

Department of Community Planning and Economic Development – Planning Division
Rezoning, Variances and Site Plan Review
BZZ-2134

Date: February 7, 2005

Applicant: Gregory Peterson with Peters Billiards

Address of Property: 6150 Lyndale Avenue South and 6181 Aldrich Avenue South

Project Name: Peters Billiards

Contact Person and Phone: Gregory Peterson, (612) 861-0303

Planning Staff and Phone: Hilary Watson, (612) 673-2639

Date Application Deemed Complete: December 23, 2004

End of 60-Day Decision Period: February 21, 2005

End of 120-Day Decision Period: Not applicable

Ward: 11 **Neighborhood Organization:** Windom Community Council

Existing Zoning: C2, Neighborhood Corridor Commercial District (6150 Lyndale Avenue South) and R5, Multiple-family District (6181 Aldrich Avenue South)

Proposed Zoning: C2, Neighborhood Corridor Commercial District

Zoning Plate Number: 36

Legal Description: The South 125 feet of the West 175.37 feet lying north of the South 30 feet thereof, of the following described tract: all that part of the south 14 acres of Government Lot 1 in Section 21, Township 28, Range 24, lying easterly of a line described as follows: Beginning at a point on the south line of said Lot 340.37 feet west of the southeast corner of said Lot; thence North at right angles 280.78 feet to the beginning of a curve to the right having a radius of 32.36 feet; thence Northeasterly along the arc of said curve to the right 35.83 feet to the beginning of a curve to the left having a radius of 40 feet; thence Northeasterly and Northerly along the arc of said curve to the left to its intersection with the North line of the South 14 acres of said Government Lot 1, which point of intersection is 345.5 feet North of the South line of said Government Lot 1, as measured along the line parallel with the East line of said Government Lot 1.

Proposed Use: Retail store

Concurrent Review:

Rezoning: of the property located at 6181 Aldrich Avenue South from R5 to C2.

Variance: to increase the gross floor area of the building from the maximum 30,000 square feet to approximately 39,500 square feet.

Variance: to reduce the required number of off-street parking spaces from 117 spaces to 57 spaces.

Variance: to reduce the north and west interior side yard setbacks from the required nine feet to zero feet.

Variance: to increase the size of one wall sign from the maximum 180 square feet to 545 square feet.

Variance: to increase the height of four wall signs from the maximum 24 feet to heights ranging between 48 and 63 feet.

Site plan review.

Applicable zoning code provisions: Chapter 525, Article VI, Zoning Amendments, Chapter 525, Article IX, Variances, specifically Section 525.520(3) “to vary the gross floor area, floor area ratio and seating requirements of a structure or use,” Section 525.520(7) “to reduce the applicable off-street parking requirements up to one hundred (100) percent, provided the proposed use or building serves pedestrian or transit-oriented trade or occupancy, or is located near an off-street parking facility that is available to the customers, occupants, employees and guests of the use,” Section 525.520(1) “to vary the yard requirements, including permitted obstructions into required yards not allowed by the applicable regulations” and Section 525.520(21) “to vary the number, type, height, area or location of allowed signs on property located in the OR2 or OR3 District, or a commercial, downtown or industrial district, pursuant to Chapter 543, On-Premise Signs”; and Chapter 530, Site Plan Review.

Background: Peters Billiards has occupied the property located at 6150 Lyndale Avenue South since 1975. A portion of this property will be purchased as part of the I35W/Highway 62 reconstruction project that the State of Minnesota will be conducting in the future to accommodate the new freeway mainline, freeway ramps and Lyndale Avenue South. The property lines shown on the site plan are based on the best information to date from MnDOT’s I35W/Highway 62 proposal. As this preliminary layout moves into final design and construction the transportation needs may change resulting in modifications to the applicant’s property limits. The Public Works staff involved in the I35W/Highway 62 reconstruction project want the applicant to be aware that changes may occur in the future as the final construction plans are developed for the I35W/Highway 62 project. In addition, the applicant should be aware that they should contact the Planning Division and Public Works if any changes are made to their final plans.

