

**Department of Community Planning and Economic Development - Planning Division**  
Expansion of a Legal Nonconforming Use and Site Plan Review  
BZZ-3879

**Date:** December 17, 2007

**Applicant:** Young Men's Christian Association (YMCA) of Greater Minneapolis

**Address of Property:** 3335 Blaisdell Avenue South

**Project Name:** Blaisdell YMCA

**Contact Person and Phone:** Steve Dorgan – Cresa Partners 612-337-8498

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

**Date Application Deemed Complete:** November 16, 2007

**End of 60 Day Decision Period:** January 15, 2008

**Ward:** 10 **Neighborhood Organization:** Lyndale

**Existing Zoning:** R5 Multiple-family Residence District

**Proposed Zoning:** Not applicable

**Zoning Plate Number:** 25

**Legal Description:** Not applicable

**Proposed/Existing Use:** Approximately 3,700 square foot addition to an existing YMCA building.

**Concurrent Review:**

**Expansion of a Legal Nonconforming Use:** To allow a building addition, parking lot improvements, and revised signage

**Site Plan Review:** For an approximately 17,400 square foot two-story building addition for a next expansion of 3,700 square feet after demolition.

**Applicable zoning code provisions:** Chapter 530, Site Plan Review and Chapter 531 Nonconforming Uses and Structures.

**Background:** The YMCA proposes to demolish the 13,700 square foot 1959 and 1968 additions at the south end of the YMCA building and reconstruct a two-story 17,398 gross square foot addition, for a net gain of 3,689 square feet; the footprint will only increase by 300 square feet. the current south end of the building consists of two older buildings. The addition will replace this area with more efficient mechanically and functionally. In addition, the applicant is revising the signage and the circulation in

## CPED Planning Division Report

BZZ-3879

the parking area. Any addition to a legal nonconforming use requires an expansion of a legal nonconforming use and any addition of 1,000 square feet or more requires site plan review.

In 1971, the City Planning Commission approved a conditional use permit for (C-177) the freestanding sign at the southwest side of the site. As of the writing of this report, staff has not received any correspondence from the neighborhood group, but will forward comments, if any, at the Planning Commission meeting.

### **EXPANSION OF A LEGAL NONCONFORMING USE**

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

**The Planning Commission may approve an application if it meets the following standards and all other applicable regulations in the zoning ordinance (this section shall not authorize a use prohibited in the zoning district in which it is located to be expanded beyond the boundaries of its zoning lot):**

**1. A rezoning of the property would be inappropriate.**

A community center is first allowed in the OR2 High Density Office Residence District. The site was zoned Multiple Dwelling District under the 1923 zoning code. This allowed private clubs and lodges. The original facility was constructed in 1961. In 1963, the zoning of the site was changed from Multiple Dwelling District to the R5 General District and this classification was retained with the adoption 1999 zoning code. The R5 District, in the 1999 code, does not allow community centers. The structure, however, is legally nonconforming. While the OR2 District may be appropriate for the site, it has been zoned R5 for over 40 years and there has not been a change in city policies or development in the area that would indicate a change is necessary, so a rezoning of this site to OR2 may not be appropriate.

**2. The enlargement, expansion, relocation, or intensification will be compatible with adjacent property and the neighborhood.**

There are multi-family buildings to the west, multifamily buildings and a Burger King to the east, and single and two-family homes to the south. The net addition will be relatively small and while there will be 17,400 gross square feet of new building it will be a net addition of 3,700 square feet and a net increase in the footprint of the building of 300 square feet. It will be constructed of materials compatible with the existing facility and property in the area.

In addition, to the existing signage on the site that includes a 34 square foot freestanding sign and a 8.25 square foot building identification sign, the applicant proposes two backlit 35 square foot “Y” logo signs on the east and west sides of the addition and a 36 square foot building identification sign on the front of the building. Staff recommends approval of the signs as they will not be out of scale or character with the size of the building; however, backlit signs are not allowed in the residential districts, so staff recommends that they not be back lit. They can be externally lit as long as the lighting is shielded to prevent glare for adjacent residential properties.

## CPED Planning Division Report

BZZ-3879

- 3. The enlargement, expansion, relocation, or intensification will not result in significant increases of adverse off-site impacts such as traffic, noise, dust, odors, and parking congestion.**

There should not be a significant increase in off-site impacts such as odor, dust, noise, or congestion in the streets, because it will be a relatively small increase in gross floor area. The required parking is provided on site.

