

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit and Site Plan Review
BZZ - 5472

Date: March 5, 2012

Applicant: John Warian, Owner

Address of Property: 600 26th Avenue Northeast (and 2604 and 2607 6th Street Northeast)

Project Name: Press Sure Print

Contact Person and Phone: Ryan Politz, (651) 484-5635

Planning Staff and Phone: Robert Clarksen, (612) 673-5877

Date Application Deemed Complete: February 9, 2012

End of 60-Day Decision Period: April 9, 2012

Ward: 1 Neighborhood Organization: Holland Neighborhood Improvement Association

Existing Zoning: I1 Light Industrial District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 9

Proposed Use: Construct a 12,000 square foot addition to an existing warehouse building serving as the applicants printing, production, and distribution business

Concurrent Review:

- Variance to reduce the loading requirement from one large to one small loading space
- Variance to eliminate the surfacing requirement of 541.300 to permit the establishment of an off-site parking lot at 2604 6th Street Northeast
- Site Plan Review for a 12,000 square foot addition to an existing warehouse building located at 600 26th Avenue Northeast

Applicable zoning code provisions: Chapter 525, Article IX Variances, specifically section 525.520 (6) “To vary the applicable minimum and maximum number of required off-street parking, stacking or loading spaces,” and (16) “To vary the surfacing requirements of Chapter 541, Off-Street Parking and Loading. Factors to be considered in varying the surfacing requirements for the industrial districts shall include but not be limited to the following: The yard and parking uses are in the same area; use of heavy equipment will cause excessive hard surface breakup; parking movements are infrequent; the area is distant from other nonindustrial zone uses; or water infiltration is ecologically desirable” and Chapter 530, Site Plan Review.

CPED Planning Division Report
BZZ 5472

Background: Press Sure Print is an existing printing, production, and distribution business that has operated for the past 15 years at 2607 6th Street Northeast, where the applicant owns an existing one story building which houses the production and office functions of the business. The growth of the business led the applicant to purchase additional property from the Burlington Northern Railroad in 2000, including the subject site (warehouse) at 600 26th Avenue Northeast, and the proposed accessory parking lot at 2604 6th Street Northeast. The subject of the site plan review is an irregularly shaped parcel upon which the City granted a permit to construct the existing warehouse building in 2003. The railroad abuts this site and the accessory parking lot along the west lot line. The applicant proposes to construct a 12,000 square foot addition to the south side of the existing warehouse building to provide a total of 24,000 square feet of storage space for the business' expanding inventory, which is referred to as "fulfillment" in the project narrative. The site plan proposes to remove the existing access to 7th Street Northeast, and an existing bituminous area near the rear of the residence at 2542 7th Street Northeast, in order to accommodate the addition. A stormwater retention swale would be constructed in the wedge at the south end of the property near the addition. The north elevation of the building would be remodeled to provide for an elevated loading dock. A new off street loading area will be added at the north elevation, provided a variance can be granted related to the size of the space.

The subject property and the parking area located at 2604 6th Street Northeast are zoned I1 Light Industrial District. The property located at 2607 6th Street Northeast (the production/office building) is also primarily zoned I1 Light Industrial except that the north 40 feet of the property is in the R2B Two-Family District. The presence of the split zoning over the northern portion of the 2607 property should not impact the proposed development, as no changes are planned for this area. The proposed expansion of a printing, publishing, and distribution facility (warehouse) is permitted in the I1 District, provided all of the general regulations of the zoning ordinance, and the conditions of Chapter 530, Site Plan Review can be met. Site plan review is required for any project that adds more than 1,000 square feet of gross floor area.

The scope of the Site Plan Review application is limited to the proposed expansion of the existing warehouse building at 600 26th Avenue Northeast. Review of the designs for both of the accessory parking lots (at 2604 6th Street Northeast and 2607 6th Street Northeast) will be handled administratively by CPED staff. Both of these lots are subject to the design and maintenance requirements of Chapter 541 of the zoning code, and additional details will be required on the final plans to ensure the landscaping, screening, marking of parking spaces, and curbing meets these regulations. The additional parking stalls provided in the new off-site surface parking lot, in addition to those in the existing parking area in front of the 2607 building combine to satisfy the minimum parking requirements of the zoning code for this use.

In review of the request for a building permit to construct the existing warehouse, CPED staff determined a property line running through the middle of the adjacent residence at 2542 7th Street Northeast needed to be relocated prior to issuance of the permit. A plat (BZZ-1076) was approved to adjust property boundaries over the subject property in 2003. The building permit for the warehouse was granted upon a condition that the parking and loading facilities be provided on the south side of the property. The required parking and loading area was never built as required and the site is not in compliance with the original development approval. While it appears parking and loading operations continue to occur in this area, the construction of the addition as proposed, complete with the accessory parking facilities, would resolve the violations and bring the site into compliance with the zoning code.

