

LAND USE APPLICATION SUMMARY

Property Location: 5025 Knox Avenue South
Project Name: Mount Olivet Lutheran Church Parking Lot
Prepared By: Janelle Widmeier, Senior City Planner, (612) 673-3156
Applicant: Mount Olivet Lutheran Church
Project Contact: Nancy Nash, Mount Olivet Lutheran Church
Request: To allow a vehicle height barrier structure for a surface parking lot.
Required Applications:

Variance	Of the front yard requirement adjacent to Logan Avenue South to allow a vehicle height barrier structure for a surface parking lot.
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SITE DATA

Existing Zoning	RI Single-family District FP Floodplain Overlay District SH Shoreland Overlay District
Lot Area	209,788 square feet / 4.82 acres
Ward(s)	13
Neighborhood(s)	Lynnhurst Neighborhood Association
Designated Future Land Use	Urban Neighborhood
Land Use Features	Community Corridor (50 th Street West)
Small Area Plan(s)	Not applicable

Date Application Deemed Complete	June 24, 2015	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	August 23, 2015	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. Mount Olivet Lutheran Church, a place of assembly, is located on the subject property. It was established on the site in 1949. The church building is located on the eastern portion of the site. A large surface parking lot with 152 spaces comprises the entire west half of the site. The subject property occupies the entire block. It has frontage on 3 streets and is bordered to the south by parkland adjacent to Minnehaha Creek.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The subject site is bordered by Minnehaha Creek to the south, the Burroughs Community School to the east, a church and single-family homes to the north, and single-family homes to the west.

PROJECT DESCRIPTION. A vehicle height barrier structure has been installed in the required front yard adjacent to Logan Avenue South located at the property of 5025 Knox Avenue South in the parking lot accessory to the Mount Olivet Lutheran Church. The aluminum barrier is 11 feet tall and 31.5 feet wide. It restricts trucks and buses from entering the southern-most parking area where pervious pavers were installed. The minimum front yard requirement adjacent to Logan Avenue is 25 feet. The barrier is located 4 feet from the front lot line and is not a permitted obstruction. A variance of the minimum yard requirement is required.

Signs that did not comply with the regulations of Chapter 543 On-Premise Signs of the zoning code have been removed from the barrier. The remaining attached signage is auxiliary and complies with the auxiliary sign regulations. Any noncompliant signs must be removed from the site.

RELATED APPROVALS. In March of 2014, the City Planning Commission approved a site plan review application with parking lot improvements, which included landscaping, significantly reducing impervious surface, and eliminating 3 curb cuts. These improvements have been implemented. The barrier was not included with the previous site plan approval.

Planning Case #	Application	Description	Action
<u>BZZ-6427</u>	Site plan review	Building addition on the west side of the building and parking lot improvements	<u>Approved at the 3/3/14 CPC meeting</u>
<u>BZZ-6544</u>	Various	Building addition on the east side of the property	<u>Approved at the 6/9/14 CPC meeting</u>

PUBLIC COMMENTS. As of the writing of this report, staff has not received correspondence from the neighborhood group. Any correspondence received prior to the public meeting will be forwarded on to the Board of Adjustment for consideration.

ANALYSIS

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance of the front yard requirement adjacent to Logan Avenue South to allow a vehicle height barrier structure for a surface parking lot based on the following findings:

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.*

Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The subject property occupies the entire block. It has frontage on 3 streets and is bordered to the south by parkland adjacent to Minnehaha Creek. The building occupies the east side of the site and the accessory parking occupies the west side of the site. The minimum front yard requirement adjacent to Logan Avenue is 25 feet. The yard between the parking area and the front lot line is 7 feet wide. Parking is not a permitted obstruction in a required front yard; however, the parking was established in the front yard prior to the yard requirement taking effect and therefore has grandfather rights. The parking lot was reconstructed in 2014. Part of the proposal to reconstruct the parking lot included installing pervious paving at the south end of the lot to minimize stormwater runoff on the side of the site closest to the creek. To ensure the pervious paving system functions properly, vehicle weight limits apply. The vehicle height barrier structure was installed to prevent trucks and buses, which would exceed the weight limits, from accessing this area. Although the parking lot retained grandfather rights for location, the barrier is a new obstruction and is subject to the yard requirements. Maintenance standards would have been known at the time of the site plan review; however, the circumstances affecting the property were not created by the applicant.

