

**Department of Community Planning and Economic Development - Planning Division**  
Conditional Use Permit and Site Plan Review  
BZZ-4519

**Date:** September 14, 2009

**Applicant:** Hennepin County

**Address of Property:** 5100 34<sup>th</sup> Avenue South

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

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

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

**Date Application Deemed Complete:** August 17, 2009

**End of 60 Day Decision Period:** October 16, 2009

**Ward:** 12    **Neighborhood Organization:** Nokomis East

**Existing Zoning:** C1 Neighborhood Commercial

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

**Zoning Plate Number:** 39

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

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

**Concurrent Review:**

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

**Site Plan Review:** For an approximately 4,300 square foot addition to an existing building.

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

**Background:** The Hennepin County Public Library is expanding the Nokomis branch by approximately 4,300 square feet, remodeling the interior of the facility, and improving the parking, landscaping, and screening of the site. The addition to the structure is at the front and rear corners of the existing building. Libraries require a conditional use permit in the C1 Neighborhood Commercial District.

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A conditional use permit and a front yard setback variance (C-49 & V-303) were granted in 1966 to allow the construction of the library.

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

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

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

The Minneapolis City Planning Department has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

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

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

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

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

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

Adequate utilities and access are existing.

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

The library, after the addition, is required to have 17 parking spaces, and 21 are provided. The proposed addition should not add congestion to the public streets.

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

*The Minneapolis Plan* designates this part of 34<sup>th</sup> Avenue South as a community corridor. The plan states that, “community corridors are locations that support new residential development at medium density and increased housing diversity in our neighborhoods. They support limited commercial uses, which are measured against their impacts on residential character, such as the production of fumes or

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noise or negative aesthetics. Design and development along these streets is oriented towards the pedestrian experience. The streets, which form the spine of the community corridors, carry fairly high volumes of traffic, but must balance vehicular travel against residential quality of life. These streets are also important identifiers and travel routes for neighborhood residents and pass-through traffic.” The plan has the following relevant policy and implementation steps for community corridors:

**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**

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.

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.

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.

In addition, Policy 5.6 of the plan states that “Minneapolis will support a strong library system with excellent services, programs, and collections to meet a variety of informational and educational needs.”

*The Minneapolis Plan for Sustainable Growth* (pending final approval) designates this site as part of a Neighborhood Commercial Node. The polices do not speak directly to institutional uses in Neighborhood Commercial Nodes, but do encourage neighborhood serving pedestrian friendly uses that fit in with the character of the area.

In addition, Policy 5.3 of the plan states that “Minneapolis will support a strong library system with excellent services, programs, and collections to meet a variety of informational and educational needs.”

The proposed expansion is in conformance with these goals of the comprehensive plans.

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

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

**SITE PLAN REVIEW**

**Required Findings for Site Plan Review**

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**

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- 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.
    - 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

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**transmittance ratio of 0.6 or higher.**

- e. **First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.**
- f. **Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.**

**Minimum window area shall be measured as indicated in section 530.20 of the zoning code.**

- **The form and pitch of roof lines shall be similar to surrounding buildings.**
- **Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. 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.**

The existing building is setback at varying distances from 20 to 40 feet from the East 51<sup>st</sup> Street property line and 19 to 49 feet from the 34<sup>th</sup> Avenue South property line. The proposed addition at the front of the building will be setback at varying distances from one to eight feet from the East 51<sup>st</sup> Street property line and three feet from the 34<sup>th</sup> Avenue South property line. The corner of the addition at the northwest corner of the building will be setback 10 feet from the East 51<sup>st</sup> Street property line. The addition at the southeast corner will be setback 15 feet from the property line, but will be closer than the existing angled wall is currently located at varying distances of 15 to 49 feet. Staff recommends alternative compliance, as this setback at the northeast corner is for a small portion of the building and it allows for architectural detail in the style of the original structure. The addition at the southeast corner is closer than the current building wall and is building in line with the existing structure to the north of the addition. The setback should not be out of character with the goals of the requirement.

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

The proposed entrance faces East 51<sup>st</sup> Street.

The parking area is located to the side of the building.

The exterior materials of the addition are durable and are made of stone, glass, and metal. The new addition will contain architectural detail including recesses and projections and a varied roof line. The south elevation of the southwest corner addition does not meet the prohibition on blank facades greater than 25 feet in length. Staff recommends alternative compliance as this area is not visible from the public streets, parking or adjoining properties. It faces a screen fence and the back of neighboring garages. Changes in materials may require review and approval by the City Planning Commission.