CPED staff has received approximately 10 letters of support for the proposed project from neighboring property owners, and a letter of support from the Northeast Chamber of Commerce. At least one additional comment was received from a caller who spoke against the project in general due to concerns related to personal health affects of construction in the Northeast Minneapolis area. CPED staff will forward additional comments, if any are received, at the City Planning Commission meeting.

VARIANCE: to reduce the loading requirement from one large to one small loading space

Findings as required by the Minneapolis Zoning Code:

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.

The applicant is requesting a variance to reduce the minimum loading zone requirement from one large bay (12' x 50') to one small bay (10' x 38'). Practical difficulties exist in complying with the ordinance due to unique circumstances of the property. The applicant is proposing to locate the loading area on the property so as to mitigate the impacts of the use on adjacent residential properties. The subject property is a large irregular tract of land. The proposed loading space would meet the minimum requirements for a large loading space, if it were not for the unique angle of the orientation of the existing building to the street. Alternative locations on the property that would accommodate a large loading area exist, including locating the loading area at the south end of the proposed building or locating the loading space within the structure. However, locating the loading area at the south end of the building would significantly increase the impervious surface and moving the loading area inside the building would reduce the available indoor storage space and thus is not a viable option. While the size of the proposed loading bay may not meet the minimum requirements of the ordinance for a large loading bay, it appears adequate to handle the loading activities on the subject property as they have been characterized by the applicant. The businesses loading operations employ box vans that do not exceed 35 feet in length. The applicant states loading will continue to occur about once each week. Although the proposed arrangement of the loading zone may require certain loading maneuvers to occur in the public right-of-way, Public Works staff has accepted the site plan as indicated in part due to the low volume of traffic on 26th Avenue Northeast and 6th Street Northeast, and also due to the increasing potential for negative impacts on properties to the East with the other alternatives.

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.

The intent of the minimum size requirement for a loading bay in the zoning code is to ensure that warehousing and distribution businesses similar to that which operates on the subject property have adequate facilities to accommodate the use and to ensure there are no adverse impacts on adjacent properties. The applicant is requesting a variance to reduce the minimum loading zone requirement from one large bay (12' x 50') to one small bay (10' x 38'). The proposed request is reasonable given the circumstances of the subject site and the fact that there is a lack of other alternatives which similarly

CPED Planning Division Report
BZZ 5472

reduce potential adverse impacts on adjacent properties. The applicant indicates loading will occur only once each week, and box vans which measure less than 35 feet in length will be utilized. The proposed loading bay appears adequate to safely facilitate a vehicle of this size. Further, the location of the loading area limits impacts on adjacent properties, which is consistent with the spirit and intent of the ordinance.

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.

Loading activities are occurring on the property, via an overhead entrance at the northeast corner of the existing warehouse building. If granted, the proposed variance may lessen the impacts on those properties immediately adjacent to the warehouse site, as the project would relocate loading activities further west and away from the residential properties. Further, Public Works staff noted that the proposed loading area may improve upon the existing situation, as the property does not currently meet the loading requirement, and currently trucks must back into the right-of-way blindly without views of traffic approaching along 26th Avenue from the East. Although trucks will still be required to maneuver in the public right of way as proposed, granting the proposed variance should not alter the essential character of the area or be injurious to the use of other properties in the vicinity, with the condition that screening of the proposed loading area from the residential uses along 7th Street Northeast is provided along the East property line of the subject site.

VARIANCE: to eliminate the surfacing requirement of 541.300 to permit the establishment of an off-site parking lot at 2604 6th Street Northeast

Findings as required by the Minneapolis Zoning Code:

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.

The applicant has requested a variance to eliminate the surfacing requirement for the proposed offsite parking area at 2604 6th Street Northeast. The property owner acquired this parcel and the subject property from the Burlington Northern Santa Fe railroad in November of 2000. The land use application materials submitted by the applicant include a copy of a "Condition of Sale" which appears to indicate the seller (BNSF railroad) reserves potential access and mineral rights over the property. However, this document does not appear to be a formal agreement and has not been signed by any representative of the railroad. The applicant believes the Condition of Sale is a practical difficulty which prevents him from complying with the surfacing requirement due to the belief that heavy equipment used by the railroad will likely destroy any improvements made to the property. The narrative characterizes the agreement to use the property as an informal verbal agreement for shared use by both parties, as follows:

"Press Sure Print uses (the property) for parking employee vehicles and the railroad uses it for testing and replacing track, staging equipment, rail work, and maintenance...using heavy

