

**Department of Community Planning and Economic Development—Planning Division
Conditional Use Permit, Front Yard Variance, Site Plan Review
BZZ-2143**

Hearing Date: 1/10/05

Applicant: Public Works, Lisa Vokovan Otto 612-(673- 2279)

Address of Property: 2002 Lowry Ave. N.

Project Name: Fire Station 14

Contact Person and Phone: Public Works, Lisa Vokovan Otto (673- 2279), Pam Anderson, Ankeny Kell Arch (651-645-6806)

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

Date Application Deemed Complete: 12/14/04

End of 60-Day Decision Period: 2/12/05

End of 120-Day Decision Period: N/A

Ward: 4 **Neighborhood Organization:** Folwell Neighborhood Group

Existing Zoning:

- 2002 Lowry Ave. N.: C1, Neighborhood Commercial District
- 3211 and 3219 Morgan Ave. N.: R1A, Single-Family District

Zoning Plate Number: 7

Proposed Zoning: n/a

Legal Description: n/a

Proposed Use: Application by the Public Work Dept. to construct Fire Station 14 for the Fire Department.

Prior approvals: None

Concurrent Review and Applicable Zoning Code Provisions:

- **Conditional use permit for the use:** Table 546-1 and 548-1
- **Setback variance from 20 ft. to 2 ft. because the eastern portion of the fire station is in the required 20-ft. front yard along Morgan Ave. N.:** Chapter 535

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

- **Major Site Plan Review:** Chapter 530

Background: The Public Work Dept. is proposing to construct a new Fire Station 14 for the Fire Department on a site with three parcels. A residence, located on the northernmost parcel, will be demolished for the project. Public Works will employ deconstruction techniques in the demolition to maximize the recycling of materials. The new building will be two stories and of brick fascia materials. It will feature three apparatus bays, 12 sleeping rooms plus support areas to replace the existing fire station at 33rd and James Ave. N. The station will include a first-floor multi-use conference room to be used by the Fire Department and as a satellite office space for the Inspections Division and for public meeting space for the community (refer to Attachment X for additional information).

Planning staff have received no comment to date from the neighborhood group.

A. CONDITIONAL USE PERMIT

Findings as required by the Minneapolis Zoning Code for the conditional use permit for Fire Station 14 at 2002 Lowry Ave. N:

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 Preliminary Plan Review Committee comprised of City staff reviewed the project on X and made no substantive changes to the project. The closure of the existing fire station and opening of the new one will improve public safety due to the improved facility and location.

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 new fire station will be compatible with the residential uses that surround the site.

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

Adequate access roads, parking, and drainage will be provided. There is sufficient parking on site for the firefighters. Access to the site is via Morgan Ave. Emergency vehicles will depart the site via Lowry Ave.

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

Adequate measures will be provided to minimize traffic congestion.

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

Applicable policies of the *Minneapolis Plan* and the City's Eight Goals:

- a. **The City's Goals (selected goal):** Strengthen our city through infrastructure improvements.
- b. **The *Minneapolis Plan* (adopted by the City Council in 2000):**

Policy 1.12: Minneapolis will ensure that public safety infrastructure adequately meets residents' needs.

Implementation Steps (selected):

- Plan and provide for the necessary resources, personnel, equipment, training and the proper direction of these resources so that basic fire and emergency medical services can be effectively delivered to citizens.
- Locate fire stations throughout the city within a four minute or less response time, to minimize fire loss and expedite rescue and emergency medical service.

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 9.8: Minneapolis will maintain and strengthen the character of the city's various residential areas.

Implementation Steps (selected):

- Infill development standards must reflect the setbacks, orientation, pattern, materials, height and scale of surrounding one and two family dwellings.

Policy 9.9: Minneapolis will support efforts that recognize both the increased visibility and importance of corner properties and the role of gateways in enhancing traditional neighborhood character.

Implementation Steps (selected):

- Require site plan review of new development or major additions to new structures (other than single family homes) on corner properties.

Policy 9.10: Minneapolis will preserve and enhance the quality of living in residential neighborhoods, regulate structures and uses which may affect the character or desirability of residential areas, encourage a variety of dwelling types and locations and a range of population densities, and ensure amenities, including light, air, privacy and open space.

Implementation Steps (selected):

- Apply the form and density approach within the context of a neighborhood or a site and within the framework of The *Minneapolis Plan* and NRP Plans when evaluating the appropriateness of development proposals for specific sites.

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

- Consistent with the applicable City Goal and Policy 1.12, the project will replace the existing fire station in a new location and a new facility that will improve the performance of the Fire Department and the response times to the neighborhood.
- The plan designates Lowry Ave. as a Community Corridor. A fire station, located to serve the neighborhood, is consistent with Policy 4.2 where it calls for a mix of uses that are compatible with residential development.
- The project responds to and complements the setbacks, orientation, pattern, materials, height and scale of the surrounding one and two family dwellings consistent with Policy 9.8.
- The building is built up to the corner of Lowry and Morgan consistent with Policy 9.9, and at two stories, the design, massing, and bulk of the project are compatible with the character of the predominantly residential neighborhood consistent with Policy 9.9 and 9.10.

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

B. YARD VARIANCE

Findings as required by the Minneapolis Zoning Code for the yard variance for Fire Station 14 at 2002 Lowry Ave. N:

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.**

Since the site is a reverse corner lot, it has two front yards per the Zoning Code. The site has both commercial and residential zoning on it. Since fire stations are conditional uses in all Zoning Districts, the Zoning Administrator determined that a rezoning was not needed. For sites with residential zoning, the entire site must comply with the residential yard requirements as if the entire site were zoned residential. As such, the site has a double front yard setback of 20 feet. (Rezoning to commercial would have eliminated the need for the yard variance.)

