

**Department of Community Planning and Economic Development – Planning
Division**

Variances and Site Plan Review

BZZ-3476

Date: April 23, 2007

Applicant: Stephen Buck, DPS Properties, LLC, 3837 Grand Avenue South,
Minneapolis, MN 55409, (612) 518-8448

Addresses of Property: 2649 Lyndale Avenue South (2651 Lyndale Avenue South and
614 W. 27th Street)

Project Name: Moxie Addition

Contact Person and Phone: Stephen Buck, DPS Properties, LLC, 3837 Grand Avenue
South, Minneapolis, MN 55409, (612) 518-8448

Planning Staff and Phone: Becca Farrar, (612) 673-3594

Date Application Deemed Complete: March 14, 2007

End of 60-Day Decision Period: May 12, 2007

End of 120-Day Decision Period: Not applicable for this application.

Ward: 6 **Neighborhood Organization:** Whittier Alliance and Lowry Hill East
Neighborhood Assn. (LHENA)

Existing Zoning: C1 (Neighborhood Commercial) District

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 18

Lot area: 5,337 square feet or .12 acres

Legal Description: Not applicable for this application.

Proposed Use: A two-story building addition and 2nd story additions to existing single-
story buildings for additional commercial or office space.

Concurrent Review:

- Variance of the front yard setback requirement for the first 40 feet (from north to south) from 15 feet to 0 feet along the west property line adjacent to Lyndale Avenue South for a second story addition.

- Variance of the interior side yard setback requirement from 7 feet to 0 feet for the proposed building additions as well as dumpster encroachments along the north property line.
- Variance of the required 22 foot maneuvering requirement for the parking spaces located adjacent to the alley.
- Variance of the off-street parking requirement to 3 parking spaces.
- Site Plan review for a two-story building addition and a 2nd story addition to an existing single-story building for additional commercial or office space.

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

Background: The applicant proposes to construct a new two-story building addition and 2nd story addition totaling 3,970 square feet to the existing single-story and two-story buildings on the property located at the northeast corner of Lyndale Avenue South and 27th Street West, at 2649 Lyndale Avenue South (2651 Lyndale Avenue South and 614 W. 27th Street). The property is currently zoned C1. The uses proposed as additional commercial or office space are permitted uses in the C1 district. The applicant is proposing several variances which include: (1) Variance of the front yard setback requirement for the first 40 feet (from north to south) from 15 feet to 0 feet along the west property line adjacent to Lyndale Avenue South; (2) Variance of the interior side yard setback requirement from 7 feet to 0 feet for the proposed building additions as well as dumpster encroachments along the north property line; (3) Variance of the required 22 foot maneuvering requirement for the parking spaces located adjacent to the alley; (4) Variance of the off-street parking requirement to 3 parking spaces. Site plan review is also required.

The site is currently occupied by Moxie Salon, Bob's Java Hut and Uptown Tattoo. Moxie Salon is in need of additional square footage to serve their growing client base and adding a new second story to the existing structure would accommodate this need. Additionally, the east side of the property is currently underutilized as it is predominantly used for parking and trash collection. In order to make better use of the site, the applicant is proposing a new two-story structure adjacent to the existing buildings on site. Furthermore, the applicant will be covering the parking spaces on the eastern edge of the site adjacent to the alley with an extensive green roof.

Staff has received official correspondence from the Whittier Alliance which has been attached for reference. The Lowry Hill East Neighborhood Association (LHENA) was also notified as the neighborhood boundary is Lyndale Avenue. Staff has not received correspondence from LHENA, or any neighborhood letters prior to the printing of this report.

VARIANCE – (1) Variance of the front yard setback requirement for the first 40 feet (from north to south) from 15 feet to 0 feet along the west property line adjacent to Lyndale Avenue South; (2) Variance of the interior side yard setback requirement from 7

feet to 0 feet for the proposed building additions as well as dumpster encroachments along the north property line; (3) Variance of the required 22 foot maneuvering requirement for the parking spaces located adjacent to the alley; (4) Variance of the off-street parking requirement to 3 parking spaces.

