

Department of Community Planning and Economic Development – Planning Division
Rezoning, Conditional Use Permit, Variances and Site Plan Review
BZZ-5236

Date: December 12, 2011

Applicant: McDonalds USA, LLC, Attn: Vicky Stadther, 1650 W. 82nd Street, Suite 900, Bloomington, MN 55420, (952) 486-4162

Address of Property: 3110 East Lake Street and 2925 31st Avenue South

Project Name: McDonalds

Contact Person and Phone: Landform, Attn: Eric Kellogg, 105 South Fifth Avenue, Suite 513, Minneapolis, MN 55401, (612) 638-0242

Planning Staff and Phone: Becca Farrar, Senior City Planner, (612) 673-3594

Date Application Deemed Complete: October 25, 2011

End of 60-Day Decision Period: December 24, 2011

End of 120-Day Decision Period: On December 2, 2011, Staff sent a letter to the applicant extending the decision period to no later than February 22, 2012.

Ward: 9

Neighborhood Organization: Longfellow Community Council

Existing Zoning: C2 (Neighborhood Corridor Commercial) District and R4 (Multiple-family) District

Proposed Zoning: C2 (Neighborhood Corridor Commercial) District

Zoning Plate Number: 27

Lot area: 39,587 square feet or approximately .91 acres

Legal Description: 2925 31st Avenue South: Lot 18, Block 4, South Minneapolis Addition to Minneapolis, Hennepin County, Minnesota.

Proposed Use: A new 4,842 square foot drive-through fast food restaurant.

Concurrent Review:

- Petition to rezone a portion of the north side of the site from the R4 (Multiple-family) district to the C2 (Neighborhood Corridor Commercial) district.
- Conditional Use Permit for a fast food restaurant.
- Variance to allow more than one freestanding sign on the premises.
- Variance to allow an increase in the allowable square footage for the freestanding signs.
- Variance to allow signage that exceeds the overall maximum sign budget. *This application has been returned.*

Department of Community Planning and Economic Development – Planning Division
BZZ-5236

- Site Plan Review for a new single-story, 4,842 square foot drive-through fast food restaurant in the C2 district. The existing McDonalds on the premises will be demolished to accommodate the new facility.

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

Background: The applicant proposes to demolish the existing McDonalds drive-through restaurant located on the site and construct a new single-story, 4,842 square foot McDonalds drive-through restaurant on the properties located at 3110 East Lake Street and 2925 31st Avenue South. The property located at 3110 East Lake Street is zoned C2 and the property located at 2925 31st Avenue South is zoned R4 despite the fact that it is currently part of the development site. McDonalds received approval via a conditional use permit in 1990 to legally utilize the lot for accessory parking. As part of this development proposal, the applicant has submitted a petition to rezone the R4 zoned portion of the site to the C2 district which requires the written consent of the owners of two-thirds of the properties within 100 feet of the property to be rezoned. The City Attorney’s office has reviewed the consent signatures and has deemed that they comply with the statutory requirements.

Fast food restaurants are conditional uses in the C2 district and are subject to specific development standards per Chapter 536 of the Zoning Code. Fast food restaurants are allowed as a conditional use where the property is part of an area of at least 660 feet of continuous C2, C3S, C4 or industrial zoning fronting along the same side of the street as the fast food restaurant without interruption by a residence, office residence, C1, C3A or PO (Pedestrian Oriented) Overlay District. Further, drive-through facilities are permitted in the C2 district subject to the standards outlined in Chapter 530 and Chapter 541 of the Zoning Code. Variances are needed for the proposed signage on the site in order to allow more than one freestanding sign and to allow an increase in the square footage of each of the proposed freestanding signs. The applicant has an existing freestanding sign on the premises that will be maintained and proposes to install two additional freestanding signs to serve as directional signs to the dual drive-through lanes. Chapter 541 of the Zoning Code allows one freestanding sign per zoning lot. The size allocation permitted in the C2 district is one square foot per one square foot of frontage not to exceed 80 square feet. The existing freestanding sign is non-conforming as it is approximately 198 square feet in size. The two additional freestanding signs are drive-through canopies that state “Order Here” and each total approximately four square feet in size for an overall freestanding sign square footage allocation of approximately 206 square feet. Site plan review is also required for the proposed development.

Staff has received official correspondence from the Longfellow Community Council as well as several neighborhood letters that have been attached for reference. All additional correspondence received prior to the Planning Commission meeting will be forwarded on for consideration.

