

**Department of Community Planning and Economic Development – Planning Division  
Conditional Use Permit for a Planned Residential Development, Yard Variance, and Site Plan  
Review, BZZ-2721**

**Hearing Date:** 11/28/05

**Applicant:** Augsburg College, 2211 Riverside Ave. S., Minneapolis, MN 55454

**Address of Property:** 630 22<sup>nd</sup> Ave. S.

**Project Name:** Augsburg College Gateway Center

**Contact Person and Phone:** David Draus, Director, Facilities and Risk Management, Facilities Office, Memorial Hall, Room 20, 710 22nd Ave. S., Campus Box 74, Mpls., MN 55454; 612-330-1033

**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](mailto:michael.orange@ci.minneapolis.mn.us)

**Date Application Deemed Complete:** 11/4/05

**End of 60-Day Decision Period:** 1/3/06

**End of 120-Day Decision Period:** Not applicable for this application

**Ward: 2**      **Neighborhood Organization:** West Bank Community Coalition

**Existing Zoning:** OR3, High Density Office Residence District

**Proposed Zoning:** Not applicable for this application

**Zoning Plate Number:** 21

**Legal Description:** Not applicable for this application

**Proposed Use:** Application by Augsburg College to construct the 115,251 sq. ft. Gateway Center on the site of an existing parking lot owned by the College at 630 22Ave. S. The Center will be a 3-to-4-story, multi-use facility providing space for classrooms, administrative offices, student housing, a college bookstore (a use that is accessory to the college), a commercial use (a food service business), and underground and at-grade parking (a total of 54 stalls on site). A skyway link to the adjacent Lindell Library will provide access to the library as well as to other campus buildings on the skyway system.

<p><b>Attention:</b> If you want help translating this information, call - <b>Hmong</b> - Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800; <b>Spanish</b> - Atención. Si desea recibir asistencia gratuita para traducir esta información, llama 612-673-2700; <b>Somali</b> - Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac 612-673-3500</p>
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**Concurrent Review:**

- Conditional use permit for the expansion of a college or university and as a Planned Residential Development (PRD)
- Variance of the corner side yard setback from the required 16 ft. to 8 ½ ft. for 4 parking stalls, a loading area, and a trash enclosure.
- Site plan review
- Storm Water Management Plan
- The Commission is also considering at this same hearing the proposed expansion project for Si Melby Hall with the following applications:
  - Conditional use permit for the expansion of a college or university
  - Variance of the front yard setback from the required 15 ft. to zero for the building addition
  - Variance of the impervious surface requirement
  - Site plan review
  - Street vacation (Vac-1471)
  - Storm Water Management Plan and Encroachment Permits

**Applicable zoning code provisions:**

- Conditional use permit: Chapter 525, Article VII, Conditional Use Permits.
- Variance: Chapter 525.520 (1), yard requirements
- Site plan review: Chapter 530

**Prior approvals:**

- Planning Commission approved BZZ-2502 on 8/15/05 for projects located on campus and to the east of the subject site:
  - Conditional use permit: Augsburg College was approved to reconfigure and expand a surface parking lot located on the northwest corner of Butler Place and 25<sup>th</sup> Avenue South.
  - Vacation (Vac-1464): of a portion of 8th Street South.
  - Vacation (Vac-1465): of a portion 24th Avenue South.
- Travel Demand Management Plan: The Public Works and Planning departments approved the campus-wide Travel Demand Management (TDM) Plan for Augsburg College on 11/10/05.
- Planning Commission approval on 8/19/02 (BZZ-730): For a 46-space student commuter parking lot on the north end of the subject zoning lot.

**Background:**

Augsburg College is proposing to construct a new building to be located between 21<sup>st</sup> and 22<sup>nd</sup> Avenue South, and between Riverside Avenue and Lindell Library on Augsburg's Campus. The site is currently a parking lot for faculty and visitors. Parking displaced by this proposed building (171 stalls) will be accommodated on campus with newly expanded lots on the east side of campus (approved 8/19/02 with BZZ-730; refer to prior approvals above) and other on site and on-street stalls (refer to the parking discussion that follows).

