

Department of Community Planning and Economic Development – Planning Division
Rezoning Petitions, Variances, Site Plan Review and Alley Vacation
BZZ – 2882

Date: June 12, 2006

Applicant: Cornell Moore

Address of Property: 4705 Cedar Avenue and 4700-4712 Longfellow Avenue

Project Name: Cedar Plaza Office Building

Contact Person and Phone: Jim Moy, (763) 561-5757

Planning Staff and Phone: Janelle Widmeier, (612) 673-3156

Date Application Deemed Complete: May 16, 2006

End of 60-Day Decision Period: July 15, 2006

End of 120-Day Decision Period: On June 5, 2006, staff sent the applicant a letter extending the decision period no later than September 13, 2006.

Ward: 12 **Neighborhood Organization:** Standish Ericsson Neighborhood Association

Existing Zoning: C2 Neighborhood Corridor Commercial District, R1A Single-Family Residence District, SH Shoreland Overlay District, and FP Floodplain Overlay District

Proposed Zoning: OR2 High Density Office Residence District with the existing overlay districts

Zoning Plate Number: 32

Legal Description: Lots 1 to 9 inclusive, Block 13, "CEDAR AVENUE PARK, MINNEAPOLIS, MINN.," according to the recorded plat thereof, Hennepin County, Minnesota.

And

Lots 27 through 30 inclusive and N ½ of lot 26, Block 13, "Cedar Avenue Park, Minneapolis, MN," according to the recorded plat thereof, Hennepin County, Minnesota

Proposed Use: Expansion of an existing office building.

Concurrent Review:

Petition to rezone the property of 4705 Cedar Ave from the C2 district to the OR2 district;

Petition to rezone the properties of 4700-4712 Longfellow Ave from the R1A district to the OR2 district;

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Variance to reduce the front yard along Longfellow Ave from 15 feet to 3 feet to allow a 2-story building addition;

Variance to reduce the front yard along Longfellow Ave from 15 feet to 9 feet to allow a trash enclosure and a parking area;

Variance to reduce the corner side yard along 47th Ave from 10 feet to 3 feet to allow a 2-story building addition;

Variance to reduce the southeast interior side yard from 7 feet to 0 feet to allow a driveway;

Variance to reduce the rear yard from 7 feet to 0 feet to allow a drive aisle;

Variance to increase the maximum amount of impervious surface from 85 percent to 87.9 percent;

Site plan review for an office building expansion; and

Alley Vacation.

Applicable zoning code provisions: Chapter 525, Article VI Zoning Amendments; Chapter 525, Article IX Variances; and Chapter 530, Site Plan Review.

Background: The applicant proposes to expand the Cedar Plaza Office building located on the north end of the block bound by Cedar Avenue, 47th Street East, Longfellow Avenue, and Minnehaha Parkway East. Nonresidential uses occupy the entire block. Nonresidential uses are also located on the west side of Cedar Avenue. North of 47th Street, low density residential exists. Park land lies to the east and south of the block. The addition would extend east where a parking area currently exists. It would be approximately 14,560 square feet in area and 2-stories with the exception of a 1-story lobby that would connect the old with the new. The purpose of the addition is to expand an existing office use. The office use would occupy the entire building with the exception of a dry cleaning pick up station that currently exists in the building. The parking lot is shared between the uses on the subject site and the grocery store on the adjacent property of 4715 Cedar Avenue.

An office is a permitted use in the C2 district; however, offices are not permitted in the R1A district. The applicant has proposed to expand the building across the alley onto 4700 Longfellow Avenue. The parcel is zoned R1A, therefore the applicant is requesting the OR2 zoning to accommodate the expansion and accessory parking for the use. Because the zoning code does not allow creating a lot with split zoning and because offices are not permitted to park in the R1A district, the applicant is also requesting to rezone the properties of 4705 Cedar Avenue and 4712 Longfellow Avenue to OR2.

In the OR2 district, the minimum front yard requirement is 15 feet. A front yard is required along Cedar Avenue and Longfellow Avenue. The building addition is proposed to be set back between 3 and 4 feet from the front lot line along Longfellow Avenue. For the parking, a 9-foot landscaped yard would be provided along each street. A variance is required to reduce the front yard along Longfellow Avenue for the building, parking and trash enclosure.

A corner side yard is required along 47th Street. The minimum corner side yard requirement in the OR2 district is equal to $8+2x$, where x is equal to the number of stories above the first floor. A two-story addition is proposed, therefore the minimum requirement is 10 feet. The building addition is proposed

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to be set back between 3 and 4 feet from the corner side lot line. A variance is required for the building location.

The minimum interior side yard requirement is equal to $5+2x$, where x is equal to the number of stories above the first floor. A two-story addition is proposed, therefore the minimum requirement is 7 feet. Interior side yards are required along the lot lines the run east and west at the south ends of the property. Driveways are proposed in these yards. A variance is required to reduce the interior side yard to allow the driveway.

A rear yard is required along the west property line where the alley is proposed to be vacated. The minimum requirement is equal to $5+2x$, where x is equal to the number of stories above the first floor. A two-story addition is proposed, therefore the minimum requirement is 7 feet. A drive aisle is proposed in the required yard, therefore a variance is required.

Please note, although a front yard would be required along Cedar Avenue, a corner side yard would be required along 47th Street and an interior side yard would be required on the south side of the parking lot adjacent to the grocery store for the existing property of 4705 Cedar Avenue, the building and parking already exist in these areas. Yards are not required in the existing C2 district. Therefore the building and the proposed parking location would have nonconforming rights if the rezoning is approved and variances are not required.

The maximum impervious surface coverage allowed in the OR2 district is 85 percent. The proposed amount of impervious surface would cover approximately 87.9 percent of the site, therefore a variance is required.

A site plan review is required for any addition to a non-residential building that would increase its gross floor area by 1,000 square feet or more.

An alley vacation is required to allow the building as proposed. The applicant is requesting that the alley be vacated where it is adjacent to the subject site.

As of writing this staff report, staff has not received any correspondence from the neighborhood group. Staff will forward comments, if any are received, at the City Planning Commission meeting.

REZONING: 1) Petition to rezone the property of 4705 Cedar Avenue from C2 to OR2; and 2) Petition to rezone the properties of 4700 and 4712 Longfellow Avenue from R1A to OR2.

Findings as required by the Minneapolis Zoning Code for the rezoning petition:

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

Rezoning from C2 and R1A: The site is adjacent to Cedar Avenue, which is designated as a community corridor by *The Minneapolis Plan*. It is also in an area designated as a commercial node. According to the principles and polices outlined in the plan, the following apply to this proposal:

4.2 Minneapolis will coordinate land use and transportation planning on designated Community Corridors streets through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets.

Applicable Implementation Step

Support the continued presence of small-scale retail sales and commercial services along Community Corridors.

Ensure that commercial uses do not negatively impact nearby residential areas.

4.4 Minneapolis will continue to provide a wide range of goods and services for city residents, to promote employment opportunities, to encourage the use and adaptive reuse of existing commercial buildings, and to maintain and improve compatibility with surrounding areas.

Applicable Implementation Steps

Provide for a range of commercial districts that provide the services required by the residents and businesses.

Encourage the economic vitality of the city's commercial districts while maintaining compatibility with the surrounding areas.

