

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit, Variances, Site Plan Review, and Plat
BZZ-5560 & PL-264

Date: June 11, 2012

Applicant: TE Development LLC

Address of Property: 1810 Washington Avenue South

Project Name: 1810 Apartments

Contact Person and Phone: Dan Pellinen, Tushie Montgomery Architects (612) 861-9636

Planning Staff and Phone: Janelle Widmeier, (612) 673-3156

Date Application Deemed Complete: May 18, 2012

End of 60-Day Decision Period: July 17, 2012

Ward: 2 Neighborhood Organization: West Bank Community Coalition

Existing Zoning: C3A Community Activity Center District, PO Pedestrian Oriented Overlay District and UA University Area Overlay District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 21

Legal Description: Not applicable for this application

Proposed Use: Multiple-family dwelling with 214 units and commercial retail

Concurrent Review:

- Conditional use permit to allow a planned unit development with 214 dwelling units.
- Variance to reduce the minimum two-way drive aisle width from 22 to 19.5 feet.
- Variance of the PO Pedestrian Oriented Overlay District standard to allow a parking area to be located between the building and Washington Avenue South.
- Site plan review.
- Plat, preliminary.

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits; Chapter 525, Article IX, Variances, specifically (14) “To reduce the minimum required width of parking aisles or to increase the maximum width of driveways in any zoning district, as regulated in Chapter 541, Off-Street

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Parking and Loading, or to reduce the minimum required width of driveways in the residence and OR1 Districts from ten (10) feet to eight (8) feet, provided there is no alley or alternative public access to the lot” and (20) “To vary the standards of any overlay district, other than the SH Shoreland Overlay District or the FP Floodplain Overlay District;” Chapter 527 Planned Unit Development; Chapter 530 Site Plan Review; and Chapter 598 Land Subdivision Regulations.

Background: The applicant is proposing to construct a new 5-story, mixed use building addition with approximately 3,000 square feet of ground floor retail (likely a coffee shop) and 214 dwelling units for the property located at 1800-1814 Washington Avenue South. A 76 space parking garage will also be included on the ground level. A 762 space parking ramp currently exists on the site. Part of the site is vacant where a building previously stood. The applicant is proposing to demolish the easterly part of the ramp. To accommodate two-way circulation in the remaining ramp structure, the applicant is proposing to reconfigure the parking spaces and drive aisles resulting in 329 parking spaces.

The following land use applications are required:

- In the C3A district, a planned unit development (PUD) with a multiple-family dwelling of 5 or more units is a conditional use. Upon approval of a conditional use permit, the action must be recorded with Hennepin County as required by state law. Through the conditional use permit, the applicant is proposing to provide alternatives to the PO overlay district standard requiring the first floor building walls to be within 8 feet of a street, the maximum allowed building height to increase it from 4 stories, 56 feet to 5 stories, 67 feet, and the minimum residential parking requirement to reduce it from 198 to 76 spaces. (Although the parking ramp will contain 329 parking spaces, none of these will be designated and signed specifically for residential parking. Therefore the applicant is requesting an alternative.)
- For a two-way drive aisle adjacent to 90 degree angled spaces, the minimum width required is 22 feet. With the reconfiguration of the ramp, some spaces will be adjacent to a drive aisle that would be only 19.5 feet in width. The applicant is requesting a variance to reduce the minimum drive aisle requirement.
- In the PO overlay district, amenities are required between the building and lot lines adjacent to a street. Adjacent to Washington Avenue, a short-term parking area would be located between the building and the street. To allow parking between a building and a street, a variance of this standard is required.
- Site plan review is required for any new use with 5 or more dwelling units.
- As part of an application for a PUD, any land proposed for the development is required to be platted into one or more lots suitable for the PUD. The applicant has submitted the preliminary plat as part of this application. Before final City approvals can be obtained, the final plat will need to be approved by the planning commission.

As of the writing of this report, staff has not received any correspondence from the neighborhood group. Staff will forward comments, if any are received, at the City Planning Commission meeting.

CONDITIONAL USE PERMIT: to allow a planned unit development with 214 dwelling units.

Findings as Required by the Minneapolis Zoning Code for Conditional Use Permits:

The Community Planning and Economic Development Planning Division has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The establishment of a planned unit development with retail and 214 dwelling units should not prove detrimental to public health, safety, comfort or general welfare provided the development complies with all applicable building codes and life safety ordinances as well as Public Works Department standards.

2. 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 for uses permitted in the district.

There is a mix of uses in the immediate area. The University of Minnesota is located to the east. High density residential developments are located to the north and south. Commercial uses, including a 12-floor hotel, are located to the southwest. Interstate 35W is located to the west. The residential and retail use should benefit the surrounding area. Because multiple public parking facilities are available nearby, the removal of part of the ramp should not have a significant effect.

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

The site is served by existing infrastructure. The site will have vehicle access to Washington Avenue and 2nd Street. The Public Works Department will review the project for appropriate drainage and stormwater management as well as to ensure the safety of the position and design of improvements in or over the public right of way.

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

With the adoption of the staff recommendation, adequate measures should be provided to minimize traffic congestion in the public streets. Please see Section C, finding (1)(b) below for further analysis.

5. Is consistent with the applicable policies of the comprehensive plan.

In *The Minneapolis Plan for Sustainable Growth*, the future land use designation of this site is mixed use. The site is located in the Cedar Riverside activity center and the West Bank transit station area. The following principles and policies apply to this proposal:

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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.

Land Use Policy 1.3: Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit.

- 1.3.1 Require safe, convenient, and direct pedestrian connections between principal building entrances and the public right-of-way in all new development and, where practical, in conjunction with renovation and expansion of existing buildings.
- 1.3.2 Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.

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.
- 1.4.4 Continue to encourage principles of traditional urban design including site layout that screens off-street parking and loading, buildings that reinforce the street wall, principal entrances that face the public sidewalks, and windows that provide “eyes on the street”.

Land Use Policy 1.12: Support Activity Centers by preserving the mix and intensity of land uses and by enhancing the design features that give each center its unique urban character.

- 1.12.1 Encourage a variety of commercial and residential uses that generate activity all day long and into the evening.
- 1.12.2 Encourage mixed use buildings, with commercial uses located on the ground floor and secure entrances for residential uses.
- 1.12.3 Encourage active uses on the ground floor of buildings in Activity Centers.
- 1.12.5 Encourage a height of at least two stories for new buildings in Activity Centers, in keeping with neighborhood character.
- 1.12.6 Encourage the development of high- to very-high density housing within the boundaries of Activity Centers.
- 1.12.8 Support district parking strategies in Activity Centers, including shared parking facilities with uniform signage, and other strategies.
- 1.12.9 Encourage architectural design, building massing and site plans to create or improve public and semi-public spaces in Activity Centers.

Land Use Policy 1.13: Support high density development near transit stations in ways that encourage transit use and contribute to interesting and vibrant places.

- 1.13.1 Encourage pedestrian-oriented services and retail uses as part of higher density development near transit stations.
- 1.13.4 Encourage architectural design, building massing and site plans to create or improve public and semi-public spaces near the station.

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- 1.13.5 Concentrate highest densities and mixed use development adjacent to the transit station and along connecting corridors served by bus.
- 1.13.6 Encourage investment and place making around transit stations through infrastructure changes and the planning and installation of streetscape, public art, and other public amenities.

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.

Urban Design Policy 10.5: Support the development of multi-family residential dwellings of appropriate form and scale.

- 10.5.2 Medium-scale, multi-family residential development is more appropriate along Commercial Corridors, Activity Centers, Transit Station Areas and Growth Centers outside of Downtown Minneapolis.

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.

- 10.6.1 Design buildings to fulfill light, privacy, and view requirements for the subject building as well as for adjacent properties by building within required setbacks.
- 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 10.9: Support urban design standards that emphasize traditional urban form with pedestrian scale design features at the street level in mixed-use and transit-oriented development.

- 10.9.1 Encourage both mixed-use buildings and a mix of uses in separate buildings where appropriate.
- 10.9.2 Promote building and site design that delineates between public and private spaces.
- 10.9.3 Provide safe, accessible, convenient, and lighted access and way finding to transit stops and transit stations along the Primary Transit Network bus and rail corridors.
- 10.9.4 Coordinate site designs and public right-of-way improvements to provide adequate sidewalk space for pedestrian movement, street trees, landscaping, street furniture, sidewalk cafes and other elements of active pedestrian areas.

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

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- 10.10.1 Enhance the city's commercial districts by encouraging appropriate building forms and designs, historic preservation objectives, site plans that enhance the pedestrian environment, and by maintaining high quality four season public spaces and infrastructure.
- 10.10.6 Require storefront window transparency to assure both natural surveillance and an inviting pedestrian experience.

