

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit and Site Plan Review
BZZ-5722

Date: September 19, 2012

Applicant: Marty Shirber

Address of Property: 3001 Central Avenue Northeast

Project Name: Blaine Auto Repair

Contact Person and Phone: Marty Shirber, (612) 789-1011

Planning Staff and Phone: Joe Bernard, (612) 673-2422

Date Application Deemed Complete: August 20, 2012

End of 60-Day Decision Period: October 19, 2012

Ward: 1 **Neighborhood Organization:** Audubon

Existing Zoning: C2 Neighborhood Corridor Commercial District

Proposed Zoning: Not applicable

Zoning Plate Number: 6

Legal Description: Not applicable

Proposed Use: Automobile repair, minor

Concurrent Review:

Conditional Use Permit to establish a minor automobile repair use
Site plan review

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits; Chapter 530 Site Plan Review; Chapter 535 Regulations of General Applicability

Background: The applicant is proposing to establish a minor automobile repair use in an existing commercial structure. The site is located on the northeast corner of Central and 30th Avenues Northeast. This southern end of the 30xx block of Central Avenue Northeast is zoned C2 and contains primarily commercial uses. Across 30th Avenue Northeast to the south, an automobile convenience facility is in operation, also in the C2 zoning district. Properties to the rear of the subject site are zoned R2B and are a mix of single and two-family homes. To the west of the site across Central Avenue Northeast is the Shoreham Yards property which is zoned industrial.

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The property was most recently used as a flower shop, but has contained an automobile service use in the past. An auto glass repair user occupied the site from 1979 to 1999. No changes to the building are proposed for this project, but the applicant is proposing improvements to the parking and landscaping areas. The applicant proposes to utilize the three existing garage bays for minor auto repair, resulting in a requirement of six parking spaces. Combined with the remaining 400 square feet of gross floor area not occupied by the garage bays, the parking requirement for this project is seven spaces. The applicant proposes to meet this requirement by providing ten spaces along the west and south property lines of the site. Landscaping and screening improvements are proposed in those locations, the applicant seeks alternative compliance for the required seven feet of landscaping on the south property line. The applicant proposes a 3' 7" landscaping and screening area at that location. Other significant changes to the property can be seen along the east property line, where landscaping and screening will be provided. Portions of existing asphalt in this area will be removed for the addition of grass, plantings and a rain garden.

The Minneapolis Plan for Sustainable Growth identifies this location for future commercial use. It is located on Central Avenue Northeast, which is a Commercial Corridor ending a block north of this location at 31st Avenue Northeast. The *Central Avenue Small Area Plan* calls for mixed-use transit oriented development on this portion of Central Avenue Northeast. However, the plan acknowledges that this site will need to rely on a change in market conditions to be realized.

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

Findings as required by the Minneapolis Zoning Code:

CONDITIONAL USE PERMIT

The Community Planning and Economic 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 proposed minor automobile repair use will not be detrimental to or endanger the public health, safety, comfort, or general welfare. The applicant intends to re-establish the use which the building was initially designed for, while making improvements to the property as required by the site plan review chapter and adhering to the specific development standards for the use as outlined in the zoning ordinance.

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.

The proposed use is consistent with activity allowed in the C2 zoning district, and the uses which specifically operate in the vicinity of this site. Proper landscaping and screening will mitigate possible impacts from this business upon adjacent residential development.

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

The utilities, access roads, and drainage are existing and adequate. The applicant proposes to increase the amount of landscaping and pervious surface on site in part to reduce the amount of stormwater runoff from the site.

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

The proposed minor automobile repair use does not alter the capacity of the site to handle traffic congestion nor does it contribute to congestion in the public streets. The applicant proposes closing off alley access to the property by installing landscaping and screening. Automobile traffic will enter and exit the site from both Central Avenue Northeast and 30th Avenue Northeast. The eastern most curb cut is intended for use only by employees to service automobiles, general traffic will not be routed to this location. The applicant has proposed the use of curb stops within the parking lot to discourage use of this eastern most curb cut. The amount of traffic expected to utilize this site is consistent with and appropriate for a commercial corridor such as Central Avenue Northeast.

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

The use is consistent with the following applicable policies of the comprehensive plan:

Land Use Policy 1.4: 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.

Implementation Step 1.4.1 Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served.

Land Use Policy 1.5: Promote growth and encourage overall city vitality by directing new commercial and mixed use development to designated corridors and districts.

