

Community Planning and Economic Development Department – Planning Division
Rezoning, two Conditional Use Permits, five Variances and Major Site Plan Review
BZZ-1518

Date: January 12, 2004

Applicant: Market Square Real Estate, Inc.

Address of Property: 275 Market Street, 700, 746 and 810 Glenwood Avenue and 211 and 301 Lyndale Avenue North

Contact Person and Phone: Dawn Grant, (612) 347-9301

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

Date Application Deemed Complete: December 15, 2003

End of 60-Day Decision Period: February 13, 2004

End of 120-Day Decision Period: Not applicable

Ward: 5 **Neighborhood Organization:** Harrison Neighborhood Association

Existing Zoning: I1

Proposed Zoning: IL Industrial Living Overlay District

Proposed Use: 97 dwelling units

Concurrent Review:

Rezoning: petition to add the IL (Industrial Living) Overlay District to the existing I1 District.

Conditional use permit: to allow 97 dwelling units.

Conditional use permit: to allow a free-standing parking ramp.

Variance: to reduce the width of the drive aisle for the 60-degree parking spaces from 18 feet to 17 feet in the parking ramp.

Variance: to reduce the width of the drive aisle for the 45-degree parking spaces from 12 feet to 9 feet in the surface parking lot (west lot).

Variance: to reduce the width of the drive aisle for the 90-degree parking spaces from 22 feet to 20 feet in the surface parking lot (south lot).

Variance: to increase the maximum number of freestanding signs on the site from 3 to 9 that do not meet the definition of auxiliary signs.

Variance: to increase the maximum allowed area of wall signage from 365 square feet to 644 square feet to allow for a new 14 square foot sign.

Major site plan review.

Background: The applicant is proposing to convert the third to eighth floors of the northern building of the International Market Square (IMS) complex into 97 for-sale, residential units. There is a two-story tower (ninth and tenth floors) on the western part of the building that will be converted into penthouse units. The first and second floors will remain part of the IMS Design Center. A lobby area will be created allowing for a private residential entrance. As part of this development the applicant is also proposing to construct a new three-level parking ramp that will accommodate up to 355 vehicles. A skyway will connect the ramp to the second floor of the IMS building. The upper two levels of the ramp will be utilized by the public and the lower level of the ramp will be utilized by the residents. Separate entrances into the building will be provided in order to maintain the private residential entrance.

IMS was placed on the National Register of Historic Places in 1983. In 1984 the building was locally designated. The Minneapolis Heritage Preservation Commission reviewed the applicant's development on December 9, 2003. At the public hearing the Minneapolis Heritage Preservation Commission voted to approve the rehabilitation of the above property subject to two conditions; 1) Staff must approve final colors for windows, steel balconies and parking ramp cladding and 2) Staff must approve the final signage plan for the new development.

Parking: The current parking requirement for IMS is 704 parking spaces. With the additional 97 dwelling units the parking requirement increases to 801 parking spaces. According to the survey that was submitted by the applicant there are a total of 572 parking spaces in the three parking lots that are owned by IMS. In the south parking lot there are 136 parking spaces, in the west parking lot there are 177 parking spaces and in the north parking lot there are 259 parking spaces. According to the survey neither the parking spaces nor the drive aisles in the west parking lot meet the minimum parking space and drive aisle dimensions as required by the zoning code.

It has been determined that because there is no record of what the parking requirement was for the IMS building when it was renovated in the 1980's that as long as the applicant provides as many parking spaces in the north lot as there are today plus an additional 97 parking spaces for the proposed dwelling units that the development will be in conformance with the parking requirement. Currently there are a total of 259 parking spaces in the north parking lot. The proposed ramp will accommodate 355 vehicles plus there are an additional 49 parking spaces provided around the parking ramp making for a total of 404 parking spaces which is more than required.

Neighborhood Review: The applicant presented the plans to the Harrison Neighborhood Association and the Bassett Creek Valley Redevelopment Oversight Committee. Both of the organizations voted to support the development.

Attachments:

1. Letter from the property owner
2. Propose use and description of the project
3. Rezoning certification letter from the City Attorney's Office
4. CUP and variance findings
5. October 29, 2003 letter to CM Dean Zimmerman and the Whittier Alliance
6. Heritage Preservation Commission staff report and final action letter
7. Zoning Map
8. Survey of the property

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9. Site and landscape plans
10. Revised site plan by staff showing parallel parking spaces
11. Photographs of the site and surrounding area

REZONING

Zoning Plate Number: 13

Legal Description:

PARCEL 1:

Tracts A, B, C, D, and E, REGISTERED LAND SURVEY NO. 1566, files of the Registrar of Titles, County of Hennepin.

