

Department of Community Planning and Economic Development – Planning Division

Conditional Use Permit and Site Plan Review

BZZ-5660

Final Plat

PL-246

Date: August 27, 2012

Applicant: Shamrock Development, Inc., Attn: Lynn Leegard, 3200 Main Street NW, Suite 300, Coon Rapids, MN 55448, (763) 421-3500

Address of Property: 110 and 124 12th Avenue South and 1102 2nd Street South

Project Name: Park Vista

Contact Person and Phone: Shamrock Development, Inc., Attn: Lynn Leegard, 3200 Main Street NW, Suite 300, Coon Rapids, MN 55448, (763) 421-3500

Planning Staff and Phone: Becca Farrar, (612)673-3594

Date Application Deemed Complete: July 17, 2012

End of 60-Day Decision Period: September 15, 2012

End of 120-Day Decision Period: Not applicable for this application.

Ward: 7 **Neighborhood Organization:** Downtown Minneapolis Neighborhood Association (DMNA)

Existing Zoning: C3A (Community Activity Center District), DH (Downtown Height) Overlay District, DP (Downtown Parking) Overlay District, and MR (Mississippi River) Overlay District.

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 14

Lot area: 95,709 square feet or approximately 2.2 acres

Legal Description: Not applicable for this application.

Proposed Use: Planned Unit Development for a 169 unit residential building.

Concurrent Review:

- Amend the Conditional Use Permit for a Planned Unit Development.
- Amend the Site Plan Review application to allow for the construction of a new 12-story, residential development that includes a total of 169 condominium units and 319 parking spaces within an underground parking garage.
- Final plat.

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits, Chapter 530 Site Plan Review, and Chapter 598, Subdivisions.

Background: The applicant, Shamrock Development, Inc., proposes to construct a new 12-story 169-unit residential building on the properties located at 110 and 124 12th Avenue South and 1102 2nd Street South. The site is zoned C3A and is located in the DH (Downtown Height) Overlay District, DP (Downtown Parking) Overlay District, and MR (Mississippi River) Overlay District. The applicant proposes to amend the CUP for a Planned Unit Development (PUD), amend the approved site plan and receive approval for a final plat.

A similar development project was approved on the site in 2010, following the vacation of 12th Avenue South (Vac-1571). The applications that were approved included: (1) a CUP for a PUD; (2) Variance of the maximum allowable parking ratio in the DP Downtown Parking Overlay District from 1.7 to 1.8 spaces per dwelling unit (to 1.85 on appeal to the City Council); (3) Site Plan Review; (4) Preliminary Plat.

Since the project received its original entitlements, the developer Shamrock Development, Inc., has made the following modifications to the project that require City Planning Commission (CPC) review and approval:

1. The drive lane on the west side of the building with the porte cochere has been eliminated;
2. A new drive/drop off area has been created off of 2nd Street South, at a recess in the building. This drive adds a curb cut at 2nd Street South, but eliminates the curb cut at 11th Avenue South;
3. The bulk of the building has been brought up to the south property line. The previous submittal had the full building setback 17' from the property line. A small portion is still setback 11'-8" to allow for a stair and ramp to the exit stairwell. The recess also allows for a buffer to the one first floor unit facing 2nd Street South;
4. There is no vehicle or pedestrian entry along the west elevation;
5. The site amenities have changed slightly as a children's play area was added, but the roof garden and rain garden were eliminated;
6. The pool deck has moved from the 1st floor to the 2nd floor which brings the lower half of the street frontage elevation up to a full story minimum at 2nd Street South. The remaining half of the street frontage is 12 stories. The previous version had a short parapet (1'-3') wall along 1/2 of the building frontage;
7. The unit count has increased from 150 to 169, but is still within the allowable number by lot size;
8. The FAR has increased from 3.02 to 3.44, but is below the allowable FAR of 4.0;
9. The parking stall count has increased to 319, but at a ratio of 1.82 is below the previously approved allowable ratio of 1.85;
10. General amount of green space and overall landscaping is similar to the previous proposal.

The project was on the CPC Committee of the Whole (COW) agenda on August, 2, 2012. The Planning Commission had concerns regarding the architectural treatment of the covered entry/drop off area off of 2nd Street South and asked the development team to consider softening its appearance. Planning Staff continued the application one cycle to August 27, 2012, in order to evaluate the new elevations submitted for the building. In response to these concerns, the applicant re-designed the street frontage to lighten the massing of the building by minimizing the column enclosure sizes, changing the column wrap from masonry to metal, opening up the east end of the drive area and eliminating the short center landscape wall. Revised renderings are included in the packet.

