

**LAND USE APPLICATION SUMMARY**

*Property Location:* 2900 Pleasant Avenue and a portion of 312 West Lake Street  
*Project Name:* Rana Village  
*Prepared By:* Aaron Hanauer, Senior City Planner, (612) 673-2494  
*Applicant:* Scott Nelson, DJR Architects  
*Project Contact:* Scott Nelson  
*Request:* To allow for a new multiple-family residential development.  
*Required Applications:*

<b>Rezoning</b>	Petition to rezone the properties located at 2900 Pleasant Avenue and a portion of 312 West Lake Street from the I2/Medium Industrial District to the R5/Multiple-Family District and the TP/Transitional Parking Overlay District.
<b>Conditional Use Permit</b>	Conditional use permit to increase the maximum permitted building height from 4 stories or 56 feet to 5 stories or 55 feet.
<b>Conditional use Permit</b>	Conditional use permit to allow for enclosed parking in the TP/Transitional Parking Overlay District.
<b>Variance</b>	Variance to increase the maximum allowable floor area ratio of the building from 2.4 to 2.47.
<b>Variance</b>	Variance to reduce the northern interior side yard setback for the building from 13 feet to 12 feet. (returned)
<b>Variance</b>	Variance to allow a walkway to exceed six feet in width in the required north interior side yard.
<b>Variance</b>	Variance to reduce the southern interior side yard from 5 feet to 0 feet for a transformer near Pleasant Avenue, 13 feet to 5 feet for the new building near Pleasant Avenue, and 13 feet to 0 feet for the new building near Grand Avenue.
<b>Variance</b>	Variance to allow a patio exceeding 100 square feet in the front yard along Pleasant Avenue.
<b>Variance</b>	Variance to allow for a reduction in the drive aisle width and to allow for maneuvering within the public alley.
<b>Site Plan Review</b>	To allow for a five-story, apartment building with 120 units.
<b>Minor Subdivision</b>	To add a portion of the property at 312 West Lake Street to the property at 2900 Pleasant Avenue.

**SITE DATA**

<b>Existing Zoning</b>	I2/Medium Industrial District (2900 Pleasant Avenue) C2/Neighborhood Commercial Corridor and I2/Medium Industrial (312 West Lake Street)
<b>Lot Area</b>	50,708 square feet / 1.16 acres

<b>Date Application Deemed Complete</b>	September 22, 2016	<b>Date Extension Letter Sent</b>	October 11, 2016
<b>End of 60-Day Decision Period</b>	November 21, 2016	<b>End of 120-Day Decision Period</b>	January 20, 2017

<b>Ward(s)</b>	10 8 (the southern portion of 312 West Lake Street borders Ward 8)
<b>Neighborhood(s)</b>	Whittier; adjacent to Lyndale
<b>Designated Future Land Use</b>	Urban Neighborhood
<b>Land Use Features</b>	Commercial Corridor (Lyndale Avenue)
<b>Small Area Plan(s)</b>	<u>Midtown Greenway Land Use and Development Plan (2007)</u> <u>Lyn-Lake Small Area Plan (2009)</u>

## BACKGROUND

### SITE DESCRIPTION AND PRESENT USE.

The subject properties, which are zoned I2/Medium Industrial, are located on the south side of the Midtown Greenway between Pleasant Avenue and Grand Avenue South. The existing project site includes two buildings along the Midtown Greenway and a surface parking lot that provide parking for Karmel West, a commercial building with multiple tenants to the south. In a historic review letter dated November 24, 2015, the buildings on the subject property were not determined to be eligible for local designation.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD.

The subject parcels are located in the Whittier neighborhood. It is one block from the Lake Street Commercial Corridor, three blocks from the Lyndale Avenue and Nicollet Avenue Commercial Corridors as well as three blocks from the Lyn-Lake and Lake and Nicollet Activity Centers.

The surrounding area includes a variety of uses and a mix of zoning districts. To the north of the subject property, across the Midtown Greenway, is Karmel Village, a multiple-family apartment building; to the south is Karmel West, a building that contains a clinic, daycare facilities, and restaurants. To the east is Karmel Plaza, a shopping center that contains shops, restaurants, a mosque, and office space. To the west is the location of the proposed Harriet Apartment buildings and a few structures that were originally built with one and two residential units. The surrounding area includes commercial zoning along Lake Street (C1, C2, and C4), industrial to the east, northwest, and south (I1 and I2), and residential to the north, northeast, and to the west (R2B, R3, R4, and R5).

### PROJECT DESCRIPTION.

The applicant is proposing to tear down the two buildings on the project site and construct a five-story multi-family residential building with 120 dwelling units. The residential units are proposed to range from efficiencies to four bedrooms. The residential units on the third floor are proposed to be dedicated to seniors. There are 95 enclosed off-street parking stalls proposed: 35 in an underground garage and 60 spaces on the main floor. The main pedestrian entrance to the apartment building would be on Pleasant Avenue. In addition, there are six walkup units proposed along Grand Avenue. A pedestrian path would be incorporated north of the proposed building which would provide east to west access between Grand Avenue and Pleasant Avenue.

**PUBLIC COMMENTS.** As of the publication of the staff report, no public comments were received. Any correspondence received after the publication of the staff report and prior to the public meeting will be forwarded on to the Planning Commission for consideration.

## ANALYSIS

### REZONING

The Department of Community Planning and Economic Development has analyzed the application for a petition to rezone the property at 2900 Pleasant Avenue and a portion of 312 West Lake Street from

the I2/Medium Industrial District to the R5/Multiple-Family District and the TP/Transitional Parking Overlay District, based on the following findings:

*1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.*

The proposed zoning from I2 to R5 with the addition of the Transitional Parking Overlay District would be consistent with the applicable policies of *The Minneapolis Plan for Sustainable Growth*. The property is designated as Urban Neighborhood on the future land use map and is located one block from the Lake Street Commercial Corridor and three blocks from the Lyndale Avenue and Nicollet Avenue Commercial Corridors. In addition, the project site is located three blocks from the Lyn-Lake and Lake-Nicollet Activity Centers. The Urban Neighborhood land use is supportive of residential zoning with a range of densities based on the surrounding context. The Transitional Parking Overlay District would provide off-street parking for the adjacent commercial property along West Lake Street and allow a large surface parking lot to be redeveloped. The following principles and policies outlined in the plan apply to this proposal:

**Land Use Policy 1.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.**

- 1.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

**Land Use Policy 1.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.**

- 1.4.1 Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served.
- 1.4.2 Promote standards that help make commercial districts and corridors desirable, viable, and distinctly urban, including: diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements to add interest at the pedestrian level.
- 1.4.3 Continue to implement land use controls applicable to all uses and structures located in commercial districts and corridors, including but not limited to maximum occupancy standards, hours open to the public, truck parking, provisions for increasing the maximum height of structures, lot dimension requirements, density bonuses, yard requirements, and enclosed building requirements.

**Land Use Policy 1.8: Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses.**

- 1.8.1 Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features.

**Housing Policy 3.1: Grow by increasing the supply of housing.**

- 3.1.1 Support the development of new medium- and high-density housing in appropriate locations throughout the city.

**Housing Policy 3.2: Support housing density in locations that are well connected by transit, and are close to commercial, cultural and natural amenities.**

- 3.2.1 Encourage and support housing development along commercial and community corridors, and in and near growth centers, activity centers, retail centers, transit station areas, and neighborhood commercial nodes.

The proposed zoning from I2 to R5 with the addition of the Transitional Parking Overlay District would also be consistent with the applicable policies of *The Minneapolis Plan for Sustainable Growth*. The site is located within the study area for both the *Midtown Greenway Land Use and Development Plan*, adopted in 2007, and the *Lyn-Lake Small Area Plan*, adopted in 2009. Both plans designate the future land use of this site as high-density housing. Additionally, the *Midtown Greenway Rezoning Study*, which was completed in 2010, had recommended that these parcels be rezoned to the R5 District to encourage high-density residential development envisioned in the adopted plans. High-density housing is defined in those plans between 40 and 120 dwelling units per acre. The subject proposal would have a density of 103 dwelling units/acre. Rezoning the properties to the R5 District with the addition of the Transitional Parking Overlay District will support housing density in a location that is well connected by transit and close to commercial, cultural, and natural amenities.

2. *Whether the amendment is in the public interest and is not solely for the interest of a single property owner.*

The proposal is both in the interest of the property owner and the public interest. Rezoning to the R5 District with the addition of the TP/Transitional Parking Overlay District in this location allows for the elimination of a medium industrially zoned property in a heavily residentially area. The I2/Medium Industrial District is permissive of industrial uses that sometimes have an adverse impact on surrounding uses. The rezoning also helps with redevelopment of a surface parking lot and the construction of a multiple-family residential development in an area designated for such future land use in several plans and studies as noted above. Furthermore, rezoning the properties to the R5 District with the addition of the Transitional Parking Overlay District will support housing density in a location that is well connected by transit and close to commercial, cultural, and natural amenities. As previously mentioned, the site is within three blocks of three major commercial corridors and two activity centers.