Peters Billiards wishes to remain on this site and in order to do so they need to construct a new building. Because a portion of their property is being taken for the road reconstruction project, Peters Billiards has purchased the adjoining property located at 6181 Aldrich Avenue South from the Walker Care Corporation which, until recently, operated a nursing home on the adjacent property to the north. The former nursing home is in the process of being converted to apartments.

The applicant is proposing to construct a three-story, 39,500 square foot building on the site. The first floor of the building will be parking and the retail lobby and the upper two floors of the building will be the retail showroom. The site will be accessed off of Lyndale Avenue South with emergency only egress off of Aldrich Avenue South.

In order for Peters Billiards to remain open during construction the new building will be built in two phases. The first phase of the building will be constructed on the 6181 Aldrich Avenue South parcel of land. Once this phase of the building is complete, the applicant will move into the new building. Then the existing Peters Billiards building will be demolished and the second phase of the building will be constructed.

REZONING - of the property located at 6181 Aldrich Avenue South from R5 to C2

Findings as Required by the Minneapolis Zoning Code:

1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.

The parcel of land that is proposed to be rezoned from R5 to C2 is designated as undeveloped, unused land in the comprehensive plan. The property is an extension of the existing Peters Billiards site that is located on Lyndale Avenue South which is a designated Community Corridor. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Coordinate land use and transportation planning on designated Community Corridors 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 4.7).

Rezoning this parcel of land from R5 to C2 would be in conformance with the foregoing policy of the comprehensive plan. This site is located immediately adjacent to Highway 62 and is buffered from the single-family residential neighborhood that is located to the north and west of the property by the church located to the northwest of the site and a multiple-family residential building immediately to the north of the site. In addition, the building has been designed so all automobile traffic enters and exits the site from Lyndale Avenue South and so the parking garage is screened from the adjacent multiple-family residential building. The Planning Division has some concern about rezoning this entire parcel of land to C2 as it would allow a wide range of automobile service uses that may not be appropriate on a Community Corridor if Peters Billiards were to decide not to build on the site.

2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.

The amendment will allow the property owner to construct a new retail store on the site. Although this rezoning is primarily in the interest of the property owner, it is necessitated by the fact that a portion of their existing site is being taken as part of the I35W/Highway 62 reconstruction project that the State of Minnesota will be conducting in the future.

3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.

The parcel is bordered by R5 zoning to the north, C2 zoning to the west, Highway 62 to the south and R1 zoning to the east. Adjacent uses include a multiple-family residential building, the existing Peters Billiards retail store, Highway 62 and a church. Given the mixture of surrounding zoning classifications, the land uses in the area and the location of the parcel the Planning Division believes that the C2 zoning district would be compatible in this location. Again, the Planning Division has some concern about rezoning this entire parcel of land to C2 as it would allow a wide range of automobile service uses.

4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.

There are reasonable uses of the property permitted under the R5 zoning district. The R5 zoning district is a multiple-family district. Permitted uses in the R5 district include, but are not limited to, the following:

- Multiple-family dwelling, three (3) and four (4) units.
- Community residential facility serving six (6) or fewer persons.
- Community garden.
- Park, public.
- Place of assembly.

5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.

Within this area of Minneapolis there has not been a change in the zoning classifications. However, in July of 2004, the adjacent nursing home received approvals from the City Planning Commission to convert the building into senior apartments. The Planning Division is not aware of a particular trend in the immediate area that would make the existing R5 zoning inappropriate.

VARIANCE - to increase the gross floor area of the building from the maximum 30,000 square feet to approximately 39,500 square feet

Findings as Required by the Minneapolis Zoning Code for the Variance:

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.

Building size: The applicant is seeking a variance to increase the gross floor area of the building from the maximum 30,000 square feet to approximately 39,500 square feet. Note, however, that the proposed floor area ratio (FAR) of approximately 1.1 is well within the maximum FAR of 1.7 permitted in the C2 district. The floor area variance is to exceed the floor area “cap” in the C2 district. The applicant has indicated that the footprint of the building was designed to accommodate as many parking spaces within

the building as possible. Also, in order to be able to see the building from the elevated Highway 62, the building was designed with a third-story. In addition, the shape of the building was designed in such a way so as to resemble a pool table.

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.

Building size: The Planning Division believes that being within the maximum FAR of 1.7 and the site's location immediately adjacent to Highway 62 are unique circumstances of this parcel of land.