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The Gateway Center is a 3-to-4-story, multi-use facility providing space for classrooms, administrative offices, student housing, a college bookstore (a use that is accessory to the college), a commercial use (a food service business), underground parking (44 stalls) and 10 stalls in a surface lot. A skyway link to the adjacent Lindell Library will provide access to the library as well as other campus buildings on the skyway system. The construction of the skyway will displace an area in the Lindell Library used to display art. This space will be relocated into the new Gateway Center. The building will be constructed of brick and metal panels and, according to the applicant, is designed to blend with adjacent campus buildings and complement the Riverside neighborhood. Demolition of the existing parking lot is contemplated for March of 2006. Construction of the new building is scheduled to begin around April of 2006 and be completed by summer of 2007. (Refer also to the applicant’s submission in Attachment 5.)

**Parking, traffic, and the Travel Demand Management Plan:**

**Uses and parking requirements:** The Office Residence Districts limit allowable commercial uses to “neighborhood serving retail sales and services” no larger than 2,000 sq. ft. and restaurants to a maximum of 30 seats. The food service use will have a maximum of 30 seats. The Zoning Administrator has determined that the book store proposed for the site (8,500 sq. ft.) will be an accessory use to the college.

The following describes the parking requirements for the Gateway Center project and the following discussion provides explanatory details:

<u>Use</u>	<u>Amount</u>	<u>Required</u>	<u>Provided</u>	<u>Gap</u>
<b>Parking Requirements</b>				
<b>Residential:</b>				
Dwelling units/beds: .....	21/108.....	21 .....	44 <sup>1</sup>	
Stalls per bed:.....	0.4 <sup>1</sup>			
<b>Non-residential:</b>				
Classrooms: <sup>2</sup> .....	6.....	6		
Classroom capacity (25 per room): <sup>1</sup> .....	150.....	30		
Office: .....	8,500 sq. ft.....	15		
Campus book store (accessory to the college):.....		none		
Food service (limited to 30 seats): .....		9		
Subtotal non-residential: .....		60		
Shared parking reduction (less 15%=10 stalls): .....		51 .....	10 <sup>3</sup> .....	41
Total required parking: .....		72		

- **Residential parking:** The 44 below-grade stalls proposed for the project would be available primarily to the residents of the project. If there are excess stalls available, Augsburg College

<sup>1</sup> If there are excess stalls available, Augsburg College expects to be able to offer them to other users in the building. The Stalls-per-bed ratio is based on all 44 stalls.

<sup>2</sup> Chapter 541 requires parking as follows: “As approved by C.U.P. based on a parking study of the institution , but not less than 1 space per classroom and other rooms used by students and faculty + 1 space per 5 students based on the maximum number of students attending classes at any one time.”

<sup>3</sup> Four stalls are dependant on the approval of the subject yard variance.

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expects to be able to offer them to other users in the building. Since the actual number is not known at this time, this analysis assumes that none of these stalls will be available to other users in order to complete a more conservative analysis.

Based on past analyses of parking demand, the University of Minnesota and the Planning Division rely on a maximum ratio of 0.5 stalls per bed for student housing that is distant from the campus and lower ratios for closer in residences. As such, the 0.4 stall-to-bed-ratio is appropriate for this project.

- **Travel Demand Management Plan:** Augsburg College voluntarily prepared a TDM Plan that evaluated the traffic and parking situation for the entire campus. The TDM plan takes into account all of the proposed projects that Augsburg College will be completing in the near future including the subject project and the Si Melby Hall expansion project (also scheduled for the 11/28/05 Planning Commission hearing, BZZ-2648 and Vac-1471). The approved TDM Plan is available upon request and Attachment 6 includes excerpts from the plan.
- **Required parking and shared parking:** The primary off-site impact from the proposed Gateway Project will be the potential for additional parking demand. The TDM Plan includes a campus-wide evaluation of current and future parking demand and supply. The future scenario included the subject expansion, the proposed expansion of Si Melby Hall, and the reconfiguration of existing and future parking lots. Scenario B in the TDM Plan accounts for the expansion and reconfiguration of the parking lots on the east end of the campus and street vacations that were the subject of the Planning Commission approvals on 8/15/05 (BZZ-2502, Vac-1464 and 1465). Since the reconstruction of these parking lots is currently near completion, the stalls are assumed to be available when the Gateway Center opens.

The TDM Plan evaluated allowable reductions to the required parking per the Zoning Code's shared parking calculations (refer to Attachment 6, p. 13). Using figures for the entire campus, the allowable reduction equaled 15%. The above table applies this same 15% shared parking reduction to the required parking amount for the non-residential uses in the Gateway Center project, which yields a total of 55 stalls. Since only the 10 surface stalls will be available for these uses, there is a gap of 41 stalls that must be satisfied elsewhere.

