recovery and wood fuel products. The proposed facility would accept all commercial and residential trees, brush and logs. The facility would also accept tree or yard waste materials including grass clippings, leaves, twigs, tree branches and wood chips to stage and chip wood products.

AWP, Inc. would use the designated property for staging wood products to be chipped and hauled away. AWP, Inc. would be responsible for all pile maintenance of raw and chipped material and no equipment other than the equipment used to operate the chipping process would be stored on the site. AWP would be responsible for cleaning the site up before the COE commences any and all dredging operations. Operating hours for the proposed facility would be from 7:00 am to 9:00 pm, Monday thru Friday during the months of April through the end of November. The lease runs for 8 months with a mutual option for the same period in 2006. The lease agreement may be cancelled by either party by giving 90 days written notice to the other party prior to the expiration of the lease period noted unless there is a breach in the agreement at which time the lease agreement can end immediately for just cause. The lease agreement has been attached for further reference.

### **CONDITIONAL USE PERMIT – for a wood recycling facility**

#### **Required Findings for the Conditional Use Permit:**

- 1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

The use of the property for a wood recycling facility will likely not be detrimental to or endanger the public health, safety, comfort or general welfare. All surrounding properties are medium intensity industrial type uses. The proposed location of the stockpiles will be approximately 40 feet from the Mississippi

River. The material will be processed and immediately removed from the site to be utilized as fuel or processed and sold as landscape mulch.

**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 use of an industrial property for a recycling facility will likely not be injurious to the use and enjoyment of other property in the vicinity. The property is completely surrounded by industrial zoned properties occupied by industrial uses. The property is owned by the City of Minneapolis and managed by River Services. The applicant would lease the property for the wood recycling facility and the lease would be renewable on an annual basis. As such, the use as a wood recycling facility would likely not impede the normal or 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 or will be provided.**

The applicant would be required to work closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development should the plan be approved. This would be required to ensure that all procedures are followed in order to comply with city and other applicable requirements. Due to the configuration of the property, the site does not have street frontage. The applicant has applied for a variance to allow development on an existing zoning lot without street frontage. The applicant intends to access the property off of an unimproved road which connects with 2<sup>nd</sup> Street North.

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

The wood recycling facility would not be expected to increase congestion in the public streets. The facility would be located in an industrial area and likely will not generate much additional traffic to and from the site. The primary use of the wood recycling facility is for commercial contractors, although some residential customers will be allowed to recycle wood debris at the site. The applicant has stated that there will be a supervisory employee on site during the hours of operation. The applicant is proposing 4 parking stalls on the site.

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

According to the Land Use Policy Map, the area is designated as Light Industrial. According to the Principles and Policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

- 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.

The subject site is located in an existing industrial zoned area. The site is vacant and used primarily for coal storage and other debris. Allowing a temporary wood recycling facility will permit an active use on the site.

**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 subject to the standards of Chapter 530. The applicant has concurrently applied for several variances and major site plan review to bring the property into compliance. Should all applications be approved, the property shall conform to the applicable regulations of the I2 district. Planning Staff will require that the applicant provide some screening of the proposed tree and brush stockpiles. Final approval of the conditional use permit would be subject to Planning Staff review and approval of a final landscape plan.

**VARIANCES**

**Findings Required by the Minneapolis Zoning Code for the Proposed Variances:**

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

*Variance to allow development on an existing zoning lot without street frontage:*

The property could not be put to a reasonable use under the conditions allowed. The proposed lot has been configured in the same manner without street frontage for a long period of time. Strict adherence to the regulations of the zoning ordinance would cause undue hardship as the property could not be utilized unless the variance is granted.

*Variance of the surfacing requirements for loading/parking areas:*

The property could be put to a reasonable use under the conditions allowed, however, strict adherence to the regulations would cause undue hardship. The applicant intends to lease the property, temporarily, April through November, on an annual basis in order to recycle dead and diseased trees. Due to the likely duration and type of recycling use proposed on the site, it seems reasonable to allow the variance of the surfacing requirements (541.540 and 541.300).

Variance to allow the use to be unenclosed:

The property could be put to a reasonable use under the conditions allowed, however, strict adherence to the regulations would cause undue hardship. The applicant would be recycling dead and diseased trees among other wood products to be chipped and hauled away. It is reasonable to allow the use to be unenclosed as one would expect a mobile tree chipper to operate outdoors.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

Variance to allow development on an existing zoning lot without street frontage:

The circumstances are unique to the parcel of land and have not been created by any person having an interest in the property. The parcel is an elongated strip of land adjacent to the Mississippi River and has existed in this particular configuration without street frontage for a long period of time.

Variance of the surfacing requirements for loading/parking areas:

The circumstances are unique to the parcel of land for which the variance is being sought as the site is completely unimproved and the applicant is proposing to temporarily locate an environmental recycling use.

