

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit & Site Plan Review
BZZ-2478

Date: August 15, 2005

Applicant: Popular Front Interactive

Address of Property: 624 Central Avenue Northeast

Project Name: 624 Central Avenue Parking Lot

Contact Person and Phone: Ryan Bluhm, (612) 236-1601

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

Date Application Deemed Complete: July 12, 2005

End of 60-Day Decision Period: September 10, 2005

Ward: 5

Neighborhood Organization: Marcy-Holmes Neighborhood Association (borders Nicollet Island Neighborhood)

Existing Zoning: C2, Neighborhood Corridor Commercial District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 14

Legal Description: Not applicable for this application

Proposed Use: Parking Facility

Concurrent Review:

Conditional use permit: to allow a parking facility.

Site plan review.

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

Background:

Ryan Bluhm, on behalf of Popular Front Interactive, is proposing a parking lot at 624 Central Avenue Northeast. The site is near the intersection of Central Avenue and 7th Street Northeast. Most of the uses in the area are nonresidential, and the site is surrounded by commercial uses. The site has been vacant

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since February of 2003. A parking lot with 20 spaces is proposed on the site to provide parking for the office use, Popular Front Interactive, located at 605 Central Avenue Northeast. The building at 605 Central is built lot line to lot line, therefore there is no room is available for on-site parking. This building was constructed in 1961 before the zoning code required parking. The existing use has 9,800 square feet of floor area. If this use were established today, 19 parking spaces would be required (the parking requirement for an office use is equal to one space for every 300 square feet of floor area over 4,000 square feet). The use is grandfathered for 19 spaces, but they would like to have parking available to meet their business needs. Popular Front is leasing the property of 624 Central Avenue for a period of five years. A conditional use permit and a site plan review are required for the establishment of any parking facility that is the principal use of a property in the C2 district.

The Marcy-Holmes Neighborhood Association and Nicollet Island Neighborhood were informed of this application on July 1, 2005. Staff has received correspondence from Marcy-Holmes, but not Nicollet Island at the time of writing this report. Staff will forward comments, if any are received, at the City Planning Commission meeting.

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 below concludes that the establishment, maintenance, or operation of the proposed conditional use:

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

The proposed parking area will include required improvements such as paving, striping, and curbing. Access to the parking lot is proposed on Central Avenue. The location of the curb could have an impact on safety because of potential traffic conflicts. The curb cut is approximately 50 feet from the intersection of Central Avenue and 7th Street Northeast. Central Avenue is a four-lane, state highway with two-way traffic, and 7th Street is two lanes with one-way traffic flowing West into 1st Avenue Northeast. The building located on the corner, directly adjacent to the subject site, is built to the property line. Vehicles exiting the lot and intending to travel South on Central Avenue may have limited visibility and may not be able to see traffic turning left from 7th Street to Central Avenue due to the existing building at that intersection. Likewise, vehicles from 7th Street turning onto Central Avenue cannot see vehicles exiting the parking lot. Furthermore, parking is allowed along the East side of Central Avenue. Vehicles exiting the lot may have to pull out over the sidewalk to see oncoming traffic, which can affect pedestrian safety. Public Works also shared these concerns at the Preliminary Development Review meeting; however, they will approve the curb cut because there is no other access to the property.

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

The area around the subject site is partially developed. The adjacent uses are nonresidential. A parking lot in compliance with the site plan review standards would have little impact to the surrounding properties.

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

Utilities and access roads are existing and adequate. The parking lot will have direct access to Central Avenue. A drainage plan will also be reviewed by Public Works at the final site plan stage.

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

The applicant, Popular Front, is proposing the parking for their customers and employees. Off-street parking can lessen congestion in the public streets. However, adding a curb access mid-block to a busy street has the potential to increase traffic conflicts and thereby increase congestion. Also, the installation of the curb cut will remove at least two on-street parking spaces.

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

According to Map 9.7, as found in *The Minneapolis Plan*, the site is designated as retail, commercial. Central Avenue is also designated as a community corridor. The plan states that, “community corridors are locations that support new residential development at medium density and increased housing diversity in our neighborhoods. They support limited commercial uses, which are measured against their impacts on residential character, such as the production of fumes or noise or negative aesthetics. Design and development along these streets is oriented towards the pedestrian experience. The streets, which form the spine of the community corridors, carry fairly high volumes of traffic, but must balance vehicular travel against residential quality of life. These streets are also important identifiers and travel routes for neighborhood residents and pass-through traffic.” The plan has the following relevant policy for community corridors:

4.2 Minneapolis will coordinate land use and transportation planning on designated Community Corridors streets through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on the streets.

