

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

Conditional Use Permit and Site Plan Review
BZZ-4867

Date: August 2, 2010

Applicant: Transit Team, Attn: Joyce Doerffler, 1154 5th Street North, Minneapolis, MN 55411, (612) 332-3323

Addresses of Property: 1154 and 1100 5th Street North, and 410 10th Avenue North

Project Name: Transit Team Addition 2010

Contact Person and Phone: TCO Design , Attn: Todd Ofsthun, 9330 Thomas Avenue North, Brooklyn Park, MN 55444, (763) 424-3676

Planning Staff and Phone: Becca Farrar, (612)673-3594

Date Application Deemed Complete: July 6, 2010

End of 60-Day Decision Period: September 3, 2010

End of 120-Day Decision Period: Not applicable for this application

Ward: 5 **Neighborhood Organization:** North Loop Neighborhood Association

Existing Zoning: I2 (Medium Industrial) district, DP (Downtown Parking) Overlay District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 13

Lot area: 78,835 square feet or approximately 1.8 acres

Legal Description: Not applicable for this application

Proposed Use: Expand the existing office/transportation uses on the site.

Concurrent Review:

- Amend the Conditional Use Permit for an existing transportation use (bus garage or maintenance facility) in the I2 (Medium Industrial) District.
- Site Plan Review for a new two-story, approximately 2,000 square foot addition to an existing building for additional office space on the premises.

Applicable zoning code provisions: Article VII, Conditional Use Permits, and Chapter 530 Site Plan Review.

Background: The applicant proposes to construct a two-story, approximately 2,000 square foot addition to an existing building for additional office space on the properties located at 1154 and 1100 5th Street North, and 410 10th Avenue North. The use of the property is a transportation use which includes 3 existing buildings; an office/maintenance facility and two queuing bus garages. An amendment to their conditional use permit is required in the I2 in order to expand the use. Site plan review is also required based on the size of the proposed addition.

The use has operated on the premises since 1957 and was known as Handicabs from 1957-2001. Since 2001 the tenant has been known as Transit Team, which is a bus company that transports elderly and other individuals requiring transportation as necessary. The new two-story addition is needed in order to satisfy their new contract with Metro Mobility (Metropolitan Council). The additional space would allow for a larger training room, a fixed route room, a larger computer room, expanded bathrooms, a new maintenance room, a larger dispatch and reservations room as well as a new storage room which would allow for the retention of files for an extended duration.

Staff has not received any official correspondence on the proposed applications from the North Loop Neighborhood Association prior to the printing of this report. One neighborhood letter has been attached for reference. Any additional correspondence received prior to the Planning Commission meeting will be forwarded on for consideration.

CONDITIONAL USE PERMIT –to amend an existing transportation use

Findings as required by the Minneapolis Zoning Code for a Conditional Use Permit:

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

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

The construction of a relatively small, 2-story addition to the existing office on the premises would not be expected to have any negative impacts on the area. The use has operated on the site since 1957 and permitting a small office addition in order to allow for better office functioning would not be expected to have any additional adverse impacts. Staff does not believe that the proposal would prove detrimental to public safety, comfort or general welfare.

2. **Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

The site is currently occupied by several buildings that serve the transportation use on the premises. The proposal to add an approximately 2,000 square foot addition would prove compatible with the surrounding uses and should not impede normal and orderly development of the area. The use has occupied the site since 1957 and allowing a relatively small addition would not be expected to have any additional adverse impacts.

3. **Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**

The site would continue to be accessed in the same manner via several curb cuts. The current configuration of the site has two curb cuts off Napco Avenue, and 3 curb cuts off of 5th Street North. A total of 28 surface parking stalls are located on the site. An adjacent surface parking lot to the north which is separated from the site by 5th Street North provides additional accessory parking for the employees of the facility. This 97 space surface parking lot is not subject to review based on the proposal. A total of 125 off-street parking spaces are provided for the use.

The Public Works Department has reviewed the preliminary plan and will review the final plan for compliance with standards related to access and circulation, drainage, and sewer/water connections. The applicant would be required to continue to work closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development should the applications be approved. This would be required to ensure that all procedures are followed and that the development complies with all city and other applicable requirements.

