

**Minneapolis City Planning Department Report**  
Conditional Use Permit, Parking Variance, 3 Setback Variances, Site Plan Review,  
Preliminary Plat, Street Vacation and 2 Alley Vacations  
BZZ-741

**Date:** August 5, 2002

**Applicant:** Plymouth Christian Youth Center

**Address of Property:** 2202, 06 and 10 Oliver Avenue North

**Project Name:** PCYC Middle School and Administrative Offices

**Date Application Deemed Complete:** July 2, 2002

**End of 60-Day Decision Period:** August 31, 2002

**End of 120-Day Decision Period:** Not applicable

**Applicant has Waived 60-Day Requirement:** No

**Contact Person and Phone:** Patrick Mathenge, (612) 333-3941

**Planning Staff and Phone:** Hilary Watson, (612) 673-2639

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

**Existing Zoning:** R5

**Concurrent Review:**

**Conditional Use Permit:** for a school

**Variance:** to reduce the required number of off-street parking spaces from the required 27 spaces to 23 spaces

**Variance:** to reduce the front yard setback along Oliver Avenue North from the required 23 feet 6 inches to 2 feet

**Variance:** to reduce the north interior side yard setback from the required 7 feet to 0 feet

**Variance:** to reduce the south interior side yard setback from the required 7 feet to 3 feet 6 inches

**Variance** to reduce the width of the drive aisle from the required 22 feet to 18 feet

**Site Plan Review:** development over 20,000 square feet

**Preliminary Plat:** PL116

**Street Vacation:** of Oliver Avenue North from 23<sup>rd</sup> Avenue North to West Broadway

**Alley Vacation:** of a portion of the alley from the west corner of Lot 2, Block 21, Forest Heights Addition to Minneapolis, Hennepin County, MN

**Alley Vacation:** of a portion of an alley from the easterly extension of a line 26 feet north from and parallel to the south line of Lot 26, Block 23, Forest Heights, Minneapolis, Hennepin County, MN

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**Proposed Use:** Middle school and administrative offices

**Previous Actions:** None that are relevant to the proposed development.

**Background:** The proposed development is located in the Near North Neighborhood. The development site is located at the intersection of 23<sup>rd</sup> Avenue North and Oliver Avenue North. Located on the same block as the proposed development are several single-family dwellings, other property owned by PCYC and several commercial establishments along West Broadway.

The development involves the construction of a two-story, junior high school and the administration offices for the PCYC. In addition this development involves the vacation of Oliver Avenue North and the relocation of two adjacent alleys.

Currently, there is a four-plex located on the site as well as two vacant lots. The residential building currently on the site is vacant.

This development is the second phase in a multi-phase master plan that the PCYC has devised for the area. In February of 2001 the City Planning Commission granted a conditional use permit and a site plan review for the development of the PCYC high school on the corner of West Broadway and Oliver Avenue North. After the construction of the PCYC junior high and administration offices is complete, PCYC intends on renovating the existing Capri Theater, located on the corner of West Broadway and Oliver Avenue North, and turning it back to a neighborhood theater. The final phase of the project involves the construction of the harambee space located at the intersection of 23<sup>rd</sup> Avenue North and Oliver Avenue North.

**Neighborhood Review:** The applicant has met with the Northside Residents Neighborhood Council on several occasions to review the further development of the PCYC site. In a letter dated June 24, 2002, Kevin Gulden, Housing Development Director of the neighborhood organization, expressed their support of the project.

### **CONDITIONAL USE PERMIT**

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

The Minneapolis City Planning Department 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, morals, comfort or general welfare.**

The Planning Department does not believe that the PCYC junior high school and administration offices will be detrimental to the surrounding area. The PCYC already owns several properties in the immediate vicinity where their high school, existing junior high school and existing administration offices are

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located. The new development will consolidate the uses of two of the existing buildings and open them up for future development.

