

MEMORANDUM

TO: City Planning Commission, Committee of the Whole

FROM: [Brian Schaffer](#), Principal City Planner, (612) 673-2670

DATE: October 22, 2015

SUBJECT: Linden Hills Rezoning Study: Supplemental Information (delivered at CoW meeting)

The memorandum provided by CPED to the City Planning Commission, Committee of the Whole outlined the four topics that the Linden Hills Small Area Plan set up evaluation of for the rezoning study:

- A. Rezone underlying base property zoning (see page 41 of plan)
- B. Refine the Linden Hills Overlay to be more consistent with standard Pedestrian Oriented Overlay
- C. Explore the expansion of the Linden Hills/Pedestrian Oriented Overlay to the 44th and France Neighborhood Commercial Node
- D. Implement building design guidance

The original memorandum did not provide much detail related to B, C, of D above. The following memorandum and attachments provides more detail on these topics.

B. Refine the Linden Hills Overlay to be more consistent with standard Pedestrian Oriented Overlay

CPED is proposing to retire the Linden Hills Overlay and roll applicable portions into a newly created Linden Hills area portion of the Pedestrian Oriented Overlay District. The Linden Hills Overlay District created in 1997, predated the Pedestrian Oriented Overlay District, which was created in 1999 and revised many times since. Some of the building and site design guidance in the Linden Hills Overlay District became the basis for the Pedestrian Oriented Overlay District and other elements of the site plan review. Currently, there are several areas of the Linden Hills Overlay that are less restrictive than or inconsistent with other elements of the Minneapolis Zoning Code.

The attached materials include the draft text for the is proposed revision to the Zoning Code and a table comparing the proposed Linden Hill area Pedestrian Oriented Overlay District and existing Linden Hills Overlay District.

C. Explore the expansion of the Linden Hills/Pedestrian Oriented Overlay to the 44th and France Neighborhood Commercial Node

CPED is proposing to apply the Linden Hills area Pedestrian Oriented Overlay District to the 44th and France neighborhood commercial node. This would result in one nonconforming use, a gas station at 4419 France Avenue, due to transportation uses being prohibited in the Pedestrian Oriented Overlay District.

A nonconforming use can continue to operate as usual as long as they are not abandoned for a period of more than 12 months. Property owners can rebut abandonment if they are actively marketing the property.. A nonconforming property can be altered by going through a Planning Commission process; it can be rebuilt if destroyed and it can still get loans from lenders.

D. Implement building design guidance

CPED is proposing to add two elements of building design guidance to the new Linden Hills area Pedestrian Oriented Overlay: the fourth story step back along building walls that face public streets and the additional ten foot setback from the applicable interior side or rear yard setback required from an abutting R1, R1A, R2 or R2B zoned property.

In districts that do not allow four stories as of right a project will need to comply with the Pedestrian Oriented Overlay and be granted a Conditional Use Permit to achieve a fourth story.

Attachments:

- Draft of proposed Text Amendment for changes to the Pedestrian Oriented Overlay District
- Table comparing the proposed Linden Hills area Pedestrian Oriented Overlay District and existing Linden Hills Overlay District
- Map of proposed extent of Linden Hills area Pedestrian Oriented Overlay District
- Map of existing zoning districts in Linden Hills

**AN ORDINANCE
Of the
CITY OF
MINNEAPOLIS**

By Palmisano

**Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code:
Zoning Districts and Maps Generally.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 521.10 of the above-entitled ordinance be amended and amended to read as follows:

521.10. Establishment of zoning districts. In order to carry out the purposes and provisions of this zoning ordinance, the city shall be divided into the following zoning districts:

(6) *Overlay Districts.*

- PO Pedestrian Oriented Overlay District
- ~~LH Linden Hills Overlay District~~
- IL Industrial Living Overlay District
- TP Transitional Parking Overlay District
- SH Shoreland Overlay District
- FP Floodplain Overlay District
- MR Mississippi River Critical Area Overlay District
- DP Downtown Parking Overlay District
- B4H Downtown Housing Overlay District
- DH Downtown Height Overlay District
- NM Nicollet Mall Overlay District
- HA Harmon Area Overlay District
- AP Airport Overlay District
- WB West Broadway Overlay District
- UA University Area Overlay District
- DS Downtown Shelter Overlay District

**AN ORDINANCE
Of the
CITY OF
MINNEAPOLIS**

By Palmisano

Amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to Zoning Code: Overlay Districts.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 551 of the above-entitled ordinance be amended and amended to read as follows:

ARTICLE II. - PO PEDESTRIAN ORIENTED OVERLAY DISTRICT

551.60. - Purpose.

The PO Pedestrian Oriented Overlay District is established to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation and design and accessory parking facilities, and by prohibiting certain high impact and automobile-oriented uses.

551.70. - Established boundaries.

The boundaries of the PO Overlay District shall be the areas shown on the official zoning map.

551.80. - Eligible areas outside of established boundaries.

Any person having a legal or equitable interest in property located outside of the established boundaries may file a petition to request the addition of the PO Overlay District classification in the manner provided for zoning amendments in Chapter 525, Administration and Enforcement. The following criteria shall be considered when designating a PO Overlay District:

- (1) The level of pedestrian interest and activity.
- (2) The variety of retail sales and services activities.
- (3) The extent to which properties have limited or no front setbacks.
- (4) The availability of public transit service in the area.

551.90. - Prohibited uses.

The following uses shall be prohibited in the PO Overlay District:

- (1) Drive-through facilities.
- (2) Automobile services uses.

