

Community Planning and Economic Development -- Planning Division Report

Zoning Code Text Amendment
Hiawatha LRT Neighborhood Station Area Rezoning Study
Phase 1: Pedestrian Oriented Overlay District

Date: December 13th, 2004

Initiator of Amendment: Council Member Schiff

Date of Introduction at City Council: April 2nd, 2004

Wards: 2, 6, 9, 12

Neighborhood Organizations:

- Corcoran Neighborhood Organization
- East Phillips Improvement Coalition (EPIC)
- Longfellow Community Council (LCC)
- Nokomis East Neighborhood Association (NENA)
- Seward Neighborhood Group
- Standish-Ericsson Neighborhood Association (SENA)
- West Bank Community Coalition

Planning Staff and Phone: Mike Larson, Senior Planner, 612-673-2423

Intent of the Ordinance:

The intent of the ordinance is to implement *Transit Station Area* policies of the Minneapolis Plan related to land use, density, building form and placement, accessory parking, and bicycle parking.

Appropriate Section(s) of the Zoning Code:

Chapter 551, Article II: Pedestrian Oriented PO Overlay District
NEW: 551.175. Transit Station Areas (attached)

Existing Zoning: Various primary district designations and overlay district boundaries

Proposed Zoning for Map Amendment: Pedestrian Oriented Overlay District for Transit Station Areas

Zoning Plate Numbers: 20, 21, 26, 27, 33, 34, 40

Zoning Code Text Amendment

Background:

State statute requires municipalities to develop consistency between zoning and its comprehensive plan. The City has amended its comprehensive plan, the Minneapolis Plan, to designate the areas around each of the six neighborhood stations as *Transit Station Areas*. Furthermore, more extensive station area planning has occurred, addressing appropriate future land uses, densities, urban design and infrastructure needs.

This is the first of two phases of zoning amendments in *Transit Station Areas*. This first phase proposes amendments to, and application of, the Pedestrian Oriented (PO) Overlay District within each *Transit Station Area*. A new Section 551.175 creates additional provisions regarding development in these areas. As requested by the City Planning Commission at its November 18th, 2004 Committee of the Whole Meeting, alternative language and rationale for minimum Floor Area Ratio requirements are attached. The second phase of the study in 2005 will result in recommendations for changes to primary zoning district designations.

Extensive research analyzed the strengths and weaknesses of the Minneapolis Zoning Code related to the objectives of transit-oriented development adjacent to and within close proximity to light rail stations. This information is summarized in the document produced by the Planning Division of CPED, entitled "*The Role of Zoning in Implementation of Transit-Oriented Development (TOD) in the Hiawatha Corridor*". Furthermore, this effort was supplemented by research on the impact of existing regulations on recent development projects as well as a review of the requirements of peer cities. Information about the study and its proposals has been provided on the City's web site (www.ci.minneapolis.mn.us/lrtrezoning), and a public open house about the proposed changes was held on November 16th, 2004. Recent presentations to the Committee of the Whole occurred on these matters on August 26th and November 18th, 2004.

Alternative Floor Area Ratio Language

The proposed text amendment includes a minimum floor area ratio (FAR) of 0.50 for all new development. CPED-Planning Division recommends a minimum density requirement to implement public policy objectives related to density in the LRT station areas. The City Planning Commission requested information on possible alternative requirements related to minimum FAR and lot size, which is included as an attachment to this report.

Purpose for the Amendment:

What is the reason for the amendment?

What problem is the amendment designed to solve?

What public purpose will be served by the amendment?

The amendment will support Minneapolis Plan policies related to the development of higher-density, mixed-use and pedestrian-oriented districts in and around neighborhood light rail transit stations. The specific amendments to the PO Overlay District for *Transit Station Areas* address the following policy-related concerns, which are not otherwise addressed in the zoning code:

- Minimum density requirement and greater density bonuses to encourage traditional urban form and to support pedestrian activity and transit ridership
- Reductions in parking requirement related to higher anticipated use of transit, walking and bicycling
- Bicycle parking requirements to encourage and support bicycle use

Though the results of individual station area planning work differ, and the underlying zoning varied, the proposed amendment addresses the following universal problems:

- Potential for low density industrial uses (i.e., warehouse-type uses) in favor of uses that benefit from and support pedestrian activity and transit ridership
- Potential low-density commercial development (e.g., small commercial uses on large parcels) in areas appropriate for higher-density development and where there is immediate or anticipated future market for higher density residential or mixed uses
- Lack of adequate bicycle parking in areas planned for greater bicycle use
- Potential oversupply of parking, particularly for larger-scale uses, which would discourage walking, bicycling and transit use
- Potential for numerous variances for projects that meet policy objectives related to density and accessory parking

What problems might the amendment create?

