

LAND USE APPLICATION SUMMARY

Property Location: 5415 34th Avenue South
Project Name: Car Care Clinic
Prepared By: Aaron Hanauer, Senior City Planner, (612) 673-2494
Applicant: Amanda Dlouhy
Project Contact: Amanda Dlouhy
Request: To reestablish a minor automobile repair facility in the CI/Neighborhood Commercial District

Required Applications:

Conditional Use Permit for a Planned Unit Development	To allow a minor automobile repair facility (existing on the effective date of this ordinance) in the CI/Neighborhood Commercial District
Site Plan Review	For an automobile services use

SITE DATA

Existing Zoning	CI/Neighborhood Commercial District AP/Airport Overlay District
Lot Area	13,378 square feet / 0.31 acres
Ward(s)	11, adjacent to 12
Neighborhood(s)	Morris Park; adjacent to Wenonah
Designated Future Land Use	Mixed Use
Land Use Features	Neighborhood Commercial Node Community Corridor (34 th Avenue South)
Small Area Plan(s)	N/A

Date Application Deemed Complete	September 14, 2015	Date Extension Letter Sent	N/A
End of 60-Day Decision Period	November 13, 2015	End of 120-Day Decision Period	N/A

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The project site is located at the northeast corner of 34th Avenue South and Boardman Street in the southeastern portion of Minneapolis. The site is approximately 134 feet wide by 100 feet deep (13,378 square feet). It is a flat lot that includes a one-story building that was originally built as a gas service station in 1958. The gas pumps were removed from the site more than 10 years ago. The building is setback from the public streets and is located in the northeastern portion of the lot. This building is approximately 1,280 square feet (45' by 28') and has not increased in size since it was originally built. It has two garage doors that lead directly to garage service bays. The other portion of the building consists of a small office and restrooms. Previous tenants include The Service Station Inc. and Cars of Minneapolis. The building is currently vacant. The applicants purchased the property in July of 2014.

The project site has three curb cuts; two along 34th Avenue South and one along Boardman Street East. There is a landscaped yard along the northern and eastern property lines with some trees and shrubs along the eastern property line. However, a majority of the site is an impervious surface that has been used as a parking area for the previous businesses.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The project site is within the 54th Street East and 34th Avenue South Neighborhood Commercial Node and is located along the 34th Avenue Community Corridor. The area surrounding the commercial node is primarily single and two-family residential dwellings. With the exception of some properties located along 34th Avenue South that are zoned multiple-family residential or CI/Neighborhood Commercial, the properties within an 800 foot radius of the project site are zoned low-density residential.

The commercial node includes a restaurant, grocery market, book store, and another minor auto repair facility, Steve's Tire and Auto at 5355 34th Avenue South. In 2014, Steve's Tire and Auto received land use approvals to allow for a 4,000 square foot expansion (BZZ-6600).

PROJECT DESCRIPTION. The applicant is proposing to reestablish a minor automobile repair facility. A minor automobile repair facility is a conditional use in the CI zoning district if there was a minor auto repair facility on the same parcel existing on the effective date of this ordinance (1999) and the use has changed. That is the case in this situation. As part of the proposal, the applicants are not proposing to increase the size of the building. The applicants, however, are looking to make improvements to the site that includes adding a landscaped yard, adding additional landscaping/screening, and striping the parking lot.

PUBLIC COMMENTS. As of the publication of this staff report, there were no public comments received. Any additional 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 a minor auto repair facility 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.*

Allowing for the reestablishment of the minor auto repair facility will not be detrimental to or endanger the public health, safety, comfort or general welfare. Since 1958, auto related uses have been located at this property. Other uses include a gas service station, the building's original use, and other minor auto related uses.

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.*

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. As previously mentioned, the property has had auto-related uses at this site since 1958. Based on the proposed use of the structure and site improvements, including additional vegetative screening along the eastern property line that is shared with a residential use and additional vegetative screening along 34th Avenue South and Boardman Street East, it is anticipated that the proposal would help improve the aesthetic appearance of the site and area and assist in having an active storefront.

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

Adequate access roads exist for the subject property. In addition, adequate utilities, drainage, and necessary facilities will be provided. The initial Preliminary Development Review (PDR) was completed for the proposed project. With the exception of some Construction Code Service comments regarding accessibility, the plans complied with other city division reviews. The applicant will continue to work closely with the Public Works Department, the Plan Review Section of CPED and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

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

Adequate measures have been taken to minimize traffic congestion in the public streets. The subject property exceeds the minimum off-street parking requirement of five spaces; the site plan currently shows 17 off-street parking spaces. To help control vehicle traffic into and out of the site, CPED is recommending the removal of the southern curb cut along 34th Avenue South (see site plan review section for more details).

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

The project site is part of the 34th Avenue South Neighborhood Commercial Node. Neighborhood commercial nodes generally provide retail or service uses on at least three corners of an intersection. Commercial nodes serve the surrounding neighborhood, with a limited number of businesses serving a larger area. A mix of uses occurs within and among structures.

The future land use map of the Minneapolis Comprehensive Plan denotes the subject property and the adjacent surrounding properties as mixed use. The mixed use commercial area designation encourages multiple land uses in the same structure or same general area of a community. Mixed use is described as a mix of retail, office or residential uses within a building or within a district.

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

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

- I.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.
- I.2.2 Ensure that lighting and signage associated with non-residential uses do not create negative impacts for residential properties.
- I.2.3 Lessen the negative impacts of non-residential uses on residential areas through controls on noise, odors, and hours open to the public.

Land Use Policy I.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.

- I.4.1 Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served.
- I.4.2 Promote standards that help make commercial districts and corridors desirable, viable, and distinctly urban, including: diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements to add interest at the pedestrian level.
- I.4.4 Continue to encourage principles of traditional urban design including site layout that screens off-street parking and loading, buildings that reinforce the street wall, principal entrances that face the public sidewalks, and windows that provide “eyes on the street”.

Land Use Policy I.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.

- I.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.

Land Use Policy I.7: Limit new and expanded auto-oriented uses in the city so impacts on the form and character of commercial areas and neighborhoods can be minimized.

- I.7.1 Discourage new and expanded high traffic, auto-oriented uses in neighborhood commercial nodes.
- I.7.3 Auto-oriented uses should be designed with aspects of traditional urban form, to minimize the impact on the pedestrian realm.

Land Use Policy I.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.

- I.9.1 Support the continued presence of existing small-scale retail sales and commercial services along Community Corridors.

Land Use Policy I.11: Preserve and enhance a system of Neighborhood Commercial Nodes that includes a mix of housing, neighborhood-serving retail, and community uses.

- I.11.3 Discourage new or expanded uses that diminish the transit and pedestrian character of Neighborhood Commercial Nodes, such as some automobile services and drive-through facilities.

It is recognized that the Minneapolis comprehensive plan does not generally support auto-oriented uses at neighborhood commercial nodes. However, CPED recognizes that this proposal is reestablishing a use that has existed on this site for decades. CPED will continue to encourage and support commercial and office redevelopment at this neighborhood commercial node. In particular, CPED will support new construction to reinforce the street wall when a project involves complete redevelopment.

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

With the approval of the conditional use permit and site plan review, the proposal will comply with all provisions of the CI/Neighborhood Commercial District. The project will also be in compliance with AP/Airport Overlay District requirements. The areas within the airport overlay district are divided into Safety Zone A, B, and C. The subject property is located in Safety Zone C. The subject property is not proposing one of the prohibited uses outlined in Section 551.110. There is no proposed addition and therefore, will not project above any airspace surface and it will not exceed maximum construction height for Safety Zone C (130 feet).

