

Department of Community Planning and Economic Development
Conditional Use Permit, Variances and Site Plan Review
BZZ-6152

Date: August 26, 2013

Applicant: Rusty Turpen

Address of Property: 501 15th Avenue Southeast/1423 5th Street Southeast

Project Name: 501 15th Avenue

Contact Person and Phone: Scott Nelson, DJR Architecture, Inc., (612) 676-2714

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

Date Application Deemed Complete: August 9, 2013

End of 60-Day Decision Period: October 8, 2103

Ward: 3 Neighborhood Organization: Marcy-Holmes Neighborhood Association

Existing Zoning: R5 Multiple Family Residence District and the UA University Area Overlay District

Proposed Zoning: Not applicable for this development

Zoning Plate Number: 15

Legal Description: Lots 9 and 10, Block V, TUTLE'S ADDITION TO ST. ANTHONY, Hennepin county, Minnesota

Proposed Use: Multiple-family residence with 31 dwelling units

Concurrent Review:

- Conditional use permit amendment to increase the maximum allowed height from the previously approved 56 feet, 8 inches to 58 feet, 9 inches.
- Variance to reduce the required west interior side yard setback from 13 feet to 5 feet for the second floor of the building.
- Variance to reduce the required north rear yard setback from 13 feet to 5 feet for the first through fifth floors of the building.
- Variance to increase the maximum allowed lot coverage from the previously approved 81 percent to 81.3 percent.
- Variance to increase the maximum impervious surface requirement from 85 to 87 percent.
- Site plan review amendment for a five story addition with 13 new dwelling units.

Applicable zoning code provisions: Chapter 525, Article VII Conditional Use Permits; Chapter 525, Article IX, Variances, specifically Section 525.520(1) "To vary the yard requirements, including permitting obstructions into required yards not allowed by the applicable regulations;" and

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525.520(15) “To vary the maximum lot coverage and impervious surface coverage requirements;” and Chapter 530, Site Plan Review

Background: The development site is located on the northwest corner of the intersection of 15th Avenue Southeast and 5th Street Southeast. The site is comprised of one parcel and is occupied by four residential structures (one duplex and three multiple-family dwellings with six units each). The proposed project is a five story addition, with 13 new dwelling units and enclosed parking, attached to the three existing 3-story apartment buildings. By attaching the three existing buildings with the addition, one principal structure will be created on the lot. The existing two-family dwelling on the property will be demolished to accommodate the addition. As of the writing of this staff report, a wrecking permit had not been obtained. With the new addition there will be a total of 31 dwelling units on site. The applicant proposes 41 enclosed parking stalls (21 spaces on the first floor and 20 spaces on the second floor accessed through a car elevator). Bicycle parking will also be provided in the enclosed parking areas as well as bicycle storage rooms in the building.

On October 15, 2012, the City Planning Commission approved a conditional use permit, variances, and a site plan review to allow a 5-story addition, with 16 new dwelling units and enclosed parking, attached to three existing 3-story apartment buildings. The complete actions are attached for reference. With the new addition, a total of 34 dwelling units and 45 parking spaces were proposed on the site. The parking spaces were divided on two levels: 20 spaces on the main level of the building and 25 spaces in one level of underground parking accessed through a car elevator.

The applicant is now proposing to eliminate the underground parking level and establish a parking level on the second floor accessed through a car elevator. These alterations result in the loss of 3 dwelling units, 12 bedrooms and 4 parking spaces. Therefore a total of 31 dwelling units, 118 bedrooms and 41 parking spaces are now proposed. The overall amount of parking spaces per dwelling unit and per bedroom has not been reduced.

Other changes in the plans include:

- Increasing the height of the building by 2 feet, 1 inch.
- Increasing the building footprint by 135 square feet. This also results in an increase of impervious surfaces.
- Increasing the floor area on the upper floors at the north end of the building.

The following applications are required to allow the proposed changes:

- The maximum height allowed in the R5 district is 4 stories or 56 feet, whichever is less. The height is determined by the vertical distance from the natural grade measured at a point 10 feet away from the front center of the building to the average distance between the eave edge and the ridge level for a gable roof. The proposed height is 5-stories and 58 feet, 9 inches. As measured at the top of the parapet, most of the building addition would be 56 feet 8 inches in height. The height of the addition would be 58 feet, 9 inches at the front center of the building where the elevator overrun and stairwell are proposed. The planning commission previously granted a conditional use permit to increase the maximum height to 5-stories and 56 feet, 8 inches. The applicant has requested an amendment to the conditional use permit to increase the maximum height allowed.