**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 Planning Department does not believe that this development will be injurious to the use and enjoyment of surrounding property nor will it impede the normal development of the surrounding area. This property is surrounded by several single-family dwellings, other property owned by PCYC and several commercial establishments along West Broadway. This development will replace a vacant four-plex and two vacant lots with a junior high school and administration offices.

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

The applicant will be working closely with the Public Works Department during the duration of the development to ensure that all procedures are followed in order to comply with city requirements.

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

The parking requirement for the development is 27 parking spaces. The applicant is providing 23 parking spaces in the area that is currently Oliver Avenue North. The parking area will be accessed off of 23<sup>rd</sup> Avenue North.

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

This site is located in a high-density residential area. The site is located one block west of West Broadway, which in this area of the city, is designated as a commercial corridor.

In the Community Building chapter found in *The Minneapolis Plan*, Policy 1.6 states that “Minneapolis will promote community-based initiatives in youth programming.”

In the Learning chapter found in *The Minneapolis Plan*, Policy 5.2 states that “Minneapolis will invest human and financial resources in nurturing healthy children and providing them with a safe school environment.”

In the Learning chapter found in *The Minneapolis Plan*, Policy 5.8 states that “Minneapolis will encourage the growth of partnerships and learning opportunities that prepare students for the world of work.”

This development will replace a vacant four-plex and two vacant lots with a junior high school and administration offices. After the construction of the PCYC junior high and administration offices is complete, PCYC intends on renovating the existing Capri Theater, located on the corner of West

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Broadway and Oliver Avenue North, and turning it back to a neighborhood theater. The final phase of the project involves the construction of the harambee space located at the intersection of 23<sup>rd</sup> Avenue North and Oliver Avenue North.

**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.**

With the approval of the conditional use permit, the parking variance, the 3 setback variances, the drive aisle variance, the Site Plan Review, the Preliminary Plat, the street vacation and the 2 alley vacations this project will be in conformance with the applicable regulations of the zoning code.

### **RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application for the PCYC junior high school and administration offices located at 2202, 06 and 10 Oliver Avenue North subject to the following condition:

1. Prior to approval of the final plat, Lot 3 shall be rezoned so as to have only one zoning classification to be in conformance with the land subdivision regulations.

**VARIANCE** - To reduce the required number of off-street parking spaces from the required 27 spaces to 23 spaces

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

**1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

**Parking reduction:** The applicant is seeking a variance to reduce the required number of off-street parking spaces from the required 27 spaces to 23 spaces. The applicant has indicated that the site is irregular in shape. Because the proposed use of the development is related to the use of the existing building located at the corner of West Broadway and Oliver Avenue North the buildings need to be connected to one another. The applicant has also indicated that the area where the proposed parking area is to be located is in what is today thought of as Oliver Avenue North. This street has been closed off for over 10 years and is being formally vacated through this development project. There are approximately 31 people coming to and from this site today. The proposed development will not increase this number as the uses are already located at the site. Please note that when the first phase of the PCYC campus came through the City Planning Commission there was no parking required as the building had grandfathered rights to more parking than the requirement of the school. However, through the development of phase one there was an on-site parking area created that can accommodate up to five vehicles.

**2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic**

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considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.

**Parking reduction:** The shape of the site and the functionality of the existing building and the proposed building are unique conditions of the site.

**3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

**Parking reduction:** Staff believes that the granting of this variance would be in keeping with the spirit and intent of the ordinance as the employees of the site currently park along Oliver Avenue North and there have not been any complaints from the surrounding neighbors.

**4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

**Parking reduction:** Granting the variance would likely have no impact on congestion of area streets or fire safety, nor would the proposed development be detrimental to welfare or public safety.

### **RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission adopt the findings above and **approve** the variance to reduce the required number of off-street parking spaces from the required 27 spaces to 23 spaces subject to the following condition:

1. Upon development of the proposed parking area, the applicant shall contact the Planning Department to ensure the availability of another parking area in which they can satisfy their parking requirement.