SITE PLAN REVIEW

The Department of Community Planning and Economic Development has analyzed the application based on the required findings and applicable standards in the site plan review chapter:

I. Conformance to all applicable standards of Chapter 530, Site Plan Review.

Building Placement and Design – Requires alternative compliance

- The subject building is setback 49'-6" from 34th Avenue South and 66 feet from Boardman Street East. As part of the project, there are no proposed changes to the building.
- As proposed by the applicant and recommended by CPED, the area between the building and the lots lines will include amenities such as landscaping.
- The building is oriented so that at least one principal entrance faces the public street; 34th Avenue South.
- The on-site accessory parking is not located entirely to the rear of the interior of the site. However, this is an existing condition.
- There are no proposed changes to the building as part of the project. The building was originally built as a gas service station in 1958. The exterior material is a concrete block that is painted white on all four sides. Along 34th Avenue South there are two garage doors, a pedestrian entrance, and large clear windows that look into an office area. The elevation facing Boardman Street East has a small window and an exposed air conditioner below the window. The elevations facing the northern and southern property lines do not contain existing window openings.
- The subject building is a small building (45' wide by 28' deep). The ground floor is looking to maintain the same layout as the former auto related use. The garage bays would consist of 63 percent of the linear building frontage facing 34th Avenue South. The Boardman Street Elevation would have active functions for the entire elevation.
- The building's flat roof is similar to surrounding commercial buildings in the area.

Access and Circulation – Meets requirements with Conditions of Approval

- Clear and well-lighted walkway shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site. Such walkways shall be a minimum of four feet in width. The applicant is not proposing a walkway as such. Alternative compliance is required.
- There are no transit shelters on or adjacent to the project site.
- As required by Section 540.150-Vehicular Access, vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and with surrounding residential uses and curb cuts for vehicles shall be consolidated wherever possible. Currently, there are three curb cuts to the project site; two along 34th Avenue South and one along Boardman Street East. As a condition of approval in order to improve conditions for pedestrians and to better control vehicular access and circulation, the southern curb cut along 34th Avenue South shall be closed and a boulevard reestablished.
- The project site does not have an alley.
- As proposed and as conditioned by CPED, the project site will minimize the use of impervious surface on the project site.

Landscaping and Screening – Requires alternative compliance

- As proposed by the applicant and conditioned by CPED, the composition and location of landscaped areas will complement the scale of development and surroundings. The project will exceed the percent of required landscaped area. However, the applicant is proposing fewer shrubs onsite than required. Alternative compliance is required.
- As a condition of approval and required by Section 530.160-General Landscaping and Screening and Section 530.180-Landscaping of other areas landscaped area shall be covered with turf grass, native grasses or other perennial flowering plants, vines, shrubs or trees. In addition, plantings shall comply with Section 530.200-Plant Material Standards, and Section 530.210-Installation and Maintenance of Materials.
- The off-street parking area along 34th Avenue South and Boardman Street East is required to have a seven foot wide landscaped yard. The applicant is proposing a seven foot wide landscaped yard along Boardman Street East, but not along 34th Avenue South. Alternative compliance is required for the 34th Avenue South proposal.
- The off-street parking area along 34th Avenue South and Boardman Street East is required to have screening that is three feet in height and not less than 60 percent opaque. The applicant is proposing screening that will comply with this requirement along Boardman Street East with the planting of a three foot high Alpine currant hedge. The applicant is also proposing to plant a three foot high Alpine currant hedge along 34th Avenue South; however, it is within the public right of way. Alternative compliance is required for the 34th Avenue South proposal.
- Not less than one tree is required to be provided for every 25 linear feet or fraction thereof of parking or loading area lot frontage. The applicant is not proposing an onsite tree along 34th Avenue South or Boardman Street East where there is parking or loading. Alternative compliance is required.
- The off-street parking also abuts a residential zoning district to the east. The project site will have an 18 foot landscape yard separating the off-street parking area from the shared property line, which exceeds the seven foot requirement. Screening is required to be 95 percent opaque throughout the year and that is three feet in height within the front yard setback and 6 feet in height outside of the front yard setback. The applicant is proposing a Diablo Ninebark Hedge Screen that will meet the height requirement; however, it will not comply with the opacity requirement in the winter. Alternative compliance is required.
- With the proposed site layout, there likely will not be corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation
- The parking lot will have more than 10 spaces. There are off-street parking spaces that will be more than 50 feet of an onsite deciduous tree. Alternative compliance is required.

Table I. Landscaping and Screening Requirements

	Code Requirement	Proposed
Lot Area	--	13,378 sq. ft.
Building footprint	--	1,280 sq. ft.
Remaining Lot Area	--	12,098 sq. ft.
Landscaping Required	2,420 sq. ft.	3,522 sq. ft.
Canopy Trees (1: 500 sq. ft.)	5 trees	5 trees
Shrubs (1: 100 sq. ft.)	24 shrubs	19 shrubs

Additional Standards – Requires alternative compliance

- The parking lots/driveway is not designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater, nor will it have 6”x6” continuous curbing. Alternative compliance is required.
- The site plan will not block views of important elements of the city.
- There are no proposed changes to the building. Therefore, there will be no changes in regards to shadowing from the building nor from wind currents.
- As proposed by the applicant and recommended by CPED, the site plan will employ crime prevention through environmental design (CPTED) best practices. This includes additional landscaping along the border of the site to help improve territorial reinforcement and natural access. As a condition of approval, a lighting plan be required that shows a lighting plan in compliance with Section 535.590-Lighting and Section 541.340-Lighting.
- The project site does not include a locally designated historic structure or structure determined to be eligible to be locally designated as a historic structure.

2. Conformance with all applicable regulations of the zoning ordinance.

The proposed use is a *conditional* in the CI/Neighborhood Commercial District. The project site will also comply with the requirements outlined in Section 548.240-General District Regulations. The project site is not expanding beyond the boundaries of the zoning lot existing on the effective date of this chapter, and the most recent legally established use was a minor auto repair facility.

Off-street Parking and Loading – Meets requirements with Conditions of Approval

- The applicant has provided a site plan that shows 17 off-street parking spaces. This exceeds the minimum and maximum number of off-street parking spaces. Even though this exceeds the maximum number of off-street parking spaces, the project site retains rights to these additional parking spaces.
- The driveway and parking area is a combination of concrete and asphalt. it appears to be in good condition and in compliance with Section 541.300-Surfacing
- As a condition of approval and required by Section 541.320-Marking of Parking Spaces, the parking spaces and aisles shall be clearly marked on the pavement, using paint or other marking devices approved by the city engineer. Such markings shall conform to the approved parking plan and shall be maintained in a clearly legible condition.
- The parking plan is in compliance with Section 541.330-Size. The parking plan shows that all parking spaces are parked at 90-degree angle and standard size: 18 feet deep by 8’-6” wide. The proposed drive aisles are a minimum of 22 feet in width.

- As a condition of approval, required parking spaces, driveways, access aisles and landscaping shall not be used for the purpose of snow storage.

