

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit, Variances and Site Plan Review
BZZ – 3022

Date: June 26, 2006

Applicant: Locus Development, LLC

Address of Property: 1401 Central Avenue Northeast

Project Name: Red Square

Contact Person and Phone: Wynne Yelland, (612) 706-5600 ext. 2#

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

Date Application Deemed Complete: May 30, 2006

End of 60-Day Decision Period: July 29, 2006

Ward: 1 Neighborhood Organization: Northeast Park Neighborhood

Existing Zoning: I1 Light Industrial District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 10

Legal Description: Not applicable for this application

Proposed Use: New office building with surface parking.

Concurrent Review:

Conditional use permit to increase the maximum height of a building from 4 stories, 56 feet to 5 stories, 66 feet.

Variance to reduce the minimum parking requirement from 107 to 46 spaces, or 57 percent.

Variance to reduce the loading requirement from 2 spaces to 1 space.

Site plan review.

Applicable zoning code provisions: Chapter 525, Article VII Conditional Use Permits; Chapter 525, Article IX Variances, Section 525.520 (6) “To reduce the applicable ... loading requirements by ...1 space ...” and (7) “To reduce the applicable off-street parking requirements up to 100 percent, provided the proposed use or building serves pedestrian or transit-oriented trade or occupancy, or is located near an off-street parking facility that is available to the customers, occupants, employees and guests of the use”; and Chapter 530, Site Plan Review.

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Background: The applicant proposes to construct a new nonresidential structure with commercial and office space. The site is located on the northeast corner of Central and 14th Avenues Northeast. It is a Hennepin County tax forfeiture property commonly referred to as the “City Tree site”. The uses in the area are predominantly industrial. Industrial warehouse uses are located south and north of the site. A railroad corridor borders the northwest property line. Some residences and an office building are located directly across Central Avenue from the subject site. The building would have four floors above grade. It would be located on the west side of the site with a surface parking lot on the east side. The applicant has indicated that a restaurant would likely occupy one of the ground floor tenant spaces. Retail would occupy the other ground floor as well as basement tenant spaces. Offices would occupy the upper floors. The building would contain a number of energy-efficient features. The attached applicant’s description provides more detail.

In the I1 district, offices are permitted uses. The applicant has indicated that retail would occupy several of the tenant spaces. Although the type of retail sales and services are limited when compared to the commercial districts, a number of retail sales and services uses, such as art studios, office supply sales, and photocopying, are permitted. The applicant has also indicated that a restaurant would likely be established in one of the tenant spaces identified as retail on the floor plans. A restaurant, other than fast food or a nightclub, is a permitted use.

The maximum height allowed in the I1 district is 4 stories or 56 feet, whichever is less. The building would have 4 floors above grade; however, the fourth floor would be 17 feet in height. The zoning code defines a story as that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, or 14 feet, whichever is less, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. Based on the zoning code definition, the proposed building would be 5 stories. The height measured at the sidewalk grade to the highest point of the building would be 66 feet in height. A conditional use permit to increase the height in stories and feet is required.

The minimum parking requirement for the proposed development is 125 spaces. The applicant has applied for shared parking between the proposed uses on the site. By implementing the shared parking calculations in Table 541-2 of the zoning code to determine when their respective hours of peak operation do not overlap, the minimum requirement is reduced to 107 spaces. The applicant is proposing 40 vehicle parking spaces and 24 bicycle spaces in lieu of 6 vehicle spaces. An additional 61 spaces are required to meet the minimum requirement. A variance is required to reduce the requirement by 57 percent.

The minimum loading requirement for the office is one large loading space. The minimum loading requirement for the retail and restaurant is 1 small loading space. One small loading space would be provided. A variance is required to reduce the loading requirement.

A site plan review is required for any new non-residential building.

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

CONDITIONAL USE PERMIT: to increase the maximum height of a principal structure from 4-stories, 56 feet to 5-stories, 66 feet.

Findings as required by the Minneapolis Zoning Code:

The Community Planning and Economic 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.**

Construction of a multi-tenant nonresidential building of five stories on the site should not prove detrimental to public health, safety, comfort or general welfare provided the development complies with all applicable building codes, life safety ordinances, site plan review requirements as well as Public Works Department standards.

2. **Will be injurious to the use and enjoyment of other property in the vicinity and will impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

The building would be 57 feet in height with a 3 foot parapet, except for a stair/elevator tower on the east side of the building that would be 66 feet tall. The surrounding area is fully developed and predominantly industrial. A railroad corridor is located on the north side of the property. Residences exist on the southwest corner of Central and 14th Avenues. Because the building would be located north of the residences and south of a railroad corridor, the proposed height should have little impact on surrounding properties.

