

Department of Community Planning and Economic Development—Planning Division
Conditional Use Permit, Yard Variance, Site Plan Review
BZZ-2450

Hearing Date: 8/15/05

Date Application Deemed Complete: 7/8/05

End of 60-Day Decision Period: 9/6/05

Applicant: Install This Awning and Sign Company, 5345 4th St. N., Brooklyn Center, MN 55430

Address of Property: 4835 Lyndale Ave. N.

Contact Person and Phone: Paul Miller, 5345 4th St. N., Brooklyn Center, MN 55430, 763-560-8466

Staff Contact Person and Phone: J. Michael Orange, Principal Planner. Phone: 612-673-2347;
facsimile: 673-2728; TDD: 673-2157; e-mail: michael.orange@ci.minneapolis.mn.us

Ward: 4 **Neighborhood Organization:** Lind-Bohanon Neighborhood Association

Existing Zoning: C1, Neighborhood Commercial District

Zoning Plate Number: 2

Proposed Use: Application by Paul Miller of Install This Awning and Sign Company to expand the existing building located at 4835 Lyndale Ave. N. (formerly the site of Len's Auto Garage) from the current 1,227 sq. ft. to a total of 5,984 sq. ft. (a 4,757 sq. ft. expansion) for the purpose of housing a sign and awning installation company. Approximately 2,650 sq. ft. will be used for offices (1,455 sq. ft.) and processing areas (1,200 sq. ft.) and 3,329 sq. ft. will be used to garage the service trucks and other vehicles. Applications include a conditional use permit (Limited Production and Processing uses are conditional in the C1 Zoning District), a side yard variance, and site plan review.

Prior approvals: None

Concurrent Review: Conditional use permit for the use, side yard variance, and site plan review.

Applicable zoning code provisions:

- **Conditional use permit:** Required for "limited production and processing" businesses per Table 548-1 and Section 548.30 (f)(2)(h).
- **Variance:** To reduce the established side yard setback from 7 ft. to zero ft. per 525.520 (1)
- **Site plan review:** Per Chapter 530 of the Zoning Code.

If you need more information or have special needs, please call the
Minneapolis Planning Department at 612-673-2597.

Department of Community Planning and Economic Development—Planning Division
Conditional Use Permit, Yard Variance, Site Plan Review
BZZ-2450

BACKGROUND

Paul Miller of Install This Awning and Sign Company proposes to expand the existing building located at 4835 Lyndale Ave. N. (formerly the site of Len's Auto Garage) from the current 1,227 sq. ft. to a total of 5,984 sq. ft. (a 4,757 sq. ft. expansion) for the purpose of housing a sign and awning installation company. Approximately 2,650 sq. ft. will be used for offices (1,455 sq. ft.) and processing areas (1,200 sq. ft.) and 3,329 sq. ft. will be used to garage the service trucks and other vehicles.

CONDITIONAL USE PERMIT

Findings as required by the Minneapolis Zoning Code for the Conditional Use Permit:

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

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

The project will expand an existing commercial building at a location appropriately zoned for business. The area includes a mix of commercial and residential uses. The proposed business will not result in a significant number of vehicle trips especially considering it will not be open to customers. The limited production of signs and awnings in the second floor production room (which complies with the Zoning Code's 1,200-sq.-ft. size limitation) will not result in any significant off-site impacts such as noise, fumes, or vibrations. The use will be compatible with the surrounding uses.

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

As stated above, the proposed use will be compatible with the surrounding uses.

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

Pedestrian access is through the main building entrance on Lyndale Ave. and via the garage. Vehicular access is via the alley on the west side. The proposed project will provide adequate utilities. Adequate drainage and necessary facilities will be provided. The project will include adequate utility service, access, and driveways consistent with all pertinent regulations.

Department of Community Planning and Economic Development—Planning Division
Conditional Use Permit, Yard Variance, Site Plan Review
BZZ-2450

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

As stated above, the proposed business will not result in a significant number of vehicle trips especially considering it will not be open to customers. The applicant estimates that the new business will generate approximately 25 vehicle trips per day. He stated that this would be a significant decrease in the current number of trips generated by the auto repair business. Access is via the alley.

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

a. The City's Goals (selected goals):

Goal 4: Create strong, vital commercial corridors city-wide through mixed-use development, including a variety of businesses and creative housing.

b. The *Minneapolis Plan* (adopted by the City Council in 2000):

Policy 9.28: Minneapolis will support development in Commercial Corridors where it enhances the street's character, improves its ability to accommodate automobile traffic and foster pedestrian movement, and expands the range of goods and services offered.