Table 2. Vehicle Parking Requirements Per Use (Chapter 541)

	Minimum Vehicle Parking	Applicable Reductions	Total Minimum Requirement	Maximum Parking Allowed	Proposed
Automobile repair, minor	5	--	5	6	17

Table 3. Bicycle Parking and Loading Requirements (Chapter 541)

	Minimum Bicycle Parking	Minimum Short-Term	Minimum Long-Term	Proposed	Loading Requirement	Proposed
Automobile repair, minor	0	N/A	N/A	0	0	0

Building Bulk and Height – Meets requirements

- There are no changes proposed to the building. However, the existing building does comply with building bulk and height requirements.

Table 5. Building Bulk and Height Requirements

	Code Requirement	Proposed
Lot Area	--	13,378 sq. ft. / 0.31 acres
Gross Floor Area (GFA)	--	1,280 sq. ft.
Minimum Floor Area Ratio (GFA/Lot Area)	N/A	0.1
Maximum Floor Area Ratio (GFA/Lot Area)	1.7	0.1
Maximum Building Height	2.5 stories or 35 feet, whichever is less	1 story approximately 12ft in height.

Lot Requirements – Not applicable

Table 4. Lot Requirements Summary

	Code Requirement	Proposed
Minimum Lot Area	N/A	13,378 sq. ft.
Maximum Impervious Surface Area	N/A	74%
Maximum Lot Coverage	N/A	10%
Minimum Lot Width	N/A	134 ft.

Yard Requirements – Meets requirements with Conditions of Approval

Table 5. Minimum Yard Requirements

	Zoning District	Overriding Regulations	Total Requirement	Proposed
Front (34th Avenue South)	0 ft.	N/A	0 ft.	53 ft.
Front (Boardman Street East)	0 ft.	20 ft. setback for the first 25 feet	20 ft. setback for the first 25 feet	66 ft.
Interior Side (West)	0 ft.	5 ft.	5 ft.	18 ft.
Interior Side (North)	0 ft.	5 ft. for the portion bordering 3405 54 th Street East	5 ft. for the portion bordering 3405 54 th Street East	21 ft.

- The building is in compliance with all yard requirements. However, the southeastern most off-street parking space along Boardman Street East is within the front yard setback of 3410 Boardman Street East. The front yard setback along Boardman Street is 20 feet deep for the first 25 linear feet of the shared property line. This off-street parking space is located 18 feet from the shared property line. As a condition of approval and required by Section 530.170-Parking and Loading Landscaping and Screening, the southeastern most off-street parking space shall be converted to a landscaped area.

Signs – Not applicable

- No signs are proposed as part of this land use application. Signs are subject to Chapter 543 of the Zoning Code and require a sign permit application.

Screening of Mechanical Equipment –

- All mechanical equipment is subject to the screening requirements of Chapter 535 and district requirements. There are four posts at the back of the building (eastern elevation) that project above the roofline. As a condition of approval, these poles shall be removed from the building.

Refuse Screening – Meets requirements with Conditions of Approval

- An enclosed refuse and recycling storage area is proposed on the north side of the building. As a condition of approval, elevation drawings of the trash enclosure shall be submitted that show compliance with Section 535.80-Screening of Refuse and Recycling Storage Containers.

Lighting – Meets requirements with Conditions of Approval

- The project site includes unshielded lights along the 34th Avenue South property lines. These light poles are not in compliance with Section 541.340-Lighting in terms of shielding. As a condition of approval, the two unshielded light poles shall be removed and a lighting plan shall be submitted that shows the project site in compliance with Section 535.590-Lighting and Section 541.340-Lighting.

Fences – Not applicable

- Fences must comply with the requirements in Chapter 535. There is no existing or proposed fence for the project site.

Specific Development Standards – Meets requirements

- A minor auto repair facility has eight specific development standards. The applicant has affirmed via email that they will comply with all specific development standards.
 - All vehicles waiting for repair or pick-up shall be stored on the site in an enclosed building or in parking spaces in compliance with [Chapter 54I](#), Off-Street Parking and Loading.
 - Except in the I3 District, all repairs shall be performed within a completely enclosed building.
 - All vehicles parked or stored on-site shall display a current license plate with a current license tab. Outdoor storage of automotive parts or storage of junk vehicles is prohibited.
 - The sale of vehicles shall be prohibited.
 - In the C1, C2 and C3S Districts, all service vehicles associated with the establishment shall be parked or stored in an enclosed structure after business hours.
 - The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten (10) feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vaportight fittings to preclude the escape of gas vapors from the fill pipes.
 - The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.
 - Unattended, automated dispensing of gasoline or other engine fuel shall be prohibited.

AP Overlay District Standards – Meets requirements

- The AP/Airport Overlay District regulates height and uses within the vicinity of the Minneapolis-St. Paul International Airport. The subject property is located in Safety Zone C. The subject property is not proposing one of the prohibited uses outlined in Section 551.110. The proposed development will also not project above any airspace surface and it will not exceed maximum construction height for Safety Zone C (130 feet).

3. Conformance with the applicable policies of *The Minneapolis Plan for Sustainable Growth*.

The Minneapolis Plan for Sustainable Growth identifies the site as mixed use on the future land use map. The proposed development is consistent with the following principles and policies outlined in the comprehensive plan:

Urban Design Policy 10.18: Reduce the visual impact of automobile parking facilities.

- 10.18.1 Require that parking lots meet or exceed the landscaping and screening requirements of the zoning code, especially along transit corridors, adjacent to residential areas, and areas of transition between land uses.
- 10.18.2 Parking lots should maintain the existing street face in developed areas and establish them in undeveloped areas through the use of fencing, walls, landscaping or a combination thereof along property lines.
- 10.18.3 Locate parking lots to the rear or interior of the site.
- 10.18.4 Provide walkways within parking lots in order to guide pedestrians through the site.
- 10.18.7 Minimize the width of ingress and egress lanes along the public right of way in order to provide safe pedestrian access across large driveways.

Urban Design Policy 10.19: Landscaping is encouraged in order to complement the scale of the site and its surroundings, enhance the built environment, create and define

public and private spaces, buffer and screen, incorporate crime prevention principles, and provide shade, aesthetic appeal, and environmental benefits.

- 10.19.1 In general, larger, well-placed, contiguous planting areas that create and define public and private spaces shall be preferred to smaller, disconnected areas.
- 10.19.2 Plant and tree types should complement the surrounding area and should include a variety of species throughout the site that include seasonal interest. Species should be indigenous or proven adaptable to the local climate and should not be invasive on native species.
- 10.19.3 Landscaped areas should include plant and tree types that address ecological function, including the interception and filtration of stormwater, reduction of the urban heat island effect, and preservation and restoration of natural amenities.
- 10.19.4 Landscaped areas should be maintained in accordance with Crime Prevention Through Environmental Design (CPTED) principles, to allow views into and out of the site, to preserve view corridors and to maintain sight lines at vehicular and pedestrian intersections.
- 10.19.5 Landscaping plans should be designed to facilitate future maintenance including the consideration of irrigation systems, drought and salt-resistant species, ongoing performance of storm water treatment practices, snow storage, access to sun, proximity to buildings, paved surfaces and overhead utilities.
- 10.19.7 Boulevard landscaping and improvements, in accordance with applicable city policies, are encouraged.

Urban Design Policy 10.22 Use Crime Prevention Through Environmental Design (CPTED) principles when designing all projects that impact the public realm, including open spaces and parks, on publicly owned and private land.

