

Department of Community Planning and Economic Development – Planning Division

Conditional Use Permit

BZZ-5725

Preliminary and Final Plat

PL-268

Date: October 29, 2012

Applicant: Minneapolis Public Schools (MPS), Attn: Mark Bollinger, 1250 West Broadway, Minneapolis, MN 55411, (612) 668-0285

Address of Property: 1310 21st Avenue North, 1311 22nd Avenue North, 1313 22nd Avenue North, 1315 22nd Avenue North, 2105 Girard Avenue North, 2115 ½ Girard Avenue North, 2121 Girard Avenue North, 2125 Girard Avenue North, 2131 Girard Avenue North, 2135 Girard Avenue North, 2137 Girard Avenue North

Project Name: MPS - Davis Center West Lot

Contact Person and Phone: M.A. Mortenson Development, Inc., Attn: Dan Lessor, 700 Meadow Lane North, Minneapolis, MN 55422, (763) 287-5399

Planning Staff and Phone: Becca Farrar, Senior City Planner, (612) 673-3594

Date Application Deemed Complete: September 27, 2012

End of 60-Day Decision Period: November 26, 2012

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

Ward: 5 **Neighborhood Organization:** Jordan Area Community Council and Northside Residents Redevelopment Council (NRRC)

Existing Zoning: R4 (Multiple-family) and R5 (Multiple-family) District – (the remainder of the PUD is zoned OR2 (High Density Office Residence) District with a Pedestrian Oriented (PO) Overlay District)

Proposed Zoning: R5 (Multiple-family) District with a Transitional Parking (TP) Overlay District

Zoning Plate Number: 8

Lot area: 85,631 square feet or approximately 1.89 acres (plus previously approved PUD area 231,739 square feet or approximately 5.32 acres, totaling 317,370 square feet or approximately 7.29 acres)

Legal Description: See attachment.

Proposed Use: Construct an additional 150 space surface parking lot.

Concurrent Review:

- Rezone a portion of the site from the R4 (Multiple-family) District to the R5 (Multiple-family) District in order to unify the underlying zoning on the entire site;

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- Rezone the entire site to add the Transitional Parking (TP) Overlay District;
- Amend the Conditional Use Permit for a Planned Unit Development;
- Conditional Use Permit for a principal parking facility that includes a total of 150 surface parking stalls;
- Variance of the TP Overlay District standards regarding the location and allowable width of surface parking lots;
- Amend the approved site plan to allow an additional 150 off-street parking spaces for the MPS Davis Center (new MPS district headquarters building);
- Preliminary and final plat to consolidate the subject lots into a single lot.

Applicable zoning code provisions: Chapter 525, Article VI Zoning Amendments, Article VII, Conditional Use Permits, Article IX, Variances, Chapter 527, Planned Unit Development, Chapter 530 Site Plan Review, Chapter 598, Land Subdivision.

Background: Minneapolis Public Schools (MPS) proposes to construct an additional 150 surface parking stalls on the properties located across from the new district headquarters building, the Davis Center, located at 1250 West Broadway. In order to construct additional surface parking for the facility, a rezoning is necessary as a portion of the subject properties are zoned R4 (Multiple-family) District and a portion are zoned R5 (Multiple-family) District. The applicant proposes to consolidate the underlying zoning by rezoning the R4 parcels to R5 and add the Transitional Parking (TP) Overlay District to the entire site. In addition, a Conditional Use Permit (CUP) is required in order to allow a principal parking facility; a variance of the TP Overlay District standards regarding location and allowable width is needed, as is an amendment of the approved site plan. Further, the applicant proposes to merge the subject lots (17 platted lots divided into 12 tax parcels) into a single lot.

The applicant states that the additional 150 surface parking stalls are necessary in order to meet the parking demand generated by the multiple functions, employees and visitors of the Davis Center. MPS further states that there are approximately 564 administrative and program staff members located at the facility; during day and evening class times, approximately 200 students are expected to be regularly in attendance in the Adult Basic Education program; approximately 60 visiting staff members are expected to use the facility on an average day with peak attendance expected to be 147; and on an average day, over 800 individuals are expected to be at the building at the same time. While MPS states that the district will implement the measures as outlined in the Travel Demand Management Plan (TDMP) and the MPS District Policy 4080 Employee Parking and Commuting plan in order to encourage alternative modes of transportation, they believe that feasible transit options are limited in this area. Their application materials indicate that there are only two bus routes with stops near the site and it is not practical for the majority of headquarters staff and visitors to rely on these bus routes, bicycles or walking for travel from homes, businesses or schools throughout the City.

There have been several past proposals for the adjacent district headquarters site. The original submission for the project in October of 2010 initially included the subject parcels (currently open space) that are proposed to be converted to a 150 space surface parking lot. The proposal at that time was to convert the open space area into a 229 space surface parking lot. Those applications were withdrawn by the applicant as the Planning Division expressed strong concerns about the volume of surface parking proposed on the site and further outlined that this component of the proposal would not be supported. Staff has consistently encouraged the applicant to consider parking alternatives rather than constructing excessive surface parking including exploring opportunities for shared parking within the immediate vicinity, constructing structured parking to accommodate users, etc.

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Following the withdrawal of those applications for the additional surface parking, in October of 2010, the City Planning Commission approved land use applications (BZZ-4962) for a new 173,000 square foot, 4 and 5-story Minneapolis Public Schools (MPS) Educational Service Center. The land use applications approved included: (1) a rezoning of 2105 and 2119 Fremont Avenue North to the OR2 district; (2) Conditional Use Permit (CUP) for a Planned Unit Development (PUD) that included the following alternatives from the Zoning Code standards: (a) an alternative request to allow an increase in the maximum height allowed for principal structures in the OR2 district to 5 stories or 72 feet at the tallest point; (b) an alternative request to allow for a reduction in the periphery front yard requirement of 39 feet (due to a front yard increase) on the building site along Fremont Avenue North for surface parking stalls, drive-aisles, loading, and a transformer/generator; (c) an alternative request for a reduction in the periphery front yard requirement of 22 feet (due to a front yard increase) on the building site along Girard Avenue North for building placement and surface parking stalls; (d) an alternative request to allow the building to be located at 3 feet, 3 inches at the closest point along the required interior side yard on the east side of the site (the required interior side yard was 13 feet); (e) an alternative to allow the proposed public plaza (and associated encroachments) within the required front yard along West Broadway; (f) an alternative request to allow building placement alternatives in the PO Overlay District along West Broadway, Girard Avenue North, and Fremont Avenue North; (3) Variance to allow parking between the principal structure and the front lot line along Girard Avenue North and Fremont Avenue North; (4) Variance of the PO standards pertaining to the location of parking to the rear or the interior of the site, within the principal building served, or entirely below grade, and of the 40% window requirement on the Fremont Avenue elevation; and (5) Site plan review for a 4 and 5-story, approximately 173,000 square foot Minneapolis Public Schools Educational Service Center including 354 surface parking stalls.

