

GENERAL INFORMATION

Applicant: Budget Truck and Car Rental (User)
Kelly Fuels, Inc. (Owner)

Location: 305 American Boulevard West

Request: 1) Conditional Use Permit for truck and/or trailer rental
2) Conditional Use Permit for an automobile rental agency
3) Final Site and Building Plans for a 1,817 square-foot truck and automobile rental facility

Existing Land Use and Zoning: Fuel storage site; zoned I-3, General Industrial

Surrounding Land Use and Zoning: North – Retail sales and services; zoned CR-1
South and West – Warehouse and office; zoned I-3(PD)
East – Railroad line and self storage facility; zoned I-3

Comprehensive Plan Designation: Industrial

HISTORY

City Council Action: 11/21/2005 – Approved the Preliminary and Final Plat for Kelley Fuels Addition (Case #07333A-05).

08/30/1976 – Approved a Conditional Use Permit for open storage of underground fuel tanks (Case #07333B-76)

CHRONOLOGY

Planning Commission 08/10/2017 Public hearing scheduled

PROPOSAL

The applicant is seeking two conditional use permits for truck and automobile rental in the I-3 General Industrial zoning district and proposes to construct a 1,817 square-foot truck and auto rental facility at 305 American Boulevard West. The applicants propose to develop the site on-behalf of Budget Truck Rental, which is currently located at 1217 Clover Drive. Should the applications be approved, the Budget Rental Truck operation would move from its existing location to the subject property.

Truck and/or trailer rental is a conditional use in the I-3 zoning district. In addition, an automobile rental agency with an inventory between 10 and 35 vehicles is a conditional use in the I-3 zoning district. The applicants are seeking Conditional Use Permits for both uses to allow Budget Truck Rental to conduct business operations at the subject property. The primary service offered by Budget Truck Rental is the rental of commercial trucks. However, they also desire to conduct automobile rental. It should be noted the applicant applied for a Privately Initiated City Code Amendment to define truck and/or trailer rental to allow automobile rental with up to nine autos as a permitted accessory use to truck and trailer rental. As a result, should the applications be approved, Budget Truck Rental would be able to conduct automobile rental at the subject property either as a principal or accessory use depending on the number of vehicles on-site.

The applicants propose to construct a 1,817 square-foot truck and automobile rental facility. The facility would have 1,005 square feet of office and customer service area. The rear of the building includes an 812 square-foot vehicle service area. To store the rental trucks and automobiles, an approximately 9,250 square-foot vehicle storage area located in the southern and eastern portions of the site, which is 32,418 square feet (0.74 acres) in size. Truck and automobile storage would be limited to the area identified on the site plan in order to provide the necessary access and circulation for emergency service vehicles.

ANALYSIS

Code Compliance

The review of the proposed truck and automobile rental facility and associated site improvements is based on the performance standards for development within the I-3 General Industrial zoning district and Section 19.63.07. Additional review related to other site characteristics is provided in the following sections. Table 1 provides an overview of the Code-compliance review according to general performance standards. Table 2 provides a review of the proposed facility according to City Code performance standards specifically related to automobile rental agencies. The proposed truck and automobile rental facility meets all applicable City Code standards upon completion of the revisions noted and satisfaction of the recommended conditions of approval.

The performance standards for automobile rental agencies also include operational requirements (Section 19.63.07(d) of the City Code) that the rental agency must adhere to in order to comply with City Code on an ongoing basis. The operational requirements include restrictions on the cleaning and maintenance of vehicles, the parking of towing vehicles on-site, the use of balloons, banners and other attention attracting devices, and other operational requirements. The site must comply with these operational requirements in order to stay in conformance with City Code.

