

Department of Community Planning and Economic Development – Planning Division
Site Plan Review
BZZ – 4816

Date: July 19, 2010

Applicant: Peter Kelsey

Address of Property: 2601 26th Street East & 2609 26th Avenue South

Project Name: New French Bakery

Contact Person and Phone: Greg Michael, (763) 633-4900

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

Date Application Deemed Complete: June 3, 2010

End of 60-Day Decision Period: August 2, 2010

Ward: 2 **Neighborhood Organization:** Seward

Existing Zoning: I1 Light Industrial District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 27

Legal Description: Not applicable for this application

Proposed Use: Food and beverage production

Concurrent Review: Site plan review

Applicable zoning code provisions: Chapter 530 Site Plan Review.

Background: The applicant is proposing an addition approximately 3,200 square feet in area to the New French Bakery located at the properties of 2601 26th Street East and 2609 26th Avenue South. The addition would be located at the northwest corner of the site adjacent to the 26th Street and 26th Avenue intersection. A site plan review is required for a building addition over 1,000 square feet in area. The use has an accessory retail bakery, located in the southwest corner of the building, to sell products directly to the public. The site is located in the Seward Hiawatha industrial area. The parking area is located at the south end of the site with access from 26th Avenue. Loading occurs on the east side of the parking area as well as from a loading area on the east side of the building accessed from the adjacent north/south alley. All paving south of the building is proposed to be removed and replaced for parking

and some landscaping. The parking area would be resurfaced and regraded. The applicant is also proposing to remove the canopy structure over the main entrance.

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

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, 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 530.120 of the zoning code.
- **Ground floor active functions:**
 - Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.
 - The form and pitch of roof lines shall be similar to surrounding buildings.
- **Parking Garages:** The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. In addition to compliance with minimum window requirements, principal and accessory parking garages shall comply with provisions requiring active functions on the ground floor. In the downtown districts, the more restrictive parking garage provisions of Chapter 549, Downtown Districts, shall apply.

Conformance with above requirements:

The building addition would be set back 1.5 feet from the lot line adjacent to 26th Avenue and 10 feet from 26th Street. The existing building is set back 10 feet from 26th Street as well. The area between the addition and the sidewalk would be landscaped. For these reasons, staff is recommending that the planning commission grant alternative compliance to allow the addition to be set back 10 feet from 26th Street instead of eight feet.

Landscaping would be provided between the building and the adjacent streets.

The existing principal entrance faces 26th Avenue.

The surface parking area is located to the interior of the site.

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The addition would project from the 26th Avenue building elevation to divide the building into smaller identifiable sections. The window and painted patterns used on the existing building would be continued on the addition as well.

The addition is two stories in height. Both stories are subject to the blank wall standard. The first story of the addition would have windows to prevent blank, uninterrupted walls without architectural elements. The second story would not have any windows or other architectural elements to divide up the blank walls. Both stories would have a painted pattern; however, a painted pattern does not meet the intent of this standard. It is feasible to add architectural elements to the second story. For example, installing windows on the second story that are in line with the windows proposed on the first story would eliminate the need for alternative compliance to this standard. Staff is recommending that the planning commission not grant alternative compliance and that windows or other architectural elements be installed on the second story.

The proposed exterior materials of the addition would be precast concrete wall panels to match the existing walls. The proposed material is durable.

All sides of the building would be compatible.

Plain face concrete block would not be used as a primary exterior building material.

The existing entrance projects from the building. It is encased in windows to emphasize its importance.

The ground floor walls on the north and west addition elevations are subject to the minimum thirty percent window requirements because they would face the adjacent streets. On the 26th Avenue building elevation of the addition, 244.8 square feet of windows are required. The applicant is proposing to provide 64 square feet which is equal to 7.8 percent. On the 26th Street building elevation of the addition, 76.8 square feet of windows are required. The applicant is proposing to provide 16 square feet which is equal to 6.2 percent. The applicant has not identified the visible light transmittance ratio of the proposed or existing windows. All windows are required to have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher. Also, shelving, mechanical equipment or other similar fixtures can not block views into and out of the building in the area between four and seven feet above the sidewalk. According to the applicant, all of the windows would be blocked by the equipment used for the baking process. Because of the type of use and the layout of the existing building, options for window placement are limited. No windows exist on the west elevation. For these reasons, staff is recommending that the planning commission grant alternative compliance to the window requirements to 7.8 percent on 26th Avenue and 6.2 percent on 26th Street and allow equipment to block the windows.