REZONING

Findings as Required by the Minneapolis Zoning Code:

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

According to *The Minneapolis Plan for Sustainable Growth*, the subject parcel is located along 31st Avenue South and is currently part of a development parcel that is located along East Lake Street which is a designated Commercial Corridor in this location. As noted, the existing McDonalds site currently encompasses the subject parcel as it is used for ingress/egress from the site and accommodates accessory parking spaces for the use. The applicant proposes to rezone the property in conjunction with the redevelopment of the site. According to *The Minneapolis Plan for Sustainable Growth*, “Commercial Corridors can accommodate intensive commercial uses and high levels of traffic. The corridors support all types of commercial uses, with

some light industrial and high density residential uses as well. While the character of these streets is mainly commercial, residential areas are nearby and impacts from commercial uses must be mitigated as appropriate.” The following policies and implementation steps of *The Minneapolis Plan for Sustainable Growth* apply to this proposal:

Land Use Policy 1.1 states, “Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.”

Land Use Policy 1.4 states, “Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.” This policy includes the following applicable implementation steps: (1.4.1) “Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served”; (1.4.2) “Promote standards that help make commercial districts and corridors desirable, viable, and distinctly urban, including: diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements to add interest at the pedestrian level.”

Land Use Policy 1.7: Limit new and expanded auto-oriented uses in the city so impacts on the form and character of commercial areas and neighborhoods can be minimized.

Land Use Policy 1.10 states, “Support development along Commercial Corridors that enhances the street’s character, fosters pedestrian movement, expands the range of goods and services available, and improves the ability to accommodate automobile traffic.”

Planning Staff believes that the proposal to rezone the subject property from the R4 to the C2 district is supported by the above listed policies and implementation steps in this specific circumstance. The use of the parcel will remain unchanged from the way it has been utilized for the past twenty years.

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

A rezoning to the C2 district would be considered primarily in the interest of the property owner as it would allow the site to continue to accommodate parking on the property for a use not currently allowed under the R4 district regulations. As previously noted however, the parcel that requires the rezoning is currently part of the larger development parcel already zoned C2. There is no change in use to the parcel with the proposed redevelopment of the site; the rezoning fully legalizes the use of the property. The amendment could also be considered in the public interest as it would unify the underlying zoning for the site, fully integrating the parcel with the remainder of the site thus allowing uses supported by adopted policies specific to Commercial Corridors.

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 subject site is located within an area that has commercial zoning classifications lining both sides of East Lake Street (C1, C2 and C4). The commercially zoned properties along East Lake Street vary somewhat in terms of their depth moving north and south away from East Lake Street towards the residential neighborhood. Typically, Planning Staff is concerned with further expansions of commercial zoning into the abutting residentially zoned areas, however, in this specific circumstance, the subject parcel is already used for ingress/egress to the site via 31st Avenue South as well as for off-street parking. While a further expansion of

the C2 zoning to the north would result in the largest commercially zoned parcel extending into the neighborhood, it is reasonable given the existing and proposed use of the site. Due to the circumstances, the context and uses in the area, Staff believes that the C2 district would be appropriate and compatible in this location.

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 allowed under the existing R4 zoning classification; however, the site has been used commercially for the past 20 years, and the use would remain unchanged with the requested change to the C2 district. Adopted City policy supports C2 zoning along Commercial Corridors. Planning Staff has included an attachment to the staff report which further details the difference between the existing and proposed zoning classification for the property.

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.

Under the 1963 Zoning Code, the subject property was zoned R4 and the rest of the development parcels were zoned B3C-2 (Community Commercial) district. While there have been some changes relative to the character and trend of development in the general area, this stretch of East Lake Street has not seen the same degree of redevelopment or reinvestment compared to other areas of East Lake Street. The amendment to alter the existing zoning classification on the property will not adversely impact future transitions that may occur in the area.

CONDITIONAL USE PERMIT – for a fast food restaurant

Findings as Required by the Minneapolis Zoning Code:

The Department of 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 Planning Division does not believe that reconstructing a fast food restaurant on the premises, with a drive-through facility, would be detrimental to or endanger the public health, safety, comfort or general welfare. The site has been utilized by McDonalds since the building was constructed in 1973. Provided the project complies with all applicable conditions of approval, the reconstruction would not be expected to have adverse impacts.

2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

The Planning Division does not believe that a fast food restaurant would be injurious to the use and enjoyment of other property in the vicinity or impede the normal or orderly development and improvement of surrounding property. While the proposed reconfiguration of the site and reconstruction of the building is much improved when compared to the existing site, the placement and orientation of the building could be improved. If the building were to be redesigned to be compliant with the Chapter 530 standards pertaining to building

Department of Community Planning and Economic Development – Planning Division
BZZ-5236

placement, it would further reduce the impacts of the dual drive-through facility on the residential uses to the north.

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

The applicant will continue to work closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

As for vehicular access, there is currently one curb cut located off of East Lake Street and one off of 31st Avenue South. As proposed the development would be reconstructed to allow for two drive-through lanes as opposed to the one that currently exists on the premises. The access will remain unchanged with the proposed redevelopment of the site.

