

Department of Community Planning and Economic Development – Planning Division
Rezoning, Conditional Use Permit, Variances, Site Plan Review and Preliminary Plat
BZZ-5740 & PL-270

Date: October 29, 2012

Applicant: Fountain Residential Partners

Address of Property: 2634 4th Street SE

Project Name: The Station on 4th

Contact Person and Phone: Eric Galatz, Leonard Street and Deinard, (612) 335-1509

Planning Staff and Phone: Kimberly Holien, (612) 673-2402

Date Application Deemed Complete: October 4, 2012

End of 60-Day Decision Period: December 3, 2012

Ward: 2 Neighborhood Organization: PPERRIA

Existing Zoning: I1, Light Industrial District, ILOD, Industrial Living Overlay District, PO, Pedestrian Oriented Overlay District, UA, University Area Overlay District.

Proposed Zoning: R6, Multiple-family Residence District, retaining the UA, University Area and PO, Pedestrian Oriented Overlay Districts

Zoning Plate Number: 22

Legal Description: Lot 1, Block 1, Parten Addition, according to the recorded plat thereof, Hennepin County, Minnesota. Abstract and Torrens property per certificate of title no. 867061.

Proposed Use: Planned unit development (PUD) with 194 dwelling units.

Concurrent Review:

Rezoning: from the I1, Light Industrial District to the R6, Multiple-family Residence District, retaining the UA, University Area and PO, Pedestrian Oriented Overlay Districts.

Conditional use permit: for a planned unit development consisting of 194 dwelling units.

Variance: to increase the maximum lot coverage in the R6 district from 70 percent to approximately 93 percent.

Variance: to increase the maximum impervious surface in the R6 district from 85 percent to approximately 98 percent.

Site plan review.

Plat, preliminary (PL-270).

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Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits; Chapter 525, Article IX, Variances, specifically Section 525.520(15) “to vary the maximum lot coverage and impervious surface coverage requirements”; Chapter 527, Planned Unit Development; Chapter 530 Site Plan Review; and Chapter 598 Land Subdivision Regulations.

Background: The development site is located north of the intersection of 4th Street SE and 27th Avenue SE. The site is currently occupied by a large multi-tenant building with commercial and industrial users and a surface parking lot. The applicant is proposing to demolish the existing building and construct a planned unit development consisting of 194 dwelling units. The development will be platted as two lots with a center outlot that aligns with 27th Avenue SE. The westernmost lot, Lot 1, Block 1, will contain a residential building with 55 units and 119 bedrooms. The easternmost lot will contain two buildings with a shared parking garage and a combined total of 139 dwelling units and 284 bedrooms. For purposes of this report, the westernmost building on Lot 1, Block 1 will be referred to as Building A. The westernmost building on Lot 1, Block 2 (center of the site) will be referred to as Building B and the easternmost building on Lot 1, Block 2 is referred to as Building C.

Each building will have at least one courtyard above the parking garage that serves as an amenity space for residents. The courtyard on Building A is on the east side of the building, facing Outlot A. Five dwelling units on each floor are arranged to overlook this courtyard, some of which have full balconies. The courtyard for Building B is nearly identical and is also oriented towards Outlot A. Building C will have a larger courtyard that is oriented toward the east property line. Seven units on each floor of Building C will be arranged to overlook this courtyard, several of which will have balconies. The area above the parking garage between Buildings B and C will also contain a large courtyard that is a minimum of 45 feet in width. This courtyard can be accessed from each building and also from the public sidewalk. Building A will have a bicycle repair room in the southeast corner of the ground floor to serve as an amenity for residents. The center of the development site will be platted as Outlot A and will contain a large open space, landscaping and a pedestrian walkway. This portion of the site is being reserved to allow for future right-of-way with the potential extension of 27th Avenue SE. This extension is called for in approved City plans to complete the Grand Rounds “missing link.” The actual timeline for the construction of this road is unknown at this time.

The site is currently zoned I1, Light Industrial with the Industrial Living, University Area and Pedestrian Oriented Overlay Districts. The applicant is proposing to rezone the site to the R6, Multiple-family Residence District, retaining the PO and UA Overlay Districts. Due to its proximity to the future LRT station at 29th Avenue, the site is located in a Transit Station Area. It is also near a Growth Center (University of Minnesota) and adjacent to an Activity Center. The site is bordered by the University of Minnesota Transitway and Central Corridor LRT line to the north, a surface parking lot to the east and the University of Minnesota’s land maintenance facility to the west.

In the R6 district, a PUD is a conditional use. Upon approval of a conditional use permit, the action must be recorded with Hennepin County as required by state law.

The maximum lot coverage requirement in the R6 district is 70 percent. The applicant is proposing building footprints equivalent to 55,714 square feet on a 59,782 square foot site, equating to 93 percent lot coverage. A variance has been requested accordingly. Similarly, the maximum impervious surface requirement in the R6 district is 85 percent. The plans include 58,601 square feet of impervious surface

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on a 59,782 square foot site. A variance to increase the impervious surface maximum from 85 percent to 98 percent has also been submitted.

The applicant is proposing a development with 194 new dwelling units and 204,925 square feet of gross floor area. Site plan review is required for any new use with 20,000 square feet of gross floor area and/or five 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 a 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.

Staff received a letter from PPERRIA dated September 20, 2012. While the project has been modified since that date and the applicant has had additional meetings with the neighborhood association, updated correspondence had not been received as of the writing of this staff report. The September 20, 2012 letter has been attached for review.

REZONING: from the I1, Light Industrial District, ILOD, Industrial Living Overlay District, PO, Pedestrian Oriented Overlay District, UA, University Area Overlay District to the R6, Multiple-family Residence District, retaining the UA, University Area Overlay District and PO, Pedestrian Oriented Overlay District.

Findings as required by the Minneapolis Zoning Code:

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

The Minneapolis Plan for Sustainable Growth identifies this site as Mixed Use on the future land use map. The site is within a Transit Station Area, near a Growth Center and across the street from an Activity Center boundary. According to the Principles and Policies outlined in the comprehensive plan, the following apply to this proposal:

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

- 1.1.3 Encourage the use of flexible regulatory options that promote high quality development, such as the Planned Unit Development (PUD) tool.
- 1.1.4 Support context-sensitive regulations for development and land use, such as overlay districts, in order to promote additional land use objectives.
- 1.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

Land Use Policy 1.3: 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 1.8: Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses.

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

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.
- 1.13.5 Concentrate highest densities and mixed use development adjacent to the transit station and along connecting corridors served by bus.

Land Use Policy 1.15: Support development of Growth Centers as locations for concentration of jobs and housing, and supporting services.

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

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.

Housing Policy 3.6: Foster complete communities by preserving and increasing high quality housing opportunities suitable for all ages and household types.

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- 3.6.1 Promote the development of housing suitable for people and households in all life stages that can be adapted to accommodate changing housing needs over time.

The site is located within the study area of the *SEMI/Bridal Veil Refined Master Plan*. This plan was adopted by the City Council in 2001. This plan calls for the extension of 27th Avenue SE (27th Boulevard) through the subject site. The specifics of the street design call for an amenity street with water storage and movement accommodation in the center boulevard, with allowances for a bike trail, parallel parking and wide sidewalks. The street section called for in the plan is 100 feet in width. The extension of 27th Avenue SE would serve as a link to complete the Grand Rounds, connecting to a future Granary Park north of the site. This issue is also addressed in the *Missing Link Development Study Report* prepared by the Minneapolis Park and Recreation Board in 2008. The plan puts emphasis on a wetland amenity located in between the north- and south-bound lanes of traffic. The applicant is proposing to preserve an 80-foot section of land in the center of the site that aligns with 27th Avenue SE to allow for this right-of-way extension in the future. While the 80-foot width is narrower than the 100-foot width called for in the Master Plan, Public Works and the Minneapolis Park and Recreation Board support this width as it matches that of the existing portion of 27th Avenue SE directly south of the site.