The mezzanine level also has a window requirement on the wall adjacent to 26th Avenue. The width of the mezzanine level is 16 feet. Ten percent of the wall adjacent to the mezzanine must be windows. At least 16 square feet are required. No windows are proposed. According to the applicant, the mezzanine level would hold mechanical equipment. One of the purposes of the window requirements is to provide views into and out of the building to increase natural surveillance. A mezzanine level with mechanical equipment would provide few opportunities to have eyes on the street. For these reasons, staff is recommending that the planning commission grant alternative compliance to this standard to 0.

A flat roof is proposed. The existing building has a flat roof. Most of the nonresidential buildings in the area also have flat roofs.

ACCESS AND CIRCULATION:

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

Conformance with above requirements:

A well-lit walkway exceeding four feet in width connects the entrance to the parking area and public sidewalk.

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

No residential uses are located in the immediate area. Two curb cuts allow vehicle access to the parking area. Both are 24 feet wide and spaced adequately to minimize conflicts with pedestrians.

The site plan reduces the use of impervious surfaces from what exists in the parking area; however, there are opportunities to add more landscaping. As discussed in the Landscaping and Screening section of this report, staff is recommending that the planning commission require compliance with most of the landscaping standards and not grant alternative compliance. A sketch is included that shows where additional landscaping could be added to reduce impervious surfaces. If the staff recommendation is implemented, the use of impervious surfaces would be minimized.

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.

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- In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.
- All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.
- Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.
- The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.

Conformance with above requirements:

The zoning code requires that a least 20 percent of the site not occupied by buildings be landscaped. The lot area of the site is approximately 52,387 square feet. The building footprint would be approximately 21,232 square feet. The lot area minus the building footprint therefore consists of approximately 31,155 square feet. At least 20 percent of the net site area (6,231 square feet) must be landscaped. Approximately 4,138 square feet of the site would be landscaped. That is equal to 13.3 percent of the net lot area. The applicant is proposing to replace approximately 1,400 square feet of paving in the 26th Avenue right-of-way with landscaping. The applicant has submitted a plan showing truck turning simulations. The plan shows that the parking lot layout and where landscaping can be provided is somewhat dictated by the truck turning movements. However, there are additional opportunities to provide significant amounts of landscaping on-site that would not impact truck maneuvering. The snow storage area could be landscaped. More landscaping can be provided adjacent to 26th Avenue by infilling some of the area between the accessible spaces, the entrance leading to the main entrance, and the public sidewalk. The driveway between the two curb cuts could be narrowed to 12 feet (because parking spaces do not back up directly to the driveway, the driveway does not need to be 22 feet wide to allow maneuvering). The amount of parking provided on-site exceeds the minimum parking requirement by 26 spaces. Although requested by staff, the applicant has not submitted information by the time this report was written that shows that all of the parking spaces are needed to meet the parking demands of the use. Landscaping could replace some of the excess spaces to fill the deficiency (10 parking spaces occupy approximately 1,500 square feet). Creating landscape islands could eliminate the need for other requests for alternative compliance as well including the requirement that all parking spaces are located within 50 feet of an on-site deciduous tree. Although the applicant is proposing to install permeable pavers in the parking area, the Public Works Sewer Division has indicated that the pavers are not sufficient alternatives to meeting the Stormwater Management requirements and providing additional landscaping in the parking area could be one way to address those requirements. A sketch is attached to this report that illustrates where landscaping could be added to meet the 20 percent landscaping requirement. Because sufficient information has not been provided that shows 47 parking spaces are necessary to meet the parking demand and no other exceptions are warranted through section 530.220, staff is recommending that the planning commission not grant alternative compliance and require the applicant to landscape at least 20 percent of the site not covered by building.

