

LAND USE APPLICATION SUMMARY

Property Location: 2701 Bloomington Avenue
Project Name: 2701 Bloomington Avenue New Storefront Building
Prepared By: Shanna Sether, Senior City Planner, (612) 673-2307
Applicant: Erdogan and Yildiz Akguc
Project Contact: Erdogan Akguc
Request: To construct a new commercial storefront building.
Required Applications:

Variance	To reduce the minimum front yard setback along Bloomington Avenue from 20 feet to 4 feet.
Variance	To reduce the off-street parking requirement from 6 spaces to 2 spaces.
Variance	To reduce the minimum drive aisle to allow for maneuvering in the public alley.
Site Plan Review	For a new commercial storefront building.

SITE DATA

Existing Zoning	CI Neighborhood Commercial District
Lot Area	4,693 square feet / .11 acres
Ward(s)	9
Neighborhood(s)	East Phillips Improvement Coalition; adjacent to Midtown Phillips
Designated Future Land Use	Urban Neighborhood
Land Use Features	Community Corridor (Bloomington Avenue)
Small Area Plan(s)	Not applicable

Date Application Deemed Complete	May 17, 2016	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	July 16, 2016	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The original construction of the property predated 1885; in 1885 a building permit was issued to add a store and a house was moved to the lot in 1890. In 1961, the residential building was converted to a duplex. The building was condemned in 2010 and demolished under Director's Orders in 2012. The property is currently vacant.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The predominant land use in the surrounding area is low-density residential, with one and two dwellings. There are nine multiple-family dwellings ranging from 3 to 53 dwellings. Across 27th St E to the north is a place of assembly and across Bloomington Ave to the west is the Minneapolis Fire Station #5.

PROJECT DESCRIPTION. The applicant is proposing to construct a new commercial storefront building with two tenant spaces; staff is reviewing the project for site plan review. There will be two off-street parking spaces at the rear of the site, accessed from the public alley. The proposed project requires a variance to reduce the front yard setback along Bloomington Avenue from 20 feet to 4 feet. The adjacent property to the south is zoned R2B District and requires a minimum setback along Bloomington Avenue, for the first 25 feet from the south property line. In addition, the applicant has shown two commercial tenant spaces, where the likely off-street parking requirement will be four spaces for each use. The applicant is proposing to provide a minimum of 10 bicycle parking spaces, which reduces the off-street parking requirement to 6 spaces. The proposed plan shows one standard and one handicapped accessible space; therefore a parking variance is required. Finally, the applicant is proposing to utilize the public alley to access the off-street parking, where a 22-foot drive aisle is required, which also requires a variance.

PUBLIC COMMENTS. Staff has not received any public comments regarding the proposed building, at the time of preparing the staff report. Any correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

ANALYSIS

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance to reduce the minimum front yard setback along Bloomington Avenue based on the following findings:

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.*

Staff finds that there are practical difficulties in complying with the ordinance due to circumstances unique to the property. The subject property is zoned CI Neighborhood Commercial District and is proposed to be a new commercial storefront building with two tenant spaces. There is not a minimum setback requirement, except when adjacent to residential property and then only for the first 25 feet. The subject property is substandard in lot width and lot area, which significantly reduces the buildability of the property. Staff finds that these circumstances have not been created by the applicant.

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.*

The subject property is located on Bloomington Avenue, a community corridor. *The Minneapolis Plan for Sustainable Growth* supports the continued presence of existing small-scale retail sales and commercial services along Community Corridors. The applicant is proposing a new commercial storefront building that is consistent with traditional urban form, located within 8 feet of the front property line and one-story, within scale of the surrounding area. Therefore, staff finds that the applicant is proposing to utilize the property in a reasonable manner that is consistent with the spirit and intent of the ordinance and the 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.*

The proposed commercial storefront building would be located 4 feet from the front line and 5 feet from the south property line. The previous building was located between 0-3 feet from the front property line. The applicant is proposing two canopy trees in the side yard and there is an existing fence along the property line, which belongs to the adjacent property. Staff finds that the front yard setback variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The new structure will be required to comply with the applicable building codes for life safety and accessibility and will therefore not impact the health, safety or welfare of the general public or those utilizing the property or nearby properties.

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance to reduce the minimum off-street parking based on the following findings:

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.*

Staff finds that there are practical difficulties in complying with the ordinance due to circumstances unique to the property. The subject property is zoned CI Neighborhood Commercial District and is proposed to be a new commercial storefront building with two tenant spaces. The property was developed prior to 1885 as commercial and two additional dwelling units were added between 1890 and 1961. The property never had off-street parking and the previous uses would have required 6 off-street parking spaces. The subject property is substandard in lot width and lot area, which significantly reduces the buildability of the property and the ability to accommodate off-street parking without varying setbacks and parking design standards. Staff finds that these circumstances have not been created by the applicant.

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.*

The proposed floor plan for the commercial building shows two commercial tenant spaces, with approximately 1,500 square feet of floor area. The minimum off-street parking for the proposed building is six spaces, when a minimum of 2 bicycle spaces are provided. There are two proposed parking stalls at the rear of the property, accessed via the alley. These tenant spaces are relatively small and will likely not generate high levels of traffic. The site is well served by transit with stops in front of the building and at the northwest corner of the intersection at Bloomington and 27th. Further, the applicant is proposing additional bicycle parking. Staff finds that the applicant is proposing to utilize the property in a reasonable manner consistent with 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.*

Staff finds that the proposed variances to reduce the off-street parking and to allow for two parking spaces to maneuver in the alley will not alter the essential character of the locality. As previously mentioned, the tenant spaces are approximately 1,500 square feet and will not likely generate high levels of vehicle traffic. There are a number of residential dwellings in the area and there are many land uses permitted in the CI District that may serve the immediate area. There is unrestricted on-street parking along Bloomington Avenue and there will only be two spaces, accessed via the public alley; therefore, the proposed variances will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance to reduce the minimum drive aisle based on the following findings:

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.*

Staff finds that there are practical difficulties in complying with the minimum drive aisle due to circumstances unique to the property. The subject property is zoned CI Neighborhood Commercial District and is proposed to be a new commercial storefront building with two tenant spaces. The property was developed prior to 1885 as commercial and two additional dwelling units were added between 1890 and 1961. The property never had off-street parking and the previous uses would have required 6 off-street parking spaces. The subject property is substandard in lot width and lot area, which significantly reduces the buildability of the property and the ability to accommodate off-street parking without varying setbacks and parking design standards. Staff finds that these circumstances have not been created by the applicant.

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.*

The proposed floor plan for the commercial building shows two commercial tenant spaces, with approximately 1,500 square feet of floor area. The minimum off-street parking for the proposed building is six spaces, when a minimum of 2 bicycle spaces are provided. There are two proposed parking stalls at the rear of the property, accessed via the alley. These tenant spaces are relatively small and will likely not generate high levels of traffic and there will be very minimal conflict with other uses utilizing the alley. Staff finds that the applicant is proposing to utilize the property in a reasonable manner consistent with 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.*

Staff finds that the proposed variance to reduce the drive aisle to allow for two parking spaces to maneuver in the alley will not alter the essential character of the locality. As previously mentioned, the tenant spaces are approximately 1,500 square feet and will not likely generate high levels of vehicle traffic. There will only be two spaces, accessed via the public alley; therefore, the proposed

variances will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

SITE PLAN REVIEW

The Department of Community Planning and Economic Development has analyzed the application based on the required findings and applicable standards in the site plan review chapter:

I. Conformance to all applicable standards of Chapter 530, Site Plan Review.

BUILDING PLACEMENT AND DESIGN

Building placement – Meets requirements

- The first floor of the building is located within eight feet of the front lot line, abutting Bloomington Ave and corner lot line abutting 27TH St E.
- The placement of the building reinforces the street wall, maximizes natural surveillance and visibility, and facilitates pedestrian access and circulation.
- The area between the building and lot line includes a landscaped yard.
- All on-site accessory parking is located to the rear of the site.

Principal entrances – Meets requirements

- The building is oriented so that there are three principal entrances facing the front and corner property lines.
- All principal entrances are clearly defined and emphasized through the use of awnings.

Visual interest – Meets requirements

- The building walls provide architectural detail and contain windows in order to create visual interest.
- There are no blank, uninterrupted walls exceeding 25 feet in length.

Exterior materials – Meets requirements

- The applicant is proposing brick, stucco, and cement panel accents as the building’s exterior materials. Each elevation would comply with the City’s durability standards for exterior materials (see Table 2). Please note that exterior material changes at a later date may require review by the Planning Commission and an amendment to the site plan review.
- In addition, the application is consistent with the City’s policy of allowing no more than three exterior materials per elevation, excluding windows, doors, and foundation materials.
- Plain face concrete block is not proposed along any public streets, sidewalks, or adjacent to a residence or office residence district.
- The exterior materials and appearance of the rear and side walls of the building are similar to and compatible with the front of the building.

Table I. Percentage of Exterior Materials per Elevation

Material	Allowed Max	North	South	East	West
Brick (face)	100%	22%	20%	31%	39%
Glass	100%	34%	7%	6%	29%

Stucco	75%	14%	60%	57%	10%
Fiber Cement (≤ 5/8")	30%	30%	13%	6%	22%

Windows – Requires alternative compliance

- For nonresidential uses, the zoning code requires that no less than 30 percent of the walls on the first floor are windows with clear or lightly tinted glass with a visible light transmittance ratio of six-tenths (0.6) or higher. The project requires alternative compliance to the minimum window requirement (see Table 3) facing the on-site parking. The applicant has stated that there are security concerns with locating windows at the pedestrian level on this façade. There are proposed windows on the rear elevation, facing east, however they do not meet the requirements for location to be counted. Staff is recommending that the planning commission grant alternative compliance to this requirement.
- Each individual ground level tenant complies with the minimum window requirements.
- All windows are vertical in proportion and are evenly distributed along the building walls.

Table 2. Percentage of Windows per Applicable Elevation

	Code Requirement		Proposed	
Nonresidential Uses				
Ist floor – facing Bloomington	30% minimum	74.4 sq. ft.	40%	100 sq. ft.
Ist floor – facing 27 th St E	30% minimum	242.4 sq. ft.	38%	306 sq. ft.
Ist floor – facing East (on-site parking)	30% minimum	74.4 sq. ft.	0%	0 sq. ft.