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.

Building size: The granting of the variance should not alter the essential character of the neighborhood given that the building is located immediately adjacent to Highway 62 and is buffered from the single-family residential neighborhood that is located to the north and west of the property by the church located to the northwest of the site and the multiple-family residential building immediately to the north of the site. The intent of the zoning code is to limit the scale of commercial uses on Commercial Corridors and Community Corridors, recognizing that very large scale uses can have substantial impacts on their surroundings. Increasing the floor area of the building in this case may actually aide in buffering the residential uses to the north from Highway 62.

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.

Building size: The Planning Division believes that the granting of the variance would have little impact on fire safety, nor would the size of the building be detrimental to welfare or public safety. Increasing the size of the building may result in an increase in the amount of traffic coming to the site.

VARIANCE – to reduce the required number of off-street parking spaces from 117 spaces to 57 spaces

Findings as Required by the Minneapolis Zoning Code for the Variance:

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.

Parking reduction: The applicant is seeking a variance to reduce the required number of off-street parking spaces from 117 spaces to 57 spaces. The applicant has indicated that for the past thirty years, Peters Billiards has operated successfully in this location with only nineteen parking spaces even though the zoning code would require thirty parking spaces today. Although the size of the building is

increasing from what is there today, the ratio of building square footage to parking is remaining relatively the same. In fact it is increasing only slightly from 684:1 to 687:1.

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.

Parking reduction: The Planning Division believes that given the applicant's history on the site that it would be reasonable to grant a parking variance for this use.

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.

Parking reduction: The granting of the variance should not alter the essential character of the neighborhood given that the existing building has operated in this location for the last thirty years with only nineteen parking spaces. And although the size of the building is tripling, so is the amount of parking on the site.

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.

Parking reduction: The Planning Division believes that the granting of the variance would have little impact on fire safety, nor would the parking reduction be detrimental to welfare or public safety. There is potential for the parking reduction variance to increase street congestion if the proposed amount of off-street parking proves inadequate.

VARIANCE – to reduce the north and west interior side yard setbacks from the required nine feet to zero feet

Findings as Required by the Minneapolis Zoning Code for the Variance:

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.

Setbacks: The applicant is seeking a variance to reduce the north and west interior side yard setbacks from the required nine feet to zero feet. The applicant has indicated that their existing property has approximately 143 feet of frontage along Lyndale Avenue South. As part of the I35W/Highway 62 reconstruction project a portion of this property will be taken leaving only 85 feet of frontage along Lyndale Avenue South. In order to accommodate a building and as much parking on the site as possible, the applicant has requested a variance to reduce the north and west interior side yard setbacks to allow the surface parking area to be located immediately adjacent to the property line.

Also, the adjacent property to the north is undergoing a major renovation to their property and once the construction is complete their parking lot will be located nine feet away from the applicant's parking lot. The adjacent property owner will be maintaining their required setback and will have landscaping located along the perimeter of their parking lot.

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.

Setbacks: The Planning Division believes that losing approximately sixty-percent of their frontage along Lyndale Avenue South is a unique circumstance of this parcel of land. It is also unique that there will be two parking lots located nine feet away from one another on two different properties.

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.

Setbacks: The granting of the variance should not alter the essential character of the neighborhood given that there will be a nine-foot landscape area between the two parking areas. In order to provide a visual barrier between the two parking areas and to control access from a crime prevention standpoint, the Planning Division is recommending that the applicant install a three to four-foot high decorative metal fence along the northern and western perimeters of their parking lot. Should there be a parking shortage on the site, a fence would discourage customers from parking in the adjacent parking lot.

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.

Setbacks: The Planning Division believes that the granting of the variance would have little impact on fire safety, nor would the reduced setbacks be detrimental to welfare or public safety.

VARIANCE – to increase the size of one wall sign from the maximum 180 square feet to 545 square feet

Findings as Required by the Minneapolis Zoning Code for the Variance:

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.

Size of wall sign: The applicant is seeking a variance to increase the size of one wall sign from the maximum 180 square feet to 545 square feet. The sign that the applicant wishes to increase the size of would be located on the side of the building that faces Highway 62. The applicant has indicated that given the speed at which cars pass the building that the sign needs to be of a certain size in order for motorists to easily identify the building and the product.