Planning Staff has received official correspondence from the Downtown Minneapolis Neighborhood Association (DMNA) which has been attached for reference. No neighborhood letters/emails were received prior to the

printing of this report. Any correspondence received after the printing of this report shall be forwarded on to the Planning Commission for consideration.

CONDITIONAL USE PERMIT – to amend a Planned Unit Development

Findings As Required By The Minneapolis Zoning Code:

The Community Planning and Economic Development Department – 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.

Staff does not believe that allowing a new 12-story residential development that includes a total of 169 dwelling units would be detrimental to or endanger the public health, safety, comfort or general welfare. The area consists of a mix of industrial, office, commercial, residential, park and cultural uses. Further, the development is contextually appropriate as there are several medium-density to high-density residential uses located to the west of the site within the Historic Mills District. The proposed building would not be out of character with the area.

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.

This property is located in a fully developed area and allowing a Planned Unit Development that includes a total of 169 dwelling units would not be expected to be injurious to the use and enjoyment of other property in the vicinity nor should it impede on possible future development. The proposed development would be consistent with the character with of the area and the proposed building would be located on a large landscaped site that would provide buffers for the existing adjacent uses.

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

As proposed the site would be accessed via three curb cuts off of 2nd Street South. One of the curb cuts would provide driveway access to the enclosed/below-grade parking, and the other two curb cuts would provide ingress/egress for a guest drop-off area and to an enclosed guest parking area. A total of 319 parking stalls are provided for the development within a 3-level underground parking ramp, 307 for residents and 12 guest parking spaces. The Public Works Department has reviewed the preliminary plan and will review the final plan for compliance with standards related to access and circulation, drainage, and sewer/water connections. The applicant would be required to continue to work closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development should the applications be approved. This would be required to ensure that all procedures are followed and that the development complies with all city and other applicable requirements. The applicant is aware that all applicable plans are expected to incorporate any applicable comments or modifications as required by the Public Works Department.

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

Measures have been provided in regard to minimizing traffic congestion from a parking perspective as the applicant would be providing adequate off-street parking for both vehicles (319 spaces) and bicycles (169 spaces)

within an underground parking garage. Further, the site is located in close proximity to multiple bus lines. In addition, Public Works is currently reviewing the submitted Travel Demand Management Plan and will require that the document is approved prior to issuance of building permits.

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

The Minneapolis Plan for Sustainable Growth designates the land use for this part of downtown as appropriate for mixed-use development. The subject parcels are located adjacent to an Activity Center (the eastern boundary of the Mills District Activity Center is 11th Avenue South) and the property is located in the Downtown Growth Center. The plan states that mixed-use “allows for mixed use development, including mixed-use with residential. Mixed-use may include either a mix of retail, office, or residential uses within a building or district. There is no requirement that every building be mixed-use.” The plan states that for the Downtown Growth Center, “as the physical and economic center of the city, Downtown is a logical place for a concentration of employment, housing, and other complementary uses. The employment base is largely office, although retail, education, and health care also play important roles. The land use pattern strengthens the concentrated office core with surrounding entertainment, cultural, and residential development. High intensity uses are encouraged to make the best use of the premium location and to strengthen the city’s core.” The following policies and implementation steps of *The Minneapolis Plan for Sustainable Growth* apply to this proposal:

Land Use Policy 1.1 states: “Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.” This policy includes the following applicable implementation step: (1.5.1) “Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.”

Land Use Policy 1.2 states: “Ensure appropriate transitions between uses with different size, scale, and intensity.” This policy includes the following applicable implementation step: (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 states: “Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit. This policy includes the following applicable implementation steps: (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”; and (1.3.2) “Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.”

Land Use Policy 1.8 states: “Preserve the stability and diversity of the city’s neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses.” This policy includes the following applicable implementation step: (1.8.1) “Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features.”

Land Use Policy 1.12 states: “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.” This policy includes the following applicable implementation step: (1.12.7) “Encourage the development of medium- to high-density housing immediately adjacent to Activity Centers to serve as a transition to surrounding residential areas.”

Land Use Policy 1.15 states: “Support development of Growth Centers as locations for concentration of jobs and housing, and supporting services.” This policy includes the following applicable implementation step: (1.15.3)

“Encourage the development of high- to very high-density housing within Growth Centers.”

Housing Policy 3.1 states: “Grow by increasing the supply of housing.” This policy includes the following applicable implementation step: (3.1.1) “Support the development of new medium- and high-density housing in appropriate locations throughout the city.”

