

Department of Community Planning and Economic Development
Conditional Use Permit and Site Plan Review
BZZ-6232

Date: September 30, 2013

Applicant: Randall Rada, 7140 42nd Avenue North, New Hope, MN 55427 (763) 535-5598

Address of Property: 5940 Portland Avenue

Project Name: Honest-1 Auto Repair

Contact Person and Phone: Randall Rada, 7140 42nd Avenue North, New Hope, MN 55427 (763) 535-5598

CPED Staff and Phone: Aaron Hanauer, Senior City Planner, (612) 673-2494

Date Application Deemed Complete: August 28, 2013

End of 60-Day Decision Period: October 27, 2013

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

Ward: 11 **Neighborhood Organization:** Hale, Page, and Diamond Lake
Community Association

Existing Zoning: C1/Neighborhood Commercial District, AP/Airport Overlay District, SH/Shoreland
Overlay District

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 37

Lot area: 17,250 square feet or approximately .40 acres

Legal Description: The East 115.00 feet of the South 150 feet of Lot 8, Diamond Lake Terrace 2nd
Addition, according to the recorded plat thereof and situate in Hennepin County, Minnesota.

Proposed Use: An addition to an existing minor auto repair facility.

Concurrent Review:

- Conditional Use Permit to allow an addition to a minor auto repair facility.
- Site plan review to allow an addition to a minor auto repair facility.

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

Background: The subject property is located in the Diamond Lake Neighborhood just south of Diamond Lake. It is at the northwest corner of 60th Street East and Portland Avenue. The property is 17,250 square feet. In 1961, a one-story, 1,452 square foot gasoline service station (49.4'x29.4') was built on the subject property in the back half of the lot. Prior to 1996 the gas pumps were removed, but it remained a service station. In 1996, as part of a site plan review application (PR-337) a one-story, 1,052 square foot addition (49.4'x21.3') was constructed at the rear of the service station, creating a 2,504 square foot building. In 1996, the City Planning Commission adopted the findings prepared by staff and approved the site plan review application, subject to the following conditions:

1. That the applicant submit a contract and maintenance agreement for landscape materials and installation to the Planning Department prior to issuance of any building permits;
2. Final site and landscaping plan be approved by the Planning Department.

As part of the approved site plan review application in 1996 a curb cut was eliminated along Portland Avenue. This reduced the total number of curb cuts from four to three. In addition, landscaping was planted in the right of way along Portland Avenue and 60th Street East. Overall, this landscaping area is in good condition. However, some shrubs no longer exist, some shrubs are overgrown, and the cedar chip mulch is not existent.

Proposal: The applicant has a purchase agreement for the subject property. The applicant is proposing to expand the minor auto repair facility and change the establishment from Mike's Advanced Auto Repair to Honest-1 Auto Care. The proposed expansion includes a 918-square foot addition (18'x50.8') on the southern side of the building and to increase the number of service bays from four to five. If built, the building would be 3,418 square feet (67.4'x50.8').

Staff has not received official correspondence from the Hale, Page, and Diamond Lake Community Association or other stakeholders prior to the printing of this report. All correspondence received prior to the Planning Commission meeting will be forwarded on for consideration.

CONDITIONAL USE PERMIT – to allow a minor auto repair facility.

Findings as Required by the Minneapolis Zoning Code:

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

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

Allowing for the addition will not be detrimental to or endanger the public health, safety, comfort or general welfare. The subject site has been the location of a minor auto repair facility since 1961. The

subject site is surrounded by other commercially zoned properties. The modest sized addition (918 square feet) and additional service bay will not have an adverse impact on the area.

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

As conditioned, the addition to the minor auto repair facility will not be injurious to the use and enjoyment of other property in the vicinity or impede the normal or orderly development and improvement of surrounding property. As previously noted, the property has been a minor automobile repair facility since 1961. Based on the proposed use of the structure, building modifications and site improvements, it is anticipated that the proposal would help improve the aesthetic appearance of the site and area and assist in having an active storefront. The applicant is proposing 17 off-street parking spaces, which is one less than what was approved in 1996, but five more off-street parking spaces than the minimum required.