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

Typically, Chapter 541 of the zoning code would require 1 space per 500 square feet of gross floor area in excess of 4,000 square feet excluding service bays plus one space per two service bays. However, because of the location of the site within the DP Overlay District, the use would actually be governed by 551.765(4), which states that the use shall provide not less than 1 parking space for each 4,000 square feet (the 4 space minimum required in Chapter 541 does not apply). Based on the gross floor area of the office/maintenance facility which would total 12,814 square feet with the proposed addition, a total of 3 off-street parking spaces would be required. A total of 28 surface parking stalls are located on the subject site which meets the requirement (an adjacent surface parking lot to the north which is separated from the site by 5th Street North provides additional

accessory parking for the employees of the facility; this 97 space surface parking lot is not subject to review based on the proposal). A total of 125 off-street parking spaces are provided for the use. Due to the size of the facility, there is no loading requirement for the use. Staff believes that adequate measures have been provided to minimize traffic congestion in the public streets.

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

According to *The Minneapolis Plan for Sustainable Growth*, the subject parcel is located within a Transitional Industrial area near Interstate 94. Industrial areas located outside of Industrial Employment Districts are “transitional” since they may eventually evolve to other uses compatible with surrounding development. Although they may remain industrial for some time, they do not have the same level of policy protection as areas within industrial districts. All of the properties located within the immediate vicinity are zoned I2. The proposal to expand an existing transportation use on the property is consistent with the relevant provisions of *The Minneapolis Plan for Sustainable Growth*, as follows:

Land Use Policy 1.1 of *The Minneapolis Plan for Sustainable Growth* states, “Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.”

Land Use Policy 1.2. of *The Minneapolis Plan for Sustainable Growth* states, “Ensure appropriate transitions between uses with different size, scale, and intensity.”

6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit, the rezoning request, relevant variances, and site plan review.

If all land use/zoning applications are approved, including application to amend the conditional use permit and site plan review the proposal would appear to comply with all applicable provisions of the I2 District. Further, the applicant is not proposing to construct additional parking spaces in the Downtown Parking Overlay District.

SITE PLAN REVIEW:

Required Findings for Site Plan Review

A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)

B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan and

applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND DESIGN:

- 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, windows, and active functions:
- Residential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - Nonresidential uses:
Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.

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

Minimum window area shall be measured as indicated in section 531.20 of the zoning code.

- **Ground floor active functions:**
Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.
- **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. In addition to compliance with minimum window requirements, principal and accessory parking garages shall comply with provisions requiring active functions on the ground floor. In the downtown districts, the more restrictive parking garage provisions of Chapter 549, Downtown Districts, shall apply.

The development is not subject to any required yards. There are 3 existing buildings on the premises, an office/maintenance facility and two queuing bus garages. While the entire site is subject to site plan review, the only portion of the structure that will be reviewed for compliance with the Chapter 530 building placement and design standards is the new two-story addition to the office/maintenance building. It is noteworthy to mention that all existing buildings are located up to the street along 5th Street North, and a portion of one of the existing buildings is located up to the property line along Napco Avenue. The addition to the office/maintenance facility is located at the side/rear of the building adjacent to the berm leading to the Interstate 94 ramp and does not impact the front elevation of the structure. The existing entrance to the building is located at the interior of the site, and with the proposed addition which merely bumps the elevation outward, would be situated in nearly the same location. Alternative compliance is not necessary as the building is not becoming more non-compliant.

The addition is located at the interior/rear of the site and does not face any public streets, however, does face an on-site parking lot. The north elevation of the structure would be subject to a 30% window requirement. The north elevation is not meeting the window requirement as a total of 20% windows between 2 and 10 feet are provided. Alternative compliance would be necessary. Windows between 2 and 10 feet are required in order to provide natural surveillance and visibility by incorporating active uses. Planning Staff would recommend that the Planning Commission require compliance with this provision as the floor plan indicates that the programmed space could include larger and/or additional windows to meet the requirement.

The proposed addition meets the 10% window requirement on each floor above the first floor that faces the on-site parking lot.

The building complies with the active functions provision as outlined above.

The exterior materials and appearance of the proposed addition would be similar to and compatible with the rest of the existing building. The materials proposed for the addition would include painted plain-face and rock-face concrete block. Alternative compliance is necessary in order to allow plain face CMU on the addition. Typically, plain face CMU would not be allowed; however, in an effort to match the existing building, it is satisfactory in this circumstance. Planning Staff would recommend that the Planning Commission grant alternative compliance in order for the structure to maintain material consistency. The existing building and proposed addition incorporates some architectural elements including recesses and projections, windows and entries. There are no blank uninterrupted walls in the proposed building addition that exceed 25 feet.

A total of 28 surface parking stalls are located on the site. An adjacent surface parking lot to the north which is separated from the site by 5th Street North provides additional accessory parking for the employees of the facility. This 97 space surface parking lot is not subject to review based on the proposal. A total of 125 off-street parking spaces are provided for the use.