Housing Policy 3.2 states: “Support housing density in locations that are well connected by transit, and are close to commercial, cultural and natural amenities.” This policy includes the following applicable implementation step: (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 10.4 states: “Support the development of residential dwellings that are of high quality design and compatible with surrounding development.” This policy includes the following applicable implementation steps: (10.4.1) “Maintain and strengthen the architectural character of the city's various residential neighborhoods”; (10.4.2) “Promote the development of new housing that is compatible with existing development in the area and the best of the city’s existing housing stock.”

Urban Design Policy 10.5 states: “Support the development of multi-family residential dwellings of appropriate form and scale.” This policy includes the following applicable implementation steps: (10.5.1) “ Smaller-scale, multi-family residential development is more appropriate along Community Corridors and Neighborhood Commercial Nodes”; (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”; (10.5.3) “Large-scale, high-rise, multi-family residential development is more appropriate in the Downtown Minneapolis Growth Center.”

Urban Design Policy 10.6 states: “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.” This policy includes the following applicable implementation steps: (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”; (10.6.2) “Promote the preservation and enhancement of view corridors that focus attention on natural or built features, such as the Downtown skyline, landmark buildings, significant open spaces or bodies of water”; (10.6.3) “Provide appropriate physical transition and separation using green space, setbacks or orientation, stepped down height, or ornamental fencing to improve the compatibility between higher density and lower density residential uses”; (10.6.4) “Orient buildings and building entrances to the street with pedestrian amenities like wider sidewalks and green spaces”; (10.6.5) “Street-level building walls should include an adequate distribution of windows and architectural features in order to create visual interest at the pedestrian level”; (10.6.6) “Integrate transit facilities and bicycle parking amenities into the site design.”

This site is located in the MR (Mississippi River) Critical Area Overlay District. *The Mississippi River Critical Area Plan* was approved by the City Council on June 16, 2006. The plan places the downtown area in the Urban Diversified District and within the Central Riverfront area as well. The plan states that determining appropriate riverfront uses depends on location and context and that “the City will follow the land use guidelines of *The Minneapolis Plan for Sustainable Growth* except where modified by small area plans...” It further states that “Downtown is the major growth center of the entire region. It is a dense, mixed-use area of employment, housing, entertainment, and culture.”

The *Update to the Historic Mills District Master Plan* was adopted by the City Council in September of 2001. While this parcel is part of the study area, the plan does not specifically discuss the area east of 11th Avenue South in detail. It shows the area as a technology park on the land use map, which is no longer the established

exclusive future land use for this area. More relevant guidance is provided by the comprehensive plan.

The proposal to construct a new 12-story, residential development that includes a total of 169 condominium units is supported by the above listed policies and implementation steps of *The Minneapolis Plan for Sustainable Growth*.

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

City Planning Commission can approve alternatives to the zoning regulations applicable to the zoning district in which the planned unit development is located where the planned unit development includes site amenities. Site amenities are subject to the following standards:

- All planned unit developments shall provide at least one amenity or a combination of amenities that total at least ten 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 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 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.

Minimum required amenity (ies) of 10 points.

1. Outdoor open space- The proposed development must provide contiguous ground level outdoor open space that is related to and proportional with the bulk of the building and landscaped with trees and shrubs. Rain gardens where appropriate are encouraged. Walkways and pathways shall be surfaced with pervious pavers, pervious concrete, decorative pavers, stamped concrete, colored concrete, brick or other decorative and durable materials. A minimum of thirty (30) percent of the site not occupied by buildings shall be landscaped outdoor open space. A minimum of fifty (50) percent of the provided open space shall be contiguous. The open space must be immediately accessible from the principal structure. Areas should be designed for winter use and relate to the built form with consideration given to elements such as providing shelter from wind, utilizing seasonally appropriate materials, maximizing access to sunlight and providing for snow and ice removal. As proposed, 41% of the entire site is proposed outdoor open space that is landscaped. The minimum 30% required in this circumstance would be 14,676 square feet. The applicant is proposing to provide a total of 39,300 square feet with 36,900 square feet contiguous. The green space includes a rain garden, and dog park area. Paving within the site is to be decorative and/or pervious. Compliance with the outdoor open space provision is worth **5 points**.
2. Outdoor children's play area- The proposed development must provide an active, outdoor children's play area with a minimum of fifty (50) square feet for each unit containing three (3) or more bedrooms but not less than five hundred (500) square feet of play area to a maximum required area of five thousand (5,000) square

feet. The play area shall be secure, shall be separated from parking and maneuvering areas and shall be designed to facilitate adult supervision. The play area shall include play equipment, installed to the manufacturer’s specifications, or natural features suitable for children in both preschool and elementary school. Play equipment shall not be located in a required yard and not more than twenty-five (25) percent of the required square footage of the play area may be located in a required yard. Play areas should be designed for winter use and relate to the built form with consideration given to elements such as providing shelter from wind, utilizing seasonally appropriate materials and maximizing access to sunlight and providing for snow and ice removal. As proposed, a 2,500 square foot play area is proposed that meets the specifications. Details on the actual play equipment shall be provided with the final submittal. Added deciduous trees shall provide shade in the summer and coniferous trees shall provide a wind break in the winter months. Compliance with the outdoor children’s play area provision is worth **5 points**.