- (3) Transportation uses.

551.100. - Fast food restaurants.

Fast food restaurants shall be located only in storefront buildings existing on the effective date of this ordinance, provided further that no significant changes shall be made to the exterior of the structure and freestanding signs shall be prohibited.

551.110. - Building placement.

The placement of buildings shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation. The first floor of buildings shall be located not more than eight (8) feet from the front lot line, except where a greater yard is required by this zoning ordinance. In the case of a corner lot, the building wall abutting each street shall be located not more than eight (8) feet from the lot line, except where a greater yard is required by this zoning ordinance. The area between the building and the lot line shall include amenities such as landscaping, tables and seating. Buildings shall be oriented so that at least one (1) principal entrance faces the public street rather than the interior of the site.

551.120. - Building façade.

- (a) *Window area.* At least forty (40) percent of the first floor façade of any nonresidential use that faces a public street or sidewalk shall be windows or doors of clear or lightly tinted glass that allow views into and out of the building at eye level. Windows shall be distributed in a more or less even manner. Minimum window area shall be measured between the height of two (2) feet and ten (10) feet above the finished level of the first floor.
- (b) *Awnings and canopies.* Awnings and canopies are encouraged in order to provide protection for pedestrians and shall be placed to emphasize individual uses and entrances. Backlit awnings and canopies shall be prohibited.

(2009-Or-057, § 1, 7-17-09)

551.130. - Prohibited on-premise signs.

The following on-premise signs shall be prohibited in the PO Overlay District:

- (1) Pole signs.
- (2) Backlit awning and canopy signs.
- (3) Backlit insertable panel projecting signs.

(2009-Or-057, § 2, 7-17-09)

551.140. - Accessory parking.

- (a) *Location.* On-site accessory parking facilities shall be located to the rear or interior side of the site, within the principal building served, or entirely below grade.
- (b) *Dimensions.* Parking lots shall be limited to not more than sixty (60) feet of street frontage.
- (c) *Shared parking.* The development of shared parking is encouraged, subject to the provisions of Chapter 541, Off-Street Parking and Loading.

- (d) *Off-site parking.* When off-site parking is allowed as specified in Chapter 541, Off-Street Parking and Loading, parking may be located an additional five hundred (500) feet from the use served, subject to the requirements of Chapter 541, Off-Street Parking and Loading, governing the location of off-site parking.
- (e) *Minimum and maximum number of accessory parking spaces.* The minimum off-street parking requirement for nonresidential uses shall be seventy-five (75) percent of the minimum requirement specified in Chapter 541, Off-Street Parking and Loading. The maximum off-street parking allowance for nonresidential uses shall be seventy-five (75) percent of the maximum allowed as specified in Chapter 541, Off-Street Parking and Loading, provided that a development with one (1) or more nonresidential uses shall not be restricted to fewer than ten (10) total accessory parking spaces on a zoning lot.
- (f) (2009-Or-003, § 1, 1-9-2009; 2013-Or-253, § 1, 12-13-2013)

551.145. - West Broadway area.

The following additional regulations shall govern development within the PO Overlay District along West Broadway Avenue between the Mississippi River and the western city limits, as shown on the official zoning map:

- (1) *Minimum floor area.* New development in Commercial, OR2 and OR3, and Industrial districts shall be subject to a minimum floor area ratio of one (1.0). Individual phases of a phased development may be less than this minimum, provided the entire development meets the minimum requirement. This requirement shall not apply to the expansion of buildings existing on the effective date of this section.
- (2) *Minimum number of floors.* Buildings that front on West Broadway shall be two (2) or more floors for the length of the West Broadway frontage.

(2009-Or-067, § 2, 8-14-09)

551.150. - Lake and Hennepin area.

The following additional regulations shall govern development within the PO Overlay District in and around the intersection of West Lake Street and Hennepin Avenue South, with an eastern boundary of Bryant Avenue South, as shown on the official zoning map:

- (1) *Travel demand management plan.* All development containing more than four thousand (4,000) square feet of new or additional gross floor area, or more than four (4) new or additional parking spaces, shall include a travel demand management plan (TDM) that addresses the transportation impacts of the development on air quality, parking and roadway infrastructure. The planning director, in consultation with the city engineer, shall conduct the administrative review of the TDM. The planning director shall recommend to the zoning administrator any mitigating measures deemed reasonably necessary, who shall include such recommendation as a condition of the issuance of any building permit, zoning certificate or other approval required by this zoning ordinance or other applicable law. All findings and decisions of the planning director shall be final, subject to appeal to the city planning commission, as specified in Chapter 525, Administration and Enforcement.

(2009-Or-003, § 2, 1-9-2009)

551.155. - Nicollet Franklin area.