4.5 Minneapolis will identify Neighborhood Commercial Nodes that provide a shopping environment of small-scale retail sales and commercial services and are compatible with adjacent residential areas.

Applicable Implementation Steps

Support the continued presence of small-scale retail sales and commercial services in Neighborhood Commercial Nodes.

Ensure that commercial uses do not negatively impact nearby residential areas.

Facilitate the redevelopment of underutilized commercial areas and promote their reuse as infill development, such as office or housing, while maintaining neighborhood compatibility.

Staff comment: The site is currently zone R1A on the east side and C2 on the west side. The primary purpose of the R1A district is to provide for an environment of predominantly low density, single-family dwellings. The C2 district provides an environment of retail sales and commercial services that are larger in scale than allowed in the C1 District and allow a broader range of automobile related uses. While the C2 district does allow the establishment of most commercial uses, it allows large-scale retail and automobile oriented uses which are not appropriate on a community corridor or in a commercial node. The R1A district is the opposite, where almost no commercial uses are allowed. The OR2 district is established to provide a mixed use environment of moderate to high density dwellings and large office uses, with additional small scale retail sales and services uses designed to serve the immediate surroundings. It would support the type of commercial uses appropriate on a community corridor and in a commercial node on the entire site. It would also serve as a transition between the residential to the north and east of the site. The amendment would be consistent with the comprehensive plan.

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

Rezoning from C2 and R1A: An office building and a parking lot exist on the west side of the site. A parking lot exists on the east side of the site. An amendment of the zoning districts to OR2 would allow for the establishment of moderate to high density dwellings and large office uses, with additional small scale retail sales and services uses that would likely serve the immediate surroundings. Because of the proximity to a community corridor and location in a commercial node, these uses would be a more appropriate use of the land than low-density housing or large-scale retail and automobile oriented uses allowed in the existing districts. The amendment is in the public interest and not solely in the interest of the property owner.

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

Rezoning from C2 and R1A: An office building with a dry cleaning pickup station exists on the west side of the site. An office and a dry cleaning pickup station are permitted uses in the C2 district. They are also permitted in the OR2 district. A parking lot which serves the office building and an adjacent grocery store exists on the east side of the site. In the R1A district, a parking lot serving these uses is not permitted, therefore it is nonconforming. Accessory parking for these uses is permitted in the OR2 district because both are permitted uses in the OR2 district.

The other properties on the same block as the subject site are zoned C2. Nonresidential uses occupy these properties. The properties across Cedar Avenue are also zoned C2. Nonresidential uses occupy these properties as well. The properties across 47th Street and Longfellow Avenue are zoned R1A. On the 47th Street side, low-density residential exists. The land across Longfellow Avenue is used for a golf course as part of the public park system. The OR2 district is established to provide a mixed use environment of moderate to high density dwellings and large office uses, with additional small scale retail sales and services uses designed to serve the

immediate surroundings. The proposed zoning should be compatible with the surrounding uses and zoning classifications.

- 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.**

Rezoning from C2 and R1A: A variety of commercial and/or residential uses could occupy the part of the site zoned C2. Also, low density residences could occupy the rest of the site zoned R1A. However, the OR2 district allows uses that are most appropriate for a location on a community corridor and in a commercial node.

- 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.**

Rezoning from C2 and R1A: Prior to 1999, the property of 4705 Cedar Avenue was zoned B3-1, Community Retail District. The former district was similar to the C2 district in that it allowed retail sales and commercial services that are larger in scale than allowed in other nonresidential districts. However, the B3-1 district did not include the same range of automobile related uses as the C2 district. The properties of 4700-4712 Longfellow Avenue were zoned R1A prior to 1999. Properties zoned R4 between 44th Street and 47th Street located on Cedar Avenue were down-zoned to R2B with the adoption of the new code in 1999. Within this immediate area of Minneapolis there has not been a change in zoning or in the type of development since 1999.

VARIANCES: 1) to reduce the front yard along Longfellow Ave from 15 feet to 3 feet to allow a 2-story building addition; 2) to reduce the front yard along Longfellow Ave from 15 feet to 9 feet to allow a trash enclosure and a parking area; 3) to reduce the corner side yard along 47th Ave from 10 feet to 3 feet to allow a 2-story building addition; 4) to reduce the southeast interior side yard from 7 feet to 0 feet to allow a driveway; 5) to reduce the rear yard from 7 feet to 0 feet to allow a drive aisle; and 6) to increase the maximum amount of impervious surface from 85 percent to 87.9 percent.

Findings as required by the Minneapolis Zoning Code:

- 1. The property can not be put to a reasonable use under the conditions allowed by the official controls and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

Front yard variance to allow the building: A 15 foot front yard is required along Longfellow Avenue. The applicant is requesting to reduce the yard requirement to 3 feet to allow a building addition. The addition complies with all regulations of the OR2 and overlay districts, except yard requirements. It would be 2 stories to comply with the maximum height requirement in the Shoreland Overlay district, does not exceed the maximum lot coverage, and is well below the minimum floor area ratio allowed. Also, the addition would be located at the north end of the

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site where it would remove the least amount of parking. The parking provided serves two properties. If the yard requirements were strictly applied and additional parking were removed, the buildable area of the site would be further limited and either use could become nonconforming as to their minimum parking requirement.

Corner side yard variance to allow the building: A 10 foot corner side yard is required along 47th Street. The applicant is requesting to reduce the yard requirement to 3 feet to allow a building addition. The addition complies with all regulations of the OR2 and overlay districts, except yard requirements. It would be 2 stories to comply with the maximum height requirement in the Shoreland Overlay district, does not exceed the maximum lot coverage, and is well below the minimum floor area ratio allowed. Also, the addition would be located at the north end of the site where it would remove the least amount of parking. The parking provided serves two properties. If the yard requirements were strictly applied and additional parking were removed, the buildable area of the site would be further limited and either use could become nonconforming as to their minimum parking requirement. The existing building is also set back 3 feet from the corner side lot line. The addition would not reduce this set back. The lobby area that connects the two sides of the building over the proposed vacated alley would be set back 9 feet. Staff received correspondence from Qwest Communications with a request to preserve an easement in the north 10 feet of the alley for an existing cable. It is reasonable to allow the building addition as proposed if the lobby area meets the minimum yard requirement.

Front yard variance to allow the parking and trash enclosure: A 15 foot front yard is required along Longfellow Avenue. The applicant is requesting to reduce the yard requirement to 9 feet to allow parking and a trash enclosure. The applicant has indicated that a reduced yard is necessary to provide all of the required parking. However, the parking lot plan could be altered and still maintain the minimum number of parking spaces proposed. The applicant is proposing 24 foot wide drive aisles between each row of parking spaces. The minimum drive aisle width required by the zoning code is 22 feet. The applicant could reduce the width of each drive aisle by at least 1.5 feet, which would shift the parking and trash enclosure to the west at least 6 feet and allow for a 15 foot front yard along Longfellow Avenue. This would result in the loss of one parking space. However, staff has made additional recommendations in the site plan review affecting the south end of the parking lot, which would allow for the replacement of this space. Further, the request for a reduced front yard is contributing to the amount of impervious surface on site, which exceeds what is allowed by the zoning code. Providing the required yard would make the property more conforming as to the impervious surface maximum requirement. Staff believes a hardship does not exist.