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.*

In general, yard controls are established to provide for the orderly development and use of land and to minimize conflicts among land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The parking lot was reconstructed in 2014. Pervious paving was installed at the south end of the lot to minimize stormwater runoff on the side of the site closest to the creek. To ensure the pervious paving system functions properly, vehicle weight limits apply. The vehicle height barrier structure was installed to prevent trucks and buses, which would exceed the weight limits, from accessing this area. The zoning code and comprehensive plan encourages minimizing on-site impervious surfaces. Previously, the parking area extended into the public right-of-way and contained no to little landscaping between the public sidewalk and parking. The on-site, landscaped yard between the parking area and the front lot line is now 7 feet wide, which has brought the site closer to compliance with current yard requirements. Moving the barrier to comply with the 25 foot setback would not likely make it less visible and would need to be set in at least two parking spaces deep. There are no residential uses on the same block face. It would not have any effect on surrounding properties access to light and air. The request is reasonable and would be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

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.*

Closest to the barrier location, the subject site is bordered by Minnehaha Creek to the south and single-family homes to the west. Although a vehicle height barrier structure is not characteristic of a low-density residential area, there are no residential uses on the same block face and the applicant has made improvements to the parking lot that minimizes adverse effects to the surrounding area. The improvements include landscaping, significantly reducing impervious surface, and eliminating 3 curb cuts. Pervious paving was installed at the south end of the lot to minimize stormwater runoff on the side of the site closest to the creek. To ensure the pervious paving system functions

properly, vehicle weight limits apply. The barrier was installed to prevent trucks and buses, which would exceed the weight limits, from accessing this area. Moving the barrier to comply with the 25 foot setback would not likely make it less visible. If granted, the proposed variance will not be detrimental to the health, safety or welfare of the public or those utilizing the property provided the barrier is constructed to current building codes.

Additional Standards for Variances within the SH Shoreland Overlay District

In addition, the Zoning Board of Adjustment shall consider, but not be limited to, the following factors when considering conditional use permit or variance requests within the SH Shoreland Overlay District:

1. *The prevention of soil erosion or other possible pollution of public waters, both during and after construction.*

The Public Works Department reviewed the project for appropriate drainage and stormwater management both during and after construction. Now that construction is complete, the area around the barrier has been landscaped with trees, perennials and grasses.

2. *Limiting the visibility of structures and other development from protected waters.*

Because of the narrowness of the structure and existing vegetation, the structure has limited visibility from Minnehaha Creek.

3. *The suitability of the protected water to safely accommodate the types, uses and numbers of watercraft that the development may generate.*

This standard is not applicable for the proposed development.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the application(s) by Mount Olivet Lutheran Church for the property located at 5025 Knox Avenue South:

A. Variance of the minimum front yard requirement.

Recommended motion: **Approve** the application for a variance of the front yard requirement adjacent to Logan Avenue South from 25 feet to 4 feet to allow a vehicle height barrier structure for a surface parking lot.

ATTACHMENTS

1. Written description and findings submitted by applicant
2. Zoning map
3. Survey
4. Site plan
5. Photos
6. Public comments



MOUNT
OLIVET
LUTHERAN
CHURCH

Minneapolis Campus

5025 Knox Avenue South
Minneapolis, MN 55419-1095

Phone 612 / 926 - 7651
Fax 612 / 926 - 4340

West Campus

7150 Rolling Acres Road
P.O. Box 153
Victoria, MN 55386-0153

Phone 952 / 767 - 1500
Fax 952 / 470 - 4589

www.mtolivet.org

John D. Hogenson
Senior Pastor

Pastoral Staff:

Kurt P. Kalland
Stephen J. Cornils
Eric N. Youngdahl
Monica M. Hammersten
Andrew M. Bakken
William B. MacLean
Gretchen E. Enoch

June 16, 2015

City of Minneapolis
250 S. 4th Street, #300
Minneapolis, MN 55415

Dear City of Minneapolis,

I am requesting a variance in response to the inspector's comments on the height restriction barrier at 5025 Knox Avenue South, in particular on Logan Avenue entrance stating that this structure exceeds the allowable size and height for the residential property and must be removed.

