

**Department of Community Planning and Economic Development – Planning Division**  
Variances and Site Plan Review  
BZZ-5623

**Date:** July 16, 2012

**Applicant:** Hennepin County Property Services, Attn: John Wicks, A-2208 Government Center, 300 South Sixth Street, Minneapolis, MN 55487, (612) 348-5252

**Address of Property:** 2880 Hennepin Avenue

**Project Name:** Walker Library

**Contact Person and Phone:** VJA Architects, Inc., Attn: Eric West, 400 First Avenue North, Suite #410, Minneapolis, MN 55401, (612) 872-6370, x213

**Planning Staff and Phone:** Becca Farrar, Senior City Planner, (612) 673-3594

**Date Application Deemed Complete:** June 1, 2012

**End of 60-Day Decision Period:** July 31, 2012

**End of 120-Day Decision Period:** Not applicable for this application.

**Ward:** 10            **Neighborhood Organization:** East Isles Neighborhood Association and Lowry Hill East Neighborhood Association (LHENA)

**Existing Zoning:** C3A (Community Activity Center District) and PO (Pedestrian Oriented) Overlay District

**Proposed Zoning:** Not applicable for this application.

**Zoning Plate Number:** 24

**Lot area:** 20,548 square feet or approximately .47 acres

**Legal Description:** Not applicable for this application.

**Proposed Use:** A new public library.

**Concurrent Review:**

- Variance of the front yard setback requirement along the east property line adjacent to Hennepin Avenue from 20 feet to approximately 16 feet for the building wall and to allow a canopy extension to zero feet for the first 40 feet from north to south. The setback applies due to the R1A (Single-family) zoning of the Mall on the abutting property to the north.
- Variance of the north interior side yard setback adjacent to the north property line from 7 feet to 5 feet for the building and to allow fixed bicycle racks.
- Variance of the building placement provision in the PO (Pedestrian Oriented) Overlay District to allow a setback greater than 8 feet along Hennepin Avenue.

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- Variance to allow a driveway and retaining wall in the required rear yard setback along the west property line.
- Site Plan Review to allow for the construction of the new single-story, 14,680 square foot Walker Library. The property is zoned C3A (Community Activity Center) district and is located in the Hennepin and Lake area PO (Pedestrian Oriented) Overlay District.

**Applicable zoning code provisions:** Chapter 525, Article IX Variances and Chapter 530 Site Plan Review.

**Background:** The applicant, Hennepin County, proposes to construct a new single-story, 14,680 square foot public library on the existing library site located at 2880 Hennepin Avenue South. The property is currently zoned C3A and is located within the PO Overlay District. A library is a permitted use in the C3A district; however, due to the configuration of the building on site several variances as well as site plan review are required in order to develop the site as proposed. The variances include: (1) a variance of the front yard setback requirement along the east property line adjacent to Hennepin Avenue from 20 feet to approximately 16 feet for the building wall and to allow a canopy extension to zero feet at the closest point for the first 40 feet from north to south. The setback applies due to the R1A (Single-family) zoning of the Mall on the abutting property to the north; (2) a variance of the north interior side yard setback of 7 feet to 5 feet for the proposed building wall and to allow for the location of bicycle racks within the required yard; (3) a variance of the building placement provision in the PO (Pedestrian Oriented) Overlay District to allow a setback greater than 8 feet as the building is located approximately 16 feet at the furthest point from the property line along Hennepin Avenue; and (4) a variance to allow a driveway and retaining wall in the required rear yard setback along the west property line.

The new library as proposed would include a single-programmed level of approximately 14,680 square feet with a below-grade parking level of similar size that accommodates 21 spaces (3 tandem spaces are also provided for employee parking). The library's main public functions would be located at the street level. The north-south public alley previously located along the west property line was recently vacated by Hennepin County. The Minneapolis City Council approved the vacation application (Vacation File 1598) in March of 2012. That portion of the alley that was conveyed to Hennepin County has been incorporated into the development site, thus allowing for the utilization of the existing building foundation for the reconstructed library.

Hennepin County initially held public meetings beginning in 2009 to gather input and develop a community based vision for the new library. Several public sessions were held in order to provide stakeholders including local residents, community organizations and businesses a conduit to participate in discussions, visioning exercises and surveys. Additionally, the Walker Library Community Advisory Committee (CAC) was formed to articulate the vision and several public meetings were held during the design process with the CAC.

Planning Staff has not received official correspondence from either the Lowry Hill East Neighborhood Association (LHENA) or the East Isles Neighborhood Association prior to the printing of this report. Any correspondence received after the printing of this report shall be forwarded on to the Planning Commission for consideration.