The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The remainder of the required landscaped area must be covered with turf grass, native grasses or other perennial flowering plants,

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vines, shrubs or trees. The tree and shrub requirement for this site is 13 and 63 respectively. A total of 15 trees and 14 shrubs would be installed on-site and in the right-of-way. On-site, the applicant is proposing to install 3 canopy trees, 2 ornamental trees and 7 shrubs. Off-site, the applicant is proposing to install 3 ornamental trees in the boulevard, and 7 canopy trees and 7 shrubs in the interior boulevard. Grass would be provided in all other landscaped areas. Staff is recommending that the planning commission require the applicant to landscape at least 20 percent of the site not occupied by the building. The additional landscaped area will provide additional areas to provide the minimum number of required trees and shrubs. For these reasons, staff is recommending that the planning commission not grant alternative compliance and require at least 13 canopy trees and 63 shrubs on-site.

The parking area is adjacent to 26th Avenue. A 7 foot wide landscaped yard is required. North of the north curb cut, four feet of landscaping would be provided in the interior boulevard. Between the two curb cuts, an approximately 6 foot wide yard would be provided on-site. South of the south curb cut, an 8 foot wide landscaped yard would be provided on-site. To allow maneuvering into the accessible space, it would be impractical to require a 7 foot wide yard extending from the driveway to the walkway leading to the main entrance. As previously discussed, a 22 foot driveway between the curb cuts could be reduced. Additional landscaped area is needed to comply with other landscaping requirements. For these reasons, staff is recommending that the planning commission not grant alternative compliance, except where the required landscaped yard interferes with the maneuvering for the accessible space and the walkway leading to a main entrance.

The loading area on the east side of the building is visible from 26th Street. A 7 foot wide landscaped yard is required. A yard over 80 feet in width is provided.

Screening of the parking area from 26th Avenue is required to be 3 feet in height and 60 percent opaque. The applicant is proposing to screen the parking lot with shrubs that meet the screening requirements, except north of the north curb cut. Staff is recommending that the planning commission require a wider landscaped yard in that area, which would also provide room to provide screening. Staff is recommending that the planning commission not grant alternative compliance.

Screening of the loading area from 26th Street is required to be 6 feet in height and 60 percent opaque. No screening is proposed. There is sufficient room to provide screening. Additional shrubs are required to meet the minimum landscaping requirements. For these reasons, staff is recommending that the planning commission not grant alternative compliance.

To provide one tree for every 25 feet of linear parking lot frontage, at least five trees are required between the parking area and 26th Avenue in the landscaped yards. One tree exists in the interior boulevard. Two more trees, both in the right-of-way, would be provided. It is possible to provide these trees on-site, specifically north of the north curb cut and south of the south curb cut. However, it may be impractical to provide 3 more trees on-site because of the placement and size of the tree in the interior boulevard and the location of the existing curb cuts. For the minimum tree requirements, staff is recommending that the planning commission require the applicant to provide 13 trees on-site. For these reasons, staff is recommending that the planning commission grant alternative compliance.

To provide one tree for every 25 feet of linear loading area frontage, at least one tree is required between the parking area and 26th Street in the landscaped yard. No trees are proposed in this location. There is

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sufficient room to provide a tree. For the minimum tree requirements, staff is recommending that the planning commission require the applicant to provide 13 trees on-site. For these reasons, staff is recommending that the planning commission grant alternative compliance.

Not all areas unavailable for parking or needed for access would be landscaped. As discussed previously, there are areas where landscaping can be added, such as the snow storage area and the yard adjacent to the accessible spaces. Implementing the staff recommendations will eliminate the need for alternative compliance for this standard.

Only 23 of the 47 parking spaces would be within 50 feet of an on-site deciduous tree. If a tree is provided on-site in a landscaped yard adjacent to the accessible parking, 5 more spaces would be within 50 feet of an on-site tree. There are also 2 additional spaces within 50 feet of the tree in the interior boulevard. This leaves 17 spaces that would not be within 50 of a tree. Although parking spaces would be eliminated, a tree island could be installed in the easterly side of the parking area to comply with this standard. As previously discussed, the applicant has not submitted sufficient information to show that all 47 spaces are needed to meet the parking demand of the use. By providing trees in each of the landscaped areas suggested by staff in the sketch attached to this report, all parking spaces would be located with 50 feet of an on-site tree. For these reasons, staff is recommending that the planning commission not grant alternative compliance.

All other areas that are not already covered by the landscaping requirements, the building or parking areas must be covered by other plants such as grass and perennials. The applicant is proposing to plant native grasses and perennials. The applicant has proposed trees and grass on the north and east side of the building. Where the new grass is proposed, trucks from adjacent properties drive over that area. To prevent vehicles from driving over the unpaved surface, bollards or boulders could be installed.

