

Department of Community Planning and Economic Development – Planning Division
Site Plan Review
BZZ – 4646

Date: February 8, 2010

Applicant: Karmel Properties, LLC

Address of Property: 2910 Pillsbury Avenue

Project Name: The Inn at Karmel Plaza

Contact Person and Phone: Bob Speeter, (612) 616-8658 and Scott Nelson, (612) 676-2714

Planning Staff and Phone: Janelle Widmeier, (612) 673-3156

Date Application Deemed Complete: January 6, 2010

End of 60-Day Decision Period: March 7, 2010

Ward: 6 **Neighborhood Organization:** Whittier Alliance

Existing Zoning: I1 Light Industrial District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 25

Legal Description: Not applicable for this application

Existing Uses: Farmers' market, coffee shops, restaurants, development achievement center, offices, food and beverage production, and place of assembly.

Proposed Use: Hotel

Concurrent Review: Site plan review amendment.

Applicable zoning code provisions: Chapter 530, Site Plan Review.

Background: The applicant proposes to construct a two-story addition on top of the existing multiple-tenant building located at the property of 2910 Pillsbury Avenue South. The approximately 62,500 square foot addition would house a hotel with 72 rooms. A site plan review application is required for any addition to a nonresidential building that would increase its floor area by 1,000 square feet or more. Because a site plan review application was previously approved for this site, the applicant is requesting an amendment. There is a mix of uses in the area, but nonresidential uses are located primarily to the south and west of the site and residential uses are located primarily to the north and east of the site. The Midtown Greenway is located directly north of the site. The existing building fronts Pillsbury Avenue, Pleasant Avenue and the Midtown Greenway. Vehicle access to the surface and below-grade parking areas is through an entrance from Pillsbury Avenue. Vehicles exit to

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Pleasant Avenue. Pedestrian access to the site is the same as vehicles with the exception of one business that has a door with access to the Pillsbury Avenue sidewalk and an entrance from Pleasant Avenue. The applicant has indicated that no other changes are proposed to the site.

The former Minneapolis Community Development Agency (now the Economic Development Division of CPED) owned the subject site prior to construction of the existing development. A redevelopment contract that required a minimum of 64,000 square foot building with office, commercial and light industrial uses and related improvements was executed as part of the sale of the property. According to the Economic Development staff, the City issued a certificate of completion for the project a few years ago because the developer met the minimum requirements and the contractual obligations that the City Council/MCDA Board established thereby releasing the developer of encumbrances with respect to the redevelopment contract.

The following is a summary of the land use application history for this site. In 2001, the city planning commission (CPC) approved a conditional use permit and site plan review application to allow a multiple-tenant development with offices, restaurant space, and an ethnic market (farmers' market). The City Council also approved the vacation of Elroy Street (ran east/west on the south end of the site). The CPC approvals expired and the applicant reapplied for the same applications to allow the same proposal. In 2003, the CPC approved the proposal again. The action was appealed by the neighborhood group, but the City Council upheld the CPC decision. Before constructing the existing building, the applicant submitted applications to allow a larger development adding multiple-family residential with 72 units into the mix of proposed uses in 2004. The CPC granted partial approval of the proposed development, but denied the CUP for the farmers' market. The applicant appealed the CUP denial and the neighborhood group appealed the rest of the CPC actions, but the City Council upheld the CPC decision. With the exception of denying the CUP for the farmers' market, the mayor vetoed the City Council's decision. Following the veto, the council denied all of the applications. Although these applications were denied, the previous approvals had not expired yet and the project that was approved in 2003 with some administratively approved changes was allowed to be constructed. (The CPC actions from 2003 and the final site plan that were approved are attached for reference.)

The applicant started to construct the proposed addition, as shown in the attached photos, without the necessary permits. A permit for a rooftop deck had been issued, but the City and applicant have a disagreement stemming from the issuance of that permit about what was authorized to be built. In an attempt to resolve the disagreement, the Department of Regulatory Services is requiring the applicant to complete the land use application process and comply with other stipulations including "complete review and approval by all required City departments" to allow issuance of building permits for the addition. The applicant has agreed to these requirements through a memorandum of understanding signed by both parties and dated September 24, 2009.

Because there are substantial changes to the site plan from what was previously approved, the project is required to be reviewed at a Preliminary Development Review (PDR) meeting involving various City departments. As of writing this staff report, a submittal for that meeting had not been received and therefore cannot be reviewed at that meeting before the February 8, 2010 planning commission meeting.

The Traffic Division of the Public Works Department has stated that a Travel Demand Management Plan (TDMP) will be a required outcome of the PDR meeting. In the TDMP, they will require the

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applicant to provide a full study of the actual parking demand for the existing uses and their cumulative impact with the proposed hotel use. At the time the conditional use permit to allow a farmers' market was approved, a definition for farmers' market did not exist in the zoning code. The farmers' market that was approved for this site does not comply with the definition that was adopted in July of 2006, but the building was constructed prior to the code change. Today the use would be classified as a shopping center. Parking requirements in a shopping center are based on principal uses established in a shopping center, therefore the parking requirements for a shopping center are usually much greater than for a farmers' market.

