

Department of Community Planning and Economic Development - Planning Division
Conditional Use Permit, Variances, Site Plan Review
BZZ-4798

Date: June 14, 2010

Applicant: Advance Realty Co

Address of Property: 419 West Lake Street

Project Name: Schatzlein Saddle Parking Lot

Contact Person and Phone: Todd Heilicher, Advance Realty Co (763) 544-7600

Planning Staff and Phone: Kimberly Holien (612) 673-2402

Date Application Deemed Complete: May 20, 2010

End of 60 Day Decision Period: July 19, 2010

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

Existing Zoning: C1, Neighborhood Commercial district

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 24

Legal Description: Not applicable for this application.

Proposed Use: Principal parking lot

Concurrent Review:

Conditional Use Permit: To allow a principal parking lot in the C1 district.

Site Plan Review: For a new surface parking lot.

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits; Chapter 530, Site Plan Review.

Background: Advance Realty Co. has submitted land use applications for a new principal parking lot at 419 Lake Street W. The existing building on the site has experienced significant fire damage and is proposed to be demolished. The site also currently contains 5 surface parking stalls. The proposal at this time is for a surface parking lot with 12 stalls to serve the Schatzlein Saddle building, located directly east of the site across the alley. The site is bordered by an auto sales use to the south and west and a retail use across Lake Street to the north.

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The site is zoned C1 and a parking facility is a conditional use in this district. An application for a conditional use permit has been submitted accordingly. Site Plan Review is also required for any new principal parking facility containing ten spaces or more.

As of the writing of this staff report staff had received any comments from the Lyndale Neighborhood Association. Staff will forward any comments, if received, to the City Planning Commission.

CONDITIONAL USE PERMIT (to allow a parking facility in the C1 Neighborhood Commercial district)

Findings as Required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Department – Planning Division has analyzed the application and from the findings below concludes that the establishment, maintenance, or operation of the proposed conditional use:

1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.

A principal parking lot in this location is not expected to be detrimental to the public health, safety or general welfare, provided the use complies with all life safety ordinances and Public Works Department standards. This site is in the C1 Neighborhood Commercial district and is on a commercial corridor. The site is bordered by a vehicle related use on two sides. The parking lot will be replacing a fire damaged building and provide off-street parking for an adjacent building that does not have any on-site parking currently.

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

The use is not expected to be injurious to the use and enjoyment of other properties in the area or impede the orderly development of the area. The site is bordered by an automobile sales use to the south and west. Adequate landscaped yards have been provided to create a buffer between these two uses. The property to the south is zoned residential and a 5-foot setback has been provided accordingly. The property to the east, across the alley, is a mixed use building. The proposed parking lot is intended to serve this building, and therefore will not have a negative impact on this property.

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

Roads and utilities are existing and adequate. Utilities, access and drainage will also be evaluated as part of the Preliminary Development Review process. Alley access has also been evaluated as part of the site plan review application, with the findings below.

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

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The proposed site plan includes access from the adjacent public alley and no access from Lake Street. The alley access is located approximately 45 feet from the intersection with Lake Street. This should allow enough space for vehicle movements and stacking without contributing to traffic congestion. The proposed use would provide off-street parking for a use that currently does not have any on-site parking. The proposed parking lot is not expected to contribute to traffic congestion in the public streets.

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

The site is designated for commercial use on the future land use map in *The Minneapolis Plan for Sustainable Growth*. Lake Street is a commercial corridor in this location. The following policies of the comprehensive plan apply:

Policy 1.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.

- 1.4.1 Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served.
- 1.4.2 Promote standards that help make commercial districts and corridors desirable, viable, and distinctly urban, including: diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements to add interest at the pedestrian level.
- 1.4.4 Continue to encourage principles of traditional urban design including site layout that screens off-street parking and loading, buildings that reinforce the street wall, principal entrances that face the public sidewalks, and windows that provide “eyes on the street”.

Policy 1.7: Limit new and expanded auto-oriented uses in the city so impacts on the form and character of commercial areas and neighborhoods can be minimized.

- 1.7.2 Direct auto-oriented uses to locations on Commercial Corridors that are not at the intersection of two designated corridors, where more traditional urban form would be appropriate.
- 1.7.3 Auto-oriented uses should be designed with aspects of traditional urban form, to minimize the impact on the pedestrian realm.

Policy 1.10: Support development along Commercial Corridors that enhances the street’s character, fosters pedestrian movement, expands the range of goods and services available, and improves the ability to accommodate automobile traffic.

- 1.10.1 Support a mix of uses – such as retail sales, office, institutional, high-density residential and clean low impact light industrial – where compatible with the existing and desired character.

