

**Department of Community Planning and Economic Development - Planning Division**  
Rezoning, Variances, and Site Plan Review  
BZZ-4889

**Date:** December 13, 2010

**Applicant:** Auto Zone

**Address of Property:** 1512-1524 West Broadway (part of the site was formerly addressed as 2002-2004 James Avenue North).

**Project Name:** Auto Zone

**Contact Person and Phone:** Phillip Pecord – Auto Zone 901-495-8706

**Planning Staff and Phone:** Jim Voll 612-673-3887

**Date Application Deemed Complete:** August 6, 2010

**End of 60 Day Decision Period:** October 5, 2010

**Date Extension Letter Sent:** August 17, 2010

**End of 120 Day Decision Period:** December 4, 2010 (please see attached letter from the applicant extending the review period until February 26, 2011).

**Ward:** 5    **Neighborhood Organization:** Jordan

**Existing Zoning:** OR2 High Density Office Residence District.

**Proposed Zoning:** C1 Neighborhood Commercial District.

**Zoning Plate Number:** 7

**Legal Description:** Lots 46-50, Block 17, Forest Heights Addition

**Proposed Use:** General retail sales and services (auto parts store).

**Concurrent Review:**

**Rezoning:** Rezoning from OR2 High Density Office Residence District to the C1 Neighborhood Commercial District.

**Variance:** To reduce the front yard setback from 15 feet to 7 feet for the building (the revised site plan now has the building out of this setback, so a variance is not necessary).

**Variance:** To reduce the front yard setback from 15 feet to 7 feet for parking (the original variance was from 15 feet to 3 feet).

**Variance:** To increase the maximum allowable lot area in the C1 District from 20,000 square feet to 26,000 square feet.

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**Variance:** To increase the maximum allowable gross floor area in of the building from 6,000 square feet to 7,726 square feet (the revised building design has increased the size from the original proposal of 6,476 square feet, an increase of 1,250 square feet).

**Variance:** To allow sign 1 to exceed 45 square feet in area to 48 square feet (the previous proposal was to 110 square feet).

**Variance:** To allow sign 1 to exceed the maximum allowable height of 14 feet to 18 feet (the previous proposal was to 20 feet).

**Variance:** To allow sign 1 to be backlit. The applicant has modified the sign. It now can be classified as internally lit, rather than backlit, so the variance is no longer necessary.

**Variance:** To allow sign 2 to exceed 45 square feet in area to 48 square feet (the previous proposal was to 84 square feet).

**Variance:** To allow sign 2 to exceed the maximum allowable height of 14 feet to 18 feet.

**Variance:** To allow sign 2 to be backlit. The applicant has modified the sign. It now can be classified as internally lit, rather than backlit, so the variance is no longer necessary.

**Site Plan Review:** For a new building.

**Applicable zoning code provisions:** Chapter 525, Article VI, Zoning Amendments; Article IX Variances, specifically Section 525.520(1) “to vary the yard requirements...”; Section 525.520(2) “to vary the lot area...by up to 30 percent.”; Section 525.520(3) “To vary the gross floor area...of a structure or use.”; Section 525.520(21) “To vary the number, type, height, area, or location of allowed signs...”; and Chapter 530, Site Plan Review.

**Background:** This item was continued from the September 7, September 20, October 4, and November 13, 2010, meetings of the City Planning Commission. The revised site plan has slightly changed the location of the building, has enlarged the building, and has changed the shape of the building, so that it is now out of the west side 15-foot front yard setback and is slightly into the west side seven foot side yard. The building can not be located in the west side yard without a variance and no side yard variance was applied for, so the building will have to be moved or reduced in size to comply with this side yard setback. The redesign does eliminate the need for the front yard setback for the building. The building now has more windows facing West Broadway and the entrance has been relocated further to the south to be closer to West Broadway. The overall site plan has changed as well, with the loading, parking, trash enclosure, walkways, and curb cuts all rearranged. In addition, the landscaping plan has been revised. Finally the signage has been modified to eliminate two variances, but there are still variances for height and area of the signage. Please see the original and revised plans attached to this report.

Auto Zone proposes to purchase the properties at 1512-1524 West Broadway (parts of the site were formerly addressed as 2002-2004 James Avenue North), demolish the existing commercial building, and construct a new 7,726 square foot building for auto parts store. The original proposal was for a 6,476 square foot building, but the floor plan has increased in size with the modifications to the building that provide an entrance closer to West Broadway and to add more windows on the south and east elevations.