Ground floor active functions – Meets requirements

- The ground floor facing Bloomington Ave and 27th St E contains 100 percent active functions. At least 70 percent of the first floor building frontage facing the public street, public sidewalk, or public walkway contains active functions.

Roof line – Meets requirements

- The principal roof line of the building will be flat, which is similar to that of surrounding multiple-family and non-residential buildings.

Parking garages – Not applicable

ACCESS AND CIRCULATION

Pedestrian access – Meets requirements

- There are clear and well-lit walkways at least four feet in width connecting building entrances to the adjacent public sidewalk and on-site parking facilities.

Transit access – Not applicable

- No transit shelters are proposed as part of this development.

Vehicular access – Requires variance(s)

- Vehicular access and circulation has been designed to minimize conflicts with pedestrian traffic and with surrounding residential uses.
- There are no curb cuts proposed.
- Traffic in the adjacent alley will be minimal in terms of impact on residential properties. The applicant is requesting a variance to allow for maneuvering the alley and staff is recommending approval.
- Service vehicle access does not conflict with pedestrian traffic. The site is adjacent to two public streets that do not have restrictions.
- There is no maximum impervious surface requirement in the CI zoning district.

LANDSCAPING AND SCREENING

General landscaping and screening – Meets requirements with Conditions of Approval

- The overall composition and location of landscaped areas complement the scale of development and its surroundings.
- At least 20 percent of the site not occupied by the building is landscaped. The applicant is proposing approximately 500 square feet of landscaping on site, or approximately 31 percent of the site not occupied by buildings (see Table 4).
- The applicant is proposing at least one canopy tree per 500 square feet of the required landscaped area, including all required landscaped yards. The tree requirement for the site is 1 and the applicant is proposing a total of 2 trees.
- The applicant is proposing at least one shrub per 100 square feet of the required landscaped area, including all required landscaped yards. The shrub requirement for the site is 4 and the applicant is proposing 0 shrubs. Staff is recommending that the applicant provide a minimum of four shrubs.
- The remainder of the required landscaped area is covered with turf grass, native grasses, perennial flowering plants, vines, shrubs and other trees.

Table 3. Landscaping and Screening Requirements

	Code Requirement	Proposed
Lot Area	--	4,693 sq. ft.
Building Footprint	--	3,084.5 sq. ft.
Remaining Lot Area	--	1608.5 sq. ft.
Landscaping Required	328 sq. ft.	500 sq. ft.
Canopy Trees (1:500 sq. ft.)	1 trees	2 trees
Shrubs (1:100 sq. ft.)	4 shrubs	0 shrubs

Parking and loading landscaping and screening – Requires alternative compliance

- The parking area facing 27th St E does not contain an on-site landscaped yard, where at least seven feet in width is required. The applicant is requesting alternative compliance due to the lack of lot width to provide a trash enclosure and two off-street parking spaces. Staff is recommending that city planning commission grant alternative compliance to the minimum landscaped yard requirement and redesign the parking area in the following manner: provide the bicycle parking in the right-of-way, with permission by the city engineer, relocating the trash enclosure outside of the

required interior side yard and a decorative fence between the parking area and the public sidewalk.

- The applicant is not proposing a three-foot screen between the parking area and the public street. Staff is recommending that the applicant provide screening between the parking area and the public sidewalk, consisting of a masonry wall, fence, berm, hedge, or combination thereof that is at least 60 percent opaque.
- There are no trees proposed along the 27th St E. frontage, where at least one tree is required for each 25 linear feet, or fraction thereof, of parking or loading area frontage. The applicant is requesting alternative compliance due to the lack of available space to provide trees or landscaping at the rear of the property and staff is recommending that the planning commission grant the request.
- The parking area abutting or across the alley from a residence district and residential uses is required to contain an on-site landscaped yard of at least seven feet in width. There is sufficient area to provide a five-foot landscaped yard between the parking area and the adjacent residential property; however it would be impractical to provide landscaping along the alley. Therefore, staff is recommending that the planning commission grant alternative compliance to reduce the required landscaped yard from seven to five feet along the south property line and from seven to zero feet along the alley.
- The applicant is required to provide a six-foot screen that is at least 95 percent opaque for the parking lot area facing the residential district or use. The applicant has shown the trash and recycling enclosure between the parking area and the adjacent residential property to the south. The enclosure is located within the side yard setback and will be required to a minimum of 5 feet from the property line; staff finds that the enclosure will provide adequate screening.
- All other areas not occupied by buildings, parking and loading facilities, or driveways would be covered with turf grass, native grasses, perennials, wood mulch, shrubs, and trees.

ADDITIONAL STANDARDS

Concrete curbs and wheel stops – Meets requirements with Conditions of Approval

- As conditioned by the staff recommendation, wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater.

Site context – Meets requirements

- There are no important elements of the city, such as parks, greenways, significant buildings, and water bodies, near the site that will be obstructed by the proposed building.
- This building should have minimal shadowing effects on public spaces and adjacent properties.
- This building has been designed to minimize the generation of wind currents at ground level.

Crime prevention through environmental design – Meets requirements

- The site plan employs best practices to increase natural surveillance and visibility, to control and guide movement on the site, and to distinguish between public and non-public spaces.
- The proposed site, landscaping, and buildings promote natural observation and maximize the opportunities for people to observe adjacent spaces and public sidewalks.
- The project provides lighting on site, at all building entrances, and along walkways that maintains a minimum acceptable level of security while not creating glare or excessive lighting of the site.
- The landscaping, sidewalks, lighting, fencing, and building features are located to clearly guide pedestrian movement on or through the site and to control and restrict people to appropriate locations.

- The entrances, exits, signs, fencing, landscaping, and lighting are located to distinguish between public and private areas, to control access, and to guide people coming to and going from the site.

Historic preservation – Not applicable

- This site is neither historically designated nor is it located in a historic district.

2. Conformance with all applicable regulations of the zoning ordinance.

There are no proposed uses at this time.

Off-street Parking and Loading – Requires variance(s)

- The off-street vehicle parking requirement is six spaces; the applicant has requested a variance to reduce the requirement to two spaces (see Table 5).
- The minimum bicycle parking requirement is three spaces; the applicant is proposing ten (see Table 6).
- There is not an off-street loading requirement for the proposed building (see Table 7).

Table 4. Vehicle Parking Requirements Per Use (Chapter 54I)

Use	Minimum	Reductions	Total with Reductions	Maximum Allowed	Proposed
General Retail Sales and Services	8	2 (bicycle incentive)	6	15	2
	--	--	6	15	2

Table 5. Bicycle Parking Requirements (Chapter 54I)

Use	Minimum	Short-Term	Long-Term	Proposed
General Retail Sales and Services	3	Not less than 50%	--	10 short-term
	3	--	--	10 short-term

Table 6. Loading Requirements (Chapter 54I)

Use	Loading Requirement	Minimum Requirement	Proposed
General Retail Sales and Services	Low	None	None
	Low	None	None

Building Bulk and Height – Meets requirements

Table 7. Building Bulk and Height Requirements

	Code Requirement	Proposed
Lot Area	--	4,693 sq. ft. / .11 acres
Gross Floor Area	--	3084.5 sq. ft.
Floor Area Ratio (Maximum)	1.7	.66
Building Height (Maximum)	2.5 stories or 35 feet, whichever is less	1 story - 18 ft.

Lot Requirements – Not applicable

Yard Requirements – Requires variance(s)

- A variance to reduce the front yard setback along Bloomington Ave has been requested by the applicant and staff is recommending approval of the application (see Table 10).
- The applicant is showing the trash/recycling in the required interior side yard and is required to move it 5 feet from the interior side property line.

Table 8. Minimum Yard Requirements

Setback	Zoning District	Overriding Regulations	Total Requirement	Proposed
Front (West)	20 ft.	--	20 ft.	4 ft.
Corner Side (North)	0 ft.	--	0 ft.	2 ft.
Interior Side (South)	5 ft.	--	5 ft.	5 ft.
Rear (West)	0 ft.	--	0 ft.	0 ft.

Signs – Meets requirements with Conditions of Approval

- All signs are subject to Chapter 543, On-Premise Signs. The applicant will be required to submit a separate sign permit application for any signage that is proposed.

Screening of Mechanical Equipment – Meets requirements with Conditions of Approval

- All mechanical equipment is subject to the screening requirements of Chapter 535 and district requirements:

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.
- b) Exceptions. The following mechanical equipment shall be exempt from the screening requirements of this section:
- 1) Minor equipment not exceeding one (1) foot in height.
 - 2) Mechanical equipment accessory to a single or two-family dwelling.
 - 3) Mechanical equipment located in an I2 or I3 District not less than three hundred (300) feet from a residence or office residence district.
- All mechanical equipment is enclosed within the building or is screened from the public street by the building itself.

Refuse Screening – Meets requirements

- All refuse and recycling storage containers are subject to the screening requirements in Chapter 535:

535.80. Screening of refuse and recycling storage containers.

Refuse, recycling storage, and compost 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. Single and two-family dwellings and multiple-family dwellings of three (3) and four (4) units shall not be governed by this provision.

- The applicant is proposing to have the trash and recycling at the rear, but is not allowed in the interior side yard. The applicant will be required to move the trash enclosure or place all refuse and recycling storage containers within the building.

Lighting – Meets requirements with Conditions of Approval

- Existing and proposed 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.
- 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.

- The applicant is proposing lighting on the building facing the public sidewalk and on-site parking lot.

Fences – Meets requirements with Conditions of Approval

- Fences must comply with the requirements in Chapter 535. Staff is recommending that the applicant provide adequate screening of at least 6 feet and 90% opaque between the parking area and the property to the south. Further, staff is recommending that the applicant provide screening of at least 3 feet in height and 60% opaque between the parking area and the public sidewalk.

Specific Development Standards – Not applicable

3. Conformance with the applicable policies of The Minneapolis Plan for Sustainable Growth.

The Minneapolis Plan for Sustainable Growth identifies the site as urban neighborhood on the future land use map. The proposed development is consistent with the following principles and policies outlined in the comprehensive plan:

Land Use Policy 1.9: Through attention to the mix and intensity of land uses and transit service, the City will support development along Community Corridors that enhances residential livability and pedestrian access.

- 1.9.1 Support the continued presence of existing small-scale retail sales and commercial services along Community Corridors.
- 1.9.3 Discourage uses that diminish the transit and pedestrian oriented character of Community Corridors, such as automobile services and drive-through facilities.

Urban Design Policy 10.10: Support urban design standards that emphasize a traditional urban form in commercial areas.