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

The site is served by existing infrastructure. Vehicle access would be from 14th Avenue. The Public Works Department will review the project for appropriate drainage and stormwater management as well as to ensure the safety of the position and design of improvements in or over the public right of way. The final plan must indicate all drainage patterns, including roof drains.

4. **Adequate measures have not been or will not be provided to minimize traffic congestion in the public streets.**

The minimum parking requirement for the proposed development is 125 spaces. The applicant has attempted to reduce the parking requirement without relying solely on a variance. They have applied for shared parking between the proposed uses on the site. By implementing the shared parking calculations in Table 541-2 of the zoning code to determine when their respective hours of peak operation do not overlap, the minimum requirement is reduced to 107 spaces. The

applicant is proposing 40 vehicle parking spaces and 24 bicycle spaces in lieu of 6 vehicle spaces. An additional 61 spaces are required to meet the minimum requirement. The site is near a bus transit stop, which would likely accommodate some traffic. A limited amount of street parking is available in the area. Staff does not believe that 46 spaces are sufficient to meet the needs of the proposed development. Although the conditional use permit is only required because the height of the fourth floor exceeds 14 feet and the stair/elevator tower is more than 56 feet in height, a building with the same amount of floor area could be proposed without the added height. For this reason, staff believes that the proposed height would have little impact on congestion in the streets.

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

The site is adjacent to Central Avenue, which is designated as a community corridor by *The Minneapolis Plan*. The plan states that “design and development along [community corridors] is oriented toward the pedestrian experience.” The following principle and polices also apply to this proposal:

9.16 Minneapolis will encourage new development to use human scale design features and incorporate sunlight, privacy, and view elements into building and site designs.

Applicable Implementation Steps

Encourage the design of all new buildings to fulfill light, privacy and view requirements for the subject building as well as for adjacent buildings.

Staff comment: The site is adjacent to two streets and a railroad corridor. It is not adjacent to any other buildings. Along Central and 14th Avenues, the building would be 57 feet in height with a 3 foot parapet. A 56 foot tall building with a parapet not exceeding 3 feet in height is allowed by the zoning code in the I1 district. The building should have little affect on light, privacy, views and should not negatively impact the pedestrian experience at the street level. The proposed height should be consistent with the comprehensive plan.

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 use of the site for a 5-story multi-tenant nonresidential building will conform to the applicable regulations of the districts in which it is located upon the approval of the conditional use permit, variances, and site plan review.

ADDITIONAL STANDARDS TO INCREASE MAXIMUM HEIGHT

(1) Access to light and air of surrounding properties.

The site is adjacent to two streets and a railroad corridor. It is not adjacent to any other buildings. The tallest portion of the building, the stair/elevator tower, would be located in the interior of the site next to the surface parking. It should have little effect on surrounding properties access to air and light.

(2) Shadowing of residential properties or significant public spaces.

The applicants did not submit a shadow study as part of this application. The building is not directly adjacent to any residential properties. The nearest residential properties are located on the southwest corner of Central and 14th Avenues. The street would mostly be affected. Along Central and 14th Avenues, the building would be 57 feet in height with a 3 foot parapet. A 56 foot tall building with a parapet not exceeding 3 feet in height is allowed by the zoning code in the I1 district. The shadowing affects should not be significant.

(3) The scale and character of surrounding uses.

The height of other residential, commercial and industrial buildings in the area is one, two or three stories. However, buildings located within 2 blocks to the west of the site are similar in height. Although other 5-story buildings are not in the immediate area, the building would not be out of character with other buildings in the area.

(4) Preservation of views of landmark buildings, significant open spaces or water bodies.

The building should not significantly block views of landmark buildings, significant open spaces, or bodies of water.

VARIANCES: 1) to reduce the minimum parking requirement from 107 to 46 spaces, or 57 percent; and 2) to reduce the loading requirement from 2 spaces to 1 space.

Findings as required by the Minneapolis Zoning Code:

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

Parking: The minimum parking requirement for an office is one space for every 300 square feet of gross floor area in excess of 4,000 square feet. The floor area devoted to offices would be 23,405 square feet, therefore 65 spaces are required for the offices. In general, the minimum parking requirement for retail sales and services uses is one space for every 300 square feet of gross floor area in excess of 4,000 square feet or 4 spaces, whichever is greater. Five retail tenants each less than 4,000 square feet in area are proposed. Therefore 20 spaces are required for the proposed retail. A restaurant has a minimum parking requirement equal to 30 percent of the capacity of persons. The capacity of persons is based on the amount of seating and lobby area provided. The applicant has indicated that 2,000 square feet of floor area would be for seating. Therefore 40 spaces are required for the restaurant. The total parking requirement is 125 spaces.

The applicant is proposing to provide 40 surface parking spaces. The applicant is also providing 24 bicycle spaces. The zoning code allows 4 bicycle spaces to be provided in lieu of one vehicle parking space for each use proposed. The number of bicycle spaces proposed is therefore in lieu of 6 vehicle spaces.