The following additional regulations shall govern development within the PO Overlay District along Nicollet Avenue from 14th Street on the north to the Midtown Greenway/Hennepin County Regional Railroad Authority right-of-way on the south, and generally from the alley to the east to the alley on west unless otherwise shown; Franklin Avenue between LaSalle Avenue and I35W; and 26th Street between Nicollet Avenue and the alley between Stevens Avenue and 2nd Avenue S., as shown on the official zoning map:

- (1) *Travel demand management plan.* All development containing more than ten thousand (10,000) square feet of new or additional commercial gross floor area or more than seventy-five (75) residential units, shall include a travel demand management plan (TDM) that addresses the transportation impacts of the development on air quality, parking and roadway infrastructure. The planning director, in consultation with the city engineer, shall conduct the administrative review of the TDM. The planning director shall recommend to the zoning administrator any mitigating measures deemed reasonably necessary, who shall include such recommendation as a condition of the issuance of any building permit, zoning certificate or other approval required by this zoning ordinance or other applicable law. All findings and decisions of the planning director shall be final, subject to appeal to the city planning commission, as specified in Chapter 525, Administration and Enforcement.
- (2) *Building alteration or replacement.* The alteration of an existing building shall not result in a reduction of the existing number of stories (e.g., a two-story building shall not be reduced to a one-story building or be replaced by less than a two-story building).
- (3) *Minimum floor area.* New development in Commercial, OR2 and OR3, and Industrial districts shall be subject to a minimum floor area ratio requirement of one (1.0). Individual phases of a phased development may be less than this minimum, provided the entire development meets the minimum requirement. This requirement shall not apply to the expansion of buildings existing on the effective date of this section.
- (4) *Corner cuts.* New development on the corner of two (2) street rights-of way shall have a setback at the sidewalk level on the corner of the building. This setback shall be no less than two (2) feet and no greater than eight (8) feet from the corner of the property.
- (5) *Linear frontage of one (1) use.* No single commercial use in one (1) building shall extend along more than one hundred twenty (120) linear feet of the first floor façade fronting any street.
- (6) *Prohibited uses.* Principal parking lots shall be prohibited in the Nicollet Franklin area.
- (7) *Off-street parking.* Nonresidential uses shall not be required to provide accessory off-street parking facilities.
- (8) *Bicycle parking.* Nonresidential uses required to provide bicycle parking by Chapter 541, Off-Street Parking and Loading, shall provide a minimum of four (4) bicycle parking spaces or one (1) space per two thousand (2,000) square feet of gross floor area, whichever is greater. Public bicycle parking spaces may contribute to compliance with required bicycle parking when located adjacent to the property in question.
- (9) *Off-site parking.* Notwithstanding any other provision to the contrary, off-site parking serving nonresidential uses in the Nicollet Franklin area may be located in any commercial or downtown 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 and shall be existing on May 1, 2013.
- (10) *Vehicular access.* Curb cuts for vehicles shall be consolidated wherever possible. In the case of a corner lot, curb cuts shall be discouraged along Nicollet Avenue.
- (11) *Site plan review requirements.* The minimum landscaping requirement for all uses subject to site plan review under Chapter 530, Site Plan Review, shall be increased to not less than thirty (30) percent of the site not occupied by buildings. The city planning commission may approve exceptions to this requirement upon finding that the proposal will allow a site plan of exceptional design that includes amenities such as public seating, public art, green walls, an

outdoor plaza or transit shelter, that will enhance the area or that is more consistent with the character of the area or where the planning commission finds that strict adherence to the requirements is impractical because of site location or conditions.

- (12) *Off-street parking dimensions.* Parking lots shall be limited to not more than forty (40) feet of street frontage, excluding any required landscaping or screening.

(2009-Or-003, § 3, 1-9-2009; 2013-Or-037, § 1, 3-29-2013)

551.160. – Dinkytown area.

The following additional regulations shall govern development within the PO Overlay District in and around the intersection of Fourth Street Southeast and Fourteenth Avenue Southeast, as shown on the official zoning map:

- (1) *Off-street parking.* Nonresidential uses shall not be required to provide accessory off-street parking facilities. The minimum off-street parking requirement for multiple-family dwellings shall be seventy (70) percent of the number specified in the UA University Area Overlay District.

(2009-Or-003, § 4, 1-9-2009; 2014-Or-090, § 1, 10-17-2014)

551.165. - Stadium Village area.

The following additional regulations shall govern development within the PO Overlay District in and around the intersection of Washington Avenue Southeast and Oak Street Southeast, west of Huron Boulevard, as shown on the official zoning map:

- (1) *Off-street parking.* Nonresidential uses shall not be required to provide accessory off-street parking facilities.

(2007-Or-072, § 1, 9-21-07; 2009-Or-003, §§ 5, 6, 1-9-2009)

551.170. - Central and Lowry area.

The following additional regulations shall govern development within the PO Overlay District in and around the intersection of Central Avenue Northeast and Lowry Avenue Northeast, as shown on the official zoning map:

- (1) *Drive-through banking facilities.* Notwithstanding any other provision to the contrary, an existing drive-through banking facility may be rebuilt or may add one (1) additional drive-through lane provided the drive-through banking facility or additional drive-through lane is located within the boundaries of the zoning lot existing on the effective date of this ordinance, and subject to all other applicable regulations of this zoning ordinance.
- (2) *Building alteration or replacement.* The alteration of an existing building shall not result in a reduction of the existing number of stories (e.g., a two-story building shall not be reduced to a one-story building or be replaced by less than a two-story building).