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.**

The principal entry to the office/maintenance facility is located at the interior of the site. With the proposed addition to the structure, the entrance will be predominantly situated in

the same location, just bumped out approximately 13 feet. The entrance is not connected to the public sidewalk via walkways that are greater than 4 feet in width; this is an existing condition, but is still subject to alternative compliance. Planning Staff would recommend that the Planning Commission require compliance with this provision as many of the employees park in the surface parking lot located across the street.

There are no transit shelters within the development.

There are no adjacent residential uses.

There is no public alley adjacent to the site.

The majority of the site is covered by impervious surfaces due to the industrial nature of the use. With the additional landscaping proposed on the site by the applicant, approximately, 4% of the site not occupied by buildings would be landscaped.

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.**

The proposal does not meet the 20% landscaping requirement. The total site area is 78,835 square feet or 1.8 acres and the proposed building footprints on the site total 37,585 square feet. A total of 8,250 square feet of landscaping would be necessary to meet the 20% requirement. The applicant is providing 1,657 square feet or approximately 4% of the site not occupied by buildings. Alternative compliance would be necessary. Due to the nature of the use and configuration of the existing buildings on site, it is not practical to require full compliance with this provision. The primary location on the site where additional landscaping could be achieved, but not meet the intent of the 530 standards in terms of perimeter landscaping, etc., is on the east side of the site adjacent to the Interstate 94 berm and ramp. This large asphalt area is used for maneuvering and fueling of buses. Perimeter landscaping could be installed along 5th Street North provided it doesn't interfere with buses entering the site. Planning Staff believes that the Planning Commission should grant alternative compliance in this circumstance as it would not be practical to require full compliance; however, Planning Staff would recommend that the Planning Commission require the applicant to increase the percentage of green space on the site to 7%, or approximately 2,900 square feet.

The zoning code requires that there be at least 17 trees and 83 shrubs. There are currently 69 shrubs located on the property and the applicant proposes to install an additional 14 which would meet the shrub quantity requirements. Further, the applicant is proposing to plant 8 canopy trees and 8 ornamental trees. Alternative compliance would be necessary as the proposal would not meet the canopy tree quantity requirement. Planning Staff will recommend that the Planning Commission grant alternative compliance in this circumstance as it would be difficult to require that the development comply with the required canopy tree requirement due to limited planting areas that would support that type of tree.

A 7-foot landscaped yard is required along both 5th Street North and Napco Avenue. Alternative compliance would be necessary. Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance as requiring compliance would result in minimal alterations to the existing site. Further, the parking and loading frontage along 5th Street North consists almost entirely of curb cuts that are needed for bus access. Additionally, while most required locations have some landscaping, requiring full compliance would not be practical in this specific circumstance and would further affect the functionality of the site.

Not all parking spaces are located within 50 feet of the center of on-site deciduous tree and the surface parking lot does not meet the 25 foot linear tree requirement along 5th Street SE or Napco Avenue; alternative compliance would be necessary for both provisions. Planning Staff will recommend that the Planning Commission grant alternative compliance in this circumstance as it would not be practical to require compliance due to the configuration of the existing site.

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.

- 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.

A total of 28 surface parking stalls are located on the site. An adjacent surface parking lot to the north which is separated from the site by 5th Street North provides additional accessory parking for the employees of the facility. This 97 space surface parking lot is not subject to review based on the proposal. A total of 125 off-street parking spaces are provided for the use. Planning Staff encourages on-site retention and filtration. Public Works Staff has required a stormwater management plan due to the size of the subject site.

Staff would not expect the proposed addition to result in the blocking of any significant views. The addition would also not be expected to have any shadowing impacts on adjacent properties or on public spaces. The proposal would also not be expected to have any impacts on light, wind and air in relation to the surrounding area.

Planning Staff would expect to review a lighting plan upon submission of final plans. Much of the site has already been developed and the proposed addition will have little affect on the developed portions of the site. There are no historic structures on the subject site.

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

ZONING CODE - The use is conditional in the I2 District.

If all land use/zoning applications are approved including the application to amend the conditional use permit and site plan review, the proposal would comply with all applicable provisions of the I2 District. Further, the applicant is not proposing to construct additional parking spaces in the Downtown Parking (DP) Overlay District.