3. *Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.*

The mix of existing uses and zoning classifications of property within the general area are compatible with the proposed R5 zoning. Higher density residential zoning would be compatible with the varied zoning classifications of the general area, which include residential, industrial, and commercial property. There is R5 zoning along with multiple-family dwellings located to the north, west, and south of the subject property. There are industrially-zoned properties located to the east, south, and northwest of the subject property that includes retail, office, and restaurant uses. Along Lake Street there is commercial zoning that includes a variety of uses, including residential, retail, office, and restaurant uses. Allowing the TP/Transitional Parking Overlay District would allow for the residential redevelopment and elimination of a surface parking lot, which will assist in the area having a greater residential character.

4. *Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.*

The subject properties are zoned industrially and the existing uses are a surface parking lot and storage. New industrial development in this location would not be consistent with adopted plans and policies as the gradual transition of most of the industrial land along the Midtown Greenway is to residential. While the current uses (i.e. accessory parking and storage) are permitted uses, retaining I2 zoning in this location would not allow the high density residential development envisioned in both the *Midtown Greenway Land Use and Development Plan* and the *Lyn-Lake Small Area Plan*.

5. *Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.*

When the 1963 zoning code was adopted, the subject parcels were zoned industrially, as was nearly all land along the Midtown Greenway in this area. The subject properties have maintained that industrial zoning to today. As noted above, the adopted small area plans designate the future land use of this site as high-density residential. Although not ultimately adopted by the City Council in 2010, the *Midtown Greenway Rezoning Study* recommended that these parcels be rezoned to the R5 District in order to encourage the type of development envisioned in the adopted plans.

The land use and development patterns along the Midtown Greenway in this area have experienced a great deal of change over the past 20 years. Some of this change has resulted from the abandonment of the railroad line, while other changes can be attributed to changes in the real estate and development market. A significant change in the character or trend of development in the general area has taken place since the properties were zoned within the I2/Medium Industrial District. As previously mentioned, allowing the TP/Transitional Parking Overlay District to be applied to the subject properties would allow for the residential redevelopment and elimination of a surface parking lot, which will assist in the area continuing to be more residential.

## CONDITIONAL USE PERMIT-INCREASE HEIGHT

The Department of Community Planning and Economic Development has analyzed the application to increase the maximum height in the R5 District from 4 stories or 56 feet to 5 stories or 55 feet based on the following findings:

1. *The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.*

The R5 zoning district allows buildings to be 4 stories, not to exceed 56 feet in height. The proposed flat roof building is 55 feet tall as defined by the Minneapolis zoning code, which is below the 56-foot height requirement in the R5 zoning district. However, given that the proposed development is five stories instead of four stories, a conditional use permit is required. It is important to note that if the four foot tall elevator run was not located at the building edge, the building would be considered to be 51 feet in height (see site plan review section for full analysis of building height).

The request to have a 5 story, 55-foot tall building will not be detrimental to or endanger the public health, safety, comfort, or general welfare. The proposed terraced building design away from the Midtown Greenway significantly reduces shadowing on the Midtown Greenway, an important goal of the *Midtown Greenway Plan*. The northernmost portion of the building is only one story and is setback 13 feet from the northern property line. Floors two through four at its closest point are

22.5 feet away from the northern property line, and floor 5 is approximately 55 feet away from the shared property line with the Midtown Greenway.

2. *The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.*

The property is located in a developed area and is not expected to be injurious to the use and enjoyment of other property in the vicinity. The applicant has designed the building to respect the guidance for the Midtown Greenway and to be within the overall height allowance of the R5 District. Allowing for the fifth story will not impede the normal and orderly development and improvement of surrounding property. The fifth-story portion of the building is concentrated along the southern portion of the property and will be at least 28 feet from the nearest building (the apartment building at 2912 Pleasant Avenue). See Additional Standards to Increase Maximum Height findings for further analysis on shadowing.

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

The site would be accessed by vehicles utilizing the redirected public alley. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.

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

Allowing for an increase in the number of stories is not expected to contribute to traffic congestion in the adjacent public streets. The project is meeting the minimum off-street parking requirement by providing 60 vehicle parking spaces (60 spaces are required) for the residential units. In addition, the project site is in a very walkable area, has access to great bicycle infrastructure, and is located near two high frequency transit lines (18 and 21).

5. *The conditional use is consistent with the applicable policies of the comprehensive plan.*

The proposed development would be consistent with the following general land use policies of *The Minneapolis Plan for Sustainable Growth*:

**Land Use Policy 1.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.**

- 1.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

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

- 1.2.1 Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area.

**Housing Policy 3.1: Grow by increasing the supply of housing.**

- 3.1.1 Support the development of new medium- and high-density housing in appropriate locations throughout the city.

The proposed massing of the building is respectful to the context and neighboring buildings. As previously mentioned, the building is terraced away from the Midtown Greenway to help mitigate shadowing. In addition, the proposed e-shaped designed building along Grand Avenue helps respect the existing smaller residential structures on the west side of Grand Avenue. Furthermore, the proposed five story building is compatible with the height of the neighboring buildings which range from two to six stories.

The proposed density is also in line with the guidance of the *Midtown Greenway Land Use and Development Plan* and the *Lyn-Lake Small Area Plan*. Both plans designate the future land use of this site to be high-density housing (40-120 dwelling units per acre). The proposed development would have 103 units per acre.

Another primary recommendation of the plan is to provide a linear public “promenade” or walkway wherever possible between private development and the Midtown Greenway, in order to develop a premier public edge along both sides of the Greenway. These promenades create a street-level pedestrian network and visual connections between the Greenway and adjacent spaces. The plan identifies this site as a recommended location for a promenade. The applicant has proposed a promenade as recommended by the small area plan.

Staff finds that the proposed five-story building is consistent with the above applicable policies of the comprehensive plan and applicable guidance of the adopted small area plans.

6. *The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

If the requested land use applications are approved, the proposal will comply with all provisions of the R5 Multiple-Family District.

### **Additional Standards to Increase Maximum Height**

In addition to the conditional use permit standards, the Planning Commission shall consider, but not be limited to, the following factors when determining the maximum height of principal structures in commercial districts:

1. *Access to light and air of surrounding properties.*

The additional story requested is not expected to impact access to light and air of surrounding properties. As previously mentioned, the proposed building is staying within the allowed height in terms of feet (proposal is for a 55 foot tall building; 56 feet is allowed by right), but has requested to build five stories instead of 4. The subject property would be a through lot and would front on two public streets as well as a public pathway (The Midtown Greenway). This provides adequate separation allowing for access to light and air for surrounding properties to the west and east. The adjacent property to the south is Karmel West, a two-story commercial building. This existing adjacent building is owned by the applicant, who is proposing a zero-lot line addition. However, given that the residential units along the southern elevation on the upper floors are proposed to be located four feet from the shared interior property line, these units will be ensured to have access to sun and light if Karmel West is redeveloped since any new development will be at least four feet away. The nearest property along Pleasant Avenue is a four-unit apartment building at 2912 Pleasant Avenue South. The proposed building would be separated from this neighboring structure by a public alley and approximately 28 feet of separation.

2. *Shadowing of residential properties, significant public spaces, or existing solar energy systems.*

The applicant submitted a detailed shadow study depicting shadowing impacts of the proposed five-story building. As previously mentioned, the nearest residential property is the apartment building

south of the subject property along Pleasant Avenue (2912 Pleasant Avenue), which is 28 feet away from the proposed building. Additionally, because the neighboring property is north of the proposed building, shadowing of the four-unit building would be minimal (only at sunset). Because the Midtown Greenway separates the property from the nearest residential use to the north, any shadowing impact on residential properties on the north side of the corridor would also be minimal and limited to winter mornings and evenings. There are no known solar energy systems that would be impacted by this proposal. The nearest solar energy system is located at 413 West Lake Street (BIRE 3079608) which is more than 300 feet from the subject property.

The Midtown Greenway is a significant public space. The proposed building with the terraced design and varied setbacks proposed minimizes shadowing on the Greenway. It is recognized that the building will have a shadowing impact in the winter; however, overall the shadowing will be minimal and comparable to recent development along the corridor. It is also worth noting that the proposed building will be setback further than the existing buildings on the site (13 feet compared to 7 feet), and that the fifth floor will be setback approximately 55 feet from the shared interior property line with the Midtown Greenway,

3. *The scale and character of surrounding uses.*

The height of buildings in the surrounding area range from two to six stories, with most of the lower density housing being two or 2.5 stories. The proposed five story building will be compatible with the overall context of the surrounding area and will support dense development while also minimizing shadowing and providing a pedestrian promenade, as recommended by adopted small area plans.