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

Chapter 541 of the zoning code requires 1 parking space per 500 square feet of gross floor area up to 2,000 square feet plus 1 space per 300 square feet of gross floor area in excess of 2,000 square feet. The gross floor area of the building is 4,842 square feet which requires a total of 14 off-street parking spaces. The applicant is proposing to provide a total of 25 spaces which meets the minimum requirement. Further, the applicant is providing a total of 4 bicycle parking spaces.

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

See the above listed response to finding number one in the rezoning application. The policies and implementation steps outlined above apply to the proposed conditional use permit application as well.

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

If all land use/zoning applications are approved, including the rezoning, conditional use permit, variances and site plan review, the proposal would appear to comply with all applicable provisions of the C2 Zoning District.

Further, the proposal is subject to the specific development standards outlined in Chapter 536.20 of the Zoning Code as follows:

- Restaurant, fast food. The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

VARIANCE – (1) Variance to allow more than one freestanding sign on the premises; (2) Variance to allow an increase in the allowable square footage for the freestanding signs.

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

1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.

To allow more than one freestanding sign on the premises: The applicant proposes to locate two additional freestanding signs on the premises while maintaining the large existing freestanding sign located along East Lake Street. Chapter 541 of the Zoning Code allows one freestanding sign per zoning lot. The size allocation permitted in the C2 district is one square foot per one square foot of frontage not to exceed 80 square feet. The existing freestanding sign is non-conforming as it is approximately 198 square feet in size. The two additional freestanding signs are drive-through canopies that state “Order Here” and each total approximately four square feet in size for an overall freestanding sign square footage allocation of approximately 206 square feet. Due to the nature of the use, Planning Staff believes that there are practical difficulties that exist, and it is reasonable to allow two directional freestanding signs for the proposed dual drive-through.

To allow an increase in the allowable square footage for the freestanding signs: The proposal to install two additional freestanding signs that state “Order Here”, and that are four square feet each in size requires a variance to allow an increase in the allowable square footage. Overall, the freestanding sign square footage would be expanding from 198 square feet to approximately 206 square feet. Due to the nature of the use, Planning Staff believes that practical difficulties exist, and it is reasonable to allow two directional freestanding signs that total approximately eight square feet in size on the premises.

2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

To allow more than one freestanding sign on the premises: The proposal to install two directional freestanding signs for the drive-through lanes is reasonable and would be in keeping with the spirit and intent of the ordinance and the comprehensive plan. Due to the fact that the signs are directional and provided the signs are limited to approximately four square feet each, there would likely not be any adverse impacts.

To allow an increase in the allowable square footage for the freestanding signs: The proposal to install two additional freestanding directional signs would be reasonable and would be in keeping with the spirit and intent of the ordinance and the comprehensive plan. As previously noted, the request to allow four square feet per sign or a total of approximately eight additional square feet of signage on the premises would be appropriate given the use of the site.

3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

To allow more than one freestanding sign on the premises: The proposal to allow a total of three freestanding signs on the premises would not adversely alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity, nor would it be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties. The addition of two directional freestanding signs on the premises would likely help reduce the possibility of confusion for motorists choosing to utilize the dual drive-through lanes. Further, the applicant states that the design of the signs help to mitigate the noise impacts generated from the drive-through use as the speakers are located closer to the vehicle and don’t require as much projection when compared to the former design that included the speaker within the menu board.

To allow an increase in the allowable square footage for the freestanding signs: The proposal to install two additional freestanding signs on the premises that are each four square feet in size or a total of eight square feet would not adversely alter the essential character of the locality or be injurious to the use or enjoyment of

other property in the vicinity, nor would it be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

In addition to the conditional use standards contained in Chapter 525 and this article, the City Planning Commission shall consider, but not be limited to, the following factors when determining sign variances or conditional use permits:

- 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 installation of two additional freestanding signs that are each four square feet in size, to the premises would not lead to sign clutter. Despite the fact that such an oversized non-conforming freestanding sign exists on the premises, adjacent to East Lake Street, the overall sign budget for the site has not been exceeded based on the proposed sign plan. The wall signage proposed for the site could be considered minimal and offsets the large existing freestanding sign. Staff believes that the signs are consistent with the purpose of the zoning district in which the property is located.

- 2. The sign adjustment will allow a sign that relates in size shape, materials, color, illumination and character to the function and architectural character of the building or property on which the sign will be located.**

The signs would be professionally constructed and installed. The signs as proposed would not be out of scale with the building proposed on the site as the canopy height is designed to match the height of the building eaves. The applicant has stated in their application materials that these newly designed drive-through canopies have a built-in order display area that helps to minimize the sound from the drive-through by containing the sound in the area of the drive-through order points. Further, the canopy protects patrons from rain/snow during the ordering process. Lastly, the canopies provide clear directional signage to patrons.

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 and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)**

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND DESIGN:

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.