**VARIANCE** – (1) Variance of the front yard setback requirement along the east property line adjacent to Hennepin Avenue for the first 40 feet from north to south; (2) Variance of the interior side yard setback adjacent to the north property line; (3) Variance of the building placement provision in the PO (Pedestrian Oriented) Overlay District to allow a setback greater than 8 feet; (4) Variance to allow a driveway and retaining wall in the required rear yard setback along the west property line.

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

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

**Front yard setback requirement along the east property line adjacent to Hennepin Avenue for the first 40 feet:** The applicant proposes to reduce the front yard setback along the east property line adjacent to Hennepin Avenue from 20 feet to approximately 16 feet for the building wall and to zero feet for a canopy extension for the first 40 feet from north to south. This setback is required due to the R1A (Single-family) zoning of the Mall on the abutting property to the north. Planning Staff believes that there are unique circumstances that exist due to the fact that the development site abuts this Park Board owned property as well as the fact that the property is located in the PO Overlay District and within the designated Activity Center in the core of Uptown. Requiring that the structure be pulled back an additional 4 feet along Hennepin Avenue, and the canopy nearly 20 feet for this 40 foot segment of the building would not only impact the overall design of the structure but the functions within the interior of the building. The setback provision has been put in place to ensure that abutting residential uses are afforded a buffer when located next to commercially zoned properties. In this specific circumstance there is no abutting residential use and the requirement creates practical difficulties.

**Interior side yard setback adjacent to the north property line:** A setback of 7 feet is required along the north interior side yard. The building is setback approximately 5 to 6 feet depending on the location and fixed bicycle racks are also located within the setback in this location. Locating the building 5 feet from the property line at the closest point is ample and reasonable in this circumstance, especially given the fact that the Mall site will likely never be developed. Locating the bicycle parking on the north side of the building is practical due to the fact that the bicycle parking is widely visible and the development site is located in close proximity to the Midtown Greenway. Additionally, the transit station is located adjacent to the site. Locating the bicycle parking elsewhere on site would not be practical as it would either need to be concealed within the lower level of the building or within the public right-of-way which would not be ideal due to the high volume of pedestrian traffic in the area.

**Building placement provision in the PO (Pedestrian Oriented) Overlay District to allow a setback greater than 8 feet:** The subject property is located in the PO Overlay District which requires that buildings be located not more than 8 feet from the property line in order to reinforce the street wall and to reinforce pedestrian activity. The building as proposed has a diagonal building face for the majority of the building wall facing Hennepin Avenue that is located approximately 3 feet at the closest point from the property line and expands to approximately 10 feet near the intersection of Hennepin Avenue and Lagoon Avenue. The largest recess occurs at the north end of the building at the principal entrance to the library where the structure is subject to a 20 foot front yard setback requirement due to the abutting residentially zoned Mall property. The building is located approximately 16 feet from the property line in this location along Hennepin Avenue although a canopy extension is located up to the property line. Planning Staff believes that practical difficulties exist and that the proposed location is reasonable and appropriate given the context of the area.

**To allow a driveway and retaining wall in the required rear yard setback along the west property line:** As previously noted, the former north-south public alley located along the west property line was vacated in March of 2012. The property was vacated in order to allow for the reuse of portions of the existing building foundation in order to reduce demolition costs and to comply with sustainability objectives as part of the redevelopment of the site. Maintaining a 7-foot setback in this location would eliminate the ability to use portions of the existing foundation as well as restrict the buildable area of the site. The alley vacation resulted in a transfer of approximately 6 feet to Hennepin County and approximately 6 feet to the abutting land owner to the west. Section 541.260 of the zoning code does not allow uncovered driveways in required rear yards when abutting residential uses without a variance. In this specific circumstance, the property would be subject to a required

yard of 5+2x or 7 feet as the building is technically two stories. The building wall is located approximately 22 feet from the property line. The driveway and associated retaining wall would be located up to the property line. The residential dwelling on the abutting property would be located approximately 17 feet from the retaining wall. Given the use of the property and the distance to the abutting residential development, Planning Staff believes that practical difficulties exist and that the request is reasonable and appropriate.