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

ADDITIONAL STANDARDS:

- All parking lots and driveways shall be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch by six (6) inch continuous concrete curb.
- To the extent practical, site plans shall minimize the blocking of views of important elements of the city.
- To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.
- To the extent practical, buildings shall be located and arranged to minimize the generation of wind currents at ground level.
- Site plans shall include crime prevention design elements as specified in section 530.260 related to:
 - Natural surveillance and visibility
 - Lighting levels
 - Territorial reinforcement and space delineation
 - Natural access control
- To the extent practical, site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.

Conformance with above requirements:

Continuous concrete curbing would be provided adjacent to the landscaped areas. The parking area would be graded to direct stormwater to flow to the east side of the site where pervious pavers would be installed. The Public Works Sewer Division has indicated that the pavers are not sufficient alternatives to meeting the Stormwater Management requirements and providing additional landscaping in the parking area could be one way to address those requirements. If the pervious pavers meet the surfacing requirements of section 541.300, the intent of this ordinance would be met for the proposed site plan. If landscape islands are installed, discontinuous curbing will need to be used.

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

The shadowing affects should not be significant.

Wind currents should not be major concern.

The site design provides controls and guides to movement on the site, and distinguishes between public and non-public spaces with landscaping and fencing on all sides of the site except where the new grass is proposed adjacent to the north/south alley. Vehicles drive over that area to gain access to adjacent properties. Staff is recommending that the planning commission require the applicant to install boulders or bollards to prevent vehicles from driving over this area. The applicant is proposing lighting on all sides of the addition. To ensure the lighting will not have adverse affects on surrounding properties and vehicles and pedestrians, lighting shall comply with section 535.590 of the zoning code. To allow views into and out of the parking area from the street, landscaping would not obstruct views between 3 and 7 feet above grade.

The existing building is not designated or eligible for designation.

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

ZONING CODE: The site is zoned I1. In the I1 district, food and beverage production is a permitted use.

Parking and Loading:

Minimum automobile parking requirement: The minimum parking requirement for food and beverage production is equal to one space per 1,000 square feet of gross floor area (GFA) up to 20,000 square feet plus one space per 2,000 square feet of GFA in excess of 20,000 square feet. Basement storage area is not subject to the parking requirement, therefore the floor area used to calculate the parking requirement is 21,728 square feet. A minimum of 21 spaces are required. The applicant would provide 47 spaces. At least two of those spaces must be accessible. Two accessible spaces would be provided.

Maximum automobile parking requirement: The maximum parking requirement for food and beverage production is equal to one space per 200 square feet of GFA up to 20,000 sq. ft. plus one space per 1,000 square feet of GFA in excess of 20,000 square feet. The maximum requirement is 102 spaces.

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Bicycle parking requirement: Food and beverage production uses do not have a minimum bicycle parking requirement. Six bicycle parking spaces are located adjacent to the main entrance.

Loading: For a food and beverage use with 10,001 to 30,000 square feet of GFA, one large loading space is required. One large and two small loading spaces are provided.

Surfacing: The entire parking area south of the building is proposed to be resurfaced. All open off-street parking areas, all driveways leading to such parking areas, and all other areas upon which motor vehicles may be located must be surfaced with a dustless all-weather hard surface material capable of carrying a wheel load of four thousand (4,000) pounds. Acceptable surfacing materials include asphalt, concrete, brick, cement pavers or similar material installed and maintained per industry standards. Asphalt is proposed with the exception of the east side of the parking area, where permeable pavers are proposed. Insufficient information has been provided to determine if the pavers comply with the surfacing requirements.

Maximum Floor Area: The maximum FAR allowed in the I1 District is 2.7. The lot area is 52,387 square feet. The building would have a total of 21,728 square feet subject to the maximum FAR requirement, which is an FAR of 0.41.

Building Height: The maximum height allowed in the I1 district is 4 stories¹ or 56 feet, whichever is less. The building addition would be two stories and 25 feet in height.

Yard Requirements: In the I1 district, yards are not required unless adjacent to a residence/ office residence district or permitted or conditional residential use. The site is not adjacent to any residential uses or residence or office residence districts.

Specific Development Standards: Not applicable.