The building will face Lowry Ave. and carry a Lowry address. The hose tower on the east side of the building will be two feet from the property line and four feet from the sidewalk. The rest of the building will be six feet from the property line and nine feet from the sidewalk.

The footprint and design of the fire station accommodates the features needed by the City and keeps the height and scale within the character of the residential neighborhood. Given the site constraints and the Code requirement of having two front yards, the only method of fitting the building, the needed parking, and the emergency equipment storage and access on this site is as proposed. The design meets the 20-foot yard requirement in the front but requires a yard variance for the side along Morgan Ave. The closest residential use is over 80 feet to the north. Its setback is approximately 16 feet from the property line on Morgan.

- 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.**

These are existing conditions on the site.

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

As stated above, the project meets the 20-foot yard requirement in the front but requires a yard variance for the side along Morgan Ave. The closest residential use is over 80 feet to the north. Its setback is approximately 16 feet from the property line on Morgan.

- 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.**

Refer to the response to the first finding in this section the report.

C. SITE PLAN REVIEW

Findings as required by the Minneapolis Zoning Code for the site plan review for Fire Station 14 at 2002 Lowry Ave. N:

Section A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A below for evaluation.)

Section B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan (refer to the above discussions).

Section C. The site plan is consistent with applicable development plans or development objectives adopted by the City Council (refer to the above discussions).

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.

Planning Division Evaluation of Building Placement and Façade Requirements:

- Consistent with the Code, the building is built up the corner of Lowry and Morgan Aves. with parking located to the rear of the building.
- The project includes landscaping between the building and the street.
- The building has its primary entrance on Lowry consistent with the Code.
- **All facades include common elements of architectural interest and more than 30% windows on the first and other floors. (They are changing the design to conform but I do not yet have confirmation)**

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 on-site snow storage are provided.**
- **Site plans shall minimize the use of impervious surfaces.**

Planning Division Evaluation of Access and Circulation:

- All entrances are connected to the sidewalks.
- All vehicular access is Lowry and Morgan. There is no alley access.
- There are on-site areas for snow storage.
- All areas not covered by the building, parking, and walkways are landscaped in order to minimize impervious surfaces.

Landscaping and Screening:

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
- **Not less than twenty (20) percent of the site not occupied by buildings 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.

Planning Division Evaluation of Landscaping and Screening:

- The project includes 5,141 sq. ft. of landscaping. This equals 34% of the net site (refer to data Sheet in Attachment X).
- All required yards include more than the minimum amount of landscaping, bushes, trees, and screening including all of the screening required for the parking stalls.
- There are three places for bicycle storage.

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: The Police Division has reviewed the plans.**
- **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.**

Planning Division Evaluation of the Additional Standards:

- The applicant will comply with the lighting requirements in the Zoning Code. No fixtures will create off-site glare.
- The 2-story height of the structure will not cause a significant blocking of important views or pedestrian-level winds, nor will the height create excessive shadowing.
- The Police Department reviewed the site plan.
- There are no historic district issues.

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

ZONING CODE:

Hours of Operation: The fire station will operate on a 24/7 basis.

Dumpster screening: Section 535.80. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses.

Residential style trash containers will be enclosed located on the northwest corner of the property adjacent the alley. It will be well screened.

Signage: All new signage is required to meet the requirements of the Zoning Code and permits are required from the Zoning Office.

There will be a 25 sq. ft. sign on the hose tower facing the front of the building towards Lowry. This is within the requirement of the Code.

MINNEAPOLIS PLAN:

Applicable policies of the *Minneapolis Plan*: Refer to the findings above.

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

There are no development plans or objectives approved by the City Council for this specific area beyond the Comprehensive Plan.

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.**

Planning Division Analysis Regarding Alternative Compliance:

The site is in compliance with the Code therefore alternative compliance is not applicable.

RECOMMENDATIONS

- A. Conditional Use Permit:** The Community Planning and Economic Development—Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application for Fire Station 14 to be located at 2002 Lowry Ave. N. with the following condition:
1. The Community Planning and Economic Development—Planning Division shall review and approve the final site, landscape, and lighting plans.
- B. Yard Variance:** The Community Planning and Economic Development—Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the yard variance from 20 feet to 2 feet on Morgan Ave. N. for Fire Station 14 to be located at 2002 Lowry Ave. N.

**Department of Community Planning and Economic Development—Planning Division
Conditional Use Permit, Front Yard Variance, Site Plan Review, BZZ-2143**

C. Site Plan Review Permit: The 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 Fire Station 14 to be located at 2002 Lowry Ave. N with the following conditions:

1. The Community Planning and Economic Development—Planning Division shall review and approve the final site, landscape, and lighting plans.
2. Public Works shall participate in all applicable utility programs designed to maximize energy efficiency.
3. The site improvements shall be completed by January 11, 2006 or the application may be revoked for noncompliance, unless extended by the Zoning Administrator or the City Council.

ATTACHMENTS

- 1) Zoning and lot lines in the area
- 2) Aerial photo
- 3) Survey
- 4) Site plan, floor plans, landscape plan, and elevations
- 5) Information from the applicant
- 6) Photos of the site
- 7) Zoning data sheet