- 10.10.1 Enhance the city's commercial districts by encouraging appropriate building forms and designs, historic preservation objectives, site plans that enhance the pedestrian

environment, and by maintaining high quality four season public spaces and infrastructure.

- 10.10.2 Identify commercial areas in the city that reflect, or used to reflect, traditional urban form and develop appropriate standards and preservation or restoration objectives for these areas.
- 10.10.4 Orient new buildings to the street to foster safe and successful commercial nodes and corridors.
- 10.10.6 Require storefront window transparency to assure both natural surveillance and an inviting pedestrian experience.

Urban Design Policy 10.11: Seek new commercial development that is attractive, functional and adds value to the physical environment.

- 10.11.1 Require the location of new commercial development (office, research and development, and related light manufacturing) to take advantage of locational amenities and coexist with neighbors in mixed-use environments.
- 10.11.2 Ensure that new commercial developments maximize compatibility with surrounding neighborhoods.
- 10.11.3 Continue to curb the inefficient use of land by regulating minimum height, setbacks, build-to lines and parking through master planning methods and zoning code regulations.

CPED finds that the proposed development is in conformance with the above policies of The Minneapolis Plan for Sustainable Growth.

4. Conformance with applicable development plans or objectives adopted by the City Council.

The site is not located within the boundaries of a development plan or object adopted by the City Council.

5. Alternative compliance.

The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding that the project meets one of three criteria required for alternative compliance. Alternative compliance is requested for the following requirements:

- **Minimum 30% windows facing the on-site parking lot.** For nonresidential uses, the zoning code requires that no less than 30 percent of the walls on the first floor are windows with clear or lightly tinted glass with a visible light transmittance ratio of six-tenths (0.6) or higher. The project requires alternative compliance to the minimum window requirement (see Table 3) facing the on-site parking. The minimum window requirement is exceeded on the facades facing Bloomington Ave and 27th St E. The applicant has stated that there are security concerns with locating windows at the pedestrian level on this façade. There are proposed windows on the rear elevation, facing east, however they do not meet the requirements for location to be counted. Staff is recommending that the planning commission grant alternative compliance to this requirement.
- **Minimum shrubs.** The applicant is proposing at least one shrub per 100 square feet of the required landscaped area, including all required landscaped yards. The shrub requirement for the site is 4 and the applicant is proposing 0 shrubs. Staff is recommending that the applicant provide a minimum of four shrubs.

- **Seven-foot landscaped yards.** The parking area facing 27th St E does not contain an on-site landscaped yard, where at least seven feet in width is required. The applicant is requesting alternative compliance due to the lack of lot width to provide a trash enclosure and two off-street parking spaces. Staff is recommending that city planning commission grant alternative compliance to the minimum landscaped yard requirement and redesign the parking area in the following manner: provide the bicycle parking in the right-of-way, with permission by the city engineer, relocating the trash enclosure outside of the required interior side yard and a decorative fence between the parking area and the public sidewalk.

The parking area abutting or across the alley from a residence district and residential uses is required to contain an on-site landscaped yard of at least seven feet in width. There is sufficient area to provide a five-foot landscaped yard between the parking area and the adjacent residential property; however it would be impractical to provide landscaping along the alley. Therefore, staff is recommending that the planning commission grant alternative compliance to reduce the required landscaped yard from seven to five feet along the south property line and from seven to zero feet along the alley.

- **Parking lot screening.** The applicant is not proposing a three-foot screen between the parking area and the public street. Staff is recommending that the applicant provide screening between the parking area and the public sidewalk, consisting of a masonry wall, fence, berm, hedge, or combination thereof that is at least 60 percent opaque.
- **Trees along parking lot frontage.** There are no trees proposed along the 27th St E. frontage, where at least one tree is required for each 25 linear feet, or fraction thereof, of parking or loading area frontage. The applicant is requesting alternative compliance due to the lack of available space to provide trees or landscaping at the rear of the property and staff is recommending that the planning commission grant the request.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt staff findings for the applications by Erdogan and Yildiz Akguc for the property located at 2701 Bloomington Avenue:

A. Variance to decrease the front yard setback.

Recommended motion: **Approve** the application for a variance to reduce the front yard setback along Bloomington Avenue from 20 feet to 4 feet to allow for the construction of a new commercial storefront building.

B. Variance to reduce the minimum off-street parking requirement.

Recommended motion: **Approve** the application for a variance to reduce the minimum off-street parking requirement from 6 spaces to 2 spaces, subject to the following condition:

- I. The applicant shall provide a minimum of 3 off-street bicycle parking spaces.

C. Variance to reduce the minimum drive aisle.

Recommended motion: **Approve** the application for a variance to reduce the minimum drive aisle from 22 feet to 0 feet, to allow for maneuvering in the public alley.

D. Site Plan Review.

Recommended motion: **Approve** the application for a site plan review for a new commercial storefront building, subject to the following conditions:

2. All site improvements shall be completed by June 13, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. CPED staff shall review and approve the final site, elevation, landscaping, and lighting plans before building permits may be issued. The applicant shall provide a minimum of 20% landscaping, one canopy tree and four shrubs.
4. The plant materials, and installation and maintenance of the plant materials, shall comply with sections 530.200 and 530.210 of the zoning code.
5. The applicant shall move the proposed trash enclosure out of the required interior side yard or completely within the enclosed building.
6. The applicant shall provide screening of at least 6 feet in height and 90% opaque between the parking lot and the adjacent residential property to the south and a landscaped yard of at least 5 feet in width.
7. The applicant shall provide screening of at least 3 feet in height and 60% opaque between the parking lot and the public sidewalk to the north.

ATTACHMENTS

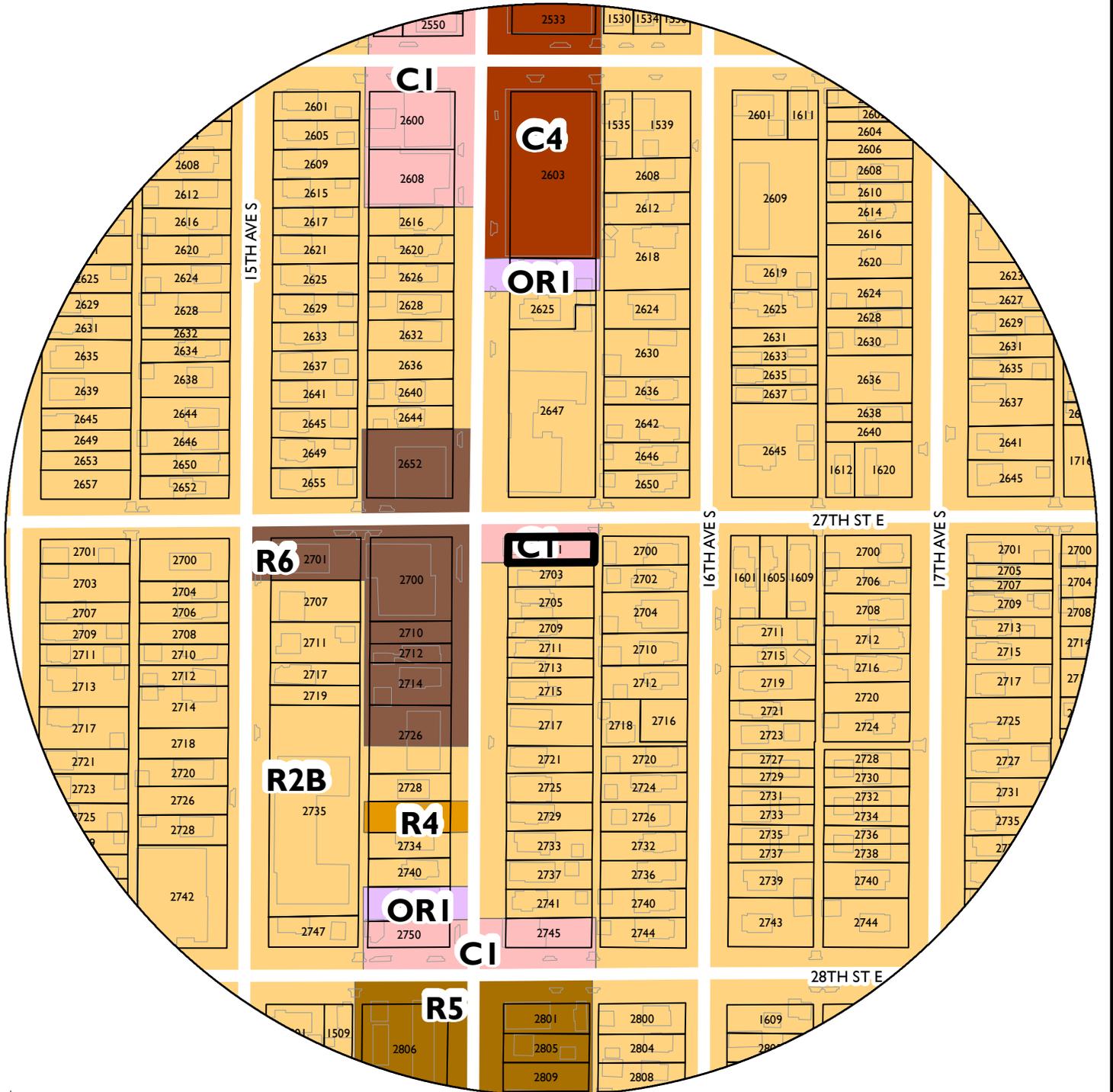
1. Zoning map
2. Oblique aerial photo
3. Written description and findings submitted by applicant
4. Survey
5. Site plan
6. Plans
7. Building elevations
8. Photos
9. PDR report

Erdogan and Yildiz Akguc

9th

NAME OF APPLICANT

WARD



27



PROPERTY ADDRESS

2701 Bloomington Avenue

FILE NUMBER

BZZ-7713



Erdogan and Yildiz Akguc
920 East Lake Street
Minneapolis, MN. 55407
612-338-6398
eakguc@gmail.com

May 13, 2016

RE: 2701 Bloomington Ave. S. Lot

Dear Midtown Phillips Neighborhood members

My wife Yildiz and I own Mapps Coffee & Tea in the Midtown Global Market. My wife runs this business herself but it has taken both of our energies to make our coffee shop successful.

After many years at the coffee shop, we're venturing into a business we both love, which is construction.

We bought a property which is located in our community. The address of this vacant lot is 2701 Bloomington Ave. S. The building on the property was demolished by the City of Minneapolis in 2012 and has been vacant since that date.