Findings as Required by the Minneapolis Zoning Code for the Variances:

1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.

Variance of the front yard setback requirement for the first 40 feet (from north to south) from 15 feet to 0 feet along the west property line: The property could likely be put to a reasonable use under the conditions allowed, however, strict adherence to the regulations of the zoning code would cause undue hardship. The property, despite being zoned C1, is in a unique situation as the adjacent property to the north is a residential use and is residentially zoned. Typically, the property would be subject to a zero front yard setback in the C1 District. However due to the residential use and the R6 zoning on the north side of the subject property, a front yard is required for the first 40 feet that is equal to the district standard of 15 feet which is less than the established setback of the existing residential structure which is approximately setback 24 feet, 6 inches from the property line. To require that the second story addition comply with a 15 foot setback while the existing first story is located up to the property line would result in a structure that would not reinforce the street or make the best use of the site. The proposed setback reduction for the second story would maintain the character of the existing area along the Lyndale Avenue South frontage and would match into the existing two-story building which is located on the same site.

Variance of the interior side yard setback requirement from 7 feet to 0 feet for the proposed building additions as well as dumpster encroachments along the north property line: The property could likely be put to a reasonable use under the conditions allowed however; strict adherence to the regulations of the zoning code would cause undue hardship. The existing single story structure is located up to the north property line. The applicant intends to match the existing as it relates to setbacks on the proposed second story. Staff believes that construction of a second story and a new 2-story structure on site that matches into the existing structure at the same setbacks should not have negative impacts on the adjacent residential structure or property. The adjacent structure is located approximately 7 to 8 feet from the property line. Additionally, allowing the dumpsters for the proposed development in the required interior side yard should not have negative impacts on the adjacent property. The proposed location is truly the only location on site that is reasonable to accommodate three dumpsters on site. The dumpsters will be enclosed as required by the zoning code.

Variance of the required 22 foot maneuvering requirement for the parking spaces located adjacent to the alley: Staff believes that granting the maneuvering variance is reasonable and strict adherence to the regulations of the zoning code could cause an

undue hardship. The on-site parking lot has been designed to accommodate as much parking for the development as possible while allowing for new construction on-site. By requiring the applicant to meet the required maneuvering area, the development would not be able to accommodate any off-street parking.

Variance of the off-street parking requirement to 3 parking spaces: The property could not be put to a reasonable use under the conditions allowed and strict adherence to the regulations of the zoning code would cause undue hardship. The existing and proposed uses on site require a total of 30 off-street parking spaces. The site has grandfather rights to 17 off-street parking spaces, 3 parking spaces are being provided and a bike rack is being located on site in lieu of one required parking space. Therefore, the applicant is requesting a variance of the off-street parking requirement from 9 parking spaces to 3 parking spaces. Requiring additional parking would not be feasible on the subject site and would cause undue hardship. Further, the site is well served by transit.

2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.

Variance of the front yard setback requirement for the first 40 feet (from north to south) from 15 feet to 0 feet along the west property line: The circumstances are unique as the subject parcel is adjacent to a residential use and residential zoning classification along the north property line. Typically, the property would be subject to a zero front yard setback due to its zoning classification of C1, however due to the residential use and the R6 zoning on the north side of the subject property, a front yard is required for the first 40 feet that is equal to the district standard of 15 feet. To require that the second story addition conform to the 15 foot required front yard setback would result in a structure that would not reinforce the street or make the best use of the site. Typically, Staff would encourage buildings to be constructed up to the sidewalk to reinforce the street edge, facilitate pedestrian access and provide natural surveillance. Allowing the front yard variance due to the uniqueness of the site seems a reasonable use of the subject parcel.

Variance of the interior side yard setback requirement from 7 feet to 0 feet for the proposed building additions as well as dumpster encroachments along the north property line: The circumstances could be considered unique to the parcel of land as the applicant is proposing a second story addition and new 2-story structure that would match into the existing single story structure which is constructed up to the north property line. To require that the second story and the new structure be setback 7 feet from the interior side yard would not seem to provide a great deal of benefit as the existing single-story structure is located at zero lot line. The variance to allow the dumpsters in the required interior side yard is a reasonable request, as they are currently located on site in that location and additionally, there are no other places on site to locate the necessary trash enclosures for the development.