4. *Preservation of views of landmark buildings, significant open spaces or water bodies.*

As noted above, the various floors of the terraced building step the higher floors of the building further back from the Greenway property line. The building should not significantly block views of landmark buildings, significant open spaces, or bodies of water.

## CONDITIONAL USE PERMIT-TRANSITIONAL PARKING

The Department of Community Planning and Economic Development has analyzed the application to allow for enclosed parking in the TP Transitional Parking Overlay District based on the following findings:

1. *The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.*

If the proposed rezoning is approved, the subject properties will include the transitional parking overlay district. The purpose of the TP/Transitional Parking Overlay District is to allow parking for passenger automobiles in residence and office residence districts when adjacent to a zoning district in need of additional parking for customers and employees that does not meet the requirements of Chapter 541, Off-Street Parking and Loading. The applicant is proposing to provide 35 off-street parking spaces for the adjacent commercial use to the south, Karmel West (312 West Lake Street). The proposal to allow 35 spaces of off-site parking for an adjacent commercial use in the underground level will not be detrimental to or endanger the public health, safety, comfort or general welfare as the proposed parking location will meet all requirements for a transitional parking area outlined in Section 551.430-Conditional uses and will be fully enclosed.

2. *The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.*

The proposal to allow for offsite enclosed parking for an adjacent commercial development will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property. As previously mentioned, the proposed offsite parking for the neighboring commercial property will meet all requirements for a transitional parking area outlined in Section 551.430-Conditional uses and will be fully enclosed. In addition, the applicant has designed the parking area for Karmel West to have its own access point. Therefore, it will provide a separation between onsite residential and offsite commercial parking.

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

The Public Works Department has reviewed the preliminary plan and will review the final plan for compliance with standards related to access and circulation, drainage, and sewer/water connections. The applicant will be required to continue to work closely with the Public Works Department, the Plan Review Section of CPED and the various utility companies during the duration of the development should the applications be approved. This would be required to ensure that all procedures are followed and that the development complies with all city and other applicable requirements. The applicant is aware that all applicable plans are expected to incorporate any applicable comments or modifications as required by the Public Works Department.

Public Works is requiring a travel demand management plan for the development. Prior to any building permits being issued for this site, both CPED and Public Works will review and approve the plan.

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

Adequate measures have been taken to minimize traffic congestion in the public streets. This includes putting the access and exit point for the commercial parking on the subject property as close to Lake Street as possible and the applicant's willingness to install a real-time parking counter that will be visible for people interested in using the underground parking facility. Furthermore, the applicant is required to provide bicycle parking for 21 bikes on the Karmel West site. It should also be noted that the project site is in an area that provides a variety of alternative modes of transportation given that the area is very walkable, adjacent to the Midtown Greenway, and near two high-frequency transit lines.

5. *The conditional use is consistent with the applicable policies of the comprehensive plan.*

The proposed development would be consistent with the following general land use policies of *The Minneapolis Plan for Sustainable Growth*:

**Land Use Policy 1.6: Recognize that market conditions and neighborhood traditions significantly influence the viability of businesses in areas of the city not designated as commercial corridors and districts.**

1.6.1 Allow for retention of existing commercial uses and zoning districts in designated Urban Neighborhood areas, to the extent they are consistent with other city goals and do not adversely impact surrounding areas.

1.6.2 In parts of the city outside of designated corridors, nodes, and centers, limit territorial expansions of commercial uses and districts.

**Transportation Policy 2.8: Balance the demand for parking with objectives for improving the environment for transit, walking and bicycling, while supporting the city’s business community.**

2.8.1 Implement off-street parking regulations which provide a certain number of parking spaces for nearby uses, while still maintaining an environment that encourages bicycle, pedestrian, and transit travel.

2.8.7 Promote transit, walking, and biking as safe and comfortable transportation alternatives through reduced parking requirements, encouragement of employee transit incentive programs, and improved facilities.

2.8.8 Encourage employers to offer economic incentives that support transit use, such as providing employee transportation allowances as alternatives to free parking.

2.8.9 Ensure that parking facilities do not under-price their parking fees as compared to transit fares except to support carpooling and vanpooling as primary commuting modes.

6. *The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

If the requested land use applications are approved, the proposal will comply with all provisions of the R5/Multiple Family District. As conditioned, the proposal will comply with the TP Transitional Parking Overlay District standards. CPED is recommending that the offsite commercial area be restricted to the parking of passenger vehicles; and shall be closed with a secured gate or other appropriate mechanism between the hours of 10:00 p.m. and 6:00 a.m.

## VARIANCE-MAXIMUM FLOOR AREA RATIO

The Department of Community Planning and Economic Development has analyzed the application for a variance to increase the maximum allowable floor area ratio of the building from 2.4 to 2.47 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.*

The maximum floor area ratio (FAR) in the R5, Multiple-family District is 2.0. The site qualifies for a 20 percent bonus by enclosing all of the parking. This bonus increases the maximum floor area ratio to 2.4. The applicant is proposing a 125,207 square foot building on a lot that is 50,708 square feet in area, equating to a floor area ratio of 2.47 (an additional 3,508 square feet). A variance to increase the maximum FAR from 2.4 to 2.47 has been requested. Practical difficulties exist in complying with this bulk provision that are unique to the property. *The Midtown Greenway Land Use and Development Plan* states that it is similar to a “district-node pattern of urban development, where a mixed-use core or center is surrounded and supported by a concentric pattern that is more intensive near the center (i.e. near the Midtown Greenway) and less intensive near the edge of the district (i.e. near 28<sup>th</sup> Street).” The subject site is located along the Greenway and is within three blocks of three commercial corridors (Lake Street, Lyndale Avenue, and Nicollet Avenue) and within three blocks of two activity centers (Lyn-Lake and Nicollet and Lake). Staff finds that the site’s proximity to these land use features supports the minimal increase in maximum floor area ratio proposed at this site. The policy recommendations for high-density residential development in this location contribute to unique circumstances that 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.*

Staff finds that the FAR proposed is a reasonable request based on the location of the site, specifically its proximity to three commercial corridors, two activity centers, high frequency transit lines, and the Midtown Greenway. In addition, the site has been identified for high density residential development by the applicable small area plans (*Midtown Greenway Land Use and Development Plan* and the *Lyn-Lake Small Area Plan*). The *Midtown Greenway Land Use and Development Plan* also notes that developments should mitigate development intensity by incorporating open space visible from the public realm and stepping back the mass of building from adjacent properties and the Greenway. The proposed building accommodates most of the mass along the south and steps the mass back from the Greenway to limit shadowing impact. The proposal incorporates a pedestrian promenade immediately adjacent to this parcel, which effectively meets the intent of mitigating the development intensity of the proposal. Additionally, the building design mitigates the small request in additional floor area (3,507 square feet). The applicant has designed the building with a stepped design to minimize shadowing of the Greenway and an E-shaped design building along Grand Avenue to help reduce the bulk and massing near the smaller homes along Grand Avenue. The E-shaped/courtyard design is a traditional building design that helps reduce bulk and massing by breaking up the building into smaller parts. It is also worth noting that the request to have 3,508 square feet provides a high quality street frontage along two streets (Grand Avenue and Pleasant Avenue) as well as along a public pathway (Midtown Greenway). Furthermore, the proposed development is proposed to be shorter than what is allowed by right (55 feet rather than 56 feet), setback slightly further than required from the front property lines along Pleasant Avenue and Grand Avenue (17 feet rather than 15 feet), and will comply with lot coverage and impervious surface regulations. Finally, the proposed development will have fewer stories, lower height, and a smaller lot area than most of the recent development along the Midtown Greenway (see Midtown Greenway Development attachment). As a condition of approval, the pedestrian promenade shall be installed as shown on the proposed plans. To ensure that the proposal retains this proposed east-west promenade connection shown in the submitted plans, staff recommends a condition of approval that gates shall not be incorporated in the design in accordance with applicable policies of the comprehensive plan and small area plan.

The proposed floor area ratio is in keeping with the spirit and intent of the ordinance and the comprehensive plan due to policies that call for high density residential development near transit lines, commercial corridors, and activity centers. Building bulk regulations are established in order to assure that the scale and form of new development will occur in a manner most compatible with the surrounding area. The surrounding area is developed with various multi-family residential uses and a light industrial use. The area has recently seen a trend of high-density residential development of five to six stories in height. The proposed five-story building would be compatible with the surrounding area. If the applicant developed an industrial use in the current I2 zoning the base FAR allowance is 2.7. The applicant's proposal to have a floor area of 2.47 is well below what the current zoning district allows.

