

Department of Community Planning and Economic Development
Variance, Site Plan Review, Minor Subdivision Application
BZZ-6371 and MS-232

Date: January 13, 2014

Applicant: Urban Works

Address of Property: 1977 West River Road North (15 West Broadway) and 9 West Broadway

Project Name: DC Group Addition

Contact Person and Phone: Rick Wessling, (612) 287-0703

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

Date Application Deemed Complete: December 18, 2013

End of 60-Day Decision Period: February 16, 2014

Ward: 5 **Neighborhood Organization:** Near North and borders Hawthorne and Saint Anthony West

Existing Zoning: I1/ Light Industrial District, MR/ Miss River Critical Area Overlay, PO/ Pedestrian Oriented Overlay District, SH/ Shoreland Overlay District

Proposed Zoning: Same

Zoning Plate Number: 8

Lot area: 57,278 square feet or 1.31 acres

Legal Description: Not applicable

Proposed Use: The construction of office and warehouse addition

Concurrent Review:

- Variance of the Pedestrian Oriented Overlay District to increase the distance between the building and the front property line from 8 feet to 13 feet at its furthest distance for a building addition;
- Variance of the Pedestrian Oriented Overlay District to increase the width of a driveway from 20 feet to 27 feet of street frontage (withdrawn);
- Site plan review;
- Minor subdivision: preliminary and final.

Department of Community Planning and Economic Development
BZZ-6371

Applicable zoning code provisions: Chapter 525, Article IX, Variances, specifically Section 525.520 (20) “vary the standards of any overlay district, other than the SH Shoreland Overlay District or the FP Floodplain Overlay District”, Chapter 530, Site Plan Review, and Chapter 598 Land Subdivision Regulations

Background: The DC Group provides uninterruptible power supply (UPS) service and critical backup supply to clients throughout the United States and Canada. They have been located at 1977 West River Road North (15 West Broadway) for 29 years. The DC Group has outgrown their current facility and is looking to expand at their current location.

The subject property is within a concentrated area of industrial zoning, but is just outside of the North Washington Jobs Park Employment District. An industrial employment district is an area that is seen as appropriate for the retention and expansion of existing industry, as well as the development of new industry. Most of the neighboring properties are zoned industrial (I1 or I2). An exception is the property just to the north, 2025 West River Road North, which is zoned C3A and is the location of Broadway Pizza.

The property at 1977 West River Road North is a large (50,710 square feet), uniquely shaped lot as it follows the curvilinear shape of the road. The applicant recently purchased 6,339 square feet of adjacent land to the west from BNSF Railroad; 5,385 square feet from the undeveloped parcel at 9 West Broadway and 954 square feet of unplatted railroad land. With the purchase, the total project site is 57,278 square feet.

The property at 1977 West River Road contains an existing warehouse building built in the 1970s that is approximately 25,000 square feet. The building is setback from the street and has a surface parking lot (providing parking for approximately 40 vehicles) between the building and West River Road.

Proposal: The applicant is proposing an approximately 27,000 square foot expansion. The proposed project includes tearing down approximately 10,370 square feet of the one-story wing, building a two-story addition (total gross floor area of the building would be 42,700 square feet) and constructing a two-level structured parking facility that would accommodate 80 vehicles. The addition would provide additional warehouse and office space.

CPED staff has not received official correspondence from the Northside Residents Redevelopment Council or other stakeholders prior to the printing of this report. The Minneapolis Park Board did, however, submit a letter stating that elements of the proposed design that they appreciate. All correspondence received prior to the City Planning Commission meeting will be forwarded on for consideration.

The project required three land use applications: a variance of the pedestrian oriented overlay standards, site plan review, and minor subdivision. A second variance was noticed for a request to vary the pedestrian oriented overlay standards to allow an increase in the width of a driveway from 20 feet to 27 feet of street frontage. However, as part of the omnibus amendment that was recently adopted by the Minneapolis City Council, the 20-foot driveway width requirement in the Pedestrian

Oriented Overlay Districts was eliminated (zoning code section: 551.140). All driveways are still required to not be greater than 35 feet in width (zoning code section 541.240).

