

**Department of Community Planning and Economic Development**  
Rezoning and Site Plan Review  
BZZ-6383

**Date:** January 13, 2014

**Address of Property:** 2600-2622 Central Avenue Northeast

**Project Name:** Walgreen's Pharmacy

**Applicant:** Semper Development

**Contact Person and Phone:** John Kohler, Semper Development (612-332-1500)

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

**Date Application Deemed Complete:** December 20, 2013

**End of 60-Day Decision Period:** February 18, 2014

**Ward: 1 Neighborhood Organization:** Holland Neighborhood Improvement Association (adjacent to Audubon Park Neighborhood Association)

**Existing Zoning:** C1 Neighborhood Commercial District

**Proposed Zoning:** C2 Neighborhood Corridor Commercial District

**Zoning Plate Number:** 10

**Legal Description:** Lots 8 through 13, Block 18, MENAGE'S SUPPLEMENT TO EASTSIDE ADDITION TO MINNEAPOLIS, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota.

**Proposed Use:** Drug store with a drive-through facility

**Concurrent Review:**

- Petition to rezone the properties of 2600-2622 Central Avenue Northeast from C1 Neighborhood Commercial District to C2 Neighborhood Corridor Commercial District.
- Site plan review to allow a new one-story, approximately 16,700 square foot building.

**Applicable zoning code provisions:** Chapter 525, Article VI Zoning Amendments; and Chapter 530 Site Plan Review.

**Background:** A new Walgreen's Pharmacy with a drive-through facility is proposed to be constructed at the property of 2600-2622 Central Avenue Northeast. The new store will replace the Walgreen's located at 2643 Central Avenue Northeast. The existing buildings on the subject site will be demolished in order to construct the new building. Because a drive-through is not permitted in the C1 district, the

applicant is requesting that the site be rezoned to C2 where drive-throughs are permitted. Site plan review is required for any new nonresidential building. 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.

**REZONING:** Petition to rezone the property of 2600-2622 Central Avenue Northeast from C1 to C2.

**Findings as required by the Minneapolis Zoning Code:**

**1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.**

The proposed zoning would be consistent with the applicable policies of the comprehensive plan, *The Minneapolis Plan for Sustainable Growth*. Central Avenue is designated as a commercial corridor. The future land use of the subject site is designated as mixed use. The northern boundary of the Lowry Avenue and Central Avenue activity center is 26<sup>th</sup> Avenue Northeast, which is south of the subject site. According to the principles and polices outlined in the plan, the following apply to this proposal:

Land Use Policy 1.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.

1.4.1 Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served.

Land Use Policy 1.5: Promote growth and encourage overall city vitality by directing new commercial and mixed use development to designated corridors and districts.

1.5.1 Support an appropriate mix of uses within a district or corridor with attention to surrounding uses, community needs and preferences, and availability of public facilities.

Land Use Policy 1.10: Support development along Commercial Corridors that enhances the street's character, fosters pedestrian movement, expands the range of goods and services available, and improves the ability to accommodate automobile traffic.

1.10.1 Support a mix of uses – such as retail sales, office, institutional, high-density residential and clean low impact light industrial – where compatible with the existing and desired character.

The site is also located within the boundaries of the *Central Avenue Small Area Plan*. The plan was adopted by the City Council in 2008. According to the plan, mixed use development with urban-oriented intensity is preferred for the block where the site is located. The plan also recommends the following:

- Reinforce Central Avenue from 31st Avenue NE to 18th Avenue NE as Northeast's commercial core and its downtown.
- Consider rezoning from 18th Avenue NE to 31<sup>st</sup> Avenue NE to C2 with an area of C3A at Lowry Avenue NE.
- Extend Pedestrian-Oriented Overlay District from 31st Avenue NE to 18th Avenue NE.
- Broaden the mix of retail and businesses along the Avenue by:
  - Supporting existing and new entrepreneurs that offer unique products and services.

