

**Department of Community Planning and Economic Development – Planning Division**  
Conditional Use Permit and Site Plan Review  
BZZ-5640

**Date:** July 30, 2012

**Applicant:** Jefferson Lines, Attn: Steven Woelfel, 2100 East 26<sup>th</sup> Street, Minneapolis, MN 55404, (612) 359-3422

**Addresses of Property:** 2100 and 2200 East 26<sup>th</sup> Street, and 2528 Snelling Avenue

**Project Name:** Jefferson Lines

**Contact Person and Phone:** Kimley-Horn and Associates, Inc., Attn: Brandon Elegert, 2550 University Avenue West, Suite 238N, Saint Paul, MN 55114, (651) 645-4197

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

**Date Application Deemed Complete:** June 21, 2012

**End of 60-Day Decision Period:** August 20, 2012

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

**Ward:** 2 & 9     **Neighborhood Organization:** Seward Neighborhood Group and Longfellow Community Council

**Existing Zoning:** I2 (Medium Industrial) district

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

**Zoning Plate Number:** 21

**Lot area:** 138,206 square feet or approximately 3.17 acres

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

**Proposed Use:** To allow their bus parking and operations area, as well as their passenger vehicle/employee parking, to be reconfigured and expanded onto excess property acquired from the City of Minneapolis.

**Concurrent Review:**

- Amend the Conditional Use Permit to allow for an expansion of the existing transportation use (bus garage/maintenance facility) in the I2 (Medium Industrial) District.
- Site Plan Review to allow for the expansion of the existing transportation use (bus garage or maintenance facility) on the premises.

**Applicable zoning code provisions:** Article VII, Conditional Use Permits, and Chapter 530 Site Plan Review.

**Background:** The applicant proposes to expand an existing transportation use (bus company/maintenance facility) on the properties located at 2100 and 2200 East 26<sup>th</sup> Street, and 2528 Snelling Avenue. The property is zoned I2 (Medium Industrial) district. Bus companies, categorized as a bus garage or maintenance facility in the Zoning Code, are allowed as conditional uses in the I2 district. This use is deemed to have a conditional use permit; therefore, an amendment to the conditional use permit is required. Site plan is also required for all transportation uses.

Jefferson Lines is in the process of acquiring approximately .47 acres of excess property north of the site from the City of Minneapolis. With the acquisition of this property, Jefferson Lines is proposing to reconfigure their bus parking and operations area as well as their passenger vehicle/employee parking area. Additional proposed site improvements include on-site stormwater management through bio-filtration basins, and re-grading of the existing stormwater management basin and various pretreatment devices. Further, new lighting, decorative fencing and wood fencing is proposed to be installed as well.

The Metropolitan Council recently purchased the subject land from the Minnesota Department of Transportation (MnDOT). The land is excess right-of-way from the construction of the Hiawatha LRT Corridor. The Metropolitan Council negotiated the sale terms with the owner of the property, Jefferson Lines, and then asked the City of Minneapolis to be the conduit for this transaction.

City Staff has previously made the determination that it is satisfactory to transfer this parcel/tract of excess land to Jefferson Lines without a plat, RLS, or any subdivision, as it is excess right-of-way and involves a government entity as outlined in Section 598.60 of the Subdivision Ordinance. However, a condition of approval will be included that requires that the property be combined under one tax identification number through Hennepin County to ensure that a land locked parcel isn't established.

Planning Staff has not received official correspondence from the Seward Neighborhood Group or the Longfellow Neighborhood Community Council prior to the printing of this report. The property is located in both neighborhoods as the dividing line bisects the property. No neighborhood letters or emails have been received. Any correspondence received prior to the Planning Commission meeting will be forwarded on for consideration.

**CONDITIONAL USE PERMIT** –to amend an existing transportation use

**Findings as required by the Minneapolis Zoning Code for a Conditional Use Permit:**

The Minneapolis Department of Community Planning and Development, Planning Division, has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

**1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

The bus company/maintenance facility exists on the premises. The acquisition of additional property to expand the parking facilities on-site and to manage stormwater runoff would not be expected to have any negative impacts on the area. The site is located in an industrial area, surrounded by other industrial uses. There are no residential properties in the vicinity. Staff does not believe that the proposal would prove detrimental to public safety, comfort or general welfare.