Torrens Property
Torrens Certificate No. 791095

PARCEL 2:

Lot 4, except the South 70 feet thereof;
All of Lots 5 and 6 except the South 60 feet thereof,

Block 1, McFARLANE'S ADDITION TO MINNEAPOLIS, together with that portion of the West Half of the alley between Lots 3 and 4 of said Block 1, lying between extensions across it of the Northerly line of said Lot 4 and the Northerly line of the South 70 feet of said Lot 4, according to the plat thereof on file or of record in the office of the Register of Deeds in and for said County.

Torrens Property
Torrens Certificate No. 778336

PARCEL 3:

Those parts of Lots 1, 2, and 3, Block 1, McFARLANE'S ADDITION TO MINNEAPOLIS and the east Half of the vacated alley in said Block 1, lying northwesterly of a line drawn parallel with and 15 feet northwesterly of the center line of the most northerly railroad track now crossing said lots and alley, except that part of said Lot 1 lying northeasterly of the line described as follows:

Beginning at a point on the east line of said Lot 1, distant 30 feet south of the north east corner thereof, thence run northwesterly to a point on the north line of said Lot 1, distant 40 feet westerly of the north east corner thereof and there terminating.

Abstract Property

Findings as Required by the Minneapolis Zoning Code:

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

The site is located in a light-industrial area and is adjacent to Glenwood Avenue, which is a designated Commercial Corridor. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Support development of residential dwellings of appropriate form and density.
- Ensure that new development density is well integrated with existing neighborhood character through transitions in scale and attention to design.
- Strengthen the residential character of Community Corridors by developing appropriate housing types that represent variety and a range of affordability levels.
- Promote more intensive residential uses along Community Corridors where appropriate.
- Encourage the development of mixed use residential dwelling units in commercial buildings where appropriate.

This development will convert a portion of an existing commercial building into 97 for-sale, residential units. The prices of the proposed dwelling units will range in price from \$200,000 to \$700,000. Given that the building is existing and contains more than 120 thousand square feet of saleable space staff believes that the proposed density is appropriate.

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

The amendment will allow the property owner to convert the building to 97 for-sale, residential units. In no way does adding the IL Overlay remove any rights of the I1 zoning district. City stakeholders have identified this area of the city as being suitable for housing as the Heritage Park development is located directly north of the site. Approving this rezoning supports the City’s decision to construct new housing in this area of the city.

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

The site is bordered by R4 zoning to the north, I2 zoning to the east and south and I1 zoning to the west. Adjacent uses include a mixture of different housing developments, industrial uses, commercial uses and the freeway.

The proposed IL Overlay is compatible with the immediately surrounding area. The IL Overlay is established to encourage the rehabilitation and reuse of existing industrial structures and to provide for limited residential and retail uses in the I1 and I2 Industrial Districts where such uses are compatible with other uses in the area. In this particular situation the IL Overlay would be added to a property that is adjacent to other properties that are zoned residential.

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

There are reasonable uses of the property permitted under the I1 zoning district. The I1 zoning district is a light industrial district. Permitted uses in the I1 district include, but are not limited to, the following:

- Light industrial uses
- Film, video and audio production
- Packaging of finished goods
- Self service storage
- Art gallery
- Photocopying
- Coffee shop, with limited entertainment
- Hotel
- Clinic, medical or dental

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

Under the 1963 Zoning Code, the subject property and the surrounding properties were zoned similarly to what they are zoned today. In the last several years, Heritage Park, a large redevelopment project just north of 4th Avenue North, has been under construction. The Heritage Park project is being developed in phases. The overall project area of approximately 73 acres is to include 900 housing units, and will include a mix of housing types throughout the site-including single family homes, duplexes, triplexes, accessory dwellings and a variety of multiple-family structures. The blocks immediately to the north of the IMS development will be ownership housing including some affordable units.

CONDITIONAL USE PERMIT – to allow 97 dwelling units

Findings as Required by the Minneapolis Zoning Code:

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

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

The proposed development would convert a portion of an existing building into 97 for-sale, residential units on a site located along the western edge of Downtown Minneapolis. The area hosts a mixture of

uses including residential, industrial and commercial. Staff does not believe that the development would be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

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.