- 10.22.1 Integrate “eyes on the street” into building design through the use of windows to foster safer and more successful commercial areas in the city.
- 10.22.3 Design the site, landscaping, and buildings to promote natural observation and maximize the opportunities for people to observe adjacent spaces and public sidewalks.
- 10.22.4 Provide on-site lighting at all building entrances and along walkways that maintains a minimum acceptable level of security while not creating glare or excessive lighting of the site.
- 10.22.5 Locate landscaping, sidewalks, lighting, fencing and building features to clearly guide pedestrian movement on or through the site and to control and restrict people to appropriate locations.

4. Conformance with applicable development plans or objectives adopted by the City Council.

With the adoption of the staff recommendation, the site plan will be consistent with the applicable policies of the comprehensive plan. No small area plan exists for this area.

5. Alternative compliance.

The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding that the project meets one of three criteria required for alternative compliance. Alternative compliance is requested for the following requirements:

- **Walkways within parking facilities.** Clear and well-lighted walkway shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site. Such walkways shall be a minimum of four feet in width. The applicant is not proposing a walkway as such. Alternative compliance is required. The intent of this requirement is to provide a safe walking path from the building to the onsite parking spaces. Because of the need to locate the parking at the front of the lot, it would be impractical to provide a walkway through the parking lot to the front entrance. Staff is recommending that alternative compliance be granted, as this is due to difficulties caused by the location of the existing building.
- **Minimum number of onsite shrubs.** Per Section 530.160-General Landscaping and Screening, 24 shrubs are required for the project site. The applicant is proposing to have 19 shrubs onsite and 14 shrubs in the public right of way; a total of 33 shrubs. Alternative compliance is required. The intent of the minimum shrub requirement is to enhance the landscape of the projects site and area. The applicant's proposal to plant shrubs onsite and within the public right of way meets the intent of the ordinance. Therefore, CPED is recommending granting alternative compliance.
- **Landscaped yard for parking fronting a public street (34th Avenue South).** Per Section 530.170-(b) Parking and Loading Landscaping and Screening, surface parking that abuts a public is required to have a landscaped yard that is at least seven feet in width. Along the western property line (34th Avenue South), the applicant is proposing to maintain the existing landscaped yard within the public-right-of-way (4'-4"); however, they are not proposing an additional landscaped yard onsite. Alternative compliance is required. The intent of this requirement is to reduce the negative visual impact off-street parking from the public street and to help delineate the public sidewalk from off-street parking area. Strict adherence to this requirement is impractical given the existing conditions of the project site. However, there is room on the project site to provide additional landscaping while also accommodating enough off-street parking and two-way drive aisles. Therefore, CPED is recommending that the applicant plant a landscaped yard that is 3'-8" deep onsite for the parking area fronting 34th Avenue South. The combination of the landscaped yard in the public-right-of-way and the recommended landscaped yard onsite would be seven feet in depth. This additional landscaping would meet the intent of this landscaping requirement.
- **Screening for parking fronting a public street (34th Avenue South).** Per Section 530.160-General Landscaping and Screening and Section 530.170-Parking and Loading Landscaping and Screening, a landscaped yard shall have landscaping and screening that is three feet in height and not less than 60 percent opaque. The applicant has not proposed any onsite landscaping or screening for the landscaped areas in front of the parking area along 34th Avenue South. Alternative compliance is required. The intent of the screening requirement for off-street parking is to reduce the negative visual impact of off-street parking from the public street and sidewalk. Instead, the applicant has proposed to have screening that will be three feet in height and not less 60 percent opaque within the public-right-of-way along 34th Avenue South. CPED sees this plan as an alternative that is consistent with the development objectives of this ordinance requirement and is supportive of granting alternative compliance.
- **Screening for parking adjacent to a residence zoning district.** Per Section 530.170-Parking and Loading Landscaping and Screening, surface parking that abuts an office residence district is required to have screening that is at least six feet in height and 95 percent opaque throughout the year. Along the eastern property line where there is parking, the applicant is looking to plant Diablo Ninebark shrubs. This deciduous shrub can grow to six feet in height and can likely provide 95 percent opacity for a portion of the year; however, not in the winter. Alternative compliance is required for this screening proposal along the eastern property line. The intent of this requirement is to reduce the negative visual impact off-street parking has when bordering residential uses. CPED

sees the proposed alternative being consistent with the development objectives of this ordinance requirement and is supportive of granting alternative compliance.

- **A minimum of one tree for every 25 linear feet of parking or loading fronting a street (34th Avenue South and Boardman Street East).** Per Section 530.170-Parking and Loading Landscaping and Screening, not less than one tree is required for each 25 linear feet or fraction thereof of parking and loading area lot frontage. The applicant is not proposing to plant trees in the landscaped yard along Boardman Street East nor along 34th Avenue South. The intent of this requirement is to support and enhance the City of Minneapolis tree canopy and the benefits trees bring to a city including reducing the heat island effect. Along Boardman Street East, there is approximately 50 linear feet of parking that fronts the street. There are two mature boulevard trees along this street. CPED sees these existing trees along Boardman Street East as meeting the intent of having trees reduce the heat island effect of parking area. Along 34th Avenue South, there is approximately 85 linear feet of parking that fronts the street. The applicant is proposing to plant two deciduous trees in the public-right-of-way. CPED sees the opportunity to plant an additional tree in the public-right-of-way or onsite in front of the parking area that fronts the street. Therefore, CPED is recommending that the applicant plant a minimum of three trees in the public-right-of-way or onsite in front of the parking area along 34th Avenue South.
- **Off-street parking distance from deciduous tree.** Per Section 530.170, parking lots of 10 spaces or more, no parking space shall be located more than 50 feet from the center of an on-site deciduous tree. There are portions of the parking lot that do not meet this requirement. Alternative compliance is required. The intent of this requirement is to reduce the heat island effect that is caused by large concrete or asphalt surface areas. If the applicant plants trees in the public right-of-way and onsite as proposed and recommended by CPED, this will help meet the intent of having deciduous trees shade surface parking spaces. Therefore, CPED is recommending granting alternative compliance.
- **Defined parking lot with a discontinuous curbing or concrete curb.** Per Section 530.230-Concrete Curbs and Wheel Stops, 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. The existing surface parking lot is not in full compliance with this requirement. Alternative compliance is required. The intent of this requirement is to help define the off-street parking area and to direct stormwater to a proper location for on-site retention. The applicant is proposing to retain not having a curb define the parking area. Public Works Surface Water and Sewers Division did not have an issue with the submitted proposal. The applicant's proposal to have the landscaped yards at the same height as the surface parking area where surface water can drain into the landscaped yards is consistent with the intent of this site plan review requirement.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt staff findings for the applications by Car Care Clinic for the property located at 5415 34th Avenue South:

A. Conditional Use Permit to allow a minor automobile repair facility in the CI/Neighborhood Commercial District.

Recommended motion: **Approve** the application for a conditional use permit to allow for the reestablishment of a minor auto repair facility in the CI/Neighborhood Commercial 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 two years of approval.

