

**Department of Community Planning and Economic Development – Planning Division**  
Variances for Drive Aisle Width and Required Parking Stalls and Site Plan Review  
BZZ-2024

**Date:** November 22, 2004

**Applicant:** Mir Ali, dba Zulfe Enterprises

**Address of Property:** 1844 Central Avenue NE

**Project Name:** Zulfe Enterprises

**Contact Person and Phone:** Mir Ali, (651) 329-4161

**Planning Staff and Phone:** Lonnie Nichols, (612) 673-5468

**Date Application Deemed Complete:** October 18, 2004

**End of 60-Day Decision Period:** December 17, 2004

**End of 120-Day Decision Period:** February 15, 2004

**Ward:** One (1)      **Neighborhood Organization:** Logan Park

**Existing Zoning:** C-1 (Neighborhood Commercial) District

**Proposed Zoning:** C1, No change proposed for this application.

**Zoning Plate Number:** Ten (10)

**Legal Description:** Wilsons Rgt Blks East Side Addn, Block 33, Lots 1,2, and 3.

**Proposed Use:** mixed-use building with commercial fronting Central Avenue NE and 12 residential units on 2nd story, plus nonconforming autobody shop building located in rear yard.

**Concurrent Review:** variance to reduce the two-way drive aisle width from the required 22 feet to 18 feet, variance to reduce off-street parking from 36 to 24 stalls, and major site plan review.

**Applicable zoning code provisions:** Chapter 520 Introductory Provisions, Chapter 521 Zoning Districts and Maps, Chapter 525 Administration and Enforcement-specifically Section 525.520(6,7,8) “to reduce the applicable off-street parking requirements....”, Chapter 530 Site Plan Review-specifically Table 530-1, Specific Uses –Principal parking facilities containing additions that total ten or more new parking spaces in any three year period, Chapter 531 – Nonconforming Uses and Structures, Chapter 535 Regulations of General Applicability, Chapter 536 Specific Development Standards, Chapter 541-Off Street Parking and Loading, Chapter 543 On-premise Signs, Chapter 548 Commercial Districts.

**Background:** Mir Ali, dba Zulfe Enterprises, was prompted by the Licensing Department to file the said variance and site plan applications due to the change of commercial tenants on the property. The applicant has provided staff with an easement agreement from 1987 that indicates the property owner has legal rights to maintain a building encroachment of 7½ feet over the Southern property line for the existing building in the SW corner of the lot occupied by the Auto Body Shop of Minneapolis. The applicant has indicated the adjacent parcel to the South was subdivided and sold off to a third party in 1987. Records indicate that auto repair and auto body uses have operated from the said building for approximately 50 years. The existing mixed-use building fronting Central Avenue NE was constructed in 1897, and the site has been historically used in much the same way as its current use: mixed-use commercial storefronts on the ground level, 12 dwelling units (apartments) on the second story, and the auto body shop and parking lot in the rear yard. Construction is nearly complete on a new senior housing development located across the street on the North side of 19<sup>th</sup> Avenue NE. The applicant has submitted two plans and would prefer to implement the site plan labeled “Option B”. Staff is recommending the approval of the site plan labeled “Option A” with alternative compliance and conditions.

**Findings Required by the Minneapolis Zoning Code for a variance to reduce the two-way drive aisle width from the required 22 feet to 18 feet:**

- 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 property has a limited amount of space available for parking and maneuvering vehicles located to the North and West of the existing buildings. The applicant has applied for drive aisle width and parking variances in an effort to make the lot more functional and to bring it into closer compliance with the zoning code. The applicant has indicated that they want alternative compliance to relax the 5 foot landscaped setback required by Chapter 530-Site Plan Review, to retain space for vehicular movement. The current configuration of the parking lot is an existing situation that has functioned with open alley access for many years. 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.

- 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.**

As per the Hennepin County webpage, the buildings were constructed in 1897 and the existing footprint of development on the site, with a two story building fronting Central Avenue, was established over 100 years ago. The circumstances are unique to the parcel of land for which the variance is sought in that a nonconforming auto body shop is located in the rear yard in a stand alone building. This condition was not created by the applicant.

- 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 parking area, located North and West of the existing buildings, is currently used (without striping) in a similar manner as to the proposed parking configuration of the applicant's site plan. The buildings were constructed in 1897 and the existing footprint of development on the site, with a two story building fronting Central Avenue, was established over 100 years ago. There is a vacant, residential lot (owned by CPED) across the alley to the West of the parking area. 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.

- 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 proposed variance should 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.

**Findings Required by the Minneapolis Zoning Code for a variance to reduce off-street parking from 36 to 24 stalls:**

- 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.**

See finding #1 from previous Variance.