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.*

Allowing the proposed building at the requested floor area ratio would not alter the essential character of the locality or be injurious to the use and enjoyment of other property in the vicinity. As stated above, the surrounding area, in particular the parcels along the Midtown Greenway, contains a mix of residential uses, primarily multi-family residential that typically have a larger lot

area, more stories, and/or greater height than the proposed development. The proposed bulk as designed would be compatible with the surrounding area.

## VARIANCE-WALKWAY/PROMENADE

The Department of Community Planning and Economic Development has analyzed the application for a variance to allow a walkway to exceed six feet in width in the required north interior side yard, 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.*

The applicant is proposing a 13-foot wide walkway within the north interior yard setback. As outlined by Table 535-I Permitted Obstructions in Required Yards, walkways are not allowed to exceed 6 feet in width in required interior yards. Practical difficulties exist in complying with this provision that are unique to the property. One of the principles of development of *The Midtown Greenway Land Use and Development Plan*, which provides small area plan guidance for the subject property, is that promenades be installed along the Greenway with a minimum of 12 feet in width. Staff finds that the subject property's unique location along the Midtown Greenway and the small area plan's guidance calling for a wider than allowed walkway contribute to unique circumstances that 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 property owner proposes to use the property in a reasonable manner that is keeping with the spirit of the zoning code. In general, yard controls are established to provide for the orderly development and use of land and to minimize conflicts among land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The proposed 13-foot wide walkway would not have an adverse impact on light and air for surrounding properties. In addition, there is more than 100 feet of separation between the promenade and the nearest neighboring residential structure.

Furthermore, the proposed promenade will be keeping with the spirit and intent of the comprehensive plan and adopted small area plans for the area. As previously mentioned, the small area plan for the area calls for a promenade at this location and that be a minimum of 12 feet in width when possible. As a condition of approval, the pedestrian lamp posts along the promenade shall be installed as submitted in the application and gates along Grand Avenue and Pleasant Avenue shall not be incorporated in the design of the promenade.

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.*

Allowing the proposed walkway at the requested width would not alter the essential character of the locality or be injurious to the use and enjoyment of other property in the vicinity. As stated above, the small area plan calls for a promenade at this location and a walkway is proposed to be installed on the block to the west as part of the Harriet Apartment project that was approved earlier this year. The proposed walkway as designed would be compatible with the surrounding area.

## VARIANCE-REDUCE SOUTHERN INTERIOR SIDE YARDS

The Department of Community Planning and Economic Development has analyzed the application for a variance to reduce the southern interior side yard from 5 feet to 0 feet for a transformer near Pleasant Avenue, 13 feet to 5 feet for the new building near Pleasant Avenue, and 13 feet to 0 feet for the new building near Grand 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.*

The minimum yard requirements for uses in the R5 Multiple-family District are as specified in Table 546-1, Principal Uses in Residence Districts. The interior side yard setback is 5+2X, with “x” being the number of stories above the first floor. Therefore, elements at grade (e.g. transformer or trash enclosure) have an interior yard requirement of five feet and the five story building is subject to a 13 foot setback. The applicant is seeking a variance to reduce the south interior side yard setback for a transformer from five feet to 0 feet, 13 feet to 5 feet for the new building near Pleasant Avenue, and 13 feet to 0 feet for the new building near Grand Avenue

Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The subject property has frontage along two streets (Pleasant Avenue and Grand Avenue) and a public pathway (Midtown Greenway), which increases the setback requirements for the project site. In addition, the project site’s unique L-shape makes it a challenge to meet all setback requirements. Furthermore, adopted plans and policies have designated the future land use of this site as high density housing. The adopted plans also emphasize the importance of minimizing shadowing impacts on the Midtown Greenway and the importance of establishing pedestrian promenades along the rim of the Greenway to create east to west pedestrian access between streets. To minimize shadowing, the applicant has proposed a terraced building design. The majority of the building would be set back at least 22 feet from the Greenway, with the fifth story set back 55 feet from the Greenway. While this design minimizes shadowing on the Greenway, it also concentrates more of the building massing towards the property’s southern interior side property line. The policy recommendations guiding development in this location contribute to unique circumstances that have not been created by the applicant and create practical difficulties in complying with this yard requirement.

- 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 intent of the interior side yard requirement is to minimize conflict among the land uses and to buffer residential uses from adjacent uses (primarily residential) to ensure access to light and air. The property owner 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 transformer would be directly adjacent to a public alley and be located more than 15 feet from the neighboring apartment building at 2912 Pleasant Avenue. The applicant is proposing to install an artistic wrap over the generator to help mitigate the negative aesthetic impact large transformers typically have. With the additional screening/artistic wrap, the request is reasonable and in keeping with the spirit and intent of the ordinance and the comprehensive plan. CPED is recommending that the applicant submit details of the artistic wrap prior to installation.

In terms of the proposed apartment building, it will also be separated from the neighboring apartment building along Pleasant Avenue by the public alley and be located approximately 23 feet from the neighbor’s northern property line. Along Grand Avenue, the applicant is proposing to build the new apartment building up to the southern property line at its closest point. However, all

residential units will be located four feet from the southern property line allowing for units with southern exposure to have windows now and into the future if the parcel at 312 West Lake Street is redeveloped.

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 setback requests along the south interior side yard will not alter the essential character of the locality and 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. As previously mentioned, along Pleasant Avenue the building and transformer will be separated from the apartment building by a public alley and at least 15 feet of separation for these elements. Along Grand Avenue, although the apartment building is proposed to be built to the property line, the residential units on the upper floors will be at least four feet from the southern property line. Therefore, allowing for units with southern exposure to have windows now and into the future if the parcel at 312 West Lake Street is redeveloped.

## VARIANCE-PATIO

The Department of Community Planning and Economic Development has analyzed the application for a variance to allow a patio exceeding 100 square feet in the front yard along Pleasant 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.*

Per Table 535.-1 Permitted Obstructions in Required Yards, ground level patios are not allowed in the front yard that exceed fifty (50) square feet in area and do not project more than four (4) feet into the required yard. The applicant is proposing to install an approximately 131 square foot ground floor patio area in the front yard along Pleasant Avenue that will extend to within two feet from the front property line.

Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The subject property has frontage along two streets (Pleasant Avenue and Grand Avenue) and a public pathway (Midtown Greenway), which increases the setback requirements for the project site. In addition, the project site's unique L-shape makes it a challenge to meet all setback requirements. Furthermore, adopted plans and policies have designated the future land use of this site as high density housing. The applicant is proposing a modest sized patio area to help increase the pedestrian friendliness of the building frontage along Pleasant Avenue. The proposed patio will be more than 40 feet from the subject property's southern interior property line and more than 55 feet from the neighboring property's northern property line.

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.*

In general, yard controls are established to provide for the orderly development and use of land and to minimize conflicts among land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. As previously mentioned, the proposed patio would be located ample distance from neighboring residential development (more than 40 feet). Allowing for a slightly larger patio area than is typically allowed with the proposed landscape plan will provide for two benches for people to sit at, more opportunities for eyes on the

street, and a friendlier building frontage. With the proposed landscape plan, the request is reasonable and in keeping 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 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 proposed patio is designed to have a small gathering space for residents, help increase eyes on the street, help connect the building to the sidewalk, and improve the building frontage for pedestrians. In addition, granting the variance would not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties. As mentioned in the findings above, the patio will be more than 40 feet away from the nearest neighboring residential property.

## VARIANCE-DRIVE AISLE AND MANUVERING

The Department of Community Planning and Economic Development has analyzed the application for a variance to allow for a reduction in the drive aisle width and to allow for maneuvering within the public alley, 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.*

The applicant is seeking a variance to reduce the width of the drive aisle for the two proposed drop off spaces and the proposed loading space along the eastern elevation and public alley. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The subject property's L-shape along with having street frontage along two streets (Pleasant Avenue and Grand Avenue) and a public pathway (Midtown Greenway) are unique to this property and reduce locations to put off-street drop off and off-street loading spaces.

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 property owner 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. In general, drive aisle width requirements and not allowing for maneuvering in the public streets helps keep maneuvering onsite and preventing backup of traffic on public streets and alleys while waiting for a vehicle to maneuver into a spot. In this case, the proposed off-street drop off and loading spaces may actually help reduce vehicle conflicts in the public alley. The existing L-shaped alley will not allow drivers of vehicles entering the alley to know at first glance whether there is another vehicle entering or exiting the alley that would typically create the need for one or both vehicles to backup. When the drop off and loading space are not being used for said purposes, they will provide an opportunity for vehicles in the alley to move over into them when a vehicle is coming the opposite direction.