VARIANCE – (1) Variance of the Pedestrian Oriented Overlay District to increase the distance between the building and the front property line from 8 feet to 13 feet at its furthest distance.

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

1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.

Variance of the Pedestrian Oriented Overlay District to increase the distance between the building and the front property line from 8 feet to 13 feet at its furthest distance.

The existing building on the site is setback 54 feet from West River Road North at its closest point and 20 feet from West Broadway. A proposed 27,000 square foot addition is proposed to the front of the building that will bring the building to within 11.5 feet of West River Road North and 13 feet of West Broadway. The Pedestrian Oriented Overlay District limits the front yard setback to a maximum of eight feet. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property that were not created by the applicant. The subject site has a 10-foot utility easement that stretches the entire distance along West River Road North and a portion of West Broadway. The applicant is proposing to bring the building within 1.5 feet of the utility easement along West River Road North and within three feet along West Broadway.

2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

Variance of the Pedestrian Oriented Overlay District to increase the distance between the building and the front property line from 8 feet to 13 feet at its furthest distance.

The applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and comprehensive plan. The purpose of the Pedestrian Oriented Overlay District is to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation and design and accessory parking facilities, and by prohibiting certain high-impact and automobile-oriented uses. Even though the applicant's proposal does not bring the building within 8 feet of the subject front yard property line, it comes close and significantly improves the building presence along West River Road North and West Broadway. In addition, there would not be off-street parking between the building and either street. Furthermore, the proposed construction of a public sidewalk along West River Road North and landscaping within the easement area will increase the level of activity at the street compared to existing conditions.

3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will

not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

Variance of the Pedestrian Oriented Overlay District to increase the distance between the building and the front property line from 8 feet to 13 feet at its furthest distance.

The proposed variance to increase the distance between the building and the front property line will not adversely impact the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The applicant's proposal is improving the street presence of buildings along West River Road North and West Broadway by building closer to these streets.

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 applicant is proposing an addition to the existing building that will establish a street wall along West River Road North and West Broadway. The applicant's proposal meets the zoning code's requirement for window percentage and will facilitate pedestrian access and circulation with the installation of a sidewalk along West River Road North and by having a main pedestrian entrance on West River Road North.
- The subject property is a corner lot. The first floor of the new construction is proposed to be located 11.5 feet from the front lot line along West River Road North and 13 feet from West Broadway. The applicant has requested a variance to set the building back further than 8 feet because of a 10-foot deep utility easement along West River Road North and partially along West Broadway. See section above detailing CPED's support for the variance application for the proposed building location.
- The area between the building and the lot line includes amenities including enhanced landscaping, green space, and bike racks.
- The subject property is a corner lot. Historically, the parcels were oriented towards West Broadway (originally 20th Avenue North). However, the property was replatted to have West River Road North be the front of the lot at a later date. The existing building and the proposed addition have a principal entrance facing West River Road North. Therefore, the proposed design meets the requirement that the principal entrance faces the front lot line.
- The on-site accessory parking structure is located at the rear and interior of the site.
- The building walls of the new construction provides architectural detail such as a curved, glass curtain wall and high quality materials along West River Road North and West Broadway. The project also contains windows as required by Chapter 530. The combination of the proposed architectural details and large glazing levels creates visual interest and increases security of adjacent outdoor spaces including more eyes on the street (both West Broadway and West River Road North) and parkland to the east.
- The proposed new construction spans approximately 179 linear feet along West River Road North and 42 linear feet along West Broadway. The applicant is proposing to include architectural elements to help divide up the building along West River Road North. This includes having large sections of high-quality exterior material at different segments, such as glass curtain wall and metal panels.
- The new construction does not contain blank, uninterrupted walls that exceed 25 feet in length.