CPED Planning Division Report
BZZ 5472

operating equipment on a bi-weekly basis...(and that) the machines used by the railroad have metal track units that weigh approximately 35,000 pounds”

Further, the Condition of Sale refers to mineral rights by BNSF railroad over both of the parcels the applicant has acquired in the sale of the property. The applicant has not satisfactorily explained why the mineral rights and access issues that reportedly prevent the paving of the proposed parking area did not also prevent the construction of a warehouse on the subject property. The comments in response to the findings only refer to the effect of the “condition” on the accessory parking lot. CPED staff does not agree that the cumulative impact of the Condition of Sale, or the circumstances described by the applicant rise to a level of severity which outweighs the surfacing requirement, making it difficult for staff to find that practical difficulties exist in this case.

The applicant indicates the existing parking lot is sufficient for his business activities, as few employees need to park on the property, although photos submitted by the applicant indicate several passenger vehicles on the site. CPED staff believes the request to vary the surfacing requirement is based primarily on the applicant’s perception of unnecessary economic hardship related to the cost of improvements needed to comply with the zoning code, and the discretionary manner in which the property is used. Unfortunately, these circumstances fail to address the finding that a practical difficulty exists due to the unique nature of the property itself.

Approval of the building permit to construct the existing warehouse was granted upon a condition that a parking facility would be provided on the site. The required parking area has never been completed, and the site currently does not comply with minimum standards of the zoning code as it relates to parking in this area of the property. The existing surface is described as “class 5” but it is poorly maintained at best (see photos submitted by the applicant, and those taken by CPED staff on 2-23-12). The applicant revised the project to include the proposed off street parking area at 2604 6th Street upon notification of the parking deficiencies with the development. It is reasonable to conclude the applicant created the circumstance as the size of the proposed addition did not leave adequate areas to accommodate parking required by code on the site. If the applicant reduced the size of the project, perhaps the proposed parking lot at 2604 6th Street Northeast would not be required at all.

CPED staff does not believe the practical difficulties discussed by the applicant are significant enough to prevent the project from achieving compliance with surfacing requirement. The applicant’s relationship with the railroad does not exempt this use from the development standards which apply to the project. It appears the issue is primarily driven by the applicants’ economic interest in the property, in which case the requested variance should be denied. In the event the variance is denied, staff is recommending a condition of approval for the revised site plan to clarify that the proposed accessory parking lots serving the use shall comply with the all design and maintenance requirements of the zoning code, including (but not limited to) the landscaping, screening, curbing, surfacing, access and circulation regulations found in the ordinance.

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.

CPED Planning Division Report
BZZ 5472

The intent of the ordinance is to provide a durable parking surface that does not produce dust, erode, or allow dirt or other matter to be tracked over the public sidewalks and in to the public streets. In general, paved surfaces also allow for a more permanent and organized parking layout that cannot be achieved on an unimproved surface. One of the factors used to evaluate a request to vary the surfacing requirement for industrial uses is the frequency of movement of vehicles on the site. The applicant intends to use the property for an accessory parking facility which is required to meet minimum parking requirements for the proposed development. Granting the variance is likely to result in frequent movement of passenger vehicles over an unpaved surface. CPED staff is concerned that the frequent passenger traffic to and from the accessory lot will generate excessive dust and the migration of dirt and debris into the public right of way. The request is inconsistent with the spirit and intent of the surfacing regulation, which is intended to prevent such impacts. As proposed, vehicles leaving the gravel surface could reasonably track dust and other material from the parking lot upon the public right of way.

The City has consistently enforced the surfacing requirement in conducting design and maintenance reviews for parking facilities accessory to nonresidential uses, such as the proposed development. In the past, the City has granted requests for variances to the surfacing requirement where the proposed use is within a large area of industrial uses where impacts on nearby residential neighborhoods would be minimal, or in cases where significant pollution existed on the property that prevented the excavation necessary to construct the parking facility in compliance with standard regulations. The use of the property for an accessory parking facility is a reasonable, permitted use of the site – provided the applicant complies with the minimum applicable development standards for such use. Granting the variance is inconsistent with established City policy and practice for land uses of this nature.

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.