**2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

There is one existing structure located on the premises that houses the Jefferson Lines offices as well as their maintenance facility. The proposal to expand their bus parking and operations area to the north as well as their passenger vehicle/employee parking area would prove compatible with the surrounding uses and should not impede the normal and orderly development of the area. In addition, enhanced on-site stormwater management, lighting and fencing would improve the overall appearance of the site.

**3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**

The current configuration of the site has two curb cuts off 26th Street East. Both curb cuts would remain with the proposed modifications. Currently, a total of 58 surface parking stalls for vehicles and parking for 28 buses exists on site. Following the proposed site modifications, a total of 60 surface parking stalls for vehicles and 34 buses stalls would be provided.

The applicant has been through the required Preliminary Development Review (PDR) process. The Public Works Department shall review the final plan for compliance with standards related to access and circulation, drainage, and sewer/water connections. The applicant would be required to continue to work closely with the Public Works Department and the various utility companies during the duration of the development should the applications be approved. This would be required to ensure that all procedures are followed and that the development complies with all city and other applicable requirements.

**4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.**

Chapter 541 of the Zoning Code requires 1 space per 500 square feet of gross floor area in excess of 4,000 square feet excluding service bays plus one space per two service bays. Based on the gross floor area of the buildings on the premises which would total 25,340 square feet, a total of 43 off-street parking spaces would be required. Further, there are 5 service bays on the premises which would require an additional 3 spaces for a total of 46 required off-street parking spaces. A total of 60 vehicular surface parking spaces and 34 bus parking spaces would be located on the site which exceeds the minimum requirement. Staff believes that adequate measures have been provided to minimize traffic congestion in the public streets.

**5. Is consistent with the applicable policies of the comprehensive plan.**

According to *The Minneapolis Plan for Sustainable Growth*, the subject site is an industrially designated parcel, located within the Seward/Hiawatha Industrial Employment District. The proposal to expand an existing transportation use on the property is consistent with the relevant provisions of *The Minneapolis Plan for Sustainable Growth*, as follows:

Land Use Policy 1.1 of *The Minneapolis Plan for Sustainable Growth* 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. of *The Minneapolis Plan for Sustainable Growth* states, “Ensure appropriate transitions between uses with different size, scale, and intensity.”

Land Use Policy 1.14 of *The Minneapolis Plan for Sustainable Growth* states, “Maintain Industrial Employment Districts to provide appropriate locations for industrial land uses. This policy includes the following relevant implementation step (1.14.5) “Encourage and implement buffering through the site plan review process to mitigate potential conflicts between industrial uses and adjacent other uses”.

There is an additional plan that must be considered when evaluating the proposal which is the City’s Industrial Land Use and Employment Policy Plan, adopted by the City Council in 2006. The purpose of the plan is to provide the City with clear policy direction for industrial land uses and industrial sector employment within the City of Minneapolis. The plan evaluates the long-term viability of existing industrial uses and proposes a range of industrial uses to retain for the future. The plan identifies where existing and new industrial uses should be located and what components, either existing or new, these uses will require. In addition to land use, the plan provides a comprehensive examination of current and future industrial sector employment within the City of Minneapolis in relation to national and regional trends.

The subject parcel is located in the Seward/Hiawatha Industrial Employment District. As indicated in the applicant’s submittal materials, the use provides substantial employment opportunities. The proposal to expand an existing bus company/maintenance facility on the subject site is in compliance with both *The Minneapolis Plan for Sustainable Growth* and the City’s *Industrial Land Use and Employment Policy Plan*.

- 6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit, the rezoning request, relevant variances, and site plan review.**

If all land use/zoning applications are approved, including the conditional use permit and site plan review, the proposal would appear to comply with all applicable provisions of the I2 District.

**SITE PLAN REVIEW:**

**Required Findings for Site Plan Review**

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

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

**BUILDING PLACEMENT AND DESIGN:**

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.

- **The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.**
- **Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.**
- **For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.**
- **In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.**
- **Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.**
- **Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.**
- **The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.**
- **The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.**
- **Entrances, 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 531.20 of the zoning code.**

- **Ground floor active functions:**  
Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.
- **The form and pitch of roof lines shall be similar to surrounding buildings.**
- **Parking Garages:** The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. 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.

The building exists on the premises and no modifications to the building are proposed. The existing elevations will not be evaluated for the purposes of the window requirements. Typically, non-residential developments are subject to a 30% window requirement on the ground floor. Windows between 2 and 10 feet are required in order to provide natural surveillance and visibility by having active uses located along public streets.