Department of Community Planning and Economic Development
BZZ-6371

- The applicant is proposing durable materials for the new construction portion of the project including metal panels, an aluminum glass curtain wall system, and varied types of concrete including textured and smooth.
- The south elevation is the only side elevation as part of the new construction. This elevation is consistent with the primary elevations. The south elevation continues the use of large amounts of glass and varied concrete styles.
- The new construction is not proposing to use concrete block as an exterior material.
- The principal pedestrian entrance is along West River Road North. It is clearly defined and emphasized through the use a glass curtain wall, a dark metal panel that frames the entrance and contrasts the other exterior materials, as well as staircase leading from a new sidewalk along West River Road. A nonresidential building is required to have 30 percent of 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, be windows. Please note that the requirement is 40 percent on the first floor in the Pedestrian Oriented Overlay District (see Pedestrian Oriented Overlay District section on page 12 for a review of this standard). The West River Road North and West Broadway elevations are subject to this analysis. For the window calculations required by Chapter 530, minimum window area at the first floor or ground level shall be measured between 2 and 10 feet above the adjacent grade. Minimum window area on walls above the first floor shall be measured between the upper surface of a floor and the upper surface of the floor above. Along West River Road, the applicant will have approximately 43 percent window coverage on the first floor (616 square feet of glazing). On the second floor, the distance between the upper surface of the floor and the upper surface of the floor above is 13.75 feet. The applicant will have approximately 39 percent window coverage on the second floor with 930 square feet of window coverage. Along West Broadway, the applicant's design for the new construction contains 53 percent window coverage on the first floor with 180 square feet of window coverage. On the second floor, the design contains 44 percent window coverage with 256 square feet of glazing. The windows are vertical in proportion, distributed in a more or less even manner, includes only windows with the bottom of the windows not higher than 4 feet above ground. As a condition of approval, the first floor will have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
- The subject site will continue to be used as warehouse and service area for computer equipment. These are permitted industrial uses called out in Table 550-1. Therefore, the project is exempt from limiting non-active functions to 30 percent along each wall facing a public street, public sidewalk, or public pathway.
- The applicant is proposing a flat roof for the new construction. The flat roof is similar to existing building and surrounding buildings that have flat roofs.
- The proposed two-floor parking garage is partially sunk into the ground, at the back of the lot, and will be largely screened by the new construction. This placement and design substantially masks its visibility.

ACCESS AND CIRCULATION:

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**

- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.150 (b) related to alley access.**
- **Site plans shall minimize the use of impervious surfaces.**
 - The primary pedestrian entrance along West River Road North is connected to the proposed sidewalk along West River Road North with a staircase and ramp. The parking facility has direct pedestrian access to the building. Those wanting to walk from the building to the surrounding area will be able to walk out the main entrance along West River Road North.
 - No transit shelters are proposed for the new construction project.
 - The applicant's proposed installation of a grand pedestrian entrance, walkway along West River Road North, and maintaining having only one curb cut for passenger vehicles and trucks will help minimize conflict with pedestrian traffic.
 - There are no residential uses within a 1,500 foot radius and the subject property does not share an alley with residential properties.
 - The applicant has minimized the use of impervious surface by exceeding their landscape requirement, providing a two-floor structured parking, and limiting the driveway area with one vehicular access point.

LANDSCAPING AND SCREENING:

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

- **In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.**
 - **All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
 - **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.**
 - **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.**
-
- The composition and location of landscaped areas will complement the scale of the development and its surroundings. The zoning code requires that at least 20 percent of the site not occupied by the building be landscaped. The lot area of the site is 57,049 square feet. The footprint of the proposed building and the parking ramp is 38,683 square feet. When you subtract the footprint of the building and parking structure from the lot size the resulting number is 18,387 square feet; 20 percent of this number is 3,673 square feet. The applicant is proposing to landscape 40 percent (7,425 square feet) net site area. The zoning code also requires that there be at least one tree for every five hundred square feet of required landscaping and one shrub for every 100 square feet of required landscaping. Therefore, the project will be required to provide 7 trees and 37 shrubs. The applicant is proposing to plant 12 trees and 115 shrubs.
 - The project does not include parking and loading facilities located along a public street, public sidewalk, or public pathway that is abutting or across an alley from a residence or office residence district.
 - Chapter 530 requires that corners of parking lots unavailable for parking be landscaped. The proposed project does not have surface parking.
 - All areas of the lot that is not covered by the footprint of the building, parking structure, driveways, or walkways are covered with turf grass or perennial flowering plants, vines, mulch, shrubs, or trees.
 - The installation and maintenance of all landscape materials is required to comply with the standards outlined in section 530.120.

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.**
-
- The project is proposing to eliminate a surface parking lot and replace it with a two-floor structured parking facility. The driveway leading to the parking structure contains a continuous concrete curb. The applicant is encouraged to provide on-site retention and filtration of stormwater.
 - The proposed site plan will have a minimal impact on views to downtown, the Mississippi River, and the Grain Belt complex across the Mississippi River.
 - As demonstrated by the applicant's shadow study, the proposed site plan is arranged to minimize shadowing on public spaces in particular park space on the other side of West River Road. In addition, the proposed project will have a minimal impact on shadowing of adjacent properties.
 - The building is located and arranged to minimize the generation of wind currents at ground level.
 - The site plan includes crime prevention through environmental design elements. The applicant is providing more glazing than what is required to help with natural surveillance and visibility along West River Road North and West Broadway. The applicant is proposing to provide lighting within the parking area to help with security, and natural access points leading directly to the entrance along West River Road, as well as territorial reinforcement with landscaping.
 - The proposed project does not include the demolition or the rehabilitation of a locally designated historic structure. The applicant is proposing to keep a portion of the existing building.

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 warehouse and office use is a permitted use in the I1/Light Industrial District.

Parking and Loading:

Minimum automobile parking requirement: Per Table 541-1, the minimum parking requirement for wholesaling, warehousing and distribution is one space per 500 square feet of gross floor area of office, sales, or display area in excess of 4,000 square feet (minimum of four spaces) plus one space

Department of Community Planning and Economic Development
BZZ-6371

per 3,000 square feet of gross floor area of warehousing up to 30,000 square feet. After the proposed addition, the DC Group proposal would have 19,312 square feet of office space. The office area would require 35 off-street parking spaces. The 23,387 square feet of warehouse will require eight parking spaces. Therefore, the total base parking requirement is 42-off street parking spaces. Since the proposed non-residential use is in the West Broadway Pedestrian Oriented Overlay District, the minimum off-street parking requirement is seventy-five percent of the minimum requirement specified in Chapter 541, Off-Street Parking and Loading. Therefore, the overall minimum parking requirement is 32 off-street parking spaces. The applicant did not request or qualify for other parking reductions. The project will be in compliance with the minimum off-street parking requirement by providing 80 parking spaces.

Maximum automobile parking requirement: Per Table 541-1, the maximum parking requirement for wholesaling, warehousing, and distribution is one space per 200 square feet of gross floor area of office, sales, or display area plus one space per 1,500 square feet of gross floor area of warehousing up to 30,000 square feet. After the proposed addition, the DC Group proposal would have 19,312 square feet of office space. Therefore, the maximum parking allowed for the office area would be 97 off-street parking spaces. The 23,387 square feet of warehouse would have a maximum parking allowance of 16 off-street parking spaces. Therefore, the overall, maximum parking allowed would be 112 off-street parking spaces. Since the proposed non-residential use is in the West Broadway Pedestrian Oriented Overlay District, the maximum off-street parking requirement is seventy-five percent of the minimum requirement specified in Chapter 541, Off-Street Parking and Loading. Therefore, the maximum allowed parking would be 84 off-street parking spaces. The project will be in compliance with the maximum off-street parking requirement by providing 80 off-street parking spaces.