- 4. The enlargement, expansion, relocation, or intensification, because of improvements to the property, will improve the appearance or stability of the neighborhood.**

The plan is designed to improve the building and parking areas including restricting alley access and the addition of significant landscaping. The addition will use glass and metal panels compatible with the exterior of the existing structure and will have windows on all three sides. The expansion, with staff recommended conditions of approval, should not be a detriment to the neighborhood.

- 5. In districts in which residential uses are allowed, the enlargement, expansion, relocation, or intensification will not result in the creation or presence of more dwelling units or rooming units on the subject property than is allowed by the regulations of the district in which the property is located.**

The expansion will not add additional units.

- 6. The enlargement, expansion, relocation, or intensification will not be located in the Floodway District.**

The property is not located in the Floodway District.

### **SITE PLAN REVIEW**

#### **Required Findings for Site Plan Review**

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

**CPED Planning Division Report**  
BZZ-3879

**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.
    - f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may

## CPED Planning Division Report

BZZ-3879

**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 530.20 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.**

The building is existing and the proposed addition will be on the south side of the building. It will not be possible to extend the addition to the setback line along 34<sup>th</sup> Street East as it is approximately 100 feet to the south and there is an existing parking lot between the addition and the property line. Staff recommends alternative compliance because of the impracticality due to existing site conditions. There will be landscaping on the west side and parking on the south side between the building and the property line.

The principal entrance faces the south side parking area and 34<sup>th</sup> Street East. It will not face the front lot line on Blaisdell Avenue. Staff recommends granting alternative compliance, because it would be impractical to relocate the entrance to Blaisdell due to the existing circulation and design of the facility. There will be a wide sidewalk connecting the front entrance to the public sidewalk on Blaisdell.

The exterior materials are compatible on all four sides. They are durable and are made of brick, cement panels, metal, and glass. The new building addition will contain architectural detail including windows, metal wall panels, recesses and projections, and an entrance canopy. There are no blank walls exceeding 25 feet in the addition, except for the southerly part of the east and west sides where the wall flares out further at the top than the bottom. At the base of the west elevation the blank wall is 24 feet and it widens out to 30 feet at the top. At the base of the east elevation the blank wall is 28 feet and it widens out to 32 feet at the top. Staff recommends granting alternative compliance as it is just a small portion of the elevations that exceeds the 25 foot limit and the angle of the wall that creates the situation can be considered an architectural detail itself.

Non-residential uses are required to provide 30 percent windows on the first floor and 10 percent windows on the second floor of elevations facing a public street or on-site parking lot, for the new construction. The west elevation of the addition facing Blaisdell Avenue provides 30 percent on the first floor and 27 percent on the second floor. The south elevation of the addition facing the parking lot and East 34<sup>th</sup> Street provides 70 percent on the first floor and 59 percent on the second floor. The elevation on the east side provides 38 percent on the first floor and 18 percent on the second floor. All elevations meet or exceed the requirements. They are vertical in proportion and are distributed in a more or less even manner. The above noted percentages do not include the spandrel glass shown on the elevations. The window area counted in the percentages may be tinted, but will meet the visible light transmittance ratio of 0.6 or higher as required by Section 530.120(2)(f) of the zoning code.

**CPED Planning Division Report**  
BZZ-3879

**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 to the building opens into the parking area on the south side of the building. There is a walkway connecting the entrance to the public sidewalk on Blaisdell Avenue.

There are no integrated transit shelters on the site.

Public Works and the Fire Department have reviewed the site plan for access and circulation and find them acceptable with the changes indicated in the attached PDR report. Please note that Public Works has required that one of the curb cuts on Blaisdell Avenue be closed. The applicant is still negotiating this item with Public Works, but if it is required to be closed the final site plan shall reflect this requirement and show landscaping between the parking and the sidewalk in the area that is now a drive. Vehicular access and circulation has been designed to minimize conflict with residential properties. Access to the alley to the east of the site is being closed.