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

Adequate access roads exist for the subject site. The applicant is proposing to maintain the existing curb cut along Portland Avenue and the two curb cuts along 60th Street East. In addition, adequate utilities, drainage, and necessary facilities will be provided. The initial Preliminary Development Review (PDR) was completed for the proposed project. Comments included the Parks-Forestry Department outlining the requirements if trees were removed (CPED is recommending that the four mature elm trees remain if they are healthy), Business Licensing outlining the procedure for a Service Availability Charge (SAC) determination, and Code Construction Services requiring an accessible parking space on the site. The applicant will continue to work closely with the Public Works Department, the Plan Review Section of CPED and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

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

Adequate measures have been taken to minimize traffic congestion in the public streets. The subject property with the proposed 17 off-street parking spaces would exceed their minimum parking requirement of 12 off-street parking spaces. Chapter 541 of the zoning code requires one parking space per 500 square feet of gross floor area excluding service bays plus two spaces per service bay. The proposed building would have 755 square feet of office and reception area (parking requirement of two spaces) and five service bays (parking requirement of 10 spaces).

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

The subject properties at the 60th Street East and Portland Avenue intersection are part of a recognized City of Minneapolis neighborhood commercial node. Neighborhood commercial nodes generally

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provide retail or service uses on at least three corners of an intersection. Commercial nodes serve the surrounding neighborhood, with a limited number of businesses serving a larger area. A mix of uses occurs within and among structures.

The future land use map of the Minneapolis Comprehensive Plan denotes the subject property and the adjacent surrounding properties as mixed use. The mixed use commercial area designation encourages multiple land uses in the same structure or same general area of a community. Mixed use is described as a mix of retail, office or residential uses within a building or within a district.

The applicant's proposal of an expansion of a minor automobile repair facility as conditioned is in compliance with the following policies and implementation steps:

Land Use Policy 1.2: Ensure appropriate transitions between uses with different size, scale, and intensity. This policy includes the following applicable implementation steps: (1.2.1) Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area; (1.2.2) Ensure that lighting and signage associated with non-residential uses do not create negative impacts for residential properties; (1.2.3) Lessen the negative impacts of non-residential uses on residential areas through controls on noise, odors, and hours open to the public.

Land Use 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. This policy includes the following applicable implementation steps: (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.

Economic Development Policy 4.1: Support private sector growth to maintain a healthy, diverse economy. This policy includes the following applicable implementation step: (4.1.5) Continue to streamline City development review, permitting and licensing to make it easier to develop property in the City of Minneapolis.

Urban Design Policy 10.11: Seek new commercial development that is attractive, functional and adds value to the physical environment. This policy includes the following applicable implementation steps: (10.11.2) Ensure that new commercial developments maximize compatibility with surrounding neighborhoods.

Urban Design Policy 10.18: Reduce the visual impact of automobile parking facilities. This policy includes the following applicable implementation steps: (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. (10.18.2) Parking lots should maintain the existing street face in developed areas and establish them in undeveloped areas through the use of fencing, walls, landscaping or a combination thereof along property lines.

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Urban Design 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. This policy includes the following applicable implementation steps: (10.19.1) In general, larger, well-placed, contiguous planting areas that create and define public and private spaces shall be preferred to smaller, disconnected areas. (10.19.4) Landscaped areas should be maintained in accordance with Crime Prevention Through Environmental Design (CPTED) principles, to allow views into and out of the site, to preserve view corridors and to maintain sight lines at vehicular and pedestrian intersections. (10.19.7) Boulevard landscaping and improvements, in accordance with applicable city polices, are encouraged.

It is recognized that the Minneapolis comprehensive plan does not generally support the expansion of auto-oriented uses at neighborhood commercial nodes, like 60th Street East and Portland Avenue. However, CPED recognizes the following existing conditions about the subject property and this commercial node:

- The subject property is larger than the typical neighborhood commercial node parcel.
- The Diamond Lake Neighborhood area has amongst the highest auto ownership rates in the city (Source: Comprehensive Plan).
- Residents within a one mile radius of 60th Street East and Portland Avenue are traveling elsewhere for auto parts, accessories, and tires (Source: 60th Street East and Portland Avenue Market Profile).
- The subject site and the surrounding commercial parcels were built during a time (1960s) when it was encouraged to have the building setback and surface parking located in front of the building.

CPED will continue to encourage and support commercial and office redevelopment at the 60th Street East and Portland Avenue neighborhood commercial node. In particular, CPED will support new construction to reinforce the street wall when a project involves complete redevelopment.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located.