Bicycle parking requirement: Wholesaling, warehousing, and distribution uses do not have a bicycle parking requirement. The applicant, however, is proposing to provide four bike parking spaces near the pedestrian entrance along West River Road North. Given the location of the subject property near a bike trail, CPED encourages the applicant to also include long-term bicycle parking for employees within the development.

Loading: Chapter 541 assigns an off-street loading requirement of low, medium, high, or none to specific uses. Office uses outside of downtown do not have a loading requirement. Wholesaling, warehousing, and distribution have a high rating. Per Table 541-8, the 23,387 square foot warehouse is required to provide one large loading space. A large loading space is required to be at least 12 feet in width by at least 50 feet in length, exclusive of aisle and maneuvering space. The applicant is proposing to provide one large loading space that is 19 feet in width and more than 50 feet in depth.

Minimum Floor Area: The subject site is 57,049 square feet. The existing building with approximately 25,000 square feet of floor area has a floor area ratio of 0.44. With the proposed 17,699 square foot addition, the building, excluding the parking ramp, would have 42,699 square feet of gross floor area. Section 551.145 of the West Broadway Overlay District requires that new development in industrial districts have a minimum floor area ratio of 1.0. However, this provision states that this requirement shall not apply to the expansion of buildings existing on the effective date of this section.

Maximum Floor Area: With the applicant's land purchase, the subject property is 57,049 square feet. Excluding the parking ramp, the proposed addition would be 42,699 square feet of gross floor area. After the proposed addition, the site would have a FAR of 0.7. The maximum floor area allowed in the I1/Light Industrial zoning district is 2.7.

Building Height: The maximum building height in the I1 District is limited to four stories or 56 feet, whichever is less. However, the maximum height in the SH/Shoreland Overlay District is two and a half stories or 35 feet whichever is less. In the SH overlay district, the height measurement is taken at the top of mechanical equipment and rooftop enclosures. The proposed two-story building measured to the top of the mechanical equipment is 31.4 feet in height.

Minimum Lot Area: The I1 District does not have a lot area requirement for office/warehouse uses.

Dwelling Units Per Acre: Not applicable for this application.

Yard Requirements: The subject property does not have a yard requirement since it is not bordering a residential property nor is it in a residential district.

Specific Development Standards: The proposed development with an office and warehouse use does not have specific development standards outlined in Chapter 536.

PO Pedestrian Oriented Overlay District Standards: The proposed project is in compliance with the Pedestrian Oriented Overlay District requirements as demonstrated by the following:

- The applicant is not proposing a drive-through facility, automobile service use, or transportation use, which is prohibited (551.90).
- The applicant is not proposing a fast food restaurant (551.100).
- The placement of the building wall reinforces the street wall, maximizes natural surveillance and visibility, and facilitates pedestrian access and circulation. The applicant has submitted a variance for the proposed building to be setback more than eight feet from West River Road North and West Broadway. CPED's support for the applicant's proposed building placement is analyzed in the variance section above (551.110).
- The applicant is proposing to have 45 percent of the first floor façade of the new construction along West River Road North be windows or doors of clear or lightly tinted glass (640 square feet) and 54 percent (180 square feet) along West Broadway (551.120).
- The applicant is not proposing pole signs, backlit awning/canopy signs, or backlit insertable panel projecting signs (551.130).
- The applicant is not proposing a parking lot (551.140).
- The applicant is proposing that the building fronting along West Broadway shall be two floors (551.145).

MR/ Miss River Critical Area Overlay: The proposed project is 210 feet from the Mississippi River. The project is in compliance with the Mississippi River Critical Overlay district requirements as demonstrated by the following:

Department of Community Planning and Economic Development
BZZ-6371

- The applicant is not proposing to develop on bluff or within 40 feet of the top of a bluff (551.700).
- The applicant is proposing a two-story, 31.4 foot high structure (including mechanical equipment), which is less than the 2.5 story, 35 foot maximum (551.710).
- The applicant is not proposing off-premise advertising signs (551.720).
- The proposed height of the structure is 31.4 feet (including mechanical equipment), which is less than the 35 foot maximum (551.710).