The location of the proposed accessory parking lot is such that granting the variance is unlikely to alter the essential character of the locality. The information provided by the applicant suggests the proposed development would result in frequent movement of passenger vehicles over an unpaved surface in conjunction with the business occurring on the premises. CPED staff is concerned that the frequent passenger traffic to and from the accessory lot may generate excessive dust and debris that could migrate into the public right of way, and this may have a negative impact on the use and enjoyment of property in the vicinity. In the past, the City has granted applications to vary the surfacing requirements in extremely limited circumstances, typically where the property involved was determined to be significantly polluted, or when the location of the subject site was over several hundred feet from the nearest residential uses or zoning districts. Although the site of the parking lot is zoned industrial, and railroad and heavy industrial uses exist to the west, a low density residential neighborhood exists directly across the street from the proposed parking area, and the applicant has not provided any documentation of significant pollution on the subject property. Another factor that is typically used to evaluate a request to vary the surfacing requirement relates to the frequency at which vehicles will be moved over the unimproved surface were a variance to be granted. The applicant provided information that suggests the proposed development would result in frequent movement of passenger vehicles over an unpaved surface, that may lead to the generation of excessive dust, or the migration of debris into the public right of way. The spirit and intent of the surfacing regulation is intended to prevent such impacts.

SITE PLAN REVIEW

Required Findings for Site Plan Review

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)
- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND 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.
- 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.

○ 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.**

Conformance with above requirements:

The subject property is an irregularly shaped parcel of land that the applicant purchased from the railroad in 2000. An existing 12,000 square foot metal warehouse building is situated on the northern portion of the site. The applicant proposes to add nearly 12,000 square feet of additional warehouse space to the south side of the existing structure.

As shown on the plan, the location of the building (and the addition) provides for optimum surveillance, visibility, and circulation between the subject site and the other parcels involved with the applicant's business activities.

Minor portions of the existing building and the proposed addition will be located within 8 feet of the property lines along the north and east sides of the site. The property line angles away from the building along 26th Avenue Northeast and 7th Street Northeast in such a way that it would be impractical to design a building that has a greater presence along the street wall.

The proposed plans include a minimal row of plantings between the street and the structure along both the north and east sides of the property. The applicant is encouraged to provide additional landscaping between the warehouse building and each of the public streets adjacent to the project to mitigate the aesthetic impacts of the project upon surrounding properties.

The building is positioned such that the principal entrance to the warehouse is oriented to 26th Avenue Northeast, and this will not change with the proposed addition. However, this entrance is not well defined as shown in the plans submitted by the applicant. CPED staff is recommending a combination of lighting and the addition of architectural details such as a roof or canopy to emphasize the entrance to the building, and to embellish the north elevation consistent with the spirit and intent of the site plan regulations.

No accessory parking will be provided on the subject property. Accessory parking associated with Press Sure Print's use of this site will be accommodated on other properties the applicant owns. Six stalls will be provided along the south side of the existing production building at 2607 6th Street Northeast, and 22 stalls will be provided in a newly created off-site parking lot at 2604 6th Street Northeast. The applicant will be required to complete a separate administrative review process to demonstrate compliance with the design and maintenance provisions of the zoning code for these parking areas.

CPED Planning Division Report
BZZ 5472

In general, the plans submitted by the applicant lack the articulation, fenestration, or architectural detail that would typically add visual interest to a building of this size. The elevations do not include recesses, projections, windows, or entries that may divide the building into smaller identifiable sections. Blank walls exceeding twenty-five (25) feet in length appear on all four sides of the building, including the remodeled north side, where a blank area between the loading docks is 36 feet long. Emergency exits are the only openings appearing on the south (two) and east (four) sides of the building. Although the entire west side of the building faces the railroad property, the north and south elevations would be visible from a public street. In an effort to add visual interest to the east elevation, which faces the adjacent residences, the applicant has proposed to turn the vertical metal panels on their side to evoke the impression of window openings at approximately 13 feet above grade. CPED staff recognizes that the existing building is an 80 x 150 foot warehouse and proposed addition will be 76 x 150 feet. CPED staff is recommending in lieu of turning the vertical metal panels on their side along the east elevation additional landscaping be planted along the north, east and south sides of the property to help mitigate the impact of the proposed structure on the adjacent residential uses. CPED staff is recommending that evergreen trees, such as Blue Spruce, be used as they will provide screening and seasonal interest throughout the year.

The exterior material of the structure is vertical metal siding panels that are manufactured by the Butler Building Company. The applicant is proposing to use the same material for the addition. Plain face concrete block is not included as an exterior material on any portion of the building. The rear and sides of the building will be similar and compatible to the front of the building.

Thirty percent of the walls on the first floor that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows. In this case, this requirement applies to the north and south sides of the building. There are no windows provided in either the existing building or the proposed addition, as proposed.

The roof of the proposed addition is consistent with the gently sloped roof over the existing building. The roof line of the finished structure is generally consistent with other nonresidential buildings in the area, primarily to the west. Structures to the east of the subject site tend to be residential and generally include steeper pitched roofs characteristic of low density residential neighborhoods.