The site contains a car wash and vacant land. The auto parts store is classified as general retail sales and services and is first allowed in the C1 Neighborhood Commercial District as a permitted use. The site is currently zoned OR2 High Density Office Residence District, so the applicant is requesting a rezoning from this district to the C1 Neighborhood Commercial District. The C1 District limits the zoning lot size to 20,000 square feet and floor area of the building to 6,000 square feet, for this building proposal. The lot area and building gross floor area exceed these limits, so the applicant is requesting a variance of

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these standards as well. A variance is necessary for the parking to encroach into the east side front yard setback. In addition, there are two wall signs that require variances to exceed the height and area standards of the zoning code; however, the signage has been modified to reduce the square footage and height of the signs, so the variance requests are for smaller signs that will not exceed 18 feet in height from grade. The lighting of the signage has been modified so that the signs no longer need a variance to be back lit and they are now classified as internally lit signage. Finally, a new 7,726 square foot building requires site plan review and approval.

Please see the attached letters from the Jordan Area Community Council and the West Broadway Coalition in support of the project.

### **REZONING (from OR2 High Density Office Residence to C1 Neighborhood Commercial)**

#### **Findings As Required By The Minneapolis Zoning Code:**

##### **1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.**

*The Minneapolis Plan for Sustainable Growth* designates this part of West Broadway as a Commercial Corridor. Commercial Corridors can accommodate intensive commercial uses and high levels of traffic. The policies in the comprehensive plan indicate that a mix of uses such as retail sales, office, institutional, high-density residential and clean low-impact light industrial are appropriate for Commercial Corridors. However, the comprehensive plan also states that “in addition to the future land use map, the comprehensive plan incorporates by reference land use recommendations from a number of small area plans that cover various sub-sectors of the city. These plans should be consulted for applicable areas when making development decisions, as they provide more detailed guidance.”

The *West Broadway Alive* small area plan was adopted by the City Council on March 21, 2008. A follow-up rezoning study that updated the zoning districts within the study area was approved by the City Council on August 14, 2009, and this changed the zoning of the site from C1 and C2 Commercial to the OR2 High Density Office Residence District. The land use map of the *West Broadway Alive* plan (see attached map) shows the site as part of the Urban Neighborhood land use category. It states that “although there are currently a number of commercial business scattered through these areas, the Urban Neighborhood category emphasizes the dominance of residential development. It does not preclude the presence of some commercial businesses. However, it supports the finding in the Economic and Business Development chapter that commercial areas on West Broadway will be strengthened if the commercial districts are somewhat less sprawling and more focused within the sub-areas. The plan recommends that redevelopment of property designated Urban Neighborhood should generally lead to a stronger residential character in these areas.”

For these reasons the site was rezoned from the C1 and C2 Commercial Districts to the OR2 High Density Office Residence District in 2009, as part of the rezoning study for the area. A rezoning back to the C1 District would be in opposition to the above noted goals and would make it more difficult to deny other similar requests in the immediate area, and therefore, is not in conformance with the small area plan and comprehensive plan.

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**2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.**

The rezoning is in the interest of the property owners and purchaser. The redevelopment of an underutilized site could be considered in the interest of the public.

**3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.**

This area along West Broadway is made up of office, commercial, residential, and institutional uses. The 2009 rezoning study changed the zoning districts along West Broadway from James Avenue North to just east of Girard Avenue North from C1 and C2 Commercial, and some I1 Light Industrial, to the OR2 Office High Density Office Residence District. The C1 District could be considered compatible with these uses and the OR2 District; however, as noted in finding number one, the intent was to limit commercial zoning to certain areas to provide stronger and less sprawling commercial districts along West Broadway.

**4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.**

The OR2 High Density Office Residence District allows a range of residential, office, and institutional uses, as well as limited commercial, which would be a reasonable use of the property.

**5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.**

The 2009 rezoning study changed the zoning districts along West Broadway from James Avenue North to just east of Girard Avenue North from C1 and C2 Commercial, and some I1 Light Industrial, to the OR2 Office High Density Office Residence District. There has not been a change in the character or trend of development since the property was recently placed in the OR2 District.

**VARIANCE (to reduce the required 15 front yard setback – west side for the building)**

The applicant has modified the site plan to remove the building from the 15 foot front yard setback on the west side of the property. The variance is no longer necessary and staff recommends that it be returned to the applicant.

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**VARIANCE (to reduce the required 15 front yard setback – east side for parking)**

**Findings Required by the Minneapolis Zoning Code:**

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

There is a required 15 foot front yard setback along the West Broadway Avenue frontage for 40 feet from the easterly property line, as there is an adjacent OR2 Office Residence District. The zoning code requires that the front yard setback of the adjacent office residence district be continued onto the subject property for 40 feet from the district boundary. The applicant has located the parking partially in this setback at varying distances, from seven to 10 feet (formerly it was at three to six feet), but approximately 25 to 30 feet from the east property line. The site sits on a part of West Broadway and James Avenue North that curves making it difficult to site parking without encroaching into a setback; however, the proposed site plan exceeds the required parking and complying with the setbacks would reduce the proposed parking by one space. Staff can find no hardship for this variance. In addition, because staff is not recommending approval of the rezoning to the C1 Commercial District, the building and variance are not possible, so staff is not recommending approval of the variance. If the rezoning were approved, staff would not recommend approval of this variance.