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.*

Granting of this 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. According to the applicant (which was confirmed during a staff site visit) there is minimal vehicle usage of the alley. Allowing the drop off and loading spaces are not anticipated to have an adverse impact on the surrounding properties. In addition, given that the alley is an L-shaped alley, having the loading and drop-off space area will provide more opportunities and an area for cars to move over to allow for vehicles to pass, when needed.

## 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 – Requires alternative compliance**

- 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. With the proposed zoning to R5, the subject property is subject to a 15 foot setback requirement along Grand Avenue and Pleasant Avenue. The applicant is proposing that the building be setback 17 feet along Grand Avenue and Pleasant Avenue. Alternative compliance is required.
- Even though the building is proposed to be placed two feet further back than what is required, the placement of the building would create a solid street wall presence, maximize natural surveillance and visibility, and facilitates pedestrian access and circulation.
- The area between the building and lot line includes amenities. The applicant is proposing walkup units with landscaping along Grand Avenue and an at-grade patio area, seating, and landscaping along Pleasant Avenue.
- All on-site accessory parking is located within the principal building served.

##### **Principal entrances – Meets requirements**

- The building is oriented so that at least one principal entrance faces the front property line. The underlining platting shows that the subject property has a front property line along Grand Avenue and Pleasant Avenue. The main pedestrian entrance to the building is along Pleasant Avenue. The building also has six entrances along Grand Avenue.
- The principal entrance to the building along Pleasant Avenue is clearly defined and emphasized through the use of a prominent walkway leading from the public sidewalk, plantings, large glazing for the main doors and sidelights flanking the doors. The walkup units on Grand Avenue are also emphasized with a walkway leading directly from the public sidewalk to the individual entrances, landscaping, and a large amount of glazing within the doors.

##### **Visual interest – Meets requirements**

- The building walls provide architectural detail and contain windows in order to create visual interest. The building contains a pronounced cornice, recessed balconies, and changes in exterior materials with changes in building volume.
- The proposed building is a larger building that emphasizes architectural elements – including recesses, projections, windows, and entries – to divide the building into smaller identifiable sections.

- There are no blank, uninterrupted walls exceeding 25 feet in length.

**Exterior materials – Meets requirements**

- The applicant is proposing three exterior materials for the building: brick, fiber cement panels that are 5/8 inches thick, and standard fiber cement panels that are 5/16 inches thick. These three exterior materials are considered durable according to the *City of Minneapolis Guide to Exterior Building Materials* (see Table 1). 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 (see Table 1).
- 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 1. Percentage of Exterior Materials per Elevation**

Material	Allowed Max	South (near Grand Ave.)	East (along the alley)	East (along Pleasant Ave.)	North (Greenway)	South (near Pleasant Ave.)	West (Grand Ave.)
Brick (face)	100%	N/A	18%	12%	11%	15%	13%
Openings	100%	14%	25%	30%	32%	25%	31%
Fiber Cement (≥ 5/8")	75%	56%	25%	50%	26%	35%	28%
Fiber Cement Siding	30%	29%	30%	%	28%	23%	25%
Accent material: Metal Panel	75%	1%	2%	2%	3%	2%	3%

**Windows – Meets requirements**

- The zoning code requires that no less than 20 percent of the walls on the first floor for residential uses that face a public street, public sidewalk, public pathway, or on-site parking lot are windows measured between two (2) and ten (10) feet above the adjacent grade. In addition, no less than ten percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows measured between the upper surface of a floor and the upper surface of the floor above. The Grand Avenue elevation facing the public street, the Pleasant Avenue elevation, and the north elevation that faces the Midtown Greenway meet this requirement (see Table 2).
- 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	
<b>Residential Uses</b>				
1st floor-Grand Avenue	20% minimum	467 sq. ft.	22%	515 sq. ft.
1st floor-Pleasant	20% minimum	122 sq. ft.	37%	222 sq. ft.

Avenue				
1st floor-north elevation (Midtown Greenway)	20% minimum	360 sq. ft.	>20%	>360 sq. ft.
2nd floor and above-Grand	10% minimum	276 sq. ft.	>10%	>276 sq. ft.
2nd floor and above-Pleasant Avenue	10% minimum	66 sq. ft.	>10%	>66 sq. ft.
2nd floor-north elevation (Midtown Greenway)	10% minimum	229 sq. ft.	>10%	>229 sq. ft.

**Ground floor active functions – Meets requirements**

- The ground floor facing the Midtown Greenway contains 70 percent active functions, the ground floor facing Grand Avenue contains 86 percent active functions, and the ground floor facing Pleasant Avenue has 100 percent active functions.

**Roof line – Meets requirements**

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

**Parking garages – Meets requirements**

- The exterior design of parking garages shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. All of the proposed parking is located below ground or enclosed within the building on the first floor. Sloped floors do not dominate the appearance of the walls on the parking garage, and vehicles would be screened from view from the active liner that the applicant has proposed.

**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. CPED appreciates the applicant’s inclusion of a 13 foot wide promenade along the northern property line, a prominent walkway leading to the main entrance along Pleasant Avenue, and individual walkways leading to the walkups along Grand Avenue.

**Transit access – Meets requirements**

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

**Vehicular access – Meets requirements**

- Vehicular access and circulation has been designed to minimize conflicts with pedestrian traffic and with surrounding residential uses and curb cuts have been consolidated. The applicant is proposing to reduce the number of curb cuts from four to two and to have the width of the two-way access points be 20 linear feet.
- There is a public alley that borders the subject property. The applicant is proposing to use the alley to access the parking garage on the first level, trash pickup, a loading space for the residential units,

and two-drop off spaces for Karmel West. The two proposed drop off spaces are for a child care facility under 4,000 square feet.

- Access for garbage pickup is provided in a manner that will not conflict with a majority of pedestrians accessing the site given that trash pickup will be in the alley.
- The proposed site plan will not exceed the 85 percent maximum impervious surface allowance. CPED appreciates the applicant’s proposal to further reduce impervious surfaces by providing green roofs on the one story portions of the building along Grand Avenue.

**LANDSCAPING AND SCREENING**

**General landscaping and screening – Requires alternative compliance**

- The overall composition and location of landscaped areas complement the scale of development and its surroundings. In general, there are larger, well-placed contiguous planting areas.
- At least 20 percent of the site not occupied by the building is landscaped. The applicant is proposing approximately 7,836 square feet of landscaping on site, or approximately 52 percent of the site not occupied by buildings (see Table 3).
- Site plan review requires one canopy tree per 500 square feet of the required landscaped area. Therefore, the proposed project is required to provide six onsite canopy trees. The applicant is proposing 5 canopy trees onsite. Alternative compliance is required.
- 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 29. The applicant is proposing 94 shrubs. In addition, the applicant is proposing a variety of perennials and grasses and including a number of plantings that are native and pollinator friendly.
- 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**

	<b>Code Requirement</b>	<b>Proposed</b>
<b>Lot Area</b>	--	50,708 sq. ft.
<b>Building Footprint</b>	--	35,591 sq. ft.
<b>Remaining Lot Area</b>	--	15,117 sq. ft.
<b>Landscaping Required</b>	3,023 sq. ft.	7,836 sq. ft.
<b>Canopy Trees (1:500 sq. ft.)</b>	6 trees	5 trees
<b>Shrubs (1:100 sq. ft.)</b>	30 shrubs	94 shrubs

**Parking and loading landscaping and screening – Requires alternative compliance**

- There is no surface parking and loading fronting a public street, public sidewalk, or public pathway.
- There are two drop-off spaces and a loading zone proposed along the eastern side of the building which are across from a permitted residential use. The applicant is not proposing to have a landscaped yard, or screening between the parking and the alley. Alternative compliance is required.
- Information included in the landscape plan indicates that the plant materials, and installation and maintenance of the plant materials, would comply with sections 530.200 and 530.210 of the zoning code.
- 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.

- In its review of landscaped areas the city planning commission shall include consideration of the following: Interception and filtration of precipitation and stormwater through maximizing multiple-layered vegetative cover | Reduction of reflectance and urban heat island effects through increasing canopy cover | Conservation of energy through strategic shading and the use of windbreaks. Given the size of the redevelopment an approved stormwater management plan will be required. The applicant is proposing to plant more trees (canopy and ornamental) than required by the zoning code which will help with onsite stormwater retention. Furthermore, CPED applauds the applicant's proposal of incorporating two green roofs along Grand Avenue.
- In August 2015, the City of Minneapolis adopted a policy committed to increasing bee-friendly plants in the city and decreasing pesticide use. The City of Minneapolis urges all Minneapolis property owners, residents, businesses, institutions and neighborhoods to become more pollinator friendly by adopting practices including: Committing to not use pesticides, including insecticides that stay in the plant, on their properties. | Avoiding planting flowering plants that are treated with insecticides that stay in the plant. | Discontinuing the sale of pesticides and plants that are treated with insecticides that stay in the plant. | Planting more pollinator forage on their property and using organic or chemical-free lawn and landscaping practices. As demonstrated by the applicant's site plan, the proposed site plan will have a large number of native and pollinator friendly plantings.