ACCESS AND CIRCULATION:

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.140 (b).**
- **Site plans shall minimize the use of impervious surfaces.**

Conformance with above requirements:

The applicant has provided paved areas connecting the principal entrances to the adjacent public sidewalk.

There are no transit shelters within the proposed development.

An existing curb cut along the southeast property line along 7th Street Northeast will be removed upon completion of the addition. The existing curb cut on the north side of the site provides access to the existing overhead door used for loading purposes off of 26th Avenue Northeast. The proposal adds an additional curb cut along 26th Avenue Northeast to provide access to the new loading dock. A new overhead door will be added in this area to facilitate loading into the building, which will require some site grading.

The design of the proposed loading zone and the location of the additional access minimizes the impact upon adjacent residential properties while preventing conflicts with pedestrian traffic in the area. No sidewalk exists along the south side of 26th Avenue Northeast in the vicinity of the loading area and pedestrian traffic is minimal due to the barrier created by the railroad tracks to the west of the site. The applicant proposes to keep all loading activities at the north end of the site to minimize impacts on residential properties in the vicinity.

The site plan adds approximately 1,300 square feet of impervious surface needed to create the new loading zone, a set of steps, and a landing which provides access to the service entrance adjacent to the proposed dock. The applicant proposes to remove approximately 1900 square feet from two areas at the south side of the site. CPED staff is recommending the removal of the remaining paved area (an additional 500 square feet) of the remaining pavement adjacent to the south and west lot lines of the adjacent home. The result would be a net gain of approximately 1100 square feet of pervious surfaces on the entire property.

LANDSCAPING AND SCREENING:

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
- **Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
 - **A decorative fence.**
 - **A masonry wall.**
 - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.**
- **The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.**

- **In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.**
- **All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.**

Conformance with above requirements:

In general, the location of the proposed landscaped areas is appropriate given the site considerations. The zoning code requires at least 20 percent of the site not occupied by a building to be landscaped. The area of the subject property is approximately 42,000 square feet and the building footprint will be 24,000 square feet upon construction of the addition. Therefore, 18,000 square feet of the site is subject to the 20% requirement, or a total 3,600 square feet in accordance with site plan review standard. The site plan indicates approximately 56% of the site will be covered by landscaped areas or turf grasses, which exceeds the minimum requirement.

The zoning code requires at least one canopy tree for each 500 square feet and at least one shrub for each 100 square feet of required green space. The minimum requirement for this site is 8 trees and 36 shrubs respectively. The site plan proposes 4 deciduous trees and a combination of 24 evergreen and 12 deciduous shrubs. The applicant shall revise the plan to include additional plantings, and is encouraged to provide the additional plantings along the east side of the subject site to enhance the screening from the adjacent residential properties. Staff believes that the applicant has sufficient space to provide the additional greenery required on the site plan.

A seven-foot wide landscaped yard is required to be provided when a parking or loading facility is fronting along a public street, public sidewalk or public pathway. A landscaped yard is required along 26th Avenue Northeast near the loading dock. The proposed plan includes a row of shrubs between the driveways in this area which meets the minimum width of this requirement. On the east side of the property, an existing curb cut, and several areas of bituminous would be removed pursuant to the staff recommendation. CPED staff believes the proposed plan is consistent with these requirements.

Screening three feet in height and equal to 60 percent opacity is required when a parking or loading facility is fronting along a public street, public sidewalk or public pathway. Screening is required along 26th Avenue Northeast near the loading dock. The proposed plan includes a row of shrubs between the driveways, in this area appears to satisfy the height and opacity requirements.

An inspection of the property revealed that an existing wood privacy fence runs along the east property line abutting 7th Street Northeast. The fence does not appear on the site or landscaping plans submitted by the applicant, but at 6 feet in height, it exceeds the maximum permitted height of a fence in a landscaped yard and should be removed or relocated to provide compliance with the zoning code.

Turf, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees shall cover all areas that are not paved or landscaped.

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.**

Conformance with above requirements:

No accessory parking will be provided on the subject property. Accessory parking associated with Press Sure Print's use of this site will be accommodated on other properties the applicant owns. Six stalls will be provided along the south side of the existing production building at 2607 6th Street Northeast, and 22 stalls will be provided in a newly created off-site parking lot at 2604 6th Street Northeast. The applicant will be required to complete a separate administrative review process to demonstrate compliance with the design and maintenance provisions of the zoning code for these parking areas. To the extent practical, the accessory parking lots shall provide for maximum on-site retention of stormwater.

The proposed addition to the building on the subject property should not result in the blocking of views of any public spaces or significant elements of the city.

The proposed addition to the building is arranged in a manner that minimizes shadowing of adjacent properties.