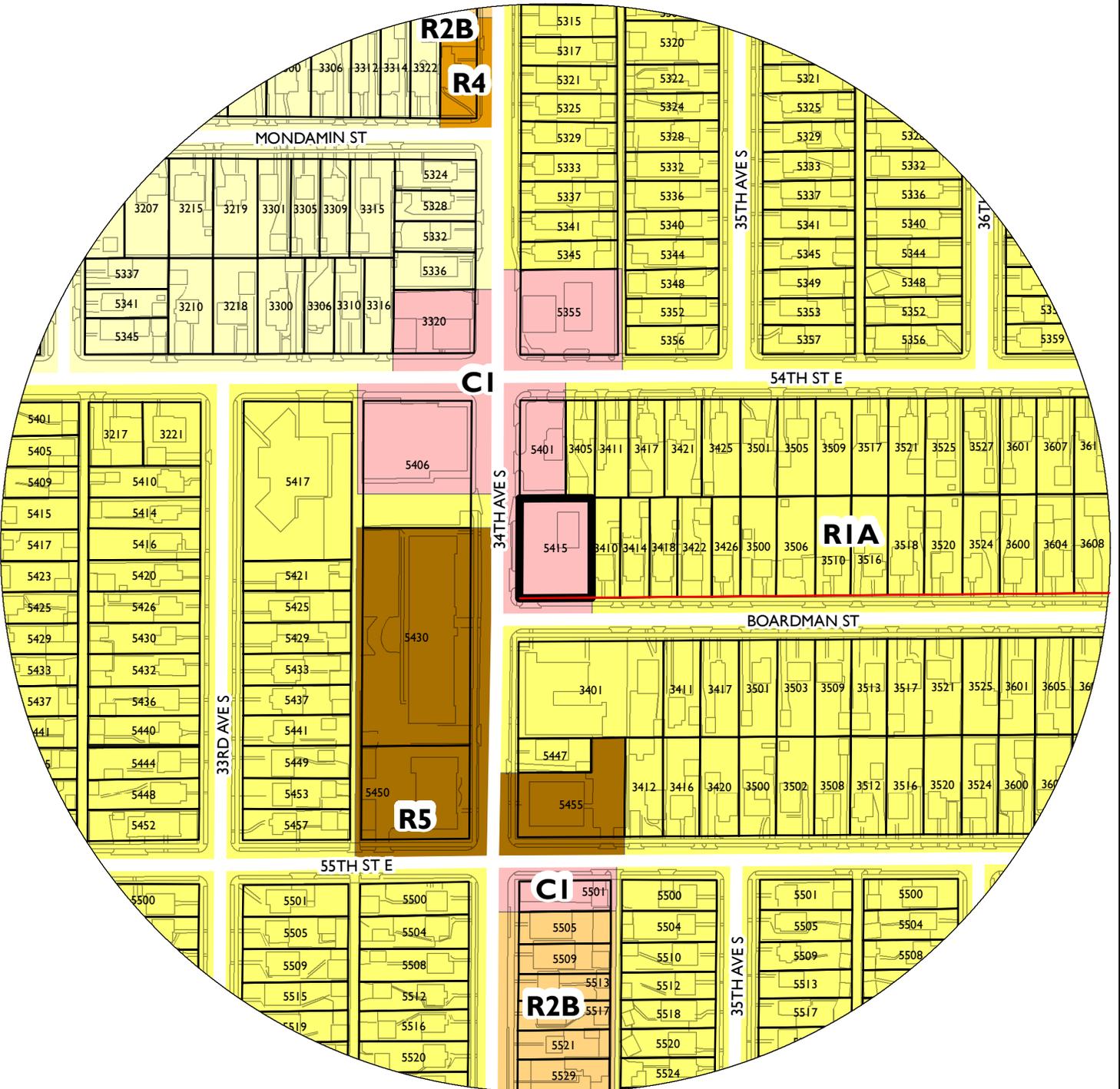
B. Site Plan Review for an automobile services use.

Recommended motion: **Approve** the site plan review application to allow for the reestablishment of a minor auto repair facility, subject to the following conditions:

1. As required by Section 530.150, the southern curb cut along 34th Avenue South shall be closed and a boulevard reestablished.
2. As required by Section 530.160-General Landscaping and Screening and Section 530.180-Landscaping of other areas landscaped area shall be covered with turf grass, native grasses or other perennial flowering plants, vines, shrubs or trees. In addition, plantings shall comply with Section 530.200-Plant Material Standards, and Section 530.210-Installation and Maintenance of Materials.
3. As a form of alternative compliance to the requirement of Section 530.170-Parking and Loading Landscaping and Screening, the applicant shall plant a landscaped yard that is 3'-8" deep onsite for the parking area fronting 34th Avenue South. As required by Section 530.160-General Landscaping and Screening, landscaping shall be provided that is three feet in height and not less than 60 percent opaque within the public right of way or onsite along 34th Avenue South and Boardman Street to screen onsite parking.
4. As a condition of approval and required by Section 530.170-Parking and Loading Landscaping and Screening, the southeastern most off-street parking space along Boardman Street East shall be converted to a landscaped area to comply with the front yard setback requirement.
5. As a condition of approval, elevation drawings of the trash enclosure shall be submitted that shows compliance with Section 535.80-Screening of Refuse and Recycling Storage Containers.
6. As a form of alternative compliance to the requirement of Section 530.170-Parking and Loading Landscaping and Screening a minimum of three deciduous trees shall be planted in the 34th Avenue South public-right-of-way or onsite in front of the 34th Avenue South parking area.
7. As required by Section 541.320-Marking of Parking Spaces, the parking spaces and aisles shall be clearly marked on the pavement, using paint or other marking devices approved by the city engineer. Such markings shall conform to the approved parking plan and shall be maintained in a clearly legible condition. No parking facilities shall be marked in a manner which shall reduce the number of parking stalls to less than the number required by this zoning ordinance.
8. As required by Section 535.70, the four posts at the back of the building (eastern elevation) shall be removed from the building.
9. As required by Section 541.340-Lighting the two unshielded light poles shall be removed from the project site. In addition, a lighting plan shall be submitted that shows the project site in compliance with Section 535.590-Lighting and Section 541.340-Lighting.
10. As required by Section 541.380-Snow Storage, required parking spaces, driveways, access aisles and landscaping shall not be used for the purpose of snow storage.

ATTACHMENTS

1. Zoning map
2. Project description and findings submitted by applicant
3. PDR report
4. Survey, Site plan (existing and proposed), floor plan, landscape matrix
5. Aerial
6. Images



PROPERTY ADDRESS

5415 34th Avenue South

FILE NUMBER

BZZ-7392

Car Care Clinic LLC

September 1, 2015

Mr. Aaron Hanauer
Senior City Planner, Land Use, Design and Preservation
Minneapolis Community Planning and Economic Development
250 South Fourth Street, Room 300
Minneapolis, MN 55415

RE: Conditional Use Permit to reestablish an auto repair business at 5415 34th Avenue South

Dear Mr. Hanauer:

We respectfully submit this application to reinstate the auto repair license at 5415 34th Avenue South in the Nokomis East neighborhood. This property was used as an auto shop for many years and was previously a gas station. We plan to reestablish an independent, locally-owned minor auto repair business on-site as soon as possible.

Since a number of neighboring properties are engaged in auto-related uses, we feel that our proposed use fits within the character of the neighborhood and will have no adverse effect on the public health, safety, comfort, or general welfare. We did explore using the property for non-auto-related uses, but the building is specifically designed for an auto repair business. It is rare to find a property in a Minneapolis neighborhood with 17 full-size parking spots. We are confident that all necessary parking will be accommodated on-site and believe that the parking lot will be utilized to its full potential.