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- Providing larger retail spaces for regional and national businesses that appeal to a broad cross section of Northeast as well as to a regional market.
- Recruiting businesses that serve the day-to-day needs of the local Northeast market.
- Build on Central Avenue's niche in the market for ethnic stores and restaurants by recruiting related businesses from around the region.

*Staff comment:* The C2 district allows a mix of uses, both commercial and residential. The additional uses allowed by rezoning the property would be appropriately located on a commercial corridor.

**2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.**

The rezoning would allow for a broader range of available goods and services on a commercial corridor as called for in adopted policies. The amendment is in the public interest and not solely in the interest of the property owner.

**3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.**

Central Avenue is designated as a commercial corridor. Most of the properties along Central Avenue in the immediate area are zoned C1, C2 and C4 with a mix of uses including retail, vehicle sales, automobile repair and residential. Residential properties, zoned R2B and R5, are located to the west of the subject site. Some uses allowed in the C2 district that are not allowed in the C1 district include currency exchange, tobacco shop, automobile convenience facility, minor automobile repair, car wash, reception hall, and drive-through facility. Because the subject site is located on a commercial corridor and is outside of the activity center, the proposed zoning should be compatible with the surrounding uses and zoning classifications.

**4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.**

The existing zoning is C1. The C1 district allows small scale retail sales and commercial services, residential uses, and various institutional and public uses. Both the comprehensive plan and the small area plan support a mix of uses adjacent to Central Avenue, a commercial corridor, that are allowed in the C2 district. The rezoning would allow some additional goods and services, including a drive-through facility, to be provided on a commercial corridor.

**5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.**

The properties of 2600-2622 Central Avenue were zoned B3S-3 (similar to the C2 district in the current zoning ordinance) from 1963 to 1999. With the adoption of the 1999 zoning code, the zoning changed to C1. In the immediate area, the zoning and character of development along Central Avenue has mostly been commercial with some residential. In 2008, the property of 2611 Central Avenue (across the street) was rezoned from C1 to C2.

## **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.
- 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.

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- **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:***

- The building is located on a corner lot with frontage on two streets. The first floor would be setback one to two feet from the property lines along each street frontage.
- Additional sidewalk width would be located between the building and the adjacent streets.
- A principal entrance would face Central Avenue, which is designated as a commercial corridor. The floor plan indicates that carts will be stored in front of the street facing door. However, the applicant has indicated that that is not the intent. To ensure that the street facing entrance remains open to the street, staff is recommending that this be included as a condition of approval.
- Parking would be located to the interior of the site.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections or other architectural elements will not exceed 25 feet in length.
- The primary exterior materials would be durable and include brick and glass. Please note, exterior material changes at a later date would require review by the Planning Commission and an amendment to the site plan review.
- All sides of the building would be similar to and compatible with each other.
- Plain face concrete block would not be used as a primary exterior building material on a wall fronting a street.
- The principal entrances would be surrounded by windows and sheltered by awnings to emphasize their importance.

- All walls are subject to the minimum window requirements (30 percent) because they either face a street or a parking area. The proposed windows that would allow views into and out of the building would be vertical in proportion, would have clear glazing, would not be located more than 4 feet from the adjacent grade, and would not be blocked by interior fixtures between 4 and 7 feet above the adjacent grade. The minimum amount of windows required on each of the east and west elevations is 350.4 square feet. The proposed amount of windows on those walls, as measured between 2 and 10 feet above the adjacent grade, is 59 percent and 1.7 percent respectively. Alternative compliance is requested for the west elevation. The minimum amount of windows required on each of the north and south elevations is 273.6 square feet. The proposed amount of windows on those walls, as measured between 2 and 10 feet above the adjacent grade, is 49 percent and 30 percent respectively. Although 30 percent of the south wall would be windows, they are not distributed in an even manner. Alternative compliance is also requested for the south elevation. Please see the alternative compliance section for further analysis.
- One-hundred percent of the linear frontage of the wall facing Central Avenue would accommodate spaces with active functions. Only 39.5 percent of the wall facing 26<sup>th</sup> Avenue would accommodate spaces with active functions. Alternative compliance is also requested for the south wall. Please see the alternative compliance section for further analysis.
- A flat roof is proposed on the building. Many buildings in the immediate area also have flat roofs. It is characteristic of development on a commercial corridor.

