



**Request for City Council Committee Action  
From the Department of Community Planning & Economic Development**

**Date:** May 20, 2004

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

**Prepared by:** Jason Wittenberg, Senior City Planner, (612) 673-2297

**Approved by:** Barbara Sporlein, Director, Planning

**Subject:** Appeal of the decision of the City Planning Commission by Jose Lala

**Previous Directives:** At the April 19, 2004, City Planning Commission meeting, eight of the Planning Commission members were present. The Commission unanimously voted to approve the site plan review application for a grocery store at 1518 E. Lake Street and its accessory parking lot at 2920 Bloomington Avenue.

<b>Financial Impact:</b> Not applicable
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<b>Community Impact:</b> See staff report
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<b>Ward:</b> 5
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<b>Neighborhood Notification:</b> The Midtown Phillips Neighborhood Association voted on April 14 <sup>th</sup> to support the application and requests that the City not require tree islands in the parking lot and encourages the applicant to continue to work with nearby business on shared use of parking facilities.
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<b>City Goals:</b> See staff report
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<b>Comprehensive Plan:</b> See staff report
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<b>Zoning Code:</b> See staff report
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<b>Living Wage/Job Linkage:</b> Not applicable
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<b>Other:</b> Not applicable
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**Background/Supporting Information:** Jose Lala, the property owner and original applicant, has filed an appeal of the decision of the City Planning Commission. Mr. Lala appeals a condition of approval of the site plan review application requiring removal of existing back lighted signs facing both Bloomington Avenue and Lake Street. The Commission included the condition of approval related to sign removal as a mitigating measure related to the granting of alternative compliance allowing landscaping of less than 20 percent of the off-street parking lot. (Approximately 10.8 percent of the site, including the adjacent right of way, would be landscaped under the current proposal.) Planning staff has

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requested specific information about all existing signs on the property (i.e., size, type, and height) but has not received this information as of May 6, 2004.

Mr. Lala also appeals the terms of approval requiring two tree islands of not less than 50 square feet each. While the tree islands were not a condition of approval, staff's findings supported a reduced landscaping requirement on the off-street parking lot "provided the applicant includes no fewer than two tree islands (of at least 50 square feet each) within the interior of the parking lot. Staff believes that the intent of the zoning code would be met due the fact that landscaped yards would be provided along both the adjacent residential property and the public street and some effort would be made to shade the parking lot and reduce the rather large existing expanse of asphalt."

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**CPED Planning Division Report**

Site Plan Review

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**Date:** April 19, 2004

**Date Application Deemed Complete:** March 24, 2004

**End of 60 Day Decision Period:** May 23, 2004

**Applicant:** Jose Lala

**Address of Property:** 1518 E. Lake St. & 2920 Bloomington Ave. S.

**Contact Person and Phone:** Jose Lala, 721-0743

**Planning Staff and Phone:** Jason Wittenberg, 673-2297

**Ward: 6      Neighborhood Organization:** Midtown Phillips

**Existing Zoning:**      1518 E. Lake St.: C2

   2920 Bloomington Ave. S.: C1

**Proposed Use:** Existing grocery store and off-site parking lot

**Zoning Code Section Authorizing Proposed Use:** Table 548-1

**Project Name:** La Mexicana

**Previous Actions:** A previous property owner was found to be in violation of the zoning ordinance by using the parking lot as a motor vehicle storage lot. The then property owner appealed the zoning administrator's interpretation. However, the Board of Adjustment, on June 26, 2002, agreed with the zoning administrator that the parking lot was being used illegally for long term storage of commercial and inoperable vehicles. The applicant had appealed the Board of Adjustment's decision but then reached an agreement with the zoning office indicating that (1) inoperable vehicles are not allowed, (2) the mobile food stand/trailer was to be removed, and (3) two commercial vehicles that service the grocery store could be parked in the parking lot in addition to customer and employee parking.

**Concurrent Review:** N/A

**Background:** The applicant has opened a grocery store in a building that was most recently occupied by a grocery store called Las Americas. Prior to that, a drug store was located in the building. Office uses are located on the second floor of the building. The license change for the grocery store has triggered the need to comply with the requirements of Chapter 530, Site Plan Review.