**VARIANCE** - To reduce the front yard setback along Oliver Avenue North from the required 23 feet 6 inches to 2 feet

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

**1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

**Front yard setback:** The applicant is seeking a variance to reduce the front yard setback along Oliver Avenue North from the required 23 feet 6 inches to 2 feet. The applicant has indicated that the site is irregular in shape. Because the proposed use of the development is related to the use of the existing building located at the corner of West Broadway and Oliver Avenue North the buildings need to be connected to one another.

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**2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

**Front yard setback:** The shape of the site and the functionality of the existing building and the proposed building are unique conditions of the site.

**3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

**Front yard setback:** Staff believes that the granting of this variance would be in keeping with the spirit and intent of the ordinance as the intent of the new building is meant to function as an addition to the existing building thus making their connection vital. It should also be noted that there is 30 feet between the proposed development and the adjacent residential building.

**4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

**Front yard setback:** Granting the variance would likely have no impact on congestion of area streets or fire safety, nor would the proposed development be detrimental to welfare or public safety.

### **RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission adopt the findings above and **approve** the variance to reduce the front yard setback along Oliver Avenue North from the required 23 feet 6 inches to 2 feet.

**VARIANCE** - To reduce the north interior side yard setback from the required 7 feet to 0 feet

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

**1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

**North interior side yard setback:** The applicant is seeking a variance to reduce the north interior side yard setback from the required 7 feet to 0 feet. The applicant has indicated that the site is irregular in shape. Because the proposed use of the development is related to the use of the existing building located at the corner of West Broadway and Oliver Avenue North the buildings need to be connected to one another.

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**2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

**North interior side yard setback:** The shape of the site and the functionality of the existing building and the proposed building are unique conditions of the site.

**3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

**North interior side yard setback:** Staff believes that the granting of this variance would be in keeping with the spirit and intent of the ordinance as the intent of the new building is meant to function as an addition to the existing building thus making their connection vital.

**4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

**North interior side yard setback:** Granting the variance would likely have no impact on congestion of area streets or fire safety, nor would the proposed development be detrimental to welfare or public safety.

### **RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission adopt the findings above and **approve** the variance to reduce the north interior side yard setback from the required 7 feet to 0 feet.

**VARIANCE** - To reduce the south interior side yard setback from the required 7 feet to 3 feet 6 inches

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

**1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

**South interior side yard setback:** The applicant is seeking a variance to reduce the south interior side yard setback from the required 7 feet to 3 feet 6 inches. The applicant has indicated that the site is irregular in shape. Because the proposed use of the development is related to the use of the existing building located at the corner of West Broadway and Oliver Avenue North the buildings need to be connected to one another.

**2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic**

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**considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

**South interior side yard setback:** The shape of the site and the functionality of the existing building and the proposed building are unique conditions of the site.

**3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

**South interior side yard setback:** Staff believes that the granting of this variance would be in keeping with the spirit and intent of the ordinance as the intent of the new building is meant to function as an addition to the existing building thus making their connection vital. It should also be noted that there is 30 feet between the proposed development and the adjacent residential building.

**4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

**South interior side yard setback:** Granting the variance would likely have no impact on congestion of area streets or fire safety, nor would the proposed development be detrimental to welfare or public safety.

**RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission adopt the findings above and **approve** the variance to reduce the south interior side yard setback from the required 7 feet to 3 feet 6 inches.

**VARIANCE** - To reduce the width of the drive aisle from the required 22 feet to 18 feet

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

**1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

**South interior side yard setback:** The applicant is seeking a variance to reduce the width of the drive aisle from the required 22 feet to 18 feet. The applicant has indicated that the site is irregular in shape. The applicant has also indicated that the area where the proposed parking area is to be located is in what is today thought of as Oliver Avenue North. This street ranges in width between 36 and 39 feet. Oliver Avenue North has been closed off for over 10 years and is being formally vacated through this development project. Today, although Oliver Avenue North is considered to be a dead-end street, vehicles still park on both sides of the street. Upon leaving from the site vehicles either back out of the “parking area” or they maneuver around until they are able to drive straight out.