The Midtown Greenway Rezoning Study is currently underway and the subject site is located within its boundaries. The study could result in a change to the zoning of this site. In December of last year, the planning commission adopted their recommendation to the city council including rezoning the property of 2910 Pillsbury Ave to R5 Multifamily Residential. As of the writing of this staff report, the rezoning study has not yet been scheduled for a Zoning & Planning Committee meeting. If a site plan review amendment is approved, but the zoning changes to R5 before a building permit(s) required for the addition is obtained and before construction commences, the proposed hotel use cannot be established because it would not comply with the use and other R5 district requirements. As mentioned previously, all required City department reviews and approvals must be obtained in order for a building permit to be issued. This includes compliance with the requirements identified at the PDR meeting.

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

SITE PLAN REVIEW

Findings as required by the Minneapolis Zoning Code for the site plan review:

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

Section A: Conformance with Chapter 530 of the 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.**

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- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances, windows, and active functions:
 - Residential uses:

Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - Nonresidential uses:

Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
 - d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
 - e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.
 - f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.
 - g. In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.

Minimum window area shall be measured as indicated in section 530.120 of the zoning code.
- Ground floor active functions:

Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.
- The form and pitch of roof lines shall be similar to surrounding buildings.
- Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. In addition to compliance with minimum window requirements, principal and accessory parking garages shall comply with provisions requiring active functions on the ground

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floor. In the downtown districts, the more restrictive parking garage provisions of Chapter 549, Downtown Districts, shall apply.

Conformance with above requirements:

The existing building location reinforces the street wall on Pleasant and Pillsbury Avenues. An excess amount of signage and merchandise blocks views into and out of ground floor windows. Staff is recommending that the planning commission require compliance with the site plan review window standards. The applicant also needs to bring the building into compliance with the signage regulations. Multiple entrances are provided for access to individual businesses and common areas. However, walkways connecting to the public sidewalks are closed off by fences requiring pedestrians to walk in the vehicle driveways. Staff is recommending that the planning commission require the applicant to install a gate adjacent to Pleasant Ave and that both gates at each street entrance remain open during business hours.

The existing building is built up to the lot lines adjacent to Pleasant and Pillsbury Avenues.

The principal entrance faces the parking lot at the interior of the site as approved in the previous site plan review approval. Several other entrances to individual businesses and corridors are also oriented towards the adjacent streets or the parking area.

Parking is located at the interior of the site.

On the addition walls, an abundant amount of windows would be provided to divide the building into smaller identifiable sections. On the longer north and south elevations, balconies and building projections are also proposed to further break up the facades.

There would not be any blank, uninterrupted walls exceeding 25 feet in length on the addition.

The existing primary exterior material is stucco. The proposed materials for the addition are hardi-panel siding with a stucco texture and hardi-plank siding. Cedar would be used for the new balconies. These materials are durable. Please note, exterior material changes at a later date would require review by the Planning Commission and an amendment to the site plan review.

All sides of the building would be compatible.

Plain face concrete block would not be used as a primary exterior building material.

The principal entrance faces the parking lot at the interior of the site as approved in the previous site plan review approval. Several other entrances to individual businesses and corridors are also oriented towards the adjacent streets or the parking area. The principal entrance projects from the building and is surrounded by windows to emphasize its importance.

Each wall faces a public street, an on-site parking area, or a public pathway, therefore all sides of the building are subject to the minimum window requirements.

- On the addition walls, at least 10 percent of each wall must be windows. Each wall would have at least 20 percent windows. They would all be vertical in proportion and distributed in an even manner.

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- In 2003 and today, 30 percent of the ground floor walls facing a public street or on-site parking area are required to be windows. On the plans reviewed by the CPC and the final site plans approved by Planning staff, 30 percent windows were shown on these walls. The actual amount of windows installed is less than 30 percent, with the exception of the south elevation. The following is the percentage amount of each wall that are windows:
 - Pleasant Ave (east): 23.2%
 - Pillsbury Ave (west—please note, plan elevation does not reflect built conditions): 28.1%
 - Walls facing the parking lot (south): 31%
 - Interior wall facing the parking lot (east): 21.9%
 - Interior wall facing the parking lot (west): 10.2%

The applicant is now requesting alternative compliance for the amount of windows required. Because over 20 percent of each of the addition walls would be windows and with the condition that the ground floor windows allows views into and out of the building at eye level, staff is recommending that alternative compliance be granted.