- 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.**

The site sits on a part of West Broadway and James Avenue North that curves, making it difficult to site parking without encroaching into a setback; however, the proposed site plan exceed the required parking and complying with the setbacks would reduce the parking by only one space. Staff can find no unique circumstance or hardship for this variance. In addition, because staff is not recommending approval of the rezoning to the C1 Commercial District, the building and variance are not possible, so staff is not recommending approval of the variance. If the rezoning were approved, staff would not recommend approval of this variance.

- 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.**

The intent of the ordinance is to provide a separation and buffer between properties to preserve views up and down the street in the front yard setbacks. The proposed parking layout would bring part of the parking lot within seven feet of the public sidewalk, but it would still leave a large landscaped area to the east side of the site, so it may meet the intent of the setback buffer requirement. However, because staff is not recommending approval of the rezoning to the C1 Commercial District, the building and variance are not possible, so staff is not recommending approval of the variance. If the rezoning were approved, staff would not recommend approval of this variance.

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- 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.**

The variance will not contribute to the generation of traffic congestion in the public streets as it will allow a small increase in parking. It should not be detrimental to the public welfare or safety or increase the danger of fire, but it would diminish the buffer for pedestrians along the public sidewalk.

### **VARIANCE (to increase the maximum allowable lot size from 20,000 to 26,000 square feet)**

#### **Findings Required by the Minneapolis Zoning Code:**

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

The C1 Neighborhood Commercial District limits commercial uses to a maximum lot size of 20,000 square feet. The intent of the provision is to provide a limit to the size of commercial uses and to promote smaller scale buildings within the C1 District, which is intend for neighborhood serving commercial, not the more intensive commercial uses allowed in the other commercial districts. The maximum allowable variance is 30 percent, which allows a lot size of up to 26,000 square feet. The City can not grant a lot variance larger than 30 percent. The applicant has provided conflicting site plans that in some cases show the lot area as greater than 26,000 square feet. Staff asked for a clarification and the applicant's surveyor verified that the lot is 26,000 square feet.

While staff does not recommend approval of the rezoning to the C1 District, it would be the commercial district that is most compatible with the uses allowed in residential districts and office residence districts existing or envisioned for the area. A reduction in the size of the lot would not significantly change the size or scale of the use, but would impact the operations. This could be considered a hardship; however, because staff is not recommending approval of the rezoning to the C1 Commercial District, the building and variance are not possible, so staff is not recommending approval of the variance. If the rezoning were approved, staff would recommend approval of this variance.

- 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.**

In this case the proposed zoning lot is 26,000 square feet. While staff does not recommend approval of the rezoning to the C1 District, it would be the commercial district that is most compatible with the uses allowed in residential districts and office residence districts existing or envisioned for the area. A reduction in the size of the lot of would not significantly change the size or scale of the use, but would impact the operations. This could be considered a hardship; however, because staff is not recommending approval of the rezoning to the C1 Commercial District, the building and variance are not possible, so staff is not recommending approval of the variance. If the rezoning were approved, staff would recommend approval of this variance.

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- 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.**

The intent of the provision is to provide a limit to the size of commercial uses in conformance with the goals of the district. The C1 District is designed for neighborhood oriented uses and is not intended for larger scale commercial uses. A relatively small increase in the lot area will not circumvent the intent of the ordinance; however, because staff is not recommending approval of the rezoning to the C1 Commercial District, the building and variance are not possible, so staff is not recommending approval of the variance. If the rezoning were approved staff would recommend approval of this variance.

- 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.**

The variance will allow a larger commercial lot, but not by a significant amount that would generate traffic congestion in the public streets. It should not be detrimental to the public welfare or safety or increase the danger of fire.

### **VARIANCE (to increase the maximum allowable gross floor area from 6,000 to 7,726 square feet)**

#### **Findings Required by the Minneapolis Zoning Code:**

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

The C1 Neighborhood Commercial District limits commercial uses to a maximum gross floor area of 4,000 square feet. This can be increased to 6,000 square feet when parking is not located between the building and the front lot line. Further it can be increased to 8,000 square feet when a second story with an active use is provided and there is no parking located between the building and the front lot line. The proposed building qualifies for the bonus to 6,000 square feet of gross floor area. The intent of the provision is to provide a limit to the size of commercial uses and to promote smaller scale buildings within the C1 District, which is intended for neighborhood serving commercial, not the more intensive commercial uses allowed in the other commercial districts.