SH/ Shoreland Overlay District: The project is in compliance with the Shoreland Overlay District requirements as demonstrated by the following:

- The subject property is not located on a steep slope, within 40 feet of the top of a steep slope, and is further than 50 feet from the ordinary high water mark (551.470).
- The applicant is proposing a two-story, 31.4 foot high structure (including mechanical equipment), which is less than the 2.5 story, 35 foot maximum (551.480).
- The proposed development is not located on a slope between 12 and 18 percent. The location of the proposed development has a maximum slope of approximately four percent (551.500).
- As a condition of approval, the applicant shall submit and receive approval from the city engineer for an erosion control that meets the requirements outlined in 551.510.
- As conditioned, the proposed development shall comply with the stormwater management requirements and shall employ best management practices to minimize off-site stormwater runoff, maximize overland flow and flow distances over surfaces covered with vegetation, increase on-site filtration, replicate predevelopment hydrologic conditions as nearly as possible, minimize off-site discharge of pollutants to ground and surface water, and encourage natural filtration function (551.530).

Signs: All signs are expected to comply with Chapter 543 of the zoning code. All new signage requires a separate permit from CPED. The applicant has not provided details of signs for the project.

Refuse Storage: Section 535.80 requires refuse storage containers to 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 inside the building near the loading dock thus meeting the refuse storage requirements.

Lighting: The lighting proposal meets the requirement that lighting fixtures shall be effectively arranged so as not to directly or indirectly cause illumination or glare in excess of five footcandles measured at the street curb line or nonresidential property line nearest the light source (535.590 (b) (1)). The applicant will be required to meet the other lighting requirements outlined in Section 535.590, 541.340, and 541.570:

- 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.

Department of Community Planning and Economic Development
BZZ-6371

- 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.
- Lighting shall not create a hazard for vehicular or pedestrian traffic.
- Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.

Impervious surface area: Not applicable for this application.

THE MINNEAPOLIS PLAN FOR SUSTAINABLE GROWTH:

The proposed addition is consistent with the following general land use policies of *The Minneapolis Plan for Sustainable Growth*:

Land Use Policy 1.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan. This policy includes the following applicable implementation step: (1.1.5) Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

Land Use Policy 1.2: Ensure appropriate transitions between uses with different size, scale, and intensity. This policy includes the following applicable implementation step: (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.

Land Use Policy 1.3: Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit. This policy includes the following applicable implementation steps: (1.3.1) Require safe, convenient, and direct pedestrian connections between principal building entrances and the public right-of-way in all new development. (1.3.2) Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.

Land Use Policy 1.14: Maintain Industrial Employment Districts to provide appropriate locations for industrial land uses. This policy includes the following applicable implementation step: (1.14.5) Encourage and implement buffering through the site plan review process to mitigate potential conflicts between industrial uses and adjacent other uses.

Economic Development Policy 4.1: Support private sector growth to maintain a healthy, diverse economy. This policy includes the following applicable implementation step: (4.1.1) Use public development resources and other tools to leverage maximum private sector investment for public benefit.

Economic Development Policy 4.2: Promote business start-ups, retention and expansion to bolster

Department of Community Planning and Economic Development
BZZ-6371

the existing economic base. This policy includes the following applicable implementation step: (4.2.1) Promote access to the resources and information necessary for successful operation of healthy businesses.

Economic Development Policy 4.10: Prioritize Industrial Employment Districts for industrial uses.

Urban Design Policy 10.12: Design industrial uses with appropriate transitions and other design features which minimize negative impacts on surrounding residential uses. This policy includes the following applicable implementation steps: (10.12.1) Provide appropriate physical transition and separation using green space, fencing, setbacks or orientation between industrial uses and other surrounding uses. (10.12.5) Promote quality design and building orientation of industrial development that is appropriate with the surrounding neighborhoods.