- Many of the ground floor windows do not allow views into and out of the building at eye level. This was a site plan review standard in 2003 that applied to walls facing a public street or on-site parking area. Alternative compliance was not granted at that time. The current standards provide clarification for “eye level”. Shelving, mechanical equipment or other similar fixtures cannot block views between 4 and 7 feet above the adjacent grade. Staff is recommending that the planning commission not grant alternative compliance for this standard because less than 30 percent windows were installed on most of the ground floor building walls. Also, staff is recommending that the ground floor Greenway elevation be subject to this standard. The amount of windows on the wall is also less than 30 percent (19.2 percent exists), but allowing views into and out of those windows could improve safety in the greenway.
- A recently adopted site plan review standard requires that each individual ground level tenant space that faces a public street, public pathway or on-site parking lot must comply with the minimum window requirements. Not all of the individual tenant spaces comply with this new requirement. Staff is recommending that the planning commission grant alternative compliance because the condition exists.

A pitched roof is proposed. Very few buildings in the immediate area have pitched roofs. Staff did not observe any nonresidential buildings comparable in size to the building on the subject site with a pitched roof. A pitched roof will also change the runoff of stormwater from the site. This plan has not been reviewed by Public Works, therefore staff does not know if there would be additional issues with the proposed pitched roof. Because the proposed roof type is not characteristic for this area, staff is recommending that the planning commission require a flat roof.

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.**

Conformance with above requirements:

The site plan that was approved showed unobstructed walkways connecting to the public sidewalks on Pleasant and Pillsbury Avenue and leading to the on-site parking area and main entrance. The plan did not show the fence that has been installed extending into the public right-of-way. A note on the plan submitted for this application indicates the gates in the fences adjacent to Pillsbury and Pleasant Avenues allow access during business hours for vehicles. Adjacent to Pillsbury Avenue, there is a gate for pedestrians. Adjacent to Pleasant Avenue, the fence does not have a gate and pedestrians must walk through the vehicle driveway to access the walkway. Staff is recommending that the planning commission require the applicant to install a gate in the fence adjacent to Pleasant Avenue and that both pedestrian gates remain open during business hours.

A transit shelter is not adjacent to the site.

Vehicles enter through a curb cut on Pillsbury Avenue. Vehicles exit through a curb cut on Pleasant Avenue. Circulation is designed to occur on-site. The site is not adjacent to an alley. Some residential uses are located in the immediate area. Staff is not aware of any conflicts created by the existing access location and circulation on pedestrians and surrounding residential properties. The installation of the gate at the Pillsbury Ave entrance has contributed to congestion. This was not shown as part of the previous site plan approval. The applicant will need to address the factors of section 541.230 of the zoning code (see page 12 of this report).

If the landscaping shown on the plan for this application is installed, the effects of the total amount of impervious surface of the parking area would be lessened. More landscaping is shown on the approved because the applicant had shown that additional landscaping would be installed at the center of the parking lot. Although installing landscaping in that location would increase the amount of on-site stormwater retention, it would eliminate parking spaces. Also, a large, contiguous landscaped area is maintained adjacent to the Greenway and the amount of landscaped area on the site greatly exceeds what is required.

LANDSCAPING AND SCREENING:

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
 - **Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year.**
- **Screening shall be satisfied by one or a combination of the following:**
 - **A decorative fence.**
 - **A masonry wall.**
 - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.**

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- 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.

Conformance with above requirements:

The zoning code requires that a least 20 percent of the site not occupied by buildings be landscaped. The lot area of the site is approximately 80,193 square feet. The building footprint is approximately 37,788 square feet including the arcades. The lot area minus the building footprints therefore consists of approximately 42,405 square feet. At least 20 percent of the net site area (8,481 square feet) must be landscaped. According to the landscaping plan, 17,350 square feet of the site is landscaped. That is equal to 40.9 percent of the net lot area. More landscaping is shown on the previously approved plan because the applicant had shown that additional landscaping would be installed at the center of the parking lot. Although installing landscaping in that location would increase the amount of on-site stormwater retention, it would eliminate parking spaces. Also, a large, contiguous landscaped area is maintained adjacent to the Greenway and the amount of landscaped area on the site greatly exceeds what is required.

The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 17 and 85 respectfully. The amount (17) and placement of trees on the previously approved plan and the site plan for this application are the same. The amount (408) and placement of shrubs on the previously approved plan and the site plan for this application are the same. The remainder of the landscaped area is covered with sod or mulch. If shrubs or trees have died or not been installed, they need to be replaced as shown on the plan.

A landscaped yard at least 7 feet wide and screening that is 60 percent opaque and 3 feet in height is required between the parking area and the adjacent streets. In the previous site plan approval, alternative compliance was granted for allowing 2 foot wide landscaped yard adjacent to Pleasant Avenue. The alternatives approved were landscaping all parking lot peninsulas, providing distinctive fencing, an arcade sidewalk feature, bicycle parking spaces, and building facades with a distinctive architectural style.

