

Department of Community Planning and Economic Development – Planning Division
Site Plan Review and Preliminary and Final Plat
BZZ-5498 and PL-262

Date: March 26, 2012

Applicant: Jeff Sommers

Address of Property: 1100 2nd Street South

Project Name: Izzy's Ice Cream

Contact Person and Phone: Jeff Sommers, 612-721-0041

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

Date Application Deemed Complete: March 13, 2012

End of 60-Day Decision Period: May 12, 2012

End of 120-Day Decision Period: Not applicable for this application

Ward: 7 **Neighborhood Organization:** Downtown Minneapolis Neighborhood Association

Existing Zoning: I1, Light Industrial District and the DH Downtown Height Overlay District, DP Downtown Parking Overlay District, IL Industrial Living Overlay District and MR Mississippi River Critical Area Overlay

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 21

Legal Description: Not applicable for this application

Proposed Use: Food and beverage products

Concurrent Review:

Site Plan Review: for a new 5,125 square foot building.

Preliminary and final plat.

Applicable zoning code provisions: Chapter 530, Site Plan Review and Chapter 598, Land Subdivision Regulations.

Background: The applicant is proposing to construct a 5,125 square foot building on the site located at 1100 2nd Street South. The property is zoned I1, Light Industrial and is located in the DP Downtown Parking, DH Downtown Height, IL Industrial Living and the MR Mississippi River Critical Area

Overlay Districts. The proposed use of the building has been categorized as food and beverage products which is a permitted use in the I1 zoning district.

The proposed building will be situated on the corner of 2nd Street South and 11th Avenue South. The majority of the building will be used as a food processing kitchen but the southernmost portion of the building will be occupied by a retail component. The food processing kitchen will occupy approximately 4,245 square feet of the building. It will include batch freezers (ice cream making machines), freezers, refrigerators, prep tables and storage areas for food ingredients. There will also be a delivery vestibule for deliveries and will call. The retail component will occupy approximately 880 square feet of the building on the first and mezzanine levels of the building. Prepackaged ice cream pints, cakes and novelty items will be sold on-site. After an expected ramp-up period, the retail component will operate as a full service ice cream shop scooping ice cream, making malts, banana splits and other ice cream treats. There will be seating inside the building for approximately 32 people with additional seating provided outside.

The majority of the building is one story with large clearstory windows projecting above the roof line. The southern portion of the building has been designed to be two stories in height with a ten-foot parapet. The first floor will be occupied by the food processing kitchen and retail component, the second floor will be used for seating and the third story, inside of the parapet walls, will be used for outdoor gardening. On the south side of the building a solar panel array will be attached to the side of the wall.

The site is currently designated as an outlot. Outlots must be replatted in order to be developed. Therefore, a preliminary and final plat is required based on the proposal.

Neighborhood Comments: As of the writing of this staff report, the Planning Division has not received any correspondence from the Downtown Minneapolis Neighborhood Association.

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.**
- **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.**
 - **Minimum window area at the first or ground level shall be measured between two (2) and ten (10) feet above the adjacent grade. Minimum window area on walls above the first floor shall be measured between the upper surface of a floor and the upper surface of the floor above.**
- **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 at the first or ground level shall be measured between two (2) and ten (10) feet above the adjacent grade. Minimum window area on walls above the first floor shall be measured between the upper surface of a floor and the upper surface of the floor above.

- **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.**

PLANNING DEPARTMENT RESPONSE:

- **The building reinforces the street wall, facilitates pedestrian access and maximizes natural surveillance. The building is set up to the front and corner side property lines, there is a principal entrance facing both 11th Avenue South and 2nd Street South and there are windows along the street sides of the building where people can see in and out.**
- **The site is located on a corner lot, which requires that both walls abutting the streets be located within eight feet of the property line. The building will be located six inches from the corner side property line along 11th Avenue South and one foot six inches from the front property line along 2nd Street South.**
- **Between the building and the front property line along 2nd Street South there will be perennial plantings. And between the building and the corner side property line along 11th Avenue South there will be a wooden bench that will span the majority of the building wall. A portion of the bench will**

be located in the right-of-way.