Urban Design Policy 10.15: Wherever possible, restore and maintain the traditional street and sidewalk grid as part of new developments. This policy includes the following applicable implementation step: (10.15.1) Consider street vacations as a last resort to preserve the network of city streets and arterials.

Urban Design Policy 10.16: Design streets and sidewalks to ensure safety, pedestrian comfort and aesthetic appeal. This policy includes the following applicable implementation step: (10.16.4) Employ pedestrian-friendly features along streets, including street trees and landscaped boulevards that add interest and beauty while also managing storm water, appropriate lane widths, raised intersections, and high-visibility crosswalks.

Urban Design Policy 10.18: Reduce the visual impact of automobile parking facilities. This policy includes the following applicable implementation step: (10.18.5) Design parking structures so sloping floors do not dominate the appearance of the walls.

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 step: (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.

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

on publicly owned and private land. This policy includes the following applicable implementation step: (10.22.1) Integrate “eyes on the street” into building design through the use of windows to foster safer and more successful commercial areas in the city.(10.22.3) Design the site, landscaping, and buildings to promote natural observation and maximize the opportunities for people to observe adjacent spaces and public sidewalks. (10.22.4) Provide on-site lighting at all building entrances and along walkways that maintains a minimum acceptable level of security while not creating glare or excessive lighting of the site. (10.22.5) Locate landscaping, sidewalks, lighting, fencing and building features to clearly guide pedestrian movement on or through the site and to control and restrict people to appropriate locations. (10.22.7) Locate entrances, exits, signs, fencing, landscaping, and lighting to distinguish between public and private areas, control access, and to guide people coming to and going from the site.

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

The subject site is in conformance with applicable development plans or objectives adopted by the City Council. The subject property is located within the West Broadway Alive Small Area Plan. The project is in compliance with the economic and business development recommended goals and strategies of this plan including improving (or maintaining) business mix and encouraging building façade upgrades. The project also complies with the plan’s encouragement of having well designed fencing and landscaping, abundant window glass, bicycle racks, improving public safety. The subject property is within the River Gateway section of the West Broadway Alive plan. The plan within this area highly encourages there to be a gateway development at this location and for the pedestrian environment to be improved. The applicant’s design will provide a gateway building and the proposed sidewalk along West River Road North that connects to West Broadway will improve pedestrian access in the area.

In 2006, the City of Minneapolis designated seven areas as employment districts as part of the Industrial Land Use Study and Employment Policy Plan. The subject property is adjacent to the Upper River Industrial Employment District. The applicant’s proposal is in compliance with the Industrial Land Use Study and Employment Policy Plan as the proposed development will help protect prime industrial space within the employment district and the applicant’s proposed industrial use will create 21st century industrial jobs. 21st Century industrial jobs are generally defined as jobs that are the production part of the knowledge-based economy.

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 not required for site plan review.

MINOR SUBDIVISION

Required Findings:

- (1) The subdivision is in conformance with these land subdivision regulations, the applicable regulations of the zoning ordinance and policies of the comprehensive plan.**

The subject properties, 1977 West River Road and 9 West Broadway, are zoned I1/Light Industrial. The applicant is proposing to transfer 5,385 square feet of land from 9 West Broadway Avenue to 1977 West River Road (15 West Broadway) and transfer 954 square feet of unplatted railroad right-of-way land to 1977 West River Road. As is required for a minor subdivision, the lots that are proposed to be subdivided are either previously platted land (9 West Broadway) or are unplatted railroad right-of-way that is proposed to be conveyed to an adjacent property owner. If approved, the subject properties would be in conformance with the subdivision regulations for a nonresidential development outlined in 598.230 and 598.250:

- 598.230:
 - After the proposed minor subdivision, the lots at 9 West Broadway and 1977 West River Road would have street frontage (West Broadway Avenue).
 - The minor subdivision will not result in more than one zoning classification of a single lot.
 - The minor subdivision will not result in the creation of a nonconforming structure or use.
 - No new streets or alleys are proposed as part of the minor subdivision.
 - A sidewalk is provided within the dedicated non-pavement right-of-way that is at least six feet in width.
 - The subject property is not within a floodplain overlay district.
 - The proposed development does not require the installation or extension of other public improvements or services.
- 598.240:
 - The applicant is not proposing blocks as part of the minor subdivision.
 - The proposed parcels will meet the lot dimension requirements for I1/Light Industrial Zoning District.

