

CPED Planning Division Report Zoning Code Text Amendment

Date: December 8, 2003

Initiator Of Amendment: Council Member Gary Schiff

Specific Site: Citywide

Ward: Citywide **Neighborhood Organization:** Citywide

Planning Staff And Phone: Jim Voll 612-673-3887

Intent Of The Ordinance: The intent of the ordinance is to allow greater flexibility regarding alley access for uses subject to site plan review.

Affected Section(s) of the Zoning Code: Section 530 Site Plan Review.

Background: Chapter 530, Site Plan Review, was modified in 1999 as part of the City's comprehensive revision of the zoning code. The Site Plan Review standards were established to promote development that is compatible with nearby properties, neighborhood character, natural features and plans adopted by the city council, to minimize pedestrian and vehicular conflict, to reinforce public spaces, to promote public safety, and to visually enhance development. The regulations recognize the unique character of land and development in the city and the need for flexibility in site plan review. Currently vehicular alley access is prohibited for certain uses subject to site plan review (see attached ordinance) on blocks containing any residence or office residence zoning, except for commercial deliveries when approved by the city engineer. This amendment would permit the City Planning Commission to allow vehicular alley access for these sites subject to site plan review. The decision would be based on the following criteria:

- (1) The number of residential uses on the block and their proximity to the site.
- (2) The number of commercial uses on the block that currently have alley access.
- (3) The location of the site on the block and its proximity to the end of the block.
- (4) Whether vehicles may access the site from the public street.
- (5) The nature of the current commercial use and the number of vehicle trips the site is estimated to generate.
- (6) The effect of alley access on vehicular maneuvering and circulation.
- (7) Public safety and crime prevention.
- (8) Hours of operation of the use.

As an example, a property that is at the end of the block, adjacent to other commercial uses with alley access, and that has a couple of residential uses at the opposite end of the block may be a more appropriate candidate for vehicular alley access than a use located mid-block on a block that is predominantly residential.

Purpose For The Amendment:

- What is the reason for the amendment?**
- What problem is the Amendment designed to solve?**
- What public purpose will be served by the amendment?**
- What problems might the amendment create?**

Currently most uses subject to site plan review are not allowed alley access. This does not recognize the unique circumstances of some sites. The city engineer has the authority to allow these uses access for commercial deliveries only. This amendment would give the City Planning Commission the authority to allow vehicular access for sites subject to site plan review. The decision would be based on how the unique circumstances of the site relate to set criteria outlined in the ordinance. It is not anticipated that the ordinance will create significant problems. However, the city has a policy of limiting alley access and use for adjacent properties and discouraging through traffic in alleys. There is a possibility that the proposed amendment will lead to increased traffic in alleys. However, if the established criteria are followed this should not be a significant problem.

Timeliness:

- Is the amendment timely?**
- Is the amendment consistent with practices in surrounding areas?**
- Are there consequences in denying this amendment?**

The amendment is part of a series of adjustments that staff is considering for the site plan chapter. The current version of site plan review was established with the adoption of the revised zoning code in 1999. The city has now had approximately four years of experience with the regulations. It is appropriate to consider revisions to this section to promote improved development review by the city. It is difficult to compare this revision to other surrounding municipalities as most do not have significant alley networks or do not have a site plan chapter that applies improvements to existing sites. If the amendment were denied, the current system would be used for determining alley access. This would allow the city engineer to determine if access were to be allowed for deliveries. There would be no discretion for vehicular access.

Comprehensive Plan:

How will this amendment implement the Comprehensive Plan?

9.18 Minneapolis will establish land use regulations, in order to achieve the highest possible development standards, enhance the environment, promote flexibility in approaches and otherwise carry out the comprehensive plan.

The proposed amendment is consistent with this policy of the comprehensive plan.

Recommendation Of The CPED Planning Division:

The CPED Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the text amendment to allow the City Planning Commission to allow vehicular alley access for sites subject to site plan review.

Proposed Ordinance
By Schiff

Amending Title 20, Chapter 530 of the Minneapolis Code of Ordinances relating to Zoning Code: Site Plan Review.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 530.140 of the above-entitled ordinance be amended to read as follows:

530.140. Vehicular access. (a) *In general.* Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and with surrounding residential uses. Curb cuts for vehicles shall be consolidated wherever possible.

(b) *Vehicular alley access.* Where vehicular alley access is provided, traffic shall be directed to minimize impact upon residential properties. Alley access shall be prohibited for the following uses when located on a block containing any residence or office residence zoning, ~~except for commercial deliveries when approved by the city engineer:~~

- (1) Automobile services uses.
- (2) Transportation uses.
- (3) Any use with a drive-through facility.
- (4) Food and beverages uses over four thousand (4,000) square feet.
- (5) Grocery stores over four thousand (4,000) square feet.
- (6) Video stores over four thousand (4,000) square feet.
- (7) Drug stores over four thousand (4,000) square feet.
- (8) Shopping centers over four thousand (4,000) square feet.

(c) *Exceptions.* The city planning commission may approve exceptions to allow alley access where strict adherence is impractical because of site location or conditions and the exception meets the intent of this section. The city planning commission shall consider, but not be limited to, the following factors when determining whether to approve an exception:

- (1) The number of residential uses on the block and their proximity to the site.
- (2) The number of commercial uses on the block that currently have alley access.
- (3) The location of the site on the block and its proximity to the end of the block.
- (4) Whether vehicles may access the site from the public street.
- (5) The nature of the ~~current commercial~~ use and the number of vehicle trips the site is expected to generate.
- (6) The effect of alley access on vehicular maneuvering and circulation.
- (7) Public safety and crime prevention.
- (8) Hours of operation of the use.

~~(e)~~ (d) *Service access.* Access for service vehicles shall be provided which does not conflict with pedestrian traffic and shall be screened as specified in this chapter. Where practical, truck loading areas shall be located away from residence and office residence districts.

~~(d)~~ (e) *Snow storage and removal.* Adequate areas for snow storage shall be provided unless the applicant provides an acceptable snow removal plan.

~~(e)~~ (f) *Reduction of impervious surface.* To the extent possible, site plans shall minimize the use of impervious surfaces. The use of interlocking pavers capable of carrying a wheel load of four thousand (4,000) pounds is encouraged for areas that serve low impact parking needs such as remote parking lots, parking facilities for periodic uses and parking in natural amenity areas.