If all land use/zoning applications are approved, including the conditional use permit and site plan review, the proposal would comply with all applicable provisions of the C1/Neighborhood Commercial District, AP/Airport Overlay District, and SH/Shoreland Overlay Districts. In terms of the Shoreland Overlay, the addition is permitted since the proposed addition is below the maximum height (2.5 stories or 35 feet), it is not located on a steep slope, within 40 feet of a steep slope, and is not located within 50 feet of the ordinary high water mark.

The project will also be in compliance with AP/Airport Overlay District requirements. The areas within the airport overlay district are divided into Safety Zone A, B, and C. The subject property is located in Safety Zone C. The subject property is not proposing one of the prohibited uses outlined in Section 551.110. The proposed development will also not project above any airspace surface and it will not exceed maximum construction height for Safety Zone C (130 feet).

The proposed project, as conditioned, will also be in compliance with the development standards outlined in Section 536.20:

1. All vehicles waiting for repair or pick-up shall be stored on the site in an enclosed building or in parking spaces in compliance with Chapter 541, Off-Street Parking and Loading.
2. Except in the I3 District, all repairs shall be performed within a completely enclosed building.
3. All vehicles parked or stored on-site shall display a current license plate with a current license tab. Outdoor storage of automotive parts or storage of junk vehicles is prohibited.
4. The sale of vehicles shall be prohibited.
5. In the C1, C2 and C3S Districts, all service vehicles associated with the establishment shall be parked or stored in an enclosed structure after business hours.
6. The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten (10) feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vaportight fittings to preclude the escape of gas vapors from the fill pipes.
7. The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.
8. Unattended, automated dispensing of gasoline or other engine fuel shall be prohibited.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code:

- 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 DESIGN:

- **Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.**
- **First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.**
- **The area between the building and the lot line shall include amenities.**
- **The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.**

- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances, 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.

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

- The subject building and the other buildings in the 60th Street East and Portland Avenue neighborhood commercial node are setback from the front property lines. The existing building at 5940 Portland Avenue is setback 63 feet from Portland Avenue and 75 feet from 60th Street East. The applicant is proposing an addition be placed on the south elevation. Although the placement of the proposed addition will not create a street wall at this intersection, this is an existing condition. The proposed project if built will come closer to having a street presence along 60th Street East.
- The subject property is a corner lot with frontage on Portland Avenue and 60th Street East. The first floor of the building is more than eight feet from the front property line; however, this is an existing condition. The applicant's proposed addition would reduce the building's setback along 60th Street East from 75 feet to 57 feet.
- As conditioned, the area between the building and the lot line will include amenities. CPED is recommending that an ornamental metal fence be located at the edge of the landscaping where it meets the sidewalk and additional landscaping with the right of way, upon approval of an encroachment permit by Public Works.
- The subject property is a corner lot with street frontage along Portland Avenue and 60th Street East. The building is oriented so that the principal entrance faces Portland Avenue, the front lot line.
- The on-site accessory parking facilities are located in front of the building that is being served; however, this is an existing condition. As conditioned, all but two of the off-street parking spaces (along the north property line) will be screened by a decorative metal fence

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and additional landscaping.