In this case the proposed building is 7,726 square feet (the original proposal was 6,476 square feet) of gross floor area, which is 1,726 feet over the limit. While staff does not recommend approval of the rezoning to the C1 District, it would be the commercial district that is most compatible with the uses allowed in residential districts and office residence districts existing or envisioned for the area. A reduction in the size of the building of 1,726 feet would not significantly change the size or scale of the use, but could impact the operations.

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The applicant has indicated that the further increase in size is to facilitate for a floor plan that would allow the door to be located towards the street frontage and to allow additional windows facing West Broadway and the parking lot. The elevation facing the parking lot does not meet the window requirements of the zoning code and the entrance does not face West Broadway. If the building were to meet the window and entrance requirements of the code, then the variance to increase in size could be considered a hardship; as the applicant would be increasing the size of the building to provide a design that mitigates the impact of the larger size. Without these design elements the variance circumvents the intent of the ordinance, which is to provide smaller scale retail uses that would typically and historically be found along commercial corridors. However, because staff is not recommending approval of the rezoning to the C1 Commercial District, the building and variance are not possible, so staff is not recommending approval of the variance. If the rezoning were approved and the building was in compliance with the design standards of the zoning code, staff would recommend approval of this variance.

- 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.**

See finding number one above.

- 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.**

The intent of the provision is to provide a limit to the size of commercial uses in conformance with the goals of the district. The C1 District is designed for neighborhood oriented uses and is not intended for larger scale commercial uses. The proposed additional gross floor area is 1,726 square feet over the maximum. The applicant has indicated that the further increase in size is to facilitate for a floor plan that would allow the door to be located towards the street frontage and to allow additional windows facing West Broadway and the parking lot. The elevation facing the parking lot does not meet the window requirements of the zoning code and the entrance does not face West Broadway. If the building were to meet the window and entrance requirements of the code, then the variance to increase in size could be considered a hardship; as the applicant would be increasing the size of the building to provide a design that mitigates the impact of the larger size. Without these design elements the variance circumvents the intent of the ordinance, which is to provide smaller scale retail uses that would typically and historically be found along commercial corridors. However, because staff is not recommending approval of the rezoning to the C1 Commercial District, the building and variance are not possible, so staff is not recommending approval of the variance. If the rezoning were approved and the building was in compliance with the design standards of the zoning code, staff would recommend approval of this variance.

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- 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.**

The variance will allow for additional floor area, but not by an amount significant amount enough to generate traffic congestion in the public streets. It should not be detrimental to the public welfare or safety or increase the danger of fire.

### **VARIANCE (to increase the maximum area and height for two wall signs)**

#### **Findings Required by the Minneapolis Zoning Code:**

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

The C1 District limits wall signs to 45 square feet of area and 14 feet in height. It also does not allow backlit signs, which are signs that have a light source contained within the sign element or sign cabinet that illuminates by shining through a translucent surface or sign face, except when only letters, numbers, or logos of the sign copy are illuminated. The applicant is requesting variances of area and height for both signs. Both signs have been redesigned to be classified as internally lit rather than backlit.

The applicant proposes two wall signs. Sign 1, which faces east toward the parking lot and West Broadway, has an area of 48 square feet (previously 110 square feet) and a height to the top the sign of 18 feet (previously 20 feet). Sign 2, which faces south toward West Broadway, has an area of 48 square feet (previously 95 square feet) and a height to the top of the sign of 18 feet. Staff can find no undue hardship with complying with the sign regulations.

- 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.**

Staff can find no unique circumstance for the site to justify the variance. The variance is created by the desire of the applicant to have signs that are larger and placed taller in a manner that is not in conformance with the zoning code regulations.

- 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.**

The intent of the ordinance is to reduce sign clutter, signage that is out of scale with the building and the area, and to limit light impacts. Granting the variance where there are no unique circumstances or hardship will circumvent the intent of the ordinance.

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- 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.**

The proposed signs will have no impact on traffic congestion. It will not increase the danger of fire, be detrimental to the public welfare, or endanger public safety.

**In addition to the conditional use standards contained in Chapter 525 and this article, the City Planning Commission shall consider, but not be limited to, the following factors when determining sign variances:**

- 1. The sign adjustment will not significantly increase or lead to sign clutter in the area or result in a sign that is inconsistent with the purpose of the zoning district in which the property is located.**

The signs will exceed the area and height requirements of the zoning code, which is inconsistent with the purposes of the zoning district.

- 2. The sign adjustment will allow a sign that relates in size, shape, materials, color, illumination and character to the function and architectural character of the building or property on which the sign will be located.**

The sign will be professionally constructed and installed. The sign is made of plastic. While it relates to the function and architectural character of the building, it would do so at a smaller size and height.