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The proposed surface parking lot would front on Lake Street, which is a commercial corridor. The comprehensive plan identifies commercial corridors as appropriate locations for auto-oriented uses. The subject site is not at the intersection of two designated corridors and therefore may be an appropriate site for this use.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located.

The applicant is requesting alternative compliance for the required screening on the east side of the site and the landscaped yard along the south property line. All other aspects of the site plan are in conformance with the regulations of the C1 District.

SITE PLAN REVIEW

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

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

Section A: Conformance with Chapter 530 of 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.

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- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances and windows:
 - Residential uses:

Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - Nonresidential uses:

Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
 - d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
 - e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.
 - f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.

Minimum window area shall be measured as indicated in section 530.20 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. 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:

There are no buildings proposed as part of this project. The sole use on the site would be a surface parking lot with 12 spaces.

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.

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- **Site plans shall minimize the use of impervious surfaces.**

Conformance with above requirements:

The parking lot is proposed to be connected to the adjacent alley with a 4-foot sidewalk adjacent to the handicap accessible parking stall. Staff recommends that this sidewalk connect to the public sidewalk along Lake Street instead of the alley to direct pedestrian movements to a more appropriate area.

There are no transit shelters adjacent to the site.

The proposed parking lot would have access from the alley to the east. This alley currently serves both residential and commercial uses. Section 530.150 (b) prohibits alley access for all non-residential uses over 4,000 square feet in area. The parking lot is 3,940 square feet in area. Therefore, alley access is allowed, but must be designed to minimize conflicts with pedestrian traffic and surrounding residential uses. The entrance to the parking lot is located 45 feet from the intersection with Lake Street W. This is roughly the same location as the access to the existing on-site parking lot. The use is located at the north end of the alley, directly adjacent to Lake Street. Non-residential traffic will be able to enter and exit the site without impacting residential uses. Traffic to the proposed use is not expected to have a detrimental impact on the surrounding area or pedestrian traffic.

As noted below, the landscape plan for the site proposes rock mulch in lieu of grass for nearly all unpaved areas. Staff is recommending that the applicant replace the rock mulch on the north, south and west sides of the site with turf grass, or a combination of turf grass and wood mulch, to create a more attractive buffer from adjacent uses. With this condition, the site will be designed to minimize impervious surfaces.

LANDSCAPING AND SCREENING:

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
 - **Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
 - **A decorative fence.**
 - **A masonry wall.**
 - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.**
- **The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.**
- **In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.**
- **All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading**

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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 lot area is 5,888 square feet. No buildings are proposed for the site. Therefore, 20 percent of the total lot area, or 1,178 square feet, is required to be landscaped. The site requires two canopy trees, per the lot area and the portion of the parking lot with street frontage. The site also requires 12 shrubs to satisfy the minimum planting requirement.

The applicant is proposing a landscaped area of 1,948 square feet, or 33.1 percent of the total site area. Nearly all of this landscaped area is comprised of rock mulch. The landscaping includes 4 on-site canopy trees and 18 shrubs. The landscaping proposed meets the overall minimum requirements for the use. However, the required landscaped yards at the north and south ends of the property do not include the required landscaping. Alternative compliance is required for this issue. Staff does not recommend granting alternative compliance for this requirement along the north property line. The site plan indicates landscaping that matches the streetscape of the property to the west is to be installed in this location. Decorative fencing that matches the existing fencing on other properties on Lake Street will also be installed. As a condition of approval, landscaping shall be provided in this location that is a minimum of three feet in height and not less than 60 percent opaque. Along the south property line, landscaping shall also be provided that is a minimum of three feet in height and 60 percent opaque. Landscaping of this height and opacity will still require alternative compliance due to the fact that the property south of the site is zoned residential and screening at a height of 6 feet is required. Staff recommends granting alternative compliance to allow landscaping that is three feet in height instead, as the property to the south is currently occupied by a used car dealership. Further, staff recommends that the rock mulch be replaced with turf grass, or a combination of wood mulch and turf grass, along the north, south and west property lines. These areas are not expected to be impacted by snow plowing or snow storage and should be acceptable locations for vegetation. All parking stalls are located within 50 feet of the center of an on-site deciduous tree.

