

**Department of Community Planning and Economic Development**  
Conditional Use Permit, Variance, and Site Plan Review  
BZZ-6270

**Date:** October 28, 2013

**Applicant:** Tyrone Terrill dba Seed Inc.

**Address of Property:** 1401 8<sup>th</sup> Avenue North, 1407 8<sup>th</sup> Avenue North, 1413 8<sup>th</sup> Avenue North, 1419 8<sup>th</sup> Avenue North, 1427 8<sup>th</sup> Avenue North

**Project Name:** Seed Inc. Parking Lot

**Contact Person and Phone:** Tyrone Terrill, 1300 Olson Memorial Highway, Minneapolis, MN 55411, (612) 876-4102

**CPED Staff and Phone:** Mei-Ling Anderson, City Planner, (612) 673-5342

**Date Application Deemed Complete:** October 3, 2013

**End of 60-Day Decision Period:** December 2, 2013

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

**Ward: 5**      **Neighborhood Organization:** Northside Residents Redevelopment Council

**Existing Zoning:** R4 Multiple-family District

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

**Zoning Plate Number:** 12

**Legal Description:** Lots 1, 2, 3, 4, and 5, all of Block 4, EIGHTH AND IRVING ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota

**Proposed Use:** A 98-space surface parking lot.

**Concurrent Review:**

- **Conditional Use Permit** for a principal parking facility in the R4 district that includes a total of 98 surface parking stalls.
- **Variance** to increase the maximum allowed vehicle parking from 44 to 98 spaces.
- **Site plan review** for a principal parking facility with 10 or more spaces.

**Applicable zoning code provisions:** Chapter 525, Article VII, Conditional Use Permits; Chapter 525, Article IX, Variances, specifically Section 525.520(6) "To vary the applicable minimum and

maximum number of required off-street parking, stacking or loading spaces.”; and Chapter 530 Site Plan Review.

**Background:**

The applicant proposes to construct a 98-space surface parking lot that would be used by school employees of Seed Academy/Harvest Preparatory School (SAHP), located at 1300 Olson Memorial Highway. The parking lot would be located at 1401-1427 8<sup>th</sup> Avenue North, which are currently vacant and located approximately 350 feet northwest of the school property. A Conditional Use Permit (CUP) is required in order to allow a principal parking facility serving institutional and public uses in the R4 Multiple-family District. In addition, a variance of the off-street parking standards is required in order to increase the school’s maximum number of allowed parking stalls. Finally, a site plan review is required, as the applicant is proposing a principal parking facility containing 10 or more new parking spaces.

The applicant states that the 98-space surface parking stalls are necessary in order to meet the parking demand generated by school staff, which consists of six executive positions, 16 administrative positions, 95 teachers, 70 paraprofessionals, six maintenance positions, and 12 volunteers and interns. In total, the applicant estimates that approximately 205 staff members are at the building on an average day during the week. The school property contains zero off-street parking spaces. The applicant states that school staff has access to approximately 30 spaces in the Wayman AME Church parking lot directly to the east of the school, but that the majority of employees park on the Olson Memorial Highway frontage road and on neighboring streets. The applicant also states that, on multiple occasions, the school has unsuccessfully pursued a possible shared parking agreement with the Jehovah’s Witnesses’ existing surface parking lot at 701 Humboldt Avenue North.

Staff has not received any official correspondence from the Northside Residents Redevelopment Council prior to the printing of this report. Any correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

**CONDITIONAL USE PERMIT:** To allow a 98-space accessory parking lot in the R4 district.

**Findings as required by the Minneapolis Zoning Code:**

The Community Planning and Economic Development Planning Division has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

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

The establishment of a 98-space surface parking lot would not be detrimental to or endanger the public health, safety, comfort, or general welfare provided that the development complies with all applicable codes and life safety ordinance, as well as Public Works Department standards.

