



Request for City Council Committee Action from the Department of Community Planning and Economic Development - Planning Division

Date: September 14, 2006

To: Council Member Gary Schiff, Chair, Zoning & Planning Committee and Members of the Committee

Referral to: Zoning and Planning Committee

Subject: Appeal of the decision of the City Planning Commission filed by Jeannie Czupryna with Dinsmore Cleaners

Recommendation: At the August 14, 2006, City Planning Commission meeting six of the Planning Commission members were present. All six of the Planning Commissioners voted to approve the site plan review for the Children’s Dental Services development located at 636 Broadway Street Northeast.

Previous Directives: Not applicable

Prepared by: Hilary Dvorak, Senior Planner
Approved by: Jason Wittenberg, Supervisor, Planning – Development Services
Presenters in Committee: Hilary Dvorak, Senior Planner

Reviews

• Permanent Review Committee (PRC):	Approval ___ Date _____
• Policy Review Group (PRG):	Approval ___ Date _____

Financial Impact

- No financial impact

Community Impact

- Neighborhood Notification – Notice of the Planning Commission hearing was mailed on July 28, 2006, and notice of the appeal was mailed on September 1, 2006
- City Goals - See staff report
- Comprehensive Plan – See staff report
- Zoning Code - See staff report
- End of 60/120-day decision period – A 60-day extension letter was mailed on August 24, 2006, extending the 120-day decision period to November 14, 2006
- Other - Not Applicable

Supporting Information

Jeannie Czupryna with Dinsmore Cleaners has filed an appeal of the decision of the City Planning Commission in regard to the Children's Dental Services development. The appeal is associated with the decision of the City Planning Commission to approve the following applications:

- Site plan review for a 2,500 square foot addition facing the street to an existing dental clinic.

The appeal is associated with the application originally filed by Robert Shaffer with The Foundation Architects, on behalf of Children's Dental Services, for the property located at 636 Broadway Street Northeast.

The original staff report and the minutes from the August 14, 2006, City Planning Commission meeting are attached.

The appellant has stated that the decision is being appealed for three reasons:

- "The site plan will adversely affect Dinsmore Cleaners and the surrounding area."
- "The site plan fails to meet the requirements for site plan approval."
- "The site plan should be amended to place the building addition between the existing CDS building and Broadway Street."

The appellant's complete statement and reasons for the appeal are attached.

**Action by the City of Minneapolis:
Actions of the Minneapolis City Planning Commission, August 14, 2006**

5. Children's Dental Services (BZZ 3136, Ward 3), 636 Broadway St NE (Hilary Dvorak).

A. Site Plan Review: Application by Robert Shaffer with The Foundation Architects, on behalf of Children's Dental Services, for a site plan review for a 2,500 square foot addition facing the street to an existing dental clinic for the property located at 636 Broadway St NE.

Action: The City Planning Commission adopted the findings and **approved** the site plan review for a 2,500 square foot addition facing the street to an existing dental clinic located at 636 Broadway St NE subject to the following conditions:

1. The south building wall shall be modified so that blank, uninterrupted walls do not exceed twenty-five (25) feet in length as required by Section 530.120 of the zoning code.
2. There shall be at least 30 percent windows on both the Adams Street Northeast and Broadway Street Northeast sides of the building.
3. The windows in the addition shall be vertical in nature.
4. Windows shall comply with the requirements of Section 530.120(2)(e).
5. At least 20 percent of the site not occupied by the building shall be green space as required by Section 530.160.
6. There shall be at least five canopy trees on the site.
7. The existing pavement along the west property line shall be removed and a seven-foot landscaped area be installed as required by section 530.170 of the zoning code.
8. The existing free-standing sign on the northeast corner of the property shall be removed.
9. Approval of the final site, elevation and landscaping plans by the Department of Community Planning and Economic Development - Planning Division.
10. All site improvements shall be completed by August 14, 2007, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
11. Lighting shall be installed on the south building wall addition. Lighting levels shall comply with Section 535.590.
12. Vertical plantings shall be installed along the south building wall to discourage graffiti.

**Excerpt from the
CITY PLANNING COMMISSION
MINUTES**

**Minneapolis Community Planning & Economic Development (CPED) Planning
Division**

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MEMORANDUM

DATE: August 25, 2006

TO: Steve Poor, Manager, Community Planning & Economic Development - Planning Division

FROM: Jason Wittenberg, Supervisor, Community Planning & Economic Development - Planning Division, Development Services

CC: Barbara Sporlein, Director, Community Planning & Economic Development Planning Division

SUBJECT: Planning Commission decisions of August 14, 2006

The following actions were taken by the Planning Commission on August 14, 2006. As you know, the Planning Commission's decisions on items other than rezonings, text amendments, vacations, 40 Acre studies and comprehensive plan amendments are final subject to a ten calendar day appeal period before permits can be issued:

Commissioners Present: President Martin, El-Hindi, Krause, LaShomb, Motzenbecker, Schiff and Tucker – 7

Not Present: Henry-Blythe, Krueger and Nordyke

5. Children's Dental Services (BZZ 3136, Ward 3), 636 Broadway St NE (Hilary Dvorak).

A. Site Plan Review: Application by Robert Shaffer with The Foundation Architects, on behalf of Children's Dental Services, for a site plan review for a 2,500 square foot addition facing the street to an existing dental clinic for the property located at 636 Broadway St NE.