Urban Design Policy 10.15: Wherever possible, restore and maintain the traditional street and sidewalk grid as part of new developments.

- 10.15.3 Reduce street widths for safe and convenient pedestrian crossing by adding medians, boulevards, or bump-outs.

Urban Design Policy 10.16: Design streets and sidewalks to ensure safety, pedestrian comfort and aesthetic appeal.

- 10.16.2 Provide streetscape amenities, including street furniture, trees, and landscaping, that buffer pedestrians from auto traffic, parking areas, and winter elements.
- 10.16.4 Employ pedestrian-friendly features along streets, including street trees and landscaped boulevards that add interest and beauty while also managing storm water, appropriate lane widths, raised intersections, and high-visibility crosswalks.

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.
- 10.18.3 Locate parking lots to the rear or interior of the site.

The *Cedar Riverside Small Area Plan* was adopted by the City Council in 2008. The recommended land use for the site is mixed use with parking. For this site, the small area plan recommends that publicly-accessible parking should still be made available for patrons of nearby businesses if the site is redeveloped. It also includes the following design guidance:

Successful commercial and mixed use buildings and areas attract pedestrians by bringing their storefronts to the sidewalk's edge, orienting building design to the street and respecting traditional urban form by keeping building heights to a scale compatible with the surrounding neighborhood. Ground-floor windows should be plentiful with no visual barriers and quality building materials should reflect the historic character of traditional commercial corridors.

Commercial and mixed use areas should be designed in order to be accessible from a balanced variety of transportation modes, including pedestrian, automobiles, transit and bicycles. Parking should be located to the rear of the structure whenever possible but effectively identified from the street. Responding to the demands of traditional urban form requires design solutions that prioritize the appeal of the pedestrian environment, emphasize diversity in form and materials, and promote a distinctive identity for an area.

With the adoption of the staff recommendation, the proposed development would be consistent with these policies of the comprehensive plan and the small area plan.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.

The use of the site for a planned unit development with retail and 214 dwelling units will conform to the applicable regulations upon the approval of the conditional use permit, variance, site plan review, and plat applications.

Findings Required for Planned Unit Developments:

- A. The planned unit development conforms to the applicable standards for alternatives and amenities. (See Section A Below for Evaluation)**
- B. Additional uses. (See Section B Below for Evaluation)**
- C. The planned unit development conforms to the required findings for a planned unit development. (See Section C Below for Evaluation)**

Section A: Authorized Alternatives and Amenities Provided

- All planned unit developments shall provide at least one (1) amenity or a combination of amenities that total at least ten (10) points, beyond those required for any alternative(s), and even if no alternative(s) is requested.
- For each alternative requested, an amenity or a combination of amenities totaling at least five (5) points, in addition to the amenity(ies) required in section 527.120(1), shall be provided. For multiple requests of the same alternative only one (1) amenity shall be required for those alternatives.
- Unless otherwise determined by the city planning commission, each phase of the planned unit development shall include the amenities provided for any alternatives in that phase, as a part of the construction of that phase.
- In no case shall any item be counted as an amenity for an alternative if it is utilized to qualify for a density bonus in any zoning district, a floor area ratio premium in the Downtown Districts, or any other amenity in Table 527-1, Amenities.
- Where an amenity is provided that meets the standards required in Table 527-1, Amenities, the full point value assigned to said amenity shall be obtained. Where the amenity does not meet all of the standards required in Table 527-1, Amenities, no points shall be awarded. Partial points for alternatives shall not be awarded, except as otherwise allowed in Table 527-1, Amenities.

Alternatives requested:

- **Placement and number of principal residential structures.**

Number of Principal Residential Structures – No alternative requested.

Building Placement Requirements of the PO Pedestrian Oriented Overlay District: In the PO overlay district, the first floor of a building must be located within eight feet of a lot line adjacent to a street unless a greater yard is required. No front yards are required; therefore, the maximum setback allowed is 8 feet. Parts of the building addition would be set back more than 8 feet from the lot lines adjacent to Washington Avenue, 19th Avenue and 2nd Street.

- **Bulk regulations.**

Maximum Floor Area – No alternative requested.

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Building Height: In the C3A district, the maximum height is limited to 4 stories or 56 feet, whichever is less. The height of the residential building would be 5 stories and 67 feet.

In addition to the conditional use standards and planned unit development standards, the city planning commission shall consider, but not be limited to, the following factors when determining maximum height:

1. Access to light and air of surrounding properties.

The building addition would be separated from surrounding properties by public streets to the north, south and west. To the east, the site is adjacent to a 12-floor hotel. The building would be set back over 60 feet from the hotel. The building should not have any effect on surrounding properties access to light and air.

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

The applicant submitted a shadow study. The building would not be directly adjacent to any significant public spaces or residential properties. The shadowing effects on the residential development north of 2nd Street would not be significant. Staff is not aware of any existing solar systems.

3. The scale and character of surrounding uses.

There is a mix of uses in the immediate area. The size of buildings range in scale as well. The University of Minnesota is located to the east. High density residential developments are located to the north and south. Commercial uses, including a 12-floor hotel, are located to the southwest. Interstate 35W is located to the west. The scale and character of the proposed building is consistent with development in the area.

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

The building would not impede views of landmark buildings or significant open spaces. Some views to the Mississippi River from surrounding properties may be impeded.

- **Lot area requirements.** – No alternative requested.
- **Yards.** – No alternative requested.
- **On-premise signs.** – No alternative requested.
- **Off-street parking and loading.** – The total minimum parking requirement for the residential use and coffee shop is 198 spaces. Although there will be 405 spaces provided on-site, the applicant is requesting that the planning commission authorize alternatives to meeting the minimum parking requirement to reduce the minimum parking requirement to 76 spaces.

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In determining the minimum and maximum number of off-street parking and loading spaces and bicycle parking required, the city planning commission shall consider, but not be limited to, the parking and loading and bicycle parking requirements for the individual uses within the planned unit development as specified in Chapter 541, Off-Street Parking and Loading, the nature of the uses and population served, documentation supplied by the applicant regarding the actual parking and loading demand for the proposed use, the potential for shared parking and loading, and the use of alternative forms of transportation. These considerations are discussed below in Section C, finding (1)(b).

Points required:

- Minimum required amenity(ies) – **10 points.**
- Building placement – **5 points.**
- Bulk regulations, height – **5 points.**
- Off-street parking – **5 points.**
- **Total – 25 points.**

Amenities provided: The applicant has provided a narrative (attached to this report) describing all of the amenities proposed. Staff believes 25 points worth of amenities are proposed as described below.

Table 527-1 Amenities

The applicant proposes the following amenities from Table 527-1: Leadership in Energy and Environmental Design, Art Feature, Decorative Pavers for On-Site Driveways and Walkways, Pedestrian Improvements, and Recycling Storage Areas. The required standards are in bold font.

Leadership in Energy and Environmental Design (LEED) – The required standards for LEED are:

- **The proposed development shall meet the minimum standards for LEED Silver certification.** The applicant has indicated that these standards will be met. Through a prior purchase agreement with the City, they are also required to meet LEED certification standards.
- **The project does not have to achieve actual LEED certification; however, the developer must submit the LEED checklist and documentation to the city, approved by a LEED Accredited Professional (LEED-AP), that shows that the project will comply with LEED Silver requirements.** The LEED checklist and documentation to the city, approved by a LEED-AP, that shows that the project will comply with LEED Silver requirements will be submitted at a later date.

This provision is worth 10 points.

Art feature – The required standards for art feature are:

- **Provision of art that shall strive to promote quality design, enhance a sense of place, contribute to a sense of vitality, show value for artist and artistic processes, and use resources wisely.** Although the art has not yet been chosen, the applicant has indicated that all of these standards will be met. They are intending to seek approval for the final art selection at a future planning commission committee of the whole meeting. Staff is recommending that the planning commission require the applicant to collaborate with the City's Public Arts Coordinator to develop a process for selecting a local artist to create and install a piece that compliments the project.
- **The art shall be maintained in good order for the life of the principal structure. The art shall be located where it is highly visible to the public.** The art would be located at the entrance of the development, either in the driveway island or on the sidewalk or plaza at the apartment building entrance. It would be maintained for the life of the principal structure.

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- **If located indoors, such space shall be clearly visible and easily accessible from adjacent sidewalks or streets.** The art would be located outside.
- **The art shall be valued at not less than one-fourth (.25) of one (1) percent of the capital cost of the principal structure.** The applicant has indicated that the total capital cost of the proposed principal structure is estimated at approximately \$24 million and \$60,000 (0.25 percent) would be budgeted for the art.