**2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

The applicant's proposal 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 surrounding area of the site contains a mix of residential and institutional uses. In addition to SAHP, there are a number of religious institutions, early childhood education establishments, parks, a library, and community centers, many of which have surface parking lots on their properties. The applicant is proposing site improvements that would minimize any adverse visual impacts on surrounding residential uses, including on-site rain garden in the northeast corner of the site. The project would comply with all yard requirements and impervious surface standards. For the site plan review, staff is recommending that the planning commission require the applicant to provide decorative fencing on all sides of the property, including the south side of the site along the alley. With the implementation of the proposed and recommended improvements for fencing and landscaping, the use should have little effect on surrounding properties.

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

Adequate utilities, access roads, and drainage facilities exist or will be provided for the subject site. The applicant is proposing two curb cuts to provide vehicle access: one on Irving Avenue North and one on Humboldt Avenue North. In addition, the applicant states that appropriate utilities will be installed in order to support the lighting plan for the site and card reader access for parking lot users. All stormwater treatment and detention will be managed on-site. The initial Preliminary Development Review (PDR) was completed for the proposed project. In the PDR comments, Construction Code Services outlined standards for locating, designing, and marking accessible parking spaces and access aisles. The Public Works Surface Water & Sewers Division is requiring the applicant to provide additional analysis, information, and an operations and maintenance plan for the stormwater management and sewer design. Public Works is also requiring that the applicant's final plan reflect a storm sewer connection to the main according to the City of Minneapolis Standard Supplemental Specifications. The applicant will continue to work closely with the Public Works Department, the Plan Review Section of CPED, and the various utility companies during the duration of the development to ensure that all procedures are followed to comply with City and other applicable requirements.

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

According to SAHP, the most congestion occurs at the beginning and at the end of the school day when buses and cars are dropping off and picking up children at the school. The proposed parking lot would only be available for use by school employees, who would be arriving before and after the two most congested times of day. The applicant believes that providing this off-

street parking option will alleviate congestion near the school property and the surrounding area. In addition, the applicant intends to turn off the card reader access after 5:30 p.m. each day so that the parking lot is available to neighboring institutions after school hours. This measure is intended to help alleviate parking issues on public streets during non-school hours, as well. The proposed site plan includes curb cuts on both the east (Humboldt Avenue North) and west (Irving Avenue North) sides of the site so that parking lot users can access the site from a variety of directions. Adequate measures will be provided to prevent congestion in the public streets.

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

In *The Minneapolis Plan for Sustainable Growth*, the following principles apply to parking lots:

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

10.18.1 Require that parking lots meet or exceed the landscaping and screening requirements of the zoning code, especially along transit corridors, adjacent to residential areas, and areas of transition between land uses.

10.18.3 Locate parking lots to the rear or interior of the site.

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

10.22.3 Design the site, landscaping, and buildings to promote natural observation and maximize the opportunities for people to observe adjacent spaces and public sidewalks.

The applicant has identified landscaping and screening materials that would reduce the visual impact of automobile parking facilities and promote CPTED principles.

The future land use map in the comprehensive plan denotes the subject property and surrounding area as urban neighborhood. While this specific property is zoned R4 Multiple-family District, areas with the urban neighborhood designation are not intended to accommodate significant new growth or density. Although CPED's preference would be for the site to accommodate housing development, parking lots serving institutional and public uses are allowed in the residence districts.

**6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.**

If the conditional use permit, variance, and site plan review applications are approved as conditioned, this development would be in conformance with the applicable regulations of the zoning code.

