

Department of Community Planning and Economic Development – Planning Division
Variance and Site Plan Review
BZZ – 4813

Date: June 28, 2010

Applicant: 3005 Cedar, LLC

Address of Property: 1837-1839 Lake Street East

Project Name: Dreamland Market

Contact Person and Phone: Hamoudi Sabri, (612) 722-4000

Planning Staff and Phone: Janelle Widmeier, (612) 673-3156

Date Application Deemed Complete: June 2, 2010

End of 60-Day Decision Period: August 1, 2010

Ward: 9 **Neighborhood Organization:** Corcoran (adjacent to East Phillips)

Existing Zoning: C2 Neighborhood Corridor Commercial District and PO Pedestrian Oriented Overlay District

Proposed Zoning: Not applicable

Zoning Plate Number: 26

Legal Description: Not applicable

Proposed Use: Grocery store

Concurrent Review:

Variance to reduce the minimum parking requirement from 2 spaces to 0 spaces.

Site plan review.

Applicable zoning code provisions: Chapter 525, Article IX Variances, Section 525.520 (6) “To vary the applicable minimum... number of required off-street parking ...spaces,”; and Chapter 530, Site Plan Review.

Background: The applicant proposes to expand the existing building at the property of 1837 Lake Street East to establish a grocery store. The building was most recently used as a salon, but is currently vacant. The existing building and proposed additions are one story in height. The proposal would add 2,000+ square feet. The majority of floor area would be added by extending the building to the property of 1839 Lake Street East. The building would also be expanded at the southeast corner of the site. The

west and south lot lines of the subject site abut public alleys. Any addition over 1,000 square feet of gross floor area requires a site plan review application. No on or off-site parking is proposed. The minimum parking requirement is two spaces, therefore a variance is required. Please note: The public hearing notice referenced a variance reduction of 3 to 0 spaces; however, the bicycle parking incentive had not been taken into account at the time the notices were prepared.

As of writing this staff report, staff has not received comments from the neighborhood group. Staff will forward comments, if any are received, at the City Planning Commission meeting.

VARIANCE: to reduce the minimum automobile parking requirement from 2 to 0 spaces.

Findings Required by the Minneapolis Zoning Code:

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

With the PO overlay district and bicycle parking incentive reductions (described on page 8 of this report), the minimum parking requirement for this development is two spaces. No parking is proposed. Physical features of the site limit how much parking can be provided. The property of 1837 Lake Street is occupied by the building. The property of 1839 Lake Street has been used for parking, but is only 25 feet wide. Before the Lake Street reconstruction, a curb cut allowed access to and from Lake Street. During the reconstruction, the curb cut was removed. Vehicle access to the site is now limited to the adjacent alleys. The east/west alley is only 10 feet wide and abuts a residential property. On-site maneuvering would not likely be possible and maneuvering a vehicle from the east/west alley to the north/south alley is difficult without driving across the parking lot to the west. The site is located within close proximity to the Lake Street LRT station and several bus routes. Because of the access to alternate modes of transportation and the difficulty of providing on-site parking at this location, reducing the minimum parking requirement to zero is reasonable.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

Physical features of the site limit how much parking can be provided. The property of 1837 Lake Street is occupied by the building. The property of 1839 Lake Street has been used for parking, but is only 25 feet wide. Before the Lake Street reconstruction, a curb cut allowed access to and from Lake Street. During the reconstruction, the curb cut was removed. Vehicle access to the site is now limited to the adjacent alleys. The east/west alley is only 10 feet wide and abuts a residential property. On-site maneuvering would not likely be possible and maneuvering a vehicle from the east/west alley to the north/south alley is difficult without driving across the parking lot to the west. The site is located within close proximity to the Lake Street LRT station and several bus routes. These circumstances have not been created by the applicant.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

The purpose of parking regulations is to provide for the parking needs of uses and structures and to enhance the compatibility between parking areas and their surroundings. With no on-site parking, the amount of traffic in the narrow east/west alley associated with the subject property should be reduced. The site is also located within close proximity to the Lake Street LRT station and several bus routes. The granting of the variance should not negatively affect surrounding properties.