- 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.**

See finding #2 from previous Variance.

- 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.**

See finding #3 from previous Variance.

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.**

See finding #4 from previous Variance.

#### **Required Findings for Major 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. (See Section B Below for Evaluation.)**
- C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)**

#### **Section A: Conformance with Chapter 530 of Zoning Code**

##### **BUILDING PLACEMENT AND FAÇADE:**

- **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.**
- **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 façade shall provide architectural detail and shall contain windows at the ground level or first floor.**
- **In larger buildings, architectural elements shall be emphasized.**
- **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 where visible from a public street or a residence or office residence district.**
- **Entrances and windows:**
  - **Residential uses shall be subject to section 530.110 (b) (1).**
  - **Nonresidential uses shall be subject to section 530.110 (b) (2).**
- **Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.**

The placement of the mixed use building reinforces the street wall and facilitates pedestrian access and circulation along Central Avenue NE. The first floor of this building is located within eight (8) feet of the front lot line on Central Avenue and corner side lot line facing 19<sup>th</sup> Avenue NE. The building is oriented so that the principal entrances to the storefront businesses face Central Avenue NE. The area between the building and the lot line does not include amenities, but staff is requiring that fencing and landscaping amenities are established on the interior of the sidewalk along 19<sup>th</sup> Avenue NE. The on-site accessory parking facilities serving the businesses are located to the rear (or West) of the site, North of the Auto body shop building that is located in the SW corner of the site along the alley. The exterior materials and appearance of the rear and side walls of the buildings has been painted the same color and is similar to and compatible with the front of the building. The applicant has not provided the square footage or percentage of windows of the first floor façade. There are no first floor windows facing 19<sup>th</sup> Avenue NE. The storefronts facing Central Avenue appear to exceed the 30% window requirement.

#### **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 530.140 (b).**
- **Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.**
- **Site plans shall minimize the use of impervious surfaces.**

The mixed use building is designed to provide service access through the rear doors that face the parking area. The public sidewalk connects the parking facility to the front door entrances of the ground floor commercial uses and principal entrance to the second story apartments. There is not a transit shelter at the site. The parking area is currently an un-marked lot with wide open access to the alley. Staff is recommending that fencing and landscaping be provided along the East side of the alley to minimize impact on the residential properties located on the West side of the alley. By striping the lot, defining drive aisles, and providing fencing and landscaping, vehicular access and circulation will be designed to minimize conflicts with pedestrian traffic and surrounding residential uses. The proposed perimeter landscaping strips can hold small amounts of snow, but large amounts of snow will need to be removed from the site. The amount of impervious surface on the lot can be reduced through the provision of perimeter landscaping strips. The parking lot surface is currently in a state of disrepair. The number of parking stalls required for the current uses on the property is 36 (Calculation: Central Avenue Commercial Storefronts – 4 @ 4 spaces each = 16 + Residential Units – 12 @ 1 space per dwelling unit = 12 + Auto body Shop = 8). The applicants plan proposes 25 parking stalls, including one van accessible handicapped stall and 5 compact stalls. Staff is supportive of alternative compliance on landscaping area to help facilitate the design of better on site design and circulation.

## **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 shall be landscaped as specified in section 530.150 (a).**
- **Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).**
- **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.**
- **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 530.160 (b).**
- **Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).**
- **The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.**
- **Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.**
- **All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible.**
- **All other areas not governed by sections 530.150, 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 530.220.**
- **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 530.60, as provided in section 530.230.**

The total lot area is 22,400 sf and the building footprint is 12,362 sf. Section 530.150 of the zoning code requires that not less than twenty (20) percent of the site not occupied by buildings (or in this application 2008 sf) shall be landscaped, (calculation: lot area – building footprint x 20% = 22,400 sf – 12,362 = 10,038 x .20 = 2007.6). The applicant has proposed 1119 sf or eleven percent (11%) landscaping (calculation: 1119/10,038 = .1115). Section 530.150 of the code also requires not less than one (1) canopy tree for each one thousand (1000) sf and not less than one (1) shrub per each two-hundred (200) sf of the site not occupied by buildings. In order to be in full compliance, the required plant count for this site is ten (10) trees and fifty (50) shrubs. The applicant has proposed six (6) trees and sixteen (16) shrubs. There are boulevard trees and a decorative pedestrian pole light on the exterior boulevard of 19<sup>th</sup> Avenue NE. Staff is supportive of alternative compliance on landscaping area and plant count in exchange for the

addition of decorative fencing and landscaping and removal of the existing pole sign along 19<sup>th</sup> Avenue NE, and fencing and screening along the alley. At the Preliminary Plan Review meeting, Public Works advised the applicant that encroachment permits would be required for any awnings, landscaping, or signs and doors that are in the public right of way. Public Works staff also said the applicant should consider widening the curb cut to parking lot from the existing 20 feet to a maximum of 25 feet. The applicant will need to provide more details on parking lot drainage on the final site plan and confirm an acceptable drainage plan with the Public Works Department.

