

LAND USE APPLICATION SUMMARY

Property Location: 912 East 24th Street, 2301 Elliot Avenue South and 2218-20 10th Avenue South
Project Name: Village Market
Prepared By: Hilary Dvorak, Principal Planner, (612) 673-2639
Applicant: Eagle Management, Omar Sabri
Project Contact: DJR Architecture, Inc., Scott Nelson
Request: To add approximately 8,800 square feet of floor area to an existing shopping center

Required Applications:

Expansion of a Legal Nonconforming Use	To add approximately 8,800 square feet of floor area to an existing shopping center in the II Light Industrial zoning district.
Site Plan Review	For an approximately 8,800 square feet addition to an existing building.

SITE DATA

Existing Zoning	II Light Industrial District with IL Industrial Living Overlay District R2B Two Family District with TP Transitional Parking Overlay District
Lot Area	101,250 square feet / 2.35 acres
Ward(s)	6; adjacent to 9
Neighborhood(s)	Ventura Village; adjacent to Midtown Phillips
Designated Future Land Use	Transitional Industrial and Urban Neighborhood
Land Use Features	Community Corridor (Chicago Avenue, one block to the west) Commercial Corridor (Franklin Avenue, two blocks north) Growth Center (Wells Fargo/Hospitals Area)
Small Area Plan(s)	Not applicable

Date Application Deemed Complete	July 8, 2015	Date Extension Letter Sent	August 18, 2015	Date Request for Extension of Time Limit Received	September 11, 2015
End of 60-Day Decision Period	September 6, 2015	End of 120-Day Decision Period	November 5, 2015	Time Limit Extended To	December 31, 2015

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The property is located in south Minneapolis along East 24th Street. The property stretches between 10th Avenue South and Elliot Avenue South and occupies the southern portion of the block. The site is currently used as a shopping center with accessory surface parking. The applicant also owns the property located on the northeast corner of East 24th Street and 10th Avenue South. This property is used as a surface parking lot.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The site is surrounded by residential properties and small-scale commercial uses. The site is located in the Ventura Village neighborhood and is adjacent to the Midtown Phillips neighborhood.

PROJECT DESCRIPTION. The applicant is proposing to construct an addition to the existing building. The addition would be constructed on the southeast corner of the site. A two-story addition would be constructed on the corner of East 24th Street and 10th Avenue South and a one-story addition would be constructed on the west and north sides of the existing Gulet Deli and Grocery. Within the addition there would be four new retail spaces, four office spaces and a place of assembly. The place of assembly would be relocated to the addition from the existing building. The space where the existing place of assembly is located would be converted to storage space. The applicant is also proposing to incorporate community gathering space on the second floor of the existing building.

In 2001, land use applications were approved allowing the building to be converted from a manufacturing use to a mixed-use development including an indoor farmers' market, a grocery store and deli, a coffee shop, warehousing space and manufacturing. Then in 2004, land use applications were approved allowing the entire building to be converted to a mixed-use development including an indoor farmers' market, food and beverage uses, production and processing uses and office space.

In June of 2006, as farmer's markets were becoming more popular in the City of Minneapolis, the City Council defined a farmers' market as an open-air establishment. Given this change in policy, it has been determined that farmers' market use within the building is now classified as a shopping center per the Minneapolis Zoning Code.

The property where the building and the proposed addition are located is zoned II Light Industrial District. Shopping centers are not allowed in the II zoning district therefore the applicant has applied for an expansion of a non-conforming use application. Site plan review is also required because of the size of the addition.

This development was discussed at the August 17, 2015, City Planning Commission hearing. At this meeting the project was continued to the September 21, 2015, City Planning Commission hearing. The City Planning Commission asked CPED staff and the applicant to explore ways to address the following issues:

- Traffic issues, including looking at converting Elliot and 10th to one-way streets.
- Travel Demand Management Plan (TDMP) strategies from the approved TDMP (January of 2015) that need to be implemented.
- Street signs in various languages.
- Adding additional parking attendants and security personnel.
- Trash.
- Loitering.

- Public gathering space within the building.
- Redesign of the addition with storefront glass and doors on 24th.

This development was discussed at the September 10, 2015, City Planning Commission Committee of the Whole meeting. At this meeting, staff and the applicant provided a summary of what has happened since the original City Planning Commission meeting. One of those items included another TDMP Update that was done after the existing parking lot on the corner of East 24th Street and 10th Avenue South was closed to vehicles. At the September 21, 2015, and the October 19, 2015, City Planning Commission meetings, the TDMP Update was not complete. Given this, CPED recommended that this development project be continued to the November 2, 2015, City Planning Commission hearing.