As part of our update of the parking lot we followed Best Management Practices as requested by the city and installed pervious pavement on the south end of our parking lot nearest the creek in an effort to better manage run-off of the lot understanding that pervious pavement is a significant help affecting storm water quality and quantity. It is our understanding that in order for pavement to function properly no trucks or busses can drive on the pervious pavement. Therefore to protect the area we installed the height restriction barrier. Please advise if we misunderstood the mission to protect the pervious pavement.

Thank you for your consideration.

Sincerely,

Nancy S. Nash
Business Administrator
Mount Olivet Lutheran Church
5025 Knox Avenue South
Minneapolis, MN 55419



June 16, 2015

City of Minneapolis
250 S. 4th Street, #300
Minneapolis, MN 55415

Dear City of Minneapolis,

This letter is to address the required findings for variance requested at 5025 Knox Avenue South.

1. As required by BMP regarding the resurfacing of the lot we installed pervious pavement on the South end of our parking lot. It is our understanding that in order for pavement to function properly no trucks or busses can drive on the pervious pavement. To protect this area we have installed height restriction barriers.
2. This is the only entrance to the parking lot off of Logan so therefore this barrier will keep loud busses and trucks off of residential Logan Avenue.
3. Once again, by having this be an automobile entrance only we decrease truck and bus traffic in this location. We have installed additional plantings to beautify the essential character of the property.

This letter also addresses the required findings for variance as requested by the Shoreland Overlay District.

1. During construction this area was protected by a silt fence. Upon completion we have provided perennial plantings and grasses.
2. This structure is not visible from the protected waters of Minnehaha creek.
3. This structure does not impede the use of the protected waterway.

Thank you for your consideration.

Sincerely,



Nancy S. Nash
Business Administrator
Mount Olivet Lutheran Church
5025 Knox Avenue South
Minneapolis, MN 55419



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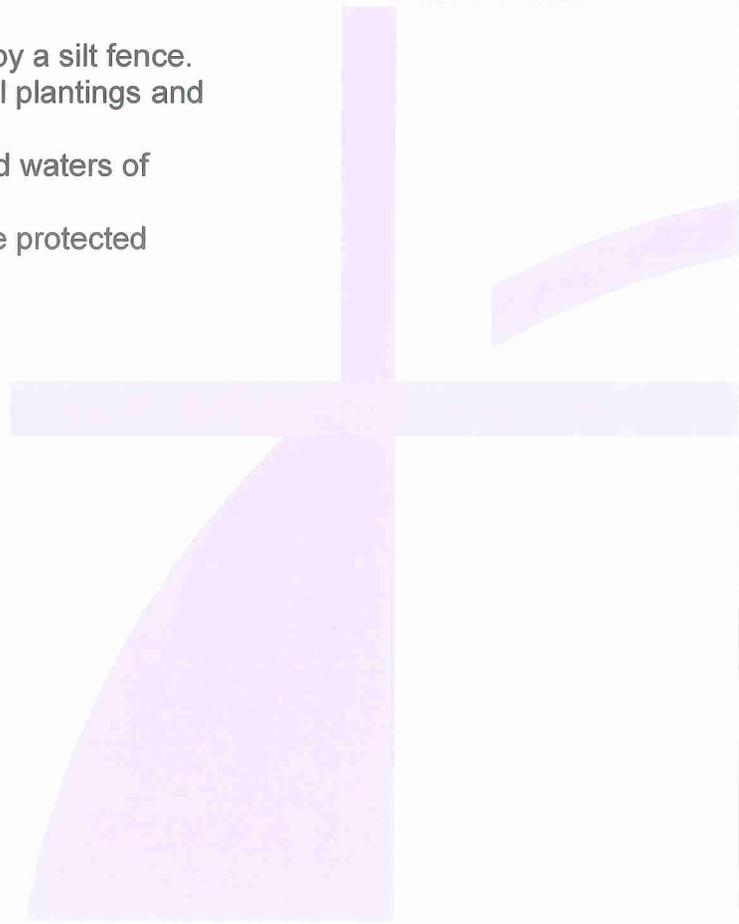
www.mtolivet.org

