
Linden Hills Rezoning Study: Additional Details on Draft Staff Recommendations for 45-day Public Comment Period

December 1, 2015

CPED has received some questions regarding the draft staff recommendations related to:

- The Linden Hills Overlay District and the Proposed Linden Hills Area Pedestrian Oriented Overlay District
- Implementing the Linden Hills Small Area Plan Guidance that Guided Future Land Use of Three Areas to Medium Density Residential

The following document provides more detail regarding these draft staff recommendations.

The Linden Hills Overlay District and the Proposed Linden Hills Area Pedestrian Oriented Overlay District.

The LHSAP provides direction to “study and refine the existing Linden Hills Overlay Zoning District to reflect the guidance in the Small Area Plan, including the amount and location of parking and allowed uses.” During the course of this work, guided by the LHSAP, CPED has determined that many elements of the Linden Hills Overlay District are redundant, less restrictive, or inconsistent with other elements of the Minneapolis Zoning Code. As a result CPED is proposing in its draft staff recommendations to remove the Linden Hills Overlay and move applicable portions of the Linden Hills Overlay into a newly created Linden Hills area portion of the Pedestrian Oriented Overlay District.

Where in Minneapolis is the Pedestrian Oriented Overlay District currently applied?

- The Pedestrian Oriented Overlay is currently applied to a variety of areas within Minneapolis. While these include areas such as Dinkytown, Uptown, West Broadway and Transit Stations along the LRT lines, it is also applied to five Neighborhood Commercial Nodes in Minneapolis: 44th & Penn Ave N, 54th & Lyndale Ave S, 58th & Lyndale Ave S, 38th & Chicago, and 48th & Chicago Ave.

Please note that the three commercial areas of Linden Hills: 43rd & Upton, 44th & Beard, and 44th & France share a similar designation as a Neighborhood Commercial Node. See map on [Poster explaining the Pedestrian Oriented Overlay and where it is currently applied in Minneapolis](#) that was presented at the November 4th Open House.

What are the resulting changes that would result from the proposed draft staff recommendations?

- At the November 4th Open House CPED presented two boards to compare and explain changes between Linden Hills Overlay and the Proposed Linden Hills Area Pedestrian Oriented Overlay District. These are linked below. These materials identify the changes resulting from the proposed draft staff recommendations.
 - [Poster comparing guidance of existing Linden Hills Overlay District to proposed Pedestrian Oriented Overlay District \(pdf\)](#)
 - [Poster illustrating potential required parking scenarios between the two overlays \(pdf\)](#)

What are the specific elements of the current Linden Hills Overlay District that are “redundant, less restrictive, or inconsistent” with other elements of the Minneapolis Zoning Code?

- Elements that are **less restrictive** in the current Linden Hills Overlay District compared to the entirety of the Zoning Code include:
 - The Linden Hills Overlay has a lower threshold for triggering Site Plan Review than what is applied elsewhere in the City. The Zoning Code, Chapter 530, triggers Site Plan Review for new buildings and additions over 1,000 sq ft. The Linden Hills Overlay triggers Site Plan Review for additions over 3,000 sq ft. The requirements in Chapter 530 are more restrictive in this requirement and, under the draft staff recommendations, more work would be subject to the Site Plan Review than under the Linden Hills Overlay provisions. While this is an example less restrictive provisions, it is also an example of being redundant since another section of the Zoning Code, Chapter 530, already covers this provision. It is also inconsistent because this is addressed in a different and more restrictive way elsewhere in the Zoning Code, which is applied to the entire City.
 - The Linden Hills Overlay allows backlit canopy signs, while the Pedestrian Oriented Overlay District prohibits this type of signage.
 - The Linden Hills Overlay requires that buildings that are adjacent to residence and office residence zoning districts have materials that are the same as the front of the building. Chapter 530 of the Zoning Code-states that all buildings, not just those buildings adjacent to adjacent to residence and office residence zoning districts, have materials that shall be similar and compatible to the front of the building. Therefore, the Linden Hills Overlay applies to fewer buildings. This is another example where the Linden Hills Overlay provisions are redundant since another section of the Zoning Code already provides similar guidance.
 - The Linden Hills Overlay requires that parking areas fronting public streets and sidewalks have at least a 5 foot setback containing evergreen or deciduous shrubs that form a continuous screen of 3 feet in height. Chapter 530 requires a landscaped yard that is at least 7 feet wide as well as screening that is 3 feet in height and not less than 60 percent opaque. Chapter 530 requires a larger landscaped setback. This is an example where the Site Plan Review requirements of Chapter 530 are more restrictive than the Linden Hills Overlay. It is also an example where the guidance is inconsistent with how it is administered throughout the City. It also an example of being redundant since another section of the Zoning Code covers this provision.
 - The Linden Hills Overlay requires that parking areas abutting or across an alley from a residence district or office residence district have at least a 5 foot setback containing