#### **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:***

- Well-lit walkways at least 4 feet in width would connect the public sidewalk and parking area to the main entrances.
- There is not a transit stop at the northwest corner of Central Avenue and 26<sup>th</sup> Avenue and a transit shelter is not proposed as part of the development.
- Two curb cuts exist on the site: one on Central Avenue and one on 26<sup>th</sup> Avenue. For the proposed development, vehicle access would be from a 25-foot wide curb cut on Central Avenue and a 24-foot wide curb cut on 26<sup>th</sup> Avenue. Circulation would occur on-site. The proposed access and circulation, including the drive-through facility and its stacking, would be located where it should have the least amount of conflict with pedestrian traffic and surrounding residential properties.
- Alley access is not proposed.
- The applicant is proposing to landscape 28.4 percent of the net lot area. The proposed paving in the parking area would be used for vehicle parking, maneuvering and access.

#### **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).

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- **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 lot area of the site is approximately 48,961 square feet. The building footprint would be approximately 16,684 square feet. The lot area minus the building footprint therefore consists of approximately 32,277 square feet. At least 20 percent of the net site area (6,455.4 square feet) must be landscaped. Approximately 9,155 square feet of the site would be landscaped. That is equal to 28.4 percent of the net lot area.
- 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 13 and 65 respectively. On-site, no canopy trees and 34 shrubs are proposed on the plan. Alternative compliance is requested for the tree and shrub requirements. Please see the alternative compliance section for further analysis.
- A 7-foot wide landscaped yard with screening that is 3 feet in height and not less than 60 percent opaque is required between the parking area and Central Avenue and 26<sup>th</sup> Avenue. Four canopy trees are also required in the landscaped yard adjacent to Central Avenue. One canopy tree is also required in the landscaped yard adjacent to 26<sup>th</sup> Avenue. A 7-foot wide or greater landscaped yard would be provided adjacent to Central Avenue. The proposed landscaping in this yard would not meet the tree and screening requirements. Alternative compliance is requested. Adjacent to 26<sup>th</sup> Avenue, the proposed yard width and landscaping would not meet these requirements and alternative compliance is requested. Please see the alternative compliance section for further analysis.
- A 7-foot wide landscaped yard is also required between the parking area and the residential properties to the west across the alley. Screening that is 6-feet tall and not less than 95 percent opaque is required in this yard. A 9-foot wide or greater landscaped yard is proposed on the west side of the parking area. A row of pine trees is proposed to meet the aforementioned screening

requirements. The row of pine trees will need to extend to the north property line in order to fully comply with this standard.

- All areas of the parking lot that are not available for parking or maneuvering would be landscaped.
- None of the parking spaces would be within 50 feet of an on-site deciduous canopy tree. Alternative compliance is requested. Please see the alternative compliance section for further analysis.
- The remainder of the landscaped area on the site will be covered with perennials, grasses and wood mulch.
- Information provided on the landscaping plan indicates that the installation and maintenance of all landscape materials will comply with minimum standards.

#### **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:***

- Most of the parking area would be defined by six-inch by six-inch continuous concrete curbing. Discontinuous curbing will be installed on the north side of the parking area where stormwater can be retained.
- The proposed building would not impede views of important elements of the city, and would be located and arranged to minimize shadowing on public spaces and adjacent properties and to minimize the generation of wind currents at the ground level.
- The development includes environmental design elements to prevent crime. An abundant amount of windows that will allow views into and out of the building at eye level would be provided on the north and east sides of the building. Where providing windows on the west wall of the building would be impractical, the applicant is installing lighting in the parking area. The proposed lighting levels will need to comply with the required lighting standards. Landscaping and walkways would be used to distinguish between public and private spaces and to guide pedestrian movement through the site. Staff is also recommending that the planning commission require the applicant to provide fencing between the parking area and the adjacent streets to further delineate spaces.
- The existing structures on the site will be demolished in order to construct the new building. The buildings are not locally designated historic structures. The City does not have any file records to indicate that any of the structures are historic resources. However, further research is necessary to make that determination.