Therefore, the project meets the minimum required amenities of **10 points** to file the PUD.

Placement and number of principal residential structures. No alternative requested.

Bulk regulations - floor area: No alternative requested.

Bulk regulations - height: An alternative is requested for building height. Building height in the C3A District is limited to 4 stories or 56 feet, whichever is less. The DH (Downtown Height) Overlay District increases the allowable height to 6 stories, or 84 feet, whichever is less for the area (the area between Washington Avenue and 2nd Street South allows the height to be increased to 8 stories, or 112 feet, whichever is less). The proposed structure would be 12 stories, or 132 feet. The applicant must provide an amenity or a combination of amenities totaling at least **5 points** to increase the maximum permitted height. See “amenities provided” section below.

Lot area requirements: No alternative requested.

Yards: No alternative requested.

On-premise signs: No alternative requested. No signage is proposed at this time.

Off-street parking and loading: No alternative requested.

Amenities provided: In addition to the 10-point minimum required for all planned unit developments, the applicant must provide amenities or a combination of amenities totaling at least **5 points**. The applicant proposes the following amenities from Table 527-1: decorative or pervious surface for on-site parking and loading areas, drives, driveways and walkways, conservation of the built environment, a pet exercise area, and a recycling storage area.

1. Decorative or pervious surfaces for on-site parking and loading areas, drives, driveways and walkways involves incorporating 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, drive aisles, driveways and walkways that comply with the Americans with Disabilities Act accessibility requirements. The applicant is proposing that 92% of the surfaces on-site meet these standards. Approximately, 5,790 square feet of the residents entry drive area is proposed to be pervious paving. The 2,600 square feet at the recessed main entry drive is to be decorative paving. Incorporating decorative or pervious surfaces on site that meet the above-listed provision is worth **3 points**.

2. A pet exercise area shall have a minimum dimension of twelve (12) feet by sixty (60) feet. It shall be enclosed with decorative fencing, include lighting in compliance with Chapter 535, Regulations of General Applicability and provide accommodations for proper disposal of animal waste. The pet exercise area shall not be located in a required yard. The applicant is proposing to enclose the pet exercise area that is approximately 25 feet by 100 feet long with an aluminum fence on the northeast side of the site. Tree plantings are proposed around the exercise area for shading purposes. Incorporating a pet exercise area on site that meets the above-listed provision is worth **1 point**.
3. A recycling storage area is provided which allows 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 shall be located entirely below grade or entirely enclosed within the building. The design of the structure includes facilities for recycling and waste that will be located in the P1 parking level. All dumpsters, including recycling, will be kept interior at all times. A secondary storage room is located along the east wall for full dumpsters waiting for pick-up. This provision is worth **1 point**.

Based on the analysis listed above, totaling both the standard amenities outlined in Table 527-1, a total of 15 points are being provided which meets the minimum of 15 points required based on the alternatives requested for the PUD. The applicant also requested 1 point for decorative fencing and 3 points for living wall systems located on the exposed parking garage walls at the north and east elevations for approximately 30% of the solid wall area. These points are not necessary based on the alternatives requested for the development.

Phasing plan: Not applicable as the development will transpire in one phase.

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:

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.

The area is a mix of industrial, office, commercial, residential, park and cultural uses. There are several medium-density to high-density residential uses to the west in the Historic Mills District. The proposed building will not be out of character with the area and would fit in well with the established context of the neighborhood.

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 development would not be expected to have a negative impact on traffic movement in the vicinity. As proposed the site would be accessed via three curb cuts off of 2nd Street South. One of the curb cuts would provide driveway access to the enclosed/below-grade parking, and the other two curb cuts would provide ingress/egress for a guest drop-off area and to an enclosed guest parking area. A total of 319 parking stalls are provided for the development within a 3-level underground parking ramp, 307 for

residents and 12 guest parking spaces. In addition, Public Works will require the approval of a Travel Demand Management Plan before building permits may be issued. Further, the site is located downtown with access to transit including bus and LRT service.

- 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.**

The development provides the required amenities. Please see the amenities section of this report detailing the proposal's compliance with provisions related to outdoor open space, outdoor children's play area, decorative or pervious surfaces, a pet exercise area and a recycling storage area.