### **SITE PLAN REVIEW (for a new 7,726 square foot building)**

#### **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)

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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, 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 530.20 of the zoning code.
- Ground floor active functions:

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**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. 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. 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 proposed building is within eight feet of the front property line or setback lie at various distances ranging from one to two feet (the property line is a slight curve).

There will be landscaping between the building and the property line as an amenity, but because it is in the public right-of-way it may require an encroachment permit from Public Works.

The main entrance faces the parking lot. If the rezoning is approved, staff does not recommend alternative compliance. The applicant has moved the door to the south side of the site and is willing to consider a design that faces West Broadway, if Public Works will allow an encroachment permit for the door to swing out over the property line. Staff recommends that the entrance be relocated to face West Broadway.

The parking area is located to the side of the building.

The exterior materials of the proposed building are durable and are made of brick, concrete masonry units, and glass. The cornice and areas of the southeast corner are EIFS. Future changes in materials may require review and approval by the City Planning Commission.

There are no blank elevations greater than 25 feet in length without a change in material or recesses and projections. The elevations incorporate brick patterns and pilasters. The pilasters are required to have a change of at least six inches to consider a building element a recess or projection.

Non-residential uses are required to provide 30 percent windows on the first floor of elevations facing a public street or on-site parking lot. The proposed building shows 48 percent windows facing West Broadway and 20 percent facing the parking lot. The windows, where provided, are vertical in proportion, but are not distributed in a more or less even manner on both elevations.

If the rezoning is approved, staff does not recommend alternative compliance for the window percentage or for the window distribution for the elevation facing the parking lot. Windows are required to provide “eyes on the street” to allow views into and out of the building to the public street and parking lot, to promote traditional urban design, and an active safe street. While the east elevation has 20 percent windows and the addition of false windows to provide a design that appears even in distribution, this is not an alternative that meets the intent of the ordinance or an amenity that mitigates the negative effect the standards was designed to prevent. Staff recommends that the east elevation facing the parking lot

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provide 30 percent windows with an even distribution and that the false windows be replaced with clear windows with views into and out of the building. If this were done the window percentage would be 35 percent of the elevation.

If the rezoning is approved, staff does recommend alternative compliance for the window distribution facing West Broadway. This elevation exceeds the required 30 percent to 48 percent and this can be a mitigating factor for the uneven distribution.

The applicant is aware that all new windows must have a visible light transmittance ratio of 0.6 or greater.

The entrance is emphasized, however, as noted above, staff does not recommend that it be located facing the parking lot and that it be redesigned to face West Broadway, or both West Broadway and the parking lot.

The building will contain an active use, retail sales and services, on the ground floor, but as noted above, there are only 20 percent windows on the east elevation facing the parking lot.

The roof is flat. The commercial properties in the area 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.**

The entrance of the building is connected to the public sidewalk on James Avenue North and on West Broadway with clear well-lighted five-foot walkways.

There are no transit stops on the site.

The access will not conflict with residential properties, which are to the north and west, as the access is on the east side of the building to West Broadway.

The alley access to the site has been closed off for the parking and loading areas.

Public Works and the Fire Department reviewed the original site plan for access and circulation and found it generally acceptable with the changes listed in the attached PDR report. The revised plan, which now shows two curb cuts to West Broadway, is under review by Public Works staff. They may not approve two curb cuts. They may not allow a curb cut wider than 25 feet. If the rezoning is approved, staff would not recommend allowing two curb cuts, as Section 530.150(a) encourages consolidation of curb cuts where possible.

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The site exceeds the minimum number of required parking by 22 spaces. The applicant is requesting a variance for parking to encroach into the 15 front yard setback. Staff is not recommending approval of this variance. If this variance is denied and parking is removed from the setback, then the site plan will minimize impervious surfaces with all areas that are not covered by buildings, pedestrian access, and paved areas necessary for parking, loading, and the associated maneuvering are pervious surfaces used for landscaping and stormwater management.

### **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 site plan shows 34 percent landscaping. The lot area is 26,000 square feet and the footprint of the building is 7,726 square feet. This leaves 18,274 square feet, of which 20 percent (3,655 square feet) is required to be landscaped. The applicant is providing approximately 6,819 square feet.

The development is required to provide one canopy tree per 500 square feet and one shrub per 100 square feet of required green space. This translates into a requirement of seven on-site canopy trees and 36 shrubs. The site plan shows two on-site canopy trees and approximately 80 shrubs, with an additional 13 shrubs in front of the building on the public right-of-way. Staff does not recommend alternative compliance and recommends that seven on-site canopy trees be provided.

