

**Department of Community Planning and Economic Development—Planning Division
Site Plan Review
BZZ-1891**

Date: 8/23/04

Applicant: Brian Goff, 612-920-4706, 275-3128, fax: 612-920-4706, bril2268@msn.com

Address of Property: 3404 Nicollet Ave. S., Minneapolis, MN 55410

Project Name: Nicollet Deli

Contact Person and Phone: Same as applicant

Staff Contact Person and Phone: J. Michael Orange, Principal Planner. Phone: 612-673-2347; facsimile: 673-2728; TDD: 673-2157; e-mail: michael.orange@ci.minneapolis.mn.us

Date Application Deemed Complete: 7/30/04

End of 60-Day Decision Period: 9/28/04

End of 120-Day Decision Period: N/A

Ward: 10 **Neighborhood Organization:** Lyndale Neighborhood Association

Existing Zoning: C1, Neighborhood Commercial District

Zoning Plate Number: 25

Proposed Use: Application by Brian Goff for a site plan review approval for the Nicollet Deli and for the redevelopment of the accessory parking lot located at 3404 Nicollet Ave. S.

Prior approvals: None

Concurrent Review: Major Site Plan Review

Background: There is an existing building, built in 1900, on the site with three apartments on the second floor and three vacant commercial spaces on the ground floor. The Nicollet Deli will go into a small space (500 sq. ft.) and two other businesses are expected to open later. The parking requirement is 11 stalls, which is the number provided. Currently, there is an unimproved parking lot that is nonconforming as to yards, setbacks, and landscaping. The applicant intends to add striping, landscaping, and front and rear yards to reduce the nonconformity while still providing the required parking.

**If you need more information or have special needs, please call the
Minneapolis Planning Department at 612-673-2597.**

Staff received the following comment from the neighborhood group: “August 10, 2004 the Lyndale Neighborhood Development Corporation Board of Directors voted to support the site plan review approval for the Nicollet Deli and for the redevelopment of the accessory parking lot located at 3404 Nicollet Avenue. The application will not go before the Neighborhood General Membership for support because that meeting is August 23rd at 7 p.m. and the hearing is at 4:30 the same day. Mr. Soyer has agreed to attend the neighborhood meeting for a quick question and answer time.”

SITE PLAN REVIEW

Findings as Required By the Minneapolis Zoning Code:

1. Required Findings for Major 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 (refer to the above discussions).
- c. The site plan is consistent with applicable development plans or development objectives adopted by the City Council (refer to the above discussions).

Section A: Conformance with Chapter 530 of Zoning Code

Building Placement and Facade:

- **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.**

Planning Division Evaluation of Building Placement and Façade Requirements:

- This is an existing corner building built up to the property lines with entrances on the street.
- The parking lot is besides the building consistent with the Code.

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 on-site snow storage are provided.**
- **Site plans shall minimize the use of impervious surfaces.**

Planning Division Evaluation of Access and Circulation:

- A lighted walkway will connect the handicap accessible stall to the building entrances.
- Vehicular access is via an existing curb cut.
- The project conforms with the Code and to the requirements of the Public Works Dept. as regards vehicular access and circulation.
- All areas not needed for parking and access are landscaped.
- Snow will be stored in the yards.

Landscaping and Screening:

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
- **Not less than twenty (20) percent of the site not occupied by buildings 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. The two (2) feet between the face of the curb and any parking lot boundary shall not be landscaped with plant material, but instead shall be covered with mulch or rock, or be paved.**
- **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.**

Planning Division Evaluation of Landscaping and Screening:

- The site (7,475 sq. ft.) includes 535 sq. ft. of landscaping. This equals 14% of the net site (after subtracting for the 3,705 sq. ft. footprint of the building).
- The site is currently nonconforming as to yards (front/Nicollet, interior side/south, rear/west). The project will provide front and rear yards and will reduce the nonconformity.
- An existing 6-foot-high wood fence in the rear/west yard and new 3-foot-high masonry walls in the front/Nicollet yards meet the Code's screening requirements for these yards. The building to the south screens the interior side yard.

- The project exceeds the minimum requirements for trees and bushes. The City’s landscape consultant has reviewed and approved the landscape plan (Attachment 5).

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: The Police Division has reviewed the plans.**
- **Site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.**

Planning Division Evaluation of the Additional Standards:

- The applicant will replace the existing lighting fixtures with full-cutoff fixtures to prevent glare from escaping the site.
- The landscaping and screening will prevent headlight glare from impacting the surrounding area.
- The Police Division reviewed the design as regards crime prevention design elements.

2. 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 Division Analysis regarding Alternative Compliance:

**Department of Community Planning and Economic Development—Planning Division
Site Plan Review, BZZ-1891**

- The site includes 14% landscaping instead of the required 20%. As mitigating measures, the project includes intensive landscaping on all available land with more canopy trees than minimally required by the Code, and effective screening via a combination of a decorative wall, trees, and shrubbery.

RECOMMENDATIONS

Site Plan Review: The Community Planning and Economic Development Department—City Planning Division recommends that the City Planning Commission **approve** the site plan review application for the project at 3404 Nicollet Ave. S. subject to the following conditions:

1. Approval by the Planning Division of the final drawings including the site, lighting, and landscape plans.
2. If the site improvements exceed \$2,000 in value, the developer shall submit a performance bond for these improvements prior to the issuance of building permits.
3. The site improvements shall be completed by August 31, 2005 or the application may be revoked for noncompliance, unless extended by the Zoning Administrator or the City Council.

ATTACHMENTS

1. Zoning Code Information Sheet
2. Statement of use and findings
3. Zoning map
4. Plans
5. Photos