

Department of Community Planning and Economic Development
Conditional Use Permit and Site Plan Review
BZZ-6271

Date: November 12, 2013

Address of Property: 3315 2nd Street North

Project Name: North Star Taxi

Applicant: North Star Taxi

Contact Person and Phone: Gamal Abdelhafeez, (952) 688-6006

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

Date Application Deemed Complete: October 17, 2013

End of 60-Day Decision Period: December 16, 2013

Ward: 3 **Neighborhood Organization:** McKinley Community

Existing Zoning: I2 Medium Industrial District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 8

Legal Description: Not applicable for this application

Proposed Use: Taxicab service

Concurrent Review:

- Conditional use permit to allow a taxicab service.
- Site plan review.

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

Background: North Star Taxi is proposing to relocate their taxicab service to the property of 3315 2nd Street North. They are currently located in Bloomington. The proposed use would occupy the back tenant space of the building. The other tenant space is occupied by a community service center. Services that would be provided on the site include dispatch, auto repair, and storage. There are 6 repair bays located in the building. A fenced in parking area with 25 spaces is located to the north of the building. In the I2 district, a conditional use permit and site plan review is required to establish a taxicab service use. Upon approval of a conditional use permit, the action must be recorded with Hennepin County as required by state law.

In May of 2012, the Zoning Office approved a site plan for the subject property, which included some landscaping improvements. The plan and improvements had been required in order to correct some previous zoning violations on the site (unrelated to the proposed use). This is the site plan that the applicant has submitted for the City Planning Commission to consider.

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

CONDITIONAL USE PERMIT: to allow a taxicab service.

Findings as required by the Minneapolis Zoning Code:

The Department of Community Planning and Economic Development has analyzed the application and from the findings below 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.**

The applicant must obtain a license for the proposed use. The establishment of a taxicab service should not prove detrimental to public health, safety, comfort or general welfare provided the use complies with applicable licensing requirements and environmental ordinances.

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

The site is adjacent to industrial, commercial and residential properties. The residential uses are nonconforming. The 8,000+ square foot tenant space accommodates six repair bays and large storage areas. With the implementation of the recommended site plan improvements, the proposed use should have little effect on surrounding properties.

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

Utilities and access roads are existing and adequate. The parking lot has access from 2nd Street North.

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

The minimum parking requirement for the proposed use is 9 spaces. In the fenced in parking area to the north of the building, 25 spaces exist. The proposed amount of off-street parking should minimize traffic congestion in the streets.

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

The future land use of the site is designated as Urban Neighborhood by *The Minneapolis Plan for Sustainable Growth*. The site is also located in the boundaries of the *Above the Falls Master Plan Update*, which was adopted by the City Council in 2013. The small area plan designates the use of this site and surrounding properties as business park, which is intended to support high intensity, job generating office/industrial development in a setting that is compatible with other uses. As this is a new use classification, the plan recognizes modifying or creating a new industrial zoning district is necessary. The new/modified industrial district has not been created at this time. The plan also anticipates that a significant amount of property assembly will need to occur before a business park can be developed. The proposed use would utilize an existing, smaller nonresidential property and building.

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

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

SITE PLAN REVIEW

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

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

Section A: Conformance with Chapter 530 of the Zoning Code

BUILDING PLACEMENT AND DESIGN:

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

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- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances, windows, and active functions:
 - Residential uses:

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

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

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

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

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

Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.
- The form and pitch of roof lines shall be similar to surrounding buildings.
- Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. In addition to compliance with minimum window requirements, principal and accessory parking garages shall comply with provisions requiring active functions on the ground floor. In the downtown districts, the more restrictive parking garage provisions of Chapter 549, Downtown Districts, shall apply.

Conformance with above requirements:

No changes are proposed to the exterior of the building. There is a building entrance facing 2nd Street; however, the principal entrance of the proposed use faces the parking lot. The primary exterior materials

are brick, metal, concrete block and glass. Part of the parking area is located between the building and the street, which does not meet the intent of an amenity between the building and the street per the site plan review standards. Landscaping is an amenity. To bring the site closer to compliance with the landscaping and impervious surface requirements, staff is recommending that the planning commission require the applicant to provide landscaping between the parking area and the street.