- 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 area is a mix of industrial, office, commercial, residential, park and cultural uses. There are several medium-density to high-density residential uses to the west in the Historic Mills District. The proposed building would not be out of character with the area, the parking is located within the building, and the proposed building height is not out of character with other buildings in the downtown area.

- 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.**

There are no adjacent residential uses.

- 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 applicant would need to continue to work closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements. The City of Minneapolis will review and approve the applicant's stormwater management plan and erosion control plan.

- 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.**

Staff encourages the applicant to consider a reconstruction service and the recycling of materials during the demolition phase of the project.

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

The site is being replatted into one lot. Please see the subdivision section of this report. The applicant has previously received approval for a preliminary plat for the site, and a final plat has been submitted with this application that complies with all of the applicable requirements in Chapter 598 of the Zoning Code.

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 tower is located in the central part of the site and is over 100 feet from any other structure. It meets the required setbacks, so the structure should not limit access to light and air of surrounding properties or buildings.

2. Shadowing of residential properties or significant public spaces.

Shadow studies have been included as an attachment to the staff report and include shadowing impacts after sunrise, at noon, and before sunset during March, June, September and December. The shadow study indicates that there would be some shadows cast on the Bridgewater Lofts to the southwest and on Gold Medal Park to the west. The building would not cast shadows over the entire Bridgewater Lofts building or the entire Gold Medal Park and it would only transpire in the early part of the day.

3. The scale and character of surrounding uses.

There is a mixture of building heights in the neighborhood. To the north is a 4-story office building, to the east and south are 1 to 3-story office and industrial buildings, to the west is the park, and to the southwest is the Bridgewater Lofts, which is 10 stories tall. Further to the west are residential, office, parking, and cultural buildings of various heights and designs.

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

The proposed building would block views of the park from the east, the river from the south, and downtown from the north. From the east it would not block views from the buildings to the east any more than if the building were limited to 6 stories. From the north the building would be part of the downtown skyline and it would not block views for the adjacent office building more than if the height were limited to 6 stories. From the southwest the building would limit views of the river from some of the units on the upper floors of the Bridgewater Lofts.

SITE PLAN REVIEW

Required Findings for 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 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.
- 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.

The development is not subject to a required yard along either 2nd Street South or 11th Avenue South and complies with the applicable interior side/rear yard requirements. A portion of the building is located up to the property line along 2nd Street South but not along 11th Avenue South. Alternative compliance is necessary for building placement along both frontages. Along 2nd Street South, a portion of the building on the west side of the site is recessed approximately 12 feet from the property line and while the porte cochere extends to the property line, the ground floor of the building in this location on the east side of the site is recessed approximately 22 feet. Along 11th Avenue South, the applicant has approximately 24 feet of frontage, as it is an extension or appendage of the larger parcel that is uniquely shaped. Planning Staff would recommend that the Planning Commission grant alternative compliance along both street frontages. Along 2nd Street South, while the ground level porte cochere extends toward the street, the massing or bulk of the building is pulled away from the street providing some relief at the street edge. Based on the design of the building and the layout of the site, Planning Staff believes that allowing flexibility in this circumstance is appropriate. Along 2nd Street South, it would not be practical to require compliance in this specific circumstance due to the fact that only 24 feet of width exists and the building could not comply with the interior setbacks in conjunction with the 8 foot placement provision. The design of the site maximizes natural surveillance and visibility, and facilitates pedestrian access and circulation. The area between the building and the public streets would have tree plantings and planters.

The south elevation of the building along 2nd Street South incorporates windows that exceed the 20% window requirement as approximately 45% are provided according to the submitted elevations. The windows on this elevation are in general evenly distributed and vertical in proportion. Spandrel glass is located along a segment of this elevation. Planning Staff would encourage the applicant to incorporate an alternative material in this location. There is no applicable window requirement along 11th Avenue South as there is no building in that location and the closest building wall is approximately 100 feet away from the property line.

Windows between 2 and 10 feet are required in order to provide natural surveillance and visibility by having active uses located along public streets. The proposal is meeting the intent of this requirement by integrating active uses along the public street. The proposed development exceeds the 10% window requirement on each floor above the first floor that faces the public street and public sidewalk.

There are two blank, uninterrupted wall segments greater than 25 feet in length that do not include windows, entries, recesses or projections, or other architectural elements on the lower levels of the west and east elevations of the building. Alternative compliance is necessary. Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance for both elevations. On the west elevation, the use in that location is a storage unit area for tenants. It would not be practical to require a window and requiring a change of material or architectural elements in this location would not benefit the appearance of

the elevation. On the east elevation of the building, the blank wall is located at the lower level of the building where the site slopes down to access the underground parking garage. The area behind the wall is utilized for parking and similarly to the west elevation including a window isn't practical and a change of material or architectural elements in this location would not benefit the appearance of the elevation.