In order to understand the potential impact of this potential 41-stall gap in required off-street parking, it is important to put it into the context of the full campus. The following chart relies on the calculations and assumptions in the TDM Plan and indicates that the Gateway Center project (which eliminated the 171 surface stalls on the zoning lot) and the other changes in Scenario B resulted in a net loss of 63 off-street stalls. After accounting for the allowable shared parking and transit incentives, Scenario B<sup>4</sup> increases the existing campus-wide parking gap from 85 to 129 stalls. The 41-stall gap in required parking for this project equals 4% of the campus off-street supply.

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<sup>4</sup> Adjusted with 61 fewer required stalls; Gateway application has 61 fewer required parking stalls than assumed in the TDM Plan.

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The chart also summarizes the parking demand model included in the TDM Plan. Demand was based on both a parking utilization study and accounts for the reductions in demand that are expected to result from the travel demand management measures adopted by Augsburg (see discussion below). The TDM Plan also included an inventory of on-street supply and counted over 400 stalls on campus and in the immediate area. An available on-street stall cannot be counted the same as one in a parking facility because it will not as visible or accessible, and it cannot be counted towards the required parking per the Zoning Code. Nonetheless, the available on-street parking supply significantly exceeds the gap in required parking for the campus as well as the estimated parking demand.

	<b>Campus-Wide</b>			<b>Gateway (non-residential)</b>
	<b>Current</b>	<b>Scenario B (1)</b>	<b>change</b>	
<b>Required parking per Zoning Code</b>	1,319	1,485		65
Reduction for shared parking (15%)	1,119	1,259		55
Reduction for transit (10%) <sup>5</sup>	1,006	1,113	107	
Off-street supply (Scenario B)	921	984	63	10
Gap in required parking	85	129	44	41
Gap as a percent of campus supply	9%	13%		4%
<b>Parking demand (2)</b>	1,230	1,242		
On-street supply	468	425	(43)	
Supply (on and off-street) minus demand	159	167	8	
(1): Adjusted with 61 fewer required stalls; Gateway application has lower required parking than assumed in the TDM Plan				
(2): Source is Attachment Table B-4, Existing and Build Conditions (TDM Goal Scenario)				

The TDM Plan concludes the following: “Reality says, from the parking utilization surveys, that many of the on-street parking [stalls are] used by students and staff at the college. Therefore, it can be concluded that if even a portion of the on-street parking supply can be considered for parking requirements, the campus as a whole should have adequate parking to meet the requirements of the City” (p. 13 of Appendix B). The section of this report dealing with exceptions to the Zoning Code addresses this matter further.

- **Traffic:** The TDM Plan analyzed the current, future build, and future no build traffic conditions (Attachment 6) and concluded that all key intersections currently operate at acceptable Levels of Service (LOS C or better). After accounting for the standard base level of annual traffic increases, one intersection, Riverside Ave. at 25<sup>th</sup> St. (3 blocks southeast of the site), is expected to change from the current LOS C, to LOS D by 2006 in the no build condition, a level of service still considered acceptable. When adding the traffic from the

<sup>5</sup> Because the campus meets the Code’s requirements per 541.200 that allows for a 10% reduction for transit incentives, the required parking was reduced an additional 10%.

Gateway and Si Melby Expansion projects, the level of service is not expected to result in a change in this future base level condition. All of the other intersections remain at LOS A or B.

- **Alternative transportation:** Attachment 6 illustrates the excellent transit service available on campus and in the area.
- **TDM Plan measures:** In order to further minimize the potential parking and traffic impacts of the Si Melby Hall Expansion and the Gateway Center projects, the Augsburg College has committed to the following travel demand management measures (for a complete listing and additional detail, refer to the TDM Plan and Attachment 6):
  - Augsburg College will enroll in the Transit Schools Program.
  - Augsburg will consider participating in Metro Transit’s MetroPass Program and the U-Pass Program.
  - Augsburg will revise policies so that no subsidy for driving alone is greater than any subsidy for an alternative mode of transportation.
  - Augsburg will continue to actively support and promote bicycling, walking, and carpooling; provide information regarding transportation alternatives; participate with city and regional TDM organizations; and work with Metro Transit to improve mass transit service.

**CONDITIONAL USE PERMIT FOR THE PLANNED RESIDENT DEVELOPMENT**

**A. 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 includes new construction (115,251 sq. ft.) on the site of an existing parking lot owned by the College. The Center will be a 3-to-4-story, multi-use facility providing space for classrooms, administrative offices, student housing (108 beds in 21 units), a college bookstore and a college food service business, and underground parking for residents of the student housing (a total of 54 stalls on site). A skyway link to the adjacent Lindell Library will provide access to the library as well as to other campus buildings on the skyway system. The site is within the Augsburg College campus in an area zoned OR3, which allows colleges and universities as conditional uses.

