



obstructions into required yards not allowed by the applicable regulations” and Chapter 530 Site Plan Review.

**Background:** Minneapolis Public Schools (MPS) proposes to construct a new 3-story (2 floor), 32,000 square foot addition to the existing Lake Harriet Lower School on the southeast corner of the property located at 4030 Chowen Avenue South. The property is zoned R1A and schools are conditional uses in the R1A district. The proposal requires that the existing conditional use permit be amended. Additional applications include a conditional use permit to increase the maximum permitted height of the proposed addition from 2.5 stories or 35 feet to 3 stories (2 floors) or 36 feet, 4 inches. A variance is also required in order to allow stairs and walkways within the required front yard setback along Chowen Avenue South and within the corner side yard setback along West 41<sup>st</sup> Street as they exceed the standards authorized as permitted obstructions outlined in Chapter 535 of the Zoning Code. Site plan review is also required due to the size of the proposed addition.

The need for the proposed addition is a result of the relocation of 3<sup>rd</sup> grade students to the Lake Harriet Lower School Campus. In order to accommodate an additional 150 students at the facility it was determined that an addition to the existing school would be needed. The building addition accommodates a principal building entrance on 41<sup>st</sup> Street; lunchroom/commons space; reconstruction of administrative and nurse’s offices; 11 new classrooms; a music room; art room and 2 small group planning/resource rooms. As a result of the addition the existing school building will repurpose rooms to accommodate various school activities. Site improvements proposed include accessible entrances on the east and south sides of the site (the addition is lowered 3 feet from the existing school to improve overall site accessibility and a new elevator and wheelchair lift provide access to the existing second floor); a rain garden on the east side of the site with potential opportunities for 2 outdoor classrooms; enhanced landscaping including shrubs and trees around the addition and a proposed rain garden as well as a resurfacing of the existing parking lot. The proposed exterior of the addition is brick with design accents using high impact phenolic panels and precast concrete in order to mimic some of the details of the original building.

Staff has not received any official correspondence from the Linden Hills Neighborhood Council or any neighborhood letters/emails prior to the printing of this report. Any correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

**CONDITIONAL USE PERMIT – amend the CUP to allow for the expansion of the school**

**Findings as required by the Minneapolis Zoning Code:**

The Department of Community Planning and Economic Development– Planning Division has analyzed the application and from the findings above concludes that:

**1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

To amend the conditional use permit for a school that has existed on the premises since 1924 would likely not be detrimental to or endanger the public health, safety, comfort or general welfare. The proposal includes a 32,000 square foot addition, interior renovations, and improvements to the existing facility located on-site. Even with the proposed expansion, the volume of bus service to the site will be unchanged despite an estimated increase in student population of approximately 150 students.

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

The surrounding area is fully developed. The proposal to amend the conditional use permit to allow an expansion of the existing school would likely not be injurious to the use and enjoyment of other property in the vicinity and would not likely impede the normal or orderly development and improvement of surrounding property for uses located in the district. The proposed modifications to the existing school and other proposed site improvements would be expected to improve the functionality of the existing school site.

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

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

As for vehicular access, the site would continue to be accessed off of Chowen Avenue South, although the location of the curb cut will shift slightly to the south. The other curb cut to the site off of Drew Avenue South will be closed.

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

According to Chapter 541 of the Zoning Code, schools (grades K-12), have a minimum parking requirement of 1 space per classroom plus 1 space per 5 students of legal driving age based on the maximum number of students attending classes at any one time. The school is an elementary school, so no students of legal driving age are located on campus. As such, the minimum off-street parking requirement is solely dependent on the number of classrooms proposed on site. As indicated by the applicant, pending the completion of the proposed addition, a total of 23 classrooms will be located on the premises resulting in an off-street parking requirement of 23 spaces. The applicant is proposing a total of 46 spaces within the surface parking lot located on-site which exceeds the minimum requirement. A single bicycle rack is proposed by the applicant as well. The applicant has further indicated that even with an increase in students, the volume of buses to the site will remain unchanged.