**VARIANCE:** To increase the maximum number of spaces allowed from 44 to 98.

**Findings as Required by the Minneapolis Zoning Code:**

**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 is proposing to vary the school's off-street parking requirements to increase the school's maximum allowed off-street parking requirement from 44 to 98 spaces. The structure that now serves the school was previously a nursing home that SAHP remodeled and does not contain any off-street parking spaces to accommodate the 205 employees traveling to and from the school on a daily basis. While the ordinance allows for a maximum of one off-street parking spot per classroom, SAHP employs approximately two teachers and at least one paraprofessional per classroom. The school has been active in pursuing shared parking agreements with other institutions in the vicinity, with one agreement in place with the Wayman AME Church for 30 parking spots. SAHP has also used the Zion Baptist Church parking lot for special events and used buses to transport students and visitors to and from this lot due to its distance from the school and due to neighborhood safety concerns. Due to an anomaly in the City's parking regulations, the minimum and maximum parking requirements are exactly the same for this facility. Thus, the maximum parking standard would not allow the applicant to provide parking for approximately half of its staff. Practical difficulties exist due to unique circumstances not created by the applicant.

**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 applicant has stated that the parking lot will be developed and maintained to enhance the residential character of the neighborhood and to minimize potential impacts on the pedestrian realm. The facility would provide parking for approximately half of the school staff. The request is reasonable and the use would be consistent with the spirit and intent of the ordinance and comprehensive plan to the extent practical.

**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 site is bounded by public streets and walkways on all sides except for the south property line, which is adjacent to an alley. A landscaped buffer and screening would be provided between the parking lot and all sides of the property. Additional proposed site improvements include the installation of light fixtures throughout the property, new tree and shrub plantings, decorative fencing, and a rain garden. The development of the vacant lots would include site improvements that would not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. Granting the variance would not prove detrimental to the health, safety, of welfare of the general public or of those utilizing the property or nearby properties.

## **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.**

*Conformance with above requirements:*

No buildings are proposed on the site. The parking lot is subject to the minimum required yards of 15 feet along 8<sup>th</sup> Avenue North, 8 feet on Irving Avenue North and Humboldt Avenue North, and 5 feet along the south property line that abuts the alley. The proposal meets or exceeds all required setbacks for the R4 zoning district. Due to the fact that the proposed 98-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 for this requirement.

**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.**

*Conformance with above requirements:*

Humboldt Avenue North and 7th Avenue North separate the proposed 98-space parking lot from school building. At the southeast corner of the lot, a walkway would connect the parking lot to the walkway along Humboldt Avenue North. Parking lot users would then travel down Humboldt Avenue North and cross 7th Avenue North to access the nearest building entrance, which is approximately 375 feet from the southeast corner of the parking lot.

There are no transit shelters within the development. However, the site is located in close proximity to a bus route.

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 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.

The parking lot would take up a considerable amount of the entire site. Approximately 68 percent (31,622 square feet) of the subject site would be composed of impervious surfaces.

**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.**

***Conformance with above requirements:***

The zoning code requires that at least 20 percent of the site not occupied by buildings be landscaped. The total site area is 46,884 square feet and no building is proposed. Therefore, at least 9,377 square feet of landscaping would be necessary to meet the 20 percent requirement.

The applicant is providing 15,262 square feet of landscaped area, or approximately 33 percent of the site, which exceeds the minimum landscaped area requirement. The zoning code requires that there be at least 19 canopy trees and 94 shrubs. The applicant is proposing to provide 26 deciduous trees (14 Princeton Elm and 12 Autumn Blaze Maple), 228 shrubs (Red Gnome Dogwood), three ornamental trees (Korean Sun Pear), and various rain garden plantings, which exceeds the minimum requirements.

The 98-space surface parking lot requires a seven-foot landscaped yard along 8<sup>th</sup> Avenue North, Irving Avenue North, Humboldt Avenue North, and along the south property line adjacent to the public alley. In addition to the rain garden in the northeast corner of the site, a landscaped yard of approximately 15 feet is being provided along 8<sup>th</sup> Avenue North, a landscaped yard of approximately eight feet is being provided along both Irving Avenue North and Humboldt Avenue North, and a landscaped yard of approximately seven feet is being provided adjacent to the public alley which complies with the requirements. All landscaped yards include a combination of trees and shrubs.