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- Multiple-family dwellings in the R5 district have a minimum side yard requirement of $5+2x$ (where x is the number of stories above the first floor). Adjacent to the west lot line, the required interior side yard setback for the proposed addition is 13 feet. The first and second floors would be set back up to 5 feet from the side lot line. The third through fifth floors would be set back 11 to 15 feet. The planning commission previously granted a variance to allow the first floor to be located up to 5 feet from the lot line and the second floor setbacks matched those of the third through fifth floors. Because the proposed setback of the second floor has been reduced, an amendment to the variance is required.
- Multiple-family dwellings in the R5 district have a minimum rear yard requirement of $5+2x$ (where x is the number of stories above the first floor). Adjacent to the north lot line, the required rear yard setback for the proposed addition is 13 feet. The first through fifth floors would be set back up to 5 feet from the lot line. The planning commission previously granted a variance to allow most of the first floor to be located up to 5 feet from the lot line. A variance was not previously needed for the second through fifth floors as they were set back 15 to 24 feet from the lot line. As proposed, the first and second floor walls of the addition would be set back 5 to 6 feet. The walls of the third through fifth floors would be set back 6, 11.5 and 14.5 feet. Because the proposed setback of all of the floors has been reduced, an amendment to the variance is required.
- The maximum lot coverage permitted in the R5 district is 70 percent. The site is 21,802 square feet and the building footprint is 17,729 square feet. The applicant is proposing a lot coverage equivalent to 81.3 percent of the total site. The planning commission previously granted a variance to allow 81 percent lot coverage. The applicant has increased the proposed lot coverage by 135 square feet; therefore, an amendment of the variance is required.
- The maximum impervious surface coverage allowed in the R5 district is 85 percent. For the proposed site, 18,532 square feet of coverage is allowed. The proposed amount of impervious surface is approximately 18,970 square feet, which covers 87 percent of the site. A variance is required to increase the maximum impervious surface requirement.
- The aforementioned changes also require an amendment of the site plan review.

As of writing this staff report, staff has not received any correspondence from the neighborhood group for the proposed amendments. Staff will forward comments, if any are received, at the City Planning Commission meeting. When the project was originally reviewed, CPED staff received a letter of support from the Marcy Holmes neighborhood with the following conditions related to the 3 existing buildings that will remain:

- New porches and steps at 15th Avenue SE entrances to building
- Refurbish entry doors and entry alcove area to original conditions
- Replace large windows with new windows that are consistent with the historical nature of the buildings
- Install a 6-ft wrought iron style fence around street sides of building
- Well-designed landscaping to include flowering bushes and evergreens for winter color
- Rebuild cornices and tuck pointing on all three existing buildings

The applicant has addressed many of the conditions above in the submission; however, a 6-foot tall fence is not permitted around the street sides of the building without a variance to increase the maximum fence height in a required front yard from 4 feet to 6 feet. The applicant has indicated that they will comply with the height requirement and install a 4-foot tall wrought iron style fence.

Post Committee of the Whole meeting changes to the plans

Changes that have been made to the plans to address commissioner comments since the project was reviewed at Committee of the Whole on June 27, 2013 include the following:

- The outlines of the adjacent buildings have been emphasized, with dimensions added, on sheet C-2 Site Plan. Proposed setbacks for the upper floors have also been added to sheet A103a Proposed Third Floor Plan.
- On the second level of the parking garage, the exterior material was changed from concrete masonry units to stucco.
- On the first level of the parking garage, the exterior material was changed from rock-face CMU to burnished block.
- The plans indicate that the improvements requested by the Marcy-Holmes Neighborhood Association for the existing buildings will be completed as part of the project.

Additional landscaping was also requested along the north side of the building, but more landscaping hasn't been added in that area. As part of the site plan review, staff is recommending that the planning commission require additional landscaping in this area.

CONDITIONAL USE PERMIT: Amendment to increase the maximum allowed height from the previously approved 56 feet, 8 inches to 58 feet, 9 inches.

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

The Community Planning and Economic Development Department 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.

Increasing the permitted height to 58 feet, 9 inches to allow the roof of the elevator overrun and adjacent stairwell will not be detrimental to or endanger the public health, safety, comfort or general welfare provided the development complies with all applicable building codes and life safety ordinances as well as Public Works Department standards.

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

The subject site is located in a fully developed area. Increasing the height of the proposed addition will not be injurious to the use and enjoyment of other property in the vicinity nor should it impede on possible future development. The proposed building addition will be located 20 feet or more from the adjacent 2-story with a garden level residential structure to the west and 12 feet

or more from the adjacent 2.5 story residential structure to the north. The tallest part of the addition would be located at the front center of the building to minimize any adverse effects on surrounding properties. Adopted City policies encourage both high and very high density in this location. In order to achieve the desired density in a sensitive manner and to maintain the 3 existing brownstone buildings, an increase in height above the district standards is appropriate.