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

According to *The Minneapolis Plan for Sustainable Growth*, the subject parcel is designated as urban neighborhood. Urban neighborhoods are defined as a “predominantly residential area with a range of densities. May include other small-scale uses, including neighborhoods serving commercial, and institutional and semipublic uses (for example, schools, community centers, religious institutions, public safety facilities, etc.) scattered throughout. More intensive non-residential uses may be located in neighborhoods closer to Downtown and around Growth Centers.” The following policies and implementation steps of *The Minneapolis Plan for Sustainable Growth* apply to this proposal to expand the existing school located on the premises:

Land Use Policy 1.1 states, “Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote

flexible approaches to carry out the comprehensive plan.” This policy includes the following applicable implementation steps: (1.5.1) “Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

Land Use Policy 1.2 states, “Ensure appropriate transitions between uses with different size, scale, and intensity.” This policy includes the following applicable implementation steps: (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.”

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

Public Services and Facilities Policy 5.2 states: “Support the efforts of public and private institutions to provide a wide range of educational choices for Minneapolis students and residents throughout the city. This policy includes the following applicable implementation step: (5.2.1) “Work with institutions to ensure that school facilities are safe, accessible, and functionally appropriate for a diverse array of educational programs.”

Urban Design Policy 10.13 states, “Work with institutional and public partners to assure that the scale and form of new development or expansion will occur in a manner most compatible with the surrounding area.”

The proposal to amend the conditional use permit for a school would reinforce the above listed policies and implementation steps.

**6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit, the rezoning request, relevant variances, and site plan review.**

If all land use/zoning applications are approved, including the conditional use permits, variance and site plan review, the proposal would comply with all provisions of the R1A and SH overlay district.

**CONDITIONAL USE PERMIT** - to increase the maximum permitted height from 2.5 stories or 35 feet to 3 stories (2-floors) or 36 feet, 4 inches.

**Findings as Required by the Minneapolis Zoning Code:**

The Department of Community Planning and Economic Development– Planning Division has analyzed the application and from the findings above concludes that:

**1. Will be detrimental to or endanger the public health, safety, comfort or general welfare.**

Staff does not believe that allowing the proposed addition to exceed the maximum height limitation by 1-foot, 4 inches would be detrimental to or endanger the public health, safety, comfort or general welfare. There are no other buildings located on the block, and any shadowing impacts created by a building that was constructed in compliance with the R1A and SH overlay district provisions versus one that was constructed 1-foot, 4 inches above that height would not result in any substantive impacts.

- 2. Will be injurious to the use and enjoyment of other property in the vicinity and will impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

This property is located in a fully developed area. A proposed increase in height of 1-foot, 4 inches beyond what would typically be permitted as of right in the R1A and SH overlay district would not have any substantive impacts or be injurious to the use and enjoyment of other property in the area nor should it impede on possible future development.

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

See the above listed response to finding #3 in the conditional use permit application.

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

See the above listed response to finding #4 in the conditional use permit application.

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

See the above listed response to finding #5 in the conditional use permit application.

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

If all land use/zoning applications are approved, including the conditional use permits, variance and site plan review, the proposal would comply with all provisions of the R1A and SH overlay district.

#### **ADDITIONAL STANDARDS TO INCREASE MAXIMUM HEIGHT**

In addition to the conditional use standards, the city planning commission shall consider, but not be limited to, the following factors when determining the maximum height:

- 1. Access to light and air of surrounding properties.**

This development should not result in any significant impacts on the amount of light and air that surrounding properties receive. The building as proposed meets all required setbacks and the additional height proposed would not result in any additional adverse impacts.

- 2. Shadowing of residential properties or significant public spaces.**

Staff would not expect any shadowing of adjacent residential properties or significant public spaces. The proposed height increase is minor at 1 foot, 4 inches above what would typically be permitted. Further, the school is located on a full city block and the proposed building meets all applicable setback requirements.