Hours of Operation: In the I1 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.

Friday and Saturday from 6:00 a.m. to 11:00 p.m.

Only the accessory retail bakery is open to the public. The retail bakery is open between 8:30 a.m. and 6:00 p.m.

Signs: The applicant has indicated that no new signage is proposed. Any new signage will require Zoning Office review, approval, and permits.

Fencing: Fencing, including guardrails, is required by Chapter 535 of the zoning code to be kept in good repair, consistent with the design thereof. The guard rail adjacent to the north/south alley is in need of repair or may need to be replaced.

¹ 520.160 Definitions: Story. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, or fourteen (14) feet, whichever is less, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. Where a portion of a building included between the upper surface of any floor and the upper surface of the floor next above exceeds fourteen (14) feet in height, each fourteen (14) feet or fraction thereof is considered a story except that the first story may be up to twenty (20) feet in height for all buildings other than single and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units.

Refuse screening: Refuse storage containers are required to be effectively screened from the street and residences by screening compatible with the principal structure and not less than two feet higher than the refuse container. Refuse is stored on the east side of the building. Additional screening needs to be provided to screen the refuse and storage containers from 26th Street.

Screening of mechanical equipment: Mechanical equipment must be screened as required by section 535.70 (below). Existing mechanical equipment is located on the roof. New roof-top mechanical equipment is also indicated on the plans.

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

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

(b) *Exceptions.* The following mechanical equipment shall be exempt from the screening requirements of this section:

- (1) Minor equipment not exceeding one (1) foot in height.
- (2) Mechanical equipment accessory to a single or two-family dwelling.
- (3) Mechanical equipment located in an I2 or I3 District not less than three hundred (300) feet from a residence or office residence district.

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

535.590. Lighting. (a) *In general.* No use or structure shall be operated or occupied as to create light or glare in such an amount or to such a degree or intensity as to constitute a hazardous

condition, or as to unreasonably interfere with the use and enjoyment of property by any person of normal sensitivities, or otherwise as to create a public nuisance.

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

- (1) Lighting fixtures shall be effectively arranged so as not to 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 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: The *Minneapolis Plan for Sustainable Growth* designates the future land use for this site as industrial. The site is located in the Seward Hiawatha Industrial Employment District. According to the principles and polices outlined in the plan, the following apply to this proposal:

From the Land Use Chapter:

Policy 1.14: Maintain Industrial Employment Districts to provide appropriate locations for industrial land uses.

Applicable Implementation Step

- 1.14.5 Encourage and implement buffering through the site plan review process to mitigate potential conflicts between industrial uses and adjacent other uses.

From the Urban Design Chapter:

Policy 10.12: Design industrial uses with appropriate transitions and other design features which minimize negative impacts on surrounding residential uses.

Applicable Implementation Steps

- 10.12.2 Encourage site planning for new developments that orients the “back” of proposed buildings to the “back” of existing development.
- 10.12.5 Promote quality design and building orientation of industrial development that is appropriate with the surrounding neighborhoods.

Policy 10.18: Reduce the visual impact of automobile parking facilities.

Applicable Implementation Steps

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- 10.18.1 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.
- 10.18.2 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 lines.
- 10.18.3 Locate parking lots to the rear or interior of the site.

Policy 10.19: Landscaping is encouraged in order to complement the scale of the site and its surroundings, enhance the built environment, create and define public and private spaces, buffer and screen, incorporate crime prevention principles, and provide shade, aesthetic appeal, and environmental benefits.

Applicable Implementation Steps

- 10.19.1 In general, larger, well-placed, contiguous planting areas that create and define public and private spaces shall be preferred to smaller, disconnected areas.
- 10.19.2 Plant and tree types should complement the surrounding area and should include a variety of species throughout the site that include seasonal interest. Species should be indigenous or proven adaptable to the local climate and should not be invasive on native species.
- 10.19.3 Landscaped areas should include plant and tree types that address ecological function, including the interception and filtration of stormwater, reduction of the urban heat island effect, and preservation and restoration of natural amenities.
- 10.19.4 Landscaped areas should be maintained in accordance with Crime Prevention Through Environmental Design (CPTED) principles, to allow views into and out of the site, to preserve view corridors and to maintain sight lines at vehicular and pedestrian intersections.
- 10.19.5 Landscaping plans should be designed to facilitate future maintenance including the consideration of irrigation systems, drought and salt-resistant species, ongoing performance of storm water treatment practices, snow storage, access to sun, proximity to buildings, paved surfaces and overhead utilities.
- 10.19.6 Green roofs, living walls, and porous pavement are encouraged but are not meant to be a substitute for ground-level landscaping of sites as landscaping provides both a natural amenity and aesthetic beauty to the urban landscape.
- 10.19.7 Boulevard landscaping and improvements, in accordance with applicable city polices, are encouraged.