The TDMP Update has been reviewed and approved by both the Department of Public Works and the Department of Community Planning and Economic Development. The applicant was asked to provide an update to the TDMP that was approved in January of 2015. The TDMP Update was to document the existing conditions and the level of effectiveness of those recommendations from the TDMP that were implemented. The requirements of the TDMP are not dependent on whether or not the proposed expansion is approved. The requirements that have been agreed to by all parties are binding and an audit of the TDMP will be conducted annually for a period of five years.

RELATED APPROVALS. In March of 2001, the City Planning Commission approved a conditional use permit, parking variance and a site plan review application for a mixed-use building including an indoor farmers' market, a grocery store and deli, a coffee shop, warehousing space and manufacturing. The parking variance that was approved was from 138 spaces to 42 spaces.

In February of 2004, the City Planning Commission approved a rezoning application to add the TP Transitional Parking Overlay District to the parcels located at 1000 and 1010 East 24th Street and 2321 10th Avenue South, an amendment to the previously approved conditional use permit to convert the entire building to a mixed-use development including an indoor farmers' market, food and beverage uses, production and processing uses and office space, a number of variances including a new parking variance and site plan review. The parking variance that was approved was from 244 spaces to 102 spaces where 96 spaces were already varied. The City Council approved the rezoning application in February of 2004.

In May of 2004, the City Council approved a rezoning application to add the TP Transitional Parking Overlay District to the parcel located at 2220 10th Avenue South. This allowed the parking lot for the building to be expanded onto this property.

In 2006, the City Council approved a zoning code text amendment that defined a farmers' market as an open-air establishment where primarily agricultural products such as raw vegetables, fruits, syrups, herbs, flowers, plants, nuts or handcrafted items are sold. It was at this time that the building became non-conforming.

In 2014, the applicant applied for an expansion of a legal nonconforming use application for an addition to the shopping center, a rezoning to add the TP Transitional Parking Overlay District to the parcel located at 2218 10th Avenue South to expand the parking lot for the shopping center, a conditional use permit to allow a parking lot in the TP Transitional Parking Overlay District and a site plan review application for the building addition and the expanded parking lot. In addition, a vacation of that portion of the alley that separated the property was also applied for and a new alley was proposed to be constructed out to 10th Avenue South. The Planning Commission denied the expansion of a legal

nonconforming use application but approved all of the other applications to allow the modifications to the parking lot to move forward. The City Council also approved the rezoning and the alley vacation. The expansion of a legal nonconforming use application for an addition to the shopping center was denied based on the following factors:

1. The expansion could contribute to existing livability issues, including littering, loitering and property damage problems.
2. Nearby residents demonstrated evidence of significant traffic congestion and circulation impacts associated with the existing use, including bicycle and pedestrian safety problems caused by double-parking in public streets.
3. The applicant is lacking a completed Travel Demand Management Plan, which would potentially address the traffic and circulation problems demonstrated by nearby residents and that would address finding #3 in the application for expansion of a nonconforming use.

The applicant did not appeal the denial of the expansion of a legal nonconforming use application. Instead, the applicant hired a traffic consultant to complete a TDMP. The TDMP was approved by both the Department of Public Works and the Department of Community Planning and Economic Development in January of 2015. The applicant also reconstructed the parking lot based on the approved site plan and the recommendations in the TDMP. The existing site is in conformance with the approved plan.

Planning Case #	Application	Description	Action
C-2046 V-421 PR-575	Conditional Use Permit Variance Site Plan Review	To allow a mixed-use building including an indoor farmer's market, a grocery store, food and beverage uses, offices, warehousing and light manufacturing space.	Approved, 3/2001
BZZ-1015	Rezoning Amendment to the previously approved Conditional Use Permit Variances Site Plan Review	To convert the warehousing and light manufacturing space within the building into additional commercial space.	Approved, 2/27/2004
BZZ-1690	Rezoning application to add the TP Transitional Parking Overlay District	To allow the parking lot for the building to be expanded to 2220 10 th Avenue South.	Approved, 5/28/2004
BZZ-6475 Vac-1614	Expansion of a Legal Nonconforming Use	To add approximately 8,805 square feet of floor area to an existing shopping center in the II Light Industrial zoning district	Denied, 5/19/2014

	Rezoning	To add the TP Transitional Parking Overlay District to the property located at 2218 10 th Avenue South	Approved, 7/18/2014
	Conditional Use Permit	For a parking lot in the TP Overlay	Approved, 5/19/2014
	Site Plan Review	For a 8,805 square foot addition to an existing shopping center and an expansion of the surface parking lot	Approved changes to the parking lot only, 5/19/2014
	Vacation of right-of-way	Vacating part of the alley partly dedicated in Block 2, Chicago Avenue 2nd Addition, and partly deeded in said addition, bounded by 10th Ave. S., Elliot Ave. S., and 24th St. E.	Approved, 7/18/2014