**3. The scale and character of surrounding uses.**

The scale and character of the buildings in this area are somewhat varied although the school is located within a fully developed residential neighborhood; the architectural style of the surrounding properties also vary. The proposal is compatible with the scale and character of other buildings in the area. The school is existing, and the majority of the improvements to the building are needed in order to accommodate a growing student population and to further prolong the life of the existing facility. The design and distribution of height on site would be compatible with the surrounding uses.

**4. Preservation of views of landmark buildings, significant open spaces or water bodies.**

The proposed height increases should not impact or block views of any landmark buildings, significant open spaces or Lake Harriet.

**ADDITIONAL FINDINGS FOR CONDITIONAL USES (551.490) –**

**A. Evaluation Criteria**

**1. The prevention of soil erosion or other possible pollution of public waters, both during and after construction.**

The applicant would be required to prevent soil erosion and possible pollution of public waters, both during and after construction. The applicant would be required to install a silt fence during construction and would be required to follow all applicable City requirements to prevent any type of pollution.

**2. Limiting the visibility of structures and other development from protected waters.**

The proposed addition would not be visible from the protected waters around Lake Harriet.

**3. The suitability of the protected water to safely accommodate the types, uses and numbers of watercraft that the development may generate.**

Not applicable for the proposed development.

**VARIANCE** – (1) to allow stairs and walkways that exceed the standards authorized as permitted obstructions within the required front yard setback along Chowen Avenue South and within the corner side yard setback along West 41 Street.

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

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

The proposal is to allow stairs and walkways for an elementary school that exceed the standards authorized as permitted obstructions within the front yard setback and corner side yard setback on the premises. As outlined in Chapter 535 of the Zoning Code, in a front or corner side yard, stairs shall not exceed 6 feet in width and entrance landings shall not exceed 36 square feet. Walkways for institutional and public uses shall not exceed 8 feet in width. In the front yard along Chowen Avenue South, the stairs are 7 feet wide at their widest point. The walkway is compliant at just over 6 feet wide. In the corner side yard along West 41<sup>st</sup> Street, the stairs are 21 feet wide at their widest point and the walkways are 10 feet wide at their widest point. Due to the institutional use of the property, Planning Staff believes that there are practical difficulties that exist in complying with the ordinance in this specific circumstance and that the request to have larger walkways and sidewalks within required yards is reasonable.

**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 proposal to allow stairs and walkways that exceed the standards authorized as permitted obstructions within the required front yard setback and corner side yard setback for an elementary school is reasonable and would be in keeping with the spirit and the intent of the ordinance and comprehensive plan.

**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 proposal to allow stairs and walkways for an elementary school within the required front yard setback along Chowen Avenue South and within the corner side yard setback along West 41<sup>st</sup> Street would not adversely alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity, nor would it be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties. The proposal is contextually appropriate given its institutional function.

**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.**
  - **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.**

There is an existing school located on the premises. Only the proposed addition located at the southeastern corner of the site will be evaluated for compliance with Chapter 530 design standards. The proposed addition is not located within 8 feet of the property line as the property is subject to required yards; a portion of the addition along Chowen Avenue South is not located within 8 feet of the required yard and the entire building wall located along 41<sup>st</sup> Street South is located further than 8 feet from the required yard. However, alternative compliance is not necessary in this specific circumstance as the proposed addition is actually bringing the building closer to compliance with the regulations. There are two existing principal entrances to the building, one off of Chowen Avenue South and one off of 41<sup>st</sup> Street West. These entrances will be maintained. The proposed addition incorporates two additional principal entrances off of the same public streets. The use of progressive design and street-oriented building alignments is reinforced with the proposed addition.

