

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit, Variances & Site Plan Review
BZZ-2674

Date: October 31, 2005

Applicant: Fellowship Missionary Baptist Church

Address of Property: 421 North 34th Avenue

Project Name: Fellowship Missionary Baptist Church Parking Lot

Contact Person and Phone: Jim Wilson, (612) 332-1401

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

Date Application Deemed Complete: October 7, 2005

End of 60-Day Decision Period: December 6, 2005

Ward: 3

Neighborhood Organization: McKinley Community Neighborhood Association

Existing Zoning: R2B, Two-Family District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 8

Legal Description: Not applicable for this application

Proposed Use: Parking Facility

Concurrent Review:

Conditional use permit: to allow a parking facility serving an institutional use.

Variance: to reduce the corner side yard along 34th Avenue North from 8 feet to 2.5 feet to allow a parking facility.

Variance: to reduce the minimum two-way drive aisle width from 22 feet to 20 feet.

Site plan review: for a parking facility.

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

Background:

Minneapolis City Planning Division Report
BZZ -2674

A parking lot with 14 spaces is proposed to provide additional off-street parking for the church, Fellowship Missionary Baptist Church, located at 3355 North 4th Street. It would be located at 421 North 34th Avenue. The site is within a low-density residential area. It is on the Southeast corner of 34th Avenue North and 6th Street North. The new Cityview School is located within a block of the site and I-94 is within two blocks. It is also one block from Lyndale Avenue North and two blocks from Lowry Avenue North. The church has already purchased and demolished the two-family home that occupied the site.

Phases of development: The proposed project is the third in a multi-phase project to build and expand a church. The first phase, completed in 2001, was to construct the new church with a 300-seat auditorium/sanctuary, offices, choir room, classrooms, and other accessory spaces, and on-site parking for 88 vehicles including four handicap-accessible and two van-accessible stalls. Seven houses on nine lots were demolished to create the site, including one lot owned by the MCDA. The second phase of the project consisted of an 18,692 square foot addition, and included office spaces, classroom/meeting spaces used for Sunday School, and intermittent adult education classes. The parking was expanded to the south from 88 cars to 121 cars total. The expansion project displaced some on-site parking for the church. In order to provide sufficient parking to accommodate the expansion, the church purchased and demolished three homes to the south of the site. The applicant expects to expand the church to the north at some time in the future. This last phase of development would include a new sanctuary. Twenty-five parking spaces exist in the North lot.

The Planning Commission took the following actions on the first phase of the project on November 5, 2001:

3349 4th Street North (3rd Ward - BZZ-355, CUP)

Application by Fellowship Missionary Baptist Church for a conditional use permit to a height of 40 feet for a new church with 300-seat auditorium/sanctuary, offices, choir room, classrooms, and other accessory spaces. (Staff, Michael Orange)

Motion: The City Planning Commission adopted the findings and **approved** the conditional use permit application for the Fellowship Missionary Baptist Church at 3349 4th St. N. subject to the following conditions: 1) Approval by the Planning Department of the final construction drawings, the elevations, the lighting plan, and the landscape plan; 2) The applicant shall add windows to the south façade in a manner compatible with the other facades; 3) The applicant shall participate in any applicable Conservation Improvement Programs offered by the utilities to maximize building energy efficiency; and, 4) The site improvements shall be completed by November 6, 2002 or the permit may be revoked for noncompliance.

3349 4th Street North (3rd Ward - BZZ-355, Variance)

Application by Fellowship Missionary Baptist Church for a parking variance from 132 spaces to 85 spaces for a new church with 300-seat auditorium/sanctuary, offices, choir room, classrooms, and other accessory spaces. (Staff, Michael Orange)

Motion: The City Planning Commission adopted the findings and **approved** the variance application for the Fellowship Missionary Baptist Church at 3349 4th St. N. subject to the following conditions: 1)

Minneapolis City Planning Division Report
BZZ -2674

Approval by the Planning Department of the final construction drawings, the elevations, the lighting plan, and the landscape plan; 2) The site improvements shall be completed by November 6, 2002 or the permit may be revoked for noncompliance; and, 3) For as long as there is an on-site parking deficit compared to the number required by the Zoning Office, the applicant will exert a good-faith effort to obtain a long-term agreement to provide the requisite number of stalls within 500 feet of the church entrance.