In addition to the land use approvals that have been granted for this site, two TDMP's have been completed. The first TDMP was prepared and approved in 2000. This TDMP was done in anticipation of the pending development that was subsequently approved in 2001 by the City Planning Commission. There were no conditions places on the approval of this TDMP. Then in 2003, a TDMP Update was prepared and approved in conjunction with the request to convert the entire building to a mixed-use development including an indoor farmers' market, food and beverage uses, production and processing uses and office space. As a condition of this TDMP, audits were to have been completed every two years for at least ten year or until the TDMP Update non-SOV mode split goals were reached. These audits were never completed.

PUBLIC COMMENTS. Public comments have been submitted regarding the project. Any additional correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

ANALYSIS

EXPANSION OF A NONCONFORMING USE

The Department of Community Planning and Economic Development has analyzed the application to add approximately 8,800 square feet of floor area to an existing shopping center in the II Light Industrial zoning district based on the following findings:

1. *A rezoning of the property would be inappropriate.*

To make the property conforming as to zoning it would need to be rezoned to a commercial zoning district. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates this site as Transitional Industrial. The surrounding area is designated as primarily Urban Neighborhood or Public and Institutional. Transitional Industrial areas are industrial areas located outside of Industrial Employment Districts. These areas may eventually evolve to other uses compatible with surrounding

development. Although they may remain industrial for some time, they will not have the same level of policy protection as areas within industrial districts.

The closest land use features to this site are Chicago Avenue which is a designated Community Corridor and Franklin Avenue which is a designated Commercial Corridor. Community Corridors are primarily residential with intermittent commercial uses clustered at intersections in nodes. Commercial uses along these corridors are generally small-scale retail sales and services uses that serve the immediate neighborhood. Commercial Corridors have historically been prominent destinations with a mixture of uses on them. The dominating uses are typically commercial in nature.

In addition, the Wells Fargo/Hospitals area is a designated Growth Center. This area is located just south of Downtown. It is home to several large institutional campuses including Wells Fargo Home Mortgage, Abbott Northwestern Hospital and Children's Hospital. Although these are not contiguous, together they form a large concentration of employment and a cluster of supporting uses such as various other medical clinics and offices. The surrounding area includes a mix of residential densities, typical of neighborhoods close to the Downtown core.

The sites location within close proximity of a designated Community Corridor, a Commercial Corridor and Growth Center is an attractive location for commercial uses. However, since the site is not located directly on a designated corridor rezoning the site to a commercial zoning district would not be appropriate for the area.

- 2. The enlargement, expansion, relocation, structural alteration or intensification will be compatible with adjacent property and the neighborhood.*

The site is surrounded by residential properties of varying densities and small-scale commercial uses. There are commercial uses located on the south side of East 24th Street across from the site. Both of these commercial buildings are two stories in height. The proposed addition will be two stories in height and located on the corner of East 24th Street and 10th Avenue South. The expansion will be compatible with adjacent properties and the neighborhood.

Within the neighborhood there are several large public and institutional uses including Waite House, Children's Hospital, Abbot Northwestern Hospital, Phillips Eye Institute, Hope Academy and Peavey Park. The mix of uses within the proposed expansion would be complimentary to the neighborhood.

- 3. The enlargement, expansion, relocation, structural alteration or intensification will not result in significant increases of adverse, off-site impacts such as traffic, noise, dust, odors, and parking congestion.*

The addition would be constructed on the southeast corner of the site. A two-story addition would be constructed on the corner of East 24th Street and 10th Avenue South and a one-story addition would be constructed on the west and north sides of the existing Gulet Deli and Grocery. Within the addition there would be four new retail spaces, four office spaces and a place of assembly. The place of assembly would be relocated to the addition from the existing building. The space where the existing place of assembly is located would be converted to storage space. A community gathering space would also be located on the second floor of the existing building.

The addition will replace an existing six space surface parking area that has access drives on both East 24th Street and 10th Avenue South. The location of this parking area is problematic in that drivers often circulate through the parking lot, utilizing both East 24th Street and 10th Avenue South, until a spot opens up. While the addition will eliminate the six parking spaces in the lot, the parking requirement for the shopping center is being met.