The proposed addition on the south and east elevations would incorporate windows that meet the 30% window requirement for a non-residential use. A total of 65% are provided on the south elevation of the building facing 41<sup>st</sup> Street West and a total of 54% are provided on the east elevation of the building facing Chowen Avenue South. The windows proposed between 2 and 10 feet provide natural surveillance and visibility by having active uses located along the public streets. The proposed addition further meets the 10% window requirement on each floor above the first floor that faces the public street and public sidewalk.

The exterior materials and appearance of the addition complement the existing building located on-site. The proposed exterior of the addition is brick with design accents using high impact phenolic panels and precast concrete in order to mimic details of the original building. The proposed building incorporates architectural elements including recesses and projections, windows and entries. However, there are blank uninterrupted walls that exceed 25 feet in width on the west elevation of the building facing the existing building. Alternative compliance is necessary. Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance as the proposed wall is facing an existing building wall and would have limited visibility from the public sidewalk and street. The principal roof line of the addition would be flat which is consistent with the existing building. In the area both pitched roofs and flat roofed buildings can be found.

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

There is no parking ramp associated with the proposed development. All proposed parking for the school would be located in the surface parking lot accessed off of Chowen Avenue South.

## **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.**

There are walkways greater than 4 feet in width that connect the principal entrances of the school building and the on-site parking lot with the public sidewalks.

There are no transit shelters within the development. There is a bus line, Route 6, that runs in close proximity to the site along 39<sup>th</sup> Street South.

The proposed development has been designed to minimize conflicts with pedestrian traffic and surrounding residential uses. The off-street parking for the proposed development would be maintained approximately mid-block off of Chowen Avenue South. The curb cut currently located off of Drew Avenue South would be closed thus, further minimizing curb cuts to the site.

There is no public alley adjacent to the site. The site is accessed off of Chowen Avenue South.

The maximum impervious surface requirement in the R1A district is 65%. The site has been designed to minimize the use of impervious surfaces as a total of approximately 61% of the site not occupied by buildings is pervious as a result of providing landscaped yards.

## **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.**

The proposal meets the 20% landscape requirement. The total site area is 159,609 square feet and the building footprint on the site including the proposed addition would be 41,278 square feet. Subtracting the footprint from the lot size results in 118,331 square feet; 20% of this number is 23,666 square feet. According to the applicant's site plan there is 72,157 square feet of landscaping on the site or approximately 61% percent of the site not occupied by the building which meets the minimum requirement.

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. The tree and shrub requirement for this site is 47 trees and 237 shrubs. The applicant is proposing to plant 36 canopy trees on-site and maintain 12 of the existing trees for a total of 48 trees. The applicant is proposing to plant 320 shrubs on the site. The proposal meets the quantity requirements for the site.

A seven-foot wide landscaped yard and screening equal to 60% opacity is required between the parking area and the north, east and west sides of the property. On the north side of the site, the parking area abuts a proposed outdoor classroom area and paved play area that has temporary classrooms located on a portion of the site. The plan indicates that once the school addition is completed, the temporary classrooms will be removed from site and the bituminous pavement removed as well. The parking lot does not meet the landscaping and screening requirement in this location. Alternative compliance would be necessary. Planning Staff would recommend that in this specific circumstance that alternative compliance be granted from the landscaping and screening standards. Due to the fact that the campus encompasses an entire city block, and the fact that parking in this location abuts open space and play areas, it would in effect not make sense to create a visual buffer separating the school from the recreational areas provided on site. However, the plans indicate that a 4-foot tall decorative metal or vinyl-coated chain link fence be installed around the perimeter of the play area. Planning Staff will recommend that the fence be decorative metal as an alternative compliance measure. On the east side of the site, the parking lot complies with the 7-foot landscaping requirement but not the screening requirement and is located within the required front yard setback. Alternative compliance is necessary. While this is an existing condition and no variance is needed, Planning Staff will recommend that the Planning Commission require that the first two delineated parking spaces on either side of the drive aisle, for a total of 4 spaces be removed and the area be landscaped. The site exceeds its maximum parking requirement and removing parking from this yard should have positive impacts on visibility and traffic patterns through and around the site. Planning Staff would further recommend that the screening requirement be waived so as not to preclude sight-lines for pedestrians and students in the area. On the west side of the site, the applicant is removing the existing curb cut and installing a 5-foot wide landscaped buffer. It does not meet the minimum width and is not screened in compliance with Zoning Code standards. Alternative compliance is necessary. Planning Staff will recommend that the Planning Commission require compliance in this location that includes adequate landscaping and screening.