- 4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

The proposed use is pedestrian and neighborhood oriented. With no on-site parking, the amount of traffic in the alley associated with the subject property should be reduced. Because alternate options for transportation modes exist or are proposed, the variance should not increase congestion in the area. Also, granting the variance should not affect public safety.

SITE PLAN REVIEW

Findings as required by the Minneapolis Zoning Code for the 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 the 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.

CPED Planning Division Report
BZZ – 4813

- **Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.**
- **Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.**
- **The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.**
- **The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.**
- **Entrances, windows, and active functions:**
 - **Residential uses:**

Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

 - a. **Windows shall be vertical in proportion.**
 - b. **Windows shall be distributed in a more or less even manner.**
 - **Nonresidential uses:**

Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

 - a. **Windows shall be vertical in proportion.**
 - b. **Windows shall be distributed in a more or less even manner.**
 - c. **The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.**
 - d. **First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.**
 - e. **First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.**
 - f. **Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.**
 - g. **In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.**

Minimum window area shall be measured as indicated in section 530.120 of the zoning code.
 - **Ground floor active functions:**

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

Conformance with above requirements:

The wall would be built up to the lot line adjacent to Lake Street.

The public entrance would have direct access to the public sidewalk.

No on-site parking is proposed.

There would not be any newly created walls that are blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements exceeding 25 feet in length.

The primary exterior material of the Lake Street elevation would be face brick and glass. The primary exterior materials of the other new walls would be painted concrete block. With the exception of the Lake Street elevation, the existing walls are also painted concrete block. A mural has been painted on a portion of the west elevation that hasn't been tagged by graffiti. However, the rest of the concrete block walls have been tagged repeatedly. The south side of the site is adjacent to a residential district. Because there is a graffiti problem and the plain face concrete would face a residential property, staff is recommending that the planning commission not allow plain face concrete block and in lieu of require rock faced concrete block where visible from surrounding properties. Please note, additional exterior material changes at a later date would require review by the planning commission and an amendment to the site plan review.

The exterior materials and appearance of the rear and side walls of the additions would not be similar with the front of the building. The materials of the front of the building would be brick and glass, whereas the material of the side and rear walls would be concrete block. To make the side and rear walls more compatible with the front of the building, a horizontal, brick accent stripe could be incorporated. Staff is recommending that the planning commission not grant alternative compliance and require the applicant to incorporate a brick accent stripe with at least two course rows of brick.

The existing principal entrance facing Lake Street would remain. The entrance is recessed and flanked by windows.

The wall facing Lake Street is subject to the 30 percent minimum window requirement. Because the site is located in the PO district, at least 40 percent of the first floor walls are required to be windows or doors of clear or lightly tinted glass that allows views into and out of the building at eye level. Over 60 percent of the Lake Street building elevation would be windows measured between two and ten feet. The windows would have clear glass and would be distributed evenly. Shelves located in front of the windows would not be more than four feet in height to allow views into and out of the building.

The building would accommodate active functions exceeding 70 percent of the linear frontage adjacent to Lake Street.

The new roof would be flat (the roof slope would be less than 2/12). The existing roof is pitched, but is obscured on the west and north elevations by parapet walls. Most of the nonresidential buildings on Lake Street also have flat roofs.

ACCESS AND CIRCULATION:

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

Conformance with above requirements:

The primary building entrance would have direct access to the public sidewalk.

A transit shelter is not proposed or adjacent to the site.

No on-site parking or loading facilities are proposed; therefore excess impervious surfacing for vehicular access is not an issue.

LANDSCAPING AND SCREENING:

- The composition and location of landscaped areas shall complement the scale of the development and its surroundings.
 - Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).
- Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.
- Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year.
- Screening shall be satisfied by one or a combination of the following:
 - A decorative fence.
 - A masonry wall.
 - A hedge.
- Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.
- The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.
- In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.
- All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.
- Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.
- The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.

