

**Excerpt from the
CITY PLANNING COMMISSION MINUTES
Minneapolis Community Planning & Economic Development (CPED)**

250 South Fourth Street, Room 300
Minneapolis, MN 55415-1385
(612) 673-3710 Phone
(612) 673-2526 Fax
(612) 673-2157 TDD

MEMORANDUM

DATE: July 30, 2015

TO: Zoning and Planning Committee

FROM: Jason Wittenberg, Manager, Community Planning & Economic Development – Land Use, Design and Preservation

SUBJECT: Planning Commission decisions of July 6, 2015

The following actions were taken by the Planning Commission on July 6, 2015. As you know, the Planning Commission's decisions on items other than rezonings, text amendments, vacations, 40 Acre studies and comprehensive plan amendments are final subject to a ten calendar day appeal period before permits can be issued.

Committee Clerk

Lisa Kusz - 612.673.3710

Commissioners present

Matthew Brown, President | John Slack, Vice President | Alissa Luepke Pier, Secretary

Lisa Bender | Rebecca Gagnon | Ben Gisselman

Not present

Meg Forney | Ryan Kronzer | Theodore Tucker

9. 100 Washington Ave S, Ward 3

Staff report by [Lisa Steiner](#), BZZ-7172

The City Planning Commission adopted staff findings for the applications by Jason Stiefel of Shea Inc, on behalf of Shorenstein Realty Services.

A. Variance of the plaza development standards.

Action: **Approved** the application for a variance of the plaza standards to reduce required seating and required number of trash receptacles, subject to the following conditions:

1. Not less than 321 linear feet of seating shall be incorporated on the plaza area. At least twenty percent of this shall be seating with backs and twenty percent shall be fixed seating.
2. The applicant shall provide the required amenities shown on the site plan, including a water feature, game table, and stormwater accommodations.

Aye: Bender, Gagnon, Gisselman, Luepke-Pier and Slack

Not Approved by the Commission

Absent: Forney, Kronzer and Tucker

B. Variance to increase maximum allowed area of a freestanding sign.

Action: **Denied** the application to increase the maximum area of a freestanding sign.

Aye: Bender, Gagnon, Gisselman, Luepke-Pier and Slack

Absent: Forney, Kronzer and Tucker

C. Site plan review.

Action: **Approved** the application for an approximately 4,000 square foot addition, subject to the following conditions:

1. A seven-foot landscaped yard with screening at least three feet in height and sixty percent opaque shall be incorporated along the parking lot frontages on Marquette Ave and 2nd Ave S, as required by Section 530.170 of the zoning code.
2. The steel railings which obstruct on-site pedestrian access shall be removed. Screening at least three feet in height and sixty percent opaque shall be incorporated along the parking lot frontage on 2nd St S.
3. CPED staff review and approval of the final site, elevation, lighting, and landscaping plans before building permits may be issued.
4. All site improvements shall be completed by July 6, 2017, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Aye: Bender, Gagnon, Gisselman, Luepke-Pier and Slack

Absent: Forney, Kronzer and Tucker

Staff Steiner presented the staff report.

Jason Stiefel: I'm with Shea Design, the project architect. There are three things to go through. With the seating. The existing site is obviously unique. Currently, there is no seating provided in the plaza area. It was an atypical design at the time and has remained that way to date. Everything that we're proposing here is to enhance that experience from a tenant perspective. We don't see this as being used primarily as a public park or facility where a lot of the general public will come on to the site. This is primarily being introduced to add amenities for the tenants in the building. We're proposing to create some different seating nodes adjacent to the lobby enclose, so a mix of movable tables and chairs, a new pergola element which creates a distinct node for gathering space with a variety of different seating types, more lounge and informal style, and a bar area which creates more of a higher booth sort of design. There are different amenities that are being introduced in the plaza that creates a variety for the user experience. This is a zen garden being added to the front corner, which is not intended for seating, it's more of just a focal element. There is more movable seating over here. We're also introducing some fixed benches here with perch tables. The rest of the plaza area is geared toward bike rack storage or future bike lockers. Everything is kept in mind with how tenants will use this space. We want to keep it open and flexible. We are somewhat restricted with access from Washington Ave because of the stairs. Flow from a bike standpoint is restricted but we're also accommodating for that. We're keeping areas open over here as well. We have discovered some reusable pieces of furniture that we're proposing to be added here. These are elements that were found elsewhere on the site that we're proposing to reuse. Currently, these are some additional elements we're thinking of relocating to be introduced in the areas highlighted in yellow. This would provide an additional 28 lineal feet of seating. I know that we're short 100 linear feet or so, but this is another element that's introducing some seating on this side of the plaza area. Working with the existing site, it's limiting, but it also provides some nice opportunities. This large area to the north is currently an existing planter area with grass and large trees. It has to be removed due to waterproofing concerns, but we're introducing new vegetation where we can,