(2002-Or-089, § 1, 8-23-02; 2004-Or-088, § 1, 8-6-04)

~~551.175. – Transit Station areas.~~

The following additional regulations shall govern development within PO Overlay Districts in and around the following existing or proposed transit stations, as shown on the official zoning maps:

- Cedar-Riverside LRT Station
- Franklin Avenue LRT Station
- Lake Street/Midtown LRT Station
- 38th Street LRT Station
- 46th Street LRT Station
- 50th Street/Minnehaha Park LRT Station
- VA Medical Center LRT Station
- West Bank LRT Station
- Stadium Village LRT Station
- Prospect Park LRT Station

- (1) *Prohibited uses.* The following uses shall be prohibited in the PO Overlay District:
 - a. Self-service storage.
 - b. Commercial parking lots, including the expansion of any existing commercial parking lot.
 - c. The conversion of any accessory parking lot to a commercial parking lot.
- (2) *Wholesaling, warehousing and distribution; furniture moving and storage.* Uses shall be limited to thirty thousand (30,000) square feet of gross floor area.
- (3) *Density bonuses.* Where the primary zoning district or Industrial Living Overlay District provide a density bonus of twenty (20) percent, such bonus shall be thirty (30) percent.
- (4) *Minimum floor area.* New development shall be subject to a minimum floor area ratio requirement, as specified in Table 551-0, Transit Station Area Minimum Floor Area Ratio Requirements. Individual phases of a phased development may be less than this minimum, provided the entire development meets the minimum requirement. This requirement shall not apply to the expansion of buildings existing on the effective date of this section.

Table 551-0 Transit Station Area Minimum Floor Area Ratio Requirements

Cedar-Riverside	1.0	1.0	none
Franklin Avenue	1.0	1.0	none
Lake Street/Midtown	1.0	1.0	none
38th Street	1.0	1.0	none
46th Street	1.0	1.0	none
50th Street/Minnehaha Park	1.0	1.0	none
VA Medical Center	1.0	1.0	none

West Bank	1.0	1.0	none
Stadium Village	1.0	1.0	none
Prospect Park	1.0	1.0	none
Transit Station Area	Minimum FAR		
	Commercial, OR2 and OR3 Districts	Industrial Districts	Residence and OR1 Districts

(5) *Off-street parking.*

- a. *Multiple family dwellings.* The minimum off-street parking requirement for multiple family dwellings in close proximity to frequent transit service may be reduced as authorized by Chapter 541, Off-Street Parking and Loading, except in the following transit station areas, where the minimum off-street parking requirement for multiple family dwellings shall be seventy (70) percent of the number specified in the UA University Area Overlay District: Cedar-Riverside, West Bank, Stadium Village, and Prospect Park.

(2005-Or-006, § 1, 1-14-05; 2005-Or-062, § 1, 7-22-05; 2007-Or-038, § 1, 6-15-07; 2009-Or-003, § 7, 1-9-2009; 2011-Or-120, § 1, 12-9-2011; 2012-Or-029, § 1, 4-13-2012; 2014-Or-090, § 2, 10-17-2014; 2015-Or-062, § 1, 7-10-15)

551.175. - Linden Hills area.

The following additional regulations shall govern development within the PO Overlay District within the commercial areas at the intersections of 43rd Street and Upton, 44th Street and Beard, and 44th Street and France and the multiple family residence districts along 44th Street West between Upton and Xerxes Avenues and between Chown and France Avenues, and along France Avenue between 45th Street West and 46th Street West as shown on the official zoning map:

- (1) Off-site parking. Notwithstanding any other provision to the contrary, off-site 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 and shall be existing on the effective day of this ordinance.
- (2) Fourth story step back: The fourth story of any commercial building or multiple-family dwelling shall be stepped back ten (10) feet from any building wall that faces a public street.
- (3) Commercial buildings and multiple-family dwellings abutting residence districts. The top floor of a building of three (3) or more stories shall be set back not less than ten (10) feet from the applicable interior side or rear yard setback required from an abutting R1, R1A, R2 or R2B zoned property.

551.180. - Transit Station areas.

The following additional regulations shall govern development within PO Overlay Districts in and around the following existing or proposed transit stations, as shown on the official zoning maps:

Cedar-Riverside LRT Station

Franklin Avenue LRT Station

Lake Street/Midtown LRT Station

38th Street LRT Station

46th Street LRT Station

50th Street/Minnehaha Park LRT Station

VA Medical Center LRT Station

West Bank LRT Station

Stadium Village LRT Station

Prospect Park LRT Station

- (1) Prohibited uses. The following uses shall be prohibited in the PO Overlay District:
 - a. Self service storage.
 - b. Commercial parking lots, including the expansion of any existing commercial parking lot.
 - c. The conversion of any accessory parking lot to a commercial parking lot.
- (2) Wholesaling, warehousing and distribution; furniture moving and storage. Uses shall be limited to thirty thousand (30,000) square feet of gross floor area.
- (3) Density bonuses. Where the primary zoning district or Industrial Living Overlay District provide a density bonus of twenty (20) percent, such bonus shall be thirty (30) percent.
- (4) Minimum floor area. New development shall be subject to a minimum floor area ratio requirement, as specified in Table 551-0, Transit Station Area Minimum Floor Area Ratio Requirements. Individual phases of a phased development may be less than this minimum, provided the entire development meets the minimum requirement. This requirement shall not apply to the expansion of buildings existing on the effective date of this section.

Table 551-0 Transit Station Area Minimum Floor Area Ratio Requirements

Transit Station Area	Minimum FAR		
	Commercial, OR2 and OR3 Districts	Industrial Districts	Residence and OR1 Districts
Cedar-Riverside	1.0	1.0	none
Franklin Avenue	1.0	1.0	none
Lake Street/Midtown	1.0	1.0	none
38th Street	1.0	1.0	none
46th Street	1.0	1.0	none
50th Street/Minnehaha Park	1.0	1.0	none
VA Medical Center	1.0	1.0	none

West Bank	1.0	1.0	none
Stadium Village	1.0	1.0	none
Prospect Park	1.0	1.0	none

(5) Off-street parking.