To reduce the parking requirement, the applicant has applied for shared parking application and a variance. By implementing the shared parking calculations in Table 541-2 of the zoning code for the proposed uses on the site to determine when their respective hours of peak operation do not overlap, the minimum requirement is reduced to 107 spaces. Even with the parking reductions allowed by the zoning code, the applicant is required to provide an additional 61 spaces.

The applicant has indicated that additional parking cannot be provided on-site without constructing a ramp which is impractical because of the shape of the site or excavating bedrock which is very costly. The floor area of the building and the number of the tenants could be reduced to further reduce the parking requirement. The hours of operation for the restaurant could be restricted. The applicant could also pursue an off-site shared parking agreement. The zoning code allows parking up to 300 feet away for a restaurant and retail uses and up to 500 feet for offices. Several surface parking lots exist on the west side of Central Avenue. While some hardships exist on the site, staff does not support reducing the parking requirement by 57 percent. Staff believes some reduction in the parking requirement would be reasonable.

Loading: The minimum loading requirement for the office is one large loading space (12 feet by 50 feet). The minimum loading requirement for the retail and restaurant is 1 small loading space (10 feet by 25 feet). One small loading space would be provided. The applicant does not expect the uses proposed would require a loading space for large semi-trailers. They also indicated one loading space would be sufficient for all loading needs. Providing another small or large loading space would remove at least two parking spaces. Excess parking is not proposed. Staff believes the request is reasonable.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

Parking and Loading: The applicant has indicated that limestone bedrock exists 3 feet below the surface of the ground, which would make providing below-grade parking very costly. Further, the shape of the site complicates providing ramped parking. These circumstances are unique and have not been created by the applicant. However, the number of tenant spaces and amount of floor area has been created by the applicant and could be reduced.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

Parking and loading regulations are established to provide for the parking and loading needs of uses and structures, to enhance the compatibility between parking and loading areas and their surroundings, and to regulate the number, design, maintenance, use and location of required off-street parking and loading spaces and the driveways and aisles that provide access and maneuvering space.

Parking: Although the applicant has applied for a shared parking application to reduce the minimum requirement where there is not an overlap in hours of the proposed uses and has provided on-site bike racks to further reduce the need for vehicle spaces, staff does not believe that a sufficient number of spaces are provided to meet the needs of the proposed development. The site is located on a bus route with frequent headways. It is not likely that the bus route would fully accommodate the parking needs of the development. A lack of parking would likely create congestion in the streets and negatively impact the surrounding uses.

Loading: The applicant does not expect the uses proposed would require a loading space for large semi-trailers. They also indicated one loading space would be sufficient for all loading needs. Providing another small or large loading space would remove at least two parking spaces. Excess parking is not proposed. Staff believes the proposed loading space would be sufficient for the loading needs of the building and should not negatively affect surrounding properties.

4. **The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

Parking: Limited on-street parking is currently available in the area surrounding the site. Parking is allowed on both sides of Central Avenue except where it crosses under the railroad bridge to the north of the site and where the bus stops are located. Parking is not allowed on 14th Avenue south of the site. The parking on Tyler Street is used heavily by the buildings located on that street. Most of these properties have little if any off-street parking available. Staff does not believe the proposed amount of parking is sufficient to meet the parking needs of the proposed development and would increase congestion in the streets. The CPED Department does not expect that granting the variance would affect public safety.

Loading: A loading space would be provided on-site. The CPED Department does not expect that granting the variance would affect congestion or public safety.

SITE PLAN REVIEW

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

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

Section A: Conformance with Chapter 530 of the Zoning Code

BUILDING PLACEMENT AND FAÇADE:

- **Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.**

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- **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.**
 - f. **Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.**

Minimum window area shall be measured as indicated in section 530.120 of the zoning code.
- **The form and pitch of roof lines shall be similar to surrounding buildings.**

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

Conformance with above requirements:

The building would reinforce the street wall along Central and 14th Avenues. Abundant windows would be provided on all elevations facing a street or parking area to provide natural surveillance and visibility. A pedestrian walkway would connect the public sidewalks and parking area to the building entrances.