We look forward to improving the property, first and foremost by creating daily activity and putting eyes on the street. We will also make landscaping improvements. A three foot tall dense green hedge will line the entire west and south borders of the property, screening parked cars from the street and public sidewalk. In order to accomplish this, we will remove a strip of asphalt along the south edge of the parking lot, reducing the property's impervious surface. A six foot tall hedge made from an ornamental flowering shrub will provide screening for the residential neighbor in back. It will add visual interest and provide nourishment for honey bees. We will also add two new deciduous canopy trees in front to shade the parking area. Combined with the mature trees that already exist behind the building, the property will have significantly more landscaping, trees and shrubs than its neighbors.

We appreciate your support and assistance as we work to transform this vacant building into an active contributor to a growing neighborhood commercial district.

Sincerely,



Amanda Dlouhy
Car Care Clinic LLC

**Statement to the Conditional Use Permit Findings
5415 34th Avenue South**

Car Care Clinic LLC proposes to reinstate the auto repair license at 5415 34th Avenue South in the Nokomis East neighborhood. This property was used as an auto shop for many years and was previously a gas station. We plan to reestablish an independent, locally-owned minor auto repair business on-site as soon as possible.

(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.

Since a number of neighboring properties are engaged in auto-related uses, we feel that our proposed use fits within the character of the neighborhood and will have no adverse effect on the public health, safety, comfort, or general welfare. We did explore using the property for non-auto-related uses, but the building is specifically designed for an auto repair business.

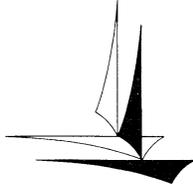
(3) Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided. (4) Adequate measures have been or will be taken to minimize traffic congestion in the public streets.

It is rare to find a property in a Minneapolis neighborhood with 17 full-size parking spots. We are confident that all necessary parking will be accommodated on-site and believe that the parking lot will be utilized to its full potential. Snow storage and enclosed garbage will also be accommodated on-site.

(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.

We look forward to improving the property, first and foremost by creating daily activity and putting eyes on the street. We will also make landscaping improvements. A three foot tall dense green hedge will line the entire west and south borders of the property, screening parked cars from the street and public sidewalk. In order to accomplish this, we will remove a strip of asphalt along the south edge of the parking lot, reducing the property's impervious surface. A six foot tall hedge made from an ornamental flowering shrub will provide screening for the residential neighbor in back. It will add visual interest and provide nourishment for honey bees. We will also add two new deciduous canopy trees in front to shade the parking area. Combined with the mature trees that already exist behind the building, the property will have significantly more landscaping, trees and shrubs than its neighbors.

Following the comprehensive plan, we will work to transform this vacant building into an active contributor to a growing neighborhood commercial district.



Minneapolis Development Review
250 South 4th Street
Room 300
Minneapolis, MN 55415

Preliminary Development Review Report

Development Coordinator Assigned: **MATTHEW JAMES**
(612) 673-2547
matthew.james@minneapolismn.gov

Status *
RESUBMISSION REQUIRED

Tracking Number:	PDR 1001367
Applicant:	CAR CARE CLINIC LLC P.O. BOX 80681 MINNEAPOLIS, MN 55408
Site Address:	5415 34TH AVE S
Date Submitted:	21-SEP-2015
Date Reviewed:	02-OCT-2015

Purpose

The purpose of the Preliminary Development Review (PDR) is to provide Customers with comments about their proposed development. City personnel, who specialize in various disciplines, review site plans to identify issues and provide feedback to the Customers to assist them in developing their final site plans.

The City of Minneapolis encourages the use of green building techniques. For additional information please check out our green building web page at: http://www.ci.minneapolis.mn.us/mdr/GreenBuildingOptions_home.asp.

DISCLAIMER: *The information in this review is based solely on the preliminary site plan submitted. The comments contained in this report are preliminary ONLY and are subject to modification.*

Project Scope

Site improvements for Car Care Clinic involving screening and landscaping

Review Findings (by Discipline)

Zoning - Planning

- The project is to reestablish a minor automobile repair facility (existing on the effective date of this ordinance) in the C1/Neighborhood Commercial District and the AP/Airport Overlay District at 5415 34th Avenue South. The project requires the following land use applications:
- Conditional use permit to allow for the reestablishment of a minor auto repair facility in the C1/Neighborhood Commercial District.

*Approved: You may continue to the next phase of developing your project.

*Resubmission Required: You cannot move forward or obtain permits until your plans have been resubmitted and approved.

- Site plan review.

❑ Right of Way

- The plan as submitted meets the requirements of the Public Works Right-Of-Way Division.
- Note to the Applicant: An encroachment permit shall be required for all streetscape elements in the Public right-of-way such as: plants & shrubs, planters, tree grates and other landscaping elements, sidewalk furniture (including bike racks and bollards), and sidewalk elements other than standard concrete walkways such as pavers, stairs, raised landings, retaining walls, access ramps, and railings (NOTE: railings may not extend into the sidewalk pedestrian area). Please contact Bob Boblett at (612) 673-2428 for further information.

❑ Street Design

- The plan as submitted meets the requirements of the Public Works Street Design Division.

❑ Sidewalk

- The plan as submitted meets the requirements of the Public Works Sidewalk Inspections Division.

❑ Traffic and Parking

- The plan as submitted meets the requirements of the Public Works Traffic & Parking Services Division.

❑ Water

- The plan as submitted meets the requirements of the Public Works Water Maintenance & Distribution Division.

❑ Sewer Design

- The plan as submitted meets the requirements of the Public Works Surface Waters & Sewers Division.

❑ Construction Code Services

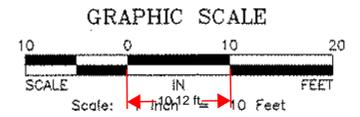
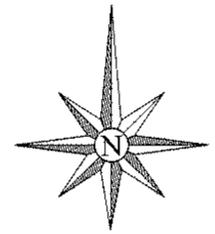
- Post accessible parking sign at head of accessible parking space.
- "No Parking" to be marked on access aisle.
- Verify smooth transition from parking/access aisle to landing at entrance door.
- Verify level landing (maximum 2% slope) at entrance door landing.
- Entrance door threshold to be not higher than 1/2" (or 3/4" if beveled) per 404.2.4 Exception.

END OF REPORT

OWNER/DEVELOPER
TWIN CITY DEVELOPMENT COMPANY, LLC.
P.O. BOX 80681
MINNEAPOLIS, MN 55408
(612) 460-8232

CERTIFICATE OF SURVEY

LOT 14, BLOCK 1 BOARDMAN'S STATE PARK ADDITION HENNEPIN COUNTY, MINNESOTA



LEGAL DESCRIPTION PER TORRENS CERTIFICATE NO. 713686

Lot 14, Block 1, "Boardman's State Park Addition To Minneapolis".
Subject to minerals and mineral rights reserved by the State of Minnesota; (as to the North 80 feet of above lot)

SURVEYOR'S NOTES

- 1.) Gross Area of property is 13,378 square feet (0.31 acres).
- 2.) The property listed has direct access to 34th Avenue South and Boardman Street East.
- 3.) Utilities shown represent utilities as located and marked per Gopher State One-call. The underground utilities shown have been located from field survey information and utility construction plans. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has only located marked or flagged out underground utilities. Prior to any excavation, contact Gopher State One Call for an on-site location 1-800-252-1166 or 651-454-0002.
4. Subject to certain rights related to drainage and utility easements.

