

Department of Community Planning and Economic Development – Planning Division
Variance and Site Plan Review
BZZ-6014

Date: May 6, 2013

Applicant: Joan Jakubas

Address of Property: 4554 Minnehaha Avenue

Project Name: Jakubas Dental Office

Contact Person and Phone: Katie Korogi, (612) 721-3012

Planning Staff and Phone: Kimberly Holien, (612) 673-2402

Date Application Deemed Complete: April 11, 2013

End of 60-Day Decision Period: June 10, 2013

Ward: 12 **Neighborhood Organization:** Longfellow Community Council

Existing Zoning: C1, Neighborhood Commercial district; PO, Pedestrian Oriented Overlay district

Proposed Zoning: Not applicable

Zoning Plate Number: 21

Lot area: 16,733 square feet

Legal Description: Not applicable.

Proposed Use: Dental Clinic

Concurrent Review:

- Variance to increase the maximum front yard setback in the Pedestrian Oriented Overlay district from eight feet to approximately 42 feet for a building addition.
- Site plan review for a 1,120 square foot building addition.

Applicable zoning code provisions: Article IX, Variances, specifically Section 525.520(20) “to vary the standards of any overlay district, other than the SH Shoreland Overlay district or the FP Floodplain Overlay district,” and Chapter 530 Site Plan Review.

Background: The development site is located in the northwest corner of the intersection of Minnehaha Avenue and 46th Street E. The project includes a 1,120 square foot addition to an

existing building and interior modifications to convert the building from a coffee shop (previous use) to a dental clinic. The building is currently vacant. The building is located in the center of the site and surface parking is located between the building and the street along Minnehaha Avenue and 46th Street E.

The maximum front yard setback in the PO, Pedestrian Oriented Overlay district is eight feet. The applicant is proposing a front yard setback of approximately 42 feet along Minnehaha Avenue, in line with the existing building. A variance has been requested to exceed the maximum front yard setback. Building additions greater than 1,000 feet require site plan review and an application for site plan review has been submitted accordingly.

The site received previous land use approvals in 2002 when the building was converted from a gas station to a coffee shop. Approvals at that time included a front yard setback variance along Minnehaha Avenue to allow a drive aisle in the required yard, a front yard setback along 46th Street E also for a drive aisle and site plan review. The site is in compliance with the previously approved site plan.

No correspondence had been received from the neighborhood group as of the writing of this report. Any correspondence received will be forwarded on to the Planning Commission for consideration.

VARIANCE: (to increase the maximum front yard setback in the Pedestrian Oriented Overlay district from eight feet to 42 feet)

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 addition is proposed on the north side of the building with a maximum setback of 42 feet, roughly matching the established setback of the structure. Practical difficulties exist in complying with the ordinance. The existing building was constructed prior to the application of the Pedestrian Oriented Overlay district and as such, the setback of the existing structure ranges from 39 feet to 48 feet along the Minnehaha Avenue frontage and is approximately 49 feet along the 46th Street frontage. The building has a large canopy on the south side that extends out within two feet of the property line. These circumstances are unique to the property and were not created by the applicant.

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 request to allow a greater setback along Minnehaha Avenue is reasonable and in keeping with the spirit and intent of the ordinance. The Pedestrian Oriented Overlay district is established to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation and design and accessory parking facilities, and by prohibiting certain high-impact and automobile oriented uses. The building was originally constructed as an automobile service station in 1964, prior to the adoption of the Pedestrian Oriented Overlay district. The proposed addition will allow for adaptive reuse of this vacant structure. The location of the addition will extend the building's frontage along Minnehaha Avenue and add bulk to the site.

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

The surrounding area contains a mix of commercial and residential uses. The proposed setback will not alter the essential character of locality or be injurious to the use and enjoyment of other property in the vicinity. The building was originally constructed as an automobile service station in 1964 and the configuration of the site has remained largely unchanged since that time. The proposed addition will roughly match the established setback of the existing structure while extending the street frontage and adding bulk to the site.