Improvements have been made to the parking lot based on the approved site plan in 2014 and the recommendations in the TDMP. The recommendations were meant to help reduce adverse, off-site

impacts such as traffic and parking congestion. These improvements include physically separating the public alley from the site, installing a ticketing system at the entrance to the parking lot, designing the parking lot so it is continuous from Elliot Avenue South to 10th Avenue South and making the parking lot a one way. In addition, tenants are no longer able to park in the pay parking lot. Instead, they are required to apply for and pay for a parking permit in the parking lot located on the northeast corner of East 24th Street and 10th Avenue South and tenants receive a lease discount if they walk to work.

The update to the TDMP that has been reviewed and approved by both the Department of Public Works and the Department of Community Planning and Economic Development has recommendations to help reduce adverse, off-site impacts such as traffic and parking congestion. These recommendations include, but are not limited to, providing free short-term (30 minutes or less) parking in the pay parking lot, reducing parking fares to \$1.00 per hour which will make use of the parking lot more convenient, reserving a convenient place within the parking lot for deliveries that must occur during business hours and employing off-duty Minneapolis police officers on Fridays, Saturdays and Sundays from open to close to help with security and traffic operations on the site and in the public right-of-way. The update to the TDMP also recommends that if utilization of the pay parking lot remains low that a limited amount of the spaces should be offered to tenants. CPED is recommending that all of the TDMP (October 2015) requirements be met.

4. *The enlargement, expansion, relocation, structural alteration or intensification, because of improvements to the property, will improve the appearance or stability of the neighborhood.*

The location of the expansion will be on the corner of East 24th Street and 10th Avenue South. The addition will have windows on both street frontages which will maximize natural surveillance and visibility. The design of the addition will improve the appearance of the neighborhood.

The addition will replace an existing six space surface parking area. It has been reported that this area of the property attracts crime and loitering. The addition will be located up to the corner of East 24th Street and 10th Avenue South. The addition will reinforce the street wall, maximize natural surveillance and visibility and facilitate pedestrian access and circulation. The office space on the northeast corner of the addition will be occupied by building security. Once the public funding is in place to establish a Police Substation in the building this will be where that is located. The placement and design of the addition and the location of the building security office will improve the stability of the neighborhood.

5. *In districts in which residential uses are allowed, the enlargement, expansion, relocation, structural alteration or intensification will not result in the creation or presence of more dwelling units on the subject property than is allowed by the regulations of the district in which the property is located.*

The building is located on property zoned I1 Light Industrial District and IL Industrial Living Overlay District. The IL Industrial Living Overlay District does allow residential uses, however, no dwelling units are proposed as part of this expansion.

6. *The enlargement, expansion, relocation, structural alteration or intensification will not be located in the Floodway District.*

The property is not located in the Floodway District.

SITE PLAN REVIEW

The Department of Community Planning and Economic Development has analyzed the application based on the required findings and applicable standards in the site plan review chapter:

I. Conformance to all applicable standards of Chapter 530, Site Plan Review.**Building Placement and Design – Requires alternative compliance**

- The building addition will reinforce the street wall, maximize natural surveillance and visibility and facilitate pedestrian access and circulation. The addition will be located eight feet from the front property line along 10th Avenue South and up to the corner side property line along East 24th Street, there will be entrances at street level that can be accessed by guests and employees and there will be large windows on all sides of the addition that maximize the opportunities for people to observe adjacent spaces and the public sidewalk
- The addition will be located eight feet from the front property line along 10th Avenue South and up to the corner side property line along East 24th Street.
- Between the addition and the front property line along 10th Avenue South the applicant is proposing to provide bike racks and landscaping. The applicant is also working with Nice Ride Minnesota to try and locate a station on the corner of East 24th Street and 10th Avenue South.
- Three of the eight ground floor uses in the addition will have an entrance facing either 10th Avenue South or East 24th Street. Of the remaining five ground floor uses two of them will have entrances facing the surface parking lot and the remaining three are internal to the building. In addition, there will also be an entrance added to the existing Gulet Deli and Grocery facing 10th Avenue South.
- The on-site parking is located towards the interior side of the site.
- The original building on the site was constructed in the early 1900's. Since this time several additions and modifications have been made to the building. The proposed addition will be constructed on the southeast corner of the property and on the west and north sides of the existing Gulet Deli and Grocery which is currently a freestanding building on the site. In an effort to tie all of the additions together the applicant is proposing to add awnings over all of the new first floor windows. There are existing blue awnings located over the first floor windows on the north, east and south walls of the building. The applicant is proposing to replace the existing awnings with maroon awnings which will match the new awnings. CPED is recommending that all of the awnings, existing and proposed, be the same color.
- There are no areas of the addition that are over 25 feet in length and blank.
- The existing building consists of several exterior materials including painted brick, stucco, concrete block and lap siding. In addition to several materials, the building has been painted several different colors. The exterior materials proposed for the addition include brick veneer and metal. The metal material is used as an accent between the windows on the east and south elevations. CPED is recommending that the entire building be painted in a complementary color scheme.
- All four sides of the building look different than one another. Given this, CPED is recommending that the entire building be painted in a complementary color scheme.
- Plain face concrete block will not be used as an exterior material on the addition.
- The windows in the addition are vertical in orientation and are evenly distributed along the building walls. The minimum window requirement is not being met on the first floor of the building facing the parking lot. See Table I. Alternative compliance is needed.
- The entire ground floor of the building addition facing both East 24th Street and 10th Avenue South contains active functions.
- The majority of the existing building has a flat roof however; a small portion of it has a barrel roof. The roof pitch of the addition will be flat.