- a. Multiple-family dwellings. The minimum off-street parking requirement for multiple-family dwellings in close proximity to frequent transit service may be reduced as authorized by Chapter 541, Off-Street Parking and Loading, except in the following transit station areas, where the minimum off-street parking requirement for multiple-family dwellings shall be seventy (70) percent of the number specified in the UA University Area Overlay District: Cedar-Riverside, West Bank, Stadium Village, and Prospect Park.

(2005-Or-006, § 1, 1-14-05; 2005-Or-062, § 1, 7-22-05; 2007-Or-038, § 1, 6-15-07; 2009-Or-003, § 7, 1-9-2009; 2011-Or-120, § 1, 12-9-2011; 2012-Or-029, § 1, 4-13-2012; 2014-Or-090, § 2, 10-17-2014; 2015-Or-062, § 1, 7-10-15)

~~551.180. – Purpose.~~

~~The LH Linden Hills Overlay District is established to preserve and promote the pedestrian character of the Linden Hills commercial districts, to establish parking requirements for certain high impact uses, to reduce the impact of commercial uses and off street parking and loading facilities on adjacent properties, to maintain the economic viability of the Linden Hills commercial districts while retaining a core of businesses providing neighborhood services, and to mitigate the impacts of vehicular speeds and congestion in the neighborhood. Small, neighborhood scale commercial uses are encouraged.~~

~~551.190. – Established boundaries.~~

~~All land located within the established boundaries of the LH Overlay District shall be subject to the requirements of this chapter. All applicants are encouraged to meet with the designated neighborhood organizations to discuss and review proposed plans for development within the Linden Hills commercial districts. The boundaries of the LH Overlay District shall be the areas known as the following as shown on the official zoning map:~~

- ~~(1) Forty third Street West and Upton Avenue South commercial district.~~
- ~~(2) Forty fourth Street West and Beard Avenue South commercial district.~~

~~551.200. – Prohibited uses.~~

~~The following uses shall be prohibited in the LH Overlay District:~~

- ~~(1) Drive through facilities.~~
- ~~(2) Automobile services uses.~~
- ~~(3) Video stores of more than two thousand (2,000) square feet gross floor area.~~
- ~~(4) Bicycle and in-line skate rental.~~

~~551.210. – Commercial deliveries.~~

~~All commercial deliveries and shipments of products, merchandise or supplies shall conform to existing road and truck use restrictions on residential streets, and are encouraged to be provided by use of straight trucks or smaller vehicles and not semi tractor trailers.~~

~~551.220. – Fast food restaurants.~~

~~Fast food restaurants shall be located only in storefront buildings existing on the effective date of this ordinance, provided further that no significant changes shall be made to the exterior of the structure and freestanding signs shall be prohibited.~~

~~551.230. – Restaurant seating plan.~~

~~All restaurants and coffee shops shall provide to the zoning administrator a complete accounting of the number of seats in the establishment, including all indoor and outdoor customer seating, and shall conspicuously post upon the premises the legal seating permitted and approved site plan for outdoor seating, if any.~~

~~551.240. – Building placement.~~

~~The placement of buildings shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation. The first floor of buildings shall be located not more than eight (8) feet from the front lot line, except where a greater yard is required by this zoning ordinance. In the case of a corner lot, the building wall abutting each street shall be located not more than eight (8) feet from the lot line, except where a greater yard is required by this zoning ordinance. The area between the building and the lot line shall include amenities such as landscaping, tables and seating. Buildings shall be oriented so that at least one (1) principal entrance faces the public street rather than the interior of the site.~~

~~551.250. – Building façade.~~

~~(a) Window area. At least forty (40) percent of the first floor façade of any nonresidential use that faces a public street or sidewalk, shall be windows or doors of clear or lightly tinted glass that allow views into and out of the building. Windows shall be distributed in a more or less even manner. Minimum window area shall be measured between the height of two (2) feet and ten (10) feet above the finished level of the first floor.~~

~~(b) Awnings and canopies. Awnings and canopies are encouraged to provide protection for pedestrians and shall be placed to emphasize individual storefronts and entrances. Plastic, vinyl or similar material and backlit awnings shall be prohibited.~~

~~(2009-Or-057, § 3, 7-17-09)~~

~~551.260. – Prohibited on-premise signs.~~

The following on-premise signs shall be prohibited in the LH Overlay District:

- (1) Pole signs.
- (2) Backlit awning signs.
- (3) Backlit insertable panel projecting signs.

(2009 Or 057, § 4, 7-17-09)

551.270. Accessory parking.

(a) Location. On-site accessory parking facilities established after June 1, 1997 shall be located to the rear or interior side of the site, within the principal building served, or entirely below grade.

(b) Dimensions. Parking lots shall be limited to not more than sixty (60) feet of street frontage.

(c) Driveways. Driveway width for all parking areas shall not exceed twenty (20) feet of street frontage. Parking areas existing on or before June 1, 1997 shall not be affected by this provision regardless of the amount of street frontage, provided that street frontages shall not be increased beyond the limits of this section.

551.280. Specific parking requirements.

Accessory off-street parking shall be provided as specified in Table 551-1, LH Overlay District Minimum Off-Street Parking Requirements.

