

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit, Variances and Site Plan Review
BZZ-4572

Date: October 26, 2009

Applicant: Church of St. Anne – St. Joseph Hien

Address of Property: 2512, 2516, 2520, 2524, 2526 and 2538 Queen Avenue South and 2215 and 2223 26th Avenue North

Project Name: Church of St. Anne – St. Joseph Hien parking lot

Contact Person and Phone: Elm Nelson with Nelson Design Group, Inc, (651) 484-4340

Planning Staff and Phone: Hilary Dvorak, (612) 673-2639

Date Application Deemed Complete: September 29, 2009

End of 60-Day Decision Period: November 28, 2009

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

Ward: 5 Neighborhood Organization: Jordan Area Community Council and Northside Residents Redevelopment Council

Existing Zoning: R4, Multiple-family District and R5, Multiple-family District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 7

Legal Description: Not applicable for this application

Proposed Use: 96-space surface parking lot

Concurrent Review:

Conditional use permit: for a parking lot serving an institutional/public use - Church of St. Anne - St. Joseph Hien

Variance: to reduce the required front yard setback along Queen Avenue North from 15 feet to 12 feet

Variance: to reduce the required rear yard setback along the alley from 5 feet to 2 feet

Site plan review

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits, Chapter 525, Article IX, Variances, specifically Section 525.520(1) “to vary the yard requirements, including

permitting obstructions into required yards not allowed by the applicable regulations” and Chapter 530, Site Plan Review.

Background: The Church of St. Anne – St. Joseph Hien, located on the northwest corner of Queen Avenue North and 26th Avenue North, is proposing to construct two surface parking lots for use by their congregation during church services and other church functions. The Church of St. Anne has been an established church in the community for over 125 years. In recent months the Church of St. Anne merged with the Church of St. Joseph Hien to create one new congregation which has over 3,000 members.

The applicant has indicated that the church has always struggled to provide enough on-site parking. When the church was a neighborhood church many of the congregation members walked to and from services and other various functions but now that the church has merged with another congregation the lack of off-street parking has become heightened. To help mitigate the parking problem in the neighborhood the church began purchasing properties on the block bounded by West Broadway Avenue, Queen Avenue North, 26th Avenue North and Penn Avenue North.

The applicant is proposing to construct two separate parking lots; one is located on Penn Avenue North and the other is located on Queen Avenue North. Because the two parking lots are divided by public right-of-way two different staff reports are being written for the development. There are a total of ten lots involved in the development of the two parking lots. The church owns nine of the ten lots. The tenth lot, located at 2516 Queen Avenue North, is owned by the City of Minneapolis. The applicant is working with the City of Minneapolis to purchase this lot. One of the lots that the church owns is located on the northeast corner of West Broadway Avenue and Queen Avenue North. This lot will be landscaped and will be used to capture stormwater runoff from the parking lot located on Queen Avenue North.

The parking lot located on Queen Avenue North is made up of eight individual lots. All eight of these lots once contained vacant and/or boarded single-family homes. All of the homes have been demolished. The Queen Avenue North parking lot will have 96 parking spaces in it. The two lots that front on 26th Avenue North will be landscaped. The parking lot located on Penn Avenue North is made up of one lot, which contains a vacant gas station that will be demolished. The Penn Avenue North parking lot will have 31 parking spaces in it.

The *West Broadway ALIVE* small are plan, which was approved by the Minneapolis City Council in March of 2008, identifies this block as future multiple-family housing. The applicant has indicated that their vision for the site as surface parking is an interim use. The church would like to partner with a housing developer to construct a multiple-family housing development on this block similar to the St. Anne’s senior housing project that they built across the street some years ago. One stipulation that the church would place on the future development of the site is that parking for the church congregation be provided at least during peak demand hours.

In the R4 and R5 zoning districts parking lots serving public or institutional uses require a conditional use permit. In addition, this project requires two setback variances and site plan review.