ACCESS AND CIRCULATION:

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

Conformance with above requirements:

- The principal entrance is connected to the parking area with a walkway that exceeds 4 feet in width.
- A transit shelter is not proposed or adjacent to the site.
- Three existing curb cuts provide access to the parking areas from 2nd Street. No changes are proposed to the vehicle access. All circulation in the parking area north of the building would occur on-site. In front of the building, the paved parking area extends into the 2nd Street right-of-way. There is not a public sidewalk on this side of 2nd Street and there are no plans for sidewalk in this area in the next 5-Year Capital Improvement Plan. The Public Works Department has not identified a need for a 2nd Street public sidewalk to be installed in this location at this time. Staff is not aware of any pedestrian conflicts related to access or circulation. Because vehicle maneuvering is not allowed in the public right-of-way, staff is recommending that the asphalt in the public right-of-way be removed and replaced with landscaping.
- The site is not adjacent to an alley and the parking areas have no effect on adjacent residential properties.
- The existing amount of impervious surface on the site is 28,072 square feet in area, which covers 81.4 percent of the site. However, 29 percent of the net lot area is currently pervious. With the adoption of the staff recommendation to provide additional landscaping on the site and in the 2nd Street right-of-way, the site plan will minimize the use of impervious surfaces.

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.**

Conformance with above requirements:

The zoning code requires that a least 20 percent of the site not occupied by buildings be landscaped. The proposed lot area of the site is 34,473 square feet. The existing building occupies 12,475 square feet of the site. The lot area minus the building footprint therefore consists of 21,998 square feet. At least 20 percent of the net site area is 4,400 square feet. Approximately 6,401 square feet of the site is landscaped. That is equal to 29 percent of the net lot area.

The site is not in compliance with the remainder of the site plan review landscaping and screening requirements. The applicant has not proposed sufficient landscaping improvements to the property to bring the site into compliance. These requirements are discussed further in the alternative compliance section below.

ADDITIONAL STANDARDS:

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

Conformance with above requirements:

- There are wheel stops in the parking areas. However, no curbing separates the parking areas from the 2nd Street right-of-way. The site slopes down towards 2nd Street North. With the adoption of the staff recommendations to provide additional landscaping on the site, there will be opportunities to provide on-site retention and filtration of stormwater. Staff is recommending that the planning commission require 6-inch by 6-inch discontinuous concrete curbing along the 2nd Street North parking lot frontage to allow retention of stormwater while preventing maneuvering in the right-of-way.
- The site plan would not impede any views of important elements of the city, significantly shadow the adjacent streets or properties, or increase the generation of wind currents at ground level.
- The applicant is not proposing to specifically employ any crime prevention through environmental design. There is some exterior lighting on the building. Staff will work with the applicant to install types of plants that will retain views into and out of the site at eye level.
- The existing structure on the site is not historic.

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 property of 3315 2nd Street North is zoned I2. A taxicab service is a conditional use in the I2 district.

Off-Street Parking and Loading:

Minimum automobile parking requirement: The minimum parking requirement for a taxicab service is equal to one space per 500 square feet of gross floor area in excess of 4,000 square feet excluding service bays, but not less than four spaces, plus one space per two service bays. Six service bays are proposed in the building. The remaining floor area of the proposed use is equal to approximately 7,147 square feet. Therefore the minimum parking requirement for the proposed use is 9 spaces.

The minimum parking requirement for a community center is as determined by the zoning administrator based on the principal uses in the community. The adjacent tenant space, approximately 4,380 square feet in area, is occupied by offices. Offices require one space per 500 square feet of gross floor area in excess of 4,000 square, or 4 spaces, whichever is greater.

The combined minimum requirement is 13 spaces. The taxicab service will have access to the 25 spaces in the fenced-in parking area on the north side of the building. At least 4 parking spaces can be accommodated in the paved area between the building and 2nd Street and on the south side of the building. These spaces will need to be clearly marked and oriented so that maneuvering in the public right-of-way is not necessary. Accessible parking is also required to be provided. Two accessible spaces would be provided on the north side of the building. If these spaces are not accessible by the community center tenant, at least one accessible space will need to be provided in the other parking area.