#### **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 applicant is proposing to rezone the site from C1 to C2. A drug store with a drive-through facility is a permitted use in the C2 district.

**Parking and Loading:**

*Minimum automobile parking requirement:* The minimum parking requirement for general retail sales and services uses, including a drug store, is one space per 500 square feet of gross floor area (GFA) in excess of 4,000 square feet, but not less than 4 spaces. The proposed GFA is 16,670 square feet. Therefore 25 spaces are required. A total of 47 spaces would be provided. Of these spaces, at least 2 must be accessible. Three accessible spaces would be provided.

*Maximum automobile parking requirement:* The maximum parking requirement for a drug store is one space per 200 square feet of gross floor area; therefore the maximum requirement is 83 spaces.

*Bicycle parking requirement:* The minimum bicycle parking requirement for a drug store is 3 spaces or one space per 5,000 square feet of GFA, whichever is greater. Not less than 50 percent of the required bicycle parking must meet the standards for short-term parking. All required bicycle parking spaces must be accessible without moving another bicycle and its placement shall not result in a bicycle obstructing a required walkway. Bicycle racks shall be installed to the manufacturer's specifications, including the minimum recommended distance from other structures. In addition, short term spaces must be located in a convenient and visible area within 50 feet of a principal entrance and must permit the locking of the bicycle frame and one wheel to the rack and must support a bicycle in a stable position without damage to the wheels, frames or components. Required spaces that are not short-term need to comply with the long-term requirements. Those spaces must be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and shall be accessible to intended users. A bike rack will be located adjacent to the main entrance. The applicant has indicated that at least 7 spaces will be provided.

*Stacking spaces:* For a drug store drive-through, at least 3 stacking spaces must be provided exclusive of required parking aisles as measured from the pick-up windows. A separate stacking area meeting these requirements would be provided.

*Loading:* For a drug store with less than 20,000 square feet of GFA, adequate shipping and receiving facilities, accessible by motor vehicle off any adjacent alley, service drive or open space on the same zoning lot is required. The applicant is proposing an enclosed loading area. There is also sufficient room in the parking lot to accommodate additional loading.

**Proposed Lot Area:** The proposed lot area is 48,961 square feet.

**Maximum Floor Area:** The maximum FAR allowed in the C2 district is 1.7. Additionally, commercial uses are limited to a maximum GFA of 30,000 square feet. The building would have approximately 16,684 square feet, which is an FAR of approximately 0.34.

**Minimum Lot Area:** For a retail sales and services use with a drive-through facility, the minimum lot area is 12,000 square feet and the minimum lot width requirement is 100 feet. The proposed site exceeds both of these requirements.

**Dwelling Units per Acre:** Not applicable for this development.

**Building Height:** The maximum height allowed in the C2 district is 4 stories or 56 feet, whichever is less. The proposed height is one story, 25 feet.

**Yard Requirements:** In general, uses located in commercial districts are not subject to yard requirements except where commercial districts are located near residence districts or residential structures. A vacant residential property fronting 26<sup>th</sup> Avenue is located to the west of the subject site across the alley. Where a street frontage includes property zoned as a residence district, a front yard equal to the lesser of the front yard required by such residence district or the established front yard of such residential structure must be provided in the commercial district for the first 25 feet from such residence district boundary. The adjacent residential property is located in the R2B district, where the minimum front yard requirement is 20 feet. A driveway and a transformer are proposed obstructions in the required yard. The driveway is a permitted obstruction, but the transformer and pad is not and will need to be shifted two feet to the north to comply with the yard requirement.