There is an existing off-site parking lot, also owned by the applicant, that meets the parking needs of the building. The two sites are separated by a public alley. Alley access from the parking lot would be closed. The applicant proposes to add landscaped yards that would bring the parking lot into compliance with the required setbacks along the north lot line and along Bloomington Avenue (for the first 40 feet from the adjacent residential property).

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

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

**BUILDING PLACEMENT AND 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.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building façade shall provide architectural detail and shall contain windows at the ground level or first floor.
- In larger buildings, architectural elements shall be emphasized.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited where visible from a public street or a residence or office residence district.
- Entrances and windows:
  - Residential uses shall be subject to section 530.110 (b) (1).
  - Nonresidential uses shall be subject to section 530.110 (b) (2).

- **Parking Garages:** The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

*Conformance with above requirements:*

The existing building at 1518 E. Lake Street reinforces the street wall along both Lake Street and Bloomington Avenue. Pedestrian access to the building is ideal.

The building is within eight feet of a front lot line.

No space exists between the building and the front lot line. Additional landscaping will be installed along the front and interior side lot line on the 2920 Bloomington property.

The principal entrances to the grocery store will continue to face both Lake Street and Bloomington Avenue.

Parking would remain essentially to the rear/side of the building in the off-site parking lot at 2920 Bloomington Avenue.

The principal entrances are easily identifiable.

Existing window area may not be further reduced.

#### **ACCESS AND CIRCULATION:**

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.140 (b).**
- **Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.**
- **Site plans shall minimize the use of impervious surfaces.**

*Conformance with above requirements:*

The building entrances open directly to the public sidewalk. The applicant should explore opportunities for one or more walkways through the parking lot.

There is a transit shelter adjacent to the site along Bloomington Avenue.

The parking lot has two curb cuts, which appears to be reasonable given the size of the parking lot.

Vehicular access from the site to the adjacent public alley will be closed. Note that the applicant's proposed fencing and refuse storage enclosure cannot encroach into the public alley right of way. The intersection of the north-south alley and the east-west alley includes a piece of public right of way that provides more space for vehicles to maneuver (i.e., the alley intersection is not a 90 degree angle). This is not shown on the current site plan. The final site plan must be corrected as the proposed layout would unduly restrict vehicle movement in the public right of way. Note that someone has paved over (with asphalt) a portion of the adjacent public alley. The applicant must work with the Public Works Department to determine what responsibility the applicant may have for returning the public alley to the City's concrete paving standards for public alleys.

A small snow storage area will be incorporated at the northeast corner of the parking lot. This snow storage area would not have the capacity to accommodate all of the snow from the site.

Under the applicant's proposal, permeable surfaces are located at the perimeter of the parking lot, along the north and east property lines. The amount of permeable surface area will be increased.

#### **LANDSCAPING AND SCREENING:**

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
  - **Not less than twenty (20) percent of the site not occupied by buildings shall be landscaped as specified in section 530.150 (a).**
- **Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
  - **A decorative fence.**
  - **A masonry wall.**
  - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.160 (b).**
- **Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).**
- **The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.**
- **Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.**

- **All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible. The two (2) feet between the face of the curb and any parking lot boundary shall not be landscaped with plant material, but instead shall be covered with mulch or rock, or be paved.**
- **All other areas not governed by sections 530.150, 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.220.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.60, as provided in section 530.230.**