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**2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

**South interior side yard setback:** The shape of the site and the existing width of the proposed parking area are unique conditions of the site.

**3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

**South interior side yard setback:** Staff believes that the granting of this variance would be in keeping with the spirit and intent of the ordinance as the proposed parking area is only a temporary solution until PCYC is able to acquire more land upon which they will be developing a legally conforming parking area.

**4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

**South interior side yard setback:** Granting the variance would likely have no impact on congestion of area streets or fire safety, nor would the proposed development be detrimental to welfare or public safety.

### **RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission adopt the findings above and **approve** the variance to reduce the width of the drive aisle from the required 22 feet to 18 feet subject to the following condition:

1. Upon development of the proposed parking area, the applicant shall contact the Planning Department to ensure the availability of another parking area in which they can satisfy their parking requirement.

### **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. (See Section B Below for Evaluation.)**

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- C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)

### Section A: Conformance with Chapter 530 of Zoning Code

#### BUILDING PLACEMENT AND FACADE

- 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.
- 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 façade shall provide architectural detail and shall contain windows at the ground level or first floor.
- In larger buildings, architectural elements shall be emphasized.
- 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 where visible from a public street or a residence or office residence district.
- Entrances and windows:
  - Residential uses shall be subject to section 530.110 (b) (1).
  - Nonresidential uses shall be subject to section 530.110 (b) (2).
- Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

#### PLANNING DEPARTMENT RESPONSE

- This building does reinforce the street wall, maximizes natural surveillance and facilitates pedestrian access, as portions of the proposed building are located within 2 feet of Oliver Avenue North.
- The building is proposed to be setback 2 feet from Oliver Avenue North.
- There will be landscaping between the building and the property line. There will also be landscaping located between the new dedicated alley and the adjacent residential property.
- The principal entrance for the building is oriented towards Oliver Avenue North and is located within 8 feet of the property line.
- All of the parking for this site is located towards the interior of the site in what is today thought of as Oliver Avenue North.
- The building is proposed to be constructed of brick, rock face concrete block, stucco, metal, glazed curtainwall window systems, aluminum storefront windows and wood. There will be windows located on all four sides of the building.

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- The front wall of the building has been broken up into smaller sections through the use of large glass windows, a metal awning over the entrance and varying roof lines.
- The sides and back of the building will be compatible with the front of the building.
- Plain face block will not be visible from the street.
- The percentage of windows on the Oliver Avenue North side of the building is approximately 54 percent.
- There are no parking garages located on this site.

### **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 530.140 (b).**
- **Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.**
- **Site plans shall minimize the use of impervious surfaces.**

### **PLANNING DEPARTMENT RESPONSE**

- This development does conform to the walkway and sidewalk requirements of the zoning code.
- There are no bus stops being proposed as part of this development.
- The development conforms with the zoning code and with the requirements of the Public Works Department in regards to vehicular access and circulation. Although the applicant is seeking a variance of the required drive aisle width, the Public Works Department recognizes that this is a temporary parking situation and is supportive of the variance.
- All of the parking for this site is located towards the interior of the site in what is today thought of as Oliver Avenue North.
- According to the applicant, snow will be stored on the vacant parcel of land located across the parking area from the development.
- There is minimal landscaping on the site currently. The landscaping requirement for the site is 2,619 square feet. The applicant is proposing to have approximately 6,662 square feet of landscaping (51 percent) on the site once the project is complete. Please note that the majority of the applicants landscaping is sod. The specific tree requirement for the site is 13 and the specific shrub requirement for the site is 65. The applicant is providing 8 trees and 27 shrubs. Staff is recommending that the applicant work with the City's Landscaping Consultant to develop a landscaping plan that incorporates more plantings.