**Specific Development Standards:** Not applicable for this development.

**Signs:** Signs are subject to the regulations of Chapter 543, On-Premise Signs in the zoning code. Any new signage will require Zoning Office review, approval, and permits. Six signs are proposed: 5 wall signs (one “W”, three “Walgreen’s” and one “Drive Thru”) and one freestanding sign with a dynamic changeable copy sign.

- *Wall signs:* In the C2 district, up to one square foot of signage for every one linear foot of primary building wall is allowed when a freestanding sign is located on the same zoning lot. For individual wall signs, the maximum size allowed is 180 square feet and the maximum height allowed is 28 feet. Signage can be illuminated, but not backlit.

On the proposed building, each wall is a primary building wall. On the north and south walls, up to 114 square feet of signage is allowed on each wall. On the east and west walls, up to 146 square feet of signage is allowed on each wall. The proposed wall signs would not occupy more than the sign area allowed for each primary building wall. Each wall sign would also be less than 180 square feet, located not more than 28 high on the wall, and internally illuminated.

- *Freestanding sign:* In the C2 district, freestanding signs are allowed if they are a monument sign.<sup>1</sup> One freestanding sign per zoning lot is allowed. Up to one square foot of signage per one foot of street frontage, upon which the sign is oriented, is allowed, provided the total sign area does not exceed 80 square feet. The maximum allowed height is 8 feet and illumination is allowed, provided it’s not backlit.

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<sup>1</sup> The zoning code defines a monument sign as “A freestanding sign with its sign face mounted on the ground, on a solid base at least as wide as the sign, or on one (1) or more poles or beams with not more than one (1) foot of open area between the sign face and the ground or base.”

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The proposed freestanding sign would be an 8-foot tall, 40-square foot monument sign. The applicant has indicated that it will be internally illuminated.<sup>2</sup>

- *Dynamic changeable copy sign:* In the C2 district, dynamic changeable copy signs are allowed provided they comply with the following requirements:
  - a) *In general.* The dynamic changeable copy sign shall be limited to letters or numbers only. The background of the dynamic changeable copy sign shall be black and the text shall be colored.
  - b) *Number of signs.* There shall not be more than one (1) dynamic changeable copy sign located on a zoning lot.
  - c) *Location.* The dynamic changeable copy sign shall be located on a primary building wall or be part of a freestanding sign. If the dynamic changeable copy sign is part of a freestanding sign, the dynamic changeable copy portion shall be part of the continuous display surface of the sign. Except in the downtown districts, a dynamic changeable copy sign shall not be part of a projecting sign. Dynamic changeable copy signs shall be prohibited in the IL Industrial Living Overlay District.
  - d) *Size.* The maximum size of the dynamic changeable copy sign shall be sixteen (16) square feet. Dynamic changeable copy signs shall be included in the calculation of the total permitted sign area.
  - e) *Height.* Notwithstanding Tables 543-2, Specific Standards for Signs in the OR2, OR3 and Commercial Districts, 543-3, Specific Standards for Signs in the Downtown Districts, and 543-4, Specific Standards for Signs in the Industrial Districts, the maximum height of a dynamic changeable copy sign attached to a building shall be fourteen (14) feet, or top of wall, whichever is less.
  - f) *Duration of message.* The copy of the dynamic changeable copy sign shall remain static for a period of not less than fifteen (15) minutes. The transition from one (1) message to the next shall be direct and immediate, without any special effects.
  - g) *Image characteristics and transition.* Dynamic changeable copy signs shall have a pitch of not greater than twenty (20) millimeters between each pixel. Special effects, including but not limited to dissolving, fading, scrolling, starbursts and wiping shall be prohibited.
  - h) *Luminance.* Between sunrise and sunset the maximum luminance shall be five thousand (5,000) nits and between sunset and sunrise the maximum luminance shall be five hundred (500) nits. All signs with a dynamic display having illumination by means other than natural light must be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness to comply with this requirement. Except for Institutional and Public Uses, the dynamic changeable copy sign shall not display messages or be illuminated when the use is closed.

