

**Department of Community Planning and Economic Development - Planning Division**  
Conditional Use Permit, Variance and Site Plan Review  
BZZ-4631

**Date:** December 14, 2009

**Applicant:** Hennepin County

**Address of Property:** 2200 Central Avenue NE

**Project Name:** Hennepin County Library - Northeast Library

**Contact Person and Phone:** John Wicks, AIA, Senior Project Manager, Hennepin County Design and Construction Property Services Department 612-348-5252

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

**Date Application Deemed Complete:** November 13, 2009

**End of 60 Day Decision Period:** January 12, 2010

**Ward: 1**      **Neighborhood Organization:** Holland

**Existing Zoning:** C1 Neighborhood Commercial District & PO Pedestrian Oriented Overlay District

**Proposed Zoning:** Not applicable for this application.

**Zoning Plate Number:** 10

**Legal Description:** Not applicable for this application.

**Existing/Proposed Use:** Public Library.

**Concurrent Review:**

**Conditional use permit:** Amendment to an approved conditional use permit for a library.

**Variance:** Of the PO Pedestrian Oriented Overlay District standards to allow the building to be setback further than 8 feet from the property line.

**Site Plan Review:** For an approximately 3,750 square foot addition to an existing building.

**Applicable zoning code provisions:** Chapter 525, Article VII Conditional Use Permits; Article IX Variances, specifically Section 525.520(20) "To vary the standards of any overly district..."; and Chapter 530, Site Plan Review.

**Background:** The Hennepin County Public Library is expanding the Northeast branch by approximately 3,750 square feet, remodeling the interior of the facility, and improving the parking, landscaping, and screening of the site. The addition to the structure is at the south end of the existing building. Libraries require a conditional use permit in the C1 Neighborhood Commercial District.

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A conditional use permit and a variance of required yards (C-169 & V-642) were granted in 1971 to allow the reconstruction of the current library. The previous library, built in 1915, was demolished at this time to allow for the existing library.

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

### **CONDITIONAL USE PERMIT (amendment for a library)**

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

The Minneapolis City Planning Department has analyzed the application and from the findings above 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.**

Approval of the conditional use permit will allow an expansion and improvement of a community library and site. This will be a benefit to the surrounding area.

- 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 library is existing. The addition does not increase the height, does not encroach into the setbacks, and does not require additional parking. It should have little impact on surrounding properties and will continue to be an amenity to the area.

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

Adequate utilities and access are existing.

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

The library, after the addition, is required to have 24 parking spaces, but with the allowed 25 percent reduction in the PO District the required parking is reduced to 18 spaces. The existing parking lot has 24 and this will not change. The proposed addition should not add congestion to the public streets. Bicycle parking will be added.

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

*The Minneapolis Plan for Sustainable Growth* designates this part of Central Avenue NE as Commercial Corridor. The Land Use Chapter (page 1-5) of the plan has the following relevant policy regarding Commercial Corridors:

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.

1.10.3 Discourage uses that diminish the transit and pedestrian character of Commercial Corridors, such as some automobile services and drive-through facilities, where Commercial Corridors intersect other designated corridors.

The Public Services and Facilities Chapter (page 5-4) the plan states that, “In addition to educational institutions, libraries provide an essential public service that contributes to lifelong learning. Like schools, the City of Minneapolis does not directly provide library service. All libraries in Minneapolis and suburban Hennepin County are owned and operated by Hennepin County Library as a result of unification with the Minneapolis Public Library. While the strengths of each system contributes to a more effective county-wide library, Minneapolis will continue to play a role in ensuring that the libraries within its boundaries provide services that are unique to a growing and changing urban environment.” It has the following relevant policy:

Policy 5.3: Support a strong library system with excellent services, programs, and collections to meet a variety of informational and educational needs.

5.3.1 Through active engagement with the Hennepin County Library Board, ensure that the unified Hennepin County Library contributes to the long-term viability of libraries in Minneapolis.

5.3.2 Advocate for high quality service that is responsive to the diverse and changing needs and interests of all library patrons.

5.3.3 Ensure open access to a premier collection of print and electronic material.

5.3.4 Provide an equitable array of services and programs that enable, encourage, and teach people to connect to information.

The *Central Avenue Small Area Plan* (adopted June of 2008) shows this parcel as public/institutional use.

The proposed expansion is in conformance with the above noted goals of the comprehensive plan and the approved small area plan.