Conformance with above requirements:

The zoning code requires that a least 20 percent of the site not occupied by buildings be landscaped. The lot area of the site is approximately 4,500 square feet. The building, including the areas covered by the roof, would occupy approximately 4,300 square feet of the site. The lot area minus the building footprints therefore consists of approximately 200 square feet. At least 20 percent of the net site area (40 square feet) must be landscaped. One tree and one shrub are also required. No landscaping is proposed. The only area available for landscaping is at the rear of the site above a proposed drywell and is adjacent to the alley, an adjacent parking area, an exit door, and a telephone pole. These conditions make strict adherence to the standards impractical. As an alternative, the applicant could install a living wall on the south building wall adjacent to the kitchen to provide some greenery and graffiti prevention. Staff is recommending that the planning commission require the applicant to install a living wall as an alternative to meeting these requirements.

ADDITIONAL STANDARDS:

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

Conformance with above requirements:

The new construction should not impede any views of important elements of the city.

The new construction should not significantly shadow the adjacent streets or properties.

Wind currents should not be major concern.

The Lake Street elevation would have an abundant amount of windows to allow for natural surveillance and visibility. Above the doors at the rear of the site, lighting would be provided. Lighting is subject to the standards found in section 535.590 of the zoning code. The installed lighting should maintain a minimum level of security while not creating glare or excessive lighting of the site. To address the graffiti problem, staff is recommending that the planning commission require rock face concrete block on the side and rear walls and a living green wall on the south building wall adjacent to the kitchen. The

applicant is encouraged to apply a paraffin wax or other substance that removes graffiti more easily on the existing plain faced concrete walls that will remain.

The existing structure on the site is not historic.

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 properties of 1837 and 1839 Lake Street East are zoned C2 with the PO overlay. A grocery store is a permitted use in these districts.

Off-Street Parking and Loading:

Minimum automobile parking requirement: Grocery stores are generally required to provide one space per 500 square feet of gross floor area in excess of 4,000 square feet of gross floor area or four spaces, whichever is greater. The proposed floor area is 4,229 square feet, therefore the minimum number of spaces required is four. In the PO overlay district, the minimum parking requirement for nonresidential uses is 75 percent of the general requirement. With this reduction the minimum parking requirement is three spaces. Through section 541.220 of the zoning code, a reduction of the minimum automobile parking by 10 percent or one space, whichever is greater, is authorized for providing bicycle parking spaces equal to 25 percent of the number of required automobile spaces, but not less than four bicycle parking spaces and/or one space greater than the minimum bicycle parking requirement for the use. To qualify for the incentive, the bicycle parking also has to comply with the standards for required parking. The proposed bicycle parking would meet all of these requirements; therefore the minimum parking requirement is reduced to two spaces. No automobile parking would be provided. The applicant is requesting a variance to reduce the parking requirement from two to zero spaces.

Maximum automobile parking requirement: The maximum parking requirement for grocery stores is one space per 200 square feet of gross floor area or 10 spaces, whichever is greater. For a 4,229 square foot building, the maximum requirement is 21 spaces. In the PO overlay district, the maximum parking requirement for nonresidential uses is 75 percent of the general requirement. Therefore the maximum is reduced to 15 spaces. No off-street parking is proposed.

Bicycle parking requirement: The minimum bicycle parking requirement is three spaces or one space per 5,000 square feet of gross floor area, whichever is greater. For this proposal, three spaces are required. At least two of the required spaces must meet the standards for short-term parking. Each required bicycle parking space must be accessible without moving another bicycle and its placement shall not result in a bicycle obstructing a required walkway. Bicycle racks shall be installed to the manufacturer's specifications, including the minimum recommended distance from other structures. 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. The applicant is proposing to provide two bicycle racks with a total capacity of four spaces in the right-of-way adjacent to Lake Street. The city engineer has indicated that this will be allowed, subject to two conditions:

CPED Planning Division Report
BZZ – 4813

- 1) The bicycle parking is oriented parallel to the street.
- 2) The bicycle parking is located adjacent to the curb so as to not impede pedestrian traffic on the sidewalk.

Loading: For the amount of floor area proposed, adequate shipping and receiving facilities, accessible by motor vehicle off any adjacent alley, service drive or open space are required on the same zoning lot. The site is adjacent to an alley where short-term loading can be provided.