This provision is worth 3 points.

Decorative Pavers for On-Site Driveways and Walkways – **Provide decorative pavers, pervious pavers, stamped concrete, colored concrete, pervious concrete, brick or other decorative or durable materials for a minimum of seventy-five (75) percent of surface parking and/or loading areas, drives aisles, driveways and walkways that comply with the Americans with Disabilities Act accessibility requirements.** Decorative pavers are proposed in all of the entry drive area. All surfaces would comply with ADA requirements. The amount of the proposed decorative paving is more than 75 percent of the total on-site paved areas. This provision is worth 3 points.

Pedestrian improvements – The required standards for pedestrian improvements are:

- **A site and building design that allows for exceptional and accessible pedestrian and/or bicycle access through and/or around a site that exceeds the requirements of Chapter 530, Site Plan Review.** Chapter 530 Site Plan Review requires that at least one principal entrance face the front lot line. The site has frontage on three streets. Principal entrances would face each street, including individual entrances for ground floor dwelling units facing 19th Avenue and 2nd Street. Currently, a public sidewalk does not exist on the south side of 2nd Street adjacent to the site. The applicant is proposing to narrow part of the paved street to install a sidewalk and landscaped boulevard. The sidewalk will provide access to individual entrances for ground floor units facing 2nd Street. Secure bicycle storage would be located on the ground level with access to two streets. Staff is also recommending that the planning commission require the applicant to provide at least 24 short-term bicycle parking spaces.
- **The improvements shall use a combination of landscaping, decorative materials, access control and lighting to create a safe, clear and aesthetically pleasing access through and/or around the site that complies with the Americans with Disabilities Act accessibility requirements.** Improvements are proposed in all of the adjacent street right-of-ways. Along 19th Avenue, a landscaped boulevard would be installed to provide a buffer between the sidewalk and vehicles. Boulevard trees will be planted adjacent to Washington Avenue, 19th Avenue and 2nd Street where there currently aren't any. Planters and bench shelters would be installed along Washington Avenue. A semi-public patio with seating would face Washington Avenue. Some decorative paving is also proposed in the Washington Avenue and 19th Avenue right-of-way. These improvements will comply with ADA requirements. Decorative light fixtures will be installed. The applicant is working with MetroTransit to integrate a transit shelter into the building at the southeast corner of the building. At this time, Public Works has not approved all of the proposed improvements in the right-of-way. Some adjustments will be required, such as installing a landscaped boulevard that is a minimum of 5 feet wide to ensure the survival of the plantings along 19th Avenue.

Recycling storage area – **Provide an easily accessible area that serves the entire building and is dedicated to the collection and storage of non-hazardous materials for recycling, including but not limited to paper, corrugated cardboard, glass, plastics and metals. The recycling storage area**

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shall be located entirely below grade or entirely enclosed within the building. Recycling areas would be located in each trash room on each floor with separate bins for trash, recyclables and compost. The chutes for recyclables would handle glass, plastic, metal and paper. A cardboard recycling bin would also be provided on the first floor refuse storage room. This provision is worth 1 point.

Amenities that significantly exceed standards described in Table 527-1

The commission may consider up to an additional five (5) points to the point value listed for any amenity in Table 527-1, Amenities, where the commission finds the proposed amenity substantially exceeds the standards required in Table 527-1, Amenities, for the amenity.

Pedestrian improvements – The applicant is requesting an additional 2 points for the Pedestrian Improvements amenity. As described above, the proposed improvements for the most part would substantially exceed the minimum standards. However, the residential door facing Washington Avenue is not distinguishable from the secondary entrance for the retail use. A residential entrance for residents and guests that faces Washington Avenue and is emphasized by architectural features to distinguish it as a main entrance should be provided to warrant additional points. With additional enhancements to the residential entrance facing Washington Avenue, staff believes an additional 3 points are warranted.

Recycling storage area – The applicant is requesting an additional 2 points for the Recycling Storage Area amenity. In addition to the recycling bins, the project would include separate trash chutes for refuse and compost. The compostables would be collected and recycled at the Hennepin County landfill. For comparison, the applicant has indicated that compostables make up 31 percent of the waste stream while recyclables and other refuse make up 38 percent and 31 percent respectively Solhem development in Uptown. Continual training for the recycling program will be offered to residents in order to keep recycling simple and to encourage higher participation. For the composting program in addition to the recycling storage areas, staff believes an additional 1 point is warranted consistent with what has been authorized before.

Amenities proposed by the applicant

The city planning commission may consider other amenities not listed in Table 527-1, Amenities, that are proportionally related to the alternative requested. The commission may assign points based on the proportionality. The applicant is proposing one other amenities, which is similar to the shared vehicle amenity identified in Table 527-1. Because it is a similar amenity, the required standards have been included for comparison.

Shared vehicle – **Access to a shared passenger automobile available for short-term use. For residential uses, a minimum of one (1) car per one hundred (100) dwelling units is required.** To qualify for this 3 point amenity, the applicant would need to provide at least 3 shared vehicles. One shared car would be provided. The shared vehicle would be located in the parking ramp. Correspondence with HOURCAR indicates that locating a car at this site is acceptable. For providing one shared vehicle, the applicant is requesting 1 point. Staff believes 1 point is warranted.

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Points Summary

<i>Amenity</i>		<i>Points Requested by Applicant</i>	<i>Points Recommended by Staff</i>
Amenities from Table 527-1	LEED	10	10
	Art Feature	3	3
	Decorative Pavers for On-Site Driveways and Walkways	3	3
	Pedestrian Improvements	3	3
	Recycling Storage Areas	1	1
Amenities proposed by the applicant	Shared Vehicle	1	1
Amenities that significantly exceed standards	Pedestrian Improvements	2	3
	Recycling Storage Areas	2	1
Total		25	25

Phasing plan. – The development would not be phased.

Section B: Additional Uses

- In general. The city planning commission may authorize additional uses in the zoning district in which the planned unit development is located as provided below and subject to section 527.210. An amenity is not required in order to allow an additional use.
- Residence and OR1 Districts. The city planning commission may authorize additional residential uses, small neighborhood serving retail sales and services uses as allowed in the OR2 and OR3 Districts, child care centers, offices and clinics within a planned unit development located in the Residence and OR1 Districts. The additional small neighborhood serving retail sales and services uses as allowed in the OR2 and OR3 Districts, child care centers, offices and clinics shall not exceed two thousand (2,000) square feet per use, unless otherwise allowed by the zoning district in which the use is located.
- OR2 and OR3 Districts. The city planning commission may authorize additional residential uses and retail sales and services uses as allowed in the C1 District within planned unit developments located in the OR2 and OR3 Districts. Notwithstanding section 547.30(f)(2) and (3), the city planning commission may authorize retail sales and services uses greater than two thousand (2,000) square feet, but not to exceed four thousand (4,000) square feet per use. The city planning commission may allow more than two (2) such retail sales and services uses per zoning lot.

Additional uses are not proposed.

Section C: Conformance with Required Planned Unit Development Findings

In addition to the conditional use permit standards contained in Chapter 525, Administration and Enforcement, before approval of a planned unit development the city planning commission also shall find:

1. **That the planned unit development complies with all of the requirements and the intent and purpose of this chapter. In making such determination, the following shall be given primary consideration:**

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- a. The character of the uses in the proposed planned unit development, including in the case of residential uses, the variety of housing types and their relationship to other site elements and to surrounding development.**

A mixed use development with approximately 3,000 square feet of retail and 214 dwelling units is proposed. The retail space would likely provide services that would contribute to creating a vibrant, transit oriented community. The mix of units includes studios, one, and two-bedrooms. Spaces around the multiple-family dwelling include amenities for the residents as well as semi-public seating area that should create positive activity for this area.

- b. The traffic generation characteristics of the proposed planned unit development in relation to street capacity, provision of vehicle access, parking and loading areas, pedestrian access, bicycle facilities and availability of transit alternatives.**

The total minimum automobile parking requirement for the development is 198 spaces. For the residences, 193 spaces are required. For a 3,022 square foot coffee shop, 5 spaces are required. A total of 405 parking spaces will be provided on-site; however, not all spaces will be designated for use by the residences and the coffee shop. In the ground floor of the addition, 76 spaces will be provided for the residences. The ramp will contain 329 spaces. Due to previous agreements, the applicant is obligated to provide 250 spaces for the Holiday Inn, located at the property of 1406 Washington Avenue South, and 51 spaces for the Grand Marc development, located at the property of 1849 Washington Avenue South. This leaves up to 28 spaces in the ramp available to be designated. Therefore only 104 spaces can be designated for the proposed on-site uses. The applicant is requesting that the planning commission reduce the minimum parking requirement to 76 spaces to allow flexibility for users of the parking ramp. One of the amenities proposed as an alternative is an HourCar for use by residents.