We are planning to build a 3000+- Sq. Ft. building for a local entrepreneur or community member to have a startup location or a second tier business in which they own the property of their place of business.

The subject property is less than 5000+- Sq/Ft. We're envisioning two small businesses next to each other to complement their success and provide safety. The building will have brick and stucco with lots of windows.

Considering the small size of the lot, we're applying for variances for parking, parking maneuver and setback from the front property line. Most commercial businesses on Bloomington Avenue have a zero setback. We are requesting a four foot setback to provide a more inviting storefront for a potential business.

Although we don't know the prospective business that may call this space a home. Being part of a project where we can empower a local business to be an owner and not a renter gives us great pride.

I've enclosed pictures of the businesses in the vicinity for reference.

We would appreciate a call or email to meet with you to discuss our plans in more detail.

Sincerely,
Erdogan and Yildiz

Erdogan and Yildiz Akguc
920 East Lake Street
Minneapolis, MN. 55407
612-338-6398
eakguc@gmail.com

May 13, 2016

RE: 2701 Bloomington Ave. S. Lot

Dear East Phillips Improvement Coalition members

My wife Yildiz and I own Mapps Coffee & Tea in the Midtown Global Market. My wife runs this business herself but it has taken both of our energies to make our coffee shop successful.

After many years at the coffee shop, we're venturing into a business we both love, which is construction.

We bought a property which is located in our community. The address of this vacant lot is 2701 Bloomington Ave. S. The building on the property was demolished by the City of Minneapolis in 2012 and has been vacant since that date.

We are planning to build a 3000+- Sq. Ft. building for a local entrepreneur or community member to have a startup location or a second tier business in which they own the property of their place of business.

The subject property is less than 5000+- Sq/Ft. We're envisioning two small businesses next to each other to complement their success and provide safety. The building will have brick and stucco with lots of windows.

Considering the small size of the lot, we're applying for variances for parking, parking maneuver and setback from the front property line. Most commercial businesses on Bloomington Avenue have a zero setback. We are requesting a four feet setback to provide a more inviting storefront for a potential business.

Although we don't know the prospective business that may call this space a home. Being part of a project where we can empower a local business to be an owner and not a renter gives us great pride.

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We would appreciate a call or email to meet with you to discuss our plans in more detail.

Sincerely,
Erdogan and Yildiz

Erdogan and Yildiz Akguc
920 East Lake Street.
Minneapolis, MN. 55407
612-338-6398
eakguc@gmail.com

RE: 2701 Bloomington Ave. S.

VARIANCE

1. Practical difficulties exist in complying with the ordinance because of the size of the lot is less than 5000 Square feet. Complying with the parking and parking maneuver takes a lot of square footage out of the project and makes the remainder of the buildable area too small to be a practical business location. Although most businesses have a zero setback to the street, we wanted to have at least a 4 feet setback from the main street on Bloomington Avenue to make it more inviting for the future business or businesses. These circumstances were not created by us and are not based on economic considerations alone.

We plan on using the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

This 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.

It is our belief, that having businesses on the current vacant lot will increase the safety and vibrancy of the neighborhood for all residents.

Sincerely,
Erdogan and Yildiz Akguc

LEGAL DESCRIPTION:

North 38.00 feet of Lot 10, Block 4, PETERS ADDITION, Hennepin County, Minnesota.

GENERAL NOTES:

1. The bearing system used is assumed.
2. The location of the underground utilities shown hereon, if any, are approximate only. PURSUANT TO MSA 216D CONTACT GOPHER STATE ONE CALL AT (612) 454-0002 PRIOR TO ANY EXCAVATION.
3. Site area = 4,693 square feet = 0.108 acres.
4. This survey was made on the ground.
5. No current title work was furnished for the preparation of this survey, legal description, recorded or unrecorded easements and encumbrances are subject to revision upon receipt of current title work.
6. Elevation datum is based on NAVD 88 data. Bench mark is located Top of Nail (AS SHOWN ON SURVEY) Elevation = 861.03

LEGEND

	SET IRON
	Set Property Monument (Minn. Reg. No. 23677)
	Concrete
	Concrete Curb
	Fence
	Overhead Electric
	Underground Electric
	Underground Telephone
	Water
	Gas
	Sanitary Sewer
	Storm Sewer
	Unknown Manhole
	Catchbasin
	Catchbasin
	Deciduous Tree (Dia. in In.)
	Water Manhole
	Sanitary Manhole
	Storm Manhole
	Existing Contour
	Existing Spot Elev. Gutter
	Existing Spot Elevation

CERTIFICATION:

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Date: August 7, 2015

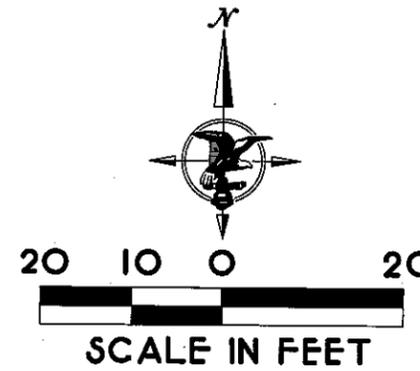
Thomas E. Hodorff
 Thomas E. Hodorff
 Minn. Reg. No. 23677

Revision History:

Revision History:

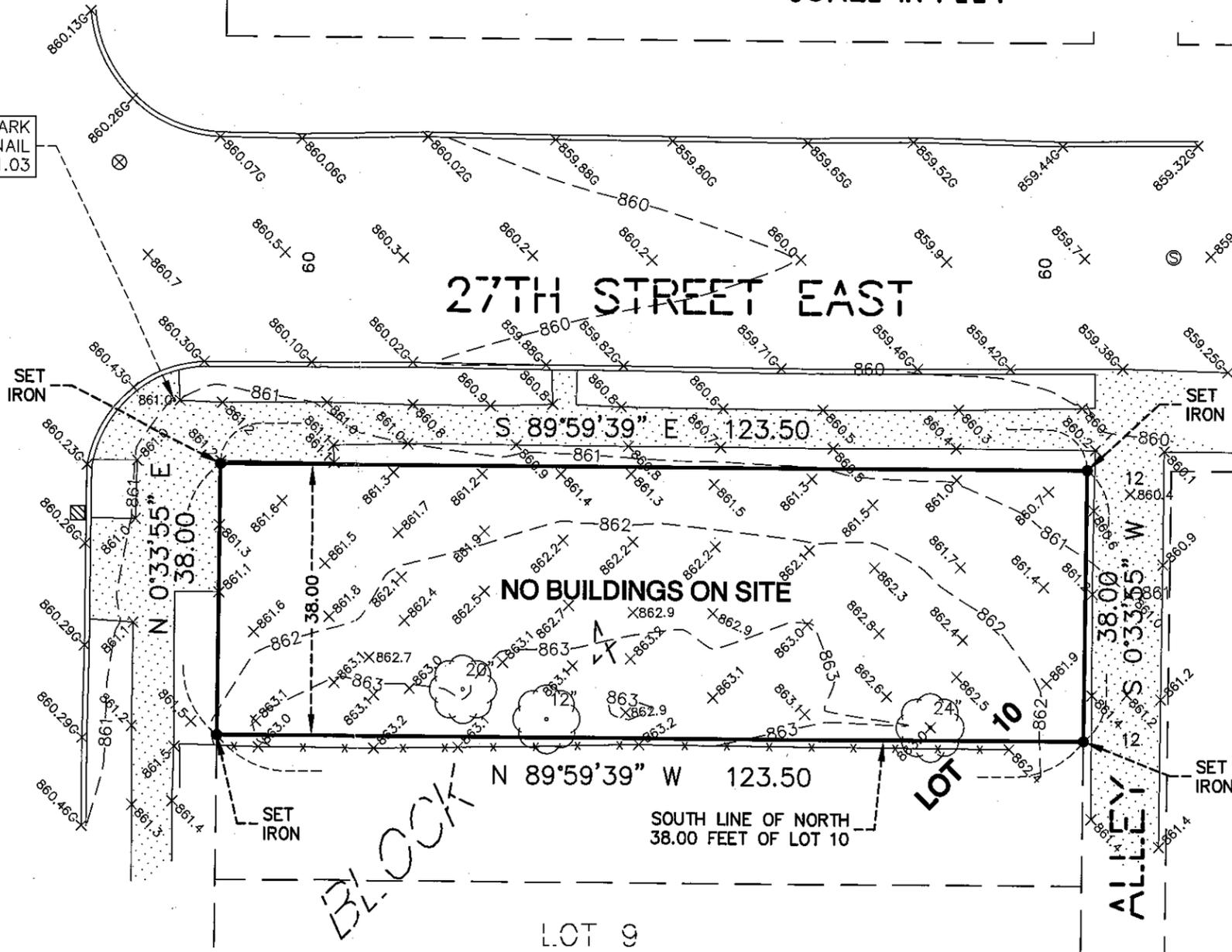
Minn. Reg. No. 23677

Minn. Reg. No. 13177



BLOOMINGTON AVENUE SOUTH

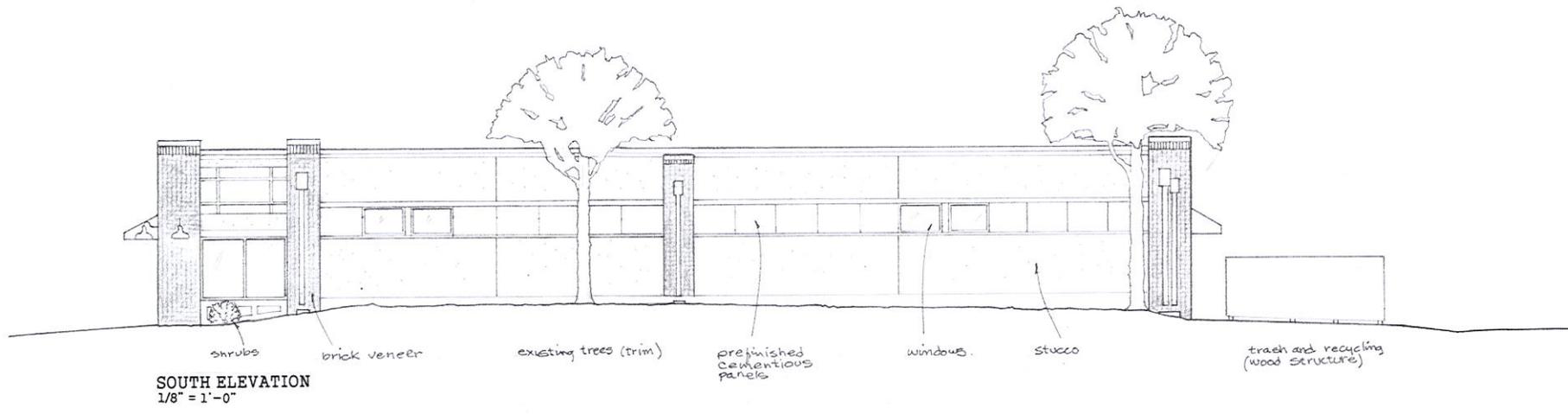
27TH STREET EAST



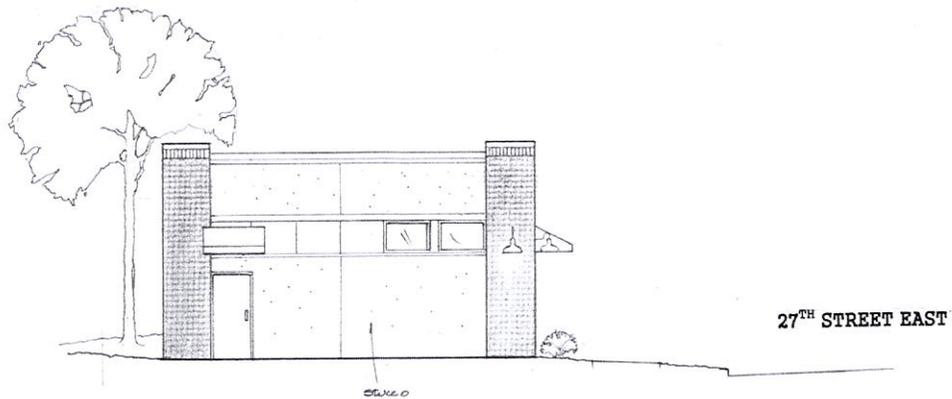
HARRY S. JOHNSON CO. INC.
LAND SURVEYORS & CONSULTANTS
 9063 Lyndale Avenue South
 Bloomington, Mn. 55420
 (952) 884-5341
 (952) 884-5344 Fax
 Email: tom@hssurveyors.com
 Web: www.hssurveyors.com

LOT CERTIFICATION SURVEY WITH TOPOGRAPHY
 for:
MINOTA BUILDERS
SITE: 2701 BLOOMINGTON AVENUE SOUTH MINNEAPOLIS, MINNESOTA

File No.	1-3-9176M	Page	40
W.O. Number	2015345	Book	639
Sheet No.	1 OF 1	CAD Tec.	CT



SOUTH ELEVATION
1/8" = 1'-0"



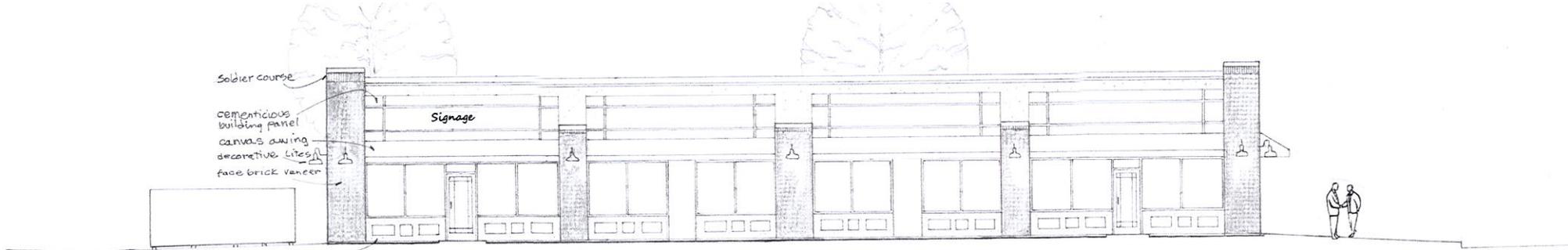
EAST ELEVATION
1/8" = 1'-0"

27TH STREET EAST

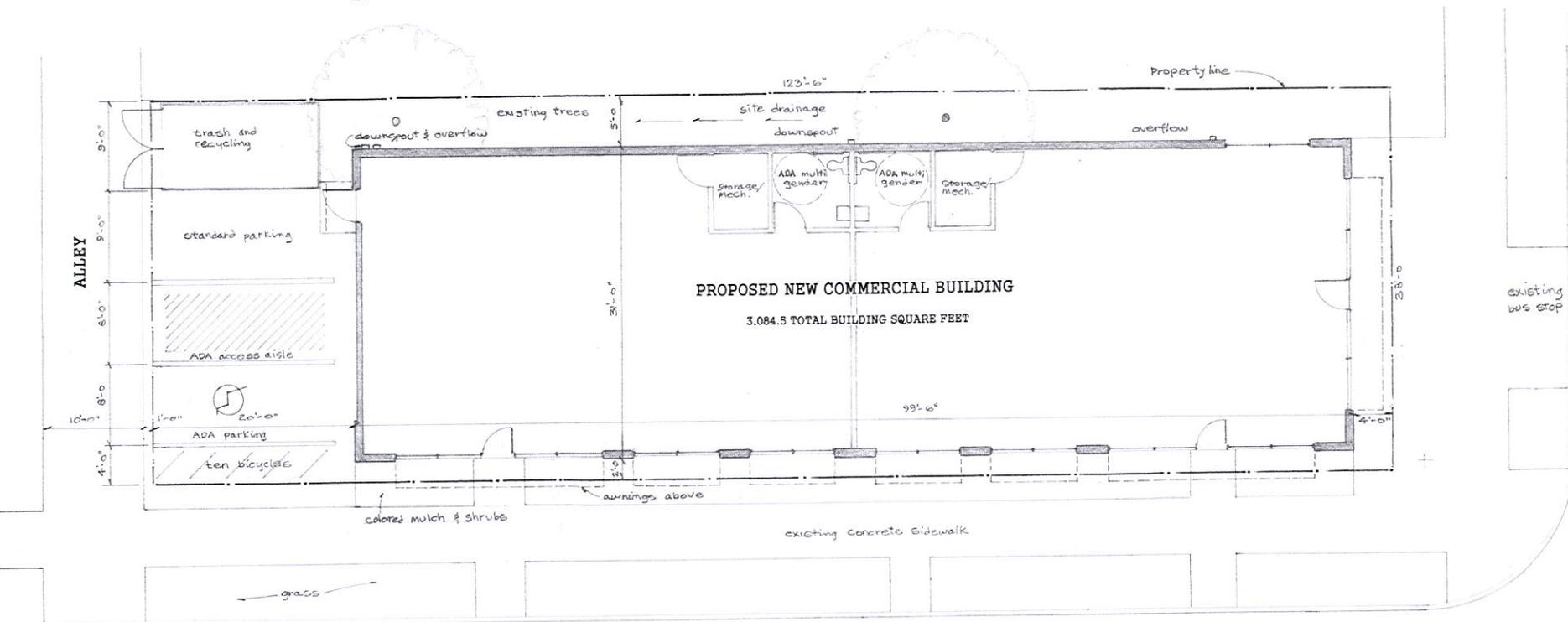
MEINHARDT AND ASSOCIATES ARCHITECTS
829 QUIMBY AVENUE NW
COKATO, MN 55321
612-581-5056

PROPOSED NEW COMMERCIAL BUILDING
2701 BLOOMINGTON AVENUE SOUTH
MINNEAPOLIS, MINNESOTA

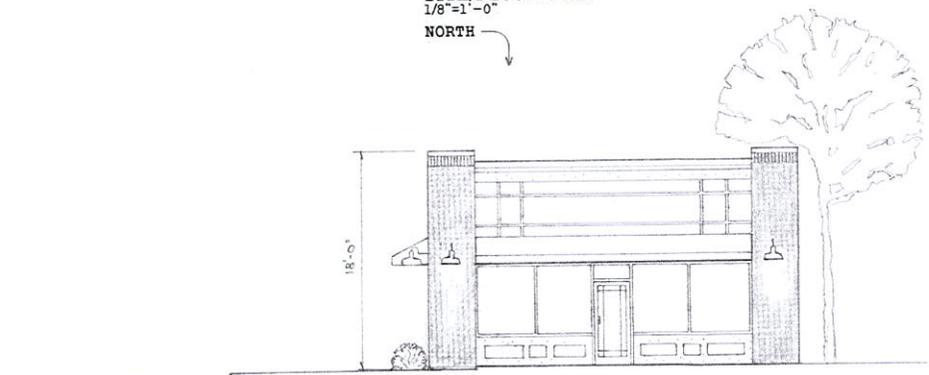
FOR OWNER ERDOAN ARGUC
4222 BASSWOOD ROAD
ST. LOUIS PARK, MN 55416



NORTH ELEVATION
1/8"=1'-0"



SITE/FLOOR PLAN
1/8"=1'-0"
NORTH



WEST ELEVATION
1/8"=1'-0"

