

**Department of Community Planning and Economic Development – Planning Division**  
Amendment to Site Plan Review  
BZZ-4005

**Date:** May 12, 2008

**Applicant:** Mostafa Chatraei

**Address of Property:** 3446 Bloomington Avenue

**Project Name:** Amendment to approved site plan review for Pars Pan Auto

**Contact Person and Phone:** Mostafa Chatraei, 763-551-1945

**Planning Staff and Phone:** Brad Ellis, 612-673-3239

**Date Application Deemed Complete:** April 14, 2008

**End of 60-Day Decision Period:** June 13, 2008

**End of 120-Day Decision Period:** Not applicable

**Ward:** 9      **Neighborhood Organization:** Powderhorn Park

**Existing Zoning:**      C1 Neighborhood Commercial District  
                                 SH Shoreland Overlay District

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

**Zoning Plate Number:** 26

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

**Proposed Use:** Amendment to previously approved site plan review for an addition to an existing minor automobile repair facility.

**Appropriate Section(s) of the Zoning Code:** Chapter 548 Article II – Neighborhood Commercial District; Chapter 541 Article VII – Parking Area Design and Maintenance; Chapter 530 Site Plan Review; and Chapter 551 Article VI, Shoreland Overlay District.

**Background:**

Mostafa Chatraei received Planning Commission approval on September 17, 2007 for a modification to a Conditional Use Permit and Site Plan Review (BZZ-3722) for an addition to a minor automobile repair facility on the property at 3446 Bloomington Avenue in the C1 Neighborhood Commercial District and SH Shoreland Overlay District. In the most recently approved site plan (BZZ-3722), the applicant was to install six (6) feet of additional landscaping along Bloomington Avenue. The applicant would like to

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maintain the original amount of landscaping from an earlier approved site plan (PR-444), reducing the landscape percentage and width approved under BZZ-3722, which would allow them to maintain one additional parking space for a total of 13 spaces.

The property currently has four indoor service bays, and the applicant is intending to add an additional service bay to the northwest corner of the building. The applicant is not proposing any changes to the previously approved addition. The applicant has not applied for a permit for the addition. Per 530.30 of the zoning code, site plan review is not required where the property has received site plan approval and is in full compliance with such approval. The building addition would remove two originally approved parking spaces, which triggered the requirement for a new site plan review.

In addition to BZZ-3722, there is also a previously approved site plan, PR-444. This plan approved landscaping in the public right-of-way; as a result, much of the installed landscaping is in the public right-of-way rather than on-site. The applicant proposed 12 on-site parking spaces in the site plan approved in September 2007 (BZZ-3722). The existing parking configuration has not changed since the site plan approval on September 1998 (PR-444). Current code requires 2 spaces per service bay and one per 300 GFA excluding the service bays. The total number of parking spaces required is 11. The site would have a total of 13 parking spaces if amended.

Below are the conditions of approval from the CPC actions on BZZ-3722 dated September 17, 2007:

1. Paint all rear exterior walls of the proposed addition, including the unpainted portions, to match existing building color.
2. CPED Planning staff review and approval of the final site plan prior to issuance of building permits.
3. Compliance of the fencing conditions of PR-444 approved on September 28, 1998.
4. A decorative 3-foot wrought iron fence shall be installed along property lines on Bloomington Avenue S. and along 35<sup>th</sup> Street E. A six foot decorative fence along north and west property lines is recommended to replace the chain link fence.
5. All site improvements shall be completed by September 17, 2008, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

The proposed addition was reviewed by the Preliminary Development Review (PDR) on June 27, 2007. If the site plan is amended, the applicant will need to revise his final submittal for PDR. The applicant will work with Minnehaha Creek Watershed District to address possible sewer design issues.

While the property is located in the SH Shoreland Overlay District, no additional land use applications are required.

At the time of writing this staff report, staff has not received any comments. Staff will provide comments, if any, at the City Planning Commission meeting.

**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 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.

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- 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 530.120 of the zoning code.

- The form and pitch of roof lines shall be similar to surrounding buildings.
- **Parking Garages:** The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. At least thirty (30) percent of the first floor building wall that faces a public street, public sidewalk or public pathway shall be occupied by active uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

There are no changes proposed to the previously approved building addition on the subject site. Please see the staff report from file BZZ-3722 for specific details related to this section of Chapter 530.