The Planning Commission took the following actions on the second phase of the project on April 11, 2005:

Fellowship Missionary Baptist Church (BZZ-2254, Ward 3), 3355 4th Street North (Michael Orange)

A. Variance: Application by Fellowship Missionary Baptist Church for a front yard variance to construct a 20,000 sq. ft. addition to the existing church located at 3355 4th St. N.

Action: The City Planning Commission **approved** the front yard variance application for the Fellowship Missionary Baptist Church at 3355 4th St. N. to reduce the established front yard setback (after demolition) along 4th St. N. from 26.7 ft. to 20 ft. to allow the existing church building and existing and new parking.

B. Site Plan Review: Application by Fellowship Missionary Baptist Church for site plan review to construct a 20,000 sq. ft. addition to the existing church located at 3355 4th St. N.

Action: The City Planning Commission adopted the findings and **approved** the site plan review application for the Fellowship Missionary Baptist Church at 3355 4th St. N. subject to the following conditions:

1. The Community Planning and Economic Development—Planning Division shall review and approve the final site and landscaping plans.
2. If the site improvements exceed \$2,000 in value, the applicant shall submit a performance bond for these improvements prior to the issuance of building permits.
3. The site improvements shall be completed by April 11, 2006, or the application may be revoked for noncompliance, unless extended by the Zoning Administrator or the City Council.
4. The applicant shall work with staff to improve architectural details on the west elevation.

As of the writing of this staff report, staff has not received any correspondence from the neighborhood group. Staff will forward additional 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. Staff does not believe the proposed use will be detrimental to or endanger the public health, safety, comfort or general welfare.

- 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 fully developed. The adjacent uses are residential. The site slopes down to the South. The added impervious surface would increase the amount of stormwater run-off from the site. The Public Works Sewer division has indicated that the drainage plan proposed would not prevent stormwater from flowing onto the adjacent residential property to the South and could flood that property. The proposed parking lot would be injurious to the adjacent residence. A parking lot in compliance with the site plan review standards would likely have little impact to other surrounding properties.

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

The parking lot would have direct access to 6th Street North. A drainage plan would be reviewed by Public Works at the final site plan stage; however, the Public Works Sewer division has indicated that the proposed drainage plan is insufficient to accommodate the stormwater run-off of the site. Altering the grade to change the direction of the drainage would require a large amount of infill.

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

The applicant has indicated that the parking lot is being proposed to reduce the demand for on-street parking during the church's peak operating periods. The attached table from the phase II application outlines the supply and demand of parking for the existing church. According to the applicant, the peak periods for the use of the church and the other associated functions include Sunday morning for the primary church services, Saturday mornings typically for weddings and funerals, and weekday evenings for gatherings such as weddings, funerals, classes, and choir practices. The minimum parking requirement from the zoning code is 132 spaces. Currently,

121 spaces exist. The church originally obtained a variance to reduce the parking requirement to 85 spaces with a condition that the applicant should put forth an effort to obtain a long-term agreement to provide the requisite number of stalls within 500 feet of the church entrance. The table identifies that parking accommodating up to 110 vehicles exists at the adjacent school. A shared parking arrangement between the church and the school would likely accommodate the parking demand during peak periods. Increasing the amount of available parking could increase congestion in the streets. Providing too much parking may encourage church employees and attendees to drive instead of using alternative modes of transportation that are available in the area. For example, a bus route on Lyndale Avenue North has trips that frequent 30 minutes or less both during the week and on weekends. Also, the installation of the curb cut would remove one or two on-street parking spaces. Public Works staff has indicated that access from the alley would be allowed for this parking lot proposal. The parking lot proposal could contribute to traffic congestion in the public streets.

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

According to Map 9.6, as found in *The Minneapolis Plan*, the site is designated as low density residential. The plan has the following relevant policies that apply to this proposal:

4.9 Minneapolis will grow by increasing its supply of housing.

Applicable Implementation Steps

Support the development of infill housing on vacant lots. Use partnerships and incentives to reduce city subsidy level and duration of vacancy.

Use new and strengthened strategies and programs to preserve and maintain existing housing stock.

4.11 Minneapolis will improve the availability of housing options for its residents.

Applicable Implementation Steps

Provide and maintain areas that are predominantly developed with single and two family structures.

9.12 Minneapolis will promote design solutions for automobile parking facilities that reflect principles of traditional urban form.

Applicable Implementation Steps

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.

9.15 Minneapolis will protect residential areas from the negative impact of non-residential uses by providing appropriate transitions between different land uses.