If the trees are installed as shown on the plan, all except two surface parking spaces would be within 50 feet of an on-site deciduous canopy tree. In 2003, this was not a site plan review standard. Staff is recommending the the planning commission grant alternative compliance for the two spaces. Compliance with this standard wouth require installing a landscape island, which could result in the loss of parking spaces.

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Installation and maintenance of all landscape materials must comply with the standards outlined in section 530.210.

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.

Conformance with above requirements:

Continuous concrete curbing is installed around the surface parking area.

The building should not impede any views of important elements of the city.

The building is set back 56 feet from the property line adjacent to the Greenway. Staff has requested that the applicant provide a shadow study to show that solar access to the Greenway will remain for much of the day. As of writing this report, a study has not been submitted. If one is received, staff will forward it at the planning commission meeting. Because of the large setback that exists, staff does not expect that the impact of two additional floors will have a negative effect on the Greenway.

Wind currents should not be major concern.

The site includes crime prevention design elements; however, existing conditions do not comply with the site plan review standards. Windows are provided at ground level, but many of them are blocked by signage and merchandise. Complying with the sign and site plan review requirements would increase natural surveillance and visibility of the public sidewalks, greenway, and parking area. Fences have been installed to limit access and guide pedestrian movement, but the fences also block the walkways that connect to the public sidewalks. Pedestrians would have to walk through vehicle driveways to reach the walkways. Gates at those locations that are open during business hours would improve safety.

No demolition of existing structures is proposed.

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

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ZONING CODE: The site is zoned I1. A hotel in the I1 district is a permitted use. The existing uses, the farmers’ market, coffee shops, restaurants, development achievement center, offices, food and beverage production, and place of assembly, are also permitted uses.

Parking and Loading:

Minimum and maximum automobile parking requirements: The minimum and maximum parking requirements for the existing and proposed uses are in the table below. The total minimum parking requirement is 118 spaces. The total maximum parking requirement is 540 spaces. The plans show that a total of 155 spaces would be provided. At least 75 percent of the required spaces are required to comply with the minimum dimensions for standard spaces, or 89 spaces for this proposal. The remaining required spaces must comply with the minimum dimensions for compact spaces. The plans show that 125 spaces are standard spaces. Accessible parking spaces are also required in both the below-grade and surface parking areas. At least 4 accessible spaces are required below-grade and at least 3 are required in the surface parking area. Four accessible spaces would be provided in each of the parking areas. The remaining spaces are compact spaces.

Use	Automobile Parking Requirements		Proposed GFA (sq. ft.)	Required	
	Min.	Max.		Min.	Max.
Farmers’ market	1 space/ 2,000 sq. ft. of sales area	1 space/ 200 sq. ft. of GFA + 1 space per 500 sq. ft. of outdoor sales or display area	26,128 (1 st floor) + 10,843.5 (2 nd floor)	18	185
Coffee shops, delicatessens, and sit down restaurants	1 space/ 500 sq. ft. of GFA up to 2,000 sq. ft. +1 space/ per 300 sq. ft. of GFA in excess of 2,000 sq. ft.	1 space/ 75 sq. ft. of GFA	432 (#101)	4	5
			480 (#102)	4	6
			832 (#105)	4	11
			783 (#119)	4	10
			513 (#132)	4	6
			1,386 (#135 &137)	4	18
			570 (#185)	4	7
			810 (#207)	4	10
Place of assembly	parking equal to 10% of the capacity of persons in the main auditorium and any rooms which can be added to the main auditorium by opening doors or windows to obtain audio or visual unity	parking equal to 40% of the capacity of persons in the main auditorium and any rooms which can be added to the main auditorium by opening doors or windows to obtain audio or visual unity	3,370.5	22	89
Food and beverage production	1 space/ 1,000 sq. ft. of GFA up to 20,000 sq. ft. + 1 space/ 2,000 sq. ft. in excess of 20,000 sq. ft.	1 space/ 200 sq. ft. of GFA up to 20,000 sq. ft. + 1 space/ 1,000 sq. ft. in excess of 20,000 sq. ft.	2,484	4	12
Offices	1 space/ 500 sq. ft. of GFA in excess of 4,000 sq. ft.	1 space/ 200 sq. ft. of GFA	8,030	8	40
Developmental achievement center	1 space/ 500 sq. ft. of GFA + 2 drop off spaces	1 space/ 200 sq. ft. of GFA + up to 4 drop-off spaces	6,396	13 + 2 drop offs	32 + 4 drop offs

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Hotel	1 space/ 3 guest rooms + parking equal to 10% of the capacity of persons for affiliated uses such as dining or meeting rooms	1 space/ guest room + parking equal to 30% of the capacity of persons for affiliated uses such as dining or meeting rooms	72 rooms + 976 meeting + 644 dining	35	105
In general	Nonresidential uses shall provide 4 spaces or the amount specified in the table, whichever is greater. Nonresidential uses with 1,000 sq. ft. or less shall be exempt from minimum off-street parking requirements (multiple-tenant or multiple-use buildings may exempt no more than 4 uses)	N/A	N/A	-16	N/A