LEGEND

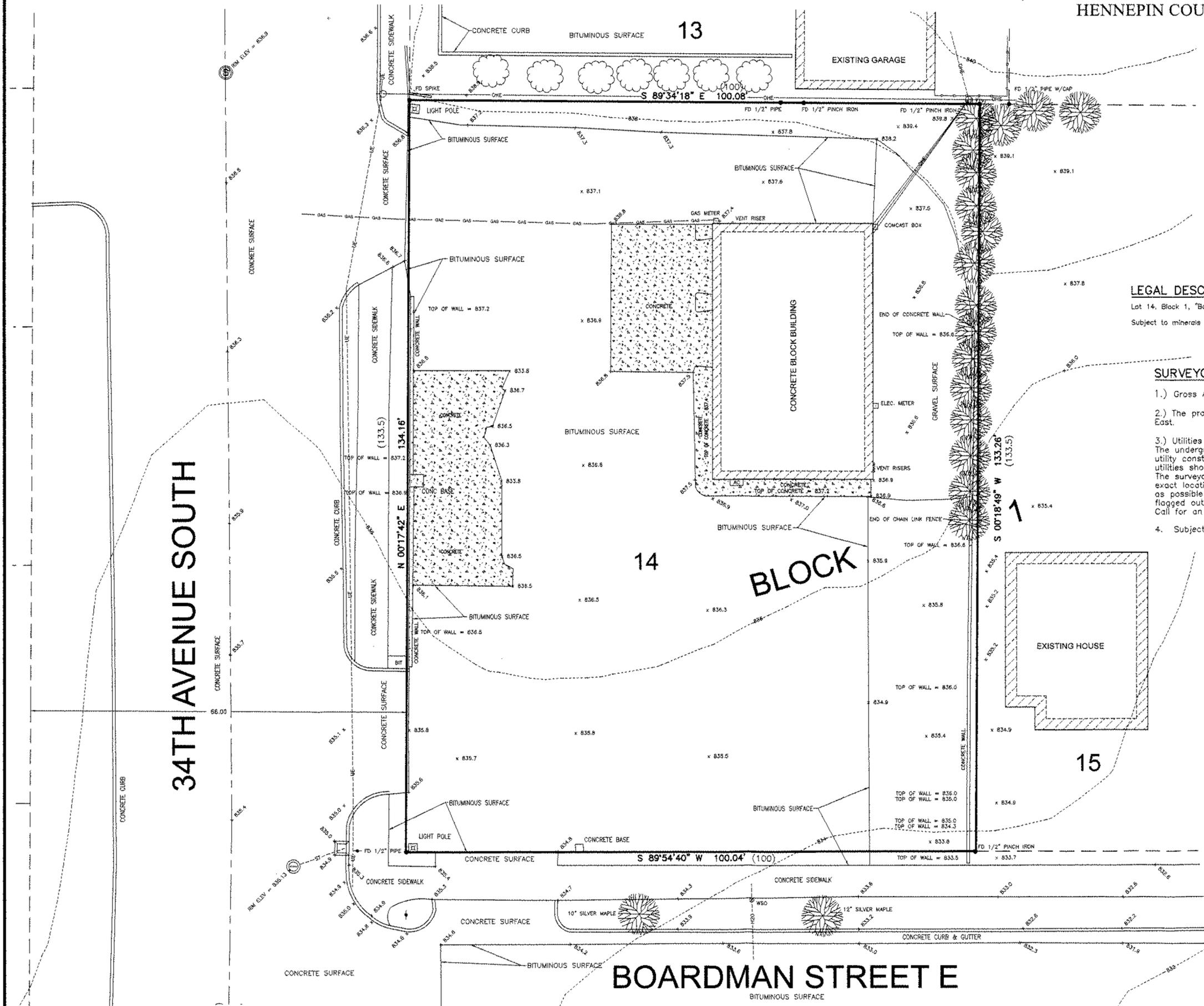
- (100) DENOTES PLAT DIMENSIONS
- x 100.0 DENOTES SPOT ELEVATION
- [Pattern] DENOTES CONCRETE SURFACE
- PVC CLEANOUT
- ⊗ WSO WATER SHUT OFF VALVE
- ⊕ UTILITY POLE
- ⊙ LIGHT POLE
- ⊞ UTILITY BOX
- FOUND 1/2" IRON PIPE
- IRON ROD SET AND MARKED WITH LAND SURVEYOR NO. 45334.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Minnesota.

Ross R. Wamre 8/10/15
Date

Ross R. Wamre, Minnesota License No. 45334

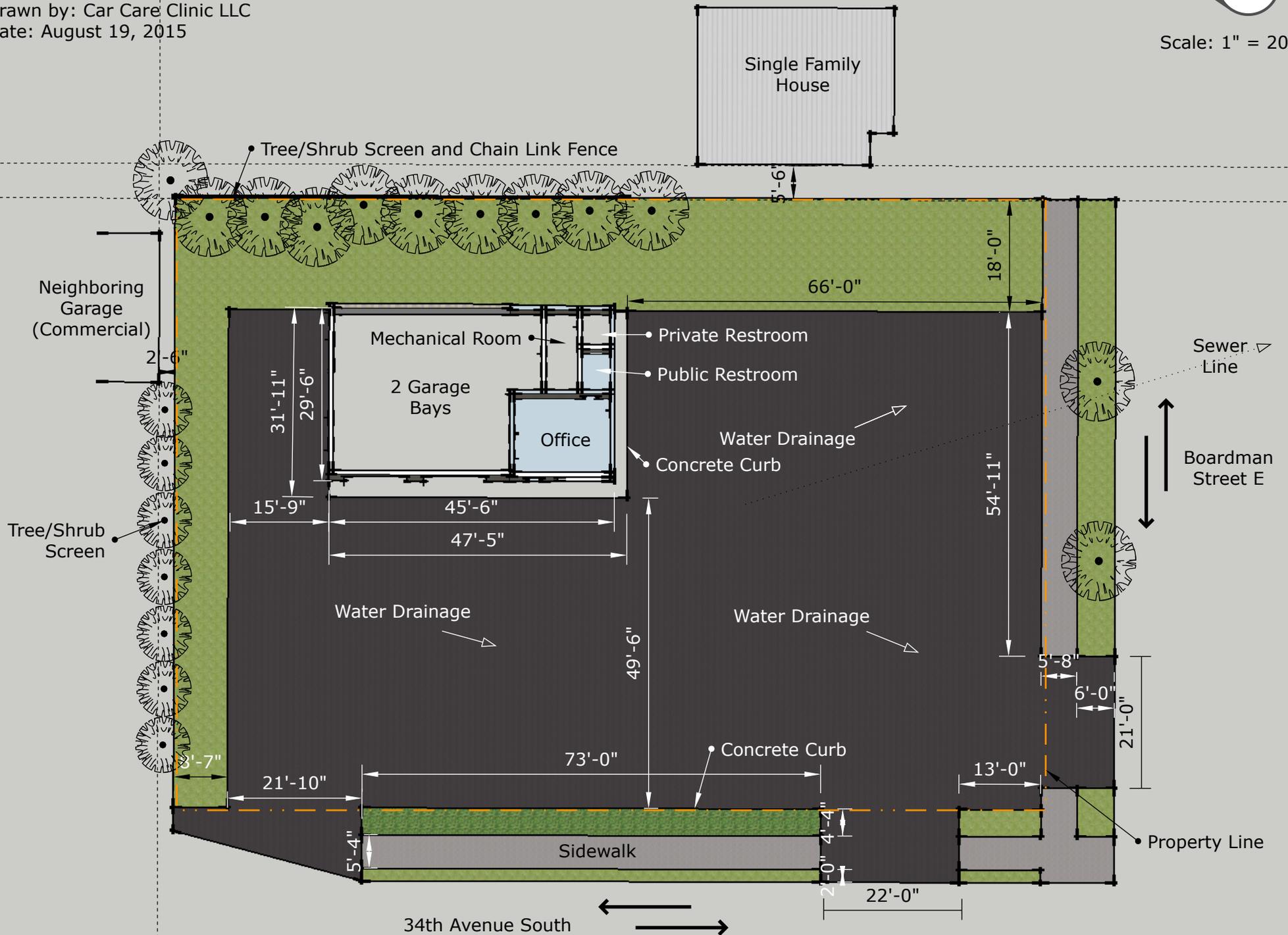
Rev'd. 00/00/0000	Edit Field Book
5415 34th Avenue South Twin City Development Company LLC. Minneapolis, MN	
SMS	SURVEY MAPPING SOLUTIONS, INC 208 2ND STREET NE, SUITE B LITTLE FALLS, MN 56345 (218) 850-8334
DRWN BY RRW	CHK'D BY MW
PROJECT NO. 2015-123	DATE 08/07/2015
© Survey Mapping Solutions Inc. 2013	