The development complies with the active functions provision as noted above.

The exterior materials would be compatible on all sides of the proposed building as the materials would be contemporary and include glass, metal, and stone. Future changes in exterior materials may require review before the City Planning Commission. The new building walls would contain architectural details including changes in materials, articulated elevations with recesses and projections, and varied roof heights. The proposed building form and flat roof would be considered compatible with other buildings in the area.

A 3-level underground parking garage, and an enclosed visitor parking area at grade are proposed as part of the development. The parking is accessed off of 2nd Street South. The parking garage is not exposed.

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.**

The principal entrance to the lobby of the residential structure would be located through the porte cochere on 2nd Street South and connected via a walkway that is at least 4 feet in width to the public sidewalk.

There are no transit shelters within the development, however the site is located within close proximity to several bus lines and within walking distance of the Hiawatha LRT line.

The proposed development has been designed to minimize conflicts with pedestrian traffic and surrounding residential uses. The number of curb cuts to the site has been minimized to the extent practical. Planning Staff did request that the applicant consider reducing the curb cuts along 2nd Street South. As currently proposed, a total of 3 curb cuts would be located off of this frontage. One that would provide driveway access to the underground parking and the two other to serve a drop-off area under the extended porte cochere. Planning Staff thought that it might be possible to combine the ingress to the drop-off area with the ingress/egress point to the driveway. The applicant investigated the possibility and concerns pertaining to the grade in that area and the spacing due to the placement of the building would likely not allow adequate area to accommodate this combined access point.

There is no public alley adjacent to the site.

The proposed layout of the development site has been designed to minimize the use of impervious surfaces as all areas that are not covered by buildings, pedestrian access, and paved areas necessary for parking, loading, and the associated maneuvering are pervious surfaces used for landscaping and stormwater management.

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.
- 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.

According to the applicant, once the project is complete, approximately 39,300 square feet would be landscaped on the premises, which would exceed the 20% landscaping requirement. The site is approximately 95,709 square feet in size with the building occupying a footprint of 39,547 square feet. A total of 11,232 square feet of landscaping would be necessary to meet the 20% requirement. As proposed, a total of 39,300 square feet or approximately 70% of the site not covered by the building would be landscaped. The zoning code requires that there be at least 22 trees and 112 shrubs planted on the site. The applicant is proposing to include 24 canopy trees (plus one existing tree), 3 ornamental trees, 3 coniferous trees, 173 shrubs and perennials on the premises which exceeds the minimum quantities required for the site.

There are no surface parking lots and the loading area does not front on a public street.

All other areas not used for parking, drives, walks, or the building are landscaped.

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.
- 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.**

All parking for the proposed project is being provided within the building. As proposed the site would be accessed via three curb cuts off of 2nd Street South. One of the curb cuts would provide driveway access to the enclosed/below-grade parking, and the other two curb cuts would provide ingress/egress for a guest drop-off area and to an enclosed guest parking area. A total of 319 parking stalls are provided for the development within a 3-level underground parking ramp, 307 for residents and 12 guest parking spaces. The water drainage on site has been designed so as not to drain onto any adjacent lots. The applicant is incorporating on-site retention and filtration.

The proposed building would not significantly shadow public spaces (please see attached shadow study), nor would the proposed structure result in significant impacts to wind and air in relation to the surrounding area.

The site appears to incorporate the applicable CPTED principles. The active uses proposed within the ground level of the building provide natural surveillance, there are windows on all sides of the building that allow people to observe adjacent public spaces and the entrances are connected to the public sidewalk. The site is further designed with landscaping, fencing, and architectural features to delineate space and control access. Planning Staff has no additional comments or concerns at this time regarding site safety. A detailed lighting plan will be required with the final plan submission.

There are no historic structures or structures eligible for designation on the subject site.

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 proposed Planned Unit Development with 169 dwelling units is a conditional use in the C3A (Community Activity Center) District.

Off-Street Parking and Loading:

Minimum automobile parking requirement: For uses located in the downtown, but outside of the downtown zoning districts, the parking requirements are regulated by the underlying zoning and the DP (Downtown Parking) Overlay District. The DP Overlay District requires that residential uses provide 90 percent of the zoning district minimum, which in the C3A is one space per dwelling unit. At 169 units this equals 152 parking spaces minimum. The building code requires 6 accessible parking spaces and the DP Overlay District requires 4 visitor parking spaces. The applicant proposes a total of 319 spaces, 307 for residents and 12 guest parking spaces.