- The applicant's addition will provide architectural detail including a prominent corner where pedestrians enter the building. The applicant is proposing more window coverage on the Portland Avenue elevation compared to existing conditions. This will bring the building closer to the 30 percent window coverage on the first floor (proposed to be 22 percent). CPED is recommending that the applicant add more windows to the 60th Street East elevation, which will raise the glazing percentage on this elevation to 23 percent.
- The subject building is not a larger building; however, the applicant has made efforts to give greater importance to the pedestrian entrance with a taller building wall at the corner.
- As conditioned, the new construction portion of the building will not have a blank uninterrupted wall for more than 25 feet. Currently the 60th Street East elevation has a blank wall for 27 feet. CPED is recommending that additional windows be provided on this elevation to break up the proposed blank wall and to come closer to meet the 30 percent minimum requirement (as recommended the 60th Street East elevation would have 23 percent window coverage).
- The rear and sides of the building are painted concrete block and are proposed to remain the same. The exterior materials proposed for the building are tan-colored split face concrete block for the bottom 60 percent and exterior insulation finishing system (EIFS) on the 40 percent. As conditioned, EIFS shall not be allowed on the upper portion of the building and a durable exterior material shall be installed in its place. Durable material options include masonry, brick, stone, stucco, wood, or metal.
- The applicant is not proposing to use plain face concrete for the new construction.
- The principal entrance along Portland Avenue is clearly defined and emphasized through a taller building wall, the use of glass windows flanking the door, and a business sign above the entrance. The zoning code requires that 30 percent of the walls on the first floor that face a public street shall be windows. Currently, the Portland Avenue elevation has less than 30 percent (photos were only provided to show existing conditions). With the proposed modifications to the Portland Avenue elevation, the applicant is proposing to add more window coverage on the Portland Avenue elevation. The applicant is proposing 118 square feet of glazing, which would provide 22 percent window coverage. Alternative compliance is not required based on existing conditions, and the applicant coming closer to compliance. The zoning code also requires that the 60th Street East elevation have 30 percent window coverage since it faces a public street. The applicant's proposed addition would span the entire south elevation and is proposed to have eight percent window coverage, which is less window coverage compared to existing conditions. Alternative compliance is required. Due to the existing conditions of the building it is not practical to require full compliance with the window requirement. However, there is an opportunity for the applicant to have more windows than proposed. CPED is recommending that the 60th Street elevation have a minimum of 23 percent window coverage (an additional 62 square feet of glazing, or two more windows of similar size to what is proposed). The additional glazing will provide greater light into the customer lobby and eyes on the street as well as maintain a window percentage on 60th Street East similar to existing conditions. CPED is also recommending that the new windows have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
- The applicant is proposing to maintain the percentage of active function along the east

elevation (Portland Avenue) at 43 percent of the façade and increase the percentage of active function along the south elevation (60th Street East) from 58 percent to 64 percent.

- The applicant is proposing to maintain a flat roof, which is similar to the surrounding commercial buildings.
- A parking garage is not being proposed.

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.**
- As part of the approved site plan in 1996, a four-foot wide stripe painted walkway lead from the building entrance to the parking spaces along 60th Street East was required. The painted walkway has substantially faded. As conditioned, the applicant shall repaint the walkway leading from the building entrance to the parking spaces along 60th Street East as well as the parking spaces along Portland Avenue.
 - There is not a transit stop at this property.
 - As conditioned, vehicular access and circulation will be designed to minimize conflicts with pedestrian traffic. CPED is recommending that painted pedestrian walkways be required from the main door to the off-street parking spaces. In addition, CPED encourages the applicant to consider removing one of the curb cuts along 60th Street East (there are currently two). In 1996, as part of the site plan review, a curb cut was removed along Portland Avenue. Vehicular access and circulation is designed to minimize the impact on residential properties. The subject property does not have alley access at the back of the lot; the property at 514 60th Street East owns the property adjacent to the alley.
 - As conditioned, the site plan will minimize the use of impervious surface. The site plan that was approved in 1996 required landscaping within the public right of way along Portland Avenue and 60th Street East. CPED is recommending that this area be brought into compliance with the 1996 site plan landscaping improvements, including adding additional shrubs and cedar chip mulch.

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.**

- **As conditioned, the composition and location of landscaped areas will complement the scale of the development and its surroundings. The zoning code requires that at least 20% of the site not occupied by the building be landscaped. The lot area of the site is 17,253 square feet. The footprint of the proposed building is 3,418 square feet. When you subtract the footprint from the lot size the resulting number is 13,835 square feet; 20% of this number is 2,767 square feet. The zoning code also requires that there be at least one canopy tree for each 500 square feet (a requirement of six trees for the subject site), and not less than one shrub for each 100 square feet (a requirement of 28 shrubs for the subject site). There is no landscaped area or plantings within the subject parcel. As part of the 1996 approved site plan, 2,676 square feet of landscaping was approved to take place in the public right of way along Portland Avenue and 60th Street East. Therefore, alternative compliance is required for the percentage of landscaped area, number of trees, and shrubs. Based on the existing conditions making it impractical to meet both landscaping and parking requirements and the site plan that was approved in 1996, CPED is not recommending that applicant provide additional landscape area, trees or shrubs within the parcel. In 1996, the Planning Commission approved a site plan that included 2,676 square feet of landscaping along the public right of way on Portland Avenue and 60th Street East as well as the planting of four ash trees and 19 shrubs with cedar**

chip mulch coverage for the remaining area. Overall, the landscaped area in the public right of way is in good condition. However, some shrubs no longer exist, some shrubs are overgrown, and the cedar chip mulch coverage is minimal. As alternative compliance, CPED is recommending that the public right of way along Portland Avenue and 60th Street East have a total of 28 shrubs evenly distributed and that the remainder of the landscaped area shall be covered with cedar chip mulch, turf grass, native grasses or other perennial flowering plants.