Staff comment: Because the building is existing, the options for equipment layout in the new addition are limited. As proposed, the back of the uses in the addition would face the adjacent streets. The new addition would not meet as many design standards, such as window requirements, as desired for new developments. To improve the appearance of the site in other ways, staff is recommending that the planning commission require the applicant to meet most of the landscaping requirements. These recommendations also accomplish many of the above policies, including enhancing the built environment, reducing stormwater runoff, and reducing the heat island effect. With the adoption of the staff recommendation, the site plan will be consistent with these policies of the comprehensive plan.

ALTERNATIVE COMPLIANCE:

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

- The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.
- Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.
- 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 wall within 8 feet of a street

The building addition would be set back 1.5 feet from the lot line adjacent to 26th Avenue and 10 feet from 26th Street. The existing building is set back 10 feet from 26th Street as well. The area between the addition and the sidewalk would be landscaped. For these reasons, staff is recommending that the planning commission grant alternative compliance to allow the addition to be set back 10 feet from 26th Street instead of eight feet.

- Blank wall exceeding 25 feet in width

The addition is two stories in height. Both stories are subject to this standard. The first story of the addition would have windows to prevent blank, uninterrupted walls without architectural elements. The second story would not have any windows or other architectural elements to divide up the blank walls. Both stories would have a painted pattern; however, a painted pattern does not meet the intent of this standard. It is feasible to add architectural elements to the second story. For example, installing windows on the second story that are in line with the windows proposed on the first story would eliminate the need for alternative compliance to this standard. Staff is recommending that the planning commission not grant alternative compliance and that windows or other architectural elements be installed on the second story.

- Minimum window requirements

The ground floor walls on the north and west addition elevations are subject to the minimum thirty percent window requirements because they would face the adjacent streets. On the 26th Avenue building elevation of the addition, 244.8 square feet of windows are required. The applicant is proposing to provide 64 square feet which is equal to 7.8 percent. On the 26th Street building elevation of the addition, 76.8 square feet of windows are required. The applicant is proposing to provide 16 square feet which is equal to 6.2 percent. The applicant has not identified the visible light transmittance ratio of the proposed or existing windows. All windows are required to have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher. Also, shelving, mechanical equipment or other similar fixtures can not block views into and out of the building in

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the area between four and seven feet above the sidewalk. According to the applicant, all of the windows would be blocked by the equipment used for the baking process. Because of the type of use and the layout of the existing building, options for window placement are limited. No windows exist on the west elevation. For these reasons, staff is recommending that the planning commission grant alternative compliance to the window requirements to 7.8 percent on 26th Avenue and 6.2 percent on 26th Street and allow equipment to block the windows.

The mezzanine level also has a window requirement on the wall adjacent to 26th Avenue. The width of the mezzanine level is 16 feet. Ten percent of the wall adjacent to the mezzanine must be windows. At least 16 square feet are required. No windows are proposed. According to the applicant, the mezzanine level would hold mechanical equipment. One of the purposes of the window requirements is to provide views into and out of the building to increase natural surveillance. A mezzanine level with mechanical equipment would provide few opportunities to have eyes on the street. For these reasons, staff is recommending that the planning commission grant alternative compliance to this standard to 0.

- Excess use of impervious surfaces in the parking area

The site plan reduces the use of impervious surfaces from what exists in the parking area; however, there are opportunities to add more landscaping. As discussed in the Landscaping and Screening section of this report, staff is recommending that the planning commission require compliance with those standards and not grant alternative compliance. If the staff recommendation is implemented, the use of impervious surfaces would be minimized.