Action: The City Planning Commission adopted the findings and **approved** the site plan review for a 2,500 square foot addition facing the street to an existing dental clinic located at 636 Broadway St NE subject to the following conditions:

1. The south building wall shall be modified so that blank, uninterrupted walls do not exceed twenty-five (25) feet in length as required by Section 530.120 of the zoning code.
2. There shall be at least 30 percent windows on both the Adams Street Northeast and Broadway Street Northeast sides of the building.
3. The windows in the addition shall be vertical in nature.
4. Windows shall comply with the requirements of Section 530.120(2)(e).
5. At least 20 percent of the site not occupied by the building shall be green space as required by Section 530.160.
6. There shall be at least five canopy trees on the site.
7. The existing pavement along the west property line shall be removed and a seven-foot landscaped area be installed as required by section 530.170 of the zoning code.
8. The existing free-standing sign on the northeast corner of the property shall be removed.
9. Approval of the final site, elevation and landscaping plans by the Department of Community Planning and Economic Development – Planning Division.
10. All site improvements shall be completed by August 14, 2007, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
11. Lighting shall be installed on the south building wall addition. Lighting levels shall comply with Section 535.590.
12. Vertical plantings shall be installed along the south building wall to discourage graffiti.

Staff Dvorak presented the staff report.

Staff Dvorak: This is the site plan that was submitted as part of the application. I'm going to go through the conditions of approval and then show you the site plan that the applicant sent to me via email on Friday which meets the conditions of approval or almost all of the conditions of approval.

President Martin: Is it different than this one, Hilary?

Staff Dvorak: It is. Do you want me to just start there or...?

Staff Dvorak continued with the staff report.

Staff Dvorak: The revised site plan that came, if you follow through on page 11 you can see that these meet the conditions of approval. The first one is that the south building will be modified so the blank uninterrupted walls do not exceed 25 feet in length. This is that south building wall and they have added these vertical elements that run the length of the building. It was in this area where they had an issue...or 25 feet east of that window is where they had an issue and they added those vertical elements to the building. The second condition is that they have at least 30% windows on both the Adams Street and Broadway Street NE sides of the building. They did meet the Broadway Street NE side of the building, however, they did not meet the Adams Street. I can't verify because these aren't to scale, but I'm going to assume that they are over 30% of the building wall and I will confirm that and I told the applicant that I believe it does, but I will confirm it once I get plans that are to scale. You can see that the buildings have been made vertical in nature. The window height has been extended closer to the ground and so they are vertical in nature whereas before they were more horizontal in nature if you looked at the elevations in your packet. The fourth condition is that they comply with the requirements of section 530.122e with is that they can't cover up that 30% with bookshelves and other office equipment. That is just something that will have to be verified. Looking at the floor plans that were submitted, it doesn't appear that they will be blocking any of those perimeter windows with any of those types of furniture or shelving. The next one is that they meet the 20% green space on this site and they had 16% of this site not occupied by the building was green space and then if you look, the next condition is that they have that...two conditions down is that they have a seven foot green space area along the west property line, this hatched area is going to be green space. They're actually going to use that for storm water runoff which will get towards the Public Works review of the site. Adding that additional green space brings them up to the 20% and also takes care of condition number seven. Number six is that they have the five canopy trees and they do have five canopy trees on the site. The eighth condition is something that they said they were already going to do. There is an existing freestanding sign that's not being used now and they weren't proposing to reuse it, it's just the skeleton, if you want to say, of an old sign for the former use of the property. We just conditioned that they do remove that as it is an eyesore on the corner. Given these plans you can see that they have done a lot of work in the last week since the report came out to meet the conditions of approval for the site plan review. With the alternative compliance we recommend that you approve this application tonight.

President Martin: Thanks Hilary. Commissioner LaShomb, you have a question?

Commissioner LaShomb: Hilary, with the addition will there still be sufficient parking to meet the code requirements?

Staff Dvorak: Yes.

Commissioner LaShomb: What does that parking... how many spaces would that be?

Staff Dvorak: If you look on page...

Commissioner LaShomb: They're going to lose some spaces by the addition aren't they?

Staff Dvorak: The parking requirement is 16 spaces. It's based on one per 300 square feet of gross floor area over 4000 for an office. They're required to have 16 and they are providing 25 spaces.

Commissioner LaShomb: Alright so they're nine spaces above the code.

Staff Dvorak: Over what the code requires, correct.

Commissioner LaShomb: Thank you.

President Martin opened the public hearing.

Jean Czupryna (740 Adams St NE): I am part owner of Dinsmore Cleaners. Dinsmore Cleaners and Laundromat is located directly behind their new location. The front of our building faces Adams Street. Our front door, front windows, parking and everything faces the street. They build this new building, our exposure is going to be a brick wall and that's all we're going to see. They now don't have any lighting. They close at 6 o'clock and they're not open on weekends. We're open seven days a week. We're open until 9 o'clock at night and our employees are there at 6:30 in the morning and in the winter it's very dark. This further shows this brick wall is going to be a real hazard for crime. It would be just a real blockage. Right now, where they plan to put their building, we look over and there's light's, Broadway is there, there's cars going back and forth, there's a lot of lighting, there's a gas station with lights, there's a restaurant with