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- 6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of the conditional use permit.**

The library will conform to the applicable regulations of the district in which it is located upon the approval of the conditional use permit, variance and site plan review.

**VARIANCE (of the PO District building placement standards)**

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

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

The Pedestrian Oriented Overlay District requires buildings to be within eight feet of the front property line, except where a greater yard is required. In this case the site has two front yards; one facing Central Avenue and the other facing 22<sup>nd</sup> Avenue. The building is three feet from the property line on 22<sup>nd</sup> Avenue, but it is setback 18.5 feet from the property line on Central Avenue, so a variance is required from eight feet to 18.5 feet. The proposed addition will be constructed in line with the existing library building that is setback 18.5 feet. While it is technically possible to move the addition toward Central Avenue it would make the alignment of the interior spaces more difficult, or would require a larger building. This can be considered a hardship. The area between the building and the property line will have a landscaped area designed to reinforce the street wall and be aesthetically pleasing. This is a reasonable use of the property.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

The proposed addition will be constructed in line with the existing library building that is setback 18.5 feet. The area between the building and the property line will have a landscaped area designed to reinforce the street wall and be aesthetically pleasing. This is a reasonable use of the property and is not a condition that is generally applicable to other properties in the area.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

The intent of the ordinance is to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity. Because the variance will allow the addition to be constructed in line with the existing building, there will be a landscaped area to reinforce the street wall, and there will be large windows facing Central Avenue, the impact of the increased setback will be mitigated and the variance will not circumvent the intent of the ordinance.

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4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

The variance will not contribute to the generation traffic congestion in the public streets. It should not be detrimental to the public welfare or safety or increase the danger of fire.

### SITE PLAN REVIEW

#### Required Findings for Site Plan Review

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

#### 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:

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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.

The existing building is setback from Central Avenue 18.5 feet except for a small portion at the north end that is up to the property line. The addition will be approximately three feet from the property line along 22<sup>nd</sup> Avenue and 18.5 from the property line along Central Avenue. Staff recommends alternative compliance. While it is technically possible to move the addition toward Central Avenue it would make the alignment of the interior spaces more difficult, or would require a larger building. The area between the building and the property line will have a landscaped area designed to reinforce the street wall and be aesthetically pleasing.

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There will be landscaping between the building and the public sidewalks.

The proposed entrances face the parking area and Central Avenue.

The parking area is located behind the main part of the building, but between the building and 22 Avenue. The location is not changing from current conditions.

The existing building is brick. The exterior materials of the addition are durable and are made of brick, glass, and metal and are compatible with the existing building. The new addition will contain architectural detail including windows, changes in materials, and a varied roof line from the existing building. There are no blank walls on the addition that have blank elevations greater than 25 feet in length. Changes in materials may require review and approval by the City Planning Commission.

Non-residential uses are required to provide 30 percent windows on the first floor of elevations facing a public street or on-site parking lot, for the new construction, and the existing windows on the existing building can not be reduced below the amount currently provided or required by code, whichever is less. In the PO Pedestrian Oriented Overlay District the standard is increased to 40 percent (but allows the inclusion of doors) for the elevations facing a public street. The elevations facing Central Avenue and 22<sup>nd</sup> Avenue contain the required 40 percent windows and doors, with 58 percent on Central Avenue and 45 percent on 22<sup>nd</sup> Avenue.

The west elevation facing the parking lot has windows and a clear door, but because one window is higher than four feet from grade, it is not counted toward the required 30 percent windows. The clear glass in the door is not counted toward the percentage either. The applicant has agreed to move the easterly window down to within 4 feet of grade. This will bring the percentage of windows on this elevation to 14 percent (with the clear door is 25 percent). Staff recommends alternative compliance as this will allow additional views into and out of the library to and from the parking lot. Increasing the size of the windows will require the elimination of shelving and may cause the relocation of mechanicals, which is not practical considering that the addition has exceeded the window requirements on two of the tree sides where it is required.

The windows are vertical in proportion and distributed in a more or less even manner.

The windows on the remaining existing building will not be reduced from the current configuration.

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

The entrances have been recessed and accented with sidelights, and on the Central Avenue side with a large window above the entrance, to emphasize their importance.

The building will contain an active use, the library, on the ground floor and there will be no parking on the ground floor of the building.

The roof is flat. The commercial properties in the area have flat roofs.

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### ACCESS AND CIRCULATION:

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

The entrances open onto the parking area and to Central Avenue. There are walkways, that exceed four feet in width, connecting the entrances to the public sidewalks on both 22<sup>nd</sup> Avenue and Central Avenue.