Table I. Percentage of Windows Required for Elevations Facing a Public Street, Sidewalk, Pathway, or On-Site Parking

	Code Requirement		Proposed	
Nonresidential Uses				
1 st Floor facing 10 th Avenue South	30% minimum	218 sq. ft.	45%	325sq. ft.
2 nd Floor facing 10 th Avenue South	10% minimum	89 sq. ft.	36%	320 sq. ft.
1 st Floor facing East 24 th Street	30% minimum	154 sq. ft.	44%	224 sq. ft.
2 nd Floor facing East 24 th Street	10% minimum	96 sq. ft.	28%	264 sq. ft.
1 st Floor facing the Parking Lot	30% minimum	127 sq. ft.	22%	92 sq. ft.
2 nd Floor facing the Parking Lot	10% minimum	96 sq. ft.	17%	162 sq. ft.

Access and Circulation – Meets requirements with Conditions of Approval

- All of the new ground floor uses will be directly connected to the public sidewalk.
- There are no transit shelters being proposed as part of the addition.
- Vehicle ingress to the existing parking lot is from Elliot Avenue South and egress from the parking lot is from 10th Avenue South. No modifications to the parking lot are being proposed as part of the addition.
- The site is adjacent to the public alley on the block however; there is a gate separating the parking lot from the public alley. The purpose of the gate is to allow for adequate snow plowing of the parking area located at 2221 Elliot Avenue South which the applicant is responsible for. CPED is recommending that this gate remain locked except for when snow plowing activities need to occur.
- There is no maximum impervious surface requirement in the I1 zoning district. According to the materials submitted by the applicant 95 percent of the site will be impervious.

Landscaping and Screening – Requires alternative compliance

- The zoning code requires that at least 20 percent of the site not occupied by the building be landscaped. The landscaping requirement for this site is 6,826 square feet. The applicant is proposing 4,828 square feet of landscaping, or approximately 14 percent of the site not occupied by the building. Alternative compliance is needed. The tree and shrub requirement is 14 trees and 69shrubs. There are a total of 16 trees and 94 shrubs on the site.
- The landscaping and screening requirements for parking and loading facilities that front along a public street, public sidewalk or public pathway or that abut or are across an alley from a residence or office residence district, or any permitted or conditional residential use, were reviewed and approved as part of the 2014 site plan review application. The parking lot has been reconstructed based on the approved site plan and the existing site is in conformance with the approved plan. The proposed addition does not impact the parking and loading area. CPED is recommending that the landscaping be inspected on a yearly basis and that if any of the plants are not thriving that they be replaced with new plant materials of the same species.

Table 2. Landscaping and Screening Requirements

	Code Requirement	Proposed
Lot Area	--	101,250 sq. ft.
Building footprint	--	67,120 sq. ft.
Remaining Lot Area	--	34,130 sq. ft.
Landscaping Required	6,826 sq. ft.	4,828 sq. ft.
Canopy Trees (1: 500 sq. ft.)	14 trees	16 trees
Shrubs (1: 100 sq. ft.)	69 shrubs	94 shrubs

Additional Standards – Meets requirements

- The on-site parking is located towards the interior side of the site. The perimeter of the parking lot is defined with 6-inch by 6-inch curbing. The Public Works Department has reviewed and approved the parking lot design for compliance with stormwater management standards.
- The building addition will not block views of important city elements.
- The building addition will not cast shadows on public spaces or adjacent residential properties.
- The building addition will have minimal wind effects on the surrounding area.
- The addition will be located up to the corner of East 24th Street and 10th Avenue South. The addition will reinforce the street wall, maximize natural surveillance and visibility and facilitate pedestrian access and circulation. There are lights located along the building walls and near the building entrances.
- This site is neither historically designated nor located in a historic district.