lights and we have a lot of exposure. When they build this building our laudromat and Dinsmore Cleaners dry cleaning sign is going to be totally covered. Fifty years ago we were located on 632 Monroe Street NE. We were in the St. Anthony East relocation area. They put us at Broadway and Adams. When we built, 36 years ago, the city, we wanted to build closer to Adams Street, closer to the street, the city Zoning said no. We had to stay in line with the 7-Eleven store. They had gas pumps on that land also. We stayed in line with the building so we had street exposure, exposure for our sign, exposure for customers to see where we were and now all of the sudden they are going to change the zoning and build out to Adams. I don't think so. I don't think it's fair. Parking... we're there every day... parking they do not have enough parking. Many mornings I see them park in the street across the street and people walk in there. Many afternoons their parking lot is totally overflowing and filled. These are photos. This is our view from our front door to the corner of Broadway and Adams. If they build, it's going to be a brick wall way over to Adams. That's another view. There's one here that shows we're inline with the other building. This is a sidewalk that goes straight across and we're inline and their building is right here and ours is right here. This is our view. They're going to build this new building way out to here and it's going to block our view totally and put us behind a brick wall. Parking is a problem and they don't have enough parking. They are always overflowing. Let me mention housekeeping. We have a real problem with that. They have got trees, weeds, and grass that is not taken care of. They never have anything cleaned. They don't have a dumpster so at least once a week this is where they put their garbage, on the street. I think the City of Minneapolis picks it up. They can't have any more because they're overflowing already. These are the pictures last week of their garbage pick up. We are strongly opposed to this.

President Martin: I think we get that idea.

Jean Czupryna: Mainly because 36 years ago we had to line up with that building. I have petitions here from neighbors who are also opposed.

President Martin: You can give those to Lisa and those will become part of the record.

Jean Czupryna: We have a neighbor here that can back up some of this.

President Martin: You don't need anyone to back you up, we believe you.

Roberta Pinkosh (730 Adams St NE): The garbage is a big issue and so the parking. We have found needles, rubber gloves and pills all on the ground. There are shredded papers flying all over. There is not enough parking. That lot is overflowing. Nobody wants that because it's going to cut off everybody's view. The winter they can't shovel their sidewalks and it's icy. When you tell them to put Ice Melt on look at you and laugh at you. The other day I was up there to tell them about the pills and the young gentleman looked at me like 'why are you here?', he wasn't very nice. Nobody in the neighborhood wants this expansion.

President: Ok. Others who wish to speak to item number five?

Bob Shaffer (212 3rd Ave N): I'm from Foundation Architects. We're the people who drew the drawings. I brought some drawings to show you. This is an aerial photo of the site as it currently is. This was taken a little while ago so the parking is a little different now. It shows approximately where the site lines are and where our neighbors are. There's an apartment building here and laundromat here. We have Adams Street and Washington Street NE here. The laundromat has kind of those three sides there, we have the two and then the apartment has the other two. This is the current site plan which was already shown to you. This is the latest and greatest. We did a number of changes based on the Planning Department's recommendations. We have a variety of landscaped areas along here. We're planning on cleaning up all the brush along here and then using some storm drainage areas in here. I just wanted to kind of get you to the site and I wanted to talk about how we designed it and why. We took an approach at the very beginning of kind of a minimal impact to the site and the neighborhood. We checked into Planning and Zoning and all the requirements we had. According to that we had zero setbacks along the east side along Adams and zero setbacks along the south side which would adjoin the laundromat. We went ahead and tried to pull that back a little bit and yet tried to maintain a functional building as well. We actually reduced the size of the addition down to maintain a three foot planting strip on the east side along Adams and just about a seven foot planting area on the south side along the laundromat. We're going to use some of that planting area there as a rain garden to take off some of the roof water from the addition. We had our civil engineer design something for that as well. It was originally a convenience store gas station. The tanks have since been removed. There is a study that was done years back showing that there is some potential contamination of the soils below the parking lot so that was one of our reasons for approaching the addition the way we did and heading it towards the east side so that we wouldn't disturb those soils. It was a recommendation to either leave it as is, which is contained under the parking lot; or if we dug it up then we'd need to mitigate the soils. The facility is a community directed facility so the design of the building and the site was kind of trying to maintain neighborhood proportions as well as trying to maintain a kid proportion to the building as well so we changed some of the proportions of the windows slightly. The design of the building tried to blend in as much as possible with the existing building with the understanding that it was a 7-Eleven and various other things along the way. We were trying to match to some of the materials, yet not necessarily match exactly to the building because architecturally it was not exactly astounding. One of the main criteria we used in actually designing the technical portions of the building was that tried to maintain sort of a sustainable design; sort of an approach that we should be above and beyond our approach to the city and to the community so we did a number of different items that approached sustainable design. We doubled the insulation in the walls and roof. We put in a white roof instead of a black roof, we have all Energy Star appliances, we have high efficiency lighting, we have no VOC paints inside, we have sustainable linoleum flooring rather than carpet, we have hot water solar panels on the roof and also photovoltaic electric solar panels, we have rain water gardens on two sides of the building to attempt to deal with storm water run off from the parking lot and storm water run off from the roofs and we basically meet most lead standards for this building. We also took into account all the comments we've received from city staff and Planning. We are currently meeting or exceeding the code requirements and those conditions that you have. I have some other drawings here. This is where the building sits right now, what it would like. We're matching existing brick, matching existing the shingle approach but using cementitious shingle instead which will hold up better. This is the site plan of the building. In the design of the building we wanted to maintain in operation because the facility handles a lot of community people, which I will let one of the building people take care of a little bit more for you. We wanted to maintain the existing opening and entrance to the building so that we could maintain the building and operation through the construction. You can see how

the addition extends and basically doubles the amount of available chairs in there. That's a quick summary of what we tried to do with the building.