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 1.7: Limit new and expanded auto-oriented uses in the city so impacts on the form and character of commercial areas and neighborhoods can be minimized.

Implementation Step 1.7.2 Direct auto-oriented uses to locations on Commercial Corridors that are not at the intersection of two designated corridors, where more traditional urban form would be appropriate.

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.

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The use will conform to the applicable regulations of the district in which it is located. The use is subject to the specific development standards outlined in chapter 536 of the zoning ordinance and listed below.

Automobile repair, minor.

- (1) All vehicles waiting for repair or pick-up shall be stored on the site in an enclosed building or in parking spaces in compliance with Chapter 541, Off-Street Parking and Loading.
- (2) Except in the I3 District, all repairs shall be performed within a completely enclosed building.
- (3) All vehicles parked or stored on-site shall display a current license plate with a current license tab. Outdoor storage of automotive parts or storage of junk vehicles is prohibited.
- (4) The sale of vehicles shall be prohibited.
- (5) In the C1, C2 and C3S Districts, all service vehicles associated with the establishment shall be parked or stored in an enclosed structure after business hours.
- (6) The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten (10) feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vaportight fittings to preclude the escape of gas vapors from the fill pipes.
- (7) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.
- (8) Unattended, automated dispensing of gasoline or other engine fuel shall be prohibited.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code for the Site Plan Review:

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

Section A: Conformance with Chapter 530 of the Zoning Code

BUILDING PLACEMENT AND DESIGN:

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.

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

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

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

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

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

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

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

Conformance with above requirements:

The building, including its footprint and façade, will not be altered as part of this project.

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All of the parking proposed for the site will be located along the west and south property lines between the building and the adjacent public streets. This is an existing condition of the site. Landscaping and screening requirements are addressed below.

The existing building does not include any blank, uninterrupted walls that do not include windows, entries, recesses or projections or other architectural elements that exceed 25 feet in length facing public streets. However, the existing north and east building walls are entirely blank. The applicant proposes landscaping and screening as a way to mitigate any negative impacts on adjacent property due to this existing condition.

The primary exterior materials are concrete block, metal, and glass. Two service bay doors face Central Avenue Northeast and one faces 30th Avenue Northeast. As shown in submitted materials, the doors in these two locations are different colors. Staff recommends that the applicant paint all service bay doors a consistent color.

No changes are proposed to the windows on this property. Large bay windows exist at the southwest corner of the building, facing both Central and 30th Avenues Northeast. All service bays also include at least one row of windows.

ACCESS AND CIRCULATION:

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

Conformance with above requirements:

The parking area is directly connected to the main building entrance. The applicant proposes closing off alley access to the property by installing landscaping and screening. Automobile traffic will enter and exit the site from both Central Avenue Northeast and 30th Avenue Northeast. The eastern most curb cut is intended for use only by employees to service automobiles, general traffic will not be routed to this location. The applicant has proposed the use of curb stops within the parking lot to discourage use of this eastern most curb cut. This should minimize conflicts with pedestrians using the sidewalk on the north side of 30th Avenue Northeast.

The site as existing is 84.3 percent impervious surface. The applicant proposes reducing that number to 70.1 percent through additional landscaping and removal of existing asphalt.

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).**

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

Conformance with above requirements:

The zoning code requires that at least 20 percent of the site not occupied by buildings be landscaped. The lot area of the site is approximately 8,657 square feet. The building footprint is approximately 1,856 square feet. The net lot area is 6,801 square feet, of which at least 20 percent (1,360 square feet) must be landscaped. The applicant is proposing a landscaped area of approximately 2,585 square feet, or 38 percent of the net site area.

The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 3 and 14 respectively. The applicant is proposing 214 shrubs, grasses, and perennial plantings in addition to 2 trees. Staff notes the substandard number of trees identified on the applicant's landscaping plan and suggests a condition of approval that an additional tree be included in the final plans.

An area for landscaping at least 7 feet in width is required along the south and west property lines adjacent to the proposed parking spaces. In addition, screening not less than three feet in height and not less than 60 percent opaque is required along the public street and sidewalk. The applicant proposes reducing that number to 3'7" on the south property line to allow for the inclusion of parking. Staff notes the width of boulevard space on the public right of way at 5 feet in this location. While the landscaping alone does meet the screening requirement, staff recommends requiring a decorative wrought iron fence to enhance the appearance and meet the intent of the ordinance in this location as a form of alternative compliance. To address the lesser amount of landscaped area in this location, the applicant has proposed removing asphalt from the rear of the building to improve infiltration of stormwater coming from the roof of the existing building.