In parking lots of 10 spaces or more, no parking space shall be located more than 50 feet from an on-site deciduous tree. In addition, tree islands in parking lots must have a minimum width of 7 feet in any direction. There are a total of 46 off-street parking spaces located in the surface parking lot on-site. All parking spaces are within 50 feet of an on-site deciduous tree. Two tree islands are proposed that meet the minimum width requirements of 7 feet in any direction.

#### **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.**
- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **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.**

All parking is being provided in a surface parking lot which is accessed off of Chowen Avenue South. The surface parking area has been redesigned with curb openings so that stormwater runoff drains towards the perimeter green space on the site. The applicant is working with the Public Works Department on a stormwater plan for the site.

The proposed building addition would not be expected to result in the blocking of any significant views or have any substantive additional shadowing impacts on adjacent properties or on public spaces. The proposal would also not be expected to have any additional impacts on light, wind and air in relation to the surrounding area.

The site appears to incorporate the applicable CPTED principles. The active uses proposed within the ground level of the building provide natural surveillance, there are windows on all sides of the building that allow for the observation of adjacent public spaces and the principal entrances to the school are connected to the public sidewalk. Planning Staff has no additional comments at this time regarding site safety.

There are no historic structures on the subject site; however, the original building was constructed in 1924 and an addition to that building was constructed in 1954.

**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 proposed use is conditional in the R1A district. With the approval of the conditional use permits, variance and site plan review, this development would meet the requirements of the R1A and SH overlay district.

**Specific Development Standards for a school, grades K-12**

- (1) The use shall include a regular course of study accredited by the State of Minnesota
- (2) To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be harmonious with other buildings in the neighborhood.
- (3) An appropriate transition area between the facility and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the neighborhood.

The proposed development is in compliance with the specific development standards for a school, grades K-12.

**Parking and Loading:**

*Minimum automobile parking requirement:* According to Chapter 541 of the Zoning Code, schools (grades K-12), have a minimum parking requirement of 1 space per classroom plus 1 space per 5 students of legal driving age based on the maximum number of students attending classes at any one time. The school is an elementary school, so no students of legal driving age are located on campus. As such, the minimum off-street parking requirement is solely dependent on the number of classrooms proposed on site. As indicated by the applicant, pending the completion of the proposed addition, a total of 23 classrooms will be located on the premises resulting in an off-street parking requirement of 23 spaces. The applicant is proposing a total of 46 spaces within the existing surface parking lot located on-site which exceeds the minimum requirement.

*Maximum automobile parking requirement:* According to Chapter 541 of the Zoning Code, schools (grades K-12), have a maximum parking requirement of 1 space per classroom plus 1 space per 3 students of legal driving age based on the maximum number of students attending classes at any one time. The school is an elementary school, so no students of legal driving age are located on campus. As such, the maximum off-street parking requirement is solely dependent on the number of classrooms proposed on site. As indicated by the applicant, pending the completion of the proposed addition, a total of 23 classrooms will be located on the premises resulting in a maximum off-street parking requirement of 23 spaces. The applicant is proposing a total of 46 spaces within the existing surface parking lot located on-site which exceeds the maximum requirement. No variance is needed as the on-site parking is an existing condition; however, Planning Staff is recommending that 4 off-street parking spaces be removed along Chowen Avenue South.