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

The amendment will not affect utilities, access, or drainage. The site is served by existing infrastructure and will be accessed from 5th Street Southeast. The Public Works Department will review the project for appropriate drainage and stormwater management as well as to ensure the safety of the position and design of improvements in or over the public right of way.

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

The increased height would not have an effect on congestion in the streets. A total of 31 dwelling units, 118 bedrooms and 41 parking spaces are now proposed. The overall amount of parking spaces per dwelling unit and per bedroom has not been reduced. The applicant will also provide 118 enclosed bicycle parking spaces.

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

In the *Minneapolis Plan for Sustainable Growth*, the future land use designation for this site is urban neighborhood and is located on a designated Community Corridor (15th Avenue Southeast). Community Corridors can support up to high density (50-120 dwelling units per acre) in appropriate areas. The University of Minnesota is designated as a Growth Center. High to very high density can be supported within Growth Centers. In addition, the site is located across the street from the northeastern boundary of the Dinkytown Activity Center. The proposed height would be consistent with the applicable principles and policies of the comprehensive plan including the following:

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

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

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

10.6.1 Design buildings to fulfill light, privacy, and view requirements for the subject building as well as for adjacent properties by building within required setbacks.

The site is also located within the boundaries of the *Master Plan and Urban Design Plan for the Marcy-Holmes Neighborhood*. The plan states that the three and a half blocks between 14th and 15th Avenues Southeast should be designed as a transitional edge of the Marcy-Holmes neighborhood.

New developments should resemble the scale of buildings across 14th Avenue. Taller buildings on 15th Avenue should be stepped back from the street so as to not overwhelm the street and sidewalk. The plan notes that this site is appropriate for taller buildings and greater density.

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.

With the approval of the conditional use permit, variances and site plan review this development would be in conformance with the applicable regulations of the zoning code.

ADDITIONAL STANDARDS TO INCREASE MAXIMUM HEIGHT

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

1. Access to light and air of surrounding properties.

The increase in height should have little effect on the access to light and air of surrounding properties. The building addition will be located 20 feet or more from the adjacent residential structure to the west and 12 feet or more from the adjacent residential structure to the north. The tallest part of the addition would be located at the front center of the building to minimize any adverse effects on surrounding properties.

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

Floors one and two of the addition would be located 20 feet or more from the adjacent residential structure to the west and 12 feet or more from the adjacent residential structure to the north. Most of the west building wall of floor 3 through 5 will be setback 15 feet from the side lot line, which exceeds the minimum 13 foot yard requirement. Most of the north building wall of the addition would be setback 14.5 feet from the rear lot line. The rear stairwell, which is 14 feet wide, would be located closest to the rear lot line with a 6 foot setback. The tallest part of the addition would be located at the front center of the building to minimize any adverse effects on surrounding properties. The proposed addition will cast shadows on the adjacent residential properties to the west and north. However, the increase in shadowing would not be significant compared to what is allowed in the R5 zoning district. The site is not adjacent to any significant public spaces. Staff is not aware of any existing solar energy systems that would be affected by shadowing.

3. The scale and character of surrounding uses.

The scale and character of the buildings as well as the architectural styles of the surrounding properties in this area are varied. The proposal is compatible with the existing and planned for scale and character of other buildings in the area. Existing buildings in the immediate area are one to three stories in height. Two 6-story mixed use developments, located within one block of the subject site, were recently approved. The proposed addition will be the first development on this block that implements the proposed height and density outlined in the adopted small area plan. The

design and allocation or distribution of height on the site will be compatible with the surrounding uses.

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

There are no landmark buildings, significant open spaces or water bodies near the development site that would be affected by the height of the proposed building.

VARIANCES: **1.** To reduce the required west interior side yard setback from 13 feet to 5 feet for the second floor of the building; and **2.** To reduce the required north rear yard setback from 13 feet to 5 feet for the first through fifth floors of the building.

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.

Multiple-family dwellings in the R5 district have a minimum interior side and rear yard requirement of $5+2x$ (where x is the number of stories above the first floor). A 5-story building is proposed; therefore the required interior side yard setback for the proposed addition is 13 feet adjacent to the west lot line and the required rear yard setback for the proposed addition is 13 feet adjacent to the north lot line. On the west side of the addition, the first and second floors would be set back 5 feet and the third through fifth floors would be set back 11 to 15 feet from the side lot line. On the north side of the addition, the first and second floors would be set back 5 to 6 feet and the walls of the third through fifth floors would be set back 6, 11.5 and 14.5 feet from the lot line.

Practical difficulties exist in complying with the ordinance. Due to the configuration of the existing structures, accommodating increased density on this site is difficult without requiring variances. While the height of the building is responsible, in part, for the degree of the variance requested, the proposed height and density is consistent with what is called for in the small area plan and for a site adjacent to an activity center. In addition, eliminating the setback variances would make it difficult to provide enclosed or an adequate amount of parking on this site.