Bicycle parking requirement: There is not a bicycle parking requirement for a hotel. The existing tenant spaces were constructed before the minimum bicycle parking requirements took effect in 2009. If the minimum requirements were applied, a total of 45 spaces would be required as shown in the table below. Because the requirements went into effect after the building was constructed, there are some grandfather rights. However, providing bicycle lock-up facilities with a capacity of at least 20 bicycles was a condition of the previous site plan review approval. The site plan shows that 32 bicycle parking spaces would be provided. Upon a site visit, staff found a vehicle parked in the northeast corner of the parking lot where landscaping and 10 of the bicycle spaces were shown in the approved plan. Staff saw no other bicycle parking facilities at the site. Because of the traffic congestion associated with the site, staff is recommending that the planning commission uphold the previous condition of approval requiring the applicant to provide at least 20 bicycle parking spaces.

Use	Bicycle Requirement	Proposed	Required
Farmer's market	1 space/ 2,000 sq. ft. of sales area (at least 50% must meet the standards for short-term parking)	36,971.5 sq. ft.	18 (9)
Coffee shops, delicatessens, and sit down restaurants	3 spaces/ establishment (at least 50% must meet the standards for short-term parking)	8 est.	24 (12)
Place of assembly	None	N/A	N/A
Food & beverage production	None	N/A	N/A
Offices	3 spaces or 1 space/ 15,000 sq. ft. of GFA, whichever is greater (at least 50% must meet the standards for long-term parking)	<15,000 sq. ft.	3 (2)
Developmental achievement center	None	N/A	N/A
Hotel	None	N/A	N/A

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Loading: The minimum loading requirements for the existing and proposed uses are listed in the table below. A total of 4 large loading spaces are required. The applicant is proposing to provide 4 large spaces. Additional loading can occur in the parking area if needed.

Loading Requirement (When a development includes more than one nonresidential use with a low, medium, or high loading requirement, the square footage of uses within the same rating category shall be added together in order to determine the number of required loading spaces.)	Use	Proposed (sq. ft.)	Required
High	Farmer’s market	36,971.5	2 large
	Food & beverage production	2,484	
Medium	Offices	8,030	2 large
	Hotel	62,468	
Low	Coffee shops, delicatessens, and sit down restaurants	5,806	Adequate shipping
	Place of assembly	3,370.5	
None	Developmental achievement center	N/A	N/A

Access to Parking and Loading: Access to the parking and loading area must comply with Chapter Chapter 541 of the zoning code including:

541.230. Required plan approval. Plans for any use requiring movement of vehicles across public walks or access through a public alley or street shall be referred to the city engineer for review before any permits are issued. The city engineer shall consider, but not be limited to, the following factors when determining whether to approve the proposed plan:

- (1) The consolidation of curb cuts shall be encouraged, and new curb cuts shall be discouraged whenever appropriate, considering safe traffic flow, the objectives of this ordinance, and access points needed for the proper functioning of the use.
- (2) Where a residential use is served by an alley, direct access to the street through a curb cut shall be discouraged, except where such curb cut extends into a corner side yard.
- (3) The use shall not substantially increase congestion of the public streets or impede pedestrian traffic.
- (4) The space allocated to the use shall be adequate to keep vehicles clear of sidewalks, alleys and similar areas.
- (5) The location of driveways relative to other existing uses is such that street traffic shall not be seriously disrupted and no unnecessary hazards shall be established for pedestrians. In no instance shall a driveway be allowed on a limited access roadway ramp or combined limited access roadway ramp frontage road.

The previously approved plan did not include 4 loading spaces and gates limiting vehicle access to the site. As indicated in the attached email from Public Works, the installation of a gate adjacent to Pillsbury Ave is contributing to congestion. The additional loading demands from the hotel may also require modifications to the site to ensure efficient vehicle access to the site. The applicant will need to address the above factors, especially #3 and #4, with the submittal of plans for final approvals.

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Maximum Floor Area: The proposed lot area is 80,193 square feet. The maximum FAR allowed in the I1 District is 2.7. The total floor area would be 124,936 square feet, which is an FAR of 1.56.

Minimum Lot Area: Not applicable for this proposal

Dwelling Units per Acre: Not applicable

Lot Coverage: Not applicable

Impervious Surface Coverage: Not applicable

Building Height: The maximum height allowed in the I1 district is 4 stories or 56 feet, whichever is less. The height of a building with a hip roof is measured at the midpoint between the eaves and ridge level. The proposed building would be 4 stories and approximately 53 feet in height.