**2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.**

**Front yard setback requirement along the east property line adjacent to Hennepin Avenue for the first 40 feet:** The proposal to reduce the setback from 20 feet to approximately 16 feet for the building wall and to zero feet for a canopy extension for the first 40 feet from north to south is reasonable and would be in keeping with the spirit and intent of the ordinance and the comprehensive plan. While the building wall nearly complies with the underlying setback requirement, the property is also located in the PO Overlay District which requires that properties be located at a setback of no greater than 8 feet. In this way, the two regulations are contradictory and the proposal attempts to strike a balance between both regulations. The canopy extension up to the property line creates the appearance of a building wall that reinforces the public street and incorporates a pedestrian-scale design element. The setback of the building wall to approximately 16 feet respects the adjacent Mall property to the east and provides relief along that corner of the building.

**Interior side yard setback adjacent to the north property line:** A setback of 7 feet is required along the north interior side yard. The building is setback approximately 5 to 6 feet depending on the location and fixed bicycle racks are also located within the setback in this location. The proposal is reasonable and would be keeping with the spirit and intent of the ordinance and comprehensive plan as the building wall is articulated, includes a considerable amount of fenestration and provides adequate relief from the abutting property line. The location of the fixed bicycle racks allows for greater visibility in this location which would result in higher rates of usage.

**Building placement provision in the PO (Pedestrian Oriented) Overlay District to allow a setback greater than 8 feet:** The subject property is located in the PO Overlay District which requires that buildings be located not more than 8 feet from the property line in order to reinforce the street wall and to reinforce pedestrian activity. The building as proposed has a diagonal building face for the majority of the building wall facing Hennepin Avenue that is located approximately 3 feet at the closest point from the property line and expands to approximately 10 feet near the intersection of Hennepin Avenue and Lagoon Avenue. The largest recess occurs at the north end of the building where the principal entrance to the library is located. In this location the building is located approximately 16 feet from the property line along Hennepin Avenue although a canopy extension is located up to the property line in this location. Given the location of the building, the provision of an additional setback requirement in select locations and the high levels of pedestrian, bicycling and transit activity in the immediate vicinity, the proposal to increase the setback in intermittent locations along the Hennepin Avenue façade is reasonable and would be keeping with the spirit and intent of the ordinance and comprehensive plan.

**To allow a driveway and retaining wall in the required rear yard setback along the west property line:** In this specific circumstance, the property would be subject to a required yard of 5+2x or 7 feet as the building is technically two stories. The building wall is located approximately 22 feet from the property line. The driveway and associated retaining wall would be located up to the property line. The residential dwelling on the abutting property would be located approximately 17 feet from the retaining wall. As designed, the retaining wall is intended to be 42” above grade on the neighbor’s side of the property, and given the slope of the driveway to the underground parking garage, the wall varies from 3’ 8” at the high end to approximately 9’ at the lowest point of the drive. Given the separation between the library and abutting residential use, Planning Staff believes that the

proposal is reasonable and would be keeping with the spirit and the intent of the ordinance and comprehensive plan.

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

**Front yard setback requirement along the east property line adjacent to Hennepin Avenue for the first 40 feet:** The proposal to reduce the setback from 20 feet to approximately 16 feet for the building wall and to zero feet for a canopy extension for the first 40 feet from north to south would not adversely alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity, nor would it be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties. The proposal attempts to strike a balance between the applicable zoning district and overlay district regulations that apply to the subject site.

**Interior side yard setback adjacent to the north property line:** Reducing the setback from 7 feet to approximately 5 to 6 feet for the building wall depending on the location and to allow fixed bicycle racks within the north interior side yard would not adversely alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity, nor would it be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties. The setback for the building is ample and locating bicycle parking in this area is practical given the adjacent use and proximity to the Midtown Greenway.

**Building placement provision in the PO (Pedestrian Oriented) Overlay District to allow a setback greater than 8 feet:** The proposal to locate the building up to approximately 16 feet away from the property line but allow a canopy extension up to the property line would not adversely alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity, nor would it be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties. Given the location of the building, the provision of an additional setback requirement in select locations and the high levels of pedestrian, bicycling and transit activity in the immediate vicinity, the request is appropriate.

**To allow a driveway and retaining wall in the required rear yard setback along the west property line:** Allowing a driveway and retaining wall to be located up to the property line would not adversely alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity, nor would it be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties. The applicant has worked with the abutting property owner to attempt to mitigate any potential impacts. The County has agreed to build a 6-foot tall fence for the neighbor, along with planting groundcover.

## **SITE PLAN REVIEW**

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

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**
- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)**

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

**BUILDING PLACEMENT AND DESIGN:**

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances, windows, and active functions:
  - Residential uses:
    - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
      - a. Windows shall be vertical in proportion.
      - b. Windows shall be distributed in a more or less even manner.
  - Nonresidential uses:
    - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
      - a. Windows shall be vertical in proportion.
      - b. Windows shall be distributed in a more or less even manner.
      - c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
      - d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
      - e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.