#### **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.

There are existing sidewalks connecting the public sidewalk to the building entrances and to parking areas on the site.

There is no transit shelter on the property.

Vehicular access and circulation will not interfere with pedestrian traffic and the surrounding residential uses. Most of the parking spaces are located behind the building with a driveway from 35<sup>th</sup> Street. There is no access from the alley to the property. The applicant is not proposing any changes to existing curb cuts.

The original site plan from 1998 did not minimize the use of impervious surfaces on site, instead allowing the applicant to provide landscaping and screening in the public right-of-way. The amended plan would not change the existing amount of 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 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 lot area (9,220 sq. ft.) minus the building footprint (2,643 sq. ft.) yields a net site of 6,577 sq. ft. The code requires a minimum of 1,315 sq. ft. of landscaping, three trees and 13 shrubs. The applicant is proposing a landscaped area of 668 sq. ft., or 10 percent. The applicant's prior approval under BZZ-3722 included a landscaped area of 902 sq. ft., or 14 percent.

There is 515 sq. ft. of landscaping in the public right-of-way as approved by PR-444. Were the landscaping in the right-of-way included in the calculations, the applicant would be providing 1,183 sq. ft. of landscaping, or 18 percent. Staff is recommending alternative compliance for the applicant to reduce the required landscaping approved under BZZ-3522 and maintain the existing landscaping as approved under PR-444.

The applicant is proposing 66 shrubs, exceeding the requirements, but only one deciduous tree. The applicant will be required to plant two additional trees in the landscaping.

There are no trees, hedges, or fences to screen the loading and unloading areas. In compliance with Section 530.170, there shall be no less than three canopy trees along parking along Bloomington Avenue and no less than three canopy trees along 35<sup>th</sup> Street East. However, it is impractical to put another tree along the rear portion along 35<sup>th</sup> Street East due to an existing tree in the boulevard. Staff

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believes the trees would be too close, and the new planting would be shaded. Existing perennials were planted on the ROW and outside the property line. Staff is recommending the applicant retain the existing perennials where possible while adding additional screening, fencing, and trees as outlined under alternative compliance, below. With the additional required trees, most spaces would be within 50 feet of an on-site deciduous tree. However, there are two existing spaces in the northwest corner of the property that would not be. These were approved under PR-444, so staff is recommending alternative compliance to this standard.

The applicant does not have a seven foot landscaped yard on-site along Bloomington Avenue nor along 35<sup>th</sup> Street East as required by 530.170 (b). There is an existing five foot landscaped yard along the front parking on 35<sup>th</sup> Street East. If the previously approved landscaping in the right-of-way is counted, the applicant does have a seven foot one inch (7'1") yard along front parking on 35<sup>th</sup> Street East, a five foot eight inch (5'8") landscaped yard along the rear parking on 35<sup>th</sup> Street East, and a five foot six inch (5'6") landscaped yard along Bloomington Avenue. Staff is recommending alternative compliance for the applicant to reduce the required landscaped yard approved under BZZ-3522 and maintain the existing landscaped yard as approved under PR-444.

Parking at the rear is appropriately fenced with a 6 foot chain link fence as was approved in a modification of the site plan approved in 1998 (PR-444). Staff feels that it is not practical to remove parking spaces to comply with landscaping requirements of Section 530.170 when alternative compliance can be reasonably accommodated for fencing and screening requirements in the rear property line adjacent to the alley. Staff is continuing to recommend replacing the chain link fence along the north and west property lines with decorative materials as was outlined in the last site plan review approval (BZZ-3722).

All areas not occupied by buildings, parking and loading facilities or areas governed by sections 530.160 and 530.170 shall be covered with turf grass or perennial flowering plants and mulch.

**ADDITIONAL STANDARDS:**

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

There is six (6) inch by six (6) inch continuous curbing along the front as required per the previously approved site plan (PR-444) and wheel stops in the rear parking area. The applicant is not proposing any changes.

The existing one story building does not block any views of important elements of the city, and will not create shadowing issues on public spaces and adjacent properties, nor will it alter wind currents.