Commissioner Motzenbecker: Can you clarify for me... the rainwater gardens that Civil is preparing, are you cognizant of the design they are doing? Are they just going to do some swales that will be grassed, are they going to put some acceptable plant materials in there other than grass?

Bob Shaffer: What we were planning is drought resistant plant materials and maybe some higher grasses. We have some bushes planted to meet some code requirements; those would be around the perimeter. There are swales in there to help absorb some of the water.

Commissioner Motzenbecker: Have you worked with Public Works Storm water to get a list of plants that would work in there?

Bob Shaffer: We still will, we haven't got through that. We have to resubmit the Civil drawings back into the PDR process and then we'll suggest what we're planning on doing in that.

Commissioner Tucker: Thanks.

President Martin: Mr. Shaffer, can you show us on your site plan where the dumpster enclosure is and then maybe somebody else can tell us why it's not being used.

Bob Shaffer: Right now we have a back door over here on the west side of the building and we have the dumpsters currently located right next to that so there's easy access on that side of the building. That's where the garbage is located currently as well.

Henry Czupryna (740 Adams St NE): I'm from Dinsmore Cleaners. He's talking about greenery, there's not going to be any room to put any greenery. The cars are full in the lot with the small building and now they're going to add twice as much on. There's not going to be any room. You have to come look at it. We're talking four feet around the building.

President Martin: Ok. Others who wish to speak?

Sarah Wovcha (636 Broadway St NE): I'm the Executive Director of Children's Dental Services. I'd like to tell you a little about Children's Dental Services and who we are. Children's Dental Services has been in existence...

President Martin: We've got all the background in our packets so you don't need to go over that.

Sarah Wovcha: Ok. I guess the thing I will stress then is that what this addition will be utilized for is to meet a crisis in access to oral care for low income children and pregnant women in Minneapolis. There currently is a huge problem in access to care for low income people and uninsured people. We are one of the few providers that accept low income children and pregnant women. We provide more emergency care to children at that location than any other provider in Minneapolis after Hennepin County Medical Center. This is a really important project and it's a community resource. We simply can't increase our capacity of care without this addition. I would like to address many of the comments and concerns that have been voiced this evening. First, I know of no research supporting the claim of the dry cleaner's that its business will be harmed by the addition. With all due respect to its economic interests, dropping one's dry cleaning off is not typically an impulse errand. High visibility may not be as critical to the dry cleaner's as to other types of businesses such as convenient stores. Given that, the CDS has offered to erect a sign for Dinsmore Cleaners at its own expense on its property. To date Dinsmore has declined that offer but I want to say that the offer still stands. We're also willing to increase lighting on the side of the building that will be adjacent to Dinsmore property also to try to ameliorate any of the affects of this property. CDS carefully explored all options before coming up with this particular plan. We explored them closely with our architect, Foundation Architects, and with calls to the city of Minneapolis to find out what was possible in that space. When I met with Dinsmore cleaners to talk about this they asked 'why don't you move up?' and it's prohibitively expensive for us to move up. The cost of an elevator would be about a quarter of a million dollars for us to comply with the Americans with Disabilities Act. If we were to move forward toward Broadway Street NE we run into problems with the fuel leaks which we know are there. That would be prohibitively expensive to clean the soil and it would result in disruption of our business adding on to the front of it. We would simply have to go out of business for some time in order to accommodate that kind of an addition. There were a number of complaints raised; one about the refuse. CDS does everything it can to be a model citizen. These plans exemplify that. We are voluntarily adding rain gardens, energy efficiency, a white reflective roof, high-efficiency lighting, solar panels, etc. In the photos you saw, the refuse along the curb is actually our recycling. We do more recycling than any small business that I've ever been involved in. We really try to bring that ethic to the community. Sometimes there are issues around environmental justice and we don't have the kind of environmental responsibility and clean neighborhoods that we should have for low income people. I think those photos are a great example, you can see that those are the city of Minneapolis recycling containers and our cardboard lined up next to it. We dispose of our waste according to the letter of the law and we do so appropriately. I did have a discussion this morning with someone from the city of Minneapolis that suggested that maybe Minneapolis could provide some different bins, but that's really all that we've been provided and that's our only way we can dispose of our recycling. I have never had a complaint about parking. If you come by on any given day, you will see that the parking lot is half full or less. I've never known there to be a parking problem at the location. There were some complaints about the way that the grounds look. We don't have a professional grounds keeper. We have been mowing the grass ourselves because it's our mission to put every available dollar literally into the mouths of the children and to caring for their teeth. I'm willing for us to hire a lawn service to professional manicure the property so that it might meet more of the compliance of the neighbors but I do know that we mow our grass and cut our weeds. When we're thinking of the aesthetic appeal of the neighborhood and what will bring value to it, I think that this addition will do that. It's aesthetically appealing; it adds green space and trees. The current building is not the most beautiful building. I think that what we are proposing is much more pleasant for that area. CDS

has been a model citizen and an innovative business. We enjoy the broad support of several governmental entities and foundations, including the City of Minneapolis, Hennepin County, the State of Minnesota, Delta Dental Plan, the Bush Foundation, the Knight Foundation and several others. CDS has received awards and recognition for its services from the American Dental Association, the Peter F. Drucker Foundation and most recently we received the MN Council for Non-Profits 2006 Innovations award. We're cognizant of the community and we're doing everything we can to bring this scarce resource to the community. I will say that, from the time we've come to the neighborhood, we've had some folks who have really embraced us and I have letters of support I can provide. Some folks have said they really don't want this business in their neighborhood. Frankly, that's troubling. I think we need to be embracing of a business that serves economic diversity and racial diversity within our neighborhood. I strongly urge you to support this application. Thank you for your consideration.