John D. Hogenson

Senior Pastor

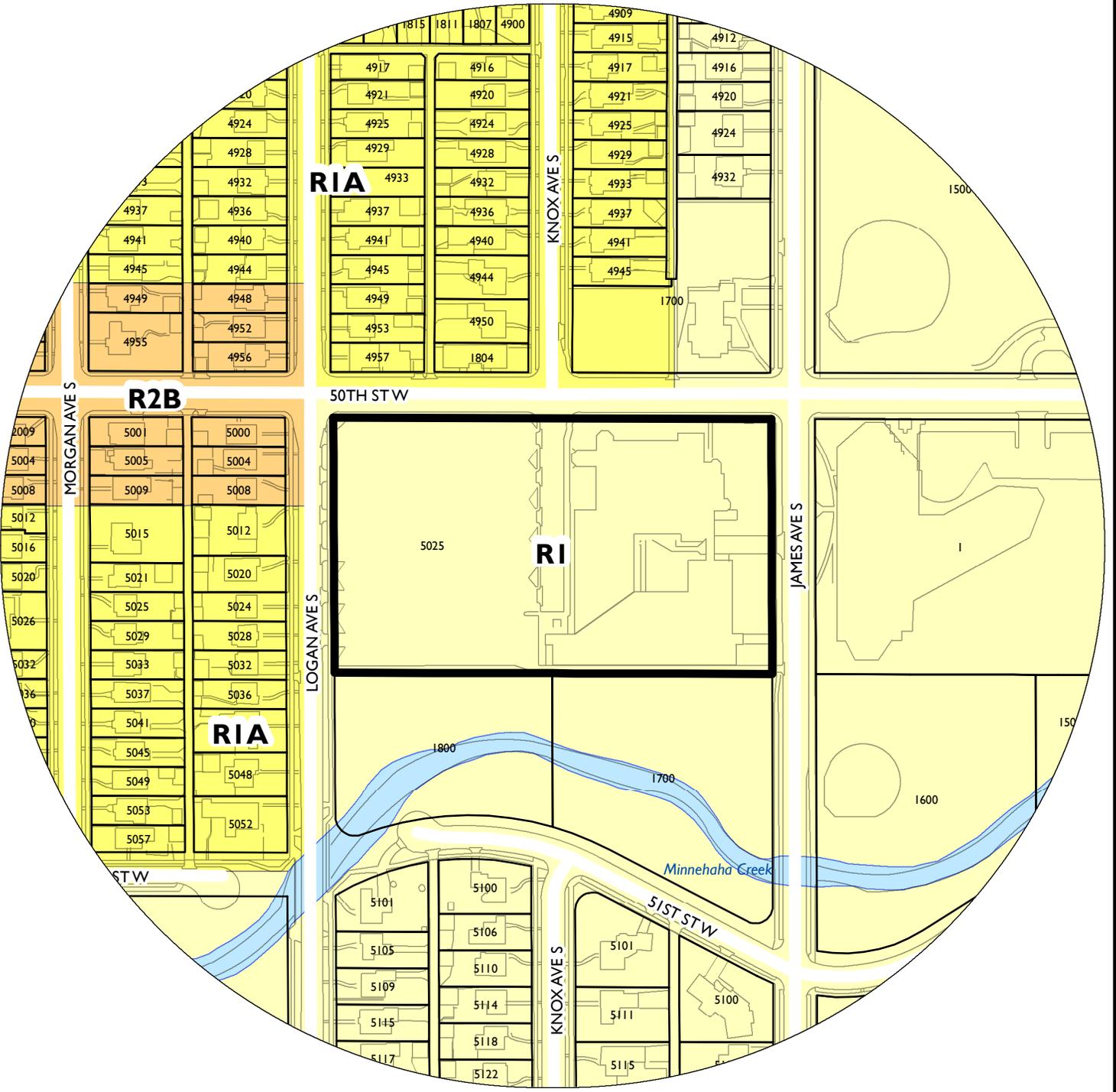