Utilizing the site for residential development would provide additional opportunities for housing near Downtown Minneapolis. A development such as this would increase the property's value, contribute to the building of the city's infrastructure and contribute to the city's tax base. Staff does not believe that the development would 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.

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, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

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

As part of this development the applicant is proposing to construct a new three-level parking ramp that will accommodate the proposed dwelling units. The entrance to the ramp is located on the west side of the ramp and can be accessed by a driveway off of either Glenwood Avenue or 4th Avenue North. Existing signage will be updated and proposed signage will be placed on the property to help guide vehicular and pedestrian traffic through the site.

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

The site is located in a light-industrial area and is adjacent to Glenwood Avenue, which is a designated Commercial Corridor. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Support development of residential dwellings of appropriate form and density.
- Ensure that new development density is well integrated with existing neighborhood character through transitions in scale and attention to design.
- Strengthen the residential character of Community Corridors by developing appropriate housing types that represent variety and a range of affordability levels.
- Promote more intensive residential uses along Community Corridors where appropriate.
- Encourage the development of mixed use residential dwelling units in commercial buildings where appropriate.

This development will convert a portion of an existing commercial building into 97 for-sale, residential units. The prices of the proposed dwelling units will range in price from \$200,000 to \$700,000. Given

that the building is existing and contains more than 120 thousand square feet of saleable space staff believes that the proposed density is appropriate.

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 rezoning, the two conditional use permits, the five variances and the major site plan review this development will be in conformance with the applicable regulations of the zoning code.

CONDITIONAL USE PERMIT – to allow a free-standing parking ramp

Findings as Required by the Minneapolis Zoning Code:

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

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

The applicant is proposing to construct a new three-level (one level below grade, one level at grade and one level above grade) parking ramp that will accommodate up to 355 vehicles. The parking ramp will replace a surface parking lot. A skyway will connect the ramp to the second floor of the IMS building. The upper two levels of the ramp will be utilized by the public and the lower level of the ramp will be utilized by the residents. Separate entrances into the building will be provided in order to maintain the private residential entrance. Staff does not believe that the development would be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

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 proposed parking ramp will replace an existing surface parking lot. The parking ramp has been designed with the majority of the ramp located below ground in order to minimize the height of the ramp. In addition there will be extensive landscaping located on the north side of the property to help soften the façade of the ramp and the decorative parapet walls of the ramp will help conceal the headlights of the vehicles in the ramp. Staff does not believe that the development would 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.

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, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

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

As part of this development the applicant is proposing to construct a new three-level parking ramp that will accommodate the proposed dwelling units. The entrance to the ramp is located on the west side of the ramp and can be accessed by a driveway off of either Glenwood Avenue or 4th Avenue North. Existing signage will be updated and proposed signage will be placed on the property to help guide vehicular and pedestrian traffic through the site.

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

The site is located in a light-industrial area and is adjacent to Glenwood Avenue, which is a designated Commercial Corridor. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Promote design solutions for automobile parking facilities that reflect principles of traditional urban design.

The parking ramp has been designed with the majority of the ramp located below ground in order to minimize the height of the ramp. In addition there will be extensive landscaping located on the north side of the property to help soften the façade of the ramp and the decorative parapet walls of the ramp will help conceal the headlights of the vehicles in the ramp.

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 rezoning, the two conditional use permits, the five variances and the major site plan review this development will be in conformance with the applicable regulations of the zoning code.

VARIANCE - to reduce the width of the drive aisle for the 60-degree parking spaces from 18 feet to 17 feet in the parking ramp

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.

Drive aisle width (60 degree): The applicant is seeking a variance to reduce the width of the drive aisle for the 60-degree parking spaces from 18 feet to 17 feet in the parking ramp. The applicant has indicated that the parking spaces are actually 70-degree parking spaces. When proposed parking angles do not match an angle described in the zoning code you use the dimensions of the angle closest to the ones designed. In this situation the dimensions of the 60-degree parking spaces are used. Please see the below table for minimum parking space and drive aisle dimensions:

Table 541-4 Minimum Parking Space And Aisle Dimensions

Angle (A)	Type	Width (B)	Curb Length (C)	Stall Depth (D)	1 Way Aisle Width (E)	2 Way Aisle Width (E)
Parallel	Standard	8' 6"	21'	8' 6"	12'	22'
	45	Standard	8' 6"	12'	18' 9"	12'
60	Compact	8'	11' 4"	16' 3"	12'	22'
	Standard	8' 6"	9' 10"	19' 10"	18'	22'
	Compact	8'	9' 3"	17' 0"	18'	22'
90	Standard	8' 6"	8' 6"	18'	20'	22'
	Compact	8'	8' 0"	15'	20'	22'

The total width required for a double loaded parking aisle with 60-degree parking spaces is 57 feet 8 inches. The applicant is providing two 57-foot wide double loaded parking aisles with 70-degree parking spaces. The proposed parking ramp is located approximately 40 feet from the northern property line. There are no circumstances that exist on the property that would prohibit the applicant from constructing a parking ramp that is four feet wider in order to meet the minimum drive aisle width requirements. Please note that if the parking spaces were designed with a 90-degree angle that the parking ramp would not need to be made any wider and possibly more parking spaces could be accommodated in the parking ramp.

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.

Drive aisle width (60 degree): There are no circumstances that exist on the property that would prohibit the applicant from constructing a parking ramp that is four feet wider in order to meet the minimum drive aisle width requirements.

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.

Drive aisle width (60 degree): Providing accurately dimensioned parking spaces and drive aisles is important in order to allow vehicles to maneuver safely. In this situation the parking ramp is being built as part of this development and should be built with accurately dimensioned drive aisle widths.

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.

Drive aisle width (60 degree): Staff believes that the granting of the variance would have little impact on congestion of area streets or fire safety, nor would the proposed variance be detrimental to welfare or public safety.

VARIANCE - to reduce the width of the drive aisle for the 45-degree parking spaces from 12 feet to 9 feet in the surface parking lot (west lot)

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.

Drive aisle width (45 degree): The applicant is seeking a variance to reduce the width of the drive aisle for the 45-degree parking spaces from 12 feet to 9 feet in the surface parking lot (west lot). According to the survey neither the parking spaces nor the drive aisles in the west parking lot meet the minimum parking space and drive aisle dimensions as required by the zoning code. Although the parking lot is existing there are no circumstances that exist on the property that would prohibit the applicant from re-striping the parking lot in order to meet the minimum parking space and drive aisle dimensions. Please note that if the parking lot was redesigned with 90-degree angled parking spaces that possibly more parking spaces could be accommodated in the parking lot.

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.

Drive aisle width (45 degree): Although the parking lot is existing there are no circumstances that exist on the property that would prohibit the applicant from re-striping the parking lot in order to meet the minimum parking space and drive aisle dimensions.

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.

Drive aisle width (45 degree): Providing accurately dimensioned parking spaces and drive aisles is important in order to allow vehicles to maneuver safely. In this situation the parking lot is existing but should be redesigned with accurately dimensioned parking spaces and drive aisles.

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.

Drive aisle width (45 degree): Staff believes that the granting of the variance would have little impact on congestion of area streets or fire safety, nor would the proposed variance be detrimental to welfare or public safety.

VARIANCE - to reduce the width of the drive aisle for the 90-degree parking spaces from 22 feet to 20 feet in the surface parking lot (south lot)

After reviewing the survey of the south parking lot it has been determined that there are no drive aisles that measure less than 22 feet in width and therefore this variance should be returned to the applicant.

VARIANCE - to increase the maximum number of freestanding signs on the site from 3 to 9 that do not meet the definition of auxiliary signs

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.

Number of freestanding signs: The applicant is seeking a variance to increase the maximum number of freestanding signs on the site from 3 to 9 that do not meet the definition of auxiliary signs. The applicant has indicated that there are currently six freestanding signs on the property. None of the freestanding signs meet the definition of an auxiliary sign because they all say “International Market Square” on them and they also have the IMS logo on them. Given that the site is over eight acres and that there are several uses on the site the applicant has said that it is important to have all of the signs because they help guide vehicular and pedestrian traffic through the site.

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.

Number of freestanding signs: The mixture of uses and the size of the site are unique circumstances of the property.

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.

Number of freestanding signs: Staff does not believe that the granting of this variance will alter the essential character of the area as six of the signs already exist and the three new signs will be of a similar design as the existing ones. Of the signs that are existing none of the signs are very large and given that the site is over eight acres they do not appear to be overpowering on the site.

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.