Following the original approval for the site, the applicant submitted amended land use applications (BZZ-5102) that received City Planning Commission approval in April of 2011, as MPS had acquired the remaining six lots on the north side of the block in order to expand the surface parking lot located on the premises. The inclusion of those additional lots resulted in the expansion of the surface parking lot previously approved at 354 spaces to 490 surface stalls. All land use applications previously approved as noted above, with the exception of the variances of the PO standards (as the building/site configuration in the PO remained unchanged) were revisited. Additionally, the applicant submitted and received approval for a replat of the property into one lot as well as the vacation of existing utility easements located on the premises.

In May of 2012, the applicant submitted a master sign plan for the PUD which required an amendment of the previously approved CUP for a PUD. Overall, the applicant requested approval of two different sign types totaling five signs that were located on three primary building facades. Two of the proposed wall signs were designed with aluminum channel letters and were not illuminated and the other three proposed wall signs were internally illuminated with LED bulbs. The applicant applied and received approval for a modification to the previously approved conditional use permit for a PUD subject to conditions of approval, in order to allow three of the proposed five signs to exceed the maximum allowable height of 14 feet in the OR2 district.

Staff has not received any official correspondence from the Jordan Area Community Council or the Northside Residents Redevelopment Council (NRRC) prior to the printing of this report. Letters were received from the Old Highland Neighborhood Association and the West Broadway Coalition which have been attached for reference. Any correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

REZONING – from R4 to R5, and to add the TP Overlay District

Findings as Required by the Minneapolis Zoning Code:

1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.

According to *The Minneapolis Plan for Sustainable Growth*, a portion of the PUD which includes the building is located along West Broadway which is a designated Commercial Corridor and along Fremont Avenue North which is a designated Community Corridor in this location. The entire PUD is located within an area designated as urban neighborhood. Urban neighborhoods are defined as predominantly residential areas with a range of densities that may include other small-scale uses, including neighborhood-serving, commercial, and institutional and semi-public uses (for example, schools, community centers, religious institutions, public safety facilities, etc.) scattered throughout. More intensive non-residential uses may be located in neighborhoods closer to Downtown and around Growth Centers. Urban neighborhoods are generally not intended to accommodate significant new growth or density.

The properties located in the immediate vicinity of West Broadway are predominantly zoned OR2 and C1. The properties located in the immediate neighborhood surrounding the site, including the subject properties are zoned R4, R5, R2B and R1A. The uses within the area are varied and include residential, commercial and institutional uses. The subject site is located one block north of West Broadway and one block west of Fremont Avenue North.

The following relevant provisions of *The Minneapolis Plan for Sustainable Growth* apply to the proposal to rezone a portion of the site from R4 to R5 and to add the TP Overlay District in order to expand the PUD to allow an additional 150 space surface parking lot or a total of 640 surface parking stalls for the entire PUD, as follows:

Land Use Policy 1.1 states, “Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.” This policy includes the following applicable implementation step: (1.1.5) “Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.”

Land Use Policy 1.3 states, “Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit.” This policy includes the following applicable implementation step: (1.3.2) “Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.”

The purpose of the rezoning is to unify the underlying zoning designations and to add the TP Overlay District in order to allow 150 additional surface parking stalls on the properties. While the proposed number of parking spaces is just below the maximum parking requirement of 649 spaces, Planning Staff has consistently expressed concerned with the amount of surface parking proposed for the development. The initial approval included 354 surface parking spaces, the second version of the project included an additional 136 surface parking spaces totaling 490 surface parking spaces and now the applicant proposes to include an additional 150 surface parking spaces or a total of 640 surface parking spaces. Effective parking management is an important strategy in a multi-modal transportation system. Excessive parking

can promote automobile usage and traffic congestion, create pedestrian unfriendly environments, and damage the traditional urban character of an area. Planning Staff believes that the following policies apply to this specific proposal and any future proposals that continue to increase the amount of surface parking proposed for the development:

Transportation Policy 2.6 states, “Manage the role and impact of automobiles in a multi-modal transportation system.” This policy includes the following applicable implementation steps: (2.6.1) “Encourage the implementation of Travel Demand Management (TDM) plans and programs that identify opportunities for reducing the generation of new vehicle trips from large developments; (2.6.3) “Implement strategies, such as preferential and discounted parking for low-emitting fuel efficient vehicles, car- and vanpooling, low-emitting fuel efficient taxi services, and car sharing programs, that increase vehicle occupancy and reduce the number of single occupancy vehicles.

Transportation Policy 2.8 states, “Balance the demand for parking with objectives for improving the environment for transit, walking and bicycling, while supporting the city’s business community.” This policy includes the following applicable implementation steps: (2.8.2) “Design and implement incentives for shared parking and on-site car sharing programs, as well as carpooling and vanpooling”; (2.8.7) “Promote transit, walking, and biking as safe and comfortable transportation alternatives through reduced parking requirements, encouragement of employee transit incentive programs, and improved facilities”; (2.8.8) “Encourage employers to offer economic incentives that support transit use, such as providing employee transportation allowances as alternatives to free parking.”