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.

Size of wall sign: The sites location next to the elevated Highway 62 and the need to have the sign identifiable to motorists are a unique circumstance of this parcel of land.

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.

Size of wall sign: The granting of the variance should not alter the essential character of the neighborhood given that the sign does not face the residential properties in the area.

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.

Size of wall sign: The Planning Division believes that the granting of the variance would have little impact on fire safety, nor would the size of the wall sign be detrimental to welfare or public safety.

VARIANCE – to increase the height of four wall signs from the maximum 24 feet to heights ranging between 48 and 63 feet

Findings as Required by the Minneapolis Zoning Code for the Variance:

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.

Height of four wall signs: The applicant is seeking a variance to increase the height of four wall signs from the maximum 24 feet to heights ranging between 48 and 63 feet. The applicant has indicated that there will be one sign located on the Lyndale Avenue South side of the building and three signs located on the Highway 62 side of the building. With the reconstruction of I35W/Highway 62, the height of the roadway over Lyndale Avenue South will be increased. In order for motorists to see the signs while on Highway 62 they need to be higher than 24 feet on the wall.

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.

Height of four wall signs: The site’s location next to the elevated Highway 62 is a unique circumstance of this parcel of land.

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.

Height of four wall signs: The granting of the variance should not alter the essential character of the neighborhood given that the signs do not face the residential properties in the area. If Highway 62 was not adjacent to this site there would be no need to have the signs higher than 24 feet on the building.

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.

Height of four wall signs: The Planning Division believes that the granting of the variance would have little impact on fire safety, nor would the height of the four wall signs be detrimental to welfare or public safety.

SIGN ADJUSTMENT

Findings Required by the Minneapolis Zoning Code for the Proposed Sign Adjustment:

1. The sign adjustment will not significantly increase or lead to sign clutter in the area or result in a sign that is inconsistent with the purpose of the zoning district in which the property is located.

The Planning Division believes that the proposed sign package will not lead to sign clutter nor is it inconsistent with the purpose of the C2 zoning district. Although one of the signs exceeds the size allowance for a wall sign in the C2 district, the amount of total signage on the building is allowed. In addition, although the signs are located higher on the building wall than what is allowed in the C2 zoning district, the existing signs on the Peters Billiards building are located at the top of the building wall which stands 35 feet tall.

2. The sign adjustment will allow a sign of exceptional design or style that will enhance the area or that is more consistent with the architecture and design of the site.

The Planning Division believes that the proposed signs are of an exceptional design and/or style that will enhance the area. The wall signs are of the same design as the wall signs that have been on the building for the past seven years. The signs have been designed to replicate different elements of the game of pool. All four of the signs are internally-lit signs with acrylic and aluminum faces.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code:

- 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. (See Section B Below for Evaluation.)**
- C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)**

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND FACADE

- 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.
- 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 façade shall provide architectural detail and shall contain windows at the ground level or first floor.
- In larger buildings, architectural elements shall be emphasized.
- 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 where visible from a public street or a residence or office residence district.
- Entrances and windows:
 - Residential uses shall be subject to section 530.110 (b) (1).
 - Nonresidential uses shall be subject to section 530.110 (b) (2).
- Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- This development reinforces the street wall, maximizes natural surveillance and facilitates pedestrian access. Although the building is setback thirty feet from the front property line along Lyndale Avenue South, the building has been placed on the site so as to be located more in line with the adjacent residential property to the north. In addition, the building is being located on the site in order to accommodate a future sidewalk that will be installed when the I35W/Highway 62 reconstruction project takes place. There are entrances and exits at street level that can be accessed by employees and customers and there are large windows where people can see in and out along all levels of the building.
- This property is a through lot as it has frontage on two streets; Lyndale Avenue South and Aldrich Avenue South. Given this, this property has two front yards. The required setback for this building is 15 feet given that there is a residential property located to the north of the site. The building is setback 30 feet from the front property line along Lyndale Avenue South and 15 feet from the front property line along Aldrich Avenue South. There will be landscaping located in the area between the building and the front property lines along both Lyndale and Aldrich Avenues South. There will also be a water feature located in the area between the building and Lyndale Avenue South.
- There are three principle entrances leading into this building. One of the entrances faces Lyndale Avenue South and one faces the parking lot on the north side of the building. The third entrance faces the parking area located within the building.
- The exterior materials of the building include brick and EFIS. The Planning Division believes that the proposed materials will complement other buildings in the area.
- The percentage of windows required on the first floor of the building (excluding the parking area) facing Lyndale Avenue South, the parking lot and West 62nd Street is 30 percent. According to the submitted drawings, there will be more than 30 percent windows on these three sides of the building.
- The parking area portion of the first floor of the building is flat. The vehicles within the parking area will be screened by a metal screen. The proposed screen resembles a variety of sizes of pool balls meshed together.