Interior side yard variance to allow a driveway: The minimum interior side yard requirement is equal to $5+2x$, where x is equal to the number of stories above the first floor. A two-story addition is proposed, therefore the minimum requirement is 7 feet. If the alley is vacated, the southeast interior lot line would extend to the where the center of alley currently exists. The applicant has indicated that providing a 7 foot interior side yard would interfere with the loading operation of the adjacent grocery store on the southwest side of the subject site. How the loading operations occur is not indicated on the plan. Also, the refuse containers for the grocery store are located in the alley adjacent to where the side yard would be located. Staff believes it is possible to provide the side yard without interfering with the loading area. Further, the request

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for a reduced front yard is contributing to the amount of impervious surface on site, which exceeds what is allowed by the zoning code. Providing the required yard would make the property more conforming as to the impervious surface maximum requirement. Staff believes a hardship does not exist.

Rear yard variance to allow a drive aisle: A rear yard is required along the west property line where the alley is proposed to be vacated. The minimum requirement is equal to $5+2x$, where x is equal to the number of stories above the first floor. A two-story addition is proposed, therefore the minimum requirement is 7 feet. The applicant indicated that a rear yard would interfere with the loading operations for the grocery store on the adjacent property. Currently loading occurs from the alley and the area adjacent to the alley on the subject site. If the alley is vacated, the east half of the alley (7 feet wide) would go to the subject site. The other half would become part of 4715 Cedar Avenue. A 7 foot landscaped rear yard would not allow loading in that area and would cause hardship on the adjacent property.

Impervious surface variance: The maximum impervious surface coverage allowed in the OR2 district is 85 percent. The proposed amount of impervious surface would cover approximately 87.9 percent of the site. In other words, approximately 2,000 square feet of additional pervious surfaces would need to be provided to comply with the district requirement. The applicant has indicated that the minimum parking requirement prevents compliance with the maximum impervious surface area requirement. The applicant has also requested three yard variances to reduce the required yards around the parking area based on this reasoning. However, staff finds no hardship for two of the three variances. By requiring a 15 foot front yard and a 7 foot interior side yard, approximately 2,200 square feet of additional pervious surfaces would be possible. By moving the southern-most curb cut 20 feet north and providing a row of parking spaces along the south interior side yard, it is possible to prevent the loss of parking spaces. Further, the southern-most tree island can be expanded to include the existing light pole, which could increase the amount of pervious surface by at least another 300 square feet. Staff believes a hardship does not exist.

- 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 and corner side yard variance to allow the building: The existing building, constructed in 1987, is located in the northwest corner of the site. The addition would line up with the existing building 3 feet from the corner side lot line. The rest of the site is occupied by a surface parking lot. The parking lot serves two properties. Although the applicant could set the addition back to meet the yard requirements, it would likely result in a loss of parking spaces. To prevent either property from becoming nonconforming as to parking, the addition would be located at the northeast corner of the site where it would remove the least amount of parking. The shared parking lot and the location of the existing building are circumstances unique to the property.

Front yard variance to allow the parking and trash enclosure: The applicant has indicated that a reduced yard is necessary to provide all of the required parking. However, the parking lot plan

could be altered and still maintain the minimum number of parking spaces proposed. The applicant is proposing 24 foot wide drive aisles between each row of parking spaces. The minimum drive aisle width required by the zoning code is 22 feet. The applicant could reduce the width of each drive aisle by at least 1.5 feet, which would shift the parking and trash enclosure to the west at least 6 feet and allow for a 15 foot front yard along Longfellow Avenue. This would result in the loss of one parking space. However, staff has made additional recommendations in the site plan review affecting the south end of the parking lot, which would allow for the replacement of this space. Staff does not believe unique circumstances exist.

Interior side yard variance to allow a driveway: The applicant has indicated that the side yard would interfere with existing loading operations. How the loading operations occur is not indicated on the plan. If the alley is vacated, the southeast interior lot line would extend to the where the center of alley currently exists. The refuse containers for the grocery store are located in the alley adjacent to where the side yard would be located. Staff believes it is possible to provide the side yard without interfering with the loading area.

Rear yard variance to allow a drive aisle: The applicant indicated that a rear yard would interfere with the loading operations for the grocery store on the adjacent property. Currently loading occurs from the alley and the area adjacent to the alley on the subject site. If the alley is vacated, the east half of the alley (7 feet wide) would go to the subject site. The other half would become part of 4715 Cedar Avenue. Although the applicant is initiating the alley vacation which eliminates vehicle access to the east side of the adjacent property by public right of way, the shared parking and loading operation is a preexisting condition.

Impervious surface variance: The applicant has indicated that the minimum parking requirement prevents compliance with the maximum impervious surface area requirement. The applicant has also requested three yard variances to reduce the required yards around the parking area based on this reasoning. However, staff finds no hardship for two of the three variances. By requiring a 15 foot front yard and a 7 foot interior side yard, approximately 2,200 square feet of additional pervious surfaces would be possible. By moving the southern-most curb cut 20 feet north and providing a row of parking spaces along the south interior side yard, it is possible to prevent the loss of parking spaces. Further, the southern-most tree island can be expanded to include the existing light pole, which could increase the amount of pervious surface by at least another 300 square feet. Unique circumstances do not exist.

- 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 and corner side yard variance to allow the building: In general, yard controls are established to provide for the orderly development and use of land and to minimize conflicts among land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The existing building is set back 3 feet from the corner side lot line on 47th Street. The addition would also be set back 3 feet from the corner side lot line. The building would be two stories. All of the uses occupying the same block as the subject

site are all nonresidential. The building is separated from nearby residential uses by a public street. The proposed set backs should have little affect on the surrounding properties.

Front yard variance to allow the parking and trash enclosure: The adjacent uses on the block are nonresidential and do not have any landscaped yards. A 9-foot front yard would likely have little affect on those uses. Although the adjacent uses would not likely be affected by a reduced yard, the request for a reduced front yard is contributing to the amount of impervious surface on site. The amount of impervious surface exceeds what is allowed by the zoning code in both the existing and proposed zoning district. Providing the required yard would make the property more conforming as to the impervious surface maximum requirement, which would meet the intent of the code.

Interior side yard variance to allow a driveway: The adjacent uses on the block are nonresidential and do not have any landscaped yards. The absence of a side yard would likely have little affect on those uses. Although the adjacent uses would not likely be affected by a reduced yard, the request for a reduced front yard is contributing to the amount of impervious surface on site. The amount of impervious surface exceeds what is allowed by the zoning code in both the existing and proposed zoning district. Providing the required yard would make the property more conforming as to the impervious surface maximum requirement, which would meet the intent of the code.

Rear yard variance to allow a drive aisle: Minimum yard requirements are established to minimize conflicts between land uses. Currently loading for the grocery store occurs from the alley and the area adjacent to the alley on the subject site. A rear yard would interfere with the loading operations and make the use nonconforming as to its loading requirements. The rear yard does not abut any other properties and if not provided, should have little impact on the surrounding area.

Impervious surface variance: The maximum impervious surface requirements are established to provide a number of benefits from landscaping such as buffers between uses, on-site retention of stormwater, and preserving the residential character of an area. The site is located in the floodplain. Granting the variance could have adverse environmental impacts that could affect surrounding properties.

- 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 and corner side yard variance to allow the building: The location of the addition would allow for sufficient parking to be provided on-site to allow for the expansion. The CPED Department does not expect that granting the variances would affect congestion or public safety.

