



LAND USE APPLICATION SUMMARY

Property Location: 1407, 1411, 1413, and 1423 45th Ave N, 4414 Humboldt Ave N
Project Name: Webber Park Library
Prepared By: Joe Giant, City Planner, (612) 673-3489
Applicant: Hennepin County
Project Contact: J. Michael Noonan
Request: To construct a new public library.
Required Applications:

Rezoning	Petition to rezone the properties located at 1407, 1411, 1413, and a portion of 1423 45 th Ave N from the R4 District to the C1 District.
Rezoning	Petition to rezone a portion of the property located at 1423 45 th Avenue North from the C2 District to the C1 District.
Rezoning	Petition to rezone a small portion of the property located at 4414 Humboldt Avenue North from the C2 District to the C1 District.
Conditional Use Permit	To allow a library in the C1 District.
Variance	To allow a 19.5 square foot wall sign on a non-primary building wall.
Site Plan Review	For a new 8,311 square foot library.
Preliminary and Final Plat	To combine several underlying parcels and vacated portions of the public right-of-way into two lots.
Vacation	Petition to vacate part of an alley in James Gillespie's Fourth Addition from Humboldt Ave N easterly for approximately 179.32 feet to a dead end.
Vacation	Petition to vacate part of 45 th Avenue North, from Humboldt Avenue North easterly to the cul-de-sac.

SITE DATA

Existing Zoning	R4 Multiple-Family District, C2 Neighborhood Corridor Commercial District
Lot Area	60,156 square feet (library site), 113,606 square feet (total area to be replatted)
Ward	4
Neighborhood(s)	Webber-Camden
Designated Future Land Use	Urban Neighborhood, adjacent to Parks and Open Space (Victory Memorial Parkway)
Land Use Features	The 44 th Ave N Community Corridor forms the southern boundary of the block.
Small Area Plan(s)	Not Applicable

Date Application Deemed Complete	September 16, 2015	Date Extension Letter Sent	September 23, 2015
End of 60-Day Decision Period	November 15, 2015	End of 120-Day Decision Period	January 14, 2016

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The project area comprises the western half of the block bounded by Humboldt Avenue North, 45th Avenue North, Fremont Avenue North, and 44th Avenue North in the Webber-Camden Neighborhood of north Minneapolis. The northern half of the site has an area of approximately 60,156 square feet/1.4 acres and includes 1407, 1411, 1413, and 1423 45th Ave N. These properties are currently vacant. The southern half of the site, with an area of approximately 54,313 square feet/1.25 acres, includes 4414 Humboldt Ave N and contains a vacant one-story commercial building and a large unimproved surface parking lot. A public alley extending eastward from Humboldt Ave N separates the northern half of the site from the southern half.

The northern half of the site is primarily in the R4 Multiple-Family District, with the exception of a portion of 1423 45th Ave N, which is in the C2 Neighborhood Corridor Commercial District. The southern half of the project area is in the C2 District.

The land use applications being analyzed herein primarily concern the northern half of the project area. However, the replatting and rezoning applications affect both halves and have direct ramifications on future plans to revitalize the southern portion of the block.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The surrounding area contains a mix of low- to high-density residential uses interspersed with small one and two-story commercial buildings. Victory Memorial Parkway is located directly to the north of the project area. To the east is Hamilton Manor, a 6-story apartment building containing housing for senior citizens owned by the Minneapolis Public Housing Authority. To the west are primarily single-family homes.

The subject property, as well as the surrounding area, is identified as “Urban Neighborhood” on the future land use map, with the exception of Victory Memorial Parkway, which is identified as “Parks and Open Space.” Forty-Fourth Avenue North, which forms the southern boundary of the block, is identified as a “Community Corridor.”

PROJECT DESCRIPTION. The applicant, Hennepin County, owns both the northern and southern portions of the project area. The County has selected the northern half of the site to be the location of the new Webber Park Library. Plans to revitalize the southern portion of the site are expected to materialize in the coming months. Preliminary plans call for the repurposing of the existing building as a grocery store and health-based resource center.

The new branch of the Hennepin County Public Library system would replace the old branch, which was located in nearby Webber Park until closing in 2013. The new library would be a one-story structure with a building footprint of 8,311 square feet clad in granite veneer and zinc panels with wood accents. The portion of the library open to the public would feature an open floor plan and tall 26-foot ceilings, while the areas containing support services would have shorter 16-foot ceilings. The exterior of the structure would feature a deep canopy extending along the entire Humboldt Avenue façade and wrap around portions of the northern and southern façades. The building would have two primary entrances. The first would be located at the northwest corner of the building facing Humboldt Avenue and another would be located on the south façade facing an on-site parking lot.

The project would feature significant site improvements and the provision of ample outdoor activity space including an outdoor reading area, plazas near the principal entrances, and space for outdoor seating and programming underneath the canopy. Currently, the area to the north of the site is occupied by 45th Ave N, which terminates in a cul-de-sac just past the project area. The cul-de-sac is no longer

needed for vehicular traffic, so the applicant has petitioned the City of Minneapolis to vacate the right-of-way in order to convert the area into a landscaped yard, which would create an uninterrupted green space between the library and the Parkway. A trail connection is also proposed between the library and the trail system.

A 24-space surface parking lot would be constructed on the south side of the proposed structure with a single point of access along Humboldt Ave. The access point is currently a public alley that was partially vacated in the past. As part of the project, the applicant has petitioned the City of Minneapolis to vacate the remainder of the public alley so that the entire driveway would be located on same lot as the library. In order to memorialize the vacations, parcel combinations, and lot line adjustments, the applicant has applied for a preliminary and final plat.

The library would share the aforementioned single point of access along Humboldt Ave N with the future tenant of the commercial building. After examining several scenarios, it was concluded that conducting the truck maneuvers necessary to serve the commercial site was nearly impossible without encroaching on the library site, even with the property lines in their existing location. The library site is currently in the R4 zoning district. According to Section 535.50 from the zoning code, no land that is located in a residence district can be used for driveway, walkway or access purposes to any land that is located in a commercial district. Essentially, users of the commercial property are prohibited from traversing over the library site because it is in a residential zoning district. To eliminate this logistical barrier to redevelopment, the applicant has applied to rezone the library site from the R4 Multiple-Family District to the CI Neighborhood Commercial District. The applicant has also applied to rezone a portion of 1423 45th Avenue North from the C2 District to the CI District, and a portion of the commercial site, 4414 Humboldt Ave N, from the C2 District to the CI District. The purpose of the latter 2 rezonings is to create a unified zoning designation for the library site that aligns with its replatted property lines.

Libraries are a conditional use in the CI District. Therefore, the applicant has applied for a conditional use permit and site plan review for the construction of a new building. The applicant has also applied for a variance to allow a wall sign on a non-primary building wall.

PUBLIC COMMENTS. The Webber-Camden Neighborhood Organization has written a letter in support of the project. Said letter is attached for reference. Any additional correspondence received prior to the public hearing will be forwarded to the Planning Commission for consideration.