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enhancing that experience, but also bringing back that large grassy area to provide kind of an informal gathering space for tenants. We feel that what we're proposing here is appropriate for the scale of the building and the tenants using it. It's appropriate for managing the furniture and controlling how people use seating on the site.

Ronnie Ragoff (850 3rd Ave, NY): I'm with the Shorenstein Company, the owners of the project. This isn't just a grass, this is a knoll. We also have a grassy knoll over here. This allows people to just hang and not have to formally sit. We're trying to attract more tech tenants. It's all wifi so people can go outside and relax. We have a fire pit here so if it's cold people can sit out there. Staff had recommended seating here, but the parapet is way too high to have seating.

Jason Stiefel: On this side of Washington it's a manageable height that's about seat height, but as you move to the east the site drops. Once you get towards the stairs and around the corner, you're three or four feet plus so it's not seating from a seating standpoint.

Ronnie Ragoff: We're also not looking for people to just hang on the outskirts. We want to control the use and make it a positive amenity for people in the project.

Commissioner Luepke-Pier: What number are you looking to provide for linear seating?

Jason Stiefel: We have currently shown 221 lineal feet. With the addition of the seating I highlighted here, that would add another 28 lineal feet that we can maneuver around the site as needed. Also including that large planter area. You can't quantify that, but it's intended for informal seating as well.

Commissioner Luepke-Pier: Can you speak to the variance for the sign and the site plan review?

Jason Stiefel: A lot of these variance requests are coming from the existing building design and the limitations of that. The building, this is the core, it's set back substantially from the street. The building is elevated. There is no real opportunity for applying signage to this building, especially with the glass enclosure that we're introducing. The appropriate setting for that is over here at the corner and that's where the existing monument sign is today. It's a vertical pylon element. We're proposing to eliminate that sign and introduce it here in more of a horizontal manner that becomes more artistic. It's simply the building name itself, 100 Washington Square, in individually mounted letters that you can see through. As we demonstrated here, this is a mockup of the 120 square foot building sign and the reason we arrived at that size is because it's in response to the building design where even though the primary structure that comes above the ground is sitting back here, the primary foundation wall of the building wall is right here along with the face of the planter wall. This is something we're proposing to use as a reference point where this wall that the sign will sit on is an extension of the building foundation wall. Because we don't have anything within a reasonable distance that is practical to place it where it's in a visible location, we're proposing to create an extension of the foundation wall where we can then place that. The approach here is it's building attached which will justify we're proposing the 120 square feet. It could be considered a larger sized sign for this area, there is ultimate transparency through the letters and it becomes more artistic in nature. There are others in the area we're trying to key off of locally. This is the Ameriprise Financial sign that I believe is on 7th St. This is a similar concept to what we're proposing here with individually mounted letters that becomes more artistic. I believe this sign is scaled to about 120 square feet. I don't know when this was approved. The building across the street from that is the Accenture Tower. I believe this sign is also exceeding the typical 32 square feet. With unique sites, we try to create a solution that still keeps the intent of the code. Also playing off something that's more artistic in nature, Gold Medal Park, it's a different use but the intent is still the same. The words for the location become the artistic piece and define it. The sign on the corner also anchors the corner of the property. It becomes a strong element that defines that corner because nothing is there from

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a building standpoint. The wall that it's sitting on is acting as a berm for the landscaping behind it. This is undulating hills behind this wall so it becomes more of a retaining wall at a sense at this point. The wall is there for functional reasons, it's also there to create an anchor for the sign and feel more integrated on the corner.

Ronnie Ragoff: All the landscaping that we're putting on Washington ties in with the county changing Washington Ave. It's going to be a green area with a lot of landscaping to make it more attractive to the neighborhood so people walking by will find this more of an enjoyable area. We're putting in a coffee kiosk here so the public can come through and it will be open on weekends as well.