The applicant has indicated that the proposed sign will comply with all of the above requirements.

**Screening of Mechanical Equipment:** All mechanical equipment is required to be arranged so as to minimize visual impact by using screening and must comply with Chapter 535 and district requirements including:

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<sup>2</sup> The zoning code defines internal illumination as “A light source contained within the sign cabinet that illuminates by directing light onto the sign surface, or that illuminates only the letters, numbers or logos of the sign copy, and which is not backlit.”

**535.70. Screening of mechanical equipment.** (a) *In general.* All mechanical equipment installed on or adjacent to structures shall be arranged so as to minimize visual impact using one (1) of the following methods. All screening shall be kept in good repair and in a proper state of maintenance.

- (1) *Screened by another structure.* Mechanical equipment installed on or adjacent to a structure may be screened by a fence, wall or similar structure. Such screening structure shall comply with the following standards:
  - a. The required screening shall be permanently attached to the structure or the ground and shall conform to all applicable building code requirements.
  - b. The required screening shall be constructed with materials that are architecturally compatible with the structure.
  - c. Off-premise advertising signs and billboards shall not be considered required screening.
- (2) *Screened by vegetation.* Mechanical equipment installed adjacent to the structure served may be screened by hedges, bushes or similar vegetation.
- (3) *Screened by the structure it serves.* Mechanical equipment on or adjacent to a structure may be screened by a parapet or wall of sufficient height, built as an integral part of the structure.
- (4) *Designed as an integral part of the structure.* If screening is impractical, mechanical equipment may be designed so that it is balanced and integrated with respect to the design of the building.

Rooftop mechanical equipment would be screened by the structure. An electrical transformer would be located at the southwest corner of the property. No screening is indicated in the plans. The transformer will need to be screened as required.

**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 must 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 plans indicate that screening will be provided, but specific information was not included in the plans. How the screening will comply with these requirements will need to be identified on the final plans.

**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

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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.

The lighting plan submitted by the applicant indicates that the allowed lighting levels will be exceeded adjacent to 26<sup>th</sup> Avenue. These levels will need to be adjusted to comply with the above requirements.

**MINNEAPOLIS PLAN:** In addition to the principals and policies identified in the rezoning section of this report, the following also apply to this development. With the adoption of the staff recommendation, the site plan will be consistent with the applicable policies of the comprehensive plan and the small area plan.

Land Use Policy 1.2: Ensure appropriate transitions between uses with different size, scale, and intensity.

- 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.

- 1.3.1 Require safe, convenient, and direct pedestrian connections between principal building entrances and the public right-of-way in all new development and, where practical, in conjunction with renovation and expansion of existing buildings.
- 1.3.2 Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.

Land Use Policy 1.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.

- 1.4.2 Promote standards that help make commercial districts and corridors desirable, viable, and distinctly urban, including: diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements to add interest at the pedestrian level.
- 1.4.4 Continue to encourage principles of traditional urban design including site layout that screens off-street parking and loading, buildings that reinforce the street wall, principal entrances that face the public sidewalks, and windows that provide “eyes on the street”.

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

- 10.10.1 Enhance the city's commercial districts by encouraging appropriate building forms and designs, historic preservation objectives, site plans that enhance the pedestrian environment, and by maintaining high quality four season public spaces and infrastructure.
- 10.10.3 Enhance pedestrian and transit-oriented commercial districts with street furniture, street plantings, plazas, water features, public art and improved transit and pedestrian and bicycle amenities.
- 10.10.4 Orient new buildings to the street to foster safe and successful commercial nodes and corridors.

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

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.

10.18.3 Locate parking lots to the rear or interior of the site.

10.18.4 Provide walkways within parking lots in order to guide pedestrians through the site.

10.18.7 Minimize the width of ingress and egress lanes along the public right of way in order to provide safe pedestrian access across large driveways.