Front yard variance to allow the parking and trash enclosure: The CPED Department does not expect that granting the variance would affect congestion or public safety.

Interior side yard variance to allow a driveway: The CPED Department does not expect that granting the variance would affect congestion or public safety.

Rear yard variance to allow a drive aisle: If the rear yard is not varied, the grocery store on the adjacent property that uses the area for loading would have to find an alternate loading location. They could be forced to load on the street, which could contribute to congestion. The CPED Department does not expect that granting the variance would affect public safety.

Impervious surface variance: The CPED Department does not expect that granting the variances would affect congestion or public safety.

SITE PLAN REVIEW

Findings as required by the Minneapolis Zoning Code for the site plan review:

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

Section A: Conformance with Chapter 530 of the Zoning Code

BUILDING PLACEMENT AND FAÇADE:

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

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- **Residential uses:**

Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
- **Nonresidential uses:**

Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
 - d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
 - e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.
 - f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.

Minimum window area shall be measured as indicated in section 530.120 of the zoning code.

- The form and pitch of roof lines shall be similar to surrounding buildings.
- **Parking Garages:** The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. At least thirty (30) percent of the first floor building wall that faces a public street, public sidewalk or public pathway shall be occupied by active uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

Conformance with above requirements:

The existing building reinforces the street wall on Cedar Avenue and 47th Street. The building addition would contribute to a street wall along Longfellow Avenue and 47th Street. Abundant windows would be provided on all elevations facing a street or parking area to provide natural surveillance and visibility. A pedestrian walkway would connect the public sidewalks and parking area to the building entrances.

The existing setback of the building along Cedar Avenue and 47th Street is between 3 and 4 feet. The setback of the proposed addition would also vary between 3 and 4 feet except where the lobby is proposed. The lobby would be set back 9 feet from the property line. The OR2 district requires a 15 foot front yard along Longfellow Avenue and a 10 foot corner side yard along 47th Avenue. The applicant is requesting variances to locate the building as proposed. Staff is recommending that the minimum corner side yard requirement of 10 feet be maintained where the building extends over the vacated alley to preserve an easement for an existing utility.

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The area between the building addition and the lot lines adjacent to the streets would be landscaped.

The existing building has entrances that face the parking lot. A principal entrance is required to face a front lot line. The front lot lines for this property are on Cedar and Longfellow Avenues. The addition would include a principal entrance that faces 47th Street, a corner side lot line. Cedar Avenue is the major corridor. However, the applicant is not proposing to alter the existing building. Although Longfellow Avenue is the other front lot line, this street is predominantly residential. The 47th Street entrance is closer to Cedar Avenue, the community corridor. Staff is recommending that the principal entrance be allowed to face a corner side lot line through alternative compliance.

A surface parking area exists south of the building and is interior to the site.

The building addition would include sufficient architectural detail and large amounts of windows to avoid large blank walls on all sides.

The total length of the building would be approximately 250 feet. The building design includes recesses and projections, such as for the entrance lobby to indicate it is a public entrance.

There would not be any blank, uninterrupted walls that do not include windows, entries, recesses or projections or other architectural elements that exceed 25 feet in length.

Existing exterior materials include brick and glass. The applicant has indicated that the primary materials for the addition would include brick and glass. The addition should be compatible with the rest of the structure.

Plain face concrete block would not be used as a primary exterior building material.

An entrance would face 47th Street as part of the addition. It would be recessed and surrounded by windows; however, it is not designed with equal emphasis when compared to the entrance proposed facing the parking lot. The parking lot entrance would be recessed and includes a vestibule surrounded by windows with the business sign located above the door. Staff is recommending that additional architectural features, such as a canopy or awning, are incorporated to emphasize the importance of the entrance.

The amount of windows on all walls of all levels would exceed 30 percent. The windows would be vertical in proportion and distributed in an even manner. The applicant has indicated that the glass would have a visible light transmittance greater than 0.6.

A flat roof is proposed. Most of the nonresidential buildings in the area also have flat roofs.

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.**

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- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.150 (b) related to alley access.**
- **Site plans shall minimize the use of impervious surfaces.**

Conformance with above requirements:

All building entrances and parking facilities are connected to the public sidewalks with walkways that exceed four feet in width.

There are no transit shelters on or immediately adjacent to the site.

The parking area would continue to be shared between the office building and the grocery store on the adjacent property. Vehicular access for the parking lot would take place through three curb cuts. The number of curb cuts would not increase than currently exist on site and each curb cut is less than 23 feet in width. Two of the curb cuts are existing, one on Cedar Avenue and the other on Longfellow Avenue. The existing curb cuts should have minimal impact on pedestrians. The third curb cut would be at the south end of the property and would allow additional access to Longfellow Avenue. However, the new curb cut would be located within 10 feet of an existing 40 foot wide curb cut on the adjacent property. The close proximity of these curb cuts has the potential to cause conflicts with vehicles and pedestrians. The applicant has indicated that the two curb cuts on Longfellow Avenue are necessary for the loading operation of the grocery store. Staff believes the curb cut could be moved further north and still accommodate loading for the grocery store.

The site is not adjacent to any residential properties. If the alley is vacated, there would not be any public alleys adjacent to the site.

The maximum impervious surface coverage allowed in the OR2 district is 85 percent. The lot area is 70,000 square feet, therefore 59,500 square feet of impervious surface is allowed. The proposed amount of impervious surface is approximately 61,493 square feet, which covers 87.9 percent of the site. Most of the impervious surface coverage is from the parking lot. The applicant has requested that a variance be granted to increase the maximum amount of impervious surface allowed. However, staff believes it is possible to comply with the impervious surface requirement and minimum parking requirement through the following means:

1) Providing the required front yard along Longfellow Avenue

The applicant has indicated that a reduced yard is necessary to provide all of the required parking. However, the parking lot plan could be altered and still maintain the minimum number of parking spaces proposed. The applicant is proposing 24 foot wide drive aisles between each row of parking spaces. The minimum drive aisle width required by the zoning code is 22 feet. The applicant could reduce the width of each drive aisle by at least 1.5 feet, which would shift the parking and trash enclosure to the west at least 6 feet and allow for a 15 foot front yard along Longfellow Avenue.

2) Providing the required southeast interior side yard

If the alley is vacated, the southeast interior lot line would extend to the where the center of alley currently exists. The applicant has indicated that providing a 7 foot interior side yard would interfere with the loading operation of the adjacent grocery store on the southwest side of the subject site. How the loading operations occur is not indicated on the plan. Also, the refuse containers for the grocery store are located in the alley adjacent to where the side yard would be located. Staff believes there is sufficient area on-site to accommodate loading and maneuvering and it is possible to provide the side yard without interfering with the loading area.

3) Shifting the curb cut 20 feet north and adding a row of parking

Staff has recommended that the proposed curb cut on Longfellow Avenue be shifted 20 feet north to prevent conflicts with pedestrian and vehicle traffic with an adjacent curb cut. By moving the curb cut, a row of parking could be added along the south interior side yard.

4) The southern-most tree island can be expanded to include the existing light pole occupying a parking space.