Variance of the required 22 foot maneuvering requirement for the parking spaces located adjacent to the alley: The circumstances could be considered unique as the property is a small corner property located along a Community Corridor. The applicant would not be able to provide any on-site parking due to the site constraints if the variance were not to be approved.

Variance of the off-street parking requirement to 3 parking spaces: The circumstances could be considered unique to the parcel of land as the applicant is attempting to accommodate as much required parking as possible on a developed site. Staff believes that relaxing the off-street parking requirement from 9 to 3 spaces is a reasonable request.

3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.

Variance of the front yard setback requirement for the first 40 feet (from north to south) from 15 feet to 0 feet along the west property line: Granting the front yard setback variance would likely be in keeping with the spirit and the intent of the ordinance. Further, granting the setback variance for the proposed development would likely not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The property as it currently exists contains a two-story development at the corner and a single-story building. Both structures are located up to the front property line. Allowing a second story addition constructed up to the property line along Lyndale Avenue South would be an appropriate use of the subject site.

Variance of the interior side yard setback requirement from 7 feet to 0 feet for the proposed building additions as well as dumpster encroachments along the north property line: Granting the interior side yard setback variance for a building addition and new construction as well as for dumpster encroachments would likely be in keeping with the spirit and the intent of the ordinance. Further, Staff would argue that granting the variance for the proposed development would likely not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The adjacent 2-story residential use is located approximately 7 to 8 feet from the property line. Staff believes that the existing spacing is adequate and that a setback reduction should not result in adverse impacts.

Variance of the required 22 foot maneuvering requirement for the parking spaces located adjacent to the alley: Granting the maneuvering variance would likely be in keeping with the spirit and the intent of the ordinance and would likely not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. There is an existing 12 foot wide alley adjacent to the proposed 3 on-site

parking spaces. Granting a variance of the maneuvering requirement would allow for some on-site parking.

Variance of the off-street parking requirement to 3 parking spaces: Granting the variance to allow a reduction in the on-site parking requirement would likely be in keeping with the spirit and the intent of the ordinance. Further, granting the variance for the proposed development would likely not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. It is Staff's position that adequate measures have been taken to provide as much required parking as possible on-site. Further, the area is very well served by transit.

4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

Variance of the front yard setback requirement for the first 40 feet (from north to south) from 15 feet to 0 feet along the west property line: Staff believes that the granting of the front yard variance would likely have no impact on congestion of area streets or fire safety, nor would the proposed setbacks be detrimental to welfare or public safety.

Variance of the interior side yard setback requirement from 7 feet to 0 feet for the proposed building additions as well as dumpster encroachments along the north property line: Staff believes that the granting of the interior side yard variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed setbacks be detrimental to welfare or public safety.

Variance of the required 22 foot maneuvering requirement for the parking spaces located adjacent to the alley: Staff believes that the granting of the maneuvering variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed variance be detrimental to welfare or public safety.

Variance of the off-street parking requirement to 3 parking spaces: Staff believes that the granting of the on-site parking variance would likely have little additional impact on the congestion of area streets or fire safety, nor would the proposed setback be detrimental to welfare or public safety.

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.)

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 FAÇADE:

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street. 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 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 531.20 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 structures on site include a multi-tenant two-story building located at the corner of Lyndale Avenue South and 27th Street West, and a single-story building that shares a common wall to the north. The proposal is to add a second-story to the existing single-story building and to construct a new 2-story building on the east side of the site abutting the rear or east wall of the existing structures on site. The existing buildings are located up to the property line and the proposed structure on the east side of the site would be located up to the property line. All buildings have principal entrances facing the public street and are located directly adjacent to the public sidewalk in order to facilitate pedestrian access and circulation. The buildings reinforce the street wall and maximize natural surveillance. The area between the proposed and existing structures and the public street has existing planters and plantings. Public Works did recommend that the boulevard be restored along both street frontages. The applicant will need to work with Public Works to determine what landscaping treatment will be acceptable in those locations. The existing and proposed buildings would all be located within eight feet of the property line.

