

**Community Planning and Economic Development Planning Division Report**  
**Change of Nonconforming Use, Parking and Drive Aisle Variances, Site Plan Review**

**BZZ-2015**

**Date:** October 25, 2004

**Applicant and Project:** Glenn Greider, The Alamo Building

**Address Of Property:** 1517 Central Avenue NE

**Contact Person And Phone:** Glenn Greider, 651-631-8516

**Planning Staff And Phone:** Lonnie Nichols, 612-673-5468

**Date Application Deemed Complete:** October 1, 2004

**End of 60 Day Decision Period:** November 30, 2004

**End of 120-Day Decision Period:** January 29, 2005

**Ward: 1      Neighborhood Organization:** Northeast Park

**Existing Zoning:** I-1 (light industrial)

**Proposed Use:** Existing mixed use building that includes Electro-Mechanical, an I-2 Contractor's yard with a nonconforming use certificate (BZZ 1303, Board of Adjustment 8-27-2003); a change of nonconforming use to allow Antiquified, an existing antique store in the building; Teeners-an I-1 apparel and finished products business; Jose Mexican Food, a wholesale tortilla manufacturer permitted under food and beverage products in the I-1; Computer Gorilla, an I-1 Computers and accessories business; Warehouse/storage space; and Accessibility, a proposed I-1 Printing and publishing, including distribution use that provides assembly, packaging, and document conversion and destruction jobs for individuals with barriers and disabilities.

**Concurrent Review:** Change of nonconforming use from an I-2 (medium industrial) electro-mechanical contractor's office to an antique store, drive aisle width variance from 22 to 18 feet, parking stall variance from 38 to 24, and site plan review for a parking facility containing 10 or more new parking spaces-Phase I.

**Appropriate Section(s) of the Zoning Code:** Chapter 520 Introductory Provisions, Chapter 521 Zoning Districts and Maps, Chapter 525 Administration and Enforcement-specifically Section 525.520(6,7,8) "to reduce the applicable off-street parking requirements....", Chapter 530 Site Plan Review-specifically Table 530-1, Specific Uses –Principal parking facilities containing additions that total ten or more new parking spaces in any three year period, Chapter 531 – Nonconforming Uses and Structures, Chapter 535 Regulations of General Applicability, Chapter 536 Specific Development Standards, Chapter 541-Off Street Parking and Loading, Chapter 543 On-premise Signs, Chapter 550 Industrial Districts.

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**Background:** The 81,470 sf (141 x 577.8) property located at 1517 Central Avenue NE and stone/masonry building located thereon, commonly known as The Alamo building, was constructed in 1902. A metal addition connected to the Alamo building was constructed in circa 1960 which created a common party wall with the neighboring building located at 1515 Central Avenue NE, the adjacent property to the South. The applicants have provided a summary of industrial and manufacturing uses that have occupied the building from 1904 beginning with the Imperial Tractor factory to the current tenant mix and storage area. Staff has been deluged with questions, comments, and opinions about the operation and impact of the existing and proposed uses in the Alamo building. The primary concerns include: building occupancy classification and fire code compliance; off-street parking and vehicular circulation including the impact on truck and freight traffic serving 1515 and 1513 Central Avenue NE; landscaping and air quality; hours of operation and noise and odors in the outdoor yard; and generally speaking existing and potential impacts on adjacent properties. As part of the 1999 zoning code revisions, the subject property (1517 Central Avenue NE) was rezoned by the City from M1 (light industrial) to I1 (light industrial) to provide a buffer between residential uses and future industrial activities. The new I1 district allows a more limited range of uses than the previous M1 district allowed. The Board of Adjustment approved a nonconforming use certificate (BZZ 1303) for the existing I-2 contractor's yard on 8-27-2003. The applicant has withdrawn applications for a change of nonconforming use for Air-O-Flex, an I-2 hydraulics assembler and to rezone the property to the ILOD (Industrial Living Overlay District). In 1955, the City Council passed a resolution to vacate a portion of Polk Street, and in 1957 a 32 foot street easement was established adjacent to Central Avenue.