Yard Requirements: In the industrial districts, yards are not required unless the site is adjacent to a residential property or a residential or hotel is established on the site. The subject site does not abut any residential properties. For a hotel use containing windows facing an interior side lot line, a yard of at least 5 feet plus 2 feet for each story above the first floor is required. The site has interior side lot lines on the north and south sides. The hotel use would be 2 stories, therefore a 7 foot side yard is required. The addition would be set back 56 feet from the north lot line and 50 feet from the south lot line.

Specific Development Standards: For hotels, the use shall provide a minimum of 50 guest sleeping rooms, except when located in the downtown districts.

Hours of Operation: All uses located in the industrial districts, except residential uses, religious institutions, hotels and hospitals, shall comply with the following regulations governing maximum hours open to the public, except where the city planning commission further restricts such hours:
Sunday through Thursday, from 6:00 a.m. to 10:00 p.m.
Friday and Saturday, from 6:00 a.m. to 11:00 p.m.

Signs: The applicant has not submitted any sign information. Permits for only 3 signs have been obtained. More than 3 signs exist on the site. Any new and existing signage that are not interior signs, including banners, that has not received a sign permit require Zoning Office review, approval, and permits. The amount of window signage is also regulated. They are allowed, provided such signage does not exceed 30 percent of the window area, whether attached to the window or not and do not block views into and out of the building in the area between 4 and 7 feet above the adjacent grade. Some window signage installed in the building does not comply with these requirements. All window signage needs to be brought into compliance.

Refuse screening: Refuse and recycling 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. An enclosed refuse storage area is provided on the north side of the building; however, it is not effectively screened from Pleasant Avenue. Adequate screening must be provided.

Lighting: Lighting must comply with Chapter 535 and Chapter 541 of the zoning code including:

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 (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: The *Minneapolis Plan for Sustainable Growth* designates the future land use for this site as urban neighborhood.¹ The site is located half a block from Lake Street, which is designated as a commercial corridor. It is also located between the Lyn-Lake and Nicollet and Lake activity centers. These activity centers are located 5 blocks apart. According to the principles and polices outlined in the plan, the following apply to this proposal:

From the Land Use Chapter:

Policy 1.6: Recognize that market conditions and neighborhood traditions significantly influence the viability of businesses in areas of the city not designated as commercial corridors and districts.

Applicable Implementation Step

- 1.6.1 Allow for retention of existing commercial uses and zoning districts in designated Urban Neighborhood areas, to the extent they are consistent with other city goals and do not adversely impact surrounding areas.

Staff comment: The small area plan adopted for this area supports high density residential at this site, but not commercial uses, including the existing and proposed uses. With the rezoning study underway, the zoning of the site may change resulting in the proposed use not being an allowed use and most of

¹ Predominantly residential area with a range of densities. May include other small-scale uses, including neighborhood serving commercial, and institutional and semi-public uses (for example, schools, community centers, religious institutions, public safety facilities, etc.) scattered throughout. More intensive non-residential uses may be located in neighborhoods closer to Downtown and around Growth Centers.

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the existing uses becoming nonconforming. Existing legally established nonconforming uses are allowed to remain as long as they are not discontinued for more than one year.

From the Transportation Chapter:

Policy 2.6: Manage the role and impact of automobiles in a multi-modal transportation system.

Applicable Implementation Step

- 2.6.1 Encourage the implementation of Travel Demand Management (TDM) plans and programs that identify opportunities for reducing the generation of new vehicle trips from large developments.

Staff comment: As mentioned in the background of this report, a TDMP will be required by the Public Works Department for the proposed development. Planning and Public Works staff recognizes that the existing development contributes to congestion in the neighboring area. Implementation of TDM strategies may help to mitigate some of the congestion.

From the Urban Design Chapter:

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

Applicable Implementation Step

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

Policy 10.22: Use Crime Prevention Through Environmental Design (CPTED) principles when designing all projects that impact the public realm, including open spaces and parks, on publicly owned and private land.

Applicable Implementation Steps

- 10.22.1 Integrate “eyes on the street” into building design through the use of windows to foster safer and more successful commercial areas in the city.
- 10.22.3 Design the site, landscaping, and buildings to promote natural observation and maximize the opportunities for people to observe adjacent spaces and public sidewalks.

Staff comment: Many of the ground floor windows are filled with signage and merchandise. The signage will need to be brought into compliance and staff is recommending that the planning commission require that the site plan review standards pertaining to allowing views in and out of the building be met.

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

Applicable Implementation Steps

- 10.11.1 Require the location of new commercial development (office, research and development, and related light manufacturing) to take advantage of locational amenities and coexist with neighbors in mixed-use environments.
- 10.11.2 Ensure that new commercial developments maximize compatibility with surrounding neighborhoods.

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Staff comment: Although the existing policies support residential development rather than nonresidential development at this site, the existing zoning allows the existing and proposed uses. Traffic congestion is a problem in this area. The addition of a hotel at this site could contribute to more congestion. To maximize compatibility with the surrounding neighborhood, the strategies of a TDMP should be implemented.