2. Conformance with all applicable regulations of the zoning ordinance.

The proposed use is *nonconforming* in the II District.

Off-street Parking and Loading – Meets requirements

- In January of 2004, the City Planning Commission approved a parking variance for the development. The parking variance that was approved was from 244 spaces to 102 spaces where 96 spaces were already varied. Since the required amount of parking spaces today (160) and the amount of parking spaces being provided on the site today (118) fall within the range of the variance from 2004 no additional parking is required.
- To qualify for the bicycle incentive a total of 45 bicycle parking spaces need to be provided. CPED is recommending that there be a minimum of 45 bicycle parking spaces provided either on the site or in the right-of-way surrounding the development. Those spaces that are provided within the right-of-way must be approved by the City Engineer.
- The bicycle parking requirement for the office uses within the building requires that 2 long-term spaces be provided. CPED is recommending that there be 2 bicycle parking spaces provided within the building for the office uses.

Table 3. Vehicle Parking Requirements Per Use (Chapter 54I)

	Minimum Vehicle Parking	Applicable Reductions	Total Minimum Requirement	Maximum Parking Allowed	Proposed
Place of assembly	13	Bicycle Incentive (1)	12	53	118
General retail sales and services	113	Bicycle Incentive (11)	102	302	
Food and beverage	45	Bicycle Incentive (5)	40	191	
Office	7	Bicycle Incentive (1)	6	37	
Total	178	(18)	160	583	118

Table 4. Bicycle Parking and Loading Requirements (Chapter 54I)

	Minimum Bicycle Parking	Minimum Short-Term	Minimum Long-Term	Proposed	Loading Requirement	Proposed
Place of assembly	0	--	--	27	None	1 existing loading space
General retail sales and services	12	Not less than 50% 6	--		Low	
Food and beverage	3	Not less than 50% 2	--		Low	
Office	3	--	Not less than 50% 2		None	
Total	18	8	2	27	None for the addition	

Building Bulk and Height – Meets requirements

Table 5. Building Bulk and Height Requirements

	Code Requirement	Proposed
Lot Area	--	101,250 sq. ft. / 2.32 acres
Gross Floor Area (GFA)	--	86,650 sq. ft.
Minimum Floor Area Ratio (GFA/Lot Area)	Not applicable	Not applicable
Maximum Floor Area Ratio (GFA/Lot Area)	2.7	.85
Maximum Building Height	4 stories or 56 feet, whichever is less	2 stories or 31 ft.

Lot Requirements – Not applicable

Table I. Lot Requirements Summary

	Code Requirement	Proposed
Dwelling Units (DU)	--	0 DUs
Density (DU/acre)	--	0 DU/acre
Minimum Lot Area	Not applicable	101,250 sq. ft. / 2.32 acres
Maximum Impervious Surface Area	Not applicable	95%
Maximum Lot Coverage	Not applicable	66%
Minimum Lot Width	Not applicable	344 ft., 10 th Avenue South 245 ft., Elliot Avenue South

Yard Requirements – Meets requirements

Table 2. Minimum Yard Requirements

	Zoning District	Overriding Regulations	Total Requirement	Proposed
Front along 10th Avenue South	20 ft. for the first 25 ft. south of the residence district boundary	--	20 ft. for the first 25 ft. south of the residence district boundary	20 ft. for the first 25 ft. south of the residence district boundary
Front along Elliot Avenue South	15 ft. for the first 25 ft. south of the residence district boundary	--	15 ft. for the first 25 ft. south of the residence district boundary	15 ft. for the first 25 ft. south of the residence district boundary
Corner Side along East 24th Street	0 ft.	--	0 ft.	0 ft.
Interior Side (North)	7 ft.	--	7 ft.	3 ft. on the northwest side of the property which is an existing condition AND 10 ft. on the northeast side of the property

Signs – Meets requirements

- Signs are subject to Chapters 531 and 543 of the Zoning Code. Newly established signs accessory to nonconforming uses in the OR2, OR3, Commercial, Industrial, and Downtown Districts shall be subject to the regulations of the district in which it is located. In the II zoning district there can be 1.5 square feet of signage for every 1 foot of primary building wall. However, if there is a freestanding sign on the zoning lot then signage is limited to 1 square foot for every 1 foot of primary building wall. Wall signs are limited to 180 square feet in size. Projecting signs are limited to 20 square feet in size and shall not extend outward from the building more than 4 feet. Both wall signs and projecting signs are limited to an overall height of 28 feet. Freestanding monument signs are limited to 80 square feet in size and can be no taller than 8 feet. The zoning code limits the number of freestanding signs on a zoning lot to one. Backlit signs are prohibited.
- There is an existing freestanding sign on the southeast corner of the property that the applicant is proposing to remove. The applicant is showing on the elevations where new walls signs could be located. The proposed signs range between 30 and 50 square feet in size and the overall height of all of the signs is 14 feet above grade.

