



733 Marquette Avenue, Suite 1000, Minneapolis, MN 55402

City of Stacy Planning Report

TO: **Stacy Planning Commission & City Council**
FROM: Phil Carlson, AICP, Senior Planner, Stantec
DATE: February 16, 2021
ADDRESS: 5580 Stacy Trail
PID: 19.00184.38
OWNER: Jonathan Vogt
APPLICANT: Shawn and Michele McLane, All-Mac Inc.
REQUEST: Conditional Use Permit
ZONING: GB General Business

INTRODUCTION

Shawn and Michele McLane are requesting a Conditional Use Permit (CUP) to operate their business, All-Mac Inc., on the 2.65-acre site at 5580 Stacy Trail, previously a BP service station. All-Mac describes the business as a “full-service trailer center” featuring manufacturing, repair, parts, and accessories. A full description of their business and various elements of it are described in their application. Parts of the business fall under the following Conditional Uses in the GB district:

- Motor vehicle, boats and equipment service stations and repair garages
- Motor vehicle, boats and equipment sales
- Outside storage for any allowed use within the General Business District

They also indicate in the application that they would like to do a limited amount of manufacturing of trailers on site, which is a principal use allowed only in the City’s industrial districts. Further discussion below.

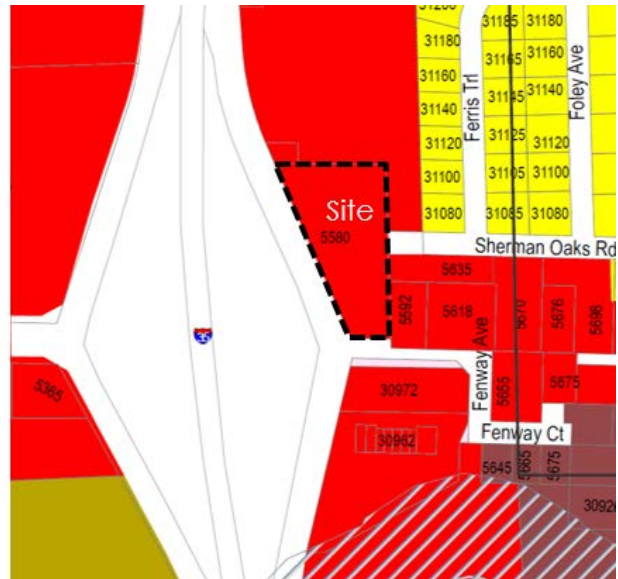




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ZONING & SURROUNDING USES

The All-Mac site is guided General Business and zoned GB General Business. The surrounding area is shown on the maps below. To the south across Stacy Trail is the Stacy Retail Center, to the west is I-35, to the north is vacant land zoned GB, and to the east is more vacant GB land (but only 100 ft deep before the rear yards of single family homes north of Sherman Oaks Road), and commercially-zoned land south of Sherman Oaks Road.



ZONING ISSUES

A Conditional Use is considered a *permitted use* to which reasonable conditions may be attached. The City's approach should be to assume it is approved, but with clearly articulated conditions that would be attached to the approval. Various issues are discussed below.

PROPOSED USES

The uses proposed for the All-Mac project line up with the GB zoning district uses as follows:

- *Permitted* – none of the proposed uses align exactly with GB Permitted uses.
- *Conditional Use: Motor vehicle, boat or equipment service stations and repair garages. All servicing shall occur entirely within the principal structure; Storage of damaged vehicles . . . completely inside a building*
 - This Conditional Use allows the proposed trailer repair, hitch installations, DOT inspections, and winterization.



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- *Conditional Use: Motor vehicle, boat or equipment sales.*
Parking areas shall be bituminous, concrete, or approved equivalent;
Designated customer parking
 - This Conditional Use would allow the proposed consignment sale of trailers and related equipment, sales of tires (potential future use, related to vehicles). It also can include the UHaul rental business – vehicle rental is not specifically mentioned in the Stacy Zoning Code but it is a reasonable extension of vehicle sales, and conditions can be attached if necessary in the CUP process.
- *Conditional Use: Outside storage for any allowed use with the GB district.*
 - This Conditional Use would allow the storage of trailers on site awaiting repair.
- *Manufacturing of trailers*
 - This use is allowed only in the City's industrial districts as the principal use of a property. Manufacturing is clearly not the principal use of the All-Mac business and the scale of manufacturing proposed ("a limited number") may not be much different in character from the permitted repair functions proposed. It could be considered an *incidental* use of the property in conjunction with the sales and repair business. Conditions can be attached in the CUP process to the manufacturing, such as the number of trailers to be manufactured per year, how many are stored on site, as well as site issues such as noise, odor, or vibration.