The first floor of the building would be set back 12.5 feet from Central Avenue and 18 feet from 14th Avenue. Alternative compliance is required to place the first floor more than 8 feet from a lot line adjacent to a street. An elevated platform, 2 feet above the adjacent sidewalk grade, is located between the building and the lot lines, except along the north end of the building where landscaping is provided. Landscaping would be provided between the platform and the lot line along Central Avenue. Six plant screen columns would also be provided along Central. The upper floors would cantilever out 5 feet. However, staff does not believe alternative compliance is warranted to set the building back more than 8 feet from Central Avenue because it is a major urban corridor. Staff is recommending that the first floor of the west side of the building meet the requirement. The applicant has indicated that the platform between the building and 14th Avenue would likely be used as an outdoor dining and seating area if a restaurant is established in the building. Even if a restaurant is not established, staff believes this area could serve as an amenity for the entire building. At this end of the building, the upper floors would cantilever 4.5 feet. Because most of the platform would have direct southern exposure, staff is recommending that at least two canopy trees are provided in planters at least 25 square feet in area and no less than 4 feet wide. By providing a platform available for public use and at least two trees between the building and 14th Avenue, staff believes alternative compliance is warranted to allow the first floor of the building to be set back 18 feet along 14th Avenue.

Each retail tenant on the first floor would have an entrance facing Central Avenue.

A surface parking area would be located east of the building to the interior of the site.

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

The building is divided into identifiable sections. The footprint is smaller and sheltered by the “red square,” which is the main identifying feature of the building. All entrances would be sheltered by the cantilevered floor of the square. The stair/elevator tower flanks the east side of the square. Different primary materials are proposed for each section of the building. The primary exterior material of the first floor is glass, steel panels with openings for fenestration would envelop the red square, and the stair/elevator tower would mainly be constructed of pre-cast concrete.

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The building would contain numerous blank, uninterrupted walls that do not include windows, entries, recesses or projections or other architectural elements that exceed 25 feet in length. These blank walls are located on the east and north elevations. An abundant amount of windows are provided on the south and west elevations; however, these windows are not sufficient to compensate for the large expanses of blank wall on the other elevations. The “red square” and stair/elevator tower could contain more windows or architectural elements to meet the requirement. Staff is also concerned that the blank walls on the first floor would attract graffiti. For these reasons, staff is not recommending alternative compliance and is recommending that this requirement is met for all elevations.

The primary exterior materials would be metal, pre-cast concrete, and glass. Plain face concrete block would not be used as a primary exterior building material.

A common entrance is located between the stair/elevator tower and the red square. It is recessed and under the cantilever of the red square. Individual tenant entrances would face Central Avenue and the parking area. The location of the tenant entrances are not clearly defined on the plans provided by the applicant. As proposed, the entrances would be under the cantilever of the red square, but lacking any emphasis through architectural detail. Staff is recommending that the first floor of the building along Central be located within 8 feet of the lot line because it is a major urban corridor. The first floor should also have easily recognizable entrances. Staff is recommending that additional architectural features are incorporated to emphasize the importance of the tenant entrances facing Central Avenue.

The walls on the east, west and south elevations are subject to the minimum window requirements. The amount of windows on the south and west walls of all levels would exceed 30 percent. A steel plant screen would be constructed between Central Avenue and the west elevation. Screening at the first floor level would likely inhibit views into and out of the building. Staff is recommending that the screen be located at least 10 feet above grade. On the east elevation, the first and third floors would also comply with and exceed the minimum requirements. However, on the second and fourth floor where 124.8 square feet, or 10 percent, of windows are required, only 50 square feet, or 4 percent, are proposed. Although the amount of windows on the first and third floors of the east elevation and all the floors of the south and west elevations exceed the minimum requirements, additional windows can be provided. The majority of the east elevation contains blank, uninterrupted walls that exceed 25 feet in width. By providing additional windows, the east elevation would become more compliant towards other site plan review requirements. Staff does not believe alternative compliance is warranted.

On the south and west elevations, the windows would be distributed more or less in an even manner. The majority of these windows would be vertical in proportion; however, several would be square. In addition to the windows that are vertical in proportion, the applicant has proposed square windows in an asymmetrical manner on all elevations. The windows on the east elevation are neither distributed in an even manner nor vertical in proportion. All of the windows are located at the south end of the first floor of the east elevation. These are the only vertical windows on this elevation. The other floors have square windows at the far ends of each side of the building with one large window in the center. Additional windows could be added and the square windows could be changed to vertical windows. The majority of the east elevation

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contains blank, uninterrupted walls that exceed 25 feet in width. By providing additional and more evenly spaced windows, the east elevation would become more compliant towards this other site plan review requirements. Staff does not believe alternative compliance is warranted for these requirements and should not be granted.

The applicant has indicated that the glass would have a visible light transmittance greater than 0.6.

If the minimum window requirements are implemented, all sides of the building should be compatible.

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

ACCESS AND CIRCULATION:

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

Conformance with above requirements:

All building entrances and parking facilities are connected to the public sidewalks with walkways that would be four feet in width. An access ramp is provided from 14th Avenue. Building plan review has indicated that another accessible ramp would be required along Central Avenue to access the raised platform. Staff has recommended that the building be located within 8 feet of the lot line along Central Avenue. Enough room would remain to accommodate an access ramp and stairs.