ANALYSIS

REZONING

The Department of Community Planning and Economic Development has analyzed the application for a petition to rezone the properties located at 1407, 1411, 1413, and a portion of 1423 45th Ave N from the R4 Multiple-Family District to the CI Neighborhood Commercial District, to rezone a portion of the property located at 1423 45th Avenue North from the C2 District to the CI District, and to rezone a small portion of the property located at 4414 Humboldt Avenue North from the C2 District to the CI District based on the following findings:

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

The purpose for the proposed rezonings is twofold: (1) to create a unified zoning district that aligns with the replatted property lines for the library site, and (2) to facilitate the redevelopment/revitalization of the commercial property on the south side of the block. In order to

accomplish these objectives, the parcels currently zoned R4 on the north side of the block would be rezoned to C1, and the portions of the library site that are currently zoned C2 would be rezoned to C1 to align with future property lines.

The property is designated as Urban Neighborhood on the future land use map contained in the comprehensive plan. Urban Neighborhoods are predominantly residential areas with a range of densities with other smaller-scale uses, including intermittent neighborhood-serving commercial, institutional, and semi-public uses. A branch library would be considered a neighborhood-serving institutional use and would be appropriately located in an Urban Neighborhood. Forty-Fourth Avenue North, which forms the southern boundary of the block, is designated as a Community Corridor. Community Corridors are primarily residential with intermittent commercial uses clustered at intersections in nodes.

The following policies and implementation steps contained in the comprehensive plan support this proposal:

Land Use Policy 1.1: 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.

- 1.1.1 Ensure that the City's zoning code is consistent with The Minneapolis Plan and provides clear, understandable guidance that can readily be administered.
- 1.1.4 Support context-sensitive regulations for development and land use, such as overlay districts, in order to promote additional land use objectives.
- 1.1.7 Invest in targeted place-making strategies to build upon and enhance existing community assets and encourage private sector development.

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

- 1.2.1 Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area.

Land Use Policy 1.3: Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit.

- 1.3.1 Require safe, convenient, and direct pedestrian connections between principal building entrances and the public right-of-way in all new development and, where practical, in conjunction with renovation and expansion of existing buildings.
- 1.3.2 Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.

Land Use Policy 1.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.

- 1.4.4 Continue to encourage principles of traditional urban design including site layout that screens off-street parking and loading, buildings that reinforce the street wall, principal entrances that face the public sidewalks, and windows that provide "eyes on the street".

Land Use Policy 1.5: Promote growth and encourage overall city vitality by directing new commercial and mixed use development to designated corridors and districts.

- 1.5.1 Support an appropriate mix of uses within a district or corridor with attention to surrounding uses, community needs and preferences, and availability of public facilities.

Land Use Policy 1.8: Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses.

- 1.8.2 Advance land use regulations that retain and strengthen neighborhood character, including direction for neighborhood serving commercial uses, open space and parks, and campus and institutional uses.

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

- 10.18.7 Minimize the width of ingress and egress lanes along the public right of way in order to provide safe pedestrian access across large driveways.

Although the proposed zoning changes are consistent with the aforementioned policies, the comprehensive plan discourages the territorial expansion of commercial districts outside designated nodes. Despite this, staff finds that the proposed changes are compatible with the context and planned character of the area. The project site is situated between Victory Memorial Parkway, designated as Parks and Open Space, and a large parcel to the south zoned C2 Community Corridor District. The 44th Ave N Community Corridor runs on the south side of the C2 parcel, in close proximity to the project site. A C1 zoning designation would provide an appropriate transition between the more intense uses allowed in the C2 district to the south and the Parkway to the north.

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

Creating a unified zoning district in order to facilitate the development of a library is in the public interest. Libraries provide myriad short and long-term benefits to residents of the community and serve as a neighborhood focal point and gathering space.

Rezoning the library site to a commercial zoning district would also facilitate the redevelopment of the commercial parcel to the south. This parcel has been vacant for many years. Changing the zoning designation of the library site to a commercial district would eliminate a major hurdle to redevelopment by allowing vehicular traffic generated by the commercial site the authorization to traverse over a commercial zoning district.

Through an RFP process, Hennepin County has sought a user for the commercial site who can improve the site and provide a service that benefits the surrounding area. Revitalizing a blighted commercial property with a community-serving use is in the public interest.

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.*

Rezoning the library site to C1 would be compatible with the high-density apartments on the adjacent property to the east in the R5 district as well as the small-scale commercial uses and medium-density residential uses in the R4 and C1 districts located along the Community Corridor to the south.

Although Humboldt Avenue N is not classified as a Community Corridor, it is the only road that provides access to areas north of the Humboldt Industrial area from Osseo Rd to Colfax Ave N, which is a distance of more than 20 city blocks. As such, it functions more as a collector road than a local street. A commercial zoning district would not be out of character adjacent to a roadway with this level of usage.

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.*

In addition to a library, there are reasonable uses of the site permitted under the current zoning classification. However, the underlying properties could not be replatted into the desired format without unifying the zoning districts. Therefore, combining the parcels to facilitate a consolidated redevelopment effort could not be undertaken without rezoning portions of the underlying parcels.

The proposed use of a library is a conditional use in the R4 zoning district just as it is in the CI district.

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.*

The immediate vicinity has not experienced a great deal of site redevelopment in recent years compared to many other areas of the city. However, many small businesses have opened along the 44th Ave N corridor in existing commercial spaces, and nearby Webber Park has undergone a substantial revitalization.

The large vacant commercial property owned by the County is not representative of the general level of care and maintenance that is evident in the surrounding area. Changing the zoning designation of the library site would facilitate development of this blighted property so that it could become a catalyst for further reinvestment rather than a detriment to it. The amendment to unify the zoning classification of the properties and facilitate this redevelopment would be expected to incite additional positive impacts.

CONDITIONAL USE PERMIT

The Department of Community Planning and Economic Development has analyzed the application to allow a library in the CI Neighborhood Commercial District based on the following findings:

1. *The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.*

The proposed library would not be detrimental to the public health, safety, comfort, and general welfare. The library would be a local branch of the Hennepin County Library system and would replace the former Webber Park library that existed in nearby Webber Park until 2013. Planning for the library involved extensive community outreach to ensure that the library would meet the needs of the surrounding residents. In addition to the inherent public benefits that accompany a public library, the new structure is designed in a manner that promotes crime prevention through environmental design, and its location adjacent to the Parkway encourages alternative forms of transportation. The library should have a stabilizing influence on the surrounding area and benefit public health, safety, and general welfare.

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

The proposed library will not be injurious to the use and enjoyment of other property in the vicinity and will not impede orderly development. The location of the library on the periphery of a community corridor, adjacent to a park, and surrounded by a variety of housing types is ideal and will support the normal and orderly development of surrounding properties.