Table 551-1 LH Overlay District Minimum Off-Street Parking Requirements

Use	Minimum Parking Requirement	Specific Parking Standards
Video store not more than 2,000 square feet of gross floor area	1 space per 250 square feet of gross floor area but not less than 4 spaces.	Nonconforming parking rights shall apply. Off-site parking shall be prohibited.
Bank or financial institution	1 space per 300 square feet of gross floor area but not less than 4 spaces.	Off-site parking shall be permitted within 300 feet of the property line.
Grocery store	1 space per 300 square feet of gross floor area but not less than 4 spaces.	Off-site parking shall be prohibited.
Coffee shop	1 space per 3 seats but not less than 4 spaces.	Off-site parking shall be prohibited.
Restaurants without	1 space per 3 seats but not less than 4	Off-site parking permitted within 300

wine or beer	spaces	feet of the main entrance of the premises to the property line of the parking lot.
Restaurants with wine or beer	1 space per 3 seats but not less than 4 spaces. Parking shall be provided for all customer seating, including outdoor seating.	Off site parking permitted within 300 feet of the main entrance of the premises to the property line of the parking lot.

~~551.290. – Maximum number of accessory parking spaces.~~

~~The number of accessory parking spaces for nonresidential uses shall not exceed one hundred fifty (150) percent of the minimum required parking spaces, as specified in Chapter 541, Off street Parking and Loading, except where it is determined by the zoning administrator that such excess parking spaces serve to provide parking for another use, subject to the requirements of this section. Parking areas existing on or before June 1, 1997 shall not be affected by this provision provided that the amount of off-street parking shall not be increased if it is already in excess of one hundred fifty (150) percent of the minimum required parking.~~

~~551.300. – Site plan review required.~~

~~The following shall be subject to the standards of Chapter 530, Site plan Review, and the site plan review standards of this article:~~

- ~~(1) All uses listed in Chapter 530, Site Plan Review.~~
- ~~(2) Any increase in gross floor area to three thousand (3,000) square feet or more through expansion of an existing building or construction of a new building.~~
- ~~(3) Any increase in impervious parking surface area that results in a principal or accessory parking facility of ten (10) or more spaces.~~

~~551.310. – LH Overlay District site plan review requirements.~~

~~All uses subject to site plan review shall comply with the standards of Chapter 530, Site Plan Review, and the following requirements:~~

- ~~(1) Commercial buildings adjacent to residence or office residence districts. Commercial buildings on property adjacent to a residence or office residence district boundary shall comply with the following:

 - ~~a. Exterior materials and appearance of the rear and side walls of any building shall be the same as the front of the building.~~~~

- b.— A landscaped setback area of at least five (5) feet containing evergreen or deciduous shrubs that form a continuous screen not less than three (3) feet nor more than six (6) feet in height within two (2) years shall be provided between any building and the residence or office residence district boundary. The city planning commission may consider the substitution of a decorative fence or masonry wall in lieu of planted materials.
- (2) Parking areas fronting along public streets. Parking areas fronting along a public street shall comply with the following:
 - a.— A landscaped setback area of at least five (5) feet containing evergreen or deciduous shrubs that form a continuous screen three (3) feet in height within two (2) years shall be provided between the parking area and public street. The city planning commission may consider the substitution of a decorative fence, masonry wall or similar architectural feature in lieu of planted materials.
 - b.— One canopy tree at least three (3) inches in caliper shall be provided for every fifteen (15) feet of parking lot frontage. Trees shall be planted between the parking area and the sidewalk, or between the sidewalk and the street.
- (3) Parking areas adjacent to residence or office residence districts. Parking areas adjacent to a residence or office residence district boundary shall provide a six (6) foot decorative solid fence or a landscaped setback area of at least five (5) feet containing evergreen or deciduous shrubs that form a continuous screen not less than three (3) feet nor more than six (6) feet in height within two (2) years between the parking area and the residence or office residence district boundary.
- (4) Maneuvering and loading. Any expansion of an existing building or construction of a new building resulting in a gross floor area of five thousand (5,000) square feet or more shall be subject to the following additional standards:
 - a.— Vehicle maneuvering. In order to encourage pedestrian activity and to enhance public safety to the extent practical, all vehicle maneuvers associated with parking and loading shall occur in the off-street parking or loading area or structure. Public streets shall not be used to conduct any parking maneuver, including backing out onto the street.
 - b.— Commercial deliveries. The commercial delivery and shipment of products, merchandise or supplies in straight trucks or smaller vehicles shall be encouraged.
 - c.— Shared loading. A loading facility shared by two (2) or more uses may be provided in lieu of one (1) required automobile parking space, subject to the provisions of Chapter 541, Off-street Parking and Loading.

~~551.320. — Exceptions to LH Overlay District site plan review requirements.~~

The city planning commission may approve exceptions to the LH Overlay District site plan review requirements upon finding that the use or development includes site amenities that address any adverse effects of the exception or where the planning commission finds that strict adherence to the requirements is impractical because of site location or conditions.