### **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 shall be landscaped as specified in section 530.150 (a).**

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- Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).
- 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.
- 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 530.160 (b).
- Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).
- The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.
- Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.
- All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible. The two (2) feet between the face of the curb and any parking lot boundary shall not be landscaped with plant material, but instead shall be covered with mulch or rock, or be paved.
- All other areas not governed by sections 530.150, 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 530.220.
- 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 530.60, as provided in section 530.230.

### **PLANNING DEPARTMENT RESPONSE**

- There is minimal landscaping on the site currently. The landscaping requirement for the site is 2,619 square feet. The applicant is proposing to have approximately 6,662 square feet of landscaping (51 percent) on the site once the project is complete. Please note that the majority of the applicants landscaping is sod. The specific tree requirement for the site is 13 and the specific shrub requirement for the site is 65. The applicant is providing 8 trees and 27 shrubs. Staff is recommending that the applicant work with the City's Landscaping Consultant to develop a landscaping plan that incorporates more plantings.
- There are no fences being proposed as part of the site plan. However, the CPTED specialist indicated that there should be fencing or some other type of barricade located around the corners of the vacant parcel of land located across the parking area from the development to ensure that it is not

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used as a cut-through in the neighborhood.

### **ADDITIONAL STANDARDS**

- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **Site plans shall minimize the blocking of views of important elements of the city.**
- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **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.**
- **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.**

### **PLANNING DEPARTMENT RESPONSE**

- The applicant is proposing to have wall lights over all of the entrances to the building and on other locations along the building walls.
- All of the parking for this site is located towards the interior of the site in what is today thought of as Oliver Avenue North.
- This building does not block views of important elements within the city.
- The building has minimal light and air effects on the surrounding area.
- This building has minimal wind effects on the surrounding area.
- The Police Department has reviewed the design in regards to crime prevention design elements. The CPTED specialist indicated that there should be lighting near all of the entrances to the building and the alley and that there should be fencing or some other type of barricade located around the corners of the vacant parcel of land located across the parking area from the development to ensure that it is not used as a cut-through in the neighborhood
- This site is neither historic nor located in a historic district.

### **Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan**

#### **ZONING CODE**

With the approval of the conditional use permit, the parking variance, the 3 setback variances, the drive aisle variance, the Site Plan Review, the Preliminary Plat, the street vacation and the 2 alley vacations this project will be in conformance with the applicable regulations of the zoning code.

#### **THE MINNEAPOLIS PLAN**

This site is located in a high-density residential area. The site is located one block west of West Broadway, which in this area of the city, is designated as a commercial corridor.

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In the City Form chapter found in *The Minneapolis Plan*, Policy 9.6 states that “Minneapolis will work with institutional partners to assure that the scale and form of new development or expansion will occur in a manner most compatible with the surrounding area.”

In the City Form chapter found in *The Minneapolis Plan*, Policy 9.8 states that “Minneapolis will maintain and strengthen the character of the city’s various residential areas.”

In the City Form chapter found in *The Minneapolis Plan*, Policy 9.16 states that “Minneapolis will encourage new development to use human scale design features and incorporate sunlight, privacy, and view elements into building and site designs.”

In the City Form chapter found in *The Minneapolis Plan*, Policy 9.17 states that “Minneapolis will build on recent initiatives to 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.”

In the City Form chapter found in *The Minneapolis Plan*, Policy 9.18 states that “Minneapolis will establish land use regulations, in order to achieve the highest possible development standards, enhance the environment and otherwise carry out the comprehensive plan.”

This development was designed to replicate the design of the existing high school building. The applicant is utilizing a variety of building materials that are compatible with other buildings in the area. There is a high percentage of windows incorporated into all sides of the building that will allow views into and out of the building.

### **Section C: Conformance with Applicable Development Plans or Objectives Adopted by the City Council**

The City Council approved the “Strategic Redevelopment Initiatives Blueprint for Implementation of West Broadway area Comprehensive Vision” plan in 1997. The West Broadway area vision for this intersection calls for the “nurturing of the cultural institutions at Logan Avenue North.” This development is in conformance with this vision.