Applicable Implementation Steps

Provide appropriate physical transition and separation using green space, setbacks or orientation between residential and non-residential uses.

Require screening and buffering for new developments next to residential areas.

9.21 Minneapolis will preserve and enhance the quality of living in residential neighborhoods, regulate structures and uses which may affect the character or desirability of residential areas, encourage a variety of dwelling types and locations and a range of population densities, and ensure amenities, including light, air, privacy and open space.

Applicable Implementation Steps

Limit non residential land uses allowed in low density residential areas to religious institutions, specific public facilities such as schools, libraries and parks and other non residential land uses that can be integrated with low density residential uses through proper location, site planning and facilities design.

Although the proposed use would provide parking for a church, a parking facility is not properly located in a low density residential area. The subject site is located across the alley from the church property on a corner property and is directly adjacent to a single-family dwelling. The site was previously occupied by a two-family dwelling. The parking lot would be within an area predominantly developed with single and two family dwellings. The plan calls for preserving the housing in these areas. The plan also encourages locating parking lots to the interior of a block to lessen the visual impact as well as shared parking among uses. A shared parking arrangement with the adjacent school would likely accommodate the peak parking demands of the church without an additional parking facility. Screening and landscaping is proposed, but does not meet the minimum zoning code requirements of site plan review. The landscaping proposed along the streets is less than 60 percent opaque. A 4-foot high cedar fence is proposed at the South side of the property, but without trees or shrubs to act as a buffer and lessen the visual impact. There is not sufficient room at the North and South side of the property to meet the yard requirements. A variance is requested to reduce the corner side yard setback. Reducing the setbacks required by the zoning district and site plan review could reduce the amount of appropriate physical transition between a nonresidential use and surrounding residential properties. For these reasons, the proposal is not consistent with the goals of the comprehensive plan, whereas maintaining a residential use on the property is more in keeping with the plans policies.

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 would conform to the applicable regulations of the district in which it is located upon the approval of the conditional use permit, variances and site plan review.

VARIANCE: (1) to reduce the corner side yard along 34th Avenue North from 8 feet to 2.5 feet to allow a parking area, and (2) to reduce the width of a two-way drive aisle from 22 feet to 20 feet to allow a parking area.

Findings as required by the Minneapolis Zoning Code:

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

Variance to reduce the corner side yard and variance to reduce the minimum drive aisle width:

The property is not wide enough at approximately 45.5 feet to accommodate the minimum depths required for a parking stall (18 feet), drive aisle (22 feet), an 8-foot wide corner side yard, and a 5-foot wide interior side yard. The applicant is proposing to provide a 2.5-foot landscaped yard on the North side of the property and a 5-foot landscaped yard on the South side, thereby affecting the size of the drive aisle width, reducing it from 22 feet to 20 feet.

The applicant has indicated that additional parking is required to meet the zoning code requirement for the church located at 3355 4th Street North. However, in 2001 a variance was granted to reduce the minimum parking requirement for the church from 132 to 85 spaces. At that time, the applicant stated the following as a hardship created by the zoning code:

“Several church members reside in the neighborhood, allowing them to walk to church, and the church is readily accessible by bus. Because Cityview Community School occupies the block directly east there is ample on-street parking which does not conflict with adjacent residential use. We therefore feel that the ratio used to determine the required parking in this case is excessive, and is the cause of the hardship.”

The minimum parking requirement of the church has not increased since that time. It was already determined that a hardship existed for the church to meet its parking requirement and that other alternatives existed to mitigate any on-site shortage. A hardship has not been created by the zoning ordinance. Further, the zoning district allows the property to be used as a single or two-family dwelling as previously existed on the property. The property can be put to a reasonable use without the granting of these variances for a parking facility.

- 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.**

Variance to reduce the corner side yard and variance to reduce the minimum drive aisle width:

The church located at 3355 4th Street North is proposing additional parking at 421 North 34th Avenue to fulfill their minimum parking requirement. However, in 2001 a variance was granted to reduce the minimum parking requirement for the church from 132 to 85 spaces. The church currently has 121 parking spaces. The fourteen spaces proposed would increase the amount of available parking to 135 spaces. The parking variance was originally granted because it was

Minneapolis City Planning Division Report
BZZ -2674

determined that a hardship existed for the church to meet the zoning code parking requirement and that other alternatives existed to mitigate any on-site shortage. Also, there are no unique circumstances for which the variances are sought. The parcel has significant grade changes, but the grade change does not affect the yard requirements and drive aisle width. Residential uses, such as a single or two-family dwelling permitted under the existing zoning district, would be allowed without obtaining a variance. The need for the variances is a hardship created by the applicant.