5) Removing landscape rock in the existing and proposed planting beds

The applicant has indicated that landscape rock would be used in all parking lot islands and all shrub planting beds. Landscape areas area required to be covered by turf grasses, native grasses or other perennial flowering plants, shrubs or trees. The number of shrubs proposed far exceeds the minimum requirements. However, there are still areas were perennials or turf could be planted. Staff is recommending that all landscape rock be removed and the remainder of the landscaped areas not occupied by trees or shrubs be covered in perennials, turf, and wood mulch.

With the staff recommendations (see also attached diagram), the amount of pervious surfaces would increase by at least 2,500 square feet.

LANDSCAPING AND SCREENING:

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
 - **Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year.**
- **Screening shall be satisfied by one or a combination of the following:**
 - **A decorative fence.**
 - **A masonry wall.**
 - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.**

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- The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.
- In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.
- All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.
- Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.
- The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.

Conformance with above requirements:

The zoning code requires that a least 20 percent of the site not occupied by buildings be landscaped. The lot area of the site is approximately 70,000 square feet. The building footprint would be approximately 14,560 square feet. The lot area minus the building footprints therefore consists of approximately 55,440 square feet. At least 20 percent of the net site area (11,088 square feet) must be landscaped. As proposed, approximately 8,507 square feet of the site would be landscaped. That is equal to 15.3 percent of the net lot area. By implementing the staff recommendation to meet other code requirements, this requirement can also be met. Staff recommends that the Planning Commission require compliance with the minimum landscaping requirement.

The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 22 and 111 respectfully. Approximately 9 existing trees and 54 existing shrubs will remain on the site. The applicant would provide 16 additional deciduous trees and 238 additional shrubs in the garden area.

The remainder of the landscaped area is required to be covered with plants such as turf grass, native grasses, or other perennial flowering plants. The applicant is proposing to provide turf in some locations. Landscaping rock exists in the planting beds around the building and is proposed in all of the parking lot islands and shrub planting beds. Staff is recommending that the landscape rock be removed and replaced with turf, perennials and wood mulch.

More than 100 parking spaces are proposed, therefore a 9-foot landscaped yard or a yard equal to the district requirement, whichever is greater, is required between the surface parking area and the street. The parking lot fronts both Cedar and Longfellow Avenues. A 15-foot front yard is required along both of these streets in the OR2 district. A 9-foot landscaped yard would be provided along each street. The applicant is requesting a variance to reduce the front yard along Longfellow Avenue. Although a front yard would be required along Cedar Avenue, parking already exists in that area. A front yard is not required in the existing C2 district, therefore the proposed parking location would have nonconforming rights if the rezoning is approved.

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Between the surface parking area and the street, screening that is three feet tall and no less than 60 percent opaque is also required. The applicant has proposed landscaping to meet this requirement. The plant species proposed would meet the opacity requirement; however, at a mature height the plants could grow to 4 to 10 feet. This exceeds the three foot requirement and would not meet the intent of the site plan review chapter to allow views into and out of the parking area. Staff is recommending that the applicant work with staff to identify plants meeting the screening requirement.

Along Longfellow Avenue, 9 trees are required to be spaced every 25 feet. Five trees would be provided on-site. In the street boulevard, 6 trees exist. With the combination of on-site and boulevard trees, the requirement is met. However, staff is recommending that the applicant provide a 15 foot front yard along this street. It should be feasible to provide an on-site canopy tree every 25 feet to meet the requirement. Along Cedar Avenue, 4 trees are required to be spaced every 25 feet. Two trees would be provided on-site. In the street boulevard, 2 trees exist between the parking area and the street. With the combination of on-site and boulevard trees, the requirement is met. Also, the applicant is proposing a large amount of shrubs that exceeds the minimum requirement.

The corners in the parking lot would be landscaped.

The applicant is providing landscaping around the perimeter of the parking lot and has proposed 8 tree islands in the parking area. With the proposed parking layout two parking spaces would not be within 50 feet of an on-site tree. These spaces are located at the South end of the site in the middle row of back-to-back spaces. Staff is recommending several changes to this area of the lot that would also affect the location of the landscaping (see the recommendation diagram). If the staff recommendation is implemented, the tree and parking space spacing requirement would be met. The tree islands are required to be at least 7 feet wide. The three islands at the north end of the parking lot meet the minimum width requirement. The other islands would be 6 feet wide. The proposed width of the drive aisle at the north end of the parking area is 24 feet. The zoning code requires at a minimum a 22 foot drive aisle. This drive aisle could be reduced up to 2 feet allowing the parking to shift north with more area for the tree islands. In the south portion of the parking lot, staff is recommending several changes to this area that would also affect the location of the landscaping and would allow wider tree islands. Staff is recommending that all tree islands are at least 7 feet in width.

No excess areas that are not already covered by the landscaping requirements, the building or parking areas exist.

ADDITIONAL STANDARDS:

- All parking lots and driveways shall be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch by six (6) inch continuous concrete curb.
- 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.
- To the extent practical, site plans shall minimize the blocking of views of important elements of the city.

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

Conformance with above requirements:

Along the perimeter of the parking lot, 6-inch by 6-inch continuous concrete curbing is proposed with the exception of a discontinuous curb adjacent to the snow storage area. All landscape islands would have flat curbing to allow for on-site retention and filtration of stormwater.

Existing and proposed lighting must comply with Chapter 535 and Chapter 541 of the zoning code including:

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

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

- (1) Lighting fixtures shall be effectively shielded and arranged so as not to shine directly on any residential property. Lighting fixtures not of a cutoff type shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb).
- (2) No exterior light source located on a nonresidential property shall be visible from any permitted or conditional residential use.
- (3) Lighting shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual performance or visibility from any permitted or conditional residential use.
- (4) Lighting shall not directly or indirectly cause illumination or glare in excess of one-half (1/2) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light.
- (5) Lighting shall not create a hazard for vehicular or pedestrian traffic.
- (6) Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.

There are no adjacent residential properties that would be affected by headlight glare.

The building addition should not impede any views of important elements of the city.

The building addition would not significantly shadow the adjacent streets or properties.

Wind currents should not be major concern.

The site includes crime prevention design elements. Three pole lights are situated in the center of the parking lot. Proposed landscaping could impede views into the site. Along the streets, the proposed landscaping should follow the 3 foot - 7 foot rule, which states that plantings should not exceed three feet in height and that the canopies of trees should be over seven feet in height allowing a window of visibility into the site. The plant species proposed could grow to 4 to 10 feet at a mature height. Staff is recommending that the applicant work with staff to identify plants meeting the screening requirement.

The existing structure is not historic or eligible for designation.

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

ZONING CODE: The site is currently zoned C2 and R1A. In the C2 district, an office is a permitted use. The applicant is proposing to expand the office building into the R1A district. An office is not allowed in the R1A district. Therefore the applicant is proposing to rezone to the OR2 district, where offices are permitted. The site is also in the Shoreland and Flood Plain overlay districts. The proposal should comply with all of the overlay district requirements.

Parking and Loading: The minimum parking requirement for an office is one space for every 300 square feet of gross floor area in excess of 4,000 square feet. The minimum parking requirement for the office building would be 57 spaces. The parking lot would contain 105 spaces, including 5 handicap accessible spaces. The grocery store on the adjacent properties shares the parking lot. The minimum parking requirements for grocery stores are calculated the same as for offices. The minimum parking requirement for the grocery store is approximately 43 spaces. Therefore 100 spaces are required to meet the minimum parking requirement for the grocery store and offices.