Mary Sue Hansen (315 Macalester St.): I work for the Suburban Ramsey Family Collaborative and we partner with CDS to increase the health and well-being of low income and isolated children and families. We support proven effective efficient services that help young people grow up to be healthy, caring and competent adults and basically...

President Martin: Ok. Hang on just a second. I think we understand that this is a good business that's providing great services for all sorts of people. I'd like you to talk about the site plan. The site plan is what we're talking about here.

Mary Sue Hansen: Ok. Then I'll just say to please support children and their needs. Thank you.

Bryan Nelson (3009 41st Ave): I serve on the board of CDS. My great uncle and great aunt live in northeast Minneapolis. My grandfather was a trolley car conductor; I guess we call it Light Rail now. I am familiar with the area. For the site specifically, concerns about cars, most of our families that come to the program take a bus. There's a good bus line there. There's not a high volume of traffic. The second point is safety. Certainly we want our children to be completely safe. We would not want a community where children would be coming in for services and not be safe. I think the security lights that we've offered would take care of that. We welcome more patrol too.

Lee Ann Murphy (700 Humboldt Ave): I'm the Director of Administration for Parents in Community Action. We've had a 30 year history in partnership. The parking has been an issue. I have made repeated visits in my 10 years across the river. Parking and snow removal has never been an issue.

Council Member Hofstede: This is part of my ward. In my discussion with folks from Dinsmore Cleaners as well as the people from Children's Dental Services, there are a couple of things I wanted to mention. In the discussion with Children's Dental Services, the surrounding green space and the maintenance, they've agreed to improve. Plus the removal of a chain link fence which I think will create a lot more attractive environment. The issue of recycling and recycling

containers is an issue that I think we need to have more discussion and is probably something that's more of a citywide issue. If businesses are really environmentally conscious and they want to have recycling, the bins we have currently are probably not appropriate and we need to look how we can work on that so I'll be working with the clinic on some more appropriate solutions to that.

President Martin closed the public hearing.

Commissioner LaShomb: Hilary, can we require as part of the site plan that lighting be put in on the south side of this building and can we also require that they act to do something about signage for another business that's next door?

Staff Dvorak: The signage would be an off-site advertising which would not be permitted. It would be more like a billboard to advertise for off-site uses.

Commissioner LaShomb: When you say it's an off-site, can we require that in the site plan or is that just something we can't do anything about?

Staff Wittenberg: I would not recommend mandating that the applicant provide signage for the adjacent property. I think it's outside of the scope of the site plan review before you.

Staff Dvorak: As far as the lighting, you could require that they do additional lighting however they would need to meet the foot candle maximums of the zoning code along the interior property line when adjacent to another property.

President Martin: What would those be about?

Staff Dvorak: I think it's five foot candles when you're adjacent to other properties.

Commissioner Schiff: About the landscaping in that little stretch there, is this an area where we have to be worried about graffiti showing up facing the dry cleaners or will the landscaping they've proposed be vertical enough to block areas of graffiti?

Staff Dvorak: The plan that I've received doesn't have landscaping as far as shrubs or trees in that area. I'm not sure if you've looked at an updated plan.

Commissioner Schiff: The one that I looked at here did.

Staff Dvorak: Maybe the architect has a different has a more updated landscaping plan than I do, but that could be something that could be required as part of the site plan.

Commissioner Schiff: In the version in our packets we are showing Spiraea and some other plants in that area.

Staff Dvorak: In the version I received via email it was removed and maybe the architect can speak to that if they are proposing to keep that landscaping or if they are not...

Commissioner Schiff: To help out the architects, the drawings we have in our packets are dated June 23rd. If not landscaping then what would go there?

President Martin: Mr. Shaffer, you want to talk about this?

Bob Shaffer: We did move around some of the landscaping a bit. We have the same number of bushes, more trees and this area was more towards a rain garden type of growth not high bushes or trees there because they won't live in that environment so most of it is more low shrubs, low plants to try to absorb some of the storm water.

Commissioner Schiff: Ok. My worry here is that a blank wall attracts graffiti pretty quickly and then if the dry cleaner has look at that every day and then call 311 to report it in then it adds insult to injury.

Bob Shaffer: We can certainly look at ways of trying to mitigate that with the landscaping as best as we can.

Commissioner Schiff: I will make a friendly amendment to add additional vertical landscaping in that area.

Commissioner Motzenbecker: Maybe even to clarify that, Mr. Shaffer, if you're familiar there's various screen products that can be attached to the building façade. Vine can grow up green screen, some other Jacob line types of things and that would be... there's plenty of space there for plants to grow and grow vertically. I think that would be something the neighbors would appreciate as opposed to just having a rain garden there. That would help soften that a little bit so I would look into some green screen.

Bob Shaffer: Right now it's all paving and a chain link fence so I think it would be an advantage and not a disadvantage if I can say that. We just haven't selected the plants as of yet. We were

kind of in a rush to get all of the changes done to the building and site as best we could at this point.

Commissioner LaShomb: I think if we're going to make amendments to motions then we should have a motion. I'm going to move the site plan for this with two additions. One is the lighting issue which I think the staff understands where we're going with that. The other issue is the landscaping issue on that side of the building. I don't think there is anything else that needs to be done with the site plan.

President Martin: Can you clarify what you mean by lighting so that Jason understands?