Number of freestanding signs: Staff believes that the granting of the variance would have little impact on congestion of area streets or fire safety, nor would the proposed variance be detrimental to welfare or public safety.

VARIANCE - to increase the maximum allowed area of wall signage from 365 square feet to 644 square feet to allow for a new 14 square foot sign

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.

Area of wall signage: The applicant is seeking a variance to increase the maximum allowed area of wall signage from 365 square feet to 644 square feet to allow for a new 14 square foot sign. The applicant has indicated that of the 644 square feet of proposed signage for the building 630 square feet of it already exists. The proposed sign measures 14 square feet and reads “IMS LOFTS.” The applicant has said that it is important to add this additional wall sign in order to identify the location of the residential entrance from the other entrances to the building.

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.

Area of wall signage: The fact that 630 square feet of the proposed signage already exists on the building and has since the 1980's is a unique circumstance of this property.

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.

Area of wall signage: Adding an additional 14 square feet of signage to the building would not alter the essential character of the area as the existing signage is all located at the very top of the building. In addition, it is important to identify the location of the residential entrance from the other entrances to the 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.

Area of wall signage: Staff believes that the granting of the variance would have little impact on congestion of area streets or fire safety, nor would the proposed variance be detrimental to welfare or public safety.

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.)**
- 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.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- The building associated with this major site plan review application is existing. Only minor changes are being proposed as part of the renovation. Those changes include a new residential entryway and canopy on the exterior of the building, a glass elevator shaft and lobby, suspended balconies on all elevations and all of the windows will be replaced.

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.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- A walkway is provided from the residential entrance to Glenwood Avenue. In addition, a skyway is proposed that will connect the parking ramp to the second floor of the IMS building
- The Public Works Department has reviewed the vehicular access and circulation plan and the loading plan and have approved of both.

- The applicant has indicated that snow is removed from the site.

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).
- 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.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- According to the applicant, once the project is complete approximately 14 percent of the site not occupied by a building will be landscaped (please see the attached landscaping plan). The

landscaping plan for the north parking area is very lush in materials and variety. The parking areas on the west and south sides of the building could use more landscaping to help screen the parking areas from the adjacent public streets. In addition, the parking area on the west side of the building needs to be reconfigured in order to create parking spaces and drive aisles that meet the minimum dimensions required by the zoning code. Through that reconfiguration additional landscaping areas could be created. Staff is recommending that additional landscaping materials be added to the west and south parking areas. And if additional planting areas are created through the reconfiguration of the west parking area that they be landscaped.

- The city’s landscaping consultant has not reviewed the landscaping plan.
- The applicant is proposing to have a four-foot high decorative metal fence with brick pillars located along the north side of the property. Along the east side of the property the applicant is proposing to construct a new six-foot high privacy fence. Staff has not seen elevations of the proposed privacy fence but is recommending that it be similar to the existing sound wall. The proposed fence heights meet the requirements of the zoning code.

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.**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- The lighting levels in the south and west parking lots exceed the maximum standards of the zoning code. The applicant is not proposing to make any changes to these lighting plans. The lighting levels in the north parking area also exceeds the maximum standards of the zoning code. In this parking area the lighting fixtures are new and therefore staff is recommending that the lighting levels not exceed half of a foot-candle at the property lines.
- This development should not block views of important elements within the city.
- This development should not cast shadows on surrounding properties.
- This development should not contribute to the wind tunnel effect.
- The Crime Prevention Specialist has reviewed the project in regards to crime prevention design elements. To ensure the welfare of the residents of the development and the residents of the area the Crime Prevention Specialist has asked that the landscaping maintain a visual window between three feet and six feet and that proper lighting be installed above all entrances.

- IMS was placed on the National Register of Historic Places in 1983. In 1984 the building was locally designated. The Minneapolis Heritage Preservation Commission reviewed the applicant's development on December 9, 2003. At the public hearing the Minneapolis Heritage Preservation Commission voted to approve the rehabilitation of the above property subject to two conditions; 1) Staff must approve final colors for windows, steel balconies and parking ramp cladding and 2) Staff must approve the final signage plan for the new development.

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

ZONING CODE

With the approval of the rezoning, the two conditional use permits, the five variances and the major site plan review this development will be in conformance with the applicable regulations of the zoning code.