- The subject property does not have required yards or screening requirement from adjacent residential property since it is surrounded by commercially zoned property.
- Section 530.170 of the zoning code requires that a seven-foot wide landscaped yard be required between the parking area and Portland Avenue and 60th Street East and that there be screening consisting of either a masonry wall, fence, berm or hedge or combination thereof that forms a screen three feet in height and not less than sixty percent opaque. The applicant has neither a landscaped yard nor screening on their property. Alternative compliance is necessary. Based on the existing conditions making it impractical to meet both landscaping and parking requirements and the site plan that was approved in 1996, CPED is recommending that the Planning Commission grant alternative compliance. In 1996, a site plan was approved that planted the 21-foot deep boulevard easement along 60th Street East and a 17-foot deep boulevard easement along Portland Avenue. CPED recognizes the recently approved site plan as providing landscaping between the property and the street. As alternative compliance, CPED is recommending that the applicant install a decorative metal fence three to four foot feet in height along Portland Avenue and 60th Street East (upon the approval of an encroachment permit by Public Works). The decorative metal fence will help screen the off-street parking and provide a greater street presence. The site currently meets the requirement that there be at least one tree for every 25 linear feet of parking and loading area lot frontage.
- The corners of the parking lot provide vehicular circulation for the site.
- The proposed off-street parking spaces at the north end of the lot would be the only parking spaces that would be more than 50 feet from the center of a deciduous tree. CPED is recommending that the Planning Commission grant alternative compliance based on existing conditions.
- CPED is recommending that the installation and maintenance of all landscape materials shall 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.**
 - As part of the 1996 approved site plan, the parking lot was designed with a six inch by six inch continuous concrete curb that remains in good condition. However, CPED encourages the applicant to look at providing on-site retention and filtration of stormwater if possible.
 - The proposed site plan does not block important elements of the city.
 - The proposed building is located and arranged in a way that will not shadow on public spaces. It will also have minimal shadowing on adjacent properties, in particular 514 60th Street East. The proposed addition would be built within two feet of the neighboring building at 514 60th Street East. However, the neighboring building does not have windows along the shared property line.
 - The proposed building location will have a minimal impact on wind currents at ground level.
 - As conditioned, the proposed site plan includes crime prevention design elements; this includes natural surveillance and visibility with increased windows on the south and east elevations, adequate lighting levels, territorial reinforcement with landscaping, and screening. CPED's recommendation of added windows on the south elevation in particular will help improve the project's ability to have natural surveillance and visibility.
 - This site is neither historically designated nor located in a historic district.

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 use is a conditional use in the C1/Neighborhood Commercial District. If all land use/zoning applications are approved, including the conditional use permit and site plan review, the proposal would comply with all applicable provisions of the C1 district. The use is also subject to the specific development standards outlined in Chapter 536 of the Zoning Code which are as follows:

Minor automobile repair

1. All vehicles waiting for repair or pick-up shall be stored on the site in an enclosed building or in parking spaces in compliance with Chapter 541, Off-Street Parking and Loading.
2. Except in the I3 District, all repairs shall be performed within a completely enclosed building.
3. All vehicles parked or stored on-site shall display a current license plate with a current license tab. Outdoor storage of automotive parts or storage of junk vehicles is prohibited.
4. The sale of vehicles shall be prohibited.

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5. In the C1, C2 and C3S Districts, all service vehicles associated with the establishment shall be parked or stored in an enclosed structure after business hours.
6. The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten (10) feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vaportight fittings to preclude the escape of gas vapors from the fill pipes.
7. The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.
8. Unattended, automated dispensing of gasoline or other engine fuel shall be prohibited.

Parking and Loading:

Minimum automobile parking requirement: The minimum parking requirement for a minor automobile repair facility is one space per 500 square feet of gross floor area excluding service bays plus two spaces per service bay. The applicant is proposing to have 716 square feet of gross floor area outside of the service bays. This will require two parking spaces. The remainder of the building will have five service bays, which will require ten off-street parking spaces. Therefore, the total off-street parking requirement is 12 spaces. The applicant is proposing 17 off-street parking spaces.