**Findings As Required By The Minneapolis Zoning Code:**

**The Community Planning and Economic Development Planning Division has analyzed the application for:** a change of nonconforming use from an I-2 (medium industrial) electro-mechanical contractor's office to an antique store **and makes the following findings:**

**The Planning Commission may approve a proposed change in use if the use meets the following standards as specified in section 531.80 of the Zoning Code:**

**(1) The proposed use is compatible with adjacent property and the neighborhood.**

The Antique Store use is compatible with adjacent property and the neighborhood. A neighborhood coffee shop and building realizing the intent of the Northeast Arts District is located across the street on the West side of Central Avenue. The property to the North and East of the building is zoned residential, less the properties and commercial businesses fronting Central Avenue. The parcels immediately South of the subject property are existing I-2 uses.

**(2) The proposed use is less intense than the existing, nonconforming use.**

**(a) Hours of operation:** Antiquified proposes to operate 10:00 am to 5:30 pm Monday-Saturday and 1:00 pm to 5:00pm on Sunday. Hours of operation have not been submitted for Electro-Mechanical, but the business is known to start at 6:00 am or before and presumably finishes work in the afternoon.

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**(b) Signage:** Antiquified proposes one 28 sf, wall mounted sign facing Central Avenue. Electro-Mechanical has two wall mounted signs of smaller size and plainer design facing the Contractor's yard at rear of the lot.

**(c) Traffic generation and safety:** Neither use currently generates or is expected to generate high volumes of traffic. The heavy equipment associated with the Electro-Mechanical business needs to be operated with caution, and is not part of the antique business.

**(d) Off-street parking and loading:** The Antique Store was calculated to require 4 stalls minimum ( $2275 - 4000 = -1725/300$  or 4 stall minimum). The existing Electro-Mechanical Contractor's office require 13 stalls ( $7885 - 4000 = 3885/300 = 12.95$ ).

**(e) Nature of business operations:** Antiquified proposes a Class B (low volume) retail sales of antiques and collectibles. Electro-Mechanical is a contracting business with outdoor yard activities.

**(f) Number of employees:** Antiquified is an owner-operated business with one full-time employee and occasional family member assistance. Electro-Mechanical is an owner-operated business with an undisclosed number of employees (estimated at 4).

**(g) Building Bulk:** The total building footprint is 41,070 with a gross floor area of 43,467 sf. Antiquified is estimated to have 2275 sf of floor space on 1½ stories (1750 sf as per the application materials). Electro-Mechanical uses 7885 sf of interior floor space and outdoor yard area estimated at 24,000 sf (calculation:  $81,470$  (HC webpage) -  $41,070$  (bldg ftpt) -  $8120$  (front parking area) -  $5250$  (strip in ROW North of bldg) -  $3000$  (area/ROW adjacent to vacated Polk Street outside of fenced yard) =  $24,030$  sf).

**(h) Aesthetic impacts on surrounding property:** The initiatives of Antiquified have improved the appearance of the façade of the building facing Central Avenue NE. The establishment of Antiquified is expected to bring a storefront presence to the NW corner of the building. Electro-Mechanical provides a heavy industrial appearance and presence at the rear of the property which shows above the six (6) to eight (8) foot tall corrugated fence separating the adjacent residential property located to the North by wrapping around the NE corner of the subject property.

**(i) Noise, odor, heat, glare and vibration:** Antiquified is not expected to produce additional amounts of noise, odor, heat, glare and vibration. The outdoor yard activity associated with Electro-Mechanical has been known to produce undesirable noise and odors in a residential area.

**(j) Other:** Antiquified moved into the floor space formerly used as office space serving Electro-Mechanical's I-2 Contractor's yard. Electro-Mechanical relocated to the rear of the building. A previous property and business manager for the Alamo building recruited Antiquified, and other nonconforming uses, to the building under the auspices the property would be rezoned to a commercial district that permitted a retail antique store. According to Regulatory Services staff, the building code classification for the entire Alamo building is

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currently F (Factory). The antique store use will require a change in classification to B (Business) or M (Mercantile).

**Findings Required by the Minneapolis Zoning Code for a variance to:** reduce the required number of parking stalls from 38 to 24:

- 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.**

The property has a limited amount of space available for parking located at the front of the building. Additional uses in the building will require parking to be reviewed again for a variance. Planning staff is requiring the nonconforming I2 contractor's yard to provide parking to the rear of the building for its (Electro-Mechanical) employees and customers. For additional findings, see the Access and Circulation section of the site plan review report.