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.

In addition to the policies identified in the rezoning section above, the *Central Avenue Small Area Plan* also recommends orienting all doors to the sidewalk and creating well defined edges to parking areas.

#### **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 to meet the following standards:

#### Window requirements

All walls are subject to the minimum window requirements (30 percent) because they either face a street or a parking area. The proposed windows that would allow views into and out of the building would be vertical in proportion, would have clear glazing, would not be located more than 4 feet from the adjacent grade, and would not be blocked by interior fixtures between 4 and 7 feet above the adjacent grade. The minimum amount of required windows on each of the east and west elevations is 350.4 square feet. The proposed amount of windows on those walls, as measured between 2 and 10 feet above the adjacent grade, is 59 percent and 1.7 percent respectively. Alternative compliance is requested for the west elevation. The minimum amount of required windows on each of the north and south elevations is 273.6

square feet. The proposed amount of windows on those walls, as measured between 2 and 10 feet above the adjacent grade, is 49 percent and 30 percent respectively. Although 30 percent of the south wall would be windows, they are not distributed in an even manner. Alternative compliance is also requested for the south elevation.

- *West elevation:* On the west elevation, the drive-through window is the only window proposed. The wall is adjacent to ancillary spaces including storage and bathrooms. Installing windows in these areas would not increase natural surveillance from the building. With windows required on all sides of the building, there are limited options where these spaces can be located. As an alternative to meeting the window requirement on the west elevation, the applicant is proposing to install windows on north and east elevations that far exceed the minimum requirements and lighting in the parking area. The applicant has also indicated that shelves adjacent to these windows would not exceed 4 feet in height. The alternatives will meet the intent of the ordinance provided interior fixtures and signage do not block views into and out of the building between 4 and 7 feet above grade for all of the windows, including those exceeding the minimum 30 percent requirement. With the condition of approval that the windows are not blocked between 4 and 7 feet, staff is recommending that the planning commission grant alternative compliance.
- *South elevation:* The proposed windows on the south elevation are concentrated on the east side of the wall adjacent to retail floor area. The remainder of the wall would be adjacent to an enclosed loading area where providing windows would not increase natural surveillance from the building. With windows required on all sides of the building, there are limited options where an enclosed loading area can be located that is also adjacent to an area with sufficient room for maneuvering. The additional windows proposed on the north and east elevations and not blocking views into and out of the building between 4 and 7 feet would address the intent of the ordinance. For these reasons, staff is recommending that the planning commission grant alternative compliance.

#### Active functions

The first floor of buildings are required to be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than 30 percent of the linear building frontage along each wall facing a public street. Only 39.5 percent of the wall facing 26<sup>th</sup> Avenue would accommodate spaces with active functions. The remainder of the wall would accommodate an enclosed loading area. With frontage on two streets, there are limited options where an enclosed loading area can be located that is also adjacent to an area with sufficient room for maneuvering. As an alternative to address adverse effects of the loading location, the applicant is proposing to provide additional windows on the east elevation and limiting the height of the shelving to 4 feet in front of the windows. For these reasons, staff is recommending that the planning commission grant alternative compliance.

#### Landscaping and screening requirements

Alternative compliance is requested for the following requirements. The alternatives proposed by the applicant are also noted.

- *Minimum number of canopy 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 13 and 65 respectively. On-site, no canopy trees and 34 shrubs are proposed. Other on-site trees, including 8 ornamental trees and 14 coniferous trees, are proposed. Six canopy trees in the Central Avenue boulevard are also proposed where trees currently do not exist.