Vehicle access will remain at Washington Avenue. It provides access to the parking ramp and Holiday Inn and will provide access to the new parking garage. This driveway is signalized.

The minimum bicycle parking requirement for the residences is 272 spaces, of which at least 245 must meet the long-term parking requirements. In total, the applicant would provide at least 289 long-term spaces on the ground level of the building. The minimum bicycle parking requirement for the coffee shop is 3 spaces. Not less than 50 percent of the required bicycle parking must meet the standards for short-term parking. Eleven short-term bicycle parking spaces are proposed.

One small loading space is required for a multiple-family dwelling with 100 to 250 dwelling units. One small space would be provided. For a coffee shop with less than 20,000 square feet of gross floor area, adequate shipping and receiving facilities, accessible by motor vehicle off any adjacent alley, service drive or open space on the same zoning lot is required. The driveway areas would provide adequate shipping and receiving facilities for the coffee shop. All maneuvering would occur on-site.

The surrounding area is well served by public transportation. Alternative transportation options include multiple bus transit routes, Nice Ride bicycle stations, bikeways, and a future light rail

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transit station on the Central Corridor line. The site is also within walking distance of many nonresidential establishments and services, including the University of Minnesota.

The applicant had a draft travel demand management plan (TDMP) prepared for the project, which is attached to this report. The TDMP analyzes the effect of the proposed development on surrounding streets as well as the existing and proposed off-street supply and demand at this site and for the surrounding area. The following items are of note:

- The current users of the parking ramp include Holiday Inn employees and guests, Grand Marc residents, and the general public.
- There are agreements in effect to provide 301 spaces for use by the Holiday Inn and Grand Marc. Of these spaces, only 36 are under monthly contract. The rest are available for use as needed, but are not dedicated or reserved. When not in use, these spaces are available for use by the general public on a daily basis.
- Information provided by the Holiday Inn indicates that average daily parking demand for the hotel is 95 spaces. During peak demand periods, approximately 180 to 200 spaces are used by the hotel.
- Currently, there are also 206 monthly contracts with individuals of the general public. Those users could be displaced depending on existing obligations and ramp usage trends.
- During the week and weekends, average occupancy in the existing 762 space ramp is less than half full.
- More than 65 percent of the on-street parking in the study area is in a Critical Parking Area (CPA). Most users of the ramp would not qualify for a CPA permit to park on these designated streets.
- The parking supply for 5 off-street parking lots in the immediate area was surveyed. During the peak parking demand period, 80 percent of the off-street spaces were occupied leaving approximately 50 spaces available.
- Based on the data for the comparison of student housing developments, the average demand is 0.26 parking spaces per bedroom.
- The applicant could provide 0.38 spaces per bedroom if the 28 available spaces in the ramp are included. If they are not included, 0.28 spaces per bedroom would be provided.
- With the proposed development, the surrounding intersections would continue to operate at acceptable levels of service.
- The applicant has indicated that they will purchase an additional HourCar(s) if warranted by demand.

As illustrated by the information provided in the draft TDMP, the parking demand in the ramp fluctuates but is underutilized. On average, 220 to 330 spaces of the 762 space ramp are currently occupied on the weekdays and weekends. A net loss of 357 spaces should not have a significant impact on surrounding properties because some on-site spaces should still be available to the general public on a daily basis and there is excess capacity in parking lots in the immediate area.

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The proposed amount of parking is less than what is provided for other student housing developments. However, the actual average demand per bedroom is only 0.26 spaces. To help mitigate potential effects of having less available parking, the applicant is proposing to provide 289 long-term bicycle parking spaces and an HourCar for the residents. Eleven short-term bicycle parking spaces are proposed for the coffee shop or guests of the residents adjacent to the Washington Avenue sidewalk. Eleven spaces may not be sufficient to meet the demand for short-term parking. Staff is recommending that the planning commission require the applicant to provide at least 24 short-term spaces.

Many pedestrian improvements are proposed as well. Along Washington Avenue and 19th Avenue, landscaping will be installed to buffer pedestrians from vehicles. There is currently no sidewalk on the south side of 2nd Street. The applicant is proposing to install a sidewalk and a landscaped boulevard to provide access to ground floor units.

c. The site amenities of the proposed planned unit development, including the location and functions of open space, the preservation or restoration of the natural environment or historic features, sustainability and urban design.

From Table 527-1 of the zoning code, the Leadership in Energy and Environmental Design, Art Feature, Decorative Pavers for On-Site Driveways and Walkways, Pedestrian Improvements, and Recycling Storage Areas amenities are proposed in this development. Other proposed amenities include providing a shared vehicle, variety of plants with seasonal interest, and windows that exceed the minimum amounts required.

d. The appearance and compatibility of individual buildings and parking areas in the proposed planned unit development to other site elements and to surrounding development, including but not limited to building scale and massing, microclimate effects of the development, and protection of views and corridors.

The proposed development would remove part of a parking ramp with no ground floor active uses on part of the site and construct a 5-story mixed use addition in its place. The remaining parking structure would be located towards the rear of the site. The primary exterior materials of the addition would be durable and include brick, metal, fiber cement siding, and glass. All sides of the building would be compatible to each other and similar in appearance.

In the immediate area, the size of buildings range in scale. The University of Minnesota is located to the east with larger institutional buildings. High density residential developments are located to the north and south. Commercial uses, including a 12-floor hotel, are located to the southwest. The upper levels of the building are C-shaped to reduce the effects of the massing of the building. Other recesses and projections are also incorporated into the building design. The scale and massing of the proposed building is consistent with development in the area.

The building would not impede views of landmark buildings or significant open spaces. Some views to the Mississippi River from surrounding properties may be impeded.

e. An appropriate transition area shall be provided between the planned unit development and adjacent residential uses or residential zoning that considers landscaping, screening,

access to light and air, building massing, and applicable policies of the comprehensive plan and adopted small area plans.

The site is separated from residential uses and residential zoning by streets. Additional landscaping will be provided in the Washington Avenue and 2nd Street right-of-ways that should mitigate any effects of the massing of the proposed building on adjacent residential properties.

- f. The relation of the proposed planned unit development to existing and proposed public facilities, including but not limited to provision for stormwater runoff and storage, and temporary and permanent erosion control.**

The Public Works Department will review the project for appropriate drainage and stormwater management as well as to ensure the safety of the position and design of improvements in or over the public right of way. Provisions for stormwater runoff and storage include a filter chamber, drains that control the rate of runoff, and a rainwater harvesting system.

- g. The consideration, where possible, of sustainable building practices during the construction phases and the use of deconstruction services and recycling of materials for the demolition phase.**

The applicant will use material recycling during the demolition and construction process with a target of 75 percent recycled. As practical, durable, sustainable, and local materials including brick, cement board, concrete, framing lumber, cabinetry and window materials will be used.

- 2. That the planned unit development complies with all of the applicable requirements contained in Chapter 598, Land Subdivision Regulations.**

Please refer to the preliminary plat section of this report.

VARIANCE: to reduce the minimum two-way drive aisle width from 22 to 19.5 feet.

Findings as Required by the Minneapolis Zoning Code for Variances:

- 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 parking ramp currently has one-way circulation with 60 degree angled spaces. With the removal of part of the ramp, the spaces will need to be reconfigured to allow two-way circulation. Most of the reconfigured drive aisles would comply with the minimum 22-foot width requirement. The variance request applies to several spaces at the ends of the ramp on each floor where columns are spaced only 19.5 feet apart. For one-way circulation with 90 degree angled spaces, a 20-foot wide drive aisle is required.

- 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.**

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The minimum drive aisle width is established to ensure adequate room to maneuver without affecting adjacent land uses. All maneuvering would be contained within the ramp. The narrower drive aisle may require additional maneuvers to enter or exit a space, but should not have a significant effect on circulation within the ramp. The request is reasonable and consistent with the intent of the ordinance and comprehensive plan.

- 3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

All maneuvering would be contained within the ramp. The narrower drive aisle may require additional maneuvers to enter or exit a space, but should not have a significant effect on circulation within the ramp. Granting of the variance should not have any effect on the surrounding area and would not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

VARIANCE: of the PO Pedestrian Oriented Overlay District standard to allow a parking area to be located between the building and Washington Avenue South.