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

Infrastructure on the site and in the surrounding area is capable of accommodating the proposed development. City personnel who specialize in various disciplines have reviewed the plans for the library as part of the Preliminary Development Review (PDR) process. This process ensures that development efforts are coordinated and that various City guidelines are met. The PDR report contains various recommendations and requirements that must be integrated into the development in order for all requisite approvals to be granted. A copy of the Preliminary Development Review report is attached.

Adequate utilities, access roads, and necessary facilities exist on-site. On-site drainage would be accomplished through the implementation of a retention basin that would be installed along the easternmost portion of the site and through drains installed in the parking lot. A stormwater management plan is available in attached.

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

The proposed library should not significantly contribute towards traffic congestion in the adjacent streets. Taking into account the parking reduction for providing sufficient bicycle parking, the minimum parking requirement for a library with a floor area of 8,311 square feet is 12 spaces. Twenty-four (24) automobile spaces and 18 bicycle spaces will be provided on-site.

The library would be accessed via a curb cut on Humboldt Ave N that would be shared with the commercial property to the south. Combining curb cuts improves the pedestrian experience and contributes to traffic safety by eliminating potential points of conflict.

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

In addition to the comprehensive plan policies applicable to the rezoning of the property, the following comprehensive plan policies are pertinent to the development of a library.

Public Services and Facilities Policy 5.3: Support a strong library system with excellent services, programs, and collections to meet a variety of informational and educational needs.

- 5.3.1 Through active engagement with the Hennepin County Library board, ensure that the unified Hennepin County Library contributes to the long-term viability of libraries in Minneapolis.
- 5.3.2 Advocate for high quality service that is responsive to the diverse and changing needs and interests of all library patrons.

Urban Design Policy 10.13: Work with institutional and public partners to assure that the scale and form of new development or expansion will occur in a manner most compatible with the surrounding area.

- 10.13.3 Encourage institutional uses and public buildings and facilities to incorporate architectural and site design that is reflective of their civic importance and that identifies their role as focal points for the community.

The proposed library promotes the aforementioned policies contained in the comprehensive plan. However, the comprehensive plan states neighborhood focal points, such as libraries, schools, and cultural institutions, should be directed towards designated land use features.

Although only one property separates the library from a Community Corridor, the library would not be located within or adjacent to a designated land use feature. However, staff finds that the placement of the library along Victory Memorial Parkway signifies its importance and permanence,

and is an appropriate location for a neighborhood focal point. The Parkway attracts visitors from throughout the area. Placing the library in a key location along the Parkway signifies the importance of this civic building and reinforces the role of the Parkway as a hub of community activity.

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

The library will conform to the applicable regulations of the CI zoning district upon the approval of the conditional use permit, variance to allow an identification sign on a non-primary building wall, and site plan review.

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance of the location of allowed signs on property located in a commercial district based on the following findings:

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 has proposed two identification signs for the property. A freestanding monument sign would be located at the southwest corner of the library site and would be oriented towards traffic on Humboldt Ave. A second identification sign is proposed for the north wall of the structure near the principal entrance facing Victory Memorial Parkway. The proposed sign would be approximately 9.8 feet wide by 3 feet tall, with a total area of approximately 19.5 square feet. According to the zoning code, on-premises signs are allowed only on primary building walls. Primary building walls are exterior building walls that face a street or an on-site parking area. Although the north façade of the library provides unobstructed views of the Parkway, it is not considered a primary building wall because a wide strip of land owned by the Minneapolis Parks and Recreation Board exists between the project site and the right-of-way. Signs on non-primary building walls are not permitted, so the applicant has applied for a variance to allow a wall sign on the north façade.

A practical difficulty exists due to the unique location of the proposed use in close proximity to, but not directly adjacent to the public right-of-way along Victory Memorial Parkway. Many patrons will arrive from the Parkway on foot, by bicycle, or by automobile. Many of these patrons will be below driving age and will rely heavily on the trail connections. Identifying the use from this vantage point would be difficult without signage on the north wall of the building.

The north façade is not considered a primary building wall because a strip of land owned by the Park Board exists between the library and the right-of-way. As part of the park system, it is very unlikely that this parcel would ever be developed. As such, the north façade of the library would interface with the Parkway much the same as a primary building wall, although technically it is not.

A freestanding monument sign could be placed along Humboldt Ave on the north side of the site facing the Parkway that would provide effective identification. However, only one monument sign is allowed per zoning lot and a monument sign is already proposed near the southwest corner of the site near the vehicular entrance.

The unique circumstances were not created by the applicant. Although the project calls for the vacation of 45th Ave N, and preserving this right-of-way would eliminate the need for the variance (because the north façade would have been considered a primary building wall), visibility from the Parkway would be important whether or not 45th Ave N was vacated. The remnant piece of 45th

Ave N accommodates essentially no vehicular traffic and for many years has provided access only to a vacant lot. In contrast, Victory Memorial Parkway is an important multi-modal thoroughfare. Any identification sign on the north façade would need to be oriented towards the Parkway to be effective. The proximity of the Parkway to the site is a unique circumstance 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.*

A library is a conditional use in the CI District and staff is recommending approval of the conditional use permit application. The proposed sign would allow the library to be identified from Victory Memorial Parkway. Besides its location on a non-primary building wall, the proposed sign meets the requirements of the zoning ordinance. The library anticipates that many patrons will travel to the library via the Parkway, so an identification sign oriented towards the parkway is a reasonable request.

The following policies from the comprehensive plan support the requested variance:

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

- 1.2.1 Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area.
- 1.2.2 Ensure that lighting and signage associated with non-residential uses do not create negative impacts for residential properties.

Urban Design Policy 10.20: Promote an attractive environment by minimizing visual clutter and confusion caused by a proliferation of signage.

- 10.20.1 Location, size, height and spacing of off-premise advertising signs and billboards shall be regulated to minimize their visual blighting effects.

The proposed sign is reasonably scaled for the building and will not contribute to sign clutter on the site.

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 proposed sign would not alter the essential character of the locality or be injurious to the general public. The sign would be located near a principal entrance below a deep canopy. The sign could not easily be seen or read from any adjacent properties.

It is highly unlikely that the parcel between the library and the Parkway would ever be redeveloped. It would be owned by the Park Board and would serve as a link between the Parkway and the library, essentially acting as the library's "front yard." As such, the proposed sign would convey the impression that it was actually an allowed sign located on a primary building wall with frontage on the Parkway.

Additional Standards for Sign Adjustments

In addition, the Planning Commission shall consider, but not be limited to, the following factors when considering an adjustment to the number, type, height, area, or location of allowed signs on property located in a commercial district:

1. *The sign adjustment will not significantly increase or lead to sign clutter in the area or result in a sign that is inconsistent with the purpose of the zoning district in which the property is located.*

The proposed sign is the only identification sign planned for this building elevation and one of two identification signs planned for the whole site. It would be the only sign visible from the Parkway. In all other respects the sign complies with the sign ordinance. Therefore, staff finds that the sign would not lead to sign clutter.