The area around East Hennepin Avenue, including the subject site, is designated as an activity center by *The Minneapolis Plan*. The plan has the following relevant policy for activity centers:

4.7 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.”

Applicable Implementation Steps

Develop parking facilities and management strategies that accommodate high customer demand, promote shared facilities and minimize visual impact and adverse effects on pedestrian and sidewalk traffic.

Policy 9.12 in the City Form chapter found in the *Minneapolis Plan* also applies. It states that, “Minneapolis will promote design solutions for automobile parking facilities that reflect principles of traditional urban form.” The following implementation steps are relevant:

Require the landscaping of parking lots.

Encourage parking strategies that reduce the need for parking in order to avoid spillover into neighboring residential areas, including residential parking permits and the joint use of available parking in mixed-use areas.

Locate parking lots behind buildings or in the interior of a block to reduce the visual impact of the automobile in mixed-use areas.

The site is also located within the boundaries of the Master Plan for the Marcy Holmes Neighborhood adopted by the City Council in 2003. In this plan, the site is in an area designated for general commercial uses. The area between 6th and 8th Streets along Central Avenue is identified as a priority redevelopment area. The plan states that the “neighborhood supports convenience retail activity...” and will “focus attention on Central Avenue...for core neighborhood services such as groceries, hardware and pharmacies.” The plan does not identify any parking or transportation issues for the area around the subject site.

Although the parking facility is not directly adjacent to residential uses, but is located in the interior of the block with a landscape buffer is provided between the parking and the sidewalk, it is not an ideal use for a community corridor or an activity center. This area of the activity center has not reached its full development potential. The establishment of a parking lot does not promote mixed- or multiple-use development that the plan calls for. Furthermore, many surface parking lots exist in the area (see Attachment A). The plan encourages shared parking among uses. The other parking lots in the area are underutilized (see attached photos) and could accommodate parking needs for multiple uses. The proposal also does not encourage use of multiple transit options, such as bike parking or bus transit readily available to the area. Additional curb cuts on streets increase the possibility of vehicle conflicts with pedestrians as well. For these reasons, the proposal is not consistent with the goals of the comprehensive plan.

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

The use of the parking facility will conform to the applicable regulations of the district in which it is located upon the approval of the conditional use permit and site plan review. The proposed parking will bring the Popular Front Interactive office use into compliance with it’s parking requirement. However, once a use provides parking, grandfather rights for those spaces are lost. When the lease for the subject site expires and Popular Front can no longer use the parking facility, the property of 605 Central Avenue will become nonconforming as to its minimum

parking requirement. To remain compliant, it will have to provide off-street parking elsewhere.

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 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.

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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.

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.

A building is not existing or proposed.

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.

No buildings exist on the site. The site is not adjacent to a transit stop, any residential uses or an alley. The applicant has not provided walkways connecting the parking area to the public sidewalk.

Vehicular access is not designed to minimize conflicts with pedestrian traffic. Vehicles exiting the lot may have to pull out over the sidewalk to see oncoming traffic, which may affect pedestrian safety. However, the site only has direct access to Central Avenue.

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Only 300 square feet of the 6,627 square foot lot is proposed to be landscaped. As a result, the site would be over 95 percent impervious. The proposal does not minimize the use of impervious surfaces.

LANDSCAPING AND SCREENING:

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
 - **Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year.**
- **Screening shall be satisfied by one or a combination of the following:**
 - **A decorative fence.**
 - **A masonry wall.**
 - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.**
- **The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.**
- **In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.**
- **All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.**

The zoning code requires that a least 20 percent of the site not occupied by the building be landscaped. The lot area of the site is 6,672 square feet. Because a building does not exist and is not proposed, 20 percent of the entire lot is required to be landscaped. Twenty percent of this number is 1,334 square feet. The applicant has a total of 300 square feet, or 4.5 percent of the site landscaped.

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 3 and 13 respectfully. The applicant is providing a total of 4 canopy trees and 20 shrubs.