Findings as Required by the Minneapolis Zoning Code for Variances:

- 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.**

A short-term parking area is proposed between the southwest corner of the building, adjacent to the main residential entrance, and Washington Avenue. The site has frontage on three streets. A parking ramp occupies part of the site. The parking lot is accessed from the driveways providing access to and from the ramp. Although surface parking lots are discouraged in activity centers, the surface parking area provides a place for short-term parking in an area with limited on-street parking.

- 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 PO Pedestrian Oriented Overlay District is established to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation and design and accessory parking facilities, and by prohibiting certain high impact and automobile-oriented uses. The purpose of requiring the building to be located within 8 feet of the street and not allow parking between the building and the street is to reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.

The site has over 260 feet of frontage on Washington Avenue. The short-term parking area would have 34 feet of frontage. It would be accessed from the entrance and exit driveways for the ramp and would be tucked under the upper floors of the southwest corner of the building. Active uses on the first floor of the building would be oriented towards the street. The main residential entrance is

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proposed to face the short-term parking area. The applicant is also proposing an entrance facing Washington Avenue, but it is not distinguishable from the secondary entrance for the retail use. This would not be consistent with the intent of the PO overlay district. Therefore staff is recommending that the planning commission require the applicant to use additional architectural elements to distinguish the entrance and emphasize its importance as a condition of approval for the planned unit development. With the adoption of the staff recommendation, the request is reasonable and consistent with the 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 short-term parking area would have only 34 feet of frontage on Washington Avenue. It would be accessed from the entrance and exit driveways for the ramp and would be tucked under the upper floors of the southwest corner of the building. 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. With the adoption of the staff recommendation, granting of the variance should have little effect on the surrounding area.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code for the Site Plan Review:

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**
- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)**

Section A: Conformance with Chapter 530 of the Zoning Code

BUILDING PLACEMENT AND DESIGN:

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.

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- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances, windows, and active functions:
 - Residential uses:

Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) 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 as follows:

 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - Nonresidential uses:

Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) 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 as follows:

 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
 - d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
 - e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.
 - f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.
 - g. In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.

Minimum window area shall be measured as indicated in section 530.120 of the zoning code.
- Ground floor active functions:

Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.
- The form and pitch of roof lines shall be similar to surrounding buildings.
- Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. In addition to compliance with minimum window requirements, principal and accessory parking garages shall comply with provisions requiring active functions on the ground floor. In the downtown districts, the more restrictive parking garage provisions of Chapter 549, Downtown Districts, shall apply.

Conformance with above requirements:

- Walls of the building addition would not be within 8 feet of the lot lines adjacent to Washington Avenue, 19th Avenue and 2nd Street. In a PO district, all building walls are required to be located not more than 8 feet from a lot line adjacent to a street as well. Through the PUD, the applicant is

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requesting an alternative of this ordinance by providing additional amenities on-site. (For a detailed description of the amenities proposed, please see the conditional use permit section of this report.) Alternative compliance of the site plan review standard is also requested.

- Amenities located between the building and the adjacent streets include landscaping, a semi-public patio, decks, and a bus shelter.
- Principal entrances would face each street.
- Most of the parking would be enclosed in the building. The short-term surface parking lot would be located between the building and Washington Avenue. Alternative compliance is requested to allow the parking lot location.
- The building addition would include recesses and projections, change of materials, varying parapet heights, and windows on all sides to divide the building into smaller identifiable sections.
- There would not be any blank, uninterrupted walls that do not include windows, entries, recesses or projections or other architectural elements that exceed 25 feet in length, except for two walls located on the west elevation. Alternative compliance is requested.
- The primary exterior materials would include brick, metal panels, fiber cement siding, and glass. Please note, exterior material changes at a later date would require review by the Planning Commission and an amendment to the site plan review.
- All sides of the building would be compatible to each other and similar in appearance.
- Plain face concrete block would not be used as a primary exterior building material fronting a public street, sidewalk, pathway, or residence or office residence district.
- To emphasize its importance, the principal residential entrances would be sheltered and surrounded by windows. However, the residential door facing Washington Avenue as proposed is not distinguishable from the secondary entrance for the retail use. Through the PUD, staff is recommending that the planning commission require the applicant to provide a main residential entrance for residents and guests facing Washington Avenue with enhanced architectural elements to emphasize its importance to pedestrians. The main retail entrance would be sheltered and recessed. The individual ground floor unit entrances would be recessed and sheltered with elevated decks to indicate they are private and not a main building entrance.
- For the retail use, the south and east elevations are subject to the 30 percent minimum window requirement. Each wall would have more than 60 percent windows as measured between 2 and 10 feet. The proposed windows would be vertical in proportion, distributed in a more or less even manner, and would have clear or lightly tinted glass. However, the bottom of the windows would be located more than 4 feet above the adjacent grade. In the PO overlay district, at least 40 percent of the first floor façade of any nonresidential use that faces a public street or sidewalk must be windows or doors as well, but the window area is measured from the first floor level rather than adjacent grade. A floor plan for the retail space is not yet available, but required windows will need to allow views into and out of the building at eye level. Alternative compliance is requested to allow the bottom of the windows to be located more than 4 feet above the adjacent grade.
- For the residential use, at least 20 percent of the first floor walls facing Washington Avenue, 19th Avenue, 2nd Street, and the short-term parking area are required to be windows. The amount of windows on each of these walls would exceed this requirement. All windows would be vertical in proportion and distributed in a more or less even manner.
- On the upper levels of the building, at least 10 percent of the walls facing Washington Avenue, 19th Avenue, and 2nd Street are required to be windows. The amount of windows on each of these walls would greatly exceed this requirement. All windows would be vertical in proportion and distributed in a more or less even manner.

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- More than 70 percent of the linear frontage of each ground floor wall facing a public street would accommodate spaces with active functions. The individual tenant space layout is not yet proposed, but will need to comply with this requirement.
- A flat roof is proposed. Flat roofs are typical in the immediate area.
- The new parking garage would be enclosed and would not be visible. Vehicles in the parking ramp are screened from view.

ACCESS AND CIRCULATION:

- Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.
- Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.
- Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.
- Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.150 (b) related to alley access.
- Site plans shall minimize the use of impervious surfaces.

Conformance with above requirements:

- Walkways 4 feet in width or greater would connect the public sidewalk and surface parking lot to the main entrances.
- A transit shelter is proposed at the corner of 19th Avenue and Washington Avenue. It would be integrated into the building, provide protection from the weather and would be highly visible to promote security.
- The primary vehicle access to the site would be from the existing signalized driveway on Washington Avenue. The driveway is shared with the Holiday Inn on the adjacent property. All maneuvering for the parking would occur on-site. With the signal, conflicts with pedestrians should be minimal. Also, a curb cut on 2nd Avenue is proposed for refuse pick-up. There are no other uses on this side of 2nd Street and the sidewalk will end at this driveway. There should not be any conflicts with pedestrians. The nearest residential uses are separated from the subject site by streets. The proposed access and circulation should not negatively affect surrounding residential uses.
- The site is not adjacent to an alley.
- Most of the parking would be located in the building. The upper levels of the building would extend over the surface parking lot. Vehicle circulation is limited to the southwest corner of the site. The amount of impervious surface proposed is not excessive.

LANDSCAPING AND SCREENING:

- The composition and location of landscaped areas shall complement the scale of the development and its surroundings.
 - Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).
- Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.
- Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year.
- Screening shall be satisfied by one or a combination of the following:
 - A decorative fence.
 - A masonry wall.
 - A hedge.

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- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.**
- **The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.**
- **In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.**
- **All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.**

Conformance with above requirements:

- The zoning code requires that a least 20 percent of the site not occupied by building be landscaped. The lot area of the site is approximately 91,768 square feet. The building footprint would be approximately 76,598 square feet. The lot area minus the building footprint therefore consists of approximately 15,170 square feet. At least 20 percent of the net site area (3,034 square feet) must be landscaped. Approximately 3,419 square feet of the site would be landscaped. That is equal to 22.5 percent of the net lot area.
- The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 6 and 31 respectively. The applicant would provide 0 deciduous canopy trees and 111 shrubs on-site. The remainder of the site not covered by the buildings, parking area, driveways, decks and walkways would be covered with perennials. Alternative compliance is requested for the minimum on-site tree requirement.
- The short-term surface parking area would have frontage on Washington Avenue. The parking area would be set back approximately 12 feet to 25 feet from the public sidewalk. However, a landscaped yard would not be provided. Planters with shrubs would be located between the parking area and the street. The planted height of the proposed shrubs would be 6 feet. Alternative compliance is requested for the landscaped yard and screening.
- At least two on-site canopy trees are required between the parking area and Washington Avenue. No on-site trees are proposed. Alternative compliance is requested.
- There would not be any corners of the parking area unavailable for parking.
- The short-term surface parking area would not be within 50 feet of an on-site deciduous tree. Alternative compliance is requested.