SITE PLAN REVIEW

Required Findings for Site Plan Review

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**

- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)**

Section A: Conformance with Chapter 530 of Zoning Code BUILDING PLACEMENT AND DESIGN:

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

- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances and windows:
- 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.

Minimum window area shall be measured as indicated in section 531.20 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. At least thirty (30) percent of the first floor building wall that faces a public street, public sidewalk or public pathway shall be occupied by active uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

The existing building is located in the center of the site. The proposed addition will extend north from the existing structure, reinforcing the street wall along Minnehaha Avenue. The existing building is setback approximately 42 feet from the front lot line along Minnehaha Avenue, and the proposed addition will match this established setback. Alternative compliance is requested for the increased setback. The principal entrance is located on the south side of the building, facing 46th Street E. As part of the project, the entrance will be relocated to the center of this south elevation.

The site has parking between the building and the street along the Minnehaha Avenue frontage and the 46th Street E. This is an existing condition. Landscaped yards are also provided along both street frontages.

No blank, uninterrupted walls in excess of 25 feet are proposed on the addition. The existing building has a blank wall on the north elevation that is 28 feet in length and one on the west elevation that is 35 feet in length. However, these are existing conditions that do not require alternative compliance.

Plain face concrete block is not proposed on the addition. However, the existing building is constructed of plain face concrete block that has been painted. Staff is recommending changes to the exterior materials on the addition that will require additional investment on the part of the applicant on the east elevation. As such, plain face concrete block that is painted to match the existing building would be considered appropriate on the north and west elevations of the addition.

The applicant is proposing EIFS as the primary exterior material on the addition. EIFS is not considered a durable material and alternative compliance is requested. Staff does not recommend granting alternative compliance to allow EIFS on the addition. Instead, staff is recommending an alternate material that is consistent with the character of the existing building, such as metal panels or Nichiha, with emphasis placed on the east elevation. As noted above, staff would consider plain face concrete block painted to match the existing building on the north and west elevations, as they are not visible from the public street. The north elevation is also proposed to contain glass block to break up blank walls and allow for natural light into the building.

The window requirement for the first floor of the building is 40 percent on each elevation that faces a public street, public sidewalk or public pathway, due to the presence of the Pedestrian Oriented Overlay district. The window requirement applies to the south and east elevations only. The only portion of the addition that faces a public street is the east elevation. With the proposed addition, the east elevation will have 245.5 square feet of glazing, equivalent to 62 percent of the elevation and greatly exceeding the minimum requirement. On the south elevation, the applicant is proposing to relocate the existing entry door to the center of the building. This will result in a slight modification to the glazing on this elevation. With the changes proposed, 52.8 percent of the south elevation will consist of glazing.

The building contains active functions for nearly 100 percent of each street-facing elevation.

The proposed roofline is flat, consistent with the existing building.

ACCESS AND CIRCULATION:

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.150 (b) related to alley access.**
- **Site plans shall minimize the use of impervious surfaces.**

The primary building entrance will be located on the south side of the building, facing 46th Street E. The entrance is proposed to be moved 11 feet east of its current location as part of the project. The entrance will connect to the public sidewalk via a striped crosswalk that was approved as part of the previous site plan. An extension from the sidewalk connects into the crosswalk.

No transit shelters are proposed or adjacent to the site. There is a bus stop with a bench in the right-of-way adjacent to 46th Street E.

A painted pedestrian crosswalk is proposed to connect the building entrance to the public sidewalk along 46th Street E to clearly direct pedestrian movements. An extension from the public sidewalk connects to this crosswalk.

The layout of the parking lot is designed to minimize conflicts with pedestrian traffic and surrounding residential uses. The site has two curb cuts; one from Minnehaha Avenue and one from 46th Street E. All vehicle maneuvering will occur on-site within designated drive aisles. Residential uses on this block use the adjacent alley for access.