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

The site is not adjacent to residential properties. The nearest residences are located across Central Avenue. The proposed circulation should have minimal impacts on pedestrians and residences.

The site is not adjacent to any residential properties or public alleys.

The parking area would maximize the use of the impervious surface proposed.

LANDSCAPING AND SCREENING:

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**

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- 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.

Conformance with above requirements:

The zoning code requires that a least 20 percent of the site not occupied by buildings be landscaped. The lot area of the site is approximately 30,050 square feet. The building footprint would be approximately 7,504 square feet. The lot area minus the building footprint therefore consists of approximately 22,546 square feet. At least 20 percent of the net site area (4,509 square feet) must be landscaped. Approximately 5,200 square feet of the site would be landscaped. That is equal to 23 percent of the net lot area.

The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 9 and 45 respectfully. The applicant would provide 12 trees. Twenty-nine shrubs are shown on the plan. Although only 29 shrubs are shown, the plant selection list provided by the applicant indicates that more shrubs are proposed. Staff does not believe alternative compliance is warranted and is recommending that this requirement be met.

The remainder of the landscaped area is required to be covered with plants including perennial flowering plants.

The surface parking area is adjacent to 14th Avenue, therefore a 7 foot wide landscaped yard is required. A 6-foot wide yard is proposed except for a one foot yard adjacent to the easternmost

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row of parking. The minimum parking requirement exceeds what is provided on-site. If 7-foot yards are provided, up to four parking spaces could be lost. Also, a 3-foot boulevard exists between the sidewalk and the lot line, which the applicant is proposing to landscape. It would be reasonable to allow the reduced yards and grant alternative compliance.

Between the surface parking area and the street, screening that is three feet tall and no less than 60 percent opaque is also required. The applicant has proposed landscaping to meet this requirement.

Along 14th Avenue, 4 trees are required to be spaced every 25 feet. Three trees would be provided on-site. A fourth tree would be provided in the boulevard. The area is 4-feet wide between the easternmost row of parking and the sidewalk. This is the minimum width of area the Park Board would allow for a tree.

The corners in the parking lot would be landscaped.

All parking spaces would be within 50 feet of an on-site deciduous tree.

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

Installation and maintenance of all landscape materials are required to comply with the standards outlined in section 530.210.

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.

Conformance with above requirements:

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Along the perimeter of the parking lot, 6-inch by 6-inch continuous concrete curbing is proposed. The tree island would have discontinuous curbing and the rain garden in the center of the parking area would not have curbing to allow for on-site filtration of stormwater.

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

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

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

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

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

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

The applicants did not submit a shadow study as part of this application. The building is not directly adjacent to any residential properties. The nearest residential properties are located on the southwest corner of Central and 14th Avenues. Central Avenue would mostly be affected. Along the street, the building would be 57 feet in height with a 3 foot parapet. A 56 foot tall building with a parapet not exceeding 3 feet in height is allowed by the zoning code in the I1 district. The shadowing affects should not be significant.

Wind currents should not be major concern.

Lighting would be provided in the parking lot and along walkways. Along the streets, the proposed landscaping would follow the 3 foot - 7 foot rule, which states that plantings should not exceed three feet in height and that the canopies of trees should be over seven feet in height allowing a window of visibility into the site. An abundant amount of windows would be provided on the elevations facing Central and 14th Avenues to allow for natural surveillance and visibility. However, a steel plant screen would be constructed between Central Avenue and the west elevation. Screening at the first floor level would likely inhibit views into and out of the building. Staff is recommending that the screen be located at least 10 feet above grade. Very few windows are provided on the north and east elevations. A railroad corridor is located adjacent to the northeast property line. A physical separation between the two properties is not proposed. The proximity to a railroad increases the likelihood of cross-through traffic and graffiti problems. The installation of a fence along the east and northeast sides of the property would act as a deterrent to these problems. Two blank walls are proposed on the first floor as well. As staff has already recommended, more windows and other architectural elements should be added. A keystone retaining wall would be located at the base of the building walls. The wall could be moved out a few feet to allow landscaping to be planted which could further prevent graffiti. Staff is recommending that a fence at least 5 feet in height and appropriate landscaping be provided as crime prevention elements.

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

ZONING CODE: The site is zoned I1. In the I1 district, offices are permitted uses. The applicant has indicated that retail would occupy several of the tenant spaces. Although the type of retail sales and services are limited when compared to the commercial districts, a number of retail sales and services uses, such as art studios, office supply sales, and photocopying, are permitted. The applicant has also indicated that a restaurant would likely be established in one of the tenant spaces identified as retail on the floor plans. A restaurant, other than fast food or a nightclub, is a permitted use.