## **ADDITIONAL STANDARDS**

### **Concrete curbs and wheel stops – Meets requirements**

- There is not a surface parking lot as part of this project. The driveways are designed with continuous concrete curb.

### **Site context – Meets requirements**

- The proposed project is located on the south side of the Midtown Greenway, an important element of the city. The site plan minimizes the blocking of views of the Midtown Greenway with the proposed building placement (see conditional use permit for height section above for further review).
- The proposed building should have minimal shadowing effects on public spaces and adjacent properties for most of the year (see shadowing analysis in the conditional use permit for height section above for further analysis).
- The building is five stories and is designed to minimize the generation of wind currents at ground level.

### **Crime prevention through environmental design – Meets requirements**

- The site plan employs best crime prevention through environmental design practices to increase natural surveillance and visibility, to control and guide movement on the site, and to distinguish between public and non-public spaces. This includes the use of fencing, landscaping and walkways to delineate between public and private space, fenestration that well exceeds minimum requirements and will help with natural observation, as well as the use of pedestrian lighting to help with safety and the perception of public safety.

### **Historic preservation – Meets requirements**

- The property and the buildings are included in the National Register listed Minneapolis and St. Paul Grade Separation Historic District (aka Greenway Historic District). However, in a historic review letter analysis, both buildings on the subject property were considered non-contributing to the historic district and not eligible for local designation.

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

The proposed multiple-family residential structure is a permitted use in the R5 District.

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

- Table 541-I Specific Off-Street Parking Requirements states that a multiple-family dwelling building requires 1 space per dwelling unit. However, given that the building is within ¼ mile of a bus stop with midday service headways of 15 minutes or less, the project qualifies for a 50 percent reduction. Therefore, the 120 unit building is required to provide 60 off-street parking spaces. The applicant is proposing to provide 60 enclosed parking stalls for the residential portion of the project and 35 enclosed parking stalls for the neighboring commercial property at 312 West Lake Street (see Table 4).
- The minimum bicycle parking requirement for a multiple-family dwelling is 1 space per 2 dwelling units and not less than ninety (90) percent of the required bicycle parking shall meet the standards for long-term bicycle parking. The 120 unit building is required to provide 60 bike parking spaces with 54 of the spaces meeting the long-term requirements. The applicant is proposing a total of 70 bike parking spaces; 60 enclosed spaces in the underground parking area and 10 spaces outside the building near the front entrance along Pleasant Avenue (see Table 5).
- The off-street loading requirement for a 120-unit apartment building is one small space (see Table 6). A small loading space is required to be 10 feet deep by 25 feet long/The applicant is proposing one small loading space on the east side of the building near the alley that is 10 feet deep by 44 feet long, which will be located outside of the five foot rear yard rear setback for a loading space. As reviewed in the section above, the proposed loading space (and two drop off spaces) requires a variance to allow for a reduction in the drive aisle width and to allow for maneuvering within the public alley.
- As required by Chapter 541, at least seventy-five (75) percent of the required parking spaces shall comply with the minimum dimensions for standard spaces. The remaining spaces shall comply with the minimum dimensions for compact spaces. Compact spaces shall be clearly labeled as such. These minimum dimensions are exclusive of access drives or aisles, ramps, or columns. As shown on the current plans, only one of the 95 proposed parking spaces are proposed to be compact.

**Table 4. Vehicle Parking Requirements Per Use (Chapter 541)**

Use	Minimum	Reductions	Total with Reductions	Maximum Allowed	Proposed
Residential Dwellings	120	Transit Incentives (60)	60	N/A	60 (plus an additional 35 spaces for Karmel West)

**Table 5. Bicycle Parking Requirements (Chapter 541)**

Use	Minimum	Short-Term	Long-Term	Proposed
Residential Dwellings	60	--	Not less than 90% (54)	60 long term 10 short term

**Table 6. Loading Requirements (Chapter 541)**

Use	Loading	Minimum	Proposed
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	Requirement	Requirement	
<b>Residential Dwellings</b>	1 small loading space	1 small loading space	1 small loading space

**Building Bulk and Height – Requires conditional use permit**

- The flat roof building is 55 feet tall as defined by the Minneapolis zoning code, which is below the 56-foot height requirement in the R5 zoning district. The natural grade 10 feet from the center of the building is 876 feet above sea level. The top of the first floor is 877 feet above sea level. The height of the building from the top of the first floor slab to the top of the building roof is 50 feet (927 feet above sea level). The parapet is less than three feet in height (approximately two feet) and is therefore not included in the building height. However, the elevator overrun is four feet in height (931 feet above sea level). Given that the elevator equipment is not set back from the exterior walls one (1) foot for every one (1) foot they extend above the roof surface, it is included in the overall height (see Table 7). Even though the building meets the height requirement in terms of height, the proposed development exceeds the zoning district requirement in terms of stories. Therefore, a conditional use permit is required to allow for a five story building.

**Table 7. Building Bulk and Height Requirements**

	Code Requirement	Bonuses	Total	Proposed
<b>Lot Area</b>	--	--	--	50,524 sq. ft. / 1.16 acres
<b>Gross Floor Area</b>	--	--	--	125,351 sq. ft.
<b>Floor Area Ratio (Minimum)</b>	N/A	--	--	2.47
<b>Floor Area Ratio (Maximum)</b>	2.0	+ 0.4 for enclosed parking	2.4	
<b>Building Height (Maximum)</b>	4 stories or 56 feet, whichever is less			5 stories and 55 ft.

**Lot Requirements – Meets requirements**

- The proposed development meets all lot requirements (see Table 8).

**Table 8. Lot Requirements Summary**

	Code Requirement	Proposed
<b>Dwelling Units (DU)</b>	N/A	120 DUs
<b>Density (DU/acre)</b>	N/A	103 DU/acre
<b>Lot Area (Minimum)</b>	5,000 square feet	50,708 sq. ft.
<b>Impervious Surface Area (Maximum)</b>	85%	85%
<b>Lot Coverage (Maximum)</b>	70%	70%

<b>Lot Width (Maximum)</b>	40 ft.	99 ft. along Pleasant Avenue
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**Yard Requirements – Requires variance(s)**

- The project requires a variance of the south interior yard to allow for the building as proposed (see variance section above and Table 9 below). As reviewed in the variance sections above, the project also requires a variance to allow a walkway in the interior side yard to exceed 6 feet in width, a transformer in the south interior side yard, and for a patio to exceed 50 square feet in the front yard along Pleasant Avenue.

**Table 9. Minimum Yard Requirements**

<b>Setback</b>	<b>Zoning District</b>	<b>Overriding Regulations</b>	<b>Total Requirement</b>	<b>Proposed</b>
<b>Front   Pleasant</b> (East)	15 ft.	--	15 ft.	17 ft.
<b>Front   Grand</b> (West)	15 ft.	--	15 ft.	17 ft.
<b>Interior   North</b> <b>(Greenway)</b>	13 ft.		13 ft.	13 ft.
<b>Interior Side   Alley</b> (South along Grand Avenue)	13 ft.	--	13 ft.	1 ft.
<b>Interior Side</b> (South)   next to Karmel	13 ft.	--	13 ft.	0 ft.
<b>Rear</b> (East along alley)	13 ft.	--	13 ft.	14.9 ft.

**Signs – Not applicable**

- 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 – Choose an item.**

- All mechanical equipment is subject to the screening requirements of Chapter 535 requirements. Most if not all apartment buildings will have individual through-the-wall heating and cooling units. As a condition of approval, the heating, ventilation and air conditioning screens on the outside walls shall be painted to match the surrounding wall finish to help reduce their visibility. The project is proposed to have a transformer near Pleasant Avenue within the interior five foot setback. A variance is required and analyzed above.

**Refuse Screening – Choose an item.**

- As proposed, the refuse and recycling storage containers are in compliance with the requirements outlined in Chapter 535. The trash area is proposed to fully enclosed on the first floor near the alley.

**Lighting – Meets requirements with Conditions of Approval**

- A lighting plan was not submitted with the land use application. As a condition of approval, a lighting plan shall be submitted prior to building permit issuance.

**Fences – Meets requirements**

- The applicant’s proposal appears to meet the fence requirements outlined in Chapter 535. The applicant is proposing a 3.5 foot tall decorative railing along the northern property line, a 3 foot tall fence along Grand Avenue, and a 6-foot wrought iron fence along the rear elevation along the alley. As a condition of approval, details of the proposed fence shall be submitted prior to preliminary development review approval.