*Conformance with above requirements:*

The existing grocery store covers the entire 1518 Bloomington Avenue site. The following landscaping standards apply to the 2920 Bloomington Avenue site only. The lot in question is 170 ft. by 123 ft., having 20,910 sq. ft. of area. There are no buildings on the parking lot site. At least 20 percent of the net site area (4,182 sq. ft.) should be landscaped. According to the staff calculation, approximately 1,683 sq. ft. (eight percent) would be landscaped on the applicant's property. The plan, however, includes approximately 595 sq. ft. of additional landscaping (2.8 percent) in the public right of way adjacent to the site. Note that landscaping in the right of way requires an encroachment permit. Including the right of way, 10.8 percent of the net site area would be landscaped. The applicant proposes to comply with the required yards along the north side and for the first 40 feet south of the residential property along Bloomington Avenue. Staff recommends that the Commission grant alternative compliance to reduce the amount of required landscaping provided the applicant includes no fewer than two tree islands (of at least 50 square feet each) within the interior of the parking lot. Staff believes that the intent of the zoning code would be met due the fact that landscaped yards would be provided along both the adjacent residential property and the public street and some effort would be made to shade the parking lot and reduce the rather large existing expanse of asphalt. The zoning code would require at least five trees and 21 shrubs but not less than would be required to meet the "landscaped yard" requirements of section 530.150 of the zoning code. The City's landscape architect has reviewed the applicant's landscape plan. The applicant proposes Bald Cypress, a conifer. The applicant is encouraged to consider deciduous canopy trees instead. Further, the proposed species would likely interfere with the existing freestanding sign along Bloomington. The applicant should consider an ornamental tree in this location. Furthermore, the planter boxes along Bloomington Avenue must be repaired and kept in good repair.

Landscaped yards and screening are required between all parking areas and public sidewalks as well as between parking/maneuvering areas and adjacent residential properties. This site would be required to provide landscaped yards on the north and east sides of the parking lot.

There is an existing five-foot-high screening fence along the north lot line. While screening is supposed to be six feet in height, staff recommends that the commission allow the existing fence to remain except

in the front yard setback area, where the fence must be reduced to no higher than three feet. Note that the applicant's plan shows the fence being reduced in height adjacent to the home itself. The height should only be reduced in the front yard setback area. Screening is not required along the public alley since there is not residential property along the public alley. Staff will work with the applicant to find a barrier that can be installed between the parking lot and alley that may allow for natural surveillance to a greater extent than the proposed fence.

The applicant proposes concrete curbing around the parking lot except on the east side. Staff recommends that the Commission grant Planning and Public Works staff the authority to determine the necessary location(s) of concrete curbing on the site to ensure adequate drainage, protect the landscaping, and allow for some on-site filtration of stormwater where possible.

All areas not covered by buildings, walkways, driveways and parking and loading must be covered with landscaping or turf.

Landscaping must be properly installed and maintained.

**ADDITIONAL STANDARDS:**

- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **Site plans shall minimize the blocking of views of important elements of the city.**
- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **Buildings shall be located and arranged to minimize the generation of wind currents at ground level.**
- **Site plans shall include crime prevention design elements as specified in section 530.260.**
- **Site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.**

*Conformance with above requirements:*

Lighting must comply with chapters 535 and 541, including the following:

**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:

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- (1) Lighting fixtures shall be effectively arranged so as not to 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 source.
- (2) Lighting fixtures shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb) unless of a cutoff type that shields the light source from an observer at the closest property line of 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 to a person of normal sensitivities when viewed from any permitted or conditional residential use.
- (4) Lighting shall not create a hazard for vehicular or pedestrian traffic.
- (5) Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.

The existing screening would effectively prevent headlights from shining onto the adjacent residential property to the north.

Views would not be blocked.

The proposed site plan will have no impact on shadowing of the public sidewalk and will have no impact on wind speed or direction in the vicinity.

From a crime prevention standpoint, the applicant must ensure that the parking lot is adequately lighted. While the proposed fence along the public alley would define the property, a six-foot-high screening fence may unduly restrict natural surveillance to and from the site. While this level of screening would be required if residential uses were located across the public alley, there is a commercial parking lot across the alley in this instance.

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

**ZONING CODE:** The property at 1518 E. Lake Street is zoned C2. The parking lot at 2920 Bloomington Avenue is zoned C1. Grocery stores and parking facilities are allowed in these districts. The parking facility is deemed to have a conditional use permit.