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The site plan does not show one tree per 25 linear feet of parking lot frontage. If the rezoning is approved, staff does not recommend alternative compliance and recommends that two additional on-site trees be planted along the West Broadway frontage.

The seven foot wide landscaped yard between the parking and the public sidewalk along West Broadway has is provided.

The three foot high 60 percent opaque screening is not provided along the entire frontage facing West Broadway. If the rezoning is approved, staff does not recommend alternative compliance and recommends that the screening be provided.

All parking spaces are not with 50 feet of an on-site deciduous tree. If the rezoning is approved, staff does not recommend alternative compliance and recommends that all parking spaces be within 50 of an on-site deciduous tree (not ornamental or coniferous trees).

All other areas not occupied by buildings, walks, plazas, parking, loading, and associated drives are landscaped.

### **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.**

Curbing is shown around the surface parking area and the site will have a stormwater management plan that will retain water on site, so breaks in the curbing are not necessary.

The building will not block important views of the city or shadow public spaces and adjacent properties. It will not significantly generate wind currents at ground level.

The site plan meets the CPTED guidelines. The site is designed with landscaping and architectural features to delineate space and control access while allowing views into and out of the site. Staff recommends that proper lighting be provided and that the landscaping follow the three-foot seven-foot rule to allow proper views into and out of the site. The building does not meet the CPTED guidelines for the elevation facing the parking lot. If the elevation is modified to provide 30percent windows that allow views into and out of the building, it would conform to CPTED guidelines.

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There are no historic structures on the 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:** General retail sales and service (an auto parts store) is a permitted use in the C1 Neighborhood Commercial District.

**Off-Street Parking and Loading:** *Minimum automobile parking requirement:* The zoning code requires a minimum of 1 space per 500 square feet of gross floor area in excess of 4,000 square feet. The gross floor area is 7,726 square feet. This results in a minimum parking requirement of 7 spaces. The site plan shows 29 spaces (the previous plan had 27 spaces) but this could be reduced to 28 if the setback variance is not approved. Two accessible spaces are required and two are provided.

*Maximum automobile parking requirement:* The zoning code requires a maximum of 1 space per 200 square feet of gross floor area. The gross floor area is approximately 7,726 square feet. This results in a maximum allowed parking of 38 spaces; 29 are shown, but this could be reduced to 28 if the setback variance is not approved.

*Bicycle parking requirement:* General retail sales and service uses are required to provide 3 bike parking spaces or 1 per every 5,000 square feet of gross floor area, whichever is greater. In this case, at 7,726 square feet of gross floor area a total of 3 spaces required. Not less than 50 percent of these spaces shall meet the standards for short-term bicycle parking, which requires that they are located in a convenient and visible area within 50 feet of a principal entrance and shall permit the of the bicycle frame and one wheel to the rack. The site plan shows a bicycle parking area within 50 feet of the entry. The final plan shall specify the number of parking spaces.

*Loading:* General retail sales and services uses that are below 20,000 square feet of building area do not require a loading space, but one is provided at the north end of the building.

**Maximum Floor Area:** The maximum FAR in the C1 District is 1.7. The zoning lot in question is 26,000 square feet in area. The site will contain approximately 7,726 square feet of gross floor area on the lot, an FAR of 0.30. The C1 District limits the maximum floor area of a commercial use to 4,000 square feet. This can be increased to 6,000 square feet if there is no parking between the structure and the public street and to 8,000 square feet if there is no parking between the structure and the street and the building is two stories (occupied with a use). The proposed building qualifies for the bonus to 6,000 square feet as there is no parking between the building and the street. The proposed building is 7,726 square feet. The applicant is requesting a variance of the maximum floor area.

**Building Height:** Building height in the C1 District is limited to 2.5 stories or 35 feet, whichever is less. The existing building is one floor, but because the height is 21 feet (23 with the parapet) it is classified as two-stories, for height purposes.

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**Minimum/Maximum Lot Area:** There is no minimum lot size for general retail sales and services in the C1 District. The maximum lot area for commercial uses in the C1 District is 20,000 square feet. The applicant is requesting a variance to 26,000 square feet.

**Dwelling Units per Acre:** There are no residential units proposed.

**Yard Requirements:** In general there are no setbacks required for commercial uses in the commercial districts, unless adjacent to residential or office residence zoning. This site is adjacent to an OR2 Office Residence District, to the east, and an OR1 Office Residence District, to the west, so the interior yard is 5 feet plus 2 feet for each floor above the first. This is a one-floor, two-story building. For a two-story building a 7 foot setback is required. The building and parking met these setbacks in the original proposal. The revised proposal shows the northwest corner of the building at 6 feet 3 inches. The public notice did not include a variance for this distance, so the building will have to be moved to meet the 7 foot setback.