CONDITIONAL USE PERMIT - for a parking lot serving an institutional/public use - Church of St. Anne - St. Joseph Hien

Findings as Required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Department – Planning Division has analyzed the application and from the findings above concludes that:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The Planning Division does not believe that constructing a parking lot serving the Church of St. Anne - St. Joseph Hien, an institutional/public use, would be detrimental to or endanger the public health, safety, comfort or general welfare. In recent months the Church of St. Anne merged with the Church of St. Joseph Hien to create one new congregation which has over 3,000 members. With the increase in congregation the applicant has indicated that providing off-street parking will help alleviate pressure on the surrounding residential streets.

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

The Planning Division does not believe that constructing a parking lot serving the Church of St. Anne - St. Joseph Hien, an institutional/public use, would be injurious to the use and enjoyment of other property in the area. The development of the parking lot will result in site improvements such as landscaping and stormwater management.

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

The applicant would be working closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

There are currently two curb cuts along Queen Avenue North that provide access to the site. Both of the existing curb cuts will be removed and one new curb cut will be constructed along Queen Avenue North. The applicant is also proposing to utilize the east-west alley on the block for circulation purposes through the parking lot. At the Preliminary Development Review meeting the Traffic and Parking Division of Public Works indicated that circulation has to be accommodated on site. The applicant is discussing this provision with Public Works. If access to the alley is closed the overall number of parking spaces will be reduced.

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

The parking lot has been designed with only one curb cut leading to it along Queen Avenue North. Although a landscaped buffer will be constructed along the north-south alley to prevent cars from driving on it the applicant is proposing to utilize the east-west alley on the block for circulation purposes through the parking lot. At the Preliminary Development Review meeting the Traffic and Parking Division of Public Works indicated that circulation has to be accommodated on site. The applicant is discussing this provision with Public Works. If access to the alley is closed the overall number of parking spaces will be reduced.

5. The conditional use is consistent with the applicable policies of the comprehensive plan.

The site is located along Queen Avenue North just north of West Broadway Avenue and just west of Penn Avenue North. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates this site as urban neighborhood. West Broadway Avenue is a designated Commercial Corridor and Penn Avenue North is a designated Community Corridor. In addition, the intersection of West Broadway Avenue and Penn Avenue North is a designated Neighborhood Commercial Node. According to the principles and policies outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

- Balance the demand for parking with objectives for improving the environment for transit, walking and bicycling, while supporting the city's business community (Transportation Policy 2.8).
- Reduce the visual impact of automobile parking facilities (Urban Design Policy 10.18).
- Require that parking lots meet or exceed the landscaping and screening requirements of the zoning code, especially along transit corridors, adjacent to residential areas, and areas of transition between land uses (Implementation Step for Urban Design Policy 10.18).
- Parking lots should maintain the existing street face in developed areas and establish them in undeveloped areas through the use of fencing, walls, landscaping or a combination thereof along property line (Implementation Step for Urban Design Policy 10.18).

The Planning Division believes that the proposed development would be in conformance with the above policies of *The Minneapolis Plan for Sustainable Growth*. Although a surface parking lot does not enhance the transit and pedestrian oriented character of a Community Corridor it will alleviate on-street parking pressure for those who live in the area. The applicant has indicated that their vision for the site as surface parking is an interim use. The church would like to partner with a housing developer to construct a multiple-family housing development on this block similar to the St. Anne's senior housing project that they built across the street some years ago. One stipulation that the church would place on the future development of the site is that parking for the church congregation be provided at least during peak demand hours.

The Minneapolis City Council approved the *West Broadway ALIVE* small area plan in March of 2008. The plan identifies this site for future multiple-family housing. The plan addresses design standards for off-street parking lots. Specifically, the plan says that parking lots should be screened from the public street with a combination of fencing and landscaping. The Planning Division believes that the proposed development would be in conformance with the design standards for off-street parking lots contained in the *West Broadway ALIVE* small area plan.

6. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

With the approval of the conditional use permit, variances and site plan review this development will meet the applicable regulations of the zoning district.

VARIANCE - to reduce the required front yard setback along Queen Avenue North from 15 feet to 12 feet

Findings as Required by the Minneapolis Zoning Code for the Variance:

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.

Front yard setback: The applicant is seeking a variance to reduce the required front yard setback along Queen Avenue North from 15 feet to 12 feet. The applicant owns all of the properties along Queen Avenue North. The applicant has indicated that the lots along Queen Avenue North are 128 feet in depth which is shallower than most standard residential lots in the City of Minneapolis. In order to create a parking lot on the site, with accurately dimensioned parking spaces and drive aisles, and provide some buffer between the parking lot and the north-south alley on the block the front yard setback along Queen Avenue North had to be reduced to 12 feet. It should be pointed out that there is a three-foot wide interior boulevard between the sidewalk and the property line, so the parking lot would be located 15 feet from the public sidewalk.

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.

Front yard setback: The fact that the applicant owns all of the properties on the block is a unique circumstance of this development.

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.

Front yard setback: The intent of having yard controls is to provide for the orderly development and use of land and to minimize conflicts between adjacent land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The Planning Division believes that the granting of the variance would be in keeping with the intent of the zoning code. Although the parking lot will project closer to the front property line than what is required its impact will be minimal since the applicant owns all of the properties along Queen Avenue North.

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.

Front yard setback: The Planning Division believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the setback variance be detrimental to welfare or public safety.

VARIANCE - to reduce the required rear yard setback along the alley from 5 feet to 2 feet

Findings as Required by the Minneapolis Zoning Code for the Variance:

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.

Rear yard setback: The applicant is seeking a variance to reduce the required rear yard setback along the alley from 5 feet to 2 feet. The applicant owns all of the properties along Queen Avenue North. The applicant has indicated that the lots along Queen Avenue North are 128 feet in depth which is shallower than most standard residential lots in the City of Minneapolis. In order to create a parking lot on the site, with accurately dimensioned parking spaces and drive aisles, the rear yard setback along the alley had to be reduced to two feet.

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.

Rear yard setback: The fact that the applicant owns all of the properties on the block is a unique circumstance of this development.

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.

Rear yard setback: The intent of having yard controls is to provide for the orderly development and use of land and to minimize conflicts between adjacent land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The Planning Division believes that the granting of the variance would be in keeping with the intent of the zoning code. Although the parking lot will project closer to the rear property line than what is required its impact will be minimal since the applicant owns all of the properties along Queen Avenue North.

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.

Rear yard setback: The Planning Division believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the setback variance be detrimental to welfare or public safety.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code:

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

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND DESIGN:

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances 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.

- **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.**
- **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.**

PLANNING DEPARTMENT RESPONSE:

- There is no structure on this development site.

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.**

PLANNING DEPARTMENT RESPONSE:

- There is no structure on this development site.
- No transit shelters are proposed as part of this development.
- There are currently two curb cuts along Queen Avenue North that provide access to the site. Both of the existing curb cuts will be removed and one new curb cut will be constructed along Queen Avenue North. The applicant is also proposing to utilize the east-west alley on the block for circulation purposes through the parking lot. At the Preliminary Development Review meeting the Traffic and Parking Division of Public Works indicated that circulation has to be accommodated on site. The applicant is discussing this provision with Public Works. If access to the alley is closed the overall number of parking spaces will be reduced.
- The maximum impervious surface requirement in the R4 and R5 zoning districts is 85 percent. According to the materials submitted by the applicant 71 percent of the site will be impervious

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.**

PLANNING DEPARTMENT RESPONSE:

- The zoning code requires that at least 20 percent of the site not occupied by the building be landscaped. The lot area of the site is 39,901 square feet and there is no structure on this development site. Twenty percent of the lot area is 7,980 square feet. According to the applicant's landscaping plan there is 11,519 square feet of landscaping on the site or approximately 29 percent of the site.
- The zoning code requires at least one 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 16 and 80 respectively. The applicant is proposing to plant 17 canopy trees and 149 shrubs on the site. In addition, there will be four evergreen trees and several perennials planted on the site.
- The zoning code requires that a seven-foot wide landscaped yard be provided along a public street, sidewalk or pathway when adjacent to a parking lot or a loading area. There is a 12-foot wide landscaped area along Queen Avenue North and an 80-foot wide landscaped area along 26th Avenue North.
- Screening three feet in height and equal to 60 percent opacity is required around parking lots and loading areas in order to screen them from a public street, sidewalk or pathway. The applicant is proposing to screen the parking lot from Queen Avenue North by creating a three-foot high berm along the property line. In addition the applicant is proposing to plant a hedge row of Broadmoor Juniper along the berm. The applicant is proposing to screen the parking lot from 26th Avenue North with a variety of landscape materials.
- The zoning code requires that a seven-foot wide landscaped yard be provided along parking and loading facilities where abutting or across an alley from a residence or office residence district. The applicant is providing a five foot wide landscaped yard along the interior property line and a two foot wide landscaped yard along the rear property line. The applicant has indicated that in order to create a parking lot on the site, with accurately dimensioned parking spaces and drive aisles, that the seven-foot wide landscaped yard along the interior and rear property lines had to be reduced. The Planning Division is recommending that the City Planning Commission grant alternative compliance to allow less than a seven-foot wide landscaped yard along the interior and rear property lines.
- Screening six feet in height and equal to 95 percent opacity is required along parking and loading facilities where abutting or across an alley from a residence or office residence district. The applicant is proposing to plant a hedge row of Techny Arborvitae along the interior and rear yards. Techny Arborvitae will provide the required screening once it has matured.
- Not less than one tree shall be provided for each 25 linear feet, or fraction thereof, of parking or loading area lot frontage. There is 235 feet of parking lot frontage along Queen Avenue North which requires that ten canopy trees be planted along the street frontage. The applicant is proposing to have four canopy trees planted along Queen Avenue North; two of the four trees currently exist. Given the placement of the two existing trees the Planning Division does not believe that there would be enough room to plant eight additional trees along the street frontage. Therefore the Planning Division is recommending that an additional four trees be planted along the street frontage which would bring the total number of trees along Queen Avenue North to eight. For these reasons

the Planning Division is recommending that the City Planning Commission grant alternative compliance to allow less than the required ten canopy trees. There is 91 feet of frontage along 26th Avenue North which requires four canopy trees be planted along the street frontage. The applicant is proposing to have seven canopy trees planted along 26th Avenue North.

- In parking lots of ten spaces or more, no parking space shall be located more than 50 feet from an on-site deciduous tree. Without adding any additional trees to the site this requirement is being met. In addition, tree islands in parking lots must have a minimum width of seven feet in any direction. This requirement is being met.
- Around the plant materials the applicant is proposing to have hardwood mulch.

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.**

PLANNING DEPARTMENT RESPONSE:

- Stormwater runoff from the parking area will be drained to an infiltration basin located on the parcel of land located on the northeast corner of West Broadway Avenue and Queen Avenue North.
- The site plan shows a snow storage area on the north end of the property. Given the amount of snow that could potentially be stored on the site the Planning Division is recommending that the area be graded to ensure that all runoff drains away from the adjacent residential property to the west.
- There is no structure on this development site.
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- The site plan complies with crime prevention design elements as the landscaping along the street has been designed so there is a sight window between three and seven feet which allow views into and out of the parking lot.
- This site is neither historically designated nor located in a historic district.

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:

- **Use:** Parking lots serving an institutional/public use require a conditional use permit in the R4 and R5 zoning districts.