The site has been designed to limit the amount of impervious surface by meeting the minimum requirement for landscaped area.

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 zoning code requires that at least 20 percent of the site not occupied by buildings be landscaped. The lot area of the site is approximately 16,733 square feet. The building footprint is 3,042 square feet. The net lot area is 13,691 square feet, of which at least 20 percent (2,738 square feet) must be landscaped. The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is five and 27 respectively.

The site has a previously approved site plan from 2002 that addressed landscaping and screening of the site and parking area. After the addition is constructed, the site will have 2,738.2 square feet of landscaping. The site has six existing canopy trees and three ornamental trees. Three additional canopy trees are located in the right-of-way along Minnehaha Avenue. The site also contains 117 shrubs. Five of these shrubs will be impacted by the addition. As a condition of approval, staff is recommending that five shrubs be located between the proposed addition and the parking area to maintain compliance with the previously approved site plan.

A landscaped yard a minimum of seven feet in width with plantings that are three feet in height and 60 percent opaque is required between the parking area and the street on both the Minnehaha Avenue and 46th Street E frontages. The required landscaping is provided along 46th Street E. Along Minnehaha Avenue, six feet of landscaping is located in the public right-of-way, between the parking area and the sidewalk. This existing condition was approved as part of the site plan review application from 2002. Alternative compliance is requested and staff recommends granting alternative compliance due to the previously approved plan and the significant amount of landscaping provided in the right-of-way. A 7-foot landscaped yard is also required along the north property line, between the parking area and the adjacent residential structure. A ten-foot landscaped yard is provided in this location. Screening includes a 6-foot solid wood fence and two rows of shrubs.

In parking lots with 10 spaces or more, each space shall be no more than 50 feet from the center of an on-site deciduous tree. All parking spaces comply with this requirement. Additionally, one tree is required for each 25 linear feet of street frontage. The east side of the parking lot has 90 feet of frontage along Minnehaha Avenue, requiring four trees. The required trees are provided but are located in the right-of-way. Along 46th Street E the parking lot has 55 feet of frontage, requiring two trees. There are two ornamental trees provided along this frontage and additional canopy trees in the right-of-way.

ADDITIONAL STANDARDS:

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

The parking area is surrounded by continuous curbing and no changes are proposed as part of the addition. Provisions for stormwater were reviewed by Public Works as part of the PDR process and that report is attached for review.

The proposed building addition will not impede any views of important elements of the city.

The single-story addition will not produce any significant shadowing that would impact public spaces or adjacent properties.

Wind currents should not be a major concern.

The development would include crime prevention through environmental design. The proposed addition will reinforce the street wall and the significant glass coverage provides opportunities for natural surveillance and opportunities for tenants and patrons to observe adjacent spaces. The layout of the site provides for delineation between public and private spaces and a pedestrian walkway connects the entrance to the public sidewalk along 46th Street E.

The site is not located in a historic district and the existing structure is not designated.

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 dental clinic is a permitted use in the C1 district.

Off-Street Parking and Loading:

Minimum automobile parking requirement: The minimum vehicle parking requirement for a dental clinic is one space for each 500 square feet of gross floor area with a minimum of four spaces. The proposed dental clinic will be 3,042 square feet with the addition, requiring six spaces. The parking lot contains 15 parking spaces, satisfying the minimum requirement.

Maximum automobile parking requirement: The maximum vehicle parking requirement for a dental clinic is one space for each 200 square feet of gross floor area. The maximum parking requirement is 15 spaces and the existing parking lot contains 15 spaces, within the parameters allowed.

Bicycle parking requirement: The minimum bicycle parking requirement for a dental clinic is three spaces. The applicant is showing two bicycle parking spaces on the south side of the building, under the canopy and near the principal entrance. As a condition of approval, a third bicycle parking space will be required.