- There is a principal entrance facing both 11th Avenue South and 2nd Street South. There are additional employee and delivery entrances located along the east side of the building.
- There will not be any on-site accessory parking facilities.
- The exterior material of the building will be stucco. The sides and rear of the building are similar to and compatible with the front of the building.
- The north building wall is over 25 feet in length and void of windows, entries, recesses or projections, or other architectural elements. Alternative compliance is required for this provision.
- At least 30 percent of the first floor and at least 10 percent of the upper floors of the building that face a public street, public sidewalk, public pathway, or on-site parking lot are required to be windows. The window requirement pertains to the 11th Avenue South and 2nd Street South sides of the building. Please note that the minimum window calculation for the first floor of the building is measured between two and ten feet above the adjacent grade. The analysis of the project's compliance with these requirements follows:
 - 11th Avenue South: the percentage of windows on the first floor of the building is seven percent and the percentage of windows on the second floor of the building is 36 percent. Alternative compliance is required for this provision.
 - 2nd Street South: the percentage of windows on the first floor is 16 percent and the percentage of windows on the upper level of the building is 18 percent. Alternative compliance is required for this provision.
- The windows in the development are vertical in nature and are evenly distributed along the building walls.
- The entire ground level of the building frontage along 11th Avenue South and 2nd Street South contains active functions.
- The principal roof line of the building will be flat. The majority of the buildings in the surrounding area have flat roofs.

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.**

PLANNING DEPARTMENT RESPONSE:

- The building entrances will be accessed directly from the public sidewalk.
- No transit shelters are proposed as part of this development.
- There will not be any on-site accessory parking facilities.
- There are no public alleys adjacent to the site.
- There is no maximum impervious surface requirement in the I1 zoning district. According to the materials submitted by the applicant, less than one percent of the site will be impervious.

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.**

PLANNING DEPARTMENT RESPONSE:

- **The zoning code requires that at least 20 percent of the site not occupied by the building be landscaped. The lot area of the site is 9,734 square feet. The footprint of the building is 4,835 square feet. When you subtract the footprint from the lot size the resulting number is 4,899 square feet. Twenty percent of this number is 980 square feet. According to the applicant's landscaping plan there is 54 square feet of landscaping on the site, or less than one percent of the site not occupied by the building. Alternative compliance is required for this provision.**
- **The zoning code requires at least 1 canopy tree for each 500 square feet of required green space and at least 1 shrub for each 100 square feet of required green space be planted on the site. The tree and shrub requirement for this site is two and ten respectively. The applicant is not proposing to have any canopy trees or shrubs located on the site. Alternative compliance is required for this provision.**

- The zoning code requires that a seven-foot wide landscaped yard be provided when a parking or loading facility is fronting along a public street, public sidewalk or public pathway. The area outside of the building footprint will be used for on-site maneuvering. Within this area there will be a loading space. Alternative compliance is required for this provision.
- 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. The area outside of the building footprint will be used for on-site maneuvering. Within this area there will be a loading space. The loading area has frontage on both 11th Avenue South and 2nd Street South. Alternative compliance is required for this provision.

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.**

PLANNING DEPARTMENT RESPONSE:

- The on-site maneuvering area will be defined with six-inch by six-inch curbing. Stormwater runoff will be directed to an underground trench system for stormwater management purposes.
- This development should not block views of important elements of the city.
- This development should have minimal shadowing impacts on surrounding properties.
- This development should have minimal wind effects on the surrounding area.
- The site plan complies with crime prevention design elements as the building entrances are located up to the property lines, there are windows where people can see in and out along all levels of the building and there are lights located near all of the entrances.
- 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:

- **Use:** Food and beverage product uses are a permitted use in the I1 zoning district.
- **Off-Street Parking and Loading:**
- **Minimum automobile parking requirement:** The minimum parking requirement for a food and beverage product use is one space per 1,000 square feet of gross floor area up to 20,000 square feet plus one space per 2,000 square feet of gross floor area in excess of 20,000 square feet. However, in the DP Downtown Parking Overlay District not less than one parking space for each 4,000 square feet of gross floor area in excess of 4,000 square feet shall be provided. The four space minimum parking requirement in Chapter 541, Off-Street Parking and Loading, shall not apply. The minimum parking requirement for this development is one space.

The minimum parking requirement can be reduced ten percent or one space, whichever is greater, where bicycle parking spaces are provided equal to 25 percent of the number of required automobile spaces. There will be a total of 14 bicycle parking spaces provided on the site so the minimum parking requirement is reduced to zero.

Maximum automobile parking requirement: The maximum parking requirement for a food and beverage product use is one space per 200 square feet of gross floor area up to 20,000 square feet plus one space per 1,000 square feet of gross floor area in excess of 20,000 square feet. The maximum parking requirement for this development is five spaces.