The front yard setback of the adjoining district, or the established setback of the adjacent residential structures, whichever is less, is required to be provided for 40 feet from the office residence district boundaries. On this site there are 15 foot front yard setbacks extending from the adjacent office residence districts on the east and west sides for 40 feet. The site plan has been modified to move the building out of this front yard setback. The parking encroaches down to 7 feet in the easterly 15 foot front yard. The applicant has requested variances.

**Specific Development Standards:** There are no specific development standards for general retail sales and services.

**Hours of Open to the Public:** In the C1 District, uses may be open to the public during the following hours: Sunday through Thursday from 6:00 a.m. to 10:00 p.m. and Friday and Saturday from 6:00 a.m. to 11:00 p.m. The store will be open from 8:00 a.m. until 9:00 p.m. everyday.

**Signs:** All new signs are required to meet the requirements of Chapter 543 of the zoning code and permits are required from the Zoning Office. The proposed wall signs require variances for area and height (please see variance section of this report). A monument is shown on the site plan, but specific area information was not provided. The monument sign is required to be 10 feet from the east property line, is limited to 8 feet in height, and 54 feet in area. The applicant is aware that signs require zoning office approval and permits.

**Refuse storage:** 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 refuse containers are screened per code.

**Lighting:** The lighting will comply with Chapters 535 and 541 including the following standards: 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

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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 arranged so as not to directly or indirectly cause illumination or glare in excess of one-half (½) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light source.
- (2) Lighting fixtures shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb) unless of a cutoff type that shields the light source from an observer at the closest property line of any permitted or conditional residential use.
- (3) Lighting shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual performance or visibility to a person of normal sensitivities when viewed from any permitted or conditional residential use.
- (4) Lighting shall not create a hazard for vehicular or pedestrian traffic.
- (5) Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.

**MINNEAPOLIS PLAN FOR SUSTAINABLE GROWTH:** In addition to the policies listed under finding number 1 of the rezoning section of this report, the *Minneapolis Plan for Sustainable Growth* has the following narratives and policies regarding urban design:

“Commercial buildings and uses provide needed amenities and services to communities. Their design and placement should be strategic so that negative impacts on surrounding uses, especially residential, are mitigated. A new commercial structure will be considered in terms of its size, scale, intensity of uses and relationship to the street, to users and to its neighbors. Consultations with project proponents combined with site plan review and other city regulatory tools help ensure that an intensive commercial development is well designed, attractive and pleasant, and withstands the test of time.

Successful commercial buildings and areas attract pedestrians by bringing their storefronts close to the sidewalk's edge, providing adequate sidewalk space for pedestrian movement and four season amenities, orienting building design to the street, and respecting traditional urban form by keeping building heights to a level that is compatible with the surrounding neighborhood. Auto-oriented uses will successfully manage the interests of vehicles, transit, and pedestrians, with safety and appropriate siting in mind.”

**Policy 10.10: Support urban design standards that emphasize a traditional urban form in commercial areas.**

10.10.1. Enhance 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 four season public spaces and infrastructure.

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10.10.2. Identify commercial areas in the city that reflect, or used to reflect, traditional urban form and develop appropriate standards and preservation or restoration objectives for these areas.

10.10.3. Enhance pedestrian and transit-oriented commercial districts with street furniture, street plantings, plazas, water features, public art and improved transit and pedestrian and bicycle amenities.

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

10.10.5. Limit the visual impact of existing billboards in neighborhood commercial areas.

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

10.10.7. Encourage the renovation of existing commercial buildings.

### **Policy 10.11: Seek new commercial development that is attractive, functional and adds value to the physical environment.**

10.11.1. Require the location of new commercial development (office, research and development, and related light manufacturing) to take advantage of locational amenities and coexist with neighbors in mixed-use environments.

10.11.2. Ensure that new commercial developments maximize compatibility with surrounding neighborhoods.

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

10.11.4. Maximize the year round potential for public transit, biking, and walking in new developments.

The proposed building design without windows and an entrance facing West Broadway is not in conformance with the above noted policies of the comprehensive plan.

**SMALL AREA PLANS ADOPTED BY COUNCIL:** In addition to the policies listed under finding number one under the rezoning section of this report, the *West Broadway Alive* also has design guidelines for new development (page 9). The plan encourages the use of brick for building elevations. The proposed building is in conformance with this guideline. The plan states that buildings should have entrances and large transparent display windows that face the street. The proposed building is not in conformance with these guidelines.

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### **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:

- Principal entrance.

The main entrance faces the parking lot. If the rezoning is approved, staff does not recommend alternative compliance. The applicant has moved the door to the south side of the site and is willing to consider a design that faces West Broadway, if Public Works will allow an encroachment permit for the door to swing out over the property line. Staff recommends that the entrance be relocated to face West Broadway.