CPED-Planning Division has considered potential problems created by additional regulations and has proposed language intended to minimize these concerns while addressing public policy objectives. These include:

- *Creation of non-conforming uses:* In its proposal, CPED-Planning Division has limited the number of additional types of prohibited uses to self-service storage. Furthermore, the proposed language limits the size of, rather than prohibit outright, wholesaling, warehousing and distribution as well as furniture moving and storage. These uses, allowed in Industrial and C4 Districts, are the most inconsistent with policies related to (employment) density and transit-orientation.
- *Variance applications related to minimum FAR:* CPED-Planning Division has reviewed a number of development projects and has concluded that it is feasible for most uses to meet both the minimum FAR requirement as well as other zoning code requirements such as accessory parking.
- *Parking:* It is the experience and conclusion of CPED-Planning Division that the parking allowances and limitations are commensurate with the range of parking appropriate for the types and sizes of uses in the *Transit Station Areas*. For smaller-scale uses, parking allowances are likely to reduce the number of variances for existing uses. For larger-scale uses, the parking allowance brings parking requirements closer in alignment with other cities with LRT and with staff experience that minimum parking requirements for larger-scale uses may, in some cases, be more than needed.

Timeliness:

Is the amendment timely?

Is the amendment consistent with practices in surrounding areas?

Are there consequences in denying this amendment?

The full extent of the Hiawatha Line opened for service on December 4th, 2004. Development, both transit-oriented and otherwise, is occurring near the stations. Staff conducted informational interviews and reviewed the regulations of a group of peer cities with light rail transit. The proposed provisions are used in various forms in cities throughout the country. A summary memo of this work, dated August 12th, 2004 was distributed to the Planning Commission for prior review.

The following are the primary consequences of denying this amendment:

- Potential low-density and/or automobile-oriented land uses where there is policy direction and market support for uses that benefit from and support transit use
- An oversupply of parking, particularly for larger-scale uses, thereby discouraging transit-oriented use and occupancy
- A lack of adequate bicycling parking thereby discouraging bicycle use and ridership
- Burdens for developers related to variance applications for projects that are supported by Minneapolis Plan policies

Comprehensive Plan:

How will this amendment implement the Comprehensive Plan?

The specific amendments to the PO Overlay District for Transit Station Areas address the following Minneapolis Plan policies and implementation steps related to density, land uses, accessory parking, and bicycle use.

Minneapolis Plan Policies and Implementation Steps	Applicable New PO Overlay District Provision
4.18 / 9.36 Minneapolis will encourage both a density and mix of land uses in TSAs that both support ridership for transit as well as benefit from its users.	
Implementation Steps	
Concentrate highest densities and mixed-use development nearest the transit station and/or along Commercial Corridors, Community Corridors and/or streets served by local bus transit.	Criteria uses for mapping new PO Overlay Districts in Transit Station Areas. Addressed by increasing relevant density bonuses from 20% to 30%. Primary district zoning, which establishes base density, will be addressed in second phase of zoning study.
Recruit land uses that value convenient access to downtown Minneapolis or other institutional or employment centers that are well served by transit.	Addressed by prohibiting self-service storage and by limiting the size of warehousing, wholesaling

	& distribution as well as furniture moving & storage.
4.21 / 9.39 Minneapolis recognizes that parking is a necessary part of the urban environment, but will limit the amount, location and design of parking in TSAs in order to encourage and support walking, bicycling, and transit use.	
Implementation Steps	
Allow reductions in minimum off-street parking requirements.	Addressed by parking maximum of 150% of minimum.
8.6 Minneapolis will follow a policy of “Transit First” in order to build a more balanced transportation system than the current one.	
Implementation Steps	
Focus transit services and development growth along transit corridors.	Criteria uses for mapping new PO Overlay Districts in Transit Station Areas. Addressed by increasing relevant density bonuses from 20% to 30%. Primary district zoning, which establishes base density, will be addressed in second phase of zoning study.
8.11 Minneapolis will continue to enhance the opportunities for cyclist movement.	
Implementation Steps	
Make it safer, easier and more convenient to cycle in the city by expanding and maintaining lanes, paths, trails, and parking facilities for cyclists.	Addressed by new non-residential and multi-family bicycle parking requirements.
Integrate bike amenity requirements, such as bike lockers and showers for cyclist employees, into the zoning code.	Addressed by new non-residential and multi-family bicycle parking requirements.

Recommendation of the Planning Division of CPED:

The Planning Division of CPED recommends that the City Planning Commission and City Council adopt the above findings and **approve** the proposed text amendment.

Zoning Map Amendment

Applicable zoning code provisions: Chapter 551, Article II: Pedestrian Oriented PO Overlay District

Background: This Zoning Map Amendment proposes the designation of the Pedestrian Oriented (PO) Overlay District for areas adjacent to and contiguous with each *Transit Station Area*, as designated in the Minneapolis Plan. This proposal is presented concurrently with the text amendment above. Please refer to the background above for information on the multi-phased rezoning study. Potential change to primary district designations will occur in a second phase in 2005.

The boundaries of the proposed districts are informed by the following general principles. Staff did not consider parcels outside ½ mile from the station unless a portion of the block fell within this area. Staff conducted field work in each station area to evaluate and adjust our boundaries prior to posting on the web site for public review. In general, the boundaries capture:

- Parcels adjacent to LRT stations
- Corridors designed by the Minneapolis Plan as *Commercial Corridors* or *Community Corridors* (e.g, Cedar Avenue, Franklin Avenue, Lake Street, 38th Street)
- Zoned or planned industrial employment uses, blocks of which fall within ¼ mile of the station
- Established City redevelopment districts where higher density or mixed-use development is anticipated
- Parcels designated in master planning processes that call for higher density and mixed-use development

Findings as required by the Minneapolis Zoning Code:

1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.