- **Off-Street Parking and Loading:**

Minimum automobile parking requirement: The minimum parking requirement for a church is equal to ten percent of the capacity of persons in the main auditorium and any rooms which can be added to the main auditorium by opening doors or windows to obtain audio or video unity. The applicant has indicated that the main sanctuary and choir loft 12,030 square feet. The minimum parking requirement is 80 spaces. There are 61 parking spaces located on the church site itself. With the addition of both parking lots there will be a total of 188 parking spaces provided for the church.

Maximum automobile parking requirement: The maximum parking requirement for a church is equal to 40 percent of the capacity of persons in the main auditorium and any rooms which can be added to the main auditorium by opening doors or windows to obtain audio or video unity. The applicant has indicated that the main sanctuary and choir loft 12,030 square feet. The maximum parking requirement is 321 spaces. There are 61 parking spaces located on the church site itself. With the addition of both parking lots there will be a total of 188 parking spaces provided for the church.

Bicycle parking requirement: Parking facilities do not have a bicycle parking requirement.

Loading: Parking facilities do not have a loading requirement.

- **Maximum Floor Area:** There is no maximum FAR in the R4 or R5 zoning districts for a parking facility.
- **Building Height:** The maximum height for a parking facility in the R4 or R5 zoning districts is as approved by the conditional use permit.
- **Minimum Lot Area:** The minimum lot area for a parking facility in the R4 or R5 zoning districts is 5,000 square feet.
- **Dwelling Units per Acre:** Not applicable for this development.

- **Yard Requirements:** The required front yard setback along Queen Avenue North is 15 feet and the required interior side and rear yard setbacks are five feet. The applicant has applied for a variance of the front yard setback along Queen Avenue North and the rear yard setback.
- **Specific Development Standards:** There are no specific development standards for parking facilities.
- **Hours of Operation:** The hours of operation in the R4 zoning district are Sunday through Thursday, 7 am to 10 pm, and Friday and Saturday, 7 am to 11 pm. Religious institutions are exempt from the hours of operation.
- **Signs:** Signs are subject to the requirements of Chapter 543 of the Zoning Code. Parking lots are allowed to have one nonilluminated, sign per entrance, not to exceed 16 square feet in area and 14 feet in height. In addition, not more than two auxiliary signs per entrance shall be provided.

The applicant is proposing to have one freestanding sign located near the entrance of the parking lot that reads “Parking + The Church of St. Anne – St. Joseph Hien”. The sign is 15 square feet in size five feet tall.

- **Refuse storage:** There is no refuse storage provided on the site.
- **Lighting:** The applicant is not proposing to install any lighting on the site.

MINNEAPOLIS PLAN:

The site is located along Queen Avenue North just north of West Broadway Avenue and just west of Penn Avenue North. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates this site as urban neighborhood. West Broadway Avenue is a designated Commercial Corridor and Penn Avenue North is a designated Community Corridor. In addition, the intersection of West Broadway Avenue and Penn Avenue North is a designated Neighborhood Commercial Node. According to the principles and policies outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

- Balance the demand for parking with objectives for improving the environment for transit, walking and bicycling, while supporting the city’s business community (Transportation Policy 2.8).
- Reduce the visual impact of automobile parking facilities (Urban Design Policy 10.18).
- Require that parking lots meet or exceed the landscaping and screening requirements of the zoning code, especially along transit corridors, adjacent to residential areas, and areas of transition between land uses (Implementation Step for Urban Design Policy 10.18).
- Parking lots should maintain the existing street face in developed areas and establish them in undeveloped areas through the use of fencing, walls, landscaping or a combination thereof along property line (Implementation Step for Urban Design Policy 10.18).