The existing and proposed buildings incorporate windows at the first floor. At least 30% of the first floor façade that faces a public street, sidewalk, or on-site parking lot shall be windows. The existing structures appear to meet this requirement on both frontages. The proposed structure meets this requirement along the south elevation adjacent to 27th Street West as approximately 65% are provided along that frontage however, on the east elevation adjacent to the on-site parking lot the requirement is not being met as approximately 18% are being provided. Alternative compliance would be required. Staff

believes that the proposed elevation is meeting the intent of the provision and believes it would be practical to grant alternative compliance in this specific circumstance. All ground level windows must be transparent (non-reflective). The proposed structure meets the 10% window requirement on upper floors facing the public streets as well. The windows are vertical in proportion and distributed in a more or less even manner. There are no blank, uninterrupted walls greater than 25 feet in width along the north elevation that do not include windows, entries, recesses or projections, or other architectural elements.

The exterior materials would be compatible on all sides of the existing and proposed buildings. The applicant is proposing that the exterior of the structure be composed of an EIFS / stucco finish and prefinished panels with metal elements. Planning Staff will recommend that the Planning Commission require that stucco, not EIFS be utilized on the structure.

The existing and proposed building form and pitch of the roof line is compatible with the area. The proposed roof line would be flat, and a 2-story building would be compatible with other structures in the area.

All proposed parking for the development would be provided in a 3-space surface parking lot on the east side of the site.

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 principal entrances to the proposed and existing structures are located directly adjacent to the public sidewalks along Lyndale Avenue South and 27th Street West. The parking facilities for the proposed development are located in a surface parking lot located directly off the alley which connects with 27th Street West. A separate curb cut off of 27th Street West would be eliminated based on the proposal.

The site is not located immediately adjacent to a transit stop however it is in close proximity to several bus lines. One is located across 27th Street West directly south of the subject site on Lyndale Avenue South.

The proposed development has been designed to minimize conflicts with pedestrian

traffic and surrounding residential uses.

There would unlikely be significant traffic impacts on the adjacent residential properties. The surrounding property is a mix of commercial and residential uses, and the proposal to construct a second story addition and new two story structure on the site would not be expected to have significant impacts on the adjacent uses.

There is a public alley adjacent to the site which is utilized for access to the on-site surface parking lot.

The site has been designed to minimize the use of impervious surfaces through landscaping and the integration of an extensive green roof which would cover the proposed on-site surface parking spaces. Impervious surfaces would cover approximately 76 percent of the site.

LANDSCAPING AND SCREENING:

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
 - Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
 - A decorative fence.
 - A masonry wall.
 - A hedge.
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.**
- **The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.**
- **In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.**
- **All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.**

The proposal does not meet the 20% landscape requirement without the inclusion of the proposed green roof vegetation which is considered an alternative compliance measure. The total site area is 5,337 square feet or .12 acres and the existing and proposed building footprint on the site would be a total of 4,000 square feet. A total of 267 square feet of landscaping would be necessary to meet the 20% requirement. The applicant is providing approximately 175 square feet in planted yards or approximately 13% of the site not occupied by buildings. The zoning code requires that there be at least 1 tree and 3 shrubs. The applicant is proposing to provide 0 trees and 17 shrubs. The proposal is not meeting the minimum landscape quantity requirements as no on-site trees are proposed to be planted. Alternative compliance would be necessary for the overall on-site requirement as well as the landscape quantity requirements.

The applicant is proposing to include an 850 square foot extensive green roof as part of the development. The vegetation to be used is still in the planning stages. The proposed green roof would be located on a carport like structure that would be covering the proposed on-site parking spaces.