The purpose of the PO Pedestrian Oriented Overlay District is to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation and design and accessory parking facilities, and by prohibiting certain high impact and automobile-oriented uses. The proposed text amendments applicable to *Transit Station Areas* build upon the existing regulations with provisions that are appropriate to *Transit Station Areas*. In summary, the provisions of the PO Overlay District accomplish the following:

- Prohibits or limits of automobile oriented or low job density industrial uses
- Prohibits fast food restaurants, except where located in existing storefront buildings
- Regulates building placement
- Regulates building façade
- Prohibits of certain types of signage
- Regulates the location of and impact of accessory parking
- Increases relevant density bonuses
- Establishes minimum Floor Area Ratio (FAR)
- Reduces accessory parking requirement
- Establishes bicycle parking requirement

The application of the PO District, including amendments related to *Transit Station Areas*, addresses the following Minneapolis Plan policies and implementation steps relevant to zoning:

Minneapolis Plan Policies and Implementation Steps	Applicable PO Overlay District Provision or Other Zoning Code Provisions
4.18 / 9.36 Minneapolis will encourage both a density and mix of land uses in TSAs that both support ridership for transit as well as benefit from its users.	
Implementation Steps	
Concentrate highest densities and mixed-use development nearest the transit station and/or along Commercial Corridors, Community Corridors and/or streets served by local bus transit.	Criteria uses for mapping new PO Overlay Districts. Addressed by increasing relevant density bonuses from 20% to 30%. Primary district zoning, which establishes base density, will be addressed in second phase of zoning study.
Ensure that new development density is well integrated with existing neighborhood character through transitions in scale and attention to design.	Currently addressed by Zoning Code through provision included in Site Plan Review and setback requirements. Appropriate primary district designations will be addressed in second phase of zoning study.
Support the development of new housing types in the TSA, including townhomes, mansion apartments, garden apartments, granny flats/carriage houses, and multi-family residential buildings.	Currently addressed by Zoning Code primary districts. Appropriate primary district designations will be addressed in second phase of zoning study.
Support and encourage small-scale, pedestrian-oriented services and retail uses to locate near stations and within mixed-use buildings to serve transit riders and the immediate neighborhood (e.g., day care centers, cafés, dry cleaners, convenience grocery, etc.).	Allowed by primary districts or to be addressed in second phase of zoning study.
Recruit land uses that value convenient access to downtown Minneapolis or other institutional or employment centers that are well served by transit.	Addressed by prohibiting self-service storage and by limiting the size of warehousing, wholesaling & distribution as well as furniture moving & storage.
Discourage automobile services and drive-through facilities from locating or expanding in these designated areas.	Addressed by prohibiting drive-through facilities.
4.19 / 9.37 Minneapolis will require design standards for TSAs that are oriented to the pedestrian and bicyclist and that enforce traditional urban form.	
Implementation Steps	
Ensure that TSA building and site design is oriented to the pedestrian (e.g., reinforcing street walls, anchoring street corners, creating semi-public outdoor spaces, creating visual interest, providing adequate fenestration, and ensuring that principal building entrances open onto public sidewalks).	Addressed by building placement and façade provisions as well as Site Plan Review requirements
Preserve traditional urban form where it currently exists within TSAs, and encourage new development to relate to this context. (See description of	Addressed by multiple provision of PO Overlay District, including

traditional urban form in <i>Chapter 9, City Form</i>)	minimum FAR and building placement/façade provisions as well as prohibitions and limitations on automobile oriented uses.
Ensure that new development and renovation of existing structures adhere to the principles of Crime Prevention Through Environmental Design (CPTED) (See description of building form and context in <i>Chapter 9, City Form</i> .)	Addressed by building placement and façade provisions as well as Site Plan Review requirements
Ensure that TSA development is well integrated into the surrounding neighborhoods through attention to building design, landscaping, and transitions in density and land use.	Currently addressed by Zoning Code through provision included in Site Plan Review and setback requirements. Appropriate primary district designations will be addressed in second phase of zoning study.
4.21 / 9.39 Minneapolis recognizes that parking is a necessary part of the urban environment, but will limit the amount, location and design of parking in TSAs in order to encourage and support walking, bicycling, and transit use.	
Implementation Steps	
Establish upper limits on the amount of off-street parking so that walking, bicycling and transit use are not discouraged.	Addressed by parking maximum of 150% of minimum.
Allow reductions in minimum off-street parking requirements.	Addressed by parking reduction allowances for Transit Station Areas.
Support shared use of parking by commercial uses with different peak periods of parking demand.	Already addressed in Chapter 541 of Zoning Code.
Restrict the location of off-street parking for new development to the side or rear of buildings, so that there are direct connections between the public sidewalk and the principal entrances of buildings.	Addressed by accessory parking provisions of the PO Overlay District as well as Site Plan Review.
Limit the amount of street frontage for new off-street parking lots and require landscaping between parking lots and public sidewalks.	Addressed by accessory parking provisions of the PO Overlay District as well as Site Plan Review.
Provide density bonuses for land uses that provide parking underground or within structures.	Addressed by increasing relevant density bonuses from 20% to 30%.
Limit parking facilities in neighborhoods that are exclusively for the use of transit riders.	The proposed regulations would not place limitations on principal parking facilities, which could serve transit riders as well as other uses in the area. Such facilities could be limited in the future if they were found to preclude policy objectives related to transit use, land use, density and urban design.
8.6 Minneapolis will follow a policy of “Transit First” in order to build a more balanced transportation system than the current one.	
Implementation Steps	
Focus transit services and development growth along transit corridors.	Criteria uses for mapping new PO Overlay Districts.