The site is also located within the study area of the *Stadium Village Master Plan*, adopted by the City Council in August of 2012. The future land use map in this small area plan identifies the site for mixed use and echoes the recommendations of other adopted plans and policies for the connection of the Grand Rounds “missing link” through the subject site, aligning with 27th Avenue SE. The site is within the Prospect Park Station Area and the smaller 27th Avenue Open Space Character District in the plan. Applicable policies related to this smaller district are as follows:

- District is a primary north/south connection through the study area
- Grand Rounds “Missing Link” connection proposed along 27th Avenue from proposed Granary Park to Mississippi River
- Numerous potential redevelopment opportunity sites defined in the district along 27th Avenue
- Opportunity to improve character of public realm with streetscape enhancements, stormwater management and architectural guidelines
- Informal character border or buffer with Prospect Park neighborhood

The land use recommendation for the Prospect Park Station Area call for supporting the redevelopment of the area with high density residential development on the subject site. With regard to building design, the plan states, “*The primary focus here is to promote design excellence in all aspects of the corridor and to design new development to fit into its surroundings and respond to neighborhood transitions with building massing and architecture.*” General plan recommendations that relate to the proposed project are as follows:

Overall

- Preserve the unique character of the Prospect Park neighborhood, while encouraging growth and development in appropriate areas.
- As the opportunities for infill development emerge, the new development should reinforce the urban pattern by extending the street grid and placing buildings to define the streets and enhance pedestrian walkability.

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- Promote sustainable building practices and site design through energy efficient design, sustainable materials, and ecological landscaping and design.
- When possible, reuse underutilized public right-of-way for open space, improved bicycle/pedestrian connectivity, or redevelopment. Appropriate use will depend on the size and location of the property.
- Encourage appropriate buffering and transitions between adjacent uses, including evaluation of shadowing by tall buildings of nearby properties.

Pedestrian

- Allow for safe, comfortable, and inviting pedestrian activity along the street to and from the light rail stations to the adjacent neighborhoods and campus.
- Provide new sidewalk connections along 4th Street SE, 29th Avenue SE, Malcolm Avenue and 25th Avenue SE.
- Provide a minimum of 8 foot wide sidewalks throughout the corridor where feasible.
- Incorporate streetscape elements such as more street trees, planters, monuments, public art, kiosks and benches to create a more inviting and comfortable sidewalk environment and promote more sidewalk activity.

Bicycle

- Improve the connections and facilities along 27th Avenue SE to reinforce the “missing link” of the Grand Rounds.
- Provide north to south pedestrian and bicycle links to the future Granary Road along 25th Avenue SE, 27th Avenue SE, 29th Avenue SE and Malcolm Avenue.

Public Open Space, Parks and Plazas

- Where feasible, encourage the development of several small, urban gathering spaces/green spaces along 27th Avenue SE.
- Support the development of an interconnected system of public and private open spaces, to extend the public realm and enhance the appearance and livability of the area.

Green Infrastructure

- Green corridors should be developed on all side streets connecting to the LRT route and primary street corridors (4th Street SE, University Avenue, 25th Avenue SE, 27th Avenue SE, 29th Avenue SE and Huron Boulevard). The green corridors will be developed with street tree plantings, sustainable infrastructure projects, streetscape enhancements and public art projects.
- Enhance the “urban forest” with trees, understory plantings, and above ground planting areas. Plant appropriate species of trees, based on size and location of site, presence of power lines, and other relevant factors.
- Define opportunities for stormwater management, both as part of new development and as retrofits, that integrates functionality attractively and efficiently into the public realm. Ensure that these facilities do not compromise the accessibility of the sidewalk.

Public Safety

- Promote the concepts of Crime Prevention Through Environmental Design (CPTED) in urban design to enhance the safety of the public realm, in both public and private development projects.

The proposed rezoning is consistent with the above policies of the Comprehensive Plan and other adopted small area plans. The applicant is proposing a 194-unit residential development on a lot that is 1.37 acres in size. The resulting density is approximately 142 dwelling units per acre. This level of density fits into the very high density category per *The Minneapolis Plan for Sustainable Growth*, which identifies this density category as development with more than 120 dwelling units per acre. This level of density is appropriate in a Transit Station Area and near a Growth Center and consistent with the high-density residential development called for in the *Stadium Village Master Plan*. Furthermore, the applicant is preserving an 80-foot section in the center of the site to allow for the future connection of the Grand Rounds “missing link.” Streetscape improvements are proposed along 4th Street SE, including a public sidewalk at a minimum width of 6-feet and a green boulevard.

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

A rezoning to the R6 District and the elimination of the IL, Industrial Living Overlay District would be considered in the interest of both the property owner and the public as it would allow for greater density in a Transit Station Area and near a Growth Center for a site that is directly adjacent to the Central Corridor LRT line. This level of density is supported by adopted City policy and would reinforce the Comprehensive Plan by supporting high density development near transit stations and near a Growth Center. Rezoning the property allows for higher density on the two proposed lots, making it feasible for the applicant to preserve the 80-foot section in the center of the site for future right-of-way for 27th Avenue SE, allowing for completion of the Grand Rounds “missing link” as called for in adopted City plans.

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

The site is currently zoned I1, Light Industrial with the IL, Industrial Living Overlay District. The surrounding area includes a mix of land uses and zoning designations. The properties directly to the east and west are zoned I1 and the property to the west contains the IL, Industrial Living Overlay District. The property to the east contains a surface parking lot and the property to the west contains the University of Minnesota’s land management facility. The property to the south is zoned OR2 and contains a large office building that fronts along University Avenue SE and has a surface parking lot fronting along 4th Street SE. The University of Minnesota Transitway and Central Corridor LRT line run along the north side of the site. Other properties in the immediate area are zoned I1, C3A and OR2 and contain a mix of commercial, light industrial and residential uses. The site is located within a Transit Station Area and near a Growth Center. The proposed R6 zoning and the elimination of the IL, Industrial Living Overlay District would be appropriate in this location and compatible with existing uses of property in the general vicinity.

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

There are reasonable uses of the property permitted in the current zoning classification and overlay districts. However, the uses allowed under the current zoning would likely result in the underutilization of the subject site in regard to residential density due to the area in which the parcel is located. The proposed zoning is more compatible with adopted City policies and more reasonable for the site. The existing IL, Industrial Living Overlay District requires a minimum of 900 square feet of lot area per dwelling unit, which equates to medium density residential development. The proposed R6 zoning would allow for high to very high density residential development as called for in adopted City plans and policies. Planning Staff has included an attachment to the staff report which further details the differences between the existing and proposed zoning classification for the site.

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

Under the 1963 Zoning Code, the subject property was zoned M1-4, Light Manufacturing District. The property was placed in the current I1 district with the adoption of the 1999 zoning code. There has been an ongoing change in the character and trend of development within the general area since that time, due to the proximity of the site to the University of Minnesota and the construction of the Central Corridor LRT line. Further, due to the fact that the site is designated for mixed use on the future land use map and within a Transit Station Area, staff believes that the rezoning request is reasonable, appropriate and consistent with adopted policy.

CONDITIONAL USE PERMIT: to allow a planned unit development with 194 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 194 dwelling units will not be 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. The site is located within a Transit Station Area, near a Growth Center and adjacent to an Activity Center. The surrounding area includes a mix of commercial, light industrial and high-density residential uses.

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.

The project will not be injurious to the use and enjoyment of other property in the vicinity. The surrounding area is fully developed with a range of commercial uses, residential and light industrial uses. The property to the east contains a surface parking lot and the property to the west contains the

University of Minnesota's land management facility. The property to the south is zoned OR2 and contains a large office building that fronts along University Avenue SE. The University of Minnesota Transitway and Central Corridor LRT line run along the north side of the site. The scale and massing of the proposed development is compatible with other development in the immediate area. The proposed development will include three distinct buildings, providing for visual relief between each one. Existing and future development in the area should not be negatively affected by the development.

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 Public Works Department reviewed the project as part of the Preliminary Development Review (PDR) process 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. The PDR report has been attached for review.

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

The parking requirement for residential uses in the UA, University Area Overlay District is .5 spaces per bedroom but not less than one space per dwelling unit. The proposed project includes 194 dwelling units and 403 bedrooms. The minimum vehicle parking requirement is 201 spaces. Due to the property's inclusion in a Transit Station Area Pedestrian Oriented Overlay District (TSA PO), the parking requirement is reduced to 90 percent of the minimum or 181 spaces in this case. A total of 125 off-street parking spaces are proposed within the buildings. The number of spaces proposed equates to .31 spaces per bedroom. Nine additional tandem spaces are included in Building A. However, these spaces do not count toward the minimum parking requirement. The minimum bicycle parking requirement is one space per bedroom and the applicant will be providing the required 403 bicycle parking spaces within the two enclosed parking structures.