Commissioner LaShomb: I thought that we had discussed that we should have lighting of sufficient candle power so that this building doesn't darken out... so we don't have a dark side of the building.

President Martin: So we're really talking about putting increased lighting as well as vegetation on what would be that south facing blank wall.

Commissioner LaShomb: I think there's a logical argument for that. I don't think it has to be a spotlight. The reason I'm supporting this is that I think there are issues around this site and how this is being done, but I think some of the issues aren't things we can do much about. For example, the parking. The code says that for the site and the facility they're building they are only required to have 16 spaces and they have 25. That would be a dream in some parts of Minneapolis. So to say they don't have enough parking... I live next door to Minnehaha Academy South Campus and they're adding parking spaces and they have street parking. The trash dumpster thing, I think that's a policing issue more than our issue. I see a dumpster there. I guess if I were this applicant I would start seriously considering having a permanent landscape person or lawn service because frankly you're adding a lot of greenery and shrubbery to this site as a result of the change and I hate to see money going to landscapers instead of dental services but we do have community standards and we have to meet those standards. I would like to be supportive of the idea of trying to figure out how to do signage for the dry cleaners. I think the dry cleaning business is kind of both a constant and an opportunity kind of business. People do come by and say "oh, there's a dry cleaner" and on the other hand some people have been going to the same one for 20 years. I think the public purpose to be served by having this clinic where it is and some of the problems with the site in going towards Broadway; anytime you have gas pumps on a site you know there's trouble if you go towards where those are. I think it's probably the best site plan we're going to get for this project.

President Martin: Ok. Is there a second? (Motzenbecker seconded) Further discussion?

The motion carried 6-0.

**Department of Community Planning and Economic
Development – Planning Division**

Site Plan Review

BZZ-3136

Date: August 14, 2006

Applicant: Children's Dental Services

Address of Property: 636 Broadway Street Northeast

Project Name: Children's Dental Services

Contact Person and Phone: Robert Shaffer with The Foundation Architects, (612)
340-5430

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

Date Application Deemed Complete: July 17, 2006

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

End of 120-Day Decision Period: Not applicable

Ward: 3 **Neighborhood Organization:** **St. Anthony East and Logan Park**

Existing Zoning: C1, Neighborhood Commercial District

Proposed Zoning: Not applicable for this development

Zoning Plate Number: 9

Legal Description: Not applicable for this development

Proposed Use: Addition to an existing dental clinic

Concurrent Review:

Site plan review

Applicable zoning code provisions: Chapter 530, Site Plan Review.

Background: Children's Dental Services is a non-profit community dental clinic which provides oral health services to low-income children and pregnant women in the Twin Cities. Currently, over twelve thousand patients are served every year. Since moving their headquarters to 636 Broadway Street Northeast in 2004, the applicant has indicated that they have significantly increased their services and volunteer program and has in effect outgrown their current building. As a result, the applicant is proposing to construct an approximate 2,400 square foot addition to their building. The addition is over 1,000 square feet and faces a public street, sidewalk or pathway and is therefore subject to Site Plan Review.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code:

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

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND 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:
 - 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.**
- **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.**

PLANNING DEPARTMENT RESPONSE:

- **The existing building is located on the southwest corner of the site. The addition is proposed to be constructed on the east side of the existing building. The addition reinforces the street wall along Adams Street Northeast as it is proposed to be constructed between two and three feet from the property line. However, the addition does not maximize natural surveillance or facilitate pedestrian access as the amount of windows proposed in the addition is very minimal and there is no public entrance located along the Adams Street Northeast side of the building. Although there is a door located along the Adams Street Northeast side of the building it is for emergency purposes only. Provided the applicant constructs a continuous walkway between the public sidewalk and the principal entrance, as proposed, the Planning Division is recommending that the City Planning Commission grant alternative compliance to not require a principal entrance facing Adams Street Northeast as the main entrance to the**

building is located within the existing portion of the building and is not proposed to be removed.

- The site is located on a corner lot which requires that both walls abutting the streets be located within eight feet of the property line unless subject to a greater required setback. In this case no greater setbacks are required. The building addition will be constructed between two and three feet from the front property line along Adams Street Northeast. The existing building is setback approximately 76 feet from the corner side property line along Broadway Street Northeast. The addition is proposed to be constructed approximately 71 feet from the corner side property line along Broadway Street Northeast. The Planning Division is recommending that the City Planning Commission grant alternative compliance to allow the building wall along Broadway Street Northeast to be setback more than eight feet from the property line. The addition is being constructed in a way that maintains the surface parking area between the building and the property line. In order to realistically construct a building within eight feet of both the front and corner side property lines the existing building would need to be demolished.
- In between the building and the front property line the applicant is proposing to have landscaping. In between the building and the corner side property line the applicant is proposing to have a surface parking area and landscaping.
- The principal entrance to the building faces Broadway Street Northeast. The entrance is emphasized through the location of a sign above the doorway. This is an existing condition of the site.
- All of the parking associated with this development is located between the building and the corner side property line. This is an existing condition of the site.
- The exterior materials of the existing building include brick, wood shingles and metal paneling. The metal paneling is located on the rear of the building towards the top of the building wall. The exterior materials of the addition are proposed to be brick and cement board shingles. The color of the proposed materials will match the colors of the existing materials.
- The exterior materials of the addition are similar to those of the existing building; however, the appearance of the addition is not similar to the existing building. Specifically, the overall height of the addition is taller, the ratio of brick to shingles is different and the windows in the addition are of a much different size and layout. The applicant is encouraged to design the addition so it more closely resembles the existing building.
- Along the south wall of the addition there is an area that is over 25 feet in length and void of any windows, entries, recesses or projections, or other architectural elements. The Planning Division is recommending that the south building wall be modified to meet the requirements of Section 530.120.
- At least 30 percent of the first floor of the building addition along both Adams Street Northeast and Broadway Street Northeast are required to be windows. The analysis of the project's compliance with these requirements follows:
 - Adams Street Northeast: the percentage of windows is 12 percent.
 - Broadway Street Northeast: the percentage of windows is 30 percent.