ADDITIONAL STANDARDS:

- **All parking lots and driveways shall be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch by six (6) inch continuous concrete curb.**
- **To the extent practical, site plans shall minimize the blocking of views of important elements of the city.**
- **To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**

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- To the extent practical, buildings shall be located and arranged to minimize the generation of wind currents at ground level.
- Site plans shall include crime prevention design elements as specified in section 530.260 related to:
 - Natural surveillance and visibility
 - Lighting levels
 - Territorial reinforcement and space delineation
 - Natural access control
- To the extent practical, site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.

Conformance with above requirements:

- Six inch by six inch continuous concrete curbing will be provided in the surface parking area and driveways. Stormwater would be collected and routed to the underground filtration system.
- The building should not impede any views of important elements of the city.
- The effects of shadowing on surrounding properties and adjacent streets should not be significant.
- Wind currents should not be a major concern.
- The development would include crime prevention through environmental design. To promote natural surveillance and visibility, an abundant amount of windows would be provided on each side of the building. Street level lighting would be provided on all sides of the building. Architectural elements are used to differentiate main entrances from the individual ground floor unit entrances. To ensure visibility of the west facing residential entrance from the street, staff is recommending that the planning commission require the applicant to install lower growing shrubs or perennials between the short-term parking area and the public sidewalk.
- Part of the parking ramp will be demolished as a part of this project. It is not locally designated or eligible for designation.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan and Applicable Small Area Plans Adopted by the City Council

ZONING CODE: The site is zoned C3A with the PO and UA overlay districts. In these districts, a multiple-family dwelling with 5 or more units is a permitted use. A coffee shop is permitted as well. A planned unit development is a conditional use.

Parking and Loading:

Minimum automobile parking requirement: The minimum parking requirement for a multiple-family dwelling in the C3A district is one space per dwelling unit. In the UA overlay district, 0.5 spaces per bedroom, but not less than one space per dwelling unit, is required. A total of 214 dwelling units and 272 bedrooms are proposed. Therefore 214 parking spaces are required. In the West Bank LRT Station PO overlay district, the minimum parking requirement is 90 percent of the spaces required by Chapter 541 of the zoning code. Therefore the parking requirement is reduced to 193 spaces.

In Chapter 541 of the zoning code, the minimum parking requirement for a coffee shop is one space per 500 square feet of gross floor area up to 2,000 square feet plus one space per 300 square feet of gross floor area in excess of 2,000 square feet. The coffee shop would have 3,026 square feet of floor area. The minimum parking requirement is 7 spaces. In the PO overlay district, the minimum parking requirement is 75 percent of the requirement specified in Chapter 541 of the zoning code. This reduces the minimum parking requirement to 5 spaces.

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The combined minimum parking requirement equals 198 spaces. A total of 405 parking spaces will be provided on-site; however, not all spaces will be designated for use by the residences and the coffee shop. In the ground floor of the addition, 76 spaces will be provided for the residences. The ramp will contain 329 spaces. Due to previous agreements, the applicant is obligated to provide 250 spaces for the Holiday Inn, located at the property of 1406 Washington Avenue South, and 51 spaces for the Grand Marc development, located at the property of 1849 Washington Avenue South. This leaves up to 28 spaces in the ramp available to be designated for the proposed residences. Therefore only 104 spaces can be designated for the proposed on-site uses. Through the PUD, the applicant is requesting an alternative of this ordinance by providing additional amenities on-site. For a detailed description of the amenities proposed, please see the conditional use permit section of this report.

Not more than 25 percent (49) of the required spaces can be compact. In the new parking garage, 40 of the 76 spaces would be compact. In the parking ramp, 56 of the 329 spaces would be compact. Overall, approximately 24 percent of the total number of spaces would be compact.

Accessible parking spaces are required to be provided. In the new parking garage, at least 2 accessible spaces must be provided. Two are proposed. In the parking ramp, at least 8 accessible spaces must be provided. Eight are proposed.

Maximum automobile parking requirement: There is not a maximum parking requirement for dwellings except for parking that is not enclosed. All long-term parking spaces would be enclosed.

In Chapter 541 of the zoning code, the maximum parking requirement for a coffee shop is one space per 75 square feet of gross floor area. With 3,026 square feet of gross floor area, the maximum requirement is 40 spaces. In the PO overlay district, the maximum parking requirement is 75 percent of the requirement specified in Chapter 541 of the zoning code. This reduces the maximum parking requirement for the retail building to 30 spaces. Parking for the coffee shop would be available in the existing public parking ramp that will be attached to the building.

Bicycle parking requirement: In general, the minimum bicycle parking requirement for a multiple-family dwelling is equal to one space per two dwelling units. In the UA overlay district, one bicycle or one scooter parking space is required per bedroom. Not less than 90 percent of the required bicycle parking must meet the standards for long term parking. All required bicycle parking spaces must be accessible without moving another bicycle and its placement shall not result in a bicycle obstructing a required walkway. Bicycle racks shall be installed to the manufacturer's specifications, including the minimum recommended distance from other structures. In addition, required long-term bicycle parking spaces must be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and shall be accessible to intended users. Required long-term bicycle parking for residential uses shall not be located within dwelling units or within deck or patio areas accessory to dwelling units. In the UA overlay district, the required spaces cannot be located between the building and a street. The total minimum requirement is 272 spaces, of which at least 245 must meet the long-term parking requirements. In total, the applicant would provide at least 289 long-term spaces on the ground level.

The minimum bicycle parking requirement for the coffee shop is 3 spaces. Not less than 50 percent of the required bicycle parking must meet the standards for short-term parking. All required bicycle parking spaces must be accessible without moving another bicycle and its placement shall not result in a

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bicycle obstructing a required walkway. Bicycle racks shall be installed to the manufacturer's specifications, including the minimum recommended distance from other structures. In addition, short term spaces must be located in a convenient and visible area within 50 feet of a principal entrance and must permit the locking of the bicycle frame and one wheel to the rack and must support a bicycle in a stable position without damage to the wheels, frames or components. Eleven short-term bicycle parking spaces are proposed.

Loading: One small loading space is required for a multiple-family dwelling with 100 to 250 dwelling units. One small space would be provided. All maneuvering must occur on-site to the extent practical. The maneuvering would occur in the parking garage.

For a coffee shop with less than 20,000 square feet of gross floor area, adequate shipping and receiving facilities, accessible by motor vehicle off any adjacent alley, service drive or open space on the same zoning lot is required. The driveway areas would provide adequate shipping and receiving facilities.

Minimum drive aisle width: For a two-way drive aisle adjacent to 90 degree angled spaces, the minimum width required is 22 feet. With the reconfiguration of the ramp, some spaces will be adjacent to a drive aisle that would be only 19.5 feet in width. The applicant is requesting a variance to reduce the minimum drive aisle requirement.

Proposed Lot Area: The proposed lot area is 91,768 square feet.

Maximum Floor Area: The maximum FAR allowed in the C3A District with the PO overlay district is 3.51 when all of the required residential parking is provided within the building. The building, including the public parking ramp, but not the apartment building parking, would have a total of 313,780 square feet, which is an FAR of approximately 3.42.

Minimum Lot Area: The minimum lot area requirement in the C3A district is 400 square feet per dwelling unit. The development qualifies for a bonus to increase the number of dwelling units by enclosing all required residential parking. This reduces the required lot area per dwelling unit to 309 square feet. For 214 dwelling units, the minimum lot area requirement is 66,126 square feet.

Dwelling Units per Acre: The proposed density would be approximately 101.6 dwelling units per acre.

Building Height: In the C3A district, the maximum height is limited to 4 stories or 56 feet, whichever is less. The building would be 5 stories and 67 feet. Through the PUD, the applicant is requesting an alternative of this ordinance by providing additional amenities on-site. For a detailed description of the amenities proposed, please see the conditional use permit section of this report.

Yard Requirements: A yard is required where windows for the residences face the interior lot line. The minimum interior side yard requirement is equal to $5+2x$, where x is equal to the number of stories above the first floor, but not to exceed 15 feet. All floors of the west elevation would have windows; therefore the minimum yard requirement is 13 feet. The building would be set back more than 13 feet.

Building Lot Coverage: Not applicable.

Impervious Surface: Not applicable.

Specific Development Standards: Not applicable.