An area for landscaping at least 7 feet in width is required along the east property line adjacent to the proposed parking spaces. In addition, screening not less than six feet in height and not less than 95 percent opaque is required along the alley. Along the eastern property line the applicant proposes to meet the landscaping and screening requirement of a commercial use adjacent to residential through the use of a 6 foot iron fence and shrubs. As proposed the applicant does not show that these conditions are being met. Plans indicate shrubs 3 feet in height will be used and that the landscaped yard is only 5 feet along the alley. Staff recommends adding conditions of approval that the plantings meet the height and opacity requirements as outlined above, and that the landscaped area be increased to 7 feet.

In parking lots of ten spaces or more, no parking space shall be located more than fifty feet from the center of an on-site deciduous tree.

ADDITIONAL STANDARDS:

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

Conformance with above requirements:

The parking area is proposed with concrete wheel stops to allow for infiltration of stormwater runoff into the required landscaping areas.

No changes to the building are proposed.

As noted in the previous section, staff recommends requiring landscaping on the alley side of the proposed fence along the east property line to reduce the incidence of graffiti. Staff also recommends that the applicant ensure the fence remains outside of the 15 foot site triangle at the intersection of 30th Avenue Northeast and the alley.

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 site is zoned C2 Neighborhood Corridor Commercial District. An Automobile repair, minor use is a conditional use in the C2 district.

Parking and Loading:

Minimum automobile parking requirement: The applicant proposes to utilize the three existing garage bays for minor auto repair, resulting in a requirement of six parking spaces. Combined with the remaining 400 square feet of gross floor area not occupied by the garage bays, the parking requirement for this project is seven spaces. The applicant proposes to meet this requirement by providing ten spaces along the west and south property lines of the site.

Maximum automobile parking requirement: The maximum allowed parking for the site is equal to two spaces for each service bay, plus 1 space per 200 square feet of building gross floor area. With 3 service bays and a GFA of 1,856 square feet, a maximum of 15 parking spaces are allowed on the site.

Bicycle parking requirement: Bicycle parking is not required for this use.

Loading: A loading space is not required.

Maximum Floor Area: The existing building is not changing as part of this project, and is below FAR thresholds for the C2 district.

Minimum Lot Area: A minor automobile repair use in the C2 district does not have a minimum lot area requirement.

Yard Requirements: Setbacks are zero for this property.

Building Lot Coverage: Lot coverage in the C2 district is not limited and 21.4 percent is proposed.

Impervious Surface: Impervious surface in the C2 district is not limited. The applicant is proposing impervious surfaces for 70.1 percent of the zoning lot.

Specific Development Standards: The applicant must meet the following development standards for a minor automobile repair use.

Automobile repair, minor.

- (1) All vehicles waiting for repair or pick-up shall be stored on the site in an enclosed building or in parking spaces in compliance with Chapter 541, Off-Street Parking and Loading.
- (2) Except in the I3 District, all repairs shall be performed within a completely enclosed building.
- (3) All vehicles parked or stored on-site shall display a current license plate with a current license tab. Outdoor storage of automotive parts or storage of junk vehicles is prohibited.
- (4) The sale of vehicles shall be prohibited.
- (5) In the C1, C2 and C3S Districts, all service vehicles associated with the establishment shall be parked or stored in an enclosed structure after business hours.
- (6) The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten (10) feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vaportight fittings to preclude the escape of gas vapors from the fill pipes.
- (7) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.
- (8) Unattended, automated dispensing of gasoline or other engine fuel shall be prohibited.

Refuse Screening: 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 uses. Located on the east side of the building, the applicant does not show screening of refuse containers on submitted plans. Staff recommends that this condition be added to the application.

Screening of Mechanical Equipment: All mechanical equipment is required to be arranged so as to minimize visual impact by using screening and must comply with Chapter 535 and district requirements including:

535.70. Screening of mechanical equipment. (a) *In general.* All mechanical equipment installed on or adjacent to structures shall be arranged so as to minimize visual impact using one (1) of the following methods. All screening shall be kept in good repair and in a proper state of maintenance.