Bicycle Parking: There is no bicycle parking requirement for a food and beverage product use. However, the applicant is proposing to provide six bicycle parking spaces on the site and eight bicycle parking spaces in the right-of-way. Given the site's location, the Planning Division believes that additional bicycle parking should be provided on the site. The Planning Division is recommending that a non-permanent bicycle rack be provided in the driveway area when the movable tables and chairs are made available. The bicycle rack should accommodate a minimum of 10 bicycles.

Loading: One small loading space (10 feet by 25 feet) is required for a food and beverage product use that is between 5,000 square feet and 10,000 square feet. There will be one small loading space provided on the east side of the building.

- **Maximum Floor Area:** The maximum FAR in the I1 zoning district is 2.7. The lot in question is 9,734 square feet in area. The applicant proposes a total of 5,125 square feet of gross floor area, an FAR of .53.
- **Building Height:** The height limitation in the I1 zoning district is four stories or 56 feet. The applicant is proposing to construct a building that is two stories and 44 feet in height.

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- **Minimum Lot Area:** There is no minimum lot area requirement for a food and beverage product use.
- **Dwelling Units per Acre:** Not applicable for this application.
- **Yard Requirements:** Not applicable for this application.
- **Specific Development Standards:** There are no specific development standards that apply to the proposed use.
- **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. The applicant is proposing to have four, nine-square foot signs on the building. There would be one sign located on each building wall. Only the south and west walls of the building are primary building walls. The plans indicate that the signs would be backlit. Backlit signs are not allowed by the zoning code. All signage will require Zoning Office review, approval, and permits.
- **Refuse storage:** The trash and recycling containers will be located in an enclosure on the northeast corner of the property. The enclosure and the gates will be solid to provide screening. The enclosure will be six feet in height.
- **Lighting:** A lighting plan showing footcandles was not submitted as part of the application materials. The Planning Division is recommending that the final lighting plan conform to the standards of Chapter 535, Regulations of General Applicability.

MINNEAPOLIS PLAN:

This site is located on the northeast corner of 11th Avenue South and 2nd Street South. The site is located one block north of Washington Avenue South which is designated as a Commercial Corridor in *The Minneapolis Plan for Sustainable Growth*. The site is located across 11th Avenue South from the Mill District Activity Center and all of downtown Minneapolis is located in a Growth Center as designated in *The Minneapolis Plan for Sustainable Growth*. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates the site as Mixed Use. According to the principles and policies outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

- Support urban design standards that emphasize traditional urban form with pedestrian scale design features at the street level in mixed-use and transit-oriented development (Urban Design Policy 10.9).
- Promote building and site design that delineates between public and private spaces (Urban Design Policy Implementation Step 10.9.2).
- Coordinate site designs and public right-of-way improvements to provide adequate sidewalk space

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for pedestrian movement, street trees, landscaping, street furniture, sidewalk cafes and other elements of active pedestrian areas (Urban Design Policy Implementation Step 10.9.4).

- Seek new commercial development that is attractive, functional and adds value to the physical environment (Urban Design Policy 10.11).
- Design industrial uses with appropriate transitions and other design features which minimize negative impacts on surrounding residential uses (Urban Design Policy 10.12.)
- Provide appropriate physical transition and separation using green space, fencing, setbacks or orientation between industrial uses and other surrounding uses (Urban Design Policy Implementation Step 10.12.1).
- Encourage site planning for new developments that orients the “back” of proposed buildings to the “back” of existing development (Urban Design Policy Implementation Step 10.12.2).
- Design industrial sites to ensure direct access to major truck routes and freeways as a way to minimize automobile and truck impacts on residential streets and alleys (Urban Design Policy Implementation Step 10.12.4).
- Promote quality design and building orientation of industrial development that is appropriate with the surrounding neighborhoods (Urban Design Policy Implementation Step 10.12.5).
- Use the site plan review process to ensure that lighting and signage associated with industrial uses do not create negative impacts for residential properties (Urban Design Policy Implementation Step 10.12.6).
- Design streets and sidewalks to ensure safety, pedestrian comfort and aesthetic appeal (Urban Design Policy 10.16).

The Planning Division believes that the proposed development is in conformance with the above policies of *The Minneapolis Plan for Sustainable Growth*.

This site is in the MR Mississippi River Critical Area Overlay District. *The Mississippi River Critical Area Plan* was approved by the City Council on June 16, 2006. The plan places the downtown in the Urban Diversified District and further as the Central Riverfront. The plan states that determining appropriate riverfront uses depends on location and context and that “the City will follow the land use guidelines of *The Minneapolis Plan* except where modified by small area plans...” It further states that “Downtown is the major growth center of the entire region. It is a dense, mixed-use area of employment, housing, entertainment, and culture.”