Refuse Screening – Meets requirements with Conditions of Approval

- The trash and recycling containers are located within a fenced-in area along the north property line. The enclosure that surrounds the containers is shorter than the containers themselves. CPED is recommending that the enclosure around the trash containers be designed to meet the requirements of Chapter 535, Regulations of General Applicability.

Screening of Mechanical Equipment – Meets requirements with Conditions of Approval

- The plans do not reflect any new mechanical equipment either on the ground or on the roof of the addition. If new mechanical equipment is added to the site, CPED is recommending it be screened per the requirements of Chapter 535, Regulations of General Applicability.

Lighting – Meets requirements

- There are lights located along the building walls and near the building entrances. CPED is recommending that any new lighting meet the requirements of Chapter 535, Regulations of General Applicability.

Specific Development Standards – Meets requirements with Conditions of Approval

- The specific development standards for a shopping center are:

Shopping center.

- (1) Only uses allowed in the zoning district in which the shopping center is located shall be allowed in the shopping center.
- (2) Uses which require a conditional use permit, site plan review or other land use approval shall comply with all review and approval requirements of this zoning ordinance.
- (3) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet shall be inspected regularly for purposes of removing any litter found thereon.

Trash receptacles have been placed near each of the building entrances to help reduce the amount of litter in the neighborhood. In addition to the on-site trash receptacles, CPED is recommending that a minimum of eight trash receptacles be distributed around the block and be maintained by the applicant. CPED is also recommending that the applicant inspect the premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet regularly for purposes of removing any litter found thereon.

TP Overlay District Standards – Meets requirements

- The site is located in the TP Transitional Parking Overlay District and is in conformance with the regulations.

3. Conformance with the applicable policies of The Minneapolis Plan for Sustainable Growth.

The Minneapolis Plan for Sustainable Growth identifies the site as Transitional Industrial and Urban Neighborhood on the future land use map. The proposed development is consistent with the following principles and policies outlined in the comprehensive plan:

Land Use Policy 1.6: Recognize that market conditions and neighborhood traditions significantly influence the viability of businesses in areas of the city not designated as commercial corridors and districts.

- 1.6.1 Allow for retention of existing commercial uses and zoning districts in designated Urban Neighborhood areas, to the extent they are consistent with other city goals and do not adversely impact surrounding areas.

- 1.6.2 In parts of the city outside of designated corridors, nodes, and centers, limit territorial expansions of commercial uses and districts.

Transportation Policy 2.8: Balance the demand for parking with objectives for improving the environment for transit, walking and bicycling, while supporting the city's business community.

- 2.8.1 Implement off-street parking regulations which provide a certain number of parking spaces for nearby uses, while still maintaining an environment that encourages bicycle, pedestrian, and transit travel.
- 2.8.7 Promote transit, walking, and biking as safe and comfortable transportation alternatives through reduced parking requirements, encouragement of employee transit incentive programs, and improved facilities.
- 2.8.8 Encourage employers to offer economic incentives that support transit use, such as providing employee transportation allowances as alternatives to free parking.
- 2.8.9 Ensure that parking facilities do not under-price their parking fees as compared to transit fares except to support carpooling and vanpooling as primary commuting modes.

Urban Design Policy 10.9: Support urban design standards that emphasize traditional urban form with pedestrian scale design features at the street level in mixed-use and transit-oriented development.

- 10.9.1 Encourage both mixed-use buildings and a mix of uses in separate buildings where appropriate.
- 10.9.2 Promote building and site design that delineates between public and private spaces.

Policy 10.10: Support urban design standards that emphasize a traditional urban form in commercial areas.

- 10.10.1 Enhance the city's commercial districts by encouraging appropriate building forms and designs, historic preservation objectives, site plans that enhance the pedestrian environment, and by maintaining high quality four season public spaces and infrastructure.
- 10.10.4 Orient new buildings to the street to foster safe and successful commercial nodes and corridors.
- 10.10.6 Require storefront window transparency to assure both natural surveillance and an inviting pedestrian experience.
- 10.10.7 Encourage the renovation of existing commercial buildings.

Urban Design Policy 10.11: Seek new commercial development that is attractive, functional and adds value to the physical environment.