- Windows on the first floor of the west and east elevations of the building.

Non-residential uses are required to provide 30 percent windows on the first floor of elevations facing a public street or on-site parking lot. The proposed building shows 48 percent windows facing West Broadway and 20 percent facing the parking lot. The windows, where provided, are vertical in proportion, but are not distributed in a more or less even manner on both elevations.

If the rezoning is approved, staff does not recommend alternative compliance for the window percentage or for the window distribution for the elevation facing the parking lot. Windows are required to provide “eyes on the street” to allow views into and out of the building to the public street and parking lot, to promote traditional urban design, and an active safe street. While the east elevation has 20 percent windows and the addition of false windows to provide a design that appears even in distribution, this is not an alternative that meets the intent of the ordinance or an amenity that mitigates the negative effect the standards was designed to prevent. Staff recommends that the east elevation facing the parking lot provide 30 percent windows with an even distribution and that the false windows be replaced with clear windows with views into and out of the building. If this were done the window percentage would be 35 percent of the elevation.

If the rezoning is approved, staff does recommend alternative compliance for the window distribution facing West Broadway. This elevation exceeds the required 30 percent to 48 percent and this can be a mitigating factor for the uneven distribution.

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The applicant is aware that all new windows must have a visible light transmittance ratio of 0.6 or greater.

- On-site canopy trees.

The development is required to provide one canopy tree per 500 square feet and one shrub per 100 square feet of required green space. This translates into a requirement of eight trees and 40 shrubs. The site plan shows two on-site canopy trees and approximately 80 shrubs, with an additional 13 in front of the building on the public right-of-way. If the rezoning is approved, staff does not recommend alternative compliance and recommends that eight on-site canopy trees be provided.

- One tree per every 25 feet of frontage.

The site plan does not show one tree per 25 linear feet of parking lot frontage. If the rezoning is approved, staff does not recommend alternative compliance and recommends that two additional on-site trees be planted along the West Broadway frontage.

- Three-foot high screening for 60 percent of the street frontage.

The three foot high 60 percent opaque screening is provided along the entire frontage facing West Broadway. If the rezoning is approved, staff does not recommend alternative compliance and recommends that the screening be provided.

- Parking within 50 feet of an on-site deciduous tree.

All parking spaces are not within 50 feet of an on-site deciduous tree. If the rezoning is approved, staff does not recommend alternative compliance and recommends that all parking spaces be within 50 feet of an on-site deciduous tree (not ornamental or coniferous trees).

### **RECOMMENDATIONS:**

#### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the rezoning:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission and City Council adopt the findings above and **deny** the rezoning from the OR2 High Density Office Residential District to the C1 Neighborhood Commercial District for property located at 1512-1524 West Broadway.

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### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the building setback variance:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **return** the variance to reduce the required front yard setback from 15 feet to 7 feet for the building for property located at 1512-1524 West Broadway.

### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the parking setback variance:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **deny** the variance to reduce the required front yard setback from 15 feet to 7 feet for the parking lot for property located at 1512-1524 West Broadway.

### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the lot area variance:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **deny** the variance to increase the maximum allowable lot area in the C1 District from 20,000 square feet to 26,000 square feet for property located at 1512-1524 West Broadway.

### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the gross floor area variance:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **deny** the variance to increase the maximum allowable gross floor area in the C1 District from 6,000 square feet to 7,726 square feet for property located at 1512-1524 West Broadway.

### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the sign area variance for Sign 1:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **deny** the variance to increase the maximum allowable area of a sign from 45 square feet to 48 square feet for Sign 1 for property located at 1512-1524 West Broadway.

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### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the sign height variance for Sign 1:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **deny** the variance to increase the maximum allowable height of a sign from 14 feet to 18 feet for Sign 1 for property located at 1512-1524 West Broadway.

### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the sign lighting variance for Sign 1:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **return** the variance to allow a backlit sign for Sign 1 for property located at 1512-1524 West Broadway.

### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the sign area variance for Sign 2:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **deny** the variance to increase the maximum allowable area of a sign from 45 square feet to 48 square feet for Sign 2 for property located at 1512-1524 West Broadway.

### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the sign height variance for Sign 2:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **deny** the variance to increase the maximum allowable height of a sign from 14 feet to 18 feet for Sign 2 for property located at 1512-1524 West Broadway.

### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the sign lighting variance for Sign 2:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **return** the variance to allow a backlit sign for Sign 2 for property located at 1512-1524 West Broadway.

### **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 findings above and **deny** the site plan review for property located 1512-1524 West Broadway.

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**Attachments:**

1. Zoning matrix.
2. PDR report.
3. Statements from applicants.
4. Letters.
5. Zoning maps.
6. Site plans, floor plans, and elevations.
7. Photos.