Parking and Loading: The minimum parking requirement for an office is one space for every 300 square feet of gross floor area in excess of 4,000 square feet. The floor area devoted to offices would be 23,405 square feet, therefore 65 spaces are required for the offices. In general, the minimum parking requirement for retail sales and services uses is one space for every 300 square feet of gross floor area in excess of 4,000 square feet or 4 spaces, whichever is greater. Five retail tenants each less than 4,000 square feet in area are proposed. Therefore 20 spaces are required for the proposed retail. A restaurant has a minimum parking requirement equal to 30 percent of the capacity of persons. The capacity of persons is based on the amount of seating and lobby area provided. The applicant has indicated that 2,000 square feet of floor area would be for seating. Therefore 40 spaces are required for the restaurant. The total parking requirement is 125 spaces.

The applicant is proposing to provide 40 surface parking spaces. The applicant is also providing 24 bicycle spaces. The zoning code allows 4 bicycle spaces to be provided in lieu of one vehicle parking space for each use proposed. The number of bicycle spaces proposed is therefore in lieu of 6 vehicle spaces.

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To reduce the parking requirement, the applicant has applied for shared parking application and a variance. By implementing the shared parking calculations in Table 541-2 of the zoning code for the proposed uses on the site to determine when their respective hours of peak operation do not overlap, the minimum requirement is reduced to 107 spaces. Even with the parking reductions allowed by the zoning code, the applicant is required to provide an additional 61 spaces. The applicant has requested a variance. Staff is recommending denial for the variance, but believes some reduction in the parking requirement is reasonable.

The minimum loading requirement for the office is one large loading space. The minimum loading requirement for the retail and restaurant is 1 small loading space. One small loading space would be provided. A variance is requested to reduce the loading requirement. Staff is recommending approval of the variance.

Signs: The applicant has indicated that any new signage would comply with the zoning code requirements. All signage will require Zoning Office review, approval, and permits.

Maximum Floor Area: The lot area is 30,050 square feet. The maximum FAR allowed in the I1 District is 2.7. The building would have a total of 34,144 square feet, which is an FAR of 1.14.

Minimum Lot Area: Not applicable.

Building Height: The maximum height allowed in the I1 district is 4 stories or 56 feet, whichever is less. The building would have 4 floors above grade; however, the fourth floor would be 17 feet in height. The zoning code defines a story as that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, or 14 feet, whichever is less, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. The proposed building would be 5 stories. The height measured at the sidewalk grade to the highest point of the building would be 66 feet in height. A conditional use permit to increase the height in stories and feet is requested by the applicant.

Yard Requirements: Not applicable.

Specific Development Standards: Chapter 536, Specific Development Standards, requires the following for a sit-down restaurant:

- (1) Where alcoholic beverages are served, not less than 60 percent of total gross sales revenue shall be from the sale of food and beverages not containing alcohol, and the use shall comply with the requirements of Title 14, Liquor and Beer, of the Minneapolis Code of Ordinances and Chapter 4 of the Minneapolis Charter.
- (2) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet shall be inspected regularly for purposes of removing any litter found thereon.

Hours of Operation: In the I1 District, uses may be open to the public during the following

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hours: Sunday through Thursday from 6:00 a.m. to 10:00 p.m.; Friday and Saturday from 6:00 a.m. to 11:00 p.m. The applicant has indicated that the existing and proposed hours of operation would be comply with these requirements.

Refuse screening: Refuse storage containers are required to be effectively screened from the street by screening compatible with the principal structure and not less than two feet higher than the refuse container. Refuse would be stored in a trash enclosure on the east of the proposed building. The applicant has indicated that the enclosure would be constructed of hardie board.

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

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

- (1) *Screened by another structure.* Mechanical equipment installed on or adjacent to a structure may be screened by a fence, wall or similar structure. Such screening structure shall comply with the following standards:
 - a. The required screening shall be permanently attached to the structure or the ground and shall conform to all applicable building code requirements.
 - b. The required screening shall be constructed with materials that are architecturally compatible with the structure.
 - c. Off-premise advertising signs and billboards shall not be considered required screening.
- (2) *Screened by vegetation.* Mechanical equipment installed adjacent to the structure served may be screened by hedges, bushes or similar vegetation.
- (3) *Screened by the structure it serves.* Mechanical equipment on or adjacent to a structure may be screened by a parapet or wall of sufficient height, built as an integral part of the structure.
- (4) *Designed as an integral part of the structure.* If screening is impractical, mechanical equipment may be designed so that it is balanced and integrated with respect to the design of the building.

MINNEAPOLIS PLAN: The site is adjacent to Central Avenue, which is designated as a community corridor by *The Minneapolis Plan*. The following principles and polices apply to this proposal:

4.1 Minneapolis will encourage reinvestment along major urban corridors as a way of promoting growth in all neighborhoods.

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

Applicable Implementation Steps

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

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

9.6 Minneapolis will work with private and other public sector partners to invest in new development that is attractive, functional and adds value to the physical environment.