The plan meets screening and fence height standards along three of the four property lines. As proposed, the surface parking lot would be gated around the perimeter with a 4-foot tall ornamental steel fence along 8<sup>th</sup> Avenue North, Irving Avenue North, and Humboldt Avenue North. The zoning code requires that a screen that is at least 95 percent opaque and six feet in height shall be required along the south property line adjacent to the alley. The applicant is proposing a four-foot vinyl coated chain-link fence screened with Boston Ivy and lined with four-foot shrubs along this property line, which does not meet the screening or opacity requirement and would require alternative compliance.

No parking space is located more than 50 feet from the center of an on-site deciduous tree. The surface parking lot does not fully meet the 25-foot linear tree requirement along the parking lot frontage on 8<sup>th</sup> Avenue North, Irving Avenue North, and Humboldt 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.**

***Conformance with above requirements:***

The proposed 98-space surface parking lot 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 a landscaped rain garden near the corner of 8<sup>th</sup> Avenue North and Humboldt Avenue North.

The proposed 98-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.

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 and allow for adequate surveillance and visibility. The parking lot would be fenced and secured, and the combination of landscaping and screening would further distinguish between public and private spaces.

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 development is located in the R4 district. A parking facility serving institutional uses located in residential zoning districts require a conditional use permit. In addition, the project requires a variance to increase the maximum allowed parking serving the school. If all land use/zoning applications are approved as conditioned, including the conditional use permit, variance, and site plan review, the proposal would comply with the applicable provisions of the R4 district.

**Parking and Loading:**

*Minimum automobile parking requirement:* According to Chapter 541, the minimum parking requirement for a K-12 school is one off-street parking space per classroom plus one space per five students of legal driving age based on the maximum number of students attending classes at any one time. There are 44 classrooms at SAHP and no students of legal driving age, as the eldest students are in eighth grade. Therefore, the minimum required spaces for the school is 44 spaces. There are currently zero off-street parking spaces on the school's property. The applicant is

proposing to construct total of 94 standard spaces and 4 accessible spaces, which meets the minimum requirement.

*Maximum automobile parking requirement:* The maximum allowed parking for a K-12 school is one off-street parking space per classroom plus one space per three students of legal driving age based on the maximum number of students attending classes at any one time. There are 44 classrooms at SAHP and no students of legal driving age. Therefore, the maximum allowed number of spaces for the school is 44 spaces. There are currently zero off-street parking spaces on the school's property. The applicant is proposing to construct total of 94 standard spaces and 4 accessible spaces, which exceeds the maximum allowed parking and requires a variance.

*Bicycle parking requirement:* Not applicable for this development.

*Loading:* Not applicable for this development.

**Dumpster screening:** Not applicable for this development.

**Signs:** All signs are expected to comply with Chapter 543 of the Zoning Code. All new signage requires a separate permit from CPED.

**Lighting:** The project includes 15-foot LED twin-head lighting poles throughout the site. 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. Existing and proposed lighting must comply with Chapter 535 and Chapter 541 of the zoning code, including:

**535.590. Lighting.** (a) *In general.* No use or structure shall be operated or occupied as to create light or glare in such an amount or to such a degree or intensity as to constitute a hazardous condition, or as to unreasonably interfere with the use and enjoyment of property by any person of normal sensitivities, or otherwise as to create a public nuisance.

(b) *Specific standards.* All uses shall comply with the following standards except as otherwise provided in this section:

- (1) Lighting fixtures shall be effectively arranged so as not to directly or indirectly cause illumination or glare in excess of one-half (1/2) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light source.
- (2) Lighting fixtures shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb) unless of a cutoff type that shields the light source from an observer at the closest property line of any permitted or conditional residential use.

- (3) Lighting shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual performance or visibility to a person of normal sensitivities when viewed from any permitted or conditional residential use.
- (4) Lighting shall not create a hazard for vehicular or pedestrian traffic.
- (5) Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.