The primary off-site impact is the potential for additional traffic and new parking demand generated by the expanded facilities. As described above in the Background section of this report, the TDM Plan for the campus concludes “that if even a portion of the on-street parking supply can be considered for parking requirements, the

campus as a whole should have adequate parking to meet the requirements of the City” (p. 13 of Appendix B).

The applicant’s statement follows: “Augsburg College is located in a Mixed Use area with the U of M, Fairview Riverside Hospital and the adjacent West Bank retail and housing area. Because of this existing neighborhood, this project fits in very well with its housing, academic, administration and retail functions, and will not 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 applicant’s statement follows: “The functions that will be housed in this building are all currently housed on Augsburg’s Campus. This building will allow for the orderly growth of existing programs. The proposed retail tenants are also currently housed on campus and will not impede the normal and orderly development and improvement of surrounding property for used permitted in the district.” Planning staff concur with this statement.

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

The applicant’s statement follows: “The site is served by municipal utilities located in both 21<sup>st</sup> Avenue and 22<sup>nd</sup> Avenue as well as 6<sup>th</sup> Street and Riverside. 21<sup>st</sup> and 22<sup>nd</sup> Avenues will provide adequate access for residents, students, facility and guests. The site has existing slope which will be engineered to provide adequate drainage, which will not adversely affect the municipal system nor adjoining properties.”

The Preliminary Site Plan Review Committee<sup>6</sup> reviewed the project on 7/20/05 and made several comments (Attachment 8). The applicant is committed to address all of the concerns. However, Public Works commented that the parking bays would not be permitted. Planning staff are also recommending the denial of the corner side yard variance for these same parking bays (refer to the Variance section of this report).

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

The applicant’s statement follows: “The site is well served by 21<sup>st</sup>, 22<sup>nd</sup>, and Riverside Avenues, with a controlled intersection at both 21<sup>st</sup> and 22<sup>nd</sup> Avenues and Riverside. Parking is provided for all residents within the building in addition to general campus off street parking.”

Refer to the Background section above regarding traffic and parking.

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<sup>6</sup> The committee is currently called the Preliminary Development Review Committee

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

The site is designated as public facilities in the *Minneapolis Plan* and it is located four blocks from the intersection of Cedar and Riverside where the Plan designates an Activity Center. This site is located on Riverside Avenue which is a designated Community Corridor. Two LRT transit stations are nearby, the Cedar-Riverside and the Franklin Ave. stations, however, the site is beyond the ½-mile area of effect of both of these stations.

According to the principles and policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

**Policy 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 these streets.

**Policy 5.5:** Minneapolis will build on the educational activities of colleges, universities and technical schools in the Twin Cities region.

**6. And does in all other respects conform to the applicable regulations of the district in which it is located.**

The recommended approvals, denial, and conditions of approval will ensure the project conforms to the applicable regulations of the OR3 District.

**B. Exceptions to Zoning Ordinance Standards**

Chapter 527, Planned Unit Development authorizes the City Planning Commission to approve exceptions to the zoning regulations that are applicable to the zoning district in which the development is located. This may be done only upon finding that the Planned Unit Development includes adequate site amenities to address any adverse effects of the exception.

The Zoning Code at 527.190 defines the purpose of a Planned Residential Development “. . . to encourage a higher quality residential development that provides a greater variety of housing types and costs and additional site amenities than otherwise might occur under the strict application of the zoning regulations. The regulations are intended to encourage innovation in housing design in order to meet the housing needs of the city’s diverse population, to promote the efficient use of land, and to protect the natural environment.” Acceptable mitigating amenities include additional open space, additional landscaping and screening.

The project requires an exception to the zoning regulations for parking. Section 527.180 allows the Planning Commission to approve exceptions to the Zoning Code for Planned Unit

Developments and specifies the following considerations in the case of parking and loading exceptions:

- Nature and uses of the population served.
- Actual parking and loading demand.
- Potential for shared parking and loading.
- Alternative forms of transportation.

The above analysis in the Background section regarding parking and the TDM Plan establish a reasonable basis for the Planning Commission to approve the following exception to the Zoning Code per 527.180: Allow the current and proposed on-campus parking facilities to serve as the required parking (a total of 72 stalls) for the Gateway Center project.