**Specific Development Standards – Meets requirements**

- The proposed multiple-family dwelling building is not subject to the specific development standards in Chapter 536 that requires an outdoor children’s play area to serve residents of the development. Even though the development has three and four bedroom units and is located in the R5/Multiple Family District, it is less than 1,500 square feet away from the public park located at Whittier International School (315 West 26<sup>th</sup> Street).

**Transitional Parking Overlay District Standards – Requires conditional use permit**

- The proposal is in compliance with the TP Overlay District standards if the conditional use permit is approved.

**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. In addition to the policies analyzed previously, the proposed development is consistent with the following principles and policies outlined in the comprehensive plan:

**Urban Design Policy 10.4: Support the development of residential dwellings that are of high quality design and compatible with surrounding development.**

- 10.4.1 Maintain and strengthen the architectural character of the city's various residential neighborhoods.
- 10.4.2 Promote the development of new housing that is compatible with existing development in the area and the best of the city’s existing housing stock.

**Urban Design Policy 10.6: New multi-family development or renovation should be designed in terms of traditional urban building form with pedestrian scale design features at the street level.**

- 10.6.3 Provide appropriate physical transition and separation using green space, setbacks or orientation, stepped down height, or ornamental fencing to improve the compatibility between higher density and lower density residential uses.
- 10.6.4 Orient buildings and building entrances to the street with pedestrian amenities like wider sidewalks and green spaces.

- 10.6.5 Street-level building walls should include an adequate distribution of windows and architectural features in order to create visual interest at the pedestrian level.
- 10.6.6 Integrate transit facilities and bicycle parking amenities into the site design.

**Urban Design Policy 10.18: Reduce the visual impact of automobile parking facilities.**

- 10.18.1 Require that parking lots meet or exceed the landscaping and screening requirements of the zoning code, especially along transit corridors, adjacent to residential areas, and areas of transition between land uses.

**Urban Design Policy 10.19: Landscaping is encouraged in order to complement the scale of the site and its surroundings, enhance the built environment, create and define public and private spaces, buffer and screen, incorporate crime prevention principles, and provide shade, aesthetic appeal, and environmental benefits.**

- 10.19.1 In general, larger, well-placed, contiguous planting areas that create and define public and private spaces shall be preferred to smaller, disconnected areas.
- 10.19.2 Plant and tree types should complement the surrounding area and should include a variety of species throughout the site that include seasonal interest. Species should be indigenous or proven adaptable to the local climate and should not be invasive on native species
- 10.19.6 Green roofs, living walls, and porous pavement are encouraged but are not meant to be a substitute for ground-level landscaping of sites as landscaping provides both a natural amenity and aesthetic beauty to the urban landscape.

**Urban Design Policy 10.22 Use Crime Prevention Through Environmental Design (CPTED) principles when designing all projects that impact the public realm, including open spaces and parks, on publicly owned and private land.**

- 10.22.3 Design the site, landscaping, and buildings to promote natural observation and maximize the opportunities for people to observe adjacent spaces and public sidewalks.
- 10.22.4 Provide on-site lighting 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.
- 10.22.5 Locate landscaping, sidewalks, lighting, fencing and building features to clearly guide pedestrian movement on or through the site and to control and restrict people to appropriate locations.
- 10.22.7 Locate entrances, exits, signs, fencing, landscaping, and lighting to distinguish between public and private areas, control access, and to guide people coming to and going from the site.

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.**

Overall, the proposed development is in conformance with the applicant plans adopted by the City Council. The site is located within the boundaries of both *the Midtown Greenway Land Use and Development Plan* and the *Lyn-Lake Small Area Plan*. Both plans designate the future land use of this site to be high-density housing. The subject proposal would have a density of 103 dwelling units/acre, which is

in the range of high density housing (40-120 dwelling units per acre). The subject site is located within three blocks of three commercial corridors (Lyndale Avenue, Lake Street, and Nicollet Avenue) and two blocks of two activity centers (Lyn-Lake and Lake and Nicollet). Staff finds that the site's proximity to these land use features supports the proposed residential development.

The *Midtown Greenway Land Use and Development Plan* is intended to guide future development in the corridor. The plan establishes several Greenway-supportive development principles that are applicable to the subject proposal. The proposed development will meet all of the following development principles.

- Promote a safe, vibrant and active environment with calmed streets and widened sidewalks. Focus investments toward developing an enlivened, pedestrian-friendly public realm.
- Encourage redevelopment projects to be transit-supportive by integrating bicycle and pedestrian amenities as well as accessible and visually appealing transit stops into projects.
- Promote development that reinforces appropriate architectural scale and relates to adjacent land uses. Employ development strategies that minimize Greenway and adjacent property shadowing.
- Use new development, the pedestrian environment and open space to promote an integrated relationship between the Greenway floor and the Greenway edge/rim, fostering a sense of place and community.
- Develop a premier public edge along both sides of the Greenway, including a more pedestrian and bicycle-friendly 29<sup>th</sup> Street and public promenades.
- Promote Greenway safety and comfort through environmental design features such as doors located on the street or Greenway as appropriate, windows facing public space and the relocation of service doors away from the public realm.

In the plan, this site is designated for Urban-Oriented development intensity, which notes that buildings should be up to five stories in height. The plan also notes that developments should mitigate development intensity by incorporating open space visible from the public realm and stepping back the mass of building from adjacent properties and the Greenway. Primary entrances of buildings are encouraged to face the public street, while balconies, windows, and entries oriented toward the Greenway are also strongly encouraged.

The plan also emphasizes the importance of solar access to the Greenway. Stepping back the mass of future buildings along the south side of the Greenway is one of several recommendations provided in the plan in order to minimize shadowing. Additionally, the plan notes that buildings should step down at the boundary between higher density districts and lower density districts and existing residential neighborhoods. The building's shadowing impact has been analyzed above.

A primary recommendation of the plan is to provide a linear public "promenade" or walkway wherever possible between private development and the Midtown Greenway, in order to develop a premier public edge along both sides of the Greenway. These promenades create a street-level pedestrian network and visual connections between the Greenway and adjacent spaces. The plan identifies this site as a recommended location for a promenade. The plan notes that wherever possible, a minimum of 12 feet of public realm should be provided between private development and the Midtown Greenway right of way for a publicly accessible pedestrian promenade. The proposed project does this. To ensure that the proposal retains this proposed east-west promenade connection shown in the submitted plans, staff has recommended that gates not be incorporated in the design in accordance with applicable policies of the comprehensive plan and small area plan.

The *Lyn-Lake Small Area Plan* also identifies the future land use of this site as high-density housing. The plan also recommends the creation of a promenade along the Greenway as properties are redeveloped. It also notes that several recent developments had included a promenade. Stepped down building heights, a transition of uses, and buffering to adjacent residential areas is encouraged. In addition, shadowing of sidewalks and the Midtown Greenway should be minimized to ensure as comfortable of a pedestrian environment as possible.

The proposed development incorporates bicycle and pedestrian amenities into the site plan. The building has been designed with additional setbacks for floors two through four and significant setback for the fifth floor, in order to minimize shadowing of the Greenway and adjacent properties. The incorporation of a new east-west promenade promotes an integrated relationship between the Greenway floor and Greenway edge. The building has many windows on all elevations. Primary entrances face the public street while balconies, windows, and ground floor entries are present on the Greenway-facing elevation as well.

### **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:

- **Building placement.** The first floor building wall for the project site is required to be located 15 feet from the front property line. The applicant is proposing that the building be setback 17 feet along Grand Avenue and Pleasant Avenue. Alternative compliance is required. The purpose of this requirement is to help orient buildings to pedestrians by having them being built near public sidewalks, assist in having buildings be built in relation to each other, and create a sense of enclosure. CPED is supportive of the applicant's proposal of requesting a little further setback (2 additional feet) along Pleasant Avenue and Grand Avenue. The applicant's proposal provides a little extra space for outdoor spaces for the main entrance area along Pleasant Avenue and for the individual units along Grand Avenue. In addition, if the applicant brought the building to within 15 feet of the front property lines it would increase the size of the building.
- **Onsite trees:** Site plan review requires one canopy tree per 500 square feet of the required landscaped area. Therefore, the proposed project is required to provide six onsite canopy trees. The applicant is proposing 5 trees onsite. Alternative compliance is required. The intent of the minimum tree requirement is to enhance the aesthetics and landscape of the projects site and area and enhance the City of Minneapolis tree canopy and the benefits trees bring to a city including reducing the heat island effect. It is recognized that the applicant's proposal to install a promenade reduces the location of where trees can be planted onsite. As a form of alternative compliance, the applicant is proposing to plant 10 canopy trees in the public right of way and 16 ornamental trees on the project site. CPED is supportive of the applicant's proposal for alternative compliance.
- **Parking and loading landscaping and screening.** There are two drop-off spaces and a loading zone proposed along the eastern side of the building. This is across from permitted residential use. The applicant is required to have a seven foot landscaped yard and screening that is six feet in height between the drop-off and loading spaces and the rear property line. The applicant is not proposing to have a landscaped yard or screening between these spaces and the property line. Alternative compliance is required. The intent of the landscaped yard and screening requirements are to reduce the negative visual impact of off-street parking and loading from bordering residential uses. Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter. The subject property has street frontage along two streets (Grand Avenue and Pleasant Avenue) as well as along a public pathway (Midtown Greenway) which reduces locations to put onsite drop off and loading spaces, while meeting all

other zoning code requirements, including having 70 percent active functions along a public street or public pathway. In addition, as outlined in the variance section above, given that the alley is an L-shaped alley, having the loading and drop-off space area will provide more opportunities and an area for cars to move over to allow for vehicles to pass, when needed. Therefore, CPED is supportive of the applicant's proposal for alternative compliance for landscaping and screening.