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 530.140 (b).**
- **Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.**
- **Site plans shall minimize the use of impervious surfaces.**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- The entrance facing Lyndale Avenue South and the one facing the parking lot on the north side of the building are not connected to the public sidewalk via an individual walkway. The Planning

Divison is recommending that a walkway be installed that connects these two entracnes to the public sidewalk along Lyndale Avenue South.

- The Public Works Department has reviewed the vehicular access and circulation plan provided by the applicant. To be in complicate with the Public Works regulations, delivery vehicles need to use the Lyndale Avenue South curb cut when entering and existing the site and the applicant needs to show how the emergency egress door on the Aldrich Avenue South side of the building will be controlled.
- Snow will be stored on the site.

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 shall be landscaped as specified in section 530.150 (a).**
- **Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).**
- **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.**
- **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 530.160 (b).**
- **Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).**
- **The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.**
- **Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.**
- **All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible. The two (2) feet between the face of the curb and any parking lot boundary shall not be landscaped with plant material, but instead shall be covered with mulch or rock, or be paved.**
- **All other areas not governed by sections 530.150, 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 530.220.**
- **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 530.60, as provided in section 530.230.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- The applicant has indicated that approximately 34 percent of the site not occupied by the building will be landscaped. The landscaping requirement for this development is 4 trees and 18 shrubs but not less than would also be required to meet the landscaped yard requirements of Chapter 530. According to the submitted drawings, there will be a total of 14 trees and 143 shrubs located on the site. In order to screen the parking lot from Lyndale Avenue South, the Planning Division is recommending that shrubs be planted along the eastern perimeter of the parking lot. The landscaping plan indicates that rock mulch will be utilized in the landscaping beds. The Planning Division is recommending that wood mulch be utilized instead.
- The applicant is not proposing to install any fencing on the property. However, in order to provide a visual barrier between the applicant's parking lot and the adjacent parking lot to the north and to control access from a crime prevention standpoint, the Planning Division is recommending that the applicant install a three to four-foot high decorative metal fence along the northern and western perimeters of their parking lot.

ADDITIONAL STANDARDS

- **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.**
- **Site plans shall minimize the blocking of views of important elements of the city.**
- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **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.**
- **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.**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- A lighting plan showing footcandles was not submitted as part of the application. The Planning Division is recommending that a lighting plan showing footcandles be submitted as part of the final plans.
- This development should not block views of important elements within the city.
- This development should not cast substantial shadows on surrounding properties.
- This development should not contribute to groundlevel winds.

- The Crime Prevention Specialist has reviewed the project in regard to crime prevention design elements. In order to be in compliance with the crime prevention design element regulations, proper lighting levels need to be maintained in the parking areas.
- The site is not historic.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan

ZONING CODE

With the approval of the rezoning, variances and site plan review this development will be in compliance with the regulations of the zoning code.

THE MINNEAPOLIS PLAN

The site is designated as undeveloped, unused land and as retail-commercial in the comprehensive plan. The site is located on Lyndale Avenue South which is a designated Community Corridor. According to the principles and policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Coordinate land use and transportation planning on designated Community Corridors 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 4.7).
- Support efforts that recognize both the increased visibility and importance of corner properties and the role of gateways in enhancing traditional neighborhood character (Policy 9.10).
- Support urban design standards that emphasize a traditional urban form in commercial areas (Policy 9.11).
- Require the landscaping of parking lots (implementation step for Policy 9.12).
- Protect residential areas from the negative impact of non-residential uses by providing appropriate transitions between different land uses (Policy 9.15).
- Provide appropriate physical transition and separation using green space, setbacks or orientation between residential and non-residential uses.