Including both the ground level landscaping and the green roof landscaping square footages, a total of 1,025 square feet of landscaping would be provided on site. Staff believes that the integration of a green roof type feature into the proposed development would be an acceptable alternative compliance measure as it relates to the overall on-site landscaping requirement as well as the quantity requirement.

A 7-foot wide landscaped yard is required adjacent to the 27th Street West frontage and a 6-foot wide landscaped yard is being provided. A 7-foot wide landscaped yard and screening is required both adjacent to the north property line and adjacent to the alley. No landscaped yard is being provided adjacent to the north property line as dumpsters are located in the vicinity, however screening by means of a 6-foot tall masonry fence is being provided; and no landscaped yard or screening is being provided adjacent to the alley. Alternative compliance would be necessary. Staff believes that due to the site constraints, it would not be practical to require that the plan be in conformance with the above listed standards. Staff would recommend that the Planning Commission grant alternative compliance.

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.**

All parking is being provided in a surface parking lot which is accessed off of the public alley via 27th Street West. The water drainage on site would need to be designed so as not to drain onto any adjacent lots.

The City's CPTED officer has recommended that any additional plantings follow the 3' – 7' rule to allow visibility on site. Planning Staff would concur with this recommendation. The officer had no additional comments regarding the proposed development.

Staff would not expect the proposal to result in significant blocking of views, shadowing of public space or adjacent properties although some impacts would be expected on the property to the north. Additionally, Staff would not expect the proposed building to have significant impacts on light, wind and air in relation to the surrounding area.

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 - The proposed uses are permitted in the C1 District.

With the approval of the variances and site plan review this development would meet the requirements of the C1 zoning district.

Parking and Loading: According to Chapter 541 of the zoning code, the existing and proposed uses on site require a total of 30 off-street parking spaces. The site has grandfather rights to 17 off-street parking spaces, 3 parking spaces are being provided and a bike rack is being located on site in lieu of one required parking space. Therefore, the applicant is requesting a variance of the off-street parking requirement from 9 parking spaces to 3 parking spaces.

Dumpster screening: Section 535.80. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. Dumpsters are being provided in the

interior side yard at the rear of the site and appear to meet the applicable screening requirements.

Signs: Any signage is required to meet the requirements of the code. A separate permit is required from the Zoning Office as no signage is being approved as part of the submitted applications.

Lighting: The applicant is proposing to install light fixtures at all entires. All lighting will need to be downcast and shielded to avoid undue glare. All lighting shall comply with Chapters 535 and 541.

Maximum Floor Area: The maximum F.A.R. for all structures in the C1 District is the gross floor area of the building which is 9,000 square feet divided by the area of the lot which is 5,337 square feet. The outcome is 1.69 which is less than the maximum of 1.7 that is permitted in the C1 District.

Minimum Lot Area: Not applicable for the proposed development.

Dwelling Units per Acre: Not applicable for the proposed development.

Height: Maximum building height for principal structures located in the C1 District is 2.5 stories or 35 feet, whichever is less. The maximum allowable floor height is 14 feet. The structure would comply as it is proposed at 2 stories or 28 feet.

Yard Requirements: The required yards are as follows:

Front: Typically, the C1 district requires a zero foot front setback. However, due to the adjacent residential use and zoning to the north a setback is required for the first 40 feet from north to south. The applicant is requesting to vary the setback requirement to zero. The requirement is as follows:

- Variance of the front yard setback requirement for the first 40 feet (from north to south) from 15 feet to 0 feet along the west property line adjacent to Lyndale Avenue South.

Interior side yard (5+2x): 7 feet

Rear yard: 0 feet

Building coverage: Not applicable for the proposed development.

Impervious surface area: Not applicable for the proposed development.

MINNEAPOLIS PLAN

According to the *Minneapolis Plan*, the subject parcel is zoned C1 and is located along Lyndale Avenue South which is a designated Commercial Corridor in this area. According to the Principles and Polices outlined in the *Minneapolis Plan*, the following apply to this proposal:

4.1 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, and clean low-impact light industrial – where compatible with the existing and desired character of the street.
- Ensure that commercial uses do not negatively impact nearby residential areas.