	Addressed by increasing relevant density bonuses from 20% to 30%. Primary district zoning, which establishes base density, will be addressed in second phase of zoning study.
8.11 Minneapolis will continue to enhance the opportunities for cyclist movement.	
Implementation Steps	
Make it safer, easier and more convenient to cycle in the city by expanding and maintaining lanes, paths, trails, and parking facilities for cyclists.	Addressed by new non-residential and multi-family bicycle parking requirements.
Integrate bike amenity requirements, such as bike lockers and showers for cyclist employees, into the zoning code.	Addressed by new non-residential and multi-family bicycle parking requirements.

2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.

The proposed map amendments reflect considerable long-range planning efforts related to light rail transit over the last several years, which have included significant public involvement. They address Minneapolis Plan policies and implementation steps, including those articulated in adopted station area master plans. The proposed new districts would apply to approximately 1,100 parcels of land.

3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.

The regulations of the PO Overlay District, including the proposed new provisions, address universal concerns related to land use and development in each of the *Transit Station Areas*. They specifically address areas zoned or planned for higher density and/or mixed-uses, particularly contiguous area near the station and/or along important corridors/pedestrian routes.

Certain areas are mapped where the new regulations would have no immediate impact because the provisions are not relevant to the use and/or primary district. These are areas, however, where future development may include higher-density and/or mixed-use development (e.g., along community corridors with parcels designated as R1A). This decision was based on the mapping criteria identified above. Primary zoning designations may be changed in the second phase of the study, or by application, in which case the new rules become relevant.

The proposed language for *Transit Station Areas* does, however, consider instances where the regulations would not be appropriate to specific uses or the primary zoning district. The following are examples:

Minimum FAR not applicable to the Residence or ORI District

Residence Districts have a maximum FAR of 0.50 for certain uses, which would be inconsistent with a minimum FAR. Preventing low-density residential uses in areas planned for future higher-density and/or mixed-use development can be achieved through changes in primary district designations, which will occur in the second phase of the study.

Minimum FAR not applicable to existing development

Existing buildings, including any expansion thereof, will not be required to meet a minimum FAR.

4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.

With a few exceptions, the mapping of the PO Overlay District would not alter the list of permitted or conditional uses in the primary zoning district. While there are instances of newly prohibited uses (e.g., automobile-oriented uses and self-service storage), many other non-residential and/or residential uses would continue to be allowed as permitted or conditional uses.

5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.

The proposed map amendments herein address broad areas, not the zoning classification of particular properties. The advent of light rail transit changes the policy context as well as market potential of property in around LRT station areas. The PO Overlay District regulations address policy and plan objectives for the neighborhood *Transit Station Areas*. Prospective changes to primary zoning district designations will be proposed in the second phase of the study in 2005.

RECOMMENDATIONS OF THE PLANNING DIVISION OF CPED

The Planning Division of the Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt the above findings and **approve** the zoning of parcels in the attached maps with the Pedestrian Oriented (PO) Overlay Zoning District, including the replacing existing PO Overlay District boundaries included therein.

Attachments:

- Existing PO Overlay District text, Page 11
- Proposed text amendment, Page 14
- Alternative FAR language and rationale, Page 16
- Public comments, Page 19
- Proposed PO Overlay District maps, Page 23

Attachment: Current PO Overlay District Text

ARTICLE II. PO PEDESTRIAN ORIENTED OVERLAY DISTRICT

551.60. Purpose. The PO Pedestrian Oriented Overlay District is established to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation and design and accessory parking facilities, and by prohibiting certain high impact and automobile-oriented uses.

551.70. Established boundaries. The boundaries of the PO Overlay District shall be the areas shown on the official zoning map.

551.80. Eligible areas outside of established boundaries. Any person having a legal or equitable interest in property located outside of the established boundaries may file a petition to request the addition of the PO Overlay District classification in the manner provided for zoning amendments in Chapter 525, Administration and Enforcement. The following criteria shall be considered when designating a PO Overlay District:

- (1) The level of pedestrian interest and activity.
- (2) The variety of retail sales and services activities.
- (3) The extent to which properties have limited or no front setbacks.
- (4) The availability of public transit service in the area.

551.90. Prohibited uses. The following uses shall be prohibited in the PO Overlay District:

- (1) Drive-through facilities.
- (2) Automobile services uses.
- (3) Transportation uses.

551.100. Fast food restaurants. Fast food restaurants shall be located only in storefront buildings existing on the effective date of this ordinance, provided further that no significant changes shall be made to the exterior of the structure and freestanding signs shall be prohibited.