The Planning Division believes that the proposed development would be in conformance with the above policies of *The Minneapolis Plan for Sustainable Growth*. Although a surface parking lot does not enhance the transit and pedestrian oriented character of a Community Corridor it will alleviate on-street

parking pressure for those who live in the area. The applicant has indicated that their vision for the site as surface parking is an interim use. The church would like to partner with a housing developer to construct a multiple-family housing development on this block similar to the St. Anne's senior housing project that they built across the street some years ago. One stipulation that the church would place on the future development of the site is that parking for the church congregation be provided at least during peak demand hours.

The Minneapolis City Council approved the *West Broadway ALIVE* small area plan in March of 2008. The plan identifies this site for future multiple-family housing. The plan addresses design standards for off-street parking lots. Specifically, the plan says that parking lots should be screened from the public street with a combination of fencing and landscaping. The Planning Division believes that the proposed development would be in conformance with the design standards for off-street parking lots contained in the *West Broadway ALIVE* small area 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.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

PLANNING DEPARTMENT RESPONSE:

- **The zoning code requires that a seven-foot wide landscaped yard be provided along parking and loading facilities where abutting or across an alley from a residence or office residence district.** The applicant is providing a five foot wide landscaped yard along the interior property line and a two foot wide landscaped yard along the rear property line. Both of the landscaped yards will be planted with a *Techny Arborvitae* hedge row. The applicant has indicated that in order to create a parking lot on the site, with accurately dimensioned parking spaces and drive aisles, that the seven-foot wide landscaped yard along the interior and rear property lines had to be reduced. The Planning Division is recommending that the City Planning Commission grant alternative compliance to allow less than a seven-foot wide landscaped yard along the interior and rear property lines.
- **Not less than one tree shall be provided for each 25 linear feet, or fraction thereof, of parking or loading area lot frontage.** There is 235 feet of parking lot frontage along Queen Avenue North which requires that ten canopy trees be planted along the street frontage. The applicant is proposing

to have four canopy trees planted along Queen Avenue North; two of the four trees currently exist. Given the placement of the two existing trees the Planning Division does not believe that there would be enough room to plant eight additional trees along the street frontage. Therefore the Planning Division is recommending that an additional four trees be planted along the street frontage which would bring the total number of trees along Queen Avenue North to eight. For these reasons the Planning Division is recommending that the City Planning Commission grant alternative compliance to allow less than the required ten canopy trees.

RECOMMENDATIONS

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit for a parking lot serving an institutional/public use - Church of St. Anne - St. Joseph Hien located at 2512, 2516, 2520, 2524, 2526 and 2538 Queen Avenue South and 2215 and 2223 26th Avenue North subject to the following conditions:

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

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance application to reduce the required front yard setback along Queen Avenue North from 15 feet to 12 feet located at 2512, 2516, 2520, 2524, 2526 and 2538 Queen Avenue South and 2215 and 2223 26th Avenue North.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance to reduce the required rear yard setback along the alley from 5 feet to 2 feet located at 2512, 2516, 2520, 2524, 2526 and 2538 Queen Avenue South and 2215 and 2223 26th Avenue North.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the site plan review:

Department of Community Planning and Economic Development – Planning Division
BZZ-4572

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for the property located at 2512, 2516, 2520, 2524, 2526 and 2538 Queen Avenue South and 2215 and 2223 26th Avenue North subject to the following conditions:

1. The snow storage area located on the north end of the site shall be graded to ensure that all runoff drains away from the adjacent residential property to the west.
2. Approval of the final site, elevation, landscaping and lighting plans by the Department of Community Planning and Economic Development – Planning Division.
3. All site improvements shall be completed by October 26, 2010, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Attachments:

1. Preliminary Development Review report from October 1, 2009
2. Project description and overview
3. Conditional use permit and variance findings
4. Parking lot hours statement
5. September 28, 2009 and September 8, 2009, letters to Council Member Samuels, the Northside Residents Redevelopment Council and the Jordan Area Community Council
6. Zoning Map
7. Site plan, civil plans and landscaping plan
8. Sign detail
9. Aerial photos of the site
10. Photographs of the site