Urban Design Policy 10.18 states, “Reduce the visual impact of automobile parking facilities.” This policy includes the following applicable implementation steps: (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”; (10.18.17) “Minimize the width of ingress and egress lanes along the public right of way in order to provide safe pedestrian access across large driveways”; (10.18.18) “Encourage appropriate land uses to share parking lots to reduce the size and visual impact of parking facilities.”

There is an additional plan that must be considered when evaluating the proposal which is the *West Broadway Alive! Plan*. This plan was adopted by the City Council in March of 2008 and a corresponding rezoning study was approved in July of 2009. The subject parcels were rezoned as part of the rezoning study, transitioning from R2B to R4 and R5 due to their proximity to West Broadway which is a designated Commercial Corridor. The zoning changes supported residential development at a density consistent with the development objectives of the plan. Planning Staff acknowledges that some of the parcels are landlocked and front only on a public alley. Staff further acknowledges that a redevelopment proposal that includes a desirable land use such as a multi-family residential development on the subject parcels would require that the underlying zoning be unified; however, unifying the underlying zoning and adding an overlay district in order to accommodate additional surface parking is not consistent with the vision outlined in this plan and therefore, cannot be supported in this circumstance.

2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.

In general, unifying the underlying zoning districts could be considered both in the public interest and in the interest of the property owner, as it would allow for redevelopment of the site. However, in this specific circumstance the requests to rezone the R4 properties to R5 and to add the TP Overlay District are being made for the purposes of constructing a large, 150 space surface parking lot. This request is only in the interest of the property owner and not within the public interest as there are already a total of 490 surface parking stalls in the parking lot located across Girard Avenue North that serve the principal use. Further, the applicant has not demonstrated the need for additional parking. Additional surface parking in this area is not the highest and best use for these parcels nor would it result in any measurable contribution to the area.

3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.

The properties that are proposed to be rezoned to R5 are zoned R4 and the applicant further proposes to add the TP Overlay District. The entire development parcel is located within an area designated as urban neighborhood. The properties in the immediate vicinity along West Broadway are predominantly zoned OR2 and C1. The properties located in the immediate neighborhood surrounding the site are zoned R4, R5, R2B and R1A. The uses within the area are varied and include residential, commercial and institutional uses. Given the surrounding zoning classifications and the uses in the area, rezoning the parcels to R5 and adding the TP Overlay District to the entire site in order to allow for a further expansion of an already excessively large surface parking lot is not appropriate in this location or elsewhere in the City of Minneapolis. While Planning Staff recognizes that a rezoning of the underlying zoning districts is likely in the future provided it accompanies a development plan that is consistent with *The Minneapolis Plan for Sustainable Growth* and the *West Broadway Alive! Plan*, supporting a rezoning for this proposal is inappropriate at this time.

4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.

There are reasonable uses of the property permitted under both the R4 and R5 zoning districts; however, it is likely that the properties would need to be uniformly zoned in the future when accompanied by an appropriate development proposal. The request to rezone the property to the R5 district and to add the TP Overlay District for the purposes of allowing additional surface parking is inconsistent with adopted policy. Planning Staff has included an attachment to the staff report which further details the differences between the existing and proposed zoning classification for the site.

5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.

Under the 1963 Zoning Code, the properties were zoned somewhat differently than what they are zoned today. The property fronting on West Broadway had a portion that was zoned B3S-3 (Community Service District), and the remainder of the development site was R5. The surrounding properties along both sides of West Broadway were zoned differently as some were zoned B3S-1 (Community Service District), B3S-3 (Community Service District), M1-1 (Light Manufacturing District) and B3SP-2 (Community Service Parking District). The majority of the properties to the north, east and west were zoned similarly to what they are zoned today as they were predominantly zoned R2B. There has been a

change in the character and trend of development within the general area due to significant reinvestment that includes housing, commercial and office development. Staff believes that for this very reason, the request to rezone the parcels strictly for the purposes of accommodating additional surface parking is unreasonable, inappropriate and inconsistent with adopted policy.

CONDITIONAL USE PERMIT –amend the previously approved conditional use permit for a Planned Unit Development to construct an additional surface parking lot that consists of 150 stalls.

Findings as Required by the Minneapolis Zoning Code:

The Department of Community Planning and Economic Development– Planning Division has analyzed the application and from the findings above concludes that:

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.

It is the Planning Division’s position that modifying the previously approved conditional use permit to allow 150 additional parking spaces would be detrimental to and endanger the public health, safety, comfort or general welfare. The area is currently an open space area and the applicant proposes to convert it to a gated and secured 150 space surface parking lot that accompanies the existing gated and secured 490 space surface parking lot located across Girard Avenue North. PUDs were established as a tool to encourage flexibility in the use of land, to better utilize special features of sites and to obtain innovative, higher quality development. Amending the approved CUP for a PUD to allow an additional 150 surface parking spaces does not meet the intent of the PUD chapter. Further, it has not been demonstrated to Staff that the use is generating the need for additional parking.

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 or orderly development and improvement of surrounding property for uses permitted in the district.

The Planning Division contends that modifying the previously approved conditional use permit to allow additional surface parking for the district headquarters facility could be injurious to the use and enjoyment of other property in the vicinity and likely would impede the normal or orderly development and improvement of surrounding property. The applicant has not demonstrated that there is a need for additional parking to serve the use. The district headquarters building just opened in August. Other than inflating some of the original numbers to suggest there is additional demand, no evidence has been provided that the parking that currently exists is inadequate. Given the fact that the facility has just opened, there is not available data to back-up a supply versus demand argument. MPS’s traffic consultant provided a letter dated October 1, 2012, stating that the principal findings of the TDMP were still valid despite the proposal to increase the amount of surface parking. No numerical adjustments to the number of employees, visitors, students, etc., were modified to suggest that additional parking is needed for the facility. Planning Staff has encouraged the applicant to assess the operations and infrastructure needs of the facility after it has been operational for a period of at least a year in order to understand whether demand justifies the need for the provision of additional parking to serve the facility.

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

Adequate utilities, access roads, drainage and other necessary facilities exist.