Maximum automobile parking requirement: The maximum parking requirement for a taxicab service is equal to one space per 200 square feet of gross floor area excluding service bays plus one space per service bay. For the proposed use, the maximum requirement is 42 spaces.

Bicycle parking requirement: There is not a bicycle parking requirement for taxicab services uses.

Loading: There is not a loading requirement for taxicab services uses. For the community center, adequate shipping and receiving facilities, accessible by motor vehicle off any adjacent alley, service drive or open space on the same zoning lot or as allowed for off-site parking is required. There would be adequate space in the parking areas to accommodate loading.

Proposed Lot Area: The lot area is 34,473 square feet.

Maximum Floor Area Ratio: The maximum FAR allowed in the I2 district is 2.7. The existing building has 12,555 square feet of gross floor area, which is an FAR of 0.36.

Minimum Lot Area: Not applicable for this use.

Building Height: In the I2 district, the maximum height is limited to 4 stories or 56 feet, whichever is less. The existing building is one story in height.

Yard Requirements: Not applicable for this site. Although a residential property is adjacent to the southwest corner of the site, yard requirements only apply where the side lot line abuts a side lot line of a structure used for permitted or conditional residential purposes. The adjacent residential property is also zoned I2 where a single-family dwelling is not allowed as a permitted or conditional use. However, the building on the subject site is located more than 6 feet from this shared lot line.

Specific Development Standards: Not applicable for a taxicab service located in the I2 district.

Refuse screening: Refuse and recycling storage containers are required to be enclosed on all four sides by screening compatible with the principal structure not less than two 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 location of the refuse containers has not been identified on the plans. On the final plans, their location will need to be identified and screened as required.

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

535.590. Lighting. (a) *In general.* No use or structure shall be operated or occupied as to create light or glare in such an amount or to such a degree or intensity as to constitute a hazardous condition, or as to unreasonably interfere with the use and enjoyment of property by any person of normal sensitivities, or otherwise as to create a public nuisance.

(b) *Specific standards.* All uses shall comply with the following standards except as otherwise provided in this section:

- (1) Lighting fixtures shall be effectively arranged so as not to directly or indirectly cause illumination or glare in excess of one-half (1/2) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light source.

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

Signs: Signage is subject to the requirements of Chapter 543 On-Premise Signs of the zoning code. The applicant has indicated that no signage is proposed. Any new signage will require Zoning Office review for compliance with applicable ordinances, approval, and permits.

MINNEAPOLIS PLAN: With the adoption of the staff recommendations, the proposed development would be consistent with the applicable policies of the comprehensive plan and the small area plan. In addition to the principles and policies in the conditional use permit section of this staff report, the following apply to this proposal:

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

- 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.

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.

- 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.
- 10.19.2 Plant and tree types should complement the surrounding area and should include a variety of species throughout the site that include seasonal interest. Species should be indigenous or proven adaptable to the local climate and should not be invasive on native species.
- 10.19.3 Landscaped areas should include plant and tree types that address ecological function, including the interception and filtration of stormwater, reduction of the urban heat island effect, and preservation and restoration of natural amenities.
- 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.
- 10.19.5 Landscaping plans should be designed to facilitate future maintenance including the consideration of irrigation systems, drought and salt-resistant species, ongoing performance

of storm water treatment practices, snow storage, access to sun, proximity to buildings, paved surfaces and overhead utilities.

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.

Alternative compliance is requested by the applicant for the on-site landscaping and screening requirements as described below. The intent of the parking lot landscaping requirements is to promote visual enhancement, reduce on-site stormwater runoff, conservation of energy, restoration of natural amenities, and to reduce the urban heat island effect. Because meeting most of the requirements is not impractical and alternatives have not been proposed to meet the intent of the ordinance, staff is recommending that the planning commission not grant alternative compliance for most of the requirements.