Maximum automobile parking requirement: In general, residential buildings have no maximum parking limit unless surface parking is proposed. In the downtown districts the maximum depends on the zoning district (B4, B4S, and B4C). For uses located in the downtown, but outside of the downtown zoning districts, the parking requirements are regulated by the underlying zoning and the DP (Downtown Parking) Overlay District. The DP Overlay District requires that residential uses provide no more than 1.7 parking spaces per dwelling unit (as compared to 1.5 in the B4 District, and 1.6 in the B4C District) excluding accessible spaces required by the building code and visitor spaces required by the zoning code. The building code requires 6 accessible parking spaces and the DP Overlay District requires 4 visitor parking spaces. The applicant proposes 319

parking spaces, 307 for residents and 12 guest parking spaces. The applicant previously applied for a parking variance to increase the parking ratio from 1.7 to 1.9 per dwelling unit. The City Planning Commission approved a ratio of 1.8 with a shared vehicle. The applicant appealed the City Planning Commission's decision and the Zoning and Planning Committee and City Council approved a 1.85 ratio with no shared vehicle, but with 10 visitor parking spaces. Based on a total of 169 dwelling units, a ratio (that excludes 4 required visitor parking spaces and 6 accessible parking spaces) of 1.83 is being provided which is in conformance with the previous approval that allowed a ratio of 1.85. Therefore, no additional variance is needed.

Bicycle parking requirement: Multiple-family dwellings with 5 or more units would have a minimum bicycle parking requirement of 1 space per 2 dwelling units. At 169 units 85 bicycle parking spaces are required. Further, not less than 90% of the required bicycle parking shall meet the standards for long-term bicycle parking which are as follows:

- *“Required long-term bicycle parking spaces shall 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. With permission of the zoning administrator, long-term bicycle parking spaces for non-residential uses may be located off-site within three hundred (300) feet of the site.”*

The applicant is in compliance with the requirement as a total of 169 bicycle parking spaces are located within the parking garage or one per dwelling unit.

Loading: For residential uses of 100 to 250 units, one small (10 feet by 25 feet) loading space is required. One small loading space is provided at the northeast corner of the building which complies with the requirement.

Signs: The final sign plan has not been completed. All signs are required to meet the requirements of Chapter 543 of the zoning code and permits are required from the Zoning Office. The applicant is aware that any future signs require zoning office approval and permits.

Refuse storage: Section 535.80. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. The refuse containers are stored inside the building.

Lighting: A photometric plan was not submitted as part of the application. All lighting will need to be downcast and shielded to avoid undue glare. All lighting shall comply with Chapter 535. Planning Staff shall review the details of the fixtures in the final review prior to permit issuance.

Maximum Floor Area: The maximum FAR in the C3A District is 2.7. The DH (Downtown Height) Overlay District increases the FAR to 4.0. The lot in question is 95,709 square feet in area. The applicant proposes 329,462 square feet of gross floor area, an FAR of 3.44 which complies with the maximum requirement prior to the consideration of bonuses.

Building Height: Building height in the C3A District is limited to four stores or 56 feet, whichever is less. The DH (Downtown Height) Overlay District increases the allowable height to six stories, or 84 feet, whichever is less for the area (between Washington Avenue and 2nd Street South the height can be increased to eight stories, or 112 feet, whichever is less). The proposed structure would be 12 stories, or 132 feet. An alternative to allow an

increase in height is being requested as a part of the conditional use permit for a planned unit development. Staff is recommending approval of the increase in height. See the above-listed findings.

Minimum Lot Width and Lot Area: The project would meet the minimum lot width requirements of the C3A District as the development is situated on a lot greater than 40 feet in width. The C3A District requires not less than 400 square feet of lot area per dwelling unit. With 169 proposed dwelling units on a lot of 95,709 square feet, the applicant proposes 566 square feet of lot area per dwelling unit which complies with the requirement prior to the consideration of bonuses.

Dwelling Units per Acre: With 169 dwelling units on a site having 95,709 square feet of lot area, the proposal would include approximately 77 dwelling units per acre. High-density is considered 50 to 120 dwelling units per acre.

Yard Requirements: In general, setbacks are not required for properties in the commercial districts, except where adjacent to residential districts or uses and for residential uses that contain windows facing an interior side lot line. Where windows face an interior lot line a setback of five feet plus two feet for each additional floor above the first is required, not to exceed 15 feet. At 12 stories a 15 foot setback is required. The building complies with all applicable setback requirements.

Building coverage: Not applicable for this development.

Impervious surface area: Not applicable for this development.