**Parking, Loading, and Drive Aisles:** According to zoning staff calculations, the entire building (including the upper level offices), requires 32 off-street parking spaces. The applicant's current plan has 51 parking spaces. All drive aisles meet the requirements of Chapter 541 of the zoning code with the exception of the driveway separating the new landscaped area at the northeast corner of the property from the second row of parking spaces from the north side of the lot. The easternmost parking space at in that row should be eliminated. Note that parking of commercial vehicles on the site is limited as follows:

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**548.310. Truck and commercial vehicle parking for nonresidential uses.** Outdoor parking of trucks and other commercial vehicles shall be limited to operable, single rear axle vehicles of not more than fifteen thousand (15,000) pounds gross vehicle weight. All outdoor parking of trucks shall be screened from view, as specified in this zoning ordinance.

**Signs:** The applicant must ensure that permits have been obtained for all signs. The freestanding sign located in the C1 District is nonconforming as to the maximum permitted sign height (which is currently limited to 14 feet).

**Yard Requirements:** The applicant would install new landscaped yards that would comply with the five-foot setback required along the north lot line and the 20-foot setback that is required from the property line along Bloomington Avenue for a distance of 40 feet from the residential property to the north.

**Specific Development Standards:** Grocery stores are subject to the following specific development standards, as indicated in section 536.20 of the zoning code:

*Grocery store.* The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

**Hours of Operation:** Maximum hours open to the public in the C1 and C2 Districts are as follows: Sunday through Thursday, from 6:00 a.m. to 10:00 p.m. and Friday and Saturday, from 6:00 a.m. to 11:00 p.m. The applicant has indicated that the hours of operation are from 8:30 a.m. to 9:00 p.m.

**Dumpster screening:** Refuse would be screened as required by section 535.80 of the zoning code, below. The refuse would be located at the southwest corner of the parking lot. The applicant must submit elevations of the proposed refuse enclosure.

**535.80. Screening of refuse storage containers.** Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. Single and two-family dwellings and multiple-family dwellings of three (3) and four (4) units shall not be governed by this provision.

**MINNEAPOLIS PLAN:**

Relevant policies and implementation steps of the *Minneapolis Plan* include the following:

*Relevant Policy: 9.12.* Minneapolis will promote design solutions for automobile parking facilities that reflect principles of traditional urban form.

*Relevant Implementation Steps:*

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- Require the landscaping of parking lots.
- Encourage parking strategies that reduce the need for parking in order to avoid spillover into neighboring residential areas, including residential parking permits and the joint use of available parking in mixed use areas.
- Locate parking lots behind buildings or in the interior of the block to reduce the visual impact of the automobile in mixed use areas.

*Staff comment:* The applicant proposes a landscape plan that, with some modifications, would meet the landscaped yard requirements of Chapter 530. The applicant is encouraged to consider shared parking solutions with other area businesses in need of off-street parking.

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

*Relevant Implementation Steps:*

- Provide appropriate physical transition and separation using green space, setbacks or orientation between residential and non-residential uses.
- Require screening and buffering for new developments next to residential areas.
- Use the site plan review process to ensure that lighting and signage associated with non residential uses do not create negative impacts for residentially zoned property.

*Staff comment:* Screening fences must be properly maintained and lighting must be directed away from residential properties.

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

Staff is not aware of a conflict between the proposed use and any development plan or objective adopted by the city council.

**Alternative Compliance. The Planning Commission may approve alternatives to any major site plan review requirement upon finding any of the following:**

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

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- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

As indicated above, staff is recommending alternative compliance exceptions for the following aspects of the proposal:

- Staff recommends that the applicant be allowed to provide less than 20 percent landscaping on the site. Staff recommends that the Commission grant alternative compliance to reduce the amount of required landscaping provided the applicant includes no fewer than two tree islands in the parking lot (of at least 50 square feet each) are installed within the interior of the parking lot. Staff believes that the intent of the zoning code would be met due the fact that landscaped yards would be provided along both the adjacent residential property and the public street and some effort would be made to shade the parking lot and reduce the rather large existing expanse of asphalt.
- Staff recommends that the commission allow the existing five-foot fence (rather than the required six feet) to remain except in the front yard setback area, where the fence must be reduced to no higher than three feet.