- 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.**

The Alamo building was constructed in 1902 and the existing footprint of development (building, yard, and parking area) on the site was established approximately 40 years ago. The circumstances are unique to the parcel of land for which the variance is sought in that an easement of 32 foot width on the East side of Central Avenue NE (Hwy 65) for a public highway and street in, to, upon, over, and across the subject parcel and the parcels to South of subject parcel but North of the Railroad tracks was established in 1957. This condition was not 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 parking area in front (West side) of the Alamo building is currently used (without striping) in a similar manner as to the proposed parking configuration of the applicant's site plan. The Alamo building was constructed in 1902 and the existing footprint of development (building, yard, and parking area) on the site was established approximately 40 years ago. The granting of the variance will recognize current conditions and will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality.

- 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 variance should 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.

**Findings Required by the Minneapolis Zoning Code for a variance to:** reduce the required two way drive aisle width variance from 22 to 18 feet:

- 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.**

The property has a limited amount of space available for parking. The current configuration of the parking has this reduced drive aisle. Planning staff is requiring the nonconforming I2 contractor's yard to provide parking to the rear of the building for its (Electro-Mechanical) employees and customers. For additional findings, see the Access and Circulation section of the site plan review report.

- 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.**

The Alamo building was constructed in 1902 and the existing footprint of development (building, yard, and parking area) on the site was established approximately 40 years ago. The circumstances are unique to the parcel of land for which the variance is sought in that an easement of 32 foot width on the East side of Central Avenue NE (Hwy 65) for a public highway and street in, to, upon, over, and across the subject parcel and the parcels to South of subject parcel but North of the Railroad tracks was established in 1957. This condition was not created by the applicant.

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The proposed variance should 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.

**Required Findings for Major Site Plan Review:** for a parking facility containing 10 or more new parking spaces as required by Table 530-1, Specific Uses—Principal parking facilities containing additions that total ten or more new parking spaces in any three year period.

**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. (See Section B Below for Evaluation.)**

**C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)**

### **Section A: Conformance with Chapter 530 of Zoning Code**

#### **BUILDING PLACEMENT AND FAÇADE:**

- 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.
- 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 façade shall provide architectural detail and shall contain windows at the ground level or first floor.
- In larger buildings, architectural elements shall be emphasized.
- 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 where visible from a public street or a residence or office residence district.
- Entrances and windows:
  - Residential uses shall be subject to section 530.110 (b) (1).
  - Nonresidential uses shall be subject to section 530.110 (b) (2).
- **Parking Garages:** The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

Construction began on the Alamo in 1902 and the building is located 90 feet back from Central Avenue. The area between the building and the lot line does not include amenities, and given the parking requirement of uses in the building and existing use of the lot, there are limited opportunities to provide amenities in the space available. The building is oriented so that three (3) principal entrances face the public street. The on-site accessory parking facilities are located to the front of the site. The façade of the Alamo building provides architectural detail and contains windows at the ground and upper levels. Dimensioned measurements have not been provided to determine the total square footage of windows, but the Alamo building appears to easily exceed the 30% requirement for windows. The exterior materials (primarily limestone rock) and appearance of the rear and side walls of the Alamo building match the front of the building. The metal addition connected to the Alamo building was constructed in circa 1960 and contains clear glass walk through doors and an overhead garage door.

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The total building footprint is 41,070 with a gross floor area of 43,467 sf. Antiquified is estimated to have 2275 sf of floor space on 1½ stories (1750 sf as per the application materials). Electro-Mechanical uses 7885 sf of interior floor space and outdoor yard area estimated at 24,000 sf (calculation: 81,470 (HC webpage) - 41,070 (bldg ftpt) – 8120 (front parking area) – 5250 (strip in ROW North of bldg) – 3000 (area/ROW adjacent to vacated Polk Street outside of fenced yard) = 24,030 sf)

**ACCESS AND CIRCULATION:**

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

Staff is requiring that the applicants provide additional sidewalk of at least four (4) feet in width along the front of the building to connect the building entrances to the proposed parking facilities located between the West façade of the building and Central Avenue NE. There is not a transit shelter at the site, but Central Avenue has frequent bus service. Vehicular access and circulation is designed to minimize conflicts with pedestrian traffic and surrounding residential uses. Truck and loading bay access can be provided through the contractors yard at the rear of the building. Customer parking will be oriented to face the front of the building or Central Avenue and is thereby directed to minimize impact upon residential properties. An area for snow storage has been proposed for the NW corner of the building. Staff believes this area should contain more landscape plants and that the applicants should consider adding bicycle parking in this area. The existing conditions and current and allowed uses on the site make it difficult to minimize or reduce the use of impervious surfaces. The removal of impervious surface area in front of the building would come at the expense of off-street parking stalls and vehicular maneuvering space. Approximately 6800 sf (40 x 170) or one-quarter (¼) of the area of the Contractors yard is unpaved. This area is used for vehicular and equipment storage. Staff is recommending that environmental services and zoning inspections visit the site and relay findings as per the attached June 2003 letter from the Ward 1 Council Members office.