Implementation Steps (selected and emphasis added):

- Support a mix of uses on commercial corridors--such as retail sales, office, institutional, higher density residential, and clean low-impact light industrial--where compatible with the existing and desired character of the street.
- Ensure that commercial uses do not negatively impact nearby residential areas.
- Reduce the impact of non-residential uses on neighboring residential areas by considering appropriate access, buffering between incompatible uses and regulating hours of operation.

Policy 9.29: Minneapolis will identify Neighborhood Commercial Nodes that provide a shopping environment of small-scale retail sales and commercial services and are compatible with adjacent residential areas.

Implementation Steps (selected and emphasis added):

- Restrict auto-oriented, industrial or manufacturing activities that generate significant vehicular traffic, noise or air-borne impacts on residential neighbors.
- Limit the territorial expansion of Neighborhood Commercial Nodes, but encourage rehabilitation and reinvestment in existing buildings.
- Ensure that commercial uses do not negatively impact nearby residential areas.
- Preserve traditional commercial storefronts at Neighborhood Commercial Nodes wherever possible.

Department of Community Planning and Economic Development—Planning Division
Conditional Use Permit, Yard Variance, Site Plan Review
BZZ-2450

- Promote transit stops and bicycle parking and storage in Neighborhood Commercial Nodes.

c. **Petition’s Consistency with City Plans and Policies:** The following describes how the petition relates to the above goals and policies:

- The project site is located in the northern portion of a designated Neighborhood Commercial Node that is centered on the intersection of 46th St. and Lyndale Ave. N. Also, the Plan designates Lyndale Ave. as a Commercial Corridor in this area. The project includes an investment to rehabilitate an existing commercial building and expand it for a new business, which is consistent with Policies 9.28 and 9.29. As stated above, the business operations will be totally enclosed and include a limited production operation and an office for the business. This will not result in any offsite impacts that would adversely affect the adjacent residential uses to the north and west of the site consistent with Policies 9.28 and 9.29.

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

The sections of this report that deal with the variance and the site plan review applications address how the project conforms to the other applicable regulations governing this district.

VARIANCE

Findings as Required By the Minneapolis Zoning Code for the Variance

The Board of Adjustment and Planning Commission shall not vary the regulations of the zoning code, unless it makes each of the following findings based upon the evidence presented to it in each specific case:

1. The property cannot be put to a reasonable use under the conditions allowed by the official controls and strict adherence to the regulations of this zoning ordinance would cause undue hardship.

The existing building is built up to the property line on the north side consistent with the general setback regulations for commercial districts. Although the property to the north is zoned C1, the same as the subject site, its use for residential purposes establishes a 7-foot setback requirement on the project. In order to comply with this setback requirement, the building design would have to include the structural capacity to accommodate the north wall for the second floor of the building being built 7 feet back from the north wall of the existing building. This would not only increase construction costs considerably, but also could compromise the use of the existing first floor space. The new garage portion of the project could be built 7 feet back from the property line. However, the lot width is under-sized at 38 ft. so this would result in a garage door width that would eliminate access to one of the legal parking stalls and two additional tandem stalls.

Department of Community Planning and Economic Development—Planning Division
Conditional Use Permit, Yard Variance, Site Plan Review
BZZ-2450

This would make the project out of compliance with the parking regulations in the Zoning Code and in need of a parking variance. The residence to the north is approximately 20 feet north of the shared property line.

2. **The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

As stated above, the under-sized lot width and presence of a residence in a commercial district is the source of the hardship in this case.

3. **The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

As stated above, the project will expand an existing commercial building at a location appropriately zoned for business. The proposed business will not result in a significant number of vehicle trips and the limited production of signs and awnings in the second floor production room will not result in any significant off-site impacts such as noise, fumes, or vibrations. The use will be compatible with the surrounding uses.

4. **The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

The project will have adequate utility service, access and driveways, and fire and safety measures. It will have no significant effect on congestion.

SITE PLAN REVIEW

Findings as Required By the Minneapolis Zoning for Site Plan Review

Required Findings for 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.)**

Department of Community Planning and Economic Development—Planning Division
Conditional Use Permit, Yard Variance, Site Plan Review
BZZ-2450

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND FAÇADE:

- 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 and windows:
 - 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

Department of Community Planning and Economic Development—Planning Division
Conditional Use Permit, Yard Variance, Site Plan Review
BZZ-2450

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.

Minimum window area shall be measured as indicated in section 530.120 of the zoning code.