Non-residential uses are required to provide 30 percent windows on the first floor of elevations facing a public street or on-site parking lot, for the new construction, and the existing windows on the existing building can not be reduced below the amount currently provided or required by code, whichever is less. The elevation facing 51<sup>st</sup> Street East has 87 percent windows, the north addition facing 34<sup>th</sup> Avenue South has 72 percent windows, the south addition facing 34<sup>th</sup> Avenue South has zero windows, the north addition facing the parking lot has 31 percent windows, and the south addition facing the parking lot has

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30 percent windows. Staff recommends alternative compliance for the south addition elevation facing 34<sup>th</sup> Avenue South as the overall elevation has 51 percent windows. However, in order to provide active uses facing the street, staff recommends that the applicant consider reversing the location of the storage area and multi-purpose room at the southeast corner of the building.

The roof is pitched to match the existing conditions. The structures to the north, south, and west are residential and have pitched roofs. The commercial properties to the east have flat roofs.

### **ACCESS AND CIRCULATION:**

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

The entrance to the building opens onto the public sidewalk on 51<sup>st</sup> Street East and a building emergency exit is connected to the public sidewalk on 34<sup>th</sup> Avenue South by a six foot walkway.

There are no transit shelters on the site.

Vehicular access and circulation has been designed to minimize conflict with pedestrians. There is only one curb cut to the parking area. There are no adjacent alleys.

Public Works and the Fire Department have reviewed the site plan for access and circulation and find them acceptable.

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

The public sidewalks along 51<sup>st</sup> Street East and 34<sup>th</sup> Avenue South will be removed and replaced. Staff encourages the applicant to work with Public Works to provide at least a 6 foot wide sidewalk and four to five foot wide tree boulevard.

### **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**

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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 site plan shows 53 percent landscaping. The zoning lot area is 26,646 square feet and the footprint of the building is 12,467 square feet. This leaves 14,179 square feet, of which 20 percent (2,836 square feet) is required to be landscaped. The applicant is providing approximately 7,604 square feet of landscaped area on site.

The development is required to provide a minimum of seven trees and 28 shrubs on site. The site plan shows four trees (one existing and three new). Several existing trees will be removed at the front of the site and along the west property line for the new building, stormwater retention, and parking. The site plan shows 252 shrubs, with an additional 2,508 perennials, woodland, and raingarden plantings. Staff does not recommend granting alternative compliance for the number of trees, as there are areas on the west side or in the parking area that can be utilized to provide additional trees.

The site plan exceeds the required seven foot wide landscaped yard between the parking and the sidewalk on 51<sup>st</sup> Street East by providing a 26 foot wide raingarden at the north end of the parking area. On the south side a seven foot landscaped yard is provided. On the west side there is only enough room for six foot wide yard. Staff recommends alternative compliance as increasing the area on the west side by one foot will cause the pedestrian walkways to be narrowed on the east side of the parking, as the parking lot is at the minimum required dimensions.

The area between the parking and the public sidewalk does not provide the required three foot high 60 percent opaque screening or the one tree per 25 linear feet of parking area street frontage. This area is proposed for a raingraden as part of the on-site stormwater retention area. Staff recommends alternative compliance as the plan shows a large landscaped area that provides stormwater management and will provide some screening during the growing season. Trees will interfere with the underground retention.

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The parking lot does not have all spaces within 50 feet of an on-site deciduous tree. Staff does not recommend granting alternative compliance for the number of required trees, as there are areas on the west side or in the parking area that can be utilized to provide additional trees.

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

### **ADDITIONAL STANDARDS:**

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

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

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

The plan meets the CPTED guidelines. The site is designed with landscaping, fencing, and architectural features to delineate space and control access while allowing views into and out of the site. Staff recommends that proper lighting be provided and that the landscaping follow the three-foot seven-foot rule to allow proper views into and out of the site. Staff also recommends the provision of a decorative metal fence or gate that is at least 60 percent opaque at the southeast and southwest corners of the building running from the building to the south screen fence to control access to the hidden area south of the library and to prevent graffiti in this area.

There are no historic structures on the site.

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

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

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**Off-Street Parking and Loading:** *Minimum automobile parking requirement:* The zoning code requires a minimum of 1 space per 500 square feet of gross floor area in excess of 4,000 square feet for libraries, but not less than four spaces. The gross floor area is approximately 12,467 square feet and this results in a parking requirement of 17 spaces; 21 spaces are provided. One van accessible space is required and one is provided.