While the applicant is requesting a parking reduction as a PUD alternative, the use is not expected to contribute to traffic congestion in the public streets. There are several options in the area for alternative modes of transportation. The site is located within walking distance of the 29th Avenue SE Central Corridor LRT Station, an HourCar™ location and regular bus routes with midday service. According to the *Stadium Village Master Plan*, bus ridership is very high in this area due to frequent service on multiple routes and the availability of the U-pass, a discounted bus pass available to University students. The site is also directly adjacent to the bicycle path along the University of Minnesota Transitway. There are a number of other bicycle facilities in the area, including lanes and paths that run along the major corridors of University Avenue SE, 4th Street SE and 27th Avenue SE. Additionally, on-campus routes provide bicycle access through the University of Minnesota Campus. There is on-street parking available directly in front of the site.

Access into the underground parking structures is designed to alleviate conflicts and minimize traffic congestion. Each parking structure will have one access point, each from 4th Street SE. Curb cuts will be limited to 20 feet in width, consistent with the requirements of the PO, Pedestrian Oriented Overlay District. Loading for residential move-ins and move-outs will occur within the underground parking areas.

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

The Minneapolis Plan for Sustainable Growth identifies this site as Mixed Use on the future land use map. The site is within a Transit Station Area, near a Growth Center and across the street from an Activity Center boundary. According to the Principles and Policies outlined in the comprehensive plan, the following apply to this proposal:

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- 1.1.3 Encourage the use of flexible regulatory options that promote high quality development, such as the Planned Unit Development (PUD) tool.
- 1.1.4 Support context-sensitive regulations for development and land use, such as overlay districts, in order to promote additional land use objectives.
- 1.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

Land Use Policy 1.3: 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 1.8: Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses.

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

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.
- 1.13.5 Concentrate highest densities and mixed use development adjacent to the transit station and along connecting corridors served by bus.

Land Use Policy 1.15: Support development of Growth Centers as locations for concentration of jobs and housing, and supporting services.

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

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

3.1.2 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.

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Housing Policy 3.6: Foster complete communities by preserving and increasing high quality housing opportunities suitable for all ages and household types.

3.6.2 Promote the development of housing suitable for people and households in all life stages that can be adapted to accommodate changing housing needs over time.

The site is located within the study area of the *SEMI/Bridal Veil Refined Master Plan*. This plan was adopted by the City Council in 2001. This plan calls for the extension of 27th Avenue SE (27th Boulevard) through the subject site. The specifics of the street design call for an amenity street with water storage and movement accommodation in the center boulevard, with allowances for a bike trail, parallel parking and wide sidewalks. The street section called for in the plan is 100 feet in width. The extension of 27th Avenue SE would serve as a link to complete the Grand Rounds, connecting to a future Granary Park north of the site. This issue is also addressed in the *Missing Link Development Study Report* prepared by the Minneapolis Park and Recreation Board in 2008. The plan puts emphasis on a wetland amenity located in between the north- and south-bound lanes of traffic. The applicant is proposing to preserve an 80-foot section of land in the center of the site that aligns with 27th Avenue SE to allow for this right-of-way extension in the future. While the 80-foot width is narrower than the 100-foot width called for in the Master Plan, Public Works and the Minneapolis Park and Recreation Board support this width as it matches that of the existing portion of 27th Avenue SE directly south of the site.

The site is also located within the study area of the *Stadium Village Master Plan*, adopted by the City Council in August of 2012. The future land use map in the small area plan identifies the site for mixed use and echoes the recommendations of other adopted plans and policies for the connection of the Grand Rounds “missing link” connection through the subject site, aligning with 27th Avenue SE. The site is within the Prospect Park Station Area and the smaller 27th Avenue Open Space Character District in the plan as follows:

- District is a primary north/south connection through the study area

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- Grand Rounds “Missing Link” connection proposed along 27th Avenue from proposed Granary Park to Mississippi River
- Numerous potential redevelopment opportunity sites defined in the district along 27th Avenue
- Opportunity to improve character of public realm with streetscape enhancements, stormwater management and architectural guidelines
- Informal character border or buffer with Prospect Park neighborhood

The land use recommendation for the Prospect Park Station call for supporting the redevelopment of the area with high density residential development on the subject site. With regard to building design, the plan states, “*The primary focus here is to promote design excellence in all aspects of the corridor and to design new development to fit into its surroundings and respond to neighborhood transitions with building massing and architecture.*” General plan recommendations that relate to the proposed project are as follows:

Overall

- Preserve the unique character of the Prospect Park neighborhood, while encouraging growth and development in appropriate areas.
- As the opportunities for infill development emerge, the new development should reinforce the urban pattern by extending the street grid and placing buildings to define the streets and enhance pedestrian walkability.
- Promote sustainable building practices and site design through energy efficient design, sustainable materials, and ecological landscaping and design.
- When possible, reuse underutilized public right-of-way for open space, improved bicycle/pedestrian connectivity, or redevelopment. Appropriate use will depend on the size and location of the property.
- Encourage appropriate buffering and transitions between adjacent uses, including evaluation of shadowing by tall buildings of nearby properties.

Pedestrian

- Allow for safe, comfortable, and inviting pedestrian activity along the street to and from the light rail stations to the adjacent neighborhoods and campus.
- Provide new sidewalk connections along 4th Street SE, 29th Avenue SE, Malcolm Avenue and 25th Avenue SE.
- Provide a minimum of 8 foot wide sidewalks throughout the corridor where feasible.
- Incorporate streetscape elements such as more street trees, planters, monuments, public art, kiosks and benches to create a more inviting and comfortable sidewalk environment and promote more sidewalk activity.

Bicycle

- Improve the connections and facilities along 27th Avenue SE to reinforce the “missing link” of the Grand Rounds.
- Provide north to south pedestrian and bicycle links to the future Granary Road along 25th Avenue SE, 27th Avenue SE, 29th Avenue SE and Malcolm Avenue.

Public Open Space, Parks and Plazas

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- Where feasible, encourage the development of several small, urban gathering spaces/green spaces along 27th Avenue SE.
- Support the development of an interconnected system of public and private open spaces, to extend the public realm and enhance the appearance and livability of the area.

Green Infrastructure

- Green corridors should be developed on all side streets connecting to the LRT route and primary street corridors (4th Street SE, University Avenue, 25th Avenue SE, 27th Avenue SE, 29th Avenue SE and Huron Boulevard). The green corridors will be developed with street tree plantings, sustainable infrastructure projects, streetscape enhancements and public art projects.
- Enhance the “urban forest” with trees, understory plantings, and above ground planting areas. Plant appropriate species of trees, based on size and location of site, presence of power lines, and other relevant factors.
- Define opportunities for stormwater management, both as part of new development and as retrofits, that integrates functionality attractively and efficiently into the public realm. Ensure that these facilities do not compromise the accessibility of the sidewalk.

Public Safety

- Promote the concepts of Crime Prevention Through Environmental Design (CPTED) in urban design to enhance the safety of the public realm, in both public and private development projects.

The proposed rezoning is consistent with the above policies of the Comprehensive Plan and other adopted small area plans. The applicant is proposing a 194-unit residential development on a lot that is 1.37 acres in size. The resulting density is approximately 142 dwelling units per acre. This level of density fits into the very high density category per *The Minneapolis Plan for Sustainable Growth*, which identifies this density category as development with more than 120 dwelling units per acre. This level of density is appropriate in a Transit Station Area and near a Growth Center and consistent with the high-density residential development called for in the *Stadium Village Master Plan*. Furthermore, the applicant is preserving an 80-foot section in the center of the site to allow for the future connection of the Grand Rounds “missing link.” Streetscape improvements are proposed along 4th Street SE, including a public sidewalk at a minimum width of 8-feet and a green boulevard.

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 194 dwelling units will conform to the applicable regulations upon the approval of the conditional use permit, variances, 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 – The applicant is proposing multiple residential structures on Lot 1, Block 2 of the development. The two buildings on this lot are connected below grade to allow for a shared parking facility. Due to the grades on site, this parking level is partially exposed. However, the buildings do not share any habitable connections and therefore are considered to be two separate structures on one lot.

To allow alternatives to the building placement requirements in the PO Pedestrian Oriented Overlay District, except where to allow parking between the principal structure and the front or corner side lot line. – No alternative requested.