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

There are currently a total of 490 surface parking stalls that serve the MPS district headquarters facility. A TDMP was approved for the original development that included 354 surface parking stalls (which has since been increased to 490 surface spaces). The approved TDMP indicated that the plan as approved met zoning requirements and that the peak demand was less than the supply provided. The document further stated that the expected peak parking demand is 422 spaces during peak usage, however, 422 spaces was a conservative number and that number did not account for the reduction of parking expected from implementation of the TDMP strategies. The TDMP indicated that MPS would develop and implement measures to encourage non-single occupancy vehicle modes of transportation with the goal of having at least 45% of its transportation trips being made by transit, bicycling, telecommuting or walking.

MPS stated in their application materials that the district will implement the measures as outlined in the TDMP and the MPS District Policy 4080 Employee Parking and Commuting plan in order to encourage alternative modes of transportation, however, they believe that feasible transit options are limited in this area. Their application materials indicate that there are only two bus routes with stops near the site and it is not practical for the majority of headquarters staff and visitors to rely on these bus routes, bicycles or walking for travel from homes, businesses or schools throughout the City.

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

See the above listed response to finding #1 in the rezoning application. The policies and implementation steps outlined apply to the proposed PUD amendment as well.

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

The City Planning Commission can approve alternatives to the zoning regulations applicable to the zoning district in which the planned unit development is located where the planned unit development includes site amenities. Site amenities are subject to the following standards:

- All planned unit developments shall provide at least one amenity or a combination of amenities that total at least ten points, beyond those required for any alternative(s), and even if no alternative(s) is requested.
- For each alternative requested, an amenity or a combination of amenities totaling at least five points, in addition to the amenity (ies) required in section 527.120(1), shall be provided. For multiple requests of the same alternative only one amenity shall be required for those alternatives.
- Unless otherwise determined by the city planning commission, each phase of the planned unit development shall include the amenities provided for any alternatives in that phase, as a part of the construction of that phase.
- In no case shall any item be counted as an amenity for an alternative if it is utilized to qualify for a density bonus in any zoning district, a floor area ratio premium in the Downtown Districts, or any other amenity in Table 527-1, Amenities.
- Where an amenity is provided that meets the standards required in Table 527-1, Amenities, the full point value assigned to said amenity shall be obtained. Where the amenity does not meet all of the

standards required in Table 527-1, Amenities, no points shall be awarded. Partial points for alternatives shall not be awarded, except as otherwise allowed in Table 527-1, Amenities.

Minimum required amenity(ies) of 10 points. This requirement was previously satisfied under the associated CUP approval for the MPS Education Service Center PUD (BZZ-4962 and BZZ-5102) in October of 2010 and April of 2011. *The minimum required amenity(ies) of ten (10) points was fulfilled by the following components: 1. Meeting the minimum standards for Leadership in Energy and Environmental Design (LEED) NC Silver Certification (Project Id#1000008875).*

Placement and number of principal residential structures: No alternative requested as part of this amended CUP application. The applicant did request an alternative from the building placement requirement in the PO district as part of the associated CUP approvals for the MPS Education Service Center PUD as the structure was not located within 8 feet of the front lot line; it was proposed and constructed 25 feet, 4 inches from the property line along West Broadway, approximately 47 feet from Fremont Avenue North (although the enclosed loading area, is located approximately 15 feet, 2 inches from the property line) and approximately 51 feet from Girard Avenue North. *Five points were required and provided as follows: art feature (3 points), decorative fencing (1 point) and enhanced stormwater management (1 point).*

Bulk regulations - floor area: No alternative requested.

Bulk regulations - height: No alternative requested as part of this amended CUP application. The applicant did request an alternative to exceed the maximum height allowed in the OR2 district from 4 stories or 56 feet to 5 stories or 72 feet as part of the associated CUP approvals for the MPS Education Service Center PUD. *Five points were required and provided as follows: shared bicycles (3 points) and reflective roof (2 points).*

Lot area requirements: No alternative requested.

Yards: No alternative requested as part of this amended CUP application. The applicant did request an alternative to allow a reduction/elimination of several required yards along the periphery of the PUD. *Five points were required and provided as follows: reflective roof (1 point), shared vehicle (3 points) and recycling storage area (1 point.)*

On-premise signs: No alternative requested as part of this amended CUP application. The applicant did request an alternative for the total height of the signage proposed for the facility as it exceeded the standards allowed in Chapter 543 of the Zoning Code. *Five points were required and provided as follows: Amenities that significantly exceed standards – as the project meets the minimum standards for LEED NC Gold Certification (5 points).*

Off-street parking and loading: No alternative requested. The proposal is meeting the minimum parking requirement.

Amenities provided: The applicant is not requesting any additional alternatives; therefore, no additional amenity points are necessary.

Phasing plan: There is no phasing plan associated with this project. The development is proposed to be completed in one phase.

In addition to the conditional use permit standards contained in Chapter 525, Administration and Enforcement, before approval of a planned unit development the city planning commission also shall find:

1. That the planned unit development complies with all of the requirements and the intent and purpose of this chapter. In making such determination, the following shall be given primary consideration:

a. The character of the uses in the proposed planned unit development, including in the case of residential uses, the variety of housing types and their relationship to other site elements and to surrounding development.

While there is already a disproportional amount of surface parking within the PUD relative to the building footprint, the Minneapolis Public Schools headquarters facility fits in well with the neighborhood context as the surrounding area includes a mixture of residential, commercial and institutional uses that are of varying heights, style, and designs. Planning Staff is concerned that provided additional surface parking without the documented need that totals 640 surface parking spaces could adversely impact the surrounding neighborhood and future development potential of the area.

b. The traffic generation characteristics of the proposed planned unit development in relation to street capacity, provision of vehicle access, parking and loading areas, pedestrian access, bicycle facilities and availability of transit alternatives.