There are no transit shelters on the site, but there is an existing shelter in the Central Avenue right-of-way.

Vehicular access and circulation has been designed to minimize conflict with pedestrians. There are two curb cuts onto 22<sup>nd</sup> Avenue, but they are both narrow; one is 12 feet wide and the other is 13 feet wide. The parking lot does not access the adjacent alley. Public Works will not allow the parking spaces in the alley.

Public Works and the Fire Department have reviewed the site plan for access and circulation and find them acceptable, with the items listed in the Preliminary Development Review report attached to this staff report.

The site has been designed to minimize impervious surfaces and all areas that are not covered by buildings, pedestrian access, and paved areas necessary for parking, loading, and the associated maneuvering are pervious surfaces used for landscaping and stormwater management.

### 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

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architectural features such as benches, kiosks or bicycle parking.

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

The site plan shows 32 percent landscaping. The zoning lot area is 32,433 square feet and the footprint of the building is 16,121 square feet. This leaves 16,312 square feet, of which 20 percent (3,262 square feet) is required to be landscaped. The applicant is providing approximately 5,272 square feet of landscaped area on site.

The development is required to provide a minimum of seven trees and 33 shrubs on site. The site plan shows nine new trees. A large Oak and a Maple at the front will be removed for new construction. The site plan shows 280 shrubs, with an additional 986 perennials and raingarden plantings.

The site plan exceeds the required seven foot wide landscaped yard between the parking and the sidewalk on 22<sup>nd</sup> Avenue by providing a 15 foot wide landscaped area and raingarden at the south side of the parking lot. On the west side there is only enough room for six foot wide yard. In addition, due to the location of the parking lot lighting and the adjacent house it will not be possible to put trees in this landscaped yard. Staff recommends alternative compliance as increasing the area on the west side by one foot and adding trees will cause the elimination of a required parking space, the relocation of the westerly curb cut and the west side curbing, and relocation of existing parking lot lighting, which is not practical for a one foot increase and the addition of one tree. The landscaped yard will be heavily landscaped with shrubs and perennials as an amenity in lieu of the width and the one tree.

The area between the parking and the public sidewalk has the required one tree per 25 linear feet of parking area and the three foot high 60 percent opaque screening. The west side of the parking lot does not have the required six-foot high screening between the parking and the adjacent residential structure (not to exceed three feet in the 15 foot front yard). Staff does not recommend alternative compliance and recommends installation of landscaping, fencing, or a combination thereof that will provide a six foot high screen for the length of the parking lot adjacent to the residential structure. The remainder of the west property line in front and behind the house may be screened as shown on the submitted site plan.

The parking lot does not have all spaces within 50 feet of an on-site deciduous tree. Staff recommends granting alternative compliance for the number of required trees, as it is not possible to add trees at the north end of the parking lot without the elimination of limited parking. The site meets the overall tree requirement and the landscaping plan far exceeds the required number of shrubs as an amenity in lieu of the tree requirement. If possible, staff recommends that the applicant consider the addition of decorative trees at the north end of the parking lot.

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

**ADDITIONAL STANDARDS:**

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

Curbing is provided around all of the parking area to protect landscaping and control drainage to the on-site retention area at the south end of the parking lot.

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

The plan meets the CPTED guidelines. The site is designed with landscaping, fencing, and architectural features to delineate space and control access while allowing views into and out of the site. Staff recommends that proper lighting be provided and that the landscaping follow the three-foot seven-foot rule to allow proper views into and out of the site.

There are no historic structures on the site.

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

**ZONING CODE:** A public library is a conditional use in the C1 Neighborhood Commercial District.

**Off-Street Parking and Loading:** *Minimum automobile parking requirement:* The zoning code requires a minimum of 1 space per 500 square feet of gross floor area in excess of 4,000 square feet for libraries, but not less than four spaces. The gross floor area is approximately 16,121 square feet and this results in a minimum parking requirement of 24 spaces, but with the allowed 25 percent reduction in the PO District the required parking is reduced to 18 spaces; 24 spaces are provided. One van accessible space is required and one is provided.

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*Maximum automobile parking requirement:* The zoning code requires a maximum of 1 space per 200 square feet of gross floor area. The gross floor area is approximately 16,121 square feet and this results in a maximum parking requirement of 80 spaces, but with the PO District maximum of 75 percent, this is reduced to 60 spaces maximum; 24 spaces are provided.