**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 development complies with all required yards. The required yards are as follows:

- Front yard (8<sup>th</sup> Avenue North): 15 feet
- Corner side (Irving Avenue North, Humboldt Avenue North): 8 feet
- Rear yard (alley): 5 feet

**Building coverage:** The maximum building coverage in the R4 district is 70 percent. Buildings would cover approximately 0 percent of the site.

**Impervious surface area:** The maximum impervious surface coverage in the R4 district is 85 percent. Impervious surfaces would cover approximately 68 percent of the site.

**THE MINNEAPOLIS PLAN FOR SUSTAINABLE GROWTH:**

As conditioned, the proposed project is in compliance with the Minneapolis Plan for Sustainable Growth. See the above listed response to conditional use permit finding #5. The policies and implementation steps outlined in finding #5 apply to the proposed site plan review application as well.

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

The subject site is not located within the boundaries of a small area plan.

**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.**

Screening requirement:

The zoning code requires that a screen of six feet in height and at least 95 percent opaque shall be required along the south property line adjacent to the alley. The applicant is proposing a four-foot vinyl-coated chain-link fence along this property line, screened by Boston Ivy and shrubs that would reach four feet in height at maturity. Together, the fence and shrubs do not meet the six-foot screening or opacity requirement and would require alternative compliance. As an alternative, staff is recommending that the planning commission require that the shrubs proposed in the landscaping area along the alley be replaced with a dense hedge that shall be six feet in height.

Linear tree requirement:

The surface parking lot does not fully meet the 25-foot linear tree requirement along 8<sup>th</sup> Avenue North, Irving Avenue North, and Humboldt Avenue North. The seven trees within the parking lot and the 10 trees along the rear would need to remain, as proposed, so that all spaces are within 50 feet of an on-site canopy tree. Staff estimates that a total of 18 canopy trees would be required within the landscaped area along 8<sup>th</sup> Avenue North, Irving Avenue North, and Humboldt Avenue North. The current proposal provides nine trees in these areas, so an additional nine canopy trees would need to be provided: three within the landscaped area on Irving Avenue North, 11 trees along 8<sup>th</sup> Avenue North, and 4 trees along Humboldt 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.

## **RECOMMENDATIONS**

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application to construct an additional 98-space surface parking lot on the properties located at 1401 8<sup>th</sup> Avenue North, 1407 8<sup>th</sup> Avenue North, 1413 8<sup>th</sup> Avenue North, 1419 8<sup>th</sup> Avenue North, and 1427 8<sup>th</sup> Avenue North, subject to the following condition:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the variance application to increase the maximum allowed parking requirements on the properties located at 1401 8<sup>th</sup> Avenue North, 1407 8<sup>th</sup> Avenue North, 1413 8<sup>th</sup> Avenue North, 1419 8<sup>th</sup> Avenue North, and 1427 8<sup>th</sup> Avenue North.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application to allow a 98-space surface parking lot on the properties located at 1401 8<sup>th</sup> Avenue North, 1407 8<sup>th</sup> Avenue North, 1413 8<sup>th</sup> Avenue North, 1419 8<sup>th</sup> Avenue North, and 1427 8<sup>th</sup> Avenue North, subject to the following conditions:

1. All site improvements shall be completed by October 28, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
2. CPED Staff review and approval of the final site, lighting and landscaping plans.
3. As an alternative to installing series of shrubs along the fence on the south property line, the applicant shall install a hedge that is six feet in height and 95 percent opaque throughout the year.

Department of Community Planning and Economic Development  
BZZ-6270

4. The applicant shall provide not less than one tree per 25 feet of parking lot frontage along Irving Avenue North, 8<sup>th</sup> Avenue North, and Humboldt Avenue North.
5. All landscaping materials should comply with the plant material, installation, and maintenance standards in Section 530.200 and 530.210.
6. All signs are expected to comply with Chapter 543 of the Zoning Code. All new signage requires a separate permit from CPED.

**Attachments:**

1. Statement of use and description
2. Correspondence
3. Zoning Map
4. Plans
5. Photos
6. PDR comments