- f. **Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.**
- g. **In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.**

**Minimum window area shall be measured as indicated in section 530.120 of the zoning code.**

**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.**

An approximate 14,680 square foot, single-story library is proposed on the property. The building is subject to three yard requirements and correspondingly, the applicant has submitted three yard variance requests as follows: (1) a variance of the front yard setback requirement along the east property line adjacent to Hennepin Avenue from 20 feet to approximately 16 feet for the building wall and to allow a canopy extension to zero feet for the first 40 feet from north to south. The setback applies due to the R1A (Single-family) zoning of the Mall on the abutting property to the north; (2) a variance of the interior side yard setback adjacent to the north property line from 7 feet to 5 feet for the building and to allow fixed bicycle racks; and (3) a variance to allow a driveway and retaining wall in the required rear yard setback along the west property line. The findings for each of these requests are noted above.

Further, the property is located in the PO Overlay District where the first floor of buildings must be located not more than 8 feet from the front lot line except where a greater yard is required by the zoning ordinance. Alternative compliance is necessary and the applicant also applied for a variance of the building placement provision as noted above. Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance as the majority of the building is within 8 feet with two exceptions. The building as proposed has a diagonal building face for the majority of the building wall facing Hennepin Avenue that is located approximately 3 feet at the closest point from the property line and expands to approximately 10 feet near the intersection of Hennepin Avenue and Lagoon Avenue. The largest recess occurs at the north end of the building at the principal entrance to the library where the structure is subject to a 20 foot front yard setback requirement due to the abutting residentially zoned Mall property. The building is located approximately 16 feet from the property line in this location along Hennepin Avenue although a canopy extension is located up to the property line. Planning Staff believes that it is appropriate in this specific circumstance to grant alternative compliance as the greater setback provides relief at the principal entrance to the structure and at the corner of Hennepin Avenue and Lagoon Avenue.

The proposed building is oriented towards both street frontages and the use of progressive design and street-oriented building alignments is reinforced. The design also maximizes natural surveillance and visibility, and facilitates pedestrian access and circulation along both street frontages. There is one principal entrance to the building through a vestibule that faces the north property line, although access to the entry would be off of the public sidewalk along Hennepin Avenue. Alternative compliance would be necessary as the entrance does not directly face a public street. Planning Staff would recommend that the Planning Commission require compliance

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with this provision and require that either the doors to the principal entry be shifted to face Hennepin Avenue or that another set of doors to the vestibule be incorporated off of Hennepin Avenue.

The south and east elevations of the building are subject to a 40% window requirement as the property is located in a PO Overlay District. Windows between 2 and 10 feet are required in order to provide natural surveillance and visibility by having active uses located along public streets and facing on-site parking areas.

On the south elevation of the proposed structure facing Lagoon Avenue, the proposal exceeds the 40% window requirement as a total of 44% are provided. The windows are vertical in nature but not evenly distributed as the windows are congregated towards the intersection of Hennepin Avenue and Lagoon or towards the front half of this elevation. Alternative compliance is necessary for window distribution. Planning Staff would recommend that the Planning Commission grant alternative compliance in this circumstance, however, it appears that it would be reasonable to require some additional windows as the space is programmed as multi-purpose space according to the floor plan.

The east elevation of the proposed structure facing Hennepin Avenue exceeds the 40% window requirement as a total of 84% are provided. The windows are vertical in nature and evenly distributed as they nearly cover the entire street facing façade.

The exterior materials and appearance of the rear and side walls of the proposed building would be similar to and compatible with the front of the building. The materials on the proposed structure would include pre-cast concrete and three types of metal siding. The proposed building incorporates architectural elements including recesses and projections, windows and entries. There are blank uninterrupted walls that exceed 25 feet in width on the north, south and west elevations of the building. Alternative compliance is necessary. Planning Staff would recommend that the Planning Commission require compliance with this provision. It appears that additional windows could be included on the south elevation and slight material adjustments on the north and west sides of the structure would also meet the intent. The principal roof line of the building would be flat which is consistent with other roof lines in the immediate vicinity.

The building complies with the active functions provision as outlined above as the entire first floor of the building is programmed for the library.

All parking proposed for the site is located in an underground parking garage below the proposed building. The 21 off-street parking spaces would be accessed off of Lagoon Avenue via a one-way driveway exiting onto the Mall.

### **ACCESS AND CIRCULATION:**

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

The building is directly connected to the public sidewalk in most locations and via walkways that are greater than 4 feet in width where there is not a direct connection. Walkways are located around the perimeter of the site.