*Bicycle parking requirement:* Libraries are required to provide one bike parking space for every 5,000 square feet of gross floor area for a total of three spaces required. Nine bicycle spaces are provided; four by the Central Avenue entrance and five by the parking lot entrance. Not less than fifty percent of these spaces shall meet the standards for short-term bicycle parking, which requires that they are located in a convenient and visible area within 50 feet of a principal entrance and shall permit the of the bicycle frame and one wheel to the rack. The bicycle parking meets this standard.

*Loading:* No loading space is required.

**Maximum Floor Area:** The maximum FAR in the C1 District is 1.7. The zoning lot in question is 32,433 square feet in area. The site will contain approximately 16,121 square feet of gross floor area on the lot, an FAR of 0.50.

**Building Height:** Building height in the C1 District is limited to 2.5 stories or 35 feet, whichever is less. The existing building is one floor, but because the floor is taller than 20 feet it is classified as a two story building. It is 23 feet to the tallest part of the roof.

**Minimum Lot Area:** There is no minimum lot size for libraries in the C1 District.

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

**Yard Requirements:** In general, there are no setback requirements in C1 District unless adjacent to residential zoning. There is R5 Multiple-family Residence District zoning adjacent to the site to the northwest and west. A seven foot setback is required for the building along the north and west properties adjacent to these districts. There is no new construction along these property lines. Part of the existing structure encroaches into this setback, but is legally nonconforming. A 15 foot front yard setback of the adjacent residential property to the west is required to be extended across this site for 40 feet from the west property line. This setback is provided. The parking lot and trash enclosure meets the five foot setback for commercial lots adjacent to residential zoning.

The Pedestrian Oriented Overlay District requires buildings to be within eight feet of the front property line, except where a greater yard is required. In this case the site has two front yards; one facing Central Avenue and the other facing 22<sup>nd</sup> Avenue. The building is three feet from the property line on 22<sup>nd</sup> Avenue, but it is setback 18.5 feet from the property line on Central Avenue, so a variance is required from eight feet to 18.5 feet. The applicant has applied for a variance and staff is recommending approval.

**Specific Development Standards:** There are no Specific Development Standards for a libraries in the C1 District.

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

**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. While the sign plan has not yet been finalized, the preliminary sign plan meets the standards of the zoning code. The applicant is aware that all signage requires Zoning Office review and approval and permits.

**Refuse storage:** Section 535.80. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. A refuse enclosure is provided at the northwest corner of the site off of the alley that will be screened per code.

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

535.590. Lighting. (a) In general. No use or structure shall be operated or occupied as to create light or glare in such an amount or to such a degree or intensity as to constitute a hazardous condition, or as to unreasonably interfere with the use and enjoyment of property by any person of normal sensitivities, or otherwise as to create a public nuisance. (b) Specific standards. All uses shall comply with the following standards except as otherwise provided in this section:

- (1) Lighting fixtures shall be effectively arranged so as not to directly or indirectly cause illumination or glare in excess of one-half ( $\frac{1}{2}$ ) 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 FOR SUSTAINABLE GROWTH:** In addition to the policy and implementation steps listed under finding number five in the conditional use permit section of the staff report, the comprehensive plan has the following relevant policy and implementation steps regarding urban design:

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

10.10.1 Enhance unique characteristics of the city's commercial districts by encouraging appropriate building forms and designs, historic preservation objectives, site plans that enhance the pedestrian environment, and by maintaining high quality public spaces and infrastructure.

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

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

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

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.

The plan states the following about institutional uses:

As educational institutions, public buildings, hospitals and corporations change, expand and increase their presence in city neighborhoods, residents and business owners have grappled with the challenge of accommodating these changes in a compatible, mutually advantageous way. Vital, healthy institutions bring stability and presence to any city neighborhood. Attention to transitions is one way to balance the location and expansion of these institutions, the scale and character of pedestrian or other street level activity and neighborhood livability. The design of public buildings and facilities can inspire, transform and catalyze communities. Institutions and public buildings and facilities should set the standard for urban design in Minneapolis, utilizing quality materials and site planning that are reflective of their prominence and importance to the community.

**Policy 10.13: Work with institutional and public partners to assure that the scale and form of new development or expansion will occur in a manner most compatible with the surrounding area.**

10.13.3 Encourage institutional uses and public buildings and facilities to incorporate architectural and site design that is reflective of their civic importance and that identifies their role as focal points for the community.