*Bicycle parking requirement:* According to Chapter 541 of the Zoning Code, the bicycle parking requirements for schools, grades K-12, is 3 spaces per classroom. Therefore the overall requirement for the development is 69 bicycle parking spaces of which not less than 50 percent of the required bicycle parking shall meet the standards for short-term bicycle parking which is as follows:

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

The applicant will be required to locate 69 bicycle parking spaces on the premises that meet the definition of short-term bicycle parking spaces.

**Loading:** Chapter 541 defines schools as having an assigned rating of “low”. For schools between 50,001 and 200,000 square feet, a total of two small loading spaces are required on-site. The site has an existing loading dock and the site accommodates two small spaces.

**Dumpster screening:** Section 535.80. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. There is a trash room located within the school building and a shed that includes dumpsters along Drew Avenue South.

**Signs:** Schools, grades K-12, are allowed to have one wall identification sign not exceeding 32 square feet per block face. Maximum height of 14 feet or top of wall, whichever is less. In addition, one monument sign not exceeding 32 square feet in area and eight feet in height. Either the wall sign or the monument sign, but not both, may be a dynamic changeable copy sign. The dynamic changeable copy sign portion of the sign shall not exceed 16 square feet. Either the wall sign or the monument sign, but not both, may be illuminated. No new signs are proposed at this time. All new signage is required to meet the requirements of the code. Permits are required from the Zoning Office should any signage be included for the development.

**Maximum Floor Area:** The maximum F.A.R. for schools in the R1A District is the gross floor area of the building which is 63,755 square feet divided by the area of the lot which is 159,609 square feet. The outcome is .40 which is less than the maximum of .5 that is permitted in the R1A District.

**Minimum Lot Area and Lot Width:** The project would meet the minimum lot area of 20,000 square feet and minimum lot width requirement of 100 feet in the R1A District. The lot has 159,609 square feet of lot area, and is situated on a lot greater than 100 feet in width.

**Dwelling Units per Acre:** Not applicable for this application.

**Height:** Maximum building height for principal structures located in the R1A and SH overlay district is 2.5 stories or 35 feet, whichever is less. The proposal would not conform with this requirement as a conditional use permit is being requested to increase the allowable height on site to 3 stories (2-floors) or 36 feet, 4 inches.

**Yard Requirements:** The required yards are as follows:

*Front (Chowen Avenue South and Drew Avenue South): 20 feet  
Corner side (40<sup>th</sup> Street West and 41<sup>st</sup> Street West): 12 feet (8+2x)*

The proposal requires variances for stairs and walkways within the required front yard along Chowen Avenue South and within the required corner side yard along 41<sup>st</sup> Street West as they exceed the standards outlined as permitted obstructions in Chapter 535 of the Zoning Code.

**Building coverage:** The maximum building coverage in the R1A district is 60 percent. Buildings would cover approximately 26 percent of the lot.

**Impervious surface area:** The maximum impervious surface coverage in the R1A district is 75 percent. Impervious surfaces would cover approximately 55 percent of the site.

## **MINNEAPOLIS PLAN FOR SUSTAINABLE GROWTH**

See the above listed response to finding #5 in the application to amend the conditional use permit for the existing school.

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

No small area plans for this area of Minneapolis have been adopted by the City Council.

### **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.**

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

*Blank wall provision:* The proposed building incorporates architectural elements including recesses and projections, windows and entries. However, there are blank uninterrupted walls that exceed 25 feet in width on the west elevation of the building facing the existing building. Alternative compliance is necessary. Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance as the proposed wall is facing an existing building wall and would have limited visibility from the public sidewalk and street.