The site has been designed to minimize impervious surfaces and 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. The R5 District limits impervious surface to 85 percent and the proposed site plan with staff recommendations will have approximately 88 percent impervious surface, but this is a reduction from the existing 88.4 percent, or approximately 260 square feet. If the staff recommended changes to the landscaping plan are adopted, the impervious surface will be reduced further.

**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

## CPED Planning Division Report

BZZ-3879

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 approximately 18 percent landscaping. The lot area is 75,467 square feet and the footprint of the building with the addition is approximately 26,616 square feet. This leaves 48,851 square feet, of which 20 percent (9,770 square feet) is required to be landscaped. The applicant is providing approximately 9,028 square feet of landscaped area on site. If the staff recommend changes to the landscaping plan, mentioned later in this section of the report, are implemented an additional 153 square feet will be added raising the percentage to 19 percent. Staff recommends alternative compliance as the landscaping in the interior boulevard brings the site total over 20 percent.

The development is required to provide 20 trees and 98 shrubs. The site plan shows 11 on-site trees and approximately 32 shrubs. There are an additional 10 trees and 131 shrubs between the property line and the sidewalk. If these are counted the site would have 21 trees and 163 shrubs. Staff recommends granting alternative compliance to count the trees and shrubs in the interior boulevard as an amenity that meets the intent of the ordinance.

The seven foot wide landscaped yards between the parking and the sidewalks (including right-of-way) and along the south property line are provided.

The three foot high 60 percent opaque screening is not provided around the parking area along the public street frontages at the south and north ends. Staff does not recommend alternative compliance and recommends that the screening be provided.

The one tree per 25 linear feet of parking lot frontage is not provided along Blaisdell Avenue. Staff recommends alternative compliance as there is a tree in the boulevard that would make it impractical to add another tree. If this tree is removed or dies, due to the curb cut reconstruction a new tree shall be replaced in this area.

All parking spaces will be within 50 feet of an on-site deciduous tree except for the southerly row of the south parking area and several of the spaces in the east lot. Staff recommend granting alternative compliance as there are significant trees in the interior boulevard along the south lot. For the east lot if two trees are added one in the striped area in the middle of the lot and one at the north end the majority of spaces will be covered.

## CPED Planning Division Report

BZZ-3879

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 existing around the surface parking area. The site is required to have a stormwater management plan and if necessary breaks in the curbing can be added to facilitate this plan.

The building has been designed to minimize the impact of blocking important views of the city and shadowing public spaces and adjacent properties. It should not significantly generate wind currents at ground level.

The plan will meet CPTED guidelines if the staff recommended landscaping is added, which with the fencing will delineate space and control access while allowing views into and out of the site. Staff recommends that the existing building and site lighting for the parking areas be adjusted to meet code standards if not already compliant. Staff also recommends that the landscaping follow the three-foot seven-foot rule to allow proper views into and out of the site. In addition, staff recommends that columnar and prickly landscaping be provided along the east side of the building as a graffiti prevention measure.

The fencing at the north end of the east parking area is in disrepair. Staff recommends that it be removed and replaced with decorative wrought iron style fencing, black vinyl coated chain link fencing, or additional landscaping to that required for parking lot screening.

There are no historic structures on the site.

**CPED Planning Division Report**  
BZZ-3879

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

**ZONING CODE:** The zoning code classifies this use as a community center, which is defined as “an establishment operated by a non-profit organization or government agency, which includes recreational and cultural facilities, meeting rooms, social service facilities and public health facilities, or any combination thereof, and that is not a public park.” A community center is first permitted in the OR2 High Density Office Residence District and is not allowed in the R5 Multi-family District. The use was established legally in 1961 and is a legally nonconforming use.

**Off-Street Parking and Loading:** The zoning code requires 1 space per 300 square feet of gross floor area in excess of 4,000 square feet, but not less than 4 spaces for office and administrative areas; 1 per 300 square feet of gross floor area for the fitness areas; and 1 per 500 square feet of swimming pool area.

The gross floor area of the office and administrative area is approximately 2,330 square feet. This results in a parking requirement of 4 spaces for the office and administrative areas. The gross floor area of the fitness areas is 25,441 square feet. This results in a parking requirement of 85 spaces. The one pool requires 6 spaces. The total requirement is 97 spaces and 116 spaces are provided. Four handicapped accessible spaces are required and four van accessible spaces are provided. No loading spaces are required as the site has nonconforming rights.