Department of Community Planning and Economic Development
BZZ-6371

The subdivision is also in conformance with the applicable regulations of the zoning ordinance. As previously stated, both 1977 West River Road North and 9 West Broadway are I1/Light Industrially zoned lots that will maintain street frontage and the ability to be built upon. The property at 9 West Broadway Avenue currently does not contain a building on the lot and the subdivision will not create a nonconforming use or lot.

The subdivision is also in conformance with the policies of the comprehensive plan. The proposed development will help the project meet comprehensive plan land use, economic development, and urban design policies outlined in the site plan review section above.

- (2) **The subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.**

The subdivision will not have an adverse effect on surrounding properties or adverse impact on the character of the area. The proposed subdivision will allow for the proposed project to build structured parking in an area that masks the parking structure, but yet keeps a safe distance from the railroad tracks.

- (2) **All land intended for building sites can be used safely without endangering the residents or users of the subdivision or the surrounding area because of flooding, erosion, high water table, soil conditions, improper drainage, steep slopes, rock formations, utility easements or other hazard.**

None of these hazards exist on the subject property.

- (4) **The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.**

The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration. The applicant is proposing to build with the topography of the land, especially in keeping the sloped land along West Broadway.

- (5) **The subdivision makes adequate provision for stormwater runoff, and temporary and permanent erosion control in accordance with the rules, regulations and standards of the city engineer and the requirements of these land subdivision regulations. To the extent practicable, the amount of stormwater runoff from the site after development will not exceed the amount occurring prior to development.**

Existing utility and drainage provisions are adequate for the area.

RECOMMENDATIONS

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the variance of the Pedestrian Oriented Overlay District to increase the distance between the building and the front property line from 8 feet to 13 feet at its furthest distance for a building addition at 1977 West River Road North

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

The variance application to increase the width of a driveway from 20 feet to 27 feet of street frontage at 1977 West River Road North has been **withdrawn**.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the findings and **approve** the site plan review application for a building addition at 1977 West River Road North subject to the following conditions:

1. CPED Staff review and approval of the final site, elevation, lighting and landscaping plans.
2. All site improvements shall be completed by January 13, 2016, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. The first floor windows will be clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher as required by section 530.120 of the zoning code. The installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.120 of the zoning code.
4. The applicant shall receive approval from the city engineer for an erosion control plan that meets the requirements outlined in 551.510. The proposed development shall comply with the stormwater management requirements and shall employ best management practices to minimize off-site stormwater runoff, maximize overland flow and flow distances over surfaces covered with vegetation, increase on-site filtration, replicate predevelopment hydrologic conditions as nearly as possible, minimize off-site discharge of pollutants to ground and surface water, and encourage natural filtration function.

Recommendation of the Department of Community Planning and Economic Development for the minor subdivision:

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the minor subdivision of 9 West Broadway in the II/Light Industrial District and the conveyance of unplatted adjacent railroad right-of-way land to 1977 West River Road North (15 West Broadway). A portion of the parcel at 9 West Broadway will be added to 1977 West River Road North (15 West Broadway).

Attachments:

1. Statement of proposed use, description of the project, and statement to findings
2. Correspondence council member and neighborhood
3. Zoning Maps and aerials
4. Site photos
5. Survey, site plan, parcel split exhibit, site plan, civil plans, landscape plan
6. Shadow study, photometric study,
7. Floor plans, elevations, renderings