Department of Community Planning and Economic Development – Planning Division
BZZ-5236

- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances, windows, and active functions:
 - Residential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - Nonresidential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
 - d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
 - e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.
 - f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.
 - g. In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.
Minimum window area shall be measured as indicated in section 530.120 of the zoning code.
Minimum window area shall be measured as indicated in section 530.120 of the zoning code.

- **Ground floor active functions:** Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.
- **The form and pitch of roof lines shall be similar to surrounding buildings.**
- **Parking Garages:** The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. In addition to compliance with minimum window requirements, principal and accessory parking garages shall comply with provisions requiring active functions on the ground floor. In the downtown districts, the more restrictive parking garage provisions of Chapter 549, Downtown Districts, shall apply.

The building does not reinforce the street wall, facilitate pedestrian access or maximize natural surveillance. While the location of the proposed building is substantially closer to the property lines along East Lake Street and 31st Avenue South and is thus, an improvement over the existing configuration, the building does not meet the building placement provision requiring that the structure be located within 8 feet of the property lines. Alternative compliance is necessary. As proposed, the building is located approximately 50 feet from the property line along East Lake Street and approximately 30 feet from the property line along 31st Avenue South. Currently, the structure is located approximately 96 feet from the property line along East Lake Street and approximately 53 feet from the property line along 31st Avenue South. Planning Staff has encouraged the applicant to develop alternative configurations for the building that would result in a compliant structure; however, the applicant has never provided these design schemes. The applicant has stated that the drive-through volume of the restaurant in this location makes a reconfiguration to accommodate the building placement provision impossible from a site circulation stand point. Further, the applicant cites the recent implementation of the East Lake Street improvements including a bus stop, fencing, landscaping, etc., which resulted in the elimination of a curb cut near the intersection of East Lake Street and 31st Avenue South as being prohibitive of further design alterations that would allow the building to be constructed closer to East Lake Street. Planning Staff and the Planning Commission have previously required compliance for similar fast food establishments. Planning Staff would recommend that in this circumstance, the Planning Commission require compliance with the provision as well. As proposed, the area in between the building and the front property line along East Lake Street would contain an outdoor seating area, pedestrian striping from the sidewalk along East Lake Street, a drive-through lane and landscaping.

There are three principal entrances to the building. One off the outdoor patio area on the south elevation of the building facing East Lake Street, and two located on the east elevation of the building off of the surface parking lot. The accessory parking spaces are located on the perimeter of the site along the south and east property lines. Alternative compliance is necessary as parking is required to be located at the rear or interior of the site, within the principal building served, or entirely below grade. With the exception of one off-street parking space on the northwesterly portion of the surface parking lot and two off-street parking spaces on the southeasterly portion of the surface parking lot, the remaining surface parking stalls are located behind the front edge of the proposed structure. Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance due to the nature of the use on site. It would not be practical to require compliance with this provision in this instance.

All elevations of the building are subject to a 30% window requirement as they either face a public street or an on-site parking area. The south elevation of the building facing East Lake Street exceeds this requirement as approximately 53% are provided. Windows between 2 and 10 feet are required in order to provide natural surveillance and visibility by having active uses located along public streets. The windows are evenly distributed and vertical in proportion.

Department of Community Planning and Economic Development – Planning Division
BZZ-5236

The west elevation of the building facing 31st Avenue South does not meet the 30% window requirement as approximately 14% are provided. The windows are not evenly distributed but are vertical in proportion. Alternative compliance would be necessary. Due to the nature of the use, this elevation has windows located on the southernmost portion of the elevation facing the intersection. The only two other windows that meet the window requirements on this elevation are the drive-through service windows. There is a small window on the elevation that allows light into the crew room. Adjacent to this room is the manager's area which is proposed to have no windows. Planning Staff believes that there are opportunities to expand the window areas in the crew room and to install a window in the manager's area. Due to the uniqueness of the use, and the floor plan that demonstrates that the inclusion of additional windows that meet the 30% window requirement would not be practical in this specific circumstance, Planning Staff would recommend that the Planning Commission grant alternative compliance subject to the inclusion of a larger window in the crew room and an evenly sized window in the manager's area as well as the addition of a living wall system that softens the elevation and provides visual interest.

The east elevation of the building facing the on-site parking area meets the 30% window requirement as approximately 30% are provided. The windows are not evenly distributed but are vertical in proportion. Alternative compliance would be necessary due to the lack of even distribution. Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance due to the fact that the interior layout limits the location of window openings on this elevation subject to the addition of a living wall system that softens the elevation and provides visual interest.

The north elevation of the building facing the on-site parking area does not meet the 30% window requirement as 0% windows are provided. The floor plan designates this area as a roof access room; it is also the trash room. Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance and in lieu of ground level windows, install clerestory windows to soften the appearance of the elevation and include a living wall system.