2. *The sign adjustment will allow a sign that relates in size, shape, materials, color, illumination and character to the function and architectural character of the building or property on which the sign will be located.*

The design of the proposed sign is appropriate for the context in which it would be located. The sign would contain only the name of the library and the traditional Hennepin County “H” logo. It would be located near the principal entrance and would be recessed against the building wall under a deep canopy.

SITE PLAN REVIEW

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

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

Building Placement and Design – Requires alternative compliance

- The placement of buildings should reinforce the street wall and buildings should be located no more than 8 feet from the front lot line unless a greater yard is required. The CI district does not have a yard requirement. The proposed structure would be located approximately 28 feet behind the front lot line along Humboldt Avenue N. A canopy containing an outdoor seating area and bicycle parking would be located between the wall and the sidewalk, and an 18-inch raised planting bed containing a variety of vegetation would be located past the canopy, approximately 9 feet from the sidewalk. Alternative compliance is requested because the building wall is located more than 8 feet from the front lot line. The north façade of the building is not adjacent to a public street and is therefore not subject to this requirement.
- The building should be oriented so that at least one principal entrance faces the front lot line, and the entrance should be emphasized through architectural features that emphasize its importance. The library contains two principal entrances. One of the principal entrances faces the front lot line along Humboldt Avenue N, while the other faces an accessory parking lot located to the south of the building. The Humboldt entrance is directly linked to the public sidewalk along Humboldt Ave N as well as to the trail connection leading to Victory Memorial Parkway. The pathway to the entrance is flanked by raised planting beds and leads to a transitional outdoor area covered by a large canopy. The location of the entrance strikes a balance between orientation towards the front lot line and towards the parkway.
- An on-site accessory parking lot containing 24 parking spaces is located to the south of the building. The parking area would be located more than 66 feet from the front lot line and would be screened by raised planting beds along the public sidewalk and shrubs surrounding the parking area. A drive aisle would also be located between the parking area and the front lot line.

- The shape and form of the proposed building and the presence and location of windows should contain architectural detail and increase the security of the adjacent outdoor spaces by maximizing natural surveillance and visibility. The one-story structure will respond to both the scale of the adjacent commercial building to the south and present a civic presence to the parkway system to the north. The building contains one floor of usable space, but it’s massing is divided into several identifiable sections. The portion of the library open to the public contains an open floor plan with a tall ceiling, while areas containing supporting services contain a lower ceiling. The combination of these two building heights creates a variation in massing that is interesting to experience from the outside and functionally useful from within the building.
- All four sides of the building contain windows. Walls facing a public street or on-site parking must be composed of at least 30% window area. This requirement applies to the west and south elevations of the proposed building. Window area is measured between 2 and 10 feet above the adjacent grade, and when the bottom of the window is more than 4 feet above grade it is not included in the measurement. As such, transom windows and clerestory windows do not typically count towards the requirement. When calculated in this manner, the Humboldt Ave façade contains approximately 27% windows and the south façade facing the parking lot contains approximately 28% windows. Alternative compliance is requested. The preliminary floor layout of the library indicates that shelving will not block any of the windows.
- Windows should be more or less evenly distributed across the facade, vertical in nature, and should allow views in and out of the building at eye level. Windows on the proposed building meet these requirements on all four facades.

Table I. Percentage of Windows Required for Elevations Facing a Public Street, Sidewalk, Pathway, or On-Site Parking

Building Elevation	Code Requirement		Proposed	
West (Humboldt Ave N)	30% min.	171.8 sq. ft.	27%	154 sq. ft.
South (parking lot)	30% min.	322.8 sq. ft.	28%	302 sq. ft.
North (Victory Mem. Pkwy.)	--	--	55%	596 sq. ft.
East (rear property line)	--	--	23%	131 sq. ft.

- Blank walls that do not include architectural elements should not exceed 25 feet in length. The building contains a projection on the south façade that is approximately 30 feet in length. Alternative compliance is requested. The elevation drawing of the east façade shows a blank wall that is longer than 25 feet. This wall would contain a mechanical equipment enclosure that is not shown on the elevation drawings but is shown on the site plan. Therefore, this section of building façade would not constitute a blank wall.
- Three primary materials would comprise the building’s exterior. The lower section of the wall would be clad in granite and the upper section would be clad in zinc panels. Transparent glazing would comprise the remainder of the façade. These are all high-quality durable building materials.
- The building form and general distribution of the exterior materials is consistent across all elevations. Plain face concrete block is not proposed as an exterior material anywhere on the structure.
- In order to promote building designs that engage the public realm, parking, loading, storage, and mechanical rooms may not exceed 30% of the linear building frontage along each wall facing a public street. The entire building façade along Humboldt Ave is designed for active uses. Thirty-seven percent (37%) of the length of the façade is occupied by windows, and a deep “porch” extends along the entire façade allowing space for outdoor seating and activities. Although the north façade would not be subject to this requirement because it is not adjacent to a public street or pathway, almost

the entire length of this wall would be occupied by large windows or located under the canopy. This will create a strong presence along the Parkway. The surrounding area contains a variety of building forms. The proposed roofline is flat, consistent with the commercial building to the south.

Access and Circulation – Meets requirements

- Well-lit walkways at least 4 feet in width must connect the building to the adjacent public sidewalk and any on-site parking. The principal entrance facing Humboldt opens into a deep covered plaza that is connected to the public sidewalk along Humboldt Ave N by a pathway that is more than 10 feet in width. The second principal entrance on the south elevation opens directly onto a pathway with a width of 12.5 feet that extends to the parking lot and to the public sidewalk. The sidewalk and parking lot would be illuminated by LED area luminaires.
- The library would not incorporate any transit shelters and none are adjacent to the site.
- Circulation systems should be designed to minimize conflicts with pedestrians and surrounding residential uses. This includes the consolidation of curb cuts wherever possible. The library has been designed in conjunction with the design of the adjacent property to the south, which is also owned by Hennepin County. Preliminary plans for this property include a grocery store and health-based resource center. The library and grocery store would share a single curb cut leading to Humboldt Ave that would be located on library property. Consolidating curb cuts is especially valuable for the interaction between these two uses in particular. The library would likely generate a larger-than-average amount of non-motorized and pedestrian traffic, especially among younger users. Conversely, the grocery would generate a larger-than-average amount of vehicular traffic. Therefore, designing the site with both uses in mind is important. Only one curb cut would exist along Humboldt, and it would serve both properties. A single point of access would reduce the number of potential conflict areas. The project would have no effect on alleys serving residential uses.
- Although there is no maximum impervious surface requirement in commercial districts, to the extent possible, site plans should minimize the use of impervious surfaces. Roughly 62% of the site would be covered by impervious surfaces, including the paved pathway to the north of the site (pervious pavers are planned) and the raised planting beds. The applicant has created a stormwater management plan that should allow for effective drainage and a landscaping plan that includes the implementation of water retention areas for occasional weather events.