- 20 percent landscaping

The zoning code requires that a least 20 percent of the site not occupied by buildings be landscaped. The lot area of the site is approximately 52,387 square feet. The building footprint would be approximately 21,232 square feet. The lot area minus the building footprint therefore consists of approximately 31,155 square feet. At least 20 percent of the net site area (6,231 square feet) must be landscaped. Approximately 4,138 square feet of the site would be landscaped. That is equal to 13.3 percent of the net lot area.

The applicant is proposing to replace approximately 1,400 square feet of paving in the 26th Avenue right-of-way with landscaping. The applicant has submitted a plan showing truck turning simulations. The plan shows that the parking lot layout and where landscaping can be provided is somewhat dictated by the truck turning movements. However, there are additional opportunities to provide significant amounts of landscaping on-site that would not impact truck maneuvering. The snow storage area could be landscaped. More landscaping can be provided adjacent to 26th Avenue by infilling some of the area between the accessible spaces, the entrance leading to the main entrance, and the public sidewalk. The driveway between the two curb cuts could be narrowed to 12 feet (because parking spaces do not back up directly to the driveway, the driveway does not need to be 22 feet wide to allow maneuvering). The amount of parking provided on-site exceeds the minimum parking requirement by 26 spaces. Although requested by staff, the applicant has not submitted information by the time this report was written that shows that all of the parking spaces are needed to meet the parking demands of the use. Landscaping could replace some of the excess spaces to fill the deficiency (10 parking spaces occupy approximately 1,500 square feet). Creating landscape islands could eliminate the need for other requests for alternative compliance as well

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including the requirement that all parking spaces are located within 50 feet of an on-site deciduous tree. Although the applicant is proposing to install permeable pavers in the parking area, the Public Works Sewer Division has indicated that the pavers are not sufficient alternatives to meeting the Stormwater Management requirements and providing additional landscaping in the parking area could be one way to address those requirements. A sketch is attached to this report that illustrates where landscaping could be added to meet the 20 percent landscaping requirement. Because sufficient information has not been provided that shows 47 parking spaces are necessary to meet the parking demand and no other exceptions are warranted through section 530.220, staff is recommending that the planning commission not grant alternative compliance and require the applicant to landscape at least 20 percent of the site not covered by building.

- Minimum number of trees and shrubs required

The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The remainder of the required landscaped area must be covered with turf grass, native grasses or other perennial flowering plants, vines, shrubs or trees. The tree and shrub requirement for this site is 13 and 63 respectively. A total of 15 trees and 14 shrubs would be installed on-site and in the right-of-way. On-site, the applicant is proposing to install 3 canopy trees, 2 ornamental trees and 7 shrubs. Off-site, the applicant is proposing to install 3 ornamental trees in the boulevard, and 7 canopy trees and 7 shrubs in the interior boulevard. Grass would be provided in all other landscaped areas. Staff is recommending that the planning commission require the applicant to landscape at least 20 percent of the site not occupied by the building. The additional landscaped area will provide additional areas to provide the minimum number of required trees and shrubs. For these reasons, staff is recommending that the planning commission not grant alternative compliance and require at least 13 canopy trees and 63 shrubs on-site.

- Landscaped yard between the parking area and the street

The parking area is adjacent to 26th Avenue. A 7 foot wide landscaped yard is required. North of the north curb cut, four feet of landscaping would be provided in the interior boulevard. Between the two curb cuts, an approximately 6 foot wide yard would be provided on-site. South of the south curb cut, an 8 foot wide landscaped yard would be provided on-site. To allow maneuvering into the accessible space, it would be impractical to require a 7 foot wide yard extending from the driveway to the walkway leading to the main entrance. As previously discussed, a 22 foot driveway between the curb cuts could be reduced. Additional landscaped area is needed to comply with other landscaping requirements. For these reasons, staff is recommending that the planning commission not grant alternative compliance, except where the required landscaped yard interferes with the maneuvering for the accessible space and a walkway leading to the main entrance.

- Parking lot screening requirements

Screening of the parking area from the street is required to be 3 feet in height and 60 percent opaque. The applicant is proposing to screen the parking lot with shrubs that meet the screening requirements, except north of the north curb cut. Staff is recommending that the planning commission require a wider landscaped yard in that area, which would also provide room to provide screening. Staff is recommending that the planning commission not grant alternative compliance.