#### **ADDITIONAL STANDARDS:**

- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **Site plans shall minimize the blocking of views of important elements of the city.**
- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **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.**
- **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.**

Lighting shall comply with the requirements of Chapter 535 and Chapter 541 of the zoning code. The proposed site plan does not block views of important elements of the city, generate wind currents at ground level, or shadow public spaces or adjacent properties. The City's crime prevention through environmental design (CPTED) specialist has reviewed the plan and recommends that all vegetation should follow the 3 foot - 7 foot rule, which states that screening should not exceed three feet in height and that the canopies of trees should be over seven feet in height allowing a window of visibility into the site. The historic character and architectural interest of the brick building facing Central Avenue is hidden below a uniform layer(s) of paint.

#### **Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan**

##### **ZONING CODE: Specific Development Standards:**

Section 536, Specific Development Standards, requires the premises, all adjacent streets, sidewalks, and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for the purposes of removing litter.

Specific Development Standards for Automobile repair, major for the Auto Body shop requires:

- (1) All vehicles waiting for repair or pick-up shall be stored on the site within an enclosed building or in parking spaces in compliance with Chapter 541, Off-Street Parking and Loading.
- (2) Except in the I3 District, all repairs shall be performed within a completely enclosed building.
- (3) All vehicles parked or stored on-site shall display a current license plate with a current license tab. Outside storage of automotive parts or storage of junk vehicles shall be prohibited.
- (4) The sale of vehicles shall be prohibited.
- (5) The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten (10) feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vaportight fittings to preclude the escape of gas vapors from the fill pipes.
- (6) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.
- (7) In the I1, Light Industrial District, the use shall be located at least three hundred (300) feet from a residence or office residence district.
- (8) Unattended, automated dispensing of gasoline or other engine fuel shall be prohibited.

**Hours of Operation:**

Regular hours of operation for the C-1 district are from 6:00 a.m. to 10:00 p.m. Sunday through Thursday and 6:00 a.m. to 11:00 p.m. Friday and Saturday. The applicant has not indicated an interest in the extension of hours of operation. If any tenants want to pursue additional hours of operation, they will need to make application for a conditional use permit for extended hours of operation and be approved.

**Dumpster screening:**

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.

The applicant has proposed to screen and relocate the dumpsters that are currently out in the open in the parking lot adjacent to the building. There is an existing storage area for auto body parts that is enclosed by solid wooden fencing.

**Window obstructions:**

543.350. Window signs. Window signs shall be allowed, provided that such signage shall not exceed thirty (30) percent of the window area, whether attached to the window or not, and shall not block views into and out of the building at eye level. Window signs shall be included in the calculation of the total permitted building sign area, except as provided for temporary signs in section 543.330.

There are signs and other obstructions in the windows fronting Central Avenue NE that may need to be removed to comply with this section.

## **Signage:**

There is an existing pole sign on site that staff is recommending be removed from the site in exchange for alternative compliance on landscaping. Signage is subject to meet the requirements of Sections 531 and 543 of the Zoning Code. There are signs and other obstructions in the windows and façade fronting Central Avenue NE that may need to be removed to comply with this section.

## **MINNEAPOLIS PLAN:**

The comprehensive plan shows Central Avenue NE from 18<sup>th</sup> Avenue NE to 29<sup>th</sup> Avenue NE as a commercial corridor. Chapter four of *The Minneapolis Plan* states the following applicable objectives and implementation steps about commercial corridors:

### **4.1 Minneapolis will encourage reinvestment along major urban corridors as a way of promoting growth in all neighborhoods.**

#### **Implementation Steps**

Develop standards based on a recognition of the qualities that make urban corridors desirable, viable and distinctly urban, including; diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements which add interest at the scale of the pedestrian.

Designate certain streets as commercial corridors with the adoption of this Plan.

### **4.3 Minneapolis will support development in Commercial Corridors where it enhances the street's character, improves its ability to accommodate automobile traffic and foster pedestrian movement, and expands the range of goods and services offered.**

#### **Implementation Steps**

Designate a network of Commercial Corridors.