The building complies with the active functions provision as outlined above.

The exterior materials and appearance of the rear and side walls of the proposed building would be similar to and compatible with the front of the building. The materials on the proposed structure would include brick, with stone accents. The proposed building incorporates architectural elements including recesses and projections, windows and entries. There are no blank uninterrupted walls that exceed 25 feet in length on any of the elevations. The principal roof line of the building will be flat. In the area both pitched roofs and flat roofed buildings can be found.

There is no structured parking proposed as part of the development. A 25-space surface parking lot is located on the premises.

ACCESS AND CIRCULATION:

- Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.
- Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.
- Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.

- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.150 (b) related to alley access.**
- **Site plans shall minimize the use of impervious surfaces.**

The entrances are not connected to the public sidewalk along East Lake Street or 31st Avenue South by walkways that are greater than 4 feet in width. However, there is a sidewalk that runs along the south and east sides of the building and there is a painted cross-walk across the drive-through lane that connects the outdoor patio with East Lake Street. The lack of connections to the public sidewalk are due to the fact that the drive-through lanes are located to the south and west sides of the building. Alternative compliance would be necessary. Planning Staff would recommend that the Planning Commission require compliance with this provision. Should the Planning Commission require that the building be reconfigured to comply with the building placement provision, it would be practical for the site to meet this provision.

No transit shelters are proposed as part of this development; however, there is a bus shelter located directly in front of the building along East Lake Street.

The proposed development has been somewhat designed to minimize conflicts with pedestrian traffic and surrounding residential uses. The parking areas are accessed via two curbs; one off of East Lake Street and the other off of 31st Avenue South. Curb cuts to the site have been minimized.

There is a 12-foot wide public alley adjacent to the east property line. The alley is separated from the parcel by a 7-foot wide landscaped yard. There is no access to the alley from the subject parcel.

According to the applicant's submittal, 75% of the site is impervious. The applicant has attempted to minimize the use of impervious services by providing 1,796 additional square feet of landscaping beyond the required 6,949 square feet or 20% not occupied by buildings.

LANDSCAPING AND SCREENING:

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
- **Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
 - **A decorative fence.**
 - **A masonry wall.**
 - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.**
- **The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.**
- **In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.**

Department of Community Planning and Economic Development – Planning Division
BZZ-5236

- **All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.**

The zoning code requires that at least 20% of the site not occupied by the building be landscaped. The lot area of the site is 39,587 square feet. The footprint of the building is 4,842 square feet. When you subtract the footprint from the lot size the resulting number is 34,745 square feet; 20% of this number is 6,949 square feet. According to the applicant's landscaping plan there is 8,745 square feet of landscaping on the site or approximately 25% percent of the site not occupied by the building.

The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 14 trees and 70 shrubs. The applicant is proposing to plant eight canopy trees, and preserve four existing canopy (Ash) trees located on the premises as well as plant approximately 172 shrubs and preserve 30 that are existing along 31st Avenue South. Alternative compliance is required for the quantity of trees. Planning Staff would recommend that the Planning Commission require compliance with this provision.

A seven-foot wide landscaped yard and screening equal to 95% opacity is required between the parking area and the north and east sides of the property. The applicant is providing a seven foot wide yard along both property lines and adequate screening; however, the landscaped yard along the north property line is not landscaped in compliance with the Zoning Code. Alternative compliance is necessary. Planning Staff would recommend that the Planning Commission require compliance with this provision. The submitted plan meets the 25 foot linear tree provision.

In parking lots of 10 spaces or more, no parking space shall be located more than 50 feet from an on-site deciduous tree. In addition, tree islands in parking lots must have a minimum width of 7 feet in any direction. The applicant is proposing a total of 25 spaces in the surface parking lot. All parking spaces are within 50 feet of an on-site deciduous tree. No tree islands are proposed.

ADDITIONAL STANDARDS:

- **All parking lots and driveways shall be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch by six (6) inch continuous concrete curb.**
- **To the extent practical, site plans shall minimize the blocking of views of important elements of the city.**
- **To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **To the extent practical, buildings shall be located and arranged to minimize the generation of wind currents at ground level.**
- **Site plans shall include crime prevention design elements as specified in section 530.260 related to:**
 - **Natural surveillance and visibility**
 - **Lighting levels**
 - **Territorial reinforcement and space delineation**
 - **Natural access control**

- **To the extent practical, site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.**

The surface parking area will be designed with curb openings so that stormwater runoff drains towards the perimeter green space areas on the site.

Staff would not expect the single-story building to result in the blocking of any significant views or to have any shadowing impacts on adjacent properties or on public spaces. The proposed structure would also not be expected to have any impacts on light, wind and air in relation to the surrounding area.