A landscaped yard 7-foot in width is provided between the parking area and Lake Street, as required. The property to the east, across the alley, is a mixed use building with eight residential units. Thus, a 7-foot landscaped yard and screening at least 95 percent opaque is required between the parking lot and the alley. The site plan shows a landscaped yard 7 feet in width with shrub plantings in this area. The proposed shrubs are not expected to reach 6 feet in height, as required per the screening requirements of this Chapter. Staff recommends granting alternative compliance for this requirement. The adjacent property is a commercial use on the first floor with residential units above. The proposed landscaping is expected to provide an effective buffer. This landscaped area is again proposed to be primarily rock mulch. Landscape rock may be appropriate in this location in lieu of grass due to its proximity to the alley. A 7-foot landscaped yard is also required along the south property line due to the adjacent residential zoning. A 5-foot landscaped yard has been proposed for this location, requiring alternative compliance. Staff recommends granting alternative compliance to reduce this required yard by two feet, again due to the fact that the property to the south is currently occupied by a used car dealership.

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However, landscaping a minimum of 3 feet in height and 60 percent opaque shall be required as a condition of approval. The recommended height and opacity of the landscaping in this area will require alternative compliance.

All areas not occupied by parking and loading facilities and driveways are landscaped. However, as stated above, staff is recommending turf grass in lieu of rock along the north, south and west property lines.

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:

The parking area contains continuous curbing and on-site retention and filtration of stormwater is not proposed. On-site stormwater retention may not be practical due to the size and layout of the site. As of the writing of this staff report the applicant had not attended a Preliminary Development Review (PDR) meeting. The applicant is scheduled to attend Preliminary Development Review on June 9, 2010 and staff will forward the report to the Commission prior to the public hearing.

There are no buildings proposed for the site so there are no concerns regarding shadowing of public spaces or adjacent properties, blocking views, or generating wind currents at ground level.

The plan meets the CPTED guidelines. The site is well lit and designed with opportunities for people to observe adjacent spaces and public sidewalks. With the recommended modification to the sidewalk, the site would be designed to direct pedestrian movements. However, the proposed rock mulch may result in crime concerns, as it can cause damage to property if thrown. As an additional crime prevention design element, staff is again recommending that the rock mulch along the north, south and west property lines be replaced with turf grass or wood mulch.

The existing building on the site is not historic, and the property does not lie within an historic district.

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

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ZONING CODE: The proposed use is a permitted conditional use in the C1, Neighborhood Commercial, district.

Off-Street Parking and Loading:

Minimum automobile parking requirement:

The proposed surface parking lot is intended to serve the property to the east. This building contains a retail use on the first floor with 5,574 square feet and 8 residential units on the second floor. The minimum vehicle parking requirement for the uses on the adjacent property is 4 spaces for the retail use and 8 spaces for the residential uses. While the site has non-conforming rights to the off-street parking requirement, the 12 spaces proposed in the surface parking lot would satisfy the minimum requirement for this building via off-site parking.

Maximum vehicle parking requirement:

As stated above, the surface parking lot is proposed to serve the adjacent use to the east. This building has non-conforming rights to parking. The commercial use is 5,574 square feet and would be limited to a maximum of 28 parking stalls. The residential units located on the second floor of this adjacent property are not subject to a maximum parking requirement. However, the residential units are limited to a maximum of two vehicles per dwelling unit, excluding those parked in an enclosed structure, per Section 541.450 of the zoning code. For the 8 residential units, a maximum of 16 vehicles could utilize surface parking on the zoning lot. The two uses combined would be limited to a maximum of 44 surface parking stalls. The proposed parking lot only contains 12 spaces, within the parameters allowed. The proposed surface parking lot itself is also exempt from this maximum parking requirement.

Minimum bicycle parking requirement:

The adjacent commercial use has non-conforming rights to the bicycle parking requirement. There is no minimum bicycle parking requirement for the parking lot use and no bicycle parking is proposed.

Loading

The adjacent commercial use has non-conforming rights to loading. No loading spaces are required for the proposed principal parking lot and none are provided.

Maximum Floor Area: The site is subject to a maximum floor area ratio of 1.7 in the C1 District. No buildings are proposed that would be subject to the FAR requirement.

Building Height: The maximum height for structures in the C1 district is 2.5 stories or 35 feet, whichever is less. No buildings are proposed as part of the project and this requirement does not apply.

Minimum Lot Area: There is not a minimum lot area requirement for either use in the C1 District.

Dwelling Units per Acre: There are no dwelling units proposed as part of the project.

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Yard Requirements: The C1 District does not have any general minimum yard requirements for the proposed uses. However, the adjacent property to the south is zoned R6. A setback equivalent to that required in the R6 district is therefore required along the south property line. The site plan shows a 5-foot setback accordingly.

Specific Development Standards: There are no specific development standards for the use.

Hours of Open to the Public: In the C1 District, uses may be open to the public during the following hours: Sunday through Thursday from 6:00 a.m. to 10:00 p.m. and Friday and Saturday from 6:00 a.m. to 11:00 p.m. No active uses are proposed for the site that would be subject to these hours of operation.