**C. Findings Required For Planned Unit Developments:**

In addition to the conditional use permit standards contained in Chapter 525, Administration and Enforcement, before approval of a planned unit development the city planning commission also shall find:

**1. That the planned unit development complies with all of the requirements and the intent and purpose of this chapter. In making such determination, the following shall be given primary consideration:**

- a. The character of the uses in the proposed planned unit development, including in the case of a planned residential development the variety of housing types and their relationship to other site elements and to surrounding development.**

As the applicant stated, the site is located in a mixed use area with the U of M, Fairview Riverside Hospital, and the adjacent West Bank retail and housing area. The project is compatible with the surrounding uses, including the existing housing, academic, administration, and retail functions on campus.

- b. The traffic generation characteristics of the proposed planned unit development in relation to street capacity, provision of vehicle access, parking and loading areas, pedestrian access and availability of transit alternatives.**

Refer to the response to Finding # 4 above.

- c. The site amenities of the proposed planned unit development, including the location and functions of open space and the preservation or restoration of the natural environment or historic features.**

All areas not needed for buildings, walkways, drives, and parking are landscaped (54% of the net site). The northern triangle of land is extensively landscaped and includes crisscrossing pedestrian paths that connect to the

public sidewalks, nearby buildings (including skyway access), and surface parking lots.

- d. **The appearance and compatibility of individual buildings and parking areas in the proposed planned unit development to other site elements and to surrounding development, including but not limited to building scale and massing, microclimate effects of the development, and protection of views and corridors.**

Four stalls face 21<sup>st</sup> Ave.; however, the site is bounded by three streets so it is difficult to avoid having some parking that faces a street. These four stalls are within the corner side yard and are the subject of the variance application, for which the Planning Department is recommending a denial. The project includes a skyway to link it to the Lindell Library on the south half of the site and thereby to the rest of the campus skyway system. The architectural style and scale of the project are compatible with the other buildings on the campus. There are no significant view corridors in the area. Views are of the other buildings on campus and of the surrounding uses such as Fairview Hospital, the University of Minnesota West Bank campus, and the adjacent West Bank retail and housing area.

- e. **The relation of the proposed planned unit development to existing and proposed public facilities, including but not limited to provision for stormwater runoff and storage, and temporary and permanent erosion control.**

As stated above, the Preliminary Site Plan Review Committee reviewed the project and made several comments (Attachment 8). The applicant is committed to address all of the concerns. The project will require the approval of a Stormwater Management Plan and an Erosion Control permit from Public Works.

2. **That the planned unit development complies with all of the applicable requirements contained in Chapter 598, Land Subdivision Regulations.**

The project does comply with all of the applicable Land Subdivision Regulations.

## **VARIANCE**

### **Findings as Required By the Minneapolis Zoning Code for the yard 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.**

Loading areas, trash enclosures, and parking are not allowable obstructions in front yards. The four stalls, trash enclosure, and loading area on the west side of the project 8 ft. into the required 16-ft. setback on 21<sup>st</sup> Ave. S.

The applicant's statement follows: "The site for this building has three front yards and a city utility easement from vacated 6<sup>th</sup> Street. The easement limits the buildable area and the front yard setback on three sides imposes limited use of the area between the building and three adjacent streets. All other zoning regulations are met with the exception of the parking and loading setback variance requested at 21<sup>st</sup> Avenue."

Taking into account the fact of having essentially three front yard setback requirements, the utility easement that restricts construction to the north, and building code requirements that restrict building to the south towards the residence and Lindell Library, the site is still sufficiently large to accommodate the proposed uses without encroaching on the setback requirement on 21<sup>st</sup> Ave. S.

- 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.**

The applicant's statement follows: "The circumstances are unique to this parcel in that the three street frontages and city utility easement limit the development of this site." As stated above, the site is large enough to accommodate the proposed uses without encroaching 8 ft. into the setback requirement on 21<sup>st</sup> Ave. S.

- 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.**

The applicant's statement follows: "The character of the neighborhood will not be altered as the college currently provides off-street parking and loading within the campus. A landscaping buffer will be maintained between the proposed parking and loading area so as to provide the continued enjoyment of other property owners in the vicinity."

Since the parking and loading areas would project out forward of the two adjacent buildings (the Gateway Center and the house to the south) makes the parking and loading areas the dominant aspect of the streetscape in that area of the site, which is not consistent with the intent and spirit of the ordinance.