Landscaping and Screening – Requires alternative compliance

- Landscaped areas should complement the scale of the development and take into account the surrounding area. The north and east portions of the site are well landscaped, and the overall design will further the notion of the library as an extension of the parkland to the north of the site. The design should be visually pleasing for residents of the nearby apartments.
- A 24-space parking lot would be located to the south of the library. This parking area must be buffered from Humboldt Ave N by a landscaped yard a minimum of seven feet in width and by screening a minimum of three feet in height with 95% opacity. The parking area would be screened from the street by raised planting beds located near the public sidewalk containing shrubs and perennials, and by ground level landscaped beds located adjacent to the parking area containing shrubs and canopy trees. The landscaped beds are a minimum of nine feet in width and the shrubs will be of adequate height to satisfy the screening requirement. The parking lot must be buffered from the apartment building on the adjacent lot to the east with a landscaped yard a minimum of seven feet in width and with screening a minimum of six feet in height with 95% opacity. The landscaped yard between the parking lot and the property line to the east is approximately 48 feet. However, the proposed screening is not 6 feet in height and requires alternative compliance.

- The zoning code requires that 20% of the site not covered by buildings be landscaped. Of that landscaped area, the code requires that at least one on-site canopy tree be planted per 500 square feet of required landscaping, and one shrub per 100 square feet of required landscaping. **Table 2**, shown below, contains the required and proposed landscaping.

Table 2. Landscaping and Screening Requirements

	Code Requirement	Proposed
Lot Area	--	60,156 sq. ft.
Building footprint	--	8,311 sq. ft.
Remaining Lot Area	--	51,845 sq. ft.
Landscaping Required	10,369 sq. ft.	22,859 sq. ft. (38%)
Canopy Trees (1: 500 sq. ft.)	21 trees	More than 30 trees
Shrubs (1: 100 sq. ft.)	104 shrubs	More than 300 shrubs

In addition to the proposed landscaping shown above, the applicant proposes four trees along Humboldt Ave between the sidewalk and the street in the public right-of-way. In addition to the trees and shrubs, several areas of the site will be planted with perennials and native grasses. The applicant has provided a planting schedule showing the types of plantings that will be used. All trees and shrubs that will count towards the landscaping requirements will meet the size requirements contained in Section 530.210 of the zoning code, and the species will be well suited for the climate.

- The parking lot does not have frontage along a public street. Every space in the parking lot is within 50 feet of the center of an on-site deciduous tree, and all tree islands have a minimum width of nine feet, exceeding the required minimum width of seven feet. The parking lot does not contain any corners or other unusable spaces that could accommodate additional landscaping.

Additional Standards – Meets requirements with Conditions of Approval

- The parking lot has been designed with a 6"x6" continuous concrete curb. The grading and drainage plan indicates that the parking lot will be designed in such a manner that stormwater is channeled into one of several storm drains located on-site. The applicant has provided a preliminary grading and drainage plan that can be found in the attachments. The grading and drainage plan incorporates a stormwater retention area on the east side of the site. Staff recommends as a condition of approval that the applicant consider a break in the curb on the east side of the parking area to allow the parking lot to drain directly into the green space and stormwater retention area.
- The project would marginally impair views of Victory Memorial Parkway from the commercial property to the south. However, the site has historically contained several single-family homes and a commercial use. Any blocking of views would be minimal. The library would have a maximum height of 26 feet and would be located a substantial distance from adjacent properties.
- The proposed building will not shadow public spaces or adjacent properties.
- The proposed single-story building will not generate wind currents at ground level.
- The proposed library and landscaping improvements propagate crime prevention through environmental design (CPTED) principles pertaining to elements such as natural surveillance, lighting, space delineation, and natural access control. The structure has windows on all elevations. The floor plans for the library indicate that the areas nearest the windows would be used for seating and programming rather than for bookshelves, which will aid in natural surveillance and security. A large canopy encircles much of the structure. Beyond the canopy, raised planting beds create a physical barrier delineating space between the public and private realm. The barriers incorporate

well-defined entryways from the public sidewalk, the parking lot, and the parkway. The site plan incorporates lighting that is effective and context sensitive.

- The site is currently vacant and the proposed library does not include the reuse of significant features of historic buildings.

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

The proposed use is *conditional* in the C1 Neighborhood Commercial District.

Off-street Parking and Loading – Meets requirements

- The proposed use is a library. The minimum parking requirement for a library is 1 off-street parking space per 500 square feet of gross floor area in excess of 4,000 square feet, and a bicycle parking requirement equal to one space per 5,000 square feet of gross floor area. The proposed floor area of the library is 8,311 square feet, resulting in a parking requirement of 13 automobile spaces and 2 short-term bicycle parking spaces. The automobile parking requirement can be reduced by 10% if bicycle parking is provided in the amount of 25% of the required number of vehicular spaces, but not less than 4 bicycle spaces. The applicant has provided space for 18 bicycles, reducing the minimum automobile parking requirement to 12 spaces. The proposed parking lot would accommodate 24 stalls, including 2 handicapped accessible stalls. The maximum parking requirement for a library is one space per 200 square feet of gross floor area. Thus, the maximum parking requirement for the proposed library is 42 spaces. Libraries do not have a loading requirement.

Table 3. Vehicle Parking Requirements Per Use (Chapter 54I)

	Minimum Vehicle Parking	Applicable Reductions	Total Minimum Requirement	Maximum Parking Allowed	Proposed
Library	13	10% reduction for bicycle parking	12	42	24
Total	13	10%	12	42	24

Table 4. Bicycle Parking and Loading Requirements (Chapter 54I)

	Minimum Bicycle Parking	Minimum Short-Term	Minimum Long-Term	Proposed	Loading Requirement	Proposed
Library	2	Not less than 50%	--	18	None	--
Total	2	1	--	18	None	--

Building Bulk and Height – Meets requirements

- The proposed structure meets building bulk and height requirements. The maximum height for principal structures in the C1 district is 2.5 stories or 35 feet, whichever is less, and the maximum floor area is 1.7. The height of the proposed structure to the uppermost roofline is 26 feet. Although the structure has only one level of floor area, for the purposes of calculating gross floor area (GFA) and floor area ratio (FAR), portions of structures with roof heights greater than 20 feet are regarded as two stories. Floor area underneath portions of the building with ceiling heights

greater than 20 feet are counted twice. The first floor has a GFA of 8,311 square feet, and the portion of the structure with a ceiling height greater than 20 feet has a GFA of 4,898 square feet, resulting in a total GFA of 13,209 square feet and an FAR of 0.22. There is no minimum FAR in the CI district.