The *Update to the Historic Mills District Master Plan* was adopted by the City Council in September of 2001. While this parcel is part of the study area, the plan does not specifically discuss the area east of 11th Avenue South in detail. It shows the area as a technology park on the land use map, which is no longer the established exclusive future land use for this area.

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.**

PLANNING DEPARTMENT RESPONSE:

- **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.** The north building wall is over 25 feet in length and void of windows, entries, recesses or projections, or other architectural elements. The entire north building wall is curved. Because of this the wall will not appear to be blank since the curved wall will provide movement as one moves around the site. The Planning Division believes that because the north building wall is curved that it meets the intent of the chapter and is therefore recommending that the City Planning Commission grant alternative compliance.
- **At least 30 percent of the first floor and at least 10 percent of the upper floors of the building that face a public street, public sidewalk, public pathway, or on-site parking lot are required to be windows.** The window requirement pertains to the 11th Avenue South and 2nd Street South sides of the building. Please note that the minimum window calculation for the first floor of the building is measured between two and ten feet above the adjacent grade. The building is deficient in windows on the first floor facing both 11th Avenue South and 2nd Street South. Although the window requirement is not being met as required by the zoning code there are several other windows on the two street sides of the building that do not count towards the minimum amount that is required as the bottom of the window is located more than four feet above the natural grade or because they are located in doors. The Planning Division believes that strict adherence to the window requirement is impractical because of the use of the building and the surrounding grades and is therefore recommending that the City Planning Commission grant alternative compliance.
- **The zoning code requires that at least 20 percent of the site not occupied by the building be landscaped. The zoning code requires at least 1 canopy tree for each 500 square feet of required green space and at least 1 shrub for each 100 square feet of required green space be planted on the site. The zoning code requires that a seven-foot wide landscaped yard be provided when a parking or loading facility is fronting along a public street, public sidewalk or public pathway. 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.** The area outside of the building footprint will be used for on-site maneuvering. Within this area there will be a loading space. In order to accommodate all of the loading activities on the site the entire area outside of the building footprint needs to be impervious. The Planning Division believes that strict adherence to the above requirements is impractical because of the need to accommodate all of the loading activities on the site and is therefore recommending that the City Planning Commission grant alternative compliance.

PRELIMINARY PLAT - PL-262

Required Findings:

1. The subdivision is in conformance with these land subdivision regulations, the applicable regulations of the zoning ordinance and policies of the comprehensive plan.

The site is currently designated as an outlot. Outlots must be replatted in order to be developed. The subdivision is in conformance with the design requirements of the land subdivision regulations and the regulations of the zoning code and the comprehensive plan.

2. The subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.

The Planning Division does not believe that the proposed subdivision will be injurious to the use and enjoyment of surrounding property nor will it impede the normal development of the surrounding area.

3. All land intended for building sites can be used safely without endangering the residents or users of the subdivision or the surrounding area because of flooding, erosion, high water table, soil conditions, improper drainage, steep slopes, rock formations, utility easements or other hazard.

The Planning Division believes that the site can be developed upon and used safely.

4. The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.

The parcel created by this application presents no foreseeable difficulties for the proposed or future redevelopment. No significant alterations to the land appear necessary.

5. The subdivision makes adequate provision for stormwater runoff, and temporary and permanent erosion control in accordance with the rules, regulations and standards of the city engineer and the requirements of these land subdivision regulations. To the extent practicable, the amount of stormwater runoff from the site after development will not exceed the amount occurring prior to development.

The Sewer Division of the Public Works Department will review and approve the drainage and sanitary system plans for this development prior to building permits being issued.

RECOMMENDATIONS

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 for a new 5,125 square foot building located at 1100 2nd Street South subject to the following conditions:

1. Approval of the final site, landscaping, elevation and lighting plans by the Community Planning and Economic Development Department – Planning Division.
2. All site improvements shall be completed by April 9, 2013, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. A non-permanent bicycle rack shall be provided in the driveway area when the movable tables and chairs are made available. The bicycle rack should accommodate a minimum of 10 bicycles.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the preliminary and final plat:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the preliminary and final plat application for the property located 1100 2nd Street South.

Attachments:

1. Preliminary Development Review report from February 28, 2012
2. Statement of proposed use and description of the project
3. Alternative compliance narrative
4. Response from Public Works regarding the plat
5. February 27, 2012, letters to Council Member Goodman and the Downtown Minneapolis Neighborhood Association
6. Comment letters
7. Zoning Map
8. Survey, civil plans, landscape plan, floor plans and elevations
9. Photos of the site