The development would not be expected to have a negative impact on traffic movement in the vicinity according to the approved TDMP. The applicant is proposing to provide parking that meets the minimum and maximum parking requirements for the use as outlined in the Zoning Code. Further, a total of 60 bicycle parking spaces are provided. The approved TDMP for the site states that MPS will develop and implement measures to encourage non-single occupancy vehicle modes of transportation with the goal of having at least 45% of its transportation trips made by transit, bicycling, telecommuting or walking. Some of the strategies that are proposed within the TDMP are as follows: designation of an Employee Transportation Coordinator; various strategies for communication and education; carpool and vanpool incentives; promote rideshare, walking, transit and bicycling; and promote flex-time and telecommuting. The approved TDMP suggests that the parking that is already provided for the development exceeds the peak demand expected, therefore, Planning Staff will not support an additional 150 surface parking spaces for the development.

c. The site amenities of the proposed planned unit development, including the location and functions of open space, the preservation or restoration of the natural environment or historic features, sustainability and urban design.

The site amenities that were included for the MPS Education Service Center PUD included the pursuance of LEED NC GOLD Certification, inclusion of an art feature within the public plaza proposed along West Broadway, shared bicycles, reflective roof, a shared vehicle, decorative fencing, enhanced stormwater management through the collection of stormwater runoff in the parking areas via bio swales, pervious pavers and below ground water tanks for irrigation, and a recycling storage area.

d. The appearance and compatibility of individual buildings and parking areas in the proposed planned unit development to other site elements and to surrounding development, including but not limited to building scale and massing, microclimate effects of the development, and protection of views and corridors.

The appearance and compatibility of individual buildings and parking areas within the PUD to other site elements and to surrounding development is apparent. The existing building footprint consists of two rectangular portions running east-west connected by a 90 foot link. The building on the site is 4 stories tall along West Broadway, and 5 stories tall towards the interior of the site. The entire north side of the site is covered by surface parking, and the applicant further proposes to expand the surface parking provided for the use by constructing a new 150 space surface parking lot on the open space parcel located to the west across Girard Avenue North. Staff has significant concerns about the amount of land covered by surface parking; however, the parking lots are thoroughly landscaped and screened. The surrounding context and uses within the vicinity are varied. Overall the proposed PUD has contextually appropriate scale and massing, likely minimal microclimate effects on the surrounding neighborhood.

e. An appropriate transition area shall be provided between the planned unit development and adjacent residential uses or residential zoning that considers landscaping, screening, access to light and air, building massing, and applicable policies of the comprehensive plan and adopted small area plans.

The building is located on the south side of the site along West Broadway. The existing surface parking areas are located on the north side of the site and fill out the remainder of the block. The proposed surface parking lot is located to the west across Girard Avenue North. Despite the fact that additional surface parking is undesirable due to the sheer volume that already exists in the immediate vicinity for the use, an appropriate transition area is proposed between the PUD and the adjacent residential uses as significant amounts of landscaping and screening are being provided.

f. The relation of the proposed planned unit development to existing and proposed public facilities, including but not limited to provision for stormwater runoff and storage, and temporary and permanent erosion control.

The applicant would continue to work closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements. Further, the project complies with all applicable City requirements for stormwater, as well as permanent and temporary erosion control.

g. The consideration, where possible, of sustainable building practices during the construction phases and the use of deconstruction services and recycling of materials for the demolition phase.

The development utilized a construction waste recycling program. The development also complies with standards specific to LEED NC Gold Certification.

2. That the planned unit development complies with all of the applicable requirements contained in Chapter 598, Land Subdivision Regulations.

The applicant has received approval for both a preliminary and final plat for the existing PUD which complied with the applicable requirements in Chapter 598 of the Zoning Code.

The applicant is currently requesting that the subject properties proposed to be incorporated into the PUD be replatted into a single lot and therefore, have submitted a preliminary and final plat for review and approval as part of this application.

CONDITIONAL USE PERMIT – for a principal parking facility that includes a total of 150 surface parking stalls.

Findings as Required by the Minneapolis Zoning Code:

The Department of Community Planning and Economic Development– Planning Division has analyzed the application and from the findings above concludes that:

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.

The proposal to construct a 150 space principal surface parking facility would typically be discouraged regardless of location within the City of Minneapolis. Compounding this specific request is the fact that 490 surface parking spaces already serve the principal use. With an additional 150 surface parking stalls, a total of 640 surface parking spaces in totality would serve the MPS facility. The sheer volume of surface parking proposed in this specific circumstance would be detrimental to and endanger the public health, safety, comfort or general welfare. Further, the applicant has not demonstrated that there is a need for additional parking to serve the principal use.

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 or orderly development and improvement of surrounding property for uses permitted in the district.

The proposal to construct an additional 150 surface parking stalls to accompany the existing 490 surface parking stalls resulting in approximately 2 full city blocks that accommodate a total of 640 surface parking stalls would be injurious to the use and enjoyment of other property in the vicinity and would impede the normal or orderly development and improvement of surrounding property. There have been significant efforts and resources dedicated towards reinvestment within the immediate area. Allowing expansive surface parking lots is a contradictory disinvestment in the neighborhood.

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

Adequate utilities, access roads, drainage and other necessary facilities exist.

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

There are currently a total of 490 surface parking stalls that serve the MPS district headquarters facility. A TDMP was approved for the original development that included 354 surface parking stalls (which has since been increased to 490 surface spaces). The approved TDMP indicated that the plan as approved met zoning requirements and that the peak demand was less than the supply provided. The document

further stated that the expected peak parking demand is 422 spaces during peak usage, however, 422 spaces was a conservative number and that number did not account for the reduction of parking expected from implementation of the TDMP strategies. The TDMP indicated that MPS would develop and implement measures to encourage non-single occupancy vehicle modes of transportation with the goal of having at least 45% of its transportation trips being made by transit, bicycling, telecommuting or walking.

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

See the above listed response to finding #1 in the rezoning application. The policies and implementation steps outlined apply to the proposed CUP for a principal parking facility.

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 rezonings, conditional use permits, variance, site plan review and preliminary and final plat, this development would be in conformance with the applicable regulations of the zoning code.

VARIANCE – of the TP Overlay District standards regarding the location and allowable width of surface parking lots.

Findings as Required by the Minneapolis Zoning Code for the Variance:

1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.