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.

Yard controls are established to provide for the orderly development and use of land and to minimize conflicts between adjacent land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. The request to allow a reduced setback along the north and west lot lines is reasonable and is in keeping with the spirit and intent of the ordinance and the comprehensive plan. The proposed addition will not diminish light, air or open space for the adjacent properties. As mentioned above, the majority of the building will be set back more than 5 feet from the north and west property lines. Further, the addition will be located 20 feet or more from the adjacent residential structure to the west and 12

feet or more from the adjacent residential structure to the north. Most of the addition would be located to the rear of the residence to the north as well.

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

Granting the variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. It will also not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties. The existing unenclosed surface parking area is located 5 feet from the north property line and 3 feet from the west property line. The majority of the building addition will be set back more than 5 feet from the north and west property lines and will be located 20 feet or more from the adjacent residential structure to the west and 12 feet or more from the adjacent residential structure to the north. Most of the addition would be located to the rear of the residence to the north as well.

VARIANCE: 1. To increase the maximum allowed lot coverage from the previously approved 81 percent to 81.3 percent; and 2. To increase the maximum impervious surface requirement from 85 to 87 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 permitted in the R5 district is 70 percent. The site is 21,802 square feet and the building footprint is 17,729 square feet. The applicant is proposing a lot coverage equivalent to 81.3 percent of the total site. The planning commission previously granted a variance to allow 81 percent lot coverage. The applicant has increased the proposed lot coverage by 135 square feet.

The maximum impervious surface coverage allowed in the R5 district is 85 percent. For the proposed site, 18,532 square feet of coverage is allowed. The proposed amount of impervious surface is approximately 18,970 square feet, which covers 87 percent of the site.

Practical difficulties exist in complying with these requirements. The site is currently nonconforming to the zoning code requirement which limits no more than one residential structure per zoning lot. The proposed addition will connect to all three existing apartment buildings, bringing the site in to compliance with this regulation. The footprint of the addition for the first and second levels is larger than floors 3 through 5 to accommodate fully enclosed parking. In addition to the building footprint, the other impervious surfaces include walkways and the driveway. The walkways and the driveway are needed to access the building. These circumstances are unique to the property.

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

The maximum lot coverage and impervious surface requirements are established to preserve open space in residence and office residence districts and to provide benefits from landscaping including buffers between uses, on-site retention of stormwater, and preserving the residential character of an area. Allowing an increase in lot coverage and impervious surfaces to accommodate an addition is reasonable and would be in keeping with the spirit and intent of the ordinance. The site is on a corner lot and the applicant has proposed new and enhanced landscaping between the building and the adjacent streets and on the west side of the building. Through the site plan review, staff is recommending that the planning commission require the applicant to provide additional landscaping on the north side of the building and between the existing buildings. Allowing an addition to add dwelling units to this residential property in a high-density multiple family zoning district is reasonable.

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

The proposed variance should not alter the character of the surrounding area or be injurious to the use and enjoyment of other property in the vicinity. Although providing the required amount of open space has many benefits, granting the variance would likely have little effect on the health, safety or welfare of the general public or the surrounding properties provided the site is adequately landscaped. Extending the enhanced landscaping into the public right-of-way as proposed by the applicant will be an additional amenity that should minimize any adverse effects of granting these variances.

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 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.

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- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances, windows and active functions:
 - Residential uses:

Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

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

Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

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

Minimum window area shall be measured as indicated in section 531.20 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.

Compliance with above requirements:

- The first floor of the addition to the building will be located 8 feet from the lot line adjacent to 5th Street Southeast. The three existing apartment buildings are located less than 1 foot from the property line along 15th Avenue Southeast.
- Between the building and 5th Street Southeast, landscaping and a walkway is proposed. To address a previous condition of approval, the concrete paving area or patio was removed because it is not permitted in a required yard.
- Principal entrances face the street.
- All parking will be fully enclosed within the building.
- The proposed building addition includes recesses and projections and other architectural elements, such as windows and balconies, to divide the building into smaller identifiable sections.
- There will not be any blank, uninterrupted walls that do not include windows, entries, recesses or projections or other architectural elements that exceed 25 feet in length. The applicant has indicated that they will provide additional architectural elements, such as windows, on the east fourth floor elevation above the far north and south existing buildings to prevent blank walls exceeding 25 feet in width.
- The primary exterior materials will be durable and include stucco, cementitious siding, metal cladding, burnished block and glass. Please note, exterior material changes at a later date would require review by the Planning Commission and an amendment to the site plan review.
- All sides of the building addition will be similar to and compatible with each other. The addition aligns with the floor plates of the existing building but uses materials that are different but compatible with the existing buildings to distinguish the addition from the original structures. In addition, the project includes needed repairs and maintenance to the existing structures so that those buildings are more compatible with the new addition. Staff is recommending a condition of approval that requires this needed maintenance and repair of the existing buildings.
- Plain face concrete block would not be used as a primary exterior building material.
- The principal entrances will be clearly defined and emphasized through the use of roofs and surrounded by windows to emphasize the importance.
- At least 20 percent of the first floor and at least 10 percent of the upper floors of the building walls in the addition facing 5th Street Southeast are required to be windows. The percentage of windows on the first floor is 27 percent and the percentage of windows on the second through sixth floors of the building is greater than 10 percent. Additional windows are provided on the first floor that do not count toward the minimum requirement because they are located in the entrance and garage doors.
- Windows will be vertical in proportion and distributed in a more or less even manner.
- More than 70 percent of the linear frontage of the ground floor building wall facing 5th Street Southeast will accommodate spaces with active functions.
- The proposed roofline is flat, consistent with other buildings in the area.

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.**

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- 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.

Compliance with above requirements:

- All of the principal entrances leading into and out of the building open directly to a walkway leading to the public sidewalk.
- No transit shelters are proposed as part of this development.
- Vehicle access has been designed to minimize conflicts with pedestrian traffic. There will be one 20-foot wide curb cut serving the entire site along 5th Street Southeast which will provide access to the enclosed parking. The existing curb cut along 15th Avenue Southeast will be closed. The site is not adjacent to a public alley.
- The maximum impervious surface permitted in the R5 district is 85 percent. Although 87 percent impervious surface coverage is proposed, the vast majority of the coverage is from the building footprint.

LANDSCAPING AND SCREENING:

- The composition and location of landscaped areas shall complement the scale of the development and its surroundings.
 - Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).
- Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.
- Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year.
- Screening shall be satisfied by one or a combination of the following:
 - A decorative fence.
 - A masonry wall.
 - A hedge.
- Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.
- The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.
- In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.
- All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.
- Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.
- The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.

Compliance with above requirements:

- The zoning code requires that a least 20 percent of the site not occupied by buildings be landscaped. The lot area of the site is approximately 21,802 square feet. The building footprint with the proposed addition is approximately 17,729 square feet. The lot area minus the building footprint therefore consists of approximately 4,073 square feet. At least 20 percent of the net site area (814.6 square feet) must be landscaped. Approximately 2,832 square feet of the site will be available for landscaping. That is equal to 69.5 percent of the net lot area.
- The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 2 and 9 respectively. One canopy tree and 33 shrubs are proposed on-site. Five additional canopy trees, 7 ornamental trees and 32 additional shrubs are proposed in the right-of-way. Previously the applicant had proposed 2 canopy trees and 24 shrubs on-site. Therefore alternative compliance is now requested.
- The remainder of the landscaped area will be covered with perennials, grasses and mulch. However, much of the landscaped areas, primarily between the existing buildings and in the north rear yard, are proposed to be covered in rock mulch and with few plants. The plan indicates that rock mulch will also be used in the planting areas. Mulch alone does not meet the intent of the landscaping requirements. Further, rock mulch has proven problematic in the past when it migrates to the public right-of-way. Staff is recommending that the planning commission require the applicant to provide additional landscaping in the aforementioned areas thereby limiting the use of mulch in lieu of landscaping and to not allow rock mulch to be used.

ADDITIONAL STANDARDS:

- **All parking lots and driveways shall be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch by six (6) inch continuous concrete curb.**
- **To the extent practical, site plans shall minimize the blocking of views of important elements of the city.**
- **To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **To the extent practical, buildings shall be located and arranged to minimize the generation of wind currents at ground level.**
- **Site plans shall include crime prevention design elements as specified in section 530.260 related to:**
 - **Natural surveillance and visibility**
 - **Lighting levels**
 - **Territorial reinforcement and space delineation**
 - **Natural access control**
- **To the extent practical, site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.**

Compliance with above requirements:

- All of the parking associated with the development will be fully enclosed within the building.
- The proposed building addition should not impede views of important elements of the city.
- Although this development will cast shadows on surrounding properties, the effects will be minimal. The building addition will be located over 20 feet from the adjacent residential structure to the west and 12 or more feet from the adjacent residential structure to the north.
- The building addition is designed with recesses and projections to minimize the generation of wind currents at the ground level.