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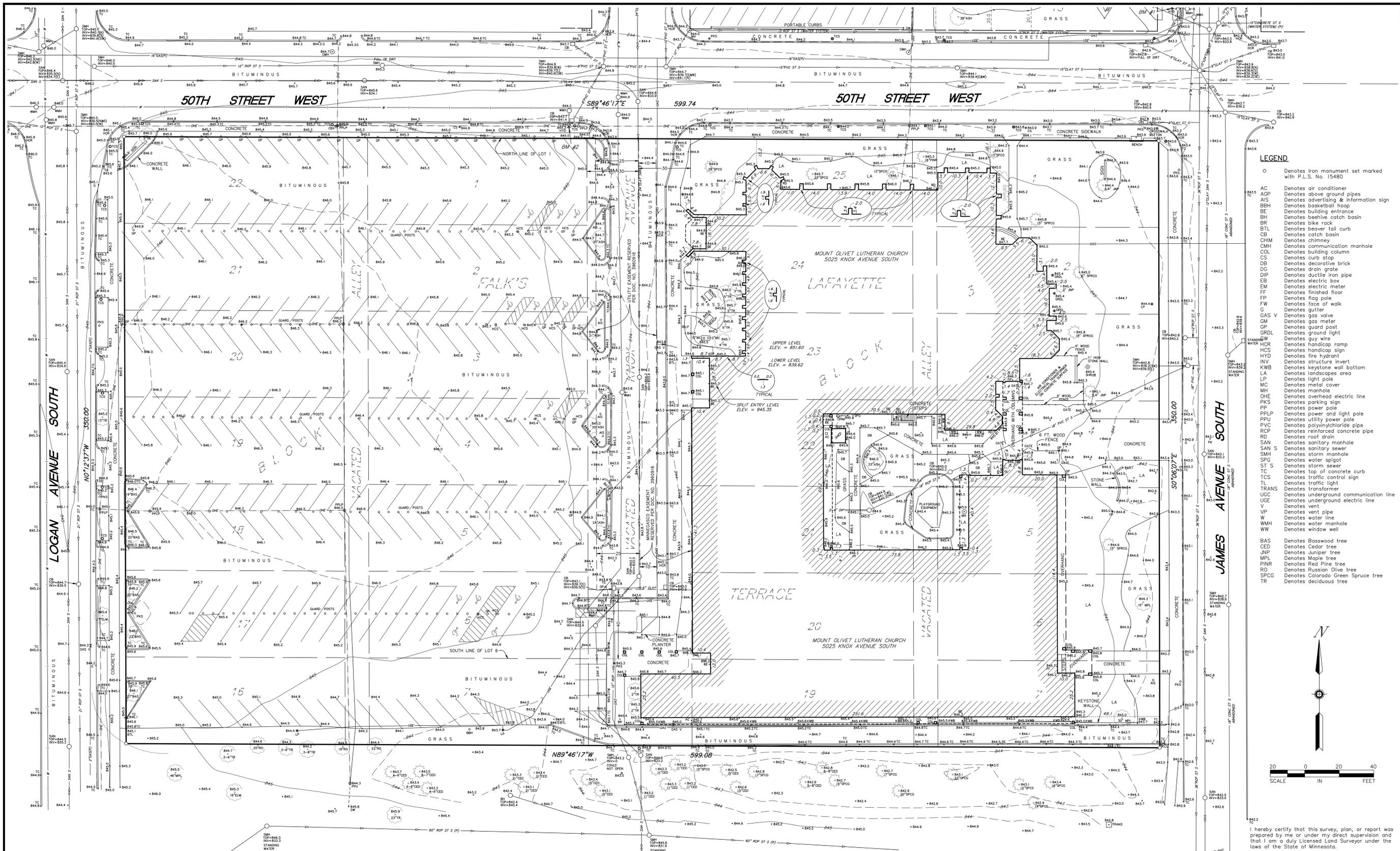
NAME OF APPLICANT