Table 1: City Code Analysis for I-3 Development

Standard and Code Section	Proposed	Meets Standard?
Principal Building Setbacks (Sec. 19.41(c)) Front-yard setback: 35 feet Side/rear-yard adjoining a street: 35 feet Rear-yard setback: 25 feet	Setbacks: Front-yard (west): 55 feet Side adjoining street (north and south): 67 and 98 feet Rear-yard setback: 53 feet	Yes
Minimum lot width (Sec. 19.41(c)) 100 feet	196 feet	Yes
Building height (Sec. 21.301.10(b)) 4 stories/60 feet maximum	1 story/14 feet	Yes
Exterior building materials (Sec. 19.63.08(d)) Glass, stucco, natural stone, brick, architectural concrete, ACMUs, or metals in accordance with City policies	Stucco and glass	Yes
Parking required (Sec. 21.301.06) 9 spaces (see analysis below)	11 spaces	Yes
Parking stall size (Sec. 21.301.06) 9 feet by 18 feet	9 feet by 18 feet	Yes
Drive aisles (Sec. 21.301.06) Adjacent to 90 degree parking: 24 feet All other drive aisles (Fire Code): 20 feet	Adjacent to parking: 29 feet Other drive aisles: 24 feet	Yes
Sidewalks (Sec. 21.301.04) Connection to building from the public sidewalk network is required	No connection to existing sidewalk on American Blvd W is proposed	No – see discussion below
Sidewalk width (Sec. 21.301. 04) Private sidewalks must be a minimum of 5 feet in width	4 feet	No – see discussion below
Trash collection area (Section 19.51) 120 square feet	Trash area not designated	No – see discussion below

Standard and Code Section	Proposed	Meets Standard?
Trees (Section 19.52(c)) One tree per 2,500 square feet of developable landscape area – 13 trees	13 trees	Yes
Shrubs (Section 19.52(c)) One shrub per 1,000 square feet of developable landscape area – 32 shrubs	44 shrubs	Yes
Landscape yards (Sec. 19.52(c)(4)) Adjacent to public streets – 20 feet Interior lot lines – 5 feet	Adjacent to streets – 20 feet Interior lot line – 4.2 feet	No – see discussion below
Screening (Sec. 19.52(d)) Required between parking areas of 5 stalls or more and the public street	False spirea, hydrangea and honeysuckle bushes	Yes
Exterior lighting (Sec. 21.301.07) Parking area – 1.0 FC required Sidewalk – 2.0 FC required Primary entrance – 10 FC required	Lighting plan not submitted	No – see discussion below

Table 2: Automobile Rental Agency Performance Standards (Sec. 19.63.07)

Standard and Code Section	Proposed	Meets Standard?
Minimum agency size (Sec. 19.63.07(c)(i)) Excluding vehicle service area, office must be a minimum of 1,000 square feet	Area excluding vehicle service area: 1,005 sq. ft.	Yes
Access to Vehicle Cleaning/Service Area (Sec. 19.63.07(c)(iii)) Access is limited to side or rear of the building, shall not front on an arterial or collector road, and must not face a residential zone or use	Access is on the south side of the building, fronts on West 80 th Street, and does not face residential zones or uses	Yes
Parking spaces for rental vehicles (Sec. 19.63.07(c)(iv)) Parking for rental vehicles located in a contiguous area identified in a manner approved by the issuing authority	9,250 square-foot rental vehicle storage area identified on the site plan	Yes

Building Design

A 1,817 square-foot truck and automobile rental facility is proposed near the center of the site. The northern and western building elevations are the most visible elevations to American Boulevard. The primary building entrance is located on the west side of the building. The southern elevation includes an overhead door to access the vehicle maintenance and cleaning area.

The primary exterior building materials proposed for the truck and auto rental facility are stucco and glass, which are Code-complaint materials in the I-3 zoning district. Should the applicant desire to use an acrylic finish over Portland cement stucco, the material and application must be consistent with Section 19.63.08(h) of the City Code. According to the project description, fiber cement board is proposed as a secondary material. Secondary materials in totality cannot exceed 15 percent of any building elevation. A condition requiring compliance with the City's exterior building material standards prior to building permit issuance is recommended.