- The development includes some environmental design elements to prevent crime. To allow natural surveillance and visibility, windows exceeding the minimum requirements are provided on all levels. There are multiple entrances facing both 5th Street Southeast and 15th Avenue Southeast. Lighting is proposed on the new addition. Fencing will be installed between the existing buildings to delineate between public and private spaces.
- The existing structures are not locally designated. The applicant has obtained a Historic Review Letter from CPED to determine whether or not the structure proposed for demolition is a historic resource that may be eligible for local historic designation. Staff determined that this property is not a potentially historic resource.

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

ZONING CODE: The site is zoned R5 Multiple-family District with the UA Overlay District. A multiple family dwelling with 5 or more units is a permitted use in the R5 district.

Parking and Loading:

Minimum automobile parking requirement: Generally, the minimum parking requirement is one space per unit. In the UA overlay district, 0.5 spaces per bedroom, but not less than one space per dwelling unit, is required. In this case, there will be 31 dwelling units and 118 bedrooms resulting in a minimum parking requirement of 59 parking spaces. The site qualifies for a ten percent reduction in parking because it is located within 300 feet of a transit stop with midday service headways of 30 minutes or less in each direction. The reduced parking requirement for the use is 53 stalls. The applicant would provide 41 parking stalls. The planning commission granted a variance to reduce the parking requirement from 59 spaces to 45 spaces when 34 dwelling units and 130 bedrooms were proposed. The overall amount of parking spaces per dwelling unit and per bedroom has not been reduced; therefore, a variance of the minimum parking requirement is not required. At least one accessible space is required. Two accessible spaces will be provided. Not more than 25 percent of the required spaces can be compact spaces. No compact spaces are proposed.

Maximum automobile parking requirement: There is not a maximum parking requirement for dwellings except for parking that is not enclosed. All parking spaces will be enclosed.

Bicycle parking requirement: In general, the minimum bicycle parking requirement is equal to one space per two dwelling units. In the UA overlay district, one bicycle or one scooter parking space is required per bedroom. Not less than 90 percent of the required bicycle parking spaces must meet the standards for long term parking. All required bicycle parking spaces must be accessible without moving another bicycle and its placement shall not result in a bicycle obstructing a required walkway. Bicycle racks shall be installed to the manufacturer's specifications, including the minimum recommended distance from other structures. In addition, required long-term bicycle parking spaces must be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and shall be accessible to intended users. Required long-term bicycle parking for residential uses shall not be located within dwelling units or within deck or patio areas accessory to dwelling units. In the UA overlay district, the required spaces also cannot be located in any required yard or between the principal building and the public street. The total minimum requirement is 118 spaces, of which at least 106 must meet the long-term parking requirements. The applicant has indicated that 118 bicycle parking spaces will be provided in the building.

Loading requirement: A loading space is not required for multi-family dwellings with less than 100 units. No on-site loading space is proposed.

Proposed Lot Area: The proposed lot area is 21,802 square feet.

Maximum Floor Area Ratio: The maximum FAR allowed in the R5 District is 2.0, which does not include enclosed parking. The development qualifies for a 20 percent density bonus because all required parking will be located within the building. Therefore the maximum FAR increases to 2.4. The building will have a total of 50,005 square feet, which is an FAR of 2.29. Please note that the proposed FAR is not increasing from what was previously proposed. The amount of gross floor area calculated from the original plans inadvertently omitted the floor area of one of the proposed floors.

Minimum Lot Area: The minimum lot area requirement in the R5 district is 700 square feet per dwelling unit; this results in 31 permitted units with a lot area of 21,802 square feet. The development qualifies for a 20 percent density bonus because all required parking will be located within the building, resulting in 37 units permitted on the zoning lot. This reduces the required lot area per dwelling unit to 589.2 square feet. For 31 dwelling units, the minimum lot area requirement is 18,265 square feet.

Dwelling Units per Acre: The applicant is proposing 31 dwelling units on a .5 acre site for a density of 62 dwelling units per acre. This level of density is considered high density per the comprehensive plan. The site is located on a Commercial Corridor as identified in *The Minneapolis Plan for Sustainable Growth*. High density is appropriate for the subject site based on the adopted policies for this land use feature.

Building Height: The maximum height allowed in the R5 district is 4 stories or 56 feet, whichever is less. The height is determined by the vertical distance from the natural grade measured at a point 10 feet away from the front center of the building to the average distance between the eave edge and the ridge level for a gable roof. The proposed height is 5-stories and 58 feet, 9 inches. The planning commission previously granted a conditional use permit to increase the maximum height to 5-stories and 56 feet, 8 inches. The applicant has requested an amendment to the conditional use permit to increase the maximum height allowed.