The building is exempt from the ground floor active functions provision.

The existing exterior materials and appearance of the rear and side walls of the building is similar to and compatible with the front of the building. The existing elevations will not be evaluated for blank uninterrupted walls that exceed 25 feet in width. The existing roofline is flat.

The off-street parking would continue to be accessed off of 26<sup>th</sup> Street East. A total of 60 surface parking stalls for vehicles would be located on the site as well as parking for 34 buses. No ramp is proposed as part of the development.

#### **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 principal entrance to the building is located on the west elevation of the building, which faces on-site parking. While there is a walkway from the principal entrance, it terminates approximately 19 feet from the public sidewalk that runs along 26<sup>th</sup> Street East. Although this is an existing condition, alternative compliance is necessary. Planning Staff would recommend that the Planning Commission require compliance with this provision and require that the walkway be extended to the public sidewalk located along 26<sup>th</sup> Street East.

There are no transit shelters within the development.

There are no adjacent residential uses.

There is no public alley adjacent to the site.

Approximately 80% of the site is impervious. Approximately, 20% of the net site would be landscaped, or approximately 25% of the site not occupied by buildings.

#### **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 meets the 20% landscaping requirement. The total site area is 138,206 square feet or approximately 3.17 acres. The building footprint on the site totals 25,340 square feet. A total of 22,573 square feet of landscaping would be necessary to meet the 20% requirement. The applicant is providing 28,153 square feet or approximately 25% of the site not occupied by buildings. The zoning code requires that there be at least 51 trees and 253 shrubs. The applicant proposes to plant 10 canopy trees, 8 ornamental trees, 2 evergreen trees and an indeterminate amount of shrubs and vines on the premises. Alternative compliance would be necessary as the proposal would not meet the quantity requirements. Planning Staff will recommend that the Planning Commission grant partial alternative compliance in this circumstance as it would be difficult to require the industrial development to comply due to limited planting areas. Planning Staff would recommend that the Planning Commission require the applicant to install a total of 15 canopy trees, 10 ornamental trees and 5 evergreen trees, and a total of 200 shrubs on the subject site. Also, as an alternative to meeting the full landscaping requirements, staff is also recommending that the planning commission require the applicant to replace the existing and proposed

chain-link fencing on site with the architectural aluminum fencing proposed on site.

A 9-foot wide landscaped yard and screening is required along 26<sup>th</sup> Street East and along the west property line where the public bicycle pathway is located that runs adjacent to the Hiawatha LRT line in this location. Alternative compliance would be necessary in both areas as the existing landscaped yard fronting on 26<sup>th</sup> Street East has adequate width at 10-15 feet, but does not meet the landscaping and screening requirement. Along the west property line abutting the public bicycle pathway, there is an existing 5-foot wide landscaped yard that does not meet the minimum width requirement and that yard would be extended with the expansion of the parking lot in this area. It contains shrub plantings and a decorative fence, but the shrub plantings are not identified. Planning Staff would recommend that the Planning Commission require compliance with the landscaping and screening along 26<sup>th</sup> Street East, acknowledging that no plantings shall occur in the sight triangle areas. Along the west property line, Planning Staff would recommend that the Planning Commission grant alternative compliance for the width requirement but require compliance with the landscaping and screening in this location, also acknowledging that sight lines must be maintained in this area due to high levels of bicycle activity.

Not all parking spaces are located within 50 feet of the center of on-site deciduous tree, and the surface parking lot does not meet the 25 foot linear tree requirement along 26<sup>th</sup> Street East. Alternative compliance would be necessary for both provisions. Planning Staff would recommend that the Planning Commission grant alternative compliance in this circumstance for the proximity to an on-site deciduous tree, except along the westernmost row of parking adjacent to the public bicycle pathway. For the remaining spaces primarily on the north and east sides of the site that do not comply with this provision, it would not be practical to require compliance due to the sheer volume of parking stalls for both buses and vehicles. However, Planning Staff would recommend that the Planning Commission require compliance with the 25 foot linear tree requirement along 26<sup>th</sup> Street East.

#### **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.**

A total of 60 vehicular surface parking stalls and 34 bus parking stalls are located on the site. The parking areas are defined by curbing with inlets for drainage. The site accommodates on-site retention and filtration through bio-filtration basins.

The building on site is existing. No changes are proposed to the structure. The building would not result in the blocking of any significant views, shadowing impacts on adjacent properties or on public spaces, or any impacts on light, wind and air in relation to the surrounding area.