Table I. Proposed Pedestrian Overlay Compared to Existing Linden Hills Overlay

	Proposed PO Overlay (replaces LH)	Existing LH Overlay (to be retired)	Resulting Change
Prohibited uses	<ul style="list-style-type: none"> • Drive-through facilities • Automobile service uses • Transportation uses 	<ul style="list-style-type: none"> • Drive-through facilities • Automobile service uses • Video stores exceeding 2,000 SF • Bicycle and in-line skate rental 	<ul style="list-style-type: none"> • Adds “Transportation uses” • Removes “Video stores” and “Bicycle and in-line skate rental”
Prohibited signs	<ul style="list-style-type: none"> • Pole signs • Backlit awning/canopy signs • Backlit insertable panel projecting signs. 	<ul style="list-style-type: none"> • Pole signs • Backlit awning signs • Backlit insertable panel projecting signs. 	<ul style="list-style-type: none"> • Adds backlit canopy signs to prohibited signs
Restricted uses	<p>“Fast food restaurants shall be located only in storefront buildings existing on the effective date of this ordinance, provided further that no significant changes shall be made to the exterior of the structure and freestanding signs shall be prohibited.</p>	<p>“Fast food restaurants shall be located only in storefront buildings existing on the effective date of this ordinance, provided further that no significant changes shall be made to the exterior of the structure and freestanding signs shall be prohibited.”</p>	No change.
Encouraged features	<ul style="list-style-type: none"> • Shared parking • Awnings and canopies 	<p>“All commercial deliveries and shipments of products, merchandise or supplies shall conform to existing road and truck use restrictions on residential streets, and are encouraged to be provided by use of straight trucks or smaller vehicles and not semi-tractor trailers.”</p>	<ul style="list-style-type: none"> • Adds shared parking and awnings and canopies. • Removes language about commercial deliveries and shipments.
Building placement	<p>No more than 8’ from front and corner side lot lines abutting street (unless greater yard required). Area in between must contain amenities, such as landscaping, tables, and seating.</p>	<p>No more than 8’ from front and corner side lot lines abutting street (unless greater yard required). Area in between must contain amenities such as landscaping, tables, and seating.</p>	No change.
Principal entrances	<p>At least 1 principal entrance shall face the street.</p>	<p>At least 1 principal entrance shall face the street.</p>	No change.

	Proposed PO Overlay (replaces LH)	Existing LH Overlay (to be retired)	Resulting Change
Windows (nonresidential)	At least forty (40) percent of the first floor façade of any nonresidential use that faces a public street or sidewalk shall be windows or doors of clear or lightly tinted glass that allow views into and out of the building at eye level. Windows shall be distributed in a more or less even manner. Minimum window area shall be measured between the height of two (2) feet and ten (10) feet above the finished level of the first floor.	At least forty (40) percent of the first floor façade of any nonresidential use that faces a public street or sidewalk, shall be windows or doors of clear or lightly tinted glass that allow views into and out of the building. Windows shall be distributed in a more or less even manner. Minimum window area shall be measured between the height of two (2) feet and ten (10) feet above the finished level of the first floor.	No change.
Parking location	On-site accessory parking facilities shall be located to the rear or interior side of the site, within the principal building served, or entirely below grade.	On-site accessory parking facilities established after June 1, 1997 shall be located to the rear or interior side of the site, within the principal building served, or entirely below grade.	<ul style="list-style-type: none"> Proposing to allow off-site parking: "Off-site parking. Notwithstanding any other provision to the contrary, off-site 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 and shall be existing on date of ordinance.
Parking dimensions	Parking lots shall be limited to not more than sixty (60) feet of street frontage.	Parking lots shall be limited to not more than sixty (60) feet of street frontage.	No change.

	Proposed PO Overlay (replaces LH)	Existing LH Overlay (to be retired)	Resulting Change
Driveway width	Not addressed in PO. Chapter 541 limits driveway width to 25' maximum.	<ul style="list-style-type: none"> • Driveway width for all parking areas shall not exceed twenty (20) feet of street frontage. Parking areas existing on or before June 1, 1997 shall not be affected by this provision regardless of the amount of street frontage, provided that street frontages shall not be increased beyond the limits of this section. 	<ul style="list-style-type: none"> • Driveway width regulation falls under Chapter 541. Maximum allowed width increases from 20' to 25'.
Minimum parking requirement (nonresidential)	<ul style="list-style-type: none"> • 75% of the requirement specified in Chapter 541. See Table 2. 	<ul style="list-style-type: none"> • See Table 2. 	<ul style="list-style-type: none"> • Reduces minimum parking requirement for all non-residential uses. • Removes increased minimum parking requirement for certain uses in LH.
Maximum parking allowance (nonresidential)	The maximum off-street parking allowance for nonresidential uses shall be seventy-five (75) percent of the maximum allowed as specified in Chapter 541, Off-Street Parking and Loading, provided that a development with one (1) or more nonresidential uses shall not be restricted to fewer than ten (10) total accessory parking spaces on a zoning lot.	The number of accessory parking spaces for nonresidential uses shall not exceed one hundred fifty (150) percent of the minimum required parking spaces, as specified in Chapter 541, Off-street Parking and Loading, except where it is determined by the zoning administrator that such excess parking spaces serve to provide parking for another use, subject to the requirements of this section. Parking areas existing on or before June 1, 1997 shall not be affected by this provision provided that the amount of off-street parking shall not be increased if it is already in excess of one hundred fifty (150) percent of the minimum required parking.	<ul style="list-style-type: none"> • Changes calculation from "150% of minimum" in Chapter 541 to "75% of maximum" in Chapter 541. • If there is more than 1 nonresidential use, the maximum can't go below 10 total spaces.