Table 5. Building Bulk and Height Requirements

	Code Requirement	Proposed
Lot Area	--	60,156 sq. ft. / 1.38 acres
Gross Floor Area (GFA)	--	13,209 sq. ft.
Minimum Floor Area Ratio (GFA/Lot Area)	--	0.22
Maximum Floor Area Ratio (GFA/Lot Area)	1.7	0.22
Maximum Building Height	2.5 stories or 35 feet, whichever is less	26 ft.

Lot Requirements – Meets requirements

- There is no minimum lot area or lot width for a library in commercial zoning districts.

Yard Requirements – Meets requirements

- Commercial districts are not subject to minimum yard requirements unless they are adjacent to residence or office-residence districts or permitted or conditional residential uses. The Parkway to the north and the apartment building to the east are in residential zoning districts. The front lot line of the adjacent parcel to the north (between the library site and the Parkway) would run along Humboldt Ave N, so the library site must observe a 20-foot front yard setback along Humboldt Ave N for the first 25 feet south of the north property line. The site plan indicates that this area will contain a walkway and raised planting beds. Both walkways and raised planting beds are permitted obstructions in the front yard setback, provided walkways for institutional uses are no wider than 12 feet and raised planting beds are no taller than 3 feet. The width of the proposed walkway is approximately 10 feet and the height of the planting beds is 18 inches. Therefore, both are permitted obstructions. The remainder of the north property line of the library site would be considered an interior side property line. The required and proposed setbacks for the subject property are displayed below in **Table 3**.

Table 6. Minimum Yard Requirements

	Zoning District	Overriding Regulations	Total Requirement	Proposed Distance (approximate)
Front (West)	0 ft.	20 feet for the first 25 feet south of the north property line.	0 ft.	16 feet to edge of canopy, 28 ft. to building wall, outside of the required 20 feet.
Interior Side (East)	0 ft.	Adjacent to R4 district; 5 + 2x, where 'x' equals the number of stories above the first story.	7 ft.	82 ft. to parking area, 41 feet to patio, 105 feet to building wall.

Interior Side (North)	0 ft.	Adjacent to RIA district; 5 + 2x, where 'x' equals the number of stories above the first story.	7 ft.	13 ft. to plaza, 13 ft. to edge of canopy, 30 ft. to building wall.
Interior side (south)	0 ft.	--	0 ft.	105 ft. to edge of canopy, 116 feet to building wall.

Signs – Requires variance(s)

- The applicant has proposed 2 identification signs for the property. A freestanding monument sign would be located at the southwest corner of the project area and would be oriented towards traffic on Humboldt Ave N. This sign would have a solid base composed of stone veneer and extend to a height of approximately 4'2" above grade. The face of the sign would be approximately 2.2 feet tall by 6.5 feet wide, for a total sign face area of approximately 14 square feet. For signs with a solid base, the base is not included in the total sign face area. The maximum area of a freestanding sign in the CI district is 32 square feet. A second wall identification sign is proposed for the north façade of the structure near the principal entrance. This sign would be oriented towards Victory Memorial Parkway. It would be located a maximum of approximately 7.8 feet above grade, measured to the top of the sign, with a vertical dimension of 3 feet and a horizontal dimension of approximately 9.8 feet. Although the Parkway contains both vehicular and pedestrian rights-of-way, the north façade is not considered a primary building wall because a lot exists between the library site and the road. Therefore, the north façade of the structure is not considered a primary building wall. Signs on non-primary building walls are not permitted, so the applicant has applied for a variance to allow the north-facing wall sign. Staff is recommending approval of the requested variance. See the 'Variance' section of the staff report for the required findings.

Screening of Mechanical Equipment – Meets requirements with Conditions of Approval

- The majority of the mechanical equipment would be located within the building. However, a condensing unit would be located on the building's exterior adjacent to the east façade. The mechanical equipment would be located in an enclosed area. Preliminary plans do not show any mechanical equipment located on the roof of the building. As a condition of approval, staff recommends that the applicant work with staff to ensure that mechanical equipment is screened by materials that are compatible with the principal structure and compliant with Section 535.70 of the zoning code.

Refuse Screening – Meets requirements with Conditions of Approval

- Refuse and recycling storage containers must be enclosed on all side by screening compatible with the principal structure not less than two feet higher than the refuse container. The proposed enclosure would be 24 feet x 8 feet in area and would have a height of five feet. An enclosure with a height of five feet would allow for a maximum trash container height of three feet. It is likely that a taller trash enclosure may be necessary to provide effective screening. Therefore, as a condition of approval, staff recommends that the applicant work with staff to ensure that the enclosure is an appropriate size and that it is composed of materials that are compatible with the principal structure.

Lighting – Meets requirements

- Existing and proposed lighting must comply with Chapter 535 and Chapter 541 of the zoning code. The sidewalk and parking lot will be illuminated by LED area luminaires. The poles will extend to a height of 20 feet in the parking lot, 12 feet in the outdoor reading area, and placed within bollards along the pathway that connects the building with the outdoor reading area. Further, recessed lights

would be placed within the ceiling of the canopy. The proposed lighting will provide a minimum level of security while not creating glare or excessive lighting of the site.

Fences – Meets requirements

- No fences are proposed for this project. All required screening will be vegetative.

Specific Development Standards – Not applicable

Overlay District Standards – Not applicable

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

The Minneapolis Plan for Sustainable Growth identifies the site as Urban Neighborhood on the future land use map. It is adjacent to Victory Memorial Parkway, which is designated as Parks and Open Space. In addition to the policies that support the rezoning and the conditional use permit, the proposed development is consistent with the following principles and policies outlined in the comprehensive plan:

Urban Design Policy 10.1: Promote building designs and heights that enhance and complement the image and form of the Downtown skyline, provide transition to the edges of Downtown and protect the scale and quality in areas of distinctive physical or historical character.

10.1.2 Building placement should preserve and enhance public view corridors that focus attention on natural or built features, such as landmark buildings, significant open spaces or water bodies.

10.1.3 Building placement should allow light and air into the site and surrounding properties.

Urban Design Policy 10.10: Support urban design standards that emphasize a traditional urban form in commercial areas.

10.10.3 Enhance pedestrian and transit-oriented commercial districts with street furniture, street plantings, plazas, water features, public art and improved transit and pedestrian and bicycle amenities.

Urban Design Policy 10.13: Work with institutional and public partners to assure that the scale and form of new development or expansion will occur in a manner most compatible with the surrounding area.

10.13.3 Encourage institutional uses and public buildings and facilities to incorporate architectural and site design that is reflective of their civic importance and that identifies their role as focal points for the community.

Transportation Policy 2.3: Encourage walking throughout the city by ensuring that routes are safe, comfortable, pleasant, and accessible.

2.3.7 Minimize and consolidate driveway curb cuts as opportunities arise, and discourage curb cuts where alleys are available.

Open Space and Parks Policy 7.1: Promote the physical and mental health of residents and visitors by recognizing that safe outdoor amenities and spaces support exercise, play, relaxation and socializing.