Variance to allow the use to be unenclosed:

The circumstances are not necessarily unique to the parcel of land the applicant is proposing to locate the wood recycling facility on. There are no existing buildings on the property. If the use were required to be enclosed, the applicant would likely have to construct a very large building for a temporary use in order to store the mobile wood chipper.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

Variance to allow development on an existing zoning lot without street frontage:

The granting of a variance to allow a wood recycling facility on an existing industrial zoning lot without street frontage would be in keeping with the spirit and intent of the ordinance and would not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The parcel is approximately 3 acres in size, the fact that there is no street frontage should not preclude the wood recycling facility from operating on the site. The applicant proposes to access the site off of 2<sup>nd</sup> Street North.

Variance of the surfacing requirements for loading/parking areas:

The granting of a variance of the surfacing requirements for loading/parking areas would likely not be in keeping with the spirit and intent of the ordinance, however, would likely not alter the essential character or be injurious to the use and enjoyment of other property in the vicinity. The use as a wood recycling facility is seasonal and temporary. The proposed wood recycling facility would have minimal dust impacts and would not result in vehicles tracking mud on to city streets.

Variance to allow the use to be unenclosed:

The granting of a variance to allow the wood recycling facility to be unenclosed would be in keeping with the spirit and intent of the ordinance and will likely not alter the essential character or be injurious to the use and enjoyment of other property in the vicinity. The enclosed building requirement would be applicable for other types of recycling facilities, however, due to the nature of the proposed recycling facility, it would seem unreasonable to require the wood chipping to occur indoor. The applicant has stated that noise levels would be kept at normal operating conditions and should not impact adjacent properties. The decibel rating is less than 82 decibels 100 feet from grinding equipment and all construction related equipment.

- 4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

Variance to allow development on an existing zoning lot without street frontage:

Allowing a wood recycling facility on a large industrial parcel without any street frontage would likely not increase the congestion of the public streets, increase the danger of fire or be detrimental to the public welfare or endanger the public safety.

Variance of the surfacing requirements for loading/parking areas:

Allowing a variance of the surfacing requirements for loading/parking areas on an undeveloped industrial parcel for a lease-based temporary use would likely not increase the congestion of the public streets, increase the danger of fire or be detrimental to the public welfare or endanger the public safety.

Variance to allow the use to be unenclosed:

Permitting a variance to allow the wood recycling facility to be unenclosed will not increase the congestion of public streets, likely not increase the danger of fire or be detrimental to the public welfare or endanger the public safety.

**Required Findings for Major 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. (See Section B Below for Evaluation.)**
- C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)**

**Section A: Conformance with Chapter 530 of Zoning Code**

**BUILDING PLACEMENT AND FAÇADE:**

- **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.**
- **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 façade shall provide architectural detail and shall contain windows at the ground level or first floor.**
- **In larger buildings, architectural elements shall be emphasized.**
- **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 where visible from a public street or a residence or office residence district.**
- **Entrances and windows:**
  - **Residential uses shall be subject to section 530.110 (b) (1).**
  - **Nonresidential uses shall be subject to section 530.110 (b) (2).**

- **Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.**

There is no existing building on the premises that the wood recycling facility would be using. The applicant intends to locate a 360 square foot temporary modular work trailer for office purposes on site. The 30% window requirement would be applicable as the temporary building is new, however, the building would not meet the requirement. The specifications for the work trailer have been attached for your reference.

The proposed temporary modular work trailer does not predominantly reinforce the street wall as the property has no street frontage. Further, the proposal does not maximize natural surveillance or facilitate pedestrian access.

The applicant proposes to locate 4 parking spaces adjacent to the temporary work trailer. The exterior materials of the proposed modular work trailer would likely be some sort of paneling. The sides and back of the building will be compatible with the front of the building.

#### **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).**
- **Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.**
- **Site plans shall minimize the use of impervious surfaces.**

There are no existing sidewalks or walkways and none are proposed to connect the proposed temporary modular work trailer in conformance with the requirements of the zoning ordinance. The on site parking lot is located off an unimproved dirt road off of 2<sup>nd</sup> Street North. Public Works has requested information regarding the construction detail of the drive access. An access agreement may be required by Public Works. In its current configuration, the parking facility provides 4 parking spaces. The applicant is applying for a variance of the surfacing requirements and proposes that the site not be curbed or parking stalls striped.

The applicant has indicated that snow will be plowed and located 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. The two (2) feet between the face of the curb and any parking lot boundary shall not be landscaped with plant material, but instead shall be covered with mulch or rock, or be paved.**
  - **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 applicant is proposing to mulch the site in areas in which it is needed but not proposing any landscaping on site. Currently there is no landscaping. The site does not and would not meet the minimum 20 percent requirement.