Landscaping, Screening and Lighting

The site has a developable landscaping area of 32,418 square feet. As a result, the site must have a minimum of 13 trees and 32 shrubs installed on-site. A Code-compliant amount of landscaping is proposed for the site, mostly concentrated in northern, southern and western landscape yards. Regarding landscape yard, City Code requires the site to have 20-foot yards along public streets (northern, southern and western boundaries) and five foot yards along rear or interior lot lines (eastern boundary). The submitted site plan shows compliant landscape yards in all areas except the southeast portion of the site, where the yard is 4.2 feet in width. However, the civil plans shows a compliant five foot landscape yard in this area. This discrepancy between the site and civil plans must be resolved. Should the development be approved, Code-compliant landscape yards must be provided. Finally, the applicant must ensure that landscape material does not obstruct clear view triangles on the site.

Staff also reviewed the landscape plan according to the City's supplemental landscape policy, Landscaping and Screening Policies and Procedures. In reviewing the supplemental policy, two specific areas of guidance are applicable to the proposed landscape plan. First, the policy requires that landscaping along site perimeters add visual interest, and that large areas of paving be broken up by landscaping. While the landscape plan submitted has a Code-compliant quantity of trees, the trees are mostly concentrated in the southwestern corner of the site. Staff recommends that the trees be better dispersed throughout the site, particularly along American Boulevard West. Second, the supplemental policy requires that 50 percent of the frontage of a building facing public streets be landscaped with foundational plantings. The landscape plan submitted includes no foundational plantings. Foundation landscaping must be provided to comply with the guidance of the supplemental policy. Staff is confident that compliant emergency vehicle access and circulation can be maintained with the addition of foundation

plantings. The landscape plan should be revised to comply with the supplemental landscaping policy. Staff recommends a condition the landscape plan be approved by the Planning Manager prior to the issuance of any building permits.

Screening of surface parking to public rights-of-way is a Code requirement for parking areas of five spaces or more. The proposed development includes 11 surface parking spaces along the northern boundary of the site, parallel to American Boulevard West. Bushes are proposed within the northern 20-foot landscape yard to screen the surface parking area, thereby complying with the screening requirement of the City Code. The plant material utilized for screening must be between three and four feet in height at maturity. Staff recommends a condition that screening of the surface parking area be provided on an ongoing basis.

The subject application does not include a lighting plan at this time. Should the applications be approved, the applicant will need to present an exterior lighting plan for the property that complies with the City's exterior lighting standards (Section 21.301.07 of the City Code). The lighting plan must meet the minimum illumination requirements for service/retail uses, as identified in Table 1. Staff is recommending a condition the lighting plan be approved by the Planning Manager prior to the issuance of any building permits.

Access, Circulation, and Parking

The site presently has access to Grand Avenue and West 80th Street. Existing site access was developed to accommodate the circulation of large fuel trucks throughout the site. The applicant is proposing to remove the existing access to West 80th Street and move the access to Grand Avenue to the south. Moving the driveway to the south allows for increased area for stacking on Grand Avenue South at the American Boulevard intersection. The proposed driveway must comply with the City's standard driveway section for commercial properties.

The site is designed to allow for adequate circulation for all vehicles around the building. Customer and employee parking is provided in the northern portion of the site with adequate drive aisles for vehicle movements. Adequate drive aisles are also provided parallel to the rental truck and automobile storage areas in the eastern and southern portions of the site. As noted in the Fire Prevention section that follows, emergency vehicle access and circulation must be maintained on an ongoing basis.

City Code (Section 21.301.06(d)) establishes the number of off-street parking spaces required to be provided according to the use of the property. Table 3 provides an analysis of the parking quantity requirements for the proposed truck and automobile rental facility. The facility is required to provide nine parking spaces for the proposed facility. The applicant is proposing to construct 11 parking spaces, exceeding the Code-required quantity of parking. Staff also reviewed the minimum dimensional standards for parking spaces and drive aisles. The site plan submitted complies with these minimum design standards, as documented in the City Code analysis provided in Table 1. The proposed development complies with all parking-related performance standards.