7.1.1 Ensure that adjacent land uses contribute to the safety and ambiance of parks and open spaces.

7.1.2 Ensure safety in open spaces by encouraging Crime Prevention through Environmental Design strategies.

- 7.1.3 Provide safe pedestrian and bike routes to open spaces and parks.

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

Not applicable.

5. Alternative compliance.

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

- **Building placement.** The first floor building wall is required to be located not more than 8 feet from the lot line along Humboldt Avenue N. The edge of the canopy would be located approximately 16 feet from the front lot line and the building would be located approximately 28 feet from the front lot line. The area between the canopy and the front lot line would include amenities such as raised landscaping beds and a plaza near the entrance, and the area under the canopy would be used for outdoor seating and programming. The setback and “front porch” canopy design along the Humboldt Ave façade are compatible with the low-density residential district across the street. It is likely that the building’s entire usable life will be devoted institutional and public use, so a building design that is readily adaptable to a variety of uses is less important. Staff finds that any adverse effects created by the increased building setback are effectively mitigated by the proposed amenities and site context, and therefore recommends granting alternative compliance.
- **Blank wall on south elevation.** The building contains a projection on the south façade that is approximately 30 feet in length and blank. Staff finds that the variation wall height and in the pattern of materials on this projection mitigates the effect of the blank wall. Besides this projection, the structure is built at two primary heights – 16 feet and 26 feet. This projection will be 20 feet in height. The majority of the building is clad in stone veneer extending from grade to approximately 15 feet above grade, giving way to metal panels from this point to the top of the structure. The projection features metal panels extending downward to a point approximately 7 feet above grade, effectively distinguishing it from the established pattern demonstrated elsewhere on the structure.
- **Windows along Humboldt Ave N.** Building walls facing a public street or on site parking area must be composed of at least 30% windows between 2 and 10 feet above the adjacent grade. The proposed building elevation contains 27% windows along Humboldt Ave. Staff recognizes that the shortcoming in window area is somewhat mitigated by the provision of outdoor activity space under the canopy along this building façade and by ample plantings in raised planting beds between the building wall and the sidewalk. However, these mitigating factors do not sufficiently address CPTED principles relating to natural surveillance and eyes on the street. Meeting the minimum window requirement in order to promote these principles is a compelling purpose. Therefore, staff recommends that alternative compliance not be granted and that the minimum window requirement be met.
- **Windows on south façade.** The south façade contains 28% windows rather than the minimum 30%. Staff finds that the shortcoming in window area is mitigated by the ample placement of windows on non-primary building walls and the provision of amenities between the building wall and the parking lot. The south façade features seats built into the structure, a plaza, and bicycle parking. The southeast quadrant of the building contains all of the mechanical equipment. Placing windows in this location would provide little benefit. The other portions of the building are open to the public and contain ample windows.
- **Parking lot screening –** Parking lots are required to be screened from adjacent residence or office-residence districts by a fence and/or vegetation with a height of at least 6 feet and 95%

opacity. The proposed screening would meet the opacity requirement but would not meet the height requirement. Staff recommends that alternative compliance be granted due to a number of mitigating factors. First, the parking area would be located more than 80 feet from the adjacent property, and the principal structure on the adjacent property is set back almost 70 feet from the shared property line. Second, the adjacent property contains a surface parking lot between the structure and the shared property line, as well as a tall fence (although the fence is not a privacy fence). Third, the adjacent structure does not have any windows on this façade. In addition to these mitigating factors, the area between the parking lot and the property line would be well landscaped with ample trees, grasses, and shrubs.

PRELIMINARY AND FINAL PLAT

The Department of Community Planning and Economic Development has analyzed the application for a Preliminary and Final Plat based on the following findings:

1. *The subdivision is in conformance with these land subdivision regulations, the applicable regulations of the zoning ordinance and policies of the comprehensive plan.*

The area encompassed by the preliminary and final plat includes the library site (1407-1423 45th Ave N), the commercial property to the south of the library (4414 Humboldt Ave N), the remainder of the public alley located between the sites, and a portion of the 45th Ave N right-of-way. The subdivision application would combine these areas into a north parcel and a south parcel. The vacated rights-of-way would be integrated into the north parcel, and the property lines of the south parcel would remain mostly intact with the exception of the interior property line currently shared with 1407 45th Ave N. This property line would be shifted south slightly to align with the remainder of its northern property line.

The proposed subdivision is in conformance with the applicable zoning code regulations and policies of the comprehensive plan. The subdivision is also in conformance with the applicable design requirements of the land subdivision regulations and design standards. Both new lots would have street frontage and no nonconforming structures would be created. If the rezoning applications were approved then the subdivision would not result in more than one zoning classification on a lot. No new streets would be created. Although the western property line would not change location, the sidewalk along Humboldt Avenue N would be shifted slightly away from the street to accommodate plantings in the right-of-way, as recommended in the PDR report. In addition to the policies supporting the other land use applications, the proposed subdivision corresponds with the following policy from the comprehensive plan.

Open Space and Parks Policy 7.6: Continue to beautify open spaces through well designed landscaping that complements and improves the city's urban form on many scales – from street trees to expansive views of lakes and rivers.

- 7.6.1 Where open spaces and the built environment interface, seek greater design integration between them to create interesting spaces for active and passive use.

2. *The 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 proposed subdivision would alter the parcel boundaries to encompass a vacated street and a vacated alley. Neither the street nor the alley provides access to parcels other than those owned by the applicant. Therefore, the proposed subdivision would have no impact on surrounding properties.

- 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 topography of the site is flat and the site is not located in the Shoreland Overlay District or Floodplain Overlay District. The site does not pose 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 lots created by the proposed subdivision would be of suitable size and orientation to accommodate development. The north lot would have an area of approximately 62,461 square feet and the south lot would have an area of approximately 51,145 square feet. Both properties would have street frontage.

Preliminary plans for the south lot indicate that a new use would share a single curb cut with the library along Humboldt Ave N. The curb cut would be located on library property, so an easement would be necessary to access the south parcel from Humboldt Ave. Although this driveway is the only curb cut proposed along Humboldt Ave, approval of the subdivision request would not preclude the addition of another point of access along this street in the future. In addition, the south parcel currently has frontage and a curb cut on 44th Ave N.

The vacated street and alley do not provide access to any properties other than those owned by the applicant.

- 5. The subdivision makes adequate provision for stormwater 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.*

The Department of Public Works will review the north lot for appropriate drainage and stormwater management. A significant portion of the north lot will be devoted to stormwater management in the form of a retention pond on the east side of the site. A stormwater management and erosion control plan is required as part of the site plan approval process before building permits may be issued.

In the short term, the south lot would remain as is. However, Hennepin County has begun the process to lease/sell the property to a user who will have the ability to improve the site. Redevelopment of the site will require the review and approval of stormwater and erosion control plans.