WARD



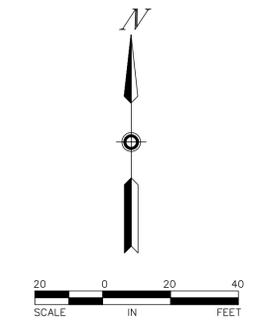
PROPERTY ADDRESS
5025 Knox Ave S

FILE NUMBER
BZZ-7265



LEGEND

- O Denotes iron monument set marked with P.L.S. No. 15480
- AC Denotes air conditioner
- AIS Denotes above ground pipes
- AS Denotes advertising & information sign
- BBH Denotes basketball hoop
- BE Denotes building entrance
- BH Denotes beehive catch basin
- BR Denotes beaver trap
- BTL Denotes beaver tail curb
- CB Denotes catch basin
- CHM Denotes chimney
- CMH Denotes communication manhole
- COL Denotes building column
- CS Denotes curb stop
- DB Denotes decorative brick
- DG Denotes drain grate
- DIP Denotes ductile iron pipe
- EB Denotes electric box
- EM Denotes electric meter
- FF Denotes finished floor
- FP Denotes flag pole
- FW Denotes face of walk
- G Denotes gutter
- GAS V Denotes gas valve
- GM Denotes gas meter
- GP Denotes guard post
- GRDL Denotes ground light
- Denotes guy wire
- HCR Denotes handicap ramp
- HCS Denotes handicap sign
- HYD Denotes fire hydrant
- INV Denotes structure invert
- KWB Denotes keystone wall bottom
- LA Denotes landscapes area
- LP Denotes light pole
- MC Denotes metal cover
- MH Denotes manhole
- OHE Denotes overhead electric line
- PKS Denotes parking sign
- PP Denotes power pole
- PPLP Denotes power and light pole
- PPU Denotes utility power pole
- PVC Denotes polyvinylchloride pipe
- RCP Denotes reinforced concrete pipe
- RD Denotes roof drain
- SAN Denotes sanitary manhole
- SAN S Denotes sanitary sewer
- SMH Denotes storm manhole
- Denotes storm sewer
- ST S Denotes water spigot
- TC Denotes top of concrete curb
- TCS Denotes traffic control sign
- TL Denotes traffic light
- TRANS Denotes transformer
- UCC Denotes underground communication line
- UGE Denotes underground electric line
- V Denotes vent
- VP Denotes vent pipe
- W Denotes water line
- WMH Denotes water manhole
- WW Denotes window well
- BAS Denotes Basewood tree
- CED Denotes Cedar tree
- JNP Denotes Juniper tree
- MPL Denotes Maple tree
- PINR Denotes Red Pine tree
- RO Denotes Russian Olive tree
- SPCG Denotes Colorado Green Spruce tree
- TR Denotes deciduous tree



GENERAL NOTE

1.) Survey coordinate basis: Hennepin County Coordinate System

UTILITY NOTES

- 1.) Utility information from plans and markings was combined with observed evidence of utilities to develop a view of the underground utilities shown hereon. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, excavation may be necessary.
- 2.) Other underground utilities of which we are unaware may exist. Verify all utilities critical to construction or design.
- 3.) Some underground utility locations are shown as marked onsite by those utility companies whose locators responded to our Gopher State One Call, ticket number 132131960.
- 4.) Contact GOPHER STATE ONE CALL at 651-454-0002 (800-252-1166) for precise onsite location of utilities prior to any excavation.

BENCH MARKS (BM)

- 1.) Top of top nut of fire hydrant at northwest quadrant of 50th Street West and James Avenue. Elevation = 847.32 feet
- 2.) Top of top nut of fire hydrant at southwest quadrant of 50th Street West and Knox Avenue. Elevation = 848.31 feet

DESCRIPTION OF PROPERTY SURVEYED

(Per Certificate of Title No. 1324092)

Lots 1 to 7 inclusive, and Lots 19 to 25 inclusive, Block 3, and that part of the vacated alley in said Block 3, lying between the extensions across said alley of the North line of said Block and the South line of said Lots 7 and 19, "Falk's Lafayette Terrace" Minneapolis, Minnesota.

Lots 1 to 7 inclusive, Block 4, and Lots 18 to 22 inclusive, Block 4, "Falk's Lafayette Terrace" Minneapolis, Minnesota; and

That part of the vacated alley in Block 4, "Falk's Lafayette Terrace" Minneapolis, Minnesota, lying northerly of the westerly extension of the south line of Lot 5, said Block 4; and

That part of the east half of the vacated alley in Block 4, "Falk's Lafayette Terrace" Minneapolis, Minnesota, lying between the westerly extensions of the south line of Lot 7 and of the north line of Lot 6, said Block 4; and

That part of vacated Knox Avenue South as dedicated in the plat of "Falk's Lafayette Terrace" Minneapolis, Minnesota, lying between the westerly extensions of the north line of Lot 25, Block 3, said plat, and of the south line of Lot 19, said Block 3.