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

Applicable Implementation Step

10.18.1 Require that parking lots meet or exceed the landscaping and screening requirements of the zoning code, especially along transit corridors, adjacent to residential areas, and areas of transition between land uses.

Policy 10.19: Landscaping is encouraged in order to complement the scale of the site and its surroundings, enhance the built environment, create and define public and private spaces, buffer and screen, incorporate crime prevention principles, and provide shade, aesthetic appeal, and environmental benefits.

Applicable Implementation Step

10.19.3 Landscaped areas should include plant and tree types that address ecological function, including the interception and filtration of stormwater, reduction of the urban heat island effect, and preservation and restoration of natural amenities.

Staff comment: The previously approved site plan included landscaping at the interior of the site in the parking lot. However, that landscaping has not been installed. Staff could not verify on-site if the rest of the landscaping originally proposed was installed because of the snow. Although requested, staff has not received additional photos of the parking lot and installed landscaping. If the landscaping plan that was originally proposed is implemented, filtration of stormwater would increase and the urban heat island effect would be reduced. With the exception of the center islands around the stormwater basins, staff is recommending that the planning commission require additional landscaping than has been installed.

Policy 10.22: Use Crime Prevention Through Environmental Design (CPTED) principles when designing all projects that impact the public realm, including open spaces and parks, on publicly owned and private land.

Applicable Implementation Step

10.22.5 Locate landscaping, sidewalks, lighting, fencing and building features to clearly guide pedestrian movement on or through the site and to control and restrict people to appropriate locations.

Staff comment: Six foot high fences have been installed where walkways connect to the public sidewalk requiring pedestrians to walk through the vehicle driveways. Staff is recommending that the planning commission require the applicant install gates at these locations if none exist and that the gates remain open during business hours.

The *Midtown Greenway Land Use and Development Plan*, adopted by the City Council in 2007 (after the original site plan approval was obtained), calls for high density housing (40-120 units per acre) on this site. It defines appropriate development for this site as urban-oriented, including townhouses,

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small apartments (contains 4 to 16 dwelling units with surface parking), apartments, and greenway buildings.² Specific development guidelines include:

Relationship to the Greenway

- Balconies, windows and additional entries oriented toward the Greenway are strongly encouraged.
- Solar access to the Greenway is highly important. Any given part of the Greenway trail should have exposure to the sun for much of the day. A number of strategies may be employed to achieve this objective. These include stepping back the mass of future buildings along the south side of the Greenway, giving taller buildings a relatively narrow east-west dimension, and pivoting the orientation of buildings to a diagonal that allows morning and afternoon sunlight to pass by the northeast and northwest building faces to shine on the greenway.
- Wherever possible, a minimum of 12 feet should be provided between private development and the Midtown Greenway right of way for a publicly accessible pedestrian promenade, except where a Greenway building is proposed.

Staff comment: The walls of the addition facing the Greenway would contain windows that greatly exceed the minimum window requirements and several balconies. The amount of windows on the ground floor facing the Greenway is less than currently required. Staff is recommending that the planning commission require the applicant to maintain views at eye level in those windows. The building is set back 56 feet from the property line adjacent to the Greenway. Staff has requested that the applicant provide a shadow study to show that solar access to the Greenway will remain for much of the day. As of writing this report, a study has not been submitted. If one is received, staff will forward it at the planning commission meeting. Because of the large setback that exists, staff does not expect that the impact of two additional floors will have a negative effect on the Greenway. This site is one of the locations where reserving space for a promenade is recommended because 29th Street is not directly adjacent to either side of the Greenway. Existing conditions create challenges to installing a promenade at this time, including the existing steep slope between the building, adjacent sidewalks and the greenway, it would not currently link up with other segments, and measures to prevent potential conflicts with pedestrians and vehicles from mid-block crossings have not been studied. As more redevelopment adjacent to the greenway occurs in the future, it may be more appropriate at that time to install a promenade that would connect with other segments.

ALTERNATIVE COMPLIANCE:

The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding any of the following:

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

² Greenway buildings are structures that form part of the wall of the Greenway trench and may have a lower level with doors or windows that face the Greenway. Some Greenway buildings represent the rehabilitation of formerly industrial buildings.

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- **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:

- **Thirty percent window requirement**

In 2003 and today, 30 percent of the ground floor walls facing a public street or on-site parking area are required to be windows. On the plans reviewed by the CPC and the final site plans approved by Planning staff, 30 percent windows were shown on these walls. The actual amount of windows installed is less than 30 percent, with the exception of the south elevation. The following is the percentage amount of each wall that are windows:

- Pleasant Ave (east): 23.2%
- Pillsbury Ave (west—please note, plan elevation does not reflect built conditions): 28.1%
- Walls facing the parking lot (south): 31%
- Interior wall facing the parking lot (east): 21.9%
- Interior wall facing the parking lot (west): 10.2%

The applicant is now requesting alternative compliance for the amount of windows required. Because over 20 percent of each of the addition walls would be windows and with the condition that the ground floor windows allows views into and out of the building at eye level, staff is recommending that alternative compliance be granted.