Maximum automobile parking requirement: The maximum parking requirement for a minor automobile repair facility is one space per 200 square feet of gross floor area excluding service bays plus two spaces per service bay. The applicant is proposing to have 716 square feet of gross floor area outside of the service bays. The maximum parking allowed for this portion of the building is four parking spaces. The proposed five service bays will require 10 off-street parking spaces. Therefore, the maximum off-street parking requirement is 14 spaces. The applicant is proposing 17 off-street parking spaces, which is one less parking space than the applicant has rights to based on the 1996 approved site plan.

Bicycle parking requirement: There is no bicycle parking requirement for automobile services uses.

Loading: There is no loading requirement for a minor automobile repair facility use under 10,000 square feet, which is the case with 5940 Portland Avenue.

Dumpster screening: Section 535.80. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. The applicant has refuse containers in the fenced area at the north end of the lot.

Signs: All signs are expected to comply with Chapter 543 of the Zoning Code. All new signage requires a separate permit from CPED.

Lighting: The applicant currently has lighting on the building that is downcast and shielded to avoid undue glare. As conditioned, the proposed lighting of the site will be in compliance with the lighting

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standards in Section 535.590 and the Crime Prevention Through Environmental Design standards in Section 530.260.

Maximum Floor Area: The proposed project will be in compliance with the maximum floor area ratio (F.A.R.) allowed. The maximum floor area ratio F.A.R. in the C1/Neighborhood Commercial District is 1.7. The proposed building is 3,418 square feet and is located on a 17,253 square foot lot. With the addition, the subject property will have a F.A.R. of 0.2.

Minimum Lot Area: There is no minimum lot area or minimum lot width requirements for a minor automobile repair facility in the C1/Neighborhood Commercial district.

Dwelling Units per Acre: Not applicable for this development.

Height: The maximum building height for principal structures located in the C1/Neighborhood Commercial District is 2.5 stories or 35 feet, whichever is less. With the addition and exterior modifications, the building will be 18 feet in height at its tallest point which conforms to the regulations.

Yard Requirements: There are no yard requirements; not applicable for this development.

Building coverage: Not applicable for this development.

Impervious surface area: Not applicable for this development.

THE MINNEAPOLIS PLAN FOR SUSTAINABLE GROWTH:

As conditioned, the proposed project is in compliance with the Minneapolis Plan for Sustainable Growth. See conditional use permit finding 5 for a review of the project in compliance with the policies and implementation steps of the comprehensive plan. The policies and implementation steps outlined in finding 5 of the conditional use permit apply to the proposed site plan application.

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

The subject site is not located within the boundaries of a small area plan.

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.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

- 30 percent window coverage along the east elevation (60th Street East). The zoning code requires that the 60th Street East elevation have 30 percent window coverage since it faces a public street. The applicant's proposed addition would span the entire south elevation and is proposed to have eight percent window coverage, which is less window coverage compared to existing conditions. Alternative compliance is required. Due to the existing conditions of the building it is not practical to require full compliance with the window requirement. However, there is an opportunity for the applicant to have more windows than proposed. CPED is recommending that the 60th Street elevation have a minimum of 23 percent window coverage (an additional 62 square feet of glazing, or two more windows of similar size to what is proposed). The additional glazing will provide greater light into the customer lobby and eyes on the street as well as maintain a window percentage on 60th Street East similar to existing conditions.

- 20% landscaping requirement: The zoning code requires that at least 20% of the site not occupied by the building be landscaped. The lot area of the site is 17,253 square feet. The footprint of the proposed building is 3,418 square feet. When you subtract the footprint from the lot size the resulting number is 13,835 square feet; 20% of this number is 2,767 square feet. There is no landscaping within the subject parcel existing or proposed. As part of the 1996 approved site plan, all landscaping was approved to take place in the public right of way. Alternative compliance is required. Based on the existing conditions making it impractical to meet both landscaping and parking requirements as well as having a recently approved site plan on file, CPED is not recommending that applicant provide additional landscaping. In 1996, the Planning Commission approved a site plan with 2,676 square feet of landscape area in the public right of way on Portland Avenue and 60th Street East. However, CPED is recommending as part of alternative compliance that the landscape area without trees and shrubs be covered with cedar chip mulch, turf grass, native grasses or other perennial flowering plants (in order to be in compliance with their 1996 approved site plan).