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Access to the site is off of Central Avenue NE at the NW corner of the property. In 1957, an easement of 32 foot width on the East side of Central Avenue NE (Hwy 65) for a public highway and street in, to, upon, over, and across the subject parcel and the parcels to South of subject parcel but North of the Railroad tracks was agreed to and established. The applicant (Glenn Greider) has indicated that when he purchased the property, Public Works staff contacted him about striking an agreement with the property owners to the South to lift the easement. At the Preliminary Plan Review meeting, existing Public Works staff did not indicate a desire to lift the easement. Apparently, the easement was created to accommodate truck traffic. Public Works staff also suggested that the overhead door to the metal addition could be used to access an indoor parking area on the site. The current businesses located to the South of the subject property, particularly Aaron Carlson Companies, has acknowledged that semi-truck and trailer traffic frequently drive East of the easement area through the Alamo building parking lot in order to make Southward bound turns onto Central Avenue. Changing the easement agreement might be a negotiable item, but is not a required item for the applicant's reasonable effort to provide the required parking stalls (with variance) for the current uses in the Alamo building. Pursuance of the aforementioned easement revision will require some legal work and private agreements. A shared parking agreement may also be a viable option for businesses in the immediate vicinity. Staff believes the parties involved need to cooperate better than they have to date if they have a desire to provide the City with a revised site plan and shared parking agreement that provides the applicants (the Alamo building) with a few parking stalls in exchange for allowing the trucks serving neighboring businesses to swing onto a designated area of the subject property in order to turn onto Central Avenue.

This application was noticed for a variance to reduce the required number of parking stalls from 38 to 24. The current use of the building requires that 38 parking stalls be provided. Calculation: Antiquified ( $2275 - 4000 = -1725/300$  or 4 stall minimum) + Electro-Mechanical Contractor's office and yard - 13 stalls ( $7885 - 4000 = 3885/300 = 12.95$ ) + Light Industrial Uses - 17 stalls (Teeners, Accessibility, Jose Mexican Food, Computer Gorilla) ( $16,573/1000 = 16.57$ ) + Storage/Warehousing space - 4 stalls ( $11,563/3000 = 3.85$ ). Staff is requiring that employee and customer parking for Electro-Mechanical be provided in the Contractors yard, but not necessarily striped per code at this time. By requesting that customer and employee parking for Electro-Mechanical be provided in the rear of the building, the remaining 25 stalls of required parking for other uses in the building is easier to manage and provide in the front of the building. The applicant has proposed 24 parking stalls in front of the building. Staff believes that the parking load is low enough that the applicants can provide the parking stalls (including a minimum of one van accessible HC stall and one short term loading zone) adjacent to the Western façade of the subject building immediately while the applicant and adjacent interested parties monitor activity to determine if a revised parking and traffic circulation plan that can substantially provide for the needs of those businesses in the area can be negotiated and submitted to the City for review.

**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 shall be landscaped as specified in section 530.150 (a).
- Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).
- 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.
- 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 530.160 (b).
- Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).
- The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.
- Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.
- All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible.
- All other areas not governed by sections 530.150, 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 530.220.
- 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 530.60, as provided in section 530.230.

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The applicant has proposed accenting the corners of the proposed parking area in front of the building with landscaping and providing a row of canopy trees around the NE corner of the contractors yard. Staff is recommending approval and implementation of small islands of landscaping at the NW and SW corners of the row of parking proposed in front of the building and approval of a landscaped setback five foot in width along the North property line in the contractor's yard. However, staff believes the landscaping materials list needs to be revised to include items such as columnar maples and columnar pyramidal arborvitaes and the soil will need to be amended, as well as the plantings protected (screened) to encourage plant growth and maturation. There is an easement over the NE corner of the property in an unpaved area outside the fence fronting the vacated section of Polk Street. Anything placed in this area, including landscaping, will need to be authorized by Public Works through an encroachment permit. The zoning office has determined the corrugated fencing, while not pretty and over six foot in height, has grandfather rights. Staff is recommending that environmental services and zoning inspections visit and monitor the site and relay findings to CPED-Planning as per the attached June 2003 letter from the Ward 1 Council Members office. In addition the applicants should contact Public Works-Sewer Design regarding site drainage, particularly since the site is over one acre (43,560 sf) in size.