MINNEAPOLIS PLAN

See the above listed response to finding #5 in the conditional use permit application for a PUD as the policies and implementation steps identified apply to the site plan review application as well.

Conformance with Applicable Development Plans or Objectives Adopted by the City Council

See the above listed response to finding #5 in the conditional use permit application for a PUD as the policy guidance provided in this section on *The Mississippi River Critical Area Plan* and the *Update to the Historic Mills District Master* apply to the site plan review application as well.

ALTERNATIVE COMPLIANCE

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

- **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 standard:

- *Building placement provision:* The development is not subject to a required yard along either 2nd Street South or 11th Avenue South and complies with the applicable interior side/rear yard requirements. A portion of the building is located up to the property line along 2nd Street South but not along 11th Avenue South. Alternative compliance is necessary for building placement along both frontages. Along 2nd Street South, a portion of the building on the west side of the site is recessed approximately 12 feet from the property line and while the porte cochere extends to the property line, the ground floor of the building in this location on the east side of the site is recessed approximately 22 feet. Along 11th Avenue South, the applicant has approximately 24 feet of frontage, as it is an extension or appendage of the larger parcel that is uniquely shaped. Planning Staff would recommend that the Planning Commission grant alternative compliance along both street frontages. Along 2nd Street South, while the ground level porte cochere extends toward the street, the massing or bulk of the building is pulled away from the street providing some relief at the street edge. Based on the design of the building and the layout of the site, Planning Staff believes that allowing flexibility in this circumstance is appropriate. Along 2nd Street South, it would not be practical to require compliance in this specific circumstance due to the fact that only 24 feet of width exists and the building could not comply with the interior setbacks in conjunction with the 8 foot placement provision.
- *Blank uninterrupted walls:* There are two blank, uninterrupted wall segments greater than 25 feet in length that do not include windows, entries, recesses or projections, or other architectural elements on the lower levels of the west and east elevations of the building. Alternative compliance is necessary. Planning Staff would recommend that the Planning Commission grant alternative compliance in this specific circumstance for both elevations. On the west elevation, the use in that location is a storage unit area for tenants. It would not be practical to require a window and requiring a change of material or architectural elements in this location would not benefit the appearance of the elevation. On the east elevation of the building, the blank wall is located at the lower level of the building where the site slopes down to access the underground parking garage. The area behind the wall is utilized for parking and similarly to the west elevation including a window isn't practical and a change of material or architectural elements in this location would not benefit the appearance of the elevation.

FINAL PLAT

Required Findings:

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

The proposed lots are in conformance with the land subdivision regulations, zoning ordinance, and comprehensive plan.

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

The proposed subdivision would create one lot out of two platted lots and one outlot. This would have no effect on surrounding property owners or congestion in the public streets.

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, severe soil conditions, improper drainage, steep slopes, rock formations, utility easements, or other hazard.

The site is relatively flat (with a slight slope to the north) and does not present the above noted hazards.

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.

A site plan addressing these issues is required before building permits may be issued. Access is from 2nd Street South.

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

A stormwater management and erosion control plan is required as part of the site plan approval process before building permits may be issued.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit for a planned unit development:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application to amend the conditional use permit for a Planned Unit Development on the property located at 110 and 124 12th Avenue South and 1102 2nd Street 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 some combination of the following amenities from Table 527-1, Amenities and those proposed by the applicant totaling a minimum of 15 points: outdoor open space, outdoor children’s play area, decorative or pervious surfaces, a pet exercise area and a recycling storage area.

Recommendation of the Community Planning and Economic Development Department – Planning Division for the site plan review:

The Community Planning and Economic Development - Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application to amend the approved site plan for a new 12-story, residential development that includes a total of 169 condominium units and 319 parking spaces within an underground parking garage on the property located at 110 and 124 12th Avenue South and 1102 2nd Street South subject to the following conditions:

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1. All site improvements shall be completed by August 27, 2014, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
2. Planning Staff review and approval of the final site, elevation, landscaping and lighting plans before building permits may be issued.
3. No plain face CMU shall be permitted on the exterior of the building.
4. The applicant shall work with Planning Staff to eliminate the spandrel glass panels shown along 2nd Street South and replace with an alternative material.

Recommendation of the Community Planning and Economic Development Department – Planning Division for the preliminary subdivision plat:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission **approve** the final plat for property located at 110 and 124 12th Avenue South and 1102 2nd Street South.

Attachments:

1. Statement of use / description of the project
2. Findings –CUP
3. Correspondence
4. Zoning map
5. Plans – Site, landscape, elevations, floor plans, shadow studies
6. Photos
7. PDR Report