The minimum loading requirement for the office building would be two small loading spaces. Two small loading spaces are proposed.

Signs: The applicant has indicated that no new signage is proposed. Any new signage will require Zoning Office review, approval, and permits.

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Maximum Floor Area: The lot area is 70,000 square feet. The maximum FAR allowed in the OR2 District is 1.0. The building would have a total of 21,040 square feet, which is an FAR of 0.3.

Minimum Lot Area: The minimum lot area requirement for an office in the OR2 district is 4,000 square feet. The proposed lot size is 70,000 square feet.

Lot Coverage: The maximum lot coverage allowed in the OR2 district is 70 percent. The proposed foot print is approximately 14,560 square feet, which covers 20.8 percent of the site.

Impervious Surface Coverage: The maximum impervious surface coverage allowed in the OR2 district is 85 percent. The lot area is 70,000 square feet, therefore 59,500 square feet of impervious surface is allowed. The proposed amount of impervious surface is approximately 61,493 square feet, which covers 87.9 percent of the site. The applicant is requesting a variance.

Building Height: The maximum height allowed in the OR2 district is 4 stories or 56 feet, whichever is less. However, in the Shoreland Overlay District, the maximum height allowed is 2.5 stories or 35 feet, whichever is less. The proposed addition would be two stories and approximately 29 feet in height.

Yard Requirements for the OR2 District: The minimum front yard requirement is 15 feet unless the setback of a residence or a principal building originally designed for residential purposes located on the same block face on either side of the property exceeds the district requirement. No residences or buildings that were originally built for residential purposes exist on the block, therefore the minimum front yard requirement is equal to 15 feet. A front yard is required along Cedar Avenue and Longfellow Avenue. The building addition is proposed to be set back between 3 and 4 feet from the front lot line along Longfellow Avenue. For the parking, a 9-foot landscaped yard would be provided along each street. The applicant is requesting a variance to reduce the front yard along Longfellow Avenue for the building, parking and trash enclosure.

A corner side yard is required along 47th Street. The minimum corner side yard requirement is equal to $8+2x$, where x is equal to the number of stories above the first floor. A two-story addition is proposed, therefore the minimum requirement is 10 feet. The building addition is proposed to be set back between 3 and 4 feet from the corner side lot line. The applicant is requesting a variance for the building location.

The minimum interior side yard requirement is equal to $5+2x$, where x is equal to the number of stories above the first floor. A two-story addition is proposed, therefore the minimum requirement is 7 feet. Interior side yards are required along the lot lines the run east and west at the south ends of the property. Driveways are proposed in these yards. The applicant is requesting a variance to reduce the interior side yard to allow the driveway.

A rear yard is required along the west property line where the alley is proposed to be vacated. The minimum requirement is equal to $5+2x$, where x is equal to the number of stories above the

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first floor. A two-story addition is proposed, therefore the minimum requirement is 7 feet. A drive aisle is proposed in the required yard. The applicant is requesting a variance.

Please note, although a front yard would be required along Cedar Avenue, a corner side yard would be required along 47th Street and an interior side yard would be required on the south side of the parking lot adjacent to the grocery store for the existing property of 4705 Cedar Avenue, the building and parking already exist in these areas. Yards are not required in the existing C2 district. Therefore the building and the proposed parking location would have nonconforming rights if the rezoning is approved and variances are not required.

Specific Development Standards for an Office: Not applicable.

Hours of Operation: In the OR2 District, uses may be open to the public during the following hours: Sunday through Thursday from 7:00 a.m. to 10:00 p.m.; Friday and Saturday from 7:00 a.m. to 11:00 p.m. The applicant has indicated that the existing and proposed hours of operation would be 9:00 a.m. to 5:00 p.m.

Refuse screening: Refuse storage containers are required to be effectively screened from the street by screening compatible with the principal structure and not less than two feet higher than the refuse container. Refuse would be stored in a trash enclosure south of the proposed building addition on the east side of the property. The applicant has indicated that the walls of the enclosure would be 6 feet 8 inches tall and constructed of concrete block with a brick veneer. The gates of the enclosure would be made of steel and cedar boards.

Screening of mechanical equipment: The applicant has indicated that mechanical equipment would be located on the roof. All mechanical equipment is required to be arranged so as to minimize visual impact by using screening and must comply with Chapter 535 and district requirements including:

535.70. Screening of mechanical equipment. (a) *In general.* All mechanical equipment installed on or adjacent to structures shall be arranged so as to minimize visual impact using one (1) of the following methods. All screening shall be kept in good repair and in a proper state of maintenance.

- (1) *Screened by another structure.* Mechanical equipment installed on or adjacent to a structure may be screened by a fence, wall or similar structure. Such screening structure shall comply with the following standards:
 - a. The required screening shall be permanently attached to the structure or the ground and shall conform to all applicable building code requirements.
 - b. The required screening shall be constructed with materials that are architecturally compatible with the structure.
 - c. Off-premise advertising signs and billboards shall not be considered required screening.
- (2) *Screened by vegetation.* Mechanical equipment installed adjacent to the structure served may be screened by hedges, bushes or similar vegetation.

- (3) *Screened by the structure it serves.* Mechanical equipment on or adjacent to a structure may be screened by a parapet or wall of sufficient height, built as an integral part of the structure.
- (4) *Designed as an integral part of the structure.* If screening is impractical, mechanical equipment may be designed so that it is balanced and integrated with respect to the design of the building.

MINNEAPOLIS PLAN: The site is located on Cedar Avenue which is designated as a community corridor by *The Minneapolis Plan*. It is also in the area designated as a commercial node. The following policies are relevant:

4.2 Minneapolis will coordinate land use and transportation planning on designated Community Corridors streets through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets.

Applicable Implementation Step

Support the continued presence of small-scale retail sales and commercial services along Community Corridors.

Staff comment: A commercial use and an office currently exist on the site. The proposal would expand the building for the office use and maintain commercial services along the corridor. The building would be oriented toward the street and walkways would connect pedestrians from the public sidewalk to the entrances.

4.5 Minneapolis will identify Neighborhood Commercial Nodes that provide a shopping environment of small-scale retail sales and commercial services and are compatible with adjacent residential areas.

Applicable Implementation Steps

Support the continued presence of small-scale retail sales and commercial services in Neighborhood Commercial Nodes.

Ensure that commercial uses do not negatively impact nearby residential areas.

Facilitate the redevelopment of underutilized commercial areas and promote their reuse as infill development, such as office or housing, while maintaining neighborhood compatibility.

Promote traditional urban form in terms of building siting and massing when undertaking new development in Neighborhood Commercial Nodes. (See discussion of traditional urban form in Chapter 9.)

Develop parking facilities and management strategies that balance the following goals: improved customer access, protection of sidewalk traffic; reduced visual impacts, mitigated impacts on neighboring uses and shared use of parking facilities.

Promote transit stops and bicycle parking and storage in Neighborhood Commercial Nodes.

Staff comment: A commercial use and an office currently exist on the site. The proposal would expand the building for the office use and maintain commercial services in the node. The building would be oriented toward the street and walkways would connect pedestrians from the

public sidewalk to the entrances. The addition would be 2-stories in height which should be compatible with the low density residences in the area. The parking area is located to the interior of the site and is screened from nearby residences by the building. Landscaping would also be provided between the parking area and the street and public sidewalks. The parking serves the proposed development as well as a grocery store on Cedar Avenue. A transit route does not exist on this part of Cedar Avenue; however, it is feasible to provide bicycle parking on site. Staff is recommending that at least 4 bike racks are provided next to a principal entrance in order to encourage multiple forms of transit.