Maximum Floor Area: The lot area is 4,500 square feet. The maximum FAR allowed in the C2 District is 1.7. The building would have a total of 4,229 square feet, which is an FAR of 0.94.

The maximum floor area of commercial uses in the C2 district is 6,000 square feet if no parking is located between the principal structure.

Minimum Lot Area: Not applicable.

Building Height: In the C2 district, the maximum height is limited to 4 stories or 56 feet, whichever is less. The proposed height is one story and 14 feet.

Yard Requirements: Not applicable.

PO Pedestrian Oriented Overlay District Standards: The following standards apply to the proposal.

- The first floor of the building must be located within eight feet of a lot line adjacent to a street. The wall of the addition facing the street would be built up to the lot line in line with the existing building.
- Buildings must be oriented so that at least one principal entrance faces the public street. The existing entrance faces the street.
- The first floor façade of the building that faces a public street or a sidewalk is required to have at least 40 percent clear or lightly tinted glass that allows views into and out of the building at eye level and are distributed in a more or less even manner. Over 40 percent of the wall facing Lake Street would be clear windows that allow views in and out between four and seven feet.
- Pole signs, back-lighted awning and canopy signs, and back-lighted insertable panel projecting signs are prohibited. The applicant has indicated that no new signs are proposed at this time.

Specific Development Standards: Grocery stores are required to regularly inspect the premises, all adjacent streets, sidewalks and alleys for the purposes of removing any litter found thereon.

Hours of Operation: In the C2 District, nonresidential uses may be open to the public during the following hours: Sunday through Thursday from 6:00 a.m. to 10:00 p.m. and Friday through Saturday from 6:00 a.m. to 11:00 p.m. The applicant has indicated that the grocery store hours would be from 6:00 a.m. to 10:00 p.m.

Refuse screening: No refuse storage would be provided on site. The applicant has indicated the refuse storage would be shared with the property of 1825 Lake Street East. This refuse storage area complies with the screening requirements.

Lighting: Lighting must comply with Chapter 535 and Chapter 541 of the zoning code including:

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

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

- (1) Lighting fixtures shall be effectively arranged so as not to directly or indirectly cause illumination or glare in excess of one-half (1/2) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light source.
- (2) Lighting fixtures shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb) unless of a cutoff type that shields the light source from an observer at the closest property line of any permitted or conditional residential use.
- (3) Lighting shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual performance or visibility to a person of normal sensitivities when viewed from any permitted or conditional residential use.
- (4) Lighting shall not create a hazard for vehicular or pedestrian traffic.
- (5) Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.

Signs: The applicant has indicated that no new signage is proposed at this time. Any new signage will require Zoning Office review, approval, and permits.

MINNEAPOLIS PLAN:

The site is adjacent to Lake Street, which is designated as a commercial corridor by *The Minneapolis Plan for Sustainable Growth*. Cedar Avenue, which is half a block west of the site, is designated as a community corridor. The site is located within the Lake Street/Midtown LRT transit station area. The site is also located 3 ½ blocks west of the west boundary of the Lake Street LRT activity center/major retail center. According to the principles and policies outlined in the plan, the following apply to this proposal:

Policy 1.10: *Support development along Commercial Corridors that enhances the street's character, fosters pedestrian movement, expands the range of goods and services available, and improves the ability to accommodate automobile traffic.*

- 1.10.2 Encourage commercial development, including active uses on the ground floor, where Commercial Corridors intersect with other designated corridors.

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.
- 1.13.3 Discourage uses that diminish the transit and pedestrian character of areas around transit stations, such as automobile services, surface parking lots, and drive-through facilities.

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

- 10.10.3 Enhance pedestrian and transit-oriented commercial districts with street furniture, street plantings, plazas, water features, public art and improved transit and pedestrian and bicycle amenities.
- 10.10.4 Orient new buildings to the street to foster safe and successful commercial nodes and corridors.
- 10.10.7 Encourage the renovation of existing commercial buildings.