Loading: Due to the limited size and the use proposed, the site is not subject to a minimum loading requirement.

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. An existing trash enclosure is located in the northwest corner of the site. Said trash enclosure is constructed of wood and 6-feet in height.

This screening was approved as part of the previous site plan in 2002.

Signs: Building signage equivalent to 1.5 square feet of signage for each one foot of primary building wall is allowed on the south and east elevations because no freestanding signs are proposed. The maximum area of a single building sign is 45 square feet and the maximum area of a projecting sign is 16 square feet. There is no limit on the number of signs. On the south elevation, up to 105 square feet of wall signage is allowed but the size of a single sign cannot exceed 45 square feet. The applicant is proposing a 100.5 square foot awning sign on this elevation. The size of the sign will need to be reduced to 45 square feet or less. Separate permits are required from the Zoning Office for any signage on site.

Lighting: A photometric plan was not submitted as part of the application. All lighting will need to be downcast and shielded to avoid undue glare. All lighting shall comply with Chapter 535 of the zoning code and Planning Staff shall review the details of the fixtures in the final review prior to permit issuance.

Maximum Floor Area: The maximum floor area ratio for properties in the C1 district is 1.7. With the proposed addition, the building will be 3,042 square feet and the lot is 16,733 square feet, resulting in a floor area ratio of .18. The minimum floor area ration in this Transit Station Area Pedestrian Oriented Overlay district is 1.0. With the proposed addition, the applicant is moving toward compliance with the minimum FAR requirement.

Minimum Lot Area: Not applicable for this development.

Dwelling Units per Acre: Not applicable for this development.

Height: Maximum building height for principal structures located in the C1 District is 2.5 stories or 35 feet, whichever is less. The applicant is proposing a one-story addition, within the parameters allowed.

Yard Requirements: The applicant has requested variances to the required front yard and north side yard and staff is recommending approval, as evaluated above.

Building coverage: Not applicable for this development.

Impervious surface area: Not applicable for this development.

Specific Development Standards: No specific development standards apply to the proposed use.

MINNEAPOLIS PLAN

The Minneapolis Plan for Sustainable Growth identifies this site as mixed use on the future land use map. The site is within the boundaries of a neighborhood commercial node and at

the intersection of two community corridors. The site is also in a Transit Station area as it is within one-half mile of the LRT station at 46th Street E and Hiawatha Avenue. The following Comprehensive Plan policies apply to this proposal:

Land Use Policy 1.1: 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.

1.1.4 Support context-sensitive regulations for development and land use, such as overlay districts, in order to promote additional land use objectives.

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

1.2.1 Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area.

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

1.2.3 Lessen the negative impacts of non-residential uses on residential areas through controls on noise, odors, and hours open to the public.

Land Use Policy 1.5: Promote growth and encourage overall city vitality by directing new commercial and mixed use development to designated corridors and districts.

1.5.1 Support an appropriate mix of uses within a district or corridor with attention to surrounding uses, community needs and preferences, and availability of public facilities.

Land Use Policy 1.6: Recognize that market conditions and neighborhood traditions

Policy 1.9: Through attention to the mix and intensity of land uses and transit service, the City will support development along Community Corridors that enhances residential livability and pedestrian access.

1.9.1 Support the continued presence of existing small-scale retail sales and commercial services along Community Corridors.

- 1.9.2 Support new small-scale retail sales and services, commercial services, and mixed uses where Community Corridors intersect with Neighborhood Commercial Nodes.

Land Use Policy 1.13: Support high density development near transit stations in ways that encourage transit use and contribute to interesting and vibrant places.

- 1.13.1 Encourage pedestrian-oriented services and retail uses as part of higher density development near transit stations.

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

- 10.10.1 Enhance the city's commercial districts by encouraging appropriate building forms and designs, historic preservation objectives, site plans that enhance the pedestrian environment, and by maintaining high quality four season public spaces and infrastructure.