AND

(Per Doc. No. A9566837)

Lots 16 and 17, Block 4, "Falk's Lafayette Terrace" Minneapolis, Minnesota;

That part of the West half of the vacated alley in Block 4, "Falk's Lafayette Terrace" Minneapolis, Minnesota, lying between the westerly extensions of the south line of Lot 7 and the north line of Lot 6, Block 4.

TITLE COMMITMENT

This survey was prepared without the benefit of current title work. Easements, appurtenances, and encumbrances may exist in addition to those shown hereon. This survey is subject to revision upon receipt of a current title insurance commitment or attorney's title opinion.

AREA

Area = 209,788 square feet or 4.816 acres

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 19th day of August, 2013

SUNDE LAND SURVEYING, LLC.

By: *Mark S. Hanson*
Mark S. Hanson, P.L.S., Minn. Lic. No. 15480

Revision	By	Date

Drawing Title:
BOUNDARY, LOCATION, TOPOGRAPHIC and UTILITY SURVEY FOR: MOUNT OLIVET LUTHERAN CHURCH 5025 KNOX AVENUE SOUTH

Main Office: 4001 East Bloomington Freeway (29W) • Suite 118
Bloomington, Minnesota 55420-3435
952-881-2455 (Fax: 952-888-9506)
West Office: 10000 Hennepin Avenue
Mendota, North Dakota 58552-5562

Project: 97-033-9 Bk/Pg: 9/1
Township: 28 Range: 24 Section: 16 Date: 8/19/2013
File: 270338001.dwg Sheet: 1 of 1





Widmeier, Janelle A.

From: Sheila Frost <sfrost400@gmail.com>
Sent: Sunday, July 19, 2015 11:25 AM
To: Widmeier, Janelle A.
Cc: Jane Paulus
Subject: Neighbor comment on 5025 Knox Ave S. variance request

Ms. Widmeier and board members,

We have owned and resided at 5040 Logan Ave. S. for nearly 30 years. We oppose granting a variance for the height barrier by Mount Olivet Lutheran Church, 5025 Knox Ave. S.

While the church has a Knox Avenue address, much of the parking-traffic impact is on Logan because the parking lots are west of the church.

My husband and I recognize that the church is trying to protect the pervious blacktop on its south lot. Even so, we urge you to consider the following factors in denying the variance.

Intrusive: The commercial/industrial nature of the structure and its sheer size are inconsistent with the adjacent residential neighborhood and city parkland along Minnehaha Creek.

Foreseeable: The church relied on professionals to design and build the new lot and drainage system. The weight restriction was foreseeable. Indeed, it is not credible that it wasn't foreseen and addressed on the original site plan. If it had been, this issue could have been resolved during that review with involvement of stakeholders.

Unnecessary: The church already has one ingress/egress curb cut on Logan Avenue. Eliminating the southern-most ingress/egress to the smaller pervious lot is a better solution for the neighborhood. People who park in the pervious lot would continue to have reasonable egress to Knox Avenue (via the driveway along the south side of the church building) and access and egress via 50th Street.

Track record: 5008 Logan Ave. S., a church-owned property, is the least maintained property on the block. On another former church property just down the street, now fortunately occupied by caring homeowners, the church once rented out rooms to individuals whose misconduct prompted calls to the police. The church needs to follow the rules.

We are not able to attend the July 30 meeting of the Board of Adjustment. If you have any questions, feel free to contact us by email, or phone.

Sheila Frost
David Shaffer
612-922-2667

Widmeier, Janelle A.

From: maryaschmit@usfamily.net
Sent: Friday, July 17, 2015 6:12 PM
To: Widmeier, Janelle A.
Subject: Mt. Olivet variance

We heartily support Mt. Olivet's application for a variance.

They are wonderful neighbors. Their church addition and new parking lot greatly add to the ambiance of the neighborhood

David & Mary Schmit
5025 Morgan Ave. So.