evergreen or deciduous shrubs that form a continuous screen of 3 feet in height OR a six foot tall decorative fence. Chapter 530 requires a landscaped yard at least 7-9 feet wide AND screening that is 6 feet in height and not less than 60 percent opaque. This is another case where the Site Plan Review requirements of Chapter 530 of the Zoning Code are more restrictive than the Linden Hills Overlay. It is also an example where the guidance is inconsistent with how it is administered throughout the City. It also an example of being redundant since another section of the Zoning Code covers this provision.

- Elements that are **inconsistent** compared to the entirety of the Zoning Code:
 - As noted above, and...
 - The Linden Hills Overlay prohibits bike and inline skate rental, no other portions of the Zoning Code prohibit this use.
 - The Linden Hills Overlay has a parking requirement that is based on the number of seats within a restaurant and coffee shop, which includes outdoor seating. Chapter 541 of the Zoning Code, defines parking based on Gross Floor Area of the use- a different way of calculating parking than by seats. No other portion of the Zoning Code, and thus no other portion of the City, uses number of seats in determining parking requirements nor does any other portion of the Zoning Code, and thus no other portion of the City, count outdoor seating in the parking requirements. While calculations vary based on the layout of each specific establishment, the examples illustrated in the boards (linked above) show that under the Linden Hills Overlay these businesses have a larger parking requirement than they would in any other part of the City under the Zoning Code.
 - The Linden Hills Overlay has a parking requirement for grocery stores and banks that is higher than other areas of the City subject to Chapter 541 of the Zoning Code. So under the existing Linden Hills Overlay the parking requirement for these uses is higher than in any other portion of the City.
 - Along with required setback for parking areas, the Linden Hills Overlay requires that 1 tree be provided for every 15 feet of parking lot frontage. The Linden Hills Overlay counts trees in the adjacent public right of way (boulevard) -owned and maintained by the Minneapolis Park & Recreation Board (MPRB) not the adjacent property owner - into this calculation. So a project may not need to provide trees or as many trees as their frontage would require because the City, specifically the MPRB have planted trees in the boulevard. Chapter 530 requires one tree per every 25 feet of parking lot frontage. Chapter 530 does not count trees in the boulevard. While this could be considered more or less restrictive based on the specific site characteristics, it is in an example of inconsistency in application between the LH Overlay and the other provisions of the Zoning Code.
 - The Linden Hills Overlay sets the maximum width of driveways for parking areas at 20 feet. Chapter 541 of the Zoning Code sets the maximum width of driveways for parking areas at 25 feet. The Pedestrian Oriented Overlay District does not modify or reduce the driveway width established in Chapter 541. Driveways in the City not covered by Linden Hills Overlay are allowed to be up to 5 feet wider.

- Elements that are **redundant** compared to the entirety of the Zoning Code:
 - As noted above, and...
 - The Linden Hills Overlay provides guidance on building placement, entrances, windows, parking locations, and parking dimensions. (See link to comparison poster for specifics). This same guidance is provided in the Linden Hills Area Pedestrian Oriented Overlay that is in the draft staff recommendation.
 - The Linden Hills Overlay states that maneuvering associated with parking and loading for off-street parking and loading areas shall occur in those specific areas and not in the public street. Chapter 541 of the Zoning Code states that “To the extent practical, all maneuvers associated with loading shall occur in the off-street loading area” It also states “All maneuvers associated with parking shall occur in the off-street parking area, except where accessory to single or two-family dwellings, or cluster developments or multiple-family dwellings of three (3) or four (4) units. Public streets shall not be used to conduct any parking maneuver, including backing out onto the street.” This is an example where the Linden Hills Overlay is redundant with Chapter 541 Off Street Parking and Loading of the Zoning Code.