551.110. Building placement. The placement of buildings shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation. The first floor of buildings shall be located not more than eight (8) feet from the front lot line, except where a greater yard is required by this zoning ordinance. In the case of a corner lot, the building wall abutting each street shall be located not more than eight (8) feet from the lot line, except where a greater yard is required by this zoning ordinance. The area between the building and the lot line shall include amenities such as landscaping, tables and seating. Buildings shall be oriented so that at least one (1) principal entrance faces the public street

rather than the interior of the site.

551.120. Building facade. (a) *Window area.* At least forty (40) percent of the first floor facade of any nonresidential use that faces a public street or sidewalk shall be windows or doors of clear or lightly tinted glass that allow views into and out of the building at eye level. Windows shall be distributed in a more or less even manner. Minimum window area shall be measured between the height of two (2) feet and ten (10) feet above the finished level of the first floor.

(b) *Awnings and canopies.* Awnings and canopies are encouraged in order to provide protection for pedestrians and shall be placed to emphasize individual uses and entrances. Back-lighted awnings and canopies shall be prohibited.

551.130. Prohibited on-premise signs. The following on-premise signs shall be prohibited in the PO Overlay District:

- (1) Pole signs.
- (2) Back-lighted awning and canopy signs.
- (3) Back-lighted insertable panel projecting signs.

551.140. Accessory parking. (a) *Location.* On-site accessory parking facilities shall be located to the rear or interior side of the site, within the principal building served, or entirely below grade.

- (b) *Dimensions.* Parking lots shall be limited to not more than sixty (60) feet of street frontage.
- (c) *Driveways.* The driveway width for all parking facilities shall not exceed twenty (20) feet of street frontage.
- (d) *Shared parking.* The development of shared parking is encouraged, subject to the provisions of Chapter 541, Off-site Parking and Loading.
- (e) *Off-site parking.* When off-site parking is allowed as specified in Chapter 541, Off-Street Parking and Loading, parking may be located an additional five hundred (500) feet from the use served, subject to the requirements of Chapter 541, Off-Street Parking and Loading, governing the location of off-site parking.
- (f) *Maximum number of accessory parking spaces.* The number of accessory parking spaces for nonresidential uses shall not exceed one hundred fifty (150) percent of the minimum required parking spaces, as specified in Chapter 541, Off-Street Parking and Loading, or ten (10) spaces, whichever is greater, except where it is determined by the zoning administrator that such excess parking spaces serve to provide parking for another use or uses subject to the requirements of this section.

551.150. Lake and Hennepin area. The following additional regulations shall govern development within the PO Overlay District in and around the intersection of West Lake Street and Hennepin Avenue South, as shown on the official zoning map:

- (1) *Travel demand management plan.* All development containing more than four thousand (4,000) square feet of new or additional gross floor area, or more than four (4) new or

additional parking spaces, shall include a travel demand management plan (TDM) that addresses the transportation impacts of the development on air quality, parking and roadway infrastructure. The planning director, in consultation with the city engineer, shall conduct the administrative review of the TDM. The planning director shall recommend to the zoning administrator any mitigating measures deemed reasonably necessary, who shall include such recommendation as a condition of the issuance of any building permit, zoning certificate or other approval required by this zoning ordinance or other applicable law. All findings and decisions of the planning director shall be final, subject to appeal to the city planning commission, as specified in Chapter 525, Administration and Enforcement.

551.160. Dinkytown area. The following additional regulations shall govern development within the PO Overlay District in and around the intersection of Fourth Street Southeast and Fourteenth Avenue Southeast, as shown on the official zoning map:

- (1) *Off-street parking.* Nonresidential uses shall not be required to provide accessory off-street parking facilities, provided that existing accessory parking facilities shall not be reduced below the requirements for a similar new use, or if existing accessory parking facilities are less than the requirements specified in Chapter 541, Off-Street Parking and Loading, they shall not be reduced further.

551.170. Central and Lowry area. The following additional regulations shall govern development within the PO Overlay District in and around the intersection of Central Avenue Northeast and Lowry Avenue Northeast, as shown on the official zoning map:

- (1) *Drive-through banking facilities.* Notwithstanding any other provision to the contrary, an existing drive-through banking facility may be rebuilt or may add one (1) additional drive-through lane provided the drive-through banking facility or additional drive-through lane is located within the boundaries of the zoning lot existing on the effective date of this ordinance, and subject to all other applicable regulations of this zoning ordinance.
- (2) *Building alteration or replacement.* The alteration of an existing building shall not result in a reduction of the existing number of stories (e.g., a two-story building shall not be reduced to a one-story building or be replaced by less than a two-story building).