General landscaping requirements of section 530.160 of the zoning code

- *Minimum number of required trees and shrubs:* The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 9 and 44 respectively. The plan shows 4 trees adjacent to the west lot line along Washington Avenue North. No shrubs are indicated on the site plan. Although not on-site, 5 trees are shown in the 2nd Street right-of-way. Compliance with these requirements is not impractical on this site. Staff is recommending that the planning commission not grant alternative compliance.
- *Remaining landscaped areas:* The plan indicates that the remainder of the landscaped area would be covered by the existing field grasses. It appears that this area is mainly weeds. These areas are required to be covered with trees, shrubs, sod, ornamental grasses, perennials and/or wood mulch. Staff is recommending that the planning commission not grant alternative compliance.

Parking and loading landscaping and screening requirements of section 530.170 of the zoning code

- *Parking fronting along a public street, 2nd Street North:* The parking lot fronts 2nd Street North on the east side of the property. A 7-foot wide landscaped yard between the parking area and the front lot line is required. In the landscaped yard, screening is required to be 3 feet tall and at least 60 percent opaque. At least 5 canopy trees are also required in the landscaped yard. No landscaped yard or screening exists in front of the building and some landscaping, but no screening exists in

front of the remaining parking area. Requiring a 7-foot wide landscaped yard on-site will not eliminate required parking and compliance with these requirements is not impractical. Staff is recommending that the planning commission not grant alternative compliance.

- *Parking fronting along a public street, Washington Avenue North:* The parking lot fronts Washington Avenue North. A 7-foot wide landscaped yard between the parking area and the front lot line is required. In the landscaped yard, screening is required to be 3 feet tall and at least 60 percent opaque. At least 3 canopy trees are also required in the landscaped yard. A 30-foot wide landscaped yard with two trees is located between the parking area and the street, but no screening exists. There is a significant grade change and this side of the property sits well below Washington Avenue. Requiring a 3-foot high screen would likely have little effect. However, it would not be impractical to provide a third canopy tree.
- *Interior landscaping of parking lots:* If any areas of the parking lot are left unavailable for parking or vehicle circulation, those areas will need to be landscaped.
- *Distance to trees:* Parking spaces in parking lots of 10 or more spaces are required to be located within 50 feet of a canopy tree. Only a few spaces are within 50 feet of a tree. Compliance with this requirement is not impractical. Staff is recommending that the planning commission not grant alternative compliance.

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 application for a conditional use permit to allow a taxicab service for the property located at 3315 2nd Street North, subject to the following condition:

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

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 application for site plan review to allow a taxicab service for the property located at 3315 2nd Street North, subject to the following conditions:

1. Landscaping shall be provided on-site as required by section 530.160 of the zoning code, including at least 9 canopy trees and 44 shrubs.

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2. Landscaped yards not less than 7 feet wide with screening and trees shall be provided as required by section 530.170 of the zoning code adjacent to the east lot line along 2nd Street North.
3. At least 3 trees shall be provided between the parking area and Washington Avenue North as required by section 530.170 of the zoning code.
4. Any areas of the parking lot left unavailable for parking or vehicle circulation shall be landscaped as required by section 530.170 of the zoning code.
5. All parking spaces shall be located within 50 feet from the center of an on-site canopy tree as required by section 530.170 of the zoning code.
6. Except where curb cuts are located, asphalt in the 2nd Street North right-of-way between the street curb and front lot line shall be removed and replaced with sod or other plantings as allowed by the Public Works Department.
7. Installation and maintenance of all landscape materials shall comply with the standards outlined in sections 530.200 and 530.210 of the zoning code.
8. Six-inch by six-inch discontinuous concrete curbing shall be installed along the 2nd Street North parking lot frontage to allow retention of stormwater while preventing maneuvering in the right-of-way as required by sections 530.230 and 541.290 of the zoning code.
9. The parking lot layouts shall comply with the minimum parking space and aisle dimensions and shall be clearly marked as required by sections 541.320 and 541.330 of the zoning code.
10. Refuse containers shall be screened as required by section 535.80 of the zoning code.
11. Department of Community Planning and Economic Development staff review and approval of the final site, landscaping, and floor plans.
12. Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by November 12, 2015, or the permit may be revoked for non-compliance.

Attachments:

1. Applicant statement of use and findings
2. Correspondence
3. Zoning map
4. Plans
5. Photos