The site appears to be well-lit and well-secured. The applicant proposes to provide a mix of new fencing on site that includes a 4-foot tall architectural fence, a 6-foot tall wood fence and a 6-foot tall chain-link fence. Due to the alternative compliance needed on site, Planning Staff will recommend that the Planning Commission require that the chain-link fencing on-site be replaced with the architectural fence as proposed.

There are no historic structures on the subject site.

**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 use is conditional in the I2 District.

If all land use/zoning applications are approved including the conditional use permit application and site plan review, the proposal would comply with all applicable provisions of the I2 District.

**Parking and Loading:**

*Minimum automobile parking requirement:* Chapter 541 of the Zoning Code requires 1 space per 500 square feet of gross floor area in excess of 4,000 square feet excluding service bays plus one space per two service bays. Based on the gross floor area of the building on the premises which totals 25,340 square feet (less the service bays), a total of 43 off-street parking spaces would be required. Further, there are 5 service bays on the premises which would require an additional 3 spaces for a total of 46 required off-street parking spaces. A total of 60 vehicular surface parking spaces and 34 bus parking spaces would be located on the site which exceeds the minimum requirement.

*Maximum automobile parking requirement:* Chapter 541 of the zoning code allows 1 space per 200 square feet of gross floor plus one space per service bay as a maximum parking allowance for transportation uses (bus garage or maintenance facility). Based on the gross floor area of the building which would total 25,340 square feet, a total of 127 off-street parking spaces would be permitted. Additionally, there are 5 service bays which would allow an additional 5 spaces for a maximum parking requirement of 132 off-street parking spaces. A total of 60 surface parking stalls for vehicles are located on the subject site as well as 34 bus parking spaces which do not exceed the maximum requirement.

*Bicycle parking requirement:* There is no bicycle parking requirement for transportation uses in Chapter 541, although the applicant is proposing to provide 4 spaces.

*Loading:* The minimum loading requirement for a bus garage or maintenance facility between 20,000 square feet and 50,000 square feet is one small space. The site accommodates one small loading space (10 feet by 25 feet)

**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 trash is stored inside of the existing building located on the site.

**Signs:** No additional signs are proposed. Any new signage on site would require a separate permit from the Zoning Office and would need to meet all applicable standards as outline in Chapter 543 of the Zoning Code.

**Lighting:** There are building mounted and pole style light fixtures throughout the site. The applicant proposes to install additional site lighting. All lighting must be downcast and shielded to avoid undue glare. All lighting shall comply with Chapter 535 of the Zoning Code.

**Maximum Floor Area:** The maximum F.A.R. for all structures in the I2 district is the gross floor area of the building which is 25,340 square feet divided by the area of the lot which is 138,206 square feet. The outcome is .18 which is less than the maximum of 2.7 that is permitted in the I2 District. The proposal is in compliance with this requirement.

**Minimum Lot Area and Width:** The project would meet the minimum lot area requirements for a transportation use in the I2 district as the development is situated on a lot greater than 12,000 square feet in size and wider than 100 feet.

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

**Height:** Maximum building height for principal structures located in the I2 district is 4 stories or 56 feet, whichever is less. The existing building on site has a single floor although it is considered two stories, with a height of 25 feet.

**Yard Requirements:** There are no applicable yard requirements.

**Building coverage:** Not applicable for this development.

**Impervious surface area:** Not applicable for this development.

## **THE MINNEAPOLIS PLAN FOR SUSTAINABLE GROWTH**

See the above listed response to finding #5 in the conditional use permit application. The policies and implementation steps outlined apply to the proposed site plan review application as well.

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

See the above listed response to finding #5 in the conditional use permit application. The policies and implementation steps outlined apply to the proposed site plan review application as well.

### **ALTERNATIVE COMPLIANCE**

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

- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of**

**natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**

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

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

Connection to the public sidewalk: The principal entrance to the building is located on the west elevation of the building. While there is a walkway from the principal entrance, it terminates approximately 19 feet from the public sidewalk that runs along 26<sup>th</sup> Street East. Although this is an existing condition, alternative compliance is necessary. Planning Staff would recommend that the Planning Commission require compliance with this provision and require that the walkway be extended to the public sidewalk located along 26<sup>th</sup> Street East.