(2002-Or-089, § 1, 8-23-02; 2004-Or-088, § 1, 8-6-04)

Attachment: Proposed PO Overlay Text Amendment

Amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to Zoning Code: Overlay Districts.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 525 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 551.175 to read as follows:

551.175. Transit Station Areas. The following additional regulations shall govern development within PO Overlay Districts in and around the following transit stations, as shown on the official zoning map:

Cedar-Riverside LRT Station
Franklin Avenue LRT Station
Lake Street/Midtown LRT Station
38th Street LRT Station
46th Street LRT Station
50th Street/Minnehaha Park LRT Station
VA Medical Center LRT Station

- (1) *Prohibited Uses.* Self Service Storage uses shall be prohibited.
- (2) *Wholesaling, warehousing and distribution; Furniture moving and storage.* Uses shall be limited to thirty thousand (30,000) square feet of gross floor area.
- (2) *Density bonuses.* Where the primary zoning district provides a density bonus, such bonus shall be thirty (30) percent.
- (3) *Minimum floor area.* Except in the Residence and OR1 Districts, the minimum floor area ratio of all new development shall be five-tenths (0.5). Individual phases of a phased development may be less than this minimum, provided the entire development meets the minimum requirement. This requirement shall not apply to the expansion of buildings existing on the effective date of this ordinance.
- (4) *Off-street parking.* (a) *Nonresidential uses.* The minimum off-street parking requirement shall be seventy five (75) percent of the number specified in Chapter 541, Off-Street Parking and Loading.
(b) *Multiple-Family Dwellings.* The minimum off-street parking requirement shall be ninety (90) percent of the number specified in Chapter 541, Off-Street Parking and Loading.

(5) Bicycle parking requirement. (a) Nonresidential uses. Each nonresidential use shall provide a minimum of two (2) bicycle parking spaces or one (1) space for each ten (10) accessory automobile parking spaces, whichever is greater.

(b) Multiple-Family Dwellings. For multi-family residential uses, a minimum of one secured bicycle parking space shall be provided for each dwelling unit. Bicycle parking spaces shall be in enclosed and secured or supervised areas providing protection for each bicycle from theft, vandalism and weather.

Attachment: Alternative Minimum Density (FAR) Requirements

Arguments can be made for alternative minimum FAR requirements based on the impact of the regulation vis-à-vis the developing urban environment. Alternative proposals should take into consideration the public policy objectives of density and urban form in *Transit Station Areas*, relationship to primary district regulations, and the impact on the marketplace. The principal public policy concerns relate to the present demand for both market-rate and affordable housing, and the concomitant public policy objectives of supporting transit use and transit-oriented development.

The primary concern in addressing minimum density in the PO Overlay District is that Commercial Districts allow potentially low density uses which could otherwise be located on smaller sites or with other uses (such as residential) in mixed-use projects. Commercial Districts allow a range of commercial as well as residential uses at various densities, but the districts neither mandate mixed-uses nor prescribe minimum densities. CPED-Planning Division staff conclude that commercial-only uses are appropriate in the proposed PO Overlay Districts, but that a reasonable minimum FAR is justifiable. A minimum FAR can preserve certain sites for housing and/or mixed-use projects, thereby steering commercial uses projects to more suitable sites or within mixed-use buildings.

Use of a minimum FAR requirement is uncommon, and CPED-Planning believes that such a tool should be applied judiciously. Where FAR minimums are used, 0.50 is a common standard. In proposing a minimum FAR of 0.50 for Commercial, Industrial and OR2 and OR3 Districts, the objective is to not to mandate mixed-use, but to create a more efficient land use pattern in the station environs. This is a minimum FAR threshold where most commercial and industrial uses could still meet their parking requirement on-site and in an economical way (i.e., a surface lot).

This attachment provides additional information and rationale should the Planning Commission conclude that a higher FAR minimum for larger sites is appropriate. Commissioners should note that CPED-Planning Division staff will also address station area densities in the second phase of the rezoning study. Primary district rezoning to districts such as R6 and OR3 will accomplish similar objectives by prohibiting commercial uses or restricting them to mixed-use buildings. Furthermore, staff are exploring a mixed-use building requirement for the C3A District.

Impact of alternative FAR requirements

FAR of 0.50

A minimum FAR of 0.50 would limit low-density, stand-alone uses in commercial and industrial districts. This regulation, combined with an accessory parking maximum, prevents small-scale uses from locating on large lots, which would be contrary to public policy objectives for higher density development near transit. This regulation preserves these parcels for other uses, such as larger scale or multi-tenant commercial/industrial and/or mixed-use projects. The broad application of the PO Overlay District makes 0.50 a reasonable FAR minimum for most parcels. Most existing stand-alone commercial uses do not meet this threshold. Examples of commercial projects that meet this minimum include the following, and which may be appropriate for LRT station areas:

Commercial projects that meet minimum FAR of 0.50

Use	Lot Size (sq. ft.)	FAR
Agora Market (two-story retail)	11,692	0.58
City County Federal Credit Union	6,200	0.61*
Kowalski's Chicago Avenue	18,090	0.64*
Walgreens Lake Street	18,595	0.58
Uptown Row (two-story commercial)	49,499	0.72
50 th & France (two-story retail/office)	42,100	1.01**

*Leased shared parking area not included calculations. **Includes underground parking.

FAR of 1.0

Most multiple-family and mixed-use buildings with a residential component easily meet this threshold. However, industrial and commercial uses would have difficulty meeting this requirement. New industrial uses are typically one-story, and the cost of underground parking may preclude new industrial uses in areas planned for such uses. Given the greater parking requirements of commercial uses, some type of structured or underground parking would be necessary at this scale.