Table 3 – Parking Analysis for Truck and Automobile Rental Facility

Use Description	Standard	Proposed	Required Parking (stalls)
Retail Sales and/or Services	One space per 180 sq. ft.	618 sq. ft.	3.4
Office	One space per 285 sq. ft.	387 sq. ft.	1.4
Warehouse	One space per 1,000 sq. ft.	812 sq. ft.	0.8
Outdoor Storage	One space per 2,500 sq. ft.	9,250 sq. ft.	3.7
Total Parking requirement Per City Code			9
Parking Proposed			11

Sidewalks

Section 21.301.04 requires a private connection to the public sidewalk network be made, allowing for pedestrian access to the primary building entrance. Staff recommends a connection be provided to the existing sidewalk on American Boulevard West. In addition, City Code requires all private sidewalks have a minimum width of five feet. A private sidewalk, approximately 31 feet long, is proposed along the western building elevation to serve the primary building entrance. The proposed sidewalk serving the primary building entrance is four feet in width. The sidewalk must be revised to meet the minimum dimensional standards required by City Code. Staff is recommending conditions of approval to require compliance with the minimum standards for sidewalks established in the City Code.

Stormwater Management

Stormwater must be managed to meet the City's and Watershed District's requirements for stormwater rate control (quantity), stormwater quality and volume. The Stormwater Management plan calculations and narrative are under review and additional information is needed regarding the environmental cleanup needed at the site. Stormwater infiltration is proposed and additional information on mitigation of contamination on the site must be submitted to determine if this site is suitable for infiltration. A maintenance plan has not yet been provided and will be required to be signed and filed at Hennepin County. This site is located within the Nine Mile Creek Watershed District, so an additional permit will be required.

Utilities

Public sewer and water are available to the site under American Boulevard West and under West 80th Street. The applicant is proposing that the new building utilize the existing sewer and water services from American Boulevard. However, there is an existing unused sewer and water service from West 80th Street. If the water service remains unused, it must be properly abandoned at the water main. If the sanitary sewer service remains unused, it must be properly abandoned at the property line.

Transit and Transportation Demand Management (TDM)

This development will require a Tier 2 TDM plan, which allows the property owner to choose from a menu of TDM options. The owner has not yet submitted a Tier 2 TDM checklist.

Fire Preventions and Public Safety

The applicant shall ensure the proposed landscaping plans don't interfere with access to the building. Hydrants must be approved by the Utilities and Fire Prevention Divisions. The rental vehicle storage arrangement must allow for adequate Fire Department vehicle access around the property.

The building must be addressed plainly and visible from the street or road using numbers that contrast with the background. The numbers must be a minimum of four inches, be Arabic numbers or alphabetic letters with a minimum stroke width of 0.5 inches. A Knox box will be required at the main entrance.

Any changes made to the current plans, including building location, access roads, water supply and addressing, shall be reviewed by the Fire Marshal to ensure continued compliance with the Fire Code.

Refuse and Recycling

City Code (Sec. 19.51) requires truck and automobile rental business accommodate interior trash and recycling facilities. A minimum of 120 square feet of area must be designated for trash facilities based on the size and use of the building. Staff recommends these facilities be provided within the vehicle maintenance and cleaning garage. Compliance with the City's trash requirements is recommended as a condition of approval.

Signage

The architectural plans submitted by the applicant include proposed wall signs on the northern and western elevations. No plans for free-standing signs have been presented to date. The subject property is subject to the regulations of the Class IV Sign District (Sec. 19.113 of the City Code). Should the development be approved, separate sign permits must be obtained. All signage must comply with the regulations of the Class IV sign District.

It should be noted that vehicle signs are prohibited in the City Code (Section 19.106). It is common for commercial trucks available for rent to include a name, logo or commercial message on the vehicle. These messages would qualify as a vehicle sign when visible from the public right-of-way and meeting the definition of a vehicle sign found in Section 19.104 of the City Code. The applicants should be aware of the restrictions of the City Code pertaining to vehicle signs. The prohibition of vehicle signs will likely affect the manner in which vehicles are stored on-site.