**Maximum Floor Area:** Community Centers are not allowed in the R5 Districts, so there are no FAR standards listed for them in the R5 District. Using the most similar use of institution and public uses the maximum FAR requirement would be 1.0. The lot in question is 75,467 square feet in area. The site will contain approximately 61,408 square feet of gross floor area on the lot, an FAR of 0.81.

**Building Height:** Community Centers are not allowed in the R5 Districts, so there are no height standards listed for them in the R5 District. Using the most similar use of institution and public uses the maximum building height would be 4 stories or 56 feet, whichever is less. The proposed building is 3 stories (two floors) and 36 feet at its highest point. Parts of the second floor are taller than the 14 foot maximum for a story, so it is counted as two stories.

**Minimum Lot Area:** Community Centers are not allowed in the R5 Districts, so there are no minimum lot area standards listed for them in the R5 District. Using the most similar use of institution and public uses the minimum lot area requirement would be 20,000 square feet. The site is 75,467 square feet.

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

**Yard Requirements:** The R5 Multi-family Residence Districts requires 15 foot setbacks for front yards 12 foot setbacks (8 feet plus 2 feet for each floor over the first floor) for corner yards. In this case the west side is the 15 foot front yards and the south side is the 12 foot corner yards. The east side has a 9 foot setback. The building meets all of the required setbacks.

## CPED Planning Division Report

BZZ-3879

**Specific Development Standards:** Specific Development Standards for a community center are as follows: (1) To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be harmonious with other buildings in the neighborhood. (2) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the neighborhood. With recommended conditions of approval, the proposed site plan is in conformance with these standards.

**Hours of Open to the Public:** In the R5 District, uses may be open to the public during the following hours: Sunday through Thursday from 7:00 a.m. to 10:00 p.m. and Friday and Saturday from 7:00 a.m. to 11:00 p.m. The facility will be open 7:00 a.m. to 10:00 p.m. every day.

**Signs:** The new signage is subject to review under the nonconforming use expansion section of this report. Permits are required from the Zoning Office.

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

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

**CPED Planning Division Report**  
BZZ-3879

**MINNEAPOLIS PLAN:** The comprehensive plan has the following relevant policies and implementation steps regarding urban design:

**9.15 Minneapolis will protect residential areas from the negative impact of non-residential uses by providing appropriate transitions between different land uses.**

**Implementation Steps**

Provide appropriate physical transition and separation using green space, setbacks or orientation between residential and non-residential uses.

Encourage site planning for new developments that orients the “back” of proposed buildings to the “back” of existing development.

Require screening and buffering for new developments next to residential areas,

Minimize automobile and truck impact on residential streets and alleys by enforcing penalties for travel on routes where trucks are prohibited.

Promote quality design and building orientation of commercial and industrial development that is appropriate with the surrounding neighborhoods.

Use the site plan review process to ensure that lighting and signage associated with non-residential uses do not create negative impacts for residentially zoned property.

Mitigate, through screening and buffering, limiting the size and scale of a building, and a business' hours of operation, the effects of commercial properties on residential areas.

With the conditions of approval the site plan and building addition design are in conformance with these policies of the comprehensive plan.

**SMALL AREA PLANS ADOPTED BY COUNCIL:**

The site is technically in the *Nicollet Avenue: The Revitalization of Minneapolis' Main Street* plan (adopted in 2000), but the recommendations in the plan refer to properties fronting on Nicollet. There are no other adopted small area plans for this area.

**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.**

## CPED Planning Division Report

BZZ-3879

- **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:

- Building location.

The building is existing and the proposed addition will be on the south side of the building. It will not be possible to extend the addition to the setback line along 34 Street East as it is approximately 100 feet to the south and there is an existing parking lot between the addition and the property line. Staff recommends alternative compliance because of the impracticality due to existing site conditions.

- Principal entrance facing front lot line.

The principal entrance faces the south side parking area and 34<sup>th</sup> Street East. It will not face the front lot line on Blaisdell Avenue. Staff recommends granting alternative compliance, because it would be impractical to relocate the entrance to Blaisdell Avenue due to the existing circulation and design of the facility. There will be a wide sidewalk connecting the front entrance to the public sidewalk on Blaisdell Avenue.

- Blank walls that exceed 25 feet in length.