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While there are no transit shelters within the development itself, the site is adjacent to a transit station that serves multiple bus routes.

Currently the parking located on the library site is public parking that is metered by the City but owned by Hennepin County. With the redevelopment of the site, the parking will transition to patron parking for the library. The underground parking proposed for the new library accommodates a total of 21 off-street parking spaces. The parking garage would be accessed via a one-way driveway off of Lagoon Avenue and would exit onto the Mall. The exit driveway extends over Park Board property within an unrecorded easement. The Park Board has a resolution in support of the proposed drive-aisle that would be recorded following the applicable land use approvals. The site has been designed to minimize conflicts with surrounding land uses. A TDMP has been submitted to Public Works for final review and comment.

There are no public alleys within or adjacent to the site. As previously noted, the north-south public alley along the west side of the property was vacated in March of 2012.

The site is entirely impervious as the building, walkways and driveway to the underground parking garage cover the entire site.

### **LANDSCAPING AND SCREENING**

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

The proposal does not meet the 20% landscape requirement. The total site area is 20,548 square feet in size or .47 acres and proposed building footprint on the site would be 14, 680 square feet. A total of 1,174 square feet of

landscaping would be necessary to meet the 20% requirement. The applicant is providing 0 square feet of landscaping or approximately 0% of the site not occupied by buildings. The only landscaping provided by the applicant are trees located within the public right-of-way and ground cover on the abutting property. The zoning code requires that there be at least 3 trees and 12 shrubs planted on the property. The applicant is not proposing to provide any plantings on site. Alternative compliance is required for both the overall amount as the site does not meet the 20% requirement and for quantities as no landscaping is proposed on site. Planning Staff believes that it is necessary to include some greenery on the site in order to soften the appearance of the building and the overall site. While it may not be practical to require landscaping in a conventional sense due to the configuration of the building, there are alternative ways to green the site. Planning Staff would recommend that the Planning Commission require that the building incorporate living walls, in the blank uninterrupted areas on the north, south and west elevations of the building as well as abutting the retaining walls located on the west property line as appropriate.

**ADDITIONAL STANDARDS:**

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

The approach to stormwater on site is consistent with City regulations. Water that falls on the high roof of the library would pond on the structure. The rate of flow would be restricted by small drains so that the system is charged at a compliant rate. Water that falls on the driveway would flow to a large underground corrugated metal pipe. Over time that water would percolate into the soil.

Planning Staff would not expect the proposed building to result in the significant blocking of views, shadowing of adjacent properties or impacts on light, wind and air in relation to the surrounding area. There are several properties in the immediate vicinity that are substantially larger and taller than the proposed library.

Planning Staff has general concerns pertaining to site lighting and the overall security on site. Planning Staff would encourage the applicant to develop an adequate security plan for the development prior to permit issuance. Additionally, Planning Staff would expect to review a detailed lighting plan upon submission of final plans. The site has generally been developed in such a manner that it appears to adhere to the crime prevention standards outlined in the Zoning Code. The majority of the window openings that are provided allow for adequate natural surveillance and visibility along three sides of the building.

There are no historic buildings on the subject site as it is currently a predominantly underground public library.

**Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan and Applicable Small Area Plans Adopted by the City Council**

**ZONING CODE** - The proposed use of the site as a library is permitted in the C3A District.

If all land use/zoning applications are approved including the variances and site plan review, the proposal would comply with all provisions of the C3A District and the PO Overlay District.

**Parking and Loading:**

*Minimum automobile parking requirement:* According to Chapter 541, the minimum required number of parking spaces for libraries would be 1 space per 500 square feet in excess of 4,000 square feet. Based on the gross floor area of 14,680 square feet, a total of 21 off-street parking spaces would be required. However, the property is located in the PO Overlay District, thus the minimum off-street parking allowance for nonresidential uses is 75% of the minimum requirement or 16 spaces. The applicant is proposing to provide a total of 21 off-street parking spaces within the underground parking garage located on site which complies with the minimum requirement. An additional 3 tandem spaces are provided for library employees; however, these spaces are not included in the overall amount.

*Maximum automobile parking requirement:* According to Chapter 541, the maximum parking requirement for libraries would be 1 space per 200 square feet of gross floor area. Based on the gross floor area of 14,680 square feet, the maximum parking allowed would be 73 off-street parking spaces. However, the property is located in the PO Overlay District, thus the maximum off-street parking allowance for nonresidential uses is 75% of the maximum requirement or 55 spaces. The applicant is proposing to provide 21 spaces on the site which is below the maximum requirement.