Status of Enforcement Orders

The property is not subject to any open enforcement orders.

FINDINGS

Required Conditional Use Permit Findings - Section 21.501.04 (e) (1) – Truck Rental

Required Finding	Finding Outcome/Discussion
(1) The proposed use is not in conflict with the Comprehensive Plan.	Finding Made – The property is guided Industrial in the Comprehensive Plan. A truck rental facility on a parcel with the Industrial land use designation does not conflict with the Comprehensive Plan.
(2) The proposed use is not in conflict with any adopted District Plan for the area.	Finding Made – The property is not located within an area with an adopted District Plan.
(3) The proposed use is not in conflict with City Code provisions.	Finding Made – Subject to compliance with the conditions of approval, the proposed use is not in conflict with City Code provisions.
(4) The proposed use will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the planned development.	Finding Made – The proposed use is not of a nature, scale, or intensity to create an excessive burden on parks, school, or other public facilities and utilities. The subject property has access to American Boulevard, a minor arterial street that has adequate capacity to serve the traffic generated by the proposed use. The truck rental facility should not increase traffic demand sufficient to have a noticeable impact on adjacent streets.

Required Finding	Finding Outcome/Discussion
(5) The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.	Finding Made – The proposed use is not anticipated to be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare. The proposed facility is consistent in use and scale with the surrounding industrial area to the south, east and west of the subject property.

Required Conditional Use Permit Findings - Section 21.501.04 (e) (1) – Automobile Rental

Required Finding	Finding Outcome/Discussion
(1) The proposed use is not in conflict with the Comprehensive Plan.	Finding Made – The property is guided Industrial in the Comprehensive Plan. An automobile rental agency on a parcel with the Industrial land use designation does not conflict with the Comprehensive Plan.
(2) The proposed use is not in conflict with any adopted District Plan for the area.	Finding Made – The property is not located within an area with an adopted District Plan.
(3) The proposed use is not in conflict with City Code provisions.	Finding Made – Subject to compliance with the conditions of approval, the proposed use is not in conflict with City Code provisions.
(4) The proposed use will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the planned development.	Finding Made – The proposed use is not of a nature, scale, or intensity to create an excessive burden on parks, school, or other public facilities and utilities. The subject property has access to American Boulevard, a minor arterial street that has adequate capacity to serve the traffic generated by the proposed use. The automobile rental agency should not increase traffic demand sufficient to have a noticeable impact on adjacent streets.
(5) The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.	Finding Made – The proposed use is not anticipated to be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare. The proposed facility is consistent in use and scale with the surrounding industrial area to the south, east and west of the subject property.

Required Final Site and Building Plans Findings - Section 21.501.01(d)(1-4):

Required Finding	Finding Outcome/Discussion
(1) The proposed development is not in conflict with the Comprehensive Plan.	Finding Made – The property is guided Industrial in the Comprehensive Plan. A truck and automobile rental facility on a parcel with the Industrial land use designation does not conflict with the Comprehensive Plan.
(2) The proposed development is not in conflict with any adopted District Plan for the area.	Finding Made – The property is not located within an area with an adopted District Plan.
(3) The proposed development is not in conflict with City Code provisions.	Finding Made – Subject to compliance with the conditions of approval, the proposed development is not in conflict with City Code provisions.
(4) The proposed development will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.	Finding Made – The proposed development is not anticipated to be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare. The proposed facility is consistent in use and scale with the surrounding industrial area to the south, east and west of the subject property.

RECOMMENDATION

Note the Planning Commission has final approval authority on this application for Conditional Use Permit and Final Site and Building Plans unless an appeal to the City Council is received by 4:30 p.m. on August 15th.

Staff recommends approval of the requested Conditional Use Permits and the Final Site and Building Plans for a 1,817 square-foot truck and auto rental facility through the following motions:

In Case PL2017-125, having been able to make the required findings, I move to approve a Conditional Use Permit for truck and/or trailer rental located at 305 American Boulevard West, subject to the conditions and Code requirements attached to the staff report.