Applicable Implementation Steps

Facilitate the location of new economic activity (office, research and development, and related light manufacturing) that takes advantage of environmental amenities and co-exists with neighbors in mixed-use environments.

Promote the use of progressive design guidelines and street-oriented building alignments to maximize compatibility with surrounding neighborhoods.

Curb the inefficient use of land by regulating maximum and minimum height, setbacks, build-to lines and parking through master planning methods and zoning code regulations.

Require site designs which maximize the potential for public transit and alternative transportation use in commercial, research and development and light industrial developments.

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

Applicable Implementation Steps

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

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

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

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

Applicable Implementation Steps

Require the landscaping of parking lots.

Establish reduced minimum and new maximum parking standards to discourage auto over-reliance.

Locate parking lots behind buildings or in the interior of a block to reduce the visual impact of the automobile in mixed-use areas.

9.16 Minneapolis will encourage new development to use human scale design features and incorporate sunlight, privacy, and view elements into building and site designs.

Applicable Implementation Step

Encourage the design of all new buildings to fulfill light, privacy and view requirements for the subject building as well as for adjacent buildings.

9.17 Minneapolis will build on recent initiatives to use Crime Prevention Through Environmental Design (CPTED) principles when designing all projects that impact the public realm, including open spaces and parks, on publicly owned and private land.

Applicable Implementation Steps

Integrate "eyes on the street" design principles into site plan review to foster safer and more successful commercial areas in the city.

Encourage private developers to incorporate CPTED-oriented open spaces in new developments to facilitate the creation of spaces that maximize positive behavior from users.

Staff comment: The development would occur on a vacant parcel of land. It would also bring commercial services to this section of Central Avenue. The building would be 5-stories in height. Along the streets, the height would be only one foot taller than is already allowed in the district. The shadowing should have little effect on the surrounding area. The first floor of building would be set back 12.5 feet from Central Avenue and 18 feet from 14th Avenue. Staff has recommended that the building be located within 8 feet along Central Avenue to maximize the street orientation towards a major urban corridor. Along 14th Avenue, a platform two feet above the sidewalk would provide an area for outdoor seating. The first floor would contain an abundant amount of windows that would allow views in and out of the building at eye level. The parking lot would also be appropriately landscaped to allow views in and out. To encourage other forms of transportation, the applicant has provided bike racks on-site. The site is located on a bus route. Multiple stairways and ramps provide access to the building from the public sidewalks. With the implementation of the staff recommendations, the proposal would be consistent with the policies of the comprehensive plan.

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.

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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.**

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

- Location of the first floor within 8 feet of a lot line adjacent to a street

The first floor of the building would be set back 12.5 feet from Central Avenue and 18 feet from 14th Avenue. Alternative compliance is required to place the first floor more than 8 feet from a lot line adjacent to a street. An elevated platform, 2 feet above the adjacent sidewalk grade, is located between the building and the lot lines, except along the north end of the building where landscaping is provided. Landscaping would be provided between the platform and the lot line along Central Avenue. Six plant screen columns would also be provided along Central. The upper floors would cantilever out 5 feet. However, staff does not believe alternative compliance is warranted to set the building back more than 8 feet from Central Avenue because it is a major urban corridor. Staff is recommending that the first floor of the west side of the building meet the requirement. The applicant has indicated that the platform between the building and 14th Avenue would likely be used as an outdoor dining and seating area if a restaurant is established in the building. Even if a restaurant is not established, staff believes this area could serve as an amenity for the entire building. At this end of the building, the upper floors would cantilever 4.5 feet. Because most of the platform would have direct southern exposure, staff is recommending that at least two canopy trees are provided in planters at least 25 square feet in area and no less than 4 feet wide. By providing a platform available for public use and at least two trees between the building and 14th Avenue, staff believes alternative compliance is warranted to allow the first floor of the building to be set back 18 feet along 14th Avenue.

- Blank, uninterrupted walls exceeding 25 feet in length

The building would contain numerous blank, uninterrupted walls that do not include windows, entries, recesses or projections or other architectural elements that exceed 25 feet in length. These blank walls are located on the east and north elevations. An abundant amount of windows are provided on the south and west elevations; however, these windows are not sufficient to compensate for the large expanses of blank wall on the other elevations. The “red square” and stair/elevator tower could contain more windows or architectural elements to meet the requirement. Staff is also concerned that the blank walls on the first floor would attract graffiti. For these reasons, alternative compliance is not warranted and should not be granted. Staff is recommending that this requirement is required for all elevations.