5415 34th Avenue South
Existing Conditions
Drawn by: Car Care Clinic LLC
Date: August 19, 2015



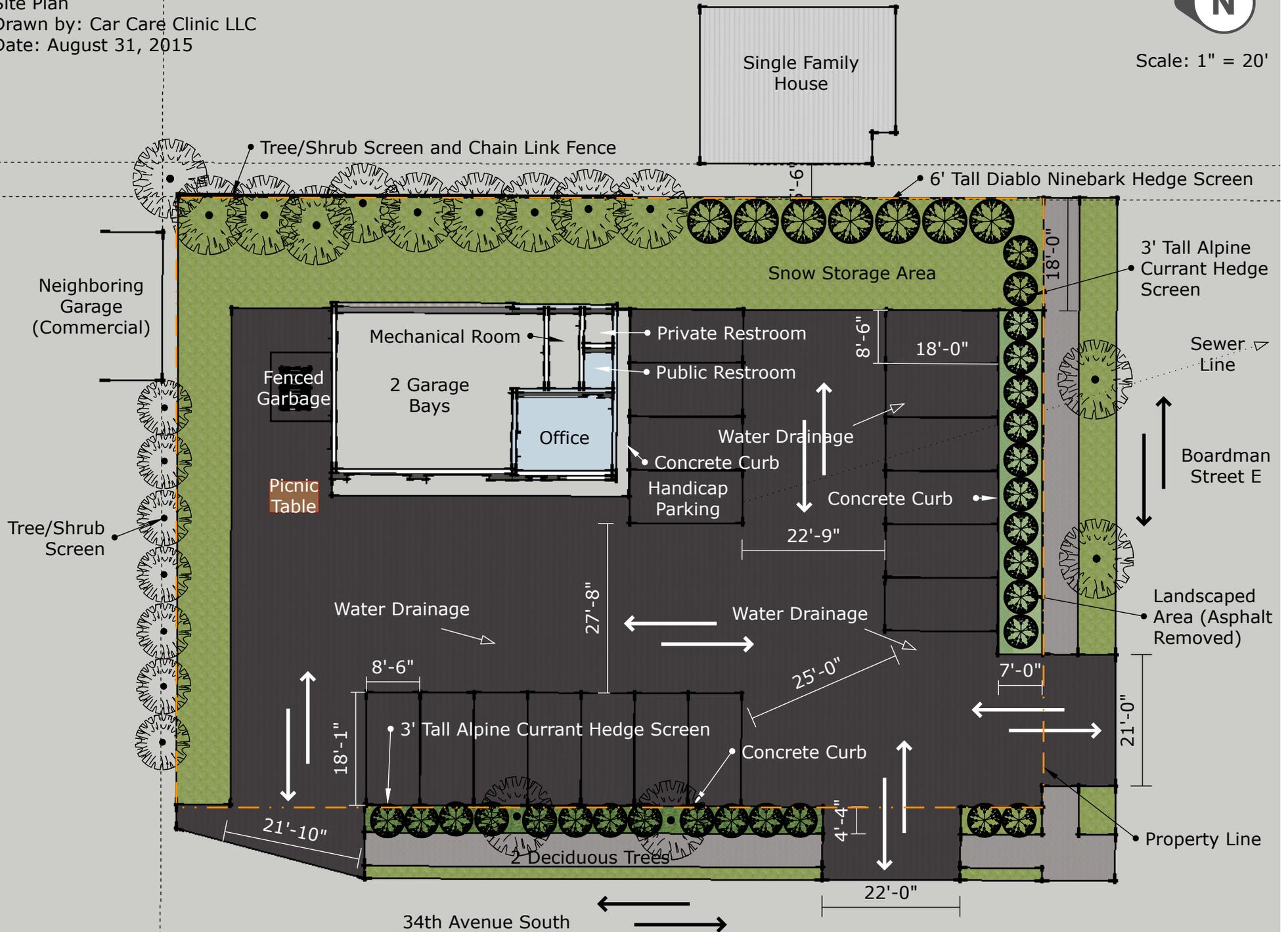
Scale: 1" = 20'



5415 34th Avenue South
Site Plan
Drawn by: Car Care Clinic LLC
Date: August 31, 2015



Scale: 1" = 20'



Plant Matrix: On-Site				
QUANT.	COMMON NAME	BOTANICAL NAME	SIZE	COMMENTS
n/a	Various	Various	Currently 30' tall or more	Existing trees
12 (#1)	Alpine currant	<i>Ribes alpinum</i>	Growth: 5' tall, 6' wide Prune to: 3' tall, width of landscaped area	Zone 2 hedge plant, hardy and tolerant
7 (#2)	Diablo ninebark	<i>Physocarpus opulifolius 'Diablo'</i>	Growth: 8' tall, 8' wide Prune to: 6' tall	Dense ornamental, hardy and tolerant
Plant Matrix: Public Right of Way				
QUANT.	COMMON NAME	BOTANICAL NAME	SIZE	COMMENTS
2	Silver maple	<i>Acer saccharinum</i>	10-12" trunk	Existing boulevard trees on Boardman Street
2	Hackberry	<i>Celtis occidentalis</i>	Height: 70' Spread: 50'	To provide a deciduous tree within 50' of each parking space
14 (#1)	Alpine currant	<i>Ribes alpinum</i>	Growth: 5' tall, 6' wide Prune to: 3' tall, width of landscaped area	Zone 2 hedge plant, hardy and tolerant



New trees and shrubs L to R: Hackberry, Alpine Currant, Diablo Ninebark (summer), Diablo Ninebark (winter)

5415 34th Avenue South

Write a description for your map.

Legend

 5415 S 34th Ave



2007: The Service Station



5415 34th Avenue South

2011: Cars of Minneapolis



5415 34th Avenue South

2014: Vacant



5415 34th Avenue South

2015: Vacant



5415 34th Avenue South





34th Avenue South



34th Avenue South

Boardman Street East