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 applicant's statement follows: "Reducing the setback of the parking and loading area for this building will not increase congestion of the public streets or increase the danger of fire or be detrimental to the public welfare or endanger the public safety." Staff concur with this statement.

## **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.)**

### **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.

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**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.**

**Conformance:**

- The following describes the yard requirements for the project:

<b>Yards</b>	<b>Direction</b>	<b>Required</b>	<b>Proposed</b>	<b>Approvable</b>
Front	22nd Ave./east	15	40	yes
Front	21st Ave. S/west	15	26	parking and loading in yard; subject of variance
Corner side	Riverside Ave./north	16	16	yes
Corner side	7th St. S./south	16	existing structure	n/a

- The commercial uses front on Riverside Ave. and the primary entrance for them is also on Riverside. The eastern portion of the building is built up to the setback line along Riverside but an existing utility easement within the former right-of-way of 6<sup>th</sup> St. S. prevents the construction of the rest of the building up to the setback requirement.
- In order to accommodate the loading area, the western portion of the building is built 25 feet back from the property line and 9 feet back from the required 16-ft. setback line.

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- The eastern side of the building slopes back from the setback line. Beginning at the northeast corner, it is 40 ft. from the property line and is 105 ft. back on the southeast corner.
- There is an extensive network of pedestrian paths that interconnect building entrances (which includes skyway access to the Lindell Library), parking lots, and public sidewalks.
- As stated above, all areas not needed for buildings, walkways, drives, and parking are landscaped. The northern triangle of land is extensively landscaped and includes crisscrossing pedestrian paths that connect to the public sidewalks, nearby buildings (including skyway access), and surface parking lots.
- The following describes the project’s compliance with the Code’s window requirements. Since this is a mixed-use project, the chart shows the 30% glass requirement for the first floor because it is used for retail and office purposes:

Windows	Elevations							
	East (1C/510)	South (1F/510)	North (1C/511)	North (1F/511)	West (5C/511)	West (4F/510)	South (1C/512)	South (1F/512)
Faces	22nd Ave. S.	Lindell Library	Riverside Ave.	Vacated 6th St. S.	21st Ave. S.	Parking lot	Parking lot	Lindell Library
First Floor Code*	30%	none	30%	30%	30%	30%	30%	none
First Floor Plan	54%	23%	71%	62%	39%	45%	8%	26%
Other Floor Code*	10%	none	10%	10%	10%	10%	10%	none
Other Floor Plans	22% to 50%	5% to 9%	27%	24%	28% to 31%	18 to 22%	22%	26%

\* Code applies to walls that face a public street, public sidewalk, public pathway, or on-site parking lot (does not apply to alleys).

- All windows are vertical in orientation.
- Building materials include brick, glass curtain walls, and metal panels.
- There are no walls that are blank for more than 25 ft.<sup>7</sup>
- The roof will be flat consistent with other institutional buildings in the area.
- Architectural details and a recessed foyer make the building entrance more prominent.

**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.

<sup>7</sup> The attached elevations of the west side of the second and third floors that face the Lindell Library show blank walls that are slightly greater than 25 ft. The applicant has committed to bring these walls into compliance with the Code through the use of windows, recesses or projections, or other architectural elements.

**Conformance:**

- Sidewalks along the three fronting streets will connect to the building entrances and walkways crisscross the pedestrian plazas. A skyway will connect the Center to the adjacent Lindell Library.
- Transit access is excellent in the area (refer to Attachment 6).
- Vehicular access via a single curb cut is off of 21<sup>st</sup> Ave. S. Extensive screening and landscaping will help to minimize any impact on the residence located to the south of the driveway and the residences (owned by Augsburg College) located on the west side of 21<sup>st</sup> Ave. S.
- The Zoning Code limits impervious surface coverage to 85% in the Office Residence Districts. Sheet 202 in Attachment 4 provides the coverage calculations. The zoning lot includes 77,029 sq. ft. of impervious surfaces which equals 61% of the 125,803 sq. ft. lot.