- Clearly defined principal entrances

Individual tenant entrances would face Central Avenue and the parking area. The location of the tenant entrances are not clearly defined on the plans provided by the applicant. As proposed, the entrances would be under the cantilever of the red square, but lacking any emphasis through architectural detail. Staff is recommending that the first floor of the building along Central be located within 8 feet of the lot line because it is a major urban corridor. The first floor should also have easily recognizable entrances. Staff is

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recommending that additional architectural features are incorporated to emphasize the importance of the tenant entrances facing Central Avenue.

- Minimum window requirements

On the second and fourth floors of the east elevation where 124.8 square feet, or 10 percent, of windows are required, only 50 square feet, or 4 percent, are proposed. Although the amount of windows on the first and third floors of the east elevation and all the floors of the south and west elevations exceed the minimum requirements, additional windows can be provided. The majority of the east elevation contains blank, uninterrupted walls that exceed 25 feet in width. By providing additional windows, the east elevation would become more compliant towards other site plan review requirements. Staff does not believe alternative compliance is warranted.

- Windows that are vertical in proportion and distributed in a more or less even manner

On the south and west elevations, the windows would be distributed more or less in an even manner. The majority of these windows would be vertical in proportion; however, several would be square. In addition to the windows that are vertical in proportion, the applicant has proposed square windows in an asymmetrical manner on all elevations. The windows on the east elevation are neither distributed in an even manner nor vertical in proportion. All of the windows are located at the south end of the first floor of the east elevation. These are the only vertical windows on this elevation. The other floors have square windows at the far ends of each side of the building with one large window in the center. Additional windows could be added and the square windows could be changed to vertical windows. The majority of the east elevation contains blank, uninterrupted walls that exceed 25 feet in width. By providing additional and more evenly spaced windows, the east elevation would become more compliant towards this other site plan review requirements. Staff does not believe alternative compliance is warranted for these requirements and should not be granted.

- Number of shrubs

The zoning code requires at least one shrub for each 100 square feet of required green space. The shrub requirement for this site is 45. Twenty-nine shrubs are shown on the plan. The applicant has indicated by the plants described in the plant selection section that more shrubs are proposed. Staff does not believe alternative compliance is warranted and is recommending that this requirement be met.

- Landscaped yard between the sidewalk and parking area

The surface parking area is adjacent to 14th Avenue, therefore a 7 foot wide landscaped yard is required. A 6-foot wide yard is proposed except for a one foot yard adjacent to the easternmost row of parking. The minimum parking requirement exceeds what is provided on-site. If 7-foot yards are provided, up to four parking spaces would be removed. Also, a 3-foot boulevard exists between the sidewalk and the lot line, which the applicant is proposing to landscape. It would be reasonable to allow the reduced yards and grant alternative compliance.

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 and City Council adopt the above findings and **approve** the conditional use permit to increase the maximum height of a building from 4 stories, 56 feet to 5 stories, 57 feet with a 3 foot high parapet for the building and to 66 feet for the stair/elevator tower for the property located at 1401 Central Avenue Northeast.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the application for a variance to reduce the minimum parking requirement from 107 to 46 spaces, or 57 percent, for the property located at 1401 Central Avenue Northeast.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to reduce the loading requirement from 2 spaces to 1 space for the property located at 1401 Central Avenue Northeast.

Recommendation of the Community Planning and Economic Development Department – Planning Division for the Site Plan Review:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for site plan review to allow an addition to an existing office building for the property located at 1401 Central Avenue Northeast, subject to the following conditions:

1. Community Planning and Economic Development Department – Planning Division staff review and approval of the final elevations, site, lighting and landscape plans.
2. Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by June 26, 2007, or the permit may be revoked for non-compliance.
3. The first floor of the building shall be located no more than 8 feet from the lot line adjacent to Central Avenue as required by section 530.110 of the zoning code.
4. At least two canopy trees shall be provided in planters at least 25 square feet in area and no less than 4 feet wide in the platform/patio area at the south end of the building in order to grant alternative compliance to allow the building to be set back more than 8 feet from the lot line.

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5. The building shall not contain any blank, uninterrupted walls that do not include windows, entries, recesses or projections or other architectural elements that exceed 25 feet in length as required by section 530.120 of the zoning code.
6. Additional architectural features shall be incorporated to emphasize the importance of the tenant entrances facing Central Avenue as required by section 530.120 of the zoning code.
7. The steel plant screen shall be located at least 10 feet above grade to allow views into and out of the first floor at ground level.
8. All applicable walls shall comply with the window requirements set forth in section 530.120 of the zoning code.
9. At least 45 shrubs shall be provided as required by section 530.160 of the zoning code.
10. A fence at least 5 feet in height shall be provided along the northeast and east property lines as a crime prevention measure.
11. Landscaping at least 4 feet in height shall be provided along the north end of the building as a crime and graffiti prevention measure.

Attachments:

1. Zoning data sheet
2. Statement of use
3. Findings
4. Correspondence
5. Zoning map
6. Arial photo
7. Plans
8. Photos