Wind currents should not be a major concern with a development of this scale.

The site design meets some of the basic principles of the CPTED guidelines. The building has been placed so as to provide surveillance from the main production/office building across the street. Site landscaping, fencing, and architectural features could be embellished to better delineate the space and control access to the site while preserving views of it. Staff recommends that proper lighting be provided and that the landscaping follow the three-foot seven-foot rule to allow proper views into and out of the site.

The existing structures are neither historic nor eligible for historic designation.

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

ZONING CODE: The site is zoned I1. A printing, publishing and distribution facility in the I1 district is a permitted use.

Parking and Loading:

Minimum automobile parking requirement: The minimum off-street parking requirement for the proposed use is 1 space per 1000 square feet of GFA up to 20,000 square feet, plus 1 space per 2000 square feet in excess of 20,000 square feet. The use includes gross floor area in two buildings – an existing 12,000 square foot office/production space, and a 12,000 square foot existing warehouse. The proposed addition adds 12,000 square feet to the warehouse for a total of 36,000 square feet of gross floor space. The minimum parking requirement for the development is 28 spaces, which will be met in two accessory parking lots owned by the applicant, which are across the street to the north and northwest of the subject site. Staff is recommending the applicant revise the plans for the existing accessory lot at 2607 6th Street Northeast to include 6 compact parking spaces, with 22 additional spaces added in the off street parking lot west at 2604 6th Street Northeast.

Maximum automobile parking requirement: The maximum off-street parking requirement for the proposed use is 1 space per 200 square feet of GFA up to 20,000 square feet, plus 1 space per 1,000 square feet in excess of 20,000 square feet. The maximum automobile parking requirement for the site is 116 spaces.

Bicycle parking requirement: The bicycle parking requirement for the proposed development is 2 spaces. No bicycle parking spaces appear on the site plan for the subject property. A condition of approval will required the site plan be revised to accommodate the required bicycle parking stalls in the development – either on the subject site, or near the main production/office building across 26th Avenue Northeast from the subject site.

Loading: The minimum loading requirement for a printing, publishing, and distribution use is one large loading bay. The applicant has enough space on the subject property to provide one small loading bay, and has applied for a variance to reduce the minimum loading requirement for the use in order to satisfy this requirement.

CPED Planning Division Report
BZZ 5472

Maximum Floor Area: The maximum floor area ratio in the I1 District is 2.7. The lot area for the subject site is approximately 42,000 square feet. Upon construction of the addition, the property would include 24,000 square feet of gross floor area in the remodeled warehouse, for a floor area ratio of .56.

Height and Bulk: The maximum building height in the I1 District is four stories or 56 feet, whichever is less. The existing structure and the addition are two stories or approximately 23 feet in height.

Minimum Lot Area: There is no minimum lot area or lot width requirement for a printing, production, and distribution use in the I1 District. The lot area is 42,000 square feet and the site is approximately 120 feet in width at its greatest dimension.

Dwelling Units per Acre: There are no dwelling units proposed.

Yard Requirements: The subject site is zoned I1, while the property east of the project is zoned R2B, Two Family Residential district. The front yard setback requirement along 26th Avenue Northeast is zero feet and the front yard setback requirement along 7th Avenue Northeast is 20 feet for the first 40 feet south of the adjacent property line to the north. The building is setback approximately 26 feet from Washington Avenue North. The east and west interior side yard setbacks are 5+2x, where x equals the number of stories above the first floor. The resulting setback along the east and west interior side yards is seven feet. All of the required setbacks are being met on site.

A required 7 foot side yard requirement applies along the meandering easterly lot line behind the adjacent residential uses. An existing tool shed appears on the site plan behind the neighboring home in the required side yard setback. The applicant has informed staff the shed is owned by the neighbor, and he would prefer to leave it in its present location. If this shed is removed in the future, any replacement structure shall comply with the required setbacks.

Signs: Signs are subject to the requirements of Chapter 543 of the Zoning Code. In the I1 zoning district one can have one-and-a-half square feet of signage for every one 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. The height limitation for both wall signs and projecting signs is 28 feet. Freestanding signs are limited to 80 square feet and can be no taller than 8 feet. The zoning code also limits the number of freestanding signs on a zoning lot to one. No signage is proposed on the subject property according to the plans submitted by the applicant.

Refuse screening: The zoning code requires that 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 uses. The applicant did not indicate a dumpster on the warehouse site. Alternatively, refuse containers may be stored inside the building. The plans provided by the applicant indicate a trash enclosure area adjacent to the south elevation of the production/office building across 26th Avenue Northeast, which complies with the regulation.