## MINOR SUBDIVISION

The Department of Community Planning and Economic Development has analyzed the application for a minor subdivision based on the following findings:

1. *The subdivision is in conformance with these land subdivision regulations, the applicable regulations of the zoning ordinance and policies of the comprehensive plan.*

### Subdivision Regulations:

The subdivision is in conformance with the design requirements of the land subdivision regulations.

### Zoning Ordinance:

The subdivision is in conformance with the applicable regulations of the zoning ordinance.

### Comprehensive Plan:

*The Minneapolis Plan for Sustainable Growth* designates this site as Urban Neighborhood on the future land use map. Urban Neighborhood is described as a predominantly residential area with a range of densities, which may include other small-scale uses, including neighborhood serving commercial, and institutional and semipublic uses scattered throughout. The subdivision is consistent with the following policies of the comprehensive plan:

**Land Use Policy 1.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.**

- 1.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

The subdivision is in conformance with the design requirements of the zoning code and the land subdivision regulations.

2. *The subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.*

The proposed minor subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity or detrimental to surrounding land uses. The proposal will allow for a redevelopment of a surface parking lot into a multiple family dwelling, which is supported by the Midtown Greenway Land Use and Development Plan (2007) and the Lyn-Lake Small Area Plan (2009).

3. *All land intended for building sites can be used safely without endangering the residents or users of the subdivision or the surrounding area because of flooding, erosion, high water table, soil conditions, improper drainage, steep slopes, rock formations, utility easements or other hazard.*

None of the above hazards exist on the subject properties.

4. *The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.*

Both properties are relatively flat and there are no known barriers that would result from the proposed subdivision that would impact the applicant securing building permits. Each lot created through the subdivision is suitable in its natural state for the proposed use with minimal alterations.

5. *The subdivision makes adequate provision for stormwater runoff, and temporary and permanent erosion control in accordance with the rules, regulations and standards of the city engineer and the requirements of these land subdivision regulations. To the extent practicable, the amount of stormwater runoff from the site after development will not exceed the amount occurring prior to development.*

Existing utility and drainage provisions are adequate for the area. Standard erosion control measures would be required with future construction.

## FOR REZONINGS ONLY

### ZONING PLATE NUMBER. 25

**LEGAL DESCRIPTION.** NORTH PARCEL: Lots 2, 10, 11, 13, 14, 15 and the South 32 1/2 feet of Lot 1 and the South 32 1/2 feet of Lot 16 and that part of Lot 3 lying North of a line running East from a point in the West line distant 20 feet North from the Southwest corner thereof; thence East 30 feet parallel with the South line thereof; thence South to a point 38 feet East from the West line and 12 feet North from the South line thereof; thence East parallel with the South line to the East line of Lot 3, including adjacent vacated alley, all in Block 5, Excelsior Addition to Minneapolis, Hennepin County, Minnesota. (Abstract property) AND The North 10 feet of Lot 12, Block 5, Excelsior Addition to Minneapolis, Hennepin County, Minnesota. (Torrens Certificate No. 840114) AND Lots 12, except the North 10 feet thereof, Block 5, Excelsior Addition to Minneapolis. (Torrens Certificate No. 1118168) AND That part of Lot 9, Block 5, Excelsior Addition to Minneapolis lying north of the South 4.00 feet thereof. (Abstract property).

## RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt staff findings for the application(s) by Scott Nelson of DJR Architecture for the properties located at 312 West Lake Street and 2900 Pleasant Avenue South:

### A. Rezoning.

Recommended motion: **Approve** the application for a petition to rezone the properties located at 2900 Pleasant Avenue and a portion of 312 West Lake Street from the I2/Medium Industrial District to the R5/Multiple-Family District and the TP/Transitional Parking Overlay District .

### B. Conditional Use Permit to increase the height of the building in the R5/Multiple-Family District

Recommended motion: **Approve** the application to increase the maximum height in the R5 District from 4 stories or 56 feet to 5 stories or 55 feet, subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.

**C. Conditional Use Permit to allow for enclosed parking in the TP/Transitional Parking Overlay District.**

Recommended motion: **Approve** the application to allow for enclosed parking in the TP/Transitional Parking Overlay District, subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.
2. The parking serving adjacent commercial uses shall be restricted to the parking of passenger vehicles; and shall be closed with a secured gate or other appropriate mechanism between the hours of 10:00 p.m. and 6:00 a.m.

**D. Variance to increase the maximum allowable floor area ratio**

Recommended motion: **Approve** the application for a variance to increase the maximum allowable floor area ratio from 2.4 to 2.47.

1. The pedestrian promenade shall be installed as shown on the proposed plans. To ensure that the proposal retains this proposed east-west promenade connection shown in the submitted plans, staff recommends a condition of approval that gates shall not be incorporated in the design in accordance with applicable policies of the comprehensive plan and small area plan.

**E. Variance to reduce the northern interior side yard setback.**

Recommended motion: **Return** the application for a variance to reduce the northern interior side yard setback for the building from 13 feet to 12 feet.

**F. Variance to allow a walkway to exceed six feet in width in the required north interior side yard;**

Recommended motion: **Approve** the application for a 13 foot wide walkway in the required north interior side yard, subject to the following conditions:

2. Pedestrian lamp posts along the promenade shall be installed as submitted in the application and gates along Grand Avenue and Pleasant Avenue shall not be incorporated in the design of the promenade.

**G. Variance to reduce the southern interior side yard setbacks.**

Recommended motion: **Approve** the application for a for a variance to reduce the southern interior side yard from 5 feet to 0 feet for a transformer near Pleasant Avenue, 13 feet to 5 feet for the new building near Pleasant Avenue, and 13 feet to 0 feet for the new building near Grand Avenue, subject to the following conditions:

1. An artistic wrap shall be installed over the transformer and generator. The applicant shall submit details of the artistic wrap prior to installation.

**H. Variance to allow a patio to exceed 100 square feet in the front yard along Pleasant Avenue.**

Recommended motion: **Approve** the application for a variance to allow a patio 130 square feet in the front yard along Pleasant Avenue, subject to the following conditions:

1. The landscape plan shall be installed as proposed around the ground level patio.

**I. Variance to allow for a reduction in the drive aisle width and to allow for maneuvering within the public alley.**

Recommended motion: **Approve** the application for a variance to allow for a reduction in the drive aisle width and to allow for maneuvering within the public alley, subject to the following conditions:

1. A series of bollards shall be installed along the eastern side of the building in order to protect it from being damaged by maneuvering vehicles.

**J. Site Plan Review.**

Recommended motion: **Approve** the application for allow for a five-story, apartment building with 120 units., subject to the following conditions:

1. All site improvements shall be completed by November 18, 2016, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
2. CPED staff shall review and approve the final site, elevation, landscaping, and lighting plans before building permits may be issued.
3. The heating, ventilation and air conditioning screens on the outside walls shall be painted to match the surrounding wall finish to help reduce their visibility.
4. A lighting plan shall be submitted prior to building permit issuance.
5. Details of the proposed fence shall be submitted prior to preliminary development review approval.
6. The plant materials, and installation and maintenance of the plant materials, shall comply with sections 530.200 and 530.210 of the zoning code.

**K. Minor Subdivision.**

Recommended motion: **Approve** the application for a minor subdivision to add a portion of the property at 312 West Lake Street to the property at 2900 Pleasant Avenue.

**ATTACHMENTS**

1. Zoning, future land use map, and Midtown Greenway Development Summary Map
2. Aerial
3. Images (staff)
4. Project description and findings
5. Preliminary Development Review (PDR Report)
6. Historic review letter
7. Architectural pan set: title sheet | survey | site plan (entire block) | landscape plan | site plan | floor plans | elevations | section drawings | site images | renderings
8. Civil plan set: site survey | removal plan | site plan | grading plan | utility plan | civil details | landscape plan | stormwater plan