Commissioner Slack: The area that's highlighted in blue, is that an area you need to do waterproofing on as well?

Jason Stiefel: Yes, and that takes it up to the property line. The reason is because of the foundation wall. The proposed design from the waterproofing consultant is to add a lens, which is a trough detail that's going to run parallel to the front planter wall that will collect water and divert it away from the building. There is substantial leaking that's happening there. The extent in blue is what has to be removed to facilitate the waterproofing repairs.

Commissioner Slack: So even though the trough is closer to the building, you have to extend all the way out?

Jason Stiefel: Correct. When you have to excavate down, maybe 10 feet plus, you excavate the soil to make it a safe condition and you have to cut back. At some point, when you consider the Washington Ave improvements, which are coming up to the property line, it doesn't make sense if you can save a sliver of old sidewalk to try to retain that if both sides are taking it out. You can maybe justify keeping about a two foot sliver of the existing sidewalk, but from a visual standpoint you would replace it all.

Commissioner Slack: I would agree with you on the sidewalk. I guess the point of my question is more regarding the existing trees. I don't know the exact condition of all the trees that surround the three sides, but I do know they're very mature and have been there a long time. I sometimes consider them a feat of engineering because the way they're planted lead you to believe they wouldn't have survived and wouldn't have grown as big as they are. It seems a shame that there wouldn't be a way to save some of them.

Ronnie Ragoff: We had our landscape architect look into that and the chances of taking them off and putting them back where they would live are slim to none. That's why one of the things we want to do is put back mature trees...I told them what I don't want is those little trees that the city often puts on the sidewalk. I want a tree that looks like what was there but can remain. If you take a mature tree out it will go into shock. This is going to take several months to do the project and they probably would die.

Jason Stiefel: I think the case is still the same, it's the same species that was planted. This particular view you can see there were a few cut down and the others aren't as healthy. Part of the reason is the condition at the base. It doesn't allow for a lot of water to get down there.

Ronnie Ragoff: The cement has choked a lot of the trees and the roots.

Jason Stiefel: Our design is still to introduce trees back where they currently exist. On the 2nd Ave side, this is a concern as well from a waterproofing standpoint, with the excavations there is just no way to save a tree. You'll jeopardize the root system and it's not going to survive.

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Commissioner Slack: I appreciate the comment on putting in more mature trees. That's not always a good planting strategy just because of how long it takes to establish and get them to grow, but at least if they're going in bigger you get more of an immediate impact. Even though there are trees on both of those edges, the edges are still somewhat pretty harsh because the sidewalks are pretty wide there and they're not at the street edge, they're closer to the building edge. As it relates to the signage, I like the wall. I think the wall goes towards the seating number because it looks and appears to be sort of the height of a seat wall. It helps kind of create that edge because of the placement of the building there really isn't a traditional street edge. I think with the wall and plantings that you're doing it helps to reinforce the street edge. I do feel that the sign is a bit out of scale. I almost feel like if you went the other direction and it was a vertical sign you'd probably get more impact. To me, the height of this lettering here is more conducive to an environment where you have higher speed traffic. I feel like Washington Ave for the most part is slow enough that a smaller sign on the street would suffice.

Commissioner Luepke-Pier: Do you know the square footage of the existing sign?

Jason Stiefel: I don't know for sure, but I think it's close to 32 square feet today. It's a slender pylon sign.

Commissioner Bender: You're requesting that we lower the seating to 240 linear feet?

Jason Stiefel: Yes. The 221 plus 28. The parking lot to the north is an existing condition unique in its design. Also, the thing that happens in this area, this whole site has occupied space underneath it, pretty much out to the property lines at all sides. That's the case here, coming off of this wall pretty much in line with the existing railings. There is underground parking below all this. The slab that you drive on is the structural slab so introducing vegetation is difficult in this sort of setting. The existing railing system that tracks around here is galvanized steel and is in good condition. Our design is proposing to introduce screen panels at the height that is in compliance for the alternate approach. We know there are concerns about the vinyl banner mesh as a durable product. As an alternate option we'd consider a perforated steel panel. That's in keep with all the materials around this that are existing. It's very durable. Perforated steel can be galvanized to match the rest of it and it can be painted. It will last long. It's a proposal that works well with what's existing for us work from. On the north side, these elements are there. The structural conditions are what they are below us. The railing is there for security. This is a paid parking lot. There is a security gate here. If the railing is removed you can't control the security. This lot is so far removed from the rest of the building and it's behind this high wall here, it's not easy to see. The concern about removing the railing is security control. We are proposing to keep that and simply add the perforated panel to meet the screening intent. We're introducing new trees where they've died, but these are existing tree locations. We're keeping with the intent of the original concept on tree spacing along both side streets.