A minimum FAR of 1.0 would all but mandate residential uses as part of projects. This is because the market for multi-story, commercial-only projects (namely office buildings) outside of downtown is limited. If high density residential or mixed-use is planned and expected, changing the primary district zoning (to, for example, R6 or OR3) is an alternative strategy to applying an FAR minimum of 1.0 to all areas.

Rare examples of minimum FAR requirements of 1.0 include Portland's Gateway District and the Bloomington Central Station area, both planned for significant density. St. Paul will apply a minimum FAR of 1.0 for larger sites that can support higher density mixed-use development with its new Traditional Neighborhood-3 (TN3) zoning district.

FAR of 0.70

A minimum FAR of 0.70 could provide commercial-only projects with greater flexibility where a variance might otherwise be requested. For example, an FAR minimum of 0.70 could support two-story buildings with multiple commercial/office tenants where accessory parking is located to the rear of the building. An example of this is Uptown Row, a recent two-story commercial project on Lake Street with an FAR 0.72.

Lot Size Thresholds

CPED-Planning Division recommends a lot size threshold related to adoption of any higher minimum FAR requirement. CPED-Planning Division further recommends that this lot size be related to impact on urban form and/or the relationship to size restrictions for individual commercial uses.

Relationship to Street Frontage

Common configurations of commercially zoned land along Community and Commercial Corridors are included in the table below. It should be noted that stand-alone commercial uses in the C1 and C3A Districts can be as large as 6,000 square feet, which would involve a lot no larger than 12,000 square

feet at a minimum FAR of 0.50. In the C2 District, uses can be as large as 20,000 square feet, which would be allowed on a lot size no larger than 40,000 square feet. Stand-alone uses have been typically smaller than these limits and their lot sizes larger than an FAR of 0.50 would allow.

Use	Lot Size
Reverse corner lot + one adjoining lot	10,320
Maximum lot size allowed for 6,000 sq. foot use (C1 and C3A size limit) at 0.50 FAR	12,000
Reverse corner lot + two adjoining lots	15,480
Half block frontage w/ t-alley	16,575
Full block frontage w/ t-alley	33,150
Maximum lot size allowed for 20,000 sq. ft. use (C2 size limit) at 0.50 FAR	40,000

The following developments provide examples of marketplace activity, indicating a range of lot sizes and utilization. They include mixed-use projects on small lots, indicating a great current demand for housing. These examples also indicate market activity for commercial uses that require and/or provide larger amounts of parking.

Use	Lot Size (sq. ft.)	FAR
Credit Union, Franklin Ave.* (commercial)	6,200	0.61
Hiawatha Square (mixed-use)	9,988	1.88
Fulton Lofts (mixed-use)	10,078	1.92
Agora Market (2-story commercial.)	11,692	0.58
Arts Quarter Lofts (mixed-use)	15,964	2.80
Uptown City Apartments (mixed-use)	28,193	3.30
Oaks Hiawatha Station (mixed-use)	34,232	1.88
50 th & France (two-story retail/office)	42,100	1.01
Franklin Bakery (industrial/retail bakery)	42,960	0.46
Uptown Row (two-story commercial)	49,499	0.72
West River Commons (mixed-use)	53,360	1.94
CVS Central Ave. (pharmacy)	56,238	0.23

*figures don't include adjoining shared parking lease

Alternative FAR Language

CPED-Planning Division suggest the following template should the Planning Commission consider alternate FAR language:

- (3) *Minimum floor area.* Except in the Residence and OR1 Districts, the minimum floor area ratio of all new development shall be five-tenths (0.5) on lots less than X square feet and X on lots equal to or greater than X square feet. Individual phases of a phased development may be less than this minimum, provided the entire development meets the minimum requirement. This requirement shall not apply to the expansion of buildings existing on the effective date of this ordinance.

Attachment: Public Comments

Comment Cards from November 16th, 2004 Open House at Midtown YWCA:

Jean Buckley
4XXX 45th Ave. S.
Minneapolis, MN 55406

As part of the 46th St. Station plan this seems to meet our vision of a pedestrian friendly neighborhood and I strongly support the proposed changes. Commissioner McLaughlin has told our neighborhood that the county will consider a pedestrian bridge over Hiawatha. Please support and encourage this to happen for safety reasons.

Edith Den
PO Box XXXXX
Minneapolis, MN 55417

Slide show to fast. Could not read all the information before it moved on. Maps available for people to take home. Not informative. Too vague on plans and people affected by changes. Too vague on actual changes.

Beverly Conerton
36XX 46th Ave S.
Minneapolis, MN 55406
Email: beverlyconerton@aol.com

1. 551.90 Proh. Uses – it may be appropriate to include parking facilities as a prohibited used to prevent large areas of prime land from being turned into park and ride parking ramps.
2. 551.140 Accessory Parking – (b) Dimensions – 60 feet of street frontage seems like it is a lot of space for parking on the street front. (c) Driveways – a 20 foot wide seems like greater than needed. Is that normal for POD?

Brian Miller
Seward Redesign
2323 E. Franklin Ave.
Minneapolis, MN 55406
Email: brian@sewardredesign.org

Min. FAR should be at least 1.0; .5 is too low and would still permit construction of low-density buildings in station areas.