The total lot area is 81,470 sf and the building footprint is 41,070 sf. Section 530.150 of the zoning code requires that not less than twenty (20) percent of the site not occupied by buildings (or in this application 8080 sf) shall be landscaped, (calculation: lot area – building footprint x 20% = 81,470 sf – 41,070 = 40,400 x .20 = 8080). Section 530.150 of the code also requires not less than one (1) canopy tree for each one thousand (1000) sf and not less than one (1) shrub per each two-hundred (200) sf of the site not occupied by buildings. In order to be in compliance, the required plant count for this site is eight (8) trees and forty (40) shrubs. The applicant has proposed approximately 1000 sf of landscaping area with plantings. Planning staff is recommending approval of alternative compliance on landscaping area and plant count, but believes the applicant, can provide the required number of trees along the North property line. Variety selection of planting materials is crucial due to the harsh growing environment and overhead power lines.

**ADDITIONAL STANDARDS:**

- **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.**
- **Site plans shall minimize the blocking of views of important elements of the city.**
- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **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.**
- **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.**

Lighting shall comply with the requirements of Chapter 535 and Chapter 541 of the zoning code. Planning staff and the City's Crime Prevention Officer believe lighting, including the pole light in the contractors yard should be tested for glare onto nearby residential units to the North. If the operation of the security lighting is problematic it may need to be directed at a different angle, shielded and/or

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replaced with more appropriate and energy efficient lighting. The proposed site plan does not block views of important elements of the city, generate wind currents at ground level, or shadow public spaces or adjacent properties. The Alamo building has reached the century mark, but is not designated historic.

**Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan**

**ZONING CODE:**

**Specific Development Standards:**

In general, the building should comply with section 536, Specific Development Standards, which requires the premises, all adjacent streets, sidewalks, and alleys, and all sidewalks and alleys within one hundred (100) feet to be inspected regularly for the purposes of removing litter.

**Hours of Operation:**

Hours of operation allowed under I1 zoning are 6:00 a.m. to 10:00 p.m. Sunday through Thursday and 6:00 a.m. to 11:00 p.m. Friday and Saturday.

**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. The applicant has indicated dumpsters are located within the building or are screened by the contractor's yard.

**Window obstructions:**

543.350. Window signs. Window signs shall be allowed, provided that such signage shall not exceed thirty (30) percent of the window area, whether attached to the window or not, and shall not block views into and out of the building at eye level. Window signs shall be included in the calculation of the total permitted building sign area, except as provided for temporary signs in section 543.330. There are signs and other obstructions in the windows that need to be monitored by zoning inspections for code compliance.

**Signage:**

Aniquified has proposed a 28 sf wall mounted sign, which meets code compliance. No other changes have been proposed to the signage. Signage is subject to Sections 531 and 543 of the Zoning Code. All new signage is required to meet the requirements of the code.

**MINNEAPOLIS PLAN:**

The comprehensive plan shows Central Avenue NE from the Mississippi River to 18<sup>th</sup> Avenue NE as a community corridor. Chapter four of *The Minneapolis Plan* states the following applicable objectives and implementation steps about community corridors:

**2.1 Minneapolis will increase its share of economic prosperity in the region.**

**Implementation Step:** Support efforts that build skills and connect residents to living-wage jobs.

**4.2 Minneapolis will coordinate land use and transportation planning on designated Community Corridors streets through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets.**

**Implementation Steps**

Require that street design for these corridors preserves and enhances the strong residential character and pedestrian orientation of these streets while maintaining the street's capacity to carry current volumes of traffic.

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

Ensure that commercial uses do not negatively impact nearby residential areas.

Prioritize transit advantages to Community Corridor streets, and encourage the routing of express transit service to these streets wherever possible.