**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.**

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**Conformance:**

- All areas of the zoning lot not covered by buildings, sidewalks, and the parking lot are fully landscaped.
- The zoning lot (125,803 sq. ft.) less the foot prints of the Lindell Library (18,655 sq. ft.) and the Gateway Center (26,510 sq. ft.) yield a net site of 80,638 sq. ft. There is 48,774 sq. ft. of landscaping on the zoning lot which equals 61% of the net site.
- The landscape plan provides a hedge on the west side of the parking area to provide the required 3-ft. high screening of the parking stalls and loading area. The 3-ft. high retaining wall on the south side of the parking lot will screen the stalls from the adjacent residence to the south.
- A brick wall will screen the trash enclosure and the loading area from the views from the north and west along 21<sup>st</sup> Ave. S. The applicant will modify the landscape plan to use shrubs and small trees to soften the appearance of this wall.
- The Code requires one tree per 1,000 sq. ft. of the site (125,803 sq. ft.) and a bush for every 200 sq. ft. The minimum requirement for trees equals 126; a minimum of 144 trees will be provided on the Gateway Center site alone not counting the existing trees on the rest of the zoning lot. The minimum requirement for bushes is 629 bushes; 1,516 will be provided on the Gateway Center site alone not counting the existing trees on the rest of the zoning lot. These trees and bushes are appropriately distributed throughout the site.
- Since the parking lot includes 10 stalls, the Code requires a tree to be within 50 ft. of every stall. The applicant will add 3 trees to the west side of the site to comply with this requirement.

**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:**

- The parking lot, loading area, and drives include continuous curbing. The land slopes to the north towards the parking lot so pervious curbing on the south side of the lot is not possible. Other areas impervious areas of the site drain towards landscaped areas.
- Lighting will be consistent with the Code through the use of full cut-off fixtures and proper placement.
- The Police Department reviewed the project as regards natural surveillance and site safety and made no substantive changes to the plan.
- As stated above, the parking and drive aisles will be screened from the adjacent residential use to the south on 21<sup>st</sup> Ave. S. by the 3-ft. high retaining wall.
- 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 4 floors, the building will have no significant impact on the generation of pedestrian-level winds.
- The Police Department reviewed the plans for site safety concerns.

**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 OR3 District. As stated above, the Office Residence Districts limit allowable commercial uses to “neighborhood serving retail sales and services.” The proposed uses, a book store and a college food service, meet that definition.

**Off-Street Parking and Loading:** The above analysis regarding parking and the TDM Plan in the Background section of this report establish a reasonable basis for the Planning Commission to approve the following exception to the Zoning Code per 527.180: Allow the current and proposed on-campus parking facilities to serve as the required parking (a total of 72 stalls) for the Gateway Center project.

**Maximum Floor Area:** The maximum floor area ratio (FAR) in the OR3 District for a college or university is 3.5. With a lot area of 125,803 sq. ft., the allowable FAR is 440,311 sq. ft. The Lindell Library has 74,620 sq. ft., plus the proposed Gateway Center at 115,251 sq. ft., equals a total of 189,871 sq. ft. and an FAR of 1.5.

**Building Height:** Building height in the OR3 District for a college or university is limited to 6 stories or 84 feet, whichever is less. The project will be 3-to-4 stories above grade and about 50 ft. high.

**Minimum Lot Area:** A Planned Residential Development in the OR3 District requires a 2-acre minimum lot area or 300 sq. ft. per unit, whichever is greater. The 21 units would require a 6,300 sq. ft. lot; thus, the 2-acre minimum is the greater requirement and the 2.9-acre site meets it.

**Yard Requirements:** The above table in the response to the findings regarding building placement and façade requirements lists the yard requirements in the OR3 District. The building is in compliance with these requirements with the exception of the four stalls and loading area which is

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located in the required corner side yard on 21<sup>st</sup> Ave. S. This matter is the subject of the above-described variance request.

**Maximum lot coverage:** The Zoning Code limits lot coverage to 70% in the Office Residence Districts. The footprints of the Lindell Library (18,655 sq. ft.) and the Gateway Center (26,510 sq. ft.) total 45,165 sq. ft. which equals 36% of the 125,803 sq. ft. lot.

**Impervious surface coverage:** The Zoning Code limits impervious surface coverage to 85% in the Office Residence Districts. Sheet 202 in Attachment 4 provides the coverage calculations. The zoning lot includes 77,029 sq. ft. of impervious surfaces which equals 61% of the 125,803 sq. ft. lot.

**Specific Development Standards:** Section 536.20 requires the following: “All new colleges and universities and expansions of existing colleges or universities shall submit a master development plan that describes proposed physical development for a period of five (5) years and a period from five (5) to ten (10) years and shall include a description of proposed development phases and plans, including development priorities, the probable sequence for proposed development, estimated dates of construction, and anticipated interim use of property awaiting to be developed.” The TDM Plan includes the transportation-related effects associated with the current-to-long-range development plans for the college (Attachment 6).