The applicant proposes to vary two of the TP Overlay District standards. The TP Overlay District was established to allow parking lots in residence and office residence districts when adjacent to a zoning district in need of additional parking for customers and employees. Parking lots in TP Overlay Districts are typically small in scale and subject to various standards including a location requirement which states that parcel on which the parking lot is located shall have a side lot line that abuts the zoning district served or shall be part of the zoning lot served. In this case neither circumstance applies so a variance of this standard is necessary. In addition, the widths of parking lots in the TP Overlay District are restricted to 75 feet. As proposed, the parking lot fronts on two public streets and is dimensionally 188 feet along 22nd Avenue North and 242 feet along Girard Avenue North. Practical difficulties in complying with the ordinance do not exist in this specific circumstance. The development currently accommodates a total of 490 surface parking stalls which exceeds the minimum requirements outlined in the Zoning Code. An additional 150 surface parking stalls located across Girard Avenue North from the principal use served and dimensionally 188 feet by 242 feet is unreasonable and inappropriate in this circumstance.

2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

The proposal to allow a 150 space surface parking lot on the parcel is unreasonable and would not be in keeping with the spirit and intent of the ordinance and comprehensive plan. Adopted City policies call for multi-family housing on this parcel not an additional surface parking lot.

3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

The granting of the variance to allow a 150 space surface parking lot on residentially zoned parcels within the TP Overlay District that do not meet the locational requirement (as it is separated by a public street) and far exceed the allowable width of 75 feet would alter the essential character of the locality and be injurious to the use and enjoyment of other property in the vicinity, and would be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties. Adopted City policies discourage expansive surface parking facilities and instead encourage structured facilities where large off-street parking areas are required as well as encouraging alternative forms of transit. The proposal to include even more surface parking for this PUD that is so large in scale is contextually inappropriate.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code:

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**
- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)**

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND DESIGN:

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.

- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances, windows, and active functions:
 - Residential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - Nonresidential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
 - d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
 - e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.
 - f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.
 - g. In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.
Minimum window area shall be measured as indicated in section 530.120 of the zoning code.
Minimum window area shall be measured as indicated in section 530.120 of the zoning code.
- Ground floor active functions: Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.
- The form and pitch of roof lines shall be similar to surrounding buildings.
- Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. In addition to compliance with minimum window requirements, principal and accessory parking garages shall comply with provisions requiring active functions on the ground floor. In the downtown districts, the more restrictive parking garage provisions of Chapter 549, Downtown Districts, shall apply.

The approved building and associated site improvements have been constructed on the subject site per BZZ-4962 and BZZ-5102. There are no outstanding issues with the building and site as constructed to date. Please see the staff reports for specific details related to this section of Chapter 530.

The only component of this proposal that is evaluated in the site plan review section of the staff report is specific to the proposed 150 space surface parking lot. The parking lot is subject to required yards of 15 feet along 22nd Avenue North, Girard Avenue North and 21st Avenue North as well as an interior side yard of 5 feet along the west property line. The proposal complies with all required setbacks and exceeds the setback requirements in most circumstances. Due to the fact that the proposed 150 space surface parking lot is a principal parking facility it is not subject to the provision requiring that on-site accessory parking facilities be located to the rear or interior of the site, within the principal building served, or entirely below grade. No alternative compliance is necessary.

A 490 space surface parking lot exists across Girard Avenue North to the east. The applicant proposes to construct a new 150 space surface parking lot across Girard Avenue North to the west. There is no structured parking proposed as part of the development.

ACCESS AND CIRCULATION:

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.150 (b) related to alley access.**
- **Site plans shall minimize the use of impervious surfaces.**

The proposed 150 space parking lot is separated from the larger PUD via a public street. The parking lot would not be connected to the building entrances via walkways greater than 4 feet in width; if the parking lot were to be approved, individuals would likely cross the street in an uncontrolled manner as it is unlikely that pedestrians would walk to either of the controlled intersections.

The proposed development has been designed to minimize conflicts with pedestrian traffic and surrounding residential uses. Curb cuts to the site have been minimized.

There are no transit shelters within the development, however, the site is located in close proximity to two bus lines.

There is a public alley adjacent to the subject site; however, there would be no access to the parking lot. The area abutting the public alley would be fenced, landscaped and screened.

A considerable amount of the entire PUD site is composed of a surface parking lot. Approximately 51% of the subject site would be impervious (43,911 square feet), and in total, approximately 74% of the PUD would be composed of impervious surfaces (235,575 square feet).

LANDSCAPING AND SCREENING

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
- **Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).**

- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
 - **A decorative fence.**
 - **A masonry wall.**
 - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.**
- **The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.**
- **In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.**
- **All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.**

The proposal meets the 20% landscape requirement. The total site area is 85,631 square feet or approximately 1.89 acres and the proposed building footprint on the site would be zero square feet. A total of 17,126 square feet of landscaping would be necessary to meet the 20% requirement. The applicant is providing 41,720 square feet or approximately 49% of the site. The zoning code requires that there be at least 34 trees and 171 shrubs. The applicant is proposing to provide 47 canopy trees, 21 ornamental trees, 5 coniferous trees, 294 deciduous/coniferous shrubs, and various rain garden plantings which exceed the minimum requirements.

The 150 space on-site surface parking lot requires a 9-foot landscaped yard along 22nd Avenue North, Girard Avenue North, 21st Avenue North, and along the west property line adjacent to the public alley. An approximately 32 foot landscaped yard is being provided along 22nd Avenue North, a 15-foot landscaped yard is being provided along Girard Avenue North, a 102-foot landscaped yard is being provided along 21st Avenue North, and an approximately 13-foot required yard is being provided adjacent to the public alley which complies with the requirements. Landscaping and screening are required adjacent to the north, east, south and west property lines. The plan meets the landscaping and screening standards. As proposed, the surface parking lot would be gated around the perimeter with a 6 foot and 4 foot tall decorative fence, and screening would be provided by a 3-foot tall hedge. No parking space is located more than 50 feet from the center of an on-site deciduous tree. Not all tree islands located within the interior of the parking lot have a minimum width of seven (7) feet in any direction. Alternative compliance would be necessary. Should the Planning Commission approve the site plan and all other associated land use applications, it would be practical to require compliance. The surface parking lot does not fully meet the 25 foot linear tree requirement along 21st Avenue North and 22nd Avenue North. Alternative compliance would be necessary. Should the Planning Commission approve the site plan and all other associated land use applications, it would be practical to require compliance.