- 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. At least thirty (30) percent of the first floor building wall that faces a public street, public sidewalk or public pathway shall be occupied by active uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

Conformance:

- As measured perpendicularly from Lyndale Ave., which angles northeast to southwest, the existing building is set back 13 feet on the south side and 27 feet on the north side (refer to survey in Attachment 4). The expansion will add a second floor on the existing commercial building.
- Primary pedestrian access is via the main entrance on Lyndale Ave. which is clearly defined. Secondary pedestrian access is via the garage.
- The main entrance includes landscaping and a rain garden.
- All required parking is in the garage.
- Building materials include rock-faced block with string courses for accents on the north and south walls, which have no windows consistent with the Uniform Building Code.¹ The string courses will be of a different color and orientation in order to avoid blank expanses of walls greater than 25 ft. in width.
- In order to integrate the new construction with the old and to make all four sides of the building be compatible with each other, the applicant will remove the old brick from the front of the existing building and use rock-faced block on both floors of the front of the building and on the sides and rear of the new construction.
- Not shown on the enclosed elevations are additional architectural features including awnings that will emphasize the entrance.
- There will be windows on both floors of the front of the building and on the second floor of the rear of the building. The percentage of glass is as follows:
 - East side (primary façade):
 - First floor: (30% glass required by the Code within 2 and 10 feet of wall): 30% provided.
 - Second floor (10% of entire wall required by Code): 45% provided.
 - North and south sides (no minimum percentage required by the Code): None provided.
 - West side (alley side, no minimum percentage required by the Code):
 - First floor: None provided.
 - Second floor: 38% provided.
- The windows will be of clear glass and have a vertical orientation.
- The roof will have a flat pitch.

¹ The Uniform Building Code prohibits windows on buildings built closer than 3 feet from the property line

Department of Community Planning and Economic Development—Planning Division
Conditional Use Permit, Yard Variance, Site Plan Review
BZZ-2450

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:

- The project will have two 5-ft. walkways from the sidewalk on Lyndale Ave. to the entrance, and a 5-ft. walkway from the alley to the rear garage entrance.
- Vehicular access to the existing site is via the alley on the west side Section 530.150(b) prohibits alley access for nonresidential uses over 4,000 square feet. The current use is 1,227 sq. ft. but the expansion will increase it to 5,984 sq. ft. Section 530.150(c) provides for exceptions to this prohibition:
 - (c) *Exceptions.* The city planning commission or zoning administrator may approve exceptions to allow alley access where strict adherence is impractical because of site location or conditions and the exception meets the intent of this section. The city planning commission or zoning administrator shall accept input from the fire, police, and public works departments and shall consider, but not be limited to, the following factors when determining whether to approve an exception:
 - (1) The number of residential uses on the block and their use of the alley.
 - (2) The number of commercial uses on the block and their use of the alley.
 - (3) The location of the site on the block and its proximity to the end of the block.
 - (4) Other access to/from the site.
 - (5) The nature of the use and the number of vehicle trips the site is expected to generate.
 - (6) Public safety and crime prevention.
 - (7) The hours and days of operation of the use.
 - (8) Alley design and traffic safety impacts.

Department of Community Planning and Economic Development—Planning Division
Conditional Use Permit, Yard Variance, Site Plan Review
BZZ-2450

- The following is in response to the above requirements:
 - There are 5 residences on the same block to the north of the site within the C1 District. Behind the site is R1A zoning and 9 residences which rely on the same alley for access. There are 2 commercial uses to the south of the site and no residences.
 - The site is located in the approximate middle of the eastern half of the block. Other than the alley, there is no other access to the site because the existing building is built from lot line to lot line.
 - The proposed business will not result in a significant number of vehicle trips especially considering it will not be open to customers. The applicant estimates that the new business will generate approximately 25 vehicle trips per day. He stated that this would be a significant decrease in the current number of trips generated by the auto repair business. As such, it will have no substantive effect on traffic, parking, and access.
 - The expansion project will add windows that provide views to the street which should improve safety.
 - The new businesses will comply with the required hours of operation in the Zoning Code.
 - The project will have no effect on alley design other than to reduce the number of trips.
 - Public Works staff reviewed and approved the continuation of alley access for the site.
- All areas not needed for buildings and access will be landscaped.

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.**

Department of Community Planning and Economic Development—Planning Division
Conditional Use Permit, Yard Variance, Site Plan Review
BZZ-2450

Conformance:

- The lot area (6,492 sq. ft.) less the building footprint (4,397 sq. ft.) yields a net site of 2,095 sq. ft. The Code requires a minimum of 419 sq. ft. of landscaping, 1 tree and 5 shrubs. With the exception of the driveway and sidewalks, the entire site is landscaped (1,024 sq. ft.). This equals 49% of the net site. The project will include 2 trees, 18 arborvitae shrubs, and a rain garden. Although the site plan lists the two trees as arborvitae, the design will instead include two canopy trees.