The site plan generally complies with crime prevention design elements. However, due to the configuration of the site, individuals that choose to park on site would need to cross the drive-aisles in order to access the building. Further, while there are windows that allow some views in and out of the building, due to the layout of the restaurant, visibility is limited especially on the northern portion of the site.

This site is neither historically designated nor located in a historic district.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan and Applicable Small Area Plans Adopted by the City Council

ZONING CODE - If all land use/zoning applications are approved, including the rezoning, conditional use permit, variances and site plan review, the proposal would appear to comply with all applicable provisions of the C2 District.

Further, the proposal is subject to the specific development standards outlined in Chapter 536.20 of the Zoning Code as follows:

- Restaurant, fast food. The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

Parking and Loading:

Minimum automobile parking requirement: Chapter 541 of the zoning code requires one parking space per 500 square feet of gross floor area up to 2,000 square feet plus one space per 300 square feet of gross floor area in excess of 2,000 square feet. The gross floor area of the building is 4,842 square feet which requires a total of 14 off-street parking spaces. The applicant is proposing to provide a total of 25 spaces which meets the minimum requirement.

Maximum automobile parking requirement: The maximum automobile parking requirement for fast food restaurants is one space per 75 square feet of gross floor area. Based on the gross floor area of the building proposed at 4,842 square feet, the maximum automobile parking requirement would be 65 off-street parking spaces. The applicant is proposing to provide a total of 25 spaces which is less than the maximum allowed.

Department of Community Planning and Economic Development – Planning Division
BZZ-5236

Bicycle parking requirement: Chapter 541 requires 3 bicycle parking spaces for a fast food restaurant. Not less than 50% of the required bicycle parking shall meet the standards for short-term bicycle parking which are as follows:

- *“Required short-term bicycle parking spaces shall be located in a convenient and visible area within fifty (50) feet of a principal entrance and shall permit the locking of the bicycle frame and one (1) wheel to the rack and shall support a bicycle in a stable position without damage to the wheels, frame or components. With the permission of the city engineer, required bicycle parking may be located in the public right-of-way. Public bicycle parking spaces may contribute to compliance with required bicycle parking when located adjacent to the property in question.”*

The applicant proposes to locate a total of 4 bicycle parking spaces on the premises adjacent to the outdoor seating area. The bicycle parking spaces meet the standards for short-term bicycle parking.

Loading: There is no loading requirement for the proposed development as fast food restaurants are classified as “Low” demand and 20,000 square feet is the threshold for “Low” rated uses. The site accommodates an adequate shipping and receiving area as noted in Section 541.490 of the Zoning Code. A 12 foot by 60 foot loading area is designated adjacent to the building.

Stacking: The minimum stacking requirement for a restaurant drive-through facility is four spaces measured from the pick-up window. Each stacking space lane must be a minimum of eight feet in width and must be delineated with pavement markings. Each stacking space shall be a minimum of eighteen feet in length, however, individual spaces within the lane must not be delineated with pavement markings. Stacking lanes are not allowed within required driveways, internal circulation driveways, loading areas or parking aisles and shall not interfere with access to parking and ingress and egress from a public street. Further, the principal pedestrian access to the entrance of the facility from a public street or sidewalk shall not cross the drive-through facility stacking lane. The proposal complies with all of the stacking provisions.

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. The development complies with this provision as there is a trash and recycling room located within the building.

Signs: Separate permits are required from the Zoning Office. The applicant has submitted variance applications to increase the number of freestanding signs permitted on a zoning lot to three as well as to increase the maximum allowable square footage for each of the proposed signs. Backlit signs are prohibited.

Lighting: The applicant is proposing to install decorative pedestrian and wall mounted light fixtures throughout the site. A photometric plan was submitted as part of the application and indicates that there will be zero lumens at the property line. All lighting will need to be downcast and shielded to avoid undue glare. All lighting shall comply with Chapters 535 and 541.

Maximum Floor Area: The maximum F.A.R. for the proposed use in the C2 district is the gross floor area of the building which would be approximately 4,842 square feet divided by the area of the lot which is 39,587 square feet. The outcome is .12 which is less than the maximum of 1.7 that is permitted in the C2 District.

Minimum Lot Area: The minimum lot area for food and beverages uses that include a drive-through facility is 12,000 square feet and the minimum lot width is 100 feet. The lot is 39,587 square feet in size and approximately 142 feet wide.

Dwelling Units per Acre: Not applicable for this development.

Height: Maximum building height for principal structures located in the C2 district is 4 stories or 56 feet, whichever is less. The proposed new construction would be 1 story or 18 feet tall.

Yard Requirements: The required yards are as follows:

- *Front yard – East Lake Street* = 0 feet
- *Reverse corner side yard - 31st Avenue South* = The established front yard of the adjacent residentially zoned property/structure to the north or approximately 13 feet for the first 40 feet from north to south.
- *Interior side yard/rear yard (5+2x):* 5 feet

All required yards are being met.