*Bicycle parking requirement:* Libraries require 1 space per 5,000 square feet of gross floor area. Based on the gross floor area of 14,680 square feet a total of 3 bicycle parking spaces are required of which not less than 50% of the required bicycle parking shall meet the standards for short-term bicycle parking which are as follows:

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

The proposal meets the requirement for bicycle parking as a total of 16 bicycle parking spaces are provided on the north side of the building.

*Loading:* There is no loading space requirement for libraries.

**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 development complies with this provision as there are trash receptacles located below grade on the west side of the site abutting the driveway. They are screened from the driveway by an exterior wall that meets the above-listed requirements.

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**Signs:** No signs have been proposed or approved. Any new signage requires a separate permit from the Zoning Office. It appears that the freestanding LIBRARY sign on the premises will be reinstalled as part of the redevelopment of the site; however, the size and location has not been approved as part of this application. All signage on site will require separate permits and must comply with Chapter 543 of the Zoning Code.

**Lighting:** No lighting plan was submitted. A detailed lighting plan identifying all exterior lighting and fixture types shall be submitted for review and approval. All lighting will need to be downcast and shielded to avoid undue glare. All lighting shall comply with Chapter 535.

**Maximum Floor Area:** The maximum F.A.R. for all structures within the C3A district is the gross floor area of the building which is 14,680 square feet divided by the area of the lot which is 20,548 square feet. The outcome is .71 which is less than the maximum of 2.7 that is permitted in the C3A District.

**Minimum Lot Area:** Not applicable for the proposed development.

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

**Height:** Maximum building height for principal structures located in the C3A district is 4 stories or 56 feet, whichever is less. The applicant is proposing to construct a single-floor (technically two-story) building that is 33 feet tall; therefore, it complies with the requirement.

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

*Front – along Hennepin Avenue South: 20 feet for the first 40 feet from north to south*

*Corner side yard setback – along Lagoon Avenue: 0 feet*

*Interior side yard/rear (5+2x) – along north and west property lines: 7 feet*

The proposal requires a total of three yard variances as noted above.

**Building coverage:** Not applicable for the proposed development.

**Impervious surface area:** Not applicable for the proposed development.

**THE MINNEAPOLIS PLAN FOR SUSTAINABLE GROWTH:**

According to *The Minneapolis Plan for Sustainable Growth*, the subject site is designated as mixed-use and is located within the boundaries of the designated Uptown Activity Center. The property has frontage on Hennepin Avenue and Lagoon Avenue which are both designated Commercial Corridors in this location and approximately one block from the Midtown Greenway located north of the Mall which abuts the site. “Activity Centers support a wide range of commercial, office, and residential uses. They typically have a busy street life with activity throughout the day and into the evening. They are heavily oriented towards pedestrians, and maintain a traditional urban form and scale. Activity Centers are also well-served by transit.” In addition, the plan states the following about libraries: “the City of Minneapolis does not directly provide library service. All libraries in Minneapolis and suburban Hennepin County are owned and operated by Hennepin County Library as a result of unification with the Minneapolis Public Library. While the strengths of each system contributes to a more effective county-wide library, Minneapolis will continue to play a role in ensuring that the libraries within its boundaries provide services that are unique to a growing and changing urban environment.” According to *The Minneapolis Plan for Sustainable Growth*, the following policies and implementation steps apply to this proposal:

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Land Use Policy 1.1 states, “Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.”

Land Use Policy 1.2 states, “Ensure appropriate transitions between uses with different size, scale, and intensity.” This policy includes the following applicable implementation step: (1.2.1) “Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area.”

Land Use Policy 1.3 states, “Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit. This policy includes the following applicable implementation steps: (1.3.1) “Require safe, convenient, and direct pedestrian connections between principal building entrances and the public right-of-way in all new development and, where practical, in conjunction with renovation and expansion of existing buildings”; (1.3.2) “Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features”; (1.3.3) “Encourage above-ground structured parking facilities to incorporate development that provides active uses on the ground floor.”

Land Use Policy 1.4 states, “Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.” This policy includes the following applicable implementation steps: (1.4.1) “Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served”; (1.4.2) “Promote standards that help make commercial districts and corridors desirable, viable, and distinctly urban, including: diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements to add interest at the pedestrian level.”

Land Use Policy 1.5 states, “Promote growth and encourage overall city vitality by directing new commercial and mixed use development to designated corridors and districts. This policy includes the following applicable implementation step: (1.5.1) “Support an appropriate mix of uses within a district or corridor with attention to surrounding uses, community needs and preferences, and availability of public facilities.”