Parking and Loading:

Minimum automobile parking requirement: Typically, Chapter 541 of the zoning code would require 1 space per 500 square feet of gross floor area in excess of 4,000 square feet excluding service bays plus one space per two service bays. However, because of the location of the site within the DP Overlay District, the use would actually be governed by 551.765(4), which states that the use shall provide not less than 1 parking space for each 4,000 square feet (the 4 space minimum required in Chapter 541 does not apply). Based on the gross floor area of the office/maintenance facility which would total 12,814 square feet with the proposed addition, a total of 3 off-street parking spaces would be required. A total of 28 surface parking stalls are located on the subject site which meets the requirement (An adjacent surface parking lot to the north which is separated from the site by 5th Street North provides additional accessory parking for the employees of the facility. This 97 space surface parking lot is not subject to review based on the proposal). A total of 125 off-street parking spaces are provided for the use.

Maximum automobile parking requirement: Chapter 541 of the zoning code allows 1 space per 200 square feet of gross floor plus one space per service bay as a maximum parking allowance for transportation uses (bus garage or maintenance facility). Based on the gross floor area of the office/maintenance facility which would total 12,814 square feet with the proposed addition, a total of 64 off-street parking spaces would be permitted. Additionally, there are 4 service bays which would allow an additional 4 spaces for a maximum parking requirement of 68 off-street parking spaces. A total of 28 surface parking stalls are located on the subject site; however, an adjacent surface parking lot to the north which is separated from the site by 5th Street North provides additional accessory parking for the employees of the facility. This 97 space surface parking lot is existing and therefore does not require a variance to exceed the maximum automobile parking requirement. When both parking lots are totaled, 125 off-street parking spaces are provided for the use. The applicant is not proposing any additional off-street parking.

Bicycle parking requirement: There is no bicycle parking requirement for transportation uses in Chapter 541.

Loading: The minimum loading requirement for a bus garage or maintenance facility totaling less than 20,000 square feet in size is zero.

Dumpster screening: Section 535.80. 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. The development complies with this provision as there is a dumpster enclosure proposed on the east side of the site.

Signs: No additional signs are proposed. Any new signage would require a separate permit from the Zoning Office and would need to meet all applicable Chapter 543 standards.

Lighting: There are wall mounted light fixtures throughout the site. All lighting must be downcast and shielded to avoid undue glare. All lighting shall comply with Chapters 535 and 541.

Maximum Floor Area: The maximum F.A.R. for all structures in the I2 district is the gross floor area of the building which would be 12,814 square feet divided by the area of the lot which is 78,835 square feet. The outcome is .16 which is less than the maximum of 2.7 that is permitted in the I2 District. The proposal is in compliance with this requirement.

Minimum Lot Area: The project would meet the minimum lot area requirements for a transportation use in the I2 district as the development is situated on a lot greater than 12,000 square feet in size and wider than 100 feet.

Dwelling Units per Acre: Not applicable for this provision.

Height: Maximum building height for principal structures located in the I2 district is 4 stories or 56 feet, whichever is less. The structure as proposed is 2 stories or 24 feet tall.

Yard Requirements: There are no applicable yard requirements.

Building coverage: Not applicable for this development.

Impervious surface area: Not applicable for this development.

THE MINNEAPOLIS PLAN FOR SUSTAINABLE GROWTH

See the above listed response to finding #5 in the conditional use permit application to amend a transportation use.

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

The subject site is located within the boundaries of the North Loop Small Area Plan which was adopted by the City Council on April 16, 2010. The North Loop Small Area Plan is an update to the Downtown East/North Loop Master Plan which was adopted by the City Council in 2003. According to the plan the subject site is located in the Upper North Loop in the Freeway West Land Use District with District B Land Use Intensity (appropriate building types include housing, commercial, and industrial structures of two to ten stories; this type is generally consistent with the bulk and height of historic warehouse structures in the neighborhood.). The future land use of this site is identified as mixed-use. The plan update expands the original plan's recommended land uses in Freeway West to allow for a variety of uses that either increase the amount of housing

density or offer improved opportunities for employment. While the small addition to the existing facility may offer additional opportunities for employment, many of the other recommendations are not applicable unless the site is redeveloped in full.

ALTERNATIVE COMPLIANCE

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

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

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

30% window requirement: The addition is located at the interior/rear of the site and does not face any public streets, however, does face an on-site parking lot. The north elevation of the structure would be subject to a 30% window requirement. The north elevation is not meeting the window requirement as a total of 20% windows between 2 and 10 feet are provided. Alternative compliance would be necessary. Windows between 2 and 10 feet are required in order to provide natural surveillance and visibility by incorporating active uses. Planning Staff would recommend that the Planning Commission require compliance with this provision as the floor plan indicates that the programmed space could include larger and/or additional windows to meet the requirement.