**ADDITIONAL STANDARDS:**

- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **Site plans shall minimize the blocking of views of important elements of the city.**
- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **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.**
- **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.**

Due to its location on site the parking lot will be screened as much as possible to prevent headlights from shining on adjacent properties. It is unlikely that headlight glare from vehicles entering or leaving the parking lot would have much of an impact on the adjacent properties. There is some proposed lighting on site. All lighting will need to be downcast and shielded to avoid undue glare. All lighting will comply with Chapters 535 and 541. The City's CPTED officer has recommended that any additional plantings follow the 3' – 7' rule to allow visibility on site. The City's CPTED officer also mentioned that destruction of equipment is a problem in the area and suggested that fences or a gate be installed. The applicant did mention that that the equipment is portable and most of the time will be located off site. The applicant has agreed to install a security fence.

**Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan**

**ZONING CODE:**

**Specific Development Standards for a recycling facility:**

Section 536, Specific Development Standards, requires the following for a recycling facility:

- (1) The use shall be performed in a fully enclosed building, except that paper and cardboard may be stored outside in fully enclosed containers or trailers. For the purposes of this requirement, “enclosed” shall mean completely enclosed with no outdoor storage, sorting or processing of materials.

The applicant is seeking a variance of this requirement.

**Hours of Operation:** Hours that the facility can be open to the public under the I2 zoning are 6:00 a.m. to 10:00 p.m. Sunday through Thursday and 6:00 a.m. to 11:00 p.m. Friday and Saturday. The business will meet these hours.

**Dumpster screening:** Section 535.80. 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 residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses.

**Signage:** No new signage is proposed at this time. All new signage is required to meet the requirements of the code. Permits are required from the Zoning Office when the final sign plan is finalized.

**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) No exterior light source located on a nonresidential property shall be visible from any permitted or conditional residential use.
- (3) 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.
- (4) Lighting shall not directly or indirectly cause illumination or glare in excess of

one-half (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.

- (5) Lighting shall not create a hazard for vehicular or pedestrian traffic.
- (6) 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:**

See the above listed response to finding #5 in the conditional use permit application.

**Section C: Conformance with Applicable Development Plans or Objectives Adopted by the City Council**

The Above the Falls is a plan that was adopted by the City Council in 1999, although not as a part of the Comprehensive Plan. The Plan discovers the relationship between the topography of the land and water, making the most of high bank overlooks and low bank contact. The Upper River Master Plan indicates potential land uses and specifically addresses the subject parcel. The Plan indicates that the site will be most appropriate for a future park surrounded by light industrial uses. Although the proposed use is not in conformance with the specific goal of the Above the Falls Plan, the use is temporary, seasonal and the City of Minneapolis is the owner of the property. The wood recycling facility is merely leasing the land from the City.

**Alternative Compliance. The Planning Commission may approve alternatives to any major 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 would be necessary for this site as the applicant is requesting several variances and not meeting the majority of the requirements within Chapter 530 as well as exceptions to the landscaping and screening standards. The applicant has been informed that should a land transfer occur, and the use become permanent, the applicant would be required to bring the property into full compliance. If the use is operating on the site as of April 25, 2009, the property shall be reviewed for full compliance with Chapter 530 of the zoning code.

**RECOMMENDATIONS:**

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission **approve** the application for a tree recycling facility for property located at 51 34<sup>th</sup> Avenue North subject to the following conditions:

1. Installation of landscaping to screen the proposed tree and brush stockpiles from the Mississippi River. Planning Staff shall review and approve a final landscaping plan.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission **approve** the application for a variance to allow the use to be unenclosed for property located at 51 34<sup>th</sup> Avenue North.

**Recommendation of the Department of Community Planning and Economic Development– Planning Division for the variance:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance to allow development on an existing zoning lot without street frontage for the property located at 51 34<sup>th</sup> Avenue North subject to the following conditions:

1. The proposed wood recycling facility must not result in vehicles tracking mud on to city streets.

**Recommendation of the Department of Community Planning and Economic Development– Planning Division for the variance:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance of the surfacing requirement for loading/parking areas in 541.540 and 541.300 for the property located at 51 34<sup>th</sup> Avenue North.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the site plan review:**

The Department of Community Planning and Economic Development– Planning Division recommends that the City Planning Commission **approve** the site plan review application for property located at 51 34<sup>th</sup> Avenue North subject to the following conditions:

1. Planning Staff review and approval of the final site, elevation and landscaping plans.
2. If improvements required by Site Plan Review exceed two thousand (2000) dollars, the applicant shall submit a performance bond in the amount of 125 percent of the estimated site improvement costs prior to obtaining a building permit.
3. All site improvements shall be completed by April 25, 2006, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
4. If the use is operating on the site as of April 25, 2009, the property shall be reviewed for full compliance with Chapter 530 of the zoning code.

**Attachments:**

1. Statement of use
2. Findings – Conditional Use Permit
3. Correspondence
4. Zoning map
5. Plans
6. Photos