BLOOMINGTON AVENUE SOUTH

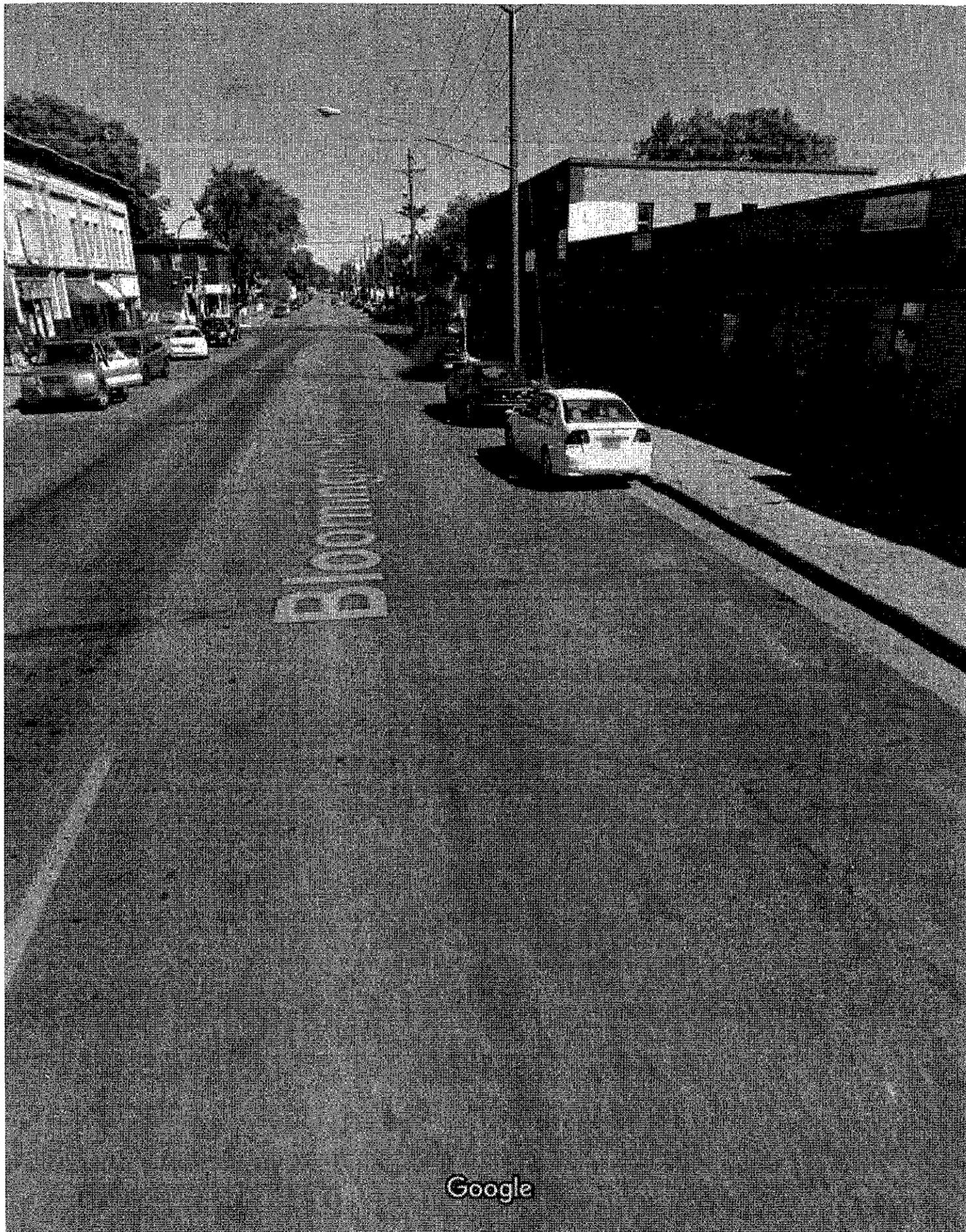
27TH STREET EAST

MEINHARDT AND ASSOCIATES ARCHITECTS
829 QUIMBY AVENUE NW
COKATO, MN 55321
612-581-5056

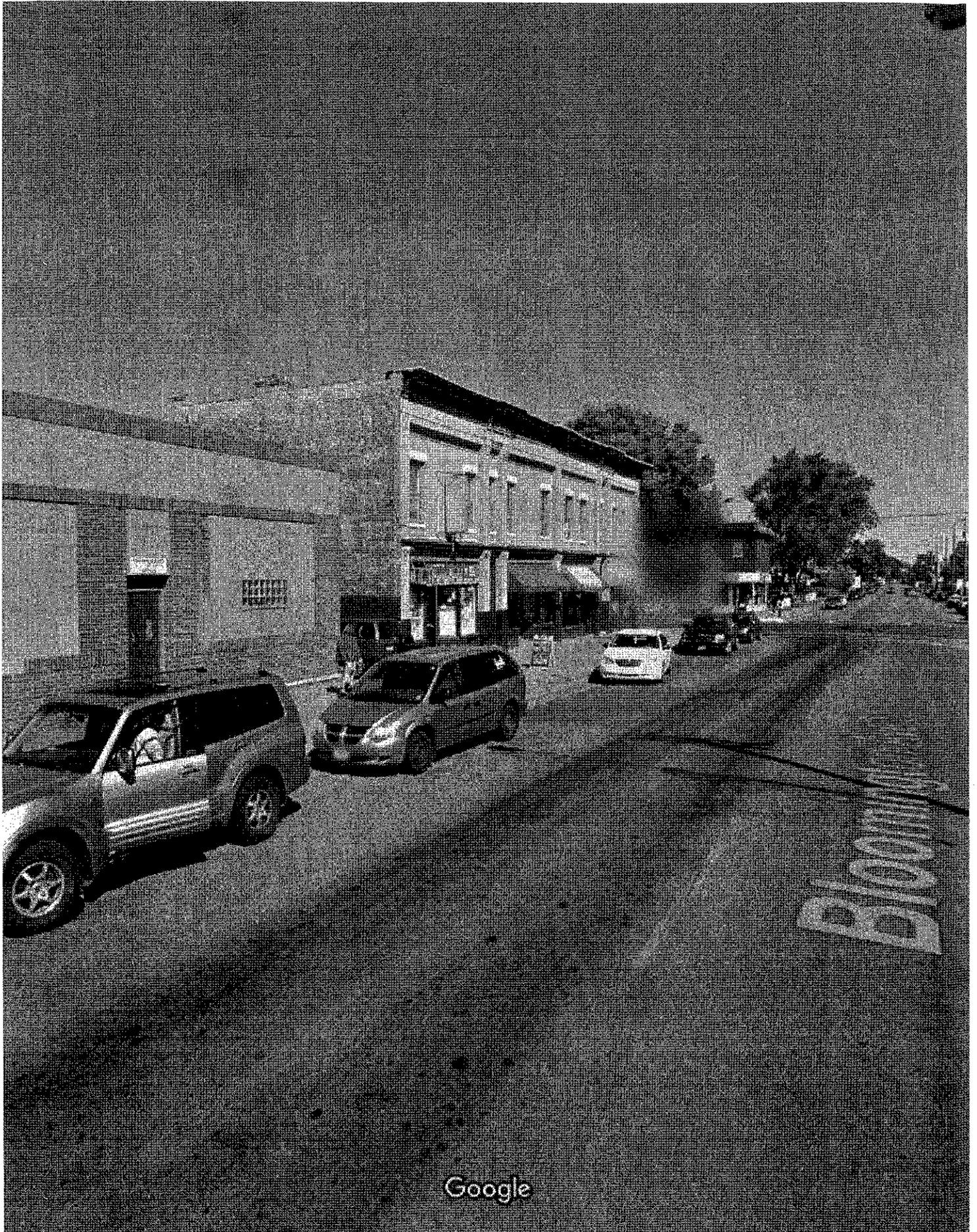
PROPOSED NEW COMMERCIAL BUILDING
2701 BLOOMINGTON AVENUE SOUTH
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FOR OWNER ERDOAN AKGUC
4222 BASSWOOD ROAD
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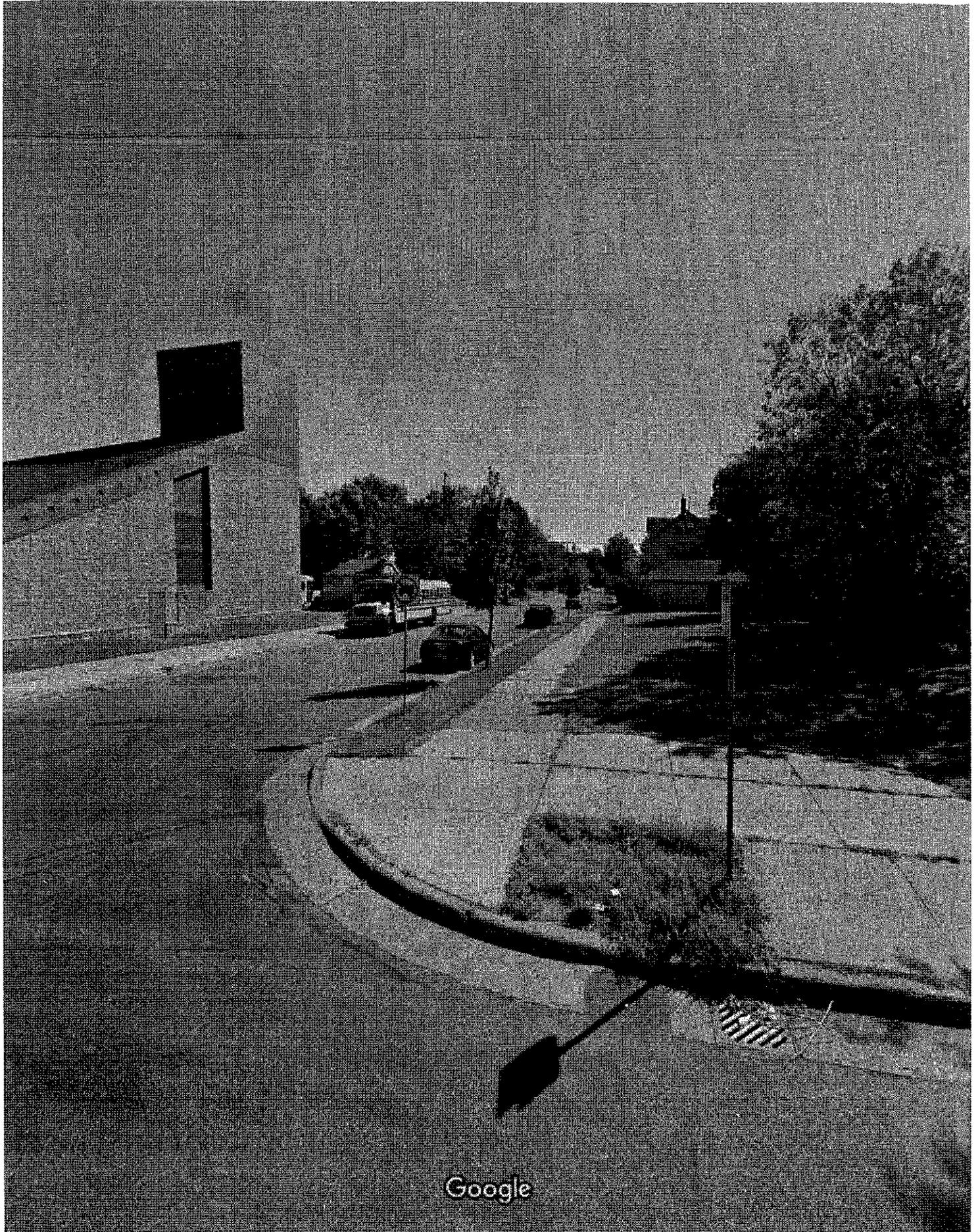
The structure, prior to demolition (September 2011)