Lighting:

CPED Planning Division Report
BZZ 5472

The illumination intensities shown on the lighting plan for the east side of the subject property exceeds the performance standards set forth in chapter 535.590 of the zoning code. The plan indicates measurements approaching 10 footcandles in some places on this side of the property. CPED staff is concerned the proposed lighting may shine unnecessarily on the adjacent residential properties and is recommending the applicant revise the lighting plan to comply with the zoning code requirements, as follows:

535.590. Lighting. (a) In general. No use or structure shall be operated or occupied as to create light or glare in such an amount or to such a degree or intensity as to constitute a hazardous condition, or as to unreasonably interfere with the use and enjoyment of property by any person of normal sensitivities, or otherwise as to create a public nuisance.

(b) Specific standards. All uses shall comply with the following standards except as otherwise provided in this section:

(1) Lighting fixtures shall be effectively shielded and arranged so as not to shine directly on any residential property. Lighting fixtures not of a cutoff type shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb).

(2) Lighting shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual performance or visibility from any permitted or conditional residential use.

(3) Lighting shall not directly or indirectly cause illumination or glare in excess of one-half (1/2) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light.

(4) Lighting shall not create a hazard for vehicular or pedestrian traffic.

(5) Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.

MINNEAPOLIS PLAN FOR SUSTAINABLE GROWTH: The comprehensive plan has the following relevant policies related to urban design and industrial uses:

Policy 1.2: Ensure appropriate transitions between uses with different size, scale, and intensity.

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.

1.2.2 Ensure that lighting and signage associated with non-residential uses do not create negative impacts for residential properties.

Policy 1.3: Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit.

CPED Planning Division Report
BZZ 5472

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.

1.3.2 Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.

Policy 10.12: Design industrial uses with appropriate transitions and other design features which minimize negative impacts on surrounding residential uses.

10.12.1 Provide appropriate physical transition and separation using green space, fencing, setbacks or orientation between industrial uses and other surrounding uses.

10.12.2 Encourage site planning for new developments that orients the “back” of proposed buildings to the “back” of existing development.

10.12.3 Require additional screening and buffering for new developments next to residential areas.

10.12.5 Promote quality design and building orientation of industrial development that is appropriate with the surrounding neighborhoods.

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.

10.18.3 Locate parking lots to the rear or interior of the site.

10.18.17 Minimize the width of ingress and egress lanes along the public right of way in order to provide safe pedestrian access across large driveways.

SMALL AREA PLANS ADOPTED BY COUNCIL: *The Lowry Avenue Corridor Plan* was approved by the City Council on July 12, 2002. The plan indicates a study area extending one block north and south of Lowry Avenue throughout the City.

The subject property is within this area, although the majority of the policy language in the plan regards the properties immediately adjacent to the right of way – as the plan is primarily intended to address the roadway and related infrastructure improvements. In this context, the Lowry Avenue Plan

does not provide detailed language which may be used to guide policy related to transitional industrial sites at the edge of the corridor, as is the case with the proposed development.

Alternative Compliance. The Planning Commission 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.**

PLANNING DEPARTMENT RESPONSE:

- **The 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 irregular shape of the parcel (8 sides, angular shape along railroad) includes frontage on two public streets. While the street grid in the area is generally along the N/S or E/W axis, the existing building and the proposed addition lie parallel to the railroad in the widest portion of the property. Due primarily to this configuration, only minor portions of the existing building and the proposed addition will be located within 8 feet of the property lines. The site plan indicates that the northeastern corner of the existing building is approximately 6 feet from the property line along 26th Avenue Northeast. The southeastern corner of the proposed addition will be approximately 5 feet from the east property line along 7th Street Northeast. It would be impractical to design a building that has a greater presence along the street wall in either location due to the orientation of the site. The Planning Division is recommending the City Planning Commission grant alternative compliance to allow the building setback to exceed eight feet from the property lines along 26th Avenue Northeast and 7th Street Northeast.
- **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.** Upon completion of the addition, the building would employ over 300 feet of blank walls along the east and west elevations. The north and south elevations are just over 75 feet in length with similarly muted details. The west elevation faces the railroad property, while the north and south elevations will be visible from public streets. The applicant has indicated the requirement to add architectural

CPED Planning Division Report
BZZ 5472

details is impractical for a warehouse given concerns about security. In an effort to add visual interest to the east elevation, which faces the adjacent residences, the applicant has proposed to turn the vertical metal panels on their side to evoke the impression of window openings at approximately 13 feet above grade. CPED staff recognizes that the existing building is an 80 x 150 foot warehouse and proposed addition will be 76 x 150 feet. In lieu of turning the metal panels to their side as proposed along the east elevation, CPED staff is recommending additional landscaping be planted along the north, east and south sides of the property, to help mitigate the impact of the proposed structure on the adjacent residential uses. As the project involves an addition to an existing building, CPED staff is recommending the addition of evergreen trees, such as Blue Spruce, be added to the site plan to provide additional screening and visual interest throughout the year as an alternative means of compliance with this requirement.