- **Bulk regulations.**

Maximum Floor Area – No alternative requested.

Building Height: No alternative requested.

- **Lot area requirements.** – The minimum lot area requirement in the R6 district is 400 square feet per dwelling unit. The two lots within the development are a total of 59,782 square feet in area, which allows 149 units. The development qualifies for a 30 percent bonus, or 44 additional dwelling units, by enclosing all of the required residential parking. The 30 percent bonus is greater than the typical 20 percent bonus due to the site's inclusion in the Transit Station Area Pedestrian Oriented Overlay District. With the density bonus, 193 dwelling units would be allowed, reducing the required lot area per dwelling unit from 400 square feet to 309 square feet. A total of 194 dwelling units are proposed at 308 square feet of lot area per dwelling unit.

- **Yards. –**

To allow a reduction or elimination of required yards within the planned unit development.

An alternative has been requested to allow a reduction of required yards within the planned unit development. The minimum setback requirement for the interior side yards is $5 + (2X)$ where x equals the numbers of stories above the first floor. Building A and Building B both have interior side yards that abut Outlot A. Both buildings are proposed at a height of 6 stories, equating to a minimum setback requirement of 15 feet. Both buildings will be located directly on the interior property lines but will step back approximately 28 feet in the center to allow for courtyard spaces above the ground floor. Outlot A will likely be developed into right-of-way in the future. The 80-foot space proposed allows for sidewalks, a potential bike lane and green boulevards. As such, each building would be setback approximately 15 feet from the back of the future curb.

To allow a reduction or elimination of required yards along the periphery of the planned unit development, except along property lines abutting a side or rear lot line of a residential district or property lines abutting a side or rear lot line of a structure used for permitted or conditional residential purposes.

Residential uses in the R6 district are subject to a minimum front yard setback of 15 feet. The minimum setback requirement for the sides and rear is $5 + (2X)$ where x equals the numbers of stories above the first floor. All buildings are proposed at a height of 6 stories, equating to a minimum setback requirement of 15 feet for the sides and rear. The proposed setbacks are as follows:

	Building A	Building B/C
Front Yard	0 feet	0 feet
Perimeter Side Yard	5.1 feet	9.7 feet
Rear Yard	.2 feet	.2 feet

Along the east property line, Building C will step back significantly to allow for a courtyard above the ground floor. Portions of Building A will have a greater setback along the west property line. The center of the building will step back to 9 feet. Along the front property line, each building will recess approximately three feet at the entrances. The proposed front yard setback will reinforce the street wall and support adopted urban design policies for this Transit Station Area. The applicant is coordinating with Public Works, Right-of-Way to provide landscaping in the right-of-way directly in front of the building, between the building and the proposed sidewalk. These landscaped areas will be a minimum of six feet in width.

The rear lot line abuts the Central Corridor LRT property. At its closest point, the building will be 16.9 feet from the center line of the LRT tracks and 20.6 feet at its furthest point. There is a minimum of nine feet between the rear lot line and an existing retaining wall and chain link fence on the adjacent property. The plans indicate that the applicant will work with the LRT Authority to establish a landscaped buffer between the proposed building and the retaining wall. This landscaped buffer will be required as a condition of approval.

- **On-premise signs. –** No alternative requested.

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- **Off-street parking and loading.** – The parking requirement for residential uses in the UA, University Area Overlay district is .5 spaces per bedroom but not less than one space per dwelling unit. The proposed project includes 194 dwelling units and 403 bedrooms. The minimum vehicle parking requirement is 201 spaces. Due to the property’s inclusion in a Transit Station Area Pedestrian Oriented Overlay District (TSA PO), the parking requirement is reduced to 90 percent of the minimum, or 181 spaces in this case. A total of 125 off-street parking spaces are proposed within the buildings. The number of spaces proposed equates to .31 spaces per bedroom. Nine additional tandem spaces are included in Building A. However, these spaces do not count toward the minimum parking requirement.

Points required:

- Minimum required amenity(ies) – **10 points.**
- Placement and number of principal residential structures – **5 points.**
- Lot area requirements – **5 points.**
- Yards – **5 points.**
- Off-street parking and loading – **5 points.**
- **Total – 30 points.**

Amenities provided: The applicant has provided a supplemental table (attached to this report) describing all of the amenities proposed. Staff believes 30 points worth of amenities are provided as described below.

Table 527-1 Amenities

The applicant proposes the following amenities from Table 527-1: Leadership in Energy and Environmental Design (LEED), Reflective roof, decorative or pervious surface for on-site parking and loading areas, drives, driveways and walkways, Decorative fencing, Enhanced exterior lighting, Recycling storage area, Water feature. The applicant is also taking advantage of the opportunity to propose their own 10-point amenity by reserving land in the center of the site for future right-of-way.

Amenity Proposed by the Applicant: Preservation of land for future right-of-way (substantially similar to right-of-way dedication) - 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 one (1), five (5), or ten (10) points based on the proportionality. Table 527-1 lists “Public Right-of-Way Dedication” as a 10 point amenity, for “dedication of land and construction of a public road, alley, pathway, or greenway that is part of an approved city plan or that restores the city's traditional grid subject to the approval of the applicable agencies or departments. Right-of-way improvements should be designed in accordance with [Chapter 598](#), Land Subdivision Regulations. Points shall not be awarded for the reconstruction or relocation of an alley to facilitate an alley vacation.” The applicant is preserving an 80-foot section of land in the center of the site, platted as an Outlot. This Outlot is 13,210 square feet in area and will allow for the future construction of 27th Avenue SE through the site, completing the Grand Rounds “missing link” as called for in approved City plans. Funds are not available for this land to be purchased for right-of-way at this time, but preserving the land as part of this development allows for the construction of the road when funds become available. Grades within the outlot are proposed to accommodate the future right-of-way and the applicant has made an effort to limit any facilities associated with the building in this outlot. In the

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interim, the land will be used as an open space for residents and will not be used for density calculations or other amenity points. While the proposed 80-foot width is narrower than what is called for in approved plans, it matches the width of 27th Avenue SE south of the site. Staff received a letter from the Minneapolis Park and Recreation Board, recommending approval of this width. Said letter is attached. This provision is worth 10 points.

Leadership in Energy and Environmental Design (LEED) – **The proposed development shall meet the minimum standards for LEED Silver certification. 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), which shows that the project will comply with LEED Silver requirements.** The proposed development will meet the minimum standards for LEED Silver certification. The developer will not seek actual certification but has submitted a LEED project checklist prepared by a LEED Accredited Professional. A minimum of 50 points on the LEED project checklist are required to meet the standards for Silver certification. The checklist submitted by the applicant shows that the project will attain a minimum of 64.5 points. The checklist has been attached for reference.

This provision is worth 10 points.

Reflective roofs – **Utilize roofing materials for seventy-five (75) percent or more of the total roof surface having a Solar Reflectance Index (SRI) equal to or greater than the values as required by the US Green Building Council (USGBC) for low-sloped and steep-sloped roofs.** Reflective roofing materials with a Solar Reflectance Index equal to or greater than that required by the USGBC will be provided for a minimum of 75 percent of the total roof area. The roof will be a mechanically fastened TPO/PVC or white EPDM.

This provision is worth 3 points.

Decorative or pervious surface for on-site parking and loading areas, drives, 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.** Exterior hard surface areas throughout the project will be decorative. Each courtyard area will include colored and stamped concrete. Similar concrete will be used in the center of the green space in Outlot A. Decorative pavers will surround the colored and stamped concrete in the courtyard areas. Walkways within the development will be comprised of stamped and colored concrete and/or concrete with a heavy brush finish. These materials comprise more than 75 percent of such surfaces throughout the site.

This provision is worth 3 points.

Decorative fencing – **Install high-quality decorative metal fencing where visible from the public street, public sidewalk or public pathway. The point for decorative fencing may be obtained when it is included as part of another amenity if it is also provided in other areas on the site. In no case shall chain-link fencing be considered decorative fencing.** Decorative fencing will be provided along the exterior perimeters of the courtyard spaces. The fencing will be metal and is proposed at 3.5 feet in height.

This provision is worth 1 point.