Landscaping and screening: A seven-foot wide landscaped yard and screening equal to 60% opacity is required between the parking area and the north, east and west sides of the property. On the north side of the site, the parking area abuts a proposed outdoor classroom area and paved play area that has temporary classrooms located on a portion of the site. The plan indicates that once the school addition is completed, the temporary classrooms will be removed from site and the bituminous pavement removed as well. The parking lot does not meet the landscaping and screening requirement in this location. Alternative compliance would be necessary. Planning Staff would recommend that in this specific circumstance that alternative compliance be granted from the landscaping and screening standards. Due to the fact that the campus encompasses an entire city block, and the fact that parking in this location abuts open space and play areas, it would in effect not make sense to create a visual buffer separating the school from the recreational areas provided on site. However, the plans indicate that a 4-foot tall decorative metal or vinyl-coated chain link fence be installed around the perimeter of the play area. Planning Staff will recommend that the fence be decorative metal as an alternative compliance measure. On the east side of the site, the parking lot complies with the 7-foot landscaping requirement but not the screening requirement and is located within the required front yard setback. Alternative compliance is necessary. While this is an existing condition and no variance is needed, Planning Staff will recommend that the Planning Commission require that the first two delineated parking spaces on either side of the drive aisle, for a total of 4 spaces be removed and the area be landscaped. The site exceeds its maximum parking requirement and removing parking from this yard should have positive impacts on visibility and traffic patterns through and around the site. Planning Staff would further recommend that the screening requirement be waived so as not to preclude sight-lines for pedestrians and students in the area. On the west side of the site, the applicant is removing the existing curb cut and installing a 5-foot wide landscaped buffer. It does not meet the minimum width and is not screened in compliance with Zoning Code standards. Alternative compliance is necessary. Planning Staff will recommend that the Planning Commission require compliance in this location that includes adequate landscaping and screening.

### **RECOMMENDATIONS:**

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application to amend a conditional use permit for an existing school in the R1A district and the SH Overlay district for property located at 4030 Chowen Avenue South subject to the following condition of approval:

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

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit to increase the maximum permitted height from 2.5 stories or 35 feet to 3 stories (2-floors) or 36 feet, 4 inches for the property located at 4030 Chowen Avenue South subject to the following condition of approval:

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

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance application to allow stairs that exceed the standards authorized as permitted obstructions within the required front yard setback along Chowen Avenue South on the property located at 4030 Chowen Avenue South.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the variance application to allow stairs and walkways that exceed the standards authorized as permitted obstructions within the corner side yard setback along West 41 Street on the property located at 4030 Chowen Avenue South.

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

The Department of Community Planning and Economic Development– Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application to allow a 3-story (2-floor), 32,000 square foot addition to the existing Lake Harriet Lower School on the property located at 4030 Chowen Avenue South subject to the following conditions of approval:

1. Planning Staff review and approval of the final site, elevation and landscaping plans.
2. All site improvements shall be completed by June 11, 2013 unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. All existing principal entries to the building shall be maintained.
4. Modification of the site plan on the east side of the site along Chowen Avenue South, resulting in the removal of the first two delineated parking spaces on either side of the drive aisle. A total of 4 spaces shall be removed and landscaped.
5. The bituminous play area located on site shall be removed once the school addition is completed and the temporary classrooms are removed from the site.
6. A 4-foot tall decorative fence shall be installed around the perimeter of the play areas on site.
7. On the west side of the site along Drew Avenue South, landscaping and screening shall be provided as required by Section 530.170 of the Zoning Code.
8. The pervious wood mulch areas delineated within the surface parking lot shall be landscaped with shrubs.
9. Two small loading spaces (10 feet by 25 feet) shall be designated in the parking lot as required by Section 541.480 of the Zoning Code.
10. A minimum of 69 bicycle parking spaces shall be provided on-site that comply with the short-term bicycle parking provisions as outlined in Section 541.180 of the Zoning Code.

Department of Community Planning and Economic Development – Planning Division  
BZZ-5585

**Attachments**

1. Statement of use and description of the project
2. Findings for the CUPs and Variance
3. General correspondence
4. Zoning map
5. Plans - site, landscape, floor, elevations, civils
8. Photos
9. PDR notes