- 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.**

Variance to reduce the corner side yard: Minimum yard setback requirements are established by the code to minimize conflicts among land uses and to provide open yards compatible with the residential surroundings. The yard proposed to be reduced is not directly adjacent to a residential property. With the proposed yard and the interior boulevard, approximately 6.5 feet would exist between the parking area and the adjacent sidewalk. This width would likely meet the intent of the ordinance and would not affect surrounding properties. However, by allowing the yard variance and therefore the parking facility, the amount of impervious surface and stormwater run-off on the property would increase. The site slopes down to the South toward the adjacent residence. The Public Works Sewer division has indicated that the drainage plan proposed would not prevent stormwater from flowing onto the adjacent residential property and could flood that property. The proposed parking lot would be injurious to the adjacent residence.

Variance to reduce the minimum drive aisle width: The purpose of the ordinance is to allow sufficient area for vehicles to maneuver in and out of parking spaces on-site without creating conflicts between other pedestrian and vehicular traffic. The proposed drive aisle should not interfere with pedestrian traffic. The applicant has indicated that only compact cars would use the parking area. Granting the variance should have little impact on surrounding properties.

- 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.**

Variance to reduce the corner side yard and variance to reduce the minimum drive aisle width: Granting the variances would not likely increase the danger of fire, be detrimental to the public welfare, or endanger the public safety. Increasing the amount of available parking could increase congestion in the streets. Providing too much parking may encourage church employees and attendees to drive instead of using alternative modes of transportation that are available in the area. For example, a bus route on Lyndale Avenue North has trips that frequent 30 minutes or less both during the week and on weekends. Also, the installation of the curb cut would remove one or two on-street parking spaces. Public Works staff has indicated that access from the alley would be allowed for this parking lot proposal. Granting the variances, and thereby the parking lot, could contribute to traffic congestion in the public streets.

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.
- **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. No walkways are proposed, but should be incorporated if the proposal is approved. At least one walkway connecting the parking area to the public sidewalk would likely direct pedestrians to use the sidewalks and prevent them from walking through the alley to reach the adjacent church.

The site is not adjacent to a transit stop.

A curb cut access is proposed on 6th Street North. The curb cut could remove up to two on-street parking spaces used by surrounding residential uses. Whenever a curb cut is added on a street, the potential for vehicle conflict with pedestrian traffic increases. The parking lot could be accessed from the alley, which the Public Works Traffic division has indicated would be allowed. Given the parking lot's proximity to the end of the block, the parking lot could provide access to the alley without resulting in significant traffic impacts in the residential portion of the alley.

The establishment of a parking lot would increase the amount of impervious surface on the site. The zoning code allows no more than 75 percent of a zoning lot to be covered by impervious surfaces. The amount of impervious surface proposed is 71.8 percent. The Public Works Sewer division has indicated that the drainage plan proposed would not prevent stormwater from flowing onto the adjacent residential property to the South and could flood that property. Because utilizing alley access is recommended, providing landscaping where the proposed curb cut and driveway are shown would reduce the amount of impervious surface.

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.**

Minneapolis City Planning Division Report
BZZ -2674

- **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 7,264 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 1,453 square feet. The applicant has proposed a total of 2,046 square feet, or 28.2 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 15 respectfully. The applicant is providing a total of 10 canopy trees and 23 shrubs. Four of the trees and 15 of the shrubs are proposed in the right of way. Six trees are required between the parking lot frontage and 6th Street North and 34th Avenue North. Nine of the 10 proposed trees would be along the street frontage. All but two parking spaces would be within 50 feet of an on-site tree. No trees or shrubs are proposed in the required landscaped yard on the South side of the property.

Minneapolis City Planning Division Report
BZZ -2674

The plan meets only some of the screening requirements required by the zoning code in Section 530.170. Insufficient screening is proposed along 6th Street North, 34th Avenue North and adjacent to the residential structure. No screening is proposed between the parking area and 6th Street. The proposed Goldenfinger Potentilla would not sufficiently screen the Northeast corner of the parking area along 34th Avenue. Screening that is 95 percent opaque and no less than six feet in height, except where adjacent to the neighboring residence, is required along the South property line. Where the fence is adjacent to the neighboring residence, the height is limited to four feet because the residence is closer than five feet to the shared property line.