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The plan meets only some of the landscaping and screening requirements required by the zoning code in Section 530.170. Screening is only required between the parking area and the street because no residential uses are adjacent to the site. The applicant is providing a 7-foot yard with a hedge that will be 3 feet tall and at least 60 percent opaque. Two trees are required along the parking lot frontage, and four are proposed. The plan does not comply with the requirements to locate all parking spaces within 50 feet of a tree and to landscape the interior of parking lots where parking or circulation cannot occur. Nine spaces are more than 50 feet from a tree. The Northeast corner of the parking lot shows a paved area not designated for parking.

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.

Continuous six inch by six inch concrete curbing is proposed around the parking area because on-site filtration of stormwater is not proposed. Stormwater retention could occur if spaces are removed.

There are no adjacent residential properties to screen headlights from.

The site plan has very little crime prevention design elements. The proposed curbing will delineate where the parking lot ends; however, it does not prevent pedestrians from cutting through the lot. Surveillance of the lot is minimal. There is limited visibility into the area from adjacent buildings and no lighting is proposed. The proposed landscaping does follow the 3 foot to 7 foot rule, which states that plantings should not exceed three feet in height and that the canopies of trees should be over seven feet in height allowing a window of visibility into the site from the street. The applicant should consider providing screening around the rear of the parking lot to control access and prevent headlights from shining on vehicles driving on 7th Street.

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The parking lot will not block any views.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan and Applicable Small Area Plans Adopted by the City Council

ZONING CODE: The proposed use is conditional in the C2 District.

Off-Street Parking and Loading: There is not a minimum parking requirement for parking lots; however, the use that is proposing to use the parking would have a requirement of 19 spaces under today's zoning code.

Minimum Lot Area: The C2 District requires not less than 5,000 square feet of lot area and a minimum lot width of 40 feet for parking facility. The applicant proposes 6,672 square feet with a lot width of 62 feet.

Yard Requirements: There are no yard requirements for this site.

Specific Development Standards: There are no development standards for a parking facility.

Hours of Operation: In the C2 District, uses may be open to the public during the following hours: Sunday through Thursday from 6:00 a.m. to 10:00 p.m.; Friday and Saturday from 6:00 a.m. to 11:00 p.m. The applicant is proposing to use the parking lot between the hours of 6:00 a.m. and 8:00 p.m.

Signs: Signs are subject to 531 and 543 of the Zoning Code. All new signs are required to meet the requirements of Chapter 543 of the zoning code. The applicant does not propose any signage.

MINNEAPOLIS PLAN: Please see finding number 5 under 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 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 landscaping requirements:

- 20 percent landscaping of the site (4.5 percent is proposed);
- proximity of all parking spaces within 50 feet of a tree (9 spaces are more than 50 feet away);
- and landscaping the interior of parking lots where parking or circulation cannot occur (the Northeast corner is not used for parking or circulation).

The applicant is proposing a tree and seven shrubs above the minimum requirements as the alternative to the above requirements. Staff does not believe alternative compliance is warranted for the proposal. It does not effectively reduce the impacts the parking lot will have such as the urban heat island effect, and increased impervious surface and stormwater run-off to the City's storm sewers. The landscaping plan is not exceptional. Only two species of plants are proposed and no other amenities are proposed. The proposal is not consistent with the character of the mixed use development occurring in the area. There are no unique circumstances on the site, such as irregular topography, that would prevent these requirements from being met. Furthermore, meeting the landscaping and screening requirements would likely have no affect on access to the site, obstructing views of traffic, or reducing natural surveillance of the site. The landscaping and screening requirements can be met with the loss of only a few spaces. For example, the Northeast corner of the parking lot could be landscaped. By adding a tree to the Northeast corner, the requirement for locating all parking spaces within 50 feet of a tree can be met. The applicant has not provided any documentation, such as an access easement, that shows that the private, gravel alley must be maintained. Additional landscaping can be provided in this area.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the conditional use permit for a parking facility located at 624 Central Avenue Northeast.

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

The Community Planning and Economic Development - Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the site plan review application for a parking facility located at 624 Central Avenue Northeast.

Attachments:

1. PDR comments
2. Statement of use/ Findings
3. Lease agreement
4. Correspondence
5. Zoning map
6. Plans
7. Attachment A
8. Photos