- 10.11.1 Require the location of new commercial development (office, research and development, and related light manufacturing) to take advantage of locational amenities and coexist with neighbors in mixed-use environments.
- 10.11.2 Ensure that new commercial developments maximize compatibility with surrounding neighborhoods.

- 10.11.3 Continue to curb the inefficient use of land by regulating minimum height, setbacks, build-to lines and parking through master planning methods and zoning code regulations.
- 10.11.4 Maximize the year round potential for public transit, biking, and walking in new developments.

Urban Design Policy 10.18: Reduce the visual impact of automobile parking facilities.

- 10.18.1 Require that parking lots meet or exceed the landscaping and screening requirements of the zoning code, especially along transit corridors, adjacent to residential areas, and areas of transition between land uses.
- 10.18.2 Parking lots should maintain the existing street face in developed areas and establish them in undeveloped areas through the use of fencing, walls, landscaping or a combination thereof along property lines.

4. Conformance with applicable development plans or objectives adopted by the City Council.

Not applicable.

5. Alternative compliance.

The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding that the project meets one of three criteria required for alternative compliance. Alternative compliance is requested for the following requirements:

- **Window Percentages.** The minimum window requirement of 30 percent is not being met on the first floor of the building facing the parking lot. Along this side of the building there are 22 percent windows provided. The percentage of widows on the second story of the building facing the parking lot exceeds the minimum requirement of 10 percent. CPED is recommending that the City Planning Commission grant alternative compliance.
- **Twenty-Percent Landscaping Requirement.** The zoning code requires that at least 20 percent of the site not occupied by the building be landscaped. The landscaping requirement for this site is 6,826 square feet. The applicant is proposing 4,828 square feet of landscaping, or approximately 14 percent of the site not occupied by the building. If the applicant were to meet the 20 percent landscaping requirement on-site, several parking spaces would need to be removed. Since parking is at a premium in this location, CPED is recommending that the City Planning Commission grant alternative compliance to allow 14 percent landscaping on site.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt staff findings for the applications by Eagle Management for the properties located at 912 East 24th Street, 2301 Elliot Avenue South and 2218-20 10th Avenue South:

A. Expansion of a Nonconforming Use.

Recommended motion: **Approve** the application to add approximately 8,800 square feet of floor area to an existing shopping center in the II Light Industrial zoning district, subject to the following conditions:

1. All of the TDMP (October 2015) requirements shall be met.
2. The office space located on the northeast corner of the addition shall be occupied by building security and the Police substation.

3. The applicant shall employ off-duty Minneapolis police officers on Fridays, Saturdays and Sundays from open to close to help with security and traffic operations on the site and in the public right-of-way.
4. The applicant is encouraged to apply for a loading zone designation on East 24th Street. If applied for, the loading zone should accommodate a minimum of two vehicles.
5. The applicant shall provide the City of Minneapolis parking brochure to all tenants within the building.
6. The applicant shall post the City of Minneapolis parking brochure inside the building at all entrances.

B. Site Plan Review for an addition to an existing commercial building.

Recommended motion: **Approve** the application for an 8,800 square foot addition to an existing building, subject to the following conditions:

1. Approval of the final site plan, landscaping plan, elevations and lighting plan by the Department of Community Planning and Economic Development
2. All site improvements shall be completed by November 2, 2017, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. All of the awnings, existing and proposed, shall be the same color.
4. The entire building shall be painted in a complementary color scheme.
5. The gate that separates the parking lot from the public alley shall remain locked except for when snow plowing activities need to occur.
6. The landscaping shall be inspected on a yearly basis and if any of the plants are not thriving they shall be replaced with new plant materials of the same species.
7. There shall be a minimum of 45 bicycle parking spaces provided either on the site or in the right-of-way surrounding the development. Those spaces that are provided within the right-of-way must be approved by the City Engineer.
8. There shall be not less than two bicycle parking spaces provided within the building for the office uses.
9. The enclosure around the trash containers shall be designed to meet the requirements of Chapter 535, Regulations of General Applicability.
10. If new mechanical equipment is added to the site, it shall be screened per the requirements of Chapter 535, Regulations of General Applicability.
11. Any new lighting shall meet the requirements of Chapter 535, Regulations of General Applicability.
12. A minimum of eight trash receptacles shall be distributed around the block and shall be maintained by the applicant.
13. The applicant shall inspect the premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet regularly for purposes of removing any litter found thereon per the requirements of Chapter 536, Specific Development Standards.

ATTACHMENTS

1. Written description and findings submitted by applicant
2. TDMP Update
3. Zoning map
4. Site survey (if applicable)

5. Site plan, floor plans and elevations
6. Rendering
7. Photos
8. Correspondence