- (1) *Screened by another structure.* Mechanical equipment installed on or adjacent to a structure may be screened by a fence, wall or similar structure. Such screening structure shall comply with the following standards:
 - a. The required screening shall be permanently attached to the structure or the ground and shall conform to all applicable building code requirements.
 - b. The required screening shall be constructed with materials that are architecturally compatible with the structure.
 - c. Off-premise advertising signs and billboards shall not be considered required screening.
- (2) *Screened by vegetation.* Mechanical equipment installed adjacent to the structure served may be screened by hedges, bushes or similar vegetation.
- (3) *Screened by the structure it serves.* Mechanical equipment on or adjacent to a structure may be screened by a parapet or wall of sufficient height, built as an integral part of the structure.
- (4) *Designed as an integral part of the structure.* If screening is impractical, mechanical equipment may be designed so that it is balanced and integrated with respect to the design of the building.

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

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

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

- (1) Lighting fixtures shall be effectively arranged so as not to directly or indirectly cause illumination or glare in excess of one-half (1/2) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light source.

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

Fences: Fences are subject to the regulations found in Chapter 535, Article VI of the zoning code. The fencing proposed would comply with these requirements.

Signs: Signs are subject to the requirements of Chapter 543, On-Premise Signs. In the C2 district one can have one-and-a-half square feet of signage for every one foot of primary building wall. However, if there is a freestanding sign on the zoning lot then there can only be one square foot of signage for every one foot of primary building wall. Wall signs are limited to 180 square feet in size. Projecting signs are limited to 20 square feet in size. The height limitation for both wall signs and projecting signs is 28 feet. Freestanding signs are limited to 80 square feet and can be no taller than eight feet. The zoning code also limits the number of freestanding signs on a zoning lot to one. The applicant proposes signage on the south and west elevations consistent with these regulations. Signs not higher than 14' 4" and not exceeding 72 square feet on the south elevation are proposed. The south elevation has a 72 square foot maximum allotment of sign area. Signs not higher than 14' 4" and not exceeding 67.5 square feet in area are proposed on the west elevation. The west elevation has a 68 square foot maximum allotment in sign area.

MINNEAPOLIS PLAN

The following policies of *The Minneapolis Plan for Sustainable Growth* support the development.

Land Use Policy 1.2: Ensure appropriate transitions between uses with different size, scale, and intensity.

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 1.4: 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.

Implementation Step 1.4.1 Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served.

Land Use Policy 1.5: Promote growth and encourage overall city vitality by directing new commercial and mixed use development to designated corridors and districts.

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 1.7: Limit new and expanded auto-oriented uses in the city so impacts on the form and character of commercial areas and neighborhoods can be minimized.

Implementation Step 1.7.2 Direct auto-oriented uses to locations on Commercial Corridors that are not at the intersection of two designated corridors, where more traditional urban form would be appropriate.

Land Use Policy 10.12: Design industrial uses with appropriate transitions and other design features which minimize negative impacts on surrounding residential uses.

Implementation Step 10.12.3 Require additional screening and buffering for new developments next to residential areas.

SMALL AREA PLANS

The *Central Avenue Small Area Plan* calls for mixed-use transit oriented development on this portion of Central Avenue Northeast. However, the plan acknowledges that this site will need to rely on a change in market conditions to be realized.

ALTERNATIVE COMPLIANCE:

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

- The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.
- 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 for the yard width required along the south side of the property. The zoning ordinance requires a 7 foot landscaping strip at this location; the applicant proposes a width of 3'7". Staff supports this request on the condition that the applicant provides a decorative wrought iron fence along the south and west property lines to enhance the proposed landscaping and screening in accordance with the intent of the ordinance.

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 findings above and **approve** the conditional use permit to allow a minor automobile repair use for the property located at 3001 Central Avenue Northeast, subject to the following conditions.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for site plan review located at the property of 3001 Central Avenue Northeast, subject to the following conditions:

1. Community Planning and Economic Development Department – Planning Division staff review and approval of the final elevations, floor, site, lighting and landscape plans.
2. All site improvements shall be completed by September 19, 2014, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. An area for landscaping at least 7 feet in width shall be provided along the east property line. In addition, screening not less than six feet in height and not less than 95 percent opaque shall be provided along the alley.
4. A decorative wrought iron fence shall be provided along the west and south property lines where adjacent to parking and loading areas.
5. A third canopy tree shall be added along the south property line adjacent to proposed parking.
6. Refuse storage containers shall be properly screened as required by Section 535.80 of the zoning code.
7. All service bay doors shall be painted a consistent color.

Attachments:

CPED - Planning Division Report
BZZ-5722

- 1) Statement of findings and project description
- 2) Zoning map
- 3) Correspondence
- 4) Plans
- 5) Photos