Landscape quantities: The zoning code requires that there be at least 51 trees and 253 shrubs. The applicant proposes to plant 10 canopy trees, 8 ornamental trees, 2 evergreen trees and an indeterminate amount of shrubs and vines on the premises. Alternative compliance would be necessary as the proposal would not meet the quantity requirements. Planning Staff will recommend that the Planning Commission grant partial alternative compliance in this circumstance as it would be difficult to require the industrial development to comply due to limited planting areas. Planning Staff would recommend that the Planning Commission require the applicant to install a total of 15 canopy trees, 10 ornamental trees and 5 evergreen trees, and a total of 200 shrubs on the subject site. Also, as an alternative to meeting the full landscaping requirements, staff is also recommending that the planning commission require the applicant to replace the existing and proposed chain-link fencing on site with the architectural aluminum fencing proposed on site.

Landscaping and Screening: A 9-foot wide landscaped yard and screening is required along 26<sup>th</sup> Street East and along the west property line where the public bicycle pathway is located that runs adjacent to the Hiawatha LRT line in this location. Alternative compliance would be necessary in both areas as the existing landscaped yard fronting on 26<sup>th</sup> Street East has adequate width at 10-15 feet, but does not meet the landscaping and screening requirement. Along the west property line abutting the public bicycle pathway, there is an existing 5-foot wide landscaped yard that does not meet the minimum width requirement and that yard would be extended with the expansion of the parking lot in this area. It contains shrub plantings and a decorative fence, but the shrub plantings are not identified. Planning Staff would recommend that the Planning Commission require compliance with the landscaping and screening along 26<sup>th</sup> Street East, acknowledging that no plantings shall occur in the sight triangle areas. Along the west property line, Planning Staff would recommend that the Planning Commission grant alternative compliance for the width requirement but require compliance with the landscaping and screening in this location, also acknowledging that sight lines must be maintained in this area due to high levels of bicycle activity.

On site deciduous tree and 25 foot linear tree requirement: Not all parking spaces are located within 50 feet of the center of on-site deciduous tree, and the surface parking lot does not meet the 25 foot linear tree requirement along 26<sup>th</sup> Street East. Alternative compliance would be necessary for both provisions. Planning Staff would recommend that the Planning Commission grant alternative compliance in this circumstance for the proximity to an on-site deciduous tree, except along the westernmost row of parking adjacent to the public bicycle pathway. For the remaining spaces primarily on the north and east sides of

the site that do not comply with this provision, it would not be practical to require compliance due to the sheer volume of parking stalls for both buses and vehicles. However, Planning Staff would recommend that the Planning Commission require compliance with the 25 foot linear tree requirement along 26<sup>th</sup> Street East.

### **RECOMMENDATIONS:**

#### **Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application to amend a conditional use permit for an existing transportation use (bus company) on the properties located at 2100 and 2200 East 26<sup>th</sup> Street, and 2528 Snelling Avenue subject to the following condition:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.

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

The Department of Community Planning and Economic Development– Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application to allow for the expansion of the existing transportation use (bus garage or maintenance facility) on the properties located at 2100 and 2200 East 26<sup>th</sup> Street, and 2528 Snelling 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 30, 2013, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. The property shall be combined under one tax identification number through Hennepin County.
4. All parking areas shall be paved as required by Section 541.300 of the Zoning Code. The applicant shall stripe the parking lot in accordance with the approved plan.
5. The concrete walkway from the principal entrance shall be extended to the public sidewalk located along 26<sup>th</sup> Street East as required by section 530.130 of the zoning code.
6. The chain-link fencing existing and proposed on site shall be replaced with the architectural aluminum fencing proposed on site as an alternative to full compliance with the landscaping requirements of Chapter 530 of the zoning code.
7. A total of 15 canopy trees, 10 ornamental trees and 5 evergreen trees, and a total of 200 shrubs shall be planted on the premises. The final landscape plan shall be reviewed by Planning Staff.

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8. The final landscape plan shall be modified to meet the landscaping and screening standards along the west property line and along 26<sup>th</sup> Street East as outlined in Section 530.170 of the Zoning Code, including the 25-foot linear tree requirement along 26<sup>th</sup> Street East and the proximity to an on-site deciduous tree along the westernmost row of parking adjacent to the public bicycle pathway.

Attachments:

1. Statement of use and description
2. CUP Findings
3. Correspondence
4. Zoning map
6. Plans – site/survey/landscape, civil plans
7. Pictures of the existing conditions
8. PDR Report