**Hours of Operation:** Section 547.60 exempts colleges and universities from the hours of operation defined for the Office Residence Districts.

**Signs:** Section 527.170 states that “all signs in a planned unit development shall conform to a master sign plan that shall be considered and approved with the development plan. All signs shall conform to the requirements of Chapter 543, On-Premise Signs, except as otherwise authorized by the city planning commission.” The applicant has not yet submitted a master sign plan, however, the College has committed to provide such plan and that the plan will conform to the provisions of the Zoning Code, including restrictions on signs for accessory uses.

**Refuse storage:** All storage of refuse and recyclable materials will be enclosed in the trash enclosure and serviced by a truck that will use the loading dock on the west side of the building. A brick wall will screen the trash enclosure and the loading area from the views from the north and west along 21<sup>st</sup> Ave. S. The applicant will modify the landscape plan to use shrubs and small trees to soften the appearance of this wall.

**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 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

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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:**

The application meets all applicable provisions of the Zoning Code (subject to the approval of the subject variances and conditional use permit) with two exceptions:

- **Building setback:** As stated above, the building is set back behind the required setback areas on all three streets:
  - **Riverside:** The eastern portion of the building is built up to the setback line along Riverside but an existing utility easement within the former right-of-way of 6<sup>th</sup> St. S. prevents the construction of the rest of the building up to the setback requirement. The triangular area between the building and the street will be fully landscaped and will have crisscrossing pedestrian paths.
  - **21<sup>st</sup> Ave.:** In order to accommodate the loading area, the western portion of the building is built 25 feet back from the property line and 9 feet back from the required 16-ft. setback line. If the Planning Commission denies the yard variance for the loading area, Planning staff recommend the building be redesigned to accommodate loading somewhere other than between the building and 21<sup>st</sup> Ave. This might allow the building to be moved up to the 16-ft. setback line.
  - **22<sup>nd</sup> Ave.:** The eastern side of the building slopes back from the setback line. Beginning at the northeast corner, it is 40 ft. from the property line and is 105 ft. back on the southeast corner. The triangular area between the building and the street will be fully landscaped and will have crisscrossing pedestrian paths.
- The first floor of the southern elevation that is to the north of the parking lot and driveway does not meet the 30% glass requirement (see elevation 1C/512). Behind this wall will be the backs of the food service and book store uses which will be used for storage and equipment. The upper three stories of this elevation exceed the 10% glass requirement. This elevation will be most visible by people who use the parking lot and driveway access to the underground parking facility. Their view will also include the first floor of the west-facing wall (elevation 4F/510) which includes 45% glass. The calculation of these two first floor walls taken together yields 25% glass, which still does not meet the 30% requirement in the Code. As can be seen in the above table in the response to the building placement and façade findings, every other wall in this structure substantially exceeds the minimums in the Code.

## **RECOMMENDATIONS**

### **Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit and Planned Residential Development for the proposed Augsburg College Gateway Center Project located at 630 22<sup>nd</sup> Ave. S.:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit and Planned Residential Unit application for the proposed Augsburg College Gateway Center Project located at 630 22<sup>nd</sup> Ave. S. The City Planning Division also recommends Planning Commission approve the following exception to the Zoning Code per Chapter 527: Allow the current and proposed on-campus parking facilities to serve as the required parking (a total of 72 stalls) for the Gateway Center project

### **Recommendation of the Department of Community Planning and Economic Development – Planning Division for the yard variance from the required 16 ft. to 8 ft. for the proposed Augsburg College Gateway Center Project located at 630 22<sup>nd</sup> Ave. S.:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the variance of the yard variance from the required 16 ft. to 8 ft. for the proposed Augsburg College Gateway Center Project located at 630 22<sup>nd</sup> Ave. S.

### **Recommendation of the Department of Community Planning and Economic Development – Planning Division for the site plan review permit for the proposed Augsburg College Gateway Center Project located at 630 22<sup>nd</sup> Ave. S.:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review permit application for the proposed Augsburg College Gateway Center Project located at 630 22<sup>nd</sup> Ave. S. subject to the following conditions:

1. CPED Planning staff review and approval of the final site, landscaping plans, master sign plan, and building elevations.
2. All site improvements shall be completed by November 28, 2007, 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 districts
3. Aerial photo
4. Project drawings and rendering
5. Information from the applicant
6. Excerpts from the Travel Demand Management Plan
7. Photos of the site and surrounding buildings
8. Preliminary Site Plan Review Committee report