Max. Parking ratios should be no more than 100% of current requirements, not 150%. There is no reason to allow construction of surplus parking in TOD areas unless the idea is to create park and ride.

Kurt Kimber
43XX Longfellow Ave.
Minneapolis, MN 55407

1. We must get some pedestrian bridges over Hiawatha Ave. especially with all proposed redevelopment on the east side of Hiawatha.
2. We have got to figure out how to do mixed income housing as part of the major redevelopment . This is a social justice issue.

Sean Goslewski
31XX 22nd Ave. S.
Minneapolis, MN 55407
Email: sustainability@visi.com

How to develop Target parking lot?
Allow carriage houses ½ mile.
Reduce parking requirement ½ mile.
Density bonus energy efficiency/geothermal

Palmer Van Beest
3748 Minnehaha Ave.
Minneapolis, MN 55406
Email: palmer@tapestryfolledance.org

The acoustics of the meeting site (YWCA) were atrocious. While I applaud your effort to distribute information the setting was a major detractor from this effort.

Bernie Waibel
2323 E. Franklin Ave.
Minneapolis, MN 55406
Email: Bernie@sng.org

Mike, is it possible that an FAR of .50 is too low as a proposed minimum? If we are promoting increased density and hoping for more mixed use, the FAR should be at least 1.0 and perhaps the ratio could be reduced further from the station to transition into the neighborhoods. Thanks for tonight's presentation!

Herb Weyrauch
54XX 34th Ave. S. #207
Minneapolis, MN 55417

Simplify! Simplify!! Simplify !!!

Power point presentation needs:

1. Better contrast. (turn off some overhead lights)
2. Allow more time to read last increment on screen

Dan (Alexander's Import Auto Repair)
2904 E. 35th St.
Minneapolis, MN 55406
Email: Aiari@aol.com

Please keep in mind that auto repair and public transportation have a link. When people drop cars off for service they need other means by which to get around. How about helping tie the two together? Show the people who have not used public transportation that it is not so bad. Give auto repair shops in the zone discount offers to draw people in? Or any type of incentive.

Comments by E-Mail:

Hi Mike,

Just read through the zoning overlay plan for the Lake Street LRT. Thank god I don't live in the plan area. Close though so I will be affected.

Just want to say that historically, the Cedar Riverside area suffered because of the hi density hi rise housing. Way to much crime and overpopulation issues. Now you will be creating the same situation all over again as an experiment to deal with population growth. It all sounds good but it isn't good to live anyplace with people squished in a small area without parking. Most of the new immigrants have cars-they value them. The projected population growth is supposed to be Hispanic and African. They like cars!

The other issue about parking is the fact that the city has already grandfathered a variety of businesses, churches and charter schools (of which we have many) parking spaces within the neighborhoods that don't exist. I don't know how you track this issue but in our area of Lake street every other business has between 2-15 grandfathered parking spaces. **Are you taking this into consideration?**

It's to bad that one area has to absorb all the changes, costs and growth for a city. You are asking one area to absorb it all. It is unfair.

My rant for Monday!

Candace Carlson
29XX 34th Ave. S.

Mike, Sandy, Gary, Peter,

I attended the Mpls Planning Dept's Pedestrian Overlay rezoning meeting for the Hiawatha corridor at the Midtown YWCA last week.

I was struck by the amount of proposed redevelopment planned for the east side of Hiawatha, between Hiawatha Ave and Minnehaha Ave and other nearby areas. This makes total sense, there's a lot of property ripe for this type of renovation (and BTW, there's just not that much developable property west of Hiawatha). So, again, this makes total sense.

Given the burgeoning redevelopment slated for the east side of Hiawatha, I think there's an essential piece of infrastructure that needs to be funded and that's pedestrian bridges to give pedestrians on the east side of Hiawatha access to LRT.

During rush hour (when many pedestrians will be commuting) it's not uncommon to wait eight minutes or more to cross Hiawatha. I just can't believe that people wouldn't use a pedestrian bridge under these circumstances. A pedestrian bridge gives the pedestrian a known transit time to cross the highway (as opposed to the current situation, where it's difficult to predict when a ped can cross). A pedestrian bridge, in effect, gives pedestrians pre-emption over traffic. More correctly, it decouples ped traffic from vehicular traffic.

Even if pedestrian traffic were given the highest priority to cross the highway, Hiawatha is a tremendously wide roadway, scary with its number of lanes and the speed and magnitude of the traffic present. Worse, think about crossing it at this time of year when it's dark before 7:00 am and after 5:00 pm.

If we want to do pedestrian oriented development east of Hiawatha, then we've got to have adequate infrastructure to support the pedestrian traffic that will come with it. There is no way a major auto-oriented development would be allowed to proceed without adequate roadway support. Why should it be any different for infrastructure needed to support pedestrian oriented development?

At the minimum, we need ped bridges at the 38th and 46th LRT stations. Without them, we're not going to realize the bulk of the potential pedestrian oriented redevelopment we strive for. Instead there will be limited redevelopment that is cut-off from high quality transit which is only a few blocks away.

I would be very interested in any comments or feedback any of you may have on this topic.

Yours in making this great city a better place to live,

Kurt (Kimber)