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

Implementation Steps:

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

The proposal is in conformance with the above noted principles, policies and implementation steps of the comprehensive plan.

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

No small area plans for this area of Minneapolis have been adopted by the City Council.

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 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:

- **30% window requirement facing an on-site parking lot**

On the east elevation adjacent to the on-site parking lot, the 30% window requirement for non-residential uses is not being met as approximately 18% are being provided. Alternative compliance would be required. Staff believes that the proposed elevation is meeting the intent of the provision and believes it would be practical to grant alternative compliance in this specific circumstance. Staff will recommend that the Planning Commission grant alternative compliance.

- **20% landscape requirement including quantities**

The total site area is 5,337 square feet or .12 acres and the existing and proposed building footprint on the site would be a total of 4,000 square feet. A total of 267 square feet of landscaping would be necessary to meet the 20% requirement. The applicant is providing approximately 175 square feet in planted yards or approximately 13% of the site not occupied by buildings. The zoning code requires that there be at least 1 tree and 3 shrubs. The applicant is proposing to provide 0 trees and 17 shrubs. The proposal is not meeting the minimum landscape quantity requirements as no on-site trees are proposed to be planted. Alternative compliance would be necessary for the overall on-site requirement as well as the landscape quantity requirements.

The applicant is proposing to include an 850 square foot extensive green roof as part of the development. The vegetation to be used is still in the planning stages. The proposed green roof would be located on a carport like structure that would be covering the proposed on-site parking spaces.

Including both the ground level landscaping and the green roof landscaping square footages, a total of 1,025 square feet of landscaping would be provided on site. Staff believes that the integration of a green roof type feature into the proposed development would be an acceptable alternative compliance measure as it relates to the overall on-site landscaping requirement as well as the quantity requirement. Staff will recommend that the Planning Commission grant alternative compliance.

o **Landscaped yard requirements**

A 7-foot wide landscaped yard is required adjacent to the 27th Street West frontage and a 6-foot wide landscaped yard is being provided. A 7-foot wide landscaped yard and screening is required both adjacent to the north property line and adjacent to the alley. No landscaped yard is being provided adjacent to the north property line as dumpsters are located in the vicinity, however screening by means of a 6-foot tall masonry fence is being provided; and no landscaped yard or screening is being provided adjacent to the alley. Alternative compliance would be necessary. Staff believes that due to the site constraints, it would not be practical to require that the plan be in conformance with the above listed standards. Staff would recommend that the Planning Commission grant alternative compliance.

RECOMMENDATIONS:

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance of the front yard requirement adjacent to Lyndale Avenue South along the west property line for the first 40 feet (from north to south) from 15 feet to 0 feet for property located at 2649 Lyndale Avenue South (2651 Lyndale Avenue South and 614 W. 27th Street).

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance of the interior side yard requirement along the north property line for the proposed building additions as well as dumpster encroachments from 7 feet to 0 feet for property located at 2649 Lyndale Avenue South (2651 Lyndale Avenue South and 614 W. 27th Street).

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance of the required 22 foot maneuvering requirement for the parking spaces located adjacent to the alley along the east property line for

property located at 2649 Lyndale Avenue South (2651 Lyndale Avenue South and 614 W. 27th Street).

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance of the on-site parking requirement from 9 to 3 spaces for property located at 2649 Lyndale Avenue South (2651 Lyndale Avenue South and 614 W. 27th Street).

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

The Department of Community Planning and Economic Development– Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for property located at 2649 Lyndale Avenue South (2651 Lyndale Avenue South and 614 W. 27th Street) subject to the following conditions:

1. Planning Staff review and approval of the final site, elevation and landscaping plans.
2. All site improvements shall be completed by April 23, 2008, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. All ground level windows must be transparent (non-reflective).
4. Stucco, not EIFS shall be utilized for exterior surfacing on the structure.

Attachments:

1. Statement of use / description of the project
2. Findings – variances
3. Correspondence
4. Zoning map
5. Plans – Site, landscape, elevations, floor plans, etc.
6. Photos
7. PDR notes