ADDITIONAL STANDARDS:

- 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.
- To the extent practical, site plans shall minimize the blocking of views of important elements of the city.
- To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.
- To the extent practical, buildings shall be located and arranged to minimize the generation of wind currents at ground level.
- Site plans shall include crime prevention design elements as specified in section 530.260 related to:
 - Natural surveillance and visibility
 - Lighting levels
 - Territorial reinforcement and space delineation
 - Natural access control
- To the extent practical, site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.

The proposed 150 space surface parking lot has one access point off of Girard Avenue North. The site has been designed to accommodate on-site retention and filtration. The applicant is proposing to incorporate enhanced stormwater management through the collection of stormwater runoff in the parking area as well as landscaped rain garden areas adjacent to 21st Avenue North.

The proposed 150 space surface parking lot would not block any significant views, have shadowing impacts on adjacent properties or public spaces or have any impacts on light, wind and air in relation to the surrounding area.

Planning Staff would expect to review a detailed lighting plan upon submission of final plans. The site has been developed in such a manner that it appears to adhere to the crime prevention standards outlined in the Zoning Code specific to surface parking lots. The site appears to have adequate site lighting and the landscaping appears to allow for adequate surveillance and visibility. The parking lot would be fenced, gated and secured.

There are no eligible or designated historic structures on the subject site as the properties are currently an open space area.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan and Applicable Small Area Plans Adopted by the City Council

ZONING CODE - The proposed use of the site as a PUD is conditional in the OR2 and R5 Districts, and in the TP Overlay Districts.

If all land use/zoning applications are approved, including the rezonings, conditional use permit for a planned unit development and implementation of associated amenities, conditional use permit for a principal parking facility, variance, site plan review, and preliminary and final plat, the proposal would comply with the applicable provisions of the OR2 and R5 Districts, and the TP Overlay Districts.

Parking and Loading:

Minimum automobile parking requirement: Chapter 541 would typically require 1 off-street parking space per 500 square feet of gross floor area in excess of 4,000 square feet for office uses. Based on the gross floor area of 173,000 square feet, a total of 338 parking spaces would be required. However, the use is located in the PO Overlay District, thus the minimum off-street parking requirement for nonresidential uses is 75% of the minimum requirement or 254 spaces. There are currently a total of 490 surface parking stalls for the proposed development. Of the 490 surface parking stalls, 70 are compact, 408 are standard and 12 are accessible. The applicant is proposing to construct an additional 150 standard surface parking stalls for a total of 640 parking spaces which exceeds the minimum requirement.

Maximum automobile parking requirement: According to Chapter 541, the maximum parking requirement for office uses is 1 off-street parking space per 200 square feet of gross floor area. Based on the gross floor area of 173,000 square feet, a maximum of 865 off-street parking spaces apply to this proposal. However, the use is located in the PO Overlay District, thus the maximum off-street parking allowance for nonresidential uses is 75% of the maximum requirement or 649 spaces. The applicant is proposing a total of 640 surface parking stalls for the proposed development which is just nine spaces less than the parking maximum.

Bicycle parking requirement: Office uses require a total of 3 bicycle parking spaces or 1 space per 15,000 square feet of gross floor area, whichever is greater. Based on the proposed gross floor area of 173,000 square feet, a total of 12 bicycle parking spaces would be required. A total of 60 bicycle parking spaces are provided which meets the requirement. Not less than 50% of the required bicycle parking shall meet the standards for long-term bicycle parking which are as follows:

- *Required long-term bicycle parking spaces shall be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and shall be accessible to intended users. Required long-term bicycle parking for residential uses shall not be located within dwelling units or within deck or patio areas accessory to dwelling units. With permission of the zoning administrator, long-term bicycle parking spaces for non-residential uses may be located off-site within three hundred (300) feet of the site.*

The proposal meets the requirements for bicycle parking as a total of 60 bicycle parking spaces are provided both indoors and outdoors that meet the standards as outlined above.

Loading: Offices uses over 100,000 square feet require a minimum of two large loading spaces plus one additional large loading space per additional 300,000 square feet of gross floor area or fraction thereof. Two large loading spaces are provided which meets this requirement.

Dumpster screening: Section 535.80. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. The development complies with this provision as there is a trash and recycling room located within the building adjacent to the loading dock on the east side of the site adjacent to Fremont Avenue North.

Signs: A master sign plan was approved as amendment to the approved CUP for a PUD on the premises in May of 2012.

Lighting: The project includes decorative bollard style lighting, parking lot lighting and other decorative lighting fixtures. A photometric plan was not submitted as part of the application and will be required with the final submittal. All lighting will need to be downcast and shielded to avoid undue glare. All lighting shall comply with Chapters 535 and 541 and Planning Staff shall review the details of the fixtures in the final review prior to permit issuance.

Maximum Floor Area: Not applicable for this development.

Minimum Lot Area: Not applicable for this development.

Dwelling Units per Acre: Not applicable for this development.

Height: Not applicable for this development.

Yard Requirements: The required yards are as follows:

- *Front yards–*
 - *Girard Avenue North, 21st Avenue North and 22nd Avenue North:* 15 feet
- *Interior side yard (5+2x):* 5 feet

The development complies with all required yards.

Building coverage: The maximum building coverage in the R5 district is 70 percent. Buildings would cover approximately 0 percent of the site.

Impervious surface area: The maximum impervious surface coverage in the R5 district is 85 percent. Impervious surfaces would cover approximately 51 percent of the site.

THE MINNEAPOLIS PLAN FOR SUSTAINABLE GROWTH:

See the above listed response to finding #1 in the rezoning application. The policies and implementation steps outlined in *The Minneapolis Plan for Sustainable Growth* apply to the proposed site plan review application as well.

Conformance with Applicable Development Plans or Objectives Adopted by the City Council

See the above listed response to finding #1 in the rezoning application. The policies and implementation steps outlined in the *West Broadway Alive! Plan* apply to the proposed site plan review application as well.