Exterior materials: The exterior materials and appearance of the proposed addition would be similar to and compatible with the rest of the existing building. The materials proposed for the addition would include painted plain-face and rock-face concrete block. Alternative compliance is necessary in order to allow plain face CMU on the addition. Typically, plain face CMU would not be allowed; however, in an effort to match the existing building, it is satisfactory in this circumstance. Planning Staff would recommend that the Planning Commission grant alternative compliance in order for the structure to maintain material consistency.

- Connection to the public sidewalk: The entrance is not connected to the public sidewalk via walkways that are greater than 4 feet in width; this is an existing condition, but is still subject to alternative compliance. Planning Staff would recommend that the Planning Commission require compliance with this provision as many of the employees park in the surface parking lot located across the street.

- 20% landscaping requirement: The proposal does not meet the 20% landscaping requirement. The total site area is 78,835 square feet or 1.8 acres and the proposed building footprints on the site total 37,585 square feet. A total of 8,250 square feet of landscaping would be necessary to meet the 20% requirement. The applicant is providing 1,657 square feet or approximately 4% of the site not occupied by buildings. Alternative compliance would be necessary. Due to the nature of the use and configuration of the existing buildings on site, it is not practical to require full compliance with this provision. The primary location on the site where additional landscaping could be achieved, but not meet the intent of the 530 standards in terms of perimeter landscaping, etc., is on the east side of the site adjacent to the Interstate 94 berm and ramp. This large asphalt area is used for maneuvering and fueling of buses. Perimeter landscaping could be installed along 5th Street North provided it doesn't interfere with buses entering the site. Planning Staff believes that the Planning Commission should grant alternative compliance in this circumstance as it would not be practical to require full compliance; however, Planning Staff would recommend that the Planning Commission require the applicant to increase the percentage of green space on the site to 7%, or approximately 2,900 square feet.

- Landscape quantities: The zoning code requires that there be at least 17 trees and 83 shrubs. There are currently 69 shrubs located on the property and the applicant proposes to install an additional 14 which would meet the shrub quantity requirements. Further, the applicant is proposing to plant 8 canopy trees and 8 ornamental trees. Alternative compliance would be necessary as the proposal would not meet the canopy tree quantity requirement. Planning Staff will recommend that the Planning Commission grant alternative compliance in this circumstance as it would be difficult to require that the development comply with the required canopy tree requirement due to limited planting areas that would support that type of tree.

- Required landscape yards: A 7-foot landscaped yard is required along both 5th Street North and Napco Avenue. Alternative compliance would be necessary. Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance as requiring compliance would result in minimal alterations to the existing site. Further, the parking and loading frontage along 5th Street North consists almost entirely of curb cuts that are needed for bus access. Additionally, while most required locations have some landscaping, requiring full compliance would not be practical in this specific circumstance and would further affect the functionality of the site.

- *On site deciduous tree and 25 foot linear tree requirement:* Not all parking spaces are located within 50 feet of the center of on-site deciduous tree and the surface parking lot does not meet the 25 foot linear tree requirement along 5th Street SE or Napco Avenue; alternative compliance would be necessary for both provisions. Planning Staff will recommend that the Planning Commission grant alternative compliance in this circumstance as it would not be practical to require compliance due to the configuration of the existing site.

RECOMMENDATIONS:

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application to amend an existing conditional use permit for a transportation use (bus garage or maintenance facility) on the properties located at 1154 and 1100 5th Street North, and 410 10th Avenue North subject to the following condition:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.

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 application to allow an approximate 2,000 square foot addition to an existing transportation use on the properties located at 1154 and 1100 5th Street North, and 410 10th Avenue North subject to the following conditions:

1. Planning Staff review and approval of the final site, elevation, lighting and landscaping plans.
2. All site improvements shall be completed by August 2, 2011, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. All ground level windows must be transparent (non-reflective) as required by section 530.120 of the zoning code.
4. The north elevation shall be altered to meet the 30% window requirement as outlined in Section 530.120(b)(2) of the Zoning Code.

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5. The principal entrance to the office/maintenance building shall be connected to the public sidewalk via a walkway greater than 4 feet in width.
6. The applicant shall increase the overall net landscaping on the site to 7%, or approximately 2,900 square feet.

Attachments:

1. Statement of use and description
2. CUP Findings
3. Correspondence – CM Samuels, North Loop Neighborhood Assn.
4. Zoning map
6. Plans – site/survey/landscape, floor plans, elevations
7. Pictures of the existing conditions
8. PDR notes