**Recommendation of the CPED Planning Division for the Site Plan Review Application:**

The CPED Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for a grocery store at 1518 East Lake Street and parking lot at 2920 Bloomington Avenue, subject to the following conditions:

1. The location of concrete curbing shall be reviewed and approved by Planning and Public Works Department staff.
2. The CPED Planning Division shall review and approve the final site plan, landscaping plan, fencing, and refuse enclosures.
3. If improvements required by Site Plan Review exceed two thousand (2000) dollars, the applicant shall submit a performance bond in the amount of 125 percent of the estimated site improvement costs prior to obtaining a permit for exterior improvements, or the permit may be revoked for non-compliance.
4. Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by April 19, 2005, unless extended by the zoning administrator, or the permit may be revoked for non-compliance.

**Attachments:**

- Written statements from the applicant
- Zoning map
- Aerial photograph
- Site/landscaping plan
- Floor plan
- Photographs

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**Excerpt from the  
CITY PLANNING COMMISSION  
MINUTES**

350 South Fifth Street, Room 210  
Minneapolis, MN 55415-1385  
(612) 673-2597 Phone  
(612) 673-2728 Fax  
(612) 673-2157 TDD

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**MEMORANDUM**

DATE: April 20, 2004

TO: Blake Graham, Community Planning & Economic Development - Planning Div.  
Phil Schliesman, Licenses

FROM: Neil Anderson, Supervisor, Community Planning & Economic Development - Planning  
Division, Development Services

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

SUBJECT: Planning Commission decisions of April 19, 2004

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The following actions were taken by the Planning Commission on April 19, 2004. 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:

**ATTENDANCE**

President Martin, Vice President Hohmann, G. Johnson, Krause, Kummer, LaShomb, MacKenzie, and Schiff - 8

**CONSENT AGENDA –Committee of the Whole**

None.

**INTRODUCTION TO PUBLIC HEARING**

PUBLIC HEARING

**3. La Guadalupana (BZZ-1320, Ward 6)**

**1518 East Lake Street and 2920 Bloomington Avenue** (Jason Wittenberg)

**A. Site Plan Review**

Application by José Lala for site plan review for the grocery store at 1518 East Lake Street and for the off-street parking lot at 2920 Bloomington Avenue South.

**Motion:** The City Planning Commission adopted the findings and **approved** the site plan review application for a grocery store at 1518 East Lake Street and parking lot at 2920 Bloomington Avenue, subject to the following conditions:

5. The location of concrete curbing shall be reviewed and approved by Planning and Public Works Department staff.
6. The CPED Planning Division shall review and approve the final site plan, landscaping plan, fencing, and refuse enclosures.
7. If improvements required by Site Plan Review exceed two thousand (2000) dollars, the applicant shall submit a performance bond in the amount of 125 percent of the estimated site improvement costs prior to obtaining a permit for exterior improvements, or the permit may be revoked for non-compliance.
8. Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by April 19, 2005, unless extended by the zoning administrator, or the permit may be revoked for non-compliance.
9. Backlit signs and sign cabinets on facades facing Lake Street and Bloomington Avenues shall be removed.

Commission President Martin opened the public hearing.

No one requested to speak to the item.

Commission President Martin closed the public hearing.

Commissioner Schiff: Number 3, I think I am just going to make an amendment. This site plan is going through alternative compliance, not meeting the full 20 percent for landscaping. So under alternative compliance I am going to put in one other condition. If Planning Commissioners go to the photos of the facades facing Lake Street and Bloomington, there is a collection of back-lit signs from through the years, various ownerships of the building. So I am going to ask that those be removed so that there's a consistent signage on Bloomington and Lake Street facades.

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President Martin: That would be condition number 5.

Commissioner Schiff: Right. There's even empty cabinets without any signages as well so removal of back-lit signs and sign cabinets.

President Martin: OK, that would be an additional condition when we get to it.

Commissioner LaShomb moved staff recommendations on the consent agenda with the additional condition added by Commissioner Schiff (Hohmann seconded).

The motion carried 7-0.