The Planning Division is recommending that there be at least 30 percent windows on the Adams Street Northeast and Broadway Street Northeast sides of the building.

- The windows in the existing building are vertical in nature; however, the windows in the addition are not. The Planning Division is recommending that the windows in the addition be vertical in nature.
- For non-residential uses, Section 530.120(2)(e) requires that at least 30 percent of the walls on the first floor facing a public street, public sidewalk, public pathway or

on-site parking lot, be windows and 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. The Planning Division is recommending that the applicant comply with this requirement.

- The roof line of the existing building is flat and the roof line of the proposed addition is flat. Flat roofs are found on other commercial buildings in the area.

ACCESS AND CIRCULATION:

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.150 (b) related to alley access.**
- **Site plans shall minimize the use of impervious surfaces.**

PLANNING DEPARTMENT RESPONSE:

- The principal building entrance is connected to the public sidewalk along Adams Street Northeast via a walkway.
- No transit shelters are proposed as part of this development.
- All of the parking associated with this development is located between the building and the corner side property line. The parking area is accessed off of Adams Street Northeast.
- In 1974 the public alley that ran adjacent to the west property line of the site was vacated. The curb cut to the vacated alley still remains along Broadway Street Northeast. Public Works is requiring that the curb cut be closed.
- There is no maximum impervious surface requirement in the C2 zoning district. Twenty percent of the site, minus the building, is required to be green space. According to the applicant's site plan only 16 percent of the site not occupied by the building is green space. The Planning Division is recommending that at least 20 percent of the site not occupied by the building be green space.

LANDSCAPING AND SCREENING:

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
- **Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).**

- Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.
- Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:
 - A decorative fence.
 - A masonry wall.
 - A hedge.
- Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.
- The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.
- In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.
- All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.
- Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.
- The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.

PLANNING DEPARTMENT RESPONSE:

- The zoning code requires that at least 20 percent of the site not occupied by the building be landscaped. The lot area of the site is 16,140 square feet. The footprint of the building is 4,772 square feet. When you subtract the footprint from the lot size the resulting number is 11,368 square feet. Twenty percent of this number is 2,734 square feet. The applicant has a total of 1,864 square feet green space, or 16 percent of the site. The Planning Division is recommending that at least 20 percent of the site not occupied by the building be green space.
- The zoning code requires at least 1 tree for each 500 square feet of required green space and at least 1 shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is five and 27 respectfully. The applicant is providing a total of two canopy trees and 49 shrubs on the site. The applicant is also providing one ornamental tree on the site. The Planning Division is recommending that the canopy tree requirement of five be met on the site.

- The zoning code requires that a seven-foot wide landscaped yard be provided along a public street, sidewalk or pathway when adjacent to a parking lot with less than 100 parking spaces. There is a five-foot wide landscaped area between the property line and the parking lot along both Adams Street Northeast and Broadway Street Northeast. The Planning Division is recommending that the City Planning Commission grant alternative compliance to allow five-foot wide landscaped yards between the parking lot and the property lines as they are existing. To provide seven feet of landscaping the entire parking lot would need to be torn up which is not being proposed as part of this project.
- Screening equal to 60 percent opacity is required around parking lots in order to screen them from a public street, sidewalk or pathway. This requirement is being met.
- For each 25 linear feet along a public street, at least one tree needs to be provided. This requirement is being met.
- A seven-foot landscaped yard is required along the west property line. The applicant is not proposing to install landscaping in this area. The Planning Division is recommending that the existing pavement be removed and a seven-foot landscaped area be installed along the west property line.
- In parking lots of 10 spaces or more, no parking space shall be located more than 50 feet from an on-site deciduous tree. In addition, tree islands in parking lots must have a minimum width of 7 feet in any direction. Both of these requirements are being met.

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.**
- **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.

PLANNING DEPARTMENT RESPONSE:

- The site is graded so stormwater runoff runs into the City's stormwater system. This is an existing condition of the site. The applicant is encouraged to explore opportunities for on-site filtration of stormwater.
- The applicant is proposing to add two addition lights to the site. One will be located along the Adams Street Northeast side of the building and the other will be located on the Broadway Street Northeast side of the building.
- **The building addition will block views of the adjacent dry cleaner to the south from Broadway Street Northeast.**
- The building addition should cast minimal shadows on surrounding properties.
- **The building addition should have minimal wind effects on the surrounding area.**
- **The site plan complies with crime prevention design elements as there are windows along both sides of the building facing a street that allow people to see in and out of the building, there are lights located near the pedestrian entrance and a walkway directs visitors directly to the building entrance.**
- This site is neither historic nor located in a historic district.