*Maximum automobile parking requirement:* The zoning code requires a maximum of 1 space per 200 square feet of gross floor area. The gross floor area is approximately 12,467 square feet and this results in a parking requirement of 62 spaces; 21 spaces are provided.

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

*Loading:* No loading space is required.

**Maximum Floor Area:** The maximum FAR in the C1 District is 1.7. The zoning lot in question is 26,646 square feet in area. The site will contain approximately 12,467 square feet of gross floor area on the lot, an FAR of 0.47.

**Building Height:** Building height in the C1 District is limited to 2.5 stories or 35 feet, whichever is less. The existing building is one floor, but because the floor is taller than 14 feet it is classified as a two story building. It is 24 feet to the tallest part of the roof peak.

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

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

**Yard Requirements:** In general, there are no setback requirements in C1 District unless adjacent to residential zoning. There is R1 Single-family Residence District zoning adjacent to the site to the east and south. An eight foot setback is required for the building along the south rear property line. The building meets this setback for the new construction. Part of the existing structure encroaches into this setback, but is legally nonconforming. The 25 foot front yard setback of the adjacent residential property to the west is required to be extended across this site for 40 feet from the west property line. This setback is provided. The parking lot meets the six foot setback for commercial lots adjacent to R1 Residential zoning at the rear and interior property lines.

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

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

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**Signs:** Signs are subject to 531 and 543 of the Zoning Code. All new signs are required to meet the requirements of Chapter 543 of the zoning code and permits are required from the Zoning Office. While the sign plan has not yet been finalized, the preliminary sign plan meets the standards of the zoning code. The applicant is aware that all signage requires Zoning Office review and approval and permits.

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

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

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

- (1) Lighting fixtures shall be effectively arranged so as not to directly or indirectly cause illumination or glare in excess of one-half ( $\frac{1}{2}$ ) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light source.
- (2) Lighting fixtures shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb) unless of a cutoff type that shields the light source from an observer at the closest property line of any permitted or conditional residential use.
- (3) Lighting shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual performance or visibility to a person of normal sensitivities when viewed from any permitted or conditional residential use.
- (4) Lighting shall not create a hazard for vehicular or pedestrian traffic.
- (5) Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.

**MINNEAPOLIS PLAN:** In addition to the policy and implementation steps listed under finding number five in the conditional use permit section of the staff report, the comprehensive plan has the following relevant policy and implementation steps regarding urban design:

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**9.11 Minneapolis will support urban design standards that emphasize a traditional urban form in commercial areas.**

**Implementation Steps**

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

Enhance pedestrian and transit-oriented commercial districts with street furniture, tree planting, and improved transit amenities.

Orient new buildings to the street to foster safe and successful commercial nodes and corridors.

Require storefront transparency to assure both natural surveillance and an inviting pedestrian experience.

**9.15 Minneapolis will protect residential areas from the negative impact of non-residential uses by providing appropriate transitions between different land uses.**

**Implementation Steps**

Provide appropriate physical transition and separation using green space, setbacks or orientation between residential and non-residential uses.

Encourage site planning for new developments that orients the “back” of proposed buildings to the “back” of existing development.

Require screening and buffering for new developments next to residential areas,

Promote quality design and building orientation of commercial and industrial development that is appropriate with the surrounding neighborhoods.

Use the site plan review process to ensure that lighting and signage associated with non-residential uses do not create negative impacts for residentially zoned property.

Mitigate, through screening and buffering, limiting the size and scale of a building, and a business' hours of operation, the effects of commercial properties on residential areas.

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

**SMALL AREA PLANS ADOPTED BY COUNCIL:**

There are no small area plans approved by the City Council for this specific area beyond the Comprehensive Plan. The site is just outside the boundaries of the *46<sup>th</sup> and Hiawatha Station Area Master Plan*.

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

- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally**

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**designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**

- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

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

- Building placement within eight feet of the front lot and corner side yard lot lines.