Support a mix of uses on Commercial Corridors--such as retail sales, office, institutional, higher density residential (including Major Housing Sites where designated), and clean low-impact light industrial--where compatible with the existing and desired character of the street.

Ensure that commercial uses do not negatively impact nearby residential areas.

Regulate impacts of commercial uses, and in some cases prevent some uses from locating on designated Commercial Corridors, due to their adverse impacts on the viability of nearby residential areas.

Develop parking facilities and management strategies that balance the following goals: improved customer access, protection of sidewalk traffic; reduced visual impacts and shared use of parking facilities.

Develop economic development incentives for the rehabilitation, re-use and revitalization of older or historic commercial buildings and districts.

Ensure that parking structures and surface lots conform with identified design principles.

Reduce the impact of non-residential uses on neighboring residential areas by considering appropriate access, buffering between incompatible uses and regulating hours of operation.

Require that street design for Commercial Corridor streets provide automobile access and parking in keeping with traditional urban form

Require that street designs provide high quality access to Commercial Corridors for pedestrians and cyclists, as well as facilitate transit service and through passage of traffic.

**4.4 Minneapolis will continue to provide a wide range of goods and services for city residents, to promote employment opportunities, to encourage the use and adaptive reuse of existing commercial buildings, and to maintain and improve compatibility with surrounding areas.**

**Implementation Steps**

Provide for a range of commercial districts that provide the services required by the residents and businesses.

Plan, implement and monitor projects and programs that encourage and support the city's neighborhood commercial areas.

Encourage the economic vitality of the city's commercial districts while maintaining compatibility with the surrounding areas.

Maximize the effectiveness of city support services and continue to build successful partnerships with the business community, neighborhood groups and other interested parties.

Maintain and strengthen the character and marketability of small-scale commercial areas throughout the city through technical and financial assistance to qualified neighborhood businesses, neighborhood based business associations and local development corporations.

Continue to promote the creation of neighborhood based business associations and local development corporations where they will be most effective in promoting local business interests.

Encourage coordination and communication between business associations and neighboring residents groups.

**Section C: Conformance with Applicable Development Plans or Objectives Adopted by the City Council**

Making Central Avenue Great (1997) concentrates on the 20<sup>th</sup> to 26<sup>th</sup> Avenues of Central Avenue and the Central Avenue CPTED (Crime Prevention Through Environmental Design) Improvement Project was implemented on the 22<sup>nd</sup> to 27<sup>th</sup> Avenues of Central Avenue NE. The Eastern border of the Northeast Arts District is located on the West side of Central Avenue between Broadway and Lowry. Staff is not aware of any other applicable development plans or objectives infringing on or related to this area.

**Alternative Compliance. The Planning Commission may approve alternatives to any major 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, 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 approval of alternative compliance on landscaping area and plant count in exchange for the addition of decorative fencing and landscaping and removal of the existing pole sign along 19<sup>th</sup> Avenue NE, and fencing and screening and landscaping strip along the alley.

**RECOMMENDATIONS OF THE COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT PLANNING DIVISION:**

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance to reduce the required two way drive aisle width variance from 22 to 18 feet for an existing mixed-use development and parking area located at 1844 Central Avenue NE in the C-1 (Neighborhood Commercial) zoning district.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance to reduce the required number of parking stalls from 36 to 24 for an existing mixed-use development and parking area located at 1844 Central Avenue NE in the C-1 (Neighborhood Commercial) zoning district.

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

The Community Planning and Economic Development Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for an existing mixed-use development and parking area located at 1844 Central Avenue NE in the C-1 (Neighborhood Commercial) zoning district, subject to the following conditions:

- 1) The Community Planning and Economic Development Planning Division shall review and approve the final site and landscaping plans.
- 2) The final site plan shall show decorative fencing and landscaping and removal of the existing pole sign along 19<sup>th</sup> Avenue NE, and fencing and screening and landscaping strip along the alley to close off vehicular access.
- 3) The final site plan shall show the dumpster enclosure (s) and signage at the site in compliance with the code.
- 4) The parking area will be repaired and resurfaced, and striped per the plan approved by the City Planning Commission.
- 5) Public Works-Right of Way division requires encroachment permits for any awnings, landscaping, and/or signs and doors that are in the public right of way.
- 6) The applicant shall provide a performance bond in an amount equal to 125% of the cost of site improvements or the permit may be revoked for noncompliance.
- 7) All site improvements shall be completed by November 30, 2005, unless extended by the Zoning Administrator, or the permit may be revoked for noncompliance.

**Attachments:**

1. Staff report including zoning code information
2. Statement of use
3. Findings including legal easement
4. Correspondence
5. Zoning map
6. Plans
7. Photos