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

ZONING CODE:

- **Use:** Dental clinics are a permitted use in the C1 zoning district.
- **Off-Street Parking and Loading:** The zoning code requires 1.0 parking space per 300 square feet of gross floor area. The building is 4,772 square feet in size. The resulting parking requirement for this development is 16 spaces. There are a total of 25 parking spaces on the site.
- **Maximum Floor Area:** The maximum FAR in the C1 zoning district is 1.7. The lot in question is 16,140 square feet in area. The applicant proposes a total of 4,772 square feet of gross floor area, an FAR of .295.
- **Building Height:** The height requirement in the C1 zoning district is 2.5 stories or 35 feet, whichever is less. The zoning code limits the height of a story to no more than

14 feet. Any story over 14 feet in height is technically considered two stories. The existing building is one-story or 13 feet in height. The applicant is proposing to construct a two-story building as it measures 15.5 feet in height.

- **Minimum Lot Area:** Not applicable.
- **Dwelling Units per Acre:** Not applicable.
- **Yard Requirements:** This development is located in the C1 zoning district. The front yard, corner side yard and south interior side yard setbacks for this building are zero feet and the rear yard setback is five feet. All of these setbacks are being met.
- **Specific Development Standards:** There are no specific development standards for dental clinics.
- **Hours of Operation:** The hours of operation for the C1 zoning district are Sunday through Thursday, 6 am to 10 pm and Friday and Saturday, 6 am to 11 pm. The applicant has indicated that the dental clinic is open from 8:30 am until 7 pm.
- **Signs:** Signs are subject to the requirements of Chapter 543 of the Zoning Code. In the C1 zoning district one can have one-and-a-half square feet of signage for every one foot of primary building wall unless there is a freestanding sign on the zoning lot then there can only be one square foot of signage for every one foot of primary building wall.

Wall signs are limited to 45 square feet in size and projecting signs are limited to 12 square feet in size and shall not project outward from the building by more than four feet. The maximum height for both wall signs and projecting signs is 14 feet and wall signs are not permitted to extend above the roofline of the building. Freestanding signs are limited to 54 square feet and can be no taller than 20 feet. Finally, if there is a freestanding sign on the site then there shall not be any projecting signs on the building.

There is an existing wall sign located over the entrance to the building facing Broadway Street Northeast. The sign measures 24.5 square feet and is located 12 feet above the ground. The applicant is proposing to reuse this sign after the addition. There is an existing free-standing sign located on the northeast corner of the property. The applicant is not and is not planning to use this sign in the future. It has been indicated on the site plan that the sign will be removed.

- **Refuse storage:** The applicant is proposing to enclose the refuse storage containers with a six-foot high board-on-board fence. The refuse storage enclosure will be located on the west side of the building.

MINNEAPOLIS PLAN:

The site is located along Broadway Street Northeast which is a designated Community Corridor. According to the principles and policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Work with private and other public sector partners to invest in new development that is attractive, functional and adds value to the physical environment (Policy 9.6).
- Promote the use of progressive design guidelines and street-oriented building alignments to maximize compatibility with surrounding neighborhoods (Implementation Step for Policy 9.6).
- Support urban design standards that emphasize a traditional urban form in commercial areas (Policy 9.11).
- Orient new buildings to the street to foster safe and successful commercial nodes and corridors (Implementation Step for Policy 9.11).

The Planning Division believes that the proposed addition is in conformance with the policies of *The Minneapolis Plan*. The addition is being constructed close to the front property line, incorporates windows along both sides of the building facing a street and provides pedestrian access via a walkway from the public street.

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.**

PLANNING DEPARTMENT RESPONSE:

- The Planning Division is recommending that the City Planning Commission grant alternative compliance to not require a principal entrance facing Adams Street Northeast as the main entrance to the building is located within the existing portion of the building and is not proposed to be removed.
- The Planning Division is recommending that the City Planning Commission grant alternative compliance to allow the building wall along Broadway Street Northeast to be setback more than eight feet from the property line. The addition is being constructed in a way that maintains the surface parking area between the building and the property line. In order to realistically construct a building within eight feet of both the front and corner side property lines the existing building would need to be demolished.
- The Planning Division is recommending that the City Planning Commission grant alternative compliance to allow five-foot wide landscaped yards between the parking lot and the property lines as they are existing. To provide seven feet of landscaping the entire parking lot would need to be torn up which is not being proposed as part of this project.

RECOMMENDATIONS

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review for a 2,500 square foot addition facing the street to an existing dental clinic located at 636 Broadway Street Northeast subject to the following conditions:

1. The south building wall shall be modified so that blank, uninterrupted walls do not exceed twenty-five (25) feet in length as required by Section 530.120 of the zoning code.
2. There shall be at least 30 percent windows on both the Adams Street Northeast and Broadway Street Northeast sides of the building.

3. The windows in the addition shall be vertical in nature.
4. Windows shall comply with the requirements of Section 530.120(2)(e).
5. At least 20 percent of the site not occupied by the building shall be green space as required by Section 530.160.
6. There shall be at least five canopy trees on the site.
7. The existing pavement along the west property line shall be removed and a seven-foot landscaped area be installed as required by section 530.170 of the zoning code.
8. The existing free-standing sign on the northeast corner of the property shall be removed.
9. Approval of the final site, elevation and landscaping plans by the Department of Community Planning and Economic Development – Planning Division.
10. All site improvements shall be completed by August 14, 2007, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Attachments:

1. Statement of proposed use and description of project
2. Alternative compliance request
3. July 13, 2006, letter to Council Member Hofstede
4. July 13, 2006, letters to the St. Anthony East and Logan Park neighborhoods
5. Preliminary Development Review comments
6. Letters from surrounding property owners
7. Zoning map
8. Survey, site plan, floor plans, elevations

Photographs of the site and the surroun