There are no blank walls exceeding 25 feet in the addition, except for the southerly part of the east and west sides where the wall flares out further at the top than the bottom. At the base of the west elevation the blank wall is 24 feet and it widens out to 30 feet at the top. At the base of the east elevation the blank wall is 28 feet and it widens out to 32 feet at the top. Staff recommends granting alternative compliance as it is just a small portion of the elevations that exceeds the 25 foot limit and the angle of the wall that creates the situation can be considered an architectural detail itself.

- Twenty percent landscaping.

The site plan shows approximately 18 percent landscaping. The lot area is 75,467 square feet and the footprint of the building with the addition is approximately 26,616 square feet. This leaves 48,851 square feet, of which 20 percent (9,770 square feet) is required to be landscaped. The applicant is providing approximately 9,028 square feet of landscaped area on site. If the staff recommend changes to the landscaping plan, mentioned later in this section of the report, are implemented an additional 153 square feet will be added raising the percentage to 19 percent. Staff recommends alternative compliance as the landscaping in the interior boulevard brings the site total over 20 percent.

**CPED Planning Division Report**  
BZZ-3879

- Number of trees and shrubs.

The development is required to provide 20 trees and 98 shrubs. The site plan shows 11 on-site trees and approximately 32 shrubs. There are an additional 10 trees and 131 shrubs between the property line and the sidewalk. If these are counted the site would have 21 trees and 163 shrubs. Staff recommends granting alternative compliance to count the trees and shrubs in the interior boulevard as an amenity that meets the intent of the ordinance.

- Three foot high 60 percent opaque screening of parking area.

The three foot high 60 percent opaque screening is not provided around the parking area along the public street frontages. Staff does not recommend alternative compliance and recommends that the screening be provided.

- One tree per 25 linear feet of parking frontage.

The one tree per 25 linear feet of parking lot frontage is not provided along Blaisdell Avenue. Staff recommends alternative compliance as there is a tree in the boulevard that would make it impractical to add another tree. If this tree is removed or dies, due to the curb cut reconstruction a new tree shall be replaced in this area.

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

All parking spaces will be within 50 feet of an on-site deciduous tree except for the southerly row of the south parking area and several of the spaces in the east lot. Staff recommend granting alternative compliance as there are significant trees in the interior boulevard along the south lot. For the east lot if two trees are added one in the striped area in the middle of the lot and one at the north end the majority of spaces will be covered.

**RECOMMENDATIONS:**

**Recommendation of the Community Planning and Economic Development Department - Planning Division for the expansion of a legal nonconforming use:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the expansion of a legal nonconforming use for property located at 3335 Blaisdell Avenue South subject to the following condition:

- 1) The new signage shall not be back-lighted. It may be externally-lighted if shielded to prevent glare for adjacent residential properties.

**CPED Planning Division Report**  
BZZ-3879

**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 **approve** the site plan review for property located 3335 Blaisdell Avenue South subject to the following conditions:

- 1) CPED Planning staff review and approve the site plan, lighting plan, landscaping plan, and elevations before permits may be issued.
- 2) All site improvements shall be completed by December 17, 2008, (unless extended by the Zoning Administrator) or permits may be revoked for noncompliance.
- 3) Addition of columnar and prickly landscaping along the east side of the building as a graffiti prevention measure.
- 4) Provision of the three-foot high and 60 percent opaque landscape screening between the parking and public sidewalks for the entire parking area as required by Section 530.170 of the zoning code.
- 5) Provision of two additional deciduous trees in the east parking area; one in the striped area in the middle of the east row and one at the northeast corner of the east lot.
- 6) if the boulevard tree along Blaisdell Avenue near the south curb cut is removed it shall be replaced.
- 7) Removal of the chain-link fencing at the north end of the east parking lot. It shall be replaced by decorative wrought iron style fencing, black vinyl coated chain link fencing, or additional landscaping beyond the required screening. If any of the other existing chain link fencing is replaced on the site it shall be replaced with decorative wrought iron style fencing or black vinyl coated chain link fencing.
- 8) Compliance with the Specific Development Standards for a community center as required by Section 536.20 of the zoning code.

**Attachments:**

1. Statements from applicant.
2. PDR report.
3. Zoning maps.
4. Site plans, floor plans, and elevations.
5. Photos.