Signs: Signs are subject to 531 and 543 of the Zoning Code. All new signs are required to meet the requirements of Chapter 543 of the zoning code and permits are required from the Zoning Office. No signage has been proposed as part of the application.

Refuse storage: There is no refuse storage container proposed for the site.

Lighting: The applicant has not submitted a lighting plan. All lighting shall be required to 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 to not directly or indirectly cause illumination or glare in excess of one-half footcandle measured at the closest property line of any permitted or conditional residential use, and five 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.

THE MINNEAPOLIS PLAN FOR SUSTAINABLE GROWTH:

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The site is designated for commercial use on the future land use map in *The Minneapolis Plan for Sustainable Growth*. Lake Street is a commercial corridor in this location. The following policies of the comprehensive plan apply:

Policy 1.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.

- 1.4.1 Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served.
- 1.4.3 Promote standards that help make commercial districts and corridors desirable, viable, and distinctly urban, including: diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements to add interest at the pedestrian level.
- 1.4.4 Continue to encourage principles of traditional urban design including site layout that screens off-street parking and loading, buildings that reinforce the street wall, principal entrances that face the public sidewalks, and windows that provide “eyes on the street”.

Policy 1.7: Limit new and expanded auto-oriented uses in the city so impacts on the form and character of commercial areas and neighborhoods can be minimized.

- 1.7.2 Direct auto-oriented uses to locations on Commercial Corridors that are not at the intersection of two designated corridors, where more traditional urban form would be appropriate.
- 1.7.4 Auto-oriented uses should be designed with aspects of traditional urban form, to minimize the impact on the pedestrian realm.

Policy 1.10: Support development along Commercial Corridors that enhances the street’s character, fosters pedestrian movement, expands the range of goods and services available, and improves the ability to accommodate automobile traffic.

- 1.10.1 Support a mix of uses – such as retail sales, office, institutional, high-density residential and clean low impact light industrial – where compatible with the existing and desired character.

The proposed surface parking lot would front on Lake Street, which is a commercial corridor. The comprehensive plan identifies commercial corridors as appropriate locations for auto-oriented uses. The subject site is not at the intersection of two designated corridors and therefore may be an appropriate site for this use with landscaping and screening that complies with Chapter 530, Site Plan Review.

Alternative Compliance. The Planning Commission may approve alternatives to any site plan review requirement upon finding any of the following:

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- **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.**

The applicant has requested alternative compliance for the required screening within the 7-foot landscaped yard between the parking area and the property to the east. The shrubs proposed are not expected to reach six feet in height, as required in Section 530.160. Staff recommends granting alternative compliance because the proposed screening will provide an adequate buffer for the residential uses across the alley, in the second floor of the building.

The applicant has also requested alternative compliance to allow a 5-foot landscaped yard along the south property line in lieu of the 7-foot landscaped yard required. Staff recommends granting alternative compliance for this requirement due to the fact that the adjacent property is occupied by a used car dealership, provided landscaping that is a minimum of 3 feet in height and 60 percent opaque is provided for the length of the property line. Screening that is 3 feet in height and 60 percent opaque, as opposed to 6 feet in height and 95 percent opaque, also requires alternative compliance. The site plan does not identify what landscaping is proposed for the north property line, between the parking lot and Lake Street. As a condition of approval, this landscaping, in combination with the proposed decorative fence, shall be required to be a minimum of 3 feet in height and 60 percent opaque for the length of the property.

RECOMMENDATIONS:

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the conditional use permit to allow parking facility in the C1 District for the property located at 419 Lake Street W, subject to the following condition:

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

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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 a new parking facility at the property of 217-229 419 Lake Street W, subject to the following conditions:

1. CPED planning staff review and approval of the final site plan, lighting plan, landscaping plan, and signage plan is required before permits may be issued.
2. All site improvements shall be completed by June 14, 2011 (unless extended by the Zoning Administrator) or permits may be revoked for noncompliance.
3. The sidewalk shall connect to the public sidewalk along Lake Street to more clearly direct pedestrian movements, in accordance with Section 530.130 of the zoning code.
4. The landscaped yard between the parking lot and Lake Street and along the south property line shall consist of screening that is a minimum of three feet in height and 60 percent opaque, in compliance with Section 530.170 of the zoning code. Said screening shall consist of shrubs, or a combination of shrubs and decorative fencing.
5. The landscaped areas along the north, south, and west property lines shall be turf grass, or a combination of turf grass and wood mulch, in lieu of the proposed rock mulch, in compliance with Section 530.160 of the zoning code.

Attachments:

1. Statement and findings from applicant.
2. Zoning map.
3. Site plans.
4. Photos.