The existing building is setback at varying distances from 20 to 40 feet from the East 51<sup>st</sup> Street property line and 19 to 49 feet from the 34<sup>th</sup> Avenue South property line. The proposed addition at the front of the building will be setback at varying distances from one to eight feet from the East 51<sup>st</sup> Street property line and three feet from the 34<sup>th</sup> Avenue South property line. The corner of the addition at the northwest corner of the building will be setback 10 feet from the East 51<sup>st</sup> Street property line. The addition at the southeast corner will be setback 15 feet from the property line, but will be closer than the existing angled wall is currently located at varying distances of 15 to 49 feet. Staff recommends alternative compliance, as this setback at the northeast corner is for a small portion of the building and it allows for architectural detail in the style of the original structure. The addition at the southeast corner is closer than the current building wall and is building in line with the existing structure to the north of the addition. The setback should not be out of character with the goals of the requirement.

- Blank walls exceeding 25 feet.

The exterior materials of the addition are durable and are made of stone, glass, and metal. The new addition will contain architectural detail including recesses and projections and a varied roof line. The south elevation of the southwest corner addition does not meet the prohibition on blank facades greater than 25 feet in length. Staff recommends alternative compliance as this area is not visible from the public streets, parking or adjoining properties. It faces a screen fence and the back of neighboring garages.

- Windows.

Non-residential uses are required to provide 30 percent windows on the first floor of elevations facing a public street or on-site parking lot, for the new construction, and the existing windows on the existing building can not be reduced below the amount currently provided or required by code, whichever is less. The elevation facing 51<sup>st</sup> Street East has 87 percent windows, the north addition facing 34<sup>th</sup> Avenue South has 72 percent windows, the south addition facing 34<sup>th</sup> Avenue South has zero windows, the north addition facing the parking lot has 31 percent windows, and the south addition facing the parking lot has 30 percent windows. Staff recommends alternative compliance for the south addition elevation facing 34<sup>th</sup> Avenue South as the overall elevation has 51 percent windows.

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- Number of trees on site/ Parking lot trees.

The development is required to provide a minimum of seven trees on site. The site plan shows four trees (one existing and three new). Several existing trees will be removed at the front of the site and along the west property line for the new building, stormwater retention, and parking. The parking lot does not have all spaces within 50 feet of an on-site deciduous tree. Staff does not recommend granting alternative compliance for the number of trees, as there are areas on the west side or in the parking area that can be utilized to provide additional trees.

- Seven foot wide landscaped yards.

The site plan exceeds the required seven foot wide landscaped yard between the parking and the sidewalk on 51<sup>st</sup> Street East by providing a 26 foot wide raingarden at the north end of the parking area. On the south side a seven foot landscaped yard is provided. On the west side there is only enough room for six foot wide yard. Staff recommends alternative compliance as increasing the area by one foot will cause the pedestrian walkways on the east side of the parking to be narrowed as the parking lot is at the minimum required dimensions.

- Three-foot high screening/trees for parking frontage.

The area between the parking and the sidewalk along East 51<sup>st</sup> Street does not provide the required three foot high 60 percent opaque screening or the one tree per 25 linear feet of parking area street frontage. This area is proposed for a raingraden as part of the on-site stormwater retention area. Staff recommends alternative compliance as the plan shows a large landscaped area that provides stormwater management and will provide some screening during the growing season. Trees will interfere with the underground retention.

**RECOMMENDATIONS:**

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

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the conditional use permit amendment for a library addition and site improvements for property located at 5100 34<sup>th</sup> Avenue South, subject to the following condition:

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

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

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the site plan review for property located at 5100 34<sup>th</sup> Avenue South subject to the following conditions:

- 1) CPED Planning staff review and approve the site plan, lighting plan, landscaping plan, and elevations before permits may be issued.
- 2) All site improvements shall be completed by September 14, 2010, (unless extended by the Zoning Administrator) or permits may be revoked for noncompliance.
- 3) Staff encourages the applicant to work with Public Works to provide at least a 6 foot wide sidewalk and four to five foot wide tree boulevard along the East 51<sup>st</sup> Street and 34<sup>th</sup> Avenue South street frontages.
- 4) Provision of seven on-site trees as required by Section 530.160 of the zoning code.
- 5) All parking spaces shall be within 50 feet of an on-site deciduous tree as required by Section 530.170(e).
- 6) Provision of a decorative metal fence or gate that is at least 60 percent opaque at the southeast and southwest corners of the building running to the south screen fence to control access to the hidden area south of the library, while still allowing views into and out of the area.
- 7) In order to provide additional active uses facing the street, the applicant shall consider extending the multipurpose room to the east end of the building, relocating the storage and restroom areas, and providing a window(s) from the room looking out to the street.

**Attachments:**

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