The site is located on the southern-most edge of the City, adjacent to Highway 62. The building that the applicant is proposing to construct maintains the required setbacks and is made of materials that are compatible with the surrounding area. The parking areas on the site are screened from the adjacent properties and the site has been designed so all automobile traffic enters and exits the site from Lyndale Avenue South.

Section C: Conformance with Applicable Development Plans or Objectives Adopted by the City Council

There are no small area plans adopted by the city for this particular location.

ALTERNATIVE COMPLIANCE

The Planning Commission may approve alternatives to any major 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, 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.**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- The Planning Division is recommending that the City Planning Commission grant alternative compliance to allow the building to be setback more than eight feet from the front property lines along Lyndale Avenue South. The building has been placed on the site so as to be located more in line with the adjacent residential property to the north. In addition, the building is being located on the site in order to accommodate a future sidewalk that will be installed when the I35W/Highway 62 reconstruction project takes place. There is landscaping and a water feature located between the building and the front property line along Lyndale Avenue South.
- The Planning Division is recommending that the City Planning Commission grant alternative compliance to not install a five-foot landscaped yard between the parking lot and the adjacent residential property if a three to four-foot high decorative metal fence is located along the northern and western perimeters of the parking lot.

RECOMMENDATIONS

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and the City Council adopt the above findings and **approve** the rezoning petition of the property located at 6181 Aldrich Avenue South from R5 to C2.

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 **approve** the variance application to increase the gross floor area of the building from the maximum 30,000 square feet to approximately 39,500 square feet located at 6150 Lyndale Avenue South and 6181 Aldrich Avenue South.

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 **approve** the variance application to reduce the required number of off-street parking spaces from 117 spaces to 57 spaces located at 6150 Lyndale Avenue South and 6181 Aldrich Avenue South.

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 **approve** the variance application to reduce the north and west interior side yard setbacks from the required nine feet to zero feet located at 6150 Lyndale Avenue South and 6181 Aldrich Avenue South subject to the following conditions:

1. The applicant shall install a three to four-foot high decorative metal fence along the northern and western perimeters of their parking lot.
2. Approval of the final fence plans by the Community Planning and Economic Development Department – Planning Division.

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 **approve** the variance application and the sign adjustment to increase the size of one wall sign from the maximum 180 square feet to 545 square feet located at 6150 Lyndale Avenue South and 6181 Aldrich Avenue South.

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 **approve** the variance application and the sign adjustment to increase the height of four wall signs from the maximum 24 feet to heights ranging between 48 and 63 feet located at 6150 Lyndale Avenue South and 6181 Aldrich Avenue South.

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

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The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the site plan review application for Peters Billiards located at 6150 Lyndale Avenue South and 6181 Aldrich Avenue South subject to the following conditions:

1. A walkway shall be installed that connects these two entrances to the public sidewalk along Lyndale Avenue South.
2. Delivery vehicles shall use the Lyndale Avenue South curb cut when entering and exiting the site.
3. A plan demonstrating how the emergency egress door on the Aldrich Avenue South side of the building will be controlled shall be submitted for review and approval.
4. Shrubs shall be planted along the eastern perimeter of the parking lot.
5. Wood mulch shall be utilized in the landscaping beds.
6. The applicant shall install a three to four-foot high decorative metal fence along the northern and western perimeters of their parking lot.
7. A lighting plan showing footcandles shall be submitted as part of the final plans.
8. Approval of the final site, landscaping and elevation plans by the Community Planning and Economic Development Department – Planning Division.
9. All site improvements shall be completed by February 7, 2006, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
10. If estimated site improvement costs exceed \$2,000, the applicant shall submit a performance bond in the amount of 125% of the estimated site improvement costs before exterior building permits are issued.

Attachments:

1. Statement of proposed use
2. Variance findings
3. October 26, 2004, letter to Council Member Scott Benson

Department of Community Planning and Economic Development – Planning Division
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4. October 26, 2004, letter to the Windom Community Council
5. Zoning Map
6. Site plan
7. Landscaping plans
8. Site lighting plan
9. Floor plans and elevations
10. Sign information
11. Photographs of the site and surrounding area