Building coverage: Not applicable for this development.

Impervious surface area: Not applicable for this development.

MINNEAPOLIS PLAN:

See the above listed response to finding #1 in the rezoning application. The policies and implementation steps outlined above apply to the proposed site plan review application as well. However, there are additional policies/implementation steps outlined in *The Minneapolis Plan for Sustainable Growth* that support Planning Staff's recommendation to require that the building be reconstructed in compliance with the building placement provisions outlined in Chapter 530 of the Zoning Code. These policies and implementation steps are as follows:

Land Use Policy 1.2: "Ensure appropriate transitions between uses with different size, scale, and intensity." This policy includes the relevant implementation step: (1.2.1) "Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area."

Land Use Policy 1.3: "Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit." This policy includes the relevant implementation step: (1.3.1) "Require safe, convenient, and direct pedestrian connections between principal building entrances and the public right-of-way in all new development and, where practical, in conjunction with renovation and expansion of existing buildings."

Land Use Policy 1.4: "Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users." This policy includes the following relevant implementation step: (1.4.4) "Continue to encourage principles of traditional urban design including site layout that screens off-street parking and loading, buildings that reinforce the street wall, principal entrances that face the public sidewalks, and windows that provide "eyes on the street"."

Land Use Policy 1.7: "Limit new and expanded auto-oriented uses in the city so impacts on the form and character of commercial areas and neighborhoods can be minimized. This policy includes the following relevant implementation step: (1.7.3) "Auto-oriented uses should be designed with aspects of traditional urban form, to minimize the impact on the pedestrian realm."

Urban Design Policy 10.10: Support urban design standards that emphasize a traditional urban form in commercial areas. This policy includes the following relevant implementation steps: (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.”

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

There are no adopted neighborhood or small area plans for this geographical area of the City.

ALTERNATIVE COMPLIANCE:

- **The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding any of the following:**
- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**
- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

Alternative compliance is requested by the applicant to meet the following standards:

- *Building placement provision:* The building does not reinforce the street wall, facilitate pedestrian access or maximize natural surveillance. While the location of the proposed building is substantially closer to the property lines along East Lake Street and 31st Avenue South and is thus, an improvement over the existing configuration, the building does not meet the building placement provision requiring that the structure be located within 8 feet of the property lines. Alternative compliance is necessary. As proposed, the building is located approximately 50 feet from the property line along East Lake Street and approximately 30 feet from the property line along 31st Avenue South. Currently, the structure is located approximately 96 feet from the property line along East Lake Street and approximately 53 feet from the property line along 31st Avenue South. Planning Staff has encouraged the applicant to develop alternative configurations for the building that would result in a compliant structure; however, the applicant has never provided these design schemes. The applicant has stated that the drive-through volume of the restaurant in this location makes a reconfiguration to accommodate the building placement provision impossible from a site circulation stand point. Further, the applicant cites the recent implementation of the East Lake Street improvements including a bus stop, fencing, landscaping, etc., which resulted in the elimination of a curb cut near the intersection of East Lake Street and 31st Avenue South as being prohibitive of further design alterations that would allow the building to be constructed closer to East Lake Street. Planning Staff and the Planning Commission have previously required compliance for similar fast food establishments. Planning Staff will recommend that in this circumstance, the Planning Commission require compliance with the provision as well.

Department of Community Planning and Economic Development – Planning Division
BZZ-5236

- Location of accessory parking spaces: The accessory parking spaces are located on the perimeter of the site along the south and east property lines. Alternative compliance is necessary as parking is required to be located at the rear or interior of the site, within the principal building served, or entirely below grade. With the exception of one off-street parking space on the northwesterly portion of the surface parking lot and two off-street parking spaces on the southeasterly portion of the surface parking lot, the remaining surface parking stalls are located behind the front edge of the proposed structure. Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance due to the nature of the use on site. It would not be practical to require compliance with this provision in this instance.
- 30% window requirements: All elevations of the building are subject to a 30% window requirement as they either face a public street or an on-site parking area. The west elevation of the building facing 31st Avenue South does not meet the 30% window requirement as approximately 14% are provided. The windows are not evenly distributed but are vertical in proportion. Alternative compliance would be necessary. Due to the nature of the use, this elevation has windows located on the southernmost portion of the elevation facing the intersection. The only two other windows that meet the window requirements on this elevation are the drive-through service windows. There is a small window on the elevation that allows light into the crew room. Adjacent to this room is the manager's area which is proposed to have no windows. Planning Staff believes that there are opportunities to expand the window areas in the crew room and to install a window in the manager's area. Due to the uniqueness of the use, and the floor plan that demonstrates that the inclusion of additional windows that meet the 30% window requirement would not be practical in this specific circumstance, Planning Staff would recommend that the Planning Commission grant alternative compliance subject to the inclusion of a larger window in the crew room and an evenly sized window in the manager's area as well as the addition of a living wall system that softens the elevation and provides visual interest.