PO Pedestrian Oriented Overlay District Standards: The site is located in the West Bank Transit Station Area PO overlay district. The following standards apply to this development:

- Drive-through facilities, automobile convenience facilities, transportation uses, self-service storage, commercial parking lots (including the expansion of any existing commercial parking lot), and the conversion of any accessory parking lot to a commercial parking lot are prohibited. These uses are not proposed.
- The first floor of the building must be located within eight feet of a lot line adjacent to a street unless a greater yard is required. No front yards are required. Parts of the first floor would be set back more than 8 feet from lot lines adjacent to 2nd Street, 19th Avenue and Washington Avenue. Through the PUD, the applicant is requesting an alternative of this ordinance by providing additional amenities on-site. For a detailed description of the amenities proposed, please see the conditional use permit section of this report.
- Amenities are required between the building and lot lines adjacent to a street. Landscaping, outdoor seating and decks for walk-up dwelling units would be located between the building and the streets. Adjacent to Washington Avenue, a short-term parking area would be located between the building and the street. To allow parking between a building and a street, a variance of this standard is required.
- At least one principal entrance must face the street. Principle entrances would face each street.
- At least 40 percent of the first floor façade of any nonresidential use that faces a public street or sidewalk must be windows or doors of clear or lightly tinted glass that allows views into and out of the building at eye level. Windows must be distributed in a more or less even manner. Required windows are measured between two and 10 feet above the finished level of the floor. The Washington Avenue building elevation would contain over 75 percent windows that meet these standards. The 19th Avenue building elevation would contain 65 percent windows.
- Awnings and canopies are encouraged, but backlit awnings and canopies are prohibited. Awnings are proposed on multiple sides of the building.
- Pole signs, backlit awning and canopy signs, and backlit insertable panel projecting signs are prohibited. These types of signs are not proposed.
- Accessory parking is required to be located at the rear or interior of the site, within the building, or entirely below grade. All parking would be located in the building, except for the short-term parking area proposed between the building and Washington Avenue. To allow the proposed parking location, a variance of this overlay district standard is required.

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- Parking lots are limited to 60 feet of street frontage. The parking lot frontage would be less than 60 feet.
- The driveway width for all parking facilities cannot exceed 20 feet of street frontage. Driveway access would be from Washington Avenue and 2nd Street. The existing driveway access on Washington Avenue is 40 feet wide. No changes are proposed to the width. The 2nd Street driveway would be 19 feet wide.
- A minimum floor area ratio of 1.0 is required for new development. Although the proposed development includes an existing structure, it would have a total FAR of 3.42.

Refuse Screening: Refuse storage containers would be stored in the buildings.

Screening of Mechanical Equipment: All mechanical equipment is required to be arranged so as to minimize visual impact by using screening and must comply with Chapter 535 and district requirements including:

535.70. Screening of mechanical equipment. (a) *In general.* All mechanical equipment installed on or adjacent to structures shall be arranged so as to minimize visual impact using one (1) of the following methods. All screening shall be kept in good repair and in a proper state of maintenance.

- (1) *Screened by another structure.* Mechanical equipment installed on or adjacent to a structure may be screened by a fence, wall or similar structure. Such screening structure shall comply with the following standards:
 - a. The required screening shall be permanently attached to the structure or the ground and shall conform to all applicable building code requirements.
 - b. The required screening shall be constructed with materials that are architecturally compatible with the structure.
 - c. Off-premise advertising signs and billboards shall not be considered required screening.
- (2) *Screened by vegetation.* Mechanical equipment installed adjacent to the structure served may be screened by hedges, bushes or similar vegetation.
- (3) *Screened by the structure it serves.* Mechanical equipment on or adjacent to a structure may be screened by a parapet or wall of sufficient height, built as an integral part of the structure.
- (4) *Designed as an integral part of the structure.* If screening is impractical, mechanical equipment may be designed so that it is balanced and integrated with respect to the design of the building.

Mechanical equipment would be located north of the building adjacent to 2nd Street. Screening is not proposed. Screening that meets the above requirements will need to be provided.

Lighting: Lighting must comply with Chapter 535 of the zoning code including:

535.590. Lighting. (a) *In general.* No use or structure shall be operated or occupied as to create light or glare in such an amount or to such a degree or intensity as to constitute a hazardous

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condition, or as to unreasonably interfere with the use and enjoyment of property by any person of normal sensitivities, or otherwise as to create a public nuisance.

(b) *Specific standards.* All uses shall comply with the following standards except as otherwise provided in this section:

- (1) Lighting fixtures shall be effectively arranged so as not to directly or indirectly cause illumination or glare in excess of one-half (1/2) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light source.
- (2) Lighting fixtures shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb) unless of a cutoff type that shields the light source from an observer at the closest property line of any permitted or conditional residential use.
- (3) Lighting shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual performance or visibility to a person of normal sensitivities when viewed from any permitted or conditional residential use.
- (4) Lighting shall not create a hazard for vehicular or pedestrian traffic.
- (5) Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.

Signs: A total of seven signs are proposed. An 80 square foot, 7.5 foot tall monument sign is proposed at the parking ramp entrance on Washington Avenue. On the west building elevation, a 64 square foot wall sign is proposed. On the Washington Avenue building elevation, four wall signs totaling 108 square feet are proposed. On the 19th Avenue building elevation, two wall signs totaling 33 square feet are proposed. No signs are proposed on the 2nd Street building elevation. All proposed signs would be internally illuminated.

The total allowed size allocation of signage in the C3A district is one square foot of signage per one foot of primary building wall when a freestanding sign is on the same zoning lot. Each of the walls facing a street is a primary building wall as well as the west wall facing the short-term parking/drop-off area next to the residential entrance. Sign area allowed on one primary building wall is not allowed to be transferred to another primary building wall. The west elevation is 130 feet wide, the Washington Avenue elevation is 217 feet wide, and the 19th Avenue elevation is 234 feet wide. In the C3A district, a wall sign is allowed to be up to 180 square feet in area. There is no height limit and all signs are allowed to be illuminated, but not backlit. The maximum allowed size of a freestanding sign is 80 square feet and the maximum allowed height is 8 feet. They are also allowed to be illuminated, but not backlit. Any proposed signage must comply with the requirements of Chapter 543 of the zoning code and will require Zoning Office review, approval, and permits.

MINNEAPOLIS PLAN: Please refer to the conditional use permit section of this report.

ALTERNATIVE COMPLIANCE:

The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding any of the following:

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- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**
- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

Alternative compliance is requested by the applicant to meet the following standards:

Placement of a building not more than 8 feet from a lot line adjacent to a street and accessory parking lot location

Walls of the building addition would not be within 8 feet of the lots lines adjacent to Washington Avenue, 19th Avenue and 2nd Street. In a PO district, all building walls are required to be located not more than 8 feet from a lot line adjacent to a street as well. Through the PUD, the applicant is requesting an alternative of this ordinance by providing additional amenities on-site. (For a detailed description of the amenities proposed, please see the conditional use permit section of this report.) Where the building is setback more than 8 feet adjacent to Washington Avenue, the applicant is proposing to provide a patio area, a landing and stairs leading to the retail entrance, and a short-term parking area. Respectively, the first floor building wall is setback 13.5 feet, 15.5 feet and 82 feet. Allowing the short-term parking area also requires a variance of the PO overlay district standards. Staff is recommending approval of the variance with the conditions that the applicant install landscaping and screening between the parking area and the street and provide an enhanced main residential entrance facing Washington Avenue. Where the first floor building wall is set back more than 8 feet from 19th Avenue and 2nd Street, the applicant is proposing decks for individual ground floor unit entrances, a landing and stairs for the retail entrance, and landscaping. Adjacent to these streets, the first floor walls are set back 0 feet to 16.5 feet. For these reasons, staff is recommending that the planning commission grant alternative compliance.

Blank, uninterrupted walls that do not include windows, entries, recesses or projections or other architectural elements that exceed 25 feet in length

On the first floor of the west elevation, two walls, one 36 feet wide and the other 49 feet wide, would contain insufficient architectural elements. The shorter wall is angled, faces the short-term surface parking area and is adjacent to the enclosed parking. In front of the wall, the applicant is proposing to install 8 planters with arborvitae shrubs. The other wall faces the entrance and exit driveways for the ramp and is adjacent to the enclosed parking area. Green wall panels are proposed to add interest. Staff believes that these are acceptable alternatives and recommends that the planning commission grant alternative compliance.

Nonresidential window requirement

For the retail use, the south and east elevations are subject to the 30 percent minimum window requirement. Each wall would have more than 60 percent windows as measured between 2 and 10 feet. The proposed windows would be vertical in proportion, distributed in a more or less even manner, and would have clear or lightly tinted glass. However, the bottom of the windows would be located more than 4 feet above the adjacent grade. In the PO overlay district, at least 40 percent of the first floor

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façade of any nonresidential use that faces a public street or sidewalk must be windows or doors as well, but the window area is measured from the first floor level rather than adjacent grade. Where the addition is proposed, the grade drops approximately 5 feet from the northwest to the southeast corner of the site. The retail space is proposed in the southeast corner. To accommodate the grade changes, the floor elevation of the first floor is 3 feet higher than the sidewalk level at the intersection of Washington Avenue and 19th Avenue. The bottom of the proposed windows would be within 2 to 4 feet of the first floor elevation. For these reasons, staff is recommending that the planning commission grant alternative compliance.