ALTERNATIVE COMPLIANCE:

- **The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding any of the following:**
- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing**

structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.

- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

□ *Tree Islands:* Not all tree islands located within the interior of the parking lot have a minimum width of seven (7) feet in any direction. Alternative compliance would be necessary. Should the Planning Commission approve the site plan and all other associated land use applications, it would be practical to require compliance.

□ *Linear Tree Requirement:* The surface parking lot does not fully meet the 25 foot linear tree requirement along 21st Avenue North and 22nd Avenue North. Alternative compliance would be necessary. Should the Planning Commission approve the site plan and all other associated land use applications, it would be practical to require compliance.

PRELIMINARY AND FINAL PLAT –

Required Findings:

- 1. Subdivision is in conformance with these land subdivision regulations, the applicable regulations of the zoning ordinance and policies of the Comprehensive Plan.**

The subdivision as proposed is in conformance with the design requirements of the land subdivision regulations; however, the project and all associated applications are not being supported by CPED staff.

ZONING CODE

With the approval of the rezonings, conditional use permits, variance, site plan review, and preliminary and final plat, this development would meet the applicable requirements of the R5 zoning district.

The Minneapolis Plan for Sustainable Growth and the West Broadway Alive! Plan

See the above listed response to finding #1 in the rezoning application.

- 2. Subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.**

The plat would create one new lot by consolidating several existing platted lots. Staff does not believe that the proposed plat would be injurious to the use and enjoyment of surrounding property nor would it be detrimental to present and potential surrounding land uses, nor add any congestion in the public streets if the proposed use of the property were consistent with adopted City policies. While it is likely that the parcels may become unified once a use consistent with adopted City policies is submitted to the City, the consolidation of the properties is dependent on the approval of associated land use applications that are supported by Planning Staff.

3. All land intended for building sites can be used safely without endangering the residents or users of the subdivision or the surrounding area because of flooding, erosion, high water table, soil conditions, improper drainage, steep slopes, rock formations, utility easements, or other hazard.

The site is primarily flat and does not present the above hazards.

4. The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.

The lot that is being created by this plat presents no foreseeable difficulties for the proposed development. No significant alterations to the land appear necessary.

5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control. in accordance with the rules, regulations and standards of the city engineer and the requirements of these land subdivision regulations. To the extent practicable, the amount of stormwater runoff from the site after development will not exceed the amount occurring prior to development.

Public Works would review and approve any applicable drainage and sanitary system plans before issuance of permits.

RECOMMENDATIONS

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

The Department of Community Planning and Economic Development - Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **deny** the rezoning petition to change the zoning classification of the properties located at 1310 21st Avenue North, 1311 22nd Avenue North, 1313 22nd Avenue North, 1315 22nd Avenue North, 2115 ½ Girard Avenue North, and 2137 Girard Avenue North to the R5 (Multiple-family) District.

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

The Department of Community Planning and Economic Development - Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **deny** the rezoning petition to add the Transitional Parking (TP) Overlay District to the properties located at 1310 21st Avenue North, 1311 22nd Avenue North, 1313 22nd Avenue North, 1315 22nd Avenue North, 2105 Girard Avenue North, 2115 ½ Girard Avenue North, 2121 Girard Avenue North, 2125 Girard Avenue North, 2131 Girard Avenue North, 2135 Girard Avenue North, and 2137 Girard Avenue North in order to construct a new 150 space surface parking lot.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the conditional use permit application to amend the Planned Unit Development to construct an additional 150 space surface parking lot on the properties located at 1310 21st Avenue North, 1311 22nd Avenue North, 1313 22nd Avenue North, 1315 22nd Avenue North, 2105 Girard Avenue North, 2115 ½ Girard Avenue North, 2121 Girard Avenue North, 2125 Girard Avenue North, 2131 Girard Avenue North, 2135 Girard Avenue North, and 2137 Girard Avenue North.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the conditional use permit application for a principal parking facility to amend the Planned Unit Development to construct an additional 150 space surface parking lot that includes a total of 150 surface parking stalls on the properties located at 1310 21st Avenue North, 1311 22nd Avenue North, 1313 22nd Avenue North, 1315 22nd Avenue North, 2105 Girard Avenue North, 2115 ½ Girard Avenue North, 2121 Girard Avenue North, 2125 Girard Avenue North, 2131 Girard Avenue North, 2135 Girard Avenue North, and 2137 Girard Avenue North.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the variance application of the Transitional Parking (TP) Overlay District standards regarding the location and allowable width of surface parking lots on the properties located at 1310 21st Avenue North, 1311 22nd Avenue North, 1313 22nd Avenue North, 1315 22nd Avenue North, 2105 Girard Avenue North, 2115 ½ Girard Avenue North, 2121 Girard Avenue North, 2125 Girard Avenue North, 2131 Girard Avenue North, 2135 Girard Avenue North, and 2137 Girard Avenue North.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the application to amend the approved site plan for a planned unit development to allow an additional 150 space surface parking lot for the MPS Davis Center on the properties located at 1310 21st Avenue North, 1311 22nd Avenue North, 1313 22nd Avenue North, 1315 22nd Avenue North, 2105 Girard Avenue North, 2115 ½ Girard Avenue North, 2121 Girard Avenue North, 2125 Girard Avenue North, 2131 Girard Avenue North, 2135 Girard Avenue North, and 2137 Girard Avenue North.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the preliminary and final plat:

The Department of Community Planning and Economic Development– Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the preliminary and final plat application to consolidate the subject lots into a single lot for a 150 space surface parking lot on the properties located at 1310 21st Avenue North, 1311 22nd Avenue North, 1313 22nd Avenue North, 1315

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22nd Avenue North, 2105 Girard Avenue North, 2115 ½ Girard Avenue North, 2121 Girard Avenue North, 2125 Girard Avenue North, 2131 Girard Avenue North, 2135 Girard Avenue North, and 2137 Girard Avenue North.

Attachments:

1. Rezoning Matrix
2. Statement of use and description
3. Findings
4. Correspondence – Neighborhood, City and Traffic Consultant
5. Zoning Map
6. Plans - Site Plan, landscape, civils
7. Photos
8. PDR notes