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- *Screening and tree requirements between the parking area and Central Avenue:* A 7-foot wide landscaped yard with screening that is 3 feet in height and not less than 60 percent opaque is required between the parking area and Central Avenue. Four canopy trees are also required in the landscaped yard. A 7-foot wide or greater landscaped yard would be provided. The proposed landscaping (one ornamental tree, shrubs that grow to 1.5 feet at maturity, native grass, perennials and sod) in this yard would not meet the tree and screening requirements.
- *Landscaped yard width, screening and tree requirements between the parking area/drive-through and 26<sup>th</sup> Avenue:* A 7-foot wide landscaped yard with screening that is 3 feet in height and not less than 60 percent opaque is required between the parking area and 26<sup>th</sup> Avenue. One canopy tree is also required in the landscaped yard. Adjacent to 26<sup>th</sup> Avenue near the loading entrance, the proposed yard width of 2 feet planted with grasses would not meet these requirements. On the west side of the driveway, an ornamental tree is proposed.
- *Distance to trees:* None of the parking spaces would be within 50 feet of an on-site deciduous canopy tree. Most of the spaces would be within 50 feet of an on-site ornamental or coniferous tree.

Although the proposed alternatives will visually enhance the development, they do not address all of the potential adverse effects of not complying with these requirements. The adverse effects include increased urban heat island effect and water consumption for irrigation due to a smaller tree canopy cover and lack of a buffer between the pedestrian zones and the parking area. Providing canopy trees on-site would not be impractical as the proposed amount of parking exceeds the minimum requirement by 22 spaces and the proposed on-site landscaped areas would accommodate canopy trees. Providing a wider landscaped yard adjacent to 26<sup>th</sup> Street would interfere with the loading entrance. Staff recognizes that there are limited options where an enclosed loading area can be located the site that is also adjacent to an area with sufficient room for maneuvering. Staff is recommending that the planning commission require the following:

- At least 7 canopy trees, more or less evenly distributed around the parking area, shall be provided on-site. (This recommendation takes into account the 6 boulevard trees and the row of coniferous trees on the west side of the site as alternatives for 6 of the required canopy trees. Also some of the proposed ornamental trees can still be provided to retain more diversity of plant types on the site.)
- A decorative metal fence, similar to the fences that have been installed in parking lots adjacent to Central Avenue and Lowry Avenue in the nearby area, shall be installed between the proposed parking area and the adjacent streets. (In addition to the proposed landscaping, a decorative fence would act as a substitute to fully meeting the screening and landscaping requirements previously mentioned.)

### **RECOMMENDATIONS:**

#### **Recommendation of the Department of Community Planning and Economic Development for the Rezoning:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt the above findings and **approve** the petition to rezone the properties of 2600-2622 Central Avenue Northeast from C1 to C2.

**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 new one-story, approximately 16,700 square foot building located at the property of 2600-2622 Central Avenue Northeast, subject to the following conditions:

- 1) The proposed street facing entrance shall remain open to the street for public access as required by section 530.110 of the zoning code.
- 2) All windows on the north and east elevations shall allow views into and out of the building at eye level and shall not be blocked by fixtures or signage in the area between 4 and 7 feet above the adjacent grade.
- 3) At least 7 canopy trees, more or less evenly distributed around the parking area, shall be provided on-site.
- 4) A decorative metal fence, similar to the fences that have been installed in parking lots adjacent to Central Avenue and Lowry Avenue in the nearby area, shall be installed between the proposed parking area and the adjacent streets.
- 5) Screening that is at least 6 feet tall and 95 percent opaque shall extend to the north lot line adjacent to the west lot line as required in the landscaping and screening requirements of section 530.170 of the zoning code.
- 6) The transformer shall be screened as required by section 535.70 of the zoning code.
- 7) Refuse storage containers shall be screened as required by section 535.80 of the zoning code.
- 8) Lighting shall comply with section 535.590 of the zoning code.
- 9) Department of Community Planning and Economic Development staff review and approval of the final elevations, floor, fixture, site, lighting and landscape plans.
- 10) Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by February 21, 2016, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

**Attachments:**

- 1) PDR report
- 2) Applicant's statement of proposed use
- 3) Zoning map
- 4) Plans and renderings
- 5) Photos