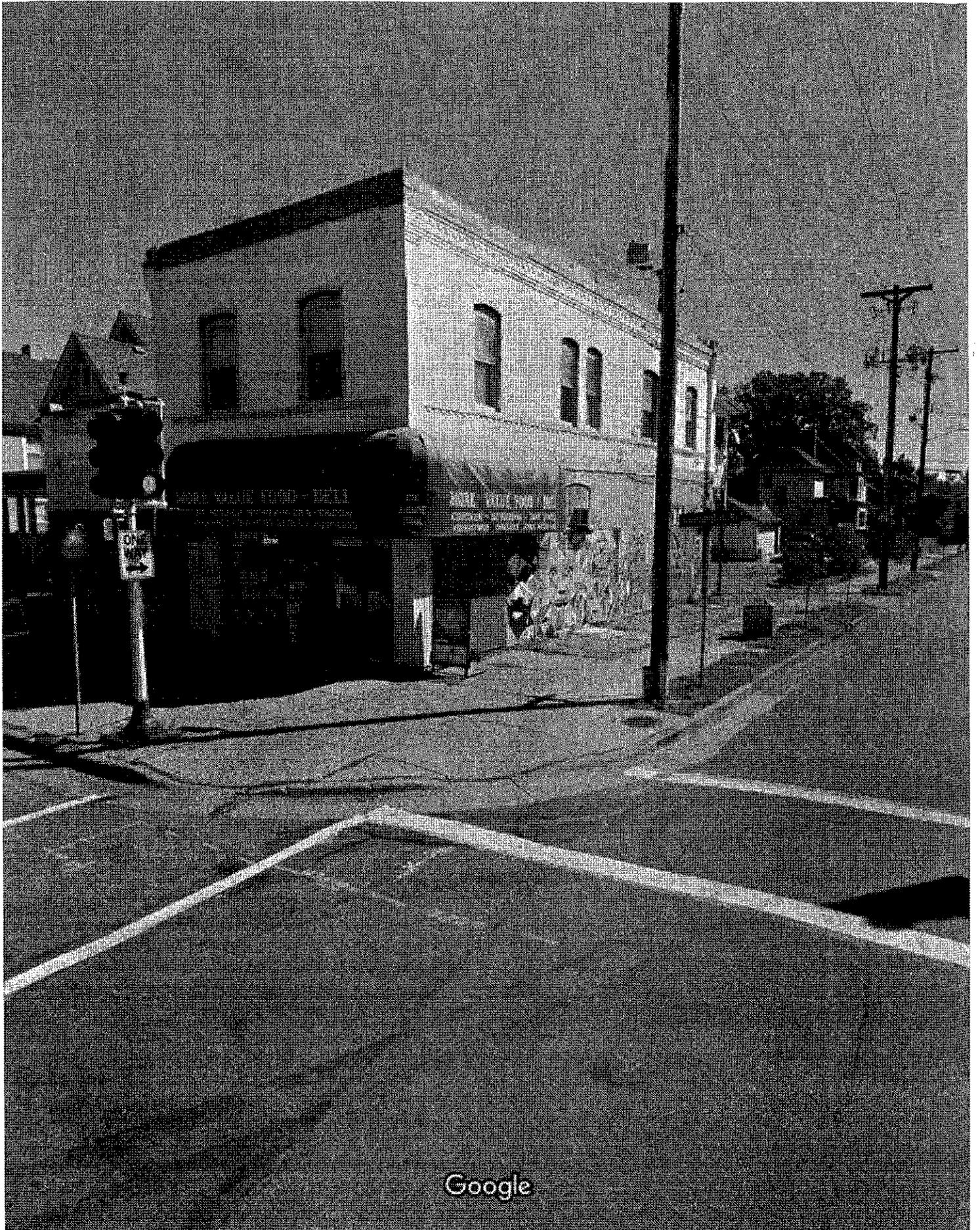
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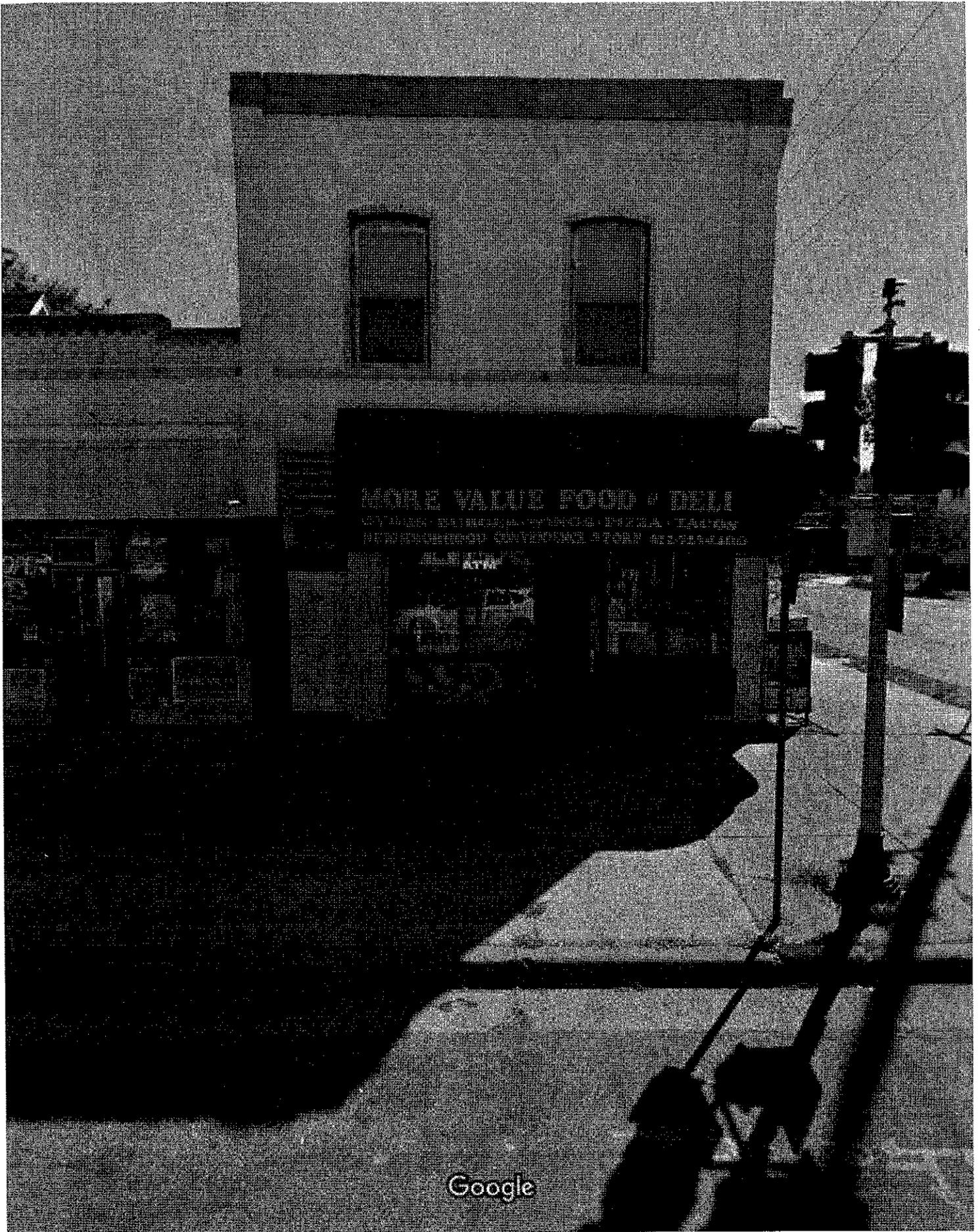
Google



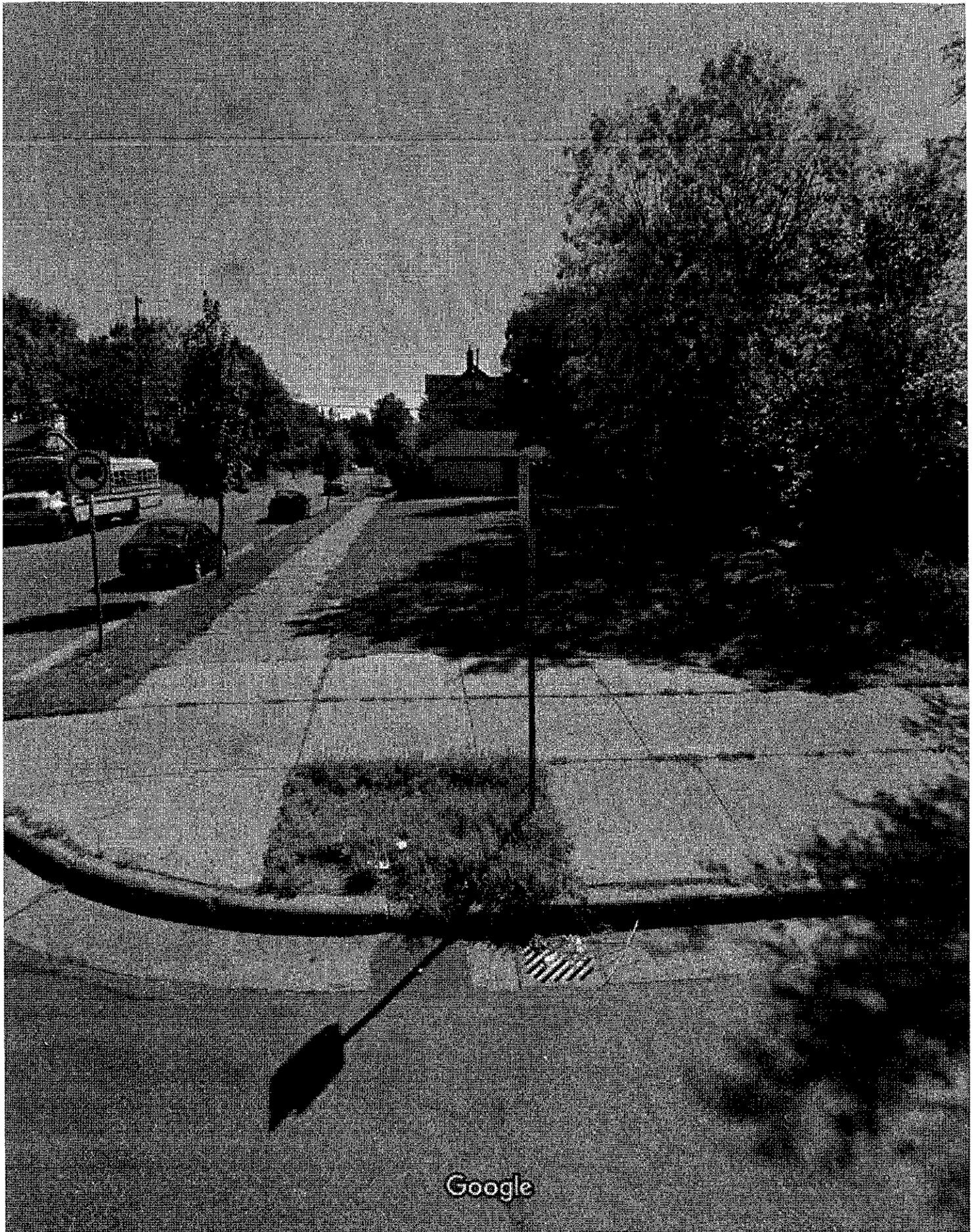
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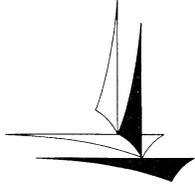
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Google