Ronnie Ragoff: Second Street isn't used very much. It's used by our tenants to go into the parking lot. The building across the street has a huge parking surface lot and the building is set way behind it. Any tenant there that is going to be looking into our property is going to see all the beautiful vegetation and trees now. On either side is 20 Washington and the small federal building.

Jason Stiefel: This is on the corner of Marquette and 2nd St. There's a sidewalk that exists today. With the light poles and skyway columns along the way, you're impeding the path.

Commissioner Luepke-Pier: What is the drive aisle width in your parking lot?

Jason Stiefel: It's 25 feet. The stall depth on either side is 15 feet.

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Randy (100 3rd Ave S): Contrary to the comments made by the applicant and her consultant, I would state, as a resident living in the neighborhood, that there is significant pedestrian traffic down 2nd St. There is significant traffic because the population of this neighborhood is growing. There is additional housing being built with Whole Foods anchoring one side and the Guthrie and the other opportunities on the other side. There is a significant amount of traffic, pedestrian, that's going through the Park Board space which is very park-like, then you get to this block and it's extremely barren and then the next block where the federal building is – the trees are being replanted so there is an effort to create a green corridor between the Mill District and the North Loop. This is the missing tooth in that green connection. Anything that can be done to enhance the pedestrian or bicycle experience would be great because right now when we walk through this area we have to walk down the street because there is no place to walk on the sidewalk of significant width. The car's bumpers hang over the sidewalk and there are light poles. Anything that can be done to enhance that would be good, but please don't put up a vinyl artificial vegetative fence that will be green in the winter with leaves on it when everything else is barren and winter-like.

President Brown closed the public hearing.

Commissioner Slack: I will move staff recommendation for items A and B (Gisselman seconded).

Aye: Bender, Gagnon, Gisselman, Luepke-Pier and Slack

Absent: Forney, Kronzer and Tucker

Commissioner Slack: I will move staff recommendation for the site plan review (Gisselman seconded).

Commissioner Luepke-Pier: Can you tell me if those screen fence dividers were removed what the depth of the sidewalk would be?

Staff Steiner: It'd be a little over six feet.

Commissioner Luepke-Pier: If they removed that they still wouldn't meet the requirements under the site plan? Would they have to remove a row of parking to meet this requirement?

Staff Steiner: To completely comply with the site plan review, landscaped yard and a walkway, they would have to. I think they could possibly accommodate if that entire row was compact. It would be very close.

Commissioner Luepke-Pier: Do you know what their parking quantity is as opposed to their minimum or maximum is?

Staff Steiner: Because this is in a downtown district, they would be prohibited from adding any parking. They have 58 spaces. Their parking requirement is zero.

Commissioner Bender: This is the part of 2nd Street where it ends so you have a nice bike lane there and then it just ends into private property. Was there a discussion about trying to find a way to continue that bicycle and pedestrian connection through this project?

Staff Steiner: It was not discussed. From the applicant's perspective, I don't think the intent is to get people to use the property.

Commissioner Bender: We're making a significant investment here on Washington Ave to add cycle tracks there. There was some back and forth about whether or not 2nd St would be a better connection, but really the problem with that was that it doesn't connect through was that it's privately owned here and

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there's no bicycle facility. I wish we could have done some more to improve that pedestrian and bike connection through this. This is a pretty small application and change to the building so maybe that wasn't possible. I did take to heart the comments that were made.

Commissioner Gagnon: So the screening, they're now proposing something different than the piece that was presented?

Staff Steiner: They brought a different proposal, which I haven't seen.

Commissioner Gagnon: We haven't seen that. By providing them flexibility, staff will have some conversations about what that is?

Staff Steiner: The staff recommendation is to remove the steel railings.

Aye: Bender, Gagnon, Gisselman, Luepke-Pier and Slack

Absent: Forney, Kronzer and Tucker