Minimum number of on-site canopy trees

The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 6 and 31 respectively. The applicant would provide 0 deciduous canopy trees and 111 shrubs on-site. Twelve ornamental trees are proposed and the rest of the on-site landscaped area would be covered by perennials. There are currently no trees or boulevards adjacent to Washington Avenue, 19th Avenue or 2nd Street. The applicant is proposing to establish landscaped boulevards with canopy trees adjacent to each street. The total number of boulevard trees proposed is 23. For these reasons, staff is recommending that the planning commission grant alternative compliance.

Screening and landscaping requirements for a parking area adjacent to a street

The short-term surface parking area would have frontage on Washington Avenue. A 7-foot wide landscaped yard with screening that is 3 feet in height is required between the parking area and the public sidewalk. The parking area would be set back approximately 12 feet to 25 feet from the public sidewalk. However, a landscaped yard would not be provided. Planters with shrubs would be located between the parking area and the street. The planters are two feet tall and the planted height of the proposed shrubs would be 6 feet. The proposed screening would be less than 60 percent opaque and more than 3 feet in height. Maintaining views into and out of a site at eye level (3 to 7 feet above the adjacent grade) is a crime prevention design element. Planting a lower growing shrub or perennials would provide some screening without significantly impeding views. The placement of the planters would allow pedestrian traffic access to the public sidewalk to the west facing entrance without impeding flow. For these reasons, staff is recommending that the planning commission grant alternative compliance for the landscaped yard and the screening opacity. Staff is recommending that the planning commission not grant alternative compliance for the screening height and require the applicant to install a lower growing shrub or perennials that would comply with the height requirement.

Not less than one tree for each 25 linear feet or fraction thereof of parking lot frontage and locating all surface parking spaces within 50 feet of an on-site canopy tree

At least two canopy trees are required between the parking area and Washington Avenue. No on-site canopy trees are proposed. The upper levels of the building would extend over the short-term parking area. In lieu of providing on-site canopy trees, the applicant is proposing to install boulevard trees around the site. For these reasons, staff is recommending that the planning commission grant alternative compliance.

PRELIMINARY PLAT

Findings as required by the Minneapolis Zoning Code for the preliminary plat:

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

The subdivision is in conformance with the applicable zoning code regulations and policies of the comprehensive plan. The land is proposed to be platted into one lot. A subdivision for a PUD is required to include a deed restriction as required by section 598.260 of the subdivision ordinance.

598.260. Planned unit development and cluster design. Individual lots within planned unit developments and cluster developments shall be exempt from the public street frontage requirement of section 598.230 and the design requirements of sections 598.240 and 598.250. The design of a subdivision for a planned unit development or cluster development shall implement the site plan as approved by the planning commission and shall include a deed restriction designating the following:

- (1) The relationship between all common spaces and each individual lot (rights in the common spaces and proportionate ownership accruing to the individual lot).
- (2) Provision for access to each lot that does not have frontage on a public street.
- (3) A requirement that an owners' association be created. The duties and responsibilities of the owners' association shall include maintaining the elements of the planned unit development or cluster development as authorized under the zoning ordinance or other applicable regulations.
- (4) A provision that the taxes, special assessments, and other charges and fees that would normally be levied against the common spaces shall be levied against the individual lot occupied or to be occupied by buildings in direct proportion to the interest that is stated in the deed restriction and shall provide that such levies shall be a lien against the individual lots.
- (5) A requirement that any disposition of any of the common property situated within the planned unit development or cluster development shall not be made without the prior approval of the planning commission.

Although a deed restriction addressing the above conditions is required, the proposed development will only be platted as one lot making most of the conditions irrelevant to this PUD. Selling part of the land in the PUD at a future date would require planning commission approval for a subdivision application. A deed restriction could be required at that time if needed. Also, a title search will make any future owner of the property aware of the conditional use permit for the PUD because it is required to be recorded with Hennepin County.

The subdivision is in conformance with the applicable design requirements of the land subdivision regulations and design standards except for Section 598.230(5). Section 598.230 (5) requires utility easements to be 5 feet wide adjacent to an interior side lot line and 10 feet wide adjacent to a rear lot line when no alleys are provided. In order to be in conformance with the land subdivision regulations, a variance of Sections 598.230(5) is required to allow the reduction of drainage and utility easements where the lot abuts adjacent property. While variances from the zoning code

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require a separate application, variances from the subdivision standards are done as a part of the subdivision application subject to the standards listed below.

598.310. Variances. Where the planning commission finds that hardships or practical difficulties may result from strict compliance with these regulations, or that the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to any or all of the provisions of this chapter. In approving variances, the planning commission may require such conditions as it deems reasonable and necessary to secure substantially the objectives of the standards or requirements of these regulations. No variance shall be granted unless the planning commission makes the following findings:

- (1) There are special circumstances or conditions affecting the specific property such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of land.
- (2) The granting of the variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is located.

No utility easements would be provided along any interior lot lines or rear lot lines. The lot has access to three public streets. The existing ramp is built up to the interior and rear lot lines on the west side of the site. A driveway would be located adjacent to the interior lot line at the southwest corner of the site. Granting the variance should not have any effect on surrounding properties. Staff is recommending that the planning commission grant the utility easement variance to 0 feet.

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 plat should have no impact on the surrounding area. Access to Washington Avenue is signalized. This is not proposed to change.

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

The grade change of the site is not significant and does not present the other noted hazards. The variance should not have any effect on surrounding uses.

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.**

The lot is buildable with minimal alterations and has frontage on multiple streets.

5. **The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control in accordance with the rules, regulations and standards of the**

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city engineer and the requirements of these land subdivision regulations. To the extent practical, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.

The Public Works Department will review the project for appropriate drainage and stormwater management. Provisions for stormwater runoff and storage include a filter chamber, drains that control the rate of runoff, and a rainwater harvesting system to minimize the amount of stormwater runoff from the site.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the Conditional Use Permit:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit to allow a planned unit development with 214 dwelling units located at the property of 1800-1814 Washington Avenue South, 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 one year of approval.
- 2) As required by section 527.120 of the zoning code, the development shall comply with the standards for the following amenities from Table 527-1, Amenities and those proposed by the applicant totaling a minimum of 25 points: Leadership in Energy and Environmental Design, Art Feature, Decorative Pavers for On-Site Driveways and Walkways, Pedestrian Improvements, Recycling Storage Areas, and Shared Vehicle.
- 3) For the art feature amenity, the applicant shall collaborate with the City’s Public Arts Coordinator to develop a process for selecting a local artist to create and install a piece that complements the project.
- 4) At least 24 short-term bicycle parking spaces that comply with the standards of section 541.180 of the zoning code shall be provided.
- 5) A main entrance for residents and guests of the multiple-family dwelling shall face Washington Avenue. Additional architectural elements shall be used to distinguish the entrance and emphasize its importance.
- 6) The applicant shall implement all amenities as required by section 527.120 of the zoning code by June 11, 2014.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the Variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance to reduce the minimum two-way drive aisle width from 22 feet to 19.5 feet for the property located at 1800-1814 Washington Avenue South.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the Variance:

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The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance of the PO Pedestrian Oriented Overlay District standard to allow parking between the building and Washington Avenue South for the property located at 1800-1814 Washington Avenue South.

Recommendation of the Community Planning and Economic Development Department – Planning Division for the Site Plan Review:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for site plan review for the property located at 1800-1814 Washington Avenue South, subject to the following conditions:

- 1) Community Planning and Economic Development Department – Planning Division staff review and approval of the final elevations, floor, site, lighting and landscape plans.
- 2) Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by June 11, 2014, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
- 3) A lower growing shrub or perennials that would comply with the 3 foot height requirement of section 530.170 of the zoning code shall be installed in the planters proposed between the short-term parking area and Washington Avenue.
- 4) Mechanical equipment shall be screened as required by section 535.70 of the zoning code.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the Plat:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the preliminary plat for the property located at 1800-1814 Washington Avenue South.

Attachments:

- 1) PDR report
- 2) Applicant’s statement of proposed use, responses to findings and site amenities description
- 3) Draft travel demand management plan
- 4) Correspondence
- 5) Zoning map
- 6) Plans
- 7) Photos