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Enhanced exterior lighting – **Lighting plan that highlights significant areas of the site or architectural features of the building(s), subject to the standards of Chapter 535, Regulations of General Applicability.** A series of decorative, pedestrian scale light poles are proposed within the center courtyard between Building B and Building C. These poles will be 12 feet in height. Identical lighting is proposed within the smaller courtyard spaces. Lighting proposed within Outlot A will match the Minneapolis Park and Recreation Board’s existing lighting on parkways. Other pedestrian scale lighting is proposed throughout the site. The lighting would comply with Chapter 535 standards, as shown on the attached photometric plan.

This provision is worth 1 point.

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 shall be located entirely below grade or entirely enclosed within the building.** Recycling chutes will be provided within each building. The recycling chutes will be connected to rooms within the parking garages where it will be stored and management will coordinate collection on pick-up day.

This provision is worth 1 point.

Water feature- **A water feature, including but not limited to a reflecting pond, a children's play feature or a drinking fountain shall be located where it is highly visible to and useable by the public.** The applicant is proposing a drinking fountain within the Outlot, directly abutting Building A. The fountain will be decorative, highly visible and useable by the public.

This provision is worth 1 point.

Points Summary

<i>Amenity</i>	<i>Points Requested by Applicant</i>	<i>Points Recommended by Staff</i>
Amenity Proposed by the Applicant- Land preservation for future right-of-way	10	10
LEED	10	10
Reflective Roof	3	3
Decorative or pervious surface for on-site parking and loading areas, drives, driveways and walkways	3	3
Enhanced Exterior Lighting	1	1
Decorative Fencing	1	1
Recycling Storage Areas	1	1
Water feature	1	1
Total	30	30

A total of 30 points are required for the requested alternatives and 30 points have been provided.

Phasing plan. – The development would not be phased. The entire project would be constructed at one time.

Section B: Additional Uses

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- 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:**
 - 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 proposed residential development will provide housing in an area that is transitioning away from light industrial uses, consistent with the mixed use designation in the comprehensive plan and the applicable small area plans. The residential units are intended for student housing and are designed as larger units with multiple bedrooms that can be retrofitted into smaller units should the market change in the future. Several residential units are arranged around courtyards within the development. The uses directly adjacent to the site include surface parking, a land maintenance facility and the Central Corridor LRT line.

- 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.**

While the applicant is requesting a parking reduction as a PUD alternative, the use is not expected to contribute to traffic congestion in the public streets. There are several options in the area for alternative modes of transportation. The site is located within walking distance of the 29th Avenue SE Central Corridor LRT Station, an HourCar™ and regular bus routes with midday service. According to the *Stadium Village Master Plan*, bus ridership is very high in this area

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due to frequent service on multiple routes and the availability of the U-pass, a discounted bus pass available to University students. The site is also directly adjacent to the bicycle path along the University of Minnesota Transitway. There are a number of other bicycle facilities in the area, including lanes and paths that run along the major corridors of University Avenue SE, 4th Street SE and 27th Avenue SE. Additionally, on-campus routes provide bicycle access through the University of Minnesota Campus. On-street parking is available along 4th Street SE, directly in front of the site.

Access into the underground parking structures is designed to alleviate conflicts and minimize traffic congestion. Each parking structure will have one access point, each from 4th Street SE. Curb cuts will be limited to 20 feet in width, consistent with the requirements of the PO, Pedestrian Oriented Overlay District. Loading for residential move-ins and move-outs will occur within the underground parking areas.

- 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, Preservation of land for future right-of-way, Decorative or pervious surface for on-site parking and loading areas, drives, driveways and walkways, Reflective roof, Decorative fencing, Enhanced exterior lighting, a Recycling storage area and a Water feature are proposed in this development. The amenities proposed provide the 30 points required for the requested alternatives.

- 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 site includes three separate buildings. Building A is located on the west side of the site and separated from the adjacent buildings by Outlot A. It is anticipated that Outlot A will eventually be developed into right-of-way to complete the Grand Rounds “missing link.” Buildings B and C are located on the east side of the site and while they share a parking structure, are separated above grade by a large interior courtyard to allow light, air, and visual separation between buildings. Each building will be compatible with one another and very similar in appearance, utilizing similar materials and colors. In order to achieve further visual distinction between individual buildings, staff recommends that each building have its own distinct color pallet. This will allow for the buildings to remain compatible with one another but not necessarily uniform and provide further visual relief on this large site. All parking will be enclosed.

Each building will be similar to one another in scale and massing. The existing building comprises most of the site with no visual relief. The redevelopment of the site will allow for 27th Avenue SE to be extended through the site in the future and in the interim this portion of the site will serve as an open space for residents. Adequate separation is provided between buildings to limit microclimate effects and allow adequate access to light and air. The buildings are not expected to impede any significant views.

- 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 residential uses or residentially zoned properties directly abutting the site. There is only one parcel directly adjacent to the site that is developed and it contains the University of Minnesota land management facility. Other immediate uses include surface parking and the Central Corridor LRT line. The applicant will be coordinating with the Central Corridor LRT Authority to provide enhanced landscape buffering between the subject site and the existing retaining wall that abuts the Central Corridor facility. Building C will have a 9.7 foot setback from the east property line. This yard will include landscaping that will serve as a buffer should the surface parking lot to the east be developed in the future. Staff is making recommendations for additional landscaping in the Site Plan Review section below.

This development would not be expected to have significant impacts on the amount of light and air that surrounding properties receive. As stated above, adjacent uses include surface parking lots and a land maintenance facility. Staff would expect some minimal shadowing effects on the adjacent properties due to the height of the building.

- 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 project was reviewed by the Public Works Department as part of the PDR process in terms of its relationship to public facilities, stormwater, erosion control and other aspects. The PDR report in its entirety has been attached for review. The applicant would be required 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 plan be approved.

- 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.**

While the existing building does not meet the City's threshold for historical significance, the applicant is encouraged to use sustainable building practices during the construction phases of the project and potentially incorporate materials from the existing building into the new project.

- 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.

VARIANCES: to increase the maximum lot coverage in the R6 district from 70 percent to approximately 93 percent and to increase the maximum impervious surface in the R6 district from 85 percent to 98 percent.

Findings as Required by the Minneapolis Zoning Code for the Variance:

1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.

The maximum lot coverage requirement in the R6 district is 70 percent. The applicant is proposing building footprints equivalent to 55,714 square feet on a 59,782 square foot site, equating to 93 percent lot coverage. Similarly, the maximum impervious surface requirement in the R6 district is 85 percent. The plans include 58,601 square feet of impervious surface on a 59,782 square foot site, equivalent to 98 percent of the site. Variances to exceed the maximum lot coverage and impervious surface limitations have been submitted accordingly. These variances are listed as one enumerated variance in the zoning code and are being evaluated accordingly.

Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The subject property is currently one lot with a large building in the center of it. Adopted City plans and polices call for 27th Avenue SE to be extended through the site, in the location of the existing building, to allow for the completion of the Grand Rounds “missing link.” As part of this project, the existing building will be demolished and 13,212 square feet of land in the center of the site is being reserved to allow for the future right-of-way extension. This portion of the site, platted as Outlot A, will not be developed on and will include 9,736 square feet of pervious surface. If this outlot were factored in, the total lot coverage would be 76 percent and the total impervious surface would be 85 percent of the site. Maximizing the development on Lot 1, Block 1 and Lot1, Block 2 makes it feasible for the applicant to reserve the center of the site for future right-of-way. These unique circumstances are reflected in adopted City policy and have not been created by the applicant.

2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

Planning Division staff finds that the lot coverage and impervious surface amounts requested are reasonable as this configuration will allow the applicant to reserve the center of the site for a future right-of-way connection. If this land were taken into account, the site would be in compliance with the impervious surface requirement and only marginally exceeding the lot coverage requirement. Additional green spaces are proposed within Outlot A and the courtyard areas that are not counted as pervious surface.

The impervious surface requirements are established to prevent soil erosion, minimize off-site stormwater runoff, and encourage natural filtration function. The applicant has made adequate provisions for stormwater and prevention of soil erosion. Public Works has reviewed these aspects of the project and found them to be sufficient per the attached PDR report. As previously mentioned,

adopted City policies show 27th Avenue SE extending through the site and land has been preserved to allow for this future right-of-way. Allowing the proposed lot coverage and impervious surface amounts would therefore be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

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

The surrounding area contains a mix of commercial, light industrial and residential uses. The uses immediately adjacent to the site include surface parking lots, a land maintenance facility and the Central Corridor LRT line. The area has historically been industrial and is currently transitioning as the University of Minnesota expands and the Central Corridor LRT line is established. Allowing the proposed development at the requested lot coverage and impervious surface ratios would not alter the essential character of the locality or be injurious to the use and enjoyment of other property in the vicinity. The site is currently 100 percent impervious. The proposed project will include green space that is not counted toward these calculations as it is located in an Outlot that may become right-of-way in the future. The proposed variance will not be detrimental to the health, safety, comfort or general welfare.

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:

Each building will be located up to the front property line adjacent to 4th Street SE. Building entries will recess slightly, up to three feet from the property line. In the future Outlot A may become right-of-way,

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making each lot a corner lot. Building A and Building B would each be located up to the common lot line with Outlot A as well. Placement of all three buildings will reinforce the street wall and facilitate pedestrian access and circulation. Landscaping is proposed between the building and the public sidewalk. Much of this landscaping is within the public right-of-way and the applicant has coordinated this effort with Public Works. Landscaped areas between the building and the public sidewalk is 6 feet in width.

The placement of the building and the building design will promote natural surveillance and visibility of the adjacent public spaces and private amenities. The principal residential entrances for each building open to the public sidewalk along 4th Street SE. Each entrance will be recessed and emphasized with significant glass coverage and signage. The bicycle repair room in Building A will have a separate entrance. This entrance is located at the corner and will open to the public sidewalk along 4th Street and on to a pedestrian walkway within Outlot A. The clubhouse in Building B will have a separate entrance off of the pedestrian walkway within Outlot A as well.

All of the parking proposed for the site would be enclosed.

Building A contains blank walls in excess of 25 feet on the first floor of the west elevation. Staff does not recommend granting alternative compliance to allow these long, blank walls. A material change will be required along this first floor. Below staff is recommending that the amount of fiber cement panel on this elevation be reduced as well. The material change on the first floor should include stone, metal panel or an alternate durable material and said material should be replicated elsewhere on this elevation. Along the north elevation, there is a 28-foot section of wall on the first floor that is interrupted with a metal louver for ventilation into the parking garage. These louvers, which are also used elsewhere on the buildings, are functional in nature and not aesthetically pleasing. Given the prominence of the parking garages at certain locations, staff recommends that all of the louvers be replaced with decorative metal panels. The other buildings contain multiple material changes, recesses and projections to limit the length of blank walls to 25 feet or less. Balconies are also proposed throughout, some of which extend over the public right-of-way along 4th Street SE. The applicant has discussed this issue with Public Works and the balconies will require obstruction/encroachment permits.

The primary exterior materials on all buildings would be durable and include stone tile veneer, brick panel, fiber cement panels, ribbed metal panels, smooth metal panels and glass. Green screen panels are proposed on the first floor of Building A and Building B where each one faces the open space in Outlot A. On Building A, the west elevation is nearly 100 percent fiber cement on the upper floors. Fiber cement panels are also a primary component of several other elevations throughout the development. This project is being proposed as a PUD, which allows for flexibility in the use of the land in order to obtain a higher quality of development. While the applicant is providing the required number of amenity points, staff believes that requiring a higher percentage of more durable materials would result in a more attractive, sustainable project consistent with the intent of the PUD chapter. As such, staff is recommending a condition of approval that limits the amount of fiber cement panels on each exterior elevation to 30 percent.

The grades on site are such that significant portions of the parking garage are exposed above grade in all buildings. For Building A, the parking garage is above grade for nearly all of the first floor. To allow proper ventilation, metal louvers are proposed in several locations on the east, west, and north

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elevations. This results in a lack of windows on the first floor in many locations, including along Outlot A which may become a public street in the future. As noted above, staff is recommending that all metal louvers be replaced with decorative metal panels to achieve a higher quality of development that is consistent with the intent of the PUD chapter. Please note, exterior material changes at a later date that do not reflect the conditions of approval 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, including similar color palettes for all buildings. As noted in the conditional use permit section of this report, staff is recommending that each building have its own individual, yet complimentary color pallet. This modification would give each building a distinct identity and provide visual relief on this large site.

Plain face concrete block would not be used as a primary exterior building material.

Multiple entrances would be provided for each building. The principal residential entrances for each building open to the public sidewalk along 4th Street SE. Each entrance will be recessed and emphasized with significant glass coverage and signage. The bicycle repair room in Building A will have a separate entrance. This entrance is located at the corner and will open to the public sidewalk along 4th Street and to Outlot A. The clubhouse in Building B will have a separate entrance off of the open space in Outlot A as well. Secondary egress is provided on the north side of each building.

The window requirements for the residential uses are 20 percent of the walls on the first floor and 10 percent on the upper floors for each elevation that face a public street, public sidewalk, public pathway, or on-site parking lot. The north and south elevations on each building are subject to the minimum window requirements. The applicable window percentages provided for each building are as follows:

	Building A	Building B	Building C
First floor- south elevation	34 percent	40 percent	11 percent
Upper floors- south elevation	26.8 percent	34.1 percent	31.6 percent
First floor- north elevation	0 percent	0 percent	33 percent
Upper floors- north elevation	24.1 percent	36 percent	33 percent

Per the above calculations, Buildings A and B require alternative compliance for the first floor of the north elevation. This floor is devoid of all windows due to the exposed parking garage. As an alternative, staff recommends that the metal louvers for each building be replaced with decorative metal panels. On Building A, staff further recommends that green screens be included in the two blank first floor sections that align with and match the size of the upper level windows. This will further assist in mitigating the lack of windows at such time as Outlot A becomes a public street.

Building C requires alternative compliance for the first floor of the south elevation, again due to the grades and exposed parking garage. When Buildings B and C are calculated together, the total amount of glazing is equivalent to 23.6 percent. However, when calculated on its own accord, Building C only has glazing for 11 percent of the first floor. As an alternative, staff recommends that green screens be provided in the blank sections that align with the upper level windows on the west end of this elevation. Landscaped areas are proposed in this location that can be refined to include necessary green screen plantings.

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As a condition of approval for the bicycle repair room, shelving, mechanical equipment or other similar fixtures shall not be allowed to block views into and out of the building at eye level, or in the area between four (4) and seven (7) feet above the adjacent grade.

Building A would include active functions for 66 percent of the first floor facing 4th Street SE. The portion of the street frontage that is not active includes the entrance into the parking garage. Active functions on this elevation include the entry lobby and bicycle repair room. Building B would include active functions for nearly 100 percent of the first floor facing 4th Street. Those active functions include a clubhouse room and entrance lobby. Building C includes active functions for 32.6 percent of the first floor. Due to the grades, the first floor units start 6-8 feet above grade along 4th Street. Buildings A and C require alternative compliance.

The proposed roofline is primarily flat, consistent with other buildings in the area.

As noted above, there are several locations throughout the development in which the parking garages are exposed, due to the grades on site. Staff has made recommendations for making material modifications in locations where the parking is exposed to enhance the pedestrian experience in this Transit Station Area Pedestrian Oriented Overlay District. Those recommendations include provisions for green screens and decorative metal panels in the place of standard metal louvers.

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:

The primary building entrances will open directly onto the public sidewalk. Currently there is not a sidewalk system on this side of 4th Street SE. The applicant is proposing a 6-foot sidewalk along 4th Street SE with 6 feet of landscaping between the sidewalk and the building and an 8-foot landscaped boulevard. The sidewalk will widen in front of each entrance to provide pedestrian connections to the buildings. The sidewalk width in front of Building B exceeds the maximum width allowed for a permitted encroachment in the residence districts. Flexibility to the yard requirements has been requested per the Planned Unit Development. Building A and Building B will also have entrances that open to Outlot A and will be connected to said outlot with sidewalks that are approximately 10 feet in width. A pedestrian walkway that is a minimum of 5 feet in width will circulate through the perimeter of Outlot A. All walkways will be clearly delineated and well lit. The parking garages will be accessible from the interior of each building.

A transit shelter is not proposed or adjacent to the site.

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Vehicle access into the parking garages will come from 4th Street SE. The access point into the parking garage in Building A will be approximately 5 feet from the west property line. Due to the close proximity to the property line and the limited sight triangle, a pedestrian warning device will be required for this access per the comments from Public Works- Traffic Division in the attached PDR report. The access into the parking garage that is shared by Building B and Building C is located in the center of the site. Both driveways are limited to 20 feet in width in compliance with the requirements of the PO, Pedestrian Oriented Overlay District. The proposed access points and traffic circulation should minimize vehicular conflicts with pedestrians. Several pedestrian walkways have been incorporated into the site design to clearly direct pedestrian movements. The public sidewalk around the perimeter of the site will maintain a minimum width of 6 feet.

The site is not directly adjacent to any residential uses and there are no alleys on the block.

All of the parking proposed for the site would be enclosed. Vehicle circulation for the enclosed parking will occur entirely within the structures. The applicant has requested a variance to allow an increase in the amount of impervious surface on both lots due to the fact that the majority of the green space is within Outlot A and is not counted toward the calculations. Staff is recommending approval of said variance. Each building includes partial green roofs that also have not been counted toward the impervious surface calculations.

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.**

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- **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 at least 20 percent of the site not occupied by buildings be landscaped. The lot area of the site (Lot 1, Block 1 and Lot 1, Block 2) is approximately 59,782 square feet. The building footprints are 55,714 square feet. The net lot area is 4,068 square feet, of which at least 20 percent (814 square feet) must be landscaped. The applicant is proposing a landscaped area of 2,887 square feet, or 70.9 of the net site area. The landscaped areas are primarily within the perimeter side yards with smaller on-site landscaped areas in front of each building. Additional landscaping is proposed within the right-of-way and in each courtyard. The green space within Outlot A has not been counted toward these calculations, but serves as an additional amenity on site until such time as it is developed into right-of-way.

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 2 and 8 respectively. All of the canopy trees proposed on site are within Outlot A or within the right-of-way. A total of 42 shrubs are proposed on Lot 1, Block 1 and Lot 1, Block 2. An additional 88 shrubs are proposed within the right-of-way and Outlot A. In addition, 246 perennials and 106 grasses are proposed throughout the project and within the right-of-way. No canopy trees are proposed on site but nine evergreen trees and 13 ornamental trees are proposed. Alternative compliance is requested to allow the proposed trees and to allow the required canopy trees to be within the right-of-way and within Outlot A. Due to the layout of the site and the number of plantings proposed, staff recommends granting alternative compliance. It should also be noted that some of the evergreen trees proposed within the perimeter side yards are in locations that conflict with proposed balconies and will need to be adjusted on the final site plan accordingly. As an additional alternative staff recommends that a minimum of ten additional shrubs be planted in the west perimeter side yard.

The landscape plan includes a significant amount of wood mulch in lieu of turf grass, primarily along the west and east property lines. Staff is recommending that the wood mulch in these locations be replaced with turf grass/sod between plantings. Turf grass will be more durable and provide a more effective transition between the site and neighboring properties.

All parking will be provided underground or enclosed within the buildings and no additional landscaping standards apply.

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.**

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- **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:

Continuous concrete curbing would be provided for the length of the driveways. Storm sewer for roof and site drainage will be piped to an on-site stormwater management system which connects to the city storm sewer system. This system was reviewed by Public Works as part of the PDR process and that report is attached for review.

The buildings should not impede any views of important elements of the city.

Staff would expect some minimal shadowing effects on the surrounding properties due to the proposed height of the building. Adjacent uses include surface parking lots, the Central Corridor LRT line and the University of Minnesota land management facility. No significant shadowing of public spaces is expected.

The buildings have been arranged so that wind currents should not be a major concern.

The development addresses crime prevention through environmental design. Enhanced lighting is provided throughout the site, including all exterior amenity spaces. Information submitted by the applicant indicates that lighting levels would enhance security without creating glare or excessive lighting. Walkways, landscaping and fencing would be provided to guide pedestrian movement in and around the site and to distinguish between public and private spaces.

The project includes demolition of the existing building. A survey of potential historic resources in this area was conducted as part of the Stadium Village Master Plan and this site was not identified as a potential resource. The applicant submitted a request for a Historic Review Letter on October 15, 2012. The Historic Review letter was not available at the time the staff report was printed, but will be forwarded to the Commission when available.

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 applicant has requested rezoning to the R6, Multiple-family Residence District. A PUD is a permitted conditional use in the R6 district.

Parking and Loading:

Minimum automobile parking requirement: The parking requirement for residential uses in the UA, University Area Overlay District is .5 spaces per bedroom but not less than one space per dwelling unit. The proposed project includes 194 dwelling units and 403 bedrooms. The minimum vehicle parking

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requirement is 201 spaces. Due to the property's inclusion in a Transit Station Area Pedestrian Oriented Overlay District (TSA PO), the parking requirement is reduced to 90 percent of the minimum or 181 spaces in this case. A total of 125 off-street parking spaces are proposed within the buildings. The number of spaces proposed equates to .31 spaces per bedroom. Nine additional tandem spaces are included in Building A. However, these spaces do not count toward the minimum parking requirement. An exception to the minimum parking requirement has been requested per the PUD and that request has been evaluated above.

Maximum automobile parking requirement: There is no maximum parking requirement for dwellings except for parking that is not enclosed. All parking for the proposed development will be enclosed or underground.

Bicycle parking requirement: The minimum bicycle parking requirement in the UA, University Area Overlay District is one space per bedroom. The applicant will be providing the required 403 bicycle parking spaces within the two enclosed parking structures and at grade level within Building A.

Loading: Multiple family dwellings with less than 100 units do not have a minimum loading requirement. Each of the proposed buildings will have fewer than 100 units. The total unit count for the entire development is 194 units. If the loading requirement were taken cumulatively for the entire development, one small loading space (10' x 25') would be required. Loading for residential move-in and move-out activities will be accommodated within the parking garages.

Maximum Floor Area: The maximum FAR allowed in the R6 district is 3.0. The maximum FAR increases to 3.9 when all required parking is located underground. The project includes a 204,925 square foot building on a 59,782 square foot lot, resulting in a floor area ratio of 3.43.

Minimum Lot Area: The minimum lot area requirement in the R6 district is 400 square feet per dwelling unit. The two lots within the development are a total of 59,782 square feet in area, which allows 149 units. The development qualifies for a 30 percent bonus, or 44 additional dwelling units, by enclosing all of the required residential parking. With the density bonus, 193 dwelling units would be allowed, reducing the required lot area per dwelling unit from 400 square feet to 309 square feet. A total of 194 dwelling units are proposed at 308 square feet of lot area per dwelling unit. An exception has been requested through the PUD to allow this one additional dwelling unit.

Dwelling Units per Acre: The applicant is proposing a 194-unit residential development on a lot that is 1.37 acres in size. The resulting density is approximately 142 dwelling units per acre. This level of density fits into the very high density category per *The Minneapolis Plan for Sustainable Growth*, which identifies this density category as development with more than 120 dwelling units per acre. This level of density is appropriate in a Transit Station Area and near a Growth Center and consistent with the high-density residential development called for in the Stadium Village Master Plan.

Building Height: In the R6 district, the maximum building height is 6 stories, not to exceed 84 feet. The maximum height of the proposed buildings is 6 stories, 72 feet.

Yard Requirements: Residential uses in the R6 district are subject to a minimum front yard setback of 15 feet. The minimum setback requirement for the sides and rear is 5 + (2X) where x equals the

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numbers of stories above the first floor. All buildings are proposed at a height of 6 stories, equating to a minimum setback requirement of 15 feet for the sides and rear. The proposed setbacks are as follows:

	Building A	Building B/C
Front Yard	0 feet	0 feet
Side Yard	5.1 feet	9.7 feet
Interior Side Yard	0 feet	0 feet
Rear Yard	0 feet	0 feet

Exceptions for the yard requirements have been requested through the PUD. Staff is recommending approval of the proposed setbacks, with a condition for a landscaped buffer between the subject site and the Central Corridor LRT.

Building Lot Coverage: The maximum lot coverage requirement in the R6 district is 70 percent. The applicant is proposing building footprints equivalent to 55,714 square feet on a 59,782 square foot site, equating to 93 percent lot coverage. A variance to exceed the maximum lot coverage has been submitted accordingly and staff is recommending approval, as evaluated above.

Impervious Surface: The maximum impervious surface requirement in the R6 district is 85 percent. The plans include 58,601 square feet of impervious surface on a 59,782 square foot site, equating to an impervious surface amount of 98 percent. A variance to exceed the maximum impervious surface has been submitted and staff is recommending approval, as evaluated above.

Specific Development Standards: The specific development standards for PUDs are the requirements in Chapter 527 of the zoning code, which have been evaluated above.

Refuse Screening: Refuse storage containers would be stored in the buildings. Each of the buildings will have a trash room within the parking garage to accommodate trash and recycling. Trash and recycling chutes will connect from the upper floors to these facilities.

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.

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- (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.

Transformers are proposed within the west side yard of Lot 1, Block 1 and the east side yard of Lot 1, Block 2. These transformers are located near the front property line and are proposed to be screened with Karl Forester Grass. Staff recommends an additional plant material in these locations so that screening will be provided year round.

Lighting: Lighting must comply with Chapter 535 and Chapter 541 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 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.

The applicant has submitted a photometric plan that indicates the proposed lighting will comply with the above standards.

Fences: Fences are subject to the regulations found in Chapter 535, Article VI of the zoning code. The fencing proposed would primarily be ornamental black metal fence at a height of 3.5 feet and would be located on the interior of the site. The fencing would comply with the requirements in Chapter 535, Article VI.

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Signs: Multiple-family dwellings on lots greater than one acre are permitted one 48 square foot wall identification sign at a maximum height of 14 feet. Each building entrance has the address and an identification sign that is approximately 20 square feet in area. Any proposed signage must comply with the requirements of Chapter 543 of the zoning code and will require Zoning Office review, approval, and permits. There is also public art shown on the front elevation of Building C that does not count toward the maximum signage requirement, provided it does not identify the building.

MINNEAPOLIS PLAN

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

SMALL AREA PLANS

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:

- **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 to allow sections of blank walls that exceed 25 feet in length on the west elevation of Building A. Staff does not recommend granting alternative compliance for this requirement. As a condition of approval, a material change shall be provided on the first floor. Said material change should include stone, metal panel or an alternate durable material and said material should be replicated elsewhere on this elevation to reduce the amount of fiber cement panel.

Alternative compliance is also requested for the minimum window requirement. Buildings A and B require alternative compliance for the first floor of the north elevation. This floor is devoid of all windows due to the exposed parking garage. As an alternative, staff recommends that the metal louvers for each building be replaced with decorative metal panels. On Building A, staff further recommends that green screens be included in the two blank first floor sections that align with the upper level windows. Building C requires alternative compliance for the first floor of the south elevation, again due to the grades and exposed parking garage. As an alternative, staff recommends that green screens be provided in the blank sections that align with the upper level windows on the west end of this elevation. Landscaped areas are proposed in this location that can be refined to include necessary green screen plantings.

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Alternative compliance is requested for the minimum tree requirement. A minimum of two canopy trees are required on site. Ten canopy trees are proposed within Outlot A and ten are proposed within the right-of-way. No canopy trees are proposed on Lot 1, Block 1 or Lot 1, Block 2 but nine evergreen trees and 13 ornamental trees are proposed. Alternative compliance is requested to allow the proposed trees and to allow the required canopy trees to be within the right-of-way and within Outlot A. Due to the layout of the site and the number of plantings proposed, staff recommends granting alternative compliance. As an additional alternative, staff recommends that a minimum of ten additional shrubs be planted in the west perimeter side yard.

The final item of alternative compliance relates to the ground floor active functions provision for Building A and Building C. Building A would include active functions for 66 percent of the first floor facing 4th Street SE. The portion of the street frontage that is not active includes the entrance into the parking garage. Active functions on this elevation include the entry lobby and bicycle repair room. Building B would include active functions for nearly 100 percent of the first floor facing 4th Street. Those active functions include a clubhouse room and entrance lobby. Building C includes active functions for 32.6 percent of the first floor. Due to the grades, the first floor units start 6-8 feet above grade along 4th Street. The applicant is working with the grades on site to activate the first floor where possible. There are water table issues in this area of the City that further complicate the height of the parking garages. Staff recommends granting alternative compliance accordingly.

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 currently consists of one underlying platted lots. The land is proposed to be platted into two lots and an outlot. 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

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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.

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.

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 site does have some grade changes that are being accommodated by the developer and are not of a degree that would endanger the residents of the subdivision or the surrounding area. The site does not present any of the other 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.

The proposed lot is buildable with minimal alterations and will have frontage on 4th Street SE. The site may have additional street frontage in the future if 27th Avenue SE is constructed as recommended in adopted City plans.

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 practical, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.

The Public Works Department has reviewed the project for appropriate drainage and stormwater management. Specific comments related to stormwater can be found in the attached PDR report. The amount of stormwater runoff from the site should be minimized.

RECOMMENDATIONS

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

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The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application for the rezoning of 2635 4th Street SE from the I1, Light Industrial District, ILOD, Industrial Living Overlay District, PO, Pedestrian Oriented Overlay District, UA, University Area Overlay District to the R6, Multiple-family Residence District, retaining the UA, University Area Overlay District and PO, Pedestrian Oriented Overlay District

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 194 dwelling units located at the property of 2635 4th Street SE, 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 totaling a minimum of 30 points: Leadership in Energy and Environmental Design (LEED), Reflective roof, Decorative or pervious surface for on-site parking and loading areas, drives, driveways and walkways, Decorative fencing, Enhanced exterior lighting, Recycling storage area, Water feature and Preservation of land for future right-of-way.
- 3) The applicant shall implement all amenities as required by section 527.120 of the zoning code by October 29, 2014.
- 4) The applicant shall coordinate with the Central Corridor LRT Authority to provide an enhanced landscape buffer between the subject site and the Central Corridor LRT line to serve as an appropriate transition, per section 527.260 of the zoning code.
- 5) The applicant shall make consideration for the salvage and reuse of existing building elements per Section 527.260 of the zoning code.
- 6) Outlot A shall remain free of development to allow for the extension of 27th Avenue SE through the site.

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 above findings and **approve** the variance to increase the

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maximum lot coverage in the R6 district from 70 percent to 93 percent for the property at 2635 4th Street SE.

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 above findings and **approve** the variance to increase the maximum impervious surface requirement in the R6 district from 85 percent to 98 percent for the property at 2635 4th Street SE.

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 2635 4th Street SE, 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 October 29, 2014, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
- 3) Blank walls in excess of 25 feet on the west elevation of Building A shall be modified to include a material change, windows, entries, recesses, projections or other architectural elements in compliance with Section 530.120 of the zoning code.
- 4) Cement board (Hardi) panels shall not exceed more than 30% coverage on any single exterior elevation of the proposed building.
- 5) 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, in compliance with Section 530.120 of the zoning code.
- 6) All metal louvers throughout the development shall be replaced with decorative metal panels to serve as an alternative to the minimum window requirement, per Section 530.120 and Section 530.80 of the zoning code.
- 7) Green screens shall be provided in the two blank first floor sections that align with the upper level windows on the north elevation of Building A to serve as an alternative to the minimum window requirement, per Section 530.120 and Section 530.80 of the zoning code.
- 8) Green screens shall be provided in the blank sections that align with the upper level windows on the west end of the south elevation of Building C to serve as an alternative to the minimum window requirement, per Section 530.120 and Section 530.80 of the zoning code.

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- 9) Each building shall have its own distinct color palette to provide visual relief on this large site.
- 10) An additional plant material shall be provided front of the transformers in the west side yard of Lot 1, Block 1 and the east side yard of Lot 1, Block 2 to provide year-round screening, per Section 535.70 of the zoning code.
- 11) A minimum of 10 additional shrubs shall be planted within the west side yard of Lot 1, Block 1 as an alternative to the minimum tree requirement, per Section 530.160 and Section 530.80 of the zoning code.
- 12) The wood mulch proposed in the west side yard of Lot 1, Block 1 and the east side yard of Lot 1, Block 2 shall be replaced with sod or turf grass, per Section 530.180 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 2635 4th Street SE, subject to the following condition:

- 1) The plat shall include a deed restriction as required by section 598.260 of the subdivision ordinance. Said deed restriction shall address the future extension of 27th Avenue SE through the site.

Attachments:

- 1) Applicant's statement of proposed use, responses to findings and site amenities table
- 2) Zoning map
- 3) Zoning matrix
- 4) PDR Report
- 5) Letter from PPERRIA dated September 20, 2012
- 6) Letter from the Minneapolis Park and Recreation Board
- 7) Correspondence
- 8) Plans
- 9) LEED Checklist
- 10) Photos of the property and existing structures