The property is fenced at the rear and the existing building has front and side windows facing the streets as design elements. Sufficient exterior lighting is also provided around the building. The building is not a potential historic resource.

**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**

The proposed development is in conformance with these standards as approved under BZZ-3722, except where revised below. Please see the staff report from that application for further details.

**Off-Street Parking and Loading:** The zoning code requires 11 parking spaces and the applicant is proposing to provide 13 spaces on-site.

**MINNEAPOLIS PLAN:**

The proposed development is in conformance with these standards as approved under BZZ-3722. Please see the staff report from that application for further details.

**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.

Staff is recommending alternative compliance based on earlier approvals and additional changes. The alternative compliance recommendation to the building remains unchanged from BZZ-3722. For the

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blank wall on the north elevation, staff recommended:

The proposed service bay addition will create a blank wall of 26 feet. This wall faces north to a property that is also zoned C1 district. The applicant plans on storing a fully screened refuse container next to this wall. Interior walls over 25 feet in length that do not face a parking lot, public street or public alley requires that they have recess and projections or other architectural details. Staff is continuing to recommend that the wall be painted to the same color as the rest of the building. Materials using rock face blocks for this wall are encouraged to create architectural interest.

Strict adherence to the window requirement on this wall is impractical because the use of the space is to store mechanical tools and equipments for an auto repair shop. The proposed alternative is consistent with the development objectives of Chapter 530 of the zoning code.

Landscaping and Screening alternative compliance:

The existing landscaping consists of perennial plantings along Bloomington Avenue and 35<sup>th</sup> Street East. Many of these plantings are located in the public right-of-way. The code requires 20% of the area not covered by the building to be landscaped. As noted above, the applicant is proposing only 10 percent landscaped yard when excluding landscaping in the right-of-way. Alternative compliance is requested for the required landscaping and screening. Staff encourages existing plantings in the right-of-way to remain.

The purpose of the required landscaping and screening is to buffer the parking view from a public street and also to establish delineation between private and public spaces. Strict adherence to the landscaping and screening requirement is impractical given the size of the lot and the fact that the applicant is in compliance with a previously approved site plan – normally a site plan review would not be even required when the property is in full compliance with a previously approved site plan. In the staff report for BZZ-3722, staff recommended removing the two front parking spaces to increase the landscaped area. Staff is now recommending the applicant maintain the existing configuration as approved in 1998 under PR-444 as requested by the applicant. As alternative compliance, staff is recommending that the applicant install no less than three (3) deciduous trees along Bloomington Avenue and three (3) deciduous trees along 35<sup>th</sup> Street East. The trees will allow the applicant to mitigate some of the effects of the missing landscaping, as well as bring them into compliance with 530.170 (b). Staff is continuing to recommend the three (3) foot decorative wrought iron fence along Bloomington Avenue and 35<sup>th</sup> Street East as recommended in the previous approval (BZZ-3722). Staff is also recommending the applicant keep the existing perennial plantings where possible.

The proposed alternative compliance is consistent with the development objectives and intent of Chapter 530 of the zoning code.

### **RECOMMENDATION**

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the amendment to a previously approved site plan of an existing automobile repair use located at 3446 Bloomington Avenue

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subject to the following conditions:

1. CPED Planning staff review and approval of the final site plans, landscape plans, and building elevations prior to issuance of building permits.
2. Paint all rear exterior walls of the proposed addition, including the unpainted portions, to match existing building color.
3. As an alternative compliance measure, the applicant shall install a decorative 3-foot wrought iron fence along property line on Bloomington Avenue and along the front parking area along 35<sup>th</sup> Street East. A six foot decorative fence along north and west property lines is recommended to replace the chain link fence.
4. As an alternative compliance measure and to come into full compliance with 530.170 (b), the applicant shall install three (3) deciduous trees along 35<sup>th</sup> Street East and three (3) deciduous trees along Bloomington Avenue.
5. All site improvements shall be completed by September 17, 2008 unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

**Attachments:**

1. Original statement of use from applicant
2. Zoning map
3. Site Plan
4. Photos
5. PDR report
6. BZZ-3722 approved site plan
7. PR-444 conditions of approval, approved site plan, and administrative change