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- Loading area screening requirements

Screening of the loading area from 26th Street is required to be 6 feet in height and 60 percent opaque. No screening is proposed. There is sufficient room to provide screening. Additional shrubs are required to meet the minimum landscaping requirements. For these reasons, staff is recommending that the planning commission not grant alternative compliance.

- One tree for every 25 feet or fraction thereof of parking lot and loading area frontage

To provide one tree for every 25 feet of linear parking lot frontage, at least five trees are required between the parking area and the street in the landscaped yards. One tree exists in the interior boulevard. Two more trees, both in the right-of-way, would be provided. It is possible to provide these trees on-site, specifically north of the north curb cut and south of the south curb cut. However, it may be impractical to provide 3 more trees on-site because of the placement and size of the tree in the interior boulevard and the location of the existing curb cuts. For the minimum tree requirements, staff is recommending that the planning commission require the applicant to provide 13 trees on-site. For these reasons, staff is recommending that the planning commission grant alternative compliance.

To provide one tree for every 25 feet of linear loading area frontage, at least one tree is required between the parking area and 26th Street in the landscaped yard. No trees are proposed in this location. There is sufficient room to provide a tree. For the minimum tree requirements, staff is recommending that the planning commission require the applicant to provide 13 trees on-site. For these reasons, staff is recommending that the planning commission grant alternative compliance.

- Landscaping areas unavailable for parking or circulation

Not all areas unavailable for parking or needed for access would be landscaped. As discussed previously, there are areas where landscaping can be added, such as the snow storage area and the yard adjacent to the accessible spaces. Implementing the staff recommendations will eliminate the need for alternative compliance for this standard.

- Location of parking spaces within 50 feet of an on-site deciduous tree

Only 23 of the 47 parking spaces would be within 50 feet of an on-site deciduous tree. If a tree is provided on-site in a landscaped yard adjacent to the accessible parking, 5 more spaces would be within 50 feet of an on-site tree. There are also 2 additional spaces within 50 feet of the tree in the interior boulevard. This leaves 17 spaces that would not be within 50 of a tree. Although parking spaces would be eliminated, a tree island could be installed in the easterly side of the parking area to comply with this standard. As previously discussed, the applicant has not submitted sufficient information to show that all 47 spaces are needed to meet the parking demand of the use. By providing trees in each of the landscaped areas suggested by staff in the sketch attached to this report, all parking spaces would be located with 50 feet of an on-site tree. For these reasons, staff is recommending that the planning commission not grant alternative compliance.

RECOMMENDATION

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a site plan review to allow an addition for the properties located at 2601 26th Street East and 2609 26th Avenue South, subject to the following conditions:

1. CPED Planning staff review and approval of the final site, landscaping, floor and building elevation plans.
2. All site improvements shall be completed by July 19, 2011, unless extended by the Zoning Administrator, or the permit may be revoked for noncompliance.
3. Architectural elements shall be added to the second story of the addition to prevent blank, uninterrupted walls that exceed 25 feet in width as required by section 530.120 of the zoning code.
4. At least 20 percent of the site not occupied by the building shall be landscaped as required by section 530.160 of the zoning code.
5. At least 13 canopy trees and 63 shrubs shall be provided on-site as required by section 530.160 of the zoning code. At least one tree shall be located between the loading area and 26th Street. At least two trees shall be located in the on-site landscaped yards adjacent to 26th Avenue.
6. Landscaped yards at least 7 feet in width shall be provided between the parking area and 26th Avenue as required by section 530.170 of the zoning code except where it would interfere with maneuvering for the accessible space and a walkway leading to the main entrance.
7. The surfacing of the parking area shall comply with the requirements of section 541.300 of the zoning code.
8. Screening between the parking and loading areas and the adjacent streets shall be provided as required by section 530.170 of the zoning code.
9. Boulders or bollards shall be installed adjacent to the alley to prevent vehicles from driving over the grass on the east side of the building.
10. The guard rail shall be repaired consistent with the design thereof or replaced as required by section 535.410 of the zoning code.
11. Refuse storage containers shall be screened from 26th Street as required by section 535.70 of the zoning code.
12. Mechanical equipment shall be screened as required by section 535.70 of the zoning code.

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13. Lighting shall comply with the standards of section 535.590 of the zoning code.

Attachments:

1. PDR report
2. Statement of use
3. Zoning map
4. Plans
5. Sketch showing staff suggestions for landscaping
6. Photos