SITE ISSUES (see attached Site Issues graphic)

Setbacks (see attached Setback graphic)

- 25' front – Stacy Trail, I-35, Sherman Oaks Road
- 10' side – most of the east side
- 10' rear – north side
- No residential abutting, but there are existing single family homes within 100 ft of the east lot line.

Impervious Surface

- 153.051(G)(2): *"There shall be a minimum of 10% green space on every lot."*
- The Site Plan as submitted shows at least 20% green space and meets this standard.

Parking

- The major use on the property – vehicle sales and repair – requires 8 spaces plus 1 space per 800 sf over 1,000 sf = 17 spaces required for the site
- Parking is adequate: over 30 customer spaces provided, plus trailer parking.



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Fences

- 153.032 allows fences up to 8 ft height if for security. Chain link fence is shown on the Site Plan at 4 ft and 5 ft height around the site.
- 153.051(H)(4): *"Chain link fencing is allowed only in combination with screening. Plastic or vinyl inserts are prohibited."* Chain link fence is proposed around almost the entire site and must be screened with landscaping as suggested on the attached graphic.

Landscaping

- 153.051(G)(2) requires minimum 10% green space – this standard is met.
- 1 deciduous tree and 1 conifer tree required per 25,000 sq ft lot area
- 115,435 sq ft lot area = 10 trees required. The required 10 trees are shown on the Landscape Plan but more landscaping is needed for screening, as noted below.
- Any parking adjoining a public street: screened to 4 ft height, 50% opacity. Stacy Trail and I-35 are both public roadways; screening must be provided along both frontages.
- Dumpster must be screened, walled, or enclosed. This is met with the existing trash enclosure.
- There is volunteer vegetation along the I-35 entrance ramp, consisting of sparse vines along the fence and larger trees behind the existing larger building (see street view below). This needs to be augmented with landscape screening of all parking areas as noted above and illustrated on the attached plan.



Lighting

- Section 153.051(J): All lighting will be downcast cutoff fixtures, less than 1 foot-candle at property line if abutting residential, and maximum 20-ft tall light poles.
- The Lighting Plan meets Code requirements.



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Building Materials

- 153.051(F)(2) lists permitted exterior building materials in the GB district.
- Permitted materials include metal wall panels, as proposed for the new building, but no more than 25% of the façade, but the new building is proposed to be all metal exterior.
- To comply with the Code, the new building would need at least 75% of the façade in other materials such as decorative block, stucco, cement board (Hardi board or similar), brick, or durable wood products.
- The existing buildings are concrete block and will be painted to match the new building in white and red.

Paving/Gravel

- Section 153.051(D)(8)(b): *"Parking areas for the outside storage and sale of vehicles, boats and trailers, shall be on impervious surface, either bituminous, concrete, or approved equivalent."*
- New parking and storage areas for trailers are shown as gravel on the Site Plan, but the Zoning Code requires these areas to be paved.

Outdoor storage

- Outdoor storage can be allowed by CUP.
- 153.051(D)(7)(e): *"The storage of damaged vehicles and vehicle parts and accessory equipment must be completely inside a principal or accessory building."*
- The request is to park trailers awaiting repair to be stored outside, but the GB district says that damaged vehicles need to be inside a building. This could be addressed with clear conditions of approval regarding screening, location and number of trailers.

Hours

- Hours of operation noted in the application would be 8:00 am to 6:00 pm Monday-Friday and 8:00 am to 3:00 pm Saturday. These are reasonable hours of operation and can be included in the conditions of approval.

Access

- Access to the property is from Shareman Oaks Road on the east side of the site. This property previously had access directly from Stacy Trail but MnDOT required that access to be closed some years ago as being too close to the access ramps for I-35.
- There is a stub of paved road and tire tracks going north toward the adjacent property. It appears both properties are owned by Jonathan Vogt, and there may be an agreement or easement for access between the two parcels. If so, this should be shown on the plans extending north on the east side of the new building. It would make sense to allow such access rather than require the northern parcel to build its own access in the 100-ft-wide slice of property east of this property abutting the rear yards of the single family neighbors. We will need to clarify this issue with the applicant and property owner. It appears as though the Site Plan and the utilities in the ground can accommodate this access.