### **ALTERNATIVE COMPLIANCE**

**The Planning Commission may approve alternatives to any major 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, 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.**

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- **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.**

### **PLANNING DEPARTMENT RESPONSE**

- The Planning Department does not believe that alternative compliance is warranted for this site.

### **RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for the PCYC junior high school and administration offices located at 2202, 06 and 10 Oliver Avenue North subject to the following conditions:

1. The Planning Department shall approve the final site plan.
2. The Planning Department shall approve the final landscaping plan.
3. The Planning Department shall approve the final dumpster enclosure elevations.
4. The applicant shall provide fencing or some other type of barricade located around the corners of the vacant parcel of land located across the parking area from the development to ensure that it is not used as a cut-through in the neighborhood
5. The Planning Department shall approve the final lighting plan.
6. The Planning Department shall approve the final elevation plans.
7. The applicant shall obtain an encroachment permit from the Public Works Department for any work done in the right-of-way.
8. All site improvements shall be completed by August 15, 2003, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
9. The applicant shall submit a performance bond in the amount of 125% of the estimated site improvement costs prior to building permits being pulled, or the permit may be revoked for non-compliance.

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### PRELIMINARY PLAT APPLICATION (PL-116)

#### Required Findings:

**1. Subdivision is in conformance with the land subdivision regulations including the requirements of section 598.100 relating to protection of natural resources, applicable regulations of the Zoning Code, and policies of the Comprehensive Plan.**

#### DESIGN REQUIREMENTS

All created lots have frontage on public streets.

One of the created lots, Lot 3, is not in conformance with the requirement in the land subdivision ordinance that no lot can have more than one zoning classification.

Staff is recommending that prior to approval of the final plat, Lot 3 shall be rezoned so as to have only one zoning classification to be in conformance with the land subdivision regulations.

No nonconforming structures or uses result from this plat.

#### NONRESIDENTIAL DEVELOPMENT DESIGN

Block dimensions meet the requirements of the land subdivision ordinance.

Lot dimensions exceed the minimum dimensions in the zoning code.

#### ZONING CODE

With the approval of the conditional use permit, the parking variance, the 3 setback variances, the drive aisle variance, the Site Plan Review, the Preliminary Plat, the street vacation and the 2 alley vacations this project will be in conformance with the applicable regulations of the zoning code.

#### THE MINNEAPOLIS PLAN

The Minneapolis Plan has several policies that call for the promotion of community-based youth programs, investment in the creation of safe school environments and increased opportunities that prepare students for the world or work. The subject plat will facilitate the development of an expanded school site and the future development of an outdoor gathering space, and is thus in conformance with these goals.

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

The Planning Department does not believe that this development will be injurious to the use and enjoyment of surrounding property nor will it impede the normal development of the surrounding area. This property is surrounded by several single-family dwellings, other property owned by PCYC and several commercial establishments along West Broadway. This development will replace a vacant four-plex and two vacant lots with a junior high school and administration offices.

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**3. All land intended for building sites can be used safely without endangering the residents or uses of the subdivision and the surrounding area by peril from floods, erosion, high water table, severe soil conditions, improper drainage, steep slopes, utility easements, rock formations, or other hazard.**

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

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

The parcels created by this plat present no foreseeable difficulties for the proposed development. No significant alterations to the land appears necessary.

**5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control. The stormwater drainage system shall be separate and independent of any sanitary sewer system. All plans shall be designed in accordance with rules, regulations and standards of the city engineer. Facilities intended to be dedicated to the City shall be located in perpetual, unobstructed easements of a width determined to be adequate and necessary by the city engineer. To the extent practicable, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.**

Public Works will review and approve drainage and sanitary system plans before issuance of building permits.

### **RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission **approve** the preliminary plat application for the PCYC junior high school and administration offices located at 2202, 06 and 10 Oliver Avenue North subject to the following condition:

1. Prior to approval of the final plat, Lot 3 shall be rezoned so as to have only one zoning classification to be in conformance with the land subdivision regulations.