The east elevation of the building facing the on-site parking area meets the 30% window requirement as approximately 30% are provided. The windows are not evenly distributed but are vertical in proportion. Alternative compliance would be necessary due to the lack of even distribution. Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance due to the fact that the interior layout limits the location of window openings on this elevation subject to the addition of a living wall system that softens the elevation and provides visual interest.

The north elevation of the building facing the on-site parking area does not meet the 30% window requirement as 0% windows are provided. The floor plan designates this area as a roof access room; it is also the trash room. Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance and in lieu of ground level windows, install clerestory windows to soften the appearance of the elevation and include a living wall system.

- Walkway connections: The entrances are not connected to the public sidewalk along East Lake Street or 31st Avenue South by walkways that are greater than 4 feet in width. However, there is a sidewalk that runs along the south and east sides of the building and there is a painted cross-walk across the drive-through lane that connects the outdoor patio with East Lake Street. The lack of connections to the public sidewalk are due to the fact that the drive-through lanes are located to the south and west sides of the building. Alternative compliance would be necessary. Planning Staff would recommend that the Planning Commission require compliance with this provision. Should the Planning Commission require that the building be reconfigured to comply with the building placement provision, it would be practical for the site to meet this provision.

Department of Community Planning and Economic Development – Planning Division
BZZ-5236

- *Landscape quantities:* The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 14 trees and 70 shrubs. The applicant is proposing to plant eight canopy trees, and preserve four existing Ash trees located on the premises as well as plant approximately 172 shrubs and preserve 30 that are existing along 31st Avenue South. Alternative compliance is required for the quantity of trees. Planning Staff would recommend that the Planning Commission require compliance with this provision.
- *Landscaped yard:* A seven-foot wide landscaped yard and screening equal to 95% opacity is required between the parking area and the north and east sides of the property. The applicant is providing a seven foot wide yard along both property lines and adequate screening; however, the landscaped yard along the north property line is not landscaped in compliance with the Zoning Code. Alternative compliance is necessary. Planning Staff would recommend that the Planning Commission require compliance with this provision.

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 City Council adopt the above findings and **approve** the rezoning petition to change the zoning classification of the property located at 2925 31st Avenue South from the R4 (Multiple-family) district to the C2 (Neighborhood Corridor Commercial) district.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application for a fast food restaurant with a drive-through facility on the properties located at 3110 East Lake Street and 2925 31st Avenue South subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.

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 allow a total of three freestanding signs on the properties located at 3110 East Lake Street and 2925 31st Avenue South subject to the following condition:

1. Each of the proposed freestanding signs shall be limited to four square feet.

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 allow an increase in the allowable square footage for the freestanding signs on the properties located at 3110 East Lake Street and 2925 31st Avenue South subject to the following condition:

1. Each of the proposed freestanding signs shall be limited to four square feet.

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

The variance application to allow an increase in the overall maximum sign budget on the properties located at 3110 East Lake Street and 2925 31st Avenue South has been **returned**.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for a new single-story, 4,842 square foot drive-through fast foot restaurant on the properties located at 3110 East Lake Street and 2925 31st Avenue South subject to the following conditions:

1. Planning Staff review and approval of the final site, elevation, lighting and landscaping plans.
2. All site improvements shall be completed by January 13, 2012, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. The building shall be relocated to comply with the building placement provision outlined in Section 530.110 of the Zoning Code. This requires that the building be located within 8 feet of the property lines along East Lake Street and 31st Avenue South.
4. The west elevation of the building shall include a larger window in the crew room and an evenly sized window in the manager's area
5. Clerestory windows shall be installed on the South elevation of the building.
6. In lieu of the required window areas and lack of even distribution on the south, east and west elevations of the building, a living wall system shall be incorporated on each elevation. The living wall shall cover no less than 20% of the building wall.
7. The principal entrances to the building shall connect to the public sidewalk along East Lake Street and 31st Avenue South via walkways that are not less than 4 feet in width.
8. No rock mulch shall be permitted on the final landscape plan.
9. The landscape plan shall be revised to meet the quantities required by Section 530.160 of the Zoning Code.

Department of Community Planning and Economic Development – Planning Division
BZZ-5236

10. A landscaped yard and screening equal to 95 percent shall be provided in the landscaped area between the parking area and the north and east sides of the property as required by Section 530.170 of the Zoning Code.

Attachments:

1. Rezoning Matrix – R4 vs. C2
2. Statement of proposed use and description of the project
3. Findings – Rezoning, conditional use permit and variance findings
4. Correspondence
5. Zoning Map
6. Civil drawings, site plan, landscaping plans, floor plans and elevations
7. Photographs of the site
8. PDR notes