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

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

The site is also located in the boundaries of the *Hiawatha/Lake Station Area Plan*. This plan supports mixed use development including neighborhood serving retail adjacent to Lake Street.

Staff comment: The proposed development would increase the availability of commercial tenant space for pedestrian-oriented retail and services at a location where several land use designations intersect. Although the development would not add the higher density supported at this location, it would infill a vacant lot previously used for parking and renovate an existing commercial building in need of repair. The new construction would reinforce the street wall along Lake Street and add an abundant amount of fenestration to improve the pedestrian character. Providing bicycle parking in front of the building should also encourage use of alternative modes of transportation. The development should be compatible with surrounding properties as long as the lighting provided at the rear of the property complies with the zoning standards and the other staff recommendations for exterior materials are implemented. With the adoption of the staff recommendations, the proposed development would be consistent with the comprehensive plan.

ALTERNATIVE COMPLIANCE:

The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding any of the following:

- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**

CPED Planning Division Report
BZZ – 4813

- **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:

- Plain-face concrete block

The primary exterior materials of the new east, south and west walls would be painted concrete block. With the exception of the Lake Street elevation, the existing walls are also painted concrete block. A mural has been painted on a portion of the west elevation that hasn't been tagged by graffiti. However, the rest of the concrete block walls have been tagged repeatedly. The south side of the site is adjacent to a residential district. Because there is a graffiti problem and the plain face concrete would face a residential property, staff is recommending that the planning commission not allow plain face concrete block and in lieu of require rock faced concrete block where visible from surrounding properties. Please note, additional exterior material changes at a later date would require review by the Planning Commission and an amendment to the site plan review.

- Similarity and compatibility of the front, rear and sides of the building

The exterior materials and appearance of the rear and side walls of the additions would not be similar with the front of the building. The materials of the front of the building would be brick and glass, whereas the material of the side and rear walls would be concrete block. To make the side and rear walls more compatible with the front of the building, a horizontal, brick accent stripe could be incorporated. Staff is recommending that the planning commission not grant alternative compliance and require the applicant to incorporate a brick accent stripe with at least two course rows of brick.

- Landscaping requirements

The zoning code requires that a least 20 percent of the site not occupied by buildings be landscaped. The lot area of the site is approximately 4,500 square feet. The building, including the areas covered by the roof, would occupy approximately 4,300 square feet of the site. The lot area minus the building footprints therefore consists of approximately 200 square feet. At least 20 percent of the net site area (40 square feet) must be landscaped. One tree and one shrub are also required. No landscaping is proposed. The only area available for landscaping is at the rear of the site above a proposed drywell and is adjacent to the alley, an adjacent parking area, an exit door, and a telephone pole. These conditions make strict adherence to the standards impractical. As an alternative, the applicant could install a living wall on the south building wall adjacent to the kitchen to provide some greenery and graffiti prevention. Staff is recommending that the planning commission require the applicant to install a living wall as an alternative to meeting these requirements.

RECOMMENDATIONS

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to reduce the parking requirement from 2 to 0 spaces for the properties located at 1837-1839 Lake Street East.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for site plan review to allow a building addition for the properties located at 1837-1839 Lake Street East, subject to the following conditions:

1. To prevent graffiti and as required by section 530.120 of the zoning code, plain face concrete block shall not be used as an exterior material. On the new east, south and west building walls, the primary exterior building material shall be rock-face concrete and brick.
2. To make the side and rear walls compatible with the front of the building, a horizontal, brick accent stripe shall be incorporated as required by section 530.120 of the zoning code.
3. A living wall shall be installed on the south building wall as an alternative to meeting the landscaping requirements of section 530.160 of the zoning code.
4. At least four bicycle parking spaces shall be provided that complies with the standards of section 541.180 of the zoning code.
5. Lighting shall comply with the requirements of 535.390 of the zoning code.
6. Community Planning and Economic Development Department – Planning Division staff review and approval of the final building elevations, floor, and site plans.
7. Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by June 28, 2011, or the permit may be revoked for non-compliance.

Attachments:

1. PDR comments
2. Applicant statement of use and findings
3. Correspondence
4. Zoning map
5. Plans
6. Photos