A 7-foot yard is required along the South property line and along the alley. The proposed yards are only five feet in width. An 8-foot wide yard is required along the North property line. The proposed yard is only 2.5 feet in width. The depth of the yard abutting 6th Street North complies with the site plan requirements.

All areas not occupied by parking areas or driveways are landscaped.

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 practical due to the existing slope of the site.

Minneapolis City Planning Division Report
BZZ -2674

No on-site lighting is proposed, and the parking lot would not block any views or create shadowing.

The proposed parking stalls are oriented away from the adjacent residential dwelling. Additional landscaping or screening would need to be added to screen headlights from the residence across 34th Avenue North.

The site plan has minimal 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. 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.

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 R2B District.

Off-Street Parking and Loading: There is not a minimum parking requirement for parking lots; however, the church that is proposing to use the parking has a requirement of 132 spaces. That requirement was reduced to 85 spaces by a variance granted in 2001. Currently, 121 spaces exist for the church.

Minimum Lot Area: The R2B 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 7,264 square feet with a lot width of 46 feet.

Yard Requirements: The minimum front yard requirement along 6th Street North is 20 feet. The minimum interior side yard requirement along the South side of the property and the minimum rear yard requirement along the alley is five feet. The minimum corner side yard requirement along 34th Avenue North is eight feet. All yard requirements are met, except along 34th Avenue North where 2.5 feet is proposed. A variance is requested to meet this yard requirement.

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

Hours of Operation: In the R2B District, uses may be open to the public during the following hours: Sunday through Thursday from 7:00 a.m. to 10:00 p.m.; Friday and Saturday from 7:00 a.m. to 11:00 p.m. The applicant is proposing to use the parking lot between the hours of 8:00 a.m. and 4:30 p.m, Monday through Friday and 7:30 a.m. to 2:00 p.m. on Sundays.

Minneapolis City Planning Division Report
BZZ -2674

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 other than an auxiliary sign.

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 for the following requirements:

- Screening that is three feet tall and 60 percent opaque between the parking area and 6th Street North and 34th Avenue North;
- Screening that is six feet tall and 95 percent opaque between the parking area and the adjacent residential property;
- Providing landscaping in the yard on the South side of the site;
- No parking space shall be located more than 50 feet of an on-site deciduous tree;
- Seven foot wide landscaped yards on the South and East sides of the site; and
- Eight foot wide landscaped yard on the North side of the site adjacent to 34th Avenue North.

The applicant is proposing four trees and eight shrubs as well as 596 square feet of landscaped area above the minimum requirements as the alternative to the above requirements. Staff does not believe alternative compliance is warranted for the proposal. The additional landscaping does not sufficiently provide appropriate physical transition and separation between the adjacent street and residential uses. It does not effectively reduce the impacts the parking lot will have such as the increased impervious surface and stormwater run-off. There are no unique circumstances on the site, that would prevent the screening or landscaping requirements from

Minneapolis City Planning Division Report
BZZ -2674

being met. More landscaping could be added between the parking area and the streets, landscaping could be added in the South yard, and the fence height could be increased to eliminate the request for alternative compliance for landscaping and screening requirements. The site location and no site conditions, other than size, prevent the yard requirements from being met. Because of the width of the site and the minimum parking stall and drive aisle sizes required by code, the yard requirements cannot be met for the proposed parking area. The applicant is requesting a variance to reduce the width of the corner side yard. The staff recommendation is to deny the variance based on the findings under the variance section of this report. Also, the proposal is not consistent with the character of the low density residential development in the area. Additional amenities that improve the transition between uses and the street may warrant reducing the yard requirements as long as an adequate drainage system is also installed on the property.

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 421 North 34th Avenue.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the variance to reduce the corner side yard along 34th Avenue North from 8 feet to 2.5 feet to allow a parking facility for a parking facility located at 421 North 34th Avenue.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the variance to reduce the minimum two-way drive aisle width from 22 feet to 20 feet for a parking facility located at 421 North 34th Avenue.

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 421 North 34th Avenue.

Attachments:

1. PDR comments
2. Statement of use/ Findings
3. Findings submitted for original parking variance application
4. Correspondence
5. Parking Supply and Demand Table
6. Zoning map
7. Plans
8. Attachment A
9. Photos