10.13.4 Promote active uses at the ground floor level.

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

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**SMALL AREA PLANS ADOPTED BY COUNCIL:**

The *Central Avenue Small Area Plan* (adopted June of 2008) designates this parcel as public/institutional. It has no specific recommendations for this parcel. The plan states that building owners “central segment” of Central Avenue should “invest in their buildings and properties, and to make the necessary improvements that will bring new economic life to the Avenue.” The plan also calls for (page 69-72) entrances to be oriented toward Central Avenue, window transparency, simple signage, and site improvements with pedestrian enhancements. The proposed renovations, with staff recommended conditions of approval, are in conformance with these goals.

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

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

Alternative compliance is requested by the applicant to meet the following standards:

- Building placement within eight feet of the front lot line.

The existing building is setback from Central Avenue 18.5 feet except for a small portion at the north end that is up to the property line. The addition will be approximately three feet from the property line along 22<sup>nd</sup> Avenue and 18.5 from the property line along Central Avenue. Staff recommends alternative compliance. While it is technically possible to move the addition toward Central Avenue it would make the alignment of the interior spaces more difficult, or would require a larger building. The area between the building and the property line will have a landscaped area designed to reinforce the street wall and be aesthetically pleasing.

- Windows percentage on the west side of the addition.

The west elevation facing the parking lot has a windows and a clear door, but because one window is higher than four feet from grade, it is not counted toward the required 30 percent

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windows. The clear glass in the door is not counted toward the percentage either. The applicant has agreed to move the easterly window down to within 4 feet of grade. This will bring the percentage of windows on this elevation to 14 percent. Staff recommends alternative compliance as this will allow additional views into and out of the library to and from the parking lot. Increasing the size of the windows will require the elimination of shelving and may cause the relocation of mechanicals, which is not practical considering that the addition has exceeded the window requirements on two of the tree sides where it is required.

- Seven foot wide landscaped yard and tree on west side.

The site plan exceeds the required seven foot wide landscaped yard between the parking and the sidewalk on 22<sup>nd</sup> Avenue by providing a 15 foot wide landscaped area and raingarden at the south side of the parking lot. On the west side there is only enough room for six foot wide yard. In addition, due to the location of the parking lot lighting and the adjacent house it will not be possible to put trees in this landscaped yard. Staff recommends alternative compliance as increasing the area on the west side by one foot and adding trees will cause the elimination of a required parking space, the relocation of the westerly curb cut and the west side curbing, and relocation of existing parking lot lighting, which is not practical for a one foot increase and the addition of one tree. The landscaped yard will be heavily landscaped with shrubs and perennials as an amenity in lieu of the width and the one tree.

- Six-foot high screening of parking on west property line.

The west side of the parking lot does not have the required six-foot high screening between the parking and the adjacent residential structure (not to exceed three feet in the 15 foot front yard). Staff does not recommend alternative compliance and recommends installation of landscaping, fencing, or a combination thereof that will provide a six foot high screen for the length of the parking lot adjacent to the residential structure. The remainder of the west property line in front and behind the house may be screened as shown on the submitted site plan.

- Parking lot trees.

The parking lot does not have all spaces within 50 feet of an on-site deciduous tree. Staff recommends granting alternative compliance for the number of required trees, as it is not possible to add trees at the north end of the parking lot without the elimination of limited parking. The site meets the overall tree requirement and the landscaping plan far exceeds the required number of shrubs as an amenity in lieu of the tree requirement. If possible, staff recommends that the applicant consider the addition of decorative trees at the north end of the parking lot.

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**RECOMMENDATIONS:**

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

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the conditional use permit amendment for a library addition and site improvements for property located at 2200 Central Avenue NE, 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.

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

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance to allow the building addition location from the property line on Central Avenue to be increased from eight to 18.5 feet in the PO District for property located at 2200 Central Avenue NE.

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

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the site plan review for property located at 2200 Central Avenue NE, subject to the following conditions:

- 1) CPED Planning staff review and approve the site plan, lighting plan, landscaping plan, and elevations before permits may be issued.
- 2) All site improvements shall be completed by December 14, 2010, (unless extended by the Zoning Administrator) or permits may be revoked for noncompliance.
- 3) Provision of landscaping, fencing, or a combination thereof that will provide a six foot high screen for the length of the parking lot adjacent to the residential structure as required by Section 530.170(c)(2). The remainder of the west property line in front and behind the house may be screened as shown on the submitted site plan.

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**Attachments:**

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