Land Use Policy 1.10 states, “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. This policy includes the following applicable implementation step: (1.10.1) “Support a mix of uses – such as retail sales, office, institutional, high-density residential and clean low impact light industrial – where compatible with the existing and desired character.”

Land Use Policy 1.12 states, “Support Activity Centers by preserving the mix and intensity of land uses and by enhancing the design features that give each center its unique urban character.” This policy includes the following applicable implementation steps: (1.12.1) “Encourage a variety of commercial and residential uses that generate activity all day long and into the evening;” (1.12.3) “Encourage active uses on the ground floor of buildings in Activity Centers”; (1.12.9) “Encourage architectural design, building massing and site plans to create or improve public and semi-public spaces in Activity Centers.”

Public Services and Facilities Policy 5.1 states: “Coordinate facility planning among city departments and public institutions.” This policy includes the following applicable implementation step: (5.1.1) “Encourage communication and coordination among city departments, Hennepin County, Minneapolis Park and Recreation Board, and Minneapolis Public Schools to share use of facilities.”

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Public Services and Facilities Policy 5.3 states: “Support a strong library system with excellent services, programs, and collections to meet a variety of informational and educational needs. This policy includes the following applicable implementation steps: (5.3.1) “Through active engagement with the Hennepin County Library board, ensure that the unified Hennepin County Library contributes to the long-term viability of libraries in Minneapolis”; (5.3.2) “Advocate for high quality service that is responsive to the diverse and changing needs and interests of all library patrons.”

The proposal to construct a new Walker Library on the property is consistent with the above-listed policies and implementation steps of the *Minneapolis Plan for Sustainable Growth*.

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

There are two additional plans that must be considered when evaluating the proposal which include the *Midtown Greenway Land Use & Development Plan*, which was adopted by the City Council on February 23, 2007, and the *Uptown Small Area Plan* which was adopted by the City Council on February 1, 2008. A portion of the *Uptown Small Area Plan* study area overlaps with the *Midtown Greenway Land Use & Development Plan* area. Parcels north of Lagoon Avenue, east of Humboldt Avenue, south of 28<sup>th</sup> Street, and west of Bryant Avenue are included in both plans. The guidelines outlined in the *Midtown Greenway Land Use & Development Plan* are more general, whereas those identified in the *Uptown Small Area Plan* are more specific and focus on the Greenway in relation to the retail center and the four neighborhoods of Uptown.

The *Midtown Greenway Land Use & Development Plan*, includes parcels on each side of the Midtown Greenway from the western boundary of the City to Hiawatha Avenue and designates the subject site as a commercial, mixed-use site on the future land use plan as well as a Transit-Oriented Development District which allows density typically allowed in the R6, C3A or OR3 districts. There are three building types that are identified within the plan that would be considered suitable based on those designations which include: (1) apartments (which include for-sale and rental buildings 3 to 5 stories in height, etc.); (2) Tall apartments (which include for-sale and rental building that exceed 5 stories); and (3) Greenway buildings (which are structures that effectively form part of the wall of the greenway trench and that have a lower level with doors or windows that face the Greenway.

The *Uptown Small Area Plan* locates this property within the boundaries of an Activity Center. The Plan proposes the majority of new growth to occur in the Core of Uptown (the Activity Center and the Urban Village). The plan states that this area of Uptown can accommodate the most growth because there is ample vacant and underutilized land and it is the area of Uptown best served by transit. While the plan doesn't have specific recommendations for this site, in general, the future land use identified for this specific site is mixed use, and the recommended development intensity is for transit oriented development. The plan suggests that development up to 84 feet is appropriate on major corridors.

It is Planning Staff's opinion that the proposed development is in general conformance with the adopted *Midtown Greenway Land Use & Development Plan* and the *Uptown Small Area 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**

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or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.

- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

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

*Building placement:* The property is located in the PO Overlay District where the first floor of buildings must be located not more than 8 feet from the front lot line except where a greater yard is required by the zoning ordinance. Alternative compliance is necessary and the applicant also applied for a variance of the building placement provision as noted above. Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance as the majority of the building is within 8 feet of the front lot line with two exceptions. The building as proposed has a diagonal building face for the majority of the building wall facing Hennepin Avenue that is located approximately 3 feet at the closest point from the property line and expands to approximately 10 feet near the intersection of Hennepin Avenue and Lagoon Avenue. The largest recess occurs at the north end of the building at the principal entrance to the library where the structure is subject to a 20 foot front yard setback requirement due to the abutting residentially zoned Mall property. The building is located approximately 16 feet from the property line in this location along Hennepin Avenue although a canopy extension is located up to the property line. Planning Staff believes that it is appropriate in this specific circumstance to grant alternative compliance as the greater setback provides relief at the principal entrance to the structure and at the corner of Hennepin Avenue and Lagoon Avenue.