### **VACATION (Vac1391) – A portion of Oliver Avenue North**

**Development Plan:** The site plan for the development is attached.

**Responses from Utilities and Affected Property Owners:** Of the utilities that have responded, Reliant Energy Minnegasco and Xcel Energy have requested easements and the City of Minneapolis Fire Department has requested that the property located at 2301 Oliver Avenue North be changed to a 23<sup>rd</sup>

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Avenue North address and that 2300 Oliver Avenue North be changed to a Broadway Avenue North address.

**Findings:** The Public Works Department and City Planning Department find that the area proposed for the vacation is not needed for any public purpose and it is not part of a public transportation corridor.

### **RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission and the City Council accept the above findings and **approve** the street vacation for that part of Oliver Avenue North which lies westerly of the westerly right of way line of County Road 81 (also known as West Broadway) per document no. 6805433 and northeasterly and easterly of the following described line subject to the retention of easements by Reliant Energy Minnegasco and Xcel Energy:

Beginning at the most westerly corner of lot 23, Block 21, Forest Heights, according to the recorded plat thereof, Hennepin County, Minnesota; thence southeasterly along the southwesterly line of said Lot 23, and its southeasterly extension, 71.60 feet, to a point of compound curvature (said southwesterly line is a curve concave to the southwest having a radius of 1213.90 feet, central angle of 03 degrees 22 minutes 47 seconds and a chord bearing of South 44 degrees 22 minutes 11 seconds East); thence southerly 58.53 feet, along a compound curve concave to the west having a radius of 60.00 feet and a central angle of 55 degrees 53 minutes 48 seconds to a point on the westerly line of Lot 28, Block 23, Forest Heights, distant 36.11 feet northerly, as measured along said westerly line of said Lot 28, from the southwest corner of said Lot 28 and said line there terminating.

### **VACATION (Vac1392) – A portion of the alley between Oliver and Penn Avenues North**

**Development Plan:** The site plan for the development is attached.

**Responses from Utilities and Affected Property Owners:** Of the utilities that have responded, Xcel Energy has requested an easement and the City of Minneapolis Fire Department has requested that the property located at 2301 Oliver Avenue North be changed to a 23<sup>rd</sup> Avenue North address and that 2300 Oliver Avenue North be changed to a Broadway Avenue North address.

**Findings:** The Public Works Department and City Planning Department find that the area proposed for the vacation is not needed for any public purpose and it is not part of a public transportation corridor.

### **RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission and the City Council accept the above findings and **approve** the alley vacation for that part of the alley in Block 21, Forest Heights, according to the recorded plat thereof, Hennepin County, Minnesota, lying southerly of a line drawn parallel with and 26.00 feet southeasterly of the northwesterly line of Lot 22, Block 21, Forest heights, and its northeasterly extension subject to the retention of an easement by Xcel Energy.

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### **VACATION (Vac1393) – A portion of the alley between Newton and Oliver Avenues North**

**Development Plan:** The site plan for the development is attached.

**Responses from Utilities and Affected Property Owners:** Of the utilities that have responded, Xcel Energy has requested an easement and the City of Minneapolis Fire Department has requested that the property located at 2301 Oliver Avenue North be changed to a 23<sup>rd</sup> Avenue North address and that 2300 Oliver Avenue North be changed to a Broadway Avenue North address.

**Findings:** The Public Works Department and City Planning Department find that the area proposed for the vacation is not needed for any public purpose and it is not part of a public transportation corridor.

### **RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission and the City Council accept the above findings and **approve** the alley vacation for that part of the alley in Block 23, Forest Heights, according to the recorded plat thereof, Hennepin County, Minnesota, lying northerly of a line drawn parallel with and 26.00 north of the south line of Lot 26, Block 23, Forest heights and its easterly extension subject to the retention of an easement by Xcel Energy.