	Proposed PO Overlay (replaces LH)	Existing LH Overlay (to be retired)	Resulting Change
Restaurant seating plan	n/a	“All restaurants and coffee shops shall provide to the zoning administrator a complete accounting of the number of seats in the establishment, including all indoor and outdoor customer seating, and shall conspicuously post upon the premises the legal seating permitted and approved site plan for outdoor seating, if any.”	<ul style="list-style-type: none"> • Removes restaurant seating plan requirement.
Site plan review application	Required per Chapter 530 (new buildings, additions ≥1,000 sq. ft., principal parking facilities, plus many more situations).	Required per Chapter 530, plus any buildings or additions ≥3,000 sq. ft. GFA, or increasing impervious parking area resulting in facility of 10+ spaces.	<ul style="list-style-type: none"> • More situations will be subject to site plan review standards.
Site plan review differences	<ul style="list-style-type: none"> • The site plan review standards in Chapter 530, in combination with other applicable policies of the zoning code, capture all LH Overlay District site plan review standards except for those standards found to the right. • 1 on-site canopy tree required for every 25 feet of parking lot frontage. • Require alternative compliance to deviate from standard. 	<ul style="list-style-type: none"> • The 6’ hedge required between all commercial buildings and R or OR district boundaries. • 1 canopy tree (on-site or in public ROW) required for every 15 feet of parking lot frontage along a public street. • A loading facility shared by two (2) or more uses may be provided in lieu of one (1) required automobile parking space, subject to the provisions of Chapter 541, Off-street Parking and Loading. • Requires variance to deviate from standard. 	<ul style="list-style-type: none"> • Adds many more standards to site plan review projects. • Changes calculation for canopy tree requirement. • Removes screening requirement between commercial buildings and R/OR district. • Removes shared loading facility provision. • Requires alternative compliance instead of variance to deviate. All other PO Overlay provisions require a variance.


	Proposed PO Overlay (replaces LH)	Existing LH Overlay (to be retired)	Resulting Change
Building stepbacks and set backs.	n/a	n/a	<p>Proposing new draft language as consistent with the LHSAP:</p> <ul style="list-style-type: none"> • Fourth story step back: The fourth story of any commercial building or multiple-family dwelling shall be set back ten (10) feet from any building wall that faces a public street. • Commercial buildings and multiple-family dwellings abutting residence districts. The top floor of a building of three (3) or more stories shall be set back not less than ten (10) feet from the applicable interior side or rear yard setback required from an abutting R1, R1A, R2 or R2B zoned property.

Table 2. Minimum Parking Comparison

Use	PO Overlay + Chapter 54I	LH Overlay
Video store not more than 2,000 square feet of gross floor area	75% x (1 space per 500 sq. ft. of GFA)	1 space per 250 square feet of gross floor area but not less than 4 spaces.
Bank or financial institution	75% x (1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.)	1 space per 300 square feet of gross floor area but not less than 4 spaces.
Grocery store	75% x (1 space per 500 sq. ft. of GFA in excess of 4,000 sq. ft.)	1 space per 300 square feet of gross floor area but not less than 4 spaces.
Coffee shop	75% x (1 space per 500 sq. ft. of GFA up to 2,000 sq. ft. + 1 space per 300 sq. ft. of GFA in excess of 2,000 sq. ft.)	1 space per 3 seats but not less than 4 spaces.
Restaurants without wine or beer	n/a	1 space per 3 seats but not less than 4 spaces
Restaurants with wine or beer	n/a	1 space per 3 seats but not less than 4 spaces. Parking shall be provided for all customer seating, including outdoor seating.
Restaurant, delicatessen	75% x (1 space per 500 sq. ft. of GFA up to 2,000 sq. ft. + 1 space per 300 sq. ft. of GFA in excess of 2,000 sq. ft.)	n/a
Restaurant, fast food	75% x (1 space per 500 sq. ft. of GFA up to 2,000 sq. ft. + 1 space per 300 sq. ft. of GFA in excess of 2,000 sq. ft.)	n/a
Restaurant, sit down	75% x (1 space per 500 sq. ft. of GFA up to 2,000 sq. ft. + 1 space per 300 sq. ft. of GFA in excess of 2,000 sq. ft.)	n/a
Restaurant, with general entertainment	75% x (Parking equal to 30% of the capacity of persons)	n/a



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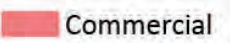
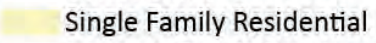
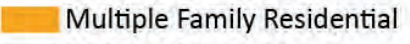
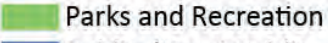
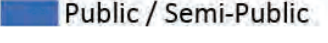
 Draft Recommended Area Covered by Proposed Linden Hills area Pedestrian Oriented Overlay

LAND USE REFINEMENTS

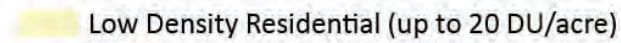
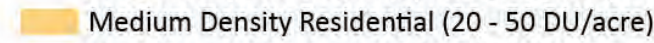
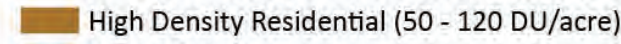

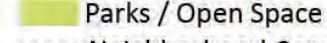
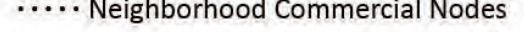
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- ② Redefine as Medium Density Residential
- ③ Redefine as Medium Density Residential
- ④ New Neighborhood Commercial Node
- ⑤ Redefine as Medium Density Residential
- ⑥ Existing Neighborhood Commercial Node

FUTURE LAND USE MAP

EDINA LAND USE

-  Commercial
-  Single Family Residential
-  Multiple Family Residential
-  Parks and Recreation
-  Public / Semi-Public

MINNEAPOLIS LAND USE

-  Low Density Residential (up to 20 DU/acre)
-  Medium Density Residential (20 - 50 DU/acre)
-  High Density Residential (50 - 120 DU/acre)
-  Mixed Use
-  Parks / Open Space
-  Neighborhood Commercial Nodes

Existing Linden Hills Zoning Districts