*Principal entrance facing a public street:* There is one principal entrance to the building through a vestibule that faces the north property line, although access to the entry would be off of the public sidewalk along Hennepin Avenue. Alternative compliance would be necessary as the entrance does not directly face a public street. Planning Staff would recommend that the Planning Commission require compliance with this provision and require that either the doors be shifted to face Hennepin Avenue or that another set of doors to the vestibule be incorporated off of Hennepin Avenue.

*Window distribution:* On the south elevation of the proposed structure facing Lagoon Avenue, the proposal exceeds the 40% window requirement as a total of 44% are provided. The windows are vertical in nature but not evenly distributed as the windows are congregated towards the intersection of Hennepin Avenue and Lagoon or towards the front half of this elevation. Alternative compliance is necessary for window distribution. Planning Staff would recommend that the Planning Commission grant alternative compliance in this circumstance, however, it appears that it would be reasonable to require some additional windows as the space is programmed as multi-purpose space according to the floor plan.

*Blank wall provision:* There are blank uninterrupted walls that exceed 25 feet in width on the north, south and west elevations of the building. Alternative compliance is necessary. Planning Staff would recommend that the Planning Commission require compliance with this provision. It appears that additional windows could be included on the south elevation and slight material adjustments on the north and west sides of the structure would also meet the intent.

*20% landscape requirement and landscape quantities -* The proposal does not meet the 20% landscape requirement. The total site area is 20,548 square feet in size or .47 acres and proposed building footprint on the site would be 14,680 square feet. A total of 1,174 square feet of landscaping would be necessary to meet the 20% requirement. The applicant is providing 0 square feet of landscaping or approximately 0% of the site not occupied by buildings. The only landscaping provided by the applicant are trees located within the public right-

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of-way and ground cover on the abutting property. The zoning code requires that there be at least 3 trees and 12 shrubs planted on the property. The applicant is not proposing to provide any plantings on site. Alternative compliance is required for both the overall amount as the site does not meet the 20% requirement and for quantities as no landscaping is proposed on site. Planning Staff believes that it is necessary to include some greenery on the site in order to soften the appearance of the building and the overall site. While it may not be practical to require landscaping in a conventional sense due to the configuration of the building, there are alternative ways to green the site. Planning Staff would recommend that the Planning Commission require that the building incorporate living walls, in the blank uninterrupted areas on the north, south and west elevations of the building as well as abutting the retaining walls located on the west property line as appropriate.

**RECOMMENDATIONS:**

**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 application for a variance of the front yard setback requirement along the east property line adjacent to Hennepin Avenue from 20 feet to approximately 16 feet for the building wall and to allow a canopy extension to zero feet for the first 40 feet from north to south on the property located at 2880 Hennepin Avenue.

**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 application for a variance of the interior side yard setback adjacent to the north property line from 7 feet to 5 feet for the building wall and to allow fixed bicycle racks on the property located at 2880 Hennepin Avenue.

**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 application for a variance of the building placement provision in the PO (Pedestrian Oriented) Overlay District to allow a setback of up to approximately 16 feet along Hennepin Avenue on the property located at 2880 Hennepin Avenue.

**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 application for a variance to allow a driveway and retaining wall up to the west property line in the required rear yard setback on the property located at 2880 Hennepin Avenue.

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

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The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application to allow for the construction of a new single-story, 14,680 square foot Walker Library on the property located at 2880 Hennepin Avenue subject to the following conditions:

1. Planning Staff review and approval of the final site, elevation, lighting and landscaping plans.
2. All site improvements shall be completed by July 16, 2013, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. Incorporation of windows, entries, recesses, projections or other architectural elements along the north, south and west elevations of the proposed building to break up the blank uninterrupted walls that exceed 25 feet in width per Section 530.120 of the Zoning Code.
4. The doors to the principal entry shall be shifted to face Hennepin Avenue or an additional set of doors to the entrance vestibule shall be incorporated off of Hennepin Avenue.
5. Living walls shall be incorporated on the north, south and west elevations of the building as well as abutting the retaining walls located on the west property line to soften the appearance of the building and site.

**Attachments:**

1. Statement of use and description
2. Findings –variances
3. Correspondence
4. Zoning Map
5. Plans - Civil plans, site plan, landscaping plans, floor plans, elevations, context
6. Photos