VACATION – 45th Avenue North (VAC-1640)

The applicant is proposing to vacate part of 45th Avenue North, from Humboldt Avenue North easterly to the cul-de-sac. The area to be vacated is legally described as follows:

That part of 45th Avenue No. dedicated in the plat of James M. Gillespie's 4th Addition lying easterly of the northerly extension of the west line of Lot 1 in said plat, said west line being the same as the east line of Humboldt Avenue No. dedicated in said plat, and lying westerly of the east line of said plat, said east line being the same as the east line of vacated Girard Avenue No. dedicated in said plat.

Also, 45th Avenue North as opened by action of the Minneapolis City Council on November 10th, 1955 and recorded in the Office of the County Recorder in and for Hennepin County, Minnesota in Book 740 of Miscellaneous Records on Page 178 as Document No. 2985297 and described as follows:

Commencing on east line of Humboldt avenue north and north line of 45th avenue north, as platted (30 feet); thence north 18 feet along east line of Humboldt avenue north; thence east and parallel with north line of said platted 45th avenue north and extension thereof to east line of Girard avenue north; thence south 18 feet to said north line of platted 45th avenue north; thence west along said line to the point of beginning, according to the plat on file and of record in the office of the Register of Deeds in and for Hennepin County and State of Minnesota, being the most westerly south 18 feet of Lot 25, Auditor's Subdivision No. 159 lying between the east line of Humboldt Avenue No. and the northerly extension of the east line of vacated Girard Avenue No. in the Southwest Quarter of the Southwest Quarter of Section 12 Township 118 Range 21.

RESPONSES FROM UTILITIES AND AFFECTED PROPERTY OWNERS. Minneapolis Public Works has reviewed the vacation petition and recommends approval of said vacation. CenterPoint Energy has an existing natural gas main in that portion of 45th Ave N proposed to be vacated. CenterPoint has requested that an easement be recorded with the Hennepin County Recorder's Office, created by and within the document establishing the street vacation, in the following area:

Over a 30.00 foot strip in that part of 45th Avenue North being vacated, lying north of the south Right of Way line.

FINDINGS. The Department of Public Works and the Department of Community Planning and Economic Development find that the area proposed for vacation is not needed for any public purpose, and it is not part of a public transportation corridor, and that they can be vacated if any easements requested above are granted by the petitioner.

VACATION – Remainder of public alley (VAC-1639)

The applicant is proposing to vacate the remainder of the public alley in James Gillespie's Fourth Addition from Humboldt Ave N easterly for approximately 179.32 feet to a dead end. The area to be vacated is legally described as follows:

That part of the alley dedicated in the plat of James M. Gillespie's 4th Addition lying westerly of a line parallel with and 89.6 feet westerly of the east line extended of Lot 6 in said plat, said line being the same line as described in an alley vacation Resolution adopted by the City Council of the City of Minneapolis on February 27, 1959 and filed in the Office of the Registrar of Titles in and for Hennepin County, Minnesota as Document No. 611131 and recorded in the Office of the County Recorder in and for said Hennepin County in Book 845 of Miscellaneous Records on Page 387 as Document No. 3205991.

RESPONSES FROM UTILITIES AND AFFECTED PROPERTY OWNERS. Minneapolis Public Works has reviewed the vacation petition and recommends approval of said vacation. No easements were requested by any of the referral agencies that responded during the comment period prior to the printing of this report.

FINDINGS. The Department of Public Works and the Department of Community Planning and Economic Development find that the area proposed for vacation is not needed for any public purpose, and it is not part of a public transportation corridor, and it can be vacated.

FOR REZONINGS ONLY

ZONING PLATE NUMBER. 2

LEGAL DESCRIPTION. Lots 1 through 12 inclusive, also that part of the vacated alley lying Easterly of the West line of Lot 5, also That part of Vacated Girard Avenue lying South of the South line of Lot 6, James M. Gillespie's Fourth Addition.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt staff findings for the applications by Hennepin County for the properties located at 1407, 1411, 1413, and 1423 45th Avenue North, and 4414 Humboldt Avenue North:

A. Rezoning the properties located at 1407, 1411, 1413, and a portion of 1423 45th Avenue North from the R4 Multiple-Family District to the C1 Neighborhood Commercial District.

Recommended motion: **Approve** the application for a rezoning from the R4 Multiple-Family District to the C1 Neighborhood Commercial District.

B. Rezoning a portion of the property located at 1423 45th Avenue North from the C2 Neighborhood Corridor Commercial District to the C1 Neighborhood Commercial District.

Recommended motion: **Approve** the application for a rezoning from the C2 Neighborhood Corridor Commercial District to the C1 Neighborhood Commercial District.

C. Rezoning a portion of the property located at 4414 Humboldt Avenue North from the C2 Neighborhood Corridor Commercial District to the C1 Neighborhood Commercial District.

Recommended motion: **Approve** the application for a rezoning from the C2 Neighborhood Corridor Commercial District to the C1 Neighborhood Commercial District.

D. Conditional Use Permit to allow a library in the C1 Neighborhood Commercial District.

Recommended motion: **Approve** the application for a library, subject to the following conditions:

- I. 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.

E. Variance to allow an approximately 19.5-square-foot wall sign on a non-primary building wall.

Recommended motion: **Approve** the application for a wall sign on a non-primary building wall.

F. Site Plan Review for a new library.

Recommended motion: **Approve** the application for site plan review, subject to the following conditions:

1. All site improvements shall be completed by October 19, 2017, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
2. CPED staff shall review and approve the final site, elevation, landscaping, and lighting plans before building permits may be issued.
3. The applicant shall work with staff to ensure that mechanical equipment is screened by materials that are compatible with the principal structure and compliant with Section 535.70 of the zoning code.
4. The applicant shall work with staff to ensure that the refuse and recycling enclosure meets the screening requirements contained in Section 535.80 of the zoning ordinance.
5. The applicant shall consider a break in the curb on the east side of the parking area to allow the parking lot to drain directly into the green space and stormwater retention area.
6. The applicant shall provide additional glazing on the west elevation to achieve a minimum of 30 percent, in compliance with Section 530.120 of the zoning code.

G. Preliminary and Final Plat.

Recommended motion: Approve the preliminary and final plat.

H. Vacation of 45th Avenue North.

Recommended motion: Approve the application (Vacation file 1640) to vacate 45th Avenue North, from Humboldt Avenue North easterly to the cul-de-sac, subject to the following condition:

1. Provision of an easement to CenterPoint Energy as described above.

I. Vacation of part of an alley

Recommended motion: Approve the vacation (Vacation file 1639) to vacate the remainder of the alley in James Gillespie's Fourth Addition from Humboldt Ave N easterly for approximately 179.32 feet to a dead end.

ATTACHMENTS

1. PDR report
2. Written description and findings submitted by applicant
3. Zoning map
4. Right-of-way vacation map and Public Works letters
5. Site plan
6. Site survey
7. Site and building plans
8. Building elevations
9. Site and building renderings
10. Photos of existing conditions
11. Correspondence