9.11 Minneapolis will support urban design standards that emphasize a traditional urban form in commercial areas.

Applicable Implementation Steps

Enhance unique characteristics of the city's commercial districts by encouraging appropriate building forms and designs, historic preservation objectives, site plans that enhance the pedestrian environment, and by maintaining high quality public spaces and infrastructure.

Orient new buildings to the street to foster safe and successful commercial nodes and corridors.

Require storefront transparency to assure both natural surveillance and an inviting pedestrian experience.

Staff comment: The building would be oriented toward the street and walkways would connect pedestrians from the public sidewalk to the entrances. The addition would be 2-stories in height which should be compatible with the low density residences in the area. Abundant windows would be provided on all elevations facing a street or parking area to provide natural surveillance and visibility.

9.15 Minneapolis will protect residential areas from the negative impact of non-residential uses by providing appropriate transitions between different land uses.

Applicable Implementation Steps

Provide appropriate physical transition and separation using green space, setbacks or orientation between residential and non-residential uses.

Encourage site planning for new developments that orients the “back” of proposed buildings to the “back” of existing development.

Require screening and buffering for new developments next to residential areas,

Promote quality design and building orientation of commercial and industrial development that is appropriate with the surrounding neighborhoods.

Mitigate, through screening and buffering, limiting the size and scale of a building, and a business' hours of operation, the effects of commercial properties on residential areas.

Staff comment: The building is not directly adjacent to any residential properties; however, it would screen the parking lot from the residential properties across 47th Street. Also, landscaping would exist between the building and the adjacent streets. The building addition would be two stories to comply with the overlay district requirements for height. The design of the building

should be compatible with the surrounding area. The use would comply with the hours of operation allowed in the OR2 district.

ALTERNATIVE COMPLIANCE:

The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding any of the following:

- The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.
- Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.
- The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.

Alternative compliance is requested by the applicant to meet the following standards:

- A principal entrance facing the front lot line

The existing building has entrances that face the parking lot. A principal entrance is required to face a front lot line. The front lot lines for this property are on Cedar and Longfellow Avenues. The addition would include a principal entrance that faces 47th Street, a corner side lot line. Cedar Avenue is the major corridor. However, the applicant is not proposing to alter the existing building. Although Longfellow Avenue is the other front lot line, this street is predominantly residential. The 47th Street entrance is closer to Cedar Avenue, a community corridor. Staff is recommending that the principal entrance be allowed to face a corner side lot line and that alternative compliance be granted.

- Emphasis of a principal entrance through the use of architectural features

An entrance would face 47th Street as part of the addition. It would be recessed and surrounded by windows; however, it is not designed with equal emphasis when compared to the entrance proposed facing the parking lot. The parking lot entrance would be recessed and includes a vestibule surrounded by windows with the business sign located above the door. Staff is recommending that additional architectural features, such as a canopy or awning, are incorporated to emphasize the importance of the entrance.

- Minimize vehicle access conflicts with pedestrian traffic

The parking area would continue to be shared between the office building and the grocery store on the adjacent property. Vehicular access for the parking lot would take place through three curb cuts. As proposed, the number of curb cuts would not increase than currently exist on site and each curb cut is less than 23 feet in width. Two of the curb cuts are existing, one on Cedar Avenue and the other on Longfellow Avenue. The existing curb cuts should have minimal impact on pedestrians. A new curb cut would be located at the south end of the

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property and would allow additional access to Longfellow Avenue. However, the new curb cut would be located within 10 feet of an existing 40 foot wide curb cut on the adjacent property. The close proximity of these curb cuts has the potential to cause conflicts with vehicles and pedestrians. The applicant has indicated that the two curb cuts on Longfellow Avenue are necessary for the loading operation of the grocery store. The curb cut could be moved further north and still accommodate loading for the grocery store. Staff recommends that the proposed curb cut on Longfellow be shifted north at least 20 feet to lessen the potential to cause conflicts with vehicles and pedestrians.

▪ Reduction of impervious surfaces

The maximum impervious surface coverage allowed in the OR2 district is 85 percent. The lot area is 70,000 square feet, therefore 59,500 square feet of impervious surface is allowed. The proposed amount of impervious surface is approximately 61,493 square feet, which covers 87.9 percent of the site. Most of the impervious surface coverage is from the parking lot. The applicant has requested that a variance be granted to increase the maximum amount of impervious surface allowed. However, staff believes it is possible to comply with the impervious surface requirement and minimum parking requirement through the following means:

1) Providing the required front yard along Longfellow Avenue

The applicant has indicated that a reduced yard is necessary to provide all of the required parking. However, the parking lot plan could be altered and still maintain the minimum number of parking spaces proposed. The applicant is proposing 24 foot wide drive aisles between each row of parking spaces. The minimum drive aisle width required by the zoning code is 22 feet. The applicant could reduce the width of each drive aisle by at least 1.5 feet, which would shift the parking and trash enclosure to the west at least 6 feet and allow for a 15 foot front yard along Longfellow Avenue.

2) Providing the required southeast interior side yard

If the alley is vacated, the southeast interior lot line would extend to the where the center of alley currently exists. The applicant has indicated that providing a 7 foot interior side yard would interfere with the loading operation of the adjacent grocery store on the southwest side of the subject site. How the loading operations occur is not indicated on the plan. Also, the refuse containers for the grocery store are located in the alley adjacent to where the side yard would be located. Staff believes there is sufficient area on-site to accommodate loading and maneuvering and it is possible to provide the side yard without interfering with the loading area.

3) Shifting the curb cut 20 feet north and adding a row of parking

Staff has recommended that the proposed curb cut on Longfellow Avenue be shifted 20 feet north to prevent conflicts with pedestrian and vehicle traffic with an adjacent curb cut. By moving the curb cut, a row of parking could be added along the south interior side yard.

4) The southern-most tree island can be expanded to include the existing light pole occupying a parking space.

5) Removing landscape rock in the existing and proposed planting beds

The applicant has indicated that landscape rock would be used in all parking lot islands and all shrub planting beds. Landscape areas area required to be covered by turf grasses, native grasses or other perennial flowering plants, shrubs or trees. The number of shrubs proposed far exceeds the minimum requirements. However, there are still areas were perennials or turf could be planted. Staff is recommending that all landscape rock be removed and the remainder of the landscaped areas not occupied by trees or shrubs be covered in perennials, turf, and wood mulch.

With the staff recommendations (see also attached diagram), the amount of pervious surfaces would increase by at least 2,500 square feet. With the recommended changes, staff does not feel alternative compliance is warranted.

- Twenty percent landscaping

At least 20 percent of the net site area (11,088 square feet) must be landscaped. Approximately 8,507 square feet of the site would be landscaped. That is equal to 15.3 percent of the net lot area. By implementing the staff recommendation to meet other code requirements, this requirement can also be met. Staff does not believe alternative compliance is warranted. The applicant is providing the minimum number of trees and shrubs required. The remainder of the landscaped area is also required to be covered with plants such as turf grass, native grasses, or other perennial flowering plants. The applicant is proposing to provide turf in some locations. Landscaping rock exists in the planting beds around the building and is proposed in all of the parking lot islands and shrub planting beds. Staff is recommending that the landscape rock be removed and replaced with turf, perennials and wood mulch.