THE MINNEAPOLIS PLAN

The site is located in a light-industrial area and is adjacent to Glenwood Avenue, which is a designated Commercial Corridor. According to the principles and policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Protect historically designated structures from inappropriate modifications.
- Ensure that new development density is well integrated with existing neighborhood character through transitions in scale and attention to design.
- Promote more intensive residential uses along Community Corridors where appropriate.
- Encourage the development of mixed use residential dwelling units in commercial buildings where appropriate.
- Promote design solutions for automobile parking facilities that reflect principles of traditional urban design.

The Minneapolis Heritage Preservation Commission has reviewed the proposed changes to the building and has approved of the development plans. This development will convert a portion of an existing commercial building into 97 for-sale, residential units. Given that the building is existing and contains more than 120 thousand square feet of saleable space staff believes that the proposed density is appropriate. The parking ramp has been designed with the majority of the ramp located below ground in order to minimize the height of the ramp. In addition there will be extensive landscaping located on the north side of the property to help soften the façade of the ramp and the decorative parapet walls of the ramp will help conceal the headlights of the vehicles in the ramp.

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

There are no small area plans adopted by the city for this particular location.

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.**
- **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.**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- **Staff is recommending that the City Planning Commission grant alternative compliance to allow less than 20 percent landscaping on the site.**

RECOMMENDATIONS

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the rezoning petition to add the IL (Industrial Living) Overlay District to the existing I1 District for the property located at 275 Market Street, 700, 746 and 810 Glenwood Avenue and 301 Lyndale Avenue North.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application to allow 97 dwelling units located at 275 Market Street, 700, 746 and 810 Glenwood Avenue and 301 Lyndale Avenue North subject to the following conditions:

1. There shall be no more than 97 dwelling units in the building.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit to allow a free-standing parking ramp for the property located at 275 Market Street, 700, 746 and 810 Glenwood Avenue and 301 Lyndale Avenue North subject to the followings conditions:

1. The parking spaces and the drive aisles shall meet the minimum parking space and drive aisle dimensions as required by the zoning code.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the findings above and **deny** the variance to reduce the width of the drive aisle for the 60-degree parking spaces from 18 feet to 17 feet in the parking garage for the property located at 275 Market Street, 700, 746 and 810 Glenwood Avenue and 301 Lyndale Avenue North.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the findings above and **deny** the variance to reduce the width of the drive aisle for the 45-degree parking spaces from 12 feet to 9 feet in the surface parking lot for the property located at 275 Market Street, 700, 746 and 810 Glenwood Avenue and 301 Lyndale Avenue North.

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

The Community Planning and Economic Development Department – Planning Division recommends that the variance to reduce the width of the drive aisle for the 90-degree parking spaces from 22 feet to 20 feet in the surface parking lot (south lot) for the property located 211 Lyndale Avenue North be **returned** given that after reviewing the survey of the south parking lot it has been determined that there are no drive aisles that measure less than 22 feet in width and therefore this variance should be returned to the applicant.

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

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The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance to increase the maximum number of freestanding signs on the site from 3 to 9 that do not meet the definition of auxiliary signs for the property located at 275 Market Street, 700, 746 and 810 Glenwood Avenue and 301 Lyndale Avenue North subject to the following conditions:

1. There shall be no more than nine freestanding signs on the property.
2. Planning Staff shall review and approve the revised and proposed signage prior to changing or installing the signs
3. The applicant shall receive a sign permit from the Inspections Department prior to changing or installing the signs.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance to increase the maximum allowed area of wall signage from 365 square feet to 644 square feet to allow for a new 14 square foot sign for the property located at 275 Market Street, 700, 746 and 810 Glenwood Avenue and 301 Lyndale Avenue North.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review for the property located at 275 Market Street, 700, 746 and 810 Glenwood Avenue and 211 and 301 Lyndale Avenue North subject to the following conditions:

1. Staff is recommending that additional landscaping materials be added to the west and south parking areas. And if additional planting areas are created through the reconfiguration of the west parking area that they be landscaped.
2. The proposed privacy fence shall be existing sound wall.
3. The lighting levels in the north parking area shall not exceed half of a foot-candle at the property lines.
4. The Community Planning and Economic Development Department – Planning Division shall approve the final site, landscaping and elevation plans.

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5. The applicant shall obtain an encroachment permit from the Public Works Department for any work done in the right-of-way.
6. All site improvements shall be completed by January 12, 2005, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
7. If estimated site improvement costs exceed \$2,000, the applicant shall submit a performance bond in the amount of 125% of the estimated site improvement costs before exterior building permits are issued.