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RECOMMENDATION

I recommend the Planning Commission and City Council approve the Conditional Use Permit for All-Mac, Inc. as submitted with the following conditions:

- 1) The location of buildings and parking areas is slightly different on the submitted Landscape Plan as compared to the Site Plan. The approved plan for the site is based on the Site Plan. The Landscape Plan, as recommended to be revised in these conditions, is assumed to be adjusted to fit with the Site Plan.
- 2) Manufacturing of trailers on site is approved as an incidental use of the property provided no more than 10 such trailers are manufactured and stored on site at any one time, that all manufacturing is done completely within an enclosed building with the doors shut, and that no significant noise, vibration, odor, dust, or other impacts are noticeable beyond the property.
- 3) Customer parking spaces will be clearly identified on site by signage on the property, distinct from parking for trailers or other vehicles or equipment.
- 4) The chain link fence around the property is allowed provided it is screened to its full height on the south and west sides of the site (Stacy Trail and I-35) by landscaping when mature which is at least 50% opaque in winter conditions. Slat inserts in the chain link fence are not allowed. The landscape screening plan is to be reviewed and approved by the City Planner and City Engineer.
- 5) Landscape screening of parking areas is required along the Stacy Trail and I-35 frontages as illustrated on the attached Site Issues graphic.
- 6) All site lighting must be downcast, cutoff type fixtures allowing no more than 1 foot-candle at the property line, as indicated on the submitted Lighting Plan. Light poles are to be no more than 20 ft in height.
- 7) Exterior materials of the new building are to be those permitted in City Code for the GB district, with no more than 25% metal panels. Revised building plans are to be reviewed and approved by the City Planner and City Engineer.
- 8) All areas on site for parking and storage of vehicles and trailers are to be paved with bituminous, concrete, or approved equivalent by the City Engineer. This includes the gravel trailer parking area in the northwest corner of the Site Plan and the southern portion of the site beyond the existing curb lines, which was not described on the submitted Site Plan. Paving and grading plans for both areas will be reviewed and approved by the City Engineer. All areas not paved will be landscaped to be approved by the City Planner.
- 9) Pavement in the right-of-way in the far southeast corner of the site will be removed and replaced with sod and landscaping to be reviewed and approved by the City Planner.



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- 10) Outdoor storage of trailers or vehicles awaiting repair is allowed so long as these items are not unsightly and are arranged neatly on site. Trailers, vehicles, or equipment with significant visible damage, in the opinion of the City building official, must be stored within an enclosed building.
- 11) The existing car wash on site is not to be used as a car wash, but as support space for the other business operations on site.
- 12) Rental of vehicles and storage boxes (UHaul business) is approved provided that all rental vehicles and boxes are arranged neatly on site, in the opinion of the City building official, and parked or stored in designated spaces that are not identified as customer parking.
- 13) Hours of operation will be 8:00 am to 6:00 pm Monday-Friday and 8:00 am to 3:00 pm Saturday. No repair, manufacturing, rental, or moving of trailers or vehicles is allowed outside these hours.
- 14) Access to the site is from Sherman Oaks Road. Access to the adjacent property to the north, under the same ownership, will be investigated to determine if there is an existing agreement or easement for access between the two parcels. If so, this will be shown on the plans, with a future paved drive extending north on the east side of the new building. Plans for this access drive, if provided, will be submitted along with revised Landscape Plan and utility plans, to be reviewed and approved by the City Engineer.
- 15) A stormwater management plan was submitted for the project, but it does not assume paving of the northwest parking area nor the added southern paved area abutting Stacy Trail. The stormwater management plan for the site will be revised, if needed, and will be reviewed and approved by the City Engineer.
- 16) The storm pond on the north end of the site is in an area identified for a future building addition. This future addition is not approved until a revised stormwater management plan taking into account the building addition is prepared, to be reviewed and approved by the City Engineer. There are trees proposed on the Landscape Plan in or near this pond, which will be revised to avoid compromising the landscaping.
- 17) All other engineering and utility issues on site are to be reviewed and approved by the City Engineer prior to issuing a building permit.

60-DAY DEADLINE

The application was received on October 27, 2020. The 60-day deadline for final action by the City Council, per State statute, was December 26, 2020, which was extended an additional 60 days, as allowed by State statute, to February 24, 2021. If a decision cannot be made at the February 16 meeting, the request needs to be denied or the applicant must agree to an additional extension.



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GENERAL BUSINESS DISTRICT CONDITIONAL USES

From Section 153.051

- (7) **Motor vehicle, boat or equipment service stations and repair garages**, subject to the following:
- (a) All servicing of vehicles and equipment shall occur entirely within the principal structure.
 - (b) To the extent required by state law and regulations, painting shall be conducted in an approved paint booth, which thoroughly controls the emission of fumes, dust, or other particulate matter.
 - (c) Storage and use of all flammable materials, including liquid and rags, shall conform to applicable provisions of the Minnesota Uniform Fire Code.
 - (d) Parking, driveway, and circulation standards and requirements shall be subject to the review and approval of the city and shall be based upon the specific needs of the operation and shall accommodate large vehicle equipment and semi-trailer/tractor trucks.
 - (e) The storage of damaged vehicles and vehicle parts and accessory equipment must be completely inside a principal or accessory building.
- (8) **Motor vehicle, boats and equipment sales**, subject to the following:
- (a) All sales shall occur on one lot.
 - (b) Parking areas for the outside storage and sale of vehicles, boats and trailers, shall be on impervious surface, either bituminous, concrete, or approved equivalent.
 - (c) Interior concrete curbs shall be constructed within the property to separate driving and parking areas from landscaped areas.
 - (d) All areas of the property not devoted to buildings or parking areas shall be landscaped in accordance with this section.
 - (e) The required off-street parking for customers and employees shall be designated on the site plan and located close to the sales building.
 - (f) Each space used as parking for a "for sale" motor vehicle, boat, or trailer shall not be less than 9 feet wide by 18.5 feet in length.
 - (g) Display of motor vehicles, boats, and trailers for sale off the property of the owner is prohibited unless authorized by conditional use permit.
- (9) **Outside storage** for any allowed use within the General Business District.