- Screening the parking area

Between the surface parking area and the street, screening that is three feet tall and no less than 60 percent opaque is required. The applicant has proposed landscaping to meet this requirement. The plant species proposed would meet the opacity requirement; however, at a mature height the plants could grow to 4 to 10 feet. This exceeds the three foot requirement and would not meet the intent of the site plan review chapter to allow views into and out of the parking area. Staff is recommending that the applicant work with staff to identify plants meeting the screening requirement.

- Providing one tree for every 25 feet of parking lot frontage

Along Longfellow Avenue, 9 trees are required to be spaced every 25 feet. Five trees would be provided on-site. In the street boulevard, 6 trees exist. With the combination of on-site and boulevard trees, the requirement is met. However, staff is recommending that the applicant provide a 15 foot front yard along this street. It should be feasible to provide an on-site canopy tree every 25 feet to meet the requirement. Staff believes alternative compliance is not warranted.

Along Cedar Avenue, 4 trees are required to be spaced every 25 feet. Two trees would be provided on-site. In the street boulevard, 2 trees exist between the parking area and the street. With the combination of on-site and boulevard trees, the requirement is met. Also, the applicant is proposing a large amount of shrubs that exceeds the minimum requirement. Staff believes alternative compliance is warranted to ensure the health of the trees with proper spacing.

- Proximity of all parking spaces within 50 feet of a tree and 7 foot wide landscape islands

The applicant is providing landscaping around the perimeter of the parking lot and has proposed 8 tree islands in the parking area. With the proposed parking layout two parking spaces would not be within 50 feet of an on-site tree. These spaces are located at the South end of the site in the middle row of back-to-back spaces. Staff is recommending several changes to this area of the lot that would also affect the location of the landscaping (see the recommendation diagram). If the staff recommendation is implemented, the tree and parking space spacing requirement would be met.

The tree islands are required to be at least 7 feet wide. The three islands at the north end of the parking lot meet the minimum width requirement. The other islands would be 6 feet wide. The proposed width of the drive aisle at the north end of the parking area is 24 feet. The zoning code requires at a minimum a 22 foot drive aisle. This drive aisle could be reduced up to 2 feet allowing the parking to shift north and more area for the tree islands. In the south portion of the parking lot, staff is recommending several changes to this area that would also affect the location of the landscaping and would allow wider tree islands. Staff is recommending that all tree islands are at least 7 feet in width.

ALLEY VACATION

Development Plan: The applicant intends to use the vacated alley to expand a building and a parking area.

Responses from Utilities and Affected Property Owners: As of the writing of this staff report, Minneapolis Public Works have not yet officially responded. If comments are received, staff will forward their recommendation at the June 12, 2006 City Planning Commission meeting. Originally, the applicant had requested that only the portion of the alley adjacent to their property be vacated. Public Works requested that the entire alley be vacated to prevent a situation where an alley would dead-end as well as be land-locked.

The utilities were notified that the entire alley would be vacated. Of the responses received, there were no objections and no easements requested, except from Qwest Communications. Qwest has requested that the north 10 feet of the alley and the south 10 feet of the alley be reserved as an easement to maintain an existing cable in those locations. The building addition would extend over the alley. Where the easement is requested, the building would be set back 9 feet from the property line. Staff has recommended as a condition of approval for the variance to reduce the corner side yard variance that that section of the building be set back 10 feet to accommodate the requested easement. The other

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requested easement is not part of the subject site and at this time staff is not aware of any development plans that would affect it.

Findings: The alley has been surfaced with asphalt. No delineation exists between private and public property. The south end of the alley has no outlet. The CPED Planning Division finds that the entire area is not needed for any public purpose, and it is not part of a public transportation corridor, and that it can be vacated if any easements requested above are granted by the petitioner.

RECOMMENDATIONS

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the petition to rezone the property of 4705 Cedar Ave from the C2 district to the OR2 district.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the petition to rezone the property of 4700-4712 Longfellow Ave from the R1A district to the OR2 district.

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 application for a variance to reduce the front yard along Longfellow Ave from 15 feet to 3 feet to allow a 2-story building addition for the properties located at 4705 Cedar Avenue and 4700-4712 Longfellow Avenue.

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 **deny** the application for a variance to reduce the front yard along Longfellow Ave from 15 feet to 9 feet to allow a trash enclosure and a parking area for the properties located at 4705 Cedar Avenue and 4700-4712 Longfellow Avenue.

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 application for a variance to reduce the corner side yard along 47th Ave from 10 feet to 3 feet to allow a 2-story building addition for the properties located at 4705 Cedar Avenue and 4700-4712 Longfellow Avenue, subject to the following condition:

- 1) Where the building extends over the vacated alley, the minimum corner side yard requirement of 10 feet shall be maintained.

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 **deny** the application for a variance to reduce the southeast interior side yard from 7 feet to 0 feet to allow a driveway for the properties located at 4705 Cedar Avenue and 4700-4712 Longfellow Avenue.

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 application for a variance to reduce the rear yard from 7 feet to 0 feet to allow a drive aisle for the properties located at 4705 Cedar Avenue and 4700-4712 Longfellow Avenue.

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 **deny** the application for a variance to increase the maximum amount of impervious surface from 85 percent to 87.9 for the properties located at 4705 Cedar Avenue and 4700-4712 Longfellow Avenue.

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 application for site plan review to allow an addition to an existing office building for the properties located at 4705 Cedar Avenue and 4700-4712 Longfellow Avenue, subject to the following conditions:

1. Community Planning and Economic Development Department – Planning Division staff review and approval of the final elevations, site and landscape plans.
2. Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by July 21, 2007, or the permit may be revoked for non-compliance.
3. Additional architectural features, such as a canopy or awning, shall be incorporated to emphasize the importance of the entrance on the 47th Street elevation as required by section 530.120 of the zoning code.
4. The proposed curb cut access on Longfellow Avenue shall be moved at least 20 feet north to lessen the potential conflicts with pedestrians and vehicles.

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5. All landscape rock shall be removed from required landscaped areas and replaced with perennials, turf and wood mulch as required by section 530.150 of the zoning code.
6. The applicant shall work with staff to identify plants meeting the screening requirement from section 530.170 of the zoning code.
7. Nine canopy trees shall be provided along Longfellow Avenue as required by section 530.170 of the zoning code.
8. All parking spaces shall be within 50 feet of an on-site deciduous tree and landscape islands shall be at least 7 feet in width as required by section 530.170 of the zoning code.
9. At least 4 bike racks shall be provided next to a principal entrance in order to encourage multiple forms of transportation.
10. Approval of the rezoning petitions and alley vacation by City Council.

**Recommendation of the Department of Community Planning and Economic Development—
Planning Division for the Alley Vacation:**

The Department of Community Planning and Economic Development—Planning Division recommends that the City Planning Commission and the City Council accept the above findings and **approve** the vacation.

Attachments:

1. PDR comments
2. Statement of use
3. Findings
4. Correspondence
5. Zoning map
6. Arial photo
7. Plans
8. Diagram showing staff recommendations
9. Photos