- **In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.** The gutter and downspout system on the building could be painted an accent color to divide the building into smaller sections of approximately 40' that may be interpreted to meet the intent of this requirement. Additionally, CPED staff is recommending the applicant provide additional evergreen trees such as Blue Spruce along the north, east and south sides of the building to mitigate the impact of the architecture on surrounding properties.
- **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.** In general, the plans submitted by the applicant lack the articulation, fenestration, or architectural detail that would typically add visual interest to a building of this size. The building includes large blank walls that exceed twenty-five (25) feet on all four sides of the proposed structure. The west side faces the railroad property, while both the north and southerly elevations would be visible from a public street. The applicant has indicated these requirements are impractical in the context of a warehouse building such as the proposed, and has referred to concerns about security in the event windows must be required. In lieu of providing window openings and recesses or projections on the building elevations, CPED staff is recommending the applicant provide additional evergreen trees such as Blue Spruce along the north, east and south sides of the building to mitigate the impact of the architecture on surrounding properties.
- **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 exterior materials of the structure consist of vertical metal siding panels that are manufactured by the Butler Building Company. The applicant is proposing to use the same material for the addition. Plain face concrete block is not included as an exterior material on any portion of the building. If the panels are removed from the east elevation as proposed, the rear and side walls would employ the same characteristics of the front of the building. CPED staff is recommending the applicant remove the horizontally oriented panels from the east elevation, and to provide additional evergreen trees such as Blue Spruce along the east side of the project to mitigate the impact of the architecture on surrounding properties

RECOMMENDATIONS

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to reduce the applicable loading requirement from one large to one small loading space for the property located at 600 26th Avenue Northeast.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the application for a variance to eliminate the surfacing requirement of 541.300 to permit the establishment of an off-site parking lot located at 2604 6th Street Northeast.

Recommendation of the Community Planning and Economic Development Department – Planning Division for the Site Plan Review:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a site plan review to allow an addition to an existing warehouse building at 600 26th Avenue Northeast in the II Light Industrial District, subject to the following conditions:

1. CPED staff review and approval of the final site, elevations and landscaping plans.
2. The applicant shall remove the existing curb cut along the east property line along 7th Street Northeast upon completion of the addition.
3. The applicant shall provide the required landscaped yard and screening along 26th Avenue Northeast in a manner consistent with the standards of 530.160 (c) (2).
4. The applicant shall provide the required landscaped yard along the right of way adjacent to 26th Avenue Northeast in a manner consistent with the standards of 530.160 (c) (2).
5. The applicant shall revise the landscaping plan to add the minimum number of plantings pursuant to section 530.160 of the zoning code. A minimum of 8 trees and 36 shrubs are required.
6. The proposed stormwater retention area at the south end of the site shall be designed to create an amenity consistent with sections 530.180 and 530.190 of the zoning code.
7. The north elevation of the building shall be revised so as to emphasize the principal entrance via a combination of lighting or other architectural details such as an overhead canopy or roof.
8. A minimum of two bicycle parking spaces shall be provided as part of this development.
9. The applicant shall revise the lighting plan to meet the minimum standards of Chapter 535.590. Illumination shall not cause glare or light spillage in excess of one-half (1/2) footcandle measured at

CPED Planning Division Report
BZZ 5472

the closest property line of any permitted or conditional residential use. Specifically, lighting shall not spill to the adjacent residential properties to the east.

10. The applicant shall complete the administrative review process for the accessory parking facilities located at 2604 and 2607 6th Street Northeast to ensure compliance with 530.170 (Parking and Loading Landscaping and Screening) in addition to the design and maintenance regulations of the zoning code.
11. All site improvements shall be completed by March 5, 2013, unless extended by the Zoning Administrator, or the permit may be revoked for noncompliance.

Attachments:

- 1) Written descriptions and findings submitted by the applicant.
- 2) Copies of e-mails sent to Holland Neighborhood Association and CM Reich explaining the project
- 3) Letters of support from Northeast Minneapolis Chamber of Commerce
- 4) Letters of support from neighboring property owners
- 5) Letter of Undertaking regarding sale of property from BNSF to applicant
- 6) Real Estate Purchase and Condition of Sale Agreement regarding sale of property from BNSF to applicant
- 7) Zoning map
- 8) Survey
- 9) Site plan
- 10) Elevations
- 11) Floor plans
- 12) Aerial Photo
- 13) Photos of the property