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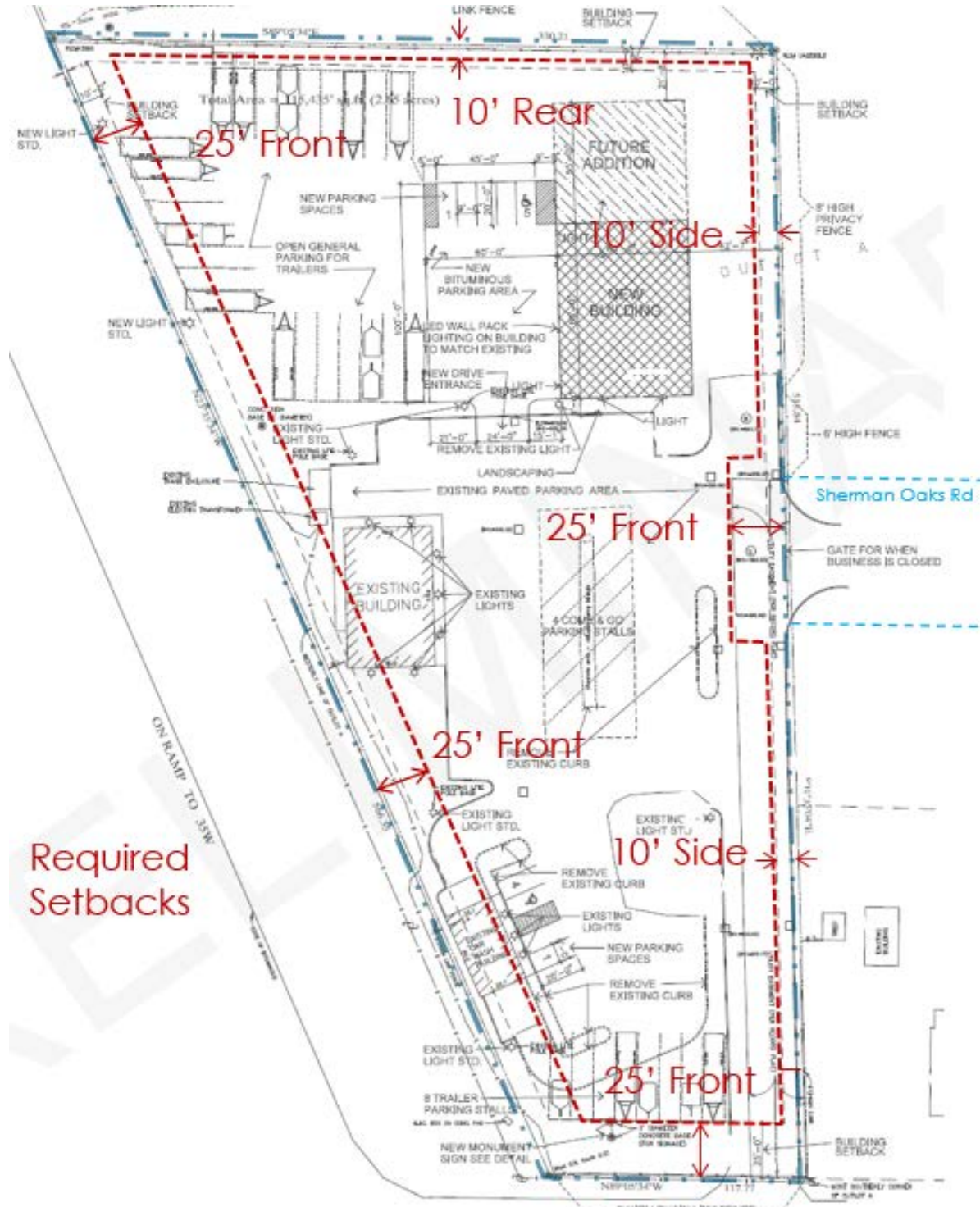
Site Issues

All-Mac Site
 Stacy MN





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Required Setbacks