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.
- Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.
- Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.
- 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:

- Lighting will be consistent with the Code through the use of full cut-off fixtures and proper placement.
- The project will not block views of important elements of the city nor create any substantive shadows on adjacent buildings and open spaces.
- At only 2 floors, the building will have no significant impact on the generation of pedestrian-level winds.
- The site design and landscape plan allows views from the public sidewalk and alley into the site. The landscape plan includes trees on both the north and south sides of the front yard which will allow visibility in the important 2-to-5-foot range. Lighting will include full cut-off fixtures that will minimize glare while providing an overall acceptable level of lighting.

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

Department of Community Planning and Economic Development—Planning Division
Conditional Use Permit, Yard Variance, Site Plan Review
BZZ-2450

Zoning Code: The proposed limited production and processing businesses is conditional in the C1 District.

Off-Street Parking and Loading: The C1 District requirement for limited production and processing businesses one stall for every 300 sq. ft. of commercial space over 4,000 sq. ft. or a minimum of four stalls. The parking requirement is 4 stalls. The garage has the capacity for 3 legal stalls and 6 tandem stalls. The applicant will install a bike rack for a minimum of 4 bikes in lieu of an additional stall to satisfy the parking requirement.

Maximum Floor Area: The maximum floor area in the C1 District per 548.240 (c) is 8,000 sq. ft. The use will have 2,650 sq. ft.

Building Height: Building height in the C1 District is limited to 2 ½ stories or 35 feet, whichever is less. The project will be two stories tall on the east side and be 30 ft. tall. The western portion of the building that will be the garage is a little more than 18 ft. tall.

Minimum Lot Area: The Code requires no minimum lot area in the C1 District for Limited Production and Processing uses. The lot area on the site is 6,492 sq. ft.

Yard Requirements: The C1 District includes the following yard requirements for this use:

- East side requirement (front on Lyndale Ave. N.): 20 feet for the first 40 ft. on the north east side because of the presence of the existing residential use in the adjacent C1 District. This is an existing building.
- West side requirement (rear): None. Proposed: 7 ft.
- North side requirement: Due to the presence of the existing residential use in the adjacent C1 District, the requirement is 5 ft. plus 2 additional feet because the proposed use will have two stories. Proposed: Zero ft. and the subject side yard variance.
- South side requirement: No requirement.

Specific Development Standards: None

Hours of Operation: The business will not be open to the public.

Signs: The applicant intends to use the existing sign.

Refuse storage: All storage of refuse and recyclable materials will be enclosed in the building and accessed via the alley.

Minneapolis Plan: Refer to the Conditional Use Permit section of this report.

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

Department of Community Planning and Economic Development—Planning Division
Conditional Use Permit, Yard Variance, Site Plan Review
BZZ-2450

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.**

Conformance: There is no need for alternative compliance. The application meets all applicable provisions of the Zoning Code (subject to the approval of the subject variance).

Department of Community Planning and Economic Development—Planning Division
Conditional Use Permit, Yard Variance, Site Plan Review
BZZ-2450

RECOMMENDATIONS

Recommendation of the Department of Community Planning & Economic Development – Planning Division for the Conditional Use Permit for the Install This Awning and Sign Company at 4835 Lyndale Ave. N.:

The Department of Community Planning & Economic Development – Planning Division recommends that the City Planning Commission **approve** the conditional use permit application for the Install This Awning and Sign Company at 4835 Lyndale Ave. N.

Recommendation of the Department of Community Planning & Economic Development – Planning Division for the side yard variance application for the Install This Awning and Sign Company at 4835 Lyndale Ave. N.:

The Department of Community Planning & Economic Development – Planning Division recommends that the City Planning Commission **approve** the side yard variance application to reduce the side yard requirement from 7 ft. to zero ft. for the Install This Awning and Sign Company at 4835 Lyndale Ave. N.

Recommendation of the Department of Community Planning & Economic Development – Planning Division for the site plan review application for the Install This Awning and Sign Company at 4835 Lyndale Ave. N.:

The Department of Community Planning & Economic Development – Planning Division recommends that the City Planning Commission **approve** the site plan review application for the Install This Awning and Sign Company at 4835 Lyndale Ave. N.

1. The front entrance will include additional architectural features for emphasis.
2. CPED Planning staff review and approval of the final site, landscaping plans, and building elevations.
3. All site improvements shall be completed by August 16, 2006, unless extended by the Zoning Administrator, or the permit may be revoked for noncompliance.

Attachments:

1. Zoning and lot lines in the vicinity
2. Primary and Overlay Zoning Districts
3. Aerial photo
4. Project drawings
5. Photos of the site and surrounding buildings
6. Information from the applicant