Google



Minneapolis Development Review
250 South 4th Street
Room 300
Minneapolis, MN 55415

Preliminary Development Review Report

Development Coordinator Assigned: DONALD ZART
(612) 673-5645
don.zart@minneapolismn.gov

Status *
RESUBMISSION REQUIRED

Tracking Number:	PDR 1001366
Applicant:	MINNOTA BUILDERS 4222 BASSWOOD RD ST LOUIS PARK, MN 55416
Site Address:	2701 BLOOMINGTON AVE
Date Submitted:	23-SEP-2015
Date Reviewed:	23-SEP-2015

Purpose

The purpose of the Preliminary Development Review (PDR) is to provide Customers with comments about their proposed development. City personnel, who specialize in various disciplines, review site plans to identify issues and provide feedback to the Customers to assist them in developing their final site plans.

The City of Minneapolis encourages the use of green building techniques. For additional information please check out our green building web page at: http://www.ci.minneapolis.mn.us/mdr/GreenBuildingOptions_home.asp.

DISCLAIMER: *The information in this review is based solely on the preliminary site plan submitted. The comments contained in this report are preliminary ONLY and are subject to modification.*

Project Scope

Proposed 1 story, 3,000 sq foot commercial building.

Review Findings (by Discipline)

Zoning - Planning

- This project will require review and approval by the City Planning Commission for setback variances, parking variance and site plan review. Staff has contacted the applicant to meet and discuss the project, CPC process, timeline, etc. Staff will continue to work with the applicant on any required changes to the site plan.

*Approved: You may continue to the next phase of developing your project.

*Resubmission Required: You cannot move forward or obtain permits until your plans have been resubmitted and approved.

❑ Addressing

- The parcel of land is identified as 2701 Bloomington Ave. However, per City of Minneapolis Street Naming and Address Standard V1.22, the City of Minneapolis holds authority for assignment of all addresses, verification, change, and/or additions. Each assigned address number uses the street that provides the best/direct access for life safety equipment and best/direct access to the occupants.
- The door for the future space identified as 101 will be 1505 27th Street East
- The door for the future space identified as 102 will be 1501 27th Street East

❑ Parks - Forestry

- Contact Craig Pinkalla (612-499-9233 cpinkalla@minneapolisparcs.org) regarding any questions related to planting, removal or the process for protection of trees during construction in the city right of way.
- The proposed 4674 square foot new commercial building does not trigger a Park Dedication fee review.

❑ Right of Way

- Note to the Applicant: Applications for Sidewalk Cafés are reviewed and approved through Business Licensing; all references to the proposed sidewalk café (including tables) shall be removed from the site plan.
- An encroachment permit shall be required for all streetscape elements in the Public right-of-way such as: plants & shrubs, planters, tree grates and other landscaping elements, sidewalk furniture (including bike racks and bollards), and sidewalk elements other than standard concrete walkways such as pavers, stairs, raised landings, retaining walls, access ramps, and railings (NOTE: railings may not extend into the sidewalk pedestrian area). Please contact Bob Boblett at (612) 673-2428 for further information.
- Per the Minneapolis Code of Ordinances, out-swinging doors are permitted to encroach a maximum of 4" into the Public right-of-way. The Applicant should consider designs that provide for in-swinging doors or recessed doorways to prevent out-swinging doors beyond the maximum allowable encroachment.
- Note that at various places within the plans there are notations for "proposed remodeling", yet no building is located on this parcel.

❑ Street Design

- For detailed information related to City of Minneapolis standard specifications, details, and standard plates refer to the following: <http://www.minneapolismn.gov/publicworks/plates/index.htm>. All curb & gutter in the Public right-of-way shall be designed and constructed to City standards, curb & gutter to be City standard B624 Curb and Gutter. Please refer to the following: http://www.minneapolismn.gov/publicworks/plates/public-works_road. Add the appropriate details from the ROAD-1000 Series - Curbs and Gutters (ROAD-1003, and ROAD-1010) to the plans.

❑ Sidewalk

- ADA compliant pedestrian ramps are required at each crosswalk at the intersection of Bloomington Ave. S. and E. 27th St. Construct two (2) ADA compliant pedestrian ramps at this location. Include the appropriate details and standard plates in the site plan, refer Mn/DOT Standard Plan 5-297.250 Pedestrian Curb Ramp Details at: <http://standardplans.dot.state.mn.us/stdplan.aspx>.

❑ Traffic and Parking

- Remove vehicles and parking dimensions from the plans, as these are all in the Public right-of-way and are not reviewed during this process.
- City ordinance states that all maneuvers associated with loading, parking or sanitation pick up for a private development shall occur on private property. Please provide a narrative explaining the trash removal and delivery operations for all truck type vehicles that will be using the site. A Solid Waste Collection Point (SWCP) shall be identified on the site plans; per City Ordinance (Section 2, Ch. 225, Article V - 225.750. Solid waste collection point (SWCP):

❑ Water

- Note to the Applicant: The water service tap and line was discontinued on February 24, 2012.
- The proposed plan shall indicate the size and location of a new water service line for this building. Domestic water and fire service connections should run in a line perpendicular from the watermain straight into the proposed building to the meter location. Please contact Rock Rogers at (612) 673-2286 to confirm domestic water and fire service layout, manhole construction, connections, and sizes.

❑ Sewer Design

- Surface Drainage: Please provide a proposed grading plan in sufficient detail to depict the proposed drainage patterns of the site. It must be demonstrated that the proposed conditions do not adversely impact adjacent properties as it relates to stormwater runoff.
- Please identify the location of roof drains and any proposed foundation or drain tile connections or discharges.
- Utility Connections: All existing and proposed public and private utilities (water, sanitary, and storm sewer) on and adjacent to the property shall be shown on the plans with corresponding pipe sizes, types and invert elevations. For City sanitary and storm sewer infrastructure records contact (612) 673-2405. All existing service connections to the property shall also be shown and noted on the plans as being removed or remaining in place. For service connection records contact (612) 673-2451.
- Erosion Control: Please note, if more than 5,000 square feet of land disturbance is proposed, an erosion and sediment control plan in conformance with Chapter 52 of the Minneapolis Code of Ordinances is required for the project. Please provide the appropriate erosion and sediment control measures and details on the plan, if necessary.
- Non Stormwater Discharges: Detail all mechanical and non-stormwater discharges. Non-stormwater discharges are not permitted unless approved by the City of Minneapolis. Non-stormwater discharges not declared and approved will not be permitted. If there currently are none and nothing is proposed declare this status on the plans. For comments or questions on Public Works Surface Water & Sewers Division related requirements please contact Jeremy Strehlo, (Professional Engineer) at (612) 673-3973, or jeremy.strehlo@minneapolismn.gov.

❑ Fire Safety

- Provide all required life safety systems throughout building where needed.
- Provide and maintain fire apparatus access at all times.

❑ Business Licensing

- Continue to work with Don Zart (612-673-2726) concerning a Food Plan Review, SAC determination, and any business license application submittal that may be required should a food related business occupy any of the or all future retail space.

❑ Historical Preservation Committee

- There is no HPC flag on this property. HPC review is not required at this time.

❑ Construction Code Services

- Permanent construction, such as the stoop foundations, is not permitted beyond the property line as shown.
- Doors are not permitted to swing across the property line as shown.
- Plans will also need to be certified by a MN licensed structural engineer at the time of building permit application.
- Handicap parking access aisles are to be marked "no parking" per 502.4.4 ANSI A117.1 2009
- Maximum slope 1:48 for access aisle and parking space per 502.5
- Aisles to be 96" (8') width 502.4.2.
- Maximum slope of exterior accessible routes is 1:20

□ Environmental Health

- A demolition permit was issued 2012 and the lot is currently vacant. The property's first structure was a built in 1885 and identified as a wood structure used as a Store. A home was moved onto the property in 1890. City water service was installed in 9/4/1889, coinciding with the moving of the home on the lot. The store would have required a water supply well or other alternative water supply for use. When the demolition permit was issued in 2012 no permit was obtained for sealing of a water supply well. An investigation will need to be conducted by the property owner to locate the well.
- If impacted soil is encountered during site activities call the MN State Duty officer at (651) 649-5451.
- If dewatering is required during site construction see below for city permit requirements. Subgrade structures should be designed to prevent infiltration of groundwater without the need for a permanent dewatering system being installed. If a continuously operating permanent dewatering system is needed it must be approved as part of the sanitary sewer and storm drain site plan approval prior to construction beginning.
- No construction, demolition or commercial power maintenance equipment shall be operated within the city between the hours of 6:00 p.m. and 7:00 a.m. on weekdays or during any hours on Saturdays, Sundays and state and federal holidays, except under permit. Contact Environmental Services at (612) 673-3867 for permit information.
- Permits and approval are required from Environmental Services for the following activities: Temporary storage of impacted soils on site prior to disposal or reuse; Reuse of impacted soils on site; Dewatering and discharge of accumulated storm water or ground water, underground or aboveground tank installation or removal, well construction or sealing. Contact Tom Frame at (612) 673-5807 for permit applications and approvals.
- A review of the project, permits issued and an inspection from Environmental Service for identification of equipment and site operations that require annual registration with the City of Minneapolis will occur for this project.

END OF REPORT