Yard Requirements:

Front yard requirements: The property is a reverse corner lot. For a reverse corner lot, both lot lines that abut a street are considered front lot lines and a required front yard needs to be provided and maintained along each of the lot lines. In the R5 district, the minimum front yard requirement is 15 feet or the established setback of the adjacent residential structure, whichever is greater. The front wall of the adjacent building to the west is set back 13 feet from the front lot line; therefore the addition is subject to the district setback of 15 feet adjacent to 5th Street Southeast. The building would be set back up to 8 feet from the lot line. The planning commission granted a variance to reduce the front yard setback from 15 feet to 8 feet along 5th Street Southeast to accommodate the proposed addition. No changes are proposed to the building setback. The previous approval of the site plan review also included a condition that no patio be located in the required front yard and that the walkway width not exceed 8 feet. The patio has been removed from the plans. The walkway width has been reduced to 6 feet, which is a permitted obstruction.

Interior side yard requirement: Multiple-family dwellings in the R5 district have a minimum side yard requirement of $5+2x$ (where x is the number of stories above the first floor). Adjacent to the west lot line, the required interior side yard setback for the proposed addition is 13 feet. The first and second floors would be set back up to 5 feet from the side lot line. The third through fifth floors would be set back 11 to 15 feet. The planning commission previously granted a variance to allow the first floor to be located 5 feet from the lot line and the second floor setbacks matched those of the third through fifth floors. Because the proposed setback of the second floor has been reduced, an amendment to the variance is required. Balconies are permitted obstructions provided they do not exceed 50 square feet in area and are located at least 10 feet from the side lot line.

Rear yard requirement: Multiple-family dwellings in the R5 district have a minimum rear yard requirement of $5+2x$ (where x is the number of stories above the first floor). Adjacent to the north lot line, the required rear yard setback for the proposed addition is 13 feet. The first through fifth floors would be set back up to 5 feet from the lot line. The planning commission previously granted a variance to allow most of the first floor to be located up to 5 feet from the lot line. A variance was not previously needed for the second through fifth floors as they were set back 15 to 24 feet from the lot line. As proposed, the first and second floor walls of the addition would be set back 5 to 6 feet. The walls of the third through fifth floors would be set back 6, 11.5 and 14.5 feet. Because the proposed setback of all of the floors has been reduced, an amendment to the variance is required. Walkways not exceeding 6 feet in width, stairs not exceeding 4 feet in width and landings not exceeding 16 square feet in area are permitted obstructions.

Lot Coverage: The maximum lot coverage permitted in the R5 district is 70 percent. The site is 21,802 square feet and the building footprint is 17,729 square feet. The applicant is proposing a lot coverage equivalent to 81.3 percent of the total site. The planning commission previously granted a variance to allow 81 percent lot coverage. The applicant has increased the proposed lot coverage by 135 square feet; therefore, an amendment of the variance is required.

Impervious Surface Coverage: The maximum impervious surface coverage allowed in the R5 district is 85 percent. For the proposed site, 18,532 square feet of coverage is allowed. The proposed amount of impervious surface is approximately 18,970 square feet, which covers 87 percent of the site. A variance is required to increase the maximum impervious surface requirement.

Specific Development Standards: Not applicable for this development.

Signs: Signs are subject to the requirements of Chapter 543 of the Zoning Code. In the R5 District, a multiple-family dwelling on a lot between 10,000 and 43,559 square feet can have one nonilluminated, flat wall identification sign not exceeding thirty-two square feet with a maximum height of fourteen feet or top of the wall, whichever is less. On a corner lot, two (2) such signs per building are allowed. The applicant has indicated that no signage is proposed. Any new signage will require Zoning Office review, approval, and permits.

Refuse Screening: Refuse and recycling storage containers are required to be enclosed on all four sides by screening compatible with the principal structure not less than two feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. The

refuse and recycling storage containers will be located inside the building in the enclosed parking area.

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.

Lighting: A photometric plan was not submitted as part of the application. All lighting will need to be downcast and shielded to avoid undue glare. All lighting shall comply with Chapters 535 and 541 and CPED staff shall review the details of the fixtures in the final review prior to permit issuance.

MINNEAPOLIS PLAN: The proposed development would be consistent with the applicable policies in the comprehensive plan and small area plans. In addition to the policies identified in the conditional use permit section of this report, the following also apply:

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 1.9: Through attention to the mix and intensity of land uses and transit service, the City will support development along Community Corridors that enhances residential livability and pedestrian access.

1.9.4 Discourage the conversion of existing residential uses to commercial uses outside of Neighborhood Commercial Nodes.

1.9.5 Encourage the development of low- to medium-density housing on Community Corridors to serve as a transition to surrounding low-density residential areas.

1.9.6 Promote more intensive residential development along Community Corridors near intersections with Neighborhood Commercial Nodes and other locations where it is compatible with existing character.

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.