- Elements that are **not proposed for inclusion** in the proposed Linden Hills Area Pedestrian Oriented Overlay District and not covered by other portions of the Zoning Ordinance.
 - The Linden Hills Overlay requires that commercial buildings adjacent to a residence district or office residence district have at least a five foot landscaped area setback containing evergreen or deciduous shrubs that form a continuous screen not less than 3 feet in height and not more than 6 feet in height. The Linden Hills Overlay further states that the City Planning Commission may consider a decorative fence or masonry wall in lieu of planted materials. Chapter 530 requires a landscaped yard at least 7 feet wide. However, unless there is a parking or loading area in that portion of the site there is no screening required. This is an example where the guidance is inconsistent with how it is administered throughout the City. In this case the Chapter 530 of the Zoning Code is more restrictive related to the required setback, than the Linden Hills Overlay, but the screening requirement in the Linden Hills Overlay is more restrictive than Chapter 530 of the Zoning Code.
 - The Linden Hills Overlay encourages (it does not require) commercial delivery and shipment of products, merchandise or supplies in straight trucks or smaller vehicles. This item is not addressed in other sections of the Zoning Code. It is also only stated as an encouragement and not a requirement. The Linden Hills Overlay cannot be used to require the use of straight trucks or smaller vehicles for commercial delivery and shipment.
 - The Linden Hills Overlay allows for a shared loading facility between two uses to be provided in lieu of 1 required automobile parking space. Shared loading facilities are allowed Chapter 541 of the Zoning Code, however outside the Linden Hills Overlay shared loading cannot be provided in lieu of 1 required parking space.
 - The Linden Hills Overlay sets the maximum width of driveways for parking areas at 20 feet. Chapter 541 of the Zoning Code sets the maximum width of driveways for parking areas at 25 feet. The Pedestrian Oriented Overlay District does not modify or reduce the driveway width established in Chapter 541. Driveways in the City not covered by Linden Hills Overlay are allowed to be up to 5 feet wider.

- Elements that are **proposed to be added** to the proposed Linden Hills Area Pedestrian Oriented Overlay District to implement the guidance of the Linden Hills Small Area Plan.
 - Off-site off-street parking serving nonresidential uses in the Linden Hills area may be located in any commercial district and may be located in the residence and office residence districts. In the residence and office residence districts the off-site parking area shall be accessory to an institutional or public use. The Zoning Code currently prohibits off-site off-street parking for commercial uses in residentially zoned areas. The institutional uses in Linden Hills have accessory parking that could potentially be used for parking to support commercial area, but currently under the Zoning Code this would be prohibited. This new provision allows for the institutional uses to enter into arrangements with nearby commercial uses to utilize their accessory parking. This implements the guidance of the Small Area Plan.
 - The fourth story of any commercial building or multiple-family dwelling shall be stepped back ten feet from any building wall that faces a public street. This implements the building design guidance of the Small Area Plan
 - The top floor of a building of three (3) or more stories shall be set back not less than ten feet from the applicable interior side or rear yard setback required from an abutting R1, R1A, R2 or R2B zoned property. This implements the building design guidance of the Small Area Plan.

Implementing the Linden Hills Small Area Plan Guidance that Guided Future Land Use of Three Areas to Medium Density Residential

The Linden Hills Small Area Plan includes three areas where the future land use was guided to Medium Density Residential at 20-50 dwelling units per acre. (See adopted [Future Land Use Map](#) from the Linden Hills Small Area Plan on next page) The areas are located near the intersections of 46th & France, 44th & Drew and 44th & Xerxes. To implement the Small Area Plan these areas require rezoning to a zoning district that allows for medium density residential development.

The City of Minneapolis Zoning Code has two zoning districts that are considered Medium Density: R3 Multiple Family District and R4 Multiple Family District. Medium Density is defined by allowing between 20 and 50 dwelling units per acre. Some of the key components of these zoning districts are listed below.

As of right Maximums	R3 District	R4 District
Dwelling units per acre	29	35
Height	2.5 stories, not to exceed 35 feet	4 stories, not to exceed 56 feet
Floor Area Ratio (FAR)	1	1.5

The draft staff recommendation for these Medium Density Areas is to change the zoning in these areas to R4 Multiple Family District. To ensure compliance with the building design guidance of the Linden Hills Small Area Plan these areas are also proposed to be included in the Linden Hills Area Pedestrian Oriented Overlay District and would be subject to the zoning requirements of that district including:

- The fourth story of any commercial building or multiple-family dwelling shall be stepped back ten feet from any building wall that faces a public street. This implements the building design guidance of the Small Area Plan
- The top floor of a building of three (3) or more stories shall be set back not less than ten feet from the applicable interior side or rear yard setback required from an abutting RI, RIA, R2 or R2B zoned property. This implements the building design guidance of the Small Area Plan.

LHSAP: FUTURE LAND USE MAP