- **Views into and out windows at eye level**

Many of the ground floor windows do not allow views into and out of the building at eye level. This was a site plan review standard in 2003 that applied to walls facing a public street or on-site parking area. Alternative compliance was not granted at that time. The current standards provide clarification for “eye level”. Shelving, mechanical equipment or other similar fixtures cannot block views between 4 and 7 feet above the adjacent grade. Staff is recommending that the planning commission not grant alternative compliance for this standard because less than 30 percent windows were installed on most of the ground floor building walls. Also, staff is recommending that the ground floor Greenway elevation be subject to this standard. The amount of windows on the wall is also less than 30 percent (19.2 percent exists), but allowing views into and out of those windows could improve safety in the greenway.

- **Individual tenant space window requirements**

A recently adopted site plan review standard requires that each individual ground level tenant space that faces a public street, public pathway or on-site parking lot must comply with the minimum window requirements. Not all of the individual tenant spaces comply with this new requirement. Staff is recommending that the planning commission grant alternative compliance because the condition exists.

- **Form and pitch of roof lines**

A pitched roof is proposed. Very few buildings in the immediate area have pitched roofs. Staff did not observe any nonresidential buildings comparable in size to the building on the subject site with a pitched roof. A pitched roof will also change the runoff of stormwater from the site. This plan has not been reviewed by Public Works, therefore staff does not know if there would be additional

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issues with the proposed pitched roof. Because the proposed roof type is not characteristic for this area, staff is recommending that the planning commission require a flat roof.

- Walkways connecting to building entrances and the adjacent public sidewalks

The site plan that was approved showed unobstructed walkways connecting to the public sidewalks on Pleasant and Pillsbury Avenue and leading to the on-site parking area and main entrance. The plan did not show the fence that has been installed extending into the public right-of-way. A note on the plan submitted for this application indicates the gates in the fences adjacent to Pillsbury and Pleasant Avenues allow access during business hours for vehicles. Adjacent to Pillsbury Avenue, there is a gate for pedestrians. Adjacent to Pleasant Avenue, the fence does not have a gate and pedestrians must walk through the vehicle driveway to access the walkway. Staff is recommending that the planning commission require the applicant to install a gate in the fence adjacent to Pleasant Avenue and that both pedestrian gates remain open during business hours.

- Distance between trees and parking spaces

If the trees are installed as shown on the plan, all except two surface parking spaces would be within 50 feet of an on-site deciduous canopy tree. In 2003, this was not a site plan review standard. Staff is recommending the the planning commission grant alternative compliance for the two spaces. Compliance with this standard wouth require installing a landscape island, which could result in the loss of parking spaces.

RECOMMENDATION

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 above findings and **approve** the application for a site plan review amendment to allow an addition for a hotel for the property located at 2910 Pillsbury Avenue South, subject to the following conditions:

1. Community Planning and Economic Development Department – Planning Division staff review and approval of the final building elevation, floor, site and landscape plans.
2. Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by February 8, 2011, or the permit may be revoked for non-compliance.
3. Unless otherwise authorized or required by the City Planning Commission, the conditions of approval for BZZ-1361 shall remain in effect.
4. Required ground floor windows on walls facing a public street, on-site parking area, or public pathway (the Midtown Greenway) shall allow views into and out of the building at eye level. Shelving, mechanical equipment, or other similar fixtures including merchandise shall not block views into and out of the building in the area between 4 and 7 feet above the adjacent grade as required by section 530.120 of the zoning code.
5. A flat roof shall be installed on top of the addition as required by section 530.120 of the zoning code.
6. The applicant shall install a gate in the fence obstructing the walkway connecting to the Pleasant Avenue sidewalk to allow pedestrian access during business hours as required by section 530.130 of the zoning code. The pedestrian access gate adjacent to Pillsbury Avenue shall open remain open during business hours open to the public.
7. Landscaping adjacent to surface parking shall be installed as shown on the site plan as required by section 530.160 of the zoning code.
8. The applicant shall demonstrate that existing access and circulation operations comply with section 541.230 of the zoning code.
9. Sign permits shall be obtained for existing and proposed signage as required by section 543.100 of the zoning code.
10. Existing and proposed window signage shall comply with section 543.480 of the zoning code.
11. Screening of the refuse storage area shall comply with section 535.80 of the zoning code.

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Attachments:

1. Applicant statement of use
2. Correspondence
3. Previous land use application actions and approved plan
4. Zoning map
5. Plans
6. Photos