- 10.10.6 Require storefront window transparency to assure both natural surveillance and an inviting pedestrian experience.

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

- 10.11.1 Require the location of new commercial development (office, research and development, and related light manufacturing) to take advantage of locational amenities and coexist with neighbors in mixed-use environments.

- 10.11.2 Ensure that new commercial developments maximize compatibility with surrounding neighborhoods.

- 10.11.3 Continue to curb the inefficient use of land by regulating minimum height, setbacks, build-to lines and parking through master planning methods and zoning code regulations.

The proposed addition is consistent with the above land use policies of the comprehensive plan as it adds bulk and street frontage to a site within a Neighborhood Commercial Node and Transit Station Area and at the intersection of two corridors.

SMALL AREA PLANS

The site is within the study area of the 46th Street and Hiawatha Station Area Master Plan. The site is designated as commercial on the future land use map in the small area plan. The plan calls for pedestrian friendly streetscapes and states the following about architectural design:

The quality of the pedestrian environment, including high-quality architecture will be the biggest attraction of the new transit village. It is up to the public sector to ensure that the architecture of new buildings is special enough to create a new destination in Minneapolis.

The conditions of approval for building materials as recommended by staff will bring the project closer into compliance with this small area plan policy. The streetscape improvements that already exist on the site contribute to a “continuous green walkway” along the public street.

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:

Alternative compliance is requested to allow a setback greater than eight feet for the proposed addition. The existing building is located in the center of the site. The proposed addition will extend north from the existing structure, reinforcing the street wall along Minnehaha Avenue. The existing building is setback approximately 42 feet from the front lot line along Minnehaha Avenue, and the proposed addition will match this established setback. A variance has also been requested for this setback and staff is recommending approval.

Alternative compliance is requested to allow EIFS as the primary exterior material on the addition. EIFS is not considered a durable material and staff does not recommend granting alternative compliance to allow EIFS on the addition. Instead, staff is recommending an alternate material that is consistent with the character of the existing building, such as metal panels or Nichiha, with emphasis placed on the east elevation

Alternative compliance is also requested for the minimum landscaped yard requirement along Minnehaha Avenue. All of the landscaping provided along this side of the parking lot is located in the public-right-way. Staff recommends granting alternative compliance as a previously approved site plan from 2002 allowed this landscaping condition and a variance has previously been approved to allow the drive aisle in the required front yard along Minnehaha Avenue. Likewise, alternative compliance has been requested to allow the required street trees along the Minnehaha Avenue frontage to be located in the right-of-way. Staff recommends granting alternative compliance for this requirement.

RECOMMENDATIONS:

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to increase the maximum front yard setback in the Pedestrian Oriented Overlay district from 8 feet to 42 feet:

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 variance to increase the maximum front yard setback in the Pedestrian Oriented Overlay district from 8 feet to 42 feet for the property located at 4554 Minnehaha Avenue.

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 **approve** the site plan review application for a 1,120 square foot building addition at 4554 Minnehaha Avenue, subject to the following conditions:

1. All site improvements shall be completed by May 6, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
2. Planning Staff review and approval of the final site, elevation, landscaping and lighting plans before building permits may be issued.
3. The EIFS proposed on the exterior addition shall be replaced with a durable material such as masonry, stucco, stone, metal, Nichiha or another durable material, consistent with Section 530.120 of the zoning code.
4. No shelving, signage, merchandise, newspaper racks or other similar fixtures shall be placed in front of the required ground level transparent windows.

5. The five shrubs that are impacted by the building addition shall be replaced with a minimum of five shrubs between the east wall of the addition and the parking area to maintain compliance with the previously approved site plan.
6. A minimum of three short-term bicycle parking spaces shall be provided.

Attachments:

1. Statement of findings and project description
2. PDR Report
3. Correspondence
4. Zoning map
5. Site plan, floor plans and elevations
6. Photos