In Case PL2017-125, having been able to make the required findings, I move to approve a Conditional Use Permit for an automobile rental agency located at 305 American Boulevard West, subject to the conditions and Code requirements attached to the staff report.

In Case PL2017-125, having been able to make the required findings, I move to approve Final Site and Building Plans for a 1,817 square-foot truck and automobile rental facility, subject to the conditions and Code requirements attached to the staff report.

RECOMMENDED CONDITIONS OF APPROVAL

Case PL201700125

Project Description: Conditional Use Permits for truck and/or trailer rental and an automobile rental agency and Final Site and Building Plans for an approximately 1,800 square-foot truck and automobile rental facility.

Address: 305 AMERICAN BLVD W

The following conditions of approval are arranged according to when they must be satisfied. In addition to conditions of approval, the use and improvements must also comply with all applicable local, state, and federal codes. Codes to which the applicant should pay particular attention are included below.

1. Prior to Permit A building permit for all required changes to accommodate the proposed use be obtained.
2. Prior to Permit Grading, Drainage, Utility and Erosion Control plans must be approved by the City Engineer.
3. Prior to Permit Access, circulation and parking plans must be approved by the City Engineer.
4. Prior to Permit Storm Water Management Plan must be provided that demonstrates compliance with the City's Comprehensive Surface Water Management Plan. A maintenance plan must be signed by the property owners and must be filed of record with Hennepin County.
5. Prior to Permit A Nine Mile Creek Watershed District permit must be obtained and a copy submitted to the Engineering Division.
6. Prior to Permit A Minnesota Department of Health (MDH) watermain review and approval must be obtained or notification from MDH that this permit is not required must be submitted to the City (State of MN).
7. Prior to Permit Utility plan showing location of existing and proposed water main and fire hydrant locations must be approved by the Fire Marshal and Utilities Engineer (City Code Sec. 6.20, Minnesota State Fire Code Sec. 508).
8. Prior to Permit Sewer Availability Charges (SAC) must be satisfied.
9. Prior to Permit An erosion control surety must be provided (16.08(b)).
10. Prior to Permit Landscape plan must be approved by the Planning Manager and landscape surety must be filed (Sec 19.52).
11. Prior to Permit Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
12. Prior to Permit A minimum of two bicycle parking spaces must be provided and located throughout the site as approved by the City Engineer.
13. Prior to Permit Tier 2 Transportation Demand Management plan must be submitted (Sec. 21.301.09(b)(2)).
14. Prior to Permit Parking lot and site security lighting plans must be provided to satisfy the requirements of Section 21.301.07 of the City Code.
15. Prior to Permit All trash and recyclable materials must be stored inside the principal building (Sec. 19.51).
16. Prior to C/O Prior to occupancy, life safety requirements must be reviewed and approved by the Fire Marshal.

17. Prior to C/O Fire lanes must be posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3).
18. Prior to C/O The developer must submit electronic utility as-builts to the Public Works Department prior to the issuance of the Certificate of Occupancy.
19. Prior to C/O A sidewalk must be provided to link the primary entrance of the building with the public sidewalk network.
20. Ongoing The truck and auto rental use, facility and associated site improvements are limited to those as shown on the approved plans in Case File #PL2017-125.
21. Ongoing All construction related loading, unloading, drop-off, pick-up, staging, stockpiling and parking must occur on-site and off public streets.
22. Ongoing Three foot high parking lot screening must be provided as approved by the Planning Manager (Sec. 19.52).
23. Ongoing All rooftop equipment must be fully screened (Sec. 19.52.01).
24. Ongoing Development must comply with the Minnesota State Accessibility Code.
25. Ongoing Alterations to utilities must be at the developer's expense.
26. Ongoing A Public Works right-of-way permit must be obtained prior to any work in the right-of-way.
27. Ongoing Signs must be in compliance with the requirements of Chapter 19, Article X of the City Code and Uniform Design Plan.