- Landscape quantities: The zoning code requires at least 1 canopy tree for each 500 square feet of required green space and at least 1 shrub for each 100 square feet of required green space. The tree and shrub requirement for the subject site is 6 trees and 28 shrubs. The applicant is not proposing to plant trees or shrubs within the parcel. There are currently four canopy trees and approximately 12 shrubs within the public right of way that were planted as part of an approved 1996 site plan review. Alternative compliance is required. Based on the existing conditions making it impractical to meet both landscape quantity and parking requirements as

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well as having a recently approved site plan on file, CPED is not recommending that applicant provide additional landscaping on the site. However, CPED is recommending that the applicant have a minimum of 28 shrubs evenly distributed within the Portland Avenue and 60th Street East landscaped public right of way.

- Seven-foot wide landscaped yard requirement/screening requirement: Section 530.170 of the zoning code requires that parking fronting along a public street shall have a seven-foot wide landscaped yard and screening consisting of either a masonry wall, fence, berm or hedge or combination thereof that forms a screen three feet in height and not less than sixty percent opaque. The applicant is proposing to maintain off-street parking on their property along Portland Avenue and 60th Street East, however, the applicant is not proposing a landscape yard on their property or screening in front of the parking. Currently, the 21-foot deep right of way along 60th Street East and the 17-foot deep right of way along Portland Avenue serve as the landscaped yards. Alternative compliance is necessary. Based on the existing conditions making it impractical to meet both landscape quantity and parking requirements as well as having a recently approved site plan on file, CPED is not recommending that applicant provide a seven-foot landscaped yard on their property. However, CPED is recommending that the applicant install a decorative metal fence between three and four feet in height along Portland Avenue and 60th Street East as alternative compliance.
- No parking space shall be located more than fifty feet from the center of an on-site deciduous tree: In parking lots of ten spaces or more, no parking space shall be located more than fifty feet from the center of an on-site deciduous tree. The applicant's two proposed parking spaces along the north property line (near privacy fence) are more than 60 feet away from a deciduous tree along Portland Avenue. Alternative compliance is required. Based on the existing configuration of the parking lot and the adverse impact an additional tree would have on accessing the off-street parking on the neighboring property at 5930 Portland Avenue it would be impractical to plant an additional tree. CPED recommends that the Planning Commission grant alternative compliance. CPED is recommending that the applicant provide additional shrubs and a decorative metal fence along Portland Avenue (and 60th Street East), which will increase the screening and green landscape in front of the proposed off-street parking.

RECOMMENDATIONS

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application to allow an expansion of a minor automobile repair facility at 5940 Portland Avenue subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring

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a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.

2. The use shall comply with the Specific Development Standards as outlined in Section 536.20 of the Zoning Code.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application to allow an expansion to a minor automobile repair facility at 5940 Portland Avenue subject to the following conditions:

1. CPED Staff review and approval of the final site, elevation, lighting and landscaping plans. Per Section 541.380, required parking spaces, driveways, access aisles and landscaping shall not be used for the purpose of snow storage.
2. All site improvements shall be completed by September 30, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. The proposed exterior insulation finishing system (EIFS) proposed for the building is not approved. In its place a durable material shall be provided. Durable materials include masonry, brick, stone, stucco, wood, or metal.
4. All windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher. The applicant shall have a glazing percentage of 23 percent on the 60th Street East elevation.
5. All parking spaces and aisles shall be clearly marked on the pavement, using paint or other marking devices approved by the city engineer. The markings shall conform to the approved parking plan and be maintained in a clearly legible condition. The site shall have a painted pedestrian walkway leading from the main door to the parking spaces along 60th Street East and Portland Avenue.
6. The applicant shall plant a minimum of 28 shrubs evenly distributed along Portland Avenue and 60th Street East and that the remainder of the landscaped area shall be covered with cedar chip mulch, turf grass, native grasses or other perennial flowering plants. In addition, the applicant shall install a decorative metal fence between three and four feet in height along along Portland Avenue and 60th Street East. The applicant shall also maintain the existing four elm trees if they are healthy. Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.
7. The area enclosed by wood fencing shall be kept up in an orderly manner and outdoor storage of automotive parts or storage of junk vehicles is prohibited.

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Attachments:

1. Statement of proposed use, description of the project, and statement to findings
2. Correspondence council member and neighborhood
3. Zoning Map
4. 1996 survey, wall section, roof plan, elevations, existing/proposed site plan
5. Aerials and photographs
6. 1996 approved landscape plan