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

Making Central Avenue Great (1997) concentrates on the 20<sup>th</sup> to 26<sup>th</sup> Avenues of Central Avenue and the Central Avenue CPTED (Crime Prevention Through Environmental Design) Improvement Project was implemented on the 22<sup>nd</sup> to 27<sup>th</sup> Avenues of Central Avenue NE. The Eastern border of the Northeast Arts District is located on the West side of Central Avenue between Broadway and Lowry. Staff is not aware of any other applicable development plans or objectives infringing on or related to this area.

**Alternative Compliance. The Planning Commission may approve alternatives to any major 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, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**
- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

Planning staff is recommending approval of alternative compliance on landscaping area and plant count under the belief strict adherence to the requirements is impractical because of site location and conditions. In exchange for alternative compliance, staff is requiring new amenities, such as accent landscaping in the NE and SE corners of the front parking lot and maintenance to the West façade of the Alamo building are provided, any new signage to the front (West) of the property include artistic qualities and/or historic characteristics, and the applicant consider adding bicycle parking to the final site plan.

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

The Community Planning and Economic Development Planning Division recommends that the City Planning Commission adopt the above findings and **accept the withdrawal** of the application for a rezoning to add the Industrial Living Overlay District to the property located at 1517-1519 Central Avenue NE in the I1 district.

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

The Community Planning and Economic Development Planning Division recommends that the City Planning Commission adopt the above findings and **accept the withdrawal** of the application for a change of nonconforming use from an I-2 electro-mechanical contractor's (indoor) storage and yard to an I-2 indoor hydraulics assembler (Air-O-Flex) with yard delivery access located at 1517-1519 Central Avenue NE in the I1 district.

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

The Community Planning and Economic Development Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a change of nonconforming use from an I-2 (medium industrial) electro-mechanical contractor's office to an antique store located at 1517-1519 Central Avenue NE in the I1 district, subject to the following conditions:

1. The items sold at the store under the antique license will meet the zoning code's definition of an antiques and collectibles store. An establishment where used property or cultural or collectible objects such as stamps, coins, sports memorabilia and art works are sold for collective purposes, where all or a substantial part of the value of the property is derived from its age, uniqueness or historical association.
2. The building code classification for that part of the Alamo building where Anitquified is located shall meet the applicable code requirements for an antique store, presumed to be B (Business) or M (Mercantile), prior to the store opening for retail use.
3. The entire building shall comply with the applicable fire code issues before the antique store opens for retail use.
4. Off-street parking for the antique store shall be provided.

**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 to reduce the required number of parking stalls from 38 to 24 for the uses in the Alamo building located at 1517-1519 Central Avenue NE in the I1 district, subject to the following condition:

1. The approval of a site plan for the property.

**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 to reduce the required two way drive aisle width variance from 22 to 18 feet for uses in the Alamo building located at 1517-1519 Central Avenue NE in the I1 district, subject to the following condition:

1. The approval of a site plan for the property.

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

The Community Planning and Economic Development Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for an antique store and a parking facility containing 10 or more new parking spaces located at 1517-1519 Central Avenue NE in the II district, subject to the following conditions:

- 1) The Community Planning and Economic Development Planning Division shall review and approve the final site and landscaping plans.
- 2) The final site plan shall show additional sidewalk of at least four (4) feet in width along the front of the building to connect the building entrances to the proposed parking facilities, new amenities to include accent landscaping in the NE and SE corners of the front parking lot adjacent to the NW and SW corners of the building, continuing maintenance to the West façade of the Alamo building, any new signage to the Central Avenue side of the property to include artistic qualities and/or historic characteristics, and the establishment of a landscaped setback five foot in width along the North property line in the contractor's yard.
- 3) The final site plan will show striped parking stalls, including a minimum of one van accessible HC stall and one short-term loading zone stall, in a row adjacent to the West façade of the building. The parking for the contractor's office and yard (Electro-Mechanical) will be provided in the rear of the building. Compact size stalls are subject to staff review and approval.
- 4) The uses in the entire building shall comply with the applicable fire and building classification use codes.
- 5) The applicant will consider adding bicycle parking to the final site plan.
- 6) The applicant shall provide a performance bond in an amount equal to 125% of the cost of site improvements or the permit may be revoked for noncompliance.
- 7) All site improvements shall be completed by November 1, 2005 unless extended by the Zoning Administrator, or the permit may be revoked for noncompliance..

**Attachments:**

1. Staff report and zoning code information
2. Statement of use, findings and neighborhood correspondence
3. City Actions and related maps and correspondence
4. Zoning maps
5. Site, landscaping and floor plans
6. Photos