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

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

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

10.4.1 Maintain and strengthen the architectural character of the city's various residential neighborhoods.

10.4.2 Promote the development of new housing that is compatible with existing development in the area and the best of the city's existing housing stock

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

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

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

10.6.1 Design buildings to fulfill light, privacy, and view requirements for the subject building as well as for adjacent properties by building within required setbacks.

10.6.4 Orient buildings and building entrances to the street with pedestrian amenities like wider sidewalks and green spaces.

10.6.5 Street-level building walls should include an adequate distribution of windows and architectural features in order to create visual interest at the pedestrian level.

10.6.6 Integrate transit facilities and bicycle parking amenities into the site design.

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

10.16.2 Provide streetscape amenities, including street furniture, trees, and landscaping, that buffer pedestrians from auto traffic, parking areas, and winter elements.

10.16.3 Integrate placement of street furniture and fixtures, including landscaping and lighting, to serve a function and not obstruct pedestrian pathways and pedestrian flows.

10.16.4 Employ pedestrian-friendly features along streets, including street trees and landscaped boulevards that add interest and beauty while also managing storm water, appropriate lane widths, raised intersections, and high-visibility crosswalks.

The site is also located within the boundaries of the *Master Plan and Urban Design Plan for the Marcy-Holmes Neighborhood*. In addition to the policies identified in the conditional use permit section of this staff report, the following policies apply to this project and this site:

- Eventual and gradual redevelopment of these three and a half blocks should attempt to preserve architecturally significant and contributing buildings as part of a larger redevelopment effort.
- Parking should not be accessed from 15th Avenue Southeast. Access from side streets is preferred.

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- The block should be developed with a variety of building heights. The north corner of the block should be lower scale, and in scale with the neighborhood.

Staff comment: The proposed addition adds height and density to this area and maintains the three existing brownstone apartment buildings on the development site. The project will include needed maintenance and repairs to the existing structures.

ALTERNATIVE COMPLIANCE

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

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

Alternative compliance was not previously requested by the applicant. Alternative compliance is now requested for the following:

Number of on-site canopy trees

The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 2 and 9 respectively. One canopy tree and 33 shrubs are proposed on-site. Five additional canopy trees, 7 ornamental trees and 32 additional shrubs are proposed in the right-of-way. Previously the applicant had proposed 2 canopy trees and 24 shrubs on-site. With the footprint of the building taking up most of the site and with the placement of the adjacent structures, there are limited locations where canopy trees can be located on-site. The additional on-site and off-site plantings proposed by the applicant meet the intent of this requirement. Therefore staff is recommending that the planning commission grant alternative compliance.

RECOMMENDATIONS:

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit amendment to increase the maximum allowed height from the previously approved 56 feet, 8 inches to 58 feet, 9 inches for the property located at 501 15th Avenue Southeast/1423 5th Street Southeast:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring

a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to reduce the required west interior side yard setback from 13 feet to 5 feet for the second floor of the building for the property located at 501 15th Avenue Southeast/1423 5th Street Southeast.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to reduce the required north rear yard setback from 13 feet to 5 feet for the first through fifth floors of the building for the property located at 501 15th Avenue Southeast/1423 5th Street Southeast.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to increase the maximum allowed lot coverage from the previously approved 81 percent to 81.3 percent for the property located at 501 15th Avenue Southeast/1423 5th Street Southeast.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to increase the maximum impervious surface requirement from 85 to 87 percent for the property located at 501 15th Avenue Southeast/1423 5th Street Southeast.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission **approve** the site plan review amendment for a 5-story addition with 13 new dwelling units for the property located at 501 15th Avenue Southeast/1423 5th Street Southeast, subject to the following conditions:

1. All site improvements shall be completed by August 26, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

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2. Department of Community Planning and Economic Development staff review and approval of the final elevations, floor, site, lighting and landscape plans before building permits may be issued.
3. Additional architectural elements shall be provided on the east fourth floor building elevation to prevent blank, uninterrupted walls that do not include windows, entries, recesses or projections or other architectural elements that exceed 25 feet in length as required by section 530.120 of the zoning code.
4. Additional landscaping (shrubs, turf grass, native grasses or perennials) shall be provided between the building and the rear lot line and in the areas between the existing buildings.
5. Landscaped areas not covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs, trees or edible landscaping shall be covered with wood mulch. Rock mulch shall not be used.
6. The existing buildings shall be repaired and renovated as needed so the existing building is compatible with the new addition. This shall include repairing or replacing existing porches, steps, entry doors, alcoves and windows, providing fencing in compliance with the zoning code along 15th Avenue Southeast, repairing or rebuilding cornices and tuck pointing existing brick exteriors as noted on the elevations.

Attachments:

1. October 15, 2012 Planning